

Meander Valley Council

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

ORDINARY AGENDA

COUNCIL MEETING

Tuesday 12 February 2019

COUNCIL MEETING VISITORS

Visitors are most welcome to attend Council meetings.

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

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

SECURITY PROCEDURES

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



PO Box 102, Westbury,
Tasmania, 7303

Dear Councillors

I wish to advise that an ordinary meeting of the Meander Valley Council will be held at the Westbury Council Chambers, 26 Lyall Street, Westbury, on ***Tuesday 12 February 2019 at 4.00pm.***

Martin Gill
GENERAL MANAGER

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Evacuation and Safety:

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

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

Agenda for an Ordinary Meeting of the Meander Valley Council to be held at the Council Chambers Meeting Room, 26 Lyall Street, Westbury, on Tuesday 12 February 2019 at 4.00pm.

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

Councillor xx moved and Councillor xx seconded, ***"that the minutes of the Ordinary Meeting of Council held on Tuesday 15 January 2019, be received and confirmed."***

COUNCIL WORKSHOPS HELD SINCE THE LAST MEETING:

Date :	Items discussed:
22 January 2019	<ul style="list-style-type: none">• NTDC – Regional Economic Development Plan• Council Induction• Blackstone Heights Footpath Upgrades Stage 2• Community Forums• Waste Management Presentation & Rural Rubbish & recycling collection service• Review of the Local Government Act 1993

ANNOUNCEMENTS BY THE MAYOR:

Saturday 19 January 2019

Leadership Panel for Emerging Leaders – Rural Youth

Tuesday 22 January 2019

Council Workshop

Friday 25 January 2019

Australia Day Awards

Saturday 26 January 2019

Westbury RSL Australia Day Breakfast

Chudleigh Hall Australia Day Breakfast

Red Hot Summer Tour – Meet and Greet

DECLARATIONS OF INTEREST:

TABLING OF PETITIONS:

PUBLIC QUESTION TIME

General Rules for Question Time:

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

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

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

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

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

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

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

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

There will be no debate on any questions or answers.

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

Questions on notice and their responses will be minuted.

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

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

Notes

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

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

PUBLIC QUESTION TIME

1. PUBLIC QUESTIONS TAKEN ON NOTICE – JANUARY 2019

1.1 Mr M Eastley, Deloraine

Would Council please consider convening a meeting to resolve issues from the work of the now defunct Safety Committee? A copy of the Safety Audit, which has been with Council for at least 12 months, is attached.

Response by Martin Gill, General Manager

Council will organise a meeting to discuss the status and resolution of the remaining items on the Safety Audit.

2. PUBLIC QUESTIONS WITH NOTICE – FEBRUARY 2019

Nil

3. PUBLIC QUESTIONS WITHOUT NOTICE – FEBRUARY 2019

COUNCILLOR QUESTION TIME

1. COUNCILLOR QUESTIONS TAKEN ON NOTICE – JANUARY 2019

Nil

2. COUNCILLOR QUESTIONS WITH NOTICE – FEBRUARY 2019

Nil

3. COUNCILLOR QUESTIONS WITHOUT NOTICE – FEBRUARY 2019

DEPUTATIONS BY MEMBERS OF THE PUBLIC

CERTIFICATION

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

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

A handwritten signature in black ink, appearing to read 'M. Gill', followed by a long, sweeping horizontal line that extends to the right.

Martin Gill
GENERAL MANAGER

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

NOTICE OF MOTION

Reference No. 26/2019

Notice of Motion - Cr Andrew Connor

ACCESSIBILITY OF COUNCIL MEETINGS

1) Motion

That Council make its meetings accessible to the community through online streaming and recording of proceedings as follows:

- a. Make a live video stream of Council meetings available online
- b. Record audio & video of Council meetings and make these recordings available online soon after the meeting
- c. Make electronic content such as presentations and live agendas available as part of or alongside any video stream or recording
- d. Make all content accessible on mobile devices
- e. Make video and content available in the Supper Room when it is used as an overflow facility
- f. Allow for live streaming and recording of committee meetings if approved by those committees
- g. Connect the teleconference system to the audio system of the Council Chambers so that remote participants of meetings can clearly hear and be heard
- h. Allow for other methods of remote participation such as Skype or similar online communications systems
- i. All speakers at the meeting are to use a microphone

2) Background

At its May 2013 meeting Council approved an amendment to its capital works program: "Item 1.1(e) Plant and Equipment for the Council Chambers include audio and visual equipment to facilitate internet broadcast of meetings".

This investment in its main meeting room saw microphones installed for all participants so that they are heard clearly by others on speakers in the Council Chambers and in the nearby Supper Room if needed as an overflow facility.

It was intended that streaming and recording of meetings would follow this technical upgrade but it did not eventuate because the original motion was not specific enough.

This motion seeks to implement live online streaming and recording of meetings to encourage community participation in meetings and raise awareness of council's decision-making processes.

Several Tasmanian councils already live stream their meetings or make recordings available afterwards. In some Australian states, it is mandatory for streaming or recordings of council meetings to occur. In the past Meander Valley Council did make audio recordings of its meetings but this practice ceased at some point in time.

For effective use of online streaming and recording it is recommended that the following technical standards are followed.

Technical standards:

- Make a live video stream of Council meetings available online.
- Record audio & video of Council meetings and make these recordings available online soon after the meeting.
- Make electronic content such as presentations and live agendas available as part of or alongside any video stream or recording.
- Make all content accessible on mobile devices.
- Make video and content available in the Supper Room when it is used as an overflow facility.
- Allow for live streaming and recording of committee meetings if approved by those committees.
- Connect the teleconference system to the audio system of the Council Chambers so that remote participants of meetings can clearly hear and be heard.
- Allow for other methods of remote participation such as Skype or similar online communications systems.
- All speakers at the meeting are to use a microphone.

In practice, streaming of live events and managing recordings has become much simpler in recent years with new services such as those from Facebook and Youtube becoming available for individuals and organisations to use free of charge from consumer level devices such as smartphones.

Council holds its meetings in the afternoon contrary to the default position of the Local Government (Meeting Procedures) Regulations Act which is for evening meetings. Meetings are held only at Westbury which is distant from

the main population centres of the municipality (Deloraine and Prospect Vale/Hadspen). The poor availability of public transport during the day between townships and many residents either working or at school during the day makes it difficult for them to attend council meetings if they wish to do so.

Online streaming and recording of meetings will allow the community to observe meeting proceedings live or at a more convenient time.

Concerns about liability for what may be said on broadcasts should be considered alongside the fact that council meetings are already public and subject to scrutiny or potential recording by those in the chamber.

Closed Council meetings would not be streamed or recorded.

Online access to its meetings, along with regular community forums helps make Council more accessible to its community and is an expectation of modern councils.

AUTHOR: Cr Andrew Connor
COUNCILLOR

1) Officers Comments

Recording of Council meetings and making recordings available to the public has been considered by Council on a number of occasions, most recently on 13 November 2018.

System upgrades would be required to stream Council meetings online and to place recorded meetings online.

While the audio of the Council meetings is able to be turned on in Council's Westbury Supper Room, system upgrades would be required to display the screen from the Council Chambers in the Supper Room.

It is unclear which committee meetings are intended to be recorded and live streamed by the motion, however depending on their location and internet capability significant equipment upgrades may be required to deliver this service.

2) Strategic/Annual Plan Conformance

Furtheres the objective of the Council's Community Strategic Plan 2014 to 2024:

- Future direction (5) – Innovative leadership and community governance

3) Policy Implications

Policy Number 81 (Online Communications) may need to be reviewed by Council if the motion is passed.

Policy Number 45 (Information Management Policy) covers the collection, storage, usage and disclosure of information.

4) Legislation

Regulation 33 of the Local Government (Meeting Procedures) Regulations 2015 provides for the audio recording of Council meetings.

The Archives Act 1983 will determine Council's information management obligations if the motion is passed.

5) Risk Management

Not applicable.

6) Consultation with State Government and other Authorities

Not applicable.

7) Community Consultation

No consultation has been requested nor undertaken.

8) Financial Impact

New funding will be required from Council to deliver the outcomes of the motion. Costs are likely to include the purchase of equipment, external consultants (assessment, design, set up and testing) and Council officer time.

Equipment purchase costs may be incurred in the following areas:

- establish live audio and visual stream online

- enable online live visual content of the overhead agenda item that Council is discussing
- make live visual content available in the Supper Room
- enable live audio and visual streaming and recording of committee meetings
- equipment to incorporate/link any new systems with the current audio system at the Council Chambers
- provide for remote participation in meetings such as Skype

In addition to the upfront equipment purchases Council would incur additional officer time each month to set up, manage information, put data files online and save data recording files.

No detailed assessment of the cost to deliver the services has been undertaken. It is estimated that it would require an upfront capital works budget of \$5,000 to \$40,000 (depending on the Council decision) and an additional annual operating cost to manage the service is estimated to be \$500.

9) Alternative Recommendations

Council can amend, not approve or approve a procedural motion to defer Councillor Connor's motion to a Council workshop.

10) Voting Requirements

Simple majority.

AUTHOR: Martin Gill
GENERAL MANAGER

DECISION:

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 Impact

If the application is subject to an appeal to the Resource Management Planning and Appeal Tribunal, Council may be subject to the cost associated with defending its decision.

Alternative Options

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

Voting Requirements

Simple Majority

10 COOK STREET, HADSPEN

Reference No. 27/2019

Planning Application: PA\19\0126

Proposal: Residential outbuilding

Author: Leanne Rabjohns
Town Planner

1) Introduction

Applicant	M Stylianou
Owner	M Stylianou
Property	10 Cook Street, Hadspen CT 162555/3
Zoning	General Residential
Discretions	10.4.2 Setbacks and building envelope for all dwellings
Existing Land Use	Residential – single dwelling
Number of Representations	One (1)
Decision Due	12 February 2019
Planning Scheme	Meander Valley Interim Planning Scheme 2013 (the Planning Scheme)

2) Recommendation

It is recommended that the application for Use and Development for Residential Outbuilding on land located at 10 Cook Street, Hadspen CT 162555/3 by M Stylianou, be APPROVED, generally in accordance with the endorsed plans:

- a) Wilkin Design – Job Number: DA/BA-18STY – Page Number: 01 & 02***
- b) Rainbow Building Solutions – Project number: LAU01_8406 – Drawing number: 14***

and subject to the following conditions:

- 1. Prior to the commencement of any works, amended plans must be submitted for approval to the satisfaction of Council's Town Planner. When approved, the plans will be endorsed and will then form part of**

the permit. The plans must be drawn to scale with dimensions and must show:

a) The maximum side wall height (to eaves) of the outbuilding being 2.7m and the roof pitch being 22.5°.

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

3. The development must be in accordance with the Submission to Planning Authority Notice issued by TasWater (TWDA No. 2018/02045-MVC) attached.

Note:

1. 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 Community and Development Services on 6393 5320 or via email: mail@mvc.tas.gov.au.

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

- a) Building approval
- b) Plumbing approval

All enquiries should be directed to Council's Permit Authority on 6393 5322 or Council's Plumbing Surveyor on 0419 510 770.

3. This permit takes effect after:

- a) The 14 day appeal period expires; or
- b) Any appeal to the Resource Management and Planning Appeal Tribunal is abandoned or determined; or.
- c) Any other required approvals under this or any other Act are granted.

4. A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the Resource Management and Planning Appeal Tribunal. A planning appeal may be instituted within 14 days of the date the Corporation serves notice of the decision on the applicant. For more information see the Resource Management and Planning Appeal Tribunal website www.rmpat.tas.gov.au.

5. If an applicant is the only person with a right of appeal pursuant to section 61 of the Land Use Planning and Approvals Act 1993 and wishes to commence the use or development for which the permit has been granted

within that 14 day period, the Council must be so notified in writing. A copy of Council's Notice to Waive Right of Appeal is attached.

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.

3) Background

This application proposes to construct a residential outbuilding (garage) at 10 Cook Street in Hadspen. The property contains a single dwelling. The outbuilding is to be used for residential purposes and contains a small bathroom.

The outbuilding is 6m x 7m x 4.5m high. The outbuilding is located 1m from the side boundary and 1.5m from the rear boundary. The colour scheme of the wall and roof cladding is Monument (dark grey). A new internal driveway extends from the existing crossover to the outbuilding. The proposed site plan is below (see Figure 1), while all other documents are included as attached documents.

In consideration of the representation received, the applicant has responded by stating a willingness to reduce the side wall height (to eaves) from 3m to 2.7m with a matching reduction in overall height. The angle of roof pitch remains the same at 22.5°.

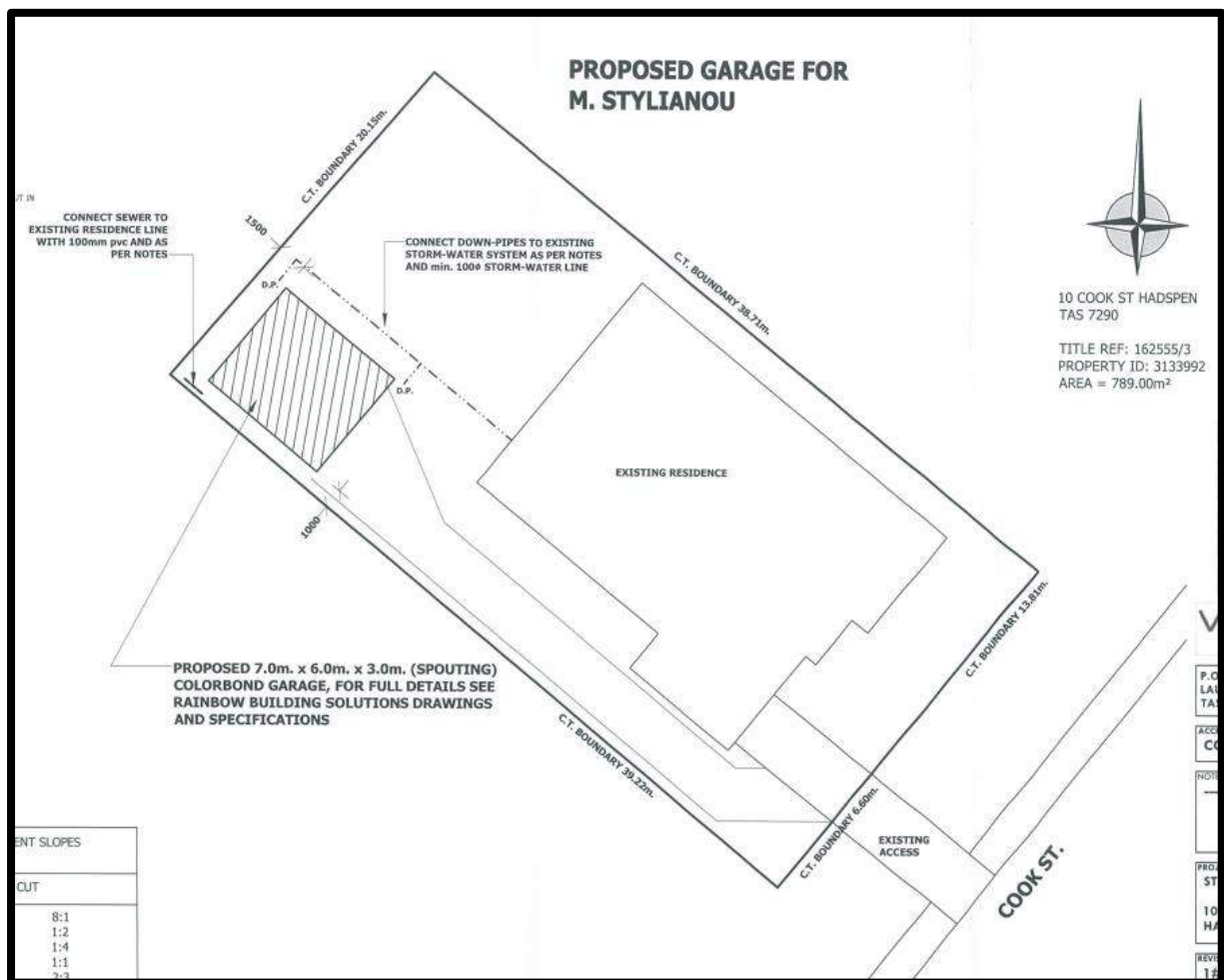


Figure 1: site plan

4) Representations

The application was advertised for the statutory 14-day period. One (1) representation was received (see attached document). A summary of the representation is as follows:

Overshadowing, impact on energy costs, cutting out natural light and sun, impact on resale value.

Comment:

The issue of overshadowing and loss of natural sunlight has been addressed below in the Performance Criteria.

The issues of energy costs and impact on resale value are matters that are not considered in the planning scheme, and as such cannot be considered as part of this assessment.

5) Consultation with State Government and other Authorities

The application was referred to TasWater. A Submission to Planning Authority Notice (TWDA 2018/02045-MVC) was received on 7 January 2019 (attached document).

6) Officers Comments

Use Class: Residential (outbuilding associated with a single dwelling)

Applicable Standards

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

Assessment

10 General Residential Code	
Scheme Standard	Assessment
10.3.1 Amenity	
Acceptable Solution A1	Complies
10.4.2 Setbacks and building envelope for all dwellings	
Acceptable Solution A1	Complies
Acceptable Solution A2	Complies
Acceptable Solution A3	Relies on Performance Criteria P3
10.4.3 Site coverage and private open space for all dwellings	
Acceptable Solution A1	Complies
Acceptable Solution A2	Complies
10.4.5 Width of openings for garages and carports for all dwellings	
Acceptable Solution A1	Complies
E6 Car Parking and Sustainable Transport Code	
E6.6.1 Car Parking Numbers	
Acceptable Solution A1	Complies
E6.7.1 Construction of Car Parking Spaces and Access Strips	
Acceptable Solution A1	Complies
E6.7.2 Design and Layout of Car Parking	
Acceptable Solution A1	Complies
Acceptable Solution A2	Complies

Performance Criteria

10 General Residential Zone
10.4.2 Setbacks and building envelope for all dwellings
<p>Objective</p> <p><i>To control the siting and scale of dwellings to:</i></p> <ul style="list-style-type: none"><i>(a) provide reasonably consistent separation between dwellings on adjacent sites and a dwelling and its frontage; and</i><i>(b) assist in the attenuation of traffic noise or any other detrimental impacts from roads with high traffic volumes; and</i><i>(c) provide consistency in the apparent scale, bulk, massing and proportion of dwellings; and</i><i>(d) provide separation between dwellings on adjacent sites to provide reasonable opportunity for daylight and sunlight to enter habitable rooms and private open space.</i>
<p><i>Performance Criteria P3</i></p> <p><i>The siting and scale of a dwelling must:</i></p> <ul style="list-style-type: none"><i>(a) not cause unreasonable loss of amenity by:</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 lot; or</i><i>(ii) overshadowing the private open space of a dwelling on an adjoining lot; or</i><i>(iii) overshadowing of an adjoining vacant lot; or</i><i>(iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot; and</i><i>(b) provide separation between dwellings on adjoining lots that is compatible with that prevailing in the surrounding area.</i>
<p>Comment:</p> <p>The application is assessed under three main sections – overshadowing, visual impact and separation between buildings.</p> <p>Overshadowing:</p> <p>The proposed outbuilding will create overshadowing onto the adjoining property to the south. This property contains two (2) units – the eastern unit is addressed as 10a Cook Street and the western unit is addressed as 2 Glenmore Drive. Due to the close proximity of the outbuilding to 2 Glenmore Drive, the following assessment focusses on the potential impact to 2 Glenmore Drive.</p> <p>As part of this assessment, shadow diagrams and section drawings for 21 June at</p>

9am, 12noon and 3pm were prepared by the assessing Planner (attached documents). These diagrams show the shadows cast by the plans originally submitted for the outbuilding (3m wall height to eaves) and the existing boundary fence.

The section drawings show that at 9am and 12noon, the shadow from the existing boundary fence covers the ground between the boundary fence and the unit. At 9am the shadow enters the kitchen window and dining room door, with no shadow entering the lounge room window. At 12noon, the shadow just enters the dining room door. The angle of the shadow does not enter the lounge room windows. At 3pm, the shadow does not extend beyond the shadow created by the existing fence.

It is noted that the proposed outbuilding will create some shadow onto 2 Glenmore Drive during the shortest day of the year. However:

- some sunlight will enter habitable rooms at 9am
- the shadow encroachment compared to the existing boundary fence is negligible at 12noon
- the shadow encroachment at 3pm is no greater than the shadow cast by the existing boundary fence

it is noted that the amount of overshadowing received is considered reasonable for a residential area.

Visual Impact:

The proposed outbuilding with a 3m wall height to eaves will be visible from 2 Glenmore Drive. To provide comparison, at 8 Cook Street there is an outbuilding (6m x 9m) built 1m from the side boundary and 1.5m from the rear boundary. This outbuilding has a wall height of 3m to the eaves, with an overall height of 3.4m (roof pitch is 11°). Though not having exactly the same roof angle as the proposed outbuilding, it provides a comparison for potential visual bulk (see photo 1 below). A view of an outbuilding in the rear yard, in close proximity to a side and rear boundary, is typical of residential areas.

As stated above, the applicant has stated a willingness to reduce the wall height from a 3m wall to the eaves to 2.7m to the eaves. This would further reduce the visual appearance of the subject outbuilding. Following discussions, the applicant offered that a condition be placed on the permit, to reduce the maximum wall height (to eaves) of the outbuilding to 2.7m and the roof pitch to remain at 22.5°.

It is noted that a typical single storey residential dwelling has an external wall height of 2.4m; while the new proposed wall height is 2.7m.

As such the visual impact of the proposed outbuilding is considered acceptable.



Photo 1: showing the outbuilding at 8 Cook Street viewed from the rear yard at 10 Cook Street

Separation between buildings:

Outbuildings are a common feature of residential areas. The unit at 2 Glenmore Drive is located 3.4m from the shared boundary and the proposed garage is located 1m from the shared boundary – thus a separation of 4.4m. The separation distance between the unit at 10a Cook and the unit at 2 Glenmore Drive is 3.4m. These separation distances are typical of a residential area, particularly in relation with a side boundary.

The proposed development is considered consistent with the Objective and Performance Criteria.

Conclusion

In conclusion, it is considered that the application for Use and Development for a Residential Outbuilding at 10 Cook Street, Hadsphen is acceptable in the General Residential Zone. The issues of overshadowing and visual bulk have been assessed and the impact is considered acceptable. The application is recommended for approval.

DECISION:

SEARCH OF TORRENS TITLE

VOLUME 162555	FOLIO 3
EDITION 3	DATE OF ISSUE 15-Aug-2018

SEARCH DATE : 11-Dec-2018

SEARCH TIME : 03.50 PM

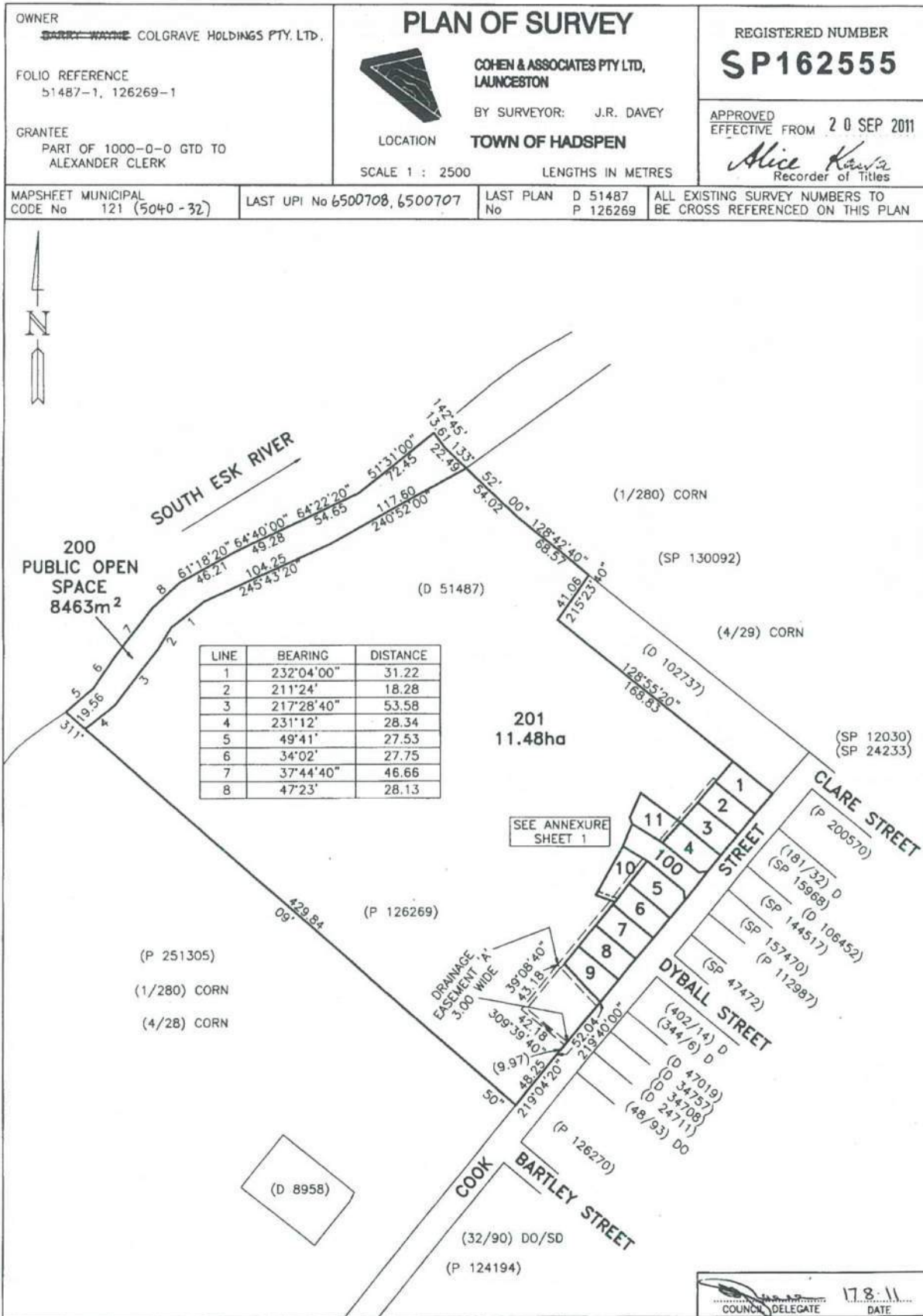
DESCRIPTION OF LAND

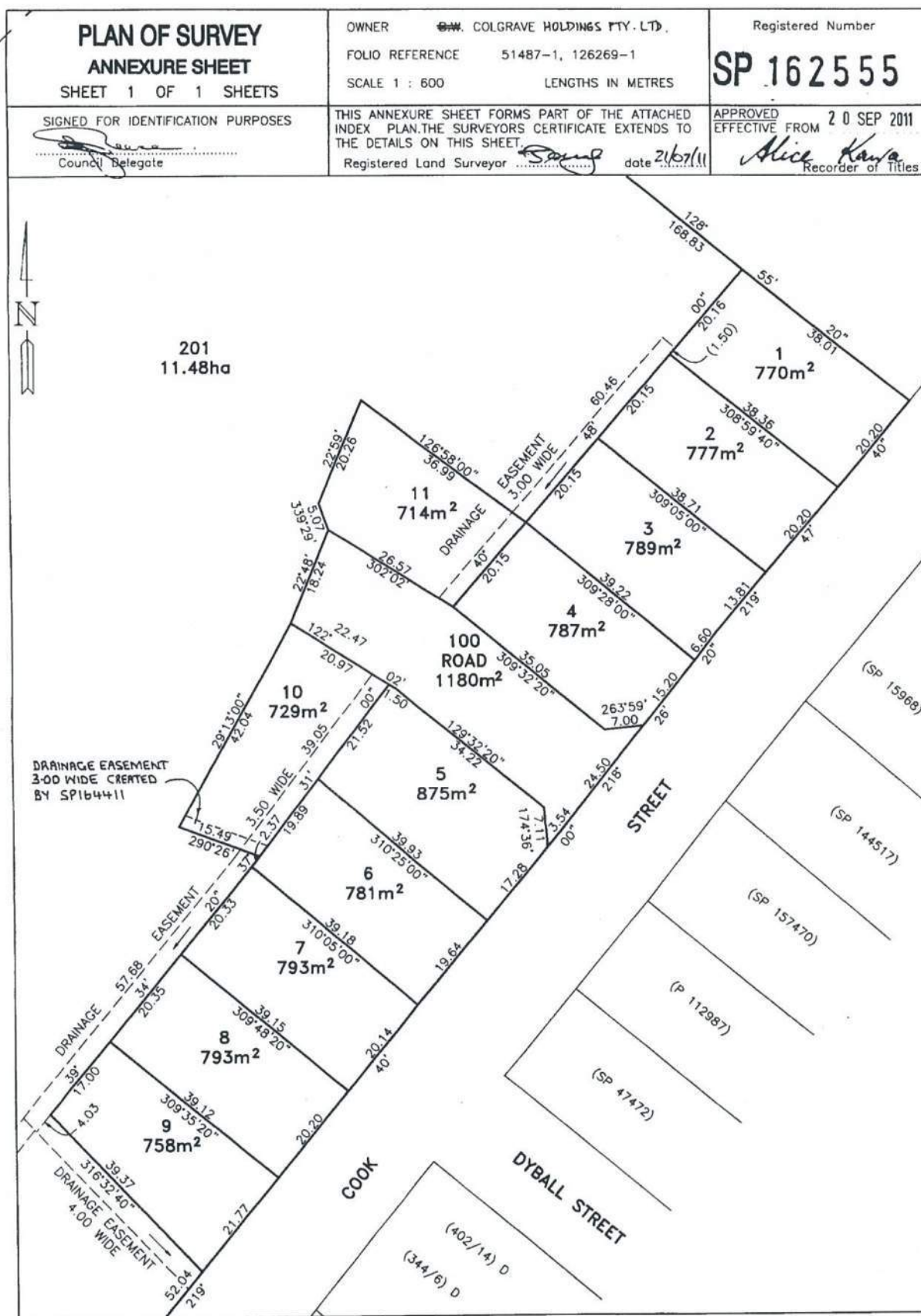
Town of HADSPEN

Lot 3 on Sealed Plan 162555

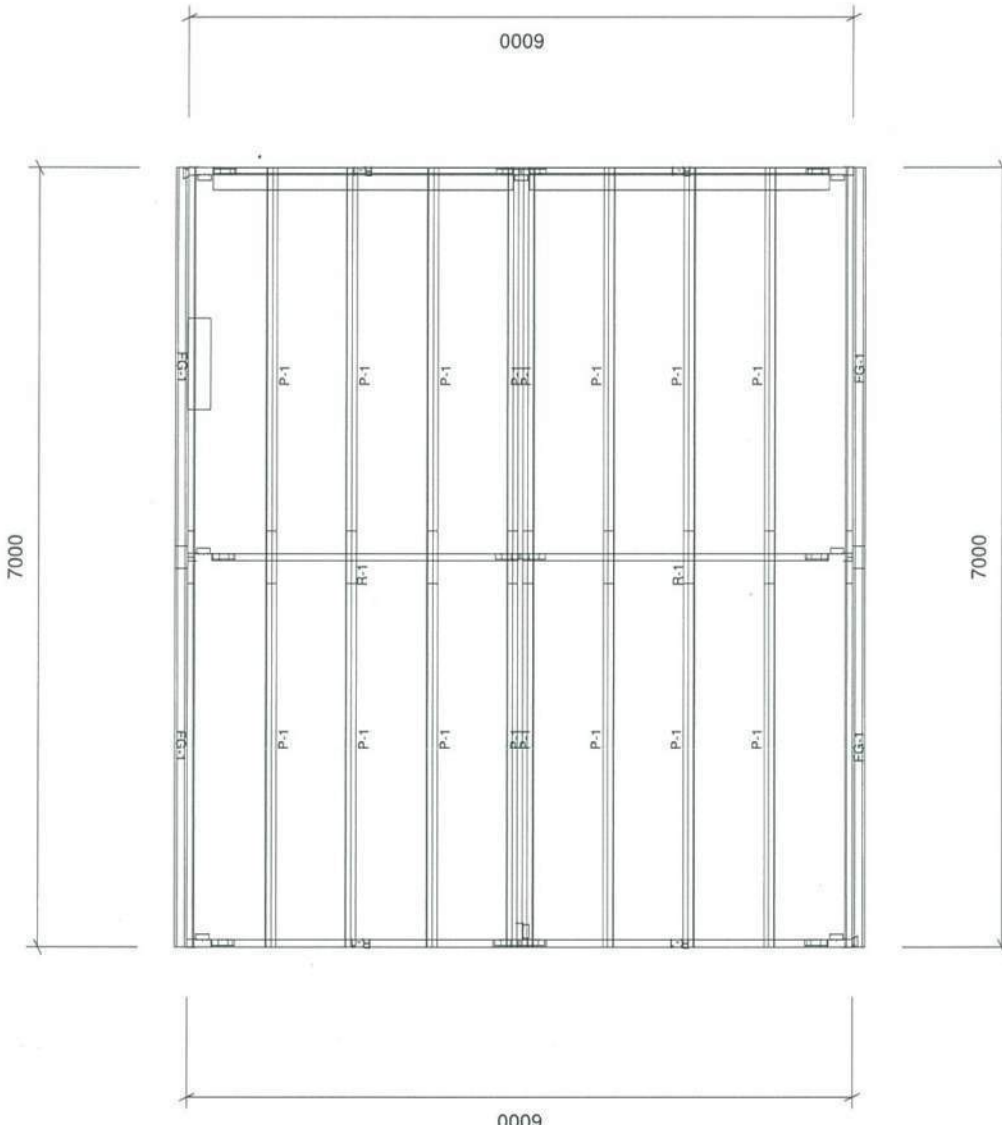
Derivation : Part of 1000 Acres Granted to Alexander Clerk
Prior CT 51487/1SCHEDULE 1M700409 TRANSFER to MICHAEL ANDREAS STYLIANOU and KAREN
LOUISE DE BRUYN Registered 15-Aug-2018 at noonSCHEDULE 2Reservations and conditions in the Crown Grant if any
SP162555 EASEMENTS in Schedule of Easements
SP162555 FENCING COVENANT in Schedule of Easements
E148334 MORTGAGE to AFSH Nominees Pty Ltd Registered
15-Aug-2018 at 12.01 PMUNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations



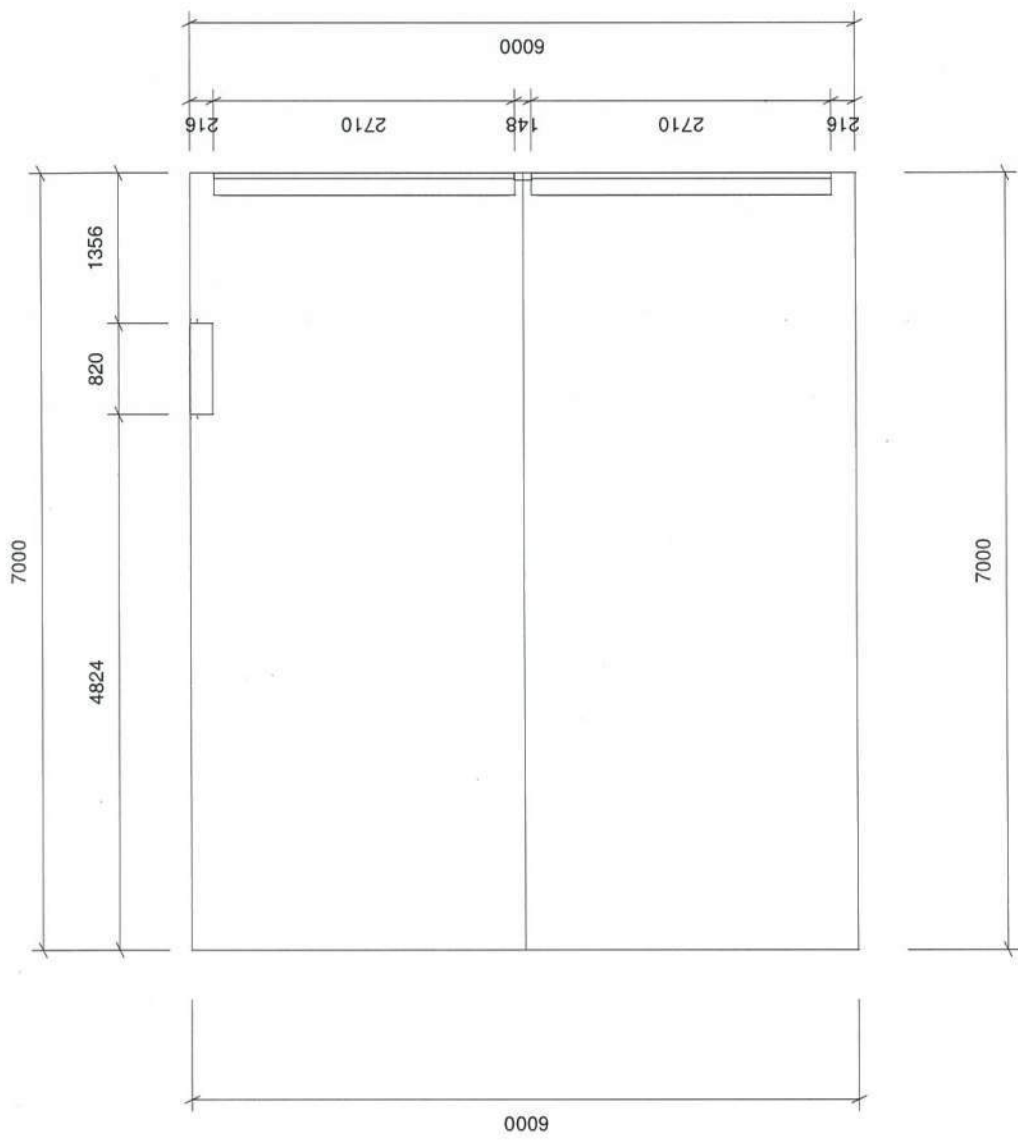


204/50 (5877) 21/7/2011 14:58



Shed Construction Plan View

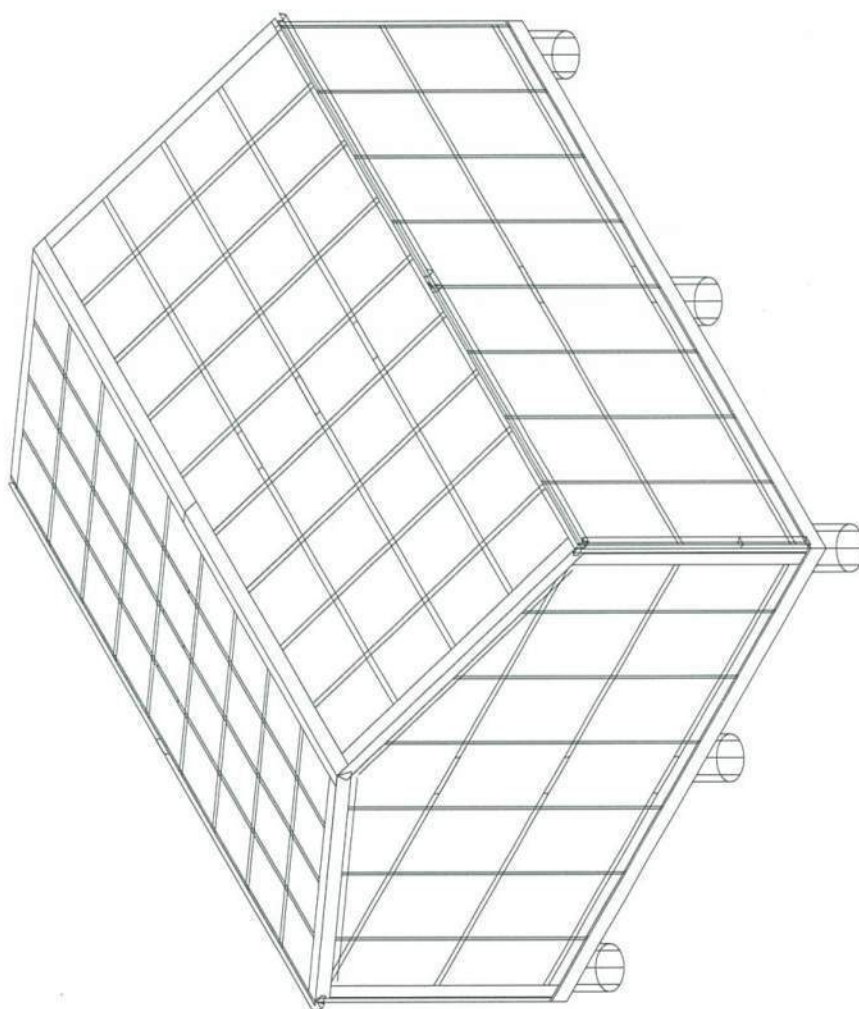
	Mike & Karen Stylianou 10 Cook St Hadspen, Tas, 7290		Dwg No 1 of 14	Project No. LAU01_8406
				6.0m x 7.0m x 2.7m 22.5deg
				Mike & Karen Stylianou
				2/10/2018
				Scale NA



Shed Floor Plan

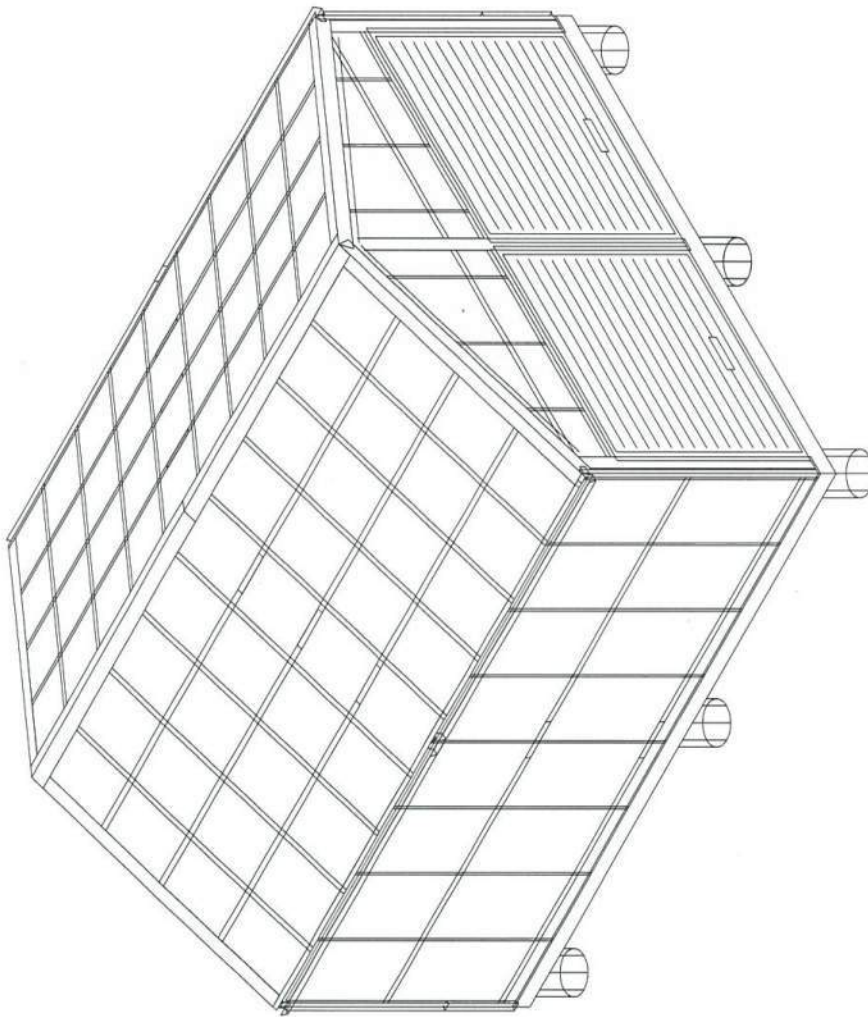
	Mike & Karen Stylianou 10 Cook St Hadsen, Tas, 7290		Dwg No 2 of 14	Project No. LAU01_8406
				6.0m x 7.0m x 2.7m 22.5deg
				Mike & Karen Stylianou
				2/10/2018
				Scale NA

10 COOK STREET



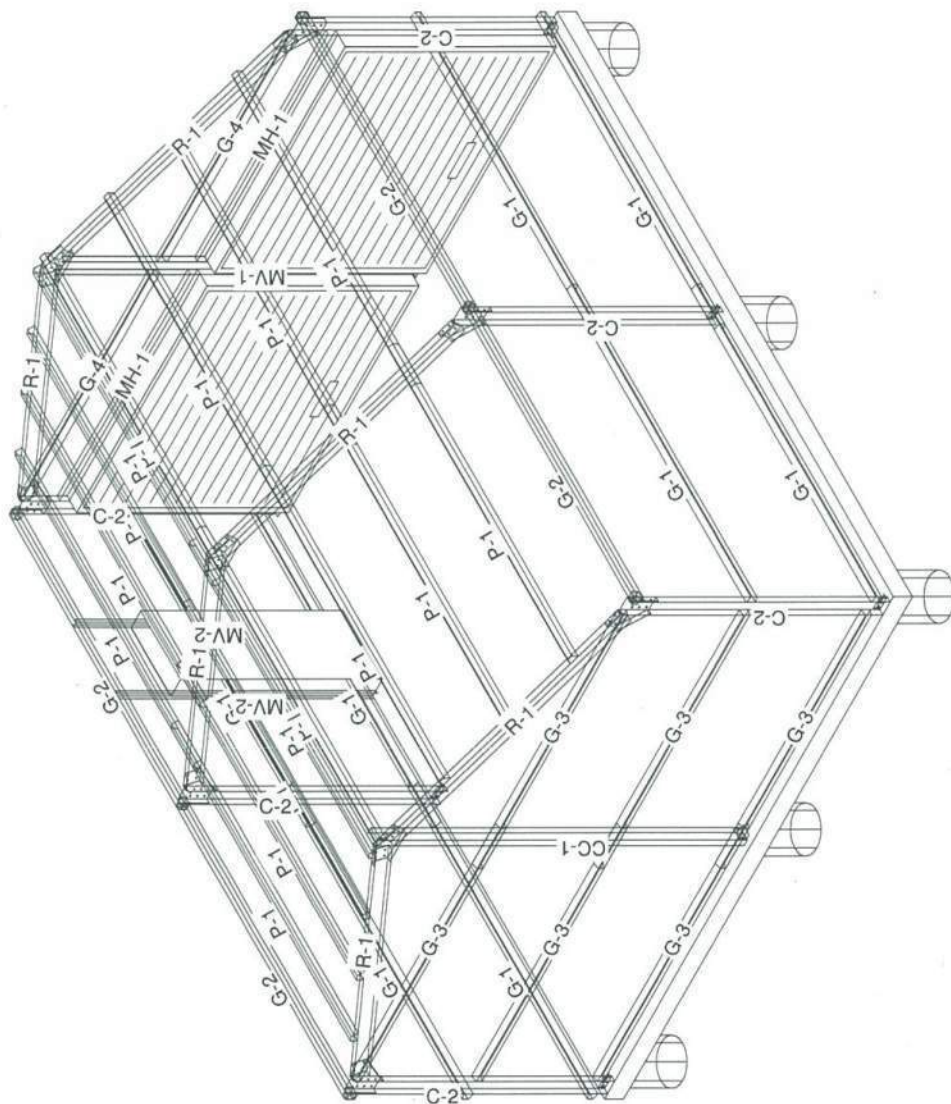
Shed ISO Front Left View (Clad)

<div>RAI NBOW</div> <div>building solutions</div>	Mike & Karen Stylianou 10 Cook St Hadsen, Tas, 7290		Dwg No 3 of 14	Project No. LAU01_8406
				6.0m x 7.0m x 2.7m 22.5deg
				Mike & Karen Stylianou
				2/10/2018
				Scale NA



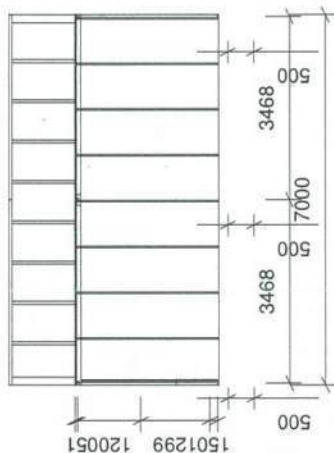
Shed ISO Front Right View (Clad)

<div><div><div>R</div><div>A</div><div>I</div><div>N</div><div>B</div><div>O</div><div>W</div></div><div>building solutions</div></div>	Mike & Karen Stylianou 10 Cook St Hadspen, Tas, 7290	Dwg No 4 of 14	Project No. LAU01_8406
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			Mike & Karen Stylianou
			2/10/2018
			Scale NA

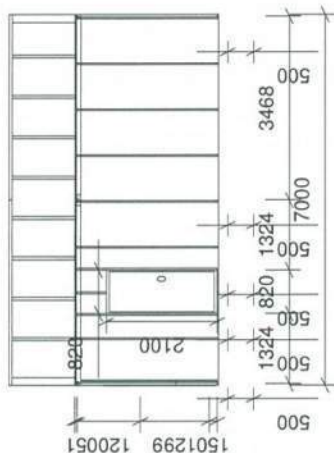


Shed ISO Front Left View (Unclad)

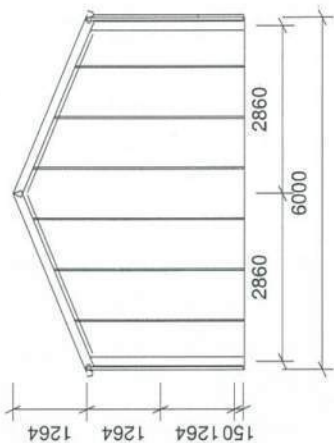
	Mike & Karen Stylianou 10 Cook St Hadsen, Tas, 7290		Dwg No 5 of 14	Project No. LAU01_8406
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				Mike & Karen Stylianou
				2/10/2018
				Scale NA



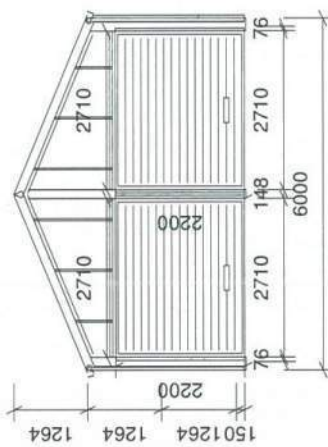
FRONT VIEW



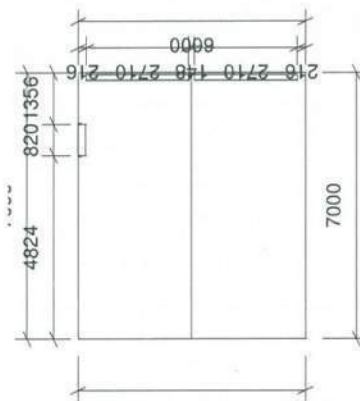
BACK VIEW



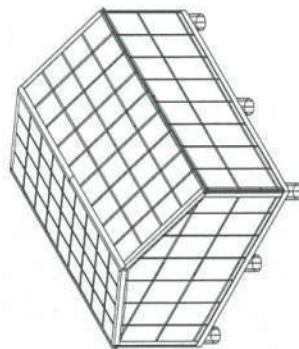
LEFT VIEW



RIGHT VIEW



PLAN VIEW



ISO FRONT LEFT VIEW

Elevation Multiview



Mike & Karen Stylianou
10 Cook St
Hadsphen, Tas, 7290

Dwg No 7 of 14

Project No. LAU01_8406

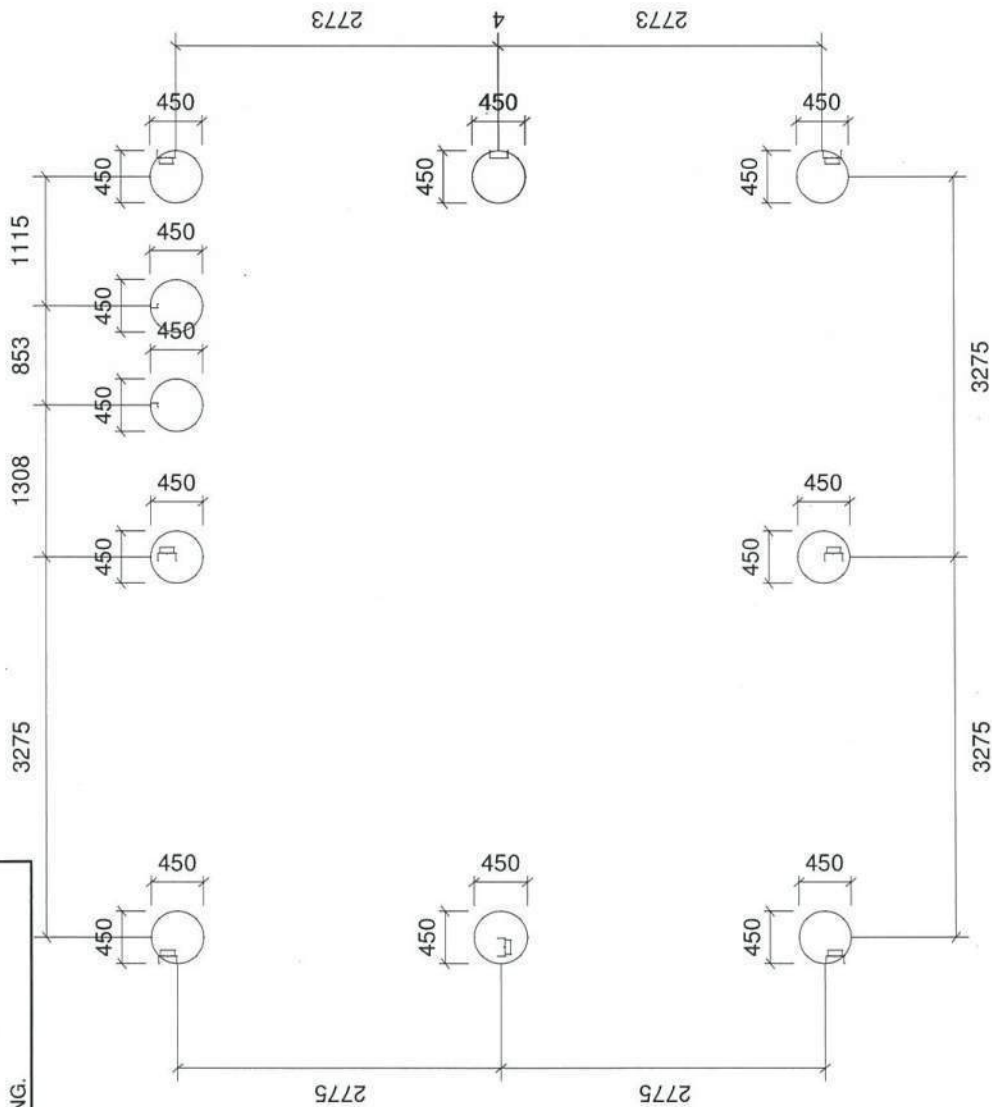
6.0m x 7.0m x 2.7m 22.5deg

Mike & Karen Stylianou

2/10/2018

Scale NA

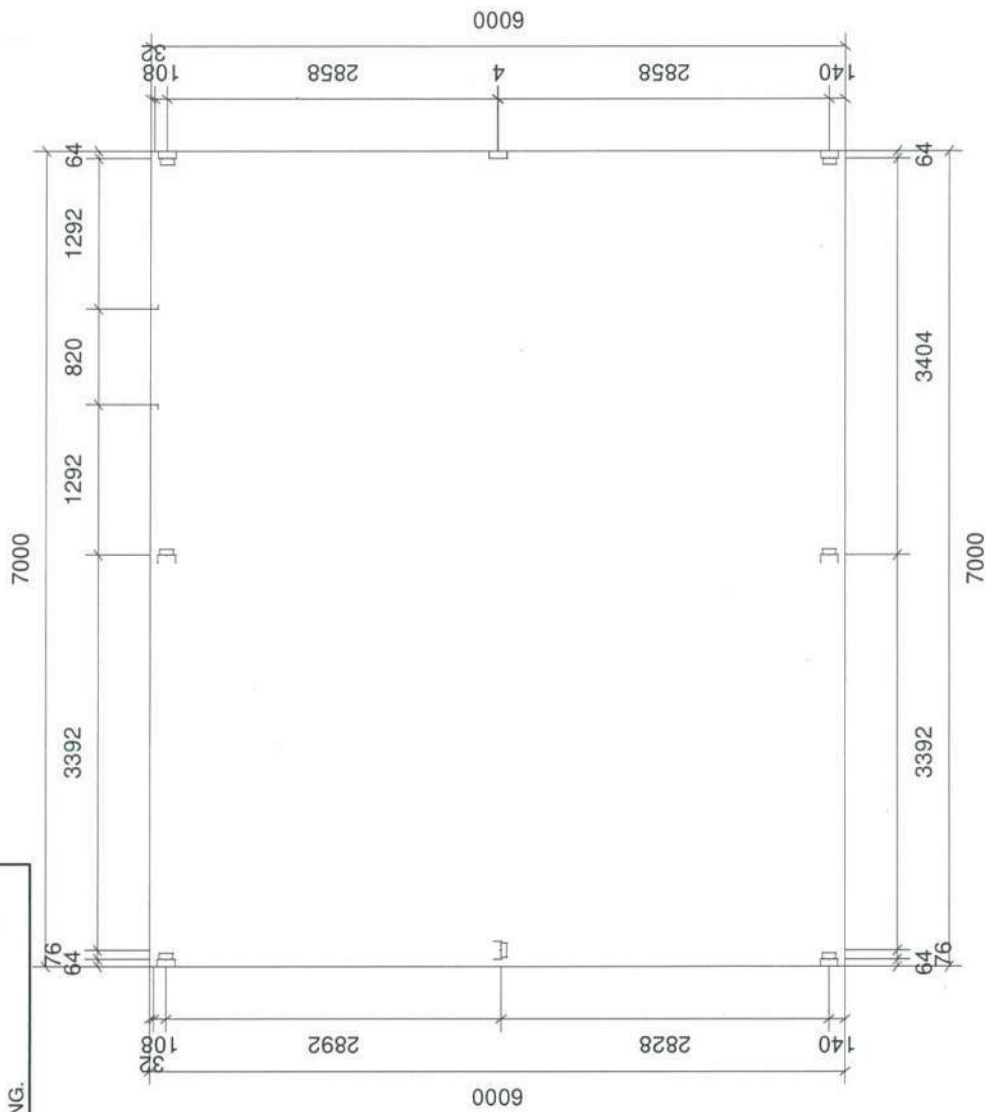
FOOTING & SLAB SIZING AND PLACEMENT ARE INDICATIVE ONLY.
 ACTUAL CONSTRUCTION AND ENGINEERING DETAILS ARE AVAILABLE
 UNDER SEPERATE REPORTS TO THIS DRAWING.





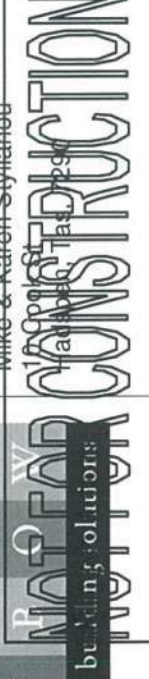
Shed Footing Layout

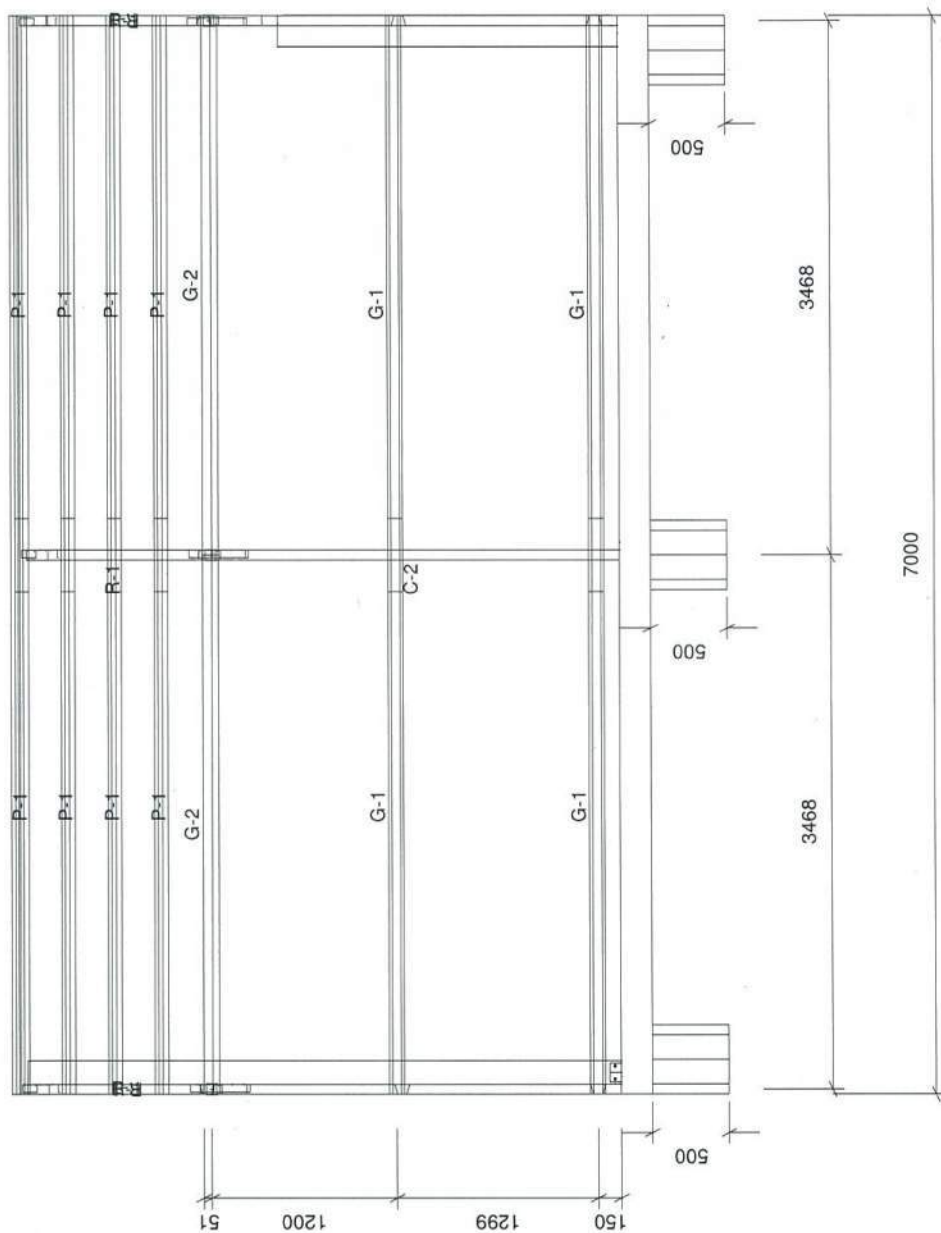
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	Project No. LAU01_8406		
	6.0m x 7.0m x 2.7m 22.5deg		
	Mike & Karen Stylianou		
		2/10/2018	
		Scale NA	

FOOTING & SLAB SIZING AND PLACEMENT ARE INDICATIVE ONLY.
 ACTUAL CONSTRUCTION AND ENGINEERING DETAILS ARE AVAILABLE
 UNDER SEPERATE REPORTS TO THIS DRAWING.



Shed Slab Plan

   <p>Mike & Karen Stylianou 15 Poplar St Hobart, Tas 7000</p>		Dwg No 9 of 14	Project No. LAU01_8406
			6.0m x 7.0m x 2.7m 22.5deg
			Mike & Karen Stylianou
			2/10/2018
			Scale NA



Shed Assembly Front View



Mike & Karen Stylianou
10 Cook St
Hadspen, Tas, 7290

Dwg No 10 of 14

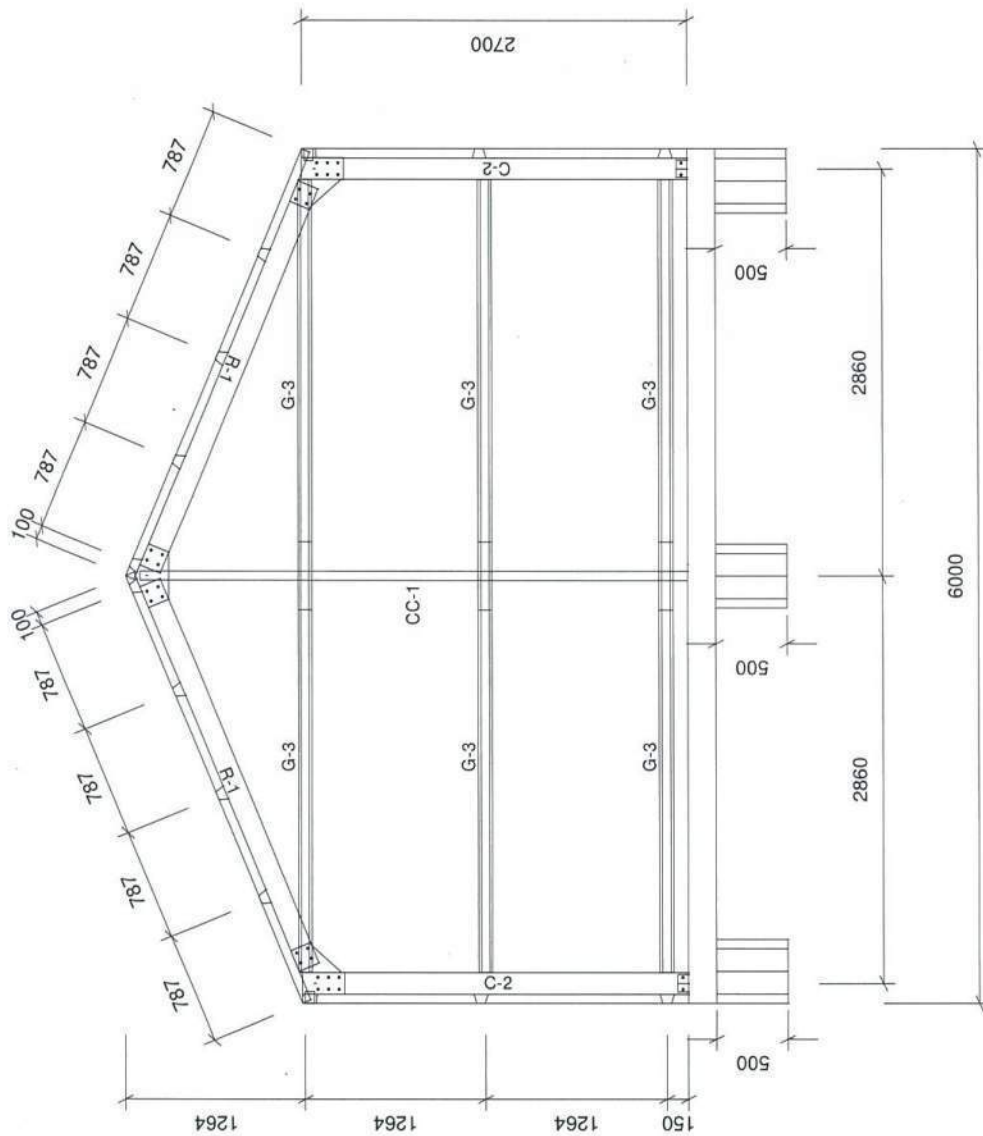
Project No. LAU01_8406

6.0m x 7.0m x 2.7m 22.5deg

Mike & Karen Stylianou

2/10/2018

Scale NA



Shed Assembly Left View



Mike & Karen Stylianou
10 Cook St
Hadsphen, Tas, 7290

Dwg No 12 of 14

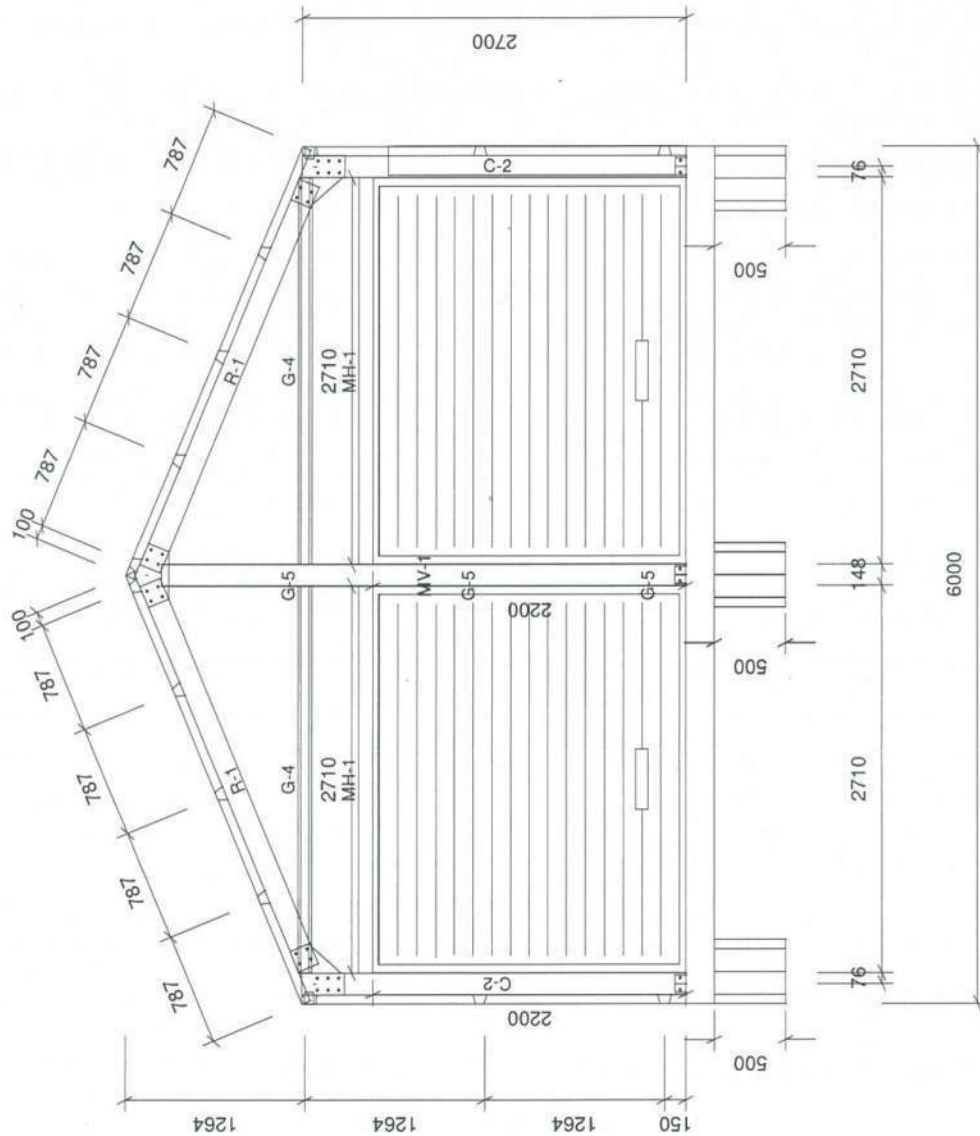
Project No. LAU01_8406

6.0m x 7.0m x 2.7m 22.5deg

Mike & Karen Stylianou

2/10/2018

Scale NA



Shed Assembly Right View



Mike & Karen Stylianou
10 Cook St
Hadsen, Tas, 7290

Dwg No 13 of 14

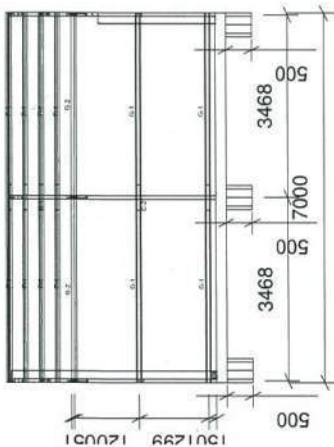
Project No. LAU01_8406

6.0m x 7.0m x 2.7m 22.5deg

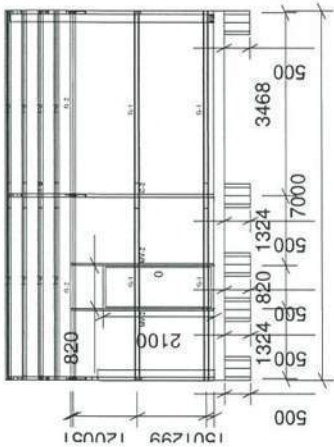
Mike & Karen Stylianou

2/10/2018

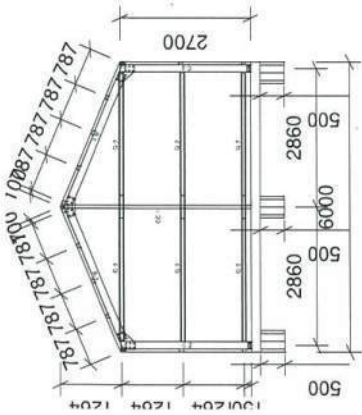
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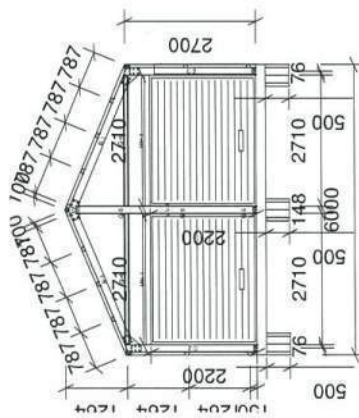
FRONT VIEW



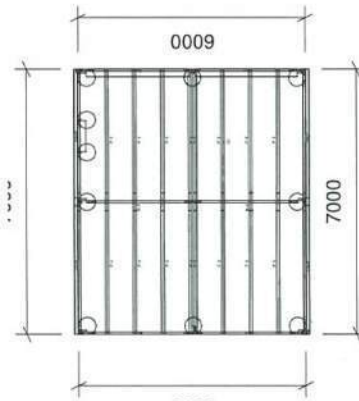
BACK VIEW



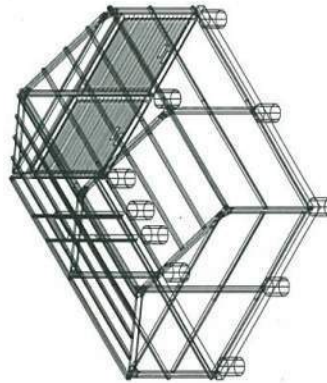
LEFT VIEW



RIGHT VIEW



PLAN VIEW



ISO FRONT LEFT VIEW

Shed Assembly Multiview



Mike & Karen Stylianou
10 Cook St
Hadsden, Tas, 7290

Dwg No 14 of 14

Project No. LAU01_8406

6.0m x 7.0m x 2.7m 22.5deg

Mike & Karen Stylianou

2/10/2018

Scale NA

Specification Report

Distributor:
Rainbow Building
139 Main Rd

Sorell, 7172, TAS
Telephone: 1300 737 910

Specification Date: 15/08/2018
Specification Number: LAU01_8334
Customer: Mike & Karen Stylianou
10 Cook St

HADSPEN
TAS 7290
Telephone: 0418 207 994

Site Address:
Mike & Karen Stylianou
10 Cook St
Hadspen, Tas, 7290

Building Description:	Main Building:	Left Skillion:	Right Skillion:
Width:	7.000 metres	n/a	n/a
Span:	6.568 metres	n/a	n/a
Bay Size:	3.000 metres	0.000 n/a	0.000 n/a
Number of Bays:	2		
Length:	6.00 metres	n/a	n/a
Wall Height:	3.000 metres	n/a	n/a
Apex Height:	4.450 metres	n/a	n/a
Roof Pitch:	22.500 degrees	n/a	n/a
Roof Area:	22.97 square metres/side 45.94 square metres total	n/a	n/a
Roof Purlin Type:	TH64075	n/a	n/a
Roof Purlin Spacing (Internal):	1.200 metres	n/a	n/a
Roof Purlin Spacing (end):	0.00 metres	n/a	n/a
Purlin Lap:	475.000 millimetres	n/a	n/a
Wall Girt Type:	TH64075	n/a	n/a
Wall Girt Spacing:	1.57 metres	n/a	n/a
Girt Lap:	475.000 millimetres	n/a	n/a
Top Girt Distance:	51.000 millimetres max	n/a	n/a
Eave Purlin Type:	C10015		
Column Size:	C15015	n/a	n/a
Rafter Size:	C15015	n/a	n/a
Mullion Size:	C15015	n/a	n/a
Knee Brace:		n/a	n/a
Ridge Brace:		n/a	n/a
Knee Connector:	Haunch15022.5dLH	n/a	n/a
Ridge Connector:	APEX15022.5D	n/a	n/a
Apron Connector:		n/a	n/a
Down Pipes:	4 @ 1.8 metres	n/a	n/a

Other Items:	Main Building:	Left Skillion:	Right Skillion:
Wall Cladding:	0.42 BMT (0.47 TCT) K-Panel Low Rib Colorbond®, Monument	n/a	n/a
Roof Cladding:	0.42 BMT (0.47 TCT) Corrugated Colorbond®, Monument	n/a	n/a
Barge:	Garage Barge Colorbond®, Monument	n/a	n/a
Windows:		n/a	n/a
Glass Sliding Doors:		n/a	n/a
PA Doorx1:	PA Door 820w x 2040h, 180 deg outward opening Colorbond®	n/a	n/a
Roller Doorsx2:	2500h x 2800w Series A Manual Lift Roller Door Colorbond® (2500h x 2590w openings)		
Gutters:	Quad - CB 100x50x2.4	n/a	n/a

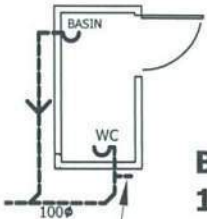
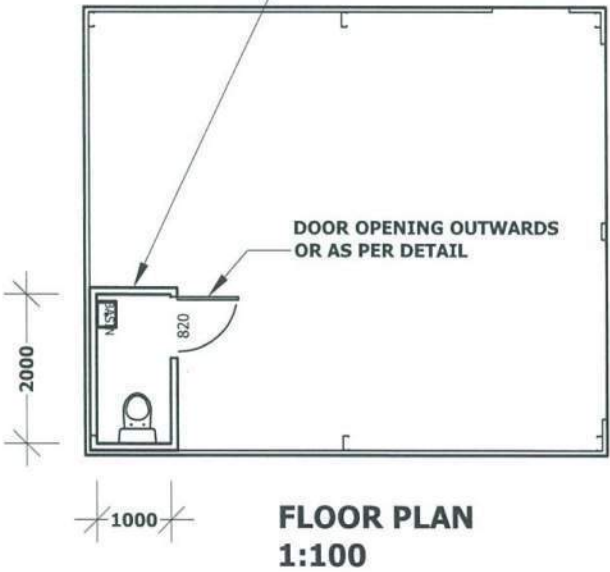
R/door jambs = C10015
R/door headers = C10015

VENTILATION NOTES:
- MECHANICAL VENTILATION SYSTEMS ARE TO BE INSTALLED AS PER AS 1668.2 "MECHANICAL VENTILATION FOR ACCEPTABLE INDOOR AIR QUALITY".
- CONTAMINATED AIR FROM A SANITARY COMPARTMENT OR BATHROOM MUST EXHAUST DIRECTLY TO OUTSIDE THE BUILDING BY WAY OF DUCTS OR EXHAUST INTO THE ROOF SPACE ONLY IF IT IS ADEQUATELY VENTILATED BY OPEN EAVES, AND/OR ROOF VENTS OR THE ROOF IS CLAD IN TILES WITHOUT SARKING OR SIMILAR MATERIALS WHICH WOULD PREVENT VENTING THROUGH GAPS IN TILES.
- VENTILATION MUST BE PROVIDED TO A HABITABLE ROOM BY PERMANENT OPENINGS, WINDOWS, DOORS OR OTHER DEVICES WHICH CAN BE OPENED WITH AN AGGREGATE OPENING SIZE NOT LESS THAN 5% OF THE FLOOR AREA AND OPEN TO A SUITABLY SIZED COURT, OPEN VERANDAH, CARPORT, OR THE LIKE, OR TO AN ADJOINING ROOM PROVIDED THAT ROOM OR THE ROOM TO BE VENTILATED IS NOT A SANITARY COMPARTMENT AND THE WINDOW, OPENING, DOOR OR OTHER DEVICE HAS A VENTILATING AREA OF NOT LESS THAN 5% OF THE FLOOR AREA OF THE ROOM TO BE VENTILATED AND THE ADJOINING ROOM HAS A WINDOW, OPENING, DOOR OR OTHER DEVICE WITH A VENTILATING AREA OF NOT LESS THAN 5% OF THE COMBINED FLOOR AREAS OF BOTH ROOMS AND THE VENTILATING AREAS SPECIFIED MAY BE REDUCED AS APPROPRIATE IF DIRECT NATURAL VENTILATION IS PROVIDED FROM ANOTHER SOURCE AS PER BCA 2009 PART 3.8.5.

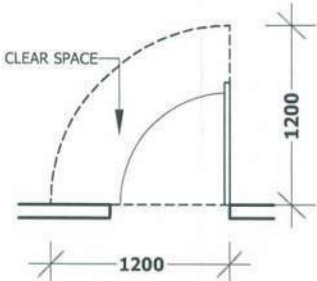
PLUMBING NOTES:
- ALL PLUMBING WORK BOTH WASTE AND WATER TO COMPLY WITH CURRENT BCA AND AS 3500 WITH ALL LOCAL COUNCIL REQUIREMENTS SATISFIED.
- ALL DRAINS ARE TO BE 100mm PVC SEWER PIPE SET IN 12mm BLUEMETAL WITH A MINIMUM DEPTH OF 500mm ALL AS PER AS 3500 "PLUMBING AND DRAINAGE".
- STORMWATER DRAIN INSTALLATION SHALL COMPLY WITH AS 3500.
- MAXIMUM OPERATING PRESSURE WITHIN THE BUILDING OF 500kpa.
- TEMPERING VALVES TO BE FITTED IN ACCORDANCE WITH AS 3500 PART 4.
- CHECK WITH LOCAL COUNCIL FOR EXACT SITE SERVICE CONNECTION POINTS.

90 x 35 MGP10 FRAMING.
STUDS @ 450crs. MAXIMUM.
NOGGINGS @ 1350crs. MAXIMUM.
2/90 x 35 MGP10 PLATES
(USE TTPINE BOTTOM PLATE)
TO LOAD BEARING WALLS.
9mm VILLA-BOARD INTERNAL LINING.

IF CEILING IS FITTED USE
90 x 35 MGP10 CEILING JOISTS AT 450
CENTRES TO SHORT SPAN



**BATHROOM DRAINAGE PLAN
1:100**



**CONSTRUCTION OF
SANITARY
COMPARTMENTS
BCA VOL. 2, FIGURE 3.8.3.3**

THE DOOR TO A FULLY ENCLOSED
SANITARY COMPARTMENT MUST -
(a) OPEN OUTWARDS; OR
(b) SLIDE; OR
(c) BE READILY REMOVABLE FROM THE
OUTSIDE OF THE COMPARTMENT,
UNLESS THERE IS A CLEAR SPACE OF AT
LEAST 1.2m, MEASURED IN ACCORDANCE
WITH FIGURE 3.8.3.3, BETWEEN THE
CLOSET PAN WITHIN THE SANITARY
COMPARTMENT AND THE DOORWAY.



**wilkin
design**

P.O. BOX 478
LAUNCESTON
TASMANIA 7250

ACCREDITATION NO:
CC678 X

NOTES:

PROJECT TITLE:
STYLIANOU GARAGE.

10 COOK ST.
HADSPEN

REVISION:

DATE:
24/08/2018

SCALE:
AS SHOWN

JOB NUMBER:
DA/BA-18STY

PAGE:
02 of 02 Page 44

From: Leonie
Sent: 30 Dec 2018 14:48:35 +1100
To: Planning @ Meander Valley Council
Subject: Re: PA\19\0126

The General Manager
Meander Valley Council
WESTBURY 7303

Dear Sir/Madam

Re: Planning Application PA\19\0126
10 Cook Street, Hadspen

My husband and I wish to express our concerns regarding the revised Planning Application of the proposed residential outbuilding at 10 Cook Street, Hadspen and the impact it will have on our home at 2 Glenmore Drive, Hadspen

The proposed building 6mx7mx2.7m with peak to 3,942m and 1m from our boundary fence will impact greatly on our external and internal living areas. The total area from the building to our back entrance will be 4.5m. With the shadowing effect from a building of this size, we will lose most of our natural light and morning to early afternoon sun on which we rely to assist with the reduction in energy costs during the winter months.

Taking into consideration a building of this size at the boundary fence, cutting out natural light and sun, will have a major impact on the resale value of our home.

We have no objection to Mr & Mrs Stylianou's proposed outbuilding, just the positioning of it. If it could be relocated to the opposite side of their block, it would not impact on the adjoining properties or residents.

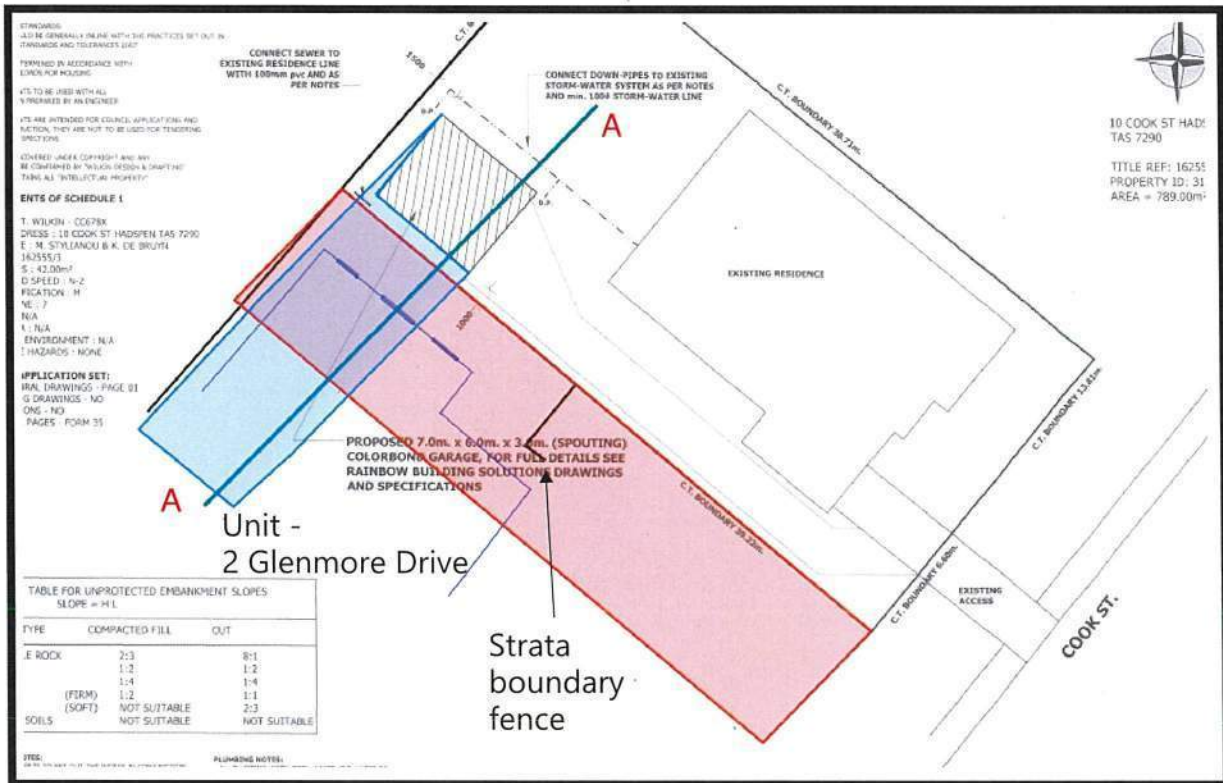
We would be grateful if you would consider our concerns.

Yours faithfully

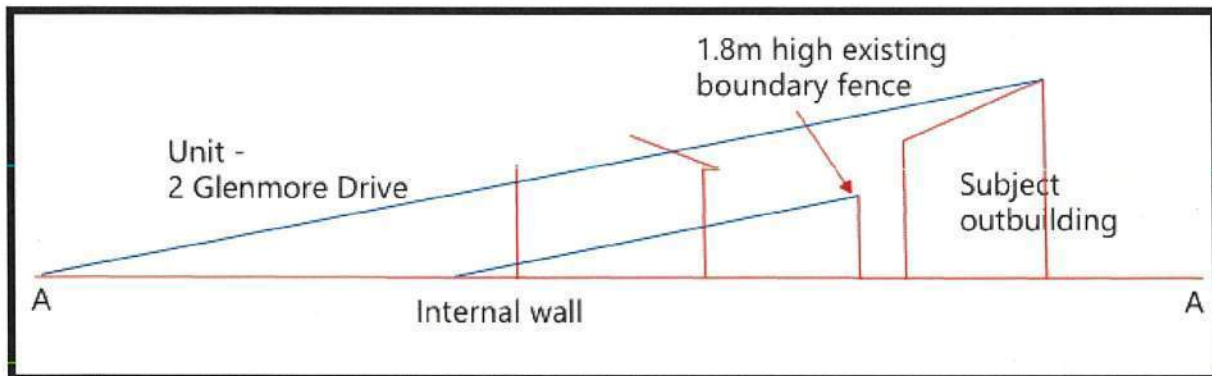
Leonie & Robert Brazendale
2 Glenmore Drive, Hadspen
Mobile:0408 540 263
December 30, 2018

Sent from my iPad

PA\19\0126 10 Cook Street, Hadspen 9am shadow - 21 June

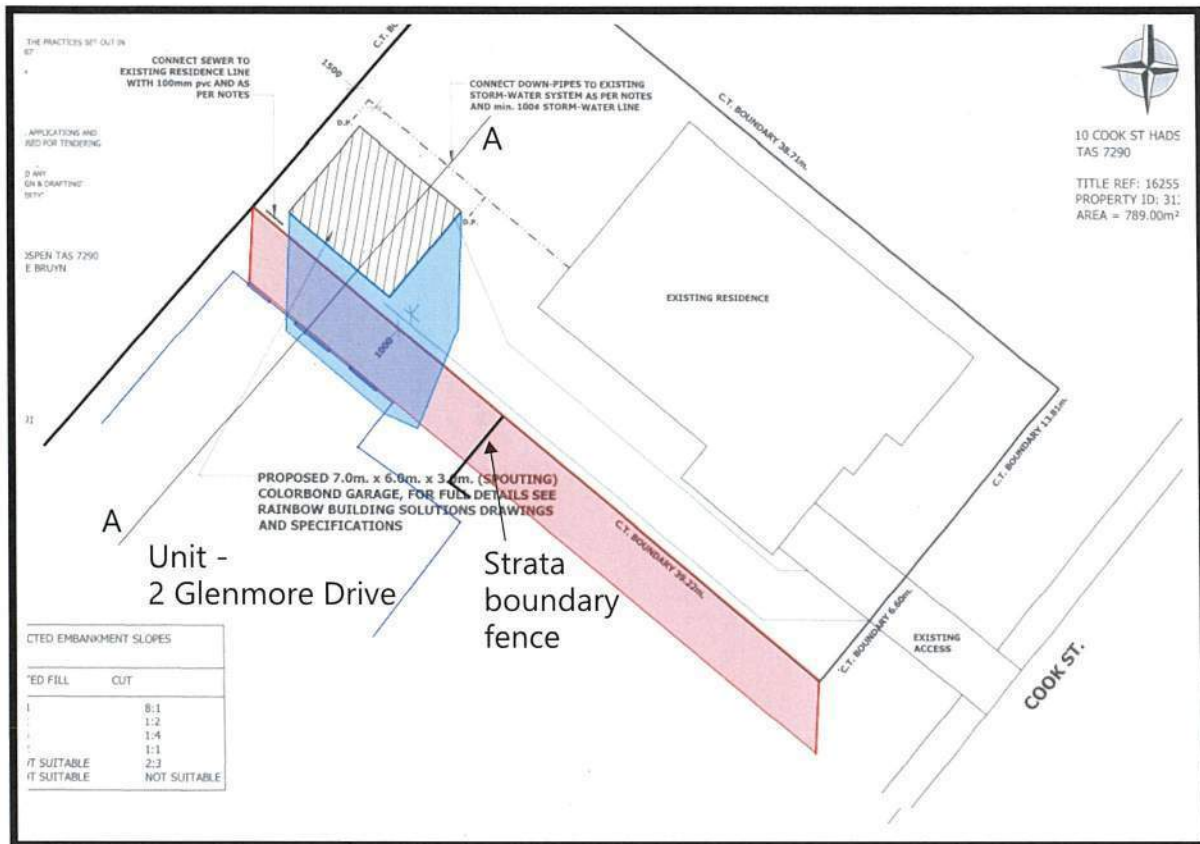


Shadow Diagram - Red shaded area represents shadow from the existing boundary fence and blue shaded area represents shadow from the proposed outbuilding

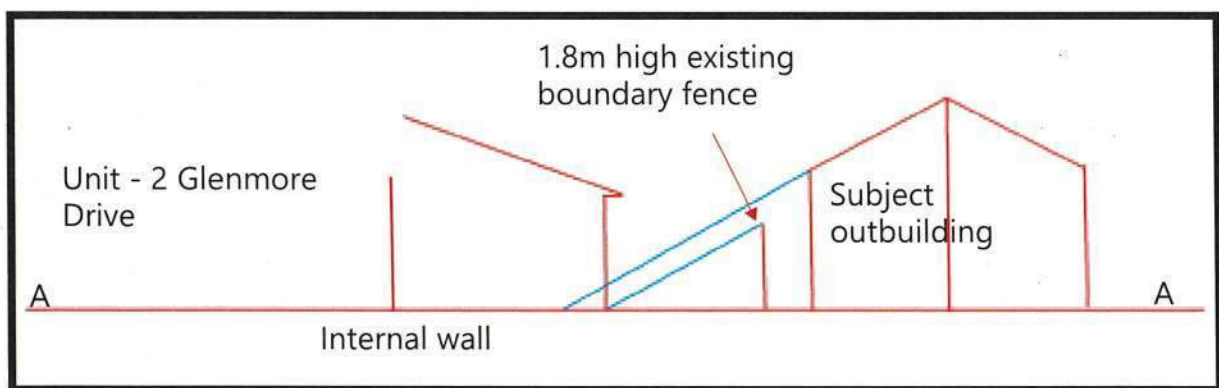


Section A-A - Blue line represents shadow from proposed outbuilding and existing boundary fence

12 noon shadow - 21 June

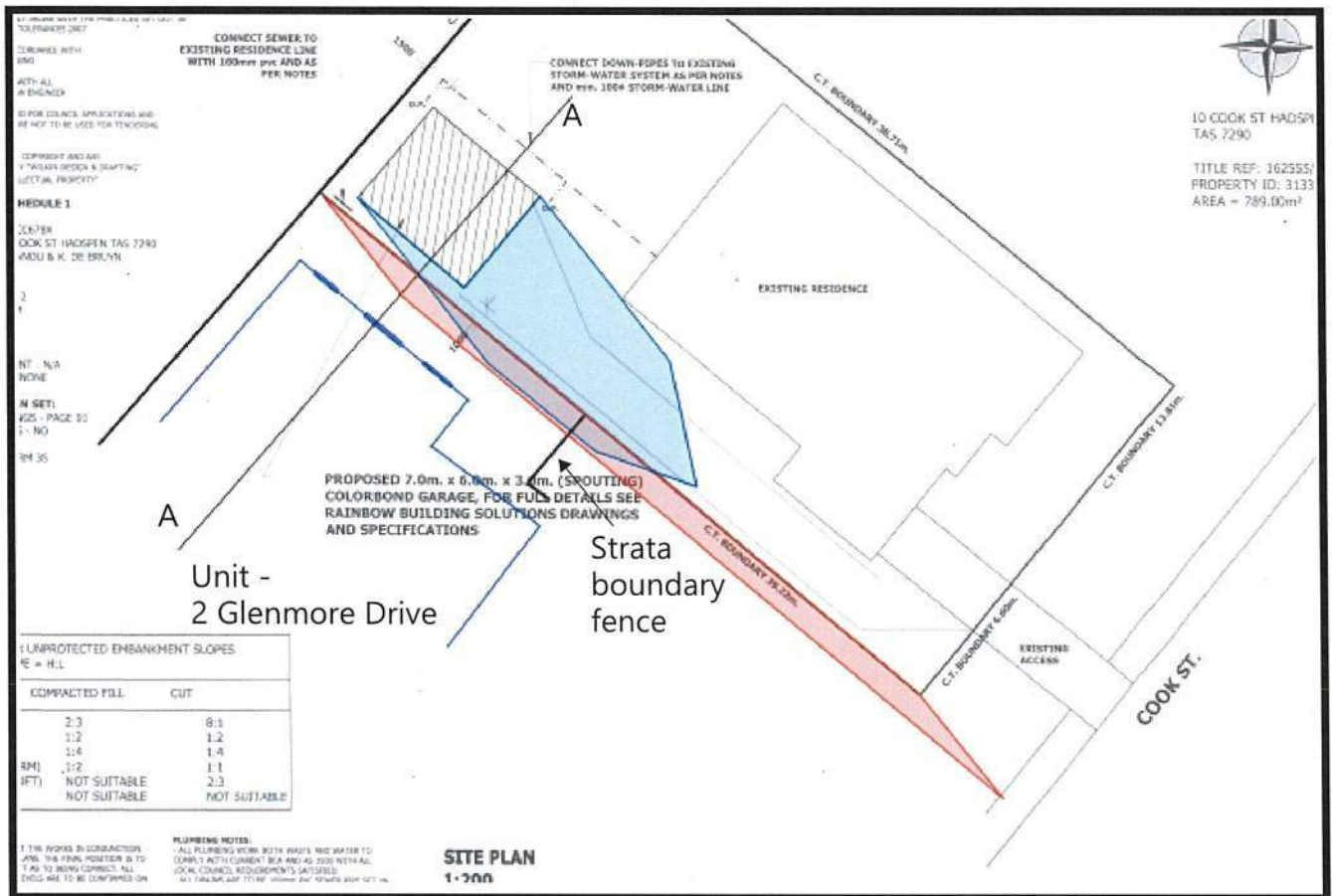


Shadow Diagram - Red shaded area represents shadow from the existing boundary fence and blue shaded area represents shadow from the proposed outbuilding

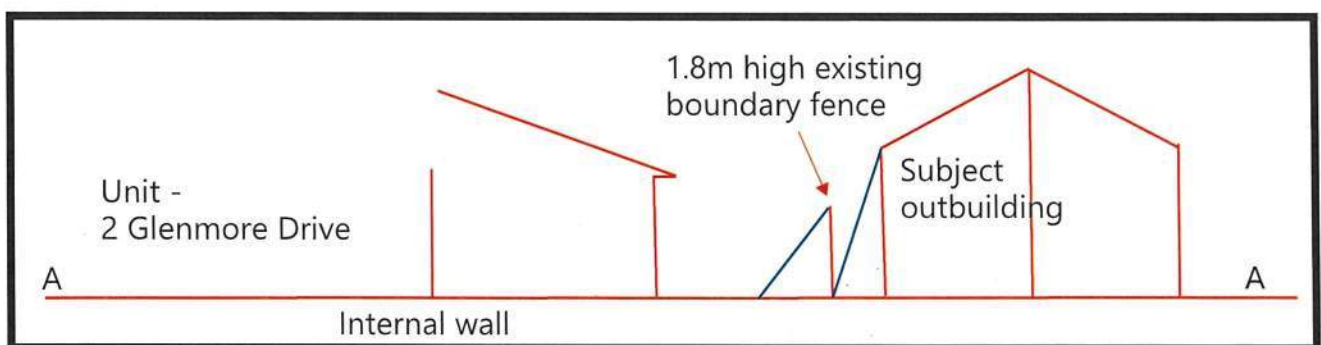


Section A-A - Blue line represents shadow from proposed outbuilding and existing boundary fence

PA\19\0126 10 Cook Street, Hadsphen 3pm shadow - 21 June



Shadow Diagram - Red shaded area represents shadow from the existing boundary fence and blue shaded area represents shadow from the proposed outbuilding



Section A-A - Blue line represents shadow from proposed outbuilding and existing boundary fence

280 EXTON ROAD, EXTON

Planning Application: PA\19\0121

Proposal: Resource Development (controlled climate agriculture) – polytunnels, agricultural building, workers accommodation, dwelling, office and associated signage

Author: Justin Simons
Town Planner

1) Introduction

Applicant	Rebecca Green and Associates
Owner	A and S Terry
Property	280 Exton Road, Exton CT 175297/1
Zoning	Rural Resource
Discretions	26.3.1 Uses if not a Single Dwelling 26.4.1 Building Location and Appearance E4.6.1 Use and Road or Rail Infrastructure E8.6.1 Habitat and Vegetation Management
Existing Land Use	Resource Development – Controlled Climate Agriculture
Number of Representations	One (1)
Decision Due	12 February 2019
Planning Scheme:	Meander Valley Interim Planning Scheme 2013 (the Planning Scheme)

2) Recommendation

It is recommended that the application for Use and Development for Resource Development (Controlled Climate Agriculture) on land located at 280 Exton Road, Exton, CT 175297/1, by Rebecca Green and Associates, be APPROVED, generally in accordance with the endorsed plans:

- a) Rebecca Green and Associates – Planning Submission***
- b) PDA Surveyors - Job Number: 40401 – Sheet: D03***
- c) Charlie Ellis Architecture – Location Plan, Site Plan, Floor Plan, Elevations, Proposed Offices***
- d) Adorn Drafting – Drawing Number: DWG 420 – Sheets: 3,4, 5 & 6***

e) Ranbuild – Drawing Number: LAUNC2-4393 – Sheet: 1

and subject to the following conditions:

- 1. Prior to the commencement of works:**
 - a) the existing southern driveway access is to be swept of loose material where it intersects with Exton Road to the satisfaction of the Director Infrastructure Services (see Note 1).**
 - b) Low lying vegetation to the south of the existing southern access near the bridge on Exton Road is to be removed to the satisfaction of the Director Infrastructure Services (see Note 1)**
- 2. Prior to the commencement of use of the approved dwelling, the existing dwelling is to cease being used as a residence and is to be converted to office space in accordance with the endorsed plans.**
- 3. Once converted, the proposed office is not to be used as a dwelling or any form of accommodation.**
- 4. All waste is to be managed such that it does not enter the dam or adjacent watercourse, or leave the site (other than removal to a legal waste disposal facility).**
- 5. All commercial and employee vehicles associated with the business are to be parked within the property boundaries.**
- 6. The accommodation approved by this permit is only to be used by people employed at the subject site and is not to be used by the general public or people employed offsite.**

Note:

1. Prior to any work being carried out within the road reservation, 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 telephone 6393 5312.
2. An assessment of the existing on-site wastewater management system servicing the dwelling/future office will need to be undertaken by a suitably qualified practitioner to ascertain whether the existing system is appropriate for handling the wastewater volume resulting from the change of use. Should the system require modifying, a Plumbing Permit will be required at the Building and Plumbing permit application stage. An on-site wastewater design report by a suitably qualified practitioner is also required to

accompany the application for a Plumbing Permit.

3. An application for a Plumbing Permit will be required at the Building and Plumbing Permit application stage for the on-site wastewater system servicing the new dwelling and workers accommodation. An on-site wastewater design report by a suitably qualified practitioner is also required to accompany the application for a Plumbing Permit.
4. 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 Community and Development Services on 6393 5320 or via email: mail@mvc.tas.gov.au.
5. This permit does not imply that any other approval required under any other by-law or legislation has been granted. The following additional approvals may be required before construction commences:
 - a) Building approval
 - b) Plumbing approvalAll enquiries should be directed to Council's Permit Authority on 6393 5322 or Council's Plumbing Surveyor on 0419 510 770.
6. This permit takes effect after:
 - a) The 14 day appeal period expires; or
 - b) Any appeal to the Resource Management and Planning Appeal Tribunal is abandoned or determined; or.
 - c) Any other required approvals under this or any other Act are granted.
7. A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the Resource Management and Planning Appeal Tribunal. A planning appeal may be instituted within 14 days of the date the Corporation serves notice of the decision on the applicant. For more information see the Resource Management and Planning Appeal Tribunal website www.rmpat.tas.gov.au.
8. If an applicant is the only person with a right of appeal pursuant to section 61 of the Land Use Planning and Approvals Act 1993 and wishes to commence the use or development for which the permit has been granted within that 14 day period, the Council must be so notified in writing. A copy of Council's Notice to Waive Right of Appeal is attached.
9. 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.

10. 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.
11. 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.

3) Background

This application proposes to further develop the property at 280 Exton Road, Exton with controlled climate agriculture for summer berry production. Developments include polytunnels, an open sided machinery shed, new dwelling, office conversion and accommodation facilities for seasonal workers.

The property contains an existing berry production facility including polytunnels and packing shed. The property also includes a single dwelling, which will be converted to office use. Some of the existing polytunnels have been erected on prime agricultural land and within 50m of the title boundary without the necessary planning permits and these are included in this application. The land also contains a pivot irrigator for cropping to the north of the polytunnels.

A site plan is shown in Figure 1 below, while full plans and details are included in the attachments.

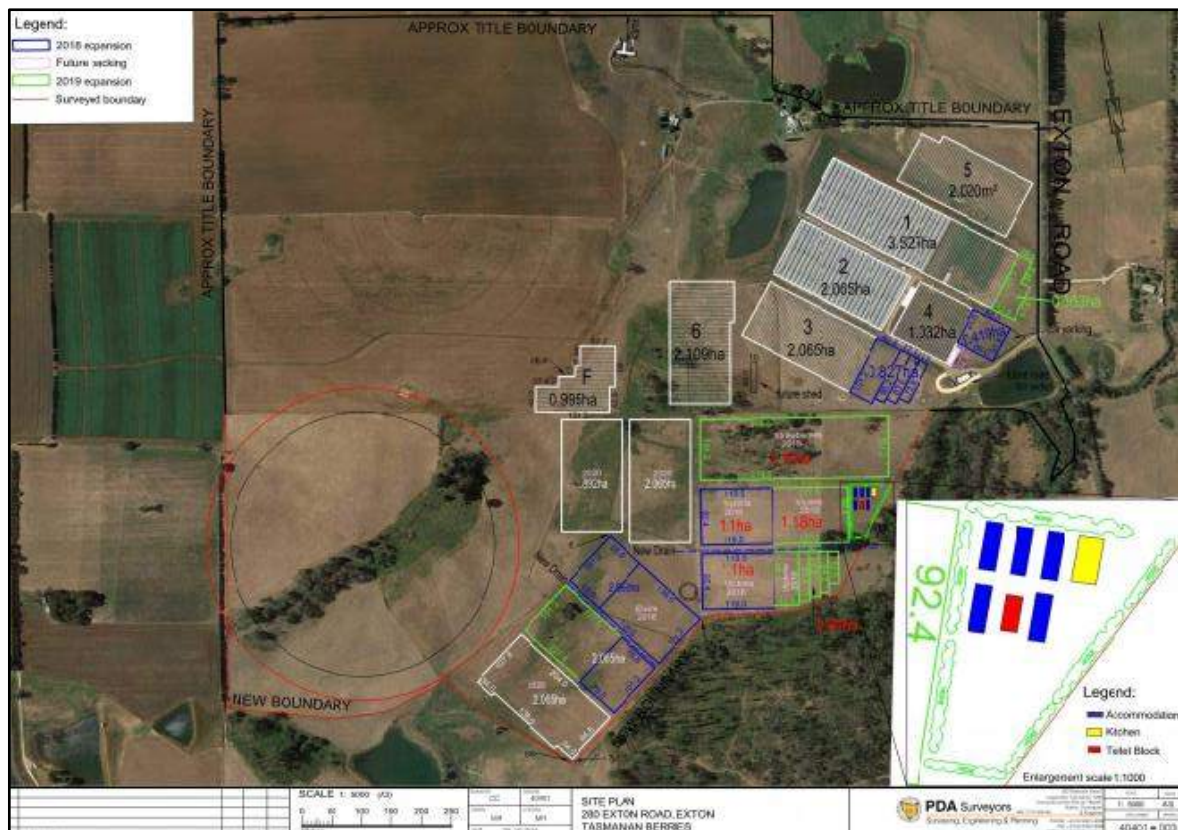


Figure 1: proposed site plan (PDA Surveyors, 2018)

4) Representations

The application was advertised for the statutory 14-day period.

One (1) representation was received (attached document). A summary of the representation is as follows:

- Impacts of agricultural operation and hours of operation.
- Noise impacts on adjacent residence at 309 Exton Road from early morning traffic movements, refrigerator truck and cool rooms, the position of the packing shed and parking, and after work leisure activities. Request for permanent screening such as a wooden wall to eliminate noise.
- Impacts of increased traffic.
- Poor sight distances from the existing access at 309 Exton Road and obstruction of access by a roadside sign.

Comment:

- The Rural Resource Zone is specifically intended to accommodate and prioritise agriculture and other resource development activities. Very few

protections are provided for existing residential uses, such that primary industry activities and productivity are not fettered by inappropriately located dwellings. New residences and residential subdivisions are actively discouraged and in many cases prohibited in this zone due to the incompatibility between this type of use and primary industry activities.

Unlike other zones the Rural Resource Zone does not include any restrictions on hours of operation. This is due to the significant priority given to maximising productivity in these zones. Early morning starts, late finish and seven day a week operations are common practice in this zone.

- b) The activities undertaken as part of this use are not listed in the planning scheme as requiring any particular attenuation. Council's Environmental Health Officer has provided the following advice in regard to noise impacts:

"The packing shed and proposed workers accommodation is located approximately 340m and 570m from the dwelling at 309 Exton Road, Exton. These distances are considered sufficient buffer distances for packing of berries and leisure activities of the on-site workers.

By way of example, the attenuation distance listed under the Meander Valley Interim Planning Scheme 2013 for a sawmill is 300m from a sensitive use (e.g. dwelling). The activities of the proposed development is less intrusive and unlikely to cause an environmental nuisance.

If an environmental nuisance does occur, it will be managed under Section 53 of the Environmental Management and Pollution Control Act 1993.

In relation to concerns of traffic noise, Council does not regulate noise from vehicles operating on public roads."

There is adequate separation between the subject site and neighbouring dwelling to mitigate noise impacts such that they would not cause an environmental nuisance. A permanent screen or wall is not warranted.

The existing packing shed and the refrigeration facilities were established in 2015 as a "no permit required" use and development. No changes are to be made to this building. The parking arrangements are also existing and associated with the "no-permit required use". The proposed onsite workers accommodation will generally result in a decrease in vehicle movements to and from the property.

- c) The application includes a Traffic Impact Assessment prepared by a suitably qualified traffic consultant and accompanied by the advice of the Director Infrastructure Services. The report demonstrates that Exton Road is currently subject to relatively low levels of traffic and is of adequate standard to accommodate the increased traffic associated with the proposal. It is recommended that a condition be included on the permit to improve sight distances to the south of the current access.

In relation to concerns of traffic noise, Council does not regulate noise from vehicles operating on public roads.

- d) Sight distances from the access of the adjacent property at 309 Exton Road and the location of roadside signage are not impacted by this proposal and are not the responsibility of the applicant.

5) Consultation with State Government and other Authorities

Not applicable.

6) Officers Comments

Use Class: Resource Development (Controlled Climate Agriculture)

Applicable Standards

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

Assessment

Rural Resource Zone
26.1.1 Zone Purpose Statements
26.1.1.1 <i>To provide for the sustainable use or development of resources for agriculture, aquaculture, forestry, mining and other primary industries, including opportunities for resource processing.</i>
26.1.1.2 <i>To provide for other use or development that does not constrain or conflict with resource development uses.</i>
26.1.1.3 <i>To provide for economic development that is compatible with primary industry, environmental and landscape values.</i>

26.1.1.4 To provide for tourism-related use and development where the sustainable development of rural resources will not be compromised.

Comment

The proposal is consistent with the Zone Purpose. It is for the provision of a primary industry use and will not constrain or conflict with other primary industry activities in the area. Agricultural enterprises also make a substantial contribution to the local economy.

26.1.2 Local Area Objectives

a) Primary Industries

Resources for primary industries make a significant contribution to the rural economy and primary industry uses are to be protected for long-term sustainability.

The prime and non-prime agricultural land resource provides for variable and diverse agricultural and primary industry production which will be protected through individual consideration of the local context.

Processing and services can augment the productivity of primary industries in a locality and are supported where they are related to primary industry uses and the long-term sustainability of the resource is not unduly compromised.

b) Tourism

Tourism is an important contributor to the rural economy and can make a significant contribution to the value adding of primary industries through visitor facilities and the downstream processing of produce. The continued enhancement of tourism facilities with a relationship to primary production is supported where the long-term sustainability of the resource is not unduly compromised.

The rural zone provides for important regional and local tourist routes and destinations such as through the promotion of environmental features and values, cultural heritage and landscape. The continued enhancement of tourism facilities that capitalise on these attributes is supported where the long-term sustainability of primary industry resources is not unduly compromised.

c) Rural Communities

Services to the rural locality through provision for home-based business can enhance the sustainability of rural communities. Professional and other business services that meet the needs of rural populations are supported where they accompany a residential or other established use and are located appropriately in relation to settlement activity centres and surrounding primary industries such that the integrity

of the activity centre is not undermined and primary industries are not unreasonably confined or restrained.

Comment

The proposal complies with the Local Area Objectives for primary industry activities. The use makes a significant contribution to the economy and adds to the diversity of primary industries occurring in the area.

26.1.3 Desired Future Character Statements

The visual impacts of use and development within the rural landscape are to be minimised such that the effect is not obtrusive.

Comment

The visual impact of the development is not considered to be obtrusive, given the context of the existing polytunnel developments on the site. The visual character of the Exton area comprises a pattern of mixed cropping and grazing, interspersed by dwellings, agricultural infrastructure and remnant vegetation. The mixed pattern results in a typical rural patchwork. The proposed development is consistent with this character, particularly viewed within a landscape context.

The location is relatively well screened by topography, with the full extent of the operation only being visible for short stretches of Exton Road and Osmaston Road.



Photo 1: view from Exton Road, showing extent of polytunnels



Photo 2: view from Osmaston Road, showing extent of polytunnels

While the polytunnels will be visible from roads higher in the Tiers, the significant distance will mitigate the visual impacts and the tunnels will recede into the rural patchwork.

It is noted that a large portion of the polytunnels do not require planning permits. The visual impacts of those that are being assessed by this application is consistent with those which are already established.

26 Rural Resource Zone	
Scheme Standard	Assessment
26.3.1 Uses if not a single dwelling	
Acceptable Solution A1	Relies on Performance Criteria P1
Acceptable Solution A2	Relies On Performance Criteria P2
Acceptable Solution A3	Relies on Performance Criteria P3
Acceptable Solution A4	Relies on Performance Criteria P4
Acceptable Solution A4	Relies on Performance Criteria P5
26.3.2 Dwellings	
Acceptable Solution A1.1	Complies
26.3.3 Irrigation District	
Acceptable Solution A1	Complies

26.4.1 Building Location and Appearance	
Acceptable Solution A1	Complies
Acceptable Solution A2	Relies on Performance Criteria P2
E4 Road and Rail Assets Code	
E4.6.1 Use and Road or Rail Infrastructure	
Acceptable Solution A3	Relies on Performance Criteria P3
E6 Car Parking and Sustainable Transport Code	
E6.6.1 Car Parking Numbers	
Acceptable Solution A1	Complies
E6.6.3 Taxi Drop-off and Pickup	
Acceptable Solution A1	Complies
E6.6.4 Motorbike Parking Provisions	
Acceptable Solution A1	Complies
E8 Biodiversity Code	
E8.6.1 Habitat and Vegetation Management	
Acceptable Solution A1	Relies on Performance Criteria P1
Acceptable Solution A2	Relies on Performance Criteria P2
E9 Water Quality Code	
E9.6.1 Development and Construction Practices and Riparian Vegetation	
Acceptable Solution A1	Complies
Acceptable Solution A2	Complies
Acceptable Solution A3	Complies
E9.6.2 Water Quality Management	
Acceptable Solution A1	Complies
Acceptable Solution A2	Relies on Performance Criteria P2

Performance Criteria

Rural Resource Zone
23.6.1 Uses if not a single dwelling
Objective <ul style="list-style-type: none"> a) <i>To provide for an appropriate mix of uses that support the Local Area Objectives and the location of discretionary uses in the rural resources zone does not unnecessarily compromise the consolidation of commercial and industrial uses to identified nodes of settlement or purpose built precincts.</i> b) <i>To protect the long term productive capacity of prime agricultural land by minimising conversion of the land to non-agricultural uses or uses not dependent on the soil as a growth medium, unless an overriding benefit to</i>

<p><i>the region can be demonstrated.</i></p> <ul style="list-style-type: none"> c) <i>To minimise the conversion of non-prime land to a non-primary industry use except where that land cannot be practically utilised for primary industry purposes.</i> d) <i>Uses are located such that they do not unreasonably confine or restrain the operation of primary industry uses.</i> e) <i>Uses are suitable within the context of the locality and do not create an unreasonable adverse impact on existing sensitive uses or local infrastructure.</i> f) <i>The visual impacts of use are appropriately managed to integrate with the surrounding rural landscape.</i>
<p>Performance Criteria P1</p> <p><i>P1.1</i></p> <p><i>It must be demonstrated that the use is consistent with local area objectives for the provision of non-primary industry uses in the zone, if applicable; and</i></p> <p><i>P1.2</i></p> <p><i>Business and professional services and general retail and hire must not exceed a combined gross floor area of 250m² over the site.</i></p>
<p>Comment</p> <p>The proposal is for the provision of a primary industry use, controlled climate agriculture, and is consistent with the local area objectives. The use is not for Business and Professional Services or General Retail and Hire.</p> <p>The proposed development meets the Objective of the standard.</p>
<p>Performance Criteria P2</p> <p><i>P2.1</i></p> <p><i>Utilities, extractive industries and controlled environment agriculture located on prime agricultural land must demonstrate that the:</i></p> <ul style="list-style-type: none"> <i>(i) amount of land alienated/converted is minimised; and</i> <i>(ii) location is reasonably required for operational efficiency; and</i> <p><i>P2.2</i></p> <p><i>Uses other than utilities, extractive industries or controlled environment agriculture located on prime agricultural land, must demonstrate that the conversion of prime agricultural land to that use will result in a significant benefit to the region having regard to the economic, social and environmental costs and benefits.</i></p>

Comment

The application includes an agricultural report prepared by a suitably qualified agronomist (A K Consultants – Agricultural and Natural Resource Management). The report demonstrates that the areas of prime agricultural land to be converted to polytunnels are already fragmented and interspersed with non-prime agricultural land. To differentiate between the prime and non-prime agricultural land with different management regimes in this case would result in inefficiencies and lower productivity. It is unlikely these areas would be used for any other productive use with the proposed, high yield use occurring on the surrounding non-prime land.

The location of the polytunnels is required for operational efficiency, being in close proximity to existing polytunnels, the packing shed and other infrastructure.

The application is considered to comply with the Performance Criteria and the Objective of the standard.

Performance Criteria P3

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

- a) the amount of land converted is minimised having regard to:
 - (i) existing use and development on the land; and*
 - (ii) surrounding use and development; and*
 - (iii) topographical constraints; or**
- b) the site is practically incapable of supporting an agricultural use or being included with other land for agricultural or other primary industry use, due to factors such as:
 - (i) limitations created by any existing use and/or development surrounding the site; and*
 - (ii) topographical features; and*
 - (iii) poor capability of the land for primary industry; or**
- c) the location of the use on the site is reasonably required for operational efficiency.*

Comment

The application includes a new dwelling and worker accommodation facilities. These uses are considered to be ancillary to the Resource Development use of the property and are a fundamental part of the agricultural enterprise. The onsite location of these facilities is reasonably required for operational efficiency and is demonstrated in the agricultural report that they will enhance the productive capacity of the land.

The application is considered to comply with the Performance Criteria and the objective of the standard.

Performance Criteria P4

It must demonstrated that:

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

Comment

The proposed use is unlikely to result in emissions at a level considered to constitute an environmental nuisance. The proposal does not include any activities expressly requiring attenuation under the planning scheme and the nearest dwelling is more than 180m from the boundary of the subject title and 200m from the nearest polytunnels.

The proposed used is for controlled climate agriculture a use which is compatible with surrounding resource development uses. Although the proposal includes a dwelling and accommodation, these sensitive components are located such that there is an adequate buffer separating them from the adjoining resource development uses.

The application includes a traffic impact assessment by a suitably qualified person which demonstrates that the local road network has sufficient capacity to accommodate traffic generated by the use. Council's Director Infrastructure Services is satisfied with the conclusions of the traffic impact assessment.

The use complies with the Performance Criteria and is consistent with the objectives of the standard.

Performance Criteria P5

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

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

Comment

The proposed development, particularly the polytunnels will be visible in the landscape. In this instance the polytunnels on the property include a mix of existing and new structures, some of which require planning permits and some which have a no permit required status.

Figure 2 below shows the approximate extent of polytunnels requiring approvals, including those within 50m of the boundary and those on prime agricultural land.

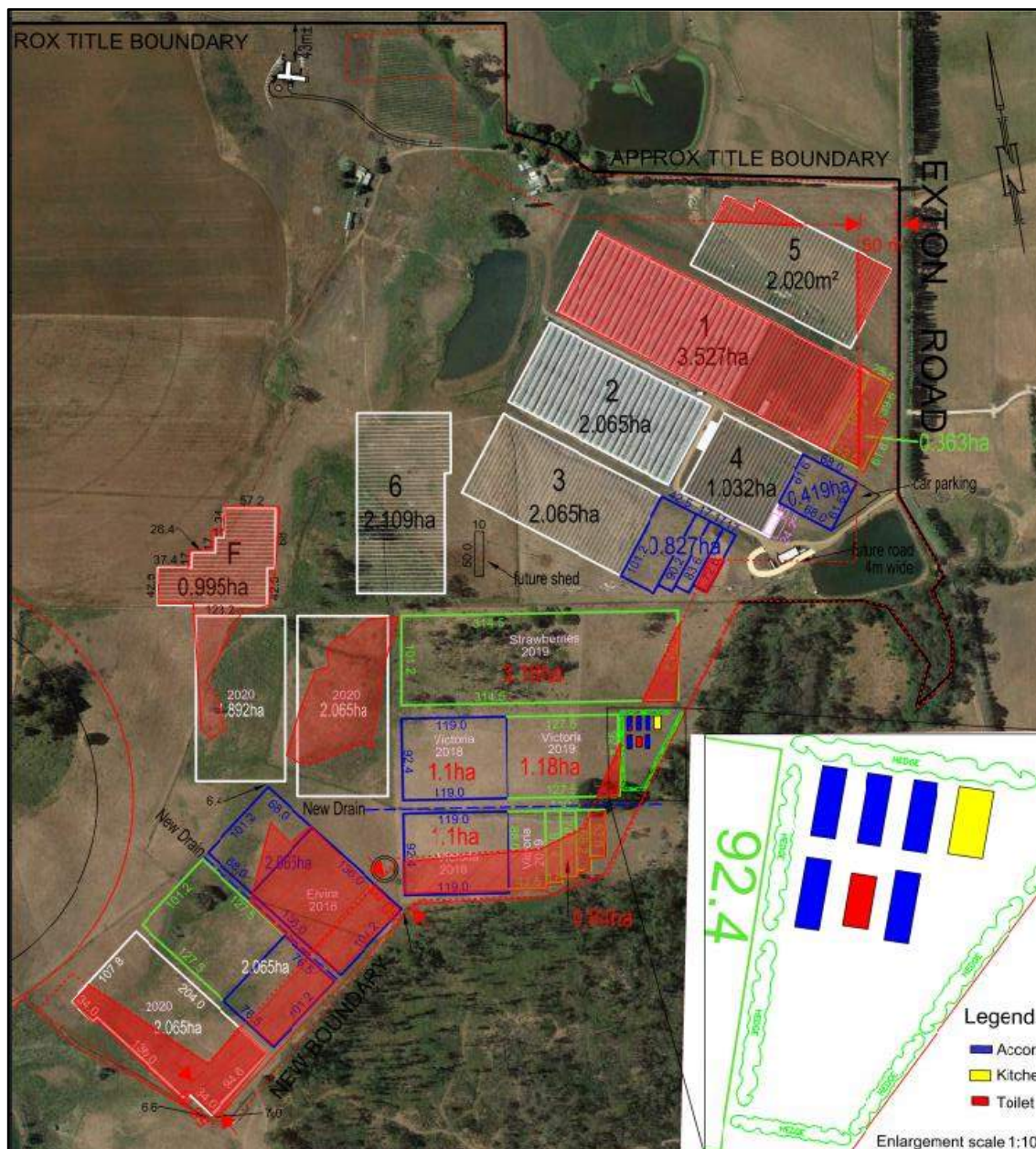


Figure 2: site plan showing polytunnels subject to this application (highlighted in red).

With many of the polytunnels not requiring permits, they are considered to be an established feature of the site, which contributes significantly to its visual character as well as that of the surrounding area. The polytunnels being assessed are not readily discernible from those which are not being assessed.

While relatively uninterrupted views of the tunnels are available from a approximately 1km of Exton Road and 1km of Osmaston Road, views are generally broken up by topography and remnant vegetation (see Photo 1 and Photo 2 above).

The proposed developments are largely located in a relatively flat valley and for the most part the surrounding hills extend above the polytunnels, allowing a natural skyline and providing context and depth to the landscape.

There is sufficient separation between the existing staging areas and proposed machinery store to mitigate the visual impacts of machinery, materials and equipment.

The accommodation buildings will be screened from Exton Road by existing riparian vegetation.

The application includes minor vegetation removal. The vegetation to be removed is not discernible outside of the property.

The proposal is consistent with the Desired Future Character Statement as discussed above.

The proposal is consistent with the Objective.

Rural Resource Zone

26.4.1 Building Location and Appearance

Objective

To ensure that the:

- a) ability to conduct extractive industries and resource development will not be constrained by conflict with sensitive uses; and*
- b) development of buildings is unobtrusive and complements the character of the landscape.*

Performance Criteria P2

Buildings must be setback so that the use is not likely to constrain adjoining primary industry operations having regard to:

- a) *the topography of the land; and*
- b) *buffers created by natural or other features; and*
- c) *the location of development on adjoining lots; and*
- d) *the nature of existing and potential adjoining uses; and*
- e) *the ability to accommodate a lesser setback to the road having regard to:*
 - (i) *the design of the development and landscaping; and*
 - (ii) *the potential for future upgrading of the road; and*
 - (iii) *potential traffic safety hazards; and*
 - (iv) *appropriate noise attenuation.*

Comment

The agricultural assessment submitted with the application considers the setbacks of the proposed buildings and the potential impacts on neighbouring primary industry operations. Although the proposed polytunnels are setback less than 50m from the boundary, the use of these tunnels is considered to be compatible with the surrounding agricultural activities.

While the proposed accommodation buildings are located less than 50m from the south-east boundary, the adjacent land is an area of native riparian vegetation. This vegetation is mapped as containing priority habitat and is prone to flooding. It is not currently used for agriculture and there is limited potential for its development in the future.

The application proposes to replace the existing dwelling with a new dwelling in a different location. Although less than 200m required by the Acceptable Solution for new sensitive uses, the new location has a greater setback from the northern boundary than that of the existing dwelling, resulting in an increased buffer. The new location is also located on a hill and is further away from the areas of flat, prime agricultural land on the adjoining title. The relocation of the dwelling is considered to result in an improvement to the agricultural capabilities of both titles.

The proposed development is consistent with the Objective and will not constrain adjoining primary industry operations.

E4 Road and Railway Assets Code

E4.6.1 Use and Road or Rail Infrastructure

Objective

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

Performance Criteria P3

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

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

Comment

The proposal does not propose or rely on access to a category 1, 2 or 3 road.

The application includes a comprehensive traffic impact assessment prepared by a suitably qualified traffic consultant (Midson Traffic Pty Ltd) considering the impacts of the use and development on the safety and efficiency of Exton Road. While the report includes minor inaccuracies, Council's Director Infrastructure Services has determined that they do not alter the outcome of the assessment.

The assessment considers the design of the road and current road use and demonstrates that Exton Road has sufficient capacity to absorb the increased use generated by the proposal.

The existing access is clearly identifiable to road users. Safe sight distances exceed 300m to the north of the access and 170m to the south. This is sufficient to meet the safe sight distances recommended by the planning scheme. Minor improvements to overgrown vegetation to the south of the access will also increase the safety and efficiency of the access.

The report concludes that the existing access is acceptable for the volume of traffic generated by the development and using Exton Road.

Council's Director Infrastructure Services has provided advice that the assessment and findings are reasonable.

No further works or upgrades are considered necessary.

The proposed use and development is considered to be consistent with the

Objective and will not compromise the safety and efficiency of the road network.

E8 Biodiversity Code

E8.6.1 Habitat and Vegetation Management

Objective

To ensure that:

- a) vegetation identified as having conservation value as habitat has priority for protection and is appropriately managed to protect those values; and*
- b) the representation and connectivity of vegetation communities is given appropriate protection when considering the impacts of use and development.*

Performance Criteria P1

Clearance or disturbance of native vegetation within priority habitat may be allowed where a flora and fauna report prepared by a suitably qualified person demonstrates that development does not unduly compromise the representation of species or vegetation communities in the bioregion having regard to the:

- a) quality and extent of the vegetation or habitat affected by the proposal, including the maintenance of species diversity and its value as a wildlife corridor; and*
- b) means of removal; and*
- c) value of riparian vegetation in protecting habitat values; and*
- d) impacts of siting of development (including effluent disposal) and vegetation clearance or excavations, , in proximity to habitat or vegetation; and*
- e) need for and adequacy of proposed vegetation or habitat management; and*
- f) conservation outcomes and long-term security of any offset in accordance with the General Offset Principles for the RMPS, Department of Primary Industries, Parks, Water and Environment.*

Comment

Although the application proposes to develop an area identified as priority habitat, this area has largely been converted to pasture and does not contain any threatened species or vegetation communities. The circumstances surrounding the clearance are unknown, however, historic aerial photographs indicate a high level of disturbance and lack of native understory for a number of years, suggesting it has occurred incrementally over time through stock access and improved drainage. These activities generally do not require a planning permit.

The agricultural report submitted with the application also provides comment on

the priority habitat and confirms that there are no remaining threatened species or vegetation communities. A full flora and fauna report is not warranted due to the obvious lack of vegetation. While some native species remain, the area is highly disturbed and dominated by introduced pasture species and environmental weeds.

The remaining vegetation is isolated, in poor condition and has little conservation value. Removal of the vegetation is consistent with the objective and will not unduly compromise the representation of species or vegetation communities in the bioregion.

Performance Criteria P2

Clearance or disturbance of native vegetation must be consistent with the purpose of this Code and not unduly compromise the representation of species or vegetation communities of significance in the bioregion having regard to the:

- a) quality and extent of the vegetation or habitat affected by the proposal, including the maintenance of species diversity and its value as a wildlife corridor; and*
- b) means of removal; and*
- c) value of riparian vegetation in protecting habitat values; and*
- d) impacts of siting of development (including effluent disposal) and vegetation clearance or excavations, in proximity to habitat or vegetation; and*
- e) need for and adequacy of proposed vegetation or habitat management; and*
- f) conservation outcomes and long-term security of any offset in accordance with the General Offset Principles for the RMPS, Department of Primary Industries, Parks, Water and Environment.*

Comment

The vegetation to be removed does not include any threatened vegetation communities or species, it is isolated from other vegetation and highly disturbed through grazing and drainage activities. The vegetation has limited ecological value and its removal will not compromise the representation of species or vegetation communities in the bioregion.

The proposal is consistent with the Objective.

E9 Water Quality Code

E9.6.2 Water Quality Management

Objective

To maintain water quality at a level which will not affect aquatic habitats, recreational assets, or sources of supply for domestic, industrial and agricultural uses.

Performance Criteria P2**P2.1**

New and existing point source discharges to wetlands or watercourses must implement appropriate methods of treatment or management to ensure point sources of discharge:

- a) do not give rise to pollution as defined under the Environmental Management and Pollution Control Act 1994; and*
- b) are reduced to the maximum extent that is reasonable and practical having regard to:
 - (i) best practice environmental management; and*
 - (ii) accepted modern technology; and**
- c) meet emission limit guidelines from the Board of Environmental Management and Pollution Control in accordance with the State Policy for Water Quality Management 1997.*

P2.2

Where it is proposed to discharge pollutants into a wetland or watercourse, the application must demonstrate that it is not practicable to recycle or reuse the material.

Comment

Additional runoff generated by the proposed buildings is unlikely to give rise to pollution as defined by the *Environmental Management and Pollution Control Act 1994*. Rooftop runoff is generally very clean and the onsite drainage system is directed to an existing dam, prior to discharge. Runoff from the dam will be minimal, as the dam serves as one of the primary water sources for the berry operation.

The application does not propose to discharge pollutants into a wetland or watercourse.

It is noted that the proximity of the packing shed to the existing dam has resulted in a large amount of windblown rubbish entering the dam with high potential to enter the natural watercourse. In order to better meet the Objective of the standard, it is recommended that a condition be placed on the permit to require rubbish to be contained within the site.

The development is considered to comply with the Performance Criteria and the Objective of the standard.

Recommended Condition

All waste is to be managed such that it does not enter the dam or adjacent watercourse, or leave the site (other than for removal to a legal waste disposal facility).

Conclusion

In conclusion, it is considered that the application for Use and Development for Resource Development (Controlled Climate Agriculture) – workers accommodation, polytunnels, replacement dwelling, machinery shed and office, is acceptable in the Rural Resource Zone and is recommended for approval.

DECISION:

Planning Submission

Resource Development (Controlled Environment Agriculture)
including Polytunnels, New Machinery Shed, Workers
Accommodation and Conversion of Existing Dwelling to
Office; and Use and Construction of New Dwelling



280 Exton Road, Exton



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Appendices

Appendix A: Certificate of Title

Appendix B: Plans and Details

Appendix C: Agricultural Report and Letter – AK Consultants

Appendix D: Traffic Impact Assessment – Midson Traffic Pty Ltd

1. Executive Summary

1.1 Proposal Overview

This submission is prepared on behalf of Tasmanian Berries (Andrew and Stephanie Terry), in support of a proposal for expansion of resource development (controlled environment agriculture) including increase in polytunnels, machinery shed, workers accommodation, and conversion of existing dwelling to offices at 280 Exton Road, Exton. A new dwelling is also proposed on site.

The owners of the subject land are Andrew and Stephanie Terry. This application is made with the knowledge of the land owners.

This application is made under Section 57 of the *Land Use Planning and Approvals Act 1993*, which provides for the submission of an application for a discretionary planning permit. The proposal has been prepared in accordance with the provisions of the Meander Valley Interim Planning Scheme 2013 and the objectives of the *Land Use Planning and Approvals Act 1993*.

The proposal is summarised as:

- Use and Development of Resource Development and Residential, and is illustrated in plans, provided at Appendix B.

2. Subject Land and Locality

2.1 Subject Land Description

The subject site is comprised in Certificate of Title Volume 175297 Folio 1. The registered owners of the site are Andrew Geoffrey Petten Terry and Stephanie Sheree Terry. A copy of the title is contained in Appendix A.

Lot 1 has an area of 132.1 hectares and has primary road frontage to Exton Road. The site is located to the northwest of Quamby Brook. Existing facilities include 19.6 hectares of polytunnels for berry growing enterprise and packing sheds. The proposed development area for the berry enterprise occupies the eastern half of the title and is approximately 64.3ha in area. On the western half of the property is an existing centre pivot irrigator in the north western section, the plans to development a second pivot irrigator in the south western section.

A dwelling and several outbuildings are also current on the title. Surrounding land is predominantly utilised for agriculture at various scale and levels of intensity.

2.1 Locality Description

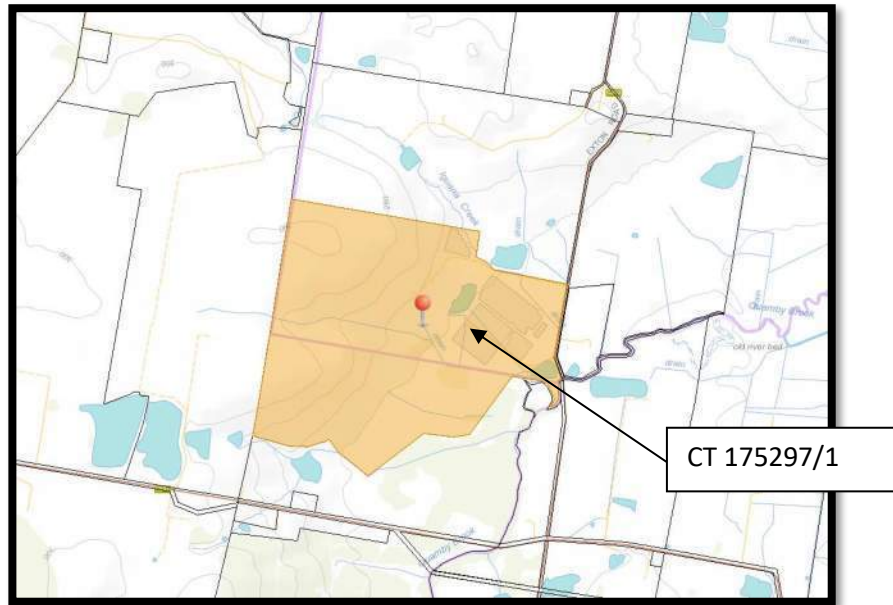


Figure 1: Locality Map

2.2 Access and Movement

There are two existing vehicular access points to the land. The proposal will see access continue from the existing access points to Exton Road. The north access will continue to be used primarily for residential purposes, with internal road networks available for employees to access the converted office building. The southern access will be used for the commercial berry growing operations and internal access to the offices will be via the southern access primarily.

2.3 Services

The subject site is located within the rural settlement of Exton; it is not provided with reticulated sewerage and stormwater; however, the site can be provided with power and communications supplies, as required. Onsite provision of water, and collection and disposal of wastewater and stormwater is proposed for the development. All drainage and stormwater is diverted to the dams on the farm.

2.4 Heritage

The subject site is not identified to be of heritage significance.

2.5 Flora and Fauna

The site is located within the rural area of Exton. A search of the Natural Values Atlas has revealed no recorded species on the subject site. The eastern area of DVG and a small part of the western area are mapped as a 'Priority Habitat' under the Planning Scheme. This is assumed to be derived from these areas also being mapped as containing a wetland. The onsite assessment by AK Consultants, determined all wetlands and native vegetation communities had been converted.

3. Proposal

3.1 Development Proposal

The proposal seeks to gain approval (both future and retrospective) for the development and expansion of a berry growing enterprise that utilises controlled environment agricultural techniques at 280 Exton Road, Exton.

Tasmanian Berries commenced construction of polytunnels on site in February 2014. The last financial year 17/18, the business employed the equivalent of 101 FTE staff. The proposed development will increase the business by approximately 47%, increasing employment to 148 FTE staff.

The proposed development area for the berry enterprise occupies the eastern half of the title and is approximately 64.3ha in area, 33.4ha of this area will be developed under polytunnels to grow berries. The berries are predominantly grown in raised tubes or ground pots. This use will not use the soil as a growth medium. Drainage issues are addressed through subsurface drainage and row spacing allows for foot traffic and small vehicle traffic approximately every 5 rows.

Centralised packing, amenities and transport is provided and existing within proximity to the polytunnels.

Existing facilities include 19.6 hectares agricultural growing area and packing sheds. 2018 future facilities include an additional 6.281 hectares agricultural growing area, machinery shed and accommodation facilities for 50 seasonal fruit pickers. 2019 future facilities include 5.31 hectares additional agricultural growing areas. Polytunnels are temporary buildings that could be removed.

Peak picking season is between November and April. Picking activity commences as early as 5.00am. Casual pickers generally arrive between 5.00am and 7.00am. Picking activity generally ends between 1.00pm and 3.00pm. Packing generally occurs at the same time as picking. Packing already takes place onsite in the field. General farm maintenance is undertaken throughout the year, but increases during the winter months with polytunnel maintenance, disposing of old plants and planting of new ones, pruning blackberry plants and re-trellising them. Staff vehicle movements are typically 10 to 20 two-way movements per day. Heavy vehicle movements vary between 4 to 10 truck movements per day. The inclusion of workers accommodation on site will generally reduce vehicle movements. Deliveries other than fruit out and packaging in, includes deliveries of fertilisers, chemicals, trellis equipment, tunnel equipment and might occur 1-2 times per week.

The proposal also seeks to gain approval for temporary workers accommodation for up to 50 people at one time. This is to accommodate seasonal pickers that work on the farm only. No accommodation to the general public is to be provided. The picking season lasts for 9 months of the year. Most of the seasonal workers are international picking crews and hence require accommodation while working at the operation, primarily from November to April. During the winter months, approximately 15 staff, may be accommodated to assist in farm maintenance. The staff are not backpackers, they will be part of the Australian Government's Seasonal Worker Program. They are on visas with conditions that they cannot breach with the Government or Tasmanian Berries. Each group of seasonal workers (15-20) has a team leader that is responsible for

his/her team. A dedicated employee is engaged to oversee the pastoral care of the seasonal workers i.e. health and well-being. This dedicated employee does not stay on site.

The workers accommodation will comprise of five dormitory buildings, each accommodating up to 10 persons. The buildings are each 16.0m x 5.41m. The building height, to eaves is 2.7m. One communal kitchen building and one amenities building is also proposed to provide facilities to the workers accommodation area.

A 50m x 10m x 4.882m machinery shed is to be located on site, adjacent to Lots 6 and 3 that are existing.

The existing dwelling no longer is fit for purpose and is proposed to be converted to offices associated with the berry growing enterprise operating on the subject site. This building will be used for offices, a meeting room and staff amenities. Internal modifications and general maintenance of the building is proposed only.

As the existing dwelling is to be converted to offices, a new dwelling is proposed for the property and business owners. The new dwelling is to be single storey and will have a floor area of 300m². The new dwelling is to be constructed approximately 275m northwest of the existing dwelling on site. The new dwelling will comprise four bedrooms, main with ensuite and walk-in-robe, study/cellar, lounge, kitchen, dining and living, laundry and bathroom. A carport and store will be attached to the southern side of the dwelling with a deck and spa to be located to the northwest. The dwelling is to be clad using a combination of materials including CSR Barestone, Techdry concrete blockwork and Structuur Kliptray 45 Colorbond as well as timber feature cladding.

All plans and details of the proposal are provided at Appendix B to this submission.

4. Planning Assessment

4.1 Meander Valley Interim Planning Scheme 2013

The subject site is zoned Rural Resource within the *Meander Valley Interim Planning Scheme 2013*. The priority habitat overlay burdens a small area of the subject site in the central south-eastern area. The priority habitat overlay, and flood prone areas overlay burdens the adjacent properties immediately to the southeast.

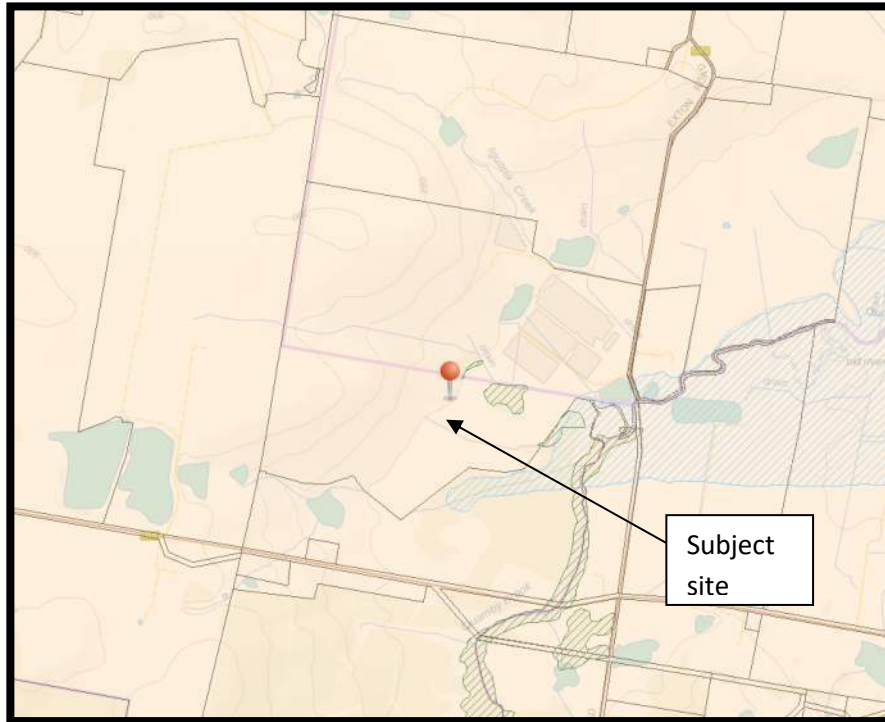


Figure 2: Zoning Map

(Cream = Rural Resource Zone)

26 Rural Resource Zone

26.1 Zone Purpose

26.1.1.1 To provide for sustainable use or development of resources for agriculture, aquaculture, forestry, mining and other primary industries, including opportunities for resource processing.

26.1.1.2 To provide for other use or development that does not constrain or conflict with resource development uses.

26.1.1.3 To provide for economic development that is compatible with primary industry, environmental and landscape values.

26.1.1.4 To provide for tourism-related use and development where the sustainable development of rural resources will not be compromised.

Proposal Response

The proposal meets the zone purpose statements, as it provides for a resource development use at a commercial scale. The use of development will not constrain, or conflict resource development uses.

This is complied with.

26.2 Use Table

The proposed use fits the use class of **Resource Development** (Controlled Environment Agriculture) which is a No Permit Required Use, if not on prime agricultural land within the Rural Resource Zone. Most of the use is considered to have a No Permit Required status. The area of the use that is within Class 3 land has a Discretionary use status (See Figure 3 below to indicate only the areas of the use that are discretionary – Class 3d).

The workers accommodation and offices and machinery shed are considered to be subservient and incidental to the Resource Development use class under Clause 8.2.2 of the Planning Scheme. The workers accommodation, offices and machinery shed are not within prime agricultural land and therefore have a No Permit Required use status also. The dormitories are for seasonal fruit pickers and employees only. The offices to be provided within the converted existing dwelling on site is associated with the business operations only of Tasmanian Berries.

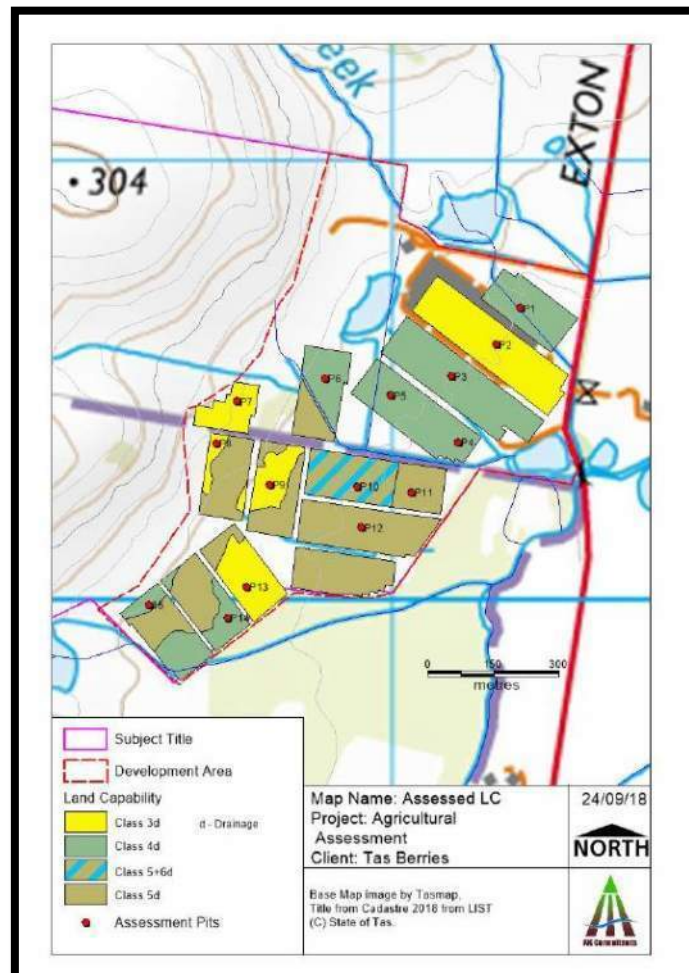


Figure 3: Assessed Land Capability

The proposed dwelling fits the use class of **Residential**, which is a discretionary use within the Rural Resource Zone.

Use Class

Residential

“Use of land for self-contained or shared living accommodation. Examples include an ancillary dwelling, boarding house, communal residence, home-based business, hostel, residential aged care home, residential college, respite centre, retirement village and single or multiple dwellings.”

Resource Development

“Use of land for propagating, cultivating or harvesting plants or for keeping and breeding of livestock or fish stock. If the land is so used, the use may include the handling, packing or storing of produce for dispatch to processors. Examples include agricultural use, aquaculture, bee keeping, controlled environment agriculture, crop production, horse stud, intensive animal husbandry, plantation forestry and turf growing.

Controlled Environment Agriculture as defined by the Scheme means:

“means an agricultural use carried out within some form of built structure, whether temporary or permanent, which mitigates the effect of the natural environment and climate. Such agricultural uses include production techniques that may or may not use imported growth medium. Examples include greenhouses, polythene covered structures, and hydroponic facilities.”

26.3 Use Standards

26.3.1 Discretionary Uses if not a single dwelling

The areas of the use within Class 3 land only are to be considered against the performance criteria in assessment against Clause 26.3.1. The areas of the use not within Prime Agricultural land are No Permit Required and meet the relevant acceptable solutions.

Objective:

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



impact on existing sensitive uses or local infrastructure.

f) The visual impacts of use are appropriately managed to integrate with the surrounding rural landscape.

Acceptable Solution	Performance Criteria	Proposal Response
A1 If for permitted or no permit required uses.	<p>P1.1 It must be demonstrated that the use is consistent with local area objectives for the provision of non-primary industry uses in the zone, if applicable; and</p> <p>P1.2 Business and professional services and general retail and hire must not exceed a combined gross floor area of 250m² over the site.</p>	<p>P1.1 Not applicable.</p> <p>P1.2 Not applicable.</p>
A2 If for permitted or no permit required uses.	<p>P2.1 Utilities, extractive industries and controlled environment agriculture located on prime agricultural land must demonstrate that the:</p> <ul style="list-style-type: none"> i) Amount of land alienated/converted is minimised; and ii) Location is reasonably requires for operational efficiency; and <p>P2.2 Uses other than utilities, extractive industries or controlled environment agriculture located on prime agricultural land, must demonstrate that the conversion of prime agricultural land to that use will result in a significant benefit to the region having regard to the economic, social and environmental costs and benefits.</p>	<p>P2.1 Of the 33.4ha of polytunnels, a total of 8ha of the development area is of Class 3 land and hence discretionary. The Class 3 land areas proposed to be utilised for the berry enterprise has relatively poor connectivity to other Prime Agricultural Land. It is unlikely that this Class 3 land would be utilised for another agricultural activity with the proposed enterprise occurring on the surrounding land.</p> <p>For operational efficiency clusters of tunnels in proximity to the centralised packing, amenities and transport areas is ideal. The located of the proposed polytunnels on the Class 3 land conforms with these operational efficiencies. Further details are provided at Appendix C, Agricultural Report, prepared by AK Consultants.</p> <p>The proposed use is considered to be compliant with the</p>



performance criteria.

P2.2 Not applicable.

A3 If for permitted or no permit required uses.

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

- a) The amount of land converted is minimised having regard to:
 - i) Existing use and development on the land; and
 - ii) Surrounding use and development; and
 - iii) Topographical constraints; or
- b) The site is practically incapable of supporting an agricultural use or being included with other land for agricultural or other primary industry use, due to factors such as:
 - i) Limitations created by any existing use and/or development surrounding the site; and
 - ii) Topographical features; and
 - iii) Poor capability of the land for primary industry; or
- c) The location of the use on the site is reasonably required for operational efficiency.

P3 a) The workers accommodation for seasonal picking staff is located on Class 5 land. This is an important aspect of the proposed on going use of the development area as it will allow workers to stay on farm and not compete with local budget accommodation in peak season in nearby towns. Most of the workers do not have their own transport so the provision of onsite accommodation assists with providing an efficient package to attract seasonal picking staff.

The location of the workers accommodation has been designed to minimise the land that is converted from agricultural uses, while being in a practical location.

The proposed use is considered to be compliant with the performance criteria.

Further details are provided at Appendix C, Agricultural Report, prepared by AK Consultants.

A4 If for permitted or no permit required uses.

P4 It must be demonstrated that:

- a) Emissions are not likely to cause an environmental nuisance; and
- b) Primary industry uses will not be unreasonably

P4 Due to the nature of the existing and proposed use, emissions such as noise, odour and dust are not likely to cause an environmental nuisance.



- confined or restrained from conducting normal operations; and
- c) The capacity of the local road network can accommodate the traffic generated by the use.
- As demonstrated within the Agricultural Report, contained at Appendix C, the proposal will not unreasonably confine or restrain primary industry uses from conducting normal operations.*

The road network can accommodate the traffic generated by the use, as the capacity will not be significantly increased, as demonstrated within the Traffic Impact Assessment, contained at Appendix D to this submission.

The proposed use is considered to be compliant with the performance criteria.

- | | | |
|---|---|--|
| <p>A5 The use must:</p> <ul style="list-style-type: none"> a) Be permitted or no permit required; or b) Be located in an existing building. | <p>P5 It must be demonstrated that the visual appearance of the use is consistent with the local area having regard to:</p> <ul style="list-style-type: none"> a) The impacts on skylines and ridgelines; and b) Visibility from public roads; and c) The visual impacts of storage of materials or equipment; and d) The visual impacts of vegetation clearance or retention; and e) The desired future character statements. | <p><i>P5 The subject site is a sloping site (average 6% over entire title). The area of the development which is discretionary is screened sufficiently from Exton Road by vegetation between the road boundary and the development site and well as consistent with the visual character of the site as viewed in context to the Resource Development use that is No Permit Required use. For example, the areas of Class 3 land are interspersed with areas of Class 4 and 5 and 6 land and therefore the visual appearance of the use that use on Class 3 land is consistent with the local area. The proposed buildings are consistent</i></p> |
|---|---|--|



to the scale of a surrounding buildings and structures.

The visual appearance of the use is consistent with the local area and the desired future character statements.

The proposed use is considered to be compliant with the performance criteria.

26.3.2 Dwellings

Objective

To ensure that dwellings are:

- (a) Incidental to resource development; or
- (b) Located on land with limited rural potential where they do not constrain surrounding agricultural operations.

Acceptable Solution	Performance Criteria	Proposal Response
<p>A1.1 Development must be for the alteration, extension or replacement of existing dwellings; or</p> <p>A1.2 Ancillary dwellings must be located within the curtilage of the existing dwelling on the property; or</p> <p>A1.3 New dwellings must be within the resource development use class and on land that has a minimum current capital value of \$1 million a demonstrated by a valuation report or sale price less than two years old.</p>	<p>P1.1 A dwelling may be constructed where it is demonstrated that:</p> <ul style="list-style-type: none"> a) It is integral and subservient to resource development, as demonstrated in a report prepared by a suitably qualified person, having regard to: <ul style="list-style-type: none"> i) Scale; and ii) Complexity of operation; and iii) Requirement for personal attendance by the occupier; and iv) Proximity to the activity; and v) Any other matters as relevant to the particular activity; or b) The site is practically incapable of supporting an agricultural use or being included with other land for agricultural or other primary industry use, having regard to: <ul style="list-style-type: none"> i) Limitations created by any existing use and/or development 	<p>A1.1 As detailed within the Agricultural Assessment undertaken by AK Consultants for the subject site, the proposed development is based berry growing enterprise (controlled environment agriculture). An existing dwelling is located on site, which is to be converted to offices subservient to the berry growing enterprise. The dwelling does not suit the purposes of the property owners any longer and hence the need to build a new dwelling on the site.</p>



- surrounding the site;
and
- ii) Topographical features; and
- iii) Poor capability of the land for primary industry operations (including a lack of capability or other impediments); and

P1.2 A dwelling may be constructed where it is demonstrated that wastewater treatment for the proposed dwelling can be achieved within the lot boundaries, having regard to the rural operation of the property and provision of reasonable curtilage to the proposed dwelling; and

P1.3 A dwelling may be constructed where it is demonstrated that the lot has frontage to a road or a Right of Carriageway registered over all relevant titles.

26.3.3 Irrigation Districts – not applicable, the subject site is not on land within an irrigation district.

26.4 Development Standards

26.4.1 Building Location and Appearance

Objective

To ensure that the:

- (c) Ability to conduct extractive industries and resource development will not be constrained by conflict with sensitive uses; and
- (d) Development of buildings is unobtrusive and complements the character of the landscape.

Acceptable Solution	Performance Criteria	Proposal Response
A1 Building height must not exceed: (a) 8m for dwellings; or (b) 12m for other purposes.	P1 Building height must: (a) Be unobtrusive and complement the character of the surrounding landscape; and (b) Protect the amenity of adjoining uses from adverse impacts as a result of the proposal.	A1 <i>The proposed buildings are less than 12m and the new dwelling is to have a height less than 8m.</i>
A2.1 Buildings must be set back a minimum of: (a) 50m where a non	P2 Buildings must be setback so that the use is not likely to constrain adjoining primary industry operations	A2.1 <i>a) The majority of the development is located greater than</i>



sensitive use or extension to existing sensitive use building is proposed; or	having regard to:	50m from property boundaries, as demonstrated by Figure 4 below.
(b) 200m where a sensitive use is proposed; or	a) The topography of the land; and	
(c) The same as existing for replacement of an existing dwelling.	b) Buffers created by natural or other features; and	
	c) The location of development on adjoining lots; and	<i>c) The new dwelling will be approximately 275m to the north west of the existing dwelling that it will replace. This new location will place the dwelling 43m from the property's northern boundary. While the existing dwelling is further buffered to its northern boundary by existing trees, it is anticipated that the new dwelling will be buffered by the increased setback and the new located is elevated on an east facing slope. The new dwelling will replace the existing dwelling on site and will not be located any closer to the title's northern boundary than the existing dwelling. It will also be more than 200m from all other boundaries.</i>
	d) The nature of existing and potential adjoining uses; and	
	e) The ability to accommodate a lesser setback to the road having regard to:	
	i) The design of the development and landscaping; and	
	ii) The potential for future upgrading of the road; and	
	iii) Potential traffic safety hazards; and	
	iv) Appropriate noise attenuation.	
		<i>P2 As demonstrated by Figure 4 below, some areas of the polytunnels, both current and proposed are to be located within 50m of the property boundaries as well as the proposed workers accommodation. The proposed location of the building areas will provide sufficient setbacks from adjoining titles to minimise the risk of constraining primary industry uses in</i>

the vicinity and have been designed to maximise the area available for the proposed enterprise to maximise its operational efficiency. Further details in relation to compliance with the performance criteria for development within 50m of the title boundaries is provided at Appendix C to this submission.

The proposed use is considered to be compliant with the performance criteria.

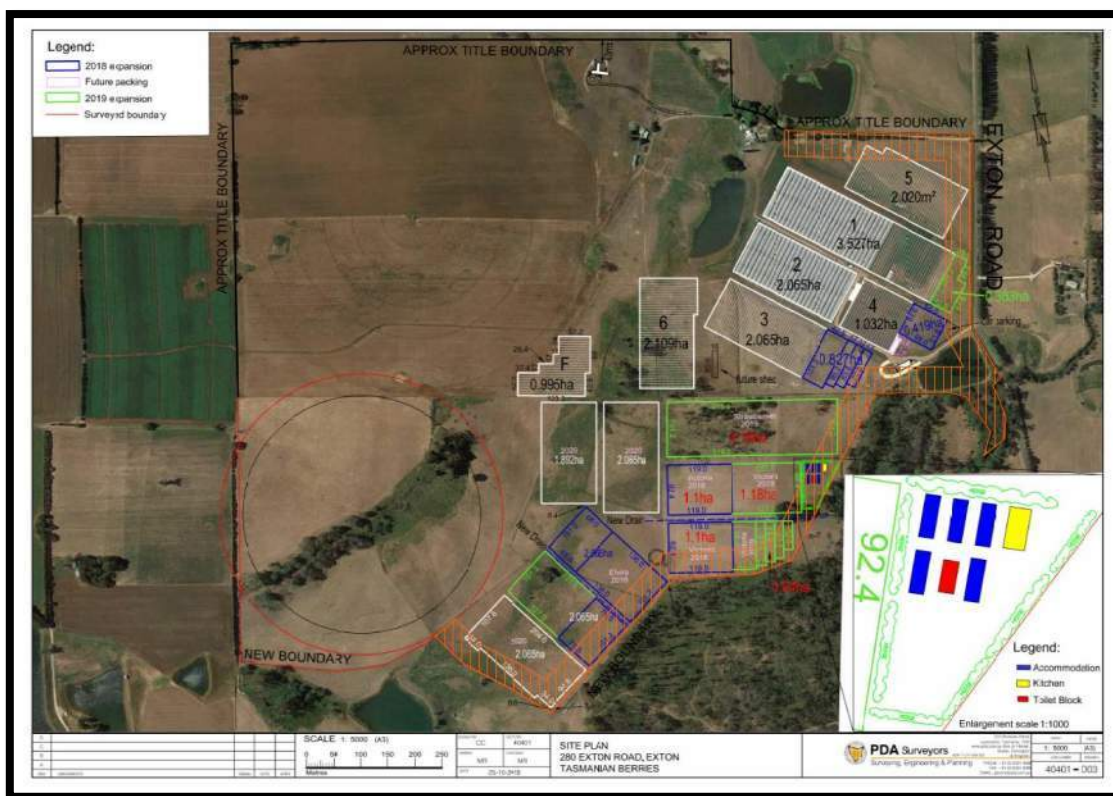


Figure 4: Hatched Area indicates development within 50m of property boundary

26.4.2 Subdivision – not applicable, the proposal does not include subdivision.

4.2 Other Planning Considerations

E1 Bushfire Code – Not applicable at planning application stage, the use is not considered to be a hazardous use or vulnerable use.

E2 Potentially Contaminated Land Code – Not applicable, the subject site is not potentially contaminated land.

E3 Landslip Code – Not applicable. The subject site is not located within any proclaimed landslip zones, nor any overlay subject to the Planning Scheme.

E4 Road and Railway Assets Code – Applicable.

E4.6.1 Use and road or rail infrastructure

Objective

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

Acceptable Solution	Performance Criteria	Proposal Response
A1 Sensitive use on or within 50m of a category 1 or 2 road, in an area subject to a speed limit of more than 60km/h, a railway or future road or railway, must not result in an increase to the annual average daily traffic (AADT) movements to or from the site by more than 10%.	P1 Sensitive use on or within 50m of a category 1 or 2 road, in an area subject to a speed limit of more than 60km/h, a railway or future road or railway must demonstrate that the safe and efficient operation of the infrastructure will not be detrimentally affected.	<i>A1 Not applicable, the proposed use is not considered to be sensitive.</i>
A2 For roads with a speed limit of 60km/h or less the use must not generate more than a total of 40 vehicle entry and exit movements per day.	P2 For roads with a speed limit of 60km/h or less, the level of use, number, location, layout and design of accesses and junctions must maintain an acceptable level of safety for all road users, including pedestrians and cyclists.	<i>A2 Not applicable.</i>
A3 For roads with a speed limit of more than 60km/h the use must not increase the annual average daily traffic (AADT) movements at the existing access or junction by more than 10%.	P3 For limited access roads and roads with a speed limit of more than 60km/h: a) Access to a category 1 road or limited access road must only be via an existing access or junction or the use or	<i>P3 While the use and development has been operational for some time, the traffic generation has been compared to the previous use of the site. Refer to section 4.3 of the Traffic Impact Assessment, provided at Appendix D.</i>

development must provide a significant social and economic benefit to the State or region; and

The proposed use is considered to be compliant with the performance criteria.

- b) Any increase in use of an existing access or junction or development of a new access or junction to a limited access road or a category 1, 2 or 3 road must be for a use that is dependent on the site for its unique locational attributes and an alternate site or access to a category 4 or 5 road is not practicable; and
- c) An access or junction which is increased in use or is a new access or junction must be designed and located to maintain an adequate level of safety and efficiency for all road users.

E4.7 Development Standards

E4.7.1 Development on and adjacent to Existing and Future Arterial Roads and Railways – not applicable, no new roads will be created, and the development is not within 50m from the Category 1 or 2 road.

4.7.2 Management of Road Accesses and Junctions

Objective

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

Acceptable Solution	Performance Criteria	Proposal Response
A1 For roads with a speed limit or 60km/h or less the development must include only one access providing both entry and exit, or two accesses providing separate	P1 For roads with a speed limit or 60km/h or less, the number, location, layout and design of accesses and junctions must maintain an acceptable level of safety for all road users,	<i>Not applicable.</i>

entry and exit.	including pedestrians and cyclists.	
A2 For roads with a speed limit of more than 60km/h the development must not include a new access or junction.	<p>P2 For limited access roads and roads with a speed limit of more than 60km/h:</p> <ul style="list-style-type: none"> a) Access to a category 1 road or limited access road must only be via an existing access or junction or the development must provide a significant social and economic benefit to the State or region; and b) Any increase in use of an existing access or junction or development of a new access or junction to a limited access road or a category 1, 2 or 3 road must be dependent on the site for its unique resources, characteristics or locational attributes and an alternate site or access to a category 4 or 5 road is not practicable; and c) An access or junction which is increased in use or is a new access or junction must be designed and located to maintain an adequate level of safety and efficiency for all road users. 	A2 <i>The proposal complies. The accesses are existing.</i>

E4.7.3 Management of Rail Level Crossings – Not applicable.

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

Objective

To ensure that use and development involving or adjacent to accesses, junctions and level crossings



allows sufficient sight distance between vehicles and between vehicles and trains to enable safe movement of traffic.

Acceptable Solution	Performance Criteria	Proposal Response
<p>A1 Sight distances at:</p> <p>a) An access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.6.4; and</p> <p>b) Rail level crossings must comply with <i>AS1742.7 Manual of uniform traffic control devices – Railway crossings</i>, Standards Association of Australia; or</p> <p>c) If the access is a temporary access, the written consent of the relevant authority has been obtained.</p>	<p>P1 The design, layout and location of an access, junction or rail level crossing must provide adequate sight distances to ensure the safe movement of vehicles.</p>	<p>A1 <i>The required SISD is 140 metres. The available sight distance exceeds 300 metres to the north of the access and is approximately 170 metres to the south of the access. The proposal complies.</i></p>

E5 Flood Prone Areas Code – Not applicable.

E6 Car Parking and Sustainable Transport Code

Table E6.1: Parking Space Requirements

Use	Parking Requirement	
	Vehicle	Required
Resource Development	No requirement	No requirement
Residential	1 space per bedroom or 2 spaces per 3 bedrooms + 1 visitor space for every 5 dwellings	2 spaces

Proposal Response

The proposal provides a large quantity of informal parking throughout the site. The new dwelling will accommodate at least 2 spaces within the carport and curtilage of the dwelling.

E6.6 Use Standards

E6.6.1 Car Parking Numbers

Objective

To ensure that an appropriate level of car parking is provided to service use.

Acceptable Solutions	Performance Criteria	Proposal Response
<p>A1 The number of car parking spaces must not be less than the requirements of:</p> <ul style="list-style-type: none"> a) Table E6.1; or b) A parking precinct plan contained in Table E6.6: Precinct Parking Plans (except for dwellings in the General Residential Zone). 	<p>P1 The number of car parking spaces provided must have regard to:</p> <ul style="list-style-type: none"> a) The provisions of any relevant location specific car parking plan; and b) The availability of public car parking spaces within reasonable walking distance; and c) Any reduction in demand due to sharing of spaces by multiple uses either because of variations in peak demand or by efficiencies gained by consolidation; and d) The availability and frequency of public transport within reasonable walking distance of the site; and e) Site constraints such as existing buildings, slope, drainage, vegetation and landscaping; and f) The availability, accessibility and safety of on-road parking, having regard to the nature of the roads, traffic management and other uses in the vicinity; and g) An empirical assessment of the car parking demand; and 	<p>A1 <i>The proposal complies with the acceptable solution. The proposal provides at least 2 spaces for the residential use. The site provides a large quantity of informal parking throughout the site for the Resource Development use.</i></p>

- h) The effect on streetscape, amenity and vehicle, pedestrian and cycle safety and convenience; and
- i) The recommendations of a traffic impact assessment prepared for the proposal; and
- j) Any heritage values of the site; and
- k) For residential buildings and multiple dwellings, whether parking is adequate to meet the needs of the residents having regard to:
 - i) The size of the dwelling and the number of bedrooms; and
 - ii) The pattern of parking in the locality; and
 - iii) Any existing structure on the land.

E6.7 Development Standards

E6.7.1 Construction of Car Parking Spaces and Access Strips

Objective

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

Acceptable Solutions	Performance Criteria	Proposal Response
<p>A1 All car parking, access strips manoeuvring and circulation spaces must be:</p> <ul style="list-style-type: none"> a) Formed to an adequate level and drained; and b) Except for a single dwelling, provided with an impervious all weather seal; 	<p>P1 All car parking, access strips manoeuvring and circulation spaces must be readily identifiable and constructed to ensure that they are useable in all weather conditions.</p>	<p>A1 With appropriate conditions contained in an approval, the proposal is considered to comply with the Acceptable Solution. No formal line markings are proposed.</p>

- and
- c) Except for a single dwelling, line marked or provided with other clear physical means to delineate car spaces.

E6.7.2 Design and Layout of Parking Areas

Objective

To ensure that parking areas are designed and laid out to an appropriate standard.

Acceptable Solutions	Performance Criteria	Proposal Response
<p>A1.1 Where providing for 4 or more spaces, parking areas (other than for parking located in garages and carports for dwellings in the General Residential Zone) must be located behind the building line; and</p> <p>A1.2 Within the general residential zone, provision for turning must not be located within the front setback for residential buildings or multiple dwellings.</p>	<p>P1 The location of car parking and manoeuvring spaces must not be detrimental to the streetscape or the amenity of the surrounding areas, having regard to:</p> <ul style="list-style-type: none"> a) The layout of the site and the location of existing buildings; and b) Views into the site from the road and adjoining public spaces; and c) The ability to access the site and the rear of buildings; and d) The layout of car parking in the vicinity; and e) The level of landscaping proposed for the car parking. 	<p>A1 The car parking is proposed behind the building line (minimum 50 from the front boundary).</p>
<p>A2.1 Car parking and manoeuvring space must:</p> <ul style="list-style-type: none"> a) Have a gradient of 10% of less; and b) Where providing for more than 4 cars, provide for vehicles to enter and exit the site in a forward 	<p>P2 Car parking and manoeuvring space must:</p> <ul style="list-style-type: none"> a) Be convenient, safe and efficient to use having regard to matters such as slope, dimensions, layout and the 	<p>A2.1 The site of the development is relatively flat with a gradient of less than 10%. The site allows for vehicles to enter and exit the site only in a forward direction with the width of vehicular access no less than</p>



- direction; and
- c) Have a width of vehicular access no less than prescribed in Table E6.2; and
 - d) Have a combined width of access and manoeuvring space adjacent to parking spaces not less than as prescribed in Table E6.3 where any of the following apply:
 - i) There are three or more car parking spaces; and
 - ii) Where parking is more than 30m driving distance from the road; or
 - iii) Where the sole vehicle access is to a category 1,2,3 or 4 road; and
- expected number and type of vehicles; and
- b) Provide adequate space to turn within the site unless reversing from the site would not adversely affect the safety and convenience of users and passing traffic.
- prescribed in Table E6.2 and E6.3.*
- A2.2 The layout of car spaces and access ways will be designed in accordance with Australian Standards AS 2890.1 – 2004 Parking Facilities, Part 1: Off Road Car Parking.*

A2.2 The layout of car spaces and access ways must be designed in accordance with *Australian Standards AS 2890.1 – 2004 Parking Facilities, Part 1: Off Road Car Parking.*

E6.7.3 Car Parking Access, Safety and Security – not applicable, not more than 20 parking spaces required or to be provided.

E6.7.4 Parking for Persons with a Disability

Objective

To ensure adequate parking for persons with a disability.

Acceptable Solutions	Performance Criteria	Proposal Response
A1 All spaces designated for use by persons with a disability must be located closest to the main entry point to the building.	P1 No performance criteria.	A1 <i>Not applicable to subject use.</i>
A2 Accessible car parking spaces for use by persons with disabilities must	P2 No performance criteria.	A2 <i>Not applicable to subject</i>

be designed and constructed in accordance with AS/NZ2890.6-2009 Parking facilities – Off-street parking for people with disabilities.

use.

E6.7.6 Loading and Unloading of Vehicles, Drop-off and Pickup

Objective

To ensure adequate access for people and goods delivery and collection and to prevent loss of amenity and adverse impacts on traffic flows.

Acceptable Solutions	Performance Criteria	Proposal Response
<p>A1 For retail, commercial, industrial, service industry or warehouse or storage uses:</p> <ul style="list-style-type: none"> a) At least one loading bay must be provided in accordance with Table E6.4; and b) Loading and bus bays and access strips must be designed in accordance with Australian Standard AS/NZS 2890.3 2002 for the type of vehicles that will use that site. 	<p>P1 For retail, commercial, industrial, service industry or warehouse or storage uses, adequate space must be provided for loading and unloading the type of vehicles associated with delivering and collecting people and goods where these are expected on a regular basis.</p>	<p>A1 Loading takes place adjacent to the existing packing shed. The site allows ample space for this to occur.</p>

E6.8 Provisions for Sustainable Transport

E6.8.1 Pedestrian Walkways

Objective

To ensure pedestrian safety is considered in development.

Acceptable Solutions	Performance Criteria	Proposal Response
<p>A1 Pedestrian access must be provided in accordance with Table E6.5.</p>	<p>P1 Safe pedestrian access must be provided within car park and between entrances to buildings and the road.</p>	<p>A1 Pedestrian access throughout the areas of the subject site is available informally.</p>

E7 Scenic Management Code – Not applicable.

E8 Biodiversity Code

E8.6 Development Standards

E8.6.1 Habitat and Vegetation Management

Objective

To ensure that:

- a) Vegetation identified as having conservation value as habitat has priority for protection and is appropriately managed to protect those values; and
- b) The representation and connectivity of vegetation communities is given appropriate protection when considering the impacts of use and development.

Acceptable Solutions	Performance Criteria	Proposal Response
<p>A1.1 Clearance or disturbance of priority habitat is in accordance with a certified Forest Practices Plan or:</p> <p>A1.2 Use or development does not clear or disturb native vegetation within the area of the site identified as priority habitat.</p>	<p>P1 Clearance or disturbance of native vegetation within priority habitat may be allowed where a flora and fauna report prepared by a suitably qualified person demonstrates that development does not unduly compromise the representation of species or vegetation communities in the bioregion having regard to the:</p> <ol style="list-style-type: none"> a) Quality and extent of the vegetation or habitat affected by the proposal, including the maintenance of species diversity and its value as a wildlife corridor; and b) Means of removal; and c) Value of riparian vegetation in protecting habitat values; and d) Impacts of siting of development (including effluent disposal) and vegetation clearance or excavations, in proximity to habitat or vegetation; and e) Need for and adequacy of proposed vegetation or habitat management; and f) Conservation outcomes and long-term security of any offset in accordance with the General Offset 	<p>A1.1 and A1.2 Not applicable. The eastern area of DVG and a small part of the western area of the site are mapped as a 'Priority Habitat' under the Planning Scheme. The onsite assessment determined all native vegetation communities have been converted.</p>

Principles for the RMPS, Department of Primary Industries, Parks, Water and Environment.		
A2 Clearance or disturbance of native vegetation is in accordance with a certified Forest Practices Plan.	<p>P2 Clearance or disturbance of native vegetation must be consistent with the purpose of this Code and not unduly compromise the representation of species or vegetation communities in the bioregion having regard to the:</p> <ul style="list-style-type: none"> a) Quality and extent of the vegetation or habitat affected by the proposal, including the maintenance of species diversity and its value as a wildlife corridor; and b) Means of removal; and c) Value of riparian vegetation in protecting habitat values; and d) Impacts of siting of development (including effluent disposal) and vegetation clearance or excavations, in proximity to habitat or vegetation; and e) Need for and adequacy of proposed vegetation or habitat management; and f) Conservation outcomes and long-term security of any offset in accordance with the General Offset Principles for the RMPS, Department of Primary Industries, Parks, Water and Environment. 	<p>A2 <i>Not applicable. The eastern area of DVG and a small part of the western area of the site are mapped as a 'Priority Habitat' under the Planning Scheme. The onsite assessment determined all native vegetation communities have been converted.</i></p>

E9 Water Quality Code – Applicable.

E9.6.1 Development and Construction Practices and Riparian Vegetation

Objective

To protect the hydrological and biological roles of wetlands and watercourses from the effects of development.

Acceptable Solutions	Performance Criteria	Proposal Response
<p>A1 Native vegetation is retained within:</p> <ul style="list-style-type: none"> a) 40m of a wetland, watercourse or mean high water mark; and b) A Water catchment area – inner buffer. 	<p>P1 Native vegetation removal must submit a soil and water management plan to demonstrate:</p> <ul style="list-style-type: none"> a) Revegetation and weed control of areas of bare soil; and b) The management of runoff so that impacts from storm events up to at least the 1 in 5 year storm are not increased; and c) That disturbance to vegetation and the ecological values of riparian vegetation will not detrimentally affect hydrological features and functions. 	<p>A1 <i>Proposal complies. No native vegetation is to be removed as part of this proposal.</i></p>
<p>A2 A wetland must not be filled, drained, piped or channelled.</p>	<p>P2 No performance criteria.</p>	<p>A2 <i>Proposal complies, no wetland is to be filled, drained, piped or channelled.</i></p>
<p>A3 A watercourse must not be filled, piped or channelled except to provide a culvert for access purposes.</p>	<p>P3 A watercourse may be filled, piped, or channelled:</p> <ul style="list-style-type: none"> a) Within an urban environment for the extension of an existing reticulated stormwater network; or b) For the construction of a new road where retention of the watercourse is not feasible. 	<p>A3 <i>Proposal complies, no watercourse is to be filled, piped or channelled. All stormwater runoff from buildings will be to existing dams on site.</i></p>

E9.6.2 Water Quality Management

Objective

To maintain water quality at a level which will not affect aquatic habitats, recreational assets, or sources of supply for domestic, industrial and agricultural uses.

Acceptable Solutions	Performance Criteria	Proposal Response
<p>A1 All stormwater must be:</p> <ul style="list-style-type: none"> a) Connected to a reticulated stormwater system; or b) Where ground surface runoff is collected, diverted through a sediment and grease trap or artificial wetlands prior to being discharged into a natural wetland or watercourse; or c) Diverted to an on-site system that contains stormwater within the site. 	<p>P1 Stormwater discharges to watercourses and wetlands must minimise loss of hydrological and biological values, having regard to:</p> <ul style="list-style-type: none"> (i) Natural flow regimes, water quality and biological diversity of any waterway or wetland; (ii) Design and operation of any buildings, works or structures, on or near the wetland or waterway; (iii) Sources and types of potential contamination of the wetland or waterway; (iv) Devices or works to intercept and treat waterborne contaminants; (v) Opportunities to establish or retain native riparian vegetation or continuity of aquatic habitat. 	<p>A1 b) and c) All stormwater will be diverted to an on-site stormwater system within the site, whereby ground surface runoff and building runoff will be directed to existing dams on the subject site, which will act as a sediment trap prior to any discharge into a natural watercourse.</p> <p>The proposal complies with the acceptable solution.</p>
A2.1 No new point source discharge directly into a wetland or watercourse.	P2.1 New and existing source discharges to wetlands or watercourse must implement appropriate methods of	P2.1 As mentioned previously all stormwater from the buildings including polytunnels will be
A2.2 For existing point source		



discharges into a wetland or watercourse there is to be no more than 10% increase over the discharge which existed at the effective date.

treatment or management to ensure point sources of discharge:

- a) Do not give rise to pollution as defined under the *Environment Management and Pollution Control Act 1994*; and
- b) Are reduced to the maximum extent that is reasonable and practical having regard to:
 - i) best practice environmental management; and
 - ii) accepted modern technology; and
- c) Meet emission limit guidelines from the Board of Environmental Management and Pollution Control in accordance with the *State Policy for Water Quality Management 1997*.

discharged directly into existing dams on site. No new point source discharges into a watercourse is proposed. The proposal will not give rise to pollutants as clean water run off from buildings is proposed to the dams. The dams act as a sediment trap prior to any discharge into a watercourse. Water from the dams will cause minimal discharge to a watercourse, as primarily the water storage is used for agricultural purposes within the property.

The proposal is considered compliant with the performance criteria.

P2.2 Where it is proposed to discharge pollutants into a wetland or watercourse, the application must demonstrate that it is not practicable to recycle or reuse the material.

E9.6.3 – E9.6.5 – Not applicable.

E10 Recreation and Open Space Code – Not applicable, the proposal is not for a subdivision.

E11 Environmental Impacts and Attenuation Code – Not applicable.

E12 Airports Impact Management Code – Not applicable.

E13 Local Historic Heritage Code – Not applicable.

E14 Signage Code – Applicable.
E14.6.7 Pole Signs

Acceptable Solutions	Performance Criteria	Proposal Response
A1 Pole signs must only be erected in Urban Mixed Use Zone, Local Business, General Business Zones, Light Industrial Zone, General Industrial Zone and Rural Resource Zone.	P1 A Pole Sign may be erected in the Rural Resource Zone provided the sign: <ul style="list-style-type: none"> a) Integrates into the design of the premises so as to be attractive and informative without dominating the visual landscape; b) Respect and not detract from the streetscape of the locality where it is erected; c) Does not unduly increase visual clutter and, where possible, reduces existing visual clutter of the streetscape by replacing existing signs with fewer, more effective signs; d) Does not unduly obstruct, or distract, vehicular or pedestrian traffic. 	A1 <i>The proposal complies. The sign is located within the Rural Resource Zone.</i>
A2 Pole Signs must: <ul style="list-style-type: none"> a) Be the only type of pole sign on the premises; and b) Not be illuminated other than by baffled lights; and c) Be double sided or erected so the back of the sign is not visible from a public space; and d) Have a maximum area of 4 square metres per side with no more than 2 display 	P2 The sign must: <ul style="list-style-type: none"> a) Not unreasonably reduce sunlight to the window or private open space of an adjoining property; and b) Not unreasonably spill light over the site boundary; and c) Have a display area and height that are 	A2 <ul style="list-style-type: none"> a) <i>The singular pole sign is the only type of pole sign on the premises.</i> b) <i>The sign is not to be illuminated or lit in any way.</i> c) <i>The sign is single sided, with the back of the sign not visible from a public space.</i> d) <i>The sign is 0.8m high</i>



- sides; and
- e) Have a maximum height of 8 metres.
- d) Does not unduly obstruct, or distract, vehicular or pedestrian traffic.
- and 0.93m wide.
- e) The sign has a maximum height above natural ground level of 2.4m. The pole height is 1.6m above natural ground level.



Figure 5: Signage

4.3 State Policies

4.3.1 State Coastal Policy 1996

The State Coastal Policy was created under the *State Policies and Projects Act 1993*. This Policy applies to the Coastal Zone, which is defined as the area within State waters and all areas within one kilometre of the coast.

Proposal Response

The subject site is located not within one kilometre from the coast, meaning that the provisions of the State Coastal Policy 1996 do not apply.

4.3.2 State Policy on Water Quality Management 1997

This Policy applies to all surface waters, including coastal waters, and ground waters, other than:

- i. Privately owned waters that are not accessible to the public and are not connected to, or flow directly into, waters that are accessible to the public; or
- ii. Waters in any tank, pipe or cistern.

The purpose of the Policy is to achieve the sustainable management of Tasmania's surface water and groundwater resources by protecting or enhancing their qualities while allowing for sustainable development in accordance with the objectives of Tasmania's Resource Management and Planning System (Schedule 1 of the *State Policies and Projects Act 1993*).

The objectives of this Policy are to:

1. *Focus water quality management on the achievement of water quality objectives which will maintain or enhance water quality and further the objectives of Tasmania's Resource Management and Planning System;*
2. *Ensure that diffuse source and point source pollution does not prejudice the achievement of water quality objectives and that pollutants discharged to waterways are reduced as far as is reasonable and practical by the use of best practice environmental management;*
3. *Ensure that efficient and effective water quality monitoring programs are carried out and that the responsibility for monitoring is shared by those who use and benefit from the resource, including polluters, who should bear an appropriate share of the costs arising from their activities, water resource managers and the community;*
4. *Facilitate and promote integrated catchment management through the achievement of objectives (1) to (3) above; and*
5. *Apply the precautionary principle to Part 4 of this Policy.*

Proposal Response

The proposal involves collection and discharge of stormwater via tank and in-ground filtration for the dwelling and to existing dams from the polytunnels and shed. The objectives of this Policy will therefore be managed in this rural environment.

The proposal is consistent with the policy.

4.3.3 State Policy on Protection of Agricultural Land 2009

A detailed assessment by AK Consultant (Appendix C to this submission) has determined that the property consists of Class 3, Class 4, Class 5 and 5+6 land. The prime agricultural land has been addressed in the report further.

The proposal is unlikely to impact on adjacent agricultural use. As such, the proposal does not conflict with the objectives of this Policy.

4.4 Land Use Planning and Approvals Act 1993

The *Land Use Planning and Approvals Act 1993* provides objectives for all development considered under this Act. The proposal has been considered against the objectives of this Act. The proposal has been prepared to be consistent with the provisions of the *Meander Valley Interim Planning Scheme 2013*. The proposal is therefore considered to be consistent with the objectives of the Act.

4.5 National Environment Protection Measures

A series of National Environment Protection Measures (NEPMs) have been established by the National Environment Protection Council. These measures are:

- Ambient air quality;
- National pollutant inventory;
- Movement of controlled waste;
- Use packaging materials;
- Assessment of site contamination; and
- Diesel vehicle emissions.

Proposal Response

It is considered that the NEPMs are not relevant to the proposed development.

5. Conclusion

The proposal is for expansion of resource development (controlled environment agriculture) including increase in polytunnels, machinery shed, workers accommodation, and conversion of existing dwelling to offices at 280 Exton Road, Exton. A new dwelling is also proposed on site, and is illustrated in plans, provided at Appendix B.

The proposal complies with the development standards prescribed by the Scheme, and can be approved under the *Meander Valley Interim Planning Scheme 2013*. This application is therefore made due to the use and development pursuant to Section 57 of the *Land Use Planning and Approvals Act 1993*.

The proposal is consistent with the relevant State and local policies, Planning Scheme objectives and considerations and objectives of the *Land Use Planning and Approvals Act 1993*. It is therefore recommended that the proposal be considered for planning approval.

Author	Version	Date
Rebecca Green	2	13 December 2018

Appendix A: Certificate of Title

Appendix B: Plans and Details



Appendix C: Agricultural Report

AK Consultants

Appendix D: Traffic Impact Assessment

Midson Traffic Pty Ltd

Appendix A: Certificate of Title

SEARCH OF TORRENS TITLE

VOLUME 175297	FOLIO 1
EDITION 1	DATE OF ISSUE 22-Aug-2018

SEARCH DATE : 02-Dec-2018

SEARCH TIME : 04.19 PM

DESCRIPTION OF LAND

Parish of EXTON Land District of WESTMORLAND
 Parish of CALSTOCK Land District of WESTMORLAND
 Lot 1 on Sealed Plan 175297
 Derivation : Part of 545 Acres Gtd. to S. Martin. and Part of
 Lot 43, 500 Acres Gtd. to W. Bramich
 Prior CTs 164077/2 and 154598/1

SCHEDULE 1

E131405 & M706200 TRANSFER to ANDREW GEOFFREY PETTEN TERRY
 and STEPHANIE SHEREE TERRY Registered 22-Aug-2018
 at noon

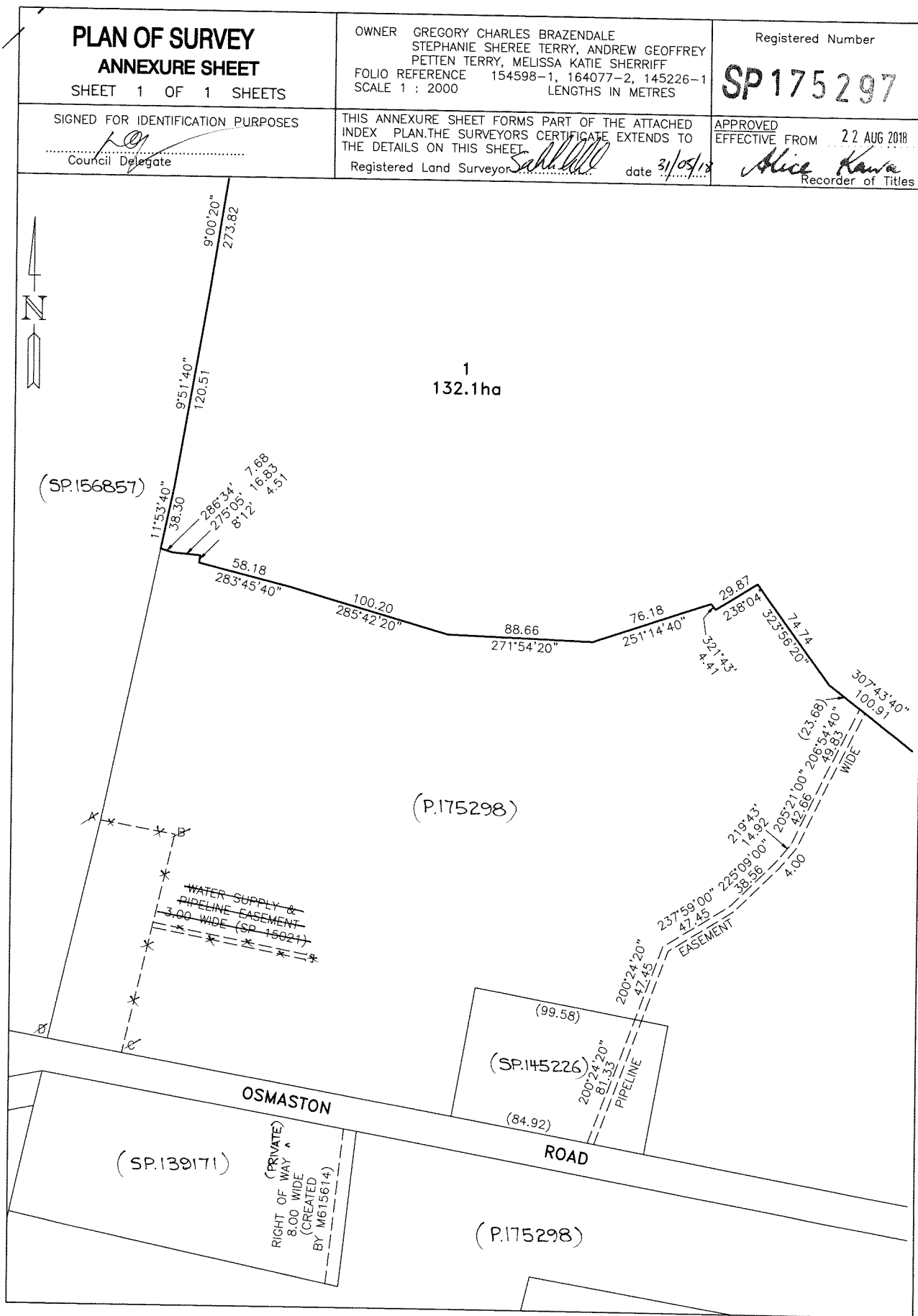
SCHEDULE 2

Reservations and conditions in the Crown Grant if any
 SP175297 EASEMENTS in Schedule of Easements
 E131407 MORTGAGE to Australia and New Zealand Banking Group
 Limited Registered 16-Apr-2018 at 12.03 PM

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

53-58 (7541) 31/5/2018 12:01



53-58 (7541) 31/5/2018 1201

SCHEDULE OF EASEMENTS

NOTE: THE SCHEDULE MUST BE SIGNED BY THE OWNERS & MORTGAGEES OF THE LAND AFFECTED. SIGNATURES MUST BE ATTESTED.

Registered Number

SP 175 297

PAGE 1 OF 3 PAGES

EASEMENTS AND PROFITS:-

Each lot on the plan is together with:-

- (1) Such rights of drainage over the drainage easements shown on the plan (if any) as may be necessary to drain the stormwater and other surplus water from such lot; and
- (2) Any easements or profits a prendre described hereunder.

Each lot on the plan is subject to:-

- (1) Such rights of drainage over the drainage easements shown on the plan (if any) as passing through such lot as may be necessary to drain the stormwater and other surplus water from any other lot on the plan; and
- (2) Any easements or profits a prendre described hereunder.

The direction of the flow of water through the drainage easements shown on the plan is indicated by arrows.

EASEMENTS

BENEFITING EASEMENTS

That part of Lot 1 on the Plan as was formerly part of Lot 1 on SP 154598 IS TOGETHER WITH a Right of Carriageway over the land marked "RIGHT OF WAY, 8.00 WIDE (CREATED BY M615614)" on ~~Plan 154598~~ the Plan.

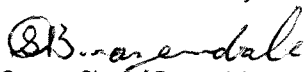
~~That part of Lot 1 on the Plan as was formerly part of Lot 1 on SP 154598 IS TOGETHER WITH a Pipeline Right (appurtenant to the land marked ABCD on Plan 154598) over the strip of land marked "Water Supply and Pipeline Easement 3.00 wide" on Plan 154598 and more fully set forth in Schedule of Easements to SP 15021.~~

Lot 1 on the Plan is TOGETHER WITH a Pipeline Easement over the land marked "PIPELINE EASEMENT 4.00 WIDE" on the Plan

~~BURDENING EASEMENTS~~

~~That part of Lot 1 on the Plan as was formerly part of Lot 1 on SP 154598 IS SUBJECT TO a Right of Ingress, Egress, Regress and Way for Barth Bramich over the piece of land shown on the plan drawn on Conveyance 8/6397 coloured brown.~~

~~That part of Lot 1 on the Plan as was formerly part of Lot 1 on SP 154598 IS SUBJECT TO a Pipeline Right (appurtenant to the land marked ABCD on Plan 154598) over the strip of land marked "Water Supply and Pipeline Easement 3.00 wide" on Plan 154598 more fully set forth in Schedule of Easements to SP 15021.~~

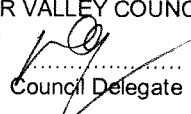

Signed Gregory Charles Brazendale


Signed Andrew Geoffrey Petten Terry

Signed Stephanie Sheree Terry


Signed Melissa Katie Sherriff

SUBDIVIDER: GREGORY CHARLES BRAZENDALE &
ANDREW GEOFFREY PETTEN TERRY &
STEPHANIE SHEREE TERRY
FOLIO REF VOL 154598 FOL 1; VOL 164077 FOL 2
SOLICITOR & REFERENCE: P L Corby & Co (AMH)

PLAN SEALED BY: MEANDER VALLEY COUNCIL
DATE: 15 June 2018
PA 118, 0076
REF NO. 
Council Delegate

NOTE: The Council Delegate must sign the Certificate for the purposes of identification.

ANNEXURE TO SCHEDULE OF EASEMENTS	Registered Number SP 175297
PAGE 2 OF 3 PAGES	
SUBDIVIDER: GREGORY CHARLES BRAZENDALE & ANDREW GEOFFREY PETTEN TERRY & STEPHANIE SHEREE TERRY	
FOLIO REFERENCE: VOL 154598 FOL 1; VOL 164077 FOL 2	

INTERPRETATION

"PIPELINE EASEMENT" shall mean the full free right and liberty for the owner or owners for the time being of Lot 1 the dominant land, his, her or their servants, agents or contractors to enter upon the servient land and to lay in and upon the servient land at a depth of no less than 0.50 metres but not exceeding 1.80 metres such water pipe or pipes as shall from time to time be necessary for the purposes of the owner or owners of the dominant land and to pipe water through such pipe or pipes and at all times hereafter the full free right and liberty to enter upon the servient land for the purpose of inspecting, cleaning, repairing, maintaining, removing and renewing such pipe or pipes and to carry out all necessary work thereon for such purposes; the owner or owners of the dominant land making good all or any damage done to the servient land or the surface thereof or the trees, shrubs or plants of the owner for the time being of the servient land that are located in and upon the servient land, to a standard of making good that is not less than the condition existing immediately prior to the damage occurring.

SIGNED BY GREGORY CHARLES BRAZENDALE

As registered proprietor of the land described
By Folio of the Register Volume 154598 Folio 1



In the presence of

Witness

Full Name

Full Postal address

S. Brazendale
Sally Brazendale
1760 Remarton Road
Deerwah.

SIGNED BY ANDREW PETTEN TERRY

As registered proprietor of the land described
By Folio of the Register Volume 164077 Folio 2



In the presence of

Witness

Full Name

Full Postal address

Richard Leigh Webb
36 ROOKE ST, DEVONPORT TAS 7310

SIGNED BY STEPHANIE SHEREE TERRY

As registered proprietor of the land described by Folio
of the Register Volume 164077 Folio 2



In the presence of

Witness

Full Name

Full Postal address

Richard Leigh Webb
36 ROOKE ST, DEVONPORT TAS 7310

Melissa Katie Sherriff



NOTE: Every annexed page must be signed by the parties to the dealing or where the party is a corporate body be signed by the persons who have attested the affixing of the seal of that body to the dealing.

ANNEXURE TO SCHEDULE OF EASEMENTS	Registered Number SR 175297
PAGE 3 OF 3 PAGES	
SUBDIVIDER: GREGORY CHARLES BRAZENDALE & ANDREW GEOFFREY PETTEN TERRY & STEPHANIE SHEREE TERRY	
FOLIO REFERENCE: VOL 154598 FOL 1; VOL 164077 FOL 2	

SIGNED BY MELISSA KATIE SHERRIFF

As registered proprietor of the land described

By Folio of the Register Volume 145226 Folio 1

In the presence of

Witness

Full Name **Andrew Gleeson**

Full Postal address **1030 Osmaston Road, Deloraine Tas 7304**

THE CONSENT OF AUSTRALIA AND

NEW ZEALAND BANKING GROUP LIMITED

As Mortgagee pursuant to Mortgage **E131407**

Is hereunto endorsed

EXECUTED BY AUSTRALIA AND
NEW ZEALAND BANKING GROUP LTD
BEING SIGNED UNDER PA 684
BY RICHARD LEIGH WEBB
who has not received
notice of
revocation of
the power of
attorney.

IN THE PRESENCE OF:

PAUL WICKS
BANK OFFICER
16 CATHAY ST
BURNIE TAS 7320

THE CONSENT OF AUSTRALIA AND

NEW ZEALAND BANKING GROUP LIMITED

As Mortgagee pursuant to Mortgage **E84487**

Is hereunto endorsed

EXECUTIVE BY
AUSTRALIA AND NEW ZEALAND
BANKING GROUP LIMITED by BEING
Signed by its Additional Attorney

Lucio SARDEGNA

(who hereby Certifies that he has
received no notice of revocation of
POWER OF ATTORNEY NO PA02153 under
which this instrument is signed) in the
presence of

AUSTRALIA AND NEW ZEALAND
BANKING GROUP LIMITED by its
Additional Attorney

Peter Koukoudzikas
Bank Officer, 4/833 Collins Street, Docklands Victoria 3008

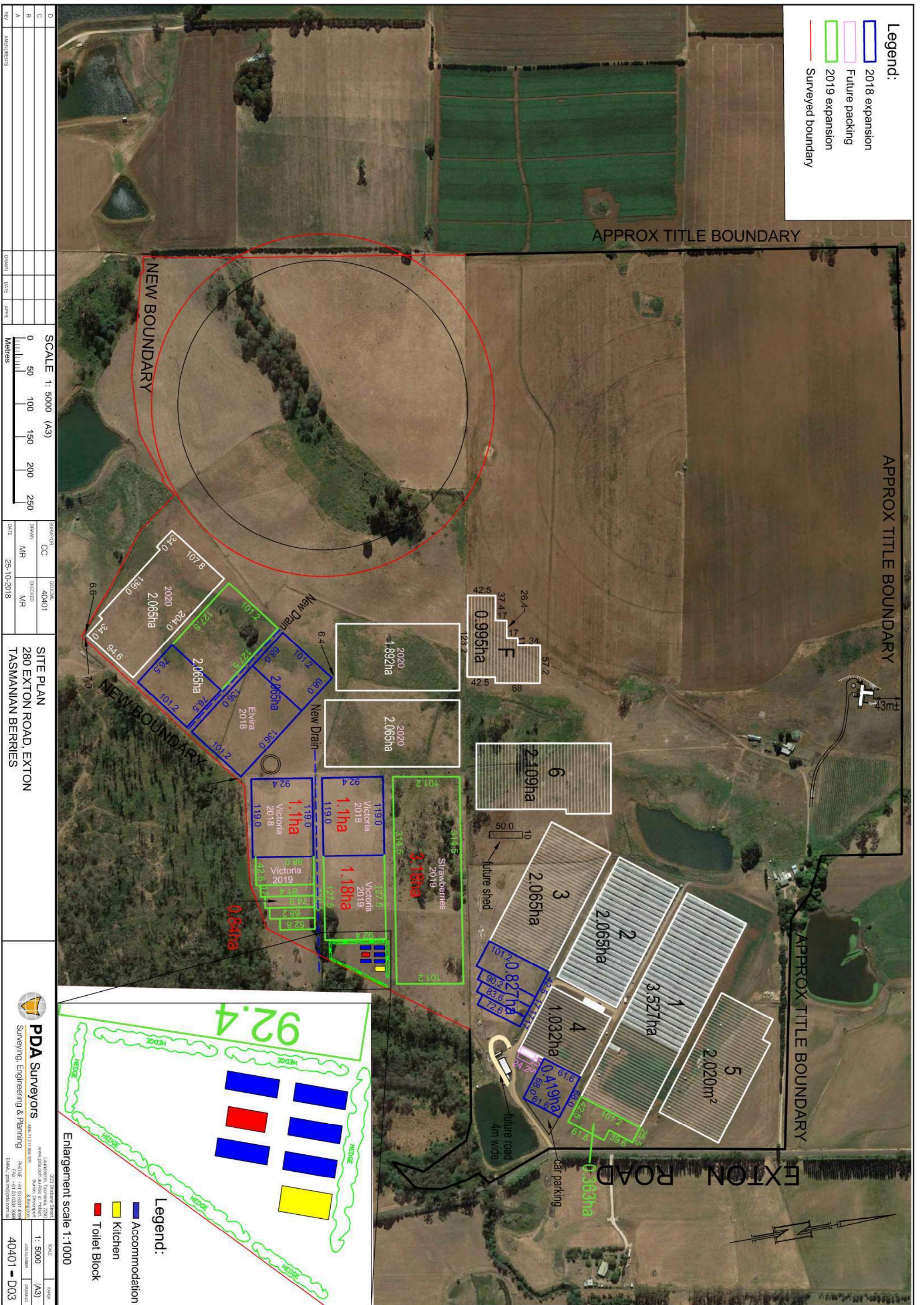
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Signed by Andrew Geoffrey Petten Terry

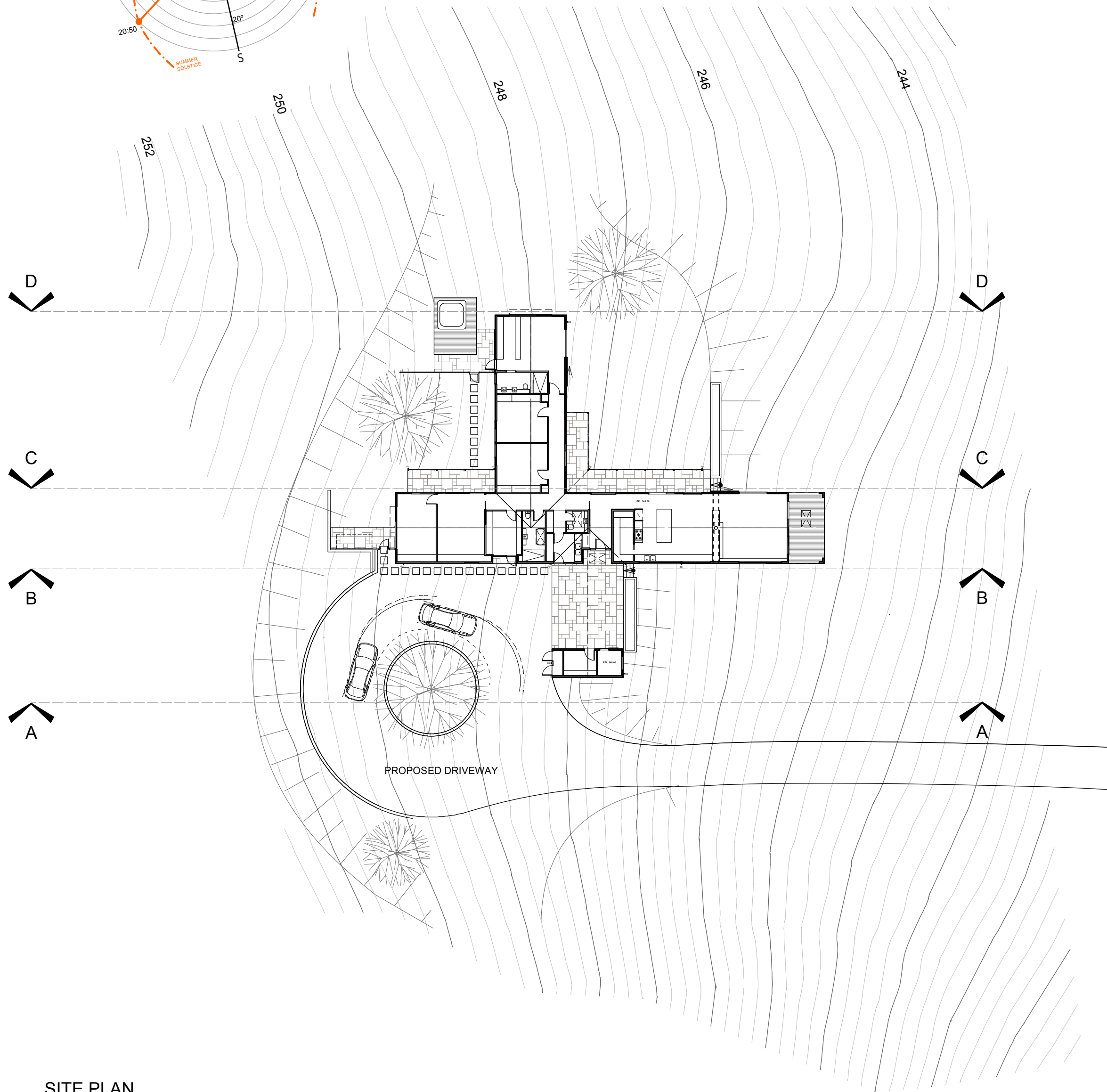
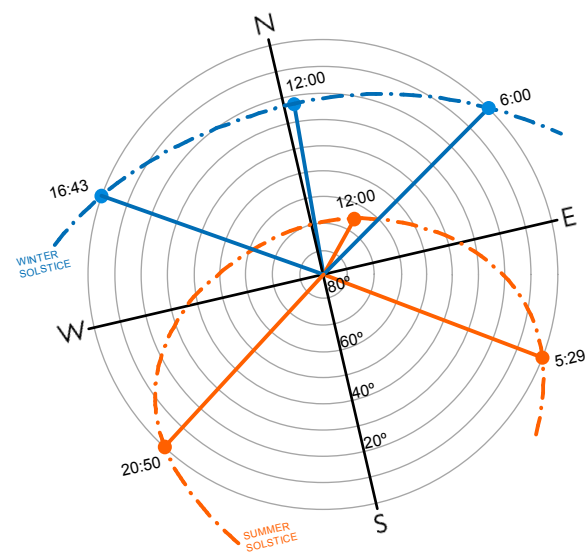
Signed by Stephanie Sheree Terry

NOTE: Every annexed page must be signed by the parties to the dealing or where the party is a corporate body be signed by the persons who have attested the affixing of the seal of that body to the dealing.

Appendix B: Plans and Details



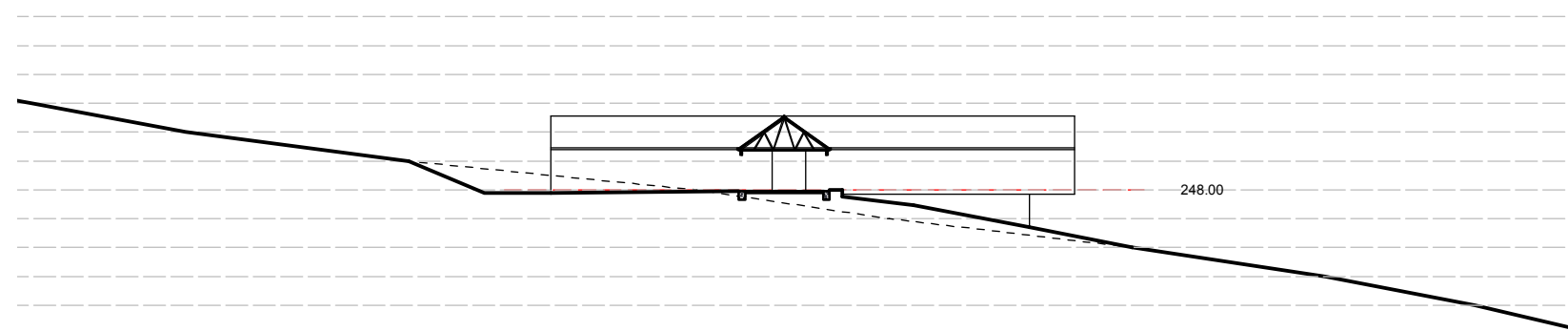




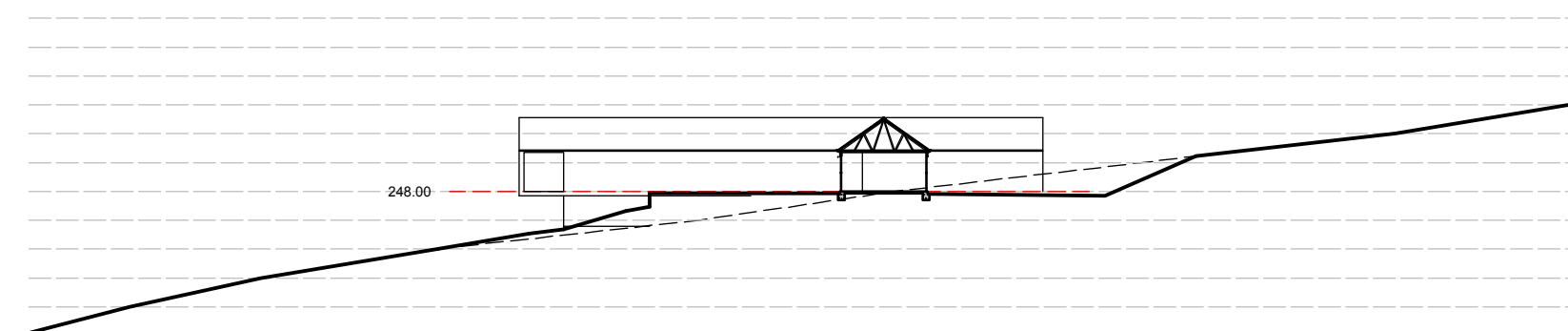
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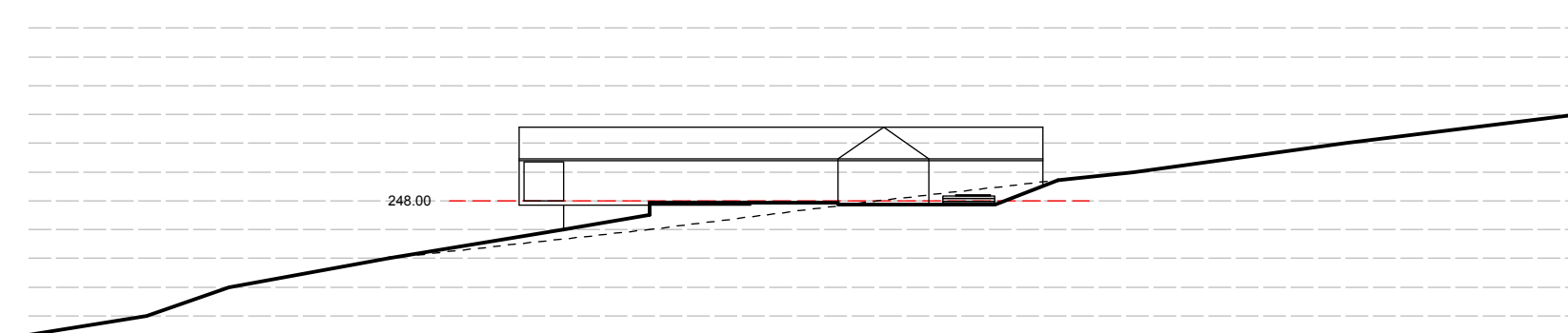
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SECT B-B

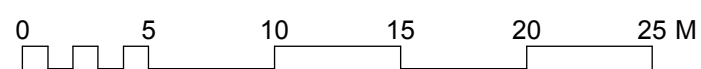


SECT C-C



SECT D-D

SECTIONS SCALE 1:500 @ A2



PROPOSED RESIDENCE - 280 EXTON RD, TASMANIA | STEPHANIE & ANDREW TERRY

280 EXTON ROAD

DESIGN DEVELOPMENT NOV/2018

CHARLIE ELLIS ARCHITECTURE

BA Env.Des. B.Arch Registered Architect (TAS)

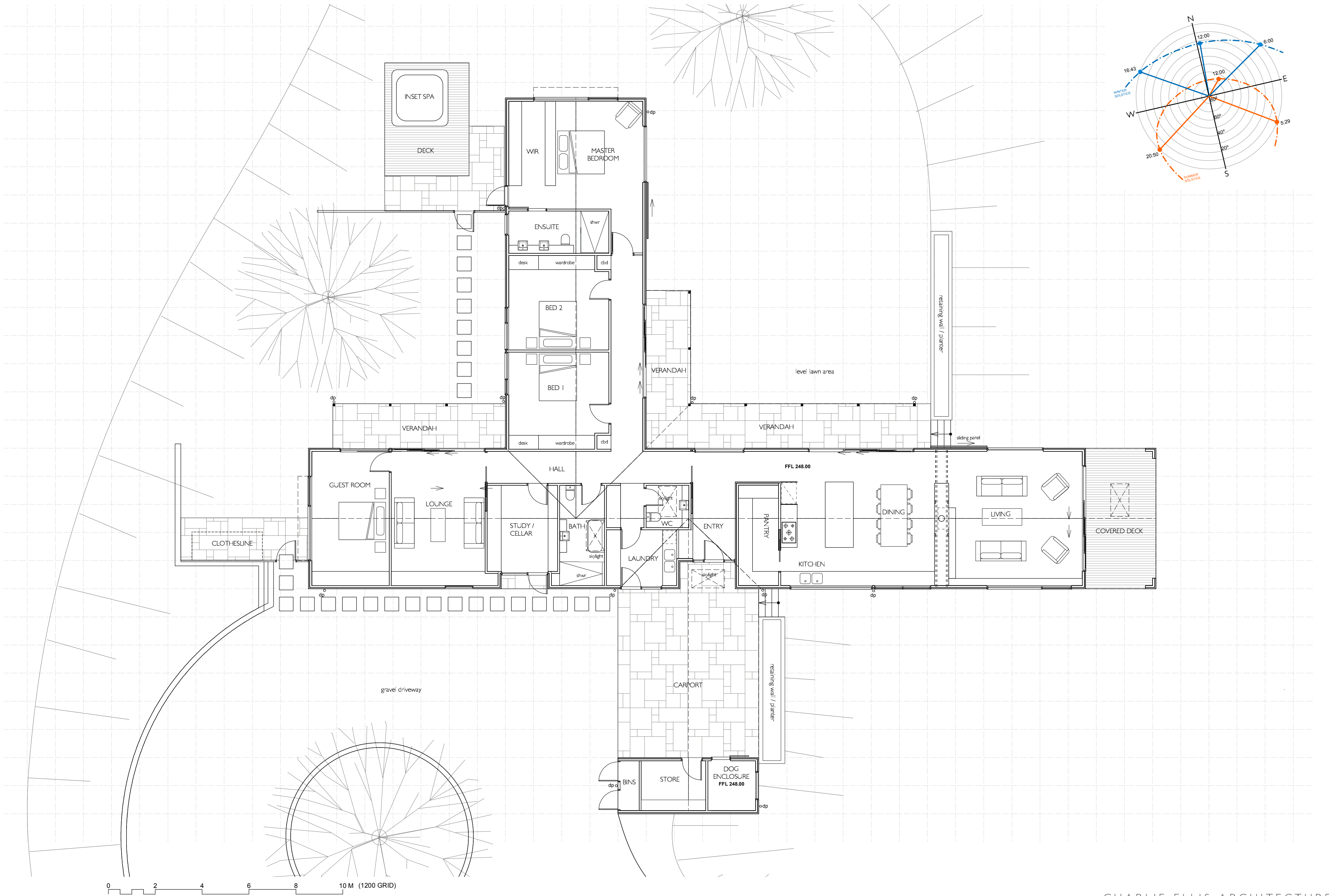
16 Meredith Crescent, South Launceston, Tas 7249

Page 120 107355489
cellisarchitecture@gmail.com

NOT FOR CONSTRUCTION - DO NOT SCALE OFF DRAWINGS

Meander Valley Council Ordinary Meeting Agenda - 12 February 2019

Document Set ID: 1147641
Version: 1, Version Date: 17/12/2018



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PROPOSED RESIDENCE - 280 EXTON RD, TASMANIA | STEPHANIE & ANDREW TERRY

280 EXTON ROAD

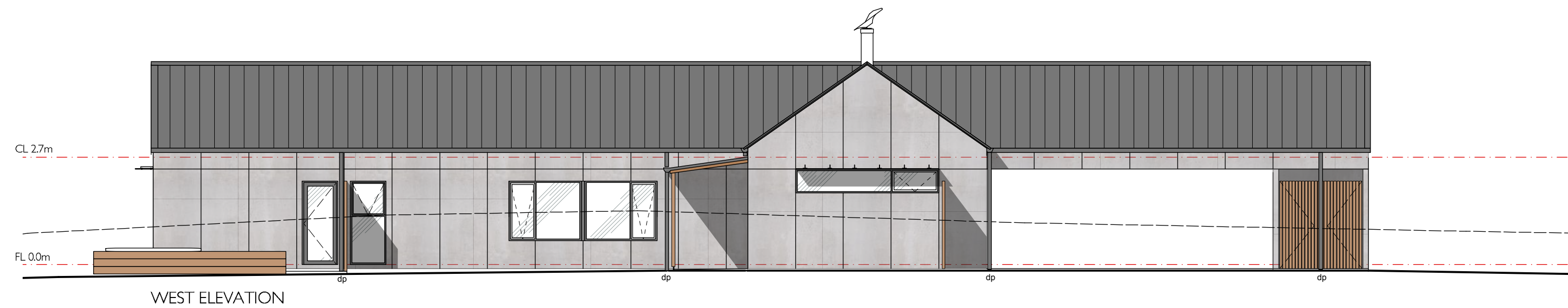
DESIGN DEVELOPMENT NOV/2018

CHARLIE ELLIS ARCHITECTURE
BA Env.Des. BArch Registered Architect (TAS)

16 Meredith Crescent, South Launceston, Tas 7249
Page 12 of 14
elli@charlieellisarchitect.com.au

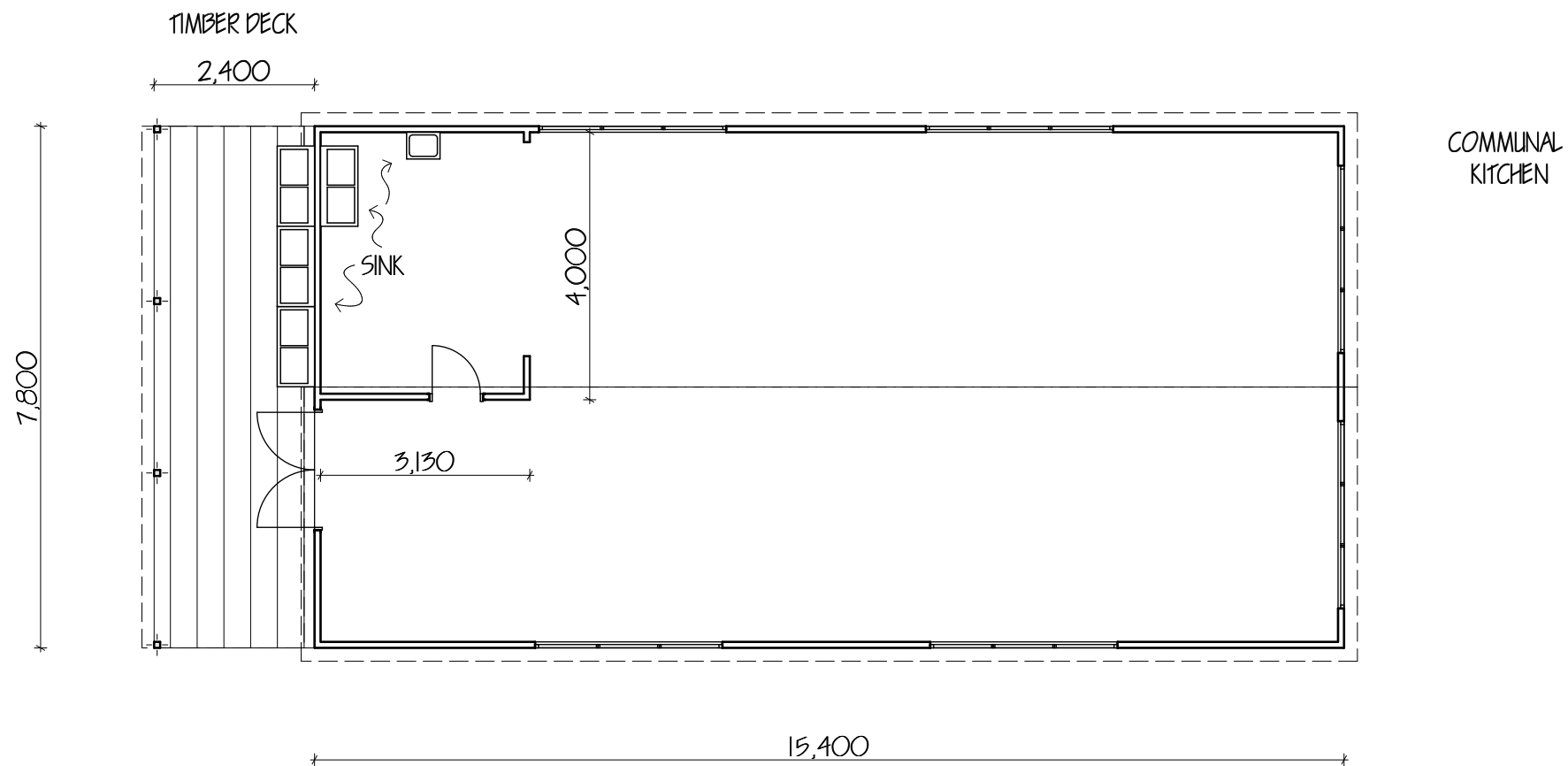
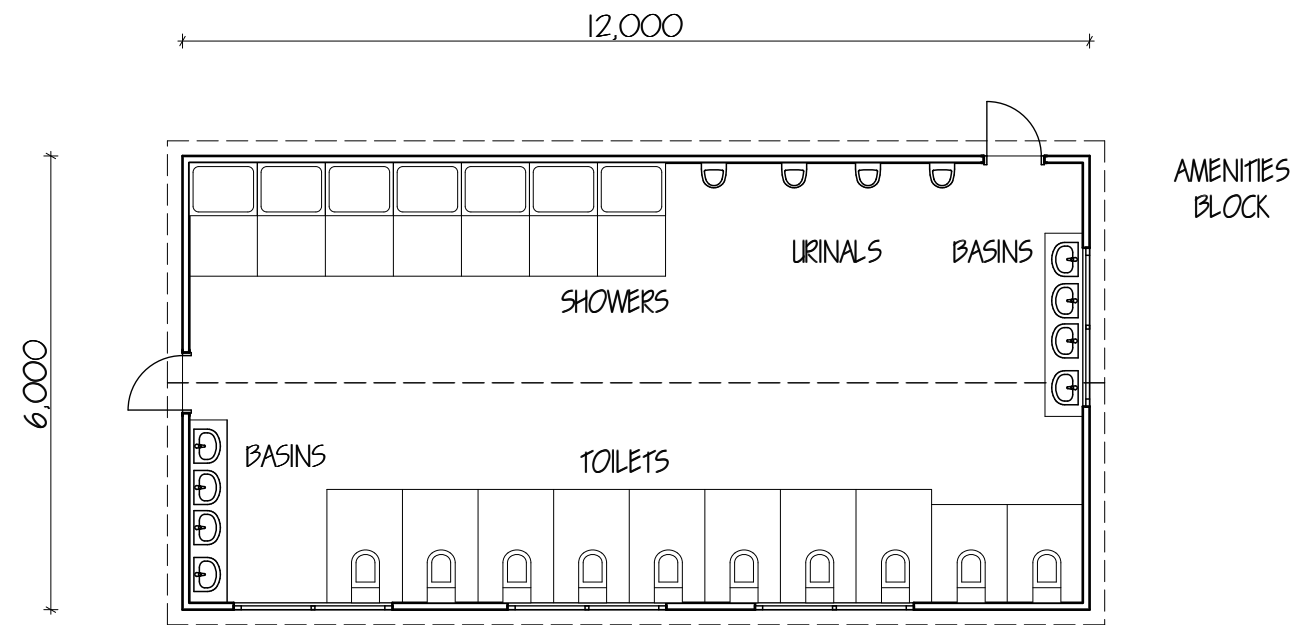


MATERIAL PALETTE





EXISTING RESIDENCE / PROPOSED OFFICES 1:200 @ A2



ALL DIMENSIONS TO BE CHECKED AND VERIFIED BY BUILDER BEFORE THE COMMENCEMENT OF WORK
 ALL WORK AND MATERIALS TO BE IN COMPLIANCE WITH THE BUILDING CODE OF AUSTRALIA AND LOCAL COUNCIL REQUIREMENTS
 ALL TIMBER FRAMING TO BE IN COMPLIANCE WITH AUSTRALIAN STANDARDS 1684.4
 PLANS TO BE USED IN CONJUNCTION WITH STRUCTURAL ENGINEER'S DRAWINGS

ADORN DRAFTING

MBL 0413 235 160
 E-MAIL : stephenlawes@aapt.net.au

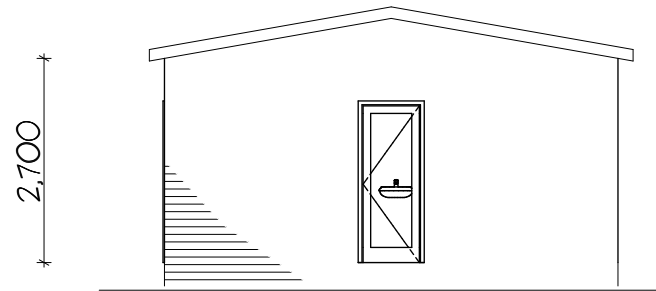
STEPHEN LAWES
 CC 4667 J
 CATEGORY ABP 1
 18/ A TAMAR RISE
 RIVERSIDE, TAS

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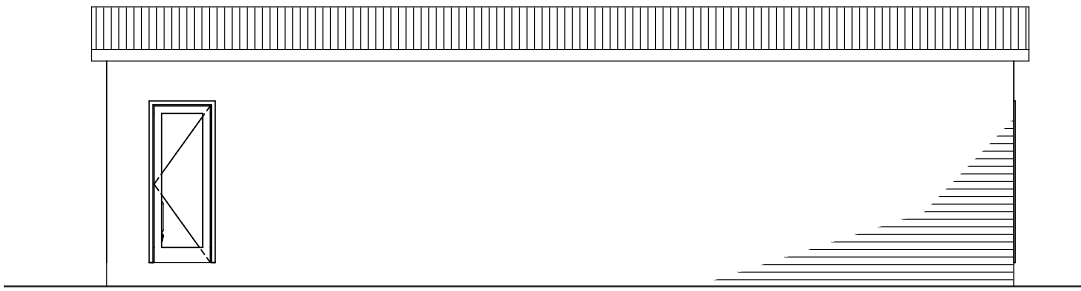
FOR ANDREW TERRY

DRAWING	FLOOR PLAN
DATE	29/ 8/ 2016
SCALE	1:100
DWG 420	SHEET 3 OF 6

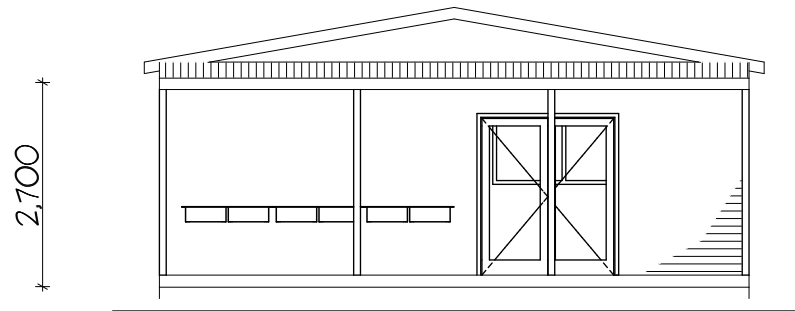
280 EXTON ROAD



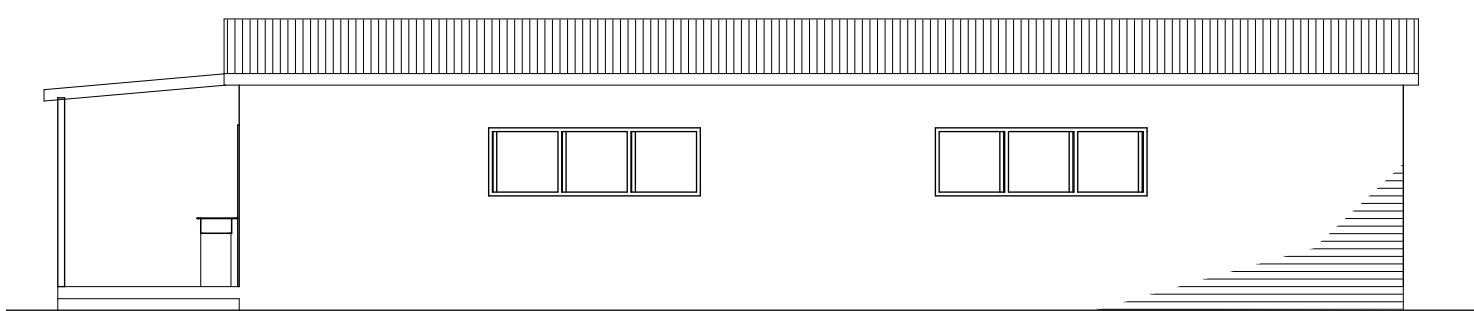
AMENITIES
BLOCK



AMENITIES
BLOCK



COMMUNAL
KITCHEN



COMMUNAL
KITCHEN

ALL DIMENSIONS TO BE CHECKED AND VERIFIED BY BUILDER BEFORE THE COMMENCEMENT OF WORK
ALL WORK AND MATERIALS TO BE IN COMPLIANCE WITH THE BUILDING CODE OF AUSTRALIA AND LOCAL COUNCIL REQUIREMENTS
ALL TIMBER FRAMING TO BE IN COMPLIANCE WITH AUSTRALIAN STANDARDS 1684.4
PLANS TO BE USED IN CONJUNCTION WITH STRUCTURAL ENGINEER'S DRAWINGS

ADORN DRAFTING
MBL 0413 255 160
E-MAIL : stephenlawes@aapt.net.au

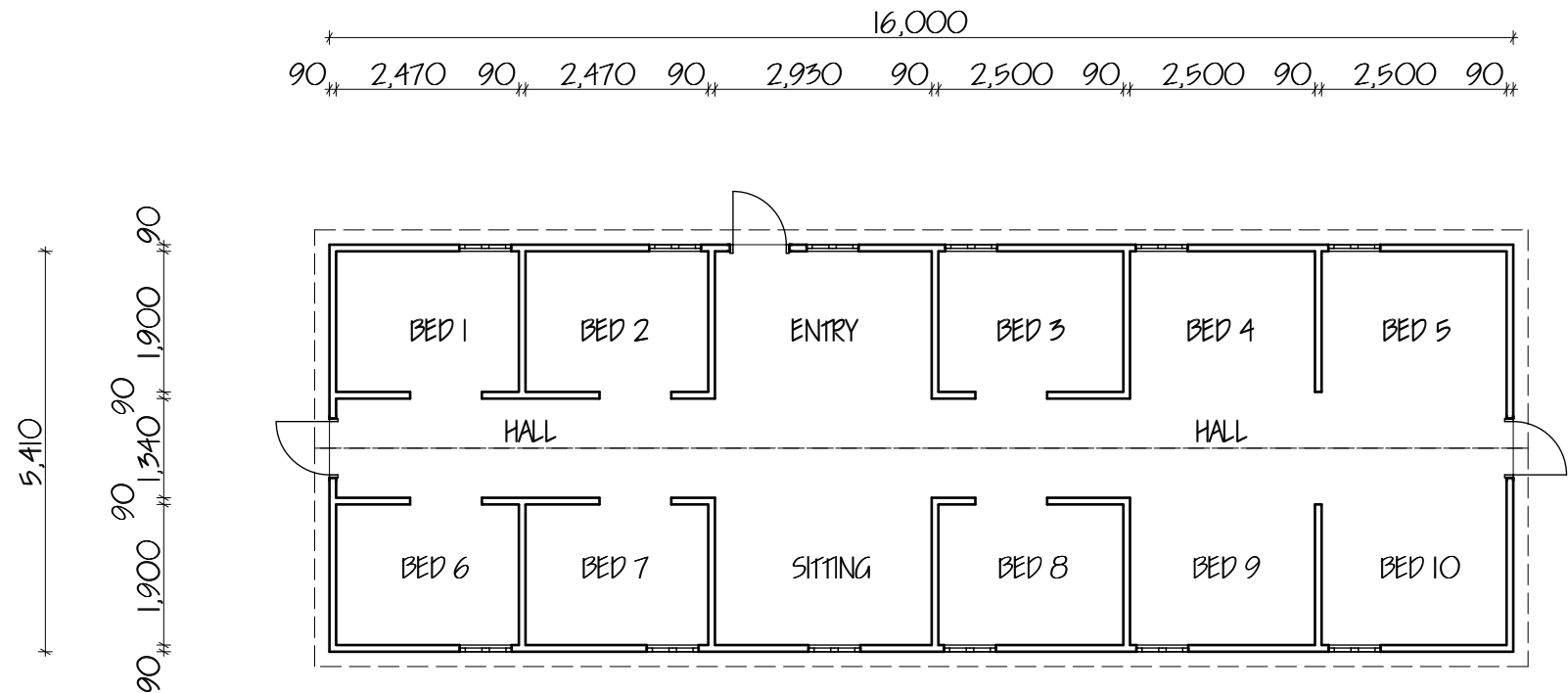
STEPHEN LAWES
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CATEGORY ABP 1
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RIVERSIDE, TAS

PROPOSED DEVELOPMENT,

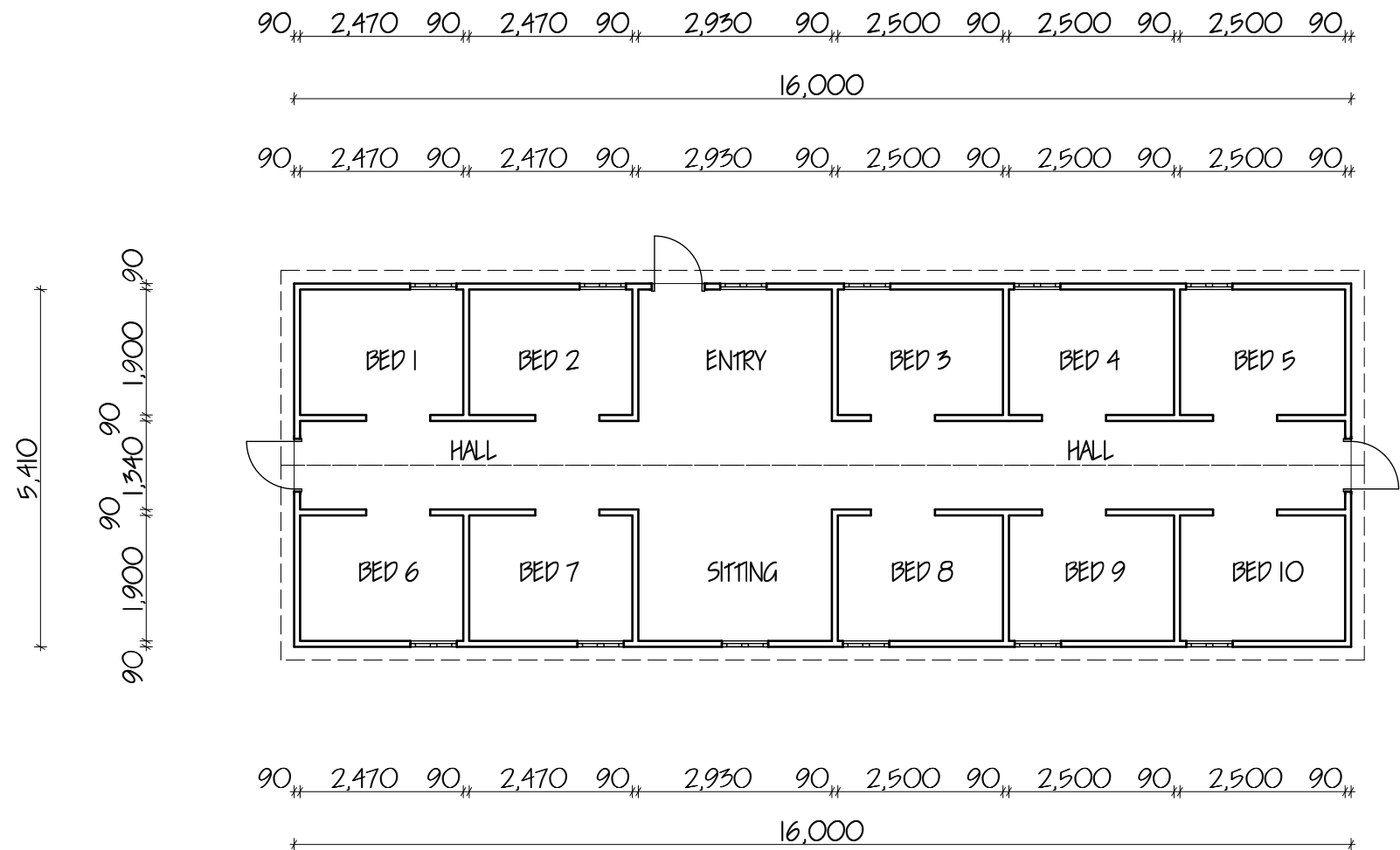
FOR ANDREW TERRY

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DATE	29/ 8/ 2016
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DWG 420	SHEET 6 OF 6

280 EXTON ROAD



FLOOR PLAN FOR
DORMITORY
BUILDING No
- 63
- 74



FLOOR PLAN FOR
DORMITORY
BUILDING No
- 100
- 104
- 106

ALL DIMENSIONS TO BE CHECKED AND VERIFIED BY BUILDER BEFORE THE COMMENCEMENT OF WORK
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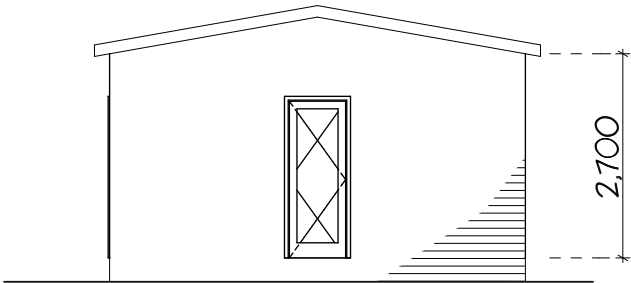
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RIVERSIDE, TAS

PROPOSED DEVELOPMENT,

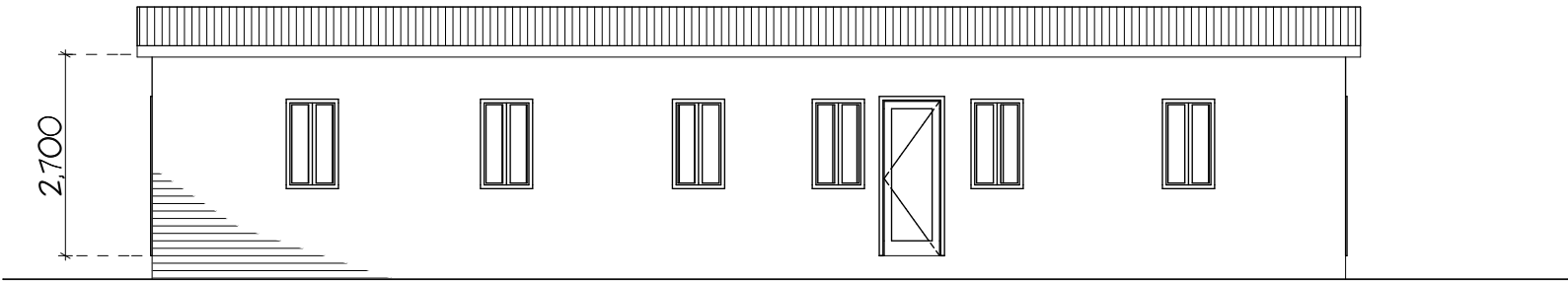
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DWG 420	SHEET 3 OF 6

280 EXTON ROAD



DORMITORY



DORMITORY

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PLANS TO BE USED IN CONJUNCTION WITH STRUCTURAL ENGINEER'S DRAWINGS

ADORN DRAFTING

MBL 0415 255 160
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RIVERSIDE, TAS

PROPOSED DEVELOPMENT,

FOR ANDREW TERRY

DRAWING	ELEVATION
DATE	29/ 8/ 2016
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280 EXTON ROAD



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ACCESSORY SCHEDULE & LEGEND

QTY	MARK	DESCRIPTION

ARCHITECTURAL DRAWING ONLY. NOT FOR CONSTRUCTION USE

WIND DESIGN

IMPORTANCE LEVEL	REGION	TERRAIN	Ms
2	A	2	1.0

CLIENT

Tasmanian Berries

SITE

380 Exton Rd
EXTON TAS 7303

BUILDING

COVERMASTER (CEE)
10000 SPAN x 4000 EAVE x 50000 LONG

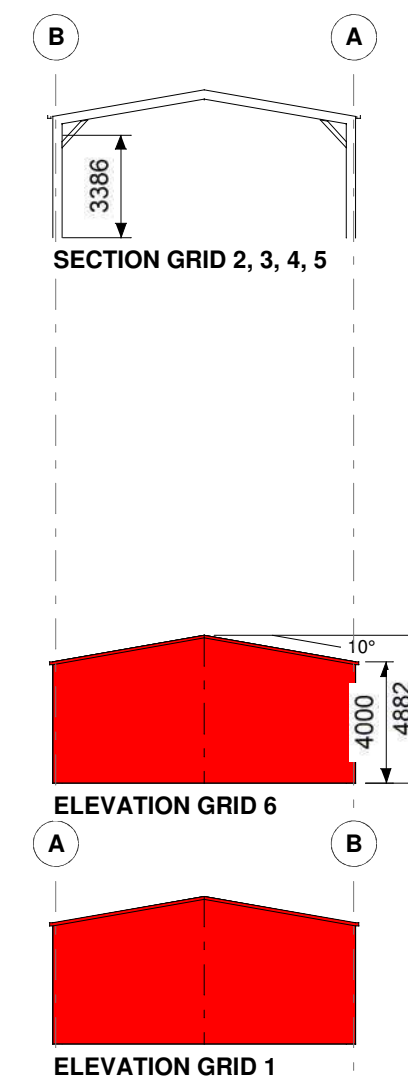
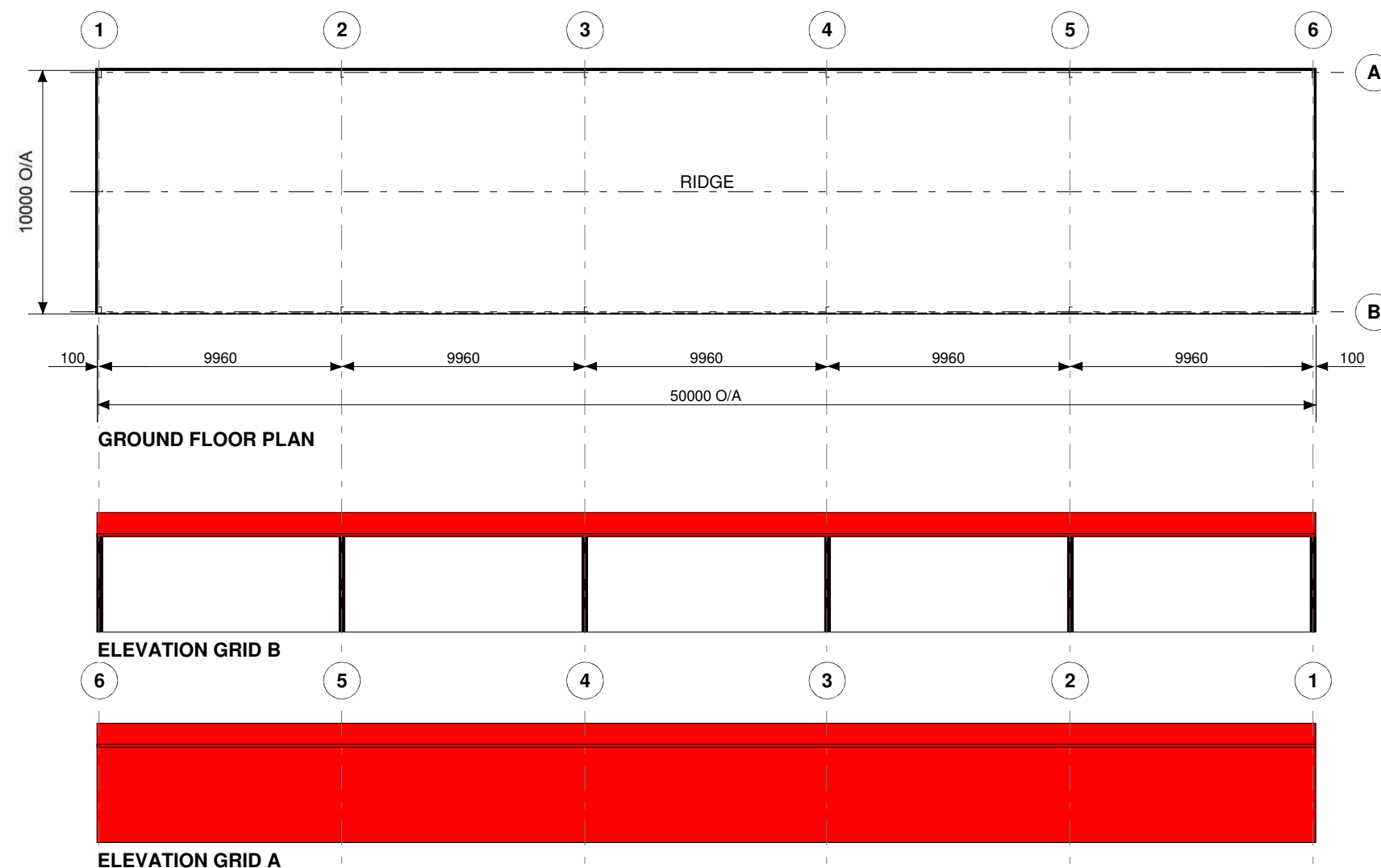
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GENERAL ARRANGEMENT

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PAGE
1/1



Appendix C: Agricultural Report

AK Consultants

Agricultural Report



Report for: Tasmanian Berries

Property Location: 280 Exton Rd, Exton (CT 175297/1)

Prepared by: Astrid Ketelaar and Michael Tempest
AK Consultants,
40 Tamar Street,
LAUNCESTON, TAS 7250

Date: 26th September 2018



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40 Tamar Street
Launceston Tas 7250
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Web: www.akconsultants.com.au

SUMMARY

Client: Tasmanian Berries

Property identification: CT 1375297/1 (131.6ha), 280 Exton rd, Exton Rural Resource Zone, (*Meander Valley Interim Planning Scheme 2013*).

Proposal: Construction of Polytunnels and Temporary Accommodation

Land Capability: Assessed Land Capability of Development at 1:10,000; Class 3 (8ha), Class 4 (12.1ha), Class 5 (11.7ha) & Class 5+6 (2.1ha).
Published Land Capability of Development Area at 1:100 000; Class 3 (7.7ha) & Class 4 (56.6ha).

Assessment comments: A site visit was conducted on the 17th of September 2018 to undertake a Land Capability Assessment of the development area and assess proposed boundary setbacks of buildings. This report summarises the results of the field assessment.

Conclusion: The proposed development is utilising agricultural land for an intensive agricultural use. This represents a positive outcome for the land from an agricultural perspective. While there is some Prime Agricultural Land (Class 3 Land) associated with the proposed development of polytunnels, these areas are interspersed with Non-Prime Agricultural Land which reduces the opportunity for the Prime Agricultural Land to be utilised in isolation. The proposal will not utilise the soil as a growth medium and polytunnels are temporary structures, so the Prime Agricultural Land is not necessarily excluded from a different agricultural use in the future. The drainage improvement works associated with the polytunnels will be retained if the polytunnels are removed and these improve the productive capacity of any future potential agricultural activity on the land.

The proposed temporary accommodation is not on Prime Agricultural Land and is required as part of the proposed (and existing) agricultural enterprise to assist with being able to accommodate the large seasonal picker workforce that is required to run the enterprise.

The proposed location of the building area will provide sufficient setbacks from adjoining titles to minimise the risk of constraining primary industry uses in the vicinity and have been designed to maximise the area available for the proposed enterprise to maximise its operational efficiency.

Assessment by:



Astrid Ketelaar, Natural Resource Management Consultant,
Member, Agricultural Institute Australia (current)

and



Michael Tempest,
Natural Resource Management Consultant



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INTRODUCTION

The subject title (CT 175297/1) is located at 280 Exton Rd, Exton. This title and all surrounding land is zoned as 'Rural Resource' under the *Meander Valley Interim Planning Scheme 2013* (the Planning Scheme).

The proponent seeks to gain development approval (both future and retrospective) for the development and expansion of a berry growing enterprise that utilises controlled environment agricultural techniques (polytunnels) on approximately 33ha of agricultural land over a total development area of approximately 64ha. Under the Planning Scheme controlled environment is classed as an Agricultural Use. Agricultural Use within the Rural Resource Zone is generally a 'no permit required' use, however, controlled environment agriculture on Prime Agricultural Land is not included as 'no permit required', but as a 'discretionary' use. As some of the land that the proposal is located on is mapped as Land Capability Class 3 (Prime Agricultural Land) on published 1:100,000 Land Capability mapping, the proposal does not meet the 'no permit required' standards and must comply with section 26.3.1.P2 of the Planning Scheme (see below).

The proponent also seeks to gain approval for temporary accommodation for up to 50 people at one time. This is to house seasonal pickers that work on the farm. The picking season lasts for 9 months of the year. The majority of the seasonal workers are international picking crews and hence require accommodation while working at the operation. The area proposed to be developed for the temporary accommodation is not on Prime Agricultural Land so compliance with 26.3.1.P3 is required.

Under the Planning Scheme Polytunnels and temporary accommodation are classed as 'buildings' and must comply with the setback requirements for buildings in section 26.4.1 of the Planning Scheme.

Relevant aspects of the Planning Scheme are:

26.0 Rural Resource Zone

26.3.1 Uses if not a single dwelling

Performance Criteria:

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

- i) Amount of land alienated/converted is minimised; and
- ii) Location is reasonably required for operational efficiency.

26.3.1.P3 the conversion of non-prime agricultural land to non-agricultural uses must demonstrate that:

- a) The amount of land converted is minimised having regard to:
 - i) Existing use and development on the land; and
 - ii) Surrounding use and development; and
 - iii) Topographical constraints.

26.4.1 Building Location and Appearance

26.4.1.P2 Buildings must be setback so that the use is not likely to constrain adjoining primary industry operations having regard to:

- a) The topography of the land; and
- b) Buffers created by natural or other features; and
- c) The location of development on adjoining lots; and
- d) The nature of existing and potential adjoining uses; and
- e) The ability to accommodate a lesser setback to the road having regard to:
 - i) The design of the development and landscaping; and
 - ii) The potential for future upgrading of the road; and
 - iii) Potential traffic safety hazards; and
 - iv) Appropriate noise attenuation.

A site assessment was undertaken on the 17th of September 2018 to conduct a detailed Land Capability Assessment of the land proposed to be utilised for the development at a scale of 1:10,000. An assessment of the proposed setbacks of the polytunnels and temporary accommodation and their potential impact on adjacent agricultural land was also conducted. This report summarises the findings from the field assessments to enable Council to make an informed decision.

DESCRIPTION

The subject title (CT 175297/1) is approximately 131.6ha in area and is situated on a moderately sloped (average 6% over entire title) parcel of land with an easterly aspect. The western boundary sits at approximately 300m ASL while the eastern boundary is approximately 90m ASL. There is an existing dwelling located on the title.

The proposed development area for the berry enterprise occupies the eastern half of the title and is approximately 64.3ha in area, 33.4ha of this area will be developed under polytunnels. On the western half of the property is an existing centre pivot irrigator in the north western section, there are also plans to develop the south western section of the title with a second centre pivot irrigator. Agricultural activities on the western half of the title are 'no permit required' activities, so are not further discussed in this report. This report focuses on proposed activities in the eastern 64.3ha. All below descriptions are focused on this eastern half (ie the development area).

Published Land Capability mapping at 1:100 000 scale shows the development area to be a mix of Class 3 (7.7ha) along the northern boundary with the balance Class 4 (56.6ha). During the site inspection, a Land Capability Assessment was conducted. This assessment was done at a scale of 1:10,000 and focused on the areas within the development area where structural development is proposed/existing (see Figure 4). Within the structural development areas it was determined there is 8ha of Class 3, 12.1ha of Class 4, 11.7ha of Class 5 and 2.1ha of Class 5+6. Class 1 to 3 land is considered Prime Agricultural Land, whereas Class 4 to Class 6 land is considered Non-Prime Agricultural Land. Class 7 land is considered not suitable for agriculture. Land Capability Class descriptions are in Appendix 3 and full descriptions of the assessment pits and Land Capability assessment method are in Appendix 5.

Tasveg 3.0 maps the majority of the development area as agricultural farmland (FAG). There are two small areas in the middle of the development area mapped as *Eucalyptus viminalis* grassy forest (DVG) with a total area of approximately 2.4ha, there is also a small area in the south west of the development area mapped as regenerating cleared land (FRG) (1.23ha). None of these communities are listed as a threatened community under the *Nature Conservation Act 2002*. However, the eastern area of DVG and a small part of the western area are mapped as a 'Priority Habitat' under the Planning Scheme. This is assumed to be derived from these areas also being mapped as containing a wetland. The onsite assessment determined all wetlands and native vegetation communities have been converted. There were no threatened vegetation communities or species identified in this area; in fact there were few remaining native species. Weed species such as blackberries and buttercup were prevalent in any remnant isolated clumps of native species. The vegetation in these areas has been heaped and burned and there are extensive machinery track marks from the clearance activities.

Under the Water Quality Code of the Planning Scheme, use for agriculture within a wetland is exempt.

The title is situated within the Meander catchment and is within the Meander Irrigation District. The title has access to Quamby Brook at a point along its eastern boundary. According to DPIPW's Water Information System of Tasmania (WIST) there are two existing dams located on the title within the development area. Dam 7816 is located in the north western section of the development area. This is a catchment dam with a capacity

of 37ML. there is also a Surety 8 summer take allocation of 31.7ML from the nearby Iguana Creek. The second dam (187) is located on the eastern boundary of the title. This dam is on an unnamed tributary of Quamby Brook, has a capacity of 18ML and has a correlating Surety 5 allocation of 18ML to fill it from the unnamed tributary of Quamby Brook. There is also an all year round Surety 8 (flood take), 300ML allocation from Quamby Brook and 100ML from the Meander Irrigation Scheme that are available for the enterprise to utilise. There are two bores located on the title that can be utilised for irrigation water. These have a flow rate of 4l/s and 6l/s and can be utilised for irrigation and filling existing dams. At the time of the site visit additional drilling was being undertaken to secure additional groundwater.

Surrounding land is predominately utilised for agriculture at various scales and levels of intensity. Titles surrounding the development area vary in size from 8.5ha to 104.4ha and are zoned 'Rural Resource'. To the north is a 104.4ha title. This title has an existing dwelling and the land appears to be utilised for a mixed farming enterprise (cropping & livestock). To the north east is a 67.64ha title. This title has an existing dwelling and appears to be utilised for grazing. Both of these titles display 'commercial scale' characteristics¹. To the east is an 8.5ha title with an existing dwelling. This title displays 'lifestyle lot' characteristics and Exton Rd separates this title from the development area as well as the title to the north east. To the south east and south is a title that is 46.6ha in area. Quamby Brook runs adjacent to the title's eastern boundary. The east half of this title is covered in native vegetation, part of this area, adjacent to Quamby Brook is mapped as 'priority habitat' and is flood prone. The western half is predominantly grazing land and there is a dwelling in the south west corner of the title. This title displays 'hobby' scale characteristics.

DISCUSSION

The proposed agricultural enterprise will result in an intensification of the use of the agricultural land. A total of 33.4ha will be utilised for polytunnels to grow berries. The berries are predominantly grown in raised tubes or ground pots. This use will not use the soil as a growth medium. Drainage issues are addressed through subsurface drainage and row spacing allows for foot traffic and small vehicle traffic approximately every 5 rows.

Polytunnels over Prime Agricultural Land is a discretionary use under the Planning Scheme. Of the 33.4ha of polytunnels a total of 8ha has been assessed as Class 3 land (Prime Agricultural Land). The balance is on Non-Prime Agricultural Land. Figure 4 shows the location and extent of the assessed Class 3 land. The Class 3 land areas proposed to be utilised for the berry enterprise has relatively poor connectivity to other Prime Agricultural Land. It is unlikely that this Class 3 land would be utilised for another agricultural activity with the proposed enterprise occurring on the surrounding land.

For operational efficiency clusters of tunnels in proximity to the centralised packing, amenities and transport areas is ideal. The location of the proposed polytunnels on the Class 3 land conforms with these operational efficiencies.

Land converted for polytunnels that does not use the soil as a growth medium can easily be converted to alternative agricultural uses. As part of the development significant underground drainage has been developed across the site. This will greatly assist in improving the productive capacity of the land as a whole, especially when drainage is the main limiting factor from a Land Capability Assessment perspective. This drainage will remain in place even if the polytunnel enterprise was removed.

¹As defined by AK Consultants in Ketelaar, A and Armstrong, D. 2012, *Discussions paper – Clarification of the Tools and Methodologies and Their Limitations for Understanding the Use of Agricultural Land in the Northern Region* which was a paper written for Northern Tasmania Development.

The temporary accommodation for seasonal picking staff is located on Class 5 land. This is an important aspect of the proposed on going use of the development area as it will allow workers to stay on farm and not compete with local budget accommodation in peak season in nearby towns. Most workers don't have their own transport so the provision of onsite accommodation assists with providing an efficient package to attract seasonal picking staff. The location of the temporary accommodation has been designed to minimise the land that is converted from agricultural uses, while being in a practical location, removed from the main agricultural activities.

Setbacks for buildings associated with the proposal (both existing and proposed) have also been considered in relation to their potential to constrain existing or potential adjoining primary industry activity.

The primary adjacent land use to the polytunnels is grazing, which will not be affected by the close proximity of the buildings (ie polytunnels).

Adjacent to the proposed location of the accommodation is an area of native vegetation on the adjacent title. Parts of this native vegetation area are mapped as Priority Habitat and some is also flood prone. It is unlikely this area will be developed for an agricultural activity in the future. When considering the location of the temporary accommodation, it is highly unlikely that there will be any potential for impact on adjacent primary industry activities.

The proposed setbacks are designed to maximise the use of the development area to allow for operational efficiency whilst minimising the risk of constraining adjacent agricultural use.

CONCLUSIONS

The proposed development is utilising agricultural land for an intensive agricultural use. This represents a positive outcome for the land from an agricultural perspective. While there is some Prime Agricultural Land (Class 3 Land) associated with the proposed development of polytunnels, these areas are interspersed with Non-Prime Agricultural Land which reduces the opportunity for the Prime Agricultural Land to be utilised in isolation. The proposal will not utilise the soil as a growth medium and polytunnels are temporary structures, so the Prime Agricultural Land is not necessarily excluded from a different agricultural use in the future. The drainage improvement works associated with the polytunnels will be retained if the polytunnels are removed and these improve the productive capacity of any future potential agricultural activity on the land.

The proposed temporary accommodation is not on Prime Agricultural Land and is required as part of the proposed (and existing) agricultural enterprise to assist with being able to accommodate the large seasonal picker workforce that is required to run the enterprise.

The proposed location of the building area will provide sufficient setbacks from adjoining titles to minimise the risk of constraining primary industry uses in the vicinity and have been designed to maximise the area available for the proposed enterprise to maximise its operational efficiency.

REFERENCES

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- DPIPWE. (2009, August). Cadastral Parcels Dataset. TASMAP Department of Primary Industries, Parks, Water and Environment.
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- Grose, C. J. (1999). *Land Capability Handbook. Guidelines for the Classification of Agricultural Land in Tasmania*. (Second Edition ed.). Tasmania, Australia: Department of Primary Industries, Water and Environment.

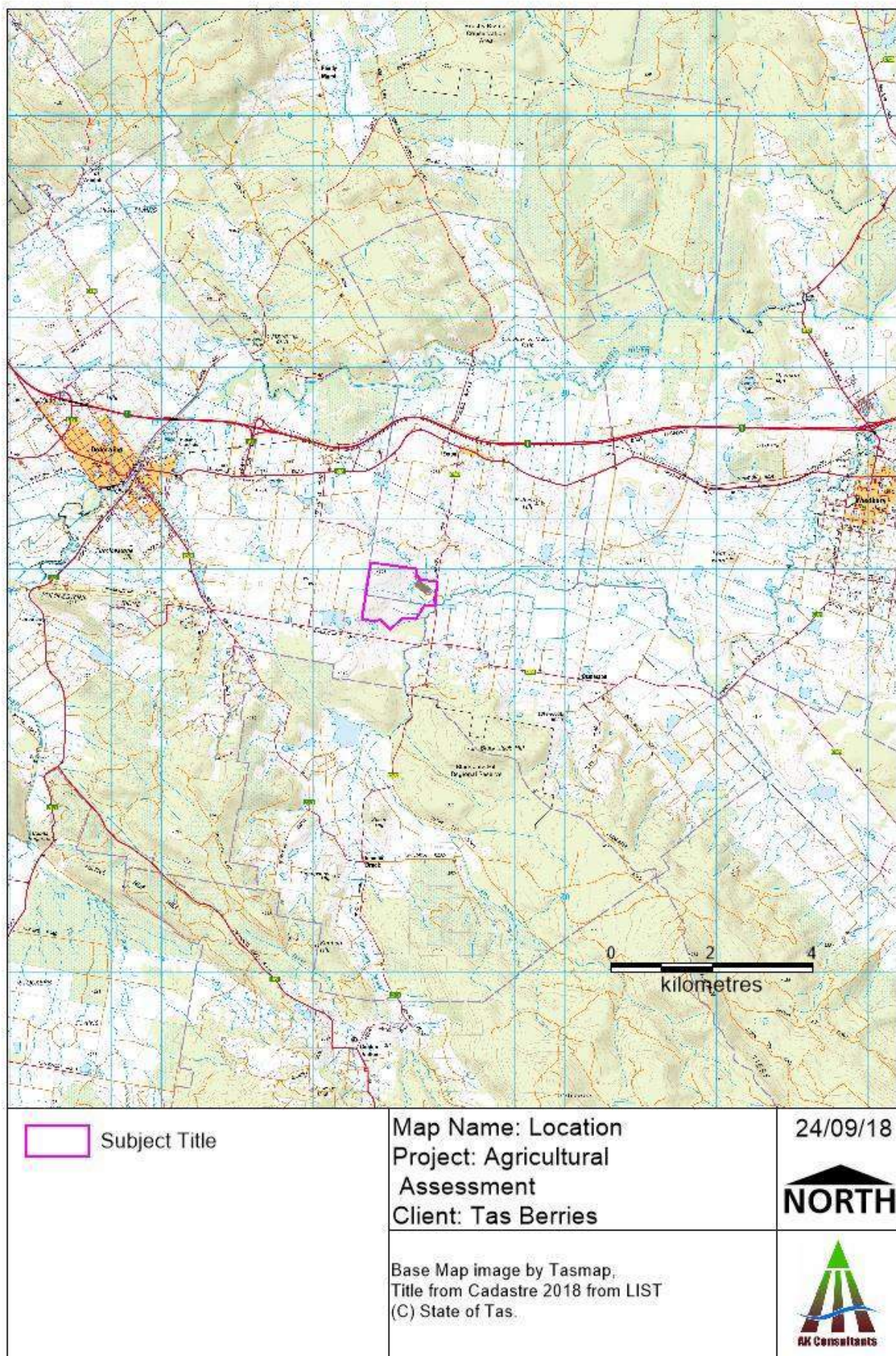


Figure 1. Location

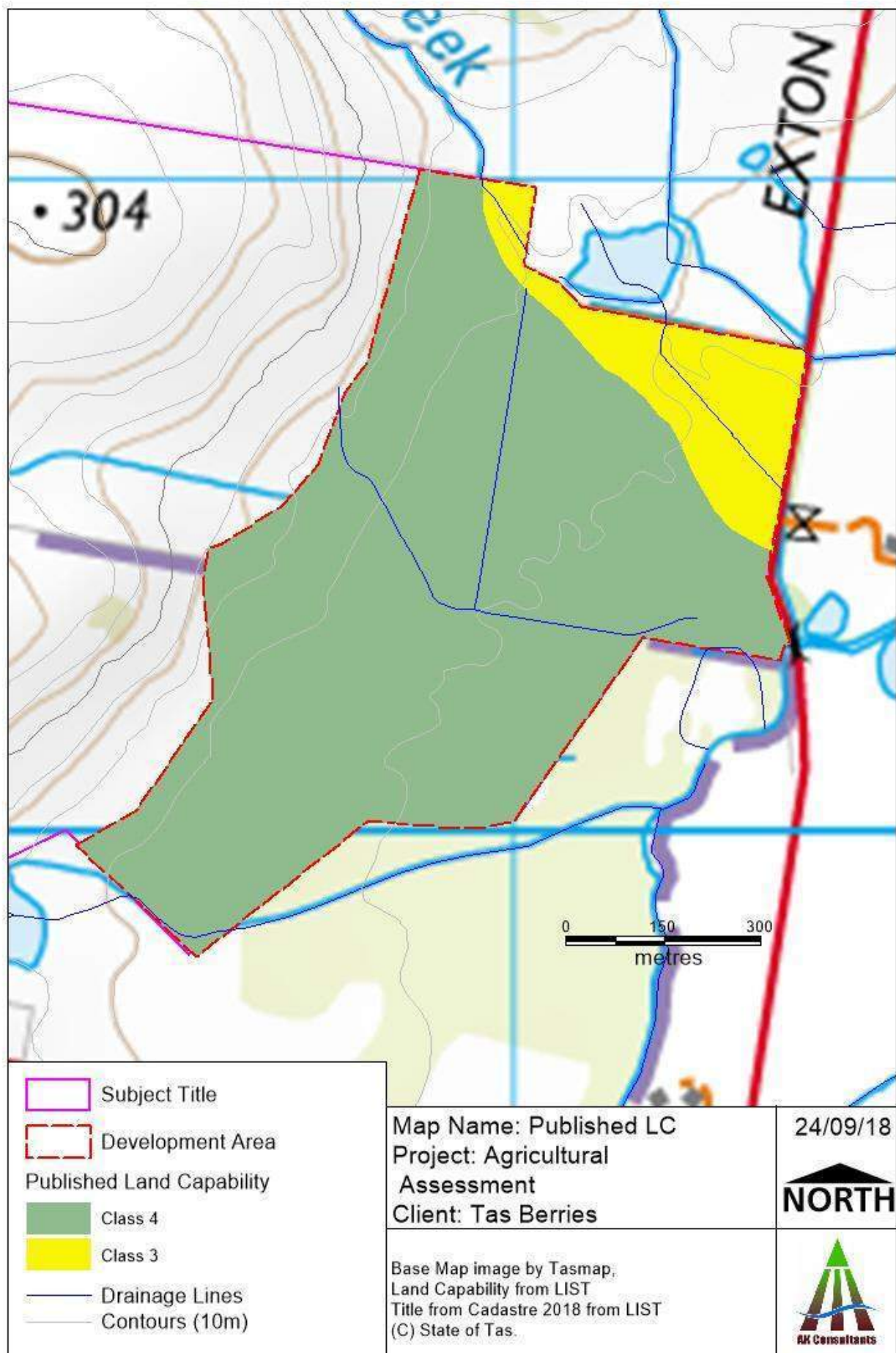


Figure 3. Published Land Capability at 1:100,000 of the development area.

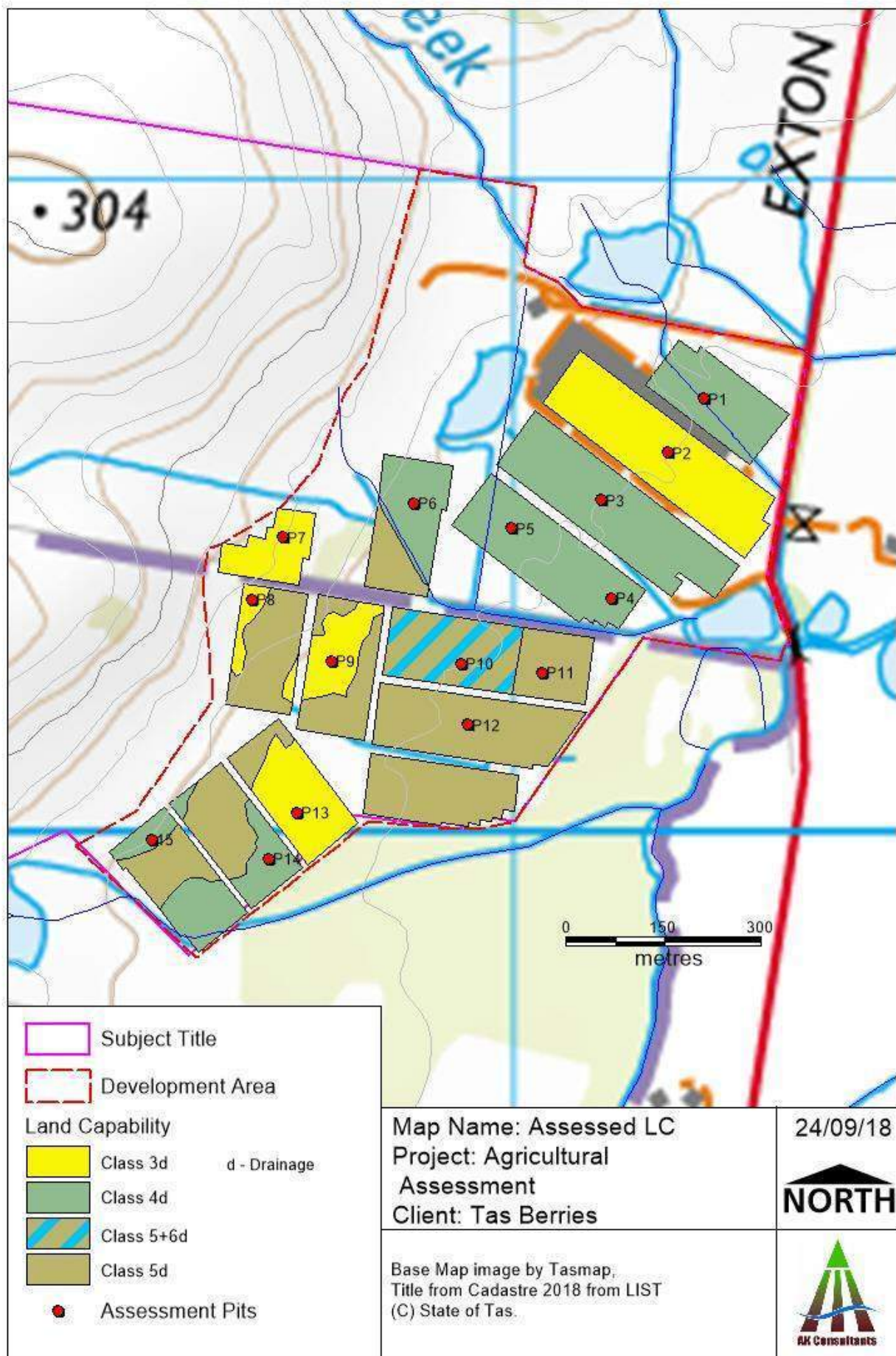


Figure 4. Assessed Land Capability at 1:10,000 of proposed development.

APPENDIX 2 -PHOTOGRAPHS



1: Existing Polytunnel and strawberries on platforms over Class 3 land, in polytunnel number 1. Class 3 land is preserved while under this use, so is not precluded from an alternative agricultural use if polytunnel is removed in the future.



2: Drainage that has been installed as part of the development. White pipes show where underground drainage points are. Note stone at 40 - 60cm depth.



3: View looking to the east of area mapped as Priority Habitat.



4: Weeds (buttercup and blackberries) identified within area mapped as Priority Habitat.

APPENDIX 3. LAND CAPABILITY DEFINITIONS FROM GROSE (1999)

CLASS 1. Land well suited to a wide range of intensive cropping and grazing activities. It occurs on flat land with deep, well drained soils, and in a climate that favours a wide variety of crops. While there are virtually no limitations to agricultural usage, reasonable management inputs need to be maintained to prevent degradation of the resource. Such inputs might include very minor soil conservation treatments, fertiliser inputs or occasional pasture phases. Class 1 land is highly productive and capable of being cropped eight to nine years out of ten in a rotation with pasture or equivalent without risk of damage to the soil resource or loss of production, during periods of average climatic conditions.

CLASS 2. Land suitable for a wide range of intensive cropping and grazing activities. Limitations to use are slight, and these can be readily overcome by management and minor conservation practices. However, the level of inputs is greater, and the variety and/or number of crops that can be grown is marginally more restricted, than for Class 1 land.

This land is highly productive but there is an increased risk of damage to the soil resource or of yield loss. The land can be cropped five to eight years out of ten in a rotation with pasture or equivalent during 'normal' years, if reasonable management inputs are maintained.

CLASS 3. Land suitable for cropping and intensive grazing. Moderate levels of limitation restrict the choice of crops or reduce productivity in relation to Class 1 or Class 2 land. Soil conservation practices and sound management are needed to overcome the moderate limitations to cropping use. Land is moderately productive, requiring a higher level of inputs than Classes 1 and 2. Limitations either restrict the range of crops that can be grown or the risk of damage to the soil resource is such that cropping should be confined to three to five years out of ten in a rotation with pasture or equivalent during normal years.

CLASS 4. Land primarily suitable for grazing but which may be used for occasional cropping. Severe limitations restrict the length of cropping phase and/or severely restrict the range of crops that could be grown. Major conservation treatments and/or careful management is required to minimise degradation. Cropping rotations should be restricted to one to two years out of ten in a rotation with pasture or equivalent, during 'normal' years to avoid damage to the soil resource. In some areas longer cropping phases may be possible but the versatility of the land is very limited. (NB some parts of Tasmania are currently able to crop more frequently on Class 4 land than suggested above. This is due to the climate being drier than 'normal'. However, there is a high risk of crop or soil damage if 'normal' conditions return.)

CLASS 5. This land is unsuitable for cropping, although some areas on easier slopes may be cultivated for pasture establishment or renewal and occasional fodder crops may be possible. The land may have slight to moderate limitations for pastoral use. The effects of limitations on the grazing potential may be reduced by applying appropriate soil conservation measures and land management practices.

CLASS 6. Land marginally suitable for grazing because of severe limitations. This land has low productivity, high risk of erosion, low natural fertility or other limitations that severely restrict agricultural use. This land should be retained under its natural vegetation cover.

CLASS 7. Land with very severe to extreme limitations which make it unsuitable for agricultural use.

APPENDIX 4. POTENTIAL CONFLICT ISSUES

Living and Working in Rural Areas. A handbook for managing land use conflict issues on the NSW North Coast. Learmonth, R., Whitehead, R., Boyd, B., and Fletcher, S. n.d.

Table 1. Typical rural land use conflict issues in the north coast region

Issue	Explanation
Absentee landholders	Neighbours may be relied upon to manage issues such as bush fires, straying stock, trespassers etc. while the absentee landholder is at work or away.
Access	Traditional or informal 'agreements' for access between farms and to parts of farms may break down with the arrival of new people.
Catchment management	Design, funding and implementation of land, water and vegetation management plans are complicated with larger numbers of rural land-holders with differing perspectives and values.
Clearing	Neighbours may object to the clearing of trees, especially when it is done apparently without approvals or impacts on habitat areas or local amenity.
Cooperation	Lack of mutual co-operation through the inability or unwillingness on behalf individuals to contribute may curtail or limit traditional work sharing practices on-farm or in the rural community.
Dogs	Stray domestic dogs and wild dogs attacking livestock and wildlife and causing a nuisance.
Drainage	Blocking or changing drainage systems through a lack of maintenance or failure to cooperate and not respect the rights of others.
Dust	Generated by farm and extractive industry operations including cultivating, fallow (bare) ground, farm vehicles, livestock yards, feed milling, fertiliser spreading etc.
Dwellings	Urban or residential dwellings located too close to or affecting an existing rural pursuit or routine land use practice.
Electric fences	Electric shocks to children, horses and dogs. Public safety issues.
Fencing	Disagreement about maintenance, replacement, design and cost.
Fire	Risk of fire escaping and entering neighbouring property. Lack of knowledge of fire issues and the role of the Rural Fire Service.
Firearms	Disturbance, maiming and killing of livestock and pest animals, illegal use and risk to personal safety.
Flies	Spread from animal enclosures or manure and breeding areas.
Heritage management	Destruction and poor management of indigenous and non indigenous cultural artefacts, structures and sites.
Lights	Bright lights associated with night loading, security etc.
Litter	Injury and poisoning of livestock via wind blown and dumped waste. Damage to equipment and machinery. Amenity impacts.
Noise	From farm machinery, scare guns, low flying agricultural aircraft, livestock weaning and feeding, and irrigation pumps.
Odours	Odours arising from piggeries, feedlots, dairies, poultry, sprays, fertiliser, manure spreading, silage, burning carcasses/crop residues.
Pesticides	Perceived and real health and environmental concerns over the use, storage and disposal of pesticides as well as spray drift.
Poisoning	Deliberate poisoning and destruction of trees/plants. Spray drift onto non-target plants. Pesticide or poison uptake by livestock and human health risks.
Pollution	Water resources contaminated by effluent, chemicals, pesticides, nutrients and air borne particulates.
Roads	Cost and standards of maintenance, slow/wide farm machinery, livestock droving and manure.
Smoke	From the burning of crop residues, scrub, pasture and windrows.
Soil erosion	Loss of soil and pollution of water ways from unsustainable practices or exposed soils. Lack of adequate groundcover or soil protection.
Straying livestock	Fence damage, spread of disease, damage to crops, gardens and bush/rainforest regeneration.
Theft/vandalism	Interference with crops, livestock, fodder, machinery and equipment.
Tree removal	Removal of native vegetation without appropriate approvals. Removal of icon trees and vegetation.
Trespass	Entering properties unlawfully and without agreement.
Visual/amenity	Loss of amenity as a result of reflective structures (igloos, hail netting), windbreaks plantings (loss of
Water	Competition for limited water supplies, compliance with water regulations, building of dams, changes to flows. Stock access to waterways. Riparian zone management.
Weeds	Lack of weed control particularly noxious weeds, by landholders.
<i>Based on: Smith, RJ (2003) Rural Land Use Conflict: Review of Management Techniques – Final Report to Lismore Living Centres (PlanningNSW).</i>	

APPENDIX 4. PROTOCOL FOR LAND CAPABILITY ASSESSMENT USED BY AK CONSULTANTS

This protocol outlines the standards and methodology that AK Consultants uses to assess Land Capability.

In general, we follow the guidelines outlined in the Land Capability Handbook (Grose 1999) and use the survey standards outlined in the Australian Soil and Land Survey Handbooks to describe (McDonald, et al. 1998), survey (Gunn, et al. 1988) and classify (Isbell 2002) soils and landscapes.

Commonly we are requested to assess Land Capability in relation to local government planning schemes. As such the level of intensity of the investigation is usually high and equivalent to a scale of 1:25 000 or better. The choice of scale or intensity of investigation depends on the purpose of the assessment. As the scale increases (becomes more detailed and the scale is a smaller number), the number of observations increases.

An observation can be as much as a detailed soil pit description or as little as measuring the gradient of an area using a clinometer or the published contours in a Geographical Information System and includes soil profile descriptions, auger hole descriptions, and observations confirming soil characteristics, land attributes or vegetation. The table below shows the relationship between scale, observations, minimum distances and areas that can be depicted on a map given the scale and suggested purpose of mapping.

Scale	Area (ha) per observation	Minimum width of map unit on ground	Minimum area of map unit on ground	Recommended use
1:100 000	400ha	300m	20ha	Confirmation of published land capability mapping
1 : 25 000	25ha	75m	1.25ha	Assessments of farms, fettering or alienation of Prime Agricultural Land
1 : 10 000	4ha	30m	2 000m ³	Area assessments of less than 15ha
1 : 5 000	1ha	15m	500m ³	Site specific assessments for houses and areas less than 4ha
1 : 1 000	0.04ha	3m	20m ³	Shown for comparison purposes

Based on 0.25 observations per square cm of map, minimum width of mapping units 3mm on map as per (Gunn, et al. 1988).

ASSESSMENT METHODOLOGY

With all assessments we examine a minimum of three observations per site or mapping unit and determine Land Capability on an average of these observations.

Land Capability is based on limitations to sustainable use of the land, including the risk of erosion, soil, wetness, climate and topography. The most limiting attribute determines the Land Capability class. This is not always a soil limitation and thus soil profile descriptions are not always required for each mapping unit. For example, land with slopes greater than 28%, areas that flood annually and areas greater than 600m in elevation override other soil related limitations.

The availability of irrigation water can affect the Land Capability in some areas. An assessment of the likelihood of irrigation water and quality is made where it is not currently available.

As a minimum all assessment reports include a map showing the subject land boundaries, observation locations, published contours and Land Capability.

DEFINITIONS

Land Capability

A ranking of the ability of land to sustain a range of agricultural land uses without degradation of the land resource (Grose 1999).

PROTOCOL REFERENCES

Grose, C J. *Land capability Handbook. Guidelines for the Classification of Agricultural Land in Tasmania*. Second Edition. Tasmania: Department of Primary Industries, Water and Environment, 1999.

Gunn, R H, J A Beattie, R E Reid, and R H.M van de Graaff. *Australian Soil and Land Survey Handbook: Guidelines for Conducting Surveys*. Melbourne: Inkata Press, 1988.

Isbell, R F. *The Australian soil classification*. Revised Edition. Melbourne: CSIRO Publishing, 2002.

McDonald, R C, R F Isbell, J G Speight, J Walker, and M S Hopkins. *Australian Soil and Land Survey Field Handbook*. Second Edition. Canberra: Australian Collaborative Land Evaluation Program, CSIRO Land and Water, 1998.

ON SITE LAND CAPABILITY ASSESSMENT

Published Land Capability (LIST at 1:100,000) maps the development area as a mix of Class 3 (7.7ha) and Class 4 (56.6).

At the site inspection, 15 assessment pits were augured across the proposed (and existing) locations of the polytunnels at a scale of 1:10,000 along with a visual inspection. Three representative pits have been described.

The onsite assessment determined that there is 8ha of Class 3d land, 12.1ha of Class 4d, 11.7ha of Class 5d and 2.1ha of Class 5+6d. The main limiting factor across the site is drainage; the Class 5 land had common & distinct mottling from the surface. the Class 5+6 land also had surface water present. Within the Class 5 and Class 5+6 land there were also an abundance of reeds and sedges which are another indicator of poorly drained soils, these areas also coincide with mapped drainage lines and identifiable wet areas from aerial imagery. The only limiting factor associated with the Class 3 land was the presence of ironstone nodules which indicates a moderately well drained soil.

Land Capability Assessment Summary Table

	Soil	Comments	Coarse fragment size (g)	Coarse fragment abundance (g)	Soil Drainage (d)	Surface Stone (r)	Texture	Structure (e)	Slope (e)	Erosion Risk		
Pit No	Depth (cm)		Type, mm	%	Mottle Severity	Presence			%	Water	Wind	LC
1	0-25	Charcoal fragment					Light clay	Moderate	0-5	Low	Low	4d
	25-50				Common & Distinct		Medium Clay	Strong				
	50-60				Common & Faint		Medium Clay	Strong				
2	0-60	Ironstone present. More abundant at 40cm					Gradational Profile Clay Loam to Medium Clay	Moderate	0-5	Low	Low	3d
3	0-60				100-400mm – Common & Faint, 400-600mm – Common & Distinct		Gradational Profile Light Clay to Heavy Clay	Strong	0-5	Low	Low	4d
4	Same as Pit 1								0-5			4d
5	0-15	Ironstone present					Light Clay	Moderate	0-5			4d
	15-60						Clay Loam	Moderate				
6	Same as Pit 3								0-5			4d

7	Same as Pit 2 with less Ironstone present								5-10			3d
8	Same as Pit 7								0-5			3d
9	Same as Pit 7								0-5			3d
10	0-60	5cm of surface water			Common & Distinct		Gradational Profile. Light Clay to Heavy Clay		0-5	moderate		5+6d
11	0-15		Light Clay		Few & Faint				0-5	Moderate		5d
	15 – 50	Ground water at 500m	Silty Clay Loam									
12	0-15	Same as Pitt 11. Ground water at 150mm. Auger Refusal at 150mm							0-5	Moderate		5d
13	Same as Pit 7								0-5			3d
14	Same as Pit 1	Ironstone at 400mm							0-5			4d
15	Same as Pit 1								0-5			4d

Pit 1



Site: Tas Berries, Osmaston
 Date: 17th September 2018
 Pit: 1
 Flood Risk: Low
 Slope: 0-5%
 Morphology: south westerly slope
 Surface condition: Pasture under strawberries on platforms in polytunnels
 Halophytes present?: No

Profile description

Depth (cm)		Munsell Colour		Structure	Texture	Mottle	Coarse fragments, Size &	Comments
0	25	7.5YR 2.5/2	Very dark brown	M	LC	-	-	Charcoal Fragments
25	50	7.5YR 3 / 2	Very dark brown	S	M C	5		
50	60	2.5YR /3	Dark reddish brown	S	M C	4		

Duplex soil with well-structure light clay over a medium clay at 25-60cm. Common and distinct mottling was identified in the subsurface horizon from 25-50cm. This is an indication of an imperfectly drained soil which dictates a Land Capability classification of Class 4d for this Pit.

Pit 2



Site: Tas Berries, Osmaston
 Date: 17th September 2018
 Pit: 2
 Flood Risk: Low
 Slope: 0-5%
 Morphology: South westerly slope
 Surface condition: Clover under strawberries on raised platforms in polytunnels
 Halophytes present?: No

Profile description

Depth (cm)		Munsell Colour		Structure	Texture	Mottle	Coarse fragments, Size & Abundance	Comments
0	60	5YR 3/3	Dark reddish brown	M	CL to MC	-	-	Ironstone nodules present, more prevalent from 40cm onwards.

Gradational profile with well-structured clay loam over a medium clay. Ironstone nodules present in profile from 40cm. This is an indication of a moderately well drained soil which dictates a Land Capability classification of Class 3d for this Pit.

Pit 3



Site: Tas Berries, Osmaston
 Date: 17th September 2018
 Pit: 3
 Flood Risk: Low
 Slope: 0-5%
 Morphology: South westerly slope
 Surface condition: pasture under strawberries on raised platforms in polytunnels
 Halophytes present?: No

Profile description

Depth (cm)		Munsell Colour		Structure	Texture	Mottle	Coarse fragments, Size & Abundance	Comments
0	60	7.5YR 3/3 to 10Yr 3/3 at 60cm	Very Dark Brown to very dark greyish brown	M	LC to MC to HC	4 to 5	-	

Gradational profile with well-structured light clay over a medium clay to a heavy clay at 60cm. Common and feint mottling was present from 10cm to 40cm and becomes common and distinct from 40cm. This is an indication of poorly drained soil which dictates a Land Capability classification of Class 5d for this Pit.

Mr Andrew Terry,
Managing Director,
Tasmanian Berries.

Via email: andrew@tasmanianberries.com.au

13th November 2018,

Dear Andrew,



Setbacks of proposed replacement dwelling to adjacent land within the Rural Resource Zone

We have undertaken a desktop assessment of the feasibility of a proposed replacement dwelling at 280 Exton Rd, Exton (CT 175297/1) being able to meet the requirements for a dwelling in the Rural Resource Zone under the *Meander Valley Interim Planning Scheme 2013* (the Planning Scheme). The proposed dwelling is to replace the existing dwelling that will be converted to offices to support the berry farm enterprise that is operating on the site. Construction of a new dwelling in the Rural Resource zone is a Discretionary application under the Planning Scheme.

The following section of the Planning Scheme is relevant;

26.3.2 Dwellings

Objective – to ensure that dwellings are:

- a) Incidental to the resource development; or
- b) Located on land with limited rural potential where they do not constrain surrounding agricultural operations.

A.1.1 – Development must be for the alteration, extension or replacement of existing dwellings.

26.4.1 Development Standards in the Rural Resource Zone – Building Height, Setback and Siting

Objective – to ensure that the:

- a) Ability to conduct extractive industries, and resource development will not be constrained by conflict with sensitive uses; and
- b) Development of buildings is unobtrusive and complements the character of the landscape.

A2.1 Buildings must be set back a minimum of:

- c) The same as existing for replacement of an existing dwelling.

The rest of this letter considers the proposed dwelling on the subject title in light of the requirements from an agricultural perspective.

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The proposed new dwelling will be approximately 275m to the north west of the existing dwelling that it will replace. This new location will place the dwelling 43m from the property's northern boundary. This is further away than the existing dwelling which is only 27m from the northern boundary. The new location will also place the new dwelling further from mapped Class 3 land on the property to the north. While the existing dwelling is further buffered to its northern boundary by existing trees, it is anticipated that the new dwelling will be buffered by the increased setback and the new location is elevated on an east facing slope and there is a slight rise to the north which effectively creates a slight ridgeline between the house and the northern boundary (see figure 1) . However, there is also sufficient area for a 10m wide vegetation buffer to be established along the nearby northern boundary if required. The dwelling is more than the minimum requirement of 200m from all other boundaries.

The proposed new dwelling will replace the existing dwelling at 280 Exton Rd and will not be located any closer to the title's northern boundary than the existing dwelling. It will also be more than 200m from all other boundaries (east, south, west). In our opinion the proposal meets the relevant Acceptable Solutions under 26.3.2 and 26.4.1 of the *Meander Valley Interim Planning Scheme 2013*.

Yours Sincerely,



Michael Tempest

Natural Resource Management Consultant.

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Figure 1 – Site Plan.

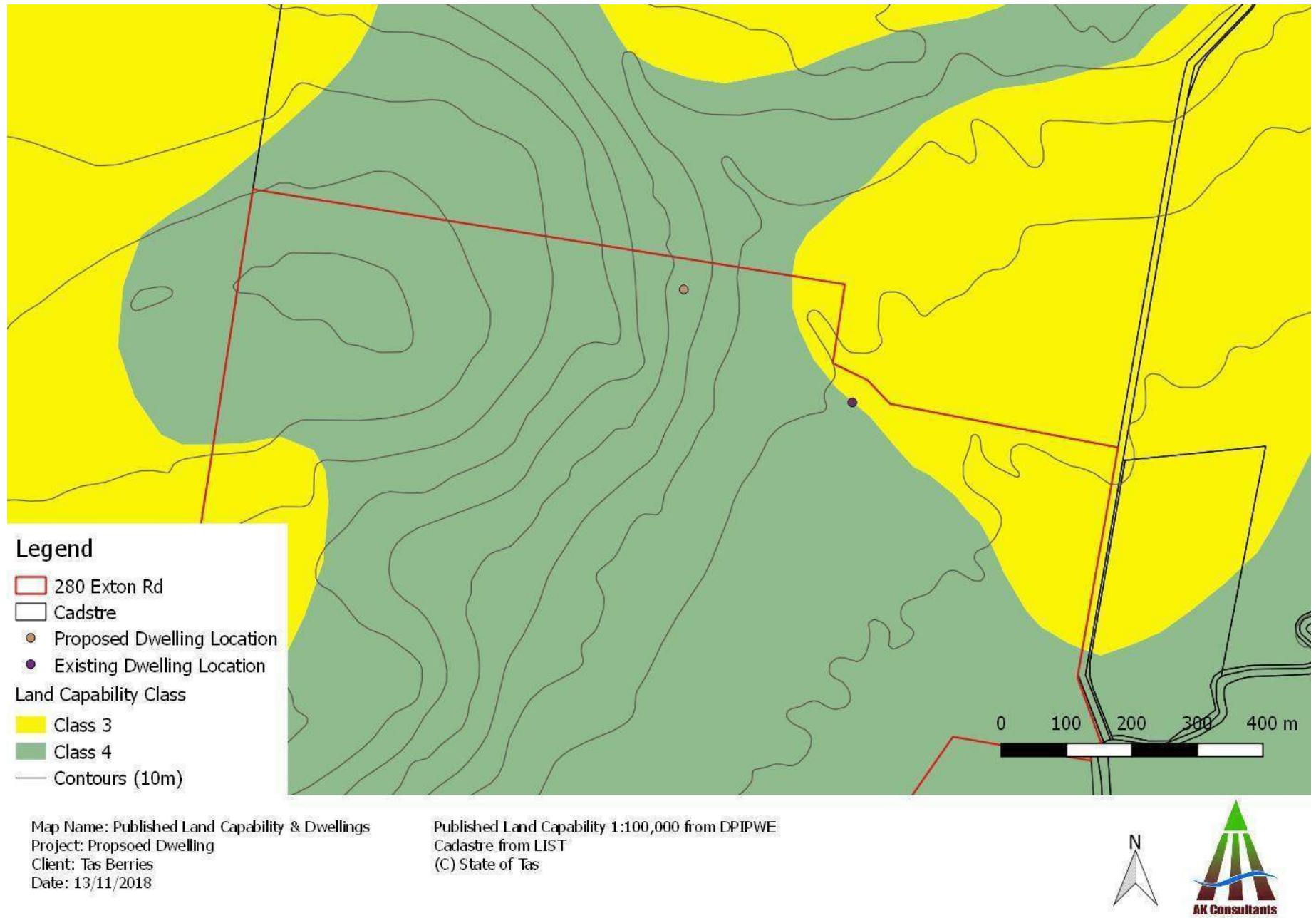


Figure 2 – Published Land Capability and dwellings (proposed and existing)

Appendix D: Traffic Impact Assessment

Midson Traffic Pty Ltd



Tasmanian Berries
280 Exton Road, Exton
Traffic Impact Assessment
November 2018



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1. Introduction

1.1 Background

Midson Traffic were engaged by Tasmanian Berries to prepare a traffic impact assessment for the existing and future commercial berry operations (growing, harvesting and packing) at 280 Exton Road, Exton.

1.2 Traffic Impact Assessment (TIA)

A traffic impact assessment (TIA) is a process of compiling and analysing information on the impacts that a specific development proposal is likely to have on the operation of roads and transport networks. A TIA should not only include general impacts relating to traffic management, but should also consider specific impacts on all road users, including on-road public transport, pedestrians, cyclists and heavy vehicles.

This TIA has been prepared in accordance with the Department of State Growth (DSG) publication, *A Framework for Undertaking Traffic Impact Assessments*, September 2007. This TIA has also been prepared with reference to the Austroads publication, *Guide to Traffic Management*, Part 12: *Traffic Impacts of Developments*, 2009.

Land use developments generate traffic movements as people move to, from and within a development. Without a clear understanding of the type of traffic movements (including cars, pedestrians, trucks, etc), the scale of their movements, timing, duration and location, there is a risk that this traffic movement may contribute to safety issues, unforeseen congestion or other problems where the development connects to the road system or elsewhere on the road network. A TIA attempts to forecast these movements and their impact on the surrounding transport network.

A TIA is not a promotional exercise undertaken on behalf of a developer; a TIA must provide an impartial and objective description of the impacts and traffic effects of a proposed development. A full and detailed assessment of how vehicle and person movements to and from a development site might affect existing road and pedestrian networks is required. An objective consideration of the traffic impact of a proposal is vital to enable planning decisions to be based upon the principles of sustainable development.

This TIA also addresses the relevant clauses of E4, *Road and Railway Assets Code*, and E6, *Car Parking and Sustainable Transport Code*, of the Meander Valley Interim Planning Scheme, 2013.

1.3 Statement of Qualification and Experience

This TIA has been prepared by an experienced and qualified traffic engineer in accordance with the requirements of Council's Planning Scheme and The Department of State Growth's, *A Framework for Undertaking Traffic Impact Assessments*, September 2007, as well as Council's requirements.

The TIA was prepared by Keith Midson. Keith's experience and qualifications are briefly outlined as follows:

- 22 years professional experience in traffic engineering and transport planning.
- Master of Transport, Monash University, 2006
- Master of Traffic, Monash University, 2004

- Bachelor of Civil Engineering, University of Tasmania, 1995
- Engineers Australia: Fellow (FIEAust); Chartered Professional Engineer (CPEng); Engineering Executive (EngExec); National Engineers Register (NER)

1.4 Project Scope

The project scope of this TIA is outlined as follows:

- Review of the existing road environment in the vicinity of the site and the traffic conditions on the road network.
- Provision of information on the proposed development with regards to traffic movements and activity.
- Identification of the traffic generation potential of the proposal with respect to the surrounding road network in terms of road network capacity.
- Review of the parking requirements of the proposed development. Assessment of this parking supply with Planning Scheme requirements.
- Traffic implications of the proposal with respect to the external road network in terms of traffic efficiency and road safety.

1.5 Subject Site

The subject site is located at 280 Exton Road, Exton. The site is a large commercial agricultural site. The subject site and surrounding road network is shown in Figure 1. The site's main access is shown in Figure 2.

Figure 1 Subject Site & Surrounding Road Network

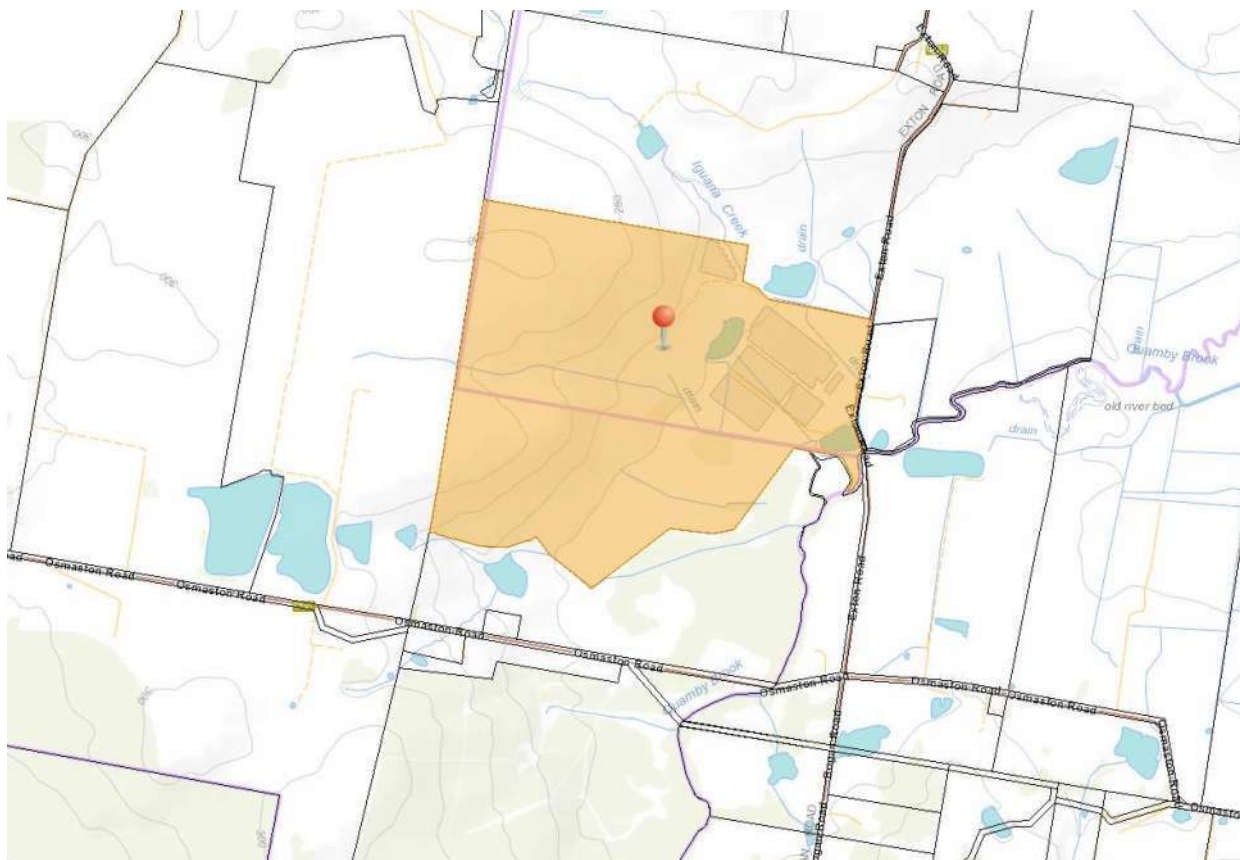


Image Source: LIST Map, DPIWPE

Figure 2 Site Access Driveway



1.6 Reference Resources

The following references were used in the preparation of this TIA:

- Meander Valley Interim Planning Scheme, 2013 (Planning Scheme)
- Austroads, *Guide to Traffic Management*, Part 12: *Traffic Impacts of Developments*, 2009
- Austroads, *Guide to Road Design*, Part 4A: *Unsignalised and Signalised Intersections*, 2009
- Department of State Growth, *A Framework for Undertaking Traffic Impact Assessments*, 2007
- Roads and Maritime Services NSW, *Guide to Traffic Generating Developments*, 2002 (RMS Guide)
- Roads and Maritime Services NSW, *Updated Traffic Surveys*, 2013 (Updated RMS Guide)
- Australian Standards, AS2890.1, *Off-Street Parking*, 2004 (AS2890.1:2004)

2. Existing Conditions

2.1 Transport Network

For the purposes of this report, the transport network only consists of Exton Road. Exton Road connects between Meander Valley Road and Osmaston Road through Exton. It provides a regional link on the outskirts of Westbury for rural properties in the region.

Exton Road carries approximately 260 vehicles per day¹, with approximately 14% heavy vehicles. The posted speed limit is 100-km/h near the subject site. Exton Road adjacent to the subject site is shown in Figure 3.

Figure 3 Exton Road



2.2 Road Safety Performance

Crash data can provide valuable information on the road safety performance of a road network. Existing road safety deficiencies can be highlighted through the examination of crash data, which can assist in determining whether traffic generation from the proposed development may exacerbate any identified issues.

Crash data was obtained from the Department of State Growth for a 5+ year period between 1st January 2013 and 30th October 2018 for the full length of Exton Road.

The findings of the crash data is summarised as follows:

¹ Meander Valley traffic data, February 2018 - <https://www.meander.tas.gov.au/webdata/resources/files/Counts%20overview%20June%202018.pdf>

- A total of 2 crashes were reported during this time. Single vehicle loss of control resulting in serious injury - 12th June 2013, 11:00am; 'cross-traffic' collision resulting in minor injury on 25th October 2018, 5:48pm.
- Both crashes occurred at the intersection of Bogan Road.

The crash history does not provide an indication that there are any pre-existing road safety deficiencies in the surrounding road network that might be exacerbated by traffic generated by the proposed development. Importantly, no crashes have been reported near the site's access on Exton Road.

3. Proposed Development

3.1 Development Proposal

The development proposal involves the assessment of the existing and future agricultural polytunnels, sheds, and workers accommodation for 50 people. The conceptual layout of the site is shown in Figure 4.

The various components of the site are summarised as follows:

Existing facilities -

- 19.6 hectares agricultural growing areas
- Packing sheds

2018 Future facilities –

- 6.281 hectares additional agricultural growing areas
- Accommodation facilities for 50 fruit pickers

2019 Future facilities –

- 5.310 hectares additional agricultural growing areas

4. Traffic Impacts

4.1 Traffic Generation

Traffic generation of the development was determined from first principles of the existing operations of the site.

Peak picking season is between November and April. During this period, the site has peak production and has the highest traffic generation associated with the picking, packing and distribution activities.

Picking activity commences as early as 5:00am. Casual pickers generally arrive between 5:00am and 7:00am. Picking activity generally ends between 1:00pm and 3:00pm. Picking activity generates approximately 20 to 30 cars per hour during these peak periods (car occupancies are typically 4 people per vehicle). Traffic movements are highly directional (inwards during the morning peak and outward during the afternoon peak).

Staff movements are typically 10 to 20 two-way movements per day.

Heavy vehicle movements vary between 4 to 10 truck movements per day.

The current total traffic generation of the site during peak seasonal periods is therefore up to 100 vehicles per day, with a peak of approximately 40 vehicles per hour.

The site will facilitate temporary housing for up to 50 fruit picking staff. Boarders are transported to and from the site by bus. Bus movements are typically 2 to 6 movements per day (two-way movements), with greater movements on weekends for recreational trips within the surrounding region. This will reduce the traffic generation associated with pickers arriving by car. The net traffic volume reduction is likely to be in the order of 40 vehicles per day (two-way trips).

The proposed future expansion of the farm may increase the traffic generation by approximately 20 vehicles per day (predominantly in the form of additional casual berry pickers during peak periods) in terms of additional movements associated with the greater land area, but reduced by approximately 40 vehicles per day due to the installation of temporary housing. Future activities will therefore result in a reduction of traffic generation to approximately 80 vehicles per day.

4.2 Trip Distribution

The majority of traffic movements at the access junction with Exton Road are right-in/ left-out.

4.3 Access Impacts

Acceptable Solution A3 of Clause E4.6.1 of the Planning Scheme states *"For roads with a speed limit of more than 60km/h the use must not increase the annual average daily traffic (AADT) movements at the existing access or junction by more than 10%"*.

For the purposes of this report, whilst the development has been operational for some time, the traffic generation has been compared to the previous use of the site. The traffic generation therefore represents

an increase that is more than 10% and hence the Acceptable Solution A3 of Clause E4.6.1 of the Planning Scheme is not met.

Performance Criteria P3 of Clause E4.6.1 states:

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

a) access to a category 1 road or limited access road must only be via an existing access or junction or the use or development must provide a significant social and economic benefit to the State or region; and

b) any increase in use of an existing access or junction or development of a new access or junction to a limited access road or a category 1, 2 or 3 road must be for a use that is dependent on the site for its unique resources, characteristics or locational attributes and an alternate site or access to a category 4 or 5 road is not practicable; and

c) an access or junction which is increased in use or is a new access or junction must be designed and located to maintain an adequate level of safety and efficiency for all road users".

The following is relevant with respect to the development proposal:

- a. Not applicable (not a category 1 road or limited access road).
- b. Not applicable (not a category 1, 2 or 3 road or limited access road).
- c. The existing junction was assessed in terms of its geometry, layout and sight distance and was deemed to be acceptable for the traffic generation and low volume of corresponding traffic currently utilising Exton Road.

Based on the above, the access complies with the requirements of Performance Criteria P3 of Clause E4.6.1 of the Planning Scheme.

4.4 Number of Accesses

Acceptable Solution A2 of Clause E4.7.2 of the Planning Scheme states *"For roads with a speed limit of more than 60km/h the development must not include a new access or junction"*.

In this case, no new access is proposed, therefore Acceptable Solution A2 of Clause E4.7.2 of the Planning Scheme is met.

4.5 Sight Distance

Acceptable Solution A1 of Clause E4.7.4 of the Planning Scheme states *"sight distances at an access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.7.4"*.

The SISD requirements are reproduced in Table 1.

Table 1 Sight Distance Requirements

Vehicle Speed km/h	Safe Intersection Sight Distance in metres, for speed limit of:	
	60 km/h or less	Greater than 60 km/h
50	80	90
60	105	115
70	130	140
80	165	175
90		210
100		250
110		290

The access connects to Exton Road, which has a posted speed limit of 80-km/h. A small sample of vehicle speeds travelling past the access were obtained using a hand-held radar device. The results indicated that the 85th percentile speed of traffic using Exton Road near the access is likely to be between 60-km/h and 70-km/h. For the purposes of this report the 'vehicle speed' has been assumed to be 70-km/h.

The required SISD is therefore 140 metres. The available sight distance exceeds 300 metres to the north of the access and is approximately 170 metres to the south of the access. The access therefore meets the SISD requirements of Acceptable Solution A1 of Clause E4.7.4 of the Planning Scheme.

4.6 Pedestrian Impacts

The development will not generate pedestrian movements external to the site.

4.7 Road Safety Impacts

No significant adverse road safety impacts are foreseen for the proposed development. This is based on the following:

- There is sufficient spare capacity in Exton Road to absorb the peak hour traffic generated from the berry farm (up to 50 trips per hour, the majority of which will be directional, either inwards or outwards at the site's access).
- The access is an existing access that is relatively clear and obvious for all road users.
- The geometry and construction of Exton Road is considered acceptable for the low volume of traffic generated by the proposal. Furthermore, Exton Road is a very low volume road. The actual interaction between vehicles entering or exiting the site with through traffic will be minimal.
- The existing road safety performance of Exton Road near the subject site does not indicate that there are any specific road safety deficiencies that might be exaggerated by the proposed development.
- There is adequate sight distance from the access for the prevailing vehicle speeds on Exton Road in accordance with Planning Scheme requirements.

5. Parking Assessment

5.1 Parking Provision

The site provides a large quantity of informal parking throughout the site. An example of typical on-site parking provision within the site is shown in Figure 5.

Figure 5 Typical On-Site Car Parking



5.2 Planning Scheme Requirements

Acceptable Solution A1 of Clause E6.6.1 of the Planning Scheme states the number of car parking spaces must not be less than the requirements of Table E6.1.

Table E6.1 requires the following parking provisions:

- | | |
|-------------------------|------------------------|
| ▪ Resource Processing | No parking requirement |
| ▪ Visitor Accommodation | 1 space per 4 beds |

Based on the provision of 50 beds, the parking requirement is 13 spaces. This is easily accommodated within the internal road network of the site and therefore Acceptable Solution A1 of Clause E6.6.1 of the Planning Scheme is met.

6. Conclusions

This traffic impact assessment (TIA) investigated the traffic and parking impacts for the existing and future commercial berry operations (growing, harvesting and packing) at 280 Exton Road, Exton.

The key findings of the TIA are summarised as follows:

- The total traffic generation of the site during peak seasonal periods is approximately 100 vehicles per day, with a peak of approximately 40 vehicles per hour.
- The proposed future expansion of the farm may increase the traffic generation by approximately 20 vehicles per day (predominantly in the form of additional casual berry pickers during peak periods). The installation of the casual accommodation facility will reduce traffic generation by approximately 40 vehicles per day, therefore the total traffic generation of the site would be 80 vehicles per day during peak seasonal activity.
- The existing access to the site was deemed to be acceptable on the basis of the very low traffic volumes on Exton Road and sufficient sight distance to meet the requirements of Acceptable Solution A1 of Clause E4.7.2 of the Planning Scheme.

Based on the findings of this report the proposed development is supported on traffic grounds.

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Document Status

Revision	Author	Review	Date
0	Keith Midson	Zara Kacic-Midson	14 November 2018
1	Keith Midson	Zara Kacic-Midson	20 November 2018
2	Keith Midson	Zara Kacic-Midson	23 November 2018

From: Dino De Paoli
Sent: 23 Nov 2018 06:07:56 +0000
To: 'keith@midsontraffic.com.au'
Cc: Leanne Rabjohns; Peter Jones
Subject: RE: Road authority approval

Noted. Thanks Keith. I am comfortable with the TIA as amended.

Dino

From: keith@midsontraffic.com.au [mailto:keith@midsontraffic.com.au]
Sent: Friday, 23 November 2018 4:59 PM
To: Dino De Paoli
Cc: Leanne Rabjohns; Peter Jones
Subject: RE: Road authority approval

Thanks Dino,

I've made the minor correction on p14 and added a comment about vegetation removal near the bridge. The recommendation for sweeping the access is reasonable and appropriate.

Interesting letter. I travelled through this way and returned home via the Central Highlands. I did note that that intersection was unusual. 4-leg intersection with high speed approaches. There did appear to be sufficient warning, but i'm sure more could be done to improve the junction. Speed humps are not the right solution. Probably the best solution might be to stagger the intersection so that it isn't a 4-way intersection.

Kind regards,
Keith

Keith Midson
Director

MIDSON Traffic Pty Ltd

traffic engineering | transport planning | road safety

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From: vandijkfamily@bigpond.com
Sent: 11 Jan 2019 09:18:02 +1100
To: Planning @ Meander Valley Council
Subject: Re development 280 Exton Road Exton

To General Manager,
Re Development 280 Exton Rd (CT:175297/1)

As the owners of 309 Exton Road Exton we are asking that consideration be given for some permanent screening to help eliminate noise. (e.g wooden walls in keeping with the environment– preferably not vegetation that can die and be of no use later down the track.)

Our concerns are

- : movement/noise of traffic in the early hours entering the property
- : running of the refrigerated truck and cool rooms as the expansion takes place over time
- : Position of car park/packing shed in relation to our house. (this is a sound tunnel)
- : After work leisure time for onsite workers (other than proposed bus trips)

We are aware that we live in an agricultural area and some noise is expected. Most agricultural activities are not run in the same place 7 days a week from early in the morning for 8 hours plus. At the moment the huts sitting on site buffer some of the noise. When these are removed no sound buffer will be available.

With the proposed expansion our other concern is the traffic increase with us entering and leaving our property. The vegetation on either side of our driveway is quite often overgrown and does not give us a clear and safe view of us exiting our property.

In the past a sign was erected on the roadside (for truck entry to 280 Exton Rd) near our top boundary and has restricted the entry of large vehicles into our paddock. (this we will contact works about).

For any queries please phone Robert 0407153765

Regards Robert and Patricia van Dijk

From: Rebecca Green
Sent: 17 Jan 2019 02:35:28 +0000
To: Justin Simons
Cc: Andrew Terry (andrew@tasmanianberries.com.au)
Subject: RE: PA\19\0121 - 280 Exton Road, Exton - Resource Development - Response to Representation

Dear Justin,

Thank you for forwarding the received representation in relation to the proposed resource development use and development at 280 Exton Road, Exton. I wish to make a response to the concerns raised to assist in your assessment.

- 1) Movement/ noise of traffic in the early hours entering the property
Comment: As discussed within the Traffic Impact Assessment provided with the application, Exton Road carries approximately 260 vehicles per day, with approximately 14% heavy vehicles. Casual pickers generally arrive between 5.00am and 7.00am. Picking activity generates approximately 20 to 30 cars per hour during the peak periods. Bus movements are typically 2 to 6 movements per day and heavy vehicle movements vary between 4 to 10 truck movements per day. The proposal will result in a reduction of traffic generation to approximately 80 vehicles per day, due to the installation of temporary housing.
- 2) Running of the refrigerated truck and cool rooms as the expansion takes place over time
Comment: The packing shed with associated infrastructure has received previous approvals, and does not form a part of this proposal. This issue is an existing condition and cannot be considered within assessment of this application. It is noted that the noise is associated with a resource development use, allowable on the subject site.
- 3) Position of car park/ packing shed in relation to our house
Comment: The car park is existing and so too is the packing shed (with existing approvals in place). It is of note that the representors residence is approximately 200-300 metres from the car park and packing shed (with existing approvals) and a vegetation buffer is provided between the dwelling and the road.
- 4) After work leisure time for onsite workers
Comment: It should be noted that the temporary workers accommodation is approximately 700-800m separation to the representors dwelling with vegetation buffers existing between the two. Leisure time of the workers will not be considered to be an environmental nuisance, and would be located in the vicinity of the accommodation on site.

It is also noted the concerns in relation to the traffic and particularly the access to 309 Exton Road. The representors access is located adjacent significant vegetation, which actually assists to attenuate/mitigate noise generated from the resource development use, but does pose a safety issue to their own egress, resulting in the representor having to travel some distance into the road way to gain appropriate SISD. The roadside vegetation is quite overgrown and is a consideration separate to this application, as it is associated with a separate use and site, however, Council may wish to consider some roadside vegetation trimming to assist the SISD in relation to the access at 309 Exton Road. This is a safety concern but one in relation to a separate parcel of land to the proposal.

It is further noted that my client, Mr Andrew Terry did approach the owners of 309 Exton Road prior to the lodgement of this planning application to discuss mechanisms to reduce their concerns including the planting of further vegetation within the boundaries of 309 Exton Road, of which Mr Terry was willing to cover costs, however the owners of 309 Exton Road are yet to contact Mr Terry in reply. Of course, this cannot be a condition of any approval as it is associated with a separate parcel of land and was just a good neighbourly gesture, however Mr Terry is still willing to discuss this matter with the owners of 309 Exton Road if they would like to further.

I hope that this information is of assistance when you are to consider the merits of the issues raised in the representation.

Kind regards

Rebecca Green
Senior Planning Consultant & Accredited Bushfire Hazard Assessor
Rebecca Green & Associates
m. 0409 284422
P.O. Box 2108, Launceston, 7250

-----Original Message-----

From: Justin Simons <Justin.Simons@mvc.tas.gov.au>
Sent: Tuesday, 15 January 2019 11:26 AM
To: Rebecca Green <admin@rgassociates.com.au>
Cc: Andrew Terry (andrew@tasmanianberries.com.au) (andrew@tasmanianberries.com.au) <andrew@tasmanianberries.com.au>
Subject: RE: PA\19\0121 - Request for Extension of Time - 280 Exton Road, Exton - Resource Development

Thanks Rebecca
That is fine.

Kind regards

Justin Simons | Town Planner
Meander Valley Council
working together

T: 03 +61 3 6393 5346 | F: 03 6393 1474 | E: justin.simons@mvc.tas.gov.au | W: www.meander.tas.gov.au
26 Lyall Street (PO Box 102), Westbury, TAS 7303

Please consider the environment before printing this email.-----Original Message-----

From: Rebecca Green [<mailto:admin@rgassociates.com.au>]
Sent: Tuesday, 15 January 2019 10:50 AM
To: Justin Simons
Cc: Andrew Terry (andrew@tasmanianberries.com.au) (andrew@tasmanianberries.com.au)
Subject: RE: PA\19\0121 - Request for Extension of Time - 280 Exton Road, Exton - Resource Development

Hello Justin

Please see attached agreed extension of time. I would like to make a response to the issues raised in the representation and hope to have this to you by the end of this week.

Kind regards

Rebecca Green
Senior Planning Consultant & Accredited Bushfire Hazard Assessor Rebecca Green & Associates m. 0409 284422 P.O. Box 2108, Launceston, 7250

46 WEST CHURCH STREET, DELORAINE

Reference No. – 28/2019

Planning Application: PA\19\0117

Proposal: Subdivision (2 lots)

Author: Leanne Rabjohns
Town Planner

1) Introduction

Applicant	PDA Surveyors
Owner	F Drake
Property	46 West Church Street, Deloraine CT 128269/1
Zoning	General Residential
Discretions	10.4.15.1 General Suitability 10.4.15.4 Solar Orientation of Lots
Existing Land Use	Residential – single dwelling
Number of Representations	Two (2)
Decision Due	12 February 2019
Planning Scheme	Meander Valley Interim Planning Scheme 2013 (the Planning Scheme)

2) Recommendation

It is recommended that the application for Use and Development for a Subdivision (2 lots) on land located at 46 West Church Street, Deloraine CT 128269/1 by PDA Surveyors, be APPROVED, generally in accordance with the endorsed plans:

- 1. PDA Surveyors – Plan of Subdivision – Reference: 43251JD-1**

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
- b) **Such covenants or similar controls are expressly authorised by the consent in writing of Council.**
 - c) **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 crossover servicing Lot 1 is to be constructed in accordance with LGAT Standard Drawing TSD-R09-V1 and to the satisfaction of Council's Director Infrastructure Services (see Note 1).**
3. **Prior to the sealing of the final plan of survey, the following must be completed to the satisfaction of Council:**
- a) **Amended Plan of Subdivision showing the crossover for Lot 1 being relocated to the south-east corner off West Church Street and that the wording of the connection to the sewer to Lot 1 is corrected, to the satisfaction of Council's Director Infrastructure Services.**
 - b) **The developer must pay to Council \$1,600.00, a sum equivalent to 5% of the unimproved value of the approved lots, as a Public Open space contribution.**
 - c) **The crossover for Lot 1 must be constructed as per Condition 2 above.**
4. **The development must be in accordance with the Submission to Planning Authority Notice issued by TasWater (TWDA No 2018/02050-MVC) attached.**

Note:

- 1. Prior to the construction of the driveways, 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 telephone 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 Community and Development 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 Resource Management and Planning Appeal 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 Registrar of the Resource Management and Planning Appeal Tribunal. A planning appeal may be instituted within 14 days of the date the Corporation serves notice of the decision on the applicant. For more information see the Resource Management and Planning Appeal Tribunal website www.rmpat.tas.gov.au.
5. If an applicant is the only person with a right of appeal pursuant to section 61 of the Land Use Planning and Approvals Act 1993 and wishes to commence the use or development for which the permit has been granted within that 14 day period, the Council must be so notified in writing. A copy of Council's Notice to Waive Right of Appeal is attached.
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.

3) Background

The application proposes to subdivide a property into two (2) lots at 46 West Church Street in Deloraine (see Table 1 below). The property contains a single dwelling and a number of outbuildings. The subdivision is to create one (1) additional residential lot. The proposed subdivision layout is below (see Figure 1), while all other documents are included as attached documents.

Lot	Area (m ² ±)	Frontage (m±)	Feature
Lot 1	752	23.9 and 31.8	Vacant land
Lot 2	1,342	42.2 and 31.8	Single dwelling and outbuildings
Total	2,094 NOTE: folio plan area is 2,023		

Table 1: subdivision details

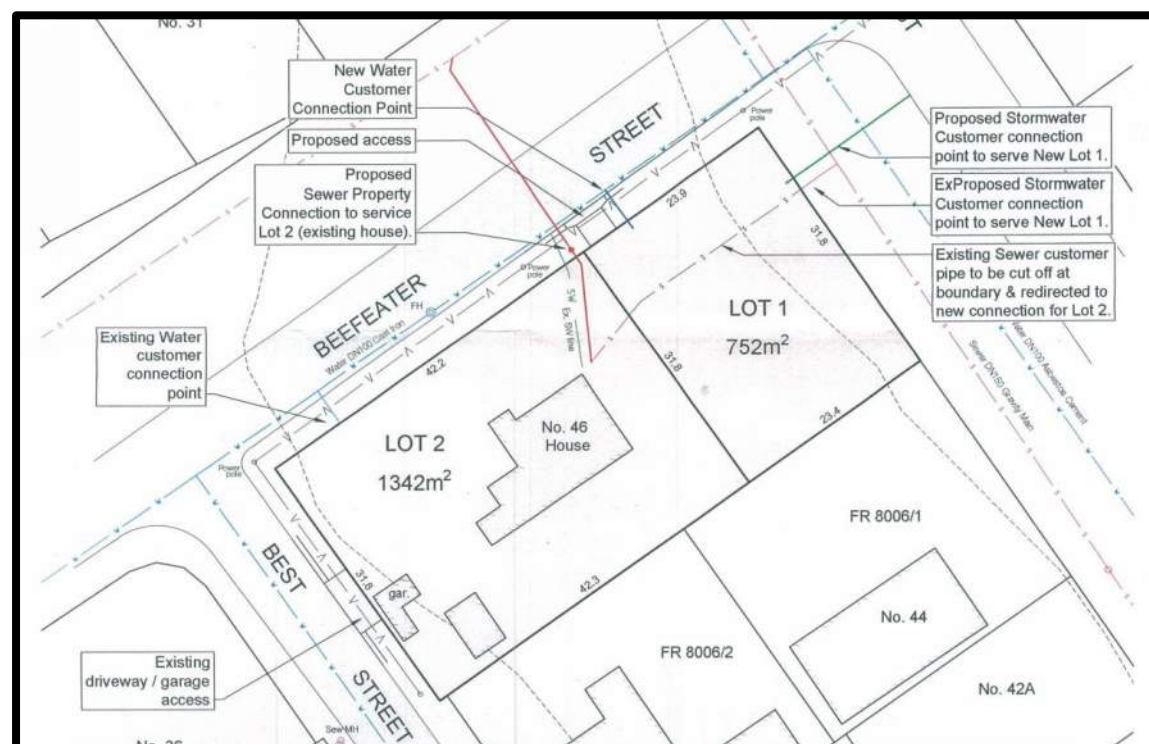


Figure 1: proposed subdivision plan

4) Representations

The application was advertised for the statutory 14-day period.

Two (2) representations were received (attached document). A summary of the representations are as follows:

- a) It is totally inappropriate to spoil the residence that is built on this block...*
- b) This block has a very special old house on it and development will take away from its beauty and heritage. One of the many great things about Deloraine is its old houses. Please stop destroying the town "Reduce the urban infill"...*

Comment:

- a) The proposed lot layout provides sufficient setback distance between the existing dwelling and the proposed boundary to provide adequate residential amenity. The preservation of existing gardens and street appeal are not factors that can be addressed through the planning scheme.
- b) The subject property is not on the Tasmanian Heritage Register. In 2006, Council undertook a Heritage Study for the entire municipality. This property was identified in that report as having sufficient heritage significance to warrant listing in a local register. However the register was not adopted and the planning scheme does not contain any Local Heritage Precincts, Local Heritage Places or Archeologically Significant Sites. As such, heritage values cannot be considered.

The planning scheme provides for infill subdivision through the discretionary application process.

5) Consultation with State Government and other Authorities

The application was referred to TasWater. A Submission to Planning Authority Notice (TWDA 2018/02050-MVC) was received on 20 December 2018 (attached document).

6) Officers Comments

Use Class: Residential

Applicable Standards:

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

Assessment

10 General Residential Code	
Scheme Standard	Assessment
10.3.1	Amenity
Acceptable Solution A1	Complies
10.4.15.1	General Suitability
Acceptable Solution A1	Relies on Performance Criteria P1
10.4.15.2	Lot Area, Building Envelope and Frontage
Acceptable Solution A1	Complies
Acceptable Solution A2	Complies
10.4.15.3	Provision of Services
Acceptable Solution A1	Complies
Acceptable Solution A2	Complies
10.4.15.4	Solar Orientation of Lots
Acceptable Solution A1	Relies on Performance Criteria P1
E4 Road and Railway Assets Code	
E4.6.1	Use and road or rail infrastructure
Acceptable Solution A2	Complies
E4.7.2	Management of Road and Accesses and Junctions
Acceptable Solution A1	Complies
E4.7.4	Sight Distance at Accesses, Junctions and Level Crossings
Acceptable Solution A1	Complies
E6 Car Parking and Sustainable Transport Code	
E6.6.1	Car Parking Numbers
Acceptable Solution A1	Complies
E10 Recreation and Open Space Code	
E10.6.1	Provision of Public Open Space
Acceptable Solution A1	Complies

Performance Criteria

10 General Residential Code
10.4.15.1 General Suitability
<p>Objective</p> <p><i>The division and consolidation of estates and interests in land is to create lots that are consistent with the purpose of the General Residential Zone.</i></p>
<p>Performance Criteria P1</p> <p><i>Each new lot on a plan must be suitable for use and development in an arrangement that is consistent with the Zone Purpose, having regard to the combination of:</i></p>

- a) slope, shape, orientation and topography of land;
- b) any established pattern of use and development;
- c) connection to the road network;
- d) availability of or likely requirements for utilities;
- e) any requirement to protect ecological, scientific, historic, cultural or aesthetic values; and
- f) potential exposure to natural hazards.

Comment

As the Zone Purpose has been directly incorporated into the Performance Criteria, the Zone Purpose becomes a standard that the proposed development must satisfy. The Zone Purpose states:

10.1 Zone Purpose

10.1.1 Zone Purpose Statements

10.1.1.1 *To provide for residential use or development that accommodates a range of dwelling types at suburban densities, where full infrastructure services are available or can be provided.*

10.1.1.2 *To provide for compatible non-residential uses that primarily serve the local community.*

10.1.1.3 *Non-residential uses are not to be at a level that distorts the primacy of residential uses within the zones, or adversely affect residential amenity through noise, activity outside of business hours traffic generation and movement or other off site impacts.*

10.1.1.4 *To encourage residential development that respects the neighbourhood character and provides a high standard of residential amenity.*

10.1.2 Local Area Objectives

Subdivision design is to consider the relationship and connectivity between future urban growth areas, support services and open space assets.

10.1.3 Desired Future Character Statements

Dwellings are to maintain as the predominant form of development with some higher densities encouraged near services and the business area. Some redevelopment sites may also be appropriate for higher density development.

Typical residential and non residential development is to be detached, rarely exceeding two storeys and be setback from the street and property boundaries.

The proposed subdivision is to create an additional residential lot. The proposed lot sizes are 752m²± and 1342m²±. Both lots can be serviced by sewerage, reticulated water and stormwater. The surrounding area is characterised by single dwellings on a range of lot sizes and shapes. Surrounding lot size ranges from 690m² to 1318m². The shape of the proposed lots is consistent with surrounding

lots. As such, the proposed lots are in keeping with the residential character of the area.

The surrounding land use is residential, with dwellings and outbuildings on serviced lots. Lot 1 has dimensions that allow for a dwelling to be constructed, while meeting all the setback standards. Lot 2 contains an existing dwelling and outbuilding. The proposed shared boundary provides sufficient setbacks to ensure privacy and amenity are provided for.

The proposed lots are within easy commuting distance to the commercial centre of Deloraine and the Riverbank Park beyond; and make efficient use of existing infrastructure.

The Plan of Subdivision shows Lot 1's proposed crossover off Beefeater Street and that Lot 2 will continue to utilise the crossover off Best Street. The location of Lot 1's crossover raised concerns regarding the significant difference in ground level between the road and the property boundary; and the impact a future crossover in this location would have on surface stormwater management. With the applicant, an alternative crossover location was investigated at the southeast corner of Lot 1 off West Church Street. This location meets all the Acceptable Solutions for a crossover and resolves the surface stormwater management issues. In addition, the Plan of Subdivision had mislabelled Lot 1's stormwater connection as a sewer connection. As such it is recommended that a condition be placed on the permit requiring an amended plan be submitted showing Lot 1's crossover being relocated to south-east corner off West Church Street and that the stormwater connection wording is corrected. An additional condition will be required for the construction standard of the crossover.

The land is not mapped as being at risk of landslip or salinity.

The land is not heritage listed. There are no Local Heritage Precincts, Local Heritage Places or Archeologically Significant Sites in the planning scheme.

The proposed development is considered consistent with the Objective and Performance Criteria. The lot layout is considered suitable for future residential development.

10 General Residential Code	
10.4.15.4	Solar Orientation of Lots
Objective <i>To provide for solar orientation of lots and solar access for future dwellings.</i>	
Performance Criteria P1 <i>Dimensions of lots must provide adequate solar access, having regard to the likely dwelling size and the relationship of each lot to the road.</i>	
Comment <p>Lot 1 is a vacant lot, while Lot 2 contains the existing dwelling. Lot 1 is a corner lot with dimensions of 23.9m± x 31.8m±. These dimensions are considered sufficient for a dwelling to be located on the lot while providing solar access to habitable rooms.</p> <p>The proposed development is considered consistent with the Objective and Performance Criteria.</p>	

Conclusion

In conclusion, it is considered that the application for Use and Development for a Subdivision (2 lots) for land located at 46 West Church Street, Deloraine is acceptable in the General Residential Zone and is recommended for approval.

DECISION:

SEARCH OF TORRENS TITLE

VOLUME 128269	FOLIO 1
EDITION 5	DATE OF ISSUE 20-May-2008

SEARCH DATE : 15-Nov-2018

SEARCH TIME : 12.53 PM

DESCRIPTION OF LAND

Town of DELORAINÉ

Lot 1 on Plan 128269

Being the land described in Assent No. 70/9411

Derivation : Part of 7A-2R-10Ps Gtd to Thomas Reibey, Edward
Samuel Pickard Bedford and William Stanley Sharland

Derived from A16939

SCHEDULE 1

M158090 TRANSFER to FERIDA DRAKE Registered 12-Dec-2007 at
noon

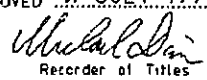
SCHEDULE 2

Reservations and conditions in the Crown Grant if any

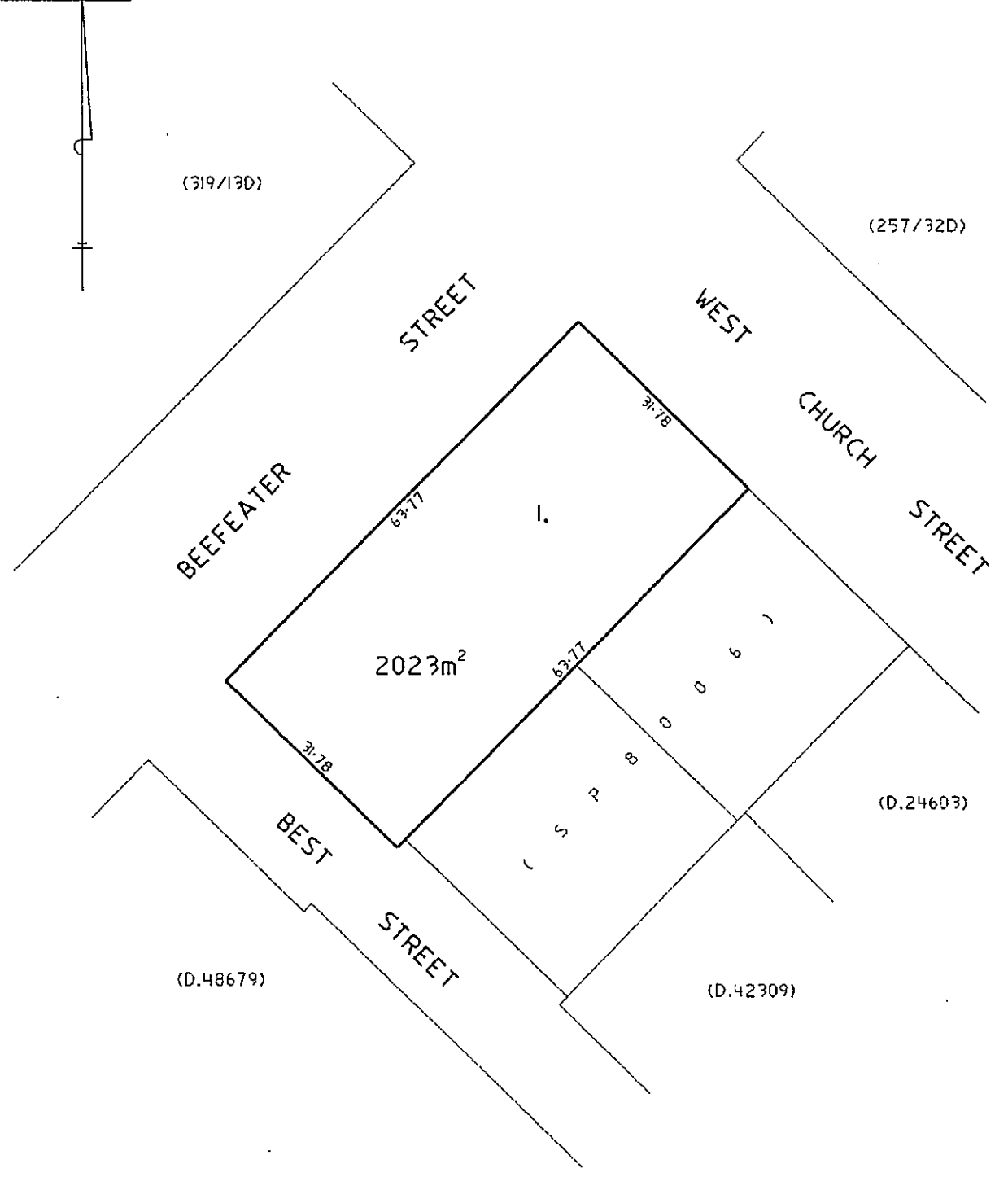
C856091 MORTGAGE to Commonwealth Bank of Australia
Registered 20-May-2008 at noon

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

FILE NUMBER A16939 GRANTEE PART OF 7-2-10 GTD TO THOMAS REIBY, EDWARD SAMUEL PICKARD BEDFORD AND WILLIAM STANLEY SHARLAND-		CONVERSION PLAN LOCATION TOWN OF DELORAIN (SEC. A12) CONVERTED FROM 70/9411 NOT TO SCALE LENGTHS IN METRES		Registered Number P.128269 APPROVED 31 JULY 1997  Recorder of Titles
MAPSHEET MUNICIPAL (CODE No. 121 (4640-43))	LAST UPD No. 4504789	ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN		DRAWN J.G.

SKETCH BY WAY OF ILLUSTRATION ONLY
"EXCEPTED LANDS"





PDA Surveyors

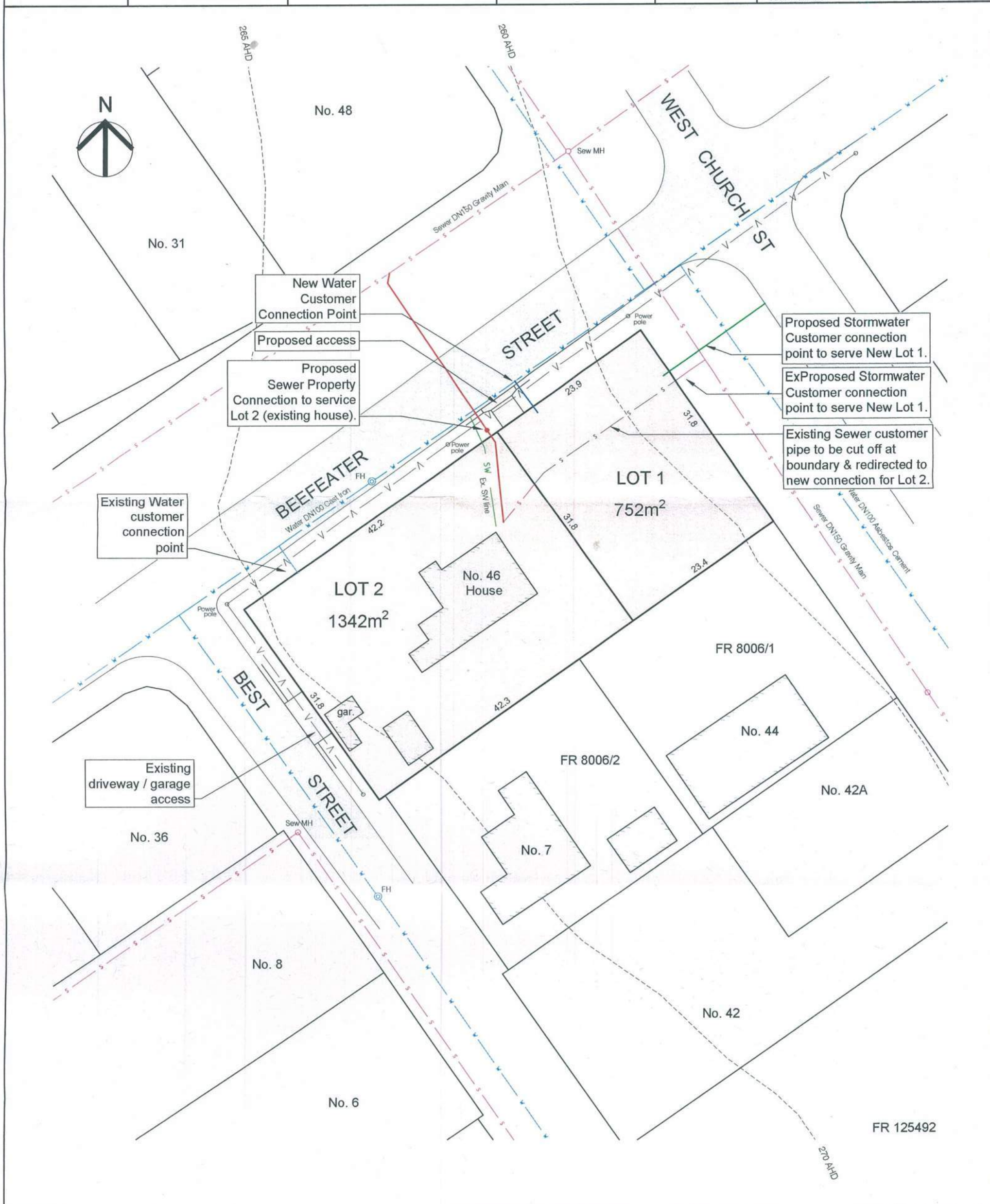
Surveying, Engineering & Planning
ARN 71 217 606 325

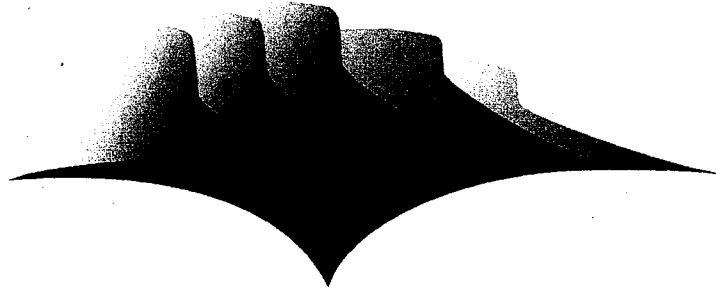
Incorporating
**WALTER
SURVEYS**

3/23 Brisbane Street
Launceston, Tasmania, 7250
www.pda.com.au Also at:
Hobart, Burnie,
Devonport & Kingston

PHONE: +61 03 6331 4099
FAX: +61 03 6334 3098
EMAIL: pda.ltn@pda.com.au

Owners	Ferida Drake	Address	46 West Church Street, Deloraine			This plan has been prepared only for the purpose of obtaining preliminary subdivision approval from the Council and the information shown hereon should be used for no other purpose. All measurements and areas are subject to final survey.					
		Council	Meander Valley Council								
		Planning Scheme	Meander Valley Interim Planning Scheme 2013								
Title References	128269/1	Zone & Overlay	10.0 General Residential								
Schedule Of Easements	As shown.										
Scale	1:500	Date	20 November 2018	PDA Reference	43251JD - 1	Map reference	Deloraine 43	PID	6261084	Point of Interest	GDA94 MGA55 470776E, 5403318N





Meander Valley Council

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

Public Open Space contribution

In accordance with Clause E10.0 of the Meander Valley Interim Planning Scheme 2013 the General Manager gives consent that no land is required for public open space but a cash payment in lieu will be required for PA\19\0117, Subdivision (2 lots) at 46 West Church Street, Deloraine (CT: 128269/1).

Signed:

Martin Gill

GENERAL MANAGER

13 December 2018

Subdivision 8/1/19

Index No. 15192		
Doc No.		
RCVD	10 JAN 2019	MVC
Action Officer LR	Dept.	CDS
JD		

To Whom it may concern,

I am writing to about A planning notice in Deloraine. Applicant PA\19\0117 at 46 West Church st Deloraine.

When is the council going to stop the urban infill in Deloraine. This block has a very special old house on it and development will take away from it's beauty and herritage.

One of the many great things about deloraine is it's old houses.

Please stop destroying the town.

" Reduce the Urban infill."

Thank you

concerned Resident.

PA/19/0117

Index No. 15192	
Doc No.	
RCVD	- 4 JAN 2019 MVC
Action Officer LR	Dept. COS
E 1	OD

Dec 30 / 2018

Meander Valley Council,
Planning Department.

I strongly object to any
subdivision of a lot at
the corner of Beebeater St
and W. Church St, Deloraine,

It is totally inappropriate
to spoil the residence that
is built on this block

Neighbourhood
resident

Deloraine

GOVERNANCE

Reference No. 29/2019

NORTHERN TASMANIA DEVELOPMENT CORPORATION – QUARTERLY REPORT

AUTHOR: Martin Gill
GENERAL MANAGER

1) Recommendation

It is recommended that Council receive Northern Tasmania Development Corporation Quarterly Organisation Progress Report December 2018.

2) Officers Report

The seven member Councils of the Northern Tasmania region created NTDC in March 2017 under the provisions of section 21(1) of the Local Government Act 1993 (Act).

The role of NTDC is to be a pro-active and strategic regional economic development organisation facilitating collaboration and co-ordination in Northern Tasmania.

NTDC also has an advocacy role with government and potential investors.

Section 21(5) of the Local Government Act 1993 requires the General Manager to report to Council the activities and any strategic issues related to those activities, of an enterprise created under Section 21(1), in this case NTDC.

The Northern Tasmania Development Corporation Organisation Progress Report for the December quarter of 2018 can be found at attachment.

3) Council Strategy and Policy

Further the objectives of the Community Strategic Plan 2014 to 2024 in particular:

- Future direction (2) – A thriving local economy
- Future direction (5) - Innovative leadership and community governance

4) Legislation

Section 21 of the Local Government Act 1993

5) Risk Management

Not applicable.

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

Quarterly Progress Report to Council Members December Quarter 2018

1. Regional Economic Development Plan

As part of the 2017 Launceston City Deal, NTDC was given the responsibility to develop a Regional Economic Development Strategy to ensure the Launceston City Deal is leveraged to benefit the whole region. The City Deal requires the strategy to set out an economic vision for Northern Tasmania and identify where future economic growth and employment is likely to come from.

The Regional Economic Development Plan (REDP) aims to encourage collaboration amongst all stakeholders to achieve positive outcomes for the region. It is not just NTDC's plan, but it belongs to the whole Region. The Tasmanian Government contributed \$140,000 toward funding the plan.

The Regional Economic Development Plan (REDP) is now in its final draft form with various input from stakeholders and will be presented to all three levels of government over January and February 2019 to agree to public release for consultation.

NTDC has also received very good testimonial from the VC of UTAS, Prof Rufus Black regarding the Key Direction's Report (undertaken by National Institute of Economic and Industry Research, NIEIR) that underpins our REDP strategies. His quote is as follows:

"I think the analytic work describing the current situation has a rigour and clarity that makes this a seminal document. It an outstanding piece of regional economic analysis whose insights offer the basis for the sort really sound evidence-based policy that can help transform the region" Prof Rufus Black.

The key themes that have evolved in the REDP are as follows:

- 1) **Strengthening Regional collaboration** – acknowledging that we need more sharing of information, trends and collaboration to become more globally competitive. The LGA's working together has improved significantly over the past 18 months, this needs to extend with more commitment from the State Government to work regionally, and into the private sector via clusters or consortia where appropriate to maximise and leverage our economic potential.
- 2) **Growing our exports** -to Increase international and interregional exports by 45% from current levels in order to significantly reduce the \$1.4B/year gap between our region's exports and imports. An industry focus to achieve this growth is recommended around 'Food Systems' (everything from agricultural production through to food science, processing, biosecurity, high tech applications, etc). According to NIEIR this is the largest export growth opportunity by 2031 for the region.
- 3) **Increasing our population** - We need to increase the working age population (18-64) by approximately 10,000 to provide the skills and fill the jobs required for our growing economy. Additional resources will be required to achieve the work plan set by the Population Taskforce (details attached) and Chaired by Michael Stretton. This is a major focus that will require funding support from three levels of government.
- 4) **Encouraging a culture of innovation** - Innovation underpins investment, skills development and economic growth in adaptable and successful regions. To be globally competitive we will need to nurture an innovative and creative culture in all areas starting from our school children. We will also need to ensure we update our digital infrastructure and technical capabilities to support and increase innovation. Some LGA's in the region are active participants in the Smart Cities Program which is a mechanism to support greater innovation.

- 5) **Attracting investment** - We need to increase the public and private investment by approximately an additional 40% by 2031 - this equates to an additional \$500M per annum with two thirds of this investment required from and through the private sector. An Investment Taskforce has been appointed to help address funding options for SME's.
- 6) **Boosting productivity** - We need to improve our productivity to improve our global competitiveness. Productivity directly links to our education attainment, health outcomes, investment in technology, digital capacity and our ability to foster an innovative culture. Our increasing productivity will be reflected in higher paid (and higher skilled) jobs in current and future industries.
- 7) **Investing in place making infrastructure** – Councils are already active in this space. The plan acknowledges the important work required to ensure the region has the amenities, community assets and lifestyle factors that will attract (and retain) a growing and diverse population that underpins our regional prosperity.

The plan also builds on strategies already in place and is the next step in the region's economic journey. It is supported by a three-year delivery program that prioritises actions and a measurement framework to report on progress.

The proposed next steps for the REDP are proposed as follows:

- Jan/Feb - Present REDP to all 7 Member Councils
- 8 Feb - Present to City Deal Exec Board
- Mid Feb – Release of Draft REDP for Public distribution (including media communications)
- Feb/March – Council members, City Deal Board (incl. Commonwealth), and Tasmanian Government provide feedback to NTDC
- April – NTDC provides the Final REDP with a report back to council members on any proposed changes from all stakeholders and how it is recommended they be addressed (and why).
- April - Council members recommended to endorse the REDP
- May - Final REDP is released (as part of a Communications Plan)
- May – NTDC will provide an Annual Plan of work aligned with the REDP Three Year Program and a budget to Council Members for NTDC's operations for three years 19/20 to 21/22 and funding request for the Population Program (two-year program).

2. NTDC Annual General Meeting

The NTDC Annual General Meeting was held on 26 October 2018 to comply with ASIC requirements. The meeting endorsed the audited financial reports. A more comprehensive Member's Meeting was held on 5 December 2018, and all Council Members (Mayors) and their delegates were invited. Also, councilors from all councils were invited to attend as observers.

The December meeting included an update on the REDP, the status of the Regional Priority Projects, and a presentation from Richard Webb, CEO and Co-founder of Start Mesh, Founder of South Bondi, Chairman and Founder of Red Ocean, recognised TEDX speaker and a member on NTDC's Investment Taskforce. The primary message from Richard, was the impact of change on our society and the emergence of the 'individual to individual' economy. A copy of Richard's presentation is available for review.

3. Northern Prison

NTDC CEO, Maree Tetlow, has attended Council Member General Managers Meetings over the past few months. In addition to talking through the implications of the REDP, other issues of joint interest have been discussed – such as the Northern Prison project. The General Managers and NTDC have requested the Department of Justice to appoint the NTDC CEO as a regional representative on the Northern Prison site selection committee. At this stage this request has not been accepted.

4. Population Taskforce

To address the region's population challenge a Population Taskforce was established in 2018. The taskforce is chaired by Michael Stretton [General Manager, City of Launceston], and other participants include Office of the Coordinator General, State Growth, Launceston Chamber of Commerce, UTAS, NTDC and George Town Council.

The Taskforce have defined the priorities to attract and retain our working age population, and NTDC has submitted a budget proposal to the State Government and has also requested consideration by the Commonwealth Government (via the upcoming City Deal Board meeting).

NTDC has requested \$200,000 from both State and Commonwealth Governments over a two-year period and will also present a proposal to Council Members for \$100,000 in total over two years based on our established council funding methodology. This will be presented in more detail to Council Members in April.

5. Investment Taskforce

To address our investment attraction challenge NTDC established an Investment Taskforce to consider how to attract the private component (two thirds) of the \$500M additional investment required to meet our economic targets and support the private sector projects in the region.

Greg Bott, Deputy Chair of NTDC (and an ex banker) chairs the taskforce. The other members include representatives from a current banker, a person with networks into the investor community, a venture capital firm, a representative from RDA Tasmania, and from the Office of the Coordinator General (to ensure we avoid duplication).

To date some investment mapping has been undertaken (outlining the type of financial products and services available), three meetings have been held, and four smaller private projects have been considered by the taskforce for support and advice. Letters have been sent to the major accounting firms to advise them of the complimentary service the taskforce can offer their clients.

Observations by the Taskforce to date are that often businesses looking for funding are not successfully connecting with the right financial provider. The Taskforce is working to identify potential projects and business expansions that are having difficulty sourcing finance from traditional sources. This may be anything from recommending changes to the proponent's business-case, or to consider more innovative financing options such as Crowd Funding or Venture Capital Funding.

NTDC will distribute an Investment Taskforce flyer for councillors and staff to provide to business or project proponents that may need support.

6. Advocacy

NTDC has met (or has meetings set) to meet with both major political party's representatives in the upcoming Commonwealth election. NTDC is advocating for support of the following Region Projects as identified through our agreed assessment methodology. Council priority projects not on this list are supported as Tier 2 local priority projects. Councils are also active in supporting their council projects to the candidates.

NTDC Regional Priority Projects (must provide >\$50M in GRP):

1. Launceston City Deal - UTas Inveresk campus
2. Northern Prison
3. Translink Launceston Gateway
4. Launceston Co-Located Private Hospital (with LGH)
5. Fermentation and Food Precinct
6. Australian Defence Innovation & Design Precinct (DIDP)
7. Bell Bay Maritime Maintenance Hub
8. Marinus Link
9. Launceston City Deal - Tamar River Health Action Plan
10. Launceston Sewerage Improvement Project (LSIP)
11. Westbury Bioenergy Plant
12. Direct International Communications link (potential)
13. Hydrogen Energy Proposal (potential)
14. Organic Milk Processing
15. Sealed Road from St Helens to Ansons Bay
16. Northern Tas Data Centre
17. Queen Victoria Museum Investment

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Rikki-lee Ross	Executive Support and Communications Officer	Office number	rikki-lee@ntdc.org.au
John Pitt	NTDC Chair	0417 310 490	jpitt@uhuru.com.au

ITEMS FOR CLOSED SECTION OF THE MEETING:

Councillor xx moved and Councillor xx seconded ***“that pursuant to Regulation 15(2)(g) of the Local Government (Meeting Procedures) Regulations 2015, Council close the meeting to the public to discuss the following items.”***

Voting Requirements

Absolute Majority

The meeting moved into Closed Session at x.xrpm

CONFIRMATION OF MINUTES

Confirmation of Minutes of the Closed Session of the Ordinary Council Meeting held on 15 January, 2018.

LEAVE OF ABSENCE

(Reference Part 2 Regulation 15(2)(h) Local Government (Meeting Procedures) Regulations 2015)

CONTRACT NO. 191 – 2018/19 - BLACKSTONE HEIGHTS FOOTPATH UPGRADES STAGE 2

(Reference Part 2 Regulation 15(2)(d) Local Government Meeting Procedures) Regulations 2015)

CONTRACT NO 200 – 2018/19 – DESIGN & CONSTRUCTION OF BRIDGES – WESTERN AREA

(Reference Part 2 Regulation 15(2)(d) Local Government Meeting Procedures) Regulations 2015)

The meeting re-opened to the public at x.xxpm

Cr xxx moved and Cr xxx seconded "***that the following decisions were taken by Council in Closed Session and are to be released for the public's information.***"

The meeting closed at

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WAYNE JOHNSTON (MAYOR)