

Meander Valley Council

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

ORDINARY AGENDA

COUNCIL MEETING

Tuesday 8 March 2016

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 an ordinary meeting of the Meander Valley Council will be held at the Westbury Council Chambers, 26 Lyall Street, Westbury, on **Tuesday 8 March 2016 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 right;
- In the unlikelyhood of an emergency evacuation an alarm will sound and evacuation wardens will assist with the evacuation. When directed, everyone will be required to exit in an orderly fashion through the front doors and go directly to the evacuation point which is in the car-park at the side of the Town Hall.

Agenda for an ordinary meeting of the Meander Valley Council to be held at the Council Chambers Meeting Room, 26 Lyall Street, Westbury, on Tuesday 8 March 2016 at 1:30pm.

PRESENT:

APOLOGIES: Mayor Perkins

IN ATTENDANCE:**CONFIRMATION OF MINUTES:**

Councillor xx moved and Councillor xx seconded, ***“that the minutes of the Ordinary meeting of Council held on Tuesday 9 February, 2016, be received and confirmed.”***

COUNCIL WORKSHOPS HELD SINCE THE LAST MEETING:

Date :	Items discussed:
23 February 2016	<ul style="list-style-type: none"> • Councillor Capital Works Projects • Asset Management • Capacity of Westbury Exchange • Local Government Reform • Review of Regional Bodies in Northern Tasmania • Draft Model Code of Conduct • Rural Living Zone – Planning Scheme Amendment • Sustainable Environment Committee • Westbury Recreation Ground Building Upgrade • Wi-Fi Project

ANNOUNCEMENTS BY THE MAYOR:

Friday 12 February 2016

- Meeting with TasWater at Bracknell
- Meeting with NTD Local Government Committee

Saturday 13 February 2016

- Westbury Garden Show

Tuesday 23 February 2016

- Council Workshop

Thursday 25 February 2016

- Deloraine ODP – Workshop 2

Tuesday 1 March 2016

- Meeting with West Tamar and Northern Midlands Council to discuss Minister's request to expand shared services study to include voluntary amalgamations

Friday 4 March 2016

- Meeting of the NTD Local Government Committee

DECLARATIONS OF INTEREST:

TABLING OF PETITIONS:

Nil

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 2016

Nil

2. QUESTIONS WITHOUT NOTICE – MARCH 2016

COUNCILLOR QUESTION TIME

1. COUNCILLOR QUESTIONS TAKEN ON NOTICE – FEBRUARY 2016

1.1 Cr Bob Richardson

(a) Fire on Town Common, Westbury

During the height of the Lake Mackenzie fires, it is understood that a fire occurred on Westbury's Town Common. Apparently, two fire appliances/vehicles attended and extinguished the fire.

I have noticed that there is an increasing amount of long grass/unkept vegetation. Notable is a wide strip along the southern edge, which use to the mown.

Could Council explain why these fire hazards have not been slashed/mown?

Response by Matthew Millwood, Director of Works

Council undertakes slashing and mowing at the Westbury Town Common at the same or similar frequency to previous years. The maintenance is influenced by seasonal factors and can vary slightly from one year to the next.

In recent years, areas of the Town Common have been planted with vegetation (small trees, tussocks etc.) consequently reducing the overall area that Council is able to slash. The plantings undertaken involve buffer planting (southern boundary) and riparian edge and meadow planting adjacent to Quamby Brook – these areas are creating habitat for small marsupials and are detailed in the Westbury Town Common Redevelopment Plan.

The Westbury Town Common Redevelopment Plan (concept only) was received by Council at the May 2008 Ordinary Council Meeting with the concept design approved for its presentation to the Westbury community for public consultation. The Westbury Town Common Redevelopment Plan was finalised in May 2009.

On 19 August 2015, the Director Development Services presented at the Townscape, Reserves and Parks (TRAP) Special Committee detailing a proposal from former members of the Westbury Working Together subcommittee (Westbury Town Common) to establish a Landcare Group for the Town Common area. The TRAP Special Committee indicated its support for the formation of the Landcare Group providing the group adhered to the recommendations and actions of the Westbury Town Common Redevelopment Plan.

(b) Cat Management/Control

Early in 2015, Council formed a Group which aimed to develop a mechanism for control and management of cats. Soon after, the Tasmanian Government announced a similar project. Council's response was to place its "Cat Committee" in recess.

Little, certainly of a practical nature, appears to have been done by the State Government.

Have we simply had our attempts delayed, or even foiled?

***Response by Martin Gill, Director Development Services
I am sorry, I do not know the answer to that question.***

1.2 Cr Deb White

Question by Councillor White: In his letter to Council of 29/12/15, Cr Richardson makes reference to the Westbury Pool, and the Westbury Pool Committee. Is Cr Richardson aware that the report commissioned by the Committee concluded that:

"If the Westbury Pool group is able to overcome the critical issues associated with:

- a) attracting establishment funding (\$5,000,000 build with \$0.25m running costs pa) without the involvement of a local council
- b) attracting the number of users (require a catchment population in excess of 13,000 people
- c) attracting and retaining sufficient volunteer staff then

the establishment and operation of a 25 metre public indoor heated swimming pool at Westbury may be viable"?

Response by Cr Bob Richardson

I am aware that the Westbury Pool Committee commissioned a Report into the establishment of a pool in Westbury. However, I was unaware of the findings of the consultant.

I am interested in the list of “critical issues” as cited by Cr White:

a) establishment funding of \$5,000,000 and annual running costs of \$250,00.

I note that it did not seem a problem for Deloraine to attract establishment costs for the recent (second) Deloraine Pool (sited at Deloraine Primary School).

I also question the \$250,000 annual running costs; Pools at Mole Creek and Caveside cost nowhere near this amount, nor does the (first) Deloraine Pool on the riverbank.

b) a requirement of a catchment population of at least 13,000 people.

It is noted that this did not seem to be a problem for the recent Deloraine Pool. It should also be noted that the population within a 20km radius of Westbury is about 10,500 (not far from the 13,000 cited). Within 20km of Deloraine there are about 8,500 people – about 20% less than the Westbury 20km catchment.

c) “attraction of and retention of volunteers”

Westbury has a strong and long history of engagement of volunteers.

In short a Westbury Pool is likely to be more viable than pools in other Meander Valley centres.

The real question really is: When will Meander Valley Council initiate moves to establish a 25-metre indoor pool in Westbury, and thus begin to restore balance, fairness and equity to ratepayers across the whole municipality? Alternatively, Council should consider a rate reduction in the general rate for those receiving fewer services, should it not?

PS. There are not (at least) 13,000 people in (reasonable) catchments for the following population centres which have pools:

- | | | |
|-----------------|---------------|----------------|
| . Campbell Town | . Mole Creek | . Cressy |
| . Caveside | . Oatlands | . Hastings |
| . Scottsdale | . Ross (?) | . St Marys |
| . St Helens | . Deloraine | . Bothwell (?) |
| . Rosebery | . Smithton | . Queenstown |
| . Huonville | . George Town | . Avoca ... |

2. COUNCILLOR QUESTIONS ON NOTICE – MARCH 2016

3. COUNCILLOR QUESTIONS WITHOUT NOTICE – MARCH 2016

DEPUTATIONS BY MEMBERS OF THE PUBLIC

NOTICE OF MOTIONS BY COUNCILLORS

GOV 1 CR DEB WHITE – POKER MACHINE INDUSTRY REFORM

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 Deputy Mayor advises that for items DEV 1 and DEV 2 Council is acting as a Planning Authority under the provisions of the *Land Use Planning and Approvals Act 1993*.

DEV 1 EXTRACTIVE INDUSTRY – 1521 ILLAWARRA ROAD, CARRICK

1) Introduction

This report considers the planning application PA\16\0053 for an Extractive Industry – expansion of an existing quarry for land located at 1521 Illawarra Road, Carrick (CT 12512/1).

2) Background

Applicant

O Diprose

Planning Controls

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

The use and development is scheduled as a Level 2 Activity under the *Environmental Management and Pollution Control Act (EMPCA) 1994*, and as such is subject to the assessment of the Environmental Protection Authority (EPA) under that Act combined with the assessment under the Scheme.

Development

The proposal is to expand an existing quarry (on mining lease 1616 P/M). The quarry currently operates as a Level 1 Activity (as per the *Environmental Management and Pollution Control Act 1994*) extracting up to 4,999 m³ per annum and has existing use rights. The proposal is to increase the amount extracted to 20,000 m³ per annum. Extraction of 5,000 m³ or more triggers an assessment as a Level 2 Activity (as per the *Environmental Management and Pollution Control Act 1994*).

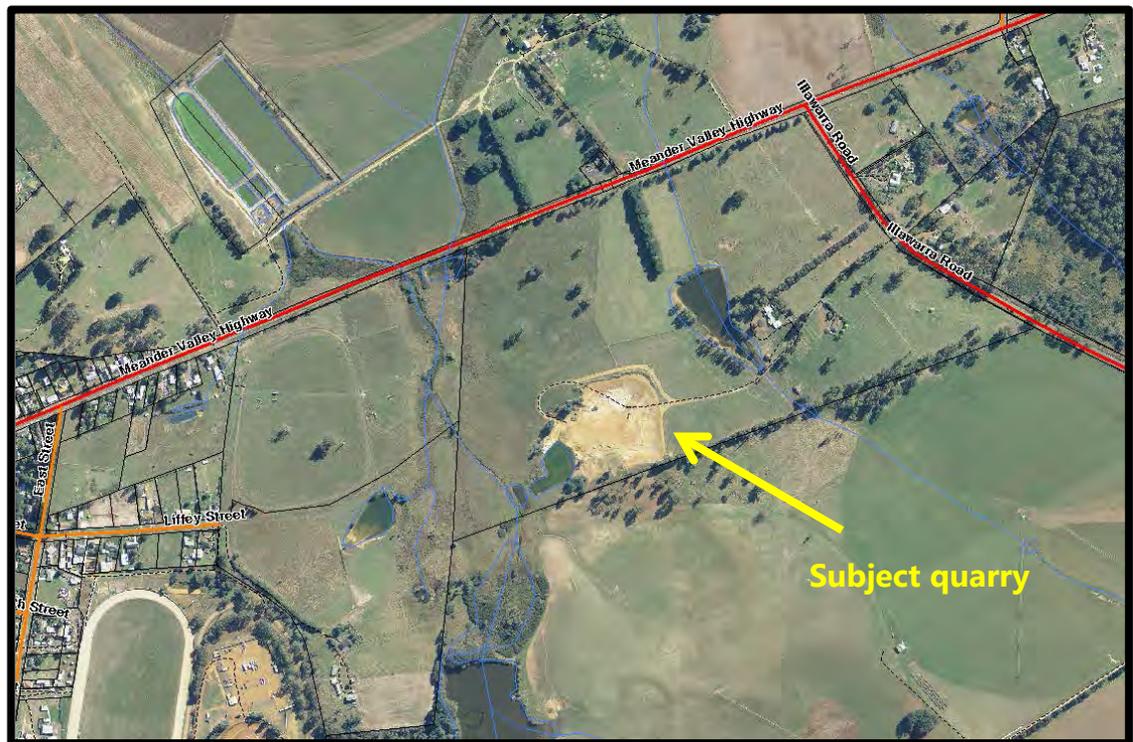
The current and proposed quarrying activities include the following common features:

1. Surface site preparation by soil removal and stockpiling
2. Excavation and ripping of clay material (no blasting or crushing is required)
3. Stockpiling of material in quarry area
4. Loading trucks from stockpile area in quarry, and
5. The transport of materials by truck with/without trailer.

The proposed days and hours of operation are:

- Monday to Friday 7:00am – 7:00pm
- Saturday 8:00am-4:00pm
- Sunday and public holidays – closed.

The above operating days/hours are in keeping with the *Quarry Code of Practice 1999*, for quarries in the vicinity of a residential premises. The proposed lifespan of the quarry is 10 years.



Locality diagram – showing relationship of quarry to Carrick township and surrounding road networks

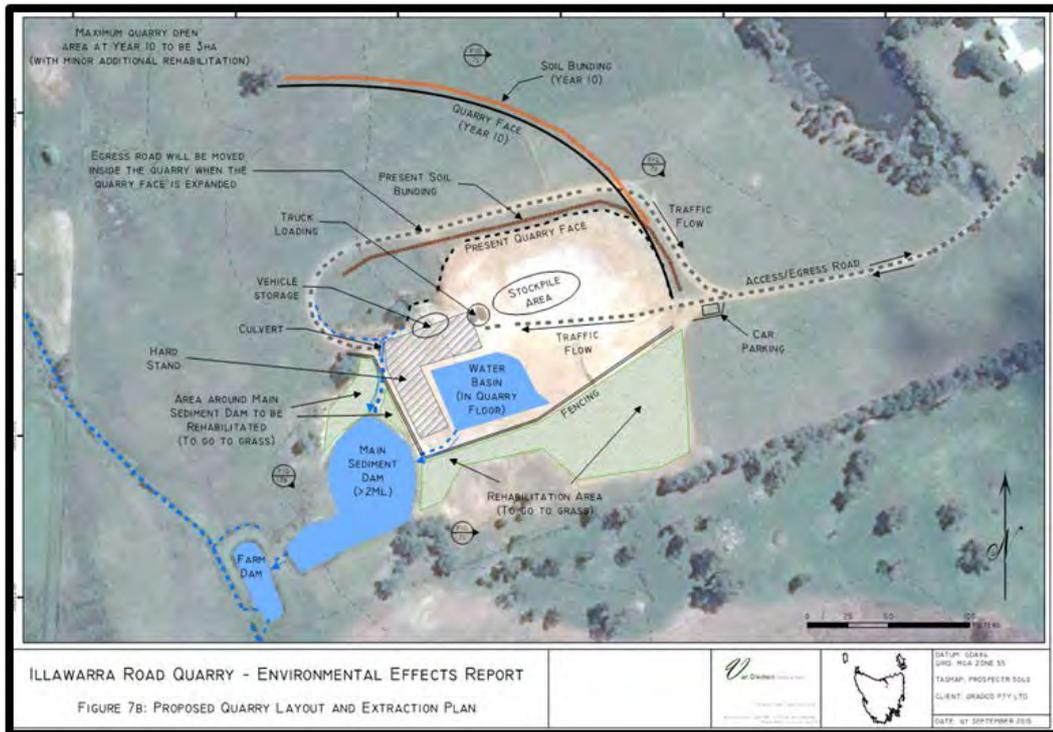


Figure 1: proposed quarry layout and extraction plan (source: *Planning and Environmental Effects Report* page 27).

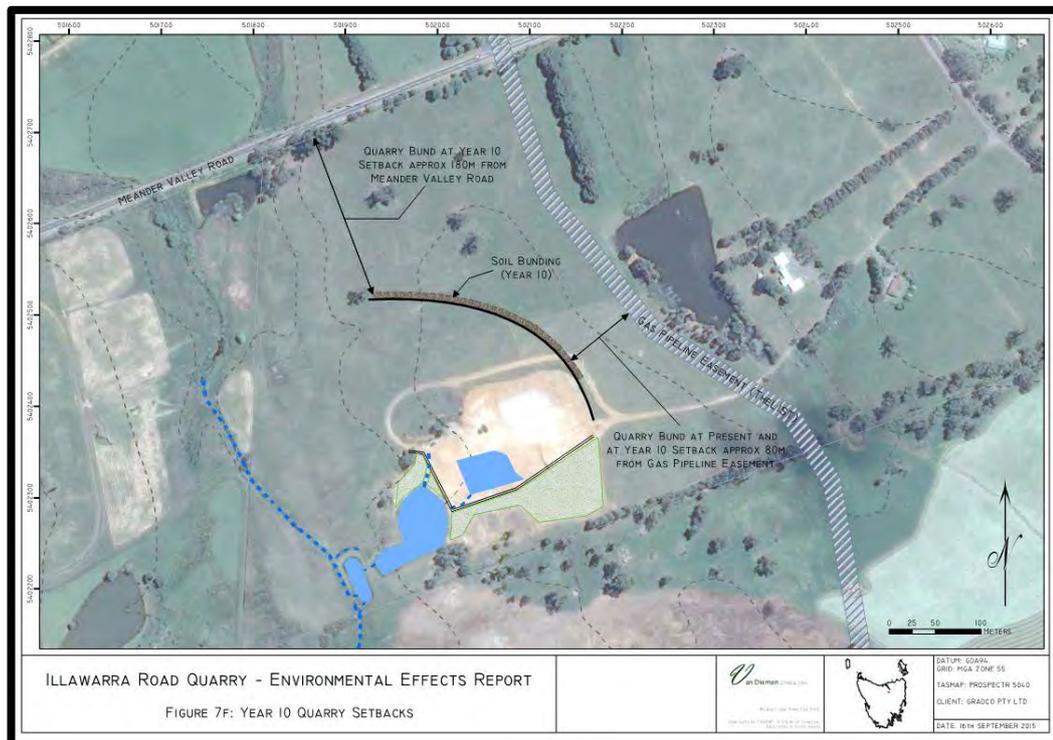


Figure 2: Year 10 quarry setbacks (source: *Planning and Environmental Effects Report* page 30a).

The proposed heavy equipment to be used on site includes bulldozer, loader and grader.

Vehicles will enter and exit the site via the existing internal driveway off Illawarra Road. The proposal includes sealing the first 50m of the internal driveway (by June 2016). In the interim, a sprinkler system will be used to dampen the road surface for dust mitigation when used by cartage trucks.

The existing hardstand area will be expanded to accommodate additional stockpiles and truck loading. This hardstand area is located within the quarry pit. The hardstand area will be gravelled, with surface water directed to the sediment pond/dam. The water subsequently drains into a farm dam and then an un-named drainage system, before entering into the Meander River

Two car parking spaces will be provided outside of the extraction zone of the pit. There is one staff member on site at any one time, plus any delivery drivers.

Staff amenities are located within an existing outbuilding on the property.

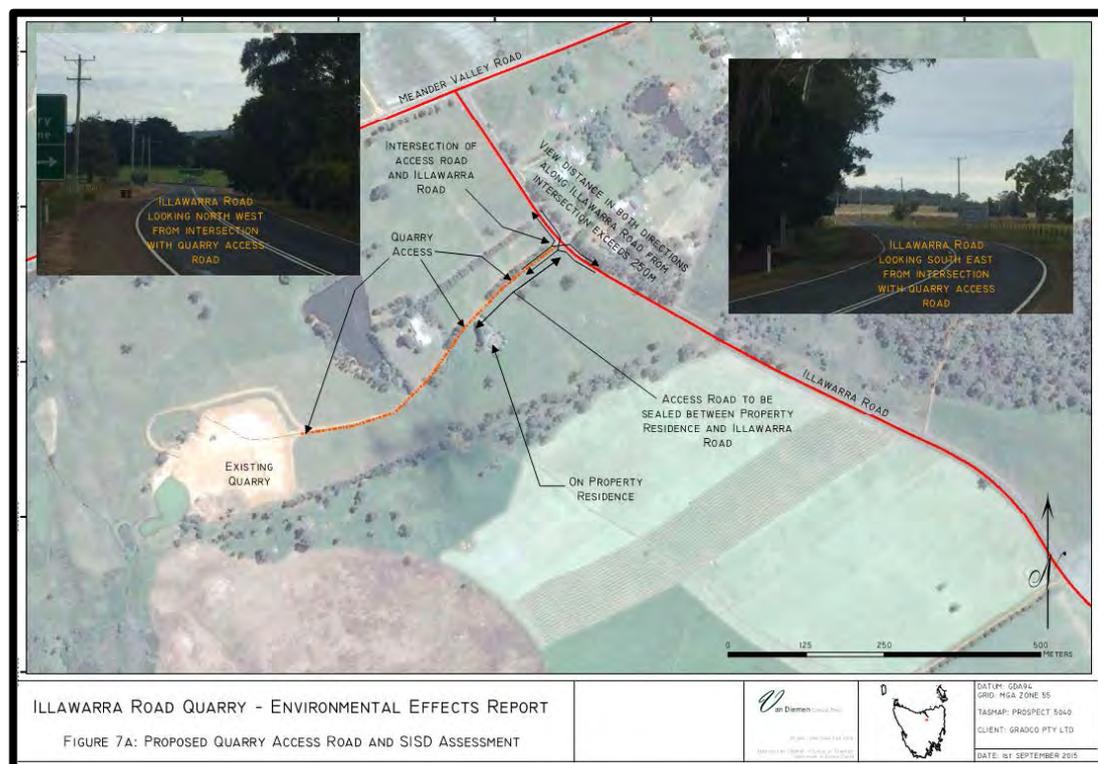


Figure 3: Proposed quarry access (source: Planning and Environmental Effects Report page 26).

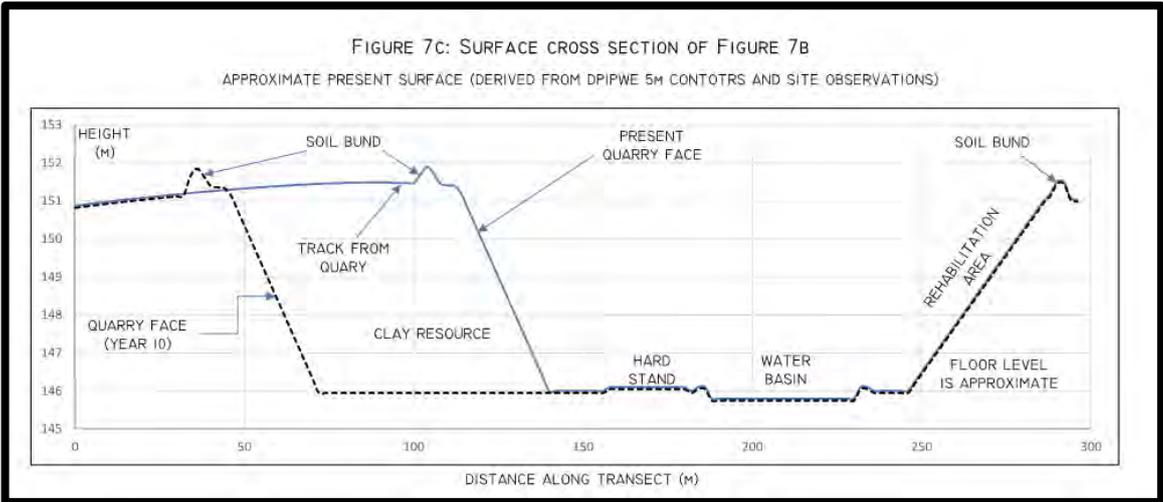


Figure 4: north-south cross section (source: *Planning and Environmental Effects Report* page 28).

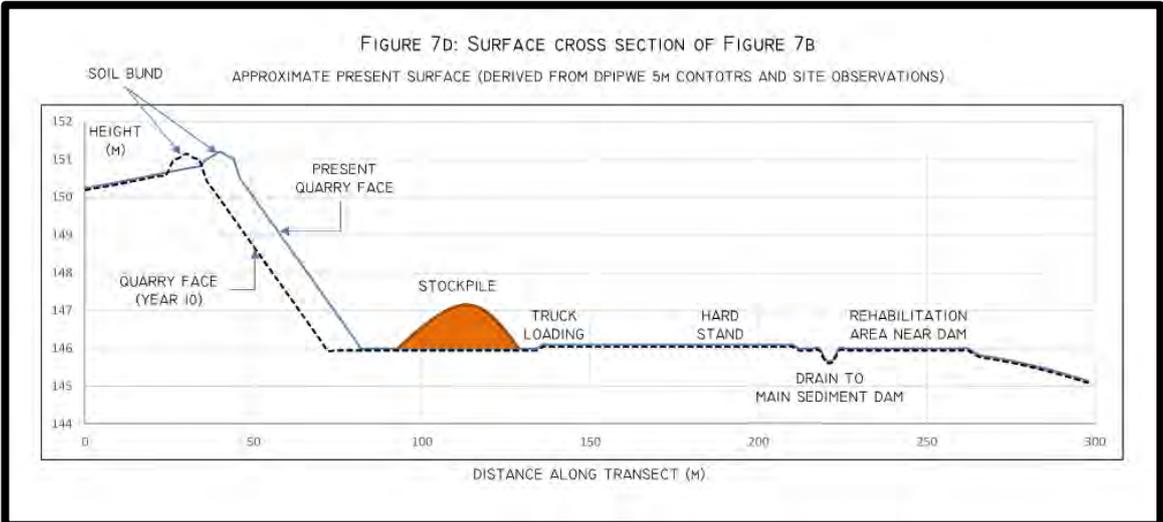


Figure 5: east-west cross section (source: *Planning and Environmental Effects Report* page 29).

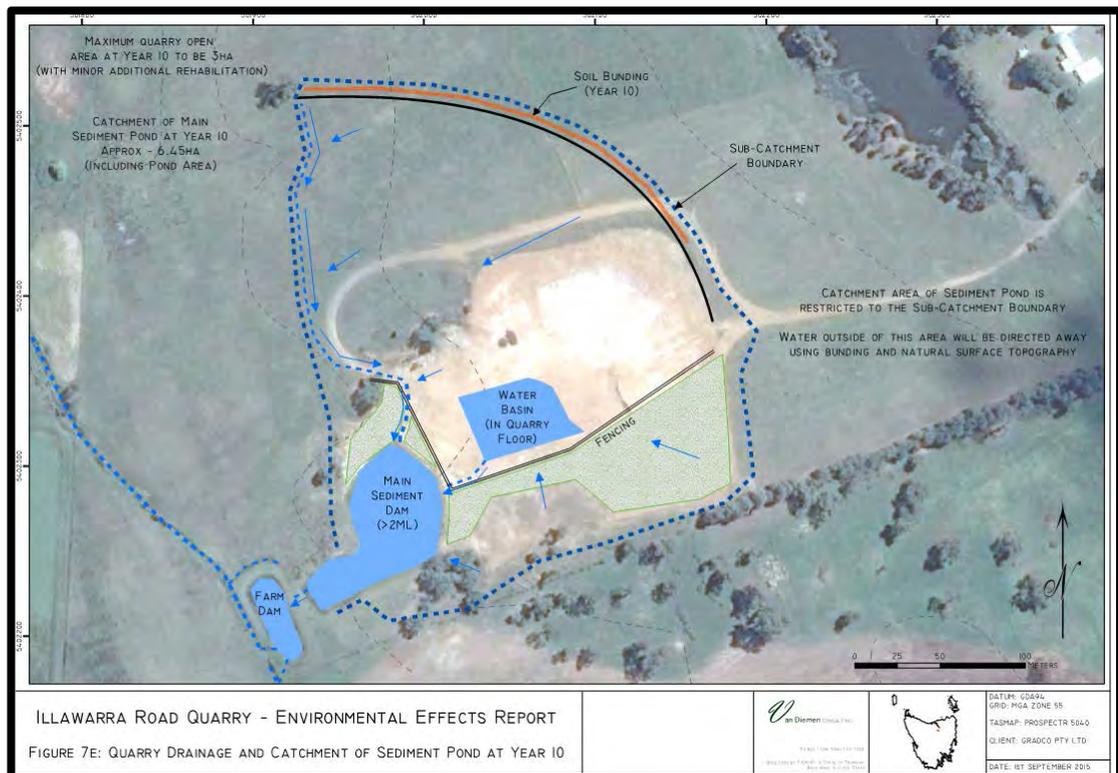


Figure 6: proposed drainage at Year 10 (source: *Planning and Environmental Effects Report* page 30).



Photos 1-3: quarry site from northern embankment – looking south.

Site and Surrounds

The subject property is located on the south-west corner of the Meander Valley Road and Illawarra Road intersection. A mining lease (1616P/M) is located on the western portion of the title (see Photo 4 below). In addition to the subject quarry, the property contains a house and outbuildings. The remaining land is used for grazing purposes.

The surrounding land use is farming and lifestyle lots (Figure 7 and Photo 5 below show the separation distance to neighbouring houses). A TasGas

facility is located to the north of the Meander Valley Road. The Tasmanian Gas Pipeline is located between the quarry and the watercourse that dissects the property.

The amount of quarry activity on site has varied over time and been dependant on orders received.



Photo 4: shows the subject title boundary (yellow outline) and the mining lease (1616P/M) (red outline).

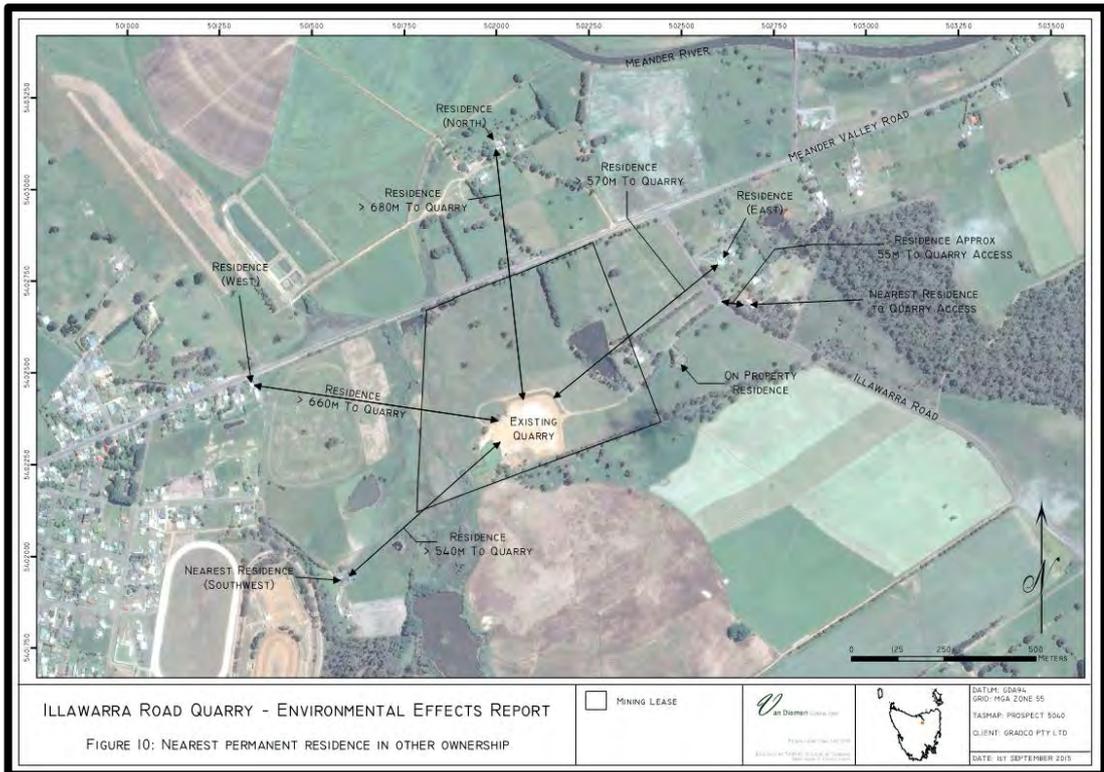


Figure 7: showing distances to neighbouring houses (source: Planning and Environmental Effects Report page 49).

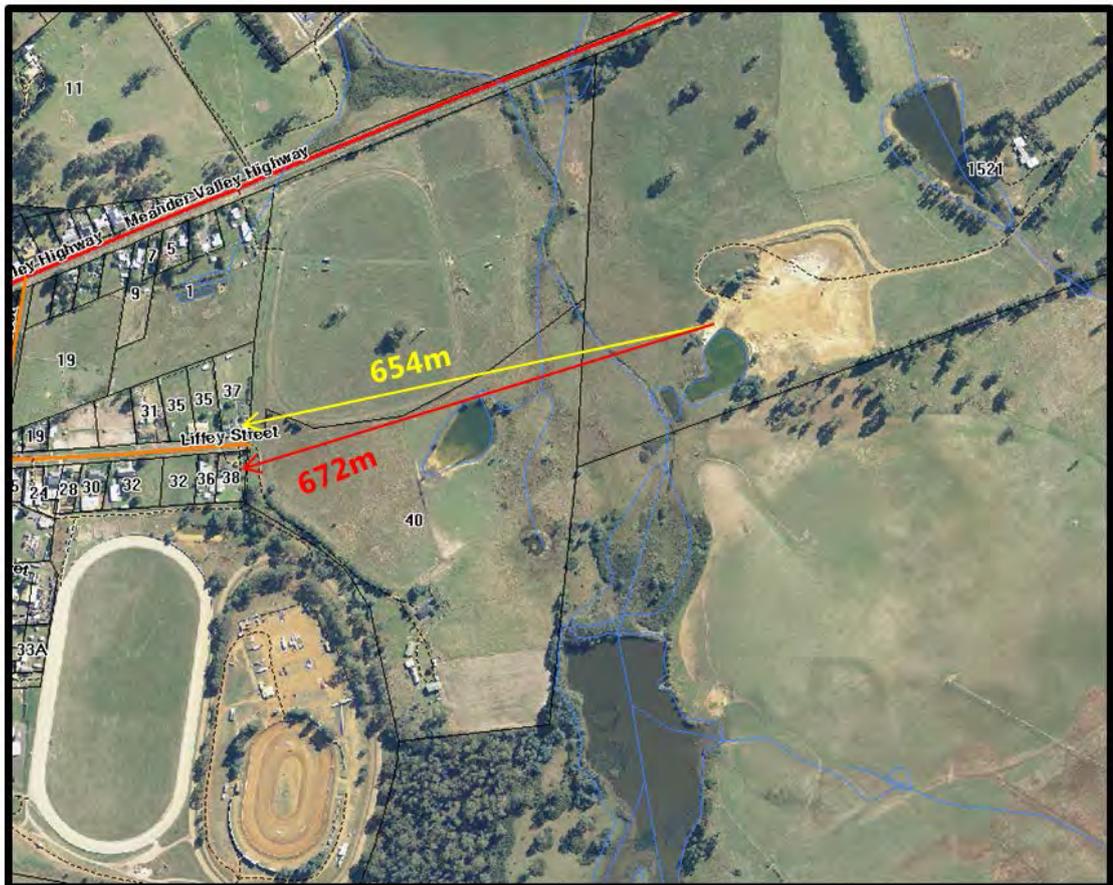


Photo 5: showing distances to houses in Liffey Street.

Statutory Timeframes

Date Environmental Protection Authority Determination Received:	9 February 2016
Request for further information:	Not applicable
Information received:	Not applicable
Advertised:	21 November 2015
Closing date for representations:	8 December 2015
Extension of time granted:	Not applicable
Extension of time expires:	Not applicable
Decision due:	21 March 2016

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.

The application is for an extension of the existing quarry operations to a level which exceeds the thresholds for a Level 1 Activity. Section 25(1) of EMPCA requires a planning authority to refer all Level 2 development applications to the Board of the Environmental Protection Authority (EPA) for assessment under EMPCA.

The application was advertised in accordance with written advice from EPA. One representation was received and forwarded to the EPA. Subsequently, the EPA completed their Determination (Environmental Assessment Report and Permit Part B Permit Conditions – Environmental No. 9354), with Council receiving these documents on the 9 February 2016.

Statutory timeframes do not commence until the EPA's Determination has been received by the planning authority. In accordance with Section 25(2)(f)

of EMPCA, the planning authority is not to assess any matter addressed in the Board's assessment.

Any permit issued by the planning authority must include the EPA conditions. Permit conditions of the planning authority cannot be inconsistent or contradict those issued by the EPA.

6) Risk Management

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

7) Consultation with State Government and other Authorities

The application was referred to Zinfra, State Growth and Tas Gas.

8) Community Consultation

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

During the advertising period, Tas Gas did provide written advice that they do not object to the proposal. This was not considered a representation.

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 Rural Resource (see Figure 8 below). The land surrounding the site is located in the Rural Resource Zone.

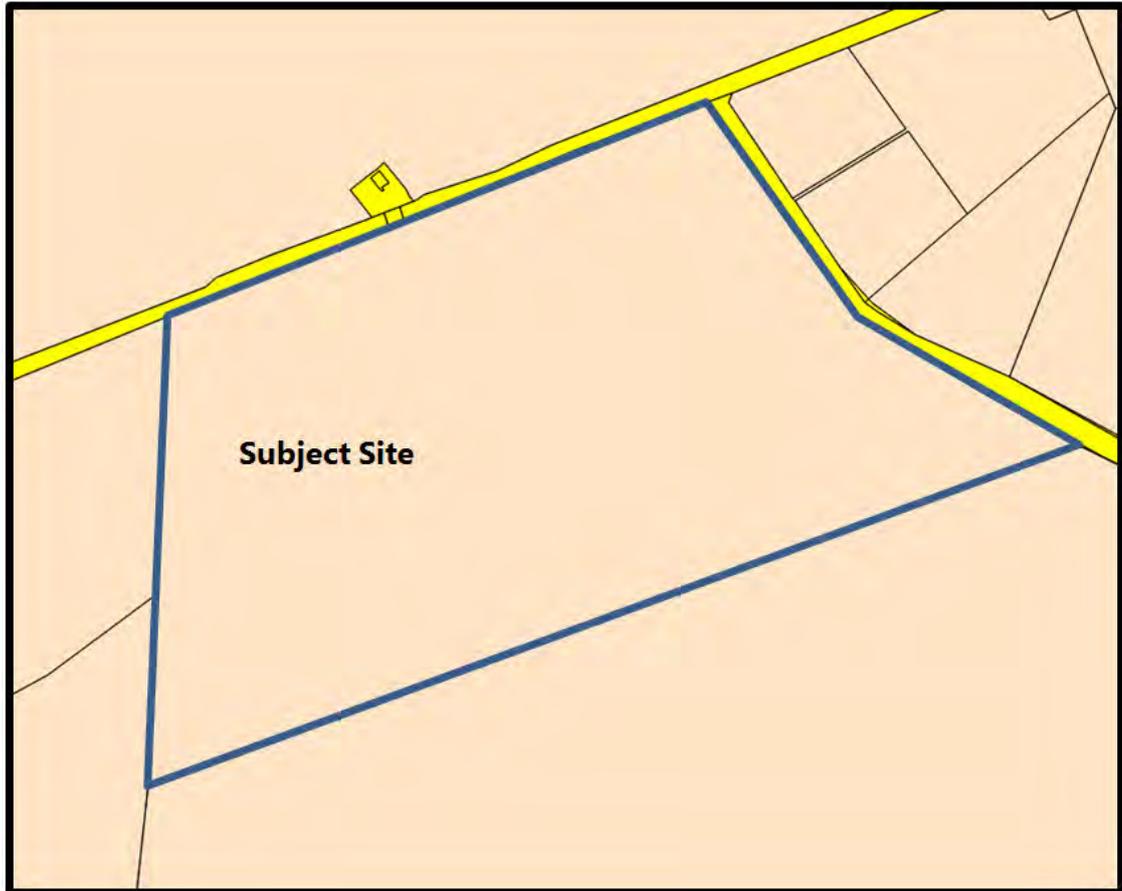


Figure 8: Zoning of subject property and surrounding land.

- **Overlays**

The title is subject to the Priority Habitat Overlay (vertical green strips) and the Tasmanian Gas Pipeline Corridor Overlay (red line and hatching) (see Figure 9 below).

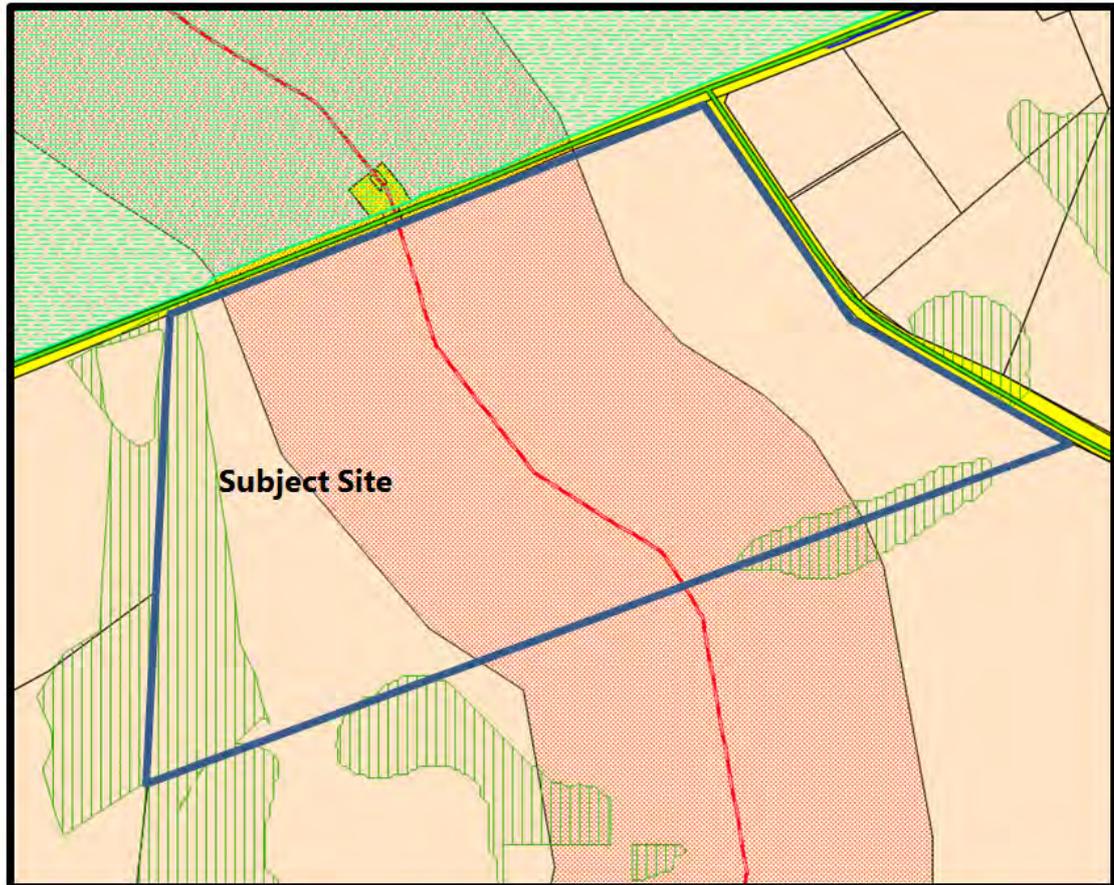


Figure 9: Overlays of subject property and surrounding land.

NOTE: the EPA's Environmental Assessment Report stated that: *TASVEG 3.0 also identified two native vegetation communities – Lowland Poa Labillardierei grassland and Inland Eucalyptus amygdalina forest and woodland on Caonozoic deposits. Neither community nor any other native vegetation community exists on the land...One flora species listed on the Tasmanian Threatened Species Protection Act 1995 was recorded within the Land: Juncus amabilis (gentle rush). Listed as Rare – two plants were observed growing on the very edge of the existing sediment pond (page 3).*

Use Class

In accordance with Table 8.2 in the Scheme the proposed Use Class is:

- Extractive Industry

The use class is specified in Table 26.2 (Rural Resource) as being *Discretionary*.

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 General 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.

26.0 Rural Resource Zone			
Scheme Standard		Comment	Assessment
26.3.1 Uses if not a single dwelling			
A1- A5	If for permitted or no permit required uses.	Level 2 Extractive Industry is a Discretionary use.	Relies on Performance Criteria
26.3.2 Dwellings			
A1	1.1 Development must be for the alteration, extension or replacement of existing dwellings; or 1.2 Ancillary dwellings...; or 1.3 New dwellings...	Not Applicable	Not Applicable
26.3.3 Irrigation Districts			
A1	Non-agricultural uses are not located	Not Applicable	Not Applicable

	within an irrigation district proclaimed under Part 9 of the Water Management Act 1999.		
26.4.1 Building Location and Appearance			
A1	Building height must not exceed: a) 8m for dwellings; or b) 12m for other purposes.	Not Applicable	Not Applicable
A2	Buildings must be set back a minimum of: a) 50m where a non-sensitive use or extension to existing sensitive use buildings is proposed; or b) 200m where a sensitive use is proposed; or c) the same as existing for replacement of an existing dwelling.	Not Applicable	Not Applicable

E4 Road and Railway Assets Code			
Scheme Standard		Comment	Assessment
E4.6.1 Use and road or rail infrastructure			
A1	Sensitive use on or within 50m of a category 1 or 2 road...	That section of Illawarra Road is a Category 5 road. The quarry is not classified as a sensitive use.	Not Applicable
A3	For roads with a speed limit of more than 60km/h the use must not increase the annual average daily traffic (AADT)	Illawarra Road has a speed limit greater than 60km/h. The increase in daily traffic movements is anticipated to potentially be greater than 10%.	Relies on Performance Criteria.

	movements at the existing access or junction by more than 10%.		
E4.7.1 Development on and adjacent to Existing and Future Arterial Roads and Railways			
A1	The following must be at least 50m from a railway, a future road or railway, and a category 1 or 2 road...	Illawarra Road and Meander Valley Road are Category 5 roads. The quarry located over 500m from Illawarra Road.	Not Applicable
E4.7.4 Sight Distance at Accesses, Junctions and Level Crossings			
A1	Sight distance at a) An access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.7.4...	The application included a Traffic Impact Assessment. This assessment stated that the access onto Illawarra Road complies with Table E4.7.4.	Complies.

E6 Car Parking and Sustainable Transport Code			
Scheme Standard		Comment	Assessment
E6.6.1 Car Parking Numbers			
A1	The number of car parking spaces must not be less than the requirements of a) Table E6.1...	Table E6.1 states for Extractive Industry the number of car parking spaces required is 1 space per 2 employees. The application provides 2 car parking spaces. There is only 1 staff member on site at only one time, plus any delivery driver.	Complies
E6.7.1 Construction of Car Parking Spaces and Access Strips			
A1	All car parking, access strips manoeuvring and circulation spaces	The internal driveway to the site exists and is utilised as part of the existing quarry operations. This driveway is	Relies on Performance Criteria

	<p>must be:</p> <p>a) formed to an adequate level and drained; and</p> <p>b) except for a single dwelling, provided with an impervious all weather seal; and</p> <p>c) except for a single dwelling, line marked or provided with other clear physical means to delineate car spaces.</p>	<p>formed (gravelled, all weather surface) and drains to the adjacent land. The car parking spaces are not line marked or delineated.</p>	
E6.7.2 Design and Layout of Car Parking			
A2	<p>A2.1 Car parking and manoeuvring space must:</p> <p>a) have a gradient of 10% or less; and</p> <p>b) where providing for more than 4 cars, provide for vehicles to enter and exit the site in a forward direction; and</p> <p>c) have a width of vehicular access no less than prescribed in Table E6.2, and not more than 10% greater than prescribed in Table E6.2; and</p> <p>d) have a combined width of access and manoeuvring space adjacent to parking spaces not less than as prescribed in Table E6.3 where any of the following apply:</p>	<p>The access onto Illawarra Road is via the existing access. Vehicles can enter and exit this access in a forward direction. The car parking spaces are located greater than 30m from Illawarra Road.</p>	<p>Relies on Performance Criteria.</p>

	<p>i) there are three or more car parking spaces; and</p> <p>ii) where parking is more than 30m driving distance from the road; or</p> <p>iii) where the sole vehicle access is to a category 1, 2, 3 or 4 road; and</p> <p>A2.2 The layout of car spaces and access ways must be designed in accordance with Australian Standards AS 2890.1 - 2004 Parking Facilities, Part 1: Off Road Car Parking.</p>		
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Performance Criteria

Rural Resource Zone
26.3.1 Uses if not a single dwelling
<p>Objective:</p> <p><i>a) To provide for an appropriate mix of uses that support the Local Area Objectives and the location of discretionary uses in the rural resources zone does not unnecessarily compromise the consolidation of commercial and industrial uses to identified nodes of settlement or purpose built precincts.</i></p> <p><i>b) To protect the long term productive capacity of prime agricultural land by minimising conversion of the land to non-agricultural uses or uses not dependent on the soil as a growth medium, unless an overriding benefit to the region can be demonstrated.</i></p> <p><i>c) To minimise the conversion of non-prime land to a non-primary industry use except where that land cannot be practically utilised for primary industry purposes.</i></p> <p><i>d) Uses are located such that they do not unreasonably confine or restrain the operation of primary industry uses.</i></p> <p><i>e) Uses are suitable within the context of the locality and do not create an</i></p>

unreasonable adverse impact on existing sensitive uses or local infrastructure.
f) The visual impacts of use are appropriately managed to integrate with the surrounding rural landscape.

Performance Criteria P1-P5:

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

P2.1 Utilities, extractive industries and controlled environment agriculture located on prime agricultural land must demonstrate that the:

- i) amount of land alienated/converted is minimised; and*
- ii) location is reasonably required for operational efficiency;*

P3 The conversion of non-prime agricultural to non-agricultural use must demonstrate that:

a) the amount of land converted is minimised having regard to:

- i) existing use and development on the land; and*
- ii) surrounding use and development; and*
- iii) topographical constraints; or*

b) the site is practically incapable of supporting an agricultural use or being included with other land for agricultural or other primary industry use, due to factors such as:

- i) limitations created by any existing use and/or development surrounding the site; and*
- ii) topographical features; and*
- iii) poor capability of the land for primary industry; or*
- c) the location of the use on the site is reasonably required for operational efficiency.*

P4 It must demonstrated that:

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

P5 It must be demonstrated that the visual appearance of the use is consistent with the local area having regard to:

- a) the impacts on skylines and ridgelines; and*

- b) *visibility from public roads; and*
- c) *the visual impacts of storage of materials or equipment; and*
- d) *the visual impacts of vegetation clearance or retention; and*
- e) *the desired future character statements.*

Comment:

The Local Area Objectives for the Rural Resource Zone state that Primary Industries are to be protected for long-term sustainability. Primary Industries include mining operations.

The land within the Mining Lease is classified as Class 4 – not Prime Agricultural Land.

This particular mining operation is campaign based – the amount of activity on site is dependent on the orders received for materials. As such, the rate and amount of land developed will vary throughout the year.

The proposed quarry operations are located within the existing mining lease area. However, the amount of land within the mining lease area available for quarrying activities is restricted due to the location of the Tasmanian Gas Pipeline and TasGas infrastructure. Land not currently used for mining operations is used to graze cattle.

Being a Level 2 Activity (quarry), the emissions will be managed by EPA and the conditions within the Board's Permit (Permit Part B, Permit Conditions – Environmental No. 9354 - attached).

The proposal is to use the existing access off Illawarra Road. State Growth do not expect the increase in traffic generation to have any significant adverse effect on Illawarra Main Road.

The desired future character statement for the Rural Resource zone is that *"the visual impacts of use and development within the rural landscape are to be minimised such that the effect is not obtrusive"*. The proposed site is located on undulating land (not located on a skyline or a ridgeline). The vegetation cover of the proposed quarry area is pasture grass. Storage of material and equipment will be inside the quarry pit or within buildings nearby.

The current quarry is not visible from Illawarra Road. The speed of traffic, vegetation and topography limit visibility of the existing quarry from

Meander Valley Road. It is anticipated that the proposed extension of the quarry will not result in any significant change to the visual aspect from these roads.

Due to the topography of the land, the existing quarry operations are visible from Liffey Street and East Street. The current amount of disturbed land (including land recently re-shaped with topsoil – but not yet grass seeded) is approximately 2.8ha in size. The report states that the proposed maximum 'disturbed area' that would remain un-rehabilitated at any one time is 3 ha. As such, the visibility of the proposed quarry expansion will be similar to or only marginally greater (less than 10%), than the existing.

The development is considered consistent with the Objectives. No further action is required.

E4 Road and Railway Assets Code

E4.6.1 Use and road or rail infrastructure

Objective:

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

Performance Criteria P3:

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

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

Comment:

The proposal will increase the annual average daily traffic (AADT) movements at the existing access by more than 10%. In accordance with the State Road Hierarchy, that section of Illawarra Road and Meander Valley Road are both Category 5 roads.

The report states that the quarry contains a substantial resource of high quality material for dam and flood levee construction. Furthermore, the report states that *"material suitable for the construction or lining of dams and flood levees is uncommon in the region and the material present at this quarry is a resource proven to be effective in dam and flood-protection projects"*.

The access to the existing quarry is via the existing access off Illawarra Road. This access is currently at a standard required for the proposed usage. A new access is not warranted in this instance.

State Growth assessed the application and the Traffic Impact Assessment and concluded that:

In terms of the access, State Growth have assessed the site in context with the proposed expansion and are satisfied that the arrangements are satisfactory taking the following into account;

- *The access was previously upgraded as part of a previous application for quarry operations, namely to ensure the design heavy vehicles can negotiate the geometry without encroachment on opposing traffic lanes.*
- *As part of this upgrade the access was sealed between Illawarra Road and the property boundary to minimise any tracking of loose material onto the road. It is noted that sealing of the internal roadway is not something State Growth can impose and is a matter between Council and the proponent.*
- *Sight distances to and from the access point satisfactorily meet Austroads Guidelines for the prevailing operating speeds on Illawarra Road.*
- *The section of Illawarra Road passing the access is a Category 5 road (i.e. lowest) in the State Road hierarchy and has very low traffic volumes so there are no traffic capacity issues in terms of catering for the additional heavy vehicle movements.*
- *There has been no reported crash history in the vicinity within the last 5 years.*

The development is considered consistent with the Objectives. No further action is required.

E6 Car Parking and Sustainable Transport Code

E6.7.1 Construction of Car Parking Spaces and Access Strips

Objective:

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

Performance Criteria P1:

All car parking, access strips, manoeuvring and circulation spaces must be readily identifiable and constructed to ensure that they are useable in all weather conditions.

E6.7.2 Design and Layout of Car Parking

Objective:

To ensure that car parking and manoeuvring space are designed and laid out to an appropriate standard.

Performance Criteria P2:

Car parking and manoeuvring space must:

- a) be convenient, safe and efficient to use having regard to matters such as slope, dimensions, layout and the expected number and type of vehicles; and*
- b) provide adequate space to turn within the site unless reversing from the site would not adversely affect the safety and convenience of users and passing traffic.*

COMMENT:

The report provides two car parking spaces adjacent to the entrance to the pit (see Photo 6 below).

The internal access driveway has been formed and drained. The car parking area is unformed and not clearly delineated, however the immediate area provides ample space for vehicle parking and manoeuvring.

To ensure that the car parking spaces are readily identifiable and constructed to be useable in all weather conditions, it is recommended that the following condition be incorporated into a permit:

1. The car parking spaces and manoeuvring area must be formed at a similar standard to the internal driveway.

Combined with the recommendation above, it is considered that the proposed car parking area is consistent with the Objectives.



Photo 6: arrow showing the location of the car parking area

Representation

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

A summary of the representation is as follows:

1. Constant noise
2. Dust emissions from quarry and road surface
3. No noise modelling
4. Endangered flora, threatened flora and fauna, proximity to waterways
5. Visual appearance, from highway and Illawarra Road, and from own property
6. Increased traffic, poor visibility corner at low speeds
7. Rehabilitation of the quarry.

COMMENT:

In accordance with the Meander Valley Interim Planning Scheme 2013 - E8 Biodiversity Code, E9 Water Quality Code and E11 Environmental Impacts and Attenuation Code Level 2 activities assessed by the *Board of Environmental Management and Pollution Control* are exempt from this Code. As such, issues relating to:

1. noise, dust and vibration,
2. priority habitat and removal of native vegetation, and
3. proximity to watercourses/wetlands,

cannot be assessed by the Planning Authority. These matters have been addressed by the *Board of Environmental Management and Pollution Control* (see attached *Environmental Assessment Report* by the Board of the Environmental Protection Authority dated February 2016).

Rehabilitation of the quarry is managed by Mineral Resources Tasmania as part of the Mining Lease arrangements.

As such, the matters in the representation that can be addressed by the Planning Authority are:

- a. Visual appearance, from highway and Illawarra Road, from own property
- b. Increased traffic, poor visibility corner at low speeds

Visual appearance, from highway and Illawarra Road, and from own property

The quarry site is located on undulating land, with Grassy Hut Tier and Blackstone Hills visible in the background (the quarry is not located on a ridgeline or on the skyline). From 40 Liffey Street, Carrick the quarry is visible (see Photos 7 and 8 below).



Photo 7: view of quarry from the house at 40 Liffey Street, Carrick.

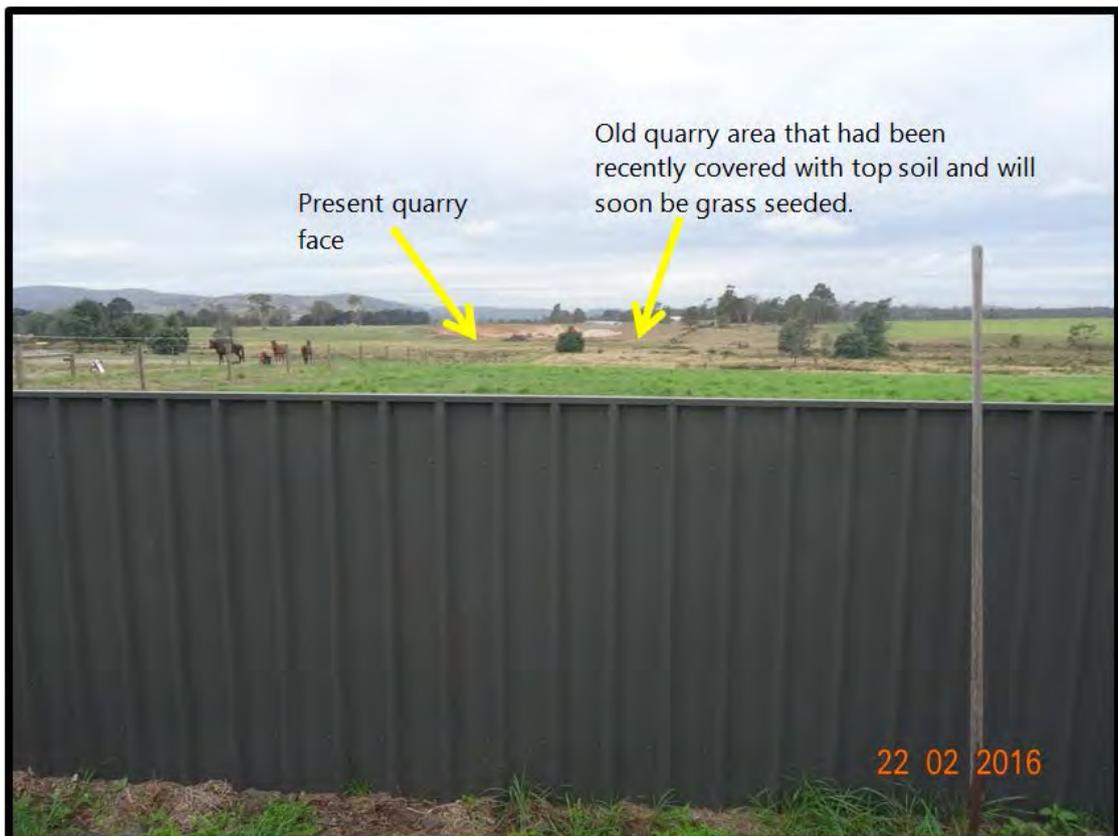


Photo 8: view of quarry from the garden fence at 40 Liffey Street, Carrick.

The current quarry has existing use rights to extract up to 4999m³ of product per year. As such, the disturbed area currently visible is consistent with the permitted operations of the quarry. Therefore, when assessing the potential visual impact of the proposed extension, consideration is restricted only to any additional visual impact above what already exists.

The current amount of disturbed land (including land recently re-shaped with topsoil – but not yet grass seeded) is approximately 2.8ha in size. The report states that the proposed maximum 'disturbed area' that would remain unrehabilitated at any one time is 3 ha. As such, the visibility of the proposed quarry expansion will be similar to or only marginally greater (less than 10%), than the existing.

The surrounding landscape and use is rural based. The existing quarry is a rural based activity and forms part of that existing landscape. The potential marginal increase in visibility of the quarry is not considered to be obtrusive.

No further action is required.

Increased traffic, poor visibility corner at low speeds

- State Growth advice on adequacy of Traffic Impact Assessment

The application included a Traffic Impact Assessment (TIA) prepared by Van Diemen Consulting. The *Planning and Environmental Effects Report* (page 42) states:

1. *The surrounding road transport network is capable of absorbing the estimated traffic generation of the proposed development without any loss of transport efficiency or road safety.*
2. *There is sufficient available Safe Intersection Sight Distance for the 85th percentile past the site's access to comply with the Acceptable Solutions, E4.7.4 of the Scheme.*

Illawarra Road, Meander Valley Road and the Bass Highway are all State owned and maintained roads. The application was referred to State Growth for their advice on the adequacy of the TIA. State Growth responded on the 29 September 2015 stating that:

The Department of State Growth has reviewed the documentation submitted with the application and does not object to the proposal.

The Department agrees with the TIA that the expected increase in traffic generation will not have a significantly adverse effect on Illawarra Main Road. Whilst the property access is already sealed from the road edge to the property boundary, the Department supports the recommendation in the proposal to

extend the seal within the property. This will reduce the amount of dirt and debris that is tracked on to Illawarra Main Road.

- State Growth response to concerns raised in the Representation:

The concerns raised in the representation were referred to State Growth for comment. Their response on the 11 December 2015 was:

Reading the representation, my understanding is that the concerns relate to the direct access from the quarry to Illawarra Road.

In terms of the access, State Growth have assessed the site in context with the proposed expansion and are satisfied that the arrangements are satisfactory taking the following into account;

- *The access was previously upgraded as part of a previous application for quarry operations, namely to ensure the design heavy vehicles can negotiate the geometry without encroachment on opposing traffic lanes.*
- *As part of this upgrade the access was sealed between Illawarra Road and the property boundary to minimise any tracking of loose material onto the road. It is noted that sealing of the internal roadway is not something State Growth can impose and is a matter between Council and the proponent.*
- *Sight distances to and from the access point satisfactorily meet Austroads Guidelines for the prevailing operating speeds on Illawarra Road.*
- *The section of Illawarra Road passing the access is a Category 5 road (i.e. lowest) in the State Road hierarchy and has very low traffic volumes so there are no traffic capacity issues in terms of catering for the additional heavy vehicle movements.*
- *There has been no reported crash history in the vicinity within the last 5 years.*

- TIA recommendations:

The TIA recommends the following measures:

- *Ensure compliance with the traffic operating hours and days for the activity*
- *Establish a Complaints Register to record and address complaints received in relation to road usage by activity related vehicles and trucks*
- *Implement the access road sealing program, as proposed by the Development Application, and*
- *Trucks will limit their speed on the access road to 40km/hr.*

The traffic operating days/hours are the same as the proposed Quarry operating hours:

- Monday to Friday: 7:00am – 7:00pm
- Saturday: 8:00am – 4:00pm
- Sunday and public holidays: closed.

Permit Part B – Permit Conditions – Environmental No. 9354 re-enforces these operating days/hours. No further action required.

Permit Part B – Permit Conditions – Environmental No. 9354 requires the applicant to maintain a Complaints Register. No further action required.

The *Planning and Environmental Effects Report* states the applicant's commitment to the internal driveway sealing program, between Illawarra Road and the residence on the subject land. The program is for:

- Sprinkler system to dampen surface when used by cartage trucks;
- By June 2016, the first 50m of the internal driveway from Illawarra Road (as a minimum) is to be sealed with a bituminous surface or similar.
- Progressively seal the remainder of the internal driveway depending on resources and weather conditions.

No further action required.

The *Planning and Environmental Effects Report* and the *Traffic Impact Assessment* both state that the vehicle speed will be 40km/h within the property. No further action required.

Conclusion

In conclusion, it is considered that the application for an Extractive Industry can be effectively managed by conditions and should be approved.

AUTHOR: Leanne Rabjohns
TOWN PLANNER

12) Recommendation

That the application for a use and development for an Extractive Industry – expansion of a quarry, for land located at 1521 Illawarra Road, Carrick (CT 12512/1), by O Diprose, requiring the following discretions:

- **26.3.1 Uses if not a single dwelling**
- **E4.6.1 Use and road or rail infrastructure**
- **E6.7.1 Construction of Car Parking Spaces and Access Strips**
- **E6.7.2 Design and Layout of Car Parking**

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:**
 - a) **Van Diemen Consulting – Planning and Environmental Effects Report;**
 - b) **Van Diemen Consulting – Traffic Impact Assessment;****to the satisfaction of the Council. Any other proposed development and/or use will require a separate application and assessment by Council.**

2. **Prior to the commencement of use, the car parking spaces and associated manoeuvring area must be formed, to the satisfaction of Council’s Town Planner.**

3. **EPA PERMIT REQUIREMENTS**
The person responsible for the activity must comply with the Permit Conditions – Environmental No. 9354 contained in Schedule 2 of Permit Part B, which the Board of the Environmental Protection Authority (EPA) has required the planning authority to include in the permit, pursuant to Section 25(5) of the *Environmental Management and Pollution Control Act 1994*. Permit Part B is attached together with Schedules 1, 2 and 3 and forms part of this permit.

Note:

1. 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.

2. 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.

3. 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:

PLANNING AND ENVIRONMENTAL EFFECTS REPORT

**LEVEL 2 ACTIVITY – EXTRACTIVE INDUSTRY
ILLAWARRA ROAD QUARRY, CARRICK**



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ABBREVIATIONS / GLOSSARY

AHT	Aboriginal Heritage Tasmania
DPIPWE	Department of Primary Industries, Parks, Water and Environment
DRP	Decommissioning and Rehabilitation Plan
EMPCA	<i>Environmental Management and Pollution Control Act 1994 (Tas)</i>
EER	Environmental Effects Report
EPA	Environment Protection Authority
LUPAA	<i>Land Use Planning and Approvals Act 1993 (Tas)</i>
ML	Mining Lease
MRT	Mineral Resources Tasmania
(the) proponent	Mr Oliver Diprose
QCP	<i>Tasmanian Quarry Code of Practice 1999</i>
(the) Scheme	<i>Meander Valley Interim Planning Scheme 2013</i>
SISD	Safe Intersection Site Distance
WMP	Weed Management Plan

PART A - BACKGROUND INFORMATION

A.1 SCOPE

This Environmental Effects Report has been prepared to provide supporting information to a Development Application lodged with the Meander Valley Council to expand a quarry on Illawarra Road near Carrick – up to 20,000 cubic metres extracted per annum (a Level 2 activity under the *Environmental Management and Pollution Control Act 1994*). The existing quarry is a Level 1 activity under the *Environmental Management and Pollution Control Act 1994* approved to extract up to 4,999 cubic metre per annum.

The current and proposed quarrying operation includes the following activities:

- surface site preparation by soil removal and stockpiling;
- excavation and ripping of clay material (no blasting or crushing is required);
- stockpiling of material in quarry area;
- loading trucks with wheel loader from stockpile area in quarry; and the
- transport of materials by truck with/without trailer.

A.2 LOCATION

The Illawarra Road Quarry is located on private freehold land at 1521 Illawarra Road CARRICK TAS 7291 in the Meander Valley Municipality (Figure 1, Appendix 1).

A.3 PROPONENT

The proponent resides on the same property as the quarry:

Mr Oliver Diprose
1521 Illawarra Road CARRICK TAS 7291
Mobile: 0418 314 438
Fax: 03 6339 2028
Email: odiprose@gradco.com.au

A.4 QUARRY DETAILS

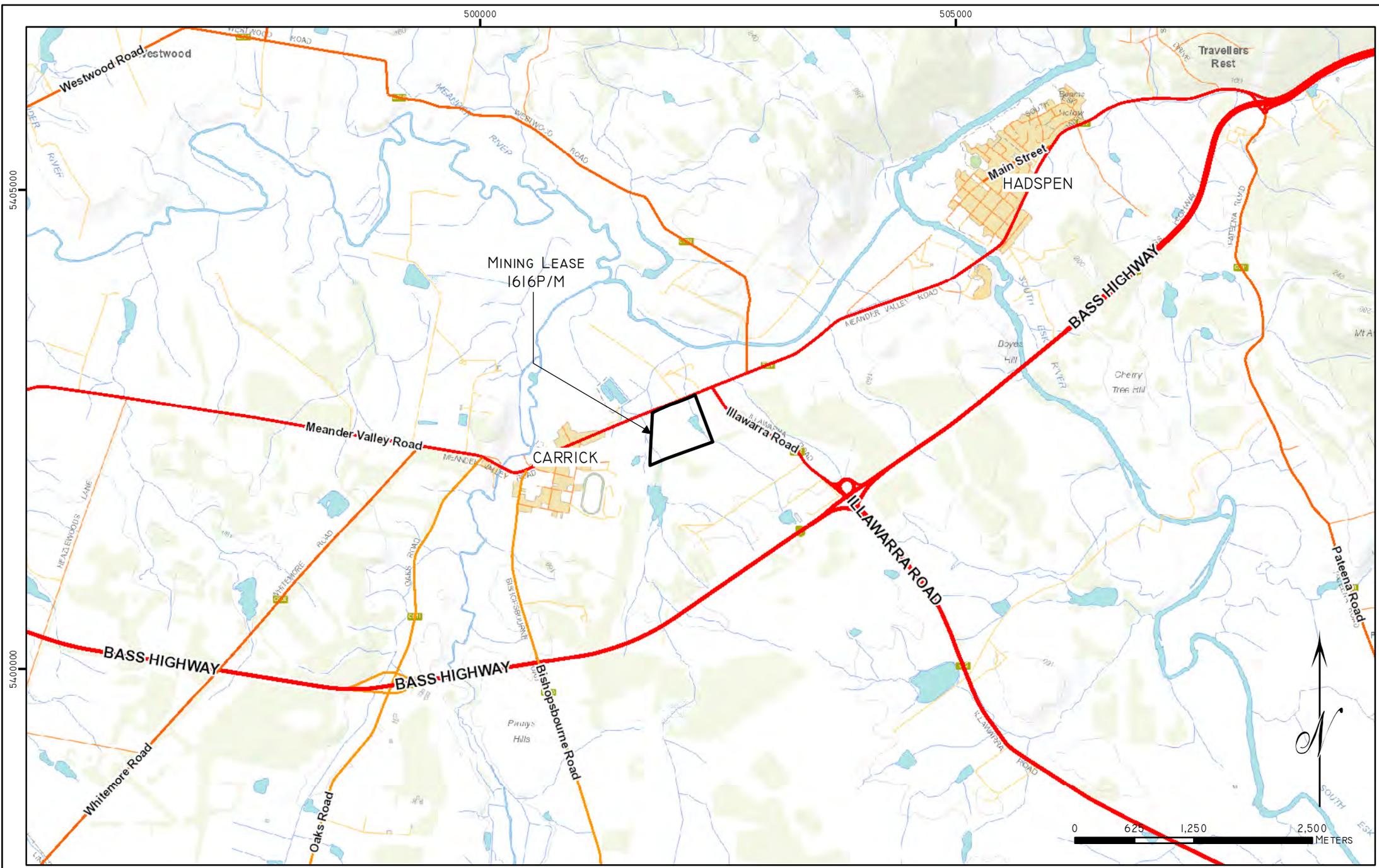
Physical address – 1521 Illawarra Road CARRICK TAS 7291
Land Title – 12512/1
PID – 7035169
Planning Zones (*Meander Valley Interim Planning Scheme 2013*) – Rural Resource (Figure 4A)
Planning Overlays – Scenic Corridor and Priority Habitat (Figure 4B)
Planning Permit (Level 1) extraction limit – 4,999 cubic metres per annum
Mining Lease Number – 1616 P/M

A.5 RATIONALE AND ALTERNATIVES

The site for the quarry has been chosen because

- there is an existing pit which can be expanded and managed to not cause environmental nuisance to adjoining properties;
- it has direct access to a sealed main road (access to Illawarra Road enables efficient transport connections to other areas of the Midlands using Meander Valley Road and the Bass Highway (Figure 3); and
- it contains a substantial resource of high quality material for dam and flood levee construction.

Material suitable for the construction or lining of dams and flood levees is uncommon in the region and the material present at this quarry is a resource proven to be effective in dam and flood-protection projects.



ILLAWARRA ROAD QUARRY - ENVIRONMENTAL EFFECTS REPORT

FIGURE 1: LOCATION OF ILLAWARRA ROAD QUARRY, CARRICK

 MINING LEASE



PO Box 1 New Town TAS 7008
BASE DATA BY TASMAR, © STATE OF TASMANIA
 BASE IMAGE BY TASMAR, © STATE OF TASMANIA



DATUM: GDA94
 GRID: MGA ZONE 55
 TASMAR: PROSPECT 5040
 CLIENT: GRADCO PTY LTD
DEV 1
 DATE: 1ST SEPTEMBER 2015



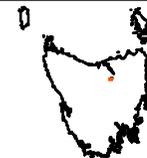
ILLAWARRA ROAD QUARRY - ENVIRONMENTAL EFFECTS REPORT

FIGURE 2: MINE LEASE AND QUARRY LOCATION

-  MINING LEASE
-  TITLE BOUNDARIES



PO Box 1 NEW TOWN TAS 7008
 BASE DATA BY TASMAR, © STATE OF TASMANIA
 BASE IMAGE © GOOGLE EARTH



DATUM: GDA94
 GRID: MGA ZONE 55
 TASMAR: PROSPECT 5040
 CLIENT: GRADCO PTY LTD
DEV 1
 DATE: 1ST SEPTEMBER 2015

PART B – PROJECT

B.1 DEVELOPMENT DESCRIPTION

The development is to increase production levels to a maximum of 20,000 cubic metres per annum.

The expanded quarrying operation includes the following activities:

- surface site preparation by soil removal and stockpiling;
- excavation and ripping of clay material (no blasting or crushing is required);
- stockpiling of material in quarry area;
- loading trucks with wheel loader from stockpile area in quarry; and the
- transport of materials by truck with/without trailer.

B.2 TIMFRAME FOR DEVELOPMENT

It is anticipated that material extraction will intensify above its current 4,999 cubic metre per annum limit in the second quarter of the 2015-16 financial year (i.e. October to December 2015) in readiness to conduct flood levee and dam construction works prior to the end of 2017.

The quarry is expected to have a lifespan of at least 10 years owing to the moderate volume of material available at the site.

B.3 OPERATING HOURS

Operating hours are those recommended in the *Quarry Code of Practice* – 0700 to 1900 hrs Monday to Friday, 0800 to 1600 hrs on Saturday; closed on Sunday and public holidays¹.

B.4 MINERAL RESOURCE AND MINING LEASE

A Mining Lease (1616 P/M) is in place for the area to be quarried. A maximum 3 hectare envelope of disturbed/unrehabilitated ground will be maintained throughout the life of the activity, with areas progressively rehabilitated to ensure that this maximum disturbed area is not exceeded. Land once rehabilitated will be used for agricultural activities, mainly livestock grazing.

The geology of the quarry is mapped by MRT (Figure 6A) as undifferentiated Cenozoic sediments (a complex mixture of Tertiary and Quaternary derived sediments) with nearby Tertiary undifferentiated sediments (mainly older laterites formed in the Tertiary - gravels). The material to be extracted is a damp clay overlain by a very shallow band of lateritic gravels and aeolian sands with a thin clay-loam topsoil.

B.5 QUARRY EQUIPMENT

The following machinery will be used in the expanded activity –

- Caterpillar D7H Bulldozer;
- Caterpillar 966H Loader; and
- Caterpillar 12H Grader.

All machinery is owned by the proponent.

B.6 EXTRACTION VOLUME AND PROCESS

Maximum production levels will be 20,000 cubic metres per annum.

The extraction process includes the following:

¹ Commitment 1: Operating hours are those recommended in the *Quarry Code of Practice* – 0700 to 1900 hrs Monday to Friday, 0800 to 1600 hrs on Saturday; closed on Sunday and public holidays.

- surface site preparation by soil removal and stockpiling;
- excavation and ripping of clay material (no blasting or crushing is required);
- stockpiling of material in quarry area;
- loading trucks with wheel loader from stockpile area in quarry; and
- transport of materials by trucks ranging from 12 to 30 tonne capacity (truck and truck/trailer combinations).

Material will be won by stripping the topsoil (to be stockpiled for later use in rehabilitation works) followed by ripping of the clay material. The maximum face height will be 10 metres and a slope of about 30 percent.

At approximately halfway up the slope there is a boundary between the sandy clay above and the clayey silt below (see also Plate 2). This boundary appears to continue more or less horizontally towards the east and north. To produce the best product the two materials when won will be blended (as they are currently under the level 1 activity) utilising the impermeable nature of the clayey silt with the structural strength of the sandy clay. Bulk materials will be won with a dozer by cutting the material down slope to gather equal proportions of the component materials and pushing these up into a stockpile in the floor of the quarry.

A wheel loader will be used to do the final blending to ensure consistency in the product before loading out onto road-going truck and trailer combinations for carting. The quarry has been used in previous works on the flood levees, for example, and this technique was found to be the most efficient in producing a consistent product. The faces so produced have a low slope and are less vulnerable to erosion and pose less of an occupational health and safety risk.

B.8 QUARRY INFRASTRUCTURE

The following comments are made about existing infrastructure –

Site Drainage

The existing drainage in and around the quarry pit is shown in Figure 5. The catchment of the sediment pond (including the pond itself) is 4.4 hectares, with an additional drainage area ('water basin' in Figure 7B) which accumulates water within the existing pit. Drainage from the sediment pond (>2ML in capacity – Figure 7E) is into an un-named drainage system (man-made channels and in-stream dams) which flows northwards to the Meander River (Figure 5).

Road Facilities

The quarry is accessed from Illawarra Road (Figure 3) to the east of Carrick. The pit is accessed by an internal farm road which is sufficiently wide near Illawarra Road for trucks and other vehicles to pass. The gravel road surface from Illawarra Road through to the on-property residence exhibits no evidence of erosion from excessive surface flows.

Water Supply

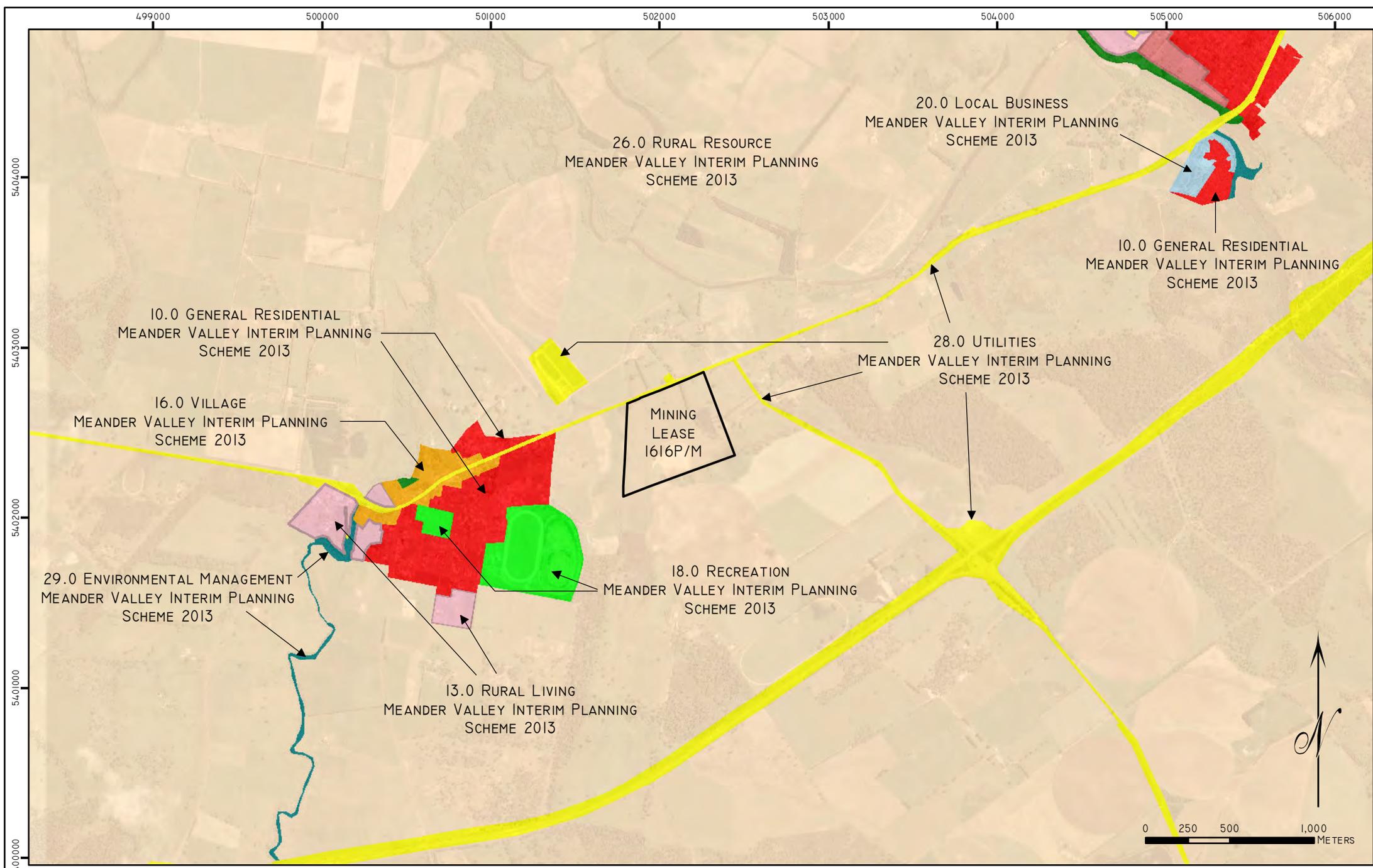
The water supply is from the quarry basin and sediment pond.

Electrical Power Supply

The quarry location does not have access to mains power.

Telecommunications

The quarry location has mobile phone coverage.

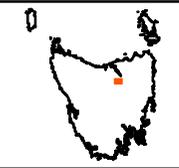


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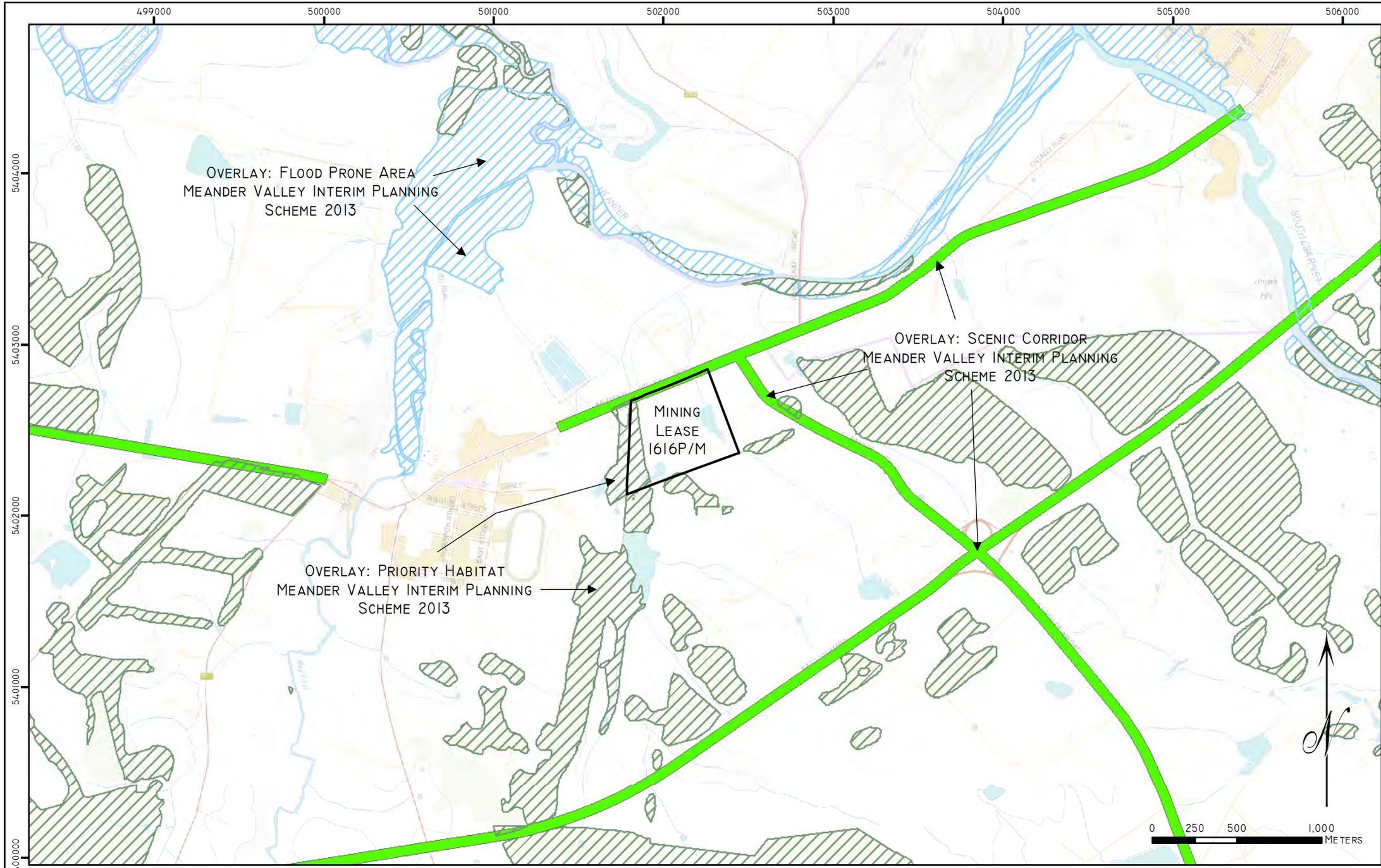
FIGURE 4A: PLANNING SCHEME ZONES AND THE MINING LEASE

 MINING LEASE


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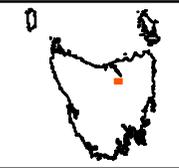


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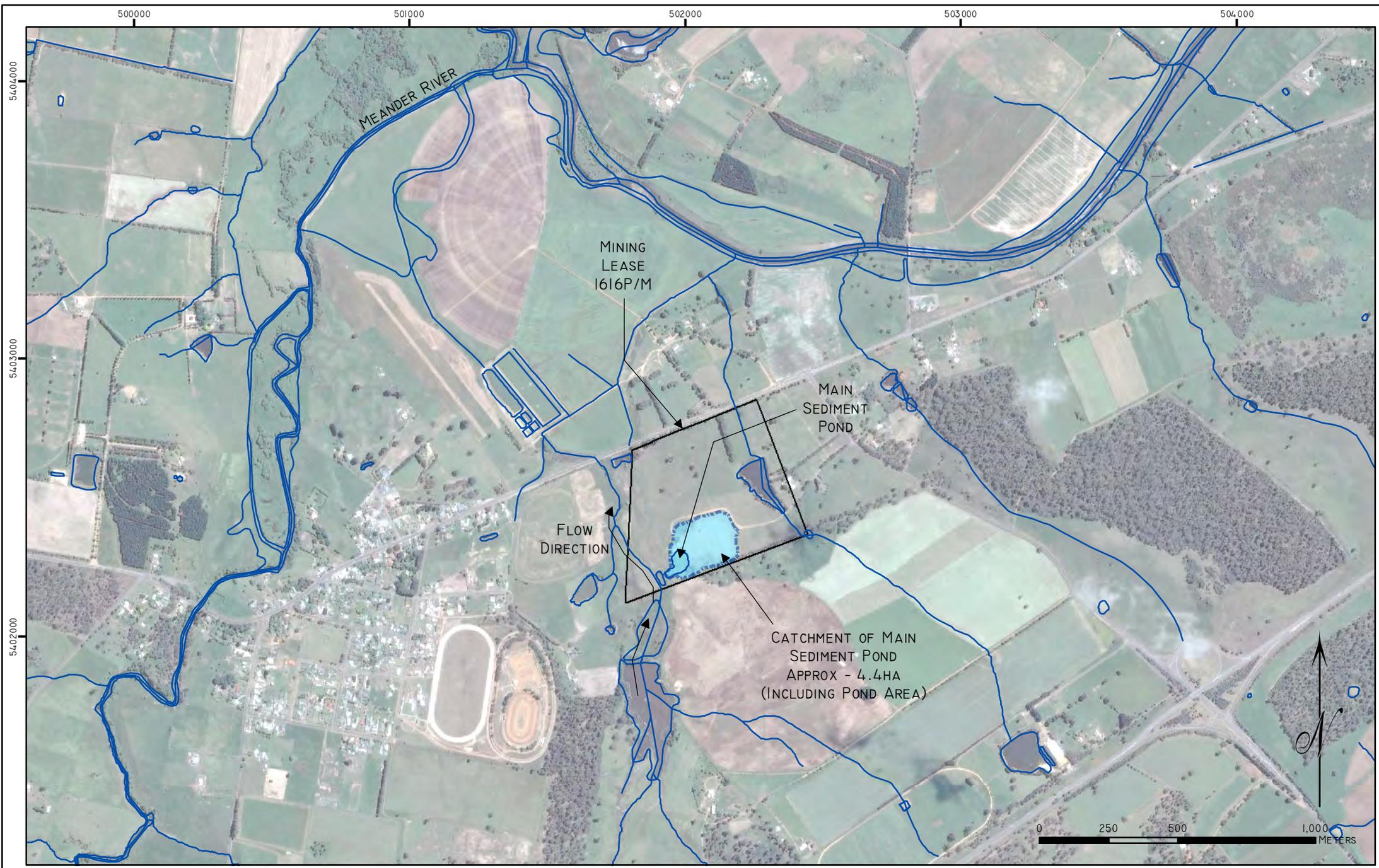
FIGURE 4B: PLANNING SCHEME OVERLAYS AND THE MINING LEASE

 MINING LEASE


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FIGURE 5: DRAINAGE (NATURAL AND CONSTRUCTED), CATCHMENTS AND DAMS

- MINING LEASE
- RIVERS, CREEKS AND DRAINS

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B.9 PROPOSED QUARRY INFRASTRUCTURE

Infrastructure that will be installed for the expanded activity includes –

Access Road Improvements

The access road surface between Illawarra Road and the property residence (see section identified in Figure 7A) will be sealed progressively as resources and weather conditions allow². As a minimum, the first 50m section of access road from the frontage of the property to Illawarra Road will be sealed with a bituminous surface or similar by June 2016. In the interim, and no later than November 30 2015, a sprinkler system will be established along the access road to enable the road surface to be dampened when being used by cartage trucks.

Hard stand and within quarry access road

The existing hardstand (Figure 7B) will be expanded to accommodate additional stockpiles and trucks for loading of material. The hardstand will be constructed of gravel (dolerite derived) and have surface flows directed to a culvert and drainage system which flows into the sediment pond as shown in Figures 7B and 7E. The within quarry access road will be moved as the active face progressively works towards the north and north-west – this will bring the truck loading and turning road completely into the quarry which will further reduce potential noise emissions from truck movements and loading.

Fencing

The southern extent of the active pit will be fenced to exclude stock from the pit and to also enable the adjoining land to be rehabilitated to pasture.

Car Parking

A ‘to be constructed’ compacted gravel area outside the extraction zone of the pit will provide 2 parking spaces for personnel, service vehicles and visitors (Figure 7B).

B.10 PROPOSED QUARRY LAYOUT - 10 YEAR EXTRACTION PLAN

The 10 year strategy for extraction is to expand in an arc from the current active face to the north-west. This approach avoids underground services such as telephone lines and gas pipeline infrastructure (Figure 7F).

Cross-sections of the quarry (locations depicted in Figure 7B) are provided in Figures 7C and 7D.

B.11 TRAFFIC GENERATION

Most material will be extracted from the quarry on a demand basis, with a peak demand for road repair and grading works in the autumn months in readiness for wet weather in winter and into early spring. The number and frequency of trucks to the quarry will tend to be concentrated in short periods when a particular job is being carried out. Regular small loads will be extracted from the quarry to cater for smaller operations such as dam repair works or for smaller dam construction.

Table 1 outlines *examples* of supplies (campaign based and low volume regimes) and the period over which that supply occur. These can be used to approximate/estimate the number of truck movements per supply and per day into the quarry. The quarry activity will be operated to ensure no more than 40 truck movements per day will utilise the access road.

² Commitment 2: The road surface between Illawarra Road and the property residence will be sealed progressively as resources and weather conditions allow. As a minimum, the first 50m section from the frontage of the access road with Illawarra Road will be sealed with a bituminous surface or similar by June 2016. In the interim, and no later than November 30 2015, a sprinkler system will be established along the access road to enable the road surface to be dampened when being used by cartage trucks.

If the average load was 20 tonnes, then over the course of 12 months there would be 3,000 truck *movements* (1,500 truckloads x 2 to calculate *total truck movements*) to cart the full 30,000 tonne amount (20,000 cubic metres). This equates to an average of about 7 trucks per day (14 truck *movements* per day) based on carting days being approximately 220 per annum. This will vary due to demand and the requirement to supply projects needing the product, so there would be days when there is no truck activity and other days when truck activity would be at the upper end of the figures provided in Table 1.

Table 1. Examples of supplies and associated traffic generation for Illawarra Road Quarry, Carrick

Type of Supply	Size of Supply	Period of Supply and Truck Movements
Campaign	2,000 tonnes using 30 t trucks (67 truckloads)	5 days = 27 truck movements/day
Campaign	2,000 tonnes using 20 t trucks (100 truckloads)	6 days = 34 truck movements/day
Low volume	200 tonnes using 12 t truck (17 truckloads)	2 days = 18 truck movements/day

The majority of truck movements are projected to occur between 0700 and 1730 hrs on Monday to Friday with very low volume movements after that time (ie. from 1800 to 1900 hrs after which time the quarry will close as per the proposed operating hours). Trucks may access the quarry on Saturday between the hours of 0800 and 1600 to load and deliver material.

PART C - PROJECT AREA

C.1 CLIMATE PARAMETERS

The nearest Bureau of Meteorology weather recording stations with site relevant records are at -

1. Launceston (Ti Tree Bend)

- Site number: 091237
- Latitude: 41.42 °S Longitude: 147.12 °E
- Elevation: 5 m

2. Longford (Denton Close)

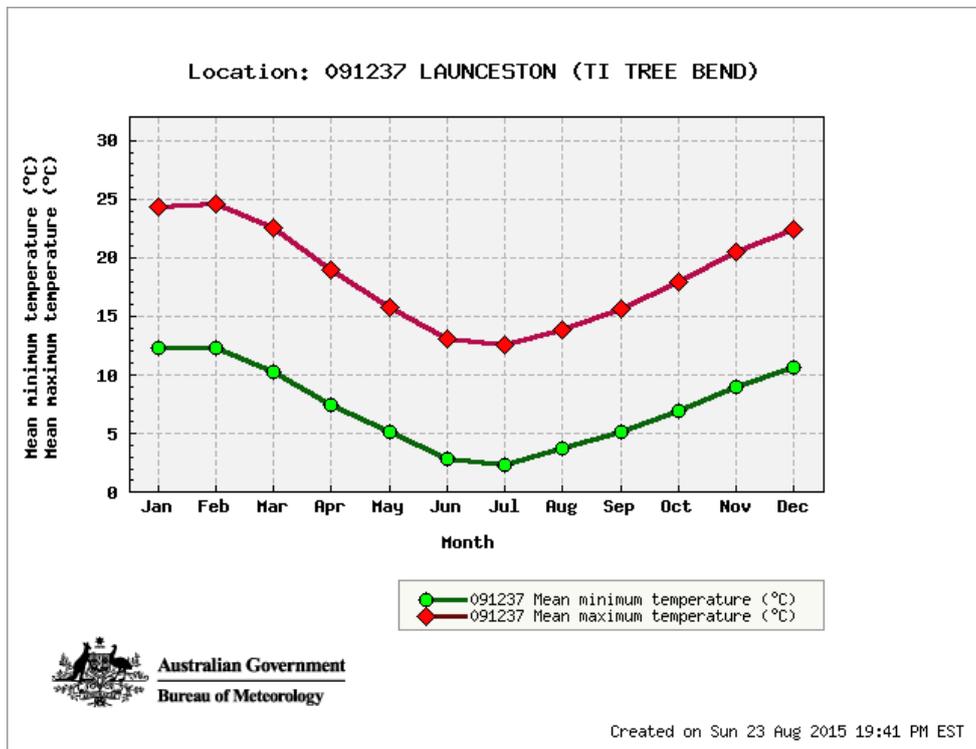
- Site number: 091054
- Latitude: 41.59 °S Longitude: 147.12 °E
- Elevation: 140 m

The quarry location occurs in a region with cool winters and warm summers (Graph 1), with an annual average rainfall of 600mm (Graph 2). Most precipitation in the region occurs in the winter and spring period (Graph 3) and frosts are common throughout June, July and August (Graph 3).

Winds are predominantly north to north-westerly in origin with occasional easterly flows of lighter intensity (see Wind Roses). Afternoon winds tend to be more consistently north-westerly to northerly in origin. Northerly and north-westerly flows tend to be hot dry winds in the summer months with little moisture content while southerly winds tend to bring cooler air throughout the year.

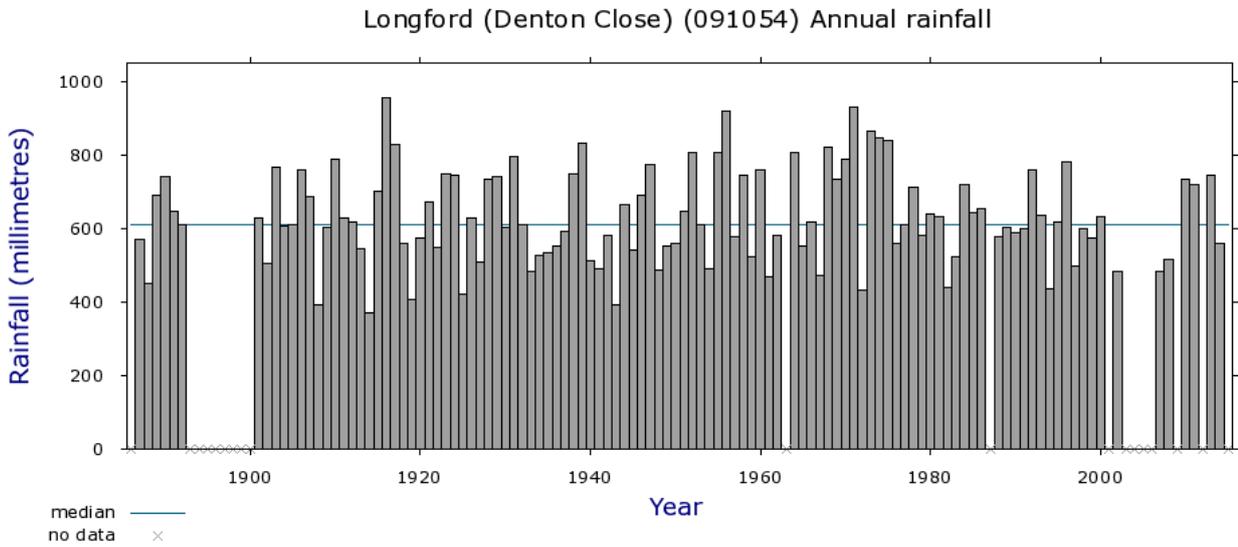
Graph 1. Mean minimum and maximum temperature for Launceston (Ti-Tree Bend), Launceston

Source: Bureau of Meteorology 2015



Graph 2. Mean annual rainfall for Longford (Denton Close – Station 091054), Tasmania

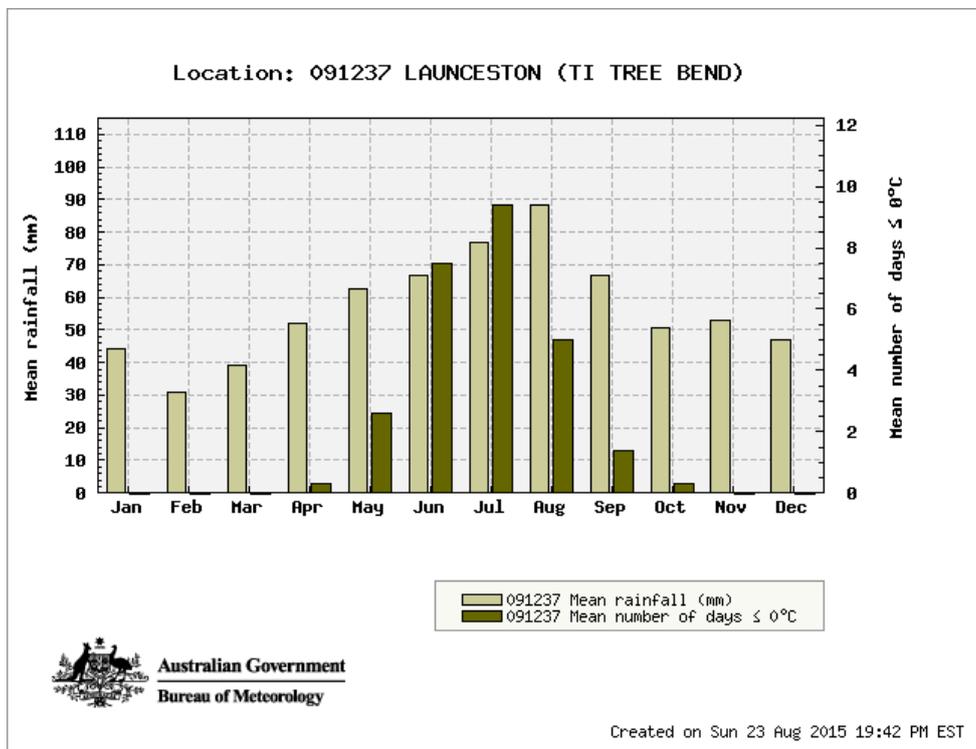
Source: Bureau of Meteorology 2015



Climate Data Online, Bureau of Meteorology
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Graph 3. Mean monthly rainfall and average number days below 0 degrees for Launceston (Ti Tree Bend)

Source: Bureau of Meteorology 2015



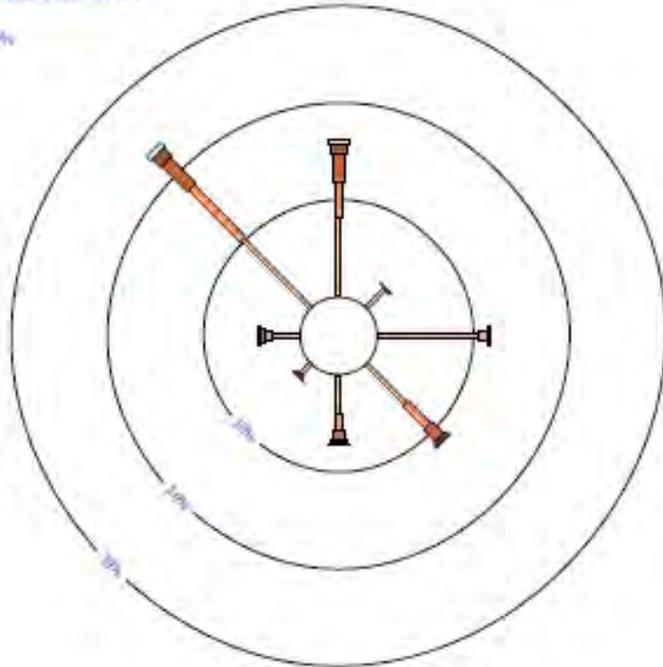
Rose of Wind direction versus Wind speed in km/h (01 May 1980 to 30 Sep 2010)

Custom times selected; refer to attached note for details.
LAUNCESTON (TI TREE BEND)
 Sta No: 061237 - Opened May 1980 - 269 Days - Latitude: -41.4347° - Longitude: 147.12221° - Height: 5m
 An asterisk (*) indicates that calm is less than 0.5%.
 Other important info about this analysis is available in the accompanying notes.



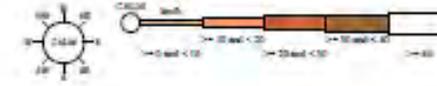
5 am
 9982 Total Observations

Calm 20%



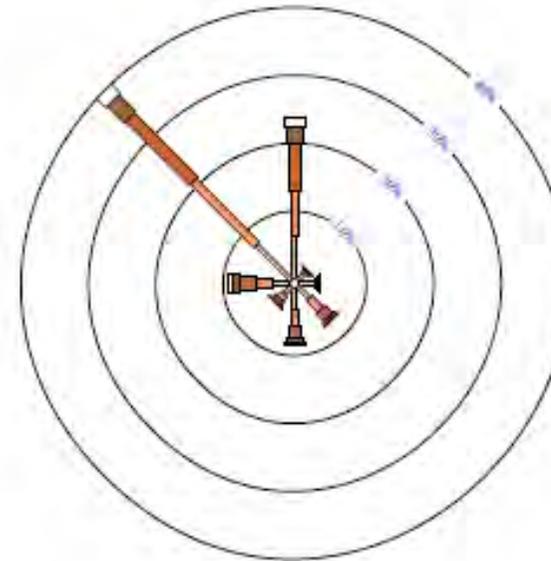
Rose of Wind direction versus Wind speed in km/h (01 May 1980 to 30 Sep 2010)

Custom times selected; refer to attached note for details.
LAUNCESTON (TI TREE BEND)
 Sta No: 061237 - Opened May 1980 - 269 Days - Latitude: -41.4347° - Longitude: 147.12221° - Height: 5m
 An asterisk (*) indicates that calm is less than 0.5%.
 Other important info about this analysis is available in the accompanying notes.



3 pm
 9985 Total Observations

Calm 9%



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C.2 GEOLOGY, SOILS AND LAND CAPABILITY

Geology and soils

The geology of the quarry is mapped by MRT (Figure 6a) as undifferentiated Cenozoic sediments (Plate 1 - a complex mixture of Tertiary and Quaternary derived sediments) with nearby Tertiary undifferentiated sediments (mainly older laterites formed in the Tertiary - gravels). The material to be extracted is a damp clay overlain by a shallow band of lateritic gravels and aeolian sands with a thin clay-loam topsoil (Plate 1).

Land capability

Land capability has been mapped by DPIPW as 4 (Figure 6B). The specific area to be quarried has a chromosol soil type (Figure 6C) which has strong texture contrast between A and B horizons - they are not strongly acid or sodic. To the west are sodosol-type soils of the Brumby group (Figure 6C) – clay rich soils associated with alluvial flats near drainage lines and the Meander River – which are not be affected by the quarry development.

Plate 1. Geology and soil formations in the Illawarra Road Quarry, Carrick



Chromosol type soils of mixed clay – gravel and aeolian sands overlay the clay material



Clay material to be extracted showing various horizons and composition

C.3 SURFACE WATER DRAINAGE

The catchment of the sediment pond (including the pond itself) is 4.4 hectares, with an additional drainage area ('water basin' in Figure 7B) which accumulates water within the existing pit. Drainage from the sediment pond (>2ML in capacity – Figure 7E) is into an un-named drainage system (man-made channels and in-stream dams) which flows northwards to the Meander River (Figure 5).

C.4 FLORA AND FAUNA

An ecological assessment was conducted of the area covered by the Mining Lease, with particular focus on the access road, existing pit and resource area.

Vegetation Communities

The Mining Lease contains *agricultural land* (TASVEG Code - FAG) and *disturbed ground* (TASVEG code - FUM) associated with the existing quarry as shown in Figure 8. Waterbodies (one being the sediment pond for the existing quarry and the others being constructed farm dams) also occur in the Mining Lease.

TASVEG 3.0 has identified in the Mining Lease (using aerial imagery interpretation – with no ground truthing conducted) two native vegetation communities – Lowland *Poa labillardierei* grassland and Inland *Eucalyptus amygdalina* forest and woodland on Cainozoic deposits. Neither community nor any other native vegetation community exists within the Mining Lease. Instead, the forest community is a collection of native trees over exotic pasture grass-herb dominated vegetation and a shelterbelt while the native grassland is also agricultural land dominated by exotic pasture and herb species with thistles, gorse and blackberry also present. The below sets of images show the state of the vegetation in the Mining Lease -



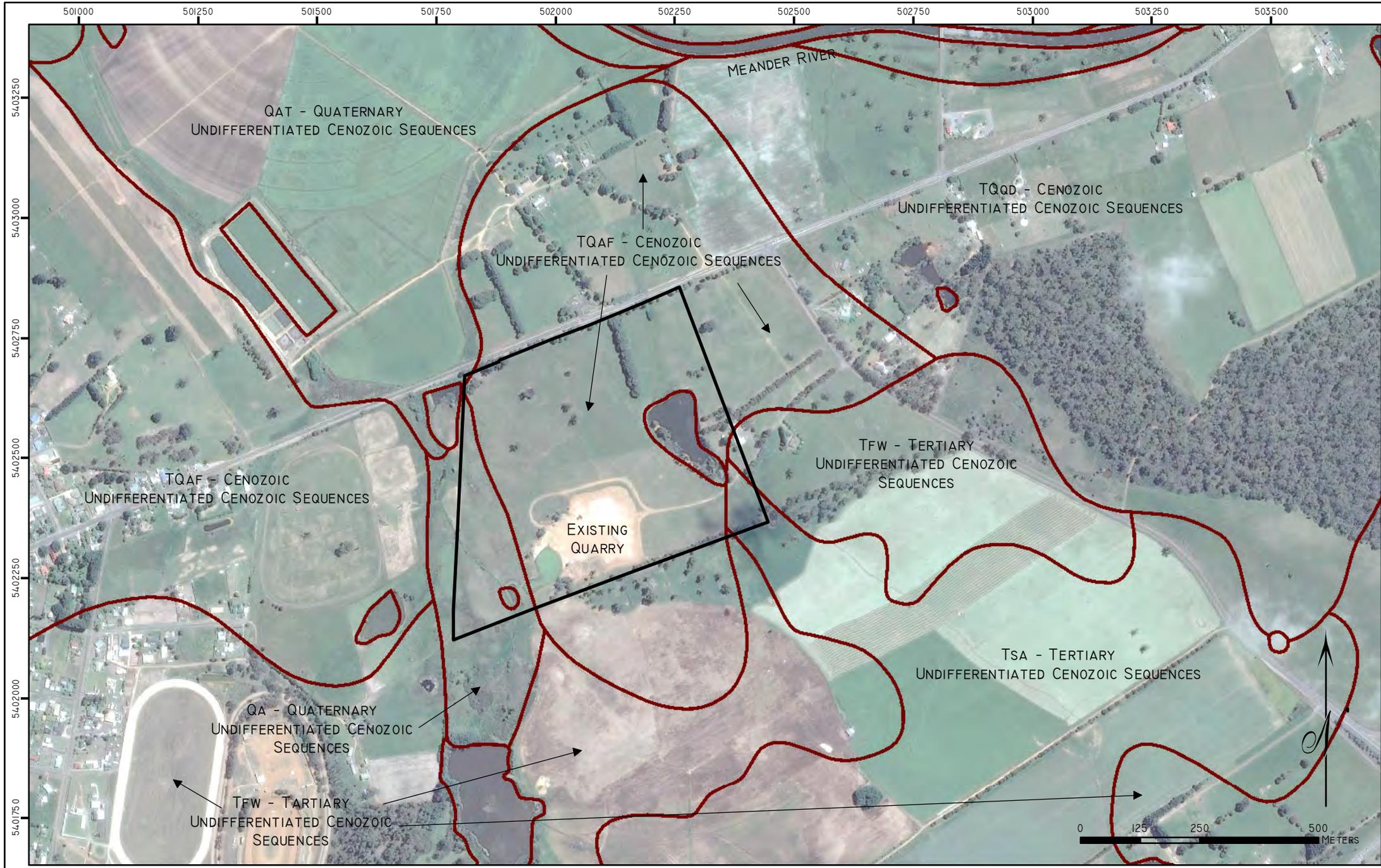
Areas mapped by TASVEG 3.0 as Lowland *Poa labillardierei* grassland (GPL) are in fact agricultural land dominated by pasture species and gorse (sprayed)



Areas mapped by TASVEG 3.0 as native forest are in fact a shelterbelt (right) and emergent trees (mainly *Eucalyptus amygdalina*) over improved pasture dominated by exotic species.

No vegetation communities listed on Schedule 3A (Threatened native vegetation communities) of the *Nature Conservation Act 2002* or ecological communities listed under section 181 of the *Commonwealth Environment Protection and Biodiversity Conservation Act 1999* occur in the Mining Lease.

A CFEV (Conservation of Freshwater Ecosystem Values), in this case a wetland, has been identified upstream of the Mining Lease however it will not be affected by the development as it does not occur on the Mining Lease.

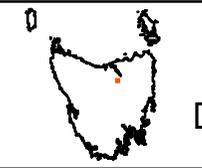


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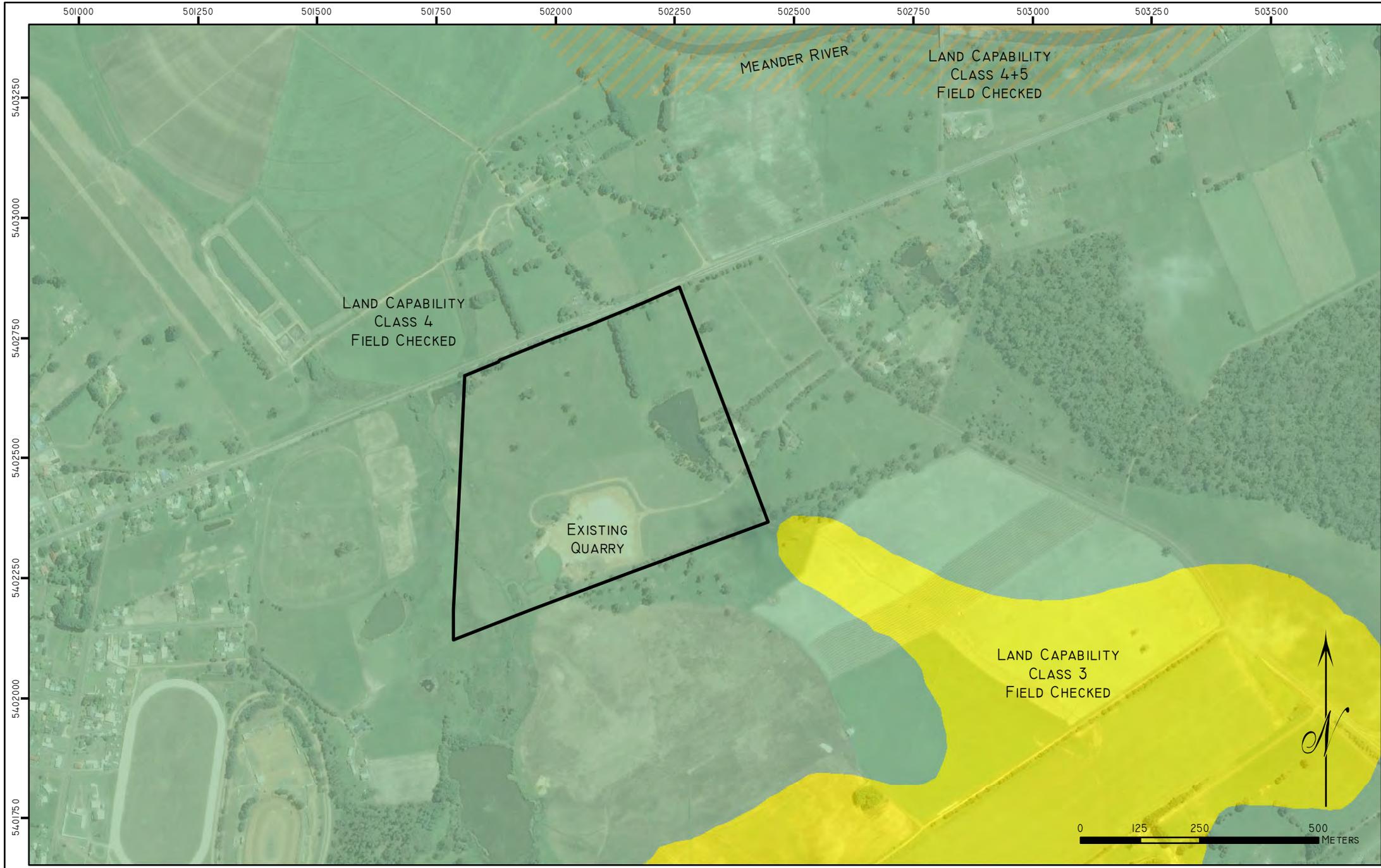
FIGURE 6A: GEOLOGY (MRT - 1:25,000) AND THE MINING LEASE

 MINING LEASE


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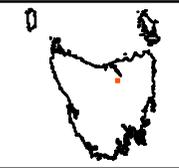


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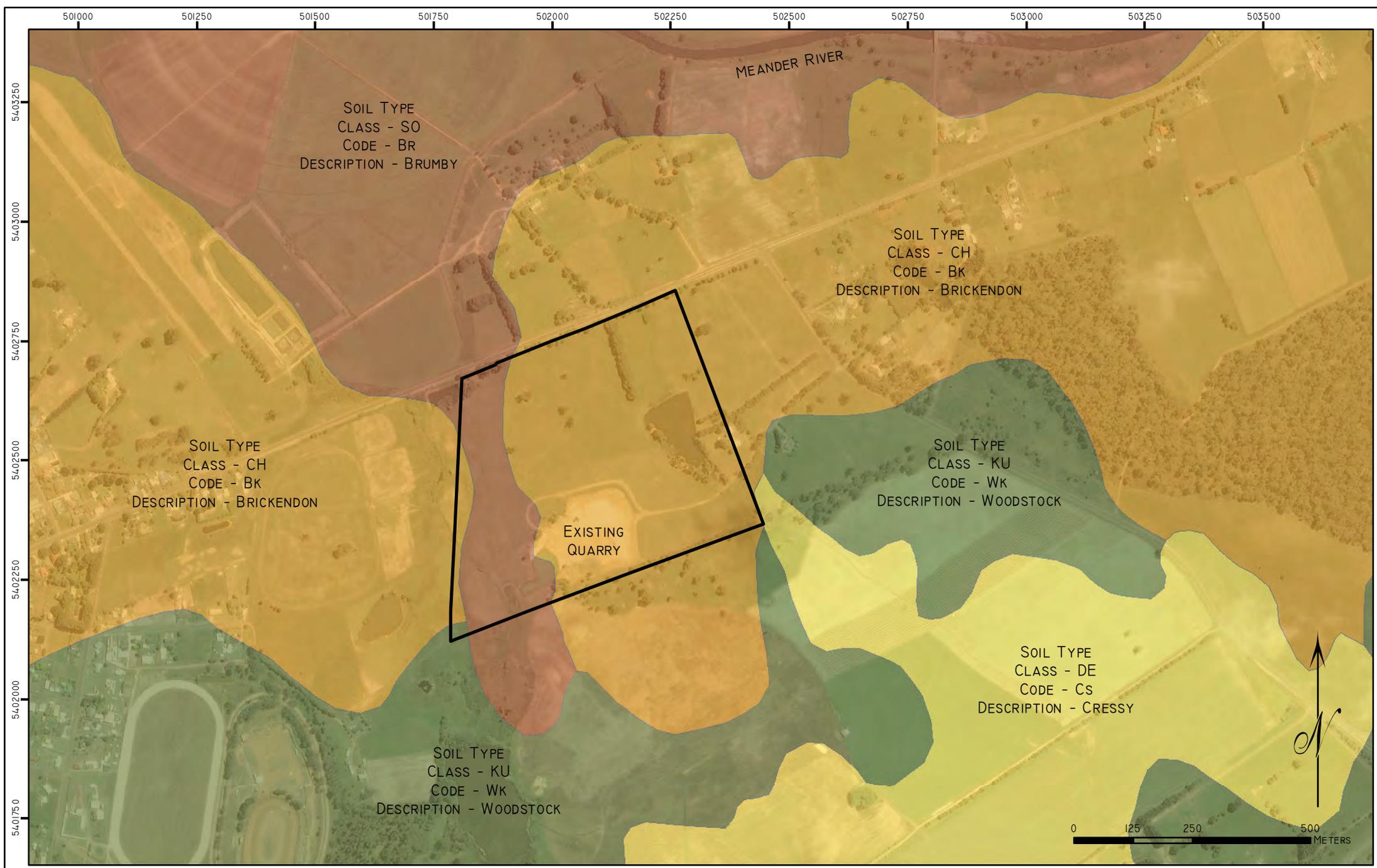
FIGURE 6B: LAND CAPABILITY (DPIPWE) IN AND AROUND THE MINING LEASE

MINING LEASE

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FIGURE 6C: SOIL ASSOCIATIONS IN AND AROUND THE MINING LEASE

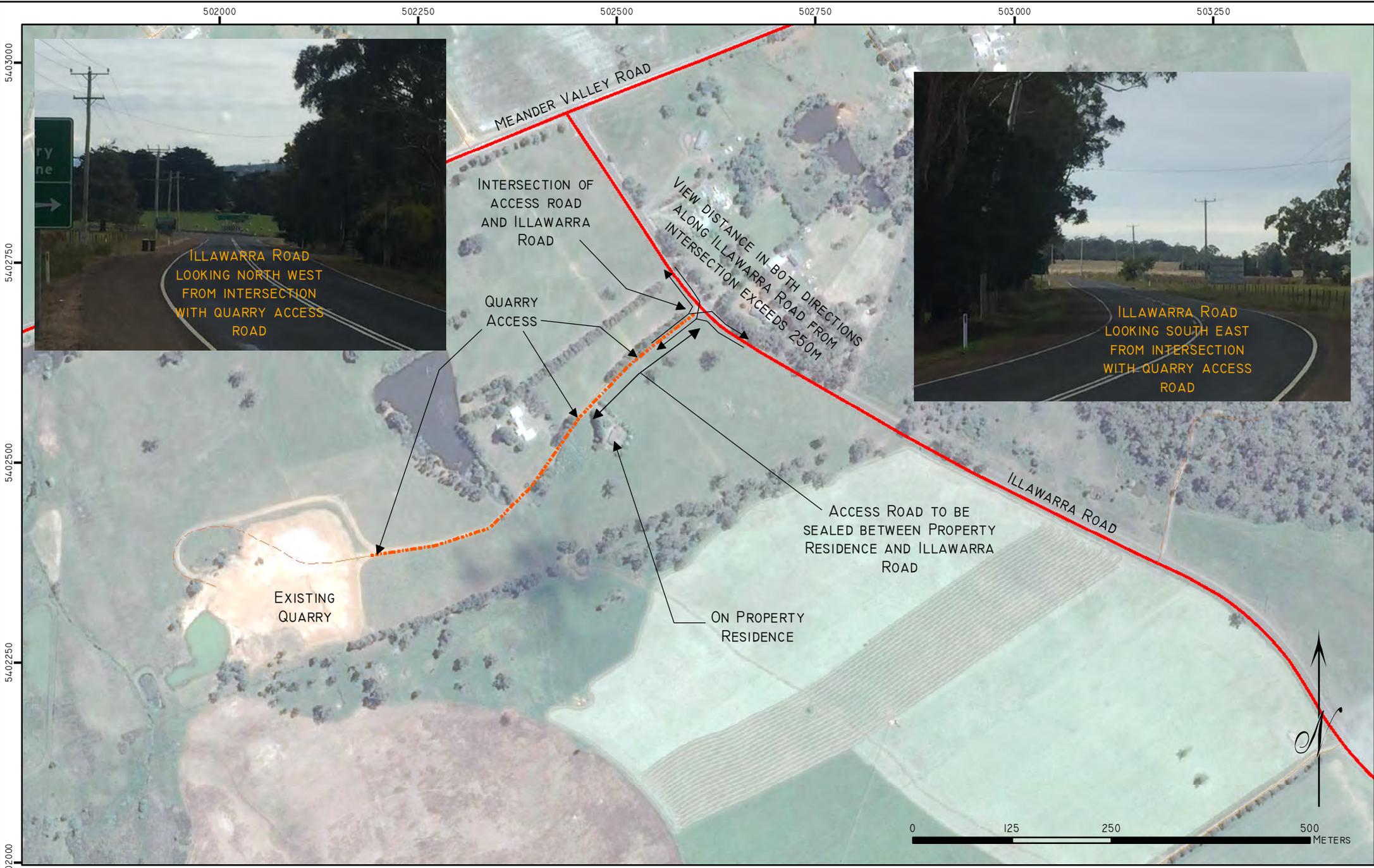
MINING LEASE



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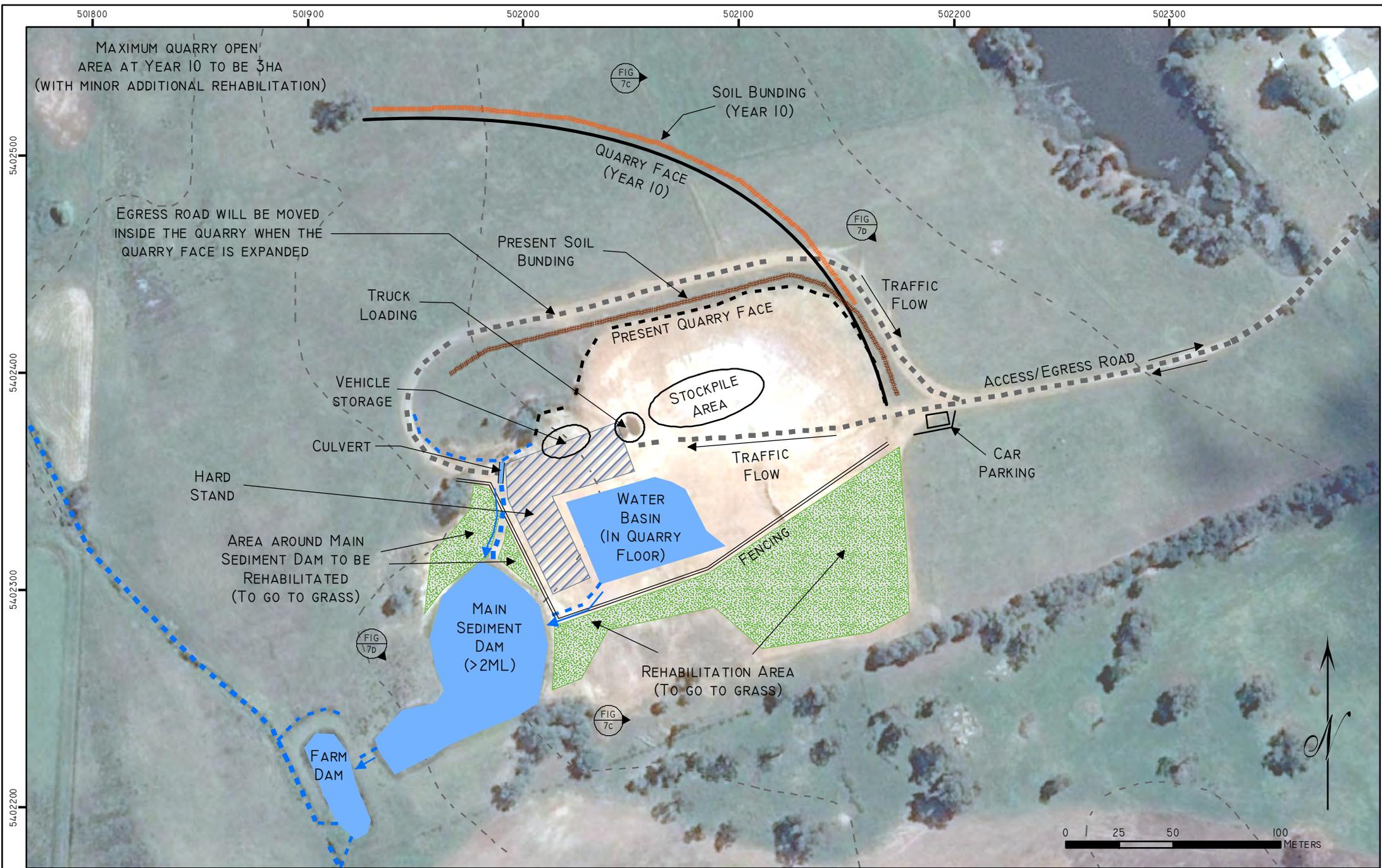
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FIGURE 7A: PROPOSED QUARRY ACCESS ROAD AND SISD ASSESSMENT



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FIGURE 7B: PROPOSED QUARRY LAYOUT AND EXTRACTION PLAN

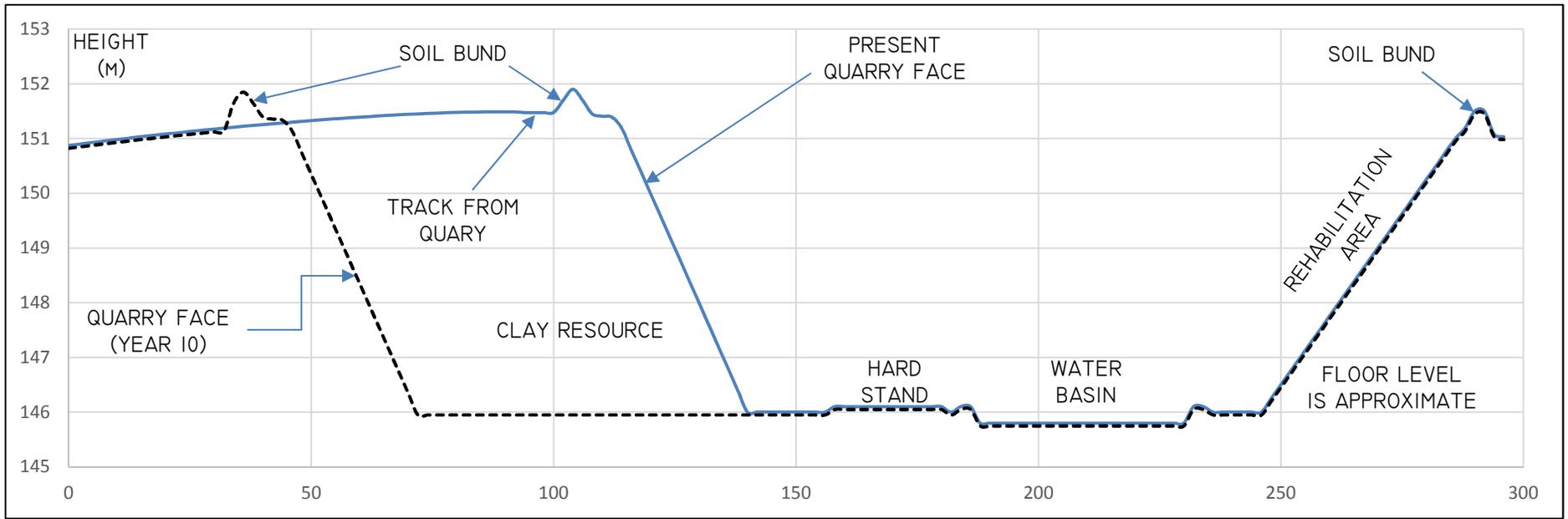


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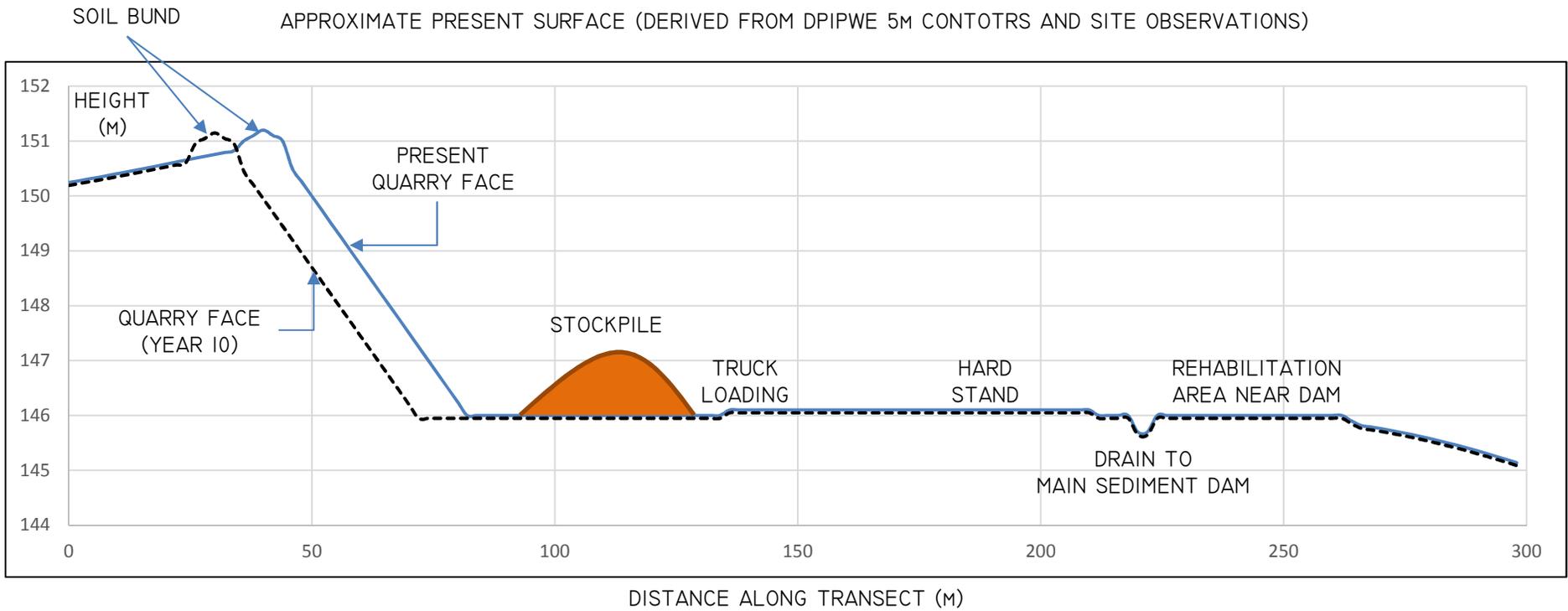
FIGURE 7C: SURFACE CROSS SECTION OF FIGURE 7B

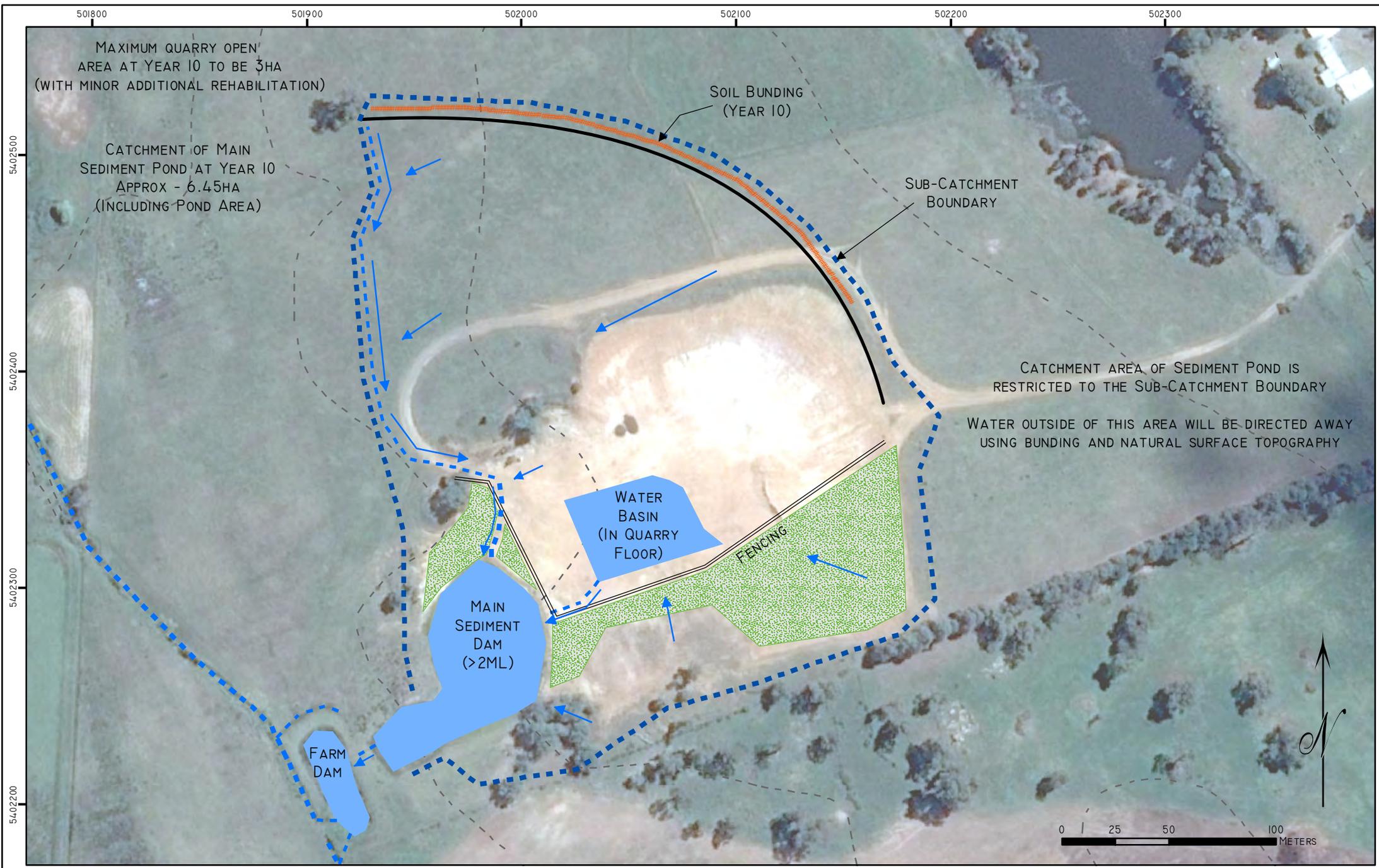
APPROXIMATE PRESENT SURFACE (DERIVED FROM DPIPWE 5M CONTOTRS AND SITE OBSERVATIONS)



DISTANCE ALONG TRANSECT (M)

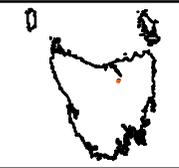
FIGURE 7D: SURFACE CROSS SECTION OF FIGURE 7B



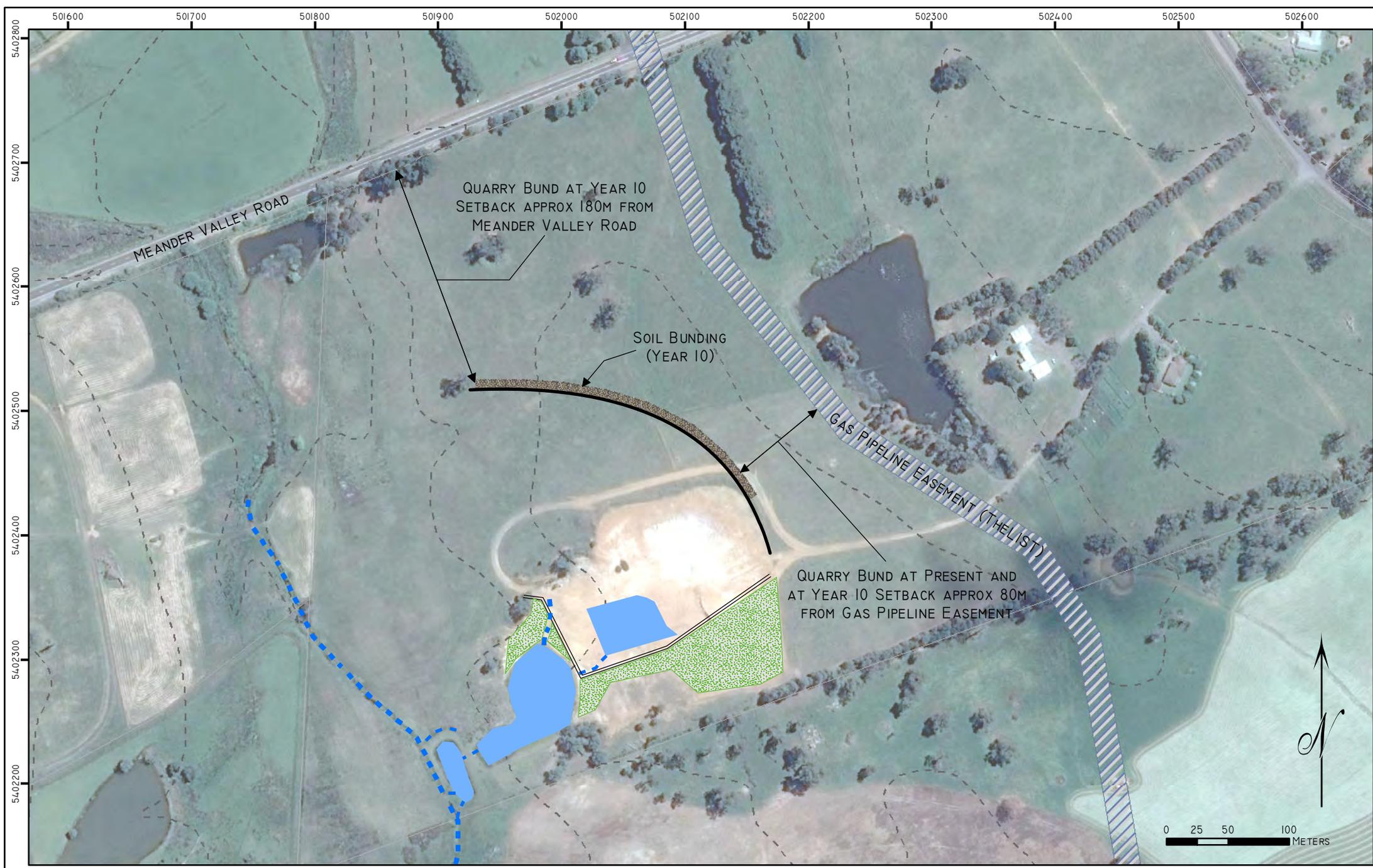


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FIGURE 7E: QUARRY DRAINAGE AND CATCHMENT OF SEDIMENT POND AT YEAR 10



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FIGURE 7F: YEAR 10 QUARRY SETBACKS



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DATE: 16TH SEPTEMBER 2015

Threatened Flora Species

There are a few recorded locations of threatened flora species near the Mining Lease based on data contained within the Natural Values Atlas (Figure 9A). Although the survey of the Mining Lease was conducted in winter, there is very low likelihood that any threatened flora species would occur in the area to be impacted upon by the quarry activity.

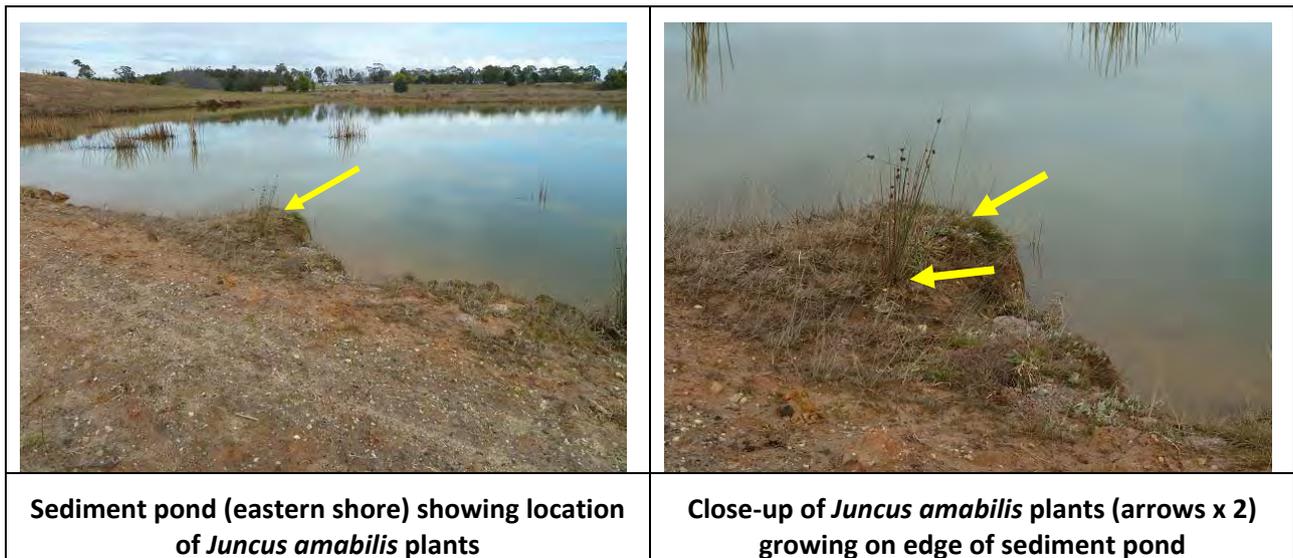
The species recorded nearby (Figure 9A) tend to be localised in their habitat requirements, such as flowing waterbodies (eg *Vallisneria australis* growing in the Meander River) or are species of native grassland - woodland (eg *Caesia calliantha*). The Mining Lease ranges from irrigated pastures through to rough grazing lands dominated by pasture grasses and exotic herbs – the land has a long history of grazing by livestock (mainly cattle and sheep) and the application of fertiliser which tends to favour introduced species over native species.

One flora species listed on the Tasmanian *Threatened Species Protection Act 1995* was recorded within the Mining Lease –

- ***Juncus amabilis* (gentle rush)** – Listed as Rare – two plants were observed growing on the very edge of the existing sediment pond (Plate 2). The common but similar species, *Juncus australis*, was also observed growing around the sediment dam.

No flora species listed on the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* were recorded within the Mining Lease.

Plate 2. *Juncus amabilis* observed within the Illawarra Road Quarry, Carrick



Declared Weeds

Two plant species listed as a *Declared Weed* on the Tasmanian *Weed Management Act 1999 (Tas)* were recorded in the Mining Lease (Figure 9B): gorse (*Ulex europaeus*) and blackberry (*Rubus fruticosus aggregate*).

Threatened Fauna Species

There are a four species recorded near the Mining Lease based on data contained within the Natural Values Atlas (Figure 9C). Comments on the occurrence or otherwise of each within the Mining Lease, and specifically the area to be quarried, are provided below.

Tasmanian devil (*Sarcophilus harrisi*)

The Tasmanian devil is found throughout Tasmania, in all native habitats, as well as in forestry plantations and pasture, from sea level to all but the highest peaks of Tasmania. Densities are lowest in the buttongrass plains of the south-west and highest in the dry and mixed sclerophyll forests and coastal heath of Tasmania's eastern half and north-west coast. Open forests and woodlands are preferred, while tall or dense wet forests are avoided. The highest population densities can be found in mixed patches of grazing land and forest or woodland. Dens are typically underground burrows (such as old wombat burrows), dense riparian vegetation, thick grass tussocks and caves.

No dens attributable to the Tasmanian devil were recorded in the Mining Lease during the survey neither is there suitable denning habitat in the form of log piles or dense native vegetation. No wombat burrows (which may be used as a den by this species) were observed in the Mining Lease. There is likely to be no impact to this species from the development.

Spotted-tailed quoll (*Dasyurus maculatus maculatus*)

The spotted-tailed quoll is a carnivorous marsupial which occurs in Tasmania and eastern Australia from Queensland to Victoria. On mainland Australia, the species population has declined dramatically and now Tasmania is its stronghold. It is primarily a forest-dwelling species being most abundant in higher rainfall areas containing rainforest, wet forest and blackwood swamp forest. Important habitat components appear to be structurally complex forest, old growth forest with tree hollows and coastal scrub (such areas provide opportunities for arboreal hunting and avoidance of Tasmanian devils which compete for prey).

Spotted-tailed quolls tend to disappear in highly fragmented environments and where canopy cover is reduced by over 50%. Home ranges (non-mating season) are large (in the order of 20 square kilometres for males and 10 square kilometres for females), and female ranges are virtually exclusive for large parts of the year. These two attributes contribute to low natural population densities and natural rarity. This means that the species is vulnerable to population decline.

No dens attributable to the spotted-tailed quoll were recorded in the Mining Lease during the survey neither is there suitable denning habitat in the form of log piles or dense native vegetation. No wombat burrows (which may be used as a den by this species) were observed in the Mining Lease. There is likely to be no impact to this species from the development.

Eastern-barred bandicoot (*Perameles gunnii gunnii*)

The Mining Lease is within the known geographic range of this marsupial and there are several nearby recorded locations (roadkill and observations). The subspecies occurs in open habitats, generally at mid to low altitudes, including woodlands and open forests with a grassy understorey, and native and exotic grasslands and is regarded as a 'habitat generalist'. The subspecies requires understorey plants to provide shelter, nest sites and food. Analysis of habitat characteristics based on distribution records has identified a mosaic of agricultural, mainly pastoral land and remnant bushland as primary habitat for existing populations. Nests are constructed on the ground, generally under some form of vegetation cover, which may include non-native species such as gorse, blackberry thickets and rank pasture grass areas (associated with low stocked paddocks or drains).

No nests attributable to the eastern barred bandicoot were recorded in the Mining Lease during the survey. Suitable habitat is present in the form of pasture and rank grass thickets associated with the drainage feature west of the quarry area. There is likely to be no impact to this species from the development.

Green and gold frog (*Litoria raniformis*)

The Green and Golden Frog is dependent upon permanent freshwater lagoons for breeding. Ideal breeding habitat is the shallow part of lagoons (to approx 1.5m) where there is generally a complex vegetation structure. There is a recorded location for this species in Carrick, to the west of the Mining Lease.

There is a small on-stream (see Figure 7E, Plate 3) to which the main sediment dam discharges. The farm dam is fed by water flowing into it from the adjacent man-made drain and then leaves it at its northern most extent, where it drains back into a man-made drainage system flowing northwards (Plate 3). The small farm dam has emergent vegetation (Plate 3) which may be utilised by green and gold frogs to breed – farm dams in the central north and north region between Whitemore, Deloraine, Launceston and Perth are potential breeding locations for this species.

The farm dam only receives water discharging from the quarry once it has passed through the main sediment dam (Figures 7B and 7E). Most water that falls into and drains out of the active pit also passes through a quarry basin area (Figure 7B) which further allows sediment to be captured before it flows into the main sediment pond. No chemicals or fuels are to be stored in the quarry, and with the availability of a spill kit while refuelling machinery, the risk of water contamination is very low. On this basis, there is likely to be no impact to this species from the development even if it was present in the small farm dam or surrounding drainage network.

Plate 3. Potential habitat (breeding and over-wintering) for green and gold frog



On-stream dam (west of quarry) showing well developed emergent vegetation



Man-made drain to the west of the quarry showing tussocks and sedges



ILLAWARRA ROAD QUARRY - ENVIRONMENTAL EFFECTS REPORT

FIGURE 8: VEGETATION CLASSES/MAPPING UNITS IN THE MINING LEASE

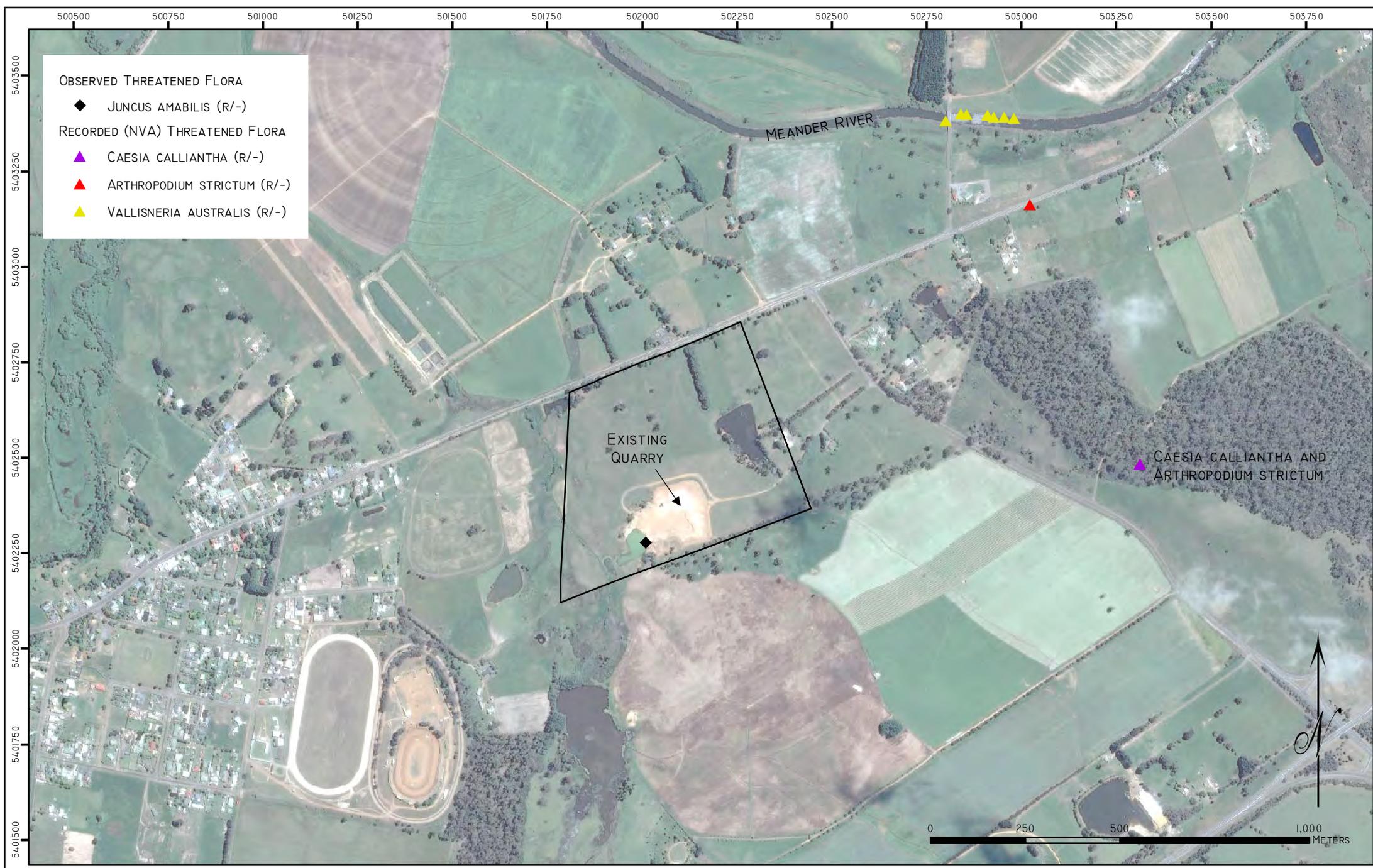
 MINING LEASE



PO Box 1 NEW TOWN TAS 7008
 BASE DATA BY TASMAR, © STATE OF TASMANIA
 BASE IMAGE © GOOGLE EARTH



DATUM: GDA94
 GRID: MGA ZONE 55
 TASMAR: PROSPECT 5040
 CLIENT: GRADCO PTY LTD
DEV 1
 DATE: 1ST SEPTEMBER 2015

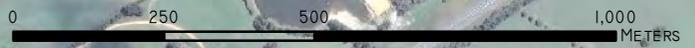


- OBSERVED THREATENED FLORA
- ◆ JUNCUS AMABILIS (R/-)
- RECORDED (NVA) THREATENED FLORA
- ▲ CAESIA CALLIANTHA (R/-)
 - ▲ ARTHROPODIUM STRICTUM (R/-)
 - ▲ VALLISNERIA AUSTRALIS (R/-)

EXISTING QUARRY

CAESIA CALLIANTHA AND ARTHROPODIUM STRICTUM

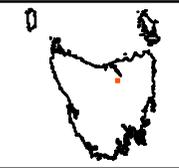
MEANDER RIVER



ILLAWARRA ROAD QUARRY - ENVIRONMENTAL EFFECTS REPORT
 FIGURE 9A: RECORDED (NVA) AND OBSERVED THREATENED FLORA SPECIES SURROUNDING THE MINING LEASE

□ MINING LEASE

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 BASE IMAGE © GOOGLE EARTH



DATUM: GDA94
 GRID: MGA ZONE 55
 TASMAR: PROSPECT 5040
 CLIENT: GRADCO PTY LTD
DEV 1
 DATE: 1ST SEPTEMBER 2015



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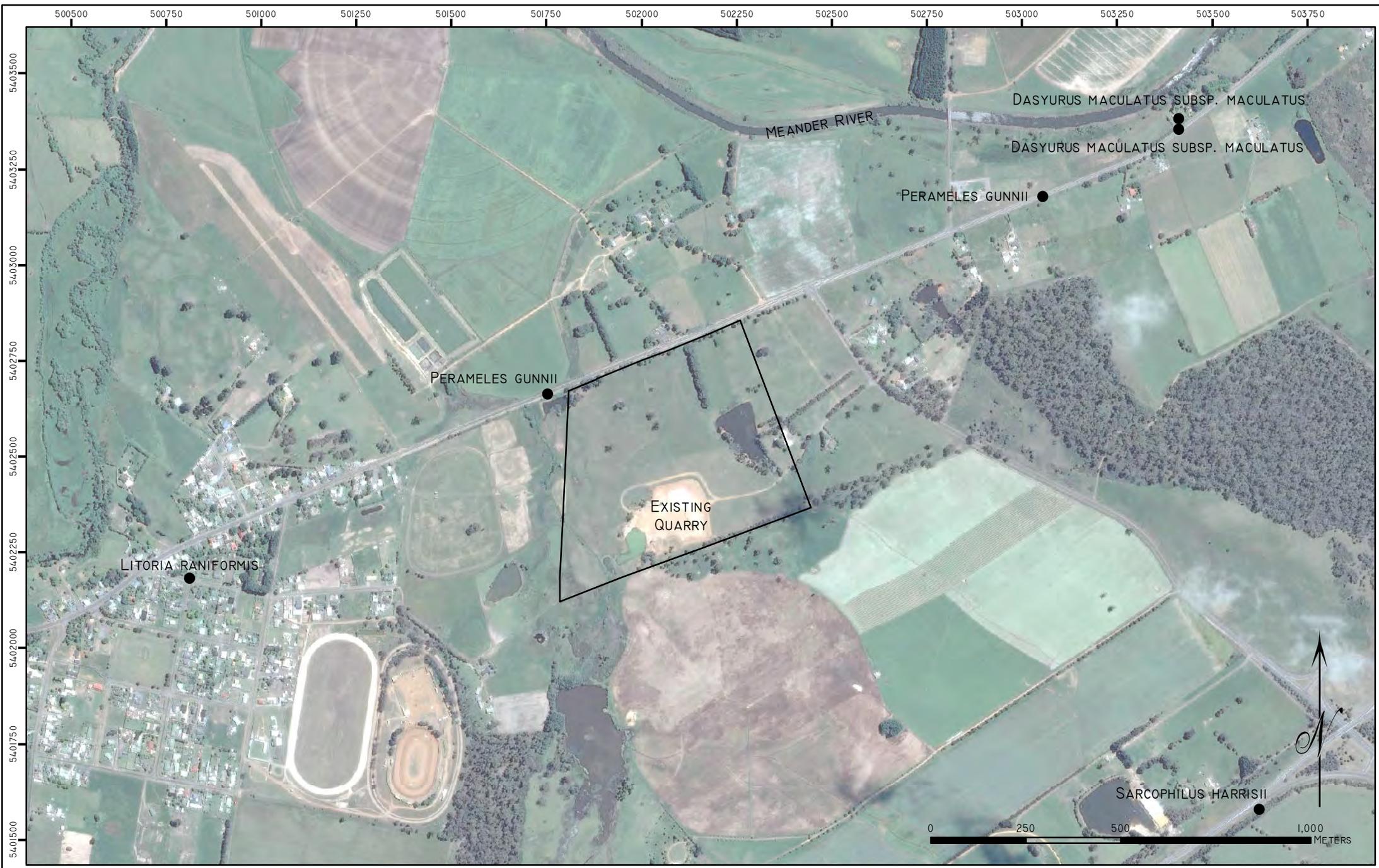
FIGURE 9B: DECLARED WEEDS OBSERVED WITHIN THE MINING LEASE

 MINING LEASE


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 BASE IMAGE © GOOGLE EARTH



DATUM: GDA94
 GRID: MGA ZONE 55
 TASMAR: PROSPECT 5040
 CLIENT: GRADCO PTY LTD
DEV 1
 DATE: 1ST SEPTEMBER 2015

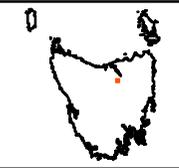


ILLAWARRA ROAD QUARRY - ENVIRONMENTAL EFFECTS REPORT

FIGURE 9C: RECORDED (NVA) THREATENED FAUNA SPECIES SURROUNDING THE MINING LEASE

 MINING LEASE


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DATUM: GDA94
 GRID: MGA ZONE 55
 TASMAR: PROSPECT 5040
 CLIENT: GRADCO PTY LTD
DEV 1
 DATE: 1ST SEPTEMBER 2015

PART D – PLANNING SCHEME ASPECTS

The quarry is located within the Meander Valley Municipality which operates under the *Meander Valley Interim Planning Scheme 2013*.

The land upon which the quarry is located is zoned Rural Resource (Figure 4A) and is associated with two Overlays (Figure 4B) – Priority Habitat (associated with the Biodiversity Code) and Scenic Corridor (associated with the Scenic Management Code).

D.1 SCHEME ZONING

The purpose of the Rural Resource zone is -

1. To provide for the sustainable use or development of resources for agriculture, aquaculture, forestry, mining and other primary industries, including opportunities for resource processing.
2. To provide for other use or development that does not constrain or conflict with resource development uses.
3. To provide for economic development that is compatible with primary industry, environmental and landscape values.
4. To provide for tourism-related use and development where the sustainable development of rural resources will not be compromised.

Comments are provided against each of the four listed purpose for the Rural Resource zone.

1. To provide for the sustainable use or development of resources for agriculture, aquaculture, forestry, mining and other primary industries, including opportunities for resource processing.
 - The development is to increase the permitted annual production limit an existing quarry – a quarrying use is consistent with this zone purpose.
2. To provide for other use or development that does not constrain or conflict with resource development uses.
 - The development will not prevent or constrain other land uses on the same and adjacent properties. The property that supports the proposed quarry is used for agricultural activities.
3. To provide for economic development that is compatible with primary industry, environmental and landscape values.
 - The quarry will not substantially detract from the overall quantity and quality of agricultural land in the region that is otherwise available for primary production (<3 hectares is proposed to be opened/disturbed at any one time). The quarry pit will not be visible from most of the road network (excluding a small viewfield glimpse travelling eastward from Carrick) and environmental matters (eg. water management) will be addressed through conditions imposed by the EPA (a Level 2 activity).
4. To provide for tourism-related use and development where the sustainable development of rural resources will not be compromised.
 - This purpose is not relevant to the development.

D.2 USE/DEVELOPMENT CATEGORISATION

The development is consistent with the definition of **Extractive Industry** - ‘use of land for extracting or removing material from the ground, other than Resource development, and includes the treatment or processing of those materials by crushing, grinding, milling or screening on, or adjoining the land from which it is extracted. Examples include mining, quarrying, and sand mining.’

Extractive Industry is a discretionary use in the Rural Resource zone where it is a Level 2 activity as described by EMPCA.

D.3 DETERMINING THE APPLICATION

The planning authority has a discretion to refuse or permit a use or development if:

- (a) the use is within a use class specified in the applicable Use Table as being a use which is discretionary;
- (b) the use or development complies with each applicable standard but relies upon a performance criterion to do so; or
- (c) it is discretionary under any other provision of the planning scheme, and the use or development is not prohibited under any other provision of the planning scheme.

In determining an application for any permit the planning authority must, in addition to The matters required by ss51(2) of the Act, take into consideration:

- (a) all applicable standards and requirements in this planning scheme; and
- (b) any representations received pursuant to and in conformity with ss57(5) of the Act, but in the case of the exercise of discretion, only insofar as each such matter is relevant to the particular discretion being exercised.

In determining an application for a permit for a discretionary use the planning authority must, in addition to the matters referred to in subclause 8.10.1 of the Scheme, have regard to:

- (a) the purpose of the applicable zone;
- (b) any relevant local area objective or desired future character statement for the applicable zone;
- (c) the purpose of any applicable code; and
- (d) the purpose of any applicable specific area plan but only insofar as each such purpose is relevant to the particular discretion being exercised.

In determining an application for any permit the planning authority must not take into consideration matters referred to in clauses 2.0 and 3.0 of the Scheme.

D.4 SCHEME USE STANDARDS

The following notes and comments are made about each Use Standard relevant to the development.

26.3.1 Discretionary Uses if not a single dwelling

Relevant Performance Criterion(P)/Acceptable Solution(A)	Comments
<p>P1.1</p> <p>It must be demonstrated that the use is consistent with local area objectives for the provision of non-primary industry uses in the zone, if applicable;</p>	<p>Complies with P1.1</p> <ul style="list-style-type: none"> • The development will assist with further growth in the agricultural sector by the providing a resource to repair and construct dam infrastructure within and nearby to the region.

<p>and P1.2 Business and professional services and general retail and hire must not exceed a combined gross floor area of 250 m² over the site.</p>	<p>and P1.2 is not relevant to the development.</p>
<p>P2.1 Utilities, extractive industries and controlled environment agriculture located on prime agricultural land must demonstrate that the:</p> <ul style="list-style-type: none"> i) amount of land alienated/converted is minimised; and ii) location is reasonably required for operational efficiency; <p>and P2.2 Uses other than utilities, extractive industries or controlled environment agriculture located on prime agricultural land, must demonstrate that the conversion of prime agricultural land to that use will result in a significant benefit to the region having regard to the economic, social and environmental costs and benefits.</p>	<p>Complies with P2.1. The development is not located on prime agricultural land.</p> <p>P2.1 is not relevant to the development.</p>
<p>P3 The conversion of non-prime agricultural to non-agricultural use must demonstrate that:</p> <p>a) the amount of land converted is minimised having regard to:</p> <ul style="list-style-type: none"> i) existing use and development on the land; and ii) surrounding use and development; and iii) topographical constraints; <p>or</p> <p>b) the site is practically incapable of supporting an agricultural use or being included with other land for agricultural or other primary industry use, due to factors such as:</p> <ul style="list-style-type: none"> i) limitations created by any existing use and/or development surrounding the site; and ii) topographical features; and iii) poor capability of the land for primary industry; <p>or</p>	<p>Complies with P3.a</p> <ul style="list-style-type: none"> • The development will only utilise a maximum of 3 hectares as the active disturbed area (at year 10) – the remainder of the Mining Lease other than the area around the immediate pit will be available to agricultural activities by the landowner. • Areas not required for the operation of the quarry are to be progressively rehabilitated to pasture which will then be used for livestock production (an agricultural use).

<p>c) the location of the use on the site is reasonably required for operational efficiency.</p>	
<p>P4 It must be demonstrated that:</p> <p>a) emissions are not likely to cause an environmental nuisance; and</p> <p>b) primary industry uses will not be unreasonably confined or restrained from conducting normal operations; and</p> <p>c) the capacity of the local road network can accommodate the traffic generated by the use.</p>	<p>Complies with P4.</p> <ul style="list-style-type: none"> • The development is not likely to cause environmental nuisance – noise, air emissions and water can all be managed to mitigate environmental nuisance. • The development will not confine or restrain primary industry uses on adjoining or nearby lands. • The local road network is able to absorb the traffic generated by the development pursuant to the findings of the TIA (Appendix 2).
<p>P5 It must be demonstrated that the visual appearance of the use is consistent with the local area having regard to:</p> <p>a) the impacts on skylines and ridgelines; and</p> <p>b) visibility from public roads; and</p> <p>c) the visual impacts of storage of materials or equipment; and</p> <p>d) the visual impacts of vegetation clearance or retention; and</p> <p>e) the desired future character statements.</p>	<p>Complies with P5.</p> <ul style="list-style-type: none"> • The development is not on a ridgeline or skyline. • The development is not directly visible from Illawarra Road. • The development is only partly visible from Meander Valley Road when travelling eastwards from Carrick – the upper bench/slope of the existing pit can be seen from a small section of road when travelling adjacent to residential properties at 1 and 3 Meander Valley Road. The viewfield is to the right of the main driving viewfield and the glimpse of the pit is brief owing to vehicle speed. • Machinery and materials are stored within the quarry pit which is below natural ground level – limits the ability of the items to be seen from Meander Valley Road and adjoining private freehold properties. • It complies with the desired future character statement, that is – ‘The visual impacts of use and development within the rural landscape are to be minimised such that the effect is not obtrusive’.

D.5 SCHEME DEVELOPMENT STANDARDS

The following notes and comments are made about each Development Standard relevant to the development.

26.4.1 Building Location and Appearance

Relevant Performance Criterion(P)/Acceptable Solution(A)	Comments
<p>A1 Building height must not exceed:</p> <ul style="list-style-type: none"> a) 8m for dwellings; or b) 12m for other purposes. 	<p>Complies with A1.</p> <ul style="list-style-type: none"> • The development complies with the building height limitations.
<p>A2 Buildings must be set back a minimum of:</p> <ul style="list-style-type: none"> a) 50m where a non-sensitive use or extension to existing sensitive use buildings is proposed; or b) 200m where a sensitive use is proposed; or c) the same as existing for replacement of an existing dwelling. 	<p>Complies with A2.</p> <ul style="list-style-type: none"> • The development complies with the setback limitations.

D.6 SCHEME CODES AND OVERLAYS

The following comments are made about each Code and Overlay relevant to the development.

Bushfire-prone Areas Code

This Code does not apply to the development as a sensitive use is not proposed.

Potentially Contaminated Land Code

This Code does not apply to the development as a sensitive use is not proposed.

Landslip Code

This Code does not apply to the development.

Road and Rail Assets Code

This code applies to use or development of land that:

- a) requires a new access, junction or level crossing; or
- b) intensifies the use of an existing access, junction or level crossing; or
- c) involves a sensitive use, a building, works or subdivision on or within 50 metres of a railway or land shown in this planning scheme as:
 - i) a future road or railway; or
 - ii) a category 1 or 2 road where such road is subject to a speed limit of more than 60 kilometres per hour.

The Traffic Impact Assessment (Appendix 2) conducted, which followed a review of available traffic data and information, standard codes and guidelines, and other supplementary traffic data and information, found: -

1. The surrounding road transport network is capable of absorbing the estimated traffic generation of the proposed development without any loss of transport efficiency or road safety.

2. There is sufficient available Safe Intersection Sight Distance for the 85th percentile speed past the site's access to comply with the Acceptable Solution, E4.7.4 of the Scheme.

Based on the findings of the TIA, and subject to the recommendations above, the proposed development is supported on traffic grounds.

Flood Prone Areas Code

This Code does not apply to the development.

Parking and Sustainable Transport Code

The following notes and comments are made about each Development Standard relevant to the Code.

E6.6.1 Car Parking Numbers

A car park containing 2 spaces will be constructed at the facility for personnel and visitors (Figure 7B).

E6.6.2 Bicycle Parking Numbers

Bicycles can be stored at the existing agricultural shed to the east of the quarry.

Scenic Management Code

This Scenic Corridor Overlay of the Scheme (Figure 4B) covers a part of the property.

The purpose of this provision is to:

- a) ensure that siting and design of development protects and complements the visual amenity of defined tourist road corridors; and
- b) ensure that siting and design of development in designated scenic management areas is unobtrusive and complements the visual amenity of the locality and landscape.

There is no development within the area of the property covered by the Scenic Corridor Overlay (there is use) so the activity is exempt from this Code. Notwithstanding this, the access road onto Illawarra Road is existing and has been upgraded already to a standard acceptable to the Department of State Growth as the road authority.

Biodiversity Code

The development is exempt from this Code because it is a Level 2 activity assessed by the Board of the Environment Protection Authority.

Water Quality Code

The development is exempt from this Code because it is a Level 2 activity assessed by the Board of the Environment Protection Authority.

Open Space and Recreation Code

This Code does not apply to the development.

Environmental Impacts and Attenuation Code

The development is exempt from this Code because it is a Level 2 activity assessed by the Board of the Environment Protection Authority.

Airports Impact Management Code

This Code does not apply to the development.

Heritage Code

This Code does not apply to the development.

Signs Code

There is no signage proposed for the site. This Code does not apply to the development.

Karst Management Code

This Code does not apply to the development.

Urban Salinity Code

This Code does not apply to the development.

PART E - POTENTIAL ENVIRONMENTAL EFFECTS

E.1 FLORA AND FAUNA

Vegetation

The quarry development will not impact on any native vegetation.

Threatened Flora Species

The quarry development is likely to impact on one threatened flora species – *Juncus amabilis*.

In its current location the species is not under immediate threat as the dam is not proposed to be modified. However, as the dam needs to be cleaned regularly to remove sediment that may accumulate within it over time the location of the two plants place them at risk of being impacted upon by machinery using the area and adjacent hardstand. To avoid inadvertent harm to the plants it is proposed to relocate them to the western side of the dam where machinery is not used. A permit issued under the *Threatened Species Protection Act 1995 (Tas)* will be sought from the Department of Primary Industries, Parks, Water and Environment to relocate the two plants of *Juncus amabilis* to the western side of the sediment dam where they will not be impacted upon by regular dam cleaning works.³

Weeds

Weeds will be managed via a formal weed spraying program. A Weed Management Plan will be prepared and implemented for the life of the quarry activity⁴.

Threatened Fauna Species

The quarry development will not significantly impact any threatened fauna species, including the green and gold frog, as measures have been proposed to manage the risks associated with surface water contamination from fuels/oils.

E.2 SURFACE WATERS

The quarry activity will be managed to (i) ensure that pollutants do not enter the water system and (ii) the proper treatment of water occurs prior to discharge from the site via a formalised sediment pond. It is proposed that runoff from the quarry pit be controlled by directing it all to the quarry floor, thus preventing any sediment-laden runoff from reaching the receiving environment.

No chemicals, fuels or oils will be stored in the quarry pit overnight, and refuelling of quarry equipment will be carried out using a mobile bund⁵.

Sediment Dam and Erosion Control

At year 10 the full extent is to be a maximum of 3 hectares (including active face, stockpile area, laydown area etc). The proponent will achieve sediment removal in surface waters prior to their discharge to the nearby man-made drainage system through a combination of (i) maintaining a water (and sediment) pooling

³ Commitment 3: A permit issued under the *Threatened Species Protection Act 1995 (Tas)* will be sought from the Department of Primary Industries, Parks, Water and Environment to relocate the two plants of *Juncus amabilis* to the western side of the sediment dam where they will not be impacted upon by regular dam cleaning works.

⁴ Commitment 4: A Weed Management Plan will be prepared and implemented for the life of the quarry activity.

⁵ Commitment 5: No chemicals, fuels or oils will be stored in the quarry pit overnight, and refuelling of quarry equipment will be carried out using a mobile bund.

area within the pit and (ii) the maintenance of the existing main sediment dam⁶. This option will be applied because it maximises the opportunities to capture sediment prior to it being discharged to the main sediment dam which may over the long-term reduce the need to regularly clean the pond. Excess water discharge of the pit (quarry basin) is via a formal sediment dam (Figure 7B). The main sediment dam is in excess of 2ML in volume and would be of sufficient volume to continue treating the water that flows from the quarry floor.

Rehabilitation works are currently underway to contour and grass an area at the southern edge of the existing quarry pit (Figure 7B). Additional rehabilitation works should be underway by year 5 in those areas which have been quarried and are no longer needed for the quarrying activity – maintaining a disturbed area of no greater than 2 hectares.

Sediment trapped by the pond will be cleaned out either on a 12 monthly basis or when the pond has experienced a 15% reduction in storage volume. The collected sediment will be mixed with stockpiled top soil for progressive rehabilitation of disused quarry areas⁷.

E.3 AIR EMISSIONS

The proposed internal haul road within the quarry will have a gravel surface. Potential sources of dust within the quarry operation are from:

- The removal of vegetative cover and stripping of topsoil;
- The ripping of material;
- The movement of material (topsoil for bunding and stockpiling and clay material for extraction) within the quarry by machinery;
- Road (gravel) use in and adjacent to the quarry; and
- Stockpiling and loading gravel.

The material extract is a damp clay product (of two bands, see Plate 1) which will be blended while damp as otherwise this could generate dust when it is dry and worked by machinery. Although there are nearby residential properties (minimum distance to nearest house is 540m to the west and then 570m to the east; Figure 10) the quarry has operated for a number of years without complaint of dust emissions.

In dry weather and as required during the operation of the quarry, water from the sediment pond/pit or on-site water cart truck will be used to dampen the road surface, the stockpiles and loads in trucks (unless they are covered by tarpaulins)⁸. The dampening of road surfaces and truckloads of material with water is an industry standard practice to address the risk of fugitive emissions that may cause environmental nuisance or harm.

E.4 LIQUID EFFLUENT

There will be no toilet or other amenities provided on site. During periods of high use (eg. during a campaign for major road upgrade in the region) a 'portaloo' will be provided on-site and removed after the campaign

⁶ Commitment 6: The proponent will achieve sediment removal in surface waters prior to their discharge to the nearby man-made drainage system through a combination of (i) maintaining a water (and sediment) pooling area within the pit and (ii) the maintenance of the existing main sediment dam.

⁷ Commitment 7: Sediment trapped by the pond will be cleaned out either on a 12 monthly basis or when the pond has experienced a 15% reduction in storage volume. The collected sediment will be mixed with stockpiled topsoil for progressive rehabilitation of disused quarry areas.

⁸ Commitment 8: In dry weather water from the sediment pond/pit or on-site water cart truck will be used to dampen the road surface, the stockpiles and loads in trucks (unless they are covered by tarpaulins).

has been concluded or usage no longer justifies the provision of the portaloo. The contents of the portaloo will be disposed of at an approved sewage processing facility⁹.

One hydrocarbon spill kit will be stored at the quarry and staff trained in how to use it in the event of a spillage¹⁰.

E.5 SOLID WASTES

The activity will not produce any earth-based solid wastes as all of the materials extracted will be sold for various end uses.

The servicing of machinery may generate solid waste (eg. oil filters, worn tyres) however machinery will be removed from the quarry for servicing (including oil changes)¹¹. Waste generated by the servicing of machinery is disposed of in accordance with best practice principles. Waste generated by workers from general refuse (eg lunch wrappers) at the quarry will be removed each day¹². No waste bins are provided on-site for general refuse.

E.6 NOISE EMISSIONS

Noise sources in the landscape surrounding the land where the activity will occur have been identified as follows:

- farm machinery, trucks and other agricultural associated activities on the same property and adjacent/nearby properties;
- vehicles and trucks using Illawarra Road, Meander Valley Road and other roads (Bass Highway, Westwood Road etc);
- pumps used to move irrigation water between dams and to pastures;
- livestock (mainly cows);
- the use of the nearby (to the west) recreational facility owned and managed by the Meander Valley Council;
- wind in the nearby native forest and paddock trees; and
- bird and insect life.

The major noise sources from the activity have been identified as follows:

- Excavation of the topsoil and material with the excavator;
- Loading of trucks with product;
- Vehicles arriving and departing from the quarry site; and
- Trucks arriving and departing from the quarry.

Attenuation Distances

Attenuation distances are recommended in the *Quarry Code of Practice* (QCP), as follows:

⁹ Commitment 9: A portaloo will be provided on-site during periods of high volume extraction. Its contents will be collected and disposed of at an approved sewage processing facility.

¹⁰ Commitment 10: One hydrocarbon spill kit will be stored at the quarry and staff trained in how to use them in the event of a spillage.

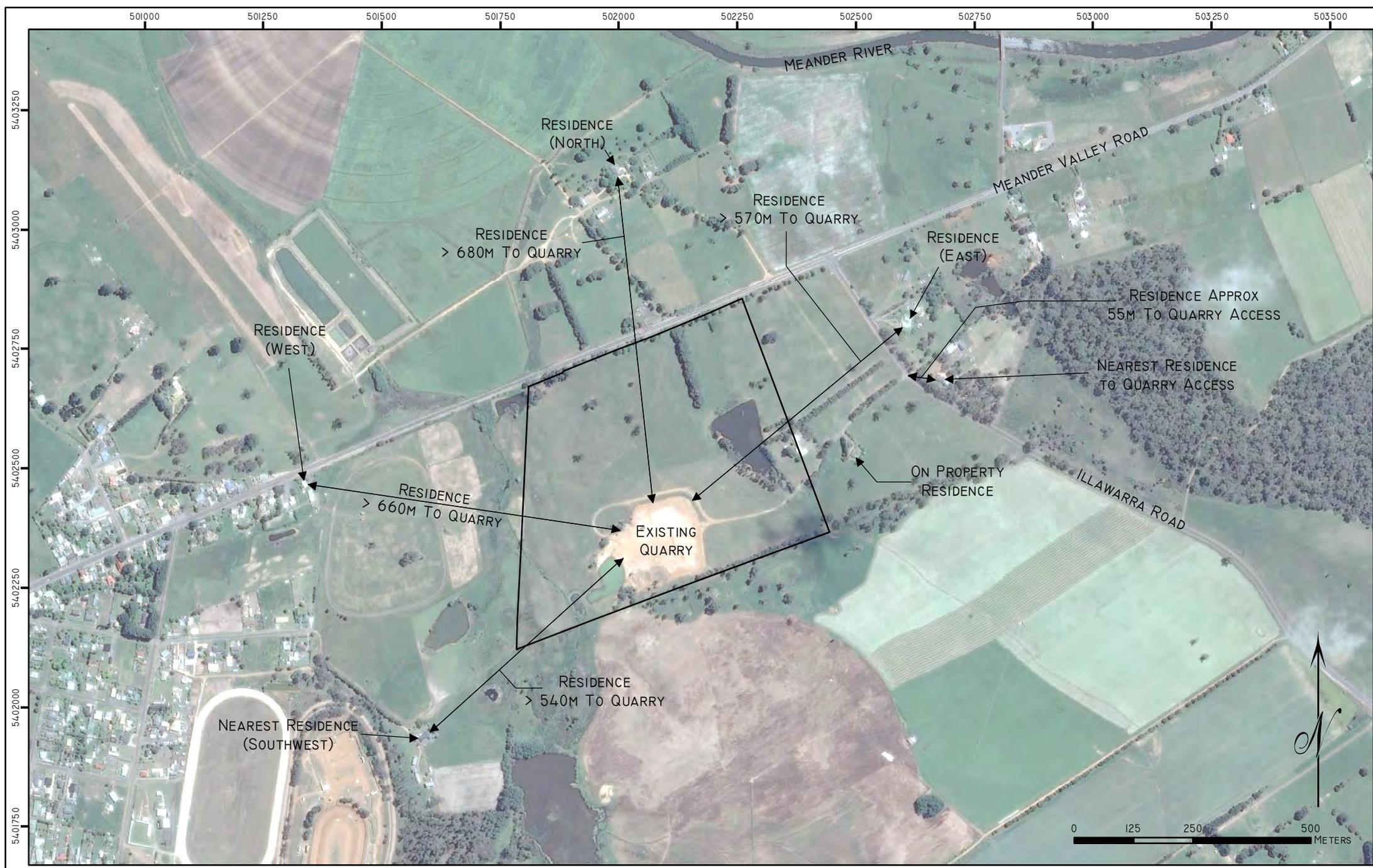
¹¹ Commitment 11: Machinery will be removed from the quarry for servicing (including oil changes).

¹² Commitment 12: Waste generated by workers from general refuse (eg lunch wrappers) at the quarry will be removed each day.

“It is suggested that planning authorities and operators seek to maintain the following separation distances, measured from the planned maximum extent of the quarry operations to any sensitive use:

- Where regular blasting takes place, 1,000 m;
- Where material is crushed only, 750 m;
- Where vibrating screens alone are utilised, 500 m; and
- Where no blasting, crushing or screening occurs, 300 m”

There are no sensitive receptors, such as dwellings, within the 300 m zone as applied to the edge of the gravel resource to be quarried (Figure 10). Dwellings held in other ownership are in excess of 540 m from the existing extent of the active pit. Even with the progressive extraction to the north and north-west the nearest dwellings will remain in excess of 500m from the active quarry face. On this basis, no noise modelling or assessment was conducted as it is unlikely that the activity will cause a noise nuisance.



ILLAWARRA ROAD QUARRY - ENVIRONMENTAL EFFECTS REPORT

FIGURE 10: NEAREST PERMANENT RESIDENCE IN OTHER OWNERSHIP

 MINING LEASE


 PD Box 1 NEW TOWN TAS 7008
 BASE DATA BY TASMAR, © STATE OF TASMANIA
 BASE IMAGE © GOOGLE EARTH



DATUM: GDA94
 GRID: MGA ZONE 55
 TASMAR: PROSPECT 5040
 CLIENT: GRADCO PTY LTD
DEV 1
 DATE: 1ST SEPTEMBER 2015

E.7 TRANSPORT IMPACTS

A TIA has been prepared for the development (Appendix 2). The TIA found that the SISD is achieved at the existing Illawarra Road junction and the projected truck movements on Illawarra Road should not impact on the efficiency of the road network or the safety of road users.

The following recommendations were made in the TIA which will be implemented for the project¹³ -

- Ensure compliance with the traffic operating hours and days for the activity;
- Establish a Complaints Register to record and address complaints received in relation to road usage by activity related vehicles and trucks;
- Implement the access road sealing program, as proposed by the Development Application; and
- Trucks will limit their speed on the access road to 40km/hr.

E.8 DANGEROUS SUBSTANCES AND CHEMICALS

Fuel and oil will be used in the quarry to operate and maintain functional machinery. There is to be no permanent store in the quarry for fuels, oils, lubricants or any other dangerous good. Fuel and oil containers will not be stored on-site overnight, they will be removed at the end of each working day for storage at the nearby agricultural sheds¹⁴.

When in the quarry, fuel and oil containers will be stored at least 10 m from any drain, the sediment pond and water storage pit. Containers will be bunded (moveable bunds) to a capacity at least 1.5 times the volume of the container¹⁵. One hydrocarbon spill kit will be stored at the quarry and workers trained in how to use it in the event of a spillage.

No chemicals are stored within the quarry and the only chemicals that will be used in the quarry are those for the control of weeds (ie. weed spraying). Weed spraying chemicals will be handled, used and disposed of in accordance with the manufacturer's directions and relevant regulations.

E.9 SUSTAINABILITY AND CLIMATE CHANGE

Any use of machinery and vehicles will cause greenhouse gas emissions. Machinery owned and operated by the proponent is modern and well maintained which ensures maximum fuel/oil efficiency. Water use will be negligible and will be provided through the use of the sediment pond (water used for road and load dampening).

E.10 EUROPEAN HERITAGE

The quarry (and Mining Leases) is not a property listed on the Tasmanian Heritage Register or Tasmanian Historic Places Inventory (maintained by Heritage Tasmania).

¹³ Commitment 13: The following recommendations were made in the TIA which will be implemented for the project - Ensure compliance with the traffic operating hours and days for the activity; Establish a Complaints Register to record and address complaints received in relation to road usage by activity related vehicles and trucks; Implement the access road sealing program, as proposed by the Development Application; and Trucks will limit their speed on the access road to 40km/hr.

¹⁴ Commitment 14: Fuel and oil containers will not be stored on-site overnight, they will be removed at the end of each working day for storage at the nearby agricultural sheds.

¹⁵ Commitment 15: Fuel and oil containers will be stored at least 10 m from any drain, the sediment pond and water storage pit and be bunded (moveable bunds) to a capacity at least 1.5 times the volume of the container.

E.11 ABORIGINAL HERITAGE

The AHT issued *Unanticipated Discovery Plan* will be on hand during ground disturbing works, to aid the proponent in meeting its requirements under the Act should Aboriginal Heritage be uncovered.¹⁶ Furthermore, if at any time during excavation or other works associated with the quarry the proponent will apply, whichever is applicable, the following procedures.

Discovery of Cultural Heritage Items

The following 'Discovery of Cultural Heritage Items Procedure' will be implemented if a suspected relic is encountered -

Step 1

If any person believes that they have discovered or uncovered Aboriginal cultural heritage materials, the individual should notify any machinery operators that are working in the general vicinity of the area that earth disturbance works should stop immediately.

Step 2

A buffer protection zone of 10m x 10m should be established around the suspected cultural heritage site or items. No unauthorised entry or earth disturbance will be allowed within this 'archaeological zone' until such time as the suspected cultural heritage items have been assessed, and appropriate mitigation measures have been carried out.

Step 3

Aboriginal Heritage Tasmania (AHT) in Hobart (ph 6233 6613) should be contacted immediately and informed of the discovery. AHT will make necessary arrangements for the further assessment of the discovery. Based on the findings of the assessment, appropriate management recommendations should be developed for the cultural heritage find.

Discovery of Skeletal Material

The following 'Discovery of Skeletal Material Procedure' will be implemented if skeletal material is encountered.

Step 1

Under no circumstances should the suspected skeletal remains be touched or disturbed. If these are human remains, then this area potentially is a crime scene. Tampering with a crime scene is a criminal offence.

Step 2

Any person discovering suspected skeletal remains should notify machinery operators that are working in the general vicinity of the area that earth disturbing works should stop immediately. Remember health and safety requirements when approaching machinery operators.

Step 3

A buffer protection zone of 50m x 50m should be established around the suspected skeletal remains. No unauthorised entry or earth disturbance will be allowed with this buffer zone until such time as the suspected skeletal remains have been assessed.

Step 4

¹⁶ Commitment 16: The AHT issued *Unanticipated Discovery Plan* will be on hand during ground disturbing works, to aid the proponent in meeting its requirements under the Act should Aboriginal Heritage be uncovered.

The relevant authorities (police) must be contacted and informed of the discovery.

Step 5

Should the skeletal remains be suspected to be of Aboriginal origin, then Section 23 of the *Coroners Act 1995* will apply. This is as follows:

- 1) The Attorney General may approve an Aboriginal organisation for the purposes of this section.
- 2) If, at any stage after a death is reported under section 19(1), a coroner suspects that any human remains relating to that death may be Aboriginal remains, the coroner must refer the matter to an Aboriginal organisation approved by the Attorney General (In this instance TALSC).
- 3) If a coroner refers a matter to an Aboriginal organisation approved by the Attorney-General –
 - (a) The coroner must not carry out any investigations or perform any duties or functions under this Act in respect of the remains; and
 - (b) The Aboriginal organisation must, as soon as practicable after the matter is referred to it, investigate the remains and prepare a report for the coroner.
- 4) If the Aboriginal organisation in its report to the coroner advises that the remains are Aboriginal remains, the jurisdiction of the coroner under this Act in respect of the remains ceases and this Act does not apply to the remains. In this instance the *Aboriginal Relics Act 1975* will apply, and relevant Permits will need to be obtained before any further actions can be taken.
- 5) If the Aboriginal organisation in its report to the coroner advises that the remains are not Aboriginal remains, the coroner may resume the investigation in respect of the remains.

E.12 SITE CONTAMINATION

The quarry has not been used for the storage or disposal of contaminated wastes including rock and soil. No soil/contaminant surveys or investigations are required.

E.13 SIGNIFICANT AREAS

The quarry is not located adjacent to or near any significant areas such as reserves, protected sites or heritage buildings. There will be no impact to significant areas from the quarry development.

E.14 GROUNDWATER

The development is unlikely to affect groundwater (recharge areas or groundwater quality), and there are no water bores used for agriculture near the quarry. The nearest groundwater bore that is classified as functional (based on data contained within the Water Information System Tasmania, or WIST) is more than 1.15 kms to the north-east of the quarry location (in dolerite), with the next nearest being 1.2 kms to the north-west (in alluvium).

E.15 COASTAL ZONE

No part of the quarry or area affected by the activity lies within 300 metres of the coast. There will be no impact to the coastal zone from the quarry development.

E.16 MARINE AREAS

The activity is not likely to impact on the marine environment because water management measures will be established at the quarry to prevent sediment entering any waterway.

PART F - REHABILITATION OF WORKINGS

F.1 EXTENT OF DISTURBED AREA

The maximum 'disturbed area' that would remain unrehabilitated at any one time is 3 hectares.

F.2 PROGRESSIVE REHABILITATION

It is the aim of the quarry operator to minimise the area of land 'open' at the quarry to minimise the overall short-term impact the activity has on the local environment.

'Progressive rehabilitation' has and will continue to occur at the quarrying operation for those areas that have been quarried and are no longer needed or used for the operation of the quarry¹⁷. Progressive rehabilitation includes the stabilisation of the landform prior to revegetation and serves to ensure landform stability and revegetation on an ongoing basis. The southern section of the quarry pit is currently being contoured such that the slope such that pasture grass can be established on the surface (see Figure 7B).

The rehabilitation of quarry areas that are no longer being quarried or used for another purpose (such as a stockpile holding area, truck turning bay etc.) will be based on the following principles:

1. Benches prepared for rehabilitation through contouring to slopes.
2. Stockpiled weathered gravel, topsoil (from quarry site) and sediment from sediment interceptors applied to prepared benches.
3. Application of seed mix (pasture species mix) and, if required, fertiliser.
4. Monitoring of the following factors:
 - a. weed infestation;
 - b. ground cover establishment and growth success; and
 - c. landform stability.

A Decommissioning and Rehabilitation Plan will be provided to the EPA for consideration within 30 days of a decision made by the proponent that is likely to give rise to the permanent cessation of the activity¹⁸.

The plan should include discussion and processes to:

- Facilitate the orderly and safe removal of machinery and other equipment;
- Establish sufficient pasture grass ground cover to minimise dust and soil erosion; and
- Establish a monitoring regime that assesses the success or otherwise of the rehabilitation to agreed (MRT and EPA) sign-off parameters.

¹⁷ Commitment 17: Progressive rehabilitation will continue at the quarrying operation for those areas that have been quarried and are no longer needed or used for the operation of the quarry.

¹⁸ Commitment 18: A Decommissioning and Rehabilitation Plan will be provided to the EPA for consideration within 30 days of a decision made by the proponent that is likely to give rise to the permanent cessation of the activity.

PART G – MANAGEMENT COMMITMENTS

Best practice quarry management is important to the quarry operator to minimise the risk of environmental nuisance/harm to the local community whilst providing a reliable source of high quality gravel/rock product to clients.

G.1 COMPLAINTS REGISTER

To enable the public to respond to any concerns they may have about the operation of the quarry, a Complaints Register will be prepared and maintained for the activity¹⁹. All complaints of relevance to the management of the quarry operation will be recorded in the Complaints Register. Details of investigation and actions undertaken in relation to each complaint will also be recorded in the register.

G.2 COMMITMENTS SUMMARY

The proponent makes a series of commitments outlined in Table 4 to achieve sound environmental and socially responsible management of the quarry.

Table 2. Summary of management commitments

Number	Commitment	Timeframe
1	Operating hours will be – 0700 to 1900 hrs Monday to Friday, 0800 to 1600 hrs on Saturday; closed on Sunday and public holidays.	Ongoing upon approval of the activity
2	The road surface between Illawarra Road and the property residence will be sealed progressively as resources and weather conditions allow. As a minimum, the first 50m section from the frontage of the access road with Illawarra Road will be sealed with a bituminous surface or similar by June 2016. In the interim, and no later than November 30 2015, a sprinkler system will be established along the access road to enable the road surface to be dampened when being used by cartage trucks.	As per commitment
3	A permit issued under the <i>Threatened Species Protection Act 1995 (Tas)</i> will be sought from the Department of Primary Industries, Parks, Water and Environment to relocate the two plants of <i>Juncus amabilis</i> to the western side of the sediment dam where they will not be impacted upon by regular dam cleaning works.	When required.
4	A Weed Management Plan will be prepared and implemented for the life of the quarry activity.	Ongoing upon approval of the activity
5	No chemicals, fuels or oils will be stored in the pit overnight, and refuelling of quarry equipment will be carried out using a mobile bund.	Pond to be completed and functional prior to the extraction of gravel/rock
6	The proponent will achieve sediment removal in surface waters prior to their discharge to the nearby man-made drainage system through a combination of (i) maintaining a water (and	Ongoing

¹⁹ Commitment 19: To enable the public to respond to any concerns they may have about the operation of the quarry, a Complaints Register will be prepared and maintained for the activity.

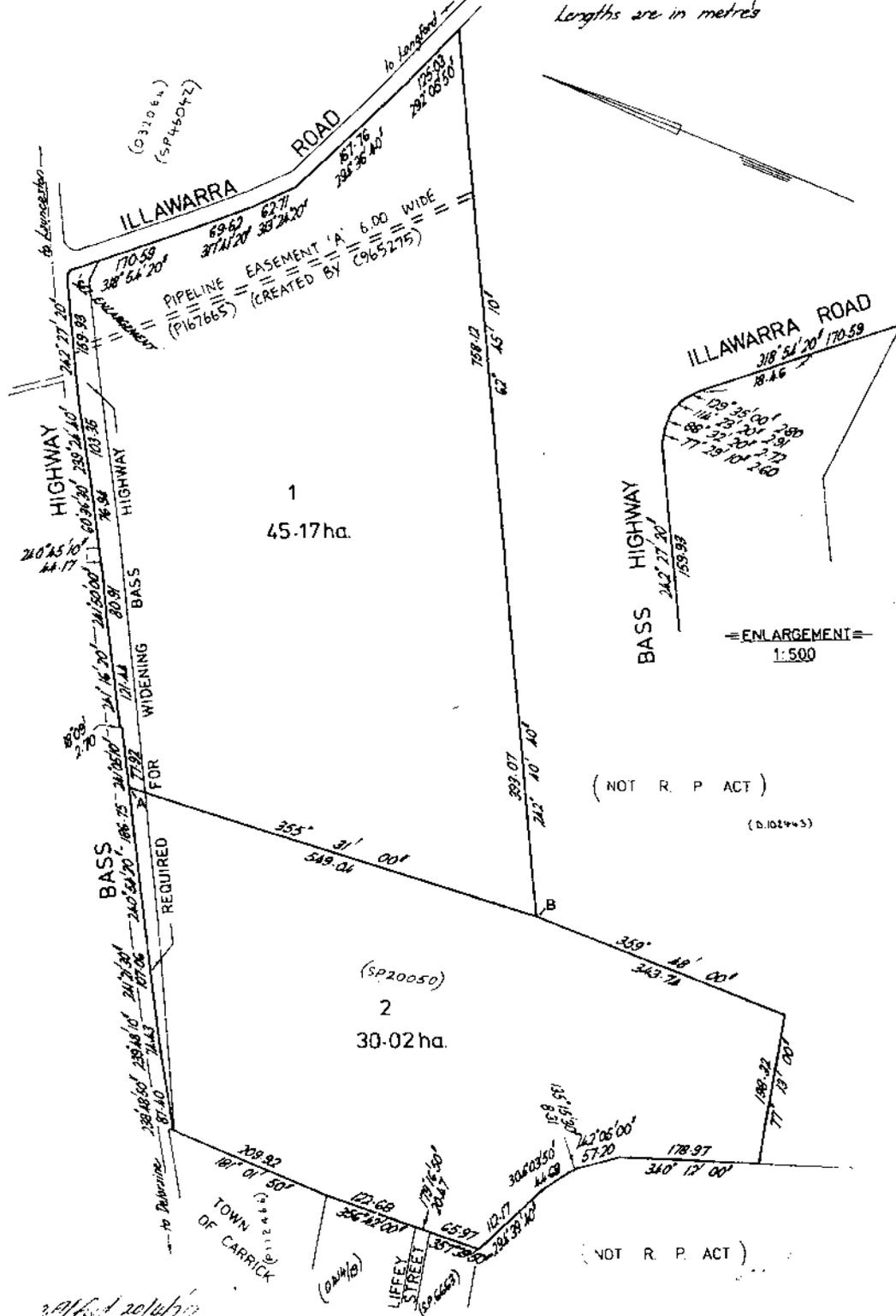
	sediment) pooling area within the pit and (ii) the maintenance of the existing main sediment dam.	
7	Sediment trapped by the pond will be cleaned out either on a 12 monthly basis or when it has experienced a 15% reduction in storage volume. The collected sediment will be mixed with stockpiled topsoil for progressive rehabilitation of disused quarry areas.	Ongoing upon approval of the activity
8	In dry weather water from the sediment pond/pit or on-site water cart truck will be used to dampen the road surface, the stockpiles and loads in trucks (unless they are covered by tarpaulins).	Ongoing upon approval of the activity
9	A portaloos will be provided on-site during periods of high volume extraction. Its contents will be collected and disposed of at an approved sewage processing facility.	As required
10	One hydrocarbon spill kit will be stored at the quarry and staff trained in how to use them in the event of a spillage.	Ongoing upon approval of the activity
11	Machinery will be removed from the quarry for servicing (including oil changes).	Ongoing upon approval of the activity
12	Waste generated by workers from general refuse (eg lunch wrappers) at the quarry will be removed each day.	Ongoing upon approval of the activity
13	The following recommendations were made in the TIA which will be implemented for the project - Ensure compliance with the traffic operating hours and days for the activity; Establish a Complaints Register to record and address complaints received in relation to road usage by activity related vehicles and trucks; Implement the access road sealing program, as proposed by the Development Application; and Trucks will limit their speed on the access road to 40km/hr.	Ongoing upon approval of the activity
14	Fuel and oil containers will not be stored on-site overnight, they will be removed at the end of each working day for storage at the nearby agricultural sheds.	Ongoing upon approval of the activity
15	Fuel and oil containers will be stored at least 10 m from any drain, the sediment pond and water storage pit and be bunded (moveable bunds) to a capacity at least 1.5 times the volume of the container.	Ongoing upon approval of the activity
16	The AHT issued <i>Unanticipated Discovery Plan</i> will be on hand during ground disturbing works, to aid the proponent in meeting its requirements under the Act should Aboriginal Heritage be uncovered.	Ongoing upon approval of the activity
17	Progressive rehabilitation will continue at the quarrying operation for those areas that have been quarried and are no longer needed or used for the operation of the quarry.	Ongoing upon approval of the activity
18	A Decommissioning and Rehabilitation Plan will be provided to the EPA for consideration within 30 days of a decision made by the proponent that is likely to give rise to the permanent cessation of the activity.	DRP prepared and provided to the EPA Director within 30 days of formal written

		notice to the EPA of permanent quarry closure.
19	To enable the public to respond to any concerns they may have about the operation of the quarry, a Complaints Register will be prepared and maintained for the activity.	Ongoing upon approval of the activity

Appendix 1 Land Title

Owner: <i>Elizabeth Deckett Demaree</i>	PLAN OF SURVEY by Surveyor <i>Edward M. Roe Peckley</i> of land situated in the	Registered Number: S.P. 12512
Title Reference: <i>Conveyance N^o 25/1650</i>	LAND DISTRICT OF WESTMORLAND	Effective from: <i>5/9/1979</i>
Created: <i>Part of Lot 29, 2568 acres, Thomas Reibey Purchase: 300 acres loc. top 300 acres Gid to Thomas Reibey</i>	PARISH OF CARRICK	<i>Edward M. Roe Peckley</i> Recorder of Titles
	Scale: 1:1000	

Lengths are in metres



SEARCH OF TORRENS TITLE

VOLUME 12512	FOLIO 1
EDITION 9	DATE OF ISSUE 03-Jun-2014

SEARCH DATE : 29-Aug-2015

SEARCH TIME : 08.45 AM

DESCRIPTION OF LAND

Parish of CARRICK, Land District of WESTMORLAND
 Lot 1 on Sealed Plan 12512
 Derivation : Part of Lot 29 Gtd. to T. Reibey, Part of 300
 Acres Located to T. Reibey and Part of 300 Acres Gtd. to T.
 reibey.
 Prior CT 3788/73

SCHEDULE 1

M450301 TRANSFER to OLIVER ROY DIPROSE and SARAH JANE MCRAE
 DIPROSE Registered 03-Jun-2014 at 12.05 PM

SCHEDULE 2

Reservations and conditions in the Crown Grant if any
 SP 12512 FENCING COVENANT in Schedule of Easements
 C441153 SUBJECT to the Gas Pipeline right set forth in
 Memorandum of Provisions No. M260 acquired by the
 Crown in accordance with the Land Acquisition Act
 1993 freed and discharged from all estates, statutory
 reservations and dedications in so far as they affect
 the said Gas Pipeline right over the land marked "Gas
 Supply Easement" shown on Plan No. P137101 as passing
 through the said land within described. Registered
 27-Aug-2004 at noon
 D4401 Transfer of the "Gas Pipeline Right" created by
 Instrument C441153 in favour of Tasmanian Gas
 Pipeline Pty Ltd Registered 02-May-2012 at noon
 C965275 BURDENING EASEMENT: A Pipeline Easement (appurtenant
 to Lot 1 on Diagram 102443) over the land marked
 "Pipeline Easement 'A' 6.00 Wide" passing through the
 said land within described as shown on Sealed Plan
 12512 Registered 03-Jun-2014 at 12.03 PM
 C289972 NOTICE of Notified Corridor under Section 15 of the
 Major Infrastructure Development Approvals Act 1999
 affecting the land therein described Registered
 29-Mar-2001 at noon (MF:2616/469)
 C601553 Notice of Permit Corridor under Section 15 of the

Major Infrastructure Development Approvals Act 1999
affecting the said land within described.
Registered 11-Nov-2004 at noon

D21502 APPLICATION Caveat M186748 has been partially lapsed
pursuant to Section 136 (5) of the Land Titles Act
1980 to permit registration of Transfer D4401 only
Registered 02-May-2012 at noon

D21503 APPLICATION Caveat M334035 has been partially lapsed
pursuant to Section 136 (5) of the Land Titles Act
1980 to permit registration of Transfer D4401 only
Registered 02-May-2012 at noon

D102827 MORTGAGE to Westpac Banking Corporation Registered
03-Jun-2014 at 12.06 PM

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations



SCHEDULE OF EASEMENTS

Plan No.

S.P

12512

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

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

FENCING COVENANTS

The owner of Lot One on the Plan covenants with the Vendor, ELIZABETH DUCKETT DUMARESQ that the Vendor shall not be required to fence in respect of the boundary line marked AB thereon

The owner of Lot Two shown on the Plan covenants with the Vendor ELIZABETH DUCKETT DUMARESQ that the Vendor shall not be required to fence

SIGNED by ELIZABETH DUCKETT DUMARESQ the Registered Owner of the land comprised in Conveyance Registered Number 25/765C in the presence of:

Elizabeth Duket
Witness

Elizabeth Dumaresq

SIGNED by SAMUEL ALLISON WIGAN one of the Trustees of the Will of JESSIE WIGAN the Mortgagee under Mortgage Registered Number 52/4374 in the presence of:

deceased

Sam Wigan
15 E. Albert St 7250

72 Kensington Rd
Witness
SIGNED by ROBERT DOUGLAS WIGAN one of the Trustees of the Will of JESSIE WIGAN the Mortgagee under Mortgage Registered Number 52/4374 in the presence of:

deceased

Wigan - MANAGER
VERSDALE PERTH 7257

201 Wigan - Eskdale Home
Witness
SIGNED by ELSPETH MARGARET ALLISON WIGAN one of the Trustees of the Will of JESSIE WIGAN the Mortgagee under Mortgage Registered Number 52/4374 in the presence of:

deceased
39/55 Cape St Launceston
Company Director

Elspeth Wigan
15/108 Joycecombe Road, Neutral Bay
Publicist 2089

SIGNED by DONALD NICOLSON WIGAN one of the Trustees of the Will of JESSIE WIGAN deceased the Mortgagee under Mortgage Registered Number 52/4374

DN Wigan
7 Lumsden Place
Launceston
(Solicitor Representative)

Douglas
9 DANDENONG RD, LAUNCESTON
HOLIDAY TRAVEL ADVISOR

12512

This is the schedule of easements attached to the plan of ELIZABETH
(Insert Subdivider's Full Name)

DUCKETT DUNHARESQ affecting land in

CONVEYANCE No. 25/7650
(Insert Title Reference)

Sealed by MUNICIPALITY OF WESBURY on 5th FEBRUARY 1979

Solicitor's Reference [Signature]
Council Clerk/Town Clerk

12512

Appendix 2 Traffic Impact Assessment

ILLAWARRA ROAD QUARRY, CARRICK LEVEL 2 ACTIVITY – EXTRACTIVE INDUSTRY

TRAFFIC IMPACT ASSESSMENT



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FIGURES

- Figure 1: Location of Illawarra Road Quarry, Carrick
- Figure 2: Mining Lease and quarry location
- Figure 3: Mining Lease and road network
- Figure 4: Proposed quarry access road and SISD assessment

PART A - BACKGROUND

A.1 SCOPE

This Traffic Impact Assessment has been prepared to provide supporting information to a Development Application lodged with the Meander Valley Council to expand a quarry on Illawarra Road near Carrick – up to 20,000 cubic metres extracted per annum (a Level 2 activity under the *Environmental Management and Pollution Control Act 1994*).

The existing quarry is a Level 1 activity under the *Environmental Management and Pollution Control Act 1994* approved to extract up to 4,999 cubic metre per annum.

The current and proposed quarrying operation includes the following activities:

- surface site preparation by soil removal and stockpiling;
- excavation and ripping of clay material (no blasting or crushing is required);
- stockpiling of material in quarry area;
- loading trucks with wheel loader from stockpile area in quarry; and the
- transport of materials by truck with/without trailer.

This Traffic Impact Assessment (TIA) examines the traffic impacts associated with the development:

- Review of the relevant existing road environment in the vicinity of the site and the traffic conditions on the road network;
- Provision of information on the activity with regards to traffic movements and activity; and
- Traffic implications of the activity with respect to the external road network in terms of traffic efficiency and road safety.

This TIA should be reviewed if there are material changes to the proposed operating hours (for trucks) or an intensification of traffic use beyond that which was considered by the TIA.

A.2 LOCATION

The Illawarra Road Quarry is located on private freehold land at 1521 Illawarra Road CARRICK TAS 7291 in the Meander Valley Municipality (Figures 1 and 2).

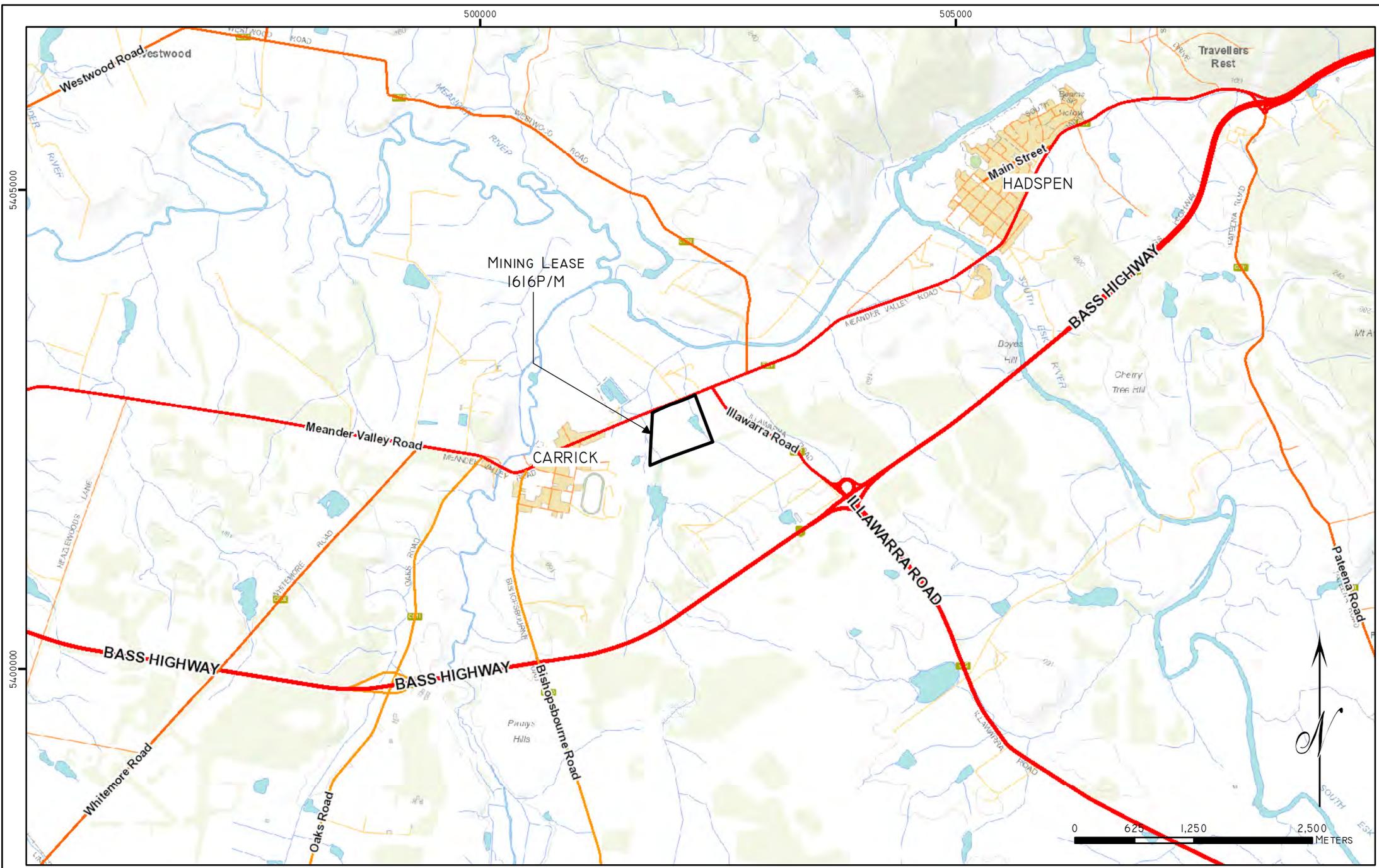
A.3 PROPONENT

The proponent resides on the same property as the quarry:

Mr Oliver Diprose
1521 Illawarra Road CARRICK TAS 7291
Mobile: 0418 314 438
Fax: 03 6339 2028
Email: odiprose@gradco.com.au

A.4 QUARRY DETAILS

Physical address – 1521 Illawarra Road CARRICK TAS 7291
Land Title – 12512/1
PID – 7035169
Planning Zones (*Meander Valley Interim Planning Scheme 2013*) – Rural Resource
Planning Permit and extraction limit – 4,999 cubic metres per annum
Mining Lease Number – 1616 P/M



ILLAWARRA ROAD QUARRY - TRAFFIC IMPACT ASSESSMENT

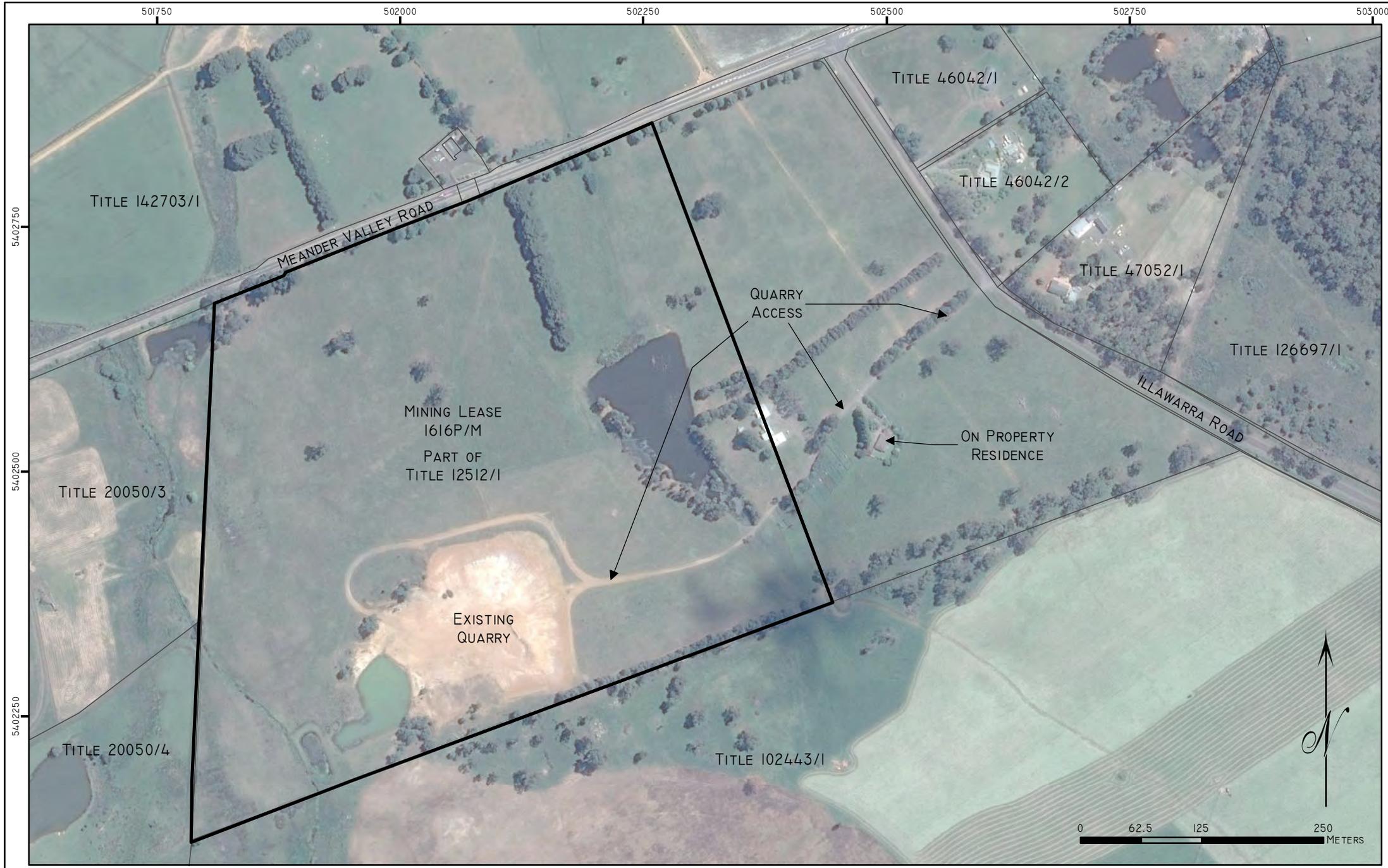
FIGURE I: LOCATION OF ILLAWARRA ROAD QUARRY, CARRICK

 MINING LEASE



DATUM: GDA94
 GRID: MGA ZONE 55
 TASMAR: PROSPECT 5040
 CLIENT: GRADCO PTY LTD
DEV 1
 DATE: 1ST SEPTEMBER 2015

PO Box 1 New Town TAS 7008
BASE DATA BY TASMAR, © STATE OF TASMANIA
 BASE IMAGE BY TASMAR, © STATE OF TASMANIA

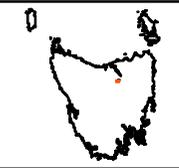


ILLAWARRA ROAD QUARRY - TRAFFIC IMPACT ASSESSMENT

FIGURE 2: MINE LEASE AND QUARRY LOCATION

 MINING LEASE


 PO Box 1 NEW TOWN TAS 7008
 BASE DATA BY TASMAR, © STATE OF TASMANIA
 BASE IMAGE © GOOGLE EARTH



DATUM: GDA94
 GRID: MGA ZONE 55
 TASMAR: PROSPECT 5040
 CLIENT: GRADCO PTY LTD
DEV 1
 DATE: 1ST SEPTEMBER 2015

PART B - ACTIVITY CHARACTERISTICS

B1. RATIONALE FOR ACCESS WITH ILLAWARRA ROAD

The site for the quarry has been chosen because -

- there is an existing pit which can be expanded and managed to not cause environmental nuisance to adjoining properties;
- it has direct access to a sealed main road (access to Illawarra Road enables efficient transport connections to other areas of the Midlands using Meander Valley Road and the Bass Highway; and
- it contains a substantial resource of high quality material for dam and flood levee construction.

Material suitable for the construction or lining of dams and flood levees is uncommon in the region and the material present at this quarry is a resource proven to be effective in dam and flood-protection projects.

The characteristics of the Access and the route to be used by vehicles during the life of the activity are documented within this section.

B2. ACCESS

The quarry is accessed from Illawarra Road (Figure 3) to the east of Carrick. The pit is accessed by an internal farm road which is sufficiently wide near Illawarra Road for trucks and other vehicles to pass. The gravel road surface from Illawarra Road through to the on-property residence (Plate 1) exhibits no evidence of erosion from excessive surface flows.

The access road surface between Illawarra Road and the property residence (see section identified in Figure 4) is proposed to be sealed progressively as resources and weather conditions allow.

As a minimum, the first 50m section of access road from the frontage of the property to Illawarra Road is proposed to be sealed with a bituminous surface or similar by June 2016. In the interim, and no later than November 30 2015, a sprinkler system is proposed to be established along the access road to enable the road surface to be dampened when being used by cartage trucks.

B3. ROUTES

The traffic routes available from the access road onto Illawarra Road are several (Figure 3), including for example –

- east and west along Meander Valley Road;
- Bass Highway (southwards – connecting either eastward or westward)
- Illawarra Road through to Perth and associated minor roads;
- Westwood Road from Meander Valley Road; and
- Bishopsbourne and Whitemore Roads off Meander Valley Road.

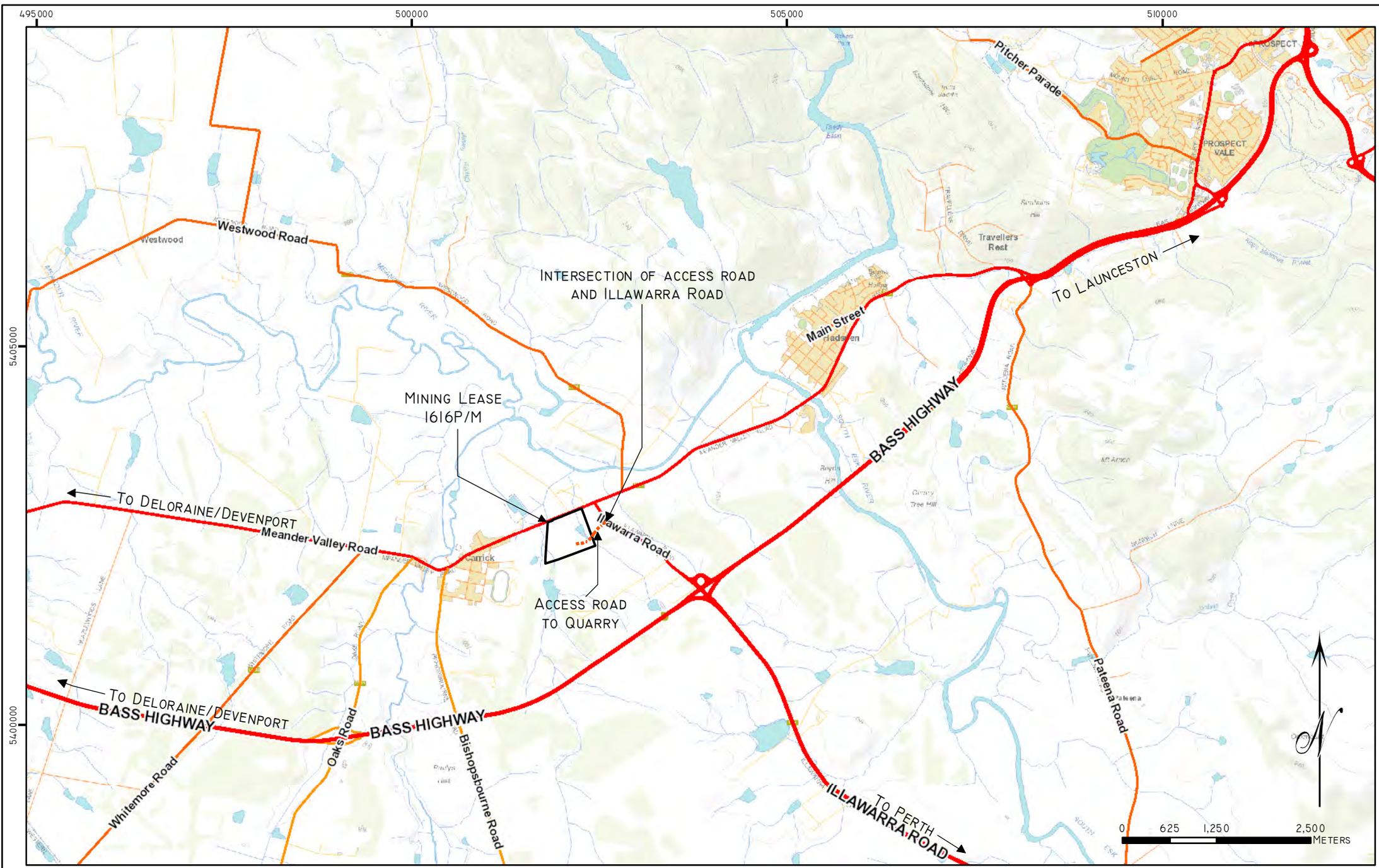
The route used to cart material will be based on the location of the end user.

B4. ACTIVITY RELATED TRAFFIC TYPE, NUMBERS AND FREQUENCY

Traffic generation

Most material will be extracted from the quarry on a demand basis, with a peak demand for road repair and grading works in the autumn months in readiness for wet weather in winter and into early spring. The number and frequency of trucks to the quarry will tend to be concentrated in short periods when a particular job is being carried out. Regular small loads will be extracted from the quarry to cater for smaller operations such as dam repair works or for smaller dam construction.

Table 1 outlines *examples* of supplies (campaign based and low volume regimes) and the period over which that supply occur. These can be used to approximate/estimate the number of truck movements per supply and per day into the quarry. The quarry activity will be operated to ensure no more than 40 truck movements per day will utilise the access road.



ILLAWARRA ROAD QUARRY - TRAFFIC IMPACT ASSESSMENT

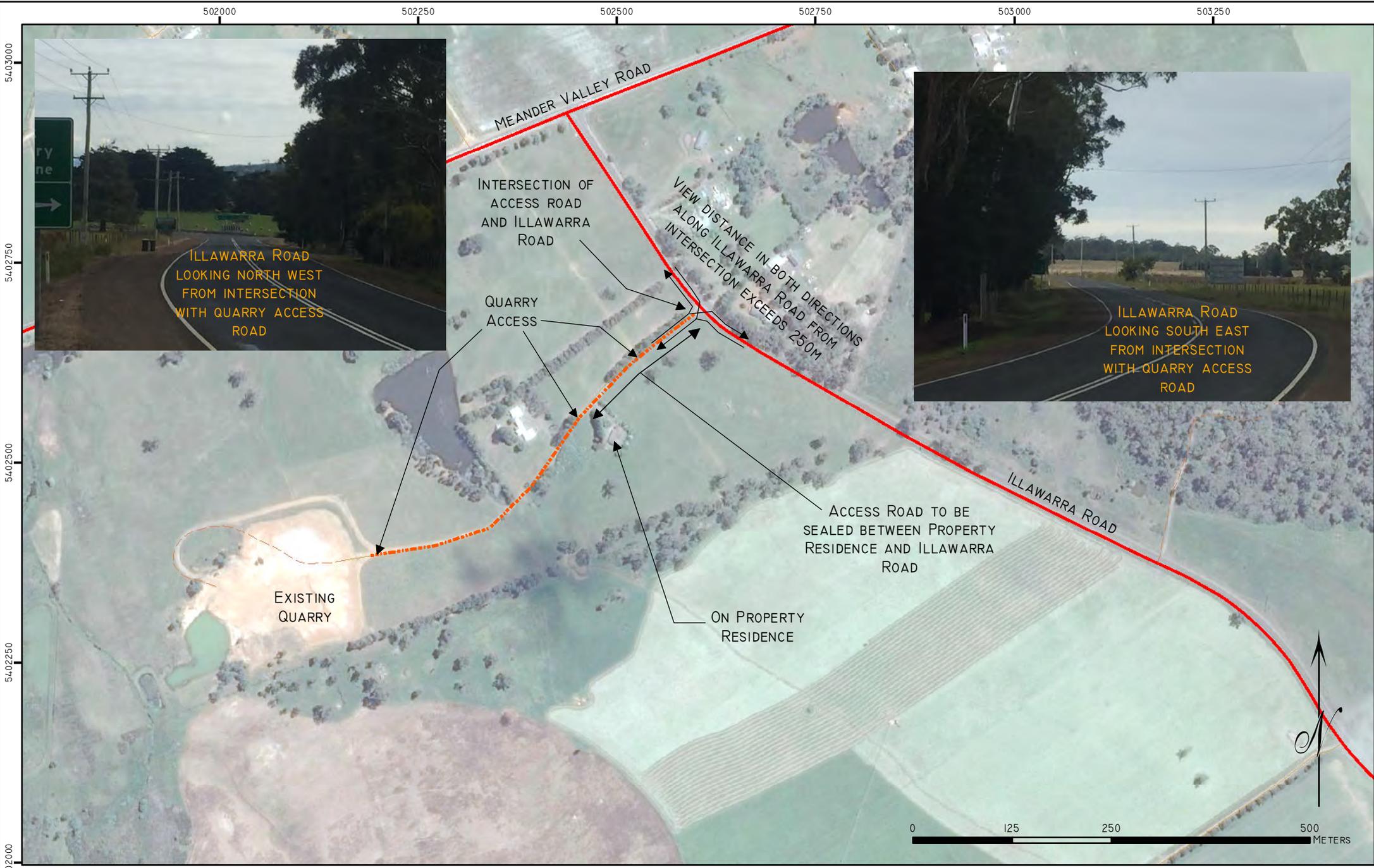
FIGURE 3: MINING LEASE AND ROAD NETWORK

 MINING LEASE



DATUM: GDA94
 GRID: MGA ZONE 55
 TASMAR: PROSPECT 5040
 CLIENT: GRADCO PTY LTD
DEV 1
 DATE: 1ST SEPTEMBER 2015

PO Box 1 NEW TOWN TAS 7008
BASE DATA BY TASMAR, © STATE OF TASMANIA
 BASE IMAGE BY TASMAR, © STATE OF TASMANIA



ILLAWARRA ROAD QUARRY - TRAFFIC IMPACT ASSESSMENT

FIGURE 4: PROPOSED QUARRY ACCESS ROAD AND SISD ASSESSMENT



DATUM: GDA94
 GRID: MGA ZONE 55
 TASMAR: PROSPECT 5040
 CLIENT: GRADCO PTY LTD
DEV 1
 DATE: 1ST SEPTEMBER 2015

PO Box 1 New Town TAS 7008
 BASE DATA BY TASMAR, © STATE OF TASMANIA
 BASE IMAGE © GOOGLE EARTH

If the average load was 20 tonnes, then over the course of 12 months there would be 3,000 truck *movements* (1,500 truckloads x 2 to calculate *total truck movements*) to cart the full 30,000 tonne amount (20,000 cubic metres). This equates to an average of about 7 trucks per day (14 truck *movements* per day) based on carting days being approximately 220 per annum. This will vary due to demand and the requirement to supply projects needing the product, so there would be days when there is no truck activity and other days when truck activity would be at the upper end of the figures provided in Table 1.

Table 1. Examples of supplies and associated traffic generation for Illawarra Road Quarry, Carrick

Type of Supply	Size of Supply	Period of Supply and Truck Movements
Campaign	2,000 tonnes using 30 t trucks (67 truckloads)	5 days = 27 truck movements/day
Campaign	2,000 tonnes using 20 t trucks (100 truckloads)	6 days = 34 truck movements/day
Low volume	200 tonnes using 12 t truck (17 truckloads)	2 days = 18 truck movements/day

The majority of truck movements are projected to occur between 0700 and 1730 hrs on Monday to Friday with very low volume movements after that time (ie. from 1800 to 1900 hrs after which time the quarry will close as per the proposed operating hours). Trucks may access the quarry on Saturday between the hours of 0800 and 1600 to load and deliver material.

Sight Distance at Accesses, Junctions and Level Crossings

All junctions and the Access have satisfactory sight distances that comply with the SISD requirements specific in Table 4.7.4 in the Scheme (see also Figure 4).

Plate 1 shows the viewfields from the access road junction with Illawarra Road, and also the form of the access which has recently been upgraded to improve viewfields and to make the access wider.

Plate 1. Access – Illawarra Road junction for the Illawarra Road Quarry, Carrick



Access Road where it meets Illawarra Road – note the extended bitumen seal into the access



Access Road where it meets Illawarra Road



View from access looking northwards towards junction of Illawarra and Meander Valley Roads (shown by arrow)



View from access looking southwards towards Perth and the Bass Highway – note adjacent dwelling (arrow)

Sensitive Use near Access – Illawarra Road Junction

There is a potential for nuisance to the residence at which is located south of the Access - Illawarra Road junction (see Plate 1). Such nuisances could be noise and dust, as the access road is a gravel surface.

It is already proposed by the quarry proponent (outside the recommendations of this assessment) to progressively seal the access road from its junction with Illawarra Road to the residence on the property as resources and weather conditions allow. The access road sealing program has been included as a commitment by the proponent within the Development Application and Environmental Effects Report for the development. As noted in *B2. Access*, the first 50m section of access road from the frontage of the property to Illawarra Road is proposed to be sealed with a bituminous surface or similar by June 2016. In the interim, and no later than November 30 2015, a sprinkler system is proposed to be established along the access road to enable the road surface to be dampened when being used by cartage trucks.

PART C - PLANNING SCHEME REQUIREMENTS

The Road and Railway Assets Code of the *Meander Valley Interim Planning Scheme 2013* applies to use or development of land that:

- a) requires a new access, junction or level crossing; or
- b) intensifies the use of an existing access, junction or level crossing; or
- c) involves a sensitive use, a building, works or subdivision on or within 50 metres of a railway or land shown in this planning scheme as:
 - i) a future road or railway; or
 - ii) a category 1 or 2 road where such road is subject to a speed limit of more than 60 kilometres per hour.

The project will intensify the use of an existing Access onto Illawarra Road (Figures 2 and 3).

The matters that apply to the development in the Road and Rail Assets Code are outlined in E4.6.1 which are discussed in the tables below -

E4.6.1 Use and road or rail infrastructure

Objective

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

Acceptable Solution (A) and/or Performance Criterion (P) in Scheme	Comments
<p>A1.</p> <p>Sensitive use on or within 50m of a category 1 or 2 road, in an area subject to a speed limit of more than 60km/h, a railway or future road or railway, must not result in an increase to the annual average daily traffic (AADT) movements to or from the site by more than 10%.</p>	<p>A1 is not relevant as the activity does not include a sensitive development.</p>
<p>A2.</p> <p>For roads with a speed limit of 60km/h or less the use must not generate more than a total of 40 vehicle entry and exit movements per day.</p>	<p>A2 is not relevant as the activity connects to a road with a posted speed limit of >60km/hr.</p>
<p>P3.</p> <p>For limited access roads and roads with a speed limit of more than 60km/h:</p> <ul style="list-style-type: none"> a) access to a category 1 road or limited access road must only be via an existing access or junction or the significant social and economic benefit to the State or region; and b) any increase in use of an existing access or junction or development of a new access or junction to a limited access road or a 	<p>P3(a) is not relevant as the activity does not connect to a Category 1 road.</p> <p>Development/use complies with P3.(b)</p> <p>The increase in use is to access a quarry which contains a clay product that is sought after for its high performance characteristics in constructing and repairing dams and flood levees in the region – the mining resource (as identified by ML1616P/M) is <u>geographically limited</u>. An alternate access to connect to a category 4 or 5 road is not practicable as none</p>

<p>category 1, 2 or 3 road must be for a use that is dependent on the site for its unique resources, characteristics or locational attributes and an alternate site or access to a category 4 or 5 road is not practicable; and</p> <p>c) an access or junction which is increased in use or is a new access or junction must be designed and located to maintain an adequate level of safety and efficiency for all road users.</p>	<p>exist in the immediate area or from adjoining lands. The access will be managed by the proponent to limit the total number of vehicle movements from the access to not exceed 40 per day.</p> <p>Development/use complies with P3.(c)</p> <p>SISD are achieved at the junction of the access road and Illawarra Road. The increased use of the access by trucks for the carting of clay material should not affect the level of safety and efficiency for all road users.</p>
--	---

E4.7.1 Development on and adjacent to Existing and Future Arterial Roads and Railways

Objective

To ensure that development on or adjacent to class 1 or 2 roads (outside 60km/h), railways and future roads and railways is managed to:

- a) ensure the safe and efficient operation of roads and railways; and
- b) allow for future road and rail widening, realignment and upgrading; and
- c) avoid undesirable interaction between roads and railways and other use or development.

Acceptable Solution (A) and/or Performance Criterion (P) in Scheme	Comments
<p>P1. Development including buildings, road works, earthworks, landscaping works and level crossings on or within 50m of a category 1 or 2 road, in an area subject to a speed limit of more than 60km/h, a railway or future road or railway must be sited, designed and landscaped to:</p> <ul style="list-style-type: none"> a) maintain or improve the safety and efficiency of the road or railway or future road or railway, including line of sight from trains; and b) mitigate significant transport-related environmental impacts, including noise, air pollution and vibrations in accordance with a report from a suitably qualified person; and c) ensure that additions or extensions of buildings will not reduce the existing setback to the road, railway or future road or railway; and d) ensure that temporary buildings and works are removed at the applicant’s expense within 	<p>Development/use complies with P1.</p> <p>The sealing of the access road by the quarry proponent is ‘road works’ and/or may include some ‘earthworks’.</p> <p>The sealing will not impact on SISD at the Access – Illawarra Road junction.</p> <p>The sealing of the road surface will mitigate dust and reduce noise emissions from the interaction of truck tyres (and other vehicles which may use the road access) and the road surface (gravel roads tend to create noise with empty truck trays).</p> <p>The works of sealing the road will not affect nor impact on any setback.</p> <p>There are no temporary buildings or works proposed for the access road sealing program.</p>

three years or as otherwise agreed by the road or rail authority.	
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E4.7.2 Management of Road Accesses and Junctions

Development and use complies with Acceptable Solutions A1 and A2.

E4.7.3 Management of Rail Level Crossings

Not relevant to the development and use.

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

Objective

To ensure that use and development involving or adjacent to accesses, junctions and level crossings allows sufficient sight distance between vehicles and between vehicles and trains to enable safe movement of traffic.

Acceptable Solution (A) and/or Performance Criterion (P) in Scheme	Comments
<p>A1. Sight distances at</p> <p>a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.7.4; and</p> <p>b) rail level crossings must comply with <i>AS1742.7 Manual of uniform traffic control devices - Railway crossings</i>, Standards Association of Australia; or</p> <p>c) If the access is a temporary access, the written consent of the relevant authority has been obtained.</p>	<p>Development/use complies with A1(a). The SISD shown in Table 4.7.4 of the Scheme are achieved at the junction of the access road and Illawarra Road.</p> <p>Development/use complies with A1(b). Not relevant to the development and use as there are no rail level crossings.</p> <p>Development/use complies with A1(c). Not relevant as the development and use is not for a temporary access.</p>

PART D - RECOMMENDATIONS

The following measures should be integrated into the management plan for the activity to ensure the safety for all road users and to mitigate potential impacts of unreasonable levels of noise –

- Ensure compliance with the traffic operating hours and days for the activity;
- Establish a Complaints Register to record and address complaints received in relation to road usage by activity related vehicles and trucks;
- Implement the access road sealing program, as proposed by the Development Application; and
- Trucks will limit their speed on the access road to 40km/hr.

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To the best of VDC's knowledge, the report presented herein represents the Client's intentions at the time of completing the document. However, the passage of time, manifestation of latent conditions or impacts of future events may result in changes to matters that are otherwise described in this document. In preparing this document VDC has relied upon data, surveys, analysis, designs, plans and other information provided by the client, and other individuals and organisations referenced herein. Except as otherwise stated in this document, VDC has not verified the accuracy or completeness of such data, surveys, analysis, designs, plans and other information.

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Document Status

Revision	Author	Review	Date
1	R Barnes C McCoull	R Barnes	06-09-2015
1	R Barnes C McCoull	O Diprose	06-09-2015
Final	R Barnes C McCoull	R Barnes	08-09-2015

Appendix 3 *Juncus amabilis* species notesheet issued by DPIPWE

Juncus amabilis



Juncus amabilis.
Tasmanian Herbarium specimen.

FAMILY: JUNCACEAE

BOTANICAL NAME: *Juncus amabilis*,
Edgar, *N.Z. J. Bot.* 2: 186, figs.7, 21 (1964)

COMMON NAME: Gentle rush

COMMONWEALTH STATUS: (*EPBC Act*)
Not Listed

TASMANIAN STATUS: (*TSP Act*) rare

Description

A rhizomatous (underground stem that forms roots) perennial growing in dense clumps. **Flowering Stems:** The stems are erect and between 60-120 cm long and between 1.5-2.7 mm wide. They are hard, grey or bluish-green, rigid and dull. The pith inside the stem is irregular and often very scanty, it is represented only by thin scale-like disks. The sheaths surrounding the base of the stems have straw-coloured upper surfaces and very dark reddish-purple to black lower surfaces. The tips of the inner bracts are rounded with a short point. **Seedheads:** The flower heads have several slender branches that have clusters of flowers at their tips. The flowers can be loosely separated at times, but in Tasmanian plants the branches are usually short with flowers that are packed into spherical heads. Flowering is predominantly from November to December (Flora of Victoria). **Capsules:** The capsules are pale brown with reddish-brown or darker tips. The valves taper into an almost blunt point (description from Curtis & Morris 1994). Most herbarium specimens have been collected from November to May.

Distribution and Habitat

On the mainland this species occurs in Western Australia, South Australia, Victoria and New South Wales. It has also been introduced to New Zealand. In Tasmania, *Juncus amabilis* grows in moist situations, generally areas of seepage confined to roadsides (Curtis & Morris 1994, TPLUC 1996).



Juncus amabilis. R. Hale

Key Sites and Populations

Key sites for this species include the Arthur Highway (near Little Boomer Creek), Mt. Nelson, Perth Bridge, Chasm Creek, Dunalley, Old Beach, Waterfall Bay (Eaglehawk), Kellevie, Low Head town, West Tamar Road (Launceston), Campania, Clifton Beach, Copping, Quamby Brook (Westbury), Coningham State Recreation Area and Illawarra (north of Longford). The species has recently been collected from Woolnorth.

Known Reserves

Reserved in the Coningham Nature Recreation Area, Lanes Tier Forest Reserve, Nicholas Range Forest Reserve, Pieman River State Reserve and the Tasman National Park.

Ecology and Management

This species can reproduce vegetatively from rhizomes. Adverse impacts include forest and general land clearance as well as grazing. The species persists after fire (TPLUC 1996).

Wind is the most likely pollination vector for this species (A. Hingston pers. comm.).

Conservation Status Assessment

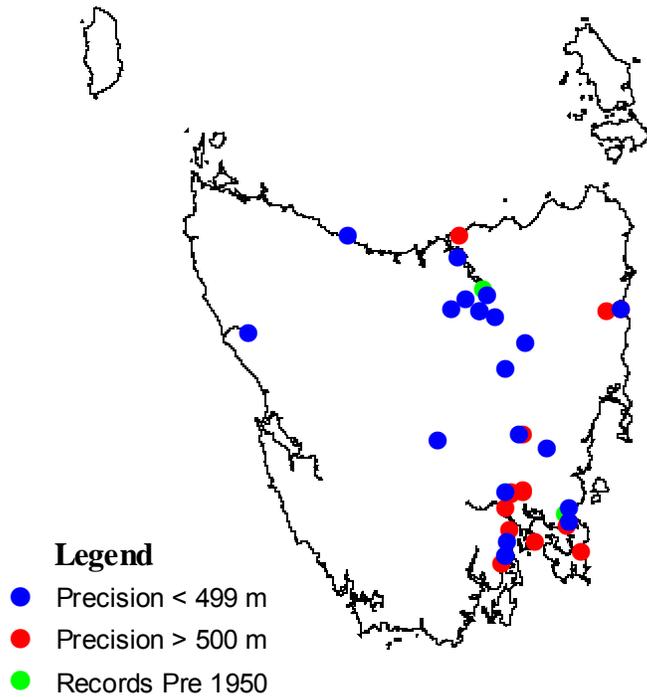
There is no immediate need for reassessment of *Juncus amabilis*.

Further Information

- Cunningham, GM, Mulham, W, Milthorpe, P & Leigh, J 1992, *Plants of Western New South Wales*, Inkata Press, Sydney.
- Curtis, WM & Morris, DI 1994, *The Student's Flora of Tasmania*, Part 4B, Printing Authority of Tasmania, Hobart.
- Kirkpatrick, JB 1991, *Tasmanian Native Bush: A Management Handbook*, Tasmanian Environment Centre, Hobart.
- Tasmanian Public Land Use Commission 1996, *Environment & Heritage Report Vol IV, Background Report*, Part C, Tasmanian Commonwealth Regional Forest Agreement, Hobart.

Tasmanian Distribution

(As per Threatened Species Unit records, June 2003)



1:25 000 Map Sheets

Barnes Bay, Beaconsfield, Blackmans Bay, Burnie, Cleveland, Conara, Cremorne, Cygnet, Dee, Dublin Town, Dunalley, Falmouth, Kellevie, Launceston, Livingstone, Longford, Low Head, Oatlands, Prospect, Richmond, Taranna, Taroona, Tea Tree, Westbury, Whiteford.

Date last modified: 28/08/03

Note: Map does not include the Woolnorth record

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1	R Barnes C McCoull	R Barnes	5-09-15
1	R Barnes C McCoull	O Diprose	7-09-15
FINAL	R Barnes C McCoull	R Barnes	8-09-15
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SUPPLEMENT

LEVEL 2 ACTIVITY – EXTRACTIVE INDUSTRY ILLAWARRA ROAD QUARRY, CARRICK



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SCOPE

This EER Supplement has been prepared in response to a Supplement request issued by the Environment Protection Authority. The Council received 1 representation on the application which they provided to the EPA as part of the Level 2 assessment process.

INFORMATION REQUIRED BY THE EPA BOARD

Table 1 lists the information required by the EPA Board to complete its assessment of the proposed development. Notes are made below for each item listed in Table 1.

TABLE 1: ADDITIONAL INFORMATION REQUIRED BY THE EPA BOARD

Comments and Issues	Additional information required
<i>“The expansion is set to extend in a north-west direction, which is further towards the boundary of my property”.</i>	The proposed Quarry Layout and Extraction Plan shown in Figure 7B indicates expansion to the north and north east. Confirm the direction and layout of the proposed quarry expansion.
The EER states on page 45 that the proponent intends to maintain a <i>“disturbed area of no greater than 2 hectares”</i> . Page 51 states that the <i>“maximum disturbed area that would remain un-rehabilitated at any one time is 3 hectares”</i> .	Confirm the proposed maximum disturbed area for the quarry.
Commitment 5 in timeframes states <i>“Pond to be completed and functional prior to the extraction of gravel/rock”</i> . It is not clear which commitment, if any this relates to as no new pond is proposed.	Confirm the timeframe for commitment 5.

QUARRY EXPANSION DIRECTION

The arc of the expansion is indicated in Figure 7B of the EER. The face will move northwards, slightly north-west and north-eastwards from the current active face and associated soil bunds identified in Figure 7B. Generally, the quarry face will move further away from the nearest dwellings on land in other ownership.

MAXIMUM DISTRUBED AREA

The maximum disturbed area is proposed to be 3 hectares. However, this includes the areas of stockpiles, laydown area and active pit **and** also areas of rehabilitation which are in a state of regrowth to pasture. The activity will have no more than 2 hectares in a non-rehabilitated (ie. Bare soil, not yet sown to pasture) state.

Notwithstanding the area involved, it is the aim of the quarry operator to minimise the area of land ‘open’ at the quarry to minimise the overall short-term impact the activity has on the local environment. ‘Progressive rehabilitation’ has and will continue to occur at the quarrying operation for those areas that have been quarried and are no longer needed or used for the operation of the quarry. Progressive rehabilitation includes the stabilisation of the landform prior to revegetation and serves to ensure landform stability and revegetation on an ongoing basis. The southern section of the quarry pit, as identified in the EER, has been contoured and sown with pasture grass (area shown in Figure 7B of the EER).

The rehabilitation of quarry areas that are no longer being quarried or used for another purpose (such as a stockpile holding area, truck turning bay etc.) will be based on the following principles:

1. Benches prepared for rehabilitation through contouring to slopes.

2. Stockpiled weathered gravel, topsoil (from quarry site) and sediment from sediment interceptors applied to prepared benches.
3. Application of seed mix (pasture species mix) and, if required, fertiliser.
4. Monitoring of the following factors:
 - a. weed infestation;
 - b. ground cover establishment and growth success; and
 - c. landform stability.

COMMITMENT 5

The wording in Commitment 5 is incorrect for the ‘Timeframe’ column – it should read ‘ongoing’ for that commitment stated. This has been corrected in a revised Commitment Summary Table in Attachment 1 which replaces the table provided in the EER.

INFORMATION REQUESTED BY THE EPA BOARD

Table 2 lists the information requested by the EPA Board for the proposed development. The Director noted to the quarry proponent in correspondence of 15 December 2015 that ‘Table 2 lists other matters raised during the public consultation period. You are encouraged to address these matters as the information may be relevant to conditions or restrictions required by the Board or of consequence for decisions made by other authorities.’

Notes are made below for selected items listed in Table 2.

TABLE 2: OTHER MATTERS RAISED DURING THE PUBLIC CONSULTATION PERIOD

Comments and Issues	Further Info requested	EPA Comments
Considers that the quarry is currently causing environmental nuisance to their family from noise and dust. Dust is also ‘agitating’ son’s hay fever and asthma. Consider that the expansion will increase nuisance to family and neighbours, particularly with proposed operational hours.	Yes	Issues noted. Provide details of any activities currently occurring on the Land and the wider property at 1521 Illawarra Road that could be a current source of noise and dust.
As the arc of the quarry opening towards their property “ <i>there is no shield from the noise and dust</i> ”.	Yes	Provide details of any mitigation or management measures that may decrease these issues during operation of the activity.
Concerned that no noise modelling was conducted as part of the assessment. Considers that noise modelling would have demonstrated current and future impact at the representor and neighbour’s properties.	Yes	It is requested the proponent provide data on the sound pressure levels from the proposed machinery and equipment for the activity and, based on this data, a calculation of the expected noise levels at sensitive

Comments and Issues	Further Info requested	EPA Comments
		<p>receptors within 750 metres of the activity.</p> <p>The proponent may also consider undertaking noise readings at and in the vicinity of the current activity to determine current ambient and operating noise levels.</p> <p>The proponent may also consider proposing a limited operating hours or barriers to reduce potential impacts on noise sensitive receptors.</p> <p>The provision of further information may prevent noise study and/or noise limit conditions being imposed in the event the activity is approved by the EPA Board.</p>
<p>Considers that <i>“noise from the machinery carries down Liffey Street on the prevailing winds”</i>.</p>	<p>Yes</p>	<p>Clarification should be provided on how the predominant wind direction is likely to affect the distribution of noise and dust from the activity.</p>

EXISTING PROPERTY USES – NOISE AND DUST SOURCES

The quarry is an existing approved use on the property which is also used for agricultural and residential pursuits. The uses are consistent with what is expected to occur on a rural property zoned Rural Resource where there is an active quarry and land suitable for agricultural use – eg cropping, pasture, livestock.

The owner of the property (which is also the quarry proponent) recorded notable activities which would or could have caused noise and/or dust on the property from Friday 11 to Saturday – 19 December 2015 –

- Friday – Tuesday – normal day at farm with Builders working on house and tractor etc.
- Tuesday – 6x4 Road truck carting soil on the farm and 5 ton excavator working between 8am – 4pm
- Wednesday – 6x4 Road truck carting soil on farm and 5 Ton excavator working on farm 7:30am – 4pm
- Wednesday – low loader dropped excavator in clay pit 1-2pm
- Wednesday – low loader dropped loader at clay 5:30pm
- Thursday – truck and dog carted 5 loads of clay out of quarry 10:30am – 4pm
- Thursday - 6x4 Road truck carting soil on farm and 5 Ton excavator working on farm 7:30am – 4pm
- Friday – 14 ton Excavator / screen / loader / truck screening and carting soil on farm 2-3hrs
- Friday - 6x4 Road truck carting soil on farm and 5 Ton excavator working on farm 7:30am – 4pm
- Friday – truck and dog carted 6-7 loads of Clay out of quarry 7:30am – 4pm
- Saturday – Tractor & Motorbikes on farm

While the above list contains obvious sources of noise and potential dust emissions, there is no reason to suggest that there would be a substantial cumulative effect of these when combined with quarrying activities – some of the listed activities **are** quarry related. Indeed, they are activities expected to occur within a rural setting on land zoned as rural resource.

As noted in the EER, noise sources in the landscape surrounding the property which contains the quarry where the activity will occur have been identified as follows:

- farm machinery, trucks and other agricultural associated activities on the same property and adjacent/nearby properties;
- vehicles and trucks using Illawarra Road, Meander Valley Road and other roads (Bass Highway, Westwood Road etc);
- pumps used to move irrigation water between dams and to pastures;
- livestock (mainly cows);
- the use of the nearby (to the west) recreational facility owned and managed by the Meander Valley Council;
- wind in the nearby native forest and paddock trees; and
- bird and insect life.

DUST MITIGATION MEASURES

Standard industry practices will be applied – load dampening and road dampening.

NOISE MITIGATION MEASURES

All earth-moving operations have the potential to produce noise. The Quarry Code of Practice suggests that where residences exist adjacent to a quarry, precautions should be taken to reduce the impact of noise. The QCP indicates that with the exception of blasting where permitted (NB. **no** blasting or crushing will occur at this quarry), noise from activities in a quarry affecting residential premises, must not exceed 10 dB(A) above the normal ambient noise levels during daytime operations.

The QCP suggests the following to minimise noise propagation that may impact on neighbours –

1. Access tracks and haul roads should be well maintained to prevent corrugation that contributes to truck noise, and truck drivers should be encouraged, where possible, to use access roads which have the least impact on the community.
2. Machinery should be well maintained and lubricated. Modern equipment is generally quieter than ageing machinery.

Access tracks and machinery will be well maintained. There is to be no crushing or blasting as part of the activity which will keep noise emissions mainly to the operation of the trucks and loader. It is not unusual to see and hear heavy machinery comparable to quarry machinery operating on farms, including tractors and their attached implements, fertilisation of pastures, irrigation systems (including pumps and sprayers), trucks carting livestock and ancillary deliveries to and from a farm.

NOISE MODELLING

As noted in the EER, attenuation distances are recommended in the *Quarry Code of Practice* (QCP) as follows:

“It is suggested that planning authorities and operators seek to maintain the following separation distances, measured from the planned maximum extent of the quarry operations to any sensitive use:

- Where regular blasting takes place, 1,000 m;
- Where material is crushed only, 750 m;

- Where vibrating screens alone are utilised, 500 m; and
- Where no blasting, crushing or screening occurs, 300 m”

There are no sensitive receptors, such as dwellings, within the 300 m zone as applied to the edge of the gravel resource to be quarried.

Dwellings held in other ownership are in excess of 540 m from the existing extent of the active pit. Even with the progressive extraction to the north and north-west the nearest dwellings will remain in excess of 500m from the active quarry face. On this basis, no noise modelling or assessment was conducted as it is unlikely that the activity will cause a noise nuisance.

DIRECTION OF PREVAILING WINDS

The wind roses on page 20 of the EER indicate that the prevailing winds are from the north-west to west. South to south-easterly winds can occur in the mornings. Based on the existing data, there are only rare occurrences of winds of any strength from a north-easterly direction which may be responsible for pushing dust onto land located at 40 Liffey Street, Carrick.

Attachment 1 – Revised Commitments

Green highlights indicate changes to original EER table

Number	Commitment	Timeframe
1	Operating hours will be – 0700 to 1900 hrs Monday to Friday, 0800 to 1600 hrs on Saturday; closed on Sunday and public holidays.	Ongoing upon approval of the activity
2	The road surface between Illawarra Road and the property residence will be sealed progressively as resources and weather conditions allow. As a minimum, the first 50m section from the frontage of the access road with Illawarra Road will be sealed with a bituminous surface or similar by June 2016. In the interim, and no later than November 30 2015, a sprinkler system will be established along the access road to enable the road surface to be dampened when being used by cartage trucks.	As per commitment
3	A permit issued under the <i>Threatened Species Protection Act 1995 (Tas)</i> will be sought from the Department of Primary Industries, Parks, Water and Environment to relocate the two plants of <i>Juncus amabilis</i> to the western side of the sediment dam where they will not be impacted upon by regular dam cleaning works.	When required.
4	A Weed Management Plan will be prepared and implemented for the life of the quarry activity.	Ongoing upon approval of the activity
5	No chemicals, fuels or oils will be stored in the pit overnight, and refuelling of quarry equipment will be carried out using a mobile bund.	Ongoing
6	The proponent will achieve sediment removal in surface waters prior to their discharge to the nearby man-made drainage system through a combination of (i) maintaining a water (and sediment) pooling area within the pit and (ii) the maintenance of the existing main sediment dam.	Ongoing
7	Sediment trapped by the pond will be cleaned out either on a 12 monthly basis or when it has experienced a 15% reduction in storage volume. The collected sediment will be mixed with stockpiled topsoil for progressive rehabilitation of disused quarry areas.	Ongoing upon approval of the activity
8	In dry weather water from the sediment pond/pit or on-site water cart truck will be used to dampen the road surface, the stockpiles and loads in trucks (unless they are covered by tarpaulins).	Ongoing upon approval of the activity
9	A portaloos will be provided on-site during periods of high volume extraction. Its contents will be collected and disposed of at an approved sewage processing facility.	As required
10	One hydrocarbon spill kit will be stored at the quarry and staff trained in how to use them in the event of a spillage.	Ongoing upon approval of the activity

11	Machinery will be removed from the quarry for servicing (including oil changes).	Ongoing upon approval of the activity
12	Waste generated by workers from general refuse (eg lunch wrappers) at the quarry will be removed each day.	Ongoing upon approval of the activity
13	The following recommendations were made in the TIA which will be implemented for the project - Ensure compliance with the traffic operating hours and days for the activity; Establish a Complaints Register to record and address complaints received in relation to road usage by activity related vehicles and trucks; Implement the access road sealing program, as proposed by the Development Application; and Trucks will limit their speed on the access road to 40km/hr.	Ongoing upon approval of the activity
14	Fuel and oil containers will not be stored on-site overnight, they will be removed at the end of each working day for storage at the nearby agricultural sheds.	Ongoing upon approval of the activity
15	Fuel and oil containers will be stored at least 10 m from any drain, the sediment pond and water storage pit and be bunded (moveable bunds) to a capacity at least 1.5 times the volume of the container.	Ongoing upon approval of the activity
16	The AHT issued <i>Unanticipated Discovery Plan</i> will be on hand during ground disturbing works, to aid the proponent in meeting its requirements under the Act should Aboriginal Heritage be uncovered.	Ongoing upon approval of the activity
17	Progressive rehabilitation will continue at the quarrying operation for those areas that have been quarried and are no longer needed or used for the operation of the quarry.	Ongoing upon approval of the activity
18	A Decommissioning and Rehabilitation Plan will be provided to the EPA for consideration within 30 days of a decision made by the proponent that is likely to give rise to the permanent cessation of the activity.	DRP prepared and provided to the EPA Director within 30 days of formal written notice to the EPA of permanent quarry closure.
19	To enable the public to respond to any concerns they may have about the operation of the quarry, a Complaints Register will be prepared and maintained for the activity.	Ongoing upon approval of the activity

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This document has been prepared in accordance with the scope of services agreed upon between Van Diemen Consulting (VDC) and the Client.

To the best of VDC's knowledge, the report presented herein represents the Client's intentions at the time of completing the document. However, the passage of time, manifestation of latent conditions or impacts of future events may result in changes to matters that are otherwise described in this document. In preparing this document VDC has relied upon data, surveys, analysis, designs, plans and other information provided by the client, and other individuals and organisations referenced herein. Except as otherwise stated in this document, VDC has not verified the accuracy or completeness of such data, surveys, analysis, designs, plans and other information.

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Document Status

Revision	Author	Review	Date
1	R Barnes C McCoull	R Barnes	22-12-15
1	R Barnes C McCoull	D McPhail, EPA	23-12-15



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Our Ref: EN-EM-EV-DE-244901 | H495738 | CouncilLetter_3ABC_Decision

4 February 2016

Greg Preece
General Manager
Meander Valley Council
PO Box 102
WESTBURY TAS 7303

16362

Index No.			
Doc No.			
Batch No.			
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Dear Mr Preece

**PERMIT APPLICATION (PA 16/0053)
DETERMINATION ON ENVIRONMENTAL IMPACT ASSESSMENT
QUARRY UPGRADE, 1521 ILLAWARRA RD, CARRICK**

I refer to the permit application by Oliver Diprose under the *Land Use Planning and Approvals Act 1993* (LUPA Act) in relation to the above proposal. The application was referred to the Board of the Environment Protection Authority (the Board) for assessment under the *Environmental Management and Pollution Control Act 1994* (EMPC Act) and was received by the Board on 13 October 2015.

An environmental impact assessment of the application has now been completed. The assessment has taken into account the proposal as detailed in the application and supporting documentation, including the Environmental Effect Report (EER) and Additional Information. Comments received from the public and relevant government agencies have also been taken into account.

In accordance with Section 25(5) of the EMPC Act, I hereby notify Meander Valley Council that the conditions and restrictions specified in the enclosed Permit Part B, together with the definitions in Schedule 1 and the associated attachments to Permit Part B, must be contained in any permit granted by Council under the LUPA Act in respect of the activity, if a permit is granted.

Please note that section 25(8) of the EMPC Act requires that Council must:

- (a) include the enclosed conditions and restrictions in a permit granted by it in respect of the activity (if a permit is granted); and
- (b) not include any other condition or restriction which is inconsistent with, or which extends the operation of, any conditions or restrictions which the Board requires to be contained in the permit; and
- (c) notify the Board of its decision to grant or refuse to grant a permit; and
- (d) at the same time as it serves notice of its decision in accordance with section 57(7) of the LUPA Act, notify in writing the applicant, and any persons who made representations, under section 57(5) of the LUPA Act:
 - (i) of the conditions or restrictions that the Board requires to be contained in the permit; and
 - (ii) of the reasons of the Board for requiring the conditions or restrictions to be contained in the permit.

It is suggested that a means of satisfying the requirements of section 25(8)(a) of the EMPC Act is to:

- (e) entitle the Council's portion of the permit 'Part A';
- (f) include in 'Part A' a condition along the lines of 'The person responsible for the activity must comply with the conditions contained in Schedule 2 of Permit Part B, which the Board of the Environment Protection Authority (EPA) has required the planning authority to include in the permit, pursuant to section 25(5) of the *Environmental Management and Pollution Control Act 1994*', and
- (g) attach the enclosed Permit Part B to the permit, including Schedules 1, 2 and 3 and any associated attachments to the permit (the latter are clearly identified as Attachment 1, 2, etc.).

If Council grants a permit, section 25(8)(d)(i) of the EMPC Act will be satisfied if Council provides the applicant and representors with a copy of Council's full permit (including the Board's Permit Part B and all attachments) at the time of serving notice of its decision in respect of the application as required by section 57(7)(b) of the LUPA Act.

A copy of the Environmental Assessment Report, which details the reasons for the Board's decision, is attached. The Assessment Report is also available on the EPA website at <http://epa.tas.gov.au/assessment/completed-assessments>.

As a means of satisfying the requirements of section 25(8)(d)(ii) of the EMPC Act, Council is requested to provide the applicant and representors with a copy of the Assessment Report at the time of serving notice of its decision in respect of the application as required by section 57(7)(b) of the LUPA Act.

I understand that Council will advise the proponent and representors of appeal rights under the LUPA Act in relation to Council's decision.

If you have any queries regarding the above, please contact the Section Head (Assessments), Malcolm Budd on (03) 6165 4599.

Yours sincerely



Warren Jones
CHAIRPERSON
BOARD OF THE ENVIRONMENT PROTECTION AUTHORITY

Encl. Permit Part B – Permit Conditions – Environmental No. 9354
Environmental Assessment Report

Level 6, 134 Macquarie Street, Hobart TAS
GPO Box 1550, Hobart, TAS 7001 Australia

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Our Ref: EN-EM-EV-DE-244901 | H495738 | ProponentLetter_6ABC_Decision



4 February 2016

Mr Oliver Diprose
PO Box 195
NEWSTEAD TAS 7250

COPY

Dear Mr Diprose

**PERMIT APPLICATION (PA 16/0053)
ENVIRONMENTAL ASSESSMENT DECISION
QUARRY UPGRADE, 1521 ILLAWARRA RD, CARRICK**

I refer to the above application for a permit under the *Land Use Planning and Approvals Act 1993* (LUPA Act). The application was referred, by the Meander Valley Council, to the Board of the Environment Protection Authority (the Board) for assessment under the *Environmental Management and Pollution Control Act 1994* (EMPC Act) and was received by the Board on 13 October 2015.

The environmental impact assessment of the application has now been completed. The assessment has taken into account the proposal as detailed in the application and supporting documentation, including the Environmental Effects Report (EER) and Additional Information required under section 271 of the EMPC Act.

In accordance with Section 25(5) of the EMPC Act, Meander Valley Council has been notified of the decision and that certain conditions must be contained in any permit granted by the Council under the *Land Use Planning and Approvals Act 1993* in respect of the activity, if a permit is granted. A copy of these conditions, and the approved Environmental Assessment Report detailing the reasons for the Board's decision, are enclosed for your information.

Council will advise you of its determination on the above permit application, and of your appeal rights, in due course.

A once-off assessment fee is payable to the Environment Protection Authority (EPA) in relation to the environmental assessment of the application. This fee has been determined in accordance with the *Environmental Management and Pollution Control (General Fees) Regulations 2007* (the Fee Regulations). An invoice for the above fee will be issued in due course.

In the event that Meander Valley Council grants a permit an additional, annual fee is payable for the level 2 activity in accordance with the Fee Regulations. An invoice for this fee will be issued once the *Land Use Planning and Approvals Act 1993* permit comes into force.

A partial remission of the annual fee may be available in certain circumstances. Requirements for fee remissions are described in the *Annual Fee Remission Guidelines* (refer to <http://epa.tas.gov.au/regulation/annual-fee-remissions> or telephone (03) 6165 4599 for a printed copy). New activities may apply for a fee remission in the second year following commencement of commercial operations.

DEV 1

If you have any questions regarding the above, please contact Section Head (Assessments), Malcolm Budd on (03) 6165 4599.

Yours sincerely



Wes Ford
DIRECTOR, ENVIRONMENT PROTECTION AUTHORITY
Delegate for the Board of the Environment Protection Authority

Encl. Permit Part B – Permit Conditions – Environmental No. 9354
Environmental Assessment Report

Cc. Oliver Diprose – odiprose@gradco.com.au

Greg Preece, General Manager, Meander Valley Council, PO Box 102, WESTBURY TAS 7303
Attention: Leanne Rabjohns – Town Planner

Dr Richard Barnes, Director, Van Diemen Consulting – rwbarnes73@gmail.com

ENVIRONMENTAL ASSESSMENT REPORT

Clay Quarry Expansion

1521 Illawarra Road, Carrick

Oliver Diprose

Board of the Environment Protection Authority

February 2016



ENVIRONMENT PROTECTION AUTHORITY

DEV 1

Environmental Assessment Report

Proponent	Oliver Diprose
Proposal	Quarry Expansion
Location	1521 Illawarra Road, Carrick (ML 1616P/M)
NELMS no.	PCE No. 9354
Permit application no.	PA 16/0053 (Meander Valley Council)
Folder	EN-EM-EV-DE-244901
Document.	H488006
Class of Assessment	2A

Assessment process milestones

N/A	Notice of Intent lodged
10 September 2015	Permit application submitted to Council
13 October 2015	Referral received by Board
19 October 2015	EER Guidelines issued
21 November 2015	Start of public consultation period
7 December 2015	End of public consultation period
23 December 2015	Additional information submitted to Board
7 January 2016	Additional information accepted by the Board

Acronyms

Board	Board of the Environment Protection Authority
CFFV	Conservation of Freshwater Ecosystem Values
DPIPWE	Department of Primary Industries, Parks, Water and Environment
DRP	Decommissioning and Rehabilitation Plan
EER	Environmental Effects Report
EIA	Environmental impact assessment
EMPC Act	<i>Environmental Management and Pollution Control Act 1994</i>
EMPCS	Environmental management and pollution control system
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999 (Cth)</i>
LUPA Act	<i>Land Use Planning and Approvals Act 1993</i>
MRT	Mineral Resources Tasmania (Department of State Growth)
NVA	Natural Values Atlas
PCAB	Policy & Conservation Advice Branch
PHS	Public Health Service (Department of Health & Human Services)
RMPS	Resource management and planning system
SD	Sustainable development
QCoP	Quarry Code of Practice (DPIPWE, 1999)

Report summary

This report provides an environmental assessment of Mr Oliver Diprose's proposed expansion of a quarry at 1521 Illawarra Road, Carrick. The proposal involves the upgrade of an existing level 1 quarry to extract up to 20,000 cubic metres of clay per annum.

This report has been prepared based on information provided by the proponent in the Environmental Effects Report (EER) and Supplement to the EER. Relevant government agencies and the public have been consulted and their submissions and comments considered as part of this assessment.

Further details of the assessment process are presented in section 1 of this report. Section 2 describes the statutory objectives and principles underpinning the assessment. Details of the proposal are provided in section 3. Section 4 reviews the need for the proposal and considers the alternatives to the proposal. Section 5 summarises the public and agency consultation process and the key issues raised in that process. The detailed evaluation of environmental issues is contained in section 6. The report conclusions are contained in section 7.

Appendix 1 contains details of comments made and issues raised in the consultation process. Appendix 2 contains the environmental permit conditions for the proposal. Attachment 2 of the permit conditions contains the table of commitments from the Supplement to the EER. The environmental permit conditions in Appendix 2 are a new set of operating conditions for the entire, intensified activity that will supersede the existing permit conditions.

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1 Approval process

An application for a permit under the *Land Use Planning and Approvals Act 1993* (LUPA Act) in relation to the proposal was submitted to Meander Valley Council on 10 September 2015.

The proposal is defined as a 'level 2 activity' under clause 5(a), schedule 2 of the *Environmental Management and Pollution Control Act 1994* (EMPC Act), being an extractive pit: the extraction of sand or clay and producing 5000 cubic metres or more of product per year. Section 25(1) of the EMPC Act required Council to refer the application to the Board of the Environment Protection Authority (the Board) for assessment under the Act. The application was received by the Board on 13 October 2015.

The Board required that information to support the proposal be provided in the form of an Environmental Effects Report (EER).

Several drafts of the EER were submitted to the Department for comment prior to its finalisation and acceptance on behalf of the Board. The EER was released for public inspection for a 16-day period commencing on 21 November 2015. An advertisement was placed in *The Examiner* and a notice was placed on the EPA website. The EER was also referred at this time to relevant government agencies for comment. One (1) public submission was received.

On 15 December 2015, the Director, under delegation from the Board, requested that the proponent submit additional information to address matters raised during the public inspection period. Satisfactory additional information was submitted by the proponent on 23 December 2015 and accepted by the Board on 7 January 2016 in accordance with the provisions of section 271 of EMPCA.

2 SD objectives and EIA principles

The proposal must be considered by the Board in the context of the objectives of the Resource Management and Planning System of Tasmania (RMPS), and in the context of the objectives of the Environmental Management and Pollution Control System (EMPCS) (both sets of objectives are specified in Schedule 1 the EMPC Act). The functions of the Board are to administer and enforce the provisions of the Act, and in particular to use its best endeavours to further the RMPS and EMPCS objectives.

The Board must undertake the assessment of the proposal in accordance with the Environmental Impact Assessment Principles defined in Section 74 of the EMPC Act.

1 The proposal

The main characteristics of the proposal are summarised in Table 1. A detailed description of the proposal is provided in Section Part B of the EER.

It should be noted that in 2010 the quarry was determined by the EPA Board as a level 2 quarry with a maximum production limit of 30,000 cubic metres per annum. It was regulated by the EPA Division until 2015 when the temporary planning permit expired and it returned to a level 1 activity with a maximum annual of production of 4,599 cubic metres per annum.

Table 1: Summary of the proposal's main characteristics

Activity	
Extraction of a maximum of 20,000 cubic metres of clay per annum.	
Location and planning context	
Location	1521 Illawarra Road, Carrick, as shown in Figure 1
Land zoning	<i>Meander Valley Interim Planning Scheme 2013</i> -- Rural Resource
Land tenure	Private Freehold
Mining lease	1616 P/M forms part of Certificate of Title 12512/1. See Figure 2 of the EAR
Lease area	29 hectares, current disturbed area is 1.8 hectares (with proposed 3 hectares disturbed)
Bond	Current bond \$5000 (to be reviewed against proposed mining plan)
Existing site	
Land Use	Current clay quarry extracting up to 4,999 cubic metres per annum
Geology	Undifferentiated Cenozoic sediments with nearby Tertiary undifferentiated sediments. The material to be extracted is damp clay overlain by a very shallow band of lateritic gravels and aeolian sands with a thin clay-loam topsoil.
Soils	Chromosol soil type which has strong texture contrast between A and B horizons - they are not strongly acid or sodic.
Hydrology	The catchment of the sediment pond is 4.4 hectares, with an additional drainage area which accumulates water within the existing pit. Drainage from the sediment pond is into an un-named drainage system which flows northwards to the Meander River. Shown in Figure 3 of the EAR.
Fauna	There are a four species recorded near the Mining Lease based on data contained within the Natural Values Atlas. According to the EER the Land is expected to provide possible foraging habitat for Tasmanian Devil, Spotted Tailed Quoll and Eastern barred bandicoot but no suitable shelter or breeding habitat or evidence was found. The small farm dam and surrounding drainage network on the Land provides potential Green and Golden Frog habitat.

Vegetation	<p>The Land contains agricultural land (TASVEG Code - FAG) and disturbed ground (TASVEG code - FUM) associated with the existing quarry.</p> <p>TASVEG 3.0 also identified two native vegetation communities – Lowland <i>Poa labillardierei</i> grassland and Inland <i>Eucalyptus amygdalina</i> forest and woodland on Cainozoic deposits. Neither community nor any other native vegetation community exists on the Land.</p> <p>The EER states that no vegetation communities listed on Schedule 3A (Threatened native vegetation communities) of the <i>Nature Conservation Act 2002</i> or ecological communities listed under section 181 of the Commonwealth <i>Environment Protection and Biodiversity Conservation Act 1999</i> occur.</p> <p>A CFEV (Conservation of Freshwater Ecosystem Values), in this case a wetland, has been identified upstream of the Land.</p>
Flora	<p>There are a few recorded locations of threatened flora species near the Land based on data contained within the Natural Values Atlas. The species recorded nearby tend to be localised in their habitat requirements or are species of native grassland - woodland and the Land does not provide suitable habitat.</p> <p>One flora species listed on the Tasmanian <i>Threatened Species Protection Act 1995</i> was recorded within the Land: <i>Juncus amabilis</i> (gentle rush). Listed as Rare – two plants were observed growing on the very edge of the existing sediment pond.</p> <p>No flora species listed on the Commonwealth <i>Environment Protection and Biodiversity Conservation Act 1999</i> were recorded.</p> <p>Two plant species listed as a Declared Weed on the Tasmanian <i>Weed Management Act 1999</i> (Tas) were recorded: gorse (<i>Ulex europaeus</i>) and blackberry (<i>Rubus fruticosus</i> aggregate).</p>
Local region	
Climate	An annual average rainfall of 600mm as measured at Longford (Denton Close). Most precipitation in the region occurs in the winter and spring period. Winds are predominantly north to north-westerly in origin with occasional easterly flows of lighter intensity.
Surrounding land zoning, tenure and uses	Rural resource, recreation (race course), Rural Living and General Residential as well as utilities (including gas pipeline and sewage treatment plant).
Species of conservation significance	<i>Juncus amabilis</i> (gentle rush) and Green and Gold Frog.
Proposed infrastructure	
Major equipment	Caterpillar D7H Bulldozer; Caterpillar 966H Loader; and Caterpillar 12H Grader.
Other infrastructure	None
Inputs	
Water	The water supply is from the quarry basin and sediment pond.
Energy	The quarry location does not have access to mains power. Diesel will be used for equipment and machinery on-site.
Other raw materials	None
Wastes and emissions	
Liquid	Stormwater runoff from extraction and stockpile areas.

Atmospheric	Dust from operational areas, internal and external traffic, and blow-off from stockpiles.
Solid	General refuse including food scraps, paper and packaging. General inert wastes such as metal waste to be collected periodically.
Controlled wastes	Waste engine oil, oil filters, tyres.
Noise	From machinery on site, and movement of vehicles on the site and going to and from the site.
Greenhouse gases	The machinery and vehicles will emit Greenhouse gases during operation.
Operations	
Proposal timetable	As required by contracts commencing on issue of a planning permit
Operating hours (ongoing)	0700 to 1900 hours Monday to Friday 0800 to 1600 hours Saturday Closed Sundays and Public Holidays (except Easter Tuesday)
Other key characteristics	
Material will be won by stripping the topsoil (to be stockpiled for later use in rehabilitation works) followed by ripping of the clay material.	

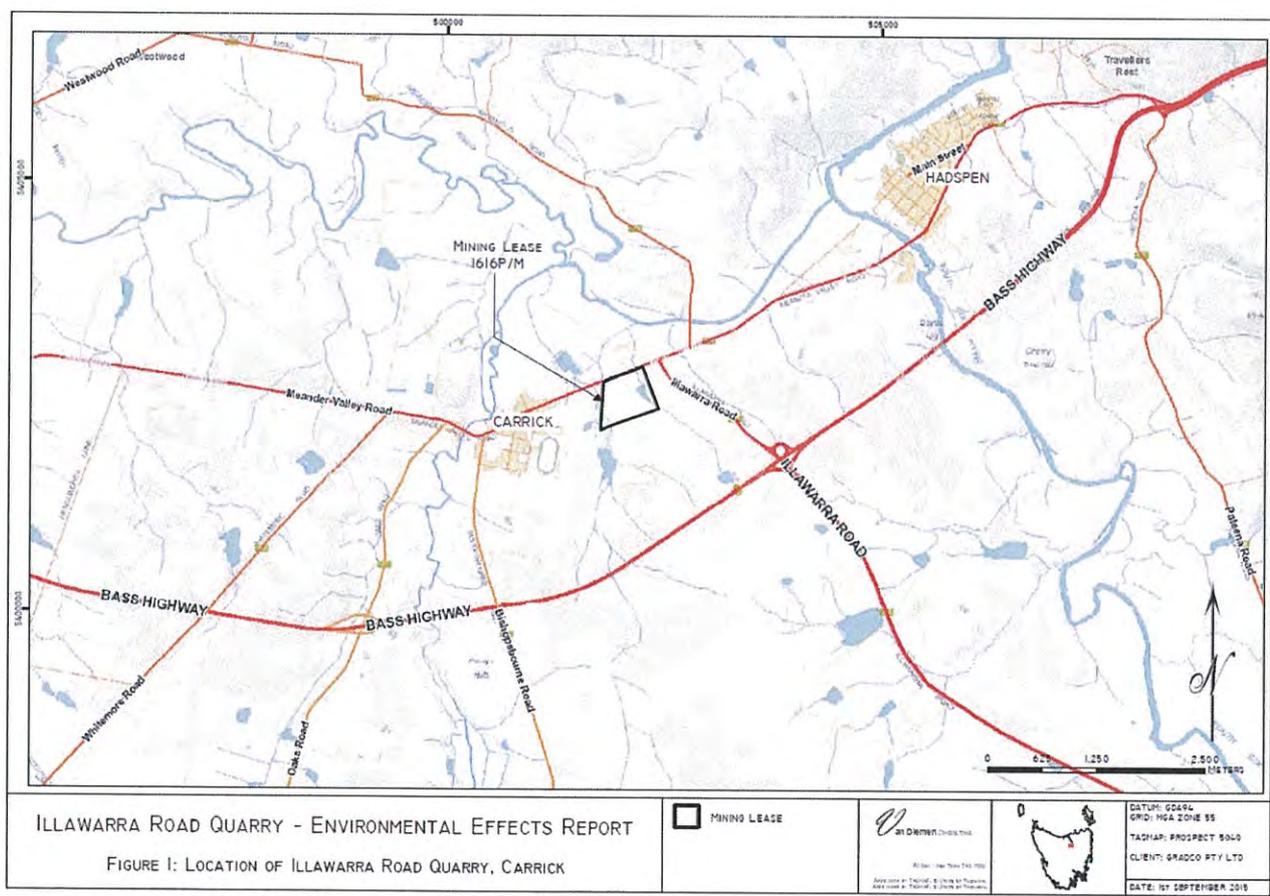


Figure 1: Location of proposal (Figure 1 of the EER).

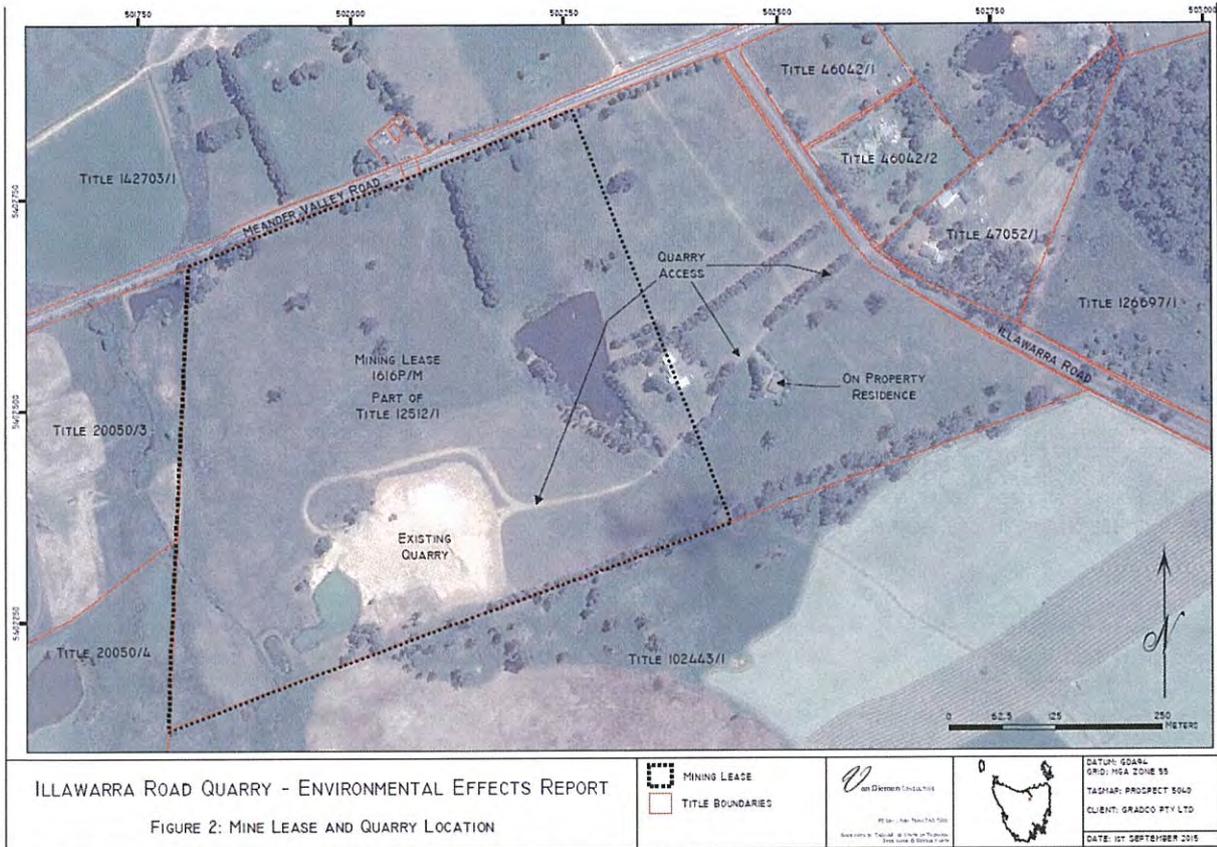


Figure 2: Mining Lease 1616P/M – ‘the Land’ (Figure 2 of the EER).

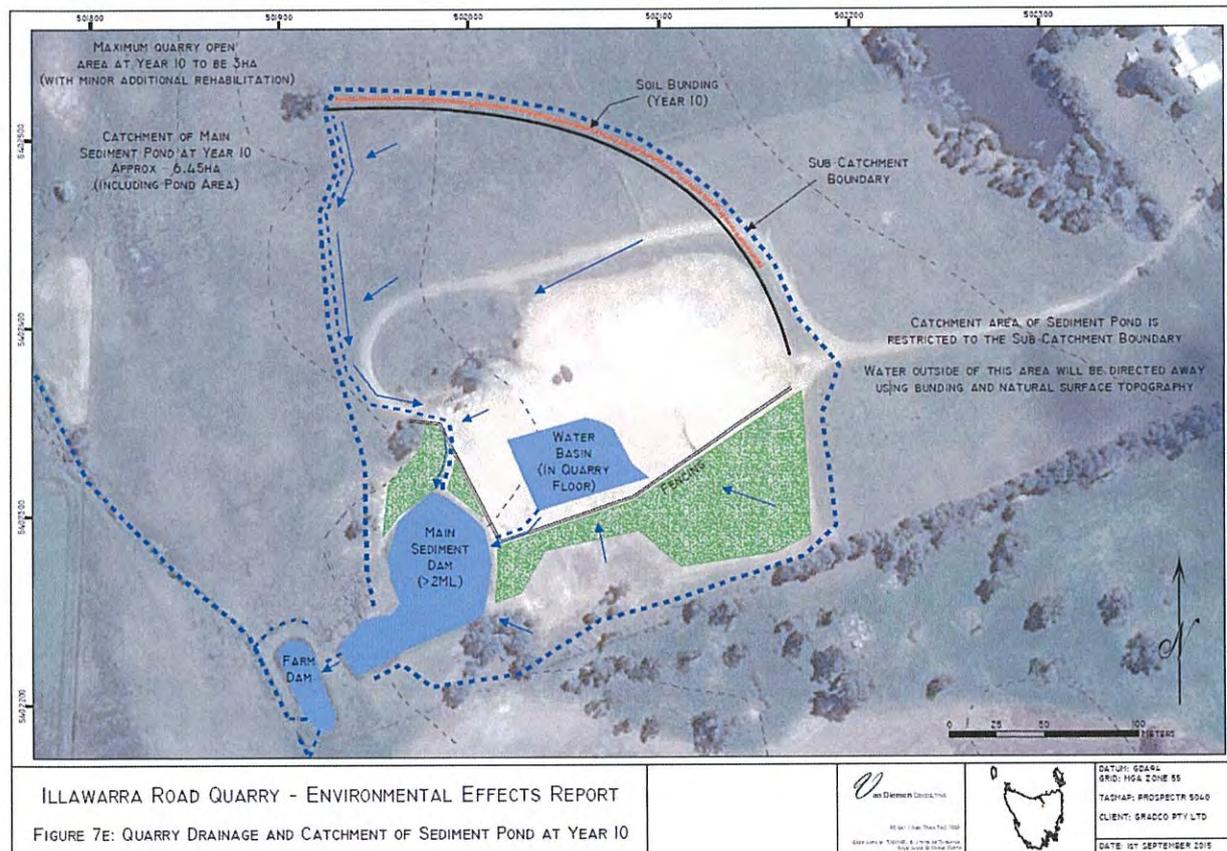


Figure 3: Stormwater Management System layout (Figure 7E of the EER).

2 Need for the proposal and alternatives

According to the EER, the site for the quarry has been chosen because:

- there is an existing pit which can be expanded and managed to not cause environmental nuisance to adjoining properties;
- it has direct access to a sealed main road (access to Illawarra Road enables efficient transport connections to other areas of the Midlands using Meander Valley Road and the Bass Highway); and
- it contains a substantial resource of high quality material for dam and flood levee construction.

Material suitable for the construction or lining of dams and flood levees is uncommon in the region and the material present at this quarry is a resource proven to be effective in dam and flood-protection projects.

The quarry is also located on land owned by the proponent. The nearest residence is the proponent.

No alternatives have been proposed or considered.

3 Public and agency consultation

A summary of the public representations and government agency/body submissions is contained in Appendix 1 of this report.

One (1) public representation was received. The main issues raised in the representations included:

- Noise
- Air Emissions (Dust)

One submission from Tas Gas Networks was also received by Council in relation to the high pressure natural gas pipeline that runs through the property at 1521 Illawarra Rd and part of the Land (see Figure 7F of the EER). They raised no objections as the proposal will not impact their assets.

The EER was referred to a number of government agencies/bodies with an interest in the proposal. Responses were received from the following:

- Department of State Growth (Traffic Engineering);

The following Divisions of the Department of Primary Industries, Parks, Water and Environment (DPIPWE) also provided submissions on the EER:

- Policy & Conservation Advice Branch (PCAB) (Natural and Cultural Heritage Division)

The further information provided in the form of a Supplement to the EER prepared by the proponent provides a response to each of the relevant environmental issues raised by the public and government agencies/bodies.

In response to the representations further comment was received from the following agencies and Divisions of DPIPWE:

- Department of State Growth (Traffic Engineering);
- Noise Specialist, EPA Division
- Scientific Officer (Air), EPA Division
- Regulatory Officer, Mining and Extractive Industries, Environmental Operations Branch, EPA Division
- Department of Health and Human Services, Public Health Services (PHS)

4 Evaluation of environmental issues

The environmental issues considered relevant to the proposal have been evaluated by the EPA Division. Details of this evaluation, along with the permit conditions required by the Board, are discussed below.

Issue 1: Noise Emissions

Description of potential impacts

Noise emissions have the potential to cause environmental nuisance and harm if not appropriately managed. The major noise sources from the proposed activity have been identified as:

- Excavation of the topsoil and material with the excavator;
- Loading of trucks with product;
- Vehicles arriving and departing from the quarry site; and
- Trucks arriving and departing from the quarry.

There will be no blasting or processing of product on the Land. The Quarry Code of Practice (QCoP) recommends a separation distance of a minimum of 300m to the nearest sensitive receptor in these circumstances. The nearest residence in other ownership is located approximately 540 metres to the south west.

No noise modelling or assessment was conducted as part of the EER.

Management measures proposed in EER

Commitment 1 of the EER states that operating hours will be 0700 – 1900 hours Monday to Friday, 0800 to 1600 hours on Saturday; closed on Sunday and Public Holidays.

Page 17 of the EER explains that proponent intends to operate the quarry between 0700 and 1730 hrs on Monday to Friday, with very low volume movements after that time. Trucks may access the quarry on Saturday between the hours of 0800 and 1600 to load and deliver material. Also relevant is commitment 19 which states that a complaints register will be prepared and maintained for the activity.

Public and agency comment

The representor raised concerns that:

- The quarry is to expand in a north west direction towards their property;
- Noise from the quarry is already causing environmental nuisance at their, property, as well as other properties in Liffey Street to the south and west of the Land;
- The operating hours are excessive;
- Multiple complaints have already been made;
- There is no screening from noise;
- Proposed mitigation measures would not reduce impacts;
- Dampening of road surfaces would not reduce noise caused by the removal of vegetative cover and stripping of topsoil;
- Noise comes down Liffey Street on prevailing winds and towards their property.

In response to the representation the proponent was required to clarify the proposed direction of quarry expansion, which according to Figure 7B is in a north and north east direction away from the representors' property. The Supplement details that there will be some expansion "*slightly north-west and north-eastwards*" from the current face but "*[g]enerally, the quarry face would move further away from the nearest dwellings in other ownership*".

The proponent was also requested to provide:

- Current activities occurring on the Land and wider property that may be a current source of noise.

- Other mitigation or management measures that may manage the noise issues raised in the representation.
- Data on the sound pressure levels from the proposed machinery and equipment for the activity and, based on this data, a calculation of the expected noise levels at sensitive receptors within 750 metres of the activity.
- Noise readings at and in the vicinity of the current activity to determine current ambient and operating noise levels.
- To consider proposing reduced operating hours or barriers to reduce potential noise impacts on nearby sensitive receptors.
- Clarification on how the predominant wind direction is likely to affect the distribution of noise from the activity.

Council was also asked for any records of complaints in relation to the activity. They provided information on two complaints from the same complainant in August and October 2015 in relation to the proposed expansion and current issues with the level of activity and visual impacts.

The Supplement contained information on the activities undertaken on the property at 1521 Illawarra Road from the 11-19 December, including some activities on the Land (related to the quarry activities). It also confirmed that, based on existing data, the prevailing winds were from the north-west and west and there *“are only rare occurrences of wind of any strength from a north-easterly direction”* and towards the representor’s property. No further noise studies or data were provided and no additional mitigation or management measures were proposed.

Evaluation

The nearest houses to the quarry, outside of operator ownership, are 540 metres to the south west and 570 metres to the north east. All locations are greater than 300 metres from the closest area of activity, a separation distance recommended by the QCoP for quarries where no screening, crushing or blasting is to occur. While the intention is to expand the quarry, the majority of expansion is mostly to the north and north east and all nearest sensitive receptors will remain more than 500 metres from the active quarry face.

Progressive rehabilitation works on the southern boundary may be a current source of noise, which, once complete, will result in the movement of current activities further north and away from the nearest residence. The extent of disturbed area will be restricted and areas no longer required for quarrying activities will be rehabilitated under relevant conditions as detailed in Issue 7 of the EAR. Wind direction is not expected to significantly influence the distribution of noise emissions from the activity.

The separation distances, and the proposal for no fixed machinery or equipment at the quarry, supported the case for a noise study not being required as part of the assessment. It should also be noted that no complaint history for the current Level 1 activity existed prior to the issue of guidelines for the proposal.

The representation identifies that complaints in relation to noise from the current activity had been made and this was confirmed by Council. The photos provided in the representation, also identify that there is no topographical or vegetative screening between the quarry and the nearest sensitive receptor to mitigate any noise that is emitted from the quarry. The QCoP states that *“Solid barriers, such as bund walls and topographical features, provide the most effective ‘in line’ reduction of sound levels”*. The absence of any barrier may also contribute to impacts from noise emissions elsewhere on the broader property on which the quarry is located. The Supplement identifies a range of noise emitting activities currently occurring on the land.

An opportunity was provided to the proponent to provide further information on noise levels and/or additional mitigation and management measures to alleviate the concerns of the representor. None were provided.

Noise management will be required through the restriction of operating hours under **condition**

N1. These hours are consistent with the QCoP, the industry standard, and the hours detailed in the EER.

With a complaint history, a significant expansion to the current operation proposed and the absence of quantitative noise data or additional mitigation and management measures from the proponent, it is considered appropriate to impose noise limits at the nearest sensitive receptors. The proponent will be required under **condition N2** to operate the activity such that the A-weighted sound pressure levels at the nearest sensitive receptor, in other ownership, are below 55 dB(A) between 0700 and 1900 hours and below 35 dB(A) between 1900 and 0700 hours. These limits are the most suitable regulatory option to ensure noise levels are managed appropriately.

The Noise Specialist considers a daytime noise limit of 55 dB(A) measured at the nearest sensitive receptor, in other ownership, as appropriate. The QCoP recommends noise from quarry activities not exceed 10 dB(A) above the normal ambient noise levels at residences during daytime operations. The Noise Specialist expects the daytime limit imposed to be met under normal operating conditions where standard equipment is used in a routine way and therefore satisfy the QCoP.

A noise complaint history and the absence of data from the proponent, to provide evidence that the noise limits at sensitive receptors can be met, supports the requirement for a noise survey under **condition N3**. A noise survey will be required within 3 months of the date of the notice (i.e. issue of the permit). The methodology and reporting requirements are detailed in **condition N4**.

To ensure that there is appropriate response to any future noise issues, a Complaints Register will be required under **condition G5**. A complaints register is consistent with commitment 19 of the EER.

Conclusion

The proponent will be required to comply with the following conditions:

- N1** Operating Hours
- G5** Complaints Register

The proponent will be required to comply with the following site-specific conditions:

- N2** Noise Limits
- N3** Noise survey requirements
- N4** Noise survey method and reporting requirements

Issue 2: Air Emissions and Air Quality

Description of potential impacts

Potential sources of dust within the activity, which have the potential to cause environmental nuisance or harm if not appropriately managed, are:

- The removal of vegetative cover and stripping of topsoil;
- The ripping of material;
- The movement of material (topsoil for bunding and stockpiling and clay material for extraction) within the quarry by machinery;
- Road (gravel) use in and adjacent to the quarry; and
- Stockpiling and loading gravel.

The material extracted is a damp clay product which will be blended while damp.

Management measures proposed in EER

Water from the sediment pond/pit or onsite water cart truck will be used to dampen the road surface, the stockpiles and loads in trucks (unless they are covered by tarpaulins) in dry weather (Commitment 8).

Commitment 2 of the EER states *"The road surface between Illawarra Road and the property residence will be sealed progressively as resources and weather conditions allow. As a minimum, the first 50m section from the frontage of the access road with Illawarra Road will be sealed with a bituminous surface or similar by June 2016. In the interim, and no later than November 30 2015, a sprinkler system will be established along the access road to enable the road surface to be dampened when being used by cartage trucks."*

Also relevant is commitment 19 which states that a complaints register will be prepared and maintained for the activity.

The commitment to current and ongoing progressive rehabilitation (Commitment 17) and the 'aim' to minimise the area of 'open' land may also be considered relevant to managing future dust emissions.

Public and agency comment

The representor raised the same concerns for dust as noise, details of these concerns are provided in Issue 1 of the EAR.

In response to the representation the proponent was required to clarify the proposed direction of quarry expansion, which according to Figure 7B is in a north and north east direction away from the proponents' property. The proponent was also required to clarify the proposed maximum disturbed area for the quarry as two values had been provided in the EER.

The proponent was also requested to provide:

- Current activities occurring on the Land and wider property that may be current source of dust;
- Other mitigation or management measures that may manage the issues as there is currently no screening from the quarry;
- Clarification on how the predominant wind direction is likely to affect the distribution of dust from the activity.

Complaints history provided by Council is also relevant to dust issues as detailed in Issue 1.

No further mitigation measures, beyond the standard industry practices of load and road dampening were proposed in the Supplement to the EER.

The Supplement confirmed the wind direction and the limited potential wind movements towards

the representors' property as detailed in Issue 1.

PHS considered the measures proposed to control dust on site adequate for the nature of the quarry.

Evaluation

The surface site preparation (including vegetation removal), material stockpiles and movement of vehicles during quarry operations have the highest potential to produce dust emissions. The EER states that the material extracted is a damp clay product which will be blended while damp reducing the potential for dust emissions from the extraction process itself.

It is noted that there is no vegetation or other barrier between the quarry and the representors' property. Although such screening may enhance amenity, given the large separation distance and the predominant wind direction away from the nearest residence it is not considered that a requirement for such screening is necessary.

The EER states that rehabilitation works in the southern section of the Land have already commenced in accordance with Figure 7B. These works have included the movement of soil to create contours for seeding and may be a current source of dust emissions. The proponent intends to rehabilitate these areas to grass, consistent with the agricultural use of the property. Once works are complete and vegetation established there is likely to be a reduction in dust emissions from this area of the Land.

These works will also result in operational (cleared) areas of the quarry being further away from the south and south western boundary of the Land. Ongoing rehabilitation will be a requirement under Decommissioning and Rehabilitation conditions as detailed in Issue 7 of the EAR and includes restricting the disturbed area to 3 hectares, limiting the source of dust emissions.

The dampening of road surfaces, stockpiles and truck loads as detailed in Commitment 8 is generally consistent with recommendations of the QCoP and is considered appropriate for managing dust emissions during dry and windy conditions. The sealing of a portion of the access road, as detailed in the EER, will further reduce the potential for dust emission from the movement of vehicles.

To ensure that suitable mitigation and management of dust is implemented the proponent will be required to prevent dust causing environmental nuisance beyond the boundary of the Land under **condition A1**. The proponent must also manage dust emissions in traffic areas by dampening or other effective measures through **condition A2**. These conditions support the implementation of the mitigation measures as detailed in the EER.

A supporting condition for dust management will be the requirement to maintain a complaints register under **condition G5**. This is consistent with Commitment 19 of the EER.

The conditions imposed are considered appropriate to ensure that dust does not cause environmental nuisance or harm beyond the boundary of the Land and therefore addresses the concerns of the representation.

Conclusion

The proponent will be required to comply with the following conditions:

- A1** Control of dust emissions
- A2** Dust emissions from traffic areas
- A3** Covering of vehicles

Issue 3: Flora, Fauna and Weed Management
Description of potential impacts
<p>The inappropriate location or management of the quarry has the potential to impact on threatened flora and fauna species, and result in the introduction and spread of weeds and diseases.</p> <p>No native vegetation communities are located within the current or proposed operational areas of the quarry.</p> <p>The quarry development has the potential to impact on one threatened flora species <i>Juncus amabilis</i> through disturbance during sediment removal from the dam where it is located. To avoid inadvertent impact to the plants it is proposed to relocate them to the western side of the dam where machinery is not used.</p> <p>Two declared weeds have been identified on the Land.</p> <p>The quarry development is not expected to significantly impact any threatened fauna species, as shelter and breeding habitat for the Tasmanian Devil, Spotted Tailed Quoll and Eastern barred bandicoot is not present on the Land. There is potential habitat in the dams and associated drainage network for the Green and Gold frog.</p>
Management measures proposed in EER
<p>The proponent has committed to obtaining a permit under the <i>Threatened Species Protection Act 1995 (Tas)</i> to relocate the two plants of <i>Juncus amabilis</i> to the western side of the sediment dam where they will not be impacted upon by regular dam cleaning works (Commitment 3).</p> <p>Commitment 4 of the EER states that a Weed Management Plan will be prepared and implemented for the life of the quarry activity.</p> <p>Commitments 5, 6, 7, 10, 11, 14 and 14 are also relevant as they detail the management of fuels and oils as well as sediment to prevent impacts to the sediment pond and downstream waterways.</p>
Public and agency comment
<p>The representor was concerned that the <i>Juncus amabilis</i> is to be damaged by the activities and that four species of threatened fauna have been identified in the area. He also questioned the reliability of the ecological report noting it was conducted in winter.</p> <p>PCAB confirmed that the proponent would be required to apply for a TSPA permit to relocate the threatened flora species <i>Juncus amabilis</i> (gentle rush), that may be impacted by maintenance works on the sediment pond, to a less vulnerable site.</p> <p>PCAB noted that a Conservation of Freshwater Ecosystem Values (CFEV) wetland has been identified adjacent to the southern boundary of the quarry site, near the sediment pond and confirmed its recommendation that any sediment, runoff and/or spills should be adequately managed to prevent contamination or impacts on the wetland and the threatened Green and Gold frog (<i>Litoria raniformis</i>).</p> <p>PCAB recommended that if works are proposed in the future that may impact a potential area of Lowland <i>Poa labillardierei</i> grassland (GPL) a detailed report outlining the species composition of the vegetation communities' onsite should be provided to PCAB for assessment.</p> <p>PCAB confirmed their recommendation that a weed and disease hygiene plan be developed in accordance with current guidelines, prior to works, to ensure the works do not result in the spread of the declared weeds or the introduction of new weeds or diseases into the area.</p>
Evaluation
<p>No native vegetation communities are to be cleared as part of the proposed activity. The individuals of <i>Juncus amabilis</i> are to be relocated under a permit issued by DPIPWE and in accordance with the <i>Threatened Species Protection Act 1995</i>. No critical habitat for threatened fauna is present on the Land therefore impacts are considered unlikely. The timing of the ecological survey is considered unlikely to have affected the findings of the report and PCAB raised no concerns. No conditions in relation to threatened flora and fauna are therefore</p>

considered necessary.

A Weed and Hygiene Management Plan will be required to be prepared and implemented to manage weeds under **condition OP1**. This is consistent with commitment 4 of the EER and is considered appropriate to manage this environmental issue.

Conclusion

The proponent will be required to comply with the following conditions:

OP1 Weed and Hygiene Management Plan

Issue 4: Stormwater Management
Description of potential impacts
<p>In appropriate management of stormwater has the potential to cause the movement of sediment that may impact waterways that provide habitat for threatened flora and fauna species or are water sources for human and agricultural uses.</p> <p>The existing drainage in and around the quarry pit is shown in Figure 5 of the EER. The catchment of the sediment pond (including the pond itself) is 4.4 hectares, with an additional drainage area which accumulates water within the existing pit. Drainage from the sediment pond is into an un-named drainage system (man-made channels and in-stream dams) which flows northwards to the Meander River.</p>
Management measures proposed in EER
<p>The following commitments of the EER relate to the management of stormwater:</p> <ul style="list-style-type: none"> • The proponent will achieve sediment removal in surface waters prior to their discharge to the nearby man-made drainage system through a combination of (i) maintaining a water (and sediment) pooling area within the pit and (ii) the maintenance of the existing main sediment dam (Commitment 6). • Sediment trapped by the pond will be cleaned out either on a 12 monthly basis or when it has experienced a 15% reduction in storage volume. The collected sediment will be mixed with stockpiled topsoil for progressive rehabilitation of disused quarry areas (Commitment 8). <p>The commitment to current and ongoing progressive rehabilitation may also be considered relevant to managing stormwater (Commitment 17).</p>
Public and agency comment
<p>The representor was concerned about the proximity of the quarry to waterways. PCAB was satisfied with the commitments that runoff from the quarry will be captured in the sediment pond to prevent sediment from entering the waterways.</p>
Evaluation
<p>The stormwater management system which forms part of the application, and which is detailed in Commitment 6, is considered appropriate to manage stormwater events and prevent environmental nuisance or harm from the movement of water and sediments. Water leaving the Land passes through a small farm dam, then constructed drainage channels and areas of intensive irrigated agriculture land before reaching the Meander River approximately 2 kilometres to the north. This system is likely to ensure that limited sediment reaches the Meander River and limits the potential for impacts to this natural waterway.</p> <p>The proposed stormwater system on the Land and its management of stormwater flows and sediment is also likely to prevent impacts to the potential habitat of the Green and Gold frog.</p> <p>Sediment control and retention will be required through the construction of perimeter drains under condition E1 and the design and maintenance of sediment ponds under condition E2. Condition E2 requires the periodic clean out of settling ponds and secure deposit of sediment removed such that sediment will not be transported off The Land by surface run-off.</p> <p>The requirement to clean out the sediment pond reflects Commitment 7 of the EER, which proposes 12 monthly clean out (or when it has experience a 15% reduction in storage volume) and reuse of sediment for rehabilitation.</p> <p>Undertaking progressive rehabilitation and limiting the disturbed area as detailed in Issue 7 of the EAR is also likely to contribute to minimising potential issues from stormwater.</p>
Conclusion

The proponent will be required to comply with the following standard conditions:

E1 Perimeter drains

E2 Design and maintenance of sediment ponds

Issue 5: Waste Management
Description of potential impacts
<p>Inappropriate management or disposal of liquid or solid waste could cause contamination of soil or surface water.</p> <p>The EER states that the activity will not produce any earth-based solid wastes as all of the materials extracted will be sold for various end uses.</p>
Management measures proposed in EER
<p>Commitment 12 of the EER states that waste generated by workers from general refuse (e.g. lunch wrappers) at the quarry being removed each day.</p> <p>Machinery will also be removed from the quarry for servicing (including oil changes) (Commitment 11).</p> <p>The provision of a portaloo forms Commitment 9 of the EER. This commitment also states that the portaloo contents will be collected and disposed of at an approved sewage processing facility.</p>
Public and agency comment
None
Evaluation
<p>The limited sources of waste on-site and the commitments to managing them appropriately are considered sufficient to manage the risk of waste causing environmental nuisance or harm.</p> <p>The proposed use of a portaloo during periods of high or extended use when there are likely to be increased number of persons on-site, and the disposal of waste at an approved sewage processing facility, is also considered appropriate for the management of liquid waste and is reflected in Commitment 9 of the EER.</p>
Conclusion
No conditions are considered necessary. Information on the Waste Management hierarchy is provided in the Information schedule of the environmental permit conditions.

Issue 6: Hazardous Substances
Description of potential impacts
<p>The activity has the potential to cause contamination of the site and nearby waterways from chemical or fuel/oil spills if not appropriately managed.</p> <p>The EER details that fuel and oil will be used in the quarry to operate and maintain functional machinery; however there is to be no permanent store in the quarry for fuels, oils, lubricants or any other dangerous good. The proponent will not store fuel and oil containers on-site overnight.</p> <p>No chemicals are stored within the quarry and the only chemicals that will be used in the quarry are those for the control of weeds (i.e. weed spraying).</p>
Management measures proposed in EER
<p>Commitment 5 of the EER states that <i>No chemicals, fuels or oils will be stored in the pit overnight, and refuelling of quarry equipment will be carried out using a mobile bund.</i></p> <p>Commitment 14 re-iterates this commitment with containers stored in nearby agricultural sheds.</p> <p>Commitment 11 states that machinery will be serviced off-site.</p> <p>Commitment 15 also identifies that <i>fuel and oil containers will be stored at least 10 m from any drain, the sediment pond and water storage pit and be banded (moveable bands) to a capacity at least 1.5 times the volume of the container.</i></p> <p>The proponent also commits to storing a hydrocarbon spill kit at the quarry and training staff in its use (Commitment 10).</p>
Public and agency comment
None
Evaluation
<p>Not permanently storing chemicals, fuels or oils at the quarry, or keeping them at the quarry overnight as detailed in the EER will limit the potential for impacts from hazardous materials. This is further supported by the intention to locate temporary storage away from stormwater infrastructure.</p> <p>The commitments in the EER are supported. The proponent will be required to appropriately manage hazardous substances and use a spill kit under conditions H1 and H2, respectively and are considered appropriate to manage any fuels or oils when stored onsite. These requirements are generally consistent with commitments 10 and 15 of the EER and the QCoP.</p> <p>Responding to an incident to prevent environment harm or nuisance is required under condition G2. Compliance with legislation in relation to the storage and handling of hazardous materials is also detailed in the legal obligations condition LO3 in the Schedule 3, Information section of the EPA's permit conditions.</p>
Conclusion
<p>The proponent will be required to comply with the following standard conditions:</p> <p>G2 Incident Response</p> <p>H1 Storage and handling of hazardous materials</p> <p>H2 Spill kits</p>

Issue 7: Decommissioning & Rehabilitation
<p>Description of potential impacts</p>
<p>Cessation of the activity has the potential to cause on-going impacts to the environment if rehabilitation is unsuccessful.</p> <p>It is proposed that the maximum 'disturbed area' that would remain un-rehabilitated at any one time on the Land is 3 hectares. 'Progressive rehabilitation' has and will continue to occur at the quarrying operation for those areas that have been quarried and are no longer needed or used for the operation of the quarry.</p> <p>Progressive rehabilitation includes the stabilisation of the landform prior to revegetation and serves to ensure landform stability and revegetation on an ongoing basis.</p> <p>The southern section of the quarry pit is currently being contoured to allow pasture grass to be established on the slope surface.</p>
<p>Management measures proposed in EER</p>
<p>The proponent commits to progressive rehabilitation at the quarry for those areas that have been quarried and are no longer needed or used for the operation of the quarry (Commitment 17). A Decommissioning and Rehabilitation Plan will be provided to the EPA for consideration within 30 days of a decision made by the proponent that is likely to give rise to the permanent cessation of the activity (Commitment 18).</p>
<p>Public and agency comment</p>
<p>The representor was concerned about the rehabilitation of the quarry and would prefer 'a commitment and proper plan as opposed to a stated 'aim' with no legal consequence'.</p> <p>Previous advice on the draft EER from Mineral Resources Tasmania (MRT) indicated that the current allowed disturbed area under the mining lease is 1.8 hectares. MRT commented that any increase in the disturbed area will be managed by them in accordance with mining lease requirements.</p>
<p>Evaluation</p>
<p>The activity is to be undertaken on Mining Lease 1616P/M. As well as the requirements of the mining lease, the proponent will be required to undertake decommissioning and rehabilitation in accordance with a Decommissioning and Rehabilitation Plan (DRP) under condition DC2. This condition is consistent with Commitment 18 of the EER and the QCoP.</p> <p>The implementation of progressive rehabilitation and limitation of the maximum disturbed area is required in condition DC6 and is likely to minimise potential impacts during quarry operation and facilitate successful final rehabilitation. These requirements reflect details provided in the EER. This condition will be supported by condition DC5 which requires surface soil to be retained for future rehabilitation.</p> <p>Decommissioning and rehabilitation requirements will be stipulated in standard conditions DC1 and DC3. Management of temporary cessation will be stipulated under condition DC4. These are considered appropriate to ensure the potential for environmental impacts are minimised through appropriate decommissioning and rehabilitation of the site upon closure and are likely to address the concerns of the representor.</p>
<p>Conclusion</p>
<p>The proponent will be required to comply with the following standard conditions:</p> <ul style="list-style-type: none"> DC1 Notification of cessation DC2 DRP Requirements DC3 Rehabilitation following cessation DC4 Temporary suspension of activity

DC5 Stockpiling of surface soil

DC6 Progressive rehabilitation

5 Other Issues

The following issues raised during the assessment process have not been assessed by the Board and may be addressed by other regulatory agencies.

1. Heritage
2. Visual Impacts
3. Traffic Impacts

Heritage

The EER includes a commitment to the management of Aboriginal Heritage sites and artefacts (Commitments 16). All Aboriginal heritage is protected under the *Aboriginal Relics Act 1975*, which specifies the requirements in the event Aboriginal Heritage is uncovered at the site. Commitment 16 supports the implementation of the responsibilities under this Act, detailed in **information clause LO4** under Schedule 3: Information.

It is noted that, according to the EER, no cultural heritage impacts are expected as the property is not listed on the Tasmanian Heritage Register or Tasmanian Historic Places Inventory (maintained by Heritage Tasmania).

Visual Impacts

Discussions with Meander Valley Council confirm that visual impacts concerns raised by the representor will be considered by Council under its statutory responsibilities and in accordance with the relevant planning scheme provisions.

Traffic Impacts

The representor raised traffic safety concerns in relation to the quarry. The Department of State Growth (Traffic Engineering section) provided a submission to the EPA Division in response to the referral of the final EER. Their response stated that they had no issues with the proposal and it was noted that *the access to Illawarra Road was upgraded to facilitate use by heavy vehicles as part of a previous application for quarry operations and is suitable in catering for the proposed expansion.*

In response to the representation, the Meander Valley Council contacted the Traffic Engineering section which confirmed the previous advice and added that:

- As part of [the previous] upgrade the access was sealed between Illawarra Road and the property boundary to minimise any tracking of loose material onto the road. It is noted that sealing of the internal roadway is not something State Growth can impose and is a matter between Council and the proponent.
- Sight distances to and from the access point satisfactorily meet Austroads Guidelines for the prevailing operating speeds on Illawarra Road.
- The section of Illawarra Road passing the access is a Category 5 road (i.e. lowest) in the State Road hierarchy and has very low traffic volumes so there are no traffic capacity issues in terms of catering for the additional heavy vehicle movements.
- There has been no reported crash history in the vicinity within the last 5 years.

Any traffic safety issues are the jurisdiction of Council and/or Department of State Growth and may be considered under their relevant statutory responsibilities.

6 Report conclusions

This assessment has been based on the information provided by the proponent, Oliver Diprose, in the permit application, EER, Supplement to the EER and in correspondence and discussion between the EPA Division and the proponent and the proponent's representatives.

This assessment has incorporated specialist advice provided by EPA Division scientific specialists and regulatory staff, other Divisions of DPIPW and other government agencies.

This assessment has taken into account issues raised in public submissions.

It is concluded that:

1. the RMPS and EMPCS objectives have been duly and properly pursued in the assessment of the proposal; and
2. the assessment of the proposed activity has been undertaken in accordance with the Environmental Impact Assessment Principles.

It is concluded that the proposed activity is capable of being managed in an environmentally acceptable manner such that it is unlikely that the objectives of the *Environmental Management and Pollution Control Act 1994* (the RMPS and EMPCS objectives) would be compromised, provided that the Permit Conditions - Environmental No. 9354 appended to this report are imposed and duly complied with.

The environmental conditions appended to this report are a new set of operating conditions for the entire, intensified activity that will supersede the existing permit conditions.

7 Report approval

Environmental Assessment Report and conclusions, including permit conditions, adopted:



Warren Jones
CHAIRPERSON
BOARD OF THE ENVIRONMENT PROTECTION AUTHORITY

Meeting date: 2 February 2016

8 References

Van Diemen Consulting, *Planning and Environmental Effects Report, Level 2 Activity – Extractive Industry, Illawarra Road Quarry, Carrick* (dated 4 November 2015).

Van Diemen Consulting, *Supplement, Level 2 Activity – Extractive Industry, Illawarra Road Quarry, Carrick* (dated 23 December 2015).

9 Appendices

Appendix 1 Summary of public and agency submissions

Appendix 2 Permit conditions

Appendix 1 Summary of public and agency submissions

In the following tables, EER means the *Planning and Environmental Effects Report, Level 2 Activity – Extractive Industry Illawarra Road Quarry, Carrick*, Van Diemen Consulting, dated 4 November 2015.

TABLE 1: ADDITIONAL INFORMATION REQUIRED BY THE EPA BOARD

Representation No./ Agency	EER section no.	EER Page no.	Comments and Issues	Additional information required
1	E.6	46	<i>"The expansion is set to extend in a north-west direction, which is further towards the boundary of my property"</i> .	The proposed Quarry Layout and Extraction Plan shown in Figure 7B indicates expansion to the north and north east. Confirm the direction and layout of the proposed quarry expansion.
EPA Division	E.2 & F.1	45 & 51	The EER states on page 45 that the proponent intends to maintain a <i>"disturbed area of no greater than 2 hectares"</i> . Page 51 states that the <i>"maximum disturbed area that would remain un-rehabilitated at any one time is 3 hectares"</i> .	Confirm the proposed maximum disturbed area for the quarry.
EPA Division	G.2	52	Commitment 5 in timeframes states <i>"Pond to be completed and functional prior to the extraction of gravel/rock"</i> . It is not clear which commitment, if any this relates to as no new pond is proposed.	Confirm the timeframe for commitment 5.

TABLE 2: OTHER MATTERS RAISED DURING THE PUBLIC CONSULTATION PERIOD

Representation No./ Agency	EER section no.	EER Page no.	Comments and Issues	Further Info requested	EPA Comments
1	E.3 & E.6	45 & 46-48	Considers that the quarry is currently causing environmental nuisance to their family from noise and dust. Dust is also 'agitating' son's hay fever and asthma. Consider that the expansion will increase nuisance to family and neighbours, particularly with proposed operational hours.	Yes	Issues noted. Provide details of any activities currently occurring on the Land and the wider property at 1521 Illawarra Road that could be a current source of noise and dust.
	E.3 & E.6	45 & 46-48	As the arc of the quarry opening towards their property <i>"there is no shield from the noise and dust"</i> .	Yes	Provide details of any mitigation or management measures that may decrease these issues during operation of the activity.

Representation No./ Agency	EER section no.	EER Page no.	Comments and Issues	Further Info requested	EPA Comments
1	E.3	45	Concerned that the gravel road to the quarry will not be <i>"managed appropriately to reduce air emissions"</i> .	No	Mitigation/management measures detailed consistent with quarry standards. Progressive sealing between intersection & residence is proposed.
1	E.3	45	Concerned that <i>"the dampening of road surfaces will not reduce the dust and noise caused by the removal of vegetative cover and stripping of topsoil, ripping of material and the movement of material including the loading activities."</i>	No	
1	E.3	46	The claim in the EER that the quarry has operated for a number of years without complaint is not supported. Representor states that complaints in relation to dust and noise have been reported by them and neighbours to Council.	No	Council has provided information in relation to complaint history for the activity. No further information required.
1	E.3 & E.6	45 & 46-48	Concerned that no noise modelling was conducted as part of the assessment. Considers that noise modelling would have demonstrated current and future impact at the representor and neighbour's properties.	Yes	It is requested the proponent provide data on the sound pressure levels from the proposed machinery and equipment for the activity and, based on this data, a calculation of the expected noise levels at sensitive receptors within 750 metres of the activity. The proponent may also consider undertaking noise readings at and in the vicinity of the current activity to determine current ambient and operating noise levels. The proponent may also consider proposing a limited operating hours or barriers to reduce potential impacts on noise sensitive receptors. The provision of further information may prevent noise study and/or noise limit conditions being imposed in the event the activity is approved by the EPA Board.
1	E.6 & C.1	46-48 & 18-20	Considers that <i>"noise from the machinery carries down Liffey Street on the prevailing winds"</i> .	Yes	Clarification should be provided on how the predominant wind direction is likely to affect the distribution of noise and dust from the activity.
1	E.2	44	Concerned by the proximity of the quarry to waterways.	No	Issues noted. Report has been reviewed by relevant internal

Representation No./ Agency	EER section no.	EER Page no.	Comments and Issues	Further Info requested	EPA Comments
1	E.1	44	Notes the presence of the threatened flora species <i>Juncus amabilis</i> and the potential for threatened fauna species.	No	personnel and external agencies to ensure proposal suitably mitigates and manages waterways, flora and fauna issues
1	E.1	44	Questions reliability of ecological assessment as it was conducted in winter.	No	
1	D.4	40	Raises concerns that the visual appearance of the quarry not being consistent with the area, that the expansion will make it more visible from the highway, and cause a greater visual impact to the representor and their neighbours. Considers that the report has not appropriately assessed visual impact on their property, the neighbours or from the highway and Illawarra Rd and that the current statement that <i>'the visibility of the machinery and materials from adjoining properties is limited,'</i> are incorrect.	No	Issue not within the Board's responsibility. More appropriately considered by Council under the relevant planning scheme.
1	E.7	48	Concerned that the increased traffic will increase potential safety risks <i>"pulling out of a poor visibility corner at low speeds"</i> onto the Highway.	No	Issue not within the Board's responsibility. More appropriately considered by Council under the relevant planning scheme.
1	F	51	Wanted a commitment to be made and plan prepared to manage rehabilitation.	No	Commitment 18 states that a Decommissioning & Rehabilitation Plan (DRP) will be provided on cessation of the activity. Details provided in section F.2 of the EER.

Appendix 2 Permit conditions - Environmental

PERMIT PART B
PERMIT CONDITIONS - ENVIRONMENTAL No. 9354

Issued under the *Environmental Management and Pollution Control Act 1994*

Activity: **The operation of a quarry (ACTIVITY TYPE: Quarries)**
 ILLAWARRA ROAD QUARRY, 1521 ILLAWARRA RD
 CARRICK TAS 7291

The above activity has been assessed as a level 2 activity under the *Environmental Management and Pollution Control Act 1994*.

Acting under Section 25(5)(a)(i) of the EMPCA, the Board of the Environment Protection Authority has required that this Permit Part B be included in any Permit granted under the *Land Use Planning and Approvals Act 1993* with respect to the above activity.

Municipality: **MEANDER VALLEY**
Permit Application Reference: **PA\16\0053**
EPA file reference: **244901**

Date conditions approved:

02 FEB 2016

Signed:

CHAIRPERSON, BOARD OF THE ENVIRONMENT
PROTECTION AUTHORITY

DEFINITIONS

Unless the contrary appears, words and expressions used in this Permit Part B have the meaning given to them in **Schedule 1** of this Permit and in the EMPCA. If there is any inconsistency between a definition in the EMPCA and a definition in this Permit Part B, the EMPCA prevails to the extent of the inconsistency.

ENVIRONMENTAL CONDITIONS

The person responsible for the activity must comply with the conditions contained in **Schedule 2** of this Permit Part B.

INFORMATION

Attention is drawn to **Schedule 3**, which contains important additional information.



CHAIRPERSON, BOARD OF THE ENVIRONMENT PROTECTION AUTHORITY

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Attachment 2: Commitments (modified: 04/01/2016 16:36).....1 page



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Schedule 1: Definitions

In this Permit Part B:-

Aboriginal Relic has the meaning described in section 2(3) of the *Aboriginal Relics Act 1975*.

Activity means any environmentally relevant activity (as defined in Section 3 of EMPCA) to which this document relates, and includes more than one such activity.

Authorized Officer means an authorized officer under section 20 of EMPCA.

Control Location (Noise) means a location chosen to represent the general ambient sound without contribution from noise sources at the activity.

Director means the Director, Environment Protection Authority holding office under Section 18 of EMPCA and includes a person authorised in writing by the Director to exercise a power or function on the Director's behalf.

DRP means Decommissioning and Rehabilitation Plan.

EMPCA means the *Environmental Management and Pollution Control Act 1994*.

Environmental Harm and **Material Environmental Harm** and **Serious Environmental Harm** each have the meanings ascribed to them in Section 5 of EMPCA.

Environmental Nuisance and **Pollutant** each have the meanings ascribed to them in Section 3 of EMPCA.

Environmentally Hazardous Material means any substance or mixture of substances of a nature or held in quantities which present a reasonably foreseeable risk of causing serious or material environmental harm if released to the environment and includes fuels, oils, waste and chemicals but excludes sewage.

Noise Sensitive Premises means residences and residential zones (whether occupied or not), schools, hospitals, caravan parks and similar land uses involving the presence of individual people for extended periods, except in the course of their employment or for recreation.

Person Responsible is any person who is or was responsible for the environmentally relevant activity to which this document relates and includes the officers, employees, contractors, joint venture partners and agents of that person, and includes a body corporate.

Quarry Code Of Practice means the document of this title published by the Department of Primary Industries, Water and Environment and the Department of Infrastructure, Energy and Resources in June 1999, and includes any subsequent versions of this document.

Tasmanian Noise Measurement Procedures Manual means the Noise Measurement Procedures Manual referred to in regulation 4 of the *Environmental Management and Pollution Control (Miscellaneous Noise) Regulations 2014*.

The Land means the land on which the activity to which this document relates may be carried out, and includes: buildings and other structures permanently fixed to the land, any part of the land covered with water, and any water covering the land. The Land falls within the area defined by:

- 1 Mining Lease 1616P/M; and
- 2 as further delineated at Attachment 1.


CHAIRPERSON, BOARD OF THE ENVIRONMENT PROTECTION AUTHORITY

Schedule 2: Conditions

Maximum Quantities

Q1 Regulatory limits

- 1 The activity must not exceed the following limits (annual fees are derived from these figures):
 - 1.1 20,000 cubic metres per year of product.

General

G1 Access to and awareness of conditions and associated documents

A copy of these conditions and any associated documents referred to in these conditions must be held in a location that is known to and accessible to the person responsible for the activity. The person responsible for the activity must ensure that all persons who are responsible for undertaking work on The Land, including contractors and sub-contractors, are familiar with these conditions to the extent relevant to their work.

G2 Incident response

If an incident causing or threatening environmental nuisance, serious environmental harm or material environmental harm from pollution occurs in the course of the activity, then the person responsible for the activity must immediately take all reasonable and practicable action to minimise any adverse environmental effects from the incident.

G3 No changes without approval

- 1 The following changes, if they may cause or increase the emission of a pollutant which may cause material or serious environmental harm or environmental nuisance, must only take place in relation to the activity if such changes have been approved in writing by the EPA Board following its assessment of an application for a permit under the *Land Use Planning and Approvals Act 1993*, or approved in writing by the Director:
 - 1.1 a change to a process used in the course of carrying out the activity; or
 - 1.2 the construction, installation, alteration or removal of any structure or equipment used in the course of carrying out the activity; or
 - 1.3 a change in the quantity or characteristics of materials used in the course of carrying out the activity.

G4 Change of ownership

If the owner of The Land upon which the activity is carried out changes or is to change, then, as soon as reasonably practicable but no later than 30 days after becoming aware of the change or intended change in the ownership of The Land, the person responsible must notify the Director in writing of the change or intended change of ownership.

G5 Complaints register

- 1 A public complaints register must be maintained and made available for inspection by an Authorized Officer upon request. The public complaints register must, as a minimum, record the following detail in relation to each complaint received in which it is alleged that environmental harm (including an environmental nuisance) has been caused by the activity:
 - 1.1 the time at which the complaint was received;
 - 1.2 contact details for the complainant (where provided);
 - 1.3 the subject-matter of the complaint;

- 1.4 any investigations undertaken with regard to the complaint; and
 - 1.5 the manner in which the complaint was resolved, including any mitigation measures implemented.
- 2 Complaint records must be maintained for a period of at least 3 years.

G6 Quarry Code of Practice

Unless otherwise required by these conditions or required in writing by the Director, the activity (or activities) undertaken on The Land must comply with the Acceptable Standards provisions of the *Quarry Code of Practice*.

Atmospheric

A1 Control of dust emissions

Dust emissions from The Land must be controlled to the extent necessary to prevent environmental nuisance beyond the boundary of The Land.

A2 Dust emissions from traffic areas

Dust emissions from areas of The Land used by vehicles must be limited or controlled by dampening or by other effective measures.

A3 Covering of vehicles

Vehicles carrying loads containing material which may blow or spill must be equipped with effective control measures to prevent the escape of the materials from the vehicles when they leave The Land or travel on public roads. Effective control measures may include tarpaulins and load dampening.

Decommissioning And Rehabilitation

DC1 Notification of cessation

Within 30 days of becoming aware of any event or decision which is likely to give rise to the permanent cessation of the activity, the person responsible for the activity must notify the Director in writing of that event or decision. The notice must specify the date upon which the activity is expected to cease or has ceased.

DC2 DRP requirements

Unless otherwise approved in writing by the Director, a Decommissioning and Rehabilitation Plan (DRP) for the activity must be submitted for approval to the Director within 30 days of the Director being notified of the planned cessation of the activity or by a date specified in writing by the Director. The DRP must be prepared in accordance with any guidelines provided by the Director.

DC3 Rehabilitation following cessation

- 1 Following permanent cessation of the activity, and unless otherwise approved in writing by the Director, The Land must be rehabilitated including:
 - 1.1 stabilisation of any land surfaces that may be subject to erosion;
 - 1.2 removal or mitigation of all environmental hazards or land contamination, that might pose an on-going risk of causing environmental harm; and
 - 1.3 decommissioning of any equipment that has not been removed.
- 2 Where a Decommissioning and Rehabilitation Plan (DRP) has been approved by the Director, decommissioning and rehabilitation must be carried out in accordance with that plan, as may be amended from time to time with written approval of the Director.

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DC4 Temporary suspension of activity

- 1 Within 30 days of becoming aware of any event or decision which is likely to give rise to the temporary suspension of the activity, the person responsible for the activity must notify the Director in writing of that event or decision. The notice must specify the date upon which the activity is expected to suspend or has suspended.
- 2 During temporary suspension of the activity:
 - 2.1 The Land must be managed and monitored by the person responsible for the activity to ensure that emissions from The Land do not cause serious environmental harm, material environmental harm or environmental nuisance; and
 - 2.2 If required by the Director a Care and Maintenance Plan for the activity must be submitted, by a date specified in writing by the Director, for approval. The person responsible must implement the approved Care and Maintenance Plan, as may be amended from time to time with written approval of the Director.
- 3 Unless otherwise approved in writing by the Director, if the activity on The Land has substantially ceased for 2 years or more, rehabilitation of The Land must be carried out in accordance with the requirements of these conditions as if the activity has permanently ceased.

DC5 Stockpiling of surface soil

Prior to commencement of extractive activities on any portion of The Land, surface soils must be removed in that portion of The Land to be disturbed by the conduct of the activity and stockpiled for later use in rehabilitation of The Land. Topsoil must be kept separate from other overburden and protected from erosion or other disturbance.

DC6 Progressive rehabilitation

Worked out or disused sections of The Land must be rehabilitated concurrently with extractive activities on other sections of The Land. Progressive rehabilitation must be carried out in accordance with the relevant provisions of the *Quarry Code of Practice*, unless otherwise approved in writing by the Director. The maximum disturbed area of land which may remain, at any time, without rehabilitation is 3 hectares.

Effluent Disposal**E1 Perimeter drains**

- 1 Perimeter cut-off drains must be constructed at strategic locations on The Land to prevent surface run-off from entering the area used or disturbed in carrying out the activity. All reasonable measures must be implemented to ensure that sediment transported along these drains remains on The Land. Such measures may include provision of strategically located sediment fences, appropriately sized and maintained sediment settling ponds, vegetated swales, detention basins and other measures designed and operated in accordance with the principles of Water Sensitive Urban Design.
- 2 Drains must have sufficient capacity to contain run-off that could reasonably be expected to arise during a 1 in 20 year rainfall event. Maintenance activities must be undertaken regularly to ensure that this capacity does not diminish.

E2 Design and maintenance of settling ponds

- 1 Sediment settling ponds must be designed and maintained in accordance with the following requirements:
 - 1.1 ponds must be designed to successfully mitigate reasonably foreseeable sediment loss which would result from a 1 in 20 year storm event;



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- 1.2 discharge from ponds must occur via a stable spillway that is not subject to erosion;
- 1.3 all pond walls must be stable and treated with topsoil and vegetated or otherwise treated in such a manner as to prevent erosion; and
- 1.4 sediment settling ponds must be periodically cleaned out to ensure that the pond design capacity is maintained. Sediment removed during this cleaning must be securely deposited such that sediment will not be transported off The Land by surface run-off.

Hazardous Substances

H1 Storage and handling of hazardous materials

Unless otherwise approved in writing by the Director, environmentally hazardous material held on The Land, including chemicals, fuels and oils, must be located within impervious bunded areas or spill trays which are designed to contain at least 110% of the total volume of material.

H2 Spill kits

Spill kits appropriate for the types and volumes of materials handled on The Land must be kept in appropriate locations to assist with the containment of spilt environmentally hazardous materials.

Noise Control

N1 Operating hours

- 1 Unless otherwise approved by the Director, activities associated with the extraction of rock, gravel, sand, clay or minerals, and loading of product, and screening/crushing must not be undertaken outside the hours of 0700 hours to 1900 hours on weekdays and 0800 hours to 1600 hours on Saturdays.
- 2 Notwithstanding the above paragraph, activities must not be carried out on public holidays that are observed Statewide (Easter Tuesday excepted).

N2 Noise emission limits

- 1 Noise emissions from the activity when measured at any noise sensitive premises in other ownership and expressed as the equivalent continuous A-weighted sound pressure level must not exceed:
 - 1.1 55 dB(A) between 0700 hours and 1900 hours (Day time); and
 - 1.2 35 dB(A) between 1900 hours and 0700 hours (Night time).
- 2 Where the combined level of noise from the activity and the normal ambient noise exceeds the noise levels stated above, this condition will not be considered to be breached unless the noise emissions from the activity are audible and exceed the ambient noise levels by at least 5 dB(A).
- 3 The time interval over which noise levels are averaged must be 10 minutes or an alternative time interval specified in writing by the Director.
- 4 Measured noise levels must be adjusted for tonality, impulsiveness, modulation and low frequency in accordance with the Tasmanian Noise Measurement Procedures Manual.
- 5 All methods of measurement must be in accordance with the Tasmanian Noise Measurement Procedures Manual.

N3 Noise survey requirements

- 1 Unless otherwise approved by the Director, a noise survey must be carried out:

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- 1.1 within three (3) months from the date on which these conditions take effect; and
- 1.2 within three (3) months of any change to the activity which is likely to substantially alter the character or increase the volume of noise emitted from The Land.

N4 Noise survey method and reporting requirements

- 1 Noise surveys must be undertaken in accordance with a survey method approved in writing by the Director, as may be amended from time to time with written approval of the Director.
- 2 Without limitation, the survey method must address the following:
 - 2.1 measurements must be carried out at day, evening and night times (where applicable) at each location; and
 - 2.2 measurement locations, and the number thereof, must be specified, with one location established as a control location (noise).
- 3 Measurements and data recorded during the survey must include:
 - 3.1 operational status of noise producing equipment and throughput of the activity;
 - 3.2 subjective descriptions of the sound at each location;
 - 3.3 details of meteorological conditions relevant to the propagation of noise;
 - 3.4 the equivalent continuous (L_{eq}) and L_{1} , L_{10} , L_{50} , L_{90} and L_{99} A-weighted sound pressure levels measured over a period of 10 minutes or an alternative time interval approved by the Director;
 - 3.5 one-third octave spectra over suitably representative periods of not less than 1 minute; and
 - 3.6 narrow-band spectra over suitably representative periods of not less than 1 minute.
- 4 A noise survey report must be forwarded to the Director within 30 days from the date on which the noise survey is completed.
- 5 The noise survey report must include the following:
 - 5.1 the results and interpretation of the measurements required by these conditions;
 - 5.2 a map of the area surrounding the activity with the boundary of The Land, measurement locations, and noise sensitive premises clearly marked on the map;
 - 5.3 any other information that will assist with interpreting the results and whether the activity is in compliance with these conditions and EMPCA; and
 - 5.4 recommendations of appropriate mitigation measures to manage any noise problems identified by the noise survey.

Operations

OP1 Weed and Hygiene Management

A management plan must be developed to prevent the introduction and spread of weeds and diseases to areas immediately adjacent to operational areas of the quarry and must be implemented to the satisfaction of the Director.

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Schedule 3: Information

Legal Obligations

LO1 EMPCA

The activity must be conducted in accordance with the requirements of the *Environmental Management and Pollution Control Act 1994* and Regulations thereunder. The conditions of this document must not be construed as an exemption from any of those requirements.

LO2 Storage and handling of Dangerous Goods, Explosives and dangerous substances

1 The storage, handling and transport of dangerous goods, explosives and dangerous substances must comply with the requirements of relevant State Acts and any regulations thereunder, including:

1.1 *Work Health and Safety Act 2012* and subordinate regulations;

1.2 *Explosives Act 2012* and subordinate regulations; and

1.3 *Dangerous Goods (Road and Rail Transport) Act 2010* and subordinate regulations.

LO3 Aboriginal relics requirements

1 The *Aboriginal Relics Act 1975*, provides legislative protection to Aboriginal heritage sites in Tasmania regardless of site type, condition, size or land tenure. Section 14(1) of the Act states that; Except as otherwise provided in this Act, no person shall, otherwise than in accordance with the terms of a permit granted by the Minister on the recommendation of the Director of National Parks and Wildlife:

1.1 destroy, damage, deface, conceal or otherwise interfere with a relic;

1.2 make a copy or replica of a carving or engraving that is a relic by rubbing, tracing, casting or other means that involve direct contact with the carving or engraving;

1.3 remove a relic from the place where it is found or abandoned;

1.4 sell or offer or expose for sale, exchange, or otherwise dispose of a relic or any other object that so nearly resembles a relic as to be likely to deceive or be capable of being mistaken for a relic;

1.5 take a relic, or permit a relic to be taken, out of this State; or

1.6 cause an excavation to be made or any other work to be carried out on Crown land for the purpose of searching for a relic.

2 If a relic is suspected and/or identified during works then works must cease immediately and the Tasmanian Aboriginal Land and Sea Council and the Aboriginal Heritage Tasmania be contacted for advice before work can continue. In the event that damage to an Aboriginal heritage site is unavoidable a permit under section 14 of the *Aboriginal Relics Act 1975* must be applied for. The Minister may refuse an application for a permit, where the characteristics of the relics are considered to warrant their preservation.

3 Anyone finding an Aboriginal relic is required under section 10 of the Act to report that finding as soon as practicable to the Director of National Parks and Wildlife or an authorized officer under the *Aboriginal Relics Act 1975*. It is sufficient to report the finding of a relic to Aboriginal Heritage Tasmania to fulfil the requirements of section 10 of the Act.

LO4 Change of responsibility

If the person responsible for the activity ceases to be responsible for the activity, they must notify the Director in accordance with Section 45 of the EMPCA.

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Other Information**O11 Waste management hierarchy**

- 1 Wastes should be managed in accordance with the following hierarchy of waste management:
 - 1.1 waste should be minimised, that is, the generation of waste must be reduced to the maximum extent that is reasonable and practicable, having regard to best practice environmental management;
 - 1.2 waste should be re-used or recycled to the maximum extent that is practicable; and
 - 1.3 waste that cannot be re-used or recycled must be disposed of at a waste depot site or treatment facility that has been approved in writing by the relevant planning authority or the Director to receive such waste, or otherwise in a manner approved in writing by the Director.

O12 Notification of incidents under section 32 of EMPCA

Where a person is required by section 32 of EMPCA to notify the Director of the release of a pollutant, the Director can be notified by telephoning 1800 005 171 (a 24-hour emergency telephone number).

O13 Commitments

The person responsible for the activity has a general environmental duty to conduct the activity in accordance with the commitments contained in Attachment 2.



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Attachment 1: The Land

PCE No. 9354 – Attachment 1 – The Land

Mining Lease 1616P/M



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Attachment 2: Commitments

No.	Commitment	Timeframe
1	Operating hours will be – 0700 to 1900 hrs Monday to Friday, 0800 to 1600 hrs on Saturday; closed on Sunday and public holidays.	Ongoing once activity is approved
2	The road surface between Illawarra Road and the property residence will be sealed progressively as resources and weather conditions allow. As a minimum, the first 50m section from the frontage of the access road with Illawarra Road will be sealed with a bituminous surface or similar by June 2016. In the interim, and no later than November 30 2015, a sprinkler system will be established along the access road to enable the road surface to be dampened when being used by cartage trucks.	As per commitment
3	A permit issued under the <i>Threatened Species Protection Act 1995</i> (Tas) will be sought from the Department of Primary Industries, Parks, Water and Environment to relocate the two plants of <i>Juncus amabilis</i> to the western side of the sediment dam where they will not be impacted upon by regular dam cleaning works.	When required.
4	A Weed Management Plan will be prepared and implemented for the life of the quarry activity.	Ongoing upon approval of the activity
5	No chemicals, fuels or oils will be stored in the pit overnight, and refuelling of quarry equipment will be carried out using a mobile bund.	Ongoing
6	The proponent will achieve sediment removal in surface waters prior to their discharge to the nearby man-made drainage system through a combination of (i) maintaining a water (and sediment) pooling area within the pit and (ii) the maintenance of the existing main sediment dam.	Ongoing
7	Sediment trapped by the pond will be cleaned out either on a 12 monthly basis or when it has experienced a 15% reduction in storage volume. The collected sediment will be mixed with stockpiled topsoil for progressive rehabilitation of disused quarry areas.	Ongoing upon approval of the activity
8	In dry weather water from the sediment pond/pit or on-site water cart truck will be used to dampen the road surface, the stockpiles and loads in trucks (unless they are covered by tarpaulins).	Ongoing upon approval of the activity
9	A portaloos will be provided on-site during periods of high volume extraction. Its contents will be collected and disposed of at an approved sewage processing facility.	As required
10	One hydrocarbon spill kit will be stored at the quarry and staff trained in how to use them in the event of a spillage.	Ongoing upon approval of the activity
11	Machinery will be removed from the quarry for servicing (including oil changes).	Ongoing upon approval of the activity
12	Waste generated by workers from general refuse (eg lunch wrappers) at the quarry will be removed each day.	Ongoing upon approval of the activity
13	The following recommendations were made in the TIA which will be implemented for the project - Ensure compliance with the traffic operating hours and days for the activity; Establish a Complaints Register to record and address complaints received in relation to road usage by activity related vehicles and trucks; Implement the access road sealing program, as proposed by the Development Application; and Trucks will limit their speed on the access road to 40km/hr.	Ongoing upon approval of the activity
14	Fuel and oil containers will not be stored on-site overnight, they will be removed at the end of each working day for storage at the nearby agricultural sheds.	Ongoing upon approval of the activity
15	Fuel and oil containers will be stored at least 10 m from any drain, the sediment pond and water storage pit and be banded (moveable bunds) to a capacity at least 1.5 times the volume of the container.	Ongoing upon approval of the activity
16	The AHT issued Unanticipated Discovery Plan will be on hand during ground disturbing works, to aid the proponent in meeting its requirements under the Act should Aboriginal Heritage be uncovered.	Ongoing upon approval of the activity
17	Progressive rehabilitation will continue at the quarrying operation for those areas that have been quarried and are no longer needed or used for the operation of the quarry.	Ongoing upon approval of the activity
18	A Decommissioning and Rehabilitation Plan will be provided to the EPA for consideration within 30 days of a decision made by the proponent that is likely to give rise to the permanent cessation of the activity.	DRP prepared and provided to the EPA Director within 30 days of formal written notice to the EPA of permanent quarry closure.
19	To enable the public to respond to any concerns they may have about the operation of the quarry, a Complaints Register will be prepared and maintained for the activity.	Ongoing upon approval of the activity

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From: Browne, Nick (StateGrowth)
Sent: 28 Sep 2015 23:04:08 +0000
To: Meander Valley Council Email
Subject: RE: PA\16\0053 - 1521 Illawarra Main Road - Carrick - Level 2 Quarry

State Growth Reference: D15/37443

Council Reference: PA\16\0053

To whom this concerns,

Thank you for referring the above mentioned planning application to us.

The Department of State Growth has reviewed the documentation submitted with the application and does not object to the proposal.

The Department agrees with the TIA that the expected increase in traffic generation will not have a significantly adverse effect on Illawarra Main Road. Whilst the property access is already sealed from the road edge to the property boundary, the Department supports the recommendation in the proposal to extend the seal within the property. This will reduce the amount of dirt and debris that is tracked on to Illawarra Main Road.

If you have any queries please let me know.

Regards,

Nick Browne | Traffic Engineering Officer
State Roads Division | Department of State Growth
287 Wellington Street, Launceston TAS 7250 | GPO Box 536, Hobart TAS 7001
Phone: (03) 6777 1943
www.stategrowth.tas.gov.au | www.transport.tas.gov.au

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From: Hills, Garry (StateGrowth) <Garry.Hills@stategrowth.tas.gov.au>
Sent: Friday, 11 December 2015 9:19 AM
To: Leanne Rabjohns
Cc: McPhail, Danielle C (Environment)
Subject: RE: PA\16\0053 - Representation - Oliver Diprose, Quarry Expansion,1521 Illawarra Road, Carrick - Hodge...

Hi Leanne,

Reading the representation, my understanding is that the concerns relate to the direct access from the quarry to Illawarra Road.

In terms of the access, State Growth have have assessed the site in context with the proposed expansion and are satisfied that the arrangements are satisfactory taking the following into account;

- * The access was previously upgraded as part of a previous application for quarry operations, namely to ensure the design heavy vehicles can negotiate the geometry without encroachment on opposing traffic lanes.
- * As part of this upgrade the access was sealed between Illawarra Road and the property boundary to minimise any tracking of loose material onto the road. It is noted that sealing of the internal roadway is not something State Growth can impose and is a matter between Council and the proponent.
- * Sight distances to and from the access point satisfactorily meet Austroads Guidelines for the prevailing operating speeds on Illawarra Road.
- * The section of Illawarra Road passing the access is a Category 5 road (i.e. lowest) in the State Road hierarchy and has very low traffic volumes so there are no traffic capacity issues in terms of catering for the additional heavy vehicle movements.
- * There has been no reported crash history in the vicinity within the last 5 years.

I hope this information is of assistance. Please contact me if you need anything further.

Thanks,

Garry Hills | Senior Traffic Engineering Officer
State Roads Division | Department of State Growth
287 Wellington Street, Launceston TAS 7250 | GPO Box 536, Hobart TAS 7001
Phone: (03) 6777 1940
www.stategrowth.tas.gov.au

From: Leanne Rabjohns [mailto:Leanne.Rabjohns@mvc.tas.gov.au]
Sent: Thursday, 10 December 2015 10:21 AM
To: Hills, Garry (StateGrowth) <Garry.Hills@stategrowth.tas.gov.au>
Cc: McPhail, Danielle C (Environment) <Danielle.McPhail@environment.tas.gov.au>
Subject: PA\16\0053 - Representation - Oliver Diprose, Quarry Expansion,1521 Illawarra Road, Carrick - Hodge...

Leanne Rabjohns | Town Planner
Meander Valley Council
working together

T: 03 6393 5326 | F: 03 6393 1474 | E: leanne.rabjohns@mvc.tas.gov.au | W: www.meander.tas.gov.au

DEV 1

26 Lyall Street (PO Box 102), Westbury, TAS 7303

Please consider the environment before printing this email.

Attachments:

PA\16\0053 - Representation - Oliver Diprose, Quarry Expansion, 1521 Illawarra Road,
Carrick - Hodge & Others

Good morning Garry

Further to our discussion this morning – the representation is attached. Could you please provide some comment to the traffic matters mentioned (end of page 2 and beginning of page 3). Thanks for your assistance with this matter. If you have any questions, please feel free to email me back. Cheers

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From: Tristan Thomson
Sent: 23 Nov 2015 03:31:23 +0000
To: Planning @ Meander Valley Council
Cc: Andrew Bambridge
Subject: PA\16\0053 1521 Illawarra Road Carrick (CT:12512/1)
Attachments: 23112015082635-0001.pdf, pa.16.0053.pdf

Hi

Tas Gas Networks do not have any objections based on the attached proposals.

Tas Gas Networks operate a natural gas facility and a high pressure natural gas pipeline. On the northern property boundary of this property, in its own land and in the Meander Valley Hwy reserve. The works limited to the attached proposals will not impact our assets.

Tristan Thomson
Asset Engineer



DDL: 6336 9382

MOB: 0438 097 563

5 Kiln Court

St Leonards TAS 7250

<http://www.tasgas.com.au/>

"Safety by choice - not by chance"

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20 November 2015

PA\16\0053
16362

Tas Gas Networks Pty Ltd
PO Box 435
MOONAH TAS 7009

Dear Sir/Madam

Notification of Application for Planning Approval

I am writing to inform you that a development application has been made under s.57 of the *Land Use Planning Approvals Act 1993* for a property that adjoins yours.

The details of the application are as follows:

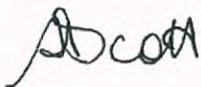
Applicant: O Diprose - PA\16\0053
Location: 1521 Illawarra Road, CARRICK (CT:12512/1)
Development: Discretionary Use – Extractive Industry – expansion of quarry

There is an opportunity for you to view the application and make a written representation addressed to the General Manager, PO Box 102, Westbury, by fax 63931474 or via email to planning@mvc.tas.gov.au on the matter. If you have any concerns and wish to make a representation (including your contact phone number), it is important that you do so **by no later than Monday, 7 December, 2015**, as we are not allowed by legislation to consider any comments made after this period. **Please note any representations lodged will be available for public viewing.**

Plans and documents can be inspected at the Council Office, 26 Lyall Street, Westbury, **during** normal business hours, or at www.meander.tas.gov.au.

Should you have any questions about this application please do not hesitate to contact **us** on 6393 5320 or via email at planning@mvc.tas.gov.au quoting reference number PA\16\0053.

Yours faithfully



Sandi Scott
DEVELOPMENT SERVICES OFFICER



NOTICE OF APPLICATION FOR PERMIT UNDER S.57 OF THE LAND USE PLANNING AND APPROVALS ACT 1993

Applicant: O Diprose PA\16\0053
Location: 1521 Illawarra Road, Carrick CT 12512/1
Development: Discretionary Use – Extractive Industry – expansion of quarry

The proposal relates to the upgrade of an existing level 1 activity (quarry) extracting up to 4,999 cubic metres of clay per annum to a level 2 activity (quarry), extracting up to 20,000 cubic metres of clay per annum.

The application has been referred to the Board of the Environment Protection Authority (the Board) for assessment under the *Environmental Management and Pollution Control Act 1994* (EMPC Act).

The Environmental Effects Report (EER) will be available for public inspection during normal business hours at:

- Meander Valley Council Office - 26 Lyall St Westbury Tas 7303 and can be viewed on Council website at: www.meander.tas.gov.au
- Service Tasmania office - Ground floor, 134 Macquarie Street, Hobart and can be viewed on the internet at: <http://epa.tas.gov.au/assessment/assessments-in-progress>

Copies of the EER may be purchased from Dr Richard Barnes of Van Diemen Consulting (phone no. 0438 588 695) at a cost not exceeding \$20. A CD-ROM version is available free of charge.

Any person may make a representation relating to the application from **Saturday 21 November 2015** to **Monday 7 December 2015** by writing to the: General Manager, Meander Valley Council at PO Box 102, Westbury TAS 7303 or by email to mail@mvc.tas.gov.au. Please include a contact phone number. Please note any representations lodged will be available for public viewing.

A guide for preparing a public submission can be found on the internet at: <http://epa.tas.gov.au/assessment/guide-for-preparing-a-public-submission>

For further information contact Council's Planning Department on 6393 5320.

Dated at Westbury on 21 November 2015.

Greg Preece
GENERAL MANAGER

**PLANNING AND
ENVIRONMENTAL EFFECTS REPORT**

**LEVEL 2 ACTIVITY – EXTRACTIVE INDUSTRY
ILLAWARRA ROAD QUARRY, CARRICK**



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- Appendix 1** Land Title
- Appendix 2** Traffic Impact Assessment
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ABBREVIATIONS / GLOSSARY

AHT	Aboriginal Heritage Tasmania
DPIPWE	Department of Primary Industries, Parks, Water and Environment
DRP	Decommissioning and Rehabilitation Plan
EMPCA	<i>Environmental Management and Pollution Control Act 1994 (Tas)</i>
EER	Environmental Effects Report
EPA	Environment Protection Authority
LUPAA	<i>Land Use Planning and Approvals Act 1993 (Tas)</i>
ML	Mining Lease
MRT	Mineral Resources Tasmania
(the) proponent	Mr Oliver Diprose
QCP	<i>Tasmanian Quarry Code of Practice 1999</i>
(the) Scheme	<i>Meander Valley Interim Planning Scheme 2013</i>
SISD	Safe Intersection Site Distance
WMP	Weed Management Plan

PART A - BACKGROUND INFORMATION

A.1 SCOPE

This Environmental Effects Report has been prepared to provide supporting information to a Development Application lodged with the Meander Valley Council to expand a quarry on Illawarra Road near Carrick – up to 20,000 cubic metres extracted per annum (a Level 2 activity under the *Environmental Management and Pollution Control Act 1994*). The existing quarry is a Level 1 activity under the *Environmental Management and Pollution Control Act 1994* approved to extract up to 4,999 cubic metre per annum.

The current and proposed quarrying operation includes the following activities:

- surface site preparation by soil removal and stockpiling;
- excavation and ripping of clay material (no blasting or crushing is required);
- stockpiling of material in quarry area;
- loading trucks with wheel loader from stockpile area in quarry; and the
- transport of materials by truck with/without trailer.

A.2 LOCATION

The Illawarra Road Quarry is located on private freehold land at 1521 Illawarra Road CARRICK TAS 7291 in the Meander Valley Municipality (Figure 1, Appendix 1).

A.3 PROPONENT

The proponent resides on the same property as the quarry:

Mr Oliver Diprose
1521 Illawarra Road CARRICK TAS 7291
Mobile: 0418 314 438
Fax: 03 6339 2028
Email: odiprose@gradco.com.au

A.4 QUARRY DETAILS

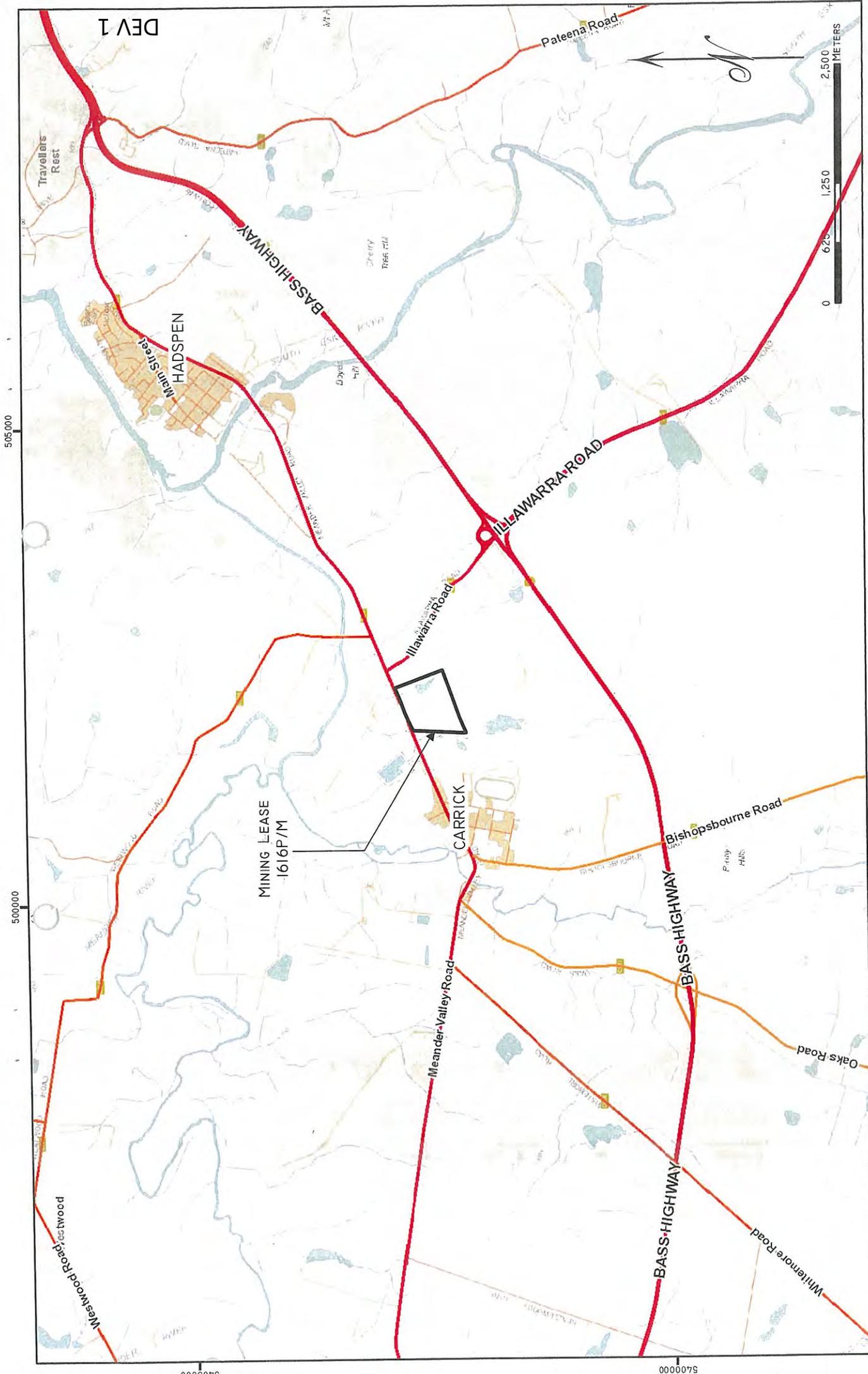
Physical address – 1521 Illawarra Road CARRICK TAS 7291
Land Title – 12512/1
PID – 7035169
Planning Zones (*Meander Valley Interim Planning Scheme 2013*) – Rural Resource (Figure 4A)
Planning Overlays – Scenic Corridor and Priority Habitat (Figure 4B)
Planning Permit (Level 1) extraction limit – 4,999 cubic metres per annum
Mining Lease Number – 1616 P/M

A.5 RATIONALE AND ALTERNATIVES

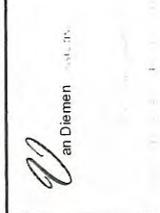
The site for the quarry has been chosen because

- there is an existing pit which can be expanded and managed to not cause environmental nuisance to adjoining properties;
- it has direct access to a sealed main road (access to Illawarra Road enables efficient transport connections to other areas of the Midlands using Meander Valley Road and the Bass Highway (Figure 3); and
- it contains a substantial resource of high quality material for dam and flood levee construction.

Material suitable for the construction or lining of dams and flood levees is uncommon in the region and the material present at this quarry is a resource proven to be effective in dam and flood-protection projects.



DATUM: GDA94
 GRID: MGA ZONE 55
 TASMAR: PROSPECT 5040
 CLIENT: GRADCO PTY LTD
 DATE: 16 SEPTEMBER 2016



MINING LEASE

ILLAWARRA ROAD QUARRY - ENVIRONMENTAL EFFECTS REPORT

FIGURE 1: LOCATION OF ILLAWARRA ROAD QUARRY, CARRICK



501750
502000
502250
502500
502750
503000

503000

DEV 1

TITLE 46042/1

TITLE 46042/2

TITLE 47052/1

TITLE 126697/1

ILLAWARRA ROAD

QUARRY ACCESS

ON PROPERTY RESIDENCE

MINING LEASE
1616P/M
PART OF
TITLE 12512/1

EXISTING QUARRY

TITLE 102443/1

TITLE 142703/1

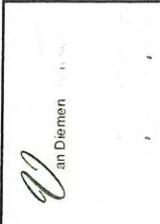
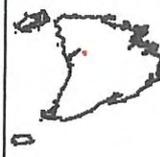
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TITLE 20050/3

5402500

TITLE 20050/4

5402250



ILLAWARRA ROAD QUARRY - ENVIRONMENTAL EFFECTS REPORT

FIGURE 2: MINE LEASE AND QUARRY LOCATION

DATUM: GDA94
GRID: MGA ZONE 55
TASMAP: PROSPECT 5040
CLIENT: GRADCO PTY LTD
DATE: 1ST SEPTEMBER 2015

PART B – PROJECT

B.1 DEVELOPMENT DESCRIPTION

The development is to increase production levels to a maximum of 20,000 cubic metres per annum.

The expanded quarrying operation includes the following activities:

- surface site preparation by soil removal and stockpiling;
- excavation and ripping of clay material (no blasting or crushing is required);
- stockpiling of material in quarry area;
- loading trucks with wheel loader from stockpile area in quarry; and the
- transport of materials by truck with/without trailer.

B.2 TIMFRAME FOR DEVELOPMENT

It is anticipated that material extraction will intensify above its current 4,999 cubic metre per annum limit in the second quarter of the 2015-16 financial year (i.e. October to December 2015) in readiness to conduct flood levee and dam construction works prior to the end of 2017.

The quarry is expected to have a lifespan of at least 10 years owing to the moderate volume of material available at the site.

B.3 OPERATING HOURS

Operating hours are those recommended in the *Quarry Code of Practice* – 0700 to 1900 hrs Monday to Friday, 0800 to 1600 hrs on Saturday; closed on Sunday and public holidays¹.

B.4 MINERAL RESOURCE AND MINING LEASE

A Mining Lease (1616 P/M) is in place for the area to be quarried. A maximum 3 hectare envelope of disturbed/unrehabilitated ground will be maintained throughout the life of the activity, with areas progressively rehabilitated to ensure that this maximum disturbed area is not exceeded. Land once rehabilitated will be used for agricultural activities, mainly livestock grazing.

The geology of the quarry is mapped by MRT (Figure 6A) as undifferentiated Cenozoic sediments (a complex mixture of Tertiary and Quaternary derived sediments) with nearby Tertiary undifferentiated sediments (mainly older laterites formed in the Tertiary - gravels). The material to be extracted is a damp clay overlain by a very shallow band of lateritic gravels and aeolian sands with a thin clay-loam topsoil.

B.5 QUARRY EQUIPMENT

The following machinery will be used in the expanded activity –

- Caterpillar D7H Bulldozer;
- Caterpillar 966H Loader; and
- Caterpillar 12H Grader.

All machinery is owned by the proponent.

B.6 EXTRACTION VOLUME AND PROCESS

Maximum production levels will be 20,000 cubic metres per annum.

The extraction process includes the following:

¹ Commitment 1: Operating hours are those recommended in the *Quarry Code of Practice* – 0700 to 1900 hrs Monday to Friday, 0800 to 1600 hrs on Saturday; closed on Sunday and public holidays.

- surface site preparation by soil removal and stockpiling;
- excavation and ripping of clay material (no blasting or crushing is required);
- stockpiling of material in quarry area;
- loading trucks with wheel loader from stockpile area in quarry; and
- transport of materials by trucks ranging from 12 to 30 tonne capacity (truck and truck/trailer combinations).

Material will be won by stripping the topsoil (to be stockpiled for later use in rehabilitation works) followed by ripping of the clay material. The maximum face height will be 10 metres and a slope of about 30 percent.

At approximately halfway up the slope there is a boundary between the sandy clay above and the clayey silt below (see also Plate 2). This boundary appears to continue more or less horizontally towards the east and north. To produce the best product the two materials when won will be blended (as they are currently under the level 1 activity) utilising the impermeable nature of the clayey silt with the structural strength of the sandy clay. Bulk materials will be won with a dozer by cutting the material down slope to gather equal proportions of the component materials and pushing these up into a stockpile in the floor of the quarry.

A wheel loader will be used to do the final blending to ensure consistency in the product before loading out onto road-going truck and trailer combinations for carting. The quarry has been used in previous works on the flood levees, for example, and this technique was found to be the most efficient in producing a consistent product. The faces so produced have a low slope and are less vulnerable to erosion and pose less of an occupational health and safety risk.

B.8 QUARRY INFRASTRUCTURE

The following comments are made about existing infrastructure –

Site Drainage

The existing drainage in and around the quarry pit is shown in Figure 5. The catchment of the sediment pond (including the pond itself) is 4.4 hectares, with an additional drainage area ('water basin' in Figure 7B) which accumulates water within the existing pit. Drainage from the sediment pond (>2ML in capacity – Figure 7E) is into an un-named drainage system (man-made channels and in-stream dams) which flows northwards to the Meander River (Figure 5).

Road Facilities

The quarry is accessed from Illawarra Road (Figure 3) to the east of Carrick. The pit is accessed by an internal farm road which is sufficiently wide near Illawarra Road for trucks and other vehicles to pass. The gravel road surface from Illawarra Road through to the on-property residence exhibits no evidence of erosion from excessive surface flows.

Water Supply

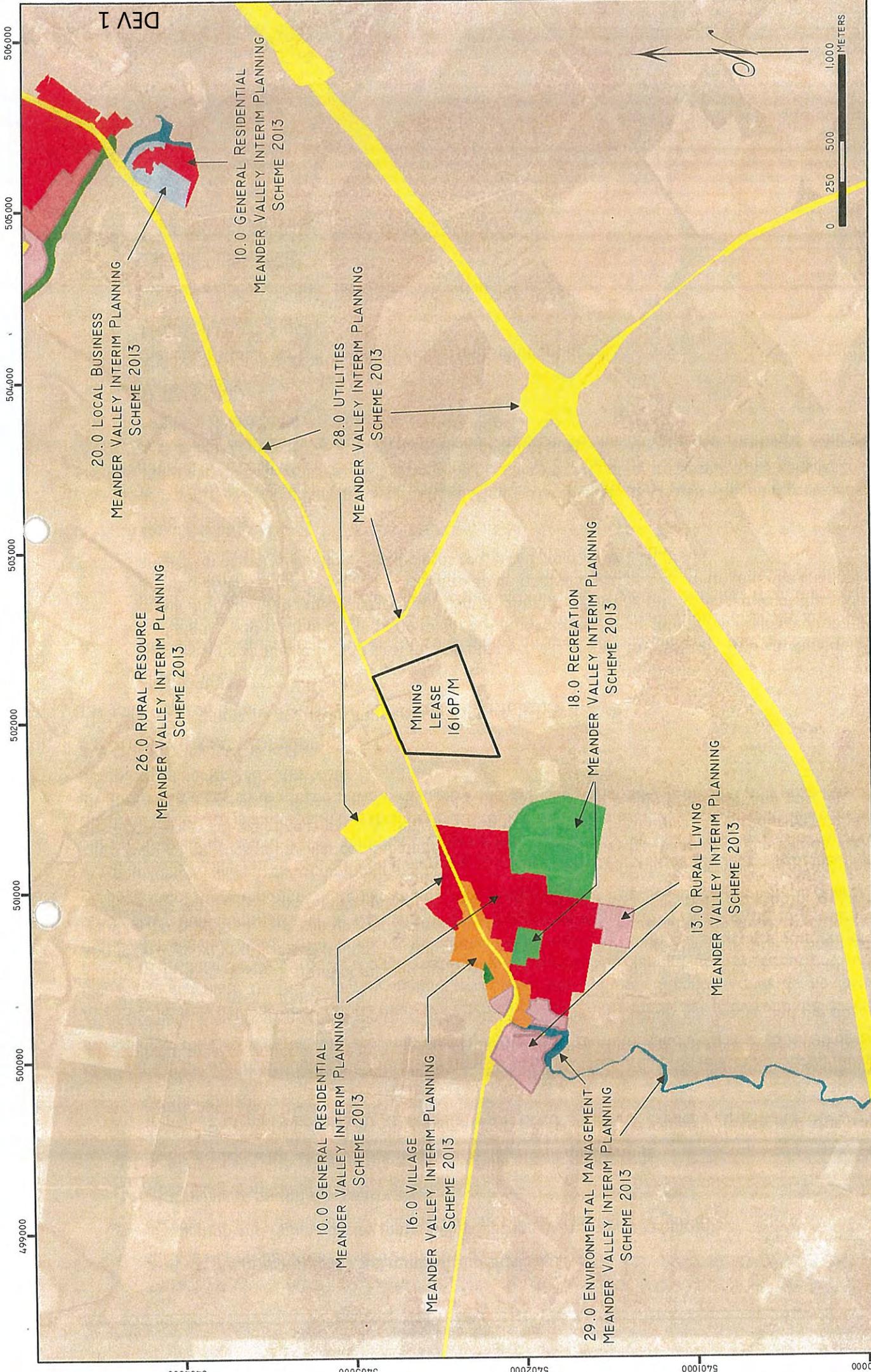
The water supply is from the quarry basin and sediment pond.

Electrical Power Supply

The quarry location does not have access to mains power.

Telecommunications

The quarry location has mobile phone coverage.



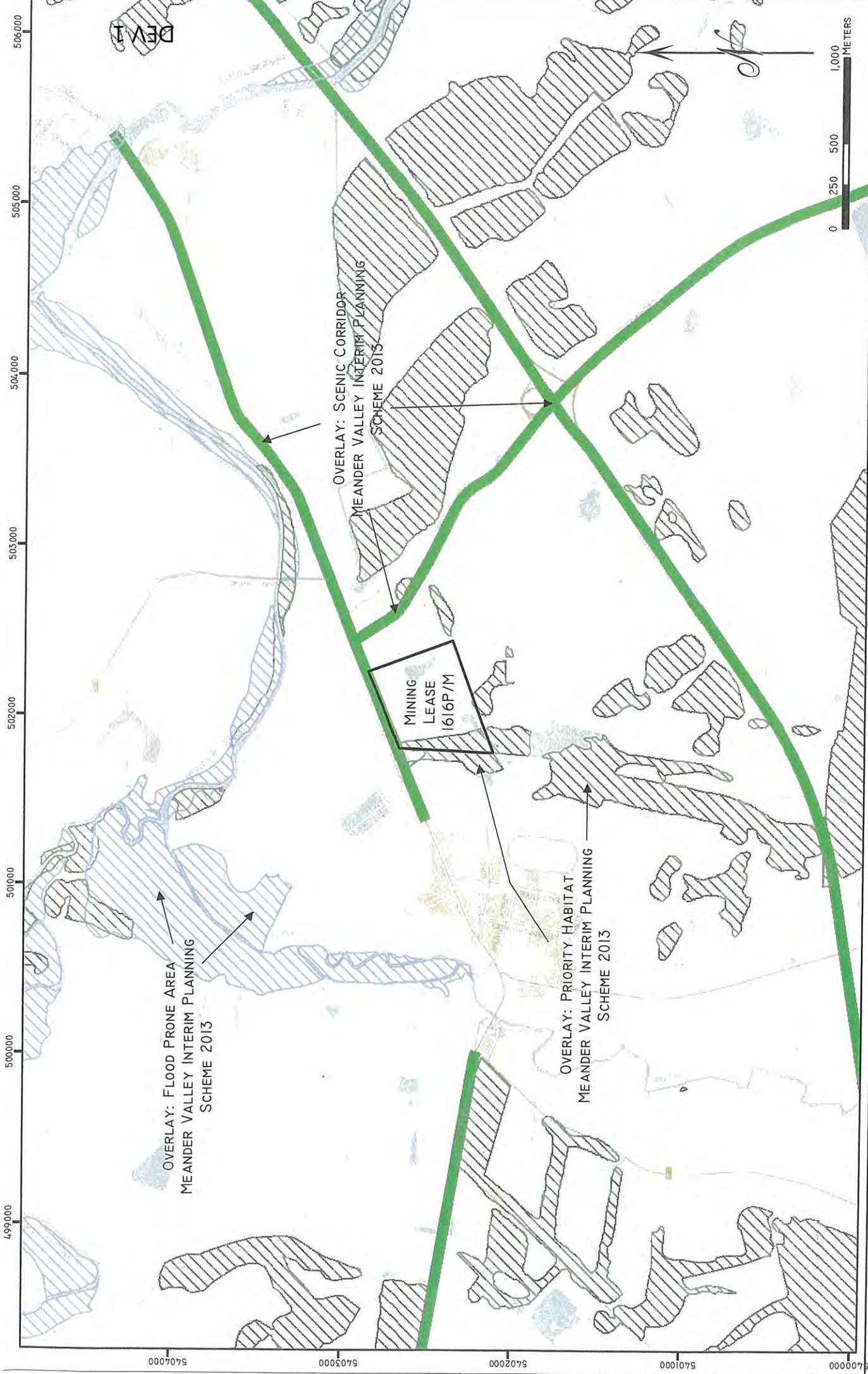
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 GRID: MGA ZONE 55
 TASMAR: PROSPECT 5040
 CLIENT: GRADCO PTY LTD



MINING LEASE

ILLAWARRA ROAD QUARRY - ENVIRONMENTAL EFFECTS REPORT

FIGURE 4A: PLANNING SCHEME ZONES AND THE MINING LEASE



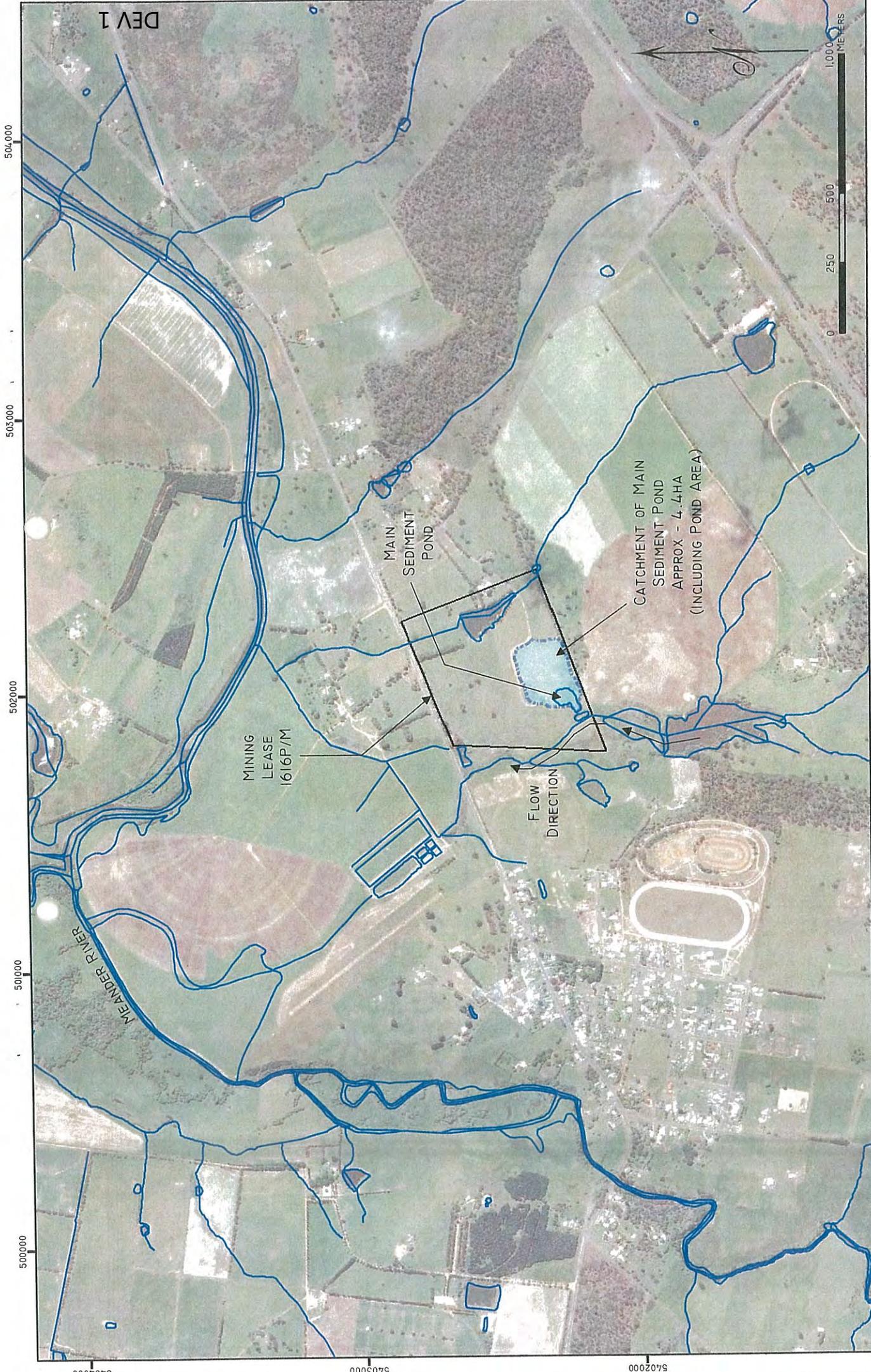
ILLAWARRA ROAD QUARRY - ENVIRONMENTAL EFFECTS REPORT

FIGURE 4B: PLANNING SCHEME OVERLAYS AND THE MINING LEASE

MINING LEASE

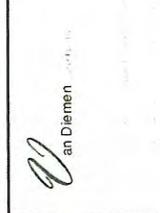
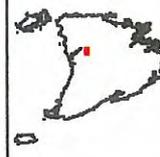


DATUM: GDA94
 GRID: MGA ZONE 55
 TASMAR: PROSPECT 5040
 CLIENT: GRADCO PTY LTD
 DATE: 1ST SEPTEMBER 2015



DEV 1

DATUM: GDA94
 GRID: MGA ZONE 55
 TASMAR: PROSPECT 5040
 CLIENT: GRADCO PTY LTD
 DATE: 14 SEPTEMBER 2018



MINING LEASE
 RIVERS, CREEKS AND DRAINS

ILLAWARRA ROAD QUARRY - ENVIRONMENTAL EFFECTS REPORT
 FIGURE 5: DRAINAGE (NATURAL AND CONSTRUCTED), CATCHMENTS AND DAMS

B.9 PROPOSED QUARRY INFRASTRUCTURE

Infrastructure that will be installed for the expanded activity includes –

Access Road Improvements

The access road surface between Illawarra Road and the property residence (see section identified in Figure 7A) will be sealed progressively as resources and weather conditions allow². As a minimum, the first 50m section of access road from the frontage of the property to Illawarra Road will be sealed with a bituminous surface or similar by June 2016. In the interim, and no later than November 30 2015, a sprinkler system will be established along the access road to enable the road surface to be dampened when being used by cartage trucks.

Hard stand and within quarry access road

The existing hardstand (Figure 7B) will be expanded to accommodate additional stockpiles and trucks for loading of material. The hardstand will be constructed of gravel (dolerite derived) and have surface flows directed to a culvert and drainage system which flows into the sediment pond as shown in Figures 7B and 7E. The within quarry access road will be moved as the active face progressively works towards the north and north-west – this will bring the truck loading and turning road completely into the quarry which will further reduce potential noise emissions from truck movements and loading.

Fencing

The southern extent of the active pit will be fenced to exclude stock from the pit and to also enable the adjoining land to be rehabilitated to pasture.

Car Parking

A 'to be constructed' compacted gravel area outside the extraction zone of the pit will provide 2 parking spaces for personnel, service vehicles and visitors (Figure 7B).

B.10 PROPOSED QUARRY LAYOUT - 10 YEAR EXTRACTION PLAN

The 10 year strategy for extraction is to expand in an arc from the current active face to the north-west. This approach avoids underground services such as telephone lines and gas pipeline infrastructure (Figure 7F).

Cross-sections of the quarry (locations depicted in Figure 7B) are provided in Figures 7C and 7D.

B.11 TRAFFIC GENERATION

Most material will be extracted from the quarry on a demand basis, with a peak demand for road repair and grading works in the autumn months in readiness for wet weather in winter and into early spring. The number and frequency of trucks to the quarry will tend to be concentrated in short periods when a particular job is being carried out. Regular small loads will be extracted from the quarry to cater for smaller operations such as dam repair works or for smaller dam construction.

Table 1 outlines *examples* of supplies (campaign based and low volume regimes) and the period over which that supply occur. These can be used to approximate/estimate the number of truck movements per supply and per day into the quarry. The quarry activity will be operated to ensure no more than 40 truck movements per day will utilise the access road.

² Commitment 2: The road surface between Illawarra Road and the property residence will be sealed progressively as resources and weather conditions allow. As a minimum, the first 50m section from the frontage of the access road with Illawarra Road will be sealed with a bituminous surface or similar by June 2016. In the interim, and no later than November 30 2015, a sprinkler system will be established along the access road to enable the road surface to be dampened when being used by cartage trucks.

If the average load was 20 tonnes, then over the course of 12 months there would be 3,000 truck *movements* (1,500 truckloads x 2 to calculate *total truck movements*) to cart the full 30,000 tonne amount (20,000 cubic metres). This equates to an average of about 7 trucks per day (14 truck *movements* per day) based on carting days being approximately 220 per annum. This will vary due to demand and the requirement to supply projects needing the product, so there would be days when there is no truck activity and other days when truck activity would be at the upper end of the figures provided in Table 1.

Table 1. Examples of supplies and associated traffic generation for Illawarra Road Quarry, Carrick

Type of Supply	Size of Supply	Period of Supply and Truck Movements
Campaign	2,000 tonnes using 30 t trucks (67 truckloads)	5 days = 27 truck movements/day
Campaign	2,000 tonnes using 20 t trucks (100 truckloads)	6 days = 34 truck movements/day
Low volume	200 tonnes using 12 t truck (17 truckloads)	2 days = 18 truck movements/day

The majority of truck movements are projected to occur between 0700 and 1730 hrs on Monday to Friday with very low volume movements after that time (ie. from 1800 to 1900 hrs after which time the quarry will close as per the proposed operating hours). Trucks may access the quarry on Saturday between the hours of 0800 and 1600 to load and deliver material.

PART C - PROJECT AREA

C.1 CLIMATE PARAMETERS

The nearest Bureau of Meteorology weather recording stations with site relevant records are at -

1. Launceston (Ti Tree Bend)

- Site number: 091237
- Latitude: 41.42 °S Longitude: 147.12 °E
- Elevation: 5 m

2. Longford (Denton Close)

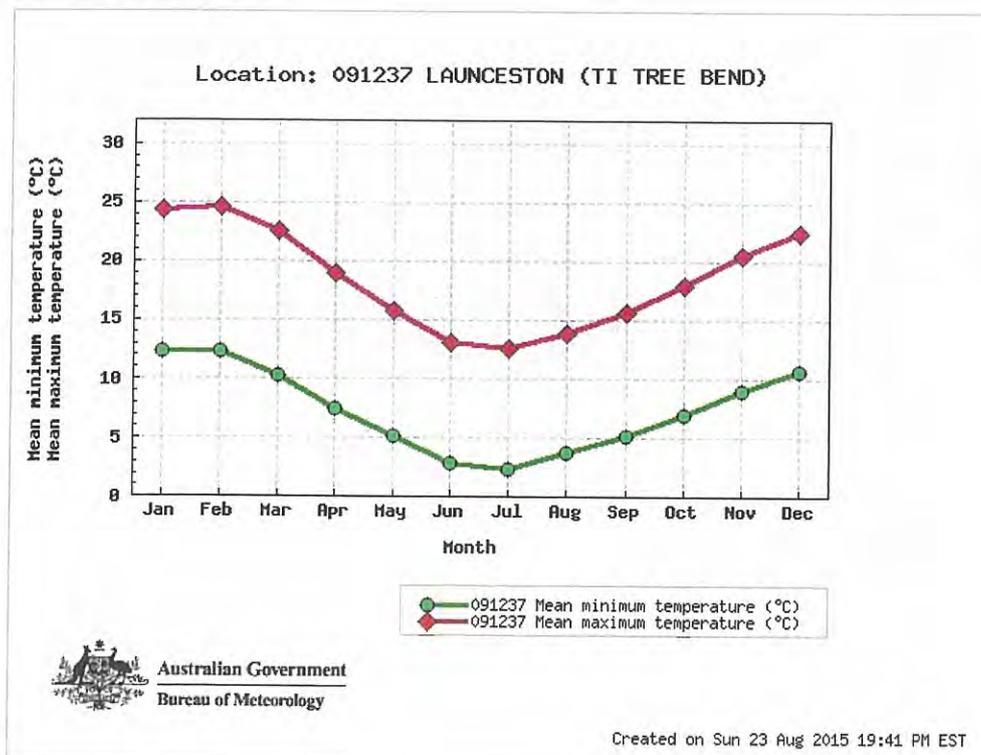
- Site number: 091054
- Latitude: 41.59 °S Longitude: 147.12 °E
- Elevation: 140 m

The quarry location occurs in a region with cool winters and warm summers (Graph 1), with an annual average rainfall of 600mm (Graph 2). Most precipitation in the region occurs in the winter and spring period (Graph 3) and frosts are common throughout June, July and August (Graph 3).

Winds are predominantly north to north-westerly in origin with occasional easterly flows of lighter intensity (see Wind Roses). Afternoon winds tend to be more consistently north-westerly to northerly in origin. Northerly and north-westerly flows tend to be hot dry winds in the summer months with little moisture content while southerly winds tend to bring cooler air throughout the year.

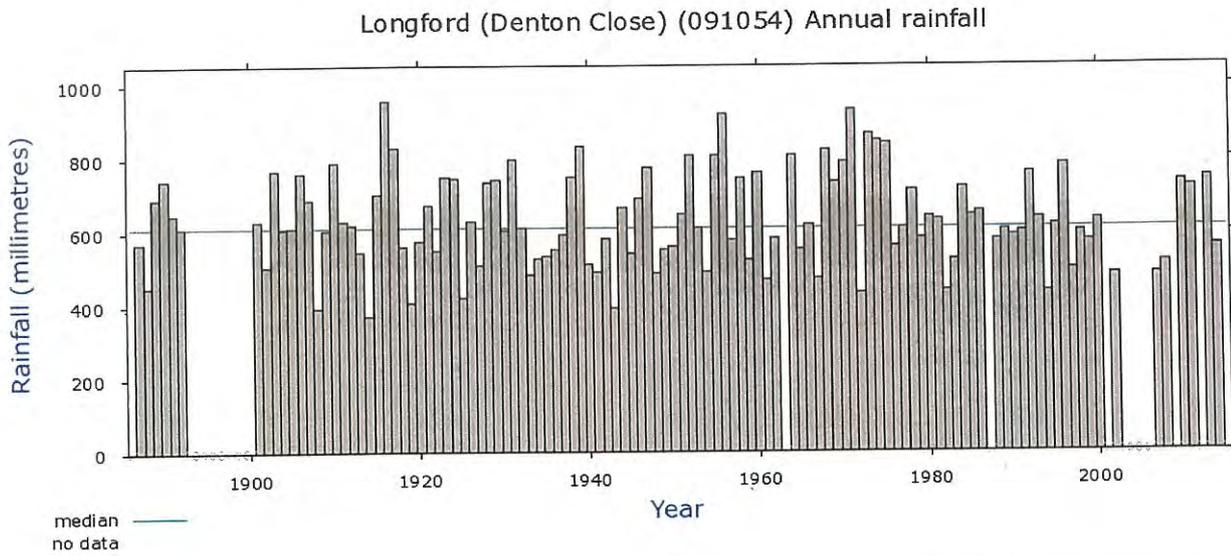
Graph 1. Mean minimum and maximum temperature for Launceston (Ti-Tree Bend), Launceston

Source: Bureau of Meteorology 2015



Graph 2. Mean annual rainfall for Longford (Denton Close – Station 091054), Tasmania

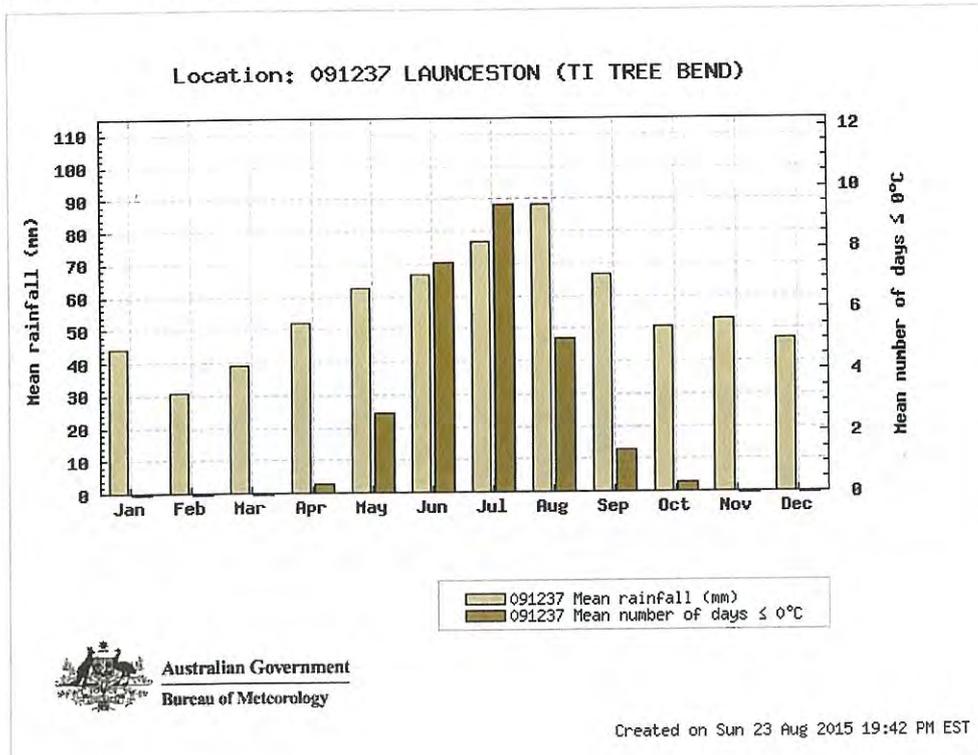
Source: Bureau of Meteorology 2015



Climate Data Online, Bureau of Meteorology
Copyright Commonwealth of Australia, 2015

Graph 3. Mean monthly rainfall and average number days below 0 degrees for Launceston (Ti Tree Bend)

Source: Bureau of Meteorology 2015



Roce of Wind direction versus Wind speed in km/h (01 May 2000 to 30 Sep 2010)

Circle size indicates the frequency of wind blowing from that direction.

LAUNCESTON (TI TREE BEND)

Site No. 20021 - Observed data - Station - 141.00m - Longitude - 147.02227 - Latitude - 36

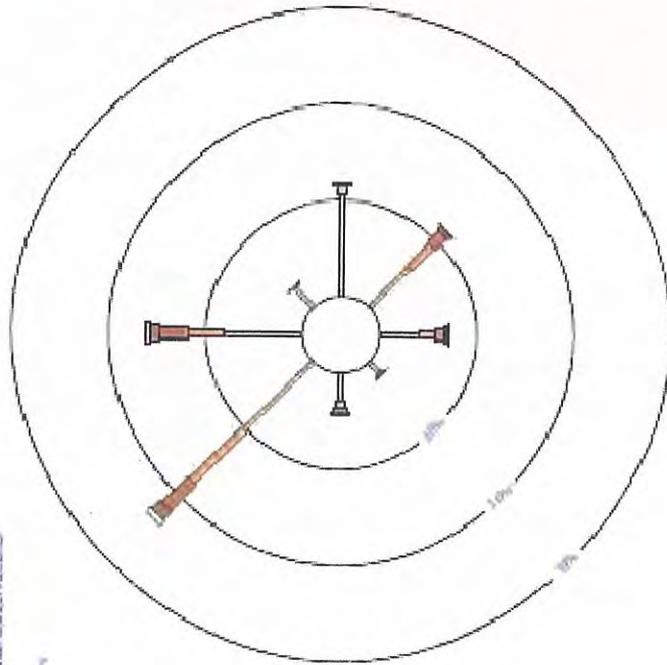
All asterisks (*) indicates that data is less than 0.5%.

Other important info about this analysis is available in the accompanying notes.



3 min
3552 Total Observations

Colour Key



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 Prepared by National Climate Centre of the Bureau of Meteorology
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Roce of Wind direction versus Wind speed in km/h (01 May 1980 to 30 Sep 2010)

Circle size indicates the frequency of wind blowing from that direction.

LAUNCESTON (TI TREE BEND)

Site No. 20021 - Observed data - Station - 141.00m - Longitude - 147.02227 - Latitude - 36

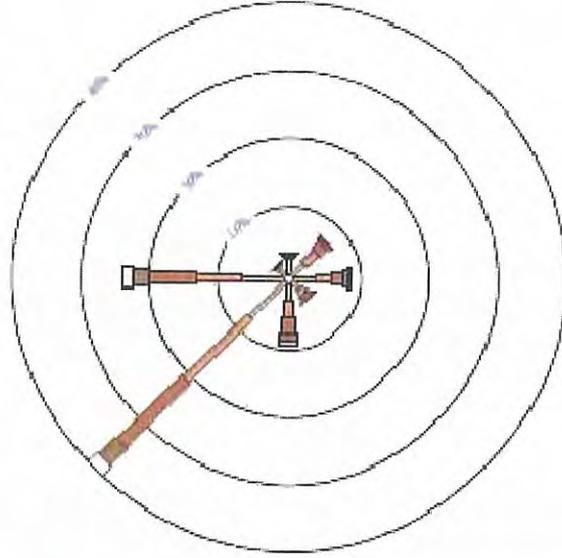
All asterisks (*) indicates that data is less than 0.5%.

Other important info about this analysis is available in the accompanying notes.



3 min
9385 Total Observations

Colour Key



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C.2 GEOLOGY, SOILS AND LAND CAPABILITY

Geology and soils

The geology of the quarry is mapped by MRT (Figure 6a) as undifferentiated Cenozoic sediments (Plate 1 - a complex mixture of Tertiary and Quaternary derived sediments) with nearby Tertiary undifferentiated sediments (mainly older laterites formed in the Tertiary - gravels). The material to be extracted is a damp clay overlain by a shallow band of lateritic gravels and aeolian sands with a thin clay-loam topsoil (Plate 1).

Land capability

Land capability has been mapped by DPIWPE as 4 (Figure 6B). The specific area to be quarried has a chromosol soil type (Figure 6C) which has strong texture contrast between A and B horizons - they are not strongly acid or sodic. To the west are sodosol-type soils of the Brumby group (Figure 6C) – clay rich soils associated with alluvial flats near drainage lines and the Meander River – which are not be affected by the quarry development.

Plate 1. Geology and soil formations in the Illawarra Road Quarry, Carrick



Chromosol type soils of mixed clay – gravel and aeolian sands overlay the clay material



Clay material to be extracted showing various horizons and composition

C.3 SURFACE WATER DRAINAGE

The catchment of the sediment pond (including the pond itself) is 4.4 hectares, with an additional drainage area ('water basin' in Figure 7B) which accumulates water within the existing pit. Drainage from the sediment pond (>2ML in capacity – Figure 7E) is into an un-named drainage system (man-made channels and in-stream dams) which flows northwards to the Meander River (Figure 5).

C.4 FLORA AND FAUNA

An ecological assessment was conducted of the area covered by the Mining Lease, with particular focus on the access road, existing pit and resource area.

Vegetation Communities

The Mining Lease contains *agricultural land* (TASVEG Code - FAG) and *disturbed ground* (TASVEG code - FUM) associated with the existing quarry as shown in Figure 8. Waterbodies (one being the sediment pond for the existing quarry and the others being constructed farm dams) also occur in the Mining Lease.

TASVEG 3.0 has identified in the Mining Lease (using aerial imagery interpretation – with no ground truthing conducted) two native vegetation communities – Lowland *Poa labillardierei* grassland and Inland *Eucalyptus amygdalina* forest and woodland on Cainozoic deposits. Neither community nor any other native vegetation community exists within the Mining Lease. Instead, the forest community is a collection of native trees over exotic pasture grass-herb dominated vegetation and a shelterbelt while the native grassland is also agricultural land dominated by exotic pasture and herb species with thistles, gorse and blackberry also present. The below sets of images show the state of the vegetation in the Mining Lease -



Areas mapped by TASVEG 3.0 as Lowland *Poa labillardierei* grassland (GPL) are in fact agricultural land dominated by pasture species and gorse (sprayed)

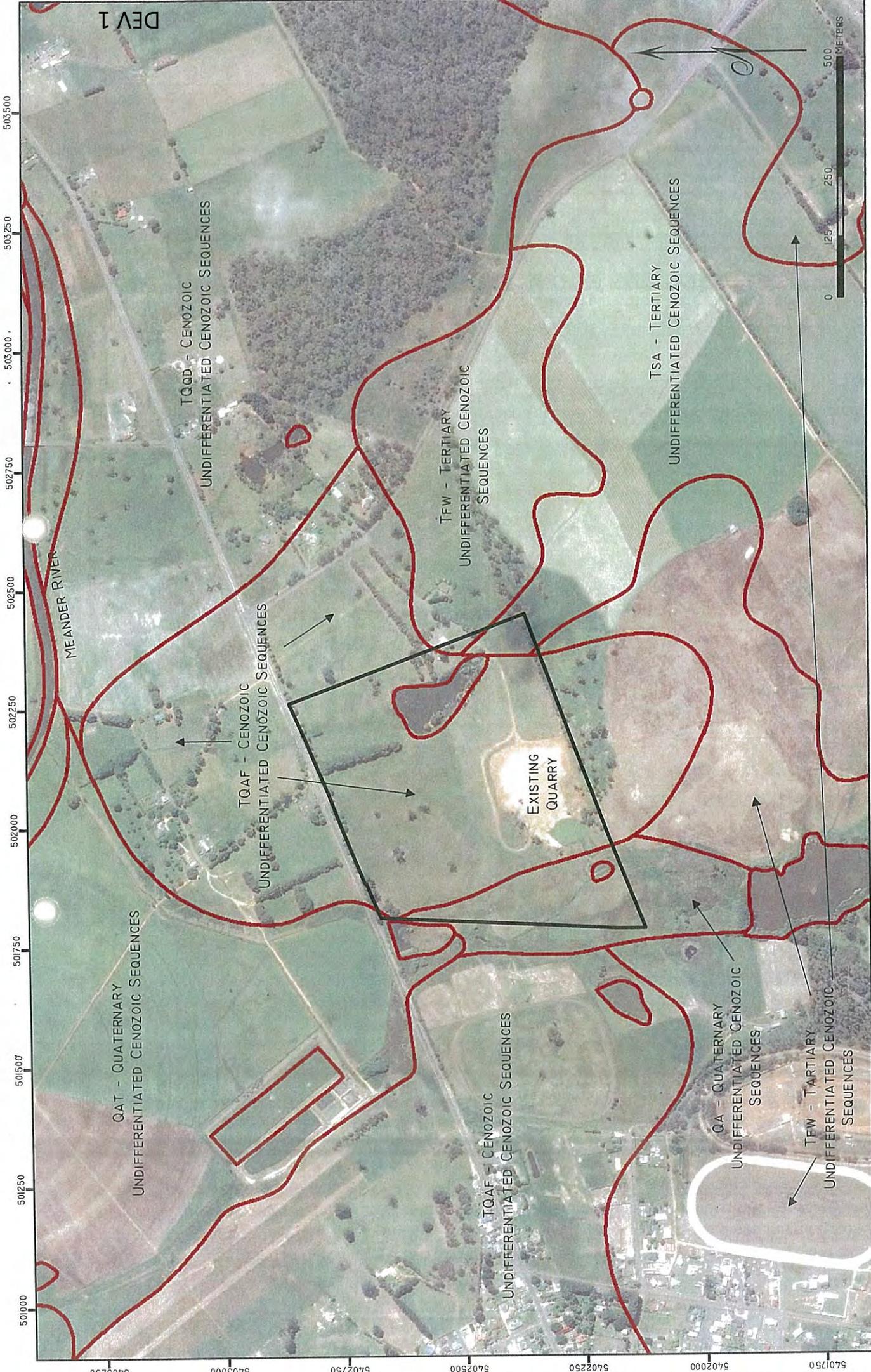


Areas mapped by TASVEG 3.0 as native forest are in fact a shelterbelt (right) and emergent trees (mainly *Eucalyptus amygdalina*) over improved pasture dominated by exotic species.

No vegetation communities listed on Schedule 3A (Threatened native vegetation communities) of the *Nature Conservation Act 2002* or ecological communities listed under section 181 of the *Commonwealth Environment Protection and Biodiversity Conservation Act 1999* occur in the Mining Lease.

A CFEV (Conservation of Freshwater Ecosystem Values), in this case a wetland, has been identified upstream of the Mining Lease however it will not be affected by the development as it does not occur on the Mining Lease.

DEV 1



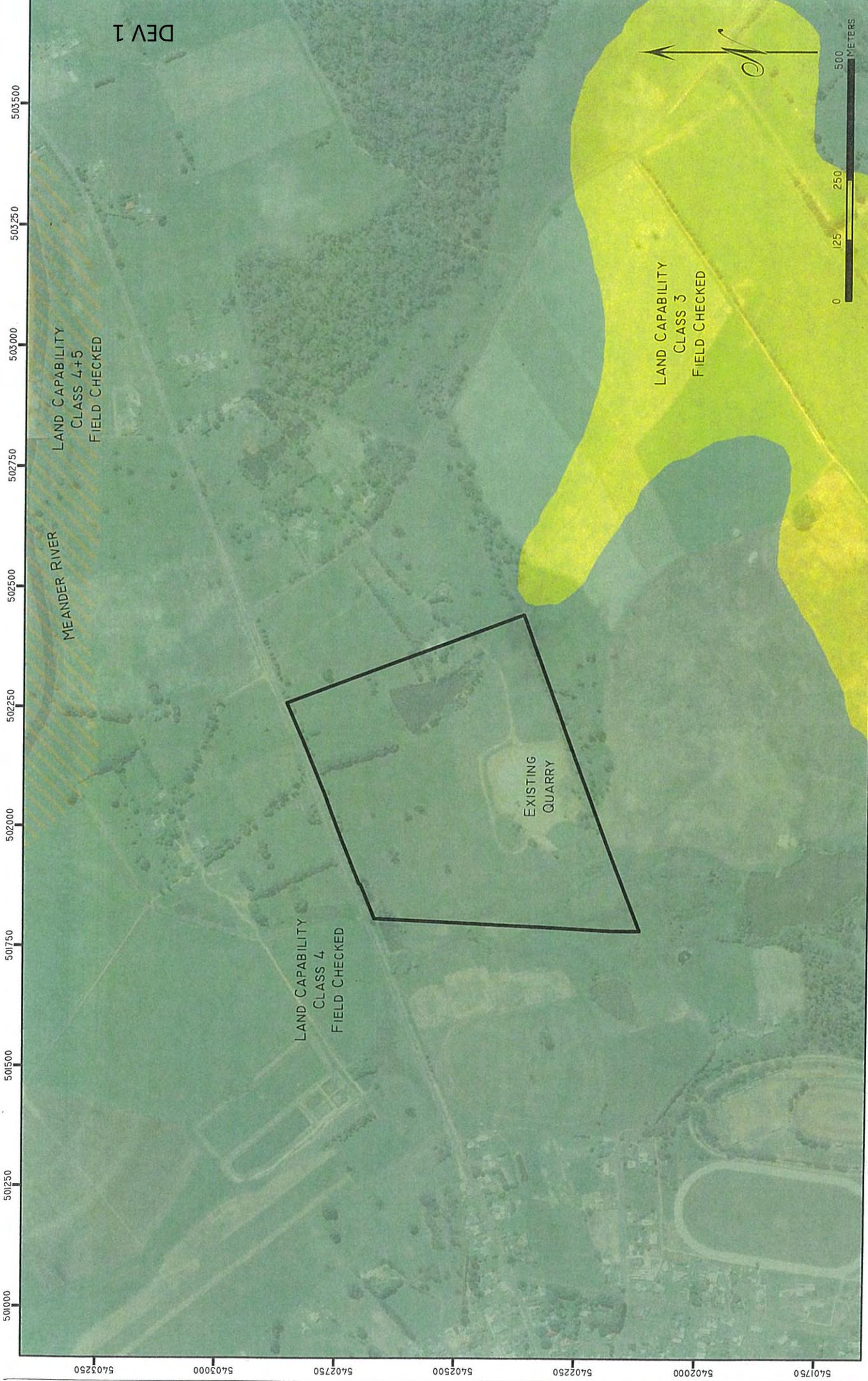
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MINING LEASE

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FIGURE 6A: GEOLOGY (MRT - 1:25,000) AND THE MINING LEASE

DATUM: GDA94
 GRID: MGA ZONE 55
 TASMAR: PROSPECT 5040
 CLIENT: GRADCO PTY LTD



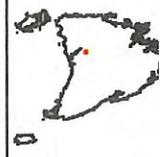
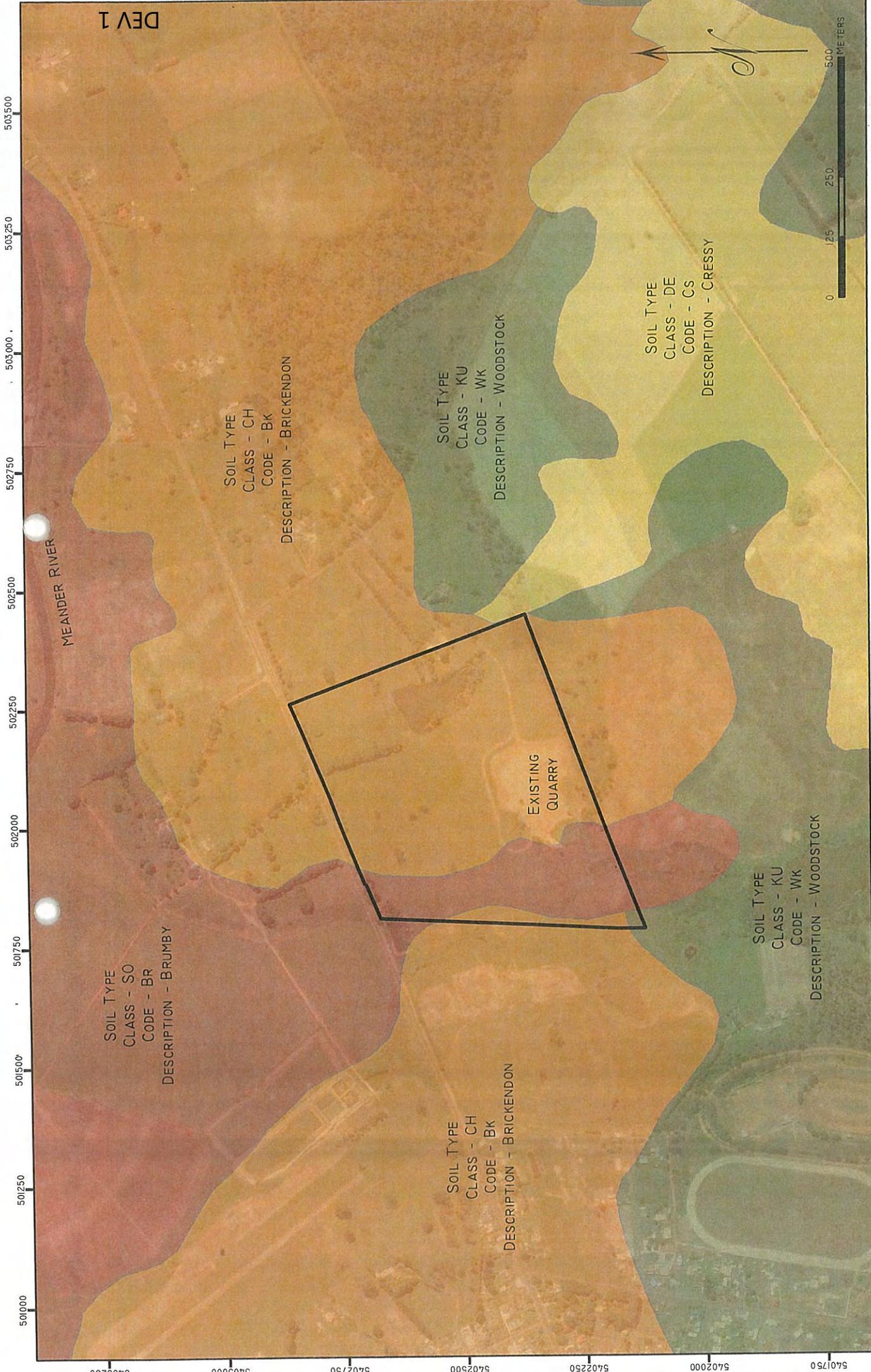
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FIGURE 6B: LAND CAPABILITY (DPIPWE) IN AND AROUND THE MINING LEASE

MINING LEASE



DATUM: GDA94
 GRID: MGA ZONE 55
 TASMAR: PROSPECT 5040
 CLIENT: GRADCO PTY LTD
 DATE: 1ST SEPTEMBER 2015



DATUM: GDA94
 GRID: MGA ZONE 55
 TASMAR: PROSPECT 5040
 CLIENT: GRADCO PTY LTD

an Diemen ENVIRONMENTAL
 MINING LEASE

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FIGURE 6c: SOIL ASSOCIATIONS IN AND AROUND THE MINING LEASE



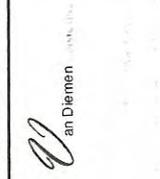
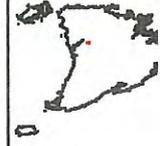
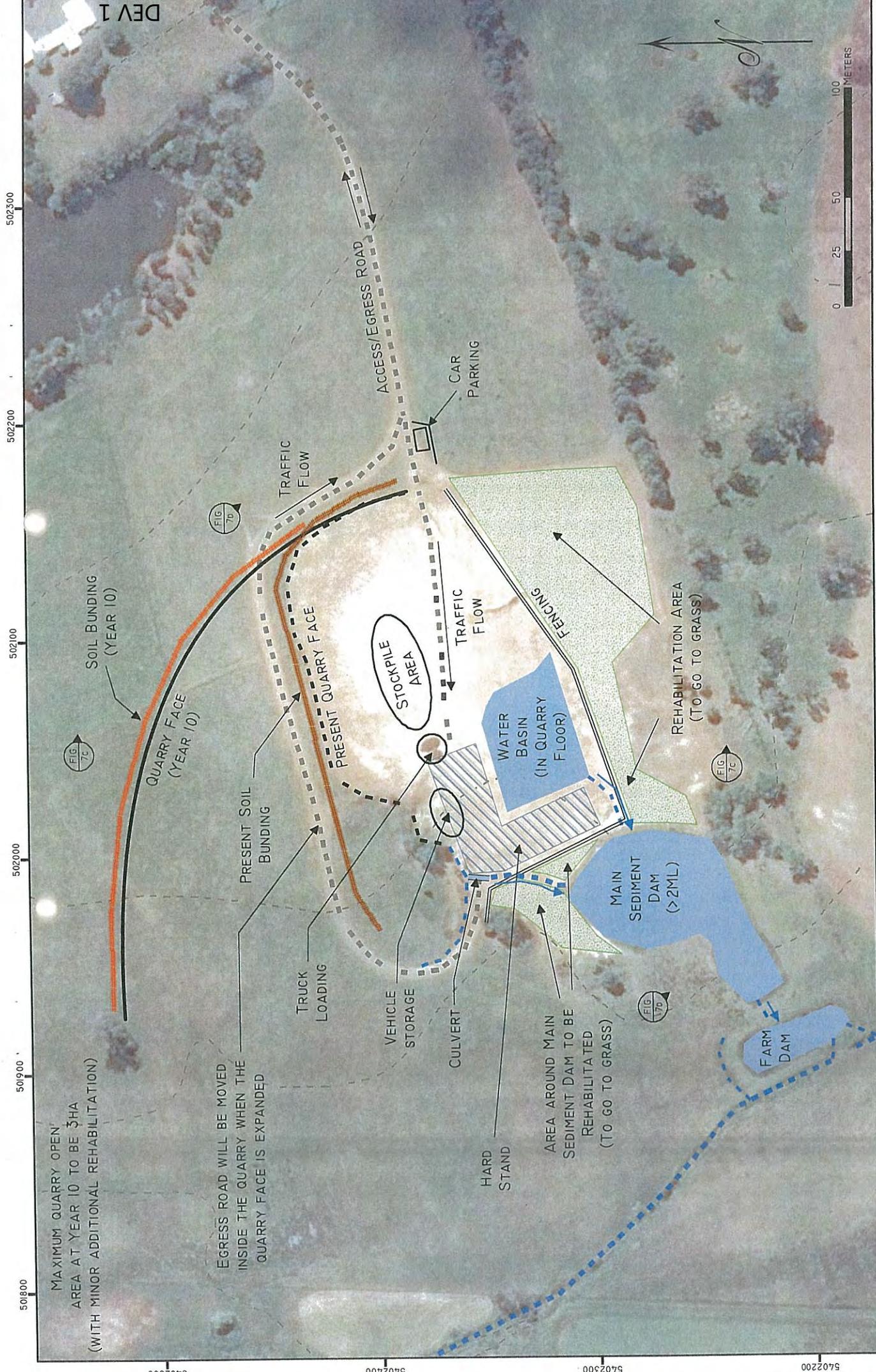
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FIGURE 7A: PROPOSED QUARRY ACCESS ROAD AND SISD ASSESSMENT



DATUM: GDA94
 GRID: MGA ZONE 55
 TASMAR: PROSPECT 5040
 CLIENT: GRADCO PTY LTD
 DATE: 1ST SEPTEMBER 2015

DEV 1



DATUM: GDA94
 GRID: MGA ZONE 55
 TASMAR: PROSPECTR 504-0
 CLIENT: GRADCO PTY LTD

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FIGURE 7B: PROPOSED QUARRY LAYOUT AND EXTRACTION PLAN

FIGURE 7C: SURFACE CROSS SECTION OF FIGURE 7B
APPROXIMATE PRESENT SURFACE (DERIVED FROM DPIPWE 5M CONTOTRS AND SITE OBSERVATIONS)

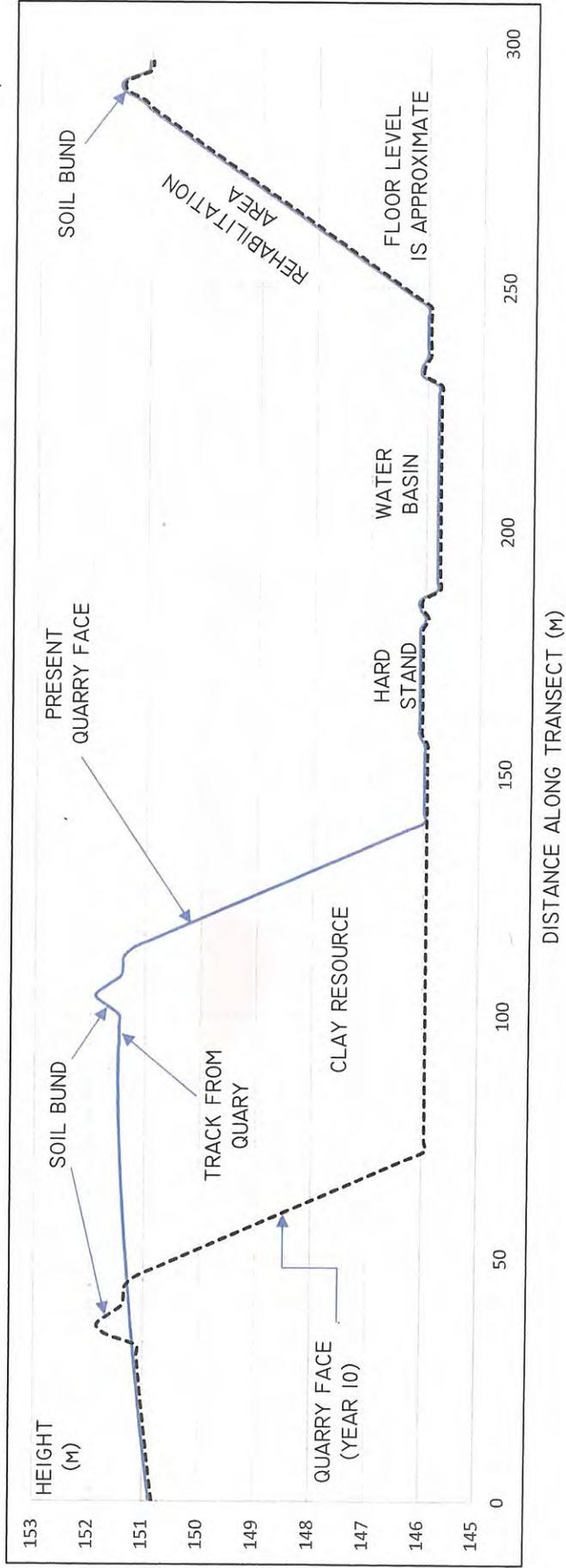
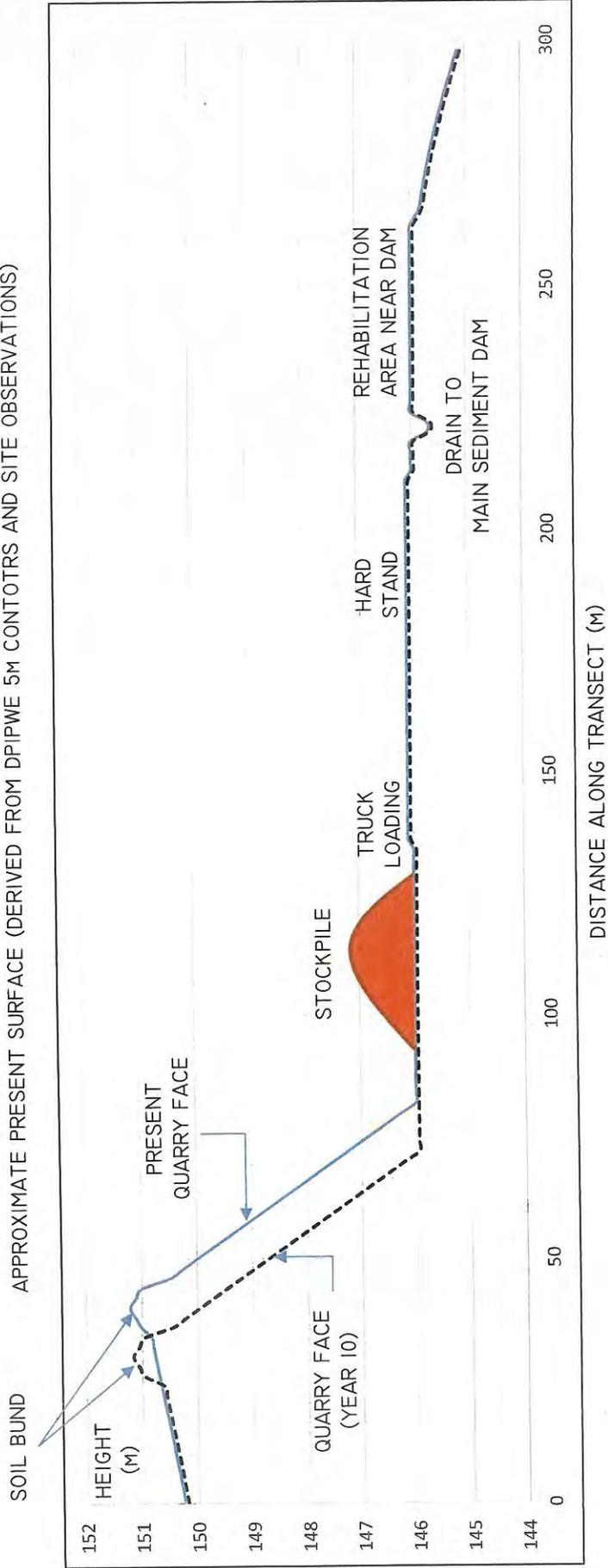
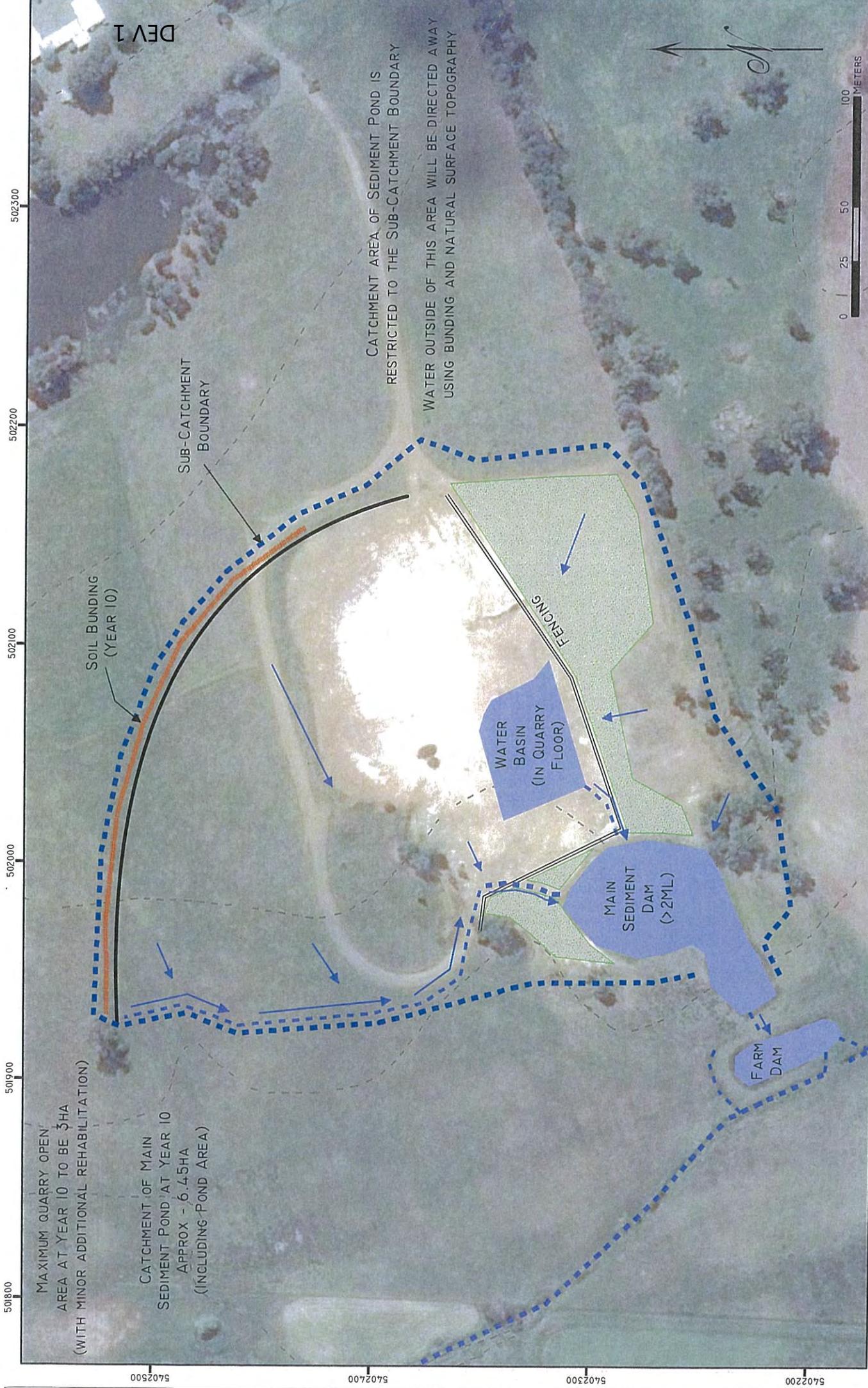
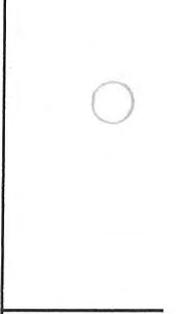
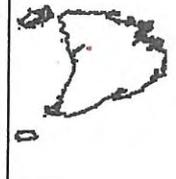


FIGURE 7D: SURFACE CROSS SECTION OF FIGURE 7B
APPROXIMATE PRESENT SURFACE (DERIVED FROM DPIPWE 5M CONTOTRS AND SITE OBSERVATIONS)





DATUM: GDA94
 GRID: MGA ZONE 55
 TASMAR: PROSPECTR 504.0
 CLIENT: GRADCO PTY LTD
 DATE: 1ST SEPTEMBER 2015



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FIGURE 7E: QUARRY DRAINAGE AND CATCHMENT OF SEDIMENT POND AT YEAR 10

DEV 1



DATUM: GDA94
 GRID: MGA ZONE 55
 TASMAR: PROSPECTR 5040
 CLIENT: GRADCO PTY LTD
 DATE: 14th SEPTEMBER 2016

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FIGURE 7F: YEAR 10 QUARRY SETBACKS

Threatened Flora Species

There are a few recorded locations of threatened flora species near the Mining Lease based on data contained within the Natural Values Atlas (Figure 9A). Although the survey of the Mining Lease was conducted in winter, there is very low likelihood that any threatened flora species would occur in the area to be impacted upon by the quarry activity.

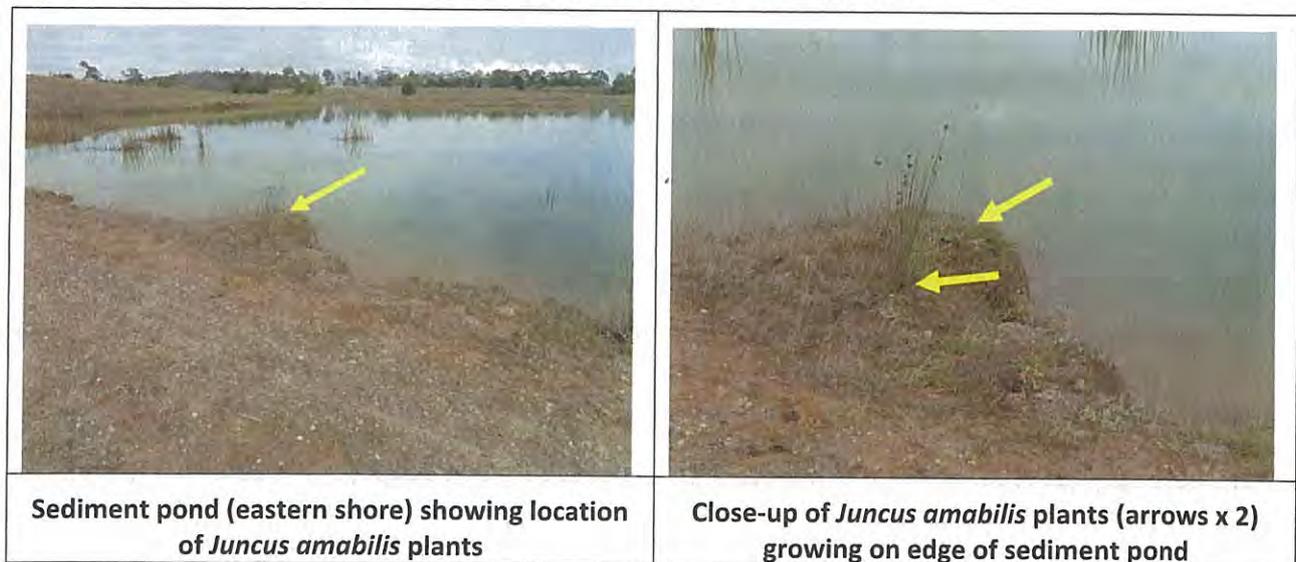
The species recorded nearby (Figure 9A) tend to be localised in their habitat requirements, such as flowing waterbodies (eg *Vallisneria australis* growing in the Meander River) or are species of native grassland - woodland (eg *Caesia calliantha*). The Mining Lease ranges from irrigated pastures through to rough grazing lands dominated by pasture grasses and exotic herbs – the land has a long history of grazing by livestock (mainly cattle and sheep) and the application of fertiliser which tends to favour introduced species over native species.

One flora species listed on the Tasmanian *Threatened Species Protection Act 1995* was recorded within the Mining Lease –

- ***Juncus amabilis* (gentle rush)** – Listed as Rare – two plants were observed growing on the very edge of the existing sediment pond (Plate 2). The common but similar species, *Juncus australis*, was also observed growing around the sediment dam.

No flora species listed on the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* were recorded within the Mining Lease.

Plate 2. *Juncus amabilis* observed within the Illawarra Road Quarry, Carrick



Declared Weeds

Two plant species listed as a *Declared Weed* on the Tasmanian *Weed Management Act 1999 (Tas)* were recorded in the Mining Lease (Figure 9B): gorse (*Ulex europaeus*) and blackberry (*Rubus fruticosus* aggregate).

Threatened Fauna Species

There are a four species recorded near the Mining Lease based on data contained within the Natural Values Atlas (Figure 9C). Comments on the occurrence or otherwise of each within the Mining Lease, and specifically the area to be quarried, are provided below.

Tasmanian devil (*Sarcophilus harrisii*)

The Tasmanian devil is found throughout Tasmania, in all native habitats, as well as in forestry plantations and pasture, from sea level to all but the highest peaks of Tasmania. Densities are lowest in the buttongrass plains of the south-west and highest in the dry and mixed sclerophyll forests and coastal heath of Tasmania's eastern half and north-west coast. Open forests and woodlands are preferred, while tall or dense wet forests are avoided. The highest population densities can be found in mixed patches of grazing land and forest or woodland. Dens are typically underground burrows (such as old wombat burrows), dense riparian vegetation, thick grass tussocks and caves.

No dens attributable to the Tasmanian devil were recorded in the Mining Lease during the survey neither is there suitable denning habitat in the form of log piles or dense native vegetation. No wombat burrows (which may be used as a den by this species) were observed in the Mining Lease. There is likely to be no impact to this species from the development.

Spotted-tailed quoll (*Dasyurus maculatus maculatus*)

The spotted-tailed quoll is a carnivorous marsupial which occurs in Tasmania and eastern Australia from Queensland to Victoria. On mainland Australia, the species population has declined dramatically and now Tasmania is its stronghold. It is primarily a forest-dwelling species being most abundant in higher rainfall areas containing rainforest, wet forest and blackwood swamp forest. Important habitat components appear to be structurally complex forest, old growth forest with tree hollows and coastal scrub (such areas provide opportunities for arboreal hunting and avoidance of Tasmanian devils which compete for prey).

Spotted-tailed quolls tend to disappear in highly fragmented environments and where canopy cover is reduced by over 50%. Home ranges (non-mating season) are large (in the order of 20 square kilometres for males and 10 square kilometres for females), and female ranges are virtually exclusive for large parts of the year. These two attributes contribute to low natural population densities and natural rarity. This means that the species is vulnerable to population decline.

No dens attributable to the spotted-tailed quoll were recorded in the Mining Lease during the survey neither is there suitable denning habitat in the form of log piles or dense native vegetation. No wombat burrows (which may be used as a den by this species) were observed in the Mining Lease. There is likely to be no impact to this species from the development.

Eastern-barred bandicoot (*Perameles gunnii gunnii*)

The Mining Lease is within the known geographic range of this marsupial and there are several nearby recorded locations (roadkill and observations). The subspecies occurs in open habitats, generally at mid to low altitudes, including woodlands and open forests with a grassy understorey, and native and exotic grasslands and is regarded as a 'habitat generalist'. The subspecies requires understorey plants to provide shelter, nest sites and food. Analysis of habitat characteristics based on distribution records has identified a mosaic of agricultural, mainly pastoral land and remnant bushland as primary habitat for existing populations. Nests are constructed on the ground, generally under some form of vegetation cover, which may include non-native species such as gorse, blackberry thickets and rank pasture grass areas (associated with low stocked paddocks or drains).

No nests attributable to the eastern barred bandicoot were recorded in the Mining Lease during the survey. Suitable habitat is present in the form of pasture and rank grass thickets associated with the drainage feature west of the quarry area. There is likely to be no impact to this species from the development.

Green and gold frog (*Litoria raniformis*)

The Green and Golden Frog is dependent upon permanent freshwater lagoons for breeding. Ideal breeding habitat is the shallow part of lagoons (to approx 1.5m) where there is generally a complex vegetation structure. There is a recorded location for this species in Carrick, to the west of the Mining Lease.

There is a small on-stream (see Figure 7E, Plate 3) to which the main sediment dam discharges. The farm dam is fed by water flowing into it from the adjacent man-made drain and then leaves it at its northern most extent, where it drains back into a man-made drainage system flowing northwards (Plate 3). The small farm dam has emergent vegetation (Plate 3) which may be utilised by green and gold frogs to breed – farm dams in the central north and north region between Whitemore, Deloraine, Launceston and Perth are potential breeding locations for this species.

The farm dam only receives water discharging from the quarry once it has passed through the main sediment dam (Figures 7B and 7E). Most water that falls into and drains out of the active pit also passes through a quarry basin area (Figure 7B) which further allows sediment to be captured before it flows into the main sediment pond. No chemicals or fuels are to be stored in the quarry, and with the availability of a spill kit while refuelling machinery, the risk of water contamination is very low. On this basis, there is likely to be no impact to this species from the development even if it was present in the small farm dam or surrounding drainage network.

Plate 3. Potential habitat (breeding and over-wintering) for green and gold frog



On-stream dam (west of quarry) showing well developed emergent vegetation



Man-made drain to the west of the quarry showing tussocks and sedges

DEV 1

502500

502250

502000

501750

501500

5402750

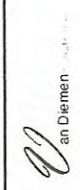
5402500

5402250

0 125 250 500 METERS



TASVEG COMMUNITIES	
AGRICULTURAL, URBAN AND EXOTIC VEGETATION	
	FAG (24.03HA) AGRICULTURAL LAND
	FUM (4.45HA) EXTRA-URBAN MISCELLANEOUS
OTHER NATURAL ENVIRONMENTS	
	OAAQ (2.03HA) WATER, SEA



MINING LEASE



DATUM: GDA94
 GRID: MGA ZONE 55
 TASMAR: PROSPECT 5040
 CLIENT: GRADCO PTY LTD

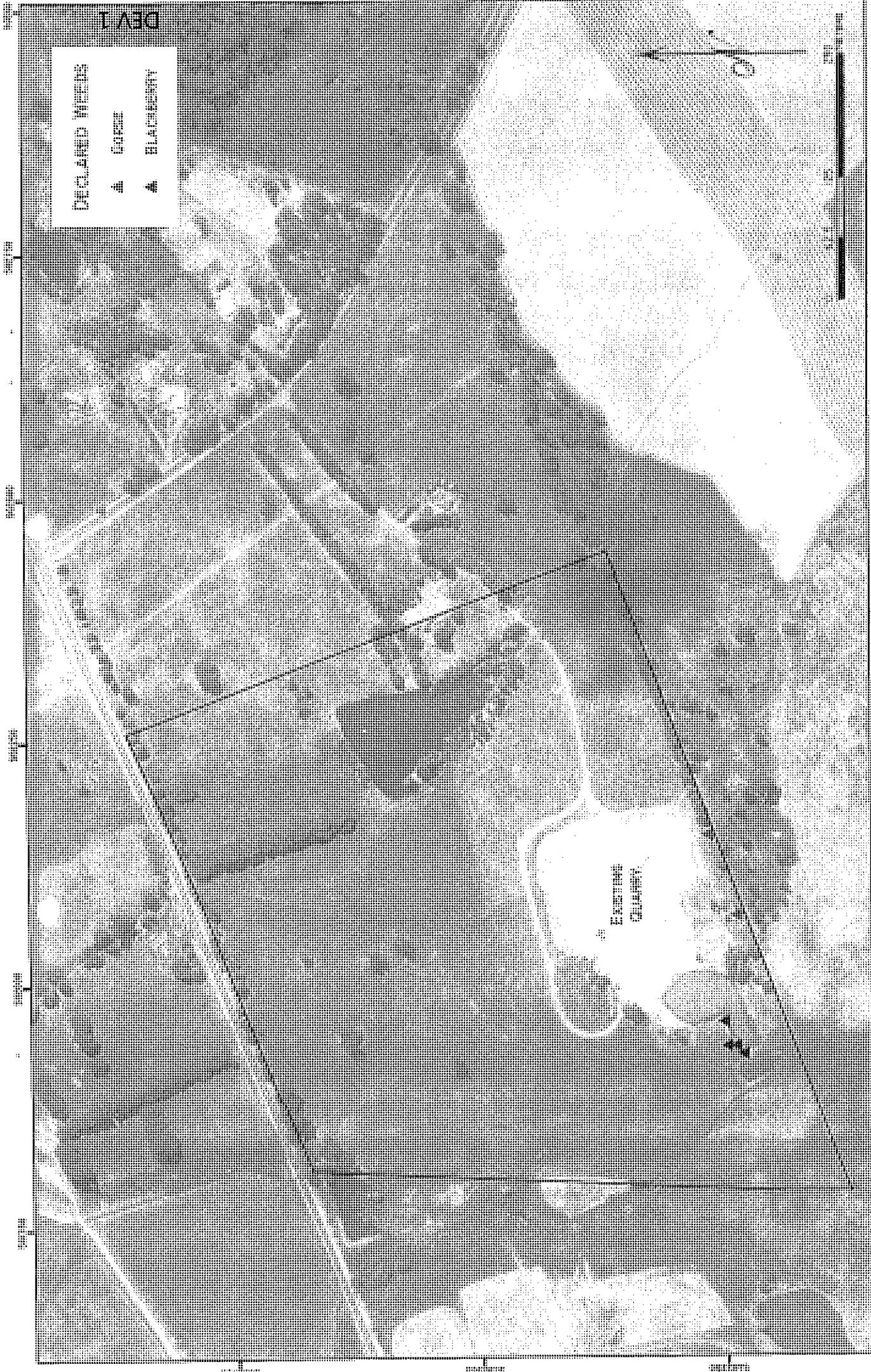
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FIGURE 8: VEGETATION CLASSES/MAPPING UNITS IN THE MINING LEASE

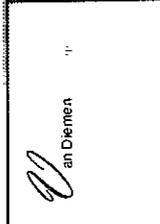


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FIGURE 9A: RECORDED (NVA) AND OBSERVED THREATENED FLORA SPECIES SURROUNDING THE MINING LEASE



DATUM: GDA94
 GRID: MGA ZONE 55
 TASMAR: PROSPECT 5040
 CLIENT: GRADCO PTY LTD
 DATE: 14 OCTOBER 2016



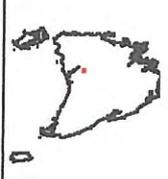
MINING LEASE

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FIGURE 9B: DECLARED WEEDS OBSERVED WITHIN THE MINING LEASE



DATUM: GDA94
 GRID: MGA ZONE 55
 TASMAR: PROSPECT 5040
 CLIENT: GRADCO PTY LTD
 DATE: 1ST SEPTEMBER 2015



MINING LEASE

ILLAWARRA ROAD QUARRY - ENVIRONMENTAL EFFECTS REPORT
 FIGURE 9C: RECORDED (NVA) THREATENED FAUNA SPECIES
 SURROUNDING THE MINING LEASE

PART D – PLANNING SCHEME ASPECTS

The quarry is located within the Meander Valley Municipality which operates under the *Meander Valley Interim Planning Scheme 2013*.

The land upon which the quarry is located is zoned Rural Resource (Figure 4A) and is associated with two Overlays (Figure 4B) – Priority Habitat (associated with the Biodiversity Code) and Scenic Corridor (associated with the Scenic Management Code).

D.1 SCHEME ZONING

The purpose of the Rural Resource zone is -

1. To provide for the sustainable use or development of resources for agriculture, aquaculture, forestry, mining and other primary industries, including opportunities for resource processing.
2. To provide for other use or development that does not constrain or conflict with resource development uses.
3. To provide for economic development that is compatible with primary industry, environmental and landscape values.
4. To provide for tourism-related use and development where the sustainable development of rural resources will not be compromised.

Comments are provided against each of the four listed purpose for the Rural Resource zone.

1. To provide for the sustainable use or development of resources for agriculture, aquaculture, forestry, mining and other primary industries, including opportunities for resource processing.
 - The development is to increase the permitted annual production limit an existing quarry – a quarrying use is consistent with this zone purpose.
2. To provide for other use or development that does not constrain or conflict with resource development uses.
 - The development will not prevent or constrain other land uses on the same and adjacent properties. The property that supports the proposed quarry is used for agricultural activities.
3. To provide for economic development that is compatible with primary industry, environmental and landscape values.
 - The quarry will not substantially detract from the overall quantity and quality of agricultural land in the region that is otherwise available for primary production (<3 hectares is proposed to be opened/disturbed at any one time). The quarry pit will not be visible from most of the road network (excluding a small viewfield glimpse travelling eastward from Carrick) and environmental matters (eg. water management) will be addressed through conditions imposed by the EPA (a Level 2 activity).
4. To provide for tourism-related use and development where the sustainable development of rural resources will not be compromised.
 - This purpose is not relevant to the development.

D.2 USE/DEVELOPMENT CATEGORISATION

The development is consistent with the definition of **Extractive Industry** - ‘use of land for extracting or removing material from the ground, other than Resource development, and includes the treatment or processing of those materials by crushing, grinding, milling or screening on, or adjoining the land from which it is extracted. Examples include mining, quarrying, and sand mining.’

Extractive Industry is a discretionary use in the Rural Resource zone where it is a Level 2 activity as described by EMPCA.

D.3 DETERMINING THE APPLICATION

The planning authority has a discretion to refuse or permit a use or development if:

- (a) the use is within a use class specified in the applicable Use Table as being a use which is discretionary;
- (b) the use or development complies with each applicable standard but relies upon a performance criterion to do so; or
- (c) it is discretionary under any other provision of the planning scheme, and the use or development is not prohibited under any other provision of the planning scheme.

In determining an application for any permit the planning authority must, in addition to The matters required by ss51(2) of the Act, take into consideration:

- (a) all applicable standards and requirements in this planning scheme; and
- (b) any representations received pursuant to and in conformity with ss57(5) of the Act, but in the case of the exercise of discretion, only insofar as each such matter is relevant to the particular discretion being exercised.

In determining an application for a permit for a discretionary use the planning authority must, in addition to the matters referred to in subclause 8.10.1 of the Scheme, have regard to:

- (a) the purpose of the applicable zone;
- (b) any relevant local area objective or desired future character statement for the applicable zone;
- (c) the purpose of any applicable code; and
- (d) the purpose of any applicable specific area plan but only insofar as each such purpose is relevant to the particular discretion being exercised.

In determining an application for any permit the planning authority must not take into consideration matters referred to in clauses 2.0 and 3.0 of the Scheme.

D.4 SCHEME USE STANDARDS

The following notes and comments are made about each Use Standard relevant to the development.

26.3.1 Discretionary Uses if not a single dwelling

Relevant Performance Criterion(P)/Acceptable Solution(A)	Comments
<p>P1.1</p> <p>It must be demonstrated that the use is consistent with local area objectives for the provision of non-primary industry uses in the zone, if applicable;</p>	<p>Complies with P1.1</p> <ul style="list-style-type: none"> • The development will assist with further growth in the agricultural sector by the providing a resource to repair and construct dam infrastructure within and nearby to the region.

<p>and P1.2 Business and professional services and general retail and hire must not exceed a combined gross floor area of 250 m² over the site.</p>	<p>and P1.2 is not relevant to the development.</p>
<p>P2.1 Utilities, extractive industries and controlled environment agriculture located on prime agricultural land must demonstrate that the:</p> <ul style="list-style-type: none"> i) amount of land alienated/converted is minimised; and ii) location is reasonably required for operational efficiency; <p>and P2.2 Uses other than utilities, extractive industries or controlled environment agriculture located on prime agricultural land, must demonstrate that the conversion of prime agricultural land to that use will result in a significant benefit to the region having regard to the economic, social and environmental costs and benefits.</p>	<p>Complies with P2.1. The development is not located on prime agricultural land.</p> <p>P2.1 is not relevant to the development.</p>
<p>P3 The conversion of non-prime agricultural to non-agricultural use must demonstrate that:</p> <p>a) the amount of land converted is minimised having regard to:</p> <ul style="list-style-type: none"> i) existing use and development on the land; and ii) surrounding use and development; and iii) topographical constraints; <p>or</p> <p>b) the site is practically incapable of supporting an agricultural use or being included with other land for agricultural or other primary industry use, due to factors such as:</p> <ul style="list-style-type: none"> i) limitations created by any existing use and/or development surrounding the site; and ii) topographical features; and iii) poor capability of the land for primary industry; <p>or</p>	<p>Complies with P3.a</p> <ul style="list-style-type: none"> • The development will only utilise a maximum of 3 hectares as the active disturbed area (at year 10) – the remainder of the Mining Lease other than the area around the immediate pit will be available to agricultural activities by the landowner. • Areas not required for the operation of the quarry are to be progressively rehabilitated to pasture which will then be used for livestock production (an agricultural use).

<p>c) the location of the use on the site is reasonably required for operational efficiency.</p>	
<p>P4</p> <p>It must be demonstrated that:</p> <p>a) emissions are not likely to cause an environmental nuisance; and</p> <p>b) primary industry uses will not be unreasonably confined or restrained from conducting normal operations; and</p> <p>c) the capacity of the local road network can accommodate the traffic generated by the use.</p>	<p>Complies with P4.</p> <ul style="list-style-type: none"> • The development is not likely to cause environmental nuisance – noise, air emissions and water can all be managed to mitigate environmental nuisance. • The development will not confine or restrain primary industry uses on adjoining or nearby lands. • The local road network is able to absorb the traffic generated by the development pursuant to the findings of the TIA (Appendix 2).
<p>P5</p> <p>It must be demonstrated that the visual appearance of the use is consistent with the local area having regard to:</p> <p>a) the impacts on skylines and ridgelines; and</p> <p>b) visibility from public roads; and</p> <p>c) the visual impacts of storage of materials or equipment; and</p> <p>d) the visual impacts of vegetation clearance or retention; and</p> <p>e) the desired future character statements.</p>	<p>Complies with P5.</p> <ul style="list-style-type: none"> • The development is not on a ridgeline or skyline. • The development is not directly visible from Illawarra Road. • The development is only partly visible from Meander Valley Road when travelling eastwards from Carrick – the upper bench/slope of the existing pit can be seen from a small section of road when travelling adjacent to residential properties at 1 and 3 Meander Valley Road. The viewfield is to the right of the main driving viewfield and the glimpse of the pit is brief owing to vehicle speed. • Machinery and materials are stored within the quarry pit which is below natural ground level – limits the ability of the items to be seen from Meander Valley Road and adjoining private freehold properties. • It complies with the desired future character statement, that is – ‘The visual impacts of use and development within the rural landscape are to be minimised such that the effect is not obtrusive’.

D.5 SCHEME DEVELOPMENT STANDARDS

The following notes and comments are made about each Development Standard relevant to the development.

26.4.1 Building Location and Appearance

Relevant Performance Criterion(P)/Acceptable Solution(A)	Comments
<p>A1 Building height must not exceed: a) 8m for dwellings; or b) 12m for other purposes.</p>	<p>Complies with A1.</p> <ul style="list-style-type: none"> The development complies with the building height limitations.
<p>A2 Buildings must be set back a minimum of: a) 50m where a non-sensitive use or extension to existing sensitive use buildings is proposed; or b) 200m where a sensitive use is proposed; or c) the same as existing for replacement of an existing dwelling.</p>	<p>Complies with A2.</p> <ul style="list-style-type: none"> The development complies with the setback limitations.

D.6 SCHEME CODES AND OVERLAYS

The following comments are made about each Code and Overlay relevant to the development.

Bushfire-prone Areas Code

This Code does not apply to the development as a sensitive use is not proposed.

Potentially Contaminated Land Code

This Code does not apply to the development as a sensitive use is not proposed.

Landslip Code

This Code does not apply to the development.

Road and Rail Assets Code

This code applies to use or development of land that:

- a) requires a new access, junction or level crossing; or
- b) intensifies the use of an existing access, junction or level crossing; or
- c) involves a sensitive use, a building, works or subdivision on or within 50 metres of a railway or land shown in this planning scheme as:
 - i) a future road or railway; or
 - ii) a category 1 or 2 road where such road is subject to a speed limit of more than 60 kilometres per hour.

The Traffic Impact Assessment (Appendix 2) conducted, which followed a review of available traffic data and information, standard codes and guidelines, and other supplementary traffic data and information, found: -

1. The surrounding road transport network is capable of absorbing the estimated traffic generation of the proposed development without any loss of transport efficiency or road safety.

2. There is sufficient available Safe Intersection Sight Distance for the 85th percentile speed past the site's access to comply with the Acceptable Solution, E4.7.4 of the Scheme.

Based on the findings of the TIA, and subject to the recommendations above, the proposed development is supported on traffic grounds.

Flood Prone Areas Code

This Code does not apply to the development.

Parking and Sustainable Transport Code

The following notes and comments are made about each Development Standard relevant to the Code.

E6.6.1 Car Parking Numbers

A car park containing 2 spaces will be constructed at the facility for personnel and visitors (Figure 7B).

E6.6.2 Bicycle Parking Numbers

Bicycles can be stored at the existing agricultural shed to the east of the quarry.

Scenic Management Code

This Scenic Corridor Overlay of the Scheme (Figure 4B) covers a part of the property.

The purpose of this provision is to:

- a) ensure that siting and design of development protects and complements the visual amenity of defined tourist road corridors; and
- b) ensure that siting and design of development in designated scenic management areas is unobtrusive and complements the visual amenity of the locality and landscape.

There is no development within the area of the property covered by the Scenic Corridor Overlay (there is use) so the activity is exempt from this Code. Notwithstanding this, the access road onto Illawarra Road is existing and has been upgraded already to a standard acceptable to the Department of State Growth as the road authority.

Biodiversity Code

The development is exempt from this Code because it is a Level 2 activity assessed by the Board of the Environment Protection Authority.

Water Quality Code

The development is exempt from this Code because it is a Level 2 activity assessed by the Board of the Environment Protection Authority.

Open Space and Recreation Code

This Code does not apply to the development.

Environmental Impacts and Attenuation Code

The development is exempt from this Code because it is a Level 2 activity assessed by the Board of the Environment Protection Authority.

Airports Impact Management Code

This Code does not apply to the development.

Heritage Code

This Code does not apply to the development.

Signs Code

There is no signage proposed for the site. This Code does not apply to the development.

Karst Management Code

This Code does not apply to the development.

Urban Salinity Code

This Code does not apply to the development.

PART E - POTENTIAL ENVIRONMENTAL EFFECTS

E.1 FLORA AND FAUNA

Vegetation

The quarry development will not impact on any native vegetation.

Threatened Flora Species

The quarry development is likely to impact on one threatened flora species – *Juncus amabilis*.

In its current location the species is not under immediate threat as the dam is not proposed to be modified. However, as the dam needs to be cleaned regularly to remove sediment that may accumulate within it over time the location of the two plants place them at risk of being impacted upon by machinery using the area and adjacent hardstand. To avoid inadvertent harm to the plants it is proposed to relocate them to the western side of the dam where machinery is not used. A permit issued under the *Threatened Species Protection Act 1995 (Tas)* will be sought from the Department of Primary Industries, Parks, Water and Environment to relocate the two plants of *Juncus amabilis* to the western side of the sediment dam where they will not be impacted upon by regular dam cleaning works.³

Weeds

Weeds will be managed via a formal weed spraying program. A Weed Management Plan will be prepared and implemented for the life of the quarry activity⁴.

Threatened Fauna Species

The quarry development will not significantly impact any threatened fauna species, including the green and gold frog, as measures have been proposed to manage the risks associated with surface water contamination from fuels/oils.

E.2 SURFACE WATERS

The quarry activity will be managed to (i) ensure that pollutants do not enter the water system and (ii) the proper treatment of water occurs prior to discharge from the site via a formalised sediment pond. It is proposed that runoff from the quarry pit be controlled by directing it all to the quarry floor, thus preventing any sediment-laden runoff from reaching the receiving environment.

No chemicals, fuels or oils will be stored in the quarry pit overnight, and refuelling of quarry equipment will be carried out using a mobile bund⁵.

Sediment Dam and Erosion Control

At year 10 the full extent is to be a maximum of 3 hectares (including active face, stockpile area, laydown area etc). The proponent will achieve sediment removal in surface waters prior to their discharge to the nearby man-made drainage system through a combination of (i) maintaining a water (and sediment) pooling

³ Commitment 3: A permit issued under the *Threatened Species Protection Act 1995 (Tas)* will be sought from the Department of Primary Industries, Parks, Water and Environment to relocate the two plants of *Juncus amabilis* to the western side of the sediment dam where they will not be impacted upon by regular dam cleaning works.

⁴ Commitment 4: A Weed Management Plan will be prepared and implemented for the life of the quarry activity.

⁵ Commitment 5: No chemicals, fuels or oils will be stored in the quarry pit overnight, and refuelling of quarry equipment will be carried out using a mobile bund.

area within the pit and (ii) the maintenance of the existing main sediment dam⁶. This option will be applied because it maximises the opportunities to capture sediment prior to it being discharged to the main sediment dam which may over the long-term reduce the need to regularly clean the pond. Excess water discharge of the pit (quarry basin) is via a formal sediment dam (Figure 7B). The main sediment dam is in excess of 2ML in volume and would be of sufficient volume to continue treating the water that flows from the quarry floor.

Rehabilitation works are currently underway to contour and grass an area at the southern edge of the existing quarry pit (Figure 7B). Additional rehabilitation works should be underway by year 5 in those areas which have been quarried and are no longer needed for the quarrying activity – maintaining a disturbed area of no greater than 2 hectares.

Sediment trapped by the pond will be cleaned out either on a 12 monthly basis or when the pond has experienced a 15% reduction in storage volume. The collected sediment will be mixed with stockpiled top soil for progressive rehabilitation of disused quarry areas⁷.

E.3 AIR EMISSIONS

The proposed internal haul road within the quarry will have a gravel surface. Potential sources of dust within the quarry operation are from:

- The removal of vegetative cover and stripping of topsoil;
- The ripping of material;
- The movement of material (topsoil for bunding and stockpiling and clay material for extraction) within the quarry by machinery;
- Road (gravel) use in and adjacent to the quarry; and
- Stockpiling and loading gravel.

The material extract is a damp clay product (of two bands, see Plate 1) which will be blended while damp as otherwise this could generate dust when it is dry and worked by machinery. Although there are nearby residential properties (minimum distance to nearest house is 540m to the west and then 570m to the east; Figure 10) the quarry has operated for a number of years without complaint of dust emissions.

In dry weather and as required during the operation of the quarry, water from the sediment pond/pit or on-site water cart truck will be used to dampen the road surface, the stockpiles and loads in trucks (unless they are covered by tarpaulins)⁸. The dampening of road surfaces and truckloads of material with water is an industry standard practice to address the risk of fugitive emissions that may cause environmental nuisance or harm.

E.4 LIQUID EFFLUENT

There will be no toilet or other amenities provided on site. During periods of high use (eg. during a campaign for major road upgrade in the region) a 'portaloo' will be provided on-site and removed after the campaign

⁶ Commitment 6: The proponent will achieve sediment removal in surface waters prior to their discharge to the nearby man-made drainage system through a combination of (i) maintaining a water (and sediment) pooling area within the pit and (ii) the maintenance of the existing main sediment dam.

⁷ Commitment 7: Sediment trapped by the pond will be cleaned out either on a 12 monthly basis or when the pond has experienced a 15% reduction in storage volume. The collected sediment will be mixed with stockpiled topsoil for progressive rehabilitation of disused quarry areas.

⁸ Commitment 8: In dry weather water from the sediment pond/pit or on-site water cart truck will be used to dampen the road surface, the stockpiles and loads in trucks (unless they are covered by tarpaulins).

has been concluded or usage no longer justifies the provision of the portaloos. The contents of the portaloos will be disposed of at an approved sewage processing facility⁹.

One hydrocarbon spill kit will be stored at the quarry and staff trained in how to use it in the event of a spillage¹⁰.

E.5 SOLID WASTES

The activity will not produce any earth-based solid wastes as all of the materials extracted will be sold for various end uses.

The servicing of machinery may generate solid waste (eg. oil filters, worn tyres) however machinery will be removed from the quarry for servicing (including oil changes)¹¹. Waste generated by the servicing of machinery is disposed of in accordance with best practice principles. Waste generated by workers from general refuse (eg lunch wrappers) at the quarry will be removed each day¹². No waste bins are provided on-site for general refuse.

E.6 NOISE EMISSIONS

Noise sources in the landscape surrounding the land where the activity will occur have been identified as follows:

- farm machinery, trucks and other agricultural associated activities on the same property and adjacent/nearby properties;
- vehicles and trucks using Illawarra Road, Meander Valley Road and other roads (Bass Highway, Westwood Road etc);
- pumps used to move irrigation water between dams and to pastures;
- livestock (mainly cows);
- the use of the nearby (to the west) recreational facility owned and managed by the Meander Valley Council;
- wind in the nearby native forest and paddock trees; and
- bird and insect life.

The major noise sources from the activity have been identified as follows:

- Excavation of the topsoil and material with the excavator;
- Loading of trucks with product;
- Vehicles arriving and departing from the quarry site; and
- Trucks arriving and departing from the quarry.

Attenuation Distances

Attenuation distances are recommended in the *Quarry Code of Practice (QCP)*, as follows:

⁹ Commitment 9: A portaloos will be provided on-site during periods of high volume extraction. Its contents will be collected and disposed of at an approved sewage processing facility.

¹⁰ Commitment 10: One hydrocarbon spill kit will be stored at the quarry and staff trained in how to use them in the event of a spillage.

¹¹ Commitment 11: Machinery will be removed from the quarry for servicing (including oil changes).

¹² Commitment 12: Waste generated by workers from general refuse (eg lunch wrappers) at the quarry will be removed each day.

“It is suggested that planning authorities and operators seek to maintain the following separation distances, measured from the planned maximum extent of the quarry operations to any sensitive use:

- Where regular blasting takes place, 1,000 m;
- Where material is crushed only, 750 m;
- Where vibrating screens alone are utilised, 500 m; and
- Where no blasting, crushing or screening occurs, 300 m”

There are no sensitive receptors, such as dwellings, within the 300 m zone as applied to the edge of the gravel resource to be quarried (Figure 10). Dwellings held in other ownership are in excess of 540 m from the existing extent of the active pit. Even with the progressive extraction to the north and north-west the nearest dwellings will remain in excess of 500m from the active quarry face. On this basis, no noise modelling or assessment was conducted as it is unlikely that the activity will cause a noise nuisance.



DEV 1



DATUM: GDA94
 GRID: MGA ZONE 55
 TASMAR: PROSPECT 5040
 CLIENT: GRADCO PTY LTD
 DATE: 1ST SEPTEMBER 2015



MINING LEASE



ILLAWARRA ROAD QUARRY - ENVIRONMENTAL EFFECTS REPORT

FIGURE 10: NEAREST PERMANENT RESIDENCE IN OTHER OWNERSHIP

E.7 TRANSPORT IMPACTS

A TIA has been prepared for the development (Appendix 2). The TIA found that the SISD is achieved at the existing Illawarra Road junction and the projected truck movements on Illawarra Road should not impact on the efficiency of the road network or the safety of road users.

The following recommendations were made in the TIA which will be implemented for the project¹³ -

- Ensure compliance with the traffic operating hours and days for the activity;
- Establish a Complaints Register to record and address complaints received in relation to road usage by activity related vehicles and trucks;
- Implement the access road sealing program, as proposed by the Development Application; and
- Trucks will limit their speed on the access road to 40km/hr.

E.8 DANGEROUS SUBSTANCES AND CHEMICALS

Fuel and oil will be used in the quarry to operate and maintain functional machinery. There is to be no permanent store in the quarry for fuels, oils, lubricants or any other dangerous good. Fuel and oil containers will not be stored on-site overnight, they will be removed at the end of each working day for storage at the nearby agricultural sheds¹⁴.

When in the quarry, fuel and oil containers will be stored at least 10 m from any drain, the sediment pond and water storage pit. Containers will be bunded (moveable bunds) to a capacity at least 1.5 times the volume of the container¹⁵. One hydrocarbon spill kit will be stored at the quarry and workers trained in how to use it in the event of a spillage.

No chemicals are stored within the quarry and the only chemicals that will be used in the quarry are those for the control of weeds (ie. weed spraying). Weed spraying chemicals will be handled, used and disposed of in accordance with the manufacturer's directions and relevant regulations.

E.9 SUSTAINABILITY AND CLIMATE CHANGE

Any use of machinery and vehicles will cause greenhouse gas emissions. Machinery owned and operated by the proponent is modern and well maintained which ensures maximum fuel/oil efficiency. Water use will be negligible and will be provided through the use of the sediment pond (water used for road and load dampening).

E.10 EUROPEAN HERITAGE

The quarry (and Mining Leases) is not a property listed on the Tasmanian Heritage Register or Tasmanian Historic Places Inventory (maintained by Heritage Tasmania).

¹³ Commitment 13: The following recommendations were made in the TIA which will be implemented for the project - Ensure compliance with the traffic operating hours and days for the activity; Establish a Complaints Register to record and address complaints received in relation to road usage by activity related vehicles and trucks; Implement the access road sealing program, as proposed by the Development Application; and Trucks will limit their speed on the access road to 40km/hr.

¹⁴ Commitment 14: Fuel and oil containers will not be stored on-site overnight, they will be removed at the end of each working day for storage at the nearby agricultural sheds.

¹⁵ Commitment 15: Fuel and oil containers will be stored at least 10 m from any drain, the sediment pond and water storage pit and be bunded (moveable bunds) to a capacity at least 1.5 times the volume of the container.

E.11 ABORIGINAL HERITAGE

The AHT issued *Unanticipated Discovery Plan* will be on hand during ground disturbing works, to aid the proponent in meeting its requirements under the Act should Aboriginal Heritage be uncovered.¹⁶ Furthermore, if at any time during excavation or other works associated with the quarry the proponent will apply, whichever is applicable, the following procedures.

Discovery of Cultural Heritage Items

The following 'Discovery of Cultural Heritage Items Procedure' will be implemented if a suspected relic is encountered -

Step 1

If any person believes that they have discovered or uncovered Aboriginal cultural heritage materials, the individual should notify any machinery operators that are working in the general vicinity of the area that earth disturbance works should stop immediately.

Step 2

A buffer protection zone of 10m x 10m should be established around the suspected cultural heritage site or items. No unauthorised entry or earth disturbance will be allowed within this 'archaeological zone' until such time as the suspected cultural heritage items have been assessed, and appropriate mitigation measures have been carried out.

Step 3

Aboriginal Heritage Tasmania (AHT) in Hobart (ph 6233 6613) should be contacted immediately and informed of the discovery. AHT will make necessary arrangements for the further assessment of the discovery. Based on the findings of the assessment, appropriate management recommendations should be developed for the cultural heritage find.

Discovery of Skeletal Material

The following 'Discovery of Skeletal Material Procedure' will be implemented if skeletal material is encountered.

Step 1

Under no circumstances should the suspected skeletal remains be touched or disturbed. If these are human remains, then this area potentially is a crime scene. Tampering with a crime scene is a criminal offence.

Step 2

Any person discovering suspected skeletal remains should notify machinery operators that are working in the general vicinity of the area that earth disturbing works should stop immediately. Remember health and safety requirements when approaching machinery operators.

Step 3

A buffer protection zone of 50m x 50m should be established around the suspected skeletal remains. No unauthorised entry or earth disturbance will be allowed with this buffer zone until such time as the suspected skeletal remains have been assessed.

Step 4

¹⁶ Commitment 16: The AHT issued *Unanticipated Discovery Plan* will be on hand during ground disturbing works, to aid the proponent in meeting its requirements under the Act should Aboriginal Heritage be uncovered.

The relevant authorities (police) must be contacted and informed of the discovery.

Step 5

Should the skeletal remains be suspected to be of Aboriginal origin, then Section 23 of the *Coroners Act 1995* will apply. This is as follows:

- 1) The Attorney General may approve an Aboriginal organisation for the purposes of this section.
- 2) If, at any stage after a death is reported under section 19(1), a coroner suspects that any human remains relating to that death may be Aboriginal remains, the coroner must refer the matter to an Aboriginal organisation approved by the Attorney General (In this instance TALSC).
- 3) If a coroner refers a matter to an Aboriginal organisation approved by the Attorney-General –
 - (a) The coroner must not carry out any investigations or perform any duties or functions under this Act in respect of the remains; and
 - (b) The Aboriginal organisation must, as soon as practicable after the matter is referred to it, investigate the remains and prepare a report for the coroner.
- 4) If the Aboriginal organisation in its report to the coroner advises that the remains are Aboriginal remains, the jurisdiction of the coroner under this Act in respect of the remains ceases and this Act does not apply to the remains. In this instance the *Aboriginal Relics Act 1975* will apply, and relevant Permits will need to be obtained before any further actions can be taken.
- 5) If the Aboriginal organisation in its report to the coroner advises that the remains are not Aboriginal remains, the coroner may resume the investigation in respect of the remains.

E.12 SITE CONTAMINATION

The quarry has not been used for the storage or disposal of contaminated wastes including rock and soil. No soil/contaminant surveys or investigations are required.

E.13 SIGNIFICANT AREAS

The quarry is not located adjacent to or near any significant areas such as reserves, protected sites or heritage buildings. There will be no impact to significant areas from the quarry development.

E.14 GROUNDWATER

The development is unlikely to affect groundwater (recharge areas or groundwater quality), and there are no water bores used for agriculture near the quarry. The nearest groundwater bore that is classified as functional (based on data contained within the Water Information System Tasmania, or WIST) is more than 1.15 kms to the north-east of the quarry location (in dolerite), with the next nearest being 1.2 kms to the north-west (in alluvium).

E.15 COASTAL ZONE

No part of the quarry or area affected by the activity lies within 300 metres of the coast. There will be no impact to the coastal zone from the quarry development.

E.16 MARINE AREAS

The activity is not likely to impact on the marine environment because water management measures will be established at the quarry to prevent sediment entering any waterway.

PART F - REHABILITATION OF WORKINGS

F.1 EXTENT OF DISTURBED AREA

The maximum 'disturbed area' that would remain unrehabilitated at any one time is 3 hectares.

F.2 PROGRESSIVE REHABILITATION

It is the aim of the quarry operator to minimise the area of land 'open' at the quarry to minimise the overall short-term impact the activity has on the local environment.

'Progressive rehabilitation' has and will continue to occur at the quarrying operation for those areas that have been quarried and are no longer needed or used for the operation of the quarry¹⁷. Progressive rehabilitation includes the stabilisation of the landform prior to revegetation and serves to ensure landform stability and revegetation on an ongoing basis. The southern section of the quarry pit is currently being contoured such that the slope such that pasture grass can be established on the surface (see Figure 7B).

The rehabilitation of quarry areas that are no longer being quarried or used for another purpose (such as a stockpile holding area, truck turning bay etc.) will be based on the following principles:

1. Benches prepared for rehabilitation through contouring to slopes.
2. Stockpiled weathered gravel, topsoil (from quarry site) and sediment from sediment interceptors applied to prepared benches.
3. Application of seed mix (pasture species mix) and, if required, fertiliser.
4. Monitoring of the following factors:
 - a. weed infestation;
 - b. ground cover establishment and growth success; and
 - c. landform stability.

A Decommissioning and Rehabilitation Plan will be provided to the EPA for consideration within 30 days of a decision made by the proponent that is likely to give rise to the permanent cessation of the activity¹⁸.

The plan should include discussion and processes to:

- Facilitate the orderly and safe removal of machinery and other equipment;
- Establish sufficient pasture grass ground cover to minimise dust and soil erosion; and
- Establish a monitoring regime that assesses the success or otherwise of the rehabilitation to agreed (MRT and EPA) sign-off parameters.

¹⁷ Commitment 17: Progressive rehabilitation will continue at the quarrying operation for those areas that have been quarried and are no longer needed or used for the operation of the quarry.

¹⁸ Commitment 18: A Decommissioning and Rehabilitation Plan will be provided to the EPA for consideration within 30 days of a decision made by the proponent that is likely to give rise to the permanent cessation of the activity.

PART G – MANAGEMENT COMMITMENTS

Best practice quarry management is important to the quarry operator to minimise the risk of environmental nuisance/harm to the local community whilst providing a reliable source of high quality gravel/rock product to clients.

G.1 COMPLAINTS REGISTER

To enable the public to respond to any concerns they may have about the operation of the quarry, a Complaints Register will be prepared and maintained for the activity¹⁹. All complaints of relevance to the management of the quarry operation will be recorded in the Complaints Register. Details of investigation and actions undertaken in relation to each complaint will also be recorded in the register.

G.2 COMMITMENTS SUMMARY

The proponent makes a series of commitments outlined in Table 4 to achieve sound environmental and socially responsible management of the quarry.

Table 2. Summary of management commitments

Number	Commitment	Timeframe
1	Operating hours will be – 0700 to 1900 hrs Monday to Friday, 0800 to 1600 hrs on Saturday; closed on Sunday and public holidays.	Ongoing upon approval of the activity
2	The road surface between Illawarra Road and the property residence will be sealed progressively as resources and weather conditions allow. As a minimum, the first 50m section from the frontage of the access road with Illawarra Road will be sealed with a bituminous surface or similar by June 2016. In the interim, and no later than November 30 2015, a sprinkler system will be established along the access road to enable the road surface to be dampened when being used by cartage trucks.	As per commitment
3	A permit issued under the <i>Threatened Species Protection Act 1995 (Tas)</i> will be sought from the Department of Primary Industries, Parks, Water and Environment to relocate the two plants of <i>Juncus amabilis</i> to the western side of the sediment dam where they will not be impacted upon by regular dam cleaning works.	When required.
4	A Weed Management Plan will be prepared and implemented for the life of the quarry activity.	Ongoing upon approval of the activity
5	No chemicals, fuels or oils will be stored in the pit overnight, and refuelling of quarry equipment will be carried out using a mobile bund.	Pond to be completed and functional prior to the extraction of gravel/rock
6	The proponent will achieve sediment removal in surface waters prior to their discharge to the nearby man-made drainage system through a combination of (i) maintaining a water (and	Ongoing

¹⁹ Commitment 19: To enable the public to respond to any concerns they may have about the operation of the quarry, a Complaints Register will be prepared and maintained for the activity.

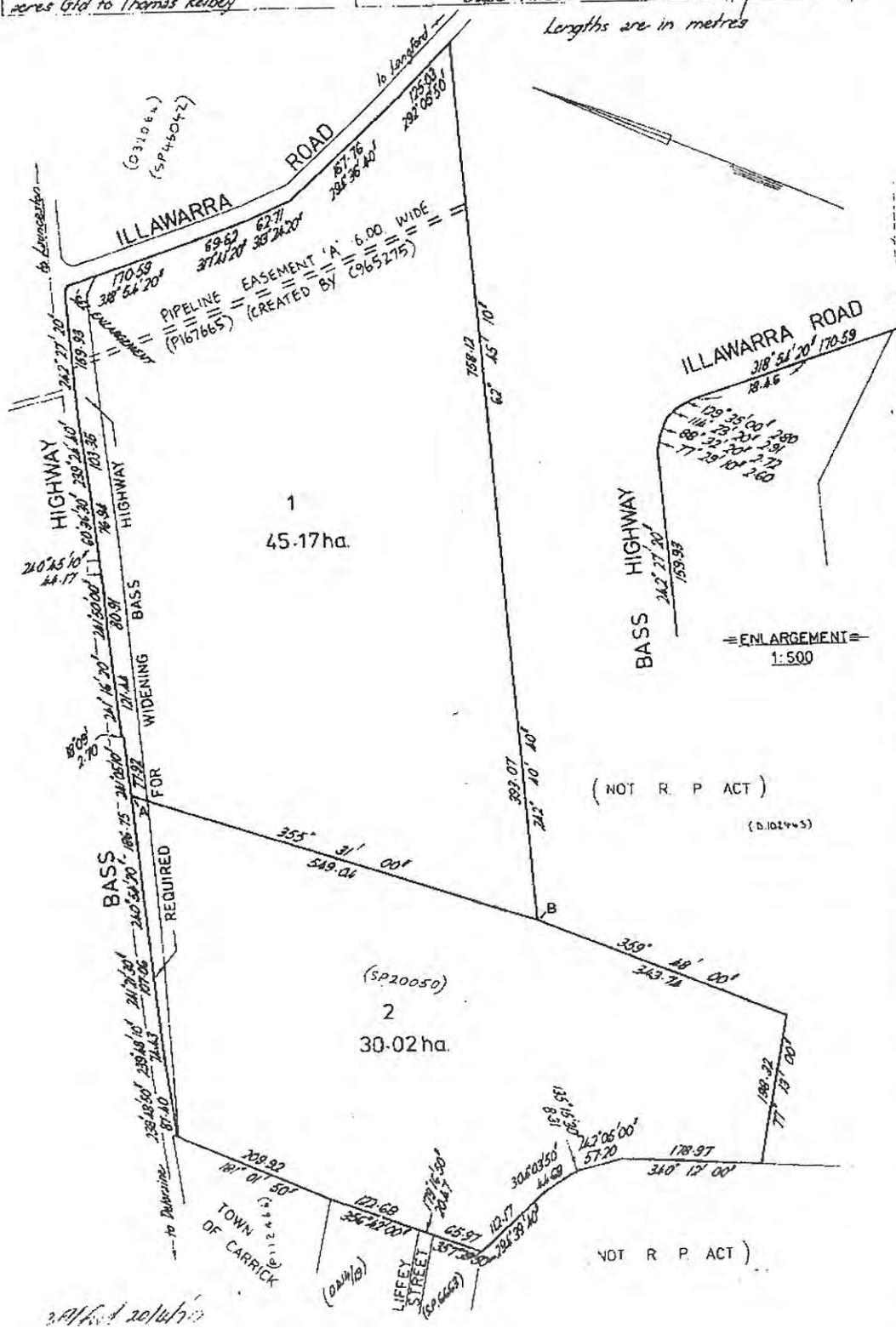
	sediment) pooling area within the pit and (ii) the maintenance of the existing main sediment dam.	
7	Sediment trapped by the pond will be cleaned out either on a 12 monthly basis or when it has experienced a 15% reduction in storage volume. The collected sediment will be mixed with stockpiled topsoil for progressive rehabilitation of disused quarry areas.	Ongoing upon approval of the activity
8	In dry weather water from the sediment pond/pit or on-site water cart truck will be used to dampen the road surface, the stockpiles and loads in trucks (unless they are covered by tarpaulins).	Ongoing upon approval of the activity
9	A portaloos will be provided on-site during periods of high volume extraction. Its contents will be collected and disposed of at an approved sewage processing facility.	As required
10	One hydrocarbon spill kit will be stored at the quarry and staff trained in how to use them in the event of a spillage.	Ongoing upon approval of the activity
11	Machinery will be removed from the quarry for servicing (including oil changes).	Ongoing upon approval of the activity
12	Waste generated by workers from general refuse (eg lunch wrappers) at the quarry will be removed each day.	Ongoing upon approval of the activity
13	The following recommendations were made in the TIA which will be implemented for the project - Ensure compliance with the traffic operating hours and days for the activity; Establish a Complaints Register to record and address complaints received in relation to road usage by activity related vehicles and trucks; Implement the access road sealing program, as proposed by the Development Application; and Trucks will limit their speed on the access road to 40km/hr.	Ongoing upon approval of the activity
14	Fuel and oil containers will not be stored on-site overnight, they will be removed at the end of each working day for storage at the nearby agricultural sheds.	Ongoing upon approval of the activity
15	Fuel and oil containers will be stored at least 10 m from any drain, the sediment pond and water storage pit and be bunded (moveable bunds) to a capacity at least 1.5 times the volume of the container.	Ongoing upon approval of the activity
16	The AHT issued <i>Unanticipated Discovery Plan</i> will be on hand during ground disturbing works, to aid the proponent in meeting its requirements under the Act should Aboriginal Heritage be uncovered.	Ongoing upon approval of the activity
17	Progressive rehabilitation will continue at the quarrying operation for those areas that have been quarried and are no longer needed or used for the operation of the quarry.	Ongoing upon approval of the activity
18	A Decommissioning and Rehabilitation Plan will be provided to the EPA for consideration within 30 days of a decision made by the proponent that is likely to give rise to the permanent cessation of the activity.	DRP prepared and provided to the EPA Director within 30 days of formal written

		notice to the EPA of permanent quarry closure.
19	To enable the public to respond to any concerns they may have about the operation of the quarry, a Complaints Register will be prepared and maintained for the activity.	Ongoing upon approval of the activity

Appendix 1 Land Title

SP-12512
18 APR 1979

Donee: Elizabeth Dickett Demareesq	PLAN OF SURVEY by Surveyor Edward M. Rae, Pedley of land situated in the	Registered Number: S.P. 12512
Title Reference: Conveyance No 25/7650	LAND DISTRICT OF WESTMORLAND PARISH OF CARRICK	Effective from: 11/9/1979 <i>Edward M. Rae</i> Recorder of Titles
Content: Part of Lot 29, 2568 acres, Thomas Reibey Purchaser: 300 acres. Loc. top 300 acres Gld to Thomas Reibey	Scale: 1:4000	



SEARCH OF TORRENS TITLE

VOLUME 12512	FOLIO 1
EDITION 9	DATE OF ISSUE 03-Jun-2014

SEARCH DATE : 29-Aug-2015
SEARCH TIME : 08.45 AM

DESCRIPTION OF LAND

Parish of CARRICK, Land District of WESTMORLAND
Lot 1 on Sealed Plan 12512
Derivation : Part of Lot 29 Gtd. to T. Reibey, Part of 300
Acres Located to T. Reibey and Part of 300 Acres Gtd. to T.
Reibey.
Prior CT 3788/73

SCHEDULE 1

M450301 TRANSFER to OLIVER ROY DIPROSE and SARAH JANE MCRAE
DIPROSE Registered 03-Jun-2014 at 12.05 PM

SCHEDULE 2

Reservations and conditions in the Crown Grant if any
SP 12512 FENCING COVENANT in Schedule of Easements
C441153 SUBJECT to the Gas Pipeline right set forth in
Memorandum of Provisions No. M260 acquired by the
Crown in accordance with the Land Acquisition Act
1993 freed and discharged from all estates, statutory
reservations and dedications in so far as they affect
the said Gas Pipeline right over the land marked "Gas
Supply Easement" shown on Plan No. P137101 as passing
through the said land within described. Registered
27-Aug-2004 at noon
D4401 Transfer of the "Gas Pipeline Right" created by
Instrument C441153 in favour of Tasmanian Gas
Pipeline Pty Ltd Registered 02-May-2012 at noon
C965275 BURDENING EASEMENT: A Pipeline Easement (appurtenant
to Lot 1 on Diagram 102443) over the land marked
"Pipeline Easement 'A' 6.00 Wide" passing through the
said land within described as shown on Sealed Plan
12512 Registered 03-Jun-2014 at 12.03 PM
C289972 NOTICE of Notified Corridor under Section 15 of the
Major Infrastructure Development Approvals Act 1999
affecting the land therein described Registered
29-Mar-2001 at noon (MF:2616/469)
C601553 Notice of Permit Corridor under Section 15 of the

Major Infrastructure Development Approvals Act 1999
affecting the said land within described.

Registered 11-Nov-2004 at noon

D21502 APPLICATION Caveat M186748 has been partially lapsed
pursuant to Section 136 (5) of the Land Titles Act
1980 to permit registration of Transfer D4401 only
Registered 02-May-2012 at noon

D21503 APPLICATION Caveat M334035 has been partially lapsed
pursuant to Section 136 (5) of the Land Titles Act
1980 to permit registration of Transfer D4401 only
Registered 02-May-2012 at noon

D102827 MORTGAGE to Westpac Banking Corporation Registered
03-Jun-2014 at 12.06 PM

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations



SCHEDULE OF EASEMENTS

S.P. Plan No. 12512

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

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

FENCING COVENANTS

The owner of Lot One on the Plan covenants with the Vendor, ELIZABETH DUCKETT DUMARESQ shall not be required to fence in respect of the boundary line marked AB thereon

The owner of Lot Two shown on the Plan covenants with the Vendor ELIZABETH DUCKETT DUMARESQ that the Vendor shall not be required to fence

SIGNED by ELIZABETH DUCKETT DUMARESQ the Registered Owner of the land comprised in Conveyance Registered Number 25/765C in the presence of:

Elizabeth Duket

Elizabeth Dumaresq

SIGNED by SAMUEL ALLISON WIGAN one of the Trustees of the Will of JESSIE WIGAN the Mortgagee under Mortgage Registered Number 52/4374 in the presence of:

10 Wigan 156 Robert M 7250

SIGNED by ROBERT DOUGLAS WIGAN one of the Trustees of the Will of JESSIE WIGAN the Mortgagee under Mortgage Registered Number 52/4374 in the presence of:

Wigan - MANAGER VESDALE PERTH 7257

SIGNED by ELSPETH MARGARET ALLISON WIGAN one of the Trustees of the Will of JESSIE WIGAN the Mortgagee under Mortgage Registered Number 52/4374 in the presence of:

15/108 Boylomb Road, Central Bay Publicist 2089

SIGNED by D'ARLD NICHOLSON TRIM one of the Trustees of the Will of JESSIE WIGAN deceased the Mortgagee under Mortgage Registered Number 52/4374

D'Arld Wigan 7 Sumner Place Launceston (Sales Representative)

9 DANDENONG RD, LAUNCESTON HOLIDAY TRAVEL ADVISOR

12512



This is the schedule of easements attached to the plan of ELIZABETH
(Insert Subdivider's Full Name)

DUCKETT DUNHARESQ affecting land in

CONVEYANCE No. 25/7650
(Insert Title Reference)

Sealed by MUNICIPALITY OF WESBURY on 5th February 1979

Solicitor's Reference
[Signature]
Council Clerk/Town Clerk

27000

Appendix 2 Traffic Impact Assessment

**ILLAWARRA ROAD QUARRY, CARRICK
LEVEL 2 ACTIVITY – EXTRACTIVE INDUSTRY**

TRAFFIC IMPACT ASSESSMENT



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FIGURES

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- Figure 2: Mining Lease and quarry location
- Figure 3: Mining Lease and road network
- Figure 4: Proposed quarry access road and SISD assessment

PART A - BACKGROUND

A.1 SCOPE

This Traffic Impact Assessment has been prepared to provide supporting information to a Development Application lodged with the Meander Valley Council to expand a quarry on Illawarra Road near Carrick – up to 20,000 cubic metres extracted per annum (a Level 2 activity under the *Environmental Management and Pollution Control Act 1994*).

The existing quarry is a Level 1 activity under the *Environmental Management and Pollution Control Act 1994* approved to extract up to 4,999 cubic metre per annum.

The current and proposed quarrying operation includes the following activities:

- surface site preparation by soil removal and stockpiling;
- excavation and ripping of clay material (no blasting or crushing is required);
- stockpiling of material in quarry area;
- loading trucks with wheel loader from stockpile area in quarry; and the
- transport of materials by truck with/without trailer.

This Traffic Impact Assessment (TIA) examines the traffic impacts associated with the development:

- Review of the relevant existing road environment in the vicinity of the site and the traffic conditions on the road network;
- Provision of information on the activity with regards to traffic movements and activity; and
- Traffic implications of the activity with respect to the external road network in terms of traffic efficiency and road safety.

This TIA should be reviewed if there are material changes to the proposed operating hours (for trucks) or an intensification of traffic use beyond that which was considered by the TIA.

A.2 LOCATION

The Illawarra Road Quarry is located on private freehold land at 1521 Illawarra Road CARRICK TAS 7291 in the Meander Valley Municipality (Figures 1 and 2).

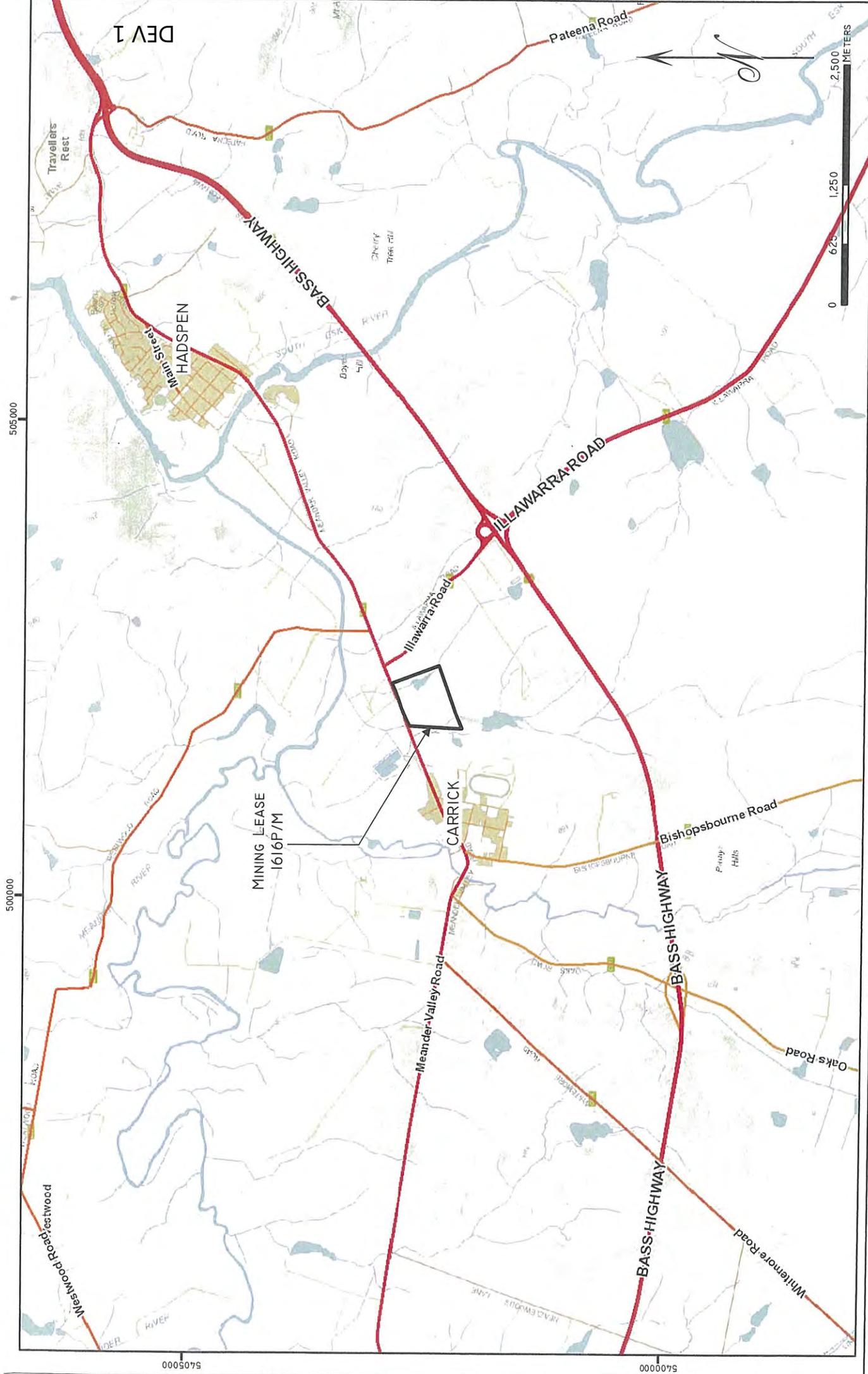
A.3 PROPONENT

The proponent resides on the same property as the quarry:

Mr Oliver Diprose
1521 Illawarra Road CARRICK TAS 7291
Mobile: 0418 314 438
Fax: 03 6339 2028
Email: odiprose@gradco.com.au

A.4 QUARRY DETAILS

Physical address – 1521 Illawarra Road CARRICK TAS 7291
Land Title – 12512/1
PID – 7035169
Planning Zones (*Meander Valley Interim Planning Scheme 2013*) – Rural Resource
Planning Permit and extraction limit – 4,999 cubic metres per annum
Mining Lease Number – 1616 P/M



ILLAWARRA ROAD QUARRY - TRAFFIC IMPACT ASSESSMENT

FIGURE 1: LOCATION OF ILLAWARRA ROAD QUARRY, CARRICK

MINING LEASE

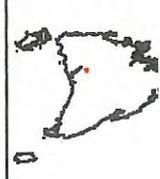


DATUM: GDA94
 GRID: MGA ZONE 55
 TASKMAP: PROSPECT 5040
 CLIENT: GRADCO PTY LTD
 DATE: 1ST SEPTEMBER 2015



DEV 1

DATUM: GDA94
 GRID: MGA ZONE 55
 TASMAR: PROSPECT 5040
 CLIENT: GRADCO PTY LTD



MINING LEASE

ILLAWARRA ROAD QUARRY - TRAFFIC IMPACT ASSESSMENT

FIGURE 2: MINE LEASE AND QUARRY LOCATION

PART B - ACTIVITY CHARACTERISTICS

B1. RATIONALE FOR ACCESS WITH ILLAWARRA ROAD

The site for the quarry has been chosen because -

- there is an existing pit which can be expanded and managed to not cause environmental nuisance to adjoining properties;
- it has direct access to a sealed main road (access to Illawarra Road enables efficient transport connections to other areas of the Midlands using Meander Valley Road and the Bass Highway; and
- it contains a substantial resource of high quality material for dam and flood levee construction.

Material suitable for the construction or lining of dams and flood levees is uncommon in the region and the material present at this quarry is a resource proven to be effective in dam and flood-protection projects.

The characteristics of the Access and the route to be used by vehicles during the life of the activity are documented within this section.

B2. ACCESS

The quarry is accessed from Illawarra Road (Figure 3) to the east of Carrick. The pit is accessed by an internal farm road which is sufficiently wide near Illawarra Road for trucks and other vehicles to pass. The gravel road surface from Illawarra Road through to the on-property residence (Plate 1) exhibits no evidence of erosion from excessive surface flows.

The access road surface between Illawarra Road and the property residence (see section identified in Figure 4) is proposed to be sealed progressively as resources and weather conditions allow.

As a minimum, the first 50m section of access road from the frontage of the property to Illawarra Road is proposed to be sealed with a bituminous surface or similar by June 2016. In the interim, and no later than November 30 2015, a sprinkler system is proposed to be established along the access road to enable the road surface to be dampened when being used by cartage trucks.

B3. ROUTES

The traffic routes available from the access road onto Illawarra Road are several (Figure 3), including for example –

- east and west along Meander Valley Road;
- Bass Highway (southwards – connecting either eastward or westward)
- Illawarra Road through to Perth and associated minor roads;
- Westwood Road from Meander Valley Road; and
- Bishopsbourne and Whitemore Roads off Meander Valley Road.

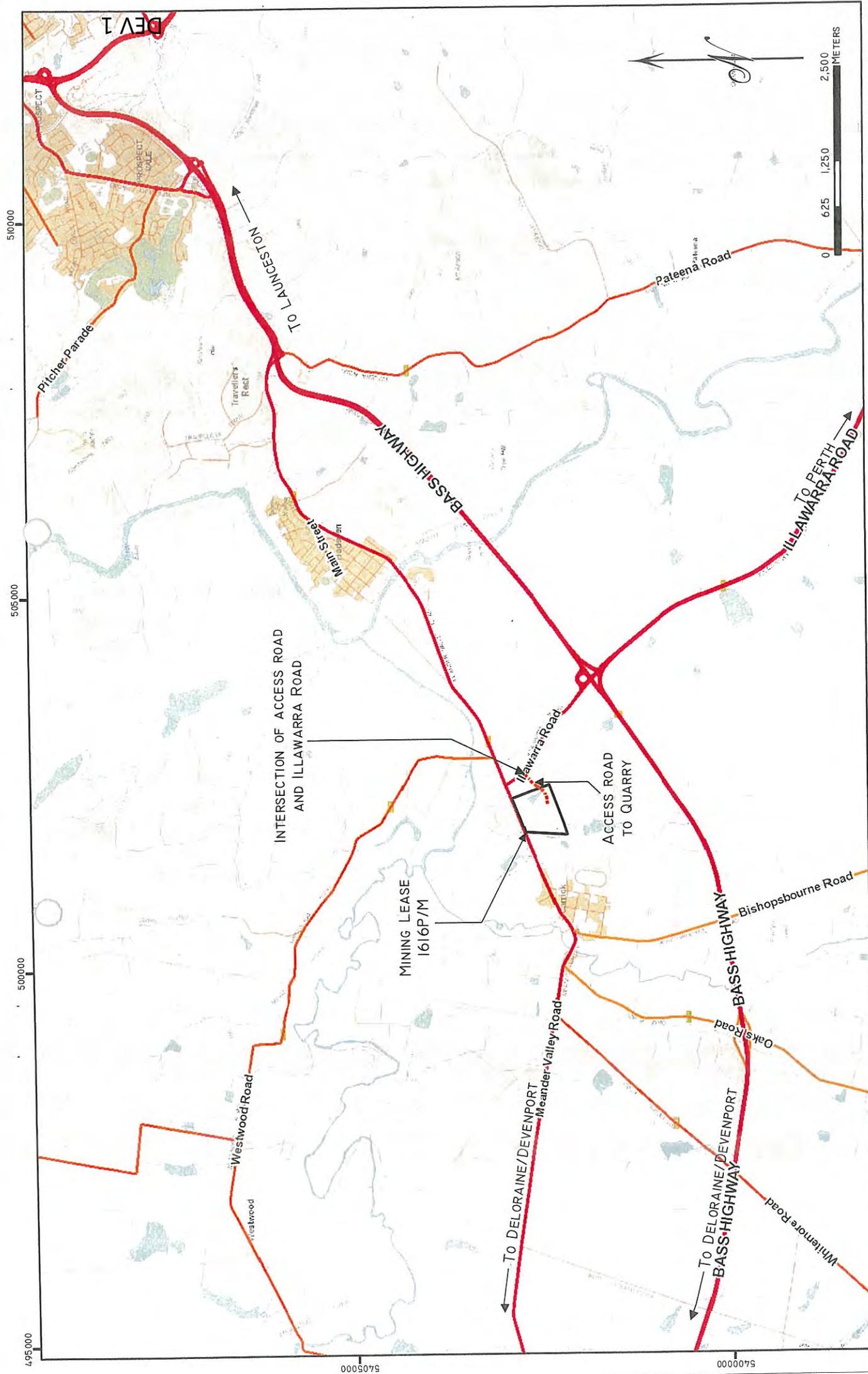
The route used to cart material will be based on the location of the end user.

B4. ACTIVITY RELATED TRAFFIC TYPE, NUMBERS AND FREQUENCY

Traffic generation

Most material will be extracted from the quarry on a demand basis, with a peak demand for road repair and grading works in the autumn months in readiness for wet weather in winter and into early spring. The number and frequency of trucks to the quarry will tend to be concentrated in short periods when a particular job is being carried out. Regular small loads will be extracted from the quarry to cater for smaller operations such as dam repair works or for smaller dam construction.

Table 1 outlines *examples* of supplies (campaign based and low volume regimes) and the period over which that supply occur. These can be used to approximate/estimate the number of truck movements per supply and per day into the quarry. The quarry activity will be operated to ensure no more than 40 truck movements per day will utilise the access road.



DATUM: GDA94
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 TASMAR: PROSPECT 5040
 CLIENT: GRADCO PTY LTD



an Diemen

MINING LEASE

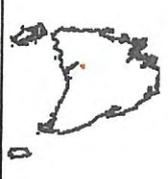
ILLAWARRA ROAD QUARRY - TRAFFIC IMPACT ASSESSMENT

FIGURE 3: MINING LEASE AND ROAD NETWORK



ILLAWARRA ROAD QUARRY - TRAFFIC IMPACT ASSESSMENT

FIGURE 4: PROPOSED QUARRY ACCESS ROAD AND SISD ASSESSMENT



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DATUM: GDA94
 GRID: MGA ZONE 55
 TASMAR: PROSPECT 5040
 CLIENT: GRADCO PTY LTD
 DATE: 1ST SEPTEMBER 2015

If the average load was 20 tonnes, then over the course of 12 months there would be 3,000 truck *movements* (1,500 truckloads x 2 to calculate *total truck movements*) to cart the full 30,000 tonne amount (20,000 cubic metres). This equates to an average of about 7 trucks per day (14 truck *movements* per day) based on carting days being approximately 220 per annum. This will vary due to demand and the requirement to supply projects needing the product, so there would be days when there is no truck activity and other days when truck activity would be at the upper end of the figures provided in Table 1.

Table 1. Examples of supplies and associated traffic generation for Illawarra Road Quarry, Carrick

Type of Supply	Size of Supply	Period of Supply and Truck Movements
Campaign	2,000 tonnes using 30 t trucks (67 truckloads)	5 days = 27 truck movements/day
Campaign	2,000 tonnes using 20 t trucks (100 truckloads)	6 days = 34 truck movements/day
Low volume	200 tonnes using 12 t truck (17 truckloads)	2 days = 18 truck movements/day

The majority of truck movements are projected to occur between 0700 and 1730 hrs on Monday to Friday with very low volume movements after that time (ie. from 1800 to 1900 hrs after which time the quarry will close as per the proposed operating hours). Trucks may access the quarry on Saturday between the hours of 0800 and 1600 to load and deliver material.

Sight Distance at Accesses, Junctions and Level Crossings

All junctions and the Access have satisfactory sight distances that comply with the SISD requirements specific in Table 4.7.4 in the Scheme (see also Figure 4).

Plate 1 shows the viewfields from the access road junction with Illawarra Road, and also the form of the access which has recently been upgraded to improve viewfields and to make the access wider.

Plate 1. Access – Illawarra Road junction for the Illawarra Road Quarry, Carrick



Access Road where it meets Illawarra Road – note the extended bitumen seal into the access



Access Road where it meets Illawarra Road



View from access looking northwards towards junction of Illawarra and Meander Valley Roads (shown by arrow)



View from access looking southwards towards Perth and the Bass Highway – note adjacent dwelling (arrow)

Sensitive Use near Access – Illawarra Road Junction

There is a potential for nuisance to the residence at which is located south of the Access - Illawarra Road junction (see Plate 1). Such nuisances could be noise and dust, as the access road is a gravel surface.

It is already proposed by the quarry proponent (outside the recommendations of this assessment) to progressively seal the access road from its junction with Illawarra Road to the residence on the property as resources and weather conditions allow. The access road sealing program has been included as a commitment by the proponent within the Development Application and Environmental Effects Report for the development. As noted in *B2. Access*, the first 50m section of access road from the frontage of the property to Illawarra Road is proposed to be sealed with a bituminous surface or similar by June 2016. In the interim, and no later than November 30 2015, a sprinkler system is proposed to be established along the access road to enable the road surface to be dampened when being used by cartage trucks.

PART C - PLANNING SCHEME REQUIREMENTS

The Road and Railway Assets Code of the *Meander Valley Interim Planning Scheme 2013* applies to use or development of land that:

- a) requires a new access, junction or level crossing; or
- b) intensifies the use of an existing access, junction or level crossing; or
- c) involves a sensitive use, a building, works or subdivision on or within 50 metres of a railway or land shown in this planning scheme as:
 - i) a future road or railway; or
 - ii) a category 1 or 2 road where such road is subject to a speed limit of more than 60 kilometres per hour.

The project will intensify the use of an existing Access onto Illawarra Road (Figures 2 and 3).

The matters that apply to the development in the Road and Rail Assets Code are outlined in E4.6.1 which are discussed in the tables below -

E4.6.1 Use and road or rail infrastructure

Objective

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

Acceptable Solution (A) and/or Performance Criterion (P) in Scheme	Comments
<p>A1.</p> <p>Sensitive use on or within 50m of a category 1 or 2 road, in an area subject to a speed limit of more than 60km/h, a railway or future road or railway, must not result in an increase to the annual average daily traffic (AADT) movements to or from the site by more than 10%.</p>	<p>A1 is not relevant as the activity does not include a sensitive development.</p>
<p>A2.</p> <p>For roads with a speed limit of 60km/h or less the use must not generate more than a total of 40 vehicle entry and exit movements per day.</p>	<p>A2 is not relevant as the activity connects to a road with a posted speed limit of >60km/hr.</p>
<p>P3.</p> <p>For limited access roads and roads with a speed limit of more than 60km/h:</p> <ul style="list-style-type: none"> a) access to a category 1 road or limited access road must only be via an existing access or junction or the significant social and economic benefit to the State or region; and b) any increase in use of an existing access or junction or development of a new access or junction to a limited access road or a 	<p>P3(a) is not relevant as the activity does not connect to a Category 1 road.</p> <p>Development/use complies with P3.(b)</p> <p>The increase in use is to access a quarry which contains a clay product that is sought after for its high performance characteristics in constructing and repairing dams and flood levees in the region – the mining resource (as identified by ML1616P/M) is <u>geographically limited</u>. An alternate access to connect to a category 4 or 5 road is not practicable as none</p>

<p>category 1, 2 or 3 road must be for a use that is dependent on the site for its unique resources, characteristics or locational attributes and an alternate site or access to a category 4 or 5 road is not practicable; and</p> <p>c) an access or junction which is increased in use or is a new access or junction must be designed and located to maintain an adequate level of safety and efficiency for all road users.</p>	<p>exist in the immediate area or from adjoining lands. The access will be managed by the proponent to limit the total number of vehicle movements from the access to not exceed 40 per day.</p> <p>Development/use complies with P3.(c)</p> <p>SISD are achieved at the junction of the access road and Illawarra Road. The increased use of the access by trucks for the carting of clay material should not affect the level of safety and efficiency for all road users.</p>
--	---

E4.7.1 Development on and adjacent to Existing and Future Arterial Roads and Railways

Objective

To ensure that development on or adjacent to class 1 or 2 roads (outside 60km/h), railways and future roads and railways is managed to:

- a) ensure the safe and efficient operation of roads and railways; and
- b) allow for future road and rail widening, realignment and upgrading; and
- c) avoid undesirable interaction between roads and railways and other use or development.

Acceptable Solution (A) and/or Performance Criterion (P) in Scheme	Comments
<p>P1. Development including buildings, road works, earthworks, landscaping works and level crossings on or within 50m of a category 1 or 2 road, in an area subject to a speed limit of more than 60km/h, a railway or future road or railway must be sited, designed and landscaped to:</p> <ul style="list-style-type: none"> a) maintain or improve the safety and efficiency of the road or railway or future road or railway, including line of sight from trains; and b) mitigate significant transport-related environmental impacts, including noise, air pollution and vibrations in accordance with a report from a suitably qualified person; and c) ensure that additions or extensions of buildings will not reduce the existing setback to the road, railway or future road or railway; and d) ensure that temporary buildings and works are removed at the applicant's expense within 	<p>Development/use complies with P1.</p> <p>The sealing of the access road by the quarry proponent is 'road works' and/or may include some 'earthworks'.</p> <p>The sealing will not impact on SISD at the Access – Illawarra Road junction.</p> <p>The sealing of the road surface will mitigate dust and reduce noise emissions from the interaction of truck tyres (and other vehicles which may use the road access) and the road surface (gravel roads tend to create noise with empty truck trays).</p> <p>The works of sealing the road will not affect nor impact on any setback.</p> <p>There are no temporary buildings or works proposed for the access road sealing program.</p>

three years or as otherwise agreed by the road or rail authority.	
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E4.7.2 Management of Road Accesses and Junctions

Development and use complies with Acceptable Solutions A1 and A2.

E4.7.3 Management of Rail Level Crossings

Not relevant to the development and use.

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

Objective

To ensure that use and development involving or adjacent to accesses, junctions and level crossings allows sufficient sight distance between vehicles and between vehicles and trains to enable safe movement of traffic.

Acceptable Solution (A) and/or Performance Criterion (P) in Scheme	Comments
<p>A1. Sight distances at</p> <p>a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.7.4; and</p> <p>b) rail level crossings must comply with <i>AS1742.7 Manual of uniform traffic control devices - Railway crossings</i>, Standards Association of Australia; or</p> <p>c) If the access is a temporary access, the written consent of the relevant authority has been obtained.</p>	<p>Development/use complies with A1(a). The SISD shown in Table 4.7.4 of the Scheme are achieved at the junction of the access road and Illawarra Road.</p> <p>Development/use complies with A1(b). Not relevant to the development and use as there are no rail level crossings.</p> <p>Development/use complies with A1(c). Not relevant as the development and use is not for a temporary access.</p>

PART D - RECOMMENDATIONS

The following measures should be integrated into the management plan for the activity to ensure the safety for all road users and to mitigate potential impacts of unreasonable levels of noise –

- Ensure compliance with the traffic operating hours and days for the activity;
- Establish a Complaints Register to record and address complaints received in relation to road usage by activity related vehicles and trucks;
- Implement the access road sealing program, as proposed by the Development Application; and
- Trucks will limit their speed on the access road to 40km/hr.

Van Diemen Consulting Pty Ltd

PO Box 1
New Town, Tasmania

T: 0438 588 695 E: rwbarnes73@gmail.com

This document has been prepared in accordance with the scope of services agreed upon between Van Diemen Consulting (VDC) and the Client.

To the best of VDC's knowledge, the report presented herein represents the Client's intentions at the time of completing the document. However, the passage of time, manifestation of latent conditions or impacts of future events may result in changes to matters that are otherwise described in this document. In preparing this document VDC has relied upon data, surveys, analysis, designs, plans and other information provided by the client, and other individuals and organisations referenced herein. Except as otherwise stated in this document, VDC has not verified the accuracy or completeness of such data, surveys, analysis, designs, plans and other information.

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Document Status

Revision	Author	Review	Date
1	R Barnes C McCoull	R Barnes	06-09-2015
1	R Barnes C McCoull	O Diprose	06-09-2015
Final	R Barnes C McCoull	R Barnes	08-09-2015

Appendix 3 *Juncus amabilis* species notesheet issued by DPIPWE

Juncus amabilis



Juncus amabilis.
Tasmanian Herbarium specimen.

FAMILY: JUNCACEAE

BOTANICAL NAME: *Juncus amabilis*,
Edgar, *N.Z. J. Bot.* 2: 186, figs.7, 21 (1964)

COMMON NAME: Gentle rush

COMMONWEALTH STATUS: (*EPBC Act*)
Not Listed

TASMANIAN STATUS: (*TSP Act*) rare

Description

A rhizomatous (underground stem that forms roots) perennial growing in dense clumps. **Flowering Stems:** The stems are erect and between 60-120 cm long and between 1.5-2.7 mm wide. They are hard, grey or bluish-green, rigid and dull. The pith inside the stem is irregular and often very scanty, it is represented only by thin scale-like disks. The sheaths surrounding the base of the stems have straw-coloured upper surfaces and very dark reddish-purple to black lower surfaces. The tips of the inner bracts are rounded with a short point. **Seedheads:** The flower heads have several slender branches that have clusters of flowers at their tips. The flowers can be loosely separated at times, but in Tasmanian plants the branches are usually short with flowers that are packed into spherical heads. Flowering is predominantly from November to December (Flora of Victoria). **Capsules:** The capsules are pale brown with reddish-brown or darker tips. The valves taper into an almost blunt point (description from Curtis & Morris 1994). Most herbarium specimens have been collected from November to May.

Distribution and Habitat

On the mainland this species occurs in Western Australia, South Australia, Victoria and New South Wales. It has also been introduced to New Zealand. In Tasmania, *Juncus amabilis* grows in moist situations, generally areas of seepage confined to roadsides (Curtis & Morris 1994, TPLUC 1996).



Juncus amabilis. R. Hale

Key Sites and Populations

Key sites for this species include the Arthur Highway (near Little Boomer Creek), Mt. Nelson, Perth Bridge, Chasm Creek, Dunalley, Old Beach, Waterfall Bay (Eaglehawk), Kellevie, Low Head town, West Tamar Road (Launceston), Campania, Clifton Beach, Copping, Quamby Brook (Westbury), Coningham State Recreation Area and Illawarra (north of Longford). The species has recently been collected from Woolnorth.

Known Reserves

Reserved in the Coningham Nature Recreation Area, Lanes Tier Forest Reserve, Nicholas Range Forest Reserve, Pieman River State Reserve and the Tasman National Park.

Ecology and Management

This species can reproduce vegetatively from rhizomes. Adverse impacts include forest and general land clearance as well as grazing. The species persists after fire (TPLUC 1996).

Wind is the most likely pollination vector for this species (A. Hingston pers. comm.).

Conservation Status Assessment

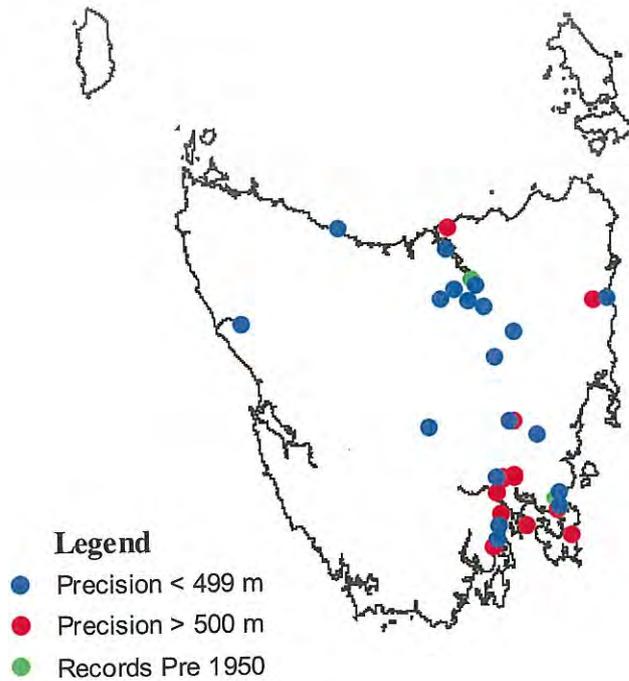
There is no immediate need for reassessment of *Juncus amabilis*.

Further Information

- Cunningham, GM, Mulham, W, Milthorpe, P & Leigh, J 1992, *Plants of Western New South Wales*, Inkata Press, Sydney.
- Curtis, WM & Morris, DI 1994, *The Student's Flora of Tasmania*, Part 4B, Printing Authority of Tasmania, Hobart.
- Kirkpatrick, JB 1991, *Tasmanian Native Bush: A Management Handbook*, Tasmanian Environment Centre, Hobart.
- Tasmanian Public Land Use Commission 1996, *Environment & Heritage Report Vol IV, Background Report*, Part C, Tasmanian Commonwealth Regional Forest Agreement, Hobart.

Tasmanian Distribution

(As per Threatened Species Unit records, June 2003)



1:25 000 Map Sheets

Barnes Bay, Beaconsfield, Blackmans Bay, Burnie, Cleveland, Conara, Cremorne, Cygnet, Dee, Dublin Town, Dunalley, Falmouth, Kellevie, Launceston, Livingstone, Longford, Low Head, Oatlands, Prospect, Richmond, Taranna, Taroona, Tea Tree, Westbury, Whiteford.

Date last modified: 28/08/03

Note: Map does not include the Woolnorth record

Van Diemen Consulting Pty Ltd

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New Town, Tasmania

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1	R Barnes C McCoull	O Diprose	7-09-15
FINAL	R Barnes C McCoull	R Barnes	8-09-15
FINAL2	R Barnes C McCoull	R Barnes	4-11-15



Graeme Bystersky
Lands & Environment Officer
graeme.bystersky@zinfra.com.au

Mobile 0406 427 257
Zinfra Southern Contracting

25 September 2015

PRIVATE & CONFIDENTIAL

Ms Leanne Rabjohns
Town Planner
Meander Valley Council
PO Box 102
Westbury Tas 7303

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RCVD	29 SEP 2015	MVC	
Action Officer		Dept.	
EO	OD	BOX	

Dear Leanne

PA\16\0053

**Re: PA\16\0074 Illawarra Road Carrick
Proposed Quarry Extension**

In reference to your request received by myself, I wish to advise that we have completed our evaluation of possible effects on the Tasmanian Gas Pipeline.

I advise that Zinfra does not pose any objection to the proposal as long as the following conditions are adhered to.

1. Erection of additional signage (by TGP operator after discussions with land holder)
2. TGP hold a pipeline awareness session with plant operators.

I advise that any activity within the pipeline easement or activity over the pipeline requires contact through **Dial before you Dig 1100**. A Zinfra field technician shall reply within 48 hours from the inquiry on issues relating to site activities. If you have any further queries please do not hesitate to contact the undersigned on 6345 2300.

Yours Faithfully,

Graeme Bystersky
Lands & Environment Officer

12/1/2015

Craig Hodge
40 Liffey Street
Carrick, Tasmania, 7291

Mr Greg Preece
Meander Valley Council
By Email: mail@mvc.tas.gov.au

Dear Mr Preece,

Oliver Diprose, Quarry Expansion, Illawarra Road, Carrick

The planning and environmental effects report (EER) states that the proposed expansion can be managed 'to not cause environmental nuisance to adjoining properties.'¹ The description of the activity includes expansion to 20,000 cubic metres per year with a maximum area of 3 hectares being used.² This includes the activities of surface preparation, excavation and ripping of clay material, loading trucks and transport.³ These activities will occur between the hours of 7am until 7pm on weekdays and from 8am until 4pm on Saturdays.⁴ Heavy machinery is proposed to be used during these times to undertake these activities including bulldozers, loaders and graders.⁵ This is proposed to continue for a 10 year period.⁶ The expansion is set to extend in a north-west direction, which is further towards the boundary of my property.

The current activities cause a nuisance to the enjoyment of my own land by myself and my family, including my young son. This is in the form of constant noise from the quarry and dust emissions. My son suffers from both hay fever and asthma which is agitated due to the dust that flows from the quarry. It is of concern to me that the quarry intends on expanding its operations which will increase the nuisance to my family and neighbours. This is particularly concerning considering the duration of the activities for 12 hours per day and even on weekends.

The road to the quarry consists of a gravel surface which I am not satisfied will be managed appropriately to reduce air emissions. The report states that the quarry has operated for a number of years without complaint.⁷ This is not correct, I know personally that I have made

¹ Paragraph A.5

² Paragraph E.2, page 45.

³ Paragraph B.1

⁴ Paragraph B.3.

⁵ Paragraph B.5

⁶ Paragraph B.2

⁷ Paragraph E.3, page 46.

complaints and that another neighbour has also made complaints about the dust and noise which have not been adequately resolved by the council. I personally have contacted the council and requested site visits on numerous occasions, which have not occurred. Given that the arc of the quarry opens towards my property, there is no shield from the noise and dust, and we are affected by this within our home. Further the dampening of road surfaces will not reduce the dust and noise caused by the removal of vegetative cover and stripping of topsoil, ripping of material and the movement of material including the loading activities.⁸ It is significant that there has been no noise modelling or assessment conducted as the noise definitely carries to my property despite the fact that the report states it is unlikely.⁹ The adjoining neighbours have also told me that the noise effects them and with the expansion of activity, to be four times greater, it will severely affect the enjoyment of our residences, particularly considering the operating hours of the quarry. The noise from the machinery carries down Liffey Street on the prevailing winds. I believe that the report should have included such a model to fully understand the effect of this proposal on neighbouring properties to the west. Further, as can be seen from the wind model within the report, the wind is often in a north-west direction which is towards my property.

The proximity of the quarry to waterways, including the meander valley is of some concern, further to this there is also the *Juncus Amabilis* endangered flora species which is 'rare' within the location which are likely to be damaged by the activities.¹⁰ There has also been identified four species of threatened fauna within the area. The reliability of this report should also be doubted considering the assessment was conducted in winter.¹¹

With respect, it is not my opinion that the proposed expansion of activities will be likely to not cause an environmental nuisance. Especially considering the proximity of these activities to residential addresses and native fauna and flora. Further the visual appearance is not consistent with the local area. The land within the vicinity is used for agricultural purposes. With the expansion of the quarry in a north-west direction, the quarry will become increasingly visible from the highway. Further from my own property the visual impact effects the enjoyment of my land and is so large that it is obtrusive. The report has not looked at the visual impact from my own property or the neighbours, only from the highway and Illawarra road. I believe the assessment should take into consideration the properties that directly face the quarry as we are the ones who look at it all the time, not just people passing by on the highway. Further despite the fact that the report states that the visibility of the machinery and materials from adjoining properties is limited, I would have to disagree, the machinery is clearly visible from my property. Further given the fact that the road to the quarry adjoins to the highway there are potential risks caused to traffic where some forty trucks a day, being three an hour are pulling out of a poor

⁸ Paragraph E.3, page 46.

⁹ Page 48.

¹⁰ Page 31.

¹¹ Page 31.

visibility corner at low speeds. Indeed I have heard of many near accidents already from the operations.

I am also concerned about the rehabilitation of the quarry, I would prefer a commitment and proper plan as opposed to a stated 'aim' with no legal consequence.¹²

Kind Regards,

Craig Hodge
0418 434 121
craighodgewilsons@hotmail.com

Image 1: Showing the surrounding agricultural environment



¹² Page 53.

Image 2: Taken from residential garden





Image 3: Taken from residential bedroom

Image 4: Taken from driveway to residential home



Attachment 1: Opposition from the community

Below I have attached a list of people within Liffey Street who are effected by the proposed expansion of the quarry, whom were not all contacted about the proposal. Each have signed to show their opposition.

Rachel Curwen
RLC

CAROL HODGE
~~_____~~

Tray Baker
TBaker.

Mae Jordan
Derek Thurn

L Yonely LINDA GARRITY

MELANIE CUTLER
~~_____~~

MARCUS CUTLER HODGE
~~_____~~

aj of AFRY

P. Kennedy P. Kennedy

Rochelle Hodge
~~_____~~

DEV 2 REPRESENTATIONS TO DRAFT PLANNING SCHEME AMENDMENT 4/2015 – RURAL LIVING

1) Introduction

The purpose of this report is for Council to assess and adopt a formal response to the representations made to the exhibition of the draft planning scheme amendment 4/2015, in accordance with Section 39 of the former provisions of the Land Use Planning and Approvals Act (LUPAA) 1993.

2) Background

At its meeting of the 8th December 2015, Council initiated and certified the draft amendment to the Meander Valley Interim Planning Scheme 2013 to:

- rezone land to Rural Living Zone at Carrick, Chudleigh, Tomes Road, Elizabeth Town, Golden Valley and Weetah;
- rezone two titles to Rural Resources Zone at Liffey;
- provide for subdivision in various Rural Living Zone localities;
- apply a Specific Area Plan to land at Carrick;
- apply a scenic management overlay at Chudleigh;
- include Local Area Objectives and Desired Future Character Statements in the Rural Living Zone Purpose for land to be rezoned at Weetah;
- insert a site specific qualification into section 13.2 Rural Living Zone Use Table for land at Weetah; and
- delete Section 13.4.1- A4(b) - 200 metre setback to the Rural Resource Zone.

Following this decision, and in accordance with Section 38 of the Land Use Planning and Approvals Act 1993, Council placed the draft amendment on public notice for a period of 56 days.

The formal exhibition period commenced on Saturday 12 December 2015 and concluded on Friday 5 February 2016.

At the end of this period Council had received 267 representations, 237 of which were incorporated into a community representation from Carrick residents.

In accordance with Section 39 of the former provisions of LUPAA 1993, Council acting as the Planning Authority, is required to formally consider the

representations and to prepare a report to be submitted to the Tasmanian Planning Commission.

3) Strategic/Annual Plan Conformance

The draft amendment furthers the Strategic Outcomes of the following Future Directions in the Meander Valley Community Strategic Plan 2014 – 2024:

- 1. A sustainable natural and built environment**
- 2. A thriving local economy**
- 4. Innovative leadership and community governance**

4) Policy Implications

Not applicable

5) Statutory Requirements

Amendments to LUPAA 1993 to establish the Tasmanian Planning Scheme were gazetted on the 17 December 2015. Until the Minister declares a new planning scheme following the completion of the State Provisions and the Local Provisions Schedule, processes for the consideration of planning scheme amendments continue in accordance with the Act as it was written prior to the 17th December 2015. These provisions are defined as the 'former provisions' in Schedule 6 – Savings and Transitional Provisions in the amended LUPAA.

Under Section 39(2) of the former provisions, following the public exhibition of a draft amendment, the planning authority must not later than the expiration of 35 days after the exhibition period referred to in section 38(1)(a) or such further period as the Commission allows, forward to the Commission a report comprising:

- a) *a copy of each representation received by the authority in relation to the draft amendment or, where it has received no such representation, a statement to that effect; and*
- b) *a statement of its opinion as to the merit of each such representation, including, in particular, its views as to;*
 - i. *the need for modification of the draft amendment in the light of that representation; and*
 - ii. *the impact of that representation on the draft amendment as a whole; and*

c) such recommendations in relation to the draft amendment as the authority considers necessary.

6) Risk Management

Not Applicable

7) Consultation with State Government and other Authorities

The draft amendment was referred to Taswater who have submitted a representation. The submission is discussed in the attached table assessing the representations.

8) Community Consultation

The draft amendment was placed on public exhibition for an extended period, beyond the requirements of Section 38 of LUPAA 1993, between the 12 December 2015 and 5 February 2016. An additional third advertisement was also placed in the Examiner Newspaper on 16 January 2016.

9) Financial Impact

Not Applicable

10) Alternative Options

Council acting as the Planning Authority can:

- recommend modifications to the draft amendment to the Tasmanian Planning Commission in accordance with s.39(c) of the former provisions; or
- elect to withdraw the amendment in accordance with Sections 34(3)(4) & (5) of the former provisions.

11) Officers Comments

The draft amendment received numerous representations variously supporting or objecting to particular elements. Some representations also included some suggestions for modifications. The representations are attached as Attachment B.

The signatories of the Carrick community representation are considered to be individual representors, consistent with Commission processes for other amendments and the Interim Planning Scheme.

The attached table (Attachment A) provides an assessment of the representations in accordance with Section 39(2) of the former provisions and recommends some modifications to the notified draft amendment.

Request for Further Information from the Tasmanian Planning Commission

Council received a request for further information from the Commission on the 10 February 2016, relating to the proposal to remove clause 13.4.1 A4 b) (200 metres setback to the Rural Resources Zone) from the Rural Living Zone standards, that was included in the draft amendment at the Council meeting on the 8 December 2015.

The Commission requests justification for this component of the draft amendment against the State Policy for the Protection of Agricultural Land 2009 to be forwarded at the same time as Council's report on the representations.

The reasoning for the inclusion of this component of the draft amendment at the 8 December 2015 meeting is included as Attachment C and is provided by Councillor Synfield.

AUTHOR: Jo Oliver
SENIOR TOWN PLANNER

12) Recommendation

1. It is recommended that Council:

Recommend the following modifications to draft amendment 4/2015 to the Tasmanian Planning Commission:

a) Section 13.4.1 A4 b) be reinstated.

b) The subdivision provisions of the Rural Living Zone are amended to make the 10 hectare minimum lot size mandatory for land fronting Parkham Road as follows:

Add a new performance criteria P1(e) to Section 13.4.2.2 Lot Area, Building Envelope and Frontage:

P1 Each lot must

- d) ...; and
 - e) *not be located on land with frontage to Parkham Road.*
- c) *Retain CT 228500/1 at Whitchurch Lane, Weetah in the Rural Resources Zone.*
- d) *Section 13.4.2.2 P1c)i) is modified as follows:*
- c) *be consistent with the Local Area Objectives and Desired Future Character Statements having regard to:*
 - i) *the topographical or natural features of the site within the context of the area; and*
- e) *Section 13.1.5 Local Area Objectives – Reedy Marsh is modified as follows:*
- b) *where development is unavoidably visible, ensure that materials are non-reflective and the design integrates with the landscape*
 - c) *The retention or planting of vegetation and lower densities is the preferred means to integrate and screen development throughout the zone.*
- f) *Section 13.4.2.2 - Lot Area, Building Envelopes and Frontage is modified to include a 2 hectare lot size for Rural Living Zone land not located within the boundaries of the Specific Area Plan at Carrick in Table 13.1 as follows:*

Reedy Marsh	15ha
Birrilee	10ha
Chudleigh	
Elizabeth Town	
Liffey	
Lower Golden	
Valley	
Mole Creek	
Pateena	
Rd/Meander	
Valley Rd	
Rosevale	
Weetah	

Davis Road Meander	4ha
Carrick	Specific Area Plan 2ha – if not located within the Specific Area Plan
Hadspen	Specific Area Plan
Kimberley Red Hills Ugbrook Upper Golden Valley Weegen Western Creek	No new lots created

2. It is recommended that Council:

Forward Council's decision regarding modifications to the draft amendment, report and attachments, to the Tasmanian Planning Commission.

DECISION:

DEV 2

ATTACHMENT A



Report – Consideration of Representations to Amendment 4/2015 – Rural Living Zone

01	W & I Arthur	465 River Road, Reedy Marsh
<p>Issue:</p> <ul style="list-style-type: none"> • Supports opportunity for subdivision at Reedy Marsh; • Owns property in the centre of the existing Rural Living Zone that is not suitable for farming and is surrounded by residential uses, where there have been ongoing conflict issues. • Subdivision would be consistent with surrounding properties. 		<p>Comments:</p> <p>Support for the draft amendment is noted.</p> <p>The property demonstrates the planning strategy, whereby the established rural residential area encompasses highly constrained land for farming that is underutilised. The rural living strategy recognises that lots such as these can appropriately provide opportunity for additional rural living lots without adversely impacting on rural resources.</p>
<p>Need for Modification:</p> <p>There is no need to modify the draft amendment.</p>		
<p>Impact on draft amendment as a whole:</p> <p>There is no impact on the draft amendment as a whole.</p>		
<p>Recommendation:</p> <p>No recommendation</p>		
02	Ashgrove Farms – Paul Bennet	6173 Bass Highway, Elizabeth Town
<p>Issue:</p> <ul style="list-style-type: none"> • Objects to the intensification of the Rural Living Zone and the reduction of the setback to the 		<p>Comments:</p> <p>Intensification</p>

<p>Rural Resources Zone from 200m to 25m;</p> <ul style="list-style-type: none"> • Cites concerns regarding the impacts on Ashgrove operations which extends through to the edge of the Parkham Rural Living Zone, bordered by the Rubicon River; • Representation describes substantial and critical farm irrigation infrastructure at this boundary, which utilises the Rubicon irrigation scheme and raises concerns regarding the reduction in setback and potential for noise complaints; • Representation notes that water purchased and transferred as part of the irrigation scheme through the Rubicon River is accessed by residential uses, which are not regulated for water use. The representation raises concerns about the potential impact on water resources if residential uses are intensified along this zone boundary. 	<p>It is noted that the representation appears to focus on the Ashgrove property at Parkham and for the purposes of this response it is presumed that intention of the representation is to highlight potential impacts of the draft amendment on this property.</p> <p>The Rural Living Zone at Parkham is one of a small number of circumstances where the zone occurs at the boundary of an irrigation district, in particular this being the Rubicon River which is an active component of water transfer for the irrigation scheme. This has resulted in substantial farm infrastructure being located at this boundary, due to the Rubicon being a low flow watercourse. This is a different scenario to other irrigation scheme shared boundaries, such as the Meander River, which has a large forestry company plantation along most of the interface between the two zones.</p> <p>The lots in the Rural Living Zone that adjoin the agricultural properties to the west of the river range in size from 8 hectares to 12 hectares. The minimum lot size for Parkham is proposed at 10 hectares, performance criteria can allow a lower lot size, dependent upon meeting the performance criteria and objectives, which take account of potential conflicts with adjoining land. Whilst subdivision along the shared boundary would be unlikely to meet these criteria, the need for certainty on the part of Ashgrove Cheese is acknowledged.</p> <p>It is considered that in this instance, it is appropriate to provide certainty in regard to the intensification of the Parkham area by ensuring that subdivision along Parkham Rd is required to meet the mandatory 10 hectare minimum lot size. One lot to the southern side of Parkham Rd near the junction with the Bass Highway will be able to meet this requirement. Ensuring this outcome will not undermine the anticipated yields and remains consistent with Strategy.</p> <p>Reduced Setback</p> <p>Location of dwellings at 25m setback to the shared boundary will impact on spraying and vermin control activities that can be undertaken within 75m – 225m of the shared boundary due to the regulations regarding proximity to dwellings. The impacts of noise are unknown however standard noise assessment procedures reduce the impacts of noise over distance. Very little sound attenuation</p>
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	will be achieved over 25 metres and where machinery is located or operated at the boundary, the risk of conflict is high.
<p>Need for Modification:</p> <p>The draft amendment should be modified to ensure that land fronting Parkham Road meets the 10 hectare minimum lot size. The draft amendment should be modified to reinstate the requirement for 200m setback for sensitive uses to the Rural Resource Zone.</p>	
<p>Impact on draft amendment as a whole:</p> <p>The modification for subdivision at Parkham relates to locality specific circumstances and does not affect the draft amendment as a whole. Modification to reinstate the 200m setback will apply at the interface of the Rural Living and Rural Resource zones across the local government area, where sensitive uses are proposed.</p>	
<p>Recommendation:</p> <ul style="list-style-type: none"> That the subdivision provisions of the Rural Living Zone are amended to make the 10 hectare minimum lot size mandatory for land fronting Parkham Road as follows: <p>Add a new performance criteria P1(e) to Section 13.4.2.2 Lot Area, Building Envelope and Frontage:</p> <p>P1 Each lot must</p> <ul style="list-style-type: none"> d) ...; and e) not be located on land with frontage to Parkham Road. <ul style="list-style-type: none"> That clause 13.4.1 A4 b) is reinstated. 	
03	J, C & P Bennet
<p>Issue:</p> <ul style="list-style-type: none"> Concerns regarding land proposed to be rezoned to Rural Living Zone and potential impact on property boundaries, water supply and high 	<p>Comments:</p> <p>Land described is also that related to the Ashgrove Farms submission. Refer comments above.</p> <p>The Rural Living Zone at Parkham is pre-existing and is not proposed to be expanded as part of this</p>

<p>environmental standards. Requests to be informed of which land is proposed for rezoning that will affect property.</p> <ul style="list-style-type: none"> Concerns in regard to impacts on operations of Ashgrove Farms. 	<p>draft amendment. There are no re-zonings proposed in the Elizabeth Town area in this draft amendment.</p>
<p>Need for Modification: There is no need to modify the draft amendment.</p>	
<p>Impact on draft amendment as a whole: There is no impact on the draft amendment as a whole.</p>	
<p>Recommendation: No recommendation</p>	
<p>04</p>	<p>L & A Blackwell 19 Denmans Rd, Birralee</p>
<p>Issue:</p> <ul style="list-style-type: none"> Supports opportunity for subdivision in the Birralee area. 	<p>Comments: Support is noted.</p>
<p>Need for Modification: There is no need to modify the draft amendment.</p>	
<p>Impact on draft amendment as a whole: There is no impact on the draft amendment as a whole.</p>	
<p>Recommendation: No recommendation</p>	
<p>05</p>	<p>S & J Blakeney 557 Weetah Rd, Weetah</p>
<p>Issue:</p> <ul style="list-style-type: none"> Do not object to proposed amendment. Considers that there will be a low 	<p>Comments: Submission is noted.</p>

level of demand for land at Weetah.		
Need for Modification: There is no need to modify the draft amendment.		
Impact on draft amendment as a whole: There is no impact on the draft amendment as a whole.		
Recommendation: No recommendation		
06	G & M Brown	Reedy Marsh
Issue: <ul style="list-style-type: none"> • Supports opportunity for subdivision at Reedy Marsh. • Notes that small property adjoins and would like to be able to have subdivision considered for property. 		Comments: Support is noted.
Need for Modification: There is no need to modify the draft amendment.		
Impact on draft amendment as a whole: There is no impact on the draft amendment as a whole.		
Recommendation: No recommendation		
07	Carrick Community Representations: 237 Representors – See attached table.	
Issue: <ul style="list-style-type: none"> • Supports the draft amendment to rezone land to Rural Living Zone 		Comments: Support is noted.

<p>and include a Specific Area Plan at Carrick for the following reasons:</p> <ul style="list-style-type: none"> - Additional population will help retain services; - Carrick does not currently have land zoned for rural residential purposes and as such is at an economic disadvantage; - Carrick is well located at a commutable distance to Launceston and to service surrounding agricultural area. 	
<p>Need for Modification: There is no need to modify the draft amendment.</p>	
<p>Impact on draft amendment as a whole: There is no impact on the draft amendment as a whole.</p>	
<p>Recommendation: No recommendation</p>	
<p>08 L & M Dawe</p>	<p>55 Hodgetts Rd, Rosevale</p>
<p>Issue:</p> <ul style="list-style-type: none"> • Concerns regarding the reduction in the setback to the Rural Resource Zone; • Acknowledges that in some cases 200m may not be practical, but where it is it should be enforced due to: <ul style="list-style-type: none"> - there being potentially a 	<p>Comments:</p> <p>Location of dwellings at 25m setback to the shared boundary will impact on spraying and vermin control activities that can be undertaken within 75m – 225m of the shared boundary due to the regulations regarding proximity to dwellings. The impacts of noise and odours are unknown however standard noise assessment procedures reduce the impacts of noise and odour over distance. Very little sound attenuation will be achieved over 25 metres and where machinery is located or operated at the boundary, the risk of conflict is high.</p>

<p>number of houses dotted along the boundary;</p> <ul style="list-style-type: none"> - the impacts of domestic pets; - impacts of dust, spray and fertilisers; - at 25m setback, the occupants of a house will be impacted by noise if ploughing or harvesting occurs into the evening; - at 25m setback a house will be more susceptible to odour impacts; - restrictions on vermin control due to regulations on firearms discharge within 250m of a dwelling. <ul style="list-style-type: none"> • These issues could severely restrict legitimate farming business and result in legal costs due to conflicts. • If 25m setback is adopted requests rezoning to Rural Living Zone. 	
<p>Need for Modification: The draft amendment should be modified to reinstate the requirement for 200m setback for sensitive uses to the Rural Resource Zone.</p>	
<p>Impact on draft amendment as a whole: Modification to reinstate the 200m setback will apply at the interface of the Rural Living and Rural Resource zones across the local government area, where sensitive uses are proposed.</p>	
<p>Recommendation:</p> <ul style="list-style-type: none"> • That clause 13.4.1 A4 b) is reinstated. 	

09	R & D Deane	Reedy Marsh
<p>Issue:</p> <ul style="list-style-type: none"> • Supports subdivision opportunity for Reedy Marsh; • Suggests a 10 hectare lot size consistent with other areas. 		<p>Comments:</p> <p>Support is noted.</p> <p>The 15 hectare minimum lot size resulted from the consideration of submissions to the Meander Valley Interim Planning Scheme 2013 and in consultation with other Councils in the Northern Region to provide for greater consistency in approach to the Rural Living zones across the region. 15 hectares reflects an environment that is extensively forested and contains a higher degree of biodiversity or visual value. However, in regard to areas that may be suitable for hobby farming due to a greater level of historic land clearance, a lesser lot size can be considered under performance criteria if it meets the objectives for the area. These considerations can be very site specific.</p>
<p>Need for Modification:</p> <p>There is no need to modify the draft amendment.</p>		
<p>Impact on draft amendment as a whole:</p> <p>There is no impact on the draft amendment as a whole.</p>		
<p>Recommendation:</p> <p>No recommendation</p>		
10	P Elkin	160 Farrells Rd, Reedy Marsh
<p>Issue:</p> <ul style="list-style-type: none"> • Remnant or recovering forest and endangered species habitat should not be the target of increased settlement densities through subdivision. Rural Living should be directed away from these areas unless it can be shown to have a positive benefit at an appropriate scale. 		<p>Comments:</p> <p>Natural Values and Biodiversity</p> <p>The planning scheme includes the Biodiversity and Water Quality codes which consider the impacts of vegetation removal and siting of development on these particular ecological elements and also their function as connective corridors for habitat. In addition, the General Suitability criteria in considering subdivision include the consideration of any requirement to protect "ecological, scientific, historic, cultural, or aesthetic values". Together, these considerations provide that regulatory support to identify and appropriately protect a bio-diverse, rural living landscape and prevent inappropriate</p>

<ul style="list-style-type: none"> • Subdivision must facilitate the protection and enhancement of biodiversity and not risk or degrade amenity. • Zoning for residential/industrial use should only be enabled in areas irretrievably alienated from endemic ecologies and which is not productive. There are sites worthy of consideration such as poor plantation lands. Identification of some areas is incorrect and should be reappraised. • Concerned at the impact of vegetation clearance to achieve compliance with the bushfire code. The cumulative effects of small modifications may detract from habitat connectivity and should be avoided. Hazard reduction areas should not impact or impinge on neighbouring properties. First emphasis should be on sustainability and biodiversity. <p>Reedy Marsh</p> <ul style="list-style-type: none"> • The character, sense of place and amenity of Reedy Marsh is made 	<p>densities of development, taking into account the incremental impacts of future required hazard management areas. Council's general position agrees that obligations for hazard management should be contained on the subject land and should not impact on any adjoining land.</p> <p>Council considers that biodiversity and rural living can co-exist without degradation of natural or visual values. It is matter of understanding the values that are present. The planning scheme provisions require that this is done prior to any decision being made. It is also possible that additional custodianship of land invests more resources into land management, potentially with better environmental outcomes overall.</p> <p>The Rural Living zones have been identified as 'established rural residential areas' which are areas that already experience a higher degree of residential uses and where primary industry activities are constrained due to various factors including the number of houses, land capability and topography, water availability and environmental values. As such, it is considered that the zones are located on compromised land, however this does not mean that environmental values are lost or cannot be enhanced.</p> <p>Reedy Marsh</p> <p>The 15 hectare lot size for Reedy Marsh follows from Council's consideration of submissions to the Interim Planning Scheme that this size is better able to blend with the character of the area and more appropriately accommodate natural values. Even with this lot size, it is not an automatic guarantee that a subdivision will be granted when natural values, hazard management, infrastructure and character objectives are considered, as described above. Each case is considered on its merits in consideration of the particular attributes of an area.</p> <p>Reedy Marsh is indeed a patchwork of variable attributes and assessment of the area indicates that it can accommodate additional lots without compromising the environmental or visual values. It has been assessed as being compromised for agriculture, which is affirmed by the representation made by the owner of Willowdale. Current infrastructure has been assessed and does not require</p>
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<p>up of interconnected native forest, patches of cleared agricultural land and swamp lands. This is threatened by proposed zoning and subdivision potential. It will destroy/adversely impact on the nature, character, values and amenity of the area. Subdivision is not supported for development, only for sustainable agriculture, biodiversity, or public interest purposes.</p> <ul style="list-style-type: none"> • Services, access and local government infrastructure are already under strain, and major upgrading would be required for additional lots. • Conflict between uses arises from disrespectful practices. Willowdale flats are not restricted for agriculture due to proximity to residential uses. The amenity of the area is enhanced by agricultural use. Rural residential use is complementary to agricultural use. • Objectives for the different areas are not distinct. Reedy Marsh should include "to protect and enhance biodiversity, native forest, habitat and natural values and 	<p>substantive upgrades to achieve some additional lot supply. Any proposal for additional roads would be determined by the road authority who has the ultimate jurisdiction in regard to costs and benefits associated with the creation of additional infrastructure.</p> <p>The potential to improve the local area objectives and character statements is acknowledged and it is considered that discussion of the values that should be captured would ideally be a conversation for the Commission hearings. Council is open to local community input on the values of the area in which people live.</p> <p>In this regard the representor raises the point of 'context' being included in the performance criteria for subdivision at 13.4.2.2 P1c)i). This suggestion is considered to have merit and is a subtle but important refinement in the criteria as topographical and natural features would extend beyond the boundaries of the 'site' (a defined term) and could be important factors in determining how a development fits into a particular area. The wording in the recommendation is a little different to that suggested however incorporates the principle described by Mr Elkin.</p> <p>It is not considered appropriate to mandate all of the performance criteria by the inclusion of 'and'. This would prevent the additional lot opportunity for residential purpose that is Council's strategy for rural living areas.</p> <p>Within the Rural Living Zone, a 25 metre setback is principally directed at character and the space between buildings on lots. The requirements for hazard management areas operate separately and may require a larger setback in order to be achieved on the subject property. There is no obligation for adjoining landowners to provide hazard management areas for adjoining sites (refer comments above).</p>
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<p>amenity and sustainable use of the area”.</p> <ul style="list-style-type: none"> • Minimum lot sizes should be greater than 15 hectares, with strengthened performance criteria relating to biodiversity. Suggests adding additional text to section 13.4.2.2 P1a) “...and promote and protect endemic biodiversity and ecological processes. ” • Suggests additional text to 13.4.2.2 P1c)i) as “the topographic or natural features or context of the site; and” • The performance criteria should be connected by ‘and’. • Setbacks should be set to prevent unnecessary danger, accident or dispute such as tree fall or winter shading. In a native forest it should not be expected that vegetation be compromised to suit a neighbours requirements. 	
<p>Need for Modification: The draft amendment should be modified to include the consideration of the context of a site in the performance criteria for subdivision.</p>	
<p>Impact on draft amendment as a whole: The modification is appropriate to be considered in all Rural Living zoned areas as the characteristics are highly variable.</p>	
<p>Recommendation: That 13.4.2.2 P1c)i) is modified as follows:</p>	

c) be consistent with the Local Area Objectives and Desired Future Character Statements having regard to:
 i) the topographical or natural features of the site within the context of the area; and

11	R & C Flittner	90 & 91 Jackey's Marsh Rd, Meander
Issue:	<ul style="list-style-type: none"> • Proposes inclusion of a small cluster of 5 titles in the Rural Living Zone which is submitted as meeting the criteria of an established rural residential area and to enable subdivision. • Submits that this cluster meets the policies of the Regional Land Use Strategy; • Land Use pattern is characterised by: <ul style="list-style-type: none"> - Cluster of dwellings in close proximity; - Fragmented land ownership and relative size of the block; - Lower land capability, which is why they have not been taken up by adjoining farms; - Topographical impediments to farming; - Environmental values that prevent resource extraction and connectivity. • Submits that a higher degree of 	<p>Comments:</p> <p>It is acknowledged that the submitted lots containing dwellings are currently a rural residential land use and that there are constraints to resource development. It is noted that the western most lot, whilst containing a dwelling, is currently farmed as part of the adjoining dairy property and as such is considered to have value for agriculture. Land to east of the cluster is part of a substantive holding of forest and pasture under common ownership.</p> <p>The land to the east of Meander (including the submitted area) was reviewed for the Interim Planning Scheme. Similarly, whilst it is recognised that these titles with established dwellings are a rural residential land use, the area of constraint as a result of this land use considered in totality is substantially smaller in size and nature than the other Rural Living zones throughout the municipal area. With effectively only one vacant title, the effects of development constraint and the extent of the area under this land use are minor in consideration of Councils overall rural living strategy. The response to the Interim Planning Scheme stated ...<i>"The strategy and the purpose of the zone is not to pick up every small, isolated cluster of rural residential titles, of which there are many throughout the municipality. Council's strategy for rural living is to identify areas that have strategic merit for intensification and the provision of additional opportunities for 'rural lifestyle' housing choice, either through subdivision of underutilised land or through a reasonable number of existing vacant titles within an area that is already constrained for larger scale rural activities by the extent of rural residential lots.</i></p>

<p>land ownership supports positive outcomes for land management.</p>		
<p>Need for Modification: There is no need to modify the draft amendment.</p>		
<p>Impact on draft amendment as a whole: There is no impact on the draft amendment as a whole.</p>		
<p>Recommendation: No recommendation</p>		
<p>12</p>	<p>A Fluck</p>	<p>8 Percy St, Carrick</p>
<p>Issue:</p> <ul style="list-style-type: none"> • Generally supports proposal • Road infrastructure may be inadequate for 40 houses. • Queries conditions for wastewater disposal. 	<p>Comments:</p> <p>Support is noted.</p> <p>Bishopsbourne Road has been assessed for capacity for the potential lot yield in the Specific Area Plan. The road has been determined to be adequate under applicable road standards and may require</p>	

	<p>minor shoulder treatment at worst. New road linkages as suggested which would require substantial bridge infrastructure, would not be economically feasible for the proposed lot yield.</p> <p>A small number of lots to the northern edge of the area will be able to make connection to the sewer. A domestic wastewater disposal system is minimal in discharge when compared to large applications of water to land, such as for farm irrigation. Under the standards, the lot sizes proposed provide ample area for discharge and evaporation without impacting on adjoining landowners or the Liffey River. Each lot will be assessed for the best location on the site for a wastewater system. Lots adjoining the Liffey River have been made larger to ensure an appropriate buffer between development areas and the river, including consideration of flood potential.</p>
<p>Need for Modification: There is no need to modify the draft amendment.</p>	
<p>Impact on draft amendment as a whole: There is no impact on the draft amendment as a whole.</p>	
<p>Recommendation: No recommendation</p>	
<p>13 Forico Pty Ltd</p>	
<p>Issue:</p> <ul style="list-style-type: none"> • Concerns regarding the potential for a reduced setback from 200m to 25m to negatively impact the Forico managed land and plantation estate, specifically: <ul style="list-style-type: none"> - inability to maintain the viability of crops due to restrictions on the application of pesticides within 100m of a dwelling; - potential for conflict where 	<p>Comments:</p> <p>Location of dwellings at 25m setback to the shared boundary will impact on spraying and vermin control activities that can be undertaken within 75m – 225m of the shared boundary due to the regulations regarding proximity to dwellings. The impacts of noise and odours are unknown however standard assessment procedures reduce the impacts of noise and odour over distance. Very little sound attenuation will be achieved over 25 metres and where machinery is located or operated at the boundary, the risk of conflict is high.</p>

<p>residential uses are located significantly closer to agricultural and forestry activities with impacts such as noise and odour;</p> <ul style="list-style-type: none"> - risks to the ongoing economic prosperity of the Rural Resource Zone. 	
<p>Need for Modification: The draft amendment should be modified to reinstate the requirement for 200m setback for sensitive uses to the Rural Resource Zone.</p>	
<p>Impact on draft amendment as a whole: Modification to reinstate the 200m setback will apply at the interface of the Rural Living and Rural Resource zones across the local government area, where sensitive uses are proposed.</p>	
<p>Recommendation:</p> <ul style="list-style-type: none"> • That clause 13.4.1 A4 b) is reinstated. 	
<p>14 A and K Harris</p>	<p>15 Church St, Carrick</p>
<p>Issue:</p> <ul style="list-style-type: none"> • Concerns regarding lack of consultation. Suggests a period of further consultation with impacted residents and landowners. • Concerns regarding loss of views and impacts on lifestyle. • Objects to increased housing density within close proximity to property, impacting on privacy. • Concerns regarding increased traffic on Church Street – noise and safety impacts. • Agricultural assessment does not 	<p>Comments:</p> <ul style="list-style-type: none"> • The Act requires amendments that affect more than one property to be advertised twice in a local newspaper on a Saturday, and does not specifically require direct notification to surrounding landowners. However, Meander Valley Council usually seeks to notify surrounding landowners with a letter. In this instance, an administrative error omitted notification of the residents along the southern edge of the Carrick township. Apologies to those landowners. <p>Somewhat fortuitously, the Notts and Knox’s (landowners that have been proponents for this amendment since the draft stages of the Interim Planning Scheme) sought to gather support for the draft amendment by speaking to the residents of Carrick and obtaining signatures for a Carrick Community Representation. This alerted the residents of Carrick to the proposed amendment which any interested party could then view on Council’s website. Mr Nott advises that this occurred just prior to Christmas 2015 and included Mr & Mrs Harris. As such, it is not considered that there has been any denial of natural justice as a result of the omission and there is no need to</p>

<p>address potential for innovative enterprise, such as controlled environment agriculture, in the future, particularly given access to reliable water. Proximity to major roads and local services would be encouraging to innovative farmers and entrepreneurs.</p> <ul style="list-style-type: none"> • State government Agrivision 2050 plan which aims to proactively identify new opportunities and innovation. Meander Valley should support this plan and protect agricultural land for future innovative enterprise opportunity. 	<p>extend consultation beyond discussion that may occur in any Commission hearings.</p> <ul style="list-style-type: none"> • The planning scheme and Act does not provide for the protection of individual views. The nature of strategic planning is that settlements are not static and change over time, depending on particular local circumstances. This is often the case at peripheral edges when expansion of a settlement is desired. The fundamental premise of strategic planning is that the long term interests and benefits of a community or settlement are prioritised. <p>In this instance, there is a Crown Road reserve adjoining the representor's property, which always carried the possibility of being required for road infrastructure to access the south western edge of Carrick. This is the purpose of the reserve.</p> <ul style="list-style-type: none"> • The density of housing proposed through the Specific Area Plan is consistent with the south western edge of Carrick, identical in character and relative size to the representor's property. The plan results in potentially three additional dwellings and accesses along a future extension of Percy St, which is a very low volume of traffic when compared to Bishopsbourne Road (a feeder/link road from Northern Midlands) and Percy Street. <p>The Rural Living Zone standards have a boundary setback of 25 metres. Together with the width of the road reserve, this would result in a separation distance of 49 metres between the existing and future dwellings. Any reduction of that distance would be subject to discretionary application processes whereby nearby landowners can make representation. The distribution of future dwellings is considered to be a very low density, would maintain a degree of openness in the landscape and maintains reasonable privacy. (Refer Photo below)</p>
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Photo 1 – View along unmade section of Percy Street with 15 Church St to right of picture and subject land with existing dwelling to the left. (Source: Google Street View- Jan 2010)

- The agricultural assessment considers the potential for different types of production on the land, including commodity based and controlled environment agriculture. It discusses the likely requirements of those industries, with particular regard to higher investment operations that may access irrigation water. It is clear in the assessment that the land is simply not viable for commodity based agriculture and has constraints in regard to attracting investment in commercial scale operations for intensive agriculture such as controlled environment agriculture.

The strategy for the Rural Living Zone is that it provides opportunity for small rural enterprises or new 'start-up' enterprises, together with the opportunity for residential use, without the onus of demonstrating full commercial viability. This encourages new enterprises without the risk of loss

	<p>of well-connected agricultural land without requiring small enterprises to take on unmanageable tracts of land in order to start. The Specific Area Plan has specifically taken these types of enterprises into consideration in the sizing of lots to the west of Bishopsbourne Rd, bordered by the Liffey River, and at the northeast corner of the SAP.</p> <p>It is noted, that several activities that are permitted as of right in the Rural Resources Zone such as plantation forestry or controlled environment agriculture in poly tunnels or sheds, would have a significant impact on outlook across the subject land.</p>
<p>Need for Modification: There is no need to modify the draft amendment.</p>	
<p>Impact on draft amendment as a whole: There is no impact on the draft amendment as a whole.</p>	
<p>Recommendation: No recommendation</p>	
<p>15 J & R Hawkins</p>	<p>Bentley, Mole Creek Rd, Chudleigh</p>
<p>Issue:</p> <ul style="list-style-type: none"> • Representation to the Meander Valley Interim Planning Scheme 2013: - Submits that the amendment does not meet the objectives of LUPAA as that process has not been finalised and the outcomes of Mr Hawkins representation has not been determined. - The lack of finalisation through that process requires resubmission to 	<p>Comments:</p> <p>In the first instance it is important to note that this report does not constitute an exhaustive rewrite of the submission, nor does the lack of doing so indicate that the submission has not been read or fully considered. Council respects the time and effort of all individuals who consider proposed changes to the planning scheme and make submissions, having always encouraged the Meander Valley community to do so through the development of its planning scheme. If Council does not ultimately agree with the representation made, this does not mean that it has not been considered or the comments appreciated.</p> <p>The submission is taken as read and will be publicly available as part of this reporting process for any person to appreciate. The process continues to the public hearings of the Tasmanian Planning Commission where the details of a particular matter are discussed for final determination. It is often</p>

<p>this amendment, which is consistent with and builds upon the submissions to the IPS.</p> <ul style="list-style-type: none"> - The lack of resolution of the IPS process represents a lack of fair and orderly planning, particularly noting the Chudleigh community representation (enclosed) which provides a public interest perspective. • Regional and Local Strategic Planning: <ul style="list-style-type: none"> - In a number of instances, the IPS is not consistent with the NRLUS; - Amendment will fail to achieve the NRLUS vision; - Rejects the notion that the regional strategy for rural and environmental living areas is Council's strategy for rural residential land use, there is no local strategy; - Lack of State Policies; - Suggests that Chudleigh North area is more in line with the NRLUS description of Environmental Living; - MV Land Use & Development Strategy 2005 – submits that 	<p>the case that this forum is more productive in discussing and negotiating matters, rather than relying on verbose amounts of text. This report focuses on the salient issues raised in a representation so that Council may present its view as to which matters it supports and those it does not.</p> <p>Interim Planning Scheme Process:</p> <p>It is acknowledged that the consideration of the amendment is complicated by the uncertainty around the process for the Interim Planning Scheme and Council shares Mr & Mrs Hawkins frustration in this regard. This is a significant factor in Council's decision to proceed with this amendment. The lack of finalisation on various matters does mean that the Hawkins' were required to submit the same position to this amendment, however it is not considered that this results in failure of this amendment to meet the objectives of LUPAA. This amendment is a stand-alone proposal going through a statutory process, however it is noted that the Commission can have regard to any matter it considers relevant. It is anticipated that this would include the Chudleigh community representations to the Interim Planning Scheme, noting it is a referenced document in this submission.</p> <p>Regional & Local Strategic Planning</p> <p>Council has provided its assessment against the policies and actions of the NTRLUS in its report and considers that the amendment is in accordance with the strategy. There will always be varying views and potentially disagreements about the relative compliance of specific areas that will be discussed further through the hearings into the amendment. However, overall Council considers that the proposal furthers the vision for the northern region by providing diversity in settlement for rural regional areas.</p> <p>Local strategy for rural residential areas has developed over time and through extensive consultation such as the Land Use & Development Strategy 2005, Draft Planning Scheme 2008, Draft Planning Scheme 2011, Draft Interim Planning Scheme 2012, NTRLUS 2012 and the Interim Planning Scheme 2013, including a description of the methodology for identification of appropriate areas for rural living type zoning, which is provided again as part of this amendment. Council's initial strategic</p>
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<p>the NRLUS cannot replace Council's 2005 strategy, provides an excerpt relating to rural residential zoning.</p> <ul style="list-style-type: none"> - Low demand, land within the town boundary has been on the market for long time or has bene withdrawn from the market, indicating over supply. • Community Strategic Plan: Chudleigh North zoning is incompatible with many components of the CSP and does not properly protect 'majestic landscapes'. • Rezoning land to Rural Living Zone at Chudleigh: <ul style="list-style-type: none"> - The report describes two physically separate areas but treats as one zone which is confusing; - Zone has only one subdivision standard of 10ha which is not relevant to the land at Chudleigh South as these lots are 4ha; - The different qualities of the areas should be described and treated differently – namely Chudleigh North and 	<p>document, the Land Use & Development Strategy 2005 (excerpt provided in representation) describes virtually the same strategic outcomes as the policies and actions in the NTRLUS and Council's methodology for rural and environmental living. Council considers on the issue of rural living it has 'held the line' for common sense.</p> <p>'Strategy' is commonly defined as "a plan of action or policy in business or politics etc." (Australian Concise Oxford Dictionary 3rd Ed 1997). It is not automatically a stand-alone document that is compelled to go through statutory processes. It is the policy basis to the approach for carrying out land use planning, in this instance to provide for rural residential land use. The policy is described in various documents that have supported the development of Meander Valley's planning scheme over last decade, culminating in a final position on rural living contained in this amendment. Following the many consultations carried out over the years related to the planning scheme (listed above), there are no surprises contained in this draft amendment. The policy and actions contained in the NTRLUS are a statutory requirement for new planning schemes and amendments. After many years of participation in the Regional Planning Initiative, the NTRLUS reflects Meander Valley's input with the most comprehensive description of the policy (aka 'strategy') to date and the expectations for application through planning schemes.</p> <p>Meander Valley Council steadfastly rejects yet another process that no other Council has been subjected to for more significant outputs than that proposed by this amendment. No other Council that has multiple rural living zones and significant additional lot opportunity was required to have a stand-alone strategy document, only strategic justification, and even then this requirement was highly inconsistent. Council's processes for identification of its Rural and Environmental Living zones are mapped across the local government area (one of few Councils, and the first, to do so) and the application of the methodology and conclusions for each area explained (again one of few Councils to do so). Council's approach to Rural Living has been openly discussed and developed through the process of developing a new planning scheme through numerous consultations and its participation in the development of the NRLUS and regional planning provisions. The intended outcomes of the approach to rural living have been broadly supported by the community throughout those processes.</p>
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<p>Chudleigh South;</p> <ul style="list-style-type: none"> - Only by considering the areas separately can the differing issues and impacts be properly appraised. <p>Chudleigh South</p> <ul style="list-style-type: none"> - Supports rezoning of land at Chudleigh south; - Some of the land is owned by Mr & Mrs Hawkins in 6 small titles as part of the Bentley holding; - This area does not have any specific Local Area Objectives or Desired Future Character Statements. These can be developed further through the process; - Submits for a 2.5ha min lot size for the southern area which would provide for a small amount of intensification on land that is uncontentious, within the town boundary; - Availability of lots in this zone would obviate the need for the northern zone; - Submits that the land in the southern zone should also be subject to a scenic management 	<p>Rural Living Zoning at Chudleigh:</p> <p>Comments regarding describing the two areas to the south and north individually, due to differing characteristics and to avoid confusion are noted. This is generally supported and would not require a substantive modification to the Local Area Objectives and Desired Local Character Statements, depending on the final determination of the Commission in regard to subdivision opportunity in both areas. The detailed wording could be considered through hearings into the issues relating to the two areas.</p> <p>Chudleigh South:</p> <p>Support for zone is noted. The area was considered to have been covered by the existing Local Area Objectives or Desired Future Character Statements. As per comments above, the detailed wording could be considered through hearings into the issues relating to the two areas.</p> <p>The submission for a minimum lot size of 2.5 hectares is not supported. The development of existing lots only is considered appropriate as:</p> <ul style="list-style-type: none"> - The area is also a prominent hill form in the landscape, - The visual landscape value that frames the southern edge of Chudleigh arises from its patchwork of vegetation that would require larger amounts of vegetation removal for bushfire protection; - The area is not serviced by public roads and there is no intention of behalf of Council to extend that network (existing lots can be accessed by Crown licence); - There are 6 vacant lots. <p>(Refer aerial photo below)</p> <p>The 10hectare minimum lot size would discourage subdivision of the existing, approximately 4ha lots, however listing this area as 'no additional lots' is also an option that can be considered for certainty. The submission for scenic management overlay for this area is not supported. With the existing lot density, it is considered that visual impacts can be managed through the objectives.</p>
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overlay;

- Describes a submission of a preferred proposal for zoning to the southern end of the township (Note: not included – presumed to be the submission made to the IPS)

Chudleigh North (the area within the RL Zone to the north side of Mole Creek Road)

- Objects to the Chudleigh North Zone and subdivision ability;
- The zone should revert to Rural Resource Zone;
- The area has significant agricultural land use which is ongoing, indicating a lack of fettering;
- The area is dominated by agriculture and is not an established rural residential area, does not meet the criteria for an ERRA;
- The area has an ad hoc number of dwellings on small titles as an artefact of history, opportunistic ribbon development, some of which is associated with farming;
- The zone is contrary to the PAL Policy;
- Further subdivision will

The earlier submission to the Interim Planning Scheme regarding zoning of the southern part of the township was considered through that process. The amendment reflects Council's response and preferred position in regard to Rural Living zoning.



Chudleigh North:

Council has continuously supported the area to the north of Chudleigh for the Rural Living Zone, due to the extent and distribution of existing dwellings on small lots. It is agreed that this is a result of

<p>unreasonably convert agricultural land and promote non-agricultural use;</p> <ul style="list-style-type: none"> - The zone is not a significant benefit to the region, with other zones providing opportunity; - Has not considered social, environmental and economic costs and benefits; - Constraints analysis shows that very little of the land is highly constrained; - Residential development would be prominent when viewed from township, public roads and Bentley Estate; - The scenic corridor will not protect the visible slope; - Development will scar the cultural heritage, scenic landscape; - The Local Area Objectives and Desired Future Character Statements cannot be met, no design would integrate with the landscape; - Proliferation of development on the hill slope will would defile and scar the landscape; - The landscape and views are an important part of Chudleigh's 	<p>historic, ad-hoc development and this has generally been the cause of many of Meander Valley's identified rural residential areas, with only some areas being subject to prior low density residential zoning. This is the point of this draft amendment. Council considers that this area is an 'established rural residential area', though acknowledges that the density of rural residential is not as high as some other areas.</p> <p>The response to the submission to the Interim Planning Scheme is reiterated here...</p> <p><i>"The RLUS includes criteria for appropriate identification of Rural Living Zones in that there must be 'established rural residential areas' and there must be proximity to a settlement with basic services if there are is to provide additional supply of lots. The area to the north of Chudleigh is considered to meet these criteria.</i></p> <p><i>It is acknowledged that some of the area is subject to grazing associated with a larger farming title, however this is not the only determining factor in the suitability or otherwise of Rural Living zoning. The strategic benefits to a settlement in providing land for this lifestyle choice in a measured way, can outweigh agricultural uses in some circumstances. In this instance, grazing activities can continue irrespective of the zoning and the land is not suitable for intensive agriculture or forestry due to the slope, land capability, karst geology and the proximity to residential uses."</i></p> <p>It was never contended by Council that the land was 'highly constrained'. The earlier constraints analysis work served to highlight some areas for investigation. The social, economic and environmental costs and benefits have been considered through the policy that acknowledges that diverse housing choice for small settlements helps to support those settlements economically. Environmental constraints associated with karst will continue to pose difficulties for development in various locations at Chudleigh, including in the Village and Low Density Residential zones. This is quite possibly the reason that land is slow to sell and develop within these zones. It is the nature of karst that it can vary from lot to lot. These environmental constraints will also be the reason that housing densities will never be high. In addition, vegetation removal is discretionary development. There is no 'permitted' as of right ability to clear priority habitat as the Biodiversity Code prevails. Any future development would need to demonstrate that this vegetation is protected.</p>
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<p>brand and should be protected;</p> <ul style="list-style-type: none"> - Motton Lane is not an appropriate standard to support subdivision and provide for emergency access; - The slope is south facing and shaded by the priority habitat; - Permitted development has potential to fragment the priority habitat area; - There is no need demonstrated for housing in this location, noting nearby land at Mole Creek; - Land stability, karst and flood issues; - Primarily benefits two landowners; - Potential to add additional access points to Mole Creek Road; - No reticulated water; - If in the event the zone were retained, advocate for no subdivision potential or a mandatory minimum of 20ha. - Does not meet NRLUS actions RSN A19 – A23, and has adverse consequences for RSN A24; - RSNA25: <ul style="list-style-type: none"> ▪ has proximity to social services; ▪ has on-site wastewater system suitability; ▪ does not have adequate access to 	<p>The scenic values of the hills are recognised. It is noted that the current houses located on this hill do not 'scar' the landscape and include characteristics such as being set into the slope, retention and planting of vegetation, muted tones. It is considered that additional development can be treated the same way. There will not be "proliferation" of development, which is additionally protected through the inclusion of a scenic management area.</p> <p>It is important to note that when considering the potential for adverse visual impacts that substantive rural resource use and development can be undertaken without the need for a permit, or as permitted as of right if the zone reverts to Rural Resource zoning, such as silos, numerous buildings of 100m² floor area (zincalume sheds and the like), poly tunnels, plantation forestry.</p> <p>Any future subdivision would be required to demonstrate how the scenic management objectives are upheld and that appropriate conditions for housing are provided such as wastewater, access, solar amenity, whilst also providing for hazard management and any environmental constraints. This may require some upgrading of road infrastructure to meet bushfire requirements, however current local roads are at, or very close to the standard for the anticipated very low volumes of traffic.</p> <p>Scenic Management at Chudleigh:</p> <p>Council acknowledges the significant amount of work undertaken on this matter for Chudleigh by the representor for the IPS, carried through to this amendment. However, the broader Chudleigh Valley is not being considered as part of this amendment. This amendment contains the undertaking made by Council in response to the submission to the Interim Planning Scheme to include a scenic management overlay over the northern Rural Living Zone, specifically to address concerns about visual impacts of rural residential development within the zone. Council did not propose this action as a result of a general consideration for scenic management. The submission by the representor is well outside the scope of this proposal.</p> <p>As part of the Interim Planning Scheme and NRLUS considerations and looking to forthcoming</p>
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<p>road infrastructure;</p> <ul style="list-style-type: none"> ▪ does not appropriately consider the impact on natural values; ▪ does not minimise conversion of agricultural land; ▪ does not adequately consider impacts on water supply for agriculture and environmental purposes; ▪ does not adequately consider natural hazard management or landslip; ▪ does not adequately consider the existing supply in the region; ▪ does not adequately consider potential requirement of the land for urban purposes; ▪ does not achieve positive environmental outcomes. <ul style="list-style-type: none"> • Subdivision in various Rural Living localities <ul style="list-style-type: none"> - Generally supports the potential for subdivision in other areas. • Scenic management overlay at Chudleigh: <ul style="list-style-type: none"> - Supports a scenic management overlay at Chudleigh, however submits it should be expanded 	<p>obligations for the Tasmanian Planning Scheme, Meander Valley has requested both the Commission and Minister provide advice as to what will be required of Council in regard to scenic management. All submissions on that matter are deferred to be part of this process and will be addressed as part of a municipal wide position.</p> <p>Removal of Clause 13.4.1 A4b):</p> <p>Support for the removal of Clause 13.4.1 A4 b) is noted. However, the recommendation to reinstate this clause due to the impacts on Rural Resource zoned land is discussed above. The setback to the Rural Resources Zone is considered to be management area which looks at the individual circumstances of each case at the interface of the zones. It is not a prohibition to the development of land in the Rural Living or Environmental Living zones.</p> <p>The issue of potential conflict at the boundaries of other, higher density zones is acknowledged as an important point that needs discussion in the context of the planning scheme approach to this issue. It is noted that this issue was raised in the Interim Planning Scheme process but is not yet determined.</p>
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<p>across a broader area.</p> <ul style="list-style-type: none"> - Pages 34-59 resubmits the detailed position in regard to a scenic management area for the Chudleigh Valley that has been submitted to the Interim Planning Scheme process; - The scenic management area over Chudleigh should remain irrespective of zoning; - The character statement does not properly capture the vantage points where the hill slope is visible. May make further submissions on description; - Suggests 'alteration' rather than 'change' in Objective a); - Submits that there should be local criteria and standards; <ul style="list-style-type: none"> • Removal of Clause 13.4.1 A4b) <ul style="list-style-type: none"> - Supports the reduction of setback to the Rural Resources Zone from 200m to 25m; - The same issue of potential conflict exists at the boundary of the township, possibly being greater; - The 200m setback would hamper development on Rural Living land at Chudleigh South which is made 	
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up of 4ha lots.		
Need for Modification: There is no need to modify the draft amendment.		
Impact on draft amendment as a whole: There is no impact on the draft amendment as a whole.		
Recommendation: No recommendation		
16	D & S Kimpton	11 Church St, Carrick
Issue:		Comments:
<ul style="list-style-type: none"> Concerns regarding loss of amenity and detrimental impact to lifestyle values. Rezoning is out of character with Carrick area. Concerns about the loss of productive agricultural land for speculative gain. Land on Western side of the Liffey could fall into the same category and would encourage further rezoning of agricultural land. Report acknowledges there is residential still available. Absence of services, risk of groundwater contamination by wastewater systems. Impacts of traffic, noise, drainage and services have not been defined in regard to development activity 		<ul style="list-style-type: none"> The nature of strategic planning is that settlements are not static and change over time, depending on particular local circumstances. This is often the case at peripheral edges when expansion of a settlement is desired. The fundamental premise of strategic planning is that the long term interests and benefits of a community or settlement are prioritised. <p>The draft amendment results in potentially three additional dwellings and accesses along a future extension of Percy St, which is a very low volume of traffic when compared to Bishopsbourne Road (a feeder/link road from Northern Midlands) and Percy Street. The Rural Living Zone standards have a boundary setback of 25 metres. The distribution of future dwellings is considered to be a very low density and would maintain a degree of openness in the landscape. The report acknowledges that the proposed Specific Area Plan represents a high degree of change, however discussed the strategic reasons for doing so. The Specific Area Plan provides for an appropriate yield, with diversity in the range of lot sizes, graduating from large residential lots at the town edge to lower density lots toward the south. The aim is to provide choice for rural residential activities, including small enterprise whilst achieving the efficiencies for lot yields that would support services in Carrick. The Regional Land Use Strategy for Northern Tasmania recognises rural residential use as being an important factor in the economic support of small rural settlements. Whilst a major service centre may still be used, small settlements still require local services such as a shop, fuel station etc. Additional residential uses support these</p>

<p>that may result from the amendment.</p> <ul style="list-style-type: none"> • Economic benefits of additional houses likely to be minimal when compared to rural industry development, number of businesses has changed little in 10-12 years. • Most will utilise Launceston services due to close proximity to the highway. • Agricultural report 60% of area as productive. Report does not consider trend to high technology and intensive farming systems. Loss of land capacity close to sealed roads, nearby animal feed mill and Launceston. • Cleared agricultural land with potential for connection to an irrigation scheme has premium value for intensive agricultural development. Liffey River and road are assets rather than an impediment. • Land capability classification may need to be evaluated in light of movement toward high value agriculture. • Hadspen is a better fit for rural 	<p>local services. Council's draft amendment recognises that Carrick is a settlement that does not have opportunity for this housing choice. Council's strategy is to provide dispersed opportunity for rural residential uses which enables choice in both location and housing type. Opportunity is also provided at Hadspen for that settlement. Regional and local strategies contain objectives to provide diversity in housing choice. Urban residential and rural residential uses are not comparable housing types.</p> <p>The roads, traffic, topography, soil type and services have been considered in regard to the capacity to accommodate the proposed future density. Bishopsbourne road has been found to be an appropriate standard to meet the predicted increase in traffic. It is currently classed as a Feeder/Link road with traffic movements averaging 383 movements per day. Church Street is classed as an Urban Feeder Road which has a threshold of 1500 movements. The total volume of anticipated traffic accounts for a little less than half of the threshold for the road category. The lots proposed by the Specific Area Plan and the road can be comfortably drained without impacts on adjoining land, given the low density of future development. Similarly the soil profile and large lot areas can accommodate on-site wastewater systems in accordance with wastewater standards.</p> <ul style="list-style-type: none"> • The agricultural assessment considers the potential for different types of production on the land, including commodity based and controlled environment agriculture. It discusses the likely requirements of those industries, with particular regard to higher investment operations that may access irrigation water. It is clear in the assessment that the land is simply not viable for commodity based agriculture and has constraints in regard to attracting investment in commercial scale operations for intensive agriculture such as controlled environment agriculture. The agricultural assessment describes that in accessing irrigation scheme water, the scale and output of the operation needs to be able to make the expense of connection and usage viable. Typically this requires large tracts for irrigated land, which means that topographical elements such as significant rivers or major roads that make movement between paddocks difficult, do act as an impediment to connectivity. This can however, make an area suitable for smaller enterprises. The agricultural report notes that the area has already been effectively converted to
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<p>living, minimising loss of agricultural land.</p>	<p>hobby farms.</p> <p>The strategy for the Rural Living Zone is that it provides opportunity for small rural enterprises or new 'start-up' enterprises, together with the opportunity for residential use, without the onus of demonstrating full commercial viability. This encourages new enterprises without the risk of loss of well-connected agricultural land without requiring small enterprises to take on unmanageable tracts of land in order to start. The Specific Area Plan has specifically taken these types of enterprises into consideration in the sizing of lots to the west of Bishopsbourne Rd, bordered by the Liffey River, and at the northeast corner of the SAP.</p> <p>The Tasmanian Land Capability Classification System was developed by Department of Primary Industries (Noble 1992, Grose 1999) and has a defined scientific methodology for the identification and classification of agricultural land. Changes in the agricultural market are not a factor in this system.</p>
<p>Need for Modification: There is no need to modify the draft amendment.</p>	
<p>Impact on draft amendment as a whole: There is no impact on the draft amendment as a whole.</p>	
<p>Recommendation: No recommendation</p>	
<p>17 D & M Knox</p>	<p>141 Bishopsbourne Rd, Carrick</p>
<p>Issue:</p> <ul style="list-style-type: none"> Support rezoning and Specific Area Plan along Bishopsbourne Road, however note as landowners of the subject land that their immediate intention is not to fully subdivide 	<p>Comments:</p> <p>Support is noted.</p> <p>The Specific Area Plan has been designed to allow for the most efficient and appropriate yields from the identified area of land. Whilst there would not be any requirement fully subdivide in the first</p>

as shown in the Specific Area Plan.	instance, the future consideration of any subdivision would seek to ensure that the full realisation of the planned yield is not compromised for the long term.
<p>Need for Modification: There is no need to modify the draft amendment.</p>	
<p>Impact on draft amendment as a whole: There is no impact on the draft amendment as a whole.</p>	
<p>Recommendation: No recommendation</p>	
18	K Manning
<p>Issue:</p> <ul style="list-style-type: none"> Property adjoining the boundary of the Davis Rd Rural Living Zone has similar attributes to those zoned Rural Living. It is not clear why the distinction has been made between representor's property and the adjoining zone. Wishes to have property included in the Rural Living Zone. 	<p>374 Quamby Brook Rd, Quamby Brook</p> <p>Comments:</p> <p>It is acknowledged that the property, at 17ha in size, is a rural residential property, with other rural residential lots adjoining (0.5ha) and to the other side of Quamby Brook Rd (2ha). The complicating factor in determining the peripheral edge of the Rural Living Zone is the nature of primary industry activities being undertaken, whether these are contiguous and the potential impacts of intensification, noting that existing lots with houses have existing use provisions within the Rural Resource Zone.</p> <p>Presumably the representor wishes to subdivide the lot. In this location, there were contiguous plantations to the south eastern edge that border the representor's property, one of which is contained in a 19 hectare lot along with a residential use that is included at the southern edge of the Rural Living Zone. There are a small number of plantations contained within the Rural Living Zone across the Meander Valley area and are subject to existing use rights. The decision to not include the representor's lot within the zone was based upon the forestry land use that is located between the representor's property and the balance of the zone, which includes a larger plantation lot of 62 hectares.</p>
<p>Need for Modification: There is no need to modify the draft amendment.</p>	

Impact on draft amendment as a whole: There is no impact on the draft amendment as a whole.		
Recommendation: No recommendation		
19	J Nichols	Whitchurch Lane, Weetah
Issue:	<ul style="list-style-type: none"> • Representor has considered future use of the lot which borders State forest and is currently contained in a PTR. • Intends to continue forestry and does not wish for lot to be included in the Rural Living Zone. 	Comments: The land is an isolated title of approximately 17.5 hectares at the end of Whitchurch Lane, does not contain a dwelling and is contiguous to operational State Forest. The intended future land use is appropriate to be retained in the Rural Resources Zone.
Need for Modification: The amendment should be modified to remove CT 228500/1 from the proposed rezoning at Weetah.		
Impact on draft amendment as a whole: The issue is confined specifically to the edge of Weetah and does not affect the amendment as a whole.		
Recommendation: That CT 228500/1 is retained in the Rural Resources Zone.		
20	G Nott	54 Bishopsbourne Rd, Carrick
Issue:	<ul style="list-style-type: none"> • Supports rezoning and Specific Area Plan at Bishopsbourne Rd, Carrick; • The proposal has been supported by Council for a number of years and has strong support from Carrick residents; • Meander Valley has a lack of rural 	Comments: Support is noted. Representation outlines support for matters discussed in the amendment supporting report and provides local advice in regard to demand for the Carrick area.

<p>living opportunity compared to surrounding municipalities;</p> <ul style="list-style-type: none"> • Considers there is strong demand for the zone in Meander Valley and Carrick area in particular; • Additional lots will provide Carrick with an economic boost; • Development can be achieved with limited infrastructure requirements; • There is ability to connect some of the area to reticulated water; • The area has clearly defined boundaries; • The Specific Area Plan lots allow for Rural Living Zone to better merge with residential properties at the edge of the township; • The area is within commuting distance to Launceston; • Proposal meets the requirements of the Northern Regional Land Use Strategy and will have no adverse impact on agricultural properties. 	
<p>Need for Modification: There is no need to modify the draft amendment.</p>	
<p>Impact on draft amendment as a whole: There is no impact on the draft amendment as a whole.</p>	
<p>Recommendation: No recommendation</p>	

21	C Nott	54 Bishopsbourne Rd, Carrick
<p>Issue:</p> <ul style="list-style-type: none"> • Representor is also a signatory to the Carrick community representation, however as a landowner of proposed rezoning, wishes to add additional comment; • There is strong demand for lifestyle/rural living lots in the Carrick area, experienced through personal contact from people seeking to purchase small holdings; • This is caused by a lack of suitably zoned land in Meander Valley ; • Will fit with the upcoming Single State Planning Scheme as government realises that many areas are doing it tough; • Widespread community support for the proposal; • Amendment will assist with small business viability and a brighter future; • This is an opportunity that should not be missed. 		<p>Comments:</p> <p>Support is noted.</p> <p>Representation outlines support for matters discussed in the amendment supporting report and provides local advice in regard to demand for the Carrick area.</p>
<p>Need for Modification:</p> <p>There is no need to modify the draft amendment.</p>		
<p>Impact on draft amendment as a whole:</p> <p>There is no impact on the draft amendment as a whole.</p>		

Recommendation: No recommendation		
22	L Parker	189 Ginns Rd, Birralelee
Issue:	<ul style="list-style-type: none"> • Supports ability to subdivide in Rural Living Zone at Birralelee; • Outlines personal circumstances relating to the property. 	Comments: Support is noted.
Need for Modification: There is no need to modify the draft amendment.		
Impact on draft amendment as a whole: There is no impact on the draft amendment as a whole.		
Recommendation: No recommendation		
23	A Ricketts	780 Larcombes Rd, Reedy Marsh
Issue:	<ul style="list-style-type: none"> • Representation primarily about the Environmental Living Zone at Reedy Marsh and subdivision in the broader locality; • Supports the application of the EL Zone and 20ha minimum lot size; • Supports conservation covenants as the basis for the zone due to secure tenure, however the application of zone seems overly cautious. A case could be made for all covenanted land. • Areas dominated by priority 	Comments: General support is noted. <ul style="list-style-type: none"> • Environmental Living Zone: Whilst conservation covenants are a secure mechanism for permanent conservation, it is not considered appropriate to automatically apply the zone to this land tenure due to their highly dispersed nature. It is agreed that there could be circumstances where continuity with a reserve warrants consideration and also Land for Wildlife, though longevity of this program and obligations are not clear. In considering areas dominated by priority habitat it would need to be certain that the priority vegetation community exists, given known inaccuracies in the data, otherwise land could be unnecessarily restricted in regard to use.

<p>habitat could be considered appropriate for EL zoning.</p> <ul style="list-style-type: none"> • Land in the EL Zone should be subject to ongoing Natural & Cultural Values Management use. • Suggest amending zone purpose 14.1.1 to remove text relating to impacts of rural activities. • Use: <ul style="list-style-type: none"> - Suggest mandating underground utilities; - Important to retain the residential permitted use right; - Suggests discretion to allow consideration for additional dwellings on a lot; - Consideration of 'remote infrastructure' as privately maintained utilities. • Regional Land Use Strategy: <ul style="list-style-type: none"> - Supports revision of the NTRLUS for clarifying the positive economic and social outcomes associated with the Rural Living and Environmental Living zones; - Is a statutory requirement for the planning scheme; - Requires review to be more effective; 	<p>Zone purpose 14.1.1 is a component of the PD1 Planning Scheme Template. A case for changing the State Template must be made to the Commission. Council has no jurisdiction over the content of the State Template.</p> <p>Agree that a permitted status, residential use right is a fundamental component of the zone.</p> <p>Mandating the underground installation of utilities could render development of a lot financially infeasible. It is noted however that a permit could be conditioned to require undergrounding of utilities in consideration of the impacts and the objectives of an area.</p> <p>Do not support additional dwellings on a lot as the zone is predicated on very low densities, however remote components of a dwelling (such as a studio) or ancillary dwellings can be considered.</p> <p>Unsure of what is meant by remote infrastructure. This can be explained to the Commission in a hearing.</p> <ul style="list-style-type: none"> • Regional Land Use Strategy and PAL Policy: <p>The legislation provides for ongoing review of the NTRLUS, however its diminished role in applying only to local provisions in planning schemes in the amended LUPAA is acknowledged.</p> <p>Under the legislation, the NTRLUS, and subsequently planning schemes, are required to demonstrate compliance with all State Policies. State policies are a legally superior instrument and as such, strategic work and planning schemes must be deferential. However, there is scope to argue the strategic merits for land use change, including agricultural land, if a broader community benefit can be demonstrated. Whether land is 'agricultural land' is not a straightforward or formula determination and steeped in the historic complexity described in the submission, however in pursuing an area for rural residential intensification it is important that the impact of the change does not alienate productive land. Council considers that all potential areas have been investigated (refer to Liena discussion below) and that the amendment represents a realistic and current identification of</p>
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<ul style="list-style-type: none"> - Encourages MVC to actively argue for the aspirations of the NTRLUS and local community; - EI and RL zones potentially have both positive and negative impacts on natural advantages. - Submits that not all 'established rural residential areas' have been identified, the definition is deferential to the PAL Policy; • Local strategy: <ul style="list-style-type: none"> - The Land Use and Development Strategy 2005 and the Strategic Plan remain relevant. • Reedy Marsh: <ul style="list-style-type: none"> - Considers that the EL Zone meets NTRLUS policies RSNP21-P23. - Partially meets RSN24 as existing services are limited; - Considers that the EL Zone meets NTRLUS actions RSN A21 – A24; - Suggests consultation for refinement of local objectives, lot sizes and associated zonings. Prefer the approach of 	<p>land use that can appropriately provide economic benefit to Meander Valley's rural communities.</p> <p>The Meander Valley Land Use and Development Strategy 2005 is still considered relevant and is generally consistent with the NTRLUS. However, to the extent of any inconsistency, the NTRLUS prevails as it is a statutory document.</p> <p>Reedy Marsh:</p> <p>Council is open to the refinement of the Local Area Objectives and desired Future Character Statements which can be further addressed in Commission Hearings. These statements are a mandatory consideration in determining the suitability of subdivision.</p> <p>Supports the removal of clause 13.4.1 A4b):</p> <p>Support for the removal of Clause 13.4.1 A4 b) is noted. However, the recommendation to reinstate this clause due to the impacts on Rural Resource zoned land is discussed above. The setback to the Rural Resources Zone is considered to be a management area which looks at the individual circumstances of each case at the interface of the zones.</p> <p>The setback for sensitive uses to the Rural Resource Zone is not a prohibition to the development of land in the Rural Living or Environmental Living zones and is not considered a 'donation'. The impact of development on adjoining zones must be considered in accordance with the objectives of LUPAA. There are numerous primary industry activities that have attenuation requirements (intensive animal keeping, dairies, quarries etc.) However, the setback provision will not prohibit the establishment of a residential use on a Rural Living lot, whereas conflict with residential land uses may permanently alienate the use of agricultural land.</p> <p>Amenity:</p> <p>Whilst it is recognised that amenity and outlook is a quality that is valued in many residential areas, including Rural and Environmental Living Zones, it can conflict with objectives for rural resource</p>
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<p>the SAP for Carrick;</p> <ul style="list-style-type: none"> - Supports the RL Zone and generally the 15ha minimum lot size, better termed 'average lot zone density'. • Supports the removal of clause 13.4.1 A4b) to reduce the setback to the Rural Resources Zone from 200m to 25m: <ul style="list-style-type: none"> - The sensitive use setback is an inequitable and unreasonable limitation on one's use of land while the adjacent landowner has 'carte blanche' to the boundaries; - Many blocks would be unable to be developed, 200m is a long distance. • Objects to the exemptions for extractive industries and forestry occurring in adjacent zones. • PAL Policy: <ul style="list-style-type: none"> - Objects to the PAL Policy; - The Interim Planning Scheme submits to the PAL Policy in the Rural Resources Zone; - The conversion of former schemes to PD1 Template schemes has resulted in demonstrable loss of economic 	<p>production. Views are generally not a matter that can be addressed by a planning scheme, unless strategic scenic management assessment is undertaken, which would also need to address State policies relating to production and the use rights afforded under s.12 of LUPAA.</p> <p>Conservation of private properties:</p> <p>The provisions of the Rural Resource Zone recognise very simply, land that has no practical purpose for primary industries as a result of a conservation covenant. This supports the TLC revolving fund without having to resort to ad-hoc Environmental Living zoning. If a distinct cluster of covenanted titles are created, there is the option of applying for an amendment for rezoning over the area at that time.</p> <p>Tasmanian Planning Scheme:</p> <p>The Tasmanian Planning Scheme has not yet been released for public comment and as such cannot be considered.</p> <p>Scenic Protection:</p> <p>Council acknowledges the significant amount of work undertaken on this matter by Mr Ricketts for the IPS. However, the broader scenic management of the Meander Valley is not being considered as part of this amendment.</p> <p>This amendment contains the undertaking made by Council to include a scenic management overlay to the Rural Living Zone at Chudleigh North, specifically in response to the submission to the Interim Planning Scheme regarding concerns that intensified development would scar the landscape. Council did not propose this action as a result of a general consideration for scenic management.</p> <p>As part of the Interim Planning Scheme and NRLUS considerations and looking to forthcoming obligations for the Tasmanian Planning Scheme, Meander Valley has requested both the Commission</p>
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<p>activity in rural Tasmania;</p> <ul style="list-style-type: none"> - MVC has been prevented from bringing its planning scheme into the 21st century by reflecting current land use patterns, some areas are not a direct translation; - MV approach is more realistic, fair and progressive; <ul style="list-style-type: none"> • Amenity: <ul style="list-style-type: none"> - The natural aesthetic amenity of the district is important; - Conversion of native forest to plantation in the adjoining Rural Resource Zone has resulted in significant landscape scarring; - Impacts on property values; - Land set aside in informal reserves has not been included in the priority habitat mapping. • Conservation of private properties: <ul style="list-style-type: none"> - Private conservation is a significant land use across Tasmania; - Limited funding for private conservation may open a role for the Environmental Living Zone for Land for Wildlife properties; 	<p>and Minister provide advice as to what will be required of Council in regard to scenic management. All submissions on that matter are deferred to be part of this process and will be addressed as part of a municipal wide position.</p>
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<ul style="list-style-type: none"> - Tas Land Conservancy revolving fund requires some planning support, TLC requires appropriate zoning to enable turnover of property; - If conserved land does not have an on-site custodian it cannot be easily managed and may be subject to vandalism; - Circumstances where covenanted land adjoins reserves should be considered for EL zoning; • Local Area Objectives and Desired Future Character Statements: <ul style="list-style-type: none"> - Further work is required in regard to these objectives and the qualities being sought; - Statements should be a mandatory requirement for subdivision. • State Planning Provisions and Landscape Conservation Zone opposed. • Scenic Protection: <ul style="list-style-type: none"> - Critical of the lack of broader scenic protection; - Notes amendment includes area for Chudleigh North. 	
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Need for Modification: There is no need to modify the draft amendment.		
Impact on draft amendment as a whole: There is no impact on the draft amendment as a whole.		
Recommendation: No recommendation		
24	K & P Ryan	13363 Highland Lakes Rd, Golden Valley
Issue:	<ul style="list-style-type: none"> • Supports ability to subdivide in Rural Living Zone at Golden Valley; • Outlines personal circumstances relating to the property. • The land is not suitable for anything other than rural residential purpose. 	Comments: Support is noted.
Need for Modification: There is no need to modify the draft amendment.		
Impact on draft amendment as a whole: There is no impact on the draft amendment as a whole.		
Recommendation: No recommendation		
25	TasWater	
Issue:	<ul style="list-style-type: none"> • Carrick : <ul style="list-style-type: none"> - Notes that water and sewer services could be made available in the southern and northern areas; 	Comments: Carrick: Comments on servicing for both areas are noted. The cost feasibility for servicing would be determined on a case by case basis. The localised topography in these areas means that much of the

<ul style="list-style-type: none"> - Subdivision and requests for service would be assessed on a case by case basis; - The 350m attenuation area for the sewage treatment plant would impact on the zoned area, noting that there is anticipated upgrade for the Hadspen urban growth area, possibly increasing the attenuation area. • Notes other proposed areas for rezoning are unserved. 	<p>land will struggle to achieve gravity sewer connection, the Simmons Street area providing the most likely potential for gravity connection to sewer to the mains within Simmons Street.</p> <p>A 350 metre attenuation distance is shown on the aerial photo below. It is noted that Taswater have previously advised Council that the attenuation distance for the Carrick STP is 200m, based on a 624 Kilolitre dry weather flow based on the plant being mechanical/biological treatment. Through previous discussions relating to the expansion of Hadspen, Taswater advised that the most likely upgrade to the plant would be a higher degree of mechanical treatment.</p> <p>The attenuation distances contained in the planning scheme Environmental Impacts and Attenuation Code stipulates that the attenuation distance for up to 5,500 kilolitres dry weather flow (approximately a 600% increase on current flows) for mechanical treatment is 300 metres. It is noted that the urban growth area of Hadspen accounts for approximately a doubling of Hadspen inputs, which will still be significantly below 5,500 kl threshold.</p> <p>A 350 metre attenuation distance from the STP title boundary has a significant impact on No.11 Simmons Street, however this property only has an access strip of road frontage to Simmons St and a short frontage to Meander Valley Road and could not readily be subdivided. The existing house is located 330 metres from the STP ponds. A 350 metre attenuation distance has a lesser impact on numbers 19 and 22 Simmons Street, only taking the rear half and corner of these titles. (Refer diagram below)</p>
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Need for Modification:
There is no need to modify the draft amendment.
Impact on draft amendment as a whole:

There is no impact on the draft amendment as a whole.	
Recommendation: No recommendation	
26	The Environment Association
<p>Issue:</p> <ul style="list-style-type: none"> • Generally supports draft amendment for Rural Living Zone in the main and how it has been applied across the landscape. Understanding why people choose to live in rural residential areas is of fundamental importance to the prosperity of rural communities. • Supports rezoning at Carrick, Chudleigh, Tomes Road, Elizabeth Town, Golden Valley and Weetah; • Objects to Rural Living Zone at Chudleigh North; • Supports subdivision opportunity with the exception of Chudleigh North area. Minimum lot sizes for some areas may need refining. • Supports SAP for Carrick and suggests that this should be utilised elsewhere, • Supports a scenic management area at Chudleigh and submits that there are many other scenically important areas to be recognised; • Supports the Local Area Objectives 	<p>Comments:</p> <ul style="list-style-type: none"> • General support for numerous elements of the amendment is noted. The Commission hearings will provide for discussion on small refinements for lot sizes. • Objection to the zone at Chudleigh North is noted. Refer to the discussion under the Hawkins submission above. (Rep No.15). • Removal of Clause 13.4.1 A4b): <p>Support for the removal of Clause 13.4.1 A4 b) is noted. However, the recommendation to reinstate this clause due to the impacts on Rural Resource zoned land is discussed above. The setback to the Rural Resources Zone is considered to be a management area which looks at the individual circumstances of each case at the interface of the zones.</p> <p>Agree with the submission that management of uses at the interface of the zones is complicated and the difficulties of integrating rural residential and resource land uses is a result of long term inadequacies in settlement planning state wide. Consensus on an equitable solution is elusive. The setback for sensitive uses to the Rural Resource Zone is not a prohibition to the development of land in the Rural Living or Environmental Living zones and is not considered a 'donation'. The impact of development on adjoining zones must be considered in accordance with the objectives of LUPAA. There are numerous primary industry activities that have attenuation requirements (intensive animal keeping, dairies, quarries etc.) However, the setback provision will not prohibit the establishment of a residential use on a Rural Living lot, whereas conflict with residential land uses may permanently alienate the use of agricultural land.</p>

<p>and Desired Future Character Statements for Weetah and the inclusion of a site specific qualification for land at Weetah;</p> <ul style="list-style-type: none"> • Supports the removal of clause 13.4.1 A4b) to reduce the setback to the Rural Resources Zone from 200m to 25m, considers requirement for setback to be applied to sensitive to be a 'donation' to forestry and large agribusiness. A more equitable solution needs to be developed. • Submits that numerous exemptions for the Rural Resources Zone should be removed; • Tasmania has no genuine settlement policy, PAL Policy has been a defacto 'anti settlement' policy, where the aspiration to balance the need to protect agricultural land with the need to provide settlement options for rural Tasmania. This has been disastrous for land use planning. • Submits that the following areas also be considered for inclusion in the Rural Living Zone: <ul style="list-style-type: none"> - Extension of the Reedy Marsh EL Zone to Reedy Marsh RL 	<p>Representation does not describe the suggested exemptions for the Rural Resource Zone to be removed.</p> <ul style="list-style-type: none"> • Suggested additional Rural Living Zoning: <ul style="list-style-type: none"> - Extension of the Reedy Marsh EL Zone to Reedy Marsh RL Zone: This area was investigated through the application of the methodology and was discounted due to the lower density of dwellings and contiguous parcels under a PTR. - East Meander: This area was investigated in response to a submission to the Interim Planning Scheme and discounted due to the low number of dwellings and vacant lots in the cluster. - Expanded Rural Living zoning at Chudleigh within the town boundary to reduce density: The proposed revision was not included with the amendment, however the review of the southern part of Chudleigh determined Council's preference for the zone boundaries which are incorporated into this amendment. In any respect, the variability of land form within the town boundary will be the principal determinant of the capability of any lot or lots to accommodate development and is considered on a case by case basis. - Liena: Liena has been investigated for Rural Living Zone suitability. Whilst it is acknowledged that there is a rural residential character, initial findings indicate that the valley floor is susceptible to flooding with modelling indicating the Mersey River reaching the top of bank at a 1:30 year event. Council has sought initial advice on undertaking modelling for the 1:100 year event stipulated in the planning scheme. Until such time Council is better informed on the potential for flooding, rezoning of the area is not supported. • Reedy Marsh:
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<p>Zone;</p> <ul style="list-style-type: none"> - East Meander; - Expanded Rural Living zoning at Chudleigh within the town boundary to reduce density; - Liena. <ul style="list-style-type: none"> • AK Report – does not agree with some conclusions for land in the middle of Reedy Marsh (Willowdale), though does not consider the land to be agricultural land. The land has some significant environmental values and flood issues that have not been properly identified. • Reedy Marsh: <ul style="list-style-type: none"> - Supports 15ha min lot size; - Concerns regarding inadequate mapping of priority habitat; - Suggests some text edits to the Local Area Objectives: <ul style="list-style-type: none"> b) where development is unavoidably visible, ensure that materials are non-reflective and the design integrates with the landscape c) The retention or planting of vegetation and lower densities is the preferred means to integrate and screen 	<ul style="list-style-type: none"> - There are known inadequacies in the mapping of priority habitat across the Meander Valley (and northern region) due to the inaccuracies in the Tasveg 3.0 mapping. Over time, through individual site assessments associated with development, it is anticipated that the accuracy of the information will improve; - Suggested text changes are agreed, however planting vegetation should remain so that there is the head of power to condition for vegetation screening if necessary. <ul style="list-style-type: none"> • Elizabeth Town <p>It is apparent that there is greater complexity in the historic development of Elizabeth Town and its relationship to adjoining areas such as Parkham, the Bass Highway and Christmas Hills. It is noted that submissions have also been made by land owners in the area to this amendment and further consideration of the settlement as a whole is warranted. This is an appropriate exercise for the development of Council’s Local Provisions Schedule for the Tasmanian Planning Scheme later in 2016. Lots of 1 hectare can appropriately provide for wastewater disposal and the road network has been assessed as adequate with only lower levels of upgrade required to accommodate traffic, notwithstanding bushfire requirements.</p> • Jackey’s Marsh: <p>The density of conservation covenants is not apparent in supporting Environmental Living zoning on the forested hills, however Council is open to consideration of the change if information shows that the same attributes are consistent across non-covenanted land.</p> <p>Intensification through subdivision is not supported at Jackey’s Marsh due to the higher bushfire risk in the area due to single road access and the lack of a Nearby Safer Place.</p> • Environmental Living Zone: <p>Support for the zone is noted.</p>
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<p>development throughout the zone.</p> <ul style="list-style-type: none"> • Elizabeth Town: <ul style="list-style-type: none"> - Elizabeth Town is least developed gazetted 'town' on the main transport link; - Concerns that lot size is too small considering the variable character and environmental values; - Land to the north and west, which includes 6 covenanted titles is more suited to the Environmental Living Zone, with land south of Bonney Street being Low Density Residential in character. - 1ha lot sizes may create issues with public health, water supply, traffic management and bushfire protection. - Urgent need for scenic protection along the Bass Highway and along with larger lot sizes, may mitigate the visual impacts of future houses where there is currently vegetation. - Where there is an urban growth area based on an 	<p>The frontage setback provisions were set in consideration of the location of development areas within the covenants and that some of these were adjoining the road. The limited area of the development zone and the need for hazard management areas for bushfire meant that the site was less encumbered to achieve compliance if the setbacks could be more flexible.</p> <p>Through the Commission hearings of the Meander Valley Interim Planning Scheme, the submission that identified development areas should enable permitted pathway development was discussed and supported by Council. This amendment however, does not propose to alter the provisions of the Environmental Living Zone. Following consideration of the Interim Planning Scheme and this submission, the Commission may determine through hearings that there is merit in notifying this proposed change to enable it to be included in the Environmental Zone provisions.</p> <ul style="list-style-type: none"> • Scenic Protection <p>Council acknowledges the significant amount of work undertaken on this matter by Mr Ricketts for the IPS, carried through to this amendment. However, the broader scenic management of the Meander Valley is not being considered as part of this amendment. The submission is well outside the scope of this proposal.</p> <p>This amendment contains the undertaking made by Council to include a scenic management overlay to the Rural Living Zone at Chudleigh North, specifically in response to the submission to the Interim Planning Scheme regarding concerns that intensified development would scar the landscape. Council did not propose this action as a result of a general consideration for scenic management.</p> <p>As part of the Interim Planning Scheme and NRLUS considerations and looking to forthcoming obligations for the Tasmanian Planning Scheme, Meander Valley has requested both the Commission and Minister provide advice as to what will be required of Council in regard to scenic management. All submissions on that matter are deferred to be part of this process and will be addressed as part of a municipal wide position.</p>
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<p>historic survey plan, Council should review it now.</p> <ul style="list-style-type: none"> • Jackey’s Marsh <ul style="list-style-type: none"> - Area should be divided into Environmental Living Zone for covenanted areas and Rural Living for the balance; - Subdivision should be allowed at a lower density of 20ha. Rejects the Community Fire Plan. • Environmental Living Zone: <ul style="list-style-type: none"> - Support the zone, however have concerns regarding its limited application; - Concerns regarding frontage setback and streetscape impacts; - Scheme provisions should refer to terms of conservation covenants given these are the basis for the zone, such as development areas; • Scenic Protection: <ul style="list-style-type: none"> - Notes amendment includes area for Chudleigh North and submits that it needs local criteria and standards; - Resubmits representation to the Interim Planning Scheme 	<p>Chudleigh – criteria and standards</p> <p>Specific criteria and standards have not been provided as it is considered that there are no standards that could guarantee an appropriate visual outcome in all circumstances. It is more protective of the landscape to maintain a general discretion for development to be assessed against the objectives on a case by case basis.</p>
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on broader scenic management (Pages 13-29)		
<p>Need for Modification: The draft amendment should be modified to incorporate some suggested improvements to the Local Area Objectives text for Reedy Marsh.</p>		
<p>Impact on draft amendment as a whole: The modification is specific to Reedy Marsh and does not affect the amendment as whole.</p>		
<p>Recommendation: Amend 13.1.5 Local Area Objectives – Reedy Marsh by inserting text (red) as follows: b) where development is unavoidably visible, ensure that materials are non-reflective and the design integrates with the landscape c) The retention or planting of vegetation and lower densities is the preferred means to integrate and screen development throughout the zone.</p>		
27	E. Whatley	104 Brodies Rd, Golden Valley
<p>Issue:</p> <ul style="list-style-type: none"> • Supports amendment • Ability to rezone and subdivide in these areas will benefit landowners and the greater community. 	<p>Comments: Support is noted.</p>	
<p>Need for Modification: There is no need to modify the draft amendment.</p>		
<p>Impact on draft amendment as a whole: There is no impact on the draft amendment as a whole.</p>		
<p>Recommendation: No recommendation</p>		
28	P Whitmore & D Fleming	1633 Bridgenorth Rd, Rosevale
<p>Issue:</p> <ul style="list-style-type: none"> • Requests to be included in the 	<p>Comments:</p>	

<p>adjoining Rural Living Zone as:</p> <ul style="list-style-type: none"> - Is one of many properties, including adjoining, that have a dwelling in close proximity to each other; - Bridgenorth Rod forms a barrier to amalgamation of rural parcels; - Has several areas of priority habitat that preclude use for agriculture; - Does not have access to water for irrigation; - Has historically been used for equine purposes, not agriculture. <ul style="list-style-type: none"> • Concerns with reduction in setback to 25 metres, suggest 100 metres. • Discourage a further reduction in lot sizes below 10ha. 	<p>Whilst it is recognised that the subject property is currently more of a rural residential land use, it was considered fall outside of the criteria of an Established Rural Residential Area as it is not constrained in connection to agricultural land to the east which is cultivated and contains some plantation assets. At 61 hectares, the subject property is consistent in size and character to other properties in the locality which variously undertake grazing and plantation activities. The current zone boundary is considered to mark the end of the pattern of strip development of historic rural residential land use along Bridgenorth Road, before the land use character disperses into a higher degree of agricultural use.</p> <p>Location of dwellings at 25m setback to the shared boundary will impact on spraying and vermin control activities that can be undertaken within 75m – 225m of the shared boundary due to the regulations regarding proximity to dwellings. The impacts of noise and odours are unknown however standard assessment procedures reduce the impacts of noise and odour over distance. Very little sound attenuation will be achieved over 25 metres and where machinery is located or operated at the boundary, the risk of conflict is high. This risk would also exist to a degree with a 100 metre setback. 200 metres is considered to be a reasonable buffer area to consider the individual circumstances of the interface between properties, as these are highly varied.</p> <p>A 10 hectare minimum lot size provides a modest increase in potential new lots in the Rosevale area. Performance Criteria will apply for any application for lots less than 10 hectares, however the application will be required to demonstrate that it meets the objectives for the character of the area.</p>
<p>Need for Modification: There is no need to modify the draft amendment.</p>	
<p>Impact on draft amendment as a whole: There is no impact on the draft amendment as a whole.</p>	
<p>Recommendation: No recommendation</p>	

29	D & J Wild	4 North Street, Elizabeth Town
<p>Issue:</p> <ul style="list-style-type: none"> Makes submission in regard to 4 North Street – wishes to retain current Low Density Residential zoning. Property is contained in a conservation covenant. 		<p>Comments:</p> <p>The draft amendment only considers the applicability and future opportunity in the Rural Living and Environmental Living zones.</p>
<p>Need for Modification:</p> <p>There is no need to modify the draft amendment.</p>		
<p>Impact on draft amendment as a whole:</p> <p>There is no impact on the draft amendment as a whole.</p>		
<p>Recommendation:</p> <p>No recommendation</p>		
30	A Woodward	700 Larcombes Rd, Reedy Marsh
<p>Issue:</p> <ul style="list-style-type: none"> Supports Environmental Living Zone for Reedy Marsh; Under the terms of conservation covenant, subdivision is allowed; Development areas are identified in the covenant and should enable permitted pathway development inside the identified areas; Installation of utilities should be underground; Supports reduction of 200 metre setback to 25 metres, impacts on smaller properties rendering them 		<p>Comments:</p> <p>Support for Environmental Living Zone is noted and this amendment does not propose to alter the subdivision provisions of this zone.</p> <p>Through the Commission hearings of the Meander Valley Interim Planning Scheme, the submission that identified development areas should enable permitted pathway development was discussed and supported by Council. This amendment however, does not propose to alter the provisions of the Environmental Living Zone. Following consideration of the Interim Planning Scheme and this submission, the Commission may determine through hearings that there is merit in notifying this proposed change to enable it to be included in the Environmental Zone provisions.</p> <p>Mandating the underground installation of utilities could render development of a lot financially infeasible. It is noted however that a permit could be conditioned to require undergrounding of</p>

<p>unable to be developed.</p> <ul style="list-style-type: none"> • Rural resource activities should provide the buffer to residential uses, re-examine the exemptions that apply to these activities. • There is a substantial, thriving rural residential community in Meander Valley, bringing wealth, vitality, diversity and skills. • The process for planning scheme changes needs to be a process of genuine negotiation. 	<p>utilities in consideration of the impacts and the objectives of an area.</p> <p>Support for the removal of Clause 13.4.1 A4 b) is noted. However, the recommendation to reinstate this clause due to the impacts on Rural Resource zoned land is discussed above. The setback to the Rural Resources Zone is considered to be management area which looks at the individual circumstances of each case at the interface of the zones. It is not a prohibition to the development of land in the Rural Living or Environmental Living zones. Comments regarding the review of exemptions for rural resource activities are noted, however these are established through the Act and the State Planning Scheme Template and are not under the jurisdiction of this amendment.</p> <p>It is agreed that the rural residential areas throughout Meander Valley are a vital component to diversity, settlement and population attraction. This is the basis of Council's rural living strategy which is described in the supporting material to this amendment.</p> <p>All submissions to the draft amendment will be provided with the opportunity to present at hearings of the Commission to discuss the matters raised, irrespective of whether Meander Valley Council supports or does not support a particular view. The matter will ultimately be determined by the Commission.</p>
<p>Need for Modification: There is no need to modify the draft amendment.</p>	
<p>Impact on draft amendment as a whole: There is no impact on the draft amendment as a whole.</p>	
<p>Recommendation: No recommendation</p>	
<p>Other Matters</p>	
<p>Whilst the amendment report describes land in Carrick that is either currently zoned Rural Living or is proposed (Simmons Street) that is not included in the Specific Area Plan, the draft provision omitted a minimum lot size for these areas. It is considered that a 2 hectare minimum lot size reflects the current character of peripheral lots and is an appropriate size for future consideration of the Simmons Street area.</p>	

Need for Modification:

The draft amendment should be modified to include provision for a 2 hectare minimum lot size for Rural Living zoned land that is not located within the boundaries of the Specific Area Plan.

Impact on draft amendment as a whole:

The provision is specifically applicable to Carrick. There is no impact on the draft amendment as a whole.

Recommendation:

That Section 13.4.2.2 - Lot Area, Building Envelopes and Frontage is modified to include a 2 hectare lot size for Rural Living Zone land not located within the boundaries of the Specific Area Plan at Carrick in Table 13.1 as follows:

Reedy Marsh	15ha
Birralee Chudleigh Elizabeth Town Liffey Lower Golden Valley Mole Creek Pateena Rd/Meander Valley Rd Rosevale Weetah	10ha
Davis Road Meander	4ha
Carrick	Specific Area Plan 2ha – if not located within the Specific Area Plan
Hadspen	Specific Area Plan
Kimberley Red Hills Ugbrook Upper Golden Valley Weegen Western Creek	No new lots created

Carrick Community Representors

	Name	Postal Address	
07-001	Allsop, C	9 Seymour Street	CARRICK TAS 7291
07-002	Allsop, T	9 Seymour Street	CARRICK TAS 7291
07-003	Anderson, M	20 Simmons Street	CARRICK TAS 7291
07-004	Arnott, A	30 Liffey Street	CARRICK TAS 7291
07-005	Arnott, L	30 Liffey Street	CARRICK TAS 7291
07-006	Austin, D	31 Percy Street	CARRICK TAS 7291
07-007	Austin, V	31 Percy Street	CARRICK TAS 7291
07-008	Badcock, B	9 Percy Street	CARRICK TAS 7291
07-009	Badcock, P	9 Percy Street	CARRICK TAS 7291
07-010	Baker, T	PO Box 42	CARRICK TAS 7291
07-011	Barber, M	41 Bishopsbourne Road	CARRICK TAS 7291
07-012	Barber, P	41 Bishopsbourne Road	CARRICK TAS 7291
07-013	Barker, L	9 South Street	CARRICK TAS 7291
07-014	Battersby, E	PO Box 22	CARRICK TAS 7291
07-015	Beams, D	341 Bishopsbourne Road	CARRICK TAS 7291
07-016	Beams, K	341 Bishopsbourne Road	CARRICK TAS 7291
07-017	Bessell, A	36 Percy Street	CARRICK TAS 7291
07-018	Bessell, P	36 Percy Street	CARRICK TAS 7291
07-019	Binns, A	12 Seymour Street	CARRICK TAS 7291
07-020	Binns, A	12 Seymour Street	CARRICK TAS 7291
07-021	Blackwell, C	23 Meander Valley Road	CARRICK TAS 7291
07-022	Blackwell, C	23 Meander Valley Road	CARRICK TAS 7291
07-023	Blackwell, E	39 Bartley Street	HADSPEN TAS 7290
07-024	Blackwell, R	23 Meander Valley Road	CARRICK TAS 7291
07-025	Blair, M	2A Church Street	CARRICK TAS 7291
07-026	Blair, R	2A Church Street	CARRICK TAS 7291
07-027	Bounds, K	12 Liffey Street	CARRICK TAS 7291
07-028	Bowen, K	PO Box 88	CARRICK TAS 7291
07-029	Bowen, Z	PO Box 88	CARRICK TAS 7291
07-030	Bowerman, B	PO Box 17	HADSPEN TAS 7290
07-031	Bowerman, F	22 Ashburner Street	CARRICK TAS 7291
07-032	Bowerman, S	22 Ashburner Street	CARRICK TAS 7291
07-033	Beward, M	PO Box 18	CARRICK TAS 7291
07-034	Brockett, V	19 Liffey Street	CARRICK TAS 7291
07-035	Brown, Z	15 Simmons Street	CARRICK TAS 7291
07-036	Burn, M	C/- Post Office	CARRICK TAS 7291
07-037	Burn, R	C/- Post Office	CARRICK TAS 7291
07-038	Burr, P	27 Ashburner Street	CARRICK TAS 7291
07-039	Bye, J	26 Ashburner Street	CARRICK TAS 7291
07-040	Bye, R	26 Ashburner Street	CARRICK TAS 7291
07-041	Campbell, P	37 Percy Street	CARRICK TAS 7291
07-042	Canning, M	1 Ashburner Street	CARRICK TAS 7291
07-043	Catlin, N	3 South Street	CARRICK TAS 7291
07-044	Champion, S	11 East Street	CARRICK TAS 7291
07-045	Chandler, G	29 Percy Street	CARRICK TAS 7291
07-046	Chaplin, L	9 Meander Valley Road	CARRICK TAS 7291

Carrick Community Representors

07-047	Charles, S	PO Box 280	NEWSTEAD TAS 7250
07-048	Clark, B	20 Ashburner Street	CARRICK TAS 7291
07-049	Clarke, M	PO Box 722	CARRICK TAS 7291
07-050	Clarke, N	14 South Street	CARRICK TAS 7291
07-051	Coker-Williams,	12 Meander Valley Road	CARRICK TAS 7291
07-052	Cook, R	32 Ashburner Street	CARRICK TAS 7291
07-053	Cook, R	32 Ashburner Street	CARRICK TAS 7291
07-054	Costello, K	10 Simmons Street	CARRICK TAS 7291
07-055	Cox, A	26 South Street	CARRICK TAS 7291
07-056	Cox, J	PO Box 132	CARRICK TAS 7291
07-057	Cox, L	36 Liffey Street	CARRICK TAS 7291
07-058	Cox, R	36 Liffey Street	CARRICK TAS 7291
07-059	Crosswell, D	410 Bishopsbourne Road	BISHOPSBOURNE
07-060	Cunningham, J	PO Box 112	CARRICK TAS 7291
07-061	Curwen, R	PO Box 42	CARRICK TAS 7291
07-062	De Bruyn, S	4 Seymour Street	CARRICK TAS 7291
07-063	De Bruyn, S	4 Seymour Street	CARRICK TAS 7291
07-064	Donnelly, M	29 East Street	CARRICK TAS 7291
07-065	Donnelly, S	5 Seymour Street	CARRICK TAS 7291
07-066	Donovan, S	16 Meander Valley Road	CARRICK TAS 7291
07-067	Dornauf, H	30 Percy Street	CARRICK TAS 7291
07-068	Dornauf, L	8 Ashburner Street	CARRICK TAS 7291
07-069	Dornauf, M	30 Percy Street	CARRICK TAS 7291
07-070	Dornauf, N	8 Ashburner Street	CARRICK TAS 7291
07-071	Dunstone, E	8 Simmons Street	CARRICK TAS 7291
07-072	Dunstone, M	8 Simmons Street	CARRICK TAS 7291
07-073	Elias, R	500 Bishopsbourne Road	BISHOPSBOURNE
07-074	Elias, T	500 Bishopsbourne Road	BISHOPSBOURNE
07-075	Eustace, G	16 Simmons Street	CARRICK TAS 7291
07-076	Eustace, K	16 Simmons Street	CARRICK TAS 7291
07-077	Freeman, C	PO Box 8	CARRICK TAS 7291
07-078	Freeman, R	PO Box 8	CARRICK TAS 7291
07-079	Fulton, G	18 Simmons Street	CARRICK TAS 7291
07-080	Fulton, V	18 Simmons Street	CARRICK TAS 7291
07-081	Gill, B	3 Seymour Street	CARRICK TAS 7291
07-082	Godfrey, S	15 Oaks Road	CARRICK TAS 7291
07-083	Gourlay, L	38 Liffey Street	CARRICK TAS 7291
07-084	Graham,A	PO Box 31	CARRICK TAS 7291
07-085	Grunfeld, C	4 Percy Street	CARRICK TAS 7291
07-086	Gugliotti, Z	43 Meander Valley Road	CARRICK TAS 7291
07-087	Gunn, L	6 Ashburner Street	CARRICK TAS 7291
07-088	Gunn, M	6 Ashburner Street	CARRICK TAS 7291
07-089	Haas, B	18 Seymour Street	CARRICK TAS 7291
07-090	Haas, C	18 Seymour Street	CARRICK TAS 7291
07-091	Haas, T	18 Seymour Street	CARRICK TAS 7291
07-092	Hall, M	10 Monds Lane	CARRICK TAS 7291
07-093	Hardacre, J	73 Bracknell Road	BRACKNELL TAS 7302

Carrick Community Representors

07-094	Hardacre, P	73 Bracknell Road	BRACKNELL TAS
07-095	Harvey, R	PO Box 257	PROSPECT VALE TAS
07-096	Hawke, C	31 Ashburner Street	CARRICK TAS 7291
07-097	Hawke, R	31 Ashburner Street	CARRICK TAS 7291
07-098	Hayward, A	32 Anstey Street	LONGFORD TAS
07-099	Heath, P	8 Monds Lane	CARRICK TAS 7291
07-100	Heath, P	8 Monds Lane	CARRICK TAS 7291
07-101	Henry, C	12 Percy Street	CARRICK TAS 7291
07-102	Henry, H	12 Percy Street	CARRICK TAS 7291
07-103	Hill, B	897 Meander Valley Road	CARRICK TAS 7291
07-104	Hope, J	18 South Street	CARRICK TAS 7291
07-105	Hosking, B	5 Percy Street	CARRICK TAS 7291
07-106	Hume, H	20 Liffey Street	CARRICK TAS 7291
07-107	Hume, W	18 East Street	CARRICK TAS 7291
07-108	Hunt, D	PO Box 97	CARRICK TAS 7291
07-109	Imlach, A	80A Blackstone Road	BLACKSTONE HEIGHTS
07-110	Imlach, E	80A Blackstone Road	BLACKSTONE HEIGHTS
07-111	Imlach, J	11 Ashburner Street	CARRICK TAS 7291
07-112	Imlach, K	11 Ashburner Street	CARRICK TAS 7291
07-113	Imlach, L	41 Meander Valley Road	CARRICK TAS 7291
07-114	Imlach, M	41 Meander Valley Road	CARRICK TAS 7291
07-115	Joiner, D	2 Seymour Street	CARRICK TAS 7291
07-116	Joiner, I	2 Seymour Street	CARRICK TAS 7291
07-117	Jones, R	34 Meander Valley Road	CARRICK TAS 7291
07-118	Jordan, M	31 Liffey Street	CARRICK TAS 7291
07-119	Jordan, M	31 Liffey Street	CARRICK TAS 7291
07-120	Keeling, A	56 Meander Valley Road	CARRICK TAS 7291
07-121	Keeling, J	56 Meander Valley Road	CARRICK TAS 7291
07-122	Kennedy, P	35 Liffey Street	CARRICK TAS 7291
07-123	Keygan, D	5 South Street	CARRICK TAS 7291
07-124	King, J	1-15 Simmons Street	CARRICK TAS 7291
07-125	King, R	6 Percy Street	CARRICK TAS 7291
07-126	Knox, D	141 Bishopsbourne Road	CARRICK TAS 7291
07-127	Leclercq, C	20 South Esk Drive	HADSPEN TAS 7290
07-128	Leclercq, M	20 South Street	CARRICK TAS 7291
07-129	Leeder, H	12 Simmons Street	CARRICK TAS 7291
07-130	Lumsden, S	13 Liffey Street	CARRICK TAS 7291
07-131	Machen, M	141 Bishopsbourne Road	CARRICK TAS 7291
07-132	Mackrill, B	PO Box 18	CARRICK TAS 7291
07-133	Marik, J	PO Box 12	CARRICK TAS 7291
07-134	Marshall, R	7 Seymour Street	CARRICK TAS 7291
07-135	Mason, J	1032 Meander Valley	CARRICK TAS 7291
07-136	Mason, L	1032 Meander Valley Road	CARRICK TAS 7291
07-137	Mason, N	1032 Meander Valley	CARRICK TAS 7291
07-138	Matthews, S	PO Box 723	CARRICK TAS 7291
07-139	McGowan, B	9 Simmons Street	CARRICK TAS 7291
07-140	McHenry, D	1 Meander Valley Road	CARRICK TAS 7291

Carrick Community Representors

07-141	McIntee, R	11 Percy Street	CARRICK TAS 7291
07-142	McKaige, E	6 East Street	CARRICK TAS 7291
07-143	McKaige, S	6 East Street	CARRICK TAS 7291
07-144	McLean, D	16 Seymour Street	CARRICK TAS 7291
07-145	McLean, T	16 Seymour Street	CARRICK TAS 7291
07-146	McNamara, S	PO Box 140	CARRICK TAS 7291
07-147	Morris, J	PO Box 104	CARRICK TAS 7291
07-148	Morris, P	PO Box 104	CARRICK TAS 7291
07-149	Morris, R	10 Meander Valley Road	CARRICK TAS 7291
07-150	Morrison, S	39 Percy Street	CARRICK TAS 7291
07-151	Murgatroyd, T	C/- Post Office	CARRICK TAS 7291
07-152	Neil, S	5 Percy Street	CARRICK TAS 7291
07-153	Newton, L	PO Box 35	CARRICK TAS 7291
07-154	Nott, C	PO Box 83	CARRICK TAS 7291
07-155	Nott, G	PO Box 83	CARRICK TAS 7291
07-156	Padgett, A	57 Meander Valley Road	CARRICK TAS 7291
07-157	Page, S	230 Elphinstone Road	CRESSY TAS 7302
07-158	Pearce, I	1 Church Street	CARRICK TAS 7291
07-159	Pearce, N	1 Church Street	CARRICK TAS 7291
07-160	Pearton, G	24 East Street	CARRICK TAS 7291
07-161	Pearton, S	24 East Street	CARRICK TAS 7291
07-162	Pearton, S	89 Oaks Road	CARRICK TAS 7291
07-163	Pfeiffer, T	C/- Carrick Post Office	CARRICK TAS 7291
07-164	Phelps, J	558 Bishopsbourne Road	CARRICK TAS 7291
07-165	Phillips, A	5 Church Street	CARRICK TAS 7291
07-166	Phillips, K	PO Box 4030	INVERMAY TAS 7248
07-167	Phillips, P	5 Church Street	CARRICK TAS 7291
07-168	Pinner, G	C/- Post Office	CARRICK TAS 7291
07-169	Pollock, C	30 Ashburner Street	CARRICK TAS 7291
07-170	Pollock, J	30 Ashburner Street	CARRICK TAS 7291
07-171	Preece, F	1 Arthur Street	CARRICK TAS 7291
07-172	Preece, H	24 South Street	CARRICK TAS 7291
07-173	Preece, S	24 South Street	CARRICK TAS 7291
07-174	Renault, D	37 Meander Valley Road	CARRICK TAS 7291
07-175	Renault, R	37 Meander Valley Road	CARRICK TAS 7291
07-176	Rey, C	26 South Street	CARRICK TAS 7291
07-177	Reynolds, C	6 Liffey Street	CARRICK TAS 7291
07-178	Rigby, J	150 Meander Valley	CARRICK TAS 7291
07-179	Robb, P	4 Liffey Street	CARRICK TAS 7291
07-180	Roberts, D	PO Box 28	HADSPEN TAS 7290
07-181	Roberts, M	PO Box 28	HADSPEN TAS 7290
07-182	Rowlands, M	1 Meander Valley Road	CARRICK TAS 7291
07-183	Rowlings, L	19 Simmons Street	CARRICK TAS 7291
07-184	Schnierer, A	40 Meander Valley Road	CARRICK TAS 7291
07-185	Scott, J	991 Bishopsbourne Road	CARRICK TAS 7291
07-186	Scott, P	991 Bishopsbourne Road	CARRICK TAS 7291
07-187	Shadgett, A	8 Oatlands Court	WATTLE GROVE NSW

Carrick Community Representors

07-188	Shaw, A	34 Meander Valley Road	CARRICK TAS 7291
07-189	Shaw, J	34 Meander Valley Road	CARRICK TAS 7291
07-190	Shaw, N	34 Meander Valley Road	CARRICK TAS 7291
07-191	Shean, J	19 South Street	CARRICK TAS 7291
07-192	Shean, R	58 Meander Valley Road	CARRICK TAS 7291
07-193	Sherwood, A	469 Bishopsbourne Road	BISHOPSBOURNE
07-194	Sherwood, D	64 Meander Valley Road	CARRICK TAS 7291
07-195	Sherwood, D	64 Meander Valley Road	CARRICK TAS 7291
07-196	Sherwood, M	62 Meander Valley Road	CARRICK TAS 7291
07-197	Simmons, R	2 Liffey Street	CARRICK TAS 7291
07-198	Slyp, A	9 Ashburner Street	CARRICK TAS 7291
07-199	Smith, D	981 Meander Valley Road	CARRICK TAS 7291
07-200	Smith, M	PO Box 174	CARRICK TAS 7291
07-201	Smith, R	16 Church Street	CARRICK TAS 7291
07-202	Smith, S	PO Box 174	CARRICK TAS 7291
07-203	Smith, S	Carrick Road House	CARRICK TAS 7291
07-204	Smith, W	981 Meander Valley Road	CARRICK TAS 7291
07-205	Stevenson, B	51 Bishopsbourne Road	CARRICK TAS 7291
07-206	Stewart, J	3 Meander Valley Road	CARRICK TAS 7291
07-207	Strickland, E	10 Percy Street	CARRICK TAS 7291
07-208	Ter Haar, K	16 Monds Lane	CARRICK TAS 7291
07-209	Thum, D	38 Liffey Street	CARRICK TAS 7291
07-210	Toulmin, C	26 Liffey Street	CARRICK TAS 7291
07-211	Trower, C	22 South Street	CARRICK TAS 7291
07-212	Trower, N	22 South Street	CARRICK TAS 7291lyp
07-213	Tyson, A	33 East Street	CARRICK TAS 7291
07-214	Viney, A	16 Liffey Street	CARRICK TAS 7291
07-215	Viney, C	32-34 Liffey Street	CARRICK TAS 7291
07-216	Viney, L	16 Liffey Street	CARRICK TAS 7291
07-217	Viney, L	16 Liffey Street	CARRICK TAS 7291
07-218	Viney, M	3 Simmons Street	CARRICK TAS 7291
07-219	Walkem, N	PO Box 123	CARRICK TAS 7291
07-220	Walker, N	19 South Street	CARRICK TAS 7291
07-221	Walters, M	6 Simmons Street	CARRICK TAS 7291
07-222	Wesley, A	PO Box 85	CARRICK TAS 7291
07-223	Wesley, J	PO Box 85	CARRICK TAS 7291
07-224	West, A	PO Box 6	CARRICK TAS 7291
07-225	West, C	PO Box 6	CARRICK TAS 7291
07-226	Whishaw, R	1302 Meander Valley	CARRICK TAS 7291
07-227	White, A	24 South Street	CARRICK TAS 7291
07-228	White, C	44 Meander Valley Road	CARRICK TAS 7291
07-229	Whiteley, M	PO Box 105	CARRICK TAS 7291
07-230	Wildeboer, B	14 Simmons Street	CARRICK TAS 7291
07-231	Wilkinson, T	13 Church Street	CARRICK TAS 7291
07-232	Williamson, K	PO Box 57	CARRICK TAS 7291
07-233	Wood, K	PO Box 726	CARRICK TAS 7291
07-234	Wood, V	PO Box 726	CARRICK TAS 7291

Carrick Community Representors

07-235	Wynne, K	22 Meander Valley Road	CARRICK TAS 7291
07-236	Yates, D	PO Box 10	CARRICK TAS 7291

DEV 2

ATTACHMENT B

GENERAL MANAGER

MEANDER VALLEY COUNCIL

PO BOX 102

WESTBURY TAS 7303

DEAR SIR,

Index No. 502 06 040			
Doc No. WA			
Batch No.			
RCVD	03 FEB 2016	MVC	
Action Officer	SO	Dept.	DS
EO		OD	<input checked="" type="checkbox"/> BOX

I M. ARTHUR

PO BOX 1 DELORMAN

TAS 7304

PH. 0363624416

29-01-16

"RE: DRAFT AMENDMENT TO THE MEANDER VALLEY INTERIM PLANNING SCHEME 2013 FOR RURAL LIVING" AND A PHONE CONVERSATION WITH MARTIN GILL, DIRECTOR OF DEVELOPMENT SOME DAYS AGO.

WE OWN A RURAL FARM AT 465 RIVER RD REEDY MARSH IN TWO TITLES AND RECEIVED THE ABOVE MENTIONED LETTER DATED 15 DEC IS.

THE PROPERTY IS LISTED WITHIN AN EXISTING RURAL LIVING ZONE THAT IS SUITABLE FOR SUBDIVISION, THERE ARE 2 EXISTING TITLES ON THE PROPERTY, THERE WAS ALSO A RESERVE ROAD RUNNING HAP HAZARLEY FROM ONE END OF THE PROPERTY TO THE OTHER AT OUR WESTERN BOUNDARY WHERE THERE IS ANOTHER RESERVE ROAD RUNNING FROM WHADLEY'S RD TO FARRELLS ROAD.

WE PURCHASED THE RESERVE ROAD SOME 4-5 YEARS AGO, AFTER WE HAD PUT A SUBMISSION TO COUNCIL TO BUILD A LARGE MACHINERY SHED ON TOP OF A SITE WHICH WE HAD SPENT A CONSIDERABLE AMOUNT OF MONEY LEVELLING NEAR OUR POWER LINE AND WOOD SHED, WE WERE KNOCKED BACK, I WON'T GO INTO DETAIL WHY. THE SHED AND TWO TEN THOUSAND GALLON TANKS ARE STILL SITTING THERE,

✓

THE AREA OF THE PROPERTY IS 113.76 HECTARES IN TWO TITLES. THE TITLES ARE NOT FENCED TO TITLE SIZE AND NEVER HAVE BEEN AS FAR AS WE KNOW.

AFTER THE COUNCIL KNOCKED OUR APPLICATION BACK, WE HAD A SURVEYOR COME AND MARK THE INTERNAL TITLE LINES. THEY ARE LIKE THE RESERVE ROAD WAS A HAP HAZARD.

AS COUNCIL WOULD BE VERY AWARE OF, THERE ARE MANY SMALL BLOCKS WITH RESIDENCES BOTH ALONG THE BOTH SIDES OF FARRELLS + WADKELYS ROADS, OUR PROPERTY IS SANDWICHED BETWEEN BOTH ROADS WITH ALL THE BLOCKS BACKING ON TO OUR PROPERTY ALONG BOTH ROADS.

AT THE REAR OR WESTERN END THERE FOUR SEPARATE OWNERS, 3 I KNOW OF HAVE RESIDENCES, ONE HAS AN EMBLEMENT ON THE EDGE OF THE PROPERTY TO PUMP WATER FROM THE CREEK RUNNING THROUGH OUR PROPERTY.

SINCE WE HAVE LIVED HERE THERE HAS BEEN AN ONGOING PROBLEM WITH STRAY DOGS KILLING AND MAIMING OUR SHEEP. ONE INCIDENT WHICH I INVOLVED BOTH THE POLICE + COUNCIL CAUSED THE DEATH OF 20+ PLUS PRIME EWES LAMBS READY FOR MARKET, THEY WERE IN THE YARDS BY THE WOOL SHED OVERNIGHT AND WERE ATTACKED THERE. THE DOGS I SHOT THE NEXT DAY, WHEN I WALKED UP TO ATTEND TO THEM FOR MARKET.

WE FEEL THAT DUE TO THE DENSELY POPULATED AREA COMPLETELY SURROUNDING US ON ALL SIDES AND

FURTHER DOWN RIVER ROAD, AND JOHNS RD CLOSER TO TOWN
 AND HAVING TRIED TO FARM THE PROPERTY FOR THE
 LAST ELEVEN YEARS UNDER DURESS FROM THE ELEMENTS
 MAINLY ONGOING DOG ATTACKS ON OUR ANIMALS FROM
 NEARBY BY NEIGHBOURS DOGS, WE HAVE CAUGHT STRAY
 DOGS ON THE PROPERTY MORE THAN ONCE, HAD THE
 COUNCIL OFFICER TAKE THEM AWAY,
 AND THE HUNDREDS OF WALLABIES THAT INHABIT OUR
 PROPERTY, I CANNOT SEE HOW WE CAN CONTINUE
 FARMING HERE.

WE SINCERELY HOPE WE ARE PERMITTED TO SUB
 DIVIDE OUR PROPERTY SO AS IT CAN FALL IN
 LINE WITH THE OTHER RESIDENCES AROUND US.

I AM PREPARED TO SPEAK IN PERSON WITH
 ANYONE INVOLVED WITH THE LETTER WE
 RECEIVED FROM COUNCIL DATED 15 DEC 15

YOURS FAITHFULLY
 WAH + IAN ARTHUR
 PER WILLIAM (BILL) ARTHUR



From: ashgrove.farms@bigpond.com
Sent: 3 Feb 2016 09:29:54 +1100
To: Jo Oliver
Subject: Submission to MVC planning scheme amendments
Attachments: 20160203081525191.pdf, ATT00001.txt

Good morning Jo

Please find attached our submission to the draft amendment to MVC planning scheme for Rural lining zone, bordering our property.

I would welcome the opportunity to present Ashgrove position on this to the council.

If you require any further information, or think I need to clarify any points please don't hesitate to call me on 0418524936.

Regards

Paul Bennett
Chairman
Ashgrove Cheese

Sent from my iPad



Tasmanian | Milk | Cheese | Cream | Butter

2 February 2016

Greg Preece and Jo Oliver
General Manager Senior Town Planner
Meander Valley Council
26 Lyall Street
Westbury TAS 7303

Dear Greg and Jo

Re Proposed Changes to Meander Valley Interim Planning Scheme 2013 for Rural Living,

Ashgrove Cheese and Ashgrove Farms oppose the proposed changes to the zoning regulations for the Meander Valley Interim Planning Scheme 2013 for Rural Living, proposing an intensification of the Rural Living zone and reduction in the boundary set back from 200m to 25m. The proposed changes are will not be sustainable, will increase costs, and present new risks to our businesses. Ashgrove Cheese and Ashgrove Farms are valuable to the Meander Valley region, providing extensive employment and injecting millions of dollars into the community. The proposed changes would force Ashgrove to reconsider the location of any future developments of the businesses.

Background

The Ashgrove milk and cheese factory is located at Elizabeth Town, in the heart of the dairying and cropping region in the Meander Valley. The Cheese factory was built in 1993 nearby to the rotary dairy and the first vat of cheese was produced on 29 November 1993. From an initial small factory, the factory has grown in size over the years. The factory store which opened in April 1994 has enabled our valued customers and tourists to learn how our cheese is made.

In 2008 Ashgrove Cheese commenced bottling fresh milk and cream for the Tasmanian market. By 2010 the steadily growing milk sales led to the decision to further invest and expand the production capacity of the business. Just prior to Christmas 2011 the new factory was completed, more than doubling the capacity of the milk bottling plant and the cheese packing operations.

Ashgrove Cheese now employs over 85 people and Ashgrove Farms employs 16 people. Together they employ over 100 people from the local community. Ashgrove Cheese and Ashgrove Farms are a significant customer of many local suppliers of products and services, injecting millions of dollars into the local community.

The Ashgrove Farm Store located at the front of the factory, opened in April 1994 has enabled our valued customers and tourists to learn how our cheese is made. The Ashgrove Cheese factory and store has become a well-known landmark on the Bass Highway, attracting over 150,000 visitors to its Farm Store per year.

Waste Water Management

Since it began operation in 1993, Ashgrove Cheese has managed the effluent/waste water through irrigation over pasture land on Ashgrove Farms in accordance with an Effluent Management Plan agreed with the EPA.

In 2014 a neighbour that had recently moved to the area, made complaints regarding the odour produced by the dam that received the waste water from Ashgrove Cheese. This complaint was received by local politicians, the Meander Valley Council, the EPA, and the TDIA. Ashgrove was forced to move the entire effluent system to a new location that was suitable as it is away from neighbours. The location of the new effluent pond is shown on the map below between the Bass Highway and the Rubicon River. The cost of moving the waste water system was over \$500,000. This money was diverted away from business activities aimed at growing the business.

The proposed changes to the zoning regulations for the Meander Valley Interim Planning Scheme 2013 for Rural Living, proposing an intensification of the Rural Living zone and reduction in the boundary set back from 200m to 25m threatens the viability of Ashgrove Cheese continuing in the current location. The Rural Living Zone as proposed development is within metres of the new Ashgrove effluent system.

Ashgrove Cheese does not have the resources or land available to develop a third effluent system.

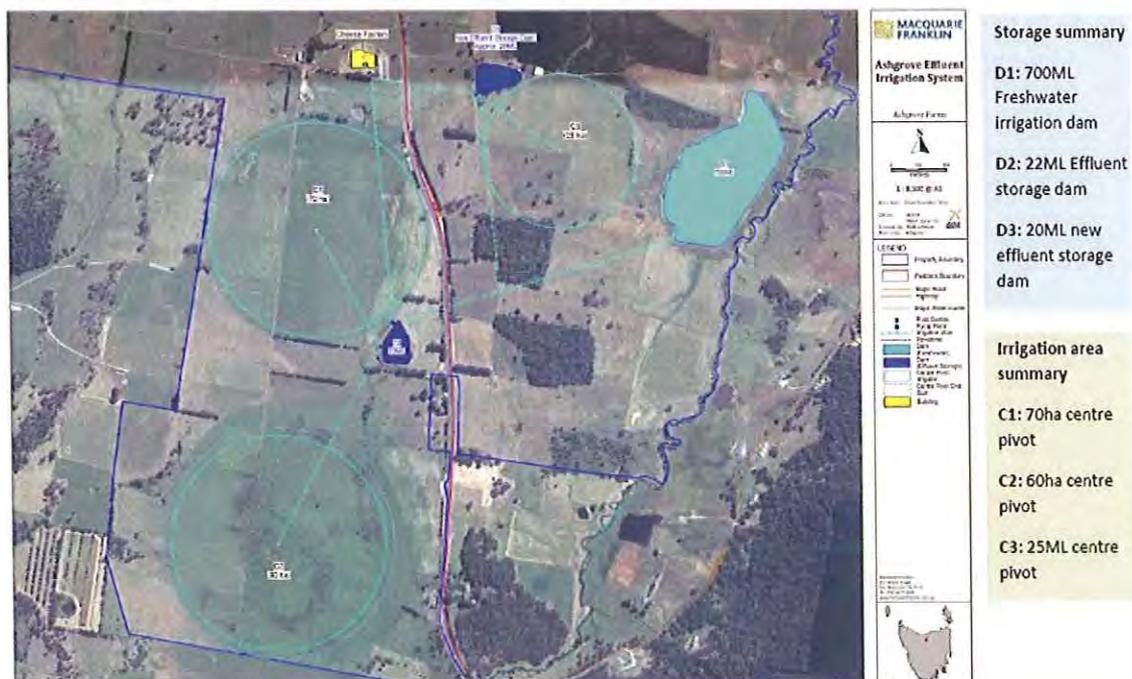


Figure 2 Map of Ashgrove effluent irrigation system

Water Pumps

A further concern is the noise from water pumps. Ashgrove Farms Irrigation Scheme pumps water from the Rubicon River and the dam located along side it for up to 6 months of the year to provide water for pasture growth to feed cattle. Any reduction in the boundary set back or intensification of the Rural Living Zone will leave Ashgrove Farms exposed to noise complaints.

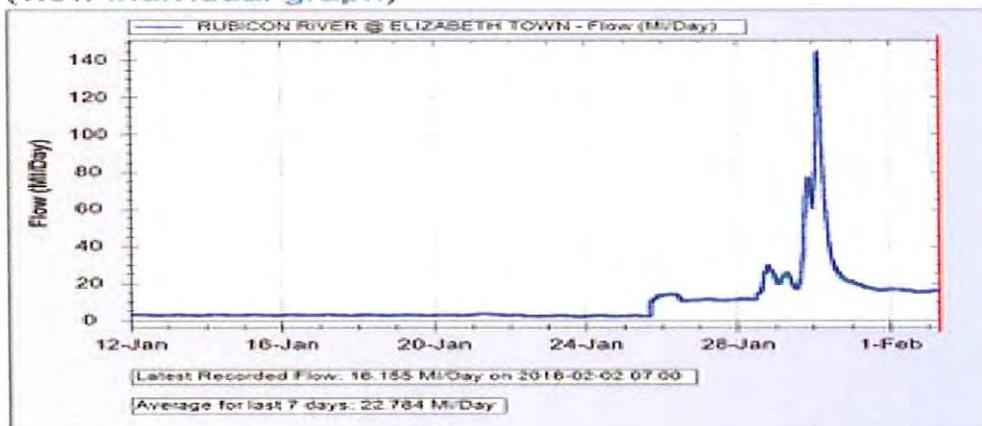


The above photo shows one of Ashgrove Farms pumping stations located on the boundary of the properties subject to the proposed changes.

Water Availability

The Rubicon River does not have enough summer flow to sustain any further development along it. As can be seen by the DPIWE River Flow Charts:

Site 17203 - RUBICON RIVER AT ELIZABETH TOWN
(view [individual graph](#))



The photo below was taken on 2/02/2016 showing the Rubicon River at Parkham on the Ashgrove Farms boundary after 185mm of rain in the preceding 5 days.



The only water available to existing residents along the river is being provided by the major irrigators along the river, who are transferring water between properties or being delivered water out of the Meander Valley Irrigation Scheme. These irrigators have been prepared to wear the loss of their water to domestic users, however, this will not be sustainable with any intensification or development along the river.

Other Issues

Over the last few years we have had problems with domestic dogs attacking stock (killing cattle), damage to equipment and trespass, noise complaints from tractors working at night or in the morning, complaints about the smell and noise created by cattle. All these matters take time and energy of the business to address and have the potential to damage the reputation of the Ashgrove Cheese via social media. The proposed changes to the Rural Living zone and set backs will increase the risks that these issues present to our businesses.

Ashgrove Cheese and Ashgrove Farms pride ourselves on having good relationships with our neighbours and being part of the Meander Valley community. Ashgrove Cheese and Ashgrove Farms have experience enormous pressure to move our business with essential services, for example banking and postal, out of the Deloraine township. We see the value of these services to the local community and have always put as much of our business that is commercial viable through our local town, Deloraine.

We are happy for the Rural Zone to continue in its present form, we believe that setbacks should remain 200m from the flood zone. If any of these proposals go ahead we would expect the council to be able to address the concerns outlined above and provide reasonable solutions with which these issue can be managed now and into the future.

If you require further information, please contact me at ashgrove.farms@bigpond.com or on 0418 524 936.

Yours Faithfully

A handwritten signature in dark red ink, appearing to read 'Paul Bennett', with a long, sweeping flourish extending to the right.

Paul Bennett
Chairman, Ashgrove Cheese
Partner/Manager, Ashgrove Farms

Sent from my iPad

From: john.bennett3@bigpond.com.au
Sent: 21 Dec 2015 11:13:15 +1100
To: Planning @ Meander Valley Council
Subject: MVC Rural Living Zone
Attachments: MVC Rural Living Zone.pdf
Importance: Normal

For

Attention

The General Manager and Director Development Services

From

John Bennett

Eddington Estates Pty Ltd

Eddington Estates Pty Ltd
A.C.N. 009 521 331

65 Bennetts Rd
Elizabeth Town
Tasmania 7304

21st December 2015

The General Manager
Meander Valley Council
PO Box 102
Westbury 7303

Attention: Martin Gill Director Development Services

Dear Sir,

**RE: Draft Amendment to the Meander Valley Interim Planning Scheme 2013
for Rural Living**

We write to express our very serious concern at the tone and intent of the letter from Meander Valley Council to rezone land in some localities to Rural Living Zone for the proposed purpose for subdivision in Rural Living Zones.

We wish for immediate notification of the land which Council is recommending be rezoned that impact on our boundaries, water supply and high environmental standards.

We are deeply concerned if such planning restricts the high standard of Agriculture that has been the practice of Ashgrove Farms and Ashgrove Cheese Pty Ltd, with its Local, State, National and International reputation and the essential employment we give to Meander Valley Municipality and surrounding communities.

Yours faithfully,

John P Bennett AM
Constance J Bennett
Paul Bennett
Directors Eddington Estates Pty Ltd

From: john.bennett3@bigpond.com.au
Sent: 21 Dec 2015 11:13:15 +1100
To: Planning @ Meander Valley Council
Subject: MVC Rural Living Zone
Attachments: MVC Rural Living Zone.pdf
Importance: Normal

For

Attention

The General Manager and Director Development Services

From

John Bennett

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A.C.N. 009 521 331

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21st December 2015

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Yours faithfully,

John P Bennett AM
Constance J Bennett
Paul Bennett
Directors Eddington Estates Pty Ltd

21st January 2016

Index No.	502 e6/ 040		
Pbc No.			
Batch No.			
RCVD	21 JAN 2016	MVC	
Action Officer	SO	Dept.	DS
EO	OD	<input checked="" type="checkbox"/>	BOX

Attn: General Manager

Re: Draft Amendment to Meander Valley Interim Planning Scheme 2013 for Rural Living

We refer to your letter dated the 15th December 2015, in relation to the above and wish to advise that we are happy for the proposed changes to go ahead. We would be very interested in looking at subdividing our own property at 19 Denmans Rd Birralee should these changes come into action.

Regards

~~W~~ Blackwell

Leigh & Alison Blackwell

19 Denmans Rd Birralee

Po Box 68, Westbury

From: Jan Blakeney
Sent: 18 Dec 2015 15:02:01 +1100
To: Planning @ Meander Valley Council
Subject: Rural Living: MV Draft Amendment Planning Scheme
Importance: Normal

Dear Mr. Gill,

We have received your letter of the 15th December regarding the Draft Amendments to the Meander Valley Interim Planning Scheme 2013 for Rural Living. Our property is on two titles at Weetah and as the letter informs us the zoning for this area is now termed "Rural Living." We have read the pertinent sections of the Planning Scheme and the proposed amendment Meander Valley Council has made available online.

Our question is this: how will this change in terminology describing our area as "Rural Living" now be reflected in our rates? In the past, Weetah was zoned agricultural and subdivisions were not permissible. We are not interested in subdividing our properties at this juncture however it concerns us how the alteration in zoning status for our area will be rated henceforth.

Can you please indicate what changes to our rates may occur? As we are pensioner land holders on fixed income, any increase in our rates is of interest to us. We would appreciate the favour of a reply.

Yours sincerely,
Stephen and Janice Blakeney
557 Weetah Road
Weetah 7304

From: Jan Blakeney
Sent: 23 Dec 2015 14:30:53 +1100
To: Martin Gill
Subject: Re: Rural Living: MV Draft Amendment Planning Scheme
Importance: Normal

Dear Mr. Gill,

Thank you the information regarding the Rates in the Weetah area if the rezoning to Rural Living is approved. I understand the circumstances which may impact on our Rates in the context of the new zoning.

At this point, it isn't our plan to voice an objection (based on our individual circumstances) as the valley at Weetah is not likely to undergo a high demand for subdivisions. We would account for 2 of these new titles – if that were our future intention – but it is not. The total number of subdivisions foreseen in the Planning Scheme is an additional 5 properties. It is always possible this may happen, but it isn't imminent. Other than for small land holders who just want to do a bit of farming or lifestyle living (keeping horses, etc.) there is little pressure on land values here. For people seeking small rural residences perhaps, but large numbers of additional dwellings is unlikely in near future. Despite our closeness to Deloraine, there are no council services (apart from the road) – unless being rezoned Rural Living now affords us garbage collection?

So, we understand there will no doubt be rate increases owing to the factors you have outlined, but to what degree is an unknown. We understand this.

Thank you for your reply.

Yours truly,
Stephen and Janice Blakeney
Weetah

From: [Martin Gill](#)
Sent: Tuesday, December 22, 2015 5:11 PM
To: '[Jan Blakeney](#)'
Subject: RE: Rural Living: MV Draft Amendment Planning Scheme

Dear Janice and Stephen,

Thank you for your question.

There is a possibility that your rates will rise under the Rural Living Zone.

It will depend on a couple of things:

- Whether the Valuer General thinks the underlying value of your property has increased;
- Which is dependent on the property sales in the area and the prices people are prepared to pay for Rural Living Land.

If for instance your neighbour sold their property for X dollars per hectare under the existing Rural Resource zone and then the new property owner sold the property for `greater` than X dollars per hectare after the zone changes to Rural Living Zone, the next time the Valuer General does a revaluation of property values in the area he may increase the underlying value of the properties in the area based on property sales. Your rates would then go up because the value of land in the area went up.

The amount that the rates will go is also linked to the value of land in the area.

For instance the most recent revaluation of agricultural land in Meander Valley saw an increase of about 10% in the value of land.

Rate increases that you may have experienced in recent years would reflect this revaluation.

I apologise I cannot be any more specific about the amount your rates may increase.

Experience would suggest that your rates would not rise by more than \$100 per year as a direct result of the rezoning.

As an example, however, we rezoned a number of properties to Rural Living in 2013 and rates for these properties have not increased to this point.

But I can offer not assurances.

What I suggest is, if you are concerned about the rate increases, and you have no intention of selling or subdividing the land in the foreseeable future, write to Council formally objecting to the change of Zone.

That way at least you will have the opportunity to speak to the Tasmanian Planning Commission when Council refers the matter for a hearing.

This process also provides you enough scope to alter your position, if circumstances change in the next 6 months.

I apologise for not being more helpful.

Please let me know if you have any further questions

Regards

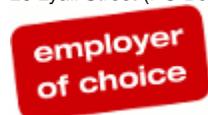
Martin Gill

Martin Gill | Director Development Services

Meander Valley Council

working together

T: 03 6393 5323 | 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: Jan Blakeney [mailto:JaniceB@activ8.net.au]
Sent: Friday, 18 December 2015 3:02 PM
To: Planning @ Meander Valley Council
Subject: Rural Living: MV Draft Amendment Planning Scheme

Dear Mr. Gill,

We have received your letter of the 15th December regarding the Draft Amendments to the Meander Valley Interim Planning Scheme 2013 for Rural Living. Our property is on two titles at Weetah and as the letter informs us the zoning for this area is now termed "Rural Living." We have read the pertinent sections of the Planning Scheme and the proposed amendment Meander Valley Council has made available online.

Our question is this: how will this change in terminology describing our area as "Rural Living" now be reflected in our rates? In the past, Weetah was zoned agricultural and subdivisions were not permissible. We are not interested in subdividing our properties at this juncture however it concerns us how the alteration in zoning status for our area will be rated henceforth.

Can you please indicate what changes to our rates may occur? As we are pensioner land holders on fixed income, any increase in our rates is of interest to us. We would appreciate the favour of a reply.

Yours sincerely,
Stephen and Janice Blakeney
557 Weetah Road
Weetah 7304

Notice of confidential information

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Views and opinions expressed in this transmission are solely those of the author and do not necessarily represent those of Meander Valley Council.

S:2-2016

Index No.			
Doc No.			
Batch No.			
RCVD	05 FEB 2016	MVC	
Action Officer		Dept.	
EO	OD	BOX	

THE GENERAL MANAGER
MEANDER VALLEY COUNCIL
26 LYALL ST WESTBURY

RE: DRAFT AMENDMENT TO THE MEANDER
VALLEY INTERIM PLANNING SCHEME 2013
FOR RURAL LIVING.

WE AGREE WITH THE PLAN TO ALLOW SUB-
DIVISION IN THE REEDY MARSH AREA.

WE WOULD LIKE TO EXPLORE THE POSSIBILITY
OF HIGHER DENSITY SUBDIVISIONS AS A 7
HECTARE PROPERTY ADJOINS OURS.

G.R. BROWN


M.A. BROWN


PH. 0428107874.

P.O. Box 227
DELORAIN
7304

Willow Dale

POULTRY

G.R. & M.A. Brown

Phone: 0428 107 874

P.O. Box 227 Deloraine Tasmania 7304

DEV 2

Carrick.
22nd January 2016.

The General Manager
PO Box 102,
Westbury. 7303.

Attention. Mr. Greg Preece.

Dear Sir,

Re. Amendment to the Meander Valley Interim Planning Scheme.

Index No. S02 02 010				
Doc No.				
Batch No.				
RCVD	22 JAN 2015			MVC
Action Officer	MG	Dept.	DS	
EO	OD	✓	BOX	

As a result of the Notice of Amendment being advertised in the Examiner newspaper the residents of Carrick village and close surrounding properties were approached to sign and support a "group representation" to Council.

It has been known for a number of years that the majority of Carrick residents have always supported Council's attempts to rezone land adjoining the village from Rural to Rural Living. Two hundred and forty residents make up this group representation, their support for Council and the Amendment is based on the three points listed on the actual signed representation sheet plus the attached ten point "Support for Carrick - Why Sign" sheet.

The enclosed 240 representation signatures show overwhelming support of the Amendment for the Carrick area, it not only includes approximately 85% of all households it includes all the retail business's operating within the village.

It appears that Meander Valley may have missed out in relation to Rural Living Zones compared to other Northern municipalities previously, therefore please take this opportunity to obtain a more equitable distribution, which should attract and create economic benefits for the region.

On behalf of all 240 Representors, we thank you for the opportunity to support the Amendment, which hopefully will result in a positive outcome.

Carrick Community Representation.



The General Manager
Meander Valley Council
26 Lyall St
Westbury 7303

Carrick Community Representation

We the undersigned, hereby make representation to Amendment 4/2015. The Meander Valley Council proposes to amend the Meander Valley Interim Planning Scheme 2013 to rezone land at Bishopsbourne Road and Simmons Street to Rural Living Zone and to provide for subdivision in those areas.

We support the Meander Valley Council's proposal to provide for the creation of rural living lots for the following reasons:

1. Additional population will help to retain services and support local businesses. Carrick needs support. In recent years the village has lost a stationed local police officer, fuel station, convenience store, restaurant/tea house, antique shop, bar/restaurant plus a bakery.
2. Carrick does not have land zoned to attract people who wish to live on large, rural residential type lots. There are only suburban/village size lots, hobby farms that already have houses or large agricultural properties. There is nothing in between to meet market choice for manageable sized, rural residential lots. As such, Carrick is at an economic disadvantage as other towns have rural living areas to support them. There is very little demand for suburban lots in Carrick.
3. Carrick is well located being commutable to Launceston and also to service the surrounding agricultural area.

Name	Address	Signature

SUPPORT FOR CARRICK – WHY SIGN?

Amendment to the Meander Valley Interim Planning Scheme 2013 to allow rural land on Bishopsbourne Road and Simmons Street to be rezoned as rural living.

1. The Amendment was certified by the Meander Valley Council on December 8, 2015, and advertised in the press December 12. It supports the listed "Future Directions" under the Council's Community Strategic plan 2014. Representations close on Friday, February 5, 2016.
2. **The Meander Valley Council has undertaken considerable community consultation over the development period of the Planning Scheme and Amendment.**
3. Northern councils - Launceston, Northern Midlands, George Town and Break O'Day - already have a similar capacity in their Schemes, which places the Meander Valley at a distinct disadvantage in attracting residents into the future
4. **Specifically for Carrick the Amendment seeks to finalise zoning of land for the Rural Living Zone, providing opportunity to create lifestyle lots in the northern and southern fringes of the township.**
5. Demand for Rural Living lots where services are not required is high for Carrick, especially as suitable land adjoining the village is available without detriment to surrounding agricultural activity. Carrick offers easy access to Launceston, sealed roads and the village is serviced by a Post Office, fuel station, convenience store/take away, hair saloon, hotel/café, accommodation, community hall/public toilets, sports ground/tennis courts and a picnic area at Liffey river.
6. **With your support the unique aspects of the Village can be maintained into the future plus with an increase of residents on lifestyle lots in the area the business services will be more viable.**
7. The Amendment also protects the natural values of the Liffey River plus provides appropriate bushfire hazard management.
8. **To assist Carrick maintaining and growing current services into the future it will be advantageous to have a broader rate base, the Amendment will allow this due to high demand for Rural Living lots.**
9. Carrick needs support, in recent years the village has lost a stationed police officer, fuel station, convenience store, restaurant/tea house, antiques shop, bar/restaurant and bakery. It's also noted that without a councillor residing in Carrick there is a risk this town could be overlooked for any development spend into the future if this opportunity to rezone land and attract new families to the area is not approved and implemented.
10. **Carrick experiences very low demand for urban development and available land within the General Residential Zone has sustainable capacity for many years to come, plus it is not feasible to expand urban development to the south due to excessive infrastructure cost (pump station).**

Thankyou for taking time to read this. Your support would be much appreciated and will assist in ensuring Carrick remains a thriving township into the future.

The General Manager
 Meander Valley Council
 26 Lyall St
 Westbury 7303

on

Carrick Community Representation

We the undersigned, hereby make representation to Amendment 4/2015. The Meander Valley Council proposes to amend the Meander Valley Interim Planning Scheme 2013 to rezone land at Bishopsbourne Road and Simmons Street to Rural Living Zone and to provide for subdivision in those areas.

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3. Carrick is well located being commutable to Launceston and also to service the surrounding agricultural area.

Name	Address	Signature
TONY →	GRAHAM'S SIMMONS ST.	<i>Abraham</i>
WICKI WOOD	22A MEANDER VALLEY RD CARRICK	<i>Wicki Wood.</i>
KERRY WOOD	22A MEANDER VALLEY CARRICK	<i>Kerry Wood.</i>
Sharon McNamara	11 Simmons St. Carrick	<i>Sharon McNamara</i>
Anna Hayward	369 Bishopsbourne Rd, Carrick	<i>Anna Hayward</i>
G. PINNET	9 CHURCH ST CARRICK	<i>G. Pinnet</i>

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Name	Address	Signature
Vicki Fulton	18 Simmons ST. Carrick	V. Fulton
M. DUNSTONE	8 Simmons St, Carrick	[Signature]
Erin Dunstone	8 Simmons St. Carrick	[Signature]
[Signature]	Bishopsbourne Rd Carrick	[Signature]
[Signature]	1 MEANDER VALLEY RD	[Signature]
M. ANDERSON	20 SIMMONS ST CARRICK	[Signature]

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Name	Address	Signature
PEG CAMPBELL	39 Percy St Carrick	
DEMI & TONY AUSTIN	31 Percy St Carrick.	
Vicki Austin	31 PERCY ST CARRICK.	
Meghan Barber	41 Bishopsbourne Rd Carrick	
Peter Barber	" " " "	
ALHAN WEST	7 PERCY ST CARRICK	
Carol Cramfeld	4 Percy St, Carrick	
REX KING	6 PERCY ST	
Nick Walkem	41 Percy St, Carrick	

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Name	Address	Signature
Arthur Sherwood	BISHOPSBOURNE RD	A.Sherwood
David Goswami	410 BISHOPSBOURNE RD	D.Goswami
J.P. Hanks	558 BISHOPSBOURNE RD	J.P.Hanks
Phil B Badcock	9 PERCY ST CARRICK	B.Badcock
Phil Badcock	9 Percy St. CARRICK	P.Badcock
Steph Pearson	89 OAKS RD Carrick	S.Pearson
Geoff Fulton	18 SIMMONS ST 7291	G.Fulton
Jason King	15-1 SIMMONS ST 7291	J.King
Glenn Chapple	29 Percy St 7294	G.Chapple

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Name	Address	Signature
Budget	Meander Valley Rd.	Budget
B STEVENSON	51 Bishopsbourne RD	B Stevenson
L BROWLES	19 SIMMONS ST,	L Browles
J. STEWART	3 meander Valley RD	J Stewart
D. SHERWOOD	64 MAINS ROAD CARRICK	D Sherwood
R. SHEAN.	58 MEANDER VALLEY RD CARRICK	R Shean
J KEELING	56 MEANDER VALLEY RD CARRICK	J Keeling
A Keeling	" "	A Keeling
R. Lusk	49, CARRICK	R Lusk
C WHITE	44 MEANDER VALLEY CARRICK	C White

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Name	Address	Signature
Ann Schnierer	40 Meander Valley Rd	
Jonne Shaw	34 Meander Valley Rd.	
R. Jones	34 Meander Vally Rd.	
A. SHAW	34 MEANDER VALLY RD	
N. Shaw	34 Meander vally RD.	
S. Connrighan	30 Meander Valley Highway Carrick	
J. Cox	26 Meander Valley Rd Carrick	
K. Wynne	22 Meander Valley Rd Carrick	
S. DONOVAN	16 MEANDER VALLEY Rd CARRICK	
Yvette Coker Williams	12 MEANDER VALLE H/WAY	

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Name	Address	Signature
Jenna Rigby	10 Meander Valley Hwy Carrick	[Signature]
Roxene Morris	10 Meander Valley Hwy Carrick	[Signature]
M. Waters	6 SIMMONS ST. CARRICK	[Signature]
Kirk Costello	10 SIMMONS ST Carrick	[Signature]
Heather Leeder	12 SIMMONS ST CARRICK	[Signature]
K. Eustace	16 SIMMONS ST Carrick	[Signature]
G. Eustace	" " " " "	[Signature]
B. WILDEBOER	14 SIMMONS ST CARRICK	[Signature]
I. Z. DOWA	15 SIMMONS ST CARRICK	[Signature]
B. Mcgowan	9 SIMMONS ST CARRICK	[Signature]

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ROY BURN	1 Champ St. CARRICK	Roy W. Burn
MARIE BURN	1 CHAMP ST, CARRICK.	M Burn
Roseann McInnee	11 Percy St, Carrick	R McInnee
COL HENRY	12 PERCY ST CARRICK	C. Henry
HELEN HENRY	" " "	H. Henry
DEBBIE BEAMS	341 BISHOPSBOURNE RD CARRICK	D Beams
KEVIN BEAMS	341 BISHOPSBOURNE RD CARRICK	K Beams
Theresa ELIAS	RA 500 Bishopsbourne	T Elias
Ricky ELIAS	" " "	R Elias
ROSEANNE MCINNEE	" " "	R McInnee

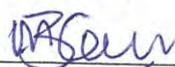
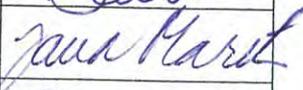
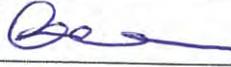
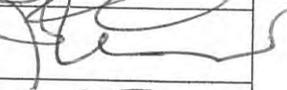
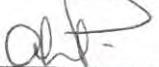
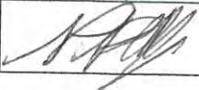
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Rohan Blair	2A Church St Carrick.	
Mia Blair	2A Church St Carrick	
Jana MARIK	10 CHURCH STREET	
Lynn Mason	1032 Meander Valley Road	
James Mason	1032 Meander Valley Rd	
Suzanne Gately	15 Oaks Rd Carrick	
Lynne Pearce	1 CHURCH ST.	
Nick Pearce	1 Church St Carrick	
Amanda Phillips	5 Church St Carrick	
Peter Phillips	5 Church St Carrick	

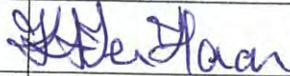
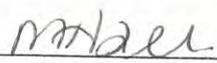
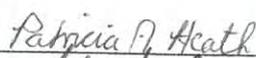
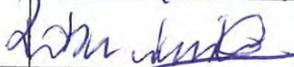
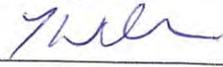
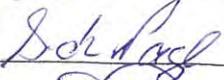
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KAREN TER HAAR	16 MONDS LANE, CARRICK	
Megan Hall	10 MONDS LANE, Carrick	
Tricia Heath	8 MONDS LANE, CARRICK	
Peter Heath	8 MONDS LANE, CARRICK	
Brian Macdonald	33A EAST ST, CARRICK	
ROHM WHISHAW	"OBERON" CARRICK	
TINA WILKINS	13 Church St Carrick	
ROD SMITH	16 Church St, CARRICK	
Suzanne Page	14 Church St Carrick	
Sammi Charles	4 Church St Carrick	

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Colleen Nott	54 Bishopsbourne Rd Carrick	[Signature]
HARLEY HUME	20 Liffey St Carrick	H. Hume
NINDORIS HUME	18 EAST ST. CARRICK	N. Hume
SHIRLEY PEARTON	24 EAST ST. CARRICK.	S. Pearton
GRAEME PEARTON	24 EAST ST. CARRICK.	G. Pearton
MARLENE CLARKE	23 Percy St. CARRICK	M. Clarke
ROGER HAWKE	31 ASHBURNER CARRICK	R. Hawke
TIM MURGATROYD	22 PERCY ST CARRICK	T. Murgatroyd
Sue Champion	11 East St Carrick	S. Champion
Alishia Shadgett	33 EAST ST, CARRICK	[Signature]

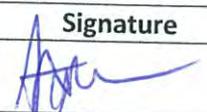
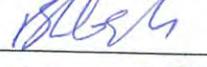
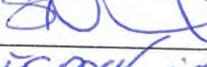
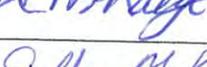
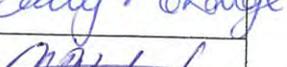
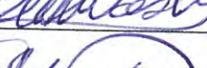
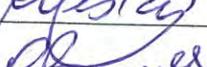
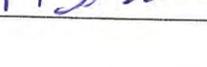
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Andrew Tyson	33 EAST Street, CARRICK	
EVELYN STRICKLAND	10 PERCY ST CARRICK	
CHERYL WEST	7 PERCY ST CARRICK	
Brandon Hosking	5 Percy Street Carrick	
Sarah Neil	5 Percy Street, CARRICK	
Chester McKaige	6 EAST Street, CARRICK	
Sally McKaige	6 East St Carrick	
ALAN WESLEY	22 EAST ST, CARRICK	
Judy Wesley	22 East Str Carrick	
Phil Bessell	36 Percy St Carrick	

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Anne Bessell	36 Percy St. Carrick	<i>A Bessell</i>
ELI BATTERSBY	39 PERCY ST CARRICK	<i>E Battersby</i>
SAM MORRISON	39 PERCY ST CARRICK	<i>S Morrison</i>
MICHAEL DORNAUF	30 PERCY ST CARRICK	<i>M Dorlauf</i>
HELEN DORNAUF	30 PERCY ST CARRICK	<i>H Dorlauf</i>
Stephen Smith	28 Percy St Carrick	<i>S Smith</i>
Michelle Smith	28 Percy St Carrick	<i>M. Smith</i>
Janita Hardacre	33 Percy Carrick	<i>J Hardacre</i>
Philipp Hardacre	33 Percy Carrick.	<i>P.J. Hardacre</i>
GRAHAM NOFF	54 BISHOPSBOURNE ROAD CARRICK	<i>Graham Noff</i>

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3. Carrick is well located being commutable to Launceston and also to service the surrounding agricultural area.

Name	Address	Signature
Nathan Walker	19 South St Carrick	[Signature]
J. Sheen	19 South St. Carrick	[Signature]
Dorothy Skye	5 South St Carrick	[Signature]
Natasha Catlin	3 South St Carrick.	[Signature]
Peter Burr	27 Ashburner St Carrick	[Signature]
Andrew Harris	15 Church Street.	[Signature]
Katrina Harris	15 Church St Carrick	[Signature]
Dane Knox	141 Bishopsbourne Rd, Carrick	[Signature]
Bronwyn Hill	897 Meander Valley Hwy ^{Hadsor}	[Signature]
Capt. MARK GUNN FNI	6 ASHBURNER ST CARRICK	[Signature]

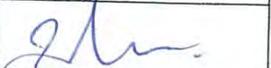
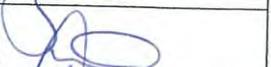
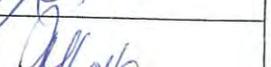
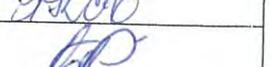
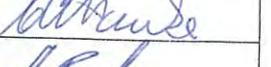
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 Meander Valley Council
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Name	Address	Signature
Brad Hill	3 Seymour Street	
Kristen Bowen	14 Seymar Street	
Zana Bowen	14 Seymar Street	
Rhonda Marshall	7 Seymour St	
J MORRIS	25 ASHBURNER ST	
P. MORRIS	25 ASHBURNER ST	
K. Phillips	24 Ashburner St	
C. Williamson	29 ASHBURNER ST. CARRICK	
C. HANKE	31 ASHBURNER ST	
H BARKER	9 SOUTH ST.	

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Name	Address	Signature
B. Blank	20 Bishopsbourne St Carrick	B. Blank
S. de Bruyn	4 Seymour St Carrick	S. de Bruyn
MR STEVEN de BRUYN	4 SEYMOUR ST CARRICK	S. de Bruyn
Ian Joiner	2 Seymour St Carrick	I. Joiner
Dianne Joiner	2 Seymour St. Carrick	D. Joiner
Cindy Leclercq	20 South st Carrick	C. Leclercq
Mitchell Leclercq	20 South st Carrick	M. Leclercq
John Hope	18 South st Carrick	J. Hope
Dearne Hunt	18 South St Carrick	D. Hunt
Nita Clarke	14 South St Carrick	N. Clarke

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Mark Canning	1 Ashburner St	Mark Canning
Derek Turner	38 Liffey St	Derek Turner
Craig Hoare	20 Liffey St Carrick	Craig Hoare
R. Cook	32 Ashburner Carrick	R. Cook
C Pollock	30 ASHBURNER ST CARRICK	C Pollock
J Pollock	30 ASHBURNER ST CARRICK	J Pollock
R. BYE	26 ASHBURNER ST CARRICK	R. Bye
J. Bye	26 ASHBURNER ST CARRICK	J. Bye
B. BOWERMAN	22 Ashburner St Carrick	B. Bowerman
BOWERMAN	22 ASHBURNER ST CARRICK	B. Bowerman

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Sheila Donnelly	5 SEYMOUR ST CARRICK	[Signature]
Courtney Allsop	9 Seymour st carrick	[Signature]
Tiffany Allsop	" "	[Signature]
TREHAN HAAS -	18 SEYMOUR ST CARRICK.	[Signature]
Brianna Haas	18 Seymour st carrick	[Signature]
Christie Haas	18 Seymour st Carrick	[Signature]
LEIGH NEWTON	7 SEYMOUR ST CARRICK	[Signature]
Damien McLean	16 Seymour st Carrick	[Signature]
Tracy Mclean	16 Seymour St Carrick	[Signature]
Andreas Binos	12 Seymour st Carrick	[Signature]

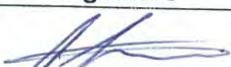
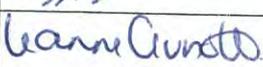
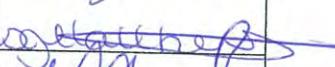
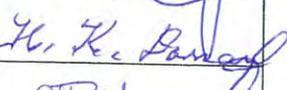
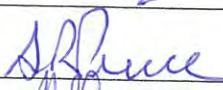
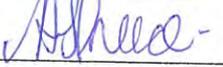
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Andrew Arnott	30 Liffey St Carrick	
Leanne Arnott	30 Liffey St Carrick	
6 Reynolds	6 Liffey St Carrick	6 Reynolds
Sonia Matthews	7 South St Carrick	
8 Ashburner Carrick	8 ASHBURNER CARRICK	8 Ashburner Carrick
8 Ashburner Carrick	8 ASHBURNER CARRICK	
Celestine Rey	26 South St Carrick	
ANDREW COX	26 SOUTH ST CARRICK	
SHAWN PREECE	24 SOUTH ST. CARRICK	
Helen Preece	24 South Street	

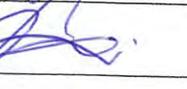
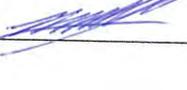
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Jimoe Peers	24 South Street Carrick	
Aaron White	24 South st Carrick	
Colin Troner	72 South St GARRICK	
Paul Troner	" " " "	
M. W. [unclear]	16 South St Carrick	
Alicia Skyp	9 Ashburner St, Carrick	
[unclear]	11 Ashburner St, Carrick	
Jamie Imlach	11 Ashburner St, Carrick	
Rachel Harvey	19 Ashburner street, Carrick	
Michelle Donnelly	5 Seymour St Carrick	

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KAYE BOUNDS	12 LIFFEY ST, CARRICK	<i>K Bounds</i>
ROSS FREEMAN	9 LIFFEY ST CARRICK	<i>R Freeman</i>
Cheryl Freeman	9 Liffey St Carrick	<i>Cheryl Freeman</i>
PHIL ROSS	4 LIFFEY ST. CARRICK	<i>Phil Ross</i>
Ruth Simmons	2 Liffey St CARRICK	<i>Ruth Simmons</i>
Tanya Pfeiffer	7 Liffey St, Carrick	<i>Tanya Pfeiffer</i>
Vicki Brackett	19 Liffey St, Carrick	<i>Vicki Brackett</i>
LYN COX	36 LIFFEY ST CARRICK	<i>Lyn Cox</i>
ROBERT COX	" " "	<i>Robert Cox</i>
CHRIS VINAY	32 Liffey St	<i>Chris Vinay</i>

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LINDA GOURLAY	38 LIFFEY ST, CARRICK.	<i>[Signature]</i>
Troy Baker	37 Liffey St, Carrick	<i>[Signature]</i>
Max Jordan	31 Liffey St Carrick	<i>[Signature]</i>
Wendie Jordan	31 Liffey St Carrick	<i>[Signature]</i>
CRAIG TOLMAN	26 Liffey St Carrick	<i>[Signature]</i>
Peter Kennedy	35 Liffey Carrick	<i>[Signature]</i>
Lisa Vinay	16 Liffey St Carrick	<i>[Signature]</i>
Luke Vinay	16 Liffey St Carrick	<i>[Signature]</i>
ANTHONY VINAY	16 Liffey St Carrick	<i>[Signature]</i>
Sandra Lumsden	13 Liffey St Carrick	<i>[Signature]</i>

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Name	Address	Signature
Alice Imbach	80a Blackstone Road, Blackstone Heights	<i>[Signature]</i>
ROSZYN RENMILT	37 MEANDER VALLEY RD CARRICK	<i>R Renault</i>
DANNY	" "	<i>D E Renault</i>
Darren Yates	33 meander valley rd Carrick	<i>[Signature]</i>
Mel Viney	21 Meander Valley Rd Carrick	<i>[Signature]</i>
Lise Chaplin	9 Meander Valley Rd Carrick	<i>[Signature]</i>
Melinda Whiteley	4 Meander Valley Rd Carrick	<i>[Signature]</i>
MARK ROWLANDS	46 MEANDER RD CARRICK	<i>[Signature]</i>
RUNDUS. PETER	5 Church St, Carrick	<i>[Signature]</i>
Mark Thomson	6 Church St	<i>[Signature]</i>

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Wendy Smith	981 Meander Valley Road Carrick	W. Smith
Maree Brewster	33A East St Carrick	Maree
Zelda Cuykoth	43 Meander Valley Rd Carrick	Zelda
Rachel Curwen	37 Liffey St. Carrick	Ric
Daniel Smith	981 Meander Valley Road Carrick	D. Smith
Matthew Sheppard	62 Meander Valley Road	M. Sheppard
Faye Pearce	1 ARTHUR ST CARRICK	Faye
SSMITH	CARRICK ROAD HOUSE	S. Smith
m Timplach	41 Meander Valley Rd Carrick	m Timplach
A. Hulsh	80 A Rockstone Rd Her	A. Hulsh

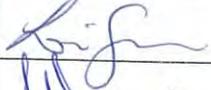
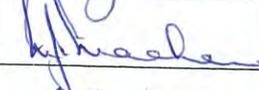
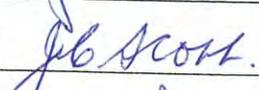
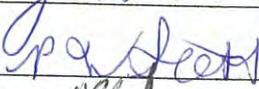
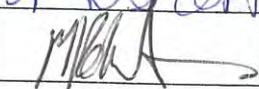
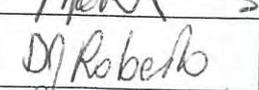
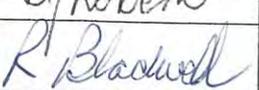
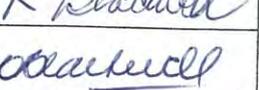
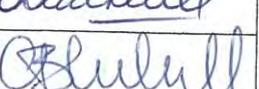
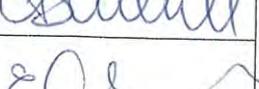
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Name	Address	Signature
Lani Gunn	6 Ashburner St, Carrick TAS	
Mary Macher	141 Bishopsbourne Road	
Jonette Scott	991 Bishopsbourne Road.	
Peter Scott	" " "	
Michael Roberts	ENTALLY ROAD HAOS PFN	
Deborah Roberts	" " "	
Roger Blackwell	23 MEANDER VALLEY RD CARRICK	
Catherine Blackwell	23 Meander Valley Rd Carrick	
Claire Blackwell	23 Meander Valley Road Carrick	
Eloise Blackwell	23 Meander Valley Rd Carrick	

From: Lindasay Dawe
Sent: 3 Feb 2016 15:02:40 +1100
To: Planning @ Meander Valley Council
Subject: Interim Planning Scheme

The General Manager

Meander Valley Council

Dear Sir.

I respectfully wish to make submission to the council regarding the proposed Draft Amendment to the Meander Valley Interim Planning Scheme 2013 for Rural Living.

After reading your letter 15/12/2015 I have some serious concerns regarding the reduced setback for dwellings in Rural Living Zones which adjoin properties in Rural Resource Zones from 200 meters to 25 meters.

I realize in some cases enforcing a 200 meter setback may not be practical, but where it is practical I feel a 200 meter setback should be enforced, a couple of quick reasons being.

- (1) A farmer could find he has a number of houses dotted along a boundary where there were previously none.
- (2) Pets. Although most pets would be able to travel the extra 175 meters from a 200meter setback they could be less inclined to encroach onto farm land with the extra distance to travel.
- (3) Dust. A house 25 meters from a boundary could be severely impacted by Dust. Spray, or Fertilizers from a farmers paddock.
- (4) Noise. The occupants of a house 25 meters from a boundary possibly with young children or a baby would not be happy with a farmer ploughing a paddock or harvesting a crop late into the evening

(5) Odour. A house 25 meters from a boundary would be more susceptible to odours from dairies, piggeries, silage and the like than one 200 meters away.

(6) Wildlife. I am sure most councilors would be aware of the explosion of wildlife numbers in our municipality over the last 5 to 10years, (you only have to look at the increase in road kill), and with the current firearm laws you cannot discharge a firearm within 250 meters of a dwelling, this could impact on a farmers ability to control vermin such as Wallaby, Possum, Kangaroo, Rabbit, Feral Cats, Deer etc

All these scenarios could severely restrict a farmerconducting his legitimate business as well as cost a considerable amount ofmoney for court and legal fees should an aggrieved neighbor seek legal action.

If the 25 meter setback is adopted I would like the Council to consider rezoning our property from Rural Resource Zone to Rural Living.

Yours sincerely

Lindsay and Margaret Dawe

55 Hodgetts Rd Rosevale 7292

From: Diane and Roy Deane
Sent: 2 Feb 2016 13:20:37 +1100
To: Planning @ Meander Valley Council
Subject: Representation re MV interim Planning Scheme 2013 - Roy and Diane Deane
Attachments: Roy and Diane Deane Representation MV interim scheme 2013.docx
Importance: Normal

Please find attached our representation regarding the Meander Valley Planning scheme 2013 for Rural Living. Thank You, Roy and Diane Deane

Roy and Diane Deane

1/43 Stuart St

Manly NSW 2095

2 February 2016

General Manager

Meander Valley Council

PO Box 102

Wesbury, 7303

Dear General Manager

Draft Amendment to the Meander Valley Interim Planning Scheme 2013 for Rural Living

As owners of a property in Reedy Marsh that has been a plantation for many years, we look forward to being able to return this land to a much more environment and community friendly property than it has been for many past years. This land rehabilitation will take much effort, and will be much more easily achieved if subdivision into manageable hobby sized farms is possible.

The present amendment is proposing a minimum lot size for Reedy Marsh of 15 hectares whereas 10 hectares has been proposed for most other rural living areas. Many parts of Reedy Marsh are within about 5 minutes drive of Deloraine and have generous road frontages, making them very appropriate for hobby farms that will enhance the general ambience and community feel in the area.

We would like to suggest that the minimum lot size for Reedy Marsh be set at the same level as for most other areas – which in many cases are more distant from Deloraine, and less in need of encouragement of hobby farms to try to get back a more rural environment.

Yours sincerely,

Roy and Diane Deane

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P. Elkin
160 Farrells Rd
Deloraine
Tas., 7304
02-02-16

General Manager
Meander Valley Council
P.O. Box 102
Westbury
Tas., 7303

Submission on Rural Living Amendments to Meander Valley Interim Planning Scheme 2013

Dear sir,

Please accept the following as part of my contribution to the ongoing development of a local planning scheme.

There should be no deliberate targetting, for increased settlement densities, industrial scale development or disrespectful practices, of remnant or recovering native forest or endangered species habitat. Indeed there should be deliberate avoidance. In non-urban endemic forested areas there should be no further subdivision enabled unless for the purposes of promoting sustainable and respectful agriculture, natural or cultural uses or values. Such subdivision must facilitate the protection and enhancement of biodiversity, habitat, interdependency and connectivity, and not increase risk nor degrade amenity, with such issues to be considered in a precautionary manner.

Zoning for residential or industrial uses should only be enabled in areas shown to be irretrievably alienated from endemic ecologies and not on land of sustainably high productive capability. Intensification and subdivision for Rural Living purposes should be directed specifically away from remnant and recovering native forest lands, (unless it can be shown to have specific positive benefit at appropriate scale for particular sites), and directed instead towards irretrievably alienated, highly degraded low agriculturally capable lands. There are (unfortunately) many examples of such "green field" (sic! - rather fresh brownfield !) sites worthy of consideration for improved development such as some poor plantation lands. Certainly, areas of important remnant ecosystems should not be targeted. The current identification of some areas for intensification was inadequately based, faulty and improper and should be reappraised. Future subdivision should take into prime account endemic ecosystem conservation and processes, enhancement of connectivity and deterrence of fragmentation, and unless it can be shown increased residential development would be beneficial, further subdivision would be prevented.

Latter day land clearances and the coralling into concentrated camps of rural residential ghettos, whilst enabling a relative promotion of industrial scale development and absent owners, is abhorrent, socially destructive and unsustainable. Further, it does not arise from demands or desires of Tasmanians as a whole, but from narrow sectoral interests and conflicted consultants.

I am concerned at the impact, of vegetation clearing or modification required to comply with the bushfire code, on native ecosystems, threatened veg. communities and habitats. Cumulative effects of small modifications that may detract from habitat, connectivities etc should be avoided as should increased fire frequencies and their effects on vegetation alteration. There is also the problematic issue of maintenance of hazard reduction areas. Any proposed buffer zones, hazard reduction areas or fuel modified areas etc should not impact or impinge on neighbouring properties, inc. amenity (this is particularly important when within or bordering reserve or conservation areas). It is noted that the Tasmanian Fire Service have no and claim no expertise in natural resource management in any ecological or conservation sense.

Pressure from threats to biodiversity, which includes intensification of residential use through subdivision enabling, must be deliberately reduced and not enabled. Emphasis should be firstly on sustainability and biodiversity. Biodiversity and conservation issues should be considered before and above fire risk assessments, and risk and hazard management of property should be subsidiary. Attention to fire prevention, early response and adequate notification and planned evacuation to preserve human life are the appropriate aims in response to lessons of previous extreme fires, not the reformation or obliteration of nature in the name of property preservation. A reappraisal of our understanding of nature and sense of place is required.

Reedy Marsh

Reedy Marsh is a distinct whole area community, contextually situated as a rural refuge near Deloraine with a mix of interconnected native forest and patches of cleared agricultural and swamp lands, where there is reliance on respect and equal treatment of all landowners. This has been challenged by Private Timber Reserve declarations and some disrespectful practices, and is further threatened by proposed zoning and subdivision potential. The character, sense of place and amenity relies on the diverse mix of uses and potentials, where sparse and low impact settlement and residential adjacency to rural agriculture within a native forest setting is highly valued. No further subdivisions are supported unless for sustainable agriculture, biodiversity or public interest purposes.

The extensive block zoning of a large area of Reedy Marsh into a Rural Living zone defies the current uses, potentials, values and amenity of the area. It would destroy the pleasant sparse and dispersed sprinkling of rural residents in their context of native forests and mixed use agricultural and rural uses. It would destroy or adversely impact on the very nature, character, values, setting and general amenity (incl. sense of place and space, privacy and quiet) and appeal of the area. Rural rather than residential context is what is valued. The current identification of some areas for intensification was inadequately based, faulty and improper and should be reappraised. It is also invalid to predetermine that 27 new lots may be created, and this also makes a mockery of the minimum lot size determination.

Reedy Marsh is not an appropriate area for increased subdivision or development. Further extension and intensification of Living Zones with extinction of rural activities and amenity is not appropriate or acceptable, esp. considering that the main amenity of the area is the sparse and secluded settlement coincident with appreciation of the dominant native forest character interspersed with diverse and respectful rural uses. Such amenity is threatened by intensification of settlement and industrial scale resource extraction industries, and is counter to enhancement of quality of life. Further, such expansion would defy the recognized and stated characterization.

The amendments as they are don't adequately enhance and maintain the many threatened species of the area, nor the amenity of landowner residents, for which the diffuse sprinkling of residents is a major factor. Services, accesses and local govt. infrastructure are already under strain, and major upgrading, with associated costs and effects, would be required under the proposals. There should be no generalised enabling of further subdivision in Reedy Marsh. Current block sizes and distribution is at the limit in terms of effect on biodiversity, habitats and connectivities, the area being a good example of surviving ecosystems with a large and multiply diverse range of threatened communities and species. Both further subdivision and unsympathetic development are threatening processes and will increase the negative effects on native forest ecological capabilities and on amenity (particularly on sense of place, space and privacy, noise, traffic, weeds, pests and feral animals, and fire).

There is generally no conflict between living and agricultural activities. Conflict arises through disrespectful practices or activities (e.g. large scale plantation forestry, poison spray drift, roaming dogs or trail-bikes, or fire escapes). Respect is the important consideration, not whether a use is classified as habitation or agriculture, e.g. the Willowdale and Reedy Marsh flats are not prevented or restricted in agriculture by proximity to adjacent habitation. Such interpretation is a false myth. Rather the habitation

and its amenity is enhanced and valued for its adjoining space and agricultural use. Rural residence does in fact promote sustainable agriculture and sustainable practices. Yet, clearances, with zoning and subdivision to corral people into concentrated camps or suburban ghettos, will alienate and lead to conflict. Increased population concentrations are a greater threat of conflict.

Responsible and respectful agricultural use and practices are not compromised by nearby rural living, conservation or multiple and small scale uses. In fact they are highly valued, supported and promoted by them. Most (especially sparse) nearby residential use is positive for agricultural use, and does not of itself prevent land from agricultural use but is complementary.

The descriptions of the proposed Rural Living zones are inadequate, and repetitively and largely not distinct. The objectives are equally not adequate and insufficiently general and similar. Better description and characteristic recognition would lead to better planning outcomes for communities and the environment.

Whilst applicable to all non-urban areas of the Municipality, Recdy Marsh with particular emphasis should include the local area objective " to protect and enhance biodiversity, native forest, habitat and natural values and amenity and sustainable use of the area. "

13.4.2.2

The lot sizes minimums for rural lands with predominant native forest character should be greater than 15ha., if at all allowed, with strengthened performance criteria (relating to biodiversity) enabling suitable subdivision if appropriate. Any enabling below 15ha is, unless in rare and demonstrated instances, highly likely to diminish biodiversity outcomes, current and future character, sense of place and amenity.

To emphasise the overriding import of biodiversity protection and enhancement in considering subdivision, the objectives should specifically include :

"Promote and protect endemic biodiversity and ecological processes"

An addition should similarly be explicitly made to the Performance Criteria, P1(a):

"....and promote and protect endemic biodiversity and ecological processes"

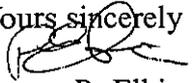
P1(c)(i) should be expanded to read "the topographic or natural features or context of the site; and"

The use of "or" should be replaced by "and" in connecting the Performance Criteria

Setbacks

Setbacks, in all rural zonings where native forest factors, should take natural tree height into account. 50 meters would seem closer to what is required to prevent unnecessary danger, accident or dispute due to tree fall, and this would increase further if winter shading needed to be factored in. In a native forest context, whether between or within zones, it should not be expected that the endemic vegetation cover be compromised to suit a neighbours development whims.

Good luck in your considerations.

Yours sincerely

P. Elkin

DEV 2

From: Robyn Flittner
Sent: 4 Feb 2016 22:27:33 +1100
To: Martin Gill
Subject: Meander rezoning submission
Attachments: Meander Rezoning submission.pdf, Meander maps.docx
Importance: Normal

Dear Martin,

Attached is the rezoning submission for an area on Jackeys Marsh Rd Meander, to be considered as "established rural residential land", that would complement the existing proposed areas in the Meander Valley Interim Planning Scheme Amendment 4/2015. These 5 blocks are in a prime location to be considered as "lifestyle choice " land.

Please do not hesitate to contact me with any clarifications.

Both Nick and myself would be very keen to speak to the proposal should the opportunity be provided.

Thank you for your consideration.

Kind regards,
Robyn

[Robyn Flittner](#)
[0429695149](#)

Meander Rezoning Proposal

Martin Gill
Director Development Services
Meander Valley Council

4th February 2016

Dear Mr Gill

Submission to Meander Valley Interim Planning Scheme Amendment 4/2015

I am writing to lodge an application to seek land rezoning under the Meander Valley Interim Planning Scheme Amendment 4/2015. This submission concerns five blocks of land near the Meander township which are currently included in the Rural Resource zone. It is the contention of this submission that the land is in fact an 'established rural residential area' as defined under the Interim Planning Scheme, and as such should be reclassified into the Rural Living category.

The blocks in question are:

- 80 Jackeys Marsh Road – Property ID 7250774 – 10.4 hectares – Block 1
- 89 Jackeys Marsh Road – Property ID 2026546 – 0.44 hectares – Block 2
- 90 Jackeys Marsh Road – Property ID 1878763 – 11.7 hectares – Block 3
- 91 Jackeys Marsh Road – Property ID 7634559 – 18.6 hectares – Block 4
- 124 Jackeys Marsh Road – Property ID 1878755 – 3.6 hectares – Block 5



Figure 1: Subject Lots

Meander Rezoning Proposal

The blocks are just to the south of the Meander village, which is 17 kilometres from the larger service centre of Deloraine. (Northern Regional Land Use Strategy: Ref RSN-P24 “*Growth opportunities for rural living and environmental living will maximise the efficiency of existing services*”.)

It is the contention of this submission that the five blocks of land qualify as an ‘established rural residential’ area due to a number of factors defined in the Interim Planning Scheme as those which would cause an area to be considered as an ‘established rural residential area’ and thus be classified as Rural Living under the new Meander Valley Planning Scheme.

(Northern Regional Land Use Strategy: Ref RSN -P22 “*Rural and environmental lifestyle opportunities will reflect established rural residential area*” :

Meander Valley Interim Planning Scheme 2013 Am 4,P 8 “land that has no real potential for efficient or practical agricultural or rural resource use on a commercial basis....”)

The land use pattern of these blocks is characterised by the following:

- **Cluster of dwellings within close proximity** – each of the blocks has an established residential dwelling, with the exception of Block 3 where planning for a dwelling is in the early stages. Each of the dwellings is between 100 to 200 meters of each other, with the longest distance being between Blocks 1 and 5 which is approximately 415 meters. The blocks are predominantly residential land use ie lifestyle blocks, hobby farm.
- **Fragmented land ownership and relative size of the block** (Ref RSN- P23)– each of these blocks is owned by a different person, and the blocks are all of different sizes, the largest being 18.6 hectares and the smallest being 0.44 hectares.
- **The potential effect of constraints on resource activities, including**
 - **Land capability** – most of the area covered by the five blocks is Land Capability Category 5, with significant area Category 6 on Block 3 and some Category 4 at Blocks 1 and 4. Categories 5 and 6 are poor agricultural land unsuitable for commercial farming activity. This would explain why farmers have not bought these blocks in the past.
 - **Topographical factors that act as a physical impediment to operations or connectivity** – the blocks are effectively the end of the valley and are characterised by relatively steep rocky slopes and unfertile land which make farming activity difficult if not impossible to sustain.

The Meander River runs along the western boundary of 90 Jackeys Marsh Road, forming an effective barrier to connectivity to neighbouring agricultural land. In the early 2000s a Landcare grant was provided to fence of a riparian strip along the river bank. This strip is about 30 metres deep.

Jackeys Marsh Road runs through the middle of the five blocks – each block has road frontage. The road is sealed for the entire distance, only becoming gravel once it is past the blocks in question. This is a physical impediment to

Meander Rezoning Proposal

agricultural operations and connectivity between land titles. However, this road provides good access to the blocks of land, and provides direct and quick access to the Meander-Deloraine main road. The road has some tight corners which do concern residents when large vehicles are using the road.

- **Environmental values that prevent resource extraction and connectivity** – there is a stand of a threatened eucalypt species, *eucalyptus viminalis*, on Block 1, which prevents any expansion of the agricultural land further south onto Block 4, or indeed to the areas adjacent to the dwelling on Block 1. The rest of the blocks are tall eucalypt forest or non-forest grazing land.
- **Public land use and classification which may act as an impediment to resource expansion and connectivity** – not applicable

Discussion

The five blocks of land in question have a combined land area of 44.5 hectares. The titles are all single holding titles under separate ownership, two of which are essentially already domestic dwelling blocks (3.6 and 0.44 hectares). The largest block is 18.6 hectares. Individually none of these blocks would be a viable farming enterprise, and even together they would not have the capacity to create a commercial farming operation.

The land is located at the end of the Meander River river flat, which is almost entirely given over to dairy operations, with small areas of crops such as maize and nuts and a large forestry plantation at one end. The land is essentially a slope which takes the valley floor up into the forested highlands of Jackeys Marsh and the Great Western Tiers. The blocks in question have always been something of a buffer or a boundary, marking the end of productive farmland and the beginning of the forested highlands. It is not by chance that the blocks in question have not been purchased by local farmers over the years. Four of the five blocks have been sold at least once in the last 20 years and local farmers have never sought to buy them. (The exception is Block 1, 80 Jackeys Marsh Road, which is a 10 hectare single title belonging to the local dairy farmer. The land is used for the dairy farm, but the house and sheds are rented and have no connection to the farming operation. The farmer and his son who run the farm both live off-farm in Meander Main Street).

The land is a mixture of Class 4, 5 and 6 on the Land Capability Classification System, with Class 5 predominating. Block 1 is predominately Class 4, used for grazing of dairy cattle, and a small flat area along the driveway on Block 4 is also Class 4. Block 2 is also classified as Class 4, although this is a house block with a small area of garden, 0.44 hectares in total. The rest of Block 4, Block 3 and Block 5 is Class 5, with an area of Class 6 on Block 3. The non-forested land here is very rocky making cultivation impossible. Some animal grazing is possible.

In general terms it can be considered that aside from the land component of Block 1 which is used for dairying, the rest of the land in question is already essentially used primarily for residential purposes. Block 4 would be considered, at best, a hobby farm. Of the 44 hectares, approximately 8 would be considered to have primary production value, predominantly grazing with potential for occasional cropping.

Meander Rezoning Proposal

This area of land is unsuitable for irrigation, despite the Meander River running close by along the boundary of Block 3. Since the establishment of the Meander Dam in 2010 the water from the river attracts significant cost, and would only be viable for use by commercial large-scale farming enterprises. Marginal land like that contained in this submission would not benefit from irrigation water.

The presence of dwellings, the small scale of subject titles, different ownership and difficulties in developing irrigation capacity indicates that the titles currently have residential and hobby farm characteristics and have little or no potential for commercial agriculture.

Topographic features do pose an impediment to agricultural operations and connectivity. The Meander River forms a significant barrier to the west of these blocks, the permanently sealed Jackeys Marsh Road runs right through the middle of the five blocks, with two on one side of the road and three on the other. The sloping, rocky nature of the land is also an impediment to agricultural enterprise.

Further, the stand of threatened *Eucalyptus viminalis* on Block 1 prevents further development of agricultural land beyond the boundary of Block 1.

It is submitted that a proposed rezoning from Rural Resource to Rural Living will have no implications on agriculture in this area. **The land in question is already used as a rural residential area**, none of the residents of the dwellings use the land for agricultural purposes now, so it is unlikely that additional dwellings will make any difference. The nature of the blocks make this an ideal location for 'lifestyle living'. It is within very short distance (2 min drive) to the township of Meander which is serviced by a convenience store/ fuel/post office and some recreation/community facilities, including community hall, church and extensive former school buildings which will have business/ community use into the future.

The area is also close to the creative community of Deloraine, approximately 10 minutes driving time away. Deloraine services the community with a supermarket and other retail, health services, primary and high schools, hospitality, banks, post office, recreation and cultural facilities and a thriving arts community. An existing school bus connects Jackeys Marsh Rd residents directly to the primary and high schools in Deloraine and colleges in both Launceston/Devonport.

As "lifestyle blocks", (RLUS Regional Rural, Natural Productive Resources and Rural Living Areas are: 4. *Recognize Rural, Environmental Living Development as a legitimate residential lifestyle.... P9*) this proposed area is only 45 minutes from Launceston and Devonport making a daily commute very possible. Indeed, there has been a huge increase over the past 20 years of daily commuters from the Meander Valley into Launceston and Devonport for work.

There are also significant recreational opportunities in the area, including outdoor pursuits such as fishing, bushwalking, kayaking, with access to the Great Western Tiers and the World Heritage Area very close by.

The proposed area affords beautiful views across the Meander valley towards Mt Roland, Mother Cummins and the Western Tiers.

Meander Rezoning Proposal

Conclusion

This proposal converts approximately 12 hectares of Class 4, 25 hectares of Class 5 and 7 hectares of Class 6 land across 5 titles from Rural Resource to Rural Living. Of the 44 hectares 12 are considered to have primary production value, predominantly grazing. The subject titles are unlikely to be farmed in conjunction with each other due to the presence of existing dwellings on four of the five titles (with plans underway on the fifth), and segregation by Jackeys Marsh Road. Due to limitations of Land Capability, scale, significant natural values, and the presence of existing dwellings, the titles are unlikely to contribute to commercial scale agriculture. Two of the titles are considered to already be principally 'residential', and another a hobby farm. This area is considered to form a natural boundary between agricultural (mainly dairy) land of the Meander Valley and the upland mainly forested areas of the Great Western Tiers to the south. The blocks provide great amenity for rural living, affording wonderful views, access to a significant service centre in Deloraine, 17 km away, and within comfortable commuting distance to large cities such as Launceston and Devonport.

Rezoning this land will in effect confirm its existing land use and provide further opportunities for rural living without constraining adjacent primary industry use.

This submission seeks approval for the Jackeys Marsh Rd blocks at Meander to be included in the MVC Amendment 4/2015 proposal for consideration, as it would complement the existing proposed areas, providing further choice for those seeking prime "lifestyle blocks".

This submission supports the MVC Sub-division of Rural Living zone into suitable "lifestyle blocks", as determined by future planning.

A higher degree of land ownership would assist efficiencies and positive outcomes in land management where the tasks of weed management, bushfire hazard management and habitat/natural values management are distributed over greater resources, rather than relying upon a small number of landowners to maintain these values.

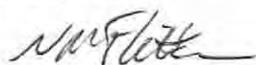
The land in this submission is capable of accommodating clearance areas for bushfire hazard management.

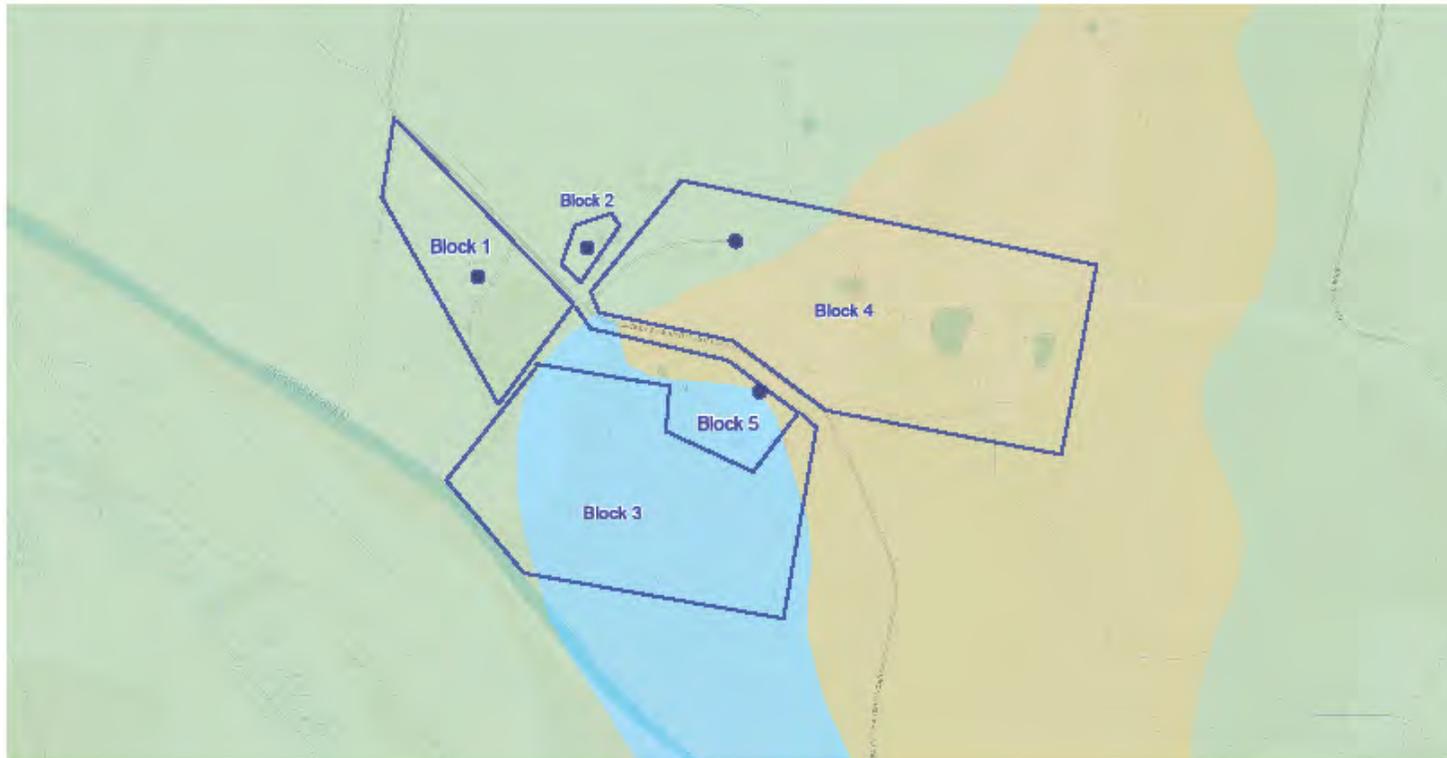
This submission is made by the following land owners:

Robyn Flittner, 91 Jackeys Marsh Road – Property ID 7634559– Block 4
robflittner@hotmail.com
0429695149



Cynthia Flittner, 90 Jackeys Marsh Road – Property ID 1878763– Block 3
c/- nickflittner@yahoo.com.au
0438393652



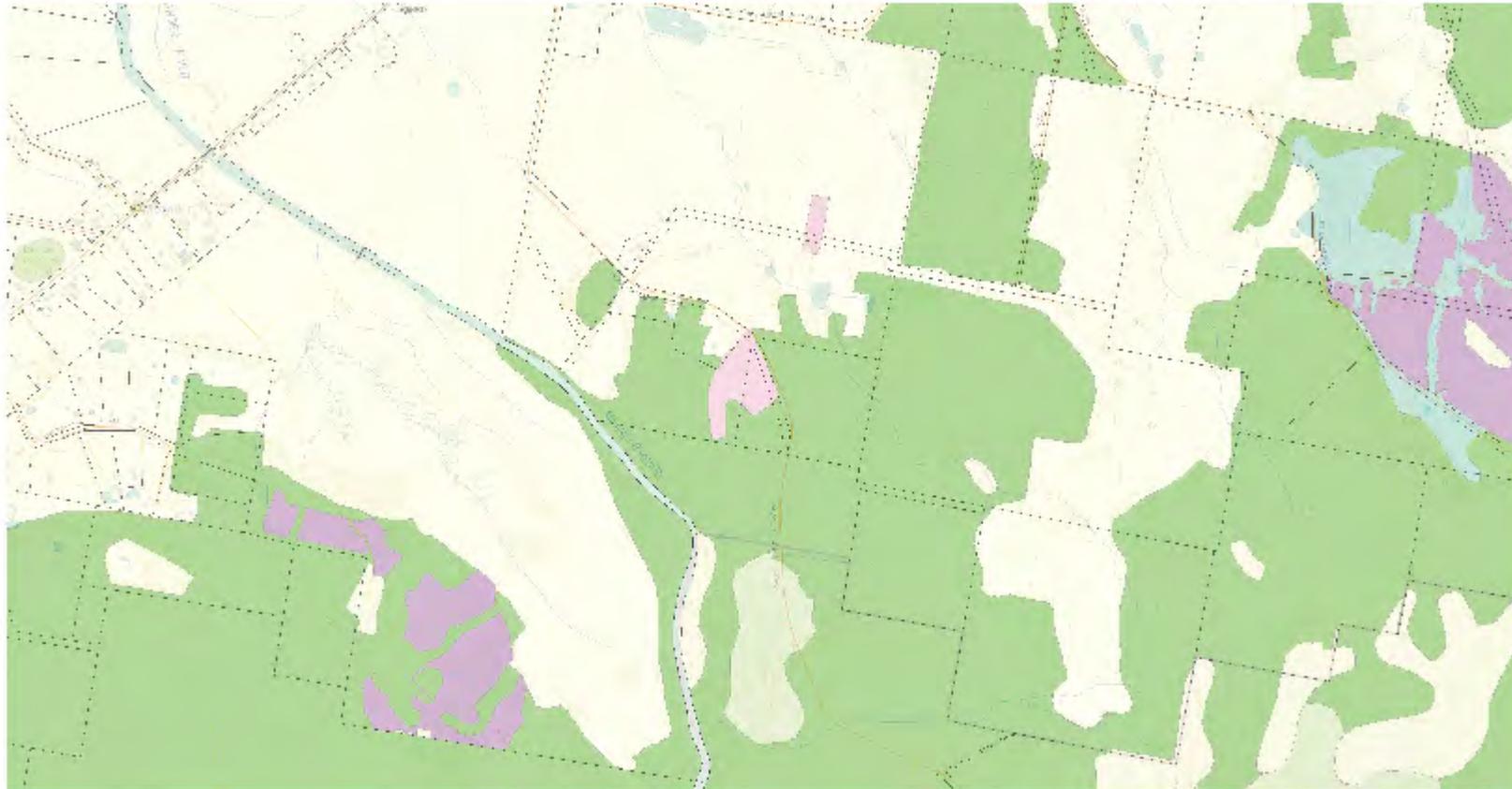


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Land Capability – Green Class 4; Yellow Class 5; Blue Class 6



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Forest Types – Green – Tall Eucalypt; Yellow -



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Location of Dwellings

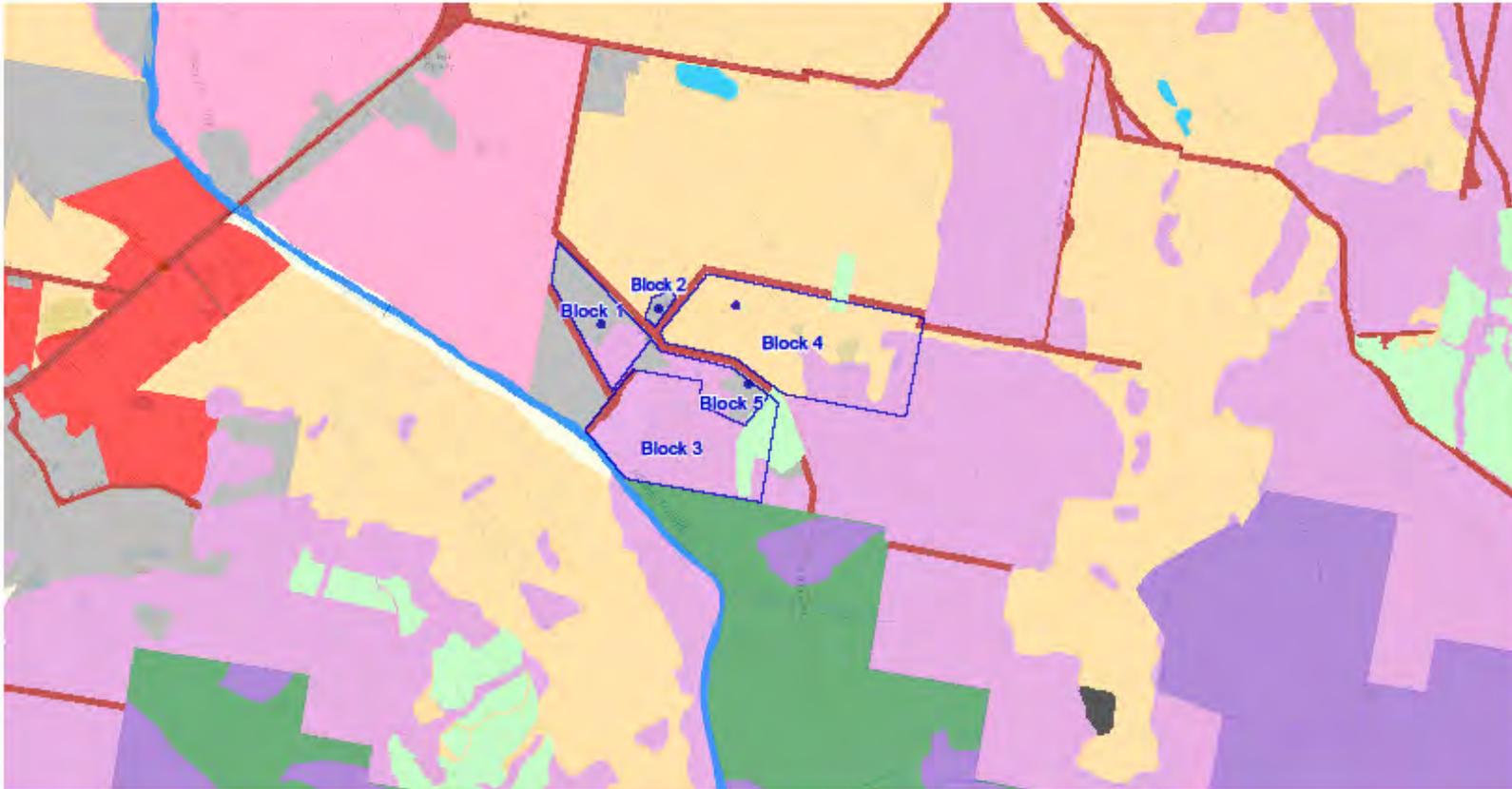


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Threatened Species – vegetation – 25- eucalyptus viminalis



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Land Use

Grey – rural residential no agriculture

Pink – residual native cover

Green – plantation forestry

Mustard - grazing

**8 Percy Street
Carrick
TAS 7291, Australia
+61 3 6393 7729**

Date: 18Dec15

General Manager, PO Box 102, Westbury, 7303, by fax 63931474 by email to planning@mvc.tas.gov.au

RE: Representation on proposal to rezone land to Rural Living Zone and apply a Specific Area Plan to land at Carrick;

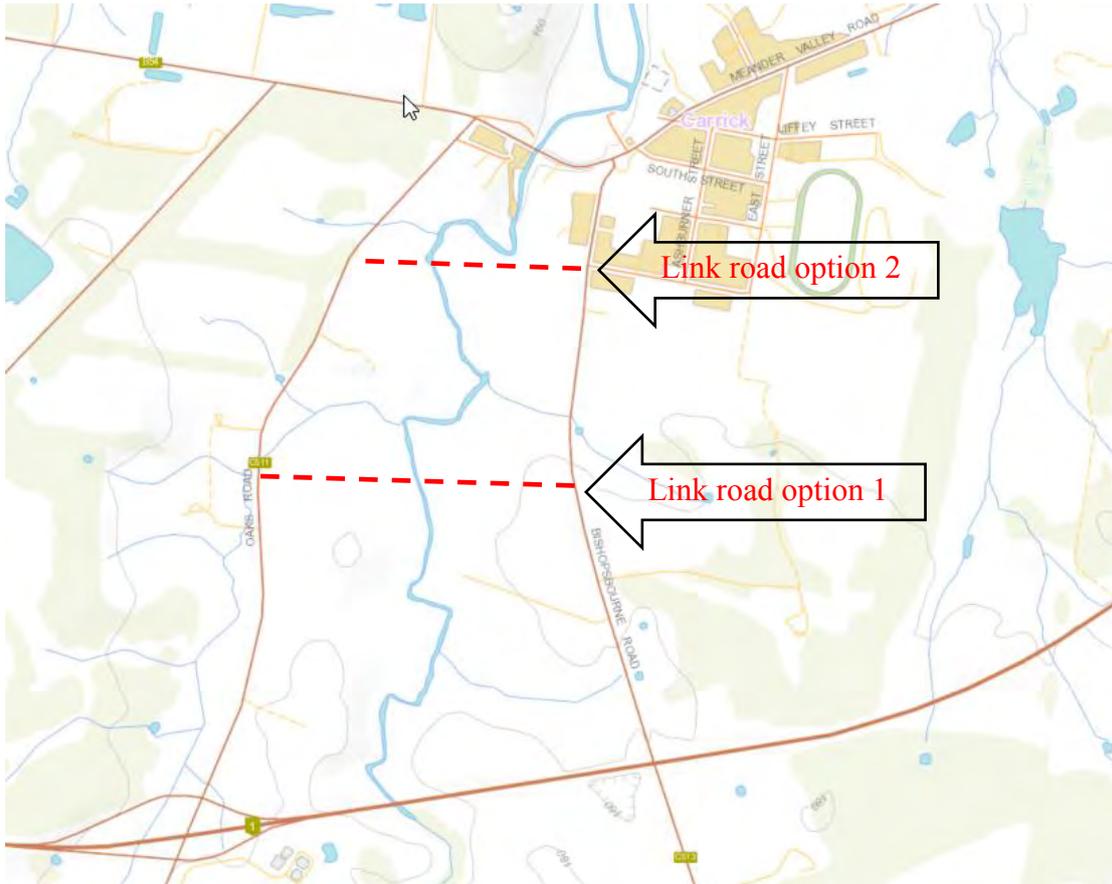
Dear Sir/Madam

1. In broad terms I support the proposal.
2. Road infrastructure may be inadequate if the entire scheme were taken up (with 40 houses)
3. What conditions are considered for wastewater effluent disposal?

My comments are directed to the Specific Area Plan south of Carrick along the Bishopsbourne Road. Our house adjoins this area.

Road infrastructure

It would seem reasonable that residents in this area may generate a reasonable amount of road movements. Some of these are likely to be towards the Bass Highway which bounds the SAP on the southern edge. A specific intersection with the Bass Highway is unlikely to be economically viable or desirable from a transport perspective. Nearby Oaks Road already provides an intersection. It may be worth considering the viability and desirability of connecting Bishopsbourne Road to Oaks Road either close to Carrick or mid-way between Carrick and the Bass Highway. This would provide better bushfire egress and improve compliance with Development Standard F3.3.1.1 General Suitability P1(c) *connection to the road network*. Please see diagram:



Wastewater effluent disposal

Proposed lot sizes range from about 0.42ha to 34.6ha. Some will be serviced by the Carrick sewerage system, but it is not clear which others will require on-site disposal. The SAP proposal does not cite the relevant standards which will apply when on-site disposal plans are considered. This is a concern since the agricultural report indicates drainage is a problem on the site (p.86 (5)): “Hence for the majority of the subject area surface soils are sandy loam over a **drainage impeded subsurface layer**“. This links with Development Standard F3.3.1.2 P1 a) ii *appropriate disposal of wastewater*, and is particularly important in consideration of the bores in the area, at least three of which are documented.

Thank you for your consideration of these comments.

Yours sincerely

A handwritten signature in blue ink that reads 'A Fluck'. The signature is written in a cursive style with a long horizontal line underneath.

Dr. Andrew E. Fluck

From: Mark Chopping
Sent: 4 Feb 2016 21:11:34 +1100
To: Planning @ Meander Valley Council
Cc: Jo Oliver
Subject: Response - Draft Amendment to the Meander Valley Interim Planning Scheme 2013 for Rural Living
Attachments: MVC - Response to 15122015 Draft Amendment Letter 04022016.pdf

Hello,

Please see attached letter in response to letter dated 15th Dec 2015.

Mark Chopping

Land Manager

Forico Pty Limited
10 Techno Park Drive
Kings Meadows Tas 7249
(PO Box 5316 Launceston TAS 7250)
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Thank You.

4th February 2016

Meander Valley Council
PO Box 102
Westbury TAS 7303

Dear Martin Gill

Subject: Draft Amendment to the Meander Valley Interim Planning Scheme 2013 for Rural Living.

Forico Pty Limited (Forico) would like to raise the following response to letter 15 December 2015 for consideration by the Meander Valley Council (Council)..

The proposed change is to reduce the setback for dwellings adjacent to the Rural Resource Zone from 200 metres to 25 metres. This proposal has the potential to negatively impact Forico's managed land estate and managed plantation estate.

Specifically;

1. A forest owners inability to maintain the viability of existing perennial crops due to restrictions around the application of pesticides within 100m of a dwelling, or the ability to discharge a firearm within 250m of a dwelling. There is clear precedent of poor forest management outcomes where these management tools have been restricted.
2. Potential for social conflict where dwellings (residents) are introduced significantly closer to agricultural land uses, which may include plantation forests, intensive annual cropping, or pastoral operations.
3. In addition to the above, and from a broader agricultural standpoint, there are other factors Council should consider including the introduction of residents to noise from irrigators and harvesters, and odours from livestock. Failure to provide an adequate buffer risks the ongoing economic prosperity of the Rural Resource Zone.

Forico request Council to acknowledge and protect the pre-existing investments made in the Rural Resource Zone (including plantations), and avoid changes to the Interim Planning Scheme that compromise the rights of private landowners to utilise the pre-existing potential of the Rural Resource Zone.

Regards,

Mark Chopping
Land Manager

From: Harris, Andrew R (DoE)
Sent: 5 Feb 2016 04:11:55 +0000
To: Planning @ Meander Valley Council
Cc: Craig Perkins
Subject: Submission - Amendment to the Meander Valley Interim Planning Scheme 2013
– RURAL LIVING ZONE
Attachments: Submission - Andrew Harris - Carrick Subdivision and SAP.docx

Please find attached a submission addressing the **Amendment to the Meander Valley Interim Planning Scheme 2013 – RURAL LIVING ZONE.**

Contact details as below.

Andrew Harris
Lead Teacher – Agricultural Education
Hagley Farm School : Centre for Agricultural Education
Ph: 63922272 M: 0407871830



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Re: Amendment to the Meander Valley Interim Planning Scheme 2013 – RURAL LIVING ZONE

On behalf of my wife and family, I wish to address a submission towards the above mentioned amendment. Specifically, this submission relates to the Carrick subdivision plan. There are two parts for consideration in this submission:

1. The lack of consultation by Meander Valley Council with impacted land owners
2. Future agricultural use for the land

Submission Part 1.

My wife, Katrina, and I have lived at our current address, 15 Church Street, Carrick, since January 1995. We purchased the land as a residential building block in 1994. The house we originally built has undergone substantial development overtime to provide an enjoyable home and lifestyle for our family of four children. Substantial landscaping over the past 21 years now compliments this building and further enhances our lifestyle. Since its beginning, this extensive development has been carried out to maximise the views across the land towards the Western Tiers. The proposed amendment in its current form and subsequent future development will significantly impact the lifestyle we have created.

Of immense concern is the Specific Area Plan for Bishopsbourne Road at Carrick which allows for subdivision of smaller block sizes and subsequent increased housing density within close proximity to our property. This will have the single biggest impact on our established lifestyle.

In particular:

- The impact on our privacy.
- The increased traffic on Church Street leading to increased noise and issues of road safety
- The loss of the view

As well as residing in the Meander Valley municipality for 21 years, both my wife and I work in the Meander Valley, our four children attend schools in the Meander Valley, we shop and recreate within the Meander Valley.

Very disappointingly, we have received no direct communication of any sort from appropriate Meander Valley Council staff on this matter. As adjoining/overlooking landowners and Meander Valley residents who stand to be significantly impacted by the proposed amendment and, in-particular, the Specific Area Plan at Carrick, we find this lack of consultation extremely distressing. We are aware that other impacted and adjoining residents/landowners have also received no communication.

We request appropriate council staff enact the following actions:

- An immediate review of the communication process concerning this amendment, particularly the Subdivision and Specific Area Plan at Carrick.
This might also include a review of the proponent landowner petition which appears to have lacked clarity during collection.
- A period of proper consultation with impacted residents and landowners

These actions will afford impacted residents/landowners an appropriate opportunity to consider the proposed amendment, raise concerns and share suggestions in an atmosphere of consultation.

Submission Part 2.

As a teacher who has worked in schools within the Meander Valley municipality for 15 years, specifically in the field of agricultural education and the promotion of careers in agriculture, I am extremely concerned and disappointed that the Meander Valley Council would seek to re-zone agricultural land with the potential to support innovative agricultural enterprise. I make the following points in support of maintaining the current zoning for this land:

- I acknowledge departmental classification of the soils within the proposal boundaries and the current agricultural assessment of the land. However, most importantly, the latter does not address the potential for innovative enterprise in the future, particularly as the properties to the west of Bishopsbourne Road have excellent access to a reliable water source. Future land owners could employ innovative farming techniques; such as controlled environment agriculture where natural resources are optimised. The proximity of the land/properties to major roads and local services would also be extremely encouraging to innovative farmers and entrepreneurs.
- The current state government is committed to increasing the agricultural sector in Tasmania 10 fold by 2050 through its Agrivision 2050 plan. Relevant key elements of this plan include proactively identifying and seizing new opportunities and a focus on skills and innovation for future growth. The plan is committed to targeted investment that turns great ideas into profitable businesses that will generate growth and jobs, particularly in regional areas.

The Meander Valley municipality has much to gain from the Agrivision 2050 plan. I strongly urge the council to demonstrate support for this plan and protect agricultural land for future innovative enterprise opportunity.

Andrew Harris

15 Church Street
Carrick



BENTLEY
Mole Creek Road
Chudleigh
Tasmania 7304

TEL: 61 (0)3 6363 6131 • FAX: 61 (0)3 6367 6262

John B. Hawkins
Email: jhawkins@acenet.com.au

5th February 2016

Greg Preece,
General Manager
Meander Valley Council
26 Lyall Street
Westbury 7303

Delivered by Hand.

Representation Regarding Amendment 4 of 2015 to the Meander Valley Council 2013 Interim Planning Scheme



Characteristic view looking South to Bentley Homestead and its Estate, Chudleigh Valley, Tasmania – Both the homestead and the landscape are listed on the Tasmanian Heritage Register. (Photo © A. C. Ricketts)

Dear Mr Preece,

I write this representation over a number of matters, mainly concerning Chudleigh, in relation to Amendment 4 of 2015 regarding Council's 2013 Interim Planning Scheme. Please, this time, fully consider this representation.

I appreciate that Council has had difficulty in finalising the new interim planning scheme, which has been an extremely long time in the making. Nonetheless, I hope that Council will understand my frustration.

It is hoped Council will respond in a positive way, accepting the germane issues, positions, suggestions, changes and improvements, which I have proposed in this representation.

The delays in the finalisation of the Meander Valley Interim Planning Scheme 2013 are not at all of my making and indeed I have wisely opposed some of the so called legislative reforms, which have only made the process harder and longer and certainly far, far less fair.

Indeed, so you are clear I consider the Interim Scheme Process, Division 1A to be a complete pile of rubbish. Manifestly it is unjust drivel.

Indeed I am aggrieved that we have been forced to object to the Chudleigh North Rural Living Zone again when the previous process over our representations have not finalised, against LUPAA objectives in our view.

It seems land use planning in Tasmania is being run by the Property Council and its operatives, including the ones in Government.

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The Notice of 12th of December 2015 and 8th December 2015 Council Decision

I have taken account of and am making comment on several parts of the Notice of the 12th day of December 2015 and of the 8th December 2015 decision of Council, as well as the Council planning report, which was approved on that day:

“At its meeting of the 8 December 2015, Meander Valley Council initiated and certified a draft amendment to the Meander Valley Interim Planning Scheme 2013 to:

- *Rezone land to Rural Living Zone at ... Chudleigh,...;*
- *Provide for subdivision in various Rural Living Zone localities;*
- *Apply a scenic management overlay at Chudleigh;*
- *Delete Section 13.4.1- A4(b) - 200 metre setback to the Rural Resource Zone.”*

My representation is thus primarily around the above four matters.



Majestic view looking north across the Chudleigh Valley from a public vantage point south of the town to the forested Gog Range, Tasmania with the village of Chudleigh currently nestled relatively unobtrusively in the landscape. But except the Gog Range itself, everything you can see both in the middle distance and the foreground is slated to have houses plastered over it. – Nov 2013. (Photo © A. C. Ricketts)

Previous Representations over the 2013 Meander Valley Interim Planning Scheme

Amendment 4 of 2015 is a planning amendment under LUPAA, which has been introduced in the situation where the 2013 Meander Valley Interim Planning Scheme (MVIPS) has not been finalised and where decisions over the representations, including ours, have not been made by the panel of the Tasmanian Planning Commission, despite the lengthy period of time, which has transpired. I claim this one fact is sufficient to claim the amendment does not meet the objectives of LUPAA.

That lack of finalisation of outcomes and TPC hearing/meetings regarding issues previously raised by us around Rural Living Zones, especially at Chudleigh causes us to reluctantly but emphatically reiterate many of our previous positions.

It could indeed be said that in the main this representation is consistent with and builds upon our previous representations, which we made in regard to the MVIPS and the LUPAA legislation including:

- 2nd December 2013 to the General Manager, Meander Valley Council 'Representation Regarding Meander Valley Council 2013 Interim Planning Scheme.'
- 3rd December 2013 Letter to the Members of the Legislative Council 'Regarding the Land Use Planning And Approvals Amendment (Streamlining Of Process) Bill 2014, (No 36 of 2014) and our opposition to the Government's proposal to eradicate our rights to a hearing into our Interim Planning Scheme.'
- 10th March 2015 to the Tasmanian Planning Commission 'In relation to Council Interim Planning Schemes in the Northern Region, Meander Valley Council 2013 Interim Planning Scheme.'
- 8th June 2015 to the Tasmanian Planning Commission 'Meander Valley Council 2013 Interim Planning Scheme – Late Representation'
- Chudleigh Community Representation to the General Manager Meander Valley Council 'Meander Valley Council 2013 Interim Planning Scheme.'

I wish to make the point there is a significant number of proposals, which have been made in our previous representations, which unfortunately remain unresolved, despite the passage of time since 2013. That lack of resolution makes the containment of this representation difficult and suggests an appropriate criticism of a lack of fair and orderly planning, which I blame to some extent on the legislative changes foisted upon us by the Liberal Government but also the lack of State Policies. In fact I rely on one of the few State Policies, the State Policy on the Protection of Agricultural Land 2009 (PAL), in this representation.

Significantly, there is the Chudleigh Community Representation which I signed and in which I had some involvement. This most important Representation document (not a petition as claimed by Council) should not be ignored, forgotten or diminished.

Importantly, the Chudleigh Community Representation provides a public interest perspective and shows the strong community support in our small community

over a range of planning issues for the Chudleigh locality including the issue of a Rural Living Zone at Chudleigh North. Such an expression of aspiration is genuine. A copy of the Chudleigh Community Representation is thus enclosed with this one.

I wish to reserve the right to draw upon any of the material my wife and I have previously presented to the MVCIPS to date.

Position over: Rezone land to Rural Living Zone at ... Chudleigh

I hereby support the proposal to “*rezone land to Rural Living Zone at ... Chudleigh*”, if indeed, this is the land in the south of the gazetted town, which is now termed Chudleigh South. I note however, this zone has not received any Local Area Objectives and Desired Future Character Statements in the Rural Living Zone Purpose for land to be rezoned. This representation has not provided those statements for Council, but noting that some of the land so zoned is land, which my wife and I own. They can be developed and provided however.

Position regarding: Provide for subdivision in various Rural Living Zone localities

In general terms I have no issue to provide for subdivision in various Rural Living Zone localities elsewhere but remain opposed to any subdivision standard for Chudleigh North, the existing zoned area within the Interim Scheme. My wife and I have long and steadfastly opposed but matters around our opposition have yet to be resolved by the Tasmanian Planning Commission.

My opposition to the Rural Living zone at Chudleigh North is thus explained further below, as is our opposition to the subdivision right, which is now proposed via Amendment 4 of 2015.

Position regarding: A scenic management overlay at Chudleigh

I support the application of “*a scenic management overlay at Chudleigh*” but notwithstanding that support I believe that the proposal contained in our previous representations remains a superior one, one which would better enhance both our sense of place and our community. This matter is reiterated and discussed below. In essence, I believe a different boundary should clearly apply to the scenic management overlay at Chudleigh and that too is reiterated.

Position on Delete Section 13.4.1- A4(b) - 200 metre setback to Rural Resource Zone.

I wish to congratulate and support the initiative of Council to: “*delete Section 13.4.1- A4(b) - 200 metre setback to the Rural Resource Zone.*”

It is apparently considered in the Meander Valley Interim Planning Scheme 2013 and in various supporting documents that the 200 metres setback is there to protect agriculture. I reject the proposition that a massive setback on Rural Living zoned land actually protects agriculture on Rural Resource zoned land (presumably from fettering) or that it is justifiable or fair.

Further, I consider that the zoning of land itself to rural residential, coupled with subdivision rights is sufficient to cause the demise of what is currently viable agriculture.

It must also be said that the 200 metre setback rule for 'Sensitive Use' cannot apply to the land in the township of Chudleigh, which is also surrounded by agriculture, including that on our holding. Yet, potentially, there is exactly the same issue of fettering, at least hypothetically and, in many instances, the amount of fettering is actually greater. I would consider providing additional evidence over this matter if required.

The 200 metre rule, which arose out of the unfortunate PAL amendment of about 2007, would also hamper development on land at Chudleigh South Rural Living, which is made up of 4 Ha blocks including land within our ownership. So, I have a definite and strong interest in a resolution of this issue.

Two Rural Living Zone Areas Lumped Together - with One Subdivision Standard

Amendment 4 of 2015 describes what is actually two physically separate Rural Living Zones (RLZ) at Chudleigh and seemingly treats those two areas as one Zone. This can be shown, contained and described in the Meander Valley Interim Planning Scheme Amendment 4/2015 - Rural Living Zone Report (Amendment 4 - Supporting Report - final.pdf) enclosed at pages 24 and 25, and under section 5.1.2 pages 55 and 56, also page 48 and Table 13.1 at page 62, the table on page 66 and the certification map on page 2 of Appendix B and also table 13.1 of that appendix.

The difficulty for me now is that there are now two zoned areas termed Chudleigh and with very different characteristics and existing lot sizes but Chudleigh's two Rural Living zones have unfortunately been lumped in together. We cannot support that simplistic treatment of two separate areas with different qualities.

Firstly I propose it is highly desirable that the two separate areas be dealt with separately otherwise a host of unresolvable issues will pervade Council's consideration of the two areas.

As you can see, I describe the two areas as Chudleigh North and Chudleigh South.

My wife and I have consistently opposed Chudleigh North and support Chudleigh South and that continues to be the case.

The Chudleigh North RLZ area has significant agricultural land use as defined under PAL and Chudleigh South has smaller 4 Ha lots and is far less productive land on a north facing slope.

Only by considering the two Chudleigh Rural Living Zone areas as separate zones can one grapple effectively with the attendant issues of disagreement and the different lot sizes, the differing impacts on agriculture and in fact a raft of relevant site specific issues which become relevant considerations to be considered separately for each zoned area.

For example: Obviously a 10 Ha subdivision standard for Chudleigh South is irrelevant where the lot size is already in the main, only 4 Ha. This Chudleigh South RL Zone includes six small titles of our Bentley holding, which makes up about 5% of our mostly rural holding.

The fact that two separate areas at Chudleigh are given the one name and treated as the one zone in Amendment 4 of 2015 is most unfortunate and confusing. We had sought to differentiate the two areas in our previous representations to the MVIPS.

Regional and Local Land Use and Strategic planning

In Council's 31st October 2013 letter, Mr Martin Gill mentions regional and local strategic planning processes, which are relevant. On the 19th November 2013, I sought advice from Council on which are relevant and the availability of those documents.

Northern Regional Land Use Strategy Vision and Links

The Northern Regional Land Use Strategy expresses a vision¹.

"The vision identified for Northern Tasmania is:

To create a region that through innovation and strong partnerships makes intelligent use of its natural advantages to create a positive, affordable and competitive future for all our communities.

By joining together, Northern Tasmanian councils and communities can create platforms for sustainable economic prosperity while maintaining our beautiful and unique environmental assets.

We will enhance the region's attractiveness as a place to live, invest and visit; and seek to enhance the quality of life for all both now and into the future."

The Regional Land Use Strategies across the state are to be linked to the regionalised planning schemes and thus to the Meander Valley Council 2013 Interim Planning Scheme.²

"The regional planning land use pattern is principally established by creating three key land use categories specifically an Urban Growth Boundary and an agreed growth management model that will be applied through the regulatory provisions of Land Use Planning and Approvals Act (LUPAA) 1993 (the 'Act').

Section 30C of the Act gives effect to the Minister of Planning to create regional areas and specifically to declare a Regional Land Use Strategy for each regional area. More specifically section 30E (6) states that the contents of a draft interim planning scheme and an interim planning scheme are to be consistent with, and advance the objectives and outcomes of the regional land use strategy in place for the region."

This connection between the Regional Land Use Strategy of Northern Tasmania and the Meander Valley Council 2013 Interim Planning Scheme remains very important.

Indeed I claim that in a number of instances the Scheme is not consistent with the Regional Land Use Strategy of Northern Tasmania and therefore does not meet Section 30E (6) of LUPAA. As it is not consistent with the NRLUS I argue it cannot advance the objectives and outcomes of the NRLUS and also does not meet the LUPAA objectives.

¹¹ Regional Land Use Strategy of Northern Tasmania Version 4.0, 23rd September 2013, page 4.

² Regional Land Use Strategy of Northern Tasmania Version 4.0, 23rd September 2013, page 7.

Regional Land Use Strategy of Northern Tasmania and Amendment 4 of 2015

I consider that Amendment 4 of 2015 of Council's 2013 Interim Scheme, as it stands, will allow development that would consequently fail to achieve the Region's vision as set out in the Regional Land Use Strategy of Northern Tasmania, Version 4.0, 23rd September 2013 (NRLUS), or indeed its recent updating and replacement introduced for the purpose of an expansion of Hadspen.

Regional Land Use Strategy of Northern Tasmania and Meander Valley Council strategy for rural residential land use.

By the way, I reject the mythical notion that "*Meander Valley Council strategy for rural residential land use is the regional strategy for rural and environmental living areas.*" as has been claimed in Amendment 4 of 2015. How could this ever have come about? Who made this decision? Was the proposition ever advertised?

State Policies - State Policy on the Protection of Agricultural Land 2009

The applicable State Policy covering agricultural and its alienation is the State Policy on the Protection of Agricultural Land 2009 (PAL).

"State Policies are made under the State Policies and Projects Act 1993 (the Act) to articulate the Tasmanian Government's strategic policy direction on matters of State significance related to sustainable development of natural and physical resources, land use planning, land management, environmental management and environment protection."

"State Policies do not override legislation. They are implemented through the State's planning, development and regulatory systems, including incorporation into planning schemes or special planning orders. Planning decisions made by Tasmanian Government regulators and councils must be consistent with the provisions of the State Policies. The provisions of State Policies are captured in the normal development application approval processes of councils, in their capacity as local government planning authorities, and relevant Tasmanian Government regulators."

"A State Policy:

- must seek to further the objectives of the Resource Management and Planning System (RMPS)1 (which are set out in Schedule 1 of the Act);*
- may be made only where there is, in the opinion of the Minister, a matter of State significance to be dealt with in the State Policy;*
- must seek to ensure that a consistent and coordinated approach is maintained throughout the State with respect to the matters contained in the State Policy; and*
- must incorporate the minimum amount of regulation necessary to achieve its objectives."*

"The Premier is the Minister responsible for State Policies."

Unfortunately the Premier knows and says nothing about State Policies, despite his vacuous election promises to the contrary and the Planning Minister is busy with a mindless rambling on about second rate polices rather than encouraging his Premier to focus on the need for State Policies and all the meanwhile the

Planning Institute of Australia's Tasmania Division has now adopted what appears to be a weak vacillating position for State Policies in line with anything it is told by its compromised members afloat under the flotsam of the Planning Reform Taskforce. Indeed Planning Minister Mr Gutwein is the person who is commenting in the December 2015 PIA newsletter, *Tasmanian Planner*, enclosed. But it is the wrong Minister. State policies are the responsibility of the Premier.

It is noted that in the Meander Valley Interim Planning Scheme Amendment 4/2015 - Rural Living Zone Report that Section 6.4.1 on page 70 is devoted ostensibly to an analysis of the 'State Policy on the Protection of Agricultural land' (PAL). There the Council report briefly talks about whether land is more appropriately described as '*established rural residential area*'. This is described as having been converted away from "*the ability to conduct sustainable agriculture*".

It is my detailed submission that Chudleigh North RLZ is not and never has been an '*established rural residential area*'. The area may include an ad hoc number of dwellings on small titles but this is merely an artefact of history, which I would describe as some unplanned opportunistic ribbon development, some of which is obviously associated with farming activity in any case.

It is also my submission that agriculture is ongoing and has been a traditional part of the area now zoned Chudleigh Rural Living, which we know as Chudleigh North. The ongoing nature of agriculture would tend to indicate fettering is not occurring. The ability to conduct agriculture remains across the Chudleigh North Rural Living Zone to this date.

I argue that Chudleigh North RLZ is against of the Objectives of the PAL Policy.

I argue that Chudleigh North RLZ is against several of the Principles of the PAL Policy.

I also assert that Chudleigh North RLZ would, with subdivision rights arising from Amendment 4 of 2015, unreasonably convert the agricultural land.

I argue that Chudleigh North RLZ with its 10 Ha minimum lot size is a zone dedicated to non-agricultural use and in fact also promotes non-agricultural use.

I argue that Chudleigh North RLZ is not a zone, which would ever be a significant benefit to the region. The presence of other such zones in the locality would suggest it is neither critical nor crucial for any strategy or economic benefit.

I argue that Chudleigh North RLZ has not been created pursuant to an assessment of the social, environmental and economic costs and benefits, which had indeed been strongly recommended.

I argue that the land zoned Chudleigh North RLZ does contain ongoing agricultural and rural industries, which rely in the main or in part on that land for their viability.

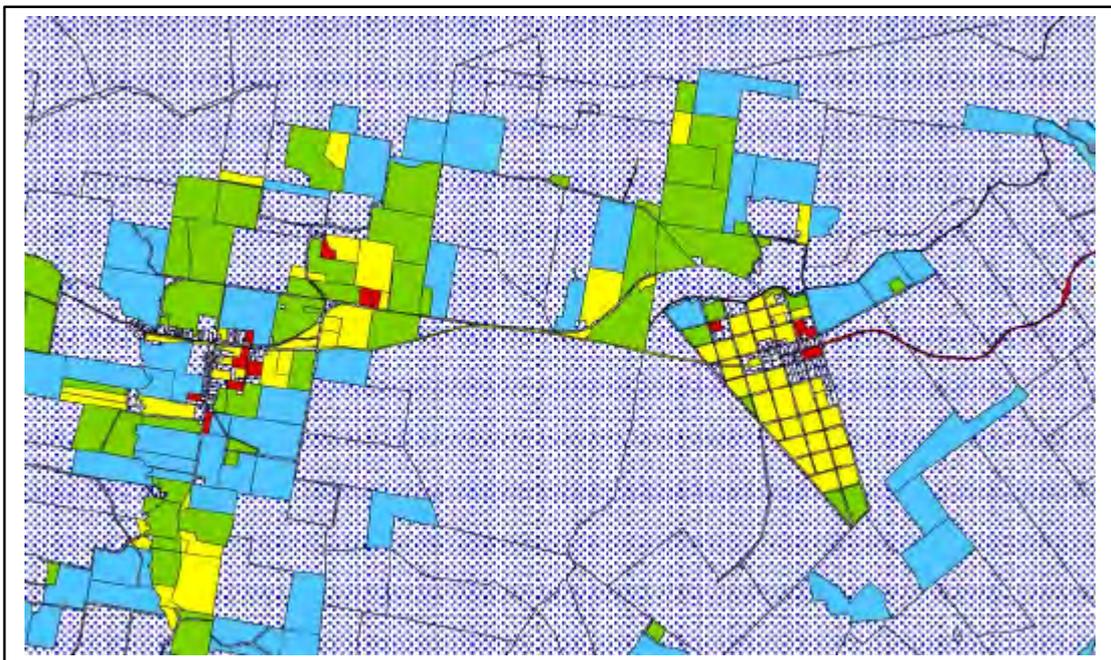
I assert and claim that Chudleigh North RLZ is obviously an area dominated by agricultural land as defined by PAL.

Constraints Mapping

The degree of constraint or fettering was a factor considered by Council when deciding the PAL amendment and subsequently is determining zones for the new Interim Scheme. Whilst it is a useful tool, I consider it needs the benefit of local knowledge and on site visitation to best understand the true on ground situation.

Legend to Map:

Colour	Category – Degree of Constraint
Blue dots	Unassessed
Light Blue	Minimal Constraint
Green	Some Constraint
Yellow	High Degree
Red	Very High Degree



Extract from Meander Valley Council Constraints Mapping for PAL amendment to 1995 Scheme. Chudleigh and Mole Creek area

Thus it can be seen, even from the relatively simplistic constraints analysis above that very little of the area Council zoned as Chudleigh North Rural Living, claiming alienation of agriculture, actually has a High level of constraint. We argue it is not significantly constrained.

In any case, we challenge the intrinsic competence of the Meander Valley Council Constraints Mapping for PAL amendment to the 1995 Scheme, which was based on a 300 metre sphere of impact, not the current 200 metres. Perhaps there is updated constraints mapping but we do not have it. A reduced sphere of constraint from 300 to 200 metres would diminish the mapped constraint.

An updated Constraints Rural Living map from Council is included in the enclosures as well as the original MVC effort shown above.

Identification Of Rural Residential Areas

The identification and zoning of rural residential areas is important. I am not convinced they have all been correctly identified.

The definition of '*established rural residential area*' in the Independent Review of the Report to consider revisions to the Regional Land Use Strategy of Northern Tasmania, Prepared by 10 Consulting Group, On behalf of Northern Tasmania Development, May 2013 report Attachment 2 – Rural and Environmental Living Areas by 10 Consulting Group to NTD (enclosed) is given as:

An 'established rural residential area' means:

“the outer extent of land that has no real potential for efficient or practical agricultural or rural resource use on a commercial basis where the land use pattern is constrained by:

- *Predominantly residential land use i.e. 'lifestyle blocks', 'hobby farms' or low density residential subdivisions; and*
- *Fragmentation of the cadastral base and property ownership; and may also include*
- *Topographical constraint resulting in physical impediments to rural resource use or connectivity, which may include bio-diversity protection and/or conservation.”*

This definition in essence is a position pursuant to the PAL Policy, which is intended to give pre-eminence to the protection of rural and forestry land over the land use of Rural Living land use.

I consider such a position meets sustainability criteria, which are not being applied to the Chudleigh North situation. I claim that Chudleigh North, when the above definition is applied, simply does not qualify as an Established Rural Residential Area.

The problem arises with the lopsided policy black hole that characterises substandard land use planning in Tasmania. The NTD may consider it is meeting the terms of the PAL policy by commissioning such a report but land use planning is more complex than that.

Chudleigh North Rural Living Zone

In summary our proposal to be incorporated into the Meander Valley Council 2013 Interim Planning Scheme: That the area to the north and outside of the 1866 Chudleigh Town Boundary which is currently zoned in the Interim Scheme to be Rural Living Zone being around Mersey Hill Rd, Coopers Rd and Motton Lane and known in the Interim Plan as “Chudleigh” be abandoned, expunged and entirely deleted from the scheme and returned to the historic zoning of Rural, now known as Rural Resource in this scheme.

We propose: That the Rural Resource potential for the area currently proposed in the Interim Scheme to be Rural Living Zone being around Mersey Hill Rd, Coopers Rd and Motton Lane and known in the Interim Scheme as “Chudleigh” but termed by us as Chudleigh North be fully recognised as being valid and a viable part of the district's farming activities, otherwise known as agriculture.

Reasons my wife and I determined for opposing the Chudleigh North Rural Living Zone are:

1. Residential development in the zone would invariably be prominent in the landscape when viewed from:
 - a. Many parts of the town of Chudleigh including a number of public roads in the general area.
 - b. The Mole Creek Road, an identified tourist route including sign-posted, scenic vantage points as well as many others.
 - c. The historic property Bentley Estate
2. Whilst there is a 100-metre scenic protection zone over the Mole Creek road, there would be no such protection for views to development sited away from the road, such as on the steep slope or on other roads.
3. The zone, if developed, would degrade the significant cultural heritage landscape of the Chudleigh area, which remains unprotected. This would not be in keeping with NRLUS Policy LSA-PO2 and LSA-AO4³.
4. Development in the zone would have the strong potential to scar the landscape, which is of high visual quality. It is highly likely and admitted as such by Council that any development on the hill would be prominent in the landscape.
5. Indeed the MVC Interim Scheme 13.1.5 Local Area Objectives statement for the Chudleigh Rural Living Zone says:

“Chudleigh

a) To retain lower densities and a low level of visibility of development through unobtrusive siting and design, including materials and finishes.

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

c) The retention of vegetation, particularly on steeper slopes, is the preferred means to integrate and screen development to reduce the visual impact of buildings and access driveways from roads and neighbouring properties.

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

We consider that the above Local Area Objectives statement cannot be met on a significant part of the Chudleigh (North) Rural Living Zone especially the area below and above Motton Lane. There would be almost no design, which could integrate with the landscape, and almost everything built would degrade and scar the landscape. That would make the scenic landscape management zone very difficult to administer.

Indeed the 2013 Interim Scheme Future character statement for the Zone says (and note my emphasis):

³ LSA-P02 Protect specific topographic or natural features of significant scenic/landscape significance.

LSA-A04 Planning schemes to identify visually significant topographic, natural features and landscapes

(e.g. Cataract Gorge) in an overlay with objectives and discretionary criteria relating to the visual impact of use and development.

“Chudleigh

a) Chudleigh is characterized by hills rising to the north from Mole Creek Road that are prominent in the village viewscape.

b) The visible hillsides are a combination of remnant vegetation and undulating cleared pasture.

c) The land form of the hill landscape is to be maintained as the predominant visual focus.”

From the above statements, it is abundantly clear Council recognises and inappropriately intends for development to be prominent in the village viewscape. But the situation is much worse than claimed, as it is prominent from many public vantage points. In point (c) above the word “*form*” should be deleted and replaced with “*character*”.

The inevitable prominence of any proliferation of rural residential development on the hill to the north of Chudleigh would degrade the viewscape from the town. We consider that buildings on this hill would be prominent in the village viewscape and would defile and scar the landscape. This calls into question whether this section of the Interim Planning Scheme meets the sustainability objectives of LUPAA.



Majestic view to the north from Gardner Street, Chudleigh showing in the middle distance Mr Sturzackers 1684 Mole Creek Road rural land including his managed forest Priority Habitat which stands to be despoiled by subdivision in Council’s Chudleigh North Rural Living Zone. The paddocks in the foreground are zoned Low Density Residential – Nov 2013. (Photo © A. C. Ricketts)

6. The viewscape from Chudleigh is an important part of its brand and supports its growing tourism sector and economic opportunity. We advocate that Chudleigh’s unspoilt high quality rural landscape amenity and situation should be enhanced and protected rather than degraded.

Economic opportunity in the small village of Chudleigh has been hard won and it would be most unfortunate, to say the least, for the opportunity to be diminished because of Council promoted poorly designed land speculation.

7. Motton Lane would be the most likely access in event of a subdivision but is a dead end gravel road meeting no standards and having no adequate turning places for bushfire fighting vehicles and purposes.
8. The forest within the Zone, which is correctly identified in the planning scheme as Priority Habitat shades a significant part of the zone and cannot be cleared.
9. However, the permitted Rural Living development in the Zone has the potential to fragment and further degrade the Priority Habitat forest.
10. This land is not currently dominated a by rural residential or rural living land use pattern. Rural Living is not an existing land use pattern here.
11. There is not a significant demonstrated need for housing of the Rural Living style in this location, bearing in mind that the substantial Mole Creek Rural Living zone is located nearby and would fulfil that need in any case.



View up the hill to the north across Mr Sturzackers land, from the vantage point of 1684 Mole Creek Road near Chudleigh, Tasmania. Showing in the foreground the grassy hillside of productive agricultural grazing land and the managed forest of Priority Habitat forest that stands to be despoiled by Council's Rural Living Zone proposed to be subject to 10 Ha min lot subdivision under Amendment 4 of 2015. One can see that the forest is productively managed as a wood lot with the row of firewood at the forest edge

– Nov 2013.

(Photo © A. C. Ricketts)

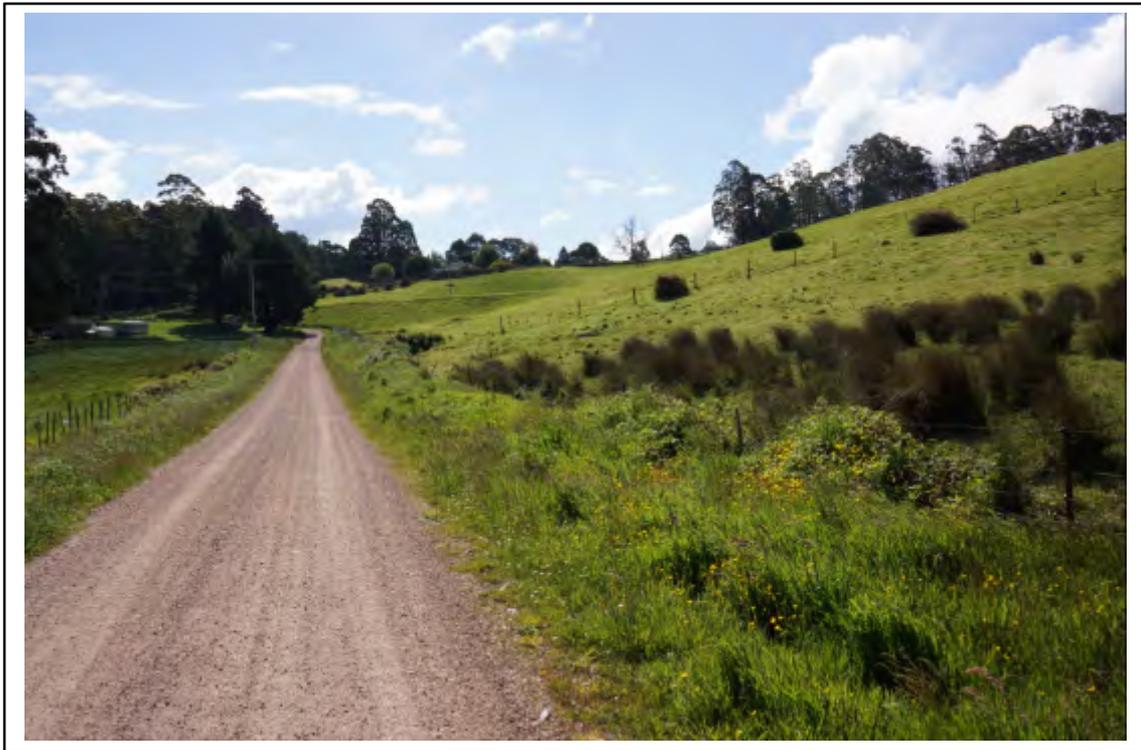
12. The Priority Habitat forest casts dense shade in winter, spring and autumn down the slope to the south and downhill of it. We consider that such shading would not make for good residential amenity.
13. The zone includes a relatively steep south-facing slope, which is more than 100 metres away from the Mole Creek Road and which we consider is more prominent in the landscape than the Inspiring Place MVC scenic management strategy suggests.
14. The steep slope includes a landform, which appears as if it may be unstable and unsuitable for residential development.
15. The Chudleigh North Rural Living Zone is within the Mole Creek Karst.
16. It can be shown that the Chudleigh North Rural Living Zone land is being satisfactorily and sustainably managed now as viable productive rural land.
17. This is not under utilised land within this zone.
18. The land has ongoing potential for efficient and practical agriculture and rural resource use.



Rural view to the east from the vantage point of Coopers Road near Chudleigh, Tasmania. Showing in the foreground the grazed, grassy hillside of productive, agricultural land, which stands to be alienated and massively despoiled by Council's Chudleigh North Rural Living Zone. One can see that the land is grazed, whilst in the distance Gardeners Ridge and the surrounding cultural heritage landscape – Nov 2013.
(Photo © A. C. Ricketts)

19. It can be shown that there has been little change to the agricultural land over a significant period of time.

20. The rezoning to Rural Living primarily benefits two landowners and both those landowners are currently using their lands for agricultural and rural resource purposes. Has some deal that allows speculative development been done? Any RLZ speculation would disadvantage existing agriculture.
21. It can be shown that there is currently little fettering constraint over most of the agricultural land (see photo below) yet the agricultural land has been rezoned so as to fetter it in the future. I maintain there is actually less fettering than the mapping shows, but that even the Meander Valley Council mapping produced by AK consultants shows little constraint. The AK consultant's constraint mapping is included with our submission.
22. Yes there is a number of dwellings up Coopers Rd and a couple down the end of Motton Lane and along Mole Creek Rd but these have coexisted with agriculture, indeed supported the agriculture in some instances for years and years. But using the 10 Consulting definition, these dwellings do not qualify and never have been an '*established rural residential area*'. This term is discussed in the review documentation associated with the NRLUS.



View of the RLZ to the west along the public road of Motton Lane, off Coopers Road near Chudleigh, Tasmania. Showing in the foreground the grassy hillside of productive agricultural land, which stands to be massively despoiled and alienated by Council's Chudleigh North Rural Living Zone with subdivision rights under Amendment 4 of 2015. One can see that the land is grazed, a form of agriculture – Nov 2013.

(Photo © A. C. Ricketts)

23. The land is classified as Class 5 but the lower, less steep section is likely of higher land capability class than 5 and useful to agriculture, given the good soils, which are mapped as being present.

24. Has the potential to add additional driveway intersections onto Mole Creek Rd.

25. No reticulated water supply and no potential for such a water supply.

If the Chudleigh North RL Zone was not abandoned by MVC and subsequently it was supported by the TPC (a decision which remains unfairly in limbo) and our arguments to expunge the zone were ultimately not successful, then I would advocate there be no option for Subdivision in this Zone, thus contrary to Amendment 4 of 2015.

This lack of subdivision would improve the proposed outcome to some degree. Such an outcome would be an improvement over the 10 Ha min lot rate of subdivision, which Council planned in its Draft Interim 2012 scheme, and which Council still aspire to achieve through the Amendment 4 of 2015 process.

Council's proposed Chudleigh North RL subdivision zone, well above the valley floor, on a steep south facing block, adjoins a flood prone lower block terminating at the river's edge. The Chudleigh North RL Zone is against all good landscape planning precepts. The notion that development should be on the high ground in an important beautiful and historic landscape and even worse in part on a flood plain is an anathema to sound and orderly land use planning which has at its heart a set of sustainability objectives. Why not instead a north facing block within the village such as now being proposed with Chudleigh South?

The Chudleigh North RL Zone is a planned expansion outside the parameters of a village that has no sewerage, no mains water and since 1866 Chudleigh has had within the existing village, over 50 vacant undeveloped house sites. We ask "Why outside the village?". Importantly the private Chudleigh water scheme would not have the capacity to service this zone, especially given the other expansions in dwellings planned for the township.

Since the revision of the Regional Land Use Strategy of Northern Tasmania (NRLUS), Version 4.0 of 23 September 2013 which received Ministerial approval the Rural Living and Environmental Living Development section has been clarified and improved. We do not question that aspect, merely the application of it in this instance, which would seem in contravention of the advice and criteria from 10 Consulting.

The following four relevant Policies are now within the NRLUS:

“RSN-P21 Rural and environmental lifestyle opportunities will be provided outside urban areas.

RSN-P22 Rural and environmental lifestyle opportunities will reflect established rural residential areas.

RSN-P23 Growth opportunities will be provided in strategically preferred locations for rural living and environmental living based on sustainability criteria and will limit further fragmentation of rural lands.

RSN-P24 Growth opportunities for rural living and environmental living will maximise the efficiency of existing services and infrastructure.”

The Chudleigh Rural Living Zone does not meet NRLUS Policy RSN-P22, RSN-P23, RSN-P24 for reasons already stated above.



View of the RLZ to the north from Motton Lane, near Chudleigh, Tasmania. Showing in the foreground the grassy hillside of productive agricultural land, which stands to be alienated by subdivision potential in Council's Chudleigh North Rural Living Zone. One can see clearly that the land is grazed for agriculture and the presence of rural electric fencing infrastructure – Nov 2013. (Photo © A. C. Ricketts)

The following relevant Actions are now within the Northern Regional Land Use Strategy:

“RSN-A19 Rural living land use patterns will be identified based on a predominance of residential use on large lots in rural settings with limited service capacity that are outside urban areas.

RSN-A20 Planning schemes should prioritise the consolidation of established rural residential areas over the creation of new rural residential areas.

RSN-A21 Target growth to preferred areas based on local strategy and consolidation of existing land use patterns.

RSN-A22 Planning scheme provisions must specifically enable subdivision opportunity to preferred areas by setting minimum lot sizes based on locality.

RSN-A23 Ensure future locations of the Rural Living zone will not require extension of the Urban Growth Boundary Areas, compromise productivity of agricultural lands and natural productive resources.

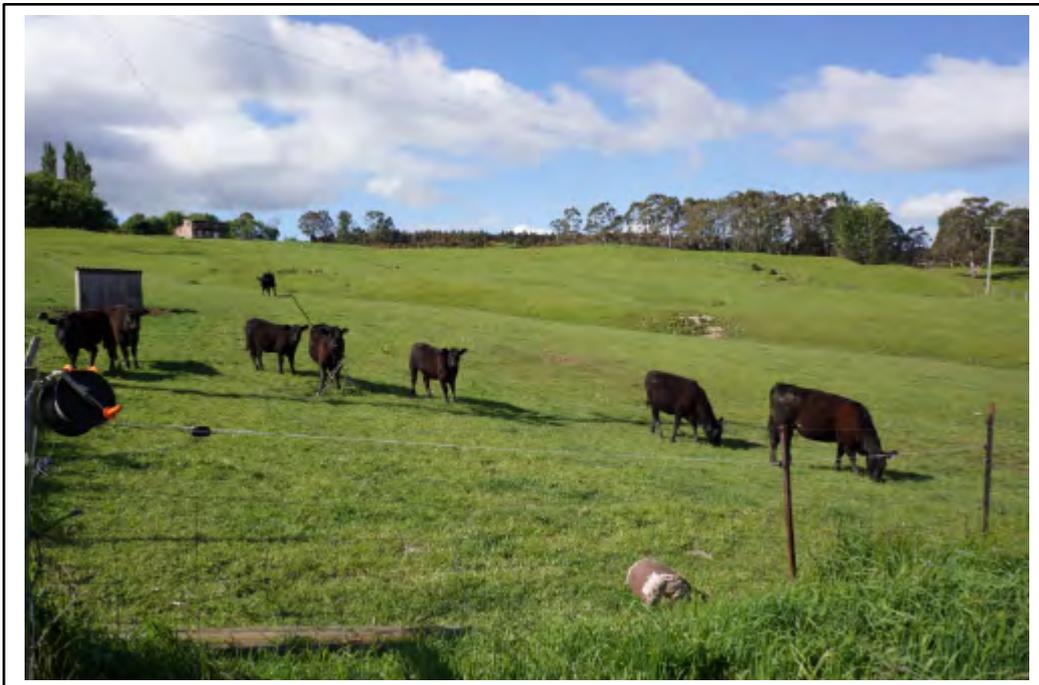
RSN-A24 Ensure future locations of the Environmental Living zone do not compromise environmental values.

RSN-A25 Consolidation and growth of rural living and environmental living areas is to be directed to areas identified in local strategy, that align with the following criteria (where relevant):

- *proximity to existing settlements containing social services;*
- *access to road infrastructure with capacity;*
- *onsite waste water system suitability;*
- *consideration of the impact on natural values or the potential land use limitations as a result of natural values;*
- *minimising impacts on agricultural land and land conversion;*
- *minimising impacts on water supply required for agricultural and environmental purposes;*
- *consideration of natural hazard management;*
- *existing supply within the region;*
- *potential for future requirement for the land for urban purposes;*
and
- *the ability to achieve positive environmental outcomes through the rezoning.”*

The Chudleigh Rural Living Zone, which I term Chudleigh North, does not meet NRLUS Actions RSN-A19, RSN-A20, RSN-A21, RSN-A22, RSN-A23,

The Chudleigh North Rural Living Zone may have adverse consequences for Action RSN-A24.



View to the north at end of Motton Lane, off Coopers Road at Chudleigh North RLZ near Chudleigh, Tasmania. Showing the grazing of cattle in the foreground on agricultural land, with Karst character, which stands to be alienated through subdivisions facilitated by Council’s Rural Living Zone. – Nov 2013.

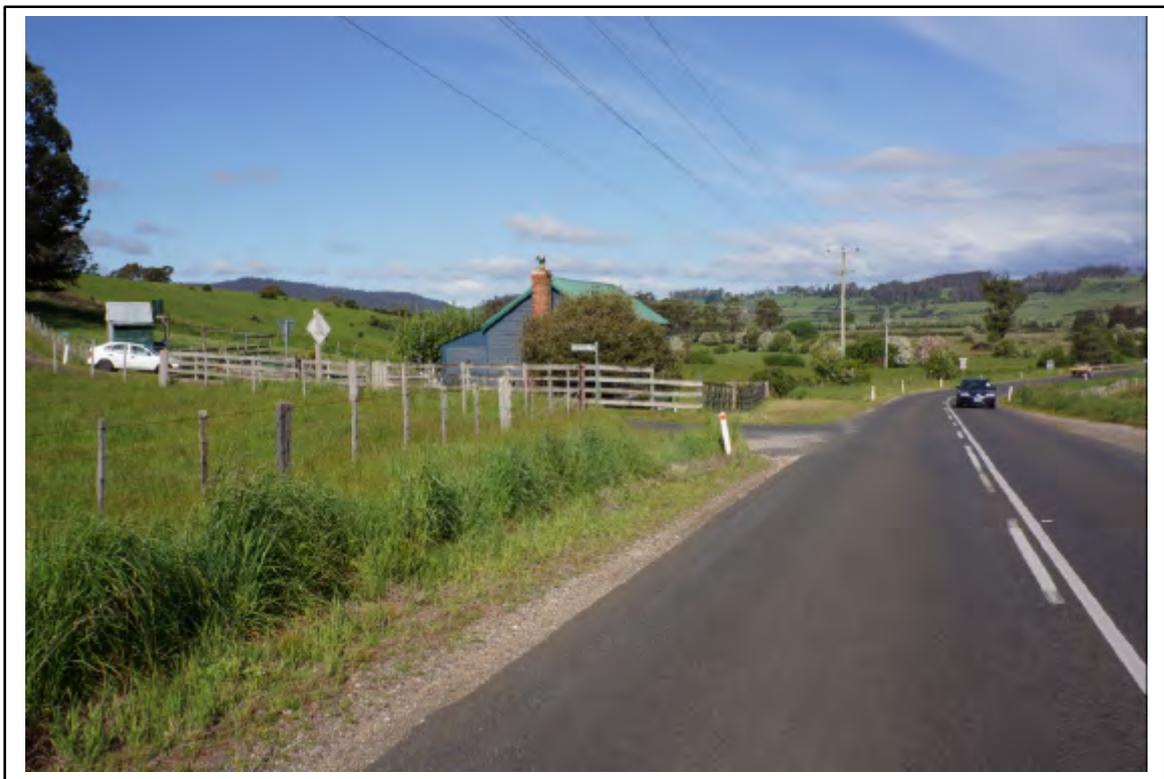
(photo © A. C. Ricketts)

Regarding NRLUS Action RSN-A25 there is, as far as I can see, no Local Strategy although I admit to have only looked on Council's website.

I evaluate the issues raised in NRLUS Action RSN-A25, as if a local strategy were being created that included the Chudleigh North Rural Living zone:

Yes, the Chudleigh North Rural Living Zone meets the criteria: *"proximity to existing settlements containing social services"*.

No, the Chudleigh North RL Zone does not adequately meet the criteria: *"access to road infrastructure with capacity"* unless Council is planning more driveways onto Mole Creek Road or an upgrade of Coopers Rd and Motton Lane.



View to the east from the Mole Creek Road Chudleigh, Tasmania. Showing the intersection with Coopers Road and the edge of Council's Chudleigh North Rural Living Zone to which John and Robin Hawkins are opposed. Where is the existing rural living character? – Nov 2013. (photo © A. C. Ricketts)

Yes, the Chudleigh North RL Zone probably can, at least in the main probably meet the criteria: *"onsite waste water system suitability"*. However if dwellings are built near Lobster Rivulet and the effluent disposal is within the flood prone land, which is included in the Zone, pollution may result.

No, the Chudleigh North RL Zone does not adequately meet the criteria: *"consideration of the impact on natural values or the potential land use limitations as a result of natural values."* I consider that there is potential for the Priority Habitat to be fragmented and diminished to allow

subdivision and in pursuit of more sunlight. There is the impact on Karst values.

No, the Chudleigh North RL Zone does not adequately meet the criteria: *“minimising impacts on agricultural land and land conversion.”* This is surely beyond dispute. This zone is conversion.

No, the Chudleigh North RL Zone probably does not adequately meet the criteria: *“minimising impacts on water supply required for agricultural and environmental purposes.”* Especially if there was an expectation of bringing a water mains from the town to the Zone’s dwellings. It does not in fact impact on water supply for agriculture but may impact on the environment.

No, the Chudleigh North RL Zone does not adequately meet the criteria: *“consideration of natural hazard management”* as a part of the area is quite steep. Unfortunately, there is no landslip hazard overlay for Meander Valley’s Interim Scheme.

No, the Chudleigh North RL Zone does not adequately meet the criteria: *“existing supply within the region.”*, in that this area creates an oversupply. This can be illustrated by looking at how long properties in the area have been on the market and whether they have sold. For example, a house at the end of Motton Lane was recently on the market for a very long time and did not sell.

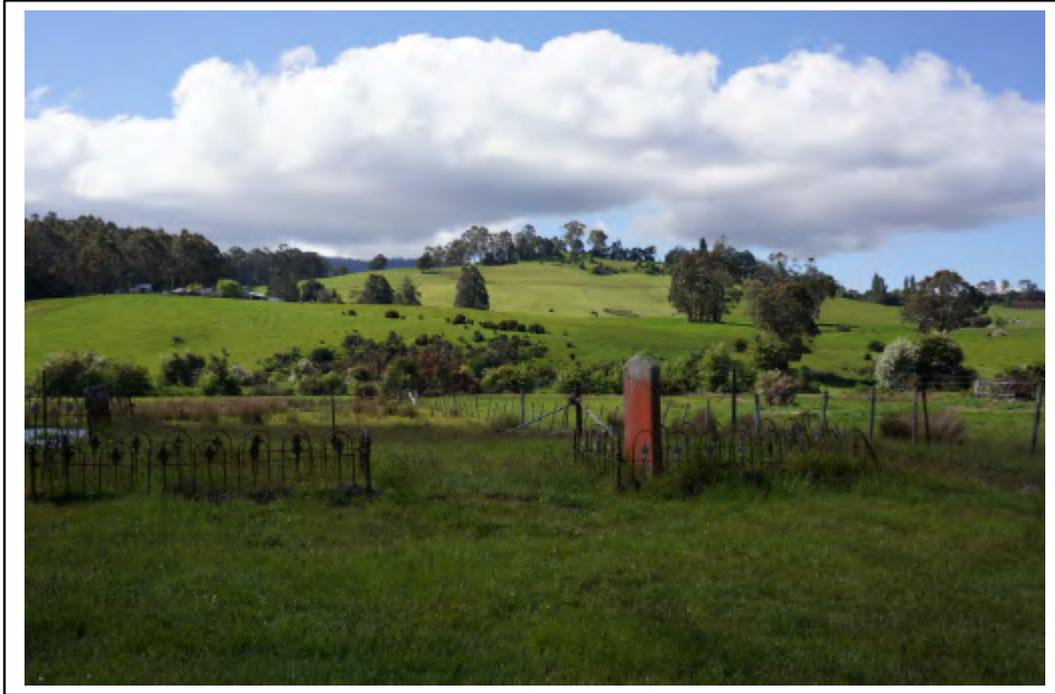
No, the Chudleigh North RL Zone does not adequately meet the criteria: *“potential for future requirement for the land for urban purposes”*.

No, the Chudleigh North RL Zone does not adequately meet the criteria: *“the ability to achieve positive environmental outcomes through the rezoning.”* In particular, and importantly, the environmental outcome of scenic protection would not be achieved through this zone.

So, if I were invited to participate in commenting on a Local Strategy for Rural and Environmental Living I would be claiming that strategically this area should not see the conversion from agriculture to residential and rather the re-establishment of the Rural Resource Zone over the area should proceed.

Please expunge this particular Chudleigh North Rural Living Zoned area and return it to the Rural Resource Zone without delay. I remain implacably opposed to Amendment 4 of 2015 as it enlivens the Chudleigh North RLZ and increases the potential for it to be the catalyst to alienate agricultural land.

Indeed we are aggrieved that the MVC IPS hearing/meeting of 2015 has not resolved our opposition to this zone.



Bucolic view north to Council's Chudleigh North Rural Living Zone, from a public vantage point in historic Church of England Pioneer cemetery PID 6266440, Jones Street Chudleigh, Tasmania. Showing the actively farmed agricultural land, which stands to be alienated and scarred as a consequence of Amendment 4 of 2015 subdivisions. The Cemetery is rightly listed on the Tasmanian Heritage Register but is under threat of sale by the Anglican Church – Nov 2013. (photo © A. C. Ricketts)

Opposition to the Rural Living Zone now described by Council as Chudleigh North

The implacable and well-reasoned opposition to the proposed Rural Living Zone, known as Chudleigh North on the Mersey Hill, was not accepted by Council in its S.30J Report but the reasons given were, in our view, flimsy. We disputed the decision of Council's planning section over this matter.

Our past representations provided good reasons for the application of the Scenic Management Code to the Rural Resource Zone.

This Rural Living Zone land was originally zoned Rural in the 1995 Planning Scheme. We have steadfastly opposed this Chudleigh North rezoning from Rural Resource to Rural Living Zone.

I entered into negotiation with Council, as verbally directed by the TPC's December 2014 Directions Hearing. Those negotiations were fruitless, despite reaching some tentative positions with Council officers, whom it turned out had no delegated authority to enter such discussion nor to make any deals. Indeed this whole process merely diminished one's faith in Council. Indeed if any reference were made by Council to any outcome such a representation I would regard it as mischievous.

The current Rural Living Zone, known as Chudleigh North in the Interim Scheme, currently has no subdivision rights. However, Amendment 4 of 2015 seeks to

exacerbate that unresolved matter in a way where the past processes have not finalised and where the Tasmanian Planning Commission has failed to provide its decision over our past representations opposing the Zone. This is absolutely an unjust situation and will likely be a cause of litigation to a higher authority.

Subdivision rights for this class of Zoning should be differentiated between existing areas and new areas. That is unless there was some minor adjustment in boundaries, which is not the case with Chudleigh North RLZ, which converts rural land. We refer the TPC to the NRLUS, which states:

“RSN-A25 Consolidation and growth of rural living and environmental living areas is to be directed to areas identified in local strategy, that align with the following criteria (where relevant):

- *proximity to existing settlements containing social services;*
- *access to road infrastructure with capacity;*
- *onsite waste water system suitability;*
- *consideration of the impact on natural values or the potential land use limitations as a result of natural values;*
- *minimising impacts on agricultural land and land conversion;*
- *minimising impacts on water supply required for agricultural and environmental purposes;*
- *consideration of natural hazard management;*
- *existing supply within the region;*
- *potential for future requirement for the land for urban purposes; and*
- *the ability to achieve positive environmental outcomes through the rezoning.”*

Clearly a local strategy over Rural Living Zones is a commitment which should have been implemented by northern Councils arising out of the 2013 emergency revision of the NRLUS and that this local strategy was the one which should have been necessary to identify any new rural living areas.

No MVC Local Strategy document over the new Rural Living Zone areas has so far been presented to either past representors or the public, despite the provision of such a strategy being also agreed with the TPC some years ago, I understand.

I respectfully seek to insist, through the TPC, on the implementation of the local strategy document process, which was intended to be initiated subsequent to the 2013 emergency review of some sections of the NRLUS. We consider that for justice to be served, it must be a separate process with a proper advertised comment period. Such matters either support or contravene the RMPS objectives in my view.

Subsequently to the December 2014, TPC Directions Hearing, regarding the issue of Chudleigh North, I sought with MVC’s Senior Planner, to have discussions aiming to reach a negotiated outcome. One compromise, which was discussed, would limit subdivision to a 20 Ha min lot size and with no undermining of that minimum. Bearing in mind the 2011 Draft MVC Scheme minimum lot size proposed was 10 Ha and that such a standard was a very unsatisfactory proposition that I wished to avoid. But Council officers have not referred the proposal to Council for a decision, despite having no delegated authority.

However, the issue of the lack of a Delegated Authority was taken to Council's meeting in February 2015 and was lost. That is, Council's officers did not gain a delegated authority to make decisions over planning scheme matters. In good faith, I put time and effort into supporting delegated authority for the senior planning staff but to no avail. It can be said therefore that Council is indeed expecting the TPC to make the decisions for it. I reasonably claimed Council does not trust its professional officers and stand by that assertion.

I remain of the strong view that the land on the Rural Living Zone known as Chudleigh North in the Interim Scheme is absolutely predominantly used for genuinely viable rural industry purposes and has been so for a very long time.

I cannot see how the Chudleigh North Rural Living Zone furthers the NRLUS in terms of that zoning proposition.

I cannot see how the area concerned at Chudleigh North meets the NRLUS over the rural industry currently operating in the area. I am not aware of conflicts between the people living on the Mersey Hill and farmers.

In the event this Chudleigh North RL Zone continues, I argue the subdivision prohibition for Rural Living Zones in the MV 2013 Interim Scheme should remain in force, in the situation where there is no strategic planning document covering or resolving this issue for the Council area as a whole, especially where the area proposed is a new Rural Living Zone and especially where there is community conflict over such a Zone, such as at Chudleigh North. In that regard, I refer Council and the TPC to the 2013 Chudleigh Community Representation to the Meander Valley General Manager (enclosed).

The NRLUS also states:

"The Rural Living Zone will provide rural residential opportunities within a rural landscape, while the Environmental Living Zone will be used to provide for rural residential opportunities in locations with environmental and landscape values that are to be protected."

The above statement imputes and suggests that places where landscape values are to be protected should be Zoned Environmental Living. Clearly, landscape values have been recognised and are intended to be a relevant consideration at Chudleigh North but the zone remains Rural Living.

There is nothing in Council's Section 30J report that suggests our original criticisms are unfounded. As for the claim that this is an area of Rural Living Character, we consider that Coopers Road has some houses along it. The Mole Creek road has some houses along it. That is about the extent of the habitation, other than a couple of houses down Motton Lane. One landowner here is pushing for micro sized blocks, which would not even meet the proposed 10 Ha minimum lot standards of Amendment 4 of 2015. I completely reject Council's assertion that this area is dominated by Rural Living land use – it is not.

In the event that the Chudleigh Community Representation and my wife and my steadfast and consistent opposition to the development of Chudleigh North RLZ, through any of our submissions, letters and representations, does not persuade either MVC or the Tasmanian Planning Commission Delegates to remove this particular Rural Living Zone completely and utterly, I make the following submissions:

1. That a 'no subdivision prohibition' should remain for Chudleigh North RLZ until a strategy is finalised to the satisfaction of the TPC.

2. That if a Rural Living strategy is finalised that for some arcane reason supports Chudleigh North RLZ that a 20 Ha minimum lot size be adopted and that it be a genuine and absolute minimum.
3. That in the event you do not consider the 20 Ha to be an absolute minimum that a no greater than 20% deviance to the minimum should be tolerated.
4. That the Local Scenic Management Zone should remain regardless, as the hill is very scenically prominent in the landscape including the viewfields of the Chudleigh Show, one of Tasmania's oldest such rural shows.

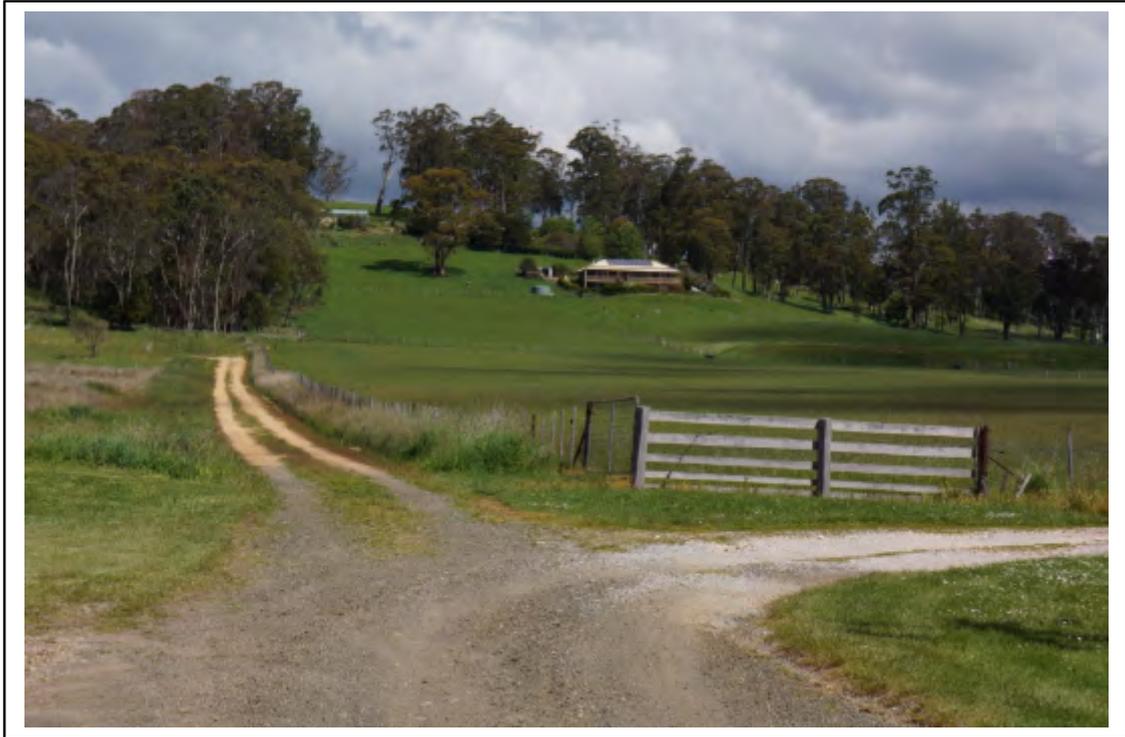


View from the public vantage point of the Chudleigh Show Ground, Chudleigh Show on 21-2-2015 with Mersey Hill and proposed Chudleigh North Rural Living Zone highly visible in mid distance and Gog Range in the background.

(Photo ©Andrew Ricketts)

Chudleigh South Rural Living Zone

My wife and I had proposed: That within the 1866 Town Boundary, but outside our previously proposed revised Urban Growth Boundary that Council, establish a Rural Living Zone with a minimum lot size of 2.5 Ha. Our proposal for a minimum lot size for the Chudleigh South Rural Living area is rearticulated. That would provide the potential for a small amount of intensification within the zone area.



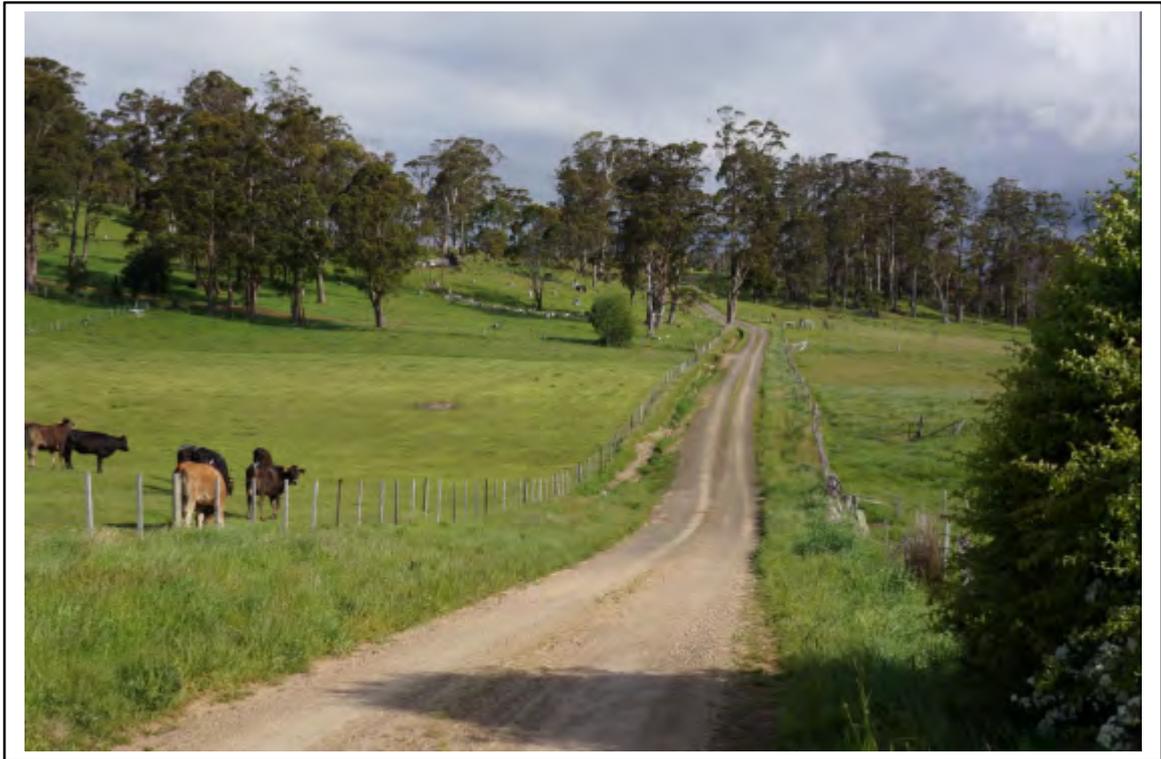
View looking south off Burnett Street from about Oakden Street at a modern dwelling, still in a relatively rural setting but nonetheless prominent on the landscape in, Chudleigh, originally in the Low Density Residential Zone but now in the Chudleigh South Rural Living Zone, Tasmania – Nov 2013. (photo © A. C. Ricketts)

The Chudleigh South RLZ amendments proposed in Amendment 4 of 2015, if accepted by the TPC, would mean that uncontentious Rural Living Zoned land is available in the Chudleigh town boundary and that development of this land is far less likely to scar and degrade Chudleigh's wonderful landscape.

Our modified (by Council) proposal provides a stock of land of this class, thus reducing or obviating the need for the Chudleigh North Rural Living Zone. We could not accept that the Rural Living land at the southern end of the Chudleigh historic township would be less desirable than the land at Chudleigh North.

I thank Council for accepting our proposal for Chudleigh South RLZ and genuinely hope it results in sound planning.

I consider that the Chudleigh South Rural Living Zone should be subject to a Local Scenic Management Area, which preferably should be applied to the whole of the valley as per our December 2013 representation to the Interim Planning Scheme.



Bucolic view to the south along Jones Street South, in what was originally proposed Low Density Residential but now is proposed the new Chudleigh South Rural Living Residential Zone - Chudleigh, Tasmania – Nov 2013. (photo © A. C. Ricketts)

The NRLUS, page 6 states:

“The regional planning land use pattern is principally established by creating three key land use categories specifically an Urban Growth Boundary and an agreed growth management model that will be applied through the regulatory provisions of Land Use Planning and Approvals Act (LUPAA) 1993 (the ‘Act’).”

And on Page 8 (note our emphasis):

“This Regional Land Use Strategy is intended to be a broad policy document that will facilitate and manage change, growth, and development within Northern Tasmania over the next 20 years. It will provide comprehensive land use policies and strategies for the region based upon for following key parts:

- A. A defined regional vision and overarching strategic regional planning goals and directions;*
- B. Key regional land use categories, including urban growth boundary areas; and*
- C. A comprehensive set of regional planning policies addressing the underlying social, economic, and environmental issues in Northern Tasmania.*

I propose that the Urban Growth Boundary of the town of Chudleigh be amended to better allow appropriate zones to ensure the maintenance of the existing character of the town in support of various standards, policies and actions of the NRLUS and in furtherance of the sustainability objectives of LUPAA.

I argue that our proposal better reflects, and would be in keeping with, the NRLUS Strategic Direction No 4 (on page 24)⁴.

The NRLUS is intending the desired regional outcome that is within the Urban Growth Boundary “*land ... can accommodate urban development to 2031 namely within urban growth boundary areas.*” (see page 29).

Given the current sparse spatial pattern and low density of housing within the 1866 Gazetted town of Chudleigh, and the low growth rate of new dwellings, we maintain our proposed reduced area for an Urban Growth Boundary, coupled with a Chudleigh South Rural Living Zone within the 1866 Town Boundary, better fulfils the communities needs and aspirations, rather than the current proposals in the Interim Scheme and Amendment 4 of 2015, which includes the unsustainable Chudleigh North Rural Living Zone at Coopers Rd, Motton Lane Rural Living Zone, which I will steadfastly oppose.

Meander Valley Land Use and Development Strategy 2005

We cannot see how the Regional Land Use Strategy of Northern Tasmania could replace the Meander Valley Land Use and Development Strategy 2005. Indeed, it does not. Further on in this document we quote from this local strategy regarding Chudleigh.

Over Rural Residential issues it says regarding: “**Rural residential zoning**

The purpose of rural residential zoning is to provide opportunity for people to live in the countryside without compromising the agricultural productivity of the area. There are a number of such zones in the Meander Valley, particularly around Deloraine. These have existed for a considerable time and largely operate without significant impact. Inappropriately located rural residential development can however have a significantly detrimental impact on agricultural productivity.

The PAL policy has increased the restrictions on development and subdivision in areas of prime agricultural land or significant agricultural production. In order to provide a balance between these competing interests, it is desirable to ensure that other opportunities are available for locating houses in rural areas. Zonings such as rural residential or low-density residential that allow for residential development in rural areas are considered necessary.

In determining the appropriateness of an area for low-density or rural residential zoning a number of factors must be considered, including the productivity of the subject land and potential to fetter surrounding land uses, capacity of the land for treatment of effluent, access to the road network, effect on vegetation and biodiversity, scenic issues and fire safety.”

⁴ NRLUS Strategic Direction 4

„Develop an Urban Growth Boundary Area and settlement strategy by achieving the following strategy objectives:

- a. Establish an urban settlement hierarchy based on the most appropriate locations for future population growth and urban centres within an Urban Growth Boundary Area.
- b. Coordinate investment of services to existing and future settlements ensure maximum integration, community benefit, efficiency and long-term sustainability of service provision.”

Meander Valley Council Community Strategic Plan 2014 to 2024

A legislated relevant consideration for Amendment 4 of 2015 is the statements and content of the Council's Strategic Plan. Now the most recent one is termed: Meander Valley Council Community Strategic Plan 2014 to 2024. I am advised the process for creating this document was so devoid of genuine consultation that only one stakeholder submitted a representation and thus it simply represents in essence a Council opinion and nothing more.

In any case this Legislated strategic plan document provides more evidence that Chudleigh North RLZ should not proceed and that adequate scenic protection should occur across the landscape. For example:

The Vision for Meander Valley in 2024

"The backdrop of the Great Western Tiers, the mix of urban lifestyle and rural countryside give Meander Valley its unique look and feel, offering livability (sic) and healthy lifestyle choices. A community working together growing for generations to come."

I believe I can show that I worked together with the community and hence the Chudleigh Community Representation. The Council is still in denial and seemingly continues to ignore the Chudleigh Community Representation.

I aspire to ensure the Majestic Landscapes of our beautiful municipality are protected for future generations. Council wants to bury the Inspiring Place Landscape study in their locked basement. Not even on their website, despite being funded with our money.

I seek that the rural countryside retains its unique look and feel whereas Council wants Chudleigh North RLZ.

The Meander Valley Community Strategic Plan 2014 to 2024 is meant to embody a set of values. I argue the values are, as far as I can perceive, absent or poorly understood. The Values are meant to guide choices and behaviour:

"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"

The Meander Valley Community Strategic Plan 2014 to 2024 includes a range of statements, which relate to land use planning. The relevant ones are reproduced below.

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

“Managing the balance between growth and the conservation of our natural and built environment is a key issue. Decisions will respect the diversity of community values, will be fair, balanced and long term in approach. Specific areas are forestry, protection of our natural, cultural and built heritage, scenic landscape protection, karst management, salinity, water quality, infrastructure and building design.”

I claim the balance is not being well managed and this representation is some of the proof that is required to show that fact.

The decision to continue with Chudleigh North remains disrespectful of community views and values. The decision to, in the main, avoid scenic management protection remains inept in terms of an understanding of community values.

“1.1 Contemporary planning supports and guides growth and development across Meander Valley.”

The absence of comprehensive cultural heritage landscape protection renders planning not contemporary and is a backward position that misses growth opportunities.

“1.2 Liveable townships, urban and rural areas across the local government area with individual character.”

The liveable township of Chudleigh would have its individual character degraded by Chudleigh North RLZ.

“1.3 The natural, cultural and built heritage of Meander Valley is protected and maintained.”

This is simply not true and previous submissions from my wife and I have raised a range of issues to support this contention.

“1.4 Meander Valley is environmentally sustainable.”

This also is simply not true – it has certainly not been properly researched, catalogued or established. Where is the evidence?

“Future direction (2) - A thriving local economy”

“Meander Valley needs to respond to changes and opportunities to strengthen and broaden its economic base. We need to attract investors, build our brand, grow population, encourage business cooperation, support development and promote the liveability of Meander Valley.”

Chudleigh North RLZ does nothing to promote the liveability of Meander Valley, nor is it needed for a thriving local economy.

“2.1 The strengths of Meander Valley attract investment and provide opportunities for employment.”

I claim that the lack of adequate scenic protection and Chudleigh North RLZ will detract from or ignore the strengths of Meander Valley.

“2.3 People are attracted to live in the rural townships, rural living areas and urban areas of Meander Valley.”

Amendment 4 of 2015 creates subdivision rights in many, but not all of the Municipalities Rural Living Zones, which are intended to support existing rural living areas. But Chudleigh North is not an existing rural living area and thus

“5.3 Evidence based decision-making (in Council) engages the community and is honest, open and transparent.”

I claim I can show this does not necessarily occur.

“5.4 Meander Valley Councillors and employees have the knowledge, skills and attitude to responsibly undertake community governance and operational responsibilities.”

I claim this statement to be merely an aspirational goal. When Councillors discard expert knowledge, one can hardly have confidence in their responsible attitude and attendant operational responsibilities.

One can see from the above parts of the Meander Valley Community Strategic Plan 2014 to 2024 (enclosed) that Amendment 4 of 2015 is deficient in regards to Chudleigh North RLZ and in relation to the protection of cultural heritage and scenic landscapes in the Chudleigh valley.

Scenic Protection

I wish to thank Council however for some Scenic Protection within the Chudleigh Valley. However we advise, with all due respect, the proposed boundaries are simply not sufficient.

Council in Amendment 4 of 2015 has included an addition to table 7.1 of the MVIPS, which provides a Local Scenic Management Area over Chudleigh North RLZ. Below is the Character Statement and Objectives, which have been included in Amendment 4 of 2015:

“Character Statement”

“The hill slopes are prominent when viewed from the Chudleigh settlement and on approach to Chudleigh along the Mole Creek Road from the east and west. The hill is characterised by undulating pasture and a significant (sic) stand of remnant native vegetation. Existing development is set into the landscape or screened by vegetation (sic) and there are no intrusions into the skyline when viewed from public vantage points.”

The hill slopes referred to above are in fact prominent from many local locations. Photographs taken by Andrew Ricketts and included in this representation and previous ones provide evidence the Hill is prominent and visible from many locations and public places around the district. The Character Statement is deficient, as the extent of visibility of the Hill has not been adequately described. I would call Mr Ricketts to attest the facts of this matter in any hearing.

It is agreed that the hill has undulating pasture and remnant forest. However, the above description does not provide any qualitative description of the area proposed for scenic management.

I reserve the right to provide additional material and to recommend to both Council and the TPC a revised Character Statement both for this area and for the enlarged area I have been advocating based on the Inspiring Place MVC Scenic Management Strategy.

“Scenic Management Objectives”

- a) *To ensure that visually prominent areas on the hill slope avoid adverse or significant landscape change;*
- b) *To ensure that use and development is carefully sited and designed to be unobtrusive (sic) in the landscape through one or a combination of the following measures:*

- i) *Siting development at lower elevations;*
- ii) *Siting development behind topographic features so as to be obscured when viewed from public vantage points;*
- iii) *Minimising excavation and earthworks;*
- iv) *Retention of vegetation;*
- v) *Planting of vegetation.*

I recommend, regarding (a) changing the word ‘change’ to ‘alteration’.

The measures described above will be considered in advance of the hearing. However, regarding (ii) the term “*vantage points*” is not defined and that, in itself, represents a problem, especially as the extent of the visibility of the hill has been underestimated and described in the Character Statement. The term ‘public vantage points’ would seem to require some specific qualification; otherwise those, which are not mentioned, may become not relevant in consideration terms.

“Scenic Management Criteria”

“No local criteria No local standards”

The absence of Scenic Management Criteria and standards is not sustainable in terms of scenic protection and is not accepted as adequate. It does not meet any standards. Those criteria would absolutely be necessary to ensure adequate protection via the mechanism of the Local Scenic Management Area over Chudleigh North RLZ.



View to the north from the Chudleigh Show grounds, a public vantage point, to the opposed Chudleigh North Rural Living Zone around Coopers Road and Motton Lane with the Gog Range in the background - Chudleigh, Tasmania – Nov 2013.

(photo © A. C. Ricketts)

Local Scenic Management Area

In summary my proposal to be incorporated into the Meander Valley 2013 Interim Planning Scheme is: That a Local Scenic Management Area be created for the Chudleigh/Mole Creek Valley as per Section E 7.0 of the Planning Scheme, including the addition of the area to Table E7.1, otherwise also known as Table 7.1. and that a Character Statement and Scenic Management Objectives be established and incorporated.

In 2003 Tasmania stated in its State of the Environment Report⁵:

“There remains a lack of agreed methods for assessing landscape values and the impacts that various land use practices have on them. The Land Use Planning and Approvals Act 1993 requires the conservation of cultural resources, which includes socially and aesthetically significant landscapes. Therefore landscape management is an important component of sustainable development and planning schemes should provide means and criteria for protecting landscape values.”

However since that time the State, blessed with fantastic, majestic scenic places, has done little to deal competently, effectively or in any strategic or legislated way over the economically and socially important subjects of scenic protection and cultural heritage landscapes. It is pathetic and unacceptable.

I wish to assure both Council and the Tasmanian Planning Commission I will defend this beautiful valley from those who wish to defile it.

In a civilized or advanced society, one would expect to find both Landscape and Heritage legislation on the Statute Book. Twelve Councils in the South have adopted a Heritage Code. This Code makes provision for Heritage precincts and Cultural landscapes.

In the absence of this type of thinking in our Council's Interim Scheme, we would urge council to become acquainted with what the southern councils have agreed upon. It behoves the Tasmanian councils to have some uniformity of thought and direction in matters heritage, much of it unrecognised, not registered but of considerable value in the wider context of tourism and culturally.

Standard planning precepts should be available to defend the iconic landscape of the Chudleigh Valley from the consequences of poorly thought out planning schemes.

Why as a council will you not defend our historical landscape? Meander Valley was one Council that conducted landscape studies in the past. It is time to put the past fears and prejudices behind us.

The clear fell, burning, woodchipping and logging of our Western Tiers and World Heritage listed Karst have been greatly helped by the corruption of due process all to facilitate a now bankrupt logging industry whilst at enormous expense to the taxpayers.

⁵ <http://soer.justice.tas.gov.au/2003/indicator/190/index.php>



Majestic, panoramic view from the Mole Creek Road looking South West across the Chudleigh Valley to the Great Western Tiers, Tasmania – Nov 2013.
(photo © A. C. Ricketts)

Local Scenic Management Areas

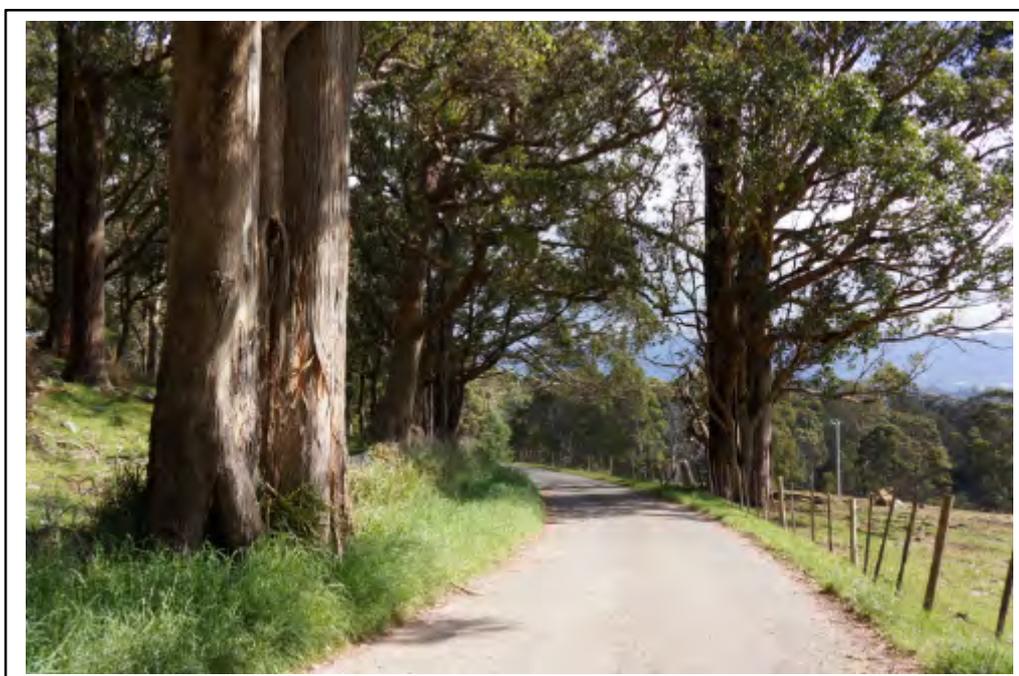
Landscape protection and the retention of the cultural values of our beautiful municipality is a critical aspect of our sense of place and the enjoyment and prosperity. These aspects have been damaged by past land practices.



(Photo Previous Page) View to the southwest from Burnett Street, Chudleigh, Tasmania with the majestic Great Western Tiers in the distance. – Nov 2013.
(photo © A. C. Ricketts)

Within the 2013 Interim Scheme, I can see that local scenic management areas are inappropriately entirely limited to the localities of Travellers Rest and Blackstone Heights. It seems that even areas, which were listed as National Estate for their scenic qualities on the Commonwealth's National Estate list, have not been listed in Council's Interim Scheme. Places such as the Great Western Tiers for example. This is unsatisfactory.

As I cannot understand the reasons Council would avoid all the other scenically special places across our beautiful Municipality, I would seek the reasons for the decisions that no other scenically sensitive, significant and marvellous places or areas have been listed in Council's 2013 Interim Scheme, even though a small part of the Chudleigh valley is now becoming recognised with some protection.

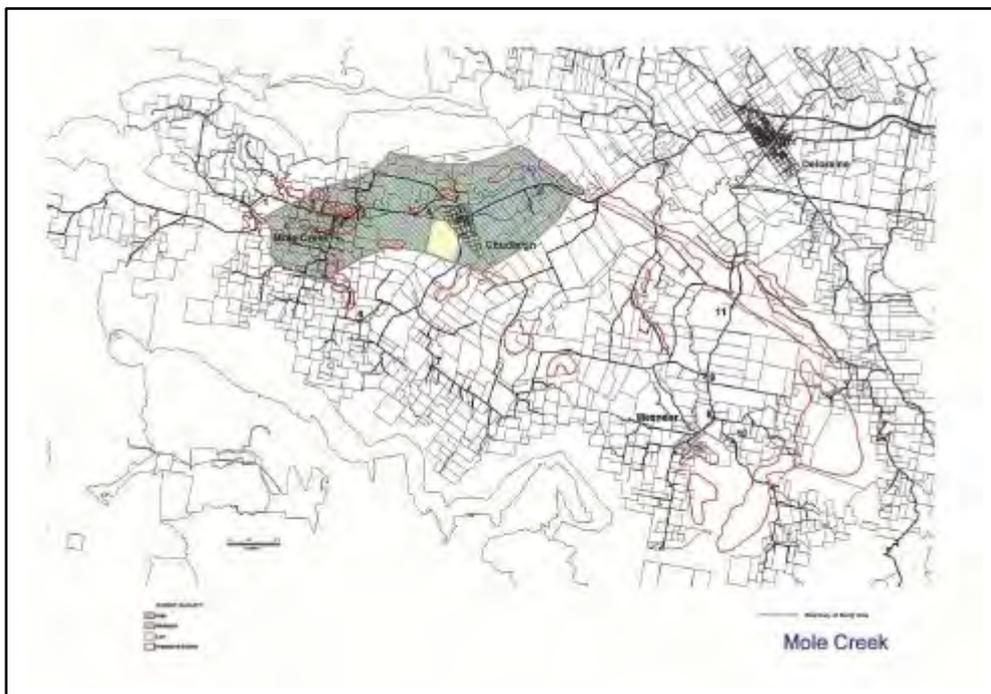


(Previous Page) View to the southwest on Coopers Road near Chudleigh, Tasmania with the majestic Great Western Tiers lending the aerial perspective in the far distance. Showing the attractiveness and uniqueness of retained native roadside vegetation and mature trees in what is otherwise a rural production landscape but one, which has nonetheless retained important scenic values. Such values are being lost all across the Municipality and often for no good reason. – Nov 2013. (photo © A. C. Ricketts)

I am thus re-proposing that a Local Scenic Management Area be created for the Chudleigh/Mole Creek Valley as per Section E 7.0 of the planning scheme, including the addition of the area to Table E7.1, otherwise also known as Table 7.1, within the current process, without further prevarication. I am not satisfied by the establishment of a Local Scenic Management Area merely for the Chudleigh North Rural Living Zone and re-tender our boundary proposition.

I also propose that revised Character Statement and Scenic Management Objectives be established and incorporated. A map of the proposed Chudleigh

Local Scenic Management Area, which I support is shown in this representation. See below.



Meander Valley Scenic Management Strategy by Inspiring Place. Local Scenic Management Area for Chudleigh and Mole Creek area. The area proposed again to be a Local Scenic Management Area and included in Table E7.1 of the MVCIPS 2013.

Character Statement and Scenic Management Objectives

This statement is derived from the Meander Valley Scenic Management Strategy, prepared by Inspiring Place Pty Ltd. It represents an excellent starting point for consultation and with the view to update and revise rather than replace.

“PHYSICAL CONTEXT

The sub-type consists of just one visual unit and follows a vague ‘valley’ or road corridor amongst low rolling hills and occasional flat plains to the south, and is bounded to north by low hills that serve to visually separate the unit from the Alum visual unit. A circle of partly cleared low hills to the south separate the sub-type from the flat agricultural plains at the foot of the Tiers beyond. The dominant underlying geology is limestone which contributes to a number of unique macrotopographic features. High rainfall ensures seasonally lush appearance and relatively dense forest in the sub-type.

LAND USE

Moderate sized plains/flats surrounded by partially cleared low hills. Grazing is a primary activity. Two townships are found within unit to the northern boundary along the primary road, while some scattered agricultural settlements also occur. Tourist related developments including hotels, cafés and bed and breakfasts are common throughout the sub-type, with primary concentrations in Mole Creek and Mersey Hill Road. Despite suitable environmental factors very few plantations are evident in the sub-type, possibly due to the higher land prices.

FEATURES

Topographic: Extensive quartzite and limestone outcrops on densely forested slopes including the Gog Range and Magog are unique and scenic features (both within and viewed from the sub-type). These are complemented by smaller scale limestone outcrops on open forest hill slopes often viewed near the roadside. Undulations of the karst landscape at a macro-scale are also interesting visually.

Pastoral scenery: good quality, open pasture in the foreground of the view from Mole Creek township to the Great Western Tiers is an example of features with important contribution to the scenery. Pastoral plains are generally clear and open and a strong landscape feature, particularly in wetter seasons where colour and texture contrast with native vegetation.

Native vegetation: Native vegetation is commonly strong and lush, associated with the higher rainfall experienced in the western parts of the municipality. This provides features of consistent and distinct texture and colour which are particularly important when contrasted with exotic vegetation and pasture. Skyline native forests are generally consistent and intact providing prominent scenic value and serving to frame views and hint of the more wild and natural areas beyond the Mole Creek Road Corridor, particularly the Alum Cliffs and Gog Range.

Exotic plantings: Exotic and historic tree plantings and gardens provide positive landscape features around historic houses and in Mole Creek township where mature exotics are common. Hawthorn hedgerows (extensive but often overgrown) are prominent in some areas, particularly around Chudleigh and along Mole Creek Road near the wildlife park. Photograph 3.4.2 below demonstrates scenic exotic features.

Distant views: The Great Western Tiers are dominant as borrowed distant views of a neighbouring landscape character sub-type from throughout the Mole Creek-Chudleigh visual unit, particularly from Mole Creek Road itself.

SIGNIFICANT VIEWS / VIEWING

The unit lies along the Mole Creek Road between Gardiners Ridge and Mole Creek. This section of road is part of the popular Mole Creek tourist route, and is of State significance in terms of viewing opportunities, visual experience and user numbers.

These views are characterised by three view types:

- 11. distant views across agricultural plains to the Great Western Tiers;*
- 12. immediate view from Mole Creek Road and Mole Creek tourist node (looking south) to fine pasture and partly vegetated hills in the foreground; and*
- 13. equally important, but less viewed experience (due to lower viewing numbers) occurs along Mersey Hill Road where rare intimate views to the quartzite features of the Alum Cliffs/Gog Range and elevated views across agricultural plains to Great Western Tiers are available. These are particularly important views given the intention to improve the walking track to the Alum Cliff viewpoint.*

Particularly important viewpoints on the Mole Creek Road occur at the entry to the unit at Gardiners Ridge; at the bend in the road at Trowunna Wildlife Park; and from within Mole Creek township. Perhaps the best example of the generic character is given looking south from the western end of Mole Creek. The Chudleigh township and northern section of the Caveside Road provide secondary viewing opportunities within the sub-type."

Meander Valley Scenic Management Strategy

A copy of Council's 'Meander Valley Scenic Management Strategy' (conducted by Inspiring Place in 2002), including any associated maps and appendices forms a part of our representation and is enclosed.

I seek to be advised by Council of the status of the Strategy and of what commitments, agreements, actions and proposals arose out of the 2002 Inspiring Place study, termed a Scenic Management Strategy.

My understanding is there was a Draft Schedule for the Management of the Scenic Values in Rural Landscapes in the Strategy. I would specifically like to be advised what actions happened in regards to that document and the associated proposal, of course.

In December 2007 Gwenda Sheridan wrote a submission to the Meander Valley Council regarding its Planning Scheme 2007 Draft. This scheme was never adopted, scuttled by Council under pressure from their masters and the State to move to an Interim Scheme process under Division 1A, a now defunct and arcane pile of legislative rubble. However, Ms Sheridan's summary of and comments on the Meander Valley Scenic Management Strategy are notable and Section 4.2 of her submission is reproduced below for your edification.

4.2. The Meander Valley Scenic Management Strategy, 2002.

A consultancy Report.

In the Executive Summary of the Meander Valley Scenic Management Strategy 2002 (hereafter MVSMS (2002) the opening sentences state,

The Meander Valley is widely recognised for the quality and diversity of its landscapes and the cultural natural and scenic values such landscapes hold.

And further, the strong community activism and debate over approaches to the sustainable management of the resources in the Meander Valley in recent years indicates the strength of the community's attachment to these values.

In the years since 2002, this would appear to have escalated to the point in 2006 where the Deputy Mayor, - in an effort to get information across to the public - took out page advertisements in major Tasmanian newspapers. The disjunction centres on the Council's reply and response to ongoing forestry activities within the municipality and what the community argue against.

The MVSMS (2002) study was undertaken with a Steering Committee which comprised representatives from Meander Valley Council, DPIWE, Private Forests Tasmania, The Forest Practices Board, (now FPA), spelled out. It was considered as a pilot study possibly for other councils in Tasmania. Among key areas identified as affecting the scenery were said to be,

- Tourism Tasmania and conservation organisations, though these were not Impact of increased plantation forestry,*
- Loss of native vegetation generally,*
- Loss or deterioration of key elements of the Meander Valley area cultural landscape,*
- Impacts of buildings, roads and other development.*

The study noted that there was no agreed statewide framework for the identification or assessment of scenic value in Tasmania.

The study aimed to assess, describe and classify the scenic character of the Meander Valley and to manage the rate and scale of landscape change, to protect the integrity of the visual character. It further hoped to identify 'core' values of the scenery, particularly those which distinguished Meander Valley from other places, to link in values which depended on landscape character such as tourism and art, to reduce the level of community conflict, and to provide Council with a set of measures that would allow for fair and improved management.

Twenty seven visual units were identified in the study. These were then categorised into 12 unique landscape character sub-types with key vistas and viewpoints and with prime viewpoints identified. The methodology developed an analysis matrix for mapping rural visual management priority based on the scenic quality, visibility and prominence from selected primary viewpoints, along with the capacity of the landscape to absorb change. Interestingly the Steering Committee chose three case study areas, which included,

- (i) The Mole Creek Road Corridor, (between Chudleigh and Mole Creek),*
- (ii) Gibsons, (the land beneath the Great Western Tiers, between Meander and Caveside).*

Thus two out of the three case study areas in this large study involved the Chudleigh-Mole Creek area and its surrounds. The Alum subtype was not assessed further as a case study.

The findings of the MVSMS (2002) in respect of the two case study areas are discussed further in Section 9.0. The study provided a Draft Schedule for possible inclusion in the new proposed Scheme with six key features of the draft provision. This is listed as Appendix 3 in the MVSMS (2002) study and makes for interesting reading. A significant change provided for in that suggested Schedule is that areas could still be declared as Private Timber Reserves, (1.1.5(h)) but if the area was greater than 500m² (1.4.2(iii)) it would require a Development Application and run the gauntlet of the LUPAA system, with its third party rights of appeal.

The response to the MVSMS (2002) by Meander Valley Council is not known, except that the study was never made public. It is to be noted from it on page 9 that previous processes attempting to tackle the question of scenic management had also suffered amongst other features from 'a lack of political support for implementation,' this supporting comments made in Section 3.4 above. Increased community agitation as to loss of, or diminution of, scenic and landscape values appears to have commenced shortly after the signing of the Tasmanian Regional Forest Agreement in 1997.

The study is a notable one and very useful if the Council decides to undertake further work in the landscape area, based as it was on the Visual Management System which forestry had used since 1985 and which was updated in 1990. However the study doesn't address the question of heritage landscape or really evolved landscape layers together with their meanings, associations, perceptual aspects of landscape and aesthetics, concentrating instead on the 'scenic' visual component of landscape. It thus didn't address in detail many of the components of the Landscape wheel, required for a comprehensive analysis of landscape, (see Appendix 5) to understand historical significance in particular, in assessing the contributory interconnecting nature of combined elements that constitute landscape. Essentially this study could not measure landscape as an evolved entity with its many layers across time given its scenic visual approach adopted from the VMS ; there was no time-depth analysis. Heritage is rarely mentioned throughout the

document, except with oblique references to hedging and windbreaks, and one property Bentley. Heritage landscapes are not a question of what is seen from a primary viewpoint, or from a well travelled road; it is not pretty scenery, and the three short comings of the VMS as outlined in the study at page 21 are important, when heritage landscape is considered. Given where the entirety of Britain has taken Landscape Assessment since 1990, (ongoing) - landscapes from which in the nineteenth century, Tasmania drew many parallels,- the British research, pilot studies and mapping of what to do for ALL landscape areas is looked at much more closely in Sections 9.0, 10.0 (of her submission).

State of the Environment Report (SOE) Tasmania 2003



Panoramic view to the northwest from the public vantage point of Jones Street South, Chudleigh, Tasmania. Showing the bucolic Mersey Hill with Mt Roland in the background haze. The foreground is now zoned Rural Living at Chudleigh South – Nov 2013. (photo © A. C. Ricketts)

The State of the Environment Report (SOE) Tasmania 2003 made comment on Tasmanian landscape issues; a part is reproduced below. This arguably was a legacy of Premier Jim Bacon who saw the benefit of conserving the landscape in drawing tourists to Tasmania.

“The issue⁶ 'Landscape' has ecological, scenic, and cultural meaning. While there are common elements between all three, there are also some significant differences. For example, the 'cultural landscape' of the Queenstown Hills is one of the most notorious industrially-degraded landscapes on earth. Cultural landscapes are discussed in more detail in the Cultural Heritage Chapter. Ecological landscapes

⁶ <http://soer.justice.tas.gov.au/2003/lan/2/issue/37/ataglance.php>

are reviewed in the Biodiversity Chapter. The focus of this Issue Report is Scenic Landscape Values.

Scenic landscape includes the properties of the land, such as landform, landcover, slope, and land use, arising from a number of natural and cultural processes. Tasmania's landscape is highly diverse and noteworthy for its spectacular beauty-shaped by geological forces, influenced by extremes of climate, mantled in a range of vegetation types and modified by the activities of humans. Landscape has much to contribute to the debate on sustainable development in Tasmania because it is integrated (it spans land tenures and land uses) and people focussed (we all enjoy a good view).

The condition of scenic landscape values is important for Tasmania because of the following.

Protecting landscape values can sometimes help to protect a range of other environmental services. Landscape values often have an association with environmental and natural resource quality: the values that people appreciate in a landscape are often also important ecologically.

There are strong cultural ties to landscape and feelings for the visual beauty of the mountains, lakes, coasts and forests of Tasmania are a common bond among people.

There are links between healthy landscapes and healthy lifestyles through the recreational opportunities they provide.

The landscape values of the State remain a major drawcard for the tourism industry and these landscapes should be managed as a key component of tourism infrastructure.

There are ways to objectively assess the condition of visual landscapes and to track changes in their condition over time. This work should be based on a community-accepted inventory of landscape values. Landscape inventories have been developed for other places where landscape values also feature strongly in the community's sense of identity, their connection to the land, and to the tourist attraction and appreciation of these values (e.g. Scotland). Elsewhere in Australia they have been prepared for local government (e.g. Caboolture Shire Council) and, in Tasmania, by the Meander Valley Council. Landscape inventories-linked to planning and development controls-provide the means to plan to avoid or lessen the impacts on landscape values arising from changes to the ways society uses or manages its land resources.

This 'At a glance' section provides an overview of the issue of scenic landscape condition. More detailed information and references are available in the Scenic Landscape Condition Issue Report.

A recommendation is also presented on opportunities to improve the management of scenic landscapes in Tasmania (see Scenic and Landscape Values).

Favourable news

Landscape inventories have advanced in the last five years and there are now some examples of approaches, which Tasmania could draw upon.

The Landscape Inventory prepared for Meander Valley Council was a promising development in recognising the importance of retaining landscapes in Tasmania.

The Urban Skylines and Hillfaces Committee (comprising community, State and local government representatives) developed a method for identifying the visual

impact of development on skylines and hillfaces, and identified recommendations for improving the management of visually sensitive areas (Urban Skylines and Hillfaces Committee 2000).

Forestry Tasmania's Visual Management System is a well-established method for predicting impacts on viewfields arising from forestry activities on State Forests and managing these impacts.

There has been an increase in the number of local government planning schemes that identify special areas for which landscape management is an objective. Seventy-eight percent of planning schemes now include special area provisions, and six now have extensive special area provisions or zoning relating to landscape management. Special area provisions include: Landscape Protection or Landscape Values Protection Areas, Landscape and Skyline Protection Areas and Scenic Corridor or Scenic Protection Areas.

Some planning schemes now include specific landscape management zoning with development requirements for landscape protection. Examples include: Landscape and Skyline Conservation, Landscape Protection and Conservation Zones.

Unfavourable news

There has been a significant deterioration in landscape values of Hobart's hill slopes arising from residential development.

Increasing property values and housing development-particularly along Tasmania's coastlines-is placing pressure on the State's landscapes and requires consistent and coordinated policy responses.

Intensification of land use combined with the absence of landscape inventories and poor recognition of landscapes within many planning schemes will lead to a deterioration of landscape values if present trends continue. This will have consequences for the sense of place and the quality of experience enjoyed by visitors.

There is still a lack of comprehensive guidelines or provisions within planning schemes for managing and protecting landscape values. The majority of references to landscape management in planning schemes are in the form of objectives to retain valued landscapes, without any specified means for achieving them.

Uncertain news

The overall lack of a landscape inventory for the State is a significant gap in natural resource management in Tasmania and is a major source of uncertainty about the condition of and changes to the State's landscape values. In the absence of such an inventory, it is possible to report only against surrogate measures describing changes to land cover.

The visual impact of landscape development is scale and context specific and is dependent on the scenic landscape techniques that are used. Plantation development is a significant land use and land cover that affects Tasmanian landscapes. The largest plantation area coverage occurs in the North-West Hills and Plains Landscape Character Unit which contains 68,122 ha of softwood and hardwood plantation. This represents about 16.1% of the area of this landscape unit. The next largest plantation area coverage occurs in the North-East Highlands Landscape Unit, which contains 55,474 ha of softwood and hardwood plantation. This represents about 8.5% of the area of this landscape unit."



Peaceful view to the northeast from Bentley, Chudleigh, Tasmania. Showing in the background the lovely forested Hills of the Magog and Gardeners Ridge and the cultural heritage landscape of Bentley. The whole is zoned Rural Resource and much of the forested hill could be logged and ravaged – Nov 2013. (photo © A. C. Ricketts)

The Meander Valley Council Land Use and Development Strategy – April 2005 has this to say about “Promotion of Tourism, Culture Heritage and Amenity” (Note emphasis).

“The natural heritage of the Meander Valley is outstanding in terms of the scenic amenity and wilderness values of its natural environment. The area is rich in cultural history, characterised in particular by the effects of the extensive Aboriginal presence and the European settlement of the area.

The area contains the rich Aboriginal heritage of the Great Western Tiers and Mersey Valley, and the grand homes and country estates of the early pioneers. Important cultural heritage assets include the National Trust classified historic towns of Carrick, Westbury and Deloraine, largely unspoiled by unsympathetic development.

Council recognises that the cultural heritage values and scenic amenity of the valley are important assets that contribute greatly to the community’s economic life and general wellbeing, and form the cornerstone of the growing tourism industry.

Council’s strategy recognises the importance of maintaining and enhancing this cultural heritage and amenity and outlines policies and strategic directions to ensure that these important assets are recognised and taken into account in land use planning.

Through the approvals process Council can ensure that new development makes a positive impact on the area. Poorly designed development or development that does not respect our settlements or rural areas can damage the amenity of communities.

our heritage or adversely impact on the tourism industry. Council will promote development that is designed to complement and enhance our area and our cultural heritage.”

I consider that currently, the above strategic statements are not adequately reflected in the new Meander Valley Council 2013 Interim Planning Scheme, in that the objectives and vision of the Strategy will not be achieved and that Amendment 4 of 2015 has not remedied the situation.

The point is that tourism is valuable economically and growing: it has considerable potential. The scenic integrity and attractiveness of our area is a crucial asset in supporting businesses, which are seeking to expand this relatively benign, non-extractive industry.

Now that pressures of the powerful forestry lobby have lessened, the time is right to be brave and put in place genuine recognition and protection and to work to assist other industry sectors, which undeniably have more sustainable profiles and greater opportunity, if only they were given a chance.

Scenic Protection of the Chudleigh Valley

Firstly, generally the scenic qualities of Tasmania are not disputed. Statements such as the following from the Tasmanian State of the Environment (SOE 2003) Report are common:

“Tasmania's landscape is highly diverse and noteworthy for its spectacular beauty.”

AND

“Landscape is fundamental to Tasmanians' self image and sense of place. While it is difficult to quantify its monetary contribution, landscape character is important to the State and to local communities for economic and social benefits. Landscape character has a critical role in attracting the visitor to Tasmania and contributes to the sense of place experienced by visitors and locals alike.”

We urge the TPC to read the 2003 Tasmanian SOE document on landscape (on your website) to just get a feel for the importance of this issue for Tasmania and to gain a better understanding of the level of studied inaction and dereliction over the protection of scenic amenity in our municipality.

Council did respond in its Section 30J report to our reasonable, sensible and wise proposal for the Scenic Protection of the Chudleigh Valley. It stated:

“Council does not support a blanket adoption of the prior Meander Valley Scenic Management Strategy due to issues in that document that remain unresolved. Council did not endorse that document as its strategy for scenic management. However, Council acknowledges and has supported the policies and actions contained in the RLUS:

It is recognised that scenic values associated with historic settlement and natural/environmental character are key attributes for the tourism sector and population attraction.

The actions described in the RLUS place a strong emphasis on a regional approach to determining landscapes of significance and the criteria and mechanisms for protection being broadly agreed.

As yet, a process or methodology for developing the broader regional approach to scenic management has not been undertaken, with the Councils of the Northern Region generally translating scenic management areas from prior planning schemes.”

Council commits to implementing an approach to scenic management consistent with an approach developed for the northern region when this work is undertaken.”



A majestic view to the north the public vantage point from corner of Dry Street and Jones Street South, Chudleigh, Tasmania. Both public streets are now in the new Chudleigh South Rural Living Zone and showing in the middle background the grassy hillside rising above the town with the Gog Range rising majestically above. This is the hill, which stands to be massively despoiled by Council's Chudleigh North Rural Living Zone. Council got rid of 'majestic' but nothing can get rid of the Gog Range. One can see how unobtrusive the existing village of Chudleigh is in the wonderful landscape – Nov 2013. (photo © A. C. Ricketts)

The above extract from MVC's Section 30J report refers (as RLUS) to the Northern Regional Land Use Strategy (NRLUS). This extract from the S.30J report is included to show that after all the work internationally and in Australia the action around conserving scenic and cultural Heritage landscapes, Meander Valley remains resolutely in a dark age. Unsurprisingly I completely disagree with the outcome arising from Council's Section 30J report and consider Council is failing to meet the LUPAA Objectives.

I do not accept that the above Council response has any validity. There is obviously no regional approach to scenic management apart from the scenic tourism route aspect, which hardly has great merit. Indeed one can see from the finalised Launceston Interim Planning Scheme that there is otherwise no regional

consistent approach. Not only that, Launceston shows that not every Council in the Northern Region is suffering a dark age.

Some Councils, have adopted a heritage list and are actively conserving heritage places, scenic amenity and heritage precincts. Launceston, which in my view has less spectacular scenery than parts of the Meander Valley, has nonetheless astutely and prudently chosen to conserve their undoubtedly high scenic values. Launceston is to be applauded for its efforts to conserve landscape amenity. It will gain economically from such an initiative, which I have no doubt brings genuine amenity benefits. For MVC to hide behind the absence of a regional approach is fallacious and not satisfactory. To claim a dependence on a regional approach to be a strong part of the NRLUS is to deny what amounts to an abhorrent avoidance of scenic management, which has plagued our 'Forestry First' Municipality for decades.

I strongly dispute the claim in the Section 30J report that Council has supported the RLUS over its scenic policies and actions. Indeed, I can see that across the Municipality there are superb landscape scenes which richly deserve protection and careful management but which remain open to degradation and consequences of a lack of recognition, combined with laissez faire.

Our 'Scenic Protection of the Chudleigh Valley' proposal for scenic protection via a Local Scenic Management Area, under the Interim Scheme's E7.0 Scenic Management Code, which is based on the excellent Inspiring Place report: Meander Valley Scenic Management Strategy of January 2002, has not been accepted in the MVC S.30J report but adequate reasons from Council have not been forthcoming. Decisions without adequate reasons are vulnerable and can be unreliable.

I consider it to be inadequate and farcical that ostensibly there are issues unresolved from the 2004 Report, as claimed in Council's Section 30J report dated October 2014. I find unacceptable the Section 30J report, which engaged in some non-specific diminishing of the 2004 Inspiring Place study report, in a way in which I am unable to counter. Council has had over a decade to deal with this important matter but continue to phobically avoid scenic protection.

The Council's S.30J report, alternatively to our proposal, proposed a Local Scenic Management Area over the Rural Living Zone, now known as Chudleigh North. This is a far lesser sized area than the one identified by Inspiring Place in 2002. As such it does not have the capability and scope to manage the range of impacts on our beautiful valley across the whole of the area and over all land uses.

Whilst this smaller area is accepted, as being better than nothing, it is considered grossly inadequate. Indeed, it may be claimed that it presupposes an acceptance of the RL Zone itself, which many have opposed and do not support or even concede is necessary or wise in this location.

I wish to make it absolutely clear that Chudleigh North RL Zone is an abominable idea that would almost invariably scar the landscape. But it is not the only potential for landscape degradation of the Chudleigh Valley, which deserves to be managed and recognised for its outstanding scenic values.

I therefore remain committed to our valid and holistic proposal for scenic protection for the valley. I restate our view that the whole of the area identified by Inspiring Place should become the boundary for the Local Scenic Management Area in the Chudleigh valley, not merely the Rural Living Zone at Chudleigh North.

I argue that scenic protection and management is a public interest issue, which has the significant potential to bring greater wealth and prosperity to our area.

There is an amount of strategic commitment to scenic landscape management and protection in the Northern Regional Land Use Strategy (NRLUS). We quote relevant sections from that NRLUS strategy below:

“Section 30C of the Act gives effect to the Minister of Planning to create regional areas and specifically to declare a Regional Land Use Strategy for each regional area. More specifically section 30E (6) states that the contents of a draft interim planning scheme and an interim planning scheme are to be consistent with, and advance the objectives and outcomes of the regional land use strategy in place for the region.”

Landscape and Scenic Amenity NRLUS Policies and Actions Table

Policies	Actions
LSA-P01 Protect the scenic/landscape amenity of key regional tourism routes (shown in Map 11). Recognise the:	LSA-A01 Ensure planning schemes identify scenic corridors associated with identified tourism routes via the application of an overlay.
<ul style="list-style-type: none"> Importance of scenic landscapes as viewed from major roads and tourist routes/destinations as contributing to economic basis of the tourism industry as well as local visual amenity; 	LSA-A02 Develop a regionally consistent approach to determining scenic corridor overlays around identified tourism routes.
<ul style="list-style-type: none"> Importance of natural/native vegetation in contributing to scenic values of rural and coastal areas generally, with particular emphasis on prominent topographical features; and Need to protect skylines and prominent hillsides from obtrusive development/works. 	LSA-A03 Ensure planning schemes include performance criteria for development within scenic corridor overlays that address following considerations: <ul style="list-style-type: none"> location of development to avoid skylines, ridgelines and prominent locations; establishment and/or retention of existing vegetation to provide screening in combination with other requirements for hazard management; bulk and form of buildings and earthworks and the ability of development to blend with the landscape; obstructive impacts materials, finishes and colours of buildings will have on the landscape; and whether existing native or significant exotic vegetation within the corridor is managed to retain the visual values from the touring route.
LSA-P02 Protect specific topographic or natural features of significant scenic/landscape significance.	LSA-A04 Planning schemes to identify visually significant topographic, natural features and landscapes (e.g. Cataract Gorge) in an overlay with objectives and discretionary criteria relating to the visual impact of use and development.

Within the 2013 NRLUS document there are also sections of text, which describe the numerous benefits of the retention of scenic amenity. These sections make an unambiguous statement over the regional position regarding scenic landscape amenity and the desirability and importance of its retention. A Council which has signed off on this NRLUS could be in no doubt about its intent.

It is clear this is not a minor issue. Certainly, it has gained more space in the NRLUS than deliberations over climate change for example. So one may deduce therefore it is considered across the region to be very important indeed.

NRLUS PP 23 and 24 states:

“Northern Tasmania enjoys a relatively high standard of liveability. While little empirical data is available, key attributes of our liveability are considered to be:

- *unique environmental assets and a reputation for environmental performance and sustainability;*
- *high levels of scenic amenity and aesthetic beauty;*
- *high levels of cultural heritage, with associated community pride and strong sense of place.”*

It is noteworthy the often close associations between scenic amenity and cultural landscape heritage. It is also noteworthy that in the NRLUS, high levels of scenic amenity and aesthetic beauty are correlated. The NRLUS claims and I accept these aspects are a part of a high standard of liveability.

I assert all the region’s Councils have accepted and support these facts, as far as the NRLUS is concerned. What I claim is that our Council (and probably some of the others) has failed to translate the NRLUS into its local planning scheme provisions, which then have the potential to actually implement the strategic position and statements of the NRLUS in relation to Landscape and Scenic Amenity. Our Council has been avoiding this important issue for a long period of time now and such inaction is unacceptable. Our Council cannot claim to have met the NRLUS over scenic management.

The NRLUS on Page 23 also states:

“Aligning regional planning land use policy and investment decisions to enhanced liveability should be a key objective of the regional strategy. It will improve both the strength of our communities and our longer-term economic performance. While the drivers of liveability are being progressively understood, there are good indications that the following are strong contributing factors:

- *Aesthetics: It is increasingly recognised that places of high functionality and aesthetic beauty perform better and have greater economic and social success. The quality of the urban environment correlates with the attractiveness of public spaces, the presence of parks, quality landscaping, accessible outdoor recreation opportunities, care of heritage, and the retention of public views. Attractive places simply ‘do better’.”*

I do not have a problem with the above statement.

It is not sufficient however, I argue, for the NRLUS to simply align policy and enhanced investment decisions with the contributing factors to liveability. Those policy matters and understandings need to translate into the prescriptions and

codes of the various planning schemes including Meander Valley Council's Interim Scheme.

I claim these aspects have not been implemented and hence the Regional Strategy remains a document without a strong connection to the MV Interim Planning Scheme, including under Amendment 4 of 2015. Indeed I currently consider that the disparity is so great as to be a breach of the legislation and its Schedule 1 objectives.

Our Municipality has many highly scenic parts including the Chudleigh Valley and it is obviously reasonable that those scenic parts should be subject to adequate planning control to protect scenic amenity and the aesthetics of the place.

The NRLUS on Page 26 also states under Strategic Direction 8:

“Recognise and respond the Region’s unique environment by achieving the following strategy objectives:

h. Preserve and protect areas of natural environmental significance, particularly:

iii. regionally significant open space, visual (scenic) landscape amenity areas and outdoor recreation reserves.”

The NRLUS says “*preserve and protect*” visual (scenic) landscape amenity areas. But Meander Valley Council has not done that, including since the 2002 Meander Valley Scenic Management Strategy. It is incomprehensible that despite the NRLUS, despite the 2002 Strategy, despite other commitments between the State and the Council, scenic protection is still studiously avoided.

Meander Valley Council has responsibility for vital and crucial scenic assets but it is failing to discharge its obligations in a manner consistent with the RMPS objectives, failing to meet obligations to the next generation. It fails to meet too our expectations to protect our local landscape which is of world quality.

The NRLUS on Page 29 also states under 3.2 Regional Overview:

“The Region’s land use categories are created by well-defined spatial separation of urban and rural and environmental land uses. Rural uses are defined by agricultural land uses (cropping, grazing, dairy, plantation forestry, horticulture, etc.), whilst environmental land uses may include native bushland, and various natural landform features and natural scenic regional landscape areas. This separation of land uses gives the Region a distinct physical and visual amenity and character, which assists to define a limit to the region’s urban settlements.”

Again, scenic regional landscape and visual amenity and character issues are raised in an attempt to consider the matrix of natural and evolved elements of the countryside. However, it would be a grave mistake to consider that the productive rural landscape and the natural landscape were not enmeshed in a complex matrix. It would be another mistake to avoid dealing with the scenic and aesthetic attributes of the evolved rural landscape elements. Those evolved elements are discussed further in the section below on cultural heritage landscape. It is not sufficient or acceptable in any way to stand idly by while the Chudleigh Valley’s undeniable aesthetic qualities are further eroded.

The NRLUS on Page 35 also states under 3.9 Implementation of Regional Rural, Natural Productive Resources and Rural Living Area:

“Regional Planning Principles”

“1. Conserve and manage rural areas to enhance their contribution to the regional economy, rural industries and regional rural landscape values.”

“Strategies”

“7. Allow consideration of secondary or non-agricultural land uses where water quality, scenic rural landscapes, agricultural activities and the natural environment are not adversely affected and the strategic purpose of rural zoning is not undermined, and if possible where the land is in close proximity to an existing settlement.”

It is to be noted that even in this section reference is made to “rural landscape values.” Quite right too.

I wish to remind the Tasmanian Planning Commission and Meander Valley Council, that we run a productive farming enterprise here on Bentley in Chudleigh and can do so whilst protecting the scenic amenity of our property, as well as the heritage aspects including the cultural heritage landscape of which we are currently the custodians. Our various obligations are not in conflict but are managed together. Bentley is not the only such place in Tasmania, which has this approach. Council should be leading with its planning scheme. Instead it is dragging the chain.

There is no excuse for the reprehensible avoidance of the 2002 Meander Valley Scenic Management Strategy, which did seek to deal with the rural areas in a comprehensive and relatively logical way.

The NRLUS on Page 35 also states under 3.10 Regional Natural Environmental Area

“People value the combination of diverse and culturally significant landscapes that shape the region’s economy, culture, liveability and lifestyles. This quality and diversity of the region’s landscapes are major reasons for migration into and within the region. To remain attractive and functional, the regional landscape must continue to support values such as biodiversity, rural production, scenic amenity, landscape heritage and outdoor recreation.”

“Regional landscape values occur in urban, semi-urban and rural areas. Communities across the region recognise that these values influence the character and quality of the places where they choose to live, work and play. Regional sustainability and prosperity require understanding and careful management of the interdependencies between people, urban, semi-urban and rural land uses, and regional landscape values.”

Again, the landscape values are commented upon. In our Chudleigh area, as one comes across the high ground and before dropping into the valley from Deloraine, just past the start of the walking track to the Lobster Falls on the Mole Creek Road is a sign, which states Scenic Point. Before one is a magnificent majestic vista, an unsurpassed view of the matrix of the evolved landscape and the backdrops of natural Tasmania, the World Heritage Great Western Tiers and the Gog Range. A more stunning view is rarely found. The signage is completely appropriate. The lack of planning controls to protect the landscape values of the scintillating Chudleigh visual experience is nothing more than land use planning vandalism and is so obviously in direct contravention of the NRLUS commitments and actions.

The NRLUS on Page 90 also states under 4.15 Rural and Natural Productive Resources

“Rural Industry”

“The agricultural industry is a significant contributor to the economy of the Northern region through the value of production and employment. The total area of the Region is 2,004,460 hectares of which 1,793,473 hectares are zoned rural. Agriculture (forestry, fishing, agriculture) is a major employer within the region (in 2006 with 3,274 people).”

“These rural areas have significant social, cultural, scenic and recreational value, and as demonstrated in the following scenarios can offer significant opportunities into the future.”

The fascinating thing about the above statements and statistics is reflected in the overall population data for the region found on page 47 of the NRLUS:

“The Australian Bureau of Statistics (ABS) Estimated Resident Population (ERP) for Local Government Areas was released 31 March 2011 and it was estimated in June 2010 there was 142 311 people in Northern Tasmania.”

In other words, about 2.3% of the region’s population is engaged in rural resource activities and that is 2006 data, before the collapse of forestry. Things would be looking far more bleak now. So, when it is stated that the rural areas have “significant social, cultural, scenic and recreational value” it should be taken on board, and the planning schemes should reflect the aspiration and opportunity in a proper manner, as a relevant consideration. Currently the MVC IPS including under Amendment 4 of 2015 does not. It now has only two written up Local Scenic Management Areas in Table E7.1, this being Travellers Rest/Blackstone Heights with a second proposed over the small area of Chudleigh North Rural Living Zone.

The NRLUS on Page 96 also states under 4.16 Tourism and Recreation:

“Tourism is a significant contributor to the Northern Regional economy. Land use planning must support this through appropriate policy and regulation.

According to Tourism Tasmania (2012), tourism directly and indirectly supports around 32,000 jobs throughout the state, comprising 13.5 per cent of total Tasmanian employment. Tourism directly and indirectly contributes

\$2.0 billion to the state’s economy, approximately 8.0 per cent of Tasmania’s Gross State Product. One characteristic of tourism is the relatively high value add component of the revenue (some 80%) that accrues to the region. The Northern Region attracts some 492,000 interstate and overseas visitors per annum (TVIS 2012), or around 56% of those to Tasmania.”

“Tourism in Northern Tasmania is comprised of a range of activities, small and large, that form the overall experience. It is a network that land use planning must support through zoning and appropriate regulation. Planning schemes need to protect existing attractors and investment and ensure that excessive regulation does not discourage future investment.

Existing and new key attractors or activities that represent a significant investment will be zoned Major Tourism.

Current local strategies throughout the region recognise the value of maintaining and protecting the visual and scenic amenity of the touring routes. It is broadly recognised that this is an important factor in the attractiveness of the region to visitors (refer to Map 6 – Scenic Management). Planning responses to these values should manage the visual impacts of use and development along the touring route network.”

Have you ever reflected on what an “existing attractor” may be? It is noteworthy that the Chudleigh Valley is served by a tourist route (as it is termed) and so admittedly there is a tiny modicum of landscape protection for 100 metres around the roadside verge to the Mole Creek Road, excepting within towns of course.

It is admitted that this modicum of protection has been applied to the Mole Creek Road. But if we go back to that scenic point at the head of the valley and consider the amount of land covered by the roadside scenic route it is miniscule and completely inadequate. Bentley homestead for example is set back from the road more than 100 metres. It is fully visible from the Scenic Point but it is entirely not covered by the 100 metre roadside buffer. This is, in terms of the scenic Chudleigh landscape completely inadequate.

Indeed, Map 6 within the NRLUS shows in fact, the manifest inadequacy of the amount of tourism routes gaining roadside scenic protection. Such an approach without a network of other scenic management areas is ludicrously inadequate.

In the last few years, Chudleigh has capitalised on tourism and its occurrence has reinvigorated the town. The scenic landscape is an essential part of tourism development and reinvigoration for places like Chudleigh. People have no interest is coming to see ugly industrial land uses which are unsympathetic to their experience. They come to enjoy the beauty, not crass, rank ugliness.

Whilst it may be hard to correlate the employment figures between rural industry and tourism given in the NRLUS, there is no doubt the opportunity of tourism has not been adequately reflected in the planning scheme, especially absent is the crucial protection of the area's scenic amenity.

The NRLUS on Page 96 also states under 4.25 Regional Landscape and Scenic Amenity

“Regional Overview”

“There is currently no aggregated view by any agency or authority in regard to scenic values for the region, other than broad references in the State of the Environment Report and Tasmania Together regarding the need for landscape management for natural values and tourism outcomes.

The common issues and values identified are:

- *Importance of scenic landscapes as viewed from major roads and tourist routes/destinations as contributing to economic basis of the tourism industry as well as local visual amenity;*
- *Importance of natural/native vegetation in contributing to scenic values of rural and coastal areas generally, with particular emphasis on prominent topographical features;*
- *Protection of skylines and prominent hillsides from obtrusive development/works.*

DPIWE (2000) produced a document - the Planning Guidelines for Urban Skylines and Hillfaces - to assist in the planning and management of the visual and other values of skylines and hillfaces around Tasmania's major urban areas.”

This is clearly an abrogation of responsibility. It is not even a true statement. However, for a moment let us consider the stated aspirations over scenic amenity and protection of Tasmania Together:

- | | |
|-------------------|---|
| <i>“Goal 21</i> | <i>Value, protect and conserve our natural and cultural heritage.</i> |
| <i>Standard 1</i> | <i>To improve the planning system to value the environment</i> |
| <i>Standard 2</i> | <i>To ensure adequate resources for the conservation of natural and cultural heritage</i> |
| <i>Standard 3</i> | <i>To foster innovative design of the built and landscaped environment</i> |

- Standard 4 To increase the number of people visiting Tasmania's cultural heritage sites*
- Standard 5 To capture Tasmania's stories and make them available to all*
- Standard 6 To identify, conserve and present significant representations of the built and moveable heritage and cultural landscapes*
- Goal 22 Value, protect and maintain our natural diversity.*
- Standard 1 To maintain or improve natural heritage including biodiversity, geodiversity and landscapes"*

This miserable attempt in the NRLUS to undermine the massive and ongoing community regard for the scenic landscape of our region is pathetic and ignorant.

The MVC interim planning scheme must identify and protect the scenic attributes and areas of the municipality that are valued by the community. The scenic protection overlay must assist Council to recognise, preserve and manage the important native vegetation, open spaces, views and vistas and evolved features of the Council area.

We are of the opinion there is a strong intersection between adequate Scenic Management, the maintenance of scenic amenity and Cultural Heritage Landscape recognition and protection.

The Chudleigh community has expressed a clear desire to retain the scenic amenity of the valley and we expect it to occur, not in some half hearted fashion, not later in some other future process but now in this interim scheme, just in the same way as Launceston has proceeded and not as Amendment 4 of 2015 proposes only limited to one of the RLZs.

At any TPC hearing into Amendment 4 of 2015, I would seek to provide the TPC with redrafted provisions over proposed Scheme Character Statements and Scenic Management Objectives and Scenic Management Criteria for the Chudleigh Local Scenic Management Area.

It must be stated that the Meander Valley Interim Planning Scheme has no overall adequate objectives, which consider or relate to scenic amenity. The Rural Resource Zone has the most limited reference to landscape; so limited that one is left with very little with which to work.

As such, the MVC Interim Scheme is against the objectives of The Act. There are no objectives relating to scenic amenity, which support the NRLUS either. With this approach, Meander valley has the strong potential to lose critical natural advantages.

If the TPC requires further evidence over scenic values beyond what we have provided, I recommend a further visit and am willing to provide more evidence about the scenic qualities of our beautiful area.

Recognition of Cultural Heritage Landscapes including Chudleigh Valley

Why would Meander Valley Council not recognise and implement Cultural Heritage Landscape Issues including of the Chudleigh Valley area and deal with Cultural Heritage conservation in a proper way? It is simple really. The Meander Valley Interim Planning Scheme 2013 includes Planning Scheme Objectives, Section 3. Under these objectives in relation to cultural heritage, it has two points and they state:

3.5.2 Cultural Heritage

- *Support the appropriate management of the cultural heritage of Meander Valley including Aboriginal heritage, European heritage and the complex cultural landscapes of the valley.*
- *Ensure sufficient flexibility in the consideration of adaptive reuse of heritage buildings where it will contribute to their survival and ongoing management.*

So, while we are a little concerned the wording does not specifically refer to the conservation of cultural heritage, the intent is clear. The objective should be improved, but the important matter is that heritage conservation is being avoided under the MVIPS.

There is a significant amount of strategic commitment to cultural heritage management and protection in the Northern Regional Land Use Strategy. It is important to note the issues of places, precincts and landscapes. We quote relevant sections from that strategy below:

Northern Regional Land Use Strategy Heritage Policies and Actions

Policies	Actions
CH-P01 Recognise, retain and protect cultural heritage values in the region for their character, culture, sense of place, contribution to our understanding of history.	CH-A01 Investigate planning means to recognise and list places, precincts of heritage significance within planning schemes and spatially define them with associated map overlays. – Separate cultural heritage places and landscapes.
	CH-A02 Ensure that planning schemes include triggers to enable appropriate planning assessment of impacts to the key values of heritage listed places, precincts and landscapes.
CH-P02 Recognise and manage archaeological values throughout the region to preserve their key values.	CH-A03 Ensure recognised significant cultural heritage and archaeological sites are protected by subdivision design and placement of structures.
	CH-A04 Ensure development that includes soil disturbance within areas of archaeological significance is undertaken in accordance with archaeological management plans to ensure values are not lost.
CH-P03 Standardise statutory heritage management at the local level as much as possible.	CH-A05 Listings in planning schemes should be based on a common regional inventory template and heritage provisions should be consistent in structure and expression.
	CH-A06 Base heritage management upon the Burra Charter with heritage provisions in planning schemes drafted to confirm with relevant principles therein.
	CH-A07 State and local government, in

Policies	Actions
	consultation with the community, to determine an agreed set of criteria for determining the relative significance of important landscapes and key landscape values.
	CH-A08 Assess landscape values within the region to determine and provide protective mechanisms for landscapes of regional significance.

It is clear that aesthetic criteria have been included now in the revised Cultural Heritage Act.

It would seem Heritage Tasmania remains subject to phobic avoidance over the issue of Cultural Heritage Landscape protection and especially over large precincts, including land under multiple ownership.

In 2006 I nominated the Chudleigh Valley as a Cultural Heritage Landscape. The nomination has not been properly actioned. There was a number of extenuating circumstances.

However it is reported in a Heritage Tasmania, Works report dated 19-1-2011:

“On 10/01/2006, John Hawkins wrote to the THC (attn. Graeme Corney) requesting that the heritage listing of ‘Bentley’ be extended to incorporate the wider cultural landscape of the Chudleigh Valley. This letter reflected a discussion that had taken place between John Hawkins and Graeme Corney a few months before, and was taken to be a nomination (ID 10799, file 10-91-97 THC). The nomination aimed to protect the valley and its setting from unsympathetic forestry activity, both clear-felling on the surrounding hills and the establishment of monoculture tree plantations on farmland. After some initial investigative work by Heritage Tasmania’s assessment and registration team, the assessment was deemed not to be a current priority and placed in the queue of places awaiting full assessment. In not proceeding with the assessment, Heritage Tasmania took into account the fact that Forestry activities are exempt from the provisions of the HCHA and for that reason the proposed listing would have little effect in affording the protections sought.

The fact of the nomination not being progressed to registration was the subject of considerable dialogue between John Hawkins and Heritage Tasmania and the Tasmanian Heritage Council.

On 23/04/2007 a letter was sent to John Hawkins by Michael Lynch, stating that the THC does not consider itself to be in a position to proceed with the nomination until such time as mechanisms are developed for the identification and regulation of cultural landscapes, actions that it anticipated would result from the review of the State’s heritage legislation. Further correspondence ensued, including correspondence between John Hawkins and the minister for Tourism, Arts & the Environment (which incorporated Heritage).”

More recent correspondence, dated 20-2-2015, from Ester Guerzoni of Heritage Tasmania states:

“Please note that the status of the Chudleigh Valley Landscape in our database is ‘nomination’. The nomination has never been formally rejected by the THC, and no datasheet has ever been presented to the THC.”

This matter of the Listing of the Chudleigh landscape for cultural heritage purposes, thus remains unresolved and ongoing. The Chudleigh area must be one of the great, evolved cultural heritage landscapes of Tasmania.

I could agree now that the nomination of the landscape should not be confused with Bentley, even though I started out seeking an extension to our listing. In those days (10-1-2006), there was no application form for Tasmanian Heritage Register applications.

There is an alignment in some instances between scenic landscape and cultural heritage landscapes. Indeed, in Tasmania that occurs quite frequently when dealing with the matrix of the evolved rural landscape, which often has a backdrop of native forested or woodland hills. In relation to the MVC area Davies in 2006 identified this issue:

"There is a close correlation between scenic character and cultural heritage values in landscape as much of the landscape is a culturally created landscape that is now valued as a scenic asset because of its history and cultural values."

Davies made other statements which link heritage to the landscape in Meander Valley. You should be aware that in the Davies Study (enclosed), Paul Davies stated:

"our overall impression is that Meander contains a very high number of significant buildings, places, features and landscapes that is not apparent when first looking at the area. The setting of the villages, the extraordinary rural landscapes and the sighting of both major and minor farms is unique and sets the council area apart from most other places in Tasmania."

And

"For most villages and towns, for example, it is the collective value of the building stock, street scapes and landscape features that is of heritage value and that provides the character that makes the council area attractive."

And

"We consider that it is important that council be able to require sensitive changes and additions to these buildings so that their physical evidence within the community and landscape can be appreciated and retained."

And

"We have also looked closely at rural landscapes as required in the brief and have undertaken some preliminary mapping of areas. It is our view that the complexity and extent of important rural landscapes in the council area is such that considerably more work than we can undertake is required. We also note that this aspect of heritage presents considerable difficulties in rural management to council. We recommend that rural landscapes not be included in this report as the matters of heritage listing and heritage areas in towns are quite distinct from rural landscape matters and there is likely to be some confusion by including the rural landscapes in the study."

And

"It is the overall heritage character of a place that gives it its unique character. This is reflected in the Conservation Areas. It is essential for the future of a number of the towns, villages and associated rural areas to adequately protect those values while planning for future development. The recommendations or controls for Conservation Areas are designed to protect and enhance the overall heritage value of that area and focus principally on the retention of streetscape and landscape heritage values."

And

"In Meander Valley there are a high number of early places, very fine rural landscapes and settings and some excellent groups of buildings in both town and rural settings."

And perhaps most significantly

"There is a close correlation between scenic character and cultural heritage values in landscape as much of the landscape is a culturally created landscape that is now valued as a scenic asset because of its history and cultural values."

Indeed Paul Davies says other things about landscape and clearly has a strong view about the importance of heritage in its setting.

He continues in the section over precincts:

"Westbury forms part of one of the finest cultural rural and town landscape in Australia,"

So there would seem to be strong evidence of the importance in heritage terms and a correlation between the visual landscape, the setting and the heritage aspects.

Indeed, in the section Progress of Study on page 3, near the start of the Meander Valley Heritage Study Report, Mr Davies states:

"Having completed the fieldwork and write up of fieldwork our overall impression is that Meander contains a very high number of significant buildings, places, features and landscapes that is not apparent when first looking at the area. The setting of the villages, the extraordinary rural landscapes and the siting of both major and minor farms is unique and sets the council area apart from most other places in Tasmania."

Note especially the comment: *"the extraordinary rural landscapes and the siting of both major and minor farms is unique and sets the council area apart from most other places in Tasmania."* We are left wondering whether there may be any ambiguity over what he may mean by the word 'extraordinary'. In this circumstance we argue it means 'exceptional', and 'expressing astonishment'.

Currently Council through its new interim planning scheme is intending to allow the desecration of the extraordinary rural landscapes of Meander Valley and indeed it knows this is an ongoing process, which it has been witnessing and has avoided taking responsibility for over for quite some time now. Council has been delinquent in allowing the scenic amenity of the municipality to be pillaged and that includes our Chudleigh area.

Council has failed to honour the commitments it made to the community when it mothballed the Meander Valley Scenic Management Strategy. Those commitments, which in any case do not met the expectations of the Chudleigh community, were:

"Council put its resources into promoting our scenic values and encourage landowners and developers to consider scenic values in all development and that any regulation in the new Planning Scheme be minimised to focus on encouragement.

Further that Council support the scenic value guidelines of the Forest Practices Board continuing to evolve on a state-wide basis."

The failure of Council to meet its stated commitments and obligations is a betrayal and an unacceptable behaviour in breach of Council's Strategic Plan and probably in breach of the Local Government Act.

The Future Supply of Land for Living Purposes in and around Chudleigh

A very significant amount of residential land for housing stock has been zoned and identified in and around Chudleigh in the Meander Valley Council 2013 Interim Planning Scheme.

A quick perusal of the real estate market shows several residential properties and residential land on the market in our area. Some of these properties have been on the market for some years. Yet other properties have been withdrawn from the market. Very little is selling. A glut is already with our Community, it does not need to be exacerbated by Chudleigh North having subdivision rights.



View to the southwest from Archer Street Chudleigh, Tasmania. Land for Sale, currently Zoned Low Density Residential with a minimum Lot size of Half a Hectare. – Nov 2013. (Photo © A. C. Ricketts)

The Sham of the Liberal Promise of State Policies

The Liberal Government when touting for Government promised State Policies but has now reneged. (See December PIA Newsletter)

Specifically the Tasmanian Liberal Party promised:

“A fairer, faster, cheaper, simpler planning system

“A Majority Liberal Government has a plan to fix the Labor-Green planning mess:”

“State policies for consistency”

Immediately after the election, a majority Liberal Government will provide the leadership and consistency that has been lacking under Labor and the Greens. We will commence drafting state policies to provide the necessary guidance to councils on how to implement the single statewide planning scheme and plan for Tasmania’s future land use needs.

These policies will make clear the government’s intention to once again make Tasmania ‘Open for Business’ and provide certainty to both investors and the community about how the planning scheme will work.

State policies will include, for example, objectives such as:

- Planning and land use is to be geared toward facilitating economic growth and investment;*
- Planning and land use is to take into account future needs of the community and potential growth; and*
- Sustainable and sensible development is to be encouraged to assist in conserving and allowing access to Tasmania’s parks and reserves.*

All state policies will be drafted pursuant to relevant laws and regulations.”

The notion that a Government in waiting promises something starting with *“Immediately after the election”* but then after a couple of years or thereabouts in government has delivered absolutely nothing, is truly pathetic. What untrustworthy drivell!

My guess would be that neither Gutwein nor Hodgeman knows what a State Policy is required to do and if they had understood, the State Policy mechanism would have been used instead of the junking of the whole LUPAA legislation to attempt statewide consistency via another, less elegant, less effective mechanism.

I claim that any Government, which thinks State Policies should come after Planning Schemes is completely delusional. Indeed the Liberals do not even know who is responsible for Policies. See for example, as evidence, the Tasmanian branch of the PIA Newsletter, edition December 2015 (enclosed).

Land Use in Tasmania should be underpinned by a comprehensive set of State Polices, not some second-rate effort done after everyone has gone home. Competent Government includes competent land use planning Policy development.

Unbelievably there is no land use settlement State Policy for the State for example; that is, one that deals with land for settlement purposes, both within and outside the urban growth boundary.

Amendment 4 of 2015 and LUPAA Schedule One Objectives

I claim that in the absence of a suite of Policies and without sufficient implementation of the Northern Regional Land Use Strategy, which is cautiously supported, the LUPPA Objectives cannot be met.

I would, in any hearing tend detail and argument over the extent to which the LUPAA Schedule One Objectives have not been met by way of Amendment 4 of 2015.

Conclusion

Land Use Planning is the most complex task performed by local government and probably the most important as well.

My wife and I, as well as the Chudleigh community have raised many of the issues represented here before and yet because of stupid legislative amendments of 1st Jan 2015, our former right to a hearing was diminished – trashed and now we are going over matters that we consider should have been resolved. Fairer, what rubbish?

We would expect that a hearing be held over this Amendment 4 of 2015 to the Meander Valley 2013 Interim Planning Scheme without the sort of delays, which plagued the previous shambles.

It is impossible to cover in a submission such as this one, all the matters upon which we may rely especially in the circumstance where our previous representations remain un-actioned by the TPC. In any case, the amount of work to date has been immense.

I consider it unreasonable and manifestly unjust that the Jan 1st, 2015 amendment to underlying legislation caused a loss of hearing opportunity. Instead a mere meeting took place involving many of exactly the same issues. That amendment was in itself against the Schedule 1 objectives of LUPAA. Such is the extent of Ministerial incompetence over land use planning in Tasmania.

I seek to provide a field trip to look at the range of issues regarding Amendment 4 of 2015 in the locality of Chudleigh, especially focusing around Chudleigh North. I would provide an agenda and itinerary if required before any such view was taken.

As you can see from this representation, I have a range of issues over which I seek resolution and I would wish to have the ability to achieve an outcome without further delay.

If required I would proceed to a higher jurisdiction.

I consider the arguments and points I have made have strong validity and claim that Council has ignored relevant considerations, which my wife and I, as well as the Chudleigh community have made in our previous representations.

Unless Council progresses in a more enlightened and sustainable way, Council will gradually become more and more irrelevant and our fiscally responsible Municipality will suffer economically, socially and perhaps most importantly, in terms of our amenity and our sense of place.

Meander Valley Municipality urgently needs a modern, sophisticated, local government planning scheme, where important matters such as scenic management and heritage protection are actively and diligently pursued to protect the vital assets it contains in its wonderful scenery and historic places in line with the regional strategy.

Yours sincerely,



John B. Hawkins

Enclosures

Document	File Name on CD
Chudleigh Community Submission	Chudleigh Community Representation to MVC.pdf
Regional Land Use Strategy of Northern Tasmania Version 5.0 January 2016	Northern_Tasmania_Regional_Land_Use_Strategy_-_Revised_-_Effective_06_Jan_2016.PDF
Meander Valley Scenic Management Strategy produced for Meander Valley Council by Inspiring Place Pty Ltd January 2002.	Page 1-43.pdf, Page 44-59.pdf, Page 60-84.pdf, Page 85-133.pdf, scenic - App.pdf.
Article by Peter Gutwein, Planning Minister, Extract from PIA Newsletter, December 2015 Tasmania Planner	Gutwein p.6 Tas Planner 8 (3) Dec. 2015.jpg and Gutwein p.7 Tas Planner 8 (3) Dec 2015.jpg
Amendment 4 of 2015 Notice	NOTICE OF AMENDMENT TO THE MEANDER VALLEY INTERIM PLANNING SCHEME 2013.doc
Meander Valley Interim Planning Scheme Amendment 4/2015 - Rural Living Zone	Amendment 4 - Supporting Report - final.pdf
State Policy on the Protection of Agricultural Land 2009	State_Policy_on_the_Protection_of_Agricultural_Land_2009.pdf
Independent Review of the Report to consider revisions to the Regional Land Use Strategy of Northern Tasmania, Prepared by 10 Consulting Group, On behalf of Northern Tasmania Development, May 2013 report Attachment 2 – Rural and Environmental Living Areas by 10	RLUS Review Recommendations 130530 FINAL Att 2 Rural Residential.pdf RLUS Review Recommendations 130530 FINAL.pdf

Document	File Name on CD
Consulting Group to NTD	
Meander Valley Council Community Strategic Plan 2014 to 2024.	Meander Valley Community Strategic Plan 2014-2024.pdf
Meander Valley Heritage Study Study Report Prepared by Paul Davies Pty Ltd Architects Heritage Consultants February 2006	Heritage_Study.pdf
Constraints Mapping from MVC	Custom Landscape - compressed.pdf
Older MVC Constraints Analysis.	ConstraintsAnalysisPAL08.pdf

END

From: David Kimpton
Sent: 4 Feb 2016 15:38:35 +1100
To: Planning @ Meander Valley Council
Subject: Representation to Notice of amendment to Meander Valley Interim Planning Scheme 2013

The General Manager

Dear Sir

As very recent residents of Carrick (11 Church Street, in Carrick), a property that we purchased predominantly for its visual and rural lifestyle amenity, my wife and I are very concerned about the proposed rezoning of adjoining rural land titles to rural living zones ;(Carrick Specific Area Plan) and the loss of this amenity and of potentially productive land in close proximity to Launceston.

We consider that this proposal will result in detriment to the visual and lifestyle amenity values of our property and in all likelihood other properties directly adjoining the proposed area rezoning.

Issues related to the proposed rezoning have not been addressed adequately to make a fully informed decision over such a large area relative to the size of Carrick and would seem to be completely out of character for this area.. I am also a concerned that a precedent will be set if such a large area of rural land is rezoned to rural living and that this will accelerate the lost of productive rural land by those chasing short term profits and capital gains from speculative activities.

- Land on the western side of the Liffey River (currently rural) presumably productive, would be little different from the issues raised in relation to the area of that proposed for re zoning on the eastern side and hence could encourage further such calls to rezone more agricultural land to rural living.
- Having reviewed the MV Interim Planning Scheme amendment 4/2015 it is apparent that if this were to proceed it would be in conflict with the principals of protecting agricultural land in Tasmania. , which is one of the primary objectives.
- In relation to Carrick the document acknowledges there is extensive existing residential zoned land remaining to be developed , with some 25% of vacant lots undeveloped, and at the current rate of development there is excess capacity for some 180 years.
- Noticeably there is an absence of capacity within existing services and infrastructure namely in terms of waste and storm water networks and water reticulation. If no services can be installed economically for rural residents then increased use of septic systems may result in increased

- ground water contamination and effluent migration towards the Liffey River and adjoining property which may be downslope of habitation.
- Impacts such as changes to traffic management, frequency of movements, noise levels, drainage , services infrastructure have not been defined in context of development activity that may arise from this rezoning..
 - The alleged economic benefits of 38 additional households to Carrick are likely to be minimal compared potential future rural industry development (jobs are required to hold people in an area). The number of businesses active in Carrick is little changed from 10-12 years ago. (Only the Carrick Mill and one other small business seemed to have closed.)
 - Close proximity to Launceston City means most people will tend to use Launceston businesses as the motorway is nearby with the city within easy commuter distance.
 - The Agriculture Report - Bishopbourne Road Carrick, makes only reference to existing traditional sheep and beef grazing and occasional cropping as being of "hobby farm value only", yet describes some 60% of the proposed area being productive agricultural land, this would indicate that only 40% of the proposed area to be rezoned is considered not productive. The ATO interpretation of profitability of rural enterprises would suggest that if a profit is made you should be paying tax.
 - The report does not consider the trend to high technology and increasingly intensive farming systems ; and the loss of capacity of land well serviced by major sealed roads , close to Launceston and industry infrastructure such as an animal feed mill nearby.
 - Cleared agricultural land with potential for connection to an irrigation scheme has a premium value in this respect especially for intensive agricultural development.(Given the restrictions on native vegetation clearing). Road infrastructure and natural features such as the Liffey River can be considered assets, rather than viewing them as liabilities or perceiving them as the reason for a lack of connectivity to wider agricultural areas. There is no evidence of this.
 - The classification of land according to land use capability may need to be re- evaluated in light of the movement to hi tech agriculture and intensive farming systems.
 -
 - Alternatively, rezoning of rural to rural living such as that proposed for the Hadspen area is a much better fit in terms of developed infrastructure and minimising the loss of productive agricultural land.

Please give some serious thought to the issues raised here as they are not making any more land and food security and the availability of productive agricultural land in proximity to large population centres will become one of the biggest issues for the world in the future.

David.R and Sheridan.A Kimpton

Ph: 0418895615

141 Bishopsbourne Road,
Carrick, 7291.
January 20, 2016

Greg Preece,
General Manager,
Meander Valley Council,
Westbury.

Index No.	502 02 010		
Doc No.			
Batch No.			
RCVD	22 JAN 2015	MVC	
Action Officer	MG	Dept.	DS
EO	OD	<input checked="" type="checkbox"/>	BOX

Re: Meander Valley Interim Planning Scheme amendment

Dear Greg,

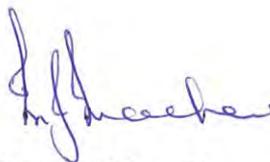
While very keen to see our property, along with the properties of our Bishopsbourne Road neighbours, rezoned from rural resources to rural living, it is not our intention to over subdivide our property.

If the application for rezoning is successful we would be looking to subdivide into only a limited number of larger acreages in keeping with what we know is in demand around this area.

Land of ours that borders the Carrick Pacing Track and, in turn, the speedway facility would be kept as a larger parcel of land. This we feel would enable, almost guarantee, dwellings would have a sufficient buffer. Also at this stage, we only have an intention to consider selling land directly accessible from Bishopsbourne Road.

We appreciate that it could be feasible through early plans devised by the Meander Valley Council to divide our property into smaller sub-lots but we ourselves appreciate the benefits of privacy. We are most keen to retain a sizeable acreage to continue to enjoy the wonderful lifestyle that living at Carrick allows in its proximity to Launceston and urban facilities.

Thanking you in anticipation of a favourable outcome in this matter.

 D.W. Knox

Dane and Mary Knox
Dane's mobile: 0419 552970

302-06-040

Index No.			
Doc No.			
Batch No.			
RCV'D	05 FEB 2016	MVC	
Action Officer	MG	Dept.	OS
EO	OD	<input checked="" type="checkbox"/>	BOX

Meander Valley Council
 4-2-16
 Re. Rural Living zone Amendment.

Please consider the following.

My property shares a boundary with an existing rural living zone property.
 My property has similar attributes to the surrounding Rural living properties.
 There is a 1 acre lot with existing house already on the property when I bought it 2004.
 The property is not suitable for agriculture but the native vegetation is suitable for a small herd of Alpaca.
 It is not clear to me my the distinction has been made between my property and the adjacent Rural Living Zone.

Sincerely,
 Ken Manning.
 374 Quamby Brook rd.
 Deloraine- Quamby Brook.

Index No. 502 06 040				
Doc No.				
Batch No.				
RCVD	0 2 FEB 2016			MVC
Action Officer	80	Dept.	PS	
EO		OD	✓	BOX

Unit 53

Masonic Peace Haven

177 Penquite Road

NORWOOD 7250

Mr G. Preece
 General Manager
 Meander Valley Council
 PO Box 102
 WESTBURY 7303

Dear Greg,

RE: Draft Amendment to the Meander Valley Interim Planning Scheme 2013 for Rural Living

I am in receipt of your letter dated 15 December 2015 and received from Martin Gill re the proposed rezoning of my property at Weetah, Volume 228500 Property ID 627 4686.

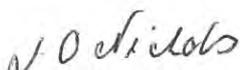
Private Timber Reserve was registered for this property on 2nd August 1990, No. 0103.

As you are aware A Private Timber Reserve (PTR) is an area set aside for private forestry activities. "Forest Operations" conducted on a PTR are exempt from the provisions of a planning scheme or interim order under the "Land Use Planning and Approvals Act 1993". Therefore, the owner of a declared PTR does not need to apply to Council for a permit in relation to forestry activities, land clearing and preparation, burning off, construction of access roads or transport operations associated with forestry activities.

I therefore wish to maintain my right to conduct forestry activities in the future and hence do not want to have this property included in the proposed rezoning to Rural Living.

I have requested Tony Stonjek from AKS Forest Solutions Pty Ltd to act on my behalf concerning any forestry related matters pertaining to this block and should you have any questions you may contact him on 0419 573 205. My daughter Lyn Dent is also available on 0439 639 731 if you require additional information.

Regards


 John Nichols

Index No. 502 06 040				
Doc No.				
Batch No.				
RCVD	0 2 FEB 2016			MVC
Action Officer	80	Dept.	PS	
EO		OD	✓	BOX

Unit 53

Masonic Peace Haven

177 Penquite Road

NORWOOD 7250

Mr G. Preece

General Manager

Meander Valley Council

PO Box 102

WESTBURY 7303

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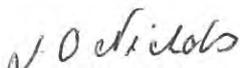
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Regards


John Nichols

DEV 2

Index No. 502 06 040			
Doc No.			
Batch No.			
RCVD	01 FEB 2016		MVC
Action Officer	DO	Dept.	DS
7201	OD	/	BOX

Grawood
 PO Box 83,
 Carrick, Tas. 7201.
 1st February 2016

General Manager,
 PO Box 102,
 Westbury, Tas. 7303.

Dear Sir,

Representation to Planning Scheme Amendment.

I refer to the Notice of Amendment to The Meander Valley Interim Planning Scheme 2013, as advertised during December 2015, and note that while I support the Amendment in total, I wish to make this representation entirely to the Bishopsbourne Road Specific Area Plan.

The proposal to allow subdivision and rezoning of rural land along the Bishopsbourne Road at Carrick has been supported by Council for a number of years, plus has strong support of residents in the Carrick area plus general public in Meander Valley and Northern Tasmania.

I am aware of this overall support based on the petition dated 12th October 2012, with Robert G Richardson as Principal Petitioner which was presented to Council on 11th December 2012 and also the Carrick Community Representation with some 240 resident signatures which I believe has been supplied to Council as a representation to the above Amendment.

As we all are aware the process to finalise the Planning Scheme has been in progress for many years, with Council always being compliant in relation to requirements they have been instructed to follow in setting up an Interim Planning Scheme, plus Council have ensured there have been sufficient community consultation process in relation to rezoning issues.

I believe Meander Valley has a lack of land zoned Rural Living compared to surrounding municipalities and if I am correct, I also believe this is the opportunity to correct the imbalance. I am not aware of actual demand for this zone in other municipalities however I know firsthand there is a strong demand in Meander Valley and the Carrick area in particular. If the SAP for Bishopsbourne Road as proposed by Council is approved, it will

give the Carrick Village a tremendous economic boost which I believe will assist in halting the present business decline.

WHY SHOULD THE BISHOPSBOURNE ROAD SPECIFIC AREA PLAN BE APPROVED AS PART OF THE AMENDMENT AND THEN IMPLEMENTED?

It is a practical solution to a known shortage of suitably zoned land in the area.

The rezoning and subsequent development can be achieved with limited infrastructure requirements.

Bushfire Hazard Management Plan has been established for the proposed area.

Three of the four properties within the proposed area are currently connected to TasWater reticulated water supply and two of the properties have a boundary on the Liffey River.

Three of the four properties have a portion of their land area within the Carrick Village boundary.

The properties within the SAP proposal have clearly defined boundaries, with Liffey River to the West, Bass Highway to the South and the Carrick village to the North, this limits any additional development in the future.

The land class for the area is assessed as, 4, 4/5 and 5, which combined with the physical boundaries limits agricultural pursuits for the area.

The proposed subdivision capacity for the SAP based on Council recommendation is 40 lot's, this would be a maximum and would be reduced if smaller lots within village boundary were not considered, although these suggested lots better allow Rural Living Zone land to merge with adjacent residential properties. Infrastructure requirements will be minimal, with Hydro power easily assessable, direct road access to the majority of lots, Bishopsbourne Road of a standard to cope with additional traffic volumes.

The area is within 15 kilometres of Launceston, thus making it easy for potential new residents to commute to Launceston for work or schooling.

There have been a number of business closures in Carrick Village over a period of years and the introduction of available Rural Living Zone land will provide a much needed economic boost to the village.

I believe the SAP for Bishopsbourne Road as identified by MV Council for rezoning to Rural Living is in accordance with the criteria for rural living in the Northern Tasmanian Regional Land Use Strategy. It ticks all the boxes, is appropriate to allow for further subdivision and is consistent regionally.

The proposed land to be rezoned will have no adverse impact on Agricultural Zone properties around the Carrick area.

There appears to be no conflict with stated requirements for the Rural Living Zone and hopefully there will not be any unwarranted delay due to the pending introduction of a Single State Planning Scheme, let us take this opportunity to give Meander Valley Municipality a fair share of Rural Living Zone land to assist with a boost to economic development in the area. I have attached a concept plan for the applicable area as drawn up by Bullock Consulting based on Council's proposal.

In summary I note that this representation is one of many similar that have been provided by myself over a number of years, I now believe that all previous sticking points plus TPC requirements have been addressed by those responsible and hopefully a clear path forward can be provided, for a much needed amendment to the Meander Valley Interim Planning Scheme 2013.

Yours faithfully,



Graham Nott.

Enc.

CONCEPT PLAN 'B'



ARCHITECTS
SURVEYORS
ENGINEERS

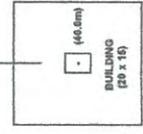


Head Office:
170 Main St.
Toronto, Ontario M5H 2B4
Tel: 416 593 1100
Fax: 416 593 1101
www.bullockconsulting.com

Branch Office:
207 Dundas Street West
Toronto, Ontario M5G 1G8
Tel: 416 593 1100
Fax: 416 593 1101

DATE	ISSUE	DESCRIPTION
01	01	ISSUED FOR INFORMATION

HAZARD MANAGEMENT AREA



DESIGNERS ARE NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED IN THIS PLAN. ALL WORK SHALL BE CHECKED BY AN ACCREDITED PROFESSIONAL ENGINEER OR SURVEYOR. A LOCAL AUTHORITY IS RECOMMENDED.

PROJECT: MENADER VALLEY COUNCIL
DRAWN BY: GLE
DATE: 1.5.2008

PROJECT: CONCEPT PLAN 'B'
SCALE: 1:5000
DATE: 1.5.2008

PROJECT NO: 14.026 DRAWING NO: P01B X

3rd February 2016.

Mr. Greg Preece,
General Manager,
Meander Valley Council,
PO Box. 102,
Westbury, Tas. 7303.

Index No.			
Doc No.			
Batch No.			
RCVD	04 FEB 2016	MVC	
Action Officer		Dept.	
EO	OD	BOX	

Dear Sir,

Amendment 4/2015 - Representation.

Although I am a signatory to the Carrick Community Representation, I felt it necessary to place my personal thoughts on an individual representation to the Amendment.

As a property owner directly involved with rezoning changes proposed within the Amendment I am aware of some issues that have constantly held up progress to have the properties in Bishopsbourne Road rezoned. I understand that these issues have now been addressed by Council and the way forward cleared for a successful implementation of amendment suggestions for the area of Bishopsbourne Road.

There is strong demand for "Lifestyle" / "Rural Living" lots in the area surrounding Carrick this is evident to me due to many personal contact/requests from general public seeking to purchase small holdings. It is my opinion that these constant requests for this type of land in this area is caused by the lack of suitably zoned land in Meander Valley. My opinion on this is reinforced when I consider for example, the rezoning of land in an adjoining municipality at Swan Bay (Tamar Valley), if this land was subdivided into minimum sized lots I believe it would give the same yield as the total lots requested in the complete Meander Valley Amendment.

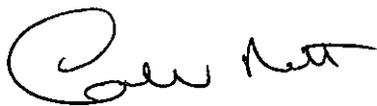
I also believe the current MV Amendment is a good fit with the planning requirements in the proposed Single State Planning Scheme. Government at all levels realise that currently many areas are "doing it tough" this is especially true in Meander Valley due to general

economic conditions plus the recent extreme weather and its influence on a municipality that relies heavily on agriculture. There is widespread community support for the amendment this is in part due to continual community consultation by Council, allowing a majority of community members to understand the basic aim of the amendment.

The Carrick village and surrounds has been in starvation corner for far too long, please see that the amendment is approved which in turn will assist in bringing the area back to full health, making small business more viable, with the whole area looking to a brighter future.

This is an opportunity that should not be missed please make a decision that is good for Tasmania, Meander Valley and the residents of Carrick Village and surrounding area.

Kind Regards,



Colleen Nott.

54 Bishopsbourne Road.
Carrick,
Tasmania. 7291.

From: Lisa Parker
Sent: 15 Jan 2016 12:10:26 +1100
To: Planning @ Meander Valley Council
Subject: Submission for subdivision of land in a rural living zone.
Importance: Normal

Dear General Manager,

We received your letter regarding the draft amendment to the Meander Valley Interim Planning Scheme 2013 for Rural Living regarding our property at 189 Ginns Road Birralelee. Known as Lot 1 Ginns Road Birralelee. Certificate of Title No: 35048.

We would like to put forward a submission to subdivide this land. We purchased this land in 2008 intending to build our 3 bedroom home. When we purchased the land approval was in place for a 1 bedroom A-frame dwelling in a corner of the block. In October 2008 we submitted plans to the council for a 3 bedroom home to be built in another position on the land which was refused due to the Amendment 1/2007 prohibiting development on land less than 40ha in size.

This left us with a debt to purchase the land and unable to build our home. We felt we would not be able to sell the land for half what we paid, as a new owner would also want to build their own bigger dwelling. The land is unsuitable for agricultural purpose as it is too steep. We ended up borrowing the money to build the 1 bedroom A-frame in 2012 at a cost that blew out by thousands of dollars due to the previous owners plans not meeting head heights for the staircase, meaning the cheap wooden stairs became a metal spiral staircase and then we needed to add a space for a laundry that was not included in the plans.

We do not live in the A-frame and we would be interested in subdividing the land into as many blocks as possible and would look forward to building our 3 bedroom home.

Regards,

Lisa and Michael Parker
1000 Sawpit Hill Road
Blessington
Tasmania 7212

0363 906 205
lisa.mp@live.com.au

From: Melanie Roberts
Sent: 21 Dec 2015 15:37:43 +1100
To: Planning @ Meander Valley Council
Subject: Draft amendments to the Meander Valley Interim Planning Scheme 2013 - specifically, MEANDER

Hello to everyone in Planning

My partner, Ken Philpott of 32 Whiteleys Road, MEANDER, has asked me to do some research on his behalf relating to draft amendments to the Meander Valley Interim Planning Scheme 2013, concerning rezoning of land and provisions for subdivision, in Meander specifically.

Following MVC website directions that 'Documents relating to the draft amendment can be viewed at: www.meander.tas.gov.au', I've been through the Unconfirmed Council Minutes for Dec 2015, plus the Interim Planning Scheme 2013 – Ordinance document and the Zone Mapbook.

I have some questions:

- I can't find a key explaining the differences in font colour in the Interim Planning Scheme – could you fill me in, please?
- What are the '*attached certification documents*' referred to in the Unconfirmed Minutes? (Decision - 1. Rezone Certificates of Title, p 14-15)
- Where do I find information about '*the inclusion of provisions ... to provide for subdivision in specific locations*'?
- And are there any other relevant documents on the website that you can refer me to?

I look forward to being guided through this information-gathering process.

Cheers.

Melanie Roberts
31 Harley Parade
PROSPECT VALE
0419 328 957

From: Andrew Ricketts
Sent: 5 Feb 2016 15:59:22 +1100
To: Greg Preece;Jo Oliver;Martin Gill;Meander Valley Council Email
Subject: Representation re Amendment 4 of MVCIPS
Attachments: A C Ricketts Representation on Amendment 4 of 2015 to thepdf

Dear Mr Preece

Please find attached my representation.

--

Sincerely
Andrew Ricketts
780 Larcombes Road
Reedy Marsh 7304

Andrew Ricketts
Bradys Creek
780 Larcombes Road
REEDY MARSH 7304
Phone 03 6368 1343
Email: AndrewRicketts@antmail.com.au

5th February 2016

Greg Preece,
General Manager
Meander Valley Council
26 Lyall Street
Westbury 7303
By email to: greg.preece@mvc.tas.gov.au

CC: Martin Gill, Development Services Director. Martin.Gill@mvc.tas.gov.au

Jo Oliver, Senior Planner. jo.oliver@mvc.tas.gov.au

**Representation to Amendment 4 of 2015 to the Meander Valley Council 2013
Interim Planning Scheme**

Introduction

I am responding to the Notice Of Amendment To The Meander Valley Interim Planning Scheme 2013, which states:

“At its meeting of the 8 December 2015, Meander Valley Council initiated and certified a draft amendment to the Meander Valley Interim Planning Scheme 2013 to:

- *rezone land to Rural Living Zone at Carrick, Chudleigh, Tomes Road, Elizabeth Town, Golden Valley and Weetah;*
- *rezone two titles to Rural Resources Zone at Liffey;*
- *provide for subdivision in various Rural Living Zone localities;*
- *apply a Specific Area Plan to land at Carrick;*
- *apply a scenic management overlay at Chudleigh;*
- *include Local Area Objectives and Desired Future Character Statements in the Rural Living Zone Purpose for land to be rezoned at Weetah;*
- *insert a site specific qualification into section 13.2 Rural Living Zone Use Table for land at Weetah;*
- *delete Section 13.4.1- A4(b) - 200 metre setback to the Rural Resource Zone.*

Pursuant to s.38 of the Act, the draft amendment documents are available for public inspection. Any person may make a representation during the exhibition period commencing Saturday 12 December 2015 and closing Friday 5 February 2016.”

This document is my representation made within the above stated period. Additionally I have read the Council planner’s report on the Amendment.

I strongly support the proposal to: “*delete Section 13.4.1- A4(b) - 200 metre setback to the Rural Resource Zone.*” My reasons are included below.

I also make comment about the issue of scenic management overlays, as only one is proposed and I consider this to be inadequate.

This representation however is primarily about the area, zoned Environmental Living Zone around my private land holding at Reedy Marsh, which has a 20 Ha Minimum lot size.

I also comment on subdivision matters of importance to my amenity and life here in the broader locality where I live, Reedy Marsh, including the various zones prevalent in my locality.

This Planning Scheme Amendment has been in the pipeline since 2007 when the PAL Policy amendment to the 1995 Scheme destroyed the conventional economic opportunity of Rural Living residents to develop their land.

In general I support the right of people who own land being able to develop it within the context of a genuinely sustainable activity, which incidentally precludes land clearance and various other extractive industries, which it can be shown draw down and otherwise diminish nature.

Previously I have welcomed Meander Valley Council’s rezoning of my land to the category of Environmental Living Zone, which is an extension to the area at the end of Larcombes Rd in Reedy Marsh, which was formerly Zoned Residential Low Density C in the 1995 Scheme.

My land was originally in the Rural Zone of the 1995 Scheme and that became the Rural Resource Zone in the ‘Right to Farmist’ PAL amendment of 2007 despite my clearly articulated, repeated objection.

I have supported this residential rezoning to the Environmental Living Zone, as it became, on several occasions in drafts, interim drafts, and still more drafts. So I consider I have been completely forewarned and I am entirely comfortable with and supportive of the concept of the Environmental Living Zone.

I welcome too the then Minister Bryan Green’s decision to accept the reviewed sections of the Northern Regional Land Use Strategy (NRLUS) which included revised strategy for Rural Living and Environmental Living. I again thank the Council’s planning section, who seem to understand the potential for positive economic and social and environmental outcomes from the Rural Living and Environmental Living land use for our region.

An Interim Scheme, although operational is not necessarily finalised and can indeed respond to community aspirations and so in general I support the fact that Amendment 4 of 2015 has occurred.

In this representation I both support and seek changes to the MVC Interim Planning Scheme (IPS) .

I do not support the colonial styled State Government which has in essence in a heavy handed way trashed years of good work around Local Governments working together to develop regional outcomes for land use planning in Tasmania.

Generally, however I am very critical of the lack of adequate scenic protection, as well as the numerous exemptions for extractive industries that I, being a rural resident in the Environmental Living Zone, seem to not be able to enjoy but rather am resultantly adversely affected by the impacts of adjacent activities in adjacent Zones, especially Forestry. I find this discriminatory, unfair and unwarranted. In general the exemptions diminish the credibility of the planning scheme.

Regional Land Use Strategy of Northern Tasmania

The MVC Interim Scheme must have a statutory connection with the Regional Land Use Strategy of Northern Tasmania¹ This was covered in The Act (LUPAA) Section 30E (6). This aspect of the legislation has now been trashed and has become limited to the lesser portion of the upcoming State scheme and the Local provisions. However it remains that the current Regional Land Use Strategy of Northern Tasmania states:

“Following review by the Tasmanian Planning Commission, the RLUS will be declared a statutory instrument under Section 30c of the Land Use Planning and Approvals Act 1993 by the Minister for Planning. The effect will be that the approval of new planning schemes, planning scheme amendments or projects of regional significance must be in accordance with the Strategy. The Act also requires the Minister to ensure that the Strategy is subject to periodic review.”

The Regional Land Use Strategy of Northern Tasmania is supported and notwithstanding there is a need to both retain the NRLUS and to also review the whole NRLUS document, by examining how a strategy document could be structured so that it better informs the regional planning schemes in a more pro-active way. I am not a supporter of the demise of local government planning in Tasmania. I wish to encourage Meander Valley to likewise actively argue for the retention of local government planning and to not see its demise down to that of a permit authority.

The Regional Land Use Strategy of Northern Tasmania is the document that underpins the eight new Regionalised Interim Planning Schemes, so it should provide a considerable indication of community aspirations for land use in Northern Tasmania.

Unfortunately the aspirations of the community are not fully reflected in the Strategy.

¹ at http://www.planning.tas.gov.au/the_planning_system/regional_planning.

The 2011 NRLUS plan, is for the period from 2011 to 2032, a very long period indeed. I claim the Northern Regional Land Use Strategy is already largely out of date and wish to encourage a complete revision. I understand the Minister for Planning has already and inappropriately in my view, stymied this initiative of the 8 Councils.

The well-structured 2013 review of some parts of the NRLUS does not solve the myriad of other problems in the NRLUS document.

The document is not effective as a Regional Land Use Strategy though this has been somewhat redressed with the welcome 2013 amendments, which could be argued underpin the MVC Amendment 4 of 2015.

That said, the 2013 revision of sections of the NRLUS will almost invariably improve the document and the economic outcomes for our region. In any case I reiterate the document is supported and urge it should be revised and enhanced.

Only by listening to the community will the colonially styled Tasmanian Government change its overly restrictive approach to living in rural Tasmania and for a range of valid land use purposes and businesses other than forestry and farming.

The vision identified for Northern Tasmania is:

“To create a region that through innovation and strong partnerships makes intelligent use of its natural advantages to create a positive, affordable and competitive future for all our communities.

By joining together, Northern Tasmanian councils and communities can create platforms for sustainable economic prosperity while maintaining our beautiful and unique environmental assets.

We will enhance the region’s attractiveness as a place to live, invest and visit; and seek to enhance the quality of life for all both now and into the future.”

My emphasis in bold.

The Vision is supported, as far as such motherhood statements can be supported.

I would contend that currently the region does not make intelligent use of its natural advantages. Indeed only brief mention is made of them and there is no analysis of their worth or even a moderately complete appraisal of their extent.

Regarding the region’s unique environmental assets I have struggled to find an appraisal of their extent or worth.

In relation to Amendment 4 of 2015 that is relevant because both Environmental Living and Rural Living areas potentially have impact on our Natural Advantages, some positive and some negative.

It would be my argument that in relation to the Amendment 4 of 2015 proposal: *“delete Section 13.4.1- A4(b) - 200 metre setback to the Rural Resource Zone.”* That its deletion fully meets the NRLUS vision *“To*

create a region that through innovation and strong partnerships makes intelligent use of its natural advantages to create a positive, affordable and competitive future for all our communities.”.

The Regional Land Use Strategy of Northern Tasmania Relevant Rural Living and Environmental Living Policies and Actions

Below I comment on whether the Reedy Marsh Environmental Living Zone (ELZ) meets the Regional Land Use Strategy of Northern Tasmania (NRLUS) for relevant policies and actions. In developing an understanding of the value of Amendment 4 of 2015 this is crucial.

Amendment 4 of 2015 includes the Reedy Marsh Environmental Living Zone (ELZ) and allows a 25 Ha min lot subdivision.

My covenanted land at Reedy Marsh includes three titles and the ability in one of the Covenants to subdivide down to 35 acres (about 14 Ha) minimum lot. The other part of the parcel would be 100 acres (about 40 Ha)

POLICIES

RSN-P21 Rural and environmental lifestyle opportunities will be provided outside urban areas.

Reedy Marsh ELZ meets the NRLUS Policy RSN-P21, as the area is not urban.

RSN-P22 Rural and environmental lifestyle opportunities will reflect established rural residential areas.

Reedy Marsh ELZ meets the NRLUS Policy RSN-P22. This is a long established area.

RSN-P23 Growth opportunities will be provided in strategically preferred locations for rural living and environmental living based on sustainability criteria and will limit further fragmentation of rural lands.

Reedy Marsh ELZ meets the NRLUS Policy RSN-P23, but noting that the term “rural lands” is not defined.

RSN-P24 Growth opportunities for rural living and environmental living will maximise the efficiency of existing services and infrastructure.

Reedy Marsh ELZ partially meets the NRLUS Policy RSN-P24 in that it is sited down an existing long established Council maintained road and another road which has been in existence since the 19th century. Some blocks are connected to the electricity grid and some avoid such a service. Some blocks will be benefited by a communal water supply including for fire fighting purposes.

ACTIONS

RSN-A19 Rural living land use patterns will be identified based on a predominance of residential use on large lots in rural settings with limited service capacity that are outside urban areas.

Reedy Marsh ELZ fully meets the NRLUS Action RSN-A19. There is no other Use than Residential here except Natural and Cultural Values Management.

RSN-A20 Planning schemes should prioritise the consolidation of established rural residential areas over the creation of new rural residential areas.

Reedy Marsh ELZ meets the NRLUS Action RSN-A20.

RSN-A21 Target growth to preferred areas based on local strategy and consolidation of existing land use patterns.

Reedy Marsh ELZ meets the NRLUS Action RSN-A21. We have long had a well-considered local strategy for this land use pattern.

RSN-A22 Planning scheme provisions must specifically enable subdivision opportunity to preferred areas by setting minimum lot sizes based on locality.

Reedy Marsh ELZ does not necessarily meet the NRLUS Action RSN-A22. But importantly conservation covenants often preclude subdivision so for an ELZ such as Reedy Marsh there would be land for new housing stock due to the presence of undeveloped titles and through the occasional boundary adjustment.

RSN-A23 Ensure future locations of the Rural Living zone will not require extension of the Urban Growth Boundary Areas, compromise productivity of agricultural lands and natural productive resources.

Reedy Marsh ELZ fully meets the NRLUS Action RSN-A23.

RSN-A24 Ensure future locations of the Environmental Living zone do not compromise environmental values.

Reedy Marsh ELZ fully meets the NRLUS Action RSN-A24. The level of in perpetuity conservation protection here is very high with only one title not permanently protected and there is a high percentage of protected covenanted area per the overall land area of the titles in the Zone. Landowners in the ELZ practice Natural and Cultural Values Management.

RSN-A25 Consolidation and growth of rural living and environmental living areas is to be directed to areas identified in local strategy, that align with the following criteria (where relevant):

- *proximity to existing settlements containing social services;*
- *access to road infrastructure with capacity;*
- *onsite waste water system suitability;*
- *consideration of the impact on natural values or the potential land use limitations as a result of natural values;*
- *minimising impacts on agricultural land and land conversion*

- *minimising impacts on water supply required for agricultural and environmental purposes;*
- *consideration of natural hazard management;*
- *existing supply within the region;*
- *potential for future requirement for the land for urban purposes; and*
- *the ability to achieve positive environmental outcomes through the rezoning.*

I am yet to sight the Local Strategy but believe it to potentially be a useful idea, notwithstanding the large amount of work already done by Council's Planners on this subject. Now it is claimed:

"The Meander Valley Council strategy for rural residential land use is the regional strategy for rural and environmental living areas."

It would be especially useful to have a discussion over all areas and all rural residential zonings especially regarding the thorny issue of Minimum Lot Size, across the various residential zones and over specific areas because the concept has limited utility in complex situations.

I thus encourage a consultation, which includes refinement of local objectives, and minimum lots sizes and associated zonings. But in relation to the dot point list above Reedy Marsh will meet many of the criteria both for the ELZ zone and the Rural Living Zone.

In general I prefer the approach taken over the new Carrick Rural Living Zone where there is a plan of the whole area.

Because the Larcombes Rd Reedy Marsh ELZ has all its land parcels planned out in advance by way of conservation covenant design including exclusions for residential use, a similar end result can be asserted and it can also be asserted that it was clearly intended by residents to be a residential zone, which conserved nature.

Other Strategies

The MVC Local Land Use Strategy² is now less relevant but is still a consideration. The Regional Land Use Strategy of Northern Tasmania does not seem to replace the Meander Valley Land Use and Development Strategy 2005.

The goals and aspirations of the old MVC Municipal Strategy³ also remains relevant, although replaced in 2014. The current one was a trashing of the old one and has no validity.

² Meander Valley Land Use and Development Strategy 2005
Community Strategic Plan 2014 to 2024

Tasmanian Planning Commission and PAL

The MVC 2013 Interim Scheme reflects and of course submits to the Protection of Agricultural Land [PAL] policy. The PAL Policy dominates zone purpose and local objectives of the Rural Resource [RR] Zone. People's rights to build in the RR Zone have been, if anything, further reduced from the 2007 PAL amendment to the old 1995 MVC Scheme.

PAL, has been the catalyst for converting the Rural Zones of all Municipalities in Tasmania into Rural Resource Zones via Planning Directive No 1 and the associated State Planning Template. As a consequence there has been a demonstrable and documented loss of development economic activity for rural Tasmania, at least in MVC area and the north anyway. This has occurred in a way that was untransparent and not fully understood by many parts of the community.

The PAL Policy is, in fact, a defacto anti-settlement policy but not surprisingly Tasmania has no genuine settlement policy. Consequently there was never a balancing of the aspiration to protect agricultural land with the valid and reasonable need to provide for a range of settlement options within rural Tasmania, Australia's most decentralised state. This is an unmitigatedly disastrous land planning deficiency.

I have noted that the Tasmanian Planning Commission has long made up its mind regarding the dominance of PAL in the rural landscape. I do not support this approach and consider it to be not a sustainable outcome.

My perception is the TPC has sought to prevent Meander Valley (and other Councils) from making zone changes to bring its planning scheme into the 21st Century to reflect current land use patterns and to satisfy the aspirations of residents in a situation where there is no state settlement policy and where there is a long standing historical land use pattern.

MVC has re-zoned some of the RR Zone areas into Rural Living Zone [RLZ] and Environmental Living Zone [ELZ] areas. This means that the IPS is not a direct translation of the completely out of date 1995 MVC Planning Scheme. This action is supported.

The TPC seems to think the new batch of regionalised Interim Planning Schemes can and must avoid "Active Rezoning" but the result of such a dictum would not be adequate. Meander Valley Council is to be supported for adopting a more realistic, fair and progressive approach.

I will comment more about PAL and the notion of fettering and the open slather nature of the rural resource zone later in this representation.

I continue to object to a 200m setback standard for sensitive use being applied to the Rural Living Zone [RLZ] and Environmental Living Zone [ELZ] areas, that has rural residents paying for the pollution and other excesses of farmers who get a buffer zone at their neighbours' expense ostensibly on the principle of the operation of the PAL Policy which stands alone amid a virtual dearth of land use planning policy in Tasmania.

This 200 metre setback is a most serious, unjust, inequitable, discriminatory and unreasonable limitation on one's use of land while the adjacent landowner has cart blanche to the boundaries. Such an onerous restriction would indeed devalue land.

Many, many blocks of land would be unable to be developed for people wishing to simply live on their land. Two hundred metres is a long distance. Thus the proposal by Council to delete the 200 metre setback to sensitive use is overdue.

There has been a contention of agricultural land use conflict but apart from the plantation fiasco and the mostly diminished native forest logging there is no evidence of this for agriculture.

There is no doubt that aerial spraying of plantations remains a threat but 200 metres is not a protection from that activity at all and to pretend that it is would be laughable. What is required is the revision and reform of the aerial spraying code and guidelines and the incorporation in that regulation of adequate safeguards for people living in the country.

My Personal Situation and New Zoning Supported

I moved to a remote part of Reedy Marsh in 1991, having lived in Launceston City since 1988. I had decided that the amenity and lifestyle I sought was not to be found in a city or indeed in a country town or developed rural location. I looked at all those options when planning to move.

I sought a location with a low level of past extractive use and degradation, surrounded by elements of nature, including fresh unpolluted water, clean air, peaceful environs, a quality visual landscape amenity and land which was reserved from development.

Since 5th September 1991 I have been the registered proprietor of the property at 780 Larcombes Road at Reedy Marsh, in Tasmania, PID 6273659, Certificate of Title Volume 221026 Folio 1. I have resided at this address since November 1991. It adjoined the land, PID 6273632, being CT 134752/1 and CT 204936/1, which I purchased from my neighbour Mr Pemberton in 2007. After CT 204936/1 transferred, I amalgamated both the new land titles with my original title, CT 221026/1, for rating purposes and the three titles became PID 3011274.

I decided to attempt to purchase the land next to mine when it unexpectedly came on the market in 2007 with an aim to protect my amenity, because the sad truth of the matter is, it is almost impossible to protect private rural land in Tasmania from extractive woodchipping using current planning and forestry laws. Unfortunately, direct purchase remains the principal solution in such cases. It is an under sufferance situation which reflects an unsustainable, primitive planning system and local scheme. As well, my road access was in part across this private land so it was important. It had come on the market and was being handled by Gunns Ltd's real estate agency, Elders and the message was clear.

Both the restrictive conservation covenants over my three titles predate the Meander Valley 2013 Interim Planning Scheme.

My property has virtually no accessible or usable rural (agricultural and forestry) "resources", mainly because its titles have two secure, in perpetuity restrictive conservation covenants covering over 87% of the land area and those secure covenants prevent normal rural resource and "Primary Production" activities that might otherwise be carried out in the

Rural Resource Zone. Further the land has low land capability and limited agricultural potential.

As a consequence, other development options I may wish to pursue, in terms of offsetting the loss of extraction, which I voluntarily relinquished, had been, up until now, effectively denied to me by an illogical and archaic planning system and restrictive policies, which do not understand the nuances of the settlement landscape patterns and usage of Northern Tasmania.

Potentially Environmental Living zoning offers a pathway for other development options for land such as mine. Indeed from the outset of the covenant planning process and in conjunction with officers from DPIPWE and others employed under the Commonwealth FCF program, I planned into the covenant with both the Governments' blessing areas to become residential curtilages sufficient in size to allow for practicalities of residential use along with an allowance for bushfire safety and potential mitigation.

My property has at least six common boundaries with the Reedy Marsh Forest Reserve.⁴ It also shares six common boundaries with two other secure private reserves. Nature Conservation Reserve is the dominant use in this area but to consider this use a Highest and best use in commercial real estate terms would be completely erroneous.

I thus wish to fully support Meander Valley Municipality zoning of my area as Environmental Living Zone. This zone supports my two covenants and would not lead to a threatening of the covenant via rights, which may be perceived to result from the standards of the local government planning scheme. The zoning also allows a right to live on one's land, for most their principle asset. Indeed, so strongly am I of the view that there is a public interest at stake here, that I will go to very great lengths to continue to protect those lands, which I have, with Government effort and funds, initially protected from harm in perpetuity.

I would not support there being no subdivision provision for this Zone. However the standard should be such that only when there is a right under the covenant should subdivision be possible.

Likewise for residential development the entitlement should be dependant on the covenant and the location likewise must not contravene the covenant. The same does for any other development right.

In this context I believe the approach of the MVC Senior Planner has been a relatively sound one to base the zone around a virtual monopoly of conservation covenanted properties. It is my view that this is of critical importance.

To that end I am willing to provide a copy of both my covenants, as part of the process of Amendment 4 of 2015.

However there is one boundary of my land, which is shared with an MIS plantation company, Tasmanian Plantations, a subsidiary of Forest Enterprises Australia, now in liquidation. I will discuss this issue further on because it is in the Rural Resource Zone and in part is a PTR.

⁴ Reedy Marsh Forest Reserve boundary as defined by CPR 4398

Amenity Issues

The natural aesthetic amenity of the district and land is important and largely the views of these lowland forests are internal forest views.

On my land however, from the hill in the northern part of my property, I have good views to the South and South West.

Some years ago Tasmanian Plantation Pty Ltd (a part of FEA) applied for a PTR on their land (vol 228325 folio 1) to the south west of my land on the other side of the Bradys Creek valley on the north face of Stephens Hill. Thankfully, the company went into receivership before the PTR, which I had diligently opposed, could be finalised but not before my view field was significantly scarred under a Council planning permit. For several years this Managed Investment Scheme land was in limbo but has now been sold.

My land, up until about March of 2007, had a very natural landscape view and now as a result of an unsustainable logging operation on the visible slopes of Stephens Hill that view is irretrievably scarred and diminished. I contend that this nearby perpetual and permanent scarring has lowered the value of my land. FEA converted natural forest to plantation. The damage FEA caused remains. FEA has now gone and many people lost a lot of money. That is the nature of unsustainability, it is multifaceted. The scarring is visible from as far away as the Parramatta Creek area.

The once intact landscape has been significantly and irreparably scarred and the peaceful, natural visual amenity of the area disrupted. Economic strife and misfortune disadvantaged the poor fools who were unwise enough to fritter their funds under the circular tracks of Managed Investment greed.

About 50 Ha of that 160 Ha FEA parcel (a high level in the scheme of things for forestry) was informally set aside under the Forest Practices Plan, an indicator of the general irrefutable high conservation values present. Interestingly that land set aside for reservation in its natural state is not shown properly on the Priority Habitat Overlay of the MVC Interim Scheme. I have called for such matters to be rectified.

I believe the result of the scarring and the proximity of this plantation in an upper catchment valley situation that otherwise has no plantations may result in a long-term decline in real terms of the value of my property. I believe it would also reduce the saleability of my land.

This plantation has been carved out of what were pristine native forests and adjoins secure conservation reserves on both public and private land with four of its boundaries. It is inappropriately sited and is a net loss of the forest estate, which in this instance disadvantages me and will likely continue to do so into the future.

I spent about 10 years trying to stop and constrain unsustainable and illegal forestry on the land but in Tasmania the forestry industry has so many exemptions, so much largess, so little control that it seems impossible to gain sustainable development of forestry.

The lack of comprehensive scenic management and protection in the planning scheme for areas all across the Municipality remains

unacceptable. Amendment 4 of 2015 creates but one new Scenic management area and that is not acceptable, in that there should be many more of course. I deal with the subject more completely further on and wish to reserve the right to make a visual submission on the matter in support of this representation such as at a hearing.

Now, having considered all of that I ask you, what might you think my attitude might be to a land use planning rule that asks me to give some 200 metres of my property over to the succession owner of the FEA block because they have the benefit of such a skewed and rorted planning system as one finds in Tasmania. I hope you can understand the disdain for the 200 metre rule, setting back sensitive use 200 metres from the boundary because indeed it is feared the adjoining use is probably obnoxious and intrusive and the only remedy that imagination can conceive is a vast distance about 8 times the normal setback. Tells one something about the irrelevance of any sustainability notions in my view.

Conservation of Private Properties Across Tasmania

There is a significant number of conservation properties under covenant in Tasmania, created via a number of Government programs, mostly the Regional Forest Agreement. Indeed some 734 protective covenants are in place as of the 1st November 2013.⁵ The 734 protective covenants cover some 84, 693 Ha across Tasmania. Now it must be almost 800 properties.

There is also a significant number of properties under the voluntary Land for Wildlife in Tasmania. These properties are not constrained but are managed for conservation informally. As of the 1st November 2013 there are some 863 Land for Wildlife properties covering some 56,407 Ha across Tasmania.⁶

“The Land for Wildlife scheme (LFW) was established in Tasmania in 1998. Participation in this conservation scheme is voluntary, free, and non-binding. The LFW scheme aims to encourage, support and recognise landowners who are taking a positive approach to the integration of property land management with nature conservation on private land.”⁷

It must be recognised that DPIWWE failed to gain renewal of funding for the PAPL covenant program and thus converting a Land for Wildlife managed property to a secure covenant appears to be virtually a no go option now. So there may be a role through Local Government Planning Schemes to enhance the limited protection afforded by Land for Wildlife managed properties through Environmental Living Zoning.

The Tasmanian Land Conservancy continues to purchase, covenant and on-sell land with high conservation values, including land in Meander Valley through a Government sponsored revolving fund. That important work requires some planning support that currently does not seem adequate.

⁵ The Running Postman December 2013 Issue No 16 ISSN 1835-6141

⁶ The Running Postman December 2013 Issue No 16 ISSN 1835-6141

⁷ <http://www.dpiw.tas.gov.au/inter.nsf/WebPages/DRAR-7T8VRQ?open>

“The Revolving Fund activities are funded from a number of sources. The primary funding source is the Australian Government's Forest Conservation Fund. Other funding sources include the King Island Natural Resource Management Group and the Department of Primary Industries and Water. Proceeds from the sale of revolving fund properties are returned the fund and utilised to purchase further properties.”⁸

If the TLC is unable to achieve appropriate zoning for such land the revolving fund will not be able to turn over the land in an economic way.

The slow but steady expansion of conservation covenants is an issue, which should be more properly considered in planning terms.

Sometimes a landowner owns more than one covenant and there is a large range of covenant sizes, standards, associated use rights and conditions. Sometimes a covenant covers only a small portion of the land and sometimes it covers the whole area.

Currently I do not know how many covenanted properties are occupied. I am aware of unoccupied (vacant) covenanted land over which planning impediments have become a problem for the owner.

There must be a better Council-planning pathway to economically protect and conserve important values of land for nature conservation purposes.

‘Natural and Cultural Values Management’ from Table 8.2 Use Classes does not have any defined Uses in table 4.1.3. Seems like a problem.

Comment on relevant aspects of Meander Valley Interim Planning Scheme 2013 - Esp. The Environmental Living Zone

The Environmental Living Zone is a special form of Low-density Residential Development in Rural Areas and its importance needs to be understood. Also there seems to be some misunderstanding by some Councils about why and how such a Zone should be applied and the subdivision standards, which also would be desirable or unacceptable..

For the record, I am supporting, in broad terms, the application of the Environmental Living Zone in Meander Valley Council's Scheme to this area but also have some additional comments and recommendations, which I am seeking, would inform the Interim Scheme and its Amendment 4 of 2015.

Very few parts of the Municipality have been zoned Environmental Living Zone. Indeed in effect there is only one zone, which is split into two by the Reedy Marsh Forest Reserve. I consider that this guarded approach to this new zone by MVC is perhaps overly cautious.

A case can be made for all conservation covenanted land where the intent was for a rural residential land use but with conservation oriented intent to be zoned as Environmental Living Zone in support of the covenants.

⁸ <http://www.tasland.org.au/revolving/>

I also consider there is likely other places, which should be zoned Environmental Living because of the amalgam of titles. Perhaps a section of the Rural Living Zone in Jackeys Marsh and a part of the Low Density and Rural Living Zones in Elizabeth Town.

My comments are also designed to assist Council to lead in the situation where other Council's and the TPC have got it wrong.

Firstly, all The Environmental Living Zones must be outside of the Urban Growth Boundary. See NRLUS Policy:

“RSN-A6 Ensure all Rural and Environmental Living occurs outside the urban growth boundary areas.”

Secondly The Environmental Living Zone should support land which has important environmental values but which are suitable and can accommodate safe areas for living purposes.

I wish to make the point that if the land being conserved does not have an on site custodian then it cannot easily or economically be managed and conserved. A good example of the problem is the old block formerly owned by Dr Laker on the Westbury Rd adjoining Brushy Rivulet, which has a conservation covenant but no custodian. It is regularly damaged by illegal poachers.

It is desirable to protect natural values on private land but if it does not have a manager and a human presence it can easily suffer incidental and deliberate pillaging and illegal use. This can be demonstrated.

The owners of covenanted land generally perform the volunteer role of reserve manager. This is a generous donation to the National Reserve System's management when considered on a statewide basis. Thus the whole concept of The Environmental Living Zone is a zone where the owner, who generally lives on his or her land is also the manager of the reserved portion of the land.

Land without an on site manager is much harder to conserve, even when it is protected by a covenant. Indeed the covenant is not a great deterrent to other people doing illegal activities.

Thirdly, The Environmental Living Zoning should be used by Council to support land ownership, which has a conservation covenant, especially where there are adjoining covenants or where the covenanted private land adjoins the public component of the National Reserve System.

It should be recognised sometimes that Zone might mean only one private title where the Zone abuts the Environmental Management Zoned land.

It should also be acknowledged that sometimes the land surrounding land with a conservation covenant is already zoned for Rural Living and occasionally for Low Density Residential purposes and that such land should be moved out of those zones and into The Environmental Living Zoning where there is a collection of covenanted titles.

So I see an important test for Environmental Living Zoning is that an overwhelming majority of the land is not available for Rural Resource Use and therefore does not support an application of PAL which should not

apply 200 metres into my freehold simply because it has a secure in perpetuity conservation covenant.

Such Environmental Living Zone land does not fit within the Rural Resource Zone Purpose 26.1 of MVC's Interim Scheme. It is unreasonable to then constrict such land by not rezoning to The Environmental Living Zoning. Otherwise the outcome may prevent what could be at least a limited development opportunity by ensuring appropriate zoning for owners of covenanted properties.

I would also wish to propose to amend The Environmental Living Zone Purpose 14.1 accordingly to provide greater direction and less discretion to consider The Environmental Living Zoning to be just another form of Rural Living.

It importantly should be understood The Environmental Living Zone supports amenity and lifestyle as well as philosophical aspirations for the conservation of nature rather than lifestyle aspirations of a hobby farm or other rural pursuit.

It is my contention that Rural Living Zoning can occur in areas with important vegetation and threatened species but without any conservation covenants or Land for Wildlife declarations. A place like Reedy Marsh Rural Living Zone would be an example.

The presence of Land for Wildlife should be a minimum indicator the land will be managed for the well being of the natural environment.

There are private covenants within larger title holdings of working rural land, farms and so forth and such areas should not be considered as candidates for Environmental Living Zoning but remain in the Rural Resource Zone. It is reasonable that farmers be expected to manage such areas, as an important part of sustainable agriculture.

Where the covenant or Land for Wildlife managed property covers most or all of the property and the property has a dwelling it is obviously a contender for being rezoned to Environmental Living Zoning.

Unfortunately, unlike Covenanted land where the title has been encumbered in perpetuity and thus shows up on The List mapping and via any property search Land for Wildlife cannot be discerned easily for Council purposes except by roadside inspection.

It may also be that areas identified and dominated by Priority Habitat, which support existing rural residential character should also be rezoned to Environmental Living Zoning instead of Rural Living Zone but I would wish to urge caution and to achieve the agreement of residents to ensure that residents' aspirations fall within the more restrictive conditions of the Environmental Living Zoning.

There is a standard in the The Environmental Living Zone under Clause 14.4 where no more than 20% of the land is available for development. This standard is supported. One would want to apply that rather than see a watering down of the standard.

The critical aspect is: There should be some way of determining that 'Natural and Cultural Values Management' as per Table 8.2⁹ of The Scheme is occurring in some significant and ongoing way on the properties subject to Environmental Living Zoning.

It is neither reasonable and would not be fair that Governments expect people to donate their private land, effectively turning it into Environmental Management Zoned land.

Thus there is a reasonable expectation that Council be more sympathetic to a flexible approach over zoning already covenanted land to The Environmental Living Zoning.

In the process of Amendment 4 of 2015 I urge Council to consider this issue more closely.

The issues raised above may require to be addressed in some local settlement strategy as well as some rezoning. The opportunity of this zone needs to be better understood.

The Environmental Living Zoning Zone Purpose 14.1 Modified:

I again wish to suggest deleting the following words from 14.1.1. *"may be impacted on by nearby or adjacent rural activities."*

14.2 USE TABLE

Utilities, "if for minor utilities" should include the words "underground". Only underground utilities in such areas are safe and meet the amenity of the area. More above ground utilities degrade the area's visual amenity and have safety issues re bushfire.

I explicitly wish to support the retention of the Permitted with a Permit right of Residential land use, as currently expressed by the MVCIPS.

I understand there may be a proposal by the unfair and unintelligent State Government to destroy this right. The lessons of PAL have not been easily learnt.

I propose that the zone should also include a Discretionary right to construct further dwellings on land where a covenant allows. Thus this may be a house for elderly relatives or for any other domestic dwelling purpose. Some covenants, including both of mine do have multiple exclusion or domestic areas to be used identified within the covenant.

⁹ use of land to protect, conserve or manage ecological systems, habitat, species, cultural sites or landscapes.

TABLE 4.1.3

There is no standard in Table 4.1.3 for remote infrastructure. This is a particular issue for Environmental Living Zoning properties as often they are remote properties sometimes including remote from the electricity grid and remote from the council maintained road.

It should be recognised that some people wish to live remote from such services and that often such aspirations align well with Environmental Living Zoning. "Minor Utilities" is not an adequate description for privately maintained utilities. There should be a new category of Utility added to the Common Template termed 'Privately Maintained Remote Utilities'. These would be utilities remote from the public utilities including remote roads over which the public do not have a permanent right of passage.

The ongoing lack of support Statewide for remote properties is unfortunate.

Rural Living and Environmental Living

With this Amendment 4 of 2015 to the MVC IPS comment period, it is important to understand that the Rural Living Zones and the Environmental Living Zones are the areas that are primarily, but I advocate not exclusively, already existing areas of rural living character, for habitation land use in the rural landscape.

Those areas, spatially are expressed in planning schemes but the overall strategic direction and justification to allow them is still controlled by the Northern Regional Land Use Strategy, which still has a focus on pushing people to live in towns and cities while restricting Rural Resource Zone dwelling development to be exclusively in support of agricultural and forestry enterprise. I thus strongly support the 2013 revision of the NRLUS, which alleviates some of the problems, and likewise Amendment 4 of 2015, which also redresses the injustice to rural residents in Rural Living and Environmental Living Zones..

Living in the beautiful Tasmanian countryside is a valid choice many people wish to make and this Northern Regional Land Use Strategy's (NRLUS) amendment has been the start of revised processes and planning provisions to redress some of the injustice for this valid land use.

Options for such diverse rural living situations should reflect the wide range of aspirations for living that enrich our society and provide places to live for a wider range of people who bring more skills, resources and opportunities to our rural communities in Tasmania.

IDENTIFICATION OF RURAL RESIDENTIAL AREAS

I consider that the identification and zoning of rural residential areas is important. I am not convinced they have all been identified.

The definition of 'established rural residential area' in the March 2013 report to NTD is given as:

An 'established rural residential area' means:

the outer extent of land that has no real potential for efficient or practical agricultural or rural resource use on a commercial basis where the land use pattern is constrained by:

- *Predominantly residential land use i.e. 'lifestyle blocks', 'hobby farms' or low density residential subdivisions; and*
- *Fragmentation of the cadastral base and property ownership; and may also include*
- *Topographical constraint resulting in physical impediments to rural resource use or connectivity, which may include bio-diversity protection and/or conservation.*

This definition in essence is a deferential position pursuant to the PAL Policy, which gives primacy to the ostensible protection of rural and forestry land over the land use of Rural Living and Environmental Living. I do not consider such a position meets sustainability criteria, even though the NTD may consider it is meeting the terms of the PAL policy.

The problem arises with the lopsided policy black hole that characterises substandard land use planning in Tasmania.

I would like to propose it be completely rewritten but do not choose to provide a remedy, which is subservient to the PAL Policy, other than a mere, edit. I fear any suggestion for a genuinely improved definition I might make would be discarded.

In any case the Larcombes Rd Reedy Marsh Environmental Living Zone area is absolutely an *'established rural residential area'*.

Local Area Statements and Desired Future Character Statements

I consider more work should be done in the area of working out not only what the future demand could be but also the qualities of what is being sought under Amendment 4 of 2015. I consider such statements to be very important in achieving sustainability.

No point having a surplus of some type of land where no one is developing. In this regard, careful thought should be given to minimum lot sizes, Local Area Statements and Desired Future Character Statements.

Local Area Statements should have more importance and become more comprehensive and there should be compliance with this aspect.

Local Area Statements should be a mandatory aspect to which the standard for subdivision pertains.

State Planning Provisions and Landscape Conservation Zone Opposed

The State Government is proposing to deliberately destroy the current Environmental Living Zone, which is the local government planning zone in which my land and home is situated.

As explained above in this representation that Larcombes Rd Environmental Living Zone currently supports my two covenanted properties and enhances my limited economic opportunities, notwithstanding the obvious limitations the secure conservation covenants present. It is an existing rural residential zone, supporting existing rural residential lifestyles.

Council's Senior Planner, at the time of the PAL Policy MVC planning scheme amendment, honourably and in good faith made commitments over the Rural Residential areas of the Municipality. My view is that she has long and diligently worked to deliver, including the latest Amendment 4 /2015, which is claimed to be in line with the NRLUS. That is both acknowledged and appreciated. That Council effort included the current Environmental Living Zone.

The Minister, apparently under instructions from The Planning Reform Taskforce, late December 2015, sent out the finalised draft of the State Provisions to the 29 Local Councils including MVC and there apparently is a small window of opportunity for Council to make suggestions.

I have not been able to obtain a copy of the State Provisions (which makes up most of the new Statewide Planning Scheme). However I have been able to get a preliminary draft copy of the relevant section to our area, termed the Landscape Conservation Zone. This zone is a rubbish idea and is not supported.

The Government proposes our Environmental Living Zone would be gutted and instead fallaciously termed the Landscape Conservation Zone. The provisions of this proposed zone have been completely altered away from the existing residential intent and provisions.

The Landscape Conservation Zone would clearly be detrimental to my personal interests, as well as detrimental to the covenanted areas themselves because management, which is fully privately funded and organised, is being marginalised through the economic pillaging the proposed zone provisions would achieve.

The Landscape Conservation Zone draft, if implemented, makes subdivision almost impossible, though one of my covenants allows it, and further any house on any title within this unfair Zone would unfairly be Discretionary. Even though my land is 90% conserved and in fact at a policy level the proposed zone, without any public warning or State Policy, completely and unfairly changes the purpose of the current residential zone obviously seeking to unjustly wreck the remaining current economic opportunity.

In fact in my terms the proposed Landscape Conservation Zone would completely gut our Environmental Living Zone and would move the zone unfairly completely away from being a residential zone.

The proposed Landscape Conservation Zone provisions would unfairly make selling land for development much harder. Larcombes Road Reedy Marsh is the only Environmental Living Zone in Meander Valley.

Let me be clear, I did not reserve my land by way of covenant, which applies to about 90% of my land to make a complete donation. What an obnoxious outrage this unfair proposal represents.

I argue strongly it is not fair or reasonable that Minister Gutwein covertly embed policy changes into the State Provisions schedule, when the exercise should have been to translate the existing schemes into a statewide one. This absence of a translation is not fairer, is it?

The proposal to destroy the Environmental Living Zone is against the Northern Regional Land Use Strategy, to which MVC signed its support.

Currently our Environmental Living Zone has a conservative 20 Ha minimum lot size but the future Landscape Conservation Zone would unfairly be a draconian 50 Ha. I know to most landowners in this Zone it may not be relevant but the Landscape Conservation Zone would effectively remove all subdivision and would make building a house far harder.

The draft Landscape Conservation Zone proposes Forestry would become possible and that aspect would not only be against the RFA covenants but be thus against the RFA itself. Now that is noxious in the circumstances and will lead to more conflict and a series of complaints to the Commonwealth.

Even when a property is a developed one, this proposed unfair Landscape Conservation Zone is highly likely to both harm land values and diminish the attractiveness of the area market wise. It would not benefit our Municipality to drive down economic opportunity in the Environmental Living Zone. Nor would it benefit the biodiversity values. The proposed zone has no merit whatsoever, in fact.

I thus wish to convince Meander Valley Council to oppose the contentious and misinformed Landscape Conservation Zone entirely. I realise that Amendment 4 of 2015 is not about the Statewide Planning Scheme but this is so obnoxious it cannot be ignored.

I expect my neighbours who are also in the Environmental Living Zone are also likely to be opposed to this unfair and unsolicited and unwelcome change.

I condemn this upcoming proposed Landscape Conservation Zone completely and to ask MVC to reject it completely too, as it is surely against the NRLUS, which has unfairly be sidelined as one of the Liberal's promissory breaches.

Please bear in mind that much of upper Larcombes Rd has been a rural residential zone since 1995.

I believe Meander Valley's Senior Planner has worked hard on getting the current Environmental Living Zone right both for our residential needs and in support of the public interest aspect of conserving nature.

I am aware there will be a formal period of public comment later and that I expect I would have a right of representation and participation at a hearing. But by then Council may have made up its mind. Accordingly I am writing seeking Council's support for the current Environmental Living Zone now.

In broad terms I consider that the State Planning Scheme in general will not assist our Municipal area. It will not be fairer, faster or cheaper, indeed I am very concerned that it will cost our Council a huge amount when we have already invested in a recently declared new scheme. There are so many deep and fundamental problems, cutting up the rural zone for example. Local Government planning is not State planning. Local planning is about local amenity local values, local community and environment.

The outcomes from the 2015 hearings into the MVCIPS have not even been delivered by the TPC. Clearly this is not an orderly planning change and it is unlikely to be supported by the community when they find out just how horrible and deficient it to be.

I would welcome knowing your thoughts about the State Government's proposed zone and any actions or initiatives and positions you feel would be appropriate and successful. If you happen to see things differently I would also welcome your thoughts.

I advise Council I would be economically disadvantaged by the untransparent and poorly designed policy loaded provisions of the Landscape Conservation Zone, if the draft is implemented unaltered and where it remains a virtual attack on rural residential use and management of land which includes secure conservation reserves.

To deprive landowners of their few remaining basic rights to development, when they have in good faith and sincerely donated towards the benefit of other species and our biodiversity obligations is grossly unreasonable and offensive. To foist upon us such an untransparent, adverse change is against the State's principles of sound land use planning.

I advise Council I will use whatever legal means to oppose this nasty, hateful Liberal Government initiative and especially it's unfair, loss inducing Landscape Conservation Zone.

I also feel strongly that the best chance to retain our existing Environmental Living Zone is for Meander Valley Council to act decisively now in support of the existing zone.

Rural Living Zone in Reedy Marsh

I support this zone as it is, with the 15 Ha 'minimum lot size' and although I am concerned about and wish to discuss issues around the minimum lot size that Council has proposed for subdivision purposes that is simply because I wish to urge a more flexible approach with larger lot size with less ability for subdivision, in some cases, that is on some land, especially as not all the Priority Habitat has been shown on the Overlay managed by Council.

I urge caution in this area. Indeed the term "Minimum lot size" is patently misleading and another term that better reflects what I now understand to be the desired approach of an 'average lot zone density' would be far preferred in my view.

Land use planning needs to be more sophisticated not simpler and dumber. I am confident that MVC's Senior Planner aspires to a more sophisticated land use planning in general.

Conclusion

I appreciate the opportunity to make a representation to Amendment 4 of 2015 to the Meander Valley 2013 Interim Planning Scheme and also appreciate the cooperative nature of Meander Valley Council's staff who have helpfully responded to my queries and requests.

There are those in government outside of Meander Valley who view rural residential living and lifestyle with disdain and consider it should not even be a legitimate land use. This can often be driven by a certain fearful bigotry.

In that context Meander Valley Council has honoured its pledge to support Rural Living as a viable choice and as an economic contributor to our community and that is noted and welcome. But Council's intent to provide development rights has been unreasonably thwarted and delayed. There is also the philosophical rights issue for people to be able to live on their own land, which arose at the time of PAL.

I wish to indicate I am willing to meet with Council's planners to discuss the issues I have raised.

However I believe there is a need to a Hearing over this matter and not have my rights further diminished by a hopeless and unfair State Government.

I hope this representation on Amendment 4 of 2015 to the Meander Valley 2013 Interim Planning Scheme assists the process towards developing a more adequate and durable MVC Planning Scheme and to better understanding issues around the Environmental Living Zone and threats to it.

Yours sincerely

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

Andrew Ricketts

From: Jason Taylor
Sent: 29 Dec 2015 23:50:29 +0000
To: Planning @ Meander Valley Council
Subject: Meander Valley Interim Planning Scheme Amendment 4/2015 - TasWater
Comments

Hi Martin,

TasWater offer the following in relation to the above draft amendment, which seeks to:

- finalise the preferred zoning of land to be included in the Rural Living Zone;
- provide subdivision opportunity to create additional lots in particular localities;
- include planning scheme provisions that provide a finer grain of development control through a Specific Area Plan over land at Carrick and a Scenic Management Area at Chudleigh.

The proposed amendments include:

- rezone land to Rural Living Zone at Carrick, Chudleigh, Tomes Road, Elizabeth Town, Golden Valley and Weetah;
- rezone two titles to Rural Resources Zone at Liffey;
- provide for subdivision in various Rural Living Zone localities;
- apply a Specific Area Plan to land at Carrick;
- apply a scenic management overlay at Chudleigh;
- include Local Area Objectives and Desired Future Character Statements in the Rural Living Zone Purpose for land to be rezoned at Weetah;
- insert a site specific qualification into section 13.2 Rural Living Zone Use Table for land at Weetah;
- delete Section 13.4.1- A4(b) - 200 metre setback to the Rural Resource Zone.

Each of the above will be addressed separately, in accordance with the following principles:

Minor utilities are permitted, “major” utilities are discretionary and there is no specific requirement for water and sewer services for subdivisions, within Rural Living Zones.

Rezone land to Rural Living Zone at Carrick, Chudleigh, Tomes Road, Elizabeth Town, Golden Valley and Weetah;

- Carrick

Water and sewer services could potentially be made available for future subdivisions in both proposed rezone areas. Independent assessment of requirements and/or requests to service any future subdivision would be made on a case-by-case basis. With respect to the northern area, TasWater are concerned that the attenuation distance from the existing Sewer Treatment Plant (STP) may pose a problem for future development. With a current operational capacity of 624 kL/day, this aerobic pond STP requires an attenuation distance of 350m. This distance roughly aligns with the distance from the STP site to the current northern boundary of the General Residential Zone (between approx. 200-400m). The proposed boundary of the zoning appears to be less than 100m from the edge of the STP site. Under the proposed Hadspen Specific Area Plan, this STP will require major upgrades, the extent of which have

not yet been fully determined, however, will likely increase the attenuation distance, due to increased demand and capacity requirements.

Chudleigh

This area is unserved by TasWater.

Golden Valley

This area is unserved by TasWater.

Tomes Road

This area is unserved by TasWater.

Elizabeth Town

This area is unserved by TasWater.

Weetah

This area is unserved by TasWater.

Rezone two titles to Rural Resources Zone at Liffey

This area is unserved by TasWater.

Provide for subdivision in various Rural Living Zone localities

No comment required.

Apply a Specific Area Plan to land at Carrick

See above comments regarding Carrick.

Apply a scenic management overlay at Chudleigh

No comment required.

Include Local Area Objectives and Desired Future Character Statements in the Rural Living Zone Purpose for land to be rezoned at Weetah

No comment required.

Insert a site specific qualification into section 13.2 Rural Living Zone Use Table for land at Weetah

No comment required.

Delete Section 13.4.1- A4(b) - 200 metre setback to the Rural Resource Zone

No comment required.

-
I am happy to provide any further input that may be required and welcome any discussion that may be required, in particular relating to the STP at Carrick and potential attenuation distance conflict with the proposed rezoning of the nearby land.

Regards

Jason Taylor

Development Assessment Manager



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From: The Environment Association (TEA) Inc.
Sent: 5 Feb 2016 16:01:31 +1100
To: Greg Preece;Meander Valley Council Email
Cc: Jo Oliver;Martin Gill
Subject: Representation re Amendment 4 of MVCIPS
Attachments: TEA Final Representation re Amendment 4 to MVC Feb 2016.pdf

Dear Mr Preece

Our Representation is attached.

The Environment Association (TEA) Inc.
PO Box 261
Deloraine 7304
Tasmania

PO Box 261 Deloraine Tasmania 7304

5th February 2016

Greg Preece, General Manager
And
Martin Gill, Development Services Director.
Meander Valley Council
26 Lyall Street
Westbury 7303

By email to: greg.preece@mvc.tas.gov.au And: Martin.Gill@mvc.tas.gov.au
CC: Jo Oliver, Senior Planner. jo.oliver@mvc.tas.gov.au

Amendment 4 of 2015 to the Meander Valley Interim Planning Scheme 2013 - A Representation

Primary Author: Andrew Ricketts

Preamble

The Environment Association (TEA) Inc is a not for profit, volunteer based, regional environment community association and a stakeholder in this process. TEA has a long-term interest in environmental and social outcomes in our region, Northern Tasmania, particularly in environment, planning, biodiversity and scenic management and heritage conservation issues. The Environment Association has worked in the public interest since its inception in 1990. We are a stakeholder in the development of any new planning scheme or land use strategy for our region or any municipality within it.

We have been involved in RMPS processes including through the RPDC, the RMPAT, more recently the TPC and have had involvement in local government planning, environmental and forestry issues for many years. We are not represented by any other organisation.

We support regional planning but are critical of the incompetent LUPAA amendments and the streamlining approach.

We are making a representation over Amendment 4 of 2015 to the Meander Valley Council [MVC] Interim Planning Scheme [IPS]. Representations were due by 5th February 2016.

We have participated extensively in the planning processes that Meander Valley Council has run since 2001. Since about 2007 or 8 there has been no subdivision rights for Rural Living areas in either the old or the new planning scheme and the process has been derailed a number of times, but not by ourselves. We consider it may be one of the reasons for the rural decline of which Council is now aware. You may recall we stated that would occur.

The issues and planning provisions around PAL have been the subject of considerable, ongoing community conflict. We find this whole saga very unsatisfactory and admit it colours our view of the capacity of local government to engage in sound land use planning.

Meander Valley Council released a first draft of the new Meander Valley Planning Scheme for initial public comment in Nov 2007. We made extensive comment on the 2007 draft scheme and then to the 2011 Draft Interim Scheme as well as to the Meander Valley Interim

Planning Scheme 2013 and a plethora of various MVC and NTD North Plan and regional planning consultations and refer you to those TEA submissions.

With this document TEA provides a brief overview of our support or otherwise for Amendment 4 of 2015 to the Meander Valley Interim Planning Scheme 2013. Sometimes the agreement to a provision goes unstated.

We wish to congratulate the planning section and Council's Senior Planner in the introduction subdivision standards for the Rural Living Zones of the new scheme. It is long overdue.

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INTRODUCTION

We have considered carefully Amendment 4 of 2015 and support much of it.

We support the regional planning process and local government land use planning and would oppose the relegation of local government to the function of a permit authority.

The Notice Regarding Amendment 4 of 2015

The following is the Notice of the amendment 4 of 2015.

NOTICE OF AMENDMENT TO THE MEANDER VALLEY INTERIM PLANNING SCHEME 2013

At its meeting of the 8 December 2015, Meander Valley Council initiated and certified a draft amendment to the Meander Valley Interim Planning Scheme 2013 to:

- rezone land to Rural Living Zone at Carrick, Chudleigh, Tomes Road, Elizabeth Town, Golden Valley and Weetah;*
- rezone two titles to Rural Resources Zone at Liffey;*
- provide for subdivision in various Rural Living Zone localities;*
- apply a Specific Area Plan to land at Carrick;*
- apply a scenic management overlay at Chudleigh;*
- include Local Area Objectives and Desired Future Character Statements in the Rural Living Zone Purpose for land to be rezoned at Weetah;*
- insert a site specific qualification into section 13.2 Rural Living Zone Use Table for land at Weetah;*
- delete Section 13.4.1- A4(b) - 200 metre setback to the Rural Resource Zone.*

Pursuant to s.38 of the Act, the draft amendment documents are available for public inspection. Any person may make a representation during the exhibition period commencing Saturday 12 December 2015 and closing Friday 5 February 2016.

Representations:

Documents relating to the draft amendment can be viewed at:

- Council's website www.meander.tas.gov.au*
- Council's office between 8.30am and 5pm at 26 Lyall St, Westbury. Please note that the office is closed for Christmas from 1pm on Thursday 24 December 2015 and reopens 8.30am Monday 4 January 2016.*

Written representations are to be addressed to the General Manager, PO Box 102, Westbury, 7303, by fax 63931474 or by email to planning@mvc.tas.gov.au

Please include a contact phone number. Please note any representations lodged will be available for public viewing.

For further information contact Council's Planning Department on 6393 5320.

Dated at Westbury this 12th day of December 2015.

Greg Preece

TEA Position re Amendment 4 of 2015 Notice Matters - Summarised

After each of the Amendment Notice matters, TEA's position is noted. We wish to reserve the right to provide additional information if required, including to attend a hearing into the matter.

1. rezone land to Rural Living Zone at Carrick, Chudleigh, Tomes Road, Elizabeth Town, Golden Valley and Weetah; **TEA Supports these changes.**
2. rezone two titles to Rural Resources Zone at Liffey; **TEA does not have an opinion on this matter.**
3. provide for subdivision in various Rural Living Zone localities; **TEA Supports these changes with reservations over Chudleigh, regarding the area north of the town.**
4. apply a Specific Area Plan to land at Carrick; **TEA Supports this initiative and changes and further thinks the process should be applied elsewhere. This is a far more useful thing than a so-called Statewide Planning Scheme.**
5. apply a scenic management overlay at Chudleigh; **TEA Supports this initiative and changes and further thinks that there are many other scenically important places to be recognised and conserved.**
6. include Local Area Objectives and Desired Future Character Statements in the Rural Living Zone Purpose for land to be rezoned at Weetah; **TEA Supports this initiative and changes.**
7. insert a site specific qualification into section 13.2 Rural Living Zone Use Table for land at Weetah; **TEA Supports this initiative and change.**
8. delete Section 13.4.1- A4(b) - 200-metre setback to the Rural Resource Zone. **TEA strongly and resolutely supports this initiative and change and further thinks that it is long overdue and should be accompanied by the removal of numerous exemptions in the Rural Resource Zone. Note the 5th July 2007 Public Meeting decisions reproduced below, which Council has in part ignored.**

Protection of Agricultural Land [PAL] policy and Background to Our Opposition to the 200 metre Setback Clause.

The MVC 2013 Interim Scheme reflects and succumbs to the Protection of Agricultural Land [PAL] policy, which in itself is not supported. The PAL Policy dominates zone purpose and local objectives of the Rural Resource [RR] Zone. People's rights to build in the Rural Meander Valley have been, if anything, further reduced from the 2007 PAL amendment to

the old 1995 Scheme. You will probably recall that under PAL, the Rural Zone was converted to the Rural Resource Zone. There is no Rural Zone in the current State Planning Template.

PAL, has been the catalyst for converting the Rural Zones of all Municipalities in Tasmania into Rural Resource Zones via Planning Directive No 1 and the associated State Planning Template. As a consequence, there has been a demonstrable and documented loss of development economic activity for rural Tasmania, at least in the north. This has occurred in a way that was untransparent and not fully understood by many parts of the community.

The PAL Policy is a defacto anti-settlement policy but not surprisingly, Tasmania has no genuine settlement policy. Consequently, there was never a balancing of the aspiration to protect agricultural land with the valid and reasonable need to provide for a range of settlement options within rural Tasmania, Australia's most decentralised state. This is an unmitigated disaster for land use planning in our view.

In Meander Valley Municipality, there was a lot of community outrage over the PAL Policy planning amendment in 2007. Council now has greater solutions regarding settlement in rural areas. In response to community concern over this PAL issue, under the Interim Scheme, MVC has re-zoned some of the Rural Zone areas into Rural Living Zone [RLZ] and Environmental Living Zone [ELZ] areas. This means that the IPS is not a direct translation of the 1995 MVC Planning Scheme. Note: The TPC may argue against such changes but in fact, such changes should be considered on an area-by-area basis as in the IPS.

Protection of Agricultural Land Policy Issues

We are very concerned that the Rural Zone provisions have largely been transcribed from the State Template. Council never adequately resolved the Protection of Agricultural Land Policy (PAL) process. That is not the way to go in our view. We urge that a revised scheme for the Rural Zone be created respecting the community views on the matter.

We support the "carried" resolutions of the public meeting of the 5th July 2007 regarding the PAL amendment to the 1995 scheme where they are relevant to the 2007 draft scheme. We believe those should be incorporated into the new draft scheme. For your reference they are:

1. Mr Synfield moved and Mr Hutchins seconded, "that Council requests an extension from the RPDC to a date 6 months beyond the finalization date of the current review of the State PAL Policy 2007."

CARRIED.

2. Mr Synfield moved and Mr Hutchins seconded, "that Council formalizes arrangements so that it will be mandatory that any changes to the Planning Scheme be openly and fully discussed with the community including at Public Meetings, that this occurs prior to production of draft revisions of the Planning Scheme or amendments thereof and that those changes correctly and appropriately reflect the will and intent of the community."

CARRIED.

3. Mr Synfield moved and Mr Hutchins seconded, "that the community hereby expresses in the strongest possible terms its objection to and rejection of the aforementioned amendment as it fails the community in many ways."

CARRIED.

4. Mr Synfield moved and Mr Hutchins seconded, “that Council advises the RPDC in its Section 39 Report in respect of the ‘Certified’ Draft Amendment 1/2007 that (it) Council: a. no longer considers it to be an appropriate implementation of the State PAL Policy 2000 into the Planning Scheme, and b. strongly recommends and requests it be rejected outright as it no longer considers it to be in the public interest.”

CARRIED.

5. Mr Hayward moved and Lyn Hayward seconded, “that the designation of all unspecified land in the countryside as agricultural land as specified in the proposed PAL amendment (definitions) is a nonsense that will further sequester access of such land to the forestry plantation industry and prevent any protection of this land for other purposes.”

CARRIED.

6. Mr Ricketts moved and Annemaree Woodward seconded, “we propose that the meeting seeks that the existing Rural Zone intent of (the 1995) Meander Valley Council planning scheme be retained.”

CARRIED.

8. Neil Graham moved and Ken Lefevre seconded, “in amending the MVC Planning Scheme in accordance with the PAL Policy, the MVC prohibit the establishment of tree plantations in classes 1, 2, & 3 agricultural land, and make the establishment of tree plantation on classes 4, 5, 6 & 7 land a discretionary use.”

CARRIED.

9. Mr Ricketts moved and Mr Nott seconded, “that the meeting wants the draft PAL amendment’s prohibition of a house on less than 40 ha abolished in recognition that landowners have a right to a home on their land regardless of the size of the land.”

CARRIED.

10. Mr Godfrey moved and Mr Lefevre seconded, “in the interests of public health and safety that the Draft PAL Amendment be amended that the Meander Valley Council prohibit the use of all chemicals containing triazine (eg Atrazine, Simazine and Cyanazine) throughout the municipality for any use.”

Ms Pyka moved and Mr Ricketts seconded as an amendment to the motion, “ that nutrazine be added to the chemicals list.” The amendment to the motion was put and was *CARRIED.*

The motion was then put and was *CARRIED.*

11. Mr Ricketts moved and Annemaree Woodward seconded, “that the meeting asks that the concept and definition of ‘sensitive use’ and the proposed 300m setback contained in the PAL amendment be scrapped.”

CARRIED.

12. Mr Godfrey moved and Mr Lefevre seconded, “that the Draft PAL Amendment be amended that all water sources supplying drinking water from catchment areas

where forestry and agricultural chemicals are in use, be routinely tested for chemical contamination and the results of the testing made public.”

Mr Ted Waters moved Mr Harry Prew seconded as an amendment to the motion, “that ‘forestry and agricultural’ now read ‘forestry or agricultural.’” The amendment to the motion was put and was CARRIED.

Katherine McNeil moved and Belinda King seconded as an amendment to the motion, “that ‘routinely tested’ now read ‘routinely tested interstate’.” The amendment to the motion was put and was CARRIED.

The motion was then put and was CARRIED.

13. Mr Ricketts moved and Annemaree Woodward seconded, “that the meeting seeks that Council desists from pursuing or making any deliberation, opinion or judgement over the level of capitalisation of any property in the rural zone and strongly recommends to the RPDC in its section 39 report that any provision in the Draft PAL amendment that considers property capitalisation be deleted.”

CARRIED.

14. Mr Neil Graham moved and Mr Lefevre seconded, “on all considerations and voting on Council planning issues all councillors having any actual or perceived relationship to these issues are required to identify themselves and to disqualify themselves from taking part in any discussions or decisions relating to these issues.”

CARRIED.

15. Mr Ricketts moved and Mr Godfrey seconded, “that the meeting recognizes that commercial forestry tree plantations are not an agricultural crop but a forestry activity and land use, and that the meeting formally requests both Meander Valley Council and the State Government to amend the Draft PAL 2007 policy by removing forestry plantations from the agricultural definition in the Protection of Agricultural Land Policy when it comes before the RPDC.”

CARRIED.

If required we would tender a full history of the PAL debacle for the edification of any hearing called in regards to any related matter of PAL and its unfair imposts on the Rural Living and Environmental Living Zones.

13.0 RURAL LIVING ZONE 13-1

We support this zone and in the main, how it has been applied across the landscape.

We again have some concerns about some of the minimum lot sizes that may be proposed in specific zoned areas of this zone dating back to the last draft which expressed those but those issues are of a minor nature and simply reflect fine tuning which could be attempted at some future stage.

As a result of the community outrage over the PAL Amendment in 2007/2008, MVC recognised that there was a significant community of interest to be satisfied. It seems council sought a compromise solution that allows some landowners to pursue rural living development without impinging on the ‘business as usual’ aspects of the Rural Resource

Zone (RRZ). But the lack of subdivision rights has been a major problem, so this Amendment 4 of 2015 is welcome.

However not all places that are characterised by rural residential development have been rezoned in Amendment 4 of 2015. RLZs should reflect their land use character. Places that remain under the RRZ but are dominated by Rural Resource character include East Meander and Liena areas. It could be argued that these places should be zoned as RLZ, not RRZ, to better protect the immediate amenity and rights of the residents. They have little genuine viable agriculture.

The special reasons for people choosing a particular settlement or locality have to date been given scant recognition in land use planning. Perhaps there is also a limited understanding of the reasons people seek to live in rural Tasmania. Dwelling upon and analysing this crucial matter is of fundamental importance to the prosperity of our rural communities and to generating sustainable land use planning in Tasmania.

It is necessary to understand that MVC took subdivision out from the RLZ provisions and we expected it would argue to reinstate it more or less as per the 2012 Draft MVC Interim Scheme in the TPC hearing. We have some concerns about this aspect.

Some areas of rural lifestyle habitation are not zoned Rural Living in the Interim Scheme. The question is whether they are settlements. We believe that other areas should be considered for the Rural Living Zone simply on the basis that this seems to be the predominant land use currently in certain areas.

However we also consider Council's planning section has listened to some of our recommendations and we concede such matters are not always simple, nor should it be artificially made simple by people who know little of the profession of land use planning.

Our recommendation is that Council consider the following rural living areas some additional to the ones already identified in Amendment 4 of 2015 and some included. If not covered by Amendment 4, we propose the following additional nodes of settlement be considered for rezoning out of the Rural Zone and into a Rural Living Zone (in no specific order of priority). 1:

1. Weetah, along Weetah Rd before and around Eynans Rd is supported. This is a long-term 19th century settlement on smaller blocks away from the prime agricultural land. This is a significant identifiable cluster of properties with Rural living attributes.
2. Reedy Marsh (extension). We make a case for joining the Larcombes Rd Environmental Living zone to the Reedy Marsh Rural Living Zone.
3. East Meander, up East Meander Road above Dr Rawson's tree plantation, there is rural residential living style on smaller titles in this area, long established. This is a significant identifiable cluster of properties with Rural living attributes.
4. We recommended Chudleigh but differently from Council's approach, by reducing the Urban Growth Boundary and zoning Rural Living in the town thus reducing proposed density over Council's proposal because of water table issues.
5. We do not support the Rural Living Zone on Mersey Hill up Coopers Rd etc on landscape grounds and south facing slope issues, as well as the fact it is being used for rural resource and agricultural purposes. We are aware others have opposed this area as well.

6. Liena is a small remote rural living settlement. People living here often work locally. We see it has potential. The wooden bridge should get a 10-ton load limit.

There may be other areas that would be most aptly zoned for rural residential purposes and indeed the extent of zoned areas needs to be carefully defined but these are existing nodes of settlement that must be considered in any fair interim scheme and which should not remain in the Rural Resource Zone as is currently proposed.

Many of these areas are on relatively poor agricultural land and we argue, do not represent a threat to prime agricultural land in almost every case.

It is unjust that these existing areas have not been supported for their existing use that was established well before the 2007 draft was written and yet they are still being overlooked and disadvantaged in favour of forestry and agriculture. These rural residential zones should be included in the draft.

Purpose of Zones and Overall Amenity

Whilst we support the approach of having zones that recognise a predominant land use, we consider it is not reasonable to zone people into residential zones and allow the surrounding rural amenity to be desecrated and degraded. Protecting a small area whilst allowing the surrounds to be trashed is in effect creating a little lush ghetto of green so as to constrain the people whilst the remainder is open slather extraction. We foreshadow that this will not placate the rural residents and other concerned people and will not solve the conflict over the protection and abuse of the natural environment.

AK Consultants Report

This report refers in part to land in the writer's locality, Reedy Marsh, at 465 River Road, an area that historically used to be known as Willowdale. We do not agree with the consultant's view of the subject land. The writer is familiar with the land as it is extensively viewable from River Road, the main access road from Deloraine to Reedy Marsh.

The report states:

"The Constraints grade for 465 River Road is "A"."

"It is unlikely these titles comprise a "viable" holding or have the capacity to contribute to a "viable" holding even though the total area combined is 117 ha of mainly Class 4 land. These two titles are effectively the hole in the donut of what is best utilised as a Rural Living area. There is very little value in retaining them in the Rural Resource zone because of their context. Although there is little scope for intensification because of Land Capability limitations and a lack of a suitable irrigation water resource, even if there was scope for intensification there is a high risk that this would lead to complaints from adjacent residences as there are likely to be impacts on residential amenity."

Well, some of what the consultant has said is definitely true. I am rather surprised that the land is considered class 4 agricultural land. It has never been properly farmed in my memory, admittedly only some 22 years, though clearly it has in the past been subjected to grazing and is a 19th century clearance.

More importantly, despite certainly being in the middle of a rural living area - on that issue, we also agree - most of the 117 Ha is not really suited to such development,

Notably, much of the low-lying, flat area of the subject land, a part of Dungiven Rivulet, becomes inundated during wet winters and thus must be considered to be significantly flood prone. I have been looking at that land for 25 years now and have seen what appeared to be a vast inland sea across it on many occasions mainly during winter.

Where are the cattle? Where are the fences? No, this land is not being commercially farmed. This is actually a life style property where we believe the current owner is probably hoping to engage in speculative gain, perhaps regardless of the environmental constraints and consequences. For the previous owner, this was also a lifestyle block.

The subject land, although somewhat degraded has significant natural values including at least one Vulnerable or Threatened vegetation community and in the main is not suited to subdivision for rural living, primarily because of the flood prone nature of much of it. This is not shown in the overlay.

The land is important visual amenity and contributes significantly to the sense of place, despite recent logging of some of the threatened forest. The remaining forest is Vulnerable Land under the FP regulations and cannot be cleared. The community acted to stop the landowner chopping down the significant street trees a couple of years ago.

The case study actually highlights the urgent need to define and identify what is important to retain, what values are critical to an area's sense of place and amenity and what can be tolerably and sensitively developed. In other words we consider that the AK report does not address the really important issues over this land, though correctly identifies the land as having limited agricultural potential, which is AK Consultants area of expertise.

The AK Consultant's case study also highlights that although one may have a minimum lot size in a Scheme, calculating the possible additional lot opportunity by way of subdivision is not easy or straightforward.

The current overlays of the Interim Scheme are inadequate for Priority Habitat and for Flood prone land and other sensitive areas such as on 465 River Road Reedy Marsh. That makes the whole job harder if one is attempting to achieve sustainability.

Sensitive Use

The 2007 Draft Scheme adopts the approach of stepping back "Sensitive Use" from the boundary by using adjoining land as a 200 metre buffer rather than ensuring the land on which the hazardous activity is occurring incorporates the buffer within its boundaries, regardless of who came first. This represents a quantum donation to industrial forestry and large agribusinesses.

Whilst we can understand the desire to ameliorate potential conflicts, we do not support the donation of adjoining land to the woodchippers and aerial sprayers and anyone else simply because their land is in the Rural Resource Zone.

Just think if sensitive use requires a 200-metre setback from the adjoining activity how is it then that the seemingly obnoxious activity can occur right down to the roadside of a public road? Either it is not as bad as it seems or the provision needs some revision or preferably complete removal.

We do not have a firm solution and think the problem needs to be considered and a better more equitable set of solutions developed. We state that we regard that more work needs to be done in this area to develop fair, just and sustainable solutions for all.

Reedy Marsh Rural Living Zone

We support the retention of the 15 Ha min lot size, recognising it to be an average zone density arrangement.

We remain concerned about the inadequate Priority Habitat mapping and the ongoing removal of vegetation.

13.1.5 Local Area Objectives for Reedy Marsh – some edit suggestions.

- a) To retain lower densities and a low level of visibility of development through unobtrusive siting and design, including materials and finishes.
- b) Where development is **unavoidably** visible, ensure that materials are non-reflective and the design integrates with the landscape.
- c) The retention ~~or planting~~ of vegetation **and lower densities** is the preferred means to integrate and screen development throughout the zone.

Elizabeth Town

Of the rural gazetted towns Elizabeth Town (ET) is the second least developed, Ugbrook [if it still is gazetted] being almost completely undeveloped as the people relocated to Meander. ET is certainly the least developed on the main transport link.

Instead of looking at ET as an existing ‘town’ with a potential for increased density we would have thought planners would look at the potential for it to meet a more modern need of humans in the landscape. After all what are we without nature?

We have significant concerns about some of the minimum lot sizes in specific zoned areas of this zone, which we view as being too small an area and other issues relating to intensification of the various areas. The character of current rural residential areas needs to be more carefully assessed.

We would suggest that the less developed land in a more natural state to the north and west should be Environmental Living Zoned and believe such a Zoning would be supported by the landowners who own covenanted land around North Street. They after all provide the natural services and a certain aesthetic to residents as well as a landscape to those passing on the Bass Highway. There must be about 6 or so titles, which are covenanted. Some of this land is zoned Low Density and some Rural Living in the 2013 IPS.

The more developed areas South of Bonney St and either side of Samuel down to Hill St would seem to be more suited to Low Density Residential. The MVC 95 Scheme’s minimum lot size for ET seemed to be more appropriate.

Without infrastructure allowing a minimum lot density of 1ha would seem to be creating a series of problems associated with public health, water supply, traffic management and bushfire hazard.

A second road outlet is probably unnecessary. After all, how does a community deal with the problem when 2 outlets are blocked? How do the residents on the eastern end of Hill St escape a bushfire? Why would you send Christmas Hills or ET residents through the countryside in a dangerous fire situation to crash in the smoke or be trapped by unpredictable fire behaviour?

There is an urgent need for Scenic Protection for the Bass Hwy. By changing and diminishing the Urban Growth Boundary and changing zoning for the prominent land onto

Bass Hwy, especially West of Samuel St to Rural Living with larger lots, one may mitigate the impacts of a hillside of houses where currently there is significant vegetation retained which would be threatened by 1 Ha minimum lots.

We consider that where there is an Urban Growth Boundary based on an historic survey plan Council should be willing to change it now. Given time we would comment similarly on other such areas and Chudleigh also comes to mind.

Chudleigh

We consider likewise that Chudleigh's original Rural Living Zone north of the gazetted township should be abandoned and the Rural Living Zone applied to much of the area within the gazetted township at the southern end instead achieving a lower density, as has been proposed by Council in the amendment 4.

Jackeys Marsh

We consider that the Zone could be divided into those areas which have covenant and those which do not and that those that do and perhaps the odd one which is adjoining etc should be zoned Environmental Living.

We consider that subdivision should be allowable albeit at a large minimum density such as 20 Ha. We consider the Community Fire Plan to be a useless idea that may lead to disaster. The area obviously needs adequate Safer Places or whatever the correct term is.

14.0 ENVIRONMENTAL LIVING ZONE 14-1

We support this zone but have a concern about the lack of application of the zone and also the inadequate front setback for the only such zoned area of this zone that would potentially lead to the harming of streetscape amenity.

We support the minimum lots size of 20 Ha, being what we consider to actually be a zone density aspiration. Nothing smaller should be contemplated and if there are smaller lots present, boundary adjustment should be considered to enlarge them. However as the Council's application of the zone is over covenanted land and we support strongly that approach, the scheme should refer more often and in a more integrated way to the terms and application of the conservation covenant relevant to the subject land.

We consider that conservation covenants provide land use planning which should be considered to be in perpetuity, as they in fact are and that therefore they represent land use planning. So, when someone has covenanted land and has incorporated places for a dwelling, based on their criteria including conservation aspects, those should be given acknowledgement and respect in terms of the planning scheme.

After all the covenant has the support of the State of Tasmania and the Commonwealth of Australia and is a part of the National Reserve System of Australia. But they do not represent a total donation to the public interest and hence facilitating land use planning that supports the land is completely in keeping with both the NRLUS and the LUPAA objectives.

We support this zone and in the main but consider it has not been applied sufficiently across the landscape.

E7.0 SCENIC MANAGEMENT CODE E7-1

We note in the Notice for Amendment 4 of 2015 that an area of land at Chudleigh has miraculously gained scenic protection and TEA strongly supports that welcome proposal. However, we advise it is not sufficient and that our proposal below to the 2013 MVIPS has not been adequately considered.

Thus TEA reiterates: We recommend that the Appendix 1 of The Meander Valley Scenic Management Strategy be used as Local Scenic Areas to expand the 2013 IPS Table E7.1 with character statements and scenic objectives.

We are most concerned that for the one area listed in table E7.1 that there is no local criteria and no local standards. This needs rectification.

Scenic and Cultural Heritage Landscapes

Forestry often degrades the visual amenity of an area. Whilst this means different things, to different people the fact is that in almost all 29 Municipalities of Tasmania, regardless of what amenity, visual or heritage issue concerns you over forestry developments, one can do nothing about it through any formal LUPAA process. Citizens may lobby the industry or the landowner if one finds out in time but are given no power at all, no rights whatsoever. It is completely unacceptable and backward.

No Statewide study into community opinion regarding scenic landscapes has occurred in Tasmania as far as we are aware. The FPA has control of landscape assessment regarding forestry but their long serving, beleaguered expert on landscape, Bruce Chetwynd retired in 2012 and has not been replaced (FPA News 2012).

Scenic assessment and planning for forestry is now left to the FPOs writing the FPP and in our view those people are completely inadequately trained to deal successfully with landscape matters. A most unfortunate situation, given the immense value of the landscape to the Tasmanian economy. Forestry scars landscapes and such damage results in conflict and anger. It means that forestry is most unlikely to get a social license any time soon.

Those scars are long lasting and in many instances virtually irretrievable. Such scars leave an almost indelible impression upon visitors to Tasmania the backbone of our tourism industry, as well as on local residents. Almost everyone holds disdain for a scarred landscape. A large amount of change and scarring has been wrought on the precious landscapes of Tasmania under the RFA.

Landscape protection policy, laws and strategies are completely inadequate in Tasmania. TEA is not highly expert in Cultural Heritage Landscape assessment but the writer is trained as a professional photographer and thus has a well-tuned eye for Aesthetic Naturalness and a scarred and degraded view.

The historical landscape consultant, Gwenda Sheridan has, at our request, made some suggestions and comments to TEA that may assist:

“The U.K. response by its government agencies has been to divide the entirety of England and Scotland into 159 ‘Character areas’ (at the national scale) and Scotland into 21 units - based on natural heritage features. The methodology employed is called Landscape Character Assessment, (LCA). It is underpinned by a number of government agencies such as Scottish Natural Heritage, The Countryside Agency, Historic Scotland and English Heritage. Similar programmes are being put into place for Wales and Ireland. The Assessment takes place at broad, regional and local levels. This grew out of earlier work by the Countryside Commission’s earlier work in the 1990s. The method can be applied at local, regional or at the national

level. This is a methodology that takes an holistic direction. LCA aims to identify what makes a place distinctive, it provides a framework for assessing, then better managing the landscape, land use and place - from a very local neighbourhood perspective to a much broader area. The Forestry Commission of both England and Scotland is assessed under this methodology. Forests such as those in Tasmania would be called Ancient forests. The community is involved; there are overlays called Historic Landscape Characterisation and Quality of Life Assessment. Meanwhile other Australian states, the United States and Europe have all developed policy on cultural landscapes. Tasmania's non-compliance in this respect of its heritage after ten years of reviews, reports and analyses, stands in stark contrast to what is happening elsewhere.

Tasmania has some of the most extant examples of cultural nineteenth century evolved landscape in Australia; Their patterns are quite unique and will not be found exactly as they appear here, elsewhere in Australia. They are quintessentially Tasmanian and yet they reflect as well a time and a place that was landscape patterning in England; the combination of landed rural estates with pastoral and agricultural land marked by enclosure. A repetitive pattern to Tasmanian evolved landscape lies in early grant patterns and in the juxtaposition of the ordered, structured, more formal type landscape and its juxtaposed "wild" forested counterpart which forms the framework to what is seen and experienced, one a foil to the other. This has been pointed out in published material, delivered consistently at public addresses across time.

Very relevant to this submission is the Historic Landscape Characterisation overlay to LCA carried out in partnership with local government. English Heritage describes this 'as a powerful tool that provides a framework for broadening our understanding of the whole landscape and contributes to decisions affecting tomorrow's landscape,' [Sheridan's emphasis]. English Heritage further noted that England's rural landscape was 'one of the jewels of our national heritage.' It is therefore not too much of a quantum leap to suggest that Tasmania's rural landscape is also one of the jewels in Australia's national heritage. One however not yet recognised as such or adequately protected in legislation. Additional comments from English Heritage were that,

'it is too easily overlooked when we concentrate on individual buildings or archaeological monuments and its historic dimension can be too easily missed if landscape is admired as beautiful scenery.'

The English Historic Landscape Characterisation is in line with the European Landscape Convention, which came into force in 11 ratifying countries on 4 March 2004. It was signed by the U.K. in February 2006 and ratified on 21 November 2006. It came into force on 1 March 2007. It seems most curious on the basis of these international directives and their implementation that Sheridan was informed in November 2006, that 'cultural landscape' was not a 'useful' term.

Time and place has moved well beyond the 'warm and fuzzy' and the 'too hard basket' as being excuses for not assessing landscape values. Elsewhere they are recognised, are incorporated into policy, into practical working planning documents, and into legislation."

The writer can remember in 1971 visiting a designated scenic area in southern England. It was only small area along a country roadside. It was a special experience. So in more civilised places on the planet scenic cultural heritage landscapes have been a focus of conservation for over 40 years and still Tasmania seemingly cannot deal with this issue, and

all the while, year after year, another scenically important landscape, or indeed many, are lost scarred or degraded. It does not have to be that way of course.

In 2004 the PTR 1698 Appeal, landscape scarring and conservation were raised and the FPA's Mr Chetwynd gave evidence that the current FPS Visual Management system was out of date and needed revision.

TEA argues we need much, much more than simply revising the FPA's processes in regards to this matter of State importance.

Tasmania's 29 LG Councils should all recognise that the cultural heritage landscape values and scenic amenity of Tasmania are important assets that contribute greatly to the community's economic life and general wellbeing, and form the cornerstone of the State's important tourism industry, which employs several times more people than forestry.

It is totally unacceptable that new planning schemes are developed without important world-class scenic landscapes being protected. The current measures being put in place will in most cases be insufficient and in MVC's case, the Scheme's mechanisms have not been applied evenly across the Municipality to scenically significant areas.

Meander Valley Council, several years ago contracted the company Inspiring Place to create The Meander Valley Scenic Management Strategy. It is worth considering the potential of such work in the broader context. We do not claim this Strategy to be perfect but what we do know is that the work which cost several tens of thousands of dollars was effectively scrapped by conservative pro forestry elements on Council who of course could not see that this may be more important than forestry, well perhaps they could see it but took the strategic step of burying this important matter thus irrationally (in land use planning terms) placing forestry first. The conflict continues. The Municipality was further scarred; the economic opportunity accruing from the retention of landscape quality was not understood or maximised.

The Tasmanian landscape is of great economic value both to Tasmania and our Municipality. It is an intrinsic part of the Tasmanian brand. TEA has some suggestions over this important matter:

Please acknowledge now that current protection of landscapes in MVC IPS and in Amendment 4 of 2015 is completely inadequate.

We urge MVC to identify and protect the outstanding Tasmanian landscapes within the MVC's area as an urgent regional priority. It needs to comprehensively assess Tasmania's landscapes and determine the values held by the community and quantify the economic value of the outstanding landscapes in our area. We will take this issue to hearing again, hopefully to a proper hearing this time.

Encourage and fund more highly trained human resources to manage and protect the landscape of Tasmania.

With regard to forestry, end the farce where in many instances the company doing the logging is writing the forest practices plan and conducting scenic landscape assessment. Institute a requirement for independent professional scenic assessment and some reasonable form of protection for all scenic areas that are subject to logging operations. Our preference is to completely remove the assessment and control of the protection of landscapes proposed to be logged from control of the Forest Practices Authority by simply relying on LG planning schemes such as MVC's new IPS.

We consider there is a need to introduce Cultural Heritage Landscape legislation without delay, using UK legislation as the basis. Establish a Government regulatory and assessment authority to oversee the protection and management of scenic landscape in Tasmania.

Achieve secure scenic protection for landscapes. This would include comprehensive protection of important landscapes, places on the National Estate for their scenic significance, scenic viewpoints and other views of relevance to tourism, local communities and those of heritage interest and significance.

Any State Policy on forestry / land clearing should include landscape protection objectives in line with the European Landscape Convention commitment to *“protect, manage and plan for landscape values across all landscapes, rural and urban, large and small, coastal and inland, protected or degraded.”*

A RMPS Planning Directive could include clear guidance in a Landscape Protection schedule regarding the values to be protected, appropriate assessment criteria and methodologies etc.

Introduce legislated protection of cultural heritage landscapes. Ensure every local government planning scheme is protecting the outstanding regional and local landscapes from insensitive development.

Why is there no Local Scenic Management Area outside of the Meander Valley Part A area?

Disturbingly there is no Local Scenic Management Area outside of the Meander Valley Part A area at Travellers Rest, despite the high to very high scenic quality of the Part B area and despite the substantial importance of the high quality of the scenery to the future economic and social well being of the municipality.

A massive shortcoming is the indisputable fact that the MVC IPS doesn't deal adequately with scenic protection and management. This remains a major problem for people who recognise and want to protect the intrinsic value of the scenic amenity of the area generally. Living in the beautiful Tasmanian countryside is a valid choice many people make. Indeed the local community obviously and clearly identified the loss of scenic values as a major concern yet virtually nothing has been done to protect scenic amenity in the new scheme. It is unacceptable and must be rectified.

Retention of scenic landscapes is not just for tourism. There are clauses in the scheme ordinance but few identified Local Scenic areas in the Overlay mapping, even though our Municipality has many very scenic places and our wellbeing is indisputably enhanced by the retention of such places. Council is unwisely ignoring its own Scenic Management Strategy of 2002, which was professionally and competently done by Inspiring Place. Effective controls are urgently needed to protect areas of significant visual values now.

It may be necessary to identify the geographic feature or roadside one considers should be protected with local scenic protection. So far, only a couple of tourist routes have roadside protection but no local ones at all outside of MVC area A.

Various uses have the strong potential to degrade scenic amenity. Once the landscape has been scarred or the scenic element or quality removed, it is virtually impossible to get it back. It represents an irretrievable loss.

The beautiful scenic Tasmanian countryside remains a key economic advantage for industries such as tourism but remains largely unassessed and certainly unprotected whilst in the meantime our visual amenity gets the death of a thousand cuts and our quality of life is diminished and future opportunities curtailed. Culturally and economically of course, this is an asinine absurdity.

E7.6.1 Scenic Management – Tourist Road Corridor

E7.6.1 Performance Criteria “g) whether development for forestry or plantation forestry is in accordance with the ‘Conservation of Natural and Cultural Values – Landscape’ section of the Forest Practices Code; and” is not supported.

Scenic Corridors and Local Places

The scenic corridors in the draft are limited to main roads and are only 100 metres wide; so do little more than protect the roadside verge. All scenic roads and all roads to tourist destinations, all roads to secure conservation reserves, all Targa routes, should become scenic corridors and be afforded reasonable protection, greater than the proposed 100 metres. Or such areas need to be identified as Local Scenic Areas.

In the early part of the last decade, the Municipality spent over \$80,000 on the Meander Valley Scenic Management Strategy but has since hidden it in a closet in the basement. This study by Inspiring Place was very important as a step towards saving the Municipality from scarring and unacceptable landscape change but Council instead failed the community.

There is thus the ability right now to identify many local Scenic Management Areas in the new planning scheme but only one has so far been identified – Travellers Rest/Blackstone Heights. We support the area concerned remaining protected for its scenic values. This area is no more scenically important than many other areas within the Municipality. It is an atrocious situation and deficit.

The Scheme makes no consideration of special landscape places that must be sensitively managed in the rest of the municipality. Special landscape places should be identified through consultation with the community and these also included as Local Scenic Management Areas.

This lack of proper landscape protection is inexplicably short sighted and unacceptable.

If one looks at the section E14 on signage one can see that Council is far more concerned about signage than protecting the landscape.

The Planning Scheme needs to responsibly manage the changing landscape to ensure that current and future residents and visitors do not suffer the loss of the existing visual amenity provided by the interplaying mix of clear and uncleared land that is a result of the complex of landform and geology.

Whilst the varying usefulness of the land itself was once a protection for certain elements of the landscape, pressures on the countryside by greed, by changing population distribution and work patterns is now leading to changing land use and the increased density and intensity of use.

Some changes can be absorbed by the scale and mass of the landscape. However, substantial changes in the near view cannot be masked in the landscape because of their proximity to the viewer.

Identifying scenic routes and guarding against degradation of the current character of the landscape along them would not only benefit residents in that it enhances property values as well as making living in the area enjoyable but is an investment in protecting the amenity resources for the tourism businesses located in or using the Meander Valley. Tourism continues as an important and growing part of the economy and offers a diversification of income. The Regional Forest Agreement supported Tourism in the region. This is covered later.

We recommend a second class of route landscape protection for smaller roads where scenic amenity and quality is also important. Indeed all roads where scenically significant should through the Scheme have the ability for those cultural values to be considered and where necessary to enable the scheme to modify the proposed development.

We recommend a narrower buffer category for scenic routes other than main roads. This buffer could be 50 metres instead of 100 metres.

Prominent Areas Proposed to be Adopted for Local Scenic Management Area status in IPS

We propose the following areas be adopted for Local Scenic Management Area status and conservation of their high scenic character and as irreparable features of the landscape.

1. The hill facing the Bass Hwy on the property Woodville at Exton/Reedy Marsh. The other hills on that property which forma skyline of forested hills to the north east of Deloraine and which are viewable from several parts of the town.
2. The south and east face of the hill on Grassy Hut Tier facing the Bass Hwy at Hadspen. Very prominent in the landscape.
3. The west face of Grassy Hut Tier facing the Bass Hwy at and around Carrick.
4. The east face of Cluan Tier facing the Bass Hwy at several locations including Westbury.
5. Black Sugar Loaf Ridge, visible from parts of Westbury and the Birralelee Rd.
6. Black Hills, an important backdrop to parts of Westbury.
7. Strahan's Hill at Traveller Rest
8. The forested northern footslopes of Mt Arnon, the mount itself being in Northern Midlands.
9. Cubits Sugarloaf, all aspects. This is both scenically and culturally significant as well as being a biodiversity habitat corridor.
10. The Needles ridge top and south side and west end when viewed coming from Chudleigh.
11. Archers Sugarloaf
12. Warners Sugarloaf.
13. The Beefeater Hill, north face highly visible from Deloraine
14. Pumicestone Ridge, north face highly visible from Deloraine. This includes a Rural Living area.
15. Long Ridge, north face highly visible from Deloraine (It was a crime this was logged)
16. North face of Christmas Hills both from Bass Hwy around Gannons Hill and Ashgrove Farm. And from public locations in Parkham.
17. Black Jack Hill and Bogan Road

18. Gum top on Cluan especially from Golden Valley but also from Bogan Rd
19. Long Hill backdrop to Kimberley
20. Gardner's Ridge
21. Magog, visible from both the north and the south.
22. Gog Range, both sides. The foothills to the north have been scarred but it remains a great scenic asset.
23. Upper Liffey Valley
24. The Great Western Tiers
25. Quamby Bluff.

We have a further list of areas that we wish to field check. We wish to support that list with mapping as well. We are also willing to provide photographs of the areas proposed.

We also recommend that scenic panoramas be identified as per the Inspiring Place proposal.

Meander Valley Scenic Management Strategy and MVC 2005 Land Use and Development Strategy

The 2007 Draft Scheme removed obligations (weak as they may have been) from the original 1995 scheme (prior to the PAL amendment) to protect the landscape from scarring. The 2007 draft also failed to incorporate the vast amount of significant landscape scenic management work by "Inspiring Place" using public funds. The Council's Meander Valley Scenic Management Strategy should be revived. The ignore of this important work and also of the goals set on the 2005 Land Use and Development Strategy in designing a new planning scheme remains unacceptable. We quote from the 2005 Strategy:

"The natural heritage of the Meander Valley is outstanding in terms of the scenic amenity and wilderness values of its natural environment. The area is rich in cultural history, characterised in particular by the effects of the extensive Aboriginal presence and the European settlement of the area...."

Council recognises that the cultural heritage values and scenic amenity of the valley are important assets that contribute greatly to the community's economic life and general wellbeing, and form the cornerstone of the growing tourism industry.

Council's strategy recognises the importance of maintaining and enhancing this cultural heritage and amenity and outlines policies and strategic directions to ensure that these important assets are recognised and taken into account in land use planning."

The new Interim Scheme is diminished by the avoidance of this seminal landscape management study. It had many recommendations that should be incorporated if the strategic direction of the Land Use and Development Strategy is to be implemented. As well, the mapping of landscape management study should be completed. Landscape protection, especially for foreground views, roadsides and areas of great natural beauty should be incorporated into the new scheme now. As Council knows, such landscape attributes are of significant economic benefit and add substantially to our amenity and quality of life. We have one of the most beautiful places on the planet and yet the Council continues to allow its desecration.

The 2005 MVC Land Use and Development Strategy makes one statement with which we, representing the community, and Inspiring Place do not agree:

“Council recognises that large areas of the Meander Valley are working landscapes that sustain the agricultural basis of the Meander Valley economy. Agricultural and forestry practices have significantly contributed to creating the current landscapes. Council does not consider that promoting cultural heritage, scenic amenity and the tourism industry conflicts with its ongoing support for agriculture and forestry.”

The fact is that both agriculture and especially forestry can and do scar the landscape. That does not always occur and forestry is far guiltier of scarring than agriculture but the fact is that such impacts are significant degraders of the landscape and must be regulated and constrained in places of high amenity and in important views.

Interstate and overseas visitors to our Municipality often comment on the unsympathetic way in which forestry is harming the beauty of the area. They are right and further people will stop coming if the place continues to become an ugly hole of charred stumps and boring plantations. High aesthetic naturalness is a natural advantage of the area that has been eroded over the last 10 years and which continues to be eroded. The potential loss to Tourism is significant. That is unsustainability at work.

The 2005 Land Use and Development Strategy makes several commitments over landscape:

Under Cultural Heritage it states:

Strategic directions	Statutory implications
<p><i>Council recognises the economic and social benefits of appropriately managing the cultural heritage of Meander Valley. This heritage includes Aboriginal heritage, European heritage and the complex cultural landscapes of the valley.</i></p> <p><i>Council will recognise and identify the important cultural heritage of Meander Valley and will develop provisions to ensure it is enhanced and appropriately managed into the future.</i></p> <p><i>Council will ensure that the planning scheme integrates and complements state government systems for the protection of Tasmania’s cultural heritage.</i></p>	<p><i>Council will:</i></p> <ul style="list-style-type: none"> <i>• Identify and document landscapes, areas, places and objects of cultural heritage significance</i> <i>• create inventories of such for inclusion in the planning scheme</i> <i>• incorporate decision-making criteria to determine the acceptability of use and development affecting landscapes, areas, places and items of identified heritage significance</i> <i>• align its decisions with the Tasmanian heritage council works permit process and Aboriginal sites legislation.</i>

In the Landscape Heritage section of The MVC 2005 Land Use and Development Strategy it states:

“The landscape is fundamental to the Meander Valley community’s self image and sense of place. The hills, forests and forestry, farms, wilderness areas, towns and villages together represent the history of the Meander Valley and its heritage. The landscape is made up of many layers representing the actions of differing

communities over time. The landscape is dynamic and changes in response to new ways of farming, new influences on development, and the changing practices and scale of forestry operations.

Council recognises that the landscape is comprised of many agricultural and forestry enterprises from which the community derives wealth and employment. These enterprises have shaped the current landscape and will alter it into the future.

Managing the landscape and respecting its heritage and the value placed on it by the community is important to Council. Council will seek to identify the landscape elements that are valued by the community and will encourage that landscape values are respected in land use decision-making.

Respecting the landscape in the Meander Valley is important because:

- The community has strong cultural ties to the landscape. Appreciation of the rural scenery*

and splendour of the mountains, lakes, coasts and forests creates a common bond within and between our communities and contributes to our quality of life.

- The natural and cultural values of the landscape are a major component of our tourism*

industry, generating economic benefits across the area. As such, landscapes should be recognised and managed as a key component of tourism infrastructure.

- Landscape values are closely related to ecological values. Protecting landscape values can also help to protect a range of other environmental values.*

Decisions taken in the past have frequently detracted from the visual value of many Tasmanian landscapes. This is evidenced in poorly designed residential subdivisions or forestry operations; insensitively located service infrastructure such as reservoirs and telecommunications towers; and the cumulative impact of poor management practices that have allowed rural land degradation, weed invasion, and the inappropriate location of buildings and associated roads and infrastructure.

Council is working in partnership with the state government to devise a system for landscape management that represents all interests. Through this process, Council wishes to promote the scenic and landscape values of the Meander Valley and encourage landowners and developers to consider scenic values in all development. Council wishes to base management of landscape quality on encouragement of, and education about, best practice. With respect to forestry operations Council supports the implementation of the scenic value guidelines of the Forest Practices Code.”

We do not support this last statement in the Strategy and refer Council to the ancient Forestry Commission Landscape Manual now totally out of date. The FPC is incredibly deficient on landscape issues. There is no independent advice that the code is sufficient. The strategy has not responded to the community concerns put before it during the comment period.

Worse, FPPS are not lodged with the FPA at all. So, no state or local authority gets to review the plans and to ensure that landscape issues are properly considered. No plans lodged means the public does not even get to see a plan. It is unacceptable.

Landscape heritage

Strategic directions	Statutory implications
<p><i>Council recognises the importance and value of the landscape of the Meander Valley to the community.</i></p> <p><i>Council recognises that the landscape has value for its heritage and cultural associations, its contribution to the tourism industry and the sense of place it gives residents.</i></p> <p><i>Through the planning scheme Council will encourage land use and development that respects these values.</i></p>	<p><i>In conjunction with the identified stakeholders and the Tasmanian Government, Council will:</i></p> <ul style="list-style-type: none"> <i>• identify elements of the landscape that are, for scenic amenity or cultural reasons, important to the Meander Valley community</i> <i>• develop for inclusion in the planning scheme, decision-making criteria that encourage and promote best practice in landscape management.</i>

The above commitments have not occurred and need to as an urgent priority. The Environment Association is clearly a stakeholder in any process regarding landscape management and protection in the Municipality.

The Partnership Agreement

There are several commitments to landscape protection and management including the Partnership Agreement. Such as:

2.11 SCENIC MANAGEMENT

Issues

The parties agree the key issues to be addressed are:

- The parties acknowledge the importance of visual amenity to the Meander Valley community and the importance of developing and implementing provisions to ensure that the visual amenity of the Meander Valley is managed in a sustainable way, taking into account all competing interests.*
- The parties recognise that stakeholders in this process include landowners, Meander Valley Council, the Forest Practices Board, the Department of Tourism, Parks, Heritage and the Arts, the Resource Planning and Development Commission and tourism interests.*
- The parties recognise the benefit of developing mechanisms to manage visual amenity in a consistent and objective way and that these benefits include:*
 - o Certainty for developers stemming from having objective upfront standards.*

o Consistency of assessment provision for the Forest Practices System and Local Government Planning Schemes.

o Reduction of conflict between State Government, Council and communities.

- *The parties recognise the need to work together to develop mutually acceptable provisions, taking into account all interests to encourage landowners to take account of the visual amenity in planning land-use and development.*

Action and timeframe

The parties agree the following action and timeframe will be used:

Action	Timeframe
<i>The Meander Valley Council in conjunction with relevant State agencies and the Forest Practices Board will work to finalise appropriate provisions for inclusion into the ongoing Meander Valley Planning Scheme review.</i>	<i>Involvement to be determined in consultation with the stakeholders. Council to convene a meeting of stakeholder representatives within two months of signing the Agreement, with the stakeholder group to work towards developing provisions within twelve months.</i>

Meander Valley Heritage Study, Study Report 2006, by Paul Davies

In the Meander Valley Heritage Study, Study Report, Prepared by Paul Davies Pty Ltd, Architects Heritage Consultants February 2006 it recommended:

13 Consider general heritage listings of key landscape features across the council area including (with base recommendations for management):

- Hawthorn (and other) hedgerows

- *Retain all extant hedgerows, require council consent to remove hedgerow plantings, allow for openings to provide access and for limited field amalgamation but not general removal of hedges. Observation of changes seen in aerial photographs over time demonstrates the reduction in hedgerow plantings*

- *Retain hedge plantings along road alignments along with grassed verges as a distinctive feature of the landscape character of the council area.*

- Windbreaks particularly row plantings of conifers

- *Retain mature windbreak plantings, remove only where dangerous and provide for replanting.*

- Dry stone walls

- *Retain all elements identified in the schedules and those not identified (remote locations).*

- Stands of mature exotic trees

- *Tree stands relate to garden areas, to established properties or in some location mark former house sites. All groups of exotic trees are significant within the landscape and should be retained. Generally removal of mature trees should require an application to council. Consideration should be given to the broader heritage value of trees within the landscape when considering applications for tree removal. If trees are approved for removal, suitable new plantings of similar or matching species should be required.*

- *Patterns of field sub-division particularly in the Hagley area*

- *The field patterns between Hagley and Deloraine but particularly around Hagley and Westbury are an outstanding example of early rural practice. The early field patterns should be retained and amalgamation of fields controlled.*

- *The pattern of small-scale country roads with grass verges, hedgerows and enclosed plantings*

- *The character of rural roads and lanes is a key element of the landscape and should be conserved and preserved as part of the essential character of the council area. This character changes from area to area, but nearly all minor roads make a very important contribution to the overall aesthetic and visual character of meander Valley.*

- *With the construction of major roads, much of the pressure for upgrade of minor roads has been alleviated. The policy should be to retain country roads and lanes in their current form with minor upgrade to retain their heritage value.*

- *Where upgrade is required and is unavoidable careful consideration should be given to options to minimise the impact on the cultural values of the area.*

14 Establish a requirement for consent for rural buildings including sheds within significant viewscape or precincts.

Comment

Often the erection of rural structures in sensitive landscape areas can have a dramatic and detrimental visual impact on the broader heritage and landscape values of the area. It is recognised that new buildings and farming practices are required to enable the economic and viable use of land. It is not the intent of the policy to impede the use of land. Requiring consent for rural buildings will allow an assessment of visual impact to be made and where such an impact is found to look at ways to mitigate that impact. This may be achieved by moving the location of a structure to a less sensitive area, changing the colour or material of the building or by introducing new planting to screen the structure.

The requirement to mitigate impact would only apply where the building is determined to have an adverse impact on the landscape setting.

Reference to studies such as the Tasmanian Rural Cultural landscape Study and the Meander Valley Scenic Management Strategy will assist in such assessments.

15a Adopt the policies set out in the Meander Valley Scenic Management Strategy for each landscape unit and include these policies within the planning scheme.

Comment

The Meander Valley Scenic Management Strategy analyses in detail the character of the landscape across the Council area and provides very specific management recommendations along with mapping of those values. There is a close correlation between scenic character and cultural heritage values in landscape as much of the landscape is a culturally created landscape that is now valued as a scenic asset because of its history and cultural values.

15b Adopt the recommendations in chapter 5 of the Meander Valley Scenic Management Strategy to complete the visual mapping of the council area to adopt the draft schedule set out in Appendix 3 of the study along with other recommendations on implementation.

Comment

These recommendations and policies overlay with the heritage provisions and complement the approach set out in this study.

It is totally unacceptable that a new MVC planning scheme is developed without the commitments and the professional advice paid for with public monies being used and honoured and without our critically important scenic landscape being protected.

The Environment Association is a stakeholder in landscape matters. We championed amendments to the MVC 1995 scheme in regards to landscape provisions.

Remember this in the MVC Strategic Plan?

“Where we’re going.” Majestic landscape & rural splendour The backdrop of the Great Western Tiers, the unique rural countryside of fields, hedges and villages, give Meander Valley its unique look and feel.”

Note the 2002 Birkett and Associates Report, commissioned by GHD for Meander Valley.

“The best features about Meander Valley are quiet, peaceful, scenic beauty (45%) followed by close to services (24%) and close to Launceston (18%).”

So if quiet, peaceful, scenic beauty is one of the best features of Meander Valley why is Council not protecting it? Why has nothing been done since 2002? Why does protection of the best features continue to be shunned? Is that because the LUPAA objectives are being met in some other way? No, of course not.

There is clearly a lack of will to implement landscape controls and protection. The avoidance of the strategic directions agreed upon and given out to the public is a malfeasance.

High aesthetic naturalness is a natural advantage of the area that has been eroded over the last 20 years and which continues to be eroded. The potential loss to Tourism is significant. That is unsustainability at work.

The Partnership Agreement

There are several other commitments to landscape protection and management including the Partnership Agreement¹. Such as:

2.11 SCENIC MANAGEMENT

Issues

The parties agree the key issues to be addressed are:

- The parties acknowledge the importance of visual amenity to the Meander Valley community and the importance of developing and implementing provisions to ensure that the visual amenity of the Meander Valley is managed in a sustainable way, taking into account all competing interests.*
- The parties recognise that stakeholders in this process include landowners, Meander Valley Council, the Forest Practices Board, the Department of Tourism, Parks, Heritage and the Arts, the Resource Planning and Development Commission and tourism interests.*
- The parties recognise the benefit of developing mechanisms to manage visual amenity in a consistent and objective way and that these benefits include:*
 - Certainty for developers stemming from having objective upfront standards.*
 - Consistency of assessment provision for the Forest Practices System and Local Government Planning Schemes.*
 - Reduction of conflict between State Government, Council and communities.*
- The parties recognise the need to work together to develop mutually acceptable provisions, taking into account all interests to encourage landowners to take account of the visual amenity in planning land-use and development.*

Relevant LUPAA Objectives

Of course all residents are stakeholders in scenic amenity issues. Indeed LUPAA commits to the broader notion of the public interest over this issue.

LUPAA in Schedule 1² has objectives, which support the retention of scenic amenity:

(f) to secure a pleasant, efficient and safe working, living and recreational environment for all Tasmanians and visitors to Tasmania; and

(g) to conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value; and

¹ PARTNERSHIP AGREEMENT GOVERNMENT OF TASMANIA AND THE MEANDER VALLEY COUNCIL AN AGREEMENT made the 24th day of July two thousand and three. BETWEEN THE CROWN IN RIGHT OF THE STATE OF TASMANIA, and MEANDER VALLEY COUNCIL, a body corporate created pursuant to the Local Government Act 1993;

² PART 1 - Objectives of the Resource Management and Planning System of Tasmania

So, why doesn't Meander Valley Council address this? When will MVC take this matter seriously?

Regional Land Use Strategy of Northern Tasmania and Landscape Relevance

The Regional Land Use Strategy of Northern Tasmania³ states:

“Aligning regional planning land use policy and investment decisions to enhanced liveability should be a key objective of the regional strategy. It will improve both the strength of our communities and our longer-term economic performance. While the drivers of liveability are being progressively understood, there are good indications that the following are strong contributing factors:

Aesthetics: It is increasingly recognised that places of high functionality and aesthetic beauty perform better and have greater economic and social success. The quality of the urban environment correlates with the attractiveness of public spaces, the presence of parks, quality landscaping, accessible outdoor recreation opportunities, care of heritage, and the retention of public views. Attractive places simply ‘do better’.”

And The Regional Land Use Strategy of Northern Tasmania⁴ states:

“2.3.3 Goal 3 and Strategic Directions

Goal 3: Adopt and maximise sustainability measures for new development and develop stronger community resilience to social and environmental change, such as threats of climate change, changing socio-economic demographics and prevailing economic development conditions.

To be achieved by:

- *Provide planning and development outcomes which collectively reflect the particular considerations for the settlement and land use dimensions of social advancement, economic prosperity, healthy environmental systems and provision of infrastructure and services.*
- *Ensure protection for the Region's high value natural assets, cultural heritage, agricultural land, landscapes, natural resources, open space and recreation areas.*

Northern Tasmania has a unique natural environment. It is recognised nationally and internationally for its beauty, biodiversity, and natural resources. It is also the source of much of our wealth. Caring for our natural environment and using our resources in the most sustainable way is critical to our future wellbeing.”

And

“Northern Tasmania is one of Australia's unique and pristine biodiversity areas and is renowned for the quality and diversity of its natural environment, which includes some distinctive features:

³ 06 Sept 2011 Regional Land Use Strategy – Northern Tasmania Copyright © All rights reserved. This document and its intellectual content remains the intellectual property of JOHNSTONE McGEE & GANDY PTY LTD (JMG). ABN 76 473 834 852 ACN 009 547 139.

⁴ 06 Sept 2011 Regional Land Use Strategy – Northern Tasmania Copyright © All rights reserved. This document and its intellectual content remains the intellectual property of JOHNSTONE McGEE & GANDY PTY LTD (JMG). ABN 76 473 834 852 ACN 009 547 139.

- *rich and diverse native flora and fauna;*
- *a dynamic coastline and marine waters — open coastline including rocky foreshores, reefs, headlands and pristine beaches;*
- *spectacular forested mountain ranges and peaks, including Ben Lomond National Park;*
- *freshwater wetlands, waterways and floodplains, and*
- *good air and water quality.*

People value the combination of diverse and culturally significant landscapes that shape the region's economy, culture, liveability and lifestyles. This quality and diversity of the region's landscapes are major reasons for migration into and within the region. To remain attractive and functional, the regional landscape must continue to support values such as biodiversity, rural production, scenic amenity, landscape heritage and outdoor recreation.

Regional landscape values occur in urban, semi-urban and rural areas. Communities across the region recognise that these values influence the character and quality of the places where they choose to live, work and play. Regional sustainability and prosperity require understanding and careful management of the interdependencies between people, urban, semi-urban and rural land uses, and regional landscape values. For example, the regional landscape is being increasingly used to locate major infrastructure that services growing urban communities.

Regional planning must help to ensure regional landscape values are resilient to pressures population growth, infrastructure development, known climate variability and future climate change. Planning for resilience requires a better understanding of the current state of landscape values, as well as how to maintain and enhance the capacity of the regional landscape to deliver ecosystem services to all communities in the region. This requires programs that prioritise where, when and how investment can be most effectively targeted to restore and maintain landscape values.

The intent of this broad land use category is to support environmental significant conservation areas, regional significant landscape and open space areas that include outdoor recreation areas, forests and reserves. It supports the regional significant biodiversity areas including ecosystems that are endangered, threatened or vulnerable (of concern). It includes land with one or more of the following natural values:

- *World heritage areas, national parks, conservation areas, parks and forest, game, nature and state reserves - including significant fauna habitat;*
- *Cultural and landscape heritage values (Indigenous and non-Indigenous);*
- *Native Forests;*
- *Coastal wetlands including RAMSAR wetlands; and*
- *Land that forms strategic and regionally significant inter-urban breaks and corridors, particularly for critical habitat for fauna movements and intra-regional open space connections and outdoor recreation areas.”*

We enclose with this representation the Partnership Agreement and the Meander Valley Scenic Management Strategy document produced by Inspiring Place.

CONCLUSION

As Meander Valley Council can see there are some complex issues of concern. Indeed this is a brief and incomplete overview of what is a long standing situation regarding a more sophisticated planning scheme document, which has in essence been in development since 2007.

Hence we have only raised key points related to Amendment 4 of 2015 and its limitations and successes in this representation. The limited scenic protection amendment, whilst supported is viewed as a completely inadequate response to our previous representation and indeed we never advocated such a limited protected scenic area specifically.

It should be said however that there is a welcome shift in Meander Valley Council over some matters and that now is the time to look at the Interim Scheme document to see whether it will adequately protect our lifestyle, environment and social means in general into the future.

It is always worth remembering that Tasmania is remote, isolated and poor, with a lower living standard, lower education standard and shorter life expectancy. As a consequence doing nothing, by default entrenching and adopting a laissez faire approach regarding the status quo is not likely to bring much-needed sustainability change.

Governments should rely on community input and we make an informed and mostly supportive representation to the Amendment 4 of 2015 to the 2013 Interim Scheme.

ENDS

From: Portia Whatley
Sent: 18 Jan 2016 10:13:45 +1100
To: Planning @ Meander Valley Council
Subject: Draft Amendment to the Meander Valley Interim planning scheme for rural living
Importance: Normal

To whom it may concern,

My name is Errol Whatley of 104 Brodies Road, Golden Valley, and I wish to express my full support for the proposed changes to the Interim Planning Scheme for Rural Living. I strongly believe the ability to rezone and subdivide in these areas will greatly benefit landowners and the greater community, and should have been done many years ago.

From: paul www
Sent: 20 Jan 2016 15:58:18 +1100
To: Planning @ Meander Valley Council
Subject: Representation on Draft Ammendment for Rural Living
Attachments: Meander Valley Interim Planning Scheme Draft Ammendment Submission.pdf
Importance: Normal

To whom it may concern,

Please find attached our representation regarding the draft amendment to the Meander Valley Interim Planning Scheme 2013 for Rural Living.

regards,
Paul Whitmore & Deanna Fleming
Owners 1633 Bridgenorth Rd, Rosevale

Contacts;
tigertasmania@hotmail.com
0419 040 689
PO Box 28, Cygnet 7112

Dear Sir/Madam

RE Draft Ammendment to the Meander Valley Interim Planning Scheme 2013 for Rural Living

As owners of 1633 Bridgenorth Road, Rosevale, known as "Inglewood", we seek to be included in the proposed rezoning to Rural Living Zone for the following reasons;

Our property:

- Adjoins an existing Rural Living Zone.
- Is one of many that has an existing dwelling in close proximity to each other, close to Bridgenorth Road, that forms an existing barrier to amalgamation of rural parcels.
- Adjoins two existing titles of less than 30 acres each, each with an existing dwelling.
- Has numerous (6) significant areas throughout the parcel designated "Priority Habitat" that preclude its use as an intensive agricultural enterprise.
- Does not have access to adequate water for the purposes of irrigation,
- Has historically never been used for agricultural pursuits but was an equine stables and training track.

We are however not in favour of reducing the setback between Rural Resource and Rural Living Zones from 200m to 25m but feel a compromise of 100m is more appropriate to ensure a barrier for both land uses and discourage a further reduction in subdivision lot sizes, below 10ha, via the performance criteria pathway and discretionary planning permit.

Yours sincerely,

Paul Whitmore & Deanna Fleming
Owners 1633 Bridgenorth Road, Rosevale.
20th January 2016.

From: dennis wild
Sent: 4 Feb 2016 12:12:37 +1100
To: Planning @ Meander Valley Council
Subject: Ammendment 4

Dear Sir, Madam, Ms

After considerable thought about this set of planning changes we would like to pass comment. With 4 North St, currently Light Residential we would like to leave that zoning as it is for the following reasons

We own 4 North St., Elizabeth Town. It is about 4.21 hectare and it is conservation covenanted. I believe it is zoned as Low Density Residential. About two years ago we decided to insert a domestic zone into the area so that the land could either be sold and used as a dwelling or passed on to my daughter Emma, while retaining its natural values for conservation.. The bushfire area takes quite a chunk of land but with Stu king from Parks we found a site next to North street, because it would require very little disturbance to the blocks natural values. Currently the whole block has tree cover of Euc. Obilqua or Euc. Ovata. There is also some some wet area Tea tree. The whole idea is to provide a minimal effective Domestic zone, and not infringe on natural values.

As it is the changes to the covenant is with the ministers office being signed off.

If this was rezoned, and a 200 metre rule applied our plans would be completely ruined. We are totally opposed to the 200 metre set back as it is just very wrong and must have made a lot of blocks virtually useless.
I haven't looked at our title (4 north St.,) as yet but I wonder if the block is even that wide.

Direct neighbours of ours who bought Phillip Parsons land are in for a big shock as I doubt if that block has that much distance.

I actually think any planning or zoning is a waste of time and money until the 200metre set back is scrapped. We know really why is was proposed, it must be seen as very ill advised (is widely seen as a bad joke) and it should be scrapped.

Yours Sincerely
Dennis And Joanne Wild

From: Annemaree Woodward
Sent: 5 Feb 2016 16:14:03 +1100
To: Greg Preece;Jo Oliver;Martin Gill;Meander Valley Council
Email;Planning @ Meander Valley Council
Cc: rodney@quambyview.com.au
Subject: Representation re Amendment 4 of MVCIPS
Attachments: Representation to MVC Interim Planning Scheme 2013 - Amend....pdf

Dear Mr Preece et al,
Please find attached my representation to The Meander Valley Council
Interim Planning Scheme 2013 - Amendment 4.

Regards
Annemaree Woodward

Meander Valley Council
Greg Preece
General Manager
PO Box 102
Westbury Tas 7303

By email to: planning@meander.tas.gov.au

Annemaree Woodward
Aeolia
700 Larcombes Rd
Reedy Marsh
Tasmania 7304
Email: yanga@antmail.com.au

3 February 2016

Dear Mr Preece,

Firstly I wish to point out that the Notice Of Amendment the Meander Valley Interim Planning Scheme 2013 downloaded from the Council website does not include the amendment number.

REPRESENTATION TO MEANDER VALLEY COUNCIL INTERIM PLANNING SCHEME 2013 –
AMENDMENT 4

I have been a landowner and ratepayer in the Meander Valley Municipality since 1973 and a resident since 1979.

I came to Tasmania specifically to live a rural lifestyle and have lived in the rural zone since 1979, firstly in Jackeys Marsh and currently in Reedy Marsh.

I am the owner of a 30.35 Ha property in Reedy Marsh that was adversely affected under MVC PAL Amendment 1/2007, under which I was unable to build and therefore not likely to sell. As a result the Capital Value of my land was reduced from \$120,000 – 29 May 2013 to \$45,000 – 1 Nov 2013.

All the land surrounding my property is protected for its natural values, either as a Private Forest Reserve or a part of the Reedy Marsh Forest Reserve.

In my representation to the MVC PAL amendment, 1/2007 I pointed out that the solution for my land was for it to be rezoned and asked that a zone called rural/residential/conservation be included in the Meander Valley Planning Scheme to accommodate properties like mine.

Accordingly I welcomed its rezoning to Environmental Living Zone and again wish to thank the planning department of MVC for the rezoning. I wish to reiterate some of the detail included in my submission the MVC Interim Planning Scheme 2013 as follows:-

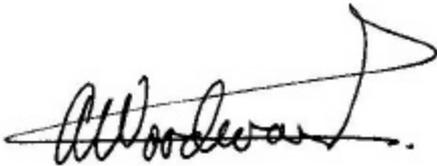
binning. Then, take a good hard look at all those potentially harming activities in the RRZ, re-examine all the planning exemptions that currently apply to those activities and consider regulation instead.

There is a substantial thriving “rural residential” community in this municipality and the people living in these zones must have a planning scheme that supports their lifestyles. These people bring much of the wealth, vitality, diversity and skills on which our municipality has come to rely. They deserve to have their lifestyle supported by their council administration as much as by their elected members.

Council carries out process and prepares documents about the planning scheme for so-called public scrutiny. People make submissions to the planning scheme and if the Council – elected and/or administrative - agree with those suggestions, they can be incorporated into the process but those opinions that differ simply go by the wayside. There is no genuine negotiation, conciliation or path to either consensus or compromise. This is not a fair process.

Thank you for this opportunity to comment on the Meander Valley Council Interim Planning Scheme 2013.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Annemaree Woodward'. The signature is fluid and cursive, with a large, sweeping flourish at the end that extends upwards and to the right.

Annemaree Woodward

DEV 2

ATTACHMENT C

Supplemental Report with reference to point 9 of the Draft Amendment.

The following is extracted from Clause 13.4.1 of the Meander Valley Interim Planning Scheme.

<p>A3 Buildings must be set back a minimum distance of 25 metres from a frontage.</p>	<p>P3 Building frontage setbacks must have regard to:</p> <ul style="list-style-type: none"> a) the prevailing setbacks of existing buildings on nearby lots and pattern of development in the surrounding area; and b) the visual impact of the building when viewed from the road; and c) retention of vegetation within the front setback; and d) consistency with the local area objectives, if any.
<p>A4 Buildings must be set back a minimum of:</p> <ul style="list-style-type: none"> a) 25 metres to side and rear boundaries; and b) 200m to the Rural Resource Zone where a sensitive use is proposed. 	<p>P4 Buildings must be sited so that side and rear setbacks:</p> <ul style="list-style-type: none"> a) protect the amenity of adjoining dwellings by providing separation that is consistent with the character of the surrounding area having regard to the: <ul style="list-style-type: none"> i) impact on the amenity and privacy of habitable room windows and private open space; and ii) impact on the solar access of habitable room windows and private

	<p>open space; and</p> <p>iii) locations of existing buildings and private open space areas; and</p> <p>iv) size and proportions of the lot; and</p> <p>v) extent to which the slope, retaining walls, fences or existing vegetation screening reduce or increase the impact of the proposed variation; and</p> <p>vi) local area objectives, if any; and</p> <p>b) protect agricultural uses on adjoining lots from constraints.</p>
--	---

The first point to be made is;

The above section of ordinance is highly flawed in its construction;

1. The 200m setback to the Rural Zone, in my opinion, only applies to the side and rear boundaries not to the front boundary. (The performance criteria for P4, confirms this.)
2. P4, in relation to the portion of its construct that deals with its interaction with other lots, uses the term ‘adjoining’* and hence by way of example, a Rural Living Lot may be separated by a driveway (of another lot – same ownership or otherwise) of say 4m and the 200m, or a reduced distance, would no longer be relevant, or assessed, insofar as it may have related to the interaction between a sensitive use and the Rural Resource Zone. [*Concise Oxford Dictionary definition says ‘adjoining’ means contiguous.]

The second point is;

The State Policy on the Protection of Agricultural Land (PAL) does not apply to other than the Rural Resource Zone and the Significant Agricultural Zone*, according to the State Government's own Department of Premier and Cabinet website – I believe this to be in error. [*Note: the Significant Agricultural Zone is not used in Meander Valley's, Interim Planning Scheme.]

The mindset of one aspect of the PAL Policy has however been extended to include the Rural Living Zone, Environmental Living Zone, as well as the Village Zone, of this scheme.

Application of the PAL Policy, is, as per its Clause 6, which says the following, in (relevant) part “This Policy applies to all agricultural land in Tasmania”

Included in the Policy, is a definition of ‘agricultural land’ as found in Clause 7, and is as follows, “all land that is in agricultural use or has the potential for agricultural use, that has not been zoned or developed for another use or would not be unduly constrained for agriculture by its **size, shape and proximity** to adjoining non agricultural uses.”

[By the way, it is my belief that the definition above, as found on the governments' website, is in fact incorrect, in that the Tasmanian Planning Commission, in reviewing the Policy at length, the last time, altered/ signed off on the words highlighted above, in the alternate language of “size, shape **or** proximity” which actually conveys a different meaning, to the extent that only one element of ‘size, shape or proximity’, has to be present, for the statement to be true, not all three together. This gives potentially, a not insignificantly different outcome, as regarding that which may be considered agricultural land.]

The point being is it's not that the inclusion of the 200m provision is applying the PAL Policy to these other zones but is in fact carrying through allegedly, the mindset of that Policy to other land and zones.

The third point is;

Contained within the Zone purpose statement(s) for the Rural Living Zone, is the following;

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

--	--

And within the Use Table for the Rural Living Zone, it's found that Resource Development has a permitted status, if for grazing and a discretionary status, if not for grazing (and if not for forestry or plantation forestry).

We see that grazing has a permitted status in this zone but other agricultural uses have a discretionary status.

If it's an agricultural use that is being conducted on agricultural land and hence the PAL Policy applies, then according to Clause 3 of that Policy, Principle 9 therein, says and I quote, "planning schemes must not prohibit or require a discretionary permit for an agricultural use on land zoned for rural purposes where that use depends on the soil as the growth medium, except as prescribed in Principles 10 and 11."

It therefore follows that there should be no differential treatment in respect of grazing verses any other agricultural use that meets Principle 9's 'definition', even though it's in the Rural Living Zone.

Following on from this, is that in respect of the Rural Living Zone, in allowing grazing at least – and in all likelihood all agricultural uses that meet Principle 9 conditions – are allowed to be conducted with no separation (setback) distance between a sensitive use on that lot and the agricultural usage thereupon that same lot, but according to the Acceptable Solution for a sensitive use (building) as per Clause 13.4.1. A4(b) it that is the sensitive use must be 200m from the Rural Resource Zone.

Counter intuitive that one!

The fourth point is;

Why is there a 50m Acceptable Solution setback distance in respect of the Village Zone to the Rural Resource Zone and a 200m Acceptable Solution setback distance, in respect of the Rural Living Zone, from the Rural Resource Zone?

It's obscure to me why that would be; a zone (Rural Living) that allows agricultural usage has an acceptable solution of 200m , the one that doesn't (Village) allow any agricultural usage (apart from existing use rights) is 50m?!

The fifth point is;

The establishment of Rural Living Zone areas within Meander Valley Municipality – with one exception and that being southern/ eastern side of Carrick – are all said to be on the basis that they are established residential clusters and hence in accordance with the Northern Regional Land Use Strategy. See the last two paragraphs of page 33 for commentary regarding this.

It's not the purpose of this dissertation, to identify whether or not certain lands should, or should not, have been included in the Rural Living Zone in the first place but their having been so included means that there is already interaction between the existing 'sensitive uses' and nearby farming activity. If one is simply intensifying within these established areas, then no change has in fact occurred regarding the interaction. By that I mean, if you are establishing additional 'sensitive use(s)' inside the already established area, even by further subdivision, then nothing has really or effectively changed in relation to the interaction.

The sixth point is;

Some representations have been raised regarding issues that I believe are dealt with, or ought to be, by the application of the Attenuation Code and not by some setback distance in a general sense, in a zone provision.

The seventh point is;

[And with a touch of cynicism] ...there are many places where one is 'exposed' to dust, grime, spraying activities nearby, noise at all hours, lights shining into your dwelling and that's not even living in a rural area – it's called living in town.

We have a local Road Authority/ Council (yes that's us) who spray 100's of kilometres of roadside, a couple of times a year with herbicide, sometimes right up to peoples' boundary fences (the default position is your 'opted-in') and very close to their 'sensitive use'. How is it then that we can do that undertaking, if it's such a problem that we need to keep someone's 'sensitive use' 200m from Rural Resource Zone activities?

Doesn't quite add up?!!

The eighth point is;

Most of the properties included in the Rural Living Zone, were previously in the Rural Zone, under the previous scheme.

They were, in many instances impacted negatively by the imposition of a 40 hectare 'rule', prohibiting in almost all circumstances the building of a dwelling, on these properties. No effective assessment, as required under the Land Use Planning and Approvals Act in accordance with the requirements of the R.M.P.S., was ever undertaken by Council, prior to the imposition of such a blunt instrument. It is an indictment on Council that this was not done and with greatest respect, it was remiss of the Tasmanian Planning Commission not to have ensured that such an assessment had been carried out by Council!

The effect of such a prohibition on building on your own land was in many instances accompanied by a significant and verifiable loss in value (of those individual properties).

[A recent article in the Examiner stated that the Honourable Brett Whiteley MHR for Bradden supported the implementation of an 'effects test' for small farmers, in relation to their survival vis-à-vis the fierce battle going on between large supermarkets. What a novel idea – oh – we already have one (an effects

test that is) in the R.M.P.S. as just stated; let's use same, as we are mandated to do!! It's not an optional extra.]

Here is an opportunity to redress that shortcoming, at least in respect of some of these properties.

There are properties that are of a small size, included in some of these Rural Living areas that may not be able to satisfy the 200m Acceptable Solution criteria, who face significant appeal costs and process time and effort, which may ultimately result in not being able to live on their own land, even though their land was intentionally placed into a zone dedicated to that very purpose.

In conclusion let's do the appropriate, justifiable action and remove the 200m provision from 13.4.1 A4 and tidy up the other ordinance that relates to same.

Thank you,

Rodney D. Synfield,

Councillor, Meander Valley Council.

1st March 2016

DEV 3 REVIEW OF POLICY NO 63 – ENVIRONMENTAL COMPLIANCE AND ENFORCEMENT

1) Introduction

The purpose of this report is to review Policy No. 63 - Environmental Compliance and Enforcement.

2) Background

In 2000 Council introduced a policy about environmental management entitled:

- Enforcement of Environmental Management and Pollution Control Act 1994 (EMPCA).

The purpose of this policy was stated as:

Outline a protocol for the enforcement of EMPCA so council officers can be guided as to the priority and appropriate allocation of resources.

The policy sets out Councils 'legal duties' and 'extent of jurisdiction' before outlining enforcement protocol for officers. The protocol sets out operational procedures. The procedures outline a risk based approach for managing environmental issues and complaints.

In September 2004 the Environmental Compliance and Enforcement Policy was adopted by Council. The 2004 Policy was a modification of the original 2000 document with an amended objective (purpose):

Our objective is to act as a good corporate citizen in meeting our compliance and enforcement obligations for the environment.

The application of the policy was also extended to include forestry operations.

The Policy included a mixture of statements, some acknowledging Councils statutory responsibilities and others setting broader aspirational objectives such as:

Minimise environmental impact of its (Council) activities in accordance with the principles of sustainable development;

There were no changes to the Policy in the 2007 review.

The Policy review in 2012 resulted in a number of minor amendments to reflect changes to management and responsibility of water and sewerage. The officer made the following comments in support of the recommendation to continue with the policy:

The Policy takes a pragmatic approach in that it outlines Council's approach and commitment to compliance and enforcement and matches it to the resources of the organisation. The only changes recommended are where the Policy refers to Council obligations to deliver water for domestic purposes and operate wastewater facilities.

As these services are now provided by Ben Lomond Water it is recommended that these references be removed.

At its meeting of the 13 October 2015, Council resolved to "continue with Policy No. 63, pending investigation of the value of the policy".

3) Strategic/Annual Plan Conformance

The Annual Plan provided for the review of this policy in the September 2015 quarter.

4) Policy Implications

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

5) Statutory Requirements

Environmental nuisance and harm are regulated by the Environmental Management and Pollution Control Act 1994 and supporting regulations.

6) Risk Management

Not Applicable

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 amend or continue with the existing policy.

11) Officers Comments

The objective of the policy is:

to act as a good corporate citizen in meeting our compliance and enforcement obligations for the environment.

Throughout the policy there are statements that address the aspirational aspect of corporate citizenship and others that simply outline that Council has a statutory obligation under EMPCA. The 'Policy for Compliance' (a subheading within the policy) is a good example:

- Comply with statutory environmental requirements and develop strategies to meet expected changes in regulatory requirements;
- Minimise environmental impact of its activities in accordance with the principles of sustainable development;
- Involve the community, suppliers, contractors and stakeholders in planning projects and activities that may have environmental impact or risk.

The first bullet point is a procedure rather than a policy position.

The second and third bullet points are aspirational and could guide decisions and procedures about how Council operates but they do not relate to compliance.

There are a number of concerns with the policy as it is currently written:

- there are two distinct purposes within the policy:
 - compliance
 - aspiration and direction

- the description of compliance and reiterating statutory obligations is not policy
- the objectives that are aspirational and seek to provide direction:
 - Move away from the purpose of the policy
 - Move towards environmental management and the incorporation of sustainability principles into Council operations.

These distinct directions make the policy confusing and ultimately ineffective in trying to establish a direction for good corporate citizenship.

Council’s compliance and enforcement obligations for the environment are adequately covered by EMPCA; therefore, significant sections of the policy could be deleted without having any impact on the operations of Council.

The aspirational objectives are not well defined in their current form and should be reviewed with reference to Council’s Natural Resource Management Strategy 2010.

For these reasons it is recommended that Council does not continue with Policy No. 63 Environmental Compliance and Enforcement Policy.

This view was presented to the independent Audit Panel who concurred with the recommendation and further recommended that Council undertake further work to investigate the value of a policy that establishes environmental management objectives for Council operations and projects.

AUTHOR: Martin Gill
DIRECTOR DEVELOPEMENT SERVICES

12) Recommendation

It is recommended that Council does not continue with Policy No. 63 Environmental Compliance and Enforcement Policy.

POLICY MANUAL

Policy Number: 63

Environmental Compliance and Enforcement

Purpose:

To outline Council’s approach to its compliance and enforcement responsibilities for the environment.

Department:

Development Services

Author: Tim Watson, Director

Council Meeting Date: 14 August 2012

Minute Number: 127/2012

Next Review Date: **September 2015**

POLICY

1. Definitions

“EMPCA” means the Environmental Management and Pollution Control Act 1994.

2. Objective

Our objective is to act as a good corporate citizen in meeting our compliance and enforcement obligations for the environment.

3. Scope

This policy applies to all employees and contractors and also to visitors to any workplace of Council.

Council’s jurisdiction in relation to EMPCA is limited to Level 1 activities, as defined by EMPCA, and any forestry operations inclusive of Private Timber Reserves, State Forest, Crown Land or Private Land.

4. Policy

Policy for compliance

Council will:

- Comply with statutory environmental requirements and develop strategies to meet expected changes in regulatory requirements;
- Minimise environmental impact of its activities in accordance with the principles of sustainable development;
- Involve the community, suppliers, contractors and stakeholders in planning projects and activities that may have environmental impact or risk.

Strategies for achieving the policy objectives include:

- Communicating its environmental policy to employees, community, contractors, visitors and stakeholders;

- Integrating environmental management with long-term planning, project development and management, economic evaluation and relevant operations and maintenance procedures;
- Develop and implement quantitative measures of environmental performance and report on performance;
- Promote awareness and understanding of environmental issues and responsibilities to employees;
- Ensure employees, contractors and their employees have the necessary skills and commitment required to effectively manage environmental risks.
- Undertake environmental impact assessments of proposed works and probable maintenance emergencies.
- Initiate environmental improvements including the minimisation of the use of energy, chemicals and non-renewable resources.

Policy for enforcement

In responding to the legislation obligations it is recognised that Council has limited resources in dealing with the enforcement of EMPCA and allocation of resources will need to be prioritised.

The policy position is that Council will enforce EMPCA in relation to Level 1 activities to the extent of the resources that it has reasonably available to do so using an assessment of potential environmental harm as the basis for the priority and extent of enforcement.

5. Legislation

Council has a duty to enforce and operate in accordance with the relevant provisions of EMPCA. These provisions are summarised as requiring the following:

Compliance

- Taking all reasonable precautions to ensure that water delivered for purposes other than domestic use is fit for its purposes, including, where appropriate, human consumption.
- Complying with statutory environmental requirements eg relevant licenses issued for the operation of its waste disposal sites and ensuring that none of its activities cause environmental harm.

Regulatory

- Ensuring that any activity within the municipality does not result in any environmental harm being or likely to be caused. Environmental harm is defined as *any adverse effect on the environment (of whatever degree or duration) and includes an environmental nuisance.*

6. Responsibility

The responsibility for the operation of this policy rests with the Development Services Manager.

DECISION:

GOV 1 NOTICE OF MOTION – POKER MACHINE INDUSTRY REFORM – CR DEB WHITE

1) Introduction

The purpose of this report is for Council to consider a Notice of Motion from Councillor Deb White concerning reforms in the poker machine industry and an invitation from Brighton Council to join the Tasmanian Community Coalition.

2) Background (Cr Deb White)

On 11 January 2016, Council received a letter from Brighton Council Mayor Tony Foster OAM asking for support in “achieving reforms in the poker machine industry ... to reduce the impacts on our more vulnerable communities” by joining the Tasmanian Community Coalition.

Brighton Council is concerned at the proliferation of poker machines, especially in lower socio-economic areas. In 1997, they rejected the application for poker machines in the municipality, but the decision was overridden by the State Planning Tribunal. With the extension of the poker machine monopoly under consideration, Brighton Council is calling for consideration of the impact of this form of gambling on the community, noting that \$200 million was lost by Tasmanian communities last financial year.

Anglicare research shows that 84% of the community believes that they receive no benefit from the poker machine industry, and 50% want them removed. Brighton Council’s concerns include the impact that the overall bleeding of money from the community has, including families going without food, heating and medical treatment, and contributing to the incidence of family violence.

Brighton Council has joined the Tasmanian Community Coalition which is campaigning for a curb on poker machines in hotels and clubs, and which has called for:

- poker machines to be phased out in pubs and clubs
- a reduction in the maximum bet to \$1
- poker machines to be restricted to the casinos in Hobart and Launceston

Brighton Council invites Meander Valley Council to also join the Tasmanian Community Coalition, to represent our local communities, and to strengthen Local Government input into the issue.

3) Strategic/Annual Plan Conformance

Furtheres the objectives of the Council's Community Strategic Plan 2014 to 2024:

- Future direction (4) – A healthy and safe community

4) Policy Implications

Not Applicable

5) Statutory Requirements

Not Applicable

6) Risk Management

Not Applicable

7) Consultation with State Government and other Authorities

Not Applicable

8) Community Consultation

No formal consultation between Council and the community has taken place on this issue.

9) Financial Impact

Not Applicable

10) Alternative Options

Council can elect to amend or not support Cr White's Notice of Motion.

11) Officers Comments

A copy of Brighton Council's letter and supporting information that appeared in the January 2016 Briefing Report is attached for councillor's consideration.

AUTHOR: David Pyke
DIRECTOR GOVERNANCE & COMMUNITY SERVICES

12) Recommendation (Cr Deb White)

It is recommended that Council accept Brighton Council's invitation to join the Tasmanian Community Coalition.

DECISION:

Council Offices, 1 Tivoli Road, GAGEBROOK Tas 7030
 Phone: (03) 6268 7000 Fax: (03) 6268 7013
 Email: admin@brighton.tas.gov.au
 www.brighton.tas.gov.au
 ABN 12 505 460 421



Brighton Council

Cr Craig Perkins
 Mayor
 Meander Valley Council
 PO Box 102
 WESTBURY TAS 7303

Dear Mayor *Craig* Perkins,

Doc No.			
Bater: No			
RCVD	11 MAR 2013	MVC	
Action Officer	C.P	Dept.	G
EO	<input checked="" type="checkbox"/>	OD	BOX

As you may be aware, Brighton Council has long been opposed to the proliferation of poker machines in our community and particularly their concentration in lower socio-economic areas. Indeed, in 1997, Brighton Council initially rejected the planning application for the installation of poker machines in the municipality, but this was overturned by the State Planning Tribunal as the Government's gambling legislation overrides local government planning powers.

With the issue of the extension of the poker machine monopoly now very much under consideration, I believe it is important that local government again consider the impact of this form of gambling on our communities.

It is worth noting that Tasmanians lost almost \$200 million on poker machines last financial year, much of it taken from people who can least afford it. This is an unacceptable statistic and one that must be addressed by all levels of government.

Independent research released at the end of last year by respected social welfare agency Anglicare, shows 84 per cent of Tasmanians believe that the community receives no benefit from poker machines and 50 per cent of the population wants them removed from hotels and clubs.

Undoubtedly, gambling on poker machines is having significant adverse consequences for Tasmanian families, small business and general economic activity, and the community is unhappy. The information released by Anglicare clearly demonstrates that the Tasmanian community does not believe the State gets any positive return from poker machines in hotels and clubs, and the majority of people want them removed.

Brighton's concerns are not just centred on problem gambling. The reality is that the adverse impacts of poker machines go considerably beyond problem gambling. Our concerns are also about money being bled from local communities and this impacts on families, small businesses and the community in general.

Where incomes are low, money spent gambling on poker machines can mean that families go without food, medical treatment, heating and other basic, even vital, necessities, as well as subjecting many to domestic violence.

As councils we cannot stand idly by while this occurs.



. 2 .

Consequently, Brighton Council recently joined the Tasmanian Community Coalition campaigning for a curb on poker machines in hotels and clubs, as well as the National Alliance for Gambling Reform. The local Coalition comprises welfare organisations, community groups and people concerned at the adverse impacts of this form of gambling and interested in alleviating the consequential suffering in our community.

The Coalition has called for poker machines to be phased out in hotels and clubs, for a reduction in the maximum bet to \$1 and for pokies to be restricted to the two casinos in Hobart and Launceston. This is very much in line with the feeling of the Tasmanian community as confirmed by the independent research conducted for Anglicare.

Brighton Council intends placing this crucial community issue on the agenda for the forthcoming LGAT meeting and I look forward to discussing this further with you and our Mayoral colleagues. Our strong position is that we have a responsibility to achieve reforms in the gambling industry to minimise harm and particularly reduce the impacts on our more vulnerable communities.

In the meantime, I invite your Council to consider joining the Tasmanian Community Coalition, to represent our local communities and strengthen local government input on this key public issue. I have enclosed details of the Coalition, its membership and aims. Brighton's Manager Development Services, James Dryburgh (phone 6268 7038) would be happy to provide further advice to your Council if required.

I look forward to your consideration of membership and to discussing this further with you.

Yours sincerely

Tony Foster AM OAM JP
MAYOR

8th January 2016

Terms of Reference for coalition of community organisations concerned about gambling

1. The coalition

The coalition was formed on 2 November 2015 by non-government organisations who were concerned about gambling and in particular the effects of poker machines in Tasmania. The coalition's Statement on Public Policy Principles and Recommendations released on 2 November forms the basis for the coalition's work together and for its public statements.

The coalition exists to ensure the Tasmanian Government consults with the community on the future of gambling in Tasmania, including the number and location of poker machines, the number of casinos and the level of consumer protection required by the State.

The coalition has no legal status. The responsibility for content in public statements will be borne by the members listed as a supporter at that time.

2. Coordination and decision making of the coalition

Anglicare will facilitate coordination of the coalition. Most communications will be via email, which will provide proposals with a minimum of 1 week permitted for comments. Members are required to clearly articulate agreement, approval or objections as relevant. After the time for comments has passed, Anglicare will assume any organisation that has not commented has agreed to the proposal.

3. Membership of the coalition

The coalition consists of fixed membership with a defined list of organisations. New members will be considered where they can demonstrate:

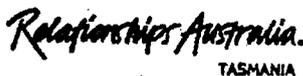
- Support and commitment for the coalition's objectives as outlined in the 2 November 2015 Statement and any subsequent statements authorised by the coalition; and
- An intention to actively participate in the coalition including the ability to contribute to meetings and discussions and consult their organisation's management where necessary and in a timely manner.

Political parties, politicians, individuals and lobby groups that do not provide services to the Tasmanian community or to Tasmanian community groups will not be accepted as members.

A minimum of 1 week will be given for existing members to share their approval or objections of any proposal for membership. All members of the coalition, current at the time of the application, must be in favour of new member applications for the application to be successful. If approved, the new member will be added to the contact list and any public statement issued thereafter.

4. Media, campaigns and activities

Media, campaign and activities that are conducted independently by member groups themselves must be under that member group's name only. Media, campaign and activities that bear the name of the coalition must be approved by the coalition. The coalition may appoint spokespersons who can speak on pre-agreed positions without further consultation.



Coalition of community organisations concerned about gambling

Statement on Public Policy Principles and Recommendations

2 November 2015

A coalition of community sector organisations has formed today to express its concerns about gambling and to call on the Tasmanian Government to consult with the community on the future of gambling in Tasmania, including the number and location of poker machines, the number of casinos and the level of consumer protection required by the State.

The current Deed that sets out the conditions of the monopoly license for the casinos and poker machines in Tasmania is due to expire on 18 March 2018. It has the option of a further rolling term of five years. During recent discussions about a possible third casino, the Treasurer promised public consultation before any proposal is presented to Parliament.

The community sector coalition has a number of public policy principles it proposes should form the basis of negotiations about gambling:

1. Gambling problems are a public health issue that should be treated in the same way as other public health issues. This would see a public policy framework that prioritises prevention of harm across the whole population through effective consumer protection measures.
2. Parliament should use the data from Tasmania's three Social and Economic Impacts Studies (SEIS) to guide its public policy approach on gambling.
3. Public policy on gambling should recognise that higher gambling frequency is an indicator for developing gambling problems and should therefore address both the risk factors that lead people to gamble more frequently and the gambling features that are attractive to people who subsequently develop a gambling problem.
4. Public policy on poker machines should recognise that 98 per cent of the adult population either never touch a poker machine or spend less than 12 hours per year at a machine. Public policy should therefore focus on the people who face harm because of their intensified daily or weekly visits to the machines.

Policy recommendations

With the above public policy principles in mind, the coalition of community organisations makes a number of policy recommendations to the State Government. These are evidence-based recommendations drawn from the real-life experience provided by clients of Gamblers Help and the data collected by the three Tasmanian Social and Economic Impact Studies (SEIS). They recognise the \$200 million that is lost into poker machines across Tasmanian communities every year that, according to the Productivity Commission, is money that would or could have been spent on other industries such as food and housing. These recommendations also recognise that problems with gambling do not only affect an individual, but also leads to negative impacts on families, including children.

The coalition recommends that Parliament introduce the following measures on the expiration or renegotiation of the current Deed between Federal Hotels and the State of Tasmania:

1. All poker machines in Tasmania required to have a system that allows people to set an enforceable limit on their losses;
2. Volatility of all poker machines in Tasmania be reduced by setting the maximum bet limit to \$1, decreasing the jackpot amounts and frequencies and increasing the amount of time between each button push;
3. That it be a requirement of their gambling licence that venues identify people exhibiting gambling problems and intervene appropriately;
4. All poker machines in Tasmania to contribute at the same rate to the Community Support Levy; and
5. Poker machines be phased out of hotels and clubs in Tasmania.

Members of the coalition:

Anglicare Tasmania
CatholicCare
Hobart City Mission
Launceston Benevolent Society
Launceston City Mission
Mission Australia
Neighbourhood Houses Tasmania
Relationships Australia
Scripture Union of Tasmania
St. Vincent de Paul Society
Synod of Victoria and Tasmania, Uniting Church in Australia
Tasmanian Baptist Churches
Tascoss
The Salvation Army
UnitingCare Tasmania

For more details about this statement please email Margie Law on m.law@anglicare-tas.org.au



Friday 11 December 2015

RE: The negative impacts of poker machines in Tasmania

Dear The Hon Peter Gutwein MP,

A coalition of sixteen community organisations formed in November this year to urge the Tasmanian Government to consult with the community on the future of gambling in Tasmania, including the number and location of poker machines, the number of casinos and the level of consumer protection required by the State.

The current Deed that sets out the conditions of the monopoly license for the casinos and poker machines in Tasmania is due to expire on 30 June 2018. It then moves into the rolling term of five-year periods. During recent discussions about a possible third casino, the Treasurer promised public consultation before any proposal on renewing the license on poker machines is presented to Parliament.

The Tasmanian community is concerned that poker machines cause significant harm. Polling of 1000 adults conducted by EMRS in November this year found that 84 per cent of respondents disagree that the Tasmanian community benefits from having poker machines in hotels and clubs, 66 per cent of whom strongly disagreed. Further, 82 per cent of respondents want fewer poker machines in their communities: 32 per cent of respondents want a reduction in numbers while a further 50 per cent said that poker machines should be removed completely.

Given the strong community concern about the harm caused by poker machines, we call on you to publicly state your support for extensive community consultation before any agreement to extend or renew the poker machine license.

Our coalition has a number of public policy principles it proposes should form the basis of negotiations about the future of poker machines in Tasmania:

1. Gambling problems are a public health issue that should be treated in the same way as other public health issues. This would see a public policy framework that prioritises prevention of harm across the whole population through effective consumer protection measures.
2. Parliament should use the data from Tasmania's three Social and Economic Impacts Studies (SEIS) to guide its public policy approach on gambling.

3. Public policy on gambling should recognise that higher gambling frequency is an indicator for developing gambling problems and should therefore address both the risk factors that lead people to gamble more frequently and the gambling features that are attractive to people who subsequently develop a gambling problem.
4. Public policy on poker machines should recognise that 98 per cent of the adult population either never touch a poker machine or spend less than 12 hours per year at a machine. Public policy should therefore focus on the people who face harm because of their intensified daily or weekly visits to the machines.

Since the formation of the coalition, the final volume of the Third Social and Economic Impact Study of Gambling in Tasmania (SEIS) was released. This volume provides an analysis based on the subjective views of consumers and stakeholders about the harm minimisation measures that have been introduced since the first SEIS in 2008 and in particular the Responsible Gambling Mandatory Code of Practice for Tasmania.

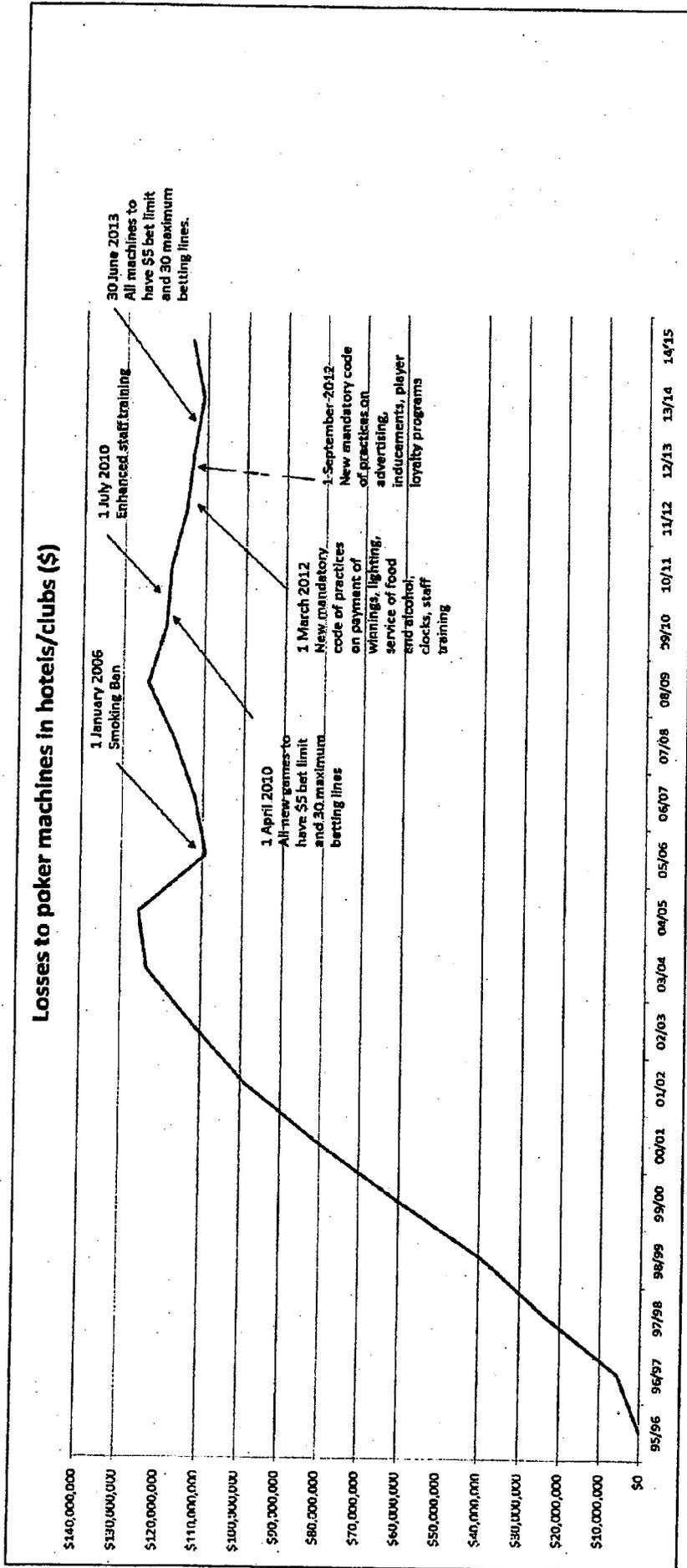
The Productivity Commission explained in 2010 that in order for harm minimisation measures to be effective, there needs to be a significant decrease in expenditure on gambling because of the large proportion of expenditure obtained from people with a gambling problem. Figure 1 (attached) shows that expenditure on gambling on poker machines in hotels and clubs has only decreased by \$5.8 million since the first harm minimisation measure was introduced on 1st April 2010 (the \$5 bet limit and reduction in maximum betting lines for new games). This is less than a 5% decrease. This small decrease in expenditure comes at the same time that the State had experienced a difficult financial situation, with general retail expenditure also being reduced during this period.

Over the three month summer Parliamentary recess, a further \$50 million dollars will be lost by Tasmanians in their local hotels and clubs. Our coalition is eager to meet with you in the New Year to seek your support in reducing the harmful impacts that the loss of much of this money to poker machines has on families and communities. We all have a responsibility to act in the interests of public health in Tasmania and the expiration of the Deed between the Crown and Federal Hotels on 30 June 2018 offers us a significant opportunity to make meaningful positive changes.

Yours sincerely on behalf of the coalition of community organisations concerned about gambling,

Chris Jones, CEO, Anglicare
 Tony Foster, Mayor, Brighton Council
 Georgina McGlagan, Director Family Services, CatholicCare
 John Stuble, CEO, Hobart City Mission
 John Stuart, CEO, Launceston Benevolent Society
 Stephen Brown, CEO, Launceston City Mission
 Noel Mundy, State Director, Mission Australia
 John Hooper, Executive Officer, Neighbourhood Houses Tasmania
 Mat Rowell, CEO, Relationships Australia
 Ruth Pinkerton, CEO, SU Tasmania
 Bernard Saunders, State Secretary, St. Vincent de Paul Society
 Carol Bennett, Synod Liaison Minister (Tas), Uniting Church in Tasmania
 Eric Lockett, Public Questions Officer, Tasmanian Baptist Churches
 Kym Goodes, CEO, TasCOSS
 Stuart Foster, Social Program Secretary, The Salvation Army
 Lindy O'Neill, CEO UnitingCare Tasmania

Figure 1: Introduction of harm minimisation measures and losses to poker machines in hotels and clubs 1995/96 to 2014/15



GOV 2 LOCAL GOVERNMENT REFORM

1) Introduction

The purpose of this report is for Council to consider a request from the Minister for Planning and Local Government, the Hon. Peter Gutwein MP, to include consideration of voluntary amalgamation options when undertaking the proposed regional resource sharing project.

2) Background

Local government reform has been under consideration for twelve months and the matter has been considered by Council at the April, July and September 2015 meetings.

At the April Council meeting, Council resolved to *“collaborate with the Councils of Northern Midlands, West Tamar and George Town and invite Launceston City Council, Latrobe and Kentish Councils in a benchmarking exercise of financial and service delivery measures utilising the services of an independent consultant”*. Numerous meetings were held between the northern Mayors, General Managers and the Minister which resulted in an agreement between all the Northern Councils to undertake a regional benchmarking project.

At the July Council meeting, Cr Mackenzie moved a motion which stated *“that Council continues involvement in the shared services project but does not support any conversations or discussions around Council amalgamations until there is a State Government led financial/social modelling providing a pathway for the future of Tasmania as a whole”*. This motion was deferred by Council until the September meeting of Council.

At the September Council meeting, Cr Mackenzie’s motion was considered and approved by Council with the addition of an amendment which read, *“That Council write to the Minister for Local Government requesting such modelling is performed by the State Government or their consultants and provided to Council within 6 months”*. Additionally, at the September Council meeting, Council resolved to;

“1. Endorse engagement in a benchmarking project in the manner conveyed in the attached project brief dated July 2015, or as amended from time to time, involving Councils in Northern Tasmania which establishes a standardised evidence base providing comparative data on both quantitative and qualitative

aspects of operations and identifies areas of potential for resource sharing and other collaboration between Council; and

- 2. The General Manager be authorised to engage a project consultant in consultation (consensus) with the other General Managers involved; and*
- 3. Support the tender process for the feasibility study being open to additional consultants that are not included on the list of four consultants identified on the Tender Panel put forward by the State Government”.*

There has been no response from the Minister to Council’s request for financial/social modelling. The regions’ General Managers continued to develop a Memorandum of Understanding (MoU) and project brief in consultation with officers from the Local Government Division and these draft documents were presented to the Minister in late December 2015. Councils have yet to receive any formal feedback or advice on these documents.

On 15 February 2016, Council received the attached letter from the Minister. In this letter the Minister has asked Council to include consideration of voluntary amalgamation options when undertaking the proposed regional resource sharing project.

3) Strategic/Annual Plan Conformance

Complies with Council’s Community Strategic Plan 2014-2024 Future Direction (5), *“Innovative leadership and community governance”*.

4) Policy Implications

Not Applicable

5) Statutory Requirements

Local Government Act 1993

6) Risk Management

Not Applicable

7) Consultation with State Government and other Authorities

There have been ongoing discussions and meetings with the Minister, his adviser and officers from the Local Government Division.

8) Community Consultation

To date there has been no community consultation on this matter.

9) Financial Impact

This motion does not impose any financial impact on Council as it is asking the Government to fund the financial and social modelling.

10) Alternative Options

Council can elect to amend or not support the recommendation.

11) Officers Comments

Council has been working with the Northern Councils and the Local Government Division to develop the MoU and project brief for the benchmarking of Council services. At the time of preparing this report, not all Councils have had the opportunity to consider the Minister's request, so it is difficult to predict if this is acceptable.

AUTHOR: Greg Preece
GENERAL MANAGER

12) Recommendation

It is recommended that Council participate in modelling of amalgamations on the condition that:

- 1. Consistent with Council's decision of September 2015, "discussions around amalgamations must be supported by State Government led financial/social modelling providing a pathway for the future for Tasmania as a whole", and that this is fully funded by the State Government***
- 2. All Northern and North West Councils agree to participate***
- 3. Any analysis enables comparison across all Northern, Southern and North-West Region Councils***
- 4. State Government continues to financially support the shared services modelling***

DECISION:

Treasurer
Minister for Planning and Local Government

Level 9 15 Murray Street HOBART TAS 7000 Australia
GPO Box 123 HOBART TAS 7001 Australia
Ph: +61 3 6165 7670
Email: treasureroffice@dpac.tas.gov.au



Tasmanian
Government

Index No. <i>S13 12 009</i>			
Doc No.			
Batch No.			
RCVD	15 FEB 2016	MVC	
Action Officer	<i>CP</i>	Dept.	<i>C</i>
EO	<input checked="" type="checkbox"/> OD	BOX	

Cr Craig Perkins
Mayor
Meander Valley Council
PO Box 102
WESTBURY TAS 7303

11 FEB 2016

Dear Mayor *Craig*

I am writing regarding the amalgamation/resource sharing modelling initiative that I have been discussing with councils state wide. I am pleased that in the North and Northwest work is well advanced on the two regional resource sharing models and thank you for your leadership in this area and I look forward to them proceeding in the near future.

You would also be aware that two Southern projects have recently been agreed to and work is now underway on amalgamation/resource sharing models for a Greater Hobart council including Hobart, Glenorchy, Clarence and Kingborough councils as well as options for both amalgamation and resource sharing for a greater South eastern council model including Clarence, Sorell, Glamorgan Spring Bay and Tasman councils.

The comprehensive nature of the southern studies will ensure that the councils involved and the ratepayers they represent and serve will have available to them the necessary data to have a fully informed discussion about the most efficient way to deliver services in their areas.

Whilst I welcome your council's willingness to be involved in modelling a regional resource sharing option, it is unfortunate that the decision has been made to not consider the widest range of options like the South is for delivering the best possible level of services to ratepayers in the most efficient way.

The discussion in the South will be a more fully informed one than in the North due to the inclusion of a range of amalgamation options and I want to encourage you to reconsider the possibility of voluntary amalgamation proposals so that the broadest possible range of options can be modelled.

It concerns me that there is the potential for the North of the state to be seen as a less attractive option in terms of liveability or for investment should there be significant benefits demonstrated in the modelling that Southern councils take a first mover advantage from for their ratepayers and investors.

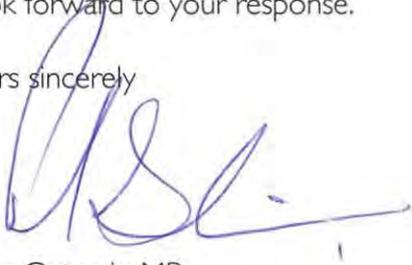
As I have made perfectly clear I hold no predisposed views in relation to the benefits or not of amalgamation other than my desire to understand how best to ensure that rate payers receive the best possible services at the lowest possible price. Modelling of any voluntary amalgamation options could be done concurrently with the proposed regional resource sharing options in the interests of ensuring the modelling considers a wider range of options and therefore a wider range of benefits to your ratepayers.

I would expect that additional costs to model amalgamation options would not be prohibitive as the resource sharing modelling will largely provide all of the necessary inputs in the first instance.

Whilst I would strongly encourage you to carefully consider including amalgamation options as a part of the modelling that relates to your council I fully respect that the decision is ultimately one for you and your council.

I look forward to your response.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Peter Gutwein', with a long horizontal flourish extending to the right.

Peter Gutwein MP

Minister for Planning and Local Government

GOV 3 COUNCIL AUDIT PANEL MEETING MINUTES

1) Introduction

The purpose of this report is for Council to receive the minutes of the Council Audit Panel meetings held on the 18 December 2015 and 23 February 2016.

2) Background

Copies of the minutes of the two Audit Panel meetings held since the last report to Council are attached for Council's information.

3) Strategic/Annual Plan Conformance

Supports the objectives of Council's Community Strategic Plan 2014 to 2024 Future direction (5) Innovative leadership and community governance

Conforms to the 2015-2016 Annual Plan Program No 1.2 - Risk Management

4) Policy Implications

Not Applicable

5) Statutory Requirements

The Local Government (Audit Panels) Order 2014.

6) Risk Management

Not Applicable

7) Consultation with State Government and other Authorities

Not Applicable

8) Community Consultation

Not Applicable

9) Financial Impact

Not Applicable

10) Alternative Options

Not Applicable

11) Officers Comments

The attached minutes have been reviewed and endorsed by the Council Audit Panel Chairman and are provided for Council's information as required under its Audit Panel Charter. It is noted in the February 2016 meeting minutes that four applications have been received for the vacant panel member position. Council's Audit Panel Chairman and the Mayor will interview two applicants and recommend a preferred candidate for Council to appoint as an independent member to its Audit Panel.

AUTHOR: Beth Williams
ACTING SECRETARY, AUDIT PANEL

12) Recommendation

It is recommended that Council receive the minutes of the Council Audit Panel meetings held on the 18 December 2015 and 23 February 2016.

DECISION:



**MINUTES OF THE MEETING OF THE MEANDER VALLEY COUNCIL AUDIT PANEL
HELD AT THE COUNCIL OFFICES, WESTBURY ON
FRIDAY 18 DECEMBER 2015 AT 10.00AM**

PRESENT: Chair (S Hernyk), Cr Andrew Connor

IN ATTENDANCE: General Manager (Greg Preece), Director Corporate Services (Malcolm Salter), Director Governance & Community Services (David Pyke), Senior Accountant (Jon Harmey), Director Development Services (Martin Gill), Director Infrastructure Services (Dino De Paoli), Director Economic Development & Sustainability (Rick Dunn), Mayor Craig Perkins and Personal Assistant (Merrilyn Young).

APOLOGIES: Nil

ORDER OF BUSINESS:

1. DECLARATION OF PECUNIARY INTERESTS/CONFLICT OF INTEREST: Nil

2. ADOPTION OF PREVIOUS MINUTES:

The notes from the meeting held on 22 September, 2015, were distributed. It was noted that there was not a quorum at this meeting hence they are "notes of the meeting " and not minutes.

3. OUTSTANDING FROM PREVIOUS MEETING:

- a) Policies & Procedures – Management to circulate a master list of policies and procedures (differentiating the police and procedure) with review dates and name of officer responsible for the review. - In progress (M Salter/M Young)
- b) Internal Audit – An annual work plan for internal audit to be developed - In progress – to be completed by 31/12/15 (D Pyke)

4. REVIEW PANEL MEETING SCHEDULE & WORK PLAN:

Catch up needs to be done due to lack of Panel Members. February Agenda could be quite long.

GOVERNANCE AND STRATEGY

5. Review Annual Plan:

September quarter plan review was tabled and noted as being submitted and approved at the November Council meeting.

6. Review Policies and Procedures:

Discussion was held regarding the processes followed when a review was being undertaken to a Policy or Procedure.

The following Policies were reviewed, with minor amendments suggested as noted:

Policy 13 – Subdivision Servicing – Policy update tabled and recommended to Council for adoption..

Policy 29 – Leave of Absence from Meetings – Recommended to Council the deletion of this procedure.

Policy 55 – Townscape Incentive Grant Scheme – It was noted that this policy was to be reviewed at the TRAP meeting in February.

Policy 65 – Staged Development Schemes under Strat Titles Act 1998 – Recommended that the procedure be reviewed at a Council Workshop.

Policy 71 – Investment of Surplus Council Funds – After discussion this policy will be enhanced and then resubmitted by management.

Policy 78 – New and Gifted Assets – Policy update tabled and recommended to Council for adoption.

Policy 79 – Pursuit of Illegal Buildings – Policy update tabled and recommended to Council for adoption.

7. Review performance of plans, strategies and policies including performance against identified benchmarks:

Deferred until February meeting.

FINANCIAL AND MANAGEMENT REPORTING

8. Review most current results and report any relevant findings to Council:

Financial Reports were tabled and noted as being submitted to Councillors in the Briefing Reports.

9. Review any business unit or special financial reports:

No reports issued in the period since the last meeting.

10. Review the impact of changes to Australian Accounting Standards:

No matters to report

INTERNAL AUDIT

11. Consider any available audit reports:

Internal audits are conducted twice yearly – June and December. Six audits are currently underway. Reports will be tabled at the February meeting of the Audit Panel.

12 Review management’s implementation of audit recommendations:

Noted verbal report

EXTERNAL AUDIT

13. Consider any available audit reports:

Auditor-Generals Report No 6 of 2015-16 to Parliament was noted as being issued. A management letter in relation to the 2016 audit is yet to issue.

14. Consider any performance audit reports that will be undertaken by the Tas Audit Office and address implications for Council:

No audits undertaken in relation to Meander Valley Council.

15. Review management’s implementation of audit recommendations:

Management letter still to be received, expected in January 2016.

RISK MANAGEMENT AND COMPLIANCE

16. Annual review of risk management framework policies:

This review has been delayed due to the Risk Management Policy still to be finalised
- deferred review until next meeting.

17. Receive material risk management reports (risk profile, risk management and treatment, periodical/rotational risk review):

This review has been delayed due to the Risk Management Policy still to be finalised
- deferred review until next meeting

18. Monitor ethical standards and any related party transactions to determine the system of control are adequate and review how ethical and lawful behaviour and culture is promoted within the council:

Discussion held on activity in Council and noted involvement of Council in Integrity Commission "speak out programme" existence of Policies addressing ethical and unlawful behaviour e.g. Fraud Policy and the requirements of the a Gift Register.. Also LGAT HR policy suite was being worked through at present that would further enhance standards in Council. New "Codes of Conduct" being legislated for Councillors as well.

19. Review Business Continuity Plan:

BCP currently in Draft. To be completed by March quarter then submitted to the Panel for review.

20. Review WH&S management processes:

Regular meetings held as per the Annual Plan. Documentation evidencing activity to be tabled at February meeting, ie Minutes from WH&S and Risk Management Committees.

21 Monitor any major claims or lawsuits by or against the Council and complaints against the Council:

None reported

22. Oversee the investigation of any instances of suspected cases of fraud or other illegal and unethical behaviour:

None that Council are aware of

AUDIT PANEL PERFORMANCE:

23. Review Audit Panel Charter and make any recommendations for change to the Council for adoption (every 2nd year):

Recommendations for changes to the Audit Panel Charter have been made to the Audit Panel Working Group.

OTHER BUSINESS:

24 Appointment of replacement panel member:

Advertisement to be placed in late January for a second independent member of the Panel.

NEXT MEETING: Tuesday 23 February 2016

The meeting closed at 10.15am



**MINUTES OF THE MEETING OF THE MEANDER VALLEY COUNCIL AUDIT PANEL
HELD AT THE COUNCIL OFFICES, WESTBURY ON
TUESDAY 23 FEBRUARY 2016 AT 10.00AM**

PRESENT: Chair (S Hernyk), Cr Andrew Connor

IN ATTENDANCE: General Manager (Greg Preece), Director Corporate Services (Malcolm Salter), Director Governance & Community Services (David Pyke), Senior Accountant (Jon Harmey), Director Development Services (Martin Gill), Director Infrastructure Services (Dino De Paoli), Director Economic Development & Sustainability (Rick Dunn), Work Health & Safety Officer (Sam Bailey) and Administration Officer (Beth Williams)

APOLOGIES: Personal Assistant (Merrilyn Young)

ORDER OF BUSINESS:

1. DECLARATION OF PECUNIARY INTERESTS/CONFLICT OF INTEREST: Nil

2. ADOPTION OF PREVIOUS MINUTES:

The minutes of meeting held on 18 December were adopted.

3. OUTSTANDING FROM PREVIOUS MEETING:

- a) **Policies & Procedures** – A list is to be compiled of all policies and procedures that contain a review date and designated officer/department responsibility. *ACTION: D Pyke*
- b) **Internal Audit** – An annual work plan for internal audit based on “critical” task list has been developed. Consideration to be given to recording the timing of the internal activity retrospectively and prospectively for transparency of coverage.

- c) **Governance & Strategy** – Review performance of plans, strategies and policies including performance against identified benchmarks therein. In progress. *ACTION: D Pyke*
- d) **Risk Management & Compliance** - David Pyke tabled a draft document outlining Council's Risk Management Framework. This Framework will be presented to the Risk Management Committee at their meeting in March and then submitted to the Audit Panel. *ACTION: D Pyke*
- e) **Risk Management & Compliance** - Status of BCP to be provided to next Panel meeting. *ACTION: J Harmey.*
- f) **Risk Management & Compliance** - WH&S and Risk Management Committee minutes to form part of Panel papers going forward. *ACTION: M Young*

GOVERNANCE AND STRATEGY

4. Review 10 year Financial Plan:

Papers not presented. For discussion at next meeting.

5. Review Financial Management Strategy (sustainability):

Papers not presented. For discussion at next meeting.

6. Review preliminary Budget parameters and assumptions:

Verbal report presented. Budget will be available at next meeting.

7. Review Annual Plan:

Papers not presented as already submitted to Council. Further update to be tabled at next meeting.

9. Review Policies & Procedures:

The following Policies were reviewed:

Policy 49 – Media Communications Policy – Rick advised that no changes to the policy were proposed. Policy is up for June 2016 review, with the following review scheduled for June 2019. This reduction from the normal 4-yearly review to a 3 – yearly review is proposed as it will tie in with the election of newly elected Councillors.

After some discussion, the following suggestions were made for the Policy to:

- a) include a definition of 'media' within the policy
- b) include greater clarification on who the delegated officers are that may speak to the media and in what capacity

- c) outline the communication flow, ie. all enquiries are to go through the Media Communications Officer
- d) consider the use of a register to be kept of media statements issued by Council to capture information issued.

ACTION: R Dunn to update Policy with proposed changes and then submit to Council.

Policy 55 – Townscape Incentive Grant Scheme – This policy was presented to the TRAP committee at its February meeting. A minor amendment proposal to the policy was that landscaping works be included as eligible for receiving grants. It was suggested that the grant maximum of \$600 be increased to \$1,200 and that the recreational budget allocation be increased from \$1,500 to \$5,000.

ACTION: D Pyke to submit to Council for adoption.

Policy 73 – Managing Public Appeals – There has been some confusion by members of the public on the scope of this policy. David suggested that a clarification or a change in the definition wording was required as this policy is intended to address disaster and public events, rather than people suffering an illness.

ACTION: D Pyke to update Policy with proposed changes and then submit to council.

FINANCIAL AND MANAGEMENT REPORTING

10. Review most current results and report any relevant findings to Council:

No matters to report.

11. Review any business unit or special financial reports:

No reports issued in the period since the last meeting.

12. Review the impact of changes to Australian Accounting Standards:

No matters to report.

INTERNAL AUDIT

13. Consider any available audit reports:

December audits have been undertaken with any issues included on the Risk Register. Six reports tabled and these will be considered at the next Risk Management Committee meeting in March. New audit form templates have been adopted from the Northern Region Alliance Group. Action points and some defining of key terms, ie. conformance and compliance, to be discussed with Audit Panel Chairman with a view to enhancing reporting.

ACTION: S Herynk and D Pyke to discuss.

14. Review management's implementation of internal audit recommendations:

The storage of Council's archives was discussed. Those documents not yet scanned are stored within the rear shed of Council Westbury offices. It is a long term work-in-progress to have all the documentation eventually scanned. This issue is on the risk register to monitor.

15. Review the adequacy of internal audit resources for consideration in Council's annual budget and review performance of internal auditors:

Discussed resources in context of upcoming budget and whether more resourcing was needed. Internal audit resources were considered sufficient. Work plans are governed by the Annual Plan. There is some degree of flexibility with audits in order to undertake occasional unplanned audits as they may arise.

EXTERNAL AUDIT

16. Consider any available audit reports

Annual audit management letter was noted as being circularised to the Audit Panel on 18 December 2015.

David advised that the consultant, Echelon, has delayed finalisation of the BCP yet again.

The IT Disaster Plan is not being included within the scope of the BCP. Another consultant will be hired to produce this Plan.

17. Review management's implementation of audit recommendations:

Jon advised that the Tas Audit Office has assigned a new signing officer, Debbie Scott. Council's team leader is now Rob Florian. They have been on-site for 2016 audit planning and will provide Council with an audit strategy for the 2016 financial year.

ACTION: J Harmey to distribute a copy of the audit strategy to the Audit Panel once he receives the document from TAO.

18. Consider any performance audit reports that will be undertaken by the Tas Audit Office and address implications for Council:

David confirmed that the Tas Audit Office's questionnaire in relation to the current audit on compliance with legislation is due for submission by 29 February.

ACTION: D Pyke to present a copy of the report at the next meeting.

RISK MANAGEMENT AND COMPLIANCE

19. Receive material risk management reports (risk profile, risk management and treatment and periodical/rotational risk review):

A draft framework was tabled and was in line with the relevant ISO. Finalised Framework will be tabled at the next Risk Management meeting in mid-March and submitted to the next Audit Panel meeting.

ACTION: D Pyke to present the developed document at the next Audit Panel meeting.

20. Monitor ethical standards and any related party transactions to determine the system of control are adequate and review how ethical and lawful behaviour and culture is promoted within the council:

David advised he is to attend the Integrity Commission meetings. He will distribute documentation and minutes from the meetings to the Audit Panel.

21. Review of the procedure for Council's compliance with relevant laws, legislation and Council policies:

Noted that the TAO was currently conducting a performance audit across all Tasmanian Councils on legislative compliance and Council's responses to the audit questionnaire will be available at the next meeting.

22. Review internal and fraud management controls:

No matters to note.

23. Review processes to manage insurable risk and existing insurance cover:

Verbal report provided and next meeting to have Brokers disclosure of uninsured risks tabled for review.

24. Review delegation processes and exercise of these:

LGAT publishes delegations each year in March. Council is in the process of reviewing these and will align itself to LGAT. Details of delegations in place to be tabled for next meeting of the Panel.

25. Review tendering arrangements and advise Council:

Dino provided a verbal update advising that Council's Code of Tender and Contracts was reviewed and updated in May 2015. The threshold for tendering has been maintained at \$100,000 minimum rather than the new regulatory allowance of \$250,000.

26. Monitor any major claims or lawsuits by or against the Council and complaints against the Council:

None advised to the meeting.

27. Oversee the investigation of any instances of suspected cases of fraud or other illegal and unethical behaviour:

None advised to the meeting.

OTHER BUSINESS:

28. Review issues relating to National Competition Policy:

Verbal report provided. The guidelines for Significant Business Activities was reviewed in July 2015. Apart from the Great Western Tiers Visitor Centre (GWTVC), which of itself was not considered significant, Council has no significant business activities and maintains a competitive neutrality, disclosing relevant information as necessary.

29. Appointment of replacement member:

Four responses to the January advertisement have been received, with applications having closed on Thursday 18 February. There are two clear applications and Greg proposed that Steve and Mayor Craig together review all the applications but that the two short listed be interviewed for the position of replacement Audit Panel member.

ACTION: G Preece to update Council on progress of appointment process.

NEXT MEETING: Tuesday 28 June 2016

The meeting closed at 10.55am

GOV 4 REVIEW OF POLICY NO 55 – TOWNSCAPE INCENTIVE GRANT SCHEME

1) Introduction

The purpose of this report is for Council to review Policy No. 55 - Townscape Incentive Grant Scheme.

2) Background

This Incentive Grant Scheme originally commenced in the days of the old Deloraine Council back in the late 1980's and has proved to very popular over the years and is still relevant today.

The purpose of this Scheme is to provide an incentive to improve the appearance of buildings within the Meander Valley Council area for both locals and tourists alike and to see our magnificent historic buildings properly restored in authentic colour schemes.

The policy was referred to the 17 February 2016 meeting of Council's Townscape, Reserves & Parks Special Committee (TRAP) for comment, with some minor changes recommended.

The policy was last reviewed in March 2013.

3) Strategic/Annual Plan Conformance

The Annual Plan requires policy number 55 to be reviewed in the March 2016 quarter.

4) Policy Implications

The process of policy review will ensure that policies are kept up to date and appropriate.

5) Statutory Requirements

The Local Government Act 1993 Section 77 is applicable.

6) Risk Management

Not Applicable

7) Consultation with State Government and other Authorities

Not Applicable

8) Community Consultation

Not Applicable

9) Financial Impact

An allocation of \$1,500 for this Policy is included in the Annual Budget. TRAP has recommended that the maximum amount of grant be increased from \$600 to \$1,200 and the annual budget allocation be increased from \$1,500 to \$5,000.

Total grants paid in the last three financial years amount to \$450, \$1,000 and \$550 respectively.

10) Alternative Options

Council can amend the revised policy or continue with the existing policy.

11) Officers Comments

TRAP has recommended that in the policy and guidelines a reference be made for landscaping to be considered as part of the grant application.

The policy is quite innovative and has attracted interest over the years from other councils around Australia and is recommended for continuation, with some minor amendments put forward by TRAP.

The policy was referred to the recent Audit Panel meeting for consideration.

AUTHOR: David Pyke
DIRECTOR GOVERNANCE & COMMUNITY SERVICES

12) Recommendation

It is recommended that Council adopt the amended Policy No 55 - Townscape Incentive Grant Scheme, as follows and increase the annual budget allocation from \$1,500 to \$5,000:

POLICY MANUAL

Policy Number: 55	Townscape Incentive Grant Scheme
Purpose:	To provide administrative guidelines for Council's Townscape Rate Incentive Grant Scheme.
Department:	Governance & Community Services
Author:	David Pyke, Director
Council Meeting Date:	8 March 2016
Minute Number:	
Next Review Date:	<i>February 2020</i>

POLICY

1. Definitions

Buildings – means principal building and does not include any outbuildings.

Landscaping – means improving the aesthetic appearance of the property by changing contours, ornamental features or plantings.

2. Objective

The objective is to provide assistance to property owners in the municipality by way of an incentive grant to improve the external appearance of their buildings.

3. Scope

This policy applies to all buildings within the Meander Valley Council area.

4. Policy

Background

The main ideas behind this scheme are to improve the external appearance of the buildings for locals and tourists, and to see our older historic buildings properly restored in authentic colour schemes and enhanced through sympathetic landscaping. The incentive scheme especially lends itself to the following type of buildings:

- Buildings classified by the National Trust;
- Buildings on the National Estate Register;
- Buildings on the Tasmanian Heritage Register;
- Significant buildings within the municipality.

It was decided that the incentive grant would be calculated using the factors contained in the Policy Principles. The application of this policy is for the purpose of providing for an "incentive" rather than for Council to pay large amounts of the restoration costs.

Principles

All applications received will be considered in accordance with the following guidelines.

- Applicant makes submission on the prescribed form. (This form broadly outlines the proposed upgrading/restoration/landscaping works and indicates that the applicant will be seeking a grant for the works).
- Assistance will be given to the applicant concerning colour schemes, if required.
- Once received the application will be referred to the Director of Governance and Community Services for assessment.
- Applicant will then be notified of assessment outcome.
- Applicant can then proceed with work and as soon as it is completed advise the Director of Governance & Community Services that the property is ready for a final inspection.
- After the final inspection is carried out a recommendation on the amount of grant, up to a maximum of \$600,200, will be determined by the Director of Governance and Community Services and submitted to the next Townscape Reserves and Parks Committee meeting for approval.
- The grant approved will then be deducted from the next rate demand or if the rates have been paid in full, a cheque will be forwarded to the applicant.
- Any application received after the current year's budget allocation has been expended will be carried over to the next financial year.

The following factors will be considered in assessing the amount of Incentive Grant to be given:

- Cost of project;
- Impact of project on general townscape;
- Situation and type of building;
- Proposed work to be carried out (painting only or painting and buildings restoration or landscaping);
- Any signage;
- Amount of rates paid.

5. Legislation

Section 77 of the Local Government Act 1993 applies.

6. Responsibility

The Director, Governance & Community Services is responsible for the application of this policy.

DECISION:

ED&S 1 TASMANIAN CRAFT FAIR REQUEST FOR FUNDING

1) Introduction

The purpose of this report is for Council to consider a request from the Rotary Club of Deloraine for Council to provide its venues free of charge for the Tasmanian Craft Fair for the next three years

2) Background

The Director of the Tasmanian Craft Fair, Mr Tim Biggs met with the Mayor and General Manager to initially discuss the Rotary Club of Deloraine's request for Council to provide its facilities free of charge for the next three years.

The General Manager asked that a formal request be put to Council to enable consideration of the request at the March 2016 Council Meeting.

The request for support and the reasons for the request, are contained in the attached supporting documentation.

3) Strategic/Annual Plan Conformance

Further the objectives of the Council's Community Strategic Plan 2014 to 2024:

- Future Direction 2: A thriving local economy
- Future Direction 3: Vibrant and engaged communities

4) Policy Implications

Not Applicable

5) Statutory Requirements

Not Applicable

6) Risk Management

Not Applicable

7) Consultation with State Government and other Authorities

The Tasmanian Craft Fair executive has approached the Tasmanian Government to secure grant funding.

8) Community Consultation

Not Applicable

9) Financial Impact

Council currently supports the Tasmanian Craft Fair through the provision of additional toilet cleaning and rubbish collection services from Saturday to Monday inclusive. Additionally, in 2015 Council subsidised venue hire of facilities to the value of \$1000. The total value of Councils support of the Tasmanian Craft Fair in 2015 was approximately \$3000.

The cost to provide Council facilities free of charge will be approximately \$5000 in 2016.

If Council provides the same level of support as given in 2015 and Council offers its facilities free of charge in 2016, the total value of support for this year's event will be approximately \$7 000.

Should Council decide favourably on the request for additional support, a project expenditure allocation would be established for the requested period of three years and the grant amount would be reported in Councils Annual Report.

10) Alternative Options

Council can either elect to change the level of support or reject the request.

11) Officers Comments

If Council decides in favour of this request it may be worthwhile considering capping the amount at \$7,000 annually that Council will contribute for the next three years. This would provide the Tasmanian Craft Fair executive with a defined grant amount annually for the three-year period and assist Council in its budgeting process.

AUTHOR: Rick Dunn
DIRECTOR ECONOMIC DEVELOPMENT & SUSTAINABILITY

12) Recommendation

It is recommended that Council's financial support for the Tasmanian Craft Fair:

- 1. remain at the current estimated value of \$3,000 per year and is reported in Council's Annual Report, or***
- 2. be increased to a value of \$7,000 per year for a three year period including the cost of venue hire, and is reported in Council's Annual Report.***

DECISION:



Presentation to the Meander Valley Council

March 2016

by

the Rotary Club of Deloraine trading as the Tasmanian Craft Fair

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Executive Summary

The Tasmanian Craft Fair has proved a resilient event which over 35 years has had a significant impact on Tasmania and it is estimated that it generates over \$800,000 per annum in community economic benefits.

It is recognised that the Council has been, and continues to be, a great supporter of this event, but this year we are seeking further support from local and State government (with the latter being in part contingent on getting the former), and also increased sponsorship.

Currently the TCF is at a cross-road and needs an injection of funds from various sources to enable it to successfully continue for many more years.

The Rotary Club of Deloraine is therefore looking to the Meander Valley Council to provide assistance by providing its venues free of charge for the next three years to assist this valuable event to re-energise and continue its good work well into the future.

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Background

The Tasmanian Craft Fair (TCF), which has been running for 35 years, is the largest working demonstration of arts and crafts in Australia, held annually at the start of November in the northern town of Deloraine. It is also one of the biggest events in Tasmania with over twice the number of stalls at Festivale and the Taste of Tasmania combined.

Every year, visitors to the TCF are treated to fine art displays, craft stalls, gourmet food outlets, entertainment and children's fun activities as well as working craft displays.

The TCF hosts more than 200 artists and artisans, involves more than 400 community volunteers and attracts 20,000 people from throughout Tasmania and interstate.

With surveys showing that between 8% and 10% of visitors come from the mainland, and assuming average visitor numbers of 18,000 a year over 35 years, that comes to 50,000 interstate visitors, showing the importance of the event.

It is spread across numerous locations in picturesque Deloraine, which is set around the banks of the Meander River. With a population of over 5,000 Deloraine and district is home to people from a variety of backgrounds including traditional farming families, local business people and arts and crafts people who have settled here for a creative lifestyle.

Most funds raised through the TCF are put back into the local community with the remainder supporting projects in Australia and overseas. In total, more than \$3 million has been raised through the TCF to fund projects.

Rotary seeks to ensure the TCF continues to grow and broaden its attraction to a wider range of audiences through a comprehensive marketing plan; by broadening its product offering; and by working with an increasing number of community, sporting and school groups to develop projects that will take its message to a wider audience.

The Current Situation

The development in the last 30 years of the town of Deloraine, and the surrounding district, has in a large part been a result of the surplus generated by the TCF, with funding being used, wholly or in part, for:

- beautification of the Meander River by initially clearing the banks of almost impenetrable undergrowth
- the walkways around the river
- the two pedestrian bridges over the river
- the outdoor swimming pool and the 30 year long tradition of providing free swimming lessons for Meander Valley youngsters during school holidays
- the showgrounds with the current facilities of three well maintained pavilions
- the Rotary Pavilion available as a district evacuation resource in times of disaster
- the now annual WinterFire event
- Giant Steps school for autistic children saved from closure
- assistance to the Deloraine Creative Studios
- assistance to the Meander Valley community radio
- all weather bowling greens for the Bowls Club
- assistance to Aged Care Deloraine
- assistance to the Deloraine Districts Hospital
- scholarships for local students to go to University, for young people to do vocational trips overseas, and for school children to go on courses to build confidence, self-esteem and team skills
- the tourism dollars that are brought to the Meander Valley by the TCF
- street sculptures in Emu Bay Road
- improving entries to the town with tree plantings

All of these are in some way indebted to the Craft Fair.

And that is without considering the effects on the local artists looking to start their careers/businesses in their particular field. Why is it that there are now three galleries in Deloraine showcasing the skills of multiple artists and artisans?

The Tasmanian Craft Fair has been a defining element in the establishment of the creative culture in the Meander Valley that attracts artists and non-artists.

If Deloraine is to become established in the minds of Tasmanians and mainlanders as one of the creative centres of Tasmania – as an “art town” – it needs the TCF to continue and prosper.

And as an overall State strategy to attract interstate visitors, and to complement the obvious cultural attractions in Hobart, the TCF, the Makers’ Workshop in Burnie, murals in Sheffield, the QVMAG in Launceston and other towns could be linked to provide a “trail” across the North.

But in the life of events there comes a time when an extra effort is needed to push onto the next step in their development. The table on page 8 lists attendance figures for the years 2008 to 2015 and shows that there is a problem that needs to be addressed.

The TCF has been running for 35 years and innovative steps have been taken at various stages – without which it is doubtful whether it would have lasted that long.

But now is the time for another new step.

And although it will take extra funds to achieve what needs to be done, the cost of that is far greater than letting the TCF stutter and die. And much cheaper than trying to start afresh.

That is why the TCF is looking for assistance that it has never needed in the past.

To get more visitors through the gate and more satisfactory results for exhibitors is a slow process, and even with significant new attractions in the first year, the public's perception that the TCF is re-energised and a "must see" will take a number of years. That is why a three year funding package is being sought.

With that funding, we intend to:

- create a new website
- by offering exhibitor discounts, get many more working stalls
- run a series of workshops after the TCF in Deloraine and nearby towns to encourage participants to stay as well as raising the standard of art and craft. This will lengthen the stays of workshop participants in the district. Longer term, if successful, could lead to a spin-off of extended workshops being offered at a different time to the TCF, thereby increasing the tourist spend in the district.
- inaugurate a Tasmanian Youth Art Award that will not only encourage talented school children, get thousands of people to see their work and attract a younger cohort to come to the TCF
- increase funding to traditional media, and particularly with social media, to improve our connections with target markets
- have better quality event programs
- upgrade signage
- by doing this we should get more visitors which can allow us to once again have visiting exhibitions from interstate and overseas, which are a known attraction to our market
- invest in technology to provide on-line booking and EFTPOS facilities

The Rotary Club of Deloraine simply does not have the funds to do this and keep our "social contract" with our community and our support for other funding needs in Tasmania or on the mainland – especially those that are caused by natural disasters.

It is not usual for us to make this type of approach, but in Tasmania generally there are few large organisations with funds that could help us. Being in a regional area we are doubly disadvantaged with no large organisations that aren't not-for-profit.

But one thing is for certain. Funds going to supporting the TCF is one of the most efficient ways of developing a community. There are no administrative or staffing costs and, when necessary, equipment and materials are often provided at no cost.

Not forgetting also that the surplus from the TCF is shared with four service clubs, including the Rotary Club of Westbury, church groups, local schools, not-for-profits and other community organisations like the Showgrounds Society.

The Rotary Club has been, or will be, also talking to other suppliers about becoming part sponsors with in-kind donations of lower costs, and with a limited number of possible sponsors.

With all this in mind, the Rotary Club seeks a commitment from the Meander Valley Council, for provision of the Community Complex and the Meander Valley Performing Arts Centre at no cost for each of the next three years. This is as well as the current in-kind support estimated at \$3,000.

It has also been mentioned by Tasmanian Liberal Parliamentarians that State Government involvement is strongly influenced by support shown by local government.

This is not dissimilar to Council on occasions requiring local community involvement in projects to gain State funding – and sometimes Rotary has provided that involvement.

The table on page 9 shows the areas where new expenditure would be applied, and how it can be funded.

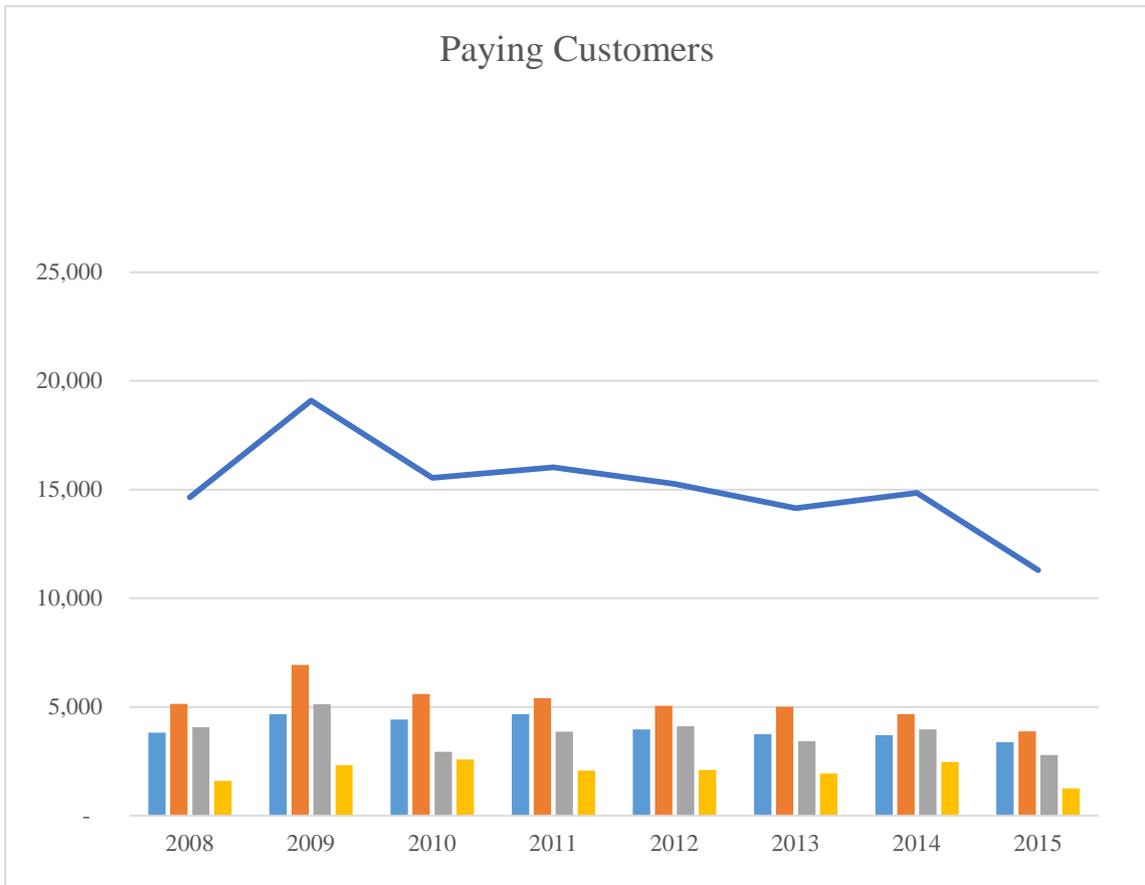
Note that the new funding needs are greater than the proposed funding sources, *even if all requests are successful.*

Some of the gap is expected to come from increased numbers of visitors, but the rest will fall to the Rotary Club, and in the event of inclement weather, that could be a real burden.

Attendance Figures 2008 to 2015

TCF – Paying Customers by Day

	Friday	Saturday	Sunday	Monday	Total
2008	3,823	5,148	4,068	1,602	14,641
2009	4,673	6,943	5,138	2,333	19,087
2010	4,421	5,601	2,938	2,585	15,545
2011	4,669	5,414	3,867	2,070	16,020
2012	3,978	5,060	4,116	2,112	15,266
2013	3,757	5,010	3,432	1,947	14,146
2014	3,713	4,677	3,978	2,476	14,844
2015	3,380	3,884	2,791	1,248	11,303
<i>Average:</i>	<i>4,052</i>	<i>5,217</i>	<i>3,791</i>	<i>2,047</i>	15,107



Top line graph is total attendance (paying customers)

Bottom Graphs are, in order, Friday, Saturday, Sunday, Monday

Funding Requirements 2016

Extra costs in 2016

New website	\$6,500
Showgrounds rental	\$4,000
Better quality program	\$1,300
More entertainment	\$4,000
Upgrade exhibitor's dinner	\$2,000
Introduce workshops	\$3,000
Tasmanian Youth Art Awards	\$4,500
Extra social media	\$3,000
Extra advertising	\$11,500
New signs	\$3,500
Upgrade existing signs	\$3,000
Costs of EFTPOS and on-line booking	\$2,500
Additional electrical equipment	\$2,000
Costs to encourage exhibitor working stalls	\$2,000
Increased costs of buses	\$1,000
Volunteers' facilities	\$1,000
Imputed cost of extra 620 volunteer hours @ \$30	\$18,600
TOTAL	\$73,400

Sponsorship/Grants/Reduced Costs Sought (but not yet assured):

Premier's Department	\$20,000	
Meander Valley Council	\$5,500	currently \$3,000 in kind
Supplier of Portable Shelters (Hoeckers)	\$4,500	pledged
Electricity contractor	\$2,000	
Venue Hire	\$4,500	
Bendigo Bank (extra)	\$3,000	
RACT	\$4,000	
Tasmanian Alkaloids (extra)	\$3,000	
TOTAL	\$46,500	
Difference	\$26,900	
Cash Balance needed from Rotary (min.)	\$8,300	

Note that the shortfall that Rotary will be meeting of \$8,300 is the minimum that will be needed, as it is highly unlikely that 100% of grant/sponsorship requests will be granted.

ED&S 2 NORTHERN LIGHTS – REGIONAL STREET LIGHT REPLACEMENT PROGRAM

1) Introduction

The purpose of this report is to seek Council's commitment to fund the replacement of mercury vapour and compact fluorescent lamp (CFL) street lights in Meander Valley with Light Emitting Diode (LED) streetlights, as part of a larger collaborative Northern Lights program with other northern councils.

2) Background

At the October Council Meeting in 2015 Councillors unanimously supported a motion *that Council support working with other councils in the northern region to accelerate the replacement of existing minor road lights with LEDs.*

An action that resulted from that decision was the engagement of Ironbark Consulting to produce the *Meander Valley Street Lighting Business Case* for Council that estimates the capital costs and operational savings over 20 years (refer attached business case).

The business case considers future energy price rises, capital costs per light and other variables to determine potential operational savings to 2036 for four possible scenarios:

1. TasNetworks (TN) owned and maintained, replace all residential lights (excluding CFLs)
2. Council owned, TN maintained, replace all residential lights (excluding CFLs)
3. TN owned and maintained, replace all residential lights
4. Council owned, TN maintained, replace all residential lights.

Of the scenarios, only the Council owned lighting models – shown in Table 1 below as scenario 2 and scenario 4 – are guaranteed to generate operational savings.

As a consequence Council can rule out scenarios 1 or 3 where TN retain ownership as *it does not make sense for Council to implement a scenario where...there would be a reasonable expectation of a negative financial result for councils*¹.

¹ Meander Valley Council Streetlighting Business Case Update, Ironbark Sustainability, Feb 2016

Table 1: Summary of scenarios (excerpt from business case)

Scenario	1*	2*	3	4*
Scenario details				
Ownership	TN owned	Council owned	TN owned	Council owned
All Lights Excluding CFLs	X	X		
Replace ALL Lights			X	X
Discount Rate	3%	3%	3%	3%
Scenario Results				
Number of lights changed	874	874	1,092	1,092
Total cumulative cost	\$75k to \$94k	\$418k to \$599k	\$152k	\$568k to \$798k
Cumulative net simple savings	-\$216k to \$529k	\$940k to \$1.66m	-\$84k	\$918k to \$1.75m
Net Present Value	-\$163k to \$373k	\$602k to \$1.17m	-\$94k	\$541k to \$1.20m
Year cash flow is positive	5 to N/A**	5 to 8	NA	6 to 10
Cumulative greenhouse savings from commencement (t CO ₂ -e)	858	858	930	930
Average greenhouse savings pa (t CO ₂ -e)	41	41	44	44

*Scenario includes economic outlook (pessimistic, average and optimistic) modelling

**Pessimistic outlook makes a net loss over 20 years

The difference between the scenarios is a mercury vapour replacement only proposal by excluding CFLs in scenario 2 and the replace all lights proposal by including CFLs in scenario 4. Replacing all lights – mercury vapour and CFLs as per scenario 4 – will result in a further 218 lights being replaced, with a 1,092 lights changed instead of 874 lights. There are benefits to both scenarios 2 and 4 (refer Table 2).

Table 2: Consideration of the benefits to include or exclude CFLs

Scenario 2 - excluding CFLs	Scenario 4 - including CFLs
Decreased capital cost	Increased operational savings – electricity and maintenance
Decreased payback – cash flow positive one year sooner	Decreased emissions – a further three tonnes CO ₂ -e/year
Better range of potential savings outcomes	Improved safety – CFLs perform poorly in negative temperatures
	Improved safety – standardise the lights on minor roads

The analysis within the Ironbark Sustainability business case applies three economic outlooks to the scenarios to forecast a range of possible outcomes. These outlooks can be broadly described as:

1. Pessimistic – is possible now with no negotiation

2. Average – is considered to be realistic
3. Optimistic – is ambitious, but has been achieved in other jurisdictions interstate.

A look at the average outlook for scenarios 2 and 4 reveals that replacing CFLs is likely to cost Council an additional \$174,721² in capital costs at the start of the project.

The additional capital cost is also estimated to result in additional operational savings of \$32,313³ and greenhouse gas emission reductions of 72 tonnes of carbon dioxide over 20 years⁴.

3) Strategic/Annual Plan Conformance

Furthers the objectives of the Council's Community Strategic Plan 2014 to 2024.

4) Policy Implications

Not Applicable

5) Statutory Requirements

Not Applicable

6) Risk Management

A Council decision is required by 25 March 2016 to take advantage of the Northern Lights regional street light replacement program.

7) Consultation with State Government and other Authorities

Council has been working with both City of Launceston and LGAT, who are leading negotiations with TN and the Municipal Association of Victoria.

Council has also been working constructively with other northern councils including West Tamar, Northern Midlands, Break O'Day and George Town.

² A capital cost of \$506,444 (plus overheads) by excluding CFLs in scenario 2 versus \$681,165 (plus overheads) by including CFLs in scenario 4

³ Operational savings of \$1.28million by excluding CFLs versus \$1.32million by including CFLs

⁴ 41t CO₂-e/year by excluding CFLs versus 44t CO₂-e/year by including CFLs, which equates to 858t and 930t respectively over 20 years

Officers have been in discussions with the Tasmanian Climate Change Office to engender support for the program at the State Government level.

8) Community Consultation

Not required at this stage, though communication with ratepayers will be critical when the participation of councils is finally determined.

9) Financial Impact

Deferring a decision to a future Council Meeting is most likely to result in Council missing the opportunity presented by the Northern Lights regional replacement program and potentially forego some or all of the operational savings. Council would then need to liaise with LGAT to identify if any other programs will be available in the future.

The financial commitment will depend on the scenario selected by Council. The pessimistic outlook forecasts financial losses are likely for Council in scenarios 1 and 3, and as such should not be considered.

If Council selects scenario 2 that excludes the installation of CFLs then the estimated capital costs will be up to \$599,000 (plus overheads). The operational savings over 20 years in this scenario are likely to be between \$940,000 and \$1.66million.

If Council selects scenario 4 that includes the installation of CFLs then the estimated capital costs will be up to \$798,000 (plus overheads). The operational savings over 20 years in this scenario are likely to be between \$918,000 and \$1.75million.

Council officers will make a recommendation in the coming budget discussions to use Roads to Recovery funding to replace street lights.

10) Alternative Options

Council can choose to retain the current street lights, or select from scenario 1, 2 or 3.

11) Officers Comments

The suggestion is for Council to commit funds up to \$798,000 (plus overheads) to replace all mercury vapour and CFL street lights – as outlined in scenario 4.

Under the average outlook replacing CFLs will have an additional capital cost of around \$175,000 and increase the payback from seven to eight years. The addition cost is expected to yield benefits over the 20 year life of the LED lights including increasing operational savings by around \$30,000, reducing emissions by a further 72 tonnes. This option will also deliver a quality and uniformity of lighting standards that will improve safety across the Meander Valley Local Government Area.

If Council opts to collaborate with other northern councils to deliver the Northern Lights regional replacement program, then it is likely that the installation will be completed by December 2017. To participate in the Northern Lights program, Council will need to commit funds at this March Council Meeting.

If Council commit to the Northern Lights program, then the next steps include:

#	Action	Notes	Timing
1.	Investigate financing options	Includes Roads to Recovery funding	Mar-Jun 2016
2.	Develop a Lighting Design Plan		Apr-Jun 2016
3.	Complete price and contract negotiations	City of Launceston and LGAT leading negotiations with TN and Municipal Association of Victoria	Apr-Jun 2016
4.	Procure the lights and installation	TN to tender works	Jun-Jul 2016
5.	Manage the program to completion	In collaboration with City of Launceston, including communicating clearly with residents and businesses	By Dec 2017

AUTHOR: Craig Plaisted
PROJECT OFFICER

12) Recommendation

It is recommended that Council commits to the Northern Lights program and allocates capital funding up to \$798,000 (plus overheads) to replace all 1,092 mercury vapour and compact fluorescent lamp (CFLs) street lights with light emitting diode (LED) street lights.

DECISION:



February 2016

Prepared for
Meander Valley Council

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About Ironbark Sustainability

Ironbark Sustainability is a specialist local government consultancy that works with councils around Australia by assisting them to reduce energy and water usage through sustainable asset and data management and on-the-ground implementation.

Ironbark has been operating since 2005 and brings together decades of technical and financial analysis, maintenance and implementation experience in the areas of energy & water auditing, and public lighting technologies and management.

Ironbark provides public lighting support nationally including technology advice, technology approvals, business cases and project management. Ironbark delivers strategic and specific advice and support for the establishment of effective environmental management systems for government and business clients. We pride ourselves on supporting our clients to manage their operations more sustainably.

Our Mission

Ironbark's mission is to facilitate progressive sustainability outcomes through practical and realistic support for councils and their communities.

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Definitions

AER	Australian Energy Regulator
AS/NZS 1158	Australian and New Zealand standards for lighting for roads and public spaces.
Category P	Pedestrian Category Roads
Category V	Vehicle Category Roads
CFL	Compact fluorescent lamps are a fluorescent lamp designed to replace HID (High-intensity Discharge Lamps) and incandescent lamps
Colour temperature	The measurement of light colour expressed in Kelvin (K). The lower the Kelvin rating the “warmer” or more yellow the light is. The higher the Kelvin rating the “cooler” or more blue the light is.
Control gear	An internal component of a street light that ignites the lamp and/or provides a regular flow of electric current to the lamp
HPS	High Pressure Sodium lamp
Lamp (globe)	The lamp emits light and is located within the luminaire (lantern).
LED	Light Emitting Diode
LGAT	Local Government Association of Tasmania
Luminaire	A device that distributes, filters or transforms the light emitted by a lamp or lamps and which includes all the items necessary for fixing and protecting these lamps.
MH	Metal Halide lamp
MV	Mercury Vapour lamp
PE Cell	Photoelectric Cell. Common switching mechanism for street lighting that turns lights on at dusk when ambient light levels drop below a set point. Vice-versa for dawn.
Spacing	Spacing refers to the distance between two road lights
T5	A new tubular fluorescent lamp providing lower energy use than most current lamps.
TN	TasNetworks
WDV	Written Down Value (also known as residual value). A regulated figure that relates to the book value of the existing assets. When the assets are replaced this figure must be paid out.

I Summary

Meander Valley Council has engaged Ironbark Sustainability to produce a Street Lighting Business Case update for the changeover to *residential* energy efficient street lights (LED), taking into account changes in costs, funding opportunities and updates to maintenance prices. This business case takes into account new LED technology and the latest billing and asset information from Council.

Council has a total of 1,092 residential streetlights in residential streets (excluding decorative lights). All these lights are managed by the distribution business (TN). Council pays a service charge to the distributors to maintain the light and pole over its life.



These streetlights can be replaced by LED streetlights, which reduce energy usage by as much as 77%, compared to the existing Mercury Vapour streetlights. In addition to offering lower costs, energy consumption and greenhouse emissions, the new lights provide better lighting outcomes for the community, including:

- Greater uniformity of light across and along the street,
- Better colour rendering and visibility,
- Less depreciation of the light output over time, and
- Lower glare.

LED technologies are viable replacements of all current residential street lighting options from a technical and cost perspective. This report assesses the cost and greenhouse savings of different options available to Council currently.

Councils typically have the option of direct procurement of this program from the distributor, collective procurement (regionally or through the LGAT), or as an individual Council procuring to the market. Councils in the region are already well advanced in negotiating a preferred delivery model with TN.

The *Scenarios* considered for the purpose of this financial analysis are detailed in Figure I below.

Table 1: Scenarios used in the business case modelling

Scenario	Description
1*	TN owned and maintained, replace all residential lights (excluding CFLs)
2*	Council owned, TN maintained, replace all residential lights (excluding CFLs)
3^	TN owned and maintained, replace all residential lights
4*	Council owned, TN maintained, replace all residential lights

*All three outlooks (pessimistic, average and optimistic) have been applied to these scenarios

^Only the outlook model has been applied to this scenario

Table 2 (below) demonstrates that the projects considered in this analysis are expected to cost between \$75,000 and \$798,000. Net lifetime simple cost savings (after project costs are recovered) are projected to range from a loss of -\$216,000 through to a net profit of \$1.75 million.

This table summarises the different scenarios covered in this business case. Scenario 4, which replaces all lights excluding CFLs with Council ownership of the asset, has the highest cumulative net savings and one of the shortest payback periods. This scenario also has the highest NPV and greenhouse gas savings over 20 years.

Table 2: Summary of scenarios

Scenario	1*	2*	3	4*
Scenario details				
Ownership	TN owned	Council owned	TN owned	Council owned
All Lights Excluding CFLs	X	X		
Replace ALL Lights			X	X
Discount Rate	3%	3%	3%	3%
Scenario Results				
Number of lights changed	874	874	1,092	1,092
Total cumulative cost	\$75k to \$94k	\$418k to \$599k	\$152k	\$568k to \$798k
Cumulative net simple savings	-\$216k to \$529k	\$940k to \$1.66m	-\$84k	\$918k to \$1.75m
Net Present Value	-\$163k to \$373k	\$602k to \$1.17m	-\$94k	\$541k to \$1.20m
Year cash flow is positive	5 to N/A**	5 to 8	NA	6 to 10
Cumulative greenhouse savings from commencement (t CO ₂ -e)	858	858	930	930
Average greenhouse savings pa (t CO ₂ -e)	41	41	44	44

*Scenario includes economic outlook (pessimistic, average and optimistic) modelling

**Pessimistic outlook makes a net loss over 20 years

The financial analysis shows that under most models it does not make sense for Council to implement a scenario whereby TN retains ownership of the street lighting assets. If this was implemented there would be a reasonable expectation of a negative financial result for councils.

When considering the two Scenarios where Council owns the assets (Scenarios 2 and 4), including CFLs in the bulk replacement adds to the total cost of the project. However, this is offset by the increase in electricity and maintenance savings in turn, increasing overall net simple savings. Greenhouse savings are around 8% higher when including the CFL lights.

2 Background to Council's Residential Street Lighting Assets

Council has a total of 1,092 residential streetlights in residential streets (excluding decorative lights). All these lights are managed by the distribution business (TN). Council pays a service charge to the distributors to maintain the light and pole over its life.

The following table shows the breakdown of these lights that are the subject of this business case:

Table 3: Summary of Council's streetlights

Luminaire Type	Light Type	Private/Public	Number of lights
General - unspecified make and model	FL_IX20	Private	8
Sylvania	MV_50	Private	1
Sylvania Suburban Eco	CFL_42	Public	216
Sylvania Urban	CFL_42	Public	1
Sylvania	CFL_42	Public	1
General - unspecified make and model	FL_IX20	Public	1
Betacom Gough	MV_80	Public	383
Sylvania B2224	MV_80	Public	256
Sylvania Suburban	MV_80	Public	213
General - unspecified make and model	MV_80	Public	7
Sylvania Urban	MV_80	Public	2
Sylvania	MV_80	Public	1
Floodlight - unspecified make and model	MV_80	Public	1
Pole Top - unspecified make and model	MV_80	Public	1

2.1 Mercury Vapour Technology

High Intensity Discharge (HID) street lighting makes up the majority of Australia’s current street lighting inventory. There are three common varieties of HID lamps: High Pressure Sodium (HPS), Metal Halide (MH) and Mercury Vapour (MV). Of these, Mercury Vapour is the most energy inefficient.

Energy efficient alternatives to MV technology include High Pressure Sodium for major roads and Fluorescent and LED technology for residential streets. The most common MV light is the 80-Watt Mercury Vapour street light (80W MV).

80W MV lights are the current standard for residential street lighting. In Australia they number in the hundreds of thousands. When considering that as much as 77% in energy savings can be realised for these lights, they are obvious target for replacement.

Table 4: Mercury Vapour: B2224 Specifications

B2224			
Description	Technical Data		Image
The B2224 is the most common 80W MV in Australia, having been the category P light of choice for around two decades. It is expected that B2224 make up in excess of 90% of all 80W MV streetlights. Most B2224 currently in operation will be nearing or beyond their typical life-span of 20 years.	Manufacturer	Sylvania	
	Lamp	80W MV	
	System wattage	96W	
	Life Span	20 Yrs	
	Max P5 Spacing	75.6m	
	Max P4 Spacing	54.6m	

Table 5: Mercury Vapour: Suburban Specifications

Suburban			
Description	Technical Data		Image
By the late 1990s the Suburban replaced the B2224 for new installations. Better light distribution and spacing was achieved. Usually 5-10% of overhead power networks have these lights in Vic. In underground powered areas they are more frequently found.	Manufacturer	Sylvania	
	Lamp	80W MV	
	System wattage	96W	
	Life Span	20 Yrs	
	Max P5 Spacing	81.5m	
	Max P4 Spacing	58.8m	

2.2 Energy Efficient Technologies – Luminaires

Standard luminaire replacement options are limited to a select range of approved technologies. This is due to the combined effects of limited competition, stringent Australian Standards and meticulous approvals processes. Alternate luminaires are added periodically to the approved lists.

The following table provides an overview of the current “standard” energy efficient replacement options for 80-Watt Mercury Vapour street lights.

In Tasmania the use of 42W CFL lights has been predominant for the past few years. Recently TN has approved the use of LED residential street lights. This business case considers the replacement of lighting to LED and includes the option to replace the current CFL lights within this project.

Table 6: Compact Fluorescent specifications

32W/42W Suburban Eco HE CFL			
Description	Technical Data		Image
The 32W Suburban Eco HE has been the preferred CFL replacement of choice in Tasmania. The 42W unit has been used in preference to the 32W unit.	Manufacturer	Sylvania	
	Lamp	32/42W CFL	
	System wattage	36.6/46.4W	
	Max P5 Spacing	84.9/84.2m	
	Max P4 Spacing	61.4/60.7m	

Table 7: LED specifications

LED (example using the StreetLED 22W)			
Description	Technical Data		Image
LEDs are now approved for use in the Tasmania. There are several being considered with the StreetLED the first confirmed as approved. The StreetLED is a P Category LED which is the lowest Wattage option but also the highest cost. It has a serviceable lifespan of 20 years, including the LED chips themselves.	Manufacturer	Sylvania	
	Lamp	19W	
	System wattage	22W	
	Max P5 Spacing	90.1m	
	Max P4 Spacing	75.8m	

3 Bulk Change Business Case Model

The business case model that we have used for this analysis is discussed in detail in this section. It is structured in the following manner:

- 3.1 Overall Scenarios considered
- 3.2 Ownership options that Council can pursue
- 3.3 Economic outlook modelling

Please note that all figures are estimates based on the information provided in Appendix 1. These figures should be reviewed during any procurement process undertaken to implement the program in order to confirm outcomes. Many variables model conditions over a 20-year period and do not model actual outcomes but are the best estimates of the range of outcomes that could occur over that time period.

Refer to Appendix 2 for detailed annual cash flows of every scenario covered in this report.

3.1 Scenario Details

The *Scenarios* considered are detailed in Table 8 below.

Table 8: Scenarios used in the Draft Business case modelling

Scenario	Description
1*	TN Ownership, replace all lights excluding CFLs
2*	Council Ownership, replace all lights excluding CFLs
3^	TN Ownership, replace all lights
4*	Council Ownership, replace all lights

*All three outlooks (pessimistic, average and optimistic) have been applied to these scenarios

^Only the outlook model has been applied to this scenario

Important Note

Prices for LED lights change often and without notice. This business case is based on the current prices at time of writing. In the case of a multi-year program, it is important to reassess the costs and any approved comparison technologies before each phase of implementation. The cost of this assessment has not been included by Ironbark.

3.2 Ownership Options

The ownership options modelled in this report that Council can potentially pursue are as follows:

Ownership Options	Arrangements
Scenario 1 and 3	TN owned and maintained
Scenario 2 and 4	Council owned, TN maintained

Under Scenarios 1 and 3 TN will fund the replacement of the current light to LEDs and then charge councils for this replacement cost over the life of the light. This results in lower capital costs but higher operating costs. Under Scenarios 2 and 4 Council funds the replacement in order to achieve lower operating costs over time.

3.3 Economic Outlook

Depending on variables such as the rate of energy price increases, and the increase in maintenance tariffs, the savings of the transition will vary.

This analysis considers a range of outlooks when choosing LED street lights to demonstrate to councils the possible range of outcomes from the project. There are nearly endless assumptions that can be applied, however to keep it simple we have specifically considered three distinct “outlooks” that are applied to each of the “scenarios” described above:

- **(a) Pessimistic - High Cost, Low Savings.** Whereby the capital costs and ongoing operating costs are high.
- **(b) Average – Moderate Cost & Savings.** Whereby the capital costs and ongoing operating costs are average.
- **(c) Optimistic - Low Cost, High Savings.** Whereby the capital costs and ongoing operating costs are low.

To give a sense of the likelihood of each outlook, we consider the *Average* model to be realistic. Some items could be achievable in the short term (e.g. reduced capital cost of the program) whilst some will take a little longer to negotiate (ongoing maintenance pricing). The *Optimistic* outlook is ambitious, and, although similar outcomes have been achieved in other jurisdictions, this should be considered “optimistic”. The *Pessimistic* outlook is what could be achieved now with little negotiation.

Within this report all *Scenarios* except for scenario 3 have all three outlooks outlined. The variables considered and the differences in each *Model* are summarised in Table 9 below.

Table 9: Assumptions for each Model

Variables	Optimistic	Average	Pessimistic
Electricity Price Growth Scenarios	High	Med	Low
Scenario 1 & 3 Maintenance price rises	Low	Med	High
Scenario 2 & 4 Maintenance price rises	High	Med	Low
Project Cost	Low	Med	High
Written Down Value	Low	Med	High

One of the main inputs to the modelling outlined in the table above is the electricity price forecast. The effect of future electricity prices on energy savings cannot be understated as this affects the long term savings of the project. The maintenance pricing is currently applied as a flat rate across all lights and is based on the range of values provided by Council. Because this is a periodic cost which is applied to all lights, it has a large impact on the overall cash flow of the project.

As mentioned above, the range of values presented in this table will provide insight into the best and worst outcomes which will in turn help Council choose future action to suit its risk appetite.

4 Bulk Change Business Case Results

4.1 Results of the modelling - Ownership Options

Please Note: The modelling is deliberately broad in order to demonstrate the range of potential outcomes (both good and bad) from a large scale LED replacement program. For detail of the range of capital costs and savings for each Scenario please see the Optimistic, Average and Pessimistic modelling that has been carried out for each Scenario further in this section.

In order to compare the choice of ownership options we have considered all Scenarios using the *average economic outlook*, which would be the most likely outcome.

For Scenarios 1 and 3, where TN retains ownership of the lights, the replacement program could result in savings of -\$84,000 to \$163,000 (over 20 years). For Scenarios 2 and 4, where Council owns the replaced assets, the program could result in savings of \$1.28m to \$1.31m (over 20 years).

For all Scenarios, the investment is expected to result in paybacks of between 7 and 8 years.

Greenhouse savings are estimated at 44 tonnes per year if all lights are replaced and 41 tonnes per year if all CFLs were excluded from the project. This translates to 858 tonnes to 930 tonnes of greenhouse gas savings over 20 years. Table 10 below outlines a summary of these project costs and savings from replacing all lighting to LEDs.

Table 10: The impact of different Ownership options

Scenario	1b	2b	3	4b
Scenario Details				
Economic Outlook	Average	Average	Average	Average
Ownership Options	TN owned	Council owned	TN owned	Council owned
All Lights Excluding CFLs	X	X		
Replace ALL Lights			X	X
Discount Rate	3%	3%	3%	3%
Scenario Results				
Number of lights changed	874	874	1,092	1,092
Net cost savings in 1st year	\$10,892	\$66,320	\$4,674	\$73,928
Cumulative cost savings	\$246,022	\$1,789,212	\$68,141	\$1,996,247
Total cumulative cost	\$82,707	\$506,444	\$151,736	\$681,165
Cumulative capital cost	\$0	\$423,737	\$0	\$529,429
Cumulative WDV	\$82,707	\$82,707	\$151,736	\$151,736
Cumulative net simple savings	\$163,315	\$1,282,769	-\$83,595	\$1,315,082
Net Present Value	\$111,044	\$874,264	-\$94,427	\$859,162
Year cash flow is positive	7	7	NA	8
Cumulative greenhouse savings from commencement (t CO ₂ -e)	858	858	930	930
Average greenhouse savings pa (t CO ₂ -e)	41	41	44	44

4.2 Economic Outlook Modelling of Selected Scenarios

This section considers a range of outcomes when choosing LED street lights to demonstrate to Council the possible range of outcomes from the project. There are nearly endless scenarios you could apply, however to keep it simple we have specifically modelled the following scenarios based on the three economic outlooks (pessimistic, average and optimistic). We have excluded Scenario 3 from this section as it is the worst performing of the Scenarios considered so far.

- **Scenario 1** – TN Ownership, replace all lights excluding CFLs
- **Scenario 2** – Council Ownership, replace all lights excluding CFLs
- **Scenario 4** – Council Ownership, replace all lights

In order to get a sense of the cash flows for the project we have modelled the following LED bulk change scenarios for optimistic, average and pessimistic outlooks in the following sections.

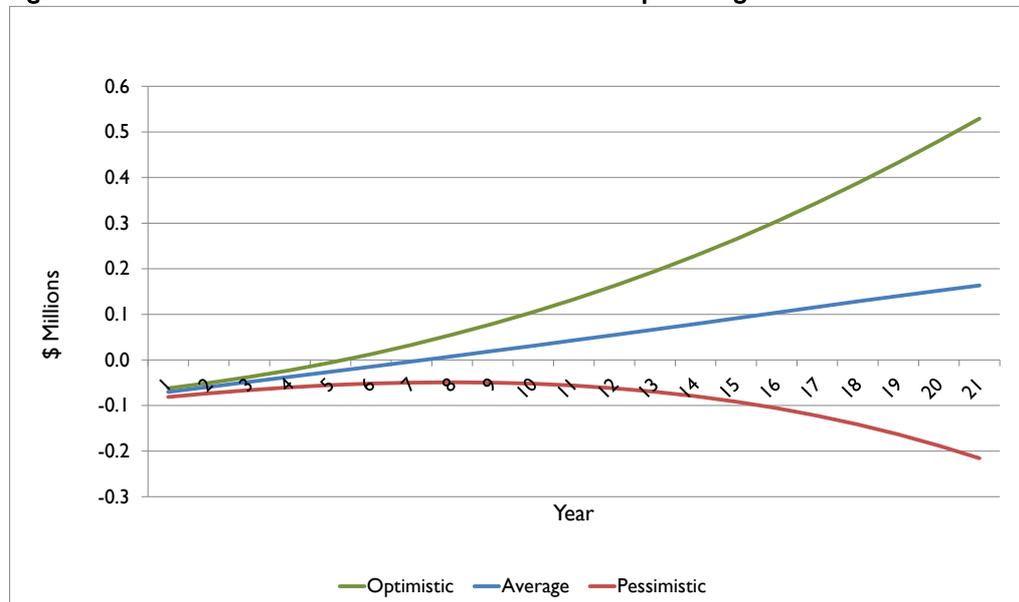
4.2.1 Scenario 1 Economic Outlook Modelling

The following table provides the summary figures modelled for the three economic outlooks.

Table 11: Scenario 1 economic outlook summary table

Scenario Results	Pessimistic	Average	Optimistic
Number of lights changed	874	874	874
Net cost savings in 1st year	\$8,205	\$10,892	\$11,563
Cumulative cost savings	-\$121,645	\$246,022	\$604,119
Total cumulative cost	\$94,035	\$82,707	\$74,783
Cumulative capital cost	\$0	\$0	\$0
Cumulative WDV	\$94,035	\$82,707	\$74,783
Cumulative net simple savings	-\$215,680	\$163,315	\$529,336
Net Present Value	-\$162,605	\$111,044	\$373,368
Year cash flow is positive	NA	7	5
Cumulative greenhouse savings from commencement (t CO ₂ -e)	858	858	858
Average greenhouse savings pa (t CO ₂ -e)	41	41	41

Figure 1: Scenario 1 economic outlook cumulative net simple savings



The graph above illustrates the cumulative cash flow of the different *outlooks* for this Scenario (using the simple savings model). The pessimistic outlook is negative because of the high LED maintenance costs which more than offset the savings in electricity over the life of the asset.

4.2.2 Scenario 2 Economic Outlook Modelling

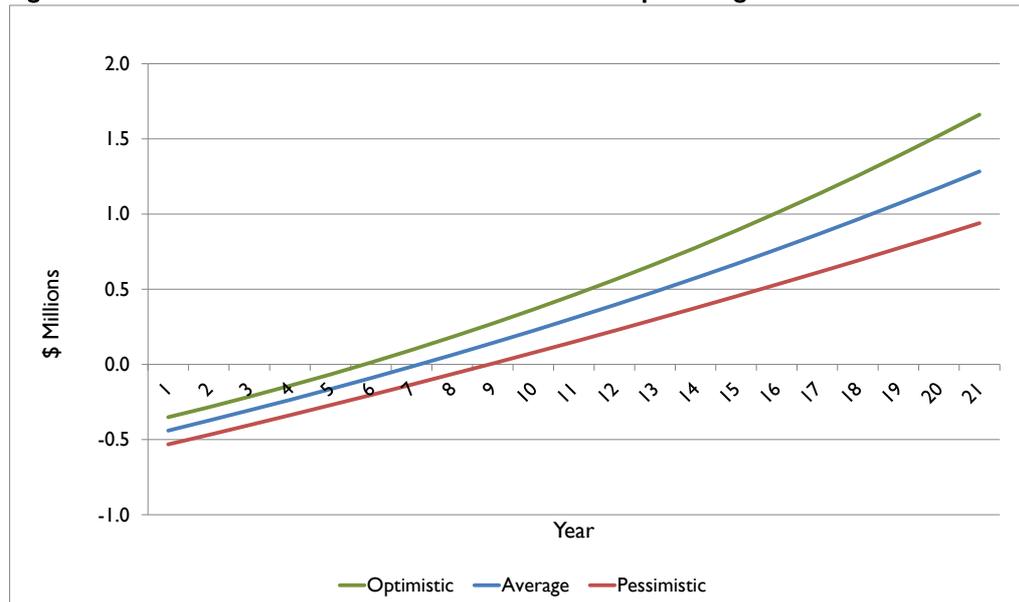
The following table provides the summary figures modelled for the three economic outlooks.

Table 12: Scenario 2 economic outlook summary table

Scenario Results	Pessimistic	Average	Optimistic
Number of lights changed	874	874	874
Net cost savings in 1st year	\$63,931	\$66,320	\$66,693
Cumulative cost savings	\$1,538,331	\$1,789,212	\$2,078,994
Total cumulative cost	\$598,674	\$506,444	\$417,610
Cumulative capital cost	\$504,639	\$423,737	\$342,827
Cumulative WDV	\$94,035	\$82,707	\$74,783
Cumulative net simple savings	\$939,656	\$1,282,769	\$1,661,384
Net Present Value	\$601,522	\$874,264	\$1,168,540
Year cash flow is positive	8	7	5
Cumulative greenhouse savings from commencement (t CO ₂ -e)	858	858	858
Average greenhouse savings pa (t CO ₂ -e)	41	41	41

The following graph illustrates the cumulative cash flow of the different *outlooks* for this Scenario (using the simple savings model). The far-left dip in the graph represents the initial capital outlay. Maintenance and energy savings for each subsequent year results in a gradual erosion of the initial capital outlay until cash flow is positive. After this point “profit” is accumulated.

Figure 2: Scenario 2 economic outlook cumulative net simple savings



4.2.3 Scenario 4 Economic Outlook Modelling

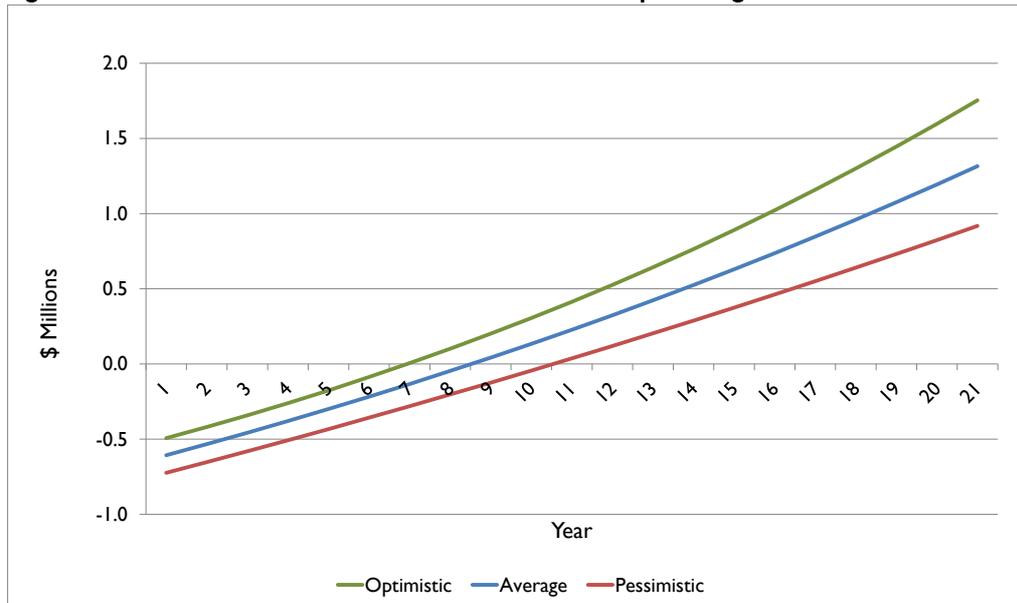
The following table provides the summary figures modelled for the three economic outlooks.

Table 13: Scenario 4 economic outlook summary table

Scenario Results	Pessimistic	Average	Optimistic
Number of lights changed	1,092	1,092	1,092
Net cost savings in 1st year	\$71,309	\$73,928	\$74,362
Cumulative cost savings	\$1,715,963	\$1,996,247	\$2,320,488
Total cumulative cost	\$798,177	\$681,165	\$567,548
Cumulative capital cost	\$630,510	\$529,429	\$428,337
Cumulative WDV	\$167,667	\$151,736	\$139,211
Cumulative net simple savings	\$917,786	\$1,315,082	\$1,752,940
Net Present Value	\$540,568	\$859,162	\$1,202,601
Year cash flow is positive	10	8	6
Cumulative greenhouse savings from commencement (t CO ₂ -e)	930	930	930
Average greenhouse savings pa (t CO ₂ -e)	44	44	44

The following graph illustrates the cumulative cash flow of the different models for this Scenario (using the simple savings model). The far-left dip in the graph represents the initial capital outlay. Maintenance and energy savings for each subsequent year results in a gradual erosion of the initial capital outlay until cash flow is positive. After this point “profit” is accumulated.

Figure 3: Scenario 4 economic outlook cumulative net simple savings



5 Social Implications

The energy efficient options all perform comparably under a range of social criteria. All are a significant improvement on the existing 80W Mercury Vapour lamps, particularly in terms of evenness of light spread and reduced mercury content.

Many are manufactured in Australia and are Australian owned technologies.

Safety and amenity for pedestrians and cyclists

Generally, it is undesirable to light residential streets above the minimum required standard. Doing so creates unnecessary cost and greenhouse emissions. In many areas, residents have a preference for low levels of lighting.

However, in some areas, higher levels of lighting may be desirable to encourage walking, cycling and use of public transport. In areas where there are concerns about safety at night, it may improve perceptions of safety and residential amenity to exceed the Australian Standards for lighting levels. Council may also have specific policy objectives (such as pedestrian connectivity between transport nodes and shopping centres) that can be supported with higher levels of light in strategic locations.

Extra lights or higher wattage lights incur extra cost to purchase and to operate. Because consultation has not yet been undertaken to determine priority areas, Ironbark cannot accurately estimate the cost implications of this approach. However, it is very likely that the cost of these brighter lights would be insignificant in the context of the wider changeover with significant opportunity to take advantage of improved social outcomes.

This can be planned for in the standard bulk replacement program.

Public Awareness

The majority of residents and visitors are unlikely to notice the outcomes of an energy efficient street lighting upgrade scheme. Complaints for LED installations are low as there is minimal light spill with these fittings so it would be very unusual to have to install glare shields.

However, it is recommended that during the bulk replacement program a communication process for dealing with any glare issues is implemented.

Council may deem it appropriate to provide communications about the program to residents via mail-outs, local newspapers, the web and other media outlets. This will raise Council's position as a leading player in the promotion of energy efficient practices in the community.

6 Relevant regulation and pricing

The main regulation that governs public lighting services in Tasmania is the National Electricity Law (NEL) and National Electricity Rules (NER). TN are required to comply with the NEL and the NER. These do not apply to councils providing public lighting services for their own assets. Under the NEL, the prices for public lighting services in Tasmania are largely regulated by the Australian Energy Regulator (AER).

TasNetworks tariff arrangements

TN currently offers two tariff types:

1. *Private Contract Public Lights* (also referred to as Contract Lights) means brackets and luminaires on TN poles and connected to public lighting circuit or on private poles and buildings. All components of the installation including light fittings and arm are maintained at the customer's expense, except for replacement of the globe, which is covered by TN as part of the Contract Lighting tariff. The lamp type and wattage must comply with TN's Network Tariffs.
2. *Public Lights* means those public lighting assets, fixtures and fittings owned by TN, which may be on TN's poles and buildings or on private poles and buildings. The repair, replacement and maintenance of all components of the installation, including the light fitting, arm and globe are the responsibility of TN.



Hobart and Glenorchy Councils are currently attempting to negotiate a third price type:

3. *Council owned and fully maintained Public Lights*. Whereby council negotiates an Access price with TN and then councils can select maintenance providers for the assets. Council then directly funds all repair, replacement and maintenance activities on these assets. The negotiations around this option are not yet finalised and are not expected to be finalised until at least 2016.

The legal framework for unmetered public lighting services is complicated and invites differing interpretations of the law. What is clear is the following:

On the ownership of public lighting assets

1. Councils can own assets (in Tasmania currently under the Private Contract tariff)
2. TN currently owns approximately 96% of the public lighting luminaires in Tasmania (excluding the newly installed LED lights in Hobart/Glenorchy)
3. Councils cannot compulsorily acquire TN assets although the Tasmanian State Government can
4. Councils can own the assets after completing a technology change (and paying out the written down value of the existing assets). This is the model that is currently being used after the Hobart/Glenorchy LED replacement

On the ability to tender for unmetered public lighting services

1. Councils cannot tender for services on TN owned assets without the approval of TN
2. Councils can *in theory* tender for maintenance services of these assets. In practice agreement on this is required with TN. This is currently not formally accessible for councils in Tasmania except for isolated cases (e.g. management of non-standard assets in some city centres) Negotiations between Hobart and Glenorchy councils and TN are aimed at making this option more common place for LED lighting
3. Councils will need to negotiate/agree to an access (and pay and access fee) with TN to be able to tender maintenance services for the majority of public lighting assets in future
4. This access price can be regulated by the Australian Energy Regulator
5. Access prices negotiated nationally with DNSPs as part of the National Broadband Network have been widely reported to be around \$60-\$150 per pole

On the role of TN, if public lighting services are tendered by councils to a third party

- I. TN have a responsibility for safe access and operation of the distribution network, this typically means TN would have a role in:
 - a. Accrediting/managing the access of third party contractors councils may wish to use for public lighting services
 - b. Approving unmetered assets (including light types) to be used on the network



7 External funding

Over the last 5 years, there have been a range of funding and financing opportunities available for street lighting projects and Ironbark has been assisting councils with these options. Many of these are no longer running (such as the Community Energy Efficiency Program (CEEP)). One avenue that may be available to council is the Federal Government's Emissions Reduction Fund (ERF) and external financing.

Emissions Reduction Fund (ERF)

Funding type: Reverse-auction carbon abatement scheme

Funding Amount: Depends on auction process and bid (the average price for the first auction in April 2014 was \$13.95 per tonne of greenhouse emissions)

Amount per Council: Limited by emission reductions

Jurisdiction: Australia

Availability: from 2015

Information:

Often referred to as the "centrepiece" of the Federal Government's Direct Action Plan, the Emissions Reduction Fund (ERF) is a fund dedicated to the purchase of carbon emissions reductions from a wide range of sources. The ERF is underpinned by a series of "reverse auctions" where the Clean Energy Regulator (CER) will purchase emissions reductions from businesses, land owners and other organisations at the lowest available cost.

It is not direct energy efficiency funding. Councils could submit a street lighting project, along with analysis, data, plans and the level of abatement expected to achieve. If successful in this reverse auction, then Council would receive payment for this abatement.

In many ways this is similar to "white certificate schemes" such as VEET (Victoria) and ESS (NSW). The scheme will favour lowest cost of abatement projects so bigger projects with economies of scale and lower transaction costs will be more attractive. Street lighting projects are covered by one of the approved methodologies, however the project must also satisfy a range of "additionality" criteria. This means the project must be "new" (the project has not begun or project implementation has not yet begun); it cannot be something that a council is legally obliged to undertake; and it cannot be part of another government program such as the NSW Energy Savings Scheme (ESS) or Victorian Energy Efficiency Target (VEET). Finally, the Government has set a minimum bid size of 2,000 tonnes of CO₂-e per year over the life of the contract.

Ironbark has developed a free Emissions Reduction Fund (ERF) Guide for Australian Councils as well as the ERF Street Lighting Calculation Tool where you can type in an estimate of the "reverse auction" bid price that Council could bid in an upcoming ERF auction. The tool will then calculate the potential funding¹.

CEFC and Other Financing

The Clean Energy Finance Corporation (CEFC) is a financing mechanism for energy efficiency projects. It has been in operation since 2012 and provides financing to businesses and councils for energy efficiency projects. Energy efficient street lighting projects have been approved by the CEFC over the past 4 years². The CEFC has also partnered with larger lending institutions and banks who indicated that they are ready to provide finance for these types of projects because of the guaranteed energy savings and relatively low risk profile.

¹ The ERF Guide for Australian Councils is available at <http://goo.gl/gFY3vN> and the ERF Street Lighting Calculation Tool available from <http://goo.gl/CikSHR>

² See for example <http://goo.gl/A3fny4>

8 Recommended Next Steps

Based on the information provided within this preliminary business case and Ironbark's experience, the following steps are recommended to progress the bulk change further:

1. **Prepare financial analysis** (*complete*)
 - a. Develop clear business case.
 - b. Present business case to Council to gauge interest in the program. This can also be the right time to check timeframes for the roll out.
2. **Apply for funding and or financing** (*complete/underway within the region*)
 - a. Investigate all internal and external avenues.
3. **Define Council's requirements for the program** (*underway within the region*)
 - a. Develop Lighting Design Plan to drive the bulk change.
 - b. Consult around the requirements for the new lights (in particular around safety and the treatment of public transport).
 - c. Assess current lighting treatment within this context and compile the final design and specification for Council's required replacement program.
4. **Procure the bulk change** (*negotiation underway within the region*)
 - a. Consider options for procurement including tendering or direct engagement with the relevant distribution authority (taking into consideration the Local Government Act and the best cost solution).
 - b. Procure based on this consideration.
5. **Manage the bulk change**
 - a. Ensure clear communication during the bulk change program occurs including consideration of media, complaints, timelines, variations, invoicing and incident provisions.
 - b. Post-project follow-up.

8.1 Northern Councils Street Lighting Program

Within the region councils have been working collaboratively to engage with TasNetworks and work to develop a regional program to improve the efficiency and maintenance practices for street lighting. Launceston are co-ordinating this work and have indicated that once this business case is complete the following immediate steps and timelines are of relevance.

1. Determine whether council will commit to the project and determine which light types will be replaced - 25 March 2016
2. Design of the lighting network - April - June 2016
3. Complete price and contract negotiations with TNs - April - June 2016
4. TN to tender works - June - July 2016
5. Project complete - December 2017

For councils who are interested in the project, but cannot deliver the approvals within this timeline, LGAT are collecting interested councils for future regional projects and will be planning to liaise directly with TN for these projects.

Appendix I: Assumptions for Modelling

Energy Price Projections

As with any long-term economic projections, the modelling of energy price increases over the next two to four decades is difficult. Any number and combination of factors can render projections obsolete within a number of years, if not months.

Ironbark relies on relatively conservative price modelling. The source of information used in this business case is as follows:

- *2016 to 2022 modelling is based on AEMO forecasts (Detailed summary of 2015 electricity forecasts.pdf, pg. 83) (Tasmanian modelling used)*
- *Beyond 2022*
 - *energy price increases for the **pessimistic** scenarios is based on AEMO data (sourced from correspondence with AEMO) (Tasmanian modelling used)*
 - *energy price increases for the **optimistic** scenarios is the average of the optimistic scenarios from*
 - *AEMO data June 2015*
 - *data provided on Page 123 Australian Government 2011, Strong Growth, Low Pollution: Modelling a Carbon Price (national average used)*
 - *energy price increases for the **average** scenarios is the average of the optimistic and pessimistic scenarios*

Price increases are based upon low energy price rise (conservative) or the high price in the model above. An average of the two is also used. The initial electricity price is based on invoice data provided by councils and LGAT.

Technology Power Consumption

The true power consumption wattage of a light is different to the nominal lamp rating. For example an 80W MV has a power consumption of 95.8 Watts. All data sourced from the AEMO Public Lighting Load Table except LED where an estimate has been used based on manufacturer data.

General

- 5.00% WACC used for Third Party Asset depreciation
- 7.15% WACC used for TN Asset depreciation
- Existing maintenance prices are for 2015-16 as stipulated in DNSP pricing documents and Council bills
- All savings and cost figures are GST Exclusive
- 12.5 hrs per day in Tasmania
- 0.14 kgCo₂-e per KWh (Scopes 1-3, National Greenhouse Account Factors August 2015)
- NPV Discount rate is 2.5% (based on 10 Yr. Australian Government Bond Rate Feb. 2016 of 2.5%)

Input for economic outlook modelling

Variable	High	Average	Low
Description	The capital costs and ongoing operating costs are high.	The capital costs and ongoing operating costs are average.	The capital costs and ongoing operating costs are low.
Scenario 1 & 3 Maintenance price rises	1.5%	3.0%	4.5%
Scenario 2 & 4 Maintenance price rises	4.5%	3.0%	1.5%
Energy price rises	High	Average	Low
Project costs	\$383	\$471	\$559

LED maintenance cost assumptions

LED Maintenance costs	High	Average	Low	Comment
Scenario 1: TN Owned and maintained (p.a. per light)	\$ 128.04	\$128.04	\$128.04	Regulated tariffs 2015-16
Scenario 2: Council Owned and TN maintained (p.a per light.)	\$ 66.47	\$ 66.47	\$ 66.47	Regulated tariffs 2015-16

Appendix 2: Cash Flow Tables (Average Economic Outlook)

Table 14: Scenario 1b annual cash flow

Year	Thousands of \$				
	Annual OMR Cost Savings	Annual Energy Cost Savings	Council Project Cost	Annual Net Cash Flow	Cumulative Simple Project Cash Flow
2016	-\$36.85	\$49.49	\$82.71	-\$70.06	-\$70.06
2017	-\$37.95	\$48.84	\$0.00	\$10.89	-\$59.17
2018	-\$39.09	\$50.07	\$0.00	\$10.98	-\$48.19
2019	-\$40.26	\$51.33	\$0.00	\$11.06	-\$37.13
2020	-\$41.47	\$52.61	\$0.00	\$11.15	-\$25.98
2021	-\$42.71	\$53.94	\$0.00	\$11.22	-\$14.76
2022	-\$43.99	\$55.29	\$0.00	\$11.30	-\$3.46
2023	-\$45.31	\$56.74	\$0.00	\$11.42	\$7.96
2024	-\$46.67	\$58.22	\$0.00	\$11.55	\$19.51
2025	-\$48.07	\$59.75	\$0.00	\$11.67	\$31.18
2026	-\$49.52	\$61.31	\$0.00	\$11.80	\$42.98
2027	-\$51.00	\$62.92	\$0.00	\$11.92	\$54.90
2028	-\$52.53	\$64.57	\$0.00	\$12.03	\$66.93
2029	-\$54.11	\$66.26	\$0.00	\$12.15	\$79.08
2030	-\$55.73	\$67.99	\$0.00	\$12.26	\$91.34
2031	-\$57.40	\$69.77	\$0.00	\$12.37	\$103.71
2032	-\$59.13	\$71.60	\$0.00	\$12.47	\$116.18
2033	-\$60.90	\$73.12	\$0.00	\$12.22	\$128.40
2034	-\$62.73	\$74.67	\$0.00	\$11.94	\$140.34
2035	-\$64.61	\$76.25	\$0.00	\$11.65	\$151.99
2036	-\$66.55	\$77.87	\$0.00	\$11.33	\$163.32
Total	-\$1,056.59	\$1,302.61	\$82.71	\$163.32	

Table 15: Scenario 2b annual cash flow

Year	Millions of \$				
	Annual OMR Cost Savings	Annual Energy Cost Savings	Council Project Cost	Annual Net Cash Flow	Cumulative Simple Project Cash Flow
2016	\$16.97	\$49.49	\$506.44	-\$439.99	-\$439.99
2017	\$17.48	\$48.84	\$0.00	\$66.32	-\$373.67
2018	\$18.00	\$50.07	\$0.00	\$68.07	-\$305.59
2019	\$18.54	\$51.33	\$0.00	\$69.87	-\$235.73
2020	\$19.10	\$52.61	\$0.00	\$71.71	-\$164.01
2021	\$19.67	\$53.94	\$0.00	\$73.61	-\$90.41
2022	\$20.26	\$55.29	\$0.00	\$75.55	-\$14.85
2023	\$20.87	\$56.74	\$0.00	\$77.61	\$62.75

Millions of \$					
Year	Annual OMR Cost Savings	Annual Energy Cost Savings	Council Project Cost	Annual Net Cash Flow	Cumulative Simple Project Cash Flow
2024	\$21.50	\$58.22	\$0.00	\$79.72	\$142.47
2025	\$22.14	\$59.75	\$0.00	\$81.89	\$224.36
2026	\$22.80	\$61.31	\$0.00	\$84.12	\$308.48
2027	\$23.49	\$62.92	\$0.00	\$86.41	\$394.89
2028	\$24.19	\$64.57	\$0.00	\$88.76	\$483.64
2029	\$24.92	\$66.26	\$0.00	\$91.18	\$574.82
2030	\$25.67	\$67.99	\$0.00	\$93.66	\$668.48
2031	\$26.44	\$69.77	\$0.00	\$96.21	\$764.69
2032	\$27.23	\$71.60	\$0.00	\$98.83	\$863.52
2033	\$28.05	\$73.12	\$0.00	\$101.17	\$964.68
2034	\$28.89	\$74.67	\$0.00	\$103.56	\$1,068.24
2035	\$29.75	\$76.25	\$0.00	\$106.01	\$1,174.25
2036	\$30.65	\$77.87	\$0.00	\$108.52	\$1,282.77
Total	\$486.60	\$1,302.61	\$506.44	\$1,282.77	

Table 16: Scenario 3b annual cash flow

Millions of \$					
Year	Annual OMR Cost Savings	Annual Energy Cost Savings	Council Project Cost	Annual Net Cash Flow	Cumulative Simple Project Cash Flow
2016	-\$46.84	\$53.62	\$151.74	-\$144.96	-\$144.96
2017	-\$48.25	\$52.92	\$0.00	\$4.67	-\$140.28
2018	-\$49.69	\$54.25	\$0.00	\$4.56	-\$135.73
2019	-\$51.18	\$55.61	\$0.00	\$4.43	-\$131.30
2020	-\$52.72	\$57.01	\$0.00	\$4.29	-\$127.01
2021	-\$54.30	\$58.44	\$0.00	\$4.14	-\$122.87
2022	-\$55.93	\$59.91	\$0.00	\$3.98	-\$118.90
2023	-\$57.61	\$61.48	\$0.00	\$3.87	-\$115.03
2024	-\$59.34	\$63.09	\$0.00	\$3.75	-\$111.28
2025	-\$61.12	\$64.74	\$0.00	\$3.62	-\$107.66
2026	-\$62.95	\$66.43	\$0.00	\$3.48	-\$104.18
2027	-\$64.84	\$68.17	\$0.00	\$3.33	-\$100.84
2028	-\$66.78	\$69.96	\$0.00	\$3.17	-\$97.67
2029	-\$68.79	\$71.79	\$0.00	\$3.00	-\$94.67
2030	-\$70.85	\$73.67	\$0.00	\$2.82	-\$91.85
2031	-\$72.98	\$75.60	\$0.00	\$2.62	-\$89.23
2032	-\$75.17	\$77.58	\$0.00	\$2.41	-\$86.82
2033	-\$77.42	\$79.22	\$0.00	\$1.80	-\$85.01
2034	-\$79.74	\$80.91	\$0.00	\$1.16	-\$83.85

Millions of \$					
Year	Annual OMR Cost Savings	Annual Energy Cost Savings	Council Project Cost	Annual Net Cash Flow	Cumulative Simple Project Cash Flow
2035	-\$82.14	\$82.62	\$0.00	\$0.49	-\$83.37
2036	-\$84.60	\$84.37	\$0.00	-\$0.23	-\$83.59
Total	-\$1,343.25	\$1,411.39	\$151.74	-\$83.59	

Table 17: Scenario 4b annual cash flow

Millions of \$					
Year	Annual OMR Cost Savings	Annual Energy Cost Savings	Council Project Cost	Annual Net Cash Flow	Cumulative Simple Project Cash Flow
2016	\$20.40	\$53.62	\$681.17	-\$607.15	-\$607.15
2017	\$21.01	\$52.92	\$0.00	\$73.93	-\$533.22
2018	\$21.64	\$54.25	\$0.00	\$75.89	-\$457.33
2019	\$22.29	\$55.61	\$0.00	\$77.90	-\$379.43
2020	\$22.95	\$57.01	\$0.00	\$79.96	-\$299.47
2021	\$23.64	\$58.44	\$0.00	\$82.08	-\$217.39
2022	\$24.35	\$59.91	\$0.00	\$84.26	-\$133.13
2023	\$25.08	\$61.48	\$0.00	\$86.56	-\$46.57
2024	\$25.84	\$63.09	\$0.00	\$88.92	\$42.35
2025	\$26.61	\$64.74	\$0.00	\$91.35	\$133.70
2026	\$27.41	\$66.43	\$0.00	\$93.84	\$227.54
2027	\$28.23	\$68.17	\$0.00	\$96.40	\$323.95
2028	\$29.08	\$69.96	\$0.00	\$99.04	\$422.98
2029	\$29.95	\$71.79	\$0.00	\$101.74	\$524.73
2030	\$30.85	\$73.67	\$0.00	\$104.52	\$629.24
2031	\$31.77	\$75.60	\$0.00	\$107.37	\$736.62
2032	\$32.73	\$77.58	\$0.00	\$110.31	\$846.93
2033	\$33.71	\$79.22	\$0.00	\$112.93	\$959.86
2034	\$34.72	\$80.91	\$0.00	\$115.63	\$1,075.49
2035	\$35.76	\$82.62	\$0.00	\$118.38	\$1,193.87
2036	\$36.84	\$84.37	\$0.00	\$121.21	\$1,315.08
Total	\$584.86	\$1,411.39	\$681.17	\$1,315.08	

INFRA 1 UNION BRIDGE UPGRADE FUNDING

COMMITMENT

1) Introduction

The purpose of this report is to seek Council's commitment to funding the proposed Union Bridge Upgrade in the 2016-2017 and 2017-2018 financial years to match the Australian Government's funding commitment under the Bridges Renewal Programme.

2) Background

The Union Bridge Road bridge over the Mersey River is located approximately 10 kilometres west of Mole Creek. The bridge comprises a timber substructure constructed in 1985, with a timber superstructure renewed in 1998 with a concrete overlay. With an overall length of 62 metres, this structure is the longest road bridge in the municipality and the most costly to reconstruct.

The bridge had been flagged for renewal in the 2017-2018 financial year, however, Council officers were mindful that any accelerated deterioration of the structure due to ongoing cartage of gravel products from the Walters quarry, logging operations, and tourist bus movements may result in a load limit being put into effect for the structure.

Council officers also identified the opportunity to apply for Australian Government funding under the Bridges Renewal Programme (BRP) to bring the reconstruction of the bridge forward. Council's application for funding under Round One of the BRP in 2014 was unsuccessful, however, our subsequent application to Round Two of the BRP in August 2015 has been successful.

3) Strategic/Annual Plan

The Annual Plan 2015/2016 requires Council to maintain the serviceability and integrity of Council's transport network.

4) Policy Implications

Not Applicable

5) Statutory Requirements

Not Applicable

6) Risk Management

Council's commitment to match the Federal funding for the bridge construction will provide a financial benefit to Council and commencing the project work a year earlier than scheduled will mitigate the risk of having to load limit the existing structure as it reaches the end of its useful life.

7) Consultation with State Government and other Authorities

Council was provided with letters of support from the Department of State Growth, Kentish Council and the Local Government Association of Tasmania for our BRP Round Two application.

8) Community Consultation

Not Applicable

9) Financial Impact

Council will receive \$1,110,000 from the Australian Government following confirmation of Council's commitment to provide matching funding toward the project.

10) Alternative Options

Council can elect to amend or not approve the recommendation.

11) Officers Comments

The Federal Department of Infrastructure and Regional Development advised Council in January that the application for \$1,110,000 in funding under Round Two of the BRP for the Union Bridge Road bridge project has been successful (refer attached letter).

To receive the funding and commence negotiations for the Project Agreement, Council must return to the Department the required Offer of Funding form. This form requires Council to confirm that matching funding will be provided to the project, evidenced by the provision of a Council resolution or copy of a relevant approved budget. In the absence of an approved budget for

forthcoming financial years, a Council resolution to commit to the provision of matching funding is required. The date for submission of the Offer of Funding is 18th March 2016.

Council officers have undertaken a Cost Benefit Analysis for the bridge replacement project. A copy of the assessment is attached. Four scenarios were considered as part of this assessment as follows;

- Two lane timber construction with concrete deck overlay (same construction as existing bridge but an upgraded level of service)
- Two lane concrete construction
- Single lane timber construction with timber deck
- Single lane concrete construction

As indicated in the table, the whole of life costs for the timber structures exceed that of the concrete alternatives. Additionally, the grant money from the Australian Government was only considered for the two lane options. On this basis the upgrade to a two lane concrete structure is more cost effective and therefore the preferred option. Upgrading the level of service from a single lane to two lane structure will provide for safer driving conditions which are of benefit to all road users.

It is also noted that although community consultation has not been undertaken, Council officers have spoken with landowners, forestry industry representatives, the Mole Creek Hotel operator and Walters quarry owner to obtain information relevant to the grant application submitted by Council.

AUTHOR: Dino De Paoli
DIRECTOR INFRASTRUCTURE SERVICES

12) Recommendation

It is recommended that Council include the upgrade of the Union Bridge Road bridge over the Mersey River in its capital works program for the 2016-2017 and 2017-2018 financial years and commits to the allocation of \$1,110,000 in matching funding toward the project.

DECISION:



The Hon Warren Truss MP

Deputy Prime Minister
Minister for Infrastructure and Regional Development
Leader of The Nationals
Member for Wide Bay

PDR ID: MS15-001954

Councillor Craig Perkins
Mayor
Meander Valley Council
PO Box 102
WESTBURY TAS 7303

Dear Councillor Perkins

BRIDGES RENEWAL PROGRAMME ROUND TWO – UNION BRIDGE, UNION BRIDGE ROAD, MOLE CREEK

Thank you for your application for funding under Round Two of Bridges Renewal Programme (BRP). I am pleased to advise you that your application for the **Union Bridge, Union Bridge Road, Mole Creek** project has been successful for Australian Government funding of **\$1,110,000**.

The Department of Infrastructure and Regional Development will contact you shortly to commence negotiations to enable you to receive this funding.

Initially you will receive an *Offer of Funding* which must be returned by **18 March 2016** to accept the funding offer and commence negotiations for the *Project Agreement*.

Funding can only be paid once there is a signed *Project Agreement* in place that sets out the terms and conditions under which the funding is provided.

A list of all projects that have been successful under Round Two is available on the Department's website at www.infrastructure.gov.au/bridges.

You can contact my department on 02 6274 6758 or at bridgesrenewal@infrastructure.gov.au if you require any further information or assistance.

I wish you every success with the Union Bridge, Union Bridge Road, Mole Creek project.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Warren Truss'.

WARREN TRUSS

Asset Assessment and Cost Benefit Analysis

Project Title	Union Bridge - Two Lane Timber Construction (Concrete deck)		Union Bridge - Two Lane All Concrete Construction	
Executive Summary and Recommendation	This option is not recommended. Cost includes constructing a new timber 2 lane bridge, concrete deck overlay with 5 timber piers (\$63k ea). Piers and deck assume 30 yr life. Construction cost of timber very close to proposed concrete design. Includes \$1.1m of grant funding of project cost.		This option is recommended. Costs include to construct new concrete 2 lane bridge including concrete abutments, concrete piers (x2 at \$90k ea) and concrete deck. 100 yr design life (AS5100). Includes \$1.1m of grant funding of project cost.	
Project Cost	\$2,200,000	Inc realignment works & grant funding	\$2,200,000	Includes realignment & grant funding
Annual Life Cycle Cost	\$110,550		\$56,650	
Whole of Life Cost	\$12,155,000	Over a life of 100 years	\$6,765,000	Over a life of 100 years
Asset Write-off	\$0		\$0	
% Rate Equivalent	1.33%		0.68%	
Annual Costs funded by Council (%)	100%		100%	
Usage Cost (based on asset use)	\$1.51		\$0.78	
Asset Usage	Cost per vehicle per day		Cost per vehicle per day	
Optional Asset Delivery alternatives	Single lane bridge timber deck bridge. Existing bridge is single lane.		Single lane bridge timber bridge, with concrete overlay deck. Existing bridge is single lane.	
Estimated Cost	\$1,300,000	Includes road realignment work (excludes grant)	\$1,300,000	Includes road realignment work (excludes grant)
Annual Life Cycle Cost	\$128,700	cost of re-decking bridge (8 yrly)	\$86,550	concrete overlay does not require re-deck
Whole of Life Cost	\$14,170,000	Over a life of 100 years	\$9,955,000	Over a life of 100 years
% Rate Equivalent	1.55%		1.04%	
Usage Cost (based on asset use)	\$1.76		\$1.19	
Asset Usage	Cost per vehicle per day		Cost per vehicle per day	
Benefits	Union Bridge - Two Lane Timber Construction (Concrete deck)		Union Bridge - Two Lane All Concrete Construction	
Economic	Increase capacity of bridge to cater for larger vehicle & allow 2 way traffic flow		Increase capacity of bridge to cater for larger vehicle & allow 2 way traffic flow	
Social	N/A		N/A	
Environmental	N/A		N/A	
Participation	N/A		N/A	
Use	Traffic volume of around 170 to 200 vehicles per day (16% EHV)		Traffic volume of around 170 to 200 vehicles per day (16% EHV)	
Catchment	Local residents, local business and road users		Local residents, local business and road users	
Safety	Provide uninterrupted traffic flow, improved bridge approach alignment & sight distance		Provide uninterrupted traffic flow, improved bridge approach alignment & sight distance	
Community and Strategic				
Community consultation	Consultation has been undertaken with local residents and businesses to review needs. Some land acquisition may be required to realign bridge & the effected land owners have been consulted.		Consultation has been undertaken with local residents and businesses to review needs. Some land acquisition may be required to realign bridge & the effected land owners have been consulted.	
Link to Strategic Objectives	Link to Future direction (6) - Planned infrastructure services of the Community Strategic Plan		Link to Future direction (6) - Planned infrastructure services of the Community Strategic Plan	
Risk Assessment Summary	Details of Risk	Risk Rating	Details of Risk	Risk Rating
	1.Availability of timbers	Significant	1.Availability of timbers	Significant
	2.Funding and contributions	Low	2.Funding and contributions	Low
	3.Project scope & approvals	Low	3.Project scope & approvals	Low
	4.BCA compliance & contract	Low	4.BCA compliance & contract	Low
	5.Completion deadline	Low	5.Completion deadline	Low
	Residual Risk	Risk Rating	Residual Risk	Risk Rating
	1.Concrete structure	Low	1.Concrete structure	Low
Issues considered	Y/N	Comments		
Is council involved in initial project consultation	Yes			
Has the community group been made aware of the process	N/A			
Is the community group aware there is no guarantee of funding from Council	N/A			
Community groups expectation of ongoing asset renewal or disposal at the end of its life	Yes			
Consider risk of the project	N/A	Risk assessment process has been undertaken as part of the grant application process		
Opportunity for Council to propose an alternative - that may result in a better outcome (lower Whole of life costs)	Yes			
Has Council been made aware of the project in the proposal stage (not after construction is complete)	Yes			
Is there a link to or does the project address Strategic Objectives of Council	Yes			
Is there, or does Community consultation need to be undertaken	Yes			
Have Optional Asset Delivery alternatives been considered	Yes			
Notes				
Existing Bridge Structure (single lane timber)				
Value	\$662,000			
Annual Life Cycle Cost	\$43,000			
% Rate Equivalent	0.52%			
2 Lane All Timber Bridge Comparison (includes timber deck)				
Project cost	\$2,200,000			
Annual Life Cycle Cost	\$179,300			
Whole of Life Cost	\$19,030,000	Over a life of 100 years		
% Rate Equivalent	2.15%			
Usage Cost (based on asset use)	\$2.46			
Asset Usage	Cost per vehicle per day			

INFRA 2 REVIEW OF BUDGETS FOR THE 2015-2016 CAPITAL WORKS PROGRAM

1) Introduction

The purpose of this report is to provide information to Council on capital works projects budget variations and to seek Council approval for additional funding and the reallocation of funding within the Capital Works Program where budget variations fall beyond the limit of the General Manager's financial delegation.

2) Background

Project budget allocations within the Capital Works Program that are submitted to Council for approval prior to the commencement of each financial year are prepared using a range of methods. In some instances and depending on the availability of resources and time constraints, projects can be thoroughly scoped and accurate estimates prepared using available empirical or supplier information. Conversely, project cost estimates may only be general allowances prepared using the best information available at the time.

During the financial year detailed design, adjustment to project scope and the undertaking of additional works during construction results in project expenditure under and over approved budget amounts.

The overall financial objective in delivering the Capital Works Program is to have a zero net variation in the program budget. As part of our ongoing management of projects, Council officers review project time lines, budgets and scope. Project savings are generally used to offset project overruns and additional funding can be requested to assist with balancing the budget or to finance new projects.

For this current review period a number of additional projects are listed for Council approval as discussed at the February workshop. This additional list has been prepared following the resolution by Council at the June 2015 Ordinary Meeting of Council to commit \$2.5 million of accumulated funds to new projects.

3) Strategic/Annual Plan Conformance

Council's Annual Plan requires Council officers to report on the progress of capital works projects.

4) Policy Implications

Not Applicable

5) Statutory Requirements

Section 82(4) of the *Local Government Act 1993* requires Council to approve by absolute majority any proposed alteration to Council's capital works budget outside the limit of the General Manager's financial delegation of \$20,000.

6) Risk Management

Not Applicable

7) Consultation with State Government and other Authorities

Not Applicable

8) Community Consultation

Not Applicable

9) Financial Impact

The recommended variations in this report will result in an increase of \$1,150,000 to the value of the 2015-2016 Capital Works Program.

Council Officers provided information at the February Workshop on anticipated additional operational expenses and the equivalent rating increase attributable to the additional Councillor initiated projects. The equivalent rating increase to finance operational and depreciation costs is approximately 1%.

10) Alternative Options

Council can amend or not approve the recommendation.

11) Officers Comments

In order to deliver the outcomes required from capital works projects outlined in the Annual Plan, Council officers regularly review project scope, resourcing requirements and committed and forecast expenditure. Typically on a quarterly basis, project information is presented to Council where cost variations have occurred, and formal approval is requested from the Council to reallocate funding within the Capital Works Program where variations are beyond the General Manager's financial delegation, or where new project works not previously approved in the Capital Works Program are required to be financed.

The table below provides a listing of new projects for inclusion in the Capital Works Program and existing projects where reallocation of funding is required. The first nine (9) projects listed have been nominated by Councillors for inclusion in the program. The distribution of remaining funds to these projects from the \$2.5M Council commitment to new capital works projects was discussed at the February workshop.

TABLE 1: 2015-2016 CAPITAL WORKS BUDGET – NEW PROJECTS AND REALLOCATION OF PROJECT FUNDING

No.	Project Name	Cost to date	Original Budget	Variation	New Budget	Delegation	Comments
-	New footpath, from No.53 Meander Valley Rd to South St intersection - Carrick	\$0	\$0	\$40,000	\$40,000	Council	Allocate funding from accumulated cash.
-	New footpath, from Church St to Monds Lane - Carrick	\$0	\$0	\$50,000	\$50,000	Council	Allocate funding from accumulated cash.
-	Upgrade and sealing of Lyttleton St from Emu Plains Rd to Marriott St - Westbury	\$0	\$0	\$120,000	\$120,000	Council	Allocate funding from accumulated cash.
-	Westbury Roads	\$0	\$0	\$500,000	\$500,000	Council	Allocate funding from accumulated cash.
-	Construction of new public toilet – Westbury Recreation Ground	\$0	\$0	\$100,000	\$100,000	Council	Allocate funding from accumulated cash.
-	Blackstone Heights - Open drainage program	\$0	\$0	\$100,000	\$100,000	Council	Allocate funding from accumulated cash.
-	Carrick - Open drainage program	\$0	\$0	\$100,000	\$100,000	Council	Allocate funding from accumulated cash.
-	Westbury - Open drainage program	\$0	\$0	\$100,000	\$100,000	Council	Allocate funding from accumulated cash.

No.	Project Name	Cost to date	Original Budget	Variation	New Budget	Delegation	Comments
-	Westbury Recreation Ground – New double BBQ with shelter and new bus shelter on Meander Valley Rd.	\$0	\$0	\$40,000	\$40,000	Council	Allocate funding from accumulated cash.
	Variation Subtotal			\$1,150,000			
6495	Urban stormwater drainage – infrastructure constraints, new developments and replacement of deficient pits.	\$1,839	\$231,000	-\$20,000	\$211,000	GM	Reallocate funds to Project No. 6450 for West Parade stormwater.
6450	West Parade, Deloraine – Stormwater	\$0	\$0	\$20,000	\$20,000	GM	New project and funding allocated from Project 6495.
	Variation Subtotal			\$0			
	Totals		\$231,000	\$1,150,000	\$1,381,000		

New footpath, from No.53 Meander Valley Rd to South St intersection - Carrick

This project will require the construction of a new asphalt footpath only (approximately 40m) from the end of the currently defined footpath outside No.53 Meander Valley Road to the intersection of South Street (refer image below). The crossfall on the existing path from No.49 to No.53 is excessive, and funding to reconstruct this section of footpath will be required under separate project approval. No kerb and channel or modification of services will be undertaken as part of this project.



New footpath, from Church St to Monds Lane - Carrick

It is proposed that this project is separated into two stages; the first being from Church Street to the entrance to the old flour mill, and the second from the entrance to the mill to Monds Lane (refer image below).

Stage one will require modification to existing drainage near the intersection of Church Street and possibly minor alteration to the alignment of the existing guard railing. This will require the approval of the Department of State Growth.

Stage two will require approval from the landowner of No.12 Monds Lane for establishment of a walkway easement through that private title.



Upgrade and sealing of Lyttleton St from Emu Plains Rd to Marriott St - Westbury

This project will involve the widening of approximately 660 metres of Lyttleton Street between Emu Plains Road and Marriott Street, including two-coat bitumen seal.



Westbury Roads

This project has been nominated by Councillors to address road connectivity issues in Westbury. An initial study into some of the issues with subsequent consultation will be required as an operational expense to inform the allocation of funding from this project to specific capital works projects.

Westbury Recreation Ground – Construction of new public toilet

The new public toilet will replace the old public toilet demolished some years ago, and will provide amenity to users of the ground, spectators at sporting events, and groups that may use the proposed barbeque and shelter.

Open Drainage Program - Blackstone, Carrick and Westbury

The \$300,000 allocation across the three areas will allow for works to improve the open drainage system over the next few years. Works will need to be prioritised and discussed with Councillors prior to commencement. The nature of works undertaken to the open drainage system may vary from elimination of open drains through installation of piping, re-profiling or realignment.

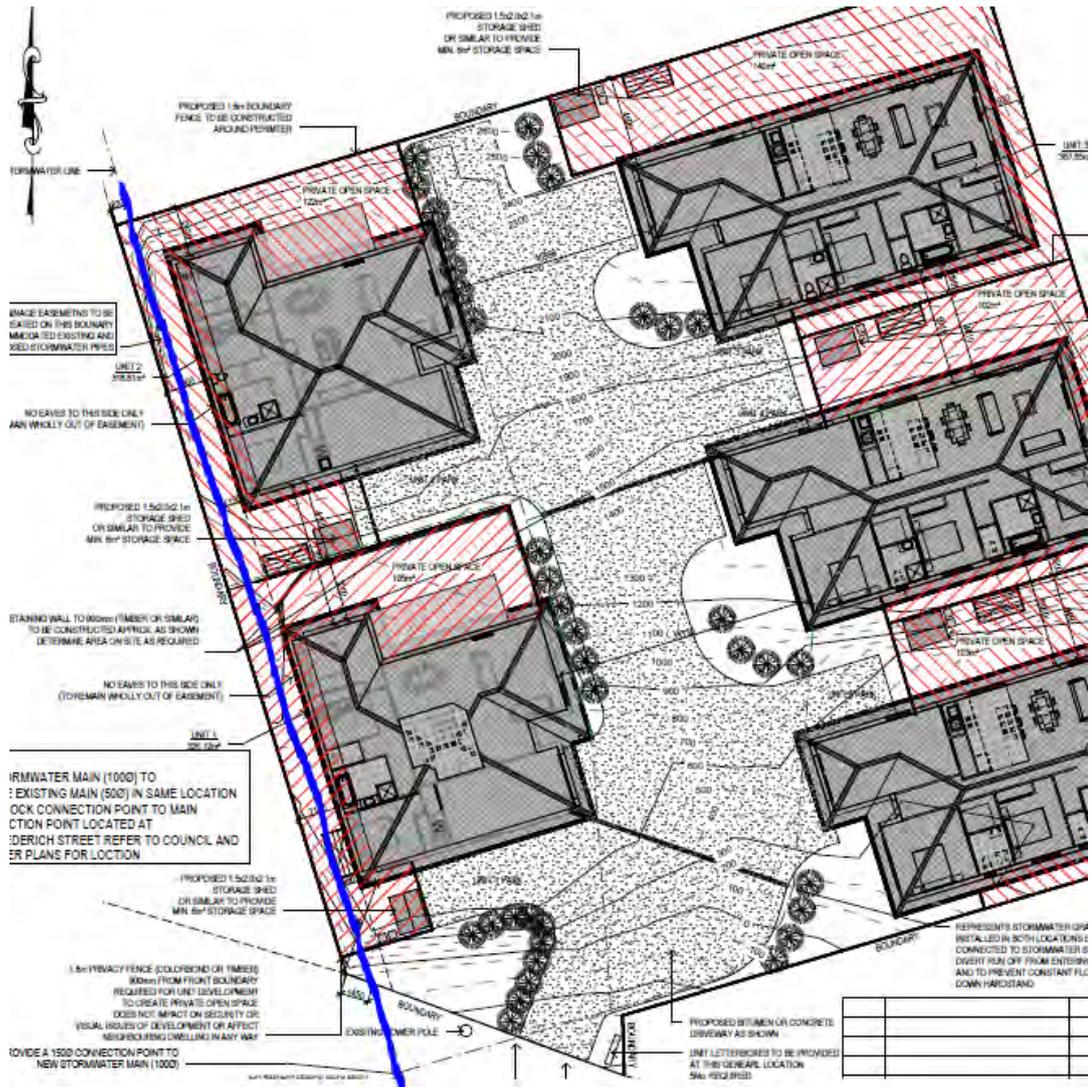
Westbury Recreation Ground – Construction of BBQ and bus shelter

The Westbury Recreation Ground Management Committee would like to see a new barbeque with shelter provided in the north western corner of the recreation ground near the intersection of Meander Valley Road and Franklin Street. Council officers will be submitting an application for minor funding to the Federal Government under the Stronger Communities Programme to assist with the delivery of the project. The Management Committee had previously indicated that it is prepared to contribute to the project where possible, together with potential funding allocations from the Lions and Rotary Clubs of Westbury.

The new bus shelter is proposed to be constructed at a point on the frontage of the recreation ground with Meander Valley Road to provide shelter for the school children that use this bus stop on school days.

West Parade Stormwater - Deloraine

This project will be undertaken in advance of a proposed five unit development at 53 West Parade, Deloraine. An existing drain on the western side of the property is in poor condition, and will be removed and replaced with a larger drain to cater for future development (refer blue line in the image below). Funding will be allocated to this stormwater work from the capital works project already established for urban drainage deficiencies in the municipality as they are identified during the financial year.



For this review period the inclusion of new projects in the Capital Works Program requires Council approval. Overall, there is a \$1,150,000 net variation to the Program budget.

AUTHOR: Dino De Paoli
DIRECTOR INFRASTRUCTURE SERVICES

12) Recommendation

It is recommended that Council approve the following changes to the 2015-2016 Capital Works Program.

Project Name	Original Budget	Variation	New Budget
<i>New footpath, from No.53 Meander Valley Rd to South St</i>	\$0	\$40,000	\$40,000

<i>intersection - Carrick</i>			
<i>New footpath, from Church St to Monds Lane - Carrick</i>	\$0	\$50,000	\$50,000
<i>Upgrade and sealing of Lyttleton St from Emu Plains Rd to Marriott St - Westbury</i>	\$0	\$120,000	\$120,000
<i>Westbury Roads</i>	\$0	\$500,000	\$500,000
<i>Construction of new public toilet – Westbury Recreation Ground</i>	\$0	\$100,000	\$100,000
<i>Blackstone Heights - Open drainage program</i>	\$0	\$100,000	\$100,000
<i>Carrick - Open drainage program</i>	\$0	\$100,000	\$100,000
<i>Westbury - Open drainage program</i>	\$0	\$100,000	\$100,000
<i>Westbury Recreation Ground – New double BBQ with shelter and new bus shelter on Meander Valley Rd.</i>	\$0	\$40,000	\$40,000
Totals	\$0	\$1,150,000	\$1,150,000

DECISION:

ITEMS FOR CLOSED SECTION OF THE MEETING:

Councillor xx moved and Councillor xx seconded ***“that Council move into Closed Sessions to discuss the following items.”***

Confirmation of Minutes of the Closed Session of the Ordinary Council Meeting held on 9 February, 2016.

GOV 5 LEAVE OF ABSENCE

(Reference Part 2 Regulation 15(2)(h) Local Government (Meeting Procedures) Regulations 2015)

The meeting moved into Closed Session at x.xxpm

Cr xxx moved and Cr xxx seconded ***“that Council move out of Closed Session and endorse those decisions taken while in Closed Session.”***

The meeting re-opened to the public at x.xxpm

Cr xxx moved and Cr xxx seconded ***“that the following decisions were taken by Council in Closed Session and are to be released for the public’s information.”***

The meeting closed at

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CRAIG PERKINS (MAYOR)