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Tasmanian Planning Commission,
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Representation, re LPS Meander Valley Council

SHORT SUMMARY OF FINDINGS

This representation is presented in two parts. Each is highly significant and needs to be read in relation to the other part. The representation concerns the significance of Westbury as an historic small town/village in northern Tasmania.

The material provided moves beyond what has been put forward for the MVC LPS, and even what the TPC has stated re former Hearings.

Very relevant information from past reports, studies, research, assessments are included in this representation. It is fully referenced.

It is my professional opinion that what is proposed in the MVC LPS cannot meet the requirements of LUPAA, Schedule 1, Parts 2 (g) and (f).

Part 2 (g) refers to the heritage of places. The Burra Charter in respect of Articles 1, 8 and 24 are of critical significance for this discussion.

(g) to conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value; and

"Otherwise of special cultural value" is considered critically important.

Part 2 (f) too, is integral to this discussion. It has as its overarching statement the health and wellbeing of Tasmanians to ensure a pleasant, efficient and safe environment..... green spaces and their diversity are integral to this argument.

It is noted that there is a considerable contradiction between LUPAA Section 32 (4) (a) and (b) and Schedule 1, Part 2, (g). In Part 2 (g) there is no mention that heritage has to be "unique." It is noted that 32 (4) (b) in its mention of spatial qualities, makes no mention of heritage.

Heritage, place and landscape:

Place and its meaning is critical to what follows.

Character of place is critical to what follows.

Heritage cannot be divorced from place. Places and landscapes evolve and have done so since time immemorial. Landscapes are not static; they are constantly changing.

In Tasmania assessment of place, the character of place, of evolved landscape is largely missing. It's my professional opinion it is not understood at the Executive Planning level.

Westbury must be considered as a Historic Town Landscape.

It's the "how" of the change, the "management" of the change across time which is the critical element.

It is the understanding, the meaning of place which is critical to what follows.

It is the interconnectivity between the natural, cultural, perceptual and aesthetic elements which are of critical assessment and evaluation in place and landscape evaluation.¹ (See Part 2, Appendix 1A, Diagram 1, Figure 1).

The Burra Charter is of critical importance to consider.

Such appraisal appears not to be recognised by the TPS nor by Meander Valley Council in the LPS put forward.

Westbury as a Historic Town place.

Westbury has a gridded almost square pattern of streets and many hedges. Maps, plans are provided to illustrate how across the nineteenth century this pattern remained intact. (See Part 2, Appendices 3A, 3B).

It may be the best and earliest remaining example of this type of historic town pattern grid in the nation. It is compared with Braidwood in NSW;

¹ See Sheridan Gwenda. Professional contracted work to numerous Tasmanian Local Councils, Heritage Tasmania, Australian Government, Royal Tasmanian Botanical Gardens, Department of Fisheries, re planning, historical landscape research including landscape conservation plans for Brickendon Estate (re WHA listing) Woolmers Estate (WHA listing) City Park, Princes Park, Queen's Domain, Wellington Park Trust, Brighton Council, private clients, Hobart City Council, Kingborough Council, and more. Published work, (eg. AGHS, Tasmanian Planner, Australian Planner) and a great many lectures and talks. Previously University teaching, and research. National and International Appearances at conferences.

listed by the NSW Dept of Heritage and Planning for the grid and its cultural significance.

Noted, included in, commented upon, is the work of Paul Davies Pty Ltd in 2006 in respect of the township of Westbury.

One asks, why has Tasmanian planning system moved so far away from the heritage of place, this place in particular? As two different heritage experts we both see "unique" patterns in this town.

Opportunities may be lost and quite quickly, (eg. the nonsensical Government decision (my view to put a prison anywhere near Westbury).

Green spaces.

The ratio of green spaces, (whether private and or public inherent therein) to built form is critical for Westbury Township.

This goes to the heart of the intent of Schedule 1, (LUPAA) Parts 2, (g) and (f) and place perception.

There is an emerging history of plantings in Tasmania, many still found in public places, private gardens and beyond.²

Westbury is the only town known to have a village green.

An argument is put forward, that green spaces, (eg. gardens, old trees, private and public open places) are extremely important both for health (climate change and global warming) and heritage.

What is being lost:

What has the potential of being lost is the character of the place. The roots of place; its Life-World. What makes Westbury what it is; the interwoven, interconnected natural elements, their connection to the cultural, social, perceptions, memories and aesthetics that make up this "place"; this town.

Returning to Part 2, Diagram 1, Figure 1, the cultural place, the memories and aesthetics of Westbury Township display immense diversity across those major parameters. It includes the setting of the town, views outwards, views inwards and more.

In a nutshell, the contributory factors explored are those for heritage conservation. It is the diversity of major and minor elements which

² Gwenda Sheridan. See footnote 1. However published work extends way beyond footnote 1. See for example, The Launceston Horticultural Society: A History. Published for the Society in 2013 to celebrate their 175 year anniversary. The Australian Garden History Society has published a number of my works. In 2020, ICOMOS Australia has published, a Sheridan document on Cambria.

collectively interconnect and contribute to create the character which is the place.

Such parameters, (small and large) are almost a reverse of those in the "fairer, faster, cheaper, simpler" TPS model; the urban-suburban "regulations" mechanical numbers model which is where Executive Planning Tasmania has gone. It is where local councils have been forced to go.

In my professional view, the TPS model simply cannot be "fitted" to historic villages/historic towns in Tasmania.

Density, Infill, Residential and other Zonings, (and their requirements) mandatory Lot Sizes, PD 4.1 etc lie at the heart of this loss of the character of place and its diversity. If Westbury is to be "saved" as an historic village, then the Government "new" TPS planning regulations cannot be applied to it.

The "new" TPS patterns are considered to be irreversible.

Such patterns have been researched; called rootless-ness, placelessness.

Where there was once a large number of contributory elements to the diversity of a place, what happens in 2020 is very different.

Entally:

This representation cannot support the proposed General Residential Zoning for Entally (Paddock Y). For 190 years this has been a paddock. It was identified back in 2002 as part of the cultural landscape of Entally and of views outwards (setting) from the property being extremely important. What is proposed cannot accord to the Burra Charter.

The Commission is directed to the work of Mary Knaggs³ in 2002 in respect of Entally.⁴

It is understood that the owner of Rutherglen is also the lessee of Entally House. It is not known whether the owner leases the paddock in question.

³ **Mary Knaggs. Vice-President, ICOMOS.** Fabric Conservation Reference Group EC Representative, Australian Heritage Quality Framework Coordinator, Jim Kerr Address Steering Committee Coordinator & EC Representative, 2018 Pasifika Conference Coordination EC Representative. <https://australia.icomos.org/about-us/executive-committee/mary-knaggs/>

⁴ Mary Knaggs And Dick Bryden: *Entally House Historic Site: Strategic Conservation and Asset Management Plan. 2002. Tasmanian Heritage office.*

The paddock, (named as Y in the Knaggs' Report) has seen 190 years of having a rural pattern.

It is hilly land and so is immediately seen coming from Hadspen, where the road takes a bend, (Entally on the right hand side of the road).

Given where MVC wish to proceed to, and apparently acknowledged by the TPC Commissioners, this paddock is slated to become a place of urban-suburban residential development with infill.

From 3.05 Knaggs et al. Impacts of Catch-Up Maintenance and Adaptation.

Conserving the rural and landscape setting of Entally is a prime objective.

Area Y: [is the proposed SAP area shown below]

1. This area should remain part of the EHHS complete with Right of Way to Rutherglen to conserve the cultural landscape setting of Entally. (Sheridan underlining and in red)

Area Y: Forms an important curtilage for Entally by maintaining a rural setting and the ability to control or influence development which may have negative impacts on views from main area of the site and setting and vehicular approach generally.⁵

Curtilage has to be changed in the definitions of the Westbury Scheme.



Paddock Y is the proposed SAP paddock.

⁵ Ibid. 4 of 6 Entally House SAMP. Appendix C ,Area L, N-Q, S, T, X-Z. Paddocks.

PART 1.

There are two parts to this representation; Parts 1 and 2. The sections in Part 2 (Appendices) amplify what has been written in Part 1. They need to be read in conjunction with each other.

Section 1. Introduction.

For something in the order of 23 years the author has been completing original research on the history of planning and landscape in Tasmania. I probably understand planning history reasonably well. I've been a member of the Planning Institute for 33 years. For longer than that, I've been involved with heritage research and its connection to historical planning. I am a full member of ICOMOS, and an A-ICOMOS-ISC-CL (International Scientific Committee, Cultural Landscapes). In 2018 I presented work to this A-ICOMOS Committee, on the Cultural Landscapes of Cambria Green. That has since been published by ICOMOS (2020).

Area of place matters; it MUST be considered.

At the outset, the TPC will be concerned with just a part of Westbury, that under the zoning of Low Density Residential.

However this siphoning off, of albeit quite a large chunk of what is the historic small town/village, misses the bigger heritage picture -the town in its entirety - the town MUST be considered in its entirety.

That whole place is a town landscape. An historic town landscape. It's environs are highly significant. That also involves the potential of building a prison on the outskirts of Westbury.

This is a principal flaw in the Government's "new" planning system. Taking bits, blocks, individual sites and never actually concerning itself with the big picture... the reality on the ground. The "new" system has concentrated from the bottom-up on regulation but one that has massive holes everywhere in it.

There appears to have been no work done on any audit of what is actually out there in the town landscape (developed or natural) as regards place, how significant or otherwise it is. Policy work and Guidelines ought to have followed from the audit. It hasn't happened.

Heritage has all but been ignored in the "new" TPS system.

Why?

All places have a heritage. All landscape(s) have a heritage component.

Tasmania has repeatedly ignored landscape and place assessment. The New South Wales and Victorian Governments recognise the importance of evolved historic landscape. Victoria for example is firing ahead with Historic Urban Landscapes, HUL, (Ballarat Shire) via ICOMOS and Deakin University.

As the second colony settled why doesn't Tasmania recognise this very important component of land evaluation?

Tasmania's obstinacy in this respect sees it being left far behind if it continues in its present trajectory.

Landscapes are not static; they are constantly changing and evolving.

The First Nations Peoples were a part of these evolving landscapes.

It's the "how" of the change, the "management" of the change across time which is the critical element.

In Tasmania this is missing.

It is the interconnectivity between the natural, cultural, perceptual and aesthetic elements which are of critical assessment and evaluation in place and landscape evaluation.⁶ (See Appendix 1A)

It has been sidelined in Tasmania. The "new" "TPS planning" changes don't recognise the importance, significance, interconnectivity, key variables (or elements), the authenticity of Heritage Places. This is very much connected to what is known as the character of a place. Embedded in the "character" is the past, and that is what has to be unearthed (See Figure 1, p. 1 Part 2) and Part 2.

Area assessment is critical for example of a small town such as Westbury.

When free colonial settlers arrived in VDL, convicts became Ticket of Leave and free persons, regulations were gradually put into place, (courtesy of the

⁶ See Sheridan Gwenda. Professional contracted work to numerous Tasmanian Local Councils, Heritage Tasmania, Australian Government, Royal Tasmanian Botanical Gardens, Department of Fisheries, re planning, historical landscape research including landscape conservation plans for Brickendon Estate (re WHA listing) Woolmers Estate (WHA listing) City Park, Princes Park, Queen's Domain, Wellington Park Trust, Brighton Council, private clients, Hobart City Council, Kingborough Council, and more. Published work, (eg. AGHS, Tasmanian Planner, Australian Planner) and a great many lectures and talks. Previously University teaching, and research. National and International Appearances at conferences.

Colonial Office, British parliament). This saw landscapes undergo quite dramatic changes, quite quickly. See Appendices 3B, 3B (1).

We are now (in my view) in another period to equate to that of Lieutenant Governor Arthur as to dramatic landscape-place-area change.

One that has methodically unstitched the Suite of 1993 Legislation and brought in the "fairer, faster, cheaper, simpler" TPS model.

One which ignores the previous 200 years and the thousands prior to that.

This is simply not best practice rigorous planning. It is not "planning at all." It is a mechanical regulations template being placed across Tasmania so that the one-size-fits-all cannot help to become (is becoming) the "new" patterns island-wide.

Heritage must be considered. The "new" TPS⁷ patterns are unacceptable.

Westbury and the area(s) surrounding Westbury are of immense importance in this respect of colonial landscape change. This, because the area was settled relatively early in the history of VDL settlement. There are distinct patterns which emanated.

It is extremely important to understand these patterns. This in order to determine their significance, authenticity and so on (See Appendices 3B, 3B(1,) 3C).

This representation goes only so far in this respect.

Section 2A:

A definition or two.

Professionally , Westbury is considered an historic small town/village in Tasmania. The entire "area" (landscape) of the town is considered historically significant.

The evolved heritage of this small town/village cannot be just passed over.

These Burra Charter 2013 articles and the explanatory notes are critical to where this discussion is taking us in understanding why assessment of 'place' (in this instance Westbury Town) as a place is essential.

Article 1. Definitions For the purposes of this Charter: 1.1 <i>Place</i> means a geographically defined area. It may include elements, objects, spaces and	Explanatory Notes Place has a broad scope and includes natural and cultural features. Place can be

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views. Place may have tangible and intangible dimensions.	large or small: for example, a memorial, a tree, an individual building or group of buildings, the location of an historical event, an urban area or town, a cultural landscape, a garden, an industrial plant, a shipwreck, a site with in situ remains, a stone arrangement, a road or travel route, a community meeting place, a site with spiritual or religious connections.
1.2 <i>Cultural significance</i> means aesthetic, historic, scientific, social or spiritual value for past, present or future generations. Cultural significance is embodied in the <i>place</i> itself, its <i>fabric, setting, use, associations, meanings, records, related places</i> and <i>related objects</i> . Places may have a range of values for different individuals or groups.	The term cultural significance is synonymous with cultural heritage significance and cultural heritage value. Cultural significance may change over time and with use. Understanding of cultural significance may change as a result of new information
1.3 <i>Fabric</i> means all the physical material of the <i>place</i> including elements, fixtures, contents and objects.	Fabric includes building interiors and sub-surface remains, as well as excavated material. Natural elements of a place may also constitute fabric. For example the rocks that signify a Dreaming place. Fabric may define spaces and views and these may be part of the significance of the place.
1.7 <i>Restoration</i> means returning a <i>place</i> to a known earlier state by removing accretions or by reassembling existing elements removing accretions or by reassembling existing elements	It is recognised that all places and their elements change over time at varying rates.
1.11 <i>Compatible use</i> means a <i>use</i> which respects the <i>cultural significance</i> of a <i>place</i> . Such a use involves no, or minimal, impact on cultural significance.	
1.12 <i>Setting</i> means the immediate and extended environment of a <i>place</i> that is part of or contributes to its <i>cultural significance</i> and distinctive character.	setting may include: structures, spaces, land, water and sky; the visual setting including views to and from the place, and along a cultural route; and other sensory aspects of the setting such as smells and sounds. Setting may also include historical and contemporary relationships, such as use and activities, social and spiritual practices, and relationships with other places, both tangible and intangible.
1.13 <i>Related place</i> means a <i>place</i> that contributes to the <i>cultural significance</i> of another place.	Objects at a place are encompassed by the definition of place, and may or may not contribute to its cultural significance
1.14 <i>Related object</i> means an object that contributes to the <i>cultural significance</i> of a <i>place</i> but is not at the place.	
1.15 <i>Associations</i> mean the connections that	Associations may include social or spiritual

exist between people and a place	values and cultural responsibilities for a place.
1.16 <i>Meanings</i> denote what a <i>place</i> signifies, indicates, evokes or expresses to people.	Meanings generally relate to intangible dimensions such as symbolic qualities and memories.
1.17 <i>Interpretation</i> means all the ways of presenting the <i>cultural significance</i> of a <i>place</i> .	Interpretation may be a combination of the treatment of the fabric (e.g. maintenance, restoration, reconstruction); the use of and activities at the place; and the use of introduced explanatory material.
Article 8. Setting <i>Conservation</i> requires the retention of an appropriate <i>setting</i> . This includes retention of the visual and sensory setting, as well as the retention of spiritual and other cultural relationships that contribute to the <i>cultural significance</i> of the <i>place</i> . New construction, demolition, intrusions or other changes which would adversely affect the setting or relationships are not appropriate.	setting is explained in Article 1.12.
Article 24. Retaining associations and meanings 24.1 Significant <i>associations</i> between people and a <i>place</i> should be respected, retained and not obscured. Opportunities for the <i>interpretation</i> , commemoration and celebration of these associations should be investigated and implemented	For many places associations will be linked to aspects of use, including activities and practices. Some associations and meanings may not be apparent and will require research.

Section 2B:

The Commission (under section 35(K)(c) of LUPAA rejected the MVC draft LPS, directing the planning authority to substantially modify parts of the draft LPS in accordance with the notice at Attachment 2.

What those decisions illustrate very clearly is that "planning" as envisaged and then promulgated in the "new" 2014 regulations SPPs, (LUPAA, Major Projects TPS, and beyond) effectively divorced planning and heritage from each other.

- Place as defined in the Burra Charter has simply been ignored.
- Noted is that Westbury has not listed a single local heritage place. This despite the fact that the Davies Heritage Study of 2006 completed in the past indicated large numbers of heritage places.
- Westbury has an enormous amount of heritage, via planning history, rural estates and properties, historic villages/towns, historic plantings and more. (See Appendix 2B.)

Section 3A.

Westbury specific.

The TPC document of 24 February 2020 is noted. However,

- Noted particularly in LUPAA for example is the following:

32(4) An LPS may only include a provision referred to in subsection (3) in relation to an area of land if

(a) a use or development to which the provision relates is of significant, social economic or environmental benefit to the State, a region or a municipal area or,

NOTE: Omission of Heritage in the above statement.

(b) the area of land has particular environmental, economic, social or spatial qualities that require provisions, that are unique to the area of land to apply to the land in substitution for, or in addition to or modification of the provisions of the SPPs.

32 (4) (a) and (b) have a certain rigidity attached to what they state. A heritage "benefit" for example to a place is obviously not envisaged. Again at 32(4) (b) the area of land has to have spatial qualities for example that are considered "unique". Do we have a technical planning definition of what "unique" means in Section 3 of the Act. No we don't.

This is considered overplay and extremism of the worst kind. Are "spatial qualities" defined anywhere?

- Section 32 (4) (a) and (b) have to be balanced against what Schedule 1 of LUPAA, Part 2 (g) states:

Part 2 (g) to conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value.

- Noteworthy in (g) is the mention of areas, places, aesthetics, historical interest and cultural value. *The spatial "qualities" do NOT have to be unique.* Section 32 (4) (a) and (b) must include what Part 2 (g) intends. Not the other way around.

Schedule 1 Part 2 (f)

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

Is what is happening "efficient"....."pleasant", taking into account climate change and global warming? One that ought to involve an entire discussion about private/public green spaces, what they mean, land uses, (such as forestry and the former FPPFL), the meaning of the RMPS, (Part 1, for example and ecological sustainability) the ratio of built to green space, courtesy of the "new" TPS planning Government model. Assessing the intent of the RMPS??

Section 3B.**Planning History: The gridded street pattern of Westbury.****See Appendices 3B, 3B (1)**

Professionally, Westbury is considered an historic small town/village in Tasmania. The entire "area" of the town has to be considered. There has,

- been no evaluation of the planning history of this town;
- area evaluation of the "place" as an historic "place" of significance, or
- of the historic gridded street pattern that is present
- of the significance and authenticity of that pattern which has survived some 190 years,
- of the contribution that this place/pattern /authenticity might mean nationally.

Westbury plans are available from the early 1830s and show an exceptional gridded pattern to the present time. James Scott was the Deputy Surveyor General and his maps, plans are considered very good for his time. There is also an aerial image of 1921. See Appendix 3B. The Scott Cornwall 52 Plan (late 1820s?), is considered extremely significant as historical evidence. Compare this entire map plan with the size of Launceston, (then) and the projected size of Westbury. *Westbury was seen to become a most important town westwards.* It was drawn (to become) much larger in size than was the Macquarie town of Perth for example and larger than many other early rural Tasmanian town plans.

There are a series of Westbury town map plans, 1832, 1837, 1847 (or 1849) etc. in Appendix 3B. These show the progress of the gridded pattern of streets progressing eastwards. Some of the original pattern was interrupted, potentially by flooding or the fact that the land was too close to Quamby

Brook. By 1850, the soldier settlement grants were shown again in the mapping and with the same or a similar pattern. [See Appendices 3B, 3B (1)].

Early town gridded street patterns in rural places were put in place for New Norfolk, (Elizabeth Town) Brighton, (completely disappeared), Rokeby (small and never developed) but were generally smaller in scope, and didn't retain the early dominance of square and or rectangular gridded street patterning. When Scott produced Cornwall 52, Westbury was marked out as a military, police town for the surrounding lands as well as for a "push" westwards for land colonisation. Other towns were often affected by their natural environments which influenced their grid pattern; Westbury on flat land north, south, east, west, was also strategically placed next to a freshwater source.

As the century progressed, the early pattern was added to by the regularity of the Soldier Settlement blocks. During the 20th century the major parts of Westbury's regular gridded street pattern was retained. The aerial image shows that very clearly in 1921.

At this juncture it is interesting to determine where the NSW Department of Heritage and Planning went with one of their rural towns; Braidwood for example.⁸

The inception date of Braidwood is slightly later than that of Westbury; 1837. It is listed by the Department of Planning and Heritage NSW as *Braidwood and its Setting*. With a category; Townscape. Historical notes are attached, and properties are listed.

Under *Survey Grid* is the following, (See also Appendices 3A, 3B))

Survey Grid

The preferred method of land survey at the time was effectively to lay a rectangular grid over the land surface, preferably in advance of settlement so that selected blocks could be accurately located. This was the system adopted earlier in the United States and such a survey system commenced in NSW in 1821. However, Governor Darling's instructions from London of 1825 required that the natural boundaries of the counties (rivers and ranges) be surveyed for valuation purposes before any more land could be alienated. Consequently, the few available surveyors were set to mapping rivers and ranges directly, rather than by plotting them in the course of extending a series of grid lines as was done in much of the United States.

.....Braidwood is a very good surviving example of a colonial Georgian town plan with its simple grid still largely intact.....

⁸ <https://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=5054706>

Surveying was exceptionally difficult in VDL given its topography; and as well, there was an acute shortage of well trained surveyors.

3C: Cultural elements interconnected with the Townscape heritage; (Landscape diagram Figure 1) and character of place, See Section 1. p.2. Other cultural elements, Burra Charter.

Section 3D.

Social, cultural, memories, perceptions. (See Diagram 1. And Burra Charter)

Westbury as a place is also a landscape; a rural historic town landscape. The perceptions and memories of Westbury town can be determined from many, many useful sources.

See Appendix 3D. As well, See Diagram 1, Figure 1. Part 2.

Section 3E: (1)

Private and public green space. Tree planting, gardens, conifers.

See Appendix 3E.

See Sheridan research on Tasmanian landscape, gardens, trees. Some has been published.⁹ There have been innumerable lectures and talks across decades.

Tasmania has a wealth of critical contributory history under this element; it's considered a critical adjunct to the architectural history theme. The two actually sit well together. However it isn't well documented by Heritage Tasmania or any local Council with perhaps the exception of Hobart City Council.

It is integral to understanding place, Heritage of place, character of place and landscapes, including town landscapes like Westbury.

It is integral, (as I view it) to the meaning and intent of LUPAA, Schedule 1, Part 2 (f).

⁹ See for example: Gwenda Sheridan. Insights into Tasmania's cultural Landscape: the conifer connection. Keynote address, *The Vision Splendid*, 31st Annual National Conference. Australian Garden History Society, Launceston Tasmania, 5 November 2010. See Australian Garden History Journal 22 (4) April, May, June 2011. Gwenda Sheridan; Tasmanian Historic Gardens and Their 'Prospects'; Then and Now'. In: *Studies in Australian Garden History*. Managing Change in Historical Landscapes. Vol. 3. (eds) Dr John Dwyer, Dr Jan Schapper. Gwenda Sheridan. *The Cultural Landscape of the Cambria property near Swansea, East Coast, Tasmania*. In: Cultural Landscape Diversity and the Implications Management. Australia ICOMOS. *Rural Landscape Symposium Proceedings*. Hobart Tasmania 10th November 2018. See also Gwenda Sheridan. 2004: Unpublished: *Heritage Trees Across Tasmania*. 2 Vols. RTBG as a part of their Bi-centenary.

The Commission is directed to the work of J.S. Kerr, 2013: *The Conservation Plan*. ICOMOS. 2013. Kerr's work is referenced in the State Planning Provisions. Where is there a Landscape Management Plan for Westbury Historic Town?

The Commission is also directed to the Amendment (15 pp.) PSA-19-3 re the Hobart City Council and Significant Trees: Hobart Interim Planning Scheme 2015. 12 March 2020.

Meander Valley Council certainly does not have one.

The Royal Society's Garden planted the first public Pinetum in the nation in 1849; (some remain) and as the trees grew, various public organisations, private individuals were sent trees. Many of these still exist in the 2020 landscape(s). Lists of what went where and when are available from the Royal Society's records. In northern Tasmania, the Launceston Horticultural Society is also considered extremely important in plant dissemination.¹⁰

Diversity, variety, contrast, symmetry in landscape are key properties. Another is the overarching interconnection of, integration and association with, parts to other parts; that concept of wholeness. This is possibly the most profound lesson to take forward into the future for Woolmers; what happens in one part, will influence other parts. Other profound insights include the fact that both landscape ideals saw observation of place and natural spaces as absolutely essential to the understanding of beauty and wholeness, both evolved across a long time span, and both saw 'nature' as the core.¹¹

What is not widely known as well across Tasmania is that from the period of approximately the 1880s, there was further widespread concerted effort to plant exotics (and many conifers) across this state. However details of the plantings of "forest" trees, (well known deciduous species) were planted from earliest times. By the latter part of the nineteenth century, however Tasmania was being described as 'the garden state of Australia'.¹² It was thus ahead of other states like Victoria.

Plantings such as those at Westbury are not listed. There a number of *Sequoiadendron giganteum* trees for example dotted around Westbury. As a collective group in Westbury more remain than in most other towns. MVC has failed to recognise the significance of its older tree species to individual

¹⁰ See Gwenda Sheridan. *The Launceston Horticultural Society. A History*. Artemis Publishing. 2013. Peter Cundall reviewed it, Mercury 29 June 2014, and saw its immense significance to northern Tasmania.

¹¹ See Gwenda Sheridan. *Gardens, Grounds and Pattern Languages*. Woolmers, 1857-2006. unpublished work. 5 Vols. for the WHA listed property of Woolmers. Vol. 3. P. 7.

¹² Middleton and Maning: *Tasmanian Directory and Gazetteer*. 1887. Alec Middleton and Francis Beresford Maning. Hobart. 1887. 38. See also, Tasmanian Tourist Association: *Beautiful Tasmania: A Compendium for Tourists visiting Tasmania*. 1912. 8-9.

lots, streetscapes, rural lands and properties; such plantings were to help beautify many areas of Tasmanian landscapes.

Dates of plantings for the nineteenth century can in some cases be accurately dated. In the Westbury Council Minutes, AOT: AB724/1/1, 5 July 1883; football was being played on the Green; it was damaging the plants.

A defined date for these Village Green planted trees was given as 2nd June 1881 in the Minutes; (AOT; AB724/1/1; 3rd March 1881, 2nd June, 1881, pp. 441, 445). These trees had to have come from the Royal Society's Gardens, given their species types; later Council records indicate that Westbury went on planting trees from the Royal Society's Gardens and that they were sent up by train. Those around the oval and recreation ground date from 1900-1901.

Older plantings, private open spaces, older garden plants make a significant contribution to Westbury's character of place. They need to be identified; are an integral part of the "charm and rusticity" of the town.

MVC needs a significant plant register; an audit of what is present has not been completed.

The hedges.

The words 'authentic' and 'intact' often appear in conservation plans and they should be used with precision. Intactness refers to the degree to which the place and its fabric is still all there—authenticity to whether what you see is the real McCoy¹³
....

A boundary is described by Kerr as 'a line defining and enclosing a piece of land.'¹⁴

Westbury's street hedges are considered unique in Tasmania. There is a sense of enclosure.¹⁵ They may well be unique in the nation.

¹³ James Semple Kerr. *The Conservation Plan*. 2013. ICOMOS.. 32.

¹⁴ Ibid. 32.

¹⁵ See for example Jay Appleton. *The Experience of Landscape*. 1976. This author put forward their theory of 'enclosure' and 'prospect' in his writings.



Streetscapes, Westbury 2020



Many hedges were certainly in place in 1921, (see aerial image, Appendix 3A). They replicate patterns of hedging that occur across the Meander Valley and the Northern Midlands rural landscapes. This character pattern aspect is therefore interconnected to the rural patterned landscape(s) of this part of Tasmania. The pattern is one of the earliest re settlement in rural Tasmania. These patterned hedges have not been recognised by Heritage Tasmania that I'm aware of. They separate titles of land ownership and elsewhere can signify field boundaries. They go all the way back to VDL's

original settlement patterns; it signifies one of enclosure but also of necessity for the time.

Below: the "new" township pattern presents as very different.



Section 3E (2): See Appendix 3E.

Aesthetics contains an interesting bundle of formalised elements in the Landscape Diagram. What is required here is for the expert to determine place as per that diagram with its associated parameters.

Thus Density becomes incredibly significant, as does Infill as does ascribed Lot Size and specific Zoning. Each affects character of place in a dramatic way. As I understand it, in the TPS "model" there appears no densities per zone defined, while infill has no policy of guidelines attached to it.

It becomes perfectly obvious how the "landscape" for example of urban Kingston has changed, given the welter of infill, strata titling and lack of green private spaces that have disappeared, since the 2014-2015 planning changes. Parts of Kingston are becoming a concretised landscape(s) at the vertical/horizontal level. These "places" are not exactly going to be a comfortable places to live in and walk in when the Tasmanian temperatures in summer are 35 degrees or more. Climate change is connected to planning in a big way.

Meanwhile, two commentaries, one past, one present provide many insights into connecting the dots. Commentary on Tasmania's beauty and its landscapes started very early in Tasmania and continues to the present time.¹⁶

¹⁶ See for example Treasure Island. Mercury. October 10, 2020, Linda Smith, Grant Dixon: Wild at Heart, TasWeekend, 10-11, October 2020.

The two most English parts of Tasmania are about Bushy Park and New Norfolk in the south and at Longford and Westbury in the north. Seen from the hill by 'Mountford' Longford looks a real English market town, - or rather village. When the gorse is in flower it makes a perfect picture of the old world, with the willows by the river and the smoke curling above the trees of the churchyard while round about are the green fields and beyond is the blue ridge of the Tiers. Entering from the Pateena road one sees a broad vista of rich pasture land, divided by scores of hawthorn hedges. In mid-September it makes an unforgettable scene.... Orange gorse, yellow wattle, white lambs, fresh foliage of the willows, neat haystacks and dark clumps of pines.¹⁷

There would not be agreement in 2020 about the gorse while willows are not happy travellers in 2020 either. Haystacks now are rolled by machinery and so are not the haystacks of Monet's time. It is interesting nevertheless to read how a modern online tourist assessment of Australian towns describes Westbury. The above description, draws in numbers of essential elements to give the "spring" picture of the place which has as Heidegger described it, reflects a perception of "being in the world."¹⁸

Westbury, TAS¹⁹

Historic, quintessentially English village in northern Tasmania.

One of the elements that makes small English villages so captivating is the sense of surprise. You never know what you will see around a corner - a thatched cottage, a view across a river, a town square. Westbury, a little piece of England in Australia, is like that. Around a corner you will find a village green, tree-lined streets, old courtyards and stables, elegant inns and charming houses. It is a feast of Victorian and Georgian buildings. Not surprisingly it is a classified historic town where the visitor simply has to get out of their vehicle and start walking.

Sorry, AussieTowns, Westbury is NOT a classified historic town in 2020. With some clarity and preciseness, the social, cultural, historic and aesthetic elements are drawn together above to give a picture of a place.²⁰

Where else in Australia for example is there a village green? A unique piece of public open space?

¹⁷ A. Geoffrey Horner. *Tasmanian Journey*. Cat and Fiddle Press. Hobart. 1936. Revised in 1974.

¹⁸ See Van Nes Akkelie. The Heaven, the Earth and the Optic Array: Norberg-Schulz's Place Phenomenology and its degree of Operationability. *Footprint: Architecture and Phenomenology* Autumn 2008, 113-34.

¹⁹ <https://www.aussietowns.com.au/town/westbury-tas>

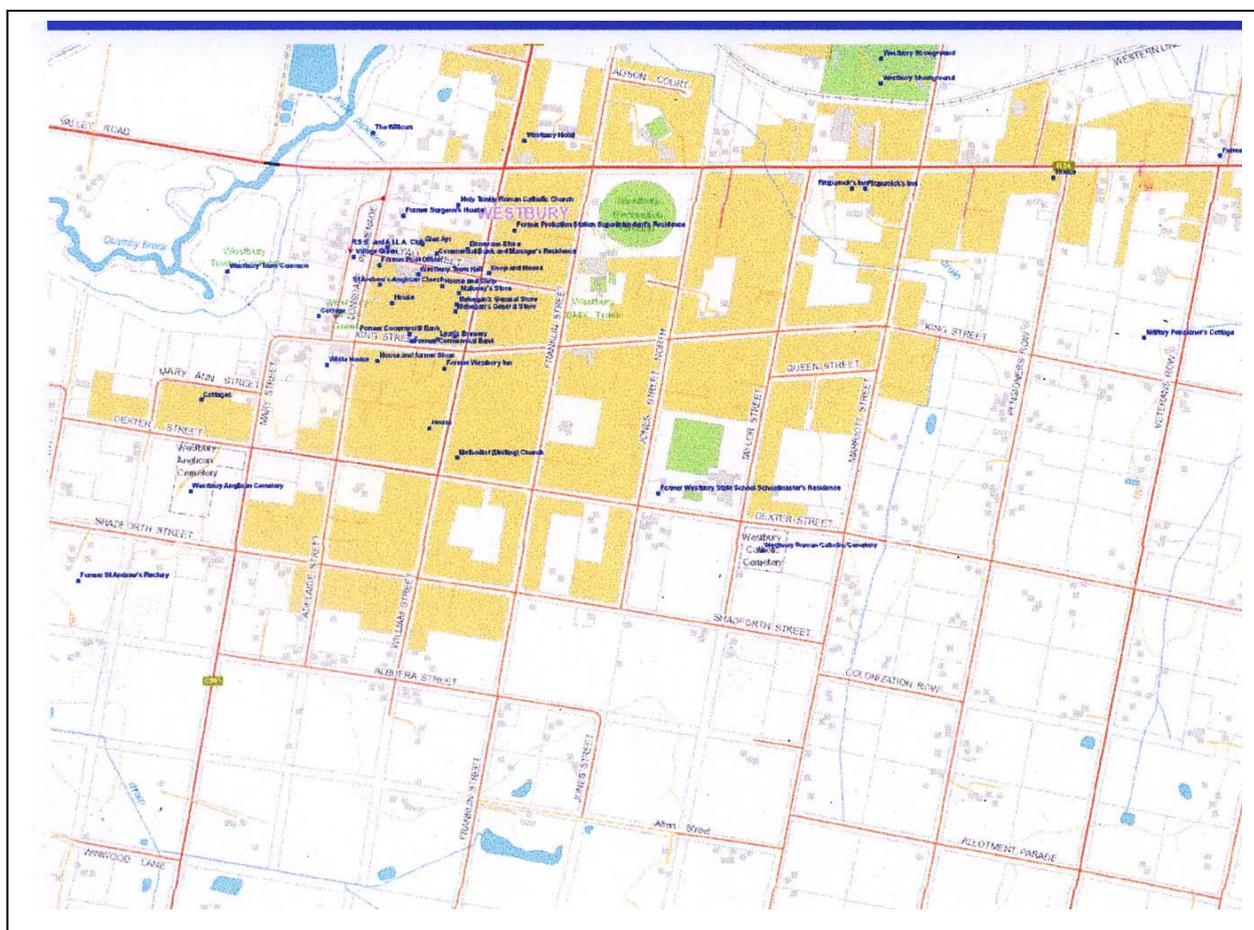
²⁰ See Van Nes Akkelie. Op. cit.

Section 3F (1). The past and the present intersect: Fault lines.

The List plan below with the gridded pattern of streets, does not show the extensive hedging of the properties along the various streets.

Paul Davies' work (2006) particularly noted on p.3 of his document that the work was to "determine which places have potentially State level heritage significance and which have local heritage significance." It was suggested that there "might be 200-250 new Heritage items" that "would be identified, as well as some heritage precincts."²¹

For most villages and towns, for example, it is the collective value of the building stock, streetscapes and landscape features that is of heritage value and that provides the character that makes the council area attractive. Issues of urban design and character are outside the scope of a heritage study but heritage is a key component in the character of a place and should be considered in the review of any future review of the planning scheme.²² P. 6 (Sheridan underlining)



This plan above with some of the heritage buildings marked has been taken from The List. Only a part is shown here.

²¹ Paul Davies Pty Ltd. *Meander Valley Heritage Study: Study Report. 2006. 3.*
²² *Ibid.* p. 6.

..... In larger centres such as Westbury and Deloraine there are several precincts related to parts of the town, residential areas, rural areas and commercial areas.

Westbury - core village area
 - rural surrounds
 - early field patterns²³

..... It is the overall heritage character of a place that gives it its unique character.²⁴

See Appendix 3F (1)

Westbury Precinct²⁵
 Character

This area, known as Pensioners and Veterans Row is a unique area within the State with its pattern of small lots in a tight grid bounded by streets and planted with hedgerows. The pattern of four square lots to a block has largely remained unchanged. Most lots also retain their hedgerow boundaries that are the major and defining visual characteristic of the area. While many of the streets are formed and accessible a number of the fringe road reserves are not occupied but remain clearly discernible in the landscape²⁶.

The problem with the TPS "new" planning regime is that it is "regulation-heavy", inflexible, rigid, with its prescriptive SPPs; zones, lot sizes, densities, infill a huge problem for heritage.²⁷ In Planning Schemes as a result one observes phrases with no actual definition, contradictions between what is said in one part of a Scheme to another part etc.

The TPS fails in my view because it doesn't adequately cope with place, or character of place, or with evolved landscape(s) at any scale.

Schemes have to further the Objectives of the RMPS in my view. Schedule 1, Parts 1 and 2. **They can't. See Sections Part 2 (f) and (g).**

Then as well, now Planning Schemes can be just by-passed with an unsuitable Amendment, a Major Project or perhaps an SAP, (see Cambria Green as example). This is seen as an intractable issue by Sheridan. It also includes Government decisions such as the Westbury Prison.

Section 3F (2) (a).

Meander Valley Interim Planning Scheme.

See Appendices 3F (1), 3F (2) (a), 3F (2) (b) for comments.

²³ Ibid. p. 7.

²⁴ Ibid p.9.

²⁵ Ibid. pp. 29-30.

²⁶ Ibid. pp. 29-30

²⁷ See also Rob Nolan Tasmania Under COVID-19. Planning News. Vol. 46 No. 9 Oct 2020. P. 11 "To date nothing has been seen of a Tasmanian Planning Policy." (Sheridan underline)

Heritage must be properly protected nationally, at the Tasmanian state level, and at the local level.

See p. 2 (and Figure 1) p. 3, Sections 2A, 3A. The actual registration of the property "site" is critical. Curtilage means the entire title (s) of a property in the heritage Burra Charter lexicon. That needs to be changed in the MVC Planning Scheme. See NSW Heritage and Planning for curtilage definitions is most appropriate.²⁸ **The Curtilage definition has to be changed; it is misplaced and does not reflect best practice.**

Noted is that in LUPAA in the past there used to be Section 60; that section necessitated a wider appraisal of heritage properties.

Section 3F (2) (b). The very real fault lines; Heritage and Planning.

See Appendix 3F (2) (b). MVC Scheme extracts

At times in the MVC Scheme, (see extracted parts at Appendix 3F(2) (b), one views a slight intent shift towards landscape. At **3.5.2** for example there is "support "for the management of both Aboriginal and European heritage, and for the "complex cultural landscapes of the valley/".

But then the MVCPS meets heritage head-on; what the planners presumably see as opportune for this historic Town. **At General Residential 10.2 for example Westbury is to be supported as a "growth centre."** There are no guidelines as to this "growth", the zonings, its density, amount and type of infill. In the modern lexicon of PD4.1, and the TPS, planning that means very small lot sizes, a lot of concrete and strata titling. Even at (c) "underutilised, internal land" is to be promoted. **It means urban-suburban Tasmania has the potential to "move" into an historic town especially into the area zoned as Mixed Use and /or General Residential. This cannot be supported.**

The area of the applied "growth centre" (ie zoned as General Residential) is depicted southwards, to Dexter Street and and or further south. It has grown westwards as well.

- If Westbury is to be "saved" as an historic village, then the Government "new" TPS planning regulations cannot be applied to it.
- One notes how the planner at Westbury has "attempted" to try to fit the MVC Scheme for "future" potential developments into what is actually on the ground.

²⁸ *Heritage Curtilages*. Heritage Office NSW. Department of Urban Affairs and Planning 1996, and too, https://www.heritagecouncil.ie/content/files/what_is_curtilage_colm_murray.pdf

- It is in my professional view it is impossible.
- You cannot have the "growth" for this village [noting we have no definition of "growth"] anywhere and phrases (not defined) with statements that are quite contradictory to another.
- The General Residential Zone is the area closest to the town centre, precisely where the oldest buildings are found, the oldest gardens and green spaces are found, some quite large lots still remain, part of the rustic historic charm that is Westbury.
- Apparently the green spaces lands are "underutilised", and may be internal land.
- One observes on the TPS counter side, the interplay between zonings, SPPs, (and its PD 4.1), reduced allowable lot sizes, encouragement of infill, available allowable heights for built form, the urban-suburban patterns with their similar built designs, materials used, in some places simply producing a vertical and horizontal concrete environment.
- Green spaces, gardens disappear into the mist of nothingness.
- The historic village ambience disappears via the death by a thousand cuts and the "new" patterns.

Where there was once a large number of contributory elements to the diversity of a place, what happens in 2020 is the 'death by a thousand cuts' scenario and finally, total change.

"Future development" now espouses, "bigger is better", bolder, with hard brutish lines, often, taking up the entire site in question if it can. It has the potential to be two storey and large, with a lot of concrete, (25% only to be free of impervious surfaces MVC & PD 4.1). It has the potential to occur pretty well anywhere in Tasmania, where a similar pattern is detected on the Mainland. It leads to what some authors describe as rootless-ness, an/or placeless-ness, another term applied. In other words the "places" lose what made it meaningful, different, its long evolved particular character. Diversity of place, of built form, has rushed away in a fuzzy mist of forgotten-ness.

A website by Edward (Ted) Relph exploring the concept of place, sense of place, spirit of place, placemaking, placelessness and non-place, and almost everything to do with place and place.²⁹

How much density is too much density, how much infill is too much infill?. No policies, no guidelines have emanated from the Dept. of Justice in this

²⁹ Edward Relph: <https://www.placeness.com/>

respect. Noted is that "old" STRLUS took out Table 3 and put something else in its place for "new" updated STRLUS.

A sameness of the rootlessness pattern is spreading across residential Tasmania . [I first read Relph: *Place and Placelessness* in 1976].

A Prefatory Note on my Publications about Place and Research Approaches [Relph]

Place has been a long-standing academic interest of mine. I wrote a book forty years ago, *Place and Placelessness* (1976, originally Pion, now published by Sage), which has been translated into several languages, and was reprinted in 2010 unchanged except for a new preface. It has been widely referenced in many different disciplines, perhaps because this was one of the first academic books devoted to the concept and experience of place.

Place and Placelessness was a revised version of my thesis in Geography, *The Phenomenon of Place*, that I completed at the University of Toronto in 1973. In that I aimed to make sense of a word that was widely regarded as central to my discipline and about which almost nothing had been written about it. The card catalogs in libraries, which at the time were the closest things to search engines available, had almost no entries for place, genius loci, or sense of place, so my naive approach was to look systematically through books on the shelves in what seemed to be relevant sections of the library, follow whatever lead this turned up, and then to write an account that clarified whatever I learned about place and place experiences and was illustrated with photos and diagrams. I approached this phenomenologically because phenomenology addresses things from the perspective of how they are experienced rather than as abstract concepts, and that seems entirely appropriate for place, which is first experienced and then thought about.³⁰

The contributory factors re "place" and heritage are precisely those which are the opposing contributory factors to what developers in Tasmania, can and want to do these days with land.

In a nutshell, in a sentence, the contributory factors which are those for heritage conservation, are almost a reverse of those in the "fairer, faster, cheaper, simpler" TPS model; the urban-suburban "regulations" model which is where Executive Planning Tasmania has gone.

Does that explain why Tasmania now doesn't "do" heritage; a heritage that is interconnected to place, to landscape and vitally to planning?

It comes back too, for many, elements in landscape place assessment. That goes to the heart of Schedule 1, (LUPAA) Part 2, (f) and (g) and the intent of the legislation. The Commission is directed to a document I wrote to it in 2016 re the General Residential Zone.³¹ The remarks made in that

³⁰ Ibid, Found: Under Relph: "My Publications about Place".

³¹ Gwenda Sheridan. TPC Hearing 7 March, revised 4 March 2016.

document are very relevant four years later; see those connected particularly with Green spaces and Infill for example. The greening of our suburbs, cities can be seen,

everywhere on the Internet, with some very solid research, just a smattering of that presented to the Commission. It comes at the international and national levels of planning. From the auspices of the Royal Town Planning Institute (UK) *Promoting healthy cities. Why Planning is critical to a healthy urban future* to the Planning Institute of Australia, National Recreation and Parks Association (Canada) to Auckland's City Plan it's there on the Internet.

Health and wellbeing are directly associated with the Greening of our cities, our lifestyle, our liveability. Brownlie referred to it, (Professor Adams greening our cities) in a Tasmanian Planner article.

I draw the Commission's attention to the Dept of Primary Industries: Water and the Environment. 1998: Discussion Paper: **Review of Part 3 of the Local Government (Building and Miscellaneous Provisions) Act 1993**. I believe this was written by then planner John Pretty. At 4.5.2, Pretty considered that a "new approach to addressing public open space" was desirable. A critical paragraph came next.

In order to identify appropriate open space it is necessary that the criteria for determining it should be broadened to reflect the RMPS objectives. Under the previous legislation only recreation purposes was specified. It is now proposed that the term Public Open Space continue to be used but a revised definition is to include opportunities for

- Conservation
- Amenity
- Utility
- Buffers between conflicting uses
- Other public usages (such as cycle and horse trails etc). p. 25

It is intended that the definition recognises that there are various categories of public open space, eg local, regional and State and that there are a variety of values.³²

Given the LPS Low Density Residential intent from MVC and what the TPC has stated, what is actually to happen on the ground (if approved) stand to be, that places:

- could see large increases in the densities of existing spaces,
- with notably a great reduction in existing green open spaces and what is planted in them, if anything.
- a reduction from former 5 acre lots to just 1.23557 acre (5000m²) lots.
- the Commission at best wants around 2 acres, (8000m²),

³²

ibid.

- in some places in the south that reduces from 9 acres, (36421.7m²) again to at best 2 acres or around the 8,000m² mark.
- a totally different pattern to the "settlement" given how urban-suburban (PD 4.1 Directives, Tasmanian TPS) force the specific regulation regime.

The ambient pattern of the historic place disappears.

Given where the SPPs take us, (P.D. 4.1 embedded in here), with a Scheme trying to have a foot in both sides of the fence, it simply can't and won't be able to stop the "developments" like 34 Marriott Street being put up by keen developers who will (as shown elsewhere) buy up the bigger blocks of land because they know intrinsically what they can do on them.

The presently allowable amplification of densities, infill, Zone intents, lot sizes, the concomitant loss of character and diversity (which has the potential to occur/ is occurring elsewhere) is an anathema to heritage conservation. It cannot be supported on historic grounds. It ought not be allowed on climate change grounds.

Section 4A.

Entally:

The Entally projected changed to Paddock Y cannot be supported.

The Entally LPS issue is somewhat different. Entally was mentioned in my published book (2013) of the *Launceston Horticultural Society*.³³ There is history of Entally that was prepared by the QMAG (date not known) and two reports prepared by the Tasmanian Heritage Office around December 2002.³⁴ An Arboricultural Report was prepared in 2005.³⁵

The QMAG report is very thorough in respect of the Reibey family (and who came after them), has a very good reference and source list for relevant information.

The Commission is directed to those reports.

In the nineteenth century Entally consisted of 3000 acres, (215 ha.) An aerial image included with the Knaggs' report indicated that the land now

³³ Gwenda Sheridan. *The Launceston Horticultural Society: A History*, published by Artemis 2013.

³⁴ Mary Knaggs And Dick Bryden: *Entally House Historic Site: Strategic Conservation and Asset Management Plan. Heritage Tasmania. 2002.*

³⁵ Gordon Paul & Laura Eves. *Arboricultural Report. Entally House Historic Site Meander Valley Road Hadspen. 2 August 2005.*

proposed to be developed on the other side of the Meander Valley Road, belonged to Entally.³⁶

From Knaggs' study:

The completeness of Entally as the core of a 18th, (should be 19th) century rural estate in a sympathetic landscape is becoming increasingly uncommon in Tasmania.³⁷

At 2.07.04, is this,

A Landscape and Archaeology Plan should be commissioned for Entally involving a landscape architect experienced in the conservation of colonial estates; a professional historical archaeologist and a qualified horticulturalist or arboriculturalist to report on the age and condition of the significant plantings and to guide their conservation.

One happened but not the other two.

The List Zoning indicates that a part of Rutherglen is General Residential , a small part Environmental Management, the area of blue, Business.

Entally Estate has undergone a massive period of developer ownership/lessee arrangement firstly by Gunns Ltd and now by the owner it appears of the rural estate Quamby.³⁸ Both of these highly significant 19th century estate properties have a zoning of Major Tourist Zone under the MVC Planning Scheme. The mind boggles given what is allowable under the current new model planning scheme for that zone. It appears that in 2014 in January Brian Wightman was the Minister for Heritage.

The Major Tourist Zone cannot be supported under any circumstances.

It was in 2014 apparently when the State Government took Entally away from the National Parks and Wildlife Service and passed it across to a private operator.

Mr Sherrard's company also bought the Rutherglen Village site in September, (2013?) and planned to name it Entally Lodge.³⁹

It is assumed then that Entally's paddock on the other side of the Meander Valley Road, zoned as Business, is up for a change of use from its rural pattern of perhaps 190 Years.

³⁶ See p. 6 off 44. Paddocks were given alphabetical names. The paddock now the subject for potential development was named Y.

³⁷ Ibid. p. 10 of 44.

³⁸ *Examiner 10, 2014*, Entally gets new lease of life. Lucy Poskitt.

³⁹ Ibid.

See Appendix 4A for what the Knaggs et al. reported and stated in 2002 in respect of the heritage of, character of, and cultural landscape of, Entally.

How apparently convenient it is to by-pass the Knaggs' reports, the earlier report of QMAG and make another colossal planning mistake of suggesting that the hill area of the Y paddock become a place of higher urban-suburban residential density.



Author images, taken September 2020.

The Knaggs' et al. Report also noted at 4.01, that,

It should be noted that it would not be possible to build major new dwellings on Entally⁴⁰ other than perhaps in the paddock at N2,

[see page 32;] for location of paddock N2, and paddock marked Y.

⁴⁰ Ibid. p. 25 of 44.

landscape generally and on the heritage values of Entally in particular. This is particularly true given Meander Valley Council are promoting the Meander Valley Highway as an alternative tourist route between Devonport and the Midlands Highway.

Entally can still be appreciated as it was described by *The Traveller* from the Tasmanian Mail in the November 3, 1888 edition: 1883

... The Tasmanian Entally House sits on the almost level plateau of a rise from the south flank of the Esk, which slopes away on all sides, giving the idea of a dome shaped island in the centre of a basin rimmed by irregular wooded hills. The sinuous river on the west and the north helps the illusion. From the whitethorn hedge enclosing the ornamental grounds to the river, the sweep is singularly graceful and terminates in a fertile piece of bottom, which extends to the left, and reaches forward to the confluence of the Meander with the Esk. The high road separates the greater part of the flat from the margin of the home park ...

The views to Entally travelling both ways along the Meander Valley Highway are particularly important. These should be conserved whatever the future use of Entally.

The approach to Entally along Entally Road should also be carefully considered, particularly if Entally is to remain a cultural attraction open to the public. The concept of Entally as a rural estate could be severely eroded by unsympathetic development along the approaches. Part of the attraction of Woolmers, Brickenden and Clarendon is in their continued setting in a rural landscape and the journey through that landscape to arrive at and leave from the site.

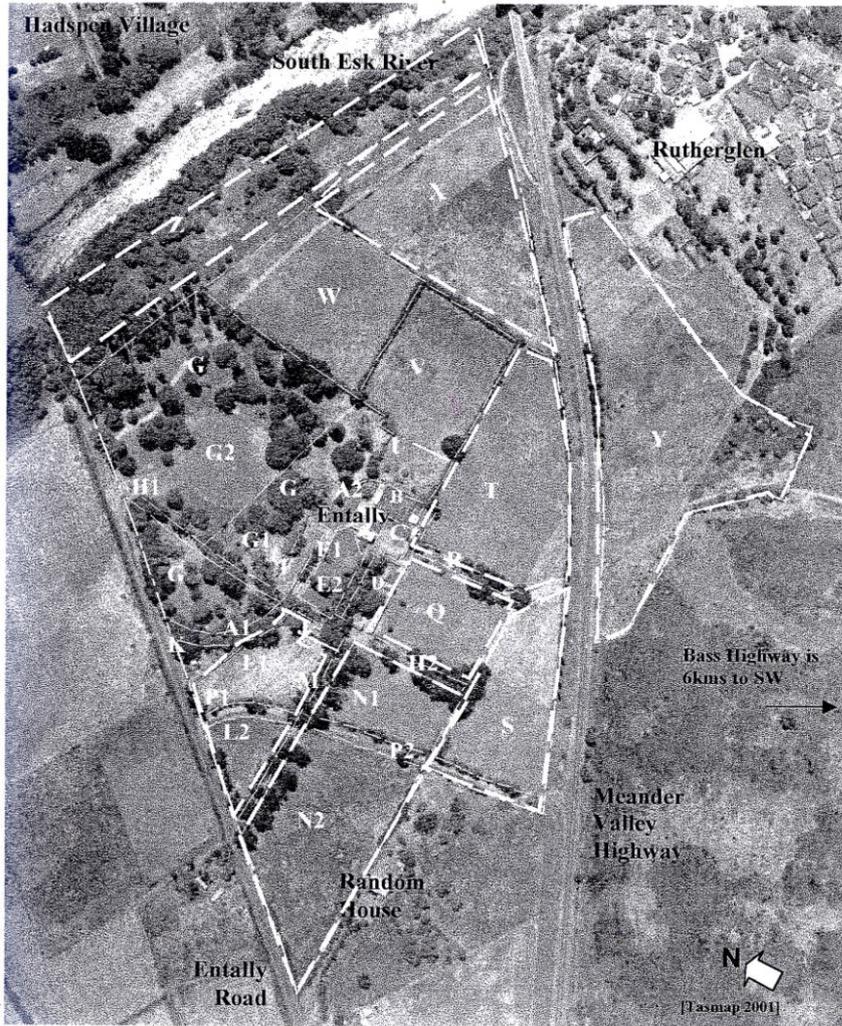
The views from Entally to the river and neighbouring rural land are also very important to its continued strategic significance as an historic site and new development should respect this situation.

NB. Development in the vicinity or visual catchment of Entally and its major approach routes should be carefully considered by the relevant approval authorities (mainly the Meander Valley Council) for the impacts it will have on the heritage and strategic value of Entally.

3.05 Impacts of Catch-Up Maintenance and Adaptation

Conserving the rural and landscape setting of Entally is a prime objective. Therefore uses which involved extensive additional structures would not be viable, although some modest structures may be possible if carefully sited and detailed. Commercial and tourism uses would also require careful consideration of issues such as car, bus and service vehicle access, parking and associated signage issues.

**LANDSCAPE AREAS
L, N, Q, S, X, Y (paddocks), P (1960s road) and Z (riverfront)**



L:01 Aerial Photo showing location of Areas L, N-Q & S, T, X-Z

Dot-dash Line = Entally Site Boundary

Description

Paddocks L, N, Q, S, T & X.

These areas are agricultural land important for maintaining the rural setting of the Entally Site. They are currently used for a combination of hay cultivation and sheep agistment. They are surrounded contemporary post and wire farm fencing, with some perimeter shrub and tree growth. In some areas there

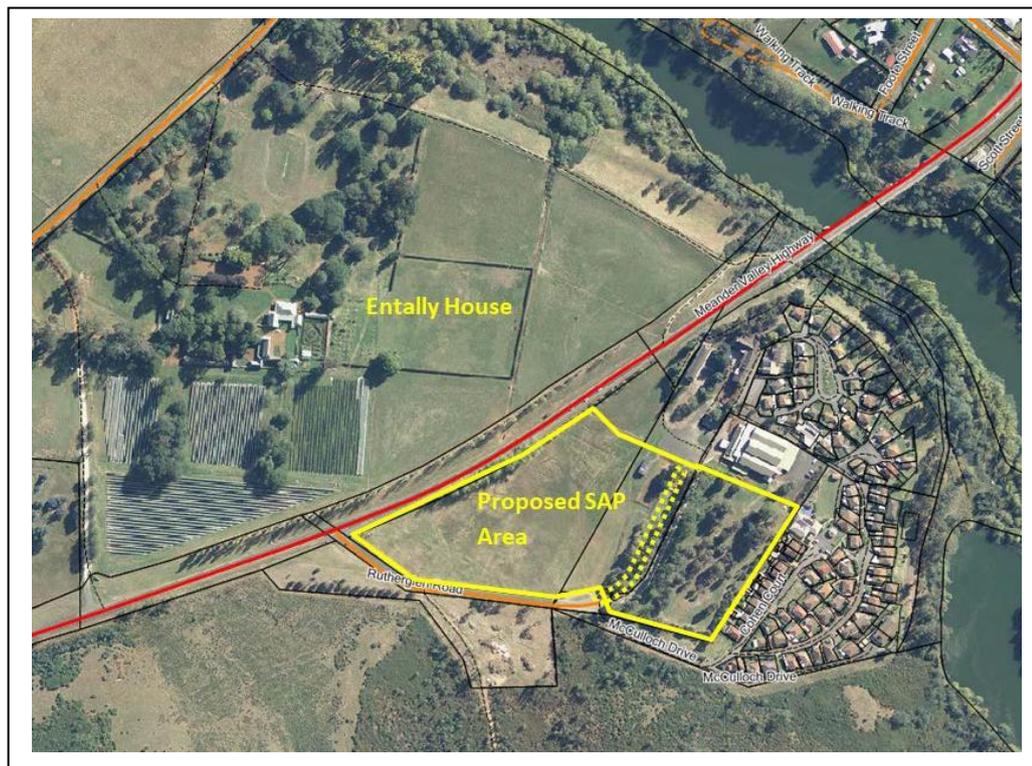
Area Y:

1. This area should remain part of the EHHS complete with Right of Way to Rutherglen to conserve the cultural landscape setting of Entally. (Sheridan underlining and in red)
2. Should sale be considered it should include covenants and changes to the local planning scheme to protect the cultural landscape curtilage of Entally, in particular view to rural lands from the main area of the site. (Sheridan in red)
3. The continued use of the areas for agistment or other rural uses contributes to the sense of Entally as an agricultural estate and should be continued.⁴¹

Can the public see any covenants connected to this property? Were there any?

Where is Schedule 1 Part 2, (g) LUPAA or the Burra Charter principles, and the Knaggs et al. documents of 2002 (all heritage related) being upheld in what Meander Valley Council has written in its LPS statement (as of April 2020) p. 22.

Aerial photo of Rutherglen Village / Entally Lodge MVC: LPS 2020, p. 22.



Rutherglen was apparently established in the 1980s, with "103 dwelling units with a mixed density ranging from 150m² to 600 m² lots in a strata scheme."⁴²

⁴¹ Ibid. Page 5 of 6.

⁴² See MVC LPS document: Draft Meander Valley Local Provisions Schedule Section 35K Notice April 2020.

The land area proposed to be rezoned and included in a SAP is approximately 5.2 hectares, which is not a viable size to be utilised for any rural purpose associated with adjacent land, given the parcel is constrained by two active roads and is in close proximity to sensitive residential and visitor accommodation uses. The two roads provide spatial definition that delineates the logical, spatial extent of the enclave.⁴³

The size of 5.2 ha. equates to 52,000m². A alternate suggestion: Horticultural activity where vegetables, etc are grown for the Hadspen, Rutherglen and Launceston communities. Fresh and straight to market.

Note: Only the modifications to apply the General Residential Zone and Specific Area Plan as shown in Figures 7 and 8 and the provisions of MEA-S20.0 Entally Lodge Specific Area Plan (Appendix A – Section 35K(1)(c) Notice – Annexure A) are subject to exhibition.

Representations cannot be accepted on matters relating to zoning of the area.

Can the public please have a 5 metre contour interval of the hill that one sees driving along the Meander Valley Road and coming out of Hadspen, and or from Carrick in the west.

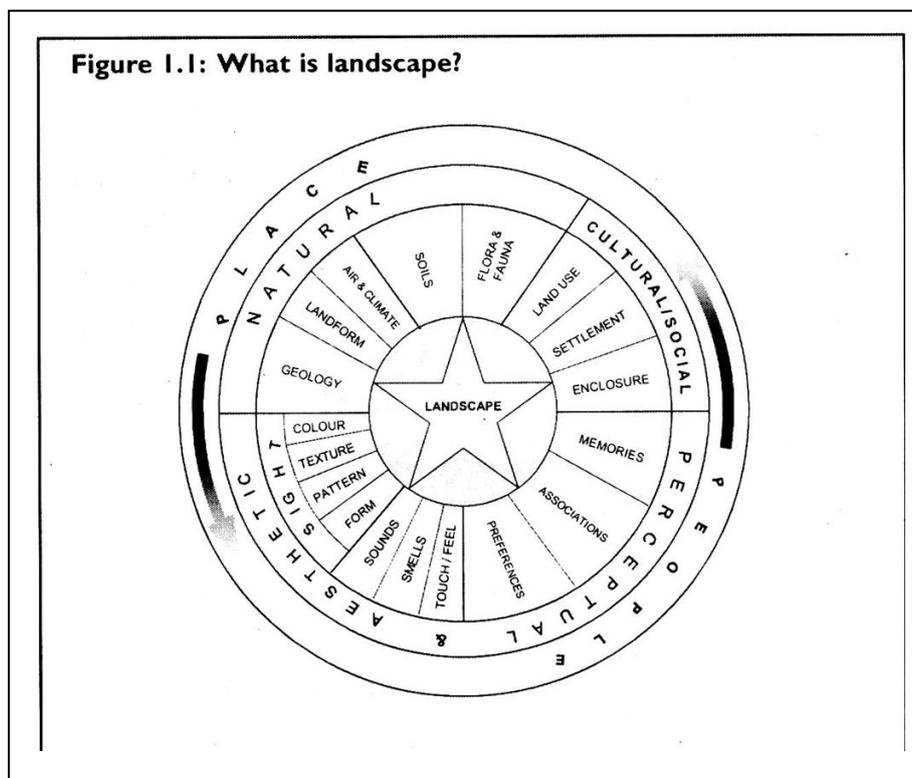
⁴³ See MVC LPS document: Draft Meander Valley Local Provisions Schedule Section 35K Notice April 2020. P. 24. Plan on this page and following pages has been taken from that Draft LPS Schedule.

PART 2.

SUPPORTING DOCUMENTATION.

Appendix 1A.

The Landscape(s) of places, area assessment, might have arrived at the conclusion that landscape(s) (areas, places) evolve and have been doing so for millions, of years, via interconnected natural landscape elements, (eg climate, landforms, topography, weathering, rivers, soils, vegetation etc and human development on them.¹



The landscape diagram. Taken from: *Landscape Character Assessment: Guidance for England and Scotland*. This was prepared on behalf of the Countryside Agency and the Scottish Natural Heritage in Britain by Carys Swanwick, University of Sheffield and Land Use Consultants, 2002.

The First Nations Peoples were a part of these evolving landscapes.

¹ <https://www.esdm.co.uk/national-historic-landscape-characterisation-nhlc-project#:~:text=See end of this Part 2.>

Appendix 2B:

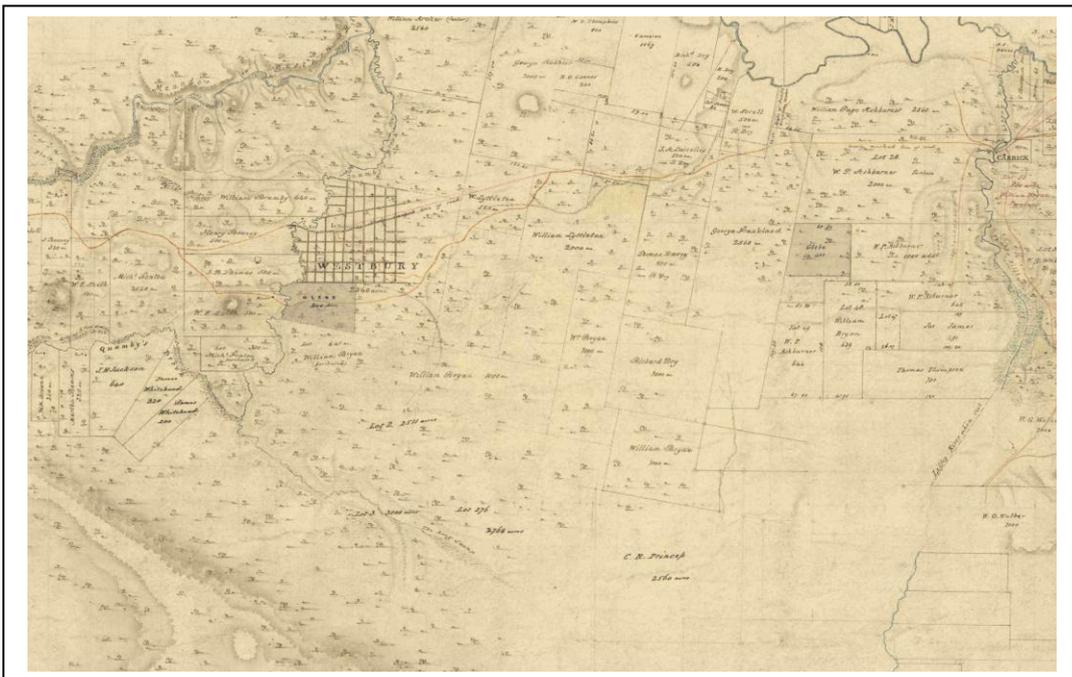
- The heritage changes had started 2007-2012 with the decision of the Commonwealth, basically not to support Australia's heritage, except in a very minimalistic way.
- Tasmania was not set up for this transition period and what lay from 2012 beyond.
- Heritage is NOT just buildings, a bridge here, a church there perhaps.
- *Heritage is place, and what that means. This has never been understood.*
- Noted is that the Council to date appears to have largely abrogated its heritage responsibilities.
- Noted is that Westbury does not have a dedicated heritage officer. Heritage officers for rural councils are scarce on the ground. Maybe 23 Councils in Tasmania do not have a dedicated heritage officer.

Appendix 3B**Maps and plans.****Planning History: The gridded street pattern of Westbury**

See next and following pages.



Libraries Tasmania. AF396-1-1376. Westmorland & Cornwall, Mr Scotts General District plan of Launceston and Meander. 80 chns = 1" Cornwall 52. **Below:** Libraries Tasmania. Part of AF396-1-1376. Westmorland & Cornwall, Mr Scotts General District plan of Launceston and Meander. 80 chns = 1" Cornwall 52.

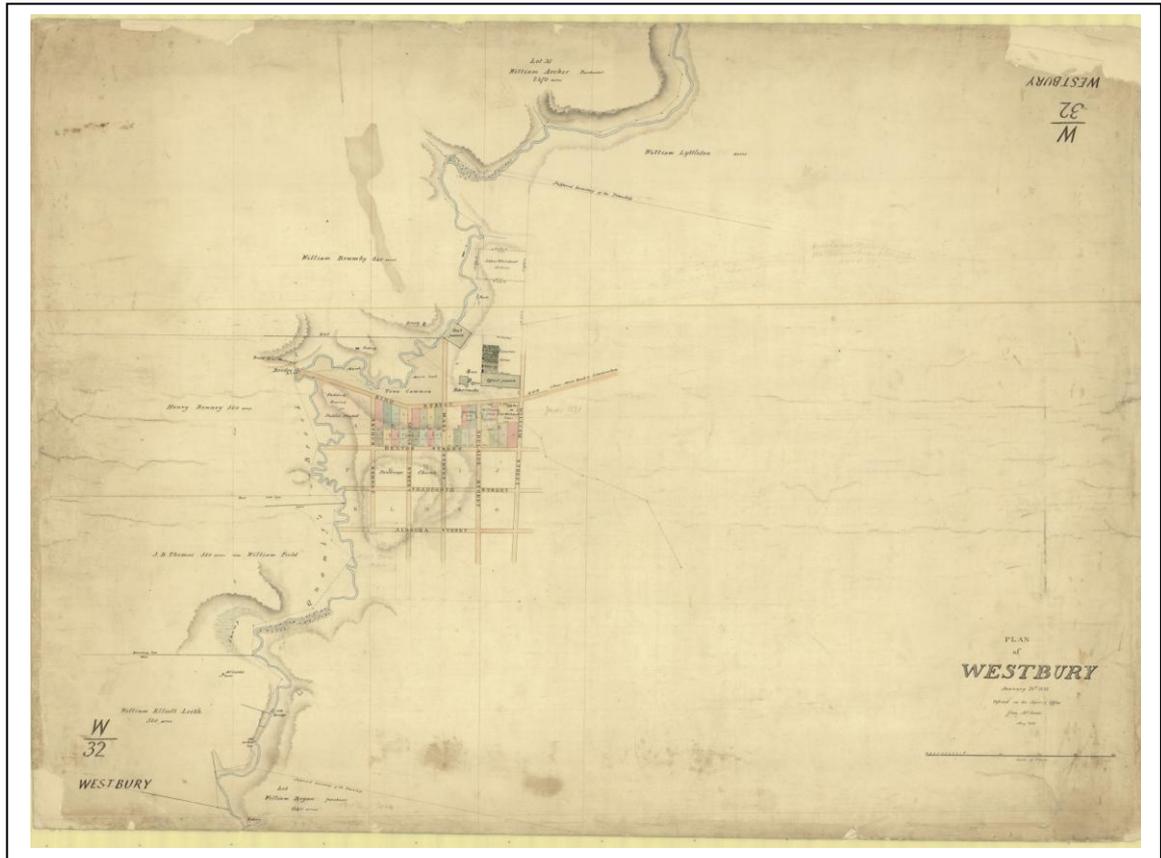




Libraries Tasmania. AF721-1-766. *Plan of Westbury, 1832*, James Scott.

This clearly illustrates how the square street grid pattern was placed on paper as the Plan for the Westbury village. Eight streets were then named, and the road westward, was King Street with a bridge that crossed the Quamby Brook. Lot sizes fronting Dexter Street had been subdivided and marked with letters of the alphabet. This is the manner in which they would have been advertised in the press. Thomas White fronted King Street. The

positioning of the various Barracks, and associated school, police office, surgeon, gaol yard, etc. are shown.



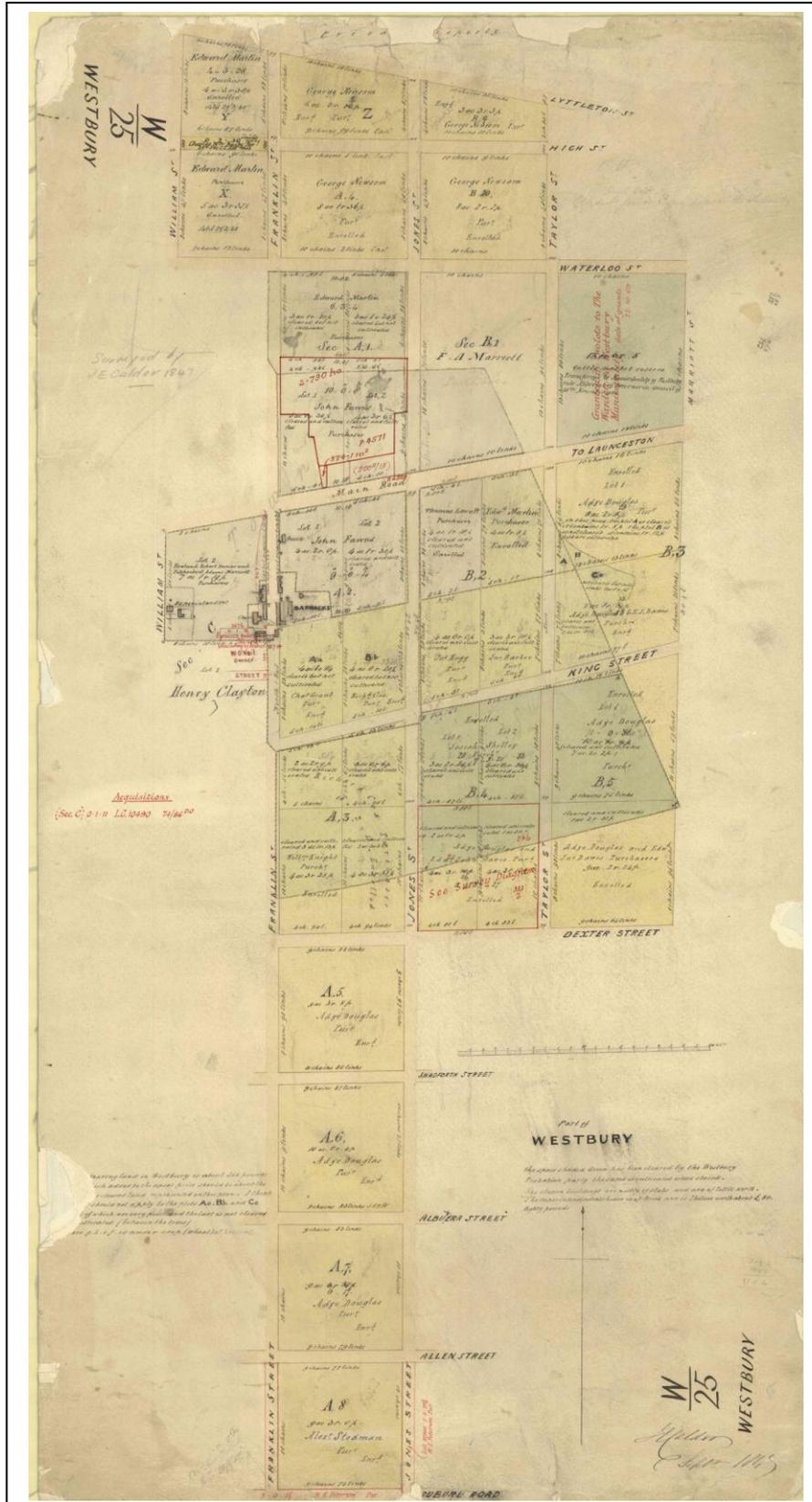
Libraries Tasmania. AF721-1-776. W/32. *Plan of Westbury*, January 21st 1832. Copied in the Survey Office from Mr Scott's May 1832.

It is not known why there are two 1832 plans of Westbury, and why one is dated January 1832, and the forerunner (Scott's earlier plan) also with the date of 1832. The plan which precedes this one, is called W/1 meaning that it was probably the first plan of Westbury township. However the Cornwall 52 plan, may have been the earliest plan incorporated within the wider landscape area.



Libraries Tasmania. AF721-1-764. *Plan of the Township of Westbury*, Surveyed August 1837, by James Scott. ..This is considered an excellent plan of the town in 1837. Shows the entire Police grounds, Lonsdale's promenade, Crown land, Town Common, streets, church grounds, names of

land owners, sizes of lots. The area between King Street and Dexter Street has already been subdivided into lots between 1-3 acres. Some buildings have been shown. Arthur Street on the western side is the western boundary of the village. Franklin Street is the western boundary.

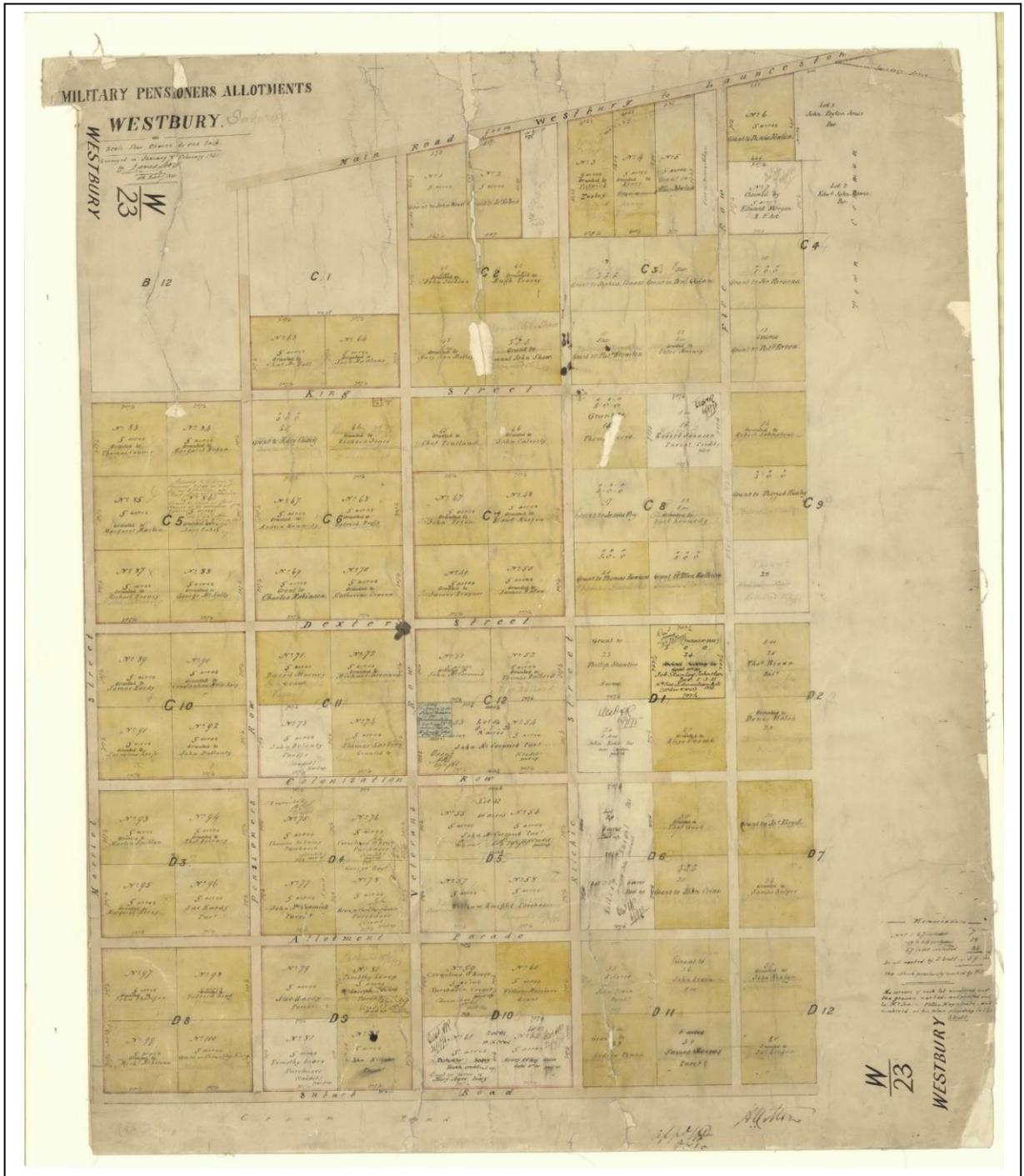


Libraries Tasmania. AF721 -1-769 (previous page). This is a part of Westbury in either 1847 (or 1849)) and its extension eastwards and southwards. Surveyor was J.E. Calder. Southward blocks are over 9 acres.



Libraries Tasmania. AF721-1-774. W/30. Plan Allotments to Military Pensioners Westbury W Dawson. November 1850.

Marriott Street and other eastern streets created (eg Pensioner's Row, Veterans Row), some blocks numbered, others have names scribbled in pencil, 4 lots, sometimes 6 within the streets, a continuous pattern.



Libraries Tasmania. AF721-1-767 W23 Military Pensioners Allotments. Surveyed in 1851 by James Scott

These would appear in the main to be 5 acre lot sizes. Those fronting the Main Road from Westbury to Launceston were of a different size.

The regularity of the gridded system within the streets, the lot size and continuity and pattern of that size is unmistakable.

Here are the equivalent sizes of lots in to-day's parlance.

1 Acre	4046.86 m ²
1.23557	5000 m ²
2 Acres	8093.71 m ²
3 Acres	12,140.6 m ²
5 Acres	20,234.3 m ²
9 acres	36,421.7m ²

Subdivision is critical. Even that which occurred in the 19th century and where it went.



Aerial. 1991-P-1471. Courtesy of the Queen Victoria Museum and Art Gallery. Launceston. A photo in 1921 by H.J. King.

The tree planting is unmistakable. The hedges can be seen. The gridded pattern remains as an unmistakable pattern in the landscape.

This may be the best example of a very early, gridded patterned, town landscape surviving in Australia.

Westbury as a place, a small town, does not have this gridded patterned, example of historic planning recorded by Heritage Tasmania.

Appendix 3B. (1)

A potted planning text history.

It is important to understand historic patterns of the past, and where they originated from and why. This enables place(s) is to be more completely understood.

There was no structure to "place" when the convict ships began to arrive in Tasmania. There were no villages, towns or roads, etc. but land began to be granted, located, apportioned etc. Elsewhere Sheridan has shown how the initial patterns of granted land, located land etc took place.²

The maps and plans are extremely important. They map "place" and what happened to it, who was present, and how it changed.

The earliest maps divided the island into two divisions, Cornwall and Buckinghamshire (north under Paterson and south under Collins). A Scott map survives from this very early period which includes Westbury.

A rectangular grid system offered many advantages in opening up new country for settlement.³

Regulations were passed from the British Colonial office to Sydney and to Tasmania. Early patterns can be traced, but as Sheridan noted,

Under such an overworked, understaffed office with its laborious practices, corruption, bribery, nepotism, land speculation, and land jobbing were all the order of the day during the early decades when the best land was taken up.⁴

By 1822-23, (Bigge Reports to the British Parliament) and the VDL *Land Commissioners, 1826-1828 Report*, the situation began to change. Town

² Gwenda Sheridan. 2000: *A changed Pattern Landscape: Brighton in the Nineteenth Century*. 4 volumes. Unpublished for Brighton Council. Further work was done in 2004, for Brighton and Southern Midlands Councils.

³ D.N. Jeans. The Breakdown of Australia's First Rectangular Grid Survey. In: *Australian Geographical Studies*. Vol 4. 1966. 119-128

⁴ Gwenda Sheridan, 2000, Op. cit. 20: See too Alan Jones, Backsight, and Henry Melville: the history of VDL. 1824-1835.

plans were drawn up (they were actually very small in scope) and were a part of this change; for example, Elizabeth Town (New Norfolk), George Town, the Macquarie towns, Rokeby, and Brighton. They were drawn up with consistency and illustrated regular gridded patterns.

Westbury plans are available from the early 1830s and show an exceptional gridded regularity of pattern to the present time. There is also an aerial image of 1921. The Scott Plan, Cornwall 52 (late 1820s?), is considered extremely significant as historical evidence. Compare this entire map plan with the size of Launceston, (then) and the projected size of Westbury. Westbury was seen to become a most important town westwards. It was drawn much larger in scope than was the Macquarie town of Perth for example and larger than many other early Tasmanian town plans.

The beginning structure of development in Van Diemen's Land had happened previously, (and was still happening) in the first colony settled, New South Wales.

The Commission is directed the Dept. of Heritage and Planning NSW and to the town of Braidwood NSW which has a state listing.

<https://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=5054706>

Braidwood is a very good surviving example of a colonial Georgian town plan with its simple grid still largely intact. Several people influenced its shape. Hoddle defined the outer perimeter (and presumably selected the location) of the "Jillamatong" reserve by resuming the western half mile of T B Wilson's property. James Larmer prepared the draft plan in accordance with Governor Darling's model. In 1839 Wilson wrote to the colonial secretary asking that the original plan of Braidwood village be altered to include a park opposite the courthouse (which he had just built). He thought the reserve would enhance the building and be valued by the residents as a market place and for recreation. Surveyor General Mitchell was clearly progressive and far-sighted in his thinking, and among other things, appeared keen for a town plan to be adapted to the physical and social dimensions of a place. Mitchell instructed Larmer to amend the town plan in accordance with Wilson's suggestion.

Braidwood like Westbury was as follows:

Police Districts

The Colonial Office in London had instructed Governor Darling to establish a settlement and administration pattern based on the English model with the church playing a major role. However, the system of effective local government that emerged in the penal colony in the 1830s was one of police districts with a professional paid police magistrate as the local administrator. Police district boundaries as drawn by Governor Gipps in 1840 varied from the county boundaries, and counties and parishes

survived only in the land survey as a means of describing allotments in deeds and, for much of the century, also as statistical areas for collecting population and agricultural data. Braidwood became the centre of the "Braidwood Police District.

Noted is the completed history Braidwood, considered as an entire town, for its authenticity, and evaluation of the significance of that town, owners, pattern of streets etc. and townscape elements.

This must happen for Westbury which has an earlier date of commencement that does Braidwood. The Braidwood story of land granting is what happened in Tasmania. Jeans noted that

Sir Thomas Brisbane introduced the rectangular grid survey in 1822, when he ordered "townships" to be laid out in the areas of recent and expanding settlement lying beyond the sandstone rim of the County of Cumberland.

Jeans further wrote that,

The townships recommended for New South Wales were described in terms identical to those met with in a series of instruction to American Governors, beginning with East Florida in 1763.⁵

The Commission is further directed to the *Journals of the Land Commissioners. 1826-1828* Ed. Anne McKay, Intro. PR Eldershaw. Hobart. University of Tasmania. THRA. 1962 and to the Introduction, xiii.

Appendix 3C

3C: Cultural elements interconnected with the Townscape heritage; (see Landscape diagram, Figure 1) and character of place, See Section 1. p.2. Burra Charter.

There is a RMPAT Appeal currently being conducted for 34 Marriott Street Westbury. This is to introduce urban-suburban (3 units very close together) patterns on to a corner block with Meander Valley Road and Marriott Street. The site sits adjacent to the Fitzpatrick's Inn, formerly on the Register of the National Estate. The inn has some very old plantings, probably put there at the same time as other older plantings cited above. They can be seen in the aerial image shown in Appendix 1A.

⁵ D.N. Jeans. The Breakdown of Australia's First Rectangular Grid Survey. In: Australian Geographical Studies. Vol 4. 1966. 119-128.



Gwenda Sheridan. Taken 3 September 2020

Instead this is what can and does happen. These are Cedrus species, (eg. *C. deodara*, *C atlantica*) plus likely a Cupressus sp. They are unlikely to recover from being vertically halved. This has cultural perceptual and aesthetic ramifications, (See Diagram 1, Figure 1.).

Appendix 3D.

Social, cultural, memories, perceptions. (See Diagram 1. And Burra Charter)

Westbury as a place is also a landscape; a rural historic town landscape. The perceptions and memories of Westbury town can be determined from a number of useful sources. Clearly the early maps and plans are a primary source. Amongst the names on the maps is a former Tasmania Premier while other people have notable histories. Assessment rolls give accurate records of a site, place, occupier, owner, size of land, and valuation across the latter half of nineteenth century, and into the twentieth. Libraries hold many archives. Old newspapers are a very useful source of information.

This type of research is very possible but has not been done for this representation.

There is a wealth of 19th and 20th century sources that are present, that record Westbury's cultural memories and perceptions. Family ancestry online documents are a further increasing source, while family letters and documents are to be found in the archives of Tasmanian institutions. The Westbury Council Minutes are obviously another source of very interesting information for the careful researcher. See also....

And by Ian Terry and Kathryn Evans. *To the Westward: Meander Valley Heritage Study*. Stage 1. Thematic History. MVC, October 2004.

See documents by Paul Davies, 2006 and Section 3F; Paul Davies Pty Ltd. *Meander Valley Heritage Study: Study Report*. 2006.

These are most useful, insightful heritage studies. Neither actually comes to grips with evolved landscape of place, (as per Diagram 1) though Davies' work is valuable.

Appendix 3E.

Aesthetics, Green spaces, places, gardens, streetscapes.

The importance of gardens, trees, hedges, enclosure, etc as Cultural landscape and place contributions.

In order to ascertain this significance and the authenticity there are various sources that are most useful. Signifiers are especially important in the evaluation.

The very great historic gardens of the world have a number of elements in common. Usually mature trees, the presence of water and sweeps of lawn

are there, all displaying a different alignment of spatial characteristics. But it is not just the trees, water and lawn per se; rather it is the types, texture and structure of the trees, their juxtaposition to each other, species type, texture and structure of the water bodies, the pattern arrangement of the one to the other and then the broad sweeps of non enclosure - the lawn - which marks them apart. All of this spatial arrangement can be very subtle, little understood or verbally articulated, yet at a deeper level acknowledged as architectural design. Yes, that is a beautiful place, the visitors will say. Beauty is a key. Architectural Design is a key. Water is a key. Beyond it and tied intimately to it in respect of garden history, are other elements such as harmony, peacefulness, integrity, balance and holism or unity of expression. It appears that nature in all of its enormous manifestations is at ease with itself in such places. The interpreted symbolism of such gardens can be profound.⁶

Back in 2006 Kingborough Council completed its Heritage Study with two senior research historians. One for example went street by street, site by site making notes on what and where "contributory" items were to be held, in the area these experts designated to become a heritage area. This is not beyond the realm of possibility.

Hopefully Tasmanian planners, bureaucrats have "moved on" from 2006 to an understanding that private open spaces, garden spaces are an essential component to the heritage of a street, streetscape, of a place, of a site, and that this is a very clear associated element in the cultural landscape of a townscape, or of a wider rural area.

However even in 2014 it could appear that Tasmania had NOT moved on at all. One most senior planning bureaucrat, appeared to have little or no idea of what sense of place, or character of place meant.⁷

As noted at the beginning of this representation landscapes change, but it is not just "regulation" that changes landscapes, it is also rigorous policy, excellent guidelines, policies and research that recognise that heritage and planning, and green space(s) are intertwined and interconnected. The "management of" and "development of" land places, without the appropriate policy work, guidelines clearly spelled out can severely detract from evolved historic landscape place(s) and are doing so as the march of the SPP regulations etc continue across Tasmania.

⁶ Gwenda Sheridan. *The Historical Landscape of the Salmon Ponds at Plenty*. Unpublished for Inland Fisheries, Tasmania, 2001. Sheridan has twice researched the historic property Redlands which adjoins the Salmon Ponds.

⁷ See *Tasmanian Planner*. 8 (3) December 2015.

Appendix 3F (1)

The past and the present intersect: Fault lines.

The Commission is directed to the historic analysis work of Paul Davies; *Meander Valley Heritage Study: Study Report*. Paul Davies Pty Ltd. Architects Heritage Consultants. February 2006. Please also refer to the Excel document in addition. It is not known whether all of the Davies' recommendations were registered at the State Level. For example, Westbury Town Common for example was registered, ditto the Village Green, Westbury Trees at 40 William Street, and 62 Meander Valley Road Westbury, Pensioner's Row, Westbury Recreation Ground and more.

Davies wrote his report at a time prior to the TPS model being put in place. The comments below are considered most relevant to the present situation. Parts are outlined in red; Sheridan additional comments are in dark blue.

Westbury Precinct⁸

Character

The Westbury precinct comprises three separate but related and attached areas. They are grouped as they form one overall landscape precinct and are separated in this assessment to reflect the differences in character between the areas.p. 27

Davies distinguishes a major precinct but within that, The township, (p. 28), then Rural Lots to the south, (p. 29) and Rural lots to the east, (p. 29) it notes of those lots to the east:

This area, known as Pensioners and Veterans Row is a unique area within the State with its pattern of small lots in a tight grid bounded by streets and planted with hedgerows. The pattern of four square lots to a block has largely remained unchanged. Most lots also retain their hedgerow boundaries that are the major and defining visual characteristic of the area. While many of the streets are formed and accessible a number of the fringe road reserves are not occupied but remain clearly discernible in the landscape.Pp.. 29-30

Taken from the Paul Davies Pty Ltd. *Meander Valley Heritage Study, Report to Council February 2006*.

Town Precinct pp. 30-31.

1 The properties identified as heritage items should be retained and where possible future work should look to recover any lost or altered significance.

Agree.

2 Contributory buildings within the precinct (most other buildings) should be retained wherever possible but be allowed to change in ways that are consistent with the character of the surrounding significant development.

Agree.

⁸ Paul Davies Pty Ltd. Meander Valley Heritage Study: Study Report. 2006. 3, 6, 7-9.

3 Buildings and features that are not of compatible form or character to the significant aspects of the precinct should, over time, be encouraged to develop in more appropriate forms to enhance the heritage values of the precinct.

[Sheridan] It is important that the entire township endorse buildings and features, compatible to the character of the surrounding place, streetscape, etc.

4 Alterations and additions should be undertaken with regard to the heritage value of the place and should not adversely affect the significant attributes or streetscape value of the precinct.

[Sheridan] Agree.

Generally additions will be modest and should be to the rear of properties. Generally additions should be single storey unless the two storey form does not impact on the cohesive single storey quality of the area. **The design of additions should respond to the form, character and setting.** Council will consider the visual impact of additions on the broader values of the precinct when considering applications for work.

Alterations and additions can be undertaken either in the style of the building to which they are adding or can be of a contemporary design where it can be demonstrated that this provides an appropriate form for the location.

[Sheridan]: Contemporary is often difficult. It can be large and quite unrelated to the character of places, streetscapes around it. Multiple heights, use of prefabricated concrete, lack of associated garden spaces, to break the hardness of form etc is not recommended.

Overall alterations and additions should be designed to fit into the setting, not to stand out, should use characteristic roof forms and materials and should not be obvious.

[Sheridan]: Skillion roofs for example are not a part of the Westbury townscape.

5 New buildings should respond to the adjacent character of significant buildings in siting, setbacks, scale, form, use of materials, roof forms etc. Buildings should generally be oriented to the street for their principal frontage and should provide consistent settings. [Sheridan underlining]

Agree.

Where infill buildings are proposed, material selections and forms should relate to the predominant streetscape pattern. Replication of historic forms is not encouraged in new work, however new designs must demonstrate a scale, form and materials relationship to the significant elements of the precinct.

Most Infill is not recommended. Inappropriate infill, (densities for example, see 34 Marriott St as an example) and strata titling allow the density of spaces to be vastly reduced. It may be down as low as 150m². In an historic town such as Westbury this very much quickly contributes to the changed character of the town. It is very dubious for example whether any of the hedging of 34 Marriott Street will be retained. What happens is the death by

a thousand cuts. All of which stems from the State Government's SPPs, LUPAA and Major Projects changes and more.

6 New commercial buildings should be designed to fit carefully into the character of the street. The street frontage of commercial/retail buildings should have active uses with shopfronts, display windows and entries from the street, blank walls to the street will not be approved.

As an example (but not in Westbury), the modern shopping centre at Longford ought to have much more historic architectural advice and input. It also ought to have had mandatory hedging and or tree plantings.

New retail/commercial buildings should be designed to strengthen the current pattern of linear shopping along the main streets, arcades or similar devices are not appropriate. All new retail activity should be focussed on the existing retail area and not extend into residential areas to maintain the current character of the area.

Agree.

7 Sub-division should only take place where it does not adversely affect the streetscape or the existing historic pattern of development. Any proposal for sub-division must demonstrate how the streetscape and other conservation values are conserved and new development must be planned to follow the existing sub-division patterns with single dwellings fronting the street in regular patterns of development. Group housing is not appropriate within the precinct.

Agree.

Take 34 Marriott Street as an shocking example of what not to do as No 7 suggests.

8 Carports and garages should not be located in front of the current buildings.

[Sheridan] Any front space needs to be kept as green space, preferably with a tree, shrub, plantings or two and possibly a hedge.

9 Car access to the frontage of buildings should not be provided to properties where side driveway access is not available.

Agree

10 Controls should be developed for front fence forms that are appropriate to the setting. High or solid fences are generally not appropriate. Low and matching fencing to the predominant fence types should be encouraged.

[Sheridan] This comment again I basically agree with. What Westbury does not want to turn into is density infill, hidden behind a hedge where all that is seen is a conker line of grey roofs. (as in some subdivisions in outer Sydney for example).

11 The current vacant rural land within the central precinct should generally remain in its present form and should not be sub-divided for new housing development. Any new housing within these areas must be designed to protect the visual setting of the town, the common, the cemetery and other prominent features. New development that impacts on views, vistas and setting should not be approved.

[Sheridan] Agree with this statement and very much endorse the last sentence.

See Paul Davies' work of 2006, and see how the architect was attempting to put into place, the parameters (mentioned by Sheridan, the, Burra Charter articles etc re future potential development. These, critical factors for future development to the character of and in Westbury.

Appendix 3F (2) (a)

Meander Valley Interim Planning Scheme.

It is known that the Coordinator General's Office and the Red Tape Reduction Officer have taken thousands of hectares of land off formerly listed "heritage" land as having 'no negligible heritage value.'⁹ For the information of the Red Tape Reduction Officer, "curtilage" is critical to an understanding of the Burra Charter; that includes not only the title of a property but as well a potential 'extended curtilage.'¹⁰

As I understand the situation, Heritage Tasmania can only intervene when a "site" that is registered is sent to it by the local council. Meander Valley Council has listed no heritage precincts, no local sites, and certainly no cultural landscape areas. Noted too, is that the Northern Regional Land Use Strategy doesn't actually allow what is "landscape" to be listed as does its southern counterpart, albeit with a name called Heritage Landscape Precinct. See CV 3 and CV 4.¹¹ See Fact sheet 7.¹² There are two of these evolved landscape areas, Hobart's Queen Domain, and the Heritage Mile in the Southern Midlands both work completed by Sheridan.¹³ The northern work extended only to the property boundaries but needs to be taken further (See Burra Charter Articles 8 and 24).¹⁴

⁹

https://www.cg.tas.gov.au/__data/assets/pdf_file/0009/164538/21_Dec_Tasmanian_Red_Tape_Audit_Report_2017-18.pdf

¹⁰ *Heritage Curtilages*. Heritage Office NSW. Department of Urban Affairs and Planning 1996. P. 1.

¹¹ See Southern Tasmanian Regional Land Use Strategy.

¹² See https://planningreform.tas.gov.au/__data/assets/pdf_file/0009/390861/Fact-Sheet7-TasmanianPlanningScheme-Heritage-November2017.pdf

¹³ Gwenda Sheridan. 1999. *Historical Landscape of Queens Domain Hobart*. Gwenda Sheridan & Austral Archaeology. *Queens Domain Cultural Heritage Management Plan. Part Two*. 191 pp. This was published by HCC. Further work was completed for the Domain for HCC in 2009. Gwenda Sheridan. *Historical Landscape Evidence to help determine the merits of the Proposed Heritage Precinct at Mangalore: Hearing before the RPDC*. August 2006, SOU 01/2006. 107 pp. Work of this scale and beyond was also completed for the now World Heritage Listed Sites of Brickendon and Woolmers, (2006-2007.)

¹⁴ WHA listed areas, Woolmers, Brickendon.

The Northern Regional Land Use Strategy, incorporated in the MVC Planning Scheme, says thus.

RLUS

The Northern region has significant natural and cultural assets including areas of important biodiversity, areas and sites of cultural heritage, important landscapes and recreation opportunities, and natural resources which are integral to the consideration of the strategic use of land...

3.5.2 Cultural Heritage

□ Support the appropriate management of the cultural heritage of Meander Valley including Aboriginal heritage, European heritage and the complex cultural landscapes of the valley. p. 11.

p. 14 Curtilage:

curtilage means the area of land occupied by development including its yard, outbuildings, car parking, driveways, storage areas, landscaping, wastewater disposal areas and land maintained for natural hazard protection. P. 42-43.

[Sheridan] The RLUS for the north needs to be changed to incorporate what the STRLUS has done in respect of landscape(s).

Appendix 3F (2) (b)

MVC Planning Scheme.

Westbury

Meander Valley Interim Planning Scheme 2013

General Residential 10-2

- a) Westbury will be supported as a growth centre servicing the rural district and also to support the business activity centre;
- b) Varying housing types and aged care will be supported as an important factor in retaining population;
- c) Areas of underutilised, internal land will be promoted for infill development.
- a) Subdivision design is to consider the relationship and connectivity between future urban growth areas, support services and open space assets.

p. 44. 10.1.3 Desired Future Character Statements

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

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

[Sheridan] The zoning area for the General Residential Zone, covers an area that is too large. It takes in the majority of the built area of Westbury. The

General Residential Zone occurs (p.20 LIST plan see Part 1) where the oldest heritage also occurs. Many houses have established gardens, and this a part of the charm of the area.

Table 10.4.1 remains a blank.

At p. 44. 10.1.3, [Desired Future Character Statements] notes "some redevelopment sites may also be appropriate for higher density development."

What is considered higher density development? Is that 34 Marriott Street for example?

Potential "infill" is an enormous problem given zones, density, types of "infill" that would potentially be allowable. The Scheme says 325m²; heritage is not mentioned, rather it is to make "efficient use" of suburban land, whether it sits in the middle of the earliest heritage buildings or not. "Compatible with the density of the surrounding area?".....does that not mean 325m² concreted lots, with no gardens, no trees, etc.

47. 10.3.2 Residential Character – Discretionary Uses

Objective

To ensure that discretionary uses support:

- a) the visual character of the area; and
- b) the local area objectives, if any.

At p. 48 and 10. 3.2 there is Residential Character - Discretionary Uses: and an Objective here is to support (a) the visual character of an area....

Where is that defined, articulated? Explained, and known about? And "visual character" does not necessarily represent architectural and or historically evolved landscapes/ , streetscapes.

The subtlety of changes that can occur, site by site, block by block (when area as area is not considered, when heritage is not mentioned in this context) ends up becoming the death by a thousand cuts. This is already happening around Tasmania.

Current residential , "urban" regulations are most unsuited to an historic town. Only 25% of the site area has to be "free from impervious surfaces".

10.4. Development Standards 10.4.1 Residential density for multiple dwellings.

See 10. 4.3 Site coverage and private open space for all dwellings. P. 56.

At 10.4.13. 2. p. 71, "respect for neighbourhood character" ;; a motherhood statement there is no "neighbourhood character" defined. An 8 metre building will be much higher than the majority of the current building

stock, (10.4.13.3. p. 72) And they potentially can be "right" in your face. [Figure 10.4.13.4];

700 m² lots. P. 10.4.15.2, (p. 79.) So technically allowing infill of 2 X 325m² lots??

What is considered higher density development? Is that 34 Marriott Street for example?

Potential "infill" is an enormous problem given zones, density, types of "infill" that would potentially be allowable. The Scheme says 325m²; but in my experience they work out less than that; heritage is not mentioned, rather it is to make "efficient use" of suburban land, whether it sits in the middle of the earliest heritage buildings or not.

Low Density Residential Zone commences at p. 85.

Westbury

- a) Westbury will be promoted as a key settlement for low density residential development based on the extent of the historic pattern of lots;
- b) Greater efficiency in land use in the provision of lower density lots can be gained through the rearrangement or subdivision of older titles located outside of the serviced core of the settlement.
- a) Future subdivision will be determined on the basis of capacity for on-site servicing, access and any potential for natural hazards.

To be discussed.

12.12. Westbury p. 85 Local Area objectives.

- a) Westbury will be promoted as a key settlement for low density residential development based on the extent of the historic pattern of lots;
- b) Greater efficiency in land use in the provision of lower density lots can be gained through the rearrangement or subdivision of older titles located outside of the serviced core of the settlement.
- a) Future subdivision will be determined on the basis of capacity for on-site servicing, access and any potential for natural hazards.

12.13 Desired Future Character Statements:

p. 87.

Westbury

- a) The low density character of the peripheral areas of the settlement are a distinctive feature of Westbury, reinforced by a strong grid pattern of roads and prominent hedge rows that border existing lots.
- b) Future development is to maintain a density and pattern that keeps the distinction between the inner serviced core and the peripheral low density zone.

See Development Standards, p. 91. 12.4. ;8 metres is considered too high. 12.4.3. Subdivision. P. 97 ; See p. 108

See elsewhere in this representation.

The Urban Mixed Use Zone starts at p. 124.

Local Area Objectives. 15.12. **Westbury**

a) To maintain the current level of mixed use activities.

b) To maximize economic opportunities for reuse of heritage character buildings or other underutilised buildings.

a) New development is to be designed such that it does not dominate or detract from heritage character or adjoining residential character.

Local Business Zone. P. 175 Rutherglen included here.

See p. 183 500m² lot size.

Appendix 4A.

Entally

3.04: Conserving the External Setting, Views, Vistas. Development in the vicinity of Entally would also be carefully considered for impacts on rural.... [and in the text box]¹⁵..... See Part 1, p. 29

Through Tasmania Vol. XIII No 4278. Supplement. October 31, 1883. There was a second Entally record of its land, tree, garden, etc history, agricultural history, ownership etc at this time.

LPS proposed plans:

p. 25 Figure 7: Entally Lodge zoning. This is the proposed General Residential Zone.

Next pages:

¹⁵ Mary Knaggs et al. *Entally House Strategic Asset Management Plan - Final Draft Dec.* p. 19 of 44.

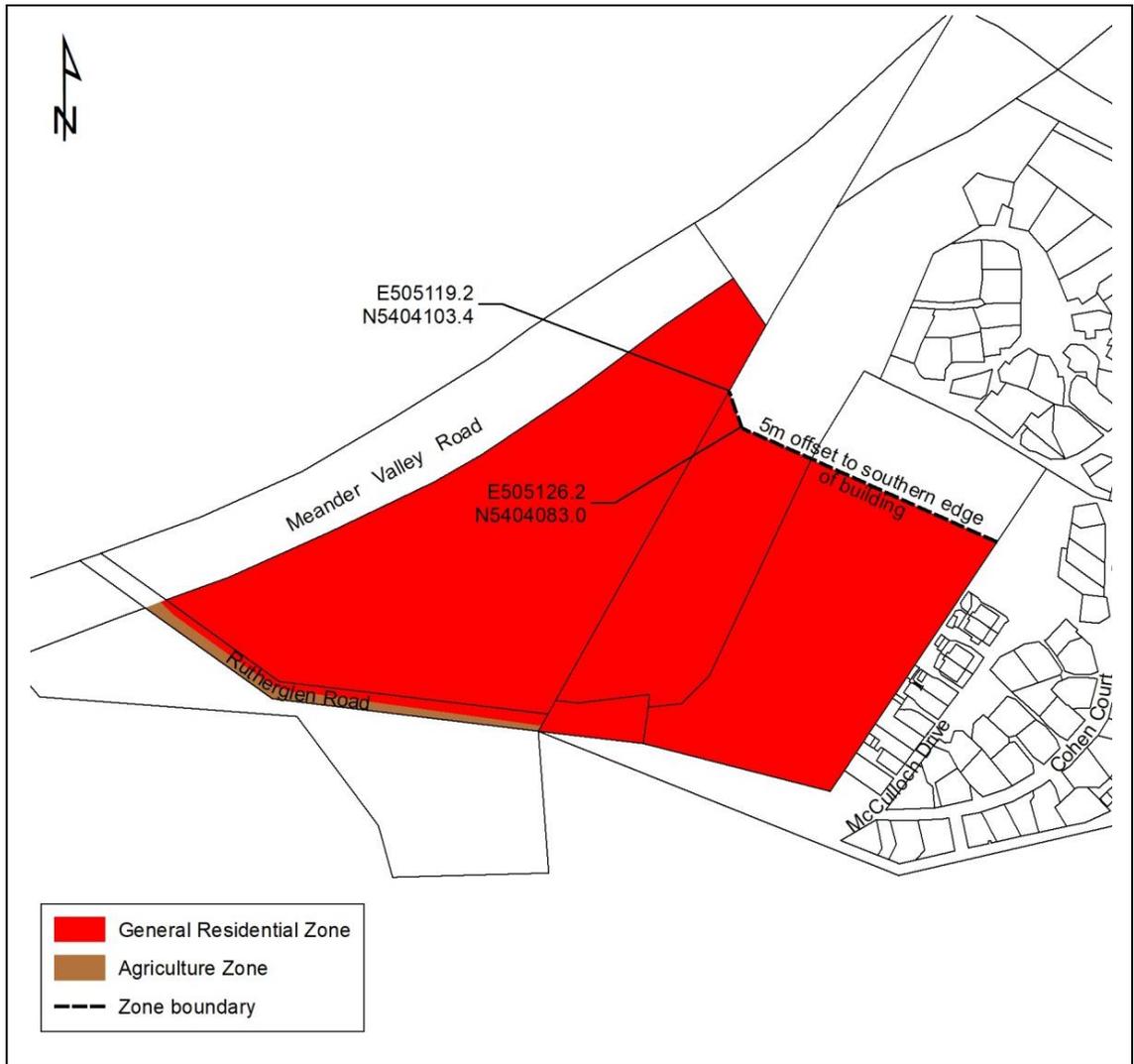
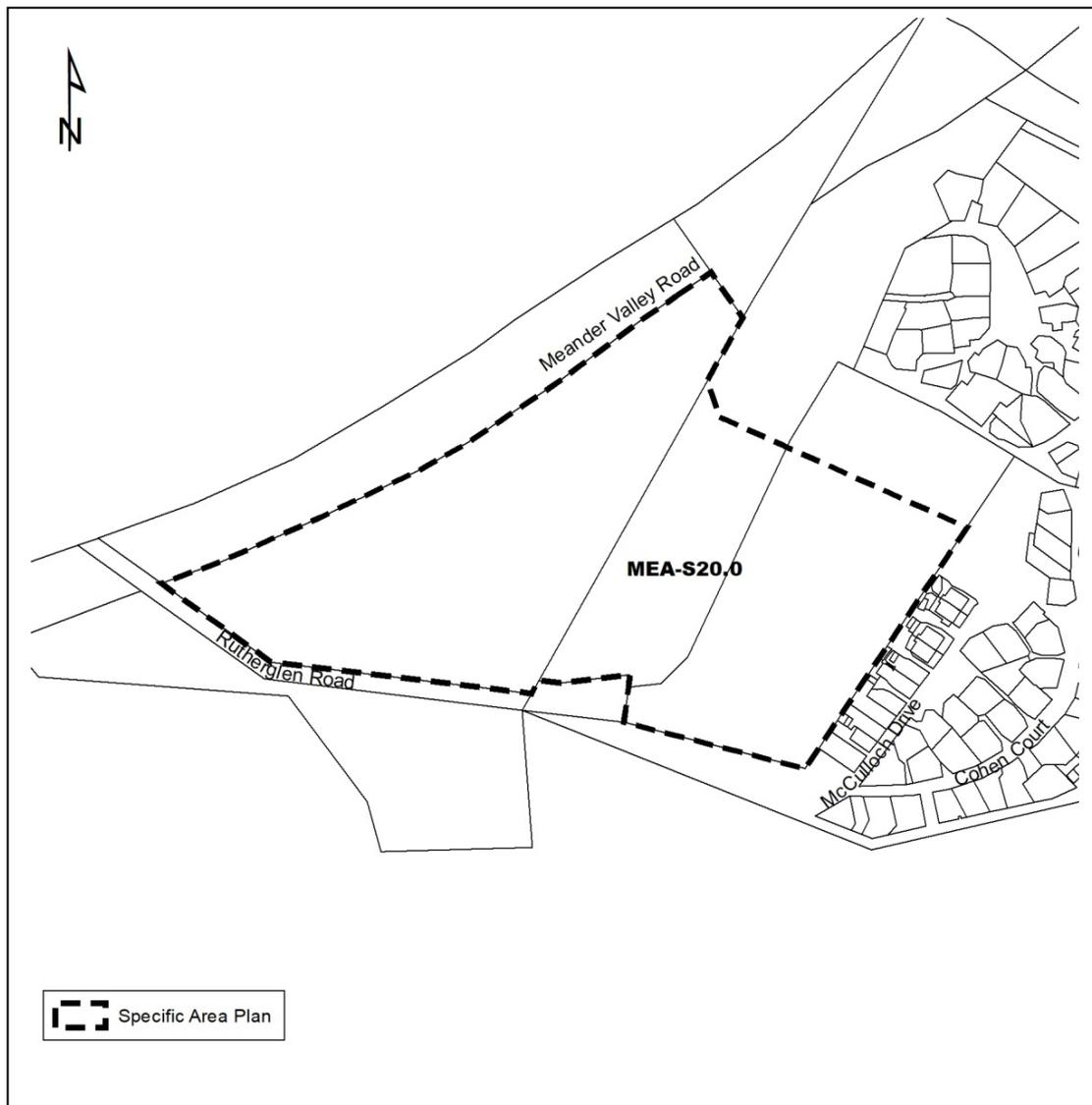


Figure 8 – Entally Lodge Specific Area Plan boundary



Note: Only the modifications to apply the General Residential Zone and Specific Area Plan as shown in Figures 7 and 8 and the provisions of MEA-S20.0 Entally Lodge Specific Area Plan (Appendix A – Section 35K(1)(c) Notice – Annexure A) are subject to exhibition. Representations cannot be accepted on matters relating to zoning of the area.

Can the public please have a 5 metre contour interval of the hill that one sees driving along the Meander Valley Road and coming out of Hadspen, and or from Carrick in the west.

