

**From:** Perry, Darren L  
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**To:** Planning @ Meander Valley Council  
**Subject:** Email from Darren and Sally to MVC Nov 2020  
**Attachments:** Email from Darren and Sally to MVC Nov 2020.docx

Regards  
Darren and Sally Perry

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Darren and Sally Perry,

**November 16, 2020.**

**Representation re, Draft Amendment 3/2020 - 10 and 12 Neptune Drive, Blackstone Heights**

We wish to provide feedback against the amendments sought to enable the development to proceed because of:

- Conflicting nature of the proposal with current use and nature of the area
- Traffic safety, flow and access issues
- Non-compliance with Tasmanian planning regulations
- Concerns around the infrastructure impacts of gated communities and dense housing

**There has been no genuine reason provided to justify any of these recent large subdivision proposals needing to work outside regulations.**

The combined growth of these recently proposed developments would see the suburbs population triple making it commensurate in size with Tasmanian townships such as Wynyard, Smithton, or Sorell and would make the Blackstone Heights population 50% larger than Legana. It is ridiculous that MVC staff and councillors think it feasible for Blackstone Heights to become one of Tasmania's 15 largest population centres when the single access road is narrower than an average driveway and current traffic loads have seen speed limits reduced from 100km/h to 60km/h in the past decade.

Traffic and access issues have been the major points of concern for local residents we have spoken to. Road safety issues, and the need for lights, roundabouts, etc. would mean even slower commute times and dense housing would make our whole area unviable. Having continually reduced speed limits on the access road in response to several years of population growth clearly authorities have acknowledged the risks are rapidly approaching a safe threshold.

There is little evidence to suggest that there would be capacity to cater for the proposed 200% increase in population even after investing millions of dollars up front from Meander Valley Council, Launceston City Council, and State coffers to acquire land, install a second road, engineer and build a bridge across Dalrymple Creek, add lights, roundabouts, and appropriate road widening and/or resurfacing.

This developers attempt to creatively interpret the Tasmanian planning regulations by averaging across a holding that is dynamic is a nonsense – the clear definition of low density in the Tasmanian Planning Scheme is per allotment. The proposal and discussion at a recent public meeting made it clear the developer is simply wanting to misrepresent the intent of rules with a single purpose of satisfying a personal profit driven agenda.

The Tasmanian Planning Scheme (TPS) sets out the requirements for use or development of land in accordance with the Land Use Planning and Approvals Act 1993 (the Act).

[http://www.justice.tas.gov.au/\\_data/assets/pdf\\_file/0007/370294/State\\_Planning\\_Provisions.PDF](http://www.justice.tas.gov.au/_data/assets/pdf_file/0007/370294/State_Planning_Provisions.PDF)

(from pages 10.0 Low Density Residential Zone: 1 through to 10.0 Low Density Residential Zone: 14)

This proposal directly contravenes the following highlighted requirements:

### **10.1 Zone Purpose**

10.1.1 To provide for residential use and development in residential areas where there are infrastructure or environmental constraints that limit the density, location or form of development.

10.1.2 To provide for non-residential use that does not cause an unreasonable loss of amenity, through scale, intensity, noise, traffic generation and movement, or other off site impacts.

### **10.2 Use table**

Residential – if for a single dwelling

Utilities - If for minor utilities.

### **10.3 Use Standards**

Objective: That Discretionary uses do not cause an unreasonable loss of amenity to adjacent sensitive uses.

Hours of operation for a use listed as Discretionary, excluding Emergency Services or Residential use, must be within:

(a) 8.00am to 6.00pm Monday to Friday;

(b) 9.00am to 12.00 noon Saturday; and

(c) nil on Sunday and public holidays.

External lighting for a use listed as Discretionary, excluding Residential use:

(a) must be within the hours of 7.00pm to 7.00am, excluding any security lighting; and

(b) security lighting must be baffled so that direct light does not extend into the adjoining property

Commercial vehicle movements and the unloading and loading of commercial vehicles for a use listed as Discretionary, excluding Emergency Services or Residential use, must be within the hours of: (a) 7:00am to 5:00pm Monday to Friday;

(b) 9:00am to 12 noon Saturday; and

(c) nil on Sunday and public holidays

#### No Acceptable Solution.

A use listed as Discretionary must not cause an unreasonable loss of amenity to adjacent sensitive uses, having regard to:

(a) the intensity and scale of the use;

(b) the emissions generated by the use;

(c) the type and intensity of traffic generated by the use;

(d) the impact on the character of the area; and

(e) the need for the use in that location.

### 10.4 Development Standards for Dwellings

Objective: That the density of multiple dwellings:

(a) is appropriate for the low density nature of the zone; and

(b) is consistent with the availability of infrastructure services and any constraints to development.

#### 10.4.1 Residential density for multiple dwellings

A1 Multiple dwellings must have a site area per dwelling of not less than:

(a) 1500m<sup>2</sup> if it has a connection or is capable of being connected to a full water supply service, a reticulated sewerage system and the public stormwater system; or (b) 2500m<sup>2</sup> otherwise.

P1.1 For a site that has a connection or is capable of being connected to a full water supply service, a reticulated sewerage system and the public stormwater system, multiple dwellings must only have a site area per dwelling that is less than 1500m<sup>2</sup> if the number of dwellings:

(a) is not out of character with the pattern of development existing on established properties in the area;

(b) does not exceed the capacity of the current or intended infrastructure services in the area; and (c) the site area per dwelling is not less than Tasmanian Planning Scheme – State Planning Provisions 10.0 Low Density Residential Zone: 5 1200m<sup>2</sup>, having regard to any constraints to development

P1.2 For a site that is not capable of being connected to a full water supply service, a reticulated sewerage system and the public stormwater system, multiple dwellings must only have a site area per dwelling that is less than 2500m<sup>2</sup> if the number of dwellings:

(a) is not out of character with the pattern of development existing on established properties in the area;

- (b) can be provided with adequate on-site wastewater disposal and water supply; and
- (c) the site area per dwelling is not less than 2000m<sup>2</sup> ; and
- (d) a regulated entity has provided written advice stating that the site is unable to be connected to a full water supply service or a reticulated sewerage system, having regard to any constraints to development

#### 10.4.3 Setback

P1 The siting of a dwelling must be compatible with the streetscape and character of development existing on established properties in the area having regard to:

- (c) the height, bulk and form of existing and proposed buildings;
- (d) the appearance when viewed from roads and public open space adjacent to the site; and
- (e) the safety of road users

P2 The siting of a dwelling must not cause an unreasonable loss of amenity to adjoining properties, having regard to:

- (d) the height, bulk and form of existing and proposed buildings;
- (e) the existing buildings and private open space areas on the site;
- (g) the character of development existing on established properties in the area.

#### 10.4.4 Site coverage

Objective: That site coverage:

- (a) is consistent with the character of existing development in the area;

### 10.6 Development Standards for Subdivision

#### 10.6.1 Lot design

Objective: That each lot:

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

A1 - Each lot, or a lot proposed in a plan of subdivision, must: (a) have an area of not less than 1500m<sup>2</sup>

P1 Each lot, or a lot proposed in a plan of subdivision, must have sufficient useable area and dimensions suitable for its intended use having regard to:

- (e) the pattern of development existing on established properties in the area

## 10.6.2 Roads

Objective: That the arrangement of new roads within a subdivision provides:

(a) the provision of safe, convenient and efficient connections to assist accessibility and mobility of the community;

(b) the adequate accommodation of vehicular, pedestrian, cycling and public transport traffic; and (c) the efficient ultimate subdivision of the entirety of the land and of surrounding land.

The arrangement and construction of roads within a subdivision must provide an appropriate level of access, connectivity, safety, convenience and legibility for vehicles, pedestrians and cyclists, having regard to:

(a) any relevant road network plan adopted by council;

(b) the existing and proposed road hierarchy;

(c) the need for connecting roads and pedestrian paths, to common boundaries with adjoining land, to facilitate future subdivision potential;

(d) maximising connectivity with the surrounding road, pedestrian, cycling and public transport networks;

(e) minimising the travel distance between key destinations such as shops and services and public transport routes;

(f) access to public transport;

(g) the efficient and safe movement of pedestrians, cyclists and public transport;

(h) the need to provide for bicycle infrastructure on new arterial and collector roads in accordance with the Guide to Road Design Part 6A: Paths for Walking and Cycling 2016;

(i) the topography of the site; and

(j) the future subdivision potential of any balance lots on adjoining or adjacent land.

## 10.6.3 Services

Objective: That the subdivision of land provides services for the future use and development of the land.

P2 Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of accommodating an on-site wastewater treatment system adequate for the future use and development of the land.

A3 Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of connecting to a public stormwater system.

On the basis of these multiple non-compliance aspects of the planned development alone the proposal should be refused, (as should the other 2 major developments recently put before council that also do not comply with the zoning regulations and intended use), all of these proposed developments hold little accountability, fail to align with existing use and contradict the intent of the Tasmanian Planning regulations are amenity and future plan for this community.

There is no local appetite for this type of intrusive development in our area. Residents purchased family homes in a low density area for the attributes and amenity our community offers and would see this proposal as directly undermining most of what we enjoy about our lifestyle here.

This proposal and others aiming at dense housing, a gated community and extensive commercial and retail development completely conflicts with the nature of this residential area. We are sure that most residents would prefer developments with 3 acre lots and upmarket homes that are in keeping with our community and would have lesser impact on:

- infrastructure costs to ratepayers and council,
- the need for millions of dollars roadwork upgrades and additions, traffic lights, roundabouts
- ongoing management of road safety and traffic flows
- and align with the pattern of development existing on established properties in the area

Perhaps given the extensive costs, lack of objective traffic data, and limited options for addressing access Blackstone Heights should remain as initially planned - a suburb with a single entry exit that has a realistic and carefully monitored population cap for traffic safety and amenity.

In this case there has been no objective data or evidence of ratepayer support for this project.

MVC track record in community consultation and responding to feedback from existing ratepayers and residents who they are paid to serve is not good.

As an example on at least 4 occasions in the past 20 years a significant number of residents have sought installation of a boat ramp - even successfully acquiring part funding for the project which was not proceeded with as council felt the community support was insufficient due to mixed feedback .

Interestingly these 3 recent massive subdivision proposals have seen significant community concern and in public meetings where we have seen over 50 residents attend, 100% have been opposed to any development contravening the state planning regulations.

Despite this, MVC staff have sought to support the profit driven demands and unsubstantiated claims of developers over the clear development preferences of ratepayers and the long term plan for the area. Council staff and councillors deemed it appropriate to organise and attend public consultation forums around a proposed boat ramp but have not given anywhere near the same attention to development proposals that clearly have much more impact on the community. If developers are held accountable to deliver on these proposals it will triple the number of residents, place enormous pressure on infrastructure during and after completion, completely ruin the amenity and appeal of the area by allowing dense housing and gated retirement communities, place pressure on poorly designed roadways and increase commute times and safety issues in and around the suburb due to massive traffic congestion.

Regards

Darren and Sally Perry.