



Meander Valley Council  
Working Together

# **ORDINARY AGENDA**

**COUNCIL MEETING**

**Tuesday 12 November 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.



Meander Valley Council

Working Together

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 November 2019 at 4.00pm.***

Jonathan Harmey  
***ACTING 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 November 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 8 October 2019, be received and confirmed.”***

**COUNCIL WORKSHOPS HELD SINCE THE LAST MEETING**

Date :	Items discussed:
22 October 2019	<ul style="list-style-type: none"><li>• Media Consultant</li><li>• Northern Prison Announcement Outcomes</li><li>• Community Forum</li><li>• Community Plan 2020-30</li><li>• Business database and online directory</li><li>• Request for Signage – Meander Valley Netball Association/Deloraine Devils Netball Club</li><li>• TasWater Trade Waste Policy Direction</li><li>• Stringfest Event support request</li><li>• Federal Funding for Priority Projects &amp; Deloraine</li></ul>

	<p>Squash Courts</p> <ul style="list-style-type: none"> <li>• Sale of Council Property</li> <li>• Disability Accessible Bus Stop – Emu Bay Road, Deloraine</li> <li>• RV Planning Application Representations and management</li> <li>• Deloraine pump track project and budget.</li> </ul>
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## **ANNOUNCEMENTS BY THE MAYOR:**

### **15 October 2019**

Guest Speaker – Combined Probus, Deloraine

### **24 October 2019**

TEER Celebration

Meander Valley Combined Staff Meeting

### **25 October 2019**

Westbury Primary 180 Celebrations

### **1 November 2019**

Meeting with John Tucker

4 meetings with Westbury Residents regarding proposed Northern Prison

### **6 November 2019**

NTDC Annual General Meeting

### **9 November 2019**

Westbury Show

### **11 November 2019**

Remembrance Day

## **ANNOUNCEMENTS BY COUNCILLORS**

Nil

## **DECLARATIONS OF INTEREST:**

## **TABLING AND ACTION ON PETITIONS:**

### **Petition 1**

"LET'S KEEP 35 WILLIAM STREET (next to the Library and Fire Station) IN PUBLIC OWNERSHIP WHILST THE COMMUNITY OF WESTBURY DEVELOPS FUTURE COMMUNITY SERVICES"

This petition is only non-compliant due to the lack of a statement specifying the number of signatories. It is largely compliant and has been tabled on this basis.

### **Action**

The requested action from the petition is that "We urge Councillors to retain the property at 35 William Street so that future use for development of community services can be determined".

While Council will consider offering two properties for sale at the November 2019 meeting, Council's property at 35 William Street, Westbury, has been removed from consideration for sale.

### **Petition 2**

"Installation of fenced dog park - Hadspen"

This petition is only non-compliant due to the lack of a statement specifying the number of signatories. It is largely compliant and has been tabled on this basis.

### **Action**

The requested action from the petition is that "Residents of Hadspen be provided with a fenced dog park area. With requests for consideration, to be given, to installing on vacant land behind skate park".

Council officers will provide elected members with a proposed project to be considered in the 2020-21 capital works program budget deliberations. The options for the fenced dog run proposed project are to include, as a minimum, Council's current dog run area along the riverbank between Browne and Foote Streets, and land on the Hadspen bull run skate park property.

# **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 be minuted with exception to those questions taken on notice for the next Council meeting.

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

## **Notes**

- Council officers may be called upon to provide assistance to those wishing to register a question, particularly those with a disability or from non-English speaking cultures, by typing their questions.
- The Chairperson may allocate a maximum time for each question, 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](http://www.meander.tas.gov.au)

## **PUBLIC QUESTION TIME**

### **1. PUBLIC QUESTIONS TAKEN ON NOTICE – OCTOBER 2019**

Nil

### **2. PUBLIC QUESTIONS WITH NOTICE – NOVEMBER 2019**

#### **2.1 Linda Poulton, Westbury:**

- a) Will the Council give the community its assurance that it will not prepare/pass a motion under section 40D of the Land Use Planning and Approvals Act 1993 (LUPAA) to prepare a draft amendment of the Local Planning Scheme to facilitate or implement/allow the rezoning of the Birralea Road site to allow a prison to be built there?

#### ***Response by Jonathan Harmey, Acting General Manager***

***No, Council will not provide assurance with regard to specific sections of the LUPAA particularly given Council has not received a development application to assess at this time. Council has a requirement to assess any application received against the legislative requirements relating to that application. If Council were to receive an application from the State Government for the preferred site at Birralea Road, Council acting as a planning authority is obliged to consider the application against the provisions of LUPAA as they stand at that time.***

***Amendments to the LUPAA, to establish the Tasmanian Planning Scheme, were gazetted on 17 December 2015. The State Planning Provisions have been made by the Minister and came into effect on 2 March 2017, however the provisions of the Tasmanian Planning Scheme do not come into operational effect until such time as Council completes its Local Provisions Schedule and the Minister makes the planning scheme. In the interim, the process for the consideration of planning scheme amendments continues in accordance with LUPAA as it was written prior to the 17 December 2015. These provisions are defined as the 'former provisions' in Schedule 6 - Savings and Transitional Provisions in the amended LUPAA. These provisions are expected to apply if an application for a planning scheme amendment were to be lodged.***

- b) Will the Council commit to holding a public meeting to gauge community attitudes to the proposed siting of the prison at Birralelee Road and if so when?

***Response by Jonathan Harmey, Acting General Manager***

***Council does not have a public meeting planned in relation to the State Government's announcement of the preferred site for the Northern Prison project. The State Government are currently undertaking community consultation for their project, we are encouraging all community views to be provided through the State Government's advertised contact points. We do not believe that the State Government has a public meeting planned as part of their community consultation. If an application is received from the State Government to facilitate a Northern Prison development, Council will consider the form of public involvement to assist and inform any decision whether to certify a planning scheme amendment, and advertise a statutory notice period. This may, or may not, involve a public meeting.***

2.2 Gina Poulton, Westbury:

- a) Will the Council give its assurance that no rate payers' funds will be expended on the "fact finding mission" which has been proposed by the State Government?

***Response by Jonathan Harmey, Acting General Manager***

***There have been some suggestions made around a potential tour of correctional facilities in other States. We have no details of what this could look like and Council has not provided a commitment to participate in any tour at this stage. Council is mindful of using public funds in an efficient manner.***

- b) Please identify the people within Council who have been elected, or who will put their hand up to be elected, to go on the fact finding mission.

***Response by Jonathan Harmey, Acting General Manager***

***Council has not provided a commitment to participate in a tour. No Council representatives have been nominated to attend at this stage.***

2.3 Martin Hamilton, Westbury:

- a) If Meander Valley Council agrees to work with the State Government announced "fact finding" trip to prisons on the mainland, will you ask the State Government to send the delegates to view the Kempsey prison in N.S.W., which the Department of Justice cite on their FAQ page as proof the proposed prison will not negatively impact Westbury, to learn how this was achieved, and the Don Dale Youth Detention Centre in N.T., that

is positioned adjacent to an adult prison, to see how the N.T. Government overcame the U.N. guidelines, commonly referred to as article 37(c)?

***Response by Jonathan Harmey, Acting General Manager***

***Council has not agreed to participate in a tour of correctional facilities at this stage. Council will form its own view on future investigations required to inform its decision on any application made by the State Government. If a Council tour is deemed necessary, we could consider Kempsey and Don Dale as potential sites.***

If M.V.C agree to work with the State Government on these “fact finding” trips, will you develop an independent consultation process, both before and after the trip, so that members of the community can anonymously submit questions for the delegates to ask at each prison site, and then disseminate the information directly to the community on their return, without having to disseminate the information through the consultancy firm contracted by the State Government?

***Response: Jonathan Harmey***

***If a tour was to eventuate, and Council representatives were involved, Council would need to establish the purpose for the tour and how the information gathered would be provided to the community.***

2.4 Peter Wileman, Westbury:

- a) Is Westbury a town or a village, as in ‘village green’? Which source is used to provide the definition? Attached are some definitions that suggest that Westbury is a village, and therefore should officially be referred to as ‘the village of Westbury’ or ‘Westbury village’.

***Response by Beth Williams, Administration Officer***

***Officially, according to the Department of Primary Industries, Parks, Water and Environment (DPIPWE) Placenames Tasmania, Westbury as a Feature Type is identified as a Town and not a Village. Westbury was proclaimed ‘Town of Westbury’, gazetted or proclaimed on 3 July 1866. Before this, it was identified as the Municipality of Westbury. The Town was also proclaimed under the Local Government Act 1962.***

***The ‘Westbury Village Green’ is a placename for Westbury’s recreational park. It is a Village Green, of which apparently there are other village greens within the state, and it therefore provides no official linkage to Westbury being identified as a Village.***

- b) I understand that Council denied permission for a barbeque to be installed on the village green by Rotary. Will Council reiterate the reasons for denying permission?

***Response by Matthew Millwood, Director Works***

***The Westbury village green is owned by the Meander Valley Council. It is provided to the community for a range of services including passive recreation as a parkland and a children's playground. As the owner, Council would be responsible for construction on the land.***

***Council has not denied permission for a barbeque to be installed on the Westbury Village Green. Council did receive a written request from the Rotary Club of Westbury proposing this type of installation on the Village Green, however the subsequent informal enquiry to a Heritage Tasmania officer indicated that the structure was unlikely to be approved unless located north of Lonsdale Lane. This location is considered by Council officers to be less suitable due to the distance from the playground and Town Common. A Council officer did offer to meet with a club representative to further discuss the matter.***

2.5 Helen Hutchinson, Western Creek:

- a) The Darebin Council declared a Climate Emergency in 2016 and has since prepared a Climate Emergency Plan. I congratulate the Meander Valley Council on the implementation of various ways to cut down on energy costs in the municipality (reducing the energy costs related to street lighting and an energy audit of the Council buildings), including the installation of an EV charging unit.

However the big challenge still remains that carbon and other greenhouse gas emissions must be taken to zero as soon as possible, and our communities have to be prepared for the shocks that climate change will bring.

Will the Meander Valley Council act on the items in the Darebin Climate Emergency Plan to protect the residents of Meander Valley by producing a similar action plan for the Meander Valley and make this available on the Meander Valley web pages?

***Response by Jonathan Harmey, Acting General Manager***

***It is agreed that Council has implemented some changes to reduce our environmental impact, the replacement of street lighting bulbs to energy efficient LED bulbs was quite a large project. Darebin Council is located in Melbourne, Victoria, with a population of 161,609 (ABS ERP 2018) and an***

**annual operating expenditure of \$160,687,000 (2018 financial year). It is pleasing to see the initiatives that they have committed to and the resources their community have been able to provide to those actions. Meander Valley Council will not be adopting the actions in the Darebin Climate Emergency Plan at this time, we do not have the employee base or approved operating budget to undertake these services.**

- b) The MVC at its last meeting approved a budget variation of \$625,000 for ground upgrades to the Prospect Vale Park following a recommendation that the grounds upgrade be deferred. It appears that the grounds for deferment were to put this money into Council funds for an unspecified reason.

After inspecting the photos of the Park on Google it does not appear that ground upgrades for this amount are necessary at this point and indeed, that the funds *could* be deferred.

Is there any reason why these funds could not be transferred to a Council budget line item that prepared for climate emergencies such as either out of season flooding or very severe bushfires, and if not, what is so compelling about the upgrade that this urgent alternative council not be satisfied?

**Response by Jonathan Harmey, Acting General Manager**

**Council approved the Prospect Vale Park development plan in 2012. This included a number of projects to develop the area to maximise the use and maximise the potential of the facility. Many of the actions have now been completed and there are a smaller number still to be undertaken. Upgrades to grounds 2, 3 and 4 were included in the plan to provide improved drainage, irrigation and resurfacing. These works are still required to be completed. The improvements will ensure a quality surface for all users, all year round. There are times when Council is forced to close the grounds and this will be reduced with improved facilities. The grounds currently require manual watering systems which means Council employees are required to set up sprinklers to water grounds, at times even on weekends. An automated system is considered to be a more efficient use of Council resources in the future.**

**There were a number of reasons why this project was deferred from our existing capital works program through to 30 June 2020. It is anticipated that the project will now occur in the 2020-21 financial year, subject to Council approval, and we are exploring grant opportunities to keep the cost to the community at a minimum.**

***Any decision to approve a new budget for an external business to complete work on 'out of season flooding' or 'very severe bushfires' would require a decision by Council. Each year Council balances the services it will be providing to the community and the cost of providing those services in our annual budget estimates. Council is not in a position to fund every request from the community and the State Government or Federal Government may be better placed to provide the services listed in the question.***

2.6 Ann-Marie Loader, Westbury

Should the State Government apply to rezone the Proposed Prison site on Birralelee Road to become a Particular Purpose Zone, will Council commission their own independent Socio-Economic Impact statement on the likely outcomes of a Prison on that location? If so will the Council commit to transparency in regard to the scope & methodology of the Socio-Economic Impact statement?

***Response by Jonathan Harmey, Acting General Manager***

***Should the State Government apply to rezone the Proposed Prison site on Birralelee Road to become a Particular Purpose Zone, a report on the social and economic matters effects and a report on how the environmental impacts will be managed, are required. These reports would involve a substantial amount of detail. If an application is received, Council will review all information provided and make an assessment at that time on any additional information that it needs in order to make a fully informed decision. This may, or may not, include additional external reports such as the one noted in the question. Council will certainly undertake a transparent process and provide the community members with information relating to any application received.***

2.7 Nancy McLeod, Westbury

Prior to 30 August 2018, the Council advised the Minister for Planning that the Council did not want the Birralelee Road Industrial Area Specific Area Plan to be subject to the transitional provisions under Schedule 6 clause 8 of the Land Use Planning and Approvals Act. Why did the Council give this advice to the Minister for Planning?

***Response by Jonathan Harmey, Acting General Manager***

***This was part of a process of development of Council's Local Provisions Schedule and was negotiated with the Tasmanian Planning Commission and Tasfire in regard to the limitations on making changes to provisions if the SAP were to 'transition' under Schedule 6 of LUPAA. The discussion relating to the Birralelee Road SAP and the issues with some of the applying provisions is included in Council's Supporting Report to its LPS at page 67, which was***

*endorsed by Council and forwarded to the Commission when it formally submitted its LPS in December 2017. That report, and the Minister's declaration of transitioning provisions, were part of the publicly notified package of documents for Council's LPS and are still available for viewing on Council's website through the 'Draft Meander Valley Local Provisions Schedule & Associated Documents' page (<https://www.meander.tas.gov.au/draft-meander-valley-local-provisions-schedule>).*

3. PUBLIC QUESTIONS WITHOUT NOTICE – NOVEMBER 2019

**COUNCILLOR QUESTION TIME**

1. COUNCILLOR QUESTIONS TAKEN ON NOTICE – OCTOBER 2019

Nil

2. COUNCILLOR QUESTIONS WITH NOTICE – NOVEMBER 2019

Nil

3. COUNCILLOR QUESTIONS WITHOUT NOTICE – NOVEMBER 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."



**Jonathan Harmey**  
**ACTING 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."

## **PLANNING AUTHORITY ITEMS 1 & 2**

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

# **PLANNING AUTHORITY 1**

Reference No. 198/2019

189 EMU BAY ROAD, DELORAINE

**Planning Application:** PA\20\0020

**Proposal:** Subdivision (2 Lots), Multiple Dwellings (4 Units), retaining walls and demolition of outbuildings

**Author:** Natasha Whiteley  
Town Planner

## **1) Introduction**

Applicant	Woolcott Surveys
Owner	P Taylor
Property	189 Emu Bay Road, Deloraine (CT:27198/1)
Zoning	General Residential Zone
Discretions	10.4.2 Setbacks and building envelope for all dwellings 10.4.3 Site coverage and private open space for all dwellings 10.4.15.1 General suitability 10.4.15.4 Solar Orientation of lots E6.7.2 Design and Layout of Car Parking
Existing Land Use	Residential - Single Dwelling and outbuildings
Number of Representations	One (1)
Decision Due	13 November 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 Subdivision (2 Lots), Multiple Dwellings (4 Units), retaining walls & demolition of outbuildings, on land located at 189 Emu Bay Road, Deloraine (CT: 27198/1), by Woolcott Surveys, be APPROVED, generally in accordance with the endorsed plans:***

- a) **Woolcott Surveys; Date: 05/09/19; Job No.: L190413; Sheet: 1.**
- b) **Prime Design; Project/Drawing no: PD19069.**
- c) **Rebecca Green & Associates; Bushfire Hazard Assessment Report & Bushfire Hazard Management Plan; Date: 10 August 2019; Job no: RGA-B1203; Pages: 1-26.**

***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. A cash payment of \$2,932, as an amount equal to 5% of the land value for the newly created lot, is to be paid to Council in lieu of public open space.**
- 3. The finished floor level of units 3 and 4 must be amended to a maximum 103.2AHD with the retaining wall for unit 4 no greater than 1.0m in height from natural ground level.**
- 4. All visitor car parking spaces must be clearly identified by physically delineating the spaces, such as line marking or incidental signage.**
- 5. Prior to the commencement of subdivision works the following must be submitted to the satisfaction of Council's Director Infrastructure Services:**
  - a) **Detailed engineering design documentation prepared by a suitably qualified civil engineer or other person approved by Council's Director Infrastructure Services. The designs must incorporate the following:**
    - i) **Kerb and channelling from the intersection of Emu Bay Road to the eastern boundary of Lot 2 including pavement widening to provide for an 8 metre sealed pavement width**

- overall;**
- ii) Driveway crossovers designed in accordance with LGAT Standard Drawings TSD-R09-V1, including driveway width of 4.5m for the first 7m of the driveway from the road carriageway for Lot 2;**
- iii) Stormwater drains from existing Council infrastructure to the eastern boundary of Lot 2 (refer Note 2).**

**6. Prior to the sealing of the Final Plan of Survey the following must be completed to the satisfaction of Council:**

- a) Payment of the public open space contribution in accordance with Condition 2.**
- b) All infrastructure works as detailed and approved on the engineering documentation in accordance with Condition 5 a) to the satisfaction of Council's Director Infrastructure Services.**

**7. Prior to the commencement of work for the multiple dwellings amended plans are to be submitted to the satisfaction of Council's Town Planner showing:**

- a) Finished floor level and retaining wall in accordance with Condition 3.**
- b) Driveway crossover to Lot 2 widened to provide a minimum width of 4.5m for the first 7m of driveway from the road carriageway (refer Note 1).**

**8. Prior to the commencement of use for the multiple dwellings the following must be completed to the satisfaction of Council's Town Planner:**

- a) Visitor parking clearly delineated in accordance with Condition 4.**

**9. The development must be in accordance with the Submission to Planning Authority Notice issued by TasWater (TWDA 2019/01033-MVC) attached.**

**Note:**

- 1. Prior to any construction being undertaken in the road reserve, separate approval is required by the Road Authority through the engineering design approval process. All enquiries should be directed to Council's Infrastructure Department on 6393 5312.**

2. Stormwater detention is required for this development. Please see attached letter regarding the provision of detention and the requirements of Council acting as the Stormwater Authority in accordance with the *Urban Drainage Act 2013*.
3. Meander Valley Council Policy Number 20 provides guidelines for Council to consider contributions toward the cost to develop infrastructure adjacent subdivisions. In this instance Council can give consideration to contribution toward kerb and channel and pavement widening work. This will be subject to Council approval as part of future budget approval processes. Council will make contribution to the cost of new stormwater from the eastern side of the crossover to Lot 2 to the eastern boundary to Lot 2 in accordance with S.11 of the Urban Drainage Act. Please Contact Council's Infrastructure Department on 6393 5312 to discuss.
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](mailto: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 (including demolition of outbuildings) may be required before construction commences:
  - a) Building/Demolition approval
  - b) Plumbing approval

All enquiries should be directed to Council's Permit Authority on 6393 5320 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](http://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](mailto:aboriginal@heritage.tas.gov.au); and
  - c) The relevant approval processes will apply with state and federal government agencies.

### 3) Background

It is proposed to subdivide the property into two (2) lots, and construct 4 units on the vacant lot that is being created. Two (2) outbuildings are required to be demolished to accommodate the proposed unit development. Figure 1 is the plan of subdivision, whilst figure 2 is the site plan for the proposed unit development. Photo 1 shows the buildings to be demolished. A full set of the plans and application is located in the attachments.

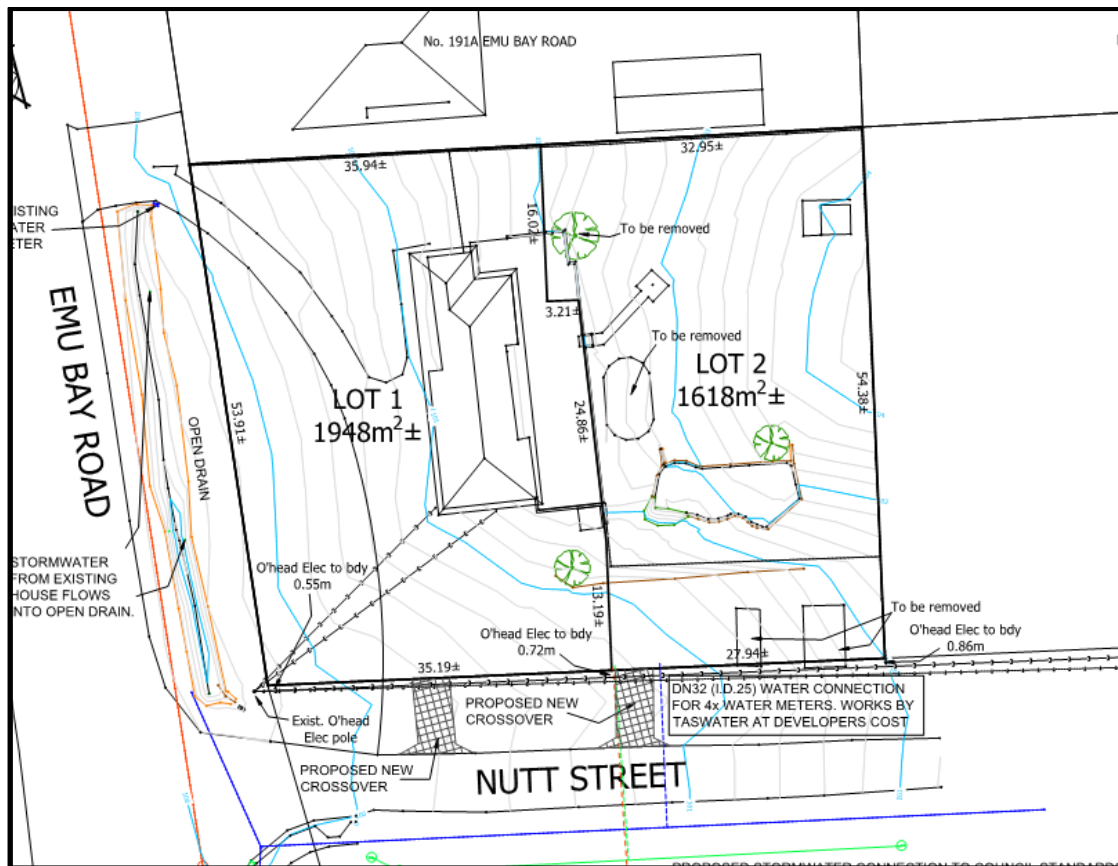


Figure 1: plan of subdivision (Woolcott Surveys, 2019)

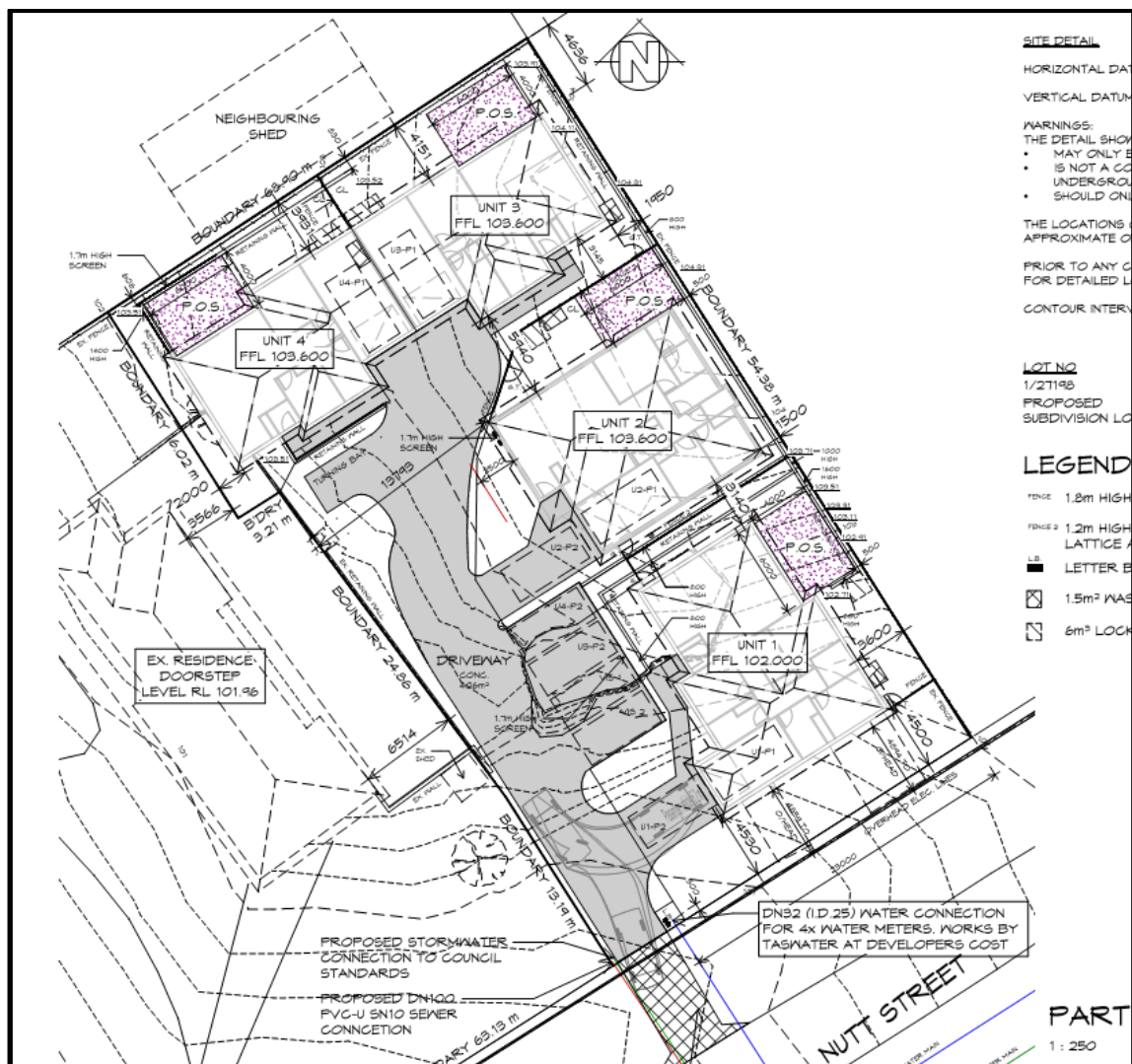


Figure 2: site plan showing proposed unit development (Woolcott Surveys, 2019)



Photo 1: outbuilding to be demolished.

The property is approximately 3,566m<sup>2</sup> and is located on the corner of Emu Bay Road and Nutt Street. It contains a single dwelling and outbuildings as shown in the aerial photo below. There is a four (4) metre fall from east to west across the entire property, whilst the fall over the proposed new lot and unit development area is approximately two (2) metres over a distance of 32m measured along the northern boundary. Photo 3 shows the contours at half metre intervals across the property. Photo's 4 and 5 are photos of the land proposed be developed with units.



Photo 2: aerial photo identifying subject lot (thelist, 2019)



Photo 3: aerial photo of subject lot showing contours at half metre intervals



Photo 4: land to be developed, showing the hill (taken from behind the outbuilding that is to be demolished)



Photo 5: proposed lot 2 to be developed with units.

#### 4) Representations

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

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

Representation 1:

- a) Oppose development in current form due to loss of privacy into the rear yard and into home because of the finished floor level height of the rear units.
- b) Visual impact from finished height of units.
- c) Questions why development has not been excavated into the site more to keep height of units 2,3 & 4 similar to heights of adjoining properties.
- d) A 1700mm screen on unit 4 will provide minimal privacy.
- e) Propose 'the site to be excavated to allow the FFL height of the rear units be only slightly higher than the front unit and with a FFL of 102.600'.
- f) Provided a summary of the levels of the existing development and proposed. Outlines that there is a difference of 1.64m between the doorstep of 189 Emu Bay Road (101.96m), and the finished floor level of units 2, 3 & 4 (103.6m). Predicts that the step level at 191A Emu Bay Road is 101.41m.
- g) Provided marked up photos showing the finished floor levels of units 2, 3 & 4 taken from 191A Emu Bay Road.
- h) Believes the following statement that was provided in the application material to not be true and not consistent with the immediate area. 'The only multi-unit development on a block of land similar size North of the Northern Mole Creek Road is 9 and 9a Gleadow Street and consists of only 2 units'.  
*The proposed 4 units development on Lot 2 is considered consistent with the neighbourhood character in the area where there are a number of multiple dwelling developments ranging from 2 to 5 units on a lot in the surrounding area.*
- i) The planning report accompanying the application stated on page 11 that unit 4 has a maximum height of 5.6m above natural ground level. The South western elevation indicates a height of 6.217m.
- j) Disagree with the statement in the planning report accompanying the application and believe there will be a 'massive visual impact' and loss of privacy for 191A Emu Bay Road as well the existing dwelling at 189 Emu Bay Road.
- k) Would support application if development was excavated a minimum of 1m to have units 2 3 and 4 with a finished floor level of 102.6m.

- l) Development is not in character with immediate area of which allotments have one dwelling. More suited to a single residence or two or three unit development.

**Comment:**

- a) Refer to assessment below – *Performance Criteria 10.4.2 – Setbacks and building envelope for all dwellings Performance Criteria 3.*
- b) Refer to assessment below - *Performance Criteria 10.4.2 – Setbacks and building envelope for all dwellings Performance Criteria 3.*
- c) Can only consider the development as proposed. In the General Residential Zone, if the development is contained within the defined building envelope, there can be maximum height of 8.5m. The building envelope provisions of the planning scheme do not require development to consider development heights on adjoining property.

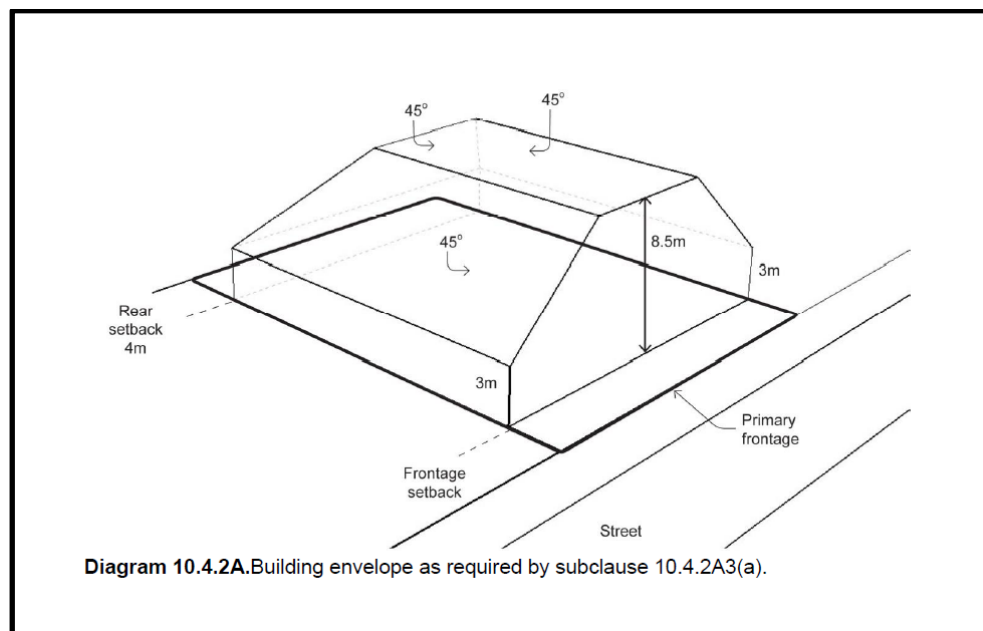


Figure 3: example of the building envelope that sets the heights and setbacks for development within the General Residential zone.

- d) The proposed 1700mm screen on unit 4 complies with the privacy requirements of Clause 10.4.6 A1 of the Meander Valley Interim Planning Scheme 2013.
- e) Refer to assessment below - *Performance Criteria 10.4.2 – Setbacks and building envelope for all dwellings Performance Criteria 3.* Note the majority of the units are contained within the building envelope. Only the privacy screen and a portion of the rear wall of unit 4 is outside the building envelope.

- f) The difference between the proposed finished floor levels of the units and the finished floor levels of the existing dwellings have been noted.
- g) The photos have been noted.
- h) Refer to assessment below - *Performance Criteria 10.4.2 – Setbacks and building envelope for all dwellings Performance Criteria 3.*
- i) The measurement 6.217m on “u3/4 south western elevation” is taken from ground level to the highest point of the units and is based on a flat surface. However, the “u3/4 south eastern elevation” shows the height as 5.879m which is the highest point of the building to the natural ground level.
- j) Refer to assessment below - *Performance Criteria 10.4.2 – Setbacks and building envelope for all dwellings Performance Criteria 3.*
- k) Noted. The representation was provided to the applicant. The applicant has not proposed changes to the development in light of the representation.
- l) Refer to assessment below - *Performance Criteria 10.4.2 – Setbacks and building envelope for all dwellings Performance Criteria 3.* The General Residential Zone allows the consideration of single and multiple dwellings on a lot.

## 5) Consultation with State Government and other Authorities

The application was referred to TasWater. A Submission to Planning Authority Notice (TWDA 2019/01033-MVC) was received on 25 July 2019 (attached document).

The application was referred to TasNetworks. TasNetworks advised on 18 September 2019 that considering the *'revised design/information stating the unit will be 6m from the centreline TasNetworks has no objection to the proposal proceeding'*.

## 6) Officers Comments

**Use Class:** Residential

### Applicable Standards

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

<b>General Residential Zone</b>	
Scheme Standard	Assessment
<b>10.3.1 Amenity</b>	
Acceptable solution 1	Complies
<b>10.4.1 Residential density for multiple dwellings</b>	
Acceptable solution 1	Complies
<b>10.4.2 Setbacks and building envelope for all dwellings</b>	
Acceptable solution 1	Complies
Acceptable solution 2	Relies on Performance Criteria
Acceptable solution 3	Relies on Performance Criteria
<b>10.4.3 Site coverage and private open space for all dwellings</b>	
Acceptable solution 1	Complies
Acceptable solution 2	Relies on Performance Criteria
<b>10.4.4 Sunlight and overshadowing for all dwellings</b>	
Acceptable solution 1	Complies
Acceptable solution 2	Complies
Acceptable solution 3	Complies
<b>10.4.6 Privacy for all dwellings</b>	
Acceptable solution 1	Complies
Acceptable solution 2	Complies
Acceptable solution 3	Complies
<b>10.4.8 Waste storage for multiple dwellings</b>	
Acceptable solution 1	Complies
<b>10.4.9 Storage for multiple dwellings</b>	
Acceptable solution 1	Complies
<b>10.4.10 Common Property for multiple dwellings</b>	
Acceptable solution 1	Complies
<b>10.4.11 Outbuildings for multiple dwellings</b>	
Acceptable solution 1	Complies
<b>10.4.12 Site services for multiple dwellings</b>	
Acceptable solution 1	Complies
<b>10.4.15.1 General suitability</b>	
Acceptable solution 1	Relies on Performance Criteria
<b>10.4.15.2 Lot area, building envelopes and frontage</b>	
Acceptable solution 1	Complies
Acceptable solution 2	Complies
<b>10.4.15.3 Provision for services</b>	
Acceptable solution 1	Complies
Acceptable solution 2	Complies
<b>10.4.15.4 Solar orientation of lots</b>	
Acceptable solution 1	Relies on Performance Criteria

Acceptable solution 2	Not Applicable
<b>10.4.15.5 Interaction, safety and security</b>	
Acceptable solution 1	Complies
<b>10.4.15.6 Integrated urban landscape</b>	
Acceptable solution 1	Complies
<b>10.4.15.7 Walking and cycling network</b>	
Acceptable solution 1	Complies
<b>10.4.15.8 Neighbourhood road network</b>	
Acceptable solution 1	Complies

<b>Bushfire-Prone Areas Code</b>	
Scheme Standard	Assessment
<b>E1.6.1 Subdivision: provision of hazard management areas</b>	
Acceptable solution 1	Complies
<b>E1.6.2 Subdivision: public and fire fighting access</b>	
Acceptable solution 1	Complies
<b>E1.6.3 Subdivisions: provision of water supply for fire fighting purposes</b>	
Acceptable solution 1	Complies

<b>Road and Railway Assets Code</b>	
Scheme Standard	Assessment
<b>E4.6.1 Use and road or rail infrastructure</b>	
Acceptable solution 2	Complies
<b>E4.7.2 Management of road accesses and junctions</b>	
Acceptable solution 1	Complies
<b>E4.7.4 Sight distance and accesses, junctions and level crossings</b>	
Acceptable solution 1	Complies

<b>Car Parking and Sustainable Transport Code</b>	
Scheme Standard	Assessment
<b>E6.6.1 Car parking numbers</b>	
Acceptable solution 1	Complies
<b>E6.7.1 Construction of car parking Spaces and Access Strips</b>	
Acceptable solution 1	Complies
<b>E6.7.2 Design and layout of car parking</b>	
Acceptable solution 1	Complies
Acceptable solution 2	Relies on Performance Criteria
<b>E6.8.1 Pedestrian walkways</b>	
Acceptable solution 1	Complies

<b>Recreation and Open Space Code</b>	
Scheme Standard	Assessment

<b>E10.6.1 Provision of public open space</b>	
Acceptable solution 1	Complies

## Performance Criteria

<b>General Residential Zone</b>
<b>10.4.2 Setbacks and building envelope for all dwellings</b>
<p><b>Objective</b></p> <p><i>To control the siting and scale of dwellings to:</i></p> <ul style="list-style-type: none"> <li><i>a) provide reasonably consistent separation between dwellings on adjacent sites and a dwelling and its frontage; and</i></li> <li><i>b) assist in the attenuation of traffic noise or any other detrimental impacts from roads with high traffic volumes; and</i></li> <li><i>c) provide consistency in the apparent scale, bulk, massing and proportion of dwellings; and</i></li> <li><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></li> </ul>
<p><b>Performance Criteria P2</b></p> <p><i>A garage or carport must have a setback from a primary frontage that is compatible with the existing garages or carports in the street, taking into account any topographical constraints.</i></p>
<p><b>Response</b></p> <p>The proposed garage for unit 1 is located 4.53m from the front boundary in line with the unit, however, the garage door is located on the western side of the unit and therefore does not face the street. The garage will also have two windows that face the street, softening the façade of the dwelling. The setback from the frontage to the garage is considered compatible with existing garages within the street as most are visible from the road and are either located in front of or just behind building line of the dwelling or to the rear of the dwelling entirely.</p> <p>The proposal is considered consistent with the Objective and Performance Criteria.</p>
<p><b>Performance Criteria P3</b></p> <p><i>The siting and scale of a dwelling must:</i></p> <ul style="list-style-type: none"> <li><i>a) not cause unreasonable loss of amenity by:</i> <ul style="list-style-type: none"> <li><i>i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot; or</i></li> <li><i>ii) overshadowing the private open space of a dwelling on an adjoining lot; or</i></li> <li><i>iii) overshadowing of an adjoining vacant lot; or</i></li> <li><i>iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot; and</i></li> </ul> </li> <li><i>b) provide separation between dwellings on adjoining lots that is compatible with</i></li> </ul>

that prevailing in the surrounding area.

### Response

Proposed unit 4 is located 3.931m from the rear boundary. A raised area to be used as the private open space area for unit 4 extends towards the rear boundary and requires a retaining wall with a maximum height of 1.4m, 0.6m from the rear boundary and incorporates a privacy screen measuring 1.7m on top of the retaining wall. As such unit 4 is less than the required 4m from the rear boundary and requires assessment against the performance criteria.

The proposed building component of unit 4 which is less than 4m from the rear boundary is parallel to the existing outbuilding located at 191A Emu Bay Road, Deloraine. Figure 4 identifies the section of building located less than 4m from the rear boundary. Given the location of the outbuilding, it is considered that there will not be any unreasonable loss of amenity to 191A Emu Bay Road from the visual impacts associated with this part of unit 4. The bulk and scale is consistent with residential development in General Residential Zones. The section of building will also not overshadow any adjoining properties.

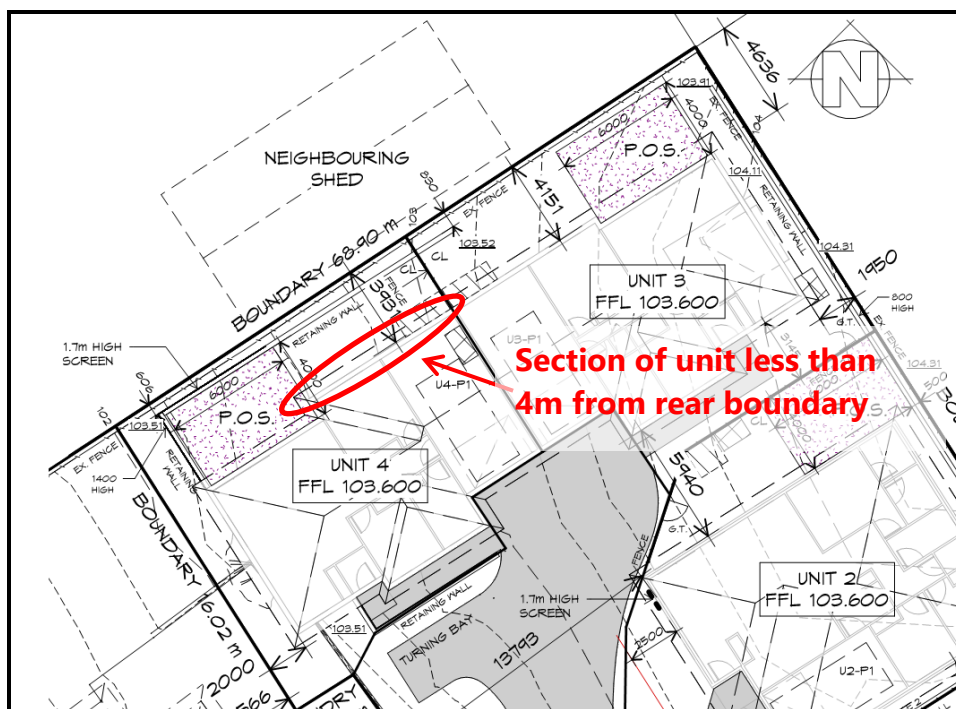


Figure 4: showing the section of unit 4 that is less than 4m from the rear boundary.

The land is proposed to be filled in the north-west corner of proposed lot 2. This will result in a 1.4m high retaining wall 0.6m from the rear boundary. To comply with the privacy requirements of the planning scheme (10.4.6 privacy for all dwellings) a 1.7m high privacy screen is proposed to be erected on top of the retaining wall where the retaining wall has a finished surface level of more than 1m above natural ground level. If the finished surface level of this area was 1.0m or less the privacy requirements of the planning scheme are not applicable.

The privacy screen (which is as a result of the retaining wall exceeding 1m in height) will cast a shadow towards the existing dwelling on lot 1, and its private open space area. The dwelling and its open space area will receive overshadowing at 9am on 21 June, however, from 12noon through to 5pm, the privacy screen will not overshadow proposed lot 1. Therefore, the overshadowing impact from the privacy screen is minimal and not considered to cause an unreasonable loss of amenity. Note the dwelling component of unit 4 is located within the building envelope in regards to the side boundary so overshadowing from this unit is considered acceptable through compliance with the building envelope.

The proposed 1.7m privacy screen on top of the retaining wall is considered to cause a visual impact from its apparent scale and bulk when viewed from 191A Emu Bay Road and the separation between structures within close proximity to rear boundaries is not consistent with that within the wider locality. The character of Deloraine is for houses to be constructed towards the front of the lot, with outbuildings to the rear. Unit developments generally occupy the majority of the lot, but mostly maintain a 4m rear setback to provide private open space areas between the dwelling and the boundary. These private open space areas are either at ground level or cut in. The positioning of the proposed unit development is consistent with those units constructed within Deloraine, however, there is inconsistency in regards for the need of 1.4m of fill and an 1.7m high privacy screen within the rear boundary setback. As a result, the required privacy screen 0.6m from the rear boundary does not achieve appropriate separation between dwellings on adjoining lots compatible with the prevailing area.

The bulk, scale and massing of the privacy screen within close proximity to the rear boundary is considered visually obtrusive when viewed from 191A Emu Bay Road. Refer to photos 6, 7 and 8 below. The structure is considered awkward, and not appropriate or reasonable for this residential setting and is only proposed as a means of addressing privacy requirements of the planning scheme.

It is considered that reducing the finished surface level of unit 3 & 4 by a minimum of 0.4m will result in the retaining wall having a maximum height of 1.0m from natural ground level and as such a privacy screen will not need to be permanently erected. The reduction in finished surface level to 103.2 will bring the development into conformity with the Acceptable Solutions and therefore the development within the rear boundary is considered reasonable.

A retaining wall with a maximum height of 1.0m will not cause a reduction in sunlight or overshadow adjoining properties, nor will it have any visual impacts as it will not be visible from adjoining properties. As such, the visual impact from the proposed privacy screen will be eliminated entirely from reducing the finished floor

level of units 3 & 4 by 0.4m, because the privacy screen is not required by the planning scheme.

A surface which is 1.0m or less from natural ground level does not require any privacy screening and is considered appropriate as per the planning scheme. However, the boundary fence could be increased in height to a maximum height of 2.1m without requiring planning or building approvals. This increase in height could be achieved through a fence topper which could minimise potential privacy concerns which are not addressed by the planning scheme. It is noted that the existing boundary fence is approximately 1.7m in this location.

The proposed recommendation to reduce the finished floor level of units 3 & 4 is not considered to compromise any other components of the development.

**Recommendation:**

The finished floor level of units 3 and 4 (including retaining walls) must be amended to a maximum 103.2AHD instead of 103.6AHD as proposed. Amended plans will need to be submitted to the satisfaction of Council's Town Planner reflecting this change.

The adoption of the proposed recommendation will maintain a reasonable level of amenity to 191A Emu Bay Road, and the proposal will be consistent with the performance criteria and the objective.



Photo 6: approximate height and location of privacy screen viewed from 191A Emu Bay Road, Deloraine.



Photo 7: approximate height and location of privacy screen viewed from 191A Emu Bay Road, Deloraine.



Photo 8: photo of height of the retaining wall and privacy screen at the highest point (3.1m) 0.6m from the rear boundary. Pink tape indicates 3.1m

#### **10.4.3 Site coverage and private open space for all dwellings**

##### **Objective**

*To provide:*

- a) for outdoor recreation and the operational needs of the residents; and*
- b) opportunities for the planting of gardens and landscaping; and*
- c) private open space that is integrated with the living areas of the dwelling; and*
- d) private open space that has access to sunlight.*

##### **Performance Criteria P2**

*A dwelling must have private open space that:*

- a) includes an area that is capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children's play and that is:*
  - i) conveniently located in relation to a living area of the dwelling; and*
  - ii) orientated to take advantage of sunlight.*

##### **Response**

The private open space area that is dedicated to unit 2 is not directly accessible from the living area. Whilst there is available area that complies with the requirements of the Acceptable Solution, the specific 6m by 4m area has been nominated in the north-eastern corner of unit 2 to achieve compliance with a different acceptable solution – 10.4.4 Sunlight and overshadowing for all dwellings Acceptable Solution A3. This acceptable solution requires a multiple dwelling that is to the north of the private open space area of another dwelling on the same site (unit 3 is to the north of unit 2), to be located 3m from the northern edge of the private open space area.

Unit 2 therefore has a large area measuring 4m by 11m that is directly accessible from the living area and is suitable for private open space. This area is an extension of the unit and can be used for outdoor relaxation, dining, entertainment and children's play. This area is orientated to north and will have access to sunlight.

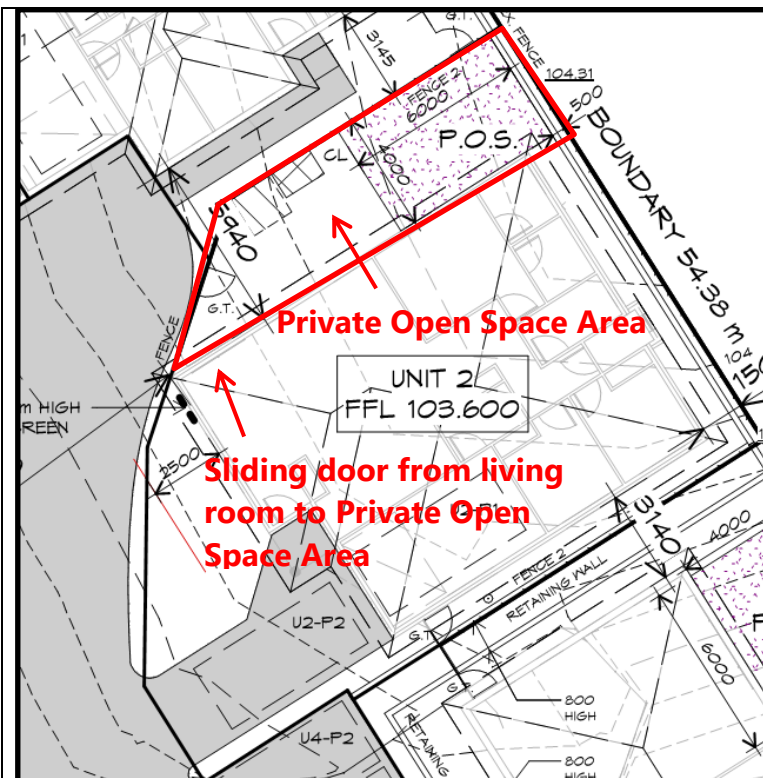


Figure 5: site plan of unit 2 showing location of sliding door from living room into the private open space area

The proposal is considered consistent with the Objective and Performance Criteria.

#### 10.4.15.1 General suitability

### **Objective**

*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.*

### Performance Criteria P1

*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:*

- 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.

### **Response**

The proposed subdivision will create a lot that is 1,618m<sup>2</sup> and suitable for a range of dwelling types permissible in the General Residential zone. Even though the elevation of the new lot slopes down to the west and south, it is possible to site and design development appropriately on the lot. The dominant development character within the immediate area is single dwellings. The lot will have connection to Nutt

Street and will be connected to water, sewerage, stormwater and power. There are no known values on the property. A bushfire hazard management plan has been prepared as part of the subdivision application.

The proposed subdivision is considered appropriate for residential development and is therefore consistent with the Objective and Performance Criteria.

#### **10.4.15.4 Solar orientation of lots**

##### **Objective**

*To provide for solar orientation of lots and solar access for future dwellings.*

##### **Performance Criteria P1**

*Dimensions of lots must provide adequate solar access, having regard to the likely dwelling size and the relationship of each lot to the road.*

##### **Response**

The orientation of the lot is not within the range specified in the equivalent acceptable solution. The proposed new lot will be at a minimum 27m by 54m. The resultant lot size (1,618m<sup>2</sup>) will receive adequate solar access suitable for the likely dwelling size whilst accommodating an appropriate relationship with the road.

The proposal is considered consistent with the Objective and Performance Criteria.

#### **Car Parking and Sustainable Transport Code**

##### **E6.7.2 Design and layout of car parking**

##### **Objective**

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

##### **Performance Criteria**

*Car parking and manoeuvring space must:*

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

##### **Response**

The car parking and manoeuvring spaces are considered to be convenient, safe and are suitable for residential use. The varying gradients of the proposed driveway are consistent with the requirements of the Australian Standard AS2890.1-2004 Parking Facilities Part 1: Off Road Car Parking. All vehicles are able to enter and exit the property in a forward direction. It is however recommended that the width of the driveway crossover be widened to allow appropriate two-way passing of vehicles consistent with the requirements of the planning scheme.

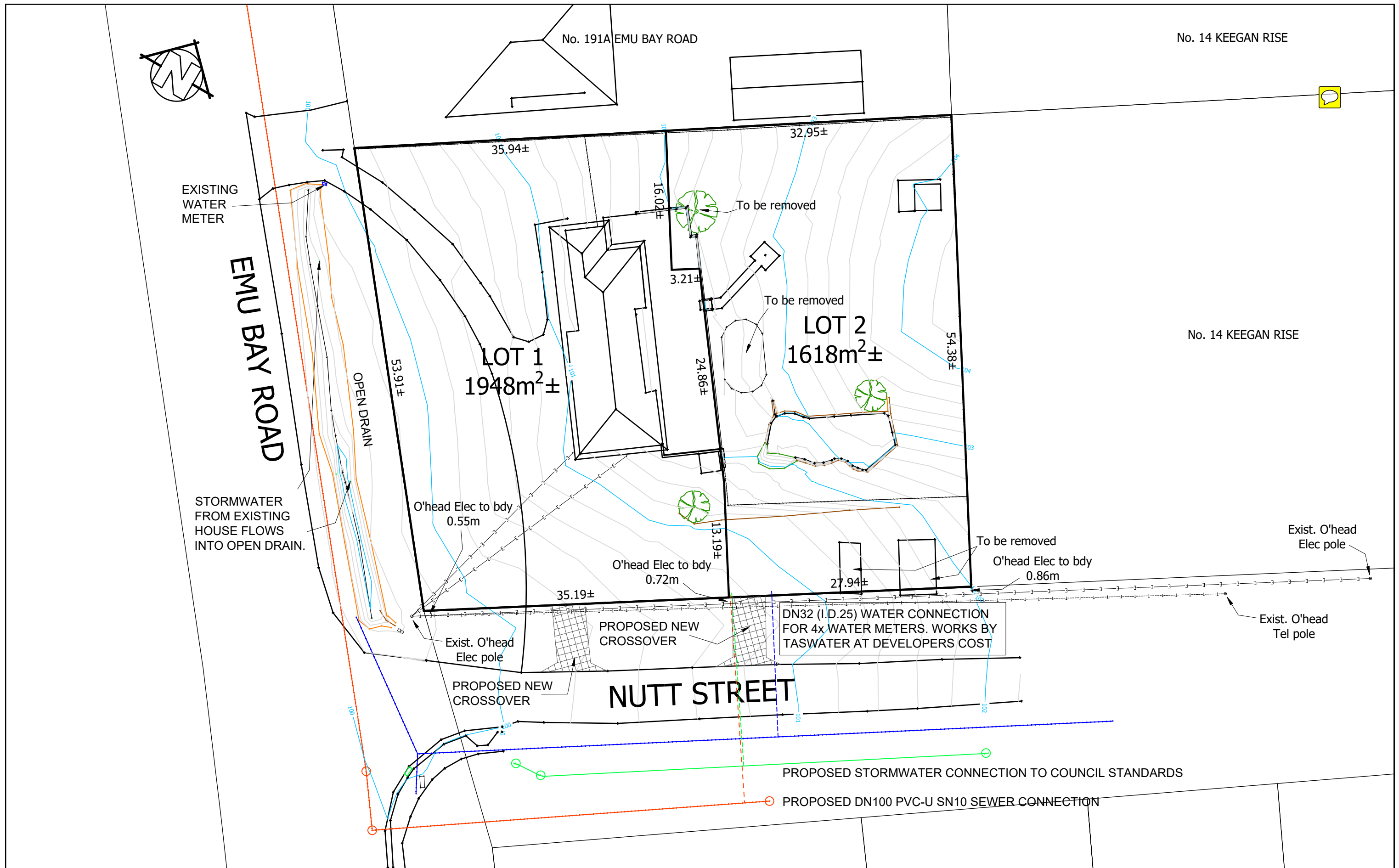
**Recommended Condition:**

Amended plans showing the driveway crossover to Lot 2 widened to provide a minimum width of 4.5m for the first 7m from the road carriageway, to the satisfaction of Council's Town Planner.

**Conclusion**

It is considered that the application for Use and Development for a Subdivision (2 Lots), Multiple Dwellings (4 Units), retaining walls and demolition of outbuildings in the General Residential zone can be effectively managed by conditions and is recommended for approval.

**DECISION:**



# PROPOSED UNIT DEVELOPMENT

## 189 EMU BAY ROAD, DELORAIN

### B. CLARIDGE

#### BUILDING DRAWINGS

No	DRAWING
01	SITE PLAN
02	PART SITE PLAN
03	LOCALITY PLAN
04	SHADOW DIAGRAMS
05	SHADOW DIAGRAMS
06	SHADOW DIAGRAMS
07	UNIT 2 SHADOW DIAGRAMS
08	TURNING CIRCLES
09	DRIVEWAY & POWERLINE SECTION

#### UNIT 1 BUILDING DRAWINGS

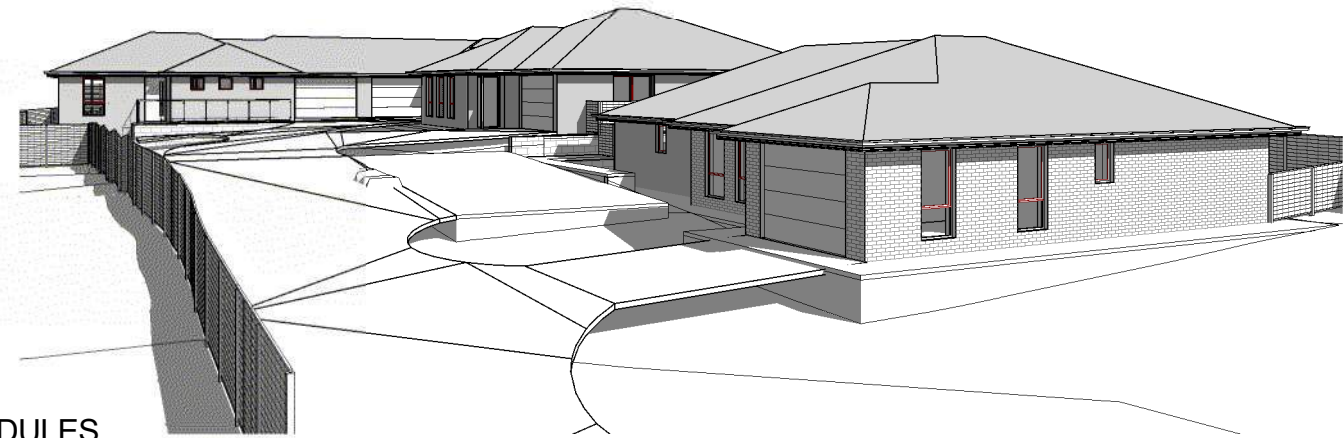
No	DRAWING
U1-01	FLOOR PLAN
U1-02	DOOR & WINDOW SCHEDULES
U1-03	ELEVATIONS
U1-04	ELEVATIONS
U1-05	ROOF PLAN
U1-06	PERSPECTIVES

#### UNIT 2 BUILDING DRAWINGS

No	DRAWING
U2-01	FLOOR PLAN
U2-02	DOOR & WINDOW SCHEDULES
U2-03	ELEVATIONS
U2-04	ELEVATIONS
U2-05	ROOF PLAN
U2-06	PERSPECTIVES

#### UNIT 3/4 BUILDING DRAWINGS

No	DRAWING
U3-01	FLOOR PLAN
U3-02	DOOR & WINDOW SCHEDULES
U3-03	ELEVATIONS
U3-04	ELEVATIONS
U3-05	ROOF PLAN
U3-06	PERSPECTIVES



#### GENERAL PROJECT INFORMATION

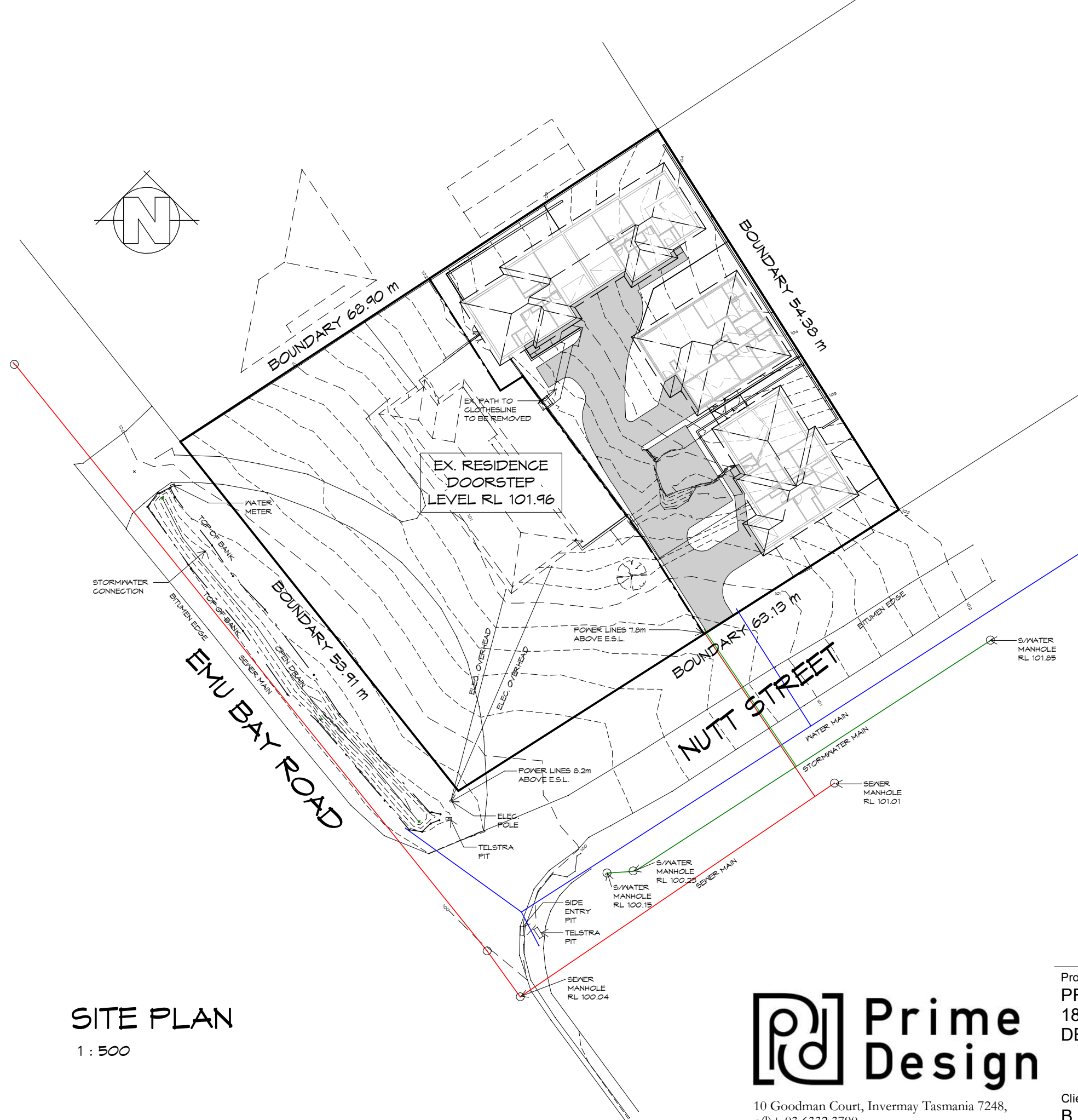
TITLE REFERENCE: 1/27198  
 SITE AREA: 3566m<sup>2</sup>  
 DESIGN WIND SPEED: N1  
 SOIL CLASSIFICATION: H1  
 CLIMATE ZONE: 7  
 ALPINE AREA: NO  
 CORROSIVE ENVIRONMENT: NO  
 BAL RATING:  
 OTHER KNOWN HAZARDS:



10 Goodman Court, Invermay Launceston 7248  
 p(l) +03 6332 3790  
 160 New Town Road, New Town, Hobart 7008  
 p(h) +03 6228 4575  
 info@primedesigntas.com.au [primedesigntas.com.au](http://primedesigntas.com.au)  
 Accredited Building Practitioner: Frank Geskus -No CC246A

U1 FLOOR AREA	161.92	m2	(	17.41	SQUARES )
U3 FLOOR AREA	125.58	m2	(	13.50	SQUARES )
U4 FLOOR AREA	126.52	m2	(	13.60	SQUARES )
U2 FLOOR AREA	153.99	m2	(	16.56	SQUARES )
TOTAL FLOOR AREA	568.01			61.08	

SEPTEMBER 2019



**SITE PLAN**  
1 : 500

**Prime Design**

10 Goodman Court, Invermay Tasmania 7248,  
p(l)+ 03 6332 3790  
160 New Town Road, New Town, Hobart 7008  
p(h)+ 03 6228 4575  
info@primedesigntas.com.au primedesigntas.com.au

**PLANNING AUTHORITY 1**

- GENERAL NOTES**
- CHECK & VERIFY ALL DIMENSIONS & LEVELS ON SITE
  - WRITTEN DIMENSIONS TO TAKE PREFERENCE OVER SCALED
  - ALL WORK TO BE STRICTLY IN ACCORDANCE WITH NCC, ALL S.A.A. CODES & LOCAL AUTHORITY BY-LAWS
  - ALL DIMENSIONS INDICATED ARE FRAME TO FRAME AND DO NOT ALLOW FOR WALL LININGS
  - CONFIRM ALL FLOOR AREAS
  - ALL PLUMBING WORKS TO BE STRICTLY IN ACCORDANCE WITH A.S. 3500 & APPROVED BY COUNCIL INSPECTOR
  - BUILDER/PLUMBER TO ENSURE ADEQUATE FALL TO SITE CONNECTION POINTS IN ACCORDANCE WITH A.S. 3500 FOR STORMWATER AND SEWER BEFORE CONSTRUCTION COMMENCES
  - THIS DRAWING IS TO BE READ IN CONJUNCTION WITH THE ENGINEER'S STRUCTURAL DRAWINGS
  - ALL WINDOWS AND GLAZING TO COMPLY WITH A.S. 1288 & A.S. 2047
  - ALL SET OUT OF BUILDINGS & STRUCTURES TO BE CARRIED OUT BY A REGISTERED LAND SURVEYOR AND CHECKED PRIOR TO CONSTRUCTION
  - IF CONSTRUCTION OF THE DESIGN IN THIS SET OF DRAWINGS DIFFER FROM THE DESIGN AND DETAIL IN THESE AND ANY ASSOCIATED DOCUMENTS BUILDER AND OWNER ARE TO NOTIFY DESIGNER
  - BUILDER'S RESPONSIBILITY TO COMPLY WITH ALL PLANNING CONDITIONS
  - BUILDER TO HAVE STAMPED BUILDING APPROVAL DRAWINGS AND PERMITS PRIOR TO COMMENCEMENT OF CONSTRUCTION
  - CONSTRUCTION TO COMPLY WITH AS 3959, READ IN CONJUNCTION WITH BUSHFIRE ATTACK LEVEL (BAL) ASSESSMENT REPORT.

**SITE DETAIL**

HORIZONTAL DATUM IS ARBITRARY

VERTICAL DATUM IS ARBITRARY

**WARNINGS:**

THE DETAIL SHOWN / RECORDED

- MAY ONLY BE CORRECT AT THE DATE OF SURVEY.
- IS NOT A COMPLETE REPRESENTATION OF ALL SURFACE AND UNDERGROUND DETAIL.
- SHOULD ONLY BE USED FOR THE PURPOSES INTENDED.

THE LOCATIONS OF UNDERGROUND SERVICES ARE APPROXIMATE ONLY AS INDICATED BY SURFACE FEATURES.

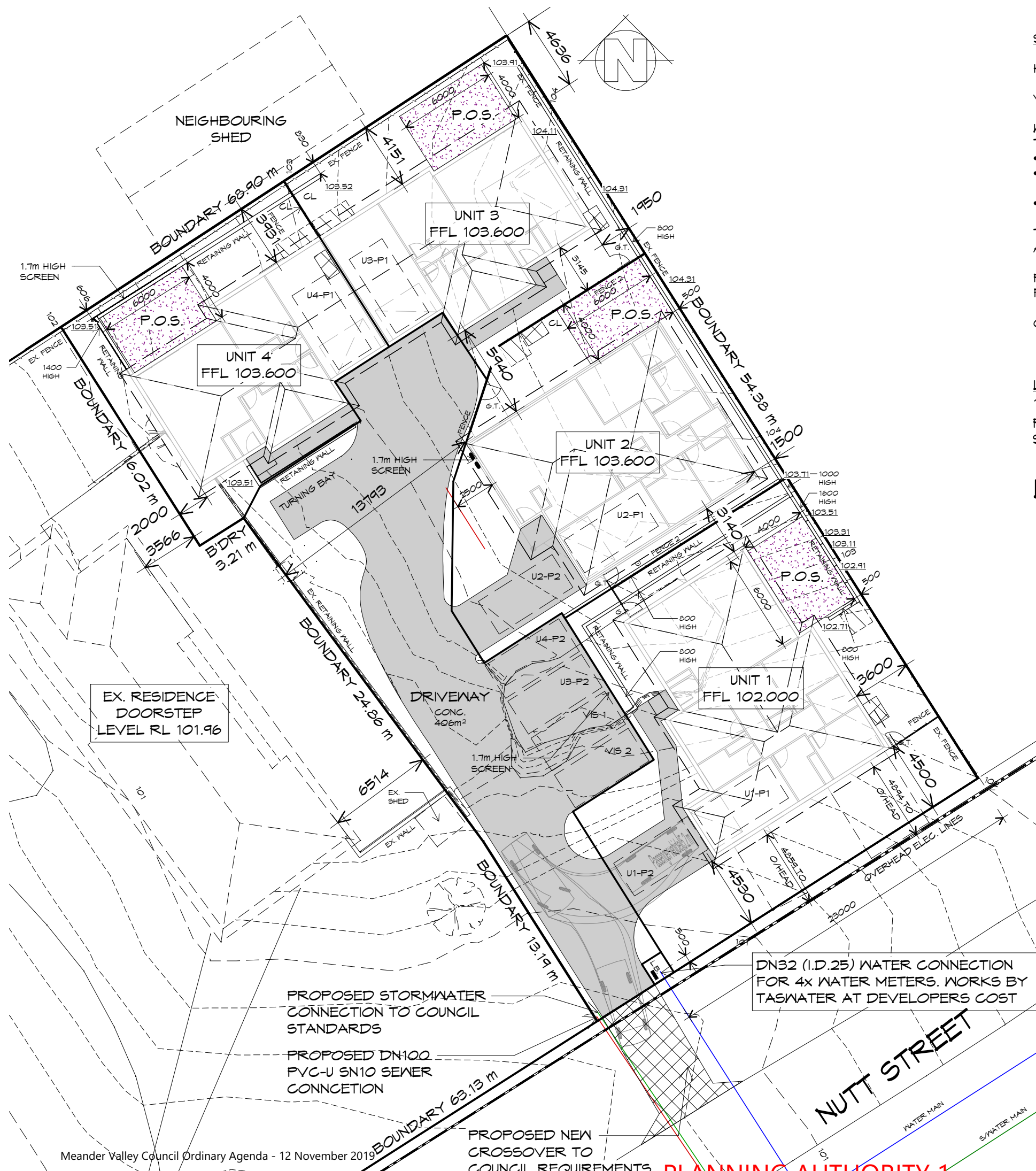
PRIOR TO ANY CONSTRUCTION REFER TO RELEVANT AUTHORITIES FOR DETAILED LOCATION OF ALL SERVICES.

CONTOUR INTERVAL 0.20m

**PLANNING**

NOTE: DO NOT SCALE OFF DRAWINGS

Project: <b>PROPOSED UNIT DEVELOPMENT</b> 189 EMU BAY ROAD, DELORAINE		Drawing: <b>SITE PLAN</b>	
Client name: <b>B. CLARIDGE</b>		Date: <b>04.09.2019</b>	Scale: <b>1 : 500</b>
Drafted by: <b>D.D.H.</b>	Approved by: <b>F.G.G.</b>	Project/Drawing no: <b>PD19069 - 01</b>	Revision: <b>06</b> Page 43
Accredited building practitioner: Frank Geskus -No CC246A			



## SITE DETAIL

HORIZONTAL DATUM IS ARBITRARY

VERTICAL DATUM IS ARBITRARY

## WARNINGS:

THE DETAIL SHOWN / RECORDED

- MAY ONLY BE CORRECT AT THE DATE OF SURVEY.
- IS NOT A COMPLETE REPRESENTATION OF ALL SURFACE AND UNDERGROUND DETAIL.
- SHOULD ONLY BE USED FOR THE PURPOSES INTENDED.

THE LOCATIONS OF UNDERGROUND SERVICES ARE APPROXIMATE ONLY AS INDICATED BY SURFACE FEATURES.

PRIOR TO ANY CONSTRUCTION REFER TO RELEVANT AUTHORITIES FOR DETAILED LOCATION OF ALL SERVICES.

CONTOUR INTERVAL 0.20m

LOT NO	LOT AREA	50%	25%
1/27193	3566	1783	891
PROPOSED SUBDIVISION LOT	1618	809	405

## LEGEND

FENCE 1.8m HIGH FENCES

FENCE 2 1.2m HIGH FENCES TRANSPARENT LATTICE ABOVE

L.B. LETTER BOXES

1.5m<sup>2</sup> WASTE STORAGE

6m<sup>3</sup> LOCKABLE STORAGE



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info@primedesigntas.com.au primedesigntas.com.au

Project:  
**PROPOSED UNIT DEVELOPMENT  
189 EMU BAY ROAD,  
DELORAINÉ**

Client name:  
**B. CLARIDGE**

Drawing:  
**PART SITE PLAN**

Drafted by: D.D.H. Approved by: F.G.G.  
Date: 04.09.2019 Scale: As indicated

Project/Drawing no: PD19069 - 02 Revision: 06  
Accredited building practitioner: Frank Geskus -No CC246A

## PART SITE PLAN

1 : 250

PLANNING AUTHORITY 1



## LOCALITY PLAN

1 : 2500  
Meander Valley Council Ordinary Agenda - 12 November 2019

PLANNING AUTHORITY 1

PLANNING

NOTE: DO NOT SCALE OFF DRAWINGS



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Project:  
**PROPOSED UNIT DEVELOPMENT  
189 EMU BAY ROAD,  
DELORAIN**

Client name:  
**B. CLARIDGE**

Drawing:  
**LOCALITY PLAN**

Drafted by: D.D.H. Approved by: F.G.G.

Date: 04.09.2019 Scale: 1 : 2500

Project/Drawing no: PD19069 - 03 Revision: 06

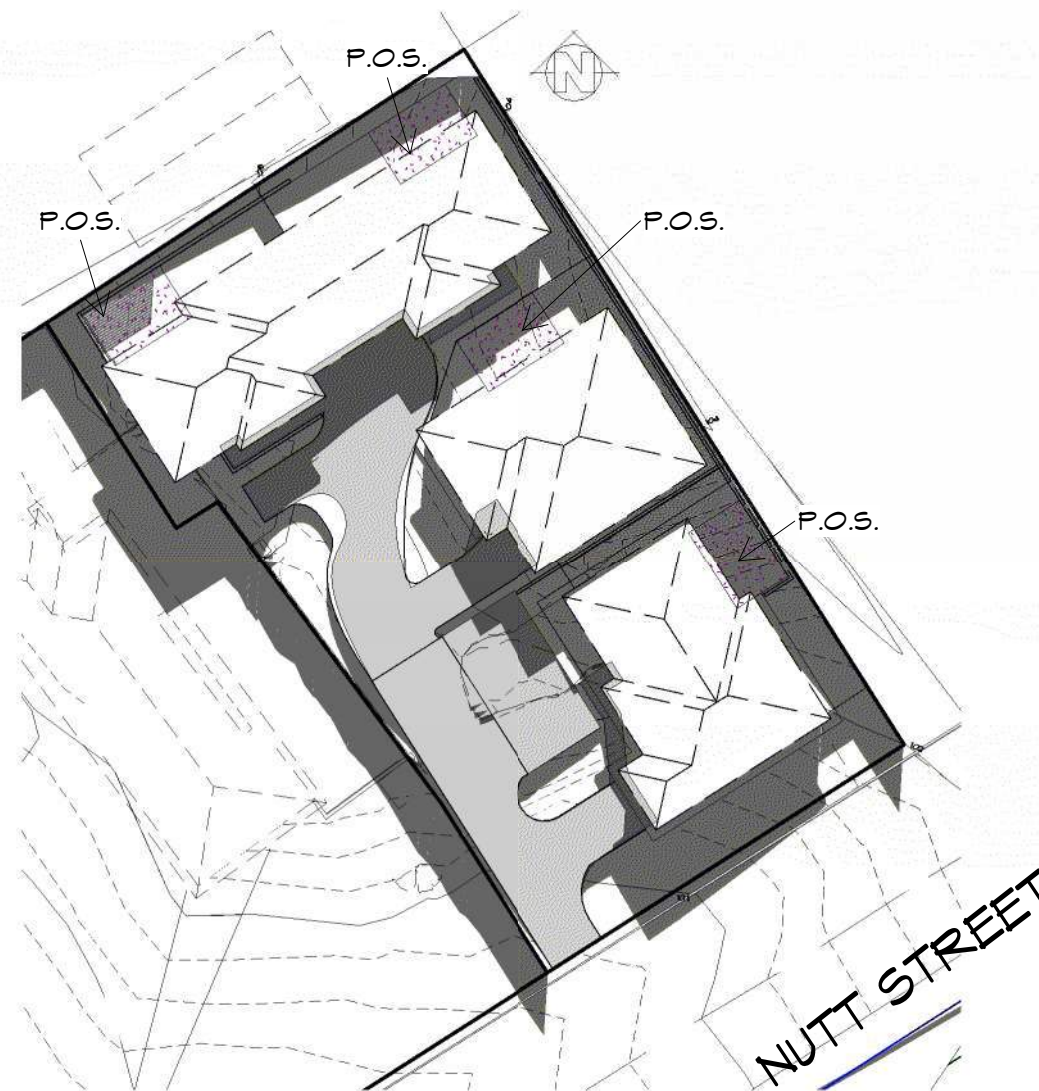
Accredited building practitioner: Frank Geskus -No CC246A





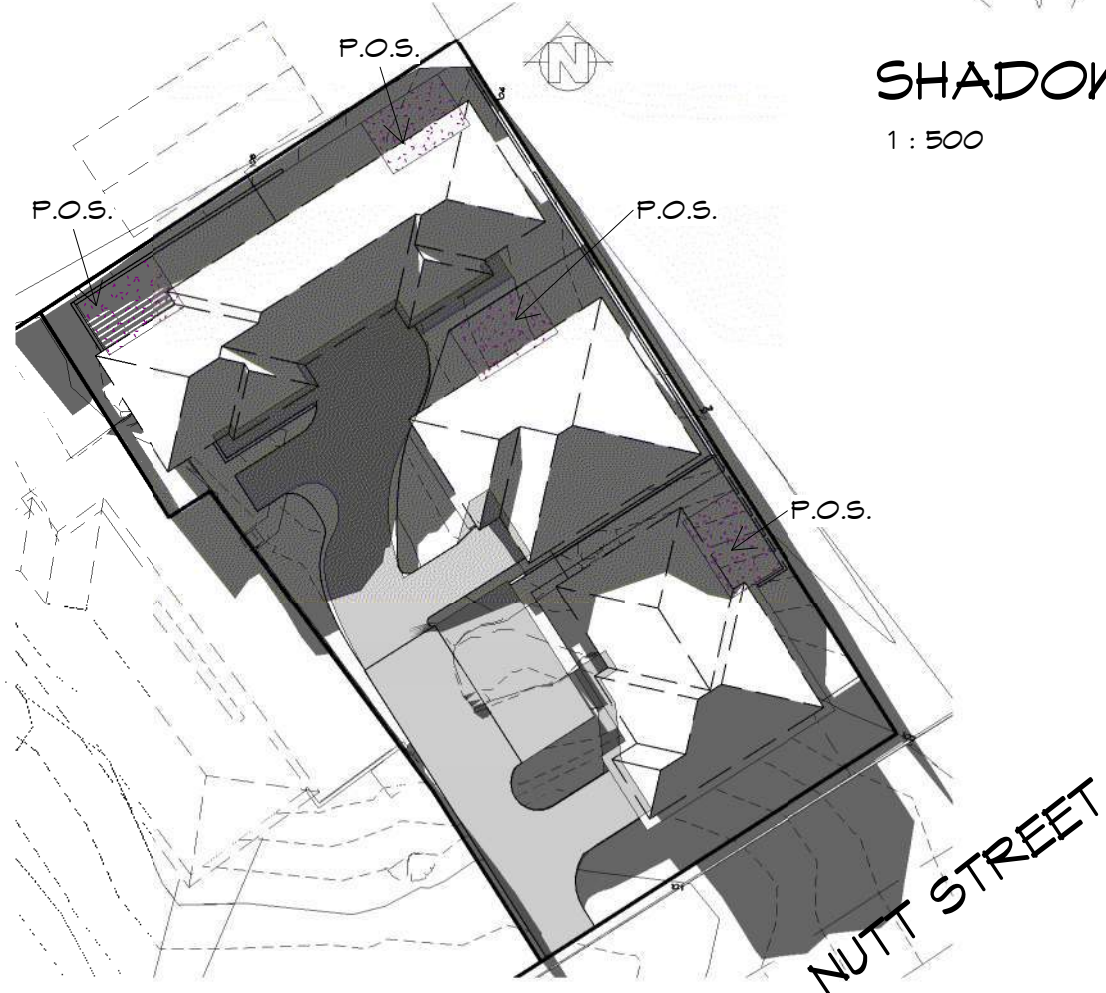
SHADOW DIAGRAMS - JUNE 21st @ 10AM

1 : 500



SHADOW DIAGRAMS - JUNE 21st @ 12PM

1 : 500



SHADOW DIAGRAMS - JUNE 21st @ 3PM

1 : 500



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Project:  
**PROPOSED UNIT DEVELOPMENT  
189 EMU BAY ROAD,  
DELORAINÉ**

Client name:  
**B. CLARIDGE**

Drawing:  
**SHADOW DIAGRAMS**

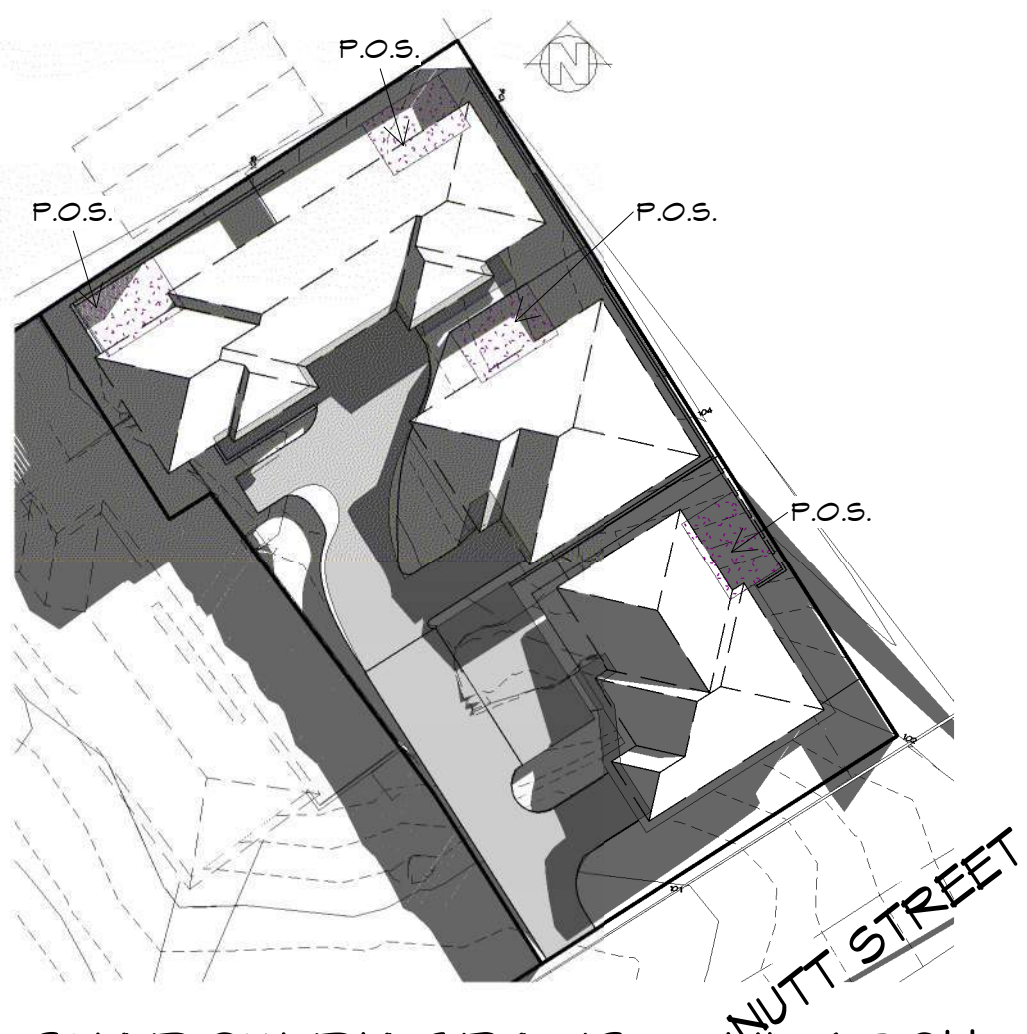
Drafted by: D.D.H. Approved by: F.G.G.

Date: 04.09.2019 Scale: 1 : 500

Project/Drawing no: PD19069 - 04 Revision: 06

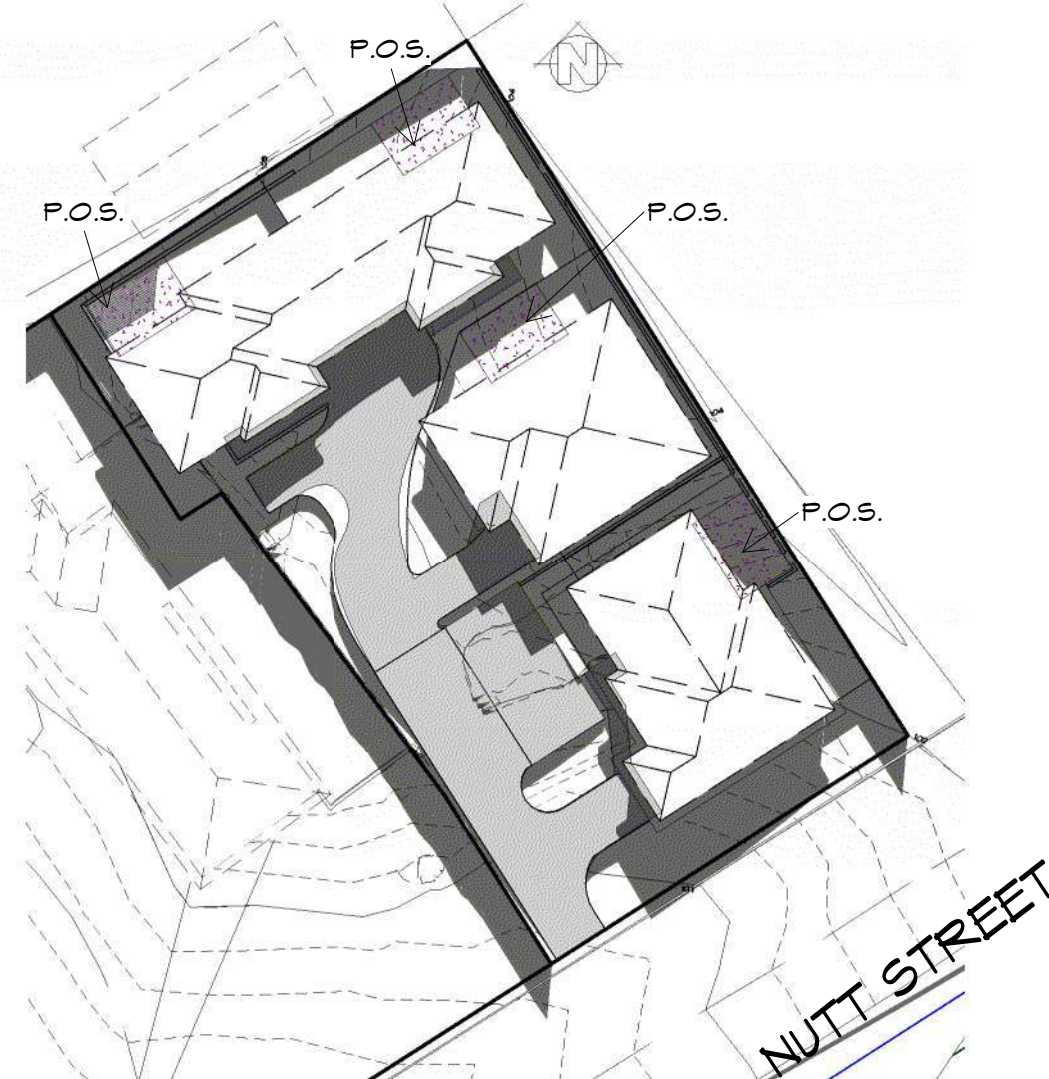
Accredited building practitioner: Frank Geskus -No CC246A





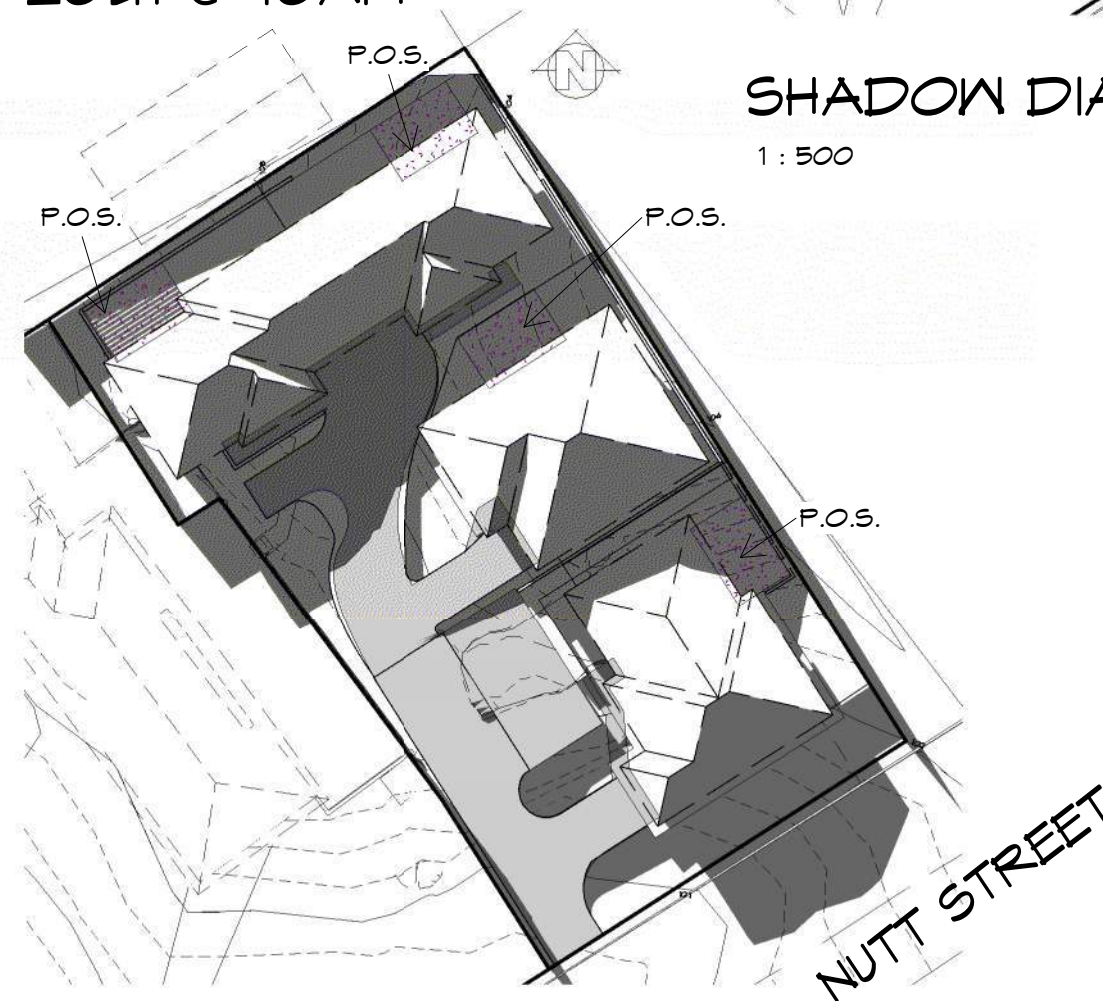
SHADOW DIAGRAMS - JULY 20th @ 10AM

1 : 500



SHADOW DIAGRAMS - JULY 20th @ 12PM

1 : 500



SHADOW DIAGRAMS - JULY 20th @ 3PM

1 : 500

PLANNING

NOTE: DO NOT SCALE OFF DRAWINGS



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Project:  
**PROPOSED UNIT DEVELOPMENT  
189 EMU BAY ROAD,  
DELORAIN**

Client name:  
**B. CLARIDGE**

Drawing:  
**SHADOW DIAGRAMS**

Drafted by:  
**Author**

Approved by:  
**Approver**

Date:

Scale:

04.09.2019

1 : 500

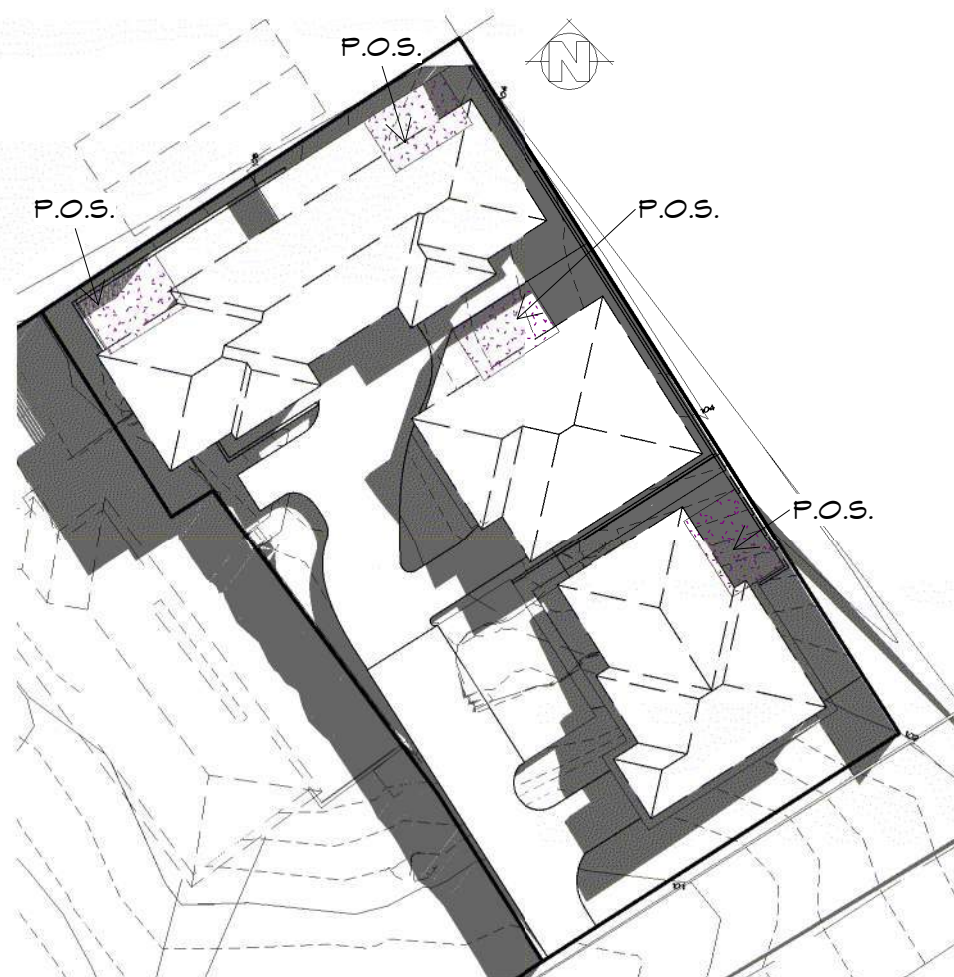
Project/Drawing no:

Revision:

PD19069 - 05

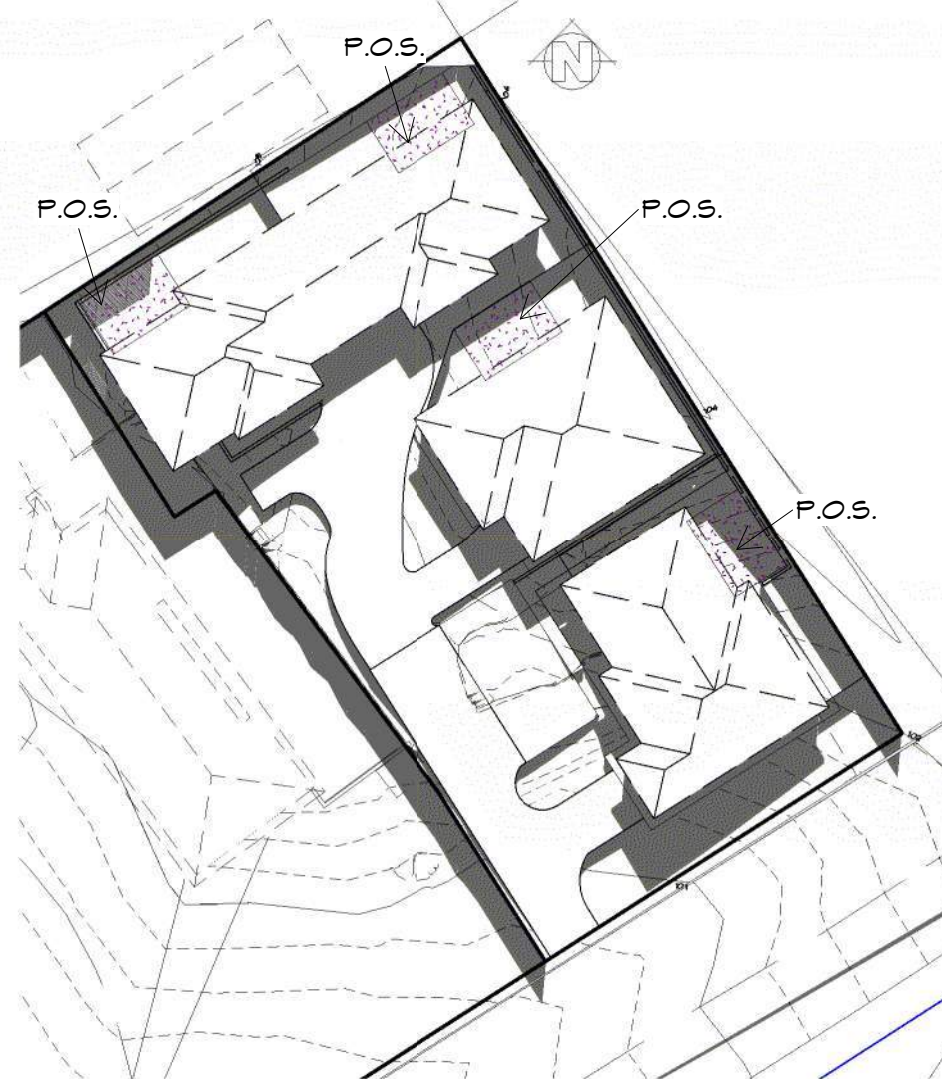
06  
Page 47

Accredited building practitioner: Frank Geskus -No CC246A



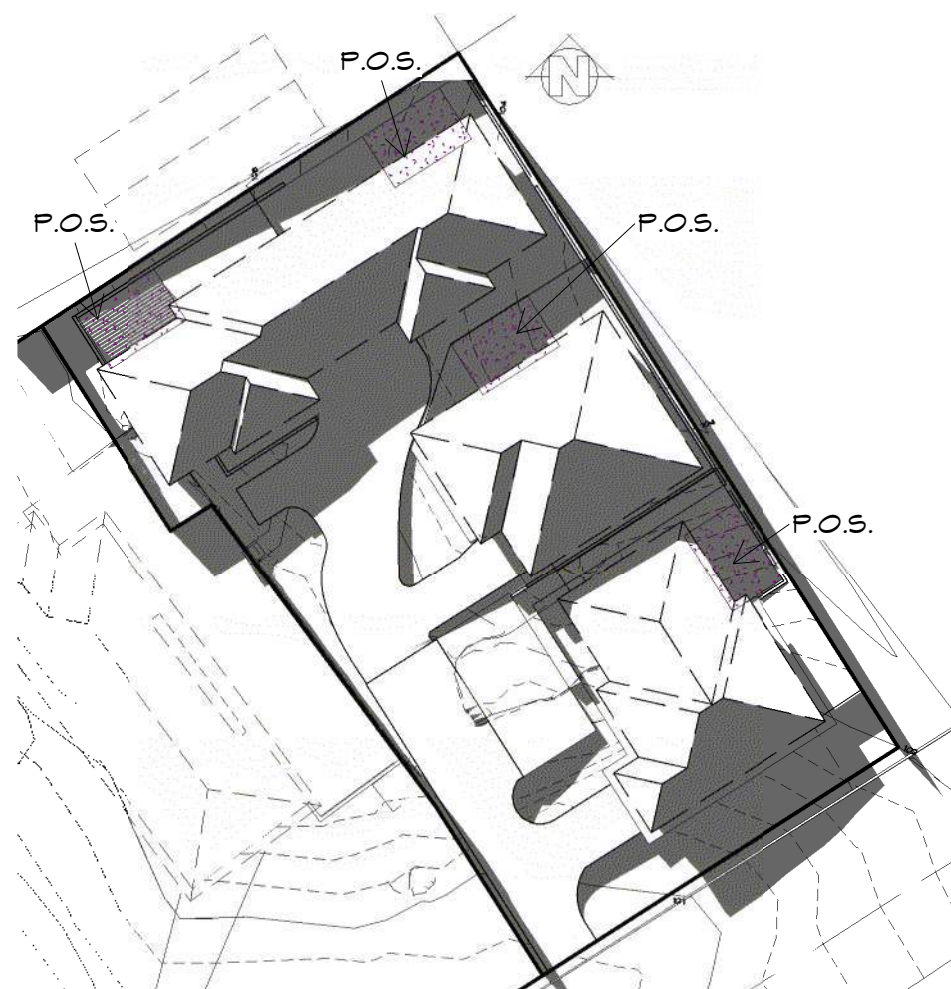
SHADOW DIAGRAMS - AUGUST 15th @ 10AM

1 : 500



SHADOW DIAGRAMS - AUGUST 15th @ 12PM

1 : 500



SHADOW DIAGRAMS - AUGUST 15th @ 3PM

1 : 500

PLANNING

NOTE: DO NOT SCALE OFF DRAWINGS



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info@primedesigntas.com.au primedesigntas.com.au

Project:  
**PROPOSED UNIT DEVELOPMENT  
189 EMU BAY ROAD,  
DELORAIN**

Client name:  
**B. CLARIDGE**

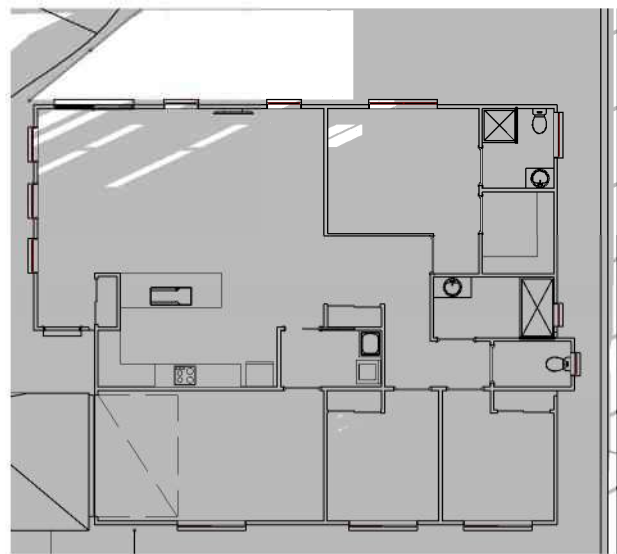
Drawing:  
**SHADOW DIAGRAMS**

Drafted by: Author  
Approved by: Approver

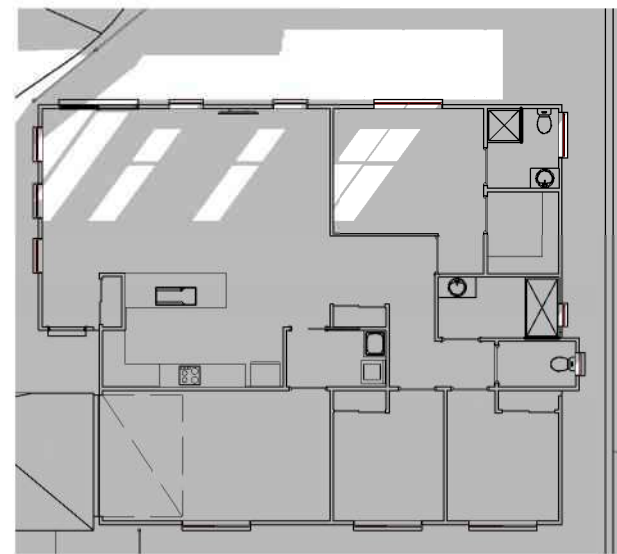
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Scale: 1 : 500

Project/Drawing no: PD19069 - 06  
Revision: 06  
Page 48  
Accredited building practitioner: Frank Geskus -No CC246A

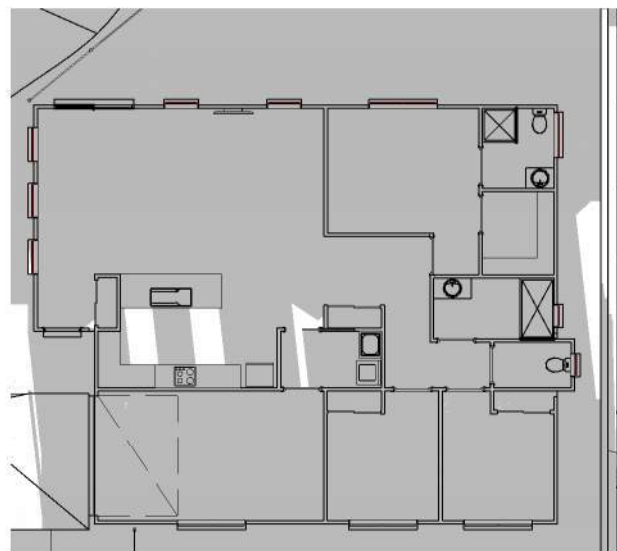




U2 FLOOR PLAN - JUNE 21st @ 10AM



U2 FLOOR PLAN - JUNE 21st @ 12PM



U2 FLOOR PLAN - JUNE 21st @ 3PM

**PLANNING**  
 NOTE: DO NOT SCALE OFF DRAWINGS



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 info@primedesign.com.au primedesign.com.au

Project:  
**PROPOSED UNIT DEVELOPMENT**  
**189 EMU BAY ROAD,**  
**DELORAIN**

Client name:  
**B. CLARIDGE**

Drawing:  
**UNIT 2 SHADOW DIAGRAMS**

Drafted by:  
**Author**

Approved by:  
**Approver**

Date:

Scale:

04.09.2019

Project/Drawing no:

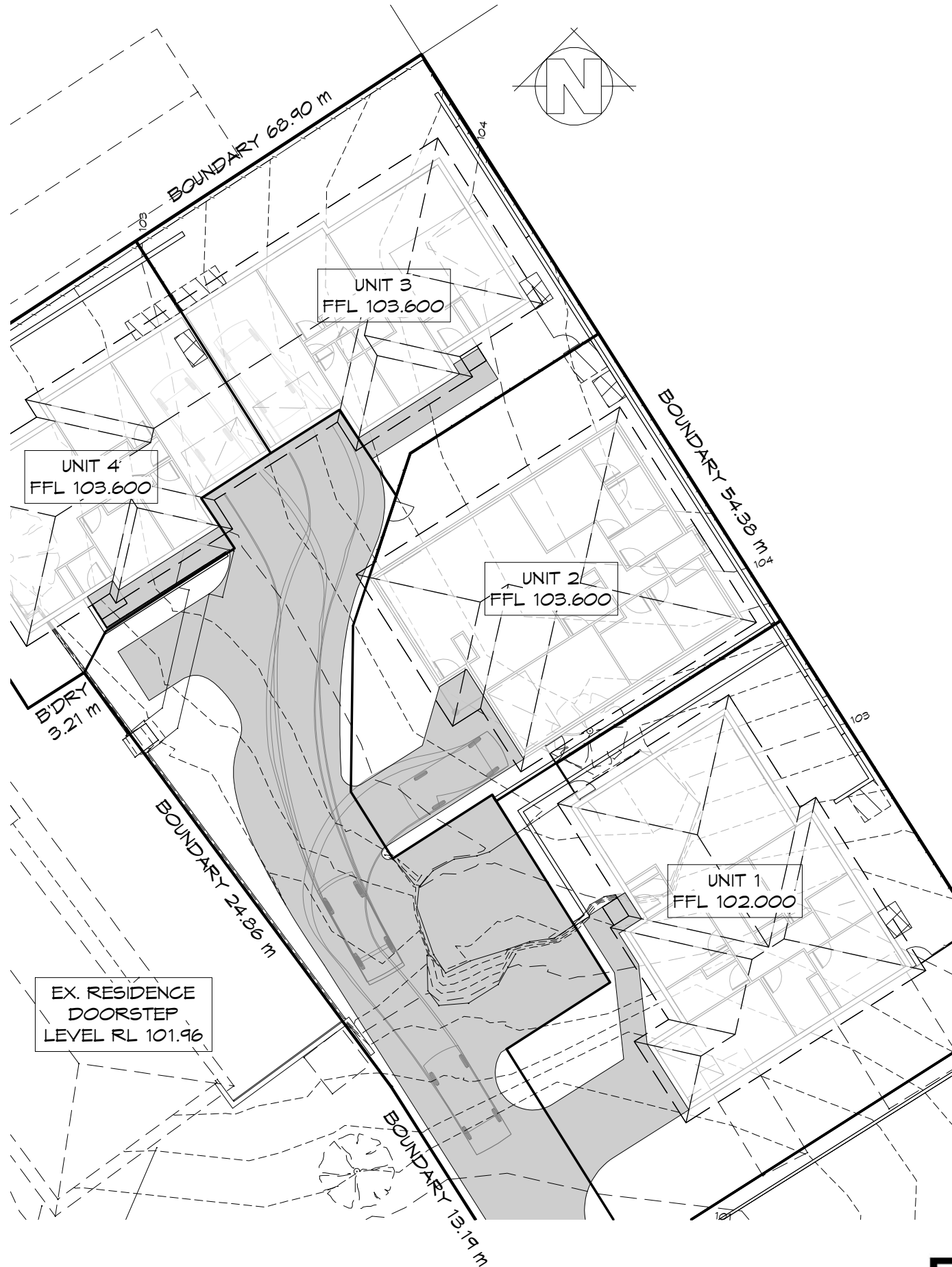
PD19069 - 07

Revision:

06  
Page 49

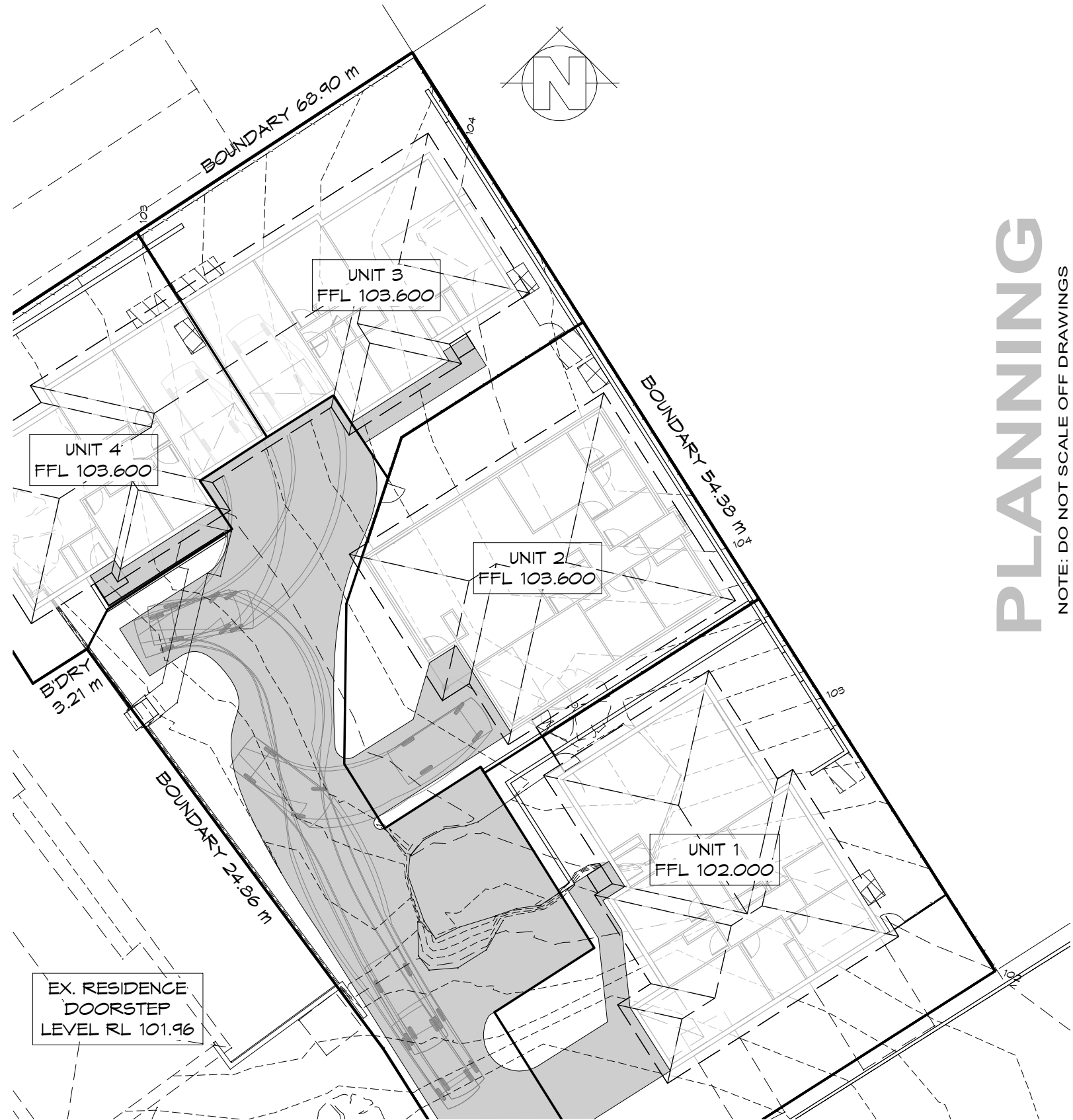
Accredited building practitioner: Frank Geskus -No CC246A





## TURNING CIRCLES - INWARD

1 : 250



## TURNING CIRCLES - OUTWARD

1 : 250



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**PLANNING AUTHORITY 1**

Project:  
**PROPOSED UNIT DEVELOPMENT**  
189 EMU BAY ROAD,  
DELORAINÉ

Client name:  
**B. CLARIDGE**

Drafted by:  
**Author**

Approved by:  
**Approver**



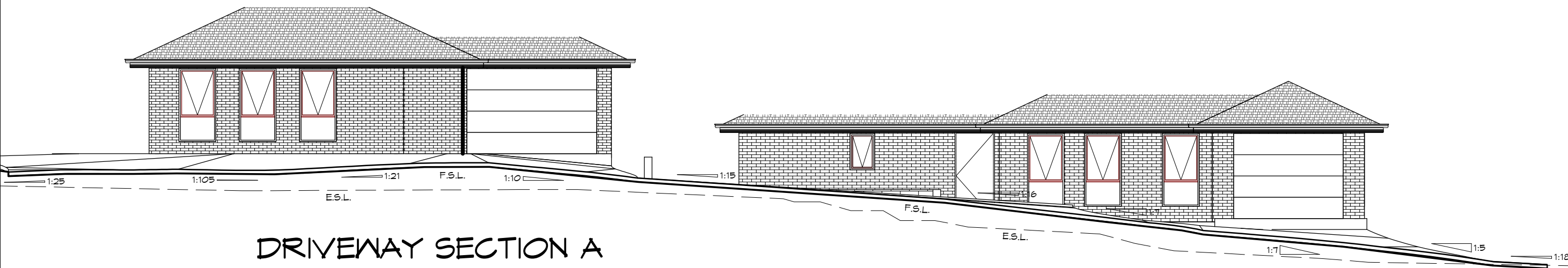
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**TURNING CIRCLES**

Date: 04.09.2019  
Scale: 1 : 250

Project/Drawing no:  
**PD19069 - 08**

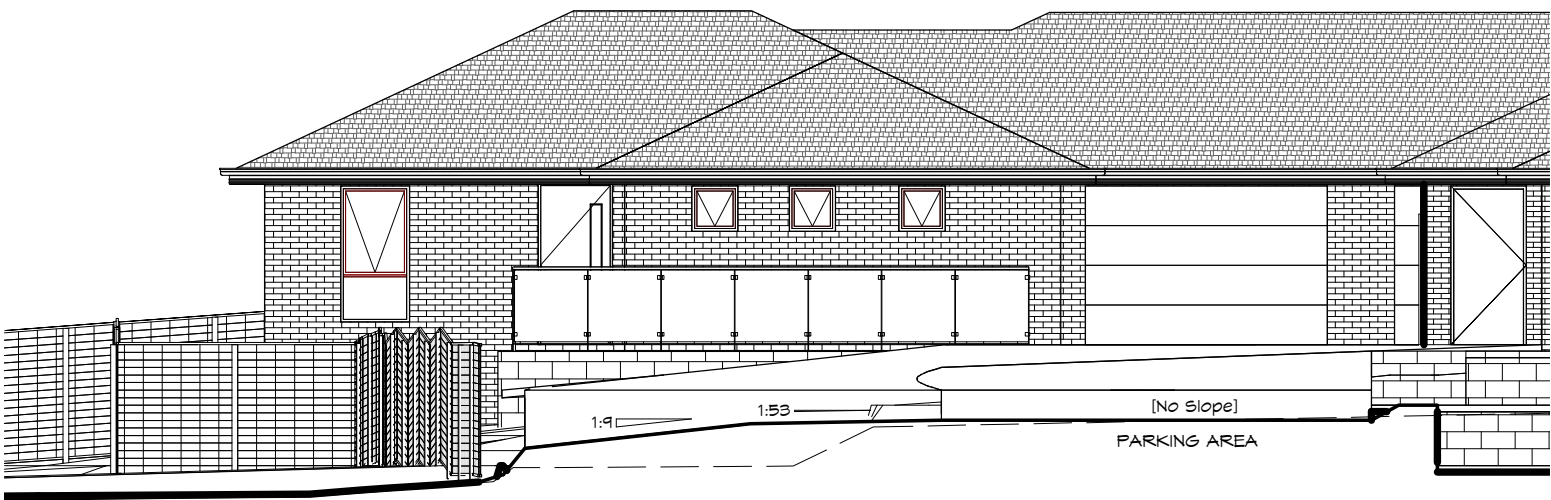
Revision:  
**06**  
Page 50

Accredited building practitioner: Frank Geskus -No CC246A



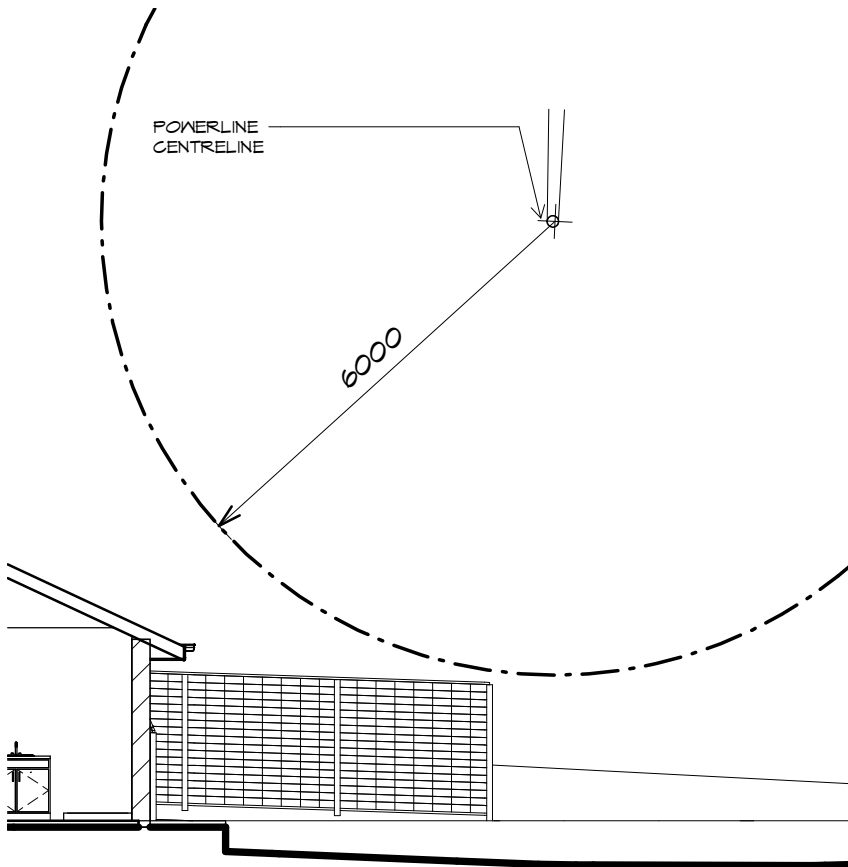
DRIVEWAY SECTION A

1 : 100



DRIVEWAY SECTION B

1 : 100



POWERLINE SECTION

1 : 100

PLANNING

NOTE: DO NOT SCALE OFF DRAWINGS



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PLANNING AUTHORITY 1

Project:  
PROPOSED UNIT DEVELOPMENT  
189 EMU BAY ROAD,  
DELORAINÉ

Client name:  
B. CLARIDGE

Drafted by:  
Author

Approved by:  
Approver

Drawing:  
DRIVEWAY & POWERLINE  
SECTION

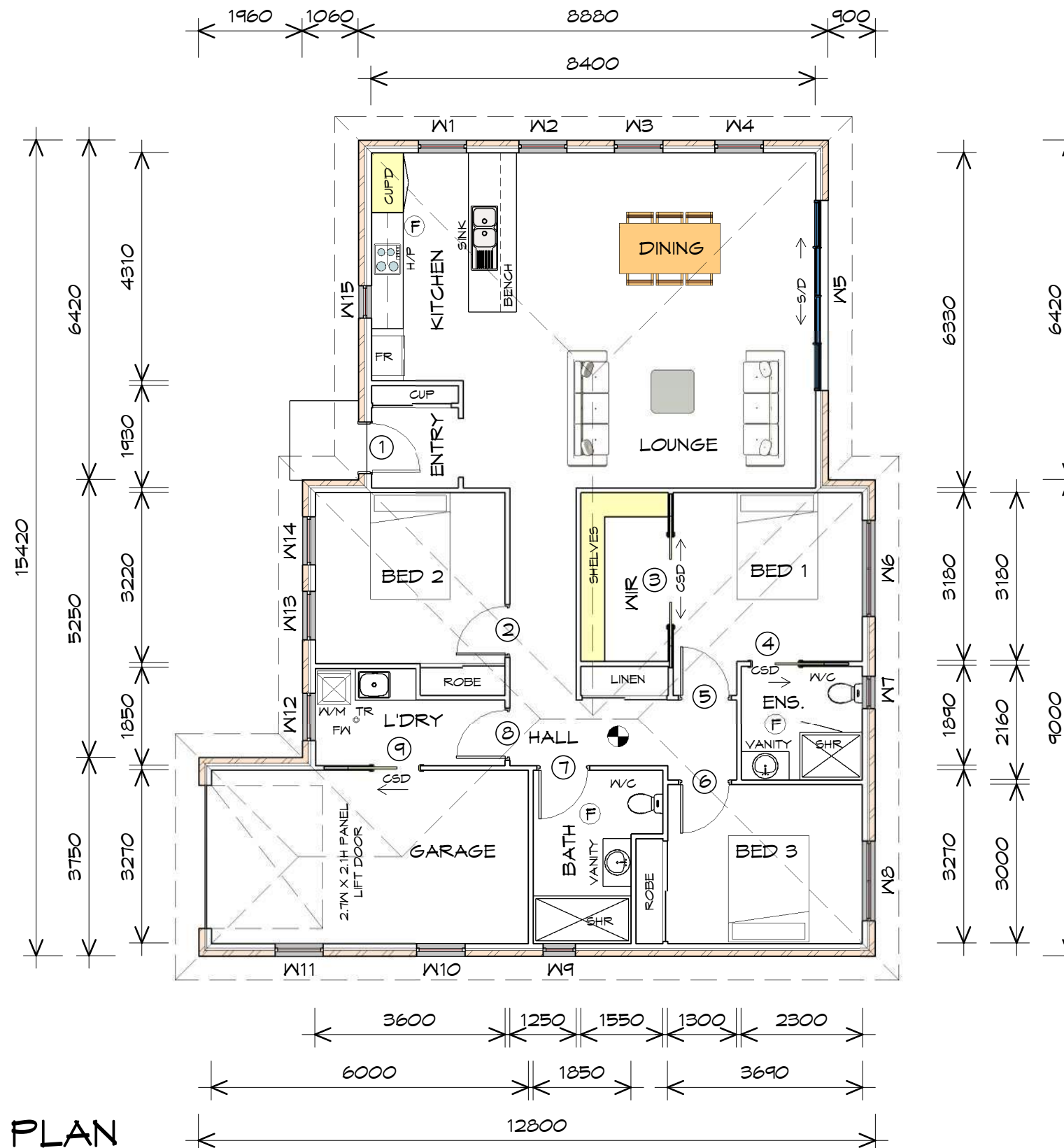
Date:  
04.09.2019

Scale:  
1 : 100

Project/Drawing no:  
PD19069 - 09

Revision:  
06  
Page 51

Accredited building practitioner: Frank Geskus -No CC246A



U1 FLOOR AREA 161.92 m<sup>2</sup> ( 17.41 SQUARES )

**NOTE:**  
FLOOR AREAS INCLUDE TO EXTERNAL FACE OF BUILDING AND GARAGE, UNLESS OTHERWISE STATED. DECKS AND OUTDOOR AREAS ARE CALCULATED SEPARATELY.

## LEGEND

- (F) EXHAUST FAN-VENT TO OUTSIDE AIR.
- (S) 240V SMOKE ALARM
- CSD CAVITY SLIDING DOOR
- S/D SLIDING DOOR
- FW FLOOR WASTE
- COL COLUMN
- G.S. GLASS SCREEN

PLANNING

NOTE: DO NOT SCALE OFF DRAWINGS



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Project:  
**PROPOSED UNIT DEVELOPMENT**  
**189 EMU BAY ROAD,**  
**DELORAIN**

Client name:  
**B. CLARIDGE**

Drawing:  
**FLOOR PLAN**

Drafted by: D.D.H. Approved by: F.G.G.  
Date: 04.09.2019 Scale: 1 : 100

Project/Drawing no: PD19069 - U1-01 Revision: 06  
Page 52  
Accredited building practitioner: Frank Geskus -No CC246A

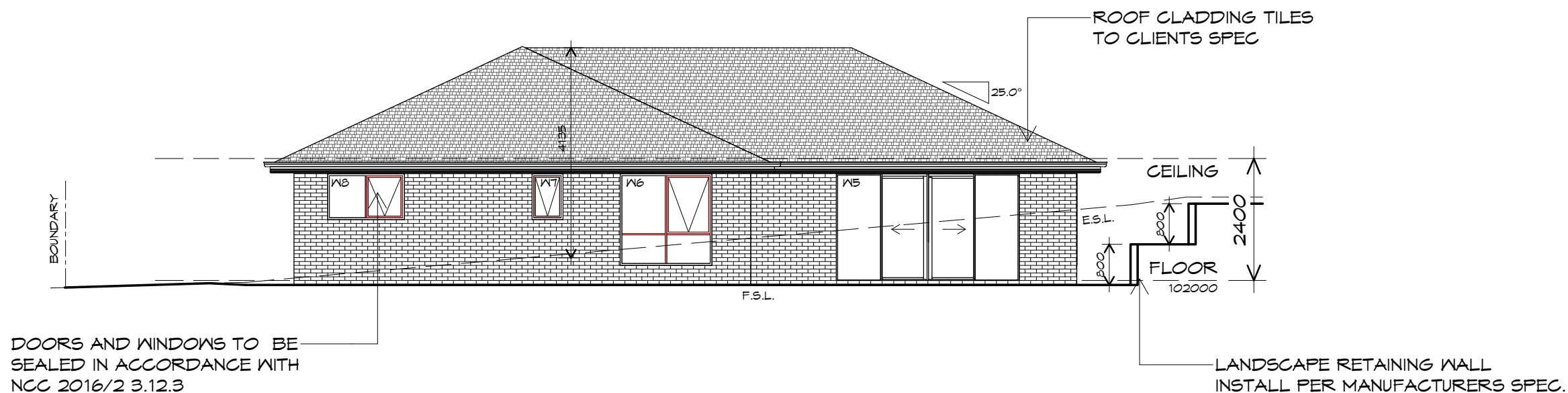


PLANNING AUTHORITY 1

UNIT 1 DOOR SCHEDULE			
MARK	WIDTH	TYPE	REMARKS
1	920	EXTERNAL ENTRY DOOR	
2	920	INTERNAL TIMBER DOOR	
3	820	2/820 CAVITY SLIDING DOOR	
4	920	CAVITY SLIDING DOOR	
5	920	INTERNAL TIMBER DOOR	
6	920	INTERNAL TIMBER DOOR	
7	920	INTERNAL TIMBER DOOR	
8	920	INTERNAL TIMBER DOOR	
9	920	CAVITY SLIDING DOOR	

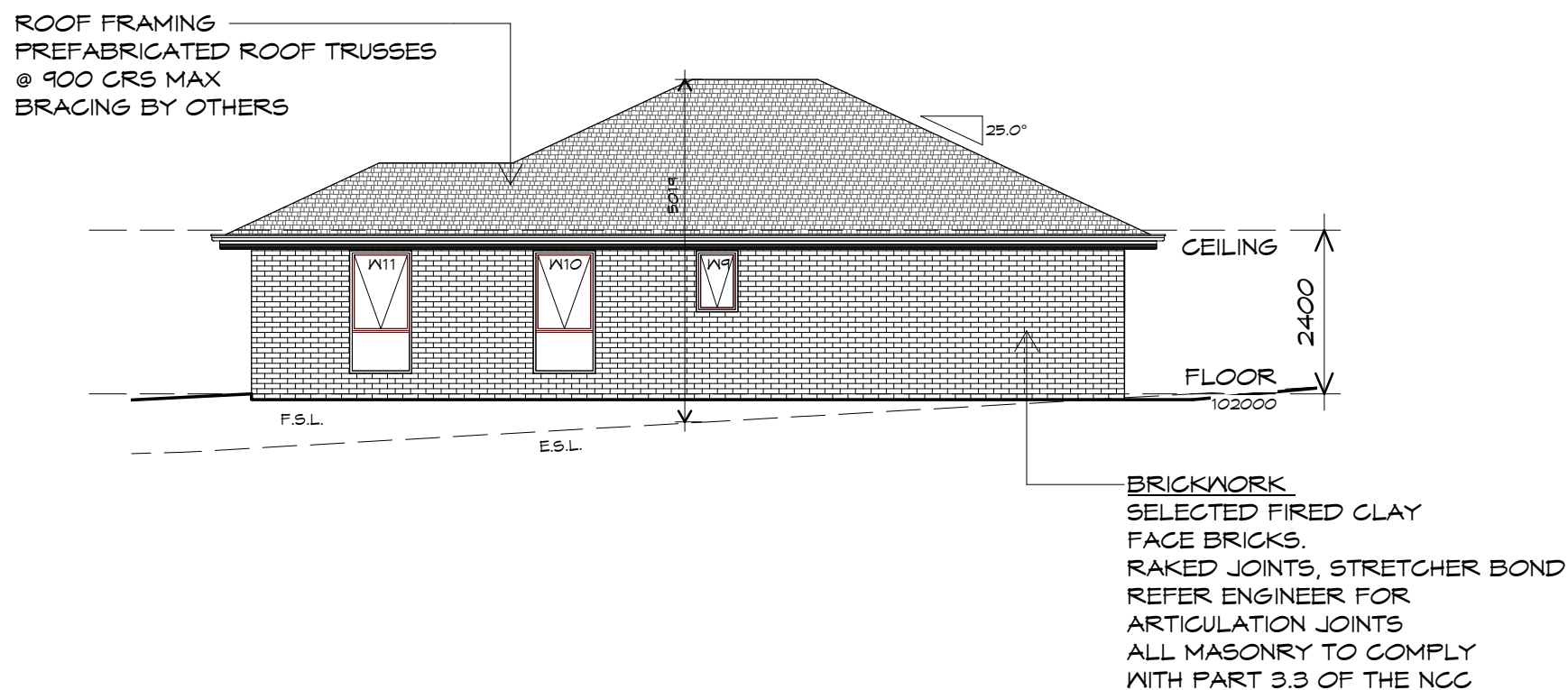
UNIT 1 WINDOW SCHEDULE				
MARK	HEIGHT	WIDTH	TYPE	REMARKS
W1	1800	910	AWNING WINDOW	
W2	1800	910	AWNING WINDOW	
W3	1800	910	AWNING WINDOW	
W4	1800	910	AWNING WINDOW	
W5	2100	3600	DOUBLE SLIDING DOOR	
W6	1800	1810	AWNING WINDOW	
W7	900	610	AWNING WINDOW	OPAQUE
W8	900	1510	AWNING WINDOW	
W9	900	610	AWNING WINDOW	OPAQUE
W10	1800	910	AWNING WINDOW	
W11	1800	910	AWNING WINDOW	
W12	1800	910	AWNING WINDOW	
W13	1800	910	AWNING WINDOW	
W14	1800	910	AWNING WINDOW	
W15	900	610	AWNING WINDOW	

ALUMINIUM AWNING WINDOWS DOUBLE GLAZING COMPLETE  
WITH FLY SCREENS TO SUIT ??? BAL RATING.  
ALL WINDOW MEASUREMENTS TO BE VERIFIED ON SITE  
PRIOR TO ORDERING



## U1 NORTH EASTERN ELEVATION

1 : 100



## U1 SOUTH EASTERN ELEVATION

1 : 100

PLANNING

NOTE: DO NOT SCALE OFF DRAWINGS



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Project:  
**PROPOSED UNIT DEVELOPMENT  
189 EMU BAY ROAD,  
DELORAINÉ**

Client name:  
**B. CLARIDGE**

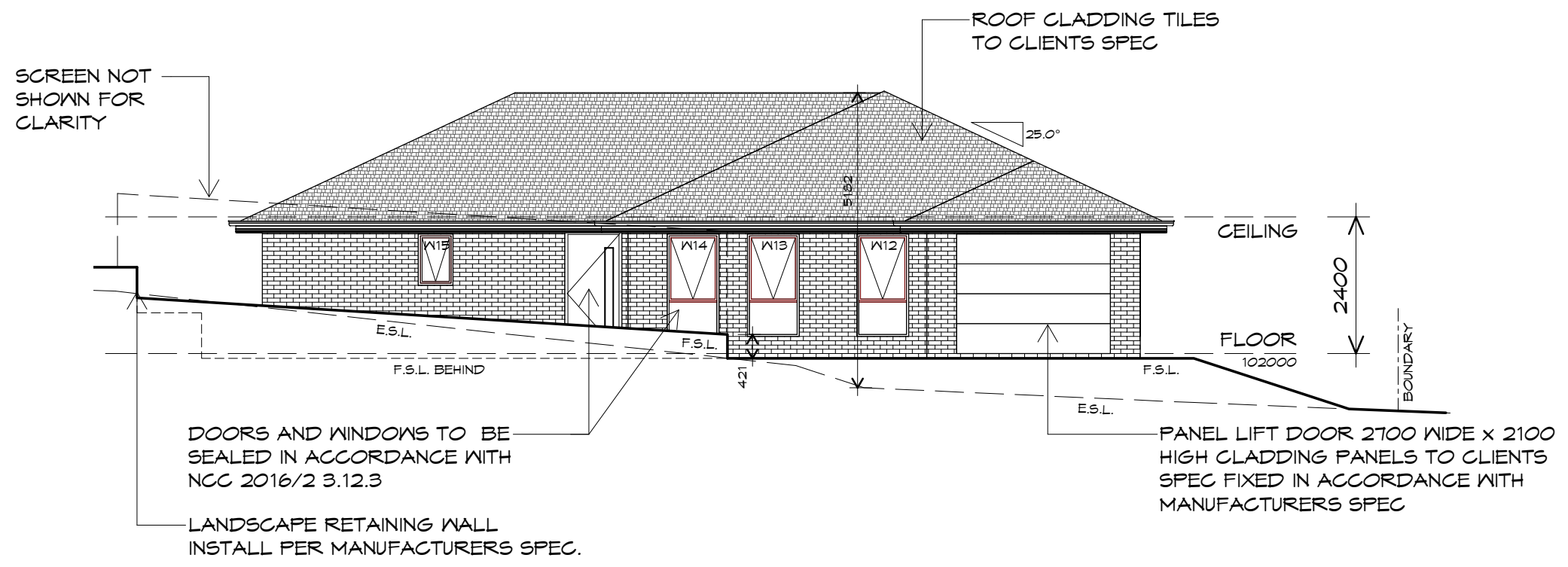
Drawing:  
**ELEVATIONS**

Drafted by: D.D.H. Approved by: F.G.G.

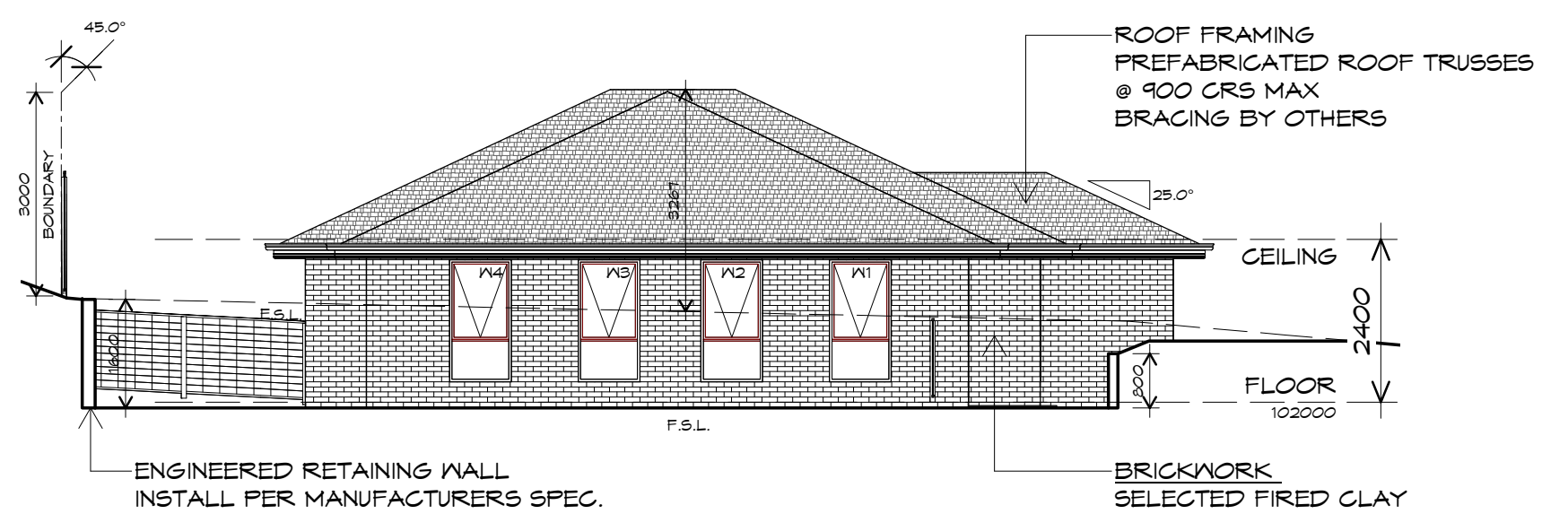
Date: 04.09.2019 Scale: 1 : 100

Project/Drawing no: PD19069 - U1-03 Revision: 06  
Accredited building practitioner: Frank Geskus -No CC246A





U1 SOUTH WESTERN ELEVATION  
1 : 100



U1 NORTH WESTERN ELEVATION  
1 : 100



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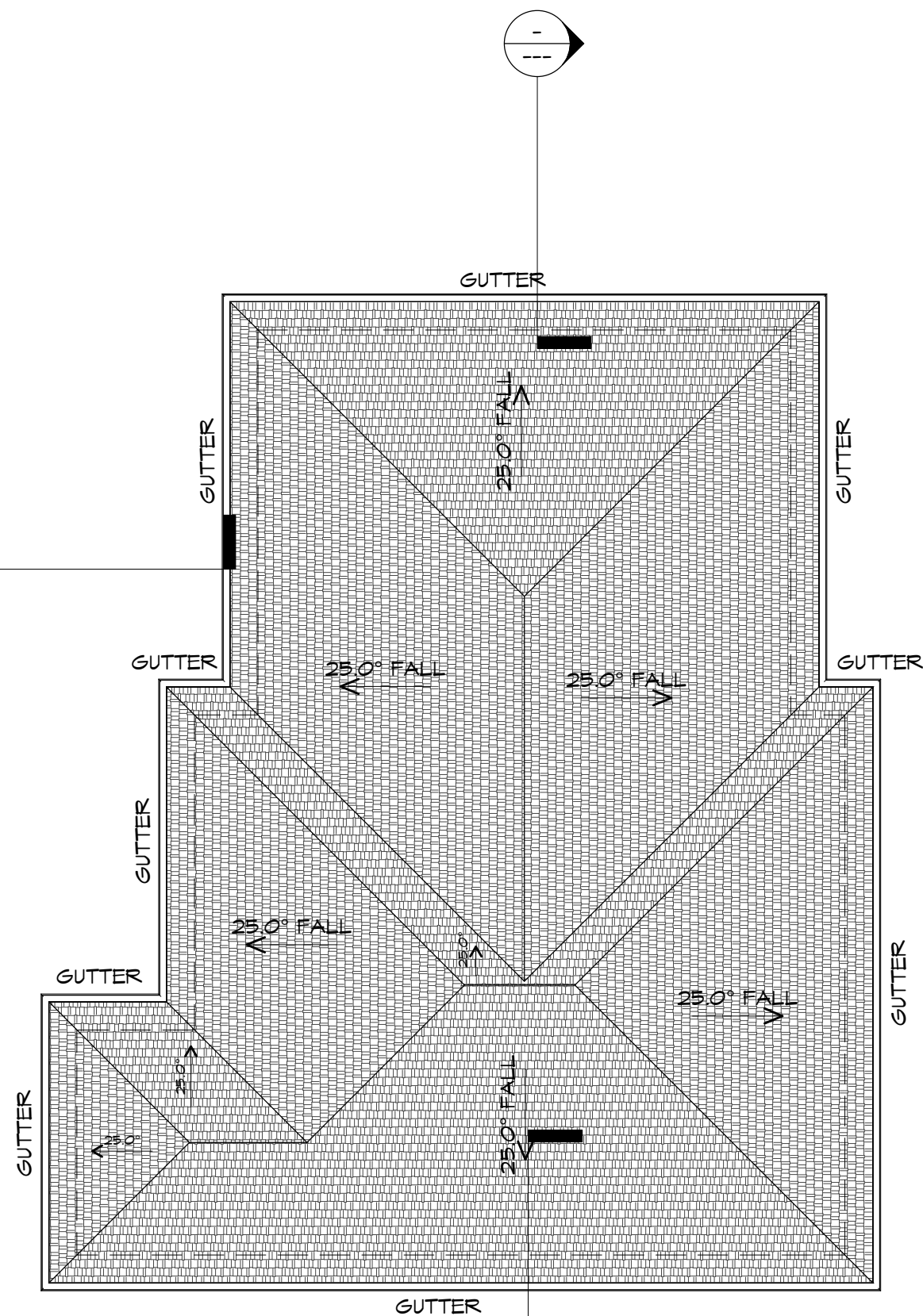
Project:  
**PROPOSED UNIT DEVELOPMENT  
189 EMU BAY ROAD,  
DELORAINÉ**

Client name:  
**B. CLARIDGE**

Drawing:  
**ELEVATIONS**

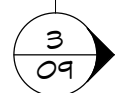
Drafted by: <b>D.D.H.</b>	Approved by: <b>F.G.G.</b>
Date: <b>04.09.2019</b>	Scale: <b>1 : 100</b>

Project/Drawing no: <b>PD19069 - U1-04</b>	Revision: <b>06</b> Page 55
Accredited building practitioner: Frank Geskus -No CC246A	



U1 ROOF PLAN

1 : 100



PLANNING

NOTE: DO NOT SCALE OFF DRAWINGS



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Project:  
**PROPOSED UNIT DEVELOPMENT**  
**189 EMU BAY ROAD,**  
**DELORaine**

Client name:  
**B. CLARIDGE**

Drawing:  
**ROOF PLAN**

Drafted by: D.D.H. Approved by: F.G.G.

Date: 04.09.2019 Scale: 1 : 100

Project/Drawing no: PD19069 - U1-05 Revision: 06

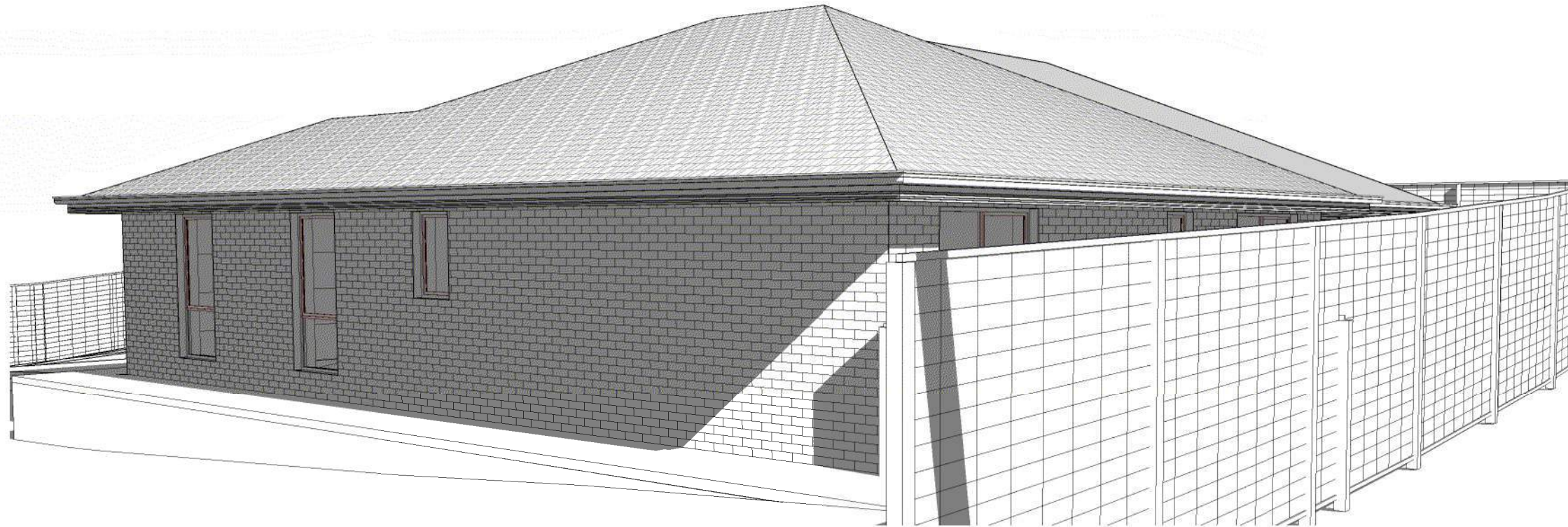
Accredited building practitioner: Frank Geskus -No CC246A





PLANNING

NOTE: DO NOT SCALE OFF DRAWINGS



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Project:  
**PROPOSED UNIT DEVELOPMENT**  
**189 EMU BAY ROAD,**  
**DELORAINÉ**

Client name:  
**B. CLARIDGE**

Drawing:  
**PERSPECTIVES**

Drafted by: D.D.H. Approved by: F.G.G.  
Date: 04.09.2019 Scale:



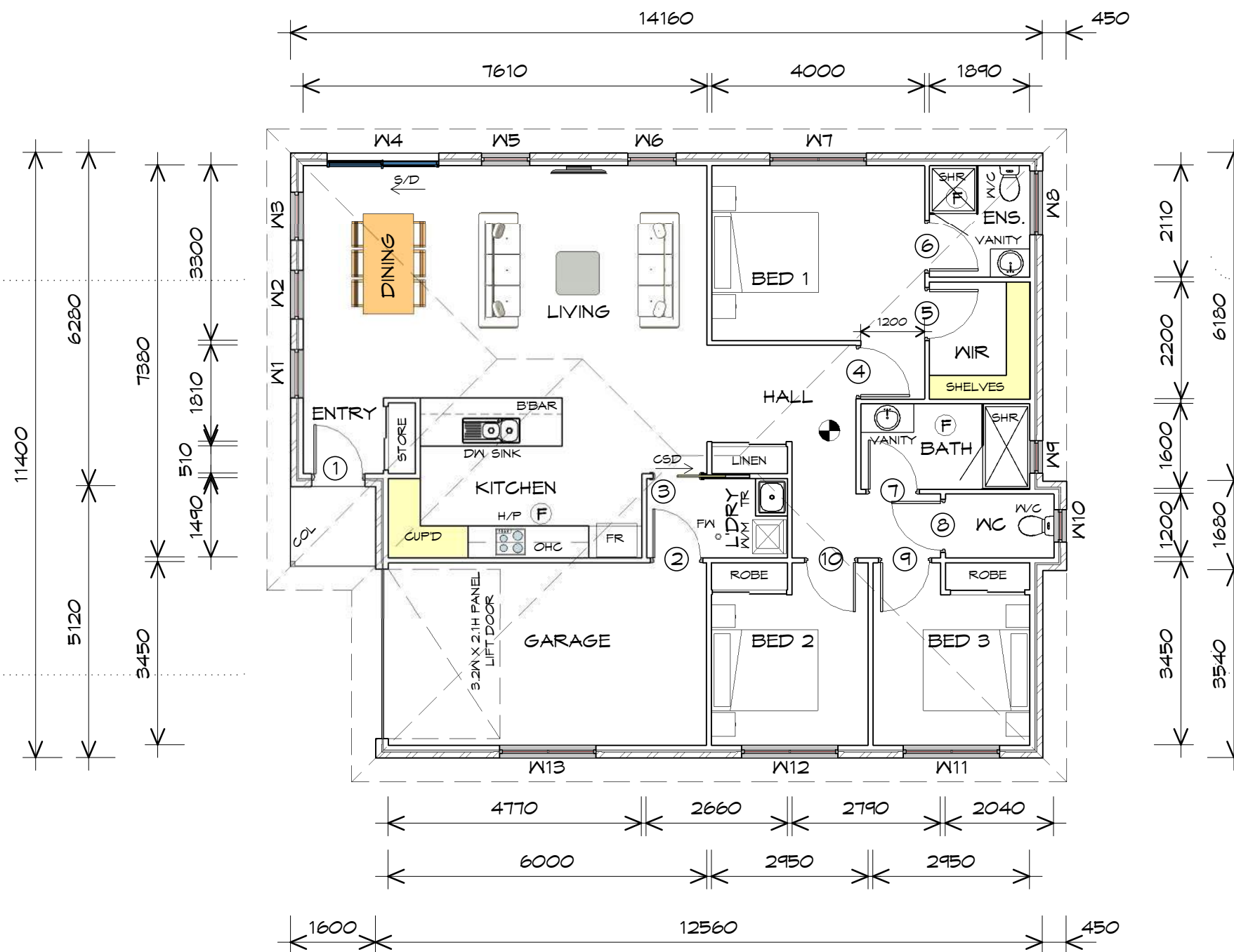
Project/Drawing no: PD19069 - U1-06 Revision: 06  
Page 57

Accredited building practitioner: Frank Geskus -No CC246A

- ⓕ EXHAUST FAN-VENT TO OUTSIDE AIR.
- ⬤ 240V SMOKE ALARM
- CSD CAVITY SLIDING DOOR
- S/D SLIDING DOOR
- FW FLOOR WASTE
- COL COLUMN
- G.S. GLASS SCREEN

# PLANNING

NOTE: DO NOT SCALE OFF DRAWINGS



1 : 100

U2 FLOOR AREA      153.99      m2      (   16.56      SQUARES )

NOTE:  
FLOOR AREAS INCLUDE TO EXTERNAL FACE OF  
BUILDING AND GARAGE, UNLESS OTHERWISE STATED.  
DECKS AND OUTDOOR AREAS ARE CALCULATED  
SEPARATELY.



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p(h)+ 03 6228 4575  
info@primedesigntas.com.au primedesigntas.com.au

Project:  
PROPOSED UNIT DEVELOPMENT  
189 EMU BAY ROAD,  
DELORAINÉ

Client name:  
**B. CLARIDGE**

Drawing:  
**FLOOR PLAN**

Drafted by: **D.D.H.**      Approved by: **F.G.G.**

Date: 04.09.2019 Scale: 1 : 100

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Project/Drawing no:	Revision:
PD19069 - U2-01	06
	Page 58

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Accredited building practitioner: Frank Gekus - No CC246A

UNIT 2 DOOR SCHEDULE			
MARK	WIDTH	TYPE	REMARKS
1	920	EXTERNAL ENTRY DOOR	
2	920	INTERNAL TIMBER DOOR	
3	920	CAVITY SLIDING DOOR	
4	920	INTERNAL TIMBER DOOR	
5	920	INTERNAL TIMBER DOOR	
6	920	INTERNAL TIMBER DOOR	
7	920	INTERNAL TIMBER DOOR	
8	920	INTERNAL TIMBER DOOR	
9	920	INTERNAL TIMBER DOOR	
10	920	INTERNAL TIMBER DOOR	

UNIT 2 WINDOW SCHEDULE				
MARK	HEIGHT	WIDTH	TYPE	REMARKS
W1	1800	910	AWNING WINDOW	
W2	1800	910	AWNING WINDOW	
W3	1800	910	AWNING WINDOW	
W4	2100	2100	SLIDING DOOR	
W5	1800	910	AWNING WINDOW	
W6	1800	910	AWNING WINDOW	
W7	1800	1810	AWNING WINDOW	
W8	600	1210	AWNING WINDOW	OPAQUE
W9	600	610	AWNING WINDOW	OPAQUE
W10	600	610	AWNING WINDOW	OPAQUE
W11	1200	1810	AWNING WINDOW	
W12	1200	1810	AWNING WINDOW	
W13	1200	1810	AWNING WINDOW	

ALUMINIUM AWNING WINDOWS DOUBLE GLAZING COMPLETE  
WITH FLY SCREENS TO SUIT ??? BAL RATING.  
ALL WINDOW MEASUREMENTS TO BE VERIFIED ON SITE  
PRIOR TO ORDERING

PLANNING

NOTE: DO NOT SCALE OFF DRAWINGS



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Project:  
PROPOSED UNIT DEVELOPMENT  
189 EMU BAY ROAD,  
DELORAINÉ

Client name:  
B. CLARIDGE

Drafted by:  
D.D.H.

Approved by:  
F.G.G.



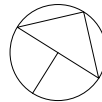
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DOOR & WINDOW SCHEDULES

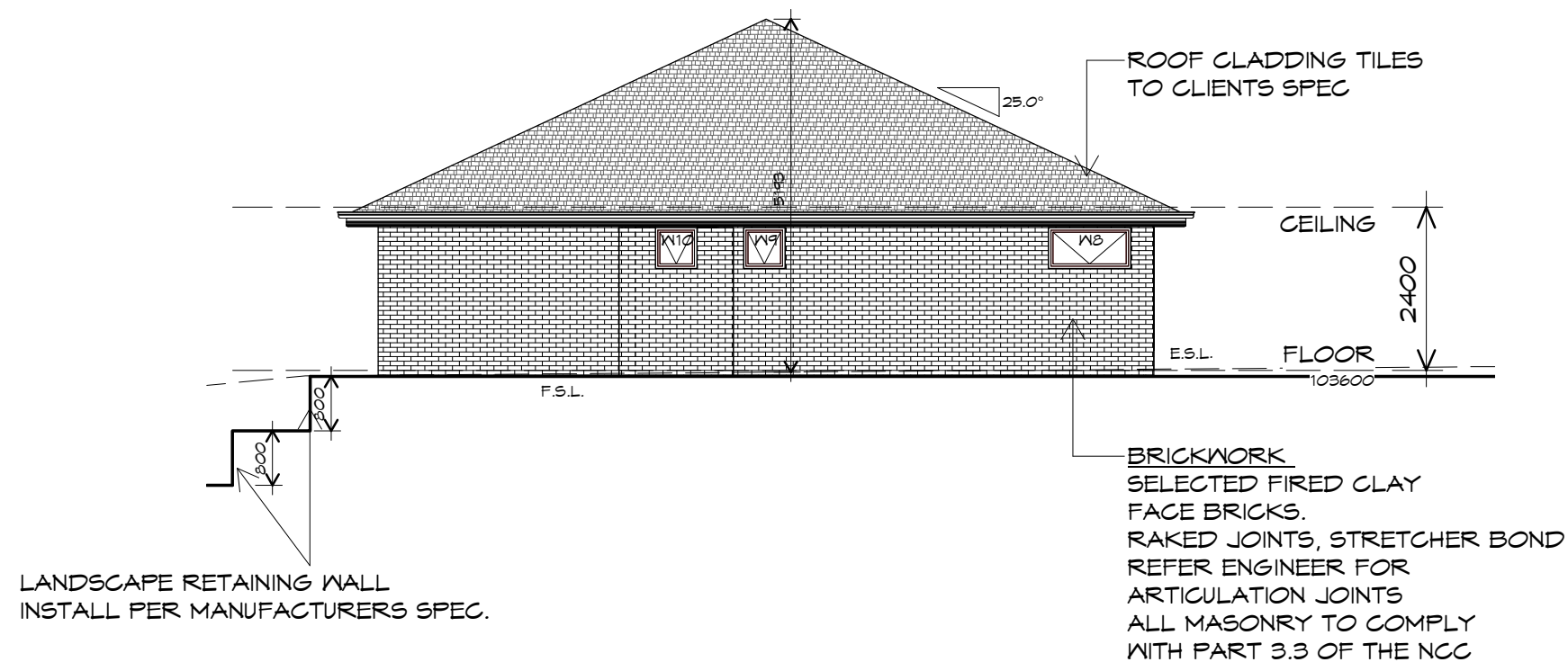
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Project/Drawing no:  
PD19069 - U2-02

Revision:  
06  
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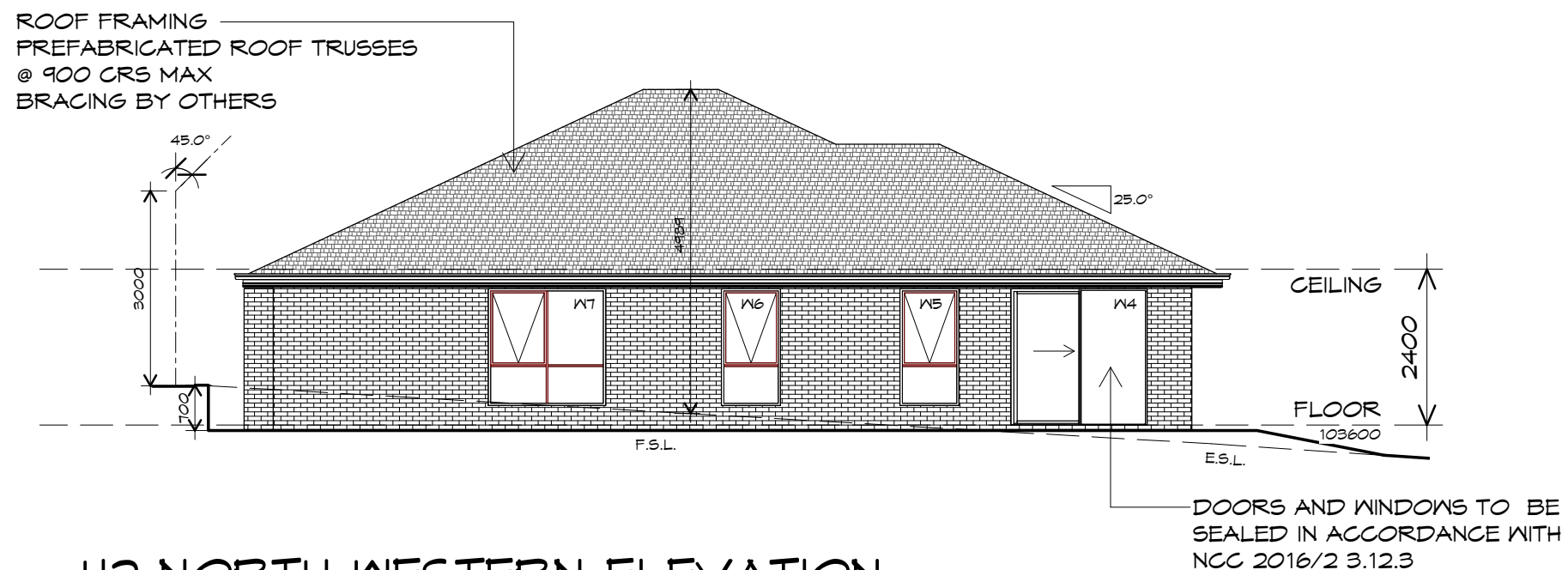
Accredited building practitioner: Frank Geskus -No CC246A





## U2 NORTH EASTERN ELEVATION

1 : 100



## U2 NORTH WESTERN ELEVATION

1 : 100

PLANNING

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Project:  
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Drawing:  
**ELEVATIONS**

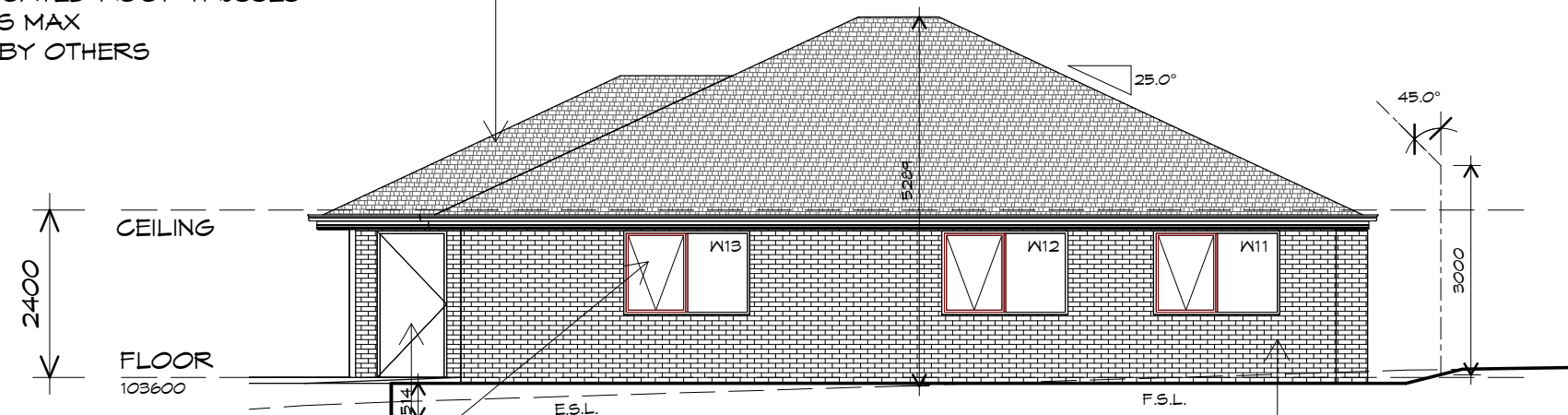
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Date: 04.09.2019 Scale: 1 : 100

Project/Drawing no: PD19069 - U2-03 Revision: 06

Accredited building practitioner: Frank Geskus -No CC246A

ROOF FRAMING  
 PREFABRICATED ROOF TRUSSES  
 @ 900 CRS MAX  
 BRACING BY OTHERS



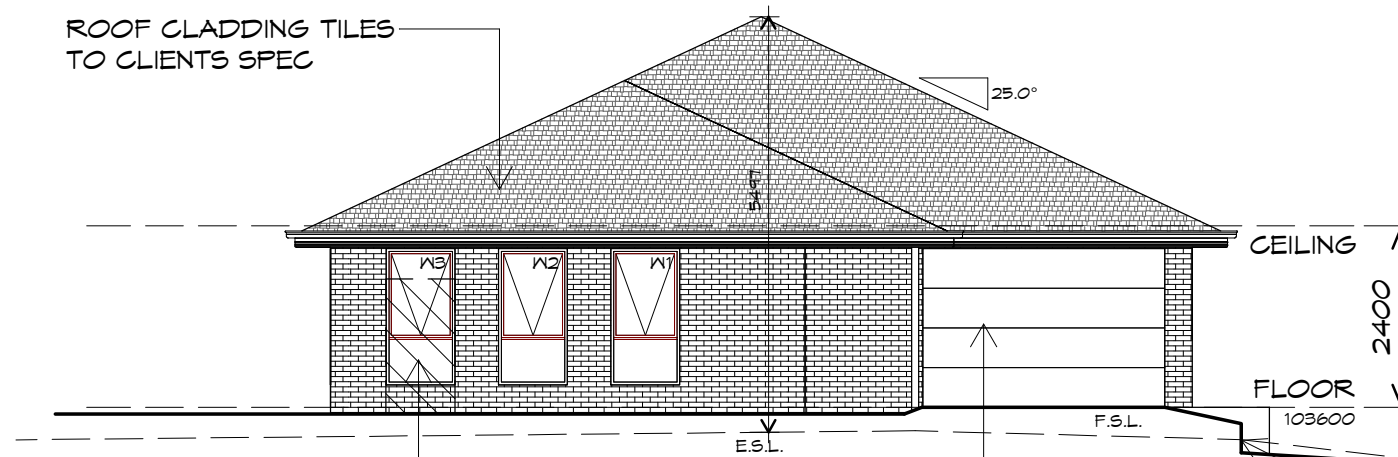
DOORS AND WINDOWS TO BE  
 SEALED IN ACCORDANCE WITH  
 NCC 2016/2 3.12.3

BRICKWORK  
 SELECTED FIRED CLAY  
 FACE BRICKS.  
 RAKED JOINTS, STRETCHER BOND  
 REFER ENGINEER FOR  
 ARTICULATION JOINTS  
 ALL MASONRY TO COMPLY  
 WITH PART 3.3 OF THE NCC

## U2 SOUTH EASTERN ELEVATION

1 : 100

ROOF CLADDING TILES  
 TO CLIENTS SPEC



PRIVACY SCREEN  
 1.7m HIGH

LANDSCAPE RETAINING WALL  
 INSTALL PER MANUFACTURERS SPEC.

PANEL LIFT DOOR 3200 WIDE x 2100  
 HIGH CLADDING PANELS TO CLIENTS  
 SPEC FIXED IN ACCORDANCE WITH  
 MANUFACTURERS SPEC

## U2 SOUTH WESTERN ELEVATION

1 : 100



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Project:  
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 DELORAINE**

Client name:  
**B. CLARIDGE**

Drawing:  
**ELEVATIONS**

Drafted by: D.D.H. Approved by: F.G.G.

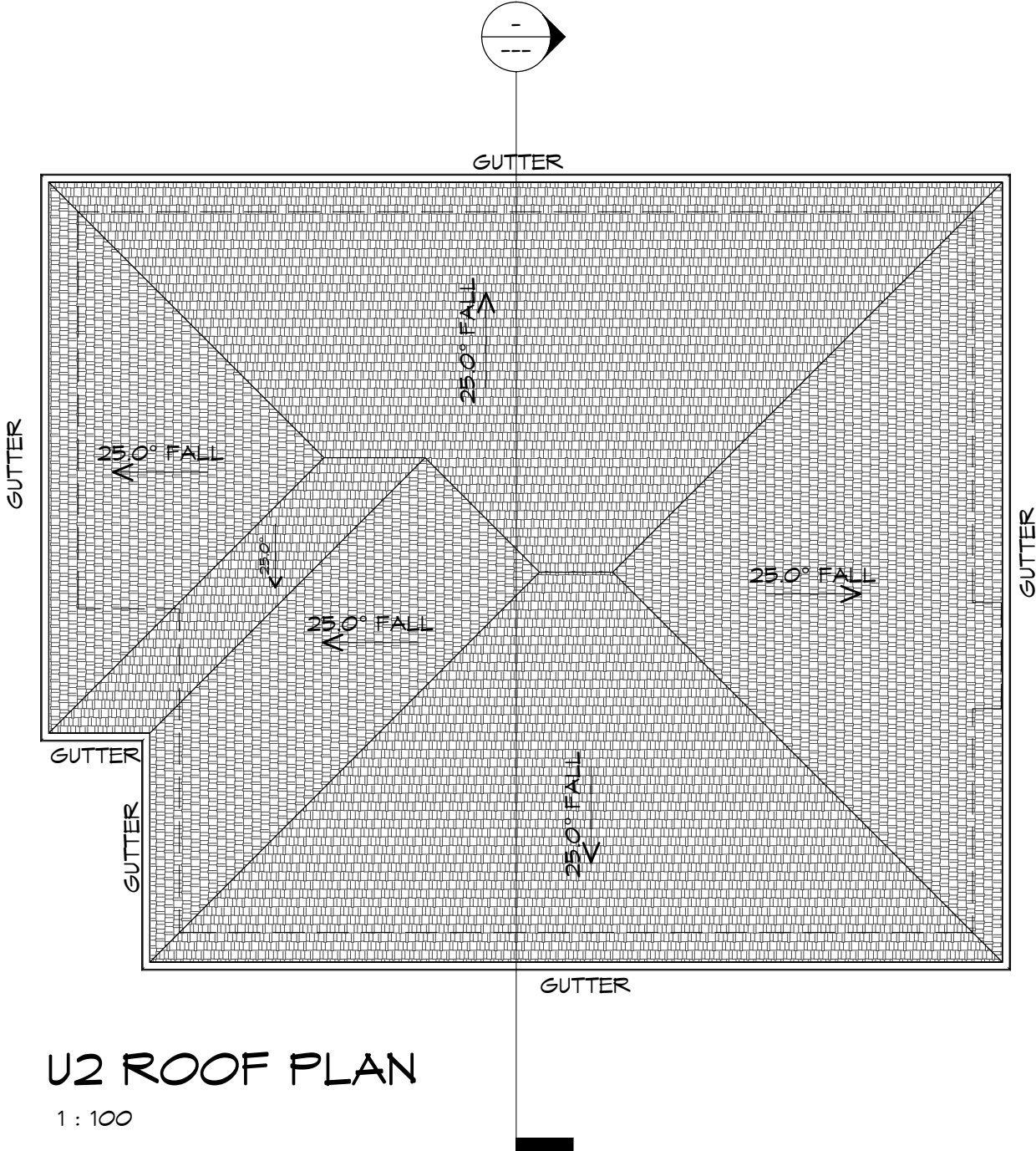
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Project/Drawing no: PD19069 - U2-04 Revision: 06

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PLANNING

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U2 ROOF PLAN

1 : 100

PLANNING

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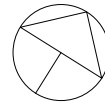
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DELORAINÉ**

Client name:  
**B. CLARIDGE**

Drawing:  
**ROOF PLAN**

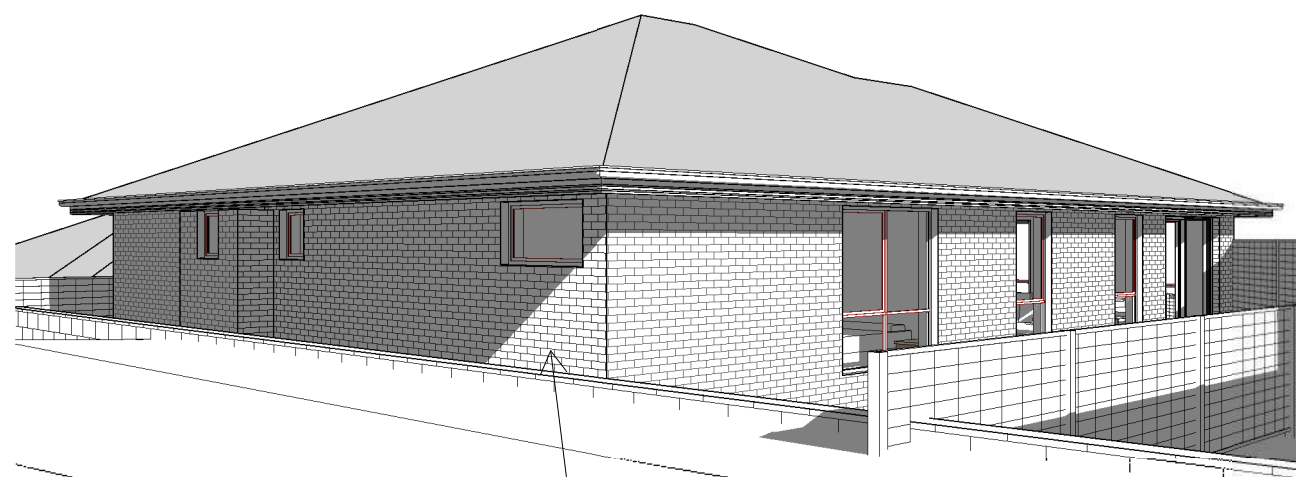
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Date: <b>04.09.2019</b>	Scale: <b>1 : 100</b>

Project/Drawing no: <b>PD19069 - U2-05</b>	Revision: <b>06</b> Page 62
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BOUNDARY FENCE NOT  
SHOWN FOR CLARITY

**Prime  
Design**

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Client name:  
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Drawing:  
**PERSPECTIVES**

Drafted by:  
**D.D.H.**

Approved by:  
**F.G.G.**

Date:

Scale:

**04.09.2019**

Project/Drawing no:

Revision:

**PD19069 - U2-06**

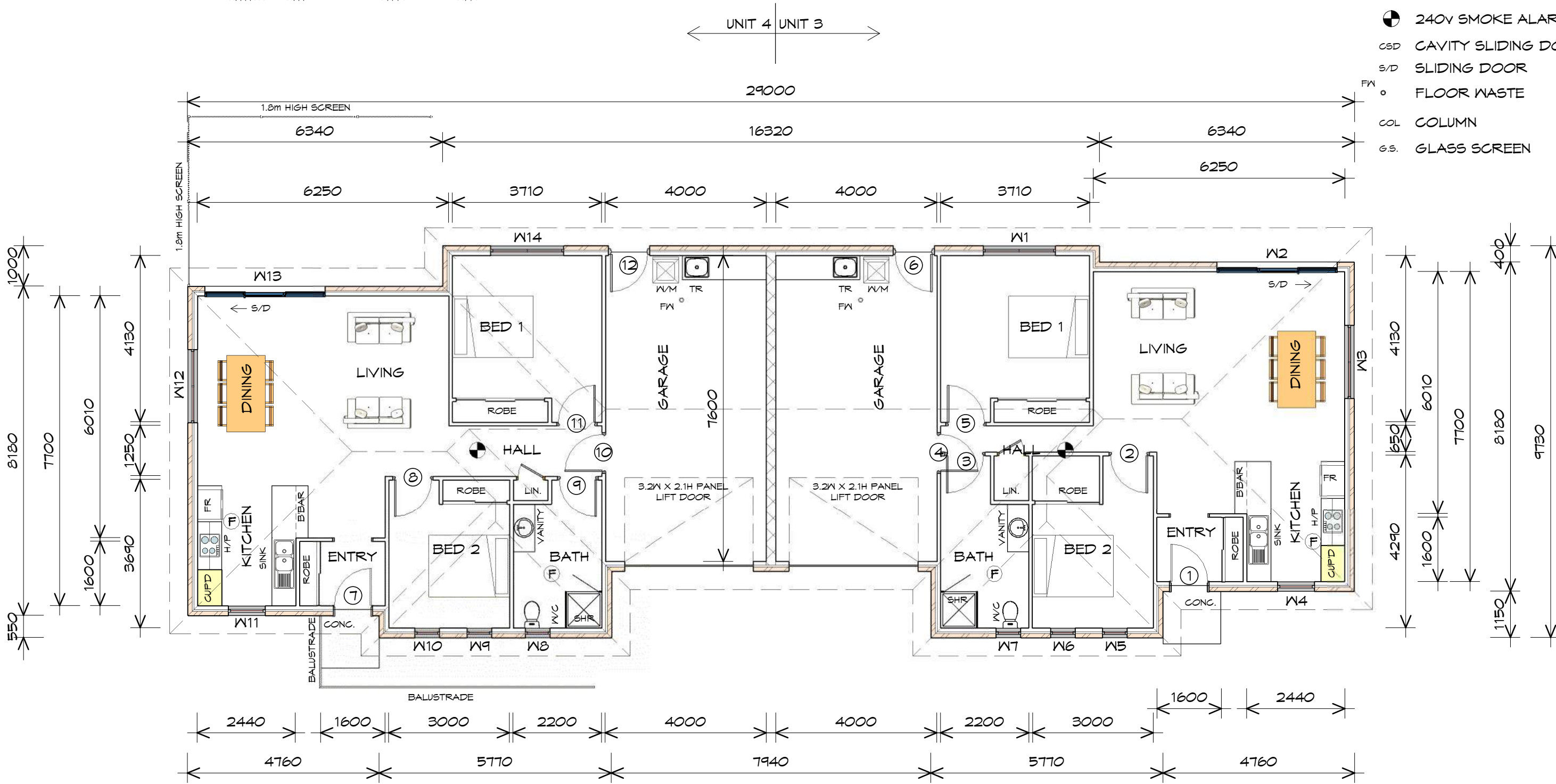
**06**  
Page 63

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LEGEND

- Ⓢ EXHAUST FAN-VENT TO OUTSIDE AIR.
- Ⓢ 240V SMOKE ALARM
- CSD CAVITY SLIDING DOOR
- S/D SLIDING DOOR
- FW FLOOR WASTE
- COL COLUMN
- G.S. GLASS SCREEN



PLANNING

NOTE: DO NOT SCALE OFF DRAWINGS

U3/4 FLOOR PLAN

1 : 100

U3 FLOOR AREA	125.58	m2	( 13.50	SQUARES )
U4 FLOOR AREA	126.52	m2	( 13.60	SQUARES )

NOTE:  
FLOOR AREAS INCLUDE TO EXTERNAL FACE OF BUILDING AND GARAGE, UNLESS OTHERWISE STATED.  
DECKS AND OUTDOOR AREAS ARE CALCULATED SEPARATELY.



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PLANNING AUTHORITY 1

Project:  
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189 EMU BAY ROAD,  
DELORAINÉ

Client name:  
B. CLARIDGE

Drafted by:  
D.D.H.

Approved by:  
F.G.G.

Drawing:  
FLOOR PLAN

Date:  
04.09.2019

Scale:  
1 : 100

Project/Drawing no:  
PD19069 - U3-01

Revision:  
06  
Page 64

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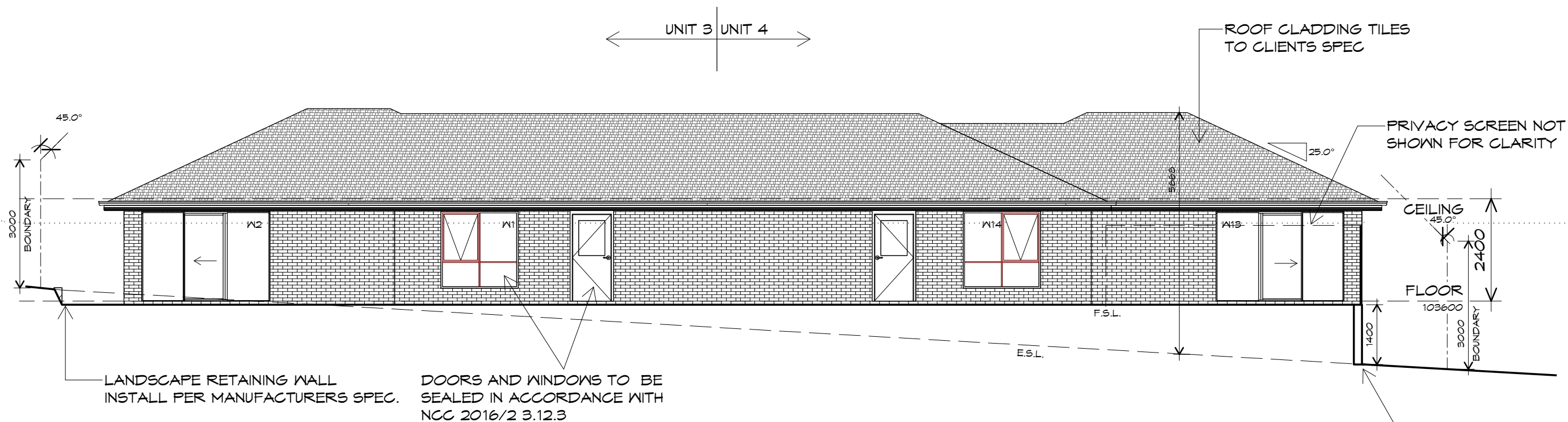
UNIT 3/4



UNIT 3/4 DOOR SCHEDULE			
MARK	WIDTH	TYPE	REMARKS
1	920	EXTERNAL ENTRY DOOR	
2	920	INTERNAL TIMBER DOOR	
3	920	INTERNAL TIMBER DOOR	
4	920	INTERNAL TIMBER DOOR	
5	920	INTERNAL TIMBER DOOR	
6	920	EXTERNAL HALF GLASS	
7	920	EXTERNAL ENTRY DOOR	
8	920	INTERNAL TIMBER DOOR	
9	920	INTERNAL TIMBER DOOR	
10	920	INTERNAL TIMBER DOOR	
11	920	INTERNAL TIMBER DOOR	
12	920	EXTERNAL HALF GLASS	

UNIT 3/4 WINDOW SCHEDULE				
MARK	HEIGHT	WIDTH	TYPE	REMARKS
W1	1800	1810	AWNING WINDOW	
W2	2100	3000	SLIDING DOOR	
W3	600	1810	AWNING WINDOW	
W4	1800	910	AWNING WINDOW	
W5	600	610	AWNING WINDOW	
W6	600	610	AWNING WINDOW	
W7	600	610	AWNING WINDOW	OPAQUE
W8	600	610	AWNING WINDOW	OPAQUE
W9	600	610	AWNING WINDOW	
W10	600	610	AWNING WINDOW	
W11	1800	910	AWNING WINDOW	
W12	600	1810	AWNING WINDOW	
W13	2100	3000	SLIDING DOOR	
W14	1800	1810	AWNING WINDOW	

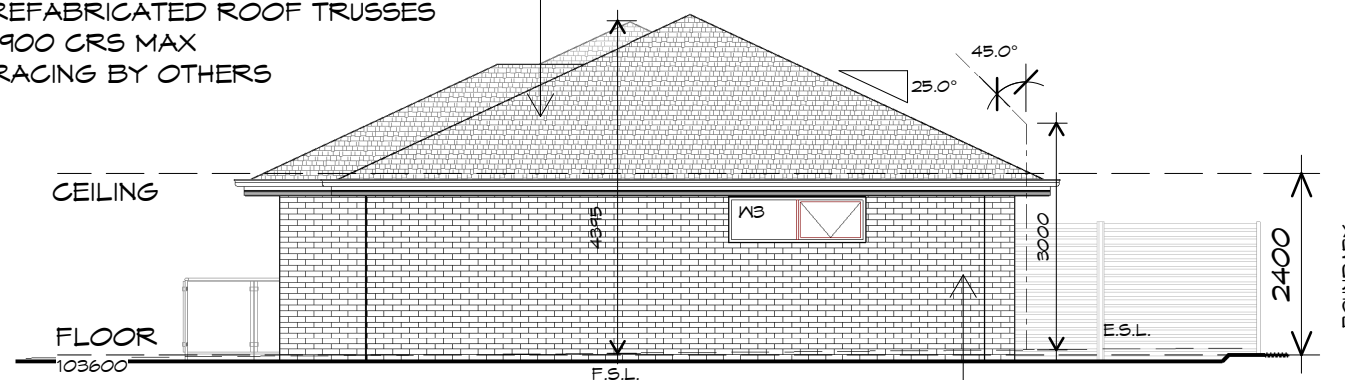
ALUMINIUM AWNING WINDOWS DOUBLE GLAZING COMPLETE  
WITH FLY SCREENS TO SUIT ??? BAL RATING.  
ALL WINDOW MEASUREMENTS TO BE VERIFIED ON SITE  
PRIOR TO ORDERING



## U3/4 NORTH WESTERN ELEVATION

1 : 100

ROOF FRAMING  
PREFABRICATED ROOF TRUSSES  
@ 900 CRS MAX  
BRACING BY OTHERS



## U3/4 NORTH EASTERN ELEVATION

1 : 100

BRICKWORK  
SELECTED FIRED CLAY  
FACE BRICKS.  
RAKED JOINTS, STRETCHER BOND  
REFER ENGINEER FOR  
ARTICULATION JOINTS  
ALL MASONRY TO COMPLY  
WITH PART 3.3 OF THE NCC

PLANNING

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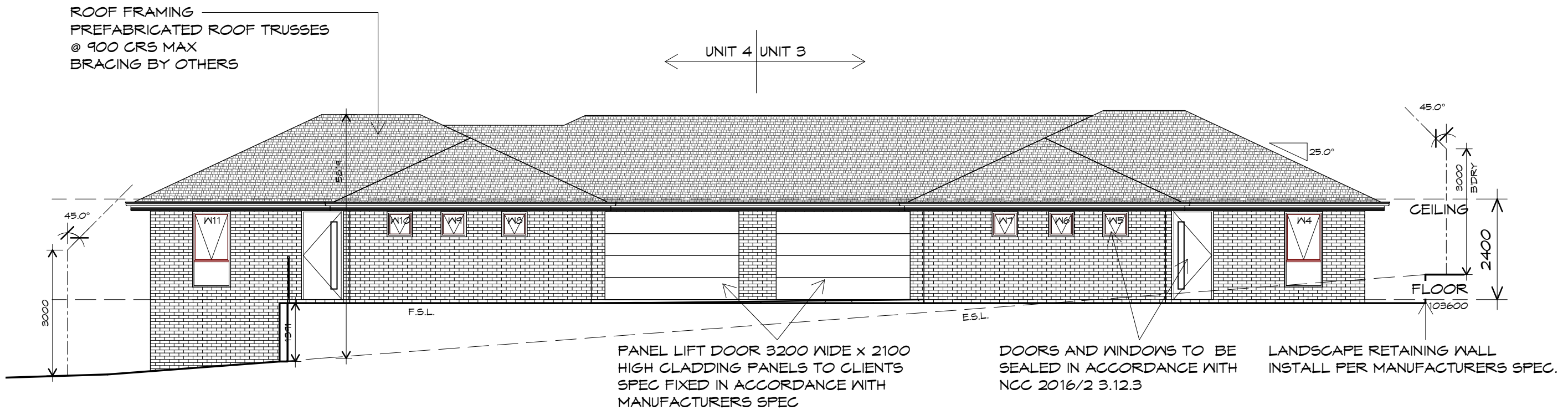
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**ELEVATIONS**

Drafted by: D.D.H. Approved by: F.G.G.

Date: 04.09.2019 Scale: 1 : 100

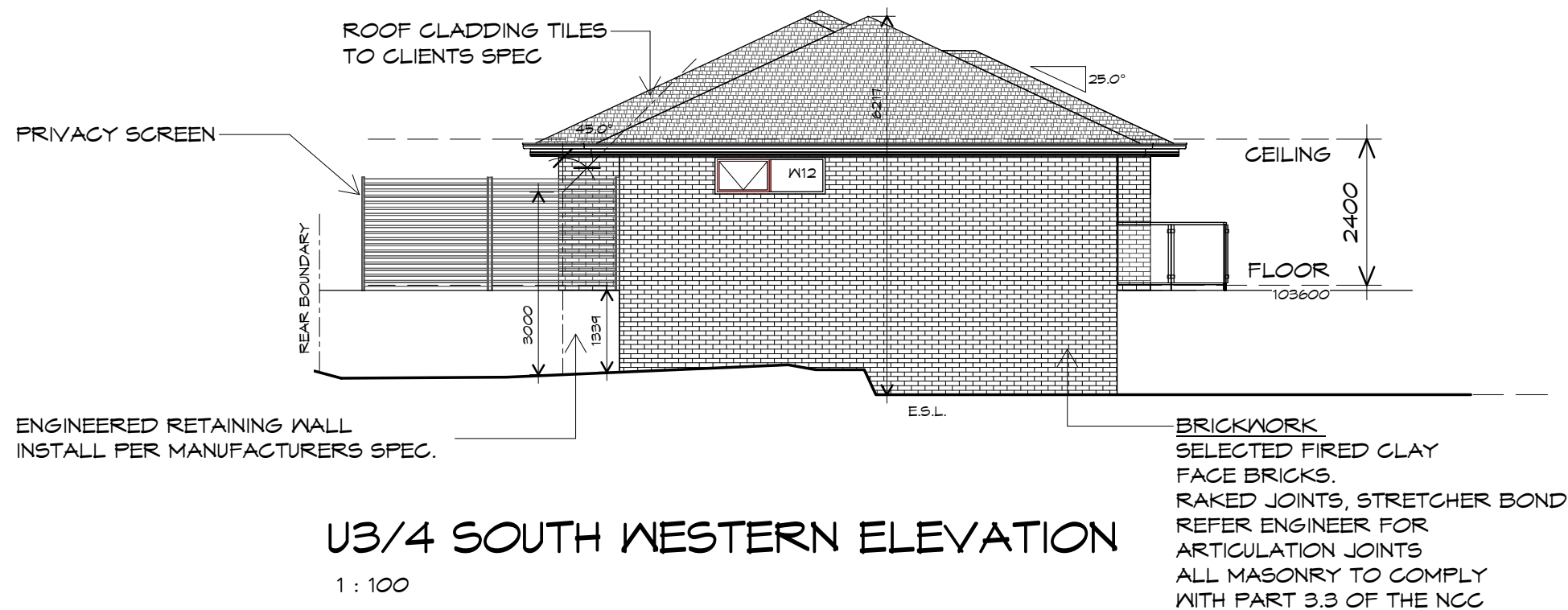
Project/Drawing no: PD19069 - U3-03 Revision: 06

Accredited building practitioner: Frank Geskus -No CC246A



## U3/4 SOUTH EASTERN ELEVATION

1 : 100



## U3/4 SOUTH WESTERN ELEVATION

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Drawing:  
**ELEVATIONS**

Drafted by:  
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Approved by:  
**F.G.G.**

Date:  
**04.09.2019**

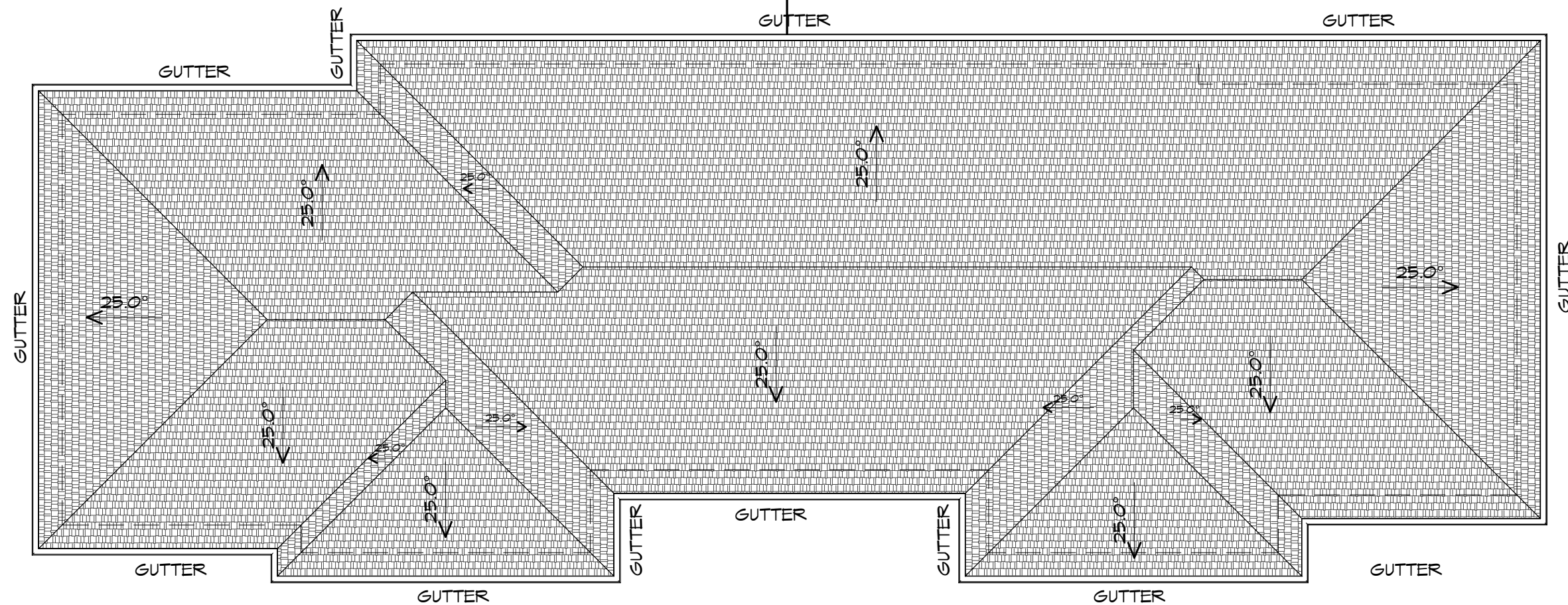
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Project/Drawing no: **PD19069 - U3-04**

Revision:

Page 67

Accredited building practitioner: Frank Geskus -No CC246A



## U3/4 ROOF PLAN

1 : 100



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**PLANNING AUTHORITY 1**

Project:  
**PROPOSED UNIT DEVELOPMENT**  
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DELORAINÉ

Client name:  
**B. CLARIDGE**

Drafted by:  
**D.D.H.**

Approved by:  
**F.G.G.**

Drawing:  
**ROOF PLAN**

Date: **04.09.2019** Scale: **1 : 100**

Project/Drawing no:  
**PD19069 - U3-05**

Revision:  
**06**  
Page 68

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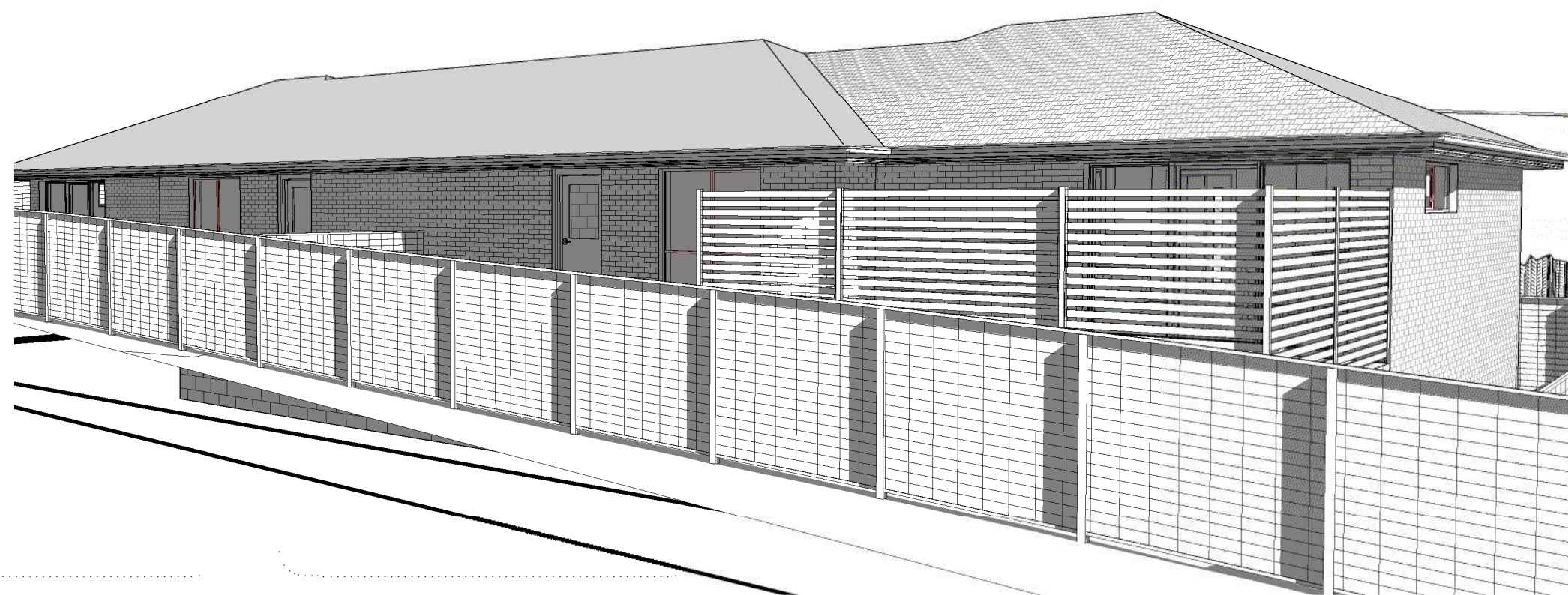
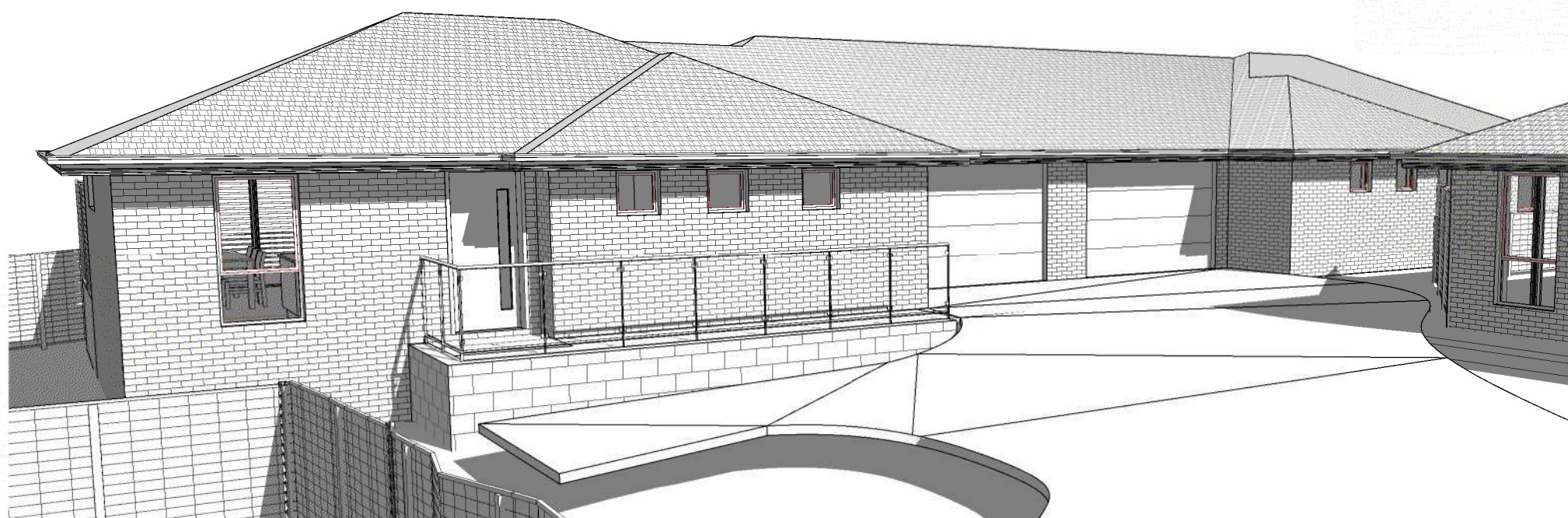
**UNIT 3/4**

Meander Valley Council Ordinary Agenda - 12 November 2019

**PLANNING**

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PLANNING

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Drawing:  
**PERSPECTIVES**

Drafted by: D.D.H. Approved by: F.G.G.

Date: 04.09.2019 Scale:



Project/Drawing no: PD19069 - U3-06 Revision: 06

Accredited building practitioner: Frank Geskus -No CC246A

# Bushfire Hazard Assessment Report & Bushfire Hazard Management Plan

189 Emu Bay Road, Deloraine



**Prepared for (Client)**

Prime Design

10 Goodman Court

DELORAINES TAS 7304

**Assessed & Prepared by**

Rebecca Green

Senior Planning Consultant & Accredited Bushfire Hazard Assessor

Rebecca Green & Associates

PO Box 2108 LAUNCESTON TAS 7250

Mobile: 0409 284 422

Version 1

10 August 2019

Job No: RGA-B1203

## **Executive Summary**

The proposed development at 189 Emu Bay Road, Deloraine, is subject to bushfire threat. A bushfire attack under extreme fire weather conditions is likely to subject buildings at this site to considerable radiant heat, ember attack along with wind and smoke.

The site requires bushfire protection measures to protect the buildings and people that may be on site during a bushfire.

These measures include provision of hazard management areas in close proximity to the buildings, implementation of safe egress routes, establishment of a water supply and construction of buildings as described in AS 3959-2009 Construction of Buildings in Bushfire Prone Areas.

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## Schedule 1 – Bushfire Report

### 1.0 Introduction

The Bushfire Attack Level (BAL) Report and Bushfire Hazard Management Plan (BHMP) has been prepared for submission with a Planning Permit Application under the *Land Use Planning and Approvals Act 1993; Bushfire-Prone Areas Code* and/or a Building Permit Application under the *Building Act 2016 & Regulations 2016*.

The Bushfire Attack Level (BAL) is established taking into account the type and density of vegetation within 100 metres of the proposed building site and the slope of the land; using the simplified method in AS 3959-2009 Construction of Buildings in Bushfire Prone Areas; and includes:

- The type and density of vegetation on the site,
- Relationship of that vegetation to the slope and topography of the land,
- Orientation and predominant fire risk,
- Other features attributing to bushfire risk.

On completion of assessment, a Bushfire Attack Level (BAL) is established which has a direct reference to the construction methods and techniques to be undertaken on the buildings and for the preparation of a Bushfire Hazard Management Plan (BHMP).

### 1.1 Scope

This report was commissioned to identify the Bushfire Attack Level for the existing property. ALL comment, advice and fire suppression measures are in relation to compliance with *Bushfire-Prone Areas Code* of the Meander Valley Interim Planning Scheme 2013, the Building Code of Australia and Australian Standards, AS 3959-2009, *Construction of buildings in bushfire-prone areas*.

### 1.2 Limitations

The inspection has been undertaken and report provided on the understanding that:-

1. The report only deals with the potential bushfire risk, all other statutory assessments are outside the scope of this report.
2. The report only identifies the size, volume and status of vegetation at the time the site inspection was undertaken and cannot be relied upon for any future development.
3. Impacts of future development and vegetation growth have not been considered.

**No action or reliance is to be placed on this report; other than for which it was commissioned.**

### 1.3 Proposal

The proposal is for the development of a 2 Lot Subdivision, consisting of 1 additional residential lot. Lot 1 will contain the existing dwelling. Lots will vary in size from 1618m<sup>2</sup> to 1948m<sup>2</sup>. Lot 1 will retain existing access to Emu Bay Road and Nutt Street. Lot 2 will have a new access to Nutt Street.

## 2.0 Site Description for Proposal (Bushfire Context)

### 2.1 Locality Plan

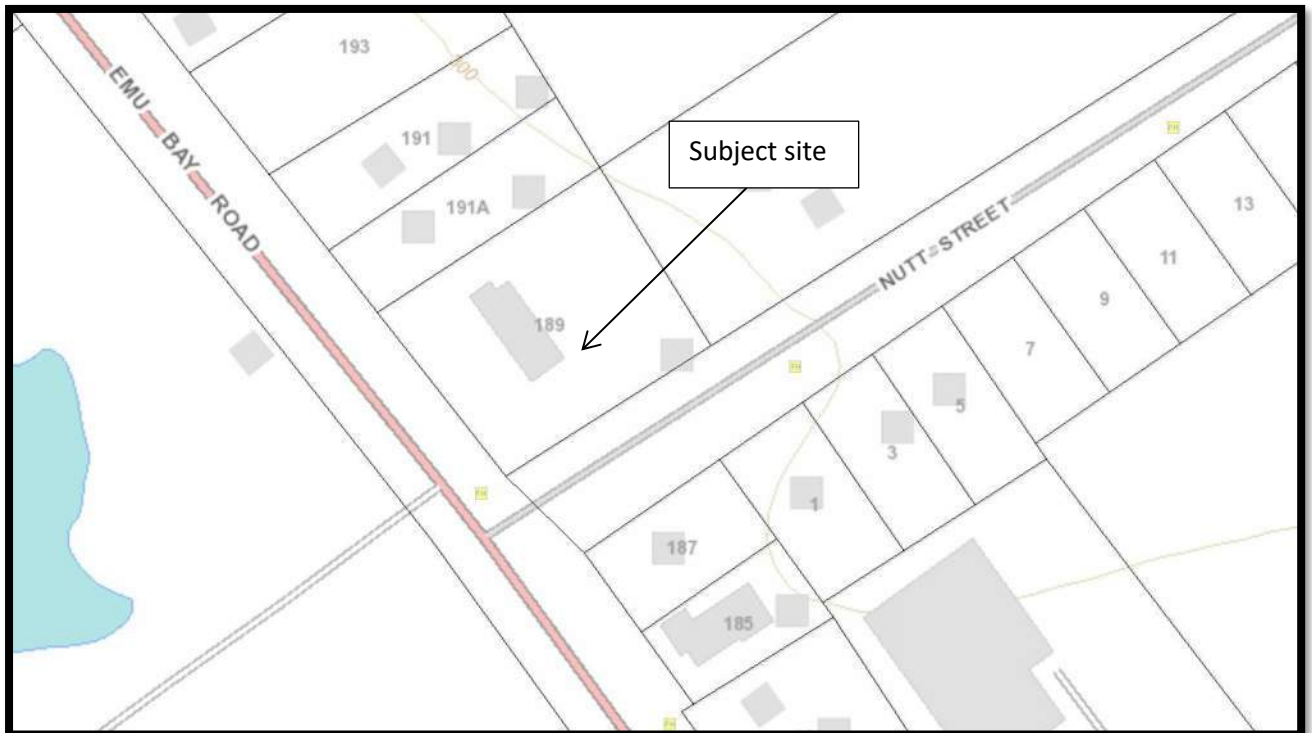


Figure 1: Location Plan of 189 Emu Bay Road, Deloraine

### 2.2 Site Details

<b>Property Address</b>	189 Emu Bay Road, Deloraine
<b>Certificate of Title</b>	Volume 27198 Folio 1
<b>Owners</b>	Philip Charles Taylor
<b>Existing Use</b>	Residential
<b>Type of Proposed Work</b>	1 Lot Subdivision
<b>Water Supply</b>	Reticulated TasWater supply
<b>Road Access</b>	Emu Bay Road and Nutt Street

### 3.0 Bushfire Site Assessment

#### 3.1 Vegetation Analysis

##### 3.1.1 TasVeg Classification

Reference to Tasmanian Vegetation Monitoring & Mapping Program (TASVEG) indicates the land in and around the property is generally comprising of varying vegetation types including:



Code	Species	Vegetation Group
<b>FAG</b>	<ul style="list-style-type: none"> <li>Agricultural land</li> </ul>	Agricultural, urban and exotic vegetation
<b>FUR</b>	<ul style="list-style-type: none"> <li>Urban areas</li> </ul>	Agricultural, urban and exotic vegetation

### 3.1.2 Site & Vegetation Photos



View looking to northeast from Nutt Street



View looking northeast along Nutt Street



View looking further to northeast from Nutt Street



View looking southeast



View looking southwest



View looking northwest

### 3.2 BAL Assessment – Subdivision

The Acceptable Solution in Clause 1.6.1 of Planning Directive No. 5.1 Bushfire-Prone Areas Code requires all lots within the proposed subdivision to demonstrate that each lot can achieve a Hazard Management Area between the bushfire vegetation and each building on the lot with distances equal to or greater than those specified in Table 2.4.4 of AS3959-2009 Construction of Buildings in Bushfire Prone Areas for **BAL 19**.

#### LOT 1 and LOT 2

Vegetation classification AS3959	North <input type="checkbox"/> North-East <input checked="" type="checkbox"/>	South <input type="checkbox"/> South-West <input checked="" type="checkbox"/>	East <input type="checkbox"/> South-East <input checked="" type="checkbox"/>	West <input type="checkbox"/> North-West <input checked="" type="checkbox"/>
<b>Group A</b>	<input type="checkbox"/> Forest	<input type="checkbox"/> Forest	<input type="checkbox"/> Forest	<input type="checkbox"/> Forest
<b>Group B</b>	<input type="checkbox"/> Woodland	<input type="checkbox"/> Woodland	<input type="checkbox"/> Woodland	<input type="checkbox"/> Woodland
<b>Group C</b>	<input type="checkbox"/> Shrub-land	<input type="checkbox"/> Shrub-land	<input type="checkbox"/> Shrub-land	<input type="checkbox"/> Shrub-land
<b>Group D</b>	<input type="checkbox"/> Scrub	<input type="checkbox"/> Scrub	<input type="checkbox"/> Scrub	<input type="checkbox"/> Scrub
<b>Group E</b>	<input type="checkbox"/> Mallee-Mulga	<input type="checkbox"/> Mallee-Mulga	<input type="checkbox"/> Mallee-Mulga	<input type="checkbox"/> Mallee-Mulga
<b>Group F</b>	<input type="checkbox"/> Rainforest	<input type="checkbox"/> Rainforest	<input type="checkbox"/> Rainforest	<input type="checkbox"/> Rainforest
<b>Group G</b>	<input type="checkbox"/> Grassland	<input checked="" type="checkbox"/> Grassland	<input type="checkbox"/> Grassland	<input type="checkbox"/> Grassland
	<input checked="" type="checkbox"/> Managed Land	<input checked="" type="checkbox"/> Managed Land	<input checked="" type="checkbox"/> Managed Land	<input checked="" type="checkbox"/> Managed Land
<b>Effective slope (degrees)</b>	<input checked="" type="checkbox"/> Up/0°	<input type="checkbox"/> Up/0°	<input checked="" type="checkbox"/> Up/0°	<input checked="" type="checkbox"/> Up/0°
	<input type="checkbox"/> >0-5°	<input checked="" type="checkbox"/> >0-5°	<input type="checkbox"/> >0-5°	<input type="checkbox"/> >0-5°
	<input type="checkbox"/> >5-10°	<input type="checkbox"/> >5-10°	<input type="checkbox"/> >5-10°	<input type="checkbox"/> >5-10°
	<input type="checkbox"/> >10-15°	<input type="checkbox"/> >10-15°	<input type="checkbox"/> >10-15°	<input type="checkbox"/> >10-15°
	<input type="checkbox"/> >15-20°	<input type="checkbox"/> >15-20°	<input type="checkbox"/> >15-20°	<input type="checkbox"/> >15-20°
<b>Likely direction of bushfire attack</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Prevailing winds</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>REQUIRED Distance to classified vegetation for BAL 19</b>	<b>N/A</b>	<b>11-&lt;16</b>	<b>N/A</b>	<b>N/A</b>
<b>REQUIRED Distance to classified vegetation for BAL 12.5</b>	<b>N/A</b>	<b>16-&lt;50</b>	<b>N/A</b>	<b>N/A</b>

<b>BAL – 12.5</b>	<b>The risk is considered to be LOW.</b> There is a risk of ember attack. The construction elements are expected to be exposed to a heat flux not greater than 12.5 kW/m <sup>2</sup> .
-------------------	--

### 3.3 Outbuildings

Not applicable – existing.

### 3.4 Road Access

Roads are to be constructed to provide vehicle access to the site to assist firefighting and emergency personnel to defend the building or evacuate occupants; and provide access at all times to the water supply for firefighting purposes on the building site.

Private access roads are to be maintained from the entrance to the property cross over with the public road through to the buildings on the site.

<b>All Lots</b> Driveways	Access to Lot 1 is existing – no increase in risk.  Access to Lot 2 – no specified access requirements – BAL LOW.
------------------------------	---

### 3.5 Water Supply

A building that is constructed in a designated bushfire prone area must provide access at all times to a sufficient supply of water for firefighting purposes on the building site.

The exterior elements of a Habitable building in a designated Bushfire prone area must be within reach of a 120m long hose (lay) connected to –

- (i) A fire hydrant with a minimum flow rate of 600L per minute and pressure of 200kpa; or
- (ii) A stored water supply in a water tank, swimming pool, dam or lake available for firefighting at all times which has the capacity of at least 10,000L for each separate building.

<b>All lots</b>	Lots are all to be within 120m of existing fire hydrants in road reserve of Emu Bay Road and Nutt Street.
-----------------	---

*It should be recognised that although water supply as specified above may be in compliance with the requirements of the Building Code of Australia, the supply may not be adequate for all firefighting situations.*

#### 4.0 Bushfire-Prone Areas Code Assessment Criteria

Assessment has been completed below to demonstrate the BAL and BHMP have been developed in compliance with the Acceptable Solutions and/or the Performance Criteria as specified in the Bushfire-Prone Areas Code.

**E1.4 – Exemptions** – Lot 1, no increase in risk.

##### E1.6.1 Subdivision

###### E1.6.1.1 Hazard Management Areas

	Comments
<input checked="" type="checkbox"/> <b>A1</b> (b)	Specified distances for Hazard Management Areas for BAL 12.5 for Lot 1, and BAL LOW for Lot 2 as specified on the plan are in accordance with AS3959. The proposal complies.
<input type="checkbox"/> <b>P1</b>	Not applicable.

###### E1.6.2 Public Access

	Comments
<input checked="" type="checkbox"/> <b>A1</b> (a)	No increase in risk Lot 1.
<input checked="" type="checkbox"/> <b>A1</b> (b)	The private driveway to Lot 2 – no specified requirements – BAL LOW.
<input type="checkbox"/> <b>P1</b>	
<input checked="" type="checkbox"/> <b>A2</b>	Not applicable.
<input type="checkbox"/> <b>P2</b> No PC	

###### E1.6.3 Water supply for fire fighting purposes

	Comments
<input checked="" type="checkbox"/> <b>A1</b> (a) (b)	No increase in risk Lot 1. Reticulated water supply available for fire fighting purposes if new habitable building on all lots as within 120m of existing fire hydrant.
<input type="checkbox"/> <b>P1</b> No PC	
<input type="checkbox"/> <b>A2</b> (b)	
<input checked="" type="checkbox"/> <b>A2</b> (c)	Not applicable.
<input type="checkbox"/> <b>P2</b> No PC	

#### 5.0 Layout Options

Not relevant to this proposal.

#### 6.0 Other Planning Provisions

Not relevant to this proposal.

## 7.0 Conclusions and Recommendations

Mitigation from bushfire is dependent on the careful management of the site by maintaining reduced fuel loads within the hazard management areas and within the site generally and to provide sources of water supply dedicated for firefighting purposes and the construction and maintenance of a safe egress route.

**The site has been assessed as demonstrating a building area that have the dimensions equal to or greater than the separation distance required for BAL 12.5 & BAL LOW in Table 2.4.4 of AS 3959 – 2009 Construction of Buildings in Bushfire Prone Areas.**

### Fuel Managed Areas

Hazard Management Areas as detailed within the plan shall be constructed and maintained as detailed in Schedule 2.

## Schedule 2 – Bushfire Hazard Management Plan



## NOTES

\* PROPERTY ACCESS & ROAD REQUIREMENTS - REFER TO SECTION 3.4 OF BUSHFIRE HAZARD ASSESSMENT REPORT

\* FIREFIGHTING WATER SUPPLY - REFER TO SECTION 3.5 OF BUSHFIRE HAZARD ASSESSMENT REPORT

\* HAZARD MANAGEMENT AREA TO BE MAINTAINED IN A MINIMUM FUEL CONDITION - REFER TO SECTION 3.2 OF BUSHFIRE HAZARD ASSESSMENT REPORT

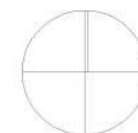
BAL 12.5

BAL LOW

\* THIS BHMP MUST BE READ IN CONJUNCTION WITH BUSHFIRE HAZARD ASSESSMENT REPORT REF: RGA-B1203, R. GREEN, 10 AUGUST 2019

\* THIS BHMP HAS BEEN PREPARED TO SATISFY THE REQUIREMENTS OF THE *DIRECTORS DETERMINATION - REQUIREMENTS FOR BUILDING IN BUSHFIRE PRONE AREAS (V2.1)*

N



## BUSHFIRE HAZARD MANAGEMENT PLAN

BUSHFIRE ATTACK LEVEL (BAL) - 2 LOT SUBDIVISION  
BAL 12.5 - Lot 1  
BAL LOW - LOT 2  
Meander Valley Council Ordinary Agenda - 12 November 2019

189 EMU BAY ROAD, DELORAINE  
VOLUME 27198 FOLIO 1

PROPERTY ID 6860049

PLANNING AUTHORITY 1

DATE: 10 AUGUST 2019  
VERSION: 1  
DRAWN: REBECCA GREEN  
PHONE: 0409 284 422  
EMAIL: ADMIN@RGASSOCIATES.COM.AU  
BFP - 116, SCOPE - 1, 2, 3A, 3B, 3C

 **Rebecca Green  
& Associates**  
Page 83

## Form 55

# CERTIFICATE OF QUALIFIED PERSON – ASSESSABLE ITEM

Section 321

To: Prime Design  
10 Goodman Court  
INVERMAY TAS 7248

Owner /Agent

Address

Suburb/postcode

Form **55**

## Qualified person details:

Qualified person: Rebecca Green  
Address: PO Box 2108  
Launceston 7250  
Licence No: BFP-116  
Phone No: 0409 284 422  
Fax No:  
Email address: admin@rgassociates.com.au

Qualifications and Insurance details:

Accredited to report on bushfire hazards under Part IVA of the Fire Services Act 1979

(description from Column 3 of the Director's Determination - Certificates by Qualified Persons for Assessable Items)

Speciality area of expertise:

Analysis of hazards in bushfire prone areas

(description from Column 4 of the Director's Determination - Certificates by Qualified Persons for Assessable Items)

## Details of work:

Address: 189 Emu Bay Road  
DELORAINE 7304  
Lot No: 1  
Certificate of title No: 27198  
The assessable item related to this certificate: 2 Lot Subdivision  
(description of the assessable item being certified)  
Assessable item includes –  
- a material;  
- a design  
- a form of construction  
- a document  
- testing of a component, building system or plumbing system  
- an inspection, or assessment, performed

## Certificate details:

Certificate type: Bushfire Hazard  
(description from Column 1 of Schedule 1 of the Director's Determination - Certificates by Qualified Persons for Assessable Items n)

This certificate is in relation to the above assessable item, at any stage, as part of - (tick one)

building work, plumbing work or plumbing installation or demolition work:



or

a building, temporary structure or plumbing installation:



In issuing this certificate the following matters are relevant –

Documents:	Bushfire Hazard Assessment Report & Bushfire Hazard Management Plan (Rebecca Green & Associates, 10 August 2019, Version 1, Job No. RGA-B1203)
Relevant	N/A
References:	<i>Planning Directive No 5.1, Bushfire-Prone Areas Code</i> <i>Australian Standard 3959-2009</i>

*Substance of Certificate: (what it is that is being certified)*

1. Assessment of the site Bushfire Attack Level (to Australian Standard 3959-2009)
2. Bushfire Hazard Management Plan showing BAL-12.5 and BAL-LOW solutions.

*Scope and/or Limitations*

**Scope**

This report and certification was commissioned to identify the Bushfire Attack Level for the existing property. All comment, advice and fire suppression measures are in relation to compliance with *Planning Directive No 5.1, Bushfire-Prone Areas Code* issued by the Tasmanian Planning Commission, the *Building Act 2016 & Regulations 2016, Building Code of Australia* and *Australian Standard 3959-2009, Construction of buildings in bushfire-prone areas*.


**Limitations**

The assessment has been undertaken and report provided on the understanding that:-

1. The report only deals with the potential bushfire risk all other statutory assessments are outside the scope of this certificate.
2. The report only identifies the size, volume and status of vegetation at the time the inspection was undertaken and cannot be relied upon for any future development.
3. Impacts of future development and vegetation growth have not been considered.
4. No assurance is given or inferred for the health, safety or amenity of the general public, individuals or occupants in the event of a Bushfire.
5. No warranty is offered or inferred for any buildings constructed on the property in the event of a Bushfire.

**No action or reliance is to be placed on this certificate or report; other than for which it was commissioned.**

**I certify the matters described in this certificate.**

	Signed:	Certificate No:	Date:
Qualified person:		RG-204/2019	10 August 2019

## **Attachment 1 – Certificate of Compliance to the Bushfire-prone Area Code**

---

## BUSHFIRE-PRONE AREAS CODE

### CERTIFICATE<sup>1</sup> UNDER S51(2)(d) *LAND USE PLANNING AND APPROVALS ACT 1993*

---

#### 1. Land to which certificate applies<sup>2</sup>

***Land that is the Use or Development Site that is relied upon for bushfire hazard management or protection.***

Name of planning scheme or instrument:

Meander Valley Interim Planning Scheme 2013

Street address:

189 Emu Bay Road, Deloraine

/Certificate of Title / PID:

CT27198/1

***Land that is not the Use or Development Site that is relied upon for bushfire hazard management or protection.***

Street address:

Certificate of Title / PID:

#### 2. Proposed Use or Development

Description of Use or Development:

2 Lot Subdivision

#### Code Clauses:

☒ E1.4 Exempt Development

☐ E1.5.1 Vulnerable Use

☐ E1.5.2 Hazardous Use

☒ E1.6.1 Subdivision

---

<sup>1</sup> This document is the approved form of certification for this purpose, and must not be altered from its original form.

<sup>2</sup> If the certificate relates to bushfire management or protection measures that rely on land that is not in the same lot as the site for the use or development described, the details of all of the applicable land must be provided.

### 3. Documents relied upon

#### Documents, Plans and/or Specifications

<b>Title:</b>	Proposed 2 Lot Subdivision, Job No. L190413		
<b>Author:</b>	Woolcott Surveys		
<b>Date:</b>	30/05/19	<b>Version:</b>	1

#### Bushfire Hazard Report

<b>Title:</b>	Bushfire Hazard Assessment Report & Bushfire Hazard Management Plan		
<b>Author:</b>	Rebecca Green		
<b>Date:</b>	10 August 2019	<b>Version:</b>	1

#### Bushfire Hazard Management Plan

<b>Title:</b>	Bushfire Hazard Assessment Report & Bushfire Hazard Management Plan		
<b>Author:</b>	Rebecca Green		
<b>Date:</b>	10 August 2019	<b>Version:</b>	1

#### Other Documents

<b>Title:</b>			
<b>Author:</b>			
<b>Date:</b>		<b>Version:</b>	

#### 4. Nature of Certificate

<input checked="" type="checkbox"/>	<b>E1.4 – Use or development exempt from this code</b>		
	<b>Assessment Criteria</b>	<b>Compliance Requirement</b>	<b>Reference to Applicable Document(s)</b>
<input checked="" type="checkbox"/>	E1.4 (a)	Insufficient increase in risk	Refer to Bushfire Hazard Assessment Report & Bushfire Hazard Management Plan, prepared by Rebecca Green, 10 August 2019 – Lot 1.

<input type="checkbox"/>	<b>E1.5.1 – Vulnerable Uses</b>		
	<b>Assessment Criteria</b>	<b>Compliance Requirement</b>	<b>Reference to Applicable Document(s)</b>
<input type="checkbox"/>	E1.5.1 P1	Residual risk is tolerable	
<input type="checkbox"/>	E1.5.1 A2	Emergency management strategy	
<input type="checkbox"/>	E1.5.1 A3	Bushfire hazard management plan	

<input type="checkbox"/>	<b>E1.5.2 – Hazardous Uses</b>		
	<b>Assessment Criteria</b>	<b>Compliance Requirement</b>	<b>Reference to Applicable Document(s)</b>
<input type="checkbox"/>	E1.5.2 P1	Residual risk is tolerable	
<input type="checkbox"/>	E1.5.2 A2	Emergency management strategy	
<input type="checkbox"/>	E1.5.2 A3	Bushfire hazard management plan	

<input checked="" type="checkbox"/>	<b>E1.6 – Development standards for subdivision</b>		
	<b>E1.6.1 Subdivision: Provision of hazard management areas</b>		
	<b>Assessment Criteria</b>	<b>Compliance Requirement</b>	<b>Reference to Applicable Document(s)</b>
<input type="checkbox"/>	E1.6.1 P1	Hazard Management Areas are sufficient to achieve tolerable risk	
<input checked="" type="checkbox"/>	E1.6.1 A1 (a)	Insufficient increase in risk	Refer to Bushfire Hazard Assessment Report & Bushfire Hazard Management Plan, prepared by Rebecca Green, 10 August 2019 – Lot 1.
<input checked="" type="checkbox"/>	E1.6.1 A1 (b)	Provides BAL 19 for all lots	Refer to Bushfire Hazard Assessment Report & Bushfire Hazard Management Plan,

			prepared by Rebecca Green, 10 August 2019 – Lots 1, and 2.
<input type="checkbox"/>	E1.6.1 A1 (c)	Consent for Part 5 Agreement	

<b>E1.6.2 Subdivision: Public and fire fighting access</b>			
	<b>Assessment Criteria</b>	<b>Compliance Requirement</b>	<b>Reference to Applicable Document(s)</b>
<input type="checkbox"/>	E1.6.2 P1	Access is sufficient to mitigate risk	
<input type="checkbox"/>	E1.6.2 A1 (a)	Insufficient increase in risk	Refer to Bushfire Hazard Assessment Report & Bushfire Hazard Management Plan, prepared by Rebecca Green, 10 August 2019 – Lot 1.
<input checked="" type="checkbox"/>	E1.6.2 A1 (b)	Access complies with Tables E1, E2 & E3	Refer to Bushfire Hazard Assessment Report & Bushfire Hazard Management Plan, prepared by Rebecca Green, 10 August 2019 – Lots 1, and 2.

<b>E1.6.3 Subdivision: Provision of water supply for fire fighting purposes</b>			
	<b>Assessment Criteria</b>	<b>Compliance Requirement</b>	<b>Reference to Applicable Document(s)</b>
<input type="checkbox"/>	E1.6.3 A1 (a)	Insufficient increase in risk	Refer to Bushfire Hazard Assessment Report & Bushfire Hazard Management Plan, prepared by Rebecca Green, 10 August 2019 – Lot 1.
<input checked="" type="checkbox"/>	E1.6.3 A1 (b)	Reticulated water supply complies with Table E4	Refer to Bushfire Hazard Assessment Report & Bushfire Hazard Management Plan, prepared by Rebecca Green, 10 August 2019 – Lots 1, and 2.
<input type="checkbox"/>	E1.6.3 A1 (c)	Water supply consistent with the objective	
<input type="checkbox"/>	E1.6.3 A2 (a)	Insufficient increase in risk	
<input type="checkbox"/>	E1.6.3 A2 (b)	Static water supply complies with Table E5	
<input type="checkbox"/>	E1.6.3 A2 (c)	Static water supply is consistent with the objective	

## 5. Bushfire Hazard Practitioner<sup>3</sup>

<b>Name:</b>	Rebecca Green	<b>Phone No:</b>	0409 284 422
<b>Address:</b>	PO Box 2108	<b>Fax No:</b>	
		<b>Email Address:</b>	admin@rgassociates.com.au
	Launceston, Tas		7250
<b>Accreditation No:</b>	BFP – 116	<b>Scope:</b>	1, 2, 3A, 3B, 3C

## 6. Certification

I, certify that in accordance with the authority given under Part 4A of the Fire Service Act 1979 –

<i>The use or development described in this certificate is exempt from application of Code E1 – Bushfire-Prone Areas in accordance with Clause E1.4 (a) because there is an insufficient increase in risk to the use or development from bushfire to warrant any specific bushfire protection measure in order to be consistent with the objectives for all the applicable standards identified in Section 4 of this Certificate.</i>	<input checked="" type="checkbox"/>
---	-------------------------------------

or

<i>There is an insufficient increase in risk from bushfire to warrant the provision of specific measures for bushfire hazard management and/or bushfire protection in order for the use or development described to be consistent with the objective for each of the applicable standards identified in Section 4 of this Certificate.</i>	<input type="checkbox"/>
--	--------------------------

and/or

<i>The Bushfire Hazard Management Plan/s identified in Section 3 of this certificate is/are in accordance with the Chief Officer's requirements and can deliver an outcome for the use or development described that is consistent with the objective and the relevant compliance test for each of the applicable standards identified in Section 4 of this Certificate.</i>	<input checked="" type="checkbox"/>
--	-------------------------------------

**Signed:**  
certifier



**Date:**

10 August  
2019

**Certificate No:**

RGA-136/2019

<sup>3</sup> A Bushfire Hazard Practitioner is a person accredited by the Chief Officer of the Tasmania Fire Service under Part IVA of *Fire Service Act 1979*. The list of practitioners and scope of work is found at [www.fire.tas.gov.au](http://www.fire.tas.gov.au).

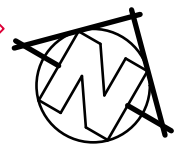
# PLANNING AUTHORITY 1

Meander Valley Council Ordinary Agenda - 12 November 2019

## **Attachment 3 – Proposed Subdivision**

### **Woolcott Surveys**

DRAFT



EXISTING  
WATER  
METER

EMU BAY ROAD

STORMWATER  
FROM EXISTING  
HOUSE FLOWS  
INTO OPEN DRAIN.

OPEN DRAIN

LOT 1  
1948m<sup>2</sup>±

LOT 2  
1618m<sup>2</sup>±

No. 191A EMU BAY ROAD

No. 14 KEEGAN RISE

No. 14 KEEGAN RISE

PROPOSED NEW  
CROSSOVER

DN32 (I.D.25) WATER CONNECTION  
FOR 4x WATER METERS. WORKS BY  
TASWATER AT DEVELOPERS COST

NUTT STREET

PROPOSED STORMWATER CONNECTION TO COUNCIL STANDARDS

PROPOSED DN100 PVC-U SN10 SEWER CONNECTION

Notes:

1. All measurements and areas are subject to survey.
2. Contour interval is 0.20 metres and height datum is arbitrary.

Meander Valley Council Ordinary Agenda - 12 November 2019

PROPOSED 2 LOT SUBDIVISION  
OWNER: PHILIP CHARLES TAYLOR  
189 EMU BAY ROAD, DELORAINE 7304  
C.T.27198/1



Drawn  
ABB

File name  
L190413\_proposal\_plan\_230519

Date  
30/05/19

Scale  
1:400@A3

Edition  
1

Sheet  
1/1

10 Goodman Court Invermay TAS 7248  
PO Box 593 Mowbray Heights TAS 7248  
Phone (03) 6332 3760  
Fax (03) 6332 3764  
Email: admin@woolcottsurveys.com.au

Job Number  
L190413

PLANNING AUTHORITY 1

## References

- (a) Tasmanian Planning Commission 2017, *Tasmanian Planning Directive No. 5.1, Bushfire-Prone Areas Code*, Tasmania.
- (b) Australian Standards, AS 3959-2009, *Construction of buildings in bushfire-prone areas*, Standards Australia, Sydney NSW.
- (c) Resource Management & Conservation Division of the Department Primary Industry & Water September 2006, TASVEG, *Tasmanian Vegetation Map*, Tasmania.
- (d) Tasmanian Government, Land Information System Tasmania, [www.thelist.tas.gov.au](http://www.thelist.tas.gov.au)

Our Ref: L190413

Date 17/07/2019

Planning Department  
Meander Valley Council  
26 Lyall Street  
Westbury TAS 7303  
By Email: [mail@mvc.tas.gov.au](mailto:mail@mvc.tas.gov.au)

Dear Planning Department,

**RE: PLANNING APPLICATION – 189 EMU BAY ROAD, DELARAINÉ**

Please find attached an application for subdivision and construction of 4 multiple dwellings at the above-mentioned address.

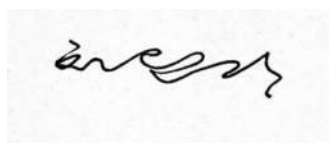
Please find included:

- Planning report
- Folio text and plan
- Subdivision Proposal plan
- Dwelling Design Plans
- Letter request for cash contribution in lieu of public open space
- Planning application form

Could you please issue invoices in the name of **Brian Claridge**, and send care of myself.

If you have any questions regarding this application, please do not hesitate to get in touch on the numbers or email address provided.

Kind regards,  
Woolcott Surveys



Yinghuan Liu  
Town Planner

**LAUNCESTON**

10 Goodman Crt, Invermay  
PO Box 593, Mowbray TAS 7248  
P 03 6332 3760

**ST HELENS**

48 Cecilia St, St Helens  
PO Box 430, St Helens TAS 7216  
P 03 6376 1972

**HOBART**

Rear Studio, 132 Davey St,  
Hobart TAS 7000  
P 03 6227 7968

**DEVONPORT**

2 Piping Lane,  
East Devonport TAS 7310  
P 03 6332 3760



# PLANNING APPLICATION

2 lot Subdivision and 4 new multiple dwellings

**Owner:**

MM Development (Tas) Pty Ltd

**Property address:**

189 Emu Bay Road  
Deloraine

**Municipality:**

Meander Valley Council

Yinghuan Liu

yinghuan@woolcottsurveys.com.au  
Town Planner

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## 1. Proposal

Application is made in relation to 189 Emu Bay Road, Deloraine.

**Stage 1** is for a 2-lot subdivision of 189 Emu Bay Road, Deloraine. The proposed subdivision will result in 2 new residential lots – the proposed Lot 1 & Lot 2 189 Emu Bay Road, Deloraine. The current dwelling will be contained within Lot 1, while Lot 2 will be vacant. A copy of the subdivision proposal plan is attached at Annexure 2. Sizes of the proposed new lots are outlined below:

Lot number	Lot size
Lot 1	1,948m <sup>2</sup>
Lot 2	1,618m <sup>2</sup>
Existing lot	3,566 m <sup>2</sup>

**Stage 2** of the proposal seeks to construct 4 multiple dwellings over the proposed Lot 2. The proposed units will consist of the following:

Unit number	details
Unit 1	Three bedrooms, two bathrooms, open plan living and kitchen, laundry, single garage and hardstand driveway for another car
Unit 2	Three bedrooms, two bathrooms, open plan living and kitchen, laundry, single garage and hardstand driveway for another car
Unit 3	two bedrooms, one bathroom, open plan living and kitchen, single garage containing laundry, and one allocated car parking space
Unit 4	two bedrooms, one bathroom, open plan living and kitchen, single garage containing laundry, and one allocated car parking space
Common properties	Two visitor car parking spaces. The proposed driveway for each dwelling will be sealed by concrete.

A copy of the dwelling design proposal plan is attached at Annexure 3.



Figure 1 - The subject site and its surrounding areas.

## 2. Subject Land

### 2.1 Location

The subject site has an address of 189 Emu Bay Road, Deloraine. It is situated to the north-east of the junction of Emu Bay Road and Nutt Street, and is bonded by Emu Bay Road to the west, Nutt Street to the south. Land to the north is a single dwelling with a shed located at the backyard created by recent subdivision. Lot to the east is a large residential block with a single dwelling which has approx. 35m setback to its western boundary. The site details are shown below:

<b>Property Address</b>	189 EMU BAY RD DELORAIN TAS 7304
<b>Property ID</b>	6260049
<b>Title Reference</b>	27198/1

A copy of the Certificate of Title is attached at Annexure 1.

### 2.2 Land Area

The lot has a size of 3,566m<sup>2</sup>. It is generally rectangular in shape, providing sufficient room for a permissible residential use to be established on site. The site is slightly sloping down onto Emu Bay Road and Nutt Street. Figure 2 below shows the geographical shape of the land.

### 2.3 Existing Infrastructure

The subject site is located within a fully serviced residential area. Reticulated water and sewer mains are located along Nutt Street. Telecommunication pits and overhead power pole are located at the corner of Emu Bay Road and Nutt Street. There is stormwater open drain which is located along Emu Bay Road, but stormwater system needs to be connected to other side of Nutt Street.

### 2.4 Access

The subject has existing access onto both Emu Bay Road and Nutt Street frontage, which will be remained as the access of Lot 1. New access will be provided from the Nutt Street Frontage for Lot 2.

### 2.5 Special or Significant Features of the Subject Land

There are no identified special features associated with the site.

### 2.6 Existing Uses, Buildings and Structures

There is an existing dwelling on the site, which will be remained within the new Lot 1. There is also a shed fronting Nutt street and a above ground swimming pool, which will be demolished as part of the application.

### 2.7 Adjoining Properties and Surrounding Areas

The property is adjoined by residential lots to north and east. Land further to the west is Rural and further to the west is Bass Highway.

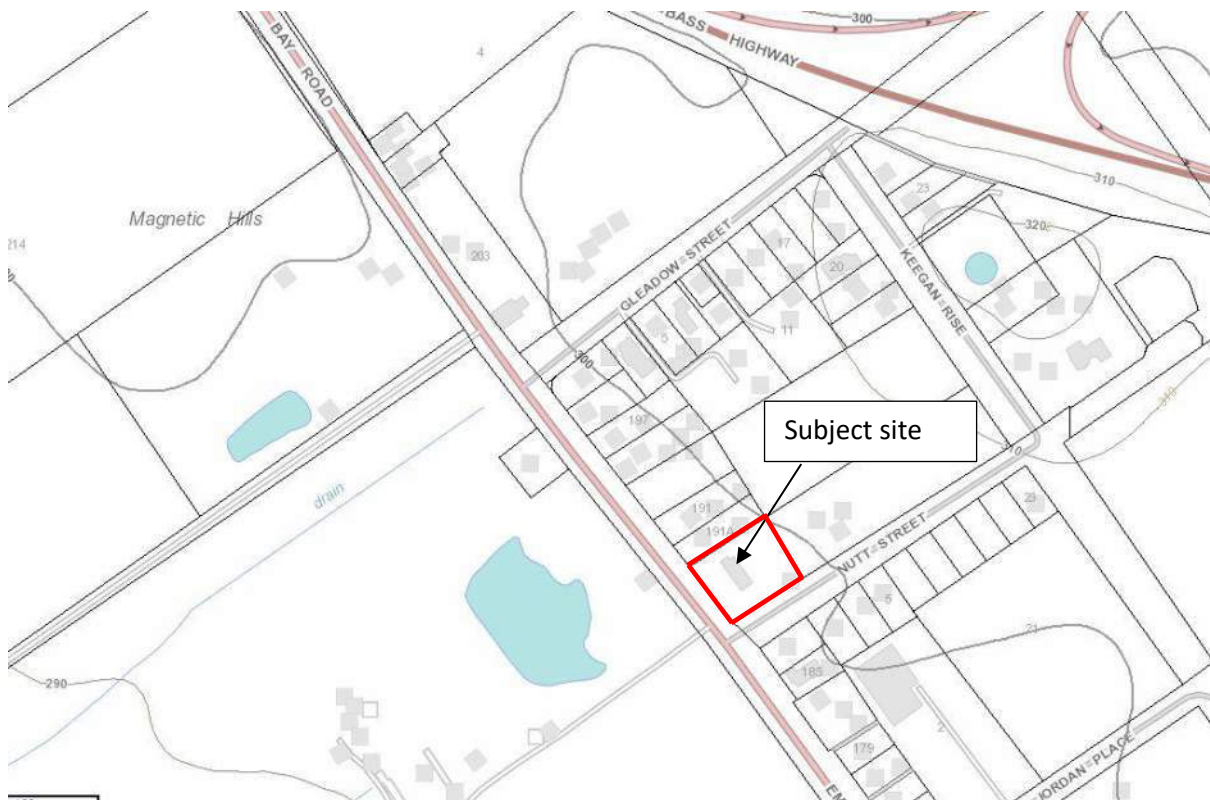


Figure 2 - Aerial view of the subject site and its surrounding areas.

## 2.8 Photos



Figure 3 –Nutt Street looking to west.



*Figure 4 – Nutt Street frontage looking to north.*



*Figure 5 – Junction of Nutt Street/Emu Bay Road looking to north.*



*Figure 6 – Emu Bay Road looking to east – Nutt Street*



*Figure 7 – Emu Bay Road looking to east*



*Figure 8 – Access onto Emu Bay Road*



*Figure 9 – New residential development across Nutt Street.*

### 3. Planning Controls

#### 3.1 Planning Scheme

The subject site falls within the jurisdiction of Meander Valley Council and therefore the statutory planning control document is the *Meander Valley Interim Planning Scheme 2013* (the Scheme).

#### 3.2 Zoning of Subject Site and Surrounding Land

The site is zoned General Residential under the Scheme.

Land around the site has various zones, including General Residential, Low Density Residential, Rural Resource and Utilities as shown below:

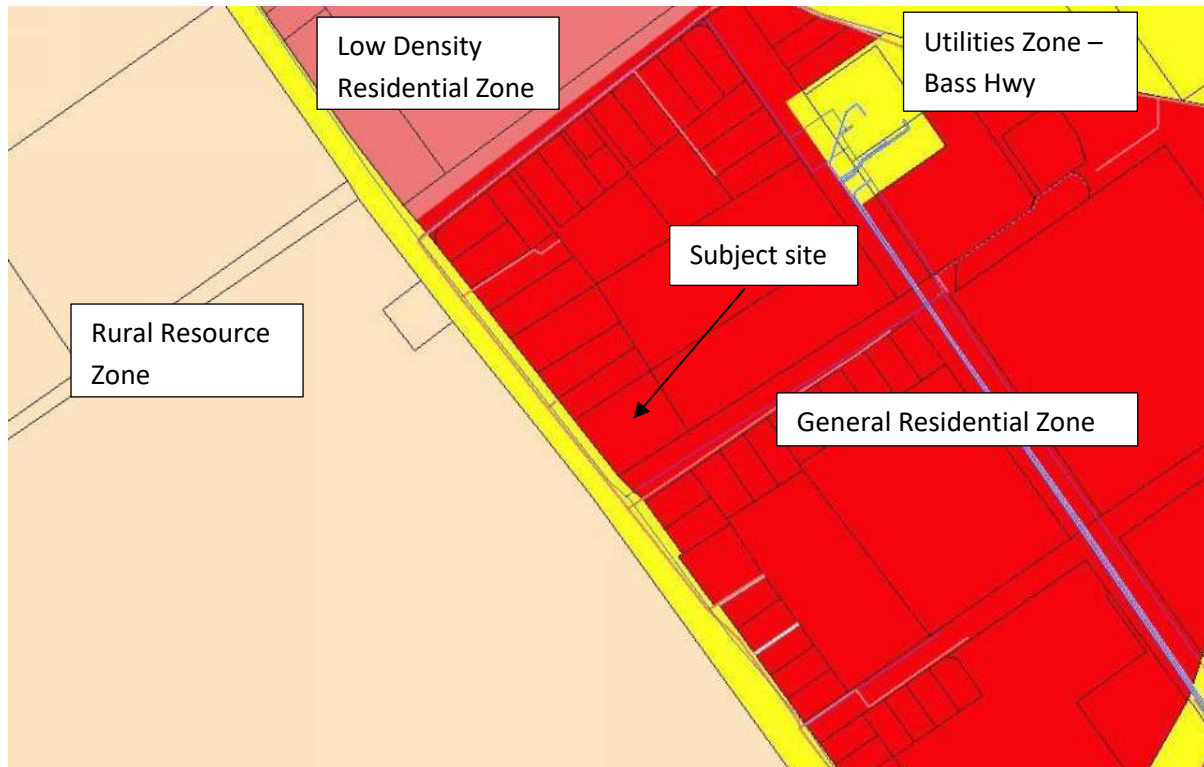


Figure 9 - The subject sites falls within General Residential Zone.

#### 3.3 Overlays of Subject Site

There is no overlay affecting the subject site.

## 4. Meander Valley Interim Planning Scheme 2013

### 4.1 Planning Scheme Zone Assessment

#### 10.0 General Residential Zone

##### 10.1.1 Zone Purpose Statements

Relevant zoning purpose statements are:

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

The development is consistent with the zone purpose as the subdivision will create 2 new residential lots expected by the zoning. The newly created lot to the immediate north of the site is considered as precedence to the proposal. Various dwelling types will be provided in the form that Lot 1 will contain a single dwelling and Lot 2 will have 4 multiple dwellings and is well-serviced by infrastructure. The subject site is located in a transition area from established residential area to the south to rural lifestyle houses to the north. The proposed 4 units development on Lot 2 is considered consistent with the neighbourhood character in the area where there are a number of multiple dwelling developments ranging from 2 to 5 units on a lot in the surrounding area. As a corner block where it is conveniently accessible to two roads, new development is encouraged to improve the residential amenity and better enhance neighbourhood character than the current underutilised site.

##### 10.1.2 Local Area Objectives

Relevant Local Area Objectives are:

<i>Deloraine</i>	
<i>a) Deloraine will be supported as a growth centre servicing the rural district and also to support the business activity centre;</i>	<i>a) Subdivision design is to consider the relationship and connectivity between future urban growth areas, support services and open space assets.</i>
<i>b) Varying housing types and aged care will be supported as an important factor in retaining population.</i>	

The development is consistent with the zone purpose as the subdivision will create 2 new residential lots expected by the zoning. Various dwelling types will be provided as Lot 1 will contain a single dwelling and Lot 2 will have 4 multiple dwellings. All the infrastructure is ready to be connected to the subject site. Therefore, the proposal is consistent with Local Area objectives.

##### 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 subject site is well-serviced by infrastructure and only minutes drive to the Deloraine town centre. The nature of the development being residential therefore is expected by the Desired Future Character Statements.

## 10.2 Use table

No permit required	
Use Class	Qualification
Residential	If for a single dwelling

Permitted	
Use Class	Qualification
Residential	

Subdivision is development. The proposed new multiple dwellings therefore are Permitted as per the Use Table.

## 10.3 Use Standards

As the proposal is residential use, all relevant use standards are deemed as compliant.

## 10.4 Development Standards

### 10.4.1 Residential density for multiple dwellings

- A1 Acceptable solution achieved. The proposed Lot 2 will be 1,618m<sup>2</sup> and 4 multiple dwellings are proposed. Therefore, the average site area per dwelling will be 404.5m<sup>2</sup>, which is greater than 325m<sup>2</sup>.

### 10.4.2 Setbacks and building envelope for all dwellings

- A1a) Acceptable solution achieved. The subdivision will result in Nutt Street frontage being the primary frontage of both Lot 1 and 2 by definition set out under the Scheme. The existing dwelling on Lot 1 has 17m setback from Nutt Street, and Unit 1 on Lot 2 will have 4.5m frontage setback.
- P2 Performance Criteria relied upon as A2a) cannot be achieved and A2b) and A2c) are not applicable. The garage of Unit 1 will only have 4.5m setback from primary frontage. The single garage has the same as the dwelling façade and designed to oriented to face the shared driveway to the west. Such design will not conflict to other garages and carports in the street, at the same time avoid having additional access point to the subject site. It is therefore considered to be compatible with the existing garages in the street in such way.

- P3a) Performance Criteria relied upon as rear setback of Unit 4 is just under 4m and retaining walls located within 1.5m of eastern boundary are longer than 9m.
- P3ai) Shadow diagram has shown proposed Unit 4 on Lot 2 will overshadow part of the existing dwelling at Lot 1 until approximately 12mm on 21 June. However, as the proposal will not result in overshadowing for the remainder of the day. Therefore, the proposal is not considered to have unreasonable loss of amenity.
- P3aii) Shadow diagram has shown proposed Unit 4 on Lot 2 will overshadow part of the private open space at Lot 1 until approximately 12pm on 21 June. However, as the proposal will not result in overshadowing for the remainder of the day. Therefore, the proposal is not considered to have unreasonable loss of amenity.
- P3aiii) The proposal will not overshadow the adjoining vacant land to the north-east.
- P3aiv) Unit 4 is single storey with a maximum height of 5.6m above natural ground level and is separated from the dwelling on the adjoining lot to the north. In addition, the scale of the dwelling is consistent with other dwellings in the area and is not considered to result in an unreasonable visual impact when viewed from the adjoining property.
- P3b) The separation between adjoining dwellings is considered consistent with that in the area where there are examples of dwellings and outbuildings located up to side and rear boundaries.

The retaining walls will have no unreasonable impact on the amenity of adjoining lots. The subject site is located on a slope and this work will allow the proposed single dwelling on each lot to be levelled. The new retaining walls along eastern boundary will be almost unnoticeable for each lot.

#### **10.4.3 Site coverage and private open space for all dwellings**

- A1a) Acceptable solution achieved. The site coverage for the site will not exceed 50% of the block.
- A1b) Acceptable solution achieved. total area of private open space of not less than 60m<sup>2</sup> associated with each dwelling.
- A1c) Acceptable solution achieved. There is a site area which is at least 25% free from impervious surfaces.
- A2a) Acceptable solution achieved. The dwelling provides multiple areas of private open space. Each dwelling has at least 24m<sup>2</sup> private open space in the back yard.
- A2b) Acceptable solution achieved. Private open space for each dwelling has minimum horizontal dimensions of 4m.
- A2c) Acceptable solution achieved. Private open space for each dwelling is accessed via the open plan living area.
- A2d) Acceptable solution achieved. Private open space for each dwelling is located on the northern side of the dwelling.

- A2e) Not applicable. Private open space is not between the dwelling and the frontage.
- A2f) Acceptable solution achieved. While the land is slightly sloping, the gradient is not steeper than 1 in 10.
- A2g) Acceptable solution achieved. The private open space area is not used for car parking.

#### **10.4.4 Sunlight and overshadowing for all dwellings**

- A1 Acceptable solution achieved as each dwelling will have window on the northern side of open living area.
- A2 Acceptable solution achieved. Distance between Unit 1 and Unit 2 is greater than 3m. Distance between Unit 2 and Unit 3 is greater than 3m. Unit 4 is located to the west of Unit 3.
- A3 Acceptable solution achieved. Distance between Unit 1 and Unit 2 is greater than 3m. Distance between Unit 2 and Unit 3 is greater than 3m. Unit 4 is located to the west of Unit 3.

#### **10.4.5 Width of openings for garages and carports for all dwellings**

- A1 Not applicable. The garage within Unit 1 will be located partly within 12m of the primary frontage. However, its opening will not face that frontage, and in any event will have a width less than 6m.

#### **10.4.6 Privacy for all dwellings**

- A1 Acceptable solution achieved. Private open space of Unit 4 is assessed as a balcony with a finished floor level more than 1m above ground level. It will have a permanently fixed screen to a height of 1.7m above the floor level, with a uniform transparency of 25% along the northern and western side.
- A2b) Acceptable solution achieved. The window or glazed door is to be offset at least 1.5m from the edge of a window to a habitable room of another dwelling.
- A3 Acceptable solution achieved.
  - Permanently fixed screen to a height of 1.7m above the floor level, with a uniform transparency of 25% will be put between Unit 1 and visitor car parking.
  - Windows facing western side of Unit 2 will be screened.
  - 1.8m high fences will be provided between the internal driveway and Unit 2.

#### **10.4.7 Frontage fences for all dwellings**

- A1 Not applicable as no front fence within 4.5m of the frontage has been proposed.

#### **10.4.8 Waste storage for multiple dwellings**

- A1 Acceptable solution achieved. The proposed dwellings will each be provided with a minimum area of 1.5m<sup>2</sup> for the purposes of storing waste and recycling bins.

#### **10.4.9 Storage for multiple dwellings**

- A1 Acceptable solution achieved. The proposed dwellings will each be provided with a minimum area of 6m<sup>2</sup>. Unit 1 & 2 will have a shed in the backyard, and Unit 3 & 4 will be in the garage.

#### **10.4.10 Common property for multiple dwellings**

- A1 Acceptable solution achieved as communal and private areas are clearly marked.

#### **10.4.11 Outbuilding for multiple dwellings**

- A1 Acceptable solution achieved as outbuildings do not exceed 45m<sup>2</sup>.

#### **10.4.12 Site services for multiple dwellings**

Acceptable solution achieved. Mail boxes are provided at the entrance.

**10.4.13 - 10.4.14** - Not applicable.

#### **10.4.15 Subdivision**

##### **10.4.15.1 General Suitability**

- P1 Performance Criteria relied upon as there is no Acceptable solution.
- P1a) The subject site is slightly sloping down onto Emu Road and Nutt Street, and is rectangular shaped. New lots created by subdivision will be northerly oriented. Such land is suitable to be developed as expected by the zoning.
- P1b) There are a number of existing examples in the area where subdivision creates smaller residential lot. The land immediate to the north is created as a result of a similar subdivision.
- P1c) Lot 1 will access via existing crossover onto both Emu Bay Road and Nutt Street, and Lot 2 will access via a new crossover onto Nutt Street.
- P1d) Lot 1 is well-serviced and services are ready to be connected to Lot 2.
- P1e) Not applicable.
- P1f) The subject site is not subject to any hazard overlays or mapped by Council.

##### **10.4.15.2 Lot Area, Building Envelopes and Frontage**

- A1 Acceptable solution achieved. Each lot has a minimum area that is greater than 700m<sup>2</sup>.
- A1i) Each lot is capable of containing a rectangle measuring 10m x 15m.
- A1ii) Nutt Street will be the new primary frontage of both Lot 1 and Lot 2. The existing dwelling which is contained within Lot 1 meets all the relevant Acceptable solution.
- A2 Acceptable solution achieved. Each Lot has a frontage that is greater than 4m.

##### **10.4.15.3 Provision of Services**

- A1 Acceptable solution achieved. Each lot will be connected to reticulated water and sewer systems. Refer to the proposal plan attached at Annexure 2.
- A2 Acceptable solution achieved. Each lot will be connected to reticulated stormwater systems. Refer to the proposal plan attached at Annexure 2.

#### **10.4.15.4 Solar Orientation of Lots**

- A1 Acceptable solution achieved. Each lot has a long axis within the range of north 20 degrees west to north 20 degree east.
- A2 Not applicable as each lot has lot size which is greater than 500m<sup>2</sup>.

#### **10.4.15.5 Intersection, Safety and Security**

- A1 Acceptable solution achieved as no internal lot will be created.

#### **10.4.15.6 Integrated Urban Landscape**

- A1 Acceptable solution achieved as no new road, public open space or other reserve will be created.

#### **10.4.15.7 Walking and cycling network**

- A1 Acceptable solution achieved as no new road, footpath or public open space will be created.

#### **10.4.15.8 Neighbourhood road network**

- A1 Acceptable solution achieved as no new road will be created.

## **4.2 Planning Scheme Code Assessment**

### **E4.0 Road and Railway Assets Code**

This Code is triggered as new access will be provided for Lot 2, while Lot 1 will utilise the existing access. As Nutt Street is within a residential area, the speed limit is less than 60km/h.

### **E4.6 Use Standards**

#### **E4.6.1 Use and road or rail infrastructure**

- A1 Not applicable.
- A2 Acceptable solution achieved. Based on the assumption that a single dwelling generates 9 vehicle movements per day, the number of 4 new dwellings will be 36 which is less than 40 movements.
- A3 Not applicable.

### **E4.7 Development Standards**

**E4.71 Development on and adjacent to Existing and Future Arterial Roads and Railways** – not applicable

#### **E4.7.2 Management of Road Accesses and Junctions**

A1 Acceptable solution achieved. Only one access point is proposed for Lot 2.

A2 Not applicable.

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

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

A1 Acceptable solution achieved as sufficient sight distances will be provided.

### **E6.0 Parking and Sustainable Transport Code**

This Code applies to all use and development.

#### **E6.5.1 Car parking numbers**

A1 Acceptable solution achieved. Both existing and proposed dwellings will have 2 car parking spaces. 2 visitor car parking spaces are provided for Lot 2.

A2 Not applicable as no disabled car parking spaces are proposed.

#### **E6.5.2 Bicycle parking numbers**

A1 Acceptable solution achieved. The garage for each dwelling has sufficient space for bicycle parking spaces.

#### **E6.5.3 Taxi spaces**

Not applicable as dwelling in General Residential Zone is exempted.

#### **E6.5.4 Motorcycle parking**

Not applicable as dwelling in General Residential Zone is exempted.

#### **E6.5.5 Loading bays**

Not applicable as no loading bay is proposed.

#### **E6.6.1 Construction of parking areas**

A1 Acceptable solution achieved.

A1a) Garage and driveway have an average gradient less than 10%.

A1b) Garage and driveway are paved by concrete.

A1c) Garage and driveway are drained to the public stormwater system.

A1d) Not applicable.

A1e) Parking spaces are clearly marked.

#### **E6.6.2 Design and layout of parking areas**

A1.1 Acceptable solution achieved. Refer to site plan.

**E6.6.3 Pedestrian access** – not applicable as no disabled parking is proposed.

**E6.6.4 Loading bays** – not applicable as no loading bay is proposed.

**E6.6.5 Bicycle facilities** – not applicable as required bicycle bays are less than 5 spaces.

**E6.6.6 Bicycle parking and storage facilities** – not applicable as required bicycle bays are less than 5 spaces.

#### **E10.0 Open Space Code**

A letter of request to the General Manager of Council seeking written consent that no land is required for public open space is attached at Annexure 4 in accordance with Clause E10.6.1 A1a).

## **5. Strategic Planning**

### **5.1 State Policies**

The following State Policies are currently in force:

- Tasmanian State Coastal Policy 1986;
- State Policy on Water Quality and Management 1997; and
- State Policy on the Protection of Agricultural Land 2000.
- National Environment Protection Council (Ambient Air Quality) Measure
- National Environment Protection Council (Assessment of Site Contamination) Measure 1999
- National Environment Protection Council (Movement of Controlled Wastes between States and Territories) Measure
- National Environment Protection Council (National Pollutant Inventory) Measure
- National Environment Protection Council (Used Packaging Materials) Measure

The proposed subdivision is not known to conflict with or contravene any of the above State Policies.

## **6. Summary**

The proposed 2 lot subdivision are in keeping with the intent of the General Residential zone and any relevant Codes under the Scheme. The development provides additional residential lots within a residential area and is an appropriate use of the land. Lot 1 is to contain the existing dwelling, while Lot 2 is to construct 4 multiple dwellings with sufficient setback, car parking area and private open space. services concerns have been adequately addressed with this application, and demonstrate that residential uses are achievable subject to appropriate controls in place. Therefore, the Council's support of this development is sought.

## Annexure 1 – Certificate of Title Plan and Folio Text

## Annexure 2 – Subdivision Proposal Plan

## Annexure 3 – Dwelling Design Plans

## Annexure 4 – POS letter

Our Ref: L190413

Date 17/07/2019

Dino De Paoli  
General Manager  
Meander Valley Council  
26 Lyall Street  
Westbury TAS 7303  
By Email: [mail@mvc.tas.gov.au](mailto:mail@mvc.tas.gov.au)

Dear Dino,

**RE: PLANNING APPLICATION – 189 EMU BAY ROAD, DELARAINÉ**

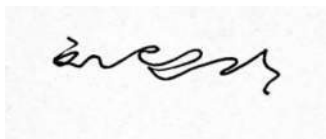
This letter is a request that council accept a cash payment in lieu of public open space for a 2 Lot Subdivision (2 residential lots) at the above-mentioned address. This is part of the application seeking for subdivision and construction of 4 multiple dwellings on proposed Lot 2.

Should you agree with this proposal could you please forward your approval to the Planning Department. This approval will form part of the Planning Application pursuant to Clause E10.6.1 A1a) of *Meander Valley Interim Planning Scheme 2013*.

Your earliest attendance to this matter would be greatly appreciated.

If you have any questions regarding this application, please do not hesitate to get in touch on the numbers or email address provided.

Kind regards,  
Woolcott Surveys



Yinghuan Liu  
Town Planner

**LAUNCESTON**

10 Goodman Crt, Invermay  
PO Box 593, Mowbray TAS 7248  
P 03 6332 3760

**ST HELENS**

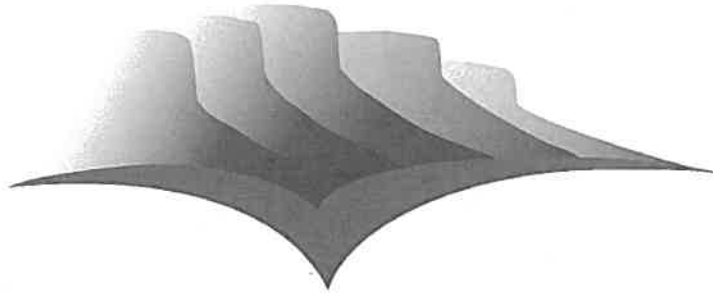
48 Cecilia St, St Helens  
PO Box 430, St Helens TAS 7216  
P 03 6376 1972

**HOBART**

Rear Studio, 132 Davey St,  
Hobart TAS 7000  
P 03 6227 7968

**DEVONPORT**

2 Piping Lane,  
East Devonport TAS 7310  
P 03 6332 3760



# 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 instead there is to be a cash payment in lieu for PA\20\0020 Subdivision (2 lots) at 189 Emu Bay Road, Deloraine CT 27198/1.

Signed:

Martin Gill  
**GENERAL MANAGER**

19 July 2019

# APPLICATION FORM

## PLANNING



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

### OFFICE USE ONLY

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

- Is your application the result of an illegal building work? ☐ Yes ☐ No Indicate by ✓ box
- Is a new vehicle access or crossover required? ☐ Yes ☐ No

### PROPERTY DETAILS:

Address:	<input type="text" value="189 Emu Bay Road"/>	Certificate of Title:	<input type="text" value="27198/1"/>
Suburb:	<input type="text" value="Deloraine"/>	Lot No:	<input type="text"/>
Land area:	<input type="text" value="3,566m2"/>	$m^2 / ha$	
Present use of land/building:	<input type="text" value="Residential"/>	(vacant, residential, rural, industrial, commercial or forestry)	
Does the application involve Crown Land or Private access via a Crown Access Licence:		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Heritage Listed Property:		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

### DETAILS OF USE OR DEVELOPMENT:

Indicate by ✓ box	<input checked="" type="checkbox"/> Building work	<input type="checkbox"/> Change of use	<input checked="" type="checkbox"/> Subdivision
	<input type="checkbox"/> Forestry	<input type="checkbox"/> Demolition	
	<input type="checkbox"/> Other		
Total cost of development (inclusive of GST):	<input type="text" value="\$ 901,000"/>	Includes total cost of building work, landscaping, road works and infrastructure	
Description of work:	<input type="text" value="2-lot subdivision &amp; construction of 4 multiple dwellings"/>		
Use of building:	<input type="text" value="dwelling and outbuilding"/>	(main use of proposed building – dwelling, garage, farm building, factory, office, shop)	
New floor area:	<input type="text" value="567"/> $m^2$	New building height:	<input type="text" value="4.8"/> m
Materials:	External walls: <input type="text" value="brick"/>	Colour:	<input type="text"/>
	Roof cladding: <input type="text" value="Prefabricated"/>	Colour:	<input type="text"/>

## SEARCH OF TORRENS TITLE

VOLUME 27198	FOLIO 1
EDITION 5	DATE OF ISSUE 04-May-2007

SEARCH DATE : 17-Jul-2019

SEARCH TIME : 09.40 AM

DESCRIPTION OF LAND

Town of DELORAINE  
Lot 1 on Diagram 27198  
Being the land described in Conveyance No. 61/5356  
Derivation : Part of 13A-2R-20Ps. (Section A.6.) Gtd. to W.  
Thornell.  
Prior CT 4211/32

SCHEDULE 1

C108995 TRANSFER to PHILIP CHARLES TAYLOR Registered  
22-May-1998 at 12.01 PM

SCHEDULE 2

Reservations and conditions in the Crown Grant if any  
C786416 MORTGAGE to Secure Funding Pty Ltd Registered  
04-May-2007 at 12.01 PM

UNREGISTERED DEALINGS AND NOTATIONS

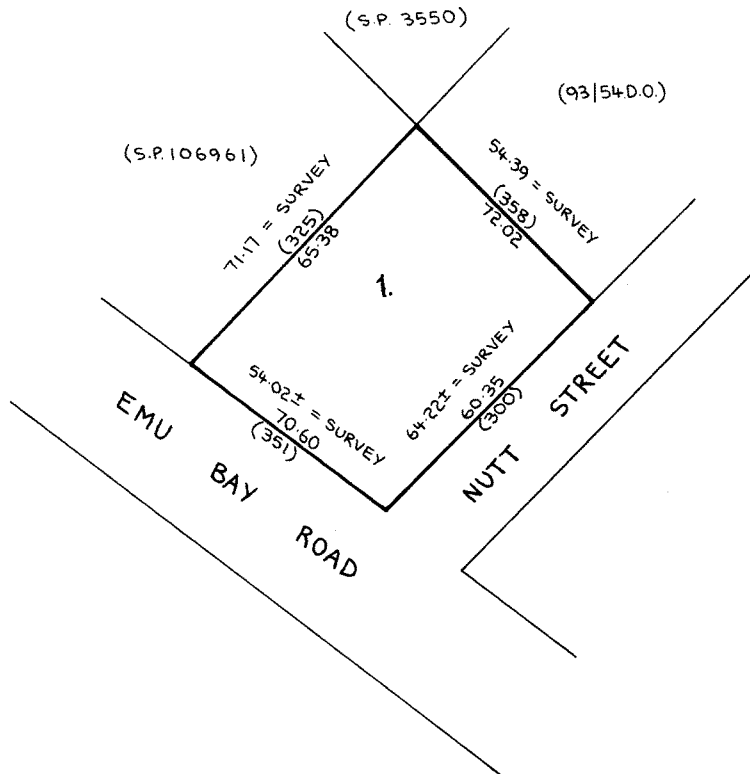
No unregistered dealings or other notations

OWNER		PLAN OF TITLE		Registered Number
FOLIO REFERENCE Y.5054		LOCATION TOWN OF DELORAINÉ (SEC A.6)		D.27198
GRANTEE PART OF 13.2.20 WILLIAM THORNELL		CONVERTED BY <del>PLAN No</del> 61/5356		APPROVED 27 AUG 1999
		COMPILED BY LTO		<i>Michael Stan</i> Recorder of Titles
NOT TO SCALE		LENGTHS IN METRES		
MAPSHEET MUNICIPAL CODE No. 121 (4640-43)	LAST UPI No 4504460	LAST PLAN No	ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN	

SKETCH BY WAY OF ILLUSTRATION ONLY

LENGTHS ARE IN METRES, NOT TO SCALE.  
LENGTHS IN BRACKETS IN LINKS.

NEW PLAN  
REDRAWN FOR OFFICE CONVENIENCE



D.A.B

## Submission to Planning Authority Notice

Council Planning Permit No.	PA\20\0020	Council notice date	19/07/2019
<b>TasWater details</b>			
TasWater Reference No.	TWDA 2019/01033-MVC		Date of response
TasWater Contact	Anthony Cengia	Phone No.	(03) 6237 8243
<b>Response issued to</b>			
Council name	MEANDER VALLEY COUNCIL		
Contact details	planning@mvc.tas.gov.au		
<b>Development details</b>			
Address	189 EMU BAY RD, DELORAINE	Property ID (PID)	6260049
Description of development	Subdivision and multiple dwellings		
<b>Schedule of drawings/documents</b>			
Prepared by	Drawing/document No.	Revision No.	Date of Issue
Prime Design	PD19069 Sheets 01 to U3-06	05	03/07/2019
Woolcott Surveys	L190413_proposal_plan_23051 9 Sheet 1		30/05/2019
<b>Conditions</b>			
<p><b>SUBMISSION TO PLANNING AUTHORITY NOTICE OF PLANNING APPLICATION REFERRAL</b></p> <p>Pursuant to the <i>Water and Sewerage Industry Act 2008</i> (TAS) Section 56P(1) TasWater imposes the following conditions on the permit for this application:</p> <p><b>CONNECTIONS, METERING &amp; BACKFLOW</b></p> <ol style="list-style-type: none"> <li>A suitably sized water supply with metered connections / sewerage system and connections to each lot/unit of the development must be designed and constructed to TasWater's satisfaction and be in accordance with any other conditions in this permit. <i>NOTE: It appears that the property sewer connection to proposed lot 2 will be longer than 25 metres and therefore a mains extension will be required.</i></li> <li>Any removal/supply and installation of water meters and/or the removal of redundant and/or installation of new and modified property service connections must be carried out by TasWater at the developer's cost.</li> <li>Prior to commencing construction of the subdivision/use of the development, any water connection utilised for construction/the development must have a backflow prevention device and water meter installed, to the satisfaction of TasWater.</li> </ol> <p><b>ASSET CREATION &amp; INFRASTRUCTURE WORKS</b></p> <ol style="list-style-type: none"> <li>Plans submitted with the application for Certificate(s) for Certifiable Work (Building and/or Plumbing) / Engineering Design Approval must, to the satisfaction of TasWater show, all existing, redundant and/or proposed property services and mains.</li> <li>Prior to applying for a Permit to Construct new infrastructure the developer must obtain from TasWater Engineering Design Approval for new TasWater infrastructure. The application for Engineering Design Approval must include engineering design plans prepared by a suitably qualified person showing the hydraulic servicing requirements for water and sewerage to TasWater's</li> </ol>			

satisfaction.

6. Prior to works commencing, a Permit to Construct must be applied for and issued by TasWater. All infrastructure works must be inspected by TasWater and be to TasWater's satisfaction.
7. In addition to any other conditions in this permit, all works must be constructed under the supervision of a suitably qualified person in accordance with TasWater's requirements.
8. Prior to the issue of a Consent to a Register Legal Document / Certificate of Water and sewerage Compliance (Building and/or Plumbing) all additions, extensions, alterations or upgrades to TasWater's water and sewerage infrastructure required to service the development are to be constructed at the expense of the developer to the satisfaction of TasWater, with live connections performed by TasWater.
9. After testing to TasWater's requirements, of newly created works, the developer must apply to TasWater for connection of these works to existing TasWater infrastructure, at the developer's cost.
10. At practical completion of the water and sewerage works and prior to TasWater issuing a Consent to a Register Legal Document / applying to TasWater for a Certificate of Water and Sewerage Compliance (Building and/or Plumbing), the developer must obtain a Certificate of Practical Completion from TasWater for the works that will be transferred to TasWater. To obtain a Certificate of Practical Completion:
  - a. Written confirmation from the supervising suitably qualified person certifying that the works have been constructed in accordance with the TasWater approved plans and specifications and that the appropriate level of workmanship has been achieved;
  - b. A request for a joint on-site inspection with TasWater's authorised representative must be made;
  - c. Security for the twelve (12) month defects liability period to the value of 10% of the works must be lodged with TasWater. This security must be in the form of a bank guarantee;
  - d. As constructed drawings must be prepared by a suitably qualified person to TasWater's satisfaction and forwarded to TasWater.
11. After the Certificate of Practical Completion has been issued, a 12 month defects liability period applies to this infrastructure. During this period all defects must be rectified at the developer's cost and to the satisfaction of TasWater. A further 12 month defects liability period may be applied to defects after rectification. TasWater may, at its discretion, undertake rectification of any defects at the developer's cost. Upon completion, of the defects liability period the developer must request TasWater to issue a "Certificate of Final Acceptance". The newly constructed infrastructure will be transferred to TasWater upon issue of this certificate and TasWater will release any security held for the defects liability period.
12. The developer must take all precautions to protect existing TasWater infrastructure. Any damage caused to existing TasWater infrastructure during the construction period must be promptly reported to TasWater and repaired by TasWater at the developer's cost.
13. Ground levels over the TasWater assets and/or easements must not be altered without the written approval of TasWater.

#### **FINAL PLANS, EASEMENTS & ENDORSEMENTS**

14. Prior to the Sealing of the Final Plan of Survey, a Consent to Register a Legal Document must be obtained from TasWater as evidence of compliance with these conditions when application for sealing is made.

***Advice:** Council will refer the Final Plan of Survey to TasWater requesting Consent to Register a Legal*

*Document be issued directly to them on behalf of the applicant.*

#### DEVELOPMENT ASSESSMENT FEES

15. The applicant or landowner as the case may be, must pay a development assessment and Consent to Register a Legal Document fee to TasWater, as approved by the Economic Regulator and the fees will be indexed, until the date they are paid to TasWater, as follows:

- a. \$351.28 for development assessment; and
- b. \$149.20 for Consent to Register a Legal Document

The payment is required by the due date as noted on the statement when issued by TasWater.

#### Advice

##### General

For information on TasWater development standards, please visit

<https://www.taswater.com.au/Development/Technical-Standards>

For application forms please visit <http://www.taswater.com.au/Development/Forms>

#### Declaration

The drawings/documents and conditions stated above constitute TasWater's Submission to Planning Authority Notice.

#### Authorised by



**Jason Taylor**

Development Assessment Manager

#### TasWater Contact Details

Email	development@taswater.com.au	Web	www.taswater.com.au
Mail	GPO Box 1393 Hobart TAS 7001		

28 September 2019

**Phil & Fiona Wagenknecht (home owners)**

**191A Emu Bay Road**

**Deloraine TAS 7304**

**Phone Mobile: Phil 0429 177661**

To the General Manager,

**Notification of Objection to Planning Approval to be granted in its current form re Development;**

**Applicant: Woolcott Surveys- PA\20\0020**

**Location: 189 Emu Bay Road DELORAIN (CT:27198/1)**

We oppose the development in the current form due to a complete loss of privacy, both into the rear yard and into our home due to the FFL height of the rear units which back onto our allotment and the therefor finished height of the units visual imposition.

We also question why there has not been more consideration for excavation to keep the units' 2,3 and 4 development height lower and somewhat similar heights to neighbouring properties.

We can see the erection of a 1700mm semi-screen located on the rear corner of unit 4 would give us minimal privacy.

We would propose that the site be excavated to allow the FFL height of the rear units be only slightly higher than the front unit and with a FFL of 102.600.

On the notation of levels, the following has been calculated;

- The ESL of the corner of the new subdivision; lot 1, lot 2 and 191A Emu Bay Road stated a level of 200.00.
- The present doorstep level of the existing residence at 189 Emu Bay Road is stated to be 101.960, the FFL of units' 2,3&4 103.600 a difference of 1.64 metres.
- The step level on our home (191A Emu Bay Road) has been surveyed and calculated in relation to the corner ESL to be 0.590 metres lower than this point and would be 101.410.
- The boundary fence height at the corner is 1700mm high.

The photos indicate a surveyor's pole positioned on the fence line with increments of 200mm and on calculations done in reference to the planning application drawings and data supplied there upon, the top of the pole would be the FFL of units 2,3 and 4.

The finished level of small concrete retaining wall at this intersection point is the stated ESL of 200.000.

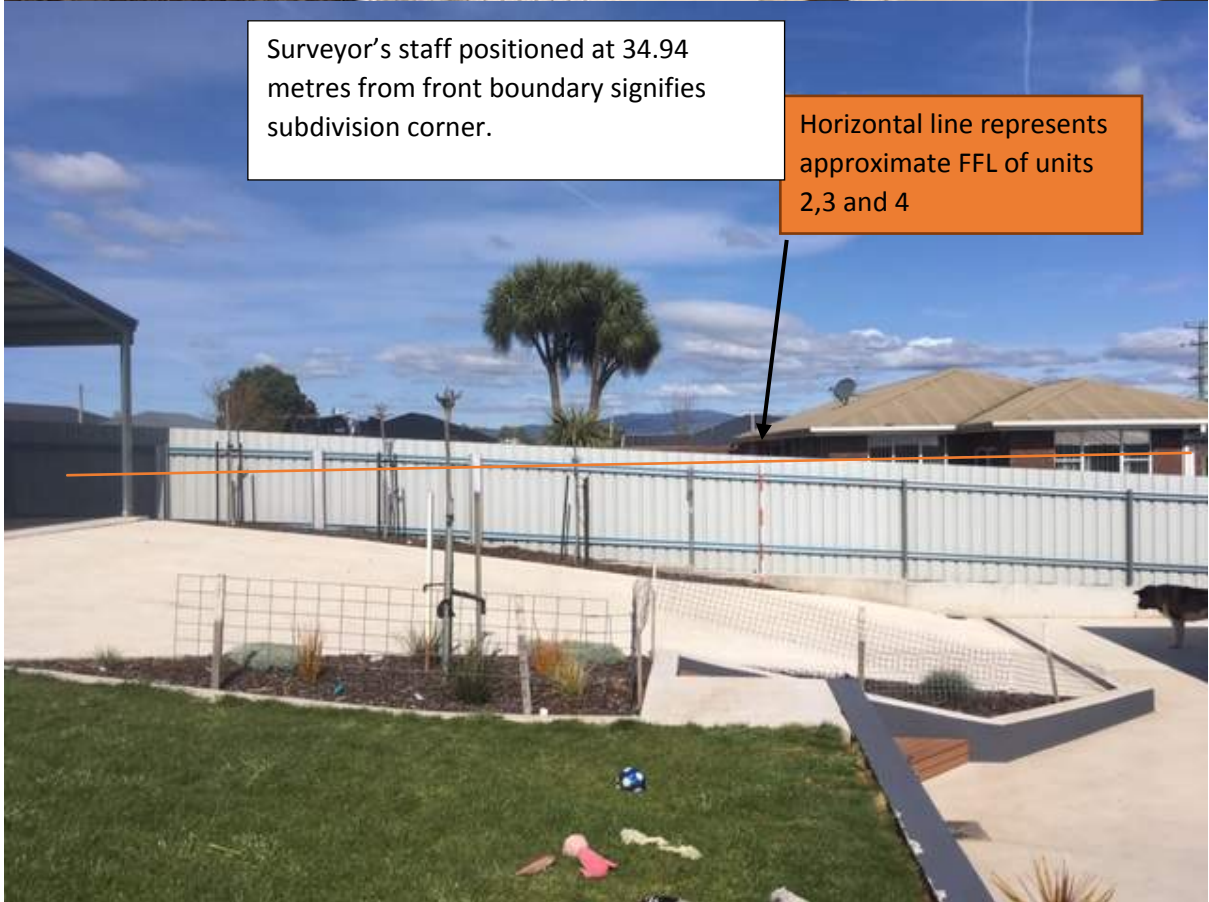
Photos also show existing level of privacy.





Surveyor's staff positioned at 34.94 metres from front boundary signifies subdivision corner.

Horizontal line represents approximate FFL of units 2,3 and 4



Woolcott Surveys state the proposed 2 Lot subdivision statement is similar to what has occurred to 191 Emu Bay Road and has set a precedent to this development and this is true for the subdivision itself, however the statement:

*The proposed 4 units development on Lot 2 is considered consistent with the neighbourhood character in the area where there are a number of multiple dwelling developments ranging from 2 to 5 units on a lot in the surrounding area.*

Is not true and is not consistent with the immediate area. The only multi-unit development on a block of land similar size North of the Northern Mole Creek Road is 9 and 9a Gleadow Street and consists of only 2 units.

Also States (Page 11):

*P3aiv) Unit 4 is single storey with a maximum height of 5.6m above natural ground level and is separated from the dwelling on the adjoining lot to the north. In addition, the scale of the dwelling is consistent with other dwellings in the area and is not considered to result in an unreasonable visual impact when viewed from the adjoining property.*

According to the South Western Elevation of unit 3/4 indicates a height of 6.217 metres above ESL which is not what is stated.

We also disagree with this statement and believe it will be a massive visual impact for us as well as loss of privacy for the existing dwelling on the new proposed subdivision lot 1 and on our house and yard house of 191A Emu Bay Road.

**However, if the site was to be excavated (as most of the houses in the immediate area have been) a minimum of 1 meter to then have units 2,3 and 4 a minimum FFL of 102.600 we would then support this application.**

**This type of unit development is not in character with the immediate area of which allotments only have one dwelling and probably was more suited to a single residence or two- or three-unit (maximum) development.**

You are welcome to inspect our premises at 191A Emu Bay Road and stand in our yard and visualise the development in its current form and imagine the visual impact on our present living conditions and what we would have to put in place to maintain our current level of privacy.

Regards

Phil Wagenknecht

Fiona Wagenknecht

## **PLANNING AUTHORITY 2**

Reference No. 199/2019

7 MOUNT LESLIE ROAD, PROSPECT VALE

**Planning Application:** PA\20\0074

**Proposal:** Multiple dwellings (additional unit)

**Author:** Leanne Rabjohns  
Town Planner

### **1) Introduction**

Applicant	Prime Design
Owner	P Symons
Property	7 Mount Leslie Road, Prospect Vale CT 74993/3
Zoning	General Residential Zone
Discretions	10.4.2 Setbacks and building envelope for all dwellings P3 10.4.3 Site coverage and private open space for all dwellings P2 E6.6.1 Car Parking Numbers P1 E6.7.1 Construction of Car Parking Spaces and Access Strips P1
Existing Land Use	Residential
Number of Representations	Two (2)
Decision Due	13 November 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 Multiple dwellings (additional unit), on land located at 7 Mount Leslie Road, Prospect Vale CT 74993/3, by Prime Design, be APPROVED, generally in accordance with the endorsed plans:***

- a) Prime Design – Project Number: PD19218 – Drawing Number: 01, 02, 03, 04, 05, 06, U1-01, U1-02, U1-03, U1-04, U2-01, U2-02, U2-**

**03, U2-04 & U2-05;**

***and subject to the following conditions:***

- 1. Unit 1's parking spaces are to be line marked or otherwise clearly delineated to the satisfaction of Council's Town Planner.**
- 2. The development must be in accordance with the Submission to Planning Authority Notice issued by TasWater (TWDA 2019/01436-MVC-MVC attached).**

Note:

1. Stormwater detention is required for this development. Please see attached letter regarding the provision of detention and the requirements of Council acting as the Stormwater Authority in accordance with the *Urban Drainage Act 2013*.
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](mailto:mail@mvc.tas.gov.au).
3. 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 5320 or Council's Plumbing Surveyor on 0419 510 770.

4. 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.
5. 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](http://www.rmpat.tas.gov.au).

6. 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.
7. 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.
8. 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.
9. 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](mailto:aboriginal@heritage.tas.gov.au); and
  - c) The relevant approval processes will apply with state and federal government agencies.

### 3) Background

The application is for the construction of a 2 bedroom, single storey unit at the rear of the property. The proposed layout and details are shown in Figure 1, while full plans and documentation are included in the attachments. The property is 800m<sup>2</sup> in area, with an existing dwelling located to the front of the property. To facilitate the development, part of the original dwelling and an outbuilding are to be demolished. There is a 1.8m wide drainage easement along the rear boundary (no services contained within).

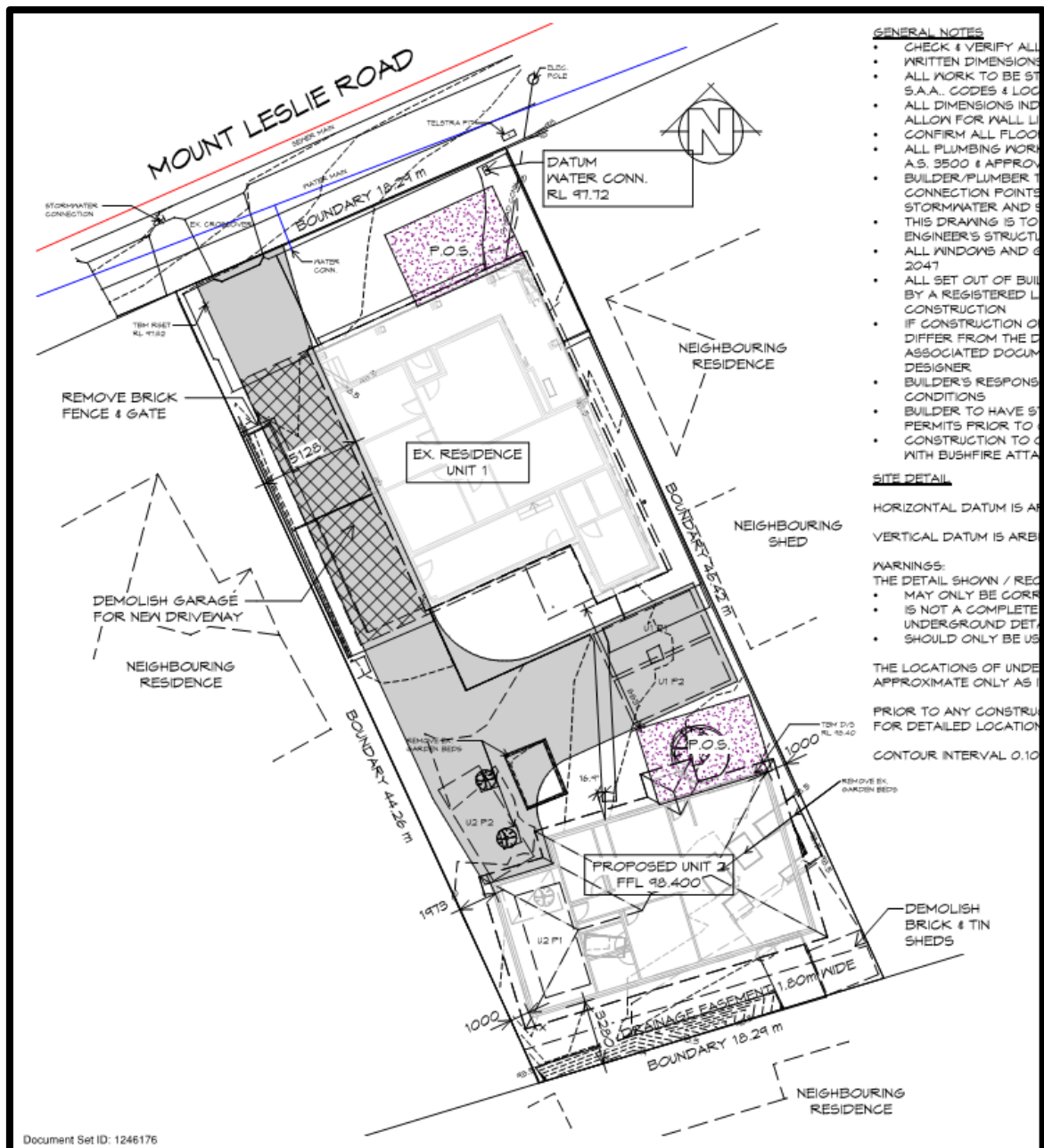


Figure 1: site plan (Prime Design 2019)



Photos 1 & 2: rear yard of 7 Mount Leslie Road



Photo 3: carport and garage to be demolished

#### 4) Representations

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

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

Representation 1:

- m) *"...take all my lovely view..."*
- n) *"...looking at will be a brick wall..."*
- o) *"...heard there will be trees planted which will grow tall and maybe block out the sun off my garden and clothes line..."*

Representation 2:

- a) *"...there is already a high proportion of units in this area..."*
- b) *"...to close to the boundary fence ..."*
- c) *"...only add to the traffic density in this area..."*

#### **Comment:**

Issues relating to visual impact, overshadowing and setbacks have been assessed below.

The Landscaping Plan shows plants along the rear boundary. These plants grow to an approximate height of 1m. The existing rear fence is approximately 1.7m high.

The number of unit developments within the surrounding area and views are not matters addressed by the planning scheme. As such, the matter cannot be considered.

The proposal will add to the total traffic numbers on Mount Leslie Road. However the number of traffic movements from the proposal meets the acceptable solution. Issues relating to on-street car parking have been assessed below.

#### 5) Consultation with State Government and other Authorities

The application was referred to TasWater. A Submission to Planning Authority Notice (TWDA 2019/01436-MVC-MVC) was received on 11 October 2019 (attached document).

## 6) Officers Comments

### Use Class: Residential

### Applicable Standards

A brief assessment against all applicable Acceptable Solutions of the applicable 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.

<b>General Residential Zone</b>	
Scheme Standard	Assessment
<b>10.3.1 Amenity</b>	
Acceptable solution 1	Complies
<b>10.4.1 Residential Density for multiple dwellings</b>	
Acceptable solution 1	Complies
<b>10.4.2 Setbacks and building envelope for all dwellings</b>	
Acceptable solution 1	Complies
Acceptable solution 2	Complies
Acceptable solution 3	Relies on Performance Criteria
<b>10.4.3 Site coverage and private open space for all dwellings</b>	
Acceptable solution 1	Complies
Acceptable solution 2	Relies on Performance Criteria
<b>10.4.4 Sunlight and overshadowing for all dwellings</b>	
Acceptable solution 1	Complies
Acceptable solution 2	Complies
Acceptable solution 3	Complies
<b>10.4.5 Width of openings for garages and carports for all dwellings</b>	
Acceptable solution 1	Complies
<b>10.4.6 Privacy for all dwellings</b>	
Acceptable solution 1	Complies
Acceptable solution 2	Complies
Acceptable solution 3	Complies
<b>10.4.8 Waste Storage for Multiple Dwellings</b>	
Acceptable solution 1	Complies
<b>10.4.9 Storage for Multiple Dwellings</b>	
Acceptable solution 1	Complies
<b>10.4.10 Common Property for Multiple dwellings</b>	
Acceptable solution 1	Complies
<b>10.4.12 Site Services for Multiple Dwellings</b>	
Acceptable solution 1	Complies

<b>E4 Road and Railway Assets Code</b>	
Scheme Standard	Assessment
<b>E4.6.1 Use and road or rail infrastructure</b>	
Acceptable solution 2	Complies
<b>E4.7.2 Management of Road and Accesses and Junctions</b>	
Acceptable solution 1	Complies
<b>E4.7.4 Sight Distance at Accesses, Junctions and Level Crossings</b>	
Acceptable solution 1	Complies

<b>E6 Car Parking and Sustainable Transport Code</b>	
Scheme Standard	Assessment
<b>E6.6.1 Car Parking Numbers</b>	
Acceptable solution 1	Relies on Performance Criteria
<b>E6.7.1 Construction of Car Parking Spaces and Access Strips</b>	
Acceptable solution 1	Relies on Performance Criteria
<b>E6.7.2 Design and Layout of Car Parking</b>	
Acceptable solution 1	Relies on Performance Criteria
Acceptable solution 2	Complies

### Performance Criteria

<b>General Residential Zone</b>
<b>10.4.2 Setbacks and building envelope for all dwellings</b>
<p><b>Objective</b></p> <p><i>To control the siting and scale of dwellings to:</i></p> <ul style="list-style-type: none"> <li><i>(a) provide reasonably consistent separation between dwellings on adjacent sites and a dwelling and its frontage; and</i></li> <li><i>(b) assist in the attenuation of traffic noise or any other detrimental impacts from roads with high traffic volumes; and</i></li> <li><i>(c) provide consistency in the apparent scale, bulk, massing and proportion of dwellings; and</i></li> <li><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></li> </ul>
<p><b>Performance Criteria</b></p> <p><i>P3</i></p> <p><i>The siting and scale of a dwelling must:</i></p> <ul style="list-style-type: none"> <li><i>(a) not cause unreasonable loss of amenity by:</i> <ul style="list-style-type: none"> <li><i>(i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot; or</i></li> <li><i>(ii) overshadowing the private open space of a dwelling on an adjoining lot; or</i></li> <li><i>(iii) overshadowing of an adjoining vacant lot; or</i></li> </ul> </li> </ul>

- (iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot;
- (b) provide separation between dwellings on adjoining lots that is compatible with that and prevailing in the surrounding area.

### Response

Unit 2 is located 3.28m from the rear boundary. Figure 2 below shows the portion of Unit 2 which is outside the building envelope standard.

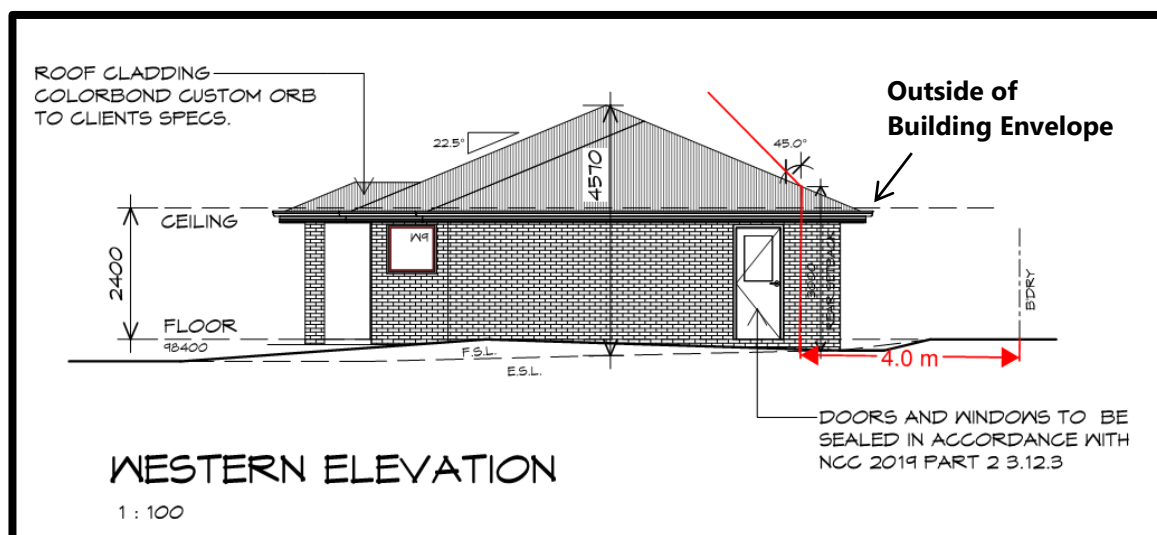


Figure 2: red line showing that portion of Unit 2 that is outside of the building envelope standard

The application included shadow diagrams for the 21 June at 10am, 12 noon and 3pm (see attachments). The shadow diagrams show an encroachment into the private open space of Unit 4 288-292 Westbury Road. However, these shadows do not show the relationship with the shadow and the rear boundary fence. Figure 3 shows the shadows at 10am, 12 noon and 3pm all falling onto the rear fence and does not encroach into the adjoining property. As such, the shadows will not impact on the amenity of adjoining landowners.

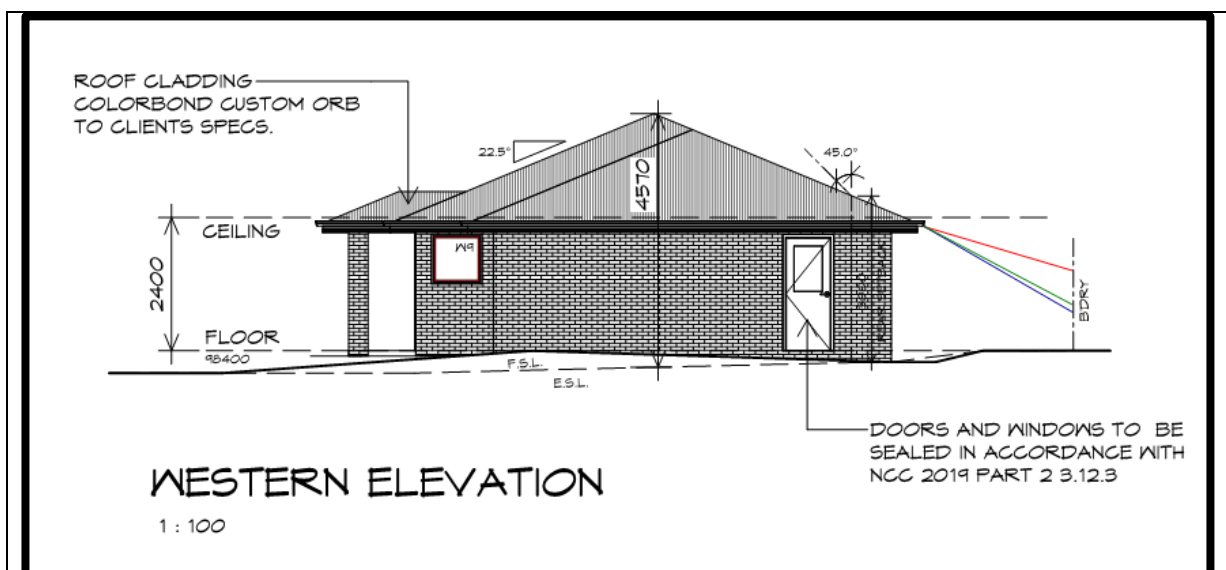


Figure 3: shadow falling onto the rear fence – the blue line is at 10am, the green line is at 12 noon shadow, while the red line is the 3pm shadow.

The land slopes gently towards Mount Leslie Road. The property abutting the rear boundary is slightly elevated. Single storey development and multiple dwellings are typical of residential development in this area. The proposed unit will be partially visible from adjoining properties, which is not uncommon in urban environments. In this instance, the visual impact is considered acceptable.

The proposed rear setback is 3.28m. The dwelling adjacent to the rear boundary is setback approximately 4m from the shared boundary. The separation between these dwellings is in keeping with the surrounding area.

The proposal is consistent with the objective and provides reasonable separation between dwellings and does not compromise solar access to neighbouring dwellings.

## General Residential Zone

### 10.4.3 Site coverage and private open space for all dwellings

#### Objective

To provide:

- (a) for outdoor recreation and the operational needs of the residents;
- and
- (b) opportunities for the planting of gardens and landscaping; and
- (c) private open space that is integrated with the living areas of the dwelling; and
- (d) private open space that has access to sunlight.

#### Performance Criteria

P2

*A dwelling must have private open space that:*

*(a) includes an area that is capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children's play and that is:*

*(i) conveniently located in relation to a living area of the dwelling; and*

*(ii) orientated to take advantage of sunlight.*

**Response**

The plans show the private open space for Unit 2 being located to the north with access from the Living Room. This private open space area does not have the dimensions required by the acceptable solutions. However, this space has sufficient dimensions that it is capable of providing an area for outdoor relaxation, dining entertainment and children's play and complies with the Performance Criteria.

The shadow diagrams show the area to the north of Unit 2 being free from overshadowing at 10am and 12noon. The area is accessible from the Living Room.

Unit 2's private open space area is conveniently located and orientated to take advantage of the sun, and is consistent with the Objectives of the standard.

**E6 Car Parking and Sustainable Transport Code**

**E6.6.1 Car Parking Numbers**

**Objective**

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

**Performance Criteria**

*P1*

*The number of car parking spaces provided must have regard to:*

- 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*
- 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.

### **Response**

The proposal provides two (2) car parking spaces per unit. Multiple dwellings have additional requirements for a dedicated visitor parking space. This is usually located in the common property of the development. The proposed development does not provide for a dedicated visitor parking space. The visitor car parking space would need to be accommodated on-street.

A bus stop is located to the front of this property. Between the bus stop and the driveway crossover there is an 8m long space available for on-street car parking. Other on-street car parking spaces are also available along Mount Leslie Road.

Council's Director Infrastructure Services provided the following comment:

*The visitor parking space will need to be accommodated in one of the on-street car parking spaces and at times it may not be possible for a parking space to be used adjacent the frontage to the property, especially during school hours when traffic movements and parking demands are high. Council will be commencing work within Mount Leslie Road in early 2020 to improve road safety for pedestrians and motorists, with the work including line marking for traffic lanes and kerb side parking.*

A footpath network links this property to shopping centres and other bus stops along Westbury Road.

The level of parking provided for the development is considered to be adequate.

The development is consistent with the Objective and provides an appropriate level of car parking.

## **E6 Car Parking and Sustainable Transport Code**

### **E6.7.1 Construction of Car Parking Spaces and Access Strips**

#### **Objective**

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

#### **Performance Criteria**

*P1*

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

**Response**

The application does not expressly indicate that parking spaces will be line marked. Due to the shared nature of the access and parking area, it is recommended that a condition be placed on the permit to require parking spaces to be adequately delineated.

**Recommended Condition:**

Unit 1's parking spaces are to be line marked or otherwise clearly delineated to the satisfaction of Council's Town Planner.

With a condition on the planning permit the development can be made compliant with the Performance Criteria and the Objective.

**Conclusion**

It is considered that the application for Use and Development for multiple dwellings (additional unit) is acceptable in the General Residential Zone and is recommended for approval.

**DECISION:**

# PROPOSED UNIT 7 MOUNT LESLIE ROAD, PROSPECT VALE

P. SYMONS

PD19218

## BUILDING DRAWINGS

<u>No</u>	<u>DRAWING</u>
01	SITE PLAN
02	SITE LANDSCAPING PLAN
03	SITE DRAINAGE PLAN
04	LOCALITY PLAN
05	PERSPECTIVES
06	SHADOW DIAGRAMS

## UNIT 2 BUILDING DRAWINGS

<u>No</u>	<u>DRAWING</u>
U2-01	FLOOR PLAN
U2-02	DOOR AND WINDOW SCHEDULES
U2-03	ELEVATIONS
U2-04	ELEVATIONS
U2-05	ROOF PLAN

## UNIT 1 BUILDING DRAWINGS

<u>No</u>	<u>DRAWING</u>
U1-01	DEMOLITION PLAN
U1-02	FLOOR PLAN
U1-03	ELEVATIONS
U1-04	ELEVATIONS



## UNIT 1 - EX RESIDENCE

VERANDAH AREA	37.43	m2	( 4.02	SQUARES )
FLOOR AREA	133.68	m2	( 14.37	SQUARES )

## UNIT 2 - PROPOSED RESIDENCE

PORCH AREA	2.39	m2	( 0.26	SQUARES )
FLOOR AREA	124.95	m2	( 13.44	SQUARES )
	298.46		32.09	

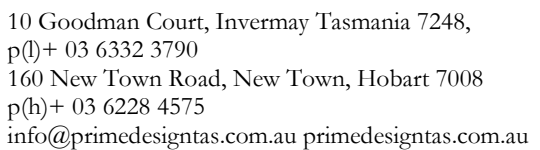
PLANNING AUTHORITY 2

PLANNING



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 160 New Town Road, New Town, Hobart 7008  
 p(h)+03 6228 4575  
 info@primedesign.com.au [primedesign.com.au](http://primedesign.com.au)  
 Accredited Building Practitioner: Frank Geskus -No CC246A

OCTOBER 2019



Drawing:  
**SITE PLAN**

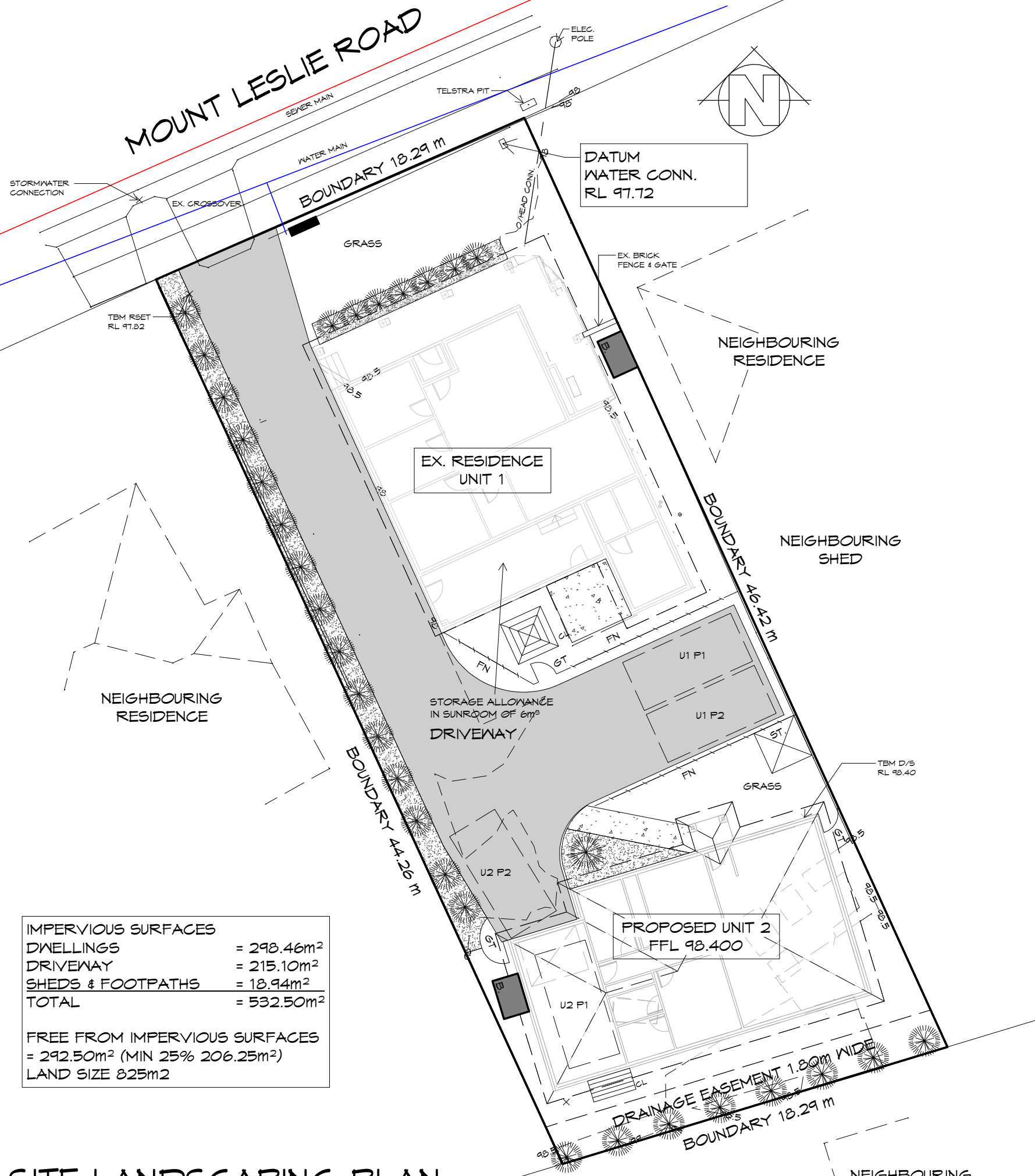
Project/Drawing no:	Revision:
PD19218 -01	02
Page 145	
Accredited building practitioner: Frank Gekus -No CC246A	

- CHECK & VERIFY ALL DIMENSIONS & LEVELS ON SITE
- WRITTEN DIMENSIONS TO TAKE PREFERENCE OVER SCALED
- ALL WORK TO BE STRICTLY IN ACCORDANCE WITH NCC, ALL S.A.A.. CODES & LOCAL AUTHORITY BY-LAWS
- ALL DIMENSIONS INDICATED ARE FRAME TO FRAME AND DO NOT ALLOW FOR WALL LININGS
- CONFIRM ALL FLOOR AREAS
- ALL PLUMBING WORKS TO BE STRICTLY IN ACCORDANCE WITH A.S. 3500 & APPROVED BY COUNCIL INSPECTOR
- BUILDER/PLUMBER TO ENSURE ADEQUATE FALL TO SITE CONNECTION POINTS IN ACCORDANCE WITH A.S. 3500 FOR STORMWATER AND SEWER BEFORE CONSTRUCTION COMMENCES
- THIS DRAWING IS TO BE READ IN CONJUNCTION WITH THE ENGINEER'S STRUCTURAL DRAWINGS
- ALL WINDOWS AND GLAZING TO COMPLY WITH A.S. 1288 & A.S. 2047
- ALL SET OUT OF BUILDINGS & STRUCTURES TO BE CARRIED OUT BY A REGISTERED LAND SURVEYOR AND CHECKED PRIOR TO CONSTRUCTION
- IF CONSTRUCTION OF THE DESIGN IN THIS SET OF DRAWINGS DIFFER FROM THE DESIGN AND DETAIL IN THESE AND ANY ASSOCIATED DOCUMENTS BUILDER AND OWNER ARE TO NOTIFY DESIGNER
- BUILDER'S RESPONSIBILITY TO COMPLY WITH ALL PLANNING CONDITIONS
- BUILDER TO HAVE STAMPED BUILDING APPROVAL DRAWINGS AND PERMITS PRIOR TO COMMENCEMENT OF CONSTRUCTION
- CONSTRUCTION TO COMPLY WITH AS 3959, READ IN CONJUNCTION WITH BUSHFIRE ATTACK LEVEL (BAL) ASSESSMENT REPORT.

- MAY ONLY BE CORRECT AT THE DATE OF SURVEY.
- IS NOT A COMPLETE REPRESENTATION OF ALL SURFACE AND UNDERGROUND DETAIL.
- SHOULD ONLY BE USED FOR THE PURPOSES INTENDED.

CONTOUR INTERVAL 0.10m

1 : 200



IMPERVIOUS SURFACES	
DWELLINGS	= 298.46m <sup>2</sup>
DRIVEWAY	= 215.10m <sup>2</sup>
SHEDS & FOOTPATHS	= 18.94m <sup>2</sup>
TOTAL	= 532.50m <sup>2</sup>
FREE FROM IMPERVIOUS SURFACES	
= 292.50m <sup>2</sup> (MIN 25% 206.25m <sup>2</sup> )	
LAND SIZE 825m <sup>2</sup>	

# SITE LANDSCAPING PLAN

1 : 200

Meander Valley Council Ordinary Agenda - 12 November 2019

Document Set ID: 1246176  
Version: 1, Version Date: 14/10/2019

PLANNING AUTHORITY 2

## LEGEND

- SHRUBS 2000-3000

-CALLISTEMON-"KINGS PARK SPECIAL"

-BANKSIA ERICIFOLIA
- SHRUBS 1000-1500

-GREVILLIA SERICEA

-GREVILLIA SP
- GRASSES

-"FAN FLOWER" SCAEVOLA SP

-LOMANDRA LONGIFOLIA
- MULCH

-"BOYER BARK" OR SIMILAR
- WASTE STORAGE 1.5m<sup>2</sup>
- CONCRETE PATH/PAVING
- MULCH OR SIMILAR
- LETTER BOX
- GATE
- FENCE 1.8m HIGH
- SECURITY LIGHTS
- KERB
- 2X2m STORAGE SHED
- CLOTHES LINES
- CLOTHES LINES - WALL MOUNT
- ISLAND BLOCK & PAVING  
FREESTONE ECO  
RETAINING WALL SYSTEM



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Project:  
PROPOSED UNIT  
7 MOUNT LESLIE ROAD,  
PROSPECT VALE

Client name:  
P. SYMONS

Drawing:  
SITE LANDSCAPING PLAN

Drafted by: Author	Approved by: Approver
Date: 07.10.2019	Scale: 1 : 200

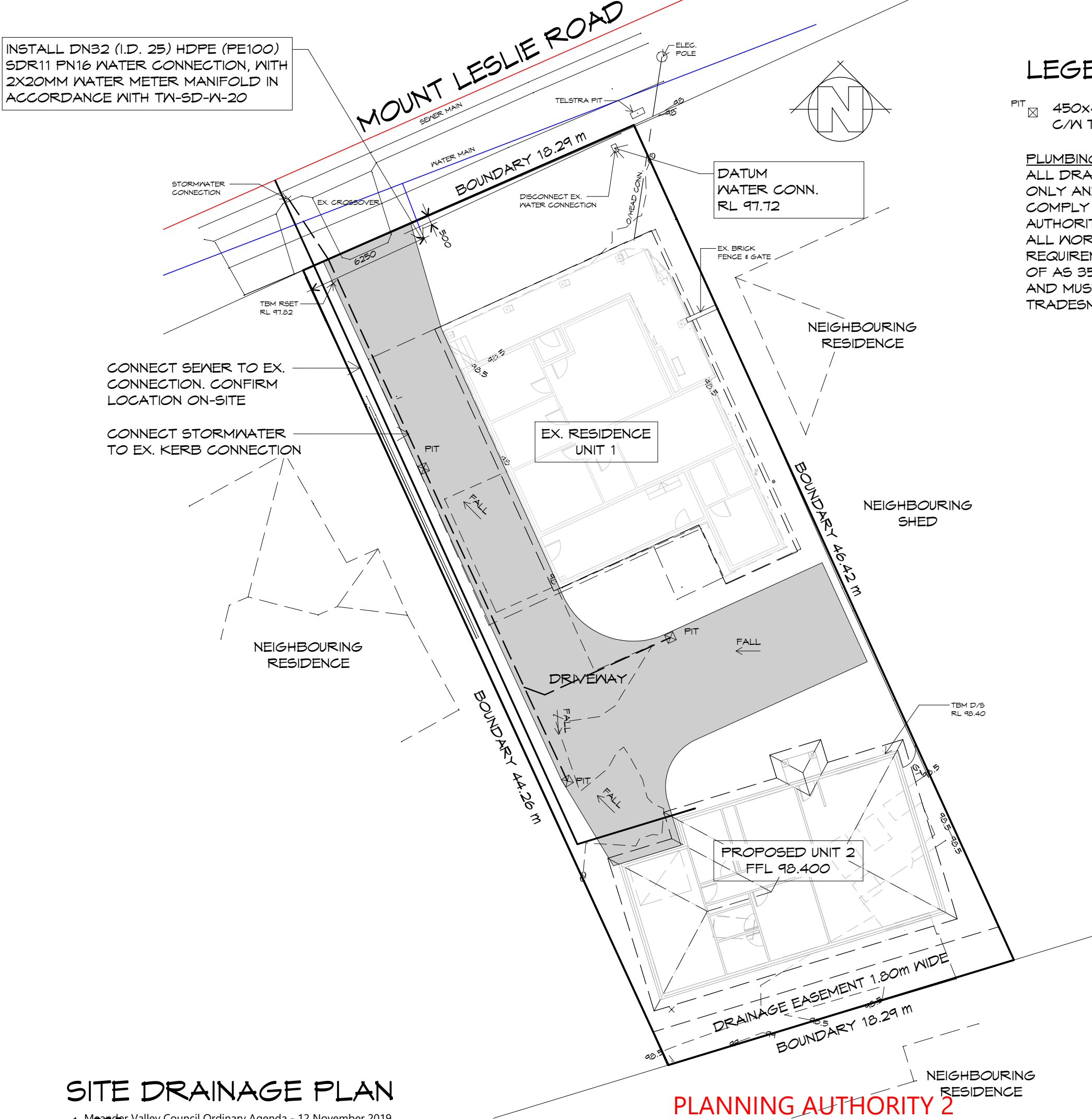
Project/Drawing no: PD19218 -02	Revision: 02 Page 146
Accredited building practitioner: Frank Geskus -No CC246A	



PLANNING

NOTE: DO NOT SCALE OFF DRAWINGS

INSTALL DN32 (I.D. 25) HDPE (PE100) SDR11 PN16 WATER CONNECTION, WITH 2X20MM WATER METER MANIFOLD IN ACCORDANCE WITH TW-SD-W-20



## LEGEND

PIT  450x450 SURFACE DRAINAGE PIT  
C/W TRAFFICABLE LID

**PLUMBING NOTES:**  
ALL DRAINAGE WORK SHOWN IS PROVISIONAL ONLY AND IS SUBJECT TO AMENDMENT TO COMPLY WITH THE REQUIREMENTS OF THE LOCAL AUTHORITIES.  
ALL WORK IS TO COMPLY WITH THE REQUIREMENTS OF AS 3500 & THE TASMANIAN PLUMBING CODE. AND MUST BE CARRIED OUT BY A LICENCED TRADESMAN ONLY.



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p(h)+ 03 6228 4575  
info@primedesigntas.com.au primedesigntas.com.au

Project:  
**PROPOSED UNIT  
7 MOUNT LESLIE ROAD,  
PROSPECT VALE**

Client name:  
**P. SYMONS**

Drawing:  
**SITE DRAINAGE PLAN**

Drafted by: Author  
Approved by: Approver

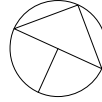
Date: 07.10.2019  
Scale: 1 : 200

Project/Drawing no: PD19218 -03  
Revision: 02  
Page 147  
Accredited building practitioner: Frank Geskus -No CC246A

## SITE DRAINAGE PLAN

1 Meander Valley Council Ordinary Agenda - 12 November 2019  
Document Set ID: 1246176  
Version: 1, Version Date: 14/10/2019

PLANNING AUTHORITY 2



PLANNING  
NOTE: DO NOT SCALE OFF DRAWINGS



# LOCALITY PLAN

1 : 1000 Meander Valley Council Ordinary Agenda - 12 November 2019  
Document Set ID: 1246176  
Version: 1, Version Date: 14/10/2019

## PLANNING AUTHORITY 2

PLANNING

NOTE: DO NOT SCALE OFF DRAWINGS



10 Goodman Court, Invermay Tasmania 7248,  
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160 New Town Road, New Town, Hobart 7008  
p(h)+ 03 6228 4575  
info@primedesigntas.com.au primedesigntas.com.au

Project:  
PROPOSED UNIT  
7 MOUNT LESLIE ROAD,  
PROSPECT VALE

Client name:  
P. SYMONS

Drawing:  
LOCALITY PLAN

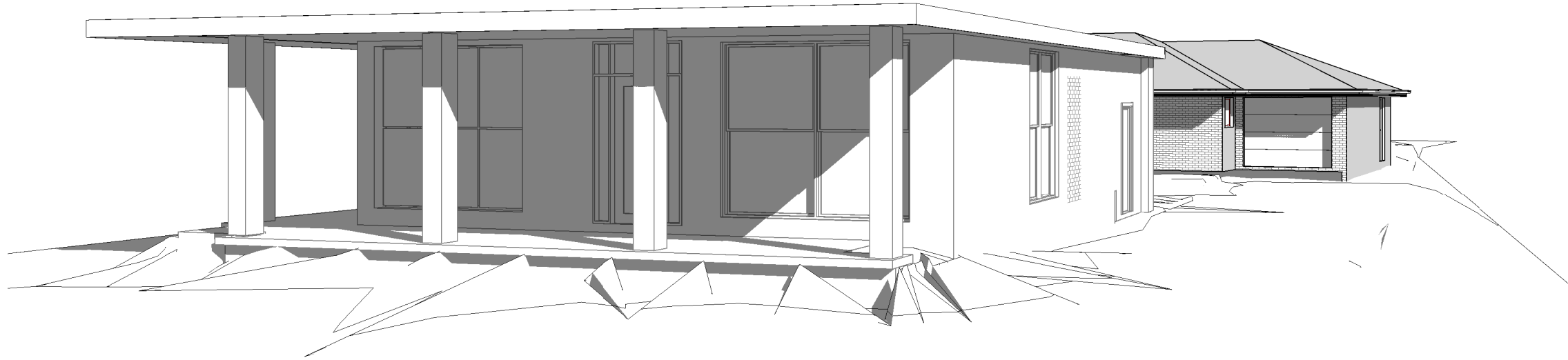
Drafted by: Author  
Approved by: Approver

Date: 07.10.2019  
Scale: 1 : 1000

Project/Drawing no: PD19218 -04  
Revision: 02  
Page 148

Accredited building practitioner: Frank Geskus -No CC246A





PLANNING

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PLANNING AUTHORITY 2

Project:  
PROPOSED UNIT  
7 MOUNT LESLIE ROAD,  
PROSPECT VALE

Client name:  
P. SYMONS

Drafted by:  
A.J.C

Approved by:  
Approver



Drawing:  
PERSPECTIVES

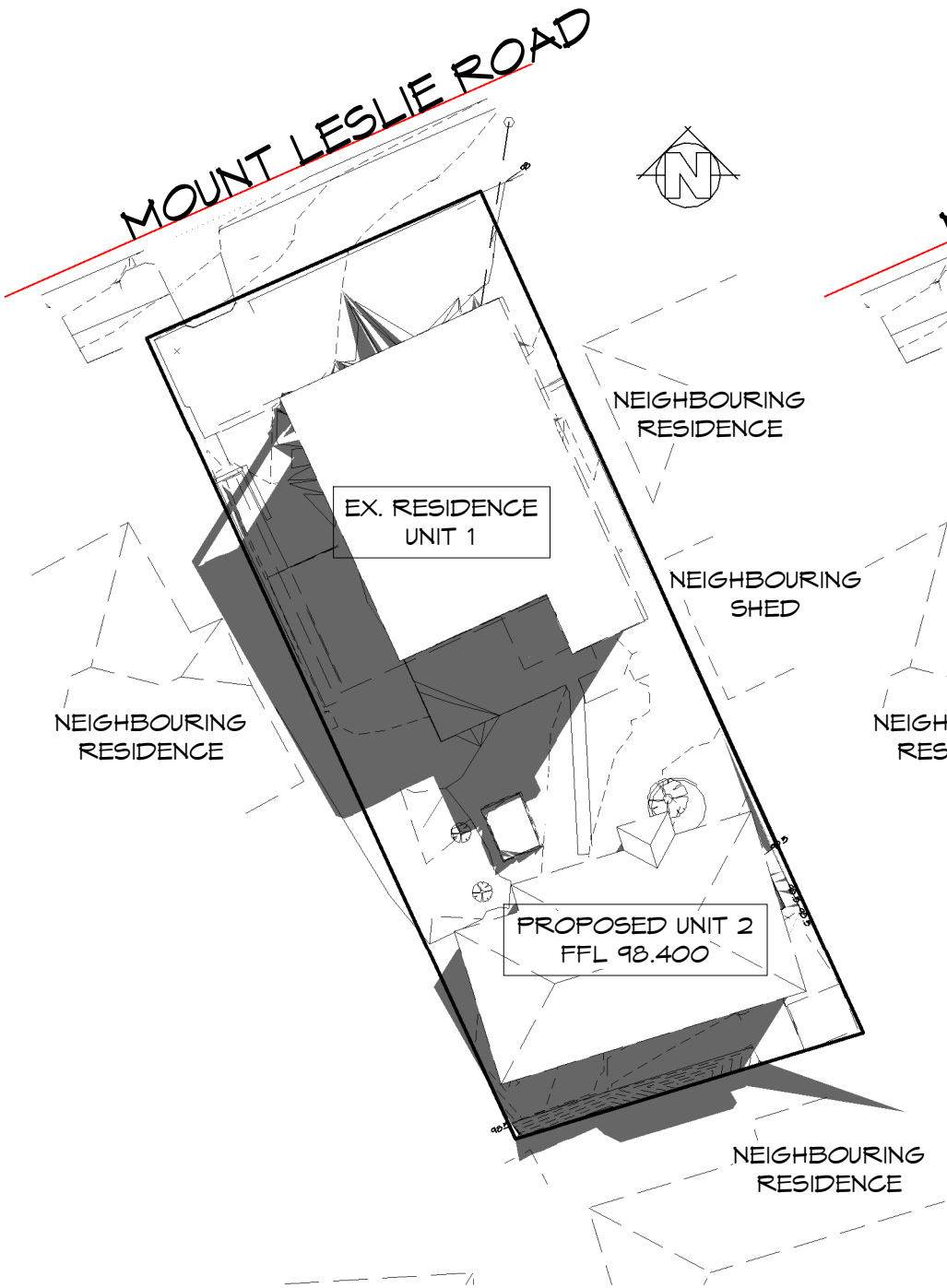
Date:  
07.10.2019

Project/Drawing no:  
PD19218 -05

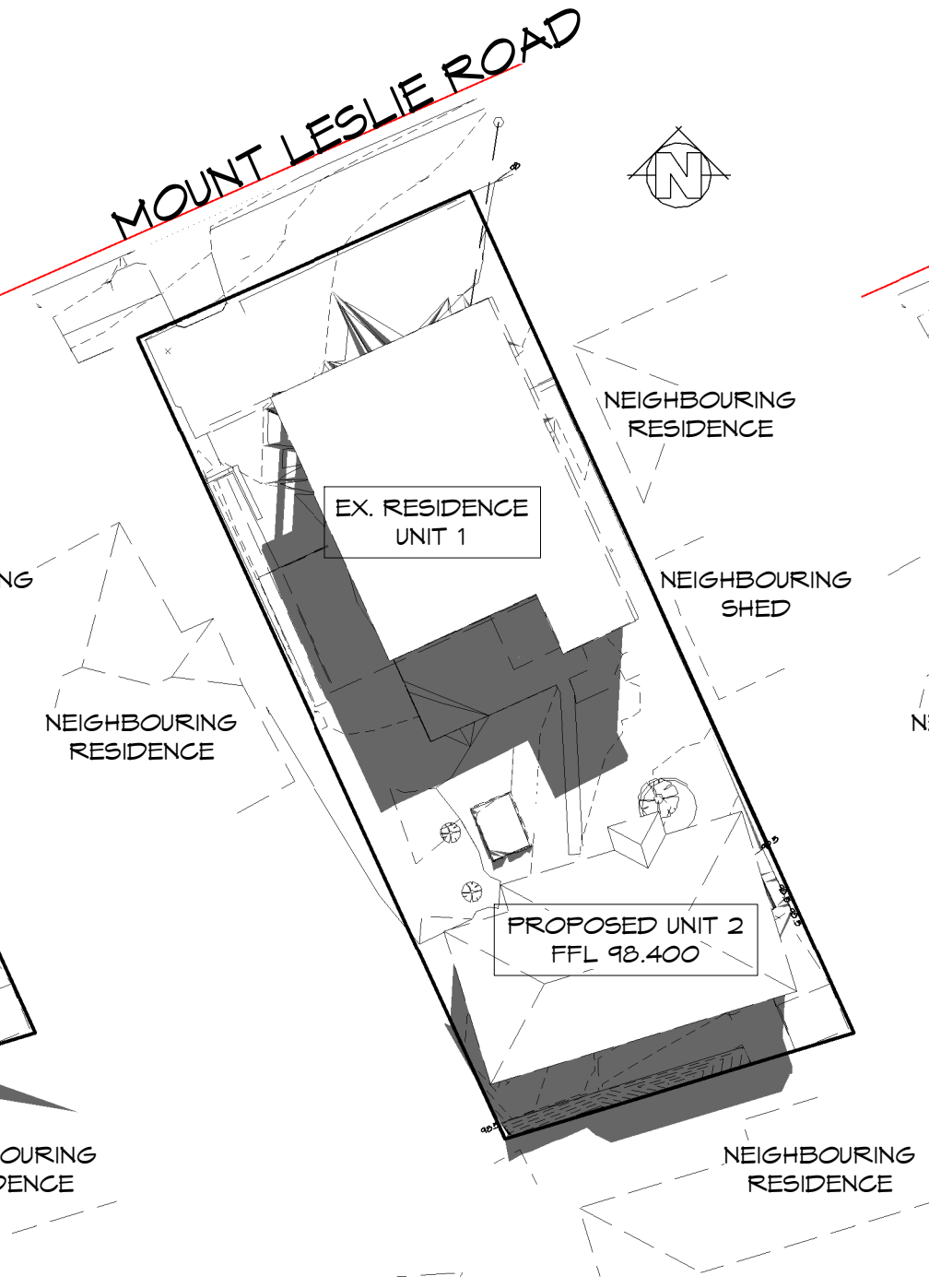
Revision:  
02  
Page 149

Accredited building practitioner: Frank Geskus -No CC246A

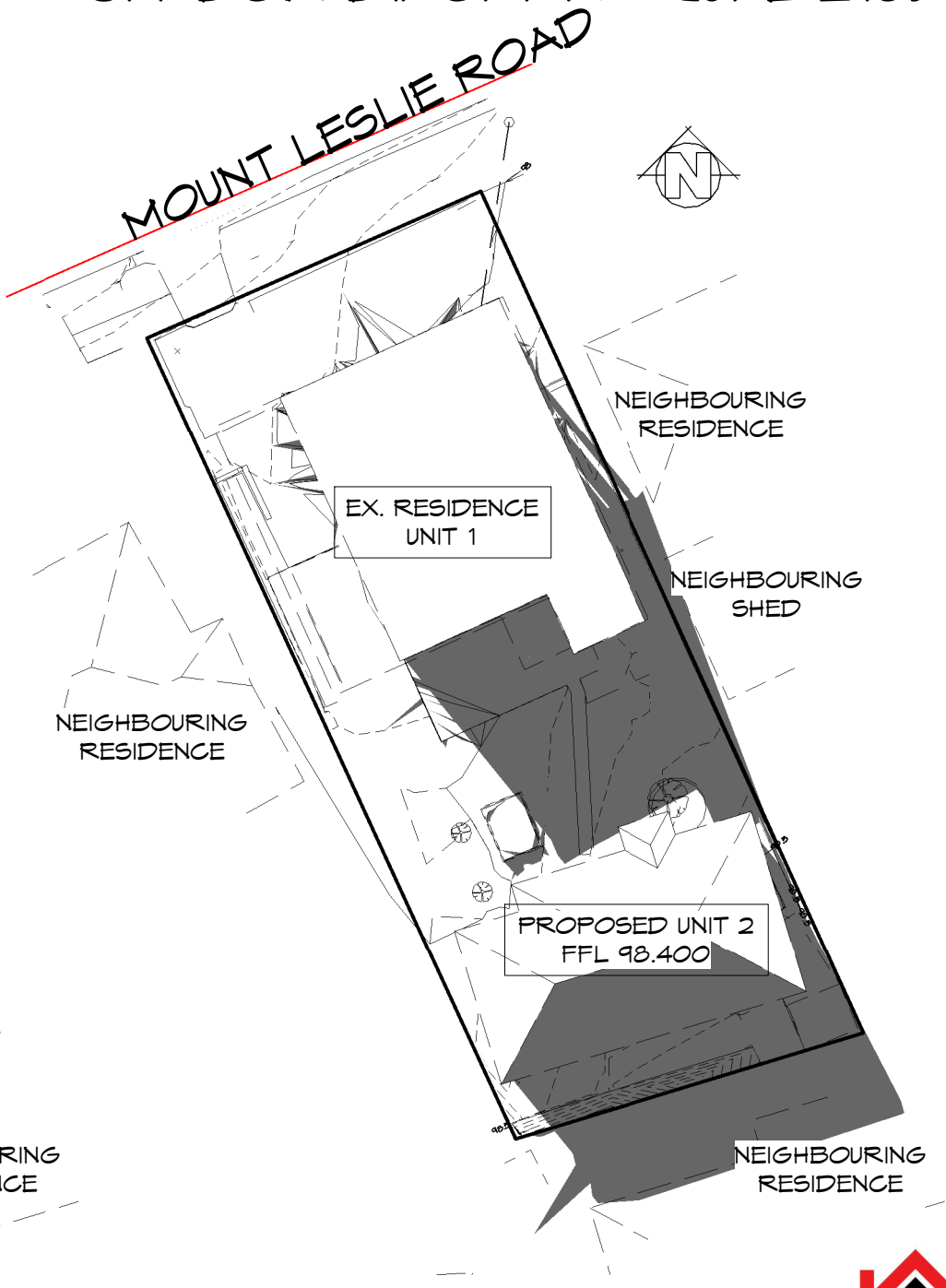
SHADOW DIAGARM - JUNE 21st @ 3PM



SHADOW DIAGARM - JUNE 21st @ 10AM



SHADOW DIAGARM - JUNE 21st @ 12PM



PLANNING

NOTE: DO NOT SCALE OFF DRAWINGS



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n(0)+ 01 0226 4575  
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PLANNING AUTHORITY 2

Project:  
PROPOSED UNIT  
7 MOUNT LESLIE ROAD,  
PROSPECT VALE

Client name:  
P. SYMONS

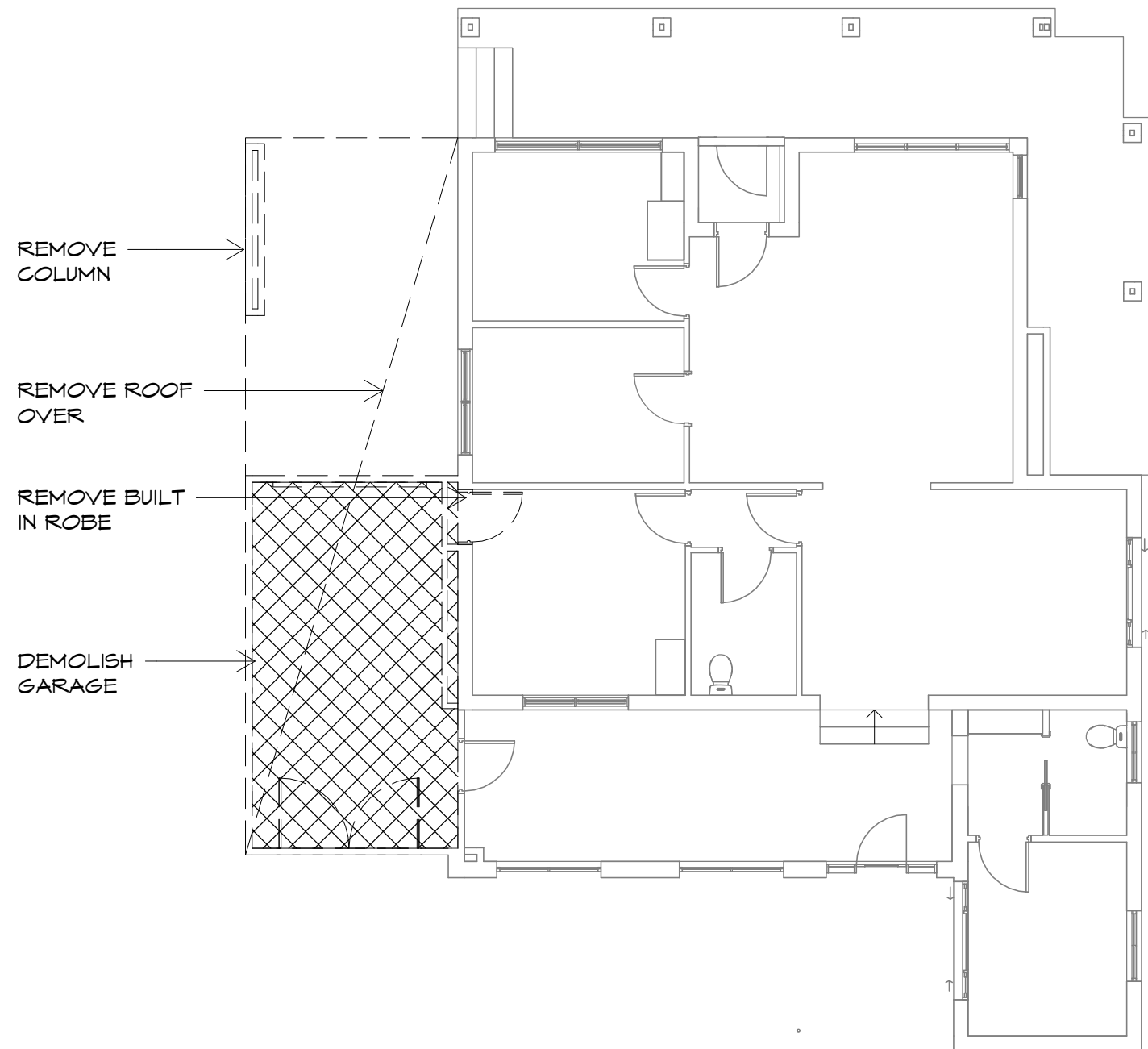
Drafted by: Author  
Approved by: Approver

Drawing:  
SHADOW DIAGRAMS

Date: 07.10.2019  
Scale: 1 : 350

Project/Drawing no: PD19218 -06  
Revision: 02  
Page 150  
Accredited building practitioner: Frank Geskus -No CC246A





## DEMOLITION PLAN

1 : 100

### DEMOLITION NOTE:

- IT IS THE BUILDERS RESPONSIBILITY THAT ALL WORKS TO BE DONE IN A SAFE MANNER.
- BUILDER TO PROP WHERE REQUIRED. IF UNSURE CONTACT ENGINEER OR DESIGNER.
- CAP ALL PLUMBING.
- ALL ELECTRICAL TO BE DISCONNECTED AT MAINS BOARD/STREET 1 OF FEED INTO SITE.
- BUILDERS RESPONSIBILITY TO KEEP SITE CLEAN TO ENSURE NO CONTAMINATES GO INTO STORM WATER/SEWER WATER LINES.
- BUILDER TO HAVE SITE INSPECTED/TESTED FOR ASBESTOS PRIOR TO ANY WORKS

PLANNING

NOTE: DO NOT SCALE OFF DRAWINGS



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Project:  
**PROPOSED UNIT  
7 MOUNT LESLIE ROAD,  
PROSPECT VALE**

Client name:  
**P. SYMONS**

Drawing:  
**DEMOLITION PLAN**

Drafted by: D.D.H. Approved by: F.G.G.

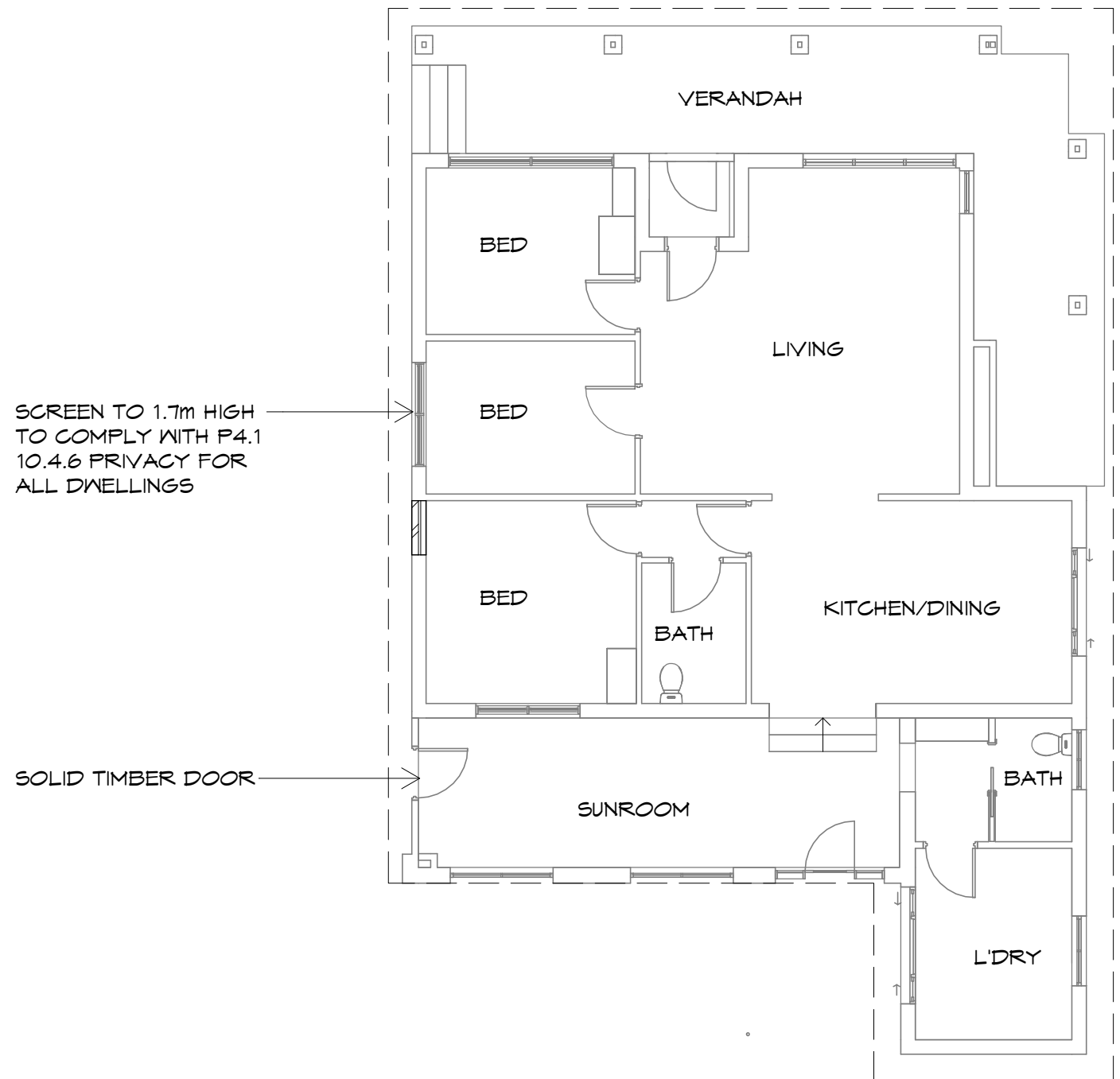
Date: 07.10.2019 Scale: 1 : 100

Project/Drawing no: PD19218 -U1-01 Revision: 02

Accredited building practitioner: Frank Geskus -No CC246A



PLANNING AUTHORITY 2



## FLOOR PLAN

1 : 100

VERANDAH AREA	37.43	m2	( 4.02	SQUARES )
FLOOR AREA	133.68	m2	( 14.37	SQUARES )
	171.11		18.40	

**NOTE:**  
FLOOR AREAS INCLUDE TO EXTERNAL FACE OF  
BUILDING AND GARAGE, UNLESS OTHERWISE STATED.  
DECKS AND OUTDOOR AREAS ARE CALCULATED  
SEPARATELY.

**PLANNING AUTHORITY 2**

**PLANNING**  
NOTE: DO NOT SCALE OFF DRAWINGS



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Project:  
**PROPOSED UNIT**  
**7 MOUNT LESLIE ROAD,**  
**PROSPECT VALE**

Client name:  
**P. SYMONS**

Drawing:  
**FLOOR PLAN**

Drafted by: D.D.H. Approved by: F.G.G.

Date: 07.10.2019 Scale: 1 : 100

Project/Drawing no: PD19218 -U1-02 Revision: 02

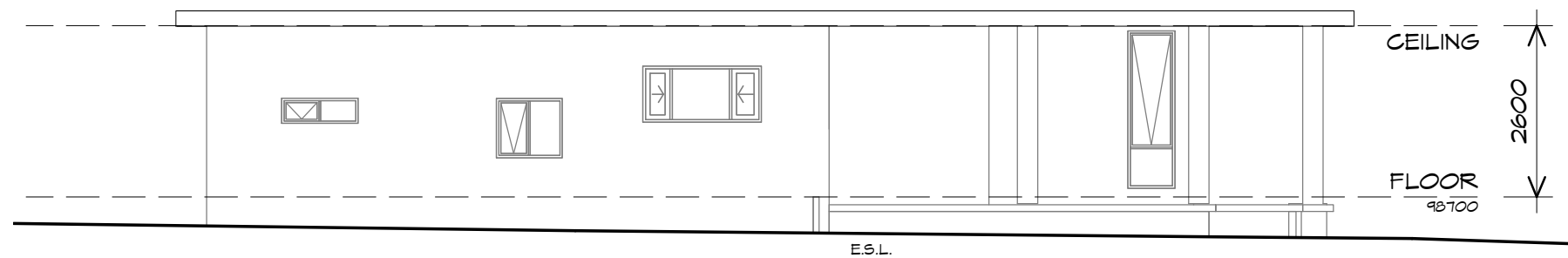
Accredited building practitioner: Frank Geskus -No CC246A





## NORTHERN ELEVATION

1 : 100



## EASTERN ELEVATION

1 : 100

PLANNING

NOTE: DO NOT SCALE OFF DRAWINGS



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Project:  
**PROPOSED UNIT**  
**7 MOUNT LESLIE ROAD,**  
**PROSPECT VALE**

Client name:  
**P. SYMONS**

Drawing:  
**ELEVATIONS**

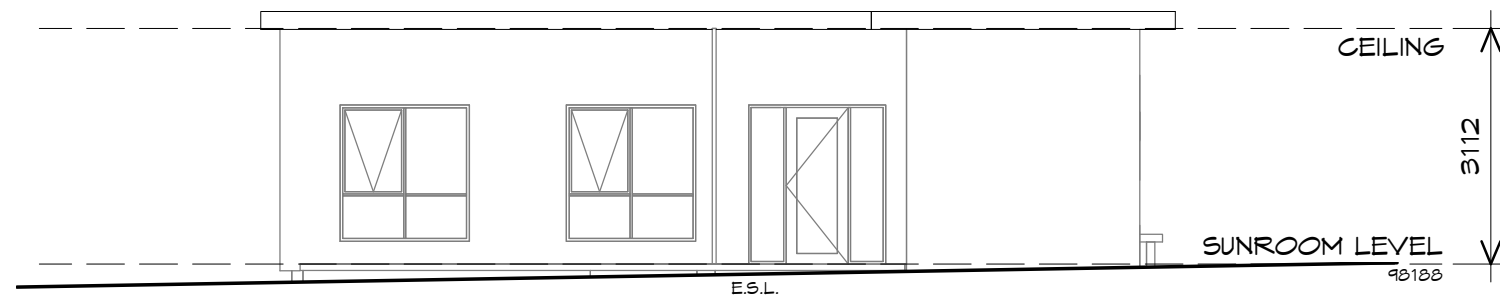
Drafted by: D.D.H. Approved by: F.G.G.

Date: 07.10.2019 Scale: 1 : 100

Project/Drawing no: PD19218 -U1-03 Revision: 02

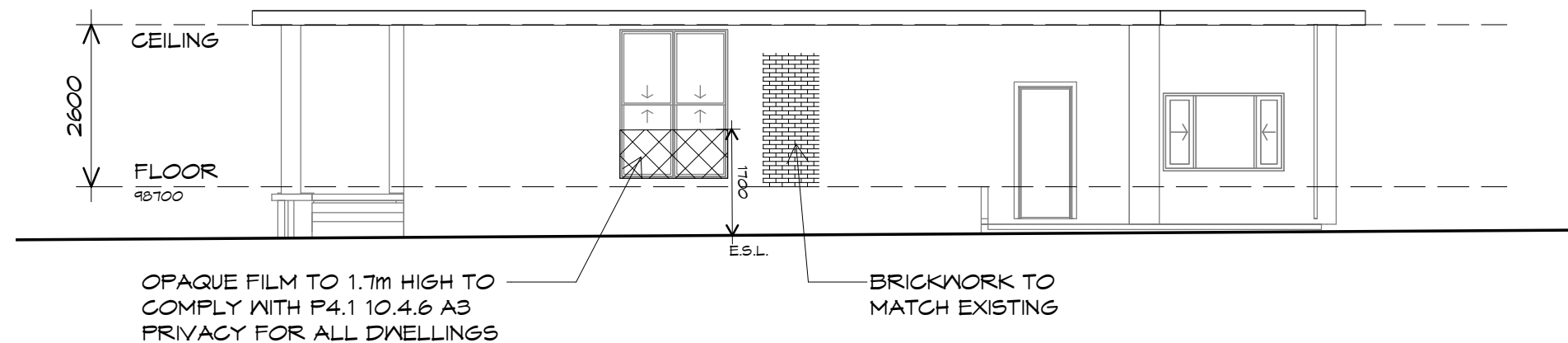
Accredited building practitioner: Frank Geskus -No CC246A

PLANNING AUTHORITY 2



## SOUTHERN ELEVATION

1 : 100



## WESTERN ELEVATION

1 : 100

PLANNING

NOTE: DO NOT SCALE OFF DRAWINGS



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Project:  
**PROPOSED UNIT**  
**7 MOUNT LESLIE ROAD,**  
**PROSPECT VALE**

Client name:  
**P. SYMONS**

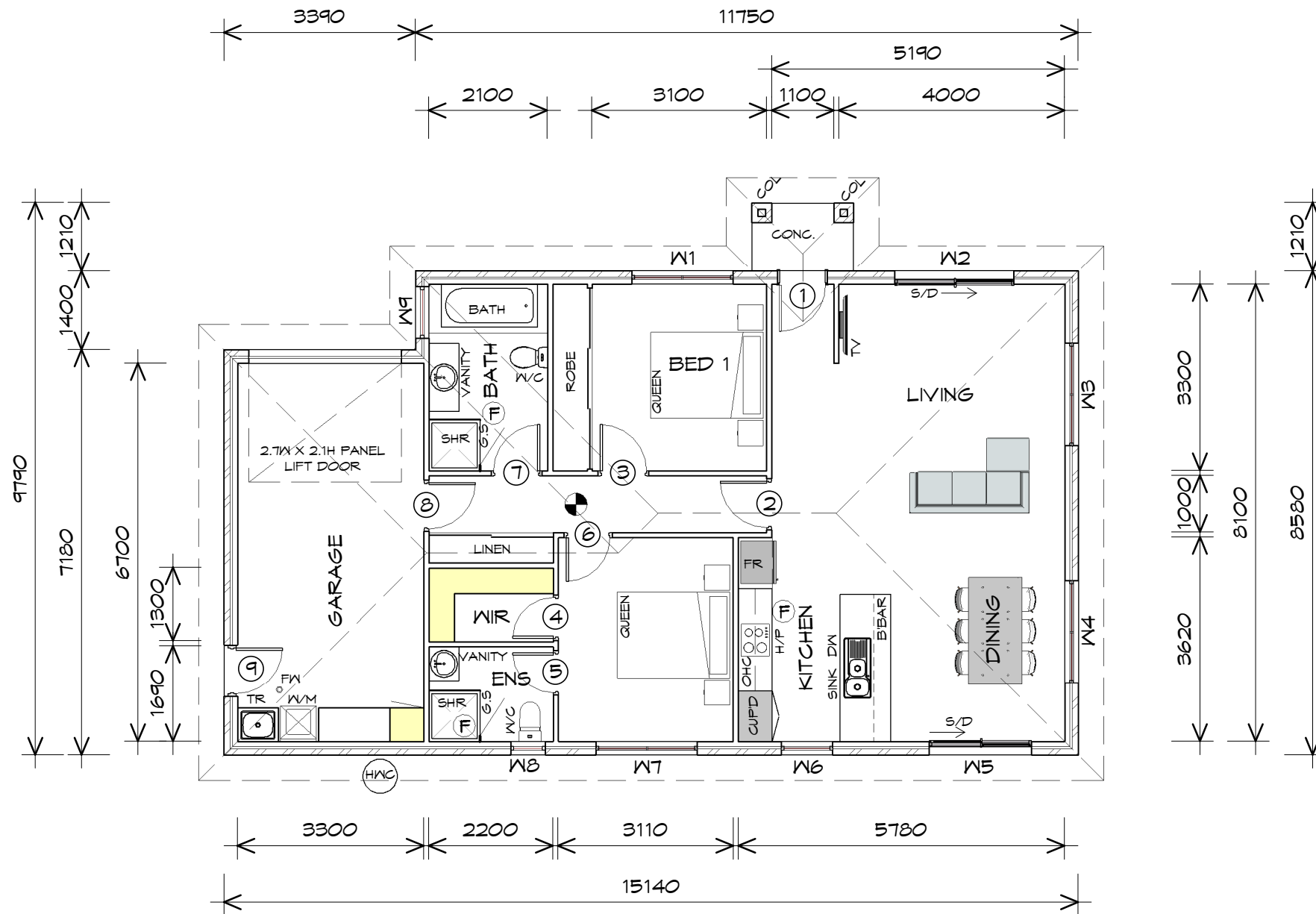
Drawing:  
**ELEVATIONS**

Drafted by: F.D.H. Approved by: F.G.G.

Date: 07.10.2019 Scale: 1 : 100

Project/Drawing no: PD19218 -U1-04 Revision: 02

Accredited building practitioner: Frank Geskus -No CC246A



## FLOOR PLAN

1 : 100

PORCH AREA	2.39	m2	( 0.26	SQUARES )
FLOOR AREA	124.95	m2	( 13.44	SQUARES )
	127.35		13.69	

**NOTE:**  
FLOOR AREAS INCLUDE TO EXTERNAL FACE OF BUILDING AND GARAGE, UNLESS OTHERWISE STATED. DECKS AND OUTDOOR AREAS ARE CALCULATED SEPARATELY.

## LEGEND

- Ⓢ EXHAUST FAN-VENT TO OUTSIDE AIR.
- Ⓢ 240V SMOKE ALARM
- Ⓢ CAVITY SLIDING DOOR
- Ⓢ SLIDING DOOR
- Ⓢ FLOOR WASTE
- Ⓢ COLUMN
- Ⓢ GLASS SCREEN
- Ⓢ HOT WATER CYLINDER



**Prime Design**

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p(h)+ 03 6228 4575  
info@primedesigntas.com.au primedesigntas.com.au

Project:  
**PROPOSED UNIT**  
**7 MOUNT LESLIE ROAD,**  
**PROSPECT**

Client name:  
**P. SYMONS**

Drawing:  
**FLOOR PLAN**

Drafted by: D.D.H. Approved by: F.G.G.  
Date: 07.10.2019 Scale: 1 : 100

Project/Drawing no: PD1919218 -U2-01 Revision: 02  
Accredited building practitioner: Frank Geskus -No CC246A

PLANNING  
NOTE: DO NOT SCALE OFF DRAWINGS

**PLANNING AUTHORITY 2**



DOOR SCHEDULE			
MARK	WIDTH	TYPE	REMARKS
1	820	EXTERNAL ENTRY DOOR	
2	820	INTERNAL TIMBER DOOR	
3	820	INTERNAL TIMBER DOOR	
4	720	INTERNAL TIMBER DOOR	
5	720	INTERNAL TIMBER DOOR	
6	770	INTERNAL TIMBER DOOR	
7	820	INTERNAL TIMBER DOOR	
8	820	INTERNAL TIMBER DOOR	
9	820	EXTERNAL HALF GLASS	

WINDOW SCHEDULE				
MARK	HEIGHT	WIDTH	TYPE	REMARKS
W1	1800	1810	AWNING WINDOW	
W2	2100	2110	SLIDING DOOR	
W3	1800	1810	AWNING WINDOW	
W4	1800	1810	AWNING WINDOW	
W5	2100	1810	SLIDING DOOR	
W6	1800	910	AWNING WINDOW	
W7	1800	1810	AWNING WINDOW	OPAQUE
W8	900	610	FIXED WINDOW	
W9	900	910	FIXED WINDOW	

ALUMINIUM WINDOWS DOUBLE GLAZING COMPLETE  
 WITH FLY SCREENS TO SUIT ??? BAL RATING.  
 ALL WINDOW MEASUREMENTS TO BE VERIFIED ON SITE  
 PRIOR TO ORDERING



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 n(f)+ 01 0228 4575  
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PLANNING AUTHORITY 2

Project:  
PROPOSED UNIT  
7 MOUNT LESLIE ROAD,  
PROSPECT

Client name:  
P. SYMONS

Drafted by:  
D.D.H.

Approved by:  
F.G.G.

Drawing:  
DOOR AND WINDOW  
SCHEDULES

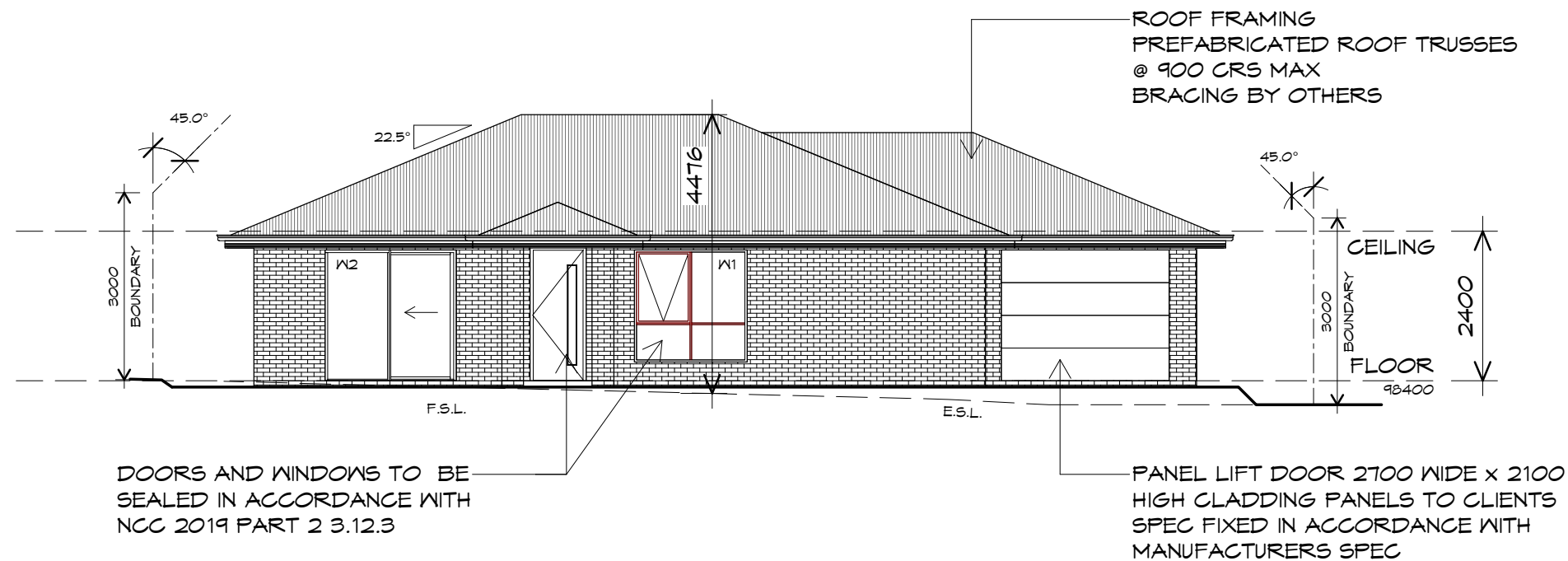
Date:  
07.10.2019

Scale:

Project/Drawing no:  
PD1919218 -U2-02

Revision:  
02  
Page 156

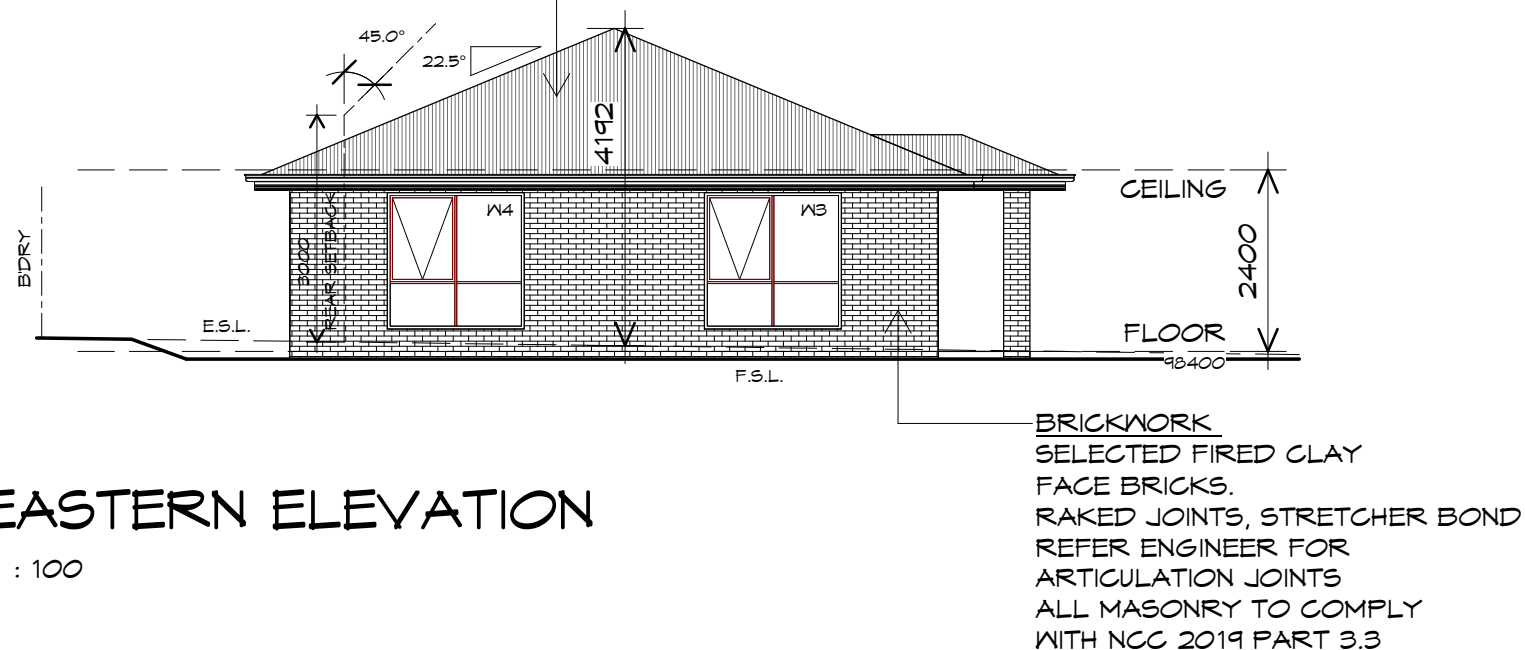
Accredited building practitioner: Frank Geskus -No CC246A



## NORTHERN ELEVATION

1 : 100

ROOF CLADDING  
COLORBOND CUSTOM ORB  
TO CLIENTS SPECS.



## EASTERN ELEVATION

1 : 100



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Project:  
**PROPOSED UNIT  
7 MOUNT LESLIE ROAD,  
PROSPECT**

Client name:  
**P. SYMONS**

Drawing:  
**ELEVATIONS**

Drafted by: D.D.H. Approved by: F.G.G.

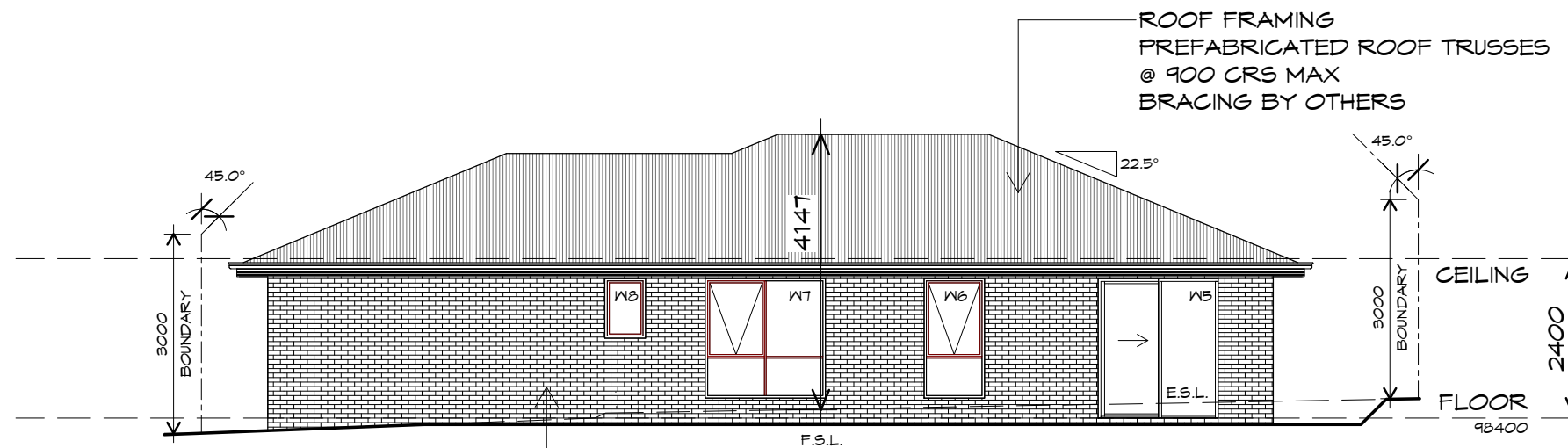
Date: 07.10.2019 Scale: 1 : 100

Project/Drawing no: PD1919218 -U2-03 Revision: 02

Accredited building practitioner: Frank Geskus -No CC246A

PLANNING AUTHORITY 2



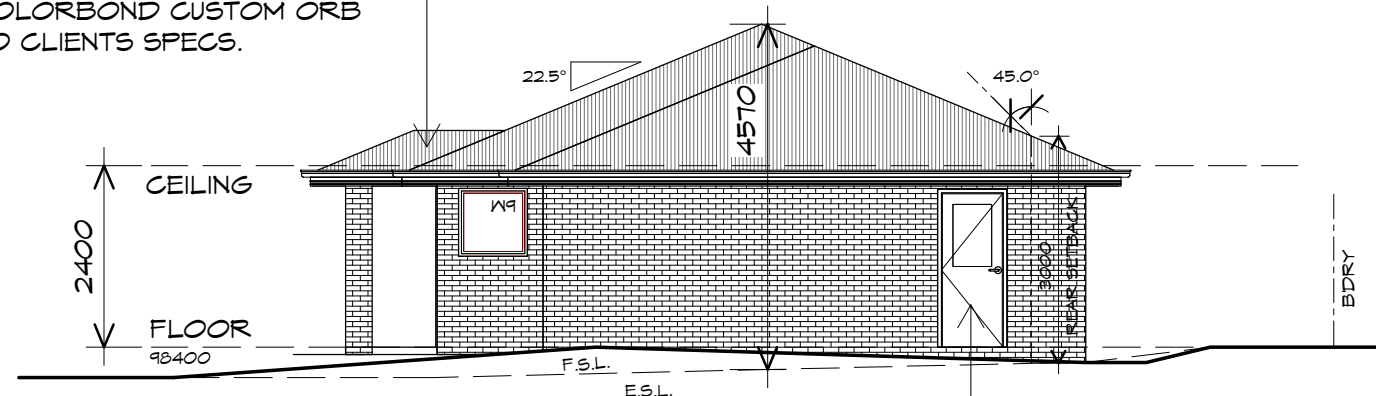


**BRICKWORK**  
 SELECTED FIRED CLAY  
 FACE BRICKS.  
 RAKED JOINTS, STRETCHER BOND  
 REFER ENGINEER FOR  
 ARTICULATION JOINTS  
 ALL MASONRY TO COMPLY  
 WITH NCC 2019 PART 3.3

## SOUTHERN ELEVATION

1 : 100

**ROOF CLADDING**  
 COLORBOND CUSTOM ORB  
 TO CLIENTS SPECS.



## WESTERN ELEVATION

1 : 100

PLANNING

NOTE: DO NOT SCALE OFF DRAWINGS



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 info@primedesign.com.au primedesign.com.au

Project:  
**PROPOSED UNIT**  
**7 MOUNT LESLIE ROAD,**  
**PROSPECT**

Client name:  
**P. SYMONS**

Drawing:  
**ELEVATIONS**

Drafted by: D.D.H. Approved by: F.G.G.

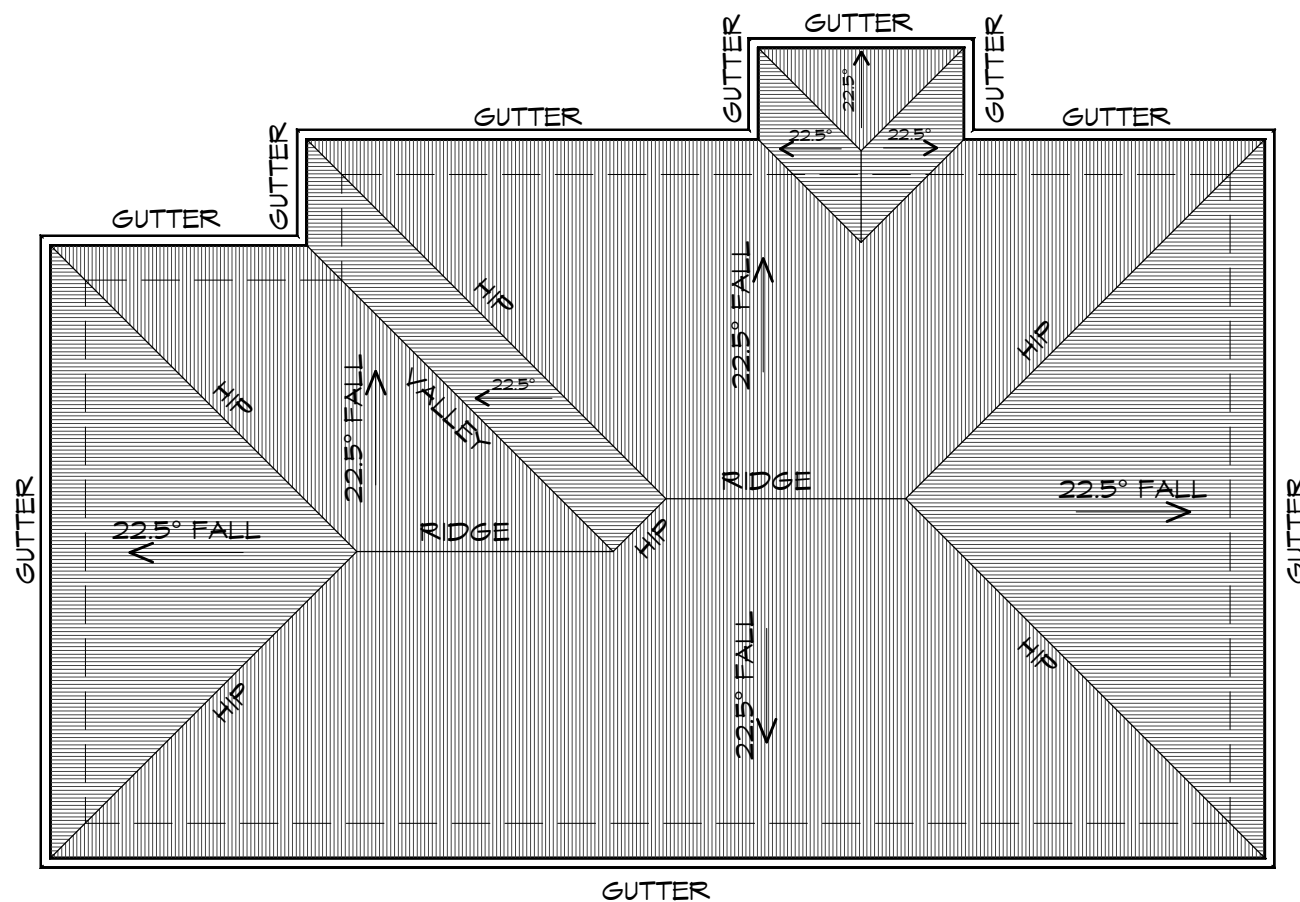
Date: 07.10.2019 Scale: 1 : 100

Project/Drawing no: PD1919218 -U2-04 Revision: 02

Page 158  
 Accredited building practitioner: Frank Geskus -No CC246A

PLANNING AUTHORITY 2





## ROOF PLAN

1 : 100

PLANNING AUTHORITY 2

PLANNING

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Project:  
**PROPOSED UNIT**  
**7 MOUNT LESLIE ROAD,**  
**PROSPECT**

Client name:  
**P. SYMONS**

Drawing:  
**ROOF PLAN**

Drafted by: D.D.H. Approved by: F.G.G.

Date: 07.10.2019 Scale: 1 : 100

Project/Drawing no: PD1919218 -U2-05 Revision: 02

Accredited building practitioner: Frank Geskus -No CC246A



27 September 2019

Meander Valley Council  
26 Lyall Street  
Westbury  
TAS 7303

Dear Planner,

**Re: Proposed new unit at 7 Mount Leslie Road, Prospect Vale**

The proposal for this site is a new 2-bedroom, 2-bathroom unit at the rear of the site at 7 Mount Leslie Road, Prospect Vale.

**10.4.1 Residential density for multiple dwellings**

A1 Complies with (b), 412.5m<sup>2</sup> per dwelling

**10.4.2 Setbacks and Building Envelope for all dwellings**

A1 Complies

A2 Complies

A3 Does not comply, Rear setback is 3.28m.

P3

- (a) Not cause unreasonable loss of amenity
  - (i) The setback of this unit will not cause unreasonable loss of sunlight to a habitable room. The residences that will be affected by this proposal is unit 3 & 4 of 288-292 Westbury Road, Prospect Vale.
  - (ii) Refer site shadow diagrams. The private open spaces of unit 3 & 4 still receive 3 hours of sunlight on the 21<sup>st</sup> June.
  - (iii) n/a, adjacent lots are not vacant.
  - (iv) As the residence is built into the ground, its visual impact will be reduced when viewed from an adjoining lot.
- (b) Separation matches in with the prevailing area as this unit has a setback less than the shed sitting on 286 Westbury Road.

#### **10.4.3 Site Coverage and Private Open Space for all Dwellings**

- A1 Complies, refer site landscaping plan
- A2 Complies, refer site plan

#### **10.4.4 Sunlight and overshadowing for all dwellings**

- A1 Complies, refer site plan
- A2 Complies
- A3 Complies

#### **10.4.5 Width of Openings for garages and carports for all dwellings**

- A1 N/a, no garage or carport near frontage

#### **10.4.6 Privacy for all Dwellings**

- A1 N/a, no balcony with a finished surface level above 1m proposed.
- A2 N/a, no window more than 1m above finished surface level.
- A3 Complies with (b). An opaque film is proposed to go to a height of 1.7m on the existing window to unit 1. Refer to PD19218-U1-04 for details.

#### **10.4.7 Frontage Fences for all Dwellings**

- A1 N/a, front fence is existing.

#### **10.4.8 Waste Storage for Multiple Dwellings**

- A1 Complies, refer to site landscaping plan.

### **E16.0 Urban Salinity Code**

#### **E16.6.1 Stormwater**

- A1.1 Complies, refer site drainage plan
- A1.2 n/a, no detention basin proposed.

Kind regards

Drew den Hartog

# APPLICATION FORM

## PLANNING

### Land Use Planning and Approvals Act 1993



Meander Valley Council  
WORKING TOGETHER

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

#### OFFICE USE ONLY

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

- Is your application the result of an illegal building work? ☐ Yes ☒ No Indicate by ✓ box
- Is a new vehicle access or crossover required? ☐ Yes ☒ No

#### PROPERTY DETAILS:

Address:	<input type="text" value="7 MOUNT LESLIE ROAD"/>	Certificate of Title:	<input type="text" value="74993"/>
Suburb:	<input type="text" value="PROSPECT VAGE"/>	<input type="text" value="7250"/>	Lot No: <input type="text" value="3"/>
Land area:	<input type="text" value="825"/>	<input checked="" type="radio"/> m <sup>2</sup> <input type="radio"/> ha	
Present use of land/building:	<input type="text" value="RESIDENTIAL"/>	(vacant, residential, rural, industrial, commercial or forestry)	
Does the application involve Crown Land or Private access via a Crown Access Licence:		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Heritage Listed Property:		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

#### DETAILS OF USE OR DEVELOPMENT:

Indicate by ✓ box	<input checked="" type="checkbox"/> Building work	<input type="checkbox"/> Change of use	<input type="checkbox"/> Subdivision
	<input type="checkbox"/> Forestry	<input type="checkbox"/> Demolition	
	<input type="checkbox"/> Other		
Total cost of development (inclusive of GST):	<input type="text" value="\$ 210,000"/>	Includes total cost of building work, landscaping, road works and infrastructure	
Description of work:	<input type="text" value="NEW UNIT AT REAR OF PROPERTY"/>		
Use of building:	<input type="text" value="DWELLING"/>	(main use of proposed building – dwelling, garage, farm building, factory, office, shop)	
New floor area:	<input type="text" value="127.34"/> m <sup>2</sup>	New building height:	<input type="text" value="—"/> m
Materials:	External walls: <input type="text" value="BRICK"/>	Colour:	<input type="text" value="—"/>
	Roof cladding: <input type="text" value="COLORBOND"/>	Colour:	<input type="text" value="—"/>

PLANNING AUTHORITY 2

## SEARCH OF TORRENS TITLE

VOLUME 74993	FOLIO 3
EDITION 3	DATE OF ISSUE 26-Apr-2012

SEARCH DATE : 19-Aug-2019

SEARCH TIME : 03.37 PM

## DESCRIPTION OF LAND

Town of PROSPECT VALE  
 Lot 3 on Diagram 74993 (formerly being 214-30D)  
 Derivation : Part of 33acs 2rds Gtd to J Pitcher  
 Prior CT 2952/25

## SCHEDULE 1

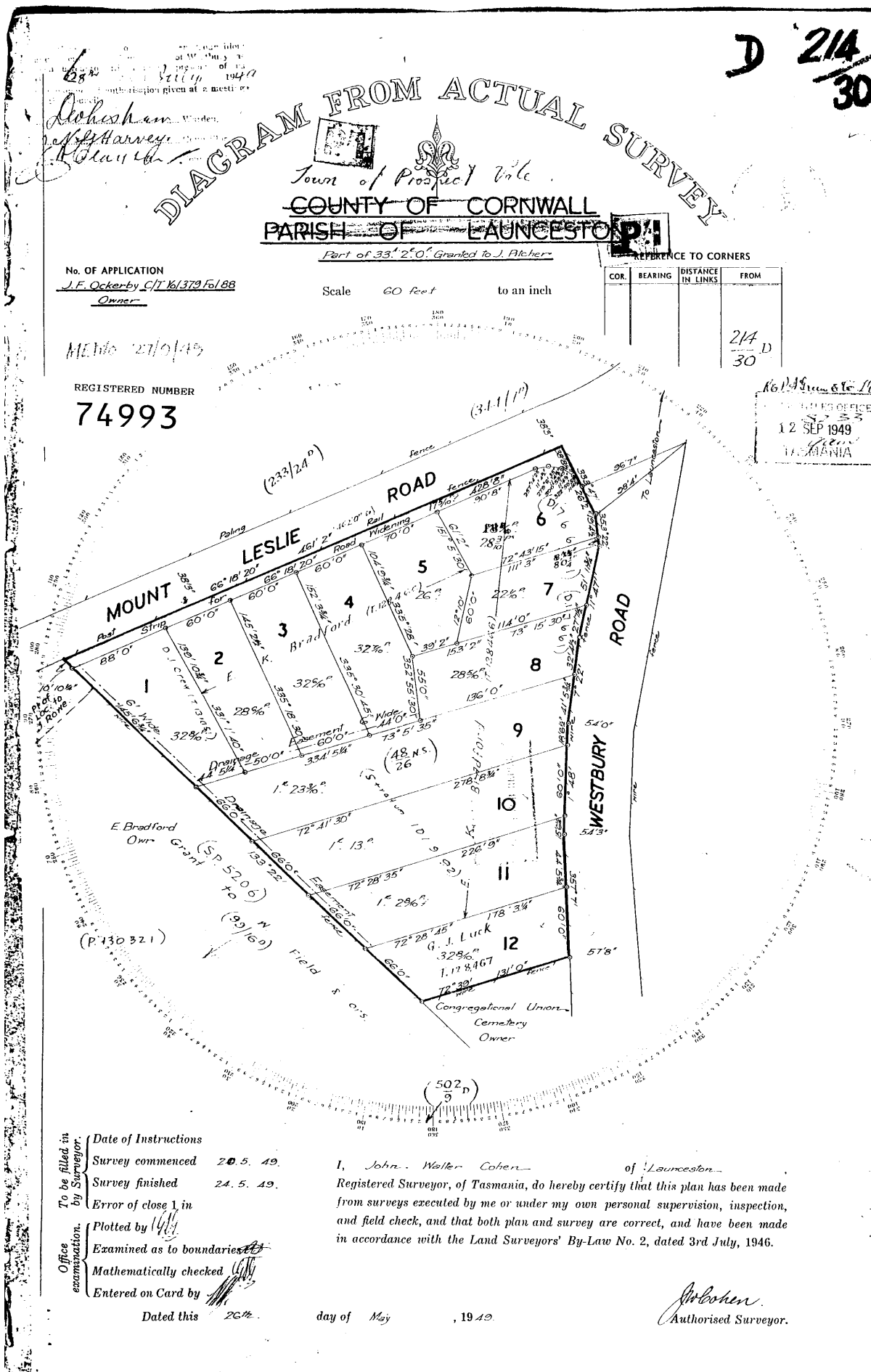
C734781 TRANSFER to BARRY JAMES MARSHALL and DIANE MARY  
 MARSHALL Registered 14-Aug-2006 at noon

## SCHEDULE 2

Reservations and conditions in the Crown Grant if any  
 BENEFITING EASEMENT: A Right of Drainage over the Drainage  
 Easement marked C.D.E. and A.B. and shown passing  
 through Lots 38 to 45 on Plan No. 55226  
 BENEFITING EASEMENT: a right of drainage over the land marked  
 "Drainage Easement" 6 feet wide passing through Lots  
 1 and 2 on Diagram 74993  
 BURDENING EASEMENT: Right of Drainage [appurtenant to Lots 4  
 and 8 on Diagram 74993) over the Drainage Easement  
 passing through the said land within described  
 128466 FENCING CONDITION in Transfer  
 C734782 MORTGAGE to Australia and New Zealand Banking Group  
 Limited Registered 14-Aug-2006 at 12.01 PM  
 D51850 MORTGAGE to Australia and New Zealand Banking Group  
 Limited Registered 26-Apr-2012 at 12.01 PM

## UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations



PLANNING AUTHORITY 2

## Submission to Planning Authority Notice

Council Planning Permit No.	PA\20\0074	Council notice date	30/09/2019
<b>TasWater details</b>			
TasWater Reference No.	TWDA 2019/01436-MVC		Date of response 11/10/2019
TasWater Contact	David Boyle	Phone No.	6345 6323
<b>Response issued to</b>			
Council name	MEANDER VALLEY COUNCIL		
Contact details	planning@mvc.tas.gov.au		
<b>Development details</b>			
Address	7 MOUNT LESLIE RD, PROSPECT VALE	Property ID (PID)	7026764
Description of development	Multiple dwelling (unit 2)		
<b>Schedule of drawings/documents</b>			
Prepared by	Drawing/document No.	Revision No.	Date of Issue
Prime Design	Site Drainage Plan / PD19218-03	02	7/10/2019
<b>Conditions</b>			
<p>Pursuant to the <i>Water and Sewerage Industry Act 2008</i> (TAS) Section 56P(1) TasWater imposes the following conditions on the permit for this application:</p> <p><b>CONNECTIONS, METERING &amp; BACKFLOW</b></p> <ol style="list-style-type: none"> <li>1. A suitably sized water supply with metered connection / sewerage system and connection for this unit development must be designed and constructed to TasWater's satisfaction and be in accordance with any other conditions in this permit.</li> <li>2. Any removal/supply and installation of water meters and/or the removal of redundant and/or installation of new and modified property service connections must be carried out by TasWater at the developer's cost.</li> <li>3. Prior to use of the development, any water connection utilised for the development must have a backflow prevention device and water meter installed, to the satisfaction of TasWater.</li> </ol> <p><b>DEVELOPMENT ASSESSMENT FEES</b></p> <ol style="list-style-type: none"> <li>4. The applicant or landowner as the case may be, must pay a development assessment fee of \$211.63 to TasWater, as approved by the Economic Regulator and the fees will be indexed, until the date paid to TasWater.</li> </ol> <p>The payment is required by the due date as noted on the statement when issued by TasWater.</p>			
<b>Advice</b>			
<p><b>General</b></p> <p>For information on TasWater development standards, please visit <a href="https://www.taswater.com.au/Development/Technical-Standards">https://www.taswater.com.au/Development/Technical-Standards</a></p> <p>For application forms please visit <a href="http://www.taswater.com.au/Development/Forms">http://www.taswater.com.au/Development/Forms</a></p>			

#### Declaration

The drawings/documents and conditions stated above constitute TasWater's Submission to Planning Authority Notice.

#### Authorised by



**Jason Taylor**  
Development Assessment Manager

#### TasWater Contact Details

Email	development@taswater.com.au	Web	www.taswater.com.au
Mail	GPO Box 1393 Hobart TAS 7001		

**From:** Suzanne Butt  
**Sent:** 14 Oct 2019 13:27:53 +1100  
**To:** Planning @ Meander Valley Council  
**Subject:** 7 mt leslie road prospect vale

I WOULD LIKE TO LODGE MY OBJECTION TO ...7 MT  
LESLIE ROAD PROSPECT VALE

THE PROPOSED UNIT DEVELOPMENT AT THIS ADDRESS ....

1 THERE IS ALREADY A HIGH PROPORTION OF UNITS IN THIS  
AREA .

2 MORE HOUSING DEVELOPMENT AT THIS ADDRESS WE  
KNOW THAT IS TOO

SMALL FOR A UNIT ... UNIT TO CLOSE TO THE BOUNDARY  
FENCE AND THIS AREA WILL ONLY ADD TO THE TRAFFIC  
DENSITY IN THIS AREA

SUZANNE .WAYNE BUTT AT 5/288 WEASTBURY ROAD

Index No. 11311			
Doc No.			
RCVD	24 OCT 2019	MVC	
Action Officer	LR	Dept.	OS
EO		OD	✓

PA/20/0074

✓4

288 WESTBURY RD  
PROSPECT.

RE UNIT

TO BE BUILT AT 7 MT LESLIE RD.

Dear Sir or Madam

Firstly I am against the Unit be built because it will take all my lovely view that I have had since I've been here for nine years.

Also now when I am in the Kitchen all I will be looking at will be a brick wall where the garage is going to be.

I also heard there will be trees planted which will grow tall + maybe block out the sun off my garden + clothes line. Not a good outcome.

Kind Regards

D. Baldwin.

## **PLANNING AUTHORITY ITEM 3**

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

The following are applicable to this report.

### **7) Strategic/Annual Plan Conformance**

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

### **8) Policy Implications**

Not Applicable

### **9) 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 33 and 43A of LUPAA.

### **10) Risk Management**

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

### **11) Financial Impact**

Not applicable.

### **12) Alternative Options**

Council can either initiate the draft amendment and approve the application with conditions or refuse to initiate the amendment.

### **13) Voting Requirements**

Simple Majority

## **PLANNING AUTHORITY 3**

Reference No. 200/2019

**67 MEANDER VALLEY ROAD, WESTBURY**

**Planning Application:** Amendment 1/2019  
PA\20\0063

**Proposal:** Planning Scheme Amendment:  
Insert Resource Processing as a discretionary use in the Urban Mixed Use Zone for a distillery, including ancillary cellar door sales and café at 67 Meander Valley Road, Westbury.

Use and Development:  
Change of use to Resource Processing  
Extensions to an existing building, car parking and access works.

**Author:** Jo Oliver  
Senior Strategic Planner

### **1) Introduction**

Applicant	Pitt & Sherry
Owner	M & M Kolodziej
Property	67 Meander Valley Road, Westbury (CT43423/1)
Zoning	Urban Mixed Use Zone
Existing Land Use	Manufacturing and Processing
Decision Due	12 November 2019
Planning Scheme:	Meander Valley Interim Planning Scheme 2013 (the Planning Scheme)

### **2) Recommendation**

- 1. Pursuant to Sections 33(3) and 34(1)(b) of the former provisions of the Land Use Planning and Approvals Act 1993, the following modified draft amendment to the Meander Valley Interim Planning Scheme 2013 is initiated and in accordance with Section 35, is certified as being in accordance with Sections 30O and 32 of the Act:**

**Insert Resource Processing as a discretionary use into the Urban Mixed Use Zone – 15.2 Use Table with a qualification as follows:**

<b>Discretionary</b>	
<b>Use Class</b>	<b>Qualification</b>
<b>Resource Processing</b>	<b>If for a distillery on CT43423/1</b>

- 2. Pursuant to Section 43C. of the former provisions of the Land Use Planning and Approvals Act 1993 and the Meander Valley Interim Planning Scheme 2013, approve the application for Use and Development for Resource Processing (Distillery) on land located at 67 Meander Valley Road, Westbury (CT:43423/1) generally in accordance with the endorsed plans:**

- a) Pitt & Sherry – Report to Support a Request to Amend a Planning Scheme and Propose a Development, 19 September 2019, Rev 01 (ref: LN19236L001 Rep 31P Rev011/IA/rb)**

**and subject to the following conditions:**

- 1. A screening fence, to a minimum height of 1.8 metres above the finished floor level of the deck, is to be constructed on the western boundary from the southern-most extent of the deck to the northern most extent, to the satisfaction of Council's Town Planner.**
- 2. The disabled parking bay is to be relocated to the western side of the car park and is to have an associated pedestrian pathway, delineated from the car parking surface material, that meets the ramp entrance, to the satisfaction of Council's Town Planner.**
- 3. Prior to the commencement of works, the detailed design of the ground sign is to be submitted to the satisfaction of Council's Town Planner.**

Notes:

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](mailto:mail@mvc.tas.gov.au).

2. This permit is valid for two (2) years only from the date of approval and will thereafter lapse if the development is not substantially commenced. An extension may be granted if a request is received.
3. 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.
4. 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](mailto: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 amend the Meander Valley Interim Planning Scheme 2013 to provide for the establishment of a distillery within the existing building at 67 Meander Valley Road, Westbury. The site has previously been used for steel fabrication and is currently used for fishing lure manufacturing.

The proposed distillery use is classified as 'Resource Processing', which is a prohibited use in the Planning Scheme.

The Land Use Planning & Approvals Act 1993 (LUPAA) provides for a combined application to consider a planning scheme amendment together with an application for use and development. Amendments to LUPAA to establish the Tasmanian Planning Scheme, were gazetted on 17 December 2015, however the provisions of the Tasmanian Planning Scheme do not come into operational effect until such time as Council completes its Local Provisions Schedule and the Minister makes the planning scheme. In the interim, the process for the consideration of planning scheme amendments continues in accordance with LUPAA as it was written prior to the 17 December 2015. These provisions are defined as the 'former provisions' in Schedule 6 - Savings and Transitional Provisions in the amended LUPAA.

This application is made in accordance with sections 33 and 43A of the former provisions of the Act.

Upon initiation and certification of the draft amendment, Council is required to forward the amendment to the Tasmanian Planning Commission (the Commission), who will assess the proposal and determine whether to approve or reject the draft amendment. The Commission may also request additional information.

The application proposes to insert *Resource Processing* as a discretionary use into the Urban Mixed Use Zone - Use Table at section 15.2. The amendment includes a qualification in the Use Table to confine the use to the title at 67 Meander Valley Road.

The use of the site includes:

- boutique production of spirits;
- cellar door sales and tasting of the spirits produced on the site;
- visitor tours of the production facility; and
- a café.

The development being applied for includes:

- Minor extensions to the existing building for amenities, canopy and roll mill machine,
- Alterations to the building facades to the frontage and the western elevation to modernise the building appearance and provide café access/service and some covered outdoor seating;
- decking to the front and western sides of the building for outdoor dining and entrance;
- car park sealing and line marking;
- driveway access widening; and
- landscaping.

The application is supported by a report by Pitt and Sherry that provides further detail about the proposal and addresses the requirements of LUPAA and the standards of the planning scheme.



Figure 1: Aerial photo of subject Site at 67 Meander Valley Road



Figure 2 – image of proposed alterations to building entrance.

#### **4) Representations**

Not applicable – If initiated and certified, the application will be notified for a period of 28 days. At that time, the public will have an opportunity to comment on the proposal. Any representations will be considered in a further report to Council.

#### **5) Consultation with State Government and other Authorities**

The application includes works within the road reserve and requires the consent of the Department of State Growth as Meander Valley Road is a State Road. The consent is attached. The consent also includes confirmation that the Traffic Impact Assessment is satisfactory.

The application is referred to Taswater if Council initiates and certifies the amendment.

#### **6) Officers Comments**

In certifying a draft amendment to the planning scheme, Council must be satisfied that the amendment is in accordance with Sections 32 and 30(O) of the former provisions of LUPAA. To meet the requirements of LUPAA the proposal must:

- describe the site and the surrounding uses;
- provide a full description of the proposed amendment and any provisions to be inserted into the Scheme;
- be supported by strategy;
- as far as practicable, avoid the potential for land use conflicts;
- have regard to the impacts of the proposal on the use and development of the region in environmental, economic and social terms;
- demonstrate that the amendment does not revoke or amend overriding local provisions or common provision of the Scheme;
- determine that the proposal is in accordance with the State Policies made under section 11 of the State Policies and Projects Act 1993;
- demonstrate that the proposal is in accordance with the Regional Land Use Strategy of Northern Tasmania;
- demonstrate that the amendment furthers the objectives set out in Schedule 1 of the Act; and
- consider the safety requirements set out in the standards prescribed under the Gas Pipelines Act 2000.

**Site and Surrounds:**

A description of the site and surrounding area is included at Page 4 of the application report. The proposal makes use of the fabric of the existing industrial building with some minor modifications for amenities, canopy and roll mill machine enclosure. The former office/reception area to the front of the building is proposed to be altered to modernise the building appearance and provide café access/service and some covered outdoor seating. Areas proposed to be utilised for decking to the front and western sides of the building are currently utilised for parking.

The formal access to the rear of the site is along the eastern side of the building. The application does not propose to continue the informal use of the driveway along the western boundary as this services an approved dwelling on the lot to the rear.

The site has a gentle, 1:20 slope to the front car park area with the rear being relatively flat.



Figure 3 – Aerial photo of the site showing 0.5m contours.



Photo 1 - eastern side of building, view from rear toward front.



Photo 2 - rear of building.



Photo 3 – frontage and western side of building.



Photo 4 - view from rear of building toward approved dwelling site approximately 75 metres to the north west.



Photo 5 - View from driveway crossover along Meander Valley Road to the south west.



Photo 6 - from driveway crossover along Meander Valley Road to the south east.

The surrounding area is typical of the mixed use fabric of Meander Valley Road containing Pearn's Steamworld (tourist attraction), Westbus (transport depot), Fitzpatricks Inn (visitor accommodation and hospitality) Westbury Rural Supplies (retail and food services), police station and residential uses. The land to the west of the adjoining driveway to 69 Meander Valley Road is currently vacant.

## **Proposed Planning Scheme Amendment**

The report by Pitt & Sherry provides a detailed description of the amendment and a response to the relevant sections of LUPAA. The submissions in the report are generally supported, however some additional analysis is provided below where considered necessary.

### **Section 32(1)(e) - Land Use Conflict**

Particular measures are proposed for the distillery use that manage the site to mitigate any potential impacts of noise and odour. The roll mill to the rear of building would be the principal source of potential noise to the approved dwelling to the north west, and is proposed to be contained in a noise baffling enclosure. Other plant is proposed to be located to the eastern side of the building under an awning at approximately 80 metres from the nearest dwelling to the south east. The substantial separation distances to nearest dwellings, together with the baffling effect of existing buildings on the site and on the adjoining lot to the east, is anticipated to mitigate noise levels to an acceptable urban standard.

The use produces low levels of waste product from the distilling process, all of which is held within sealed containers. No odour impact is anticipated.

Requested Amendment to Urban Mixed Use Zone - 15.2 Use Table as it relates to potential land use conflict:

The application proposes to include Resource Processing as a discretionary use with a qualification to allow for 'food and beverage production' for the lot at 67 Meander Valley Road. This qualification expands the potentially allowable resource processing uses beyond the proposed distillery to which the documentation relates, however the supporting report does not describe the potential impacts of other uses or how they may be managed. The submission that a future discretionary status would serve to properly analyse any future impacts is not quite correct, as there are several food and beverage processing uses that would not be subject to the current Environmental Impacts and Attenuation Code in the Interim Planning Scheme, nor would plant noise or odour be assessed under the use provisions of the zone.

The Tasmanian Planning Scheme, when operational in Meander Valley in the future, will more comprehensively assess these uses and does include resource processing as a discretionary use.

It is recommended that the proposed amendment be modified to limit the use on the site to the proposed distillery only. The case in support of the proposed distillery is endorsed and it is noted that the change in qualification does not place any limitations on the café and cellar door functions as these are ancillary to the distillery.

### **Section 300(1) - Northern Tasmania Regional Land Use Strategy**

The Northern Tasmania Regional Land Use Strategy (NTRLUS) is currently the principal land use strategy applying to Westbury. The NTRLUS recognises the value of a diverse tourism product as an opportunity for the region.(p6) The NTRLUS recognises that a particular challenge for the Northern Region will be to capitalise on the tourism potential of locations other than those focussed on Launceston.(p7)

As a rural town, Westbury provides a distinct opportunity to value-add to the tourist experience, based on local food and beverage production drawing from local resources.

The NTRLUS sets out goals and strategic directions for economic development. The overarching goal is *...to facilitate economic development and productivity through integrated land use and infrastructure planning.*(p9)

Strategic Direction G1.1 is to *... Capitalise on the region's sources of competitiveness by identifying future opportunities for sustainable competitive advantage.*(p9)

The relevant strategies to achieve this is are:

- a) *Add value, diversify the economy and generate jobs.*
- e) *Support high value adding and downstream activities to natural resources including small scale manufacturing and processing enterprises.*

The Westbury township does not currently have any boutique distillery establishments and as such, the proposed distillery and ancillary sales diversifies the current commercial product and will act as additional tourist drawcard. As has been experienced in other rural locations in Tasmania, the specialised nature of boutique distilling as a premium product, raises the profile of not only Tasmanian produce and beverage craft in the retail market, but also the profile of tourism in the locality as a demonstrated attractor.

Strategic Direction G1.3 is to *Develop a thorough understanding of key industry needs, including future demand and location requirements.*

The relevant strategies to achieve this are:

- b) *Support tourism, culture and arts by:*

- *Recognising the 'drivers' of tourism, including natural values, heritage, food and wine, and local character; and*
- *Providing for development of tourism products including accommodation.*

As discussed above, boutique distilleries have, in recent years, added significantly to the Tasmanian food and wine tourism product. Particularly, the location of these establishments outside of the larger metropolitan cities has acted as drivers for the dispersal of visitors across the State.

The NTRLUS describes Regional Outcomes, Policies and Actions to be achieved relating to:

- Regional Settlement Network Policy
- Regional Activity Centre Network Policy
- Regional infrastructure Network Policy
- Regional Economic Development Policy
- Social Infrastructure and Community Policy
- Regional Environment Policy

Whilst not all policies and actions are directly relevant to the proposal, those that provide guidance are discussed below.

Settlement Network and Activity Centre Network:

Within the settlement network Westbury is recognised as a 'rural town'. The land uses described for rural town activity centres recognises that tourism related businesses often mix with the local retail and service functions.

The NTRLUS does not spatially define the extent of activity centres, with each township having its own unique characteristics through historic development, often dating back to the 1800's. One of the key activity centre strategies is to ... *plan the development of each activity centre relative to its identified function, role and anticipated catchment to ... create economic growth by co-locating a mix of land uses.*(p.31)

The historic development of Westbury has led to an arrangement of mixed commercial, community and residential uses that extends from the original historic core of the town to the east along Meander Valley Road. This has been the result of a confined heritage environment that did not enable the establishment or expansion of larger scale uses. The extent of these mixed uses is reflected in the current Urban Mixed Use zoning in which the subject site is located.

In addition to the proposed distillery being effective in recycling and improving existing building stock, it also augments and promotes economic activity by

establishing a new use adjacent to another well-known tourist attraction at Pearn's Steamworld on Westbury's main road.

Infrastructure Network:

*A key infrastructure network strategy is to ... support development that consolidates and maximises the use of existing infrastructure capacity and planned infrastructure.(p38)*

Policy RIN-P4 states:

*Recognise the Department of State Growth Road Hierarchy and protect the operation of major road and rail corridors (existing and planned) from development that will preclude or have an adverse effect upon existing and future operations.(p.39)*

The application includes a traffic impact assessment (TIA) for the access works and predicted traffic loads to Meander Valley Road which is a State Road. The Department of State Growth have provided confirmation that the TIA is satisfactory and that there will be no adverse impact on the function of Meander Valley Road.

Economic Development Policy:

Key economic development strategies are:

- *Pursue a range of new and innovative investment and product development opportunities in locations and sectors generally not previously targeted and resourced.*
- *Promote the protection and enhancement of manufacturing, industrial and tourist business service locations.*

Policy ED-P9 states:

*Support tourism development that is guided by research and economic strategies that develop projects and initiatives to enhance the range of tourism and visitor experiences in the region.(p.45)*

Policy ED-P10 states:

*Support the development of the tourism sector by ensuring land use planning policies and principles do not unnecessarily restrict tourism use and development.(p.46)*

Policy ED-P12 states:

*Avoid unnecessary restrictions on new tourism sector innovation in planning schemes and acknowledge that planning schemes cannot always predict future tourist sites/developments.(p.46)*

The Northern Tasmania Region 'RED Strategy' (regional economic development)<sup>1</sup> draws from T21, *Tasmania's Visitor Economy Strategy (2015-2020)* which "sets a vision for Tasmania to be a world-leading destination of choice, with a vibrant visitor economy supported by our tourism and hospitality industries, strong business and education sectors and a community that embraces our visitors and all the benefits they bring. The Strategy has evolved its targets to include visitor yield and visitor dispersal beyond the island's major cities, and this provides an opportunity for a greater regional focus on tourism for Northern Tasmania. One of the key challenges is to extend the tourism season in the northern region and develop year-round tourist demand."

The RED Strategy identifies [relevant] priority areas as:

- Leverage the work of Tourism Tasmania and Tourism Northern Tasmania to attract higher value visitors, to increase off-peak demand and encourage regional dispersal of visitors;
- To grow the quantity of high-value, low-volume niche products and services.

The proposed boutique distillery directly furthers the objectives of regional and State economic development strategies to develop destinations that offer high quality product in regionally dispersed locations. Boutique spirit production that leverages regional locations has been a relatively recent market development, but has been increasing over several years. The NTRLUS specifically recognises that these opportunities cannot always be anticipated and that the combined planning scheme amendment and permit process is an appropriate mechanism to enable tourism ventures to establish.(p.46)

### **Section 300(2)**

An amendment to a planning scheme may only be made if:

- a) The amendment would not be directly or indirectly inconsistent with common provisions or an overriding local provision;
- b) The amendment does not revoke or amend an overriding local provision;
- c) The amendment would not create a conflicting local provision.

The application seeks to provide for specific use and development on a singular title. The proposed amendment does not seek to amend or revoke a common provision or overriding local provision of the Scheme.

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<sup>1</sup> Northern Tasmania Development Corporation Ltd. 2019 p.20

### **Section 300(3)**

An amendment may only be made to a local provision if:

- a) The amendment is to the effect that a common provisions is not to apply to an area of land;
- b) A planning directive allows the planning scheme to specify that some or all of the common provisions are not to apply to such an area of land.

The proposed amendment will not interfere with any common provisions of the Scheme as it seeks to apply the standards of the planning scheme through the applicable zoning and use table qualification.

### **Section 300(4)**

An amendment may not be made to a common provision of a planning scheme unless the common provision, as so amended, would not be inconsistent with a planning directive that requires or permits the provisions to be contained in the planning scheme.

No amendment to common provisions within the Scheme have been proposed.

### **Section 300(5)**

An amendment to a planning scheme may be made if the amendment consists of:

- a) Taking an optional common provision out of the scheme; or
- b) Taking the provision out of the scheme and replacing it with another optional common provision.

No amendment to common provisions within the Scheme have been proposed.

### **Section 32(1)(f) – Impact of Use and Development on the Region**

The Act specifies that an amendment to a planning scheme must have regard to the impact that the use and development permissible under the amendment will have on use and development of the region as an entity in environmental, economic, and social terms. The proposed amendment to insert a site specific allowance for a distillery use on a single site will not impact the region from an environmental, economic or social perspective due to very localised nature of the proposal. The assessment against the strategies and policies of the Northern Tasmania Regional Use Land Use Strategy above demonstrates that the proposal supports regional economic and social objectives. The proposal has no regional environmental impact as it is re-furbishing an existing building within an urban environment.

## Schedule 1 Objectives

Sections 20(1)(a) and 43(c)(a) of the Act require a planning scheme and amendment to a planning scheme to seek to further the objectives set out in Schedule 1 of the Act. The application report provides an assessment against the objectives. Additional planning authority comment is included below.

### Schedule 1 Part 1

*a) To promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity.*

The use and development of the land for a distillery on an existing, developed urban site will not impact natural resources of ecological processes.

*b) To provide for the fair, orderly and sustainable use and development of air, land and water.*

The re-use of existing buildings within an urban environment represents orderly and sustainable development. The opportunity to provide for the resource processing use is fair in the context of the assessed impacts on surrounding land which are considered acceptable.

*c) to encourage public involvement in resource management and planning.*

Should the draft amendment be initiated and certified by Council, public involvement will be achieved in accordance with the objective by virtue of the public exhibition period prescribed by section 38 of the Act. Members of the public are entitled to view the application and submit representations pursuant to section 39 of the Act.

*d) to facilitate economic development in accordance with the objectives set out in [paragraphs \(a\)](#) , [\(b\)](#) and [\(c\)](#).*

The proposed amendment directly supports regional economic objectives for tourism and employment in accordance with the objectives above.

*e) to promote the sharing of responsibility for resource management and planning between the different spheres of Government, the community and industry in the State.*

The Department of State Growth have provided consent for the application and confirmed that the impacts of the proposal on the State road network are acceptable.

#### Schedule 1 Part 2

*a) to require sound strategic planning and co-ordinated action by State and local government.*

No additional comment.

*b) to establish a system of planning instruments to be the principal way of setting objectives, policies and controls for the use, development and protection of land.*

The proposed site specific qualification, as amended by the planning authority to limit the use to the distillery, provides for appropriate controls over use and any future development that may be required.

*c) to ensure that the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land.*

The proposed establishment of a distillery in Westbury is well-supported by regional economic policy for the regional dispersal of unique tourism features. The direct effects on surrounding land are considered acceptable and complementary to the mixed uses within the vicinity, consistent with economic principles of aggregation facilitating greater visitation to commercial uses.

*d) to require land use and development planning and policy to be easily integrated with environmental, social, economic, conservation and resource management policies at State, regional and municipal levels.*

The s.43A process provides the ability to facilitate the proposed boutique distillery in support of regional policies for tourism, innovation and employment discussed above and also local strategies to enhance the built fabric and provide business opportunities in Meander Valley's rural towns.

*e) to provide for the consolidation of approvals for land use or development and related matters, and to co-ordinate planning approvals with related approvals.*

No additional comment.

- f) to promote the health and wellbeing of all Tasmanians and visitors to Tasmania by ensuring a pleasant, efficient and safe environment for working, living and recreation.*

The improvement of the built fabric of the existing site which is within a walkable distance to other tourist and visitor destinations in Westbury, enhances the resident and tourist environment.

- g) to conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value.*

Not applicable.

- h) to protect public infrastructure and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community.*

The Department of State Growth has confirmed the works within the State road reserve are at the appropriate standard. The site has connection to all reticulated services and does not require any upgrades to facilitate the use.

- i) to provide a planning framework which fully considers land capability.*

As a fully serviced site, the land is capable of containing the proposed use and development.

### **Meander Valley Community and Strategic Plan 2014 – 2024**

The Meander Valley Community and Strategic Plan 2014 – 2024 sets out six Future Directions with supporting Strategic Outcomes. The following discusses these as relevant to the proposal:

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

*Managing the balance between growth and the conservation of our natural and built environment is a key issue. Decisions will respect the diversity of community values, will be fair, balanced and long term in approach. Specific areas are forestry, protection of our natural, cultural and built heritage, scenic landscape protection, karst management, salinity, water quality, infrastructure and building design.*

#### *Strategic Outcomes:*

##### *1.1 Contemporary planning supports and guides growth and development across Meander Valley.*

The section 43A process provides an opportunity for those proposals that do not readily fit the planning scheme to demonstrate that they are appropriate and deliver good outcomes that further the strategies for the municipality and townships. The key tourist and economic benefits are discussed above against the policies and goals of the NTRLUS, which reflect the aspirations and outcomes described in Council's strategic plan. The application proposes to establish a high quality, boutique business capitalising on local branding and renovates an existing industrial premises on Westbury's main street into a contemporary establishment, enhancing the streetscape.

*Future direction (2) - A thriving local economy*

*Meander Valley needs to respond to changes and opportunities to strengthen and broaden its economic base. We need to attract investors, build our brand, grow population, encourage business cooperation, support development and promote the liveability of Meander Valley.*

*Strategic Outcomes:*

- 1.1 The strengths of Meander Valley attract investment and provide opportunities for employment.*
- 1.2 Economic development in Meander Valley is planned, maximising existing assets and investment in infrastructure.*
- 1.4 A high level of recognition and demand for Great Western Tiers products and experiences.*

The proposal directly furthers the future direction and strategic outcomes for a thriving local economy. As discussed above, the proposal establishes a new use, contributing to the diversity of tourist product and particularly capitalises on the Great Western Tiers brand. In recycling an existing industrial premises, the proposal maximises the existing assets and infrastructure in a prime location on a main thoroughfare.

**Meander Valley Interim Planning Scheme 2013 - Use and Development Permit**

The application report includes an assessment against the relevant use and development standards of the Urban Mixed Use Zone and applicable codes. Additional comment is provided below where considered necessary.

Use Class: Resource Processing - distillery including ancillary cellar door sales and café.

As discussed above, it is recommended that the qualification in the use table confine the use to the proposed distillery. The amendment would appear in the use table as follows:

<b>Discretionary</b>	
Use Class	Qualification
Resource Processing	If for a distillery on CT43423/1

It is noted that the application report submits that the café is classed as food services, however it is considered that the café and the cellar door, at approximately 20% of the overall floor area, will primarily function as a factor of the visitation attracted by the distillery. Therefore, these aspects are directly associated and subservient to the resource processing and as such, they should not be classified as separate uses in accordance with section 8.2 of the Interim Planning Scheme.

#### Applicable Standards

Additional comment against applicable standards is provided below.

The Zone Purpose, Local Area Objectives and Desired Future Character Statements can be taken into account when considering discretionary uses and whether to approve an application, condition use and development to better meet the objectives of a standard or whether to refuse an application.

<b>Urban Mixed Use Zone</b>	
Scheme Standard	Assessment
<b>15.3.1 Amenity</b>	
A1 Operating hours for commercial vehicles for non-residential uses must be between 6.00am and 10.00pm.	Complies
A2 Signage must not be illuminated or floodlit outside the hours of 6.00am to 10.00pm.	Complies
<b>15.4.1 Building Design and Siting</b>	
A1 Site coverage must not exceed 50%.	Complies
A2 Building height must not exceed 8 metres	Complies
A3	Complies

Buildings must be setback from the primary road frontage: a) a minimum distance of 6 metres	
A4 Buildings must be setback from the side and rear boundaries a minimum distance of 1.5 metres.	Relies on Performance Criteria
A5 All non-residential development is to be orientated to face a road, except where the development is not visible from any road.	Complies

### Road and Railway Assets Code

Scheme Standard	Assessment
<b>E4.7.3 Use and Road or Rail Infrastructure</b>	
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.	Relies on Performance Criteria
<b>E4.7.2 Management of Road Accesses and Junctions</b>	
A1 For roads with a speed limit of 60km/h or less the development must include only one access providing both entry and exit, or two accesses providing separate entry and exit. P1	Complies
<b>E4.7.4 Sight Distance at Accesses, Junctions and Level Crossings</b>	
A1 Sight distances at an access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.7.4.	Relies on Performance Criteria

### Car Parking and Sustainable Transport Code

Scheme Standard	Assessment
<b>E6.6.1 Car Parking Numbers</b>	
A1 The number of car parking spaces must not be less than the requirements of: a) Table E6.1;	Complies Note: Resource processing use, of which the café and cellar door sales are an ancillary part, requires a total of 2 spaces

	per 3 employees. The proposed use has 3 employees and has included 9 standard and 1 disabled parking space. It is clear that a technical compliance under the use classification would not have adequately provided for the level of visitation expected for the site and it is appropriate to recognise that the number of spaces also complies with that required for a stand-alone café use. Employees will likely park to the rear of the building during peak periods which will enable adequate parking for anticipated visitation.
<b>E6.6.3 Taxi Drop-off and Pickup</b>	
A1 One dedicated taxi drop-off and pickup space must be provided for every 50 car spaces required by Table E6.1 or part thereof (except for dwellings in the General Residential Zone).	Complies Note: Westbury is not readily serviced by taxis, however the extra parking spaces above that required for the use and the available standing area adjacent to the gate, adequately provides for taxi parking and drop off/collection.
<b>E6.6.4 Motorbike Parking Provisions</b>	
A1 One motorbike parking space must be provided for each 20 car spaces required by Table E6.1 or part thereof.	Complies Note: Extra parking spaces above that required for the use adequately provides for motorbike parking.
<b>E6.7.1 Construction of Car Parking Spaces and Access Strips</b>	
A1 All car parking, access strips manoeuvring and circulation spaces must be: a) formed to an adequate level and drained; and b) except for a single dwelling, provided with an impervious all weather seal; c) except for a single dwelling, line marked or provided with other clear physical means to delineate car spaces.	Complies
<b>E6.7.2 Design and Layout of Car Parking</b>	
A1.1 Where providing for 4 or more spaces, parking areas (other than for parking	Relies on Performance Criteria

located in garages and carports for dwellings in the General Residential Zone) must be located behind the building line;	
<p>A2.1 Car parking and manoeuvring space must:</p> <ul style="list-style-type: none"> <li>a) have a gradient of 10% or less; and</li> <li>b) where providing for more than 4 cars, provide for vehicles to enter and exit the site in a forward direction; and</li> <li>c) have a width of vehicular access no less than prescribed in Table E6.2, and not more than 10% greater than prescribed in Table E6.2; and</li> <li>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: <ul style="list-style-type: none"> <li>i) there are three or more car parking spaces; and</li> <li>ii) where parking is more than 30m driving distance from the road; or</li> <li>iii) where the sole vehicle access is to a category 1, 2, 3 or 4 road;</li> </ul> </li> </ul> <p>and</p> <p>A2.2 The layout of car spaces and access ways must be designed in accordance with Australian Standards AS 2890.1 - 2004 Parking Facilities, Part 1: Off Road Car Parking.</p>	Complies
<b>E6.7.4 Parking for Persons with a Disability</b>	
<p>A1 All spaces designated for use by persons with a disability must be located closest to the main entry point to the building.</p>	Complies
<p>A2 Accessible car parking spaces for use by persons with disabilities must be designed and constructed in</p>	Complies

accordance with AS/NZ2890.6 – 2009 Parking facilities – Off-street parking for people with disabilities.	
<b>E6.7.6 Loading and Unloading of Vehicles, Drop-off and Pickup</b>	
A1 For retail, commercial, industrial, service industry or warehouse or storage uses: 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 the site.	Relies on Performance Criteria
<b>E6.8.1 Pedestrian Walkways</b>	
A1 Pedestrian access must be provided for in accordance with Table E6.5.	Relies on performance criteria.

<b>Signage Code</b>	
Scheme Standard	Assessment
<b>Standard</b>	
A1 Ground Signs in all zones must: a) be on the premises or subdivision to which the sign relates; and b) be the only type of ground sign located on the premises; and c) have a maximum structure area of 4 square metres; and d) have a height not greater than 1.5 metres above ground level; and e) not be closer than 1 metre to the front boundary of the site; and f) not be illuminated other than by baffled lights.	Complies The application describes a <i>small (4m<sup>2</sup>, 1.5m high) Ground Sign</i> which is to be located within an area of landscaping to the western side of the access driveway. No particulars have been included for the sign, however it can be reasonably assumed that the graphics and materials will display similar features to the wall signs shown on the drawings. A permit can be conditioned for the submission of detailed design prior to the commencement of the works.
<b>14.6.12 Wall Signs</b>	
A1 Wall Signs in all zones must: a) not extend further than the height of	Complies

the building; and b) not be illuminated by other than baffled lights; and c) not project further than 0.4 metres from the wall to which it is affixed; and d) have a maximum display area 25% of the area of the wall.	
---	--

A note on E11.0 Environmental Impacts and Attenuation Code:

The application documents include discussion against the provisions of the Environmental Impacts and Attenuation Code. It is noted that the Code does not apply to this proposal as the use is not listed in Table E11.1 Attenuation Distances. The management of potential emissions and impacts is discussed above under section 32(1)(e) of LUPAA relating to land use conflict.

### Performance Criteria

<b>Urban Mixed Use Zone</b>
<b>15.4.1 Building Design and Siting</b>
<b>Objective</b> a) <i>To ensure that the siting and design of development furthers the local area objectives and desired future character for the area.</i> b) <i>To protect the residential amenity of adjoining lots by ensuring that the height, setbacks, siting and design of buildings provides adequate privacy, separation, open space and sunlight for residents.</i>
<b>Performance Criteria P4</b> <i>Buildings are to be designed and sited:</i> a) <i>to further the objectives relating to the visual character of the settlement; and</i> b) <i>to protect the residential amenity of adjoining dwellings by providing appropriate separation having regard to:</i> <ul style="list-style-type: none"> <li><i>i) the surrounding pattern of development;</i></li> <li><i>ii) the existing degree of overlooking and overshadowing;</i></li> <li><i>iii) maintaining a reasonable degree of solar access to secluded private open space and habitable room windows such that available sunlight is not reduced below 3 hours on the 21st of June, or where existing available sunlight is less than 3 hours, not reduce the existing levels of available sunlight;</i></li> <li><i>iv) maintaining reasonable privacy to private open space and windows; and</i></li> <li><i>v) existing screening or the ability to implement screening to enhance privacy.</i></li> </ul>
<b>Response</b> The part of the building within the 1.5 metre side boundary setback is the low level deck containing outdoor seating for the café. The land adjoining is the driveway strip

to No.69 which has an approved dwelling to be constructed to the rear of distillery site. Despite there being no sensitive component of the adjoining dwelling within proximity to the café seating, there is a long gravel driveway immediately adjacent which has the potential to cause conflict with the exposed café seating area. It is considered that a screening fence is appropriate for that section along the western boundary that adjoins the café seating area, for both the benefit of café patrons and the residents of No.69.

Recommended condition:

A screening fence, to a minimum height of 1.8 metres above the finished floor level of the deck, is to be constructed on the western boundary from the southern-most extent of the deck to the northern most extent, to the satisfaction of Council's Town Planner.

## **Road and Rail 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 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.

#### **Response**

The TIA assesses anticipated traffic generated by the distillery use (and ancillary uses) and concludes that the traffic load does not pose a risk to, or reduce, the function of Meander Valley Road. The Department of State Growth have jurisdiction over Meander Valley Road and have approved the TIA.

### **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.*

#### **Performance Criteria P2**

*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.*

#### **Response**

The TIA submitted notes that sight distance can be rectified by alteration to the location of the road sign, which is under the jurisdiction of the Department of State Growth. It is noted that the Crown consent lodged with the application also includes approval of the TIA document, but makes no comment in regard to the need to adjust the road sign. It is clear that irrespective of the traffic generated by the

distillery proposal, the current use of the accesses to No. 67 (and potentially No. 69) Meander Valley Road do not meet sight distance requirements, which should be rectified for safety reasons. Options may include raising the height of the sign or relocating to optimise viewing underneath the sign due to the topography.

It is noted that a permit cannot condition actions to be undertaken by third parties (Dept. State Growth). As such, Council will pursue adjustments to the sign due to the safety issues raised.

## **Zone/Code Car Parking and Sustainable Transport Code**

### **Standard E6.7.2 Design and Layout of Car Parking**

#### **Objective**

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

#### **Performance Criteria 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:*

- a) the layout of the site and the location of existing buildings;*
- b) views into the site from the road and adjoining public spaces;*
- c) the ability to access the site and the rear of buildings;*
- d) the layout of car parking in the vicinity;*
- e) the level of landscaping proposed for the car parking.*

#### **Response**

The location of the car parking reflects a long standing parking arrangement associated with the existing building and will be improved through sealing, line marking and landscaping. The existing building on the site prevents any appropriate, alternate arrangement for public parking.

### **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.*

#### **Performance Criteria 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.*

#### **Response**

The site provides for appropriate loading and unloading facilities associated with the medium sized trucks that are expected to service the site. Loading, unloading and waste collection occur to the side and rear of the building, separated from the public parking areas.

### **E6.8.1 Pedestrian Walkways**

#### **Objective**

*To ensure pedestrian safety is considered in development.*

#### **Performance Criteria P1**

*Safe pedestrian access must be provided within car park and between the entrances to buildings and the road.*

#### **Response**

Whilst the disabled parking bay complies with the relevant standard, the planning scheme requires a defined pedestrian walkway from disabled parking to the front entrance of buildings. It is noted that an adjustment in the layout of parking can more appropriately provide for this by relocating the disabled bay to the western side of the car park and a pathway can then be defined adjacent to the deck and across the building frontage to the ramp.

Recommended condition:

The disabled parking bay is to be relocated to the western side of the car park together with an associated pedestrian pathway, delineated from the car parking surface material, to be constructed to meet the ramp entrance, to the satisfaction of Council's Town Planner.

### **Conclusion**

Subject to the recommended modification to the amendment, the application demonstrates and this assessment concludes, that the proposed site-specific use to establish a distillery complies with the requirements of LUPAA

In addition, development of the site through alterations to the existing building and an upgraded car park has demonstrated compliance with the applicable standards of the Scheme if the amendment were in place, subject to some conditions. On this basis, it is considered that the combined amendment and permit can be supported.

### **DECISION:**

## Report to Support a Request to Amend a Planning Scheme and Propose a Development

67 Meander Valley Highway, Westbury

Prepared for  
**Western Tiers Distillery**

Client representative  
**Tony Keegan**

Date  
**19 September 2019**

Rev 01



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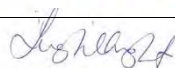
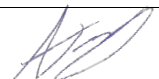
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## Appendices

**Appendix A — Plans**

**Appendix B — Title documents**

**Appendix C — Traffic Impact Statement**

<b>Prepared by — Doug Fotheringham</b>		<b>Date — 19 Sept 2019</b>
<b>Reviewed by — Leigh Knight</b>		<b>Date — 19 Sept 2019</b>
<b>Authorised by — Andy Turner</b>		<b>Date — 19 Sept 2019</b>

### Revision History

Rev No.	Description	Prepared by	Reviewed by	Authorised by	Date
<b>A</b>	Draft to client	I Abernethy	L Knight	A Turner	14/08/2019
<b>00</b>	Final to client	I Abernethy	L Knight	A Turner	26/08/2019
<b>01</b>	Final to council	D Fotheringham	L Knight	A Turner	19/09/2019

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# 1. Purpose of the Report

The purpose of this report is to request an amendment to the Meander Valley Interim Planning Scheme 2013 (the Planning Scheme) and to consider a planning permit application for change of use and extension to premises at 67 Meander Valley Road, Westbury. The request is made under Section 40T of the *Land Use Planning and Approvals Act 1993* (The Act).

The proposal is to enable a whiskey distillery to be developed on a site by upgrading an existing building, which will enhance the streetscape, activate the area, support tourism, provide employment and diversify and sustain the local economy.

## 2. Proposal

### 2.1 Proposed Planning Scheme Amendment

The proposed whiskey distillery falls under the land use definition for Resource Processing, which is prohibited in the Planning Scheme's Urban Mixed Use Zone. It is proposed to amend the zone's Use table by incorporating an additional Discretionary use and qualification in the. The additional use is Resource Processing and the qualification is "If for Food and Beverage Production and if on Lot CT43423/1". This would allow Council to consider a planning permit application for the proposed distillery.

The proposed Amendment is in accordance with planning advice received from Meander Valley Council. Notably, it is intended to zone the subject land as Village Zone in the Draft Planning Scheme (i.e. the next scheme). In this zone, Resource Processing would be a Discretionary use, which means that a permit application for a distillery could be considered.

### 2.2 Proposed Planning Permit Application

If the proposed Amendment is approved, the associated permit application is to use the former workshop building on 67 Meander Valley Road as a distillery with incidental tours and sales (Resource Processing), and a café (Food Services) with a net floor area of 120m<sup>2</sup>. The proposed site layout is shown in Figure 1 below. The office area to the front of the existing building would be redesigned and given a more contemporary look, more in keeping with the theme of the Distillery. An outside deck will be formed for café style seating. The existing car parking to the front of the building is to be formalised and sealed. Truck deliveries would access the rear enclosure through the gate on the eastern side of the building. The adjacent driveway to the west of the site will not be used by the proposed uses.



Figure 1 Site Plan

Copies of the plans are attached at **Appendix A**.

## 2.3 Operational Matters

The following information is provided to describe how the facility will operate:

1. Hours of Operation – Distillery: 7am to 5pm Monday to Friday. Café: 8.00am to 5pm 7 days per week
2. Number of employees on site at any one time – three (3) – one (1) for the Distillery and two (2) for the café
3. Number of commercial vehicles and expected hours – 1 small truck (rigid tray) per week between 9.00am and 3.00pm
4. Wastewater – all trade waste including floor drainage to be stored in tanks with PH control to be completed on site. Tanks to be emptied by contractor and disposed of off-site to an appropriately licensed facility (additional detail is provided in subsection 2.2 below).

## 2.4 Car Parking

The proposal incorporates 10 parking spaces, which meets the requirements of the Planning Scheme, as shown in the table below.

Proposed Land Use	Planning Scheme's Parking Space Requirements	Number of spaces required for proposed use	Number of spaces provided
Resource Processing - There would be a maximum of one distillery worker onsite.	Two spaces per three employees	1	1
Café - the net floor area is 120m <sup>2</sup>	One space per 15m <sup>2</sup>	8	9
<b>Total</b>		<b>9</b>	<b>10</b>

## 2.5 Potential Odour and Noise Impacts

In terms of distillery processes, all liquid waste will be held in a tank for collection by third party, system is closed circuit with minimal chance of odours reaching the atmosphere. Solid waste will be transferred out from the South East corner of the building into a transportable container (300kg per operating day) after the transfer to the container is complete the container will be sealed ready for collection. The solid waste will be removed from site within 24 hours. The roll mill will be enclosed in an insulated enclosure to ensure noise and dust emissions are minimal. The boiler and chiller will be located on the southern side of the building, all other plant and equipment have minimal noise emissions. The following noise levels are expected to be generated:

- Boiler: 85 db(A) @ 1 metre
- Chiller: 73 db(A) @ 3 metres
- Roll Mill: 70 db(A) @ 1 metre.

However, there are significant separation distances between the distillery and nearby dwellings, as shown in Figure 2 below.



Figure 2 Separation distances from nearby dwellings

The proposed café and the distillery's incidental tour and sales uses are relatively benign and unlikely to result in adverse amenity impacts.

Taking all the above matters into consideration, the distillery is unlikely to result in significant odour or noise impacts.

## 2.6 Potential Traffic Impacts

The Traffic Impact Statement at Appendix C demonstrates that the proposal is unlikely to result in significant impact. The statement is summarised as follows:

- The traffic volumes generated by the change of use is expected to have a minimal impact on the safety and operation of Meander Valley Road
- The sight distance from the east to the property access meets the Planning Scheme requirement
- The sight distance from the west is 56 metres less than the Planning Scheme requirement. Moving the existing road sign is expected to achieve a sufficient sight distance.

## 2.7 Proposed Signage

A small (4m<sup>2</sup>, 1.5m high) Ground Sign is to be located at adjacent the front entrance (west side), as shown in site plan at Figure 1 above and in the site plan in Appendix A. This sign will be the only one on the lot, greater than 1m to the front boundary and will not be illuminated.

There would be three non-illuminate painted wall signs, as shown in Figure 3 below.

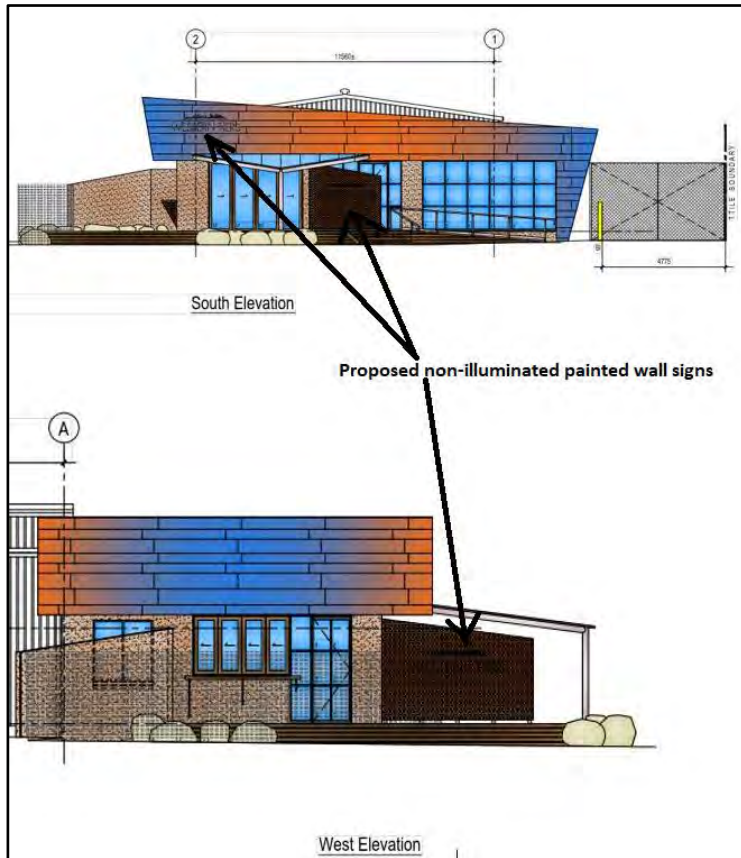


Figure 3 Proposed painted wall signs

### 3. Site

The site is known as 67 Meander Valley Road, Westbury. The legal description of the property is PID 7656723; CT 43423/1.

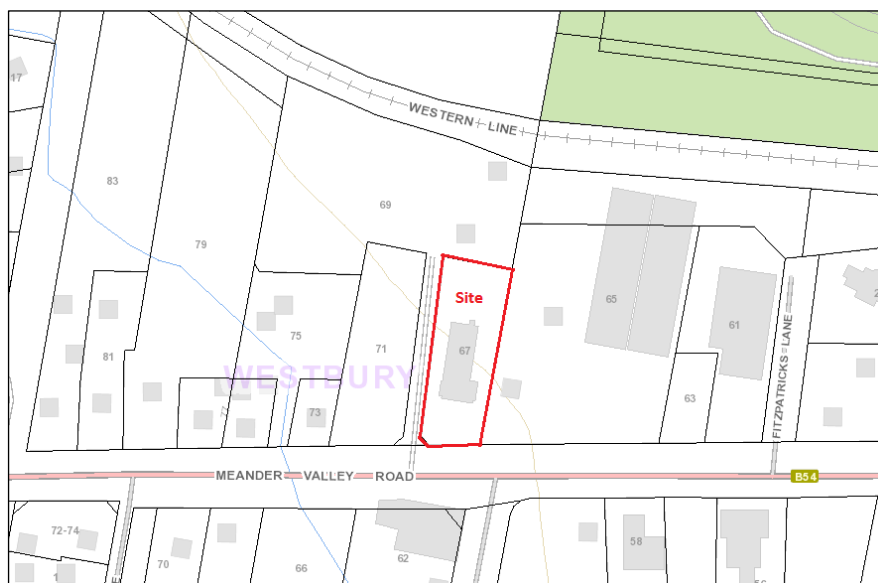


Figure 4 Locality Plan

A copy of the title is attached at **Appendix B**.

## 4. Use of Site and Surrounding Area

The last use of the property was as a workshop and office complex. The site is located on what would have been the main road between Westbury and Launceston, on the eastern side of the Westbury town centre in a quasi-industrial area. The area is comprised of some commercial, industrial and residential uses. The closest dwellings are identified in Figure 2 above.



*Figure 5 Site from Meander Valley Road*

The area is typified by large lots with steel shedding used for a range of commercial/tourist or industrial uses. There is a scattering of houses in the area. Directly to the east of the subject land is the “Pearn’s Steam World” tourist attraction.



*Figure 6 Pearn's Steam World*

Directly opposite is a rural supplies and hardware store.



Figure 7 Commercial Development opposite site

## 5. Planning Scheme Amendment

Currently the propose Resource Processing use is prohibited within the Urban Mixed Use zone (the zoning of the site). As a result, an amendment request is required to allow the development to proceed.

### 5.1 Requested Amendment

The following amendment is requested:

In the use table to the Urban Mixed Use zoned as contained in the Planning Scheme; under Discretionary use insert Resource Processing – if for Food and Beverage Production and if on lot CT 43423/1

The requested amendment would appear as follows in the Planning Scheme:

Discretionary	
Use Class	Qualification
Residential	
Resource Processing	If for Food and Beverage Production and if on Lot CT43423/1 *****
Storage	

\*\*\*\*\* Highlighting added

### 5.2 Changes in the Act

Amendments to the Act to establish the Tasmanian Planning Scheme were gazetted on 17 December 2015. The State Planning Provisions (SPPs) have been made by the Minister and came into effect on 2 March 2017. However, the provisions of the Tasmanian Planning Scheme do not come into operational effect until Council completes its Local

Provisions Schedules (LPS) and the Minister makes the planning scheme. In the interim, the process for the consideration of planning scheme amendments continues in accordance with the Act, as it was written prior to the 17 December 2015. These provisions are defined as the 'former provisions' in Schedule 6 – Savings and Transitional Provisions in the Act. The sections of the Act mentioned below are the 'former provisions'.

Under Sections 34(1)(b) and 35 of LUPAA, Council may, of its own motion, initiate and certify a draft amendment to the planning scheme.

The proposed requires Council to consider initiating and certifying a draft amendment to the Scheme under Sections 34(1)(b) and 35 of the Act. Before certifying a draft amendment to the planning scheme, Council must be satisfied that the amendment is in accordance with 32 and 30(O) of the Act.

## 5.3 Section 32 of the Act

The subsections below demonstrate that the proposed amendment is consistent with requirements of Section 32 of the Act.

### 5.3.1 Section 32 (1) (e) Land Use Conflict

This section requires scheme amendments, as far as possible, to avoid potential land use conflict.

The proposed amendment would enable Resource Processing to occur on the subject land. As demonstrated in subsections 2.4 and 2.5 of this report above, a Resource Processing use can be operated from the site without significant adverse odour, noise or traffic impact from the distillery. As the use would be discretionary, a thorough planning assessment would enable the merits of the current or future proposals to be investigated before a planning permit is issued. Taking all of these matters into consideration, the proposed amendment would result in planning provisions that help avoid potential land use conflict.

### 5.3.2 Section 32 (1) (ea) Regional Land Use Strategy

This section requires a scheme amendment to be consistent section 30O of the Act, which means it must be consistent with the relevant regional land use strategy and any common provisions or overriding local provisions. The Northern Tasmania Regional Land Use Strategy (RLUS) expects all municipal planning schemes to advance and implement the RLUS, its Vision, directions and objectives.

The Amendment is relatively minor because it would only result in one additional land use and would affect only one property. It would enable a wider range of businesses to occur on the site. Given this, the proposed Amendment is consistent with the RLUS's:

- Vision (in part) to create a region within which sustainable economic prosperity flourishes; and
- Economic Development Policy 2 - Provide for land use planning and infrastructure networks to support the development of: High value agriculture and food products
- Economic Development Policy 12 - Avoid unnecessary restrictions on new tourism sector innovation in planning schemes and acknowledge that planning schemes cannot always predict future tourist sites/developments.

### 5.3.3 Section 32 (1) (f) Use and Development Permissible Under the Amendment

This section requires a scheme amendment to have regard to the impact that the use and development permissible under the amendment will have on the use and development of the region as an entity in environmental, economic and social terms. The table below provides an assessment of potential impacts.

Type of impact	Assessment
Environmental	The proposed Amendment would enable thorough planning assessments for future permit applications, where environmental impacts can be considered before proposals are approved. The proposed re-use of existing buildings and infrastructure on the subject land reduces the pressure for the creation of new areas for urban expansion and the consumption of resources. Given this, the potential environmental impacts are acceptable.
Economic	The economic benefits are that the proposed Amendment would: <ul style="list-style-type: none"> <li>• Enable a broader range of businesses to operate from the site</li> <li>• Encourage new industry to the area</li> <li>• Value add to local primary products</li> <li>• Enable new tourist attraction</li> </ul>
Social	The proposed Amendment would facilitate a broader range of employment opportunities and a greater range of commercial services in a rural township.

#### 5.3.4 Section 32 (2) Objectives of the Planning System and Process

The Act requires the proposed amendment to be considered against the planning objectives contained in Schedule 1 of the Act.

#### PART 1 – Objectives of the Resource Management and Planning System of Tasmania

Objective	Comment
(a) to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity; and	The proposed Amendment would result in the need for a Discretionary planning permit application and full planning assessment before a proposed Resource Processing use could be approved. Given the need for a planning assessment and that the subject land is in a developed urban area, there should be no significant ecological values and no significant impact on genetic diversity. Given this, the proposal does not conflict with objective (a)
(b) to provide for the fair, orderly and sustainable use and development of air, land and water; and	The proposed Amendment would enable thorough planning assessments to take place before a Resource Processing use could occur on this site. Given this, the proposal is consistent with objective (b).
(c) to encourage public involvement in resource management and planning; and	The public will have an opportunity to contribute to the Amendment request as Council process it. Discretionary permit applications resulting from the additional use can be publicly advertised.
(d) to facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c); and	The economic benefits are that the proposed Amendment would: <ul style="list-style-type: none"> <li>• Enable a broader range of businesses to operate from the site</li> <li>• Encourage new industry to the area</li> <li>• Value add to local primary products</li> <li>• Enable new tourist attraction</li> </ul> Given this and the above responses to (a) (b) and (c), the

Objective	Comment
	proposal does not conflict with objective (d).
(e) to promote the sharing of responsibility for resource management and planning between the different spheres of Government, the community and industry in the State.	Schedule 2 of the EMPCA establishes the threshold for when state government involvement is required. The proposal does not exceed the threshold. Given this, the proposed Amendment does not conflict with objective (e).

## PART 2 – Objectives of the Planning Process Established by this Act

Objective	Comment
(a) to require sound strategic planning and coordinated action by State and local government; and	The proposed Amendment is consistent with the advice from Meander Valley Council and its Draft Local Planning Scheme (see subsection of this report 5.3.6 below) and is generally consistent with the Regional Land Use Planning Strategy, State Policies (see subsection of this report 5.3.5), the Scheme and Community Strategic Plan 2014 – 2024 (see subsection of this report 5.4. below). Given this, the proposal does not conflict with objective (a)
(b) to establish a system of planning instruments to be the principal way of setting objectives, policies and controls for the use, development and protection of land; and	The proposed Amendment does not affect the established system of planning instruments. It would allow for the Resource Processing land use on the subject land (only) to be considered against the relevant provisions of the planning scheme. Given this, the proposal does not conflict with objective (b).
(c) to ensure that the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land; and	As the proposed Amendment would allow for the Resource Processing land use on the subject land (only) to be considered against the relevant provisions of the planning scheme. This means relevant environmental, social and economic impacts can be considered before a permit application is determined. Given this, the proposal does not conflict with objective (c).
(d) to require land use and development planning and policy to be easily integrated with environmental, social, economic, conservation and resource management policies at State, regional and municipal levels; and	The proposed Amendment to the Urban Mixed Use zone's Land Use table would not conflict with the Regional Land Use Planning Strategy, State Policies, State Planning Provisions, the Scheme and Meander Valley Community Strategic Plan 2014 to 2024. Given this, the proposal does not conflict with objective (d).
(e) to provide for the consolidation of approvals for land use or development and related matters, and to co-ordinate planning approvals with related approvals; and	The proposed amendment request incorporates a permit application under Section 40 T of the Act, which enables coordination of approvals. Given this, the proposal is consistent with objective (e).
(f) to promote the health and wellbeing of all Tasmanians and visitors to Tasmania by ensuring a pleasant, efficient and safe environment for working,	The proposed Amendment to the Urban Mixed Use zone's Land Use table is unlikely to adversely affect the promotion of the health and wellbeing of all

living and recreation; and	Tasmanians and visitors to Tasmania. Permit applications resulting from the Amendment would be properly assessed before a decision is made. Decisions can ensure ensuring a pleasant, efficient and safe environment for approved land use and development. Given this, the proposal is consistent with objective (f).
(g) to conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value; and	There are no known aspects of objective (g) relevant to the proposed Amendment.
(h) to protect public infrastructure and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community; and	The proposed Amendment would result in Discretionary permit applications being assessed before approval. This permit process would enable appropriate protection of infrastructure and other assets. Given this, the proposal is consistent with objective (h).
(i) to provide a planning framework which fully considers land capability.	The proposed Amendment will ensure proposals for Resource Processing on the subject land can be properly assessed against relevant use and development standards, under the proposed zone. Given that the land in an established urban area, land capability is not considered a significant matter for the subject land. Given this, the proposal does not conflict with objective (i).

### 5.3.5 Section 32 (2) Consistency with State Policies

The Act requires that planning scheme amendments must be prepared in accordance with State Policies. The table below provides an assessment of the proposed rezoning against the relevant policies.

State Policy	Assessment
Tasmanian State Coastal Policy 1986	As the proposed Amendment applies to land that is not located within 1km of the coast, consideration of this policy is not applicable.
State Policy on Water Quality and Management 1997	Discretionary permit applications resulting from the proposed Amendment can be properly assessed in terms of water quality and management. It is notable that the subject land is located within an area serviced by reticulated infrastructure. Taking all these matters into consideration, the proposed Amendment does not conflict with this state policy.
State Policy on the Protection of Agricultural Land 2009	The existing zoning of the subject land is Urban Mixed Use and effectively acknowledges there is no agricultural potential for the site. Given this, it is considered that this policy is not relevant.
National Environmental Protection Measures	The proposed Amendment would result in an additional land use and qualification in the Urban Mixed Use Zone's Use Table. Discretionary permit applications resulting from the Amendment would be properly assessed. Given this, the proposal does not conflict with these measures.

### 5.3.6 Section 32 (2) Greater Conformity with the Scheme

The proposed amendment would ensure the current Planning Scheme achieves greater conformity, when considered with the Draft Planning Scheme, under which the site is identified as being in a Village Zone (see Figure 8 below).



Figure 8 Proposed Zoning under LPS (Draft)

Within the Village Zone Resource Processing is a qualified Discretionary Use:

Discretionary Use	
Use Class	Qualification
Resource Processing	If not for an abattoir, animal saleyards or sawmilling

Should the site be approved with the Village zone then the requested amendment aligns well with the provisions within the use table to that zone. In the meantime, the requested amendment allows the use and development to operate under the current zoning.

### 5.3.7 Section 32 (2) Gas Pipelines Act 2000

As shown in Figure 9 below, the subject land achieves a significant separation distance from a gas pipeline easement to the north. Given this, the proposed Amendment meets the safety requirements set out in the standards prescribed under the Gas Pipelines Act 2000.

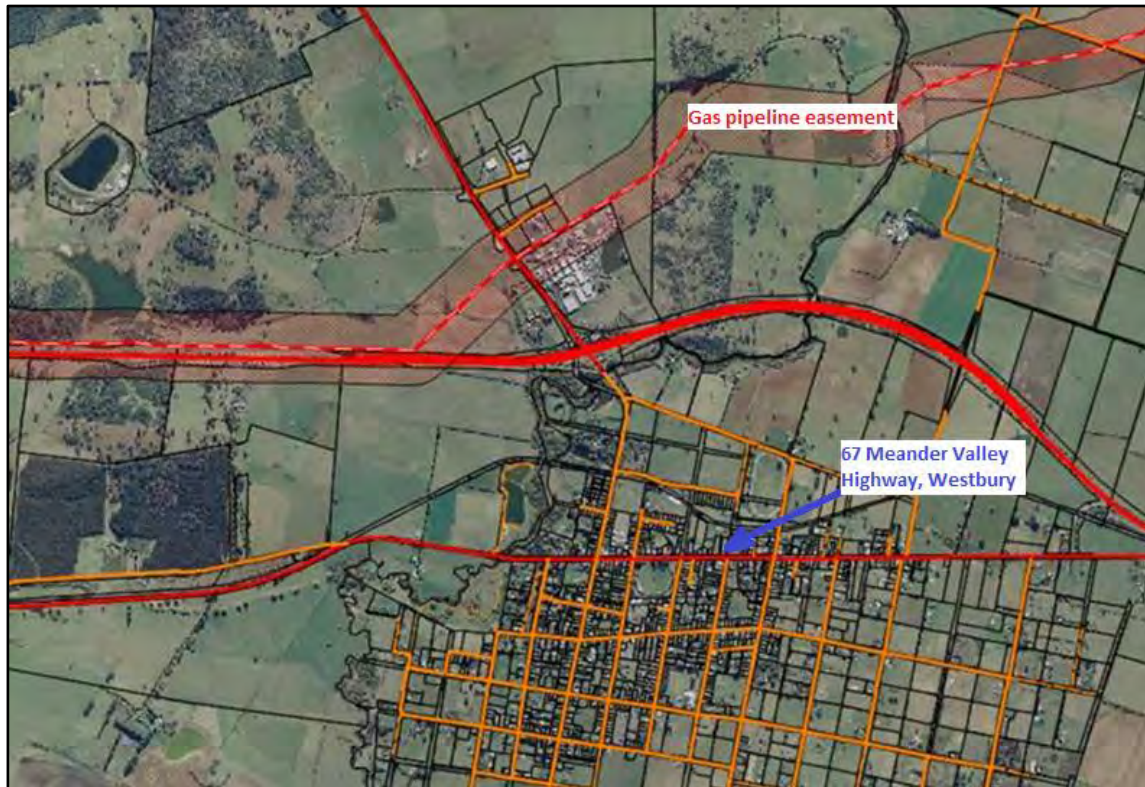


Figure 9 Location of gas pipeline easement (source: Meander Valley Council)

## 5.4 Meander Valley Community Strategic Plan 2014 to 2024

Meander Valley Council's Community Strategic Plan sets six future directions for the municipality. The most relevant future direction is:

### **A Thriving Local Economy**

The relevant Strategic Outcomes are:

- *The strengths of Meander Valley attract investment and provide opportunities for employment.*
- *Economic development in Meander Valley is planned, maximising existing assets and investment in infrastructure.*
- *People are attracted to live in the townships, rural and urban areas of Meander Valley.*
- *A high level of recognition and demand for Great Western Tiers products and experiences.*

As the proposed Amendment will enable a greater range of business opportunities to occur on the subject land, the proposal is generally consistent with the Council's Community Strategic Plan.



## 6. Planning Permit Application

In this section the development will be assessed as though the proposal could be classed as a Discretionary use within the current zone.

### 6.1 The Scheme

Meander Valley Interim Planning Scheme 2013.

### 6.2 Zoning

Urban Mixed Use.

### 6.3 Overlays

None.

### 6.4 Requirement for a Planning Permit

The proposed use and development of a distillery with incidental tours and sales and a café at 67 Meander Valley Highway requires a planning permit for the following reasons:

- The distillery falls under the definition for Resource Processing and is for Food and Beverage Production on Lot CT43423/1, which is a Discretionary use within the Urban Mixed Use zone;
- The café falls under the definition for Food Services, which is a Permitted use within the zone;
- The Car Parking and Sustainable Transport Code applies to the proposal;
- The Environmental Impacts and Attenuation Code applies to the proposal; and
- The Signage Code applies to the proposal.

## 6.5 Urban Mixed Use Zone

An assessment of the proposal against the zone's relevant purpose, local area objectives, desired future character statements, use standards and relevant development standards is provided below.

As the proposal relates to an existing building, the following development standards have limited application:

- 15.4.1 Building Design and Siting – whilst there is some alteration to the frontage the new works will not exceed the height of the current building.
- 15.4.2 Clauses 15.4.2.1 - 15.4.2.10 only apply to development within the Residential Use Class which is not a single dwelling.
- 15.4.3 Subdivision – not relevant.

Zone's Purpose Statements	Assessment
15.1.1.1 To provide for integration of residential, retail, community services and commercial activities in urban locations.	As demonstrated in the following subsections, the proposed mix of uses are unlikely to adversely impact on adjacent commercial and residential uses and are consistent within statement 15.1.1.1.
15.1.1.2 To provide for a diverse range of urban uses that support the role of activity centres by creating demand, vitality and viability within adjacent activity centres.	The proposed mix of uses would activate the locale, and would not conflict with statement 15.1.1.2.

Westbury Local Area Objectives	Assessment
a) To maintain the current level of mixed use activities.	The proposed mix of uses help maintain the current level of mixed use activities in Westbury.
b) To maximize economic opportunities for reuse of heritage character buildings or other underutilized buildings.	The proposal is to reuse the existing building onsite.

Westbury Desired Future Character Statements	Assessment
a) The current strip of mixed uses along Meander Valley Road reflects an historic pattern of development which has resulted in a high degree of interspersed residential, community and business/commercial/tourism uses.	The proposal is to reuse an existing building and is consistent with statement a).
b) This pattern continues through to the historic 'town centre', though occurs at a slightly higher density within the heritage building fabric.	Due to the location of the subject land, statement b) is not relevant.
c) The mixed visual character of the urban mixed use area is to be maintained in a scale and density respectful to any heritage characteristics.	The proposed development would be relatively minor with minor external alterations and a deck having no adverse

impacts on scale and density. The proposal would not impact on an identified heritage place.

### 15.3.1 Amenity

#### Objective

a) To ensure that the use of land is not detrimental to the amenity of the surrounding area in terms of noise, emissions, operating hours or transport.

b) To ensure that existing, lawful non-residential uses can continue to function without undue conflict with higher density sensitive uses.

Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Operating hours for commercial vehicles for non-residential uses must be between 6.00am and 10.00pm.</p>	<p>P1</p> <p>Operating hours of commercial vehicles for non-residential uses must not cause or be likely to cause an environmental nuisance through emissions including noise and traffic movement, odour, dust and illumination.</p>

#### Assessment

The proposed Hours of Operation are Distillery: 7am to 5pm Monday to Friday. Café: 8.00am to 5pm 7 days per week, there will be no vehicle movements outside these hours, which complies with A1.

<p>A2</p> <p>Signage must not be illuminated or floodlit outside the hours of 6.00am to 10.00pm.</p>	<p>P2</p> <p>Illuminated or floodlit signage must demonstrate that the amenity of sensitive uses within the surrounding area will not be detrimentally impacted upon.</p>
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#### Assessment

The proposed signage would not be illuminated or floodlit. Complies with A2

#### 15.4.1 Building Design and Siting

**Objective:**

a) To ensure that the siting and design of development furthers the local area objectives and desired future character for the area.

b) To protect the residential amenity of adjoining lots by ensuring that the height, setbacks, siting and design of buildings provides adequate privacy, separation, open space and sunlight for residents.

Acceptable Solution	Performance Criteria
A1  Site coverage must not exceed 50%.	P1 Site coverage must have regard to:  a) the existing site coverage and any constraints imposed by existing development or the features of the site; and  b) the site coverage of adjacent properties; and  c) the effect of the visual bulk of the building and whether it respects the neighbourhood character; and d) the capacity of the site to absorb run-off; and  e) the landscape character of the area.

The proposed deck would increase site coverage. The proposed site coverage would be approximately 19%, which complies with A1.

## 7. Codes

7.1 The following table summarises the applicability of the codes.

Code	Comment
<b>E1 Bushfire-Prone Areas Code</b>	Not applicable.
<b>E2 Potentially Contaminated Land Code</b>	Not applicable.
<b>E3 Landslip Code</b>	Not applicable.
<b>E4 Road and Railway Assets Code</b>	Applicable and assessed below.
<b>E5 Flood Prone Areas Code</b>	Not applicable.
<b>E6 Car Parking and Sustainable Transport Code</b>	Applicable and assessed below.
<b>E7 Scenic Management Code</b>	Not applicable.
<b>E8 Biodiversity Code</b>	Not applicable.
<b>E9 Water Quality Code</b>	Not applicable.
<b>E10 Open Space &amp; Recreation Code</b>	Not applicable.
<b>E11 Environmental Impacts and Attenuation Code</b>	Applicable and assessed below.
<b>E12 Airports Impact Management Code</b>	Not applicable.
<b>E13 Heritage Code</b>	Not applicable.
<b>E14 Signage Code</b>	Applicable and assessed below.
<b>E15 Karst Management Code</b>	Not applicable.
<b>E16 Urban Salinity Code</b>	Not applicable.

### 7.1.1 Road and Railway Assets Code

As the proposal meets the requirements of the relevant standards, it is consistent with the relevant provisions of E4.1 Purpose of the Code. Only standards E4.7.3 and E4.7.4 are relevant to the proposal. These standards are assessed below and should be read in conjunction with Appendix C Traffic Impact Statement.

#### **E4.7.3 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
<p>A2</p> <p>For roads with a speed limit of 60km/h or less the use must not generate more than a total of 40 vehicle entry and exit movements per day.</p>	<p>P2</p> <p>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.</p>

#### **Assessment**

Satisfies P2 Performance Criteria.

The proposed café and distillery development is expected to generate up to 64 vehicle movements per day to Meander Valley Road. As this is more than 40 movements, it is necessary to assess against the P3 Performance Criteria. There single access point to the site will be maintained. The development is expected to generate a maximum equivalent of a vehicle every 5 minutes during a peak hour. Meander Valley Road currently carries about 3,000 vehicles per day. The additional traffic would increase this by 2%. This level of traffic is not expected to impact on the operational efficiency of Meander Valley Road. The crash history indicates that there is no recorded safety issues at the site access location. The addition of the small amount of additional traffic is expected to maintain an acceptable level of safety for all road users, including pedestrians and cyclists.

#### 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
<p>A2</p> <p>Sight distance at:</p> <p>(a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.7.4;</p> <p>and</p> <p>(b) rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, 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>P2</p> <p>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>

#### Assessment

Can Comply with A1 Acceptable Solution. The Planning Scheme specifies that for an 85th percentile 60km/h travel speed on a road with a 60km/h speed limit, the sight distance at an access or junction should be a minimum of 105 metres. The sight distance from the east to the property access meets the Acceptable Solution requirement. The sight distance from the west is 56 metres less than the Planning Scheme requirement. Moving the existing road sign is expected to achieve the Acceptable Solution requirement.

### 7.1.2 Car Parking and Sustainable Transport Code

As the proposal meets the requirements of the relevant standards, it is consistent with the relevant provisions of E6.1 Purpose of the Code.

#### E6.6.1 Car Parking Numbers

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

Acceptable Solution	Performance Criteria
<p>A1 The number of car parking spaces must not be less than the requirements of:</p> <p>a) Table E6.1; or</p> <p>b) a parking precinct plan contained in Table E6.6: Precinct Parking Plans (except for dwellings in the General Residential Zone).</p>	<p>P1 The number of car parking spaces provided must have regard to:</p> <p>a) the provisions of any relevant location specific car parking plan; and</p> <p>b) the availability of public car parking spaces within reasonable walking distance; and</p> <p>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</p> <p>d) the availability and frequency of public transport within reasonable walking distance of the site; and</p> <p>e) site constraints such as existing buildings, slope, drainage, vegetation and landscaping; and</p> <p>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</p> <p>g) an empirical assessment of the car parking demand; and</p> <p>h) the effect on streetscape, amenity and vehicle, pedestrian and cycle safety and convenience; and</p> <p>i) the recommendations of a traffic impact assessment prepared for the proposal; and</p> <p>j) any heritage values of the site; and</p> <p>k) for residential buildings and multiple dwellings, whether parking is adequate to meet the needs of the residents having regard to:</p> <p>i) the size of the dwelling and the number of bedrooms; and</p> <p>ii) the pattern of parking in the locality; and</p> <p>iii) any existing structure on the land.</p>

#### Assessment

The table below shows that the proposal complies with A1.

Proposed Land Use	Planning Scheme's Parking Space Requirements	Number of spaces required for proposed use	Number of spaces provided
Resource Processing - There would be a maximum of one distillery worker onsite.	Two spaces per three employees	1	1
Café - the net floor area is 120m <sup>2</sup>	One space per 15m <sup>2</sup>	8	9
<b>Total</b>		<b>9</b>	<b>10</b>

### 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 Solution	Performance Criteria
<p>A1</p> <p>All car parking, access strips manoeuvring and circulation spaces must be:</p> <ul style="list-style-type: none"><li>a) formed to an adequate level and drained; and</li><li>b) except for a single dwelling, provided with an impervious all weather seal;</li><li>c) except for a single dwelling, line marked or provided with other clear physical means to delineate car spaces.</li></ul>	<p>P1</p> <p>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>

#### Assessment

The proposed car park is to be sealed and drained. A permit condition can ensure compliance with A1.

### E6.7.2 Design and Layout of Car Parking

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

Acceptable Solution	Performance Criteria
<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"><li>a) the layout of the site and the location of existing buildings; and</li><li>b) views into the site from the road and adjoining public spaces; and</li><li>c) the ability to access the site and the rear of buildings; and</li><li>d) the layout of car parking in the vicinity; and</li><li>e) the level of landscaping proposed for the car parking.</li></ul>

#### Assessment

It is proposed to use the existing site layout. Given that this layout is an established characteristic of the streetscape, the proposed car park is unlikely to be detrimental to the streetscape. Therefore, the proposed car park satisfies the relevant requirements of P1.

Acceptable Solution	Performance Criteria
<p>A2.1 Car parking and manoeuvring space must:</p> <ul style="list-style-type: none"> <li>a) have a gradient of 10% or less; and</li> <li>b) where providing for more than 4 cars, provide for vehicles to enter and exit the site in a forward direction; and</li> <li>c) have a width of vehicular access no less than prescribed in Table E6.2, and not more than 10% greater than prescribed in Table E6.2; and</li> <li>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: <ul style="list-style-type: none"> <li>i) there are three or more car parking spaces; and</li> <li>ii) where parking is more than 30m driving distance from the road; or</li> <li>iii) where the sole vehicle access is to a category 1, 2, 3 or 4 road;</li> </ul> </li> </ul> <p>and</p> <p>A2.2 The layout of car spaces and access ways must be designed in accordance with Australian Standards AS 2890.1 - 2004 Parking Facilities, Part 1: Off Road Car Parking.</p>	<p>P2 Car parking and manoeuvring space must:</p> <ul style="list-style-type: none"> <li>a) be convenient, safe and efficient to use having regard to matters such as slope, dimensions, layout and the expected number and type of vehicles; and</li> <li>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.</li> </ul>

#### Assessment

As shown in the plans at Appendix A, the proposed car park layout complies with A2.1. A permit condition can ensure compliance with A2.2.

**As there are less than 20 spaces, E6.7.3 is not relevant.**

#### E6.7.4 Parking for Persons with a Disability

**Objective: To ensure adequate parking for persons with a disability.**

Acceptable Solution	Performance Criteria
<p>A1 All spaces designated for use by persons with a disability must be located closest to the main entry point to the building.</p> <p>A2 Accessible car parking spaces for use by persons with disabilities must be designed and constructed in accordance with AS/NZ2890.6 – 2009 Parking facilities – Off-street parking for people with disabilities.</p>	<p>P1 No performance criteria.</p> <p>P1 No performance criteria.</p>

#### Assessment

As shown in the plans at Appendix A, the proposal complies with A1 and A2.

#### 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 Solution	Performance Criteria
<p>A1 For retail, commercial, industrial, service industry or warehouse or storage uses:</p> <p>a) at least one loading bay must be provided in accordance with Table</p> <p>E6.4; and</p> <p>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 the site.</p>	<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>

#### Assessment

Loading and unloading of vehicles, drop-off and pickup will be primarily carried out around the back of the existing building, which satisfies the requirements of P1.

### 7.1.3 Environmental Impacts and Attenuation Code

As the proposal meets the requirements of the relevant standards, it is consistent with the relevant provisions of E11.1 Purpose of the Code. A2 and P2 of W11.6.1 are not relevant because the Resource Processing use is not in Tables 11.1 or E11.2.

#### **E11.6.1 Attenuation Distances**

**Objective: To ensure that potentially incompatible use or development is separated by a distance sufficient to ameliorate any adverse effects.**

<b>Acceptable Solution</b>	<b>Performance Criteria</b>
A1 No acceptable solution.	<p>P1 Sensitive use or subdivision for sensitive use within an attenuation area to an existing activity listed in Tables E11.1 and E11.2 must demonstrate by means of a site specific study that there will not be an environmental nuisance or environmental harm, having regard to the:</p> <ul style="list-style-type: none"><li>a) degree of encroachment; and</li><li>b) nature of the emitting operation being protected by the attenuation area; and</li><li>c) degree of hazard or pollution that may emanate from the emitting operation;</li></ul> <p>and</p> <ul style="list-style-type: none"><li>d) the measures within the proposal to mitigate impacts of the emitting activity to the sensitive use.</li></ul>

#### **Assessment**

Subsection 2.4 above demonstrates that potential odour and noise impacts satisfy the relevant requirements of P1.

#### 7.1.4 Signage Code

As the proposal meets the requirements of the relevant standards, it is consistent with the relevant provisions of E14.1 Purpose of the Code.

#### 14.6.5 Ground Signs

Acceptable Solution	Performance Criteria
A1 Ground Signs in all zones must: a) be on the premises or subdivision to which the sign relates; and b) be the only type of ground sign located on the premises; and c) have a maximum structure area of 4 square metres; and d) have a height not greater than 1.5 metres above ground level; and e) not be closer than 1 metre to the front boundary of the site; and f) not be illuminated other than by baffled lights.	P1 No Performance Criteria.

A small (4m<sup>2</sup>, 1.5m high) Ground Sign is to be located at adjacent the front entrance (west side), as shown in site plan at Figure 1 above and in the site plan in Appendix A. This sign will be the only one on the lot, greater than 1m to the front boundary and will not be illuminated. A permit condition can ensure compliance with A1.

#### 14.6.12 Wall Signs

Acceptable Solution	Performance Criteria
A1 Wall Signs in all zones must:  a) not extend further than the height of the building; and  b) not be illuminated by other than baffled lights; and  c) not project further than 0.4 metres from the wall to which it is affixed; and  d) have a maximum display area 25% of the area of the wall.	P1 No Performance Criteria.

#### Assessment

The proposed wall signs will be painted on the external walls in three locations and, as shown on the plans (Figure 3 above), comply with A1.



## 8. Conclusion

As Resource Processing is currently prohibited in the Urban Mixed Use zone, the purpose of the proposed Amendment request is to allow this land use to be permissible at 67 Meander Valley Highway only. This would then allow an existing building to be reused as a distillery with incidental tours and retail. In addition to the distillery, a café is proposed. The planning assessment above demonstrates that the proposed Amendment is consistent with the relevant requirements under the Act and the permit application is consistent with the relevant requirements of the Planning Scheme. Within this context, the amendment request and permit application should be approved.

The Traffic Impact Statement recommends an nearby road sign should be relocated to achieve sufficient sight distance from the west.

# Plans

## Appendix A

# M.M. & M.J. Kolodziej

## Western Tiers Distillery

### 67 Meander Valley Road

### Westbury TAS 7303

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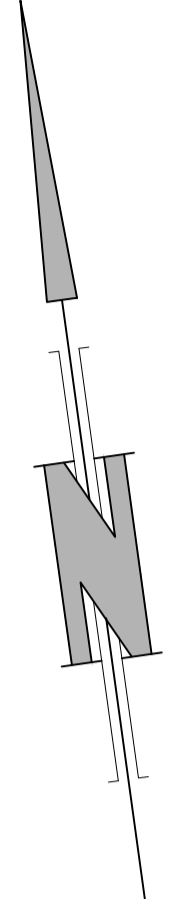
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Ad01:	Existing Site Plan	1:250
Ad02:	Proposed Site Plan	1:250
Ad03:	Existing Floor Plan	1:100
Ad04:	Demolition Plan	1:100
Ad05:	Proposed Floor Plan	1:100
Ad06:	Elevations	1:100




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02	17.07.19	Planning Review	
01	31.05.19	Client Review	
Issue :	Date :	Description :	Rev. :
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Client :  
**M.M. & M.J. Kolodziej**

Project :  
**Western Tiers Distillery**  
**67 Meander Valley Road**  
**Westbury TAS 7303**

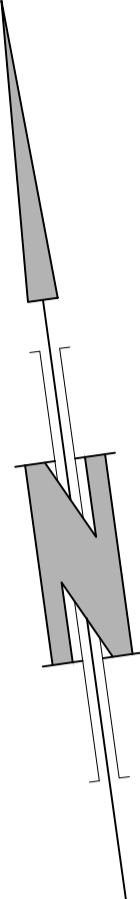
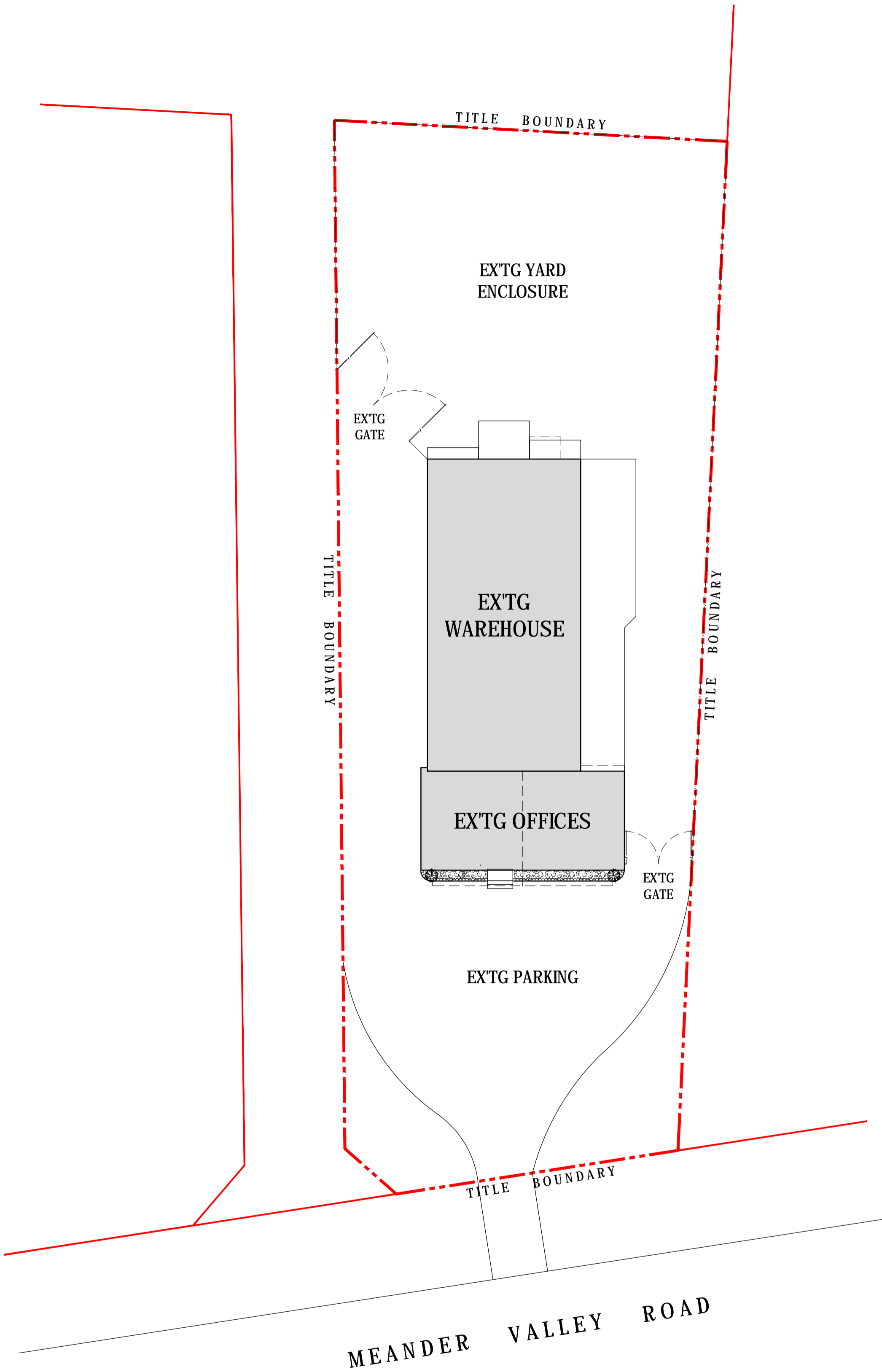



**Design Solutions**

Building Design Drafting & Documentation Services

PO Box 5274  
Launceston TAS 7250 admin@tmkdesignsolutions.com.au

Drawing : <b>Location Plan</b>			
Designed :	TONY M KEEGAN	Accreditation No :	CC5853K
Scale :	1:500	Dwg No :	<b>Ad01a</b>
Project No :	18.042		



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02	17.07.19	Planning Review	-
01	31.05.19	Client Review	-
Issue :	Date :	Description :	Rev. :
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Client :  
**M.M. & M.J. Kolodziej**

Project :  
**Western Tiers Distillery**  
**67 Meander Valley Road**  
**Westbury TAS 7303**



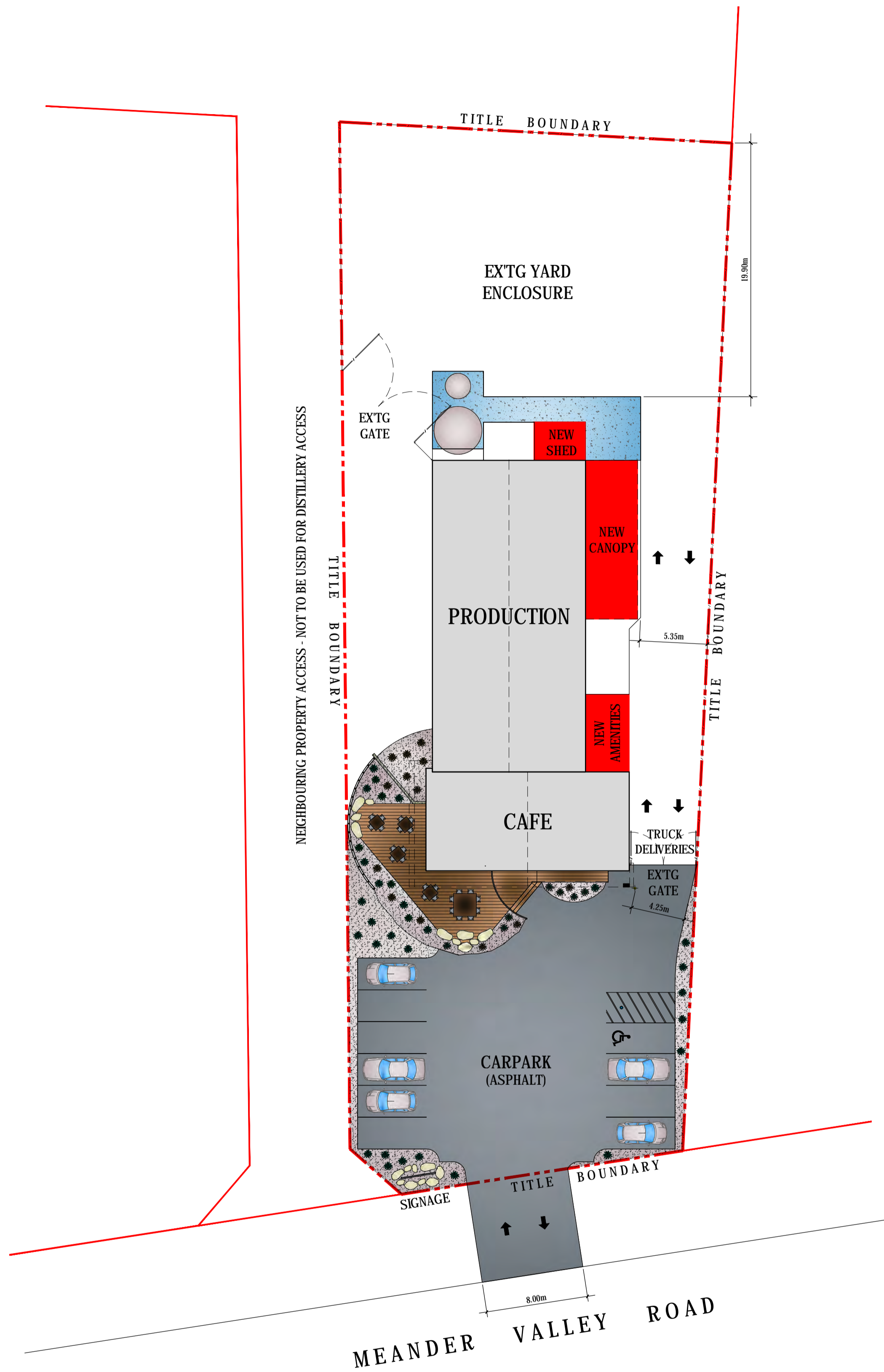



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Project No :	18.042		



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Client :  
**M.M. & M.J. Kolodziej**

Project :  
**Western Tiers Distillery**  
**67 Meander Valley Road**  
**Westbury TAS 7303**

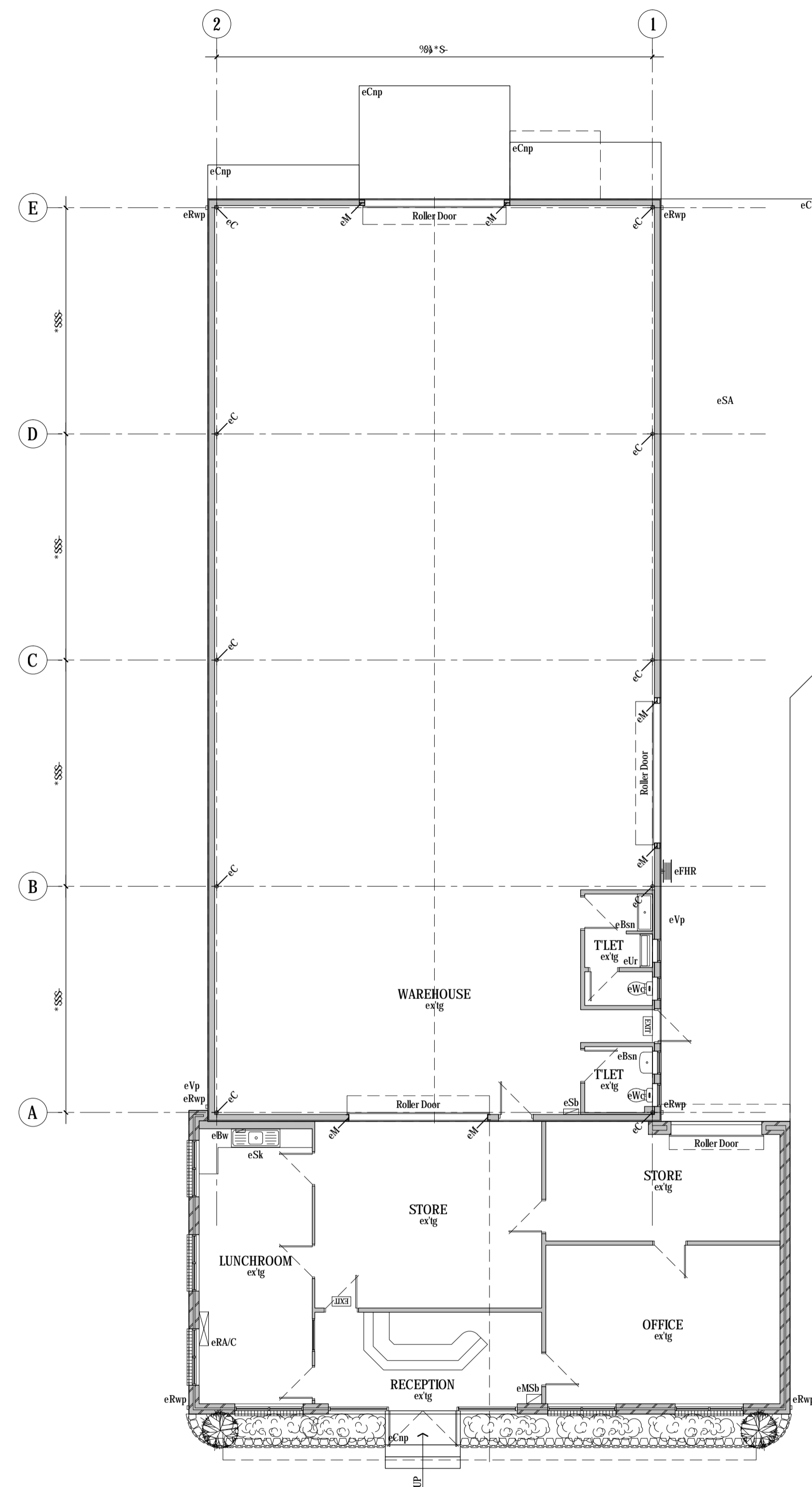


**Design Solutions**

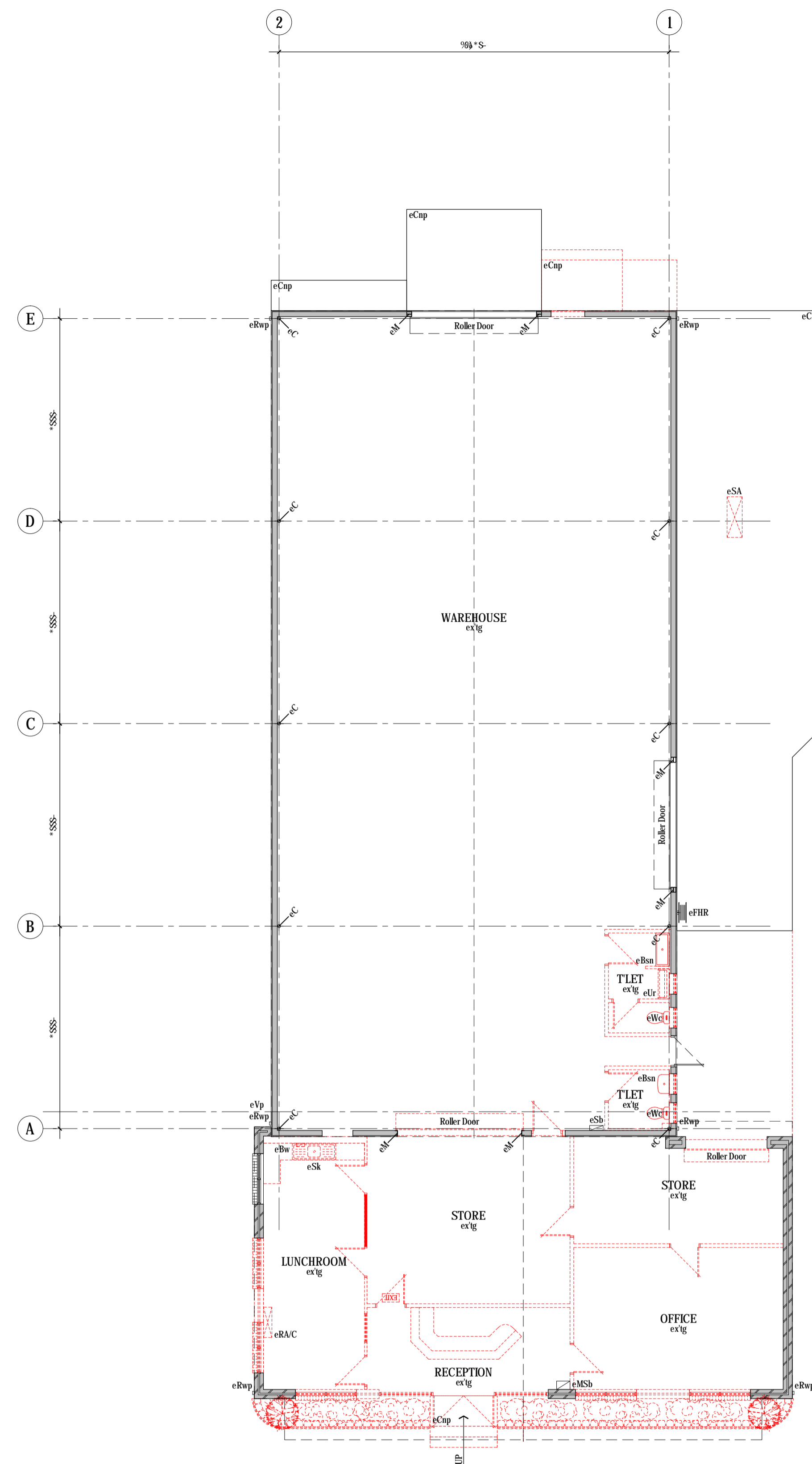
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Launceston TAS 7250    admin@tmkdesignsolutions.com.au

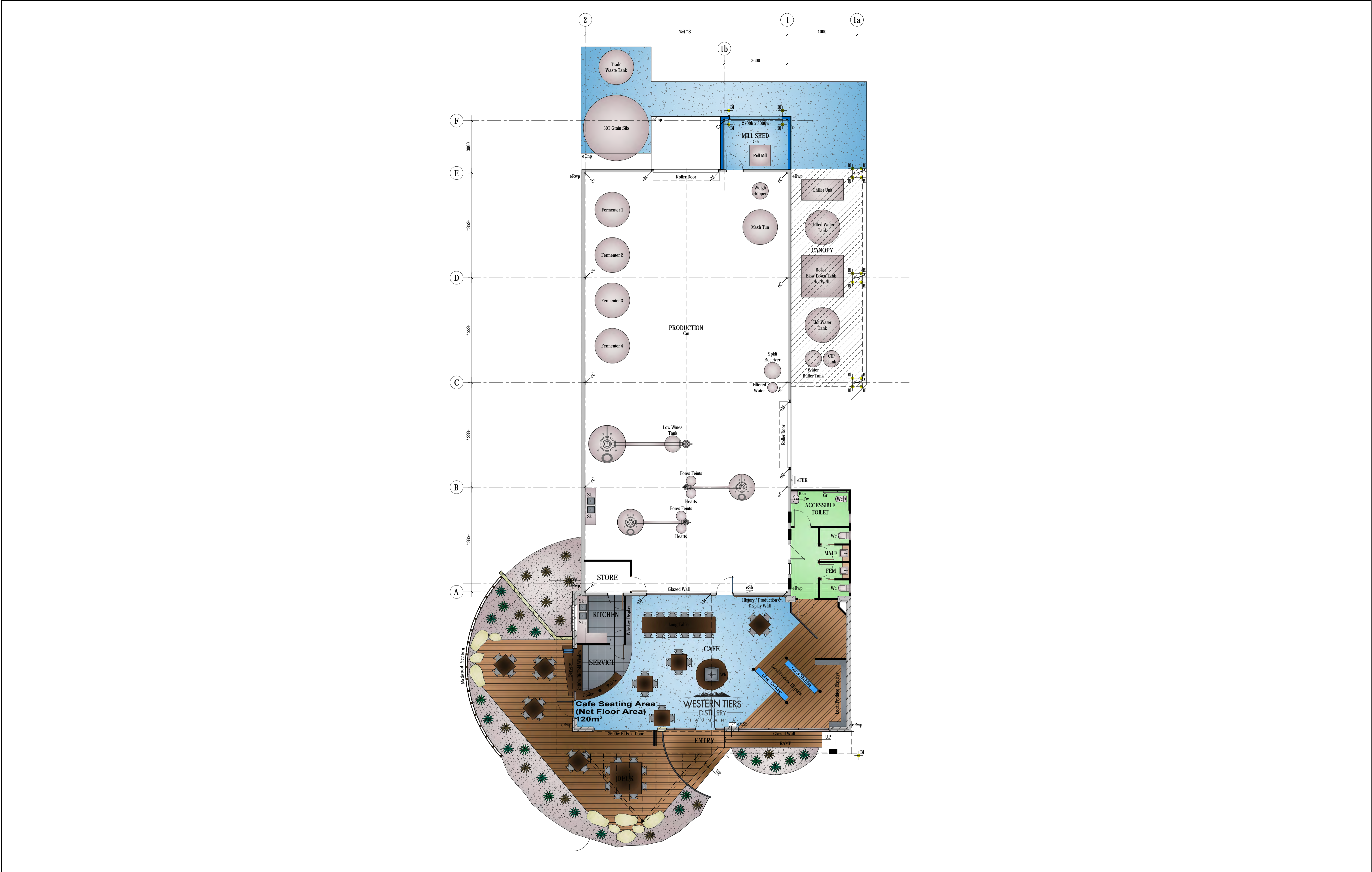
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Designed :	TONY M KEEGAN	Accreditation No :	CC5853K
Scale :	1:250	Dwg No :	<b>Ad02</b>
Project No :	18.042		



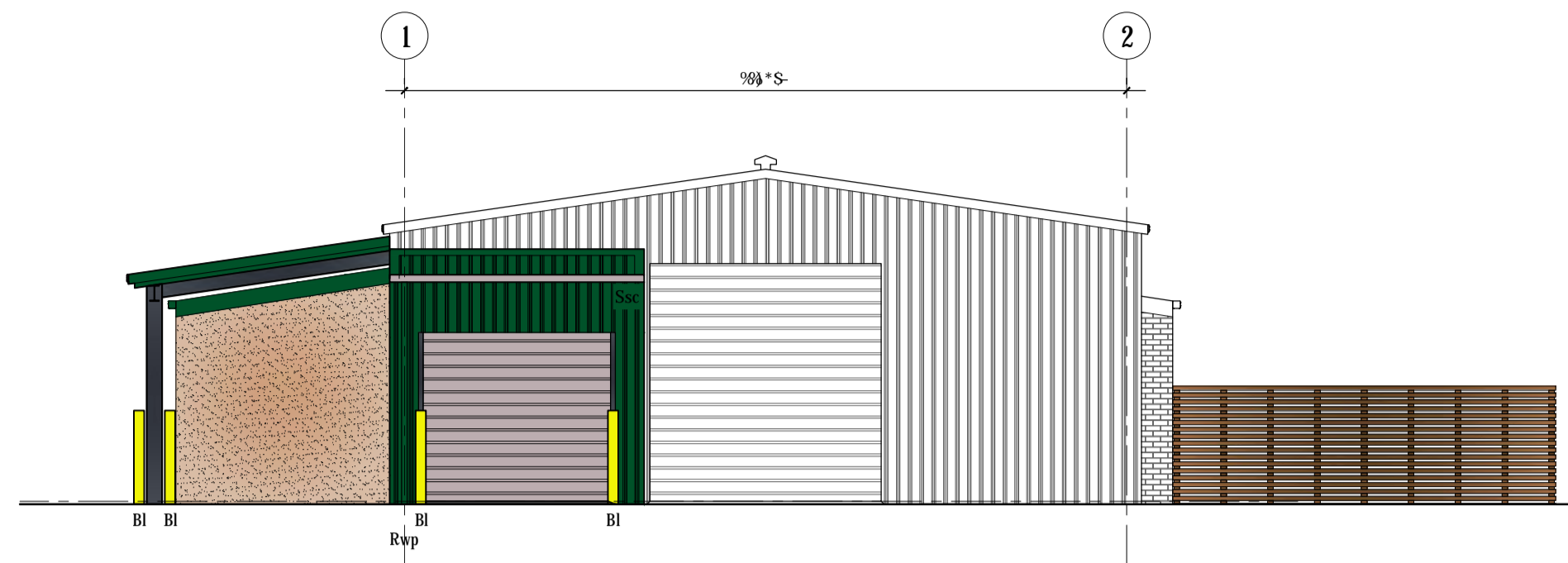
MEMBER						Client :		M.M. & M.J. Kolodziej								Drawing :  <b>Existing Floor Plan</b>	
						Project :		Western Tiers Distillery 67 Meander Valley Road Westbury TAS 7303									
	03	21.08.19	Planning Approval		-												
	02	17.07.19	Planning Review		-												
	01	31.05.19	Client Review		-												
Issue :		Date :		Description :		Rev. :											
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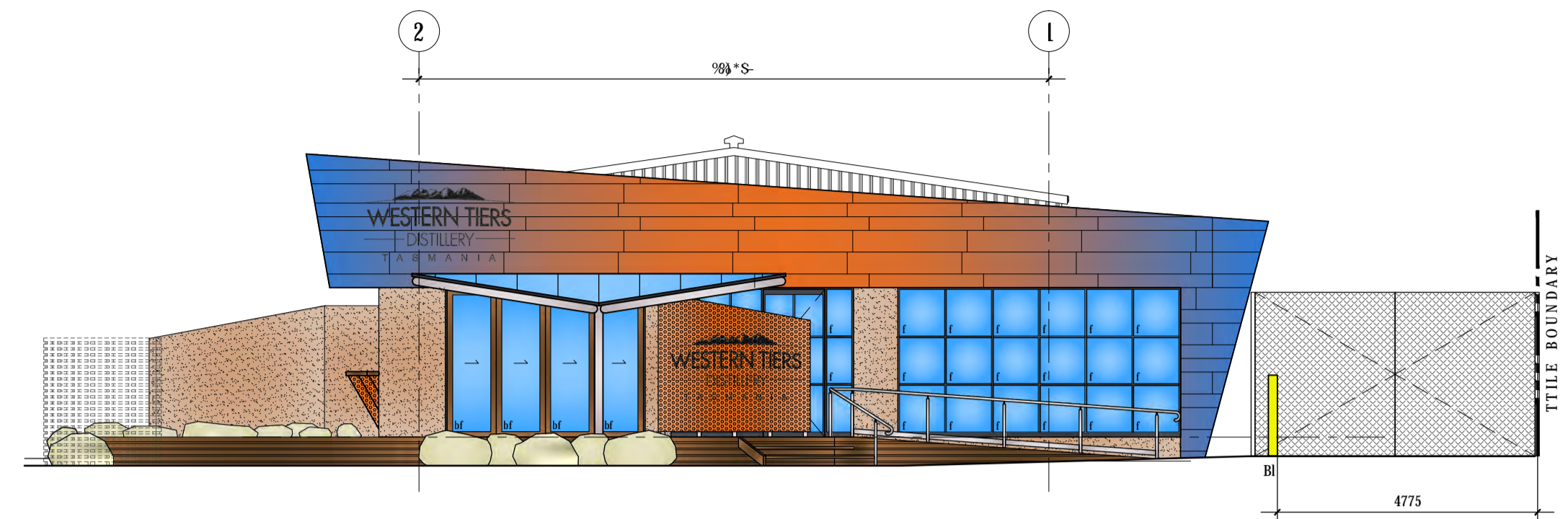
 Building Designers Association Victoria						Client : <b>M.M. &amp; M.J. Kolodziej</b>  Project : <b>Western Tiers Distillery</b> <b>67 Meander Valley Road</b> <b>Westbury TAS 7303</b>		 Building Design Drafting & Documentation Services PO Box 5274 Launceston TAS 7250    admin@tmkdesignsolutions.com.au	Drawing :  <b>Demolition Plan</b>
	03	21.08.19	Planning Approval	-					
	02	17.07.19	Planning Review	-					
	01	31.05.19	Client Review	-					
	Issue :	Date :	Description :	Rev. :					
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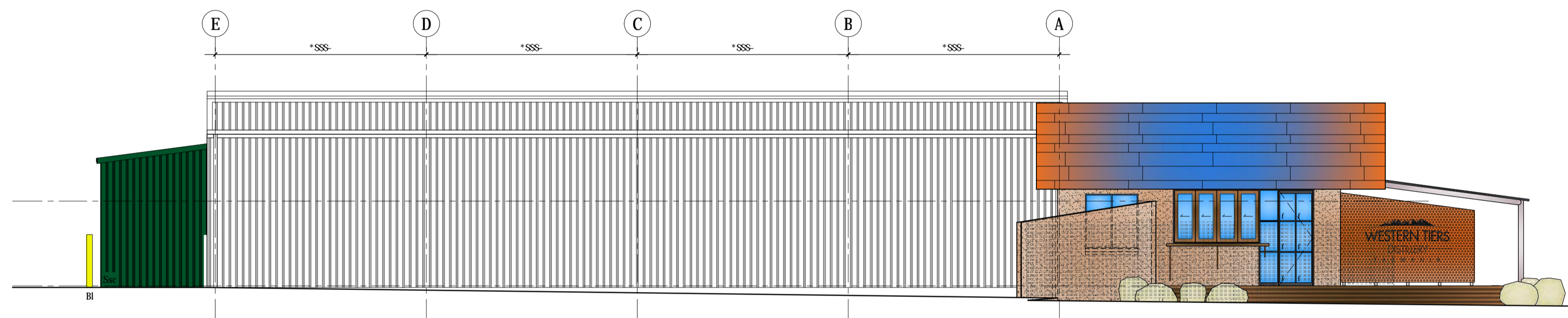
<div>MEMBER</div> <div></div> <div>Building Designers Association Victoria</div>								<div>Client :</div> <div>M.M. &amp; M.J. Kolodziej</div>				<div></div> <div>WESTERN TIERS DISTILLERY TASMANIA</div>				<div></div> <div>tmk Design Solutions Building Design Drafting &amp; Documentation Services PO Box 5274 Launceston TAS 7250 admin@tmkdesignsolutions.com.au</div>				<div>Drawing :</div> <div>Proposed Floor Plan</div>			
								<div>Project :</div> <div>Western Tiers Distillery 67 Meander Valley Road Westbury TAS 7303</div>								<div>Designed :</div> <div>TONY M KEEGAN</div>				<div>Accreditation No :</div> <div>CC5853K</div>			
03				21.08.19				Planning Approval				-				<div>Scale :</div> <div>1:100</div>				<div>Dwg No :</div> <div>Ad05</div>			
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Issue :				Date :				Description :				Rev. :											
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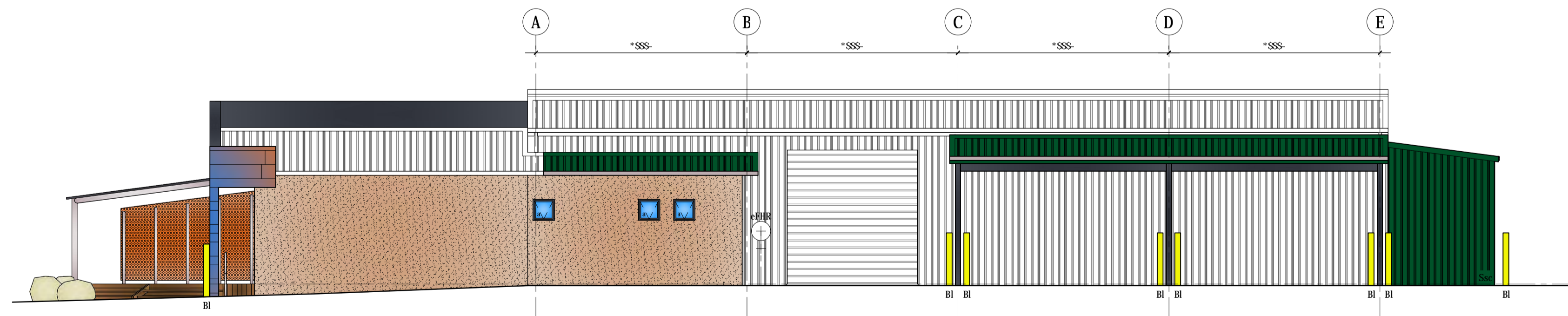
North Elevation



South Elevation



West Elevation



East Elevation

MEMBER  Building Designers Association Victoria					Client :	M.M. & M.J. Kolodziej	 WESTERN TIERS DISTILLERY TASMANIA	 tmk Design Solutions Building Design Drafting & Documentation Services PO Box 5274 Launceston TAS 7250 admin@tmkdesignsolutions.com.au	Drawing :		Elevation	
	02	21.08.19	Planning Approval	-	Project :	Western Tiers Distillery			Designed :	TONY M KEEGAN	Accreditation No :	CC5853K
	01	17.07.19	Planning Review	-		67 Meander Valley Road			Scale :	1:100	Dwg No :	
	Issue :	Date :	Description :	Rev. :		Westbury TAS 7303			Project No :	18.042		Ad06
	© 2019 - ALL RIGHTS RESERVED											

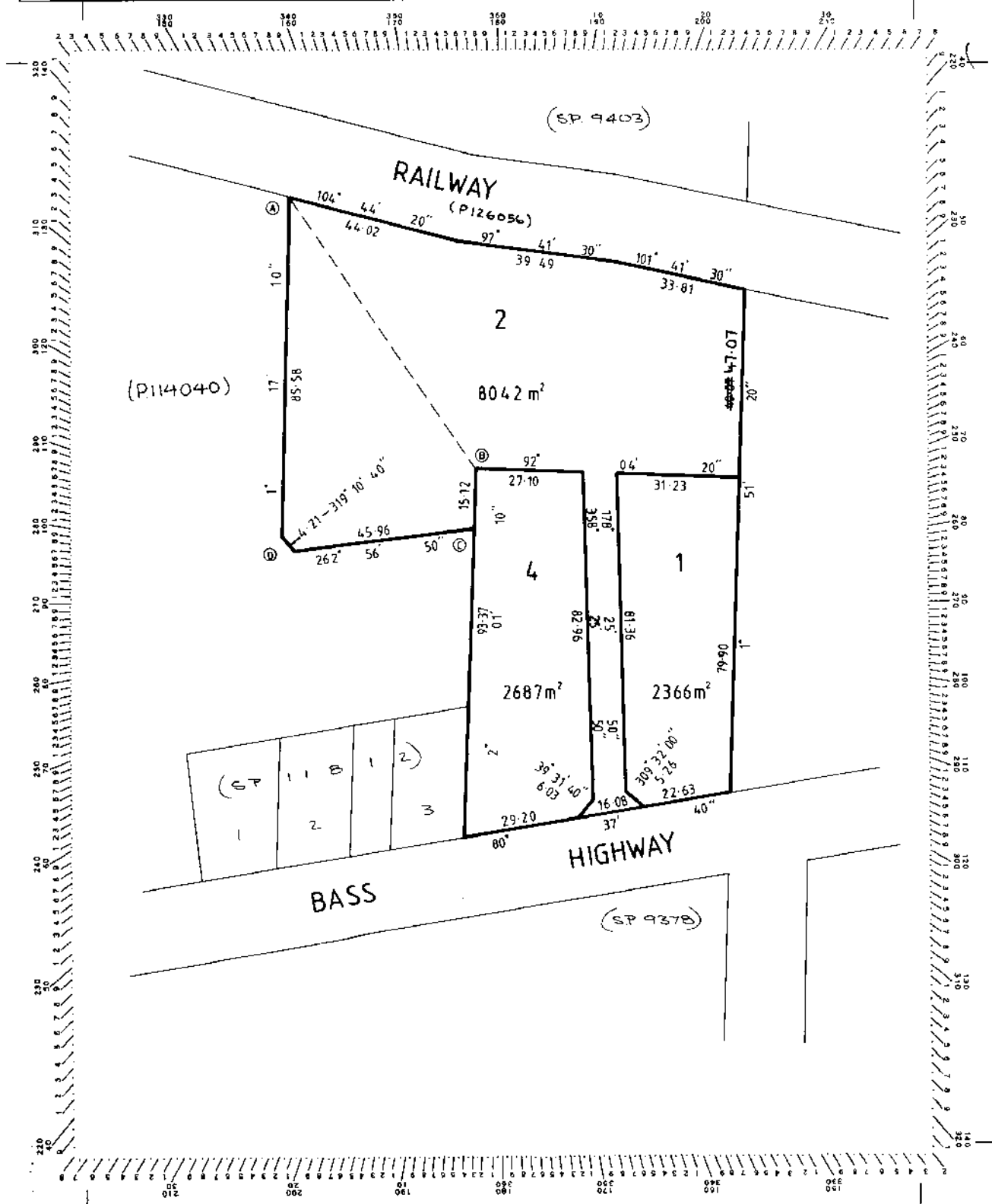


# Title Documents

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## Appendix B

Owner: GEOFFREY FRANK RICHARDS	<b>PLAN OF SURVEY</b> by Surveyor JOHN WILLIAM DENT of land situated in the <b>TOWN OF WESTBURY</b> <b>SECTION B1</b> SCALE 1: 1000 MEASUREMENTS IN METRES	Registered Number <b>SP43423</b>
Title Reference CT Vol 4192 Fol 76		Approved Effective from: <b>11 MAY 1990</b>
Grantee: PART OF 14-3-8 GRANTED TO FITZ HERBERT A MARRIOT		Recorder of Titles <i>Handwritten Signature</i>



## SEARCH OF TORRENS TITLE

VOLUME 43423	FOLIO 1
EDITION 3	DATE OF ISSUE 22-Nov-2001

SEARCH DATE : 19-Aug-2019

SEARCH TIME : 12.08 PM

DESCRIPTION OF LAND

Town of WESTBURY

Lot 1 on Sealed Plan 43423

Derivation : Part of 14A-3R-8Ps Gtd to F A Marriott

Prior CT 4660/66

SCHEDULE 1

C324407 TRANSFER to MARK MARIAN KOLODZIEJ and MAREE JOY  
KOLODZIEJ Registered 22-Nov-2001 at noon

SCHEDULE 2

Reservations and conditions in the Crown Grant if any

SP 43423 FENCING COVENANT in Schedule of Easements

C324408 MORTGAGE to Australia and New Zealand Banking Group  
Limited Registered 22-Nov-2001 at 12.01 PM

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations



## SCHEDULE OF EASEMENTS

PLAN NO.

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

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

# SP43423

## EASEMENTS AND PROFITS

Each lot on the plan is together with:—

- (1) such rights of drainage over the drainage easements shewn 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 à prendre described hereunder.

Each lot on the plan is subject to:—

- (1) such rights of drainage over the drainage easements shewn 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 à prendre described hereunder.

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

## COVENANTS

1. The owner of each lot on the plan covenants with Geoffrey Frank Richards (called the Vendor) that the Vendor shall not be required to fence.
2. The owner of lot 2 on the plan covenants with Geoffrey Frank Richards and with the Warden Councillors and Electors of the Municipality of Westbury not to erect any building on that part of the lot indicated by the letters ABCD on the plan.

SIGNED by GEOFFREY FRANK RICHARDS )  
the registered proprietor of the )  
land in Certificate of Title )  
Volume 4192 Folio 76 in the )  
presence of:— )

*Geoff Richards*

*L. J. Richards*  
*Deputy*

43423

I GEOFFREY FRANK RICHARDS hereby nominate Messrs. Campbell Smith  
Phelps Pedley Pty. Ltd. as Surveyors and Lewis Saunders & Co.  
as Solicitors.

*Geoff Richards*

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

..... affecting land in

Certificate of Title Volume 4192 Folio 76  
(Insert Title Reference)

Sealed by Municipality of Liss-bury on 14<sup>th</sup> DECEMBER 1987

Solicitor's Reference LVS

DS-F 3134

*[Signature]*  
Council Clerk/Town Clerk



# Traffic Impact Staement

---

Appendix C



**67 Meander Valley Road,  
Westbury**

Traffic Impact Statement

Prepared for  
**TMK Design Solutions**

Client representative  
**Tony Keegan**

Date  
**18 September 2019**

Rev 00



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## Appendices

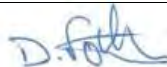
### Appendix A — Development Plans

**Prepared by —** Rebekah Ramm



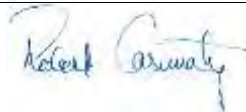
**Date —** 18/09/2019

**Reviewed by —** Douglas Fotheringham



**Date —** 18/09/2019

**Authorised by —** Rob Casimaty



**Date —** 18/09/2019

#### Revision History

Rev No.	Description	Prepared by	Reviewed by	Authorised by	Date
00	Traffic Impact Statement	R. Ramm	D. Fotheringham	R. Casimaty	18/09/2019

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# 1. Background

It is proposed to change the use of the existing workshop at 67 Meander Valley Road, Westbury, into a café and distillery.

To make an informed assessment of the expected impacts of the development to the safety and efficiency of the Meander Valley Highway, the Department of State Growth (DSG) have requested that a short Traffic Impact Statement (TIS) be prepared addressing the following sections of the *Meander Valley Interim Planning Scheme 2013* (Planning Scheme):

- E4.6.1 Use of road and rail infrastructure
- E4.7.4 Sight Distance and Accesses, Junctions and Level Crossings.

pitt&sherry were engaged by TMK Design Solutions to prepare the TIS.

## 2. Existing Conditions

### 2.1 Site Location

The site is located at 67 Meander Valley Road in Westbury. Access to the property is from a single access point on the Meander Valley Road. There is another access located directly west of the site, this is the access for 69 Meander Valley Road which is located to the rear of the site.

The site has a land use classification as 15.0 Urban Mixed Use under the Planning Scheme. Based on this land use classification, surrounding properties are a mix of uses including the Westbury Showground to the north Westbury Police Station to the east and Westbury Bowls Club to the west. Other land uses along Meander Valley Road include visitor accommodation, commercial properties and low density residential properties.

Figure 1 shows the location of the site in the local context.



Figure 1: Site Location

## 2.2 Meander Valley Road

Meander Valley Road is a DSG Category 5 Road under the State Road Hierarchy. The road travels in an east-west direction and operates as a secondary road to the Bass Highway between Prospect and Deloraine. The speed limit in the vicinity of the site is 60km/h.

The site access point on Meander Valley Road is shown in Figure 2.

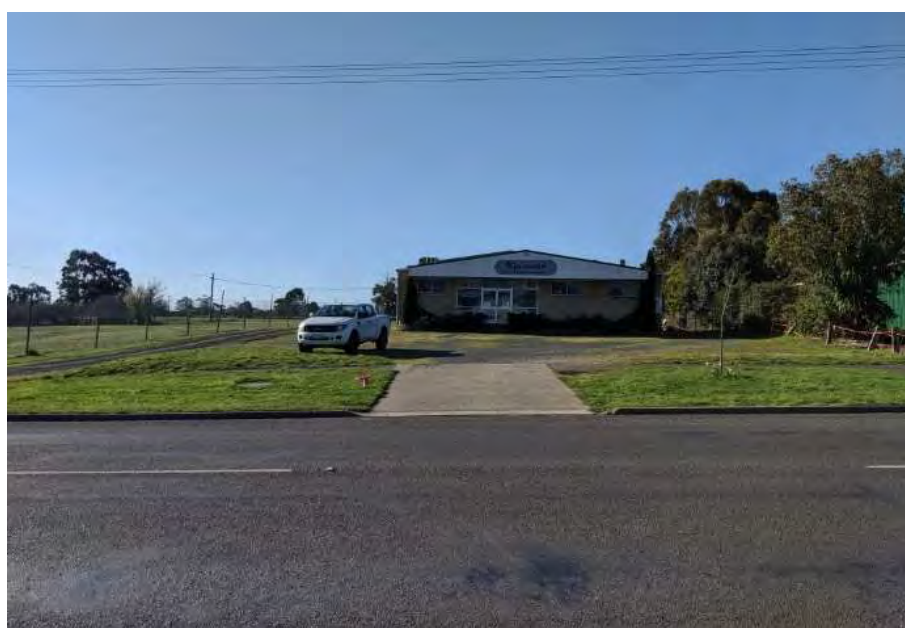


Figure 2: Site Access

## 2.3 Traffic Volumes

DSG Geocounts has available traffic data for Meander Valley Road, approximately 900m east of the site (Station A2025190). Data collected in October 2018 shows that the weekday AM peak hour occurs between 8:00-9:00am and the weekday PM peak hour occurs between 4:00-5:00pm. The AADT is was 3061 and heavy vehicle proportion 11.6% in 2018.

Traffic counts were completed by pitt&sherry at the site access on Tuesday 17 September 2019. The volumes recorded on Meander Valley Road during the peak hours are shown in Table 1.

Table 1: Recorded Traffic Volumes

	Eastbound Vehicles	Westbound Vehicles
AM Peak Hour	113	152
PM Peak Hour	126	185

The workshop on the site has recently become vacant so no vehicles were recorded entering or exiting at the time of the traffic count, the previous use generated about 6 traffic movements per day.

## 2.4 Crash History

Crash data was sourced from DSG for Meander Valley Road in the vicinity of the site access. In the most recent 10-year period, two crashes have occurred within 200m in either direction of the site access, both occurred outside 67 Meander Valley Road. The crashes are summarised in Table 2.

Table 2: Crash History

Date	Time/ Condition	Crash Description	Severity
29 March 2012	10:03am/ daylight	160 – Parked	Minor
31 December 2014	3:12pm/ daylight	179 – Other straight	Property Damage Only

The first crash outside the site involved a heavy vehicle crashing into a parked light vehicle resulting in a minor injury. The second crash involved two light vehicles travelling straight along the road.

The crashes appear to be isolated incidents and are not associated with the access point to 67 Meander Valley Road.

### 3. Development Proposal

It is proposed to change the use of the existing workshop at 67 Meander Valley Road, Westbury, into a café and distillery. Amendments will be made to the existing building with the building size remaining similar. The proposed floor areas are shown in Table 3. Development Plans are included in Appendix A.

Table 3: Proposed Floor Areas

Use	Location	Floor Area (approx.)
Café - seating	Indoor	70m <sup>2</sup>
	Outdoor	50m <sup>2</sup>
Café – kitchen and service	Indoor	16m <sup>2</sup>
Café – display area	Indoor	30m <sup>2</sup>
Distillery production	Indoor	270m <sup>2</sup>

The café will be open between 8:00am and 5:00pm 7 days a week. The café will have 1 employee on site at any time.

The distillery production area will be separate to the café and will have one staff employee on site at any time.

### 4. Traffic Assessment

#### 4.1 Traffic Generation

The traffic generation of the development during the weekday AM and PM peak hours has been estimated. There will be two traffic movements generated in each of the AM and PM peak hours associated with distillery and café staff.

There will be one delivery truck accessing the site each week, sometime between 9:00am and 3:00pm which is outside the peak hours on Meander Valley Road.

The traffic generation of the café seating area has been estimated using traffic generation rates from the *ite Trip Generation Manual* (ite Manual). There are no traffic generation rates for a café or distillery. The site is expected to have a similar traffic generation to a winery of the same size.

The ite Manual specifies the following traffic generation rates for a winery:

- Weekday AM Peak Hour 2.07 trips per 1000 square feet (92.9m<sup>2</sup>)
- Weekday PM Peak Hour 7.31 trips per 1000 square feet
- Weekday 45.96 trips per 1000 square feet.

The café seating area is a total of 120m<sup>2</sup> (combined indoor and outdoor seating). Based on this the expected traffic generation of the café seating area is 3 vehicle trips in the AM peak hour and 10 vehicle trips in the PM peak hour. The café seating area has the potential to generate 60 vehicle movements per day on a weekday.

This results in the following expected traffic movements:

- Weekday AM Peak Hour 5 trips (1 vehicle movement every 12 minutes)
- Weekday PM Peak Hour 12 trips (1 vehicle movement every 5 minutes)
- Weekday 64 trips.

## 4.2 Sight Distance

Sight distance measurements were taken at the time of the site visit at the site access location on Meander Valley Road. The measurements were taken at a point 5 metres back from the conflict point as specified in the Planning Scheme. The measured sight distances are as follows:

- From east >200 metres
- From west 49 metres.

The sight distance from the east is unobstructed for more than 200 metres. The sight distance to the east is obstructed by a large road sign. If the road sign was not present it is expected the sight distance would be significantly higher. Photos of the sight distances are shown in Figure 3 and Figure 4. The subject road sign is shown in Figure 5.



Figure 3: Sight Distance Facing East



Figure 4: Sight Distance Facing West



Figure 5: Sign Obstructing Sight Distance from West

The Planning Scheme specifies that for an 85<sup>th</sup> percentile 60km/h travel speed on a road with a 60km/h speed limit, the sight distance at an access or junction should be a minimum of 105 metres.

The sight distance from the east to the property access meets the Planning Scheme sight distance requirement. The sight distance from the west is 56 metres less than the Planning Scheme requirement. Moving the existing road sign is expected to achieve the required sight distance.

### 4.3 Traffic Impacts

The traffic movements generated by the development are low. When compared with the existing traffic volumes on Meander Valley Road, the additional movements would not be expected to compromise the safety or function of the surrounding road network.

## 5. Planning Scheme Assessment

### 5.1 E4 Roads and Railway Assets Code

The proposed development has been assessed against the E4 Roads and Railway Assets Code of the Planning Scheme. The use standards have been assessed in Table 4 while the development standards have been assessed in Table 5.

#### 5.1.1 E4.6 Use Standards

Table 4: E4 Use Standards

<b>E4.6.1 Use of road and rail infrastructure</b>	
<p>Objective:</p> <p>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.</p>	
<b>Acceptable Solution/ Performance Criteria</b>	<b>Comment</b>
<p><b>A2</b></p> <p>For roads with a speed limit of 60km/h or less the use must not generate more than a total of 40 vehicle entry and exit movements per day.</p> <p><b>P2</b></p> <p>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.</p>	<p><b>Satisfies P2 Performance Criteria</b></p> <p>The proposed café and distillery development is expected to generate up to 64 vehicle movements per day to Meander Valley Road. As this is more than 40 movements, it is necessary to assess against the P3 Performance Criteria.</p> <p>There single access point to the site will be maintained.</p> <p>The development is expected to generate a maximum equivalent of a vehicle every 5 minutes during a peak hour.</p> <p>Meander Valley Road currently carries about 3,000 vehicles per day. The additional traffic would increase this by 2%.</p> <p>This level of traffic is not expected to impact on the operational efficiency of Meander Valley Road.</p> <p>The crash history indicates that there is no recorded safety issues at the site access location. The addition of the small amount of additional traffic is expected to maintain an acceptable level of safety for all road users, including pedestrians and cyclists.</p>

### 5.1.2 E7 Development Standards

Table 5: E7 Development Standards

<b>E5.6.4 Sight distance at accesses, junctions and level crossings</b>	
<p><u>Objective:</u></p> <p>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.</p>	
<b>Acceptable Solution/ Performance Criteria</b>	<b>Comment</b>
<p><b>A1</b></p> <p>Sight distance at:</p> <p>(a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.7.4; and</p> <p>(b) rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, 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><b>Can Comply with A1 Acceptable Solution</b></p> <p>The Planning Scheme specifies that for an 85<sup>th</sup> percentile 60km/h travel speed on a road with a 60km/h speed limit, the sight distance at an access or junction should be a minimum of 105 metres.</p> <p>The sight distance from the east to the property access meets the Acceptable Solution requirement.</p> <p>The sight distance from the west is 56 metres less than the Planning Scheme requirement. Moving the existing road sign is expected to achieve the Acceptable Solution requirement.</p>

## 6. Summary

It is proposed to change the use of the existing workshop at 67 Meander Valley Road, Westbury, into a café and distillery. An assessment of the traffic impacts associated with the change of use has been undertaken, the analysis and discussions presented in this report can be summarised as follows:

- The traffic volumes generated by the change of use is expected to have a minimal impact on the safety and operation of Meander Valley Road
- The sight distance from the east to the property access meets the Planning Scheme requirement
- The sight distance from the west is 56 metres less than the Planning Scheme requirement. Moving the existing road sign is expected to achieve a sufficient sight distance.

## 67 Meander Valley Road, Westbury

### Traffic Impact Statement

#### Contact

Rebekah Ramm  
03 6210 1402  
[rramm@pittsh.com.au](mailto:rramm@pittsh.com.au)

**Pitt & Sherry  
(Operations) Pty  
Ltd**  
ABN 67 140 184  
309

Phone 1300 748 874  
[info@pittsh.com.au](mailto:info@pittsh.com.au)  
[pittsh.com.au](http://pittsh.com.au)

**Located nationally —**  
Melbourne  
Sydney  
Brisbane  
Hobart  
Launceston  
Newcastle  
Devonport  
Wagga Wagga



## Report to Support a Request to Amend a Planning Scheme and Propose a Development

### Contact

Ian Abernethy  
0417 233 732  
iabernethy@pittsh.com.au

**Pitt & Sherry  
(Operations) Pty Ltd**  
ABN 67 140 184 309

Phone 1300 748 874  
info@pittsh.com.au  
pittsh.com.au

### Located nationally —

Melbourne  
Sydney  
Brisbane  
Hobart  
Launceston  
Newcastle  
Devonport  
Wagga Wagga



16/09/2019

---

To


Meander Valley  
Council  
Lyll Street  
Westbury 7303

Property Ownership Details  
MM&MJ Kolodziej  
67 Meander Valley Road  
Westbury 7303

Attention: Planning Department,

As landowners of 67 Meander Valley Highway we give consent to Pitt & Sherry to request to amend the Meander Valley Interim Planning Scheme 2013 and apply for a planning permit application for change of use and alterations and extension to the building at 67 Meander Valley Road, Westbury.

Mark Kolodziej



# Department of State Growth



Salamanca Building Parliament Square  
4 Salamanca Place, Hobart TAS  
GPO Box 536, Hobart TAS 7001 Australia  
Email [permits@stategrowth.tas.gov.au](mailto:permits@stategrowth.tas.gov.au) Web [www.stategrowth.tas.gov.au](http://www.stategrowth.tas.gov.au)  
Ref: D19/217272

Doug Fotherington  
Pitt & Sherry  
Po Box 1409  
LAUNCESTON TAS 7250

Dear Mr Fotherington

## **Crown Landowner Consent Granted – 67 Meander Valley Road, Westbury**

I refer to your recent request for Crown landowner consent relating to the development application at 67 Meander Valley Road, Westbury for a Planning Scheme Amendment and Development.

I, Andrew Hargrave, Manager Asset Management, State Roads, the Department of State Growth, having been duly authorised by the Minister for Infrastructure under section 43D(1) of the former provisions of the *Land Use Planning and Approvals Act 1993*, hereby give my consent to the making of the application, insofar as it affects the State road network and any Crown land under the jurisdiction of this Department.

The consent given by this letter is for the **making of the application only** insofar as that it impacts Department of State Growth administered Crown land and is with reference to your application dated 26 August 2019, and the documents approved as follows:

Approved Document Name	Author	Date Received	Notes
Crown Landowner Consent Application Form	-	26/8/2019	<i>Superseded version received earlier in day. Updated version received 3.33PM.</i>
Planning Permit Application Form Meander Valley Council	-	26/8/2019	
Covering Letter – Request to Amend a Planning Scheme and Propose a Development – 28 August 2018	Pitt and Sherry	26/8/2019	
Report to Support a Request to Amend a Planning Scheme and Propose a Development – 67 Meander Valley Highway, Westbury – Rev 00, 26 August 2019	Pitt and Sherry	26/8/2019	<i>Including Appendices</i>
Traffic Impact Assessment – 18 September 2019	Pitt and Sherry	26/9/2019	

In giving consent to lodge the subject development application, the Department notes the following applicable advice:

**A. Access – construction or alteration (Access works permit required)**

In giving consent to lodge the subject development application, the Department notes that the proposed access to the State road network will require the following additional consent:

The consent of the Minister under Section 16 of the *Roads and Jetties Act 1935* to undertake works within the State road reservation.

For further information please visit <http://www.transport.tas.gov.au/road/permits> or contact [permits@stategrowth.tas.gov.au](mailto:permits@stategrowth.tas.gov.au).

On sealed State roads all new accesses must be sealed from the road to the property boundary as a minimum.

Pursuant to Section 16AA of the *Roads and Jetties Act 1935*, where a vehicle access has been constructed from land to a State highway or subsidiary road, the owner of that land is responsible for the maintenance and repair of the whole of the vehicular access.

**B. Other types of works (pipeline, etc.) OR Construction of infrastructure in the road reserve/on Crown land (Works permit required)**

In giving consent to lodge the subject development application, the Department notes that the works in the State road network will require the following additional consent:

The consent of the Minister under Section 16 of the *Roads and Jetties Act 1935* to undertake works within the State road reservation.

For further information please visit <http://www.transport.tas.gov.au/road/permits> or contact [permits@stategrowth.tas.gov.au](mailto:permits@stategrowth.tas.gov.au).

**C. Discharge of Stormwater or drainage into the State road drainage system (Ministerial consent required)**

In giving consent to lodge the subject development application, the Department notes that the works in the State road network will require the following additional consent:

The consent of the Minister under Section 17B of the *Roads and Jetties Act 1935* to concentrate and discharge drainage to the State road reserve.

The proponent must submit a drainage plan, including catchment area, flows and drainage design for any area discharging to the State road reserve.

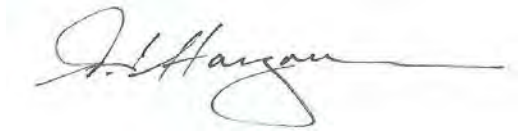
If any enlargement of the existing State road drainage infrastructure is required in order to carry any additional drainage, these works must be undertaken under the supervision and to the satisfaction of an officer designated by the Minister. If such works are required, the costs associated with the works will be payable by the proponent.

The proponent is responsible for the ongoing maintenance of their own infrastructure.

For further information please contact Road Assets at [roadassets.utilities@stategrowth.tas.gov.au](mailto:roadassets.utilities@stategrowth.tas.gov.au).

The Department reserves the right to make a representation to the relevant Council in relation to any aspect of the proposed development relating to its road network and/or property.

Yours sincerely

A handwritten signature in black ink, appearing to read 'A. Hargrave', with a long horizontal flourish extending to the right.

Andrew Hargrave  
**MANAGER ASSET MANAGEMENT**

On behalf of  
**Minister for Infrastructure and Transport**  
Michael Ferguson MP

10 October 2019

cc: General Manager, Meander Valley Council

# **COMMUNITY & DEVELOPMENT SERVICES 1**

Reference No. 201/2019

## **REQUEST FOR SIGNAGE – MEANDER VALLEY NETBALL ASSOCIATION & DELORAINE DEVILS NETBALL CLUB**

**AUTHOR:** Claire Bailey  
Sport Facility and Development Officer

### **1) Recommendation**

***It is recommended that Council approve:***

***(1) The proposal from Meander Valley Netball Association and affiliate Deloraine Devils Netball Club for sponsorship signage on the storage shed and fence line at Deloraine Community Complex outdoor Netball courts subject to meeting planning permit requirements***

***(2) Rejection of the proposal for advertising signage on the external wall of Deloraine Community Complex.***

### **2) Officers Report**

Meander Valley Netball Association (MVNA) and affiliate Deloraine Devils Netball Club (DDNC) are seeking approval for sponsorship signage at Deloraine Community Complex (DCC) outdoor netball courts.

The clubs are also seeking to display an advertisement billboard on the external wall of the Complex overlooking the outdoor netball courts.

Signage location, fixing method and sign material is proposed as follows:

1. Storage shed (*wall sign*), DCC Outdoor Netball Courts:
  - Coreflute signs to be affixed with wall plugs and screws
  - Sign dimensions 1200mm×900mm



Figure 1 and 2: storage shed signs

2. Fence line (*ground sign*), DCC Outdoor Netball Courts:

- Unistrut with aluminium backing plate.
- There would be an aluminium channel that the core flute sign can slide into and then taken out when required
- Two screws at the top would hold the core flute in place
- The unistrut construction would hold 2 coreflute signs side by side
- Coreflute sign dimensions 1200mm×900mm



Figure 3: fence line ground signs

3. External DCC stadium wall, (*wall sign*) overlooking outdoor courts:

- 6m x 3m heavy duty vinyl tarp banner
- To be displayed within steel structural frame on wall
- Metal rods frame the banner which could slide into a steel frame channel and be taken out when require
- MVNA/DDNC has advised the billboard sign would be amended to display current information



Figure 4: external stadium wall sign location



Figure 5: vinyl tarp banner sign

The proposal from MVNA/DDNC was submitted in writing to Council officers via an email dated 12 September 2019. This is a new initiative from the club for outdoor sponsorship signage.

Previously, the club has displayed sponsorship signage around the indoor stadium courts in accordance with Meander Valley Council's *Indoor Facility Signage Guidelines*.

MVNA/DDNC has advised sponsorship procurement will be subject to Council approval of the signage request.

Historically, Council has been in favour of supporting sporting clubs in their endeavours to secure long term financial security and broaden their participation reach within the community.

However, Council has previously not approved a request from Prospect Hawks Junior Football Club for sponsorship signage to be displayed on the external wall of Prospect Park Sports Club (Ray Johnstone Centre), which is also used by multiple sporting clubs.

Approval of advertising signage on external facility walls will set a precedent that could be difficult to manage. It could lead to a proliferation of requests from other clubs involving the same or other multi-use facilities.

Sponsorship signs would be able to be removed at any time by using a screwdriver or simply sliding out of the aluminum fence line structures, should a future regular club user require space for displaying sponsorship signage within their season.

Meander Valley Council's Planning Scheme states that a 'wall sign' must not take up more than 25% of the area of the wall. If Council provides approval for the netball association's request, storage shed wall measurements will be obtained and calculated against proposed sign dimensions to ensure compliance with planning requirements.

The signs will require a planning permit and the club can potentially apply for a community grant to contribute towards the permit fees. Council officers recommend the club combine all signage in the one planning application.

All placement and removal costs will be borne by the club.

MVNA/DDNC intends to begin displaying sponsorship signage on the storage shed, and then when full move on to the fence line aluminum structures.

Council reserves the right to remove signs if deemed necessary.

MVNA/DDNC will be responsible for cleaning the signs when necessary.

All placement and removal costs will be borne by the club.

Council officers recommend any agreed signage arrangement be subject to review every two years.

### **3) Council Strategy and Policy**

Further the objectives of the Council's Community Strategic Plan 2014-24:

- Future Directions (4): A healthy and safe community.
- Future Directions (5): Innovative leadership and community governance.

### **4) Legislation**

Not applicable.

### **5) Risk Management**

Not applicable.

### **6) Government and Agency Consultation**

Not applicable.

### **7) Community Consultation**

Not applicable.

### **8) Financial Consideration**

All costs associated with the signage will be borne by the club.

### **9) Alternative Recommendations**

Council can decide not to support the proposal for sponsorship signage.

Council can decide to support the proposal for advertisement signage on the external facility wall.

### **10) Voting Requirements**

Simple Majority

## **DECISION:**

# **CORPORATE SERVICES 1**

Reference No. 202/2019

## **COUNCIL AUDIT PANEL RECEIPT OF MINUTES**

**AUTHOR:** Justin Marshall  
Acting Director Corporate Services

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### **1) Recommendation**

***It is recommended that Council receive the minutes of the Council Audit Panel meeting held on 22 October 2019 as follows:***

### **2) Officers Report**

Council's Audit Panel met on 22 October 2019 with the minutes attached for Council's information and receipt. The attached minutes have been endorsed by the Audit Panel Chairman and are provided for Council's information as is required following each Audit Panel meeting in line with Council's Audit Panel Charter.

### **3) Council Strategy and Policy**

The recommendation fulfils the requirements outlined in Council's Audit Panel Charter confirmed at the October 2018 Council Meeting.

The recommendation furthers the objectives of Council's Community Strategic Plan 2014 to 2024:

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

### **4) Legislation**

Sections 85, 85A and 85B of the Local Government Act 1993 and the Local Government (Audit Panels) Orders.

### **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**

Council can approve the recommendation with amendment.

#### **10) Voting Requirements**

Simple Majority.

**DECISION:**

 Meander Valley Council WORKING TOGETHER	Audit Panel Minutes
Meeting Time & Date: 10am 22 October 2019	Venue: Meander Valley Council – Council Chambers
Present:	
Chairman Steve Hernyk	Councillor Suzie Bower
Mr Chris Lyall	Councillor Frank Nott
In Attendance:	
Jon Harmey, Acting General Manager	Sam Bailey, Risk & Safety Officer
Justin Marshall, Acting Director Corporate Services	Susan Ellston, Finance Officer
Lynette While, Director Community & Development Services	By phone conference from Tasmanian Audit Office: Jessica Leonard, Manager Financial Audit Services
Dino De Paoli, Director Infrastructure Services	
Apologies:	
Matthew Millwood, Director Works	

## ORDER OF BUSINESS

### 13. & 16. Teleconference with Tasmanian Audit Office

The Panel had a teleconference with Jessica Leonard from the Tasmanian Audit Office (TAO). Jessica gave an overview of the Audit of the Financial Report for the year ended 30 June 2019 and thanked all those assisted leading to smooth and good audit. Jessica thanked those involved with their patience given resourcing issues at TAO during the process. No high risk audit findings were identified; however one moderate risk was identified. No instances of non-compliance with applicable laws and regulations were observed that would have an impact on the financial report. The Chair acknowledged the excellent results and congratulated the Director Corporate Services and the Senior Accountant for an exceptional preparation. The chair offered a private session with Jessica however it was not required.

ITEM	
1.	<b>Declaration of Pecuniary Interests/conflict of interest</b> Nil.
2.	<b>Adoption of Previous Minutes</b> It was resolved that the minutes of the meeting held on 25 June 2019 be received and confirmed.
3.	<b>Outstanding from previous meeting - Action Sheet</b> None
4.	<b>Review Annual Meeting Schedule and Work Plan</b> No Matters for discussion.
<b>Governance and Strategy</b>	
5.	<b>Review Annual Plan</b> The Report was Received and Noted.

## **6. Review Strategic Asset Management Plan**

Review of SAMP taken place and the following updates were reached:-

Asset value, financial details - 10 year service delivery cost, available budget and budget shortfall figures all updated.

Asset Management Definitions - added definitions from AM Policy

What Assets do we have? - Updated table 2.2 – asset category and dimensions

Asset Values - Updated Table 2.3.1: Asset class, replacement cost, current value, annual depreciation

Lifecycle Costs - Updated table 2.3.3 – asset life cycle costs

Key Assumptions made in Financial Forecasts - Updated Table 6.4: Key Assumptions made in AM Plan and Risks of Change

Improvement Program - Updated Table 7.2: Improvement Plan – including:- SAMP improvement Plan and Individual AMP Improvement plan but only for Current Actions

Finalised plan to be distributed to Panel

Verbal report Received and Noted.

## **7. Review Asset Management Plans**

Review of AMP taken place and the following updates were reached:-

Updated Asset value, cost to deliver, budget available for service delivery and budget shortfall.

Updated table 2.1 – asset category, costs and dimensions

Current Levels of Service - Updated community and technical levels of service tables

Asset valuations - Updated asset replacement cost, asset depreciable amount, depreciated replacement cost, annual depreciation

Updated asset consumption %, asset renewal %, annual upgrade/expansion % (for both capital expansion and contributed assets)

Financial sustainability in service delivery - Updated for the following time frames - the cost to deliver services, budget available for service delivery and budget short fall

- Long term - Life Cycle Cost
- Updated – Medium term – 10 year financial planning period
- Updated - Short Term – 5 year financial planning period

Key Assumptions made in Financial Forecasts - Updated assumptions

Improvement Plan - Updated improvement plan

Finalised plans to be distributed to Panel

Verbal report Received and Noted.

## **8. Review Asset Management Policy**

Reviewed document against 2015 IPWEA Australian Infrastructure Management Manual definitions and 2018 NAMS.PLUS Policy template.

Minor changes made to bring context up to contemporary terminology.

New & Gifted Assets Policy - Changes included:

- Remove definitions
- Included reference to risk
- Minor wording change (proposed projects list now Forward Works Program)
- Included reference to assisting in consultation with the community

Finalised policy to be distributed to Panel

Verbal report Received and Noted.

**9. Review policies and procedures**

The following Policies were reviewed –

**No 86 – Industrial Development Incentive**

Policy was presented at the October 2019 Council meeting with a recommendation that Council confirms the continuation of Policy 86.

**Recommended to Council for adoption.**

**No 14 – Fencing Council Land**

Only minor changes noted as part of the review.

**Recommended to Council for adoption.**

**10. Assessment of governance and operating processes integration with financial management practices of the Council**

Discussions regarding the integration of the Governance regime into Council were put to the panel. It was discussed that more internal audits were necessary to address any non-conformance issues and identify any improvements. While this is not possible with the current resources available it was strongly suggested that additional resourcing be made available to address the issues and achieve best practices for integrating Governance into Council.

The Panel confirmed that integration had improved over the past few years and was appropriately occurring at the moment

Verbal report Received and Noted.

**Financial and Management Reporting**

**11. Review most current results and report any relevant findings to Council**

Councillor Bowman questioned the expiry date of the Loans and other Receivables (note 19 – 2019 Financial Statements). Acting General Manager advised approximate dates but will confirm and supply dates directly to Cr Bowman.

The Capital Works Program update (September 2019) and the Financial Reports (August 2019) were Received and Noted.

**12. Review any business unit or special financial reports**

Verbally advised that the Road to Recovery funding project has been signed off and now awaiting for new process for funding to begin again.

**13. Review annual financial report, audit report and management representation letter (for advice to GM) and make recommendation to Council including meeting with Tasmania Audit representative.**

Refer to meeting commencement.

**Internal Audit**

**14. Consider any available audit reports**

Three internal audits have commenced but not fully completed:

- Infrastructure – Contractor Management
- People working with vulnerable people checks / registrations
- Contractor Systems - Adams Tree Services & Walters Contracting

Audit outcomes to be distributed on completion before next Panel meeting

Verbal report received and Noted – Documents to follow.

**15. Review management's implementation of audit recommendations**

**CORP 1**

Verbal report Received and Noted – Documents to follow.	
<b>External Audit</b>	
<b>16. Consider any available audit reports</b>	Refer to meeting commencement.
<b>17. Consider any performance audit reports that will be undertaken by the Tasmanian Audit Office and address implications for the Council</b>	<p>Report from Tasmanian Audit Office regarding procurement in Local Government. It was noted that the clause 'extenuating circumstances' should apply in truly exceptional circumstances and more clarity could be improved with a definition within the LGA or LGR.</p> <p>The Reports were Received and Noted.</p>
<b>Risk Management and Compliance</b>	
<b>18. Monitor ethical standards and any related transactions to determine the systems of control are adequate and review how ethical and lawful behaviour and culture is promoted within the Council</b>	<p>This year Council have included a question in all employees Personal Review documentation to indicate if there may be a conflict of interest with the employee having a relationship with any organisation or club in the municipality. Along with a question, also included in the review, that asks employees if they have a second job this is making employees outside interests and additional employment more transparent for Council.</p> <p>Verbal update Received and Noted.</p>
<b>19. Review processes to manage insurable risks and existing insurance cover</b>	<p>Process completed for insurance renewals with Marsh, JLT, MAV and LGAT. New policies are in place with underwriters for 2019-2020. Council continues to self-insure for Cyber cover. While Council has some cover in place through the Industrial Special Risk policy, it has been decided not to take separate cover at this point. Council has installed New security software and continue to monitor and update the Councils firewall system.</p> <p>Received and Noted.</p>
<b>20. Monitor any major claims or lawsuits by or against the Council and complaints against the Council</b>	<p>Timberworld vs Meander Valley Council – Planning appeal. Appealed to Supreme Court and awaiting a hearing date to be notified by the Registrar.</p> <p>Meander Valley Council vs Alida Maria Beerepoot and ors - Disputing non-payment of rates for religious reasons. Hearing date is set for 15 October 2019.</p> <p>Received and Noted.</p>
<b>21. Oversee the investigation of any instances of suspected cases of fraud or other illegal and unethical behaviour</b>	No Matters to Report.
<b>Other Business</b>	
<u>No matters</u>	

**Meeting close**

This meeting closed at 11:36am

**Next Meeting**

The next meeting to be held on Tuesday 17 December 2019 at 10:00 am

# **INFRASTRUCTURE 1**

Reference No. 203/2019

## **DIVESTMENT OF COUNCIL PROPERTIES**

**AUTHOR:** Dino De Paoli  
Director Infrastructure Services

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### **1) Recommendation**

***It is recommended that Council proceed with divestment under Section 177 of the Local Government Act 1993 and approve the General Manager to enter into contracts of sale for the following properties:***

- 1) 6-8 Emu Bay Road, Deloraine (CT:162910/1)***
- 2) 333 Westbury Road, Prospect Vale (CT:143357/1)***

### **2) Officers Report**

The purpose of this report is for Council to consider the divestment of the following two Council properties;

- 6-8 Emu Bay Road, Deloraine (CT:162910/1)
- 333 Westbury Road, Prospect Vale (CT:143357/1)

These properties are not classified as "Public" under the Local Government Act 1993 and are considered by Officers to be surplus to Council's current and long term needs.

Council previously considered the divestment of these properties at the Ordinary Council Meeting in October 2018, however, resolved not to proceed with the divestment at that point in time. The divestment of Council properties was most recently presented to Council for discussion at the workshop on 23 July 2019, prior to consideration again at the Ordinary Council Meeting in August 2019.

It was determined at the August Meeting that feedback should be invited from the community on the future alternative uses for these properties prior to proceeding with divestment. The period for seeking feedback was from 6

September to 4 October. No comment was received from the community regarding alternative uses for these two properties.

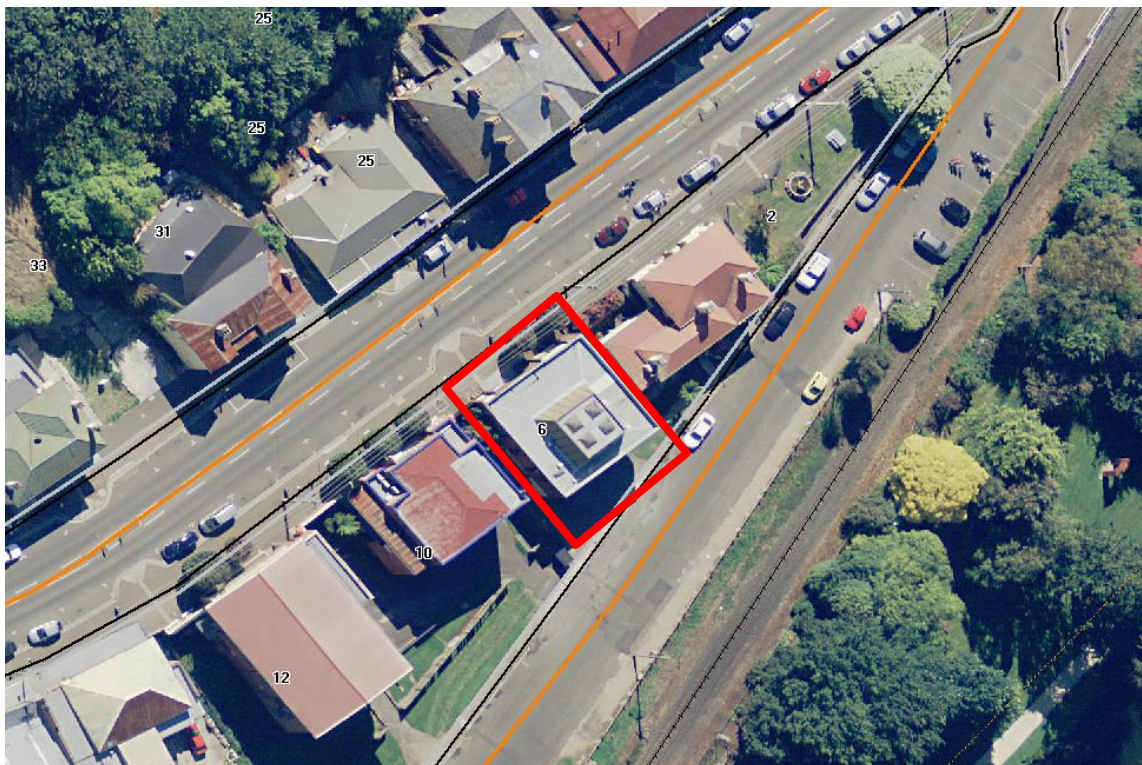
Further details on each property are provided below.

**6-8 Emu Bay Road, Deloraine (CT:162910/1)**

This property is surplus to Council's needs and no strategic plan was identified for this building during the Deloraine Outline Development Plan project. This property was originally identified for sale approximately 9 years ago with a project included in Council's Capital Works program (FY10/11). The sale did not progress at the time due to various considerations around the cost and responsibility to upgrade the building concerning fire separation, and also protracted lease agreement negotiations with Service Tasmania.

The property contains commercial premises. The current tenancies are made up of Service Tasmania, and the Department of Education (Deloraine Library Literacy Office). The office previously tenanted by the former member of the legislative council, Greg Hall, is currently vacant.

The zoning for the land is General Business.



Aerial photo 1: 6-8 Emu Bay Road

**333 Westbury Road, Prospect Vale (CT:143357/1)**

This property is surplus to Council's needs and there was no strategic project identified for this property in the Prospect Vale Blackstone Heights Structure Plan.

The property contains a residential dwelling and was purchased in November 2014 as part of the Westbury Road-Vale Street intersection roundabout project. The roundabout project was completed and the property is currently leased through Bushby Real Estate.

It is noted that the Department of Communities has expressed an interest in the purchase of this property from Council to assist the State Government with the delivery of affordable housing to the area. The General Manager may negotiate directly with the Department to sell the property based on fair market value should Council support the recommendation for divestment.

The zoning for the land is General Residential.



Aerial photo 2: 333 Westbury Road

The proceeds from the sale of the properties are recommended to be applied to new or upgraded property development projects in line with Council's strategic documents and to be determined by Council as part of future capital works considerations.

### **3) Council Strategy and Policy**

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

- Future Direction (5): Innovative leadership and community governance

### **4) Legislation**

Section 177 Sale and disposal of land under the Local Government Act 1993 applies. A decision to sell land by Council under Section 177 must be carried by an absolute majority.

### **5) Risk Management**

Not applicable.

### **6) Government and Agency Consultation**

Not Applicable.

### **7) Community Consultation**

Not applicable.

### **8) Financial Consideration**

The following table details the current value of the properties provided by the State Government's Office of the Valuer General (OVG), effective 1 July 2018:

Property	OVG Valuation
6-8 Emu Bay Road, Deloraine	\$315,000
333 Westbury Road, Prospect Vale	\$330,000

Prior to Council selling the properties, Officers will obtain a valuation from a qualified valuer that will be used to determine fair market value for the sale process.

### **9) Alternative Recommendations**

Council could elect not to sell any or both of these properties.

## **10) Voting Requirements**

Absolute Majority

**DECISION:**

## INFRASTRUCTURE 2

Reference No. 204/2019

### POLICY REVIEW NO.14 FENCING – COUNCIL OWNED LAND

**AUTHOR:** Natasha Tempest  
Project Manager Infrastructure

#### 1) Recommendation

***It is recommended that Council confirms the continuation of Policy No.14 Fencing – Council Owned Land with amendments as follows:***

#### POLICY MANUAL

**Policy Number: 14**

**Fencing – Council owned land**

**Purpose:**

To outline the circumstances in which Council will share the cost of boundary fences with other property owners.

**Department:**

Infrastructure Services

**Author:**

Dino De Paoli, Director

**Council Meeting Date:**

~~10 November 2015~~ 12 November 2019

**Minute Number:**

~~450/2015~~ x/2019

**Next Review Date:**

~~November 2019~~ November 2023

#### POLICY

##### 1. Definitions

Nil.

##### 2. Objective

To ensure the sharing of costs of boundary fencing between Council owned land and adjoining private land is in accordance with legislation. ~~outline the circumstances in which Council will share the cost of boundary fences with other property owners.~~

##### 3. Scope

This policy applies to the Council, its employees and any land owner adjacent to Council owned land.

#### **4. Policy**

Council will share the cost of fencing boundaries between private and Council owned land in accordance with the Boundary Fences Act 1908. ~~Theis A~~act exempts Council from making a contribution where Council owned land is a roadway (which includes a public highway, street, right-of-way, whether the right-of-way is a vehicle access, horse-way or foot-way), un-occupied land, a reserve or public place.

Situations where Council is not exempt and is required to share in the cost of a **sufficient** boundary fence include **where a property adjoins a Council owned:**

- ~~Where a property adjoins a Council owned H~~house or building; ~~or a~~
- Commercial or security area e.g. Council depot.

**Property owners intending to replace or erect new boundary fences shall notify Council's Development Services Department to determine if a permit is required for the works.**

**For the purposes of this Policy a sufficient boundary fence to Council owned land is a 1.8 metre high treated pine lapped paling fence with steel posts set in concrete.**

#### **5. Legislation**

The policy conforms ~~with-to~~ the Tasmanian Boundary Fences Act 1908.

#### **6. Responsibility**

Responsibility for the operation of this policy rests with the Director Infrastructure Services.

## **2) Officers Report**

The purpose of this report is for Council to approve the continuation of the amended Policy No.14 Fencing – Council owned land.

This Policy is in place to define circumstances where Council would share the cost of boundary fencing with properties adjoining Council owned land. The Policy has been written to reflect the requirements of councils as detailed in the Boundary Fences Act 1908.

The Policy has been updated to:

- Reflect the requirement for applicants to confirm with Council if a planning permit is required for any proposed fencing work; and
- To define what constitutes a sufficient boundary fence for the purpose of determining Council's share of any costs.

### **3) Council Strategy and Policy**

Furthers the objectives of the Council's Community Strategic Plan 2014 to 2024:

- Future direction (6) – Planned infrastructure services

### **4) Legislation**

Tasmanian Boundary Fences Act 1908

### **5) Risk Management**

There is considerable financial risk associated with Council taking on additional responsibilities for the maintenance of fences beyond what is required in the Boundary Fences Act 1908.

### **6) Government and Agency Consultation**

Not applicable.

### **7) Community Consultation**

Not applicable.

### **8) Financial Consideration**

Council's operational budget for the 2019-20 financial year includes \$5,000 for the contribution to boundary fence replacements.

### **9) Alternative Recommendations**

Council can elect to amend or not approve the recommendation.

### **10) Voting Requirements**

Simple majority

## **INFRASTRUCTURE 3**

Reference No. 205/2019

### **REVIEW OF BUDGETS FOR THE 2019-20 CAPITAL WORKS PROGRAM**

**AUTHOR:** Dino De Paoli  
Director Infrastructure Services

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#### **1) Recommendation**

***It is recommended that Council approves the following project budget changes to the 2019-20 Capital Works Program:***

<b><i>Project Name</i></b>	<b><i>Current Budget</i></b>	<b><i>Proposed Budget Variation</i></b>	<b><i>Revised Budget</i></b>
<b><i>Beveridges Lane Road Pavement Reconstruction</i></b>	<b><i>\$120,000</i></b>	<b><i>-\$120,000</i></b>	<b><i>\$0</i></b>
<b><i>Weegenah Road Pavement Reconstruction</i></b>	<b><i>\$0</i></b>	<b><i>\$120,000</i></b>	<b><i>\$120,000</i></b>
<b><i>Bluff Creek Bridge Reconstruction - Bogan Road</i></b>	<b><i>\$22,400</i></b>	<b><i>-\$22,000</i></b>	<b><i>\$400</i></b>
<b><i>Deloraine Pump Track</i></b>	<b><i>\$0</i></b>	<b><i>\$20,000</i></b>	<b><i>\$20,000</i></b>
<b><i>Limestone Creek Bridge Reconstruction - Walters Road</i></b>	<b><i>\$200,000</i></b>	<b><i>-\$14,000</i></b>	<b><i>\$186,000</i></b>
<b><i>Deloraine Community Complex - Netball Courts</i></b>	<b><i>\$14,300</i></b>	<b><i>\$14,000</i></b>	<b><i>\$28,300</i></b>

#### **2) Officers Report**

The purpose of this report is to seek Council approval for the reallocation of funding within the Capital Works Program as a result of project cost variations and addition of new projects to the Program.

Project budget allocations within the Capital Works Program that are submitted to Council for approval prior to the commencement of each financial year are prepared using a range of methods. In some instances and depending on the

availability of resources and time constraints, projects can be thoroughly scoped and accurate estimates prepared using available empirical or supplier information. Conversely, project cost estimates may only be general allowances prepared using the best information available at the time.

During the financial year, detailed design, adjustment to project scope and the undertaking of additional works during construction, results in project expenditure under and over approved budget amounts. New projects may also be requested for inclusion in the program, or removal.

The overall financial objective in delivering the Capital Works Program is to have a zero net variation in the program budget. As part of our ongoing management of projects, Council officers review project time lines, budgets, scope and available resources. Project savings are generally used to offset project overruns and additional funding can be requested to assist with balancing the budget or to finance new projects.

In order to deliver the outcomes required from capital works projects outlined in the Annual Plan, Council officers regularly review project scope, resourcing requirements and committed and forecast expenditure. Typically on a quarterly basis, project information is presented to Council where cost variations have occurred, and formal approval is requested from the Council to reallocate funding within the Capital Works Program where variations are beyond the General Manager's financial delegation.

Table 1 below details three (3) new projects (Weegen Road Pavement Reconstruction, Deloraine Pump Track, and Mole Creek Cemetery Concrete Slabs) not previously presented to Council.

**TABLE 1: 2019-20 CAPITAL WORKS BUDGET – REALLOCATION OF PROJECT FUNDING**

Project No.	Project Name	Council Costs to date	Current Budget	Proposed Budget Variation	Revised Budget	Delegation	Comments
6149	Beveridges Lane Road Pavement Reconstruction	\$0	\$120,000	-\$120,000	\$0	Council	Transfer funds to PN6224
6224	Weegenah Road Pavement Reconstruction	\$0	\$0	\$120,000	\$120,000	Council	Transfer funds from PN6149
	Note: Weegenah Road project required due to accelerated damage to Weegenah Road pavement due to log truck traffic. Parts of Dunorlan Road and Dynans Bridge Road pavements will also be included in this reconstruction work. Beveridges Lane Road to be included in the program for approval in FY2020-21.						
5365	Western Creek Bridge Reconstruction - Bankton Road	\$71	\$9,500	-\$5,000	\$4,500	GM	Transfer funds to PN6141
6141	Dunorlan Rd Stock Underpass - Roadworks	\$65,962	\$61,100	\$5,000	\$66,100	GM	Transfer funds from PN5365
	Note: Western Creek Bridge complete. Additional work undertaken at the site of the Dunorlan Road stock underpass to improve drainage, guardrail installation and pavement sealing. This project is complete.						
5283	Bluff Creek Bridge Reconstruction - Bogan Road	\$13	\$22,400	-\$22,000	\$400	Council	Transfer funds to PN7696 & PN6303
7696	Deloraine Pump Track	\$0	\$0	\$20,000	\$20,000	Council	Transfer funds from PN5283
	Note: Bluff Creek Bridge is complete. Funding for the Pump Track project will be for the development of concept and detailed design documentation and costings.						
6302	Deloraine Lawn Cemetery Concrete Slabs	\$6,897	\$5,000	-\$5,000	\$0	GM	Transfer funds to PN6303
6303	Mole Creek Cemetery Concrete	\$0	\$0	\$7,000	\$7,000	GM	Transfer funds from PN6302

Project No.	Project Name	Council Costs to date	Current Budget	Proposed Budget Variation	Revised Budget	Delegation	Comments
	Slabs						
	Note: Priority for installation of slabs at Mole Creek. Addition of new slabs for Deloraine will be included in the program for approval in FY2020-21.						
5322	Limestone Creek Bridge Reconstruction - Walters Road	\$185,759	\$200,000	-\$14,000	\$186,000	Council	Transfer funds to PN7690
7690	Deloraine Community Complex - Netball Courts	\$28,075	\$14,300	\$14,000	\$28,300	Council	Transfer funds from PN5322
	Note: Limestone Creek Bridge is complete. Additional costs on the netball courts project associated with completion of retaining wall work and final contractor invoice for works incorporated in original scope.						
	<b>Totals</b>		<b>\$432,300</b>	<b>\$0</b>	<b>\$432,300</b>		

### **3) Council Strategy and Policy**

Council's Annual Plan requires Council officers to report on the progress of capital works projects.

### **4) Legislation**

Section 82(4) of the Local Government Act 1993 requires Council to approve by absolute majority any proposed alteration to Council's estimated capital works outside the limit of the General Manager's financial delegation of \$20,000.

### **5) Risk Management**

Not applicable.

### **6) Government and Agency Consultation**

Not applicable.

### **7) Community Consultation**

Not applicable.

### **8) Financial Consideration**

The recommended variations in this report will result in no change to the value of the 2019-20 Capital Works Program.

### **9) Alternative Recommendations**

Council can elect to amend or not approve the recommendation.

### **10) Voting Requirements**

Absolute Majority

## **DECISION:**

## **ITEMS FOR CLOSED SECTION OF THE MEETING:**

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

### **Voting Requirements**

Absolute Majority

Council moved to Closed Session at x.xxpm

## **GOVERNANCE 1 CONFIRMATION OF MINUTES**

(Reference Part 2 Regulation 34(2) Local Government (Meeting Procedures) Regulations 2015)

Confirmation of Minutes of the Closed Session of the Ordinary Council Meeting held on 8 October, 2019.

## **GOVERNANCE 2 LEAVE OF ABSENCE**

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

## **WORKS 1 LAND PURCHASE FOR COUNCIL DEPOT DEVELOPMENT**

(Reference Part 2, Section 15(2)(f) Local Government (Meeting Procedures) Regulations 2015)

Council returned to Open Session 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 .....

.....  
Wayne Johnston  
**Mayor**