



Meander Valley Council
Working Together

ORDINARY AGENDA

COUNCIL MEETING

Tuesday 14 December 2021

MEETING CONDUCT

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

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

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

- b. All persons attending must comply with Council's COVID Safety Plan and the directions of Council officers. For the health and safety of all present at Council meetings, any person experiencing symptoms associated with COVID-19 should not enter Council premises. Attendees presenting with suspected symptoms will not be permitted to remain on the premises.
- c. Any member of the public or media is to pre-register their interest in attending with Council's Customer Service Centre by phoning (03) 6393 5300. Council reserves its discretion to refuse or reprioritise entry to anyone not pre-registered.
- d. Immediately on arrival, attendees must check in via the 'Check in TAS' mobile phone application, or by providing their name, address and contact number in the register provided.
- e. To enable those not attending a meeting to review proceedings, Council will, within the limits of available technology, ensure meeting Agendas, Minutes and audio recordings of meetings are available. Information and recordings will be posted on Council's website as soon as practicable after the meeting. Council will not provide individual copies of recordings.

General Standards of Conduct and Behaviour

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

Access and Inclusion of People with a Disability

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

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

SECURITY PROCEDURES

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

- Evacuation details and information are located on the wall near the entry to Chambers.
- In the unlikelyhood of an emergency evacuation an alarm will sound and evacuation wardens will assist with the evacuation.
- When directed, everyone will be required to exit in an orderly fashion via the reception area and go directly to the evacuation point which is in the car park at the side of the Town Hall.



Meander Valley Council
Working Together

PO Box 102, Westbury,
Tasmania, 7303

Notice is hereby given that an Ordinary Meeting of the Meander Valley Council will be held at the Westbury Council Chambers, 26 Lyall Street, Westbury, on **Tuesday 14 December 2021, commencing at 3.20pm.**

In accordance with Section 65 of the *Local Government Act 1993*, I certify that with respect to all advice, information or recommendations provided to Council with this agenda:

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

John Jordan
GENERAL MANAGER

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Agenda for an Ordinary Meeting of the Meander Valley Council to be held at the Council Chambers Meeting Room, 26 Lyall Street, Westbury, on Tuesday 14 December 2021 at 3.20pm.

Business is to be conducted at this meeting in the order in which it is set out in this agenda, unless the Council by Absolute Majority determines otherwise.

PRESENT

APOLOGIES

IN ATTENDANCE

CONFIRMATION OF MINUTES

(Reference No. 222/2021)

Councillor xx moved and Councillor xx seconded, ***“that the minutes of the Ordinary Meeting of Council held on Tuesday 9 November 2021, be received and confirmed.”***

COUNCIL WORKSHOPS HELD SINCE THE LAST MEETING

(Reference No. 223/2021)

Date	Items discussed:
23 November 2021	<ul style="list-style-type: none">• Community Engagement 2022• Indigenous Recognition Policy Feedback• Meander Valley Art Awards Sponsorship• Financial Contribution for Crown Land Purchase• Firing Range & Associated Development• Minute-Taking and Councillor Commentary• Items for Noting<ul style="list-style-type: none">a) Bracknell Hal Project Update

	<ul style="list-style-type: none"> b) Deloraine Squash Courts Project Update c) Capital Works Request: West Parade Footpath, Deloraine d) Budget Variation: Westbury Stormwater and New Meander Stock Underpass e) Waste Strategy Principles: Status Update
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ANNOUNCEMENTS BY THE MAYOR

(Reference No. 224/2021)

10 November 2021

Tas Water Owners Representative Group General Meeting

11 November 2021

Remembrance Day, Deloraine

11 November 2021

Meeting with Shaun Mc Goldrick, CEO TAS Networks

20 November 2021

Deloraine Show

20 November 2021

Shoe Box Sculpture Prize

02 December 2021

LGAT Mayors Workshop

03 December 2021

LGAT General Meeting

08 December 2021

Carrick Community Pop-Up

12 December 2021

Meander Fire Brigade Christmas BBQ

ANNOUNCEMENTS BY COUNCILLORS

(Reference No. 225/2021)

Nil

DECLARATIONS OF INTEREST

(Reference No. 226/2021)

TABLING AND ACTION ON PETITIONS

(Reference No. 227/2021)

PUBLIC QUESTION TIME

General Rules for Question Time

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

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

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

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

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

If accepted by the Chairperson, the question will be responded to, or, it may be taken on notice as a 'question on notice' for the next Council meeting. Questions will

usually be taken on notice in cases where the questions raised at the meeting require further research or clarification. These questions will need to be submitted as a written copy to the Chairperson prior to the end of public question time.

The Chairperson may request a Councillor or Council officer to provide a response. A Councillor or Council officer who is asked a question without notice at a meeting may decline to answer the question.

All questions and answers must be kept as brief as possible. There will be no debate on any questions or answers.

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

If the Chairperson refuses to accept a question from a member of the public, they will provide reasons for doing so.

Questions on notice and their responses will be minuted. Questions without notice raised during public question time and the responses to them will be minuted, with exception to those questions taken on notice for the next Council meeting.

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

Notes

- Council officers may be called upon to provide assistance to those wishing to register a question, particularly those with a disability or from non-English speaking cultures, by typing their questions.
- The Chairperson may allocate a maximum time for each question, or maximum number of questions per visitor, depending on the complexity of the issue, and on how many questions are anticipated to be asked at the meeting. The Chairperson may also indicate when sufficient response to a question has been provided.
- Limited Privilege: Members of the public should be reminded that the protection of parliamentary privilege does not apply to Local Government, and any statements or discussion in the Council Chamber or any documents produced are subject to the laws of defamation and may be made public or be discoverable under the *Right to Information Act 2009* and other legislation.

PUBLIC QUESTION TIME

(Reference No. 228/2021)

1. PUBLIC QUESTIONS TAKEN ON NOTICE – NOVEMBER 2021

2. PUBLIC QUESTIONS WITH NOTICE – DECEMBER 2021

2.1 Peter Wileman, Westbury

At the public meeting forcing the council to meet with ratepayers by dint of a petition, Mr Colin Shepherd agreed to provide written answers within thirty days to questions that he could not answer on the evening. These answers have been provided to the council, not the petitioners, and they have been fairly well hidden on the council website. Can the council please indicate how many people have been able to find the answers by providing a number of 'hits' on that buried page?

Response from John Jordan, General Manager:

Council made it clear at the meeting and in subsequent media that answers to questions written at the meeting would be posted on the Council website. This was done in the timeframes committed to. The original submissions, the submission summaries, and the answers to all questions are readily accessible to the public on Council's website. A link is also provided to the Tasmanian Government's Northern Prison Regional Prison Information Page. The number of hits on this page of Council's website (as at 8 December 2021) is 446. We do not have any statistics available which would describe the number of times any specific link was followed.

3. PUBLIC QUESTIONS WITHOUT NOTICE – DECEMBER 2021

COUNCILLOR QUESTION TIME

(Reference No. 229/2021)

1. COUNCILLOR QUESTIONS TAKEN ON NOTICE – NOVEMBER 2021

1.1 Cr Deborah White

- a) Can the General Manager tell us at what Workshop that [Biodigester plant submission] will be discussed?

Further response from John Jordan, General Manager:

A Workshop discussion on bioenergy/bio-waste plant proposal will be timed to complement discussions on Council's overall waste strategy. It is tentatively set for March 2022 which should also allow some clarity on the prospect of Australian Government funding commitments to regional projects.

- b) In the same document [NTDC October Report] (page 8) Meander Valley Council made a commitment to support Youth Advisory Councils, encouraging young people as leaders. Could this support include a return to inviting representatives from the year 11 and 12 Meander Valley Council Ordinary Meeting Minutes - November 2021 Page 8 students of the Meander Valley to participate in relevant Council workshops (an experience that was particularly rewarding for all present when it last occurred)?

Further response from Mayor Wayne Johnston:

The idea of students participating in Council Workshops will be discussed at a future Workshop in the New Year, noting that youth forums on particular issues (such as suggested with climate change) may be more appropriate than a Workshop.

- c) Could I suggest we aim for the climate council workshop? It would be a good one for them to be involved in.

Further response from Mayor Wayne Johnston:

I refer to the response of Councillor White's Question with Notice at 2.1 (c) in today's Agenda.

2. COUNCILLOR QUESTIONS WITH NOTICE – DECEMBER 2021

2.1 Cr Deborah White

- a) The Community Wellbeing team will be running the Australia Day Ceremony in 2022. Will the ceremonies reflect the intention of Council's Indigenous Policy by including recognition of the displacement of the indigenous culture

and peoples by the arrival of the British in 1788? For many of the indigenous population, January 26 is Invasion Day. How can current ceremonies acknowledge the losses that the arrival of the British set in train, whilst still finding cause to celebrate the date? Are suggestions welcomed?

Response from John Jordan, General Manager:

Council's Australia Day Awards function is scheduled for 25 January 2022 and is positively framed around community and recognition. The event is widely supported across the community. Separate to the Award function, and as required by the Australian Government, Citizenship Ceremonies are held on Australia Day on 26 January each year. This year the Citizenship Ceremony will be held at Mole Creek in conjunction with other celebrations.

Assuming the draft "Indigenous Recognition" policy is adopted by Council on 14 December 2021, recognition and acknowledgement of the past peoples and local Aboriginal people - and their culture and connection to this country - will become part of both the Australia Day Awards and all future Citizenship Ceremonies.

It is suggested that the broader question on the symbolism, date and timing of any future Australia Day Awards function is a matter to be determined by Councillors. Consideration of national protocols and measures implemented in other municipalities in Tasmania would also be appropriate.

Given the broad and potentially divergent views across the community, consultation is important. It may in the first instance be appropriate for Cr White to table a motion seeking support from Council for any suggested changes to the Australia Day events. This motion should also consider consultation with the community if changes to the current events are recommended. Given the proximity of the event, any such changes would not be able to be implemented until 2023.

- b) The Annual Plan notes that the tender for the Deloraine Swimming Pool has been awarded to Aquatic Management Services (p.46). In the Correspondence of the week ending 13th November, a letter from the Royal Life Saving Society of Australia attached the report on "The Social Impact of the National Aquatic Industry", which cited the "richness of the social impacts of aquatic facilities beyond the economic factors". These included health and well-being, social connection and safety and education. As there has been discussion in the past about the (economic) cost of maintaining this vital community service, I believe it would be beneficial to have the report made accessible for future reference. Is there a suitable place for it to be stored/displayed?

Response from John Jordan, General Manager:

Council received an email on 11 November 2021 from Justin Scarr, Chief Executive Officer of The Royal Life Saving Society Australia regarding the Social Impact of the National Aquatic Industry Report. The report is a public document and can be accessed by any interested party at the following website: [www.royallifesaving.com.au/ data/assets/pdf file/0004/56605/RLSSA-Social-Impacts-Report-Final-November-2021-Web-and-Print.pdf](http://www.royallifesaving.com.au/data/assets/pdf_file/0004/56605/RLSSA-Social-Impacts-Report-Final-November-2021-Web-and-Print.pdf)

- c) Community Programs concerning youth are currently aligned to supporting external programs, (November Briefing Report, P.9) while the decision to invite young people to the February workshop on Climate Emergency has been modified to provide a more substantial forum where young people may contribute their ideas. Can the Mayor tell us when the proposed Youth Forum will take place?

Response from Wayne Johnston, Mayor:

The Council Workshop item in February will address the issue of climate change in the context of Council's policy and the policy at other levels of government. It is important Council pursues a response in line with its resources, role and ongoing regional collaboration. The Workshop will provide necessary guidance to inform the proposed youth forum and allow expectations to be appropriately set. I understand Council's Community Programs Officer, Nate Austen, is seeking Cr White's ideas on a youth forum with the timing to be as soon as practicable after the February Workshop. Consultation with relevant schools in respect of their curriculum and schedules will also influence the date.

3. COUNCILLOR QUESTIONS WITHOUT NOTICE – DECEMBER 2021

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DEPUTATIONS BY MEMBERS OF THE PUBLIC

(Reference No. 230/2021)

PLANNING AUTHORITY ITEMS

For the purposes of considering the following Planning Authority items, Council is acting as a Planning Authority under the provisions of the Land Use Planning and Approvals Act 1993.

The following are applicable to all Planning Authority reports:

Strategic/Annual Plan Conformance

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

Policy Implications

Not applicable.

Legislation

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

Risk Management

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

Financial Consideration

If the application is subject to an appeal to the Tasmanian Civil and Administrative Tribunal, Council may be subject to the cost associated with defending its decision.

Alternative Recommendations

Council can either approve the application with amended conditions or refuse the application.

Voting Requirements

Simple Majority

PLANNING AUTHORITY 1

(Reference No. 231/2021)

NORTH MAGGS ROAD, MERSEY FOREST

Planning Application: PA\22\0116
Proposal: Sports and Recreation (firing range and associated development)
Author: George Walker
Consultant Town Planner

1) Proposal

Council has received an application for the development and use of a firing range on land located at North Maggs Road, Mersey Forest (PID: 3392724 – “the site”. Refer to Photos 1 and 2).

Applicant	Kentish Rifle Club Incorporated	
Property	North Maggs Road MERSEY FOREST (PID: 3392724)	
Zoning	Rural Zone	
Discretions	20.3.1 P1	Discretionary use
	20.3.1 P2	
	20.3.1 P3	
	20.3.1 P4	
	C2.6.1 P1	Construction of parking areas
	C2.6.5 P1	Pedestrian access
Existing Land Use	Forestry operations	
Number of Representations	42	
Decision Due	15 December 2021	
Planning Scheme	<i>Tasmanian Planning Scheme – Meander Valley</i> (“the Scheme”)	



Photo 1: Aerial image identifying the location of the site within the context of the municipal area and a point marker showing where the proposed firing range will be located within the site.



Photo 2: Aerial image showing the indicative location of the proposed firing range within the site.

The site comprises a large irregular shaped parcel of land that has an area of 6,917ha. It encompasses Maggs Mountain in its western half and the Arm River valley in its eastern half. The entire site is identified as Permanent Timber Production Zone Land declared under the *Forest Management Act 2013*.

Access to the site is from Maggs Road via Mersey Forest Road. Maggs Road winds around the northern side of Maggs Mountain for approximately 3.3km before Arm Road splits off in a south-westerly direction. Maggs Road continues climbing the western side of Maggs Mountain, rising from an elevation of approximately 640m at the Arm Road junction to an elevation of approximately 880m at the junction with North Maggs Road which follows the plateau of Maggs Mountain which is aligned in a general north to south direction. From the North Maggs Road junction, Maggs Road travels south before winding down the southern side of Maggs Mountain and continuing west to return to Arm Road between Arm River and February Creek. Maggs Road and Arm Road are public access roads and North Maggs Road is an authorised access road. All roads are under the authority of Sustainable Timber Tasmania (STT).

North Maggs Road is a loop road on the Maggs Mountain plateau. The proposed firing range will be located on the eastern side of North Maggs Road, approximately 1.6km from the Maggs Road junction. The location of the proposed firing range is within a 113ha area of forestry operation land which is regenerating following logging (refer to Photo 3).



Photo 3: Photograph looking south-east in the general direction of the proposed firing range from North Maggs Road.

The location and configuration of the proposed firing range is illustrated in Figures 1 and 2 below.

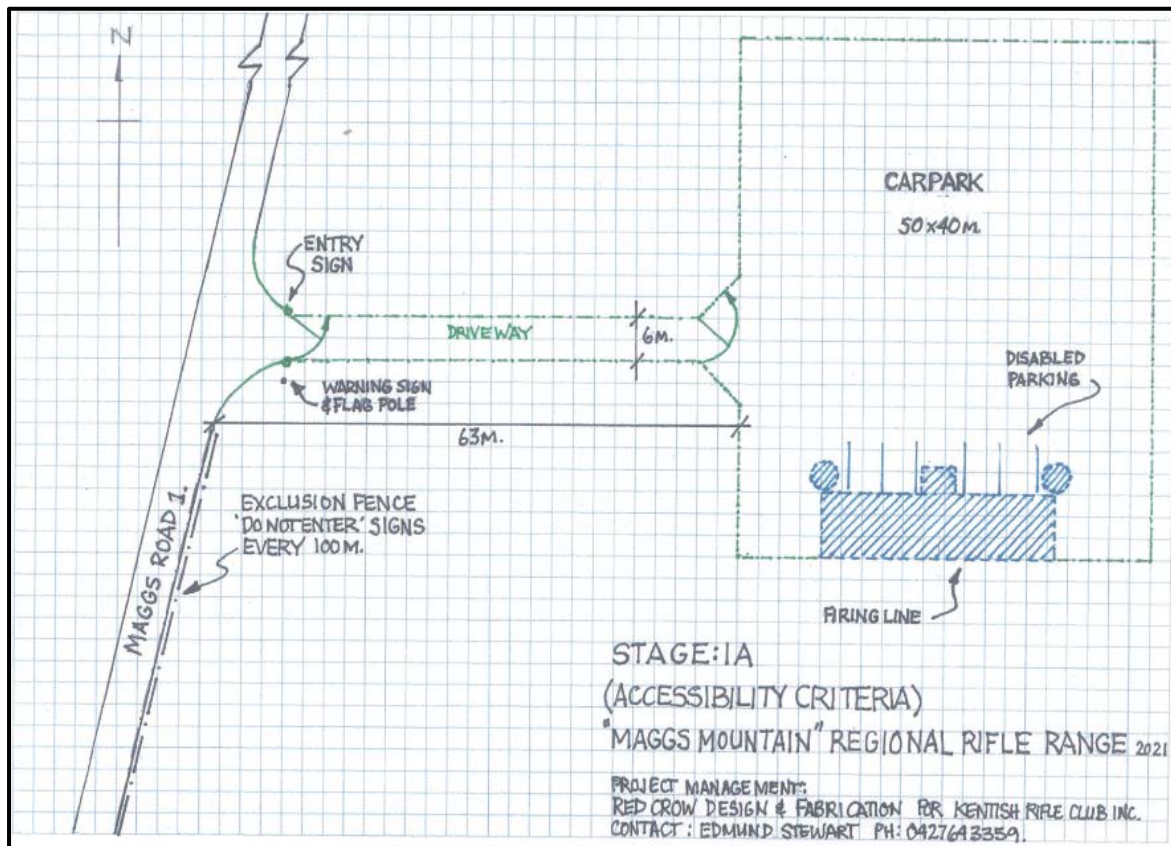


Figure 1: Excerpt of the submitted firing range layout.

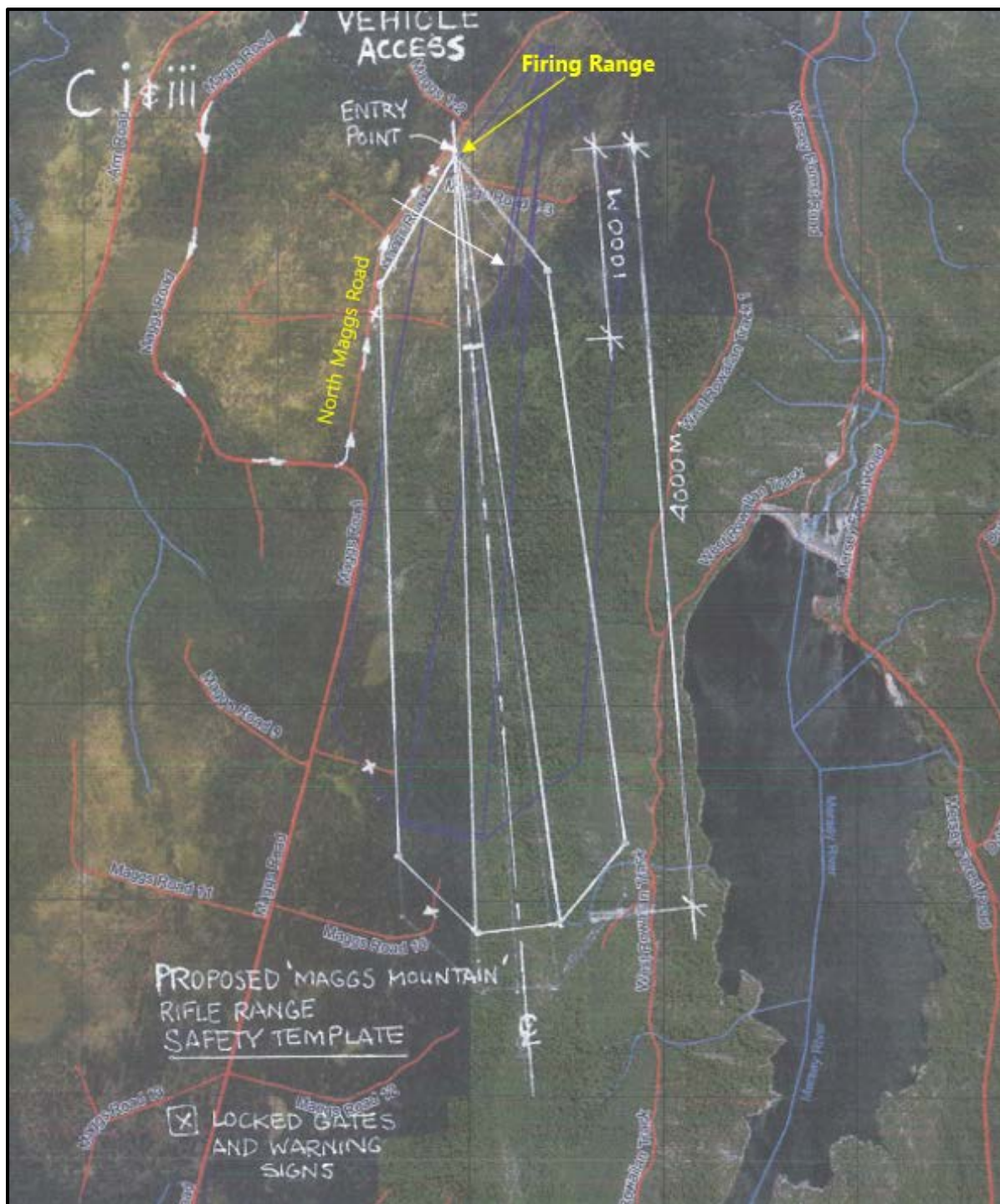


Figure 2: Excerpt of the submitted firing site plan and safety plan.

2) Summary of Assessment

The application proposes to construct and use a firing range. The proposed firing range will comprise the following components:

1. A new gravel driveway and car park. The driveway will extend from the eastern side of North Maggs Road for a length of approximately 63m. The car park and firing range will be contained within a 50m by 40m level gravel hardstand area.
2. The firing line will be located at the southern end of the car park and will comprise two (2) buildings (both 12m by 2.4m) that will be orientated in a general east-west alignment. The buildings will be positioned with a 4m gap between them. A roof structure will be located over the buildings and passage and will extend to the south to provide cover above the firing line. The buildings will be used for storage, meetings and a toilet.
3. The firing range will extend in a general south-east direction for 1km from the firing line. The outer parts of the firing range will be maintained in a low vegetative state.
4. A safety area will envelope the firing range in a predominately linear shape which extends for a distance of up to 4km from the firing line. The final extent of the safety area will be determined by the Commissioner of Police under the *Firearms Act 1996*.

It is proposed to operate the firing range on Fridays, Saturdays and Sundays. There will be up to 25 club days, four (4) state competition days and two (2) national competition days for a total of up to 31 practice and competition days per year. Shooting will occur between the hours of 9.00am and 4.00pm on these days. It is recommended that a condition be applied to any permit limiting the operation of the proposed firing range to 31 days per calendar year and between the hours of 9.00am and 4.00pm.

The applicant estimates that the following maximum number of vehicle trips (to and from the site) will occur for specific days:

- Club days: 24
- State club days: 50
- National competitions: 90

3) Recommendation

It is recommended that the application for Use and Development of Sports and Recreation (firing range and associated development), at North Maggs Road MERSEY FOREST (PID: 3392724), by Kentish Rifle Club Incorporated, be APPROVED, generally in accordance with the endorsed plans:

- 1. Cover Letter prepared by Kentish Rifle Club Inc. dated 8/11/2021;**
- 2. Proposed 'Maggs Mountain' Rifle Range Plans including:**
 - a. Safety Template;**
 - b. Building Floor and Elevation;**
 - c. Access and Carpark;**
 - d. Signage;**
 - e. Carpark and Firing Line;**

and subject to the following conditions:

- 1. The firing range must:**
 - a. operate no more than 31 days per calendar year; and**
 - b. limit use of firearms to between 9:00am and 4:00pm on operational days.**

This condition excludes all use of the firing range where firearms are not discharged.
- 2. Prior to the commencement of the use of the firing range all vehicle access and car parking facilities must be constructed, to the satisfaction of Council's Town Planner.**

Notes:

- 1. An onsite wastewater design report from a suitably qualified person will be required at the building/plumbing permit stage.**
- 2. Registration as a private water supplier will be required if drinking water from a private water source is used for commercial purposes.**
- 3. Any other proposed development and/or use, including amendments to this proposal, may require a separate planning application and assessment against the Planning Scheme by Council. All enquiries can be directed to Council's Development and Regulatory Services on 6393 5320 or via email: mail@mvc.tas.gov.au.**

4. **This permit takes effect after:**
 - a) **The 14 day appeal period expires; or**
 - b) **Any appeal to the Tasmanian Civil and Administrative Tribunal is abandoned or determined; or**
 - c) **Any other required approvals under this or any other Act are granted.**
5. A planning appeal may be instituted by lodging a Notice of Appeal with the Registry of the Tasmanian Civil and Administrative Tribunal. An 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 and Planning Stream of Tasmanian Civil and Administrative Tribunal website www.tascat.tas.gov.au/resource-and-planning/home
6. This permit is valid for two (2) years only from the date of approval and will thereafter lapse if the development is not substantially commenced. An extension may be granted if a request is received.
7. In accordance with the legislation, all permits issued by the permit authority are public documents. Members of the public will be able to view this permit (which includes the endorsed documents) on request, at the Council Office.
8. If any Aboriginal relics are uncovered during works:
 - a) All works are to cease within a delineated area sufficient to protect the unearthed and other possible relics from destruction,
 - b) The presence of a relic is to be reported to Aboriginal Heritage Tasmania Phone: (03) 6233 6613 or 1300 135 513 (ask for Aboriginal Heritage Tasmania) Fax: (03) 6233 5555 Email: aboriginal@heritage.tas.gov.au; and
 - c) The relevant approval processes will apply with state and federal government agencies.

4) Representations

The application was advertised for the statutory 14-day period from 13 November to 29 November 2021. During the advertising period 42 representations were received.

A summary of the concerns raised in the representations is provided below. While the summary attempts to capture the essence of the concerns, it should be read in conjunction with the full representations included in the attachments.

The table is divided into three (3) columns. The first column lists the key concerns and themes raised by representors. The second column identifies which representor

raised the concern or theme within their submission by their number. The third column provides a response to the concern or themes raised.

Concern or Theme	Representation	Response
<p>1. Concern relating to the 2km Exclusion Zone on the topographical map that was included within the Development Application. The Exclusion Zone includes private property and public roads and no information was included regarding what restrictions would occur within the zone.</p>	<p>42</p>	<p>This concern relates to the previous development application. The relevant topographical map from the previous application has been amended to refer to 'Attenuation Zone' which is a reference to the attenuation distance for a shooting range listed in Table C9.1 of the Attenuation Code.</p> <p>Notwithstanding, it has been determined that the proposed firing range complies with Acceptable Solution C9.5.1 A1 of the Attenuation Code on the basis that the 2km attenuation area required for the firing range will not include a sensitive use, a site that has a planning permit for a sensitive use or land within the General Residential Zone, Inner Residential Zone, Low Density Residential Zone, Rural Living Zone A and B, Village Zone or Urban Mixed Use Zone.</p> <p>The Attenuation Zone that is shown on the topographical map does not mean that land within the zone will preclude, constrain or alter the way in which it's currently used by private land owners and the public. The use of public roads (Maggs Road, Mersey Forest Road and Arm Road) will not be impeded.</p>
<p>2. The proposed firing range has the potential to result in lead contamination within the environment.</p>	<p>1,2,3,14,18</p>	<p>Matters relating to land contamination are addressed under the Potentially Contaminated Land Code. The Code only applies where specific use or development occurs on potentially contaminated land which is land that is known</p>

Concern or Theme	Representation	Response
		to have been used for a potentially contaminating activity. In this instance, the land is not known to have been used for a potentially contaminating activity and the Code therefore does not apply.
<p>3. The application does not comply with the requirements of clause 6.1.2 of the Planning Scheme, specifically:</p> <ul style="list-style-type: none"> • There is no signature on the application; • There is no delegation from Sustainable Timbers Tasmania; • There is no certificate of title covering the lease area; and • The application does not include sufficient operational information. 	2	<p>With respect to the matter relating to delegation from Sustainable Timber Tasmania, the entire site is identified as Permanent Timber Production Zone Land declared under the <i>Forest Management Act 2013</i>. Section 2A(a) of the <i>Crown Lands Act 1976</i> specifies that the act does not apply to any Crown land that is Permanent Timber Production Zone land within the meaning of the <i>Forest Management Act 2013</i>. Accordingly, the land is not Crown Land and section 52(1B) of the <i>Land Use Planning and Approvals Act 1993</i> is not applicable, meaning that a delegate of Sustainable Timber Tasmania is not required to sign the application form.</p> <p>In addition, the site does not comprise a certificate of title. The information contained in the application was deemed sufficient to identify the site and assess and determine compliance with applicable standards of the Planning Scheme.</p>
4. The firing range will cause a significant impact on surrounding hut and land owners by way of noise and obstruction of access to the region.	2,4,5,6,12,15,18,22	The proposed firing line, where firearms will be discharged, is located within Permanent Timber Production Zone land. It is located approximately 1.5km from the nearest site boundary and approximately 200m in elevation above Arm Road, 400m in elevation above the Lake Rowallan dam

Concern or Theme	Representation	Response
		wall and 440m in elevation above Mersey River. The tenure of the land and (minimum) horizontal and vertical distances of the proposed firing line from site boundaries and key public spaces within the surrounding area will buffer and minimise noise emissions generated by gun shot at adjoining land that contain huts and support other recreational uses.
5. The proposal does not comply with the purpose statements of the Rural Zone in clause 20.1.3 of the Planning Scheme.	2,29,42	Compliance with the zone purpose statements is achieved by virtue of satisfying the applicable standards within the zone.
6. The proposal does not comply with the Discretionary Use provisions in standard 20.3.1 of the Rural Zone. In this regard, the proposed firing range will impact recreational use of the area including fishing, camping and bushwalking and enjoyment of use by visitors.	2,22,29,42	<p>The proposed firing range has been assessed as satisfying Performance Criteria P1, P2, P3 and P4 of Standard 20.3.1 of the Rural Zone.</p> <p>Please refer to Section 6 of the planning report for a detailed assessment of these provisions.</p>
7. The proximity of a rifle range to the Arm River Education Centre is not conducive to the safety and wellbeing of school groups and others who stay there.	1,3,6,9,10,14	Matters relating to public safety and safety of surrounding land users is controlled under the <i>Firearms Act 1996</i> . In this regard, the Commissioner of Police must not grant an application to approve a firing range unless they are satisfied that the situation, construction, suitability and equipment of the range do not cause a hazard to the users of the range, the general public or any other property.

Concern or Theme	Representation	Response
		Accordingly, if the Commissioner of Police is not satisfied that the proposed firing range meets the specification requirements, then the firing range will not be able to operate, irrespective of whether a planning permit is granted for its use.
8. The proposed location does not offer the infrastructure that a rifle range needs with particular concern regarding road safety.	40	The planning assessment has determined that the location of the proposed firing range is suitable and appropriate for the purposes of Standard 20.3.1 of the Rural Zone.
9. The proposed use and development does not include any noise information or satisfy the Attenuation Code.	2,4,18,22,27	It has been determined that the proposed firing range complies with Acceptable Solution C9.5.1 A1 of the Attenuation Code on the basis that the 2km attenuation area required for the firing range will not include a sensitive use. As such a noise assessment is not required.
10. The proposed use and development does not address or satisfy the Bushfire-Prone Area Code or consider bushfire risk.	1,2,13,42	Matters relating to bushfire risk are addressed under the Bushfire-Prone Area Code. This code is not applicable to the proposal on the basis that it does not involve subdivision of land or a hazardous or vulnerable use.
11. The proposed use and development does not address or satisfy the Landslip Code.	2,22	The Landslip Code is not applicable on the basis that the proposed use and development, being works and occupation of people (excluding the safety exclusion area) is not within an identified landslip hazard area.
12. The application does not contain any information detailing how threatened and endangered wildlife will be managed or what impact the proposed firing range will have on	1,2,3,4,5,9,12,13,14,15,18,20,23,34,37,40	Matters relating to natural values are contemplated by the Planning Scheme under the Natural Assets Code. In this situation, the Natural Assets Code does not apply to the proposed use and development. Accordingly, the application is not required to address matters relating to

Concern or Theme	Representation	Response
wildlife (such as noise, injury and debris from latent ammunition).		<p>impact on natural values.</p> <p>Notwithstanding, this does not exclude the proposed use and development from consideration under the <i>Threatened Species Protection Act 1995</i> and the <i>Environmental Protection and Biodiversity Conservation Act 1999</i>. These Acts are outside the jurisdiction of Council.</p> <p>It is noted that part of the process for securing a lease with STT, the applicant will be required to prepare a Forest Practices Plan (FPP) and will need to liaise with DPIPWE in relation to impacts on natural values. The FPP will be certified by a Forest Practices Officer appointed by the Forest Practices Authority board prior to the commencement of any operations.</p>
13. The development application does not provide any information regarding the impact on helicopter flight paths.	2	The site is not subject to the Safeguarding of Airports Code. Consideration of helicopter flight paths is therefore not required by the Planning Scheme.
14. Concern relating to how the proposed firing range will impact users of the Arm River and Maggs Road walking tracks and other nearby walking tracks.	1,5,6,10,11,12,13,14,16,30,31	Please refer to the response to Concern or Theme 4.
15. The development application does not include sufficient information relating to impacts on users of	1,2,7,8,9,11,24,25,30,32,37,38,39	<p>Please refer to the response to Concern or Theme 4.</p> <p>Further to this, the location of the proposed firing line will</p>

Concern or Theme	Representation	Response
surrounding National Parks including Cradle Mountain, Lake St Claire and the Walls of Jerusalem National Park.		be 8.5km to the north-west of the Walls of Jerusalem bushwalking entrance and 17km to the north of the nearest point of the Overland Track.
16. The proposed firing range will be inconsistent with, and adversely impact upon, passive nature based recreation values and activities including bushwalking, fishing, canoeing and white water rafting.	1,3,5,6,9,10,11,12,13, 15,16,17,20,23,24,25, 28,30,31,32,34,37,38, 39,40	Please refer to the response to Concern or Theme 4 and 7.
17. There are other firing ranges within Kentish, Penguin and Campbell Town. There is no pressing reason for the rifle club to establish in this location and it is not of particular importance or significant.	1,3,24	Noted. This is not a relevant consideration under the terms of the Planning Scheme.
18. Concern that gun-shot noise emissions will be almost certainly very audible, offensive and in general detriment to hut users and other surrounding land uses by impinging on the overall peace and tranquillity of the area.	1,2,3,11,18,21,24,37, 40,41	Please refer to the response to Concern or Theme 4.
19. The proposed firing range will cause a safety risk for bushwalkers, anglers and users of the surrounding area.	9,26,31,34	Please refer to the response to Concern or Theme 7. Furthermore, a specification of an outdoor firing range is the requirement to place signage and lockable boom

Concern or Theme	Representation	Response
		gates at all access points clearly identifying the presence of the firing range. The submitted information indicates where such signage and gates will be located.
20. The proposed firing range will result in an increase of vehicle use of the area and will lead to deterioration and damage to the road surfaces which will interrupt other users where further road maintenance is required.	15,21,37	All roads, except for North Maggs Road, are public roads and are maintained by the responsible authorities.
21. Support of the proposal provided public access along Maggs Road will not be impeded for access to the Arm River Walking Track in addition to other areas within the Exclusion Area.	33,35	Noted.
22. An environmental impact assessment has not been undertaken for the proposed firing range.	26,32,42	The application is not required to have an environmental impact assessment undertaken under the terms of the Planning Scheme.
23. Concern relating to the lease arrangement between the applicant and land owner.	40	This is not a relevant consideration under the terms of the Planning Scheme.
24. General support for the proposed firing range in terms of supporting employment and business within the municipality, encouraging sport	36	Noted.

Concern or Theme	Representation	Response
and recreation use in all forms and promotion of the area to different users noting that target shooting is recognised as a safe and inclusive national and internationally recognised sport. The proposed rifle range also offers educational and training to firearms users.		
25. Concern relating to future enforcement of planning permit and whether practice days are included in club days.	5,22	Council will be responsible for enforcing conditions of any planning permit in the event a permit is issued and Council becomes aware of possible non-compliance with the permit. Days in which shooting can occur including practice and competition days are limited to 31 days per year in accordance with proposed Condition 1.
26. Concern relating to the impact the proposed firing range will have upon the cultural history of the area.	19,22,40	Noted. This is not a relevant consideration under the terms of the Planning Scheme.
27. Concern relating to the procedural undertakings associated with the previous development application.	22	Noted. This is not a relevant consideration under the terms of the Planning Scheme.
28. The application fails to address how stormwater and wastewater will be managed as part of the proposal.	29	Stormwater and wastewater is capable of being contained and managed onsite. Matters relating to stormwater and wastewater will be addressed at the building and plumbing application stage in the event a planning permit is issued.

5) Consultation with State Government and other Authorities

Not applicable.

6) Scheme Assessment

Use Class: Sports and Recreation

Determining Applications

6.10 Determining Applications	
6.10.2 In determining an application for a permit for a Discretionary use the planning authority must, in addition to the matters referred to in sub-clause 6.10.1 of this planning scheme, have regard to:	
Provision	Response
a) the purpose of the applicable zone;	<p>The proposed firing range is assessed as being consistent with the purpose statements of the Rural Zone as set out in clauses 20.1.1, 20.1.2 and 20.1.3 of the Planning Scheme by virtue of satisfying the applicable use and development standards of the Rural Zone.</p> <p>Clause 20.1.1 states that the Rural Zone is to provide for a range of use and development in a rural location where agricultural use is limited, the proposed use and development requires a rural location for operational reasons, where the proposed use and development is compatible with agricultural use if occurring on agricultural land and where adverse impacts on surrounding uses are minimised.</p> <p>In this instance, the site is not agricultural land and the proposed firing range will not impact the operation of agricultural use on other land. It has been determined that the proposed firing range requires a rural location for operational reasons which include the need to be located away from settlement areas. Furthermore, the location of the proposed firing range, in terms of its horizontal and vertical distances from</p>

	surrounding uses will assist to minimise adverse impacts upon surrounding uses from the operation of the firing range. The proposed firing range will not compromise the function of surrounding settlements.
b) any relevant local area objective for the applicable zone;	There are no local area objectives that apply to the Rural Zone.
c) the purpose of any applicable code;	The applicable codes are the Parking and Sustainable Transport Code (C2.0) and the Road and Railway Assets Code (3.0). Compliance with the purpose of each applicable code is achieved by virtue of the proposed use and development satisfying the applicable standards within each Code. To this effect, the proposed firing range will be provided with an appropriate level and standard of parking facilities suitable for the intended use and it will be of a scale and intensity that is deemed to have a reasonable impact upon road infrastructure in terms of safety and efficiency.
d) the purpose of any applicable specific area plan;	The site is not subject to a specific area plan.
e) any relevant local area objective for any applicable specific area plan; and	The site is not subject to a local area objective or specific area plan.
f) the requirements of any site-specific qualification.	The site is not subject to a site-specific qualification.

Performance Criteria

20.0 Rural Zone
21.3.1 Discretionary uses
<p>Objective</p> <p><i>That the location, scale and intensity of a use listed as Discretionary:</i></p> <p>(a) <i>is required for operational reasons;</i></p> <p>(b) <i>does not unreasonably confine or restrain the operation of uses on adjoining properties;</i></p> <p>(c) <i>is compatible with agricultural use and sited to minimise conversion of agricultural land; and</i></p> <p>(d) <i>is appropriate for a rural location and does not compromise the function of surrounding settlements.</i></p>

Performance Criteria P1

A use listed as Discretionary, excluding Residential, must require a rural location for operational reasons, having regard to:

- (a) the nature, scale and intensity of the use;
- (b) the importance or significance of the proposed use for the local community;
- (c) whether the use supports an existing agricultural use;
- (d) whether the use requires close proximity to infrastructure or natural resources; and
- (e) whether the use requires separation from other uses to minimise impacts.

Response

The table below identifies the status of the use of a firing range within each zone of the Planning Scheme:

Planning Scheme Zone	Use Status
General Residential	Prohibited
Inner Residential	Prohibited
Low Density Residential	Prohibited
Rural Living	Prohibited
Village	Permitted
Urban Mixed Use	Discretionary
Local Business	Discretionary
General Business	Discretionary
Commercial	Not used
Light Industrial	Discretionary
General Industrial	Discretionary
Rural	Discretionary
Agriculture	Discretionary
Landscape Conservation	Prohibited
Environmental Management	Discretionary
Major Tourism	Discretionary
Port and Marine	Not used
Utilities	Discretionary
Community Purpose	Discretionary
Recreation	No Permit Required
Open Space	Discretionary
Future Urban	Prohibited
Particular Purpose Zone - Natural Living	Not listed

Table 1: Status of a firing range within each zone of the Planning Scheme.

The table illustrates that a firing range is prohibited in all residential zones including the Landscape Conservation zone. A firing range has a no permit required and permitted status in the Recreation and Village zones, respectively. A firing range has a discretionary status in all other applicable zones.

A firing range is an activity listed in Table C9.1 Attenuation Distances of the Attenuation Code. The attenuation distance associated with a firing range is 2km. Clause 9.3.1 of the Attenuation Code specifies that an attenuation distance is required to be measured outward from the boundary of a site on which the attenuating activity is located rather than where the activity occurs within the site. Acceptable Solution C9.5.1 A1 encourages the minimisation of adverse impacts on the health, safety and amenity of sensitive use from activities which have the potential to cause emissions by requiring the attenuation area of an attenuating activity to not include residential zoned land and sensitive uses.

The Planning Scheme defines the term “*sensitive use*” as follows:

Sensitive use means “a residential use or a use involving the presence of people for extended periods, except in the course of their employment such as a caravan park, childcare centre, dwelling, hospital or school.”

A zone analysis indicates the following:

- The Village Zone is applied to small rural settlements which predominately contain residential use.
- Land zoned Light Industrial, General Industrial, Community Purpose and Recreation is generally located adjacent or proximate to settlements.
- Land zoned Urban Mixed Use, Local Business and General Business is typically encased by residential zones.
- The Utilities Zone is applied to roads and other major utility facilities.
- The Environmental Management Zone is applied to conservation areas under the *Nature Conservation Act 2002*.
- The land outside settlements, infrastructure corridors and conservation areas is the Rural and Agriculture Zone.

Based on the above analysis, the zones that allow a firing range, excluding the Utilities and Environmental Management Zone, adjoin or are proximate to residential zoned land and contain high concentrations of people and associated sensitive uses. Land within or adjacent to a settlement area is therefore not considered suitable for a firing range due to the high concentration of sensitive uses. In addition, the Utilities Zone is not practical for a firing range and the Environmental Management Zone should be avoided to prevent impacts on conservation land. The default zone outside of these areas is therefore Rural or Agriculture.

With respect to operational aspects, the proposed firing range requires a large contiguous area that is relatively level with good line of sight to accommodate the firing range and associated safety area which can extend up to 4km beyond the firing line. It is also preferable to locate firing ranges away from high concentrations of

sensitive uses such as settlements and other small residential nodes to minimise land use conflict.

Based on the zone analysis, and considering the operational aspects of the proposed firing range, it is concluded that the firing range requires a rural location due to a lack of other suitably sized and zoned land outside settlement areas that is capable of accommodating the use and on the basis that the default zone outside of settlement areas is Rural or Agriculture. In this regard, the location of the site is removed (under the terms of the Attenuation Code) from sensitive uses including settlement areas and small residential nodes and the size and topography of the site is suitable for the requirements of the firing range.

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

Performance Criteria P2

A use listed as Discretionary must not confine or restrain existing use on adjoining properties, having regard to:

- (a) the location of the proposed use;*
- (b) the nature, scale and intensity of the use;*
- (c) the likelihood and nature of any adverse impacts on adjoining uses;*
- (d) whether the proposed use is required to support a use for security or operational reasons; and*
- (e) any off site impacts from adjoining uses.*

Response

The proposed firing range is not expected to confine or restrain existing use on adjoining properties.

Adjoining properties are properties that are next to or have a common boundary with the site. Adjoining private freehold properties are detailed in the table below.

Property	Title	Tenure	Distance from firing line	Direction
1	208926/1	Private Freehold - vacant	4.5km	south-west
2	210371/1	Private Freehold - hut	2.9km	south-west
3	202470/1	Private Freehold - hut	2.6km	south-west
4	202306/1	Private Freehold - vacant	1.2km	west
5	209864/1	Private Freehold - hut	1.8km	south-west
6	202305/1	Private Freehold - vacant	1.5km	west
7	236746/1	Private Freehold - private timber reserve	3.3km	north

Table 2: Details on adjoining private freehold properties.

The private freehold properties are used for a mixture of short-term accommodation and forestry. Short term accommodation is typically contained in existing huts, but is likely to also include some camping.

All other adjoining properties consist of Permanent Timber Production Zone land, Future Potential Production Forest land, Hydro-Electric Corporation land (Lake Rowallan) or Regional Reserve land which includes the Arm River Regional Reserve at the north-eastern side of Maggs Mountain and the Maggs Mountain Regional Reserve at the south-eastern side of Maggs Mountain.

The proposed firing range use will not confine or restrain existing and future use of the Permanent Timber Production Zone land, Future Potential Production Forest land, Hydro-Electric Corporation land.

The land that the firing line building will be located on, and where firearms will be discharged from, will be located a minimum horizontal distance of approximately 1.5km to a boundary of the site which is to the west.

In addition to the horizontal separation from the nearest adjoining property, the land will be located on an elevation of approximately 880m AHD which, for perspective, is approximately 400m above the level of the Lake Rowallan dam wall and 200m above Arm Road which is the primary vehicle access to the private freehold properties to the west. The substantial horizontal and vertical distance that will be provided between the firing line and adjoining properties and the resultant buffer created by the topography will minimise noise emissions generated when the firing range is in use from being received by users of adjoining properties, including the Regional Reserves. To this effect, the nature of any noise being received at adjoining properties will be soft rather than loud.

In any event, the likelihood of gunshot noise being heard at adjoining properties is considered low on the basis that the firing range will operate 8.5% of the year (by days).

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

Performance Criteria P3

A use listed as Discretionary, located on agricultural land, must minimise conversion of agricultural land to non-agricultural use and be compatible with agricultural use, having regard to:

- (a) the nature, scale and intensity of the use;*
- (b) the local or regional significance of the agricultural land; and*
- (c) whether agricultural use on adjoining properties will be confined or restrained.*

Response

The Planning Scheme defines the terms "agricultural land" and "agricultural use" as follows:

***"agricultural land"** means 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 restricted for agricultural use by its size, shape and proximity to adjoining non-agricultural uses.*

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

Agricultural use is distinct from "forestry operation" use which is defined in the Planning Scheme as follows:

"means work connected with -

(a) seeding and planting trees; or

(b) managing trees before they are harvested; or

(c) harvesting, extracting or quarrying forest products –

and includes any related land clearing, land preparation, burning-off or access construction."

The land on which the proposed firing range will be located on is identified as Permanent Timber Production Zone Land declared under the *Forest Management Act 2013*. It is identified as regenerating cleared land in accordance with TAVEG 4.0 mapping which has been confirmed by a site visit. Accordingly, the proposed use will not be located on agricultural land.

The Performance Criteria is therefore not applicable to the proposal.

Performance Criteria P4

A use listed as Discretionary, excluding Residential, must be appropriate for a rural location, having regard to:

(a) the nature, scale and intensity of the proposed use;

(b) whether the use will compromise or distort the activity centre hierarchy;

(c) whether the use could reasonably be located on land zoned for that purpose;

(d) the capacity of the local road network to accommodate the traffic generated by the use; and

(e) whether the use requires a rural location to minimise impacts from the use, such as noise, dust and lighting.

Response

The proposed firing range use is appropriate for a rural location.

The nature and scale of the use and the intensity of noise emissions that are generated by the use make it necessary for it to be located in areas that are removed from high concentrations of sensitive uses including settlements and small residential nodes. These areas have been identified as being rural locations. The zone analysis has identified that the proposed use is not suitable to be located in the Village or Recreation zones, in which the Sports and Recreation use class has a permitted and no permit required status respectively, due to the proximity to sensitive uses which make it difficult for the requirements of the Attenuation Code of the Planning Scheme to be satisfied.

The use is not a use of a type or nature that will compromise or distort the activity centre hierarchy.

It has been determined that the proposed firing range will generate an annual average daily traffic movement to and from a site of 2.7 vehicles per day. Accordingly, the existing road network, which includes two (2) roads that are maintained for public use, will have capacity to absorb the additional traffic generated by the use.

The location of the proposed firing range will assist to minimise noise impacts due to its substantial distance from sensitive uses.

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

C2.0 Parking and Sustainable Transport Code

C2.6.1 Construction of parking areas

Objective

That parking areas are constructed to an appropriate standard.

Performance Criteria P1.1

All parking, access ways, manoeuvring and circulation spaces must be readily identifiable and constructed so that they are useable in all weather conditions, having regard to:

- (a) the nature of the use;*
- (b) the topography of the land;*
- (c) the drainage system available;*
- (d) the likelihood of transporting sediment or debris from the site onto a road or public place;*
- (e) the likelihood of generating dust; and*
- (f) the nature of the proposed surfacing.*

Response

The proposed parking area will be readily identifiable and constructed to an appropriate standard so that they are useable in all weather conditions. The access and parking area will be constructed with a compacted gravel subbase and surface which is the same material used for North Maggs Road. The clearing and gravel surface will delineate the access and parking area from the surrounding vegetation. The access and parking area is capable of being constructed with appropriate fall to allow the surface to drain stormwater. The proposed firing range will operate up to 31 days per calendar year. Accordingly, the proposed access and parking area will be used infrequently. The nature of the proposed surfacing of the access and parking area is therefore considered appropriate for the intended use.

It is recommended that a condition be applied to any permit requiring the vehicle access and car parking area to be constructed prior to the commencement of the use of the firing range.

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

C2.6.5 Pedestrian access**Objective**

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

Performance Criteria P1

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

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

Response

The proposed firing range will operate up to 31 days per calendar year. Accordingly, the proposed access and parking area will be used infrequently. The firing range will predominately be used by members of the rifle club who will be familiar with the site and parking arrangements. Furthermore, the parking area will be open which will allow good visibility between the parking area and the firing line. Accordingly, the low frequency of use and typically high familiarity of the site by users will improve vehicle and pedestrian safety within the parking area. Accessible parking

spaces will be provided adjacent to the main entrance to the firing line.

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

Applicable Standards

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

20.0 Rural Zone														
Scheme Standard	Comment	Assessment												
20.3 Use Standards														
20.3.1 Discretionary uses														
A1	The proposal involves a new Discretionary use.	Relies on Performance Criteria												
A2	There is no acceptable solution.	Relies on Performance Criteria												
A3	There is no acceptable solution.	Relies on Performance Criteria												
A4	There is no acceptable solution.	Relies on Performance Criteria												
20.4 Development Standards for Building and Works														
20.4.1 Building Height														
A1	The building will have a maximum height of 3.6m.	Complies												
20.4.2 Setbacks														
A1	<div>The proposed building will have the following estimated boundary setbacks:<table><tr><th>Boundary</th><th>Setback</th></tr><tr><td>North</td><td>1.5km</td></tr><tr><td>East</td><td>1.5km</td></tr><tr><td>West</td><td>1.7km</td></tr><tr><td>South</td><td>11km</td></tr><tr><td>North-West</td><td>5.2km</td></tr></table></div>	Boundary	Setback	North	1.5km	East	1.5km	West	1.7km	South	11km	North-West	5.2km	Complies
Boundary	Setback													
North	1.5km													
East	1.5km													
West	1.7km													
South	11km													
North-West	5.2km													
A2	The building will not be used for a sensitive use.	Not Applicable												
20.4.3 Access for new dwellings														
A1	The proposal does not involve a dwelling.	Not Applicable												

Codes

C2 Parking and Sustainable Transport Code		
Scheme Standard	Comment	Assessment
C2.2 Application of this Code		
	The code applies to all use and development.	Code Applies
C2.4 Development exempt from this Code		
	There are no exemptions.	Code Applies
C2.5.1 Car parking numbers		
A1	Table C2.1 requires 50 car parking spaces to be provided per sport and recreation facility. The proposed car parking area will measure 40m by 50m. Conservatively, four (4) rows of 15 car parking spaces are capable of being accommodated within the designated car parking area. This equates to 60 car parking spaces and excludes the four (4) accessible parking spaces that will be located adjacent to the building.	Complies with Acceptable Solution
C2.5.2 Bicycle parking numbers		
A1	Table C2.1 does not set a requirement for bicycle parking spaces to be provided for a firing range.	Not Applicable
C2.5.3 Motorcycling parking numbers		
A1	Motorcycle parking spaces are capable of being provided on the eastern or western side of the building, or within the surplus parking area that will be provided.	Complies with Acceptable Solution
C2.5.4 Loading bays		
A1	Clause 2.5.4 does not apply to the Sport and Recreation Use Class in accordance with clause C2.2.3.	Complies with Acceptable Solution
C2.5.5 Number of car parking spaces within the General Residential Zone and Inner Residential zone		
A1	The site is not located within the	Not Applicable

	General Residential Zone or Inner Residential Zone.	
C2.6.1 Construction of parking areas		
A1	The proposed vehicle parking, access and circulation area will be constructed of compacted gravel and will be drained to an onsite stormwater detention point. The site is located within the Rural zone.	Complies with Acceptable Solution
C2.6.2 Design and layout of parking areas		
A1.1	<p>The proposed vehicle parking, access and circulation area will:</p> <ul style="list-style-type: none">• be constructed with a surface with a gradient that is appropriate for accessible purposes;• enable vehicles to enter and exit in a forward direction;• have a minimum driveway width of 6m which satisfies the requirements of Table C2.2;• have sufficient dimensions to enable car parking spaces to have a width of 2.6m and length of 5.4m and a parking aisle of 6m;• not be vertically impeded. <p>However, all parking spaces are unlikely to be delineated by line marking or other physical means.</p>	Relies on Performance Criteria
A1.2	Proposed accessible parking spaces will be located at the front of the building and will be designed and constructed in accordance with AS2890.6.	
C2.6.3 Number of accesses for vehicles		
A1	The proposal does not involve any additional vehicle accesses.	Not Applicable
A2	The site is not located within the Central Business zone.	Not Applicable

C2.6.4 Lighting of parking within the General Business Zone and Central Business Zone		
A1	The site is not located within the General Business Zone or Central Business Zone.	Not Applicable
C2.6.5 Pedestrian access		
A1.1	Designated pedestrian footpaths are not proposed.	Not Applicable
A1.2	The accessible parking spaces will be positioned adjacent to the main entrance to the building.	
C2.6.6 Loading bays		
A1	The proposal is not required to provide loading bays.	Not Applicable
A2	The proposal is not required to provide loading bays.	Not Applicable
C2.6.7 Bicycles parking and storage facilities within the General Business Zone and Central Business Zone		
A1	The site is not located within the General Business Zone or Central Business Zone.	Not Applicable
A2	The site is not located within the General Business Zone or Central Business Zone.	Not Applicable
C2.6.8 Siting of parking and turning areas		
A1	The site is not located in the Inner Residential, Village, Urban Mixed Use, Local Business or General Business zones.	Not Applicable
A2	The site is not located within the Central Business zone.	Not Applicable
C2.7.1 Parking precinct plan		
A1	The site is not subject to a parking precinct plan	Not Applicable

C3 Road and Railway Assets Code		
Scheme Standard	Comment	Assessment
C3.2 Application of this Code		
	The proposal includes a new access off North Maggs Road.	Code applies
C3.4 Development exempt from this Code		
	There are no exemptions.	Exempt

C3.5 Use Standards		
C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction		
A1.1	North Maggs Road is not a category 1 or a limited access road.	Not Applicable
A1.2	North Maggs Road is under the authority of Sustainable Timber Tasmania (STT). STT have provided a letter of support for the proposed firing range and included in the letter, is the requirement for a Forest Practices Plan to be prepared which will identify specific conditions required to manage impacts of the range on the site. The letter is considered sufficient evidence that STT consent for the proposed new vehicle access.	Complies with Acceptable Solution
A1.3	The proposal does not involve a private level crossing.	Not Applicable
A1.4	Based on the information provided by the applicant, the proposed use has the potential to generate up to 980 vehicle movements per year (accounting for ingress and egress). This results in an annual average daily traffic movement to and from a site of 2.7 vehicles per day.	Complies with Acceptable Solution
A1.5	North Maggs Road is not a major road.	Complies with Acceptable Solution
C3.6 Development Standards for Building or Works		
C3.6.1 Habitable Buildings for Sensitive uses within a road or railway attenuation area		
A1	The site is not located within a road or railway attenuation area.	Not Applicable

C7 Natural Assets Code		
Scheme Standard	Comment	Assessment
C7.2 Application of this Code		
	The land is not subject to a waterway and coastal protection area, future coastal refugia area or priority vegetation area. With	Code not applicable

	respect to the Priority Vegetation Area, the image below illustrates the spatial extent of the Priority Vegetation Area that surrounds the proposed firing range.	
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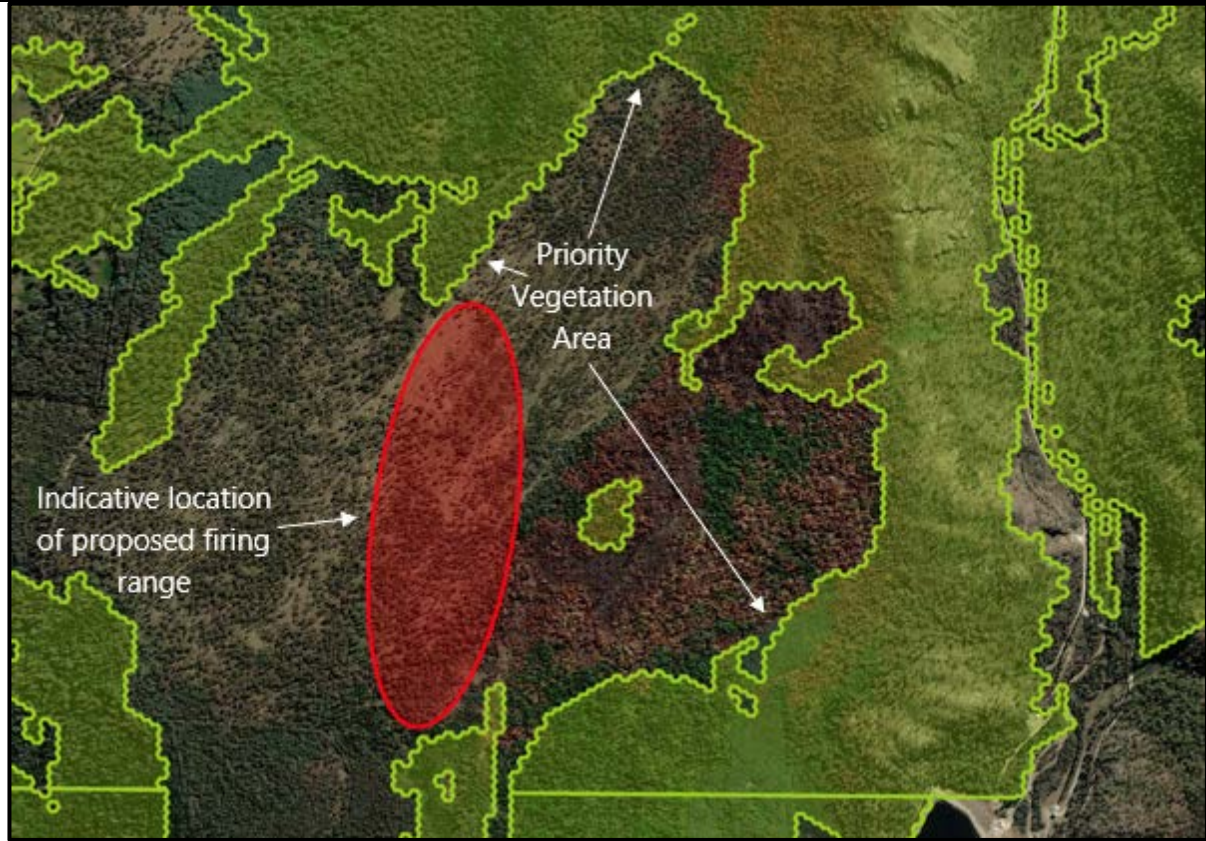


Figure 3: Location of Priority Vegetation Area.

C9 Attenuation Code		
Scheme Standard	Comment	Assessment
C9.2	Application of this Code	
	A shooting range is an activity listed in Table C9.1.	Code applies
C9.4	Use or Development exempt from this Code	
	There are no applicable exemptions.	Exempt
C9.5 Use Standards		
C9.5.1	Activities with potential to cause emissions	
A1	The attenuation distance for a shooting range is 2km. The distance is required to be measured as the shortest distance from the boundary of the site on which the activity is located. The image below illustrates 2km radius circles at key	Not Applicable

	<p>extremities of the boundaries of the site.</p> <p>Land comprised within the attenuation area is Crown Land or STT land and does not contain a sensitive use. Land within the attenuation area is zoned Rural or Environmental Management.</p> <p>The private freehold properties that are encompassed by the site do not contain residential use or other forms of sensitive use. The Arm River Educational Centre on the northern side of Maggs Road approximately 850m from the Mersey Forest Road junction is not considered to be a sensitive use on the basis that it is not a school and does not involve the presence of people for extended periods.</p>	
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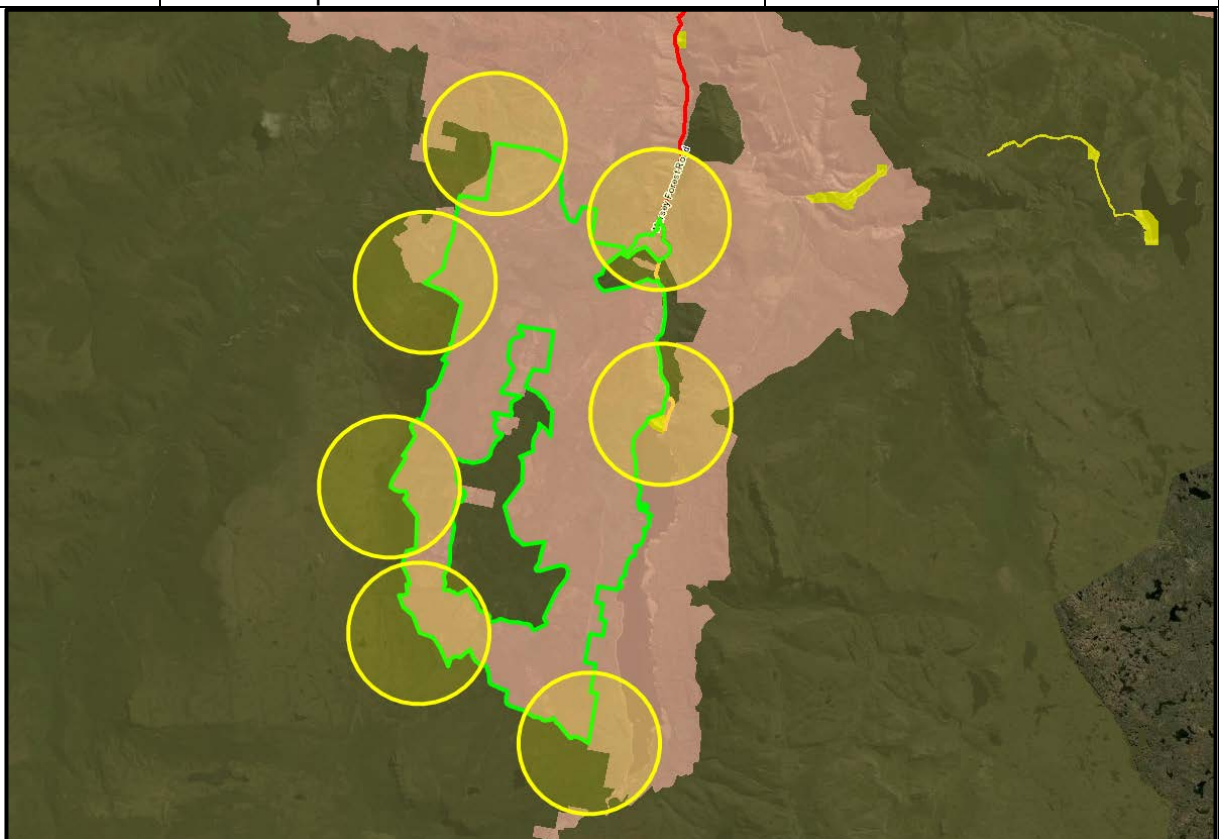


Figure 4: 2km radius circles at key extremities of the boundaries of the site.

C9.5.2 Sensitive use within an attenuation area		
A1	The proposal does not involve a sensitive use.	Not Applicable

C9.6 Development Standards for Subdivision		
C9.6.1 Lot design		
A1	The proposal does not involve subdivision of land.	Not Applicable

Internal Referrals

Environmental Health

The following notes have been recommended:

Notes:

1. An onsite wastewater design report from a suitably qualified person will be required at the building/plumbing permit stage.
2. Registration as a private water supplier will be required if drinking water from a private water source is used for commercial purposes.

Infrastructure Services

No conditions or notes have been recommended.

Conclusion

It is considered that the application for the development and use for Sports & Recreation (firing range & associated development) on land located at North Maggs Road, Mersey Forest (PID: 3392724) is acceptable in the Rural Zone and is recommended for approval.

DECISION:

APPLICATION FORM

PLANNING PERMIT

Land Use Planning and Approvals Act 1993



Meander Valley Council
Working Together

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

OFFICE USE ONLY

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

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

PROPERTY DETAILS:

Address:	<input type="text" value="MAGGS ROAD NORTH"/>	Certificate of Title:	<input type="text"/>
Suburb:	<input type="text" value="MERSEY FOREST"/>	Lot No:	<input type="text" value="PD: 3392724"/>
Land area:	<input type="text" value="RANGE: 42,000m² SAFETY TEMPLATE 320ha. m² / ha"/>		
Present use of land/building:	<input type="text" value="COMMERCIAL FORESTRY"/>	(vacant, residential, rural, industrial, commercial or forestry)	
• Does the application involve Crown Land or Private access via a Crown Access Licence: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
• Heritage Listed Property: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			

DETAILS OF USE OR DEVELOPMENT:

Indicate by ✓ box	<input checked="" type="checkbox"/> Building work	<input checked="" type="checkbox"/> Change of use	<input type="checkbox"/> Subdivision	<input type="checkbox"/> Demolition
	<input type="checkbox"/> Forestry	<input type="checkbox"/> Other		
Total cost of development (inclusive of GST):	<input type="text" value="\$ 250,000"/> Includes total cost of building work, landscaping, road works and infrastructure			
Description of work:	<input type="text" value="BUILDING A 1000METRE FIXED FIRING POINT RIFLE RANGE ."/>			
Use of building:	<input type="text" value="FIXED FIRING POINT & TOILETS"/>	(main use of proposed building – dwelling, garage, farm building, factory, office, shop)		
New floor area:	<input type="text" value="196"/> m²	New building height:	<input type="text" value="3.6"/> m	
Materials:	External walls:	<input type="text" value="STEEL"/>	Colour:	<input type="text" value="DARK GREY"/>
	Roof cladding:	<input type="text" value="COLOUR BOND STEEL"/>	Colour:	<input type="text" value="DARK GREY"/>

KENTISH RIFLE CLUB INC.

PO Box 2086, Spreyton, Tas, 7310

kentishrifleclub@outlook.com

ph: 0427643359

Date: 8/11/2021



Discretionary Development Application for a proposed rifle range at Maggs Mountain, Mersey Forest.

- a. Please find attached a completed Development Application Form including 'In Principle' written consent from Sustainable Timber Tasmania as the land owner.
- b. A written description of the proposed activity including;
 - i. **How the use will operate and function;**
Please find attached the Range Specification Requirements to Outdoor Firearm Ranges used in Tasmania for Centrefire and Rimfire Rifle Shooting in accordance with the provisions of Section 151(40) of the *Firearms Act 1996*.
 - ii. The Range is designed to be a fixed firing point long distance range that can accommodate rimfire and centre fire rifles. This means the shooters will not move up and down the range at various distances to shoot at targets. The targets move instead.
 - iii. This type of range achieves a higher degree of safety for participants and minimalizes the down range footprint of the range, in turn minimalizing any vegetation disturbance.
 - iv. A fixed firing point range also allows the participants to practice and compete in all weather as the shooting line is undercover.
 - v. The range is designed to function as a purpose-built facility that will cater for participation at a Club, State, National and International level in competition, practice and training in the disciplines of F Class, Bench Rest and Precision Rifle Shooting. It is also designed to accommodate disable and reduced mobility shooters.
 - vi. Please find attached Police Firearms Service "In principle" support for the range approval.

ii. Operating hours and expected number of people to participate in the activity;

- i) Operating hours for the range are between sunrise and sunset only (9:00am. – 4:00pm.)
- ii) The expected number of people to participate in the activity;

Club days	10 > 15
State Club days	20 > 30
National competitions	40 > 50

iii. Days in which the activity will occur;

Saturdays and Sundays (state shooters)

Fridays, Saturdays and Sundays (national shooters)

iv. Expected daily vehicle use to and from the site as a result of the activity;

Club days	10 > 12	twenty-five times a year
State Club days	20 > 25	four times a year
National competitions	40 > 45	twice a year

C. A site plan showing:

i. Boundaries of the site;

Please find attached site map with boundaries marked

ii. Location of the proposed use within the site;

Please find attached locations, fixed firing line, toilets, car park and 1000 metre rifle range.

iii. Vehicle access to the site;

Please find attached site map of vehicular access to the site;

iv. Proposed buildings

Please find attached fixed firing line and toilets;

v. Location of parking areas;

Please find attached location of parking areas;

vi. Any vegetation that is required to be cleared

Please find attached site map of carpark, driveway, rifle range;
Very little vegetation will be removed as the site has burnt tree stumps and boulders after clear felling and several fires. Any vegetation clearing falls under the FPP and STT requirements.

vii. External storage spaces. N/A

viii. All uses within a 2km radius of the proposed rifle range (to determine compliance with code C9.0 Attenuation)

Please find attached map displaying the 2km radius from the fixed firing point.

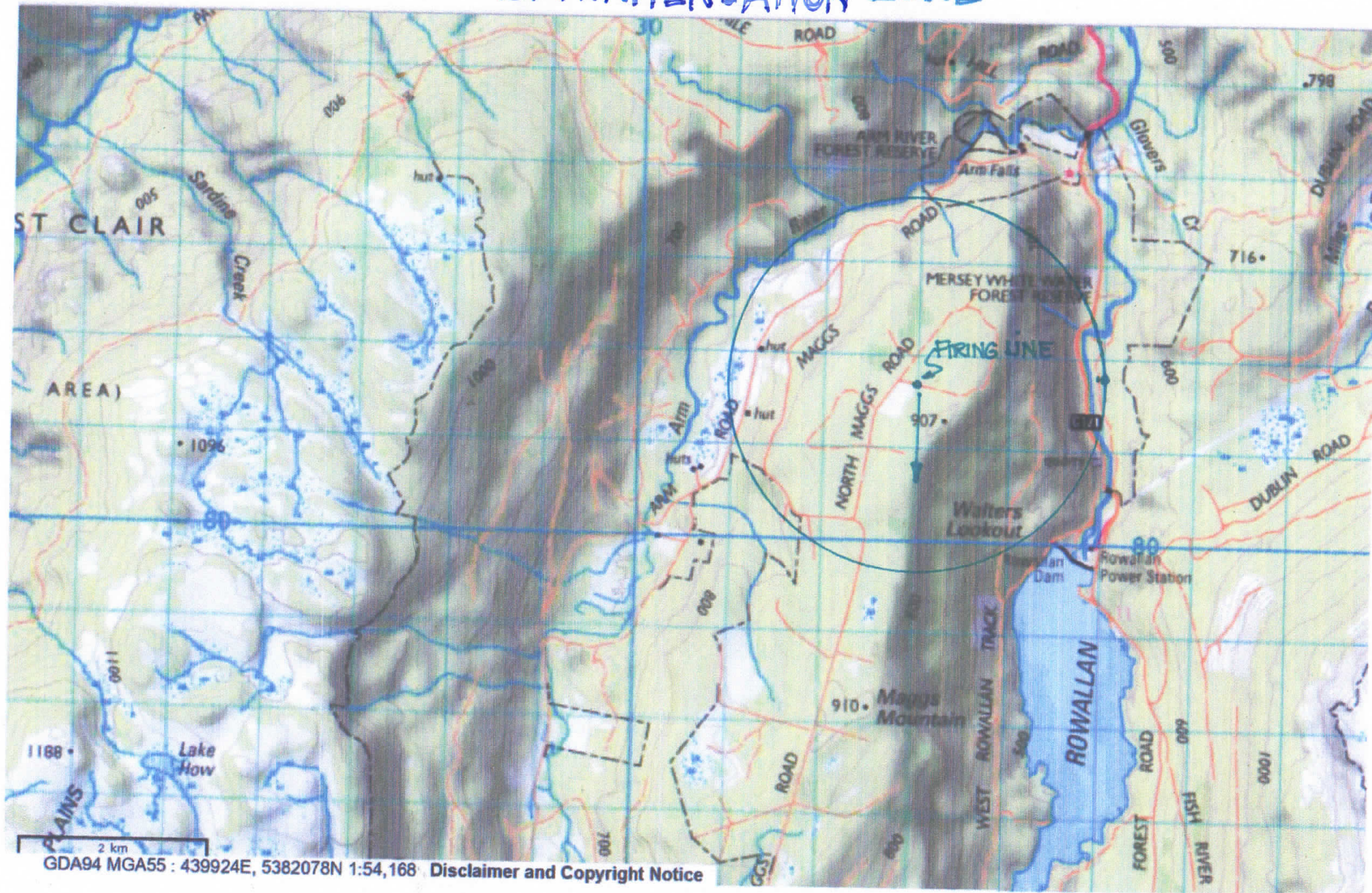
D. Where it is proposed to construct buildings or structures:

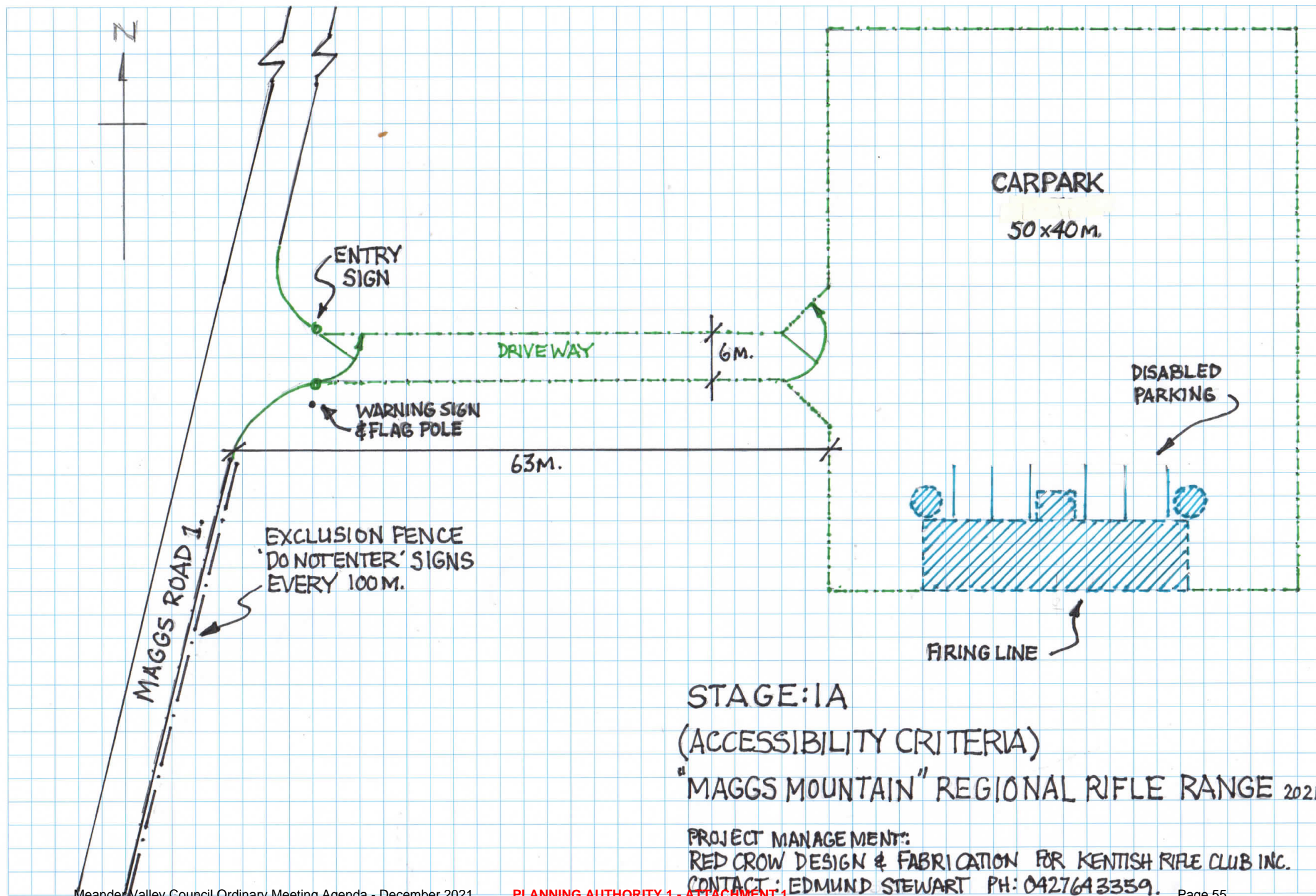
i. Please find attached elevation and floor plans;

E. Details of any signage;

Please find attached signage detail for Entry and Legislated Safety Signage as required with Tasmanian Firearms Service regulations.

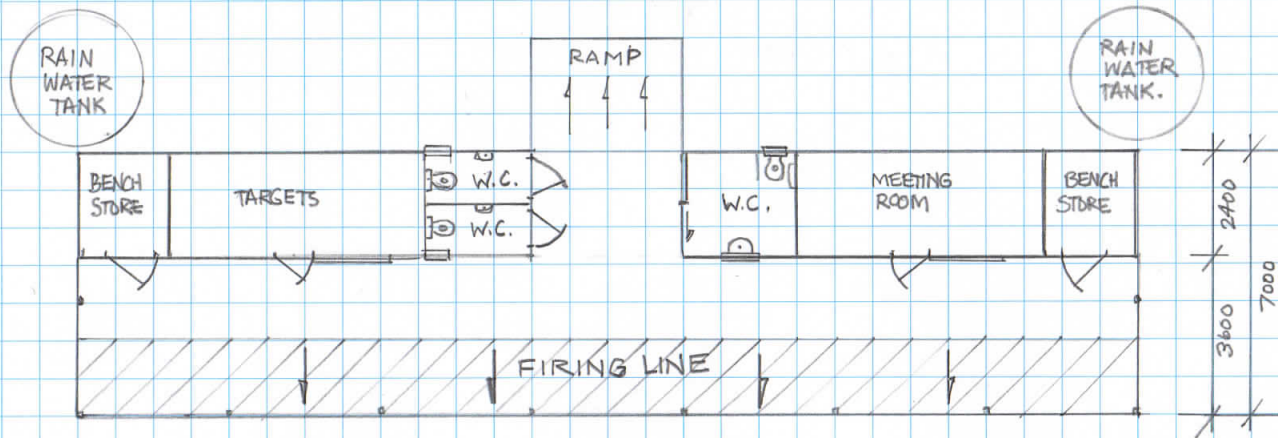
SOUND 2KM.ATTENUATION ZONE



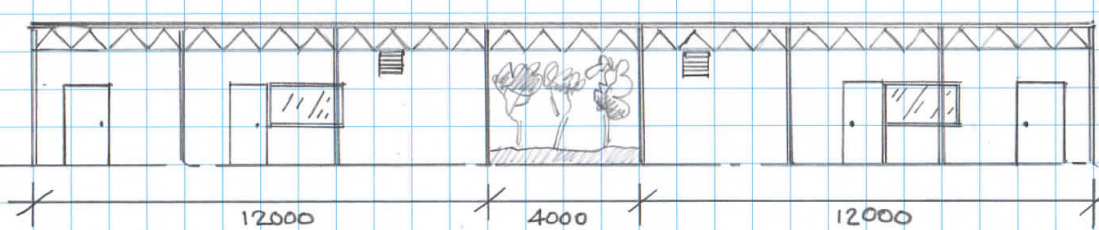


PROPOSED "MAGGS MOUNTAIN" REGIONAL RIFLE RANGE KENTISH RIFLE CLUB INC. 2021

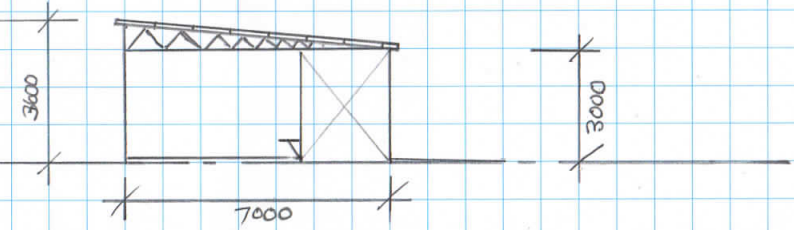
PROJECT MANAGER:
REDCROW DESIGN & FABRICATION
CONTACT: EDMUND STEWART
PH: 0427 64 3359
E: redcrow@wn.com.au



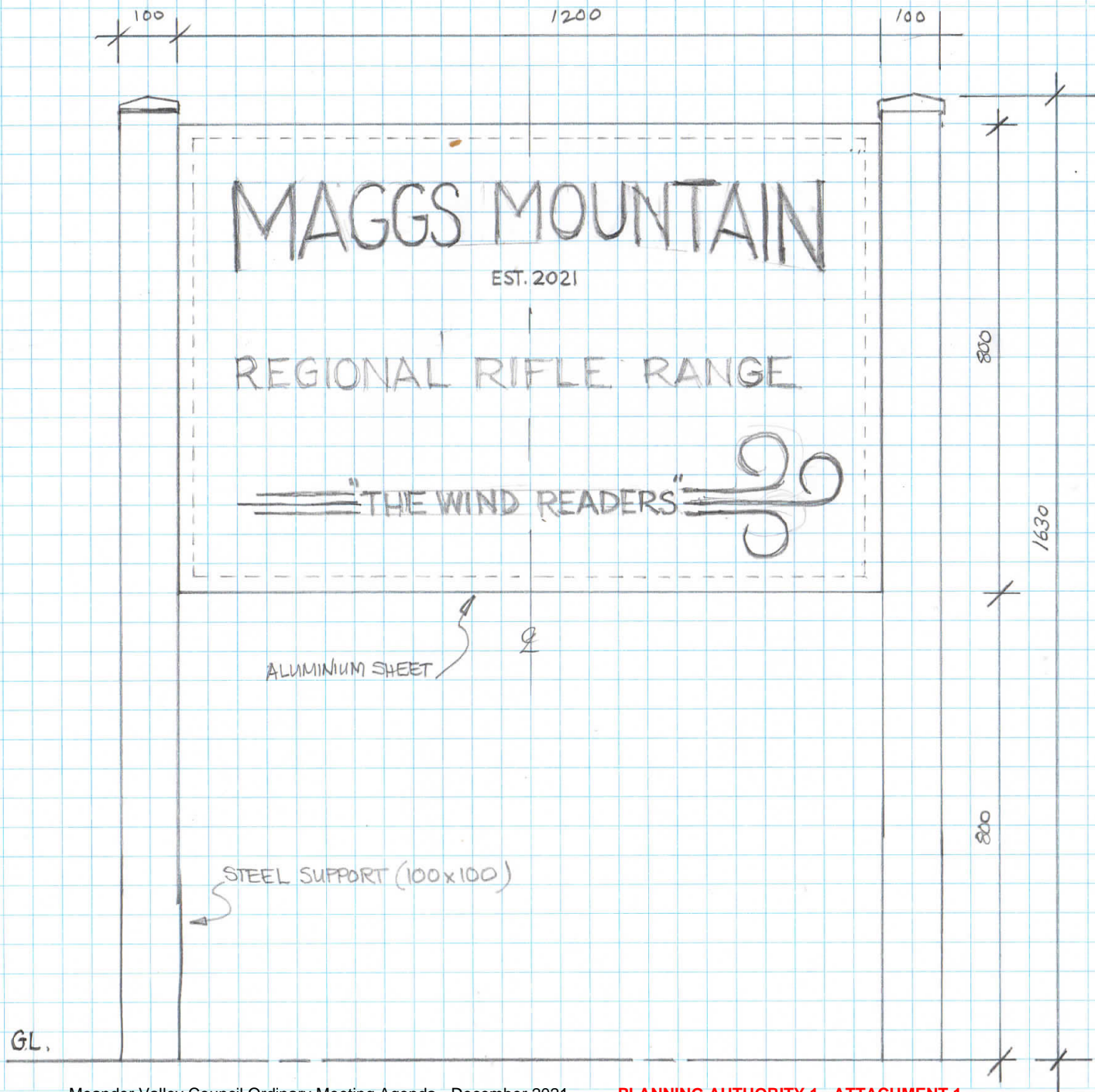
PLAN VIEW



FRONT ELEVATION



SIDE ELEVATION



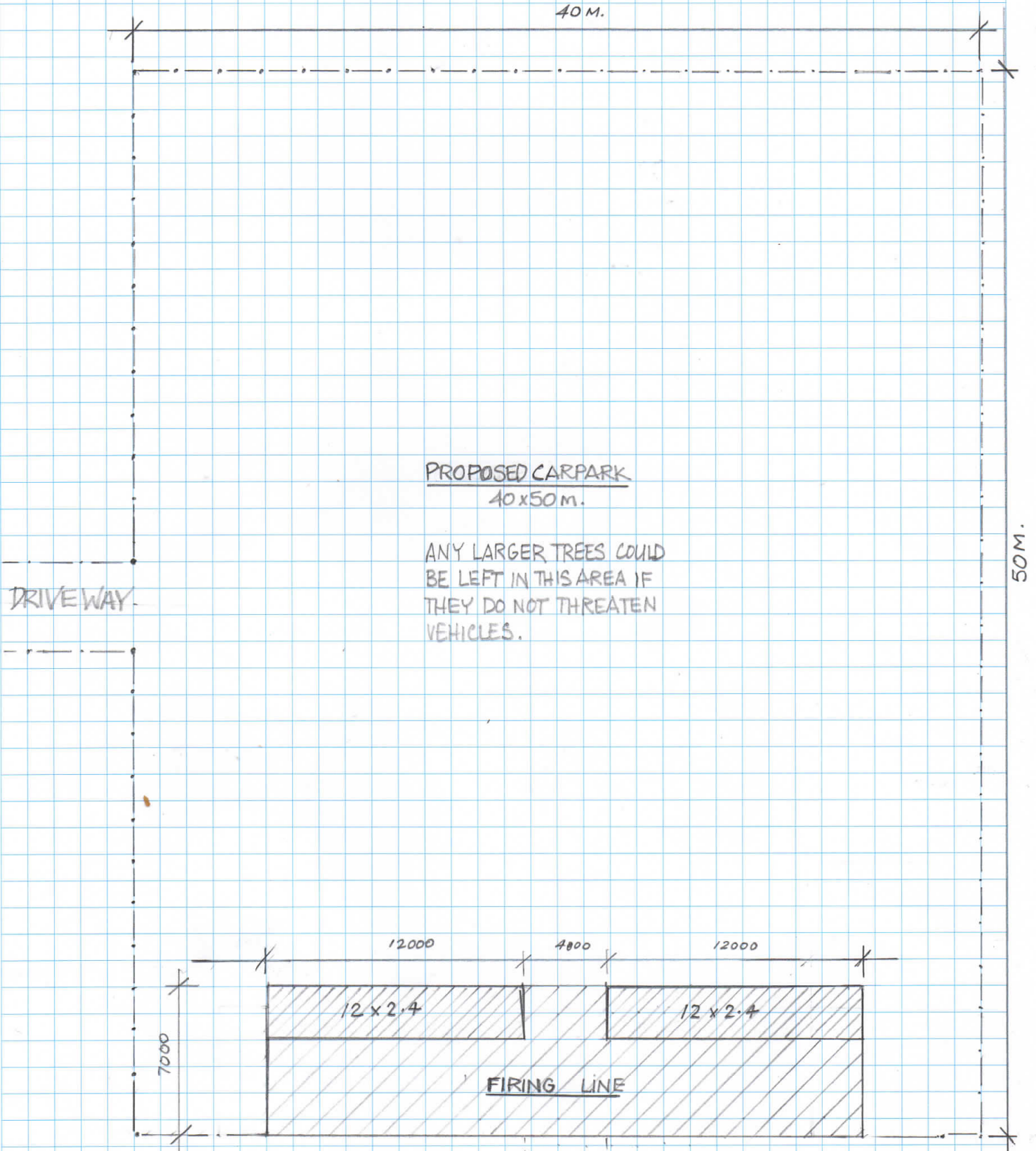
PROPOSED SIGNAGE: 2021

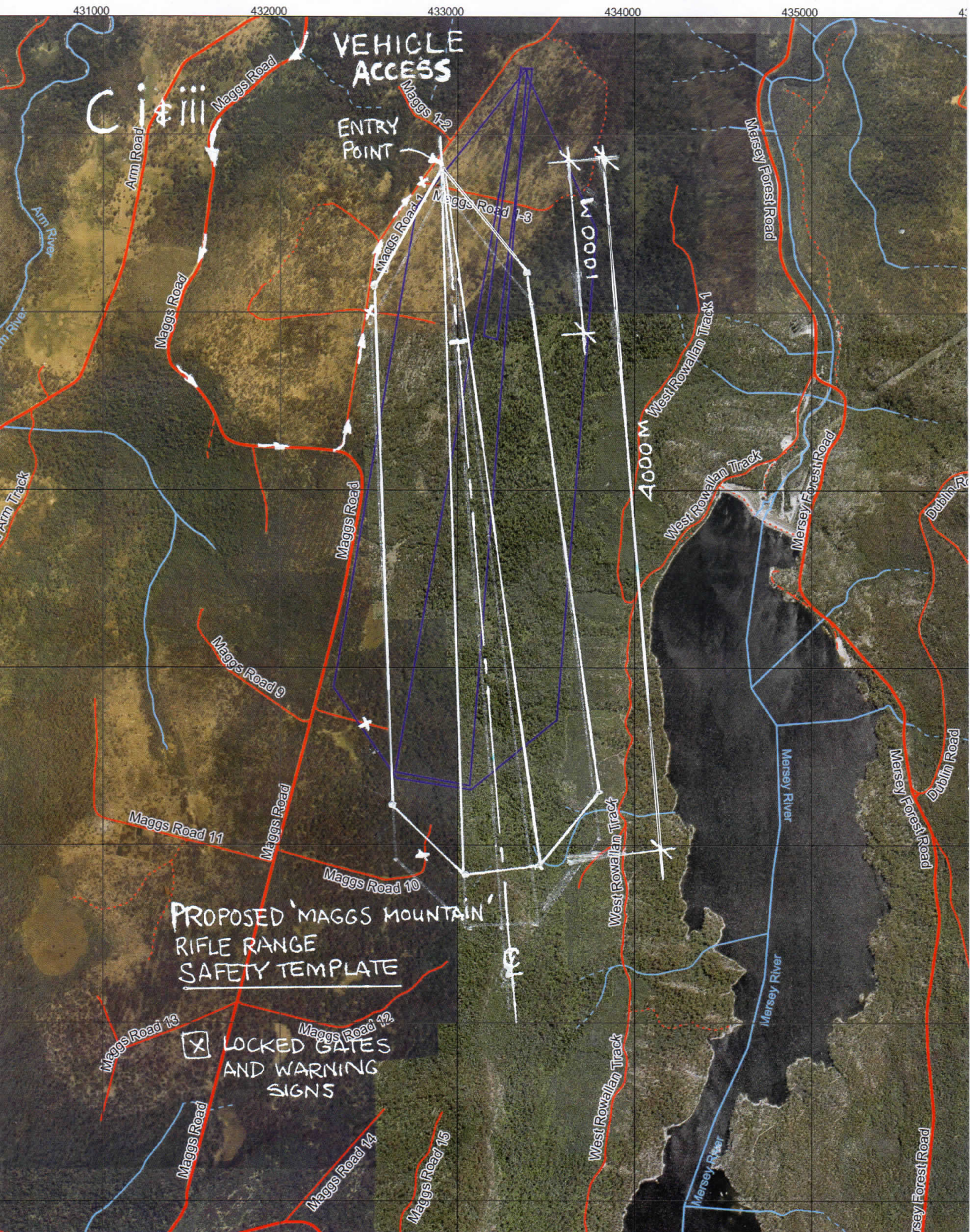
MAGGS MOUNTAIN REGIONAL
RIFLE RANGE

KENTISH RIFLE CLUB INC.

PLEASE FIND REGULATION SAFETY
SIGNAGE.

PROPOSED "MAGGS MOUNTAIN" REGIONAL RIFLE RANGE KENTISH RIFLE CLUB INC. 2021





6. IDENTIFICATION OF A RANGE

6.1 NOTICE BOARDS

A notice board with appropriate warnings must be clearly placed and must be erected at all normal points of entry to a range.

6.2 DANGER NOTICES

The notice board must be a minimum of 60 centimetres in height by 100 centimetres in length with similar wording and colouring as below:

White
Background

DANGER
WHEN RED FLAGS ARE FLYING
SHOOTING IS IN PROGRESS

“Danger”
MUST be **RED**
other wording
may be **RED** or
Black

6.3

A danger notice must be big enough to be seen at a reasonable distance and permanently fixed around the perimeter of the property or at areas where likely access to it can be gained by people moving into the area. Danger notices will be a minimum 30 centimetres in height by 50 centimetres in length with similar wording and colouring as below:

White
Background

DANGER
SHOOTING RANGE
NO ENTRY

“Danger”
MUST be **RED**
other wording
may be **RED** or
Black

6.4 FLAGS

Flags must be clearly identifiable and bright red in colour. Flags will be a minimum 90 centimetres in height by 120 centimetres in length.

6.5

All flags must be flying whilst shooting is in progress. They are lowered when firing ceases and removed completely when the range is closed to shooting.

6.6

Generally, each range area must have a minimum of one flag at the entrance to the “Range Proper” and one at the “Backstop” end, if applicable. Individual considerations for other locations may be required depending on surrounding or adjoining properties.

Date: 3rd August 2021
Phone: (03) 6398 7000
Your Ref:
Our Ref:



ABN 91 628 769 359

Head Office:
Level 1, 99 Bathurst Street
Hobart TAS 7000
GPO Box 207
Hobart TAS 7001

Perth:
15960 Midland Highway
Perth TAS 7300
sttas.com.au

Secretary of Kentish Rifle Club INC
PO Box 2086, Spreyton, Tasmania, 7310

Edmund Stewart,

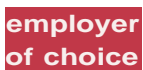
Sustainable Timber Tasmania (STT) is pleased to provide support for the proposed Kentish Rifle Club Inc. located in Permanent Timber Production Zoned land adjacent to Maggs Road PID 3392724.

Approval for the development will be subject to completion of a Forest Activity Assessment which will identify specific conditions required to manage impacts of the range and successful negotiation of a lease for the land.

Yours Sincerely


Type text here

Stephen Rymer
Regional Manager (North)



Page 1 of 1

TASMANIA POLICE

Operations Support / Firearms Services

GPO Box 308 HOBART TAS 7001
Phone (03) 6173 2720 Fax (03) 6230 2765
Email firearms.services@police.tas.gov.au
Web www.dpem.tas.gov.au www.police.tas.gov.au



Your Ref: A21/228506

Our Ref: PD

2 November 2021

Mr Edmund STEWART
264 Palooka Road,
PALOOKA TAS 7310

Dear Mr Stewart

APPLICATION FOR RANGE APPROVAL

Thank you for your enquiry to establish a new closed range under the name Kentish Rifle Club.

I wish to express that Firearms Services (FAS) gives "In principle" support to your project as described by the information supplied by Mr David Eyles from TasTAFE, at Maggs Mountain, Mersey Forest. This is not a Range Approval or a guarantee that the range can be approved.

I can indicate that the information supplied by Mr Eyles is that a range in the area could be constructed as to comply with *Section 151* of the *Firearms Act 1996*.

Please note that the development of this range appears to be a significant project and FAS cannot control outside influences on relevant legislation or policy.

I am aware that you will be seeking relevant council approvals prior to a formal application for a Range inspection and approval. I have included an application form that should be completed if council approval is granted, and prior to commencing construction. Please note that the application fee for this approval is \$105.60 (concession \$84.48) which is payable on application and can be submitted at any *Service Tasmania* outlet.

We look forward to working with you as you progress establishment of your new Range.

Sgt Paul Devine will be the contact in relation to the range and is happy to liaise with you directly regarding the ongoing matters relating to your application.

Yours sincerely

Kerry Shepherd
Manager | Firearms Services

From: "John Borojevic" [REDACTED]
Sent: Mon, 29 Nov 2021 16:47:34 +1100
To: "Planning @ Meander Valley Council" <planning@mvc.tas.gov.au>
Cc: "Meander Valley Council Email" <mail@mvc.tas.gov.au>
Subject: Maggs Hill Rifle Range Objection PA\22\0116 - 29 Nov 2021.pdf
Attachments: Maggs Hill Rifle Range Objection PA 22 0116 - 29 Nov 2021.pdf

Please find attached an Objection in relation to the development applications for PA\22\0116 - Rifle Range at Maggs Hill Rd.

Regards

John B

--

John Borojevic
[REDACTED]

29 Nov 2021

General Manager
Meander Valley Council
PO Box 102
Westbury 7303

Email: planning@mvc.tas.gov.au

Re: PA\ 22\0116 - Application by Kentish Rifle Club for Firing Range and Associated Developments, Maggs Hill Rd, Mersey Forest

I am writing regarding the above development proposal as someone who regularly uses the Mersey Whitewater Forest reserve for recreational and competition paddling, often camping in the area either beside the river or staying at Arm River Camp. As a member of the paddling community have a direct interest in this development application.

The proposed Rifle Range is adjacent to the Mersey Whitewater Forest Reserve, which is a heavily used recreational area for whitewater canoeing, kayaking and rafting. It is also in close proximity to the Arm River Camp, a facility heavily used by paddling, school and related groups for accommodation whilst using the Reserve.

Significantly, the rifle range Firing Line is less than 2km from the Mersey River between Rowallan and Parangana Dams, and as shown in the development application, both a significant section of the river and the Mersey Forest Rd are within their 2km "Sound Attenuation Zone". Arm River Camp is roughly 2.5km from the Firing Line as is the significant day use picnic area which is the site of major canoeing competitions including State and National and International Championship events and regular National team training (approx. 2.2kms). The Mersey is used year-round for recreational paddling, school camps and club activities, either formal or informal, most weeks of the year.

My objections to the proposal are:

- **Noise and loss of amenity due to rifle fire.** High powered, long range rifles such as will be used at this location will be heard many kilometres away in the right conditions, and the natural amphitheatre of the Mersey Valley at this location will amplify rifle fire from up in the ranges. Development of a Rifle Range is inappropriate in such proximity to a recreational area for canoeing and camping and other nature-based pursuits. Noise pollution from the firing is incompatible with a nature reserve. I have been present when shooters have been active in the ranges (presumably using much smaller bore, lower powered rifles) and their shots are clearly audible for a significant distance. This will adversely impact on local and tourist use of the area and their reasons for visiting the Reserve and its surrounds.
- **Wildlife Impacts.** The Reserve, and adjacent forests and ranges, has significant rare and endangered wildlife, including Wedge Tailed Eagles regularly spotted on the thermals above Maggs Hill. Rifle fire will undoubtedly adversely impact on this iconic and endangered bird which is under pressure from numerous other developments, including land-clearing and wind farm developments, and sadly - shooting. The state

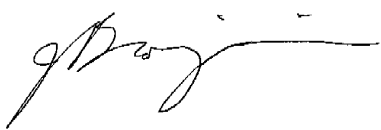
cannot afford to lose any breeding pairs and this development risks just that – disrupting breeding and driving Eagles away.

- **Lead Contamination.** Discarded projectile casings contain a range of contaminants including Lead. These contaminants will accumulate over time, potentially being ingested by native animals to their detriment, or entering the water catchment with further adverse effects.
- **Bushfire Risk.** There is evidence that rifle fire has caused bushfires in the past through sparks from bullets hitting rocks. This area is a bushfire zone with the added hazard of their only being one easily accessible access road in and out – Mersey Forest Road. The increased risk of a bushfire from shooting activities in summer significantly increases the risk for all other users in the area including Lee's Paddocks, Walls of Jerusalem National Park and the Mersey Whitewater Forest Reserve. It also poses an increased risk to flora, fauna and the natural values of the area including the adjacent state reserves and National Parks.

In addition to the above, there is also no pressing need for this development. Rifle shooters have ready access to an existing long-range shooting facility in Campbell Town, run by the state rifle body – the Tasmanian Rifle Association: <https://tasrifle.org.au/>. The Campbell Town facility is for “*long range target rifle shooters with a home rifle range at Campbell Town Tasmania, where we can shoot at distances from 300 yards and up to 1500 yards.*” The Campbelltown facility is less than 90 minutes drive from Kentish and TasRifle promote the facility as readily accessible to shooters from across the state as it is “*...Right in the Middle.*”

In summary, as a member of the Tasmanian paddling community who regularly uses the reserve adjacent to and overlaid by the sound attenuation zone of this proposal, I oppose the development of the Rifle Range on Maggs Hill Rd, Mersey Forest and requests that the Council refuse to grant a permit in respect of this development application.

Yours sincerely,



John Borojević



From: [REDACTED]
Sent: Mon, 29 Nov 2021 16:14:52 +1100
To: "Planning @ Meander Valley Council" <planning@mvc.tas.gov.au>
Subject: PA 22/0116 - Rifle Range on Maggs Mountain - representation - corrected 2nd time (sorry)
Attachments: 20211129 - Rifle Range on Maggs Mountain PA 22-0116 - Jean Symes representation - corrected.docx

I'm so sorry – this should be the absolute final versions. I had left the old date and application number at the top of the last version. Someone just reminded me.

Would you please replace the last 2 versions with this one, and I'll leave you in peace!

Thanks,
 Jean

From: [REDACTED]
Sent: Monday, 29 November 2021 3:54 PM
To: planning@mvc.tas.gov.au
Subject: PA 22/0116 - Rifle Range on Maggs Mountain - representation - corrected

My apologies. I discovered an old paragraph I needed to delete complaining about lack of detail! (from the last round)

Could you please use this representation instead of the last one?

Many thanks,
 Jean

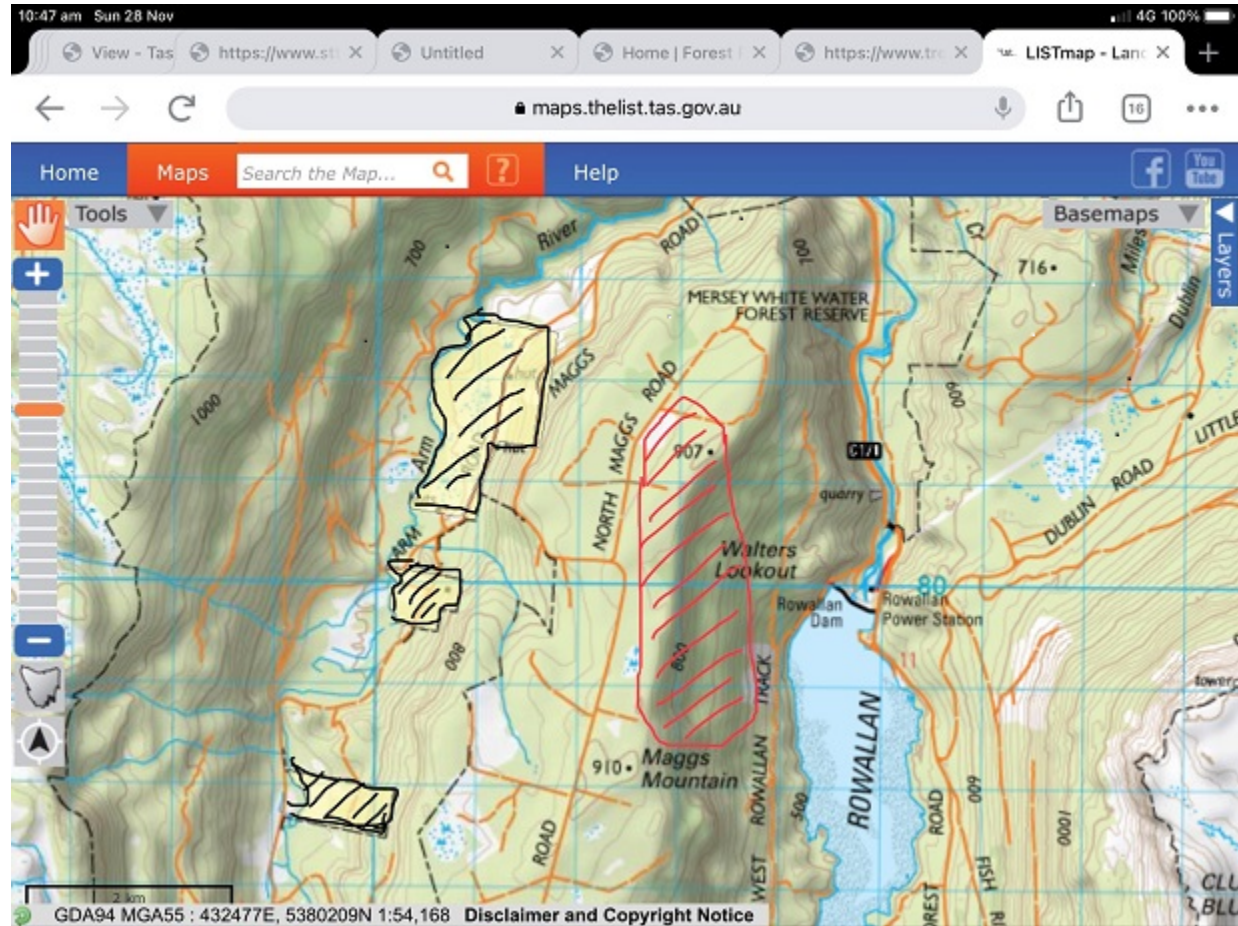
From: Jean Symes [REDACTED]
Sent: Monday, 29 November 2021 3:09 PM
To: planning@mvc.tas.gov.au
Cc: Wayne.johnston@mvc.tas.gov.au (Mayor); 'Michael Kelly' <Michael.Kelly@mvc.tas.gov.au>; 'Deborah White' <Deborah.White@mvc.tas.gov.au>; 'Michal Frydrych' <Michal.Frydrych@mvc.tas.gov.au>; 'Rodney Synfield' <Rodney.Synfield@mvc.tas.gov.au>; 'Tanya King' <Tanya.King@mvc.tas.gov.au>; 'Andrew Sherriff' <Andrew.Sherriff@mvc.tas.gov.au>; 'John Temple' <John.Temple@mvc.tas.gov.au>; 'Stephanie Cameron' <Stephanie.Cameron@mvc.tas.gov.au>
Subject: PA 22/0116 - Rifle Range on Maggs Mountain - representation

Dear Planning Department,

Please find attached my objection to the proposed rifle range on Maggs Mountain. Sorry it's so long (20 pages with pictures!) but I feel very strongly about this.

Thank you for considering my comments.

Jean Symes



Sketch showing proposed rifle range (red) and private properties (black)

Mr John Jordan
General Manager
Meander Valley Council
26 Lyall Street
Westbury Tasmania 7303
mail@mvc.tas.gov.au

28 November 2021

Dear Mr Jordan,

Re: Kentish Rifle Club Inc PA/22/0116 – Rifle Range on Maggs Mountain

I would like to provide comments in opposition to the proposed rifle range at Maggs Mountain.

I am the owner of the two northern properties in the Arm valley, an area of 400 acres, adjoining the forestry land on which the rifle range is proposed. My land lies on both sides of the road up Maggs Mountain and includes a Heritage listed snaring hut, one of four huts on this sub-alpine property. The area is so remote, and so quiet that there is no mobile coverage in the area to call for help, until you drive 20 km back towards Mole Creek on the only access road.

We stay at our huts for recreation, management of the property and preservation of the heritage building. When we are not at the huts, we leave one of them unlocked so passers-by can stay there. The logbook shows many records of people taking emergency shelter there, in snowstorms, when the road was blocked by a fallen tree, and when camping gear got wet. And a number of regulars just come up to enjoy the quietness.

We also have an agreement with local friends that they can use a second hut and they spend a lot of time there with four-wheeler bikes. Some years we agist cattle on the plain, continuing a long-term traditional use. We get very great enjoyment in this serene bush setting, and we manage it so others can share in the amenity of the area. To date, we have felt safe there.

The first I heard about the proposal was when I received Council's letter with the application showing an exclusion zone over most of my property, but without identifying it as private land. In fact, the map in the application is quite misleading. It does not show any private properties in the area. This is most curious, for an actual Planning Application where full disclosure is usually required, and where representers should be properly informed about the application.

The applicants have not made any contact with the adjacent landowners even during 12 months of their discussions with others. It is quite disturbing that a club proposing a rifle range in a remote location is unwilling to communicate with the people who will be significantly impacted by their activities, even when phone numbers are readily available on signs at the huts. It rings alarms for how future conflicts between the rifle range and other users in the area would be managed. The Victorian EPA guideline for new shooting ranges states, "Applicants should take a pro-active attitude towards seeking community input before and after submitting a proposal."

The rifle club say they want to grow this range into one that will attract state, national and international competitions. This would distort the area from a quiet sub-alpine natural valley into a hub for shooting, but with no services. The firing line would be about 1,200 metres from my land, and 1,800 metres from the hut where I spend most nights there. When driving to the proposed site the road loops back on itself so the proximity to the valley and huts is not obvious.

This proposal is shocking to most of us who use the area. Most of the people who find it acceptable are club members and their friends. It is a very divisive application. It would destroy the tranquility of the valley and our ability to enjoy the place, people and wildlife in the way we and our families have done for many years.

My comments below relate directly to the Meander Valley Planning Scheme (Scheme) as well as to broader issues. Having read through the Scheme, my interpretation is that due to a lack of information provided in the application from the Kentish Rifle Club, and the activity itself, there is a lack of compliance. The relevant scheme sections have been pasted into the boxes.

1. Does not comply with Application Requirements

In Section 6.1.2 Application Requirements, items (a), (b), (d) and (e) have not been met in the advertised application. There is no signed application form, no written permission and declaration of notification required under s.52 of the Act, no copy of the current certificate of title for all land to which the permit sought relates and no full description of the proposed use or development.

6.1.2 Application Requirements

An application must include:

- (a) a signed application form;
- (b) any written permission and declaration of notification required under s.52 of the Act and, if any delegate, a copy of the delegation;
- (d) a copy of the current certificate of title for all land to which the permit sought is to relate, including the title plan; and
- (e) a full description of the proposed use or development.

Specifically:

- There is no signature on the application
- There is no delegation from Sustainable Timbers Tasmania
- There is no certificate of title covering the lease area
- The operational information does not include:
 - the extent and design of the exclusion fence and the secure gates – for assessment of impact on wildlife movement.
 - the extent of vegetation clearing for access, car park, toilets, firing line and firing lane, other than the words ‘very little’.
 - whether individuals would be permitted to shoot outside the club events listed in the application.
 - whether ‘club days’ mean one day only or take place on both weekend days (given that State Club days are two days).
 - whether any participants would remain on site outside operating hours (eg overnight).
 - whether the operating hours are 9.00 am to 4.00 pm or between sunrise and sunset. Both are stated.
 - whether shooting would also take place on special days like Christmas, Easter, Anzac Day and how often on Sundays.

- accurate reference points on the map that indicates the proposed boundaries and firing line, target and butt stop - for proper assessment of the Attenuation Zone, overlays and Codes.
- a properly drawn 2 km Attenuation Zone 'measured as the shortest distance from the boundary of the site' - not a circle around the firing line and not implying it is only about sound.
- plan and elevations for the firing lane, target area and butt stop mound (was in previous application)
- sewerage and drainage plans
- Neither of the maps provided shows any of the private properties adjoining the STT land. This is particularly important when considering use and impacts.
- It may be that STT and Police Firearms were shown these maps and not made aware of the proximity of private properties when they provided letters of in-principle support. This is not clear in the application or the letters.
- There is no information about potential impacts on multiple other uses and very significant outdoor recreational activity in the area.
- There is no information about impacts on environmental aspects such as wildlife movement, activity, nesting etc.
- There is no information regarding noise emissions from the specific centrefire and rimfire rifles and no data or measurements showing attenuation across key points in the landscape, given the very significant points of tourism and active recreation in the area as well as school camps and frequently occupied huts.
- There is no information on risk management for this discretionary use in a remote setting – including bushfire evacuation and medical emergency.
- The landslip code that is shown within the proposed boundaries is not addressed.

2. Does not comply with Rural Zone Purpose

The proposal is not compliant with Rural Zone Purpose 20.1 (d). It does not minimise adverse impacts on surrounding uses. Instead, the noise of firearms, vehicles, vegetation management and construction of the range has the potential to change the amenity of the of the existing environment and significantly increase the noise level and disturbance above the existing natural background noise which is minimal.

The proposal is not compliant with Rural Zone Purpose 20.1.3. The scale of the use is not appropriate for this very quiet rural bush location and it would compromise the wilderness, family and social focus of landowners and other users spending time in the area.

20.1 Rural Zone Purpose

The purpose of the Rural Zone is:

20.1.1 To provide for a range of use or development in a rural location:

(d) minimises adverse impacts on surrounding uses.

20.1.3 To ensure that use or development is of a scale and intensity that is appropriate for a rural location and does not compromise the function of surrounding settlements.

Specifically:

- The application does not identify the different types of users in the area, nor have the proponents made any effort to consult with them regarding the impacts of the proposed rifle range on their activities.
- By shooting from a mountain top, the rifle range would broadcast the sound of gunfire across the landscape in all directions. This is far from minimising adverse impacts.
- The noise from gun fire, vehicles and power tools on top of the mountain has the potential to change the amenity and enjoyment for existing users.
- For some people, the awareness of firearms being used in the vicinity and being carried in vehicles could also heighten anxiety and undermine relaxation. This may have greatest impact for those with children and for people recovering from past trauma.
- For those seeking nature for their mental health, the day long pounding of rifle fire would be an adverse impact.
- The scale and intensity of the rifle range operations would exceed what is reasonable in a natural environment like this.
- The noise of high-powered firearms in this environment is way out of scale with the surroundings and the other activities and uses.
- It is especially out of scale given the extreme quietness of the valleys, where you can hear currawongs calling to each other across kilometres down the valleys.
- The application says nothing about noise, but this is one of the key aspects of this proposal that is most out of place in this setting.
- The Victorian Guidelines for Noise from Outdoor Shooting Ranges measures noise acceptability as the difference between background noise and emitted noise. They recommend for daytime if less than one day shooting per week, the noise level is the higher of the background sound level plus 10 dB, or 55 dB Monday to Saturday, less on Sundays.
- This proposal is not for an average rifle range. It is for extremely loud, high-powered centrefire and rimfire rifles over distances up to 1000 m. Earmuffs are mandatory. The noise on firing is around 160 decibels – that’s louder than standing beside a fighter jet taking off (150) or beside a fireworks launch site (145dB) or directly below thunder.
- The noise from these rifles would be broadcast from a mountain top and reverberate off the lake and around valley walls on all sides. According to the proponents, the top of the mountain has few trees, so their claims that the rifle noise will be buffered by trees is unconvincing.
- An NRA shooter in a US chat group says, “Generally a .308 rifle report can be heard between two and ten miles away depending on conditions.” That’s 3 to 16 kilometres.
- There should be independent trials carried out to measure the actual noise levels at key locations across the two valleys and neighbouring mountains like Mt Pillinger, Clumner Bluff and the February Plains.

- In open air, the rifle sound at 2km would be 85 to 105 decibels or more depending on conditions. 85 dB is like being 1 metre from a lawnmower, and 105 dB is like 1 metre from a chainsaw.
- Four huts and the roads to popular bushwalks, to Lake Rowallan and to properties further up the valley are all less than 2 km from the firing line. Many more popular areas are within the Attenuation Zone measured from the boundaries of the proposed rifle range.
- That is very loud for quiet rural valleys, lakes and mountains where people go to enjoy the tranquility and sounds of nature. And very unnerving if it happens unpredictably after the usual silence of the area.
- The whole area becomes busier and more populated on weekends with many people seeking a bush escape then, both in the huts and cabins and in self-sufficient sleeping arrangements.
- Club events are proposed for 60% of weekends, some of them multi-day events. But this is when most people are in the area for the wilderness experience. To have a 60% chance of having rifle fire interrupt your weekend peace is out of scale with the desire for quietness by other users.
- And 60% of weekends doesn't include informal practise or pre-competition familiarisation, which are not part of 'club events.' The actual scale could be much greater than the club events listed. It is an unacceptable invasion of the social and recreation time of other users.
- The amount of traffic on the local roads would be way out of proportion as well. Currently there are whole days when there may be only 1 or 2 vehicles going up Maggs Road. This would increase to 40 to 90 vehicle trips up and down the road per day.
- The local roads are narrow, steep, gravel and unprotected from the steep mountain drop off. They just cope with the very small number of vehicles currently using them, but this sudden increase in traffic would probably exceed their capacity. It would also increase the risk of accident. The proposed vehicle movements are disproportionate for the forestry roads.

3. Does not meet objective for Rural Zone Discretionary Use

- In terms of Council's discretionary use, I find that the proposal does not meet standard 20.3.1 (d) for the same reasons above. I contend that the nature of the proposal and the noise it will generate does compromise the amenity of the surrounding area and how people derive social benefits and wellbeing from their uses.
- Six huts and land under active management are located within the attenuation zone and this does not meet the acceptable solution.

20.3.1 Rural Zone Discretionary Use

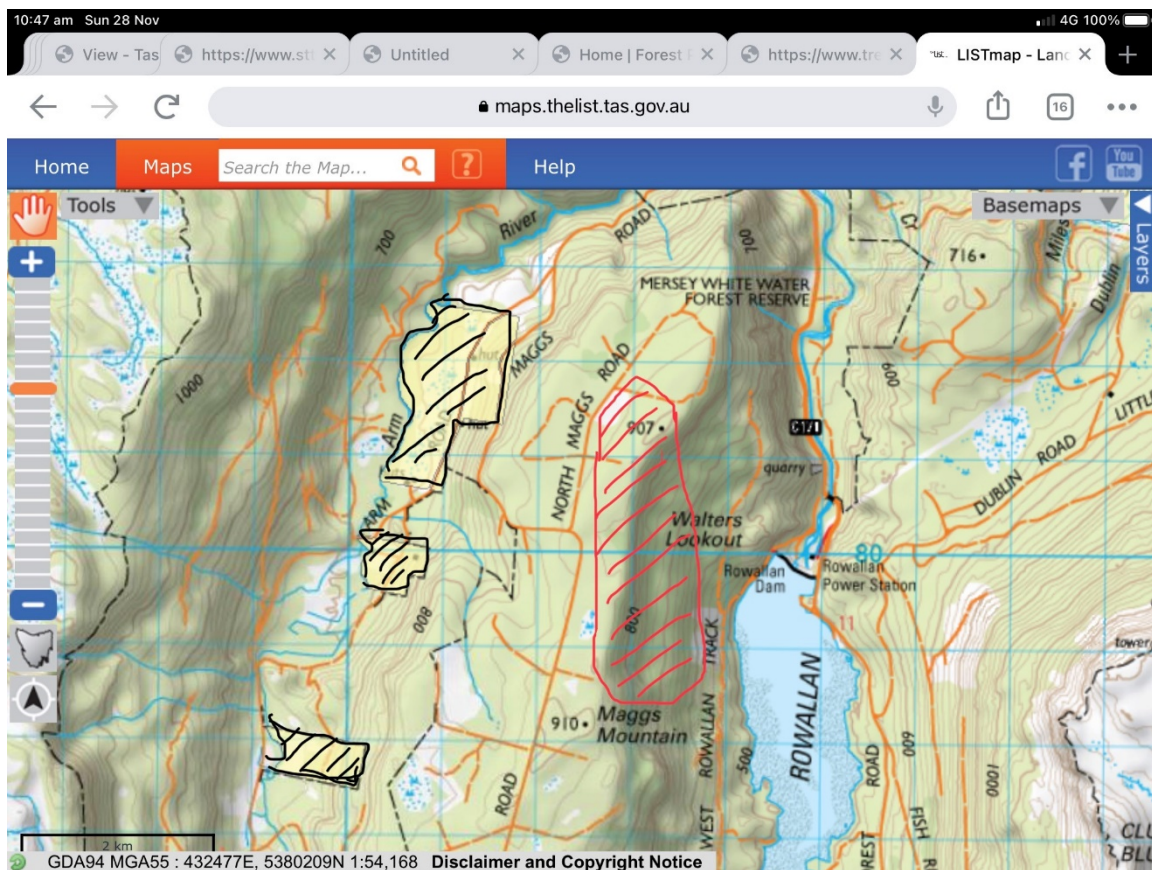
Objective

That the location, scale and intensity of a use listed as Discretionary:

(d) is appropriate for a rural location and does not compromise the function of surrounding settlements.

Specifically:

- The requirement for an Attenuation Zone for a rifle range is a strong indication that there will be an impact on surrounding uses.
- This is an area of special beauty and meaning for the Tasmanian community. People travel there for outdoor courses, white water activities, fishing, bushwalking, camping, mountain bike riding, and heritage horse rides and exploration.
- Enjoyment of all of these activities is likely to be significantly affected by unreasonably loud and intrusive rifle fire and they may even feel some concern for their own safety especially with children around.
- To be at a hut 1800 m from the firing line of a high-powered rifle range would be utterly devastating for me and others who spend time there. Every shot would remind you of your vulnerability. There would be entire days and weekends when we could no longer enjoy the peace of the valley.
- At night there would be increased concern about vehicles driving around and whether they have firearms, and as a result, more police callouts.
- Locals might be afraid to raise concerns about the range with club members and would rely more on law enforcement to do this.
- School groups at the Arm River Education Centre would have added hurdles and barriers getting approval from parents and schools to bring children into the area.
- The proximity of a rifle range further up the same road and vehicles with carrying firearms driving past the Education Centre to get to the range is also not conducive to the safety and wellbeing of children and others who stay there.
- Outdoor trainers use Maggs Mountain for some of their navigation and bushcraft training. They have been shocked to hear that they might have sent their students across a shooting range. They question why they didn't hear about this proposal.
- We agist cattle on the property some years and have problems locating them if they are alarmed by unnatural and unexpected events. They can bolt into inaccessible or boggy areas where they are difficult to retrieve. If this proved a problem we would have to stop agisting.
- Helicopter flights use the nearby helipad for provisioning of the private huts on the Overland Track and their flight paths and safety could be affected by this use. The proposed firing lane is oriented towards the helipad 8.5 km south towards the Overland Track.
- Up to now we have stayed at our huts with family and friends to enjoy the peaceful amenity. Watching wildlife is a major part of our use of the land, and the enjoyment expressed by our visitors and we worry that wildlife will move away from the mountain because of the regular disturbance.



Sketch to show relative positions of rifle range (red) and private properties (black)

4. Does not meet Performance Criterion P1 for Rural Zone Discretionary Use

The application cannot meet the performance criterion Rural Zone Discretionary Use 20.3.1 P1 shown below because the proposal has (b) no importance or significance for the immediate local community. The use could require infrastructure such as suitable roads, mobile reception, ready access to emergency services such as ambulance and firefighting but the location proposed has none of these.

20.3.1 - P1

A use listed as Discretionary, excluding Residential, must require a rural location for operational reasons, having regard to:

- (a) the nature, scale and intensity of the use;
- (b) the importance or significance of the proposed use for the local community;
- (c) whether the use requires close proximity to infrastructure or natural resources

Specifically:

- Rifle ranges do not require remote bush settings. In fact remoteness is more likely to increase risks and add to objections than to solve them. Trying to find a hidden location to avoid objections should be balanced against the need for a location with adequate infrastructure and road access for this type of use.

- This is a large firing range, but not so large that Maggs Mountain is the only place it could be located. It could be established in an area that is less focused on nature tourism and less popular for active recreation.
- Maggs Mountain is not 'vacant' and waiting for someone to do something with it. It is valued, used and loved. There is a community around it.
- A rifle club could choose another location. They don't need Maggs Mountain specifically. But we can't move our history, our connection to place, our huts anywhere else.
- This is not a use that the local community and the large number of other users want. A rifle range in such a beautiful and special sub-alpine Tasmanian landscape is not a use that you would consider important unless you were affiliated with the rifle club.
- Most members of the local community do not belong to the rifle club and are not linked to this proposal. It does not hold any significance except for its unsuitability and undesirability.
- The applicants have not consulted with most of the local community. This suggests to me that they might have been expecting a negative response. This is far from the community seeing a big rifle range as important or significant.
- The location chosen does not offer the infrastructure that you would think a rifle range needs. There is only one road access, and it is a dead-end road, narrow, gravel, and steep sided and exposed going up the mountain. There is no mobile reception and no ready access to ambulance and firefighting services.
- I believe there are increased risks when vehicles carrying firearms drive too far into the hills near sparsely inhabited areas to be practically supported by emergency services, and or monitored.
- I do not think a rifle range should not be so remote that risks associated with it are increased rather than reduced by the remoteness.

5. Does not meet Performance Criterion P2 for Rural Zone Discretionary Use

With respect to Discretionary Use 20.3.1 P2 (a), the proposal nominates an Attenuation Zone within which there are six huts. The use as a rifle range will confine and restrain existing use on adjoining properties in regard to the location of the proposed use. Again, there scale and intensity of the proposed use is disproportionate to other uses in the area and likely to impact them.

20.3.1 - P2

A use listed as Discretionary must not confine or restrain existing use on adjoining properties, having regard to:

- (a) the location of the proposed use.
- (b) the nature, scale and intensity of the use.
- (c) the likelihood and nature of any adverse impacts on adjoining uses.

Specifically:

- A number of points made in section 3 above apply here as well.

- Our huts are all less than 2 km from the firing line. At 2 km distance the noise could be 85 to 105 decibels, could be more coming from a mountain top and reverberating off the lake and around valley walls.
- Being so close to the firing line of a high-powered rifle range with the obvious sounds of gun fire would be utterly devastating for me and would affect what I do and when I stay at my hut.
- I spend long hours clearing thistles and other weeds on my land and enjoying the natural sounds. If firing is going on up the hill, I would not want to do this work.
- We agist cattle on the property some years and have problems locating them if they are alarmed by unnatural and unexpected events. They can bolt into inaccessible or boggy areas where they are difficult to retrieve. If this proved a problem we would have to stop agisting.
- There would be days when we could no longer enjoy peaceful afternoons in this superb and tranquil setting.
- At night there would be a reduced sense of safety with vehicles driving around and whether they have firearms. There may be times when we feel the need to call the police if vehicles are driving around for long periods and we think they may have firearms.
- We often drive up Maggs at night to spot wildlife but if there's a risk someone is there late, we wouldn't want to drive past up towards a dead end.
- There is a beautiful cool, moist fern fairyland above Maggs Road on our property which is like a refreshing garden to enjoy on hot summer days. Nearby there is also a wonderful house site from which the view includes Mt Pelion East and the Du Cane Range. We plan to build a more comfortable house on this site but if the range goes ahead the firing line would be just 1 km from this elevated part of our land and the sound of shooting would be impossibly loud. The rifle range would restrain our use of the land for a comfortable home.
- We love the birds and wildlife that are supported by the natural ambience of the area, and this is a major part of our use of the land, and the enjoyment expressed by our visitors. The presence of rare birds and timid animals is likely to be affected by having an area where there are regular periods of very loud shooting and lots more traffic movement.
- This is an area of special beauty and meaning for the Tasmanian community. People travel there for outdoor courses, white water activities, fishing, bushwalking, camping, mountain bike riding, and heritage horse rides and exploration, much of it on land adjoining the STT land around the lease site. A very loud activity like this could scare away people seeking outdoor experiences for recreation and relaxation.
- Meander Valley Council's Strategic Outcome 2.4 is not consistent with this proposal if tourists and locals stay away because of the change in environment and amenity – to achieve "A high level of recognition and demand for Great Western Tiers products and experiences."
- School groups at the Arm River Education Centre would have added hurdles and barriers getting approval from parents and schools to bring children into the area.
- The proximity of a rifle range further up the same road and vehicles with carrying firearms driving past the Education Centre to get to the range is also not conducive to the safety and wellbeing of children and others who stay there.
- Outdoor trainers use Maggs Mountain for some of their navigation and bushcraft training. They have been shocked to hear that they might have sent their students across a shooting range. They question why they didn't hear about this proposal.
- Helicopter flights use the nearby helipad for provisioning of the private huts on the Overland Track and their flight paths and safety could be affected by this use. The proposed firing lane is oriented towards the helipad 8.5 km south towards the Overland Track.

- Up to now we have stayed at our huts with family and friends to enjoy the peaceful amenity. Watching wildlife is a major part of our use of the land, and the enjoyment expressed by our visitors and we worry that wildlife will move away from the mountain because of the regular disturbance.
- When we are not at our main hut, we leave it unlocked so passers-by can stay if they need to. The logbook shows records of people taking emergency shelter there, in snowstorms, when the road was blocked by a fallen tree, and when camping gear got wet.
- In an atmosphere of many more people looking around the valley for longer periods of time, and some carrying firearms in their vehicles, I would no longer want to take the risk of people on my property being involved in any undesired exchanges. I would lock up this much used and much appreciated hut.
- We had planned to restore the heritage hut on the plain and open it to visitors. However this would not work in a landscape with thumping firing up the hill. We may not proceed with the plan to share this history.
- This impact on the amenity of the area around the heritage hut is not consistent with Meander Valley Council's Strategic Outcome 1.3 "The natural, cultural and built heritage of Meander Valley is protected and maintained."

6. Does not meet Performance Criterion P4 for Rural Zone Discretionary Use

In regard to Discretionary Use 20.3.1 P4, I would argue that the use will distort the existing activity of the area (b), that there is no information on traffic use at all on what is largely a steep single lane gravel road with a sheer drop on one side (d), and that there is no information on (e) the noise impacts at all, although the selected location, at the summit of Mount Maggs, would not minimise noise impacts as the sound of firing is likely to reverberate down into adjacent valleys.

Further to point (d), I note in a Facebook post by the Kentish Rifle Club, that they intend to hold national and international competitions at the site. What this means for intensity of use and traffic numbers has not been outlined.

20.3.1 - P4

A use listed as Discretionary, excluding Residential, must be appropriate for a rural location, having regard to:

- (a) the nature, scale and intensity of the proposed use.
- (b) whether the use will compromise or distort the activity centre hierarchy.
- (d) the capacity of the local road network to accommodate the traffic generated by the use; and
- (e) whether the use requires a local location to minimise impacts from the use, such as noise, dust and lighting.

Specifically:

- Regarding the disproportionate scale of the rifle range activity in the area, a number of comments from above apply to these performance criteria.
- Club events are proposed for 60% of weekends, some of them multi-day events. But this is when most people are in the area for the wilderness experience. To have a 60% chance of having rifle fire interrupt your weekend peace is out of scale with the desire for quietness by other users.

- And 60% of weekends doesn't include informal practise or pre-competition familiarisation, which are not part of 'club events.' The actual scale could be much greater than the club events listed. It is an unacceptable invasion of the social and recreation time of other users.
- Just because there is not a dense settlement nearby should not mean that those people who have properties and spend time in the valleys have to put up with impacts that would be unacceptable in a residential location.
- Why are people who spend time in bush settings supposed to tolerate this sort of impact more than people in closer residential communities. Is our health and wellbeing less important?
- The road up Maggs Mountain passes through my land. It is narrow, steep, gravel and unprotected from the steep mountain drop off. It has very limited capacity for increased numbers of vehicles.
- The huge landslip across Maggs Road in 2016 made the road inaccessible for months, and Forestry considered re-routing it lower down the mountain, across more of our land. With an increase in traffic there may also be a need for additional road works to reduce the risk of landslide.
- There is only one road up the mountain to access the proposed range and it is a dead-end road after another 10 km south. There is no alternative exit route.
- The amount of traffic on the local roads would be way out of proportion as well. Currently there are whole days when there may be only 1 or 2 vehicles going up Maggs Road. This would increase to 40 to 90 vehicle trips up and down the road per day.
- It would also increase the risk of accident. The proposed vehicle movements are disproportionate for the forestry roads.
- The rifle club say they want to grow this range into one that will attract state, national and international competitions. This would distort the area from a quiet sub-alpine natural valley into a hub for shooting, but with no services.
- The rifle range proposal may start small but the ambition to grow big will mean many more people coming up into the Mersey State Forests, with increased requirements for facilities, sewerage management and emergency services. And it would increase the risk of fire spreading into nearby parks and reserves.
- Far from requiring a remote area because of the noise problem with rifle shooting, the proposal creates more problems by choosing a location that is too remote and not at all suited to this type of activity or to the scale of the proposed future growth.
- The areas impacted by activities at the range are not just the Walls of Jerusalem and Overland Track. Other significant destinations that are much closer include the Mersey and Clumner Bluffs, Mt Pillinger, the Arm River Track, the hut walks on the February Plains.

7. Insufficient information relating to the Attenuation Code

The Attenuation Code C9.0 aims to reduce adverse impacts on sensitive uses from emissions such as noise. As set out in Attenuation Code 9.0-9.3 with regard to attenuation distances,

The application does not show the Attenuation Zone drawn 2 km out from its boundaries. The circle drawn from the firing line is misleading.

C9.1 Attenuation Code Purpose

The purpose of the Attenuation Code is: C 9.1.1 To minimise adverse impacts on the health, safety and amenity of sensitive use from activities which have the potential to cause emissions.	
attenuation distance	means the distance listed in Tables C9.1 and C9.2 for the relevant activity measured as the shortest distance from the boundary of the site on which the activity is located.
ATTENUATION DISTANCES	TABLE C9.1
Shooting range The conduct of facilities for outdoor shooting competitions, practice or instruction – emissions such as noise.	2,000m

Specifically:

- If the attenuation distance for a shooting range is 2000 m from the boundary of the site, then I question whether it has been drawn correctly in the application.
- Instead of being a circle from one central point, shouldn't it be measured from the boundary, out by 2000 m in all directions? This would expand the attenuation area from what has been presented and change its shape so it includes other private properties in the valley besides my own.

8. Use does not meet Performance Criteria under Attenuation Code

Furthermore, in Attenuation Code C 9.5.1, P1 (a), the attenuation area includes two huts, as per page four of the application, as well as a large area of land used for pleasure and recreation, however this has not been addressed as per the requirements of the performance criteria. It is unreasonable that the existing amenity and function of private land of the area is potentially lost. The huts and surrounds (sensitive uses) in this valley are all existing sensitive uses. Noise impacts, at a minimum, may result in loss of amenity and function. How these properties can be used and protected from the Rifle club activities is unknown. It is deemed unreasonable that the behaviour and function of an existing sensitive use has to be modified by a new activity.

C9.5.1 Activities with potential to cause emissions

P1

An activity listed in Table C9.1 . . . must not cause;

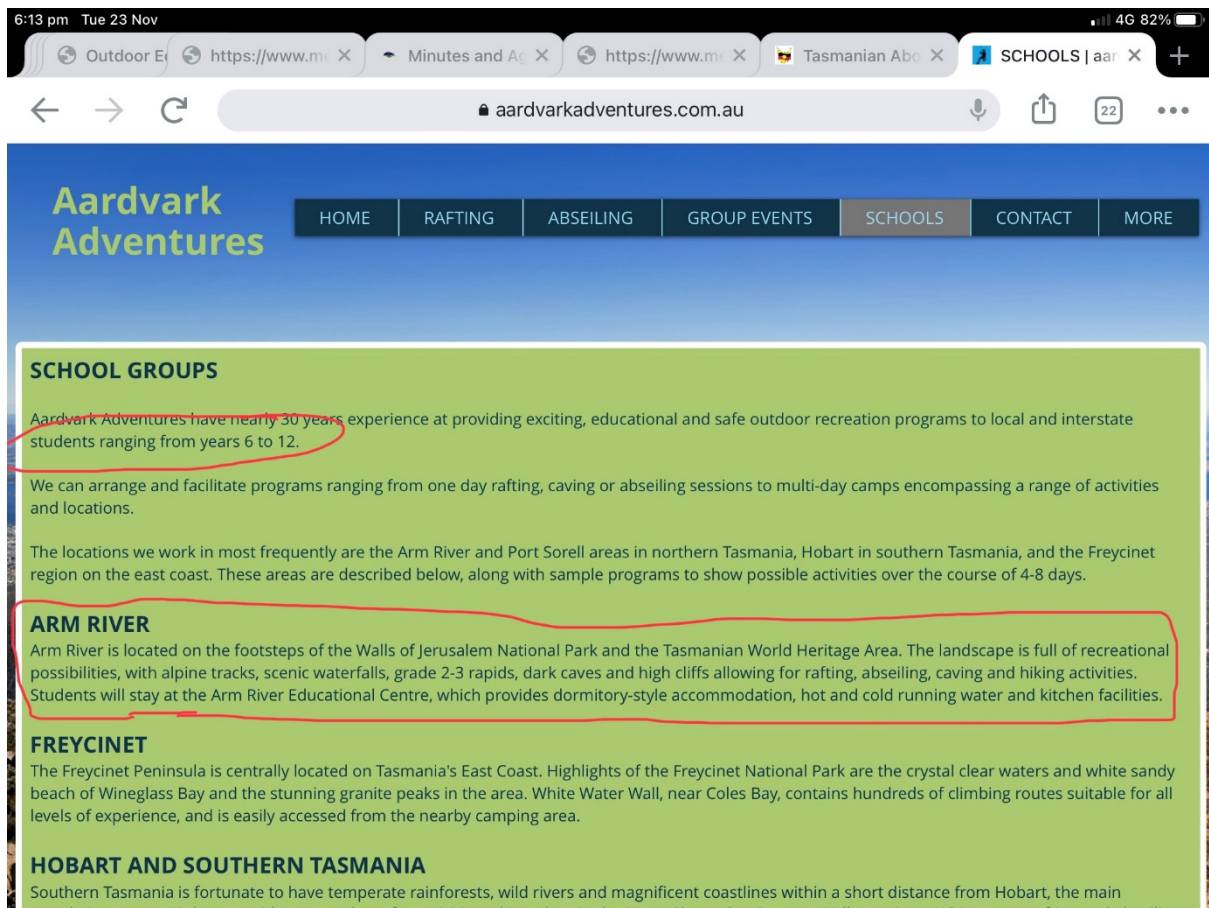
(a) an unreasonable loss of amenity or unreasonable impacts on health and safety of a sensitive use which is existing, or has a planning permit;

Specifically:

- This is not a residential area, but that doesn't mean it is not highly used and valued for its amenity and used in sensitive ways. The area hosts a wide range of uses across its two valleys, mountains, bluffs, plateaus, lake and rivers.

- It has a special place and meaning for locals and tourists and is much more significant than just an area for rural activities.
- The question arose in the previous rifle range application whether any use in the adjacent area is recognised as sensitive use.
- I thank the MVC consultant Planner for explaining to me that the Planning Scheme does not define what proportion of time an area needs to be occupied in order to be recognised as sensitive use. In the absence of a definition, it does not make sense to set the bar at 100% rate of occupation.
- I have had discussions with others and they advise me that use of shacks is accepted to be a sensitive use. There are a number of huts in the area and all are well used.
- None of the private land could be described as 'vacant'.
- The area is unusual because instead of a permanent town or village, there are a significant number of people in the area at any time but mostly staying in self-sufficient accommodation, like caravans, huts, tents and cabins.
- It seems unduly narrow to exclude consideration of noise and amenity for all those people who spend whole days and longer in the Attenuation Zone, but for recreation and not for domestic purposes. Especially when the number of users is quite large, and many of them are school children.
- If sensitive use is not accepted here, then the intention of the Attenuation Zone, to consider the impacts of a specific activity on adjacent uses, is not met. It implies that the health and safety of people spending extended times in the upper Mersey don't matter and don't need to be taken into account.
- If sensitive use is acknowledged then some of the points about noise, amenity and safety in the sections above apply here too.
- Personally, I could not cope with the sound of shots as loud as a lawnmower or chainsaw sounding across the quiet rural valleys, lakes and mountains. It would ruin my use of the area for recharging and revitalizing.
- My friend is a veteran, other veteran friends come to stay as well. I notice that they sometimes go silent and turn inwards on hearing the helicopter flights to the Overland Track. He is particularly sensitive to sudden noises.
- The sound of ongoing rifle fire on more than half the weekends would affect them even more. It can be random and unpredictable and would be very unnerving against the background of birdsong and silence. They would feel helpless amidst the noise of firing.
- The constant startle of rifle fire is not conducive to mental health or wellbeing. It would also scare children and dogs and increase levels of anxiety and unease generally.
- The main risks to human health and safety include bushfire, personal injury and vehicle accidents. For the last 20 km there is only one road in. For the last 9 km it is narrow, gravel, steep with a steep drop-off in places, and prone to fallen trees, snow and landslip. It is not conducive to a fast evacuation or rescue.
- There is no mobile reception for 20 km making calls to emergency services slow. There is no firefighting equipment in the area, nor any large reserves of water other than Lake Rowallan. Some risks are increased by remoteness, not reduced by it.
- We love the birds and wildlife that are supported by the natural ambience of the area, and this is a major part of our use of the land, and the enjoyment expressed by our visitors. The presence of rare birds and timid animals could be affected by having an area where there are regular periods of very loud shooting and lots more traffic movement.

- Relaxation and enjoyment of the ambience would be seriously compromised, and we could even feel some concern for our own safety especially with children around.
- At night there would be increased concern about our safety with more vehicles driving around and uncertainty whether they have firearms.
- School groups and outdoor activity courses use the Arm River Educational Centre as a base and move to different parts of the landscape for different training and activities. Some track finding and navigation training is carried out on the Maggs Mountain plateau and sides.
- For school groups and others staying at the Education Centre, the proximity of a rifle range further up the same road and vehicles with firearms driving past the Centre to get to the range is also not conducive to the safety and wellbeing of children and others who stay there.
- Here are examples of regular and week-long use by school groups:



Hutchins School trip report

Year 10 Outdoor Education White Water Camp



The second group in packrafts with Mr John Braid (Whitewater Instructor), Mr Daniel Blake and Mr Mark Oates (Senior Whitewater Instructor) started on the Forth River Whitewater Course which provided an excellent initial training venue. After camping there the night they then headed to the Arm River to practice swimming and wading techniques as they explored the area around Arm River Falls. That afternoon students and staff walked for two hours with all their camping and packrafting gear into Lees Paddocks above Lake Rowallan. The final day involved paddling the upper Mersey and negotiating three large waterfalls which they portaged around. Experiences such as these provide an incredible opportunity for our students to learn more about Tasmania, themselves, their peers and also staff. Although these adventurous activities may appear to be high risk, the students learn how to manage these risks and hazards appropriately and safely. This is ultimately a highly valuable skill for our teenage students.

9. Use does not meet Performance Criteria for Bushfire-prone area

In regard to Hazardous Use in a Bushfire-prone area this proposal is for use of high-powered firearms and ammunition in an area with a bushfire overlay. I consider that the application does not meet P1 (a) there is no overriding benefit to the community as noted in section 4 above. There is no information whether (b) alternative locations have been fully explored and there is no information provided on (c) emergency management strategy and bushfire management plan.

Purpose C 13.1

The purpose of the Bushfire-Prone Areas Code is:

C 13.1.1 To ensure that use and development is appropriately designed, located, serviced and constructed to reduce the risk to human life and property, and the cost to the community caused by bushfires.

C 13.2.1 This code applies to:

- (c) A use, on land that is located within, or partially within, a bushfire-prone area, that is a vulnerable use or hazardous use

C 13.5.2 Hazardous uses

Objective

That hazardous uses can only be located on land within a bushfire-prone area where tolerable risks are achieved through mitigation measures that take into account the specific characteristics of both the hazardous use and the bushfire hazard.

P1

A Hazardous use must only be located in a bushfire-prone area if a tolerable risk from bushfire can be achieved and maintained, having regard to:

- (a) Whether there is an overriding benefit to the community
- (b) Whether there is no suitable alternative lower risk site;
- (c) The emergency management strategy (hazardous use) and bushfire management plan

Specifically:

- The proposed location on a remote vegetated mountain top with only one exit road does not reduce the risk of harm to humans and property from bushfire caused by human recreation, particularly when emergency services cannot quickly reach the location.
- At present there is no proposal to store ammunition on site. But ammunition will be used on site and it is by definition an agent of ignition.
- The application for the rifle range states the current use is cleared forest and notes several previous fires have burnt some tree stumps. Clearly the area is subject to bushfire naturally.
- In addition, there are examples of rifle bullets ricocheting and sparking off hard objects and causing bushfires in Australia and overseas.
- A study reported in Wildfire Today (5 December 2013) reported that lead-core copper bullets caused ignition.
- The proposal does not identify what materials the targets and their supports will be made from. Or what types of ammunition will be used (also important for considering lead contamination below).
- Apart from the use as a rifle range, we could expect the occasional cigarette or BBQ to be lit at the range, especially if shooting continues all day or at night, with added risk of fire spread.
- The area has native vegetation with tall trees towards the edges of the mountain top and a complex understorey. Some areas at the summit are very dry, while others are marshy. It is on top of a mountain that is subject to very strong winds from different directions and has no significant source of water for fighting a fire.
- There is no mobile coverage in the area to call for help, until you drive 20 km back towards Mole Creek.
- The road is subject to blockage from fallen trees and (being narrow) from vehicle obstruction.
- Given all the other factors that would make a bushfire difficult to contain and to escape from, this activity seems to increase the risk to humans from bushfire to an unreasonable level.

10. Use does not meet Performance Criteria for Landslip Hazard area

The application does not address C 15.6.1 Building and works within a landslip hazard area P1.1 (b) regarding protection measures are to minimise triggering a landslip event. Removal of water-absorbing and soil binding vegetation and undertaking levelling and mounding earthworks at the top of a hill with wet areas could increase water runoff down the mountain and trigger a landslip event.

The application does not meet P1.2 requiring a landslip report demonstrating that the works do not contribute to landslip on adjacent land.

P482 Tasmanian Planning Scheme

C15.2.1 This code applies to:

- (a) Use or development of land within a landslip hazard area; or
- (b) Use or development of land identified in a report, that is lodged with an application, or required in response to a request under section 54 of the Act, as having potential to cause or contribute to a landslip.

C15.2.2 The planning authority may only make a request under clause C15.2.1 (b) where it reasonably believes, based on information in its possession, that the use or development of land has the potential to cause or contribute to landslip.

P1.1

Building and works within a landslip hazard area must minimise the likelihood of triggering a landslip event and achieve and maintain a tolerable risk from landslip having regard to:

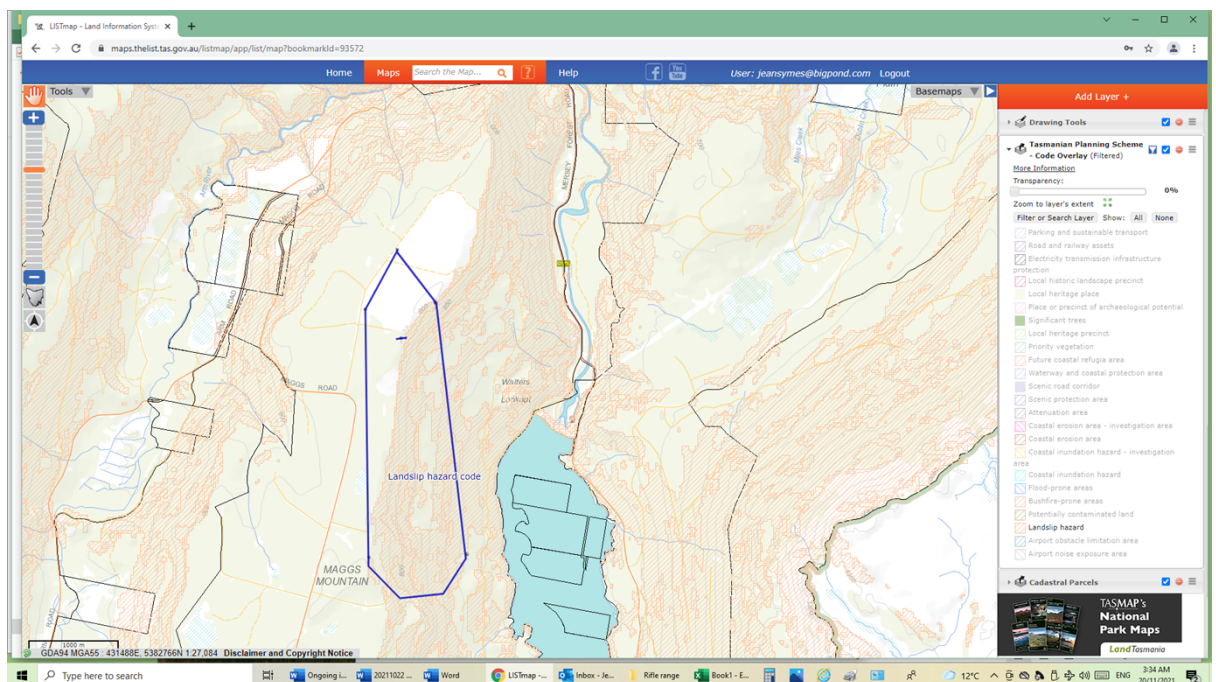
- (b) Whether any increase in the level of risk from a landslip requires any specific hazard reduction or protection measures

P1.2

A landslip hazard report also demonstrates that the buildings and works do not cause or contribute to landslip on the site, on adjacent land or public infrastructure.

Specifically:

- The boundaries of the proposed rifle range include substantial areas of Landslip Hazard according to the overlay.



- The landslip of 2016 was massive and took a year to clear before the road was accessible again. The Pelion Track access was closed for 2 years.

- The landslide occurred on the western slope of Maggs Mountain, a short distance north-west of the proposed rifle range, and I believe it was due to runoff from near the top of the mountain. Photos taken more than 2 years later are below.
- I understand the landslide risk is even greater on the eastern side of the mountain, where the boundary of the proposed rifle range covers a large area of the eastern slopes.
- If tree and scrub removal is proposed, as well as earthworks to flatten some of the rising slope to the summit in order to create an enormous embankment behind the targets, then this could lead to less water absorption and soil binding, and more runoff, increasing the risk of a landslide on the mountain.
- About 2,680 tonnes of soil would be excavated to flatten the firing path on top of Maggs Mountain to build the embankment. That's quite a lot of earthworks and removal of soil-binding vegetation for the top of a mountain prone to landslide.
- There is no mention of this major event, the Landslip Overlay or future risk or mitigation in the application, and no assessment by a professional.



Maggs Mountain west slope – landslide area 2018 after 26 months recovery



Maggs Road August 2018 – three years after landslip and two years after road clearing

11. Helicopter flight path

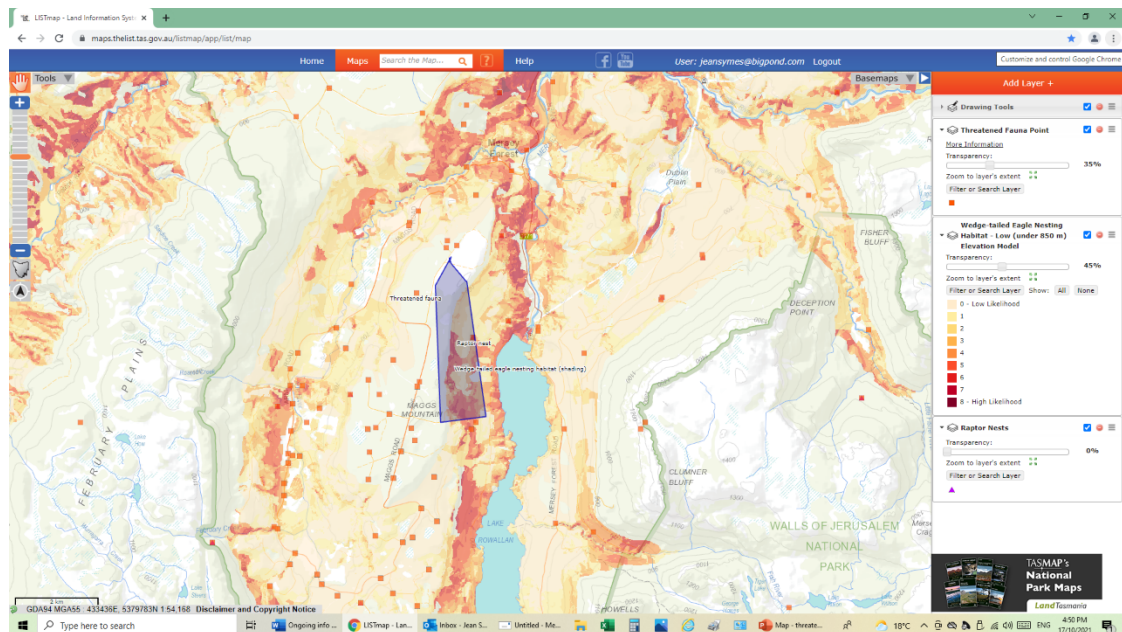
- In the previous application for this rifle range, an objection was lodged by the Tasmanian Walking Company which is among users of the helipad 8.5 km further up Maggs Road from the firing line (less than 5 from the boundary of the proposed range). They are one of the users of the helipad for maintenance and resupplying the Overland huts.
- Parks and Wildlife and the Tasmanian Fire Service also use the helipad.
- Could it be clarified how far from a flight path a rifle range can be, and what is the height of the danger zone above a rifle range of this type?
- Could I ask who considers aircraft safety near firing ranges, and how far skywards the danger zone extends for this rifle range?

12. Protection of threatened and endangered wildlife

- One purpose of the Natural Assets Code is “To manage impacts on threatened fauna species by minimising clearance of significant habitat.”
- The threatened species overlays (map below) show significant sightings and habitat on Maggs Mountain for fauna including Tasmanian Devils, spotted-tailed quolls, wedgetail eagles, white bellied sea eagle, masked owl and grey goshawk. One raptor sighting is right on the firing line.
- With the intention for the shooting range to grow in the future, it is likely that increasing traffic and hours of shooting, and risk of fire could have further impacts on local wildlife.
- There is no information in the application how these threatened species will be managed, or what impact shooting and any fencing would have on them. The plans show that exclusion

fencing will be installed but does not explain the extent and design of this and how wildlife that normally move across the area, or that become trapped inside, would be managed.

- Shooters have to wear eye and hearing protection. What impact does all this have on the variety of wildlife in the area?
- Doesn't Council have any role in application of the Threatened Species Protection Act 1995 and the Environmental Protection and Biodiversity Conservation Act 1999.
- Shouldn't Council consider protection of natural areas in scenic and tourist popular areas like this, where certain uses could have negative impacts on threatened fauna? Do we have to wait for species to become endangered before this can be taken into consideration?
- The vegetation communities on the mountain are in very prominent visual locations from a wide area around including tourist hotspots.



TheLIST Maps – Threatened Fauna, Raptor and Wedgetail Eagle sightings 18/10/2021

13. Metal contamination from firing activity

- One purpose of the Natural Assets Code is “To minimise impacts on water quality, natural assets including native riparian vegetation, river condition and the natural ecological function of watercourses, wetlands and lakes.”
- The application does not address the issue of lead contamination and whether lead core bullets will be permitted. The alternatives are steel and copper which pose higher risk for bushfire.
- It is easy to find the Victorian EPA Guide for managing contamination at shooting sites that addresses issues and impacts arising from use of lead shot.
- If the rifle range is proposed to host state and national competitions for 9 to 18 years, lead contamination should be addressed now.

- The US Environmental Protection Agency Guidelines states, 'One of the most important factors that influences lead degradation and migration is precipitation. Water, most often in the form of rain, provides the means by which lead is transported.'
- 'During and after periods of rain, stormwater runoff may wash lead particles or lead compounds off the range. If there are surface water bodies such as lakes, rivers or wetlands downgradient, the potential for lead to adversely affect the surrounding environment is even greater.'
- "The most important site selection criteria to consider when selecting a new range location include topography; surface water flow patterns; and depth to groundwater. If possible, ranges should be developed on flat terrain, as it facilitates reclamation and reduces the chance of off-site migration due to surface water runoff as compared with highly sloped terrain.
- Runoff from Maggs Mountain enters Lake Rowallan and the Mersey and Arm Rivers.

14. Compromising tourism and recreation values of the area

- There is little real consideration given to the concerns (raised during the previous application) by tourism businesses operating in the area with activities like canoeing, bushwalking and fishing.
- These contribute very strongly to Meander's economy and reputation. If Council doesn't protect the values that locals use for recreation and fitness, and tourists pay to see, who will?

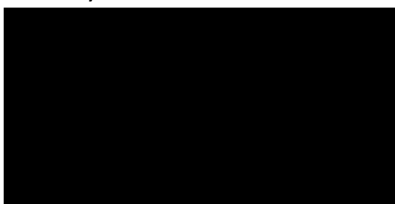
The Queensland Parks & Wildlife Service has published a policy regarding approval of shooting ranges on forestry land. It recommends early and ongoing consultation with local landowners and users. Through the whole year that the club has been working on their proposal they never once contacted the landowners. This raises concerns about how well any communication will be conducted if issues arise with neighbours during the life of the lease.

If council could look at the proposed application in light of these comments and how they relate to Council's strategic directions, its obligations under other Acts and to the Scheme, I would be most appreciative.

Thank you for your time,

Jean

Jean Symes



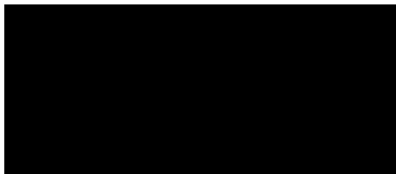
From: [REDACTED]
Sent: Mon, 29 Nov 2021 15:56:55 +1100
To: "Planning @ Meander Valley Council" <planning@mvc.tas.gov.au>
Subject: PA\22\0116 Kentish Rifle Club Proposed Development - Opposition to Proposal
Attachments: Rifle Range DA Maggs Hill - Opposition - 29-11-21.pdf

To The General Manager, Meander Valley Council.

Please find attached representation from Paddle Tasmania in relation to Application for a Development Permit PA\22\0116.

Regards

Brett Johnstone



This message is intended for the addressee named and may contain confidential and privileged information. If you are not the intended recipient please note that any form of distribution, copying or use of this communication or the information in it is strictly prohibited and may be unlawful. If you receive this message in error, please delete it and notify the sender.

29 November 2021

Paddle
Tasmania is
supported by



General Manager
Meander Valley Council
PO Box 102
Westbury 7303

Email: planning@mvc.tas.gov.au



Re: PA\22\0116 - Application by Kentish Rife Club for Firing Range and Associated developments, Maggs Hill Rd, Mersey Forest

I am writing on behalf of Paddle Tasmania regarding the above proposed rifle range. We **oppose** this proposed development on a number of grounds.



The proposed Rifle range is adjacent to the Mersey Whitewater Forest Reserve, a heavily used recreational area for whitewater canoeing, kayaking and rafting, and the associated Arm River Camp, a facility heavily used by paddling and related groups for accommodation whilst using the Reserve.



Significantly the rifle range Firing Line is less than 2km from the river and as shown in the development application, both a significant section of the river and the Mersey Forest Rd is within their 2km "Sound Attenuation Zone". Arm River Camp is roughly 2.5km from the Firing Line as is the significant day use picnic area which is the site of major canoeing competitions including State and National Championships and National team training events (approx. 2.2kms). The Mersey is used year-round for recreational paddling, school camps and club activities either formal or informal most weeks of the year.



Development of a Rifle Range is inappropriate in such proximity to a recreational area for canoeing and camping and other nature-based pursuits. Noise pollution from the firing is incompatible with a nature reserve. High powered, long range rifles such as will be used at this location can be heard at times up to 5kms away in the right conditions, and the natural amphitheatre of the Mersey Valley at this location will amplify rifle fire from up in the ranges.

There is also potential lead pollution from lead-shot littering the ground entering the waterways that drain to the Mersey and the Forth catchments.

Importantly, the Reserve, and adjacent forests and ranges, has significant rare and endangered wildlife, including Wedge Tailed Eagles regularly spotted on the thermals above Maggs Hill. Rifle fire will undoubtedly adversely impact on this iconic and endangered bird which is under pressure from numerous other developments, including land-clearing and wind farm developments, and sadly - shooting. The state cannot afford to lose any breeding pairs and this development risks just that - disrupting breeding and driving Eagles away.

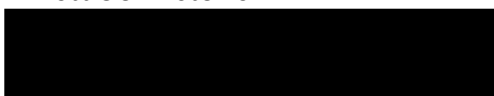
There is also no pressing need for this development. Rifle shooters have ready access to an existing facility in Campbell Town run by the state rifle body – the Tasmanian Rifle Association: <https://tasrifle.org.au/>. The Campbell Town facility is for “*long range target rifle shooters with a home rifle range at Campbell Town Tasmania, where we can shoot at distances from 300 yards and up to 1500 yards.*” The Campbelltown facility is less than 90 minutes drive from Kentish and TasRifle promote the facility as readily accessible to shooters from across the state as it is “*...Right in the Middle.*”

In summary, on behalf of our paddling community, Paddle Tasmania opposes the development of the rifle range on Maggs Hill Rd, Mersey Forest.

Yours sincerely,



Brett Johnstone



From: "Richard Roffe" [REDACTED]
Sent: Mon, 29 Nov 2021 14:03:40 +1100
To: "Planning @ Meander Valley Council" <planning@mvc.tas.gov.au>
Subject: Mags Mountain rifle range proposal

I am concerned about the following negative aspects of this proposal.

1. Noise impaction due to the use of high calibre wide bore rifles on recreational users nearby and wildlife. The noise of gunfire will disway bushwalkers, shack owners and tourists in general from visiting the area and surroundings.
2. The impact of fencing on wildlife movement and potential for injury.
3. The attenuation zone appears difficult to find and the very least seems too expansive. It requires careful consideration by council from a specialist consultant).
4. The proposal allows for extensive and frequent use of that area to a select few.

Yours Sincerely

Dr R J Roffe

From: "LindyJ" [REDACTED]
Sent: Mon, 29 Nov 2021 13:39:53 +1100
To: "Planning @ Meander Valley Council" <planning@mvc.tas.gov.au>
Subject: PA\22\0116 Kentish Rifle Club
Attachments: PA220116.docx
Importance: Normal

Dear Mr Jordan,
Please find attached our representation regarding PA\22\0116 Kentish Rifle Club.
Kind regards,
Lindy John and Georgina Howe.
[REDACTED]

Dear Mr Jordan and Whom it May Concern,

We are very concerned about the possibility of a high powered rifle range being sited on Maggs Mountain. We are owners of a property that adjoins the Sustainable Timbers land that is proposed for the range.

Our property has been in our family for over 100 years and is a place that we, our families and friends visit and stay at for recreation, relaxation and property upkeep many times a year. It is a beautiful, serene, quiet place bordered on one side by the Arm River and another side by Maggs Mountain where many weekends are spent camping, fishing and bushwalking.

We also all do a lot of camping and kayaking at Lake Rowallan nearby and bushwalking in the Maggs Mountain area and have done for many years. Will our weekends spent there in the future be spoiled by the constant noise of high powered rifle fire?

We are bemused and very concerned about the lack of consultation regarding the noise from high powered rifle fire that would occur from Maggs Mountain should a rifle range be placed in this most inappropriate location. Property owners have heard that the constant firing of high powered rifles all weekend every fortnight won't be audible from our properties. Are we expected to trust and believe this without evidence when other sources are telling us otherwise? We feel very disappointed about the local Arm Valley community not being consulted re this by the club and Sustainable Timbers Tasmania as neighbours, and wonder why not. I also wonder, that given the large amount of forestry land in the state, why a much more suitable and unobtrusive location, one further away from any private mountain huts or extensive recreational use, could not be found for a rifle range, and if not why not.

The constant and regular noise from relentless shots all weekend, even if not overly loud, will certainly be very unnerving, annoying and totally spoil our enjoyment of the area and the respective activities associated, things that we have been involved in and doing for many years. From experience at my place of residence, the constant all day barking of a dog 800 metres away is much more intolerable and disturbing than the much louder noise of the one next door who only barks for a short time a few times a day.

There is deep concern for the property and huts that are much closer to the proposed range and entrance road than ours, for all the reasons already mentioned as well as the security, safety and well-being of the owners and visitors.

We also feel that a rifle range as proposed would be disadvantageous to the current tourism generated and educational activities provided by the many organizations that have used the area for these many and varied learnings over many years. These activities along with the use of private property, fishing, camping, kayaking, bushwalking, wildlife observation and relaxation are indicative of the multitude of harmonious uses this area provides to its many visitors, activities that a high powered rifle range in close proximity would be very detrimental to.

The impact on sensitive wildlife has the potential to be extremely harmful, especially the wedge-tailed eagles we often see soaring around the area.

There is no clarification in the application on exactly where the proposed range boundaries lay, and where the attenuation zone is, or should be measured from.

We feel concerned and disappointed that the way the planning scheme is being interpreted appears to look after the interests of the proponents. Even discretionary use doesn't seem to mean discretionary at all, and we certainly regard the use of our property and surrounds as sensitive. Who looks out for the interests of the property owners/rate payers in the area affected?

Who will be responsible for future compliance if the range goes ahead especially considering its remote location? The application states there will be only 10-15 users on club days and 20-30 on state club days, however the applicant has stated publicly that the range will also be available to other shooting clubs that currently have around 100 members. Are practice days included in the fortnightly club days or are they additional? Will individual members be able to use the range for practise at any time?

We are certainly not against firearm ranges, but considering the existing community, and the long standing activities conducted within the area, the proposed location of this firing range is far from a suitable site for a high calibre rifle range, and will be very detrimental to existing users and uses of this remote area.

Being 4th generation owners we regard ourselves as caretakers of the traditions and history associated with our piece of the Arm Valley, hopefully for many future generations to come. The 6th generation is now starting to experience our special place.

Thank you for considering our concerns.

Yours sincerely,

Lindy John and Georgina Howe

From: "Calderwood, Thomas" [REDACTED]
Sent: Mon, 29 Nov 2021 13:32:38 +1100
To: "Wayne Johnston" <Wayne.Johnston@mvc.tas.gov.au>; "Michael Kelly" <Michael.Kelly@mvc.tas.gov.au>; "Deborah White" <Deborah.White@mvc.tas.gov.au>; "Michal Frydrych" <Michal.Frydrych@mvc.tas.gov.au>; "Rodney Synfield" <Rodney.Synfield@mvc.tas.gov.au>; "Tanya King" <Tanya.King@mvc.tas.gov.au>; "Andrew Sherriff" <Andrew.Sherriff@mvc.tas.gov.au>; "John Temple" <John.Temple@mvc.tas.gov.au>; "Stephanie Cameron" <Stephanie.Cameron@mvc.tas.gov.au>; "Planning @ Meander Valley Council" <planning@mvc.tas.gov.au>
Subject: Maggs Rd Rifle Range

Hello

This email is to express my views as a regular user of the Mersey River and Army River Camp with regards to the proposed rifle range. My background includes being a recreational shooter, a qualified range trace designer (Army) and an Outdoor Education professional. Hopefully you can see that my views take into account my background and I have some understanding of how different parties perceive this development.

My primary concern is with some of the planning detail lacking in the planning application with regards to the trace that is proposed. It is lacking key detail such as the calibre of rifles and quadrant elevation angles etc. This information is key to impacts on surrounding users of the area. I regularly use the area for both personal pursuits but also with School groups and on professional development courses.

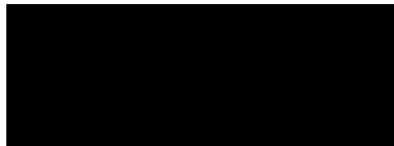
I am highly concerned with noise impacts when conducting outdoor activities in the area. While vegetation is one of the best methods for muffling noise, the numerous valleys will have a huge echoing effect. I know from experience a gunshot crack thump (the gunshot and then the bullet breaking the sound barrier) can be heard from a long distance, especially in hilly areas (such as maggs mt). An additional concern is the increased road user impacts and environmental impacts of a development such as this.

Please don't hear that I am against all such developments, but I wish to express that this particular development will impact on current users in the area and could best be situated elsewhere.

Thank you for your time



Thomas Calderwood
 Head of Bosco House



Guilford Young College acknowledges and pays respect to the original and ongoing custodians of the land. We acknowledge the continuing connection to land, seas, air and waterways and commit ourselves to the ongoing journey of reconciliation. We honour Elders, past, present and emerging.

From: "Linda McKenzie" [REDACTED]
Sent: Mon, 29 Nov 2021 12:28:58 +1100
To: "Planning @ Meander Valley Council" <planning@mvc.tas.gov.au>
Subject: Kentish Rifle Club Inc PA\22\0116
Attachments: doc06537220211129081107.pdf

Please see attached representation.

Regards

Linda McKenzie



Acting President: Linda McKenzie – [REDACTED]
Secretary: Linda McKenzie – [REDACTED]
Postal Address: [REDACTED]
Email: [REDACTED]

"a relaxed bushwalking Club for all"

26 November 2021

Mr John Jordan
General Manager
Meander Valley Council
P.O. Box 102
WESTBURY TAS 4303

Dear Mr Jordan

Re: Kentish Rifle Club Inc – PA\22\0016 Firing Range and Associated Development

On behalf of the Launceston Ramblers Club Inc, I wish to make written representation **against** this proposal which we believe is inappropriately located in close proximity of the Walls of Jerusalem National Park.

The Walls of Jerusalem National Park is located within the Tasmanian Wilderness World Heritage Area. It is an internationally renowned bushwalking destination, with walkers from all over the world travelling there to experience its wild, remote and fragile environment. It could reasonably be expected that the sound of rifle fire emanating from the proposed firing range will reach the national park, seriously impacting on walkers' quiet and peaceful enjoyment of this area.

Despite the planning scheme's absence of the consideration of noise for this proposal due to there being no sensitive uses in the proposed zone, it is incumbent on the Meander Valley Council both morally and ethically to prevent noise pollution from this development, ruining this iconic and priceless environment. It would be a "poor look" if Meander Valley Council failed to understand this social obligation. The destruction of such an iconic walking destination would have economic consequences for the municipality if walker numbers reduce as a result.

We sincerely hope that the Meander Valley Council will take these factors into consideration in determining the outcome of this application and that it does not proceed in the proposed location.

Yours faithfully
LAUNCESTON RAMBLERS CLUB INC

Linda McKenzie
SECRETARY/ACTING PRESIDENT

From: [REDACTED]
Sent: Mon, 29 Nov 2021 11:05:35 +1100
To: "Planning @ Meander Valley Council" <planning@mvc.tas.gov.au>
Subject: Fwd: FW:
Attachments: doc06537220211129081107.pdf

Attention: Mr John Jordan

Please see representation attached in relation to the Kentish Rifle Club Inc PA\22\0116.

Regards

Linda McKenzie

Secretary/Acting President

Launceston Ramblers Club Inc



Acting President: Linda McKenzie – [REDACTED]

Secretary: Linda McKenzie [REDACTED]

Postal Address: [REDACTED]

Email: [REDACTED]

"a relaxed bushwalking Club for all"

26 November 2021

Mr John Jordan
General Manager
Meander Valley Council
P.O. Box 102
WESTBURY TAS 4303

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Yours faithfully
LAUNCESTON RAMBLERS CLUB INC

Linda McKenzie
SECRETARY/ACTING PRESIDENT

From: "Luke Dimsey" [REDACTED]
Sent: Mon, 29 Nov 2021 12:12:39 +1100
To: "Wayne Johnston" <Wayne.Johnston@mvc.tas.gov.au>; "Michael Kelly" <Michael.Kelly@mvc.tas.gov.au>; "Deborah White" <Deborah.White@mvc.tas.gov.au>; "Michal Frydrych" <Michal.Frydrych@mvc.tas.gov.au>; "Rodney Synfield" <Rodney.Synfield@mvc.tas.gov.au>; "Tanya King" <Tanya.King@mvc.tas.gov.au>; "Andrew Sherriff" <Andrew.Sherriff@mvc.tas.gov.au>; "John Temple" <John.Temple@mvc.tas.gov.au>; "Stephanie Cameron" <Stephanie.Cameron@mvc.tas.gov.au>; "Planning @ Meander Valley Council" <planning@mvc.tas.gov.au>
Subject: Maggs Mountain

To the Planning Department and Councillors at the Meander Valley Council,

I write in reference to the proposed Rifle Range on Maggs Mountain (**P 22 / 0116**).

This proposal is of major concern to me as an outdoor education provider and adventure tourism business. We frequently use this area for multi-day training courses, adventure tourism, and outdoor education. Below is an overview of how the area and also Arm River Camp is used:

The training of outdoor professionals for adventure tourism and outdoor education which includes:

- Off-track navigation and guiding training
- Wilderness First Aid and Emergency Management training
- Training of guides for the interpretation of the natural and cultural environment
- White-water Rescue training
- Kayak Training
- Raft Guide training

This area is a very important training hub for Tasmania's adventure tourism industry and outdoor education system. We are frequently running courses involving the above mentioned activities throughout the year. Our training courses run over weekends and into weekdays. The proposed rifle range takes away some of these training opportunities and will have an impact on pretty much all the training activities we run. It becomes very difficult to espouse the natural and cultural values of an area when there is a rifle range on our doorstep.

Outdoor Education for multiple schools which includes the following activities :

- Bushwalking
- Mountain Biking
- Indigenous cultural awareness and training
- Rafting
- Kayaking

This area is used by my business when facilitating outdoor experiences for school students from a range of different schools across the state. Pre-covid, I have also run programs for mainland schools in this area. Depending on the school, these trips can run during the week and weekends. I feel very uneasy about the idea of having high powered rifles operating in this area with students close by. I also harbour concerns about the dichotomy of teaching school students about Tasmania's cultural and natural values whilst having the sound of gunshots echoing through the areas in which we are camping and learning.

Adventure Tourism

- We run rafting experiences for tourists in this area. This predominantly happens on weekends. Surely, it is evident that a high powered rifle range compromises the tourism and recreation values of this area. This is one of Tasmania's most popular and best paddling areas because of the water and the natural environment and a rifle range brings with it noise impacts and conflicts with the feeling of seclusion and connection with the natural space.

I have been made aware that the Rifle Club and the Council's consultant planner have made assertions that the noise will be buffered by trees, no one uses the area enough for the noise to matter, and that wildlife impact or lead contamination is not an important consideration under the planning scheme. As a commercial operator and outdoor educator I feel very differently about this.... and would argue the point that I have been using this area on a regular basis for the last 10 years and a rifle range would significantly impact all the training, tourism and outdoor education activities that we run in the area. You will also find as more schools become aware of what is proposed, there will be a growing chorus of concern around the proposal - this area has been an important part of Tasmanian outdoor education for many years. Assertions that the area is not used is inaccurate and evidence that existing operators, schools, clubs and trainers have not been consulted in the early stages of this process. There will also be significant wildlife impacts - at present there are a number of raptor nesting habitats all through this area which we often discuss and view as part of our guide training!

I hope this email conveys my concern and distress at the area being used for a rifle range. This would totally negate everything we have built upon from an adventure tourism and outdoor education perspective. I understand that the proponents are looking for a suitable site for their recreational activities but I cannot fathom how this area can be seriously considered for such, considering the important role it plays in Tasmania's outdoor education sector for school students, the training of adventure tourism guides and the experience it provides for both our domestic and international tourists.

I'm feeling rather distressed and disappointed that I have only learnt of this proposal very recently. I am happy to discuss the matter further, provide as much information as you need on how the area is currently being used and how a rifle range will negatively impact the long term users of this important place.

Yours Sincerely,
Dr Luke Dimsey

President of the Tasmanian University White Water Rafting Club

From: "Sam Cramer" [REDACTED]
Sent: Mon, 29 Nov 2021 12:09:53 +1100
To: "Planning @ Meander Valley Council" <planning@mvc.tas.gov.au>; "Wayne Johnston" <Wayne.Johnston@mvc.tas.gov.au>; "Michael Kelly" <Michael.Kelly@mvc.tas.gov.au>; "Deborah White" <Deborah.White@mvc.tas.gov.au>; "Michal Frydrych" <Michal.Frydrych@mvc.tas.gov.au>; "Rodney Synfield" <Rodney.Synfield@mvc.tas.gov.au>; "Tanya King" <Tanya.King@mvc.tas.gov.au>; "Andrew Sherriff" <Andrew.Sherriff@mvc.tas.gov.au>; "John Temple" <John.Temple@mvc.tas.gov.au>
Subject: Proposed Rifle Range on Maggs Mountain

To the Planning Department and Councillors at the Meander Valley Council,

I write in reference to the proposed Rifle Range on Maggs Mountain (**P 22 / 0116**).

As an Outdoor Education Teacher and the President of Outdoor Education Tasmania I am very concerned this proposal will affect not only the experience of the students from my College but all of the Outdoor Education programs across the state and those students that visit the region from interstate schools.

The Arm River Camp as well as the surrounding area is visited by our students for a wilderness experience, a place of beauty and adventure.
 The proposed rifle range is in direct conflict of those values and I implore you to reject this proposal.

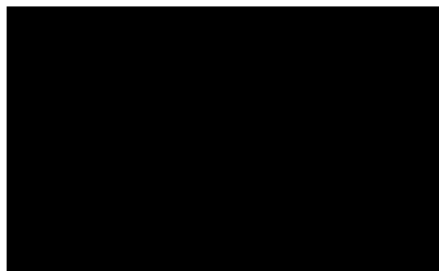
Your Sincerely,

Sam Cramer



Sam Cramer

Outdoor Education Coordinator



From: "Linda McKenzie" [REDACTED]
Sent: Mon, 29 Nov 2021 10:57:27 +1100
To: "Planning @ Meander Valley Council" <planning@mvc.tas.gov.au>
Subject: Kentish Rifle Club PA\22\0116 Representation
Attachments: R McKenzie representation.pdf

Attention: Mr John Jordan

Please see letter attached.

Regards

Rodney McKenzie

25th November 2021



Mr John Jordan
General Manager
Meander Valley Council
P.O. Box 102
WESTBURY TAS 7303

Dear Sir

Kentish Rifle Club Inc – PA\22\0116 Firing Range and associated development

I would like to oppose the above-mentioned application to develop a firing range and associated development proposed for North Maggs Road, Mersey Forest.

The reason for my objection is that this proposal is located in an area very close to the Walls of Jerusalem National Park and the associated noise pollution will impact on bushwalkers' enjoyment of that wilderness area, which is a legally protected UNESCO World Heritage Area.

The proposed facility will cater for all types of competition including international, so it is safe to assume it is not an insubstantial development. I also note that the operating hours are predominantly weekends, which happens to coincide with the majority of bushwalking activities. Shooting activities are expected to happen over thirty times (ergo weekends) a year, so over half of the weekends every year will be impacted.

Despite deficient planning requirements, the proponents have failed to proactively research and provide sound attenuation data to address any anticipated community resistance or provide assurance that their proposal will not damage the world-renowned Walls of Jerusalem National Park.

I therefore urge the Meander Valley Council to refuse this application on the basis that it is inconsistent with the preservation of the Walls of Jerusalem National Park Tasmanian World Heritage Wilderness Area and its users.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Rodney McKenzie', located below the 'Yours sincerely' text.

Rodney McKenzie

From: "Deb van Velzen" [REDACTED]
Sent: Mon, 29 Nov 2021 10:54:29 +1100
To: "Planning @ Meander Valley Council" <planning@mvc.tas.gov.au>
Cc: "Meander Valley Council Email" <mail@mvc.tas.gov.au>; "Wayne Johnston" <Wayne.Johnston@mvc.tas.gov.au>; "Michael Kelly" <Michael.Kelly@mvc.tas.gov.au>; "Deborah White" <Deborah.White@mvc.tas.gov.au>; "Michal Frydrych" <Michal.Frydrych@mvc.tas.gov.au>; "Rodney Synfield" <Rodney.Synfield@mvc.tas.gov.au>; "Tanya King" <Tanya.King@mvc.tas.gov.au>; "Andrew Sherriff" <Andrew.Sherriff@mvc.tas.gov.au>; "John Temple" <John.Temple@mvc.tas.gov.au>; "Stephanie Cameron" <Stephanie.Cameron@mvc.tas.gov.au>
Subject: Submission against proposal number P 22 / 0116

I do not support proposal P22/0116 that is currently being considered by the Meander Valley Council for a high powered rifle range on top of Maggs Mountain.

This proposal is asking for approval for a discretionary use. I urge decision-makers to side with caution given the number and range of issues being raised by various parts of the community, both from within the Meander Valley Council municipal area, and outside that region.

This area is remote, used for a wide variety of recreational activities which so far are complementary to having children, educational groups, groups, visitors, bushwalkers, fishers, canoeists and local families for example, all using the area at the same time. This means it is of high value as a long term, shared, multi-use area.

The attenuation zone of 2km around the proposed rifle range boundaries will affect a large part of where many users regularly are. This includes most of Lake Rowallan, the white water reserve, the Education Centre, the Arm Valley and parts of the road to the track to Mt Pillinger and Pelion Plains.

The area draws people from all over the state for the inherent value of the landscape, it's layered history, including it's history of wilderness and documented sightings of Thylacines. The number of people who use this place for it's quiet, tranquility, spaciousness from others is numerous, and quietly growing. For example, I have a friend who owns a property that has been passed down through many generations and retains the original family links. the current owner encourages others to visit and stay at the property. So I have visited and stayed for extended periods with the

owner, then returned and stayed with other friends, who have brought friends, etc. And so the circle of people who appreciate and use this area for significant blocks of time has widened over the years.

The 'Arm Track' into the Cradle Mountain National Park to Mt Pillinger and Pelion Plains is also important on a commercial basis. Bushwalking companies use it for movement of guides, equipment and guests in and out of the park. Their experience and comments have to date been very positive. I know of a group who walked this track in the last few weeks, a commercial company that walked three clients out on this track last week, and two groups planning a walk into the park on the Arm Track in the near future. If the area is impacted, such as through extremely loud gunshots from wide-bore guns, people could have negative experiences and memories. This sort of impression can travel very far and for long times through word of mouth and social media. Unfortunately this sort of commentary also usually can affect the whole area, not just the Arm Valley, but become part of what is talked about for that region, which could be off-putting for potential visitors. Also, it might reduce return visitors. For example, I have stayed in the Arm Valley and brought other friends with me, and used it as a base to visit the local attractions (gardens, caves, cafes) in the Mole Creek area. This would not be an attractive area to visit if the proposed rifle range impacted on the current inherent amenity of the Arm Valley.

I am reliably informed that the area is also an important habitat and haven for Wedgetail Eagles, masked owls, and other threatened species such as Tasmanian devils and quolls. The council need to take this into account in their deliberations, and not leave this to another jurisdiction. This habitat and the wildlife within it are within their planning zones, and are an important issue being raised in relation to a proposed change of use.

Firearm users are supported to practice their sport, but other sites should be considered instead of this one, given the impact this one group would have on a significant number of other users of the area. The proposal does not provide data to support their assertions that their activities will not affect anyone, and that the area is mostly unused. This is not my observation when I'm there.

Thank you for the opportunity to provide comments on this submission.

Deborah van Velzen



From: "clare sullivan" [REDACTED]
Sent: Mon, 29 Nov 2021 08:49:41 +1100
To: "Planning @ Meander Valley Council" <planning@mvc.tas.gov.au>; "Meander Valley Council Email" <mail@mvc.tas.gov.au>
Cc: "Wayne Johnston" <Wayne.Johnston@mvc.tas.gov.au>; "Michael Kelly" <Michael.Kelly@mvc.tas.gov.au>; "Deborah White" <Deborah.White@mvc.tas.gov.au>; "Michal Frydrych" <Michal.Frydrych@mvc.tas.gov.au>; "Rodney Synfield" <Rodney.Synfield@mvc.tas.gov.au>; "Tanya King" <Tanya.King@mvc.tas.gov.au>; "Andrew Sherriff" <Andrew.Sherriff@mvc.tas.gov.au>; "John Temple" <John.Temple@mvc.tas.gov.au>; "Stephanie Cameron" <Stephanie.Cameron@mvc.tas.gov.au>
Subject: Re: Proposed Rifle Range on Maggs Mountain

I am resending my letter of objection to the rifle range as I realise I did not include my address.
 Letter is below
 Clare Sullivan

[REDACTED]

On Sun, 28 Nov 2021 at 20:07, clare sullivan [REDACTED]

I write to express my concerns over the proposed rifle range on Maggs Mountain and request that permission not be given.

The proposed area is adjacent to, and will impact, a number of areas that are enjoyed by Tasmanians and visitors with a wide variety of interests. This includes the recreational areas of Lake Rowallan and the Upper Mersey and Arm river areas.

The logging of forest on Magg Mountain will impact the view from a variety of vantage points including National Park. This is contrary to efforts to support and build Tasmania as a place of beauty, it being one of few places with true wilderness.

Environmentally the rifle range will impact the nesting sites of Masked owls and Wedge tail eagles. In a world and state where species are declining, activities that threaten the natural world should not be expanded.

Finally, it can not be ignored that rifle ranges bring a risk of fire.

Please consider this short letter as a plea to not give approval to the rifle range.

Kind Regards
 Clare Sullivan

[REDACTED]

From: "clare sullivan" [REDACTED]
Sent: Sun, 28 Nov 2021 20:07:11 +1100
To: "Planning @ Meander Valley Council" <planning@mvc.tas.gov.au>; "Meander Valley Council Email" <mail@mvc.tas.gov.au>
Cc: "Wayne Johnston" <Wayne.Johnston@mvc.tas.gov.au>; "Michael Kelly" <Michael.Kelly@mvc.tas.gov.au>; "Deborah White" <Deborah.White@mvc.tas.gov.au>; "Michal Frydrych" <Michal.Frydrych@mvc.tas.gov.au>; "Rodney Synfield" <Rodney.Synfield@mvc.tas.gov.au>; "Tanya King" <Tanya.King@mvc.tas.gov.au>; "Andrew Sherriff" <Andrew.Sherriff@mvc.tas.gov.au>; "John Temple" <John.Temple@mvc.tas.gov.au>; "Stephanie Cameron" <Stephanie.Cameron@mvc.tas.gov.au>
Subject: Proposed Rifle Range on Maggs Mountain

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Finally, it can not be ignored that rifle ranges bring a risk of fire.

Please consider this short letter as a plea to not give approval to the rifle range.

Kind Regards
Clare Sullivan

[REDACTED]

From: "Todd Blackhall" [REDACTED]
Sent: Mon, 29 Nov 2021 07:14:07 +1100
To: "Wayne Johnston" <Wayne.Johnston@mvc.tas.gov.au>; "Michael Kelly" <Michael.Kelly@mvc.tas.gov.au>; "Deborah White" <Deborah.White@mvc.tas.gov.au>; "Michal Frydrych" <Michal.Frydrych@mvc.tas.gov.au>; "Rodney Synfield" <Rodney.Synfield@mvc.tas.gov.au>; "Tanya King" <Tanya.King@mvc.tas.gov.au>; "Andrew Sherriff" <Andrew.Sherriff@mvc.tas.gov.au>; "John Temple" <John.Temple@mvc.tas.gov.au>; "Stephanie Cameron" <Stephanie.Cameron@mvc.tas.gov.au>; "Planning @ Meander Valley Council" <planning@mvc.tas.gov.au>
Cc: [REDACTED]
Subject: Proposed Rifle Range on Maggs Mountain

Dear MVC Planners and Councillors,

I write in reference to the proposed Rifle Range on Maggs Mountain (**P 22 / 0116**).

As a leader of outdoor education at Collegiate and a member of the Outdoor Education Tasmania network I write to express concern regarding the proposal of a rifle range on Maggs Mountain. I have been visiting the area as a teacher and student since the mid-nineties.

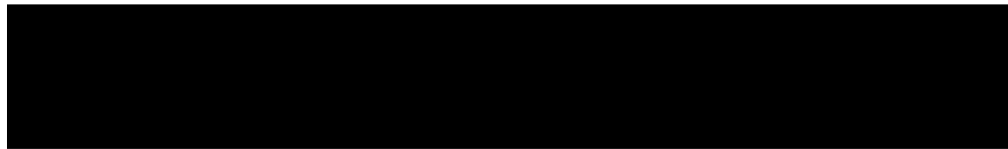
The ARM River Camp and associated camp sites along the Mersey have been long used as an outdoor classroom for both our students and students from across Tasmania. Whilst accessible by an excellent road system, it is in an area perceived as remote allowing students to learn, experience and enjoy Tasmania's wilderness. With convenient access to mountains, walking tracks, rivers it is so well located for education groups. I echo the comments of Nate from Wild Education Tasmania, and reiterate the following issues in brief;

- The challenge of multi group activity management, managing risk in an area where rifles are used, and communicating these with parents
- The potential inability to access the site because of this, thus removing a primary 'hub' of outdoor education
- The impact on cultural and natural habitats
- The unsettling noise of gun shots in a wilderness setting leading to the inability to connect with the place/nature
- That surely wildlife impact AND potential lead contamination is an important consideration
- The impact on businesses like Wild Education Tasmania
- The impact on community organisations such as Paddle Tasmania and bushwalking clubs.

Please add me to the list of concerned stake holders and feel free to contact me if you require any further information.

Kind Regards

Todd Blackhall
 [REDACTED]



The Christ College Trust trading as: St Michael's Collegiate School ABN 75 471 713 846. CRICOS Registration No. 00482K The contents of this email are confidential. Any unauthorised use of the contents is expressly prohibited. If you have received this email in error, please advise by telephone (reverse charges) immediately and then delete/destroy the email and any printed copies.

To the Planning Department and Councillors at the Meander Valley Council,

I write in reference to the proposed Rifle Range on Maggs Mountain (**P 22 / 0116**).

This proposal is of major concern to me as an outdoor education provider and adventure tourism business. We frequently use this area for multi-day training courses, adventure tourism and outdoor education. Below is an overview of how the area and also Arm River Camp is used:

The training of outdoor professionals for adventure tourism and outdoor education which includes:

- Off-track navigation and guiding training
- Wilderness First Aid and Emergency Management training
- Training of guides for the interpretation of the natural and cultural environment
- White-water Rescue training
- Kayak Training
- Raft Guide training

This area is a very important training hub for Tasmania's adventure tourism industry and outdoor education system. We are frequently running courses involving the above mentioned activities throughout the year. Our training courses run over weekends and into weekdays. The proposed rifle range takes away some of these training opportunities and will have an impact on pretty much all the training activities we run. It becomes very difficult to espouse the natural and cultural values of an area when there is a rifle range on our doorstep.

Outdoor Education for multiple schools which includes the following activities :

- Bushwalking
- Mountain Biking
- Indigenous cultural awareness and training
- Rafting
- Kayaking

This area is used by my business when facilitating outdoor experiences for school students from a range of different schools across the state. Pre-covid, I have also run programs for mainland schools in this area.

Depending on the school, these trips can run during the week and weekends. I feel very uneasy about the idea of having high powered rifles operating in this area with students close by. I also harbour concerns about the dichotomy of teaching school students about Tasmania's cultural and natural values whilst having the sound of gunshots echoing through the areas in which we are camping and learning.

Adventure Tourism

- We run rafting experiences for tourists in this area. This predominantly happens on weekends. Surely, it is evident that a high powered rifle range compromises the tourism and recreation values of this area. This is one of Tasmania's most popular and best paddling areas because of the water and the natural environment and a rifle range brings with it noise impacts and conflicts with the feeling of seclusion and connection with the natural space.

I have been made aware that the Rifle Club and the Council's consultant planner have made assertions that the noise will be buffered by trees, no one uses the area enough for the noise to matter, and that wildlife impact or lead contamination is not an important consideration under the planning scheme. As a commercial operator and outdoor educator I feel very differently about this.... and would argue the point that I have been using this area on a regular basis for the last 10 years and a rifle range would significantly impact all the training, tourism and outdoor education activities that we run in the area. You will also find as more schools become aware of what is proposed, there will be a growing chorus of concern around the proposal - this area has been an important part of Tasmanian outdoor education for many years. Assertions that the area is not used is inaccurate and evidence that existing operators, schools, clubs and trainers have not been consulted in the early stages of this process. There will also be significant wildlife impacts - at present there are a number of raptor nesting habitats all through this area which we often discuss and view as part of our guide training!

I hope this email conveys my concern and distress at the area being used for a rifle range. This would totally negate everything we have built upon from an adventure tourism and outdoor education perspective. I understand that the proponents are looking for a suitable site for their recreational activities but I cannot fathom how this area can be seriously considered for such, considering the important role it plays in Tasmania's outdoor education sector for school students, the training of adventure tourism guides and the experience it provides for both our domestic and international tourists.

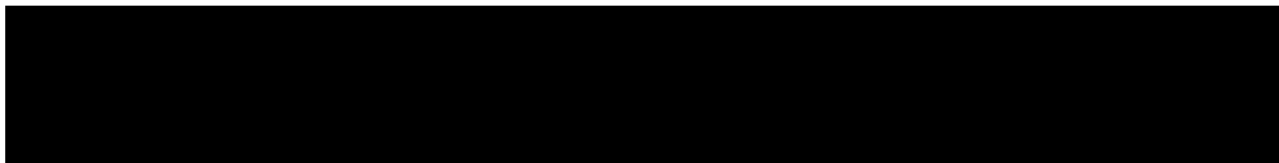
I'm feeling rather distressed and disappointed that I have only learnt of this proposal very recently. I am happy to discuss the matter further, provide as much information as you need on how the area is currently being used and how a rifle range will negatively impact the long term users of this important place.

Your Sincerely
Nate Welch

--

Nate and Steph

Wild Education Tasmania



From: "jessica howe" [REDACTED]
Sent: Mon, 29 Nov 2021 06:39:13 +1100
To: "Planning @ Meander Valley Council" <planning@mvc.tas.gov.au>
Subject: PA\22\0116

Re - Notification of Planning Approval by Kentish Rifle Club Inc. PA\22\0116

Dear Mr Jordon,

As family of an owner of property situated in the Arm Valley I am concerned about the possibility of a rifle range being situated nearby on Maggs Mountain.

I and my family spend many weekends and holidays camping, fishing, kayaking and bushwalking at the family property and the nearby Lake Rowallan and surrounding areas, and have done for over 30 years.

We most enjoy the privacy, quietness and wildlife that we experience and see when visiting the area and are worried that if we hear constant rifle fire and if there's a lot of excess traffic our weekends and holidays spent up there will be ruined, not only for us but also for the future generations that we hope to keep the traditional values and history of the area alive for.

Are there plans to upgrade the roads, especially around the Lake Parangana area should the rifle range go ahead to cope with an influx of traffic?

We are certainly not against rifle ranges but there must be a much more appropriate location to site one.

Yours sincerely,

Jessica Howe
[REDACTED]

From: "Rataj, Kaylah" [REDACTED]
Sent: Sun, 28 Nov 2021 23:05:26 +1100
To: "Wayne Johnston" <Wayne.Johnston@mvc.tas.gov.au>; "Michael Kelly" <Michael.Kelly@mvc.tas.gov.au>; "Deborah White" <Deborah.White@mvc.tas.gov.au>; "Michal Frydrych" <Michal.Frydrych@mvc.tas.gov.au>; "Rodney Synfield" <Rodney.Synfield@mvc.tas.gov.au>; "Tanya King" <Tanya.King@mvc.tas.gov.au>; "Andrew Sherriff" <Andrew.Sherriff@mvc.tas.gov.au>; "John Temple" <John.Temple@mvc.tas.gov.au>; "Stephanie Cameron" <Stephanie.Cameron@mvc.tas.gov.au>; "Planning @ Meander Valley Council" <planning@mvc.tas.gov.au>
Subject: Proposed Rifle Range on Maggs Mountain (P 22 / 0116).

To the Planning Department and Councillors at the Meander Valley Council,

I write in reference to the proposed Rifle Range on Maggs Mountain (**P 22 / 0116**).

This proposal is worrying to me as both an Outdoor Education Teacher and parent who uses the area. We use this area for multi-day camps and recreationally as a family.

Below is a short list of the many ways I have had the pleasure of using the Arm River Camp area personally:

- Off-track navigation as part of training and upskilling
- Wilderness First Aid and Emergency Management training
- White-water Rescue training
- Raft Guide training
- Camping and being outdoors

It would have quite an impact when connecting with nature if there is a rifle range within the immediate area.

As an Outdoor Education Teacher I have used the group with students for:

- Bushwalking
- Mountain Biking
- Indigenous cultural awareness
- Rafting
- Kayaking

Thank you for your time
 Kaylah Rataj

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The information in this transmission may be confidential and/or protected by legal professional privilege, and is intended only for the person or persons to whom it is addressed. If you are not such a person, you are warned that any disclosure, copying or dissemination of the information is unauthorised. If you have received the transmission in error, please immediately contact this office by telephone, fax or email, to inform us of the

From: "Nate Welch" [REDACTED]
Sent: Sun, 28 Nov 2021 21:40:34 +1100
To: "Wayne Johnston" <Wayne.Johnston@mvc.tas.gov.au>; "Michael Kelly" <Michael.Kelly@mvc.tas.gov.au>; "Deborah White" <Deborah.White@mvc.tas.gov.au>; "Michal Frydrych" <Michal.Frydrych@mvc.tas.gov.au>; "Rodney Synfield" <Rodney.Synfield@mvc.tas.gov.au>; "Tanya King" <Tanya.King@mvc.tas.gov.au>; "Andrew Sherriff" <Andrew.Sherriff@mvc.tas.gov.au>; "John Temple" <John.Temple@mvc.tas.gov.au>; "Stephanie Cameron" <Stephanie.Cameron@mvc.tas.gov.au>; "Planning @ Meander Valley Council" <planning@mvc.tas.gov.au>
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Adventure Tourism

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I have been made aware that the Rifle Club and the Council's consultant planner have made assertions that the noise will be buffered by trees, no one uses the area enough for the noise to matter, and that wildlife impact or lead contamination is not an important consideration under the planning scheme. As a commercial operator and outdoor educator I feel very differently about this.... and would argue the point that I have been using this area on a regular basis for the last 10 years and a rifle range would significantly impact all the training, tourism and outdoor education activities that we run in the area. You will also find as more schools become aware of what is proposed, there will be a growing chorus of concern around the proposal - this area has been an important part of Tasmanian outdoor education for many years. Assertions that the area is not used is inaccurate and evidence that existing operators, schools, clubs and trainers have not been consulted in the early stages of this process. There will also be significant wildlife impacts - at present there are a number of raptor nesting habitats all through this area which we often discuss and view as part of our guide training!

I hope this email conveys my concern and distress at the area being used for a rifle range. This would totally negate everything we have built upon from an adventure tourism and outdoor education perspective. I understand that the proponents are looking for a suitable site for their recreational activities but I cannot fathom how this area can be seriously considered for such, considering the important role it plays in Tasmania's outdoor education sector for school students, the training of adventure tourism guides and the experience it provides for both our domestic and international tourists.

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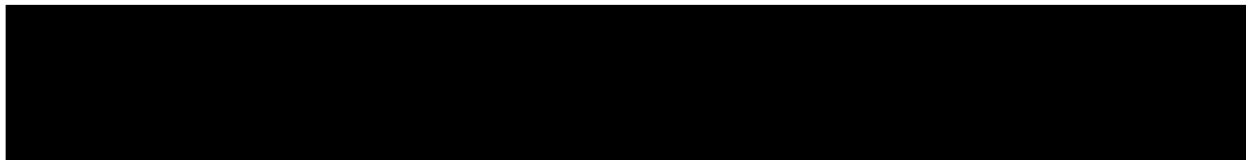
Your Sincerely

Nate Welch

--

Nate and Steph

Wild Education Tasmania



From: "John, Phillip" [REDACTED]
Sent: Sun, 28 Nov 2021 21:17:15 +1100
To: "Planning @ Meander Valley Council" <planning@mvc.tas.gov.au>
Subject: Representation for PA\22\0116
Attachments: Objection to PA220116 - .docx

Mr John Jordan General Manger
Meander Valley Council.

Dear John.

Please find attached my representation for PA\22\0116 being a proposed rifle range on Maggs Mountain.

Thank you.

Phillip John - [REDACTED]

CONFIDENTIALITY NOTICE AND DISCLAIMER

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Re Planning Application PA\22\0116

General Manager Meander Valley Council John Jordan

28 November 2021

Dear John.

I wish to voice my strong disapproval of and alarm at planning application PA/22/0116 (second application) lodged with Council by the Kentish Rifle Club Inc.

I wish to openly state that I am not opposed to the sport of rifle shooting, provided rifle ranges are situated in suitable locations where consultation with affected landowners and users in the area has taken place, a social license has been sought and granted, and the location is not detrimental to land owners/users enjoying generational activities on their private properties and public lands. I strongly believe Maggs Mountain in particular is not one of these areas.

Even though the rifle range proposed for Maggs Mountain is to be conveniently located in an area of recognised poor forest regeneration, I find the suggestion by Sustainable Timbers Tasmania to locate a noise creating and potentially very environmentally offensive activity such as this, on top of a popular and easily accessible mountain which is in very close proximity to the Mersey Valley's pristine wilderness areas as nonsensical, and very unacceptable.

It is public knowledge that the Mersey Valley and its surrounding areas enjoy national and international attention and significance which entices many visitors to the areas. I believe this proposal is very irresponsible, unnecessarily confrontational, and detrimental to the many people (visitors and property owners) who spend a significant amount of time enjoying the many different types of recreational activities conducted in the area.

This, combined with the potential detriment to the multi-generational rate paying property owners in the immediate vicinity who consider themselves generational Arm River Valley property custodians, is extremely inconsiderate, disturbing and disappointing.

It is also disturbing that with such a potentially divisive proposal being considered in such a sensitive area, consultation with neighbouring property owners who own, use and maintain generational huts in very close proximity to the proposed range, was neither considered, nor attempted by either Sustainable Timbers Tasmania, or the range proponents.

There has been no mention of range specification requirements in regards to operators ensuring that they operate the facility within environmental guidelines which includes consideration of:

- noise
- contamination
- storage of substances
- inconvenience to the public, in this instance property owners and visitors to the area, being minimised given there are generational huts in very close proximity, approximately 1800 straight line metres to the closest one, and many recreational activities are conducted in the area
- acceptable noise abatement for hut owners and area activities.

It also appears that there has been no consideration of the negative impact this activity may have on native wildlife in the area such as the endangered and very sensitive to disturbance Wedge Tailed Eagle, not to mention the many other species of wildlife that are sensitive to noise disturbance. We regularly spot Wedge Tailed Eagles soaring around in the area.

Everyone who visits and utilises the area does so to enjoy the solitude and recreational activities that Arm Valley and its surrounding areas such as Maggs Mountain, Lake Rowallan, Walls of Jerusalem, Lees Paddocks and February Plains presents, and personally, I enjoy learning and playing my small part in preserving the history of the people who worked and lived in the areas for future generations to enjoy.

Our family spend a considerable amount of time at our property and surrounding areas enjoying the serenity and atmosphere of this very special area. It is an opportunity for us to physically and “mentally” re-charge, and the sound of constant gunfire reverberating around the valley, however low the sounds may be at times, would certainly not be conducive to clearing the mind.

The accuracy of the number of weekend shoots per year detailed in the application is very concerning given the public comment made by the proponent that other clubs with 100 plus members may also utilize the facility.

Even more concerning is that there has been no mention of practice days/sessions in between club sanctioned events. Given the potential for usage to grow significantly, it would increase the usage and resulting noise exposure possibilities even more. There is scant detail in the proposal around the potential noise issues associated with high calibre rifle fire other than proponents and their supporters saying via social media and print media that we “shouldn’t hear it”, there is very little science or research associated with that statement. It is probable that there will be multiple shooters firing on the range at any one time. This will create multiple very loud gun shots being fired concurrently, in close succession, and sometimes simultaneously, possibly exacerbating and amplifying the noise issue even further to the south.

Local knowledge knows that noise travels around the natural amphitheatre that is the Arm Valley in many different ways according to the variable weather conditions. On crisp, clear, winter days, the beautiful call of Currawongs can be heard all around the valley from February Plains, to Maggs Mountain and beyond. Similarly, heavy cloud cover and wind direction has the same effect, so with the combination of constant and often multiple very loud gunshots over a 7 hour a day weekend (including some Fridays), every other weekend and in-between, and conducive weather conditions, it will most likely result in the sound of gunshots resonating down the Arm and Lake Rowallan corridors, quite possibly as far as the Walls of Jerusalem and beyond.

In conclusion, I believe the Meander Valley Council should not entertain approving such a divisive proposal for such a popular and much loved sensitive area, it may well have life changing consequences for existing landowners in the area.

Rather, could I request that the Meander Valley Council support its long term Arm River Valley property owners and users and suggest that Sustainable Timbers Tasmania assist the Kentish Rifle Club to find a more suitable and less divisive location?

Thank you for taking the time to consider my views on the issue.



Phillip John.



From: "trudy richards" [REDACTED]
Sent: Sun, 28 Nov 2021 15:24:14 +1100
To: "Planning @ Meander Valley Council" <planning@mvc.tas.gov.au>
Subject: Rifle Range at Maggs Mountain PA\22\0116

To The General Manager and Councillors,

I have concerns about the area where the proposed rifle range will be situated at Maggs Mountain.

History, tradition and respect within the proposed area has compelled me to voice my concerns.

All of the above are obviously not a concern to many people, but for the people who have accessed this area, along with their ancestors, over many years, it is a place for those to stay and reflect on what was and what may be.

Does anybody care that there is an old hollow tree on the proposed rifle range access road, used by an old snarer for shelter 100 years ago?

Of course not. This isn't part of your history, so why should it bother you?

His grandson, now 89 years old, loves taking his relatives to the tree, and yarns about the history of the tree and his grandfather.

This is passing folk lore down through generations.

Access will be denied when the road has a boom gate placed across it.

Does anyone care?

Of course not. Let's just let a bit more respect slip away, a piece of a family's tradition taken.

What is classed as a sensitive area?

Can a planner drive his car through any area and decide what it should be classed as?

Do you realise how many recreational users enjoy the Maggs Mountain/Arm Valley area?

These people will no longer have that enjoyment once a rifle range is established.

The noise issue will not only affect the Arm Valley land owners, but the many and varied recreational users within the area.

Lock the majority out to keep the minority happy?

Great work Meander Valley Council.

Will rates be paid on this bit of land, as the land owners in the Valley have to pay?

On National competition days, twice a year, an expected increase of forty vehicles is anticipated.

The gravel road used to access the range, valley and other recreational areas within Maggs Mountain, has turned into a pot holed and somewhat dangerous road.

Who will maintain this road.

Not the council, so that is not a concern. Not to you, but somewhat a concern to the traditional users of the area.

For almost fifty years, I have had the pleasure of walking, riding, fishing, and accessing many areas in the Mersey Valley area.

The Arm Valley/Maggs Mountain area should be classes as 'sensitive'.

As a shooter myself, I do not agree to having a rifle range in this area.
With the many hectares STT has, surely a better site can be picked.
The rate payers in the area, having been caretakers of their land for many generations, should
be given the respect they deserve,
to be fairly heard.

Trudy Richards
[REDACTED]

From: "Troy and Kim Reader" [REDACTED]
Sent: Sun, 28 Nov 2021 14:32:33 +1100
To: "Planning @ Meander Valley Council" <planning@mvc.tas.gov.au>
Subject: Planning notice PA22/0116

I have noticed the application for the development of a 1km firing range off Magg's Road (PA 22/0116). As a bush walker and a trail runner, I have frequently used the area that is being impacted by this development

Please note that I am requesting that this development does not go ahead. Please consider other recreational users of this area. Also, the impact of wildlife if this proposed development is approved.

I respectfully request that approval not be granted for this development.

Kim Reader
[REDACTED]
[REDACTED]

From: "Andrew Houghton" [REDACTED]
Sent: Sun, 14 Nov 2021 22:52:44 +1100
To: "Planning @ Meander Valley Council" <planning@mvc.tas.gov.au>
Subject: Opposition to Kentish Rifle Club Mags Mountain Range proposal

Hi

I'm writing to say that I'm opposed to the development of the shooting range that has recently been proposed by Kentish Rifle Club on Maggs Road in the Mersey Forest.

I regularly use this area for whitewater kayaking, camping and attending courses at Arm River Education Center and hiking in the area.

I'm opposed to the development because the noise from gunshots would disturb the serene natural atmosphere. Also putting a shooting range in this area would add traffic to a normally peaceful area.

Regards

Andrew Houghton
Tasmanian Resident

From: "Katie Tangney" [REDACTED]
Sent: Sun, 28 Nov 2021 14:20:28 +1100
To: "Planning @ Meander Valley Council" <planning@mvc.tas.gov.au>
Subject: Comments relating to PA\22\0116 - Rifle Range at Maggs Mountain
Attachments: Maggs Letter - Council.docx

Good afternoon,
Please find attached my comments regarding the proposed rifle range at Maggs Mountain.
With thanks,
Katie

28 November 2021

To whom it may concern

I would like to provide comment on PA\22\0116, the proposed rifle range on Maggs Mountain.

My concerns lie in two separate areas, that being the proposal itself, and the way the previous application was handled.

Proposal concerns

The current and revised application contains more information about the proposed use of the site, however it still does not provide the level of detail council should require to approve a project that is to be used so frequently. The proponents state that the site will be used approximately 25 days a year. On balance, this sounds a small amount. However, the likelihood is that it will be used every fortnight. What recourse will there be if the facility is used more than this if the proponents decide they want to?

Given the main purpose of this proposal is to fire high range rifles, with numbers of anywhere from 10 to 50 shooters over a 7 hour period, I would expect to see an independent noise study accompanying the application. There is still no information in this proposal about what the proponents anticipate the noise level to be. Yet planners previously found the noise impacts to be negligible and not of concern. How can this conclusion be reached when there is no statement of what the noise level will actually be?

I understand that council planners previously determined that the proposal met the Planning Scheme, based on hand drawn figures and 1-2 pages of information. I would contend again that the application does not meet the Planning Scheme, in some instances – chiefly sections relating to rural zone (and discretionary use) purpose, attenuation code and landslips, the latter of which has been a very real problem in this area. I would have thought it is the role of the proponent to present the application in line with the Scheme's requirements, rather than the role of planners to try and work out how it meets all the many parts of the Scheme that it applies to.

Generally, I would argue that the proposal will most definitely create adverse impacts on surrounding use, although in sections of the Scheme, new proposals must minimise these. Historically, the Arm River Valley has been utilised by landowners going back into the 1870's. Huts were built and the land used for grazing and snaring. Some of the parcels of land have been in the same families for over one hundred years. While the uses of our private property have changed, the time we spend there is still very much treasured. Now it is for gathering together as families, revelling in the peace and experiencing the wilderness. There is a very

strong cultural heritage component of land ownership in the Arm River Valley carried on by families today, clearly demonstrating an existing use.

I would also seek further explanation of the attenuation zone and whether it has been applied appropriately. It still includes two huts and private property. There is no explanation of what this means for that landowner. The Scheme also states that the 2000m attenuation zone means the distance for the relevant activity measured as the shortest distance from the boundary, however the attenuation zone in the application seems to be taken from the firing line rather than the boundary. The boundary of the site hasn't been defined in the application.

Council planners have had some experience with this application and already visited the site. It is my understanding that the determination was made on a day trip to the area, that it couldn't be deemed sensitive because people did not stay there for extended periods, as there was no one in the huts at the time of the visit. It was most likely a weekday that the planner visited, when most people are working. Also, there are several huts in the area that are not visible from the main road, which often do have people staying in them for days at a time. It may be safe to conclude that the planner based their decision that they would not have to consider adverse effects of noise, lost amenity and well-being on the fact that they couldn't see anyone at a small number of the huts, in the short period on a weekday that they were there.

I also understand that, when pressed, the planner was unable to define what an 'extended period' was. I wonder how it can be concluded that the area is not used for 'extended periods' when there seems to be no set definition of what this is. I also question what the definition of 'sensitive' is. Is that term based on habitation of a place, or the number of people who inhabit a place? Does it relate to the activities that are existing uses, in a place? Do they have to be 'sensitive' in nature? I can see how trying to pin down the definition of these terms can be complicated, but if the people making the recommendations to approve a proposal or not, are uncertain of their meaning in this context, then I wonder how they can make this endorsement at all?

In the Meander Valley Council Ordinary Meeting Agenda - November 2021 (Meeting Agenda), I note that it was suggested that the proposed parking area would be constructed to an appropriate standard. However, there is no information in the current proposal that explains the construction process at all – other than that the building will be constructed from colorbond. Nor does it detail how much land is to be cleared or how much land is included within the boundaries of the site. As there is no detail about materials for the parking area, I'm not certain how it can be known that it will be constructed to an appropriate standard? This information isn't available in the application.

I dispute the previous assertion that the proposal will not trigger any environmental protection legislation, given the location of a nest of the endangered Wedge-tail Eagle in the vicinity. There are strict guidelines in place relating to nesting season and avoidance of these areas during this time. I trust that this issue will be picked

up by an independent expert during the compilation of the Forest Practices Plan.

Procedural concerns

With respect, I have some concerns about how the prior application was dealt with within council.

Public comments closed on Tuesday 19 October, however council accepted 26 emails in support of the project three days after the deadline for comments had passed. They also may have accepted comments for those opposing the project, however it seems an extension was granted to some stakeholders, but not all were informed of this. When council staff were questioned about this, they reiterated that no comments would be accepted after the closing date of 19 October.

The application that planners submitted in their Meeting Agenda and were basing their recommendation on was **not** the one that was advertised for public comment. Planners based their recommendation to approve the proposal on information about the project that **was not available in the advertised application**.

My question is, how is it possible that planners can be basing their recommendations on one document, and yet the public, especially stakeholders who will be personally and negatively affected by this proposal, were not privy to it?

I realise this has now been remedied by the current application, but it concerns me that planners were happy to recommend the project for approval based on another set of documents, and it was only the withdrawal of the application that meant the decision did not go to councillors.

Thank you for taking the time to consider my comments.

Kind regards
Katie Tangney

[REDACTED]

From: "Nicole Anderson" [REDACTED]
Sent: Sat, 27 Nov 2021 21:52:46 +1100
To: "Planning @ Meander Valley Council" <planning@mvc.tas.gov.au>
Subject: Submission re PA\22\0116 Kentish Rifle Club
Attachments: Submission MVC re KRC.pdf

Dear Mr John Jordan

Please find attached my submission regarding this application.
I can be contacted by email or phone 0408099286.

Warm Regards
Nicole Anderson
[REDACTED]

Submission regarding PA\22\0116 Kentish Rifle Club proposed 1000m rifle range on North Maggs Rd

I have read the information available at Meander Valley Council Planning Notices regarding this application. I would otherwise be likely supporting this proposal except for concerns voiced by other neighbouring landholders and regular recreational users in regards to noise intrusions, and, the lack of information in this application regarding the nearby Wedge Tail Eagle nesting habitat, raptor nests, and my personal observation of these birds in that region.

I live nearby and regularly access the Arm River Track, Walls of Jerusalem, Lee's Paddocks, and Western Tiers for bushwalking, hiking, photography and enjoyment of the immense scenic value the high altitude area provides. I also on occasion assist private guided hiking groups with logistics and guiding. I am also a conservation hunter and recreational target shooter. Therefore I believe I have good insights into both of these aspects with relevance to this application.

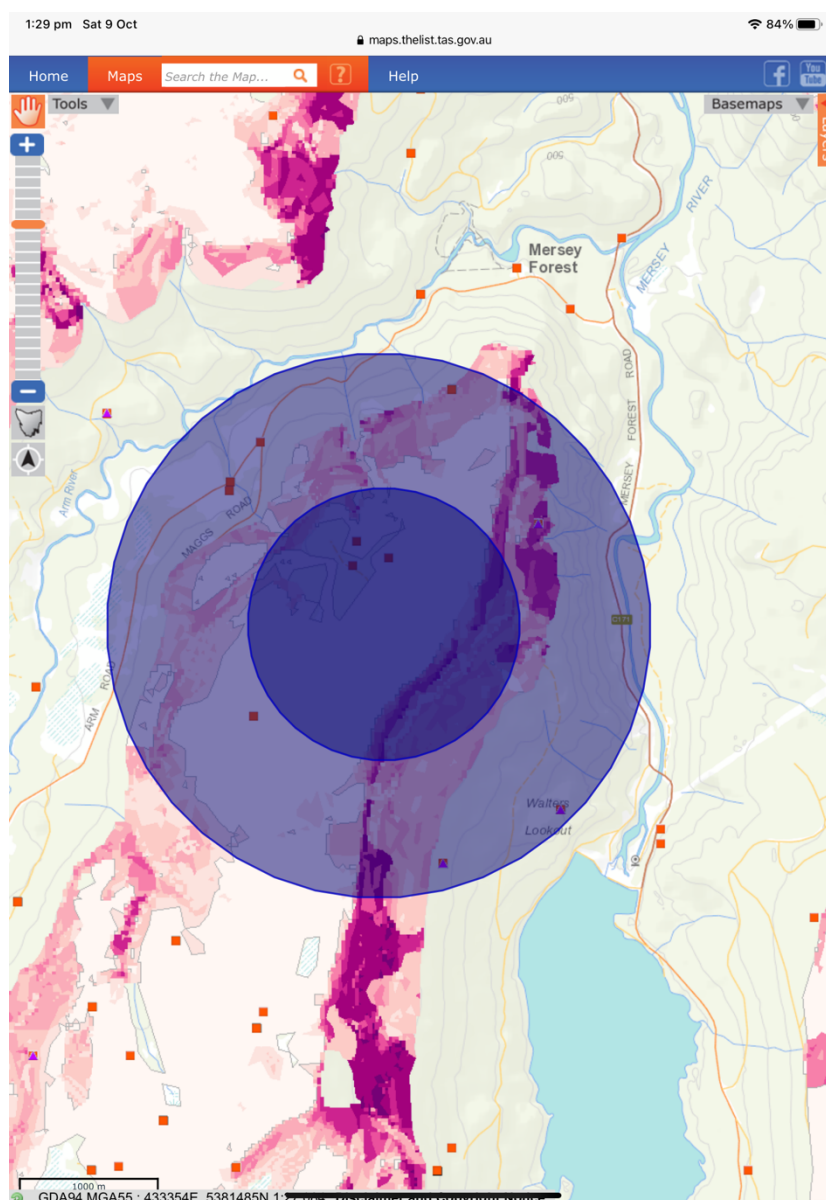
As a shooter, I would very much appreciate a 1000m range virtually in my back yard. This would greatly assist with sighting rifles in and improving my marksmanship for feral animal control. Should a facility be available that offers this, I might be supportive. However, I cannot see from this application where any local benefit might arise, or whether there is consideration for those outside the club to possibly access the facility for say, conservation outcomes.

As a shooter, I am also very aware of the legitimate concerns others have in regards to firearms. As shooting is very much a privileged sport, requiring stringent regulation and licensing due to the inherent danger of it, I believe shooters must have the utmost respect & consideration for their neighbours, and empathy towards those with concerns over safety, noise and disruption to the ambience of the bush they wish to preserve.

Therefore, I am in support of those expressing concerns of noise – even though the decibel loudness will muffle over distance, the sound of gunfire is distinctive and out of place in an area visited by the public for the enjoyment of serenity. I can actually hear my neighbours hunting wallaby 2km away with smaller caliber rifles than this range will accommodate. It can wake me from sleep at times.

I am concerned with the location being on the top of a ridge that the distinctive gunfire sounds will be heard by visitors to the area around Arm River and Lake Rowellan. I think with the range being up so high, the sounds may well travel farther than some might appreciate depending on the weather conditions, and gunfire sounds appreciated from some of the higher ground, for example, February Plains. Also, with the shooting scheduled in the application as being Fridays, Saturdays & Sundays, this coincides with weekend visitors to the area for recreation, most for the scenic ambience and immersion in nature which includes the soundscape. I am concerned a rifle range will degrade the overall experience of visitors.

Another concern I have is no mention in the application of impacts on wildlife, specifically given the range is located near sightings of Wedge Tailed Eagles (*Threatened Species Protection Act 1995*: **endangered** *Environment Protection and Biodiversity Conservation Act 1999*: **Endangered**), known raptor nest locations, and suitable habitat for Wedge Tail Eagle nesting. It takes only a few minutes on ListMap to find this information – this is an overlay of 1 & 2km from the point of fire with suitable WTE nesting habitat (pink & purple zones), recorded raptor nests (purple triangles) and threatened fauna sighting points (orange squares). I have personally witnessed circling Wedge Tail Eagles over Maggs Mountain from a camp above Gun Lagoon Creek (near Lake Mackenzie). Unfortunately I did not have my long camera lens available to collect the evidence. There is a legitimate concern a rifle range will contribute disturbance to potential or actual WTE nesting sites and breeding success. Disturbance to these is against the advice for recovery of this species in Tasmania – see <https://www.threatenedspecieslink.tas.gov.au/Pages/Wedge-tailed-Eagle.aspx>



As a nature lover and conservationist, I cannot support a rifle range in this location unless there is further assessment done on the impacts of wildlife, especially the Wedge Tail Eagle. Additionally, I cannot support this application given the likely disturbance of visitors to the area who are there to enjoy the peace and ambience of Tasmania's high country, especially on the weekends when this rifle club has indicated it will be active. I also consider the concerns of landholders close to this site to be legitimate & ask the council consider the neighbourly aspects of this proposal.

Dr Nicole. I. Anderson

From: "Linda Connelly" [REDACTED]
Sent: Sat, 27 Nov 2021 18:05:56 +1100
To: "Planning @ Meander Valley Council" <planning@mvc.tas.gov.au>
Subject: letter of Objection to proposed rifle range PA/22/0116

General Manager
PO Box 102
Westbury Tas 7303
Sent by email planning@mvc.tas.gov.au

I refer to the Kentish Rifle Club Inc's application for permit pursuant to section 57 of the *Land Use Planning Approvals Act 1993 (Tas)* in relation to the North Maggs Road Mersey Forest, reference PA\22\0116.

As a trail runner and bushwalker of the proposed area I would like my objection noted to that application. My objection is on the basis of:

1. the environmental impact and
2. the impact on other users of the area.

The proposed zone is surrounded by National Parks and a reserves. The topography of the area is such that, the noise that would occur as a result of the proposed use would carry into the National Parks. The noise pollution would have a negative impact on the bird and wildlife in the area and the users of the area.

As the proposed use of the area is for 31 weeks per annum, this is the majority of weekends of the year. Weekends are the time that families frequent the area to enjoy their recreational pursuits.

Further, if the debris from the ammunition is not properly disposed of or contained, this will also have a negative impact on the wildlife and the area.

There are other rifle ranges already in existence in relatively close proximity, at Devils Gate Road in Kentish, in Penguin and at Campbell town.

I respectfully request that Council refuse to grant a permit in respect of the Application.

Regards,
Linda Connelly
(BA LLB GDLP)

Sent from [Mail](#) for Windows

From: "Paul Smith" [REDACTED]
Sent: Sat, 27 Nov 2021 11:11:10 +1100
To: "Planning @ Meander Valley Council" <planning@mvc.tas.gov.au>
Subject: Proposed Maggs Mt rifle range PA 22/0116

Dear MVC Planning Officer

I object to the application by the Kentish Rifle Club Inc for approval to build and operate a shooting range for high powered rifles on Maggs Mountain (PA 22/0116). As this rifle range is to be on top of a prominent ridge the sound of shots will carry far, especially in calm weather, and this would be highly objectionable to those enjoying the wild character of the surrounding country, much of which is in the Tasmanian Wilderness World Heritage Area. Many walkers use the Arm River Track and also the Walls of Jerusalem Track near the Fish River and these people would be annoyed by the sound of gunfire. A little further away, walkers in the Lakes Bill and Chalice and the Lees Paddocks areas may also suffer in this way. Walkers in less frequented areas such as February Plains and Clumner Bluff will also have their experience of wildness impaired by these sounds and by the visibility of the area cleared on Maggs Mt. for this facility. The damage to the natural qualities of this region from forestry and hydro-electric activity are already considerable. The remaining naturalness should not be further insulted by installing this rifle range. Please reject the application.

Paul Smith
 [REDACTED]

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From: "Neil Pinkard" [REDACTED]
Sent: Fri, 26 Nov 2021 16:46:36 +1100
To: "Planning @ Meander Valley Council" <planning@mvc.tas.gov.au>
Cc: "Meander Valley Council Email" <mail@mvc.tas.gov.au>
Subject: PA\22\0116 Proposed Kentish Rifle Range at Maggs Mountain - Mersey Forest Road.

We refer to the above proposal by Kentish Rifle Club – reference PA\22\0116.

We have concerns regarding this proposal such as noise, increased traffic in the area and how this may impact on property ie – vandalism and theft etc.

We are also concerned about the risks, dangers, noise and inconvenience to other users of the area including Anglers fishing on and around Lake Rowallan, bushwalkers traversing the tracks in and around Maggs and Rowallan and recreational users such as the white-water rafting and canoeing community who utilize the Mersey River with its access on the Mersey Forest Road .

Another major concern in this impact on the land owners/lessees in the vicinity and all other recreational users. We imagine that the peace and quiet of the valley and mountain will be violated by a volleys of rifle fire resounding around the mountain and the area including the dam area and camping grounds . The noise will also be disturbing to the wildlife in the area, especially birdlife, eg owls, wedge-tailed eagles, sea eagles, goshawks, brown falcons, wrens and other scrub nesting birds. They would be distressed and disturbed by the noise and activity resulting in them being driven away from their homes in this pristine area.

Our major concern relates to the fact that this area, including the waters (Lake Rowallan) itself, is a pristine example of the Tasmanian native forested highlands surrounding a remote and pure water that is a prime freshwater fishery inhabited by trophy trout. The Lake is fished by anglers from all over the State including anglers from the South, not to mention those from interstate (COVID19 permitting) who do not expect to be hearing rifle shots echoing around the valley. Many will be, naturally, concerned about the possibility that the shooter maybe irresponsible and that there may be a risk of bullets flying in their direction. This is not what anglers would normally encounter and it could be quite traumatising especially if they feel endangered by rifles, shot-guns etc being fired in the proximity of the Lake! Many of the anglers will be boaters on Lake Rowallan who will also have family members with them, and it will be particularly concerning to the whole family, especially children and mothers, when the sound of shots are ricocheting and echoing around them. Especially as these sounds will be accented by the contrast to the usual tranquillity experienced when the area is not in use as a rifle range.

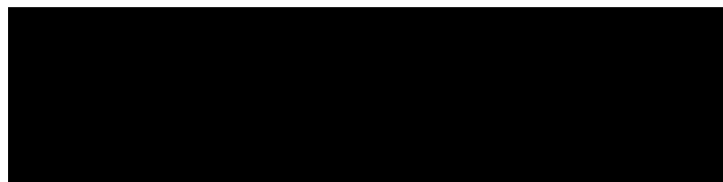
The proximity to Maggs Road and to Lake Rowallan is a safety concern too.

The proposal is very weak in itself and does not indicate any environmental impact assessments encompassing the concerns raised.

We urge you to not issue planning approval.

Neil Pinkard

Neil Pinkard



From: "John Pitt" [REDACTED]
Sent: Thu, 25 Nov 2021 22:56:26 +1100
To: "Planning @ Meander Valley Council" <planning@mvc.tas.gov.au>
Cc: [REDACTED]
Subject: Re: PA/ 22/0116 - Kentish Rifle Club Inc – Firing Range and Associated Development - Attention General Manager Mr John Jordan
Attachments: Rifle Range PA - Mersey Forest - Noise Impact.pdf

Dear John

Please find attached my representation objecting to this development application.
I would be happy to clarify any aspect of my submission.

Regards
John Pitt
[REDACTED]

25 November 2021

Mr John Jordan
General Manager
Meander Valley Council
planning@mvc.tas.gov.au

Dear Sir

Re: PA/ 22/0116 - Kentish Rifle Club Inc – Firing Range and Associated Development

I wish to lodge an objection to this proposal on the basis that the noise associated with the proposed shooting activity will impact very significantly on the ambient noise levels within the Walls of Jerusalem National Park, and as such represents an unreasonable impact on an existing sensitive land use in the world renowned Tasmanian Wilderness World Heritage Area..

In doing so the proposed development would contravene the performance criteria associated with *C9.5 (Use Standards) of the Tasmanian Planning Scheme – State Planning Provisions – Attenuation Code*. The Planning Application should be refused on that basis.

I note that the Planning Application does not include any information on noise levels generated by the proposed development use, nor forecast the impact of shooting activities on existing land uses, despite the well understood issues that arise with this type of development.

In order to substantiate my objection, I offer the following indicative assessment for Council's information, and to enable a detailed review by a practising acoustic specialist with relevant experience in assessing the impact of human generated noise on national park / world heritage land uses:

1. Typical peak sound pressure levels associated with individual gunshots are of the order of 150dB¹
2. Separation distances from the nominated Firing Point to sensitive receptor sites are as follows:
 - Clumner Bluff – 5.7km
 - Walls of Jerusalem track intersection with Walls of Jerusalem National Park boundary – 8.5km
 - Herrods Gate – 13.2km
3. Background noise levels in still conditions in the Walls of Jerusalem area of about 25dB or less can be reasonably expected
4. Estimated sound pressure levels at the receptor sites arising from a single gunshot in still conditions and without considering topographic or shielding effects are as follows:
 - Clumner Bluff – 62.8dB
 - Walls of Jerusalem track intersection with Walls of Jerusalem National Park boundary – 59.4dB
 - Herrods Gate – 55.5dB

¹ [Gunfire-Noise-Level-Chart-EAR-Customized-Hearing-Flyer.pdf \(earinc.com\)](#)

5. In Victoria it is recommended² that noise emanating from shooting ranges should not increase background levels at sensitive receptor sites by more than 10dB(A) during daytime and 5dB(A) in the evening. The indicative figures calculated for the proposed development far exceed this recommendation - by around 30dB.
6. Whilst these guidelines were really established for populated areas, they could reasonably be expected to be more stringent in a national park / world heritage area where users trek large distances to achieve isolation from human activity.
7. Multiple gunshots would result in multiple impacts of similar severity, which under club meeting or competition conditions would be essentially continuous over a period of hours.

I would expect a professional acoustic impact assessment to confirm these indicative figures and thus substantiate my representation.

I trust that Council can appreciate that noise impacts of this magnitude, at the frequency proposed in the Planning Application, are totally incompatible with the existing land use in the Walls of Jerusalem National Park / Tasmanian Wilderness World Heritage Area, and that on this basis the development application should be refused.

Yours Faithfully



John Pitt



² [1508: Noise from outdoor shooting ranges - Guidelines | Environment Protection Authority Victoria \(epa.vic.gov.au\)](https://www.epa.vic.gov.au/1508-noise-from-outdoor-shooting-ranges-guidelines)

From: "Trevor Yaxley" [REDACTED]
Sent: Thu, 25 Nov 2021 11:12:25 +1100
To: "Planning @ Meander Valley Council" <planning@mvc.tas.gov.au>
Subject: Rifle Range on North Maggs Road, Mersey Forest

I find this proposal for a rifle range encouraging the use of firearms so close to the World Heritage NP and Maggs Road which has been used by bushwalkers for many years as most unfortunate.

With Councils encouraging mountain bikers and now a rifle range in traditional bush walking country is beyond belief.

I would imagine the Kentish Rifle Club would have limited membership and appeal and Council should realise the large number of bushwalkers that come to the Meander Valley will be impacted if you approve this application.

Trevor Yaxley
[REDACTED]

From: "Crowden, Andrew" [REDACTED]
Sent: Thu, 25 Nov 2021 09:17:45 +1100
To: "Planning @ Meander Valley Council" <planning@mvc.tas.gov.au>
Cc: [REDACTED]
Subject: Representation to PA\22\0116 - North Maggs Road, Mersey Forest (PID: 3392724) - Sport & Recreation (firing range & associated development)
Attachments: PWS 2nd representation_Kentish Rifle Club PA 22 0116.pdf

Hi Natasha,

Please find attached representation to the above advertised Planning Application for Council's consideration please.

Regards Andrew

Andrew Crowden
 Regional Planner North



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Mr John Jordan
General Manager
Meander Valley Council
PO Box 102, Westbury TAS 7303
Email: planning@mvc.tas.gov.au

Ref: Kentish Rifle Club Inc - PA\22\0116

Re: Representation to PA\22\0116 - Application by Kentish Rifle Club for Firing Range at North Maggs Rd, Mersey Forest

The proposal is located within **20.0 Rural Zone** and under **20.2 Use Table** best fits a **Discretionary - Sport and Recreation** use class.

The Parks and Wildlife Service Northern Region (PWS) hereby submits a representation to the proposed Firing Range at Maggs Mountain, Mersey Forest as per below points addressing the relevant zoning, codes and associated State Planning Provisions that guide the regulation of use and development.

PWS considers the proposal does not satisfy the zone purpose, the objective or all of the acceptable solutions / performance criteria for the Use Standards for a Discretionary Use located in Zone 20 – Rural.

PWS considers the application is incomplete. The proposal includes installation of a toilet facility and generation of stormwater. The application fails to address how stormwater and wastewater will be managed as part of the proposal.

How will stormwater from the carpark area be managed? How will risk of erosion and sediment control be managed? PWS considers that in the absence of any information to the contrary, there is an unacceptable risk of erosion and sediment generation from the carpark areas which is likely to travel into surrounding waterways including the Mersey River.

Are soils suitable for onsite wastewater management? It is noted wastewater inputs will be infrequent due to the proposed operating hours. Sufficient information should be provided to support that this method of use does not compromise system efficiency.

The proposal as not addressed Performance Criteria 1 of code 2.6.1 Construction of parking areas including the topography, drainage system available and the potential to generate sediment and erosion.

Thank you for consideration of our comments and concerns. For these reasons, the Parks and Wildlife Service respectfully requests that Council refuse this Planning Application PA/22/0116 in this location. See our comments in the tables below.

Should further information be required, please contact Linda Overend, Acting Regional Operations Manager North on mobile [REDACTED]

Yours sincerely



Donna Stanley
Regional Manager North
PARKS AND WILDLIFE SERVICE

24 November 2021

20.1 Zone Purpose	
<p>20.1.1 To provide for a range of use or development in a rural location:</p> <ul style="list-style-type: none"> (a) where agricultural use is limited or marginal due to topographical, environmental or other site or regional characteristics; (b) that requires a rural location for operational reasons; (d) minimises adverse impacts on surrounding uses. <p>20.1.2 To minimise conversion of agricultural land for non-agricultural use.</p> <p>20.1.3 To ensure that use or development is of a scale and intensity that is appropriate for a rural location and does not compromise the function of surrounding settlements.</p>	<p>Comment</p> <p>Zone Purpose not addressed in the Planning Application and supporting documents</p> <p>Comments as per 20.3.1 below.</p>

20.3 Use Standards	
20.3.1 Discretionary Use	
<p>Objective</p> <p>That the location, scale and intensity of a use listed as Discretionary:</p> <ul style="list-style-type: none"> (a) is required for operational reasons; (b) does not unreasonably confine or restrain the operation of uses on adjoining properties; (c) is compatible with agricultural use and sited to minimise conversion of agricultural land; and (d) is appropriate for a rural location and does not compromise the function of surrounding settlements. 	<p>Comment</p> <p>PWS considers there are other appropriate locations within the Meander Valley Council area for the shooting range to be located. The proponent has not demonstrated in the application the need for the selected location. There is no operational reason why the shooting range is required to be at the proposed location.</p> <p>PWS considers the proposal will unreasonably confine or restrain the operation of uses on adjoining properties. The proposal is located on PID3392724 Adjoining the land is the Tasmanian Wilderness World Heritage Area (TWWHA). At the southern boundary of the proposal's property, are the commencement of several walks in the TWWHA including to the very popular Walls of Jerusalem. The TWWHA provides recreational experiences and</p>

	<p>provides solitude being a key characteristic of wilderness. The applicant has not provided any supporting evidence that the noise from activities at the shooting range will not detract from the quality of the wilderness area. To detract from the quality would confine and restrain the wilderness experience of visitors to the TWWHA who are seeking a passive recreational experience.</p> <p>The proposed use is inconsistent with passive nature-based recreation values of the surrounding area (zoned Environmental Management under the Tasmanian Planning Scheme) and may affect the Outstanding Universal Value that the nearby TWWHA is internationally recognised for.</p> <p>PWS does not consider a shooting range could not occur on any land zoned rural. However, this proposal location, whilst on rural land does compromise the function of the surrounding uses of the TWWHA. As above, no evidence has been provided to support any claim that the noise emissions associated from the gun club, will not be heard in the TWWHA, particularly on popular walking tracks in the TWWHA.</p> <p>The proponent should be required to consider the suitability of other locations in the Meander Valley Council area which do not adjoin a World Heritage Area nor are located near popular recreational areas on Crown or Reserved land.</p> <p>PWS considers the proposal does not satisfy all the required criteria of the objective and therefore should be refused.</p>
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Acceptable Solutions	Performance Criteria	Comment
<p>A1 A use listed as Discretionary, excluding Residential, is for an alteration or extension to an existing use, if:</p> <p>(a) the gross floor area does not increase by more than 30% from that existing at the effective date; and</p> <p>(b) the development area does not increase by more than 30% from that existing at the effective date.</p>	<p>P1 A use listed as Discretionary, excluding Residential, must require a rural location for operational reasons, having regard to:</p> <p>(a) the nature, scale and intensity of the use;</p> <p>(b) the importance or significance of the proposed use for the local community;</p> <p>(c) whether the use supports an existing agricultural use;</p> <p>(d) whether the use requires close proximity to infrastructure or natural resources; and</p> <p>(e) whether the use requires separation from other uses to minimise impacts.</p>	<p>Proposal does not satisfy the acceptable solution, performance criteria applies.</p> <p>PWS considers the proposed use does not require a rural location for operational reasons. There are several other zones where the proposed use is also discretionary including industrial and agriculture. The proponent has not provided any supporting evidence that the proposed location is the only available suitable location for the proposed use. The proponent has not provided any supporting information the use must be on land zoned rural.</p> <p>PWS considers the proposal should have greater separation from the recreational activities associated with the adjoining TWWHA.</p> <p>The proposal does not require close proximity to infrastructure or natural resources. While having some requirements for site suitability, such as suitable topography, a shooting range does not require connection to other infrastructure. Because of this, there are several other suitable sites in the Meander Valley Council Area that should be considered or evaluated.</p> <p>PWS contests that the proposal is important or significant for the local community. Of greater significance in the area is the protection and enhancement of recreational opportunities associated with the TWWHA.</p> <p>PWS considers the proposal does not satisfy the criteria of P1 and therefore recommends the application be refused.</p>

<p>A2 No Acceptable Solution</p>	<p>P2 A use listed as Discretionary must not confine or restrain existing use on adjoining properties, having regard to:</p> <ul style="list-style-type: none"> (a) the location of the proposed use; (b) the nature, scale and intensity of the use; (c) the likelihood and nature of any adverse impacts on adjoining uses; (d) whether the proposed use is required to support a use for security or operational reasons; and (e) any off site impacts from adjoining uses. 	<p>The proposal is located on PID 3392724 (the property). The property is extensive and covers a large area. The property adjoins the Tasmanian Wilderness World Heritage Area (TWWHA) and the Mount Maggs Regional Reserve. The proposal is located within 4km of the TWWHA and is an area near a recreation node which provides a gateway to several walks in the TWWHA.</p> <p>PWS considers the proposal, in the proposed location, has the potential to restrain uses of the adjoining TWWHA land. The proponent has not demonstrated that the noise from the shooting range will not impinge on the wilderness quality of the surrounding TWWHA land. Wilderness value is a key attribute of the adjoining TWWHA land. A key criteria of wilderness value is the sense of solitude and isolation from sources of noise emissions.</p> <p>The proposed use is inconsistent with passive nature-based recreation values of the surrounding area (zoned Environmental Management under the Tasmanian Planning Scheme) and may affect the Outstanding Universal Value that the nearby TWWHA is Internationally recognised for.</p> <p>The 2km noise attenuation zone potentially affects existing use of:</p> <ul style="list-style-type: none"> • Mersey Forest Whitewater Regional Reserve - day use areas and white-water course • West Rowallan track • Maggs Regional Reserve • Production forests • Private properties <p>Proposed use may affect eagle breeding success at nearby raptor nests if development works or activity associated with the operation of the rifle range are conducted within 500m or 1km line of sight of the known raptor nests during the eagle breeding season (July to January inclusive).</p>
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		<p>Impacts on adjacent Informal Reserves nearby not addressed (Eagle nest reserves and wildlife habitat strips on Permanent Timber Production Zone land).</p> <p>Access for firefighting and fuel reduction operations not considered.</p> <p>Adjoining land uses such as firefighting, timber harvesting, fuel reduction, Hydro operations, aerial operations and Arm River Camp activities may prevent the proposed use on occasions.</p> <p>Further evidence should be provided to support the claim that noise from the shooting range will not impinge on the quality of person's time in the TWWHA.</p> <p>The proposed use does not satisfy the criteria of being required to support a use for security or operational reasons. There are no other existing uses in the area which are complimentary to the proposal.</p>
<p>A3 No Acceptable Solution.</p>	<p>P3 A use listed as Discretionary, located on agricultural land, must minimise conversion of agricultural land to non-agricultural use and be compatible with agricultural use, having regard to:</p> <ul style="list-style-type: none"> (a) the nature, scale and intensity of the use; (b) the local or regional significance of the agricultural land; and (c) whether agricultural use on adjoining properties will be confined or restrained. 	<p>P3 PWS has no comment on this matter.</p>

<p>A4 No Acceptable Solution.</p>	<p>P4 A use listed as Discretionary, excluding Residential, must be appropriate for a rural location, having regard to:</p> <ul style="list-style-type: none"> (a) the nature, scale and intensity of the proposed use; (b) whether the use will compromise or distort the activity centre hierarchy; (c) whether the use could reasonably be located on land zoned for that purpose; (d) the capacity of the local road network to accommodate the traffic generated by the use; and (e) whether the use requires a rural location to minimise impacts from the use, such as noise, dust and lighting. 	<p>PWS does not disagree that a shooting range could be located on land zoned rural under the planning scheme. However, PWS disagrees that all land zoned rural should be considered appropriate and that discretion is applied when applying which rural lands are suitable for a shooting range use, in the context of the surrounding and adjoining land uses</p> <p>PWS disagrees that the rural zone is the only suitable location for the shooting range. A shooting range is discretionary in several other zones in the planning scheme.</p> <p>P4 not addressed in Planning Application or supporting documents.</p> <p>Other shooting ranges are available and promoted for use elsewhere.</p>
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Codes.	
13. Bushfire-prone Areas Code	Not addressed
15. Landslip Hazard Code	Not addressed
7. Natural Assets Code	Not addressed

From: "Cam Walker" [REDACTED]
Sent: Wed, 24 Nov 2021 11:03:59 +1100
To: "Planning @ Meander Valley Council" <planning@mvc.tas.gov.au>
Subject: Permit application from Kentish Rifle Club, PA\22\0116

To Meander Valley Council
 Re: Permit application from Kentish Rifle Club
 For Rifle Range on Maggs Mountain
 PA\22\0116

Dear Council officers

I write regarding the proposal from the Kentish Rifle Club Inc to establish a 'firing range' one kilometre long, and associated development on North Maggs Road.

This is such an inappropriate location for a rifle firing range that I find it hard to believe someone would even propose it.

Although I don't currently live in Tasmania, I visit on a regular basis, usually to walk out on one of the tracks that start in the Upper Mersey Valley (Walls of Jerusalem, Chalice Lake, Arm River Track, etc). We stay in surrounding towns before and after the trip and do our best to support the local economy which – increasingly – relies on nature based tourism.

This is a wild landscape that at will be impacted by the noise of rifle fire. People visit these areas for the silence, the solitude, the peace and quiet. Rifle fire will negatively and substantially impact on the experience of people visiting the Upper Mersey valley and surrounding mountains. It will reduce the attraction of these areas for local and interstate visitors who are seeking recreation in a wild landscape.

I live about 2km from a rifle range. We hear the sound of guns, especially under certain wind directions. But that is fine. We live in a small regional centre and I accept that a range of recreational opportunities should exist for both locals and visitors around townships. Maggs Mountain is not the place for a rifle range. If the Rifle Club wishes to develop a firing range they should secure a site away from such a remote, high value nature and wilderness destination.

I urge you to refuse this application,

Regards

Cam Walker

[REDACTED]

From: "Jason MacLeod" [REDACTED]
Sent: Tue, 23 Nov 2021 09:26:23 +1100
To: "Planning @ Meander Valley Council" <planning@mvc.tas.gov.au>
Subject: Resident and user group opposition to PA 22/0116

Dear Sir/Madam,

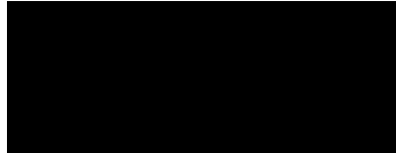
I write to register my concern and opposition to the high powered rifle range currently proposed for Maggs Mountain.

I am a resident of the Valley and regularly packraft the Arm River, Mersey River and walk the Arm River Track. I am concerned about safety, noise and maintaining public access to this wonderful part of Tasmania.

Please keep me informed of what is happening about this proposal.

Kind regards,

Jason McLeod



From: "Adrian Batey" [REDACTED]
Sent: Tue, 23 Nov 2021 07:11:27 +1100
To: "Planning @ Meander Valley Council" <planning@mvc.tas.gov.au>
Subject: PA 22/0116 Objections and Concerns

Good morning,

I wish to express my concerns with the proposed development of the Kentish Rifle Clubs long distance range. I am a regular fly fisher on the Arm River, Mersey System and Rowallan Dam.

The proposal has indicated 29 events per year occurring on weekends inclusive of Friday's. I am concerned about the noise impact of a high powered rifle range and the effects on other wilderness users if such range was to be approved.

There is no doubt on a clear day the regular use of high power rifle will be audible from areas entering the Walls of Jerusalem World Heritage area as through out the valley, above and below lake Rowallan.

Given the ranges position at 800m above sea level and neighbouring terrain features opposite the valley and Lake Rowallan there is no doubt this sound will travel throughout.

For the submission to be considered by the council I would ask a study be conducted on the impact of noise on the surrounding area through an environmental assessment to ensure that users are not impacted any way by this development.

Kind Regards
Adrian Batey
[REDACTED]

From: [REDACTED]
Sent: Mon, 22 Nov 2021 15:51:19 +1100
To: "Planning @ Meander Valley Council" <planning@mvc.tas.gov.au>
Subject: PA/22/0116 - Kentish Rifle Club Inc
Attachments: PA 22 0116 - Kentish Rifle Club Inc - 22 Nov.pdf

General Manager, Mersey Valley Council
Please see the attached letter re PA/22/0116 - Kentish Rifle Club Inc

Thank you

Annette Picone

Secretary
[REDACTED]



HOBART WALKING CLUB Inc

ABN 49 779 622 718

22 November 2021

General Manager
Meander Valley Council

PA\22\0116 - Kentish Rifle Club Inc

Address: North Maggs Road (off Maggs Road) MERSEY FOREST (PID: 3392724)

Proposal: Sports & recreation (Firing range & associated development) - discretionary use, construction of parking areas, pedestrian access

The Hobart Walking Club would like to comment on this proposal.

The Club has no objections unless access to walking tracks are impacted. The Club is not opposing the development provided that there are no restrictions on access to Maggs Road as a means of access to the Arm River Track and the Maggs Spur 17 Track.

Annette Picone
Secretary
Hobart Walking Club

From: "Anglers Alliance" [REDACTED]
Sent: Fri, 19 Nov 2021 14:14:47 +1100
To: "Planning @ Meander Valley Council" <planning@mvc.tas.gov.au>
Subject: PA/22/0116 Proposed Rifle Range, North Maggs Road, Mersey Forest

Anglers Alliance Tasmania, the peak body that represents some 25,000 Tasmanian licensed freshwater anglers, holds concerns for the proposed rifle range in this area which include :

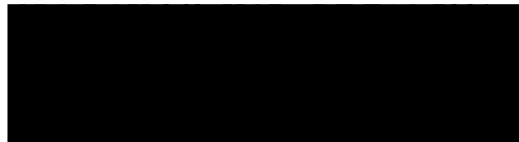
- The Zoning and allowable uses of the area is not clear.
- The proposal is poorly documented making it difficult to gauge the extent and scale of the proposed work.
- The proposed hours of operation and frequency of use seem excessive and would be at odds with present use of the area.
- Increased activity and ballistic noise is not compatible with the natural values and passive recreational use of the area by many groups; the amenity of walkers in the Walls of Jerusalem National Park and anglers on Lake Rowallan could be severely compromised.
- There is need for an audio study giving an indication of the impact of expected noise levels at various distances from the rifle range.
- The proposed exclusion zone appears to block some road and walking track access.
- The proposal has no environmental considerations or study of the impact on native flora and fauna (which should include Wedgetail Eagle nesting sites)

Anglers Alliance Tasmania considers the proposal is incompatible with the natural values of the area and would have a detrimental effect on the amenity enjoyed by adjacent landowners and the many groups of passive recreation users.

Denis Edwards
 Executive Officer
 Anglers Alliance Tasmania



Gary France - Chairman
 Howard Jones - Vice Chairman
 Denis Edwards - Executive Officer



ABN 73 327 229 428

From: "Bill Bennett" [REDACTED]
Sent: Wed, 17 Nov 2021 12:40:29 +1100
To: "Planning @ Meander Valley Council" <planning@mvc.tas.gov.au>
Subject: Planning Application PA\22\0116

John Jordan

General Manager,

Meander Valley Council

Re: Kentish Rifle Club Inc - PA\22\0116

Dear Meander Valley Council,

I am writing to you regarding the revised proposal for the rifle range off Maggs Road in the North Mersey Forest.

I am not a shooter myself, but there can't be many places where you can safely build a 1000m rifle range. I think such a range would be an excellent use for this land, and the proposal seems like a well-thought out one. The letters of support from STT and Tas Police Firearms Service add weight to the proposal.

My original concern as a bushwalker was that there would be restrictions on access to Maggs Road, and hence to the Arm River Track. This does not appear to be the case.

The 2km "exclusion zone" which included a section of Maggs Road has now been amended to an "attenuation zone", which presumably means that while one might expect to hear distant gunshots when the range is active, there is no hindrance to access along Maggs Road.

Best regards,

Bill Bennett

[REDACTED]

From: "Mark Risdon" [REDACTED]
Sent: Wed, 17 Nov 2021 08:52:22 +1100
To: "Planning @ Meander Valley Council" <planning@mvc.tas.gov.au>
Subject: To the General Manager, re. rifle range at North Maggs Road

To the General Manager,
 Meander Valley Council

Re. Proposal for a rifle range at North Maggs Road, Mersey Forest (PID: 3392724; reference number PA\22\0116).

I wish to express my strong support for this proposal.

I'm told there have been claims that the range will present either a hazard or a nuisance to other users of the area, but I believe these claims are not supported by the facts. Specifically, it seems clear that the range will have no impact whatever on anyone using the lake, river, or walking tracks, or anyone camping anywhere in the area around the lake, because a great deal of work has gone into its development to make sure it does not interfere with any of these activities. My understanding is that Tasmania police have deemed the range safe and agreed that it will not affect any other users of the wider area. The topography of the area will even prevent any sound disturbance to the valley, which is far enough from the firing line that nothing will be heard.

Rifle ranges were once common throughout Tasmania, but they are now few and far between. However, the sport of target rifle shooting is enjoying a resurgence in popularity. There is no safer, more inclusive, or more egalitarian sport in existence. I have no doubt that a rifle range at Maggs Mountain would be a valuable social and economic asset for the region, and I urge the council strongly to support it.

Sincerely,
 Mark Risdon

[REDACTED]

From: "brian driscoll" [REDACTED]
Sent: Mon, 15 Nov 2021 20:35:12 +1100
To: "Planning @ Meander Valley Council" <planning@mvc.tas.gov.au>
Subject: Firing Range and Associated Development

To Whom it May Concern,

I am writing against the submission for development of long range rifle club facility in the North Maggs road area.

Firstly the applicant has not taken into account any other users in the area that already use the area for recreation and associated activities.

1. No one wants to hear high powered rifles echoing around the valleys in that area on any weekend quiet purely noise pollution and this would not be conducive to how the area is already.

2. The area is utilised by fishermen, families, hikers, photographers and many other groups over the year pursuing their hobbies and leisure activities in a quiet environment with gunshots ringing out down along the valley.

3. The area and roadways are accessed by many tourists accessing Cradle Mtn Lake St Clair National Park has this been considered should there be gunshots ringing out and a unwary tourist not knowing what is happening could quite fairly be reported to police and so a chain reaction of events occur and a waste of critical resource time all because of a development that should not be situated in such proximity to national park.

4. Has increased traffic been considered on Maggs road itself who will maintain the road if the traffic load increases over time? Usually construction stages of any project have huge impacts on local roads and the wellbeing of road surfaces itself with haulage trucks coming and going. There are many people that access this area every weekend for different recreational activities what will the impact be on those when an exclusion zone is enacted on vehicular access along maggs road etc.

5. Surely there are better geographical locations for this proposal to be situated for the sake of the gun community itself would it not be better to have this development built midway between North and South Tasmania for ease of access for all the states shooters and not just the 10 or 15 the proponent suggests. This would make the development self sustaining with fees gathered for use from all and make it an all inclusive range for the biggest number of users from the state not just a few.

6. The impact on wildlife in the area has definitely not been considered when it comes to development application there have been many eagles sighted in the area and add to the already pristine nature of the area value adding for photographers and other groups that use the area recreationally.

7. I would like the proponent to suggest that everyone is anti guns this is not the case however as a military man I have fired some of the biggest weapons ever to land on Australian shores. However I do know what ringing gunshots sounds like in the bush while trying to enjoy a quiet peaceful pastime like hiking and bushwalking photography and fishing who would want to listen to that all day when on the lake fishing or camping there with the family.

Thankyou very much for taking time to consider my views on the application of such a development in such a critical area of pristine beauty and the last that area needs or wants is a rifle range as significant as what this would turn into thankyou.

Matthew Abell

From: Deborah Lynch [REDACTED]
Sent: Monday, 29 November 2021 10:55 PM
To: Planning @ Meander Valley Council
Subject: Re: PA/22/0116 Kentish Rifle Club Inc

To the planning department,

My friend [REDACTED] also objects for the same reasons detailed by Deborah Lynch via email.

On Mon, 29 Nov 2021, 22:48 Deborah Lynch, [REDACTED] e:
 To planning department,

I wish to object to this proposed development. It does potentially impact or influence access to recreation in the surrounding area, which includes the Walls of Jerusalem, Arm River (Pelion) and other walking tracks, the Mersey Whitewater course and Arm River Education Camp and so on.

It appears the applicant wants to attract shooters from other areas and from interstate and the rifle range to grow in the future and become a significant attraction for shooters, with various competitions hoped for. The initial lease is for 9 years, with a further option another 9 years.

As you can see, there is a diversity of natural attractions/environment based activities potentially impacted.

Thank you,

Deborah Lynch
 [REDACTED]

From: Deborah Lynch [REDACTED]
Sent: Monday, 29 November 2021 10:48 PM
To: Planning @ Meander Valley Council
Subject: PA/22/0116 Kentish Rifle Club Inc

To planning department,

I wish to object to this proposed development. It does potentially impact or influence access to recreation in the surrounding area, which includes the Walls of Jerusalem, Arm River (Pelion) and other walking tracks, the Mersey Whitewater course and Arm River Education Camp and so on.

It appears the applicant wants to attract shooters from other areas and from interstate and the rifle range to grow in the future and become a significant attraction for shooters, with various competitions hoped for. The initial lease is for 9 years, with a further option another 9 years.

As you can see, there is a diversity of natural attractions/environment based activities potentially impacted.

Thank you,

Deborah Lynch
 [REDACTED]

From: Karin Febey [REDACTED]
Sent: Monday, 29 November 2021 5:37 PM
To: Planning @ Meander Valley Council
Subject: Re- Representation against the proposed KRC range - PA/22/0166
Attachments: Rifle Range Proposal.docx

Please see attached representation

Re- Planning Application PA/22/0166- Proposed Rifle Range on Maggs Mountain

John Jordan
General Manager
Meander Valley Council
Westbury
planning@mvc.tas.gov.au

29/11/21

Dear John

I wish to strongly voice my disapproval and opposition of the planning proposal PA/22/0166 lodged with the council by the Kentish Rifle Club.

I write on behalf on my family who own one of the private blocks in the Arm Valley and have for many years enjoyed the peace and tranquility this sub alpine environment offers and cannot comprehend the idea that a rifle range in this pristine and wilderness area be considered and recommended by the planning department .

We have no qualms against rifle clubs as it's a sporting activity and they have their rightful place in the community , however the common denominator is the noise emissions and this is a significant consideration where ever they are located. In this instance, we see this as being totally unprofessional and irresponsible for STT to consider a lease in an area where there is much recreational activity on the mountain and in the surrounding Mersey Forest reserves . Further there was no consultation afforded with landowners even in the 12 months of planning before the proposal was lodged with council. Surely STT could have suggested other more suitable sites.

The Mersey Valley and Arm River reserves is an exciting playground for many recreational users from all around Tasmania and interstate. The notable landmarks are numerous – The Mersey River for its white water rafting etc, Lake Rowallan for its fishing and boating, The Walls of Jerusalem , Lees Paddocks and Pelion for bushwalking etc. The list goes on including trails into the National Park from the Arm Road . All of these recreational communities consisting of Canoe Tasmania, Anglers Alliance , Tas bush walking club and other walking clubs just to name a few – all regularly visit these beautiful places to enjoy their sport.

The Education centre on the Arm Road is another user under the category – Outdoor Education and is frequented regularly by a number of education groups such as Advark Adventures and other outdoor education providers and adventure tourism businesses. They use the centre to conduct training for outdoor professionals over weekends and during some weeks.

Schools participating in outdoor education focus on bushwalking, mountain biking, rafting, kayaking and Indigenous Culture Awareness. For all of these communities the sound of rifle fire will impact the peace and quiet of the area and disrupt the natural ambience and experience of the users in the area.

I pose the question to council that are these multiple users of the Mersey Valley not as important as the one user activity – shooting ? Behind every representation of opposition there are individuals of those clubs, outdoor education and bush walkers which far outweigh the numbers of individuals within the rifle club. Our family feels it would be totally irresponsible for Council to approve this user over those mentioned, therefore disregarding the values of the people enjoying these diverse activities. Further the approval of the range to proceed will compromise the tourism and recreational values of the area.

The Arm Valley has historical values too which dates as far back s the late 1800s. Early mountain men and their families hunted possum and wallaby and grazed cattle . The Arm Valley was an early stock route to the Upper Mersey Regions for grazing . There is a skin shed on one of the properties that has recently been heritage listed. Author and Environmental Historian Simon Cubit writes about the early history of the Arm in his Mountain Stories – Echoes from the High Country . So in fact the Mersey Valley and neighbouring landmarks along with its history should be regarded as significant , not only in its diverse opportunities for mountain activities but also for its traditional values . Why destroy this with a Rifle Club on Mags Mountain ?

Noise emissions from the rifle range will have significant implications for all of the users mentioned. Whilst the planner dismisses this due to the elevation and the horizontal/vertical location buffered by trees and the distance from the boundaries , there is no evidence to support this claim in the report . Who has made this claim ? The planner ? Where is the audio assessment to confirm such a statement?

Increased traffic from 20- 50 vehicles dependant upon club/competition days will again be an impact on landowners and other users in the valley . The Arm road leading to the Maggs road is a single gravelled road, winding around the base of Maggs , past the education centre and upwards towards the turn off. Dust and stones fly every where when a single vehicle travels upon it ,let alone 20- 50 cars. The North Maggs road is also a single loosely gravelled road with soft edges and no space for passing etc. The edge of the mountain is at the side of the road in some places. This road has been deemed totally unsuitable by a large organisation and would need considerable upgrading to ensure safety . What about guard rails?

The remoteness of the location in this sub alpine environment is unsuitable also due to the extreme weather conditions -dangerous black frosts , snow and ice. Has the club really thought this through at all ?

The wildlife responsibilities must also be assessed by the appropriate authorities DIPIPWE and other environmental consultants as required by the Threatened Species Act. They must seek new nesting data after the 2016 fires which disturbed the nests. Since then there is a higher than normal chance of unrecorded nests present potentially closer to the proposed site than other recorded nests . The council and the proponent need to seek independent advice as to the need for further surveys and to investigate buffers to reduce the disturbance to eagle breeding in these special circumstances at this site. The earlier report from the planner dismissed this as it didn't meet the Level 2 Activity .

In summary , this submission is about the unsuitability of the range being located in this area because of the diverse activities undertaken by literally thousands of individuals. It is the area that is completely wrong and whilst this submission doesn't focus on concerns that align to the planning scheme , it is the sought after , highly visited , nationally acclaimed sub alpine environment for which its planned is the focus here . This should be the focus by all who are considering this .

I sincerely hope planners and council aldermen take the only action here and disapprove this proposal for the reasons stated . If approved , the impacts will be life changing for all of the people who love this area for whatever their pursuits.

Thankyou for reading this representation .
Karin Febey



From: Alastair Biffin [REDACTED]
Sent: Tuesday, 30 November 2021 8:02 AM
To: Wayne Johnston; Michael Kelly; Deborah White; Michal Frydrych; Rodney Synfield; Tanya King; Andrew Sherriff; John Temple; Stephanie Cameron; Planning @ Meander Valley Council
Subject: Proposed rifle range - Maggs Mountain, Mersey Valley

My name is Alastair Biffin and I am writing to you in reference to the proposed rifle range being considered by the council on Maggs mountain.

I am the Head of Outdoor Education and Camps at St Patrick's College in Launceston and I'm writing to express my concerns with a proposed rifle range in the mersey valley area.

We frequently use the area for our camps and outdoor education programs looking specifically at sense of place and how we can further develop deeper connections to nature. We do this by tapping into the rich Indigenous history and compare and contrast this with hydro and forestry.

The Mersey Valley boasts a range of world class outdoor locations that provide both outdoor providers and schools from across the state and country, the opportunity to engage in authentic outdoor experiences.

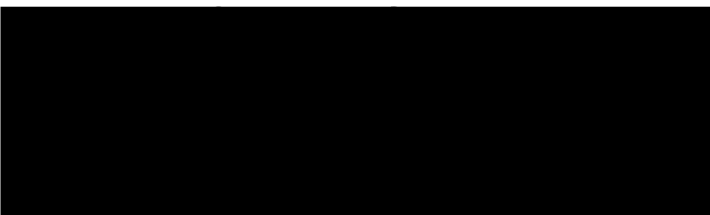
I would be deeply concerned that a rifle range would significantly impact the tranquility and natural beauty of the area and find it hard to believe trees alone would be enough to buffer the noise.

I hope you carefully consider the information presented to you from outdoor providers and educators, as we hope to use the area for many years to come.

Kind regards

--

Alastair Biffin





With deep respect, St Patrick's College acknowledges the Tasmanian Aboriginal Community as the traditional and ongoing custodians of this land. We recognise their connection to the land, seas, air and waterways of lutruwita, and commit ourselves to the ongoing journey of reconciliation.

This email and any files transmitted with it contain confidential information intended for the use of the individual or entity named above. If you are not the intended recipient you are hereby notified that you must not disseminate, copy or take action in reliance upon it. While virus-scanning software is utilised by us, no responsibility is taken for the virus damage that may originate from this transmission. If you received this communication in error please contact the sender immediately and delete this email and associated material from any computer.

From: [REDACTED]
Sent: Tuesday, 30 November 2021 12:14 PM
To: Jan Richardson
Subject: Fwd: Representation - PA\22\0116- Tasmanian Canoe Club Inc.
Attachments: Representation - PA220116- Tasmanian Canoe Club Inc.- 28 November 2021.pdf

Sent from my iPhone

Begin forwarded message:

From: Callum Tregurtha [REDACTED]
Date: 30 November 2021 at 12:13:07 pm AEDT
To: jan.richardson@mvc.tas.gov.au
Subject: Fwd: Representation - PA\22\0116- Tasmanian Canoe Club Inc.

Hi Jan,

Please see attached.

Thanks,
Callum Tregurtha

Sent from my iPhone

Begin forwarded message:

From: Callum Tregurtha [REDACTED]
Date: 29 November 2021 at 8:08:33 pm AEDT
To: planning@mvc.tas.gov.au
Subject: Fwd: Representation - PA\22\0116- Tasmanian Canoe Club Inc.

Hi,

I sent this email yesterday but it has since returned as not received.

Could you please acknowledge the below representation was received.

Yours faithfully,
Callum Tregurtha

Sent from my iPhone

Begin forwarded message:

From: Callum Tregurtha

Date: 28 November 2021 at 6:08:10 pm AEDT

To: planning@mvc.tas.gov.au

Subject: Representation - PA\22\0116-
Tasmanian Canoe Club Inc.

Att: General Manager- Meander
Valley Council

**Representation - PA\22\0116-
Tasmanian Canoe Club Inc.**

Please see attached representation
in respect of the above
development application, on
behalf of Tasmanian Canoe Club
Inc.

Yours faithfully,

Callum A. Tregurtha
Vice Commodore
Tasmanian Canoe Club Inc.



Att: General Manager

28 November 2021

Meander Valley Council

PO Box 102, Westbury 7303

VIA EMAIL ONLY TO: planning@mvc.tas.gov.au

Representation - PA\22\0116- Tasmanian Canoe Club Inc.

Our representation is made in response and in opposition to the Kentish Rifle Club Inc.'s (hereafter the proponent") application for a development permit pursuant to section 57 of the *Land Use Planning Approvals Act 1993* (Tas), that would allow the development of the site known as Property ID 3392724, situated off of North Maggs Road, Mersey Forest in Tasmania.

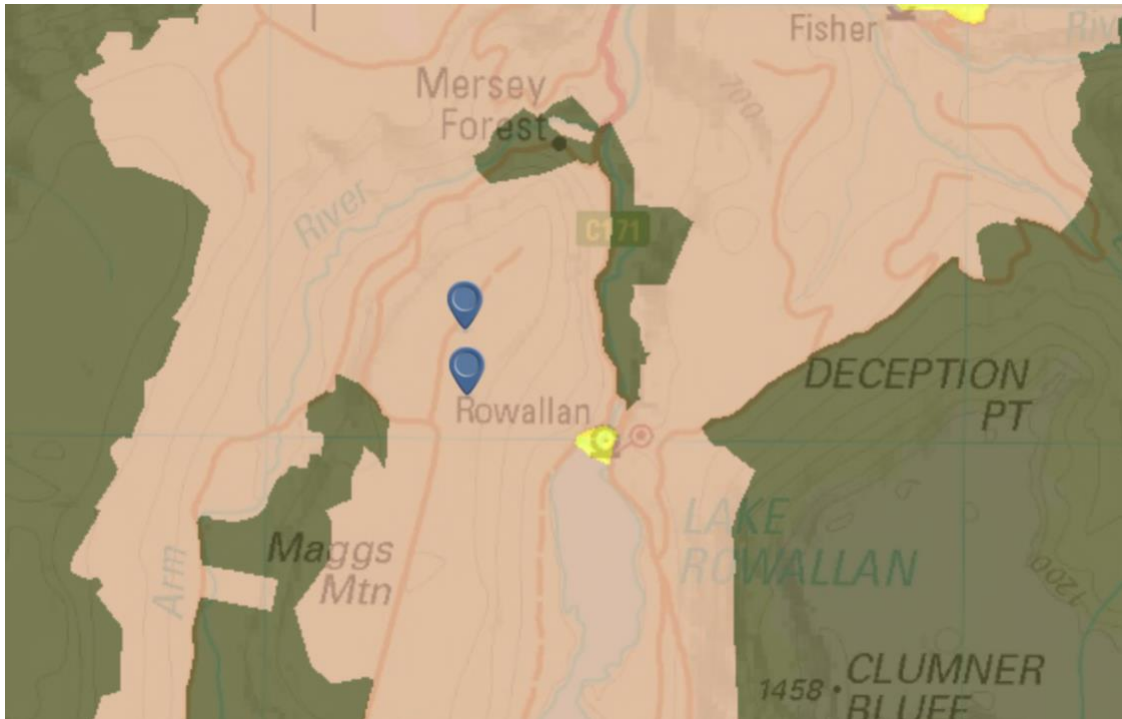
Our Standing in Respect of This Issue

Tasmanian Canoe Club Inc. (hereafter 'the Club') has operated for in excess of 50 years, is based in North-West Tasmania, and is dedicated to furthering kayaking and canoeing throughout Tasmania. As a consequence, the Club is a regular user of the Mersey River between Lake Rowallan and Lake Parangana where the Mersey Slalom course is located (known as the Mersey White Water Forest Reserve). This section of the Mersey River encompassed within the Reserve is utilised by the Club, other similar organisations, school groups, and other commercial and private users regularly. The Slalom Course has hosted both national and international competitions previously.

The Mersey River flows parallel and within close proximity to the proposed development site. The proponents legally required 'Exclusion Zone' overlays approximately one-third of the river area regularly used by the Club and other users. The Club has a direct interest in respect of this development application- our concerns are not abstract or intellectual.

Relevant Planning Area and Zoning

The proposed development area is currently zoned as 'rural' under the *Tasmanian Planning Scheme* and overlaid as a 'bushfire prone area.' In the following map extracted from the Tasmanian Government 'ListMap', the approximate area and zoning can be viewed:-



In respect of the above map, it is noted that:-

1. The off-brown colour represents areas zoned 'rural' under the Tasmanian Planning scheme;
2. The green colour represents areas zoned 'environmental management' under the Tasmanian Planning Scheme; and
3. The blue marker represents the approximate development site location based off of the permit application.
4. The green area to:-
 - a. the west (far left) of the proposed development is the Cradle Mountain-Lake St Clair National Park;
 - b. The immediate south-west of the development site is the Maggs Mountain Reserve;
 - c. The east (far right) of the proposed development is the Walls of Jerusalem National Park; and
 - d. The east (centre) is the Mersey White Water Forest Reserve.

Planning Purpose and Objectives

Under the *Tasmanian Planning Scheme*, the purpose of rural zones are:-

“20.1.1 To provide for a range of use or development in a rural location:

- (a) where agricultural use is limited or marginal due to topographical, environmental or other site or regional characteristics;*
- (b) that requires a rural location for operational reasons;*
- (c) is compatible with agricultural use if occurring on agricultural land;*
- (d) minimises adverse impacts on surrounding uses.*

20.1.2 To minimise conversion of agricultural land for non-agricultural use.

20.1.3 To ensure that use or development is of a scale and intensity that is appropriate for a rural location and does not compromise the function of surrounding settlements.”

The purpose of environmental management zones are:-

“23.1.1 To provide for the protection, conservation and management of land with significant ecological, scientific, cultural or scenic value.

23.1.2 To allow for compatible use or development where it is consistent with:

- (a) the protection, conservation and management of the values of the land; and*
- (b) applicable reserved land management objectives and objectives of reserve management plans.”*

Although the development falls within a rural zoned area, the impact on surrounding environmental management zones ought be considered when considering this application.

The proposed development is seeking assessment as a ‘sports and recreation development,’ and consequently is a discretionary use when in a rural zoned area. As a consequence, the development must address the use standards for a discretionary use within the *Tasmanian Planning Scheme*.

Application of Planning Scheme to Proposed Development

It is the Club’s position that the proposed development is inconsistent with the surrounding environmental management zones and does not meet the requirements of the planning scheme for a rurally zoned area for the following reasons:-

1. It does not meet any applicable acceptable solution for development in rural zoning;

2. The development does not meet the following performance criteria:-

a. It will constrain and diminish existing uses on adjoining properties as:-

- i. The development is in an area that is surrounded by land zoned as 'environmental management zones' that are protected for their environmental value and the development is likely to negatively impact on the amenity of the surrounding uses, namely National Parks and Reserves;
- ii. the development is within approximately 2 kilometres of the Mersey Slalom Whitewater course and is in close proximity to the Arm River camp and bushwalking tracks/camping areas/ existing huts. The proposed Attenuation Zone infringes on these existing uses by overlaying them;
- iii. The development when in use will include the firing of large gauge ammunitions over extended distances without the use of silencing mechanisms (as silencing mechanisms are illegal in Tasmania). This will likely have a significant negative impact on other existing uses due to the noise pollution caused by the use and topography of the area, and the actual pollution caused by metals and other contaminants being discarded. There is no evidence as to the extent of any impact and mitigation of it in the application;

b. It will likely adversely impact other users by increasing traffic and maintenance required to local road networks. The local road network consists largely of dirt roads and a single sealed access point through Mersey Forest Road. The applicant has not addressed in their application how traffic impact can be minimised, or addressed improving the capacity of the local road network to meet the proposed use, other than to say it is not an issue. It is noted that there is no traffic management plan or other evidence put before Council regarding suitability of the road network. This is both a safety and accessibility issue, particularly as the area is a bushfire prone area and is an area that has sporadic mobile phone coverage;

c. The development is not of particular importance or significance as there are existing firearm ranges located on Devils Gate Road in Kentish (noting that the Proponent is the Kentish Rifle Club Inc.), at Campbell Town, and at Penguin,

amongst others. The application does not provide sufficient information to address this performance criteria.

- d. The development use requires separation from other uses to avoid impacts to others and that has not been achieved in this application. The proposed use is inconsistent with the surrounding heritage values of the area incorporated into National Parks and Reserves. It also negatively impacts on the use of Lake Rowallan as a recreational fishing lake and the Mersey Whitewater Reserve for kayaking/canoeing; and
- e. The development does not minimise the conversion of agricultural land to a non-agricultural use.

General Comments Regarding Application

It is also noted generally about the application:-

1. It does now include information advising in-principle support of Sustainable Timbers Tasmania. However, this is contingent on lease negotiations and other assessments including relating to the environment;
2. The first three questions of the application are again not completed which is a requirement of the Meander Valley Council for assessment as *"incomplete forms will not be accepted..."*. The Council should not make an exception in this instance to consider the application particularly as this is the second time this has occurred;
3. The total cost of development provides no evidentiary basis to assert the quantum is a legitimate estimate;
4. It includes no information addressing environmental impacts by noise and other pollution so as to assist in determining whether the application adequately addresses the performance criteria. It does not include information as to how physical pollution is to be minimised from the constructed toilets or from deposited metals. There is no evidence provided regarding noise testing at the site to provide an evidentiary basis to assert a lack of impact on other uses in the area. There is no evidence regarding waste management at the site including the nature of the toilets to be installed;
5. It does not include sufficient information regarding the development to assess environmental impact caused by the clearing of land, impact on flora and fauna, or the

inclusion of toilet amenities on the site. There has been no assessment to determine the presence or not of endangered species which frequent the area;

6. The traffic estimates included are not supported by any evidence and they are a guess at best on the material provided. There is no evidence on anticipated traffic in the event of international competition.
7. It does not address bushfire mitigation and risk, particularly given the area is subject to a bushfire overlay and it is acknowledged in the application that the area has been subject to fires previously. Given the remote area and limited access / mobile phone coverage, this ought be addressed;
8. It includes no information regarding the size of the proponent organisation and their membership / ability to fund and complete the proposed development, and whether other firing ranges are inaccessible/inappropriate so as to provide an evidentiary basis to assess importance and regularity of use; and
9. Given this is a matter where there are significant environmental reserves in the nearby area and risks of pollution, it is the Council's duty under section 20A of the *Environmental Management and Pollution Control Act 1994 (Tas)* to prevent or control acts or omissions that cause or are capable of causing pollution. There is no evidence able to assist Council to discharge that duty.

For the above reasons, Tasmanian Canoe Club Inc. is firmly opposed to the proposed development and respectfully requests that Council refuse to grant a permit in respect of this development application. However, if approved, the development ought be subject to development controls on the permit to limit the use as much as is appropriate.



Callum A. Tregurtha

BA-LLB (Hons), GDLP

Vice-Commodore of Tasmanian Canoe Club Inc.



PLANNING AUTHORITY 2

(Reference No. 232/2021)

37 & 55 MILES ROAD, MOLE CREEK

Planning Application: PA\22\0022
Proposal: Subdivision (2 lots into 5 lots)
Author: Heidi Goess
Consultant Town Planner

1) Proposal

Council has received an application for Subdivision (2 lots into 5 lots) on land located at 37 & 55 Miles Road, Mole Creek (CT's: 248315/1 & 248725/2).

Applicant	Cohen & Associates Pty Ltd
Property	37 & 55 Miles Road, Mole Creek (CT's: 248315/1 & 248725/2)
Zoning	Rural Living Zone
Discretions	7.10 General Provisions
	11.5.1 P1 - Lot Design
Existing Land Use	Rural Residential and Agriculture
Number of Representations	Three (3)
Decision Due (extension granted)	15 December 2021
Planning Scheme:	<i>Tasmanian Planning Scheme – Meander Valley</i> ("the Planning Scheme")

If approved, the application will result in the creation of three (3) additional lots at 37 and 55 Miles Road, Mole Creek within the Rural Living Zone. The application will also result in upgrading three (3) vehicle crossings on Miles Road and one (1) on Mersey Hill Road. The subdivision will result in the minor realignment of the road reserve of Miles Road.

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



Photo 1: Aerial image showing the location of the site.

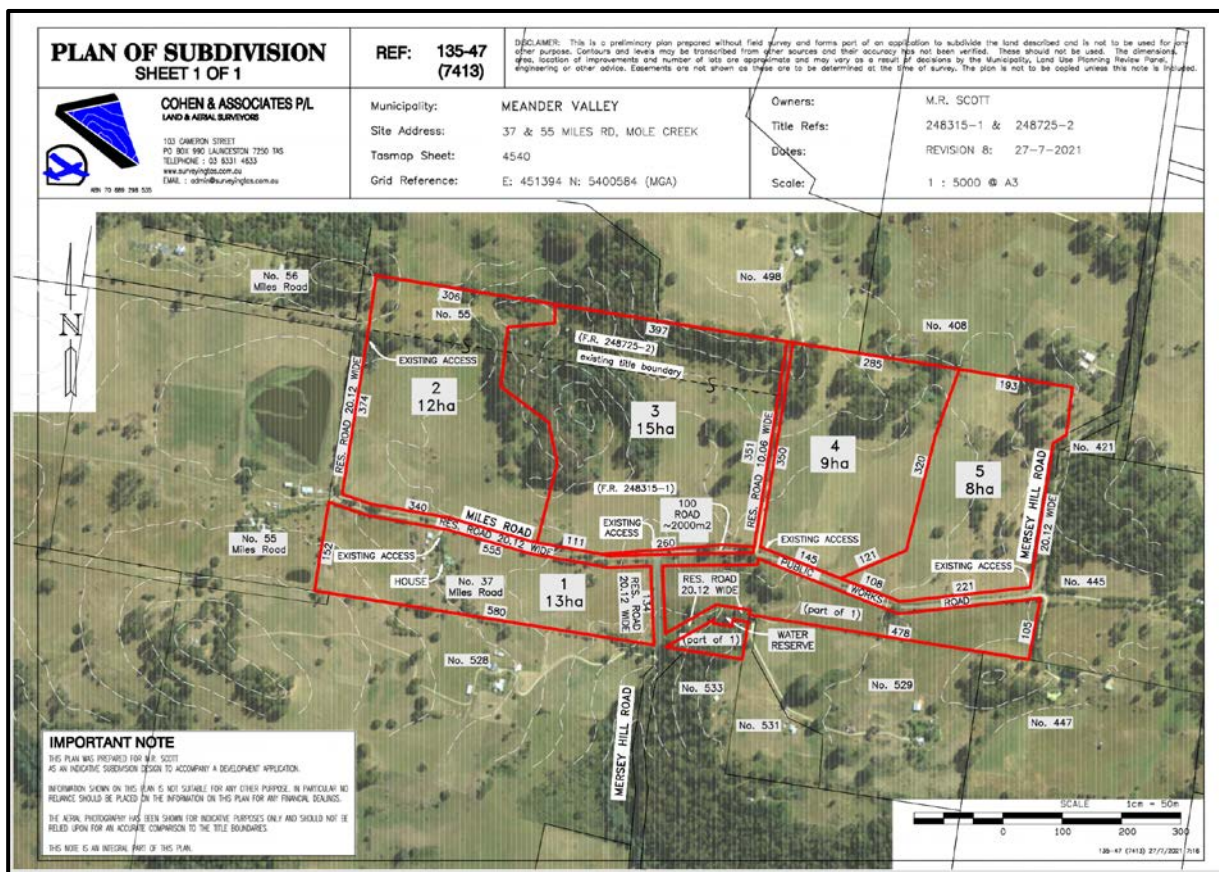


Figure 1: Plan of Subdivision.

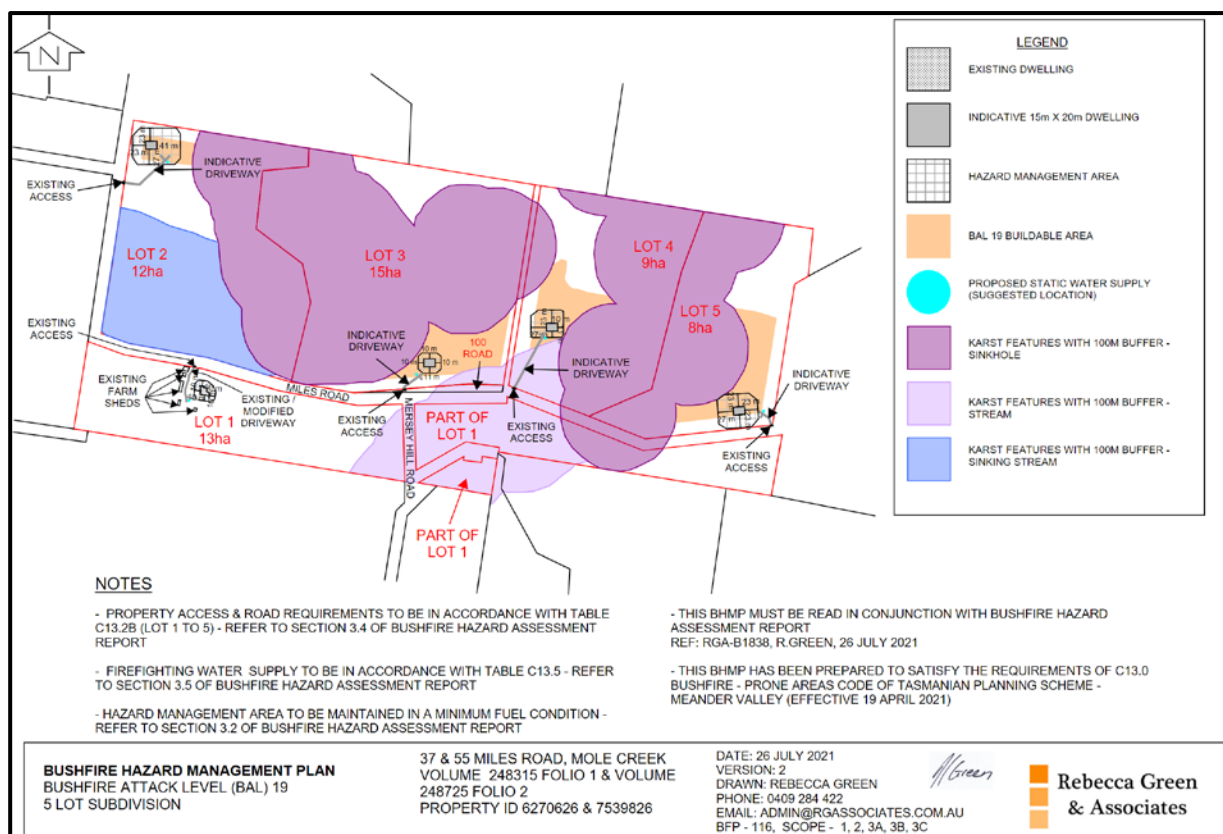


Figure 2: Bushfire Hazard Management Plan.



Photo 2: Miles Road looking towards the existing house on proposed Lot 1.



Photo 3: Looking east across to a portion of Lot 1.



Photo 4: Proposed Lot 2, looking towards indicative house site shown in the Bushfire Hazard Management Plan, refer to Figure 2.



Photo 5: Proposed Lot 3, looking at access and towards indicative house site shown in the Bushfire Hazard Management Plan, refer to Figure 2.



Photo 6: Proposed Lot 4, looking at access and towards indicative house site shown in the Bushfire Hazard Management Plan, refer to Figure 2.



Photo 7: Proposed Lot 5, looking at access and towards indicative house site shown in the Bushfire Hazard Management Plan, refer to Figure 2.

2) Summary of Assessment

The application proposes to create five (5) lots at 37 & 55 Miles Road, Mole Creek. A summary of the proposed lots are provided in Table 1.

Lot No.	Site Area	Access	Site constraints
1	13 ha	Existing, from Miles Road	There are no specific constraints associated with Lot 1.
2	12 ha	Existing from Miles Road on west boundary	Constrained by karst features. Useable area on the lot available for development.
3	15 ha	Existing, from Miles Road	Constrained by karst features. Useable area on the lot available for development.
4	9 ha	Existing from Mersey Hill Road	Constrained by karst features. Useable area on the lot available for development.
5	8ha	Existing from Mersey Hill Road	Constrained by karst features. Useable area on the lot available for development.

Table 1: Relevant details of proposed lots in the plan of subdivision.

The application proposes to subdivide the land at 37 and 55 Miles Road, Mole Creek to create a total of five (5) lots. The subject site is at the northern side of the Rural Living Zone at Mole Creek.

A single dwelling and outbuildings are located on the southern side of Miles Road on proposed Lot 1. The property is located in the Rural Living Zone and is also within the MEA-S5.0 Karst Management Area Specific Area Plan (the Specific Area Plan). It is noted that the Use and Development Standards of the Specific Area Plan are not applicable to the proposed subdivision. The proposal is consistent with the purpose of the Specific Area Plan, an assessment of the Specific Area Plan purpose is provided in Section 6.

The standards of the Planning Scheme which require assessment of the Performance Criteria and the application of Council's discretion to approve or refuse the application are outlined above and detailed in the Scheme Assessment in Section 6.

Overview

- The subdivision will create three (3) additional lots at 37 and 55 Miles Road, Mole Creek.
- Four (4) accesses will be required to be upgraded for proposed Lots 2, 3, 4 and 5.
- The proposal relies on the General Provisions of clause 7.10 and the Performance Criteria for Lot Design in the Rural Living Zone, therefore has a Discretionary status.
- Three (3) representations were received during the advertising period. The representations are concerned with the impact the intensification will have on the Rural Living Zone and the loss of amenity and lifestyle and that they will not be appropriately developed for residential use.
- The application is recommended for approval as it is demonstrated to comply with each applicable standard of the Planning Scheme.

3) Recommendation

It is recommended that the application for Subdivision (2 lots into 5 lots) on land located at 37 & 55 Miles Road, Mole Creek (CT's: 248315/1 & 248725/2), by Cohen & Associates Pty Ltd, be APPROVED, generally in accordance with the endorsed plans:

- a) **Cohen & Associates Pty Ltd; Dated: 27 July 2021; Plan of Subdivision;**
- b) **Rebecca Green & Associates; Dated: 26 July 2021; Reference: Job No: RGA-B1838, Bushfire Hazard Assessment Report & Bushfire Hazard Management Plan;**
- c) **Phillip Cullen; Dated: 21 December 2017, "A report on the karst**

- features of a proposed subdivision of 134 Baldocks Road, 55 Miles Road Mole Creek, and 37 Miles Road, Mole Creek, Mole Creek"; and*
- d) **Phillip Cullen; Dated: 29 October 2021, Addendum to "A report on the karst features of a proposed subdivision of 134 Baldocks Road, 55 Miles Road Mole Creek, and 37 Miles Road, Mole Creek, Mole Creek, Philip Cullen 2017".**

and subject to the following conditions:

1. **Covenants or similar restrictive controls must not be included on or otherwise imposed on the titles to the lots created by the subdivision, permitted by this permit unless:**
 - a) **Such covenants or controls are expressly authorised by the terms of this permit or by the consent in writing of Council; and**
 - b) **Such covenants or similar controls are submitted for and receive written approval by Council prior to submission of a Plan of Survey and associated title documentation is submitted to Council for sealing.**
2. **The driveway accesses servicing Lot 2, Lot 3, Lot 4 and Lot 5 must be upgraded in accordance with Tasmanian Standard Drawings TSD-R03 and R04 to the satisfaction of Council's Director Infrastructure Services. Refer Note 1.**
3. **The works required by the endorsed Bushfire Hazard Management Plan are to be completed to the satisfaction of the Tasmanian Fire Service or a practitioner accredited by the Tasmanian Fire Service. Documentation of compliance is to be submitted to the satisfaction of Council's Town Planner.**
4. **The lots approved by this permit must be maintained at all times in accordance with the endorsed Bushfire Hazard Management Plan.**
5. **The developer must pay to council a public open space contribution of \$12,550 equivalent to 5% of the unimproved value of the approved lots.**
6. **The Road Lot 100 as shown on the Plan of Subdivision is to be conveyed to Council upon the issue of the Certificate of Titles under Section 10 (7) of the *Local Government (Highways) Act 1982*. All costs involved in this procedure must be met by the developer.**

- 7. Prior to the sealing of the final plan of subdivision the following must be completed to the satisfaction of Council:**
- a) Installation of driveway accesses to all lots in accordance with condition 2;**
 - b) The document of compliance submitted to Council demonstrating that the works as required by the endorsed Bushfire Hazard Management Plan have been completed, in accordance with condition 3; and**
 - c) Payment of public open space contribution in accordance with condition 5.**

Notes:

- 1. Prior to any construction being undertaken in the road reserve, separate consent is required by the Road Authority. An Application for Works in Road Reservation form is enclosed. All enquiries should be directed to Council's Infrastructure Department on (03) 6393 5312.**
- 2. Any other proposed development and/or use, including amendments to this proposal, may require a separate planning application and assessment against the Planning Scheme by Council. All enquiries can be directed to Council's Development and Regulatory Services on 6393 5320 or via email: mail@mvc.tas.gov.au.**
- 3. This permit takes effect after:**
 - a) The 14 day appeal period expires; or**
 - b) Any appeal to the Tasmanian Civil and Administrative Tribunal is abandoned or determined; or.**
 - c) Any other required approvals under this or any other Act are granted.**
- 4. A planning appeal may be instituted by lodging a Notice of Appeal with the Registry of the Tasmanian Civil and Administrative Tribunal. An 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 and Planning Stream of Tasmanian Civil and Administrative Tribunal website www.tascat.tas.gov.au/resource-and-planning/home
- 5. This permit is valid for two (2) years only from the date of approval and will thereafter lapse if the development is not substantially commenced. An extension may be granted if a request is received.

6. In accordance with the legislation, all permits issued by the permit authority are public documents. Members of the public will be able to view this permit (which includes the endorsed documents) on request, at the Council Office.
7. If any Aboriginal relics are uncovered during works:
 - a) All works are to cease within a delineated area sufficient to protect the unearthed and other possible relics from destruction;
 - b) The presence of a relic is to be reported to Aboriginal Heritage Tasmania Phone: (03) 6233 6613 or 1300 135 513 (ask for Aboriginal Heritage Tasmania) Fax: (03) 6233 5555 Email: aboriginal@heritage.tas.gov.au; and
 - c) The relevant approval processes will apply with state and federal government agencies.

4) Representations

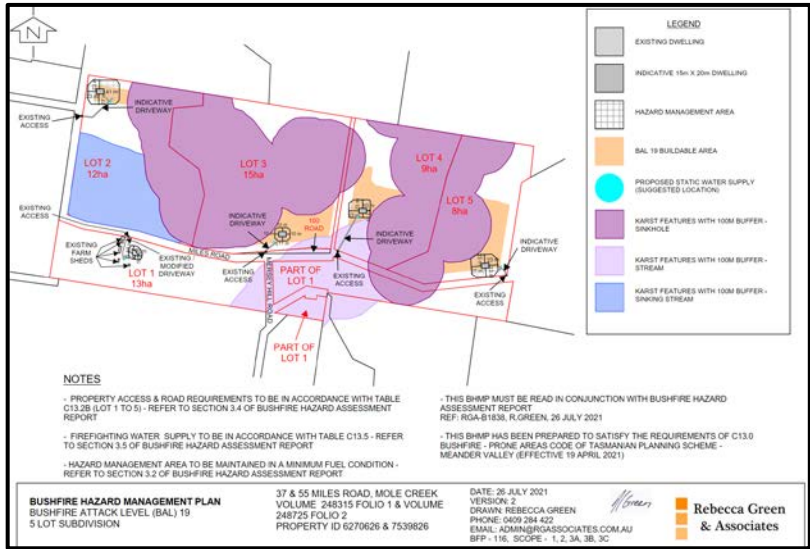
The application was advertised for the statutory 14-day period from 6 November 2021 to 22 November 2021. During the advertising period three (3) representations were received.

A summary of the concerns raised in the representations is provided below. While the summary attempts to capture the essence of the concerns, it should be read in conjunction with the full representations included in the attachments.

The table is divided into three (3) columns. The first column lists the key concerns and themes raised by representors. The second column identifies which representor raised the concern or theme within their submission by their number. The third column provides a response to the concern or themes raised.

Concern or Theme	Representation	Response
<p>1. If subdivision is approved, will result in the increase of traffic movements on a dirt road. An increase in vehicle movements may result with a negative impact on wildlife as there is a high wildlife mortality rate on rural roads.</p>	<p>1</p>	<p>The Planning Scheme provides the ability for land zoned Rural Living to be subdivided providing the application complies with the applicable standards of the Planning Scheme.</p> <p>The assessment intensifies the existing accesses and considers traffic generation as a result of the creation of four (4) lots. It is anticipated that if the lots are developed for Residential use that this will result in nine (9) additional traffic movements for each of the proposed lots, Lots 2, 3, 4 and 5.</p> <p>The upgrading of each of the existing accesses complies with all the applicable Acceptable Solution of the C3.0 Road and Railway Asset Code. The Planning Scheme does not require consideration of the impact on wildlife with regard to increased vehicle movements.</p> <p>The proposal has been assessed and is considered to be compliant with the applicable standards of the Planning Scheme as demonstrated in the assessment in Section 6 below.</p>
<p>2. Concerned that the lots will most likely be developed with a shipping container, caravan or a shed instead of a house as purchasers are financially stretched and will not be capable of constructing a dwelling. The representor refers to 421 Mole</p>	<p>1</p>	<p>The Planning Scheme provides the ability for land zoned Rural Living to be subdivided providing the application complies with the applicable standards of the Planning Scheme.</p> <p>The proposal has been assessed and is considered to be compliant with the applicable standards of the Planning</p>

Concern or Theme	Representation	Response
Creek Road adjacent to the proposed development highlighting this as an example of where this has occurred.		<p>Scheme as demonstrated in the assessment in Section 6 below.</p> <p>The financial position of a person purchasing any of the lots in the future is not a consideration under the Planning Scheme. Established development that is considered inappropriate by the representor on adjacent land is not considered in the assessment of the application.</p>
3. Requests that the Council approve the proposal but only if the rules are strictly applied and recommends that building covenants are placed on the titles to note that it is a quiet country dirt road supporting its present uses with no other demands from its residents or holiday visitors of this area.	3	<p>The upgrading of each of the existing accesses complies with all the applicable Acceptable Solution of the C3.0 Road and Railway Asset Code. There is no ability under the Planning Scheme to impose covenants on the proposed lots to address the concern of the representation.</p> <p>The proposal has been assessed and is considered to be compliant with the applicable standards of the Planning Scheme as demonstrated in the assessment in Section 6 below.</p>
4. Concerned that the subdivision will require access through their property at 70 Baldocks Road.	2	The proposal will not modify any access arrangements concerning the property at 70 Baldocks Road.
5. The representors note the discrepancies in the Report on the Karst Features and the proposed subdivision. The representors note that the Report on the Karst Features	2	A report assessing the karst features of the site was provided in support of this application. The lot configuration in this original report differs to the Plan of Subdivision.

Concern or Theme	Representation	Response
refers to 134 Baldocks Road. Reference is also made to 80 Baldocks Road in this Report and the representor notes that this is not owned by the property owner.		<p>An addendum to the report was provided by Mr P. Cullen endorsing the indicative house sites in relation to the karst features as shown on the Bushfire Hazard Management Plan (refer to Figure 3).</p> <p>Each lot is provided with a useable area for residential development in accordance with the Rural Living Zone D.</p> <p>The property at 80 Baldocks Road does not form part of the Plan of Subdivision.</p> 
6. Spirit of the guideline (assume referring to Tasmanian Planning Scheme) is to maximise liveability and value for the area.	3	<p>The Planning Scheme provides the ability for land zoned Rural Living to be subdivided providing the application complies with the applicable standards of the Planning</p>

Concern or Theme	Representation	Response
<p>The representor is of the view that it is outside of the planning powers and remit to approve five (5) lots.</p> <p>The representor notes that 10 ha lots are intended to preserve lifestyle of the lands under management by Council into the future. The representor notes that there is a leeway to reduce to the lot size by 20% but only in extenuating reasons.</p> <p>The representor requests that Council not approve five lots but instead approve four as the proposal is outside of the requirements of the Tasmanian Planning Scheme.</p> <p>The representor opposes five (5) lots.</p>		<p>Scheme.</p> <p>The site has an overall area of approximately 57ha, anticipating that a yield of five (5) lots for the site could be achieved. The proposed lot areas, however, are influenced by the existing configuration of the parent title boundaries and the karst features on the site.</p> <p>The reduced lot area for proposed Lots 4 and 5 can be attributed to these factors. The reduced lot areas will not be reduced by more than 20% and are in accordance with the applicable standard of the Rural Living Zone D.</p> <p>The proposal has been assessed and is considered to be compliant with the applicable standards of the Planning Scheme as demonstrated in the assessment in Section 6 below.</p>

5) Consultation with State Government and other Authorities

Not applicable

6) Scheme Assessment

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

7.10 Development Not Required to be Categorised into a Use Class

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

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

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

The proposed subdivision has been assessed under the development standards for subdivision of the Rural Living Zone. Each lot proposed in the plan of subdivision complies or has demonstrated compliance with all applicable standards. The proposed Lots are provided with a useable area that can be developed in accordance with the Rural Living Zone. The proposed subdivision meets the requirements of Clause 11.5.1 Lot Design standard and for these reasons, is not expected to have a detrimental impact on adjoining uses or the amenity of the surrounding area.

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

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

d) the purpose of any applicable specific area plan.

(a) the purpose of the applicable zone

Rural Living Zone

11.0 Zone Purpose

The purpose of the Rural Living Zone is:

11.1.1 To provide for residential use and development in a rural setting where:

(a) services are limited; or

(b) existing natural and landscape values are to be retained.

The proposal is for the subdivision of land to create an additional three (3) lots from two (2) titles in the Rural Living Zone D. There are two (2) lots, proposed Lots 4 and 5, which fall short of the 10ha requirement the acceptable solution for Lot Design. The reduction of each lot area satisfies the Performance Criteria as the area of each of these lots achieves a lot area of a minimum of 8ha each. Each lot is provided with a useable area and can facilitate residential development in accordance with the Rural Living Zone D.

The subject site is not connected to reticulated sewerage or stormwater and therefore larger size lots are required to facilitate on-site management of wastewater and stormwater.

The proposed subdivision has the potential to provide for future residential use and development.

11.1.2 To provide for compatible agricultural use and development that does not adversely impact on residential amenity.

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

11.1.3 To provide for compatible agricultural use and development that does not adversely impact on residential amenity.

The proposed subdivision is unlikely result in agricultural use. Future non-residential development will be subject to the use and development standards of the Zone.

(b) the purpose of any applicable code

Road and Railway Assets Code

C3.1 Code Purpose

C3.1.1 To protect the safety and efficiency of the road and railway networks; and

The safety and efficiency of Miles Road and Mersey Hill Road has been assessed by the Road Authority. Conditions have been recommended to ensure that each of the accesses can be developed in accordance with the relevant Tasmanian Standards.

C3.1.2 To reduce conflicts between sensitive uses and major roads and the rail network.

The subject site is not accessed via a major road or over the rail network.

All accesses are existing and are conditioned to be upgraded to meet the Tasmanian Standard.

(c) any relevant local area objectives

There are no Local Area Objectives in the Rural Living Zone or the MEA-S5.0 Karst Management Area Specific Area Plan

(d) the purpose of any applicable specific area plan

MEA-S5.0 Karst Management Specific Area Plan

MEA-S5.1.1 Plan Purpose

The purpose of the Karst Management Area Specific Area Plan is:

MEA-S5.1.1 To minimise adverse impacts of development on groundwater dependent ecosystems.

The proposed subdivision will not result in any change to the development on groundwater dependent ecosystem.

MEA-S5.1.2 To provide for appropriate protection of sensitive karst features.

The proposed subdivision is supported by a specialist report assessing the Karst features of the site. The original report prepared by Mr P. Cullen was prepared in 2017 for a previous subdivision design. An addendum to this report has been submitted in October 2021, endorsing the indicative house sites in relation to the Karst features. Each lot is provided with a useable area for future residential use as shown on the Bushfire Hazard Management Plan.

MEA-S5.1.3 To manage erosion of sediments within the karst area to minimise adverse impacts on karst features and the karst system.

The application is for subdivision and therefore clause MEA-S5.1.3 not applicable. This purpose statement will be addressed if the proposed lots are approved and developed in the future.

Performance Criteria

11.0 Rural Living Zone

11.5.1 Lot Design

Objective

That each lot:

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

Performance Criteria P1

Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have sufficient useable area and dimensions suitable for its intended use, having regard to:

- (a) the relevant requirements for development of existing buildings on the lots;*
- (b) the intended location of buildings on the lots;*
- (c) the topography of the site;*
- (d) any natural or landscape values;*
- (e) adequate provision of private open space; and*
- (f) the pattern of development existing on established properties in the area,*

and must be no more than 20% smaller than the applicable lot size required by clause 11.5.1 A1

Response

The proposed Lots 4 and 5 cannot comply with the Acceptable Solution and therefore relies on the Performance Criteria for its approval.

The proposed subdivision and the future development of the lots is heavily constrained by the karst features on the site. While subdivision does not need to be categorised into a use class, it is likely the lots will be each developed for a Residential use. It is imperative that the Karst features on each of the lots do not constrain the lots for future development.

The proposed lots have sufficient useable area and dimensions suitable for a future residential use. The assessment has regard to:

- (a) the relevant requirements for development of existing buildings on the lots;*

Clause 11.4.2 states that buildings must have a setback from a frontage of not less than 20m, from side and rear boundaries of not less than 10m and be separated from an Agriculture and Rural Zone not less than 200m. There are no existing buildings on proposed Lots 4 or Lot 5.

- (b) the intended location of buildings on the lots;*

Figure 4 indicates building envelopes showing the intended location of buildings. The building envelopes are in response to the Bushfire Hazard Management Plan and the Karst features on the site.

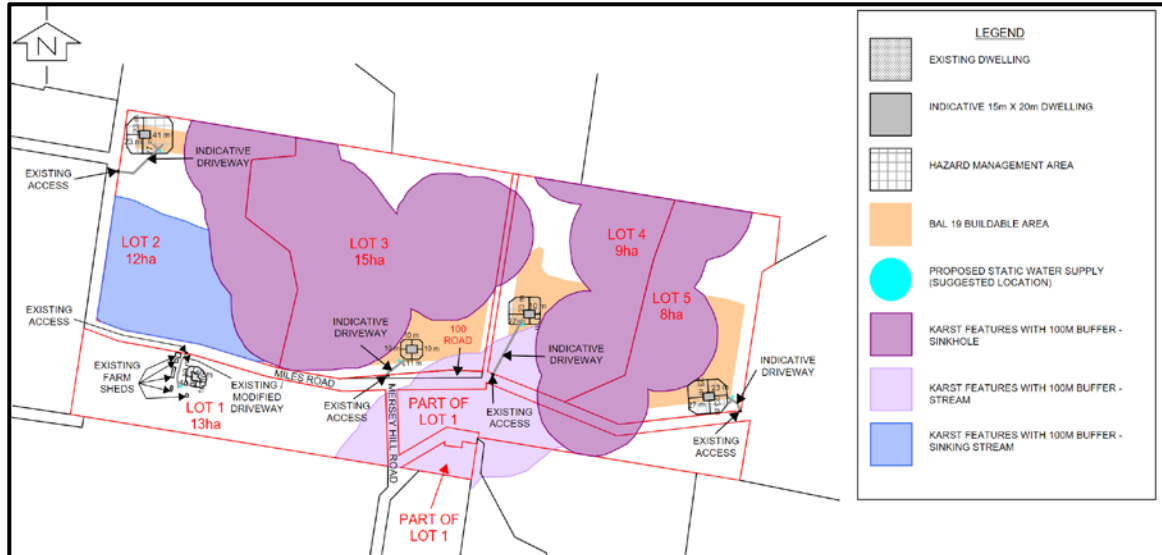


Figure 4: Indicative building envelopes shown in the Bushfire Hazard Management Plan.

Each lot is provided with sufficient useable area for dwellings that can meet the requirements of the Rural Living Zone.

(c) the topography of the site;

The topography and contours across the site are shown in Figure 5. The proposed lot configuration and boundaries are influenced by the contours and topography of the site. The boundaries between proposed Lots 4 and 5 are reflective of the topography and the Karst features.

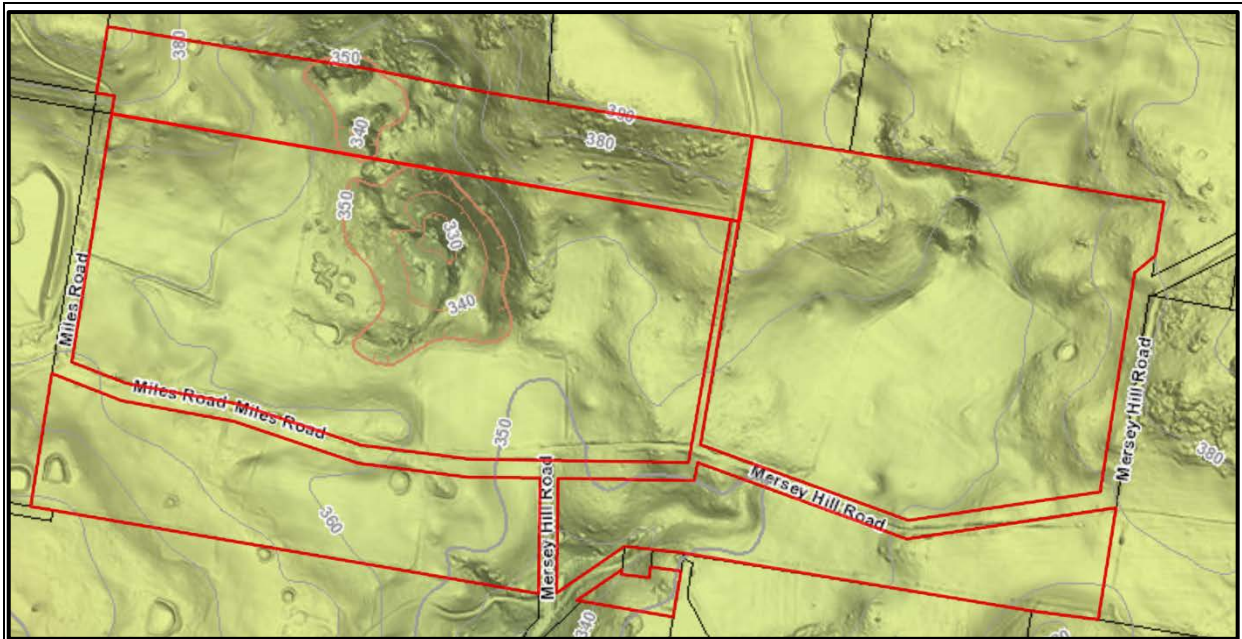


Figure 5: Topography of the site (source: Hillshade Base Map, theLISTMap).

(d) any natural or landscape values;

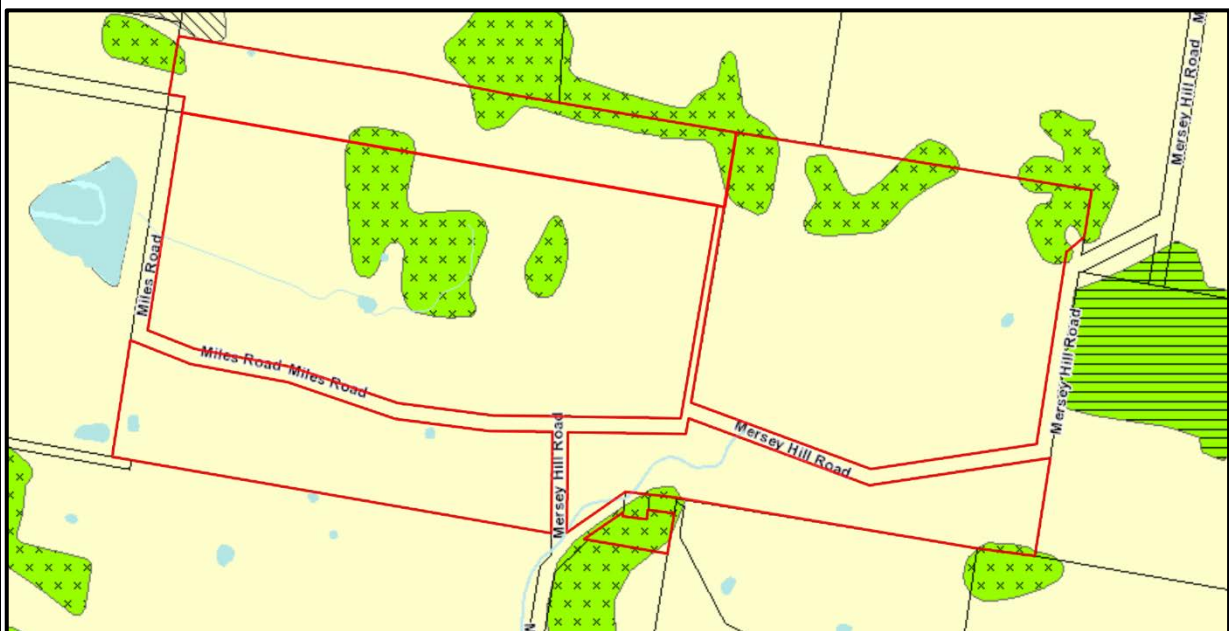


Figure 6: Hydrology (blue lines) and TasVeg 4.0 Communities.

The natural features of the site are identified in TasVeg 4.0 mapping. TasVeg 4.0 mapping identifies the site to mostly comprise agricultural land with a few pockets of the vegetation comprising *Eucalyptus amygdalina* - *Eucalyptus obliqua* damp sclerophyll forest (refer to Figure 6). The Bushfire Hazard Management Plan (refer to Figure 4) demonstrates that proposed Lots 4 and 5 can be developed without requiring the clearance of vegetation. There is no area shown for proposed Lots 4 and 5 to be within the *waterway and coastal protection area* of the Planning Scheme overlay maps. The proposed Lots 4 and 5 will potentially provide useable areas for

the intended Residential use of the lots outside of the areas containing the natural values.

The landscape value of the site and the surrounding area is one of an open rural residential character comprising cleared pasture, pockets of vegetation, interspersed with clusters of agricultural or residential buildings visible within the landscape. The future development of proposed Lots 4 and 5 will replicate the established pattern of development and each lot is provided with a useable area intended for Residential use. The proposal is not considered to result in development outcomes that will have a detrimental impact on the landscape values.

(e) adequate provision of private open space; and

Lot 4 has an area of 9ha and Lot 5 has an area of 8ha. The Rural Living Zone provides an acceptable solution for site cover of 400m². Each lot will be able to provide sufficient area for private open space.

(f) the pattern of development existing on established properties in the area,

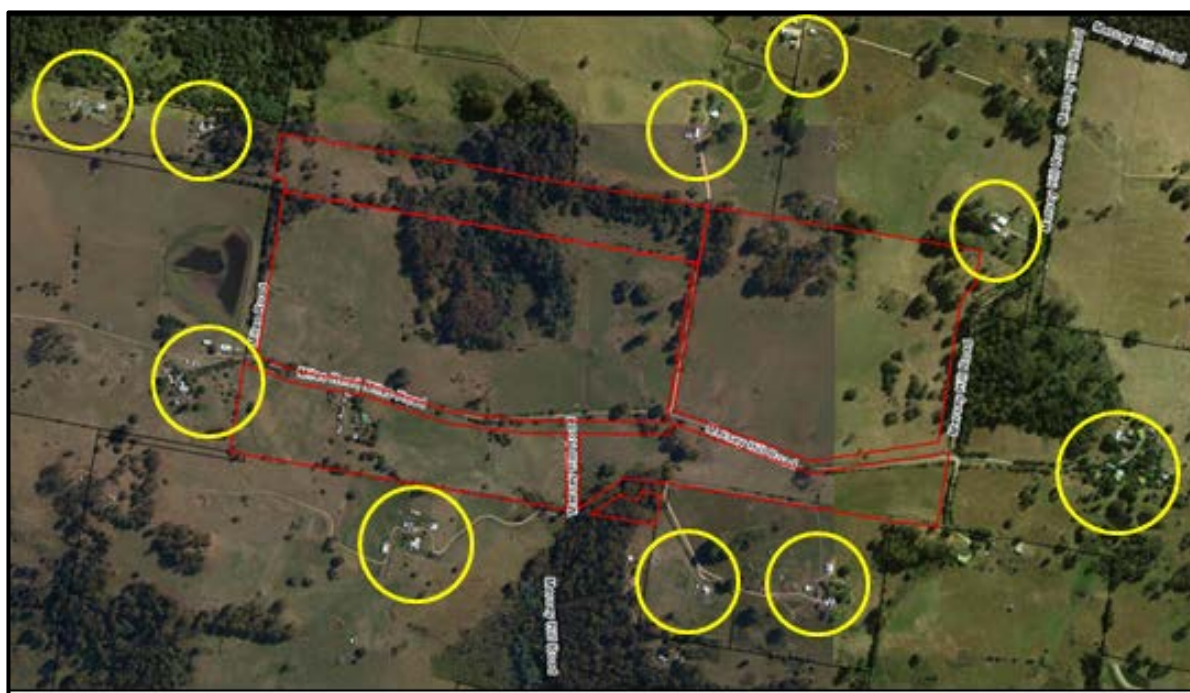


Figure 7: Established development pattern adjacent to the site. Yellow circles showing examples of buildings and development on established properties in the area.

Typically lots in the surrounding area are large lots developed with a Residential Use, consistent with the intent of the Rural Living Zone. Development on surrounding properties also includes Visitor Accommodation. The development pattern is single residential dwellings clustered with outbuildings associated with a rural residential use. The proposed Lots 4 and 5 can be developed in accordance with the applicable

development standards. The indicative house sites shown on the Bushfire Management Plan demonstrates that the setbacks to the frontage and side and rear boundaries can be achieved. The proposed Lots 4 and 5 can sustain the established development pattern.

Rural Living Zone D provides an acceptable solution for lot size of 10ha. Lot 4 has an area of 9ha and Lot 5 has an area of 8ha. Each lot is not more than 20% smaller than the applicable lot size of 10ha required by clause 11.5.1 A1.

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

Applicable Standards

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

11.0 Rural Living Zone		
Scheme Standard	Comment	Assessment
11.3 Use Standards		
11.3.1 Discretionary Uses		
A1	The proposal is for subdivision. Subdivision is not categorised into a use class as per sub-clause 6.2.6 in the planning scheme.	Not Applicable
A2	The proposal is for subdivision. Subdivision is not categorised into a use class as per sub-clause 6.2.6 in the planning scheme	Not Applicable
A3	The proposal is for subdivision. Subdivision is not categorised into a use class as per sub-clause 6.2.6 in the planning scheme	Not Applicable

11.5 Development Standards for Subdivision												
11.5.1 Lot Design												
A1	The site is in Rural Living Zone D. The minimum required lot sizes are 10 hectares.	Relies on Performance Criteria										
	<table><tr><td>Lot 1</td><td>13 ha</td></tr><tr><td>Lot 2</td><td>12 ha</td></tr><tr><td>Lot 3</td><td>15 ha</td></tr><tr><td>Lot 4</td><td>9 ha</td></tr><tr><td>Lot 5</td><td>8 ha</td></tr></table>		Lot 1	13 ha	Lot 2	12 ha	Lot 3	15 ha	Lot 4	9 ha	Lot 5	8 ha
	Lot 1		13 ha									
	Lot 2		12 ha									
	Lot 3		15 ha									
	Lot 4		9 ha									
	Lot 5		8 ha									
Lots 1,2 and 3 comply with sub-clause (a). Lots 4 and 5 cannot comply with sub-clause (a);												
The subdivision is not for public use by the Crown, a council or a State authority. Sub-clause (b) is not applicable.												
The subdivision is not required for the provision of Utilities. Sub-clause (c) is not applicable.												
The subdivision creates additional lots. Sub-clause (d) not applicable.												
A2	The proposed lots have a minimum frontage of 40m to all lots.	Complies										
A3	The Plan of Subdivision shows that all lots can be serviced by existing accesses. The photos in the Bushfire Hazard Assessment confirm that the accesses for Lots are farm access to paddocks.	Complies										
	<table><tr><td>Lot Number</td><td>Access</td></tr><tr><td>Lot 1</td><td>Miles Road (existing)</td></tr><tr><td>Lot 2</td><td>Road Reserve (west boundary – existing)</td></tr><tr><td>Lot 3</td><td>Miles Road (existing)</td></tr><tr><td>Lot 4</td><td>Mersey Hill Road</td></tr></table>		Lot Number	Access	Lot 1	Miles Road (existing)	Lot 2	Road Reserve (west boundary – existing)	Lot 3	Miles Road (existing)	Lot 4	Mersey Hill Road
	Lot Number		Access									
	Lot 1		Miles Road (existing)									
	Lot 2		Road Reserve (west boundary – existing)									
	Lot 3		Miles Road (existing)									
	Lot 4		Mersey Hill Road									

		(existing)	
	Lot 5	Mersey Hill Road (existing)	
11.5.2 Roads			
A1	The application does not propose to construct new roads. It is noted that Miles Road is constructed outside the road reserve. A road lot is shown on the Plan of Subdivision for the section of road outside the road reserve. This is to correct the existing situation and the road lot will be transferred to Council as a result of the subdivision. This does not constitute a new road as the road is already constructed.		Complies
11.5.3 Services			
A1	The proposed Plan of Subdivision will not create lots that can connect to a full or limited water supply service. The site is outside of the area of the regulated entity and cannot be connected.		Complies
A2	The site is in Rural Living Zone D and therefore there is no requirement to connect to a reticulated sewerage system. Each lot will be reliant on an onsite wastewater management system. Rural Living Zone D is excluded from requiring assessment.		Not Applicable

Codes

C2 Parking and Sustainable Transport Code		
Scheme Standard	Comment	Assessment
C2.2 Application of this Code		
	The Code applies to all use and development.	Code applies
C2.4 Development exempt from this Code		
	There are no exemptions.	Code Applies
C2.5.1 Car parking numbers		
A1	Subdivision is not categorised into a Use Class pursuant to Clause 6.5.1. There is no requirement in Table C2.1 for subdivision.	Not Applicable

C2.5.2 Bicycle parking numbers		
A1	Table C2.1 does not set a requirement for bicycle parking to be provided for subdivision.	Not Applicable
C2.5.3 Motorcycling parking numbers		
A1	Clause C2.5.3 does not apply to single dwellings in accordance with Clause C2.2.2.	Not Applicable
C2.5.4 Loading bays		
A1	Clause C2.5.4 does not apply to the residential use class in accordance with Clause C2.2.3.	Not Applicable
C2.5.5 Number of car parking spaces within the General Residential Zone and Inner Residential zone		
A1	The application is for subdivision.	Not Applicable
C2.6.1 Construction of parking areas		
A1	The application is for subdivision.	Not Applicable
C2.6.2 Design and layout of parking areas		
A1.1	The application is for subdivision.	Not Applicable
A1.2	The application is for subdivision.	
C2.6.3 Number of accesses for vehicles		
A1	The application is for subdivision.	Not Applicable
A2	The application is for subdivision.	Not Applicable
C2.6.4 Lighting of parking within the General Business Zone and Central Business Zone		
A1	The application is for subdivision.	Not Applicable
C2.6.5 Pedestrian access		
A1.1	The application is for subdivision.	Not Applicable
A1.2	The application is for subdivision.	
C2.6.6 Loading bays		
A1	The application is for subdivision.	Not Applicable
A2	The application is for subdivision.	Not Applicable
C2.6.7 Bicycles parking and storage facilities within the General Business Zone and Central Business Zone		
A1	The application is for subdivision.	Not Applicable
A2	The application is for subdivision.	Not Applicable
	The application is for subdivision.	
C2.6.8 Siting of parking and turning areas		
A1	The application is for subdivision.	Not Applicable
A2	The application is for subdivision.	Not Applicable
C2.7.1 Parking precinct plan		
A1	There is no precinct plan that applies.	Not Applicable

C3 Road and Railway Assets Code		
Scheme Standard	Comment	Assessment
C3.2 Application of this Code		
	The application proposes new accesses.	Code applies
C3.5 Use Standards		
C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction		
A1.1	Not a category 1 or limited access road. Not Applicable.	Complies with Acceptable Solution
A1.2	Consent is not required as all accesses are stated to be existing.	
A1.3	Not required to cross a railway. Not Applicable.	
A1.4	The application proposes to create three (3) additional lots. A house exists on proposed Lot 1. Minimum nine (9) vehicle movements established over the site. There are no other houses established. Essentially four (4) new lots would result in an increase of 36 vehicle movements. Complies.	
A1.5	Not a major road but can exit each lot in a forward facing direction. Not Applicable as not a major road.	
C3.7 Development Standards for Subdivision		
C3.7.1 Subdivision for sensitive uses within a road or railway attenuation area		
A1	The proposed subdivision is not in road or railway attenuation area.	Complies with Acceptable Solution

C7 Natural Assets Code		
Scheme Standard	Comment	Assessment
C7.2 Application of this Code		
	The site is within the <i>waterway and coastal protection area</i> (the proposed Lot 1) and the <i>priority vegetation area</i> (proposed Lots 2 to 5) as shown on the Code overlay maps of the Planning Scheme. All proposed lots contain priority vegetation.	Code applies
C7.6 Development Standards for Buildings and Works		
C7.6.1 Development Standards for Buildings and Works		

A1	The proposal is for subdivision. A waterway or coastal protection area shown for the site over proposed Lot 1 (eastern side of Mersey Hill Road) and Lot 4. There are no buildings proposed. Works for upgrade of existing access for Lot 4 is outside of waterway.	Not Applicable
A2	The proposal is for subdivision. The site is not subject to a future coastal refugia area.	Not Applicable
A3	The works associated with the proposed plan of subdivision will not result in a new discharge point within the waterway and coastal protection area.	Complies with Acceptable Solution
A4	There will be no dredging or reclamation within the waterway and coastal protection area.	Complies with Acceptable Solution
A5	There are no coastal protection works or watercourse erosion or inundation protection works.	Complies with Acceptable Solution
C7.6.2 Clearance within a priority vegetation area		
A1	The application does not propose clearance of vegetation within the priority vegetation area.	Complies with Acceptable Solution
C7.7 Development Standards for Subdivision		
C7.7.1 Subdivision within a waterway and costal protection area or a future coastal refugia area		
A1	The waterway and coastal protection area is mostly over Lot 1. Lot 1 proposes to contain the existing house. There are no works proposed for vehicular access for proposed Lot 1. Sub-clauses (b) (c) and (d) are not applicable.	Complies with Acceptable Solution
C7.7.2 Subdivision with a priority vegetation area		
A1	The proposed lots will not include any works within a priority vegetation area. Sub-clauses (b) (c) and (d) are not applicable.	Complies with Acceptable Solution

C13 Bushfire-Prone Areas Code		
Scheme Standard	Comment	Assessment
C13.2 Application of this Code		
	The application is in a bushfire-prone area. The application is for subdivision and therefore requires assessment against the Code.	Code applies
C13.6 Development standards for Subdivision		
C13.6.1 Provision of hazard management areas		
A1	A Bushfire-Prone Areas Code Certificate is provided. This confirms that the proposal complies with A1(b).	Complies with Acceptable Solution
C13.6.2 Public and firefighting access		
A1	A Bushfire-Prone Areas Code Certificate is provided. This confirms that the proposal complies with A1(b).	Complies with Acceptable Solution
C13.6.3 Provision of water supply for firefighting purposes		
A1	A Bushfire-Prone Areas Code Certificate is provided. This confirms that the proposal complies with A1(b).	Complies with Acceptable Solution
A2	A Bushfire-Prone Areas Code Certificate is provided. This confirms that the proposal complies with A1(b).	Complies with Acceptable Solution

Internal Referrals

Infrastructure Services

A condition is recommended to upgrade existing accesses of proposed Lots 2, 3, 4 and 5.

Condition (1)

The existing driveway accesses for lots 2, 3, 4 and 5 must be upgraded to comply with Tasmanian Standard drawings TSD-R03 and R04 to the satisfaction of the Director Infrastructure Services. Refer Note 1.

Note (1)

Works must be completed by a suitably qualified contractor. Prior to any construction being undertaken in the road reserve, separate consent is required by the Road Authority. An Application for Works in Road Reservation form is enclosed.

All enquiries should be directed to Council's Infrastructure Department on 6393 5312.

Conclusion

It is considered that the application for Subdivision (2 lots into 5 lots) on land at 37 & 55 Miles Road, Mole Creek is acceptable in the Rural Living Zone and is recommended for approval.

DECISION:

APPLICATION FORM

PLANNING

Land Use Planning and Approvals Act 1993



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

OFFICE USE ONLY

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

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

PROPERTY DETAILS:

Address:	<input type="text" value="37 & 55 Miles Road"/>	Certificate of Title:	<input type="text" value="248315-1 & 248725-2"/>
Suburb:	<input type="text" value="Mole Creek"/>	<input type="text" value="7304"/>	Lot No: <input type="text"/>
Land area:	<input type="text" value="57ha"/>	<i>m² / ha</i>	
Present use of land/building:	<input type="text" value="Rural & residence"/>	<i>(vacant, residential, rural, industrial, commercial or forestry)</i>	
Does the application involve Crown Land or Private access via a Crown Access Licence: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
Heritage Listed Property: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			

DETAILS OF USE OR DEVELOPMENT:

Indicate by ✓ box	<input type="checkbox"/> Building work	<input type="checkbox"/> Change of use	<input checked="" type="checkbox"/> Subdivision
	<input type="checkbox"/> Forestry	<input type="checkbox"/> Demolition	
	<input type="checkbox"/> Other		
Total cost of development (inclusive of GST):	<input type="text" value="\$ 0"/>	<i>Includes total cost of building work, landscaping, road works and infrastructure</i>	
Description of work:	<input type="text" value="5 Lots from 2 titles"/>		
Use of building:	<input type="text"/>	<i>(main use of proposed building – dwelling, garage, farm building, factory, office, shop)</i>	
New floor area:	<input type="text"/> m ²	New building height:	<input type="text"/> m
Materials:	External walls: <input type="text"/>	Colour:	<input type="text"/>
	Roof cladding: <input type="text"/>	Colour:	<input type="text"/>

SEARCH OF TORRENS TITLE

VOLUME 248315	FOLIO 1
EDITION 5	DATE OF ISSUE 08-Jul-2014

SEARCH DATE : 17-Mar-2017

SEARCH TIME : 03.10 PM

DESCRIPTION OF LAND

Parish of ALPHINGTON, Land District of DEVON

Lot 1 on Plan 248315

Derivation : Lots 5363, 7092 and 12468 Gtd. to The L'ton Svs.
Investment and Bldg.Soc., J. Martin and J.A. Martin
respectively.

Prior CT 2897/61

SCHEDULE 1D112070 TRANSFER to MICHAEL ROBERT SCOTT Registered
08-Jul-2014 at 12.01 PMSCHEDULE 2

Reservations and conditions in the Crown Grant if any

D131591 MORTGAGE to Tasmanian Perpetual Trustees Limited
Registered 08-Jul-2014 at 12.02 PME78878 TRANSFER of MORTGAGE D131591 to MyState Bank Limited
Registered 01-Feb-2017 at noonUNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

13.15. 612

ANNEXURE TO CERTIFICATE OF TITLE

REGISTERED NUMBER

248315

VOL.

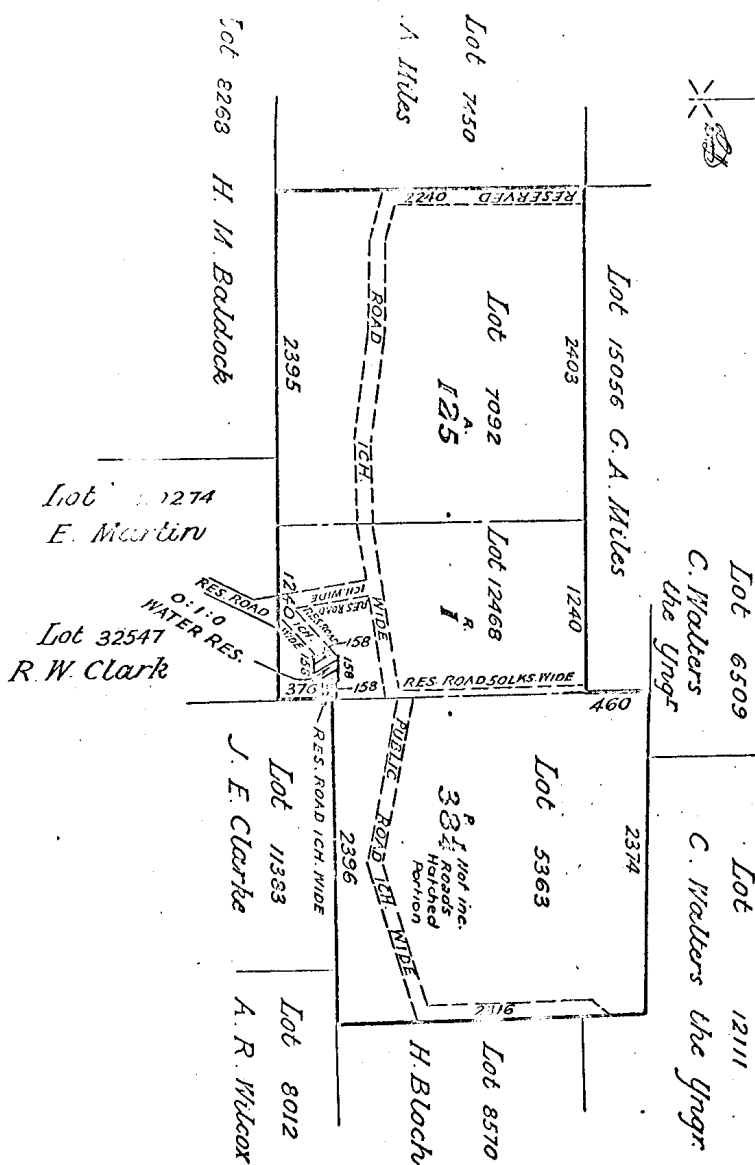
FOL.

2897 61

Recorder of Titles



Lot 1 of this plan consists of all the land comprised in the above-mentioned cancelled folio of the Register.



SEARCH OF TORRENS TITLE

VOLUME 248725	FOLIO 2
EDITION 5	DATE OF ISSUE 08-Jul-2014

SEARCH DATE : 17-Mar-2017

SEARCH TIME : 03.10 PM

DESCRIPTION OF LAND

Parish of ALPHINGTON, Land District of DEVON
Lot 2 on Plan 248725
Derivation : whole of Lot 15056 Gtd. to G.A. Miles
Prior CT 3017/23

SCHEDULE 1

D112068 TRANSFER to MICHAEL ROBERT SCOTT Registered
08-Jul-2014 at 12.01 PM

SCHEDULE 2

Reservations and conditions in the Crown Grant if any
D131591 MORTGAGE to Tasmanian Perpetual Trustees Limited
Registered 08-Jul-2014 at 12.02 PM
E78878 TRANSFER of MORTGAGE D131591 to MyState Bank Limited
Registered 01-Feb-2017 at noon

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

ORIGINAL - NOT TO BE REMOVED FROM TITLES OFFICE

R.P. 1469

TASMANIA

REAL PROPERTY ACT, 1862, as amended

NOTE--REGISTERED FOR OFFICE

CONVENIENCE TO REPLACE



CERTIFICATE OF TITLE

Register Book

Vol. Fol.

3017 23

Cert. of Title Vol. 884. Fol. 85.

I certify that the person described in the First Schedule is the registered proprietor of an estate in fee simple in the land within described together with such interests and subject to such encumbrances and interests as are shown in the Second Schedule. In witness whereof I have hereunto signed my name and affixed my seal.

Recorder of Titles.



DESCRIPTION OF LAND

PARISH OF ALPHINGTON LAND DISTRICT OF DEVON

FIFTY ACRES AND SIXTEEN ACRES TEN PERCHES on the Plan hereon

FIRST SCHEDULE (Continued overleaf)

LINDSAY FREDERICK MILES and

KENNETH GEORGE MILES Both of Mole Creek, Farmers

AS TENANTS IN COMMON IN EQUAL SHARES

ACTING DEPUTY

SECOND SCHEDULE (Continued overleaf)

NIL.

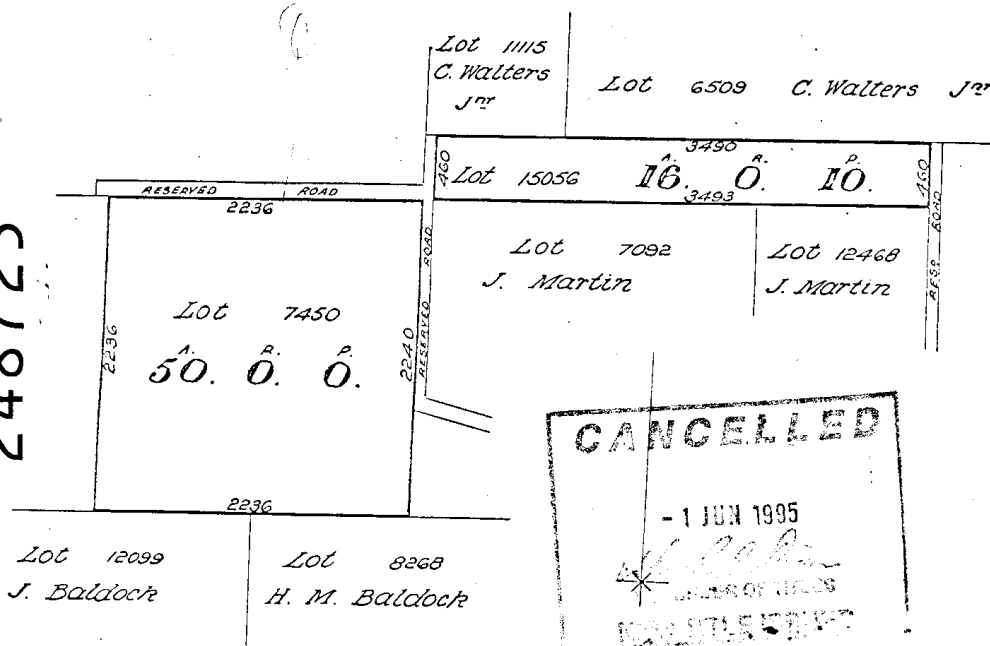
TLES ARE NO LONGER SUBSISTING.

Lot 192 of this plan consists of all the land comprised in the above-mentioned cancelled folio of the Register.

REGISTERED NUMBER

248725

NOTE.-E



CANCELLED

- 1 JUN 1995

RECORDED

Lots 7450 & 15056 Gtd. to G.A. Miles Meas. in Links

FIRST Edition. Registered

Derived from C.T. Vol. 884. Fol. 85. Transfer A84165 The Public Trustee



ABN: 70 689 298 535
ACN: 144 472 659



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ADRIAN R. FAIRFIELD, DIRECTOR
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PO Box 990 Launceston TAS 7250

Office: (03) 6331 4633
admin@surveyingtas.com.au
www.surveyingtas.com.au

27 July 2021

Our ref: 135-47 (7413)

Town Planner
Meander Valley Council
PO Box 102
WESTBURY Tas. 7303

Dear Sir/Madam,

Re: Development Application
Five Lot Subdivision
37 & 55 Miles Road, Mole Creek
M R Scott – owner.

We are pleased to submit this Development Application for planning approval for a five lot subdivision, title references 248315-1 and 248725-2.

We attach:

- a) Plan of Subdivision;
- b) Copy of the relevant titles;
- c) Application for Planning Approval;
- d) Supporting letter;
- e) Bushfire Report prepared by Rebecca Green & Associates;
- f) Karst report prepared by Rebecca Green & Associates.

Please arrange for the invoice for the application fee to be emailed to:
admin@surveyingtas.com.au.

We seek Council's approval for the subdivision and will be pleased to supply additional information as required.

Yours faithfully
COHEN & ASSOCIATES PTY. LTD.

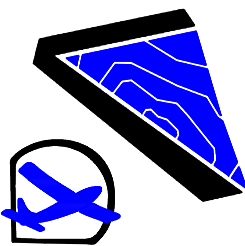
ROSEMARY JENSEN.
ADMINISTRATION OFFICER

Encs.

PLAN OF SUBDIVISION
SHEET 1 OF 1

REF: 135-47
(7413)

DISCLAIMER: This is a preliminary plan prepared without field survey and forms part of an application to subdivide the land described and is not to be used for any other purpose. Contours and levels may be transcribed from other sources and their accuracy has not been verified. These should not be used. The dimensions, area, location of improvements and number of lots are approximate and may vary as a result of decisions by the Municipality, Land Use Planning Review Panel, engineering or other advice. Easements are not shown as these are to be determined at the time of survey. The plan is not to be copied unless this note is included.



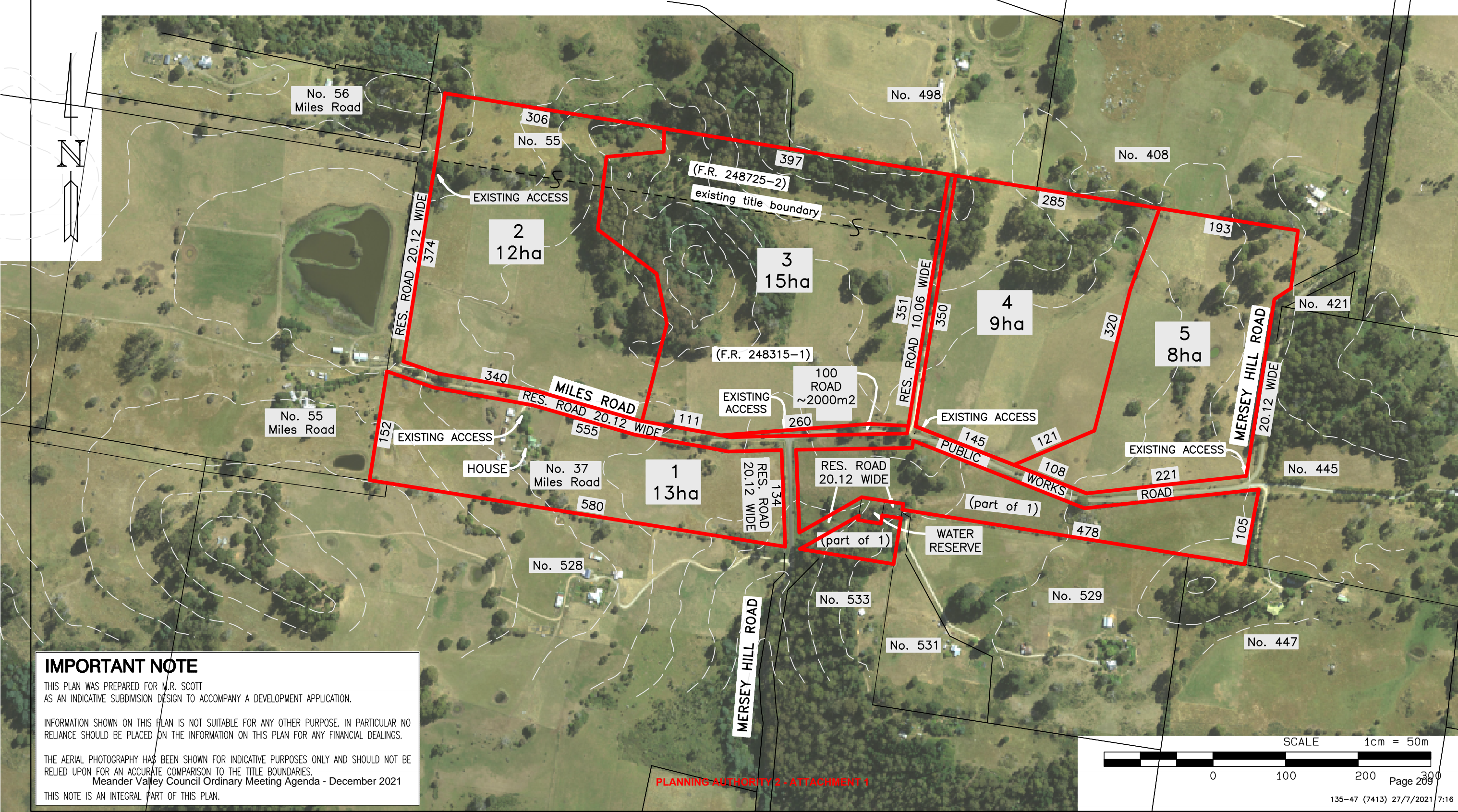
COHEN & ASSOCIATES P/L
LAND & AERIAL SURVEYORS

103 CAMERON STREET
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Municipality: MEANDER VALLEY
Site Address: 37 & 55 MILES RD, MOLE CREEK
Tasmap Sheet: 4540
Grid Reference: E: 451394 N: 5400584 (MGA)

Owners: M.R. SCOTT
Title Refs: 248315-1 & 248725-2
Dates: REVISION 8: 27-7-2021
Scale: 1 : 5000 @ A3



IMPORTANT NOTE

THIS PLAN WAS PREPARED FOR M.R. SCOTT
AS AN INDICATIVE SUBDIVISION DESIGN TO ACCOMPANY A DEVELOPMENT APPLICATION.

INFORMATION SHOWN ON THIS PLAN IS NOT SUITABLE FOR ANY OTHER PURPOSE. IN PARTICULAR NO
RELIANCE SHOULD BE PLACED ON THE INFORMATION ON THIS PLAN FOR ANY FINANCIAL DEALINGS.

THE AERIAL PHOTOGRAPHY HAS BEEN SHOWN FOR INDICATIVE PURPOSES ONLY AND SHOULD NOT BE
RELIED UPON FOR AN ACCURATE COMPARISON TO THE TITLE BOUNDARIES.

Meander Valley Council Ordinary Meeting Agenda - December 2021
THIS NOTE IS AN INTEGRAL PART OF THIS PLAN.

Planning Department
Meander Valley Council
PO Box 102
WESTBURY TAS 7303

26 July 2021

Dear Sir/madam,

RE: Planning Application, Subdivision – 37 Miles Road & 55 Miles Road, Mole Creek

This letter is prepared in support of a proposal on behalf of Michael Scott for a five-lot subdivision at land identified in CT 248315/1 and CT 248725/2. An existing single dwelling and outbuildings are located on Lot 1.

Two lots currently exist; the subdivision will create three additional lots. Both lots will maintain existing accesses to Miles Road.

Lot number	Area
1	13ha
2	12ha
3	15ha
4	9ha
5	8ha

Lot 100 is proposed as a road lot, although no physical road construction is proposed, this is proposed to be transferred to the Council as Miles Road already passes this section of the property.

The subject land is zoned Rural Living Zone D within the Tasmanian Planning Scheme - Meander Valley Local Provisions Schedule, effective 19th April 2021, the subject land is also within the MEA-S5.0 the Karst Management Area Specific Area Plan and subject to the Bushfire-Prone Areas Code, the Landslip Hazard Code and the Natural Assets Code (Priority vegetation area and Waterway and coastal protection area – Lot 1).

Rural Living Zone**11.5 Development Standards for Subdivision****11.5.1 Lot Design**

A1 – Lots 1, 2 and 3 each will have an area not less than 10ha (13ha, 12ha and 15ha respectively). Each of these lots are able to contain a minimum area of 15m x 20m clear of all setbacks required by clause 11.4.2 A2 and A3 and any easements (minimum 20m from a frontage and minimum 10m from a side and rear boundary). The existing dwelling on Lot 1 is consistent with the setback required by clause 11.4.2 A2 and A3. Lots 1, 2 and 3 comply with the acceptable solution.

P1 – Lot 4 and Lot 5 rely upon assessment against the performance criteria due to being less than 10ha (9ha and 8ha respectively). Each lot has sufficient useable area and dimensions for the intended residential use, having regard to intended location of buildings on each lot. The Bushfire Hazard Management Plan details future buildable areas that consider the constraints of the sites including karst features, bushfire risk, landslip risk and priority habitat areas. The lots provide for adequate provision of private open space and are consistent with the character of the pattern of development on established properties in the area, with many titles even smaller. Lot 4 and Lot 5 are to be no more than 20% smaller than the applicable lot size required by clause 11.5.1 A1. The proposal is consistent with the performance criteria.

A2 – The proposal complies, each lot is to be provided with a frontage not less than 40m.

A3 - Each lot is provided with a vehicular access from the boundary of the lot to a road in accordance with the requirements of the road authority. No new access is proposed, and should Council consider that any of the existing accesses are not to Council's standard, a condition could be placed upon any approval requiring upgrades.

11.5.2 Roads

A1 – Proposal complies, the subdivision does not include any new roads.

11.5.3 Services

A1 – Each lot is not able to be connected to the relevant water supply service.

A2 – Not applicable, the subject land is within Rural Living Zone D where there is no requirement for each lot to be connected to a reticulated sewerage system.

CODES**C2.0 Parking and Sustainable Transport Code**

Proposal complies where relevant to C2.5.1, no changes to existing parking arrangements for the Lot 1 is proposed, at least 2 car parking spaces are existing and provided on site. Lot 2 to Lot 5 have sufficient area to accommodate on site car parking at the time of consideration of a future dwelling.

C3.0 Road and Railway Assets Code

Not applicable, the development will not increase the amount of vehicular traffic as no new vehicle crossing is proposed. The subdivision is not within a road or railway attenuation area.

C7.0 Natural Assets Code

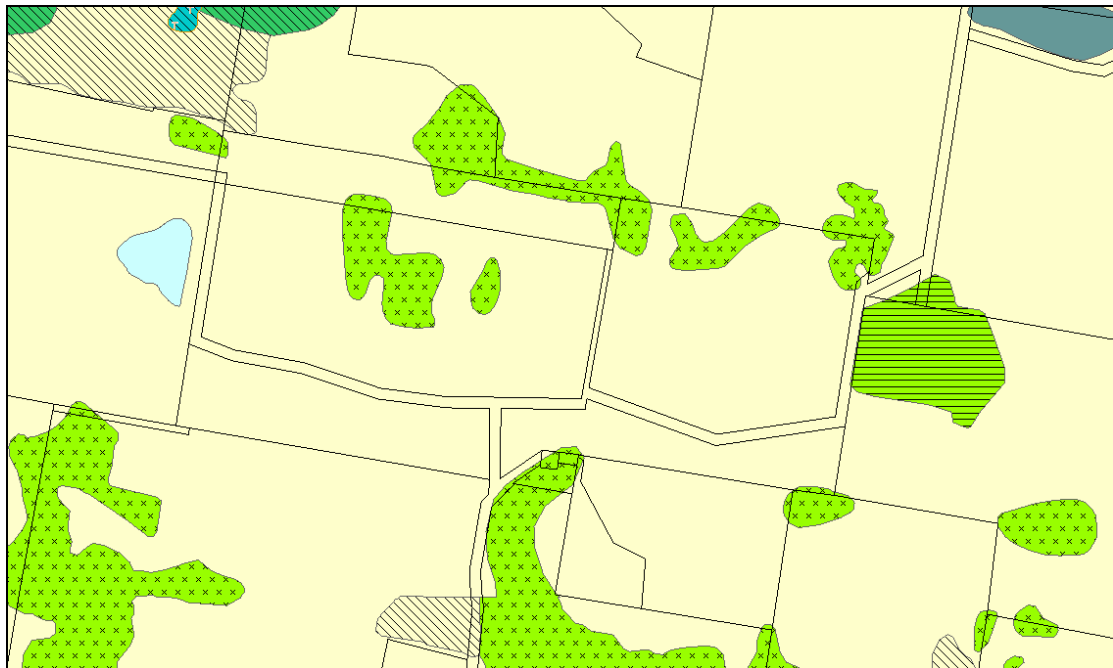
The application of this Code does apply to this subject site as the Code applies to priority vegetation areas within the Rural Living Zone and development on land within a waterway and coastal protection area.

C7.7.1 Subdivision within a waterway and coastal area or a future coastal refugia area

P1 – Lot 1 is the only lot where the waterway and coastal protection area affect. The subdivision demonstrates a building area and any associated bushfire hazard management area to be location outside a waterway and coastal protection area due to the presence of an existing single dwelling and associated outbuildings on Lot 1.

C7.7.2 Subdivision within a priority vegetation area

P1.1 and P1.2 - TASVEG 4.0 identifies one vegetation community on the subject site of note. DSC (*Eucalyptus obliqua damp sclerophyll forest*). This community is not a Threatened Native Vegetation Community 2020 (TNVC 2020). There are no listed threatened Flora or Fauna species on the subject site or in close proximity.



TASVEG 4.0 Mapping

The proposal does not require native vegetation clearance or removal for the subdivision. The proposed indicative build area on Lots 2-5 is located within an existing cleared area, as demonstrated in the Bushfire Hazard Assessment Report. The access to the building locations from Miles Road, although requiring the placement of gravel to provide for all-weather accessibility, no bulk earthworks or vegetation appear necessary to construct/upgrade the driveways.

C13.0 Bushfire-Prone Areas Code

Attached to this submission is a Bushfire Hazard Assessment Report & Bushfire Hazard Management Plan prepared by Rebecca Green BFP—116, dated: 26 July 2021 demonstrating compliance with the relevant acceptable solutions.

C15.0 Landslip Hazard Code

In accordance with Clause C15.4.1 any future use (residential) is exempt from this Code as the site is mapped as low and medium landslip hazard bands (subclause (a)). Subdivision of land within the low and medium landslip hazard band is also exempt from this Code in this instance as the proposal does not involve significant works or creation of a new road or extension of an existing road (subclauses (e) and (i)). Noting that Lot 100 is proposed only in terms of land tenure and no physical road construction is proposed within this Road lot.

MEA-S5.0 Karst Management Area Specific Area Plan

In accordance with MEA-5.8 Development Standards for Subdivision - this sub-clause is not used in this specific area plan. However, the proponent has undertaken to gain a report on the karst features of a proposed subdivision, noting that the subject application considers only part of the total of the land assessed in this report prepared by Philip Cullen, dated: 21/12/2017. The report considers a slightly different lot layout and subdivision plan version, however fundamentally the issues on the land are still relevant and the buildable areas on the Bushfire Hazard Management Plan have taken into account the recommendations and constraints.

The proposal is considered to be consistent with the Tasmanian Planning Scheme - Meander Valley and should therefore be considered for approval.

Kind Regards,



Rebecca Green

Senior Planning Consultant

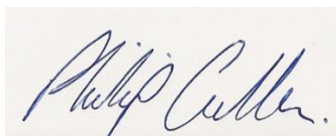
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A report on the karst features of a proposed subdivision of 134 Baldocks Road, 55 Miles Road Mole Creek, and 37 Miles Road Mole Creek, Mole Creek.

Prepared by Philip Cullen

**11 Salvator Rd., West Hobart, Tasmania. Ph 0428108434
Version-Final, 21/12/2017**



Summary

A survey was conducted to identify karst features on a proposed subdivision of three properties 134 Baldocks Road, Mole Creek, Title Ref: 243111/1, 55 Miles Road, Mole Creek, Title Refs: 248725/1 and 248725/2 and 37 Miles Road, Mole Creek, Title Ref: 248315/1.

The aim of the survey was to identify building envelopes that could accommodate future developments on the various lots of the subdivision. It is proposed that the subdivision be staged and therefore only Lots 2, 4, 5, 6, 7, and 8 were investigated in this survey.

Across most of the study area the surface geology is Tertiary basalt but this basalt is underlain by Ordovician limestone. A number of karst features were recorded and mapped. Soils were not investigated in detail, but exposures reveal that they are derived from basalt. Soils are deep and well drained.

Maps are presented which show the location of building envelopes in relation to the karst features. These building envelopes were developed using criteria set out in the Karst Code of the Meander Valley Interim Planning Scheme 2013. There are no geoheritage sites or nationally important wetlands that are likely to be impacted by future developments, provided they are sited in the building envelopes.

Apart from soil pits no subsurface investigations were undertaken. There may be subsurface karst or other features beneath or adjacent to the study area that may impact on the proposed development in the future.

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1. Property Details

1.1 Address

134 Baldocks Road, 55 Miles Road, and 37 Miles Road, Mole Creek, Tas., 7304.

1.2 Municipality

Meander Valley

1.3 Title References

134 Baldocks Road, Mole Creek, Title Ref: 243111/1, 55 Miles Road, Mole Creek, Title Refs: 248725/1 and 248725/2 and 37 Miles Road, Mole Creek, Title Ref: 248315/1.

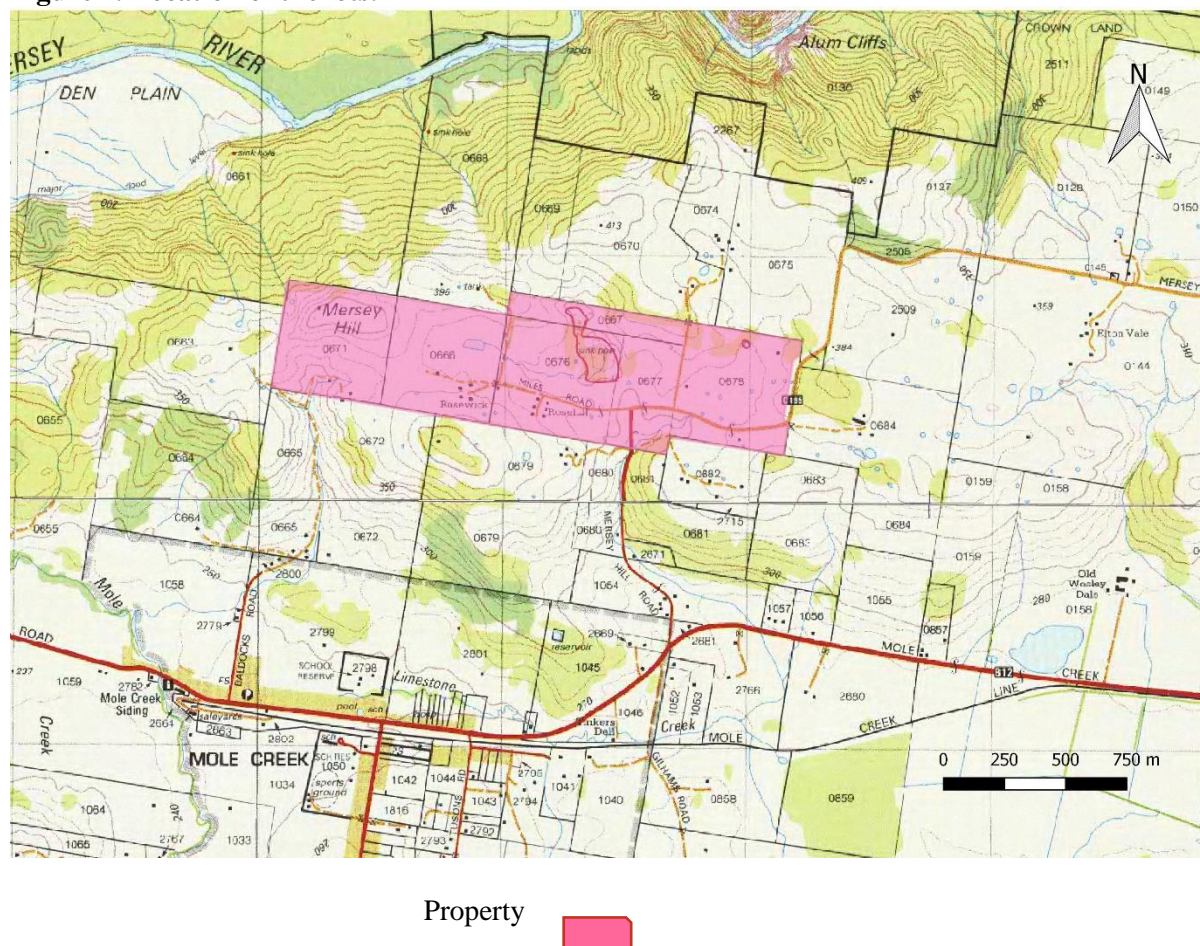
1.4 Area

Total area of lots surveyed: Approx. 70.3 ha.

1.5 Location

The location of the lots as referred to in sub-section 1.3 is shown in Figure 1.

Figure 1. Location of the lots.¹



¹ Source: Land Information System Tasmania, www.thelist.tas.gov.au

2. Proposed Works

The development proposal is for the subdivision of 3 rural properties, 134 Baldocks Road, Mole Creek, Title Ref: 243111/1, 55 Miles Road, Mole Creek, Title Refs: 248725/1 and 248725/2 and 37 Miles Road, Mole Creek, Title Ref: 248315/1. All three properties are private freehold land. A map of the proposed subdivision of these properties is included as an appendix to this report. The subdivision is to be staged and this survey concentrates on the lots to be included in the first stage. These being lots 2, 4, 5, 6, 7, and 8 (see Appendix). These lots have a total area of approximately 70.3 ha.

3. Location

The subject land is located approximately 1.5 km north of the township of Mole Creek (Figure 1), and lies within the Meander Valley Shire in the High Sensitivity Karst Management Zone as defined in the Meander Valley Interim Planning Scheme 2013. A more detailed map of the study area, showing the topography, drainage, geology, and the current extent of native vegetation, is presented in figure 2.

Figure 2. Photo imagery², topography, geology, and surface drainage of the study area.



Geology codes:

Jd-Jurassic dolerite

Ol -Ordovician limestone (with outcropping karst)

SDcg- Silurian Devonian quartz sandstone, laminated siltstone and shale (cg)

Tb- Tertiary basalt

² Source: Tas Orthophoto and data sets from, The List Tasmania: www.thelist.tas.gov.au

4. Definitions

4.1 Study Area

Study area: all of the 70.3 ha of Lots 2, 4, 5, 6, 7, and 8, and immediately adjacent areas (See appendix).

4.2 Project Locality

Project locality: the area within 5 kilometres of the study area. This is consistent with the extent of database searches.

4.3 Karst Features

Karst features: Karst features are defined in section E15.3 of the Meander Valley Interim Planning Scheme 2013, Karst Management Code. They include caves, sinkholes, outcrops of karst bedrock, karren, sinking streams, and streams.

5. Purpose and Scope of this Assessment

5.1 Karst and Geoheritage

Identify any karst or other geoheritage features in the study area, from on-line and other published sources that could be impacted by future developments on the relevant lots of the proposed subdivision.

5.2 Field Survey

Undertake a field survey of the karst features in the study area.

5.3 Building Zones

Identify building zones on each of the Lots 2, 4, 5, 6, 7, and 8 of the proposed subdivision that comply with the Karst Management Code contained in the Meander Valley Interim Planning Scheme 2013.

6. Qualification to Provide Expert Advice

Philip Cullen is a geomorphologist, botanist, and landscape ecologist. He has a BSc. in Forestry and a MSc. in ecology. He has worked for universities, local and State government, and the private sector. He has been working as a consultant, in Tasmania and elsewhere in Australia, for the past 22 years. He is qualified to conduct geoheritage, natural values and bushfire hazard management assessments.

7. Methods

7.1 Desktop Assessment

The following databases were interrogated to compile a list of geoheritage features for the study area, and within 5 kilometres of the study area.

7.1.1 Geoheritage

The Natural Values Atlas (Natural Values Atlas: Authoritative, comprehensive information on Tasmania's natural values Version 3.3.0.10) was searched for geoheritage features that could be impacted by the proposal in the study area and within 5 km.

7.1.2 Matters of National Environmental Significance

The Protected Matters Search Tool (Department of Environment 2013) was used to identify any wetlands protected under the EPBC Act 1999), known to occur or likely to occur within 5 kilometres of the study area.

7.1.3 Other Data

Other data bases located on the Land Information System Tasmania, (www.thelist.tas.gov.au) such as geology, hydrology and vegetation were assembled in order to locate potential karst features in the study area.

7.2 Field Assessment

A field assessment was conducted on October 21, 2017 and November 11, 2017 to identify and map karst features in the study area. Soils were investigated on natural escarpments and where accelerated erosion exposed soil profiles to determine the nature and potential depth of the regolith (layer of loose, heterogeneous superficial material covering solid rock). A hand held GPS was used to determine the location of karst features and soil profiles. Generally the accuracy of the grid references obtained with the GPS where +/- 5 to 7 m.

No subsurface investigations were undertaken. There may be subsurface karst or other features beneath the study area that may impact on the proposed development in the future.

8. Results

8.1 Desk-top Assessment

8.1.1 Wetlands

There are no Commonwealth listed wetlands (EPBC Act, 1999) within 5 km of the study area.

8.1.2 Geoheritage

The properties forming the study area lie within two listed geo-conservation sites (Natural Values Atlas Version 3.3.0.10). These are the Central Highlands Cenozoic Glacial Area (id 2953) and the Mole Creek Karst (id 2685). Both features are of continental significance and regional scale. The Central Highlands Cenozoic Glacial Area is of a robust nature and unlikely to be impacted upon, to any significant extent, by the proposed development. Whilst the Mole Creek Karst is a geoheritage feature of regional scale it is comprised of many features that are highly sensitive to local scale impacts. The properties fall within the 'High Sensitivity Karst Management Zone' (Meander Valley Interim Planning Scheme 2013). The Karst Management Code (Section E 15) of this scheme has been developed to protect karst features.

8.2 Field Surveys

8.2.1 Geology and Geomorphology

The bedrock of the study area is Tertiary basalt, Ordovician limestone, Jurassic dolerite, and Silurian-Devonian quartz sandstone³. The field survey confirmed this mapping. Ordovician limestone outcrops are evident at 3 locations in, or adjacent to the study area. The surficial geology on the majority of the study area is Tertiary basalt. However the presence of sinkholes indicates that at least some of the basalt is underlain by karst (limestone) bedrock. Apart from immediately adjacent to karst outcrops, overlying basalt across the study area is greater than 1m in depth (Plate 1).

8.2.2 Karst Features

8.2.2.1 Karst Outcrop

There are outcrops of karst on Lot 1 adjacent to Lot 2 and in large sinkholes on Lots 4, 5, and 6 (Figures 3, 4, 5, and 6, and Plates 2 and 3).

³ Mineral Resources Tasmania

8.2.2.2 Sinkholes and Sinking Streams

The field survey located 18 sink holes of varying size and depth in the study area (Figures 4 to 8). Three of these are major features in the landscape (Plate 3, 4, and 5). The largest of these is depicted on the 1:25 000 map of the area it is actually a complex of sinkholes, one of which is very large. This sinkhole has a sinking stream associated with it (Figure 4). Some of the smaller sinkholes are only depressions in the overlying basalt and there are no streams associated with them. All of the smaller sink holes have been cultivated and are currently vegetated with introduced pasture grasses and weeds.

8.2.2.3 Streams

There are three other streams (karst features) which rise on the study area and flow to other areas of karst in the district (Figures 3 and 6).

Plate 1. Stoney soil at least 2.5 m deep, derived from Basalt.



Plate 2. Karst outcrop on Lot 1 adjacent to Lot 2 (see Figure 4).



Plate 3. Outcropping Ordovician limestone in sinkhole complex on Lots 4 and 5 (see Figure 5).



Plate 4. One of two large sinkholes on Lot 6.



Plate 5. The second of two large sinkholes on Lot 6.



8.2.3 Soils

Soils were not investigated in detail. In the main, they are derived from the Tertiary basalt that covers most of the study area. The soils are of a loamy texture with abundant pebbles, cobbles and boulders. They vary in depth from +1 m to many metres in depth (Plates 1 and 6).

Plate 6. Exposed basalt soil at the edge of a small sinkhole on Lot 7.



9. Identification of Building Zones on Lots 2, 4, 5, 6, 7, and 8.

9.1 Acceptable Solutions and Performance Criteria

The Meander Valley Interim Planning Scheme 2013 requires that there is either a 100m set-back from karst features for excavation, buildings, access ways and subsurface drainage or that a number of performance criteria are met (Table 1) (section E15.6.1, Meander Valley Interim Planning Scheme 2013, Karst Management Code). The set-backs for waste water disposal fields from karst features range between 40 and 70 m for slopes ranging from $<5^{\circ}$ to 20° when upslope of the features, and 40 m when downslope (section E15.5, Meander Valley Interim Planning Scheme 2013, Karst Management Code). These set-backs apply to vegetation retention around sinkholes and caves (section E15.6.1, Meander Valley Interim Planning Scheme 2013, Karst Management Code). A number of other acceptable solutions for developments in high sensitivity karst areas are set out in the code and where it is not possible to strictly adhere to these, alternatives are presented (see Table 2, from section E15.6.1, Meander Valley Interim Planning Scheme 2013, Karst Management Code).

Table 1 (from section E15.6.1, Meander Valley Interim Planning Scheme 2013, Karst Management Code).

15.6.1 Sedimentation and Pollution

Objective: To ensure that the impacts of development are managed to minimize erosion and to prevent sediment and pollution from entering the Karst System.	
Acceptable solution	Performance criteria
<p>A2.1 Excavation, building, access ways and sub-surface drainage (not including forestry and plantation forestry) must be located a minimum of 100 m from Karst features.</p> <p>A2.2 Run-off from buildings and access ways (not including forestry and plantation forestry) does not concentrate water flows into groundwater systems.</p>	<p>P2 Sediment and pollutant loss into the Karst System is to be minimised through:</p> <ul style="list-style-type: none"> a) the use of sediment control measures; b) the avoidance of karst features and subterranean cavities in the construction of subsurface infrastructure; c) vegetation retention or perennial ground cover between the development and the karst features; d) improvement of vegetation cover in critical areas for soil conservation, such as steep slopes, unstable soils and riparian areas; e) directing on-site effluent disposal away from karst features; f) the use of on-site lower impact effluent disposal systems.
<p>A3 Vegetation must be retained surrounding sinkholes and caves for the following distances (not including forestry and plantation forestry):</p> <p>Upslope</p> <p><5° 40 m.</p> <p>5-10° 50 m.</p> <p>10-15° 60 m.</p> <p>15-20° 70 m.</p> <p>Add 10 m for each additional 5° of slope.</p> <p>Downslope</p> <p>All slopes 40 m.</p>	<p>P3 Clearance of vegetation must not result in an increase of sediments entering the karst system or increased instability of the karst features having regard to:</p> <ul style="list-style-type: none"> a) the type of vegetation on the site; b) the type of soil on the site; c) existing structure of the sinkhole d) proposed treatment of the cleared area including replacement vegetation.
A4 Developments must not fill caves or sinkholes.	P4 No performance criteria.

Table 2 (from section E15.6.2, Meander Valley Interim Planning Scheme 2013, Karst Management Code).

E15.6.2 High Sensitivity Karst Features

Objective: To ensure that the environmental values of the higher sensitivity karst systems are protected through the appropriate location and treatment of development.	
Acceptable Solution	Performance Criteria
<p>A1 Where located within the High Sensitivity Area:</p> <ul style="list-style-type: none"> a) Forestry and plantation forestry is in accordance with a certified Forest Practices Plan; or b) the site does not contain the following: <ul style="list-style-type: none"> i) karren; ii) caves; 	<p>P1 A report prepared by a suitably qualified person must demonstrate that the development does not result in the following impacts:</p> <ul style="list-style-type: none"> c) damage to sites of scientific significance; d) damage to karst features; e) blockage of sinkholes or caves; f) induce unacceptable levels of surface soil erosion and

iii) sinking streams; iv) less than 500mm soil coverage over the area of development.	sedimentation into the karst system; g) creation of a safety hazard; h) increase potential for ground surface or land instability; i) pollution of surface or subterranean waterways; j) adversely lower the water table; k) adversely increase subterranean water flow; l) significant alteration of the surface hydrology. The report is to include any measures for the location of development or treatment of development that will mitigate adverse impacts on the Karst system.
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9.2 Responses to the Karst Code

Except in areas immediately surrounding sinkholes and at two other places, where karst bedrock outcrops occur (see Figure 4), surficial geology on all of the proposed lots is Tertiary basalt. This material forms a cap over the karst from a few to many metres in thickness. The soils derived from this basalt are in excess of 1000 mm in depth. Therefore karst features and subterranean cavities are not likely to be encountered in the construction of subsurface infrastructure (E15.6.2, Meander Valley Interim Planning Scheme 2013, Karst Management Code). Most of the area of the proposed lots are vegetated with perennial pasture, weeds, and occasional paddock trees. Areas of native vegetation are restricted in extent. It will be possible to locate building envelopes on areas away from native vegetation. Furthermore, it will be possible to retain perennial ground cover and enhance this vegetation with plantings as required to protect karst features from the impacts of development (E15.6.1, Meander Valley Interim Planning Scheme 2013, Karst Management Code).

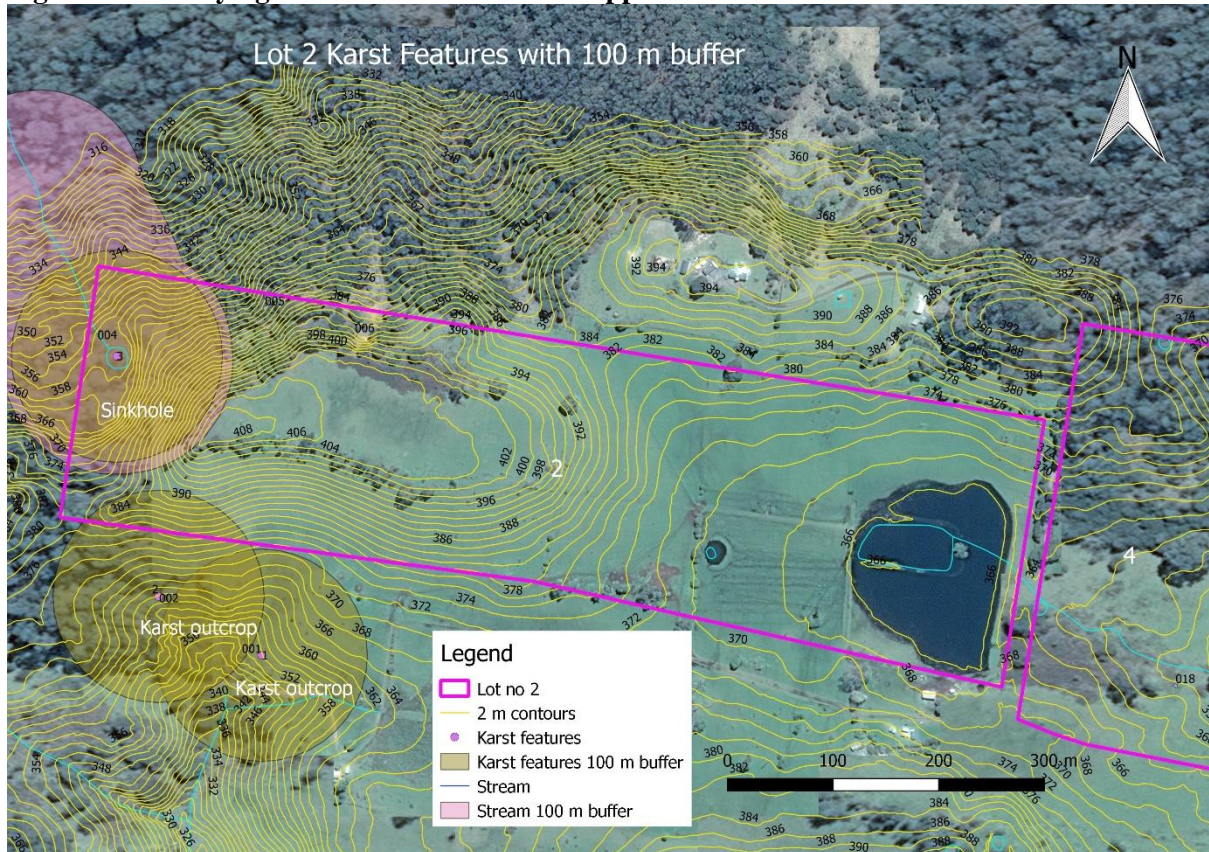
9.3 Maps of Karst Features and Proposed Building Zones

The buffering facility in a GIS program was used to develop maps showing areas on Lots 2, 4, 5, 6, 7, and 8 of the proposed subdivision that are 100m from mapped karst features on or adjacent to each Lot.

9.3.1 Lot 2

A substantial proportion of Lot 2 is more than 100 m from mapped karst features (Figure 3). Slopes on the lot range from $<5^{\circ}$ to over 20° . Most of the lot is vegetated with perennial pasture and there is some native bush in the NW corner of the lot near a sinkhole. It would be possible to locate developments in areas which are at least 100 m from the mapped karst features and that would not require vegetation disturbance other than clearing of introduced pasture.

Figure 3. Areas lying more than 100 m from mapped karst features on Lot 2.



9.3.2 Lot 4

There is a large sinkhole complex located on the boundary between Lots 4 and 5 and a sinking stream running across Lot 4 that flows into the deepest of these sinkholes (Figure 4, Plate 7). The application of a 100 m set-back from karst features restricts the area available for development to the NW corner of Lot 4. This area is about 2.3 ha in extent. Slopes in this area are generally low to moderate ($<5^{\circ}$ to around 10°).

Figure 4. Areas lying more than 100 m from mapped karst features on Lots 4 and 5.

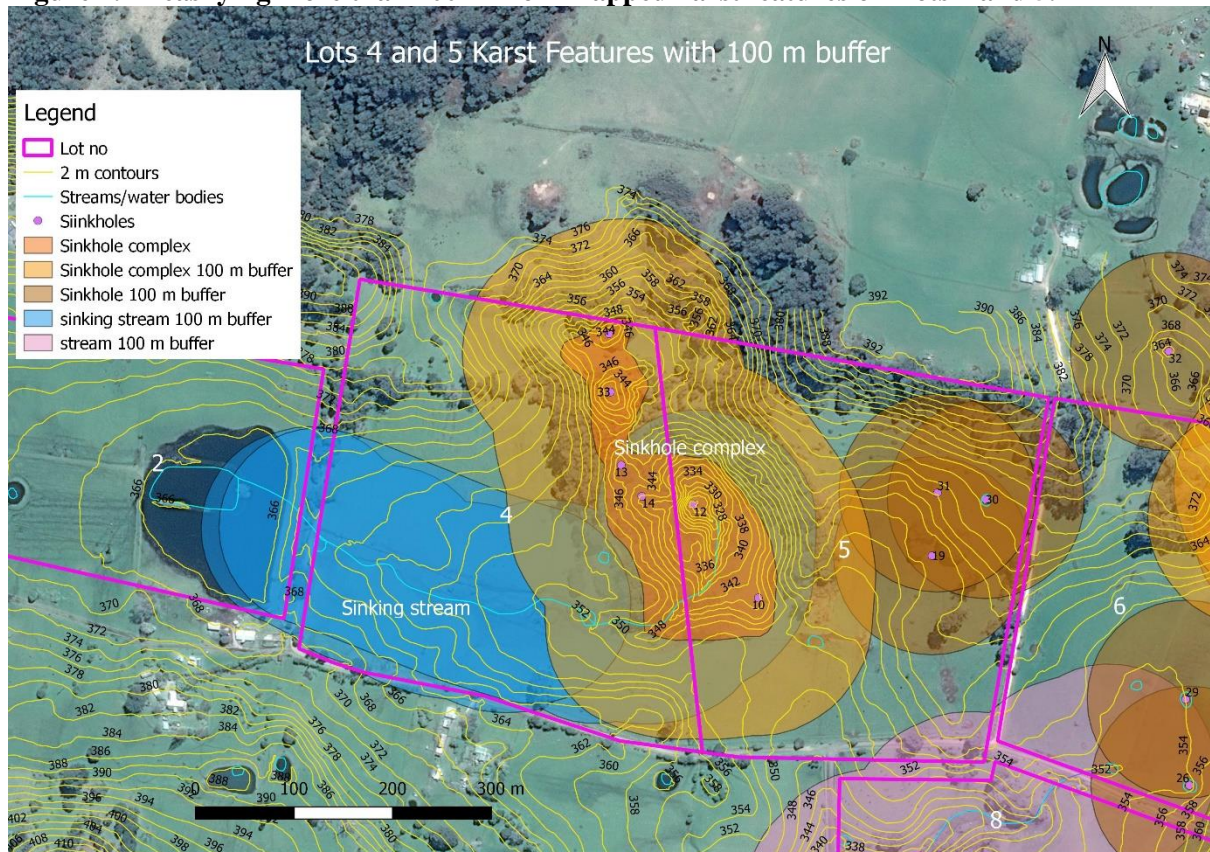
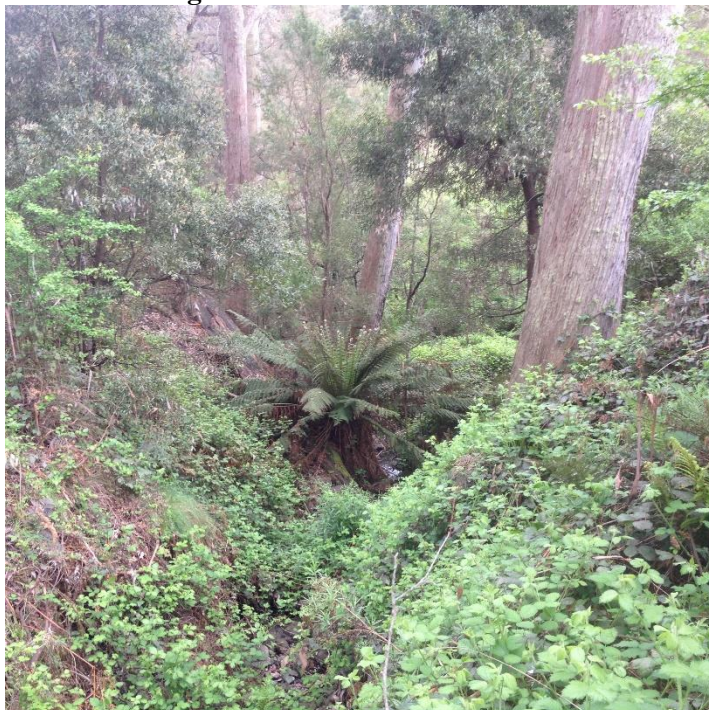


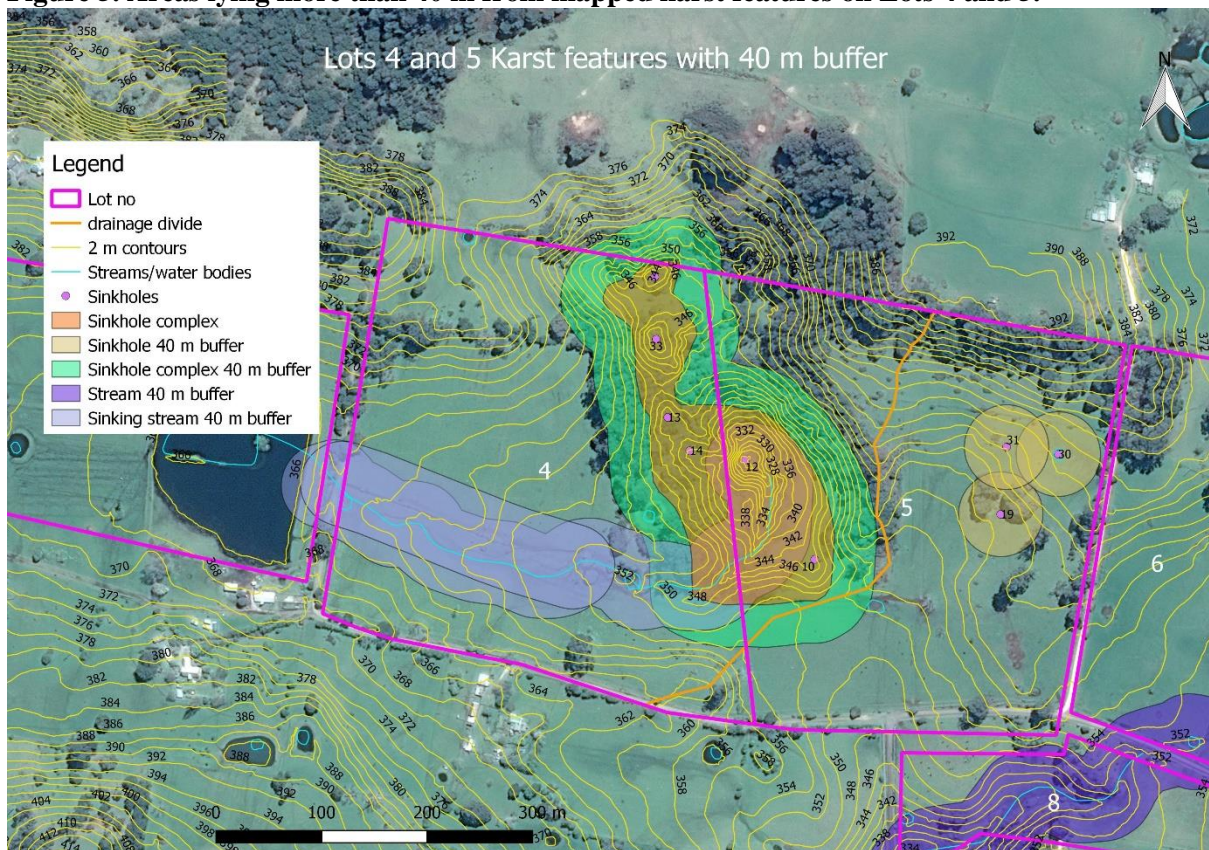
Plate 7. Sinking stream on Lot 4



9.3.3 Lot 5

Karst features on and adjacent to Lot 5 include a large sinkhole complex and associated sinking stream, and three small sinkholes in the NE corner of the lot. Only a relatively small area on the lot lies further than 100 m from these features (Figure 4). However, a drainage divide (Figure 5) ensures that a good proportion of the lot lies outside of the catchment of the sinkhole complex and the sinking stream. Much of this area is down slope from the three mapped sinkholes located in the NW of the lot. Although this portion of the lot drains towards a stream that rises on Lot 6 and crosses Lot 8, the stream is located on the other side of Mersey Hill Road. A map showing 40 m set-backs from mapped karst features demonstrates that it would be possible to locate developments in the SE corner of the block provided appropriate performance criteria where addressed (Figure 5).

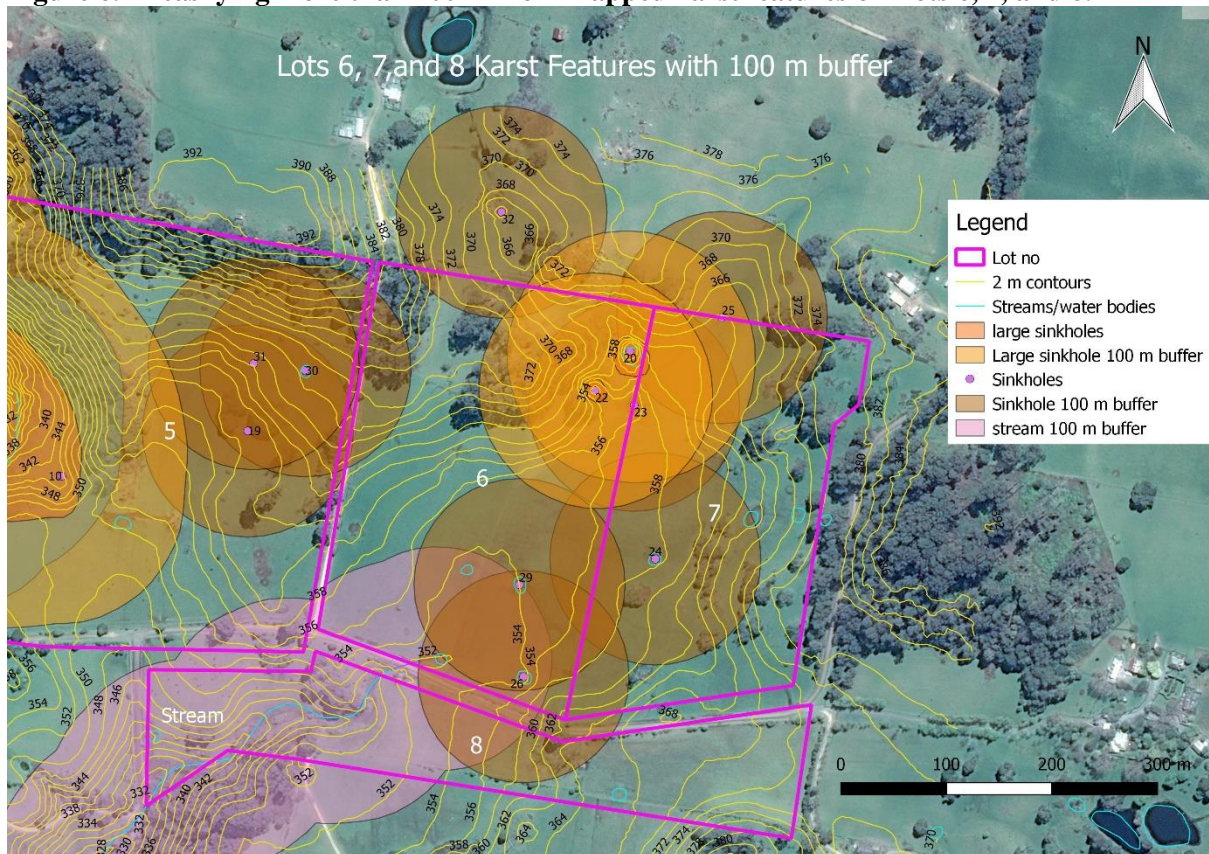
Figure 5. Areas lying more than 40 m from mapped karst features on Lots 4 and 5.



9.3.4 Lot 6

Karst features on and adjacent to Lot 6 include two large sinkholes, a number of small sinkholes and a streamline. Figure 6 shows the area that lies further than 100 m from these features. This area lies down slope from the major sinkholes in the NE corner of the lot and across a shallow valley from the two other smaller sinkholes. Protection of the creek that rises on the flats of this lot could be enhanced by measures which satisfy performance criteria set out in the Meander Valley Interim Planning Scheme 2013, Karst Management Code.

Figure 6. Areas lying more than 100 m from mapped karst features on Lots 6, 7, and 8.



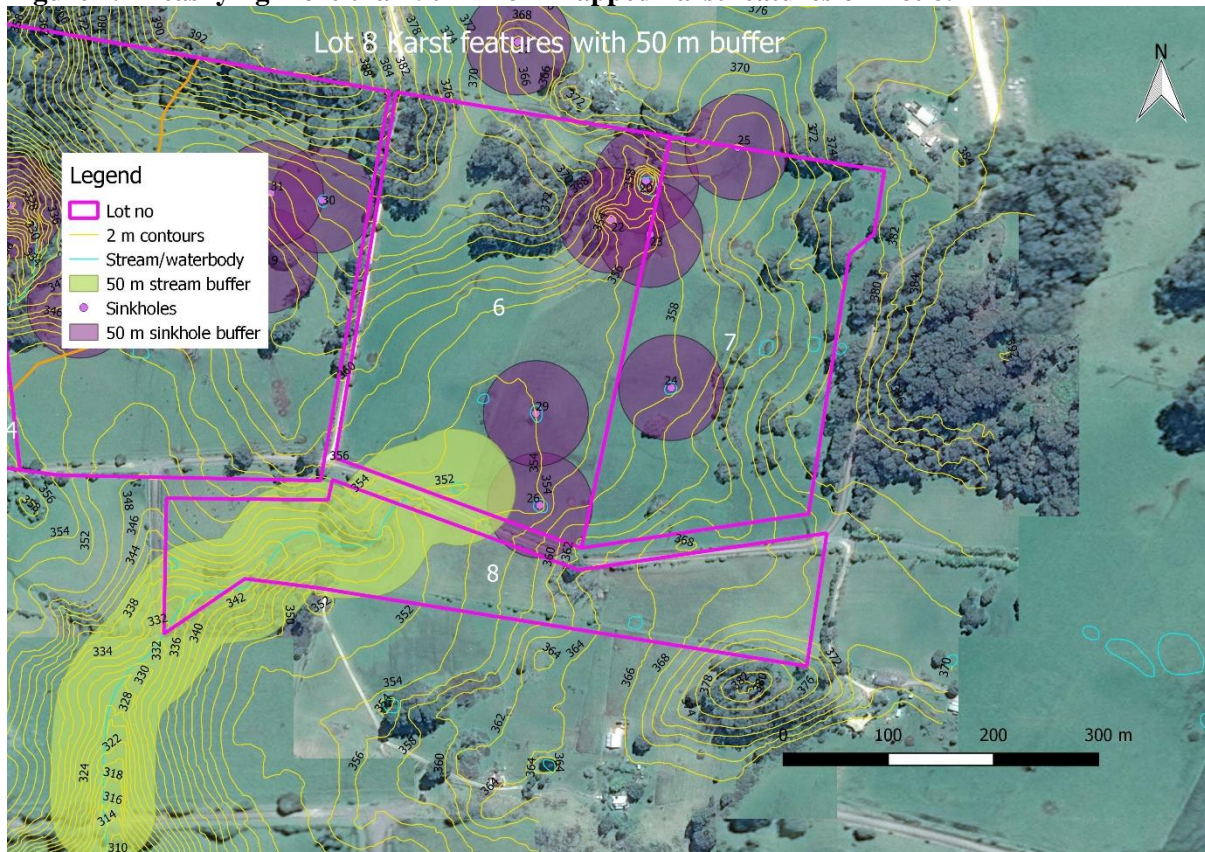
9.3.5 Lot 7

The available building envelope on Lot 7 is influenced by two large sinkholes, and a number of smaller ones (Figure 6). The large sinkholes lie on the other side of a shallow valley to the building envelope. There are four sinkholes which lie down slope of this envelope, however, slopes are low to moderate ($<5^{\circ}$ to around 10°). Protection of these sinkholes could be enhanced by measures which satisfy appropriate performance criteria.

9.3.6 Lot 8

The eastern one-third of Lot 8 lies further than 100 m from mapped karst features (Figure 6). The only feature that is actually located on the block is a stream which flows to the SW. This stream flows through areas of karst at lower elevations around Mole Creek. The stream should be protected in any future developments. The available building envelope could be enlarged if appropriate performance criteria were met. A fifty metre set-back from karst features is shown in Figure 7. This is consistent with set-backs for vegetation clearance and waste water disposal fields on slopes of $5-10^{\circ}$.

Figure 7. Areas lying more than 50 m from mapped karst features on Lot 8.



10. Conclusion

10.1 Karst Features

Eighteen sinkholes, two karst outcrops, and three streams (one, a sinking stream) were identified in the study area. These features impact on the potential location of future developments.

10.2 Acceptable Solutions

A number of acceptable solutions for developments in high sensitivity karst areas are set out in the code. Where it is not possible to strictly adhere to these acceptable solutions alternatives are presented. It is possible to identify building zones that can meet the performance criteria for developments in the High Sensitivity Karst Zone as set out in the Meander Valley Interim Planning Scheme 2013. These zones lie at least 40 m from the mapped karst features and in many cases over 100 m from them. One hundred metre set-backs are the acceptable solutions for building developments under the Planning Scheme. The soils on all of the proposed lots are greater than 500 mm in depth, and derived from Tertiary basalt that overlays Ordovician limestone. Slopes are generally low to moderate <5 to around 10 degrees. Nearly all of the proposed lots are vegetated with introduced pastures and the proposed building envelopes avoid native vegetation, except for paddock trees. Two streams rise on the proposed subdivision that drain to other karst areas around Mole Creek. These streams should be protected in any future development.

11. References

Department of the Environment (2013). Protected Matters Search Tool

<http://www.environment.gov.au/webgis-framework/apps/pmst/pmst.jsf>

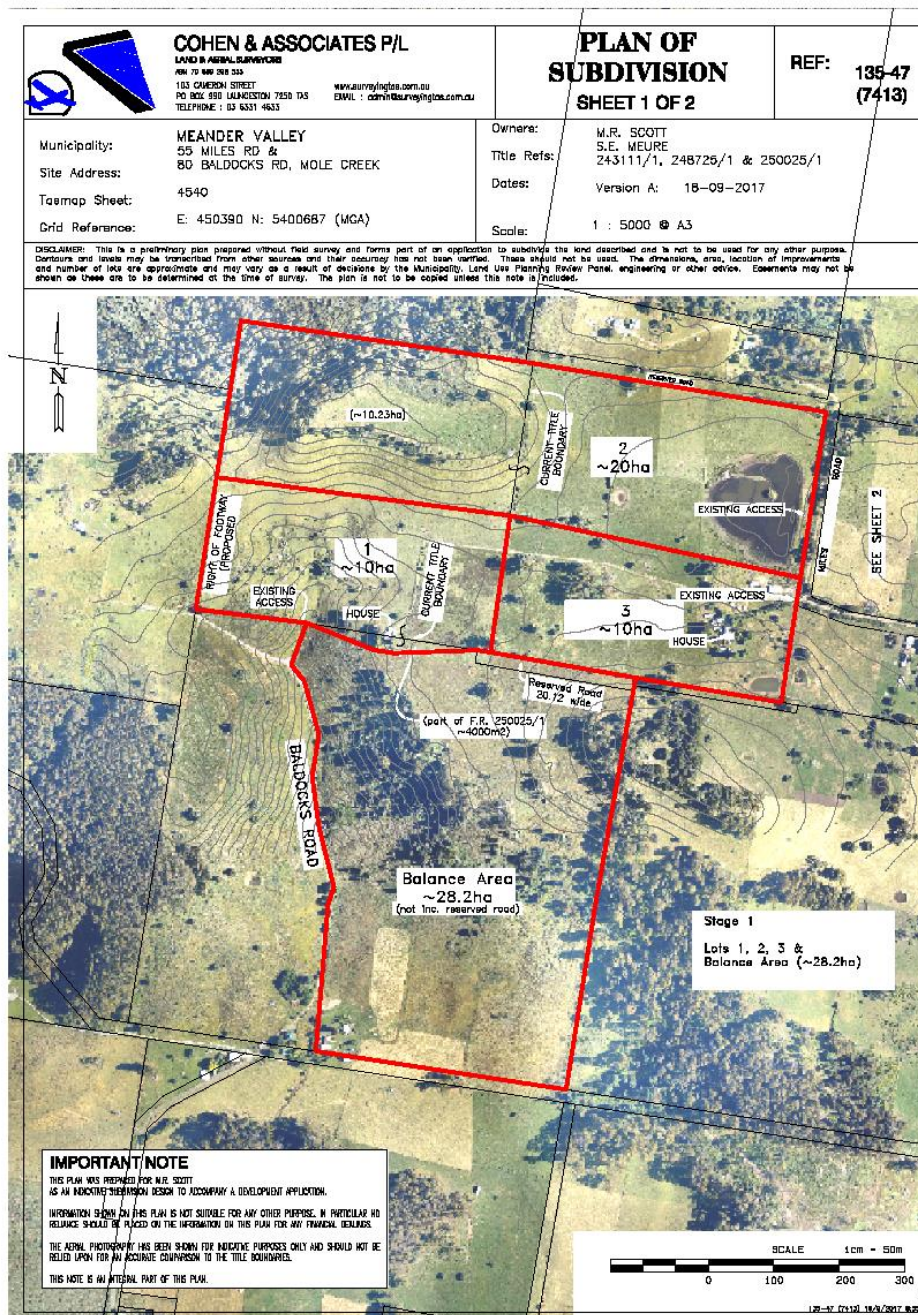
Meander Valley Interim Planning Scheme (2013)

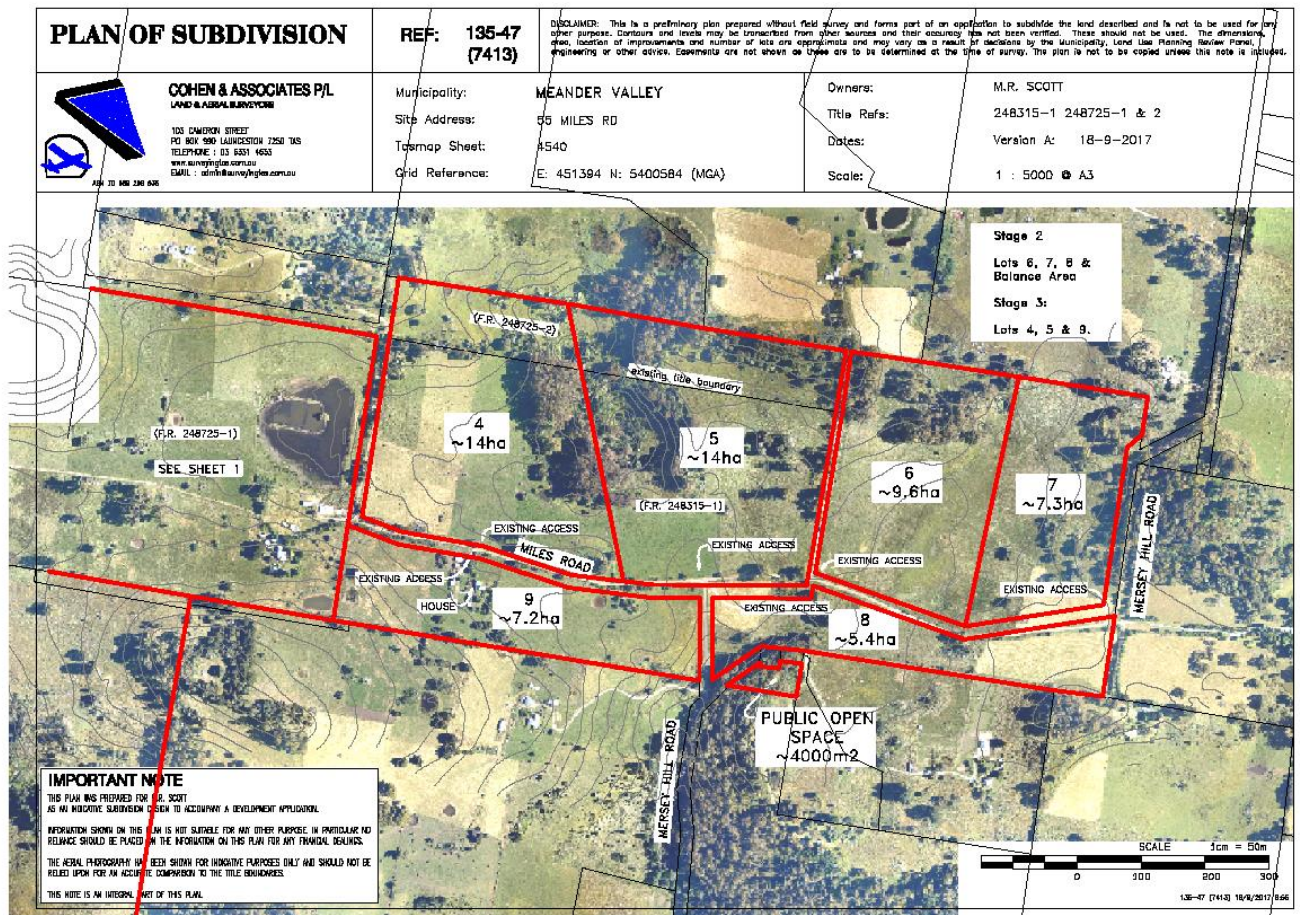
<http://www.meander.tas.gov.au/webdata/resources/files/Meander Valley Interim Planning Scheme 2013>

Natural Values Atlas: Authoritative, comprehensive information on Tasmania's natural values.

Version 3.3.0.10 <https://www.naturalvaluesatlas.tas.gov.au>

12. Appendix





Addendum to ‘A report on the karst features of a proposed subdivision of 134 Baldocks Road, 55 Miles Road Mole Creek, and 37 Miles Road Mole Creek’, Philip Cullen 2017.

Philip Cullen 29/10/2021.

11 Salvator Rd., West Hobart, Tasmania. Ph 0428108434

A karst report (**A report on the karst features of a proposed subdivision of 134 Baldocks Road, 55 Miles Road Mole Creek, and 37 Miles Road Mole Creek**, Cullen 2017) provides information regarding the location of karst features in relation to 6 proposed subdivision lots and identifies building zones on these lots that meet Acceptable Solutions in the Karst Management Code, Meander Valley Interim Planning Scheme 2013 or can meet the requirements of the code, provided appropriate Performance Criteria are addressed.

Subsequently, a new subdivision has been proposed for the area surveyed. This subdivision is comprised of 5 lots with different lot boundaries than those originally proposed. Building envelopes and Bushfire Hazard Management Areas have been identified for these new lots using, in part, the original karst report. This new proposal must be assessed against the Tasmania Planning Scheme – Meander Valley 2021.

Except for minor changes to wording that aid in the interpretation of some clauses and some changes to clauses concerning forestry activity, there is a 1 to 1 correspondence between the provisions of E15 Karst Management Code of the Meander Valley Interim Planning Scheme 2013 and MEA-S5.0 Karst management Area Specific Area Plan of the Tasmania Planning Scheme – Meander Valley 2021. Specifically: E.15.5 Use Standards <> MEA-S5.6.1 Use; E15.6.1 Sedimentation and Pollution <> MEA-S5.7.1 Sedimentation and pollution and; E15.6.2 High Sensitivity Karst Features <> MEA-S5.7.2 High Sensitivity Karst Area. Therefore the findings of the original karst report remain relevant.

The following points are noted with respect to new proposed lots (see Figure 1 below):

Lot 1 (13 ha). The bulk of Lot 1 was not surveyed in the original karst report, however the subdivision and bushfire assessment identifies a building envelope around the existing dwelling and no new infrastructure is proposed (R. Green pers.com, Rebecca Green and Associates). Except, if restricted to a small area at the eastern end of the lot (surveyed in the original karst report), further developments would require a karst survey and report.

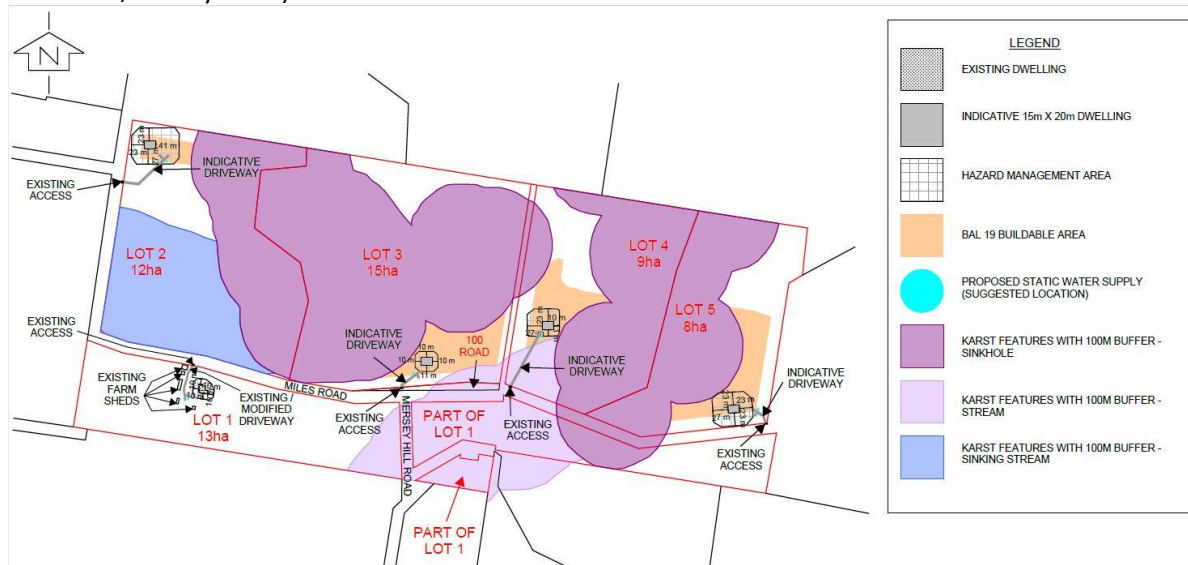
Lot 2 (12 ha). The proposed building envelope and access is located in an area which is more than 100 m from mapped karst features. Acceptable Solution met;

Lot 3 (15 ha). The proposed building envelope and access is located in an area which is more than 100 m from mapped karst features. Acceptable Solution met;

Lot 4 (9 ha). The proposed building envelope is located in an area which is more than 100 m from mapped karst features therefore Acceptable Solution met. However, the proposed access crosses an area which is within 100 m of karst features (a stream which flows towards other high sensitivity karst areas) and therefore Performance Criteria in regard to MEA-S5.7.1 Sedimentation and pollution, Performance Criteria P2 will need to be met;

Lot 5 (8 ha). The proposed building envelope and access is located in an area which is more than 100 m from mapped karst features. Acceptable Solution met.

Figure 1. Proposed Lots in the new subdivision plan (Bushfire Hazard Assessment Report & Bushfire Hazard Management Plan. 37 & 55 Miles Road, Mole Creek. Rebecca Green and Associates. Version 2, 26 July 2021).



Bushfire Hazard Assessment Report & Bushfire Hazard Management Plan

37 & 55 Miles Road, Mole Creek



Prepared for (Client)

Michael Scott

'Rosewick', 55 Miles Road,

MOLE CREEK TAS 7304

Assessed & Prepared by

Rebecca Green

Senior Planning Consultant & Accredited Bushfire Hazard Assessor

Rebecca Green & Associates

PO Box 2108 LAUNCESTON TAS 7250

Mobile: 0409 284 422

Version 2

26 July 2021

Job No: RGA-B1838

Executive Summary

The proposed development at 37 and 55 Miles Road, Mole Creek, is subject to bushfire threat. A bushfire attack under extreme fire weather conditions is likely to subject buildings at this site to considerable radiant heat, ember attack along with wind and smoke.

The site requires bushfire protection measures to protect the buildings and people that may be on site during a bushfire.

These measures include provision of hazard management areas in close proximity to the buildings, implementation of safe egress routes, establishment of a water supply and construction of buildings as described in AS 3959-2018 Construction of Buildings in Bushfire Prone Areas.

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Schedule 1 – Bushfire Report

1.0 Introduction

The Bushfire Attack Level (BAL) Report and Bushfire Hazard Management Plan (BHMP) has been prepared for submission with a Planning Permit Application under the *Land Use Planning and Approvals Act 1993; Bushfire-Prone Areas Code* and/or a Building Permit Application under the *Building Act 2016 & Regulations 2016*.

The Bushfire Attack Level (BAL) is established taking into account the type and density of vegetation within 100 metres of the proposed building site and the slope of the land; using the simplified method in AS 3959-2018 Construction of Buildings in Bushfire Prone Areas; and includes:

- The type and density of vegetation on the site,
- Relationship of that vegetation to the slope and topography of the land,
- Orientation and predominant fire risk,
- Other features attributing to bushfire risk.

On completion of assessment, a Bushfire Attack Level (BAL) is established which has a direct reference to the construction methods and techniques to be undertaken on the buildings and for the preparation of a Bushfire Hazard Management Plan (BHMP).

1.1 Scope

This report was commissioned to identify the Bushfire Attack Level for the existing property. ALL comment, advice and fire suppression measures are in relation to compliance with *Bushfire-Prone Areas Code* of the Tasmanian Planning Scheme – Meander Valley, the Building Code of Australia and Australian Standards, AS 3959-2018, *Construction of buildings in bushfire-prone areas*.

1.2 Limitations

The inspection has been undertaken and report provided on the understanding that:-

1. The report only deals with the potential bushfire risk, all other statutory assessments are outside the scope of this report.
2. The report only identifies the size, volume and status of vegetation at the time the site inspection was undertaken and cannot be relied upon for any future development.
3. Impacts of future development and vegetation growth have not been considered.

No action or reliance is to be placed on this report; other than for which it was commissioned.

1.3 Proposal

The proposal is for the development of a 5 Lot Subdivision. Two titles currently exist. An existing dwelling and associated outbuildings is located on proposed Lot 1. It is noted that the site is subject to a number of Karst features, low and medium landslip hazard bands and priority habitat vegetation. Lots 2-5 BAL 19 Buildable Areas have taken these constraints into account as well as planning scheme building setbacks.

2.0 Site Description for Proposal (Bushfire Context)

2.1 Locality Plan

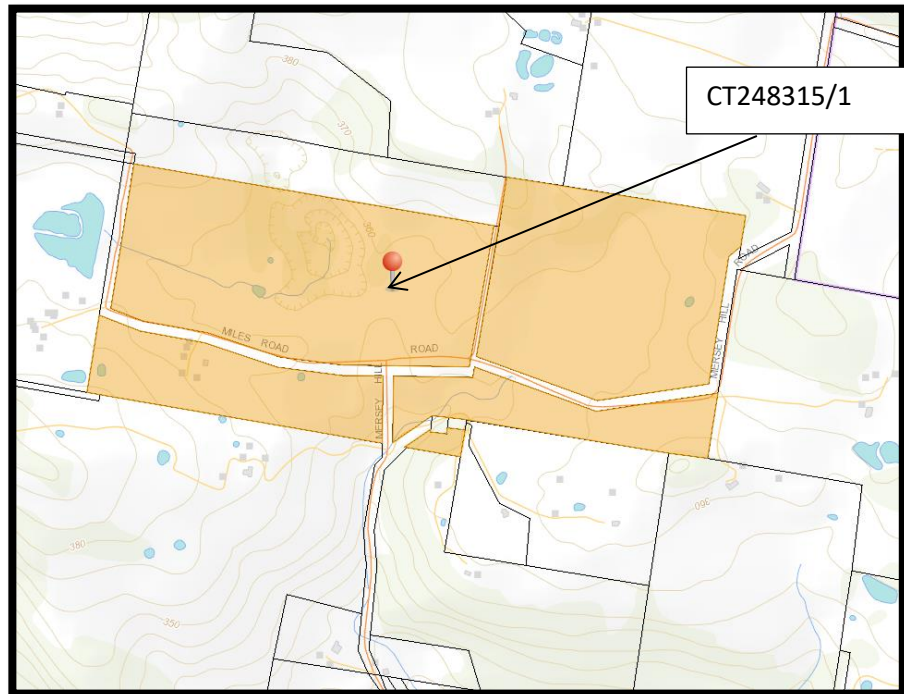


Figure 1: Location Plan of 37 Miles Road, Mole Creek

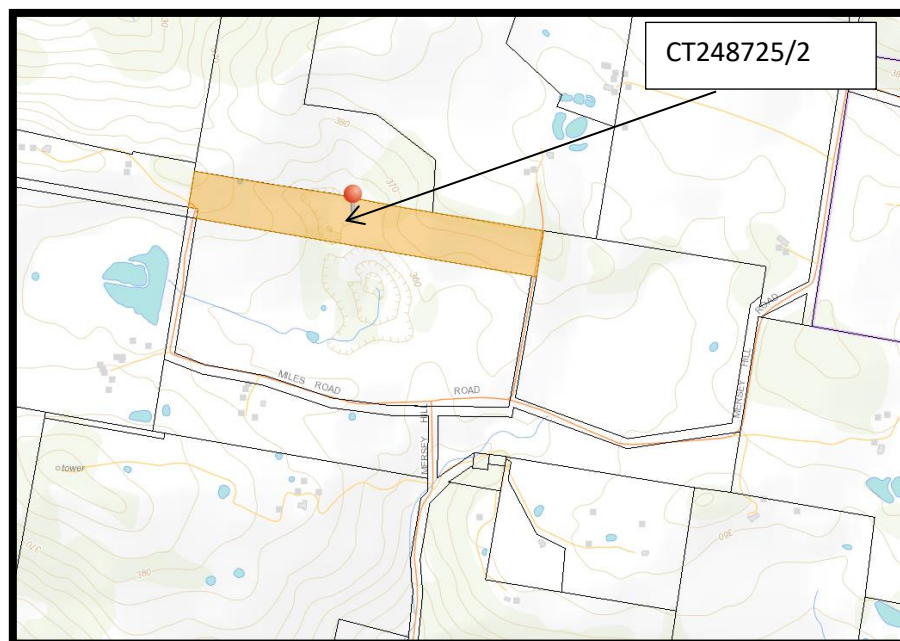


Figure 2: Location Plan of 55 Miles Road, Mole Creek

2.2 Site Details

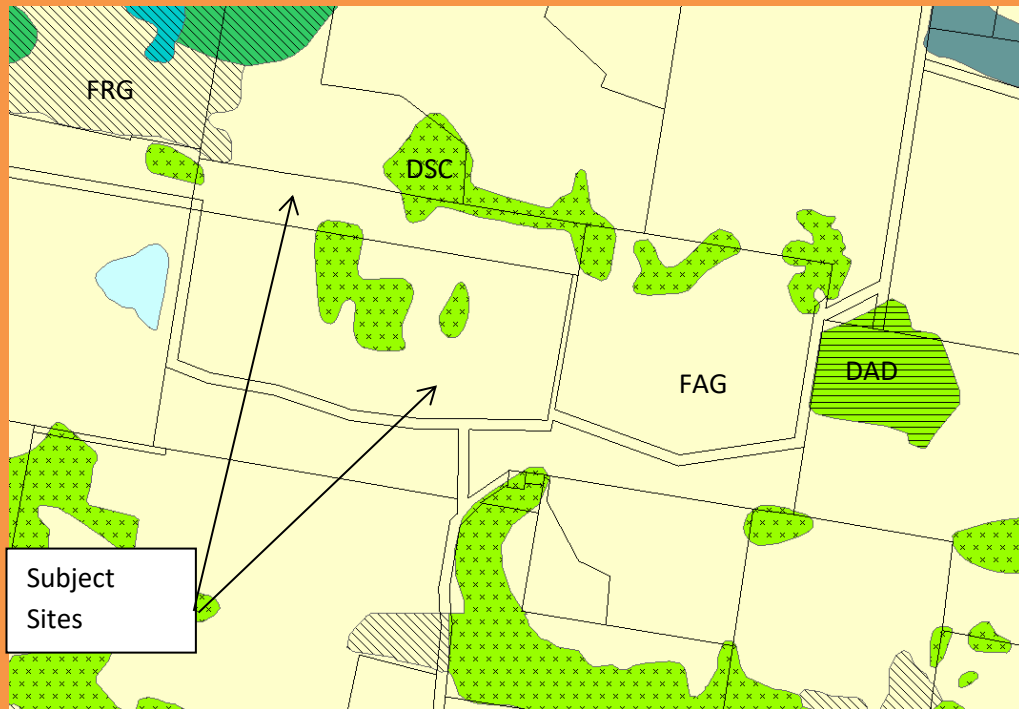
Property Address	37 and 55 Miles Road, Mole Creek
Certificate of Title	Volume 248315 Folio 1 and Volume 248725 Folio 2
Owner	Michael Robert Scott
Existing Use	Dwelling/ rural
Type of Proposed Work	5 Lot Subdivision
Water Supply	On-site for fire fighting
Road Access	Miles Road and Mersey Hill Road Lot 1 – existing access to Miles Road (approx. 76m) Lot 2 – new access to Miles Road (approx. 101m) Lot 3 – new access to Miles Road (approx. 44m) Lot 4 – new access to Miles Road (approx. 111m) Lot 5 – new access to Miles Road (approx. 36m)

3.0 Bushfire Site Assessment

3.1 Vegetation Analysis

3.1.1 TasVeg Classification

Reference to Tasmanian Vegetation Monitoring & Mapping Program (TASVEG) indicates the land in and around the property is generally comprising of varying vegetation types including:



Code	Species	Vegetation Group
DSC	<ul style="list-style-type: none"> Eucalyptus amygdalina – Eucalyptus damp sclerophyll forest 	Dry eucalypt forest and woodland
DAD	<ul style="list-style-type: none"> Eucalyptus amygdalina forest and woodland on dolerite 	Dry eucalypt forest and woodland
FAG	<ul style="list-style-type: none"> Agricultural land 	Modified land
FRG	<ul style="list-style-type: none"> Regenerating cleared land 	Modified land

3.1.2 Site & Vegetation Photos



Existing access – Lot 1



Existing dwelling – Lot 1



Lot 1



Lot 1



Lot 1



Lot 1



Existing access – Lot 2



Lot 2



Lot 2



Lot 2



Lot 2



Existing access - Lot 2



Existing access – Lot 3



Lot 3



Lot 3



Existing access – Lot 4



Lot 4



Lot 4



Lot 4



Existing access – Lot 5



Lot 5



Lot 5



Lot 5



Lot 5

3.2 BAL Assessment – Subdivision

The Acceptable Solution in Clause 13.6.1, C13.0 Bushfire-Prone Areas Code requires all lots within the proposed subdivision to demonstrate that each lot can achieve a Hazard Management Area between the bushfire vegetation and each building on the lot with distances equal to or greater than those specified in Table 2.6 of AS3959-2018 Construction of Buildings in Bushfire Prone Areas for **BAL 19**.

Lot 1

Vegetation classification AS3959	North <input checked="" type="checkbox"/> North-East <input type="checkbox"/>	South <input checked="" type="checkbox"/> South-West <input type="checkbox"/>	East <input checked="" type="checkbox"/> South-East <input type="checkbox"/>	West <input checked="" type="checkbox"/> North-West <input type="checkbox"/>
Group A	<input type="checkbox"/> Forest	<input type="checkbox"/> Forest	<input type="checkbox"/> Forest	<input type="checkbox"/> Forest
Group B	<input type="checkbox"/> Woodland	<input type="checkbox"/> Woodland	<input type="checkbox"/> Woodland	<input type="checkbox"/> Woodland
Group C	<input type="checkbox"/> Shrub-land	<input type="checkbox"/> Shrub-land	<input type="checkbox"/> Shrub-land	<input type="checkbox"/> Shrub-land
Group D	<input type="checkbox"/> Scrub	<input type="checkbox"/> Scrub	<input type="checkbox"/> Scrub	<input type="checkbox"/> Scrub
Group E	<input type="checkbox"/> Mallee-Mulga	<input type="checkbox"/> Mallee-Mulga	<input type="checkbox"/> Mallee-Mulga	<input type="checkbox"/> Mallee-Mulga
Group F	<input type="checkbox"/> Rainforest	<input type="checkbox"/> Rainforest	<input type="checkbox"/> Rainforest	<input type="checkbox"/> Rainforest
Group G	<input checked="" type="checkbox"/> Grassland	<input checked="" type="checkbox"/> Grassland	<input checked="" type="checkbox"/> Grassland	<input checked="" type="checkbox"/> Grassland
	<input type="checkbox"/> Managed Land	<input checked="" type="checkbox"/> Managed Land	<input checked="" type="checkbox"/> Managed Land	<input checked="" type="checkbox"/> Managed Land
Effective slope (degrees)	<input checked="" type="checkbox"/> Up/0°	<input checked="" type="checkbox"/> Up/0°	<input checked="" type="checkbox"/> Up/0°	<input checked="" type="checkbox"/> Up/0°
	<input type="checkbox"/> >0-5°	<input type="checkbox"/> >0-5°	<input type="checkbox"/> >0-5°	<input type="checkbox"/> >0-5°
	<input type="checkbox"/> >5-10°	<input type="checkbox"/> >5-10°	<input type="checkbox"/> >5-10°	<input type="checkbox"/> >5-10°
	<input type="checkbox"/> >10-15°	<input type="checkbox"/> >10-15°	<input type="checkbox"/> >10-15°	<input type="checkbox"/> >10-15°
	<input type="checkbox"/> >15-20°	<input type="checkbox"/> >15-20°	<input type="checkbox"/> >15-20°	<input type="checkbox"/> >15-20°
Likely direction of bushfire attack	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Prevailing winds	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Distance to classified vegetation	0m to grassland	0-approx. 32m managed >32m to grassland	0-approx. 6m managed >6m to grassland	0-approx. 31m managed >31m to grassland
REQUIRED Distance to classified vegetation for BAL 19	10-<14m	10-<14m	10-<14m	10-<14m

Lot 2

Vegetation classification AS3959	North <input checked="" type="checkbox"/> North-East <input type="checkbox"/>	South <input checked="" type="checkbox"/> South-West <input type="checkbox"/>	East <input checked="" type="checkbox"/> South-East <input type="checkbox"/>	West <input checked="" type="checkbox"/> North-West <input type="checkbox"/>
Group A	<input checked="" type="checkbox"/> Forest	<input checked="" type="checkbox"/> Forest	<input checked="" type="checkbox"/> Forest	<input checked="" type="checkbox"/> Forest
Group B	<input type="checkbox"/> Woodland	<input type="checkbox"/> Woodland	<input type="checkbox"/> Woodland	<input type="checkbox"/> Woodland
Group C	<input type="checkbox"/> Shrub-land	<input type="checkbox"/> Shrub-land	<input type="checkbox"/> Shrub-land	<input type="checkbox"/> Shrub-land
Group D	<input type="checkbox"/> Scrub	<input type="checkbox"/> Scrub	<input type="checkbox"/> Scrub	<input type="checkbox"/> Scrub
Group E	<input type="checkbox"/> Mallee-Mulga	<input type="checkbox"/> Mallee-Mulga	<input type="checkbox"/> Mallee-Mulga	<input type="checkbox"/> Mallee-Mulga
Group F	<input type="checkbox"/> Rainforest	<input type="checkbox"/> Rainforest	<input type="checkbox"/> Rainforest	<input type="checkbox"/> Rainforest
Group G	<input checked="" type="checkbox"/> Grassland	<input checked="" type="checkbox"/> Grassland	<input checked="" type="checkbox"/> Grassland	<input checked="" type="checkbox"/> Grassland
	<input type="checkbox"/> Managed Land	<input type="checkbox"/> Managed Land	<input type="checkbox"/> Managed Land	<input type="checkbox"/> Managed Land
Effective slope (degrees)	<input checked="" type="checkbox"/> Up/0°	<input type="checkbox"/> Up/0°	<input type="checkbox"/> Up/0°	<input checked="" type="checkbox"/> Up/0°
	<input type="checkbox"/> >0-5°	<input checked="" type="checkbox"/> >0-5°	<input type="checkbox"/> >0-5°	<input type="checkbox"/> >0-5°
	<input type="checkbox"/> >5-10°	<input type="checkbox"/> >5-10°	<input type="checkbox"/> >5-10°	<input type="checkbox"/> >5-10°
	<input type="checkbox"/> >10-15°	<input type="checkbox"/> >10-15°	<input checked="" type="checkbox"/> >10-15°	<input type="checkbox"/> >10-15°
	<input type="checkbox"/> >15-20°	<input type="checkbox"/> >15-20°	<input type="checkbox"/> >15-20°	<input type="checkbox"/> >15-20°
Likely direction of bushfire attack	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Prevailing winds	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Distance to classified vegetation	0m to grassland/forest	0m to grassland/forest	0m to grassland/forest	0m to grassland/forest
REQUIRED Distance to classified vegetation for BAL 19	23-<32m	27-<38m	41-<56m	23-<32m

Lot 3

Vegetation classification AS3959	North <input checked="" type="checkbox"/> North-East <input type="checkbox"/>	South <input checked="" type="checkbox"/> South-West <input type="checkbox"/>	East <input checked="" type="checkbox"/> South-East <input type="checkbox"/>	West <input checked="" type="checkbox"/> North-West <input type="checkbox"/>
Group A	<input type="checkbox"/> Forest	<input type="checkbox"/> Forest	<input type="checkbox"/> Forest	<input type="checkbox"/> Forest
Group B	<input type="checkbox"/> Woodland	<input type="checkbox"/> Woodland	<input type="checkbox"/> Woodland	<input type="checkbox"/> Woodland
Group C	<input type="checkbox"/> Shrub-land	<input type="checkbox"/> Shrub-land	<input type="checkbox"/> Shrub-land	<input type="checkbox"/> Shrub-land
Group D	<input type="checkbox"/> Scrub	<input type="checkbox"/> Scrub	<input type="checkbox"/> Scrub	<input type="checkbox"/> Scrub
Group E	<input type="checkbox"/> Mallee-Mulga	<input type="checkbox"/> Mallee-Mulga	<input type="checkbox"/> Mallee-Mulga	<input type="checkbox"/> Mallee-Mulga
Group F	<input type="checkbox"/> Rainforest	<input type="checkbox"/> Rainforest	<input type="checkbox"/> Rainforest	<input type="checkbox"/> Rainforest
Group G	<input checked="" type="checkbox"/> Grassland	<input checked="" type="checkbox"/> Grassland	<input checked="" type="checkbox"/> Grassland	<input checked="" type="checkbox"/> Grassland
	<input type="checkbox"/> Managed Land	<input type="checkbox"/> Managed Land	<input type="checkbox"/> Managed Land	<input type="checkbox"/> Managed Land
Effective slope (degrees)	<input checked="" type="checkbox"/> Up/0°	<input type="checkbox"/> Up/0°	<input checked="" type="checkbox"/> Up/0°	<input checked="" type="checkbox"/> Up/0°
	<input type="checkbox"/> >0-5°	<input checked="" type="checkbox"/> >0-5°	<input type="checkbox"/> >0-5°	<input type="checkbox"/> >0-5°
	<input type="checkbox"/> >5-10°	<input type="checkbox"/> >5-10°	<input type="checkbox"/> >5-10°	<input type="checkbox"/> >5-10°
	<input type="checkbox"/> >10-15°	<input type="checkbox"/> >10-15°	<input type="checkbox"/> >10-15°	<input type="checkbox"/> >10-15°
	<input type="checkbox"/> >15-20°	<input type="checkbox"/> >15-20°	<input type="checkbox"/> >15-20°	<input type="checkbox"/> >15-20°
Likely direction of bushfire attack	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Prevailing winds	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Distance to classified vegetation	0m to grassland	0m to grassland	0m to grassland	0m to grassland
REQUIRED Distance to classified vegetation for BAL 19	10-<14m	11-<16m	10-<14m	10-<14m

Lot 4

Vegetation classification AS3959	North <input checked="" type="checkbox"/> North-East <input type="checkbox"/>	South <input checked="" type="checkbox"/> South-West <input type="checkbox"/>	East <input checked="" type="checkbox"/> South-East <input type="checkbox"/>	West <input checked="" type="checkbox"/> North-West <input type="checkbox"/>
Group A	<input checked="" type="checkbox"/> Forest	<input type="checkbox"/> Forest	<input type="checkbox"/> Forest	<input checked="" type="checkbox"/> Forest
Group B	<input type="checkbox"/> Woodland	<input type="checkbox"/> Woodland	<input type="checkbox"/> Woodland	<input type="checkbox"/> Woodland
Group C	<input type="checkbox"/> Shrub-land	<input type="checkbox"/> Shrub-land	<input type="checkbox"/> Shrub-land	<input type="checkbox"/> Shrub-land
Group D	<input type="checkbox"/> Scrub	<input type="checkbox"/> Scrub	<input type="checkbox"/> Scrub	<input type="checkbox"/> Scrub
Group E	<input type="checkbox"/> Mallee-Mulga	<input type="checkbox"/> Mallee-Mulga	<input type="checkbox"/> Mallee-Mulga	<input type="checkbox"/> Mallee-Mulga
Group F	<input type="checkbox"/> Rainforest	<input type="checkbox"/> Rainforest	<input type="checkbox"/> Rainforest	<input type="checkbox"/> Rainforest
Group G	<input checked="" type="checkbox"/> Grassland	<input checked="" type="checkbox"/> Grassland	<input checked="" type="checkbox"/> Grassland	<input checked="" type="checkbox"/> Grassland
	<input type="checkbox"/> Managed Land	<input type="checkbox"/> Managed Land	<input type="checkbox"/> Managed Land	<input type="checkbox"/> Managed Land
Effective slope (degrees)	<input checked="" type="checkbox"/> Up/0°	<input type="checkbox"/> Up/0°	<input checked="" type="checkbox"/> Up/0°	<input type="checkbox"/> Up/0°
	<input type="checkbox"/> >0-5°	<input checked="" type="checkbox"/> >0-5°	<input type="checkbox"/> >0-5°	<input checked="" type="checkbox"/> >0-5°
	<input type="checkbox"/> >5-10°	<input type="checkbox"/> >5-10°	<input type="checkbox"/> >5-10°	<input type="checkbox"/> >5-10°
	<input type="checkbox"/> >10-15°	<input type="checkbox"/> >10-15°	<input type="checkbox"/> >10-15°	<input type="checkbox"/> >10-15°
	<input type="checkbox"/> >15-20°	<input type="checkbox"/> >15-20°	<input type="checkbox"/> >15-20°	<input type="checkbox"/> >15-20°
Likely direction of bushfire attack	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Prevailing winds	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Distance to classified vegetation	0m to grassland/forest	0m to grassland	0m to grassland	0m to grassland/forest
REQUIRED Distance to classified vegetation for BAL 19	23-<32m	11-<16m	10-<14m	27-<38m

Lot 5

Vegetation classification AS3959	North <input checked="" type="checkbox"/> North-East <input type="checkbox"/>	South <input checked="" type="checkbox"/> South-West <input type="checkbox"/>	East <input checked="" type="checkbox"/> South-East <input type="checkbox"/>	West <input checked="" type="checkbox"/> North-West <input type="checkbox"/>
Group A	<input checked="" type="checkbox"/> Forest	<input checked="" type="checkbox"/> Forest	<input checked="" type="checkbox"/> Forest	<input checked="" type="checkbox"/> Forest
Group B	<input type="checkbox"/> Woodland	<input type="checkbox"/> Woodland	<input type="checkbox"/> Woodland	<input type="checkbox"/> Woodland
Group C	<input type="checkbox"/> Shrub-land	<input type="checkbox"/> Shrub-land	<input type="checkbox"/> Shrub-land	<input type="checkbox"/> Shrub-land
Group D	<input type="checkbox"/> Scrub	<input type="checkbox"/> Scrub	<input type="checkbox"/> Scrub	<input type="checkbox"/> Scrub
Group E	<input type="checkbox"/> Mallee-Mulga	<input type="checkbox"/> Mallee-Mulga	<input type="checkbox"/> Mallee-Mulga	<input type="checkbox"/> Mallee-Mulga
Group F	<input type="checkbox"/> Rainforest	<input type="checkbox"/> Rainforest	<input type="checkbox"/> Rainforest	<input type="checkbox"/> Rainforest
Group G	<input checked="" type="checkbox"/> Grassland	<input checked="" type="checkbox"/> Grassland	<input checked="" type="checkbox"/> Grassland	<input checked="" type="checkbox"/> Grassland
	<input type="checkbox"/> Managed Land	<input type="checkbox"/> Managed Land	<input type="checkbox"/> Managed Land	<input type="checkbox"/> Managed Land
Effective slope (degrees)	<input checked="" type="checkbox"/> Up/0°	<input checked="" type="checkbox"/> Up/0°	<input checked="" type="checkbox"/> Up/0°	<input type="checkbox"/> Up/0°
	<input type="checkbox"/> >0-5°	<input type="checkbox"/> >0-5°	<input type="checkbox"/> >0-5°	<input checked="" type="checkbox"/> >0-5°
	<input type="checkbox"/> >5-10°	<input type="checkbox"/> >5-10°	<input type="checkbox"/> >5-10°	<input type="checkbox"/> >5-10°
	<input type="checkbox"/> >10-15°	<input type="checkbox"/> >10-15°	<input type="checkbox"/> >10-15°	<input type="checkbox"/> >10-15°
	<input type="checkbox"/> >15-20°	<input type="checkbox"/> >15-20°	<input type="checkbox"/> >15-20°	<input type="checkbox"/> >15-20°
Likely direction of bushfire attack	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Prevailing winds	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Distance to classified vegetation	0m to grassland/forest	0m to grassland/forest	0m to grassland/forest	0m to grassland/forest
REQUIRED Distance to classified vegetation for BAL 19	23-<32m	23-<32m	23-<32m	27-<38m

3.3 Outbuildings

Not applicable, existing outbuildings on Lot 1 are greater than 6m from habitable building or where less than 6m hazard management area to extend around outbuildings as well as dwelling.

3.4 Road Access

Roads are to be constructed to provide vehicle access to the site to assist firefighting and emergency personnel to defend the building or evacuate occupants; and provide access at all times to the water supply for firefighting purposes on the building site.

Private access roads are to be maintained from the entrance to the property cross over with the public road through to the buildings on the site.

<p>Lot 2 – Lot 5 - (new)</p>	<p>Private access driveways are to be <u>constructed / maintained</u> from the entrance of the property cross over at the public road through to any future habitable building and on-site dedicated firefighting water supply. Private access roads are to be maintained to a standard not less than specified in Table C13.2B.</p> <p>Indicative access length – Lot 2: Approx. 101m Lot 3: Approx. 44m Lot 4: Approx. 111m Lot 5: Approx. 36m</p> <p>Should any future habitable building be constructed where access is >200m, access shall be constructed in accordance with Table C13.2C.</p>
<p>Lot 1 (existing)</p>	<p>Private access driveways are to be <u>maintained</u> from the entrance of the property cross over at the public road through to habitable building. Private access roads are to be maintained to a standard not less than specified in Table C13.2B.</p> <p>Existing access length: Approx. 76m</p>

Table C13.2B: Standards for Property Access

The following design and construction requirements apply to property access length is 30 metres or greater or access for a fire appliance to a fire fighting point:

- (a) All weather construction;
- (b) Load capacity of at least 20 tonnes, including for bridges and culverts;
- (c) Minimum carriageway width of 4 metres;
- (d) Minimum vertical clearance of 4 metres;
- (e) Minimum horizontal clearance of 0.5 metres from the edge of the carriageway;
- (f) Cross falls of less than 3 degrees (1:20 or 5%);
- (g) Dips less than 7 degrees (1:8 or 12.5%) entry and exit angle;
- (h) Curves with a minimum inner radius of 10 metres;
- (i) Maximum gradient of 15 degrees (1:3.5 or 28%) for sealed roads, and 10 degrees (1:5.5 or 18%) for unsealed roads; and
- (j) Terminate with a turning area for fire appliances provided by one of the following:
 - i) A turning circle with a minimum inner radius of 10 metres;

- ii) A property access encircling the building; or
- iii) A hammerhead “T” or “Y” turning head 4 metres wide and 8 metres long.

Table C13.2C: Standards for Property Access

The following design and construction requirements apply to property access length is 30 metres or greater or access for a fire appliance to a fire fighting point:

- (a) All weather construction;
- (b) Load capacity of at least 20 tonnes, including for bridges and culverts;
- (c) Minimum carriageway width of 4 metres;
- (d) Minimum vertical clearance of 4 metres;
- (e) Minimum horizontal clearance of 0.5 metres from the edge of the carriageway;
- (f) Cross falls of less than 3 degrees (1:20 or 5%);
- (g) Dips less than 7 degrees (1:8 or 12.5%) entry and exit angle;
- (h) Curves with a minimum inner radius of 10 metres;
- (i) Maximum gradient of 15 degrees (1:3.5 or 28%) for sealed roads, and 10 degrees (1:5.5 or 18%) for unsealed roads; and
- (j) Terminate with a turning area for fire appliances provided by one of the following:
 - i) A turning circle with a minimum inner radius of 10 metres;
 - ii) A property access encircling the building; or
 - iii) A hammerhead “T” or “Y” turning head 4 metres wide and 8 metres long.
- (k) Passing bays of 2m additional carriageway width and 20m length provided every 200m.

3.5 Water Supply

A building that is constructed in a designated bushfire prone area must provide access at all times to a sufficient supply of water for firefighting purposes on the building site.

The exterior elements of a Habitable building in a designated Bushfire prone area must be within reach of a 120m long hose (lay) connected to –

- (i) A fire hydrant with a minimum flow rate of 600L per minute and pressure of 200kpa; or
- (ii) A stored water supply in a water tank, swimming pool, dam or lake available for firefighting at all times which has the capacity of at least 10,000L for each separate building.

<p>Lot 2 to Lot 5 Static Water Supply</p>	<p>On-site water supply is required for any new habitable building.</p> <p>A water tank of at least 10,000 litres per building area to be protected and above ground pipes and fittings used for a stored water supply must be of non-rusting, non-combustible, non-heat-deforming materials and must be situated more than 6m from a building area to be protected.</p>
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Lot 1 – Static Water Supply (new)

On-site water supply is required prior to the final plan of survey being sealed by Council.

A water tank of at least 10,000 litres per building area to be protected and above ground pipes and fittings used for a stored water supply must be of non-rusting, non-combustible, non-heat-deforming materials and must be situated more than 6m from a building area to be protected.

It should be recognised that although water supply as specified above may be in compliance with the requirements of the Building Code of Australia, the supply may not be adequate for all firefighting situations.

Table C13.5: Static Water Supply for Fire Fighting

Column 1		Column 2
Element		Requirement
A.	Distance between building area to be protected and water supply	The following requirements apply: <ul style="list-style-type: none"> (a) The building area to be protected must be located within 90 metres of the fire fighting water point of a static water supply; and (b) The distance must be measured as a hose lay, between the fire fighting water point and the furthest part of the building area.
B.	Static Water Supplies	A static water supply: <ul style="list-style-type: none"> (a) May have a remotely located offtake connected to the static water supply; (b) May be a supply for combined use (fire fighting and other uses) but the specified minimum quantity of fire fighting water must be available at all times; (c) Must be a minimum of 10,000 litres per building area to be protected. This volume of water must not be used for any other purpose including fire fighting sprinkler or spray systems; (d) Must be metal, concrete or lagged by non-combustible materials if above ground; and (e) If a tank can be located so it is shielded in all directions in compliance with Section 3.5 of AS 3959-2018 the tank may be constructed of any material provided that the lowest 400mm of the tank exterior is protected by: <ul style="list-style-type: none"> (i) Metal; (ii) Non-combustible material; or (iii) Fibre-cement a minimum 6mm thickness.
C.	Fittings, pipework and accessories (including stands and tank supports)	Fittings and pipework associated with a fire fighting water point for a static water supply must: <ul style="list-style-type: none"> (a) Have a minimum nominal internal diameter of 50mm; (b) Be fitted with a valve with a minimum nominal diameter of 50mm; (c) Be metal or lagged by non-combustible materials if

		<p>above ground;</p> <p>(d) if buried, have a minimum depth of 300mm;</p> <p>(e) Provide a DIN or NEN standard forged Storz 65mm coupling fitted with a suction washer for connection to fire fighting equipment;</p> <p>(f) Ensure the coupling is accessible and available for connection at all times;</p> <p>(g) Ensure the coupling is fitted with a blank cap and securing chain (minimum 220mm length);</p> <p>(h) Ensure underground tanks have either an opening at the top of not less than 250mm diameter or a coupling compliant with this Table; and</p> <p>(i) If a remote offtake is installed, ensure the offtake is in a position that is:</p> <p>(i) Visible;</p> <p>(ii) Accessible to allow connection by fire fighting equipment;</p> <p>(iii) At a working height of 450-600mm above ground level; and</p> <p>(iv) Protected from possible damage, including damage from vehicles.</p>
D.	Signage for static water connections	<p>The fire fighting water point for a static water supply must be identified by a sign permanently fixed to the exterior of the assembly in a visible location. The sign must comply with:</p> <p>(a) water tank signage requirements within AS 2304-2011 Water storage tanks for fire protection systems; or</p> <p>(b) <i>Water Supply Signage Guideline</i>, version 1.0, Tasmanian Fire Service, February 2017.</p>
E.	Hardstand	<p>A hardstand area for fire appliances must be provided:</p> <p>(1) No more than 3m from the fire fighting water point, measured as a hose lay (including the minimum water level in dams, swimming pools and the like);</p> <p>(2) No closer than 6m from the building area to be protected;</p> <p>(3) a minimum width of 3m constructed to the same standard as the carriageway; and</p> <p>(4) Connected to the property access by a carriageway equivalent to the standard of the property access.</p>

4.0 Bushfire-Prone Areas Code Assessment Criteria

Assessment has been completed below to demonstrate the BAL and BHMP have been developed in compliance with the Acceptable Solutions and/or the Performance Criteria as specified in the Bushfire-Prone Areas Code.

C13.4 – Exemptions – Not applicable.

C13.6 Development Standards for Subdivision

C13.6.1 Provision of hazard management areas		
Comments		
<input checked="" type="checkbox"/> A1	(a) & (b)	Specified distances for Hazard Management Areas for BAL 19 as specified on the plan are in accordance with AS3959. Lot 1 Hazard Management Area to be implemented prior to the final plan of survey being sealed by Council and maintained into perpetuity. The proposal complies.
<input type="checkbox"/> P1		
C13.6.2 Public and fire fighting access		
Comments		
<input checked="" type="checkbox"/> A1	(a)	Existing access to Lot 1 is to standard and shall be maintained in accordance with Table C13.2B.
<input checked="" type="checkbox"/> A1	(b)	The private driveway to Lots 2-5 will be constructed in accordance with Table C13.2B.
<input type="checkbox"/> P1		
<input checked="" type="checkbox"/> A2		Not applicable.
<input type="checkbox"/> P2	No PC	
C13.6.3 Provision of water supply for fire fighting purposes		
Comments		
<input type="checkbox"/> A1	(a)	Not applicable
	(b)	Not applicable.
<input type="checkbox"/> P1	No PC	
<input checked="" type="checkbox"/> A2	(a)	Not applicable.
	(b)	Any new habitable building on Lot 2 to Lot 5 at building application stage consideration with a stored water supply in a water supply tank at least 10,000 litres per building area to be protected, with a fitting suitable for TFS access in accordance with Table C13.5 shall be considered. The existing dwelling on Lot 1, prior to the final plan of survey being sealed by Council, shall be provided with a stored water supply in a water supply tank at least 10,000 litres per building area to be protected, with a fitting suitable for TFS access in accordance with Table C13.5.
<input type="checkbox"/> A2	(c)	Not applicable.
<input type="checkbox"/> P2	No PC	

5.0 Layout Options

Not relevant to this proposal.

6.0 Other Planning Provisions

Not relevant to this proposal.

7.0 Conclusions and Recommendations

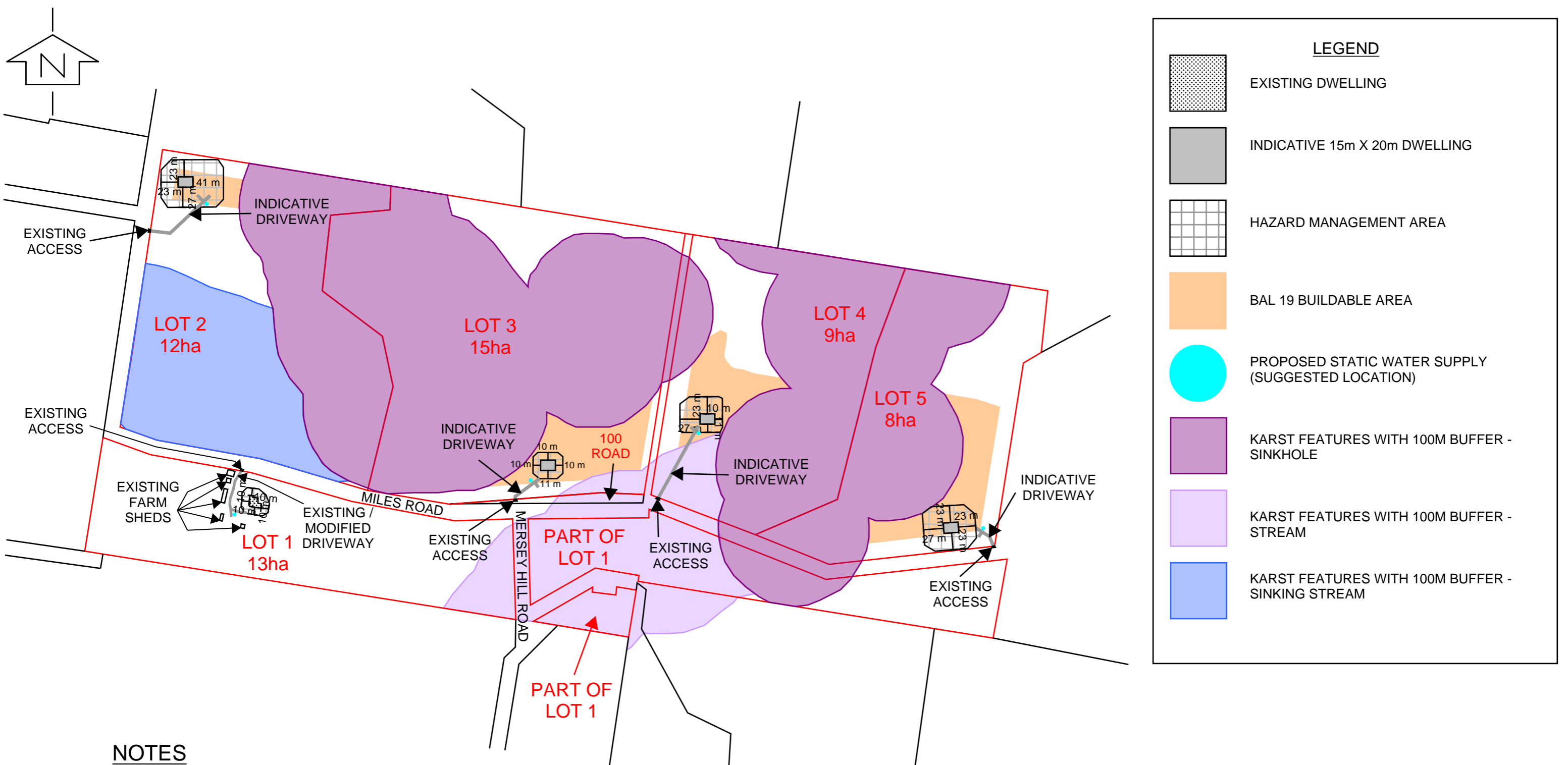
Mitigation from bushfire is dependent on the careful management of the site by maintaining reduced fuel loads within the hazard management areas and within the site generally and to provide sources of water supply dedicated for firefighting purposes and the construction and maintenance of a safe egress route.

The site has been assessed as demonstrating a building area that have the dimensions equal to or greater than the separation distance required for BAL 19 in Table 2.6 of AS 3959 – 2018 Construction of Buildings in Bushfire Prone Areas.

Fuel Managed Areas

Hazard Management Areas as detailed within the plan shall be constructed and maintained as detailed in Schedule 2. For Lot 2 to Lot 5, Hazard Management Areas to be established and maintained prior to the construction of any habitable building on either lot and managed into perpetuity. For Lot 1, Hazard Management Area to be established and maintained prior to the final plan of survey being sealed by Council and managed into perpetuity.

Schedule 2 – Bushfire Hazard Management Plan



BUSHFIRE HAZARD MANAGEMENT PLAN
BUSHFIRE ATTACK LEVEL (BAL) 19
5 LOT SUBDIVISION

37 & 55 MILES ROAD, MOLE CREEK
VOLUME 248315 FOLIO 1 & VOLUME
248725 FOLIO 2
PROPERTY ID 6270626 & 7539826

DATE: 26 JULY 2021
VERSION: 2
DRAWN: REBECCA GREEN
PHONE: 0409 284 422
EMAIL: ADMIN@RGASSOCIATES.COM.AU
BFP - 116, SCOPE - 1, 2, 3A, 3B, 3C

Rebecca Green

**Rebecca Green
& Associates**

Form 55

CERTIFICATE OF QUALIFIED PERSON – ASSESSABLE ITEM

Section 321

To: Michael Scott Owner /Agent
'Rosewick', 55 Miles Road Address
MOLE CREEK TAS 7304 Suburb/postcode

Form **55**

Qualified person details:

Qualified person: Rebecca Green
Address: PO Box 2108 Phone No: 0409 284 422
Launceston 7250 Fax No:
Licence No: BFP-116 Email address: admin@rgassociates.com.au

Qualifications and Insurance details:

Accredited to report on bushfire hazards under Part IVA of the Fire Services Act 1979

(description from Column 3 of the Director's Determination - Certificates by Qualified Persons for Assessable Items)

Speciality area of expertise:

Analysis of hazards in bushfire prone areas

(description from Column 4 of the Director's Determination - Certificates by Qualified Persons for Assessable Items)

Details of work:

Address: 37 & 55 Miles Road Lot No: 1 & 2
MOLE CREEK 7304 Certificate of title No: 248315 & 248725

The assessable item related to this certificate:

5 Lot Subdivision from 2 existing titles

(description of the assessable item being certified)

Assessable item includes –

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

Certificate details:

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

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

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



or

a building, temporary structure or plumbing installation:



In issuing this certificate the following matters are relevant –

Documents:	Bushfire Hazard Assessment Report & Bushfire Hazard Management Plan (Rebecca Green & Associates, 26 July 2021, Version 2, Job No. RGA-B1838)
Relevant	N/A
References:	<i>Tasmanian Planning Scheme – Meander Valley, Bushfire-Prone Areas Code</i> <i>Australian Standard 3959-2018</i>

Substance of Certificate: (what it is that is being certified)

1. Assessment of the site Bushfire Attack Level (to Australian Standard 3959-2018)
2. Bushfire Hazard Management Plan showing BAL-19 solutions.

Scope and/or Limitations

Scope

This report and certification was commissioned to identify the Bushfire Attack Level for the existing property. All comment, advice and fire suppression measures are in relation to compliance with *Tasmanian Planning Scheme – Meander Valley, Bushfire-Prone Areas Code C13.0*, the *Building Act 2016 & Regulations 2016*, *Building Code of Australia* and *Australian Standard 3959-2018, Construction of buildings in bushfire-prone areas*.


Limitations

The assessment has been undertaken and report provided on the understanding that:-

1. The report only deals with the potential bushfire risk all other statutory assessments are outside the scope of this certificate.
2. The report only identifies the size, volume and status of vegetation at the time the inspection was undertaken and cannot be relied upon for any future development.
3. Impacts of future development and vegetation growth have not been considered.
4. No assurance is given or inferred for the health, safety or amenity of the general public, individuals or occupants in the event of a Bushfire.
5. No warranty is offered or inferred for any buildings constructed on the property in the event of a Bushfire.

No action or reliance is to be placed on this certificate or report; other than for which it was commissioned.

I certify the matters described in this certificate.

Qualified person:	<div>Signed: </div>	Certificate No: RG-152/2021	Date: 26 July 2021
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Attachment 1 – Certificate of Compliance to the Bushfire-prone Area Code

BUSHFIRE-PRONE AREAS CODE

CERTIFICATE¹ UNDER S51(2)(d) *LAND USE PLANNING AND APPROVALS ACT 1993*

1. Land to which certificate applies

The subject site includes property that is proposed for use and development and includes all properties upon which works are proposed for bushfire protection purposes.

Street address:

37 & 55 Miles Road, Mole Creek

Certificate of Title / PID:

CT248315/1 & CT248725/2

2. Proposed Use or Development

Description of proposed Use and Development:

5 Lot Subdivision

Applicable Planning Scheme:

Tasmanian Planning Scheme – Meander Valley

3. Documents relied upon

This certificate relates to the following documents:

Title	Author	Date	Version
Plan of Subdivision Ref: 135-47 (7413)	Cohen & Associates P/L	22-7-2021	8
Bushfire Hazard Assessment Report	Rebecca Green	26 July 2021	2
Bushfire Hazard Management Plan	Rebecca Green	26 July 2021	2

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

4. Nature of Certificate

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

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

<input type="checkbox"/>	E1.5.1 / C13.5.1 – Vulnerable Uses	
	Acceptable Solution	Compliance Requirement
<input type="checkbox"/>	E1.5.1 P1 / C13.5.1 P1	<i>Planning authority discretion required. A proposal cannot be certified as compliant with P1.</i>
<input type="checkbox"/>	E1.5.1 A2 / C13.5.1 A2	Emergency management strategy
<input type="checkbox"/>	E1.5.1 A3 / C13.5.1 A2	Bushfire hazard management plan

<input type="checkbox"/>	E1.5.2 / C13.5.2 – Hazardous Uses	
	Acceptable Solution	Compliance Requirement
<input type="checkbox"/>	E1.5.2 P1 / C13.5.2 P1	<i>Planning authority discretion required. A proposal cannot be certified as compliant with P1.</i>
<input type="checkbox"/>	E1.5.2 A2 / C13.5.2 A2	Emergency management strategy
<input type="checkbox"/>	E1.5.2 A3 / C13.5.2 A3	Bushfire hazard management plan

<input checked="" type="checkbox"/>	E1.6.1 / C13.6.1 Subdivision: Provision of hazard management areas	
	Acceptable Solution	Compliance Requirement
<input type="checkbox"/>	E1.6.1 P1 / C13.6.1 P1	<i>Planning authority discretion required. A proposal cannot be certified as compliant with P1.</i>
<input type="checkbox"/>	E1.6.1 A1 (a) / C13.6.1 A1(a)	Insufficient increase in risk
<input checked="" type="checkbox"/>	E1.6.1 A1 (b) / C13.6.1 A1(b)	Provides BAL-19 for all lots (including any lot designated as 'balance') <i>Refer to Bushfire Hazard Assessment Report & Bushfire Hazard Management Plan, prepared by</i>

		<i>Rebecca Green & Associates, 26 July 2021 demonstrating BAL 19.</i>
<input type="checkbox"/>	E1.6.1 A1(c) / C13.6.1 A1(c)	Consent for Part 5 Agreement

<input checked="" type="checkbox"/>	E1.6.2 / C13.6.2 Subdivision: Public and fire fighting access	
	Acceptable Solution	Compliance Requirement
<input type="checkbox"/>	E1.6.2 P1 / C13.6.2 P1	<i>Planning authority discretion required. A proposal cannot be certified as compliant with P1.</i>
<input type="checkbox"/>	E1.6.2 A1 (a) / C13.6.2 A1 (a)	Insufficient increase in risk
<input checked="" type="checkbox"/>	E1.6.2 A1 (b) / C13.6.2 A1 (b)	Access complies with relevant Tables <i>Refer to Bushfire Hazard Assessment Report & Bushfire Hazard Management Plan, prepared by Rebecca Green & Associates, 26 July 2021.</i>

<input checked="" type="checkbox"/>	E1.6.3 / C13.1.6.3 Subdivision: Provision of water supply for fire fighting purposes	
	Acceptable Solution	Compliance Requirement
<input type="checkbox"/>	E1.6.3 A1 (a) / C13.6.3 A1 (a)	Insufficient increase in risk
<input type="checkbox"/>	E1.6.3 A1 (b) / C13.6.3 A1 (b)	Reticulated water supply complies with relevant Table
<input type="checkbox"/>	E1.6.3 A1 (c) / C13.6.3 A1 (c)	Water supply consistent with the objective
<input type="checkbox"/>	E1.6.3 A2 (a) / C13.6.3 A2 (a)	Insufficient increase in risk
<input checked="" type="checkbox"/>	E1.6.3 A2 (b) / C13.6.3 A2 (b)	Static water supply complies with relevant Table <i>Refer to Bushfire Hazard Assessment Report & Bushfire Hazard Management Plan, prepared by Rebecca Green & Associates, 26 July 2021.</i>
<input type="checkbox"/>	E1.6.3 A2 (c) / C13.6.3 A2 (c)	Static water supply consistent with the objective

5. Bushfire Hazard Practitioner

Name: Rebecca Green

Phone No: 0409 284 422

Postal Address: PO Box 2108
Launceston, Tas 7250

Email Address: admin@rgassociates.com.au

Accreditation No: BFP – 116

Scope: 1, 2, 3A, 3B, 3C

6. Certification

I certify that in accordance with the authority given under Part 4A of the *Fire Service Act 1979* that the proposed use and development:

☐ Is exempt from the requirement Bushfire-Prone Areas Code because, having regard to the objective of all applicable standards in the Code, there is considered to be an insufficient increase in risk to the use or development from bushfire to warrant any specific bushfire protection measures, or

☒ The Bushfire Hazard Management Plan/s identified in Section 3 of this certificate is/are in accordance with the Chief Officer's requirements and compliant with the relevant **Acceptable Solutions** identified in Section 4 of this Certificate.

Signed:
certifier



Name: Rebecca Green

Date: 26 July 2021

Certificate
Number: RGA-029/2021

(for Practitioner Use only)

Attachment 2 – AS3959-2018 Construction Requirements



BAL Assessments

Revised for 2018 edition

	BAL—LOW	BAL-12.5	BAL-19	BAL-29	BAL-40	BAL –FZ (FLAMEZONE)
SUBFLOOR SUPPORTS	No special construction requirements	No special construction requirements	Enclosure by external wall or by steel, bronze or aluminium mesh	Enclosure by external wall or by steel, bronze of aluminium mesh. Non-combustible or naturally fire resistant timber supports where the subfloor is unenclosed	If enclosed by external wall refer below “External Walls” section in table or non-combustible sub-floor supports, or tested for bushfire resistance to AS1530.8.1	Enclosure by external wall or non-combustible with an FRL of 30/-/- or to be tested for bushfire resistance to AS1530.8.2
FLOORS	No special construction requirements	No special construction requirements	Concrete slab on ground or enclosure by external wall, metal mesh as above or flooring less than 400mm above ground level to be non-combustible, naturally fire resistant timber or protected on the underside with sarking or mineral wool insulation	Concrete slab on ground or enclosure by external wall, metal mesh as above or flooring less than 400mm above ground level to be non-combustible, naturally fire resistant timber or protected on the underside with sarking or mineral wool insulation	Concrete slab on ground or enclosure by external wall or protection of underside with a non-combustible material such as fibre cement sheet or be non-combustible or to be tested for bushfire resistance to AS1530.8.1	Concrete slab on ground or enclosure by external wall or an FRL of 30/30/30 or protection of underside 30 minute incipient spread of fire system or to be tested for bushfire resistance to AS1530.8.2
EXTERNAL WALLS	No special construction requirements	As for BAL-19	Parts less than 400mm above ground or decks etc to be of non-combustible material, 6mm fibre cement clad or bushfire resistant/ naturally fire resistant timber	Non-combustible material (masonry, brick veneer, mud brick, aerated concrete, concrete) or timber framed, or steel framed walls sarked on the outside and clad with 6mm fibre cement sheeting or steel sheeting or bushfire resistant timber	Non-combustible material (masonry, brick veneer, mud brick, aerated concrete, concrete) or timber framed, or steel framed walls sarked on the outside and clad with 9mm fibre cement sheeting or steel or to be tested for bushfire resistance to AS1530.8.1	Non-combustible material (masonry, brick veneer, mud brick, aerated concrete, concrete) with a minimum thickness of 90mm or a FRL of -/30/30 when tested from outside or to be tested for bushfire resistance to AS1530.8.2
EXTERNAL WINDOWS	No special construction requirements	4mm grade A Safety Glass of glass blocks within 400m of ground, deck etc with Openable portion metal screened with frame of metal or metal reinforced PVC-U or bushfire resisting timber	5mm toughened glass or glass bricks within 400mm of the ground, deck etc with openable portion metal screened with frame of metal or metal reinforced PVC-U or bushfire resisting timber. Above 400mm annealed glass can be used with all glass screened	5mm toughened glass with openable portion screened and frame of metal or metal reinforced PVC-U, or bushfire resistant timber and portion within 400mm of ground, deck, screen etc screened	6mm toughened glass. Fixed and openable portion screened with steel or bronze mesh	Protected by bushfire shutter or FRL of -/30/- and openable portion screened with steel or bronze mesh or be tested for bushfire resistance to AS1530.8.2
EXTERNAL DOORS	No special construction requirements	As for BAL-19 except that door framing can be naturally fire resistant (high density) timber	Screened with steel, bronze or aluminium mesh or glazed with 5mm toughened glass, non-combustible or 35mm solid timber for 400mm above threshold, metal or bushfire resistant timber framed for 400mm above ground, decking etc. tight-fitting with weather strips at base	Screened with steel, bronze or aluminium mesh or non-combustible, or 35mm solid timber for 400mm above threshold. Metal or bushfire resistant timber framed tight-fitting with weather strips at base	Non-combustible or 35mm solid timber, screened with steel or bronze mesh, metal framed, tight-fitting with weather strips at base	Protected by bushfire shutter or tight-fitting with weather strips at base and a FRL of -/30/-
ROOFS	No special construction requirements	As for BAL-19 (including roof to be fully sarked)	Non-combustible covering, roof/wall junctions sealed. Openings fitted with non-combustible ember guards. Roof to be fully sarked.	Non-combustible covering. Roof/wall junction sealed. Openings fitted with non-combustible ember guards. Roof to be fully sarked	Non-combustible covering. Roof/wall junction sealed. Openings fitted with non-combustible ember guards. Roof to be fully sarked and no roof mounted evaporative coolers	Roof with FRL of 30/30/30 or tested for bushfire resistance to AS1530.8.2. Roof/wall junction sealed. Openings fitted with non-combustible ember guards. No roof mounted evaporative coolers
VERANDAS DECKS ETC.	No special construction requirements	As for BAL-19	Enclosed sub floor space—no special requirements for materials except within 400mm of ground. No special requirements for supports or framing. Decking to be non-combustible or bushfire resistant within 300mm horizontally and 400mm vertically from a glazed element	Enclosed sub floor space or non-combustible or bushfire resistant timber supports. Decking to be non-combustible or bushfire resistant timbers	Enclosed sub-floor space or non-combustible supports. Decking to be non-combustible	Enclosed sub floor space or non-combustible supports. Decking to have no gaps and be non-combustible

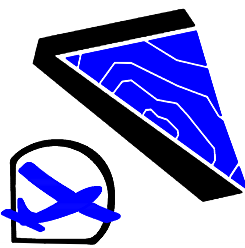
Attachment 3 – Proposal Plan

Cohen & Associates P/L

PLAN OF SUBDIVISION
SHEET 1 OF 1

REF: 135-47
(7413)

DISCLAIMER: This is a preliminary plan prepared without field survey and forms part of an application to subdivide the land described and is not to be used for any other purpose. Contours and levels may be transcribed from other sources and their accuracy has not been verified. These should not be used. The dimensions, area, location of improvements and number of lots are approximate and may vary as a result of decisions by the Municipality, Land Use Planning Review Panel, engineering or other advice. Easements are not shown as these are to be determined at the time of survey. The plan is not to be copied unless this note is included.



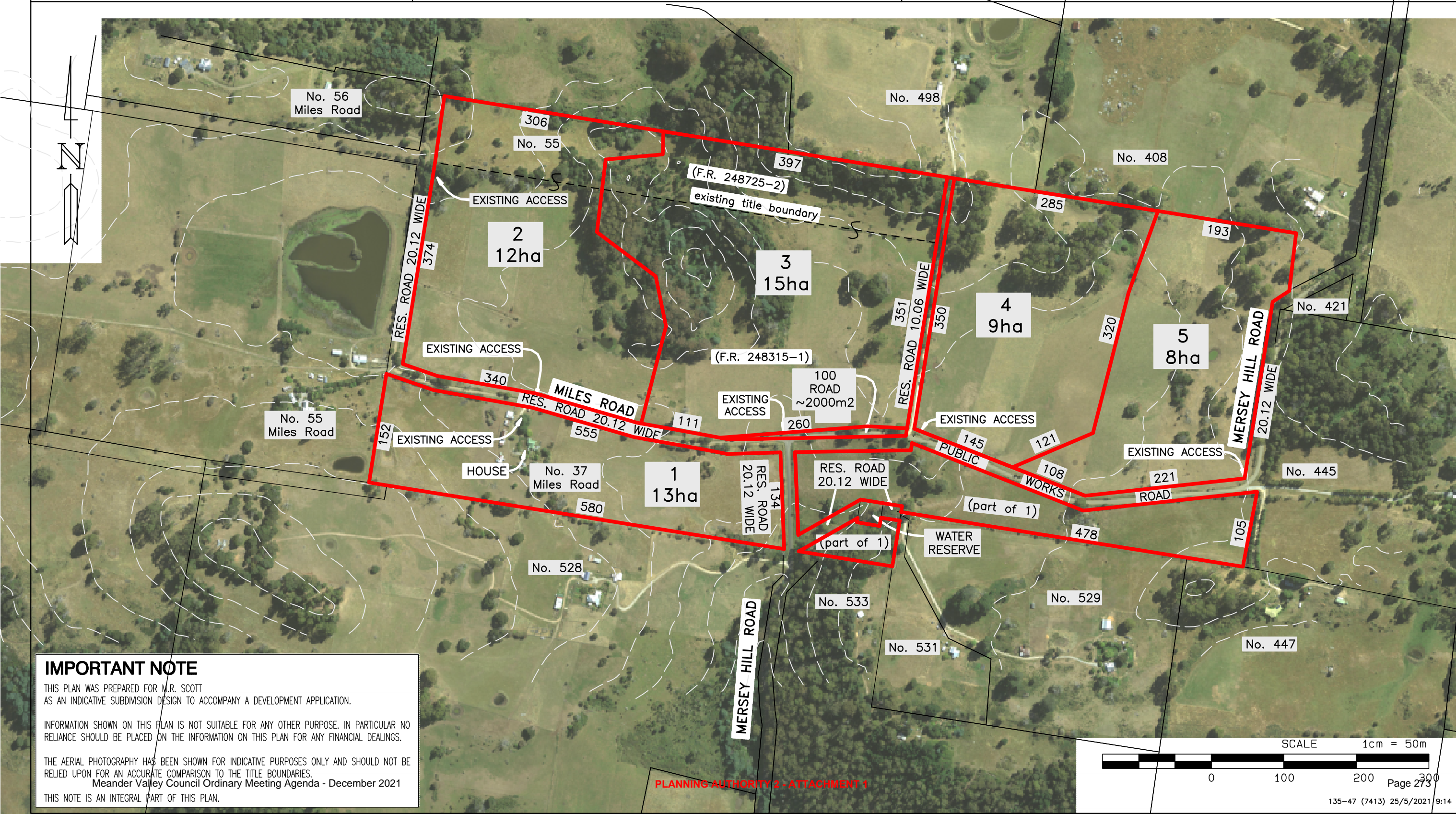
COHEN & ASSOCIATES P/L
LAND & AERIAL SURVEYORS

103 CAMERON STREET
PO BOX 990 LAUNCESTON 7250 TAS
TELEPHONE : 03 6331 4633
www.surveyingtas.com.au
EMAIL : admin@surveyingtas.com.au

ABN 70 689 298 535

Municipality: MEANDER VALLEY
Site Address: 37 & 55 MILES RD, MOLE CREEK
Tasmap Sheet: 4540
Grid Reference: E: 451394 N: 5400584 (MGA)

Owners: M.R. SCOTT
Title Refs: 248315-1 & 248725-2
Dates: REVISION 8: 22-7-2021
Scale: 1 : 5000 @ A3



IMPORTANT NOTE

THIS PLAN WAS PREPARED FOR M.R. SCOTT
AS AN INDICATIVE SUBDIVISION DESIGN TO ACCOMPANY A DEVELOPMENT APPLICATION.

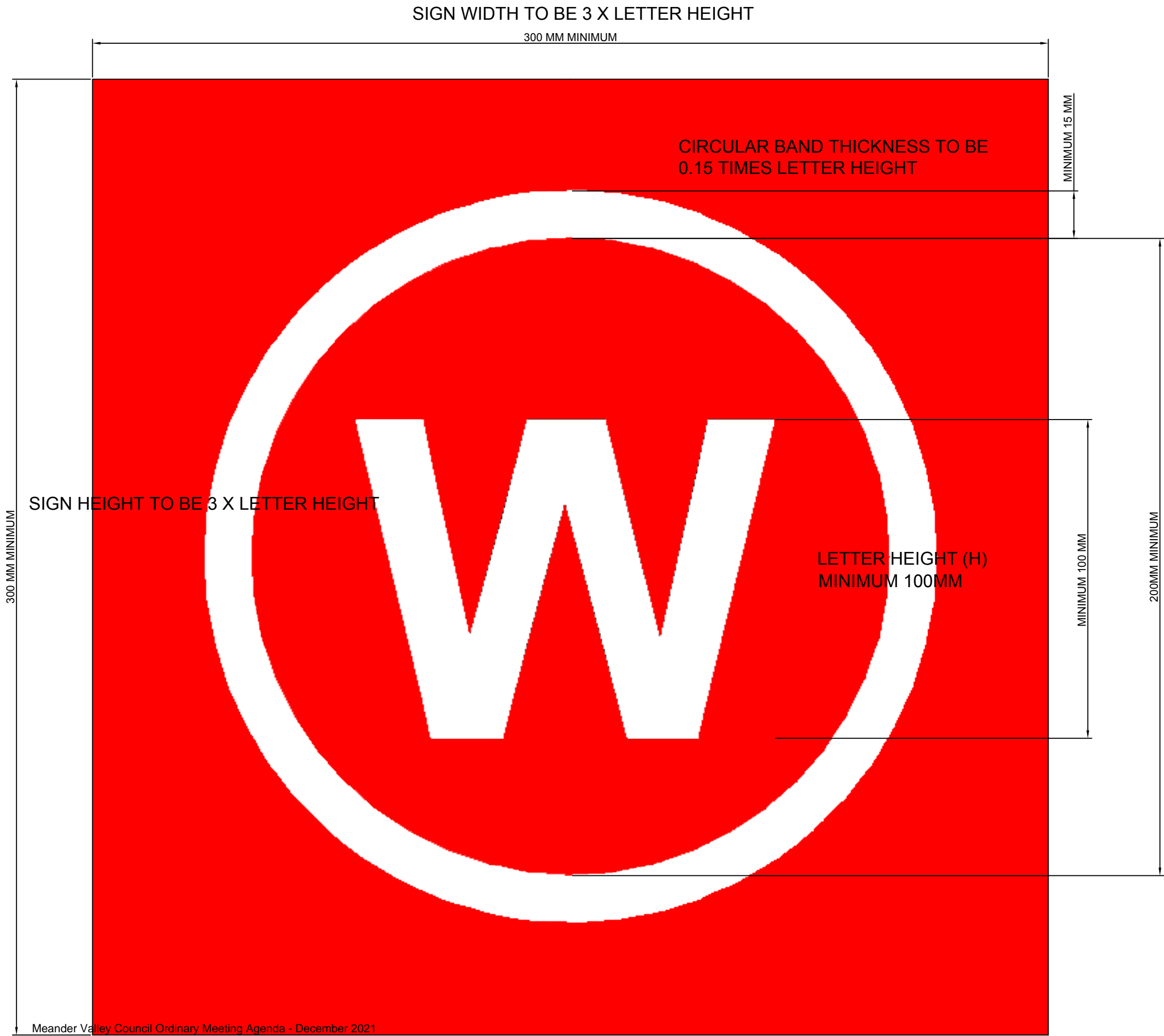
INFORMATION SHOWN ON THIS PLAN IS NOT SUITABLE FOR ANY OTHER PURPOSE. IN PARTICULAR NO
RELIANCE SHOULD BE PLACED ON THE INFORMATION ON THIS PLAN FOR ANY FINANCIAL DEALINGS.

THE AERIAL PHOTOGRAPHY HAS BEEN SHOWN FOR INDICATIVE PURPOSES ONLY AND SHOULD NOT BE
RELIED UPON FOR AN ACCURATE COMPARISON TO THE TITLE BOUNDARIES.
Meander Valley Council Ordinary Meeting Agenda - December 2021

THIS NOTE IS AN INTEGRAL PART OF THIS PLAN.

Attachment 4 – Tasmania Fire Service Water Supply Signage Guideline

10,000 LITRE DOMESTIC FIREFIGHTING STATIC WATER INDICATOR SIGN



LETTERING TO BE UPPERCASE AND NOT LESS THAN 100MM IN HEIGHT

INSIDE DIAMETER OF CIRCULAR BAND TO BE 2 TIMES LETTER HEIGHT

SIGN SIZE DIMENSIONS
3 X LETTER HEIGHT HIGH AND 3 X LETTER HEIGHT WIDE.

THICKNESS OF CIRCULAR BAND TO BE 0.15 TIMES LETTER HEIGHT

TEXT STYLE TO BE IN ACCORDANCE WITH AS1744.2015, SERIES F

SIGN TO BE IN FADE RESISTING MATERIAL WITH WHITE REFLECTIVE LETTERING AND CIRCLE ON A RED BACKGROUND

RED TO BE R-13 SIGNAL RED COLOUR CODE 1795U

WHITE SUBSTRATE COLOUR TO BE PMS 186C

SIGN TO BE CONSTRUCTED FROM UV STABILIZED, NON FLAMMABLE AND NON HEAT DEFORMING MATERIAL

SIGN TO BE PERMANENTLY FIXED



References

- (a) Tasmanian Planning Commission 2021, *Tasmanian Planning Scheme – Meander Valley (Effective 19 April 2021)*, C13.0 Bushfire-Prone Areas Code, Tasmania.
- (b) Australian Standards, AS 3959-2018, *Construction of buildings in bushfire-prone areas*, Standards Australia, Sydney NSW.
- (c) Resource Management & Conservation Division of the Department Primary Industry & Water September 2006, TASVEG, *Tasmanian Vegetation Map*, Tasmania.
- (d) Tasmanian Government, Land Information System Tasmania, www.thelist.tas.gov.au

From: [REDACTED]
Sent: Sun, 14 Nov 2021 13:22:01 +1100
To: "Planning @ Meander Valley Council" <planning@mvc.tas.gov.au>
Cc: [REDACTED]
Subject: Reference PA\22\0022 37&55Miles Rd Mole Creek

Dear Sandi,

We are the owners of 445 Mersey Hill Rd. Mole Creek, Blackwood Park Cottages. Ourselves and four other local owners operate mid-upmarket BnB farm stays along Miles and Mersey Hill roads, all bordering the proposed 5 lot subdivision.

Whilst we understand the rules and regulation of Application for Planning Approvals and Councils obligations and demands from developers under the Land Use Planning and Approvals Act, we are not in favour of such an approval as it will be detrimental to our current rural amenity associated and prominent, for our approved business endeavours. Our clientele are predominately from the larger population centres looking for peace, quite, rural aspects, wildlife and farm animals, as well as access to wilderness experiences such as Alum Cliffs, biking opportunities, and other natural attractions. The Council sign at Mole Creek Rd and Mersey Hill Rd typifies the Councils view of the amenities currently in place and enjoyed by holiday visitors in all its aspects.

Our other concerns are increasing from one existing house to five houses whichever way you look at it will increase traffic on a dirt road. Unfortunately the road acts as a wildlife throughfare between associated Alum Cliffs wilderness and their grazing habits on our farms. Unfortunate because of the high wildlife mortality rate which is clearly evidenced on a 'quite' rural dirt road. 200 metre setbacks, due to the lay on the land and open fields, will not achieve the visibility goal.

From experience in other parts of the country, new living/rural property developments such as this usually attract buyers stretched financially and not capable of progressing further than a ship container, caravan, and eventually a shed. A prime example is Lot 421 Mole Creek Rd adjacent to the development. Should the Council in its wisdom decide to approve the Application, all rules and regulations must be strictly applied and if possible, place building covenants to ensure a quite country dirt road supporting its present usage with no other demands from its residents or holiday visitors continue to enjoy the enclave and the greater area for the humans and wildlife.

Thank you and Regards,

Fred Ariel, Director Kobblestone Park P/L

[REDACTED]

See following ATTACHMENT.

From: [REDACTED]
Sent: Sun, 14 Nov 2021 13:23:56 +1100
To: "Planning @ Meander Valley Council" <planning@mvc.tas.gov.au>
Cc: [REDACTED]
Subject: FW: PA\22\0022
Attachments: IMG_2313.jpg, Untitled attachment 00250.txt

ATTACHMENT.

-----Original Message-----

From: [REDACTED]
Sent: Sunday, 14 November 2021 11:36 AM
To: [REDACTED]
Subject: PA\22\0022

ATTACHED.





Fred Ariel

From: [REDACTED]
Sent: Sun, 14 Nov 2021 20:37:02 +1100
To: "Planning @ Meander Valley Council" <planning@mvc.tas.gov.au>
Cc: [REDACTED]
Subject: Development of 37 & 55 Miles Rd, Mole Creek

To John Jordan and the Planning Team at MVC

We have been looking online at the planning documents for Michael Scott's properties 37 & 55 Miles Rd, Mole Creek. As Council would be aware, we have had ongoing issues with Michael Scott over the last few years as he has attempted to gain access through our property 70 Baldocks Rd. This matter has been taken to lawyers and also through Council's legal team and it has been settled that 55 Miles Rd has no existing access or right of access through Baldocks Rd.

We are confused with some of the report prepared for the proposed subdivision and seek clarification on a few issues. Firstly, The 'Report on Karst Features' refers to 134 Baldocks Rd (this address does not exist, the property address is 55 Miles Rd). This document which has been included in this application is dated December 2017 and our legal issues were settled after this. This document does not reflect this. Similarly, page 20 of this same Karst report mentions 'existing access' through Baldocks Rd. Again this is not correct or current.

The same map also shows the parcel of land 80 Baldocks Rd highlighted in red - can you clarify why this is? This property is not owned by Michael Scott.

As we did not receive a letter in the mail from MVC about this subdivision we can only assume that the proposed works do not concern a portion of the property adjoining us at 70 or 80 Baldocks Rd. However, considering our history with Michael Scott, and the inclusion of the old documents from 2017, we are slightly concerned.

In general, we have no larger issues or concerns with Michael Scott dividing up his property in order to sell. As long as access remains only via Miles Rd we will not oppose any future plans.

Thanks for your clarification on these matters,

Jenny Lloyd & Tom Meure

[REDACTED]

From: [REDACTED]
Sent: Mon, 22 Nov 2021 23:51:05 +1100
To: "Planning @ Meander Valley Council" <planning@mvc.tas.gov.au>
Subject: Submission re: DP PA\22\0022

To whom it may concern.

Firstly I'd like to state that I am pro free enterprise and as such only have objection to the aforementioned proposal with regard to the pattern of development for the area. That being minimum 10ha lot size. The spirit of this guideline is so that we can have the maximum livability and value for the area, not only for now, but for future generations. I think it is outside of the planning powers and remit to approve 5 lots.

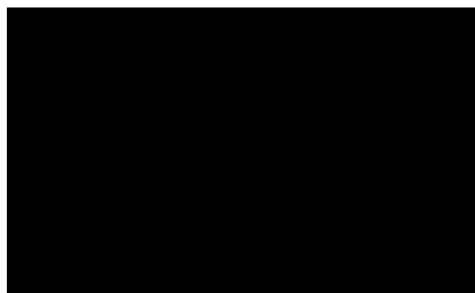
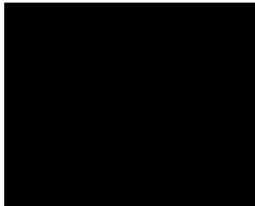
Specifically that the idea of the minimum requirements for sub division being 10ha is in order to preserve the lifestyle of the lands under management by council into the future. I understand that there is a leeway of 20% plus or minus, however believe this is interpretive as to having the flexibility to be able to approve subdivisions that are in the vicinity of this 10ha number for extenuating reasons.

With regards to this proposal the difference is that instead of 5 lots, it would be 4 lots. I believe 4 to be a fair, reasonable and in accordance to the current planning provisions and guidelines. I believe 5 to be outside the planning pattern for development guidelines of 10ha minimum lot size for subdivision. It is on these grounds that I oppose 5 lots.

Thank you for your consideration.

Kind Regards

Ari Boss



PLANNING AUTHORITY 3

(Reference No. 233/2021)

9 BUCKINGHAM PLACE, PROSPECT VALE

Planning Application: PA\22\0079
Proposal: Residential – Multiple Dwellings (1 unit)

Author: Heidi Goess
Consultant Town Planner

1) Proposal

Council has received an application for the development and use of multiple dwellings (1 unit) on land located at 9 Buckingham Place, Prospect Vale (CT: 45827/261 – “the site”. Refer to Photo 1). The application also seeks to demolish an existing outbuilding and part of a verandah.

Applicant	Engineering Plus
Property	9 Buckingham Place, Prospect Vale (CT: 45827/261)
Zoning	General Residential
Discretions	8.4.2 P3 Setbacks and building envelopes all dwellings
	C2.5.1 P1 Car parking numbers
Existing Land Use	Residential
Number of Representations	Two (2)
Decision Due (extension granted)	15 December 2021
Planning Scheme	Tasmanian Planning Scheme – Meander Valley (“the Scheme”)

If approved, the application will result in the construction and use of one (1) additional dwelling at 9 Buckingham Place, Prospect Vale within the General Residential Zone.

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



Photo 4: Aerial image showing the indicative location of the proposed additional dwelling, outlined in red, within the site.

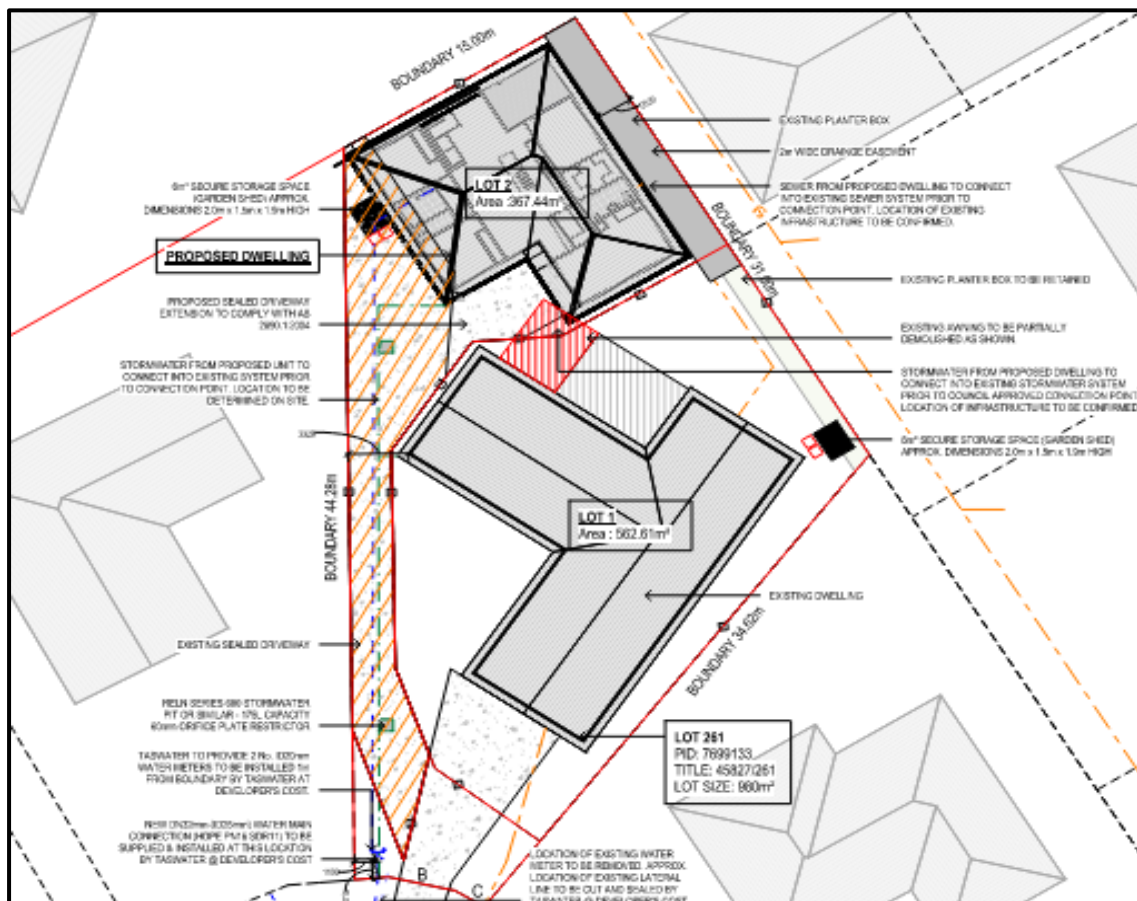


Figure 1: Excerpt of the submitted proposed site plan.

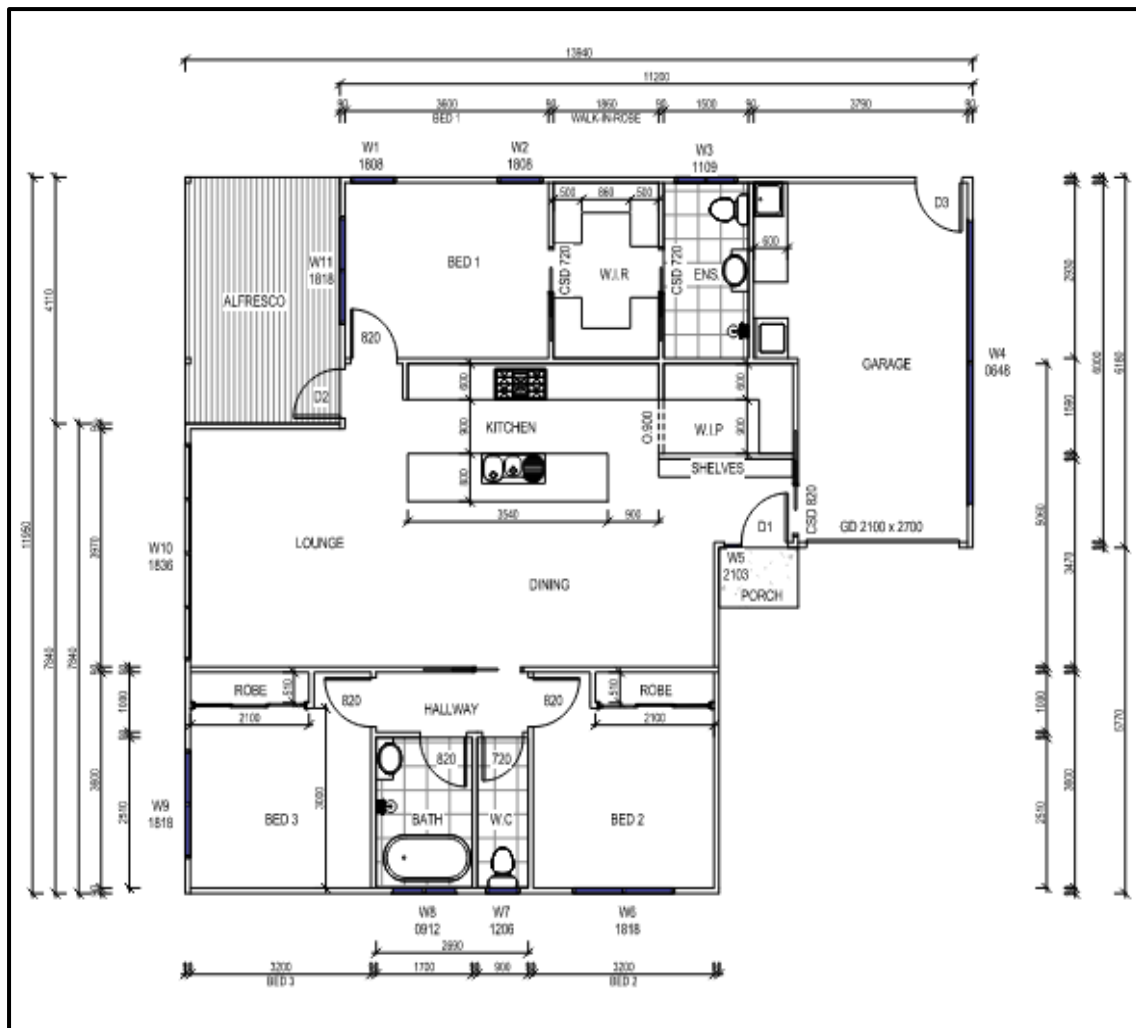


Figure 2: Excerpt of the submitted proposed location plan.

The site comprises a large irregular shaped parcel of land that has an area of 995.3m². The subject lot is located at the head of a cul-de-sac. Buckingham Place is currently developed with 15 dwellings, a mix of both single and multiple dwellings.

Access to the site is directly from Buckingham Place which is maintained by the Road Authority, being Meander Valley Council. The proposed dwelling will be located behind the existing dwelling, replacing an existing outbuilding, and will be accessed via an existing sealed driveway. Photo 3 shows the location of the existing outbuilding when viewed from Buckingham Place.



Photo 2: 9 Buckingham Place, looking from Buckingham Place towards existing outbuilding.

The application proposes to utilise an existing internal driveway. The proposed development will intensify the use of the existing access beyond its original intent, the existing access is therefore needed to be assessed as if it were a new driveway.

2) Summary of Assessment

The application proposes to construct and use a multiple dwelling. The following overview of the application is provided:

1. A residential use, if for a multiple dwelling, is a Permitted Use in the General Residential Zone.
2. The proposed multiple dwelling will utilise the existing access from Buckingham Place and proposes a minor extension to the driveway to comply with the applicable Australian Standards.
3. The existing outbuilding will be demolished to facilitate the construction of the multiple dwelling. The demolition plan also includes part of the roof over the existing verandah.

4. Two (2) representations were received during the advertising period. The representations raised concerns of the lack of car parking within the street and the ill maintenance of the subject property. Section 4 provides a discussion and response to the representations received.

The standards of the Planning Scheme, which require assessment of the Performance Criteria and the application of Council's discretion to approve or refuse the application are outlined above and detailed in the Scheme Assessment in Section 6.

3) Recommendation

It is recommended that the application for Use and Development for Multiple dwelling (1 unit) & demolition (outbuilding & part verandah) on land located at 9 Buckingham Place, PROSPECT VALE (CT:45827/261) by Engineering Plus, be APPROVED, generally in accordance with the endorsed plans:

- a) Engineering Plus: Drawing No 41221: A01- A15: Revision B: Dated 08.10.21.

and subject to the following conditions:

1. Prior to the commencement of use, the existing access is to be upgraded in accordance with Australian Standard AS 2890.1:2004 Off Street Parking Facilities Parts 1 - 6 and have a minimum width of 3.0m, to the satisfaction of Council's Director Infrastructure Services and Town Planner.
2. Stormwater from driveway areas and building areas is to be managed so that nuisance flows do not cross the property boundaries to adjoining land. Refer to Note 1 and Note 2.
3. The development must be in accordance with the Submission to Planning Authority issued by TasWater (TWDA 2021/01637-MVC) attached.

Notes:

1. Stormwater detention is required for this development. Please see attached letter regarding the provision of detention and the requirements of Council acting as the Stormwater Authority in accordance with the Urban Drainage Act 2013.

- 2. Council will not accept more than one (1) connection to Council's stormwater network.**
- 3. Any other proposed development and/or use, including amendments to this proposal, may require a separate planning application and assessment against the Planning Scheme by Council. All enquiries can be directed to Council's Development and Regulatory Services on 6393 5320 or via email: mail@mvc.tas.gov.au.**
- 4. This permit takes effect after:**
 - a) The 14 day appeal period expires; or**
 - b) Any appeal to the Tasmanian Civil and Administrative Tribunal is abandoned or determined; or**
 - c) Any other required approvals under this or any other Act are granted.**
5. A planning appeal may be instituted by lodging a Notice of Appeal with the Registry of the Tasmanian Civil and Administrative Tribunal. An 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 and Planning Stream of Tasmanian Civil and Administrative Tribunal website www.tascat.tas.gov.au/resource-and-planning/home
6. This permit is valid for two (2) years only from the date of approval and will thereafter lapse if the development is not substantially commenced. An extension may be granted if a request is received.
7. In accordance with the legislation, all permits issued by the permit authority are public documents. Members of the public will be able to view this permit (which includes the endorsed documents) on request, at the Council Office.
8. If any Aboriginal relics are uncovered during works:
 - a) All works are to cease within a delineated area sufficient to protect the unearthed and other possible relics from destruction,
 - b) The presence of a relic is to be reported to Aboriginal Heritage Tasmania Phone: (03) 6233 6613 or 1300 135 513 (ask for Aboriginal Heritage Tasmania) Fax: (03) 6233 5555 Email: aboriginal@heritage.tas.gov.au; and
 - c) The relevant approval processes will apply with state and federal government agencies.

4) Representations


The application was advertised for the statutory 14-day period from 9 October to 23 October 2021. During the advertising period two (2) representations were received.

A summary of the concerns raised in the representations is provided below. While the summary attempts to capture the essence of the concerns, it should be read in conjunction with the full representations included in the attachments.

The table is divided into three (3) columns. The first column lists the key concerns and themes raised by representors. The second column identifies which representor raised the concern or theme within their submission by their number. The third column provides a response to the concern or themes raised.

Concern or Theme	Representation	Response
1. Access to the new building past the existing building with a width of only 2.75m from the eave line to the fence.	1	<p>The application must comply with Clause C2.6.2 in the C2.0 Carparking and Sustainable Transport Code, which calls on the Australian Standard AS 2890.1:2004 – Parking facilities, Part 1: Off-street car parking.</p> <p>The Australian Standard AS 2890.1:2004 – Parking facilities, Part 1: Off-street car parking states, <i>that the minimum width of domestic driveways shall be 3.0m</i>. The plans submitted show the existing access to be constructed in accordance with the Australian Standard.</p> <p>A condition is recommended to require the existing driveway to be upgraded in accordance with the Australian Standard and have a width of no less than 3m.</p>
2. The street already has limited off street parking being a cul-de-sac and feel that another 3 bedroom house with only 1 garage space will only add to this problem. At times I have not been able to access my driveway due to cars parked over it.	1 & 2	<p>Buckingham Place is a cul-de-sac which is currently developed with 15 dwellings. The cul-de-sac provides space for on street parking.</p> <p>Please refer to Section 6 of the planning report for a detailed assessment of C2 – Parking and Sustainable Transport Code for further detail.</p>
3. The existing property was being let out as a single room tenancy. It is assumed the same will be done with the proposed dwelling. This creates coming and goings at all hours of the night with residents creating noise.	1	<p>This is not a relevant consideration under the terms of the Planning Scheme. Hours of operation are not provided for a Residential use.</p>

Concern or Theme	Representation	Response
4. The current property has been ill maintained since it was purchased back in 2017. Lawns are not mowed which has caused mice infestations for several adjoining properties. Three (3) adjoining fences are in disrepair.	1	This is not a relevant consideration under the terms of the Planning Scheme. The <i>Boundary Fences Act 1908</i> sets out the responsibilities of property owners when repairing or erecting boundary fences.
5. Buckingham Place is a quiet street filled with family homes and five (5) units already with minimal off street parking. Single room tenancy dwellings is not a future that is supported by residents of the street. Buckingham Place is not designed for extra vehicles.	1 & 2	The proposal for an additional dwelling is required to be assessed against all applicable standards of the Planning Scheme. The lot size complies with the acceptable solution of density for multiple dwellings. There are no additional standards for single room tenancy agreements or share houses. It is noted that dwellings in Buckingham Place are primarily provided with garages for car parking along with long driveways to provide additional off-street parking. Photo 3 below provides an aerial view of Buckingham Place showing off-street car parking spaces.

Concern or Theme	Representation	Response
		 <p>Photo 3: Aerial view of off-street car parking.</p>
<p>6. Homes in the street are all well cared for and privately owned. There are already five units in Buckingham Place, do we really need another one?</p>	<p>2</p>	<p>Buckingham Place is located within the General Residential Zone. A residential use, if for multiple dwellings, is a Permitted Use in the Zone. The proposal for an additional dwelling meets the density requirements of the General Residential Zone.</p> <p>Ownership details are not a matter dealt with in the Planning Scheme.</p>
<p>7. Driver of garbage and recycling trucks have to manoeuvre around parked vehicles each week.</p>	<p>2</p>	<p>The application was referred to Council's Infrastructure department who considered the space available for additional bins on the street. No issues were raised. Cars parked on the street is not a matter dealt with in the Planning Scheme.</p>

5) Consultation with State Government and other Authorities

The application was referred to TasWater. A Submission to Planning Authority Notice (TWDA 2021/01637-MVC) was received on 13 October 2021 (attached document).

6) Scheme Assessment

Use Class: Residential

Performance Criteria

8.0 General Residential Zone
8.4.2 Setbacks and building envelopes for all dwellings
<p>Objective</p> <p><i>The siting and scale of dwellings:</i></p> <ul style="list-style-type: none"><i>(a) provides reasonably consistent separation between dwellings and their frontage within a street;</i><i>(b) provides consistency in the apparent scale, bulk, massing and proportion of dwellings;</i><i>(c) provides separation between dwellings on adjoining properties to allow reasonable opportunity for daylight and sunlight to enter habitable rooms and private open space; and</i><i>(d) provides reasonable access to sunlight for existing solar energy installations.</i>
<p>Performance Criteria P3</p> <p><i>The siting and scale of a dwelling must:</i></p> <ul style="list-style-type: none"><i>(a) not cause an unreasonable loss of amenity to adjoining properties, having regard to:</i><ul style="list-style-type: none"><i>(i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining property;</i><i>(ii) overshadowing the private open space of a dwelling on an adjoining property;</i><i>(iii) overshadowing of an adjoining vacant property; or</i><i>(iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining property;</i><i>(b) provide separation between dwellings on adjoining properties that is consistent with that existing on established properties in the area; and</i><i>(c) not cause an unreasonable reduction in sunlight to an existing solar energy installation on:</i><ul style="list-style-type: none"><i>(i) an adjoining property; or</i><i>(ii) another dwelling on the same site.</i>
<p>Response</p> <p>The proposed dwelling is mostly contained within the acceptable building envelope specified in Figure 8.1 of the General Residential Zone. The dwelling has a wall length of 11.9m and will be located 1.1m from the northern side boundary. With respect to</p>

the rear boundary and frontage, the proposed dwelling will be contained within the acceptable building envelope.

- a. The siting and scale of the proposed additional dwelling will not cause an unreasonable loss of amenity to adjoining properties. The following have been considered.
 - (i) Shadow diagrams were submitted with the application. The shadow diagrams, shown in figure 3, demonstrate overshadowing of 7 Buckingham Place between the hours of 9am and 10:30am.

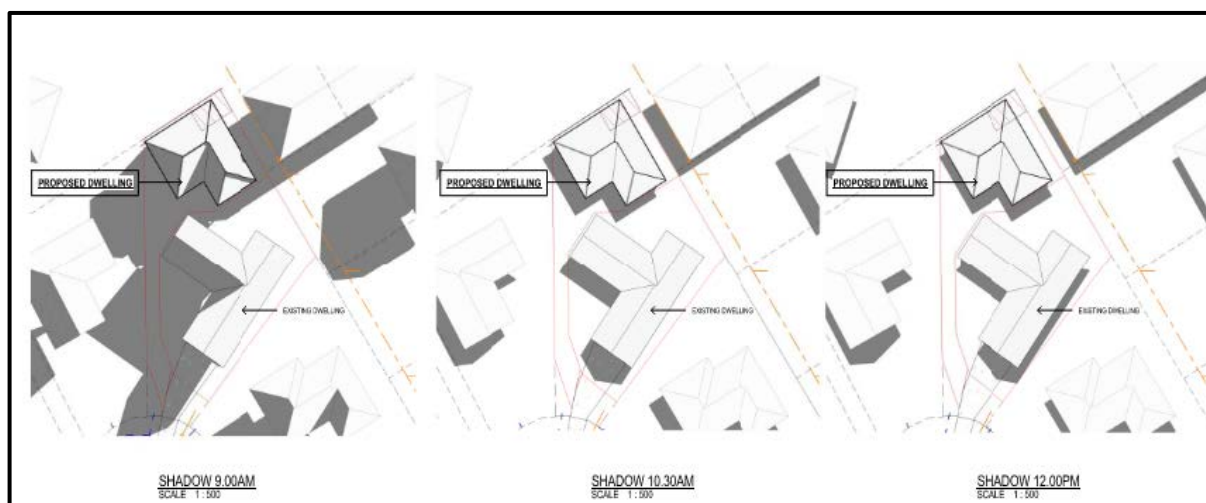


Figure 3: Excerpt of shadow diagrams submitted with application.

Due to the location of the dwelling on the site at 7 Buckingham Place, no reduction in sunlight to a habitable room will occur. Photo 4 provides an aerial view of 7 Buckingham Place in relation to the proposed additional dwelling, the photo also shows the approximate area of the site that will be impacted by overshadowing.



Photo 4: Aerial photo of 7 Buckingham Place in relation to the subject site. Approximate area of overshadowing is shown in blue shadow.

- (ii) The proposed dwelling will be located in close proximity to the private open space of 9 Virginia Grove, Prospect Vale. Photo 5 is an aerial photo showing the areas of private open space outlined in red at 9 Virginia Grove. Photo 6 shows the private open space when standing at the fence line of 9 Buckingham Place.



Photo 5: Aerial view of the subject site and identification (in red) of the private open space of 9 Virginia Grove, Prospect Vale.



Photo 6: View of the Private Open Space of 9 Virginia Grove, Prospect Vale. Photo taken from the fence line of 9 Buckingham Place.

(iii) Not applicable – the subject site does not adjoin a vacant property.

- (iv) The proposed dwelling has a maximum height of 4.6m above existing ground level. The application proposes fill to create a level area for development. The existing outbuilding has a maximum height of approximately 3.3m above natural ground level. The proposal will increase the existing building height by 1.3m. It is noted that the height of the dwelling fits within the building envelope specified in the acceptable solution. Visual impacts from Buckingham Place will be minimal due to the location of the proposed dwelling and the layout of the lot. Photo 7 shows the view of the existing outbuilding when viewed from Buckingham Place.



Photo 7: View of the existing outbuilding when viewed from Buckingham Place.

- (v) Figures 4 and 5 provide elevations of the proposed development to demonstrate bulk and form.

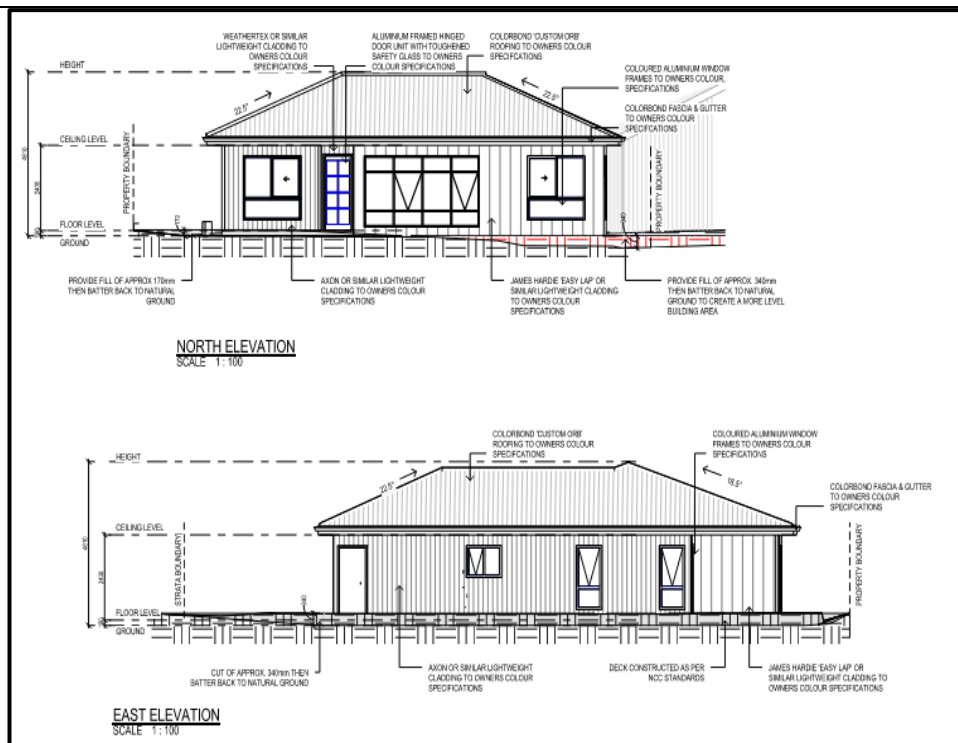


Figure 4: Excerpt of plans submitted showing the north and east elevation.

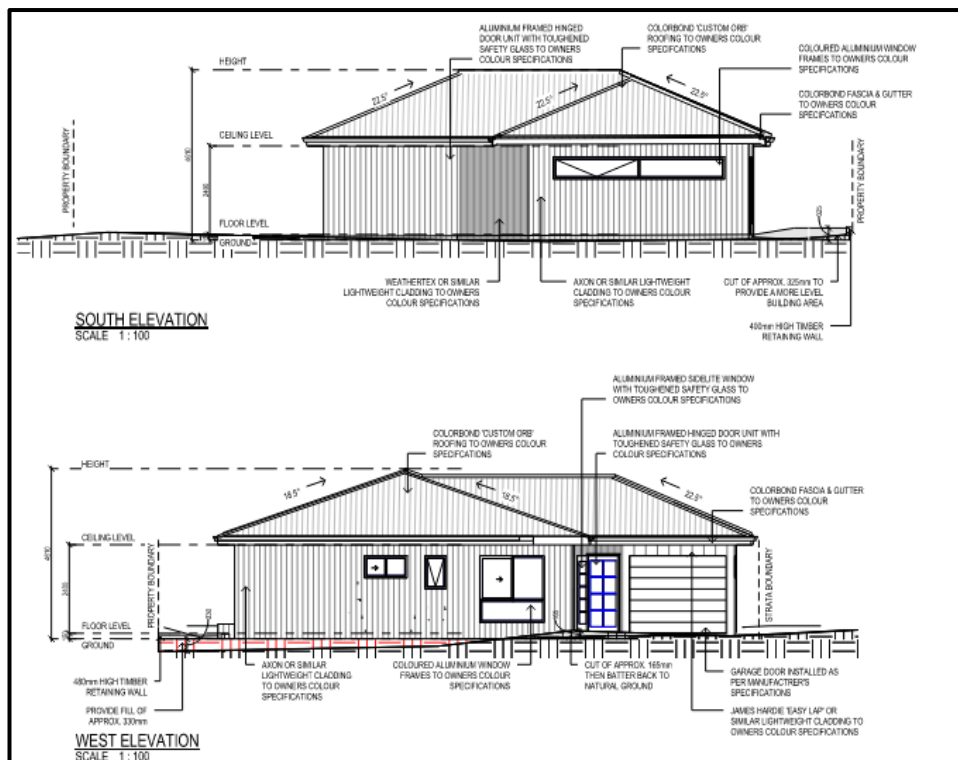


Figure 5: Excerpt of plans submitted showing the south and west elevation.

The height of the proposed dwelling is consistent with that permitted in the General Residential Zone. Multiple dwellings are a Permitted Use in the zone and the visual impacts of the dwelling when viewed from adjoining properties should not cause an unreasonable loss of amenity.

(b) Separation distances between dwellings in Buckingham Place vary. The cul-de-sac is developed with both single and multiple dwellings resulting in a varied pattern of development. Typically, dwellings are separated from other dwellings by outbuilding development. The separation distance between the existing outbuilding and the multiple dwelling at 8 Richard Street will remain unchanged due to a 2m wide easement at the rear of the property. The northern side boundary setback will remain the same, however the length of wall on the boundary will increase from 9m to 11.9m. The separation distance proposed by the application is compatible with that existing in the area and is not expected to cause an unreasonable loss of amenity.

(c) Not applicable – a desktop assessment has demonstrated that there are no solar energy installations on (i) an adjoining property or (ii) a dwelling on the same site.

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

C2.0 Parking and Sustainable Transport Code

C2.5.1 Car parking numbers

Objective

That an appropriate level of car parking spaces are provided to meet the needs of the use.

Performance Criteria P1.2

The number of car parking spaces for dwellings must meet the reasonable needs of the use, having regard to:

- (a) the nature and intensity of the use and car parking required;*
- (b) the size of the dwelling and the number of bedrooms; and*
- (c) the pattern of parking in the surrounding area.*

Response

The number of car parking spaces provided for the proposed dwelling are expected to meet the needs of future residents.

(a) The proposal is for the construction and use of an additional dwelling within the General Residential Zone. Table C2.1 of the Parking and Sustainable Transport Code requires a two (2) or more bedroom dwelling in the zone to provide two (2) car parking spaces. As the proposal will result in multiple dwellings, Table C2.1 also requires the provision of one (1) dedicated visitor parking space. A dedicated visitor parking space is not provided for the multiple dwelling development. The proposed three (3) bedroom dwelling provides two (2) car parking spaces, sufficient for the intensity and use of the proposal.

(b) The proposed dwelling has a total floor area of 150m² and contains three (3) bedrooms. Table C2.1 of the Parking and Sustainable Transport Code requires a two

(2) or more bedroom dwelling to provide two (2) car parking spaces. Two (2) parking spaces are provided.

- (c) Typically dwellings within Buckingham Place are developed with garages/ carports for parking areas and have additional space due to long driveways for cars to park in tandem. In addition to sufficient onsite car parking for most dwellings in the cul-de-sac, Buckingham Place provides both dedicated on street parking and has ample on street areas along almost all frontages. Photo 8 and Photo 9 show on-street parking areas within Buckingham Place.



Photo 8: Dedicated on street parking provided in Buckingham Place.



Photo 9: on street car parking, indicated with blue lines.

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

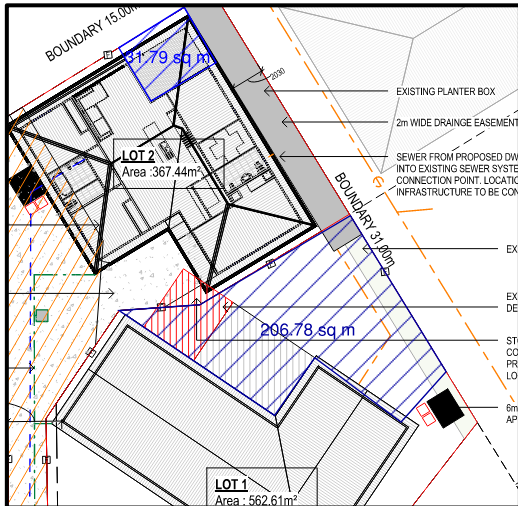
Applicable Standards

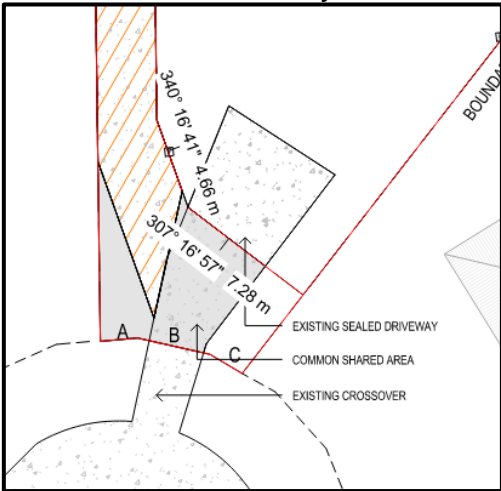
A brief assessment against all applicable Acceptable Solutions of the applicable zone and codes is provided below.

Zone Standard

8.0 General Residential Zone		
Scheme Standard	Comment	Assessment
8.3 Use Standards		
8.3.1	Discretionary uses	

A1 – A4	A Residential use, if for multiple dwellings, is a Permitted use in the Zone. The standards of this clause apply to Discretionary uses only.	Not Applicable
8.3.2 Visitor Accommodation		
A1	The application is for a multiple dwelling only, Visitor Accommodation is not proposed.	Not Applicable
8.4.1 Residential Density for multiple dwellings		
A1	The subject site has a total land area of 980m ² . The proposed development will result in two (2) dwellings on the site, equal to a site area per dwelling of 490m ² .	Complies
8.4.2 Setbacks and building envelope for all dwellings		
A1	The proposed dwelling is setback approximately 34m from the frontage of Buckingham Place.	Complies
A2	The proposed garage component of the additional dwelling is setback an approximate distance of 36m from the frontage of Buckingham Place.	Complies
A3	(a) The proposed dwelling has a maximum height of 4.6m. The dwelling is located within the building envelope specified in Figure 8.1. (b) The proposed dwelling is located a minimum distance of 1m from the northern side boundary. The dwelling has a total length of 11.9m and does not satisfy the requirements of (ii).	Relies on Performance Criteria
8.4.3 Site coverage and private open space for all dwellings		
A1	(a) The subject site has a total area of 980m ² . The existing dwelling occupies a site area of 301m ² and the proposed additional dwelling has an area of 151m ² . Site coverage is equal to 46.1%. (b) The existing dwelling has an area of private open space equal to 80m ² , the additional dwelling will	Complies

	have an area of private open space in excess of 76m ² .	
A2	<p>(a) Both dwellings have an area of private open space that is in one location and is:</p> <p>(i) greater than 24m²;</p> <p>(b) Has a minimum horizontal dimension:</p> <p>(i) not less than 4m;</p> <p>(c) is not located between the dwelling and the frontage;</p> <p>(d) is relatively flat and has a gradient less than 10%.</p> <p>Figure 6 below shows the area of Private open space for both dwellings.</p>  <p>Figure 6: Areas of private open space for dwellings.</p>	Complies
8.4.4 Sunlight to private open space of multiple dwellings		
A1	The proposed additional dwelling is located to the north west of the private open space of the existing dwelling. The proposal satisfies (b) in that the additional dwelling will not cause 50% of the private open space of the existing dwelling to receive less than 3 hours of sunlight between 9:00am and 3:00pm on June 21.	Complies
8.4.5 Width of openings for garages and carports for all dwellings		
A1	The proposed garage is not located	Complies

	within 12m of the Buckingham Place frontage.	
8.4.6 Privacy for all dwellings		
A1	The application does not include a balcony, deck, roof terrace, parking space or carport that has a finished surface or floor level more than 1m above existing ground level.	Not Applicable
A2	The dwelling does not include any windows or glazed doors to habitable rooms that has a floor level more than 1m above existing ground level.	Not Applicable
A3	<p>The proposal includes a small section only of shared driveway which is more than 2.5m from a habitable room window or door. Each driveway and parking areas are for the exclusive use of each dwelling. Figure 7 shows the area of shared driveway.</p>  <p>Figure 7: Plans showing area of shared driveway.</p>	Complies
8.4.7 Frontage fences for all dwellings		
A1	The front fence proposed in the application meets the exemption of clause 4.6.3.	Not Applicable
8.4.8 Waste storage for multiple dwellings		
A1	Each dwelling is provided with a storage area for waste and recycling bins that is (a) in an area for the exclusive use of each dwelling and is located either behind or to the side of the dwelling.	Complies

Codes

C2 Parking and Sustainable Transport Code		
Scheme Standard	Comment	Assessment
C2.2 Application of this Code		
	This code applies to all use and development.	Code applies
C2.4 Development exempt from this Code		
	There are no exemptions.	Code applies
C2.5.1 Car parking numbers		
A1	Table C2.1 requires a two (2) or more bedroom dwelling in the General Residential Zone to provide two (2) car parking spaces. In addition to these requirements, for multiple dwellings, one (1) dedicated visitor space is required per three (3) dwellings in a cul-de-sac. The existing dwelling is provided with an internal double garage and the proposed additional dwelling will be provided with a single garage and a tandem parking space in the garage. No dedicated visitor parking space is provided.	Relies on Performance Criteria
C2.5.2 Bicycle parking numbers		
A1	Table C2.1 does not provide a requirement for Residential uses to provided bicycle parking.	Not Applicable
C2.5.3 Motorcycling parking numbers		
A1	Table C2.4 does not require motorcycle parking to be provided when car parking spaces required are less than 20.	Complies with Acceptable Solution
C2.5.4 Loading bays		
A1	Clause C2.2.3 states that this clause does not apply to a residential use.	Not Applicable
C2.5.5 Number of car parking spaces within the General Residential Zone and Inner Residential zone		
A1	Clause C2.2.4 states that this clause does not apply to a residential use.	Not Applicable

C2.6.1 Construction of parking areas		
A1	Parking, access ways, manoeuvring and circulation spaces are existing, apart from a small driveway extension proposed. Areas are constructed of concrete and asphalt, useable in all weather conditions. Areas are capable of being drained to the public stormwater system and a condition is recommended to ensure nuisance flows are managed appropriately.	Complies with Acceptable Solution
C2.6.2 Design and layout of parking areas		
A1.1	<p>(a)</p> <ul style="list-style-type: none"> (i) All parking and access ways have a gradient of less than 25%, in accordance with Australian Standard AS 2890-Parking Facilities, Parts 1-6. (ii) Not applicable - The development provides for four (4) car parking spaces only. (iii) Both Table C2.2 and the Australian Standard AS 2890 – Parking Facilities, Parts 1-6 require the access width to be no less than 3m. A condition is required to ensure the existing access to service the additional dwelling is upgraded in accordance with the Australian Standard and has a width not less than 3.0m. (iv) The car parking space dimensions provided for the additional dwelling satisfy the requirements in Table C2.3. The parking areas for the existing dwelling will not be altered by the development. (v) Not applicable – the existing dwelling and the proposed additional dwelling do not share car parking or access 	Complies with Acceptable Solution

	ways. Three (3) or more car parking spaces are not provided by either dwelling. (b) Not applicable (a) has been addressed.	
A1.2	The application does not propose any parking spaces for use by persons with a disability.	
C2.6.3 Number of accesses for vehicles		
A1	The site has an existing access onto Buckingham Place. No change or additional access is proposed.	Complies with Acceptable Solution
A2	The subject site is not within the Central Business Zone or in a pedestrian priority street.	Not Applicable
C2.6.4 Lighting of parking within the General Business Zone and Central Business Zone		
A1	The subject site is not within the General Business Zone or the Central Business Zone.	Not Applicable
C2.6.5 Pedestrian access		
A1.1	The proposed multiple dwelling use does not require 10 or more car parking spaces.	Not Applicable
A1.2	The application does not propose any parking spaces for use by persons with a disability.	
C2.6.6 Loading bays		
A1	The use does not require or propose a loading bay.	Not Applicable
A2	No commercial vehicles are expected to access the site.	Not Applicable
C2.6.7 Bicycles parking and storage facilities within the General Business Zone and Central Business Zone		
A1 & A2	The subject site is not located within the General Business Zone or Central Business Zone.	Not Applicable
C2.6.8 Siting of parking and turning areas		
A1	The subject site is located within the General Residential Zone and not within a zone listed in the standard.	Not Applicable
A2	The subject site is not located within the Central Business Zone.	Not Applicable

C2.7.1 Parking precinct plan		
A1	The land is not within a parking precinct plan.	Not Applicable

C3 Road and Railway Assets Code		
Scheme Standard	Comment	Assessment
C3.2 Application of this Code		
	The application will increase the amount of traffic at an existing access.	Code applies
C3.4 Development exempt from this Code		
	There are no exemptions from this code.	Code applies
C3.5 Use Standards		
C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction		
A1.1	Buckingham Place is not a category 1 road.	Complies with Acceptable Solution
A1.2	Not applicable – the proposal utilises the existing access and a new junction, vehicle crossing or level crossing is not required to service the proposed use and development.	
A1.3	Not applicable – The site is not accessed via the rail network and a new private level crossing to service the use is not required.	
A1.4	The proposal for an additional dwelling is not expected to generate vehicle traffic movements above that allowed in Table C3.1.	
A1.5	Not applicable - Buckingham Place is not a major road.	
C3.6 Development Standards for Building or Works		
C3.6.1 Habitable Buildings for Sensitive uses within a road or railway attenuation area		
A1	The subject site is not located within a road or rail attenuation area.	Not Applicable

Internal Referrals

Infrastructure Services

The following condition and notes are recommended:

Condition (1)

Stormwater from driveway areas and building areas is to be managed so that nuisance flows do not cross the property boundaries to adjoining land. Refer to Note 1 and Note 2.

Note (1)

Stormwater detention is required for this development. Please see attached letter regarding the provision of detention and the requirements of Council acting as the Stormwater Authority in accordance with the Urban Drainage Act 2013.

Note (2)

Council will not accept more than one connection to Council's stormwater network.

Conclusion

It is considered that the application for use and development for Multiple dwelling (1 unit) & demolition (outbuilding & part verandah) on land located at 9 Buckingham Place, Prospect Vale (CT:45827/261) is acceptable in the General Residential Zone and is recommended for approval.

DECISION:

APPLICATION FORM

PLANNING

Land Use Planning and Approvals Act 1993

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

OFFICE USE ONLY

Property No:	10125	Assessment No:	01 - 0900 - 0060
DA\	22/0135	PA\	22/0079

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

PROPERTY DETAILS:

Address:	9 BUCKINGHAM PL	Certificate of Title:	45827
Suburb:	Prospect Vale TAS	7250	Lot No: 261
Land area:	980m ²	m ² ha	
Present use of land/building:	Existing single dwelling on residential lot	(vacant, residential, rural, industrial, commercial or forestry)	
Does the application involve Crown Land or Private access via a Crown Access Licence:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Heritage Listed Property:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		

DETAILS OF USE OR DEVELOPMENT:

- Indicate by ✓ box
- | | | |
|---|--|--------------------------------------|
| <input checked="" type="checkbox"/> Building work | <input type="checkbox"/> Change of use | <input type="checkbox"/> Subdivision |
| <input type="checkbox"/> Forestry | <input type="checkbox"/> Demolition | |
| <input type="checkbox"/> Other | | |

Total cost of development (inclusive of GST): \$ 225,000 Includes total cost of building work, landscaping, road works and infrastructure

Description of work: Proposed unit development

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

New floor area: 151.50 m² New building height: 4.54 m

Materials: External walls: Lightweight cladding Colour: Neutral
Roof cladding: Colorbond Colour: Neutral

SEARCH OF TORRENS TITLE

VOLUME 45827	FOLIO 261
EDITION 5	DATE OF ISSUE 29-Jul-2020

SEARCH DATE : 17-Sep-2021

SEARCH TIME : 07.57 PM

DESCRIPTION OF LAND

Town of PROSPECT VALE

Lot 261 on Sealed Plan 45827

Derivation : Part of 375A-1R-0Ps. Gtd. to J. Goodger

Prior CT 4709/32

SCHEDULE 1

M618681 TRANSFER to NGUYEN THAI UYEN PHAM Registered
31-Mar-2017 at 12.01 PM

SCHEDULE 2

Reservations and conditions in the Crown Grant if any

SP 45827 COVENANTS in Schedule of Easements

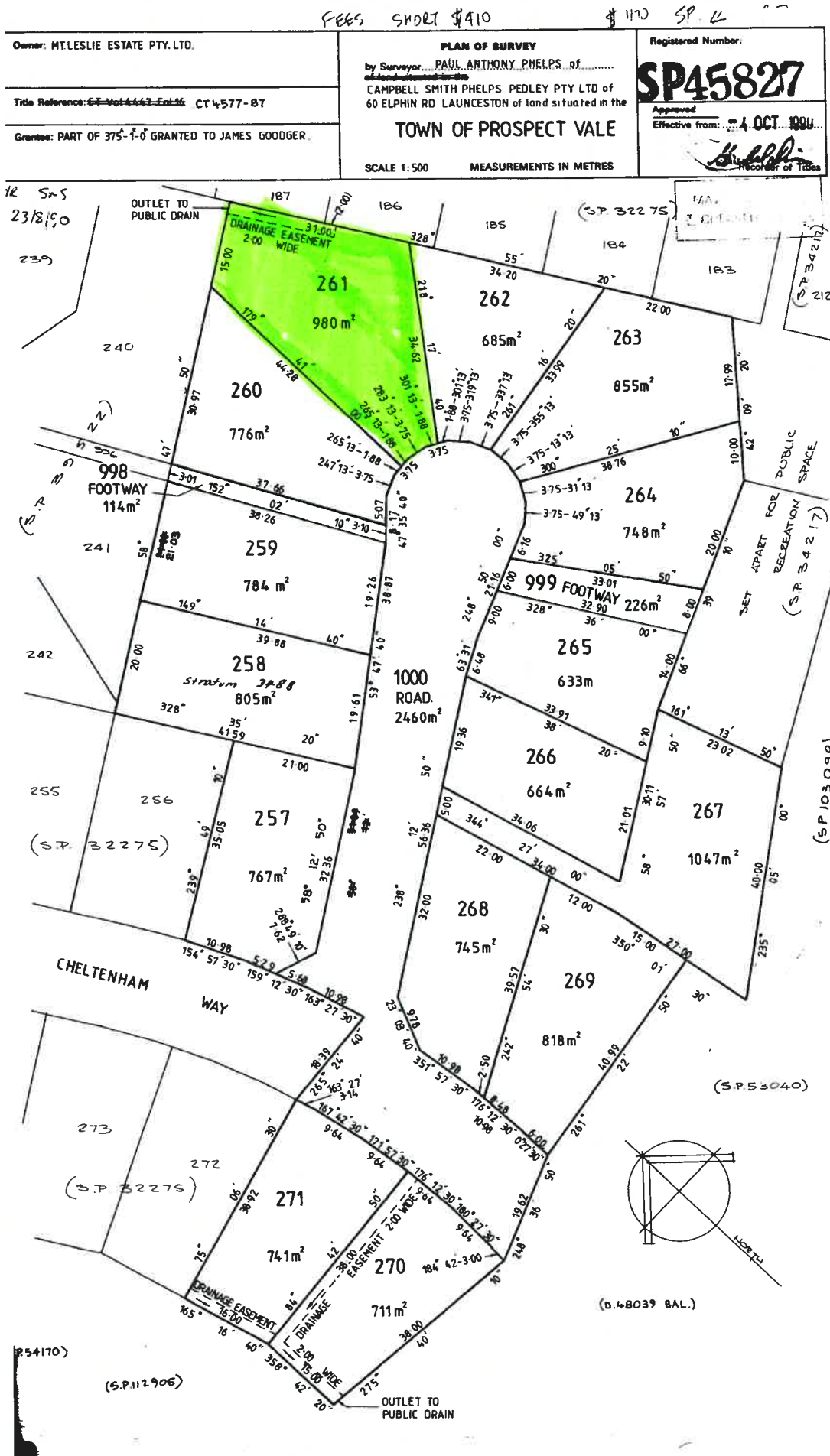
SP 45827 EASEMENTS in Schedule of Easements

E228752 MORTGAGE to Commonwealth Bank of Australia

Registered 29-Jul-2020 at 12.01 PM

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations



DRAWING SCHEDULE

A00	COVER PAGE
A01	SITE PLAN - EXISTING & DEMOLITION
A02	SITE SETOUT PLAN
A03	TURNING PATH
A04	SITE PLAN
A05	SITE PLAN - SERVICES
A06	CONSTRUCTION PLAN
A07	FLOOR PLAN
A08	ROOF PLAN
A09	ELEVATIONS #1
A10	ELEVATIONS #2
A11	3D PERSPECTIVE #1
A12	3D PERSPECTIVE #2
A13	3D PERSPECTIVE #3
A14	3D PERSPECTIVE #4
A15	3D PERSPECTIVES #5
A16	SHADOW PLANS #1
A17	SHADOW PLANS #2

PROJECT INFORMATION

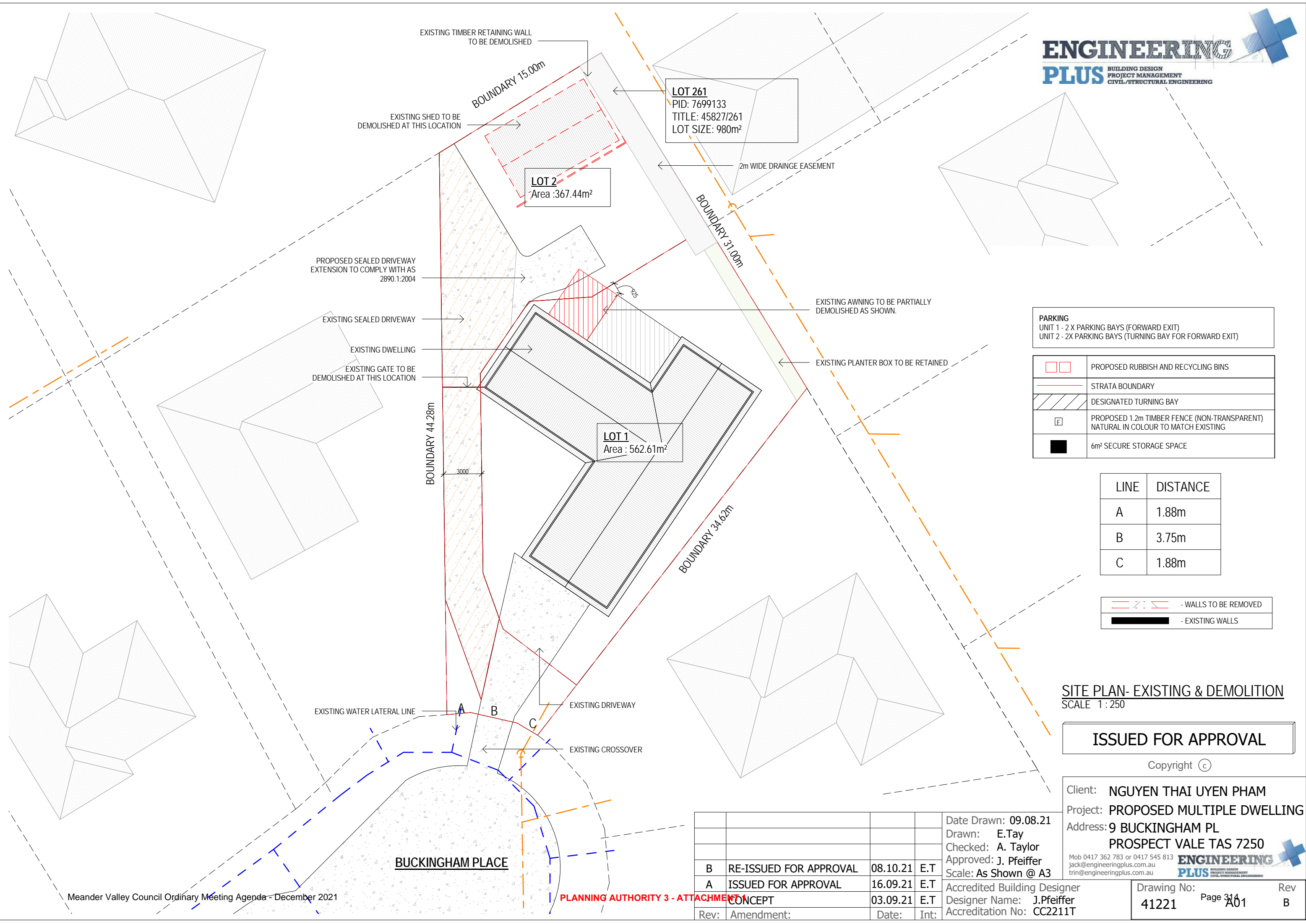
BUILDING DESIGNER:	GRANT JAMES PFEIFFER
ACCREDITATION No:	CC2211T
LAND TITLE REFERENCE NUMBER:	45827/261
BUILDING CLASS:	1A
PROPOSED DWELLING AREA:	129.41m ²
EXISTING DWELLING AREA:	255.76m ²
PROPOSED ALFRESCO AREA:	11.26m ²
PROPOSED PORCH AREA:	1.40m ²
DESIGN WIND SPEED:	N2
SOIL CLASSIFICATION:	T.B.C
CLIMATE ZONE:	7
BUSHFIRE-PRONE BAL RATING:	N/A
ALPINE AREA:	N/A
CORROSION ENVIRONMENT:	NO
FLOODING:	NO
LANDSLIP:	N/A
DISPERSIVE SOILS:	UNKNOWN
SALINE SOILS:	UNKNOWN
SAND DUNES:	NO
MINE SUBSIDENCE:	NO
LANDFILL:	NO
GROUND LEVELS:	REFER PLAN
ORG LEVEL:	75mm ABOVE GROUND LEVEL

PROPOSED MULTIPLE DWELLINGS

NGUYEN THAI UYEN PHAM
9 BUCKINGHAM PL
PROSPECT VALE TAS 7250

MEANDER VALLEY COUNCIL

ISSUED FOR APPROVAL



PARKING
UNIT 1 - 2 X PARKING BAYS (FORWARD EXIT)
UNIT 2 - 2X PARKING BAYS (TURNING BAY FOR FORWARD EXIT)

	PROPOSED RUBBISH AND RECYCLING BINS
	STRATA BOUNDARY
	DESIGNATED TURNING BAY
	PROPOSED 1.2m TIMBER FENCE (NON-TRANSPARENT) NATURAL IN COLOUR TO MATCH EXISTING
	6m² SECURE STORAGE SPACE

LINE	DISTANCE
A	1.88m
B	3.75m
C	1.88m

	- WALLS TO BE REMOVED
	- EXISTING WALLS

SITE PLAN- EXISTING & DEMOLITION
SCALE 1 : 250

ISSUED FOR APPROVAL

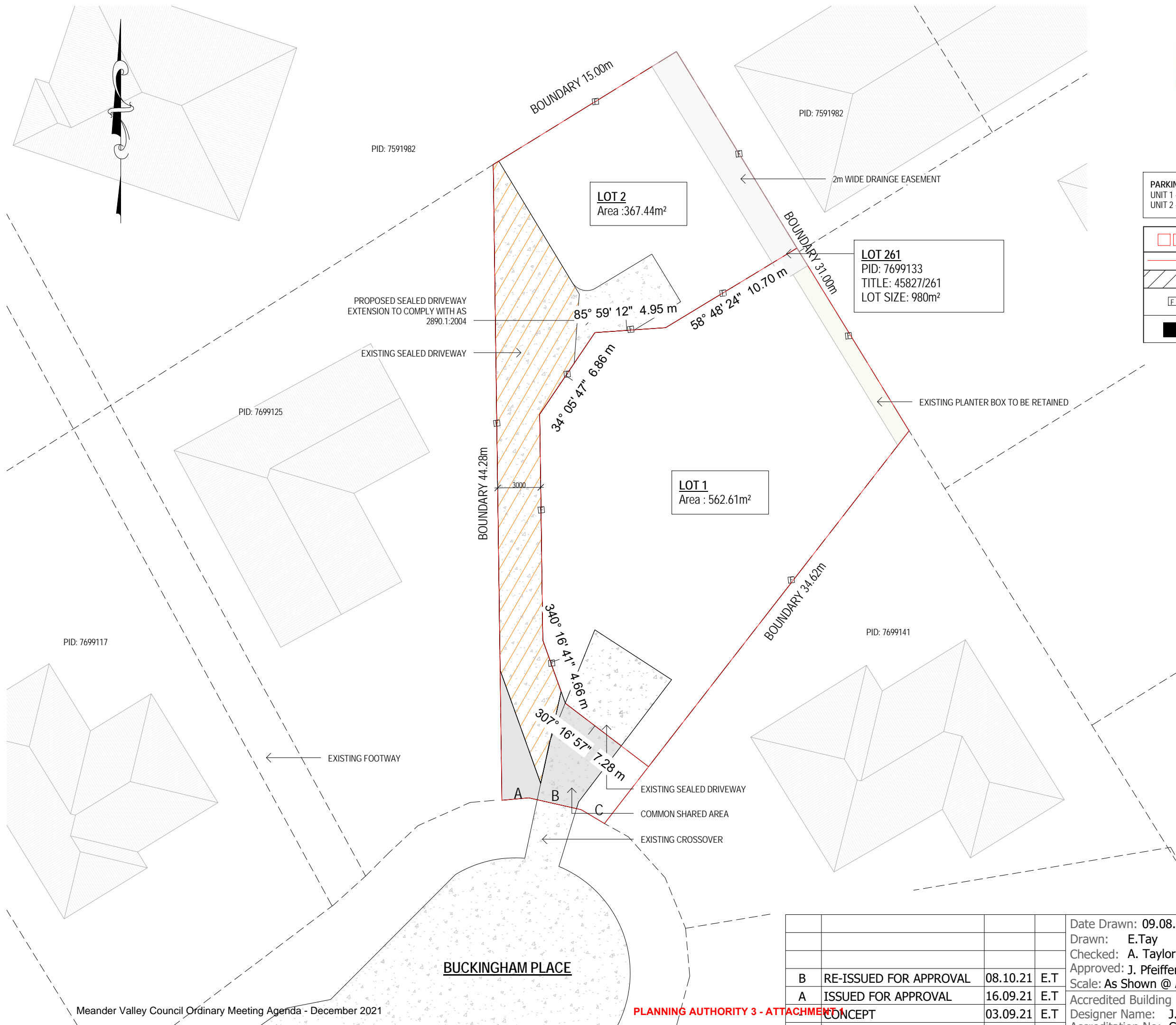
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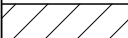


Client: NGUYEN THAI UYEN PHAM
Project: PROPOSED MULTIPLE DWELLING
Address: 9 BUCKINGHAM PL
PROSPECT VALE TAS 7250
Mob 0417 362 783 or 0417 545 813
jack@engineeringplus.com.au
trin@engineeringplus.com.au




				Date Drawn: 09.08.21
				Drawn: E.Tay
				Checked: A. Taylor
				Approved: J. Pfeiffer
				Scale: As Shown @ A3
B	RE-ISSUED FOR APPROVAL	08.10.21	E.T	
A	ISSUED FOR APPROVAL	16.09.21	E.T	
	CONCEPT	03.09.21	E.T	
Rev:	Amendment:	Date:	Int:	

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

Drawing No: 41221
Page 314
A01
Rev B



PARKING UNIT 1 - 2 X PARKING BAYS (FORWARD EXIT) UNIT 2 - 2X PARKING BAYS (TURNING BAY FOR FORWARD EXIT)	
	PROPOSED RUBBISH AND RECYCLING BINS
	STRATA BOUNDARY
	DESIGNATED TURNING BAY
	PROPOSED 1.2m TIMBER FENCE (NON-TRANSPARENT) NATURAL IN COLOUR TO MATCH EXISTING
	6m² SECURE STORAGE SPACE

TITLE : 45827/261 PID : 7699133 LOT SIZE : 980m ²	
LOT 1 APPROX. 562.61m ²	
	PRIVATE OPEN SPACES 24m ² (4.26%)
IMPERVIOUS SURFACES 287.24m ²	51.05%
LOT 2 APPROX. 367.44m ²	
	PRIVATE OPEN SPACES 24m ² (6.53%)
IMPERVIOUS SURFACES 233.59m ²	63.57%
SHARED COMMON AREA	
	37.88m ²

LINE	DISTANCE
A	1.88m
B	3.75m
C	1.88m

SITE SETOUT PLAN

SCALE 1 : 250

ISSUED FOR APPROVAL

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Address: 9 BUCKINGHAM PL
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T VALE TAS 7250
ENGINEERING
PLUJ BUILDING DESIGN
PROJECT MANAGEMENT

B	RE-ISSUED FOR APPROVAL	08.10.21	E.7
A	ISSUED FOR APPROVAL	16.09.21	E.7
CONCEPT		03.09.21	E.7
Rev:	Amendment:	Date:	Int:



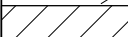


Date Drawn: 09.08.21
Drawn: E.Tay
Checked: A. Taylor
Approved: J. Pfeiffer
Scale: As Shown @ A3

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

Drawing No:	Rev
41221	B



LINE	DISTANCE
A	1.88m
B	3.75m
C	1.88m

PARKING UNIT 1 - 2 X PARKING BAYS (FORWARD EXIT) UNIT 2 - 2X PARKING BAYS (TURNING BAY FOR FORWARD EXIT)	
	PROPOSED RUBBISH AND RECYCLING BINS
	STRATA BOUNDARY
	DESIGNATED TURNING BAY
	PROPOSED 1.2m TIMBER FENCE (NON-TRANSPARENT) NATURAL IN COLOUR TO MATCH EXISTING
	6m² SECURE STORAGE SPACE

TURNING PATH
SCALE 1 : 250

ISSUED FOR APPROVAL

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Address: 9 BUCKINGHAM PL
PROSPECT VALE TAS 7250

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

13 **ENGINEERING**
PLJIS BUILDING DESIGN
PROJECT MANAGEMENT

Drawing No:	Rev
41221	B

Date Drawn: 09.08.21
Drawn: E.Tay
Checked: A. Taylor
Approved: J. Pfeiffer
Scale: As Shown @ A3

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

B	RE-ISSUED FOR APPROVAL	08.10.21	E.T.
A	ISSUED FOR APPROVAL	16.09.21	E.T.
CONCEPT		03.09.21	E.T.
Rev:	Amendment:	Date:	Int:

Meander Valley Council Ordinary Meeting Agenda - December 2021

PLANNING AUTHORITY 3 - ATTACHMENT



DRAINAGE
ALL DRAINAGE WORK SHOWN IS PROVISIONAL ONLY AND IS SUBJECT TO AMENDMENT TO COMPLY WITH THE REQUIREMENTS OF THE LOCAL AUTHORITIES. ALL WORK IS TO COMPLY WITH THE REQUIREMENTS OF NATIONAL PLUMBING AND DRAINAGE CODE AS3500 AND MUST BE CARRIED OUT BY A LICENCED TRADESMAN ONLY.

NOTE
STORMWATER FROM PROPOSED DWELLING TO BE DIRECTED INTO EXISTING STORMWATER SYSTEM TO LOCAL COUNCIL REQUIREMENTS & AS3500

LINE	DISTANCE
A	1.88m
B	3.75m
C	1.88m

LEGEND	
	SEWER
	WATER
	STORMWATER

SITE PLAN
SCALE 1 : 250

ISSUED FOR APPROVAL

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Client: **NGUYEN THAI UYEN PHAM**
Project: **PROPOSED MULTIPLE DWELLING**
Address: **9 BUCKINGHAM PL
PROSPECT VALE TAS 7250**

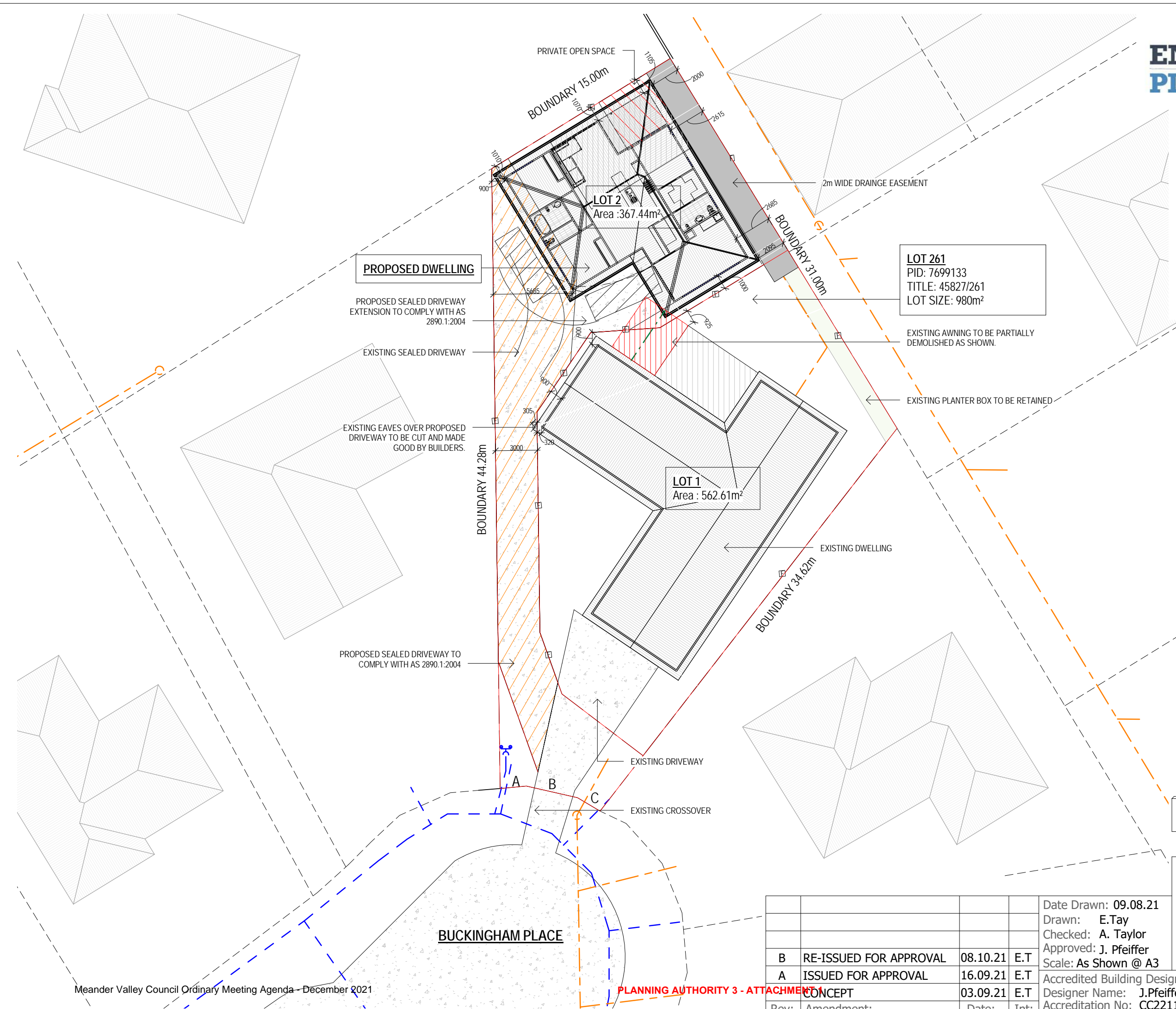
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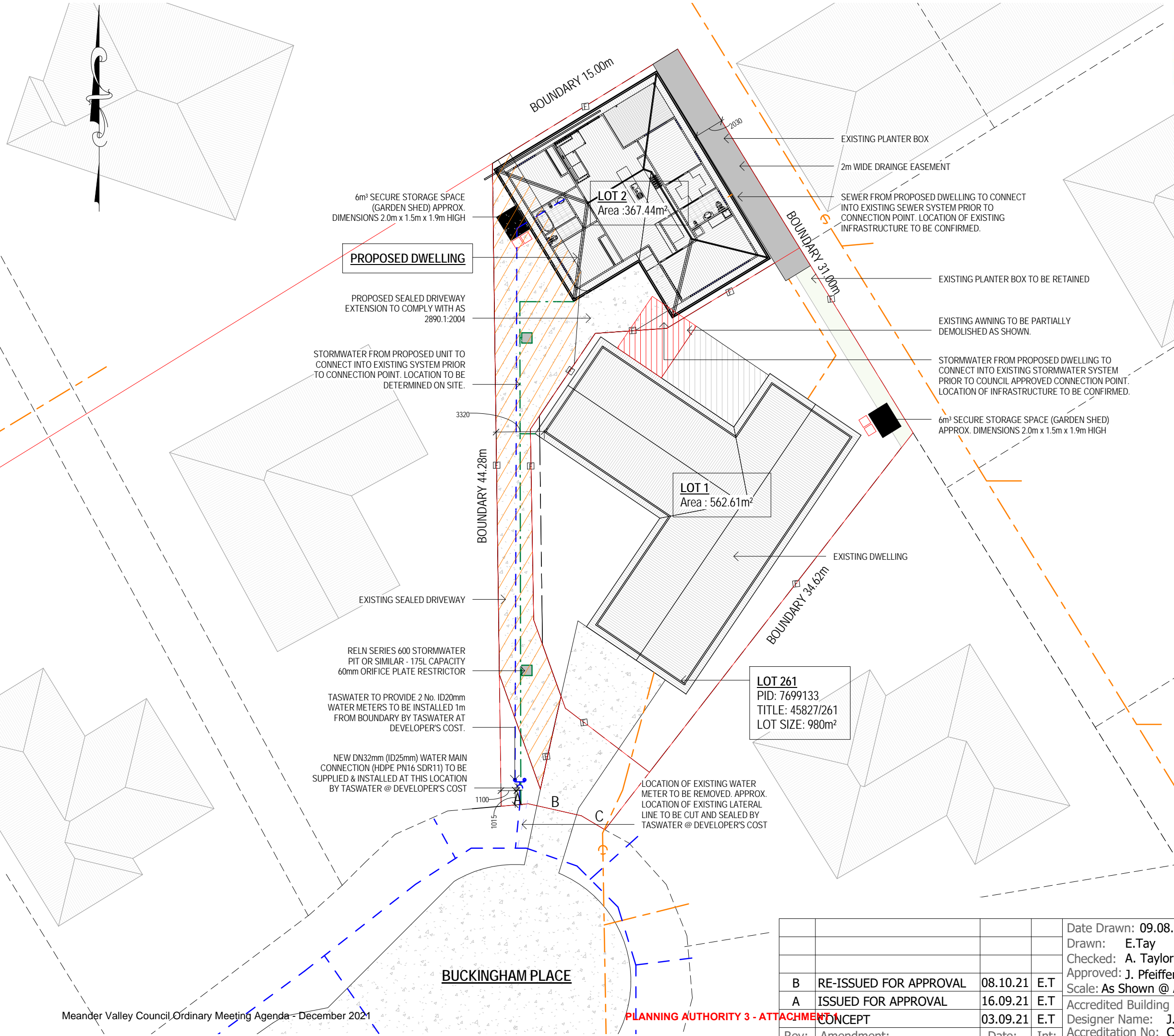
Drawing No: **41221** Page 317
A04
Rev **B**

Date Drawn: 09.08.21
Drawn: E.Tay
Checked: A. Taylor
Approved: J. Pfeiffer
Scale: As Shown @ A3

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

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IMPERVIOUS SURFACES 233.59m² 63.57%

SHARED COMMON AREA

37.88m²

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UNIT 2 - 2X PARKING BAYS (TURNING BAY FOR FORWARD EXIT)

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SITE PLAN - SERVICES
SCALE 1:250

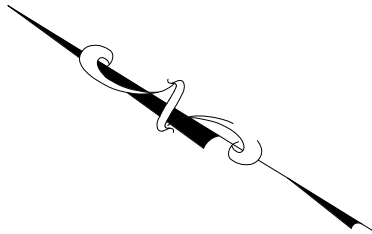
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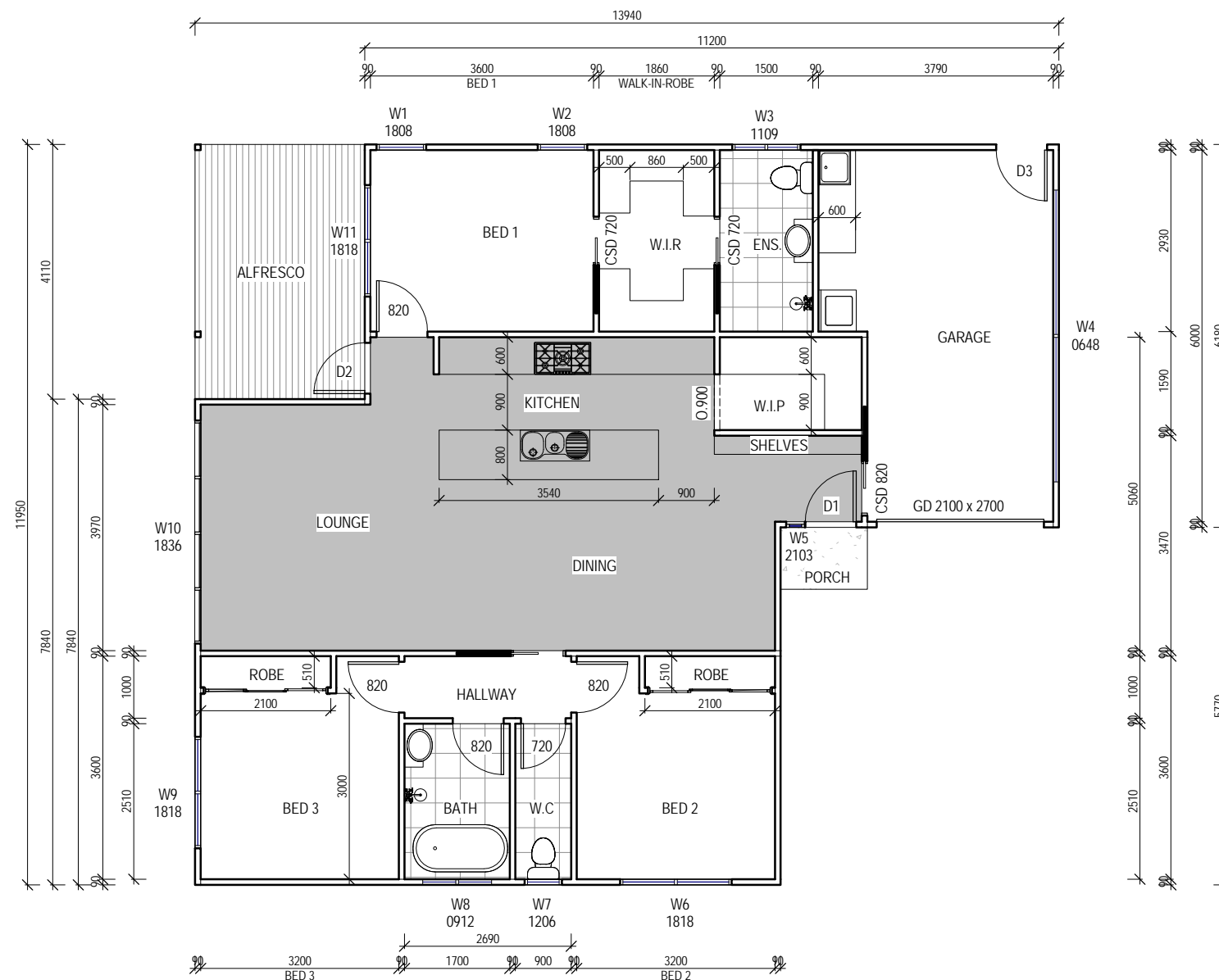
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Checked: A. Taylor
Approved: J. Pfeiffer
Scale: As Shown @ A3
Accredited Building Designer
Designer Name: J. Pfeiffer
Accreditation No: CC2211T



DISCLAIMER:
ALL WINDOWS SHOWN ON PLAN ARE APPROX. BASED OFF STANDARD MANUFACTURING SIZES. ALL WINDOW DIMENSIONS TO BE CONFIRMED ON SITE BY BUILDER PRIOR TO ORDERING AND MANUFACTURING.



WINDOWS SCHEDULE

MARK	HEIGHT	WIDTH	TYPE	U-VALUE	SHGC
W1	1800	800	DG	4.3	0.55
W2	1800	800	DG	4.3	0.55
W3	1100	900	DG	4.3	0.55
W4	600	4800	DG	4.3	0.55
W5	2100	300	DG	4.3	0.55
W6	1800	1800	DG	4.3	0.55
W7	1200	600	DG	4.3	0.55
W8	900	1200	DG	4.3	0.55
W9	1800	1800	DG	4.3	0.55
W10	1800	3600	DG	4.3	0.55
W11	1800	1800	DG	4.3	0.55
D1	2100	820	DG	4.0	0.61
D2	2100	820	DG	4.0	0.61
D3	2100	820	DG	4.0	0.61

Area Schedule (Gross Building)

Name	Area	Area (sq)
PROPOSED ALFRESCO	11.26 m ²	1.21
PROPOSED DWELLING	129.41 m ²	13.93
PROPOSED PORCH	1.40 m ²	0.15
	142.08 m ²	15.29

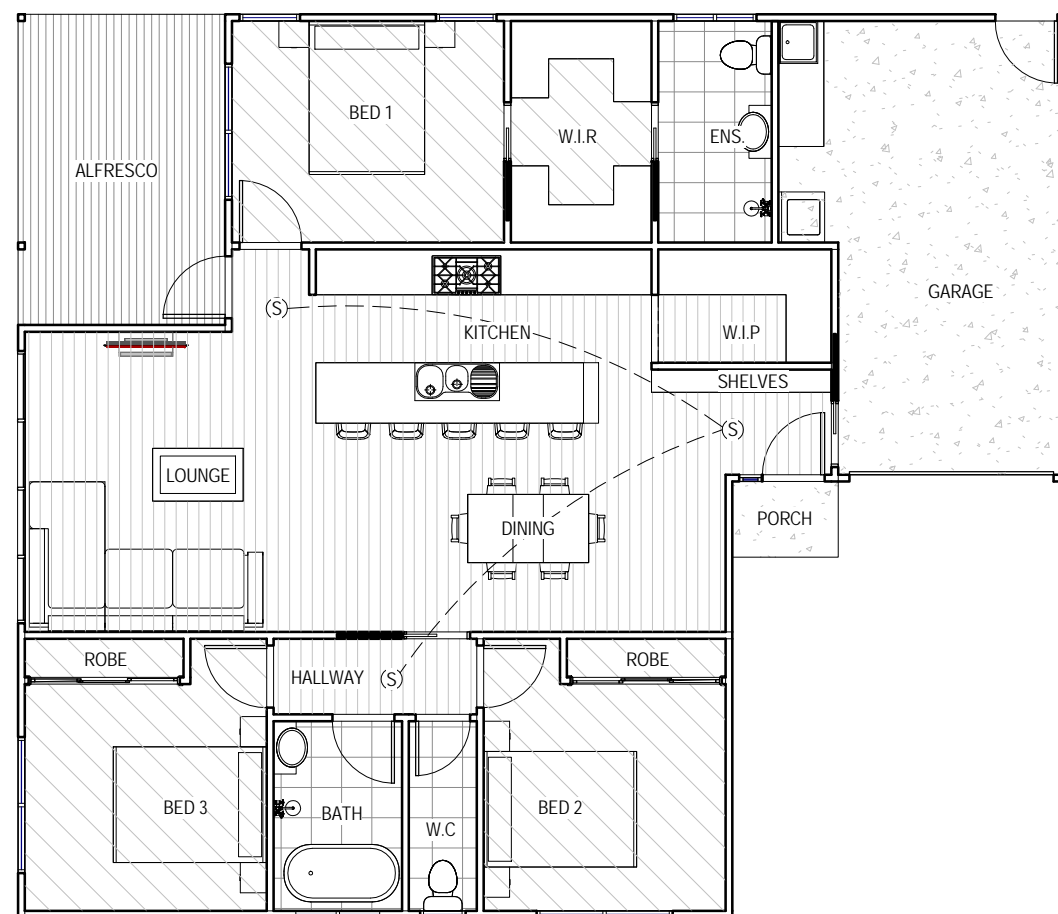
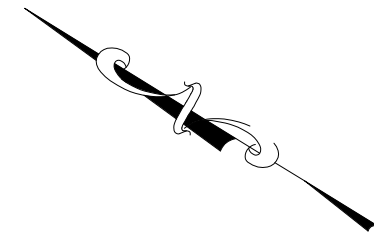
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Project: PROPOSED MULTIPLE DWELLING
Address: 9 BUCKINGHAM PL
PROSPECT VALE TAS 7250
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trin@engineeringplus.com.au

CONSTRUCTION PLAN SCALE 1:100

				Date Drawn: 09.08.21
				Drawn: E.Tay
				Checked: A. Taylor
				Approved: J. Pfeiffer
				Scale: As Shown @ A3
B	RE-ISSUED FOR APPROVAL	08.10.21	E.T	Accredited Building Designer
A	ISSUED FOR APPROVAL	16.09.21	E.T	Designer Name: J. Pfeiffer
CONCEPT		03.09.21	E.T	Accreditation No: CC2211T
Rev:	Amendment:	Date:	Int:	



FLOOR PLAN
SCALE 1 : 100

FLOOR COVERINGS	
	CARPET
	CONCRETE
	TIMBER DECKING
	TILE
	TAS OAK FLOORBOARDS

SMOKE ALARMS
PROVIDE AND INSTALL SMOKE ALARMS & HARD WIRE TO BUILDING POWER SUPPLY TO AS 3786.
CEILING MOUNTED WITH 9VDC ALKALINE BATTERY BACKUP TO LOCATIONS INDICATED ON PLAN AND IN ACCORDANCE WITH BCA PART 3.7.5.2

(S) - DENOTES INTERCONNECTED SMOKE DETECTORS

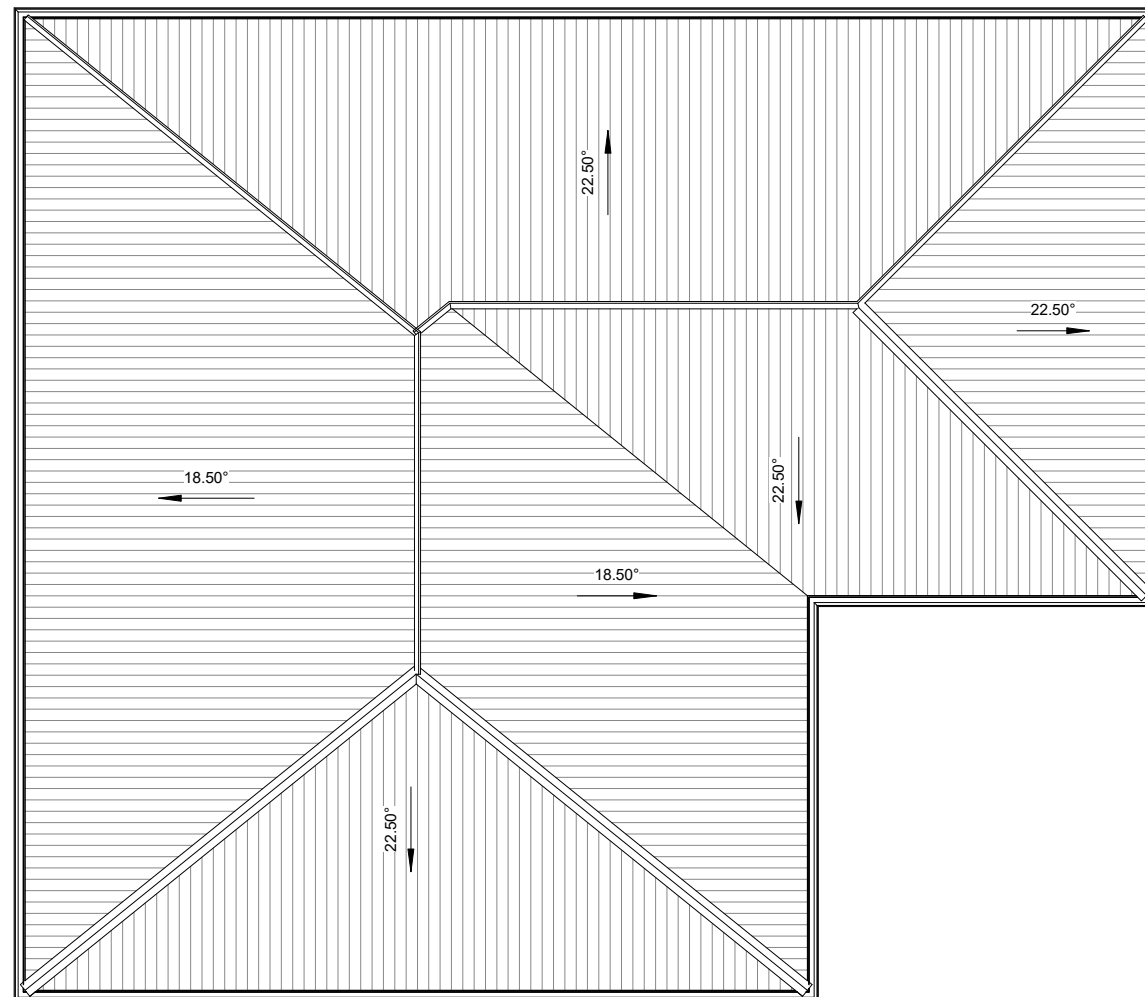
Area Schedule (Gross Building)		
Name	Area	Area (sq)
PROPOSED ALFRESCO	11.26 m ²	1.21
PROPOSED DWELLING	129.41 m ²	13.93
PROPOSED PORCH	1.40 m ²	0.15
	142.08 m ²	15.29

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Mob 0417 362 783 or 0417 545 813
jack@engineeringplus.com.au
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				Date Drawn: 09.08.21	Accredited Building Designer Designer Name: J. Pfeiffer Accreditation No: CC2211T	Drawing No: 41221	Page 320 A07	Rev B
				Drawn: E.Tay				
				Checked: A. Taylor				
				Approved: J. Pfeiffer				
B	RE-ISSUED FOR APPROVAL	08.10.21	E.T	Scale: As Shown @ A3				
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	CONCEPT	03.09.21	E.T					
Rev:	Amendment:	Date:	Int:					



ROOF PLAN
SCALE 1:100

ROOF CLADDING. BCA VOLUME 2 PART 3.5.1.3
COLORBOND 'CUSTOM ORB' METAL SHEETING INSTALLED IN
ACCORDANCE WITH THIS PART, AS 1562.1 AND MANUFACTURERS
RECOMMENDATIONS.

REFER TO LYSAGHT ROOFING & WALLING MANUAL FOR FULL DETAILS ON SHEET
INSTALLATION, FIXINGS & FLASHINGS

- MINIMUM PITCH 5 DEGREES.
- CORROSION PROTECTION IN ACCORDANCE WITH BCA TABLE 3.5.1.1.
- END LAP OF SHEETS 5-15 DEGREES - MINIMUM 200 MM.

ABOVE 15 DEGREES - MINIMUM 150 MM.

- RIDGE LINE VALLEY TO BE TURNED UP (STOP ENDED).
- FASTENERS TO BE MADE OF COMPATIBLE MATERIAL WITH ROOFING MATERIAL.
- CREST FIXINGS OF END SPANS @ EVERY SECOND RIB AND INTERNAL SPANS @ EVERY THIRD RIB.
- WHERE POSSIBLE SHEETS TO BE LAID WITH SIDE LAPS FACING AWAY FROM PREVAILING WEATHER.
- REFLECTIVE FOIL INSULATION TO BE FITTED TO UNDERSIDE OF SHEETS.

R4.0 INSULATION BATTS TO ROOF SPACE ABOVE CEILING LINING.

RECOMMENDED FIXINGS FOR SEVERE EXPOSURE CONDITIONS TO AS
3566

USE CLASS 4 MATERIALS FOR SEVERE EXPOSURE & STAINLESS STEEL FOR
VERY SEVERE COASTAL ENVIRONMENTS.

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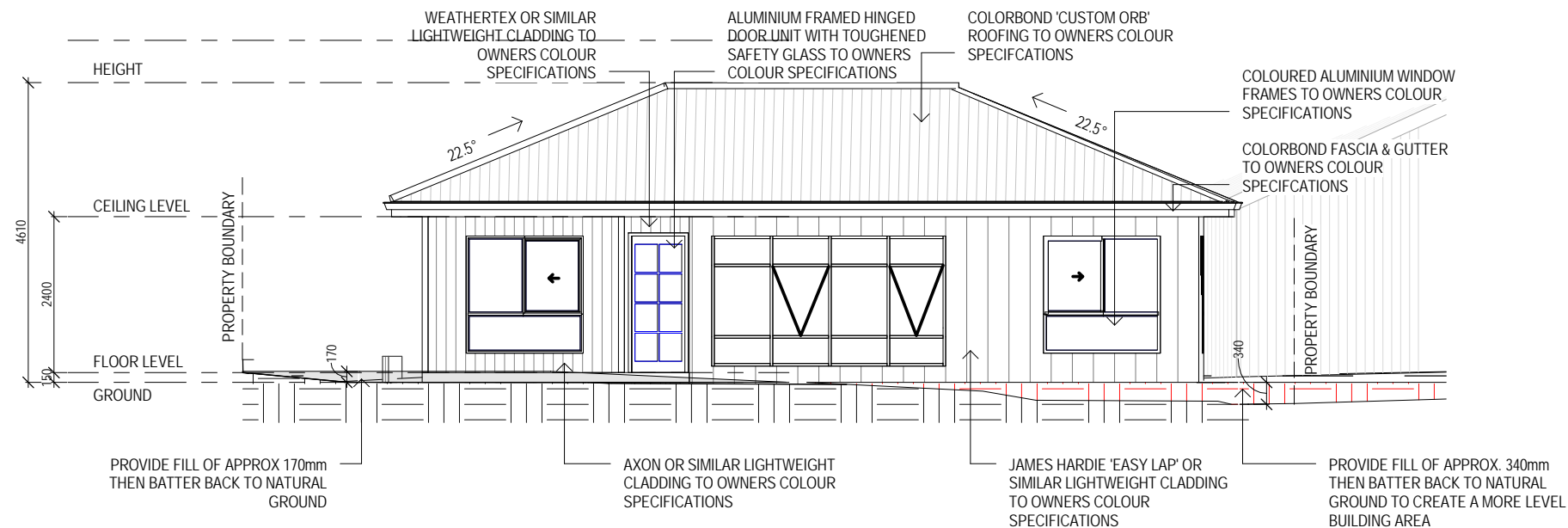
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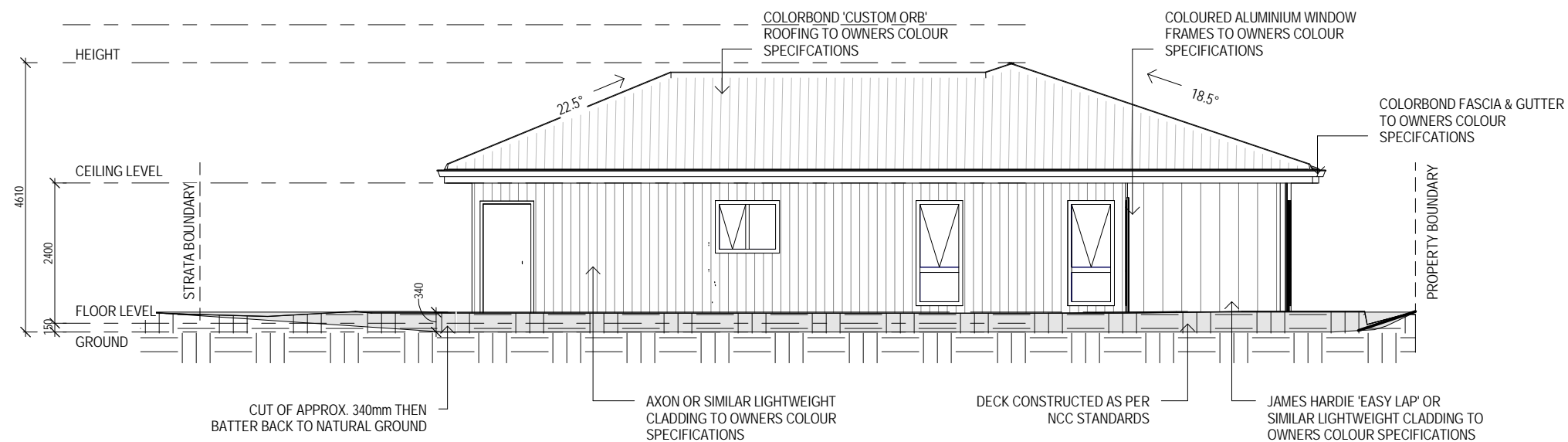
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Drawn: E.Tay
Checked: A. Taylor
Approved: J. Pfeiffer
Scale: As Shown @ A3

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

Drawing No: 41221
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NORTH ELEVATION
SCALE 1 : 100



EAST ELEVATION
SCALE 1 : 100

EAVE & SOFFIT CONSTRUCTION BCA VOLUME 2 PART 3.5.3.5
EAVE WIDTH - 450MM DESIGN WIND SPEED N2

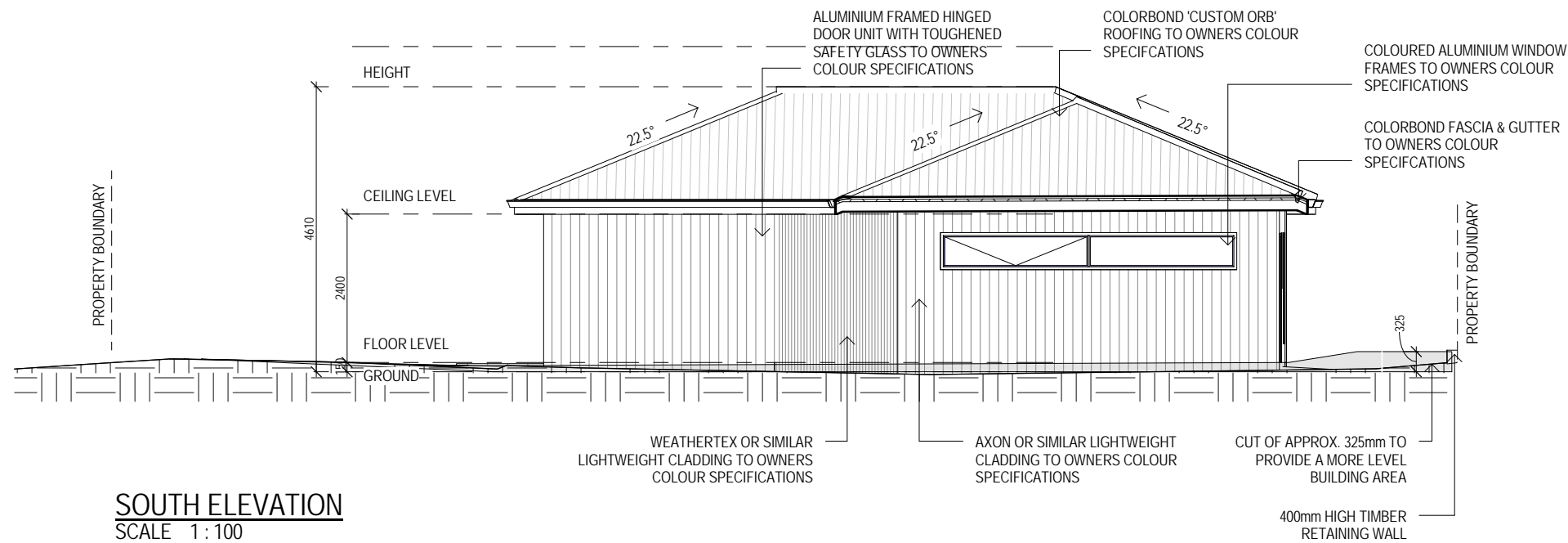
SOFFIT / EAVE LINED WITH 'HARDIFLEX' CEMENT SHEETING

- TRIMMERS LOCATED WITHIN 1200 MM OF EXTERNAL CORNERS TO BE SPACED @ 500 MM CENTERS, REMAINDER OF SHEET - 700 MM CENTERS
- FASTENER / FIXINGS WITHIN 1200 MM OF EXTERNAL CORNERS @ 200 MM CENTERS, REMAINDER OF SHEET - 300 MM CENTERS

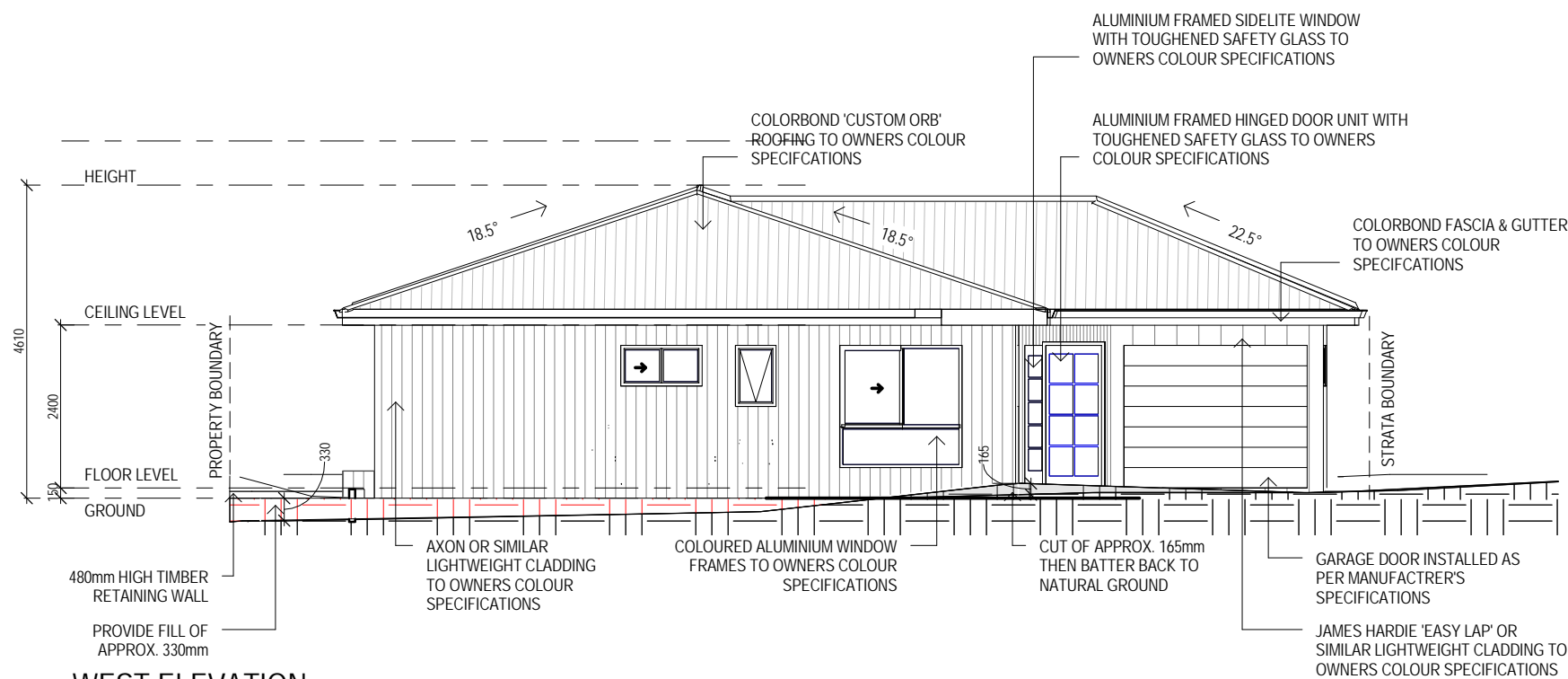
Meander Valley Council Ordinary Meeting Agenda - December 2021

PLANNING AUTHORITY 3 - ATTACHMENT 1

				Date Drawn: 09.08.21	ISSUED FOR APPROVAL Client: NGUYEN THAI UYEN PHAM Project: PROPOSED MULTIPLE DWELLING Address: 9 BUCKINGHAM PL PROSPECT VALE TAS 7250 Mob 0417 362 783 or 0417 545 813 jack@engineeringplus.com.au trin@engineeringplus.com.au ENGINEERING PLUS BUILDING DESIGN PROJECT MANAGEMENT CIVIL/STRUCTURAL ENGINEERING
				Drawn: E.Tay	
				Checked: A. Taylor	
				Approved: J. Pfeiffer	
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A	ISSUED FOR APPROVAL	16.09.21	E.T	Designer Name: J. Pfeiffer	
CONCEPT		03.09.21	E.T	Accreditation No: CC2211T	
Rev:	Amendment:	Date:	Int:		



SOUTH ELEVATION
SCALE 1:100



WEST ELEVATION
SCALE 1:100

SELECTED ALUMINIUM FRAMED WINDOWS - BCA VOLUME 2 PART 3.6

POWDER COATED ALUMINIUM WINDOW & DOOR FRAMES, UNLESS OTHERWISE NOTED.

TASMANIAN OAK REVEALS AND TRIMS. ALL FLASHING AND FIXINGS TO MANUFACTURERS SPECIFICATIONS.

GLAZING & FRAME CONSTRUCTION TO AS 2047 & AS 1288
ALL FIXINGS AND FLASHINGS TO MANUFACTURERS REQUIREMENTS

- WIND CLASSIFICATION AS4055 WIND DESIGN: N2 33M/s
- TERRAIN CATEGORY: T2.5 (PS)
- SERVICEABILITY DESIGN & WIND PRESSURE: 1000
- WATER RESISTANCE: 150

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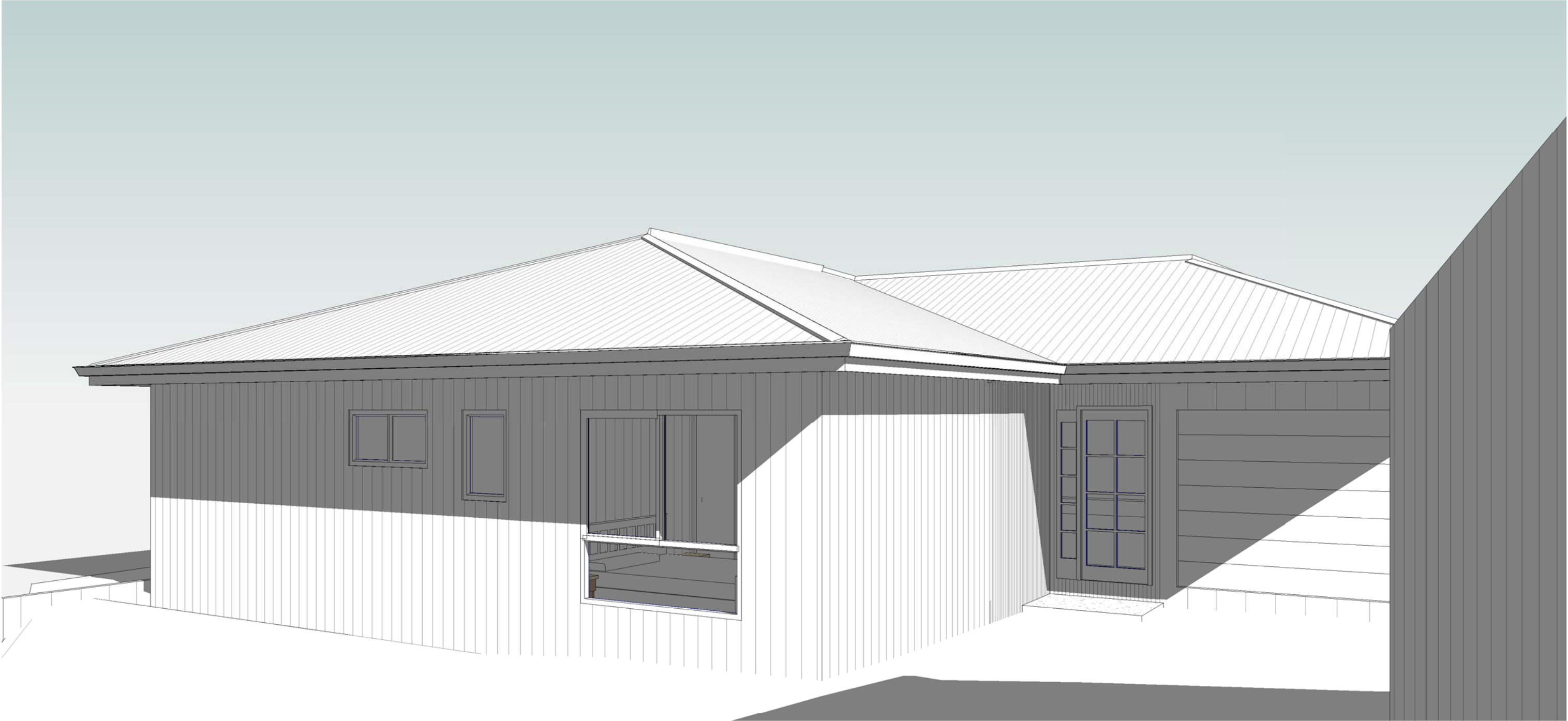
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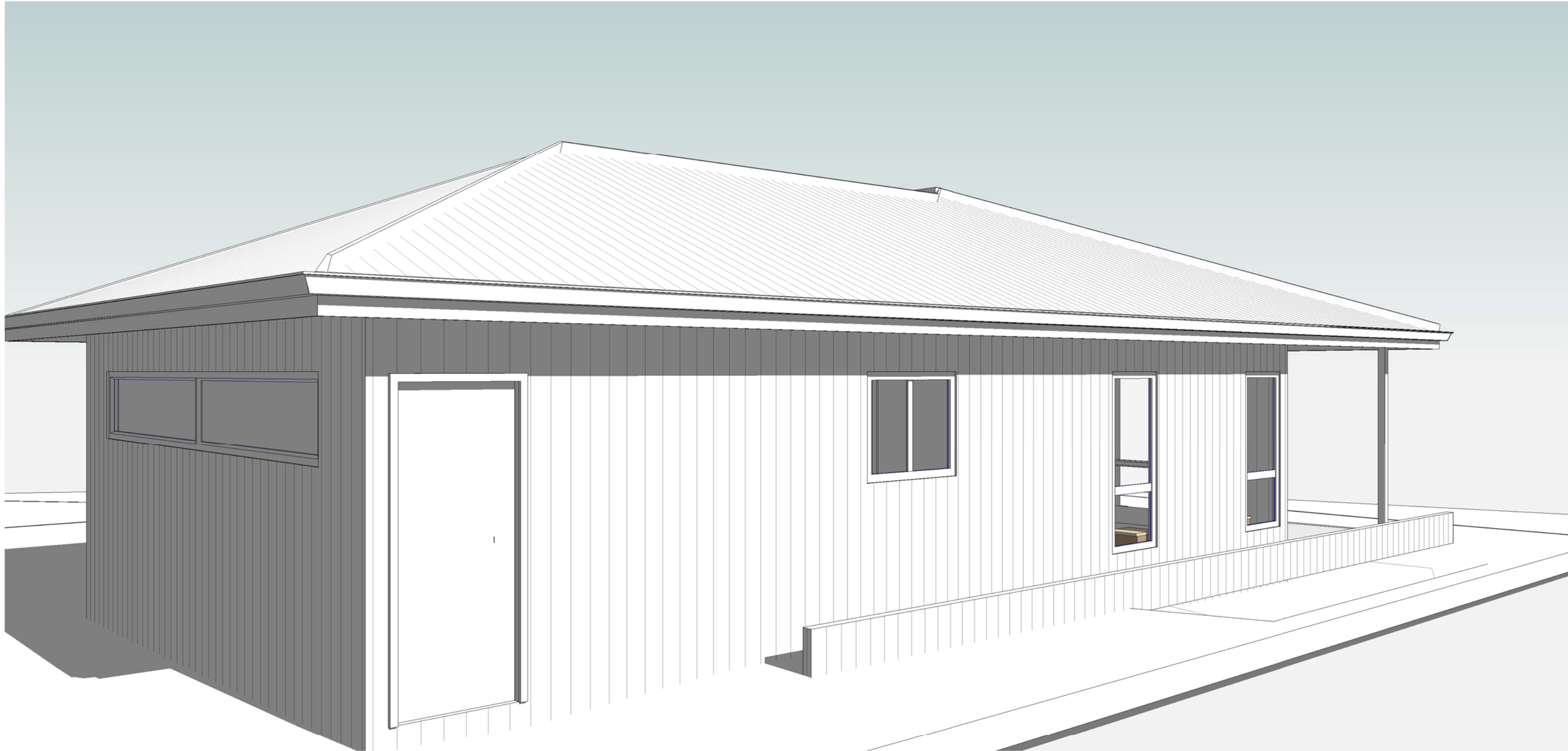


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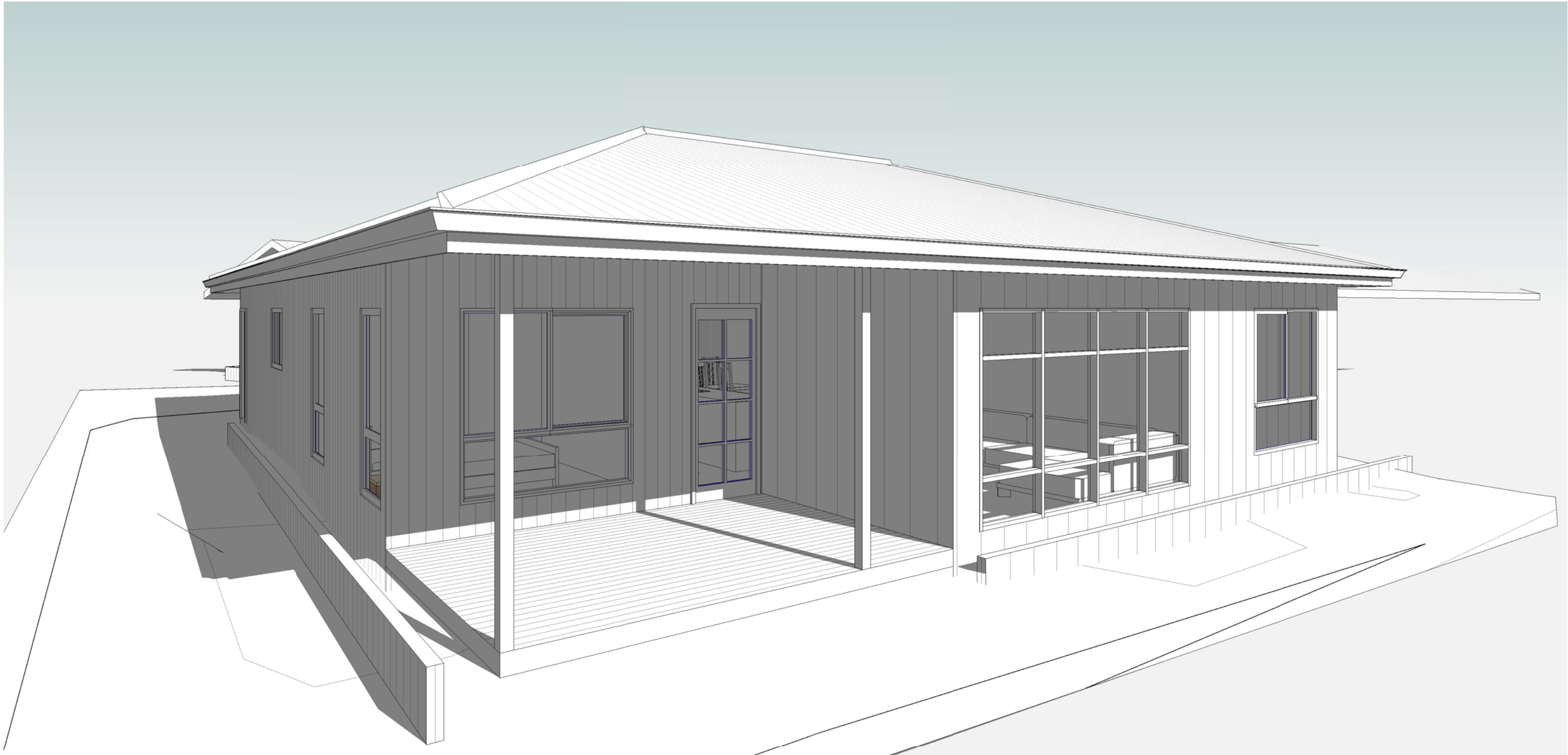
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Accredited Building Designer
 Designer Name: J.Pfeiffer
 Accreditation No: CC2211T

Drawing No: 41221
 Page 326
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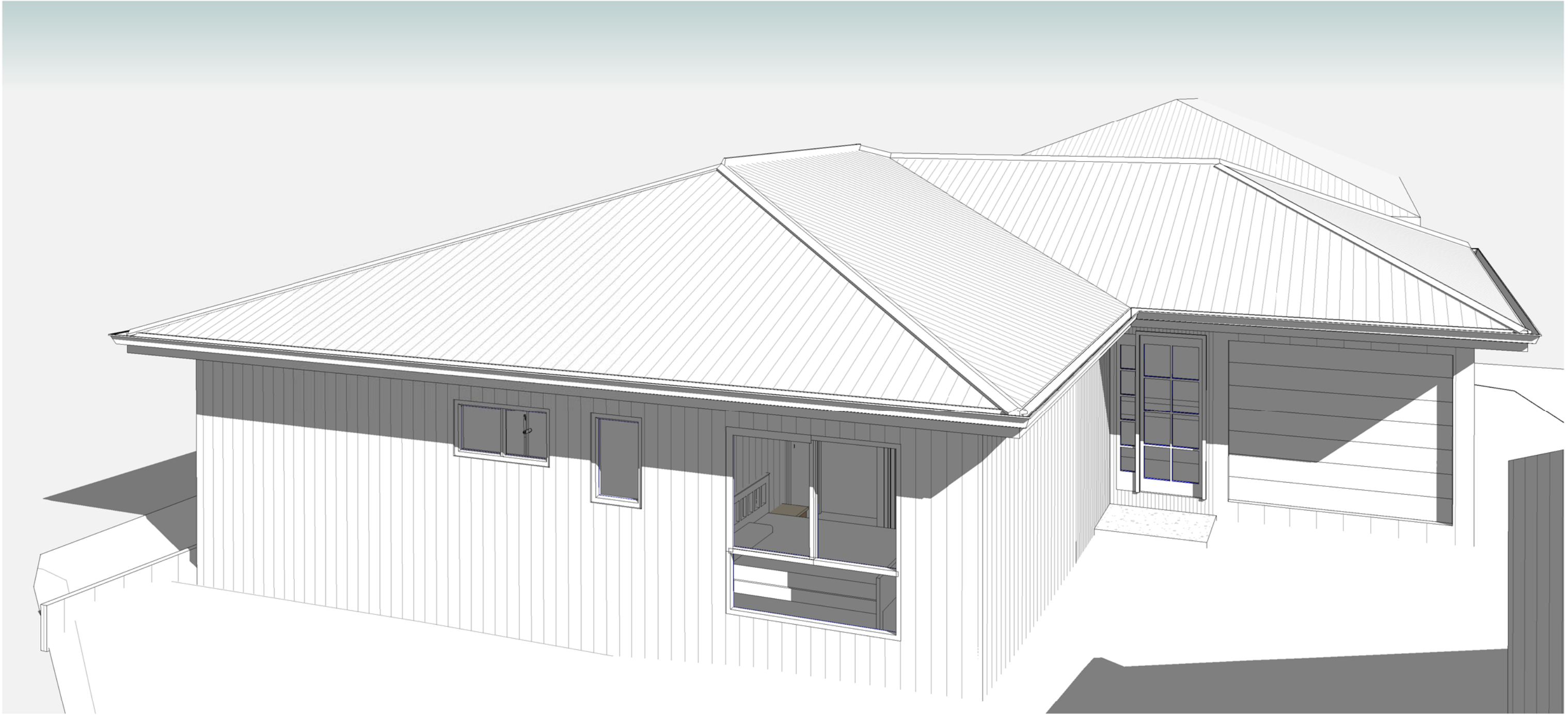


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				Checked: A. Taylor				
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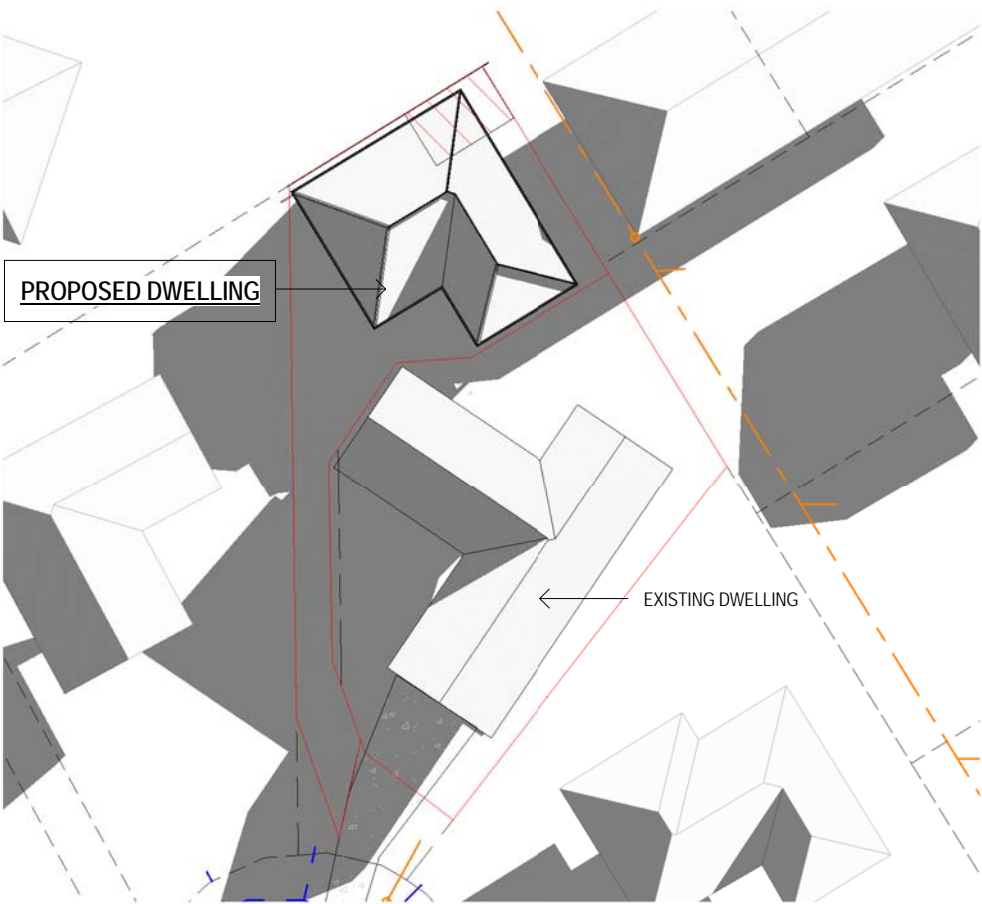


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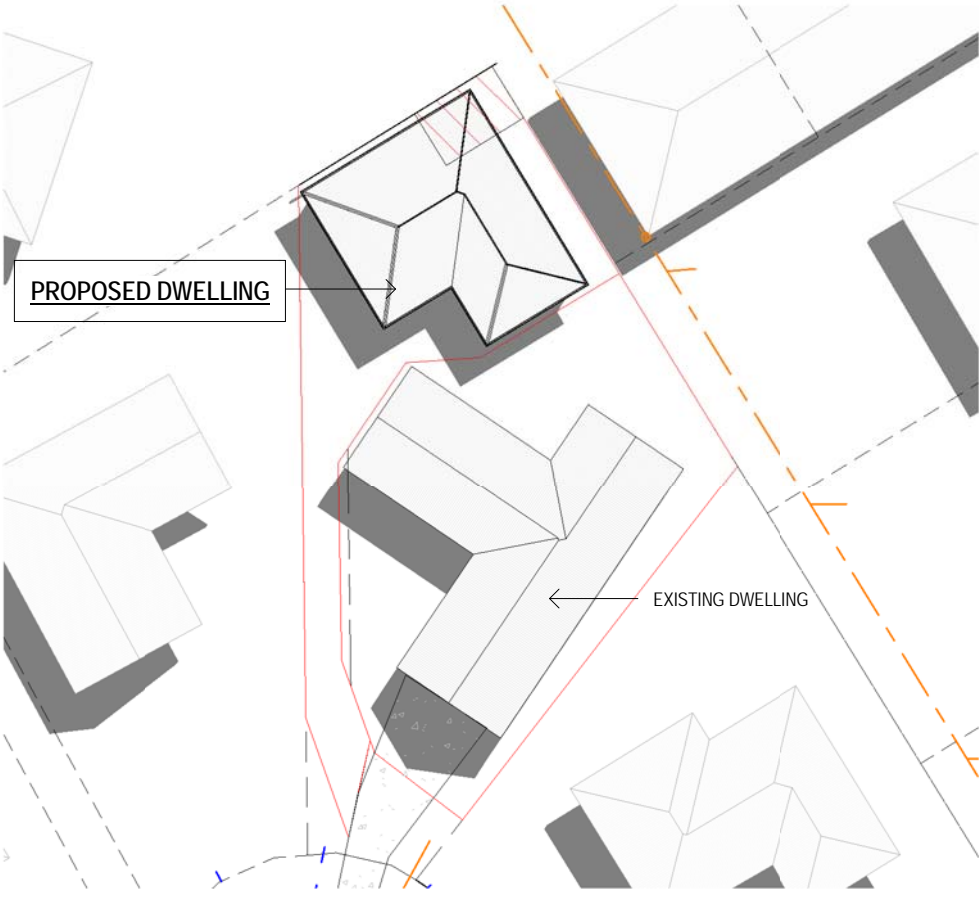
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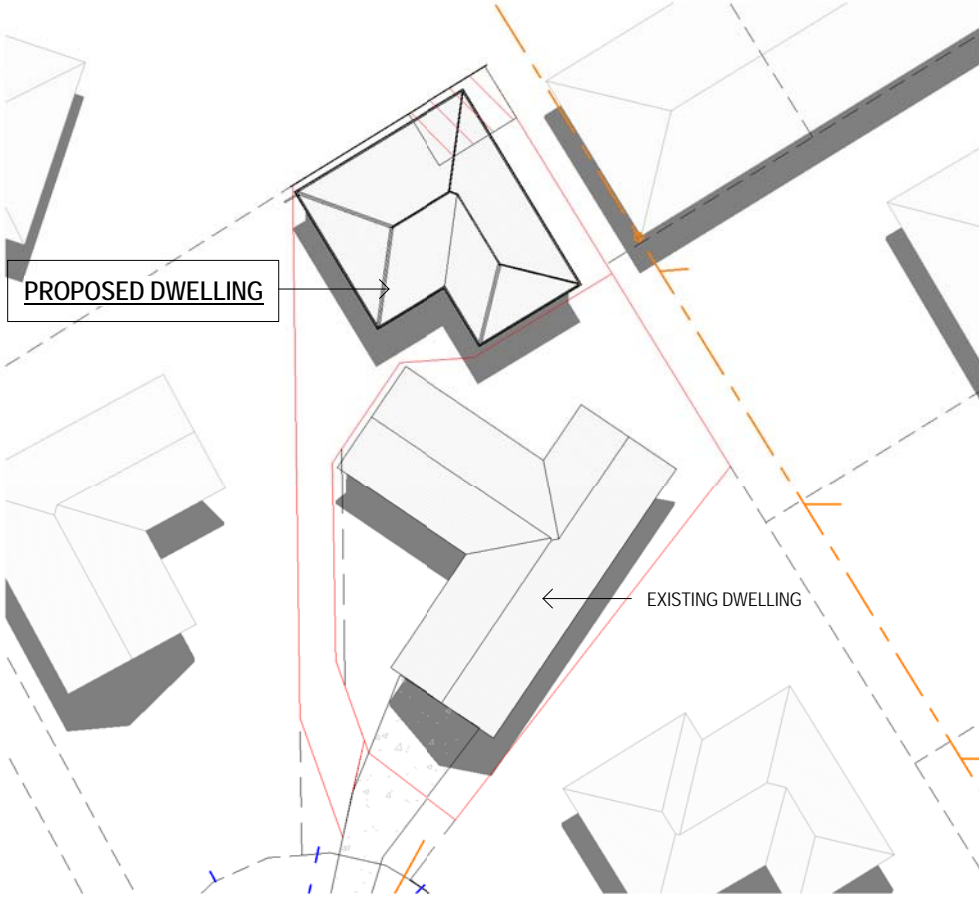
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A	ISSUED FOR APPROVAL	16.09.21	E.T	Designer Name: J.Pfeiffer	41221
	CONCEPT	03.09.21	E.T	Accreditation No: CC2211T	Page 328
Rev:	Amendment:	Date:	Int:		Rev B



SHADOW 9.00AM
SCALE 1 : 500



SHADOW 10.30AM
SCALE 1 : 500



SHADOW 12.00PM
SCALE 1 : 500

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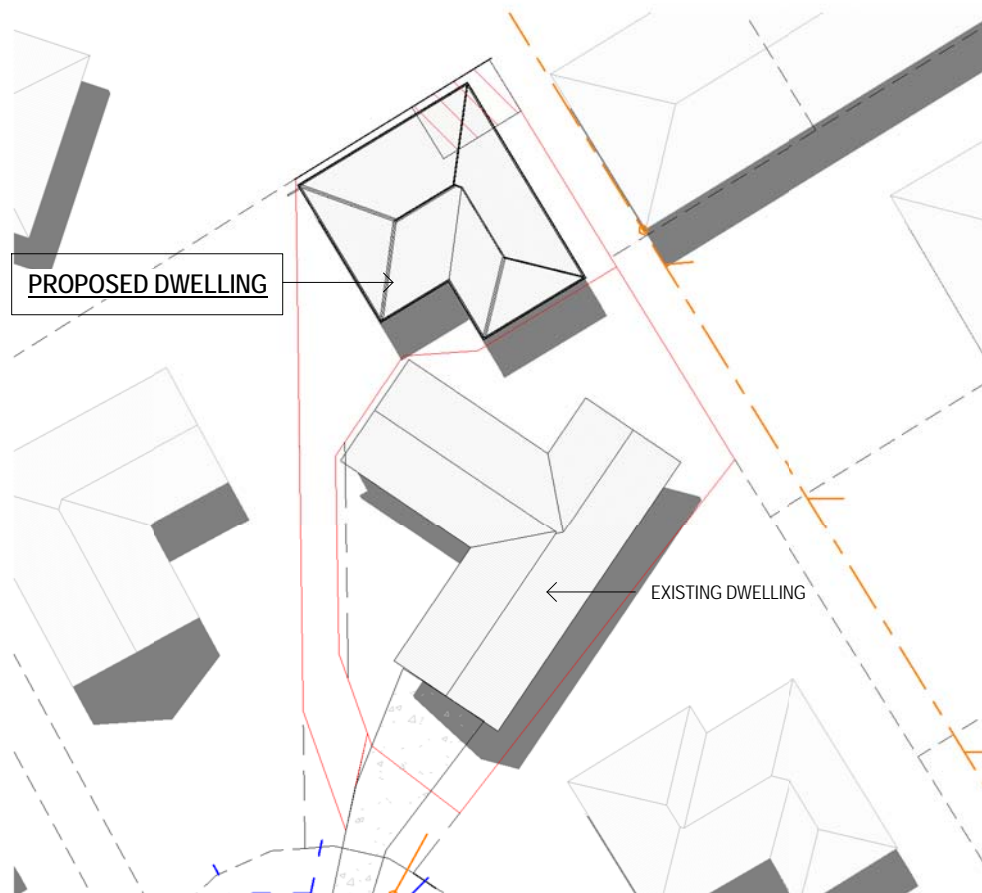
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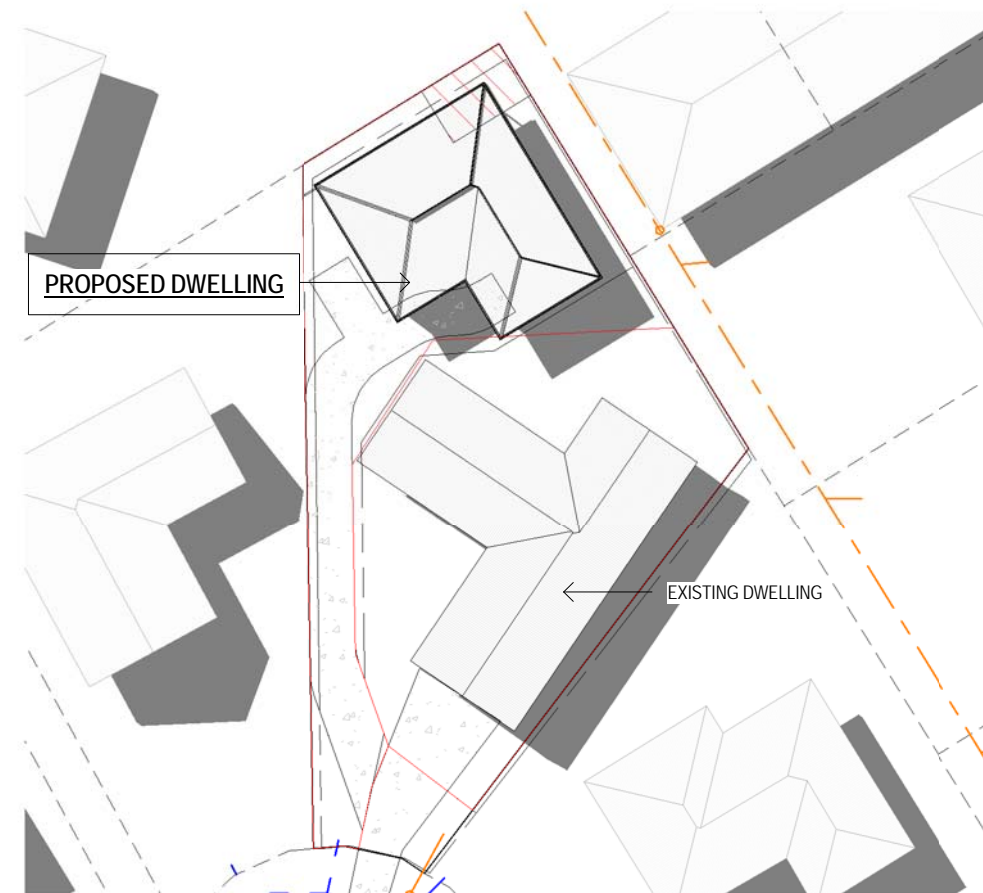
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Drawn: E.Tay
Checked: A. Taylor
Approved: J. Pfeiffer
Scale: As Shown @ A3

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Designer Name: J.Pfeiffer
Accreditation No: CC2211T

Drawing No: 41221
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SHADOW 1.30PM
SCALE 1 : 500




SHADOW 3.00PM
SCALE 1 : 500

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A	ISSUED FOR APPROVAL	16.09.21	E.T				
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Leanne Rabjohns

From: Brendon Turner [REDACTED]
Sent: Tuesday, 9 November 2021 11:46 AM
To: Planning @ Meander Valley Council
Subject: Proposed place 9 Buckingham place

To the general manager.

I am writing as the owner of 7 Buckingham place regarding the proposed dwelling to be built at 9 Buckingham place prospect vale.

I have concern with the access to the new building past the existing building with a width of only 2.75mtrs from the eave line to the fence.

The street already has limited off street parking being a culdsac and feel that another 3 bedroom house with only 1 garage space will only add to this problem. I myself have arrived home at times to find my own driveway impeded with parked cars at times.

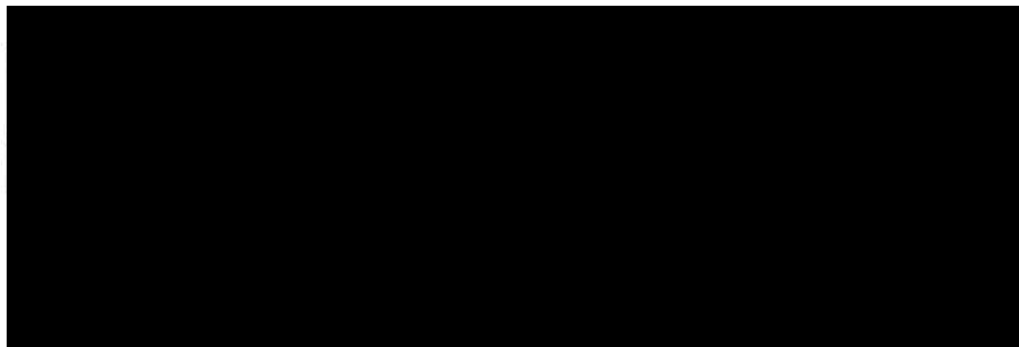
Given that the existing property was being let out as single room tenancy I could only see the same being done with the new dwelling also we have had issues with coming and goings at all hours of the night with past residents regarding noise. The currant property has been ill maintained since it was purchased back in 2017. Lawns un mowed to the point where we have had mice infestations in several adjoining propertys .3 adjoining fences in disrepair.

This is a quite street filled with family homes and 5 units already with minimal off street parking. Not sure that single room tenancy dwellings is the future myself a view shared by many other concerned residents of the street.

I can be contacted any time by phone on 0438094934

Regards,

BRENDON TURNER



MAKING A POSITIVE DIFFERENCE

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General Manager
Meander Valley Council,
P.O. Box 102,
Westbury 7303

Doc. No.
1676261

30th October 2021

Index No.		10128	
Doc No.		1A/22/0079	
RCVD	28 NOV 2021	MVC	
Action Officer	LR	Dept.	RS
EO		OD	✓

Re: 9 Buckingham Place Development.

In case you are unaware Buckingham Place is a very short cul-de-sac and parking is always a problem for residents. Homes in the street are all well cared for and privately owned. There are already five units - do we really need another one?

We live at the end of the cul-de-sac and at busy times can come home to find a vehicle parked over our drive way - not good. Imagine how the drivers of the Garbage and Recycling trucks must feel having to manoeuvre around parked vehicles week after week.

This cul-de-sac is not designed for extra vehicles.

Yours faithfully
Edna & Douglas Barker.

PLANNING AUTHORITY 4

(Reference No. 234/2021)

AMENDMENT 2/2021 – ALTERATION OF MEA-S11.0 WESTBURY SPECIFIC AREA PLAN

Author: Jo Oliver
Consultant Town Planner

1) Recommendation

It is recommended that Council:

- 1. Pursuant to sections 40D(b) and 40F of the *Land Use Planning and Approvals Act 1993*:**
 - a) prepare Draft Amendment 2/2021 to the Meander Valley Local Provisions Schedule to delete the MEA-S11.0 Westbury Specific Area Plan from CT:108079/1 and CT:15169/1; and**
 - b) certify that the draft amendment meets the requirements of the *Land Use Planning and Approvals Act 1993*.**
- 2. Direct Council Officers to request that the Commission exercise its powers under section 40I(1) and 40I(2)(b)(i) and (ii) of the *Land Use Planning and Approvals Act 1993* to dispense with the exhibition and hearing process.**

2) Consultant's Report

Council of its own motion, in accordance with section 40D(b) of the *Land Use Planning and Approvals Act 1993* (LUPAA), may prepare a draft amendment to the Meander Valley Local Provisions Schedule. In this instance, the draft amendment is to correct an error in the spatial application of the MEA-S11.0 Westbury Specific Area Plan following the Tasmanian Planning Commission (Commission) decision for Amendment 1/2020 of 10 June 2021 to rezone two (2) titles bound by Dexter, Jones, Shadforth and Taylor Streets from Low Density Residential Zone to General Residential Zone.

Draft Amendment 1/2020 was initiated and certified by Meander Valley Council on 8 September 2020. The Tasmanian Planning Scheme commenced operation in Meander Valley on 19 April 2021, part way through the assessment of the draft amendment by the Commission. Upon commencement of the Tasmanian Planning Scheme in a

municipality, the amended provisions of the LUPAA relating to the Tasmanian Planning Scheme and Local Provisions Schedule apply from that point forward. Any draft amendments to the Meander Valley Interim Planning Scheme 2013 that were in progress, but not yet determined, at the commencement of the Tasmanian Planning Scheme were subject to the Schedule 6 - Savings and Transitional Provisions of LUPAA. This means that, at the point where the Interim Planning Scheme changed to the Tasmanian Planning Scheme, the draft amendment would then be assessed and determined 'as if it were' an amendment to the Meander Valley Local Provisions Schedule (LPS).

At the time of initiation and certification of the draft amendment, matters relating to the resolution of provisions for the Low Density Residential Zone at Westbury in the Draft LPS were ongoing and unresolved.

Irrespective, the land contained in Certificates of Title 108079/1 and 15169/1, bound by Dexter, Jones, Shadforth and Taylor Streets was zoned Low Density Residential Zone in the Meander Valley Interim Planning Scheme 2013 and the purpose of Draft Amendment 1/2020 was to rezone these titles to the General Residential Zone to provide for urban development. The General Residential Zone, as an urban zone, has a distinctly different purpose and character to the prior Low Density Residential Zone. The zoning change to provide for approximately thirty, fully serviced, urban-sized lots was described fully in the supporting report to Draft Amendment 1/2020, which was placed on public exhibition for the statutory 28 days.

The Commission considered Draft Amendment 1/2020 in a hearing, however in issuing its decision to rezone the land from Low Density Residential Zone to General Residential Zone, omitted to invoke the transitional provisions of the LUPAA to consider the draft amendment 'as if it were' an amendment to the Meander Valley LPS and consequently delete the incompatible application of MEA-S11.0 Westbury Specific Area Plan to the land as part of that decision.

The Specific Area Plan over the Low Density Residential Zone at Westbury was the subject of considerable focus through the assessment of the Meander Valley LPS and the provisions contained within the MEA-S11.0 Westbury Specific Area Plan are designed only to apply local standards to continue a larger-lot, residential character on unserviced land within this locality. The effect of applying the provisions of MEA-S11.0 over the rezoned titles is to prohibit the development outcomes intended by the change in zone to General Residential Zone, which were determined in the Commission's decision to be acceptable.

Unfortunately, amendments to the LUPAA for the Tasmanian Planning Scheme removed provisions in the act relating to 'urgent amendments', which previously enabled the Commission to conduct a process to correct clear errors without the need

for a full draft amendment initiation and certification procedure. As such, the only means by which this error can now be corrected and remove the application of MEA-S11.0 Westbury Specific Area Plan to these two (2) titles is for the planning authority to prepare and certify a new draft amendment to the Meander Valley Local Provisions Schedule and provide the Commission a copy under sections 40D and 40F of the LUPAA.

3) Proposed Amendment

The proposed amendment seeks to correct an error by deleting the application of MEA-S11.0 Westbury Specific Area Plan through an amendment to the planning scheme map which removes Certificates of Title 108079/1 and 15169/1 from the designated area that the Specific Area Plan applies to and realigns the Specific Area Plan outline to the applicable lots in the Low Density Residential Zone. Refer Figures 1 and 2 below.

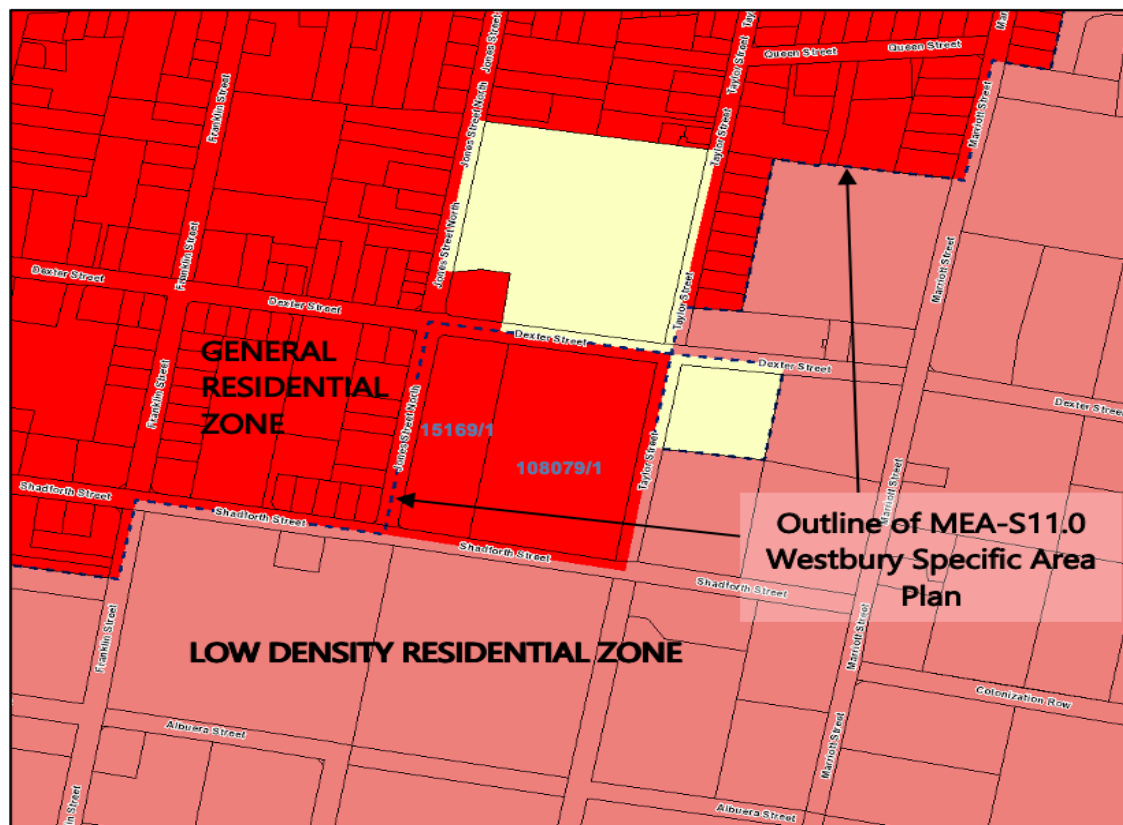


Figure 1: Map showing outline currently applying MEA-S11.0 Westbury Specific Area Plan over zoning in the Meander Valley LPS (Source: www.thelist.tas.gov.au).

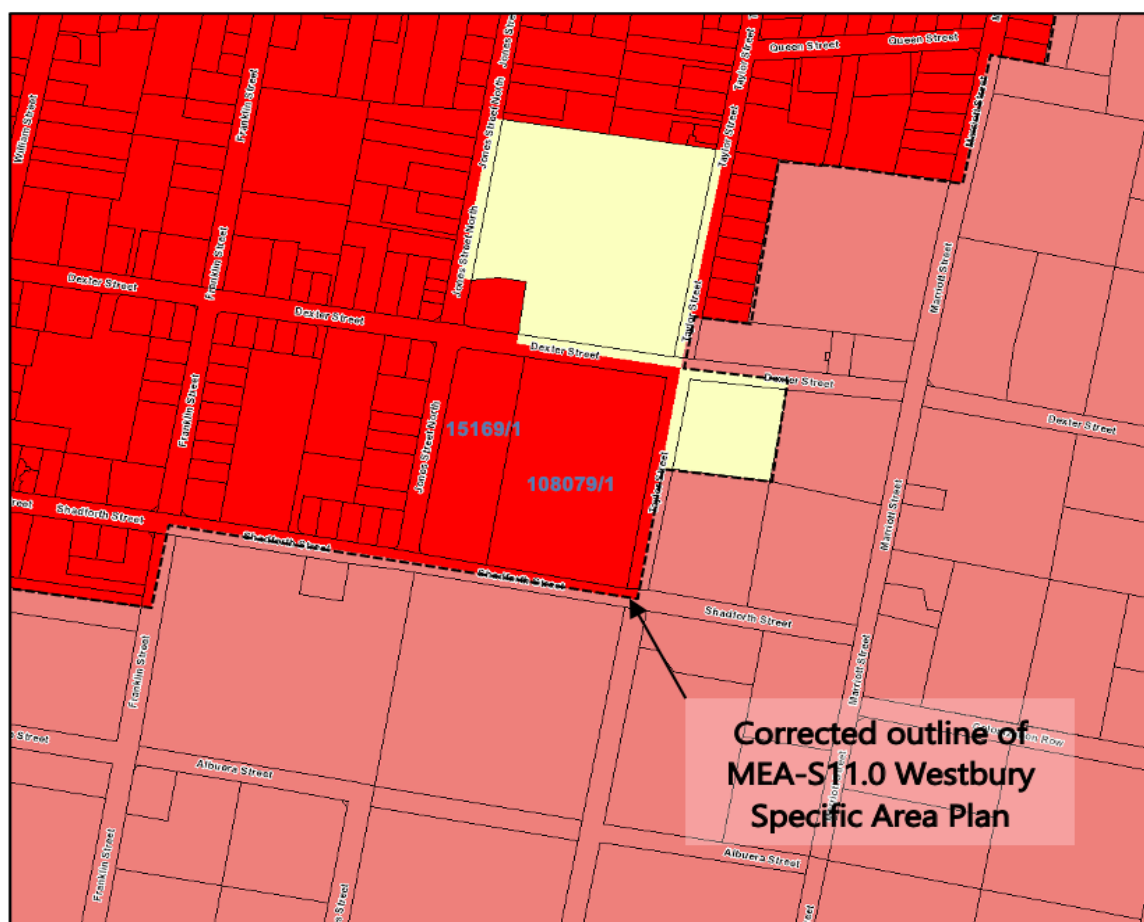


Figure 2: Map showing corrected outline, removing the application of MEA-S11.0 Westbury Specific Area Plan from CT's 108079/1 and 15169/1 in the General Residential Zone (*Source: www.thelist.tas.gov.au*).

4) Requirements of the Act

Despite being for the correction of an error, the draft amendment must be determined under section 40F of the LUPAA as it is a draft amendment of the planning authority's own motion. Section 40F(1) requires that a planning authority must consider whether it is satisfied that the draft amendment of an LPS meets the LPS criteria set out in section 34 of the LUPAA, before certifying the amendment as being in accordance with the act.

If the planning authority determines that the draft amendment does not satisfy the LPS criteria, the planning authority must modify the draft so that it meets the requirements and then certify the draft as meeting those requirements.

A planning authority, within seven (7) days of certifying a draft amendment of an LPS under section 40F(2), must provide to the Commission a copy of the draft and the certificate.

The Commission must then consider the draft amendment and make a decision to modify, reject or approve the draft amendment.

5) Assessment

Before making a decision on certification of the draft amendment, section 40F(1) of the LUPAA requires Council to consider whether the draft amendment satisfies the LPS Criteria set out in section 34 of the Act. The criteria are addressed individually below:

The LPS:

34(2)(a) contains all the provisions that the SPPs specify must be contained in an LPS;

Comment:

The draft amendment does not seek to alter the required components of the State Planning Provisions (SPP's). The SPP standards of the General Residential Zone and relevant codes will apply to the land.

34(2)(b) is in accordance with section 32:

Section 32 specifies the contents of an LPS as follows:

32(1) An LPS is to consist of provisions that apply only to a single municipal area specified in the LPS.

Comment:

The draft amendment applies only within the Meander Valley LGA.

32(2) An LPS –

(a) must specify the municipal area to which its provisions apply; and

(b) must contain a provision that the SPPs require to be included in an LPS; and

(c) must contain a map, an overlay, a list, or another provision, that provides for the spatial application of the SPPs to land, if required to do so by the SPPs; and

Comment:

The draft amendment applies the SPP zoning and required overlays.

(d) may, subject to this Act, contain any provision in relation to the municipal area that may, under section 11 or 12, be included in the Tasmanian Planning Scheme;

Comment:

Section 11 of LUPAA stipulates the allowable contents of the Tasmanian Planning Scheme. Particularly relevant are subsections:

(a) make any provision which relates to the use, development, protection or conservation of any land; and

(b) set out policies and specific objectives; and

(c) regulate or prohibit the use or development of any land; and

(d) set out requirements for the provision of public utility services to any land.

Comment:

The draft amendment proposes to remove a restriction that was applied to the land in error. The draft amendment brings the planning scheme controls over the land into greater conformity with the State Planning Provisions.

Section 12 of LUPAA provides protections for existing uses. The draft amendment does not affect existing use rights under the LUPAA.

(e) may contain a map, an overlay, a list, or another provision, that provides for the spatial application of the SPPs to particular land;

Comment:

The draft amendment applies the provisions of the SPP General Residential Zone and the relevant codes, bringing the planning scheme controls over the land into greater conformity with the SPP's.

(f) must not contain a provision that is inconsistent with a provision of section 11 or 12;

Comment:

The draft amendment does not contain provisions that are inconsistent with the allowable content of planning schemes, nor does it affect existing rights under section 12.

(g) may designate land as being reserved for public purposes;

Comment:

Not applicable.

(h) may, if permitted to do so by the SPPs, provide for the detail of the SPPs in respect of, or the application of the SPPs to, a particular place or matter;

Comment:

Not applicable.

(i) may, if permitted to do so by the SPPs, override a provision of the SPPs;

Comment:

The draft amendment proposes to remove a local provision that overrides the SPP General Residential Zone provisions, bringing the planning scheme controls over the land into greater conformity with the SPP's.

(j) may, if permitted to do so by the SPPs, modify, in relation to a part of the municipal area, the application of a provision of the SPPs;

Comment:

Not applicable.

(k) may, subject to this Act, include any other provision that –

(i) is not a provision of the SPPs or inconsistent with a provision of the SPPs; and

(ii) is permitted by the SPPs to be included in an LPS;

Comment:

The draft amendment proposes to remove a local provision that overrides the SPP General Residential Zone provisions, bringing the planning scheme controls over the land into greater conformity with the SPP's.

(l) must not contain a provision that the SPPs specify must not be contained in an LPS.

Comment:

The draft amendment applies the provisions of the General Residential Zone and the relevant codes, bringing the planning scheme controls over the land into greater conformity with the SPP's.

32(3) Without limiting subsection (2) but subject to subsection (4), an LPS may, if permitted to do so by the SPPs, include –

(a) a particular purpose zone, being a group of provisions consisting of –

(i) a zone that is particular to an area of land; and

(ii) the provisions that are to apply in relation to that zone; or

(b) a specific area plan, being a plan consisting of –

(i) a map or overlay that delineates a particular area of land; and

(ii) the provisions that are to apply to that land in addition to, in modification of, or in substitution for, a provision, or provisions, of the SPPs; or

(c) a site-specific qualification, being a provision, or provisions, in relation to a particular area of land, that modify, are in substitution for, or are in addition to, a provision, or provisions, of the SPPs.

Comment:

The draft amendment, in removing MEA-S11.0 Westbury Specific Area Plan over two titles in the General Residential Zone, corrects an error and brings the planning scheme controls over the land into greater conformity with the SPP's.

32(4) An LPS may only include a provision referred to in subsection (3) in relation to an area of land if –

(a) a use or development to which the provision relates is of significant social, economic or environmental benefit to the State, a region or a municipal area; or

(b) the area of land has particular environmental, economic, social or spatial qualities that require provisions, that are unique to the area of land, to apply to the land in substitution for, or in addition to, or modification of, the provisions of the SPPs.

Comment:

Not applicable.

32(5) An LPS must be in accordance with the structure, if any, that is indicated, or specified, in the SPPs to be the structure to which an LPS is to conform.

Comment:

The draft amendment is prepared in accordance with the structure of the SPP's and the Meander Valley LPS.

32(6) A provision of an LPS must be in the form, if any, that the SPPs indicate a provision of an LPS is to take.

Comment:

The draft amendment is prepared in accordance with the form stipulated by the SPP's.

32(7) A provision of an LPS in relation to a municipal area is not to be taken to have failed to comply with this section, or to be inconsistent with a provision of the SPPs, by reason only that it is inconsistent with a provision of the SPPs that has not come into effect in relation to the municipal area.

Comment:

Not applicable.

34(2)(c) furthers the objectives set out in Schedule 1 ;

Part 1:

(a) to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity; and	The draft amendment removes an inconsistent provision, thereby supporting sustainable development.
(b) to provide for the fair, orderly and sustainable use and development of air, land and water; and	The draft amendment provides for the orderly development of land as intended by Amendment 1/2020 and the Commission decision.
(c) to encourage public involvement in resource management and planning; and	Amendment 1/2020 that established the change in zone to General Residential Zone was publicly notified. Anticipated development under that zone was fully described in supporting documentation.
(d) to facilitate economic development in accordance with the objectives set out in paragraphs (a) , (b) and (c) ; and	The draft amendment facilitates economic development as it removes an unreasonable restriction applied to the land in error.
(e) to promote the sharing of responsibility for resource management and planning between the different spheres of Government, the community and industry in the State.	There are no practical changes to the land that affect the interests of various authorities or their understanding of the intended development outcomes as notified in Amendment 1/2020.

Part 2:

(a) to require sound strategic planning and co-ordinated action by State and local government; and	The current application of MEA-S11.0 Westbury Specific Area Plan to the two subject titles is an error that acts counter to sound strategic planning that resulted in the change in zoning to General Residential Zone.
(b) to establish a system of planning instruments to be the principal way of setting objectives, policies and controls for the use, development and protection of land; and	The draft amendment corrects an error in the planning instrument that unreasonably restricts the intended use and development of the land.
(c) to ensure that the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land; and	The effect on the environment was assessed through the determination of Amendment 1/2020. As above, the draft amendment corrects an unreasonable restriction that impacts the economic prospects for the land that was the basis of the original rezoning.
(d) to require land use and development planning and policy to be easily integrated with environmental, social, economic, conservation and resource management policies at State, regional and municipal levels; and	The draft amendment corrects an error and does not alter the assessment against State Policies and the Northern Tasmania Regional Land Use Strategy, undertaken for Amendment 1/2020.
(e) to provide for the consolidation of approvals for land use or development and related matters, and to co- ordinate planning approvals with related approvals; and	Not applicable.
(f) to promote the health and wellbeing of all Tasmanians and visitors to Tasmania by ensuring a pleasant, efficient and safe environment for working, living and recreation; and	The draft amendment corrects an error that prevents the realisation of urban development that supports this objective.
(g) to conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value; and	Not applicable.
(h) to protect public infrastructure and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community; and	The draft amendment does not affect the provision of utilities and services assessed for Amendment 1/2020.
(i) to provide a planning framework	The draft amendment does not affect the

which fully considers land capability.	assessment of the capability of the land to support the intended residential development, which was assessed as suitable.
--	---

34(2)(d) is consistent with each State Policy;

Comment:

Currently, State Policies that are in effect are:

- State Policy on the Protection of Agricultural Land 2009;
- State Policy on Water Quality Management 1997;
- State Coastal Policy 1996; and
- National Environmental Protection Measures -

Current NEPMs include:

- National Environmental Protection (Used Packaging Materials) Measure;
- National Environmental Protection (Ambient Air Quality) Measure;
- National Environmental Protection (Movement of Controlled Waste Between States and Territories) Measure;
- National Environmental Protection (National Pollutant Inventory) Measure;
- National Environmental Protection (Assessment of Site Contamination) Measure;
- National Environmental Protection (Diesel Vehicle Emissions) Measure; and
- National Environmental Protection (Air Toxics) Measure.

The draft amendment to remove an incorrectly applied restriction to General Residential zoned land does not affect State Policy requirements or the assessment undertaken for Amendment 1/2020 for the rezoning, which demonstrated that resultant development was in accordance with State Policies.

34(2)(da) satisfies the relevant criteria in relation to the TPPs;

Comment:

Not applicable.

34(2)(e) as far as practicable, is consistent with the regional land use strategy, if any, for the regional area in which is situated the land to which the relevant planning instrument relates;

Comment:

The assessment of Amendment 1/2020 against the Northern Tasmania Regional Land Use Strategy (NTRLUS) concluded that the use and development facilitated by rezoning the land to General Residential Zone was supported.

Amendments to the NTRLUS were gazetted on 23 June 2021 and became effective on that date. The purpose of the amendments to the NTRLUS were to:

- provide for rezoning to be considered through the normal planning scheme amendment process under the LUPAA for previously identified Future Investigation Areas;

- clarify that the current mapped Urban Growth Areas are indicative by providing for a rezoning to be considered through the normal planning scheme amendment process for land contiguous to the mapped areas;
- clarify provisions around Rural Residential Areas;
- provide for consequential amendments to provisions to enable the above matters to be implemented; and
- correct minor errors.

The NTRLUS amendments do not affect the initial intention and consideration of Amendment 1/2020, and as such, the draft amendment to correct an error that prevents the realisation of the development potential of the land is supported by the NTRLUS.

34(2)(f) has regard to the strategic plan, prepared under section 66 of the Local Government Act 1993, that applies in relation to the land to which the relevant planning instrument relates;

Comment:

The draft amendment is a consequence of an error that incorrectly applies MEA-S11.0 Westbury Specific Area Plan over two titles rezoned to General Residential Zone through Amendment 1/2020. The draft amendment does not alter the assessment of the original intention of the rezoning and resultant urban development, which determined that the proposal was supported by Council's Community & Strategic Plan 2014 - 2024;

34(2)(g) as far as practicable, is consistent with and co-ordinated with any LPSs that apply to municipal areas that are adjacent to the municipal area to which the relevant planning instrument relates;

Comment:

The land that is the subject of the draft amendment is not located within proximity to adjoining municipalities.

34(2)(h) has regard to the safety requirements set out in the standards prescribed under the Gas Safety Act 2019 .

Comment:

Not applicable.

6) Council Strategy and Policy

The Meander Valley Council Community Strategic Plan 2014 to 2024 is discussed above.

The draft amendment furthers the objectives of the Strategic Plan.

7) Risk Management

Not applicable

8) Government and Agency Consultation

It is a requirement of the *Water & Sewerage Industry Act* 2008 that all draft planning scheme amendments are referred to Taswater. Upon preparation and certification of the draft amendment by Council, a referral will be forwarded to Taswater.

It is noted that Taswater were consulted and provided a supportive response to Amendment 1/2020 that rezoned the land to General Residential Zone, confirming at that time that the system had capacity to accommodate additional urban development.

9) Community Consultation

Public notification is a standard part of the amendment process, however in this instance as the proposed draft amendment seeks to correct an error following an amendment that was subject to public notification and hearing of the Commission, it is recommended that the planning authority requests in writing that the Commission issues a notice to exempt the draft amendment from exhibition and hearing under section 40I(2)(b).

The draft amendment does not alter the public understanding of the development outcomes that were described for Amendment 1/2020.

10) Financial Consideration

Not applicable

11) Alternative Recommendations

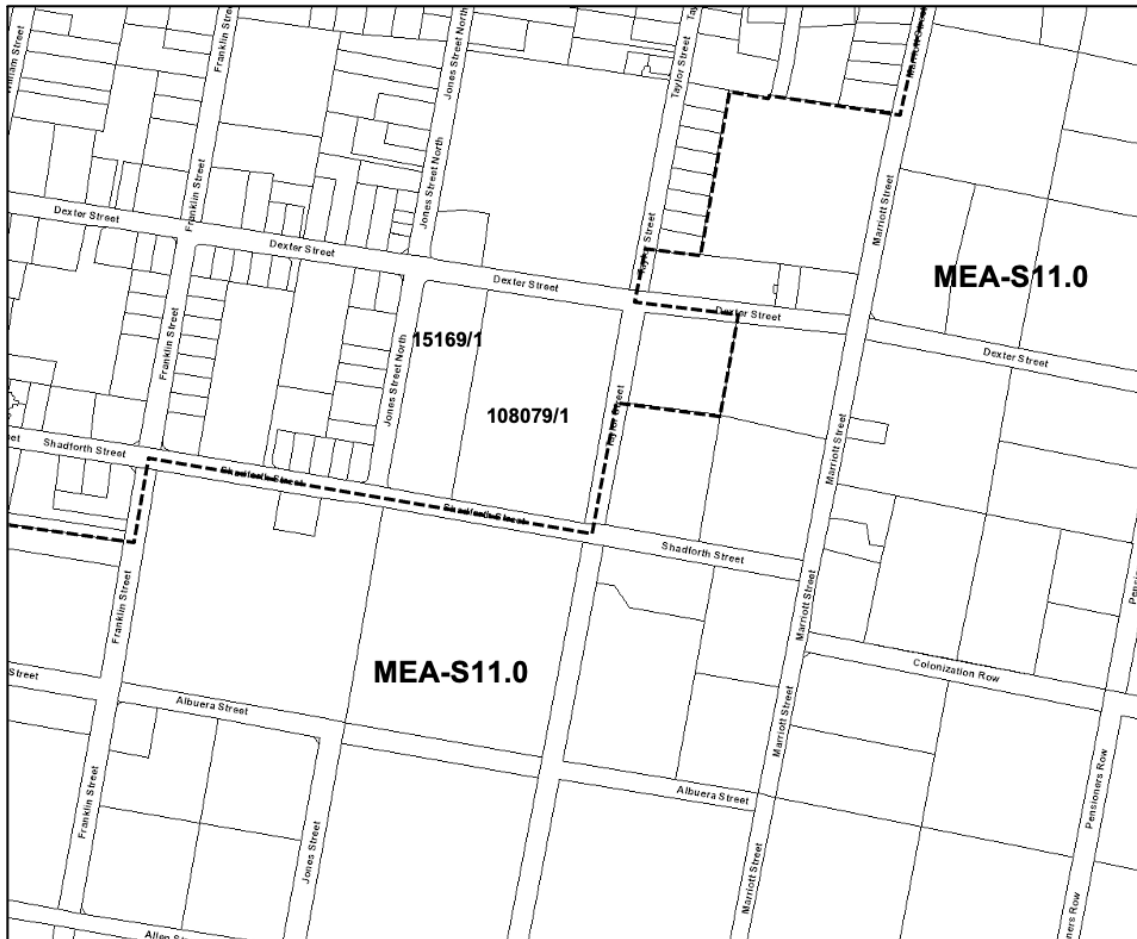
Council may modify the amendment prior to the certification or not certify the amendment.

12) Voting Requirements

Simple Majority

DECISION:

Certification Map



Map Amendments

- 1/ Delete MEA-S11.0 Westbury Specific Area Plan from Certificates of Title 108079/1 and 15169/1.

The COMMON SEAL of the Meander Valley Council has been hereunto affixed on 14 December 2021 pursuant to a resolution of Council delegating authority to the General Manager to affix the corporation's seal

.....
John Jordan
General Manager

COMMUNITY WELLBEING 1

(Reference No. 235/2021)

ADOPTION OF PROPOSED NEW POLICY NO. 95 INDIGENOUS RECOGNITION

AUTHOR: Melissa Lewarn
Director Community Wellbeing

1) Recommendation

It is recommended that Council approves the adoption of proposed new Policy No. 95 Indigenous Recognition, as follows:

POLICY

Policy Number: 95:	Indigenous Recognition
Purpose:	To ensure Traditional Owners / Custodians of the land are acknowledged.
Department:	Governance
Author:	John Jordan, General Manager
Council Meeting Date:	14 December 2021
Minute Number:	235/2021
Next Review Date:	October 2025 (as set, or every four years or as required)

POLICY

1. Objective

The objective of this policy is to:

- Acknowledge the Aboriginal culture and history relating to the lands within the Meander Valley Local Government Area;

- Express Council's commitment towards promoting the Aboriginal community, culture and reconciliation in the Meander Valley; and
- Promote awareness of, and respect for, the Aboriginal community, as the Custodians of the land and waterways through appropriate acknowledgement at Meander Valley Council public functions and events.

2. Scope

This policy applies to Council Meetings, Council Committee Meetings and official Council ceremonies, functions and events attended by the public.

3. Policy

1. Council recognises the long standing cultural history of the now past Pallitore and Panninher peoples (the past peoples) and is committed to supporting a continuing recognition of their connection and history to the lands and waterways which now comprise the local government area of Meander Valley.
2. Council acknowledges the significant role the Aboriginal community of Tasmania (collectively known as the Palawa) plays in acknowledging and respecting the past peoples of the land and waterways.
3. Council respects and supports the role of local Aboriginal people in acknowledging and preserving the connection of past peoples as well as their own culture and connection to the land and country that is now the Meander Valley Local Government Area;
4. Council will be guided by the protocols of the National Indigenous Australians Agency which is a complement to the guidance of local Aboriginal people within our community.

4. Recognition and Acknowledgement Actions

1. Council will recognise the past peoples and local Aboriginal people and their culture and connection to this country, through the display of the Australian Aboriginal Flag in the Council Chamber at Westbury and at official ceremonies where the Australian and Tasmanian flags are also displayed.
2. The Australian Aboriginal Flag will also be flown externally at the Council Chambers during days of significance in line with national protocols and conventions.
3. When appropriate, Council will invite a representative from the local Aboriginal community to perform a *Welcome to Country* at official ceremonies and significant community events and meetings delivered by Council.
4. Council will undertake an *Acknowledgement of Country* at Council organised public events, such as Council Meetings and Citizenship Ceremonies.

Welcome to Country

A *Welcome to Country* is to be delivered by Traditional Owners or Custodians of the land on which the event takes place.

Council will invite a recognised representative of the local Aboriginal community to conduct a *Welcome to Country* at Council-organised events of significance, including Citizenship Ceremonies.

In the spirit of community service, it is anticipated a *Welcome to Country* will be provided at no cost. Council will however reimburse any demonstrated and reasonable costs incurred in attending or conducting the ceremony, or donate the equivalent to an initiative that benefits Aboriginal people.

Acknowledgement of Country

The Meander Valley municipality was home to Aboriginal people from the Pallitore clan (to the West) and the Panninher clan (to the East).

Acknowledgement of Country gives recognition to both past peoples and also the present local Aboriginal people who live on the lands now known as Meander Valley.

Acknowledgment will be given through the following words:

1. *'I begin today by acknowledging the Pallitore and Panninher past peoples and the Traditional Owners and Custodians of the land on which we gather today, and pay my respects to Elders past and present. I extend that respect to all Aboriginal and Torres Strait Islander peoples here today.'*

Or

2. *'I begin today by acknowledging the Traditional Owners and Custodians of the land on which we gather today, and pay my respects to Elders past and present. I extend that respect to Aboriginal and Torres Strait Islander peoples here today.'*

Flying the Aboriginal Flag

The Australian Aboriginal Flag will be permanently displayed in the Council Chamber at 26 Lyall Street, Westbury, in line with Australian Flag Protocols.

The Australian Aboriginal Flag will be flown externally at the Council Chamber in line with Australian Flag Protocols during significant events such as NAIDOC week.

5. Legislation

Constitutional Recognition of Aboriginal People Act 2016
Flags Act 1953

6. Responsibility

Responsibility for the operation of the policy rests with the General Manager.

2) Officers Report

Council has an important role to play in recognising the local Aboriginal people that now live and manage the country of the Pallitore and Panninher past people as the long-standing custodians of the land in Meander Valley.

There are several Aboriginal groups in the Meander Valley municipality that now live on the country of the Pallitore and Panninher people and it is considered appropriate to recognise both past and present Indigenous people associated with the Meander Valley local government area.

The Indigenous Recognition Policy will formalise Council's commitment towards promoting the Aboriginal community, culture and reconciliation in the Meander Valley.

Implementing protocols for *Acknowledgement of Country* and where appropriate, including a *Welcome to Country* by a representative of the local Aboriginal community at Council-organised events is in line with contemporary practices and community standards. The flying of the Tasmanian Aboriginal Flag in the Council Chamber at Westbury and externally at the Council Chamber during days of significance in line with national protocols and convention (as is the current practice) is also considered appropriate.

The policy follows the approaches and wording recommended by the Australian Government's National Indigenous Australians Agency. However, there are several local groups with views on both Aboriginal history in the area and also the peoples that should be acknowledged.

Council consulted with key members of the Aboriginal community in the development of this policy and released the draft Policy for broad public consultation. The Policy before Councillors now is the result of that consultation.

Further to this Policy, Councillors have agreed to dedicate time at a workshop in 2022 to discuss the possibility of Council creating a Reconciliation Action Plan and also the issue of dual naming.

All the feedback was collated and minor changes were made to the draft Indigenous Recognition Policy. The updated version was discussed at Council Workshop on 23 November. The yellow highlighted sections in the version before Councillors today were the agreed amendments arising from that workshop.

3) Council Strategy and Policy

Furthers the objectives of the Council's Community Strategic Plan 2014 to 2024:

- Future Direction (5) Innovative leadership and community governance.

4) Legislation

- *Constitutional Recognition of Aboriginal People Act 2016*
- *Flags Act 1953*

5) Risk Management

Not applicable

6) Government and Agency Consultation

Not applicable

7) Community Consultation

Council's draft Indigenous Recognition Policy was released for broad public consultation in mid-October following targeted consultation with key Aboriginal Elders and groups in the policy development process.

The feedback period closed on 9 November and five submissions were received. The submissions included some positive comments on Council's approach and also some general feedback not specific to the policy.

Alongside this process, Council approached three members of the Aboriginal community for targeted feedback:

- Local Aboriginal Elder, Uncle Hank Horton;
- Aboriginal Elder and Historian, Aunty Patsy Cameron; and
- Prominent member of the Aboriginal community and former Manager of the Aboriginal Land Council of Tasmania, Graeme Gardner.

Uncle Hank and Mr Gardner also gathered further feedback from other members of the Aboriginal community.

All the feedback was collated and minor changes were made to the draft Indigenous Recognition Policy. The updated version was discussed at Council Workshop on 23 November. The yellow highlighted sections in the version before Councillors today were the agreed amendments arising from that workshop.

8) Financial Consideration

Any reimbursements as a result of the new policy would be unbudgeted in the 2021-22 financial year.

9) Alternative Recommendations

Council can approve the recommendation with amendments to the policy.

10) Voting Requirements

Simple Majority

DECISION:

INFRASTRUCTURE 1

(Reference No. 236/2021)

PROPOSED ROAD NAMES – JUNIPER RISE AND PEPPERBERRY CLOSE, DELORAINE

AUTHOR: Jarred Allen
Team Leader Engineering

1) Recommendation

It is recommended that Council, pursuant to the provisions of Section 11 of the Place Names Act 2020, approve the following road names:

- 1. Juniper Rise, for the new road providing access to the 19 lot subdivision off Jordan Place, Deloraine; and***
- 2. Pepperberry Close, for the new road providing access to the 16 lot subdivision off Jordan Place, Deloraine.***

2) Officers Report

1. Juniper Rise, Deloraine

The new road name being proposed, Juniper Rise, will be created as part of a 19 lot subdivision (refer Figure 1). The new road off the north side of Jordan Place will provide access to the new lots.



Figure 1: Proposed new road off Jordan Place, Deloraine.

The proposed road name has been put forward by the estate developers. The name Juniper derives from the native flora found in the central highlands region.

There are no instances of the use of the name Juniper registered for a road name in the Placenames Tasmania database, administered by the Department of Primary Industries, Parks, Water and Environment (DPIPWE).

2. Pepperberry Close, Deloraine

The new road name being proposed, Pepperberry Close, will be created as part of a 16 lot subdivision (refer Figure 2). The new road off the south side of Jordan Place will provide access to the new lots.



Figure 2: Proposed new road off Jordan Place, Deloraine.

The proposed road name has been put forward by the Estate developers. The name Pepperberry derives from the native flora found in the central highlands region.

There are no instances of the use of the name Pepperberry registered for a road name in the Placenames Tasmania database, administered by the Department of Primary Industries, Parks, Water and Environment (DPIPWE).

With the rising popularity of distilleries in Tasmania and within the municipality, it is considered the proposed two road names link well with the flavours of the native juniper and pepperberry used in these boutique distilleries.

3) Council Strategy and Policy

Not applicable

4) Legislation

Road naming is regulated under the *Place Names Act 2020*.

5) Risk Management

Risk is managed through the formal process of ratifying road names to avoid conflict with existing named roads in other municipalities within Tasmania. Non-duplication of names also ensures greater address clarity for emergency services.

6) Government and Agency Consultation

Council endorsed road names are required to be submitted to the Placenames Tasmania database which is administered by the DPIPWE.

7) Community Consultation

Not applicable

8) Financial Consideration

Not applicable

9) Alternative Recommendations

Council can choose a name other than those proposed or delegate this responsibility to Council staff.

10) Voting Requirements

Simple Majority

DECISION:

GOVERNANCE 1

(Reference No. 237/2021)

2022 COUNCIL MEETING DATES & TIMES

AUTHOR: Jacqui Parker
Manager, Governance & Performance

1) Recommendation

It is recommended that Council approve the following schedule of Ordinary Meetings for 2022, with meetings to commence at its Westbury Council Chambers at 3.00pm on:

***Tuesday 18 January;
Tuesday 8 February;
Tuesday 8 March;
Tuesday 12 April;
Tuesday 10 May;
Tuesday 14 June;
Tuesday 12 July;
Tuesday 9 August;
Tuesday 13 September;
Tuesday 11 October;
Tuesday 8 November; and
Tuesday 13 December.***

2) Officers Report

Each year, Council is required to review and schedule its ordinary meetings for the year ahead. Accordingly, proposed dates and times were raised for discussion during Council's Workshop on 23 November 2021.

As a matter of past convention, the monthly Ordinary Meeting takes place on the second Tuesday of each month.

The exception to this is January, in which the meeting takes place on the third Tuesday. This reflects the need to prepare the January meeting agenda immediately following

Council's December office closure period, and closure periods affecting key industries and stakeholders.

As a comparison over past years, Meander Valley Council meetings began at 1:30pm between 1993 and 2018.

During 2019, the start time was deferred until 4.00pm. For 2021, the start time was 3.00pm.

It is recommended that the 3.00pm timeslot be continued for the year ahead.

There are a number of factors to be balanced and considered in determining a suitable time for Council's routine meetings:

- The inherent unpredictability of meeting duration;
- Increased volume, complexity and technicality in agenda items;
- The health, wellbeing and decision-making implications for any physical and mental fatigue impacts on Councillors or staff;
- Accessibility for the public, noting the many and varied demographics who take an interest in Council business;
- Workforce considerations, including attraction and retention strategies in the context of existing labour market conditions; and
- Labour costs for staff working outside ordinary business hours (after 5.00pm).

Meeting times following the 2022 Council Election

Local government elections are expected to take place in October 2022, subject to a decision by the Department of Premier and Cabinet. Meeting times set by the existing Council will remain as default for the duration of 2022, subject to a review that will be undertaken by the newly composed Council, following election.

3) Council Strategy and Policy

Furthers the objectives of Council's Community Strategic Plan 2014 to 2024:

- Future direction (5) – Innovative leadership and community governance

4) Legislation

This recommendation satisfies section 18(3) of the *Local Government Act 1993* in that it meets prescribed procedures as set out by the *Local Government (Meeting Procedures) Regulations 2015*, being:

- Council's Ordinary Meeting is to be convened at least once per month: section 4(4); and

- Meetings may begin earlier than 5.00pm upon resolution by absolute majority. Alternatively, Council may set a meeting start time of 5.00pm or later by simple majority: section 6(1).

Following this resolution, the dates and times will be publicly advertised and notified: sections 7(2) and (3).

Following the election anticipated in October 2022, the newly composed Council will review its meeting commencement times: section 6(2).

5) Risk Management

Not applicable

6) Government and Agency Consultation

Not applicable

7) Community Consultation

Not applicable

8) Financial Consideration

Labour cost implications may arise where meetings continue past Council's standard close of business for its indoor staff (5.00pm).

9) Alternative Recommendations

Council has discretion to set alternative times or dates for Council's meeting, provided there is at least one ordinary meeting conducted each month.

10) Voting Requirements

Absolute Majority (required only if Council resolves upon a meeting start time that is earlier than 5.00pm).

DECISION:

GOVERNANCE 2

(Reference No. 238/2021)

APPOINTMENT OF COUNCIL REPRESENTATIVES ON VARIOUS COMMITTEES AND ORGANISATIONS

AUTHOR: Jacqui Parker
Manager, Governance and Performance

1) Recommendation

It is recommended that Council appoint representatives to the following Council Committees and external organisations:

LEGISLATIVE COMMITTEE/ORGANISATION

Group	Representative/s
Audit Panel (1 or 2 elected members)	Cr Temple Cr Frydrych
MVC Emergency Management and Community Recovery Committee (2 elected members)	Cr King Cr Sherriff
TasWater (1 elected member as Shareholder and 1 elected member as proxy)	Mayor Johnston (Proxy) Deputy Mayor Kelly

EXTERNAL COMMITTEES/ORGANISATION

Group	Representative/s
Great Western Tiers Tourism Association (1 elected member as a liaison representative)	Cr White
Northern Tasmanian Regional Development Corporation (1 elected member as Shareholder; 1 elected member and 1 Council representative for Local Government	Elected member: Mayor Johnston Local Government Committee:

<i>Committee)</i>	<i>Mayor Johnston General Manager</i>
Local Government Association of Tasmania	<i>Mayor Johnston (Proxy) Deputy Mayor Kelly (Proxy) General Manager</i>
Tamar Fire Management Area Committee (1 representative)	<i>General Manager or their proxy</i>
Central North Fire Management Area Committee (1 representative)	<i>General Manager or their proxy</i>
INTERNAL COMMITTEES	
Group	Representative/s
Australia Day Awards Committee (2 elected members)	<i>Cr Kelly Cr White</i>
Community Grants Committee (2 elected members)	<i>Cr King Cr Cameron</i>
Development Assessment Group (2 elected members)	<i>All Councillors</i>

2) Officers Report

The purpose of this report is for Council to appoint representatives for various committees and organisations. At a Council Workshop on 23 November 2021, representatives were discussed for the following committees:

- Legislated Committee or organisation:
 - *Audit Panel*
 - *MVC Emergency Management and Community Recovery Committee*
 - *TasWater*
- External Committee or organisation:
 - *Great Western Tiers Tourism Association*
 - *Northern Tasmanian Development Corporation*

- *Local Government Association of Tasmania*
- *Tamar Fire Management Area Committee*
- *Central North Fire Management Area Committee*
- Internal Committee
 - *Australia Day Awards Committee*
 - *Community Grants Committee*
 - *Development Assessment Group*

3) Council Strategy and Policy

Furtheres the objectives of Council's Community Strategic Plan 2014 to 2024:

- Future direction (5) – Innovative leadership and community governance

4) Legislation

Not applicable

5) Risk Management

Not applicable

6) Government and Agency Consultation

Not applicable

7) Community Consultation

Not applicable

8) Financial Consideration

Reimbursement of Councillors' expenses apply as per Council Policy No. 24.

9) Alternative Recommendations

Council can elect to amend the representatives.

10) Voting Requirements

Simple Majority

DECISION:

GOVERNANCE 3

(Reference No. 239/2021)

APPOINTMENT OF MEMBERS TO SPECIAL COMMITTEES OF COUNCIL

AUTHOR: John Jordan
General Manager

1) Recommendation

It is recommended that Council formalise the appointment of the following Special Committee members as required by Section 24(2) of the Local Government Act 1993:

<i>Special Committee</i>	<i>Members</i>
<i>Birralee Memorial Hall Committee</i>	D Arnold, Ernie Blackberry, Esther Blackberry, G Blackberry, L Blackberry, J Booth, L Brient, F Camino, M Dewsberry, R Franklin, D Hall, N Hall and R Rumble.
<i>Bracknell Public Hall and Recreation Ground Committee</i>	A Cousens, S Cousens, C Jones, N Jones, Sharmane Jones, Stephen Jones, E Leonard, R Leonard, I Mackenzie, T Preece, L Richardson, B Shelton, Mark Shelton, Merrilyn Shelton, O Shelton and C Spencer.
<i>Carrick Community Committee</i>	D Bollard, S Bollard, S Bower, J Cunningham, D Keygan, D Williams and R Williams.
<i>Caveside Recreation Committee</i>	C Capper, G Capper, Ann Crowden, Andrew Crowden, M Crowden, Z Crowden, C Doyle, N Doyle, L Ertler, Katy Haberle, Kelvin Haberle, B Harris, B Hedger, P Hickman, K Howe, M Howe, R Linger, M Manners, S Manners, J Philpott, S Philpott, C Robertson, Gillian Robertson, J Robertson, T Roberstson, D Rollins, M Rollins, A Scott, D Scott, J Scott and R Stafford.
<i>Chudleigh Memorial Hall Committee</i>	A Cameron, M Cameron, S Cameron, N Clarke, D Crowden, S Crowden, L Ertler, L Flannagan, L Haberle, P Hickman, L Middleton, L Motton, D Philpott, L Philpott, P Philpott, T Picket, N Ritchie, S Snow, B Sturzaker, W Richardson and M Wyer.
<i>Dairy Plains Memorial Hall Committee</i>	Alana Atkins, Amy Atkins, G Atkins, K Atkins, N Atkins, P Atkins, R Atkins, B Phelan and T Phelan.
<i>Deloraine Community Car Committee</i>	K Earley, C Fowler, S Keegan, M Savage, L Wadley, and M Young.

<i>Meander Hall and Recreation Ground Committee</i>	A Berne, K Bird, E Braun, T Buttery, A Costello, C Chilcott, D Chilcott, S Jones, M Johnston, N Johnston (Hon), S Johnston, B McGowan, P Mallon, S Saltmarsh, H Smith, D Thompson and Ayesha Zolyniak.
<i>Mole Creek Memorial Hall Committee</i>	D Charlton, K Faulkner, S Fuller, M Martin, S Meure, J Nicol, M Philpott, D Stewart, L Wallace and S Wilks.
<i>Rosevale Memorial Hall and Recreation Ground Committee</i>	K Best, L Blackwell, G Cuthbertson, T Cuthbertson, W Cuthbertson, C Davson-Galle, R Hardwicke, C Hendley, T Hendley, R Millwood, T Reed, G Smith, B Tatnell, J Tatnell, H Scheibler and R Scheibler.
<i>Selbourne Memorial Hall Committee</i>	A Batterham, M Brown, J Brown, P Brown, D Eyles, G Eyles, J Eyles, P Eyles, D French, M Heazelwood, M Hills, T Hills, A Reed and N Reed.
<i>Weegena Hall Committee</i>	J Buck, R Buck, C Gard, M Graves, S Harvey, J Hawley, A Lindsay, B Lindsay, G Lindsay, J Lindsay, M Lindsay, C Norton, L Norton, L Pittard, C Roberts, S Roberts, A Robinson, F Robinson, K Sheldon, M Sheldon, G Swinsburg, R Thomas and M Webster.
<i>Westbury Community Car Committee</i>	E Blackley, C Blazeley, T Carter, P Fielding, K Hewlett, P Kilroy, D Pyke, R Travis and W Travis.
<i>Westbury & Districts Historical Society</i>	C Bennett, M Cameron, B Green, V Greenhill, J Starr-Thomas, P Swain, A Taylor, K Treloggan, S West and A Witherden.
<i>Whitemore Recreation Ground Committee</i>	P Coull, M Cresswell, M Dent, S French, K Hingston, N Hingston, K Johns, R Johns, B Pearn, S Pearn, K Pitt, E Shaw and C Suitor.

2) Officers Report

Council has a number of special hall and recreation ground committees together with the Deloraine and Westbury Community Car Committees. Each year it is necessary to formalise the appointment of members of all Special Committees as member representation changes.

An updated membership list is obtained from each Special Committee following their Annual General meetings.

3) Council Strategy and Policy

Not applicable

4) Legislation

The *Local Government Act 1993*, Section 24(2).

5) Risk Management

All Special Committees of Council operate under a signed Memorandum of Understanding with Council which outlines the ongoing arrangements for the effective management of the respective Council owned properties. Each individual member of every Special Committee of Council has completed a Member Information Sheet for insurance purposes.

6) Government and Agency Consultation

Not applicable

7) Community Consultation

Not applicable

8) Financial Consideration

Not applicable

9) Alternative Recommendations

Not applicable

10) Voting Requirements

Simple Majority

DECISION:

ITEMS FOR CLOSED SECTION OF THE MEETING:

Motion to close the meeting

Councillor xx moved and Councillor xx seconded ***“that pursuant to Regulation 15(1) of the Local Government (Meeting Procedures) Regulations 2015, the meeting is closed to the public to discussed matters that fall within the circumstances prescribed in regulation 15(2) .”***

Voting Requirements

Absolute Majority

Actions and Statement from the Chairperson

1. In line with Regulation 15(6), members of the public are asked by the Chairperson to leave the Closed Session of the meeting.
2. All attending the Closed Session are reminded of the confidential nature of discussions in Closed Session and the restrictions on disclosure under section 338A of the *Local Government Act 1993*, and also provisions relating to the misuse of information under section 339 of the *Local Government Act 1993*.

Council moved to Closed Session at x.xxpm

GOVERNANCE 4 CONFIRMATION OF MINUTES

(Reference Part 2 Regulation 34(2) *Local Government (Meeting Procedures) Regulations 2015*)

GOVERNANCE 5 LEAVE OF ABSENCE

(Reference Part 2 Regulation 15(2)(h) *Local Government (Meeting Procedures) Regulations 2015*)

COMMUNITY WELLBEING 2 AUSTRALIA DAY AWARDS 2022

(Reference Part 2 Regulation 15(2)(h) *Local Government (Meeting Procedures) Regulations 2015*)

Council returned to Open Session at x.xxpm.

Release of Information

1. In accordance with Regulation 15(8) of the *Local Government (Meeting Procedures) Regulations 2015*, Council is to consider whether any discussions, decisions, reports or documents relating to that Closed Session are to be kept confidential or released to the public, taking into account privacy and confidentiality issues in the context of the regulations.
2. Council will formally resolve upon any release of information, if considered appropriate. In the absence of any motion, all information is confidential and not for release.

Cr xxx moved and Cr xxx seconded "***that the following information from Council in Closed Session is to be released for the public's information.***"

The meeting closed at x.xxpm.

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Wayne Johnston
Mayor