



Meander Valley Council
Working Together

AGENDA

ORDINARY COUNCIL MEETING

Tuesday 8 November 2022

Time 3.00pm

Location Council Chambers
26 Lyall Street
Westbury, Tasmania

Phone (03) 6393 5300

Our Values

Our seven values help guide our decisions and underpin all we do.

Respect, listen and care for
one another

Be trustworthy, honest
and tolerant

Be positive and receptive
to new ideas

Be innovative, creative
and learn

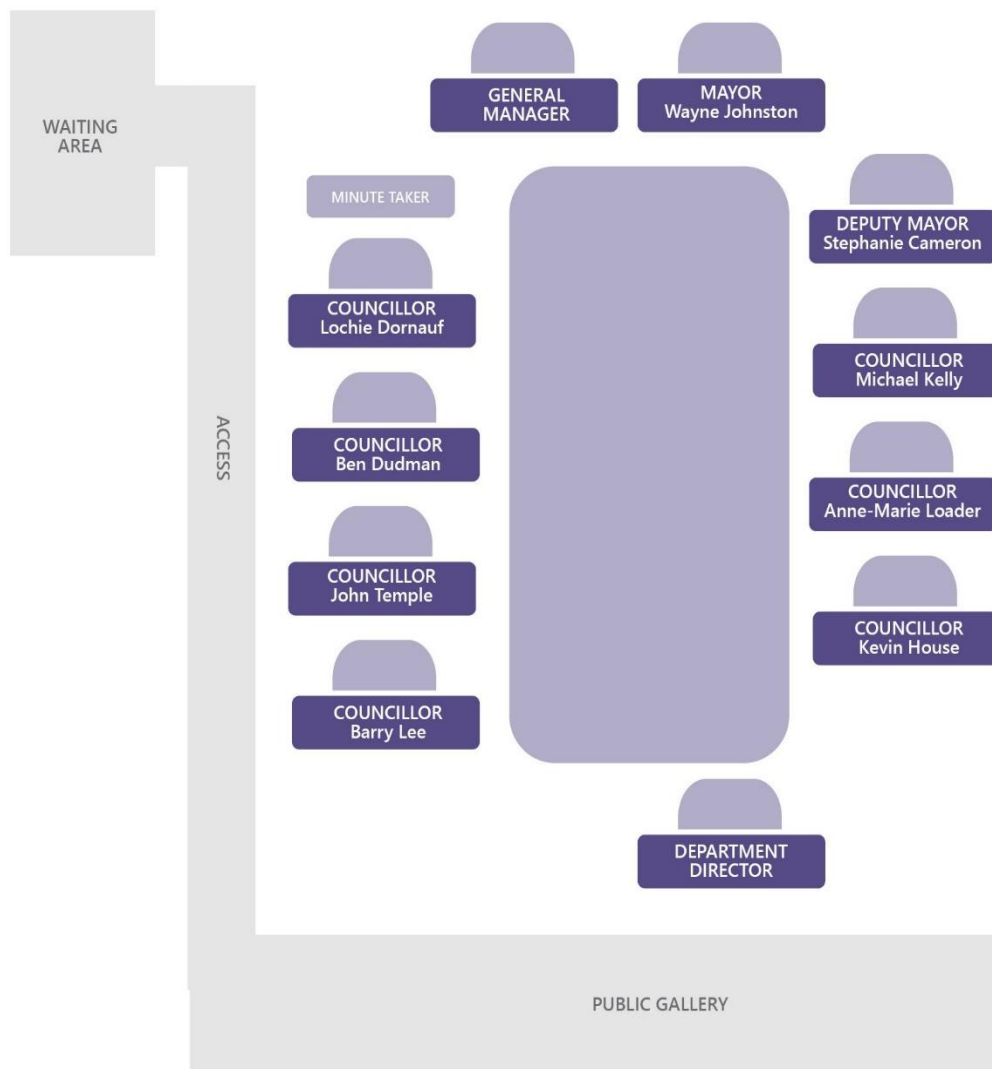
Take a fair, balanced and
long term approach

Use sound
business practices

Work together

Council Chambers

Seating Plan



Going to a Council Meeting

Members of the community are encouraged to engage with Council's monthly meetings. You can submit questions online or attend in person.

Our website offers handy fact sheets with information about what to expect at a Council Meeting, including how to participate in Public Question Time.

After the meeting, you'll find minutes and an audio recording online.

Hard copies of agendas and minutes are also available to view at the Council offices.

Learn more

Visit www.meander.tas.gov.au/council-meeting-guidelines to find fact sheets or submit a question.

Agendas, minutes, and audio recordings are located at www.meander.tas.gov.au/minutes-and-agendas.

You can also contact the Office of the General Manager by phone (03) 6393 5317 or email ogm@mvc.tas.gov.au to submit a question, or to learn more about opportunities to speak at a Council Meeting.

Public Access to Chambers

Social distancing requirements have been relaxed and there is no longer a limit on the number of people that may attend the public gallery (beyond the practical limits of the room).

Where there is a need to manage demand, seating will be prioritised as follows:

For planning decisions: applicants and representors have first priority. A representor is a community member who writes to Council to object to or support a planning application (statutory timeframes apply for becoming a representor during the planning process).

For all decisions: Members of the media are welcome to take up any seats not in use by the public, or email ogm@mvc.tas.gov.au to request specific information about a Council decision. Media requests received by email before close of business (or the end of the meeting) will receive a same-day response.

Council operates under a COVID Safety Plan. If you are experiencing any symptoms associated with COVID-19, you are encouraged to stay home.

Conduct at Council Meetings

Visitors are reminded that Council Meetings are a place of work for staff and Councillors.

Council is committed to meeting its responsibilities as an employer and as host of this important public forum, by ensuring that all present meet expectations of mutually respectful and orderly conduct.

It is a condition of entry to the Council Chambers that you cooperate with any directions or requests from the Chairperson or Council officers.

The Chairperson is responsible for maintaining order at Council Meetings. The General Manager is responsible for health, wellbeing and safety of all present. The Chairperson or General Manager may require a person to leave Council premises following any behaviour that falls short of these expectations. It is an offence to hinder or disrupt a Council Meeting.

Access & Inclusion

Council supports and accommodates inclusion for all who seek participation in Council Meetings, as far as is practicable.

Any person with a disability or other specific needs is encouraged to contact Council before the meeting on (03) 6393 5300 or via email to ogm@mvc.tas.gov.au to discuss how we can best assist you with access.

Certificate of Qualified Advice

A General Manager must ensure any advice, information or recommendation is given to Council by a person with the necessary qualifications or experience: section 65, *Local Government Act 1993*.

Council must not decide on any matter without receiving qualified advice, or a certification from the General Manager.

Accordingly, I certify that, where required:

- (i) the advice of a qualified person was obtained in preparation of this Agenda; and
- (ii) this advice was taken into account in providing general advice to Meander Valley Council; and
- (iii) A copy of any such advice (or a written transcript or summary of oral advice) is included with the agenda item.



John Jordan
GENERAL MANAGER

Table of Contents

Meeting Open - Attendance & Apologies	7
Acknowledgment of Country	7
Declarations of Office	7
Confirmation of Minutes	7
Declarations of Interest	7
Council Workshop Report	9
Mayor & Councillor Report	9
Petitions	11
Community Representations	11
Public Question Time	12
Councillor Question Time	13
Planning Authority Reports	15
310 & 744 Birralee Road & Birralee Road Westbury	15
Corporate Services	109
Council Audit Panel: Receipt of Meeting Minutes	109
Governance	116
Councillor Representation - Committees & External Organisations	116
Motion to Close Meeting	131
Closed Session Agenda	131
Meeting End	131

Meeting Open - Attendance & Apologies

Acknowledgment of Country

Council acknowledges the Pallitore and Panninher past peoples and the traditional owners and custodians of the land on which we gather for the Council Meeting, with respects paid to elders past and present and extended to all Aboriginal and Torres Strait Islander peoples present.

Declarations of Office

The staff of Meander Valley Council warmly welcomes our new and returning elected members to their role, and congratulates all on their successful campaign in the 2022 local government elections.

Council formally acknowledges the Declaration of Office made at Westbury Town Hall on Wednesday 2 November 2022, by the following:

- Wayne Johnston, Mayor and Councillor;
- Stephanie Cameron, Deputy Mayor and Councillor;
- Lochie Dornauf, Councillor;
- Kevin House, Councillor;
- Michael Kelly, Councillor;
- Barry Lee, Councillor;
- Anne-Marie Loader, Councillor; and
- John Temple, Councillor.

Council also extends a special thank you to Uncle Hank Horton and Linton Burgess, for conducting our first full Welcome to Country since the implementation of Council's Policy No. 95- Indigenous Recognition.

Confirmation of Minutes

Motion Receive and confirm minutes of the last Ordinary Council Meeting held Tuesday 11 October 2022.

Vote Simple majority

Declarations of Interest

Nil

Council Workshop Report

The Council Workshop originally scheduled for 25 October 2022 did not proceed due to its timing within the 2022 local government election process.

Mayor & Councillor Report

Councillor Activities Since Last Meeting

17 Oct	Community Event Brand Tasmania Workshop	<i>Attended by Cr White</i>
18 Oct	Council Event Deloraine Flood Recovery Drop-In Session	<i>Attended by Crs Cameron & Synfield</i>
19 Oct	Visit by the Australian Prime Minister The Honourable Anthony Albanese MP – Flood Recovery Visit, Deloraine	<i>Attended by Mayor Johnston</i>
20 Oct	Visit by the Tasmanian Premier The Honourable Jeremy Rockliff MP – Flood Recovery Visit, Deloraine	<i>Attended by Cr Cameron</i>
21 Oct	Visit by Governor-General of Australia His Excellency General the Honorable David Hurley AS DSC (Retd) and Her Excellency Mrs Linda Hurley – Flood Recovery Visit, Deloraine & Meander	<i>Attended by Mayor Johnston</i>

25 Oct Meeting
Tamar Estuary Management Team, Launceston

*Attended by Mayor
Johnston*

25 Oct Council Event
Citizenship Ceremony, Westbury

*Presented by Mayor
Johnston
Attended by Crs
Cameron, Synfield &
White*

25 Oct Council Event
Councillor End of Term Dinner, Prospect Vale

Petitions

Nil received prior to agenda publication.

For further information about petitions, refer to the *Local Government Act 1993*: ss57-60A.

Community Representations

Nil requests received.

Formerly referred to as “deputations”, community representations are an opportunity for community members or groups to request up to three minutes to address Council on a topic of particular interest.

Requests received at least fourteen days prior to a Council Meeting will be considered by the Chairperson. For further information, contact the Office of the General Manager on (03) 6393 5317 or email ogm@mvc.tas.gov.au.

Public Question Time

Members of the public may ask questions in person or using our online form.

Click here to submit an online question.

Refer to pages 3 and 4 of this agenda for more information about attending a Council Meeting.

This Month's Public Questions With Notice

Nil

This Month's Public Questions Without Notice

Question 1: *Annette & Stephen Camino, Hagley (received via email)*

When are we likely to expect the installation of a dump point at Westbury? I have re-attached all the relevant information we provided Council back in 2019 re: assistance available from the Campervan and Motorhome Club of Australia yet nothing has been done to progress this issue. I have also re-attached our Question on Notice to Council 3½ years ago at the 12 March 2019 Council Meeting.

Dino De Paoli, Director Infrastructure Services advised that, following the request from S & A Camino to Council in March 2019 to install a recreational vehicle waste dump point in Westbury, a project budget proposal was presented to Council for consideration in the draft 2019-20 capital works program and discussed at Council Workshop. At that point in time a preferred location or concept design for a dump point had not been determined. Although the project was not supported for the 2019-20 program, Council could request that officers include another project for consideration in the draft 2023-24 capital works program that will be reviewed early in the new calendar year.



Councillor Question Time

This Month's Councillor Questions With Notice

Nil.

This Month's Councillor Questions Without Notice

Nil.

Council as a Planning Authority

In planning matters, Council acts as a Planning Authority under the *Land Use Planning and Approvals Act 1993*. The following applies to all Planning Authority reports:

Strategy Council has an Annual Plan target to process planning applications in accordance with delegated authority and statutory timeframes.

Policy Not applicable.

Legislation Council must process and determine applications under the *Land Use Planning and Approvals Act 1993* (LUPAA) and its Planning Scheme. Each application is made in accordance with LUPAA, s57.

Consultation The "Agency Consultation" section of each Planning Authority report outlines the external authorities consulted during the application process.

Community consultation in planning matters is a legislated process. The "Public Response – Summary of Representations" section of each Planning Authority report outlines all complying submissions received from the community in response to the application.

Budget & Finance Where a Planning Authority decision is subject to later appeal to the Tasmanian Civil and Administrative Tribunal (Resource & Planning Stream), Council may be liable for costs associated with defending its decision.

Risk Management Risk is managed by all decision-makers carefully considering qualified advice and inclusion of appropriate conditions on planning permits as required.

Alternative Motions Council may approve an application with amended conditions, or may refuse an application.

Regardless of whether Council seeks to approve or refuse an application, a motion must be carried stating its decision and outlining reasons. A lost motion is not adequate for determination of a planning matter.

Motion Simple majority

Planning Authority Report

310 & 744 Birralelee Road & Birralelee Road Westbury

Proposal	Utilities (road upgrades)
Report Author	Matthew Abell & Leanne Rabjohns Town Planners
Authorised by	Krista Palfreyman Director Development & Regulatory Services
Application reference	PA\23\0055
Decision due	8 November 2022
Decision sought	It is recommended that Council approves this application. See section titled "Planner's Recommendation" for further details.

Applicant's Proposal

Applicant	Department of State Growth C/O Pitt & Sherry
Property	310 Birralelee Road (CT: 181577/1), 744 Birralelee Road (CT: 142529/1) & Birralelee Road (CT: 158918/1), Westbury.
Description	<p>The applicant seeks planning permission for road upgrades on three properties along Birralelee Road, Westbury.</p> <p>Road widening is proposed for a portion of Birralelee Road between the Westbury Industrial Estate and Selbourne Road. In three areas, the upgrade will extend further than 3m from the Birralelee Road road reserve into the adjoining property. As such, this planning application is concerned with the road upgrades to these three properties.</p> <p>All other proposed road upgrades within or up to 3 metres outside the Birralelee Road road reserve are exempt from requiring a planning permit under Clause 4.2.4 of the Tasmanian Planning Scheme – Meander Valley and do not form part of this planning application.</p> <p>Documents submitted by the Applicant are attached, titled "Application Documents".</p>

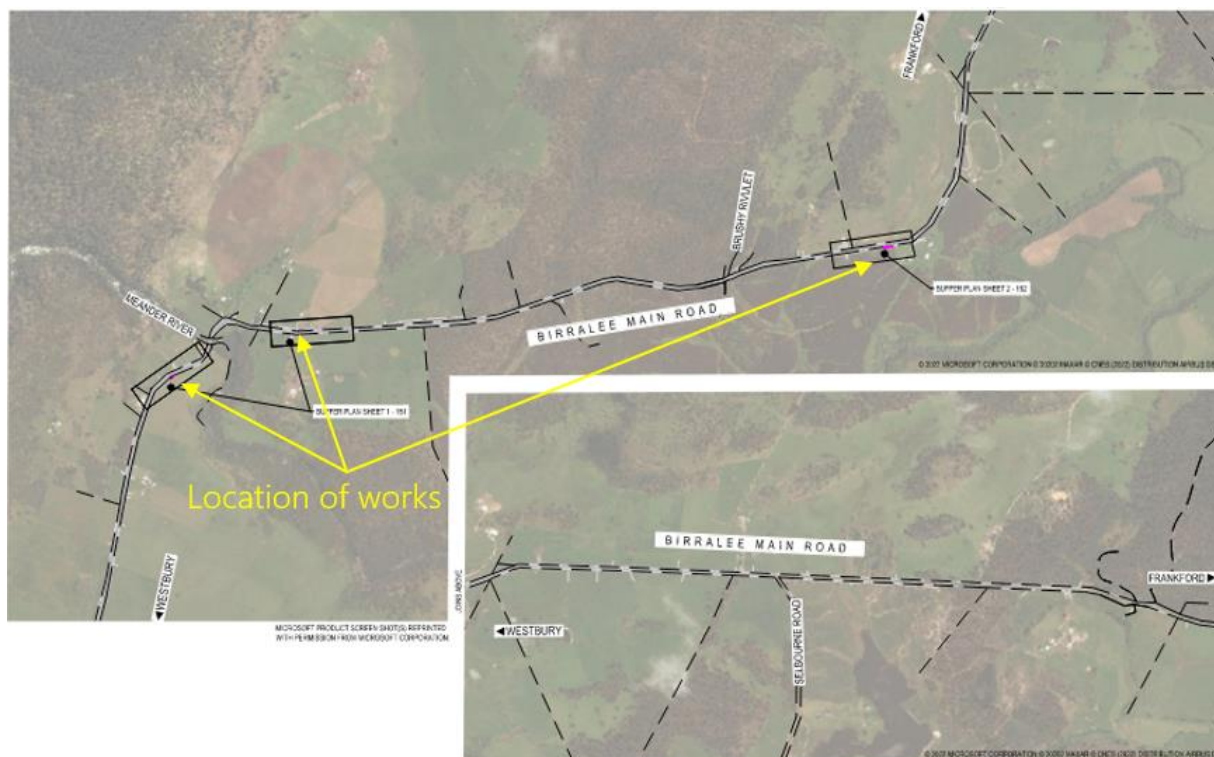


Photo 1: Site plan showing the location of the road upgrades along Birralee Road. The yellow arrows in the image show the extent of works subject to the application.

Planner's Report

Planning Scheme Tasmanian Planning Scheme - Meander Valley ("the Scheme")

Exemption Clause 4.2.4 road works states:

Maintenance and repair of roads and upgrading by or on behalf of the road authority which may extend up to 3m outside the road reserve including:

- (a) *widening or narrowing of existing carriageways;*
- (b) *making, placing or upgrading kerbs, gutters, footpaths, shoulders, roadsides, traffic control devices, line markings, street lighting, safety barriers, signs, fencing and landscaping, unless the Local Historic Heritage Code applies and requires a permit for the use or development; or*
- (c) *repair of bridges, or replacement of bridges of similar size in the same or adjacent location.*

Zoning	Agriculture
Applicable Overlays	Nil
Existing Land Use	Agriculture
Summary of Planner's Assessment	Generally, an application for Utilities (road upgrades) is classed as discretionary in this zone (Agriculture).
Discretions	<p>For this application, two discretions are triggered. This means Council has discretion to approve or refuse the application based on its assessment of:</p> <p>21.3.1 P1 Discretionary Uses</p> <p>21.3.1 P2 Discretionary Uses</p> <p>Before exercising a discretion, Council must consider the relevant Performance Criteria, as set out in the Planning Scheme.</p> <p>See attachment titled "Planner's Advice - Performance Criteria" for further discussion.</p>
Performance Criteria & Applicable Standards	<p>This proposal is assessed as satisfying the relevant Performance Criteria and compliant with all Applicable Standards of the Scheme.</p> <p>See attachments titled "Planner's Advice – Performance Criteria" and "Planner's Advice – Applicable Standards" for further discussion.</p>
Public Response	<p>Ten responses ("representations") were received from the public. Of these, all representations are objections.</p> <p>See attachment titled "Public Response – Summary of Representations" for further information, including the planner's advice given in response.</p>
Agency Consultation	The application was referred to the Department of State Growth on 9 September 2022. No response was received.
Internal Referrals	<p><i>Infrastructure Services</i></p> <p>No conditions or notes are required. Birralelee Road is a State</p>

Road. Council is not the road authority. There is no risk to Council's infrastructure.

Environmental Health

Hours of use for fixed and portable equipment (including mobile machinery) is outlined in the *Environmental Management and Pollution Control (Noise) Regulations 2016*.

The construction or demolition of a public street is exempt from the noise restrictions relating to hours of use for equipment.

Public Street is defined as any street, road, lane, thoroughfare, footpath, bridge, or place open to or used by the public, or to which the public have or are permitted to have access, whether on payment of a fee or otherwise.

Planner's Recommendation to Council

The planner's recommendation, based on a professional assessment of the planning application and its compliance with the Planning Scheme, is set out below.

Council must note the qualified advice received before making any decision, then ensure that reasons for its decision are based on the Planning Scheme. Reasons for the decision are also published in the minutes.

For further information, see *Local Government Act 1993*, s65, *Local Government (Meeting Procedures) Regulations 2015*, s25(2) and *Land Use and Approvals Act 1993*, s57.

Recommendation

This application by Department of State Growth C/O Pitt & Sherry for Utilities (road upgrades) on land located at 310 Birralelee Road, 744 Birralelee Road & Birralelee Road, Westbury (CT's: 181577/1, 142529/1 & 158918/1) is recommended for approval generally in accordance with the Endorsed Plans, and recommended Permit Conditions and Permit Notes.

Endorsed Plan

1. Pitt & Sherry; Dated: 25 August 2022; Planning Permit Application for the Road Upgrades to Birralelee Road; Pages 1-6;
2. Map showing road upgrade Areas 1-3; and

3. Pitt & Sherry; Dated: 9 August 2022; Drawing Number: S-P.20.2000-00-CIV-SKT-150, S-P.20.2000-00-CIV-SKT-151 & S-P.20.2000-00-CIV-SKT-152.

Permit Conditions


No conditions recommended.

Permit Notes

1. Any other proposed development or use (including amendments to this proposal) may require separate planning approval. For further information, contact Council.
2. This permit takes effect after:
 - a. The 14-day appeal period expires; or
 - b. Any appeal to the Tasmanian Civil & Administrative Tribunal (TASCAT) is determined or abandoned; or
 - c. Any other required approvals under this or any other Act are granted.
3. Planning appeals can be lodged with TASCAT Registrar within 14 days of Council serving notice of its decision on the applicant. For further information, visit the TASCAT website.
4. This permit is valid for two years only from the date of approval. It will lapse if the development is not substantially commenced. Council has the discretion to grant an extension by request.
5. All permits issued by the permit authority are public documents. Members of the public may view this permit (including the endorsed documents) at the Council Office on request.
6. If any Aboriginal relics are uncovered during works:
 - a. All works to cease within delineated area, sufficient to protect unearthed or possible relics from destruction;
 - b. Presence of a relic must be reported to Aboriginal Heritage Tasmania; and
 - c. Relevant approval processes for state and federal government agencies will apply.

Attachments

1. Public Response - Summary of Representations [13.1.1 - 23 pages]
2. Public Response 1 - M Swan [13.1.2 - 2 pages]
3. Public Response 2 - S Lloyd [13.1.3 - 2 pages]
4. Public Response 3 - M McQueen [13.1.4 - 2 pages]
5. Public Response 4 - O & A Reader [13.1.5 - 2 pages]

- 
6. Public Response 5 - L & D Barwick [**13.1.6** - 7 pages]
 7. Public Response 6 - S Rietveld [**13.1.7** - 3 pages]
 8. Public Response 7 - P & J Brown [**13.1.8** - 2 pages]
 9. Public Response 8 - T Britz & A Parks [**13.1.9** - 1 page]
 10. Public Response 9 - G Poulton [**13.1.10** - 1 page]
 11. Public Response 10 - A Gorman [**13.1.11** - 1 page]
 12. Department of State Growth Response to Representations [**13.1.12** - 10 pages]
 13. Planner's Advice - Applicable Standards [**13.1.13** - 9 pages]
 14. Planner's Advice - Performance Criteria [**13.1.14** - 5 pages]
 15. Application Documents [**13.1.15** - 18 pages]

Public Response

Summary of Representations

A summary of concerns raised by the public about this planning application is provided below. Ten responses ("representations") were received during the advertised period.

This summary is an overview only, and should be read in conjunction with the full responses (see attached). In some instances, personal information may be redacted from individual responses.

Council offers any person who has submitted a formal representation the opportunity to speak about it before a decision is made at the Council Meeting.

NOTE: The applicant (Pitt and Sherry and Department of State Growth) has responded to the representor questions. Please refer to attachment titled 'Department of State Growth Response to Representation' for more details.

Council's Planning Authority is limited to the consideration of the three subject sites. Representators are encouraged to contact the Department of State Growth for works within Birralea Road that are not subject to this application.

Name M Swan – Representation 1

- Concern*
- a) *Lack of transparent information and communication: The planning application only includes three properties between the Industrial Estate and Selbourne Road as extending beyond 3m outside the existing corridor, where some parts along Birralea Road extend up to 8m. Most residents are unable to receive any clear, written information from Pitt & Sherry and remain unclear as to the impact of the project on their properties.*
 - b) *Increase in freight traffic: The application makes reference to the road upgrades being "small in scale," with the clear implication that the impact of freight levels on the road will be minor. Initial public communication from the government indicated that the number of heavy vehicles would increase by at least 25 per cent (or 50 trucks per day immediately, and up to 100 per cent within 10 years will be diverted onto the road corridor as a result of this upgrade. Noise, amenity, and safety of residential must be considered by the Council as part of duties under the Local Government Act. A noise study should be undertaken by Pitt & Sherry to understand what*

13.1.1 Public Response - Summary Of Representations

the impacts to residents are and proposed mitigation measures to avoid further unreasonable nuisance to residents.

- c) *Safety: The road upgrade were initially proposed as 'safety upgrades'. It is our understanding that as there are insufficient funds, a number of key, identified safety concerns are not being addressed. Other safety issues such as the lack of an appropriate speed limit in areas with a higher density of houses and entrances, as well as the lack of provision for school bus stops are also key issues which have not been addressed or recognised by the proponents. It is also worth raising that the State Government has refused to consider the possibility of stock underpasses for those landowners who farm on both sides of the road, which may be argued to undermine the productivity of agricultural land as a result of this road project.*
- d) *Council role: Given the overriding duty of the Councillors "to act in the best interests of the community" and the intensely political nature of the designation of the Birralelee Road as a Freight Route primarily as a means to bypass the National Highway Route through Launceston City even during nighttime hours, and hours of low traffic in Launceston (which without congestion will add 4 – 6 minutes to the trip time) we contend that the Council has a duty to advocate on behalf of the residents of Birralelee Road, the amenity of their homes and safety given that use of Birralelee Road as a 'preferred freight route' is a political fix, rather than a road network necessity.*
- e) *Geology and landslips: The representor has noted while not related to the stretch of road under the current planning application, there have been recent landslips near 1210 Birralelee Road. The road upgrades to the second half of Birralelee Road should consider the geological integrity of any works and the impact of vibrations from traffic.*

Planner's Response

- a) The proposed development is restricted to three properties only (purple shaded areas as shown in Figures 4 and 5 of attachment 'Planner's Advice – Applicable Standards'). All other works along Birralelee Road comply with the exemption under Clause 4.2.4 of the Scheme. As such, a Planning Permit is not required for those works and they do not form part of this application.

Department of State Growth have advised in their response to the

13.1.1 Public Response - Summary Of Representations

representations (see attachment titled "Department of State Growth Response to Representations") that survey pegs have been placed adjoining the road to identify the extent of land that will be acquired for the Birralelee Road upgrades. However, land acquisition does not require a Planning Permit under the *Land Use Planning and Approvals Act 1993* (LUPAA). They have stated that *'Road works will not occur on all of the land that is to be acquired....Road works will only occur within the corridor described, and on the land specifically identified in the permit application'*. As such, whilst the area that has been pegged incorporates land not included in this application, this land will be acquired under a separate process and does not involve any works that would require a Planning Permit.

- b) The proposed development is for upgrades to an existing road. As stated above, most of the road works on Birralelee Road are exempt from requiring a planning permit. The scope of the works at the three sites did not require a noise report.
- c) C3.0 Road and Assets Code, is not applicable to this application and there are no applicable provisions in the Scheme that relate to the road standard. The matters raised regarding bus stops, underpasses, speed limit and other safety concerns is the responsibility of the Department of State Growth, as Birralelee Road is a state-controlled road.
- d) Council's role is to act as the Planning Authority in accordance with the LUPAA in determining if the proposed development is compliant with the Scheme.
- e) 1210 Birralelee Road is not part of this planning application. The locations nominated in the planning application are not within the landslip hazard area.

Name *S Lloyd – Representation 2*

- Concern*
- a) Cover letter was addressed to the West Coast Council.*
 - b) There are several more properties where the tags indicating the road widening go beyond 3m from the road reserve, including at 695 Birralelee Road where survey tags are 6m from the fence.*

13.1.1 Public Response - Summary Of Representations

- c) *There is a very large dam just north of the Brushy Rivulet Bridge that appears to be almost touching the road. The dam is used for domestic water and irrigation, breeding site for water birds and numerous species frogs.*
- d) *34 years ago, Birralelee Road was relatively quiet; it is now a major freight route and is extremely busy with log trucks, gravel trucks, milk tankers and b-doubles even before any upgrades were undertaken.*
- e) *The bushes near Brushy Rivulet, provide breeding sites for the for several species birds as such Yellow- throated Honeyeater and Yellow Wattlebird, Superb Fairy-wren, Grey Currawong, Striated Pardalote, Grey Shrike-thrush, and Grey Fantail. The bushes are marked for clearing to enable the road to be widened.*

Planner's Response

- a) The applicant has made a clerical error. However, the error on the cover page does not change the status of the planning application. The planning application is valid under the requirements of LUPAA and Clause 6.1 of the Scheme which states the application requirements.
- b) Refer to response a) to Representation 1.
- c) The proposed development is restricted to three properties only (purple shaded areas as shown in Figures 4 and 5 of attachment "Planner's Advice – Applicable Standards"). All other works along Birralelee Road comply with the exemption under Clause 4.2.4 of the Scheme. As such, a Planning Permit is not required for those works and they do not form part of this application.
- d) Birralelee Road is a state-owned road. The Road Authority is the Department of State Growth. The Department of State Growth identifies Birralelee Road as a Category 2 road in the Tasmanian State Road Hierarchy. The purposes of Category 2 roads are to facilitate heavy inter-regional and sub-regional freight movements, passenger vehicle movements, commercial interaction and allow tourist movements. The Department of State Growth, as the Road Authority, is responsible for the intensity of use and vehicle limits which may apply to Birralelee Road.
- e) Refer to response c) above. It will be the applicant and Department of State Growth's responsibility to obtain any approvals, if required, from other regulatory bodies prior to

13.1.1 Public Response - Summary Of Representations

clearing vegetation.

Name M McQueen – Representation 3

Concern a) *Apparently crucial details have been excluded from this notice. How can the Meander Valley Council, ratepayers, wider community and all who travel Birralelee Road make a representation on the planning notice when those details are missing?*

b) *Why is the cover letter from Pitt & Sherry dated 25 August 2022 addressed to West Coast Council, including WCC email address yet road in question is in the Meander Valley Council? Surely this is a mistake? Is that mistake indicative of other major oversights?*

c) *More properties are involved with land acquisition over 3m. Why are these not showing in this planning notice and why are these not noted on the map?*

695 Birralelee Road has survey peg measuring over 6m from the fence and 824 Birralelee Road has a survey peg measuring 5.75m from the fence.

d) *695 Birralelee Road is noted on the Natural Values Atlas as "threatened community" yet survey pegs show this area is marked for clearing. Why?*

e) *Does the current proposed road design take into consideration that the dam on 695 Birralelee Road is in close proximity to the road as it is? Clearing the remnant bush would mean the road will encroach even more on this dam.*

f) *Point 3 in same letter: "minor vegetation removal" pointing towards the removal of Blackwood Trees along Summerville property. This row now acts as a visual reference for planes that land on the strip on 805 Birralelee Road. If required, who will pay for aerial marker balls on the electricity wires?*

g) *Maps are misleading as it shows no contour lines or measurements, scale.*

h) *Will Brushy Rivulet Crown Reserve be fenced off?*

i) *On the southern side, adjacent to Archer's property, a piece is marked to be taken off Brushy Rivulet Crown Reserve. Have any*

13.1.1 Public Response - Summary Of Representations

surveys been undertaken to consider its natural values and the impact of this clearing?

- j) Will Brushy Rivulet Crown Reserve have a road fence erected?*
- k) As both Eagles nest and Masked Owls nest are near the road, what mitigation is proposed to keep disturbance to a minimum, for e.g. constructing the road, increased traffic noise and light?*
- l) Maps show no consideration for frequent stopping vehicles for e.g. school bus, mail man, waste collectors.*
- m) Is there any thought to lower the speed limit to keep residents and wildlife safe?*
- n) Brushy Rivulet Bridge is narrow with no indication the bridge will be widened / upgraded / improved. Shouldn't this be done before the road upgrade, or at least incorporated in the improved road design?*
- o) Entrance next to Brushy Rivulet Bridge is not considered for improvement / slip lane / widening of the road / better viewable so ease of turning in to or safely exiting.*
- p) What improvements will the Birralelee Road upgrade allow to keep wildlife safer?*

Planner's Response

- a) The required information for the planning application has been advertised in accordance with Section 57 of LUPAA. It is considered that the application requirements of Clause 6.1 of the Scheme have been met and adequate information has been provided to assess the application against the applicable provisions of the Scheme.
- b) Refer to response a) in Representation 2.
- c) The plans that have been submitted to Council only show three areas that are more than 3m from the road reserve. Refer to response a) to Representation 1.
- d) The works involved on property 695 Birralelee Road can meet the exemption in Clause 4.2.4, because the work does not extend more than 3m outside the road reserve. This means it does not require a planning permit and does not form part of this planning application. There are no provisions in the Scheme that relate to

13.1.1 Public Response - Summary Of Representations

the Natural Values Atlas. Refer to response e) to Representation 2.

- e) Refer to response d) above. The property is within the Agriculture Zone and is not mapped as priority vegetation as such the provisions in C7.0 Natural Assets Code do not apply. Any works involved on 695 Birralea Road may require additional permits or approvals from other government authorities which is outside the scope of the Planning Authority's assessment of this planning application.
- f) Refer to response c) in representation 2. The proposed development is within Agriculture Zone and C7.0 Natural Assets Code is not applicable to this planning application. Additionally, vegetation removal within 3m of a title boundary in the Agriculture Zone does not require a planning permit. The aerial marker balls on the electricity wires are a matter for the Department of State Growth as there are no provisions in the Scheme that relates to the aerial marker balls.
- g) The plans do not require contour lines. The application contained sufficient information to meet Clause 6.1 - Application Requirements to satisfy the performance criteria of Clause 21.3.1 in the Scheme.
- h) The works in the Brushy Rivulet Crown Reserve meet the exemption for Clause 4.2.4 thus it will not require a permit and does not form part of this planning application. Crown consent is not required for this planning application as the proposed development is only for the purple-shaded areas in Figures 4 and 5 of attachment 'Planner's Advice – Applicable Standards'. Decisions relating to fencing of Crown Land is a matter for the State Government and not relevant to this planning application.
- i) The property known as Brushy Rivulet Crown Reserve does not form part of this planning application.
- j) Refer to response l) above.
- k) The proposal is within the Agriculture Zone and C7.0 Natural Assets Code does not apply to this application. If applicable, the applicant will need to obtain the relevant permits and approvals under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBCA) which is outside the scope of the LUPAA and the Scheme.
- l) There are no applicable provisions that relate to standards for

13.1.1 Public Response - Summary Of Representations

school bus, mail delivery and waste collectors in the Scheme.

- m) There are no applicable provisions that relate to speed limit in the planning scheme and speed limit is a matter for the Road Authority, Department of State Growth.
- n) Works to the Brushy Rivulet bridge are not included as part of this application.
- o) This property is not subject to the application. Concerns should be raised with the Department of State Growth regarding possible improvements.
- p) Refer to response k) above.

Name O & R Reader – Representation 4

- Concern*
- a) *When we put our building application in one of the stipulations was to erect concealed entrance signs as it was noted in our traffic management report that it was a dangerous section of road with the speed limit of 100kmh with limited visual distance to exit & enter safely therefore we arranged for these signs to be put in place at our own expense to reduce the risk of someone getting hurt. Entrance next to Brushy Rivulet Bridge is not considered for improvement / slip lane / widening of the road / better viewable so ease of turning in to or safely exiting.*
 - b) *We believe that the bridge is not being upgraded therefore creating a bottle neck as it's very narrow. We have had no information provided that would show any attempt to make the entrance to our property safer. For example we have no indication of what the speed limit will be if changed at all or if there will be a slip lane provided.*
 - c) *We understand that there is a proposed section of road that is being widened just passed our driveway leading towards Somerville on the left which will potentially affect the dam adjacent to our driveway. In winter this tends to flood as we have brushy rivulet on one side & the dam on the other. We are concerned that if the steep embankment was to be altered by removing vegetation to*

13.1.1 Public Response - Summary Of Representations

widen the road this will increase the risk of landslip and or erosion therefore increasing the risk of interruption to our driveway from flooding.

- d) There isn't a timeframe allocated for start time or completion as we have a registered wedged tailed eagle nest within the vicinity. Is their breeding season being considered?*
- e) No information provided on fencing brushy rivulet reserve for the safety of our community. This fence is beyond repair and there is so much wildlife going onto the road, we have increased road kill now, let alone when we have increased traffic. Have they considered fencing and putting in a wildlife underpass to protect our vulnerable wildlife and the safety of the road users?*
- f) As we appreciate the road being upgraded as its well overdue, however, there are no measures in place to bring it up to standard for heavy traffic. The planning application doesn't include all the properties that will be affected, no traffic report, no bush fire report etc. How can one consider approval for such an application when you only have very little information to go on it's very misleading.*

Planner's Response

- a) This property is not subject to the planning application. Concerns should be raised with the Department of State Growth regarding possible improvements.
- b) The proposed development does not include the bridge and does not form part of this planning application. Decisions relating to how the road upgrades are undertaken are a matter for the Road Authority, Department of State Growth.
- c) The works proposed on the property with the dam (695 Birralelee Road, Westbury CT: 144552/1) fall within the exemption of Clause 4.2.4 of the Scheme. As such, the works on this property do not form part of this planning application.
- d) The Natural Assets Code (C7.0) of the Planning Scheme does not apply to this development. If applicable, the applicant will need to obtain the relevant permits and approvals under the EPBCA which is outside the scope of the LUPAA and the Scheme.
- e) The works in the Brushy Rivulet Crown Reserve meet the exemption for Clause 4.2.4 of the Scheme. These works will not

13.1.1 Public Response - Summary Of Representations

require a permit and do not form part of this planning application.

- f) The planning application is only for the purple shaded areas in Figures 4 and 5 of the attachment titled 'Planner's Advice – Applicable Standards'. All other works along Birralelee Road is exempt under Clause 4.2.4 which does not require a planning permit and does not form part of this application. C3.0 Road and Assets Code and C13.0 Bushfire-Prone Area Code does not apply to this planning application. There is no requirement for a traffic impact assessment report or a bushfire management report as the relevant provisions in the Scheme are not applicable to this planning application.

Name D & L Barwick – Representation 5

- Concern*
- a) *The application for "Utilities (upgrade to road)" on Birralelee Road between the Industrial Estate and Selbourne Road Intersection is inaccurate, misleading, and lacking detail. How can the Meander Valley Council, ratepayers, the wider community, and all Birralelee Road users make an informed representation when many details have been excluded?*
 - b) *The application covering letter which is addressed to the West Coast Council is for two properties when there are actually three properties included in the application that will require planning as the land to be acquired exceeds three metres. Pitt and Sherry have failed to include all the other properties that will require planning. Our property 805 Birralelee Road is one of the properties that should have been included in the planning application as we also have more than three metres of land that is subject to acquisition. See plan 33 from RTI Northern Roads Package Stage 2 Pitt and Sherry document.*
 - c) *The project is at planning application stage and communication from Pitt and Sherry is seriously lacking. We do not know exactly how much land they are taking, what compensation/loss will be paid as well as other questions that remain unanswered. Surveyors have trespassed on our land to carry out works without notification. We have not had any written response to our request for the surveyors SWMS (Safe Work Method Statement) and Bio- security plan when traversing from one property to another by simply*

13.1.1 Public Response - Summary Of Representations

jumping over the fence.

- d) We have an airfield on our property (Ref - Westbury Crofton Farm YCRF) and have grave concerns about the removal of the Blackwood trees on "Summerville" 744 Birralelee Road at the Southern end of the air strip. There are power lines running along the side of the Birralelee Road – the Blackwood trees act as a visual aid when aircraft are making their approach to land and take-off. There is no reference in the planning application regarding mitigation of any accidents. How is State Growth going to address this concern? I have attached in our representation details on airstrip also see RTI Northern Roads Package Stage 2, Pitt and Sherry plan 33/32 for the location of the trees*
- e) There are habitat trees ear-marked for removal, what processes are in place to make sure surveys will be completed to ensure that there isn't any endangered species using these trees - like Swift Parrot and Masked Owl. See RTI 33 document attached showing map with tree at 805 Birralelee Road. There are also other habitat trees, hollow logs, Tasmanian Devil denning sites and a Tasmanian Wedge-tailed Eagle nest within close proximity that have not been addressed in the application.*
- f) No reference has been made to the widening to the bridges on the Birralelee Road particularly the bridge over the Brushy Rivulet. The bridge is already too narrow when trucks pass, with the planned increase in traffic it will be a bottle neck. Why is the bridge not included in this application?*
- g) Why does this application not include a bushfire management report?*
- h) Why does the application not have a design for the relocation of existing services? Will we have power poles and underground Telecom service easements attached to our property?*
- i) While we welcome a safe/well-built Birralelee Road, the road is in fact only being improved to today's standard and no allowance has been made for the increase in traffic. Freight transport companies like Toll Tasmania do not use this road due to the condition. Where is the traffic management report in this application?*
- j) What measures and compensation will be made due to the disruption of access to the driveway and the roadworks along the road to the Industrial Estate – this may take several years while the*

13.1.1 Public Response - Summary Of Representations

road is being constructed. We understand that we will have changes made to our entrance and existing driveway. We have not been given a plan/design on how our driveway will change, we operate a construction business from our property and regularly receive deliveries from semi-trucks. Why do we not have a plan as this will affect how we manage our business operations?

k) What will be the hours of operation when constructing the road? What measures/compensation will be made due to lack of quiet, peace, comfort, and privacy?

Planner's Response

- a) Refer to response a) to representation 3.
- b) The applicant made a clerical error which does not impact the status of the planning application. Refer to response a) in Representation 1 regarding the additional land that is being acquired and is not subject to this application.
- c) The planning permit decision-making process does not involve nor consider compensation regarding land acquisition. This matter is being undertaken by the Department of State Growth and is outside the scope of the planning application assessment.

The actions of private contractors engaged by the applicant, are outside the scope of the planning application assessment.

- d) Clearing of trees as part of development which meets the exemption for Clauses 4.2.4 and 4.4.1 do not require a planning permit and does not form part of this planning application. There are no applicable provisions in the Scheme that relate to the preservation of visual aids for private airstrips. It is recommended that the applicant Pitt & Sherry, the Department of State Growth and the property owner consult with TasNetworks.
- e) For this application, there are no applicable provisions in the Scheme that apply to wildlife protection as the subject land is in the Agriculture Zone and C7.0 Natural Assets Code does not apply. If applicable, the applicant will need to obtain the relevant permits and approvals under the EPBCA which is outside the scope of the LUPAA and the Scheme.
- f) The bridge over Brushy Rivulet does not form part of the planning application. Concerns regarding the bridge should be directed to

13.1.1 Public Response - Summary Of Representations

the Department of State Growth.

- g) The proposed development does not involve a vulnerable use, hazardous use or a subdivision. C13.0 Bushfire-Prone Areas Code does not apply to this planning application and there is no requirement to provide a bushfire management report.
- h) The proposed development is limited to the three sites. The other works along Birralelee Road meet the exemption under Clause 4.2.4 and Clause 4.4.1 of the Scheme and do not form part of this planning application. It is the responsibility of the applicant to obtain all relevant approvals from TasNetworks.
- i) C3.0 Road and Assets Code does not apply to this planning application thus there is no requirement to provide a traffic management report. Additionally, Birralelee Road is a state-controlled road, during construction, traffic management will be the responsibility of the Department of State Growth.
- j) During construction, traffic management and driveway installation will be the responsibility of the Department of State Growth. The works referred to on 805 Birralelee Road are considered exempt and not subject to this planning application.
- k) Council's Environmental Health team have provided the following comment regarding hours of operation for construction: *Hours of use for fixed and portable equipment (including mobile machinery) is outlined in the Environmental Management and Pollution Control (Noise) Regulations 2016. The construction or demolition of a public street is exempt from the noise restrictions relating to hours of use for equipment. Public Street is defined as any street, road, lane, thoroughfare, footpath, bridge, or place open to or used by the public, or to which the public have or are permitted to have access, whether on payment of a fee or otherwise.*

Name S Rietveld – Representation 6

Concern a) The application for "Utilities (upgrade to road)" on Birralelee Road between the Industrial Estate and Selbourne Road Intersection is

13.1.1 Public Response - Summary Of Representations

inaccurate, misleading and lacking detail. How can the Meander Valley council, ratepayers, the wider community and all Birralelee Road users make an informed representation when many details have been excluded?

- b) The planning notice PA\23\0055 does not make note of this, it only covers "property Address: 310 Birralelee Road, Birralelee Road & 744 Birralelee Road (CT's: 181577/1, 158918/1, 142529/1)". Does Council know why my property is not noted on the planning notice? Please advise.*
- c) It is a nasty surprise that "Area 3" on the planning notice map, or see map marked "152 revision ur", includes my property, but the map gives no insight how far along my property boundary the dashed line continues. Can Council shed light on what may be planned for my property and neighbouring property at 805 Birralelee Road? If 3 metres are taken, my drive and stockyards will be impacted, at who's cost? Please advise.*
- d) What is Council's position regarding easements built close to existing buildings? Please advise.*
- e) In area 3 there is one power pole close to my boundary fence which will be affected. Has Council been informed what will happen here? Please advise.*
- f) Pitt & Sherry's letter, dated 25 August 2022, is addressed to West Coast Council, including WCC's email address. Please advise a) how then did this Planning Notice ended up with Meander Valley Council and b) on which date and c) why is this planning notice being considered if it is not addressed to Meander Valley Council, d) why did this planning notice get out in public with all these mistakes and discrepancies in it?*
- g) As this planning notice covers "utilities" please advise why the drain and road widening on my property is not mentioned on the planning notice?*
- h) Neither are 824 Birralelee Road and 805 Birralelee Road where survey pegs are measured more than 3m from the road reserve. It may*

13.1.1 Public Response - Summary Of Representations

well be that even more properties didn't make it on this planning notice. Please advise what checks Council has in place that any property affected is actually included in a planning notice?

- i) Pitt & Sherry's representative showed maps noting that a piece of Brushy Rivulet Crown Reserve (PID 7031141) joining CT158918/1 will be acquired for the road upgrade. Has Council been informed of the size of this area that is earmarked for clearing? Please advise.*
- j) Is Council aware of any measures to keep wildlife safe? For e.g.: wildlife alert lines on the road, reduced speed limit especially around Brushy Rivulet Crown Reserve? Please advise.*
- k) Is Council aware of any measure to keep noise and light from increased traffic at bay for all residents along Birralelee Road? What are Council's noise and light regulations? Please advise.*
- l) With Masked Owl and Wedge-tailed Eagles nests within close proximity of Birralelee Road, is Council aware of any solutions in place to not disturb these birds during their breeding season? Please advise.*
- m) In Pitt & Sherry's letter point 3. "The Proposal" it notes "minor vegetation removal". This seems to relate to the stand of Blackwood Trees opposite my property (southern end). As these trees now act as a visual reference for plane activity it is not clear from the planning notice what will be put in place to safeguard power poles and lines near and on my property? Please advise.*
- n) With the current intent to increase traffic on Birralelee Road are any solutions offered to property owners where stock is moved along and across the road? Please advise.*
- o) 4.2 Land Use of the same letter notes "the proposed pipeline, pump station and weir". It is not clear from the planning notice what this pipeline entails or where this is situated, where is the pump station, what kind of pump station is being considered, where will the pump station be situated and what weir and where is this weir being considered. Please advise.*
- p) 4.7.2 Use Standards of the same letter noting schedule 27.3.3 Discretionary Use. P2 Assessment (c) notes "The proposed road upgrades are comprised of small areas adjoining the road, which will not confine or restrain existing or potential agricultural use on the site". Please advise how - in accordance with 4.7.2 - will clearing my land to "accommodate a widened road footprint and*

13.1.1 Public Response - Summary Of Representations

improved drainage" not interfere with my dam as the planning notice does not outline what mitigation is considered to keep my dam free from road pollutants?

- q) The Planning Permit Application Form notes total cost of development \$3,800. What does this figure entail noting there are 3 areas of interest noted on the application notice that require work. Please advise.*
- r) Birralelee Road is not fit for purpose yet Pitt & Sherry advised the road was only going to be brought up to the current use standard. With the proposed increase of heavy traffic, can Council advise to what standard Birralelee Road should be upgraded to? Please advise.*
- s) What is Council's view on allowing road improvements to encroach into dams? Please advise.*
- t) The Brushy Rivulet bridge - situated close to my dam and native bush land - is not incorporated in the current proposed road design. Pitt & Sherry advised bridge works belong to another department and therefore not considered presently. Pitt & Sherry advised it was known the bridge will become a "bottle neck" situation. This "bottle neck" will heavily impact on the safety of any road users, especially when turning into and/or coming out of 661 Birralelee Road. What is Council's view on this dangerous situation? Please advise.*
- u) The Birralelee Road upgrade has no clear consideration for frequently stopping road users such as school buses, mail delivery people and rubbish collectors, to name a few. Is Council aware of any solutions offered? Please advise.*
- v) The intent of this planning notice is simply not clear. Is it widening or are works done to consider utilities? Please advise.*
- w) And lastly, land acquisition should be last resort. Not first. What is Council's position on this? Please advise.*

Planner's Response

- a) Refer to response a) to representation 3.
- b) The proposed development is restricted to three properties only (purple shaded areas as shown in Figures 4 and 5 of attachment 'Planner's Advice – Applicable Standards'). All other works along Birralelee Road meet the exemptions under Clause 4.2.4 & 4.4.1 of the Scheme. As such, a Planning Permit is not required for those works and they do not form part of this application.
- c) The works at 805 Birralelee Road are exempt under Clause 4.2.4 of the Scheme. Compensation is managed by the Department of

13.1.1 Public Response - Summary Of Representations

State Growth.

- d) There are no easements located on the land subject to this application.
- e) Council has not been advised of what will happen with the power pole. This is a matter for TasNetworks to consider
- f) The applicant made a clerical error. The error does not change the status of the planning application. The planning application is valid under the requirements of LUPAA and Clause 6.1 – Application Requirements of the Scheme.
- g) The proposal is limited to three areas. All other works along Birralelee Road meet the exemption under Clauses 4.2.4 and 4.4.1 of the Scheme which does not require a planning permit and does not form part of this application.
- h) Refer to response a) to representation 1.
- i) Refer to response a) to representation 1.
- j) Refer to response k) to representation 3.
- k) Refer to response k) to representation 5. There are no specific considerations regarding impacts from light. Most of the upgrade works to Birralelee Road are considered exempt from requiring a planning permit.
- l) There are no provisions in the Scheme that relates to specific wildlife protection as the proposal is within the Agriculture Zone and C7.0 Natural Assets Code does not apply to this planning application.
- m) Refer to response d) to representation 5.
- n) C3.0 Road and Assets Code does not apply to this planning application. As Birralelee Road is a state-controlled road, this is a matter for the Department of State Growth to consider.
- o) The proposed development is only for road upgrades. Section 4.2 – Land Use in the Pitt and Sherry report provides an example of subclasses that are considered Utilities. The proposed development does not involve any pipelines, or pump stations.
- p) The proposal is limited to three areas. All other works along

13.1.1 Public Response - Summary Of Representations

Birralee Road meet the exemption under Clauses 4.2.4 and 4.4.1 of the Scheme. Works that do not require a planning permit do not form part of this planning application. Refer to response a) to representation 1.

- q) The total cost of development relates to the three subject areas only and does not include proposed works outside of those areas to the remainder of Birralee Road.
- r) Birralee Road is a state-controlled road. The Department of State Growth is the relevant Road Authority and will determine the standard of the road.
- s) The works at 805 Birralee Road (CT: 144552/2) meet the exemption under Clause 4.2.4 of the Scheme, so does not require a planning application and do not form part of this application.
- t) Refer to response f) of representation 5.
- u) Birralee Road is a state-controlled road. Council's considerations are limited to the three subject areas. Matters such as mail delivery and school buses are outside the scope of the Scheme.
- v) The proposed development is for road upgrades which involve road widening of the existing infrastructure. Road infrastructure is classified as *Utilities* within the Scheme.
- w) Council must assess the planning application as required by LUPAA and determine if the proposed development complies with the relevant provisions in the Scheme. The land acquisition is not part of the planning process and Council has no legal power to consider land acquisition matters when assessing the planning application.

Name P & J Brown – Representation 7

- Concern*
- a) *The covering letter from Pitt & Sherry is addressed to the West Coast Council whereas it should be to the Meander Valley Council.*
 - b) *The Planning Notice indicates two properties addresses (310 and 744 Birralee Road) but refers to three CT numbers. Why?*
 - c) *What is the "\$3,800" mentioned in the "Total Cost of*

13.1.1 Public Response - Summary Of Representations

Development"?

- d) The Planning Notice indicates there are only three properties where more than 3 metres of land needs to be acquired. In a conversation with Campbell Walker from Pitt & Sherry in August, he indicated that 6-8 metres would be taken from our property at 824 Birralea Road. If this is the case, why isn't our property listed on this Planning Notice? We believe there are other properties in this situation also. Three measurements taken from our fence to the survey pegs in our paddock were measured to be 4.0, 5.75 and 4.0 metres, which is obviously more than 3 metres and therefore requires a Planning Application to be lodged. Are there plans to lodge further applications down the track or is this an error?*
- e) In this same conversation with Mr. Walker, he indicated that the road was only going to be brought up to the current use standard. The road was not built for the current traffic load let alone the increased traffic load being diverted from the City of Launceston to Bell Bay. Why is the road not being upgraded to allow for the extra volume of traffic diverted from the City of Launceston? Why are we allowing traffic to be diverted to a sub-standard road from a fit for purpose road?*
- f) There is no indication that the Brushy Rivulet Bridge will be upgraded. The bridge is dangerously narrow and, with increased traffic flow, this will be exacerbated. Just this week I followed a tractor hooked up with some discs who crossed the bridge the same time as a car coming from the other direction. The discs scrapped along the bridge so as not to hit the car. Why is the bridge not being upgraded?*
- g) The driveway into the Readers' property is located at the bridge and entry and exit from this driveway is very dangerous. There is no allowance for a slip lane which would help mitigate the chance of an accident. Why are there no plans for an upgraded bridge and slip lane to what is an obviously dangerous piece of the road?*
- h) There is no allowance for building an underpass at the Brushy Rivulet Crown Reserve site for wildlife use. On this stretch of road, there is a large amount of road kill every day. The extensive and integral wildlife corridor which runs through six neighbouring properties is essential for the preservation of many endangered and vulnerable birds and mammals found on the Brushy Rivulet Crown Reserve such as the Spotted-Tailed Quoll, Eastern Quoll, Bettong,*

13.1.1 Public Response - Summary Of Representations

Eastern Barred Bandicoot, Wombat, Tasmanian Devil, Masked Owl and Wedge-Tailed Eagle. An underpass is necessary to not only mitigate potential roadkill numbers but potentially to avoid a serious accident occurring, with such an increased volume of traffic. An underpass would continue the wildlife corridor under the road to the Forico bush and beyond. To not build this underpass could threaten the survival of many of these species.

- i) Have any natural values investigations been done on the Brushy Rivulet Crown Reserve to see what impact the clearing would have?*
- j) We have property on both sides of the road and move stock on a regular basis back and forth across the road. Once the road is upgraded and the traffic volume is increased, the safety of our stock, road users and ourselves is a major concern. In an email to us, Cameron Walker advised "State Growth do not include stock crossings in highway projects, however they do allow for landholders to construct these at their own expense." Mr. Cameron also advised that the estimated cost from the contractor for the construction of an underpass would be close to \$400,000. This is a major safety issue now with many, many trucks using the road let alone when the volume increases again once upgraded. This cost is prohibitive to landowners*
- k) Has safety pull over areas been considered for buses?*

Planner's Response

- a) Refer to response f) to representation 6.
- b) The Planning Notice advertised the three subject properties where the proposed development is located, being 310 Birralelee Road (CT: 181577/1), Birralelee Road (CT: 158918/1) and 744 Birralelee Road (CT: 142529/1) to fulfil the legislative requirement for advertising under Section 57 of LUPAA. The property Birralelee Road (CT: 158918/1), also known as Lot 1 Birralelee Road in this report, has not been assigned a property address number in the Council GIS system nor on the ListMap.
- c) The \$3,800 is for the total cost of development and relates only to the three areas of work that require a planning application and not to other exempt works along Birralelee Road.
- d) Council can only consider the planning application documents submitted. The scope of the application is limited to these three

13.1.1 Public Response - Summary Of Representations

areas. Refer to response a) in Representation 1.

- e) The standard of construction and extent of road upgrades is a matter for the Road Authority, the Department of State Growth.
- f) Refer to response e) above.
- g) Refer to response e) above.
- h) The applicant and the Department of State Growth are responsible to ensure that any other relevant approvals (if required) under the EPBCA are obtained. This is outside the scope of LUPAA and the Scheme.
- i) The works in the Brushy Rivulet Crown Reserve meet the exemption Clause 4.2.4 of the Scheme. These works will not require a permit and do not form part of this planning application. The applicant and the Department of State Growth will need to ensure the proposal has any relevant approvals (if required) under EPBCA which is outside the scope of LUPAA and the Scheme.
- j) There are no requirements in the Scheme to provide an underpass for stock. Birralea Road is a state-controlled road and this is a matter for the Department of State Growth to consider. Refer to response e) above.
- k) There are no applicable provisions in the Scheme regarding pull over areas. This is a matter for the Department of State Growth to consider as the Road Authority. Refer to response e) above.

Name A Parks & T Britz – Representation 8

Concern

- a) *Disturbance during construction to wedge tailed eagles and masked owls that have nests close to the road.*
- b) *Upgrading of the bridge before road widening.*
- c) *Slowing the traffic to mitigate wildlife loss.*
- d) *Considering a slip road /turn off at the reserve entrance to reduce risk of accidents.*

Planner's Response

- a) Refer to response k) to representation 3.
- b) The extent of road upgrades is a matter for the Road Authority,

13.1.1 Public Response - Summary Of Representations

the Department of State Growth.

- c) Regulation of speeds on Birralelee Road is a matter for the Road Authority, the Department of State Growth.
- d) Refer to response b) above.

Name G Poulton – Representation 9

- Concern*
- a) *The application for "Utilities (upgrade to road)" on Birralelee Road does not seem to contain sufficient detail to enable a proper representation to be made.*
 - b) *I query whether the application covers all parcels of land which the approval needs to cover.*
 - c) *I am also concerned at impact on any threatened species in the planned removal of some of their habitat, and raise the issue of the potential requirement for a natural values survey to be undertaken in relation to that potential loss.*
 - d) *Lastly, whilst this might be minor, I observe that the cover letter with which the application is enclosed is addressed to the West Coast Council.*
 - e) *In all of these circumstances, is the application a valid one?*

Planner's Response

- a) It is considered that there is sufficient information in the application for the assessment of the application against the relevant provisions of the Scheme. The application is limited to the three subject areas and cannot consider the remainder of the Birralelee Road upgrades as these are exempt under the Scheme.
- b) All other development works meets the exemption as per Clause 4.2.4 of the Scheme. Where the exemption is not met, the relevant parcels have been included in this application.
- c) Refer to response k) to representation 3.
- d) Refer to response f) to representation 6.
- e) The application satisfies the requirements in Clause 6.1 of the Scheme and is considered valid.

13.1.1 Public Response - Summary Of Representations

Name A Gorman – Representation 10

Concern

- a) I believe that this application is incomplete in its reference to only 3 properties. It is my understanding that several other properties are to have the road boundary moved further into the property than 3m. This can also be noted in the total cost of development being \$3,800 inclusive of GST is very questionable.*
- b) Also in this submission there is no amenity for agricultural properties that have land on both sides of the road. The increased traffic will further impede the safe movement of stock from one side of the road to the other.*

Planner's Response

- a) Refer to response b) to representation 6. The \$3,800 for the total cost of development relates only to the areas that require a planning permit and not to other exempt works along Birralelee Road.
- b) Stock movement is a matter for the Road Authority, Department of State Growth to consider. The extent of road upgrades is a matter for the Road Authority.

13.1.2 Public Response 1 - M Swan

Re: Planning Application PA\23\0055 Department of State Growth c/o Pitt & Sherry

To whom it may concern,

In relation to the above planing application providing for the upgrade of Birralelee Road under the Northern Roads Package. While residents are firmly of the view that the road requires drastic investment not only to service the existing freight task, I am also of the view that the current road upgrades are insufficient as they fail to bring Birralelee Road up to national Heavy Vehicle standards when it acts primarily as a bypass to the National Highway Route down the Bass Highway and East Tamar Highway. We are also concerned that the process be undertaken transparently, honestly and with due consideration of the rights and amenity of the residents and commuters along the Birralelee Road.

A number of key issues and inaccuracies are contained in the current planning application. A number of other issues remain in relation to the remainder of the Birralelee Road upgrade, which while not addressed in the current application, remain key to the provision of planning approval for the project as a whole:

Key issues relating to the Birralelee Road Upgrade Project are as outlined below:

- **Lack of transparent information and communication:** The current application erroneously outlines 3 seperate properties between the Industrial Estate and Selbourne Road as extending beyond 3m outside the existing road corridor, while seeking planning approval for the entire stretch up to Selbourne Road. It is the understanding of numerous residents along that stretch that they will have up to 8m outside the road corridor acquired as part of the road widening project. Indeed, most residents are unable to receive any clear, written information from Pitt & Sherry and remain unclear as to the impact of the project on their properties. It is impossible for a thorough and robust planning process to be undertaken when clear and reliable information is unavailable for those whose properties are being impacted. It is my suggestion that the planning application be pushed back to the proponent until such a stage as they can prove clear and written communications with all landowners on the road corridor for which approval is being sought has been provided, as well as appropriate time for such residents to consider such communications.
- **Increase in freight traffic:** The application makes reference to the road upgrades being “small in scale”, with the clear implication that the impact of freight levels on the road will be minor. Contrary to this implication, State Growth Department representatives have given evidence to the State Parliamentary Public Works Committee that the purpose of this upgrade is to divert freight traffic from Launceston and the East Tamar Highway and on to the Birralelee Road. Initial public communications from the government indicated that the number of heavy vehicles would increase by at least 25 per cent (or 50 trucks per day) immediately, and up to 100 per cent within 10 years will be diverted onto the road corridor as a result of this upgrade. As a result, the noise, amenity and safety of residents must be considered by the Council as part of your overriding duties under the Local Government Act. We would suggest that a noise study should be undertaken by Pitt & Sherry into the impact of an increase of 200 trucks per day on residents, particularly given the relatively high volume of nighttime freight traffic, to further understand what mitigation efforts should be undertaken by the State Government to avoid further and unreasonable nuisance to residents.
- **Safety:** While these road upgrade were initially proposed as 'safety upgrades' it is our understanding that as there are insufficient funds, a number of key, identified safety concerns are not being addressed. Indeed it is the concern of many residents that the widening of the road without consideration for sight lines or other safety considerations will

13.1.2 Public Response 1 - M Swan

only serve to allow heavy vehicles to go faster – thereby increasing the risk for residents and commuters. Other safety issues such as the lack of an appropriate speed limit in areas with a higher density of houses and entrances, as well as the lack of provision for school bus stops are also key issues which have not been addressed or recognised by the proponents. It is also worth raising that the State Government has refused to consider the possibility of stock underpasses for those landowners who farm on both sides of the road, which may be argued to undermine the productivity of agricultural land as a result of this road project.

- **Council role:** Given that this is the first formal opportunity for the council to consider the suitability of Birralelee Road as a Category 2 Freight Route since the transfer of the road into State hands in 1992, it is worth highlighting that the road is fundamentally unsuitable not only as a B-Double route, but also as an A-double route which the government has indicated will be facilitated by this upgrade. Given the overriding duty of the Councillors “to act in the best interests of the community” and the intensely political nature of the designation of the Birralelee Road as a Freight Route primarily as a means to bypass the National Highway Route through Launceston City even during nighttime hours, and hours of low traffic in Launceston (which without congestion will add 4 – 6 minutes to the trip time) we contend that the Council has a duty to advocate on behalf of the residents of road, the amenity of their homes and safety given that use of Birralelee Road as a 'preferred freight route' is a political fix, rather than a road network necessity. Many of these residents have, prior to the transfer of the road to the State in 1992, acted in reliance of Council planning and other approvals to undertake investments. These investments have now been undermined by the piecemeal reclassification of the road to 'preferred freight route', despite being clearly below both national and state standards for heavy vehicles and inferior to the Bass Highway/East Tamar Highway, as well as the failure of the Council to advocate for the best interests of the Birralelee Road residents through forums such as the NTDC. Furthermore, the facilitation of works to further increase freight traffic being diverted onto the Birralelee Road will clearly impact those residents in the Rural Living Zone past Priestley's lane and clearly result in an “unreasonable loss of amenity” under the Planning Scheme.
- **Geology and landslips:** While not related to the stretch of road under the current planning application, it must be noted that recent landslips near 1210 Birralelee Road raise a clear need for the road upgrade for the second half of Birralelee Road to consider the geological integrity of any works and the impact of vibrations from a doubling in freight traffic and introduction of A-double trucks to the Birralelee Road on nearby residences and farming operations.

While some of these issues are more applicable to the second stage of Birralelee Road upgrades, we contend that the first stage will have clear flow on impacts to all residents along the road which must be considered as part of robust planning process.

Regards,
Madeleine Swan

13.1.3 Public Response 2 - S Lloyd



Sarah Lloyd OAM



To:
General Manager, Meander Valley Council
Westbury, Tasmania 7303
3 October 2022

Re: Birralelee Road Upgrade

Thank you for the opportunity to comment on the permit application (PA.23.0055.) regarding the Birralelee Road Upgrade.

The application from Pitt and Sherry is addressed to the West Coast Council, an obvious error when the road is clearly in the Meander Valley Municipality.

The letter from Doug Fotheringham of Pitt and Sherry explains the reason for the permit:

*The Department of State Growth ... intend to upgrade the road by widening it between Westbury Industrial Estate to Selbourne Road. While most of the upgrades are exempt from a planning permit, **three areas of the road upgrades go beyond 3m from the road reserve and require a planning permit.** The location of these three areas is shown below in Figure 1.*

However, it is clear from the survey tags that there are several more properties where the tags indicating the road widening go beyond 3m from the road reserve, including at 695 Birralelee Road where survey tags are 6m from the fence. Furthermore, if you look closely at the map (Fig 1. Page 1) there is a very large dam just north of the Brushy Rivulet Bridge that appears to be almost touching the road.

On 9 September 2022 I visited a small patch of native forest adjacent to Birralelee Road just north of the bridge that crosses Brushy Rivulet. The bush is earmarked for clearing to enable the road to be widened. I was asked by landowner Ms Saskia Rietveld to check the bush for the presence of rare or threatened species and to list the birds that are present in the bush and likely using it for breeding. The bush has several large old growth eucalypts with cavities, and numerous small eucalypt saplings. Because of the weedy understorey, comprising mostly introduced gorse, most people would consider it to be 'scrappy' bush with no value. However, birds require dense understorey for breeding, and it doesn't matter to them if it is native and pristine or not as in this case. I was surprised by just how many birds were present in the small remnant and likely to be breeding there. They include endemic species such as the Yellow-throated Honeyeater and Yellow Wattlebird and other species such as Superb Fairy-wren, Grey currawong, Striated Pardalote, Grey Shrike-thrush and Grey Fantail. Of particular concern is the clearing of this small bush remnant that provides breeding sites for the Yellow-throated Honeyeater that surveys have indicated is declining.

I understand that desk top and satellite surveys were undertaken to indicate the area to be widened, and that this was followed by surveyors in the field who marked the corridor with tape. The maps that show where the road is to go **do not show any contours**. It seems clear to

13.1.3 Public Response 2 - S Lloyd

me that if a field survey, rather than a desktop or satellite survey had been undertaken, this would not be the preferred route because the bush that is planned for clearing is on a very steep slope.

Furthermore, because of the slope, there will be an impact on a large dam adjoining the bush unless expensive mitigations measures are undertaken. Of particular concern are pollutants from the road that will enter the water. The dam is used for domestic water and irrigation by Ms Reitveld and her family, and it is a breeding site for water birds including Black Swan, Australian Wood Duck and Pacific Black Duck – and probably others. Numerous frogs were heard during my visit including the Common Froglet (*Crinia signifera*) and Spotted Marsh Frog (*Limnodynastes tasmaniensis*). The green and gold frog (*Litoria raniformis*) was not heard during my visit as it starts to breed when the weather is warmer. However, it is seen frequently in the area and it is likely that the large dam is a significant breeding site for this listed threatened species.

The side of the road opposite the bush mentioned above has planted trees and open grassy areas so that the widening of the road on that side will not have such a serious impact on the environment or on Ms Rietveld's personal circumstances.

I suggest that field surveys should be undertaken that will show that this is clearly not the most appropriate route for the road. It should also be kept in mind that this is probably the most dangerous section of Birralee Road. When I moved to Birralee 34 years ago, Birralee Road was relatively quiet; it is now a major freight route and is extremely busy with log trucks, gravel trucks, milk tankers and b-doubles even before any upgrades were undertaken. It is important that this major upgrade be undertaken with proper planning.

Yours sincerely,
Sarah Lloyd OAM



13.1.4 Public Response 3 - M McQueen

From: [REDACTED]
Sent: Mon, 3 Oct 2022 15:33:30 +1100
To: "Planning @ Meander Valley Council" <planning@mvc.tas.gov.au>
Subject: PA.23.0055

Caution: This email came from outside of MVC - only open links and attachments you're expecting.

3/10/2022

To the Meander Valley Council:

I'll be honest. I travel Birralelee Rd as little as possible due to safety concerns with heavy truck traffic in particular. However, I do travel along this road when visiting the Westbury Reserve as I did yesterday, and many times in summer when visiting Narawntapu National Park. So, I'm familiar with the road and the ongoing concerns of Westbury residents who live along its path. It was only yesterday that I learned of the current planning permit, limiting me in time; however, I have questions:

- Apparently crucial details have been excluded from this notice. How can the Meander Valley Council, ratepayers, wider community and all who travel Birralelee Road make a representation on the planning notice when those details are missing?
- Why is the cover letter from Pitt & Sherry dated 25 August 2022 addressed to West Coast Council, including WCC email address yet road in question is in the Meander Valley Council? Surely this is a mistake? Is that mistake indicative of other major oversights?
- Local residents have alerted me to the following—matters which pose much concern not only for the local residents of Birralelee Rd but also many of us who have already had/expressed major concerns about and fought for the Brushy Rivulet Reserve:
 - Same letter quotes "three areas of the road upgrades go beyond 3m from the road reserve and require a planning permit:"
Q: More properties are involved with land acquisition over 3m. Why are these not showing in this planning notice and why are these not noted on the map? [695 Birralelee Road](#) has survey peg measuring over 6 mtrs from the fence and [824 Birralelee Road](#) has a survey peg measuring 5.75mtr from the fence.
 - [695 Birralelee Road](#) is noted on the Natural Values Atlas as "threatened community" yet survey pegs show this area is marked for clearing. Why?
 - Does the current proposed road design take in consideration that the dam on [95 Birralelee Road](#) is in close proximity to the road as it is. Clearing the remnant bush would mean the road will encroach even more on this dam.
 - Point 3 in same letter: "minor vegetation removal" pointing towards the removal of Blackwood Trees along Summerville property. This row now acts as a visual

13.1.4 Public Response 3 - M McQueen

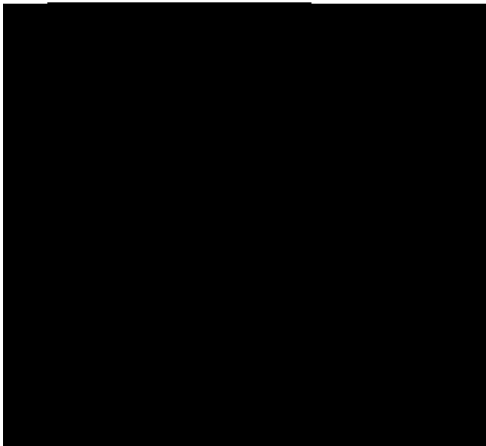
reference for planes that land on the strip on [805 Birralelee Road](#). If required, who will pay for aerial marker balls on the electricity wires?

- Maps are misleading as it shows no contour lines or measurements, scale.
- Will Brushy Rivulet Crown Reserve be fenced off?
- On the southern side, adjacent to Archer's property, a piece is marked to be taken off Brushy Rivulet Crown Reserve. Have any surveys been undertaken to consider its natural values and the impact of this clearing?
- Will Brushy Rivulet Crown Reserve have a road fence erected?
- As both Eagles nest and Masked Owls nest are near the road, what mitigation is proposed to keep disturbance to a minimum, for eg constructing the road, increased traffic noise and light?
- Maps show no consideration for frequent stopping vehicles for eg schoolbus, mail man, waste collectors
- Is there any thought to lower the speed limit to keep residents and wildlife safer.
- Brushy Rivulet Bridge is narrow with no indication the bridge will be widened / upgraded / improved. Shouldn't this be done before the road upgrade, or at least **incorporated in** the improved road design?
- Entrance next to Brushy Rivulet Bridge is not considered for improvement / slip lane / widening of the road / better viewable so ease of turning in to or safely exiting.
- What improvements will the Birralelee Road upgrade allow to keep wild life safer?

In summary, I have three major concerns about this proposed work:

1. Road safety
2. Environmental conservation
3. Limited and inaccurate presentation of the application

Sincerely, Martha McQueen



13.1.5 Public Response 4 - O & A Reader

From: [REDACTED]
Sent: Mon, 3 Oct 2022 17:23:12 +1100
To: "Planning @ Meander Valley Council" <planning@mvc.tas.gov.au>
Subject: Birralelee road upgrade planning application No.PA/23/005

Caution: This email came from outside of MVC - only open links and attachments you're expecting.

Monday 3rd October 2022

Dear Mr Jordan,

It seems we get over one hurdle with the Northern regional prison potentially being on our front boundary and now we are found reaching out to you once again.

We are concerned about the lack of correspondence in regards to the planning permit No. PA/23/005 submitted by Pitt & Sherry on behalf of the Department of State Growth to upgrade Birralelee road from Westbury through to the Selbourne Road intersection. As our property is located within this section (661 Birralelee road) we would like to make a representation of our concerns.

We understand that our property won't be affected in relation to obtaining any land therefore we may not of been on the list to be notified however with the construction & increased traffic we have grave concerns about our safety entering & exiting our driveway.

As you may be aware the access to our property is located just past the bridge heading northeast. When we put our building application in one of the stipulations was to erect concealed entrance signs as it was noted in our traffic management report that it was a dangerous section of road with the speed limit of 100kmh with limited visual distance to exit & enter safely therefore we arranged for these signs to be put in place at our own expense to reduce the risk of someone get hurt.

We believe that the bridge is not being upgraded therefore creating a bottle neck as it's very narrow. We have had no information provided that would show any attempt to make the entrance to our property safer. For example we have no indication of what the speed limit will be if changed at all or if there will be a slip lane provided.

We understand that there is a proposed section of road that is being widened just passed our driveway leading towards Somerville on the left which will potentially effect the dam adjacent to our driveway. In winter this tends to flood as we have brushy rivulet on one side & the dam on the other. We are concerned that if the steep embankment was to be altered by removing vegetation to widen the road this will increase the risk of landslip and or erosion therefore increasing the risk of interruption to our driveway from flooding. We believe that widening the road on the right hand side (forico land) would be a better option as this would make it safer to enter & exit the bridge and avoid any storm water issues.

There isn't a timeframe allocated for start time or completion as we have a registered wedged tailed eagle nest within the vicinity is their breeding season being considered?

No information provided on fencing brushy rivulet reserve for the safety of our community. This fence is beyond repair and there is so much wildlife going onto the road, we have increased road kill now, let alone when we have increased traffic. Have they considered fencing and putting in a wildlife underpass to protect our vulnerable wildlife and the safety of the road users?

As we appreciate the road being upgraded as its well overdue however there are no measures in place to bring it up to standard for heavy traffic.

The planning application doesn't include all the properties that will be affected, no traffic report, no bush fire report etc. How can one consider approval for such an application when you only have very little information to go on it's very misleading.

13.1.5 Public Response 4 - O & A Reader

Unfortunately we have no confidence in the planning application given it's lacking in detail, poor administration and non-existent communication. This does not bode well for future expectation's of the community.

I hope that you would appreciate our concerns and take this to the board when the deliberations are made for this application.

We would appreciate it if you are able to send us any updates on this application moving forward.

Kind regards,
Olivia & Aaron Reader



13.1.6 Public Response 5 - L & D Barwick

From: [REDACTED]
Sent: Mon, 3 Oct 2022 19:06:47 +1100
To: "Planning @ Meander Valley Council" <planning@mvc.tas.gov.au>
Cc: [REDACTED]
Subject: representation Planning Permit (Permit No. PA \23/005)
Attachments: CROFTON FARM AIRFIELD.pdf, Birralelee road RTI page 32.jpg, Birralelee road RTI page 33.jpg, Birralelee road RTI page 35).jpg
Importance: High

Caution: This email came from outside of MVC - only open links and attachments you're expecting.

Dear Sir,

We would like to make a representation regarding Planning Permit (Permit No. PA \23/005) submitted by Pitt and Sherry on behalf of Department of State Growth. The application for "Utilities (upgrade to road) on Birralelee Road between the Industrial Estate and Selbourne Road Intersection is inaccurate, misleading and lacking detail. How can the Meander Valley council, ratepayers, the wider community and all Birralelee Road users make an informed representation when many details have been excluded?

The application covering letter which is addressed to the West Coast Council is for two properties when there are actually three properties included in the application that will require planning as the land to be acquired exceeds three metres. Pitt and Sherry have failed to include all the other properties that will require planning. Our property 805 Birralelee Road is one of the properties that should have been included in the planning application as we also have more than three metres of land that is subject to acquisition. *See plan 33 from RTI Northern Roads Package Stage 2 Pitt and Sherry document.*

The project is at planning application stage and communication from Pitt and Sherry is seriously lacking. We do not know exactly how much land they are taking, what compensation/loss will be paid as well as other questions that remain unanswered. Surveyors have trespassed on our land to carry out works without notification. We have not had any written response to our request for the surveyors SWMS (Safe Work Method Statement) and Bio- security plan when traversing from one property to another by simple jumping over the fence.

Our concerns are as follows -

We have an airfield on our property (Ref - Westbury Crofton Farm YCRF) and have grave concerns about the removal of the Blackwood trees on "Summerville" 744 Birralelee Road at the Southern end of the air strip. There are power lines running along the side of the Birralelee Road – the Blackwood trees act as a visual aid when aircraft are making their approach to land and take-off. There is no reference in the planning application regarding mitigation of any accidents. How is State Growth going to address this concern. *I have attached in our representation details on airstrip also see RTI Northern Roads Package Stage 2, Pitt and Sherry plan 33/32 for the location of the trees*

13.1.6 Public Response 5 - L & D Barwick

There are habitat trees ear-marked for removal, what processes are in place to make sure surveys will be completed to ensure that there isn't any endangered species using these trees - like Swift Parrot and Masked Owl. *See RTI 33 document attached showing map with tree at 805 Birralee Road.*

There are also other habitat trees, hollow logs, Tasmanian Devil denning sites and a Tasmanian Wedge-tailed Eagle nest within close proximity that have not been addressed in the application.

No reference has been made to the widening to the bridges on the Birralee Road particularly the bridge over the Brushy Rivulet. The bridge is already too narrow when trucks pass, with the planned increase in traffic it will be a bottle neck. Why is the bridge not included in this application?

Why does this application not include a bushfire management report?

Why does the application not have a design for the relocation of existing services. Will we have power poles and underground Telecom service easements attached to our property?

While we welcome a safe/well built Birralee Road, the road is in fact only being improved to today's standard and no allowance has been made for the increase in traffic. Freight transport companies like Toll Tasmania do not use this road due to the condition. Where is the traffic management report in this application?

What measures and compensation will be made due to the disruption of access to the driveway and the roadworks along the road to the Industrial Estate – this may take several years while the road is being constructed. We understand that we will have changes made to our entrance and existing driveway. We have not been given a plan/design on how our driveway will change, we operate a construction business from our property and regularly receive deliveries from semi-trucks. Why do we not have a plan as this will affect how we manage our business operations? *See RTI document 35 of driveway.*

What will be the hours of operation when constructing the road? What measures/compensation will be made due to lack of quiet, peace, comfort and privacy.

We look forward to your reply and if you require any further information please do not hesitate to contact us. As an affected land owner, I would like to be kept informed on this project.

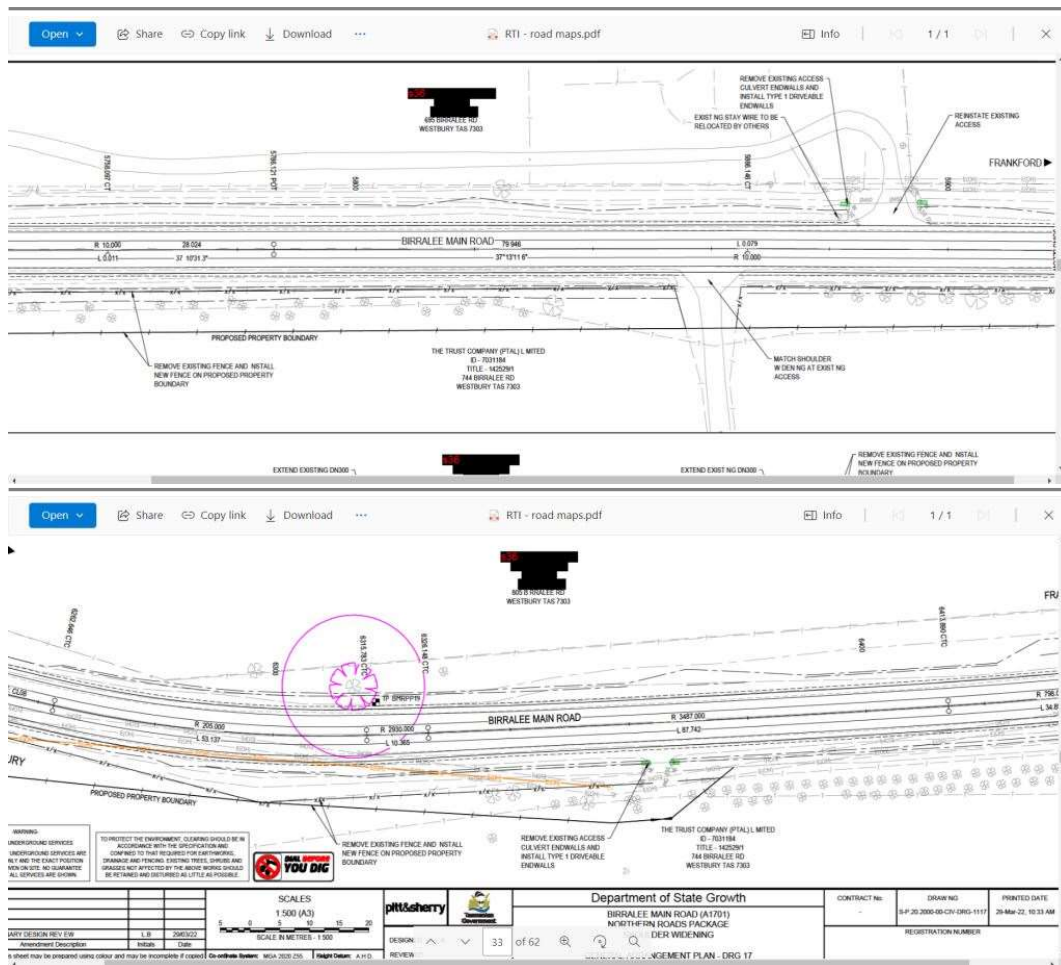
Kind Regards

13.1.6 Public Response 5 - L & D Barwick

Dwayne and Lee-ann Barwick

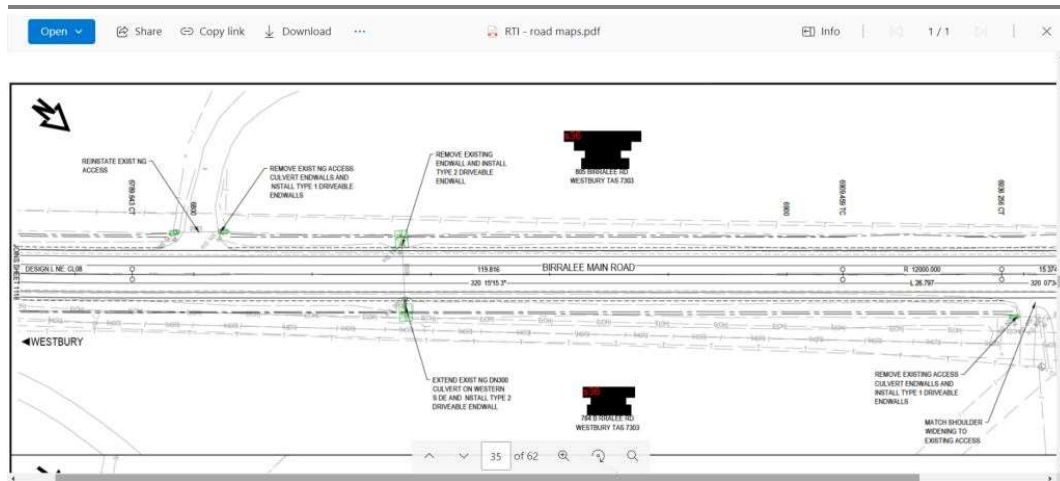


4 attachments included



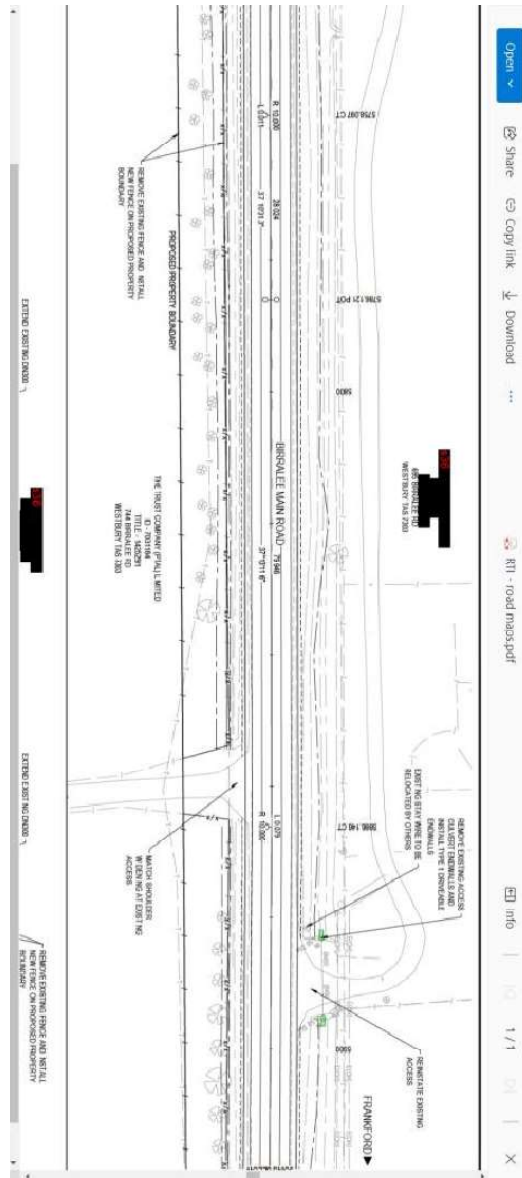
Document Set ID: 1663715
Version: 1, Version Date: 04/10/2022

13.1.6 Public Response 5 - L & D Barwick

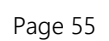


13.1.6 Public Response 5 - L & D Barwick

Document Set ID: 1663715
Version: 1, Version Date: 04/10/2022

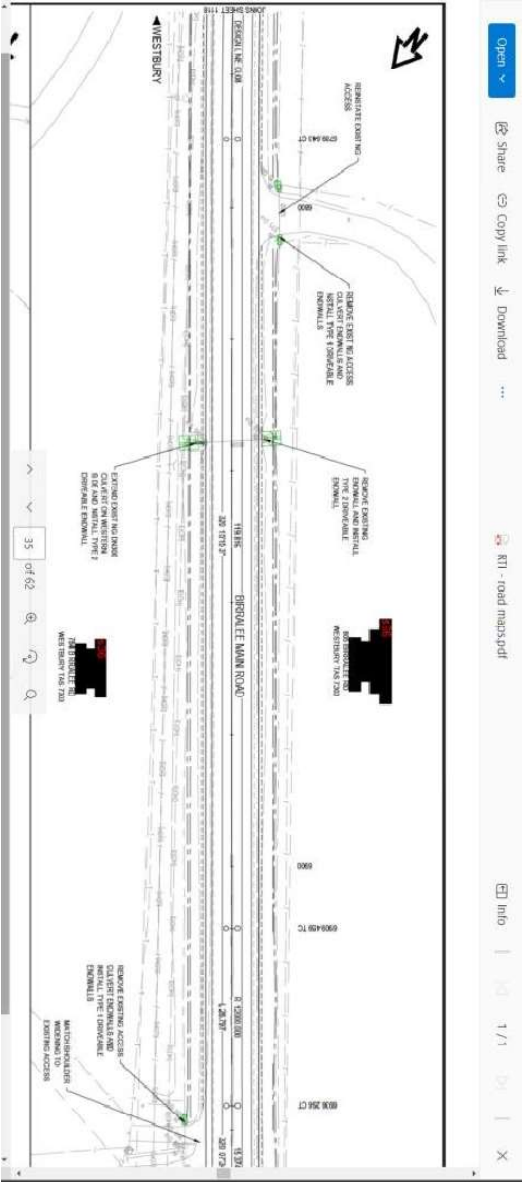


Document Set ID: 1663715
Version: 1, Version Date: 04/10/2022

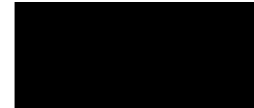


13.1.6 Public Response 5 - L & D Barwick

Document Set ID: 1683715
Version: 1, Version Date: 04/10/2022



13.1.7 Public Response 6 - S Rietveld



Westbury, 3 October 2022

General Manager Meander Valley Council
Attn: Mr J Jordan
PO box 102
Westbury

Via email: planning@mvc.tas.gov.au

Re: PA\23\0055

Applicant: Department of State Growth, C/O Pitt & Sherry
Property Address: unnumbered, 310 & 744 Birralea Road, Westbury (CT's: 181577/1, 158918/1, 142529/1)
Development: Utilities (upgrade to road) – Discretionary Use

Dear Mr Jordan,

It is an important project that after many years Birralea Road will finally receive its long overdue safety upgrade. Originally built and classed as a rural access road only, it is very concerning Birralea Road is now deemed to become a major freight route.

Following please find my representation noting my concerns regarding planning notice PA\23\0055.

As a Westbury resident, an impacted property owner and a frequent user of Birralea Road, it is outrageous that no correspondence has been received to date from the Department of State Growth.

A Pitt & Sherry representative came for a site visit on 19 August 2022 with maps shown to me now appearing to not be in conformity with the maps provided with the planning notice.

No further correspondence has been received from Pitt & Sherry since 26 August 2022.

While on site, Pitt & Sherry's representative advised that approximately 800m² of native bushland on my property (PID 2677568) is marked for clearing "to accommodate a widened road footprint and improved drainage" with survey pegs measuring 6m onto my property.

The planning notice PA\23\0055 does **not** make note of this, it only covers "property Address: 310 Birralea Road, Birralea Road & 744 Birralea Road (CT's: 181577/1, 158918/1, 142529/1)".

Does Council know why my property is not noted on the planning notice? [Please advise](#)

During the visit to my property on 19 August 2022 Pitt & Sherry's representative also advised that on the straight the drain between my boundary fence and the road reserve would be left as is, with my boundary fence left untouched / land not required.

It is a nasty surprise that "Area 3" on the planning notice map, or see map marked "152 revision ur", includes my property, but the map gives no insight how far along my property boundary the dashed line continues. Can Council shed light on what may be planned for my property and neighbouring property at 805 Birralea Road? If 3mtrs are taken, my drive and stockyards will be impacted, at who's cost? [Please advise](#)

What is Council's position regarding easements built close to existing buildings? [Please advise](#)

In area 3 there is one power pole close to my boundary fence which will be affected. Has Council been informed what will happen here? [Please advise](#)

Pitt & Sherry's letter, dated 25 August 2022, is addressed to West Coast Council, including WCC's email address. [Please advise a\)](#) how then did this Planning Notice ended up with Meander Valley Council and [b\)](#) on which date and [c\)](#) why is this planning notice being considered if it is not addressed to Meander Valley Council, [d\)](#) why did this planning notice get out in public with all these mistakes and discrepancies in it?

13.1.7 Public Response 6 - S Rietveld



As this planning notice covers “utilities” [please advise](#) why the drain and road widening on my property is **not** mentioned on the planning notice?

Pitt & Sherry’s letter notes: “three areas of the road upgrades go beyond 3m from the road reserve and require a planning permit”, but –again- I note that my property is **not** mentioned.

Neither are 824 Birralelee Road and 805 Birralelee Road where survey pegs are measured more than 3m from the road reserve. It may well be that even more properties didn’t make it on this planning notice. [Please advise](#) what checks Council has in place that any property affected is actually included in a planning notice?

Pitt & Sherry’s representative showed maps noting that a piece of Brushy Rivulet Crown Reserve (PID 7031141) joining CT158918/1 will be acquired for the road upgrade.

Has Council been informed of the size of this area that is earmarked for clearing?

[Please advise](#)

Is Council aware of any measures to keep wildlife safe? For eg: wildlife alert lines on the road, reduced speed limit especially around Brushy Rivulet Crown Reserve? [Please advise](#)

Is Council aware of any measure to keep noise and light from increased traffic at bay for all residents along Birralelee Road? What are Council’s noise and light regulations? [Please advise](#)

With Masked Owl and Wedge-tailed Eagles nests within close proximity of Birralelee Road, is Council aware of any solutions in place to not disturb these birds during their breeding season? [Please advise](#)

In Pitt & Sherry’s letter point 3. “The Proposal” it notes “minor vegetation removal”. This seems to relate to the stand of Blackwood Trees opposite my property (southern end). As these trees now act as a visual reference for plane activity it is not clear from the planning notice what will be put in place to safeguard power poles and lines near and on my property?

[Please advise](#)

With the current intent to increase traffic on Birralelee Road are any solutions offered to property owners where stock is moved along and across the road? [Please advise](#)

4.2 Land Use of the same letter notes “the proposed pipeline, pump station and weir”. It is not clear from the planning notice what this pipeline entails or where this is situated, where is the pump station, what kind of pump station is being considered, where will the pump station be situated and what weir and where is this weir being considered.

[Please advise](#)

4.7.2 Use Standards of the same letter noting schedule 27.3.3 Discretionary Use. P2 Assessment (c) notes “The proposed road upgrades are comprised of small areas adjoining the road, which will not confine or restrain existing or potential agricultural use on the site”.

[Please advise](#) how - in accordance with 4.7.2 – will clearing my land to “accommodate a widened road footprint and improved drainage” **not** interfere with my dam as the planning notice does not outline what mitigation is considered to keep my dam free from road pollutants?

The Planning Permit Application Form notes total cost of development \$3,800. What does this figure entail noting there are 3 areas of interest noted on the application notice that require work. [Please advise](#)

Birralelee Road is not fit for purpose yet Pitt & Sherry advised the road was only going to be brought up to the **current** use standard. With the proposed increase of heavy traffic, can Council advice to what standard Birralelee Road should be upgraded to? [Please advise](#)

Pitt & Sherry advised that as a rule in general encroachment on any dam is to be avoided. At present this seems not to be considered regarding the dam on my property.

My native bushland is marked for clearing, with survey pegs over 6m, yet there is an alternative as opposite my native

13.1.7 Public Response 6 - S Rietveld



bushland is a wide unused road verge with a gentle incline. The adjacent property is a commercial pine plantation with no residence nearby that would be impacted if the road was widened on the plantation side of Birralelee Road. My native bushland that is now under threat is actually noted on the Natural Values Atlas as “threatened community” and the area noted for land acquisition houses several old trees and many saplings. Further to that, any mitigation solutions in regards to keeping my dam segregated from the new proposed road and drain will simply encroach into my dam.

What is Council’s view on allowing road improvements to encroach into dams?

[Please advise](#)

To my knowledge no natural values or any site studies have been undertaken for the proposed road widening onto my land. This has been raised with Pitt & Sherry, but no known action has been undertaken or corresponded with me.

It is known that Wombats, Tasmanian Devils, endemic bird species reside on my native bush land.

Pitt & Sherry’s representative advised a botanist will need to assess four of the bigger trees near my dam, but to date I have not been advised if and when this may occur or which firm will be used.

Birralelee Road is windy, unpredictable, residences built very close to the road and little road signage to warn travellers of what may be ahead. This road was never designed to become a major freight route.

The Brushy Rivulet bridge - situated close to my dam and native bush land - is not incorporated in the current proposed road design. Pitt & Sherry advised bridge works belong to another department and therefore not considered presently.

Pitt & Sherry advised it was known the bridge will become a “bottle neck” situation.

This “bottle neck” will heavily impact on the safety of any road users, especially when turning into and/or coming out of 661 Birralelee Road. What is Council’s view on this dangerous situation? [Please advise](#)

The Birralelee Road upgrade has no clear consideration for frequently stopping road users such as school busses, mail delivery people and rubbish collectors, to name a few. Is Council aware of any solutions offered? [Please advise](#)

The planning notice PA\23\0055 notes development as “utilities”.

Pitt & Sherry’s cover letter notes: “The Department of State Growth intend to upgrade the road by widening it between Westbury Industrial Estate to Selbourne Road”.

The intent of this planning notice is simply not clear. Is it widening or are works done to consider utilities? [Please advise](#)

And lastly, land acquisition should be last resort.

Not first.

What is Council’s position on this? [Please advise](#)

Thank you for considering my representation. I am looking forward to your earliest reply to my questions. I would also appreciate your advice on the time frame of the works proposed in this planning notice and to be kept updated on the Birralelee Road Upgrade project in general.

Yours sincerely,

Saskia Rietveld



13.1.8 Public Response 7 - P & J Brown



29 September 2022

Mr John Jordan
General Manager
Meander Valley Council
PO Box 102
WESTBURY TAS 7303

Dear Mr Jordan

**RE: Planning Notice, Applicant Department of State Growth, C/- Pitt & Sherry – PA\23\0055
310 & 744 Birralea Road, Westbury (CT's: 181577/1, 158918/1 & 142529/1)
Development: Utilities (upgrade to road) – Discretionary Use**

We write to make a representation concerning the above Planning Notice application. Whilst we acknowledge the upgrading of the Birralea Road is certainly long overdue, we have concerns regarding the following issues:

- 1 We have not received any written information on what is planned on this road. It is very disappointing, to say the least, that there has been little regard for people who live and use the road on a regular basis.
- 2 The covering letter from Pitt & Sherry is addressed to the West Coast Council whereas it should be to the Meander Valley Council.
- 3 The Planning Notice indicates two property addresses (310 and 744 Birralea Road) but refers to three CT numbers. Why?
- 4 What is the "\$3,800" mentioned in the "Total Cost of Development"?
- 5 The Planning Notice indicates there are only three properties where more than 3 metres of land needs to be acquired. In a conversation with Campbell Walker from Pitt & Sherry in August, he indicated that 6-8 metres would be taken from our property at 824 Birralea Road. If this is the case, why isn't our property listed on this Planning Notice? We believe there are other properties in this situation also. Three measurements taken from our fence to the survey pegs in our paddock were measured to be 4.0, 5.75 and 4.0 metres, which is obviously more than 3 metres and therefore requires a Planning Application to be lodged. Is there plans to lodge further applications down the track or is this an error?
- 6 In this same conversation with Mr Walker, he indicated that the road was only going to be brought up to the current use standard. The road was not built for the current traffic load let alone the increased traffic load being diverted from the City of Launceston to Bell Bay. Why is the road not being upgraded to allow for the extra volume of traffic diverted from the City of Launceston? Why are we allowing traffic to be diverted to a sub-standard road from a fit for purpose road?

13.1.8 Public Response 7 - P & J Brown

- 7 There is no indication that the Brushy Rivulet Bridge will be upgraded. The bridge is dangerously narrow and, with increased traffic flow, this will be exacerbated. Just this week I followed a tractor hooked up with some discs who crossed the bridge the same time as a car coming from the other direction. The discs scrapped along the bridge so as not to hit the car. Why is the bridge not being upgraded? The driveway into the Readers' property is located at the bridge and entry and exit from this driveway is very dangerous. There is no allowance for a slip lane which would help mitigate the chance of an accident. Why are there no plans for an upgraded bridge and slip lane to what is an obviously dangerous piece of the road.
- 8 There is no allowance for building an underpass at the Brushy Rivulet Crown Reserve site for wildlife use. On this stretch of road, there is a large amount of road kill every day. The extensive and integral wildlife corridor which runs through six neighbouring properties is essential for the preservation of many endangered and vulnerable birds and mammals found on the Brushy Rivulet Crown Reserve such as the Spotted-Tailed Quoll, Eastern Quoll, Bettong, Eastern Barred Bandicoot, Wombat, Tasmanian Devil, Masked Owl and Wedge-Tailed Eagle. An underpass is necessary to not only mitigate potential roadkill numbers but potentially to avoid a serious accident occurring, with such an increased volume of traffic. An underpass would continue the wildlife corridor under the road to the Forico bush and beyond. To not build this underpass could threaten the survival of many of these species.
- 9 Have any natural values investigations been done on the Brushy Rivulet Crown Reserve to see what impact the clearing would have?
- 10 We have property on both sides of the road and move stock on a regular basis back and forth across the road. Once the road is upgraded and the traffic volume is increased, the safety of our stock, road users and ourselves is a major concern. In an email to us, Cameron Walker advised *"State Growth do not include stock crossings in highway projects, however they do allow for landholders to construct these at their own expense."* Mr Cameron also advised that the estimated cost from the contractor for the construction of an underpass would be close to \$400,000. This is a major safety issue now with many, many trucks using the road let alone when the volume increases again once upgraded. This cost is prohibitive to landowners
- 11 Has safety pull over areas been considered for buses?

We hope the above concerns are taken into consideration and addressed when deliberating approval of this Planning Application. We have been waiting for many, many years and been promised much money for upgrading this road - we must ensure that it is done properly and not just a brush over job that will start disintegrating within six months.

Yours sincerely

Philip & Jenny Brown

13.1.9 Public Response 8 - T Britz & A Parks

From: [REDACTED]
Sent: Tue, 4 Oct 2022 11:17:39 +1100
To: "Planning @ Meander Valley Council" <planning@mvc.tas.gov.au>
Subject: Birralelee Road Upgrade PA23.0055

Caution: This email came from outside of MVC - only open links and attachments you're expecting.

Having visited the Brushy Rivulet Reserve recently I am concerned about the above proposal.

There needs to be further proper and extensive consultation with the Birralelee community around their concerns which include :

- disturbance during construction to wedge tailed eagles and masked owls that have nests close to the road
- upgrading of the bridge before road widening
- slowing the traffic to mitigate wildlife loss
- considering a slip road /turn off at the reserve entrance to reduce risk of accidents .

Tony Britz

13.1.10 Public Response 9 - G Poulton

From: [REDACTED]
Sent: Tue, 4 Oct 2022 16:58:13 +1100
To: "Planning @ Meander Valley Council" <planning@mvc.tas.gov.au>
Subject: Planning Application on Biralee Road

Caution: This email came from outside of MVC - only open links and attachments you're expecting.

Dear MVC,

This is a representation in relation to planning application 23/005 submitted by Pitt and Sherry on behalf of Department of State

Growth. The application for "Utilities (upgrade to road) on Birralee Road the representation does not seem to contain sufficient detail to enable a proper representation to be made.

I query whether the application covers all parcels of land which the approval needs to cover.

I am also concerned at impact on any threatened species in the planned removal of some of their habitat, and raise the issue of the potential requirement for a natural values survey to be undertaken in relation to that potential loss.

Lastly, whilst this might be minor, I observe that the cover letter with which the application is enclosed is addressed to the West Coast Council.

In all of these circumstances, is the application a valid one? Thank you for taking these comments into consideration.

Kind regards,

Gina Poulton

13.1.11 Public Response 10 - A Gorman

From: [REDACTED]
Sent: Tue, 4 Oct 2022 21:09:07 +1100
To: "Planning @ Meander Valley Council" <planning@mvc.tas.gov.au>
Subject: PA\23\0055

Caution: This email came from outside of MVC - only open links and attachments you're expecting.

TO whom it may concern

I wish to make this email as a submission regarding the above mentioned planing application being PA\23\0055.

I believe that this application is incomplete in its reference to only 3 properties. It is my understanding that several other properties are to have the road boundary moved further into the property than 3m. This can also be noted in the total cost of development being \$3,800 inclusive of GST is very questionable.

Also in this submission there is no amenity for agricultural properties that have land on both sides of the road. The increased traffic will further impede the safe movement of stock from one side of the road to the other.

Yours sincerely

Alexander Gorman.

Department of State Growth

STATE ROADS DIVISION

Salamanca Building Parliament Square
4 Salamanca Place, Hobart TAS
GPO Box 536, Hobart TAS 7001 Australia
Email: robyn.hawkins@stategrowth.tas.gov.au
Web www.stategrowth.tas.gov.au



Matthew Abell
Planning Officer
Meander Valley Council
planning@mvc.tas.gov.au

Response to Representations for Planning Permit Application PA\23\0055: Birralelee Road Upgrades

Dear Matthew

With regard to planning permit application PA\23\0055, the Department of State Growth (State Growth) has considered the representations that were received by Meander Valley Council during the advertising period. We hope that Council can consider State Growth's responses to the representations, as presented in the table below. We note that some of the representations raise similar matters, so have summarised the matters in themes.

Under the Tasmanian Planning Scheme – Meander Valley, most of the Birralelee Road upgrades are exempt from a planning permit. The planning permit application is seeking approval for three narrow slivers of road works as shown on the submitted plans. Two of these slithers are 12m² in size while the third area has a combined total of 212m² (a total of 0.0236 hectares).

The applicable exemptions for the majority of the road upgrades are referred to in the table below, and include the following clauses:

Clause 4.2.4 road works: Maintenance and repair of roads and upgrading by or on behalf of the road authority which may extend up to 3m outside the road reserve including:

- (a) widening or narrowing of existing carriageways;
- (b) making, placing or upgrading kerbs, gutters, footpaths, shoulders, roadsides, traffic control devices, line markings, street lighting, safety barriers, signs, fencing and landscaping, unless the Local Historic Heritage Code applies and requires a permit for the use or development.

Clause 4.2.5 vehicle crossings, junctions and level crossings: If:

- (a) development of a vehicle crossing, junction or level crossing:
 - i. by the road or rail authority; or
 - ii. in accordance with the written consent of the relevant road or rail authority; or
- (b) use of a vehicle crossing, junction or level crossing by a road or railway authority.

Salamanca Building Parliament Square - 4 Salamanca Place, Hobart - GPO Box 536 HOBART TAS 7001

13.1.12 Department Of State Growth Response To Representations

- 2 -

Clause 4.6.3 (c) fences within 4.5m of frontage: Fences (including free-standing walls) within 4.5m of a frontage, if located in in the Utilities Zone and not adjoining a property in the General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Village Zone and if not more than a height of:

- i. 1.8m above existing ground level if adjoining public land; or
- ii. 2.1m above existing ground level if not adjoining public land, unless the Local Historic Heritage Code applies and requires a permit for the use or development.

The planning report describes the application of these exemptions in further detail and spatially on supporting plans.

As some of the matters raised by representors are not relevant to the permit application itself, we have included our responses for these matters under the heading 'Project Advice' in the table, to address these concerns separately. This advice is relevant to the matters relating to the wider Birralee Road Upgrade project works which do not require a permit.

13.1.12 Department Of State Growth Response To Representations

Department of State Growth

STATE ROADS DIVISION

Salamanca Building Parliament Square
4 Salamanca Place, Hobart TAS
GPO Box 536, Hobart TAS 7001 Australia
Email: robyn.hawkins@stategrowth.tas.gov.au
Web www.stategrowth.tas.gov.au



No.	Matter Raised in Representations	Response / Advice
I	<p>The current application erroneously outlines 3 separate properties between the Industrial Estate and Selbourne Road as extending beyond 3m outside the existing road corridor, while seeking planning approval for the entire stretch up to Selbourne Road. It is the understanding of numerous residents along that stretch that they will have up to 8m outside the road corridor acquired as part of the road widening project. Plans showing all of the road upgrade project have not been provided.</p>	<p>The matters raised confuse 'road works' with 'land acquisition'. They are not the same thing.</p> <p>Under the <i>Land Use Planning and Approvals Act 1993</i>, road works is development, such as widening of carriageways and upgraded road shoulders and roadsides.</p> <p>Land acquisition for the Birralelee Road Upgrades project is not development, it is an administrative procedure under the <i>Land Acquisition Act 1993</i>, which will result in modified property boundaries. This land acquisition is not being processed through subdivision under the <i>Land Use Planning and Approvals Act 1993</i> and does not require a planning permit. Given this, Meander Valley Council has no legal power to consider land acquisition matters when determining the planning permit application for three slivers of road works.</p> <p><u>Response for Planning Permit Application</u></p> <p>Most of the proposed road works will only occur in a corridor that includes the road reserve and land up to 3m outside the road reserve. These works are exempt from a planning permit under Clause 4.2.4 (a) and (b).</p> <p>Some of the proposed road works will result in upgraded existing vehicle crossings, only to the title boundary. These works are exempt from a permit under Clause 4.2.5 (a) and (b).</p> <p>As a planning permit is not required for the abovementioned exempt road works, these works or any impacts arising from them cannot be considered by the planning authority (Council) when determining the permit application.</p> <p>A planning permit is only required for road works in three locations, where relatively narrow slivers of road works will occur outside the exempt corridor. The plans provided with the permit application contain sufficient information to enable Council to fully consider the proposal.</p> <p><u>Project Advice</u></p> <p>The project team has placed survey pegs on land adjoining the road to identify the extent of land that will be acquired for the Birralelee Road Upgrades. This will eventually mark the extent of the new road reserve and new property boundaries.</p>

Salamanca Building Parliament Square - 4 Salamanca Place, Hobart - GPO Box 536 HOBART TAS 7001

13.1.12 Department Of State Growth Response To Representations

- 4 -

		Road works will not occur on all of the land that is to be acquired. There will be some land buffer areas to ensure separation of property boundaries/fencing to trafficable lanes. Road works will only occur within the corridor described and, on the land specifically identified in the permit application. Once the land has been acquired, like for like (typically 1.2m high rural-style post and wire) fences will be constructed on the new property boundaries. These fences will be exempt from a planning permit under Clause 4.6.3 (c).
2	Maps are misleading as they show no contour lines or measurements, scale.	<p><u>Response for Planning Permit Application</u></p> <p>The three slivers of road works, which require a planning permit, are shown on scaled maps. There are no contours because this is the industry standard presentation style. We can confirm that the road design has considered the contours, and a qualified surveyor has undertaken all survey works along the length of Birralea Road to the Department's survey requirements.</p> <p><u>Project Advice</u></p> <p>There are no contours because this is the industry standard presentation style, it was also for simplicity of understanding the concept design. We can confirm that the road design has considered the contours, and a qualified surveyor has undertaken all survey works along the length of Birralea Road to the Department's survey requirements.</p>
3	As the road upgrades do not include stock underpasses and may have an adverse impact on the productivity of agricultural land.	<p><u>Response for Planning Permit Application</u></p> <p>The three narrow slivers of road works, which require a planning permit, are comprised of three small areas of land (total 0.0236 hectares and shown on the submitted plans) adjacent to the existing road where minor vegetation removal and the construction of roadside shoulder and drains are proposed. These works are minor and are considered to comply with the Agriculture Zone's Clause 21.3.1 Discretionary uses. With regard to impacts on the productivity of agricultural land, this is the only area of works and the only planning scheme clause that the Council may consider when determining the permit application. There is no requirement in the planning scheme to provide stock underpasses. Therefore, this matter is not relevant to the planning permit application.</p> <p><u>Project Advice</u></p> <p>The project is not removing any existing stock underpass. Therefore, new stock underpasses are not required for the road upgrade project. Existing access for agriculture will also be maintained.</p> <p>State Growth has been in touch with the private landowner in question to provide information about the Department's policy and processes on constructing a stock underpass on private entity.</p>

13.1.12 Department Of State Growth Response To Representations

- 5 -

4	<p>Council's role regarding the road upgrades, and representors' concerns over increased traffic volumes and speed, adverse impacts on road safety and wildlife, adverse impacts on residential amenity and adverse noise impacts.</p>	<p><u>Response for Planning Permit Application</u></p> <p>The planning authority (Council) can only consider the applicable provisions of the planning scheme, as they apply to the three narrow slivers of road works which require a permit. For this permit application, the applicable provisions that need to be considered are contained in the Clause 4 exemptions (explained above) and the provisions of the Agriculture Zone.</p> <p>The Agriculture Zone does not contain any applicable provisions which require the assessment of increased traffic volumes and speed, impacts on road safety and wildlife, impacts on residential amenity or noise impacts.</p> <p>Traffic impacts are usually assessed under the Road and Railway Assets Code. However, this code only applies to changes to existing vehicle crossings, new vehicle crossings, changes to existing level crossings and subdivisions. While some changes are proposed to existing vehicle crossings, to accommodate the proposed road upgrades, these changes are exempt under Clause 4.2.5 (vehicle crossings, junctions and level crossings). No new vehicle crossings are proposed. There will be no road works on level crossings, and subdivision is not proposed. Therefore, the Road and Railway Assets Code does not apply to the proposed road upgrades.</p> <p>For the purposes of this particular planning permit application, which only seeks approval of the three narrow slivers of road works, the planning scheme provides no provisions which require the Council to consider the matters raised in point 4. Therefore, these matters are not relevant to the permit application and cannot be considered when determining the outcome of the application.</p> <p><u>Project Advice</u></p> <p>State Growth understands residents have concerns over traffic volume, noise level, and other potential impacts of the works, which are referring to the wider Birralelee Road Upgrade project.</p> <p>Birralelee and Frankford Main Road are currently classed by the Department as B-Double routes. This road upgrade project is to accommodate existing levels of traffic more safely, and to cope with the reasonable future growth in the area.</p> <p>Further, the road has been designed in accordance with the following standards and guidelines:</p> <ul style="list-style-type: none"> • Department of State Growth Technical Specifications • Department of State Growth Professional Services Specifications • Department of State Growth Standard Drawings • Austroads Guide to Road Design (AGRD) • Austroads Guide to Pavement Technology (AGPT); and • Australian Standards (AS)
5	<p>With regard to 695 Birralelee Road:</p> <ul style="list-style-type: none"> • Vegetation clearance is 	<p><u>Response for Planning Permit Application</u></p> <p>All works on 695 Birralelee Road, including vegetation clearance and drains, are less than 3m from the road reserve and are exempt under Clause 4.2.4 (a) and (b). Upgraded vehicle accesses are exempt under Clause 4.2.5 (a) and (b). Therefore,</p>

13.1.12 Department Of State Growth Response To Representations

- 6 -

	<p>proposed beyond the exempt areas and the areas for which a planning permit is being sought;</p> <ul style="list-style-type: none"> • Concern over impact on the dam and natural values; • Why are works including drains excluded from the proposed plans? 	<p>the matters raised in point 5 are not relevant to the permit application and cannot be considered when determining the outcome of the application.</p> <p><u>Project Advice</u></p> <p>State Growth's stakeholder engagement consultant has explained the extent of road works on the property to the owner of 695 Birralea Road – on this property, the road works will extend approximately 1.5m inside the existing boundary. No other works or vegetation clearance is proposed outside this area of works, as claimed in the representation. The increased pavement width and proposed earthworks will not increase the volume of surface runoff into the dam.</p> <p>While a Natural Values Assessment (NVA) is not required for the permit application, State Growth has prepared a NVA (with field survey) to ensure the work has no significant impact to the natural values of the area. The findings are as follows:</p> <ul style="list-style-type: none"> • The Wedge Tailed Eagle is unlikely to be impacted by the road upgrades. Under the Forest Practices Authority Guidelines (FPA), works may impact on the species if they are to occur within 500m or 1km line of sight of an active nest. A single nest is known to occur within 500m of the study area. However, this nest was not deemed active during the 2021/22 breeding season and was last recorded as active in 2005. A second nest was recorded within 920m of the project area but is not considered likely to be within line of sight. The Department will undertake nest activity checks in conjunction with the FPA to confirm inactivity of both nests for the 2022/23 breeding season. • The Masked Owl is unlikely to be impacted by the road upgrades. A single hollow bearing tree was recorded 120 m north of Brushy Rivulet, which could support nesting for Masked Owl. Given the proximity to the existing busy heavy vehicle corridor, it is considered unlikely to be used for nesting. This tree will be inspected prior to the commencement of construction of the road works. If occupied, project team will seek advice from a suitably qualified professional and relevant regulators in relation to management requirements. • The Swift Parrot is unlikely to be impacted by the road upgrades. This species has specific breeding habitat requirements (more so than most other forest-dwelling birds in Tasmania). The Swift Parrot requires flowering eucalypts (<i>E. globulus</i> and <i>E. ovata</i>) to provide a food source. The project is not proposing to remove any of these trees as part of the works, hence the works are not considered likely to impact species foraging. • The Green and Gold Frog is unlikely to be impacted by the road upgrades. This species is not known to occur in the very low fertility habitats to be found in wetlands associated with the western moorland of quartzite derivation, which prevail in the area of the road upgrades. These frogs generally prefer more fertile habitats. The species was not recorded as present during field surveys. Given that there are high quality (more fertile) breeding habitat beyond the area of the road upgrades, in the broader landscape, it is considered unlikely the species will utilise the marginal habitat adjacent the road.
--	---	--

13.1.12 Department Of State Growth Response To Representations

- 7 -

6	As both Eagles nest and Masked Owls nest are near the road, what mitigation is proposed to keep disturbance to a minimum, for e.g. constructing the road, increased traffic noise and light?	<p><u>Response for Planning Permit Application</u></p> <p>The three slivers of road works, which require a planning permit, are not located in an area where the planning scheme requires consideration of impacts on natural values. The Agriculture Zone does not require consideration of natural values, and the Natural Values Code does not apply to the permit application, and a Natural Values Assessment is not required for the permit application. Therefore, the matters raised in point 6 are not relevant to the permit application and cannot be considered when determining the outcome of the application.</p> <p><u>Project Advice</u></p> <p>Please refer to the project advice above (point 5).</p>
7	Geology, landslips and the impact of vibrations from a doubling in freight traffic and introduction of A-double trucks to the Birralelee Road on nearby residences and farming operations.	<p><u>Response for Planning Permit Application</u></p> <p>As the three narrow slivers of road works, which require a planning permit, are not located within a Landslip Hazard Band Overlay and there is no known landslip hazard in these locations, and there is no requirement for Council to consider the Landslip Hazard Code when determining the permit application. Further, there are no applicable provisions under the Agriculture Zone which require consideration of geology, landslip or traffic vibration. Further, it should be noted that no traffic will be passing over the three narrow slivers of road works, which require a planning permit. Therefore, the matters raised in point 7 are not relevant to the permit application and cannot be considered when determining the outcome of the application.</p> <p><u>Project Advice</u></p> <p>Birralelee and Frankford Main Road are currently classed by the Department as B-Double routes. The road widening project will not introduce larger vehicles onto these roads but will provide a safer environment for existing users and cope with the typical growth of the area, so we do not foresee any significant impacts in terms of traffic vibration. The road works in the exempt areas will not be affected by any known landslide hazard.</p>
8	Will Brushy Rivulet Crown Reserve be fenced off? Entrance next to Brushy Rivulet Bridge is not considered for improvement / slip lane / widening of the road / better viewable so ease of turning in to or safely exiting. On the southern side, adjacent to	<p><u>Response for Planning Permit Application</u></p> <p>The road works at the Bushy Rivulet Crown Reserve are exempt under Clause 4.2.4 (a) and (b). Upgraded vehicle accesses are exempt under Clause 4.2.5 (a) and (b). Therefore, the matters raised in point 8 are not relevant to the permit application and cannot be considered when determining the outcome of the application.</p> <p><u>Project Advice</u></p> <p>A detailed Natural Values Assessment has been undertaken which has not identified any significant flora or fauna values</p>

13.1.12 Department Of State Growth Response To Representations

- 8 -

	Archer's property, a piece is marked to be taken off Brushy Rivulet Crown Reserve. Have any surveys been undertaken to consider its natural values and the impact of this clearing?	within the reserve except for a small group of <i>Brunonia australis</i> (Blue Pincushion) for which a Permit to Take application has been submitted to the Department of Natural Resources and Environment Tasmania. Accesses will be reinstated, and like-for-like fences will be reinstated on new boundaries where existing fences have been removed.
9	Brushy Rivulet Bridge is narrow with no indication the bridge will be widened / upgraded / improved. Shouldn't this be done before the road upgrade, or at least incorporated in the improved road design?	<u>Response for Planning Permit Application</u> The road works at the Brushy Rivulet Bridge are exempt under Clause 4.2.4 (a) and (b). Therefore, the matters raised in point 9 are not relevant to the permit application and cannot be considered when determining the outcome of the application. <u>Project Advice</u> The current project is to conduct road safety upgrades, which focuses on road pavement widening. Needs for improvement on the Brushy Rivulet Bridge would be considered separately in State Growth's bridge maintenance programs if needed.
10	Maps show no consideration for frequent stopping vehicles for eg school bus, mail man, waste collectors.	<u>Response for Planning Permit Application</u> Under the applicable provisions of the Agriculture Zone, there is no requirement for consideration for frequent stopping vehicles such as school bus, mail man or waste collectors. Therefore, the matters raised in point 10 are not relevant to the permit application and cannot be considered when determining the outcome of the application. <u>Project Advice</u> This project provides widened lanes and sealed shoulders which will offer increased safety and allow vehicles to stop on the side of the road at safe locations. However, accommodating transitory locations for on-road stopping is not within this project scope and budget.
11	The proposed works will result in the removal of Blackwood Trees along Summerville property. This row now acts as a visual reference	<u>Response for Planning Permit Application</u> <u>There are no applicable provisions under the Agriculture Zone, which require consideration of the removal of trees and any potential impacts on aerial guidance. Therefore, the matters raised in point 11 are not relevant to the permit.</u>

13.1.12 Department Of State Growth Response To Representations

- 9 -

	for planes that land on the strip on 805 Birralelee Road. If required, who will pay for aerial marker balls on the electricity wires?	<p>application and cannot be considered when determining the outcome of the application.</p> <p><u>Project Advice</u></p> <p>The trees in question and the airstrip are located on separate titles with different owners. It remains the individual responsibility of the airstrip operator to provide and maintain infrastructure required for its safe operation.</p> <p>It is noted that the airstrip in question is not a CASA certified aerodrome.</p>
12	Surveyors have trespassed on our land to carry out works without notification. We have not had any written response to our request for the surveyors SWMS (Safe Work Method Statement) and Bio- security plan when traversing from one property to another by simple jumping over the fence.	<p><u>Response for Planning Permit Application</u></p> <p>The survey was carried out in an earlier stage of the project and does not form part of the permit application. Therefore, the matters raised in point 12 are not relevant to the permit application and cannot be considered when determining the outcome of the application.</p> <p><u>Project Advice</u></p> <p>State Growth's contractor has informed the landowner by phone about the need for survey a week prior to the works being undertaken, no opposition was indicated. No written permission was sought. A second party to the title has later expressed opposition over concerns for Foot and Mouth Disease. The project team has confirmed to the party that Foot and Mouth Disease is not present in Australia and that members of the survey team had not travelled internationally within 3 months prior to the survey works.</p> <p>We do not have record of any request for SWMS reported to the project.</p> <p>No further access has been sought or required for the project since then.</p>

13.1.12 Department Of State Growth Response To Representations

Department of State Growth

STATE ROADS DIVISION

Salamanca Building Parliament Square
4 Salamanca Place, Hobart TAS
GPO Box 536, Hobart TAS 7001 Australia
Email: robyn.hawkins@stategrowth.tas.gov.au
Web www.stategrowth.tas.gov.au



Yours sincerely



Robyn Hawkins
PROJECT MANAGER

24 October 2022

Salamanca Building Parliament Square - 4 Salamanca Place, Hobart - GPO Box 536 HOBART TAS 7001

Planner's Advice: Applicable Standards

Background

The proposal is for road upgrades associated with Birralelee Road located at 310 Birralelee Road (CT: 181577/1), Birralelee Road (CT: 158918/1), and 744 Birralelee Road (CT: 142529/1), Westbury ("the site" – refer to Figure 1).

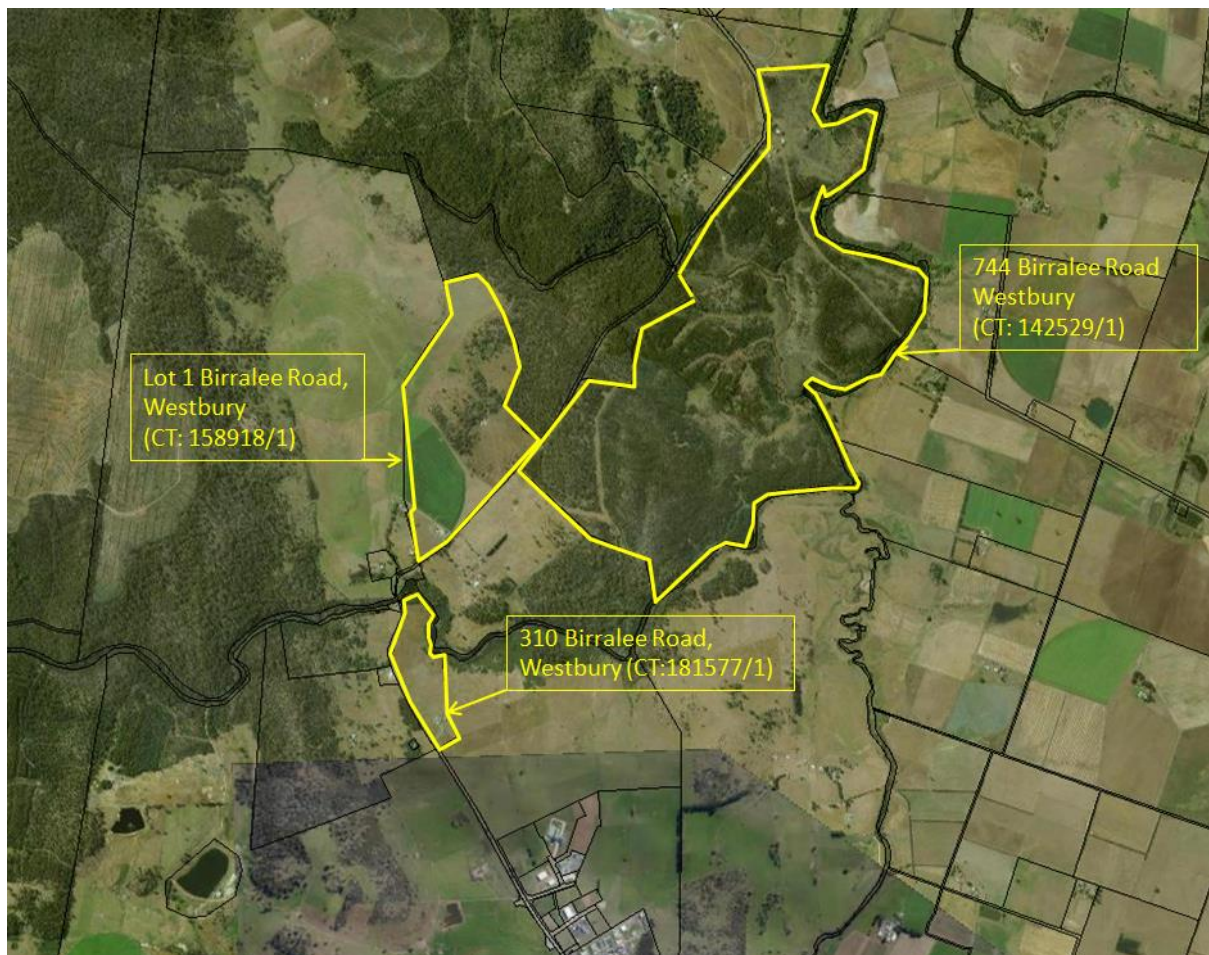


Figure 1: Aerial image showing the location and spatial extent of the site.

The site of the proposed development is located on three properties which are large rural lots that all have frontage to Birralelee Road. All three properties undertake agricultural activities (cropping, grazing, and forestry operations).

The site and adjoining land are within the Agriculture Zone (refer to Figure 2).

Adjoining lots contain residential dwellings, farm buildings and undertake agricultural activities.

Figure 3 below identifies the three areas that are subject to the application.

13.1.13 Planner's Advice - Applicable Standards

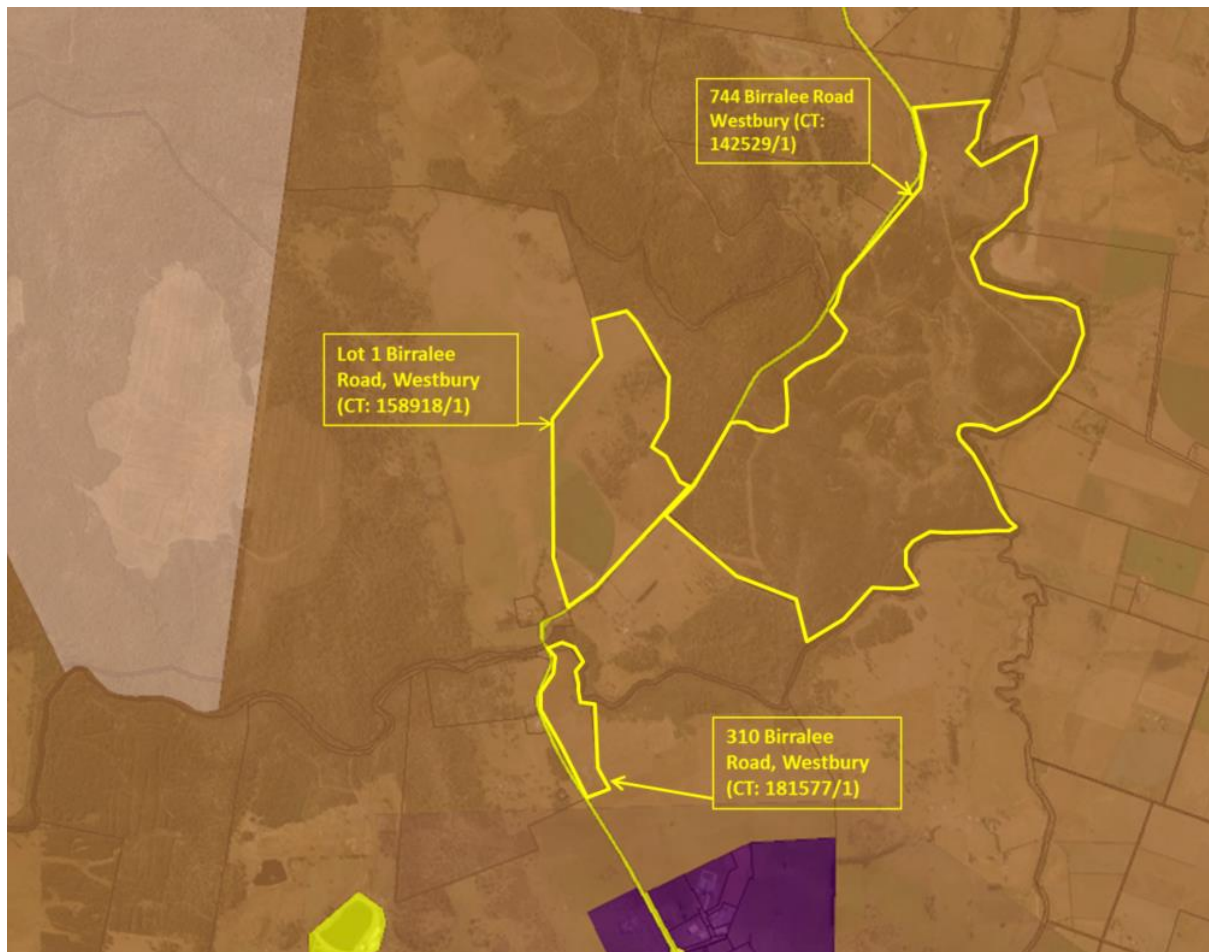


Figure 2: Zone map showing the subject titles and surrounding land.

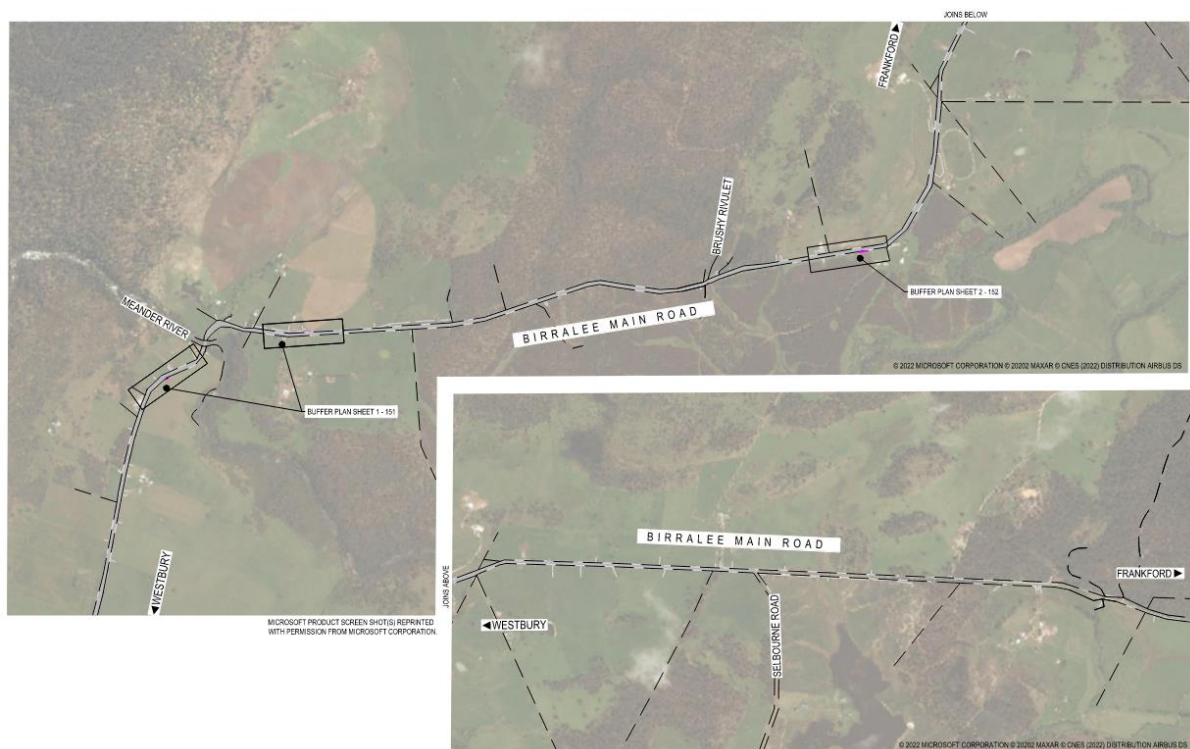


Figure 3: Site plan of the proposed development, showing the location of the road upgrades.

13.1.13 Planner's Advice - Applicable Standards

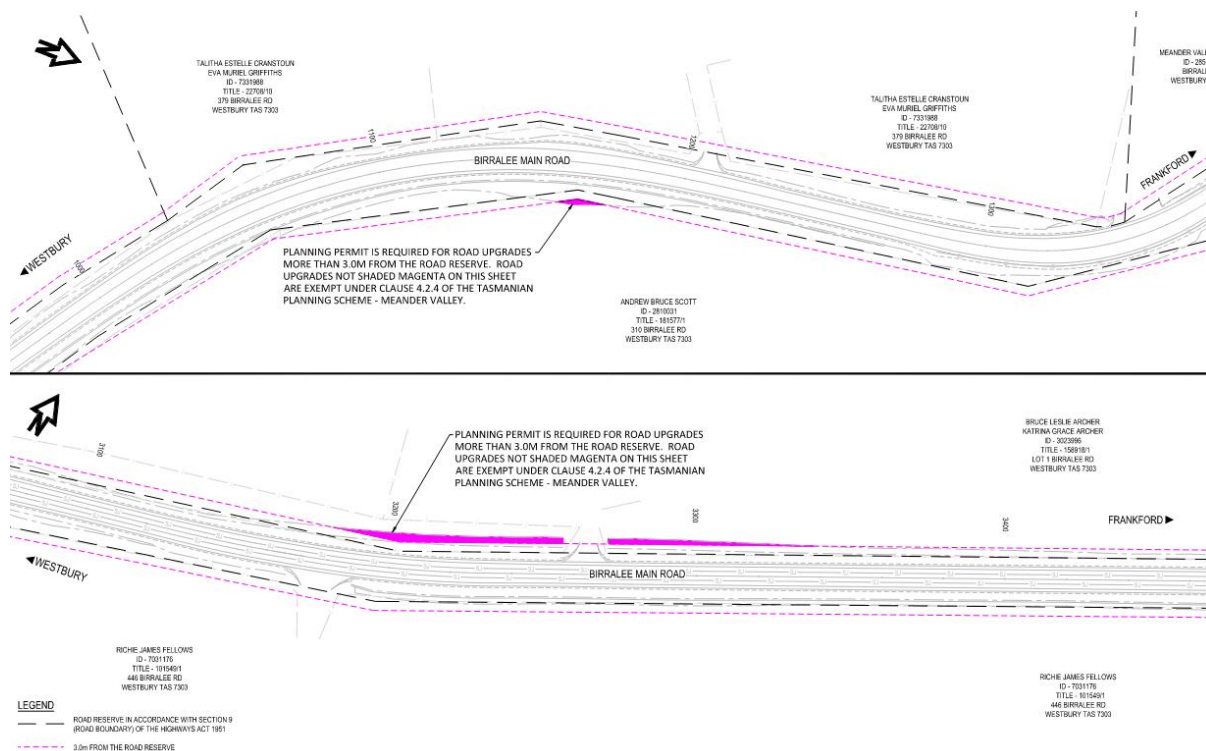


Figure 4: Plan showing the area of works on properties 310 Birralelee Road (CT: 181577/1) & Birralelee Road (CT: 158918/1) which require a planning permit.

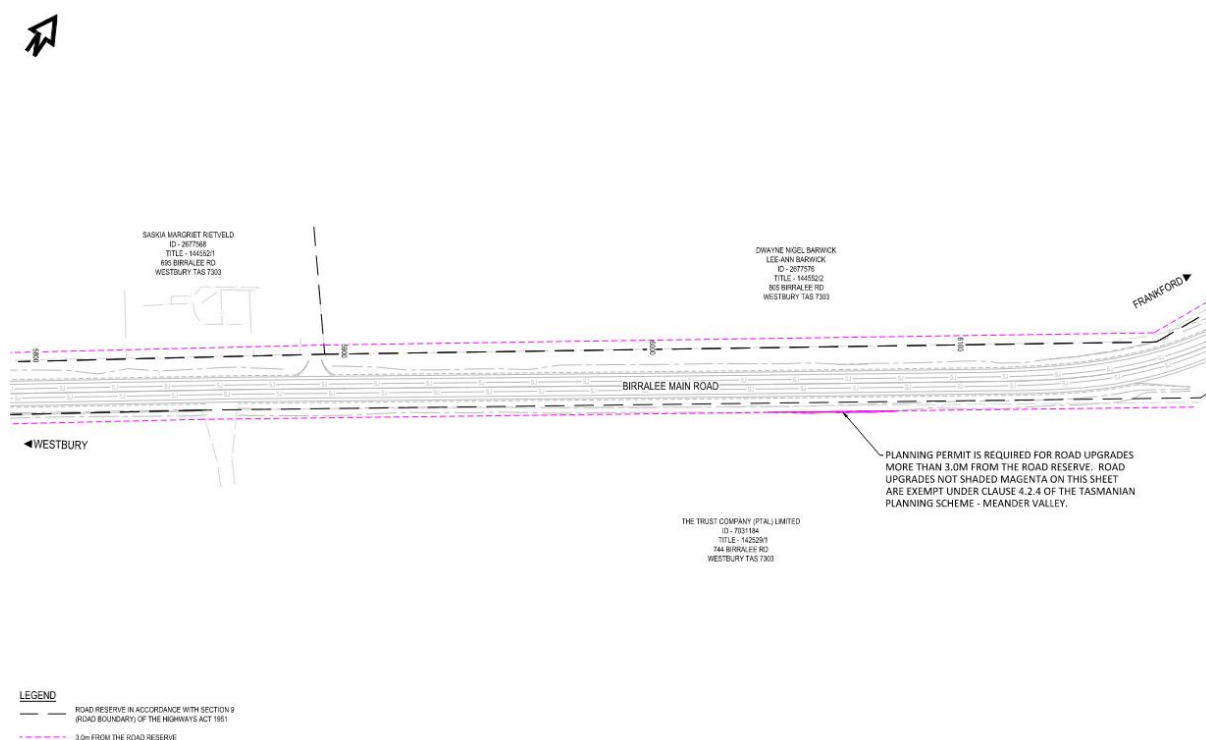


Figure 5: Plan showing the area of works on property 744 Birralelee Road (CT: 142529/1), which requires a planning permit

13.1.13 Planner's Advice - Applicable Standards

The proposal is a part of the Australian Government's Roads of Strategic Importance (ROSI) initiative which is funded by the Australian Federal Government and the Tasmanian Government. The purpose of these road upgrades is to help connect regional businesses to local and international markets and allow for a better connection between regional communities.

The majority of the road works meet the exemption under Clause 4.2.4 of the *Tasmanian Planning Scheme – Meander Valley*. Therefore, the exempt road works do not require a planning permit and do not form part of this planning application.

The application consists of three areas that are subject to the road upgrades which are located further than 3m beyond the road reserve and, therefore, do not meet the exemption. Figures 4 and 5 (above) show purple-shaded areas representing the location of development requiring a planning application. The development involves the removal of minor vegetation, the improvement of roadside shoulders and drains, and re-grading roadside batters. During construction, the exposed areas will be revegetated, and a standard rural post and wire fencing installed on the new boundary with the road.

As part of the road upgrades to Birralee Road, the Department of State Growth is in the process of acquiring the land that will be needed for these works through land acquisition. The process of land acquisition is being carried out under the *Land Acquisition Act 1993*. As such, a planning permit under the *Local Government (Building and Miscellaneous Provisions) Act 1993* and the *Land Use Planning and Approvals Act 1993* for a subdivision is not required. The Planning Authority has no legal power to consider land acquisition when determining this application.

Summary of Planner's Advice

This application was assessed against General Provisions Standards, as well as the Applicable Standards for this Zone, any relevant Codes and Specific Area Plans.

All Standards applied in this assessment are taken from the Planning Scheme.

This application is assessed as compliant with the relevant Acceptable Solutions, except where "*Relies on Performance Criteria*" is indicated (see tables below).

Council has discretion to approve or refuse the application based on its assessment of the Performance Criteria, where they apply. Before exercising discretion, Council must consider the relevant Performance Criteria, as set out in the Planning Scheme.

For a more detailed discussion of any aspects of this application reliant on Performance Criteria, see the attachment titled "Planner's Advice - Performance Criteria".

21.0 Agriculture Zone		
<i>Scheme Standard</i>	Planner's Assessment	Assessed Outcome
21.3	<i>Use Standards</i>	
21.3.1	<i>Discretionary uses</i>	
A1	There is no acceptable solution. Therefore, the proposal must rely on the performance criteria for this provision.	Relies on Performance Criteria
A2	There is no acceptable solution. Therefore, the proposal must rely on the performance criteria for this provision.	Relies on Performance Criteria
A3	The proposed development is located on Class 4 land which is not classified as prime agricultural land.	Not Applicable
A4	The proposed development is not for residential use.	Not Applicable
21.4	<i>Development Standards for Buildings and Works</i>	
21.4.1	<i>Building Height</i>	
A1	The proposed development does not involve any construction of a building.	Not Applicable
21.4.2	<i>Setbacks</i>	
A1	The proposed does not involve any construction of buildings.	Not Applicable
A2	The proposed development does not involve any construction of buildings for sensitive use.	Not Applicable

13.1.13 Planner's Advice - Applicable Standards

21.0 Agriculture Zone		
<i>Scheme Standard</i>	Planner's Assessment	Assessed Outcome
21.4.3	<i>Access for new dwellings</i>	
A1	The proposed development does not involve a new dwelling.	Not Applicable
21.5	<i>Development Standards for Subdivision</i>	
	The proposed development does not involve a subdivision.	Not Applicable
C2.0 Parking and Sustainable Transport Code		
<i>Scheme Standard</i>	Planner's Assessment	Assessed Outcome
2.5	<i>Use Standards</i>	
C2.5.1	<i>Car parking numbers</i>	
A1	There are no requirements to provide any car parking spaces for Utilities uses in Table C2.1 of this Code.	Not Applicable
C2.5.2	<i>Bicycle Parking</i>	
A1	There are no requirements to provide any bicycle parking for Utilities use in Table C2.1 of this Code.	Not Applicable
C2.5.3	<i>Motorcycle parking numbers</i>	
A1	This Clause does not apply to Utilities use as per Clause C2.2.2 of this Code.	Not Applicable

13.1.13 Planner's Advice - Applicable Standards

C2.0 Parking and Sustainable Transport Code		
<i>Scheme Standard</i>	Planner's Assessment	Assessed Outcome
C2.5.4	<i>Loading bays</i>	
A1	This Clause does not apply to Utilities use as per Clause C2.2.3 of this Code.	Not Applicable
C2.5.5	<i>Number of car parking spaces within the General Residential Zone and Inner Residential Zone</i>	
A1	The proposed development is within the Agriculture Zone.	Not Applicable
C2.6	<i>Development Standards for Buildings and Works</i>	
C2.6.1	<i>Construction of parking areas</i>	
A1	The proposed development does not involve any construction of a new parking area, access ways, manoeuvring, and circulation spaces.	Not Applicable
C2.6.2	<i>Design and Layout of parking areas</i>	
A1.1	The proposed development does not involve any construction of a new parking area, access ways, manoeuvring and circulation spaces.	Not Applicable
A1.2	No car parking spaces for persons with a disability are proposed, nor required.	Not Applicable
C2.6.3	<i>Number of accesses for vehicles</i>	
A1	The proposal will not increase the number of accesses to each lot.	Complies

13.1.13 Planner's Advice - Applicable Standards

C2.0 Parking and Sustainable Transport Code		
<i>Scheme Standard</i>	Planner's Assessment	Assessed Outcome
A2	The site is within the Agriculture Zone.	Not Applicable
C2.6.4 – C2.6.7	Clauses C2.6.4 – C2.6.7 is not applicable for the proposal with Utilities uses in the Agriculture Zone.	Not Applicable
C2.6.8	<i>Siting of parking and turning areas</i>	
A1 – A2	The subject site is within the Agriculture Zone.	Not Applicable
C2.7.1	<i>Parking precinct plan</i>	
A1	The proposed development is not within an area to which a parking precinct plan applies.	Not Applicable
C7.0 Natural Assets Code		
<i>Scheme Standard</i>	Planner's Assessment	Assessed Outcome
C7.5	<i>Use Standards</i>	
C7.5.1	There are no Use Standards in this Code.	Not Applicable
C7.6	<i>Development Standards for Buildings and Works</i>	
C7.6.1	<i>Buildings and works within a waterway and coastal protection area or a future coastal refugia area</i>	
A1	The proposed development does not involve any buildings or works within the mapped waterway protection areas.	Not Applicable

C7.0 Natural Assets Code		
<i>Scheme Standard</i>	Planner's Assessment	Assessed Outcome
A2	The proposed development does not involve any buildings or works within a future coastal refugia area.	Not Applicable
A3	The proposed development does not involve any new stormwater point discharge into a watercourse, wetland, or lake.	Not Applicable
A4	The proposed development does not involve any dredging or reclamation.	Not Applicable
A5	The proposed development does not involve any coastal protection works or watercourse erosion, or inundation protection works in the waterway protection area.	Not Applicable
<hr/>		
C7.6.2	<i>Clearance within a priority vegetation area</i>	
A1	The proposed development is within the Agriculture Zone which means Clauses related to priority vegetation are not applicable as per Clause C7.2.1 (c) of this Code. Additionally, the proposed development does not involve any clearance within the priority vegetation overlays.	Not Applicable
<hr/>		

21.0 Agriculture Zone

Planning Scheme Provision	21.3.1 Discretionary uses
	<p>Objective: That uses listed as Discretionary:</p> <ul style="list-style-type: none"> (a) support agricultural use; and (b) protect land for agricultural use by minimising the conversion of land to non-agricultural use. <p>Performance Criteria P1 A use listed as Discretionary, excluding Residential or Resource Development, must be required to locate on the site, for operational or security reasons or the need to contain or minimise impacts arising from the operation such as noise, dust, hours of operation or traffic movements, having regard to:</p> <ul style="list-style-type: none"> (a) access to a specific naturally occurring resource on the site or on land in the vicinity of the site; (b) access to infrastructure only available on the site or on land in the vicinity of the site; (c) access to a product or material related to an agricultural use; (d) service or support for an agricultural use on the site or on land in the vicinity of the site; (e) the diversification or value adding of an agricultural use on the site or in the vicinity of the site; and (f) provision of essential Emergency Services or Utilities.

Summary of Planner's Advice

The development is assessed as satisfying Performance Criteria P1, and is consistent with the objective.

Details of the planner's assessment against the provision are set out below.

Scheme Provision	Planner's Assessment
<p>21.3.1 Performance Criteria P1</p>	<p>The proposed development fits within the Utilities use class which is a discretionary use in the Agriculture Zone. In Clause 21.3.1, there is no acceptable solution for discretionary uses. Therefore, the proposal must rely on the performance criteria.</p> <p>The proposed road upgrades are required at these locations for operational reasons. The proposed sites are small, comprising less than 0.1% of affected properties. An assessment has been made having regard to the</p>

13.1.14 Planner's Advice - Performance Criteria

Scheme Provision	Planner's Assessment
	performance criteria, which demonstrates the proposed development will be consistent with the performance criteria and objective of Clause 21.3.1.
21.3.1 Performance Criteria P1 (a)	<p>The proposal will allow for:</p> <ul style="list-style-type: none"> a. traffic to continue to have access to properties that contain either agricultural or naturally occurring resources on properties within the surrounding area; and b. ensure the continuance of freight and other traffic using this existing road network to have better connections for affected properties and regional communities.
21.3.1 Performance Criteria P1 (b)	The proposed development is part of an upgrade to Birralelee Road. For the affected properties, Birralelee Road provides connection to the surrounding road network.
21.3.1 Performance Criteria P1 (c)	The proposed road upgrades will ensure that farm freight and other agricultural traffic is connected to the surrounding road networks. During construction, traffic movement will be managed by the contractors. Potential issues of dust and noise will be managed by the contractors.
21.3.1 Performance Criteria P1 (d)	The proposed development is part of upgrades to an existing road that services and supports all agricultural uses within the surrounding area. The proposal will ensure the continuance of freight and other traffic using this existing road network to have connections for affected properties and regional communities.
21.3.1 Performance Criteria P1 (e)	An improved road network will provide an opportunity for an affected property and surrounding area to diversify, or value add to their agriculture operations.

13.1.14 Planner's Advice - Performance Criteria

Scheme Provision	Planner's Assessment
<p>21.3.1 Performance Criteria P1 (f)</p>	<p>The proposed development is for a Utilities use, being road upgrades to Birralelee Road.</p>
<p>21.3.1 Performance Criteria P1 Conclusion</p>	<p>Overall, the proposed development is required to be located on the affected properties for operational reasons. The proposal is part of a larger project to upgrade the existing road infrastructure. Birralelee Road is a major road (Category 2 road within the State Road Hierarchy) that supports agricultural uses on properties within the surrounding area and the broader region.</p> <p>It is considered the proposed development is consistent with the Objective and Performance Criteria.</p>

21.0 Agriculture Zone

Planning Scheme Provision	21.3.1 Discretionary Uses P2
	<p>Objective: <i>That uses listed as Discretionary:</i></p> <ul style="list-style-type: none"> (a) support agricultural use; and (b) protect land for agricultural use by minimising the conversion of land to non-agricultural use. <p>Performance Criteria P2 <i>A use listed as Discretionary, excluding Residential, must minimise the conversion of agricultural land to non-agricultural use, having regard to:</i></p> <ul style="list-style-type: none"> (a) the area of land being converted to non-agricultural use; (b) whether the use precludes the land from being returned to an agricultural use; (c) whether the use confines or restrains existing or potential agricultural use on the site or adjoining sites.

Summary of Planner's Advice

The development is assessed as satisfying Performance Criteria P2, and is consistent with the objective.

Details of the planner's assessment against the provision are set out below.

Scheme Provision	Planner's Assessment
<p>21.3.1 Performance Criteria P2</p>	<p>The proposed development fits within the Utilities use class which is a discretionary use in the Agriculture Zone. In Clause 21.3.1, there is no acceptable solution for discretionary uses in the Agriculture Zone. Therefore, the proposal must rely on the performance criteria. An assessment has made having regard to the sub-provisions (see below) in the performance criteria which demonstrates the proposed development will be consistent with the performance criteria and objective of Clause 21.3.1.</p>

13.1.14 Planner's Advice - Performance Criteria

Scheme Provision	Planner's Assessment																
21.3.1 Performance Criteria P2 (a)	<p>The area of land being converted to non-agricultural use is small and will achieve the objective of Clause 21.3.1 for minimalizing the conversion of land to non-agricultural use as shown in Table 1 below.</p> <table><tr><th>Property</th><th>Existing area</th><th>Approx. size of land impacted</th><th>Approx. Percentage of change</th></tr><tr><td>Birralee Road (CT: 158918/1)</td><td>75.82 ha</td><td>212m²</td><td>0.027%</td></tr><tr><td>310 Birralee Road (CT: 181577/1)</td><td>16.19 ha</td><td>12m²</td><td>0.13%</td></tr><tr><td>744 Birralee Road (CT: 142529/1)</td><td>305 ha</td><td>12m²</td><td>0.006%</td></tr></table> <p>Table 1: Table showing the percentage of land change</p>	Property	Existing area	Approx. size of land impacted	Approx. Percentage of change	Birralee Road (CT: 158918/1)	75.82 ha	212m ²	0.027%	310 Birralee Road (CT: 181577/1)	16.19 ha	12m ²	0.13%	744 Birralee Road (CT: 142529/1)	305 ha	12m ²	0.006%
Property	Existing area	Approx. size of land impacted	Approx. Percentage of change														
Birralee Road (CT: 158918/1)	75.82 ha	212m ²	0.027%														
310 Birralee Road (CT: 181577/1)	16.19 ha	12m ²	0.13%														
744 Birralee Road (CT: 142529/1)	305 ha	12m ²	0.006%														
21.3.1 Performance Criteria P2 (b)	<p>The proposed development will result in these small areas of land not being able to be returned to agricultural use. However, as mentioned above, the land that is being converted to non-agricultural use will be minimised. The loss of land will not significantly impact the agricultural uses in terms of any reduction of productivity to the affected properties.</p>																
21.3.1 Performance Criteria P2 (c)	<p>The proposed development for upgrading an existing road is only impacting small areas of land on the affected properties. The proposed development will not confine or restrain existing or any potential agricultural uses on the affected properties or the other properties within the surrounding area.</p>																
21.3.1 Performance Criteria P2 Conclusion	<p>Overall, the proposed development achieves the objective of Clause 21.3.1 as it will minimise the conversion of land to non-agricultural use. Additionally, the proposal is for road upgrades to Birralee Road which will support the agricultural uses on the affected properties and other properties within the surrounding area.</p> <p>It is considered the proposed development is consistent with the Objective and Performance Criteria.</p>																

APPLICATION FORM

PLANNING PERMIT

Land Use Planning and Approvals Act 1993



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

OFFICE USE ONLY

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

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

PROPERTY DETAILS:

Address:	<input type="text" value="Please property list attached to this form"/>		Certificate of Title:	<input type="text"/>
Suburb:	<input type="text"/>	<input type="text"/>	Lot No:	<input type="text"/>
Land area:	<input type="text"/>	m ² / ha		
Present use of land/building:	<input type="text" value="Agricultural adjoining existing road"/>		(vacant, residential, rural, industrial, commercial or forestry)	

- Does the application involve Crown Land or Private access via a Crown Access Licence: ☐ Yes ☒ No
- Heritage Listed Property: ☐ Yes ☒ 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"/> Demolition
	<input type="checkbox"/> Forestry	<input type="checkbox"/> Other		
Total cost of development (inclusive of GST):	<input type="text" value="\$ 3,800"/>	Includes total cost of building work, landscaping, road works and infrastructure		
Description of work:	<input type="text" value="Road Upgrades"/>			
Use of building:	<input type="text" value="The road is the Utilities use"/>	(main use of proposed building – dwelling, garage, farm building, factory, office, shop)		
New floor area:	<input type="text" value="N/A"/> m ²	New building height:	<input type="text" value="N/A"/> m	
Materials:	External walls:	<input type="text" value="N/A"/>	Colour:	<input type="text"/>
	Roof cladding:	<input type="text" value="N/A"/>	Colour:	<input type="text"/>

**RESULT OF SEARCH**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

SEARCH OF TORRENS TITLE

VOLUME 181577	FOLIO 1
EDITION 2	DATE OF ISSUE 19-Nov-2021

SEARCH DATE : 17-Aug-2022

SEARCH TIME : 10.49 AM

DESCRIPTION OF LAND

Parish of EXTON Land District of WESTMORLAND

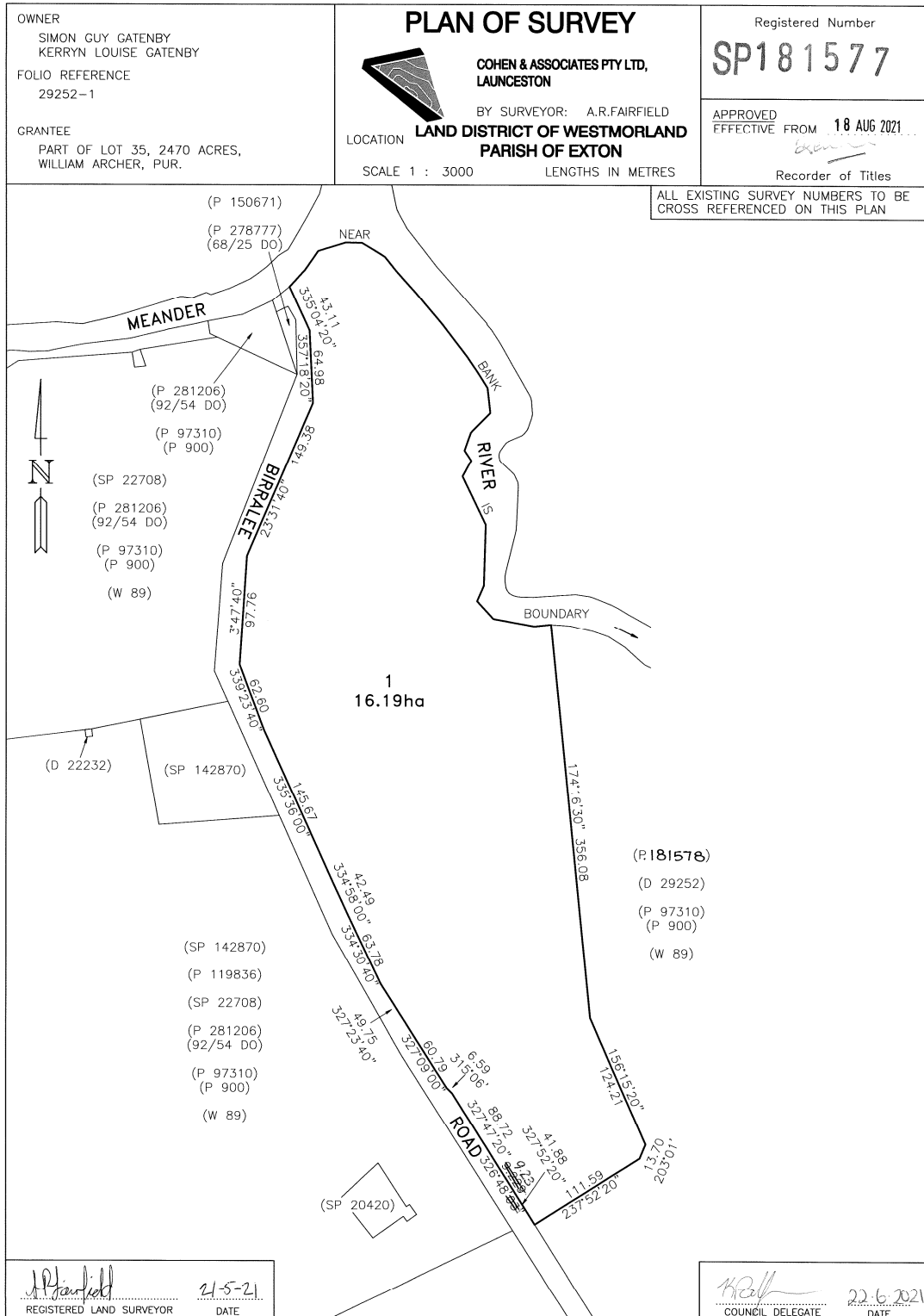
Lot 1 on Sealed Plan 181577

Derivation : Part of Lot 35, 2470 Acres Gtd. to William Archer,
Pur

Prior CT 29252/1

SCHEDULE 1M921497 TRANSFER to ANDREW BRUCE SCOTT Registered
19-Nov-2021 at 12.01 PMSCHEDULE 2Reservations and conditions in the Crown Grant if any
SP181577 FENCING PROVISION in Schedule of Easements
E282564 MORTGAGE to National Australia Bank Limited
Registered 19-Nov-2021 at 12.02 PMUNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations



SCHEDULE OF EASEMENTS

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

<p align="center">SCHEDULE OF EASEMENTS</p> <p>NOTE: THE SCHEDULE MUST BE SIGNED BY THE OWNERS & MORTGAGEES OF THE LAND AFFECTED. SIGNATURES MUST BE ATTESTED.</p>	<p align="center">Registered Number</p> <p align="center">SP 181577</p>
--	--

PAGE 1 OF 1 PAGE/S

EASEMENTS AND PROFITS

Each lot on the plan is together with:-

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

Each lot on the plan is subject to:-

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

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

EASEMENTS

~~Lot 1 on the Balance Land is together with a Pipeline Easement (as created by and further described in C458412) over the land shown passing through Lot 1 on SP28921 marked "PIPELINE EASEMENT 3.00 WIDE (CREATED BY C458412)" on the Plan.~~

Interpretation:

~~For the purpose of this Schedule "Balance Land" means the balance of the land contained in Folio of the Register Volume 29252 Folio 1 after excepting thereout Lot 1 on the Plan.~~

FENCING PROVISION

In respect to the Lots on the plan, the Vendor

~~The Subdivider~~ Simon Guy Gatenby and Kerryn Louise Gatenby shall not be required to fence.

EXECUTED by **SIMON GUY GATENBY** and **KERRYN LOUISE**

GATENBY as registered proprietor of the property comprised in Folio of the Register Volume 29252 Folio 1 in the presence of:

(witness signature)

(witness full name)

(witness occupation)

(witness address)

[Signature]

DENISE IRENE SWAIN

RETIRED TEACHER

18 TAYLOR ST.
WESTBURY
TAS 7303

[Signature]

(USE ANNEXURE PAGES FOR CONTINUATION)

<p>SUBDIVIDER: Simon Guy Gatenby & Kerryn Louise Gatenby</p> <p>FOLIO REF: 29252/1</p> <p>SOLICITOR & REFERENCE: Amelia Goss – Rae & Partners Lawyers</p>	<p>PLAN SEALED BY: <i>Meander Valley Council</i></p> <p>DATE: <i>22.6.2021</i></p> <p>REF NO. <i>PA12010096</i></p> <p><i>[Signature]</i> Council Delegate</p>
<p>NOTE: The Council Delegate must sign the Certificate for the purposes of identification.</p>	

o:\Docs\205915\2687571.docx



RESULT OF SEARCH

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



SEARCH OF TORRENS TITLE

VOLUME 158918	FOLIO 1
EDITION 3	DATE OF ISSUE 21-Jul-2010

SEARCH DATE : 17-Aug-2022

SEARCH TIME : 10.50 AM

DESCRIPTION OF LAND

Parish of SELBORNE Land District of DEVON
 Lot 1 on Sealed Plan 158918
 Derivation : Part of 2560 Acres Gtd. to James Fenner
 Prior CT 108696/1

SCHEDULE 1

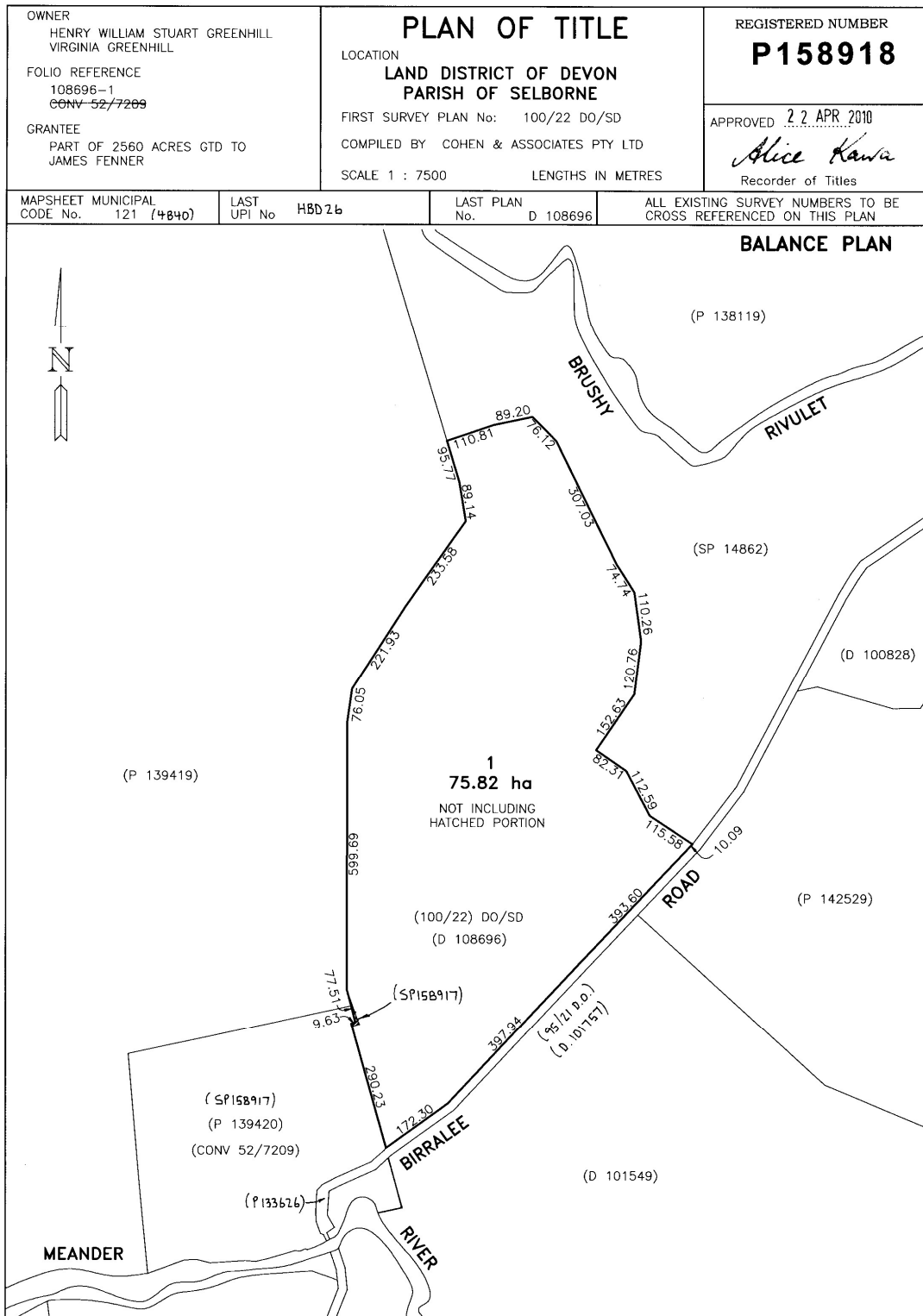
M281956 TRANSFER to KATRINA GRACE ARCHER and BRUCE LESLIE
 ARCHER Registered 01-Jul-2010 at noon

SCHEDULE 2

Reservations and conditions in the Crown Grant if any
 C961429 MORTGAGE to Henry William Stuart Greenhill and
 Virginia Greenhill Registered 01-Jul-2010 at 12.01
 PM

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations



19/09 (5956) 7/12/2009 12:28

**RESULT OF SEARCH**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

SEARCH OF TORRENS TITLE

VOLUME 142529	FOLIO 1
EDITION 5	DATE OF ISSUE 02-Feb-2016

SEARCH DATE : 17-Aug-2022

SEARCH TIME : 10.50 AM

DESCRIPTION OF LAND

Parish of SELBORNE Land District of DEVON
 Lot 1 on Plan 142529
 Being the land described in Conveyance No,55/3796
 Derivation : For grantees see plan
 Derived from A18741

SCHEDULE 1

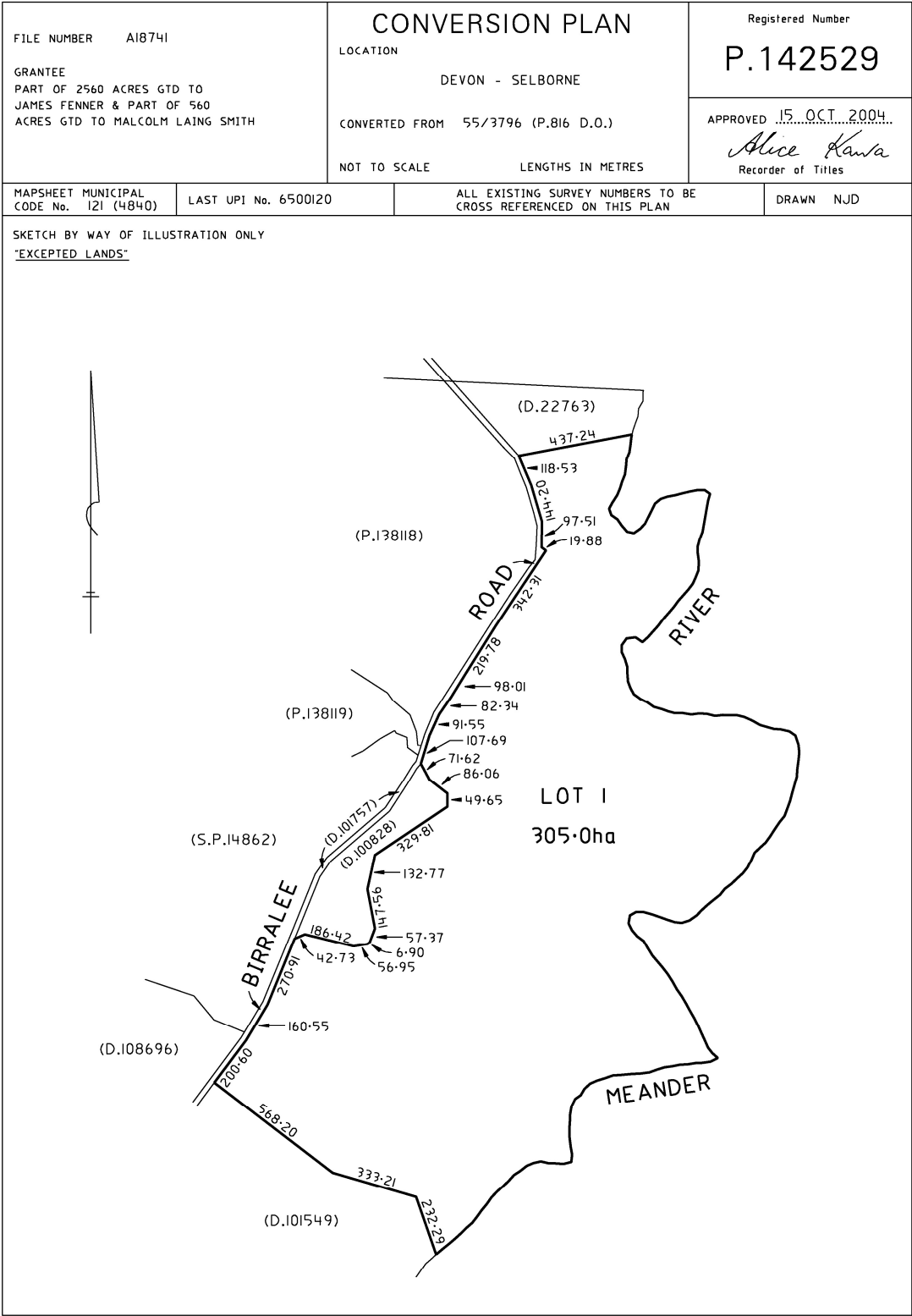
D137009 TRANSFER to THE TRUST COMPANY (PTAL) LIMITED
 Registered 02-Feb-2016 at noon

SCHEDULE 2

Reservations and conditions in the Crown Grant if any
 C750665 PRIVATE TIMBER RESERVE pursuant to Section 15(1) of
 the Forest Practices Act 1985 (affecting part of the
 said land within described as shown hatched on the
 plan annexed thereto) Registered 09-Jan-2007 at noon
 C544664 PRIVATE TIMBER RESERVE pursuant to Section 15(1) of
 the Forest Practices Act 1985 Registered
 20-Oct-2004 at 12.11 PM

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations



pitt&sherry

Specialist Knowledge.
Practical Solutions.

**Pitt & Sherry
(Operations) Pty Ltd**
ABN 67 140 184 309

Phone 1300 748 874
info@pittsh.com.au
pittsh.com.au

25 August 2022

General Manager
West Coast Council
complianceadmin@westcoast.tas.gov.au

Located nationally —
Melbourne
Sydney
Brisbane
Hobart
Launceston
Newcastle
Devonport

Dear Sir / Madam

Planning Permit Application for the Road Upgrades to Birralelee Road



We would be very grateful if Meander Valley Council (MVC) can consider this cover letter and enclosed documents as an application for a planning permit for road upgrades on Birralelee Road. The Department of State Growth (State Growth) intend to upgrade the road by widening it between Westbury Industrial Estate to Selbourne Road. While most of the upgrades are exempt from a planning permit, three areas of the road upgrades go beyond 3m from the road reserve and require a planning permit. The location of these three areas is shown below in Figure 1. Full details of the proposed upgrades in these areas can be viewed in the enclosed proposed plans.

The information contained in this letter demonstrates that the areas which require a planning permit comply with the applicable provisions of the Tasmanian Planning Scheme – Meander Valley, and that MVC can approve the application.

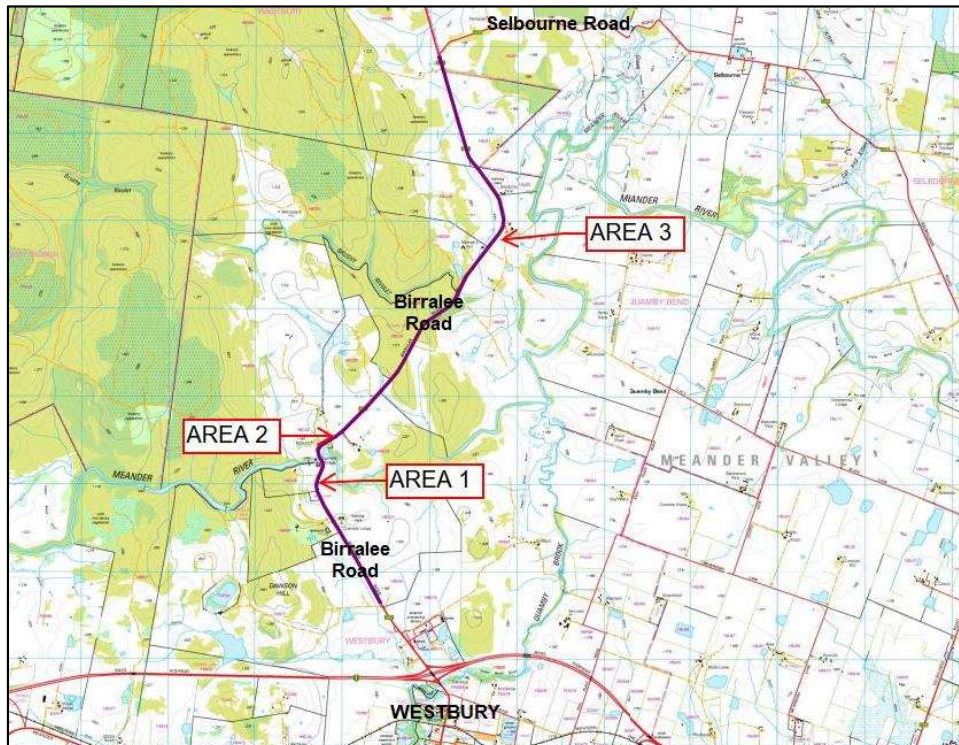
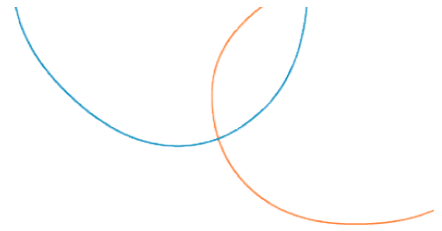


Figure 1: Areas road requiring a planning permit

ref: P.20.2000 PLA DA Biralee Hwy Upgrades LET Rev00

Page 1 of 6

13.1.15 Application Documents



1. The Land

The proposed road upgrades will occur on the land parcels shown in the table below and in the enclosed plans.

Address	Title Ref	PID
310 Biralee Road, Westbury (Area 1)	181577/1	9909690
Lot 1 Biralee Road, Westbury (Area 2)	158918/1	3023996
'Summerville' – 744 Biralee Road, Westbury (Area 3)	142529/1	7031184

2. Strategic Rationale

The proposed road upgrades are a part of the Australian Government's Roads of Strategic Importance (ROSI) initiative to help connect regional businesses to local and international markets, and better connect regional communities. The project is being funded by the Australian Government and the Tasmanian Government.

3. The Proposal

The proposed road upgrades, in the three areas which require a planning permit, will be comprised of minor vegetation removal, and construction of roadside shoulder and drains. The enclosed plans show magenta-shaded areas which require a planning permit, while all other works are exempt under Clause 4.2.4 of the planning scheme.

Post-development, exposed areas at the roadside will be revegetated and typical rural post and wire fences will be constructed on the new boundary of the road. State Growth is in the process of acquiring the land for the new road boundary. This land acquisition is being progressed under the *Land Acquisition Act 1993* (i.e. it is not being acquired through the subdivision process, so does not form part of this permit application).

4. Planning Assessment

4.1 Planning Scheme

The applicable planning scheme is the Tasmanian Planning Scheme – Meander Valley (the planning scheme).

4.2 Land Use

Under the planning scheme, the proposed pipeline, pump station and weir is classified as Utilities, which means land for utilities and infrastructure including:

- a) telecommunications;
- b) electricity generation;
- c) transmitting or distributing gas, oil, or electricity;
- d) transport networks;
- e) collecting, treating, transmitting, storing or distributing water; or
- f) collecting, treating, or disposing of storm or floodwater, sewage, or sullage.

Examples include an electrical sub-station or powerline, gas, water or sewerage main, optic fibre main or distribution hub, pumping station, railway line, retention basin, road, sewage treatment plant, storm or flood water drain, water storage dam

ref: P.20.2000 PLA DA Biralee Hwy Upgrades LET Rev00

Page 2 of 6

13.1.15 Application Documents

and weir. These examples are not meant to be an exhaustive list, and it is reasonable to consider an irrigation pipeline as being part of the utilities land use classification.

4.3 Planning Zone

All three areas of road upgrades are more than 3m outside the current road reserve, so are located in the Agriculture Zone, where the Utilities use is a Discretionary use.

4.4 Planning Overlays

The proposed road upgrades are located in the Bushfire-Prone Areas overlay.

4.5 Planning Codes

The table below demonstrates which planning scheme codes apply to the proposed development.

Code	Comment
C1.0 Signs Code	Not applicable.
C2.0 Parking and Sustainable Transport Code	Applicable to all use and development but has no relevance to the proposed road upgrades.
C3.0 Road and Railway Assets Code	Not applicable under C3.2 Application of this Code because the proposed road upgrades will: (a) not increase the amount of vehicular traffic or the number of movements of vehicles longer than 5.5m using an existing vehicle crossing or private level crossing; (b) not require a new vehicle crossing, junction or level crossing; and (c) does not involve a subdivision or habitable building within a road or railway attenuation area if for a sensitive use.
C4.0 Electricity and Transmission Infrastructure Protection Code	Not applicable.
C5.0 Telecommunications Code	Not applicable.
C6.0 Local Historic Heritage Code	Not applicable.
C7.0 Natural Assets Code	Not applicable.
C8.0 Scenic Protection Code	Not applicable.
C9.0 Attenuation Code	Not applicable.
C10.0 Coastal Erosion Hazard Code	Not applicable.
C11.0 Coastal Inundation Hazard Code	Not applicable.
C12.0 Flood-Prone Area Hazards Code	Not applicable.
C13.0 Bushfire-Prone Areas Code	Not applicable. Under this code, the proposed Utilities use is not classified as a Vulnerable Use or a Hazardous Use.
C14.0 Potentially Contaminated Land Code	Not applicable.
C15.0 Landslip Hazard Code	Not applicable.
C16.0 Safeguarding of Airports Code	Not applicable.

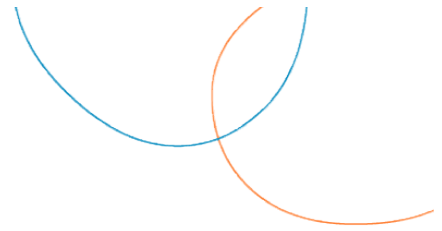
4.6 Requirement for a Planning Permit

The proposal requires a planning permit is required for the following reasons:

- the 'Utilities' use is a Discretionary use in the Agriculture Zone; and
- the proposal relies on compliance with the performance criteria, as demonstrated in the subsections below.

A Discretionary level of assessment applies to the planning permit application.

13.1.15 Application Documents



4.7 Significant Agricultural Zone

The assessment below demonstrates that the proposal is consistent with the purpose of the zone, and complies with the zone's applicable standards

4.7.1 Zone Purpose

Zone Purpose	Assessment
21.1.1 To provide for the use or development of land for agricultural use.	As the proposed road upgrades are adjacent the existing road, small in scale and will only result in the removal of a relatively minor area of agricultural land, the proposal will not conflict with 21.1.1.
21.1.2 To protect land for the use or development of agricultural use by minimising: a. conflict with or interference from non-agricultural uses; b. non-agricultural use or development that precludes the return of the land to agricultural use; and c. use of land for non-agricultural use in irrigation districts.	As the road upgrades are adjacent the existing road, small in scale and will only result in the removal of a relatively minor area of agricultural land, the proposal will not conflict with 21.1.2.
21.1.3 To provide for use or development that supports the use of the land for agricultural use.	The proposed road upgrades are aimed at enhancing the connection of regional businesses to local and international markets, which will support agriculture in this zone and is consistent with 21.1.3.

4.7.2 Use Standards

The following use standard does not apply:

- 27.3.3 Discretionary Use:
 - A3/P3 (the road upgrades, which require a permit, are all located on Class 4 Agricultural Land, which is not prime agricultural land); and
 - A4/P4 (the proposed Utilities use is not a Residential use).

27.3.3 Discretionary Use	
Objective: That uses listed as Discretionary: (a) support agricultural use; and (b) protect land for agricultural use by minimising the conversion of land to non-agricultural use.	
Acceptable Solution	Performance Criteria
A1 There is no acceptable solution	P1 A use listed as Discretionary, excluding Residential or Resource Development, must be required to locate on the site, for operational or security reasons or the need to contain or minimise impacts arising from the operation such as noise, dust, hours of operation or traffic movements, having regard to: (a) access to a specific naturally occurring resource on the site or on land in the vicinity of the site; (b) access to infrastructure only available on the site or on land in the

13.1.15 Application Documents

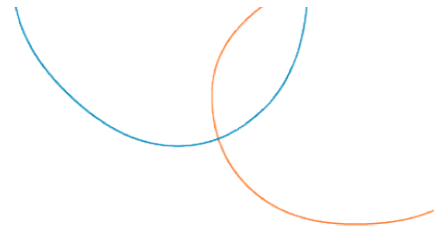
	<p>vicinity of the site;</p> <p>(c) access to a product or material related to an agricultural use;</p> <p>(d) service or support for an agricultural use on the site or on land in the vicinity of the site;</p> <p>(e) the diversification or value adding of an agricultural use on the site or in the vicinity of the site; and</p> <p>(f) provision of essential Emergency Services or Utilities.</p>
<p>Assessment</p> <p>The proposal complies with P1 for the following reasons:</p> <p>(a) The proposed road upgrades are part of an existing road network that enables freight and other traffic to access the areas natural resources for business purposes;</p> <p>(b) The road upgrades are improvements to existing road infrastructure;</p> <p>(c) The proposed road upgrades are part of an existing road network that enables freight and other traffic access to material related to agricultural uses in the area;</p> <p>(d) The proposed road upgrades are part of an existing road network that enables freight and other traffic to service and support agricultural uses in the area;</p> <p>(e) The proposed road upgrades are part of an existing road network that enables freight and other traffic to support the value adding of agricultural uses in the area;</p> <p>(f) The proposed road upgrades improves an existing Utilities service (the road network).</p>	
<p>A2</p> <p>There is no acceptable solution</p>	<p>P2</p> <p>A use listed as Discretionary, excluding Residential, must minimise the conversion of agricultural land to non-agricultural use, having regard to:</p> <p>(a) the area of land being converted to non-agricultural use;</p> <p>(b) whether the use precludes the land from being returned to an agricultural use;</p> <p>(c) whether the use confines or restrains existing or potential agricultural use on the site or adjoining sites.</p>
<p>Assessment</p> <p>The proposal complies with P2 for the following reasons:</p> <p>(a) Only very small areas of agricultural land adjoining the existing road will be converted to the Utilities use;</p> <p>(b) Once developed it is likely that these small areas of land will not be returned to agricultural use; and</p> <p>(c) The proposed road upgrades are comprised of small areas adjoining the road, which will not confine or restrain existing or potential agricultural use on the site or adjoining sites.</p>	

4.7.3 Development Standards

The following standards are not applicable:

- 21.4.1 Building height (no buildings are proposed);
- 21.4.2 Setbacks (no buildings are proposed);
- 21.4.3 Access for new dwellings (no dwellings are proposed); and
- 21.5 Development Standards for Subdivision (no subdivision is proposed).

13.1.15 Application Documents



Yours sincerely

Doug Fotheringham

Associate Planning & Economic Development Consultant
pitt&sherry

Enc. Planning Permit Application Form
 Proposed Plans
 Title Details



Department of State Growth

BIRRALEE MAIN ROAD (A1701)

WESTBURY INDUSTRIAL ESTATE TO SELBOURNE ROAD

ROADWORKS

JOINS BELOW

JOINS ABOVE

FRANKFORD

BRUSHY RIVULET

BIRRALEE MAIN ROAD

MEANDER RIVER

WESTBURY

SELBOURNE ROAD

FRANKFORD

BUFFER PLAN SHEET 1 - 151

BUFFER PLAN SHEET 2 - 152

1:15000m (A3)

1:15000m (A4)

SCALE IN METRES - 1:15000

Height Datum: AHD

Coordinate System: MGA 2020 255

DESIGNED

REVISED

CONTRACT No. 3321

DRAWING S-P-20-2000-00-CTN-SKT-150

PRINTED DATE 09-Aug-22, 10:05 AM

SHEET No. 150

REGISTRATION NUMBER A1701.002

REVISION USE

© 2022 MICROSOFT CORPORATION © 2022 MAXAR © CNES (2022) DISTRIBUTION AIRBUS DS

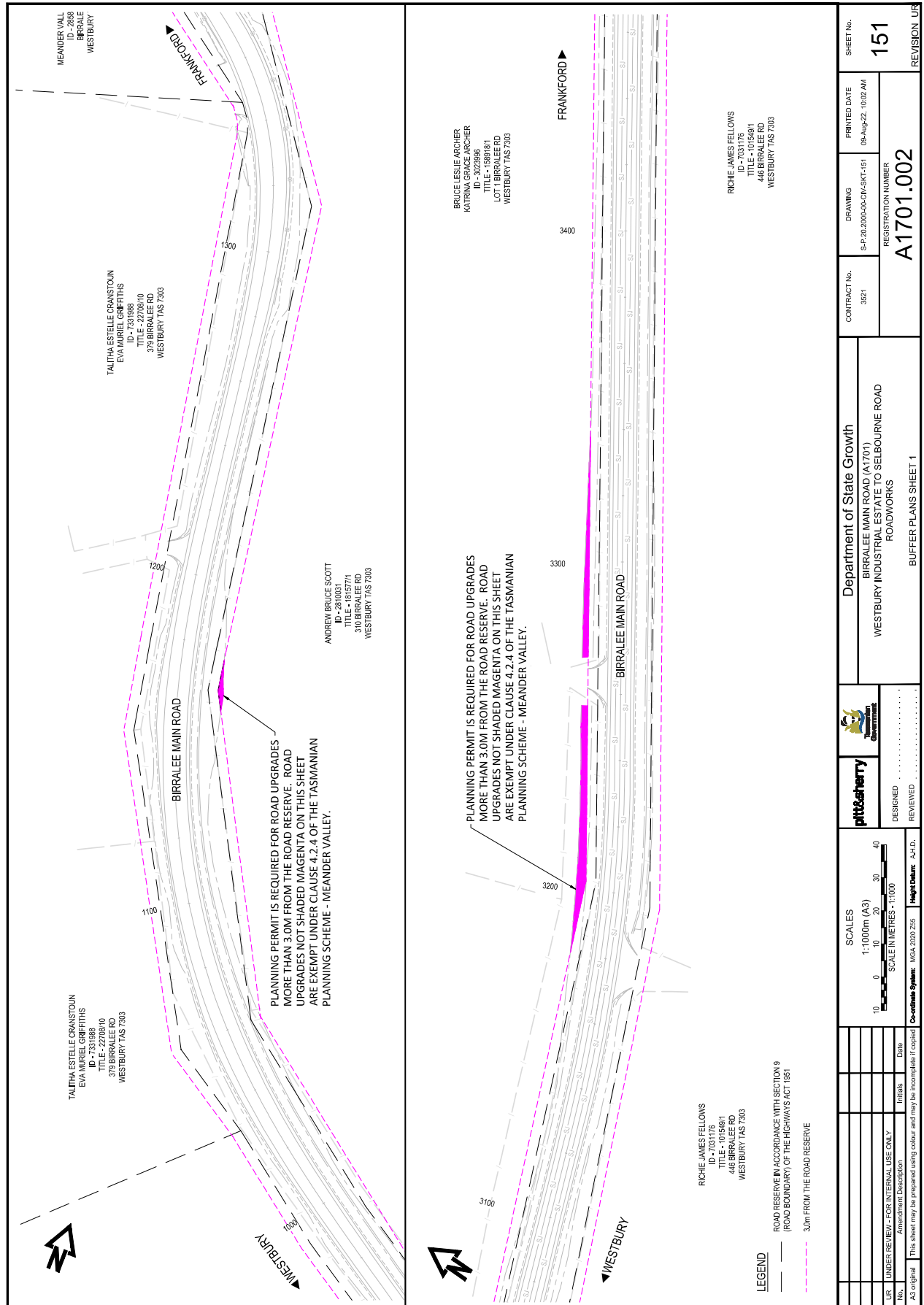
MICROSOFT PRODUCT SCREEN SHOTS(S) REPRINTED WITH PERMISSION FROM MICROSOFT CORPORATION.

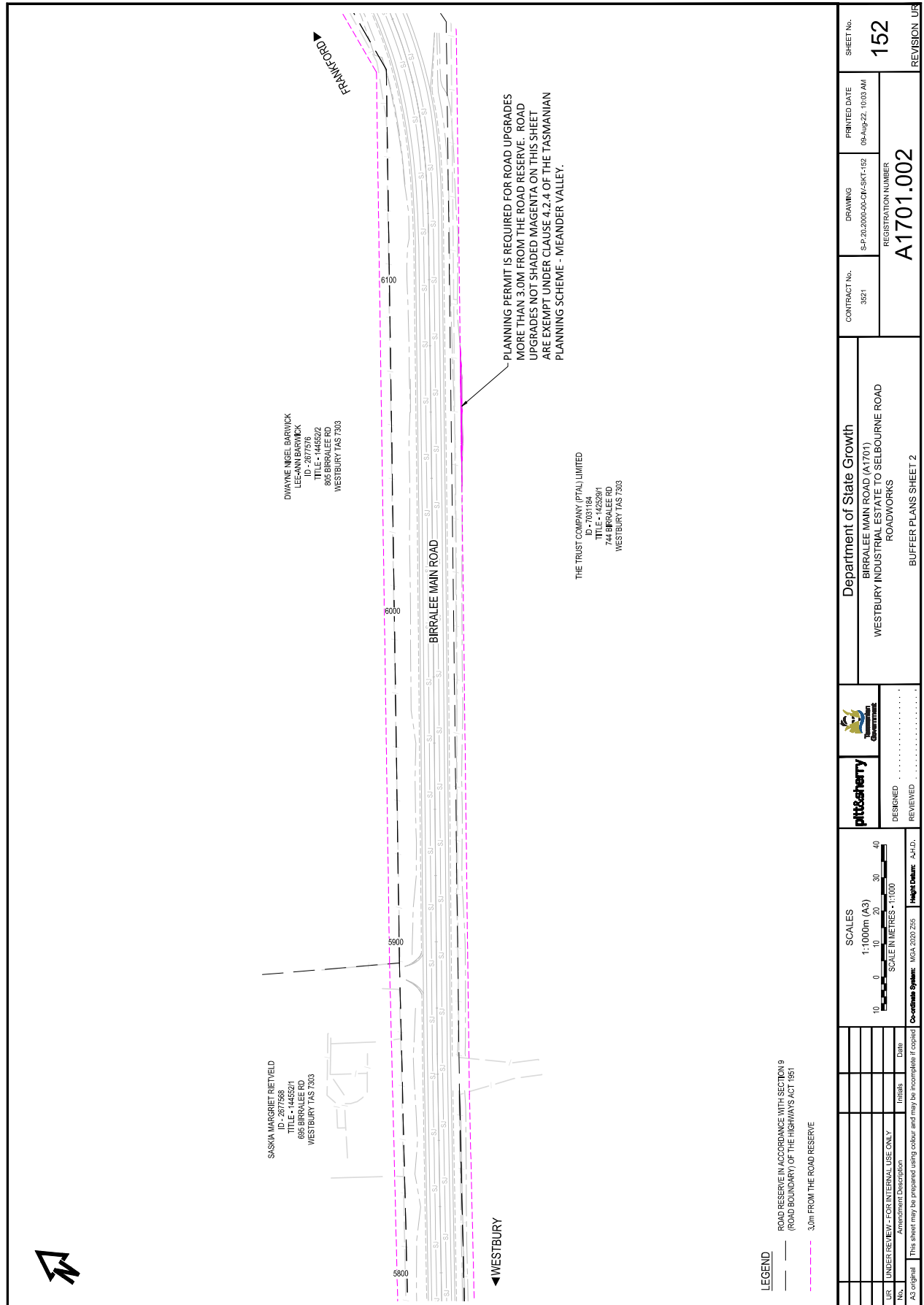
UNDER REVIEW - FOR INTERNAL USE ONLY

Amendment Description

Initials Date

PC: AS original This sheet may be prepared using colour and may be incomplete if copied





Corporate Services

Council Audit Panel: Receipt of Meeting Minutes

Report Author Jonathan Harmey
Director Corporate Services

Decision Sought Council receives the minutes of the Audit Panel meeting.

Vote Simple majority

Recommendation to Council

That Council receives the minutes of the Audit Panel meeting held on 27 September 2022.

Report

The purpose of this report is for Council to receive the minutes of the Council Audit Panel meeting held on 27 September 2022.

The minutes of the meeting held on 21 September have been reviewed and endorsed by the Council Audit Panel Chair and are provided for Council's information as required under its Audit Panel Charter 2022.

Attachments 1. Audit Panel Minutes - 27 September 2022 [14.1.1 - 5 pages]

Strategy Supports the objectives of Council's strategic future direction 5: innovative leadership and community governance.

See Meander Valley Community Strategic Plan 2014-24. [Click here](#) or visit www.meander.tas.gov.au/plans-and-strategies to view.

Policy The recommendation fulfils the requirements outlined in Council's Audit Panel Charter confirmed at the July 2022 Council Meeting.

Legislation Sections 85, 85A and 85B of the *Local Government Act 1993* and the Local Government (Audit Panels) Orders.


Consultation Not applicable

Budget & Finance Not applicable

Risk Management Not applicable

**Alternative
Motions** Council can approve the recommendation with amendment.

14.1.1 Audit Panel Minutes - 27 September 2022

 <p>Meander Valley Council</p>	Audit Panel Minutes
Meeting Time & Date: 9:30am, 27 September 2022	Venue: Meander Valley Council – Council Chambers
Present:	
Chairman Andrew Gray	Councillor John Temple
Mr Ken Clarke	Councillor Michal Frydrych
In Attendance:	
John Jordan, General Manager	Jacqui Parker, Manager Governance and Performance
Dino De Paoli, Director Infrastructure Services	Justin Marshall, Acting Director Corporate Services
Katie Proctor, Acting Director Development & Regulatory Services	Tania Sharman - Workplace Health & Safety Officer
Apologies:	
Krista Palfreyman, Director Development & Regulatory Services	Melissa Lewarn, Director Community Wellbeing
Matthew Millwood, Director Works	Susan Ellston, Finance Officer
Jon Harmey, Director Corporate Services	

ORDER OF BUSINESS

ITEM
1. Declaration of Pecuniary Interests/conflict of interest Nil.
2. Adoption of Previous Minutes It was resolved that the minutes of the meetings held on 28 June 2022 be received and confirmed.
3. Outstanding from previous meeting - Action Sheet <div style="margin-left: 20px;"> 3.1 - Policy No. 23 – Responsibilities of Council Representatives - A complete re-write of this policy has been done. Draft is subject to consultation and review with submission planned for the October 2022 Ordinary Meeting. </div> <div style="margin-left: 20px;"> 3.2 - Policy No. 67 – Personal Information Protection - updated and approved by Council at the August Ordinary Meeting. - Policy No. 84 – Gifts and Benefits - updated and approved by Council at the August Ordinary Meeting. </div> <div style="margin-left: 20px;"> 3.3 - Policy No. 66 – Security for Incomplete Works in Subdivisions - this policy has been reviewed and the draft is to be considered by the Executive Management Team. Anticipate presentation to the next Audit Panel Meeting and endorsement by Council in Dec- Feb time frame. </div>

- **Policy No. 81** – Online Communication (Social Media Councillors) - a complete re-write of this policy has been done. Draft is subject to consultation and with submission planned for the October 2022 Ordinary Meeting.

3.4 Submit a list of Policies which have been identified as requiring Audit Panel Review

Policy Review Matrix was discussed. Agreed to expand the matrix to include all information management related policies and then confirm which require Audit Panel involvement

Received & Noted.

3.5 - Policy No. 37 – Vegetation Management - deferred to consider relevance of policy. Likely current policy will be replaced with either a new policy focused on risk management of trees in public areas, or procedural responses as part of asset management work practice.

- **Policy No. 43** – Dog Management - was subject to a second round of community consultation, and will be presented to the October Ordinary Meeting for endorsement

- **Policy No. 80** – Management of Public Art - this has been reviewed and a draft circulated for comment and is pending workshop presentation

Received & Noted.

- **Policy No. 85** – Open Space - review deferred as it will form part of a broader review on open space planning and developer contributions (as per recent discussions at Council Workshop). Tentatively scheduled for March 2023 Quarter.

- **Policy No. 89** – Camping on Council Reserves – deferred due to work priorities.

3.6 Consider any available audit reports

1. External Audit of Major Project Variation controls conducted by Synectic was received and discussed.
2. Completed Internal Audits relating to Building Application Process and Contractor Management Audits were received and discussed.

Workplace Health & Safety Officer is now conducting audits of work systems for contractors. Now developing a practice of pre-project review & assessment for compliance.

Building application processes are tight. No significant risks identified.

Received & Noted.

3.7 Review management's implementation of audit recommendations

Update of finalisation of actions/implementations from Tas Audit Office finding 2020-21. See Item 12.

14.1.1 Audit Panel Minutes - 27 September 2022

Governance and Strategy	
4. Review Annual Plan	<p>The Annual Plan working draft was presented for review.</p> <p>Received & Noted.</p>
5. Review Long-Term Strategic Asset Management Plan	<p>Strategic Asset Management Plan (SAMP) last reviewed in Feb 2020 and next legislated review scheduled for Feb 2024.</p> <p>Information Received and Noted.</p>
6. Review Asset Management Strategy	<p>Council's Asset Management Strategy is incorporated into the Strategic Asset Management Plan (SAMP)</p> <p>Information Received and Noted.</p>
7. Review Asset Management Policy	<p>Council's Asset Management Policy No.60 is scheduled for review in Feb 2024.</p> <p>Information Received and Noted.</p>
8. Review policies and procedures	<p>There were no policies up for review.</p>
9. Assessment of governance and operating processes integration with financial management practices of the Council	<p>Nil to report.</p>
Financial and Management Reporting	
10. Review most current results and report any relevant findings to Council	<p>Financial Report as at 31 July 2022 was presented.</p> <p>Received and Noted.</p>
11. Review any business unit or special financial reports	<p>Nil to Report.</p>
12. 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.	<p>The Draft 2021-22 Financial Statements were presented. The statements are currently in the process of being audited.</p> <p>The Draft Interim Memorandum of Audit Findings 2021-22 was presented. Note Council has provided responses to all findings, now waiting on finalisation of the document. Financial statement audit for 2021-22 had started in week commencing 19 September 2022. Nothing to report at this point.</p>

14.1.1 Audit Panel Minutes - 27 September 2022

Internal Audit	
13. Consider any available audit reports	<p>The September and the December Internal Audits have been swapped over due to the EA negotiations still continuing.</p> <p>The September audit will now be - Poor process for the disclosure and management of staff conflicts of interest leading to partial decision making.</p> <p>Information Received and Noted.</p>
14. Review management's implementation of audit recommendations	<ol style="list-style-type: none"> 1. Building Application Process - No recommendations needed. 2. Contractor Management process IA comments are still awaiting approval. 3. Major Project Variation Controls IA comments are still awaiting approval. <p>Received and Noted.</p>
External Audit	
15. Consider any available audit reports	<p>Nil to Report.</p>
16. Consider any performance audit reports that will be undertaken by the Tasmanian Audit Office and address implications for the Council	<p>The Tasmanian Audit Office Annual Plan of Work 2022-23 was presented.</p> <p>Of the performance audits to be completed in 2022-23, the Strategic Procurement in Local Government and Private Works Undertaken by Councils audits may have implications for Council</p> <p>Received and Noted.</p>
Risk Management and Compliance	
17. 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	<p>New staff continue to participate in employee induction sessions to discuss and develop awareness of Council's Fraud Control Policy & Plan, its Public Interest Disclosures Procedure, and the availability of both senior Council officers and the Integrity Commission for confidential discussions where needed.</p> <p>The Governance department is currently developing content for our incoming Council's induction program, to ensure strong awareness of Council's integrity systems.</p> <p>Information Received & Noted.</p>
18. Review processes to manage insurable risks and existing insurance cover	<p>Additional insurance requirements were considered when implementing insurance policy renewals to be in place 1 July 2022. Work was undertaken to seek a quote for cyber security insurance which was taken up through brokers JLT. All other existing policies were renewed and in place for 1 July 2022.</p> <p>Received and Noted.</p>

14.1.1 Audit Panel Minutes - 27 September 2022

19. Monitor any major claims or lawsuits by or against the Council and complaints against the Council Nil to Report.
20. Oversee the investigation of any instances of suspected cases of fraud or other illegal and unethical behaviour Nil to Report.
Other Business
<p>The General Manager update on Enterprise Agreement progress. Recently staff voted a majority No. This was believed to be largely due to the amount of pay increases and capping of superannuation at the end of the three-year period.</p> <p>Election Caretaker Arrangements Policy – now in place and online.</p>
Meeting close This meeting closed at 11:17 am
Next Meeting The next meeting to be held on Tuesday 20 December 2022 at 9.30 am

Governance

Councillor Representation - Committees & External Organisations

Report Author Jacqui Parker
Manager Governance and Performance

Authorised by John Jordan
General Manager

Decision Sought Council ensures strong councillor representation on committees that determine matters of community interest or regional significance.

Vote Simple majority

Recommendation to Council

That Council approves the appointment of Councillors and representatives to the committees and external organisations as listed in Attachment 15.1.1., with an amendment to reflect the accepted nominations determined by Council at the Ordinary Meeting of 8 November 2022.

Report

A strong, functioning and truly representative Council demands an engaged team of elected members and executives who contribute strongly on matters of community interest and regional significance.

Each year, Council reviews the elected representatives and other key stakeholders who represent our community's interests on various internal committees, and in external groups and organisations.

The attached table sets out each entity requiring Meander Valley Council representation. Council officials who represent on committees and organisations are expected to become familiar with the requirements set out in Council's Policy No. 23 – Responsibilities of Council Representatives, including:

1. Staying abreast of upcoming dates relevant to their role, including meeting and event dates, and providing RSVPs directly to the meeting chair;
2. Attending meetings and responding to any out-of-session correspondence in a timely and consistent fashion, including the investment of time needed to review agenda materials and any relevant minutes;
3. Reporting all representative attendances to the Office of the General Manager each month, for publication in our public council meeting agenda and minutes;
4. Advising the General Manager of any business requiring attention or broader distribution; and
5. Advising the General Manager of any inability to attend or report on meetings, or other circumstances which may necessitate review of the appointment.

At the Council Meeting on 8 November 2022, Councillors will need to confirm their interest and nominations to be representatives on the committees and bodies listed in Attachment 15.1.1. A completed version of this table will form part of the approval recommendation for this item.

Appointments to the Northern Tasmanian Development Corporation (NTDC) and Local Government Association of Tasmania (LGAT) are allocated to the Mayor by convention.

The Audit Panel Charter (attached) is also specifically provided, due to its standing and importance as a governance oversight mechanism.

Council also has special committees under section 24 of the *Local Government Act 1993*. Membership of these committees will be considered at Council's December Ordinary Meeting.

- Attachments**
1. Council Appointments [15.1.1 - 3 pages]
 2. Audit Panel Charter 2022 [15.1.2 - 9 pages]

Strategy Supports the objectives of Council's strategic future direction 5: innovative leadership and community governance.

See Meander Valley Community Strategic Plan 2014-24. [Click here](#) or visit www.meander.tas.gov.au/plans-and-strategies to view.

Policy Policy No. 23 – Responsibilities of Council Representatives

Legislation *Local Government Act 1993*: ss22-23.

Consultation Following notification of the 2022 local government election results, each elected representative was advised of these vacancies, and given the opportunity to nominate via email.

Budget & Finance Not applicable

Risk Management Not applicable

**Alternative
Motions** Council may determine alternative nominations.

15.1.1 Council Appointments

Legislated Committees & Bodies	Appointment	Frequency
Meander Valley Council Audit Panel <i>(1 or 2 elected members)</i>	Councillor (Proxy) Councillor (Proxy)	Quarterly
Meander Valley Council Emergency Management and Community Recovery Committee <i>(2 elected members)</i>	Councillor (Proxy) Councillor (Proxy)	Bi-annual
TasWater <i>(1 elected member as shareholder, with proxy appointees as required)</i>	Councillor (Proxy) Councillor (Proxy) General Manager (Proxy)	Bi-annual or as required

External Committees & Organisations	Appointment	Frequency
Great Western Tiers Tourism Association <i>(1 elected member)</i>	Councillor (Proxy)	Monthly, except December & January
Northern Tasmanian Development Corporation <i>(automatic nomination of mayor as shareholder and Council representative)</i>	Mayor Wayne Johnston General Manager (Committee Representative proxy)	Quarterly or as required

15.1.1 Council Appointments

Local Government Association of Tasmania <i>(1 elected member as shareholder, with proxy appointees as required)</i>	Councillor (Proxy) Councillor (Proxy) General Manager (Proxy)	Quarterly
Tamar Fire Management Area Committee <i>(1 representative)</i>	General Manager (Proxy)	Biannually or as required
Central North Fire Management Area Committee <i>(1 representative)</i>	General Manager (Proxy)	Biannually or as required
City of Launceston Homelessness Advisory Committee <i>(1 representative)</i>	Councillor (Proxy) Councillor (Proxy)	Bi-monthly or as required

15.1.1 Council Appointments

Internal Committees	Appointment Recommended	Frequency
Australia Day Awards Committee <i>(2 elected members)</i>	Councillor (Proxy) Councillor (Proxy)	Annual
Community Grants Committee <i>(2 elected members)</i>	Councillor (Proxy) Councillor (Proxy)	Quarterly
Development Assessment Group	All Councillors	Weekly



MEANDER VALLEY COUNCIL

Audit Panel Charter

Contents

1	Introduction.....	1
2	Objective.....	1
3	Definitions.....	1
4	Authority.....	2
5	Composition and Tenure.....	2
6	Qualifications and Selection of Independent Members	2
7	Functions.....	3
8	Responsibilities of Panel members	4
9	Reporting.....	4
10	Administrative arrangements	4
10.1	Meetings.....	4
10.2	Quorum.....	5
10.3	Work Plan.....	5
10.4	Secretariat.....	5
10.5	Interests	5
10.6	Confidentiality	6
10.7	Code of Conduct.....	6
10.8	Induction	6
10.9	Performance Evaluation.....	6
11	Remuneration	6
12	Review of Charter	6
13	Approval.....	6
	Appendix 1: Code of conduct for members of the audit panel	7

1 INTRODUCTION

The Council has established the Meander Valley Council Audit Panel (the Audit Panel) in compliance with Part 8 Division 4 of the Local Government Act 1993 (the Act), the Local Government (Audit Panels) Order 2014 (the Audit Panels Order) and the Local Government (Audit Panels) Amendment Order 2015, as amended from time to time.

This Charter has been developed in cooperation with Local Government Audit Panel Working Group and sets out the Audit Panel's objectives, authority, composition, tenure, functions, reporting and administrative arrangements.

2 OBJECTIVE

The objective of the Audit Panel is to:

- assist Council in providing a transparent and independent process to ensure accountability to the community in the governance, management and allocation of resources; and
- review the Council's performance under section 85A of the Act and report to the Council its conclusions and recommendations.

3 DEFINITIONS

- *Audit Panel* – the Meander Valley Council Audit Panel as stipulated in section 1 of this document.
- *Audit Panel Working Group* – consists of Council officers representing the Break O'Day, George Town, Meander Valley and West Tamar Councils.
- *Chief Financial Officer* – the Director Corporate Services of the Meander Valley Council as appointed from time to time.
- *Commissioner* - a person appointed under sections 230 or 231 of the Act to exercise the powers and perform the functions of the Councillors.
- *Council* – the Meander Valley Council.
- *Council member* - a Councillor representing the Council on the Audit Panel.
- *General Manager* - the General Manager of the Meander Valley Council as appointed from time to time.
- *Independent member* - a person who is not a Councillor, Commissioner or employee of the Meander Valley Council and has not been a Councillor or employee of the Council within the previous two years.
- *Management* - employees of Council tasked with managing the operations and daily functions.
- *Part 7 plan* - a strategic plan, an annual plan, a long term financial management plan or a long term strategic asset management plan of a Council prepared under Division 2 of part 7 of the Act.
- *The Act* - the *Local Government Act 1993* as amended.

- *The Orders* - the Local Government (Audit Panels) Order 2014 and the Local Government (Audit Panels) Amendment Order 2015, as amended.

4 AUTHORITY

The Council authorises the Audit Panel, within its responsibilities, to:

- obtain any information it requires from any employee or external party (subject to any legal obligation to protect information);
- discuss any matters with the Tasmanian Audit Office (TAO), or other external parties (subject to confidentiality considerations);
- request the attendance of any employee, including members of the Council, at Audit Panel meetings; and
- obtain legal or other professional advice, as considered necessary to meet its responsibilities (subject to prior approval by the Mayor or General Manager).

The Council will include an allocation in its Annual Plan and Budget Estimates to allow the Panel to conduct reviews in accordance with its annual work plan.

5 COMPOSITION AND TENURE

The Audit Panel comprises a minimum of 3 and a maximum of 5 members appointed by the Council, of whom:

- if the panel has 4 or 5 members, at least 2 must be independent members; or
- if the panel has 3 members, at least 1 must be an independent members.

A person who is an employee, or the General Manager, or the Mayor of the Council is not eligible for appointment as a member of the panel.

A person who is an employee or Councillor of another municipal Council is not eligible for appointment as a member of the panel.

If a Commissioner is appointed to the Council, he or she may be appointed as a Council member of the panel.

The Council will appoint an independent member as the Chairperson of the panel.

Audit Panel members are appointed for a period not exceeding two years.

If an Audit Panel member resigns, Council will appoint a replacement at the earliest convenient time.

Audit Panel members may be re-appointed at the approval of the Council.

6 QUALIFICATIONS AND SELECTION OF INDEPENDENT MEMBERS

Independent members of the Audit Panel are to possess:

- Good business acumen
- Sound management skills

- Good communication skills
- Knowledge and expertise in audit practices
- Knowledge and expertise in financial management
- Experience with governance processes including but not limited to risk management.

Knowledge of and skills in government, local government, not for profit organisations and organisations requiring a high degree of legislative compliance and delivery of projects and processes which offer solutions to complex community service obligations will be highly desirable in panel members.

Calls for independent members to apply for a position on the Audit Panel shall be publicly advertised in the first instance.

The selection process for independent members will be determined and undertaken by Council and supported using Council's existing recruitment and selection processes.

7 FUNCTIONS

To comply with the Orders, when reviewing the Council's performance the Audit Panel is to consider:

- the Council's financial system, financial governance arrangements and financial management;
- whether the annual financial statements of the Council accurately represent the state of affairs of the council;
- whether and how the strategic plan, annual plan, long-term financial management plan and long-term strategic asset management plans of the Council are integrated and the processes by which, and assumptions under which, those plans were prepared;
- the accounting, internal control, anti-fraud, anti-corruption and risk management policies, systems and controls that the Council has in relation to safeguarding its long-term financial position;
- whether the Council is complying with the provisions of the Act and any other relevant legislation;
- whether the Council has taken any action in relation to previous recommendations provided by the Audit Panel to the Council and, if it has so taken action, what that action was and its effectiveness; and
- any other activities within the panel's remit, as determined by the panel.

In fulfilling its functions, the Audit Panel should consider the following key areas:

- corporate governance;
- systems of internal control;
- risk management frameworks;

- human resource management, including policies, procedures and enterprise agreements;
- procurement;
- information and communications technology governance;
- management and governance of the use of data, information and knowledge; and
- internal and external reporting requirements.

8 RESPONSIBILITIES OF PANEL MEMBERS

Members of the Audit Panel are expected to understand and observe the legal requirements of the Act and the Orders. Members are also expected to:

- act in the best interests of the Council;
- apply sound analytical skills, objectivity and judgment;
- express opinions constructively and openly;
- raise issues that relate to the Audit Panel's functions and pursue independent lines of enquiry within the Panel's deliberations and meetings; and
- contribute the time required to review the papers provided.

9 REPORTING

The Audit Panel is to provide a copy of its meeting minutes to the Council as soon as practical after each Audit Panel meeting, preferably for the ordinary Council meeting following the Audit Panel meeting.

If the Audit Panel has conducted a review under section 85A of the Act, the Audit Panel must provide a written report of its conclusions and recommendations to the Council as soon as practicable after the review is completed.

The Audit Panel must provide an annual report to the Council that comprises, at least:

- a summary of the work undertaken and significant findings during the past year;
- a review of the Panel's Charter and, if required, recommended changes to the Council for its approval;
- an update on the membership of the Panel, in particular if there have been or may be change;
- the significant aspects of the Panel's deliberations for the coming year, together with a proposed work plan for the coming year; and
- any other matters deemed, by the Panel, as requiring the Council's attention.

10 ADMINISTRATIVE ARRANGEMENTS

10.1 MEETINGS

The Audit Panel will meet at least four times per year.

15.1.2 Audit Panel Charter 2022

The Chairperson must seek Council approval prior to holding more than five meetings per year. The Chairperson must seek Council approval to hold additional meetings if asked to do so by at least two members of the Panel.

The Audit Panel is to regulate its own proceedings in accordance with this Charter.

The Chairperson may determine that a meeting is to be held in private.

The General Manager and CFO, or their delegates, are to attend Audit Panel meetings unless the Chairperson determines a meeting is to be held in private.

The Audit Panel may invite or allow any councillor and/or employee of the Council and/or representative of the TAO to attend meetings of the Audit Panel.

10.2 QUORUM

A quorum of an Audit Panel meeting will consist of the majority of members, including at least one independent member.

10.3 WORK PLAN

Prior to 1 July each year the Audit Panel is to develop an annual work plan that includes, but is not limited to, a schedule of meetings and the known objectives for each meeting.

All discretionary items referred to the Audit Panel that fit within its remit should be brought before the Panel so it can determine which items will be prioritised for inclusion in the work plan.

The forward meeting schedule should include the dates, location, and proposed agenda items for each meeting.

10.4 SECRETARIAT

The Council, in consultation with the Audit Panel, will appoint a person to provide secretariat support to the Audit Panel. The secretariat will:

- ensure the agenda for each meeting is approved by the Chairperson;
- endeavour to ensure the agenda and supporting papers are circulated at least one week prior to the meeting; and
- ensure the minutes of the meetings are prepared and submitted to the Council as soon as practicable after each meeting.

10.5 INTERESTS

Audit Panel members must declare any real, potential or perceived pecuniary or non-pecuniary interests that may affect them in carrying out their functions. The Audit Panel member with the interest must also notify the General Manager of the Council, in writing, of the interest within seven days of declaring the interest.

Independent members are to consider past employment, consultancy arrangements and related party issues in making these declarations.

A standing item for declarations of interests should be included in all panel meeting agendas.

The Chairperson of the Audit Panel is to ensure that the declaration of an interest is recorded in the minutes of the meeting and any relevant written report.

10.6 CONFIDENTIALITY

Panel members must maintain the confidentiality of any information, documents and communication that the Council or Panel has designated as being in confidence, and only access Council information in order to perform their role as a Panel member.

10.7 CODE OF CONDUCT

Audit Panel members are to abide by standards of behaviour in the Code of Conduct for Members of the Audit Panel (Appendix 1).

10.8 INDUCTION

The Council will provide new Audit Panel members with relevant information and briefings upon their appointment to assist them to meet their Audit Panel responsibilities.

10.9 PERFORMANCE EVALUATION

The Audit Panel will undertake a biennial performance evaluation of its work and provide a report and any recommendations in relation to the evaluation to Council.

The performance evaluation will review the extent to which the Audit Panel has met its responsibilities under this charter and in accordance with the Act and the order.

11 REMUNERATION

Independent members of the Audit Panel shall be paid a fee per meeting attended as approved by Council at the time of appointment.

Council will include independent members of the Audit Panel in its professional indemnity insurance coverage for the services provided to Council.

12 REVIEW OF CHARTER

The Audit Panel Working Group will review this Charter every four years. The outcomes and recommendations from this review will be provided to Council for information and approval.

13 APPROVAL

Approved by the Council on 12 July 2022 (minute reference 141/2022).

Signed: _____
General Manager

APPENDIX 1: CODE OF CONDUCT FOR MEMBERS OF THE AUDIT PANEL

This code of conduct sets out the standards of behaviour expected of the Meander Valley Council's Audit Panel members (members). The standards support the characteristics of good governance outlined in the Good Governance Guide for Local Government in Tasmania (reference below).

As an independent source of scrutiny in the interests of the community, the Audit Panel provides checks and balances on key Council activities and a means of highlighting issues that require strategic attention.

Councillors who are members of the Audit Panel are in a unique position and have an obligation to maintain an Audit Panel perspective in the interests of the community when they discharge their duties as Panel members, i.e. they must display independence of mind, separate from their role as a Councillor.

In performing their role on the Audit Panel, and in acting in the best interests of the community, all members of the Audit Panel commit to the following standards.

1. Effective management of conflicts of interest

Members avoid conflicts of interest that arise between their personal interests and their public duty as an Audit Panel member, as far as reasonably possible. This includes pecuniary and non pecuniary conflicts of interest (actual, potential or perceived). Where avoidance is not possible, members appropriately manage conflicts of interest. Members are responsible for acting in good faith and exercising reasonable judgment to manage conflicts of interest, including the offer or receipt of gifts and benefits.

Council members may at times deal with conflicts of interest as a consequence of their dual roles as an audit panel member and a councillor. This may present as a conflict between the interests of the community (as seen from the Audit Panel perspective).

All members will regularly provide advice of their actual, potential and perceived conflicts to the panel.

2. Proper use of Council information

Members maintain the confidentiality of any information, documents and communication that the Council or panel has designated as being in confidence. Members only access Council information needed for them to perform their role as a panel member and not for personal interests or reasons.

3. Proper use of position

Members perform their role in the best interests of the Council and the community. Members operate within the intended scope of the Audit Panel (as outlined in the Audit Panel Charter) and adhere to relevant Council policies and procedures.

4. Appropriate interactions

Members act ethically and treat all persons with fairness and respect. Members conduct themselves in a way that positively represents the panel, and is in the best interests of the Council and the community. Members interact appropriately with fellow members, councillors, Council staff and the community, and give full respect and consideration of to all relevant information known to them. Members should not interact directly with Council staff without the prior approval of the panel and the general manager.

Further information on the ethical standards covered in this code of conduct, and the terminology used, can be found in the Good Governance Guide for Local Government in Tasmania: (www.dpac.tas.gov.au/divisions/local_government).

Motion to Close Meeting

Motion Close the meeting to the public for discussion of matters in the list of agenda items below.

Refer to *Local Government (Meeting Procedures) Regulations 2015*: s15(1).

Vote Absolute majority

Closed Session Agenda

Confirmation of Closed Minutes

Refer to *Local Government (Meeting Procedures) Regulations 2015*: s34(2).

Leave of Absence Applications

Refer to *Local Government (Meeting Procedures) Regulations 2015*: s15(2)(h).

Council Audit Panel: Re-Appointment of Independent Chair

Refer to *Local Government (Meeting Procedures) Regulations 2015*: s15(2)(d) regarding contracts, and tenders, for the supply of goods and services and their terms, conditions, approval, and renewal.

Extension to Contract No.167-2015-16 - Management and Operation of Deloraine and Cluan Refuse Disposal Sites and Mole Creek Transfer Station

Refer to *Local Government (Meeting Procedures) Regulations 2015*: s15(2)(d) regarding contracts, and tenders, for the supply of goods and services and their terms, conditions, approval, and renewal.

Meeting End
