

Central Highlands Council

Agenda – ORDINARY MEETING – 20th August 2019

Agenda of an Ordinary Meeting of Central Highlands Council scheduled to be held at Bothwell Council Chambers, on Tuesday 20th August 2019, commencing at 9am.

I certify under S65(2) of the Local Government Act 1993 that the matters to be discussed under this agenda have been, where necessary, the subject of advice from a suitably qualified person and that such advice has been taken into account in providing any general advice to the Council.

Lyn Eyles
General Manager

1.0 OPENING

The Mayor advises the meeting and members of the public that Council Meetings, not including Closed Sessions, are audio recorded and published on Council's Website.

2.0 PRESENT

3.0 APOLOGIES

4.0 PECUNIARY INTEREST DECLARATIONS

In accordance with Regulation 8 (7) of the Local Government (Meeting Procedures) Regulations 2015, the Mayor requests Councillors to indicate whether they or a close associate have, or are likely to have a pecuniary interest (any pecuniary or pecuniary detriment) or conflict of interest in any Item of the Agenda.

5.0 CLOSED SESSION OF THE MEETING

Regulation 15 (1) of the *Local Government (Meeting Procedures) Regulations 2015* states that at a meeting, a council by absolute majority, or a council committee by simple majority, may close a part of the meeting to the public for a reason specified in sub-regulation (2).

As per *Regulation 15 (1) of the Local Government (Meeting Procedures) Regulations 2015*, this motion requires an absolute majority

Moved: Clr

Seconded: Clr

THAT pursuant to *Regulation 15 (1) of the Local Government (Meeting Procedures) Regulations 2015*, Council, by absolute majority, close the meeting to the public to consider the following matters in Closed Session

Item Number	Matter	<i>Local Government (Meeting Procedures) Regulations 2015</i>
1	Confirmation of the Closed Session Minutes of the Meeting held on 16 July 2019	15 (2)(g) – information of a personal and confidential nature or information provided to Council on the condition it is kept confidential
2	Receival of the Draft Plant Committee Minutes of 5 August 2019	15 (2)(g) – information of a personal and confidential nature or information provided to Council on the condition it is kept confidential
3	Tenders for Plant Purchases	Regulation 15 (2)(d)) contracts, and tenders, for the supply of goods and services and their terms, conditions, approval and renewal

4	Application for Leave of Absence	Regulation 15 (2)(h) – applications by councillors for a leave of absence
5	Confidential Report from the General Manager	15 (2)(g) – information of a personal and confidential nature or information provided to Council on the condition it is kept confidential
6	Consideration of Matters for Disclosure to the Public	Regulation 15 (8) - While in a closed meeting, the Council, or Council Committee, is to consider whether any discussions, decisions, reports or documents relating to that closed meeting are to be kept confidential or released to the public, taking into account privacy and confidentiality issues

5.1 MOTION OUT OF CLOSED SESSION

Moved:

Seconded:

THAT Council move out of Closed Session and resume the Ordinary Meeting.

OPEN MEETING TO PUBLIC

The meeting opens to the public at 10.00am.

6.0 DEPUTATIONS

10.00 – 10.15 Rob Clark – Westerway Community Hall Group
 10.30 – 10.45 Juliet Smith – President of the Bothwell International Highlands SpinIn and Fibre Festival
 11.00 - 11.15 Laurie Costello - Tourism Association

6.1 PUBLIC QUESTION TIME

7.0 MAYORAL COMMITMENTS

16th July 2019 Ordinary Council Meeting – Hamilton
 17th July 2019 Business of Council
 Meeting with Rate Payer
 18th July 2019 Business of Council
 Meeting with Rate Payers x 2
 19th July 2019 Business of Council
 Meeting with Tasmania Police
 20th July 2019 Meeting with Minister Fergusson
 21st July 2019 Business of Council
 22nd July 2019 GM & GP Practice meeting
 23rd July 2019 Meeting with Rate payer
 Meeting with Tas Police
 GP Practice Meeting
 25th July 2019 Planning Scheme Workshop – Bothwell
 26th July 2019 Opening of Hamilton Street Library
 29th July 2019 Eastern Shore Medical Practice Meeting
 30th July 2019 Bothwell Medical Centre Meeting
 31st July 2019 Huonville Medical Practice meeting
 1st August 2019 Business of Council;
 7th August 2019 Business of Council
 8th August 2019 Halls Island Pty Ltd Lake Malbena Tribunal
 9th August 2019 Halls Island Pty Ltd Lake Malbena Tribunal
 12th August 2019 Business of Council
 13th August 2019 Planning Committee Meeting – Bothwell
 Aboriginal Heritage Workshop

14 th August 2019	21 st Century Council's Workshop Bothwell Medical Centre TV Interview On Site Bothwell Public Amenities Inspection Business of Council
------------------------------	--

7.1 COUNCILLOR COMMITMENTS

Deputy Mayor J Allwright

16 th July 2019	Ordinary Council Meeting – Hamilton
25 th July 2019	Planning Scheme Workshop – Bothwell
31 st July 2019	Westerway Bush Watch Meeting
2 nd August 2019	Sound System Acceptance – Bothwell
13 th August 2019	Planning Committee Meeting – Bothwell Aboriginal Heritage Workshop – Bothwell 21 st Century Councils Workshop – Bothwell

Clr A Archer

16 th July 2019	Ordinary Council Meeting – Hamilton
25 th July 2019	Planning Scheme Workshop – Bothwell
5 th August 2019	Plant Committee Meeting – Hamilton

Clr A Bailey

16 th July 2019	Ordinary Council Meeting – Hamilton
26 th July 2019	Opening of Hamilton Street Library
5 th August 2019	Plant Committee Meeting – Hamilton

Clr S Bowden

16 th July 2019	Ordinary Council Meeting – Hamilton
----------------------------	-------------------------------------

Clr A Campbell

25 th July 2019	Planning Scheme Workshop – Bothwell
5 th August 2019	Health and Wellbeing Meeting, Bothwell, with Lyn Eyles, Tracey Turale and Faye Robinson
13 th August 2019	Aboriginal Heritage Act Workshop – Bothwell 21 st Century Council's Workshop – Bothwell
14 th August 2019	Meeting at Ash Cottage to discuss HATCH projects and programs
19 th August 2019	Ordinary HATCH meeting, Bothwell

Clr R Cassidy

2 nd July 2019	Dedication of firefighting equipment by West Tamar Council and provide photographic support for CHC with Mayor Triffitt – Bothwell
9 th July 2019	Planning Committee Meeting & Planning Scheme Workshop – Bothwell
16 th July 2019	Ordinary Council Meeting – Hamilton
25 th July 2019	Planning Scheme Workshop – Bothwell
26 th July 2019	Hamilton Community Street Library dedication and photography for CHC
2 nd August 2019	Acceptance from RAW and Bothwell Tourism Association of a Yamaha PA/Sound System with Deputy Mayor Jim Allwright
13 th August 2019	Planning Committee Meeting and Workshop afterward

Clr J Honner

16 th July 2019	Ordinary Council Meeting – Hamilton
25 th July 2019	Planning Scheme Workshop – Bothwell
4 th August 2019	Information Day – Steppes Hall
13 th August 2019	Aboriginal heritage workshop

Clr J Poore

3 rd June 2019	Audit Panel Meeting – Hamilton Meeting at Central Highlands Visitor & Information Centre
7 th June 2019	Budget Workshop – Hamilton
11 th June 2019	Planning Committee Meeting – Bothwell
18 th June 2019	Ordinary Council Meeting – Bothwell
24 th June 2019	Installation of equipment at the Visitors Centre
9 th July 2019	Planning Committee Meeting and Workshop – Bothwell
11 th July 2019	Central Highlands Visitors Centre Management Committee Meeting

16 th July 2019	Ordinary Council Meeting – Hamilton
25 th July 2019	Planning Scheme Workshop – Bothwell
31 st July 2019	Organise removal and relocation of furniture items at Visitors Centre Pick up Replacement Table for Visitors Centre in Glenorchy
4 th August 2019	Windfarm information day at the Steppes
5 th August 2019	Visitors Centre with Deputy General Manager to inspect Alarm System
13 th August 2019	Planning Meeting – Bothwell Local Government Workshop – Bothwell
20 th August 2019	Ordinary Council Meeting – Bothwell

7.2 GENERAL MANAGER'S COMMITMENTS

16 th July 2019	Ordinary Council Meeting
22 nd July 2019	Meeting City Doctors Meeting Dr Geoff Chapman
23 rd July 2019	Meeting Dr Gardner
25 th July 2019	Planning Workshop
29 th July 2019	Meeting Eastern Shore Doctors
30 th July 2019	Meeting Kylie Baxter
31 st July 2019	Meeting Professor Bastian Seidel
5 th August 2019	Health & Wellbeing Meeting Plant Committee meeting Meeting Dr Mary Lumsden
8 th -9 th August 2019	Wild Drake Appeal Hobart
13 th August 2019	Council Workshop
14 th August 2019	Meeting Mayor & Rachel Power
15 th August 2019	Meeting Health Recruitment Plus
19 th August 2019	Council Workshop – State Growth

7.3 DEPUTY GENERAL MANAGER'S COMMITMENTS

17 th July 2019	Local Government WHS network Group Meeting
26 th July 2019	Opening of the New Community Street Library Hamilton Inn, Post Office
31 st July 2019	Meeting with Lynden Leppard Local Government Association of Tasmania
2 nd August 2019	Southern Region Social Recovery Committee Meeting
5 th August 2019	Plant Committee Meeting Local Government Shared Services Meeting
6 th August 2019	Committee Meeting of Trout Guides and Lodges Tasmania Inc.
8 th August 2019	Emergency Management Workshop
13 th August 2019	Council Workshop
15 th August 2019	Local Government Legislation Reform Session
16 th August 2019	Tourism Project Meeting
19 th August 2019	Health and Wellbeing Grant Application Meeting
20 th August 2019	Council Meeting

8.0 NOTIFICATION OF COUNCIL WORKSHOPS HELD

Planning Scheme Workshop – Held at the Bothwell Council Chambers on the 25th of July 2019

Council Workshop – Information Session for Councillors on the Statutory Review of the Aboriginal Heritage Act held at Bothwell on the 13th August 2019

Council Workshop- 21st Century Councils held at Bothwell on the 13th August 2019.

Council Workshop – State Growth Road Safety - 19 August 2019

8.1 FUTURE WORKSHOPS

Council Workshop – Local Government Legislation Reform - 10 September 2019

Emergency Management Workshop – Date to be considered

9.0 MAYORAL ANNOUNCEMENTS

10.0 MINUTES

10.1 RECEIVAL DRAFT MINUTES ORDINARY MEETING

Moved:

Seconded:

THAT the Draft Minutes of the Open Council Meeting of Council held on Tuesday 16th June 2019 be received.

10.2 CONFIRMATION OF MINUTES ORDINARY MEETING

Moved:

Seconded:

THAT the Minutes of the Open Council Meeting of Council held on Tuesday 16th June 2019 be confirmed.

10.3 RECEIVAL DRAFT OF CENTRAL HIGHLANDS VISITOR CENTRE MANAGEMENT COMMITTEE MEETING

Moved:

Seconded:

THAT the Minutes of the Central Highlands Visitor Centre Management Committee meeting held on Thursday 11th July 2019 be received.

10.4 RECIEVAL DRAFT MINUTES PLANNING COMMITTEE MEETING

Moved:

Seconded:

THAT the Draft Minutes of the Planning Committee Meeting held on Tuesday 13th August 2019 be received.

11.0 BUSINESS ARISING

13.0	Accountant to review the interest rates on investments
14.1	Correspondence sent to applicant by Development & Environmental Services
14.2	Correspondence sent to applicant by Development & Environmental Services
14.3	Correspondence sent to parties by Development & Environmental Services
14.4	Manager Development & Environmental Services investigating opportunities
14.5	Fees remitted
15.1	Correspondence sent to Kingborough Anglers Association by Deputy General Manager
15.1	Correspondence sent by Mayor to State Growth
16.2	Correspondence sent by Deputy General Manager
16.3	Correspondence sent by Deputy General Manager
16.9	Donation provided to Royal Flying Doctor Service Tasmania
16.11	MOU signed
16.12	Correspondence to be sent by Deputy General Manager in September
16.13	Item deferred to August Ordinary Meeting of Council
16.14	Correspondence sent by Deputy General Manager
17.1	Environmental Health Officer to report to August Ordinary Meeting of Council

12.0 DERWENT CATCHMENT PROJECT REPORT

Moved:

Seconded:

THAT the Derwent Catchment Project report be received.



**The Derwent
Catchment Project**
Increasing Productivity. Restoring Landscapes

Derwent Catchment Project Report for Central Highlands Council

8th July – 13th August 2019

General business

Spring celebration and fundraiser 2019

Every year we gather the community together to celebrate Spring and the start of the productive season. As part of the event we share a 3-course meal and hold a charity auction to raise money to support our work in the Catchment. The last 3 events have been held in Hamilton or Bothwell and this year we are excited to be holding the event in a new venue, the hop kiln at Valleyfield in New Norfolk. Please RSVP to Eve if you are able to make it, your support would be much appreciated. Our AGM will be beforehand at 4.30 pm for those who wish to attend.

Eve is busy organising the fundraiser and has attracted some great donations from businesses and community across the Catchment. We are holding a silent auction and main auction which will raise money for us to purchase a 4WD on-ground works vehicle for roadside spraying weed control and revegetation projects.

On-ground works team

We are undertaking a recruitment process for the position of On-ground Works Team Leader and will interview 3 applicants on the 23rd August. Glenn Szalman is currently acting in the position. Glenn has run his own land management business previously and is a keen angler. He has an intimate knowledge of the region and its river landscapes. We will keep you posted on our works team recruitment as we will have 2 staff up and ready for the weed season starting.

Fire management workshop

Eve attended a bushfire workshop held in Hobart and organised by DPIPWE fire management staff. She presented a short talk about the effect of the recent fires on the Miena cider gum and also the need for better cross-tenure fire management support, particularly for large landowners next to the world heritage area. Eve has scheduled a meeting with the Fuel Reduction Unit manager and other relevant fire management managers (i.e. Parks and Wildlife and Tas Fire Service) to discuss this issue and investigate what funding would be available to support a fire management facilitation program.

Please note that Josie has been on annual leave for the last 4 weeks.

Weed Management Program

Weed action fund grants and advice

The first round of the Weed Action Fund has recently closed and was open to agricultural producers looking for up to \$5,000 to support work on priority weed issues. DCP submitted 2 applications (African feathergrass survey and Elisha's Tears control) as well as providing advice for other applicants.

Highlands Broom Report

We have completed the Highlands Broom Report. The next stage will be to undertake control in Spring around Tarraleah to protect the Tarraleah Conservation Area. The Report includes a co-investment plan which will be submitted to the next Weed Action Fund (currently being administered by the Biosecurity Tasmania DPIPWE) round to support cooperative containment in the Central Highlands.

Broom in the edges of native vegetation at Tarraleah. a. Broom has invaded up to 80m into open woodland in paddocks with grazing and b. there is scattered broom on the regenerating edges of the Tarraleah



Orange Hawkweed

The Action Statement for Orange Hawkweed in the Central Highlands has been completed. Similarly, this Action Statement will be used to support a collaborate cross-tenure project as part of the Weed Action Fund round 2 which will have scope to support larger projects.

River Recovery

Tyenna River Recovery program – Willow Warriors revegetation update

The revegetation undertaken last working bee has been inundated a few times by rising river levels, however they are growing well, and most are still in place. We lost a few sedges from the river edge, but the rocks placed upstream have worked particularly well in reducing the force of the water. The mesh cages around the trees and shrubs have allowed for the water movement without being washed out.

Ouse River

Glenn has been working with landholders at priority sites to remove guards and stakes from failed plantings and replant with native tubestock from the Hamilton nursery.

Agri-best Practice Program

Open Gates – Dairy Cares for the Derwent

Significant planting (940 plants so far) has been undertaken at Clearview Dairy as part of this program.



Revegetation at the site will encompass 2.5 ha of shelter belts and riparian plantings when completed.

We are in the process of purchasing a water quality monitor for use to assess changes over time as part of the broader Open Gates program.

Grants roundup

1. Filling the feed gap in the Derwent: forage shrubs on North-facing slopes – Meat & Livestock Australia - \$100,000 – Successful (4-year grant with option of extension for a further two years)
2. Agri-best practice in the Derwent – Regional Land Partnerships - \$1.2 million submitted *will find out shortly*

Please don't hesitate to call us if you have any queries about our programs.

Yours Sincerely,

Josie Kelman, Facilitator, The Derwent Catchment Project 0427 044 700

Eve Lazarus, Project Officer, The Derwent Catchment Project 0429 170 048

13.0 FINANCE REPORT

Moved:

Seconded:

THAT the Finance Report be received.

RATES RECONCILIATION AS AT 30 June 2019

	<u>2018</u>	<u>2019</u>
Balance 30th June	\$43,156.50	\$41,105.55
Rates Raised	\$3,494,902.57	\$3,632,817.95
Penalties Raised	\$33,520.58	\$36,556.31
Supplementaries/Debit Adjustments	\$39,408.44	\$32,836.48
Total Raised	\$3,610,988.09	\$3,743,316.29
Less:		
Receipts to Date	\$3,425,997.23	\$3,569,782.30
Pensioner Rate Remissions	\$96,522.86	\$98,805.54
Remissions/Supplementary Credits	\$47,362.45	\$30,894.50
Balance	\$41,105.55	\$43,833.95

Bank Reconciliation as at 30 July 2019

	2018	2019
Balance Brought Forward	\$10,099,068.81	\$10,473,797.73
Receipts for month	\$646,103.36	\$721,921.73
Expenditure for month	\$1,035,003.19	\$1,145,014.75
Balance	\$9,710,168.98	\$10,050,704.71
Represented By:		
Balance Commonwealth Bank	\$927,222.00	\$788,671.09
Balance Westpac Bank	\$231,064.71	\$178,623.03
Investments	\$8,564,452.50	\$9,135,470.30
Plus Unbanked Money & Floats	\$9,722,739.21	\$10,102,764.42
	\$8,106.88	\$7,631.69
Less Unpresented Cheques	\$9,730,846.09	\$10,110,396.11
	\$1,613.92	\$8,696.15
Un-receipted amounts on bank statements	\$19,063.19	\$50,995.25
	\$9,710,168.98	\$10,050,704.71

	BUDGET 2019/2020	ACTUAL TO 31-Jul-18	ACTUAL TO 31-Jul-19	% OF BUDGET SPENT	BALANCE OF BUDGET
CORPORATE AND FINANCIAL SERVICES					
ADMIN. STAFF COSTS(ASCH)	\$569,056	\$63,358	\$35,646	6.26%	\$533,410
ADMIN BUILDING EXPEND(ABCH)	\$35,966	\$6,067	\$9,423	26.20%	\$26,543
OFFICE EXPENSES(AOEH)	\$139,500	\$32,553	\$27,969	20.05%	\$111,531
MEMBERS EXPENSES(AMEH)	\$193,410	\$11,744	\$11,659	6.03%	\$181,751
OTHER ADMIN. EXPENDITURE(ASEH + RATES)	\$318,166	\$61,136	\$72,560	22.81%	\$245,606
MEDICAL CENTRES(MED)	\$128,000	\$6,936	\$2,094	1.64%	\$125,906
STREET LIGHTING(STLIGHT)	\$39,600	\$0	\$0	0.00%	\$39,600
ONCOSTS (ACTUAL)(ONCOSTS)	\$493,952	\$82,446	\$120,534	24.40%	\$373,417
ONCOSTS RECOVERED	(\$430,000)	(\$38,581)	(\$38,262)	8.90%	(\$391,738)
COMMUNITY & ECONOMIC DEVELOPMENT & RELATIONS(CDR+EDEV)	\$211,150	\$14,021	\$14,663	6.94%	\$196,487
GOVERNMENT LEVIES(GLEVY)	\$253,837	\$0	\$0	0.00%	\$253,837
TOTAL CORPORATE & FINANCIAL SERVICES	\$1,952,637	\$239,678	\$256,287	13.13%	\$1,696,351
DEVELOPMENT AND ENVIRONMENTAL SERVICES					
ADMIN STAFF COSTS - DES (ASCB)	\$170,263	\$19,952	\$10,225	6.01%	\$160,038
ADMIN BUILDING EXPEND - DES(ABCB)	\$18,737	\$3,960	\$8,105	43.26%	\$10,632
OFFICE EXPENSES - DES (AOEB)	\$57,000	\$8,037	\$5,692	9.99%	\$51,308
ENVIRON HEALTH SERVICES (EHS)	\$32,384	\$2,401	\$1,536	4.74%	\$30,848
ANIMAL CONTROL(Animal Control)(AC)	\$18,570	\$704	\$274	1.48%	\$18,296
PLUMBING/BUILDING CONTROL (BPC)	\$125,212	\$11,576	\$6,264	5.00%	\$118,948
SWIMMING POOLS (POOL)	\$40,591	\$2,102	\$994	2.45%	\$39,597
DEVELOPMENT CONTROL (DEV)	\$185,000	\$8,443	\$5,297	2.86%	\$179,703
DOOR TO DOOR GARBAGE & RECYCLING (DD)	\$146,118	\$10,560	\$0	0.00%	\$146,118
ROADSIDE BINS COLLECTION (DRB)	\$110,000	\$7,862	(\$5,650)	-5.14%	\$115,650
WASTE TRANSFER STATIONS (WTS)	\$192,252	\$15,159	\$12,027	6.26%	\$180,225
TIP MAINTENANCE (TIPS)	\$65,379	\$2,836	\$3,073	4.70%	\$62,306
ENVIRONMENT PROTECTION (EP)	\$2,718	\$788	\$84	3.09%	\$2,634
RECYCLING (RECY)	\$40,600	\$5,969	\$4,101	10.10%	\$36,499
TOTAL DEVELOPMENT & ENVIRONMENTAL SERVICES	\$1,204,824	\$100,350	\$52,022	4.32%	\$1,152,802
WORKS AND SERVICES					
PUBLIC CONVENIENCES (PC)	\$123,875	\$10,791	\$11,667	9.42%	\$112,208
CEMETERY (CEM)	\$21,180	\$3,243	\$160	0.75%	\$21,020
HALLS (HALL)	\$45,069	\$10,425	\$14,982	33.24%	\$30,087
PARKS AND GARDENS(PG)	\$75,622	\$9,855	\$9,015	11.92%	\$66,607
REC. & RESERVES(Rec & tennis)	\$74,290	\$7,421	\$5,150	6.93%	\$69,140
TOWN MOWING/TREES/STREETSCAPES(MOW)	\$125,000	\$2,346	\$791	0.63%	\$124,209
FIRE PROTECTION (FIRE)	\$1,000	\$0	\$0	0.00%	\$1,000
HOUSING (HOU)	\$51,800	\$17,592	\$18,013	34.77%	\$33,787
CAMPING GROUNDS (CPARK)	\$12,000	\$159	\$0	0.00%	\$12,000
LIBRARY (LIB)	\$545	\$428	\$674	123.64%	(\$129)
ROAD MAINTENANCE (ROAD)	\$788,370	\$99,154	\$111,197	14.10%	\$677,173
FOOTPATHS/KERBS/GUTTERS (FKG)	\$5,640	\$181	\$0	0.00%	\$5,640
BRIDGE MAINTENANCE (BRI)	\$22,891	\$0	\$0	0.00%	\$22,891
PRIVATE WORKS (PW)	\$85,000	\$8,100	\$3,609	4.25%	\$81,391
SUPER. & I/D OVERHEADS (SUPER)	\$347,608	\$33,384	\$35,617	10.25%	\$311,991

QUARRY/GRAVEL (QUARRY)	(\$48,000)	(\$18,513)	\$0	0.00%	(\$48,000)
NATURAL RESOURCE MANAGEMENT(NRM)	\$129,546	\$562	\$620	0.48%	\$128,926
SES (SES)	\$2,000	\$248	\$0	0.00%	\$2,000
PLANT M'TCE & OPERATING COSTS (PLANT)	\$477,348	\$84,524	\$75,757	15.87%	\$401,591
PLANT INCOME	(\$650,000)	(\$57,737)	(\$72,737)	11.19%	(\$577,263)
DRAINAGE (DRAIN)	\$23,000	\$160	\$1,991	8.66%	\$21,009
OTHER COMMUNITY AMENITIES (OCA)	\$23,118	\$2,352	\$2,604	11.26%	\$20,514
WASTE COLLECTION & ASSOC SERVICES (WAS)	\$26,200	\$2,802	\$2,418	9.23%	\$23,782
TOTAL WORKS & SERVICES	\$1,763,102	\$217,475	\$221,529	12.56%	\$1,541,573

DEPARTMENT TOTALS OPERATING EXPENSES

Corporate Services	\$1,952,637	\$239,678	\$256,287	13.13%	\$1,696,351
Dev. & Environmental Services	\$1,204,824	\$100,350	\$52,022	4.32%	\$1,152,802
Works & Services	\$1,763,102	\$217,475	\$221,529	12.56%	\$1,541,573
Total All Operating	\$4,920,563	\$557,504	\$529,837	10.77%	\$4,390,726

CAPITAL EXPENDITURE

CORPORATE AND FINANCIAL SERVICES

Computer Purchases	\$16,500	\$1,676	\$0	0.00%	\$16,500
Equipment	\$15,000	\$40,942	\$0		\$15,000
Miscellaneous	\$23,500	\$0	\$0		\$23,500
	\$55,000	\$42,618	\$0	0.00%	\$55,000

DEVELOPMENT & ENVIRONMENTAL SERVICES

Swimming Pool	\$37,000	\$0	\$0		\$37,000
Waste Transfer Station	\$15,000	\$0	\$0		\$15,000
	\$52,000	\$0	\$0		\$52,000

WORKS & SERVICES

Plant Purchases	\$424,000	\$0	\$0		\$424,000
Camping Grounds	\$50,000	\$0	\$0		\$50,000
Public Conveniences	\$70,000	\$0	\$8,760		\$61,240
Bridges	\$532,000	\$18,349	\$273		\$531,727
Road Construction & Reseals	\$1,280,000	\$91,147	\$27,847		\$1,252,153
Drainage	\$30,000	\$0	\$0	0.00%	\$30,000
Parks & Gardens Capital	\$63,000	\$0	\$0	0.00%	\$63,000
Infrastructure Capital	\$398,000	\$0	\$0		\$398,000
Footpaths, Kerbs & Gutters	\$20,000	\$1,693	\$0		\$20,000
Rec Grounds	\$10,000	\$5,353	\$879		\$9,121
Halls	\$10,000	\$0	\$0		\$10,000
Buildings	\$130,000	\$0	\$0		\$130,000
	\$3,017,000	\$116,542	\$37,760	1.25%	\$2,979,240

TOTAL CAPITAL WORKS

Corporate Services	\$55,000	\$42,618	\$0	0.00%	\$12,382
Dev. & Environmental Services	\$52,000	\$0	\$0	0.00%	\$52,000
Works & Services	\$3,017,000	\$116,542	\$37,760	1.25%	\$2,900,458
	\$3,124,000	\$159,160	\$37,760	1.21%	\$2,964,840

Comprehensive Income Statement

31/07/2019

Recurrent Income		Reviewed Budget 2018-2019	Actual to date prior year	Actual to Date	Budget 2019-2020	Variation from YTD Budget %	Comments
Rates Charges		\$3,606,569	\$3,608,369	\$3,738,237	\$3,729,984	0%	
User Fees		\$238,500	\$43,962	\$28,627	\$257,500	3%	
Grants - Operating		\$2,318,505	\$0	\$0	\$2,428,040	(8)%	
Other Revenue		\$492,034	\$547	-\$5,034	\$512,034	(9)%	
Total Revenues		\$6,655,608	\$3,652,877	\$3,761,830	\$6,927,558	46%	
Expenditure							
Employee Benefits		\$1,788,651	\$121,258	\$143,811	\$1,949,709	(1)%	
Materials and Services		\$1,385,766	\$133,078	\$84,002	\$1,418,866	(2)%	
Other Expenses		\$1,374,973	\$299,118	\$309,613	\$1,551,987	12%	
Depreciation and Amortisation		\$2,116,000	\$176,078	\$177,980	\$2,112,000	0%	
Total Expenditure		6,665,390	729,531	715,406	7,032,562	2%	
Operating Surplus(Deficit)		(9,782)	2,923,346	3,046,425	(105,004)		
Capital Grants & Other		\$209,198	\$0	\$0	\$694,000		
Surplus(Deficit)		199,416	2,923,346	3,046,425	588,996		
Capital Expenditure		\$2,680,712	\$159,160	\$37,760	\$3,124,000		

BANK ACCOUNT BALANCES AS AT 31 JULY 2019

No.	Bank Accounts	Investment Period	Current Interest Rate %	Due Date	<u>BALANCE</u>	
					2018	2019
0011100	Cash at Bank and on Hand					
0011105	Bank 01 - Commonwealth - General Trading Account				922,334.70	746,565.93
0011106	Bank 02 - Westpac - Direct Deposit Account				222,831.78	168,118.48
0011110	Petty Cash				350.00	350.00
0011115	Floats				200.00	200.00
0011199	TOTAL CASH AT BANK AND ON HAND				1,145,716.48	915,234.41
0011200	Investments					
0011205	Bank 03 On-Call	On Call				
0011206	Bank 04	30 Days	1.40%	8/08/2019	1,077,794.13	1,000,000.00
0011207	Bank 05	90 Days	1.75%	16/08/2019	1,577,411.25	1,614,055.42
0011212	Bank 12	30 Days	1.41%	23/08/2019	605,868.72	1,016,026.71
0011214	Tascorp	91 Days	1.29%	18/09/2019	-	77,036.99
0011215	Bank 15	120 Days	1.86%	18/10/2019	3,280,676.66	3,361,938.67
0011216	Bank 16	120 Days	1.76%	23/10/2019	2,022,701.74	2,066,412.51
0011299	TOTAL INVESTMENTS				8,564,452.50	9,135,470.30
TOTAL BANK ACCOUNTS AND CASH ON HAND					9,710,168.98	10,050,704.71

Agenda 20th August 2019

No.	Plant	Total Expense	Sal and Wage	Oncosts	Internal Plant Hire	Materials	Plant & Equipment Maintenance	Insurance	Fuel	Tyres	Registration	Depreciation	Cost of capital	Recovered	Hours	Recovery per Hour	Expenditure per Hour	Recovery/(Loss) per Hour
PM0149	Loadrite Weighing System	\$ 1,149.85	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 78.25	\$ -	\$ -	\$ -	\$ 893.00	\$ 178.60	-	-			
PM0196	Transmig Welder	\$ 318.29	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 21.29	\$ -	\$ -	\$ -	\$ 243.00	\$ 54.00	-	-			
PM0238	Auger	\$ 1,455.88	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 98.92	\$ -	\$ -	\$ -	\$ 1,128.90	\$ 228.06	-	-			
PM0254	Test and Tag Equipment	\$ 289.23	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 19.65	\$ -	\$ -	\$ -	\$ 224.27	\$ 45.31	-	-			
PM0255	Floor Jack 15 Tonne	\$ 384.11	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 26.10	\$ -	\$ -	\$ -	\$ 297.84	\$ 60.17	-	-			
PM613	Komatsu Loader Hamilton BO8817	\$ 7,258.29	\$ 244.99	\$ 80.08	\$ 140.00	\$ -	\$ 1,576.05	\$ 233.67	\$ 1,125.80	\$ 181.82	\$ 209.21	\$ 2,666.67	\$ 800.00	\$ 3,720.00	93.0	\$ 40.00	\$ 78.05	(\$38.05)
PM620	Herc Superdog - Kelvin (IT2581)	\$ 6,245.45	\$ 126.79	\$ 76.08	\$ -	\$ -	\$ 562.83	\$ 193.34	\$ -	\$ 544.25	\$ 1,867.18	\$ 2,206.38	\$ 668.60	\$ 15,650.00	626.0	\$ 25.00	\$ 9.98	\$15.02
PM621	Pig Trailer Hamilton OT0770	\$ 2,876.28	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 70.10	\$ -	\$ -	\$ 1,766.18	\$ 800.00	\$ 240.00	-	-			
PM622	Fuel Tanker Bothwell PT4204	\$ 80.00	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -	\$ -	\$ 80.00	-	\$ -	-	-			
PM627	Small Mowers	\$ 5,102.40	\$ 406.83	\$ 219.48	\$ 16.50	\$ 1,019.58	\$ 2,285.82		\$ 1,154.19	\$ -	\$ -	-	\$ -	\$ 3,216.00	1,072.0	\$ 3.00	\$ 4.76	(\$1.76)
PM628	Chainsaws	\$ 1,598.57	\$ 66.73	\$ 40.04	\$ -	\$ 639.43	\$ 651.38		\$ 200.99	\$ -	\$ -	-	\$ -	\$ 335.85	67.2	\$ 5.00	\$ 23.80	(\$18.80)
PM629	Spray Units	\$ 3,604.62	\$ 140.27	\$ 84.17	\$ -	\$ 349.54	\$ 200.36	\$ 191.32	\$ 14.53	\$ -	\$ -	\$ 2,183.35	\$ 441.08	\$ 777.50	155.5	\$ 5.00	\$ 23.18	(\$18.18)
PM630	Compressors	\$ 517.83	\$ -	\$ -	\$ -	\$ -	\$ 264.17	\$ 17.26	\$ -	\$ -	\$ -	\$ 197.00	\$ 39.40	-	-			
PM636	Small Trailers	\$ 2,587.54	\$ -	\$ -	\$ -	\$ 103.45	\$ 1,702.64		\$ -	\$ 309.09	\$ 472.36	-	\$ -	\$ 710.00	142.0	\$ 5.00	\$ 18.22	(\$13.22)
PM652	Road Broom UT7744	\$ 437.33	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 17.88	\$ -	\$ -	\$ 135.45	\$ 204.00	\$ 80.00	-	-			
PM654	New Holland Tractor Bothwell B08NO	\$ 6,203.04	\$ 225.92	\$ 135.55	\$ -	\$ -	\$ 1,189.80	\$ 251.20	\$ 340.70	\$ -	\$ 333.21	\$ 2,866.67	\$ 860.00	\$ 2,266.25	64.8	\$ 35.00	\$ 95.80	(\$60.80)
PM662	King Tandem Trailer Hamilton YT0630	\$ 178.18	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -	\$ -	\$ 178.18	-	\$ -	-	-			
PM664	Pressure Cleaner 2003	\$ 610.80	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 41.50	\$ -	\$ -	\$ -	\$ 473.62	\$ 95.68	\$ -	-			
PM665	Dog Trailer - Neville (YT5100)	\$ 9,175.27	\$ 566.74	\$ 340.03	\$ 318.75	\$ -	\$ 731.27	\$ 163.09	\$ -	\$ 2,046.96	\$ 1,867.18	\$ 1,861.15	\$ 1,280.11	\$ 16,293.75	651.8	\$ 25.00	\$ 14.08	\$10.92
PM666	Cat. Loader 950F Hamilton ES1483	\$ 21,380.16	\$ 437.07	\$ 262.24	\$ 136.50	\$ -	\$ 2,981.73	\$ 868.14	\$ 3,351.52	\$ 254.36	\$ 209.21	\$ 9,907.23	\$ 2,972.17	\$ 644.00	11.5	\$ 56.00	\$ 1,859.14	(\$1,803.14)
PM667	Work Station Hamilton 2003	\$ 471.25	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 32.02	\$ -	\$ -	\$ -	\$ 365.41	\$ 73.82	-	-			
PM668	Work Station Bothwell 2003	\$ 471.25	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 32.02	\$ -	\$ -	\$ -	\$ 365.41	\$ 73.82	\$ -	-			
PM671	Water Tanker	\$ 2,701.59	\$ 427.07	\$ 256.24	\$ 75.00	\$ 321.75	\$ 193.56	\$ 87.63	\$ 40.34	\$ -	\$ -	\$ 1,000.00	\$ 300.00	\$ 2,497.50	249.8	\$ 10.00	\$ 10.82	(\$0.82)
PM676	Kobelco Excavator FA6566	\$ 22,993.39	\$ 385.13	\$ 231.07	\$ 650.00	\$ 280.21	\$ 5,194.81	\$ 726.53	\$ 2,879.69	\$ -	\$ 209.21	\$ 8,291.16	\$ 4,145.58	\$ 17,745.00	273.0	\$ 65.00	\$ 84.22	(\$19.22)
PM677	Compressor/Post Driver	\$ 615.16	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 41.80	\$ -	\$ -	\$ -	\$ 477.00	\$ 96.36	\$ -	-			
PM682	Floater IT0169	\$ 2,549.00	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -	\$ 681.82	\$ 1,867.18	-	\$ -	\$ 1,437.50	57.5	\$ 25.00	\$ 44.33	(\$19.33)
PM684	Komatsu Grader FC7003	\$ 43,967.85	\$ 928.91	\$ 557.36	\$ 1,068.00	\$ 62.18	\$ 12,490.96	\$ 1,032.27	\$ 9,948.54	\$ -	\$ 209.21	\$ 11,780.28	\$ 5,890.14	\$ 27,868.75	428.8	\$ 65.00	\$ 102.55	(\$37.55)
PM687	Western Star - H. Chivers FB5754	\$ 65,661.91	\$ 2,062.76	\$ 1,042.74	\$ 2,215.81	\$ 61.80	\$ 8,050.31	\$ 783.45	\$ 32,001.30	\$ 4,290.45	\$ 1,742.03	\$ 8,940.84	\$ 4,470.42	\$ 53,475.00	1,069.5	\$ 50.00	\$ 61.39	(\$11.39)
PM695	Quick Cut Saw	\$ 168.18	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 11.43	\$ -	\$ -	\$ -	\$ 130.41	\$ 26.35	\$ 55.00	5.5	\$ 10.00	\$ 30.58	(\$20.58)
PM705	Mack Truck FP4026 - Andrew Jones	\$ 74,236.57	\$ 1,498.05	\$ 796.74	\$ 663.50	\$ 677.35	\$ 13,947.64	\$ 1,748.46	\$ 20,732.28	\$ 65.91	\$ 10,122.03	\$ 19,953.58	\$ 4,031.03	\$ 35,350.00	707.0	\$ 50.00	\$ 105.00	(\$55.00)
PM709	CAT 950 Wheel Loader Bothwell (FR3357)	\$ 27,357.69	\$ 354.23	\$ 205.10	\$ 187.50	\$ 1,212.13	\$ 1,523.57	\$ 1,336.30	\$ 979.65	\$ -	\$ 209.21	\$ 15,250.00	\$ 6,100.00	\$ 336.00	6.0	\$ 56.00	\$ 4,559.62	(\$4,503.62)
PM717	2008 Dog Trailer (Harold) Z54AB	\$ 15,153.49	\$ 436.62	\$ 224.78	\$ 362.50	\$ -	\$ 2,471.42	\$ 209.10	\$ -	\$ 6,236.36	\$ 1,867.18	\$ 2,386.22	\$ 959.31	\$ 21,950.00	878.0	\$ 25.00	\$ 17.26	\$7.74
PM720	S/Hand Tri Axle Dog Trailer Z24BO	\$ 7,501.07	\$ 170.17	\$ 102.10	\$ -	\$ -	\$ -	\$ 272.96	\$ -	\$ 544.24	\$ 2,044.18	\$ 3,115.09	\$ 1,252.33	\$ 12,925.00	517.0	\$ 25.00	\$ 14.51	\$10.49
PM723	CAT 943 Traxcavator	\$ 6,398.02	\$ 153.48	\$ 92.09	\$ 75.00	\$ -	\$ 970.45	\$ 347.00	\$ -	\$ -	\$ -	\$ 3,960.00	\$ 800.00	\$ 435.00	14.5	\$ 30.00	\$ 441.24	(\$411.24)
PM724	Toyota Corolla Ascent - Doctor A48YD	\$ 7,282.42	\$ -	\$ -	\$ -	\$ -	\$ 1,255.19	\$ 354.66	\$ -	\$ 690.91	\$ 529.57	\$ 4,047.36	\$ 404.74	-	-			
PM726	John Deere Tractor & Slasher B47EG	\$ 42,277.54	\$ 2,430.68	\$ 1,292.51	\$ 1,045.50	\$ 4,000.24	\$ 2,962.43	\$ 1,171.13	\$ 10,176.84	\$ 2,800.00	\$ 333.21	\$ 13,365.00	\$ 2,700.00	\$ 39,397.50	875.5	\$ 45.00	\$ 48.29	(\$3.29)
PM729	King Box Trailer Hamilton Z92HG	\$ 723.70	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 37.07	\$ -	\$ -	\$ 178.18	\$ 423.00	\$ 85.45	\$ 1.25	0.3	\$ 5.00	\$ 2,894.80	(\$2,889.80)
PM731	Pig Trailer Bothwell VT9746 HC	\$ 3,128.34	\$ 53.38	\$ 32.03	\$ -	\$ -	\$ -	\$ 86.75	\$ -	\$ -	\$ 1,766.18	\$ 990.00	\$ 200.00	\$ 1,330.00	66.5	\$ 20.00	\$ 47.04	(\$27.04)
PM733	2010 Komatsu Grader Hamilton-B73TJ	\$ 51,616.84	\$ 1,511.92	\$ 892.29	\$ 433.00	\$ 180.64	\$ 3,785.36	\$ 1,540.04	\$ 10,428.51	\$ 8,027.27	\$ 212.81	\$ 17,575.00	\$ 7,030.00	\$ 31,170.00	519.5	\$ 60.00	\$ 99.36	(\$39.36)
PM739	SES Vehicle Ex Huon Valley	\$ 1,338.07	\$ -	\$ -	\$ -	\$ -	\$ 167.50	\$ 79.66	\$ -	\$ -	\$ -	\$ 909.09	\$ 181.82	\$ -	-			
PM740	Hino Tipper C95BL Hamilton 11/11	\$ 26,217.68	\$ 388.88	\$ 218.67	\$ 125.00	\$ 360.52	\$ 1,715.42	\$ 1,353.74	\$ 2,715.34	\$ 1,163.64	\$ 1,167.03	\$ 15,448.95	\$ 1,560.50	\$ 14,300.00	572.0	\$ 25.00	\$ 45.84	(\$20.84)
PM741	Mack Truck 2010 (C90JY)	\$ 73,087.08	\$ 2,216.75	\$ 1,322.96	\$ 1,584.50	\$ 33.67	\$ 11,325.71	\$ 1,007.47	\$ 26,459.80	\$ 2,917.91	\$ 10,122.03	\$ 11,497.34	\$ 4,598.94	\$ 48,150.00	963.0	\$ 50.00	\$ 75.90	(\$25.90)
PM743	Mulcher Head	\$ 3,319.55	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 225.55	\$ -	\$ -	\$ -	\$ 2,574.00	\$ 520.00	\$ -	-			
PM744	Honda Tiller	\$ 353.40	\$ 64.16	\$ 38.50	\$ 14.00	\$ 4.50	\$ 3.59	\$ 15.54	\$ -	\$ -	\$ -	\$ 177.30	\$ 35.82	\$ 720.00	72.0	\$ 10.00	\$ 4.91	\$5.09
PM745	Welder	\$ 214.11	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 14.55	\$ -	\$ -	\$ -	\$ 166.02	\$ 33.54	-	-			
PM746	John Deere X304 Ride on Mower (Bothwell)	\$ 1,176.21	\$ 24.24	\$ 14.54	\$ -	\$ 85.17	\$ 209.45	\$ 50.28	\$ 102.88	\$ -	\$ -	\$ 573.75	\$ 115.91	\$ 2,610.00	58.0	\$ 45.0	\$ 20.28	\$24.72
PM748	Hino Tipper C43LG (Bothwell)	\$ 33,604.22	\$ 515.06	\$ 250.81	\$ 168.50	\$ -	\$ 1,654.47	\$ 1,662.25	\$ 5,012.78	\$ 2,287.50	\$ 1,167.03	\$ 18,969.69	\$ 1,916.13	\$ 20,918.75	836.8	\$ 25.00	\$ 40.16	(\$15.16)
PM751	Toro Groundmaster Mower (Bothwell)	\$ 8,760.34	\$ 420.27	\$ 252.16	\$ 10.50	\$ 316.36	\$ 909.99	\$ 286.43	\$ 2,354.61	\$ 160.00	\$ 120.91	\$ 3,268.76	\$ 660.35	\$ 8,046.60	402.3	\$ 20.00	\$ 21.77	(\$1.77)
PM752	Ford Ranger (Bothwell) C77VJ	\$ 7,647.42	\$ 332.90	\$ 149.09	\$ 42.00	\$ -	\$ 221.36	\$ 403.53	\$ 903.36	\$ -	\$ 529.57	\$ 4,605.10	\$ 460.51	\$ 2,110.50	301.5	\$ 7.00	\$ 25.36	(\$18.36)
PM753	Bomag Landfill Compactor	\$ 16,166.26	\$ -	\$ -	\$ -	\$ -	\$ 1,888.34	\$ 818.32	\$ 2,025.00	\$ -	\$ 209.21	\$ 9,338.77	\$ 1,886.62	\$ 1,710.00	57.0	\$ 30.00	\$ 283.62	(\$253.62)
PM756	Kenworth - Bothwell (Whelan)	\$ 61,538.14	\$ 1,760.62	\$ 1,056.37	\$ 698.31	\$ 30.00	\$ 4,997.83	\$ 890.72	\$ 30,676.62	\$ 4,438.18	\$ 1,742.03	\$ 10,164.97	\$ 5,082.49	\$ 52,685.00	1,053.7	\$ 50.00	\$ 58.40	(\$8.40)
PM757	JBC Backhoe (Hamilton 2013)	\$ 30,832.87	\$ 1,430.46	\$ 804.53	\$ 697.50	\$ 91.27	\$ 7,879.61	\$ 1,034.85	\$ 3,040.44	\$ 256.50	\$ 209.21	\$ 11,809.78	\$ 3,578.72	\$ 15,226.80	380.7	\$ 40.00	\$ 81.00	(\$41.00)
PM762	Toro Out Front Mower Hamilton	\$ 7,183.06	\$ 609.43	\$ 355.89	\$ 80.00	\$ -	\$ 862.86	\$ 267.26	\$ 1,103.50	\$ 89.09	\$ 333.21	\$ 3,050.00	\$ 610.00	\$ 5,410.00	270.5	\$ 20.00	\$ 26.55	(\$6.55)
PM763	Toro Mower GM7200 Hamilton	\$ 5,546.80	\$ 241.46	\$ 135.10	\$ 100.00	\$ 346.36	\$ 858.55	\$ 195.41	\$ 660.71	\$ -	\$ 333.21	\$ 2,230.00	\$ 446.00	\$ 8,200	410.0	\$ 20.00	\$ 13.53	\$6.47
PM765	Rover Shredder Vac Hamilton	\$ 430.18	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 29.28	\$ -	\$ -	\$ -	\$ 334.09	\$ 66.82	-	-			
PM768	Trailer - TMD Box 10x6	\$ 699.76	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 35.59	\$ -	\$ -	\$ 176.78	\$ 406.16	\$ 81.23	\$ -	-			
PM769	Mitsubishi Triton 4x4 E76VG	\$ 13,604.85	\$ 77.22	\$ 46.33	\$ 17.50	\$ -	\$ 713.91	\$ 643.81	\$ 2,912.77	\$ 581.82	\$ 529.57	\$ 7,347.20	\$ 734.72	\$ 2,789.50	398.5	\$ 7.00	\$ 34.14	(\$27.14)
PM770	Nissan Tip Tray Ute	\$ 14,602.36	\$ 133.32	\$ 79.99	\$ 21.00	\$ -	\$ 2,080.92	\$ 592.82	\$ 3,722.91	\$ -	\$ 529.57	\$ 6,765.30	\$ 676.53	\$ 4,430.93	633.0	\$ 7.00	\$ 23.07	(\$16.07)
PM771	Polivac Suction Polisher	\$ 538.75	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 39.75	\$ -	\$ -	\$ -	\$ 453.64	\$ 45.36	\$ 374.50	53.5	\$ 7.00	\$ 10.07	(\$3.07)
PM772	Hino Tipper - E96VP	\$ 16,431.01	\$ 162.06	\$ 97.24	\$ -	\$ -	\$ 2,049.24	\$ 345.95	\$ 7,107.87	\$ -	\$ 1,141.39	\$ 3,948.04	\$ 1,579.22	\$ 22,437.50	897.5	\$ 25.00	\$ 18.31	\$6.69
PM773	Variable Mesaging Board	\$ 2,867.77	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 183.03	\$ -	\$ -	\$ 178.18	\$ 2,088.80	\$ 417.76	\$ 60	6.0	\$ 10.00	\$ 477.96	(\$467.96)
PM774	140M AWD William Adams CAT Grader Bothwell	\$ 60,346.18	\$ 618.63	\$ 371.15	\$ 300.00	\$ 2,016.62	\$ 7,831.97	\$ 1,980.36	\$ 13,878.24	\$ 1,500.00	\$ 209.21	\$ 22,600.00	\$ 9,040.00	\$ 55,320.00	922.0	\$ 60.00	\$ 65.45	(\$5.45)
PM777	Mitsubishi ASX AWD	\$ 1																

14.0 DEVELOPMENT & ENVIRONMENTAL SERVICES

In accordance with Regulation 25(1) of the Local Government (Meeting Procedures) Regulations 2015, the Mayor advises that the Council intends to act as a Planning Authority under the Land Use Planning and Approvals Act 1993, to deal with the following items:

Moved: Clr

Seconded: Clr

THAT the Development & Environmental Services Report be received.

14.1 ENDORSEMENT OF THE DRAFT CENTRAL HIGHLANDS LOCAL PROVISIONS SCHEDULE FOR SUBMISSION TO THE TASMANIAN PLANNING COMMISSION

AUTHOR

Planning Consultant (SMC) Damian Mackey

ENCLOSURES (and Appendices)

Central Highlands Local Provisions Schedule Supporting Report August 2019

Purpose

The purpose of this report is for Council to endorse the draft Local Provisions Schedule (LPS) together with the enclosed *Central Highlands Local Provisions Schedule Supporting Report August 2019* as suitable for submission to the Tasmanian Planning Commission (TPC).

The submission of the draft LPS with a resolution of Council will trigger the TPC assessment process and the public exhibition and consultation of the draft.

Council has been regularly informed of the steps taken to prepare the draft LPS over the past two years and endorsed a workplan for the draft in November 2017. In June 2018 the Minister declared new amended guidelines and revised practice notes for Councils to use in drafting LPSs. In mid-2018 Council was briefed on the draft mapping for the priority vegetation overlay, produced at the regional level, and the new Agriculture / Rural zone allocation, produced at the state level.

The draft LPS was finally provided to Council and workshopped in July this year. Council, acting in its statutory role as a Planning Authority, needs to determine if the draft is suitable for public consultation and, if so, forward it to the Tasmanian Planning Commission (TPC) to seek State endorsement for the public consultation process to commence. The recommendation is that Council endorse the draft LPS as compliant with Section 34 of the *Land Use Planning and Approvals Act 1993* as suitable for submission to the TPC for assessment and commencement of the public exhibition and consultation.

Background

As Council will recall, Tasmanian Planning Scheme will consist of the State Planning Provisions (SPPs) and the Local Provisions Schedules (LPSs). The SPPs were declared by the Minister in February 2017 and the LPS that follows will need to be prepared by each of the 29 Councils in Tasmania.

Some content of the LPS has already been prepared by the State Government, but much of this content will need to be refined and applied by local government to suit the local area and local values.

In the Southern region Council Officers have made every attempt to work together through the Southern Technical Reference Group (TRG) to ensure both consistency and to coordinate and manage the State Government funding used to assist Councils in the preparation of the technical mapping and technical guidance documents and support.

The content of the LPS consists of two parts:

- A. Preparation and refinement of zone maps and overlay maps; and
- B. Preparation of the local component of the written ordinance.

The overlay maps and zone maps spatially define the application of the zones, specific area plans and the applications of certain planning scheme codes. It is the responsibility of each Council to prepare these maps and local part of the written ordinance.

Once a draft is endorsed by Council, then the TPC will consider the draft LPS and hold an informal “post lodgement conference” with Council Officers and may direct Council to modify the draft and the supporting report. Once satisfied the draft meets the LPS Criteria, provided in Section 34 of the Act, then the TPC will recommend to the Minister that Council be directed to commence public exhibition of the draft. The approval process is provided in the flowchart provided in this report - *Draft Local Provisions Schedule Approval Process (Prepared by TPC)* (Diagram 1).

The preparation of the draft LPS and supporting report has largely involved the following (in brief summary):

- Reviewing the current interim planning scheme and public representations received on that scheme;
- Reviewing and applying the State’s *Guideline No. 1 Local Provisions Schedule (LPS): Zone and Code Application*, which outlines how the SPP zones and codes are to be used in the LPS;
- Reviewing current land use, development and settlement patterns.
- Reviewing records, past permits and decisions of Council and the TPC.
- Numerous Technical Reference Group (TRG) meetings involving staff from all Southern Councils to clarify LPS policy and technical issues and achieve a consistent approach.
- Reporting to Council
- Through coordination by the TRG, jointly participated in running three consultancies funded by the State:
 - Regional Ecosystem Modelling for the mapping of the Priority Vegetation Layer (Natural Assets Code) and identifying priority vegetation;
 - Zoning agricultural land on a regionally consistent, best-practice basis having regard to the State Government’s directions contained in Guideline No 1; and
 - Methodology and best practice for identifying scenic landscape protection areas and drafting management objectives.
- Briefings and information sessions with the TPC Panel appointed to facilitate the processes of approving a draft for formal public exhibition.
- Extensive and detailed GIS technical mapping work in applying the zoning and overlays.
- Coordination and project management to complete the draft LPS.
- Reviewing and applying existing Local Strategy and Regional Strategy.
- Reviewing and applying the requirements of the Act.
- Reviewing and consultation with the State’s Planning Policy Unit in regard to the amendments to the *Southern Tasmanian Regional Land Use Strategy* declared in May 2018.
- Liaising with the Tasmanian Fire Service for the preparation of the Bushfire Hazard Overlay for the Bushfire Code

Note: “PA” refers to Council acting in its statutory role as a Planning Authority:

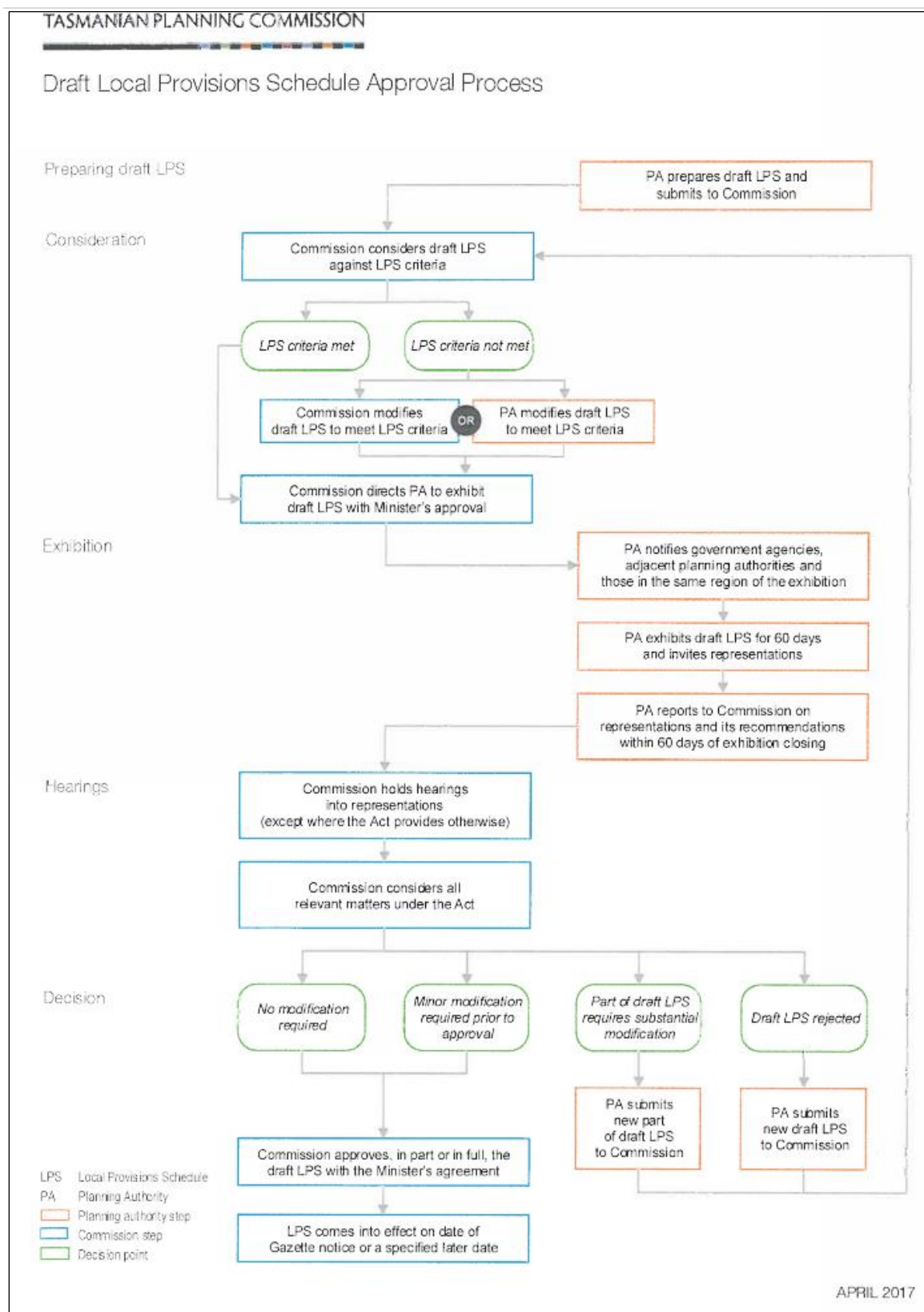


Diagram 1 – Draft Local Provisions Schedule Approval Process (Prepared by TPC)

The Central Highlands Draft LPS

The draft LPS maps and ordinance are in most parts a “like for like” and “best fit” translation of the *Central Highlands Interim Planning Scheme 2015* (CHIPS2015). This is as prescribed by the statutory document *Guideline No.1 Local Provisions Schedule (LPS): Zone and Code Application* under Section 8A of the Act (prepared by the TPC). In other words, the preparation of the LPS zone maps is to be, as much as is possible and reasonable, a straight translation of the CHIPS2015 zones to the new State Planning Provision (SPP) zones. Most of the new SPP zones directly correlate with CHIPS zones. The exception is the two rural zones, which have been significantly recalibrated. The creation of the new planning scheme maps is therefore not generally an opportunity for the substantive ‘rezoning’ of land, and any such proposals would need to follow a separate rezoning application process.

The *Guideline No.1 Local Provisions Schedule (LPS): Zone and Code Application* document provides Councils with the reference guide for the application of SPP zones and codes. A key outcome of the entire process is a high level of consistency between Councils and generally meeting the objectives of the State Government's Planning Reform Agenda.

The mapping of the LPS is the method of applying the available SPP zones and codes to the land. Council can then seek to include local overriding provisions that substitute, modify or are in addition to specific SPPs through the creation of:

- Local Area Objectives;
- Particular Purpose Zones;
- Specific Area Plans; or
- Site Specific Qualifications.

It is not, however, possible to develop a localised Code as part of the LPS. The Tasmania Planning Scheme provides no scope for such codes.

Existing local provisions that were in effect, prior to the December 2015 amendments to the Act which created the Tasmania Planning Scheme are transitioned to the draft LPS without the need for further explanation or justification under the Section 34 criteria of the Act. These existing "local provisions" include heritage listed places and heritage precincts and the Lake Meadowbank Specific Area Plan. These are uniquely Central Highlands provisions (thus "local" in nature and application).

The draft LPS is overall a mixture of the following key aspects:

- The translation of the CHIPS2015 zones and codes to the SPP zones and codes,
- The translation/transition of existing specific area plans and site specific qualifications,
- Local lists of heritage places and precincts.
- Changes to ensure consistency with the Guideline No.1
- Changes to ensure consistency with the regional land use strategy
- Changes to enact local strategic plans (where consistent/allowable under the Guidelines No.1, and regional land use strategy, and the Act)
- Consideration and application of new zones and codes as provided in the SPPs such as the new Agriculture and Rural Zones, and the Natural Assets Code and its associated overlay.

A summary of the key changes, contents and development of the draft LPS was provided to Council at the two July 2019 workshops.

As a result of the workshops there have been some minor technical changes and refinement of both the LPS and the supporting information that was supplied at the time.

Statutory Requirements and Status of LPS

Although the SPPs came into effect on 2 March 2017 as part of the Tasmanian Planning Scheme, they have no practical effect until an LPS is in effect in a municipal area.

When the final Central Highlands LPS is ultimately approved by the Commission, the TPS will replace the current CHIPS2015.

The SPPs and draft LPS are not relevant to the assessment of any proposal required to be determined under the current CHIPS2015.

The enclosed *LPS Supporting Report (August 2019)* documents in detail the content of the draft LPS and demonstrate its compliance with the Act. Section 34(2) states that the draft LPS

- a) *contains all the provisions that the SPPs specify must be contained in an LPS; and*
- b) *is in accordance with section 32; and*
- c) *further the objectives set out in Schedule 1; and*
- d) *is consistent with each State policy; and*
- e) *is consistent with the regional land use strategy, if any, for the regional area in which is situated the land to which the relevant planning instrument relates; and*
- f) *is consistent with the strategic plan, prepared under section 66 of the Local Government Act 1993, that applies in relation to the land to which the relevant planning instrument relates; and*
- g) *as far as practicable, is consistent with and co-ordinated with any LPSs that apply to municipal areas that are adjacent to the municipal area to which the relevant planning instrument relates; and*
- h) *has regard to the safety requirements set out in the standards prescribed under the Gas Pipelines Act 2000.*

The enclosed report is indeed a lengthy document. But is found to be necessary to demonstrate the draft LPS complies with what is estimated to be around 120 different tests provided under the *Land Use Planning and Approvals Act 1993*. (The “120 different tests” is a number estimated by the TPC.)

Community Consultation

The contents of the draft LPS have not yet been exhibited. It should be noted that the State Planning Provisions, which will form the bulk of the planning scheme provisions that will apply to Central Highlands once the State Planning Scheme is declared for the municipal area, were subject to a public exhibited process in 2016.

When directed to do so by the Commission, the Central Highlands LPS will be exhibited in accordance with the statutory requirements.

Community consultation will largely involve:

- The statutory requirements of Division 4 of the Act. These are, in summary:
 - A 60-day exhibition period.
 - Notification of adjacent Councils and Councils in the region; and
 - Notification of State Service Agencies and Authorities as directed by the TPC;
 - Newspaper notice of the exhibition;
 - The exhibition of the draft LPS for public viewing within the municipal area;
 - The exhibition of the draft LPS by the TPC;
 - The opportunity for members of the public to lodge representations on the draft LPS;
 - Consideration of representations by the Council (acting as a Planning Authority).
- Use of Council resources to exhibit and communicate the draft - Council website, and readily available information at Bothwell and Hamilton Offices;
- Information Sessions at key locations (i.e. dedicated drop-in session);
- Officers available to discuss matters with the public and stakeholders.

Proposed details of the mechanics of the public exhibition process (dates, times, locations, displays, etc.) will be subject of a separate report for Council consideration once it is clear when the TPC/Minister will endorse the LPS for public consultation.

External Referrals

No informal external referrals were required or undertaken as part of the development of the draft LPS. Following endorsement by Council, the draft LPS will be referred to relevant State agencies.

State Policies and RMPS Objectives

The enclosed draft LPS supporting report details consistency and the furthering of State Policies and objectives of Schedule 1 of LUPAA.

Council Strategic Plan (and Local Planning Strategy)

The enclosed draft LPS supporting report details consistency and furthering of the Central Highlands Strategic Plan and local planning objectives and plans.

Timeframe

A timeframe for the exhibition of the draft LPS is pending the consideration of the draft LPS by the TPC. The experience of other Councils that have already submitted their draft LPSs to the TPC indicates the TPC assessment process and subsequent need to comply with post lodgement directions from the TPC takes some months before the TPC/Minister is able to direct that the public exhibition period commences.

Financial Implications

Continuing with the preparation and exhibition of the draft is a core requirement of Council and duty of the Planning Authority and carries a low financial liability but overall is a resource intensive exercise for the Planning Department.

Conclusion

Council is considering the enclosed *Central Highlands Local Provisions Schedule Supporting Report August 2019* as suitable for endorsement and submission to the TPC to then enact the TPC assessment process and public exhibition. The enclosed report demonstrates the draft LPS satisfactorily meets the Section 34 criteria of the *Land Use Planning and Approvals Act 1993* and the draft (and report) is otherwise compliant with the requirements of the TPC. The draft LPS furthers local and regional strategic objectives and as far as practicable is logical and considerate of the needs of the Central Highlands whilst complying with directives from the State.

The recommendation is that Council endorse the draft LPS together with the Supporting Report and delegate essential operational functions of Council to the General manager to progress the development of the LPS.

Recommendation**Moved:** Clr**Seconded:** Clr**THAT:**

- A. Council certify the enclosed Draft Local Provisions Schedule for Central Highlands Council ("Appendix A" and "Appendix B") of the *Central Highlands Local Provisions Schedule Supporting Report August 2019* as having satisfactorily met the LPS Criteria of Section 34 (2) of *Land Use Planning and Approvals Act 1993* (LUPAA).
- B. Council endorse the enclosed *Central Highlands Local Provisions Schedule Supporting Report (and Appendices) August 2019* ("the Supporting Report") as satisfactorily demonstrating compliance with Section 34 (2) and those matters outlined in this report (and otherwise outlined in the *supporting report* and required by LUPAA).
- C. Council endorse the submission of the Draft Local Provisions Schedule for Central Highlands Council and the *Supporting Report* to the Tasmanian Planning Commission under Section 35(1).
- D. Council delegates to the General Manager & Manager Development and Environmental Services the powers and functions to:
 - a. submit the LPS to the Commission pursuant to Section 35(1) of LUPAA in the form outlined in this and the enclosed report;
 - b. submit the provisions for transition under Schedule 6 of LUPAA to the Minister for Planning;
 - c. modify the LPS if a notice is received from the Commission pursuant to Section 35(5)(b), and advise the Council of any technical modification; and
 - d. seek resolution of Council for modification to any strategic local objectives before proceeding to public exhibition
 - e. exhibit the LPS pursuant to Sections 35B, 35C and 35D;
 - f. Represent the Council at hearings pursuant to Section 35H.
- E. Endorse the Community Consultation as broadly outlined in this report, with details to be finalised at a future Council meeting once the timeframe for TPC / Ministerial endorsement has become clear.
- F. Continue with regular updates and reports to Council and the TPC until such time that the TPC has provided approval for formal public exhibition.

14.2 DA2019/13: SUBDIVISION (3 LOTS): 3 VICTORIA VALLEY ROAD, OUSE**Report by**

Jacqui Tyson (Senior Planning Officer)

Applicant

PDA Surveyors

Owner

Morgan Cooper Consulting Services Pty Ltd

Discretions

Village Zone - 16.5 Subdivision

Proposal

The proposal is for subdivision of an existing vacant title in Ouse into three (3) lots.

The existing title has an area of 6848m² and is located east of the intersection between Victoria Valley Road and the Lyell Highway, with partial frontage to both roads.

Under the proposal three (3) lots will be created as follows:

- Lot 1 – 1283m² with 18m frontage to Victoria Valley Road
- Lot 2 – 1626m² with 18m frontage to Victoria Valley Road
- Lot 3 – 3939m² with frontage to Victoria Valley Road and Lyell Highway

The lots can be serviced by reticulated water and sewerage services. Taswater have provided conditions to be attached to any permit issued.

All three lots will be provided with new access crossovers to Victoria Valley Road.

Subdivision is a Discretionary use and development in the Village Zone.

Subject site and Locality.

The existing title is a vacant parcel of 6848m² with frontage to Victoria Valley Road and the Lyell Highway. A minor waterway and dam are present on the property and will be contained on Lot 3.

The site is adjoined by other Village zoned properties that are developed with dwellings and adjoins the River Ouse at the rear (north eastern) boundary. The Ouse township includes properties with a range of sizes and shapes and the proposed lots are generally in character with the surrounding area.

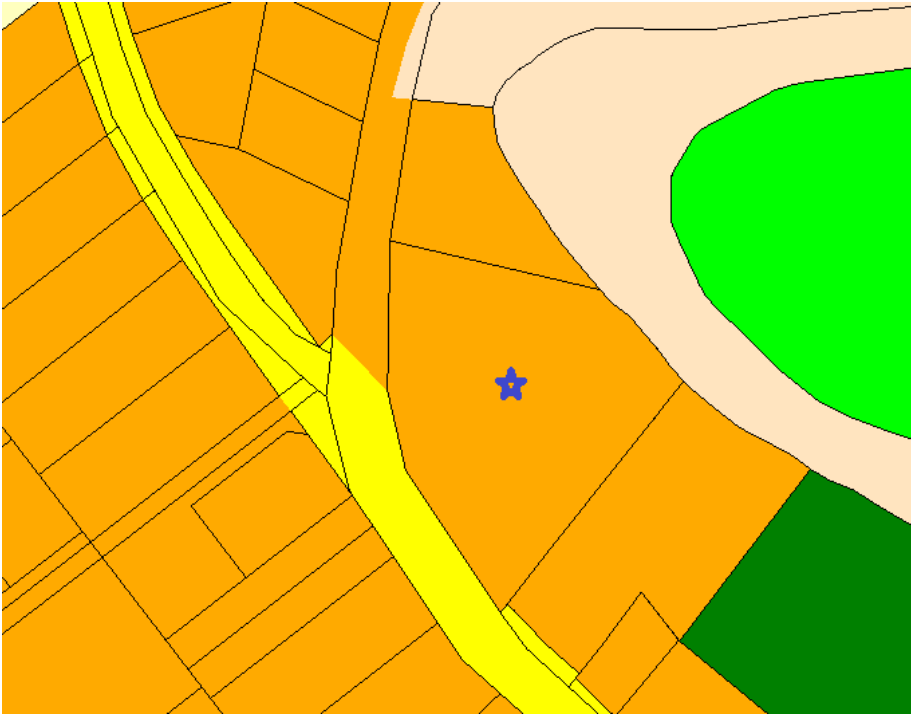


Fig 1. Location and zoning of the subject land (marked with star) in the Village zone (orange). Surrounding land includes the Rural Resource Zone (cream), Open Space Zone (dark green) and the Recreation zone (light green) and the highway is in the Utilities Zone (yellow). (Source: LISTmap)



Fig 2. Aerial photo of the subject land and surrounding area (Source: LISTmap)

Exemptions

Nil

Special Provisions

Nil

Village Zone - Development standards for subdivision

The subject land is located in the Village Zone. The proposal must satisfy the requirements of the following development standards, relevant to subdivisions:

16.5.1 Lot design

To provide for new lots that:

- (a) have appropriate area and dimensions to accommodate development consistent with the Zone Purpose and any relevant Local Area Objectives or Desired Future Character Statements;
- (b) contain building areas which are suitable for development, consistent with the Zone Purpose, located to avoid hazards and values;
- (c) are capable of providing for a high level of residential amenity including privacy, good solar access; and passive surveillance of public spaces;
- (d) are not internal lots, except if the only reasonable way to provide for efficient use of land;
- (e) are provided in a manner that provides for the efficient and ordered provision of infrastructure.

Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1 The size of each lot must be no less than as specified below, except if for public open space, a riparian or littoral reserve or utilities: (a) no less than 1,000 m2.	P1 No Performance Criteria.	All of the proposed lots exceed 1000m ² , complying with the Acceptable Solution.

<p>A2</p> <p>The design of each lot must provide a minimum building area that is rectangular in shape and complies with all of the following, except if for public open space, a riparian or littoral reserve or utilities:</p> <p>(a) clear of the frontage, side and rear boundary setbacks;</p> <p>(b) not subject to any codes in this planning scheme;</p> <p>(c) clear of title restrictions such as easements and restrictive covenants;</p> <p>(d) has an average slope of no more than 1 in 5;</p> <p>(e) has the long axis of the developable area facing north or within 20 degrees west or 30 degrees east of north;</p> <p>(f) is a minimum of 10 m x 15 m in size.</p>	<p>P2</p> <p>The design of each lot must contain a building area able to satisfy all of the following:</p> <p>(a) be reasonably capable of accommodating residential use and development;</p> <p>(b) meets any applicable standards in codes in this planning scheme;</p> <p>(c) enables future development to achieve maximum solar access, given the slope and aspect of the land;</p> <p>(d) minimises the need for earth works, retaining walls, and fill and excavation associated with future development;</p> <p>(e) provides for sufficient useable area on the lot for both of the following:</p> <p>(i) on-site parking and manoeuvring;</p> <p>(ii) adequate private open space.</p>	<p>The proposed lots each contain a building area that complies with the design requirements of Acceptable Solution A2.</p>
<p>A3</p> <p>The frontage for each lot must be no less than 15 m, except if for public open space, a riparian or littoral reserve or utilities or if an internal lot.</p>	<p>P3</p> <p>The frontage of each lot must satisfy all of the following:</p> <p>(a) provides opportunity for practical and safe vehicular and pedestrian access;</p> <p>(b) provides opportunity for passive surveillance between residential development on the lot and the public road,</p> <p>(c) is no less than 6m.</p>	<p>Each of the proposed lots is provided with more than 15m frontage, complying with Acceptable Solution A3.</p>
<p>A4</p> <p>No lot is an internal lot.</p>	<p>P4</p> <p>An internal lot must satisfy all of the following:</p> <p>(a)</p>	<p>There are no internal lots proposed, complying with Acceptable Solution A4.</p>

	<p>the lot gains access from a road existing prior to the planning scheme coming into effect, unless site constraints make an internal lot configuration the only reasonable option to efficiently utilise land;</p> <p>(b) it is not reasonably possible to provide a new road to create a standard frontage lot;</p> <p>(c) the lot constitutes the only reasonable way to subdivide the rear of an existing lot;</p> <p>(d) the lot will contribute to the more efficient utilisation of residential land and infrastructure;</p> <p>(e) the amenity of neighbouring land is unlikely to be unreasonably affected by subsequent development and use;</p> <p>(f) the lot has access to a road via an access strip, which is part of the lot, or a right-of-way, with a width of no less than 3.6m;</p> <p>(g) passing bays are provided at appropriate distances to service the likely future use of the lot;</p> <p>(h) the access strip is adjacent to or combined with no more than three other internal lot access strips and it is not appropriate to provide access via a public road;</p> <p>(i) a sealed driveway is provided on the access strip prior to the sealing of the final plan.</p> <p>(j) the lot addresses and provides for passive surveillance of public open space and public rights of way if it fronts such public spaces.</p>	
A5 Setback from a new boundary for an existing building must	P5 Setback from a new boundary for an existing building must	The site does not have any existing buildings, so assessment against this clause

comply with the relevant Acceptable Solution for setback.	satisfy the relevant Performance Criteria for setback.	is not required.
---	--	------------------

Codes

E1.0 Bushfire Prone Areas Code

The site is located in a bushfire prone area in accordance with the definitions of the Code. A Bushfire Hazard Report including a Bushfire Hazard Management Plan has been prepared by an accredited person to support the application and address the requirements of the Code.

E1.6.1 Subdivision: Provision of hazard management areas

Objective: Subdivision provides for hazard management areas that:

- a) facilitate an integrated approach between subdivision and subsequent building on a lot;
- b) provide for sufficient separation of building areas from bushfire-prone vegetation to reduce the radiant heat levels, direct flame attack and ember attack at the building area; and
- c) provide protection for lots at any stage of a staged subdivision.

Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1</p> <p>(a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant the provision of hazard management areas as part of a subdivision; or</p> <p>(b) The proposed plan of subdivision:</p> <p>(i) shows all lots that are within or partly within a bushfire-prone area, including those developed at each stage of a staged subdivision;</p> <p>(ii) shows the building area for each lot;</p> <p>(iii) shows hazard management areas between bushfire-prone vegetation and each building area that have dimensions equal to, or greater than, the separation distances required for BAL 19 in Table 2.4.4 of Australian Standard AS 3959 – 2009 Construction of buildings in bushfire-prone areas; and</p> <p>(iv) is accompanied by a bushfire hazard management plan that addresses all the individual lots and that is certified by the TFS or accredited person, showing hazard management areas equal to, or greater than, the separation distances required</p>	<p>P1</p> <p>A proposed plan of subdivision shows adequate hazard management areas in relation to the building areas shown on lots within a bushfire-prone area, having regard to:</p> <p>(a) the dimensions of hazard management areas;</p> <p>(b) a bushfire risk assessment of each lot at any stage of staged subdivision;</p> <p>(c) the nature of the bushfire-prone vegetation including the type, fuel load, structure and flammability;</p> <p>(d) the topography, including site slope;</p> <p>(e) any other potential forms of fuel and ignition sources;</p> <p>(f) separation distances from the bushfire-prone vegetation not unreasonably restricting subsequent development;</p> <p>(g) an instrument that will facilitate management of fuels located on land external to the subdivision; and</p> <p>(h) any advice from the TFS.</p>	<p>A Bushfire Hazard Report (BHR) including a Bushfire Hazard Management Plan (BHMP) by an accredited person has been completed for the subdivision.</p> <p>The BHMP identifies building areas on each lot that can meet the required BAL 19, complying with A1 (b).</p> <p>All hazard management area are contained on the subject land so no agreements are required under (c).</p> <p>The proposal complies with the Acceptable Solution.</p>

for BAL 19 in Table 2.4.4 of Australian Standard AS 3959 – 2009 Construction of buildings in bushfire-prone areas; and		
(c) If hazard management areas are to be located on land external to the proposed subdivision the application is accompanied by the written consent of the owner of that land to enter into an agreement under section 71 of the Act that will be registered on the title of the neighbouring property providing for the affected land to be managed in accordance with the bushfire hazard management plan.		

E1.6.2 Subdivision: Public and fire fighting access

Objective: Access roads to, and the layout of roads, tracks and trails, in a subdivision:

- a) allow safe access and egress for residents, firefighters and emergency service personnel;
- b) provide access to the bushfire-prone vegetation that enables both property to be defended when under bushfire attack and for hazard management works to be undertaken;
- c) are designed and constructed to allow for fire appliances to be manoeuvred;
- d) provide access to water supplies for fire appliances; and
- e) are designed to allow connectivity, and where needed, offering multiple evacuation points.

Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1</p> <p>(a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant specific measures for public access in the subdivision for the purposes of fire fighting; or</p> <p>(b) A proposed plan of subdivision showing the layout of roads, fire trails and the location of property access to building areas is included in a bushfire hazard management plan that:</p> <p>(i) demonstrates proposed roads will comply with Table E1, proposed private accesses will comply with Table E2 and proposed fire trails will comply with Table E3; and</p> <p>(ii) is certified by the TFS or an accredited person.</p>	<p>P1</p> <p>A proposed plan of subdivision shows access and egress for residents, fire-fighting vehicles and emergency service personnel to enable protection from bushfires, having regard to:</p> <p>(a) appropriate design measures, including:</p> <p>(i) two way traffic;</p> <p>(ii) all weather surfaces;</p> <p>(iii) height and width of any vegetation clearances;</p> <p>(iv) load capacity;</p> <p>(v) provision of passing bays;</p> <p>(vi) traffic control devices;</p> <p>(vii) geometry, alignment and slope of roads, tracks and trails;</p> <p>(viii) use of through roads to provide for connectivity;</p>	<p>A Bushfire Hazard Report (BHR) including a Bushfire Hazard Management Plan (BHMP) by an accredited person has been completed for the subdivision.</p> <p>The BHR and BHMP certify that access will be provided to meet the requirements of A1 (b).</p> <p>The proposal complies with the Acceptable Solution.</p>

	<p>(ix) limits on the length of cul-de-sacs and dead-end roads;</p> <p>(x) provision of turning areas;</p> <p>(xi) provision for parking areas;</p> <p>(xii) perimeter access; and</p> <p>(xiii) fire trails;</p> <p>(b) the provision of access to:</p> <p>(i) bushfire-prone vegetation to permit the undertaking of hazard management works; and</p> <p>(ii) fire fighting water supplies; and</p> <p>(c) any advice from the TFS.</p>	
--	---	--

E1.6.3 Subdivision: Provision of water supply for fire fighting purposes

Objective: Adequate, accessible and reliable water supply for the purposes of fire fighting can be demonstrated at the subdivision stage and allow for the protection of life and property associated with the subsequent use and development of bushfire-prone areas.

a)

Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1</p> <p>In areas serviced with reticulated water by the water corporation:</p> <p>(a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant the provision of a water supply for fire fighting purposes;</p> <p>(b) A proposed plan of subdivision showing the layout of fire hydrants, and building areas, is included in a bushfire hazard management plan approved by the TFS or accredited person as being compliant with Table E4; or</p> <p>(c)</p>	<p>P1</p> <p>No Performance Criterion.</p>	<p>A Bushfire Hazard Report (BHR) including a Bushfire Hazard Management Plan (BHMP) by an accredited person has been completed for the subdivision.</p> <p>The property is serviced by reticulated water.</p> <p>The BHR certifies that reticulated water supply is available to meet the requirements of A1 (b).</p> <p>The proposal complies with the Acceptable Solution.</p>

A bushfire hazard management plan certified by the TFS or an accredited person demonstrates that the provision of water supply for fire fighting purposes is sufficient to manage the risks to property and lives in the event of a bushfire.		
---	--	--

E5.0 Road and Railway Assets Code:

This Code applies to use and development that involves changes to access arrangements.

The proposed subdivision will require construction of three new access points to Victoria Valley Road, one for each lot.

The design and location of the proposed accesses complies with the requirements of the Code and conditions are recommended in regard to this.

E7.0 Stormwater Management Code:

This Code applies to all use and development.

In this case the proposed subdivision is located in an area with no reticulated stormwater system.

Stormwater drainage for any future development on the lots will need to be managed onsite and will be assessed at the time of application.

E11.0 Waterway and Coastal Protection Code:

Part of the land is subject to a Waterway Protection Area under this Code due to the proximity to the Ouse River.

The building envelopes for each lot will be located near the frontage to Victoria Valley Road, as far from the river bank as possible. It is expected that future development of the lots can be undertaken without impacting the river or riparian area and in accordance with the requirements of this Code.

Representations

The proposal was advertised for the statutory 14 days period from 21st June 2019 until 14th July 2019.

No representations were received.

Conclusion

The proposal is for subdivision of an existing vacant title in Victoria Valley Road, Ouse into three (3) lots is assessed to comply with the applicable standards of the Village Zone and the relevant codes of the *Central Highlands Interim Planning Scheme 2015* as outlined in the body of this report.

The proposal was advertised for public comment and no representations were received.

It is recommended that the application be approved, subject to conditions.

Legislative Context

The purpose of the report is to enable the Planning Authority to determine the Development Application DA2019/13 in accordance with the requirements of the *Land Use Planning and Approvals Act 1993* (LUPAA). The provisions of LUPAA require a Planning Authority to take all reasonable steps to ensure compliance with the Planning Scheme.

This report details the reasons for the officers Recommendation. The Planning Authority must consider the report but is not bound to adopt the Recommendation. Broadly, the Planning Authority can either: (1) adopt the Recommendation, (2) vary the Recommendation by adding, modifying or removing recommended conditions or (3) replacing an approval with a refusal.

This determination has to be made no later than 21st August 2019, which has been extended beyond the usual 42 day statutory time frame with the consent of the application.

Any decision that is an alternative to the Recommendation requires a full statement of reasons to ensure compliance with the *Judicial Review Act 2000* and the *Local Government (Meeting Procedures) Regulations 2015*. Section 25 (2) of the *Local Government (Meeting Procedures) Regulations 2015* states:

25 (2): *The general manager is to ensure that the reasons for a decision by a council or council committee acting as a planning authority are recorded in the minutes of the meeting.*

Options

The Planning Authority must determine the Development Application DA2019/17 in accordance with one of the following options:

1. Approve in accordance with the Recommendation:-

In accordance with section 57 of the Land Use Planning and Approvals Act 1993 the Planning Authority **Approve** the Development Application DA2019/13 for subdivision (3 lots) at 2 Victoria Valley Road, Ouse, subject to conditions in accordance with the Recommendation.

2. Approve with altered conditions:-

In accordance with section 57 of the Land Use Planning and Approvals Act 1993 the Planning Authority **Approve** the Development Application DA2019/13 for subdivision (3 lots) at 2 Victoria Valley Road, Ouse, subject to conditions as specified below.

Should Council opt to approve the Development Application subject to conditions that are different to the Recommendation the modifications should be recorded below, as required by Section 25(2) of the Local Government (Meeting Procedures) Regulations 2015:

Alteration to Conditions:-

3. Refuse to grant a permit:-

In accordance with section 57 of the Land Use Planning and Approvals Act 1993 the Planning Authority **Refuse** the Development Application DA2019/13 for subdivision (3 lots) at 2 Victoria Valley Road, Ouse, for the reasons detailed below.

Should the Planning Authority opt to refuse to grant a permit contrary to the officers Recommendation, the reasons for the decision should be recorded below, as required by Section 25(2) of the Local Government (Meeting Procedures) Regulations 2015:

Reasons :-

Recommendation

Moved: Clr

Seconded: Clr

THAT In accordance with section 57 of the Land Use Planning and Approvals Act 1993 the Planning Authority **Approve** the Development Application DA2019/13 for subdivision (3 lots) at 2 Victoria Valley Road, Ouse, subject to conditions in accordance with the Recommendation.

Recommended Conditions

General

- 1) The subdivision layout or development must be carried out substantially in accordance with the application for planning approval, the endorsed drawings and with the conditions of this permit and must not be altered or extended without the further written approval of Council.
- 2) This permit shall not take effect and must not be acted on until 15 days after the date of receipt of this permit unless, as the applicant and the only person with a right of appeal, you notify Council in writing that you propose to commence the use or development before this date, in accordance with Section 53 of the Land Use Planning and Approvals Act 1993.

Services

- 3) The Subdivider must pay the cost of any alterations and/or reinstatement to existing services, Council infrastructure or private property incurred as a result of the proposed subdivision works. Any work required is to be specified or undertaken by the authority concerned.

Subdivision

- 4) Easements must be created over all drains, pipelines, wayleaves and services in accordance with the requirements of the Council's Municipal Engineer. The cost of locating and creating the easements shall be at the subdivider's full cost.

Public Open Space

- 5) As insufficient provision has been made for recreational space, and having formed the opinion that such a provision should be made in respect of the proposal, Council requires that an amount equal to five percent (5%) of the unimproved value of Lots 1 and 2 must be provided as cash-in-lieu of public open space in accordance with the provisions of Section 117 of the Local Government (Building & Miscellaneous Provisions) Act 1993. The subdivider must obtain a valuation for the unimproved value of the subdivision from a registered Valuer in order to determine the amount payable.

Final plan

- 6) A final approved plan of survey and schedule of easements as necessary, together with one copy, must be submitted to Council for sealing. The final approved plan of survey must be substantially the same as the endorsed plan of subdivision and must be prepared in accordance with the requirements of the Recorder of Titles.
- 7) A fee of \$210.00, or as otherwise determined in accordance with Council's adopted fee schedule, must be paid to Council for the sealing of the final approved plan of survey.
- 8) All conditions of this permit, including either the completion of all works and maintenance or payment of security in accordance with this permit, must be satisfied before the Council seals the final plan of survey for each stage.
- 9) It is the subdivider's responsibility to notify Council in writing that the conditions of the permit have been satisfied and to arrange any required inspections.

The following advice applies to this permit:

- a) This permit does not imply that any other approval required under any other legislation has been granted.
- b) If you notify Council that you intend to commence the use or development before the date specified above you forfeit your right of appeal in relation to this permit.

14.3 DA2019/17: SUBDIVISION (REORGANISATION OF BOUNDARIES): 6 & 8 TARLETON, HAMILTON

Report by

Jacqui Tyson (Senior Planning Officer)

Applicant

Brooks, Lark and Carrick Surveyors

Owner

Central Highlands Council & Taswater

Discretions

Village Zone -16.5 Subdivision

Utilities Zone - 28.5 Subdivision

Proposal

The proposal is for a reorganisation of boundaries and consolidation of existing titles that contain the Central Highlands Council office and depot and the sewerage treatment ponds in Tarleton Street, Hamilton.

There are currently three titles covering these properties and the boundaries do not align with the management/ownership of the assets. Under the proposal, the three titles will be consolidated into two to achieve a separation of Council and Taswater assets.

The proposed Lot 1 will be 7631m² and contain all the Council assets. Lot 2 will have an area of 1.061ha and contain the sewerage lagoons, owned by Taswater.

Lot 2 is located to the rear of Lot 1 and will have a Right of Way over the existing access from Tarleton Street to provide legal access.

No works for access or other services will be required to carry out this subdivision.

Some of the Council buildings are listed on the Tasmanian Heritage Register. An exemption has been issued by Heritage Tasmania for the proposed boundary reorganisation.

Subdivision, including boundary reorganisation, is a Discretionary use and development in the Village and Utilities Zones.

Subject site and Locality.

The existing CT157052/2 and CT30123/1 contain the existing Council buildings and depot yard and part of the sewerage lagoons. These titles have a split zoning, with part of them zoned Village and part Utilities. CT32989/1 is located to the rear and contains a sewerage lagoon. This title is zoned Utilities.

The properties are located on the western side of the Hamilton township, with access from Tarleton Street. The Clyde River adjoins the site with farm land beyond.

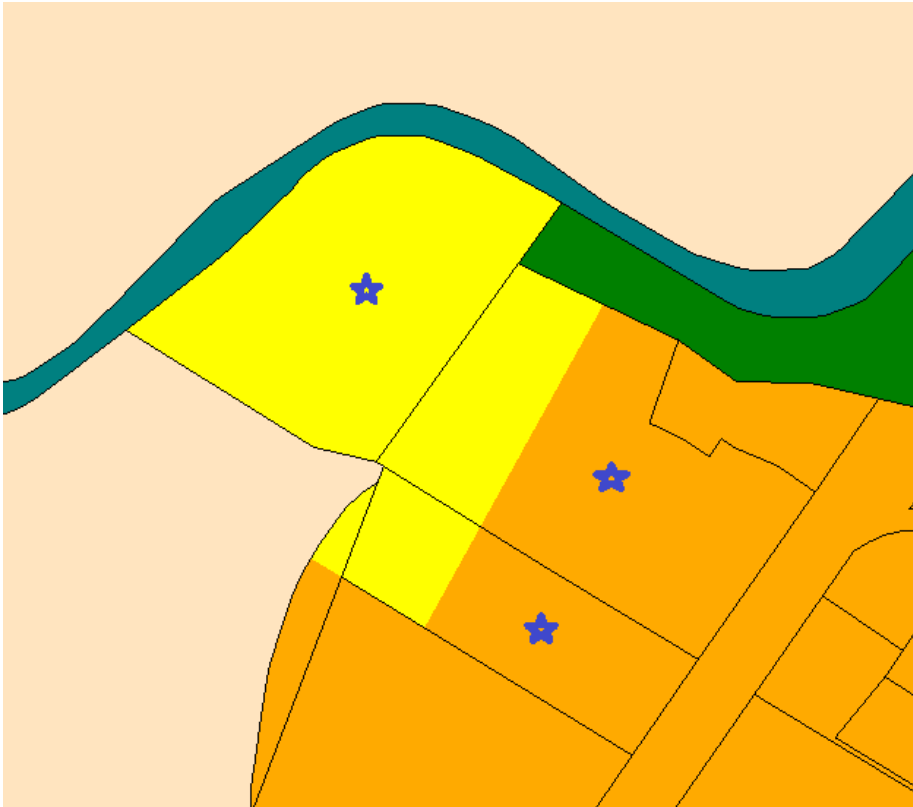


Fig 1. Location and zoning of the subject land (marked with stars) in the Village zone (orange) and Utilities Zone (yellow). Surrounding land includes the Rural Resource Zone (cream), Environmental Management Zone (teal green) and the Open Space Zone (dark green). (Source: LISTmap)



Fig 2. Aerial photo of the subject land and surrounding area (Source: LISTmap)

Exemptions

Nil

Special Provisions

Nil

Village Zone - Development standards for subdivision

Part of the subject land is located in the Village Zone. The proposal must satisfy the requirements of the following development standards, relevant to subdivisions:

16.5.1 Lot design

To provide for new lots that:

- (a) have appropriate area and dimensions to accommodate development consistent with the Zone Purpose and any relevant Local Area Objectives or Desired Future Character Statements;
- (b) contain building areas which are suitable for development, consistent with the Zone Purpose, located to avoid hazards and values;
- (c) are capable of providing for a high level of residential amenity including privacy, good solar access; and passive surveillance of public spaces;
- (d) are not internal lots, except if the only reasonable way to provide for efficient use of land;
- (e) are provided in a manner that provides for the efficient and ordered provision of infrastructure.

Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1 The size of each lot must be no less than as specified below, except if for public open space, a riparian or littoral reserve or utilities: (a) no less than 1,000 m2.	P1 No Performance Criteria.	Lot 1 will contain all of the land in the Village Zone. Lot 1 will have an area of 7631m2, easily complying with the Acceptable Solution.

<p>A2</p> <p>The design of each lot must provide a minimum building area that is rectangular in shape and complies with all of the following, except if for public open space, a riparian or littoral reserve or utilities:</p> <p>(a) clear of the frontage, side and rear boundary setbacks;</p> <p>(b) not subject to any codes in this planning scheme;</p> <p>(c) clear of title restrictions such as easements and restrictive covenants;</p> <p>(d) has an average slope of no more than 1 in 5;</p> <p>(e) has the long axis of the developable area facing north or within 20 degrees west or 30 degrees east of north;</p> <p>(f) is a minimum of 10 m x 15 m in size.</p>	<p>P2</p> <p>The design of each lot must contain a building area able to satisfy all of the following:</p> <p>(a) be reasonably capable of accommodating residential use and development;</p> <p>(b) meets any applicable standards in codes in this planning scheme;</p> <p>(c) enables future development to achieve maximum solar access, given the slope and aspect of the land;</p> <p>(d) minimises the need for earth works, retaining walls, and fill and excavation associated with future development;</p> <p>(e) provides for sufficient useable area on the lot for both of the following:</p> <p>(i) on-site parking and manoeuvring;</p> <p>(ii) adequate private open space.</p>	<p>The proposed lots are already developed or partly developed.</p> <p>In any case, Lot 1 will comply with the design requirements of Acceptable Solution A2.</p>
<p>A3</p> <p>The frontage for each lot must be no less than 15 m, except if for public open space, a riparian or littoral reserve or utilities or if an internal lot.</p>	<p>P3</p> <p>The frontage of each lot must satisfy all of the following:</p> <p>(a) provides opportunity for practical and safe vehicular and pedestrian access;</p> <p>(b) provides opportunity for passive surveillance between residential development on the lot and the public road,</p> <p>(c) is no less than 6m.</p>	<p>Lot 1 will have frontage over 15m to a Council maintained road (Tarleton Street), complying with Acceptable Solution A3.</p>
<p>A4</p> <p>No lot is an internal lot.</p>	<p>P4</p> <p>An internal lot must satisfy all of the following:</p> <p>(a)</p>	<p>There are no internal lots proposed in the Village Zone (as Lot 2 is in the Utilities Zone – see assessment below), complying with Acceptable</p>

	<p>the lot gains access from a road existing prior to the planning scheme coming into effect, unless site constraints make an internal lot configuration the only reasonable option to efficiently utilise land;</p> <p>(b) it is not reasonably possible to provide a new road to create a standard frontage lot;</p> <p>(c) the lot constitutes the only reasonable way to subdivide the rear of an existing lot;</p> <p>(d) the lot will contribute to the more efficient utilisation of residential land and infrastructure;</p> <p>(e) the amenity of neighbouring land is unlikely to be unreasonably affected by subsequent development and use;</p> <p>(f) the lot has access to a road via an access strip, which is part of the lot, or a right-of-way, with a width of no less than 3.6m;</p> <p>(g) passing bays are provided at appropriate distances to service the likely future use of the lot;</p> <p>(h) the access strip is adjacent to or combined with no more than three other internal lot access strips and it is not appropriate to provide access via a public road;</p> <p>(i) a sealed driveway is provided on the access strip prior to the sealing of the final plan.</p> <p>(j) the lot addresses and provides for passive surveillance of public open space and public rights of way if it fronts such public spaces.</p>	Solution A4.
A5 Setback from a new boundary for an existing building must	P5 Setback from a new boundary for an existing building must	The setback to all existing buildings will comply with the relevant development standard

comply with the relevant Acceptable Solution for setback.	satisfy the relevant Performance Criteria for setback.	for setback. Acceptable Solution A5 is met.
---	--	--

Utilities Zone - Development standards for subdivision

Part of the subject land is located in the Utilities Zone. The proposal must satisfy the requirements of the following development standards, relevant to subdivisions:

28.5.1 Lot design To provide for lots appropriate to accommodate development consistent with the Zone Purpose and any relevant Local Area Objectives or Desired Future Character Statements.		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1 Subdivision is for the purpose of providing lots for public open space, a riparian or littoral reserve or utilities.	P1 Subdivision is for the purpose of providing a lot for an allowable use.	All of the land in the Utilities Zone will be consolidated into Lot 2. This land contains the sewerage lagoons which is a utilities use that is owned and operated by a public authority. The Acceptable Solution is satisfied.
A2 The frontage for each lot must be no less than 15 m.	P2 The frontage of each lot must be capable of adequately serving the intended purpose.	Lot 2 will not have direct frontage to a road. It will be provided with access via a Right of Way over Lot 1. This arrangement provides adequate access to meet the needs of the established use and formalises the existing access pattern, complying with P2.
A3 Services capable of adequately serving the intended purpose must be connected to each lot.	P3 Where reticulated services are unavailable but needed for the intended purpose, the lots must be capable of: (a) being self sufficient for potable water adequate for the intended purpose; (b) accommodating an wastewater management system adequate for the intended purpose; (c) accommodating an on-site stormwater management system adequate for the intended purpose, as the case may be.	Each lot already has services connected as required, complying with A3.

Codes

E6.0 Parking and Access Code:

This Code applies to all use and development.

The proposed boundary adjustment will not change any existing access or parking arrangements, which are all satisfactory. No further assessment against the Code is required.

E7.0 Stormwater Management Code:

This Code applies to all use and development.

In this case the proposed boundary adjustment will not change any existing stormwater drainage so further assessment against the Code is not required.

Representations

The proposal was advertised for the statutory 14 days period from 3rd July 2019 until 16th July 2019.

No representations were received.

Conclusion

The proposal is for boundary adjustments to consolidate the Council and Taswater properties in Tarleton Street, Hamilton to align with the current use and management. The proposal is assessed to comply with the applicable standards of the Village Zone, Utilities Zone and the relevant codes of the *Central Highlands Interim Planning Scheme 2015* as outlined in the body of this report.

The proposal was advertised for public comment and no representations were received.

It is recommended that the application be approved, subject to conditions.

Legislative Context

The purpose of the report is to enable the Planning Authority to determine the Development Application DA2019/17 in accordance with the requirements of the *Land Use Planning and Approvals Act 1993* (LUPAA). The provisions of LUPAA require a Planning Authority to take all reasonable steps to ensure compliance with the Planning Scheme.

This report details the reasons for the officers Recommendation. The Planning Authority must consider the report but is not bound to adopt the Recommendation. Broadly, the Planning Authority can either: (1) adopt the Recommendation, (2) vary the Recommendation by adding, modifying or removing recommended conditions or (3) replacing an approval with a refusal.

Any decision that is an alternative to the Recommendation requires a full statement of reasons to ensure compliance with the *Judicial Review Act 2000* and the *Local Government (Meeting Procedures) Regulations 2015*. Section 25 (2) of the *Local Government (Meeting Procedures) Regulations 2015* states:

25 (2): *The general manager is to ensure that the reasons for a decision by a council or council committee acting as a planning authority are recorded in the minutes of the meeting.*

Options

The Planning Authority must determine the Development Application DA2019/17 in accordance with one of the following options:

1. Approve in accordance with the Recommendation:-

In accordance with section 57 of the Land Use Planning and Approvals Act 1993 the Planning Authority **Approve** the Development Application DA2019/17 for subdivision (reorganisation of boundaries) at 6 & 8 Tarleton Street, Hamilton, subject to conditions in accordance with the Recommendation.

2. Approve with altered conditions:-

In accordance with section 57 of the Land Use Planning and Approvals Act 1993 the Planning Authority **Approve** the Development Application DA2019/17 for subdivision (reorganisation of boundaries) at 6 & 8 Tarleton Street, Hamilton, subject to conditions as specified below.

Should Council opt to approve the Development Application subject to conditions that are different to the Recommendation the modifications should be recorded below, as required by Section 25(2) of the Local Government (Meeting Procedures) Regulations 2015:

Alteration to Conditions:-

3. Refuse to grant a permit:-

In accordance with section 57 of the Land Use Planning and Approvals Act 1993 the Planning Authority **Refuse** the Development Application DA2019/17 for subdivision (reorganisation of boundaries) at 6 & 8 Tarleton Street, Hamilton, for the reasons detailed below.

Should the Planning Authority opt to refuse to grant a permit contrary to the officers Recommendation, the reasons for the decision should be recorded below, as required by Section 25(2) of the Local Government (Meeting Procedures) Regulations 2015:

Reasons :-

Recommendation

Moved: Clr

Seconded: Clr

THAT in accordance with section 57 of the Land Use Planning and Approvals Act 1993 the Planning Authority **Approve** the Development Application DA2019/17 for subdivision (reorganisation of boundaries) at 6 & 8 Tarleton Street, Hamilton, subject to conditions in accordance with the Recommendation.

Recommended Conditions

General

- 1) The subdivision layout or development must be carried out substantially in accordance with the application for planning approval, the endorsed drawings and with the conditions of this permit and must not be altered or extended without the further written approval of Council.
- 2) This permit shall not take effect and must not be acted on until 15 days after the date of receipt of this permit unless, as the applicant and the only person with a right of appeal, you notify Council in writing that you propose to commence the use or development before this date, in accordance with Section 53 of the Land Use Planning and Approvals Act 1993.

Services

- 3) The Subdivider must pay the cost of any alterations and/or reinstatement to existing services, Council infrastructure or private property incurred as a result of the proposed subdivision works. Any work required is to be specified or undertaken by the authority concerned.

Subdivision

- 4) Easements must be created over all drains, pipelines, wayleaves and services in accordance with the requirements of the Council's Municipal Engineer. The cost of locating and creating the easements shall be at the subdivider's full cost.

Final plan

- 5) A final approved plan of survey and schedule of easements as necessary, together with one copy, must be submitted to Council for sealing. The final approved plan of survey must be substantially the same as the endorsed plan of subdivision and must be prepared in accordance with the requirements of the Recorder of Titles.
- 6) A fee of \$210.00, or as otherwise determined in accordance with Council's adopted fee schedule, must be paid to Council for the sealing of the final approved plan of survey.
- 7) All conditions of this permit, including either the completion of all works and maintenance or payment of security in accordance with this permit, must be satisfied before the Council seals the final plan of survey for each stage.
- 8) It is the subdivider's responsibility to notify Council in writing that the conditions of the permit have been satisfied and to arrange any required inspections.

The following advice applies to this permit:

- a) This permit does not imply that any other approval required under any other legislation has been granted.
- b) If you notify Council that you intend to commence the use or development before the date specified above you forfeit your right of appeal in relation to this permit.

14.4 DA2019/45: SUBDIVISION (BOUNDARY REORGANISATION) OF 2 TITLES: 7561A & CT130056/1 HIGHLAND LAKES ROAD, MIENA

Report by

Jacqui Tyson (Senior Planning Officer)

Applicant

Peter Thiessen

Owner

Peter Thiessen Family Super Pty Ltd & P J Downie

Discretions

Low Density Residential Zone -

Rural Resource Zone - 26.5.2 Reorganisation of boundaries

Proposal

The proposal is for the reorganisation of the boundaries of two large existing titles located on the south western edge of the Miena settlement.

The existing titles are both dual zoned, with an area of Low Density Residential Zone land at the northern edge and the remainder of each title in the Rural Resource Zone. Both titles are undeveloped.

Under the proposal the boundary of the two titles will be altered to create Lot 1 with an area of 2110ha and Lot 2 with an area of 58.2ha. Lot 2 will encompass the area closest to the Miena settlement and contain all of the Low Density Residential zoned land (approximately 10.5ha). Lot 1 will absorb the remainder of the land into the larger title.

Subdivision is a Discretionary use and development in the Low Density Residential Zone and Rural Resource Zone.

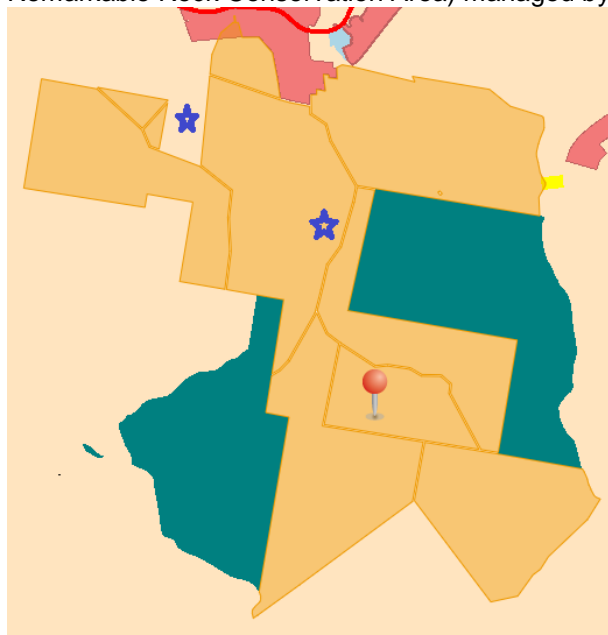
Subject site and Locality.

7561A Highland Lakes Road (CT134100/1) is a 2034ha parcel extending south and south west of Miena towards Shannon River and Lagoon and the Shannon settlement and southwest towards the River Ouse.

The second title (CT130056/1) is 100ha in area, extending south of Miena.

The land is undeveloped and is generally covered by a mix of highland forest and open scrubland, with patches of marsh and watercourses throughout. There are some cleared areas on the larger title.

The land adjoins the Miena township to the north and other large properties to the south, east and west. Adjoining land includes permanent forest reserves and two conservation reserves (Five Mile Pinnacles Conservation Area and Remarkable Rock Conservation Area) managed by Parks and Wildlife Service.



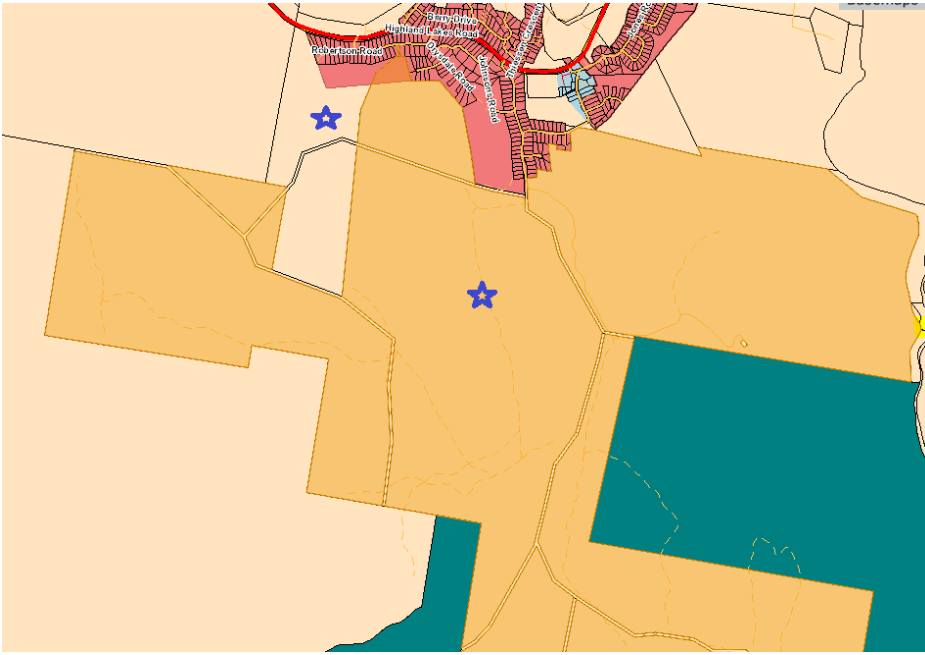


Fig 1 and 2. Location and zoning of the subject land (marked with stars) in the Rural Resource Zone (cream) and the Low Density Residential Zone (pink). Other land in the area includes Environmental Management Zone (dark green), Local Business Zone (light blue) and the Utilities Zone (yellow). (Source: LISTmap)



Fig 2. Aerial photo of the subject land and surrounding area (Source: LISTmap)

Exemptions

Nil

Special Provisions

Nil

Low Density Residential Zone - Development standards for subdivision

Part of the subject land is located in the Low Density Residential Zone. The proposal must satisfy the requirements of the following development standards for Lot 2, relevant to subdivisions:

12.5.1 Lot design

To provide for new lots that:

- (a) have appropriate area and dimensions to accommodate development consistent with the Zone Purpose and any relevant Local Area Objectives or Desired Future Character Statements;
- (b) contain building areas which are suitable for residential development, located to avoid hazards and values and will not lead to land use conflict and fettering of resource development use on adjoining rural land;
- (c) are not internal lots, except if the only reasonable way to provide for desired residential density.

Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1 The size of each lot must be in accordance with the following, except if for public open space, a riparian or littoral reserve or utilities: as specified in Table 12.1. (Lot size is 1500m ²)	P1 No Performance Criteria.	Lot 2 will contain all of the Low Density Residential Zone and has an overall area of 58.2ha, complying with the Acceptable Solution.
A2 The design of each lot must provide a minimum building area that is rectangular in shape and complies with all of the following, except if for public open space, a riparian or littoral reserve or utilities; (a) clear of the frontage, side and rear boundary setbacks; (b) not subject to any codes in this planning scheme; (c) clear of title restrictions such as easements and restrictive covenants; (d) has an average slope of no more than 1 in 5; (e) is a minimum of 10 m x 15 m in size.	P2 The design of each lot must contain a building area able to satisfy all of the following: (a) is reasonably capable of accommodating residential use and development; (b) meets any applicable standards in codes in this planning scheme; (c) enables future development to achieve reasonable solar access, given the slope and aspect of the land; (d) minimises the requirement for earth works, retaining walls, and cut & fill associated with future development;	The proposed lot contains a building area that complies with the design requirements of Acceptable Solution A2.
A3 The frontage for each lot must be no less than the following, except if for public open space, a riparian or littoral reserve or utilities and except if an internal lot:	P3 The frontage of each lot must provide opportunity for reasonable vehicular and pedestrian access and must be no less than: 6 m.	Lot 2 will have two frontages to Robertson Road and over 30m of frontage to the Highland Lakes Road, complying with Acceptable Solution A3.

30m.		
A4 No lot is an internal lot.	P4 An internal lot must satisfy all of the following: (a) access is from a road existing prior to the planning scheme coming into effect, unless site constraints make an internal lot configuration the only reasonable option to efficiently utilise land; (b) it is not reasonably possible to provide a new road to create a standard frontage lot; (c) the lot constitutes the only reasonable way to subdivide the rear of an existing lot; (d) the lot will contribute to the more efficient utilisation of living land; (e) the amenity of neighbouring land is unlikely to be unreasonably affected by subsequent development and use; (f) the lot has access to a road via an access strip, which is part of the lot, or a right-of-way, with a width of no less than 3.6m; (g) passing bays are provided at appropriate distances along the access strip to service the likely future use of the lot; (h) the access strip is adjacent to or combined with no more than three other internal lot access strips and it is not appropriate to provide access via a public road; (i) a sealed driveway is provided on the access strip prior to the sealing of the final plan. (j) the lot addresses and provides for passive	There are no internal lots proposed, complying with Acceptable Solution A4.

	surveillance of public open space and public rights of way if it fronts such public spaces.	
A5 Setback from a new boundary for an existing building must comply with the relevant Acceptable Solution for setback.	P5 Setback from a new boundary for an existing building must satisfy the relevant Performance Criteria for setback.	The site does not have any existing buildings, so assessment against this clause is not required.

Rural Resource Zone - Development standards for subdivision

Part of the subject land is located in the Rural Resource Zone. The proposal must satisfy the requirements of the following development standards, relevant to subdivisions:

26.5.2 Reorganisation of Boundaries To promote the consolidation of rural resource land and to allow for the rearrangement of existing titles, where appropriate, to provide for a better division of land.		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1 A lot is for public open space, a riparian or littoral reserve or utilities.	P1 The reorganisation of boundaries must satisfy all of the following: (a) all existing lots are adjoining or separated only by a road; (b) no existing lot was formally a crown reserved road or other reserved land; (c) provide for the sustainable commercial operation of the land by either: (i) encompassing all or most of the agricultural land and key agricultural infrastructure (including the primary dwelling) in one lot, the 'primary agricultural lot', as demonstrated by a whole farm management plan, (ii) encompassing an existing or proposed non-agricultural rural resource use in one lot; (d) if a lot contains an existing dwelling, setbacks to new boundaries satisfy clause 26.4.2; (e) if containing a dwelling, other	The proposal must be assessed against the Performance Criteria P1 as the subdivision is not for public open space, utilities or a reserve. (a) Complies – the existing lots are adjoining. (b) Complies – none of the lots were a crown reserved road or other reserved land. (c) Complies The proposal will largely consolidate the rural portion of the land that is suitable for primary production into Lot 1. (d) There are no existing dwellings on the land. (e) The land is vacant.

	<p>than the primary dwelling, the dwelling is surplus to rural resource requirements of the primary agricultural lot;</p> <p>(f) a new vacant lot must:</p> <p>(i) contain land surplus to rural resource requirements of the primary agricultural lot;</p> <p>(ii) contain a building area capable of accommodating residential development satisfying clauses 26.4.2 and 26.4.3.</p> <p>(iii) not result in a significant increase in demand for public infrastructure or services;</p> <p>(g) all new lots must comply the following:</p> <p>(i) be no less than 1ha in size;</p> <p>(ii) have a frontage of no less than 6m;</p> <p>(iii) be serviced by safe vehicular access arrangements;</p> <p>(h) be consistent with any Local Area Objectives or Desired Future Character Statements provided for the area.</p>	<p>(f) If required, both lots contain suitable building areas complying with setbacks.</p> <p>There will be no significant increase in demand for public infrastructure or services created by the proposal.</p> <p>(g) (i) Complies - The lots are well over 1ha.</p> <p>(ii) Both lots will have frontages of more than 6m.</p> <p>(iii) Both lots have suitable existing accesses.</p> <p>(h) There are no Local Area Objectives or Desired Future Character Statements in the Rural Resource zone.</p>
--	--	--

Codes

E1.0 Bushfire Prone Areas Code:

The Bushfire Prone Areas Code applies to development for subdivision.

A Bushfire Management Report has been provided with the application to demonstrate compliance with the applicable standards of the Code.

E7.0 Stormwater Management Code:

This Code applies to all use and development.

In this case the proposed subdivision will not change the existing conditions on the ground and does not require stormwater infrastructure.

Codes

E1.0 Bushfire Prone Areas Code

The site is located in a bushfire prone area. The proposed boundary reorganisation does not include any development or changes to existing conditions that require assessment under the Code.

E11.0 Waterway and Coastal Protection Code:

Parts of the land are subject to a Waterway Protection Area under this Code around waterways and waterbodies.

The proposal does not include any works that could impact waterways, so further assessment is not required.

Representations

The proposal was advertised for the statutory 14 days period from 9th July 2019 until 2nd July 2019.

No representations were received.

Conclusion

The proposal is for a boundary reorganisation between two large titles south of the Miena township. The application is assessed to comply with the applicable standards of the Low Density Residential and Rural Resource Zones and the relevant codes of the *Central Highlands Interim Planning Scheme 2015* as outlined in the body of this report.

The proposal was advertised for public comment and no representations were received.

It is recommended that the application be approved, subject to conditions.

Legislative Context

The purpose of the report is to enable the Planning Authority to determine the Development Application DA2019/45 in accordance with the requirements of the *Land Use Planning and Approvals Act 1993* (LUPAA). The provisions of LUPAA require a Planning Authority to take all reasonable steps to ensure compliance with the Planning Scheme.

This report details the reasons for the officers Recommendation. The Planning Authority must consider the report but is not bound to adopt the Recommendation. Broadly, the Planning Authority can either: (1) adopt the Recommendation, (2) vary the Recommendation by adding, modifying or removing recommended conditions or (3) replacing an approval with a refusal.

This determination has to be made no later than 21st August 2019, which has been extended beyond the usual 42 day statutory time frame with the consent of the application.

Any decision that is an alternative to the Recommendation requires a full statement of reasons to ensure compliance with the *Judicial Review Act 2000* and the *Local Government (Meeting Procedures) Regulations 2015*. Section 25 (2) of the *Local Government (Meeting Procedures) Regulations 2015* states:

25 (2): *The general manager is to ensure that the reasons for a decision by a council or council committee acting as a planning authority are recorded in the minutes of the meeting.*

Options

The Planning Authority must determine the Development Application DA2019/17 in accordance with one of the following options:

1. Approve in accordance with the Recommendation:-

In accordance with section 57 of the Land Use Planning and Approvals Act 1993 the Planning Authority **Approve** the Development Application DA2019/45 for subdivision (boundary reorganisation) of 2 titles at 7561A & CT130056/1 Highland Lakes Road, Miena, subject to conditions in accordance with the Recommendation.

2. Approve with altered conditions:-

In accordance with section 57 of the Land Use Planning and Approvals Act 1993 the Planning Authority **Approve** the Development Application DA2019/45 for subdivision (boundary reorganisation) of 2 titles at 7561A & CT130056/1 Highland Lakes Road, Miena, subject to conditions as specified below.

Should Council opt to approve the Development Application subject to conditions that are different to the Recommendation the modifications should be recorded below, as required by Section 25(2) of the Local Government (Meeting Procedures) Regulations 2015:

Alteration to Conditions:-

3. Refuse to grant a permit:-

In accordance with section 57 of the Land Use Planning and Approvals Act 1993 the Planning Authority **Refuse** the Development Application DA2019/45 for subdivision (boundary reorganisation) of 2 titles at 7561A & CT130056/1 Highland Lakes Road, Miena, for the reasons detailed below.

Should the Planning Authority opt to refuse to grant a permit contrary to the officers Recommendation, the reasons for the decision should be recorded below, as required by Section 25(2) of the Local Government (Meeting Procedures) Regulations 2015:

Reasons :-

Recommendation

Moved:

Seconded:

THAT In accordance with section 57 of the Land Use Planning and Approvals Act 1993 the Planning Authority **Approve** the Development Application DA2019/45 for subdivision (boundary reorganisation) of 2 titles at 7561A & CT130056/1 Highland Lakes Road, Miena, subject to conditions in accordance with the Recommendation.

Recommended Conditions

General

- 1) The subdivision layout or development must be carried out substantially in accordance with the application for planning approval, the endorsed drawings and with the conditions of this permit and must not be altered or extended without the further written approval of Council.
- 2) This permit shall not take effect and must not be acted on until 15 days after the date of receipt of this permit unless, as the applicant and the only person with a right of appeal, you notify Council in writing that you propose to commence the use or development before this date, in accordance with Section 53 of the Land Use Planning and Approvals Act 1993.

Services

- 3) The Subdivider must pay the cost of any alterations and/or reinstatement to existing services, Council infrastructure or private property incurred as a result of the proposed subdivision works. Any work required is to be specified or undertaken by the authority concerned.

Subdivision

- 4) Easements must be created over all drains, pipelines, wayleaves and services in accordance with the requirements of the Council's Municipal Engineer. The cost of locating and creating the easements shall be at the subdivider's full cost.

Final plan

- 5) A final approved plan of survey and schedule of easements as necessary, together with one copy, must be submitted to Council for sealing. The final approved plan of survey must be substantially the same as the endorsed plan of subdivision and must be prepared in accordance with the requirements of the Recorder of Titles.
- 6) A fee of \$210.00, or as otherwise determined in accordance with Council's adopted fee schedule, must be paid to Council for the sealing of the final approved plan of survey.
- 7) All conditions of this permit, including either the completion of all works and maintenance or payment of security in accordance with this permit, must be satisfied before the Council seals the final plan of survey for each stage.
- 8) It is the subdivider's responsibility to notify Council in writing that the conditions of the permit have been satisfied and to arrange any required inspections.

The following advice applies to this permit:

- a) This permit does not imply that any other approval required under any other legislation has been granted.
- b) If you notify Council that you intend to commence the use or development before the date specified above you forfeit your right of appeal in relation to this permit.

14.5 DA2019/43: NEW DWELLING & CHANGE OF USE (EXISTING DWELLING TO VISITOR ACCOMMODATION): 5987 LYELL HIGHWAY, HAMILTON**Report by**

Jacqui Tyson (Senior Planning Officer)

Applicant

E3 Planning Pty Ltd

Owner

P J Headlam

Discretions**26.2** Use table (Visitor accommodation)**26.3.** Use standards**Proposal**

The proposal is for the construction of a new dwelling and change of use of an existing dwelling to Visitor accommodation on a rural property at 5967 Lyell Highway, Hamilton.

The proposed new dwelling is a single storey family home with a floor area of approximately 300m². The dwelling will contain five bedrooms, two bathrooms, study, bathroom, laundry, living spaces, outdoor courtyard and decks. The dwelling will be clad in proprietary panel wall cladding with a Colorbond roof.

The new dwelling is to be located approximately 260m north west of the existing dwelling, with setbacks of 185m to the Lyell Highway frontage and 146m to the north western side boundary. Access to the dwelling will be via the existing entry from the Lyell Highway, with the internal gravel driveway to be extended to the new dwelling site.

Following construction of the proposed new dwelling, the use of the existing dwelling will change to Visitor accommodation, allowing it to be used for a commercial short stay accommodation facility. The building contains four bedrooms, one bathroom, laundry and storage and open plan living spaces. It also has an attached carport and a deck. No physical changes to this building are proposed.

The proposal is Discretionary and is assessed against the relevant standards for the Rural Resource Zone pursuant to section 26.0 of the Central Highlands Interim Planning Scheme 2015.

Subject site and Locality.

The subject title has an area of 215.6ha and is used for farming purposes. The property is located on the southern side of the Lyell Highway, extending to Meadowbank Lake to the south west.

The northern part of the land nearest the road is relatively flat, before rising to the Sendace Hills and then falling away to Meadowbank Lake. The north western boundary of the property follows a low point in the land between the Sendace Hills and Tent Hill on the neighbouring property.

The locality is largely characterised by farm land, much of which is irrigated. Hamilton is located approximately 4.5km to the east of the site along the Lyell Highway.

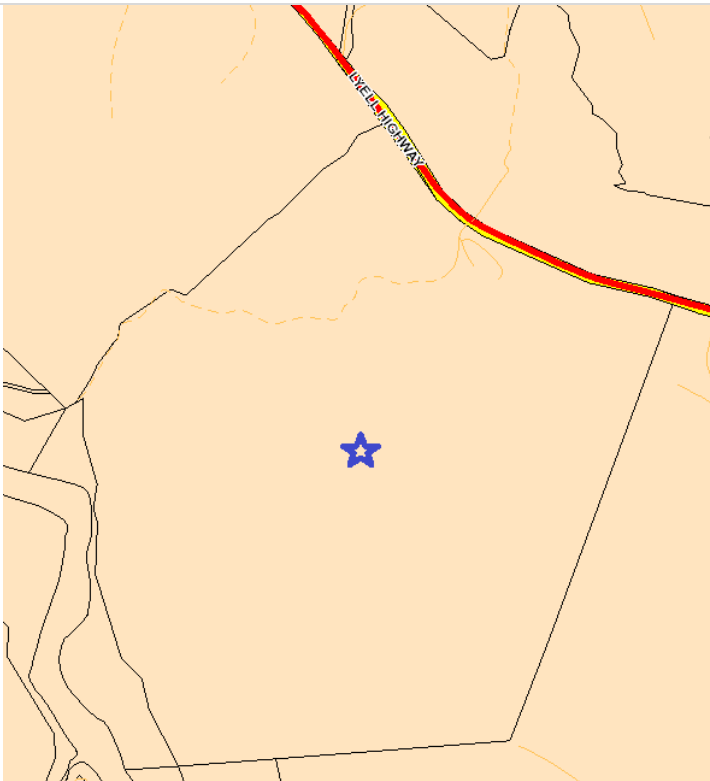


Fig 1. Location and zoning of the subject land (marked by a star) in the Rural Resource zone. (Source: LISTmap)

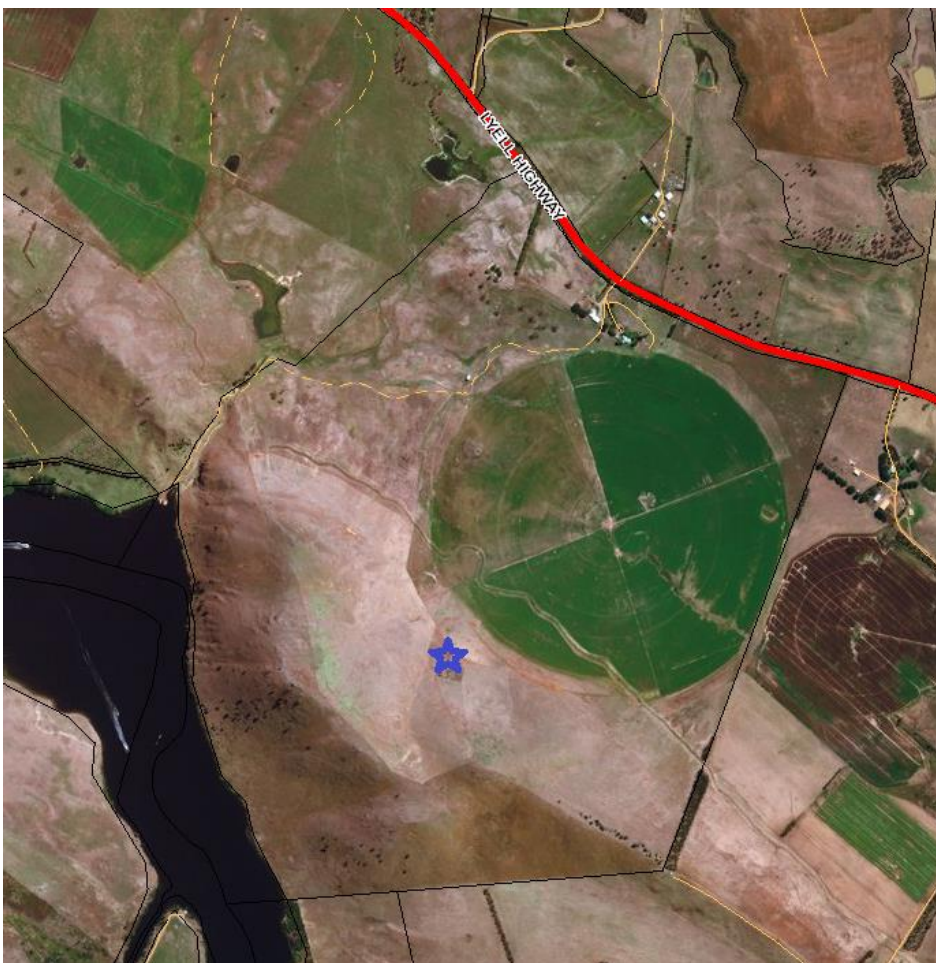


Fig 2. Aerial photo of the subject land and surrounding area (Source: LISTmap)

Exemptions

Nil

Special Provisions

Nil

Rural Resource Zone - Use standards**26.3.1 Sensitive Use (including residential use)**

To ensure sensitive use does not unreasonably convert agricultural land or conflict with or fetter non-sensitive use.

Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1 A sensitive use is for a home based business or an extension or replacement of an existing dwelling or existing ancillary dwelling, or for home-based child care in accordance with a licence under the Child Care Act 2001.	P1 A sensitive use must not unreasonably convert agricultural land or conflict with or fetter non-sensitive use on adjoining land having regard to all of the following: (a) the characteristics of the proposed sensitive use; (b) the characteristics of the existing or likely non-sensitive use on adjoining land; (c) setback to site boundaries and separation distance between the proposed sensitive use and existing or likely non-sensitive use on adjoining land; (d) any characteristics of the site and adjoining land that would buffer the proposed sensitive use from the adverse impacts on residential amenity from existing or likely non-sensitive use.	<p>The proposal includes a new dwelling and visitor accommodation which are both sensitive uses. The proposal is assessed against the Performance Criteria.</p> <p>The Visitor accommodation will use an existing building and as such it does not convert agricultural land for another purpose.</p> <p>The proposed new dwelling has been sited on land with low productive value, being a hillock that is currently occupied by some non-native trees. The property is relatively large and the small area of land to be used to support the new dwelling will not impact the overall productive value of the property through conversion of agricultural land.</p> <p>The new dwelling will be setback at least 146m from the boundary with the neighbouring property and the existing dwelling/proposed Visitor accommodation is setback further. It is considered that the proposed siting is sufficient to provide protection of residential amenity from non-sensitive uses on the neighbouring land and surrounding area.</p> <p>In regard to (b), it is noted that Council have been advised by the EPA that a 'Notice of Intent' has been lodged for development of an aquaculture facility on land adjoining the subject site. A 'Notice of Intent' is the first step for a level 2 development application, where basic information is provided to the EPA so that guidelines for assessment can be provided to</p>

		<p>the applicant to assist them in preparing comprehensive application documents. If/when the proponent decides to proceed with a proposal they must then lodge a detailed application with EPA and Council for assessment. In this case the NOI document is 'Commercial in Confidence' and is not available to the public and the project has not progressed to a Development Application at this time.</p> <p>Generally the planning scheme provides limited opportunity to consider future or proposed uses before they are approved, but it is considered relevant to this clause to give some consideration to the impact an aquaculture facility may have on the proposed dwelling and Visitor accommodation. The Attenuation Code of the planning scheme designates attenuation areas for uses that have a higher potential to create emissions that conflict with sensitive uses. The most relevant Activity listed in Table E19.1 of the current planning scheme is Fish processing (primary) with an attenuation distance of 100m. For reference, Table C9.1 in the Tasmanian Planning Scheme also lists an attenuation distance of 100m for land based aquaculture operations.</p> <p>The sensitive uses proposed in this development application are sited more than 100m from the boundary to the adjoining land subject to the potential aquaculture application. The separation distance between any future aquaculture facility and the proposed dwelling is likely to be over 200m, double the attenuation area.</p> <p>This provides a good indication that the proposed sensitive uses can be protected from any adverse impacts from future use of the neighbouring property for aquaculture.</p>
--	--	---

26.3.2 Visitor accommodation

To ensure visitor accommodation is of a scale that accords with the rural character and use of the

area.		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1</p> <p>Visitor accommodation must comply with all of the following:</p> <p>(a) is accommodated in existing buildings;</p> <p>(b) provides for any parking and manoeuvring spaces required pursuant to the Parking and Access Code on-site;</p> <p>(c) has a floor area of no more than 160m².</p>	<p>P1</p> <p>Visitor accommodation must satisfy all of the following:</p> <p>(a) not adversely impact residential amenity and privacy of adjoining properties;</p> <p>(b) provide for any parking and manoeuvring spaces required pursuant to the Parking and Access Code on-site;</p> <p>(c) be of an intensity that respects the character of use of the area;</p> <p>(d) not adversely impact the safety and efficiency of the local road network or disadvantage owners and users of private rights of way;</p> <p>(e) be located on the property's poorer quality agricultural land or within the farm homestead buildings precinct;</p> <p>(f) not fetter the rural resource use of the property or adjoining land.</p>	<p>The proposal includes conversion of an existing dwelling to farm stay style Visitor accommodation after the new dwelling is constructed.</p> <p>The building to be used for Visitor accommodation has a floor area of approximately 185m². Assessment against the Performance Criteria is therefore required.</p> <p>(a) The Visitor accommodation is sited over 90m from the nearest property boundary (Lyll Highway) and is separated from the nearest dwellings by 270m (north), 800m+ (east) and over 1km (west). The Visitor accommodation is not expected to impact the amenity or privacy of adjoining properties.</p> <p>(b) The Visitor accommodation exists as a dwelling and has sufficient access, parking and manoeuvring space to meet the needs of the proposed use without any physical changes.</p> <p>(c) The proposed Visitor accommodation will be one building only that could accommodate a family or several couples at a time. The intensity of the proposed use is considered to respect the character of the area.</p> <p>(d) The Visitor accommodation will continue to use the existing access from the Lyell Highway, which will be shared with the proposed new dwelling. The increase in traffic can easily be accommodated safely and efficiently by the access and the road network.</p> <p>(e) The Visitor accommodation will utilise an existing building/dwelling located near the farm yard area with outbuildings and other improvements.</p>

		(f) The proposed Visitor accommodation will use an existing building, is described as a 'farm stay' style and is sited with generous setbacks to avoid fettering of rural resource uses on the land and surrounds.
--	--	---

26.3.3 Discretionary Use

To ensure discretionary non-agricultural uses do not unreasonably confine or restrain the agricultural use of agricultural land.

Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1 No acceptable solution.	P1 A discretionary non-agricultural use must not conflict with or fetter agricultural use on the site or adjoining land having regard to all of the following: (a) the characteristics of the proposed non-agricultural use; (b) the characteristics of the existing or likely agricultural use; (c) setback to site boundaries and separation distance between the proposed non-agricultural use and existing or likely agricultural use; (d) any characteristics of the site and adjoining land that would buffer the proposed non-agricultural use from the adverse impacts on amenity from existing or likely agricultural use.	Visitor accommodation is a discretionary non-agricultural use which is assessed against the Performance Criteria. As discussed above, the proposed Visitor accommodation will be accommodated in the existing dwelling after the proposed new dwelling is constructed. The building is sited with generous setbacks to boundaries and neighbouring dwellings. The building is screened from the road by mature vegetation and further surrounded by mature trees and gardens, providing some visual and amenity screening from rural resource uses on the site and surrounds. Overall it is considered that the proposed use and development is appropriate for the site and any impacts to uses on adjoining land will be manageable.

Rural Resource Zone - Development standards

The subject land is located in the Rural Resource Zone. The proposal must satisfy the requirements of the following development standards:

26.4.1 Building Height

To ensure that building height contributes positively to the rural landscape and does not result in unreasonable impact on residential amenity of land.

Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1 Building height must be no more than: 8.5 m if for a residential use. 10 m otherwise.	P2 Building height must satisfy all of the following: (a) be consistent with any Desired Future Character Statements	The height of the new dwelling is less than 8.5m, complying with the Acceptable Solution.

	<p>provided for the area;</p> <p>(b) be sufficient to prevent unreasonable adverse impacts on residential amenity on adjoining lots by overlooking and loss of privacy;</p> <p>(c) if for a non-residential use, the height is necessary for that use.</p>	
--	--	--

26.4.2 Setback

To minimise land use conflict and fettering of use of rural land from residential use, maintain desirable characteristics of the rural landscape and protect environmental values in adjoining land zoned Environmental Management.

Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1 Building setback from frontage must be no less than:</p> <p>20 m.</p>	<p>P2 Building setback from frontages must maintain the desirable characteristics of the surrounding landscape and protect the amenity of adjoining lots, having regard to all of the following:</p> <p>(a) the topography of the site;</p> <p>(b) the size and shape of the site;</p> <p>(c) the prevailing setbacks of existing buildings on nearby lots;</p> <p>(d) the location of existing buildings on the site;</p> <p>(e) the proposed colours and external materials of the building;</p> <p>(f) the visual impact of the building when viewed from an adjoining road;</p> <p>(g) retention of vegetation.</p>	<p>The new dwelling will be setback more than 20m from the frontage to the Lyell Highway, complying with the Acceptable Solution.</p>
<p>A2 Building setback from side and rear boundaries must be no less than:</p> <p>50 m.</p>	<p>P2 Building setback from side and rear boundaries must maintain the character of the surrounding rural landscape, having regard to all of the following:</p> <p>(a) the topography of the site;</p> <p>(b) the size and shape of the site;</p>	<p>The new dwelling will be setback over 100m from the new boundary, easily complying with the Acceptable Solution.</p>

	<p>(c) the location of existing buildings on the site;</p> <p>(d) the proposed colours and external materials of the building;</p> <p>(e) visual impact on skylines and prominent ridgelines;</p> <p>(f) impact on native vegetation.</p>	
<p>A3 Building setback for buildings for sensitive use must comply with all of the following:</p> <p>(a) be sufficient to provide a separation distance from a plantation forest, Private Timber Reserve or State Forest of 100 m;</p> <p>(b) be sufficient to provide a separation distance from land zoned Significant Agriculture of 200 m.</p>	<p>P3 Building setback for buildings for sensitive use (including residential use) must prevent conflict or fettering of primary industry uses on adjoining land, having regard to all of the following:</p> <p>(a) the topography of the site;</p> <p>(b) the prevailing setbacks of existing buildings on nearby lots;</p> <p>(c) the location of existing buildings on the site;</p> <p>(d) retention of vegetation;</p> <p>(e) the zoning of adjoining and immediately opposite land;</p> <p>(f) the existing use on adjoining and immediately opposite sites;</p> <p>(g) the nature, frequency and intensity of emissions produced by primary industry uses on adjoining and immediately opposite lots;</p> <p>(h) any proposed attenuation measures;</p> <p>(i) any buffers created by natural or other features.</p>	<p>Not Applicable.</p> <p>The site does not adjoin a Private Timber Reserve, State Forest or land zoned Significant Agriculture.</p>
<p>A4 Buildings and works must be setback from land zoned Environmental Management no less than:</p> <p>100 m.</p>	<p>P4 Buildings and works must be setback from land zoned Environmental Management to minimise unreasonable impact from development on environmental values, having regard to all of the following:</p> <p>(a) the size of the site;</p> <p>(b) the potential for the</p>	<p>Not Applicable.</p> <p>The site does not adjoin land in the Environmental Management Zone.</p>

	spread of weeds or soil pathogens;	
	(c) the potential for contamination or sedimentation from water runoff;	
	(d) any alternatives for development.	

Codes

E5.0 Road and Railway Assets Code:

The proposed dwelling and Visitor accommodation will continue to use the existing access point from the Lyell Highway. The sight distances of the existing access are adequate.

The increase in traffic movements will be minimal and will not increase more than 10% or 10 vehicle movements above the existing level in accordance with the requirements of the Code.

E6.0 Parking and Access Code:

This Code applies to all use and development.

The proposal includes parking for the dwelling and Visitor accommodation and construction of a suitable internal access, complying with all applicable standards.

E7.0 Stormwater Management Code:

This Code applies to all use and development.

Stormwater from the proposed development can be disposed of onsite to satisfy the Code standards.

Representations

The proposal was advertised for the statutory 14 days period from 9th July 2019 until 22nd July 2019.

A total of one (1) representation was received. The issues raised in the representation are presented in the table below.

The representation was referred to the applicant for response, which have been incorporated into the officer comments below where relevant.

<i>Representation 1</i>	
Issues	Officer comments
<p>I understand from Council's notice that E3 Planning has made an application on behalf of P J Headlam for construction of a new dwelling and change of use of an existing dwelling on the site to visitor accommodation. The subject land is an agricultural property. The new house is to be setback 146m from the north western side boundary and 185m from the front boundary with the Lyell Highway to the north. I understand that there is an existing dwelling and outbuildings on the site further to the east. There are two floor plans included in the application. The first, an illegible hand drawn floor plan in blue pen. The second, a floor plan prepared by Leon Jenkins of a 5 bedroom dwelling including separate rumpus room, family room, dining room, study, decks and outdoor living areas. The dimensions of the floor plan are not legible.</p> <p>The application documentation provided to you by Council, 9 July 2019 is of very poor quality and in my assessment lacks critical detail to satisfy the minimum requirements for an application for a planning permit under Clause 8.1 of the planning scheme. In particular, the</p>	<p>While the application documents may not be of the highest quality, it is considered that sufficient information is provided for Council to understand the intent of the proposal and make an assessment under the planning scheme.</p> <p>Applicant response: The application includes a floor plan for the proposed new dwelling depicting its size and scale. The size of the dwelling and individual features are specified on the plans. The external appearance of the dwelling is detailed in the elevations provided. The location of the proposed dwelling is detailed through both a location and site plan. The site plan also shows the location of the existing dwelling. The floor plan of the existing dwelling is depicted by sketch plans. No development is sought in this regard, only a change of use. The application details the nature of the</p>

<p>proposal does not include the following mandatory information:</p> <ul style="list-style-type: none"> • A full description of the proposed use and development (Clause 8.1.2(c)); • A description of the manner in which the proposed use and development will operate (Clause 8.1(d)) <p>In that absence of this descriptive information and the very poor quality of the plans provided, in my assessment the application does not meet the minimum requirements of 8.1.2 and is therefore invalid. Notwithstanding this fundamental flaw, in my assessment the following additional information is necessary and desirable and should have been requested by Council under Clause 8.1.3 of the planning scheme:</p> <ul style="list-style-type: none"> • A site analysis and site plan at an acceptable scale showing existing and proposed uses on the site, topography including contours showing AHD levels and major site features, an assessment of soil type and drainage, the location and use of existing buildings on the site, the location of existing adjoining properties, adjacent buildings and their uses, proposed car parking areas and the dimensions of proposed driveway (Clause 8.1.3(a)); • Floor plans, elevations of proposed buildings at a scale of 1:100 or 1:200 with dimensions and natural ground levels (Clause 8.1.3(b); • Other critical information discussed below that is necessary to determine whether applicable standards and purpose statements of the Zone and Codes are satisfied (Clause 7.5) <p>Without this information it is not possible to demonstrate that the use and development complies with the relevant standards and purpose statements in the zone and codes.</p>	<p>proposed use and provides further detail as to the manner in which the proposed residential and visitor accommodation uses will operate.</p> <p>It is unreasonable to suggest that the application is invalid. It was of course open to Council to request further information if it took the view that such information was required to complete its assessment.</p> <p>I have assumed, in the absence of such a request, the Council considers that it holds adequate information in order to determine whether the relevant standards are satisfied. The application is for a single residential dwelling and for a change of use to visitor accommodation for the existing dwelling. This change of use would provide a further revenue stream to the existing agricultural use of the property and enhance the visitor experience within the Municipality. The proposed use and development is minor, with almost no potential to impact the amenity of the surrounding area. The information sought would be commensurate with that of some major proposal. Council can be confident that the detail in the application is more than sufficient to meet the requirements of its planning scheme.</p>
<p>The site and surrounding land is zoned Rural Resource. The Purpose of the Zone (26.1.1) is:</p> <p>26.1.1.1 <u>To provide for the sustainable use or development of resources for agriculture, aquaculture,</u> forestry, mining and other primary industries, including opportunities for resource processing.</p> <p>26.1.1.2 <u>To provide for other use or development that does not constrain or conflict with resource development uses.</u></p> <p>26.1.1.3 To provide for non-agricultural use or development, such as recreation, conservation, tourism and retailing, <u>where it supports existing agriculture, aquaculture,</u> forestry, mining and other primary industries.</p> <p>26.1.1.4 To allow for residential and other</p>	<p>Zone purpose statements are useful for understanding what the main objective of the zone is and where it should be applied.</p> <p>Part 7.5 of the planning scheme does not allow for reference to the Purpose statements when considering whether a Development Application complies with the applicable Use and Development standards of a zone. This is because the use and development standards should be written to effectively express the Purpose of the zone.</p> <p>The matters highlighted in the zone Purpose statements by the representor are well addressed in the Use and Development standards of the zone.</p>

<p>uses not necessary to support agriculture, aquaculture and other primary industries provided that such uses do not:</p> <p>(a) <u>fetter existing or potential rural resource use and development on other land:</u></p> <p>(b) add to the need to provide services or infrastructure or to upgrade existing infrastructure;</p> <p>(c) <u>contribute to the incremental loss of productive rural resources.</u></p> <p><u>26.1.1.5 To provide for protection of rural land so future resource development opportunities are no lost.</u></p> <p>I have underlined key aspects of the Zone purpose statements above. Having regard to these the underlying intent of the zone is to prevent the incremental loss or fettering of productive rural land for resource development including agriculture and aquaculture.</p>	<p>The assessment against the Use standards provided above details why the proposal is considered to comply with the Use standards, and therefore by extension the Purpose statements of the Rural Resource Zone.</p>
<p>Proposals for likely future use of adjoining land at 56 Woodmoor Road</p> <p>As Council is aware, Tassal Group Limited lodged a Notice of Intent with the EPA in April 2019 for the use and development of 56 Woodmoor Road, directly adjoining the site to the north west for a recirculated aquaculture hatchery.</p> <p>The application for 5987 Lyell Highway should include sufficient information to assess the impact of the proposal on this likely future Resource Development Use of the adjoining land.</p>	<p>This matter is addressed in the assessment of Clause 26.3.1 above.</p> <p>As discussed there, the NOI documentation for the project is 'Commercial in Confidence' so details cannot be presented. However, considering the setbacks of the proposed development of sensitive uses under consideration will exceed the attenuation area identified for aquaculture the risk of land use conflict is considered to be adequately addressed sufficiently given the early stage that proposal is at and the information available.</p> <p>Applicant response:</p> <p>It may be fact that TASSAL Group Limited have lodged a Notice of Intent with the EPA, however no information is publicly available, no development application has been lodged with Council and <i>there is no information available on the EPA website other than that listed in the Assessments in Progress as at May 2019</i> document referable to "documentation in preparation" obtained from the EPA Website. The status of any application, including whether it is capable of approval, is unknown such that it cannot be concluded that any proposal by Tassal is a "likely" agricultural or non-sensitive use. Indeed, as "aquaculture" any such proposal would not meet the definition of agricultural use.</p> <p>It is impossible for Council or the applicant to make any assessment of impact of the proposal against a hypothetical proposal. (the representor) would appear to expect Council to refuse my Client's application on the basis that his client TASSAL 'may want' to do something fish farm related on the adjacent property.</p>
<p>Use</p> <p>I understand that the proposal is to change the use of an existing dwelling on</p>	<p>While it is accepted that 'holiday cabin' may not be the best description for a house converted to</p>

<p>the site to visitor accommodation and construct a new dwelling.</p> <p>I note multiple dwellings are a prohibited use in the zone.</p> <p><i>Visitor Accommodation is defined under Planning Directive No. 6 Exemption and Standards for <u>Visitor Accommodation in Planning Schemes</u> as:</i></p> <p><i>use of land for providing short or medium term accommodation, for persons away from their normal place of residence, on a commercial basis or otherwise available to the general public at no cost. Examples include a backpackers hostel, bed and breakfast establishment, camping and caravan park, holiday cabin, holiday unit, motel, overnight camping area, residential hotel and serviced apartment.</i></p> <p><i>The Use Class is relatively broad and includes a nonexclusive list of examples including a backpackers hostel, bed and breakfast establishment, camping and caravan park, holiday cabin, <u>holiday unit, motel, overnight camping area, residential hotel and serviced apartment.</u> There may be other uses in an addition to these examples.</i></p> <p>The test of the Visitor Accommodation Use Class is that it be for short or medium term accommodation, for persons away from their normal place of residence. This use Class however is overlaid by the following Use Qualification in the Use Table (26.2):</p> <p><i>Only if backpackers hostel, bed and breakfast establishment, camping and caravan park, holiday cabin, overnight camping area or seasonal workers accommodation.</i></p> <p>The proposed conversion of the existing single dwelling to visitor accommodation must therefore meet one of these use descriptions if it is to be able to be considered as a discretionary application.</p> <p>The proposal is clearly not a backpackers hostel, camping and caravan park or overnight camping area.</p> <p>It is also not a bed and breakfast establishment, a defined term under the planning scheme meaning:</p> <p><i>part of a dwelling used by its resident to provide, on a short-term commercial basis, accommodation and breakfast for persons away from their normal place of residence.</i></p> <p>In the absence of adequate plans it is not possible to characterise the proposal as a <i>holiday cabin</i>.</p> <p>No information is provided with the application that confirms that proposal is to be used as seasonal workers accommodation.</p>	<p>Visitor accommodation, this is the only example term used in the definition of Visitor accommodation that can be applied to this very common circumstance.</p> <p><i>Holiday cabin</i> is not further defined in part 4 of the scheme as <i>bed and breakfast establishment</i> is. It is considered to be the 'best fit'.</p> <p>It is considered that the use qualification in the Rural Resource Zone does not seek to prohibit the use of a dwelling (part time or full time) as <i>Visitor accommodation</i>. This has become a very common application type in all zones, including Rural Resource</p>
--	---

<p>On the basis that the application does not include sufficient information to demonstrate that the proposed use would be appropriately categorised as one of these descriptions, the use is prohibited and must be refused.</p>	
<p>Use Standards (26.3) In the absence of adequate floor plans for the existing dwelling on the site it is not possible to assess the proposal under the Use Standards for Sensitive Use, Visitor Accommodation or Discretionary Use under Clause 26.3.1 - 26.3.3.</p> <ul style="list-style-type: none"> • In particular the application does not provide adequate information to demonstrate that: The proposal will not unreasonably convert agricultural land or conflict with or fetter non sensitive use on or adjoining the site; • The uses are located on the property's poorer quality agricultural land; and <p>The proposal will not impact on the existing or likely non-sensitive use on adjoining land.</p>	<p>It is considered that sufficient information is provided in the application for assessment of the Use standards (see above).</p> <p>Applicants response: It is suggested that it is not possible to assess the proposal against the relevant use standards contained in cl.26.3.1, 26.3.2 and 26.3.3 and goes on to identify particular issues. The relevant information is outlined the supporting letter dated 19 June 2019 which contains responses to all relevant acceptable solutions and performance criteria.</p> <p>The proposal is assessed differently against the different standards and care needs to be taken to ensure that each standard is applied to the specific use under consideration. For example, (the representor) <i>contends that there has been a failure to demonstrate that "the uses are located on the property's poorer quality agricultural land"</i>. Such a requirement arises under cl.26.3.2, PI (e) which applies only to the proposed visitor accommodation use. This use is proposed to replace the existing residential use of the existing dwelling. It is reasonable to conclude that the existing dwelling represents the poorer quality agricultural land as it is not available for agricultural use, and in any event it is within the area of the existing farm buildings as to meet the alternate limb of the criterion.</p> <p>At its core, the representation contends that the proposed dwelling may fetter the underlying agricultural use, which is a non-sensitive use, of the adjoining property. The existing and likely agricultural use of the land is best understood as productive grazing land. The setback proposed together with the fact that the dwelling here proposed is intended to support farming operations on the subject land, support the conclusion that the use will not conflict with or fetter agricultural use.</p>

Conclusion

The proposal for the construction of a new dwelling and change of use of an existing dwelling to Visitor accommodation at 5967 Lyell Highway, Hamilton is assessed to comply with the applicable standards of the Rural Resource Zone and the relevant codes of the *Central Highlands Interim Planning Scheme 2015* as outlined in the body of this report.

The proposal was advertised for public comment and one representation was received. The concerns raised in the representation are considered above.

It is recommended that the application be approved, subject to conditions.

Legislative Context

The purpose of the report is to enable the Planning Authority to determine the Development Application DA2019/43 in accordance with the requirements of the *Land Use Planning and Approvals Act 1993* (LUPAA). The provisions of LUPAA require a Planning Authority to take all reasonable steps to ensure compliance with the Planning Scheme.

This report details the reasons for the officers Recommendation. The Planning Authority must consider the report but is not bound to adopt the Recommendation. Broadly, the Planning Authority can either: (1) adopt the Recommendation, (2) vary the Recommendation by adding, modifying or removing recommended conditions or (3) replacing an approval with a refusal.

This determination has to be made no later than 21st August 2019, which has been extended beyond the usual 42 day statutory time frame with the consent of the application.

Any decision that is an alternative to the Recommendation requires a full statement of reasons to ensure compliance with the *Judicial Review Act 2000* and the *Local Government (Meeting Procedures) Regulations 2015*. Section 25 (2) of the *Local Government (Meeting Procedures) Regulations 2015* states:

25 (2): *The general manager is to ensure that the reasons for a decision by a council or council committee acting as a planning authority are recorded in the minutes of the meeting.*

Options

The Planning Authority must determine the Development Application DA2019/43 in accordance with one of the following options:

1. Approve in accordance with the Recommendation:-

In accordance with section 57 of the Land Use Planning and Approvals Act 1993 the Planning Authority **Approve** the Development Application DA2019/43 for a new dwelling and change of use of an existing dwelling to Visitor accommodation at 5967 Lyell Highway, Hamilton, subject to conditions in accordance with the Recommendation.

2. Approve with altered conditions:-

In accordance with section 57 of the Land Use Planning and Approvals Act 1993 the Planning Authority **Approve** the Development Application DA2019/43 for a new dwelling and change of use of an existing dwelling to Visitor accommodation at 5967 Lyell Highway, Hamilton, subject to conditions as specified below.

Should Council opt to approve the Development Application subject to conditions that are different to the Recommendation the modifications should be recorded below, as required by Section 25(2) of the Local Government (Meeting Procedures) Regulations 2015:

Alteration to Conditions:-

3. Refuse to grant a permit:-

In accordance with section 57 of the Land Use Planning and Approvals Act 1993 the Planning Authority **Refuse** the Development Application DA2019/43 for a new dwelling and change of use of an existing dwelling to Visitor accommodation at 5967 Lyell Highway, Hamilton, for the reasons detailed below.

Should the Planning Authority opt to refuse to grant a permit contrary to the officers Recommendation, the reasons for the decision should be recorded below, as required by Section 25(2) of the Local Government (Meeting Procedures) Regulations 2015:

Reasons :-

Recommendation

Moved:

Seconded:

THAT in accordance with section 57 of the Land Use Planning and Approvals Act 1993 the Planning Authority **Approve** the Development Application DA2019/43 for a new dwelling and change of use of an existing dwelling to Visitor accommodation at 5967 Lyell Highway, Hamilton, subject to conditions in accordance with the Recommendation.

Recommended Conditions

General

- 1) The subdivision layout or development must be carried out substantially in accordance with the application for planning approval, the endorsed drawings and with the conditions of this permit and must not be altered or extended without the further written approval of Council.
- 2) This permit shall not take effect and must not be acted on until 15 days after the date of receipt of this permit unless, as the applicant and the only person with a right of appeal, you notify Council in writing that you propose to commence the use or development before this date, in accordance with Section 53 of the Land Use Planning and Approvals Act 1993.

Approved Use

- 3) Once the new dwelling is occupied the approved *Visitor accommodation* must be used for that purpose only. It must not be used for any other purpose, including as a residential dwelling, or be extended or intensified without prior Council approval.

Exterior finishes

- 4) All external metal building surfaces of the new dwelling must be clad in non-reflective pre-coated metal sheeting or painted in a colour with a light reflectance value not exceeding 40% and to the satisfaction of the General Manager.

Stormwater

- 5) Drainage from the proposed development must be retained on site or drain to a legal discharge point to the satisfaction of Council's Permit Authority and in accordance with any requirements of the *Building Act 2016*.

Services

- 6) The Subdivider must pay the cost of any alterations and/or reinstatement to existing services, Council infrastructure or private property incurred as a result of the proposed subdivision works. Any work required is to be specified or undertaken by the authority concerned.

Access

- 7) The areas set-aside for parking, access and vehicle manoeuvring:
 - a. Must provide for a vehicle to enter and leave the site in a forward direction.
 - b. The driveway access must be located over existing tracks or along natural contours to reduce visual impact through excavation and filling and erosion from water run-off.
 - c. Have an all-weather pavement constructed and surfaced to the satisfaction of Council's Works Manager.
 - d. Incorporate suitable drainage to avoid erosion and run-off.

Protection of Water Quality

- 8) Before any work commences a soil and water management plan (SWMP) prepared in accordance with the guidelines Soil and Water Management on Building and Construction Sites, by the Derwent Estuary Programme and NRM South, must be approved by Council's Planning Officer before development of the land commences (refer to advice below). The SWMP shall form part of this permit when approved.
- 9) Before any work commences install temporary run-off, erosion and sediment controls in accordance with the recommendations of the approved SWMP and maintain these controls at full operational capacity until the land is effectively rehabilitated and stabilised after completion of the development in accordance with the guidelines Soil and Water Management on Building and Construction Sites, by the Derwent Estuary Programme and NRM South and to the satisfaction of Council's Planning Officer.
- 10) Wastewater from the development must discharge to an on-site waste disposal system in accordance with a Plumbing Permit issued by the Permit Authority.

Construction Amenity

- 11) The development must only be carried out between the following hours unless otherwise approved by the Council's Manager of Development and Environmental Services:
 - Monday to Friday 7:00 a.m. to 6:00 p.m.
 - Saturday 8:00 a.m. to 6:00 p.m.
 - Sunday and State-wide public holidays 10:00 a.m. to 6:00 p.m.

- 12) All works associated with the development of the land shall be carried out in such a manner so as not to unreasonably cause injury to, or prejudice or affect the amenity, function and safety of any adjoining or adjacent land, and of any person therein or in the vicinity thereof, by reason of:
- Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, ash, dust, waste water, waste products, grit or otherwise.
 - The transportation of materials, goods and commodities to and from the land.
 - Obstruction of any public roadway or highway.
 - Appearance of any building, works or materials.
 - Any accumulation of vegetation, building debris or other unwanted material must be disposed of by removal from the site in an approved manner. No burning of such materials on site will be permitted unless approved in writing by the Council's Manager of Development and Environmental Services.
- 13) The developer must make good and/or clean any road surface or other element damaged or soiled by the development to the satisfaction of the Council's Manager of Works and Technical Services.

The following advice applies to this permit:

- This permit does not imply that any other approval required under any other legislation has been granted.
- If you notify Council that you intend to commence the use or development before the date specified above you forfeit your right of appeal in relation to this permit.

14.6 DA2019/06: SUBDIVISION – 16 LOTS IN 6 STAGES: CT 27874/1 AND 6 BANNISTER ROAD, TODS CORNER

Report by

Jacqui Tyson (Senior Planning Officer)

Applicant

PDA Surveyors

Owner

R A & D J Drysdale

Discretions

12.5.1 Subdivision

Proposal

The application is for a subdivision of an 8ha parcel of land at the end of Bannister Road, Tods Corner (CT27874/1) into 16 lots including new roads, over a number of stages.

The final lots will have areas ranging from 1843m² to 2.77ha, with the majority of the lots around 2000-3000m². The proposal includes an extension of Bannister Road to the east and creation of two new cul de sacs to the north and south to serve all the lots.

The subdivision includes a section of the neighbouring property at 6 Bannisters Road, in order to achieve sufficient width for frontages in the first stage and the road construction for future stages.

Under the proposal, the subdivision will be staged as follows:

- Stage 1 – Division into 3 large lots (Lot 1 - 2.837ha, Lot 2 - 2.923ha and Lot 3 - 2.269ha and each with frontage to the end of Bannister Road and mutual ROW access;
- Stage 2 – Division of the northern lot (Lot 3) created in Stage 1 into 7 lots (Lots 3-9), with areas between 1843m² and 3569m² and frontage to the new northern cul de sac road;
- Stage 3 – Division of the southern lot created in Stage 1 into 8 lots (Lot 2 and 10-16), with areas between 2232m² and 6368m² and frontage to the new southern cul de sac road,

Release of the lots in Stages 2 and 3 may be further staged to respond to market requirements, with up to 6 stages overall. Lot 1 will remain as a large lot as created in Stage 1.

The Development Application is accompanied by documents addressing requirements of the planning scheme including the following:

- Planning statement (PDA);

- Bushfire Assessment Report (Jamie Wood, SEAM);
- Site and soil evaluation (Jamie Wood, SEAM); and
- Natural Values Report (Jim Mulcahy, PDA).

The Site and soil evaluation has assessed the capability of each lot to support an onsite wastewater system. This is important at the subdivision stage in this environment with shallow, rocky soils. The initial assessment required the consolidation of one lot which has been reflected in the final proposal plan.

With regard to Natural Values, the assessment particularly addressed potential impacts on threatened raptors (Wedge-tailed Eagle, White-bellied Sea Eagle and Grey Goshawk) and the threatened Miena Cider Gum (*Eucalyptus gunnii divaricata*). The report did not identify any raptor nests on the property and notes that the nearest recorded nest is in State forest located approximately 4km south west of the site. The standard buffer distances recommended for protection of raptor nests is 1km, so the large separation of the known nest makes it very unlikely that this proposal will impact use of the recorded nest site. The site is identified as suitable foraging habitat for raptor species, however the planning scheme does not provide any protection for this value and it cannot be directly considered in this assessment. However it is noted that there is a large area of reserved land surrounding the site, so the impact of removing this area of habitat may not be as significant in any case.

The final Bushfire Assessment Report has been edited from what was originally submitted as Tasfire Service required further detail given the complexity of the staging of the subdivision and the relatively high fire risk. At the time of writing the final report is with Tasfire for endorsement and an update will be provided at or before the Planning Committee Meeting in regard to this matter.

The application has been referred to Councils contract Engineering Officer for consideration and advice regarding conditions.

The proposal is discretionary owing to being a subdivision and is assessed against the subdivision standards for the Low Density Residential Zone pursuant to section 12.0 of the Central Highlands Interim Planning Scheme 2015.

Subject site and Locality.

The subject land is a large block of just over 8ha the end of Bannister Road at the north eastern edge of the main Tods Corner settlement. The land has recently been developed with an outbuilding and access driveway.

The proposal also includes some land that is currently part of 6 Bannister Road, located to the south of the access strip of the main title.

The site and surrounds is mostly vegetated with alpine bushland. The main section of the Tods Corner township is south of the site and Great Lake to the west.

Land to the north and east of the site is largely state owned and managed by Parks and Wildlife in reserves (Great Lake Conservation Area) or by Hydro.

Tods Corner is generally characterised as a lake side settlement with shacks and permanent dwellings.

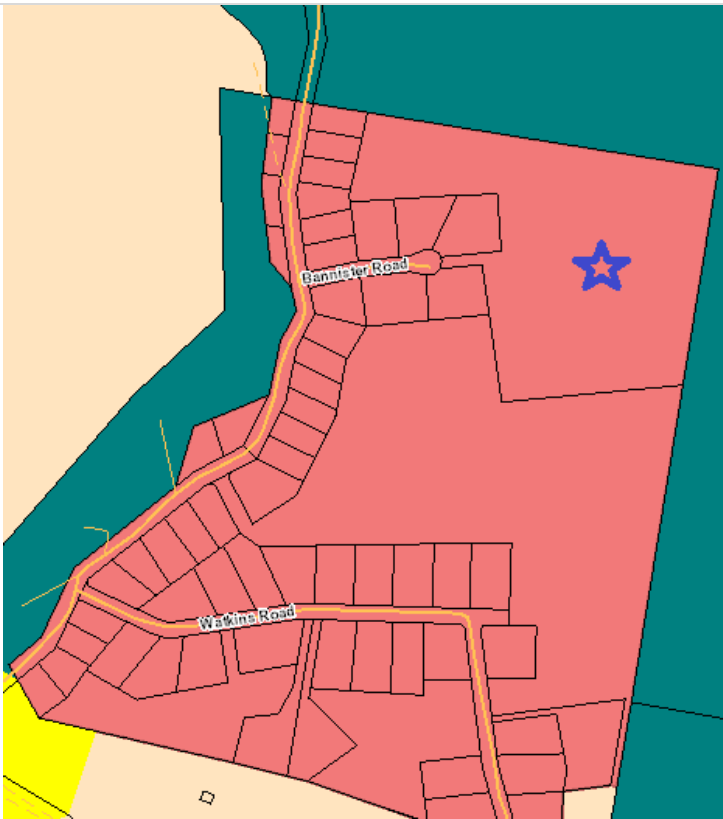


Fig 1. Location and zoning of the subject land (marked by blue star) in the Low Density Residential Zone, with surrounding land in the Rural Resource zone (Cream), Environmental Management Zone (green) and Utilities Zone (yellow). (Source: LISTmap)

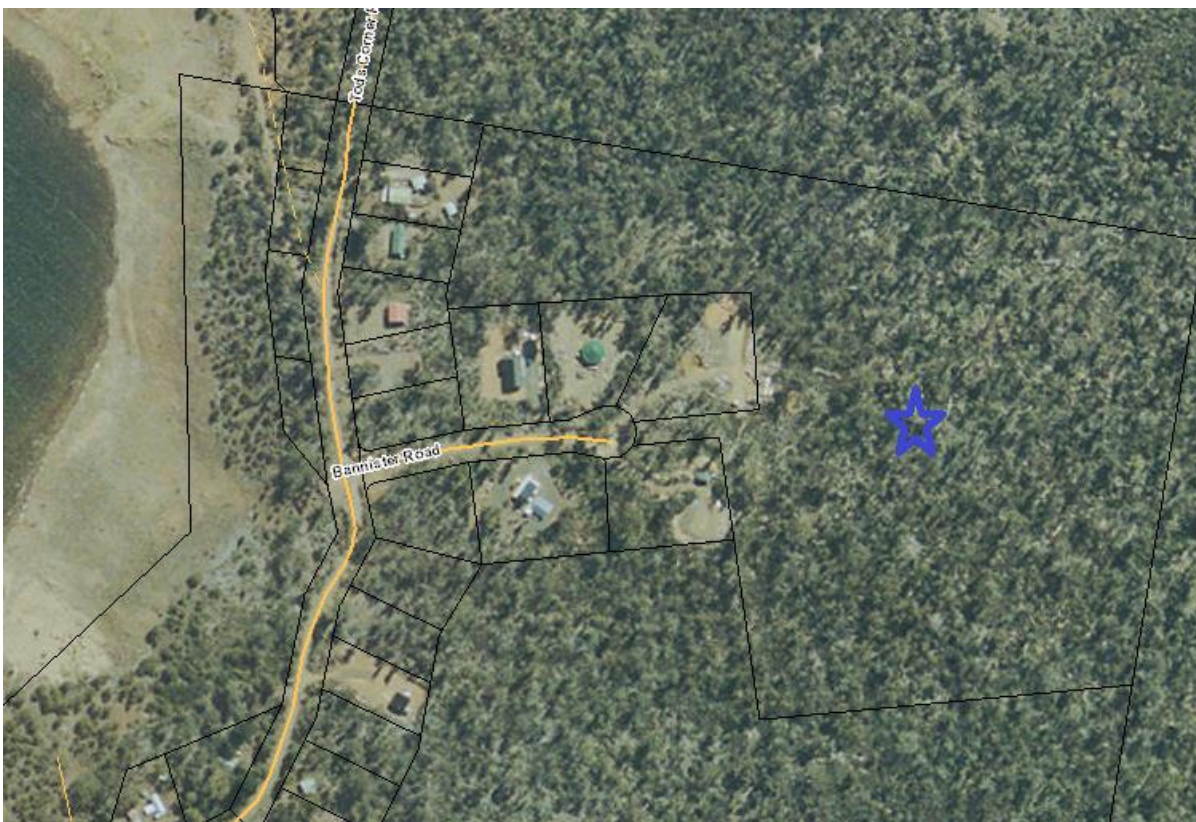


Fig 2. Aerial photo of the subject land and surrounding area, subject land marked with blue stars (Source: LISTmap)

Exemptions

Nil

Special Provisions

Nil

Use standards

There are no applicable use standards for subdivision.

Rural Resource Zone - Development standards for subdivision

The subject land is located in the Low Density Residential Zone. The proposal must satisfy the requirements of the following development standards, relevant to subdivisions:

12.5.1 Lot Design		
To provide for new lots that:		
(a) have appropriate area and dimensions to accommodate development consistent with the Zone Purpose and any relevant Local Area Objectives or Desired Future Character Statements;		
(b) contain building areas which are suitable for residential development, located to avoid hazards and values and will not lead to land use conflict and fettering of resource development use on adjoining rural land;		
(c) are not internal lots, except if the only reasonable way to provide for desired residential density.		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1 The size of each lot must be in accordance with the following, except if for public open space, a riparian or littoral reserve or utilities: as specified in Table 12.1.	P1 No Performance Criteria.	<i>Table 12.1 specifies that the minimum lot size in the Low Density Residential Zone is 1500m².</i> <i>The proposed lots all exceed 1500m² in compliance with the Acceptable Solution.</i>
A2 The design of each lot must provide a minimum building area that is rectangular in shape and complies with all of the following, except if for public open space, a riparian or littoral reserve or utilities; (a) clear of the frontage, side and rear boundary setbacks; (b) not subject to any codes in this planning scheme; (c) clear of title restrictions such as easements and restrictive covenants; (d) has an average slope of no more than 1 in 5; (e) is a minimum of 10 m x 15 m in size.	P2 The design of each lot must contain a building area able to satisfy all of the following: (a) is reasonably capable of accommodating residential use and development; (b) meets any applicable standards in codes in this planning scheme; (c) enables future development to achieve reasonable solar access, given the slope and aspect of the land; (d) minimises the requirement for earth works, retaining walls, and cut & dill associated with future development;	<i>The design and layout of the proposed lots complies with the requirements of Acceptable Solution A2.</i>
A3 The frontage for each lot must be no less than the following, except if for public open space, a riparian or littoral reserve or utilities and except if an internal	P3 The frontage of each lot must provide opportunity for reasonable vehicular and pedestrian access and must be no less than:	<i>Each lot in each stage is provided with frontage of at least 6m, to comply with the Performance Criteria.</i>

lot:		
30m.	6 m.	
A4 No lot is an internal lot.	P4 An internal lot must satisfy all of the following: <ul style="list-style-type: none"> (a) access is from a road existing prior to the planning scheme coming into effect, unless site constraints make an internal lot configuration the only reasonable option to efficiently utilise land; (b) it is not reasonably possible to provide a new road to create a standard frontage lot; (c) the lot constitutes the only reasonable way to subdivide the rear of an existing lot; (d) the lot will contribute to the more efficient utilisation of living land; (e) the amenity of neighbouring land is unlikely to be unreasonably affected by subsequent development and use; (f) the lot has access to a road via an access strip, which is part of the lot, or a right-of-way, with a width of no less than 3.6m; (g) passing bays are provided at appropriate distances along the access strip to service the likely future use of the lot; (h) the access strip is adjacent to or combined with no more than three other internal lot access strips and it is not appropriate to provide access via a public road; (i) a sealed driveway is provided on the access strip prior to the sealing of the final plan. 	<p><i>The final subdivision design includes two lots that are internal lots (Lot 1 and Lot 16).</i></p> <p><i>These lots will be accessed from a new road created by the subdivision. The site constraints in terms of topography, rocky ground and bushfire requirements are such that internal lots in this located are a reasonable option to efficiently utilise the zoned land.</i></p> <p><i>The lots are all larger than the minimum lot size and it is expected that amenity will be reasonable for this zone.</i></p> <p><i>Access to the internal lots will be a minimum of 6m wide and the accesses will be suitably constructed.</i></p>

	(j) the lot addresses and provides for passive surveillance of public open space and public rights of way if it fronts such public spaces.	
A5 Setback from a new boundary for an existing building must comply with the relevant Acceptable Solution for setback.	P5 Setback from a new boundary for an existing building must satisfy the relevant Performance Criteria for setback.	<i>The land is vacant so this clause is not relevant.</i>

Codes

E1.0 Bushfire Prone Areas Code

An assessment and Bushfire Hazard Management Plan (BHMP) by a qualified person has been provided to address the requirements of this Code.

The report identifies an envelope on each lot for a hazard management area to provide for BAL 19 level for a habitable dwelling and provides information informing the required construction standard of the new subdivision roads. Suitable access and water supply will also need to be provided on each lot when it is developed.

In this case the subdivision is quite complex due to the staging and environment, so the BHMP has been referred to the Tasmanian Fire Service for endorsement to ensure that bushfire management is adequately addressed. At the time of writing the endorsement had not yet been received. An update will be provided at or before the meeting in regard to this matter.

E5.0 Road and Railway Assets Code

The subdivision includes a continuation of Bannister Road and a new road to each side to provide frontage and access for the proposed lots at each stage. Conditions are included below to require detailed engineering design drawings to be submitted to Council prior to construction of the new roads.

Each of the proposed lots will also require a new access from the road, which must be constructed in accordance with the required standard.

E7.0 Stormwater Management Code

The proposed lots are large enough to allow for stormwater to be managed onsite.

Detailed design for the stormwater infrastructure for the new roads will be required to be submitted as part of the engineering plans for those works.

Representations

The proposal was advertised for the statutory 14 days period from 23rd May 2019 until 6th June 2019. No representations were received.

Conclusion

The proposal for a subdivision of 16 lots in 6 stages at Bannister Road, Tods Corner is assessed to comply with the applicable standards of the Low Density Residential Zone and the relevant codes of the *Central Highlands Interim Planning Scheme 2015* as outlined in the body of this report.

The proposal was advertised for public comment and no representations were received. It is recommended that the application be approved, subject to conditions.

Legislative Context

The purpose of the report is to enable the Planning Authority to determine the Development Application DA2019/06 in accordance with the requirements of the *Land Use Planning and Approvals Act 1993* (LUPAA). The provisions of LUPAA require a Planning Authority to take all reasonable steps to ensure compliance with the Planning Scheme.

This determination has to be made no later than 21 August 2019, which has been extended beyond the usual 42 day statutory time frame with the consent of the application.

This report details the reasons for the officers Recommendation. The Planning Authority must consider the report but is not bound to adopt the Recommendation. Broadly, the Planning Authority can either: (1) adopt the

Recommendation, (2) vary the Recommendation by adding, modifying or removing recommended conditions or (3) replacing an approval with a refusal.

Any decision that is an alternative to the Recommendation requires a full statement of reasons to ensure compliance with the *Judicial Review Act 2000* and the *Local Government (Meeting Procedures) Regulations 2015*. Section 25 (2) of the *Local Government (Meeting Procedures) Regulations 2015* states:

25 (2): *The general manager is to ensure that the reasons for a decision by a council or council committee acting as a planning authority are recorded in the minutes of the meeting.*

Options

The Planning Authority must determine the Development Application DA2019/06 in accordance with one of the following options:

1. Approve in accordance with the Recommendation:-

In accordance with section 57 of the Land Use Planning and Approvals Act 1993 the Planning Authority **Approve** the Development Application DA2019/06 for subdivision of sixteen (16) lots in 6 stages at CT27874/1 & 6 Bannister Road, Tods Corner, subject to conditions in accordance with the Recommendation.

2. Approve with altered conditions:-

In accordance with section 57 of the Land Use Planning and Approvals Act 1993 the Planning Authority **Approve** the Development Application DA2019/06 for subdivision of sixteen (16) lots in 6 stages at CT27874/1 & 6 Bannister Road, Tods Corner, subject to conditions as specified below.

Should Council opt to approve the Development Application subject to conditions that are different to the Recommendation the modifications should be recorded below, as required by Section 25(2) of the Local Government (Meeting Procedures) Regulations 2015:

Alteration to Conditions:-

3. Refuse to grant a permit:-

In accordance with section 57 of the Land Use Planning and Approvals Act 1993 the Planning Authority **Refuse** the Development Application DA2019/06 for subdivision of sixteen (16) lots in 6 stages at CT27874/1 & 6 Bannister Road, Tods Corner, for the reasons detailed below.

Should the Planning Authority opt to refuse to grant a permit contrary to the officers Recommendation, the reasons for the decision should be recorded below, as required by Section 25(2) of the Local Government (Meeting Procedures) Regulations 2015:

Reasons :-

Recommendation

Moved:

Seconded:

THAT in accordance with section 57 of the Land Use Planning and Approvals Act 1993 the Planning Authority **Approve** the Development Application DA2019/06 for subdivision of sixteen (16) lots in 6 stages at CT27874/1 & 6 Bannister Road, Tods Corner, subject to conditions in accordance with the Recommendation.

Recommended Conditions

General

1. The subdivision layout or development must be carried out substantially in accordance with the application for planning approval, the endorsed drawings and with the conditions of this permit and must not be altered or extended without the further written approval of Council.
2. This permit shall not take effect and must not be acted on until 15 days after the date of receipt of this permit unless, as the applicant and the only person with a right of appeal, you notify Council in writing that you propose to commence the use or development before this date, in accordance with Section 53 of the Land Use Planning and Approvals Act 1993.
3. The subdivision must be carried out in accordance with the Bushfire Assessment Report – Lot 1 Bannister Road, Tods Corner Project # 18028 Final v1 prepared by SEAM, dated 7 August 2019 (Bushfire Assessment Report).

Public open space

4. As insufficient provision has been made for recreational space, and having formed the opinion that such a provision should be made in respect of the proposal, Council requires that an amount equal to five percent (5%) of the unimproved value of Lots 2-16 must be provided as cash-in-lieu of public open space in accordance with the provisions of Section 117 of the Local Government (Building & Miscellaneous Provisions) Act 1993. The subdivider must obtain a valuation for the unimproved value of the subdivision from a registered Valuer and pay the applicable amount for lots in each stage prior to sealing of that stage.

Covenants

5. Covenants or other similar restrictive controls that conflict with any provisions or seek to prohibit any use provided within the planning scheme must not be included or otherwise imposed on the titles to the lots created by this permit, either by transfer, inclusion of such covenants in a Schedule of Easements or registration of any instrument creating such covenants with the Recorder of Titles, unless such covenants or controls are expressly authorised by the terms of this permit or the consent in writing of the Council's General Manager.

Easements

6. Easements must be created over all drains, pipelines, wayleaves and services in accordance with the requirements of the Council's General Manager. The cost of locating and creating the easements shall be at the subdivider's full cost.

Endorsements

7. The final plan of survey must be noted that Council cannot or will not provide a means of drainage to all lots shown on the plan of survey.

Transfer of reserves

8. All roads or footways must be shown as "Road" or "Footway" on the Final Plan of Survey and transferred to the Council by Memorandum of Transfer submitted with the Final Plan of Survey.

Final Plan

9. A final approved plan of survey and schedule of easements as necessary, must be submitted to Council for sealing for each stage. The final approved plan of survey must be substantially the same as the endorsed plan of subdivision and must be prepared in accordance with the requirements of the Recorder of Titles.
10. A fee of \$210.00, or as otherwise determined in accordance with Council's adopted fee schedule, must be paid to Council for the sealing of the final approved plan of survey for each stage.
11. All conditions of this permit must be satisfied before the Council seals the final plan. It is the subdivider's responsibility to arrange any required inspections and to advise Council in writing that the conditions of the permit have been satisfied. The final plan of survey will not be dealt with until this advice has been provided.
12. The subdivider must pay any Titles Office lodgment fees direct to the Recorder of Titles.

Engineering

13. The subdivision must be carried out in accordance with the *Central Highlands Council Subdivision Guidelines 2012* (attached).
14. Engineering design drawings to the satisfaction of the Council's General Manager must be submitted to and approved by Council before development of the land commences.
15. Engineering design drawings are to be prepared by a qualified and experienced civil engineer, or other person approved by Council's General Manager, and must show -
 - (a) all existing and proposed services required by this permit;
 - (b) all existing and proposed roadwork required by this permit;
 - (c) measures to be taken to provide sight distance in accordance with the relevant standards of the planning scheme;
 - (d) measures to be taken to limit or control erosion and sedimentation;
 - (e) any other work required by this permit.
16. Approved engineering design drawings will remain valid for a period of 2 years from the date of approval of the engineering drawings.
17. The developer shall appoint a qualified and experienced Supervising Engineer (or company registered to provide civil engineering consultancy services) who will be required to certify completion of subdivision construction works. The appointed Supervising Engineer shall be the primary contact person on matters concerning the subdivision.

Property Services

18. Property services must be contained wholly within each lots served or an easement to the satisfaction of the Council's General Manager or responsible authority.
19. Wastewater disposal systems for each lot must be designed and provided in accordance with the recommendations of the Site Suitability Assessment Report – Lot 1 Bannister Road, Tods Corner Project # 18028 prepared by SEAM, dated 21 December 2018.

Existing services

20. The Subdivider must pay the cost of any alterations and/or reinstatement to existing services, Council infrastructure or private property incurred as a result of the proposed subdivision works. Any work required is to be specified or undertaken by the authority concerned.

Telecommunications and electrical reticulation

21. Electrical and telecommunications services must be provided to each lot in accordance with the requirements of the responsible authority and to the satisfaction of Council's Municipal Engineer.
22. Prior to sealing the final plan of survey the developer must submit to Council:
 - An Exemption from the installation of fibre ready pit and pipe, a "Provisioning of Telecommunications Infrastructure – Confirmation of final payment" or "Certificate of Practical Completion of Developer's Activities" from Telstra or NBN Co.
 - Written evidence from TasNetworks confirming that all conditions of the Agreement between the Owner and authority have been complied with and that future lot owners will not be liable for network extension or upgrade costs, other than individual property connections at the time each lot is further developed.

Roads and Access

23. Roadworks and drainage must be constructed in accordance with the standard drawings prepared by the IPWE Aust. (Tasmania Division) and to the requirements of Council's General Manager.
24. The extension of Bannister Road must be constructed to include:
 - A minimum road reservation width of 18.0m;
 - Fully paved and drained carriageway;
 - a minimum overall carriageway width of 7.0m;
 - Cul-de-sac turning head with a minimum 12.0m outer radius;
 - Stormwater table drains; and
 - In accordance with the endorsed Bushfire Assessment Report.
25. Subdivision roads must be constructed to include:
 - A minimum road reservation width of 15.0m;
 - Fully paved and drained carriageway;
 - a minimum overall carriageway width of 7.0m;
 - Cul-de-sac turning head with a minimum 12.0m outer radius;
 - Stormwater table drains; and
 - In accordance with the endorsed Bushfire Assessment Report.
26. A vehicle access, with a minimum carriageway width of 4.0m, must be provided from the road carriageway to each Lot.
27. The vehicle accesses must be constructed in accordance with the standards shown on standard drawings TSD-R03-v1 Rural Roads Typical Property Access and TSD-R04-v1 Rural Roads Typical Driveway Profile prepared by the IPWE Aust. (Tasmania Division) and to the satisfaction of Council's General Manager.
28. The vehicular access for all internal lots must be constructed for the full length of the access strip, to the lot proper, and include:
 - 4.0 metre min. width carriageway
 - Constructed with a durable all weather pavement
 - Stormwater drainage; and
 - In accordance with Table In accordance with the endorsed Bushfire Management Planning Report.

Weed management

29. Prior to the carrying out of any works approved or required by this approval, the subdivider must provide a weed management plan detailing measures to be adopted to limit the spread of weeds listed in the Weed

Management Act 1999 through imported soil or land disturbance by appropriate water management and machinery and vehicular hygiene to the satisfaction of Council's Municipal Engineer and of the Regional Weed Management Officer, Department of Primary Industries Water and Environment.

Natural Values Management

30. The Miena Cider Gums (*Eucalyptus gunnii divaricata*) identified on the site in the Natural Values Supplementary Assessment - prepared by Jim Mulcahy PDA, dated 27 March 2019 must be retained on the site, unless approved otherwise under the applicable legislation.
31. Best practice methods must be adopted during construction of the subdivision to identify and protect the Miena Cider Gums, including root zone protection. A plan outlining the proposed protection management plan must be submitted with the engineering drawings prior to construction commencing.

Soil and Water Management

32. A soil and water management plan (here referred to as a 'SWMP') prepared in accordance with the guidelines Soil and Water Management on Building and Construction Sites, by the Derwent Estuary Programme and NRM South, must be approved by Council's General Manager before development of the land commences.
33. Temporary run-off, erosion and sediment controls must be installed in accordance with the approved SWMP and must be maintained at full operational capacity to the satisfaction of Council's General Manager until the land is effectively rehabilitated and stabilised after completion of the development.
34. The topsoil on any areas required to be disturbed must be stripped and stockpiled in an approved location shown on the detailed soil and water management plan for reuse in the rehabilitation of the site. Topsoil must not be removed from the site until the completion of all works unless approved otherwise by the Council's General Manager.
35. All disturbed surfaces on the land, except those set aside for roadways, footways and driveways, must be covered with top soil and, where appropriate, re-vegetated and stabilised to the satisfaction of the Council's General Manager.

Construction

36. The developer must provide not less than forty eight (48) hours written notice to Council's General Manager before commencing construction works on-site or within a council roadway.
37. The developer must provide not less than forty eight (48) hours written notice to Council's General Manager before reaching any stage of works requiring inspection by Council unless otherwise agreed by the Council's General Manager.

Construction amenity

38. The development must only be carried out between the following hours unless otherwise approved by the Council's Manager Environment and Development Services:

• Monday to Friday	7:00 AM to 6:00 PM
• Saturday	8:00 AM to 6:00 PM
• Sunday and State-wide public holidays	10:00 AM to 6:00 PM
39. All subdivision works associated with the development of the land must be carried out in such a manner so as not to unreasonably cause injury to, or unreasonably prejudice or affect the amenity, function and safety of any adjoining or adjacent land, and of any person therein or in the vicinity thereof, by reason of -
 - (a) Emission from activities or equipment related to the use or development, including noise and vibration, which can be detected by a person at the boundary with another property.
 - (b) Transport of materials, goods or commodities to or from the land.
 - (c) Appearance of any building, works or materials.
40. Any accumulation of vegetation, building debris or other unwanted material must be disposed of by removal from the site in an approved manner. No burning of such materials on site will be permitted unless approved in writing by the Council's Municipal Engineer.
41. Public roadways or footpaths must not be used for the storage of any construction materials or wastes, for the loading/unloading of any vehicle or equipment; or for the carrying out of any work, process or tasks associated with the project during the construction period.

Maintenance and Defects Liability Period

- 42.** Works required by this permit must be placed onto a twelve (12) month maintenance and defects liability period in accordance with Council Policy following the completion of the works in accordance with the approved engineering plans and permit conditions.
- 43.** A bond clearly in excess of 5% of the value of works and no less than \$5000.00, must be submitted to Council at the commencement of the defect liability period or prior to sealing the final plan or survey, whichever is earliest. The bond will be returned at the expiration of the defect liability period if all works are maintained and repaired as necessary to the satisfaction of Council's General Manager.

THE FOLLOWING ADVICE APPLIES TO THIS PERMIT: -

- A.** This permit does not imply that any other approval required under any other legislation or by-law has been granted.
- B.** This planning approval shall lapse at the expiration of two (2) years from the date of the commencement of planning approval unless the development for which the approval was given has been substantially commenced or extension of time has been granted. Where a planning approval for a development has lapsed, an application for renewal of a planning approval for that development may be treated as a new application.
- C.** This permit shall not take effect and must not be acted on until 15 days after the date of receipt of this permit unless, as the applicant and the only person with a right of appeal, you notify Council in writing that you propose to commence the use or development before this date, in accordance with Section 53 of the *Land Use Planning and Approvals Act 1993*.
- D.** The owner is advised that an engineering plan assessment and inspection fee must be paid to Council in accordance with Council's fee schedule.
- E.** All approved engineering design drawings will form part of this permit on and from the date of approval.

14.7 STATUORY REVIEW OF THE ABORIGINAL HERITAGE ACT 1975

Clr Cassidy requested the following item be listed on the Agenda for discussion.

Request a Motion, with aim to include Aboriginal Heritage Assessment in Planning Authority decision-making process, to be included in CHC Local Provisions of our Planning Scheme, as a matter of urgency, due to 21 September 2019 deadline for Submissions to Statutory Review. To also include questions in Statutory Review.

For Discussion**14.8 WAYATINAH TOILET BLOCK****Background**

Council has been experiencing ongoing issues at the Wayatinah Toilet Block with blockages occurring. A Plumber has been on-site to unblock and investigate and has advised that the drains have sunk under the slab as well as the ones on the outside of the slab and has advised that the entire sewer lines will need jack hammering and replacing. If this issue is not rectified, blockages at the site will continue.

Current Situation

The Manager, Development & Environmental Services has been in contact with Michael Watkins from Hydro Tasmania to discuss an interim solution while Council assesses what works need to be undertaken. Michael Watkins has advised that there are toilets at the back of the hall that are usable but some directional signage would probably be required.

Recommendation**Moved:****Seconded:**

THAT the Manager Development & Environmental Services meet with Michael Watkins from Hydro Tasmania to discuss option and possible financial assistance for upgrading works.

14.9 SOLAR POWER ON COUNCIL BUILDINGS : ELECTRICITY REVIEW

Background

At the June 2019 ordinary meeting of Council a decision was made to provide a report on the costs and benefits (including savings on power costs) associated with installing solar power to the Bothwell Council Office, Hamilton Council Office and the combined Visitor Information Centre (includes Golf Museum, Visitor Link and Historical Rooms).

Current Situation

A preliminary electricity review has been undertaken by Duncan Livingstone from Energy ROI who has provided the following information:

I have reviewed the data from Aurora and have come up with a few ideas for you to save money, currently it looks like you spend about \$40,000/year on electricity.

Things you can do straight away to save money.

1. Change retailer to 1st energy (save \$2,000/year no contract just month to month) or accept a 2-year contract with Aurora and promise not to change retailers (save \$600/year).
2. Change existing lighting to high efficiency LED – generally has a payback of 3-4 years

Hamilton

The Hamilton office is the biggest energy guzzler and uses most of that power in the winter so improving insulation and electric heaters with heatpump/reverse cycle air conditioners will likely yield the best financial rewards. You could install solar there but my gut instinct tells heating is the reason for the high electricity cost. If we install solar they really only offsets the summer energy costs which are already very reasonable. My best guess is heating represents about \$4,500+GST/year at the site and if improving the efficiency of heating by insulating and installing heat pumps could drop that by 70% that would represent a saving of \$3,150+GST.

I'd assume a 5-6 year payback on capital is possible so if the council budgeted \$15,750 to \$18,900+GST you should get good value. If it costs more than that probably not.

Solar at Hamilton could work –I'd suggest a 10kW to 12kW solar system would be the largest size to consider. A quality system would likely cost \$16,000 to \$18,000+GST and give you a 5-7 year payback. A smaller 5kW to 7kW system for about \$8,000 to \$10,000+GST is worth considering too.

Bothwell

Similar to Hamilton – if any offices are used daily (or at least 5 days a week) then look at heating efficiency and solar but only 5kW systems which will likely save you \$1,000/year. Going larger than that isn't recommended. Similarly for sites that have little daytime energy use solar is not the answer.

Conclusion:

If a 7-year payback is acceptable and the aim was to cut electricity bills by 20% can council find \$56,000. Similarly if we are aiming to cut the bills 10% can you find \$28,000?

For Discussion

14.10 DRAFT WASTE ACTION PLAN JUNE 2019

Report By:

Beverley Armstrong EHO

Introduction:

Draft Waste Action Plan – a plan to improve waste management within Tasmania on a state wide basis.

Information:

The action plan outlines the key actions and targets namely:

- Introduce a waste levy by 2021 to fund waste management and resource recovery activities;
This is the most contentious recommendation is clearly the issue of a state legislated levy. It is perhaps useful to consider the reasons for imposing a waste levy which are outlined in the Action Plan.

A waste levy is a market-based economic instrument which serves a number of purposes:

- *It provides financial incentive to recover and recycle rather than deposit waste in landfill and provides a price signal to waste generators that landfill disposal has additional, sometimes hidden costs*
- *It provides funds for waste minimisation and recovery programs which are more effectively undertaken at a strategic level (e.g. strengthening recycling markets, addressing infrastructure inadequacies)*
- *This would replace any existing Council levies.*

However, the action plan does not state how the levy will be managed, how much the levy will be and who administers the monies collected and who decides on what projects it will be used.

This then raises the question of if the State Government is collecting the levies will all the monies be reinvested back into waste management or used for other purposes. The Action Plan does not state how this will work, but does state that legislation will indicate how the revenue will be directed to waste management and resource recovery initiatives. There needs to be a firm guarantee that the money that might be generated by a statewide levy would come back to councils and communities — and not just be absorbed into consolidated revenue.

Council will have to wait for the legislation to see how all this is going to work.

- **Ensure 100% of packaging is reusable, recyclable or compostable by 2025;**
I don't see how Local Government can achieve this, needs to be a state government initiative however.
- **Reduce waste generated in Tasmania by 5% per person by 2025 and 10% by 2030;**
- **Achieve a 40% average recovery rate from all waste streams by 2025 and 80% by 2030;**
- **Have the lowest incidence of littering in the country by 2023;**
Littering laws are being tightened, but as yet no information on how they will be policed.
- **Work at the national level and with local government and businesses in Tasmania to phase out problematic and unnecessary plastics by 2030; and**
Not sure how CHC would go about this, perhaps a plastic bag free zone in the Central Highlands, Council already recommend not using single use plastic in events held in the community as well a no balloon recommendation. Council could take this further with a by-law, with community consultation.
- **Reduce the volume of organic waste sent to landfill by 25% by 2025 and 50% by 2030**
This would be possible in our area if Council introduced an organic waste kerbside bin, and a composting facility at Hamilton Landfill site. This could be something the fund from the waste levy could be used for as a project to help reach this target.
- **Introduce a Container Refund Scheme in Tasmania by the end of 2022;**
The Container Refund Scheme to be introduced into Tasmania by 2022 is a good idea. However, infrastructure will need to be built, and markets for the recyclables found. The Plan states "This is incredibly important at a time when some of our key international markets are demanding increased quality in imported paper, plastic and other materials. Along with the introduction of a legislated waste levy, the CRS will help to create new and improved markets for some of our most important recycled materials." I don't see how this will generate markets for Tasmania however should increase clean recycling products and lesson littering as shown in other states.

Conclusion

They are all good targets and the fact that this Plan will be statewide does have advantages in Local Government all aiming for the same outcomes. It does however mean that costs to Council will most probably rise, Council do not at this time have the ability to recoup the waste levy from customers unless the landfill was open to other users. So inevitably rates would probably need to rise, something the community is never happy with.

The one thing missing from this plan is State Government involvement, that is there is no mention of the state government contributing to the plan with funding, only that legislation will be enacted for a state wide levy and perhaps the state government will administer it.

Recommendation**Moved:****Seconded:**

Submissions on the plan are open until the 7th October 2019. Please read the action plan (attached) and the questions they are asking (in blue) in relation to the plan and forward your comments to me prior to the 7th October. I am happy to put together a submission for your review and send off at the appropriate time.

14.11 BOTHWELL FOOTBALL CLUB & COMMUNITY CENTRE SECURITY**Background**

The Mayor requested a quotation on a security system for the Bothwell Football Club & Community Centre Building.

Current Situation

Chubb Security has visited the site and provided a quotation for an alarm and CCTV system. The system being proposed has a code pad with built-in Prox Reader and 20 access tokens for arming and disarming, meaning the security code would not need to be given out and the token issued with the key would be used to arm and disarm the alarm.

Allowance has been made for an 8 Channel Recorder to enable more cameras to be added if required.

The quotations received are attached for discussion.

For Discussion**14.12 BOTWHELL PUBLIC TOILETS, MARKET PLACE, BOTHWELL**

Clr Poore asked that the following be placed on the agenda.

Due to the continual problems with the floor tiles, extremely labour intensive to keep clean, and no floor waste to release water during cleaning and they are stained and unhygienic. Suggest we install suitable floor wastes to floor of men's and women's toilets and apply a suitable non slip coating to overcome cleaning and hygienic problem.

For Discussion**14.13 DES BRIEFING REPORT****PLANNING PERMITS ISSUED UNDER DELEGATION**

The following planning permits have been issued under delegation during the past month.

NO PERMIT REQUIRED

DA NO.	APPLICANT	LOCATION	PROPOSAL
2019 / 00048	D Quigley	25 Esplanade, Cramps Bay	Garage
2019 / 00049	K H Cooke	371 Tods Corner Road, Tods Corner	Dwelling Addition
2019 / 00053	Triffett Holdings Pty Ltd	56 Woodmoor Road, Ouse	Farm Shed
2019 / 00055	J Faulkner (obo I Badcock)	20 Johnsons Road, Miena	Garage

DISCRETIONARY USE

DA NO.	APPLICANT	LOCATION	PROPOSAL
2019 / 00032	C W Queale	6 William Street, Bothwell	Shed
2019 / 00036	J E & G L Herbert	P215 Patrick Street, Bothwell	Farm Sheds x 2

2019 / 00040	T A & S D Wallace	P97A Ellendale Road, Ellendale	Shed
2019 / 00039	G L Huett	14 Reynolds Neck Road, Reynolds Neck	Dwelling Addition
2019 / 00034	Central Highlands Council	6 - 8 Market Place, Bothwell	Replace 2 Signs with 1 New Sign
2019 / 00046	D G White (obo S G Chaffey)	Meadow Bank Road, Meadowbank	Addition to Existing Building

15.0 WORKS & SERVICES

Moved: Clr

Seconded: Clr

THAT the Works & Services Report be received.

WORKS & SERVICES REPORT **10th July 2019 – 13th August 2019**

Grading & Sheeting

Meadowbanks Road
Thousand Acre Lane
Risbys Road
Old Mans Head
Rotherwood Road

Marked Tree Road
Holmes Road
Tor Hill Road
Dennistoun Road

Maintenance Grading

Jones River Road
Bluff Road
Woolpack Road
Wood Moore Road
Langloh Road

Pelham Road
Church Road
Clarendon Road
Norley Road
Wood Springs Road

Potholing / shouldering

Interlaken Road
Bashan Road
Humbie Road
Green Valley Road
Victoria Valley Road
Mark Tree Road

Todds Corner Road
Hunterston Road
Weatheron Road
Fourteen Mile Road
Pelham Road

Spraying

Finish Bothwell town footpaths

Culverts / Drainage:

Clean culverts Eyles Road
Clean culverts and drainage Bashan Road
Clean culverts Strickland Road
Clean culverts Pearce's Road
Drainage Risbys Road
Clean storm water pits Bothwell

Occupational Health and Safety

- Monthly Toolbox Meetings
- Day to day JSA and daily pre start check lists completed
- Monthly work place inspections completed
- Playground inspections
- 17 hrs Annual Leave taken
- 68 hrs Sick Leave taken

- 0hrs Long Service Leave
- Fallers Course for 3 employees
- Loader course 1 employee
- Compactor course 2 employees
- Small plant course 1 employee
- Traffic Course 1 employee

Bridges:

Replacement of the Hunterston Bridge and road approaches

Refuse / recycling sites:

Cover Hamilton Tip twice weekly

Other:

Pick up rubbish around road side bins at Haulage Hill

Cold mix holes Flintstone Drive

Install signs Arthurs Lake Road

Repair sign Hollow Tree Road

Dig 1 X grave

Concrete slab and install shed

Install new sign information centre

Replace road sign Ransley Road

Install grab handles Hamilton showers

Pick up road side rubbish Victoria Valley Road

Repairs to play ground Hamilton

Repairs to footpath Ouse

Slashing:

Light vegetation slashed on the 14 Mile Road

Municipal Town Maintenance:

- Collection of town rubbish twice weekly
- Maintenance of parks, cemetery, recreation ground and Caravan Park.
- Cleaning of public toilets, gutters, drains and footpaths.
- Collection of rubbish twice weekly
- Cleaning of toilets and public facilities
- General maintenance
- Mowing of towns and parks
- Town Drainage

Buildings:

Building gutters cleaned at the Hamilton Works Depot, Resource centre Hamilton and Hamilton Council office buildings.

New pump Gretna recreation ground

Water leak old Tas Water building and fix windows

Plant:

PM676 excavator new boom pins and hoses

PM741 Mack truck (H) new steer tyres

PM705 Mack truck (H) serviced

PM726 John Deer tractor and slasher new front tyres, service, welding repairs

PM733 Komatsu grader (H) serviced

PM684 Komatsu grader (H) serviced

PM757 JCB backhoe (H) serviced and electrical work and new wear pads in stable legs

PM774 Cat grader (B) new articulation switch

PM687 Western Star truck (H) serviced

PM717 Dog trailer new brake adjuster

PM782 Ford Ranger (B) serviced and new tyres

PM783 Ford Ranger (H) service and new tyres

PM740 Hino truck (H) new steer tyres

PM679 Triton ute (H) serviced

Private Works:

Michelle Blowfield grader hire
Mick Mundy truck hire
Nathan Lovell spray tank dry hire
Jake Herbert gravel delivery
Pete Marks gravel delivery
Ken Orr concrete premix delivery
John Hall concrete premix delivery
Ray fulton gravel delivery

Casuals

- Toilets, rubbish and Hobart
- Bothwell general duties
- Hamilton general duties
- Mowing and brush cutting

Program for next 4 weeks

Re-sheeting and grading of Municipal roads
Culvert cleaning on Municipal roads
Test pits for Gowen Brea Bridge
Commence tender for replacement of Gowen Brea Bridge
Drainage Victoria Valley Road
Rock pitching drain Curlys Lane

15.1 COMPLETED WORKS- HUNTERSTON BRIDGE

The works to the Hunterston Bridge have now been completed. Please see the below photo of the completed bridge.

**For Information**

16.0 ADMINISTRATION

16.1 BOTHWELL INTERNATIONAL HIGHLANDS SPININ AND FIBRE FESTIVAL

At the July Ordinary Meeting of Council, Council resolve that agenda item 16.13 be deferred until the Ordinary Meeting of Council in August so to hear the deputation from Mrs Juliet Smith the President of the Bothwell International Highlands SpinIn and Fibre Festival before discussing the matter.

Clr Poore has asked that the following item be placed on the Council agenda, as he believes after reading Mrs Juliet Smith, Presidents Report on the Bothwell International Highlands SpinIn and Fibre Festival dated the 25 May 2019, he feels it is important that Council responds to the various points Mrs Smith's raises in her Presidents Report.

Clr Poore states after talking with Mr Keith Alcock it appears that without greater input from the local community in assistance with the management committee and planning it is extremely unlikely that the Bothwell International Highlands SpinIn and Fibre Festival will continue in its current form.

Clr Poore suggests that Mrs Smith, Presidents Report is a cry for help however Clr Poore believes Council has been very supportive and proactive in helping the Committee of the Bothwell International Highlands SpinIn and Fibre Festival. Mrs Smith report suggests that the problem lies with community input, hence Clr Poore advocates that Council may wish to possibly attempt through advertising boost numbers of assistants. However Clr Poore feels that the response would be minimal. Another suggestion is to put the event into recess for a while, but Clr Poore feels this may result in the total demise of the Bothwell International Highlands SpinIn and Fibre Festival.

Clr Poore would like Councillors to consider how important is this event to the Central Highlands and in particular Bothwell?

For Discussion

16.2 TASMANIAN DEER ADVISORY COMMITTEE INC. – THE WAY FORWARD FOR TASMANIA'S FALLOW DEER

The Chairman Mr Andrew Winwood from the Tasmanian Deer Advisory Committee Incorporated wrote to Council advise us of the strategic planning being undertaken by the Minister of Primary Industries and Water relating to browsing animal control, specifically related to Tasmanians Fallow Deer.

Mr Winwood states that the Tasmanian Deer Advisory Committee is comprised of representatives from various Governing Bodies, Corporations and interest groups such as the TFGA, Forico, Sporting Shooters Association of Australia and The Australian Deer Association. The Committee also boasts Wildlife Management experts and Primary Producers from various properties situated throughout Tasmania's wild deer range.

The Tasmanian Deer Advisory Committee has made contact with Council due to an apparent increase in deer farm escapees and translocations throughout Tasmania. As a result, Mr Winwood states that fallow deer are now being sighted in many areas for the first time and he believes Council may be experiencing these encounters within our Municipality.

Mr Winwood suggests that due to these sightings, the 2017 Legislative Council Inquiry into Tasmania's Fallow Deer herd and the establishment of the Tas Game Council, the TDAC has developed a proposal titled 'The Way Forward for Tasmania's Fallow Deer'. If successfully implemented, these proposals have the ability to positively change the way Tasmania manages its Fallow Deer herd for the betterment of all stakeholders.

Mr Winwood urges Council to read the proposal below and would like to offer the opportunity to meet with Council to discuss any aspects of the document that may require further clarification.



Tasmanian Deer Advisory Committee Inc.

1 Shepherds Court, Evandale 7212

63 918 638 - 0437 918 600

bizzy@netspace.net.au

The way forward for Tasmania's Fallow Deer

Summary:

The Tasmanian Deer Advisory Committee has met with members and constituents regarding a series of revisions and proposals that if implemented, has the ability to positively change the way in which Tasmania's magnificent Fallow Deer herd is managed for the benefits of hunters, landowners and the environment.

These revisions and proposals don't represent a fixed position or roll out schedule, but provide an overview position on all or some of the changes that could be made. Some of these changes could be made on a standalone basis, but others may require a series of changes be made as a prerequisite.

These revisions are structured into the following categories:

1. Extension to the current antlerless season
2. Increase the allowable harvest of antlerless deer with a recreational licence
3. The implementation of a harvest logbook and electronic tagging system for harvested deer
4. The development of individual 'Deer Management Zones'
5. Increase the duration of crop protection permits from an annual permit to 5 yearly with yearly returns.
6. Allow greater access for recreational hunters to remove deer from public land

1. Extension to the current antlerless season:

The current antlerless deer season is structured in two parts, one of which takes place during the March Buck season and the other which begins in early May. The 2019 season dates are as follows:

- 9th March - 31st March = 23 days
- 11th May - 30th June = 51 days

The TDAC believes that the split season and the early closure date is restricting a recreational hunter's ability to harvest all of the deer that are allocated to them at the time of purchasing a licence. The closure date becomes even more restrictive once you consider that antlerless deer are still able to be harvested under crop protection permits (CPP) until early November.

The TDAC therefore believe the recreational antlerless deer season should be more closely aligned to the CPP's issued by the Department and propose the following dates for a continuous season:

- 14th March - 1st November = 237 days

Tasmanian Deer Advisory Committee Inc.

2. Increase the harvest of antlerless deer with a recreational licence:

Recreational hunters are issued a quota of three deer per licence application. Hunters are then able to harvest 1x male deer and 2x antlerless deer or 3x antlerless deer. In order for recreational hunters to remove more deer from the landscape a quota increase is required.

The TDAC proposes that the status quo remains for harvesting male deer (1 x per licence) however the number of antlerless deer allowed per licence is to be heavily increased or unlimited. This will allow hunters to easily remove deer in high population areas whilst also targeting more remote World Heritage and non-traditional areas where the deer numbers are less but their removal is critical.

It is important to note however that unless the antlerless season is extended as per Cat. 1, an increase to the quota will not be beneficial. Hunters require a larger quota and more time to fill it.

3. The implementation of an electronic tagging system for harvested deer

The current requirement for hunters to tag all harvested deer is critical for the operations undertaken by Tasmania's Wildlife Rangers. It is however costly to implement, difficult to manage and cumbersome for hunters and landowners.

The TDAC understand the importance of a system that allows for traceability of harvested deer, however believe there are more modern alternatives to traditional metal and plastic tags for large amounts of harvested antlerless deer that will still deliver the same accountability for hunters, yet will also allow for extensive data collection for the various stakeholders.

For example, in 2018 there were approximately 24,500 tags issued for harvesting antlerless deer:

- Crop Protection Permits = **14,500**
- Recreational tags @ 2 x per hunter = **10,000**

Therefore, the TDAC propose that an electronic tagging system (eTag) be implemented where smartphones and apps are used to track and log the harvest of antlerless deer both under recreational licences and CPP's. This will drastically reduce the costs associated with printing and distributing traditional tags and will allow for accurate data to be collected so deer harvest numbers in specific areas can be assessed in real time.

A similar eTag system has been used by Sustainable Timbers Tasmania for many years for the tracking of harvested sawlogs during transportation. Discussions between the developers of the software and the TDAC have been undertaken and the TDAC believe there are many benefits to implementing a system such as this in order to successfully manage the Tasmanian deer herd.

Tasmanian Deer Advisory Committee Inc.

While the eTag system is being developed, a simple alternative to the current tag allocation is for hunters to receive a paper logbook at the time of purchasing a Game Licence. Once a deer has been harvested, Hunters will be required to record the information such as date, time and location in their logbook. Wildlife Rangers can request to site a hunter's logbook during routine patrolling operations to ensure compliance and hunters can also return their harvest information to the Department at the season closure.

4. The development of individual 'Deer Management Zones'

The topic of a 'Traditional' and 'Non Traditional' deer range is quoted extensively when trying to control problem deer in areas where they have rarely been sighted previously.

The TDAC believe that by establishing Deer Management Zones (DMZ) the ability to remove all deer from a certain area, whilst limiting harvest in other areas could be easily implemented. Coupling this with the introduction of an eTag system would allow hunters to target areas such as WHA's where the harvest of all deer can be unlimited.

5. Increase the duration of CPP's from an annual permit to 5 yearly

Antlerless deer could be added to the current five-year Bennett's/Rufous wallaby and Brushtail possum permits that the Department currently issues, using the same conditions and adding the term 'This permit is valid for the taking of antlerless deer during the antlerless season'.

The status quo would remain where permits are issued by the Department with the landowner's nominated hunter's names already printed on them. The Department would also issue blank permits for casual hunters that have gained access to the property, in order to reduce red tape for the landowner.

By introducing an increased or unlimited harvest for antlerless deer, (depending on DMZ) the only time a landowner would need to apply for a CPP would be if the removal of male deer from their property is required, or antlerless deer are required to be removed by utilising a spotlight at night.

As recreational hunters are also required to complete a 'harvest return' at the completion of the season, this data can instead be extracted from their logbook or eTag database, reducing the need for landowners to present this information at the Departments request.

These changes would also have the added benefit of meeting the State Governments objective:

"The permits will be managed with appropriate checks and balances, including the provision of returns (reporting) on the deer taken to assist in understanding population dynamics."

Tasmanian Deer Advisory Committee Inc.

6. Allow greater access for recreational hunters to remove deer from public land

Parks and Wildlife should investigate the opening of more Conservation Areas and Regional Reserves such as the examples listed below. An appropriate process for hunting in these reserves then needs to be established. This would assist landholders and land managers by removing 'safe havens' for deer adjoining their properties.

Conservation Area's

Alpha Pinnacle	275.50 ha
Apsley	456.98 ha
Badger Spur	146.95 ha
Cleveland Lagoon	75.33 ha
Devil Den	81.95 ha
Exe Rivulet	78.40 ha
Gordons Ridge	163.61
Gravelly Ridge	2293.83 ha
Harry Walker Tier	496.14 ha
Little Quoin	289.24 ha
Moss Gully	408.46 ha
Mount Bethune	352.67 ha
Royal George	269.84 ha
Spinning Gum	487.18 ha
Strickland	199.03 ha
Table Mountain	283.51 ha
Tiger Rise	133.70 ha
Tunbridge Tier	525.99 ha
Unnamed long Marsh	1538.64 ha
Unnamed Toom's lake	1498.18 ha
Waddles Creek	413.05 ha
Wye River	427.82 ha
Total	11,313.59 ha

Regional Reserves

Avoca	933.02 ha
Castle Cary	5995.03 ha
Dog Kennels	582.95 ha
St Pauls	4394.94 ha
Total	11,905.94 ha

Combined

Total	23,219.53ha
--------------	--------------------

For Discussion

16.3 BOTHWELL BI-CENTENARY

Clr Poore has asked that the following item be placed on the Council agenda, as the Central Highlands Visitor Centre Management Committee has been working towards the 2022 Bothwell Bi-Centenary Event.

The Central Highlands Visitor Centre Management Committee was requested by Council at the January Council meeting to prepare a submission to Council for discussion and approval.

Central Highlands Visitor Centre Management Committee is suggesting that a mural showing the early start to present day in Bothwell be painted on the side part (colourbond sheeting) of Elders building in Queen Street, Bothwell which is overlooking the park. Before the Central Highlands Visitor Centre Management Committee can consider designs for the mural they require the consent of the building owner and approval of the project by Council.

If Council approve the concept to have a mural showing the early start to present day in Bothwell be painted on the side part (colourbond sheeting) of Elders building in Queen Street, Bothwell, Clr Poore believes it would be more appropriate if a letter was sent from Council to the owner of the building.

The Central Highlands Visitor Centre Management Committee believes that a local artist should be used to paint the mural and the design of the mural should cover from early aboriginal occupation through to modern day life in the township.

Clr Poore would like consent to approach Goldwind Australia Pty Ltd to see if they would provide a grant to undertake the design and painting of the mural.

Recommendation

THAT Council:

- a) Approve the concept to have a mural showing the early start to present day in Bothwell be painted on the side part (colourbond sheeting) of Elders building in Queen Street, Bothwell and
- b) The Deputy General Manager draft a letter for the Mayor to sign regarding obtaining consent from the owners of the Elders Building in Queen Street, Bothwell to use the side part of the building for a mural showing the early start to present day in Bothwell.

16.4 MELTON MOWBRAY COMMUNITY ASSOCIATION INC. - MELTON MOWBRAY RODEO

The Sponsorship Coordinator for the Melton Mowbray Rodeo, Mr Ben Sculthorpe has written to Council on behalf of the Melton Mowbray Community Association Incorporated advising Council of an exciting opportunity to sponsor part of their event the Melton Mowbray Rodeo that will be held on 2 of November 2019 at Melton Mowbray.

Melton Mowbray Rodeo is the first event in the Island Rodeo circuit and is the largest rodeo in Southern Tasmania, and possibly the largest in the state. The 2019 event will celebrate the 20th consecutive year.

Mr Sculthorpe states that the Melton Mowbray Community Association is a proud, vibrant and enthusiastic organisation and one which devotes itself to providing good, local, family entertainment for the whole community. The Melton Mowbray Rodeo draws approximately 2500 plus people.

The Melton Mowbray Community Association is a non-profit organisation that is driven by the community and they endeavour to understand and service the needs of the communities. Mr Sculthorpe states that over the last 2 years the Melton Mowbray Community Association have donated over \$15,000 to their local hospital, Give Me 5 For Kids, emergency services; including SES, TFS, and ambulance, community groups, local schools and families in need. The Melton Mowbray Community Association is sincerely focused and wholeheartedly committed to supporting their community to provide quality and relevant entertainment for rural communities whilst also providing financial support for those in need.

This year Brad Cox & Catlin Shadbolt will be the headlining act, along with great local talent Adam Dsilva! This is a star studded line up with 8 hours of live music throughout the day. These country rock bands will draw a huge crowd and provide local business with some great advertising opportunities.

This year's program will include a complete rodeo including bull ride, saddle bronc, bareback bronc, barrel race, team roping, steer wrestling, rope and tie and breakaway roping. The Melton Mowbray Rodeo is fully endorsed by the Australia Professional Rodeo Association.

Mr Sculthorpe states that as a sponsor and partner of the rodeo and mini-music festival you will be supporting local business and community all while promoting your business or company. Without the support of our valued sponsors, events like the Melton Mowbray Rodeo would not be able to run successfully. The Melton Mowbray Community Association would like to thank Council in advance of any assistance that we can provide. By partnering with Melton Mowbray Community Association, They will provide good, highly visible work in the community and ensure the local community is aware of Council's commitment to them. Melton Mowbray Community Association want to bring an event to the community that supports local businesses and give an opportunity to promote local country events that people enjoy.

Sponsorship packages are included in the attachments, with the General Sponsorship Package costing \$250 to sponsor a Melton Mowbray Feature Ride during the event.

For Discussion

16.5 REQUEST FOR RATES REMISSION

An email was received by the General Manager from Rate Payer on the 18 July 2019 Property 10-0400-03595, 137 Little Den Road, Millers Bluff, in relation to the solid waste domestic charge of \$160.00

The owner states in their email that if there was a waste facility close by they would use it, however there is no Council waste management facilities near Millers Bluff on the eastern side of the municipality. Hence the property owner takes their waste back to Deloraine with them. The owner requests that the waste charges be waved for the 2019-2020 financial year.

Recommendation

THAT Council remit the Solid Waste Garbage Fee.

16.6 BIRDLIFE AUSTRALIA - AUSSIE BACKYARD BIRD COUNT

BirdLife Australia have written to Council regarding one of Australia's biggest citizen science events, the Aussie Backyard Bird Count is back from 21-27 October 2019, information on the event is available at <https://aussiebirdcount.org.au/>

This national event enables everyone from school children, senior citizens, families and community groups to participate in capturing a snapshot of Australia's birds. In doing so, these citizen scientists play a vital role in providing important information to BirdLife Australia to help increase our understanding of Australian bird species. All it takes is 20 minutes in your backyard, local park, or favourite outdoor space – anywhere you can count birds.

The Aussie Backyard Bird Count Council Package offer tailor-made results from the Aussie Backyard Bird Count for councils to use as they require. Data and results from the Aussie Backyard Bird Count for your LGA can be valuable in many ways, such as quantifying on-ground management, analysing bird adaptation to local developments, or identifying good 'birding spots' for ecotourism – just a few examples!

BirdLife Australia have three packages available at different levels of commitment. Depending on which package you choose Council will receive some or all of the following: free promotional materials, listing of your Council logo and Aussie Backyard Bird Count related events on our website, initial findings from the Aussie Backyard Bird Count for your LGA, raw data and an in-depth report.

More details about our Council Packages and the 2019 Aussie Backyard Bird Count are attached.

The 2018 results are available at the following link: <https://aussiebirdcount.org.au/2018-results/>

For Noting

16.7 BRONTE PARK AMENITIES, SIGNAGE AND INSURANCE

The Secretary of the Bronte Park Body Corporation Mrs Dorothy Bruck has written to the Mayor regarding Bronte Park amenities, signage and insurance.

On behalf of the Executive of the Bronte Park Village Body Corporation I wish to let you know formally of two developments. Firstly, the closure of the Village toilets that had been open to the public, courtesy of Council funding for cleaning over the 2018-2019 summer, and secondly the erection of signs at the entrance to the Village informing people that the road within the Village is a Private Road. The reason for these two initiatives is to try to reduce the very high third party insurance for the Body Corporation.

When this insurance was last due for renewal in November 2018 the premium was \$6569.50 which is more than double the amount we paid the previous year. No insurance company in Australia would insure us, and we only got cover through Lloyds of London on the last day before our previous insurance expired. We are hoping that closure of the Village to everyone except residents, tenants and guests will result in a significantly lower premium this coming November.

We were disappointed that in mid 2018 the Council (during and subsequent to a site visit by several Councillors) was not interested in taking up our offer of acquiring the section of common Body Corporation land where the toilet block, ANZAC memorial and historic single men's huts are located and assisting us in keeping the Village, and its amenities, open to the public.

It is pleasing to note the new toilet blocks at various trout fishing related locations around the lakes in our region, which we understand is a State Government initiative prior to the World Trout Fishing Competition being held locally in December this year. It is a pity that the Bronte Park Village amenities will not be available for public use over the summer. We understand that there was some talk of locating a new toilet block next to the Bronte Park General Store. This would be a great initiative, and would help our local General Store (which has been struggling since the Bronte Park Hotel burnt down in April 2018). As the timeline is now short before the Competition, Council may wish to consider locating some temporary toilet facilities in the area close to the Store.

Recommendation

THAT Council consider placing some temporary toilets near the General Store as a short term solution.

16.8 REQUEST FOR RATES REMISSION OUSE COUNTRY CLUB 2019/2020

Letter received from Rate Payer Monday 2th August 2019

Property Number 01-0810-03938 (Bowls Green & Club House)

General Rate: \$790.66

Garbage Rate: \$496.00

Fire Levy Rate: \$47.78

Total Rates: \$1334.44

That Council grant a remission of \$395.33 being 50% of the general rate on Property No 01-0810-03938.

Property Number 01-0805-03937 (Golf Course & Sheds)

General Rate: \$804.27

Garbage Rate: \$160.00

Fire Levy Rate: \$49.38

Total Rates: \$1013.65

That Council grant a remission of \$562.13 being 50% general rate and total garbage charge on Property No 01-0805-03937.

Recommendation:

THAT Council:

- a) Grant a remission of \$395.33 being 50% of the general rate on Property No 01-0810-03938 and
- b) Grant a remission of \$562.13 being 50% general rate and total garbage charge on Property No 01-0805-03937



OUSE COMMUNITY COUNTRY CLUB

Corner Tor Hill Road & Lyell Highway Ouse or PO Box 48 Ouse 7140
 ABN: 66675300669
 Phone/Fax: (03) 62871219
 President: Anthony Franklin Mob: 0427 604 913
 Secretary: Fran Macdonald Mob: 0457 673 938

5th August 2019

The Mayor & Councillors
 Central Highlands Council
 Tarleton Street
 Hamilton Tas 7140

Dear Mayor/Councillors

On behalf of the committee and members of the Ouse Community Country Club Inc, we wish to re-apply for a rate remission for the 2019/2020 financial year.

As you are aware we are a community club which helps other members of the Central Highlands Community such as Upper Derwent Senior Citizens, Day Care Centre and the Red Cross. Our facilities are also used by the Ouse & Highlands Community Alive Group plus Sporting groups as in the Gretna Cricket Club and the Nordic Walkers.

We are still dealing with the aftermath of the 2016 floods plus unforeseen changes on our committee but are pleased to announce we are getting there and have a very strong vibrant committee dedicated to moving the club forward.

Thank you for considering our request

Yours sincerely

Kathryn Archibald
 Secretary
 Mob: 04567 26087

16.9 REQUEST FOR RATES REMISSION

Email received from Rate Payer 8 August 2019. In 2018 Council resolved to remit the rates on this property for that financial year.

As explained in this email according to the Crown Lands Dept. this P.I.D. is Last Street Bothwell - We use only a small portion of street, part is still public street, part is used by other residents and the bottom is flooded by Ratho Dam.

We pay a lease to the Department of Primary Industries so if we have to pay rates as well the convenience of the part that we use is not worth it - we continue to keep our section free of noxious weeds (ie: goss etc.).

Recommendation:

THAT Council remit the rates on property 04-0017-03967 for the amount of \$528.17

16.10 ADOPTION OF REVIEWED PLANT REPLACEMENT ESTIMATES

Due to tenders received for plant replacement and the deliberation of results by the Plant Committee at its Meeting held on 5 August 2019 the following alternations are suggested to the Plant Replacement Annual Estimates for 2019/2020:

	<u>Reviewed Plant Replacement 2019/2020</u>			
	Estimated			
Plant Item	New Price	Trade	Change Over	Comments
Dog Trailer	\$60,000	\$25,000	\$35,000	
Water Cart	\$30,983	\$0	\$30,983	Retain old water cart
Replace PM769 Hamilton Grader Ute 4x4	\$50,000	\$22,000	\$28,000	
Replace PM790 Deputy GM Vehicle	\$36,000	\$0	\$36,000	Retain current vehicle as pool vehicle
Replace PM780 DS Manager Vehicle	\$36,000	\$14,000	\$22,000	
Replace PM666 Caterpillar Loader	\$232,800	\$13,182	\$219,618	
TOTALS	\$445,783.00	\$74,182.00	\$371,601.00	

Recommendation:

THAT under Section 82 (4) of the Local Government Act 1993, Council by Absolute Majority adopt the reviewed Plant Replacement estimates as presented.

16.11 DONATED PA SYSTEM

A PA System was donated to Council by RAW for use by individuals and community groups. The PA System was purchased with funds donated by the Bothwell Tourism Association and with a donation from the RAW Bushfire Appeal. The PA System was donated as a community asset to be utilised in the Central Highlands.

Mr Laurie Costello from the Tourism Association has requested that the PA System be located at the Bothwell Football Club Community Centre.

Council has a hire charge of \$10 per hour or \$60 per day with a bond of \$150 for community groups and a bond of \$200 for others.

There is no reduced charge for community groups. It is suggested that if the PA System is used by the Bothwell Tourism Group or RAW, there be no fees charged.

Council may wish to consider whether this extends to other community groups.

For Discussion

16.12 HIGHLANDS DIGEST

Clr Poore has asked that the following item be placed on the Council agenda that we look at ways to improve the Highlands Digest. To make it reflect more about the area and its inhabitants, be more open and balanced in its articles. This may help the Highlands Digest to be more appealing to the residents within our community.

For Discussion

16.13 TENDER FOR FRESH VALUATION OF THE CENTRAL HIGHLANDS MUNICIPALITY

The Office of the Valuer General has advised Council on the 8 August 2019 that tenders for the fresh valuation of the following municipalities of Central Highlands, Devonport, Hobart, Huon Valley, Kentish, Kingborough, Latrobe, Southern Midlands and West Coast are currently being prepared by the Policy and Projects Officer.

The tentative date for Tender will be December 2019 with Tender's closing January 2020.

The Office of the Valuer General reason for writing is to seek your nomination for the Tender Committee that will consider tenders and select the valuation contractor that will undertake the work.

The person you nominate should be able to speak on behalf of the council, particularly in relation to financial matters. It is anticipated that the Tender Committees will meet late February to early March 2020, and your nominee should be contactable during this period. As the nominee must be approved by the Minister responsible for valuation matters, would you kindly provide the name of the nominee and a brief biography of qualifications by 30 August 2019.

If possible, it would be helpful to supply an alternative name, in case your first nominee becomes unavailable.

The Office of the Valuer General wishes to advise that each municipality has its own Tender Committee appointed by the Minister. Each Committee is convened in accordance with the Valuation of Land (Tender Committee) Regulations 2012. Nominees will be required to sign a confidentiality statement. Tender documentation and information provided as part of the process must not be shared with any other person within Council. For this reason, it is important that the person selected can act with the Council's authority in these matters.

Recommendation

THAT Council appoint the Deputy General Manager as the nominee for the Office of the Valuer General Tender Committee and that the General Manager be appointed the proxy nominee for the Office of the Valuer General Tender Committee.

16.14 AFAC INDEPENDENT OPERATIONAL REVIEW, A REVIEW OF THE MANAGEMENT OF THE TASMANIAN FIRES OF DECEMBER 2018 – MARCH 2019

This Review was requested by the Tasmanian Government into the management of the 2018-19 bushfires by the Tasmanian fire agencies, namely Tasmania Fire Service (TFS), Tasmania Parks and Wildlife Service (PWS) and Sustainable Timber Tasmania (STT). It has been conducted on a non-statutory basis, with no formal powers of compulsion of witnesses or documents.

Tasmania has a history of proactively seeking external Reviews of significant fire seasons, and these have taken place previously in 2013 and 2016. This is a demonstration of a culture of seeking to learn from major events, and we hope that this Review supports that.

The Australasian Fire and Emergency Service Authorities Council (AFAC) identified a team of three people from across the sector to carry out the Review. Deputy Commissioner Mal Cronstedt from the Department of Fire and Emergency Services WA chaired the team, which also included Guy Thomas from Queensland Parks and Wildlife Service and Paul Considine from AFAC.

The Review team has broad and varied experience of urban fire, rural fire, land management and aviation operations from both Australia and overseas. The AFAC office supported the Review and acted as a sounding board for our conclusions and recommendations. The Review has had regard to other publications in compiling this report. The result is intended as an independent review, at a strategic level, of operations in the 2018-19 fire season in Tasmania. The Review team and AFAC do not have responsibility for tracking the uptake and implementation of the findings of this Review – our work is over once the report has been delivered to the Tasmanian Government. They understand the challenge to emergency management agencies (in particular) when repeated incidents lead to repeated reviews and an ever-increasing list of recommendations to be addressed – not all of which may be practical to achieve within budget and policy constraints. They include a brief reflection on this at the end of their report which is included in the attachments.

The Review team travelled to Tasmania in March and April 2019 and met with Tasmanian fire agency staff, personnel from other agencies, government and representative bodies. The Review had the opportunity to visit a number of the firegrounds and discuss the strategies used there. The Review Team considered documentation relevant to State emergency management arrangements, preparedness, response and recovery. They also contacted some stakeholders by email and telephone to obtain feedback on their experience of the management of the fires.

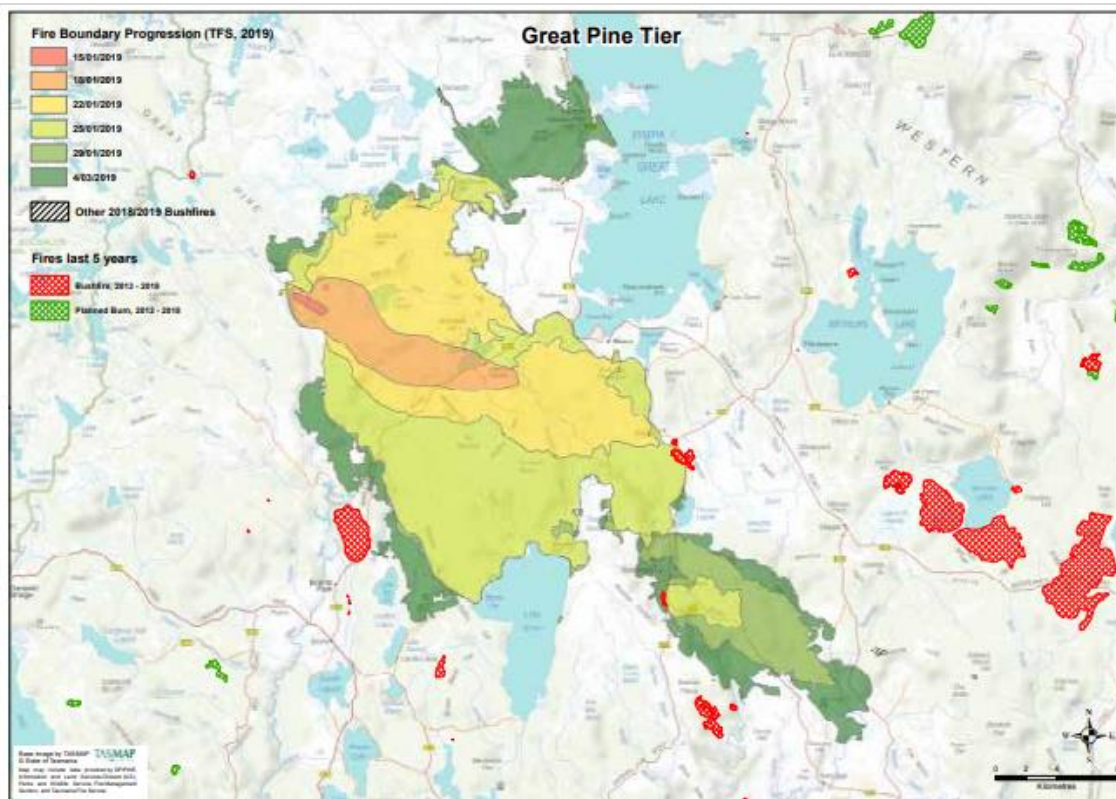
A call for public submissions to the Review was published in the Tasmanian press on 6 April 2019 and further distributed through social media. The Review team received 80 submissions, including one from Central Highlands Council. The Review team state in the report that they read and had regard to. The number and detailed content of many of these submissions means that they cannot respond to each point that was made to them. The Review team have however carefully considered what has been said to them, and they hope they have been able to identify all of the major themes. In addition, the submissions made will be published (unless the author asked them not to) and so form a record of the issues that were subject to public debate following these events.

The Great Pine Tier Fire (Great Pine Tier IMT)

The Great Pine Tier fire evolved from a series of smaller fires that started on 15 January 2019, in particular fires at Little Pine Lagoon and Little Pine River. The Great Pine Tier fire burned on the Central Plateau across a combination of public and private conservation estates and other private land. The fire progressed through forestry coupes across the Little Pine River west of Little Pine Lagoon dam, jumped the Marlborough Highway on 18 January and spread east to shacks at Little Pine Lagoon.

Fire behaviour increased due to unpredicted fresh northerly winds on the afternoon of 20 January. This fire threatened the Miena Community (although ultimately did not impact it), and destroyed the nearby Skittleball Plains Homestead.

The fire passed through Waddamana on Wednesday 30 January. Under elevated fire danger conditions experienced on 3 February 2019 fire activity at Lake Augusta Road (Liawenee) increased which led to a significant outbreak and resulted in the fire impacting on the township of Reynolds Neck. This fire covered 51,224 ha with a perimeter of 692 km. 10,094.3 hectares burned in TWWHA at Great Pine Tier, Central Plateau.



The Great Pine Tier Level 3 IMT was stood up on 15 January 2019. The IMT was stood down following the handover of the fire to the South West Complex IMT on 18 February 2019.

An issue that was raised with the Review team from more than one source was that in the early stages of the Great Pine Tier fire, permission was denied for an earthmoving machine to be used to create firebreaks on land controlled by PWS, causing a suppression opportunity to be lost. We spoke to an individual who told us that he had made a request to the Regional headquarters that was denied.

In order to assess this account, the Review team spoke with the person within PWS who was responsible for authorising the use of machinery on PWS land. That person was able to tell the Review team that there was no blanket ban on the use of machinery on PWS land; that person had authorised the use of machinery on PWS land twice, both times within 30 minutes of the request being raised; and that in relation to the particular occasion in question, that person had received no request for authorisation and if that person had done, that person would have approved it.

The Review team have no reason to doubt this first-hand account and so they conclude that the suggestion that PWS was responsible for refusing permission to use machinery on this occasion is inaccurate. Unfortunately, the identity of the person to whom the request was made is unknown, because the person who made it did not make a log book entry or other note about it. It has accordingly not been possible to take our consideration of this issue any further. This issue underlines the importance of logging significant decisions and incidents so that they can if necessary be addressed in after-action review processes.

The PWS has assured the Review team that there is no blanket ban in place on the use of machinery on their land, the Review team suggest that if there is any lesson to be taken out of this occurrence, it is that both PWS and TFS should ensure that all relevant personnel are aware of the contact details for relevant decision-makers for matters such as the use of machinery on PWS land so that requests of this nature can be expedited. It is also important that TFS, PWS and STT make it widely known that there are no blanket bans on the use of machinery anywhere in the State and that requests need to be referred to the correct person so that they can be considered on their merits.

As a footnote, the Review team observe that a significant percentage of PWS land would be inappropriate for the use of machinery owing to the risk of it becoming bogged in soft ground or otherwise stuck or stranded. Requests to use

machinery have to be considered against the viability of doing so and of course the undesirability of using heavy machinery in sensitive natural and cultural areas where impacts could be long term or permanent.

Tasmania has 10 legislated Fire Management Areas, for which Fire Protection Plans are developed annually by Fire Management Area Committees. The Fire Protection Plans are coordinated by land managers and identify the priorities for risk reduction actions within their area, using a combination of modelled bushfire risk and local knowledge. Risk assessment processes take into account a range of community, economic, natural and cultural values which inform the planned burn programs. This is delivered using a tenure-blind approach through a collaborative multi-agency planned burning program of work.

A risk re-analysis is undertaken for each Fire Management Area to determine the annual relative risk profiles and impact of fuel reduction burns on relative risk reduction. The 2018 risk re-analysis has shown that bushfire risk reduction to communities has occurred in six of the 10 Fire Management Areas as a result of fuel reduction burns. The Tasmanian State Fuel Reduction Program aims to significantly decrease bushfire risk and attain a State risk rating below 80%. This is being delivered through a \$45 million investment over five years between 2017 and 2022. Information provided to the Review Team shows gradual progress is being made toward that target with an April 2019 risk level of 82%.

The state-wide risk has reduced by 4% over the last four years, a notable decrease at the whole-of-state scale. Risk is currently at its lowest level for 15 years and on track to meet the Fuel Reduction Program 2022-23 target of 80%. The Review team were informed that there are various administrative provisions in place between the three fire agencies to manage the governance and financial arrangements of the Fuel Reduction Program. Some comments were made about administrative burden associated with those arrangements and opportunities may exist to reduce this.

Public submissions received by the Review indicate some people, especially those in rural areas or experienced in land management, believe more fuel reduction planned burning should be undertaken to mitigate against large bushfires.

The Review team suggested that fuel reduction burning by private landowners is potentially a valuable contribution to risk reduction in the State, alongside that conducted by government agencies. We would therefore encourage TFS and PWS in particular to consider how they are able to work closely with private landowners in order to support responsible burning practices on private land as part of the Statewide effort to manage risk, and also to look at current processes around obtaining permits to burn so as not to place any unnecessary obstacles in the way of private landowners who wish to conduct fuel management burns on their own land in a responsible manner.

The report stated that the Review team heard many stories of how well the TFS (and their volunteers), PWS, STT and local governments worked well together as one at the regional and local level. As one PWS commentator noted: "I was representing a combined firefighting force; agency was secondary".

The Review team emphasise in the report that without the phenomenal effort put in by volunteers during these fires, the State would not have been able to manage the work required, nor afford the bill at the end if they had been paid.

A number of people who made public submissions to the Review raised the issue of traffic management points and road closures. For public safety reasons, it is standard practice across Australasia and beyond to limit public access to areas in which a bushfire is burning, has burned, or is threatened. The challenge arises in relation to people who live within the boundaries of the restricted area and, while they are not subject to compulsory evacuation, may nonetheless be denied re-entry to the area if they leave.

The Review team stated that this is not a simple issue to manage, because authorities responsible for setting up and then managing access restrictions would rightly be severely criticised if members of the public were injured or killed because they had been allowed into an unsafe area. We also recognise that because it is Tasmania Police that controls access, their actions in doing so are outside the scope of this Review. The consistent feedback we have received on this issue does, however, lead them to conclude that the Tasmanian fire agencies should seek discussions with Tasmania Police in order to ensure that there is clarity around what areas are too dangerous for anyone to be in; what areas need to have restricted access but it may be appropriate for residents to be allowed in

and out, and what areas do not need to be restricted. The fire agencies then need to be prepared to commit resource to a regular – The Review team suggest, daily – review of the boundaries of these areas and to notify police accordingly so that restrictions can be minimised.

The Review team noted that this issue has been a frequent theme in post-incident reviews elsewhere in Australia, and other jurisdictions have developed traffic management protocols as a result (Victoria is just one example). The Review Team would suggest that Tasmanian fire agencies could usefully do an analysis of what already exists in this space and consider its applicability to Tasmania.

The Review team received feedback in the course of public submissions to the Review about the utilisation, or lack of it, of private firefighting units in suppression activities. This term may refer to an individual trailer pump or slip-on unit owned by a farmer, to more extensive trained and equipped resources owned, for example, by a private forestry company.

No permission, of course, is required for someone to fight a fire on their own land with whatever means are available to them (the question of lighting fuel reduction or backburns on private land is a different one and is already regulated by law). It was suggested to us however that private units could be used more widely, and restrictions on vehicular movements in fire-affected areas should not apply to private firefighting resources.

The Review team recognised in the report that private firefighting units may be a very important resource in rural areas, and this is recognised in other jurisdictions by the formation of primary producer brigades, industry brigades, or by the issuing of public guidance such as the Victorian Country Fire Authority's Guidelines for Operating Private Equipment at Fires. The Review team noted that TFS does not have similar published guidance and they think that some could usefully be developed.

Evacuation centres established at Bothwell, Hamilton and Miena remained open during the height of the bushfire emergency in the Central Plateau. The Central Highlands Council and support services staffed the evacuation centres overnight and, after presentations decreased, during each day (with contact details left at the centres overnight if assistance was required).

The following list of community meetings were undertaken during the Great Pine Tier Fire:

- Great Lake – 17 January 2019;
- Bothwell – 22, 27, 31 January 2019; and
- Miena – 8 February 2019.

Recommendations from the AFAC Independent Operational Review, A review of the management of the Tasmanian fires of December 2018 – March 2019:

Recommendation 1

TFS, PWS and STT initiate a discussion among their Australasian peers about good practice around managing new fire starts in remote terrain, to include issues around identification, predictive analysis, risk management and suppression activities. The outcome should be a document which allows for benchmarking to accepted good practice across Australasia, from which Tasmanian fire agencies can develop protocols against which the management of future events can be tested.

Recommendation 2

TFS should pursue the creation of a cadre of volunteer remote area firefighters. In doing so the TFS should not consider itself limited to upskilling of current volunteer brigade members, but should carry out a cost benefit analysis of creating one or more remote area firefighting units based in urban areas, in order to tap into the potential of those members of the urban-based Tasmanian community who may have advanced knowledge and skills relating to navigation and survival in wilderness areas.

Recommendation 3

TFS should initiate a policy review (seeking support from government as appropriate) to clearly identify what body or agency is responsible for planning, carrying out and enforcing fuel management on private property at a township level. If current arrangements are unclear or ineffective, TFS should request government to consider making this a statutory responsibility of TFS and provide any additional funding required to support this function.

Recommendation 4

TFS, PWS and STT should work with government and each other to continue to pursue a whole-of-state fuel management and burning program that encompasses all land tenures, meets the range of outcomes required by the state (township protection, risk reduction and landscape-scale burns) and is inclusive of private landholders and local communities as well as all fire agencies.

Recommendation 5

TFS, PWS and STT agree an updated version of the Interagency Fire Management Protocol which maintains the principle that there will be one state-wide point of command for major unwanted fires burning in the State of Tasmania, explicitly recognises the right of each of TFS, PWS and STT to have their objectives prioritised in incident action planning and adequate resources applied to those objectives, and provides a mechanism for executive decision-makers from TFS, PWS and STT to come together and agree objectives and resourcing levels that will then be operationalised by whole-of-State control structures.

Recommendation 6

TFS, PWS and STT should establish a State Air Desk, to be staffed by specialist staff year-round, with responsibility for managing both preparatory and contractual issues out of season as well as aircraft management when fires or other emergency events are occurring.

Recommendation 6A

The proposed Tasmania State Air Desk should have a finance officer attached to its staff.

Recommendation 7

TFS, PWS and STT should jointly reach a decision on whether a winch capable remote area firefighting capability should be maintained in Tasmania; which agency or agencies should be responsible for that program; and how a winch capable remote area firefighting capability can be safely trained and kept current, to include consideration of the availability of winching aircraft. If the decision is taken not to maintain this capability in the state, TFS, PWS and STT should identify how the gap in capability that this represents should be filled in future fire seasons.

Recommendation 8

TFS, PWS and STT should jointly carry out work to identify acceptable shift lengths and patterns – including requirements for rest days – for all personnel working on emergency operations. Once these have been identified, systems should be put in place to ensure that HR rostering practices follow these fatigue management guidelines. And senior staff should lead by example and ensure that they, as well as the people working under them, take adequate rest breaks.

Recommendation 9

TFS should engage in discussions with government about the construction of purpose-built State Control Centre facilities for emergency management in Tasmania.

For Discussion**16.15 HEALTH AND WELLBEING PLAN**

Clr Campbell has asked that the following item be placed on the Council agenda that the Health and Wellbeing Plan is progressing well. However Clr Campbell believes the Health and Wellbeing Plan maybe doubling up and getting confused with the MOU between HATCH and Council.

For Discussion**16.16 STATUTORY REVIEW OF THE ABORIGINAL HERITAGE ACT 1975**

The Government of Tasmania is seeking the input of all Tasmanians, and from Tasmanian Aboriginal people in particular, to understand issues with the operation of the Aboriginal Heritage Act 1975.

Multiple opportunities will be provided throughout 2019 and 2020 for people to contribute to the review.

The first opportunity to contribute to the review is a 16 week comment period on the information and questions presented in this Discussion Paper.

All written submissions must be received by the end of Saturday 21 September 2019.

The Discussion Paper is structured around the following key topics relating to the management of Aboriginal heritage in Tasmania:

1. What is the Aboriginal Heritage Act 1975 trying to achieve?
2. What is Aboriginal heritage?
3. Ownership of Aboriginal heritage.
4. Making decisions about what happens to Aboriginal heritage.
5. The Aboriginal Heritage Council – what it is and what it does.
6. Offences under the Aboriginal Heritage Act and penalties for doing the wrong thing.
7. When can Aboriginal heritage be interfered with?
8. Enforcement of the legislation.
9. Other ways the legislation protects Aboriginal heritage; and
10. Other matters covered by the legislation.

At the Council Workshop on the 13 August 2019 it was established that the questions from the discussion paper on the Statutory Review of the Aboriginal Heritage Act 1975 should be tabled for discussion and comment, so that a written submission can be lodged by the 20 September 2019:

1. What is the Aboriginal Heritage Act 1975 trying to achieve

Questions:

- How clear is the Act regarding what it is trying to achieve?

Comments:

- Could this be improved, and if so, how

Comments:

2. What is Aboriginal heritage?

Questions:

- How well does the Act define Aboriginal heritage?

Comments:

- Could this be improved, and how?

Comments:

- Does the definition of a 'relic', adequately capture all elements of Aboriginal heritage that should be protected and managed?

Comments: [Need to review the definition for Relic in section 2 part 3 of the Act and definition of significance in section 2 part 8 of the Act, as the current definitions require more detail.](#)

- Should use of the term 'relic', and the way Aboriginal heritage is recognised and defined, be changed?

Comments:

3. Ownership of Aboriginal heritage

Questions:

- How clearly does the Act describe ownership of Aboriginal heritage?

Comments:

- Are provisions in the Act providing for ownership reasonable?

Comments:

- Who should own Aboriginal heritage?

Comments:

- Is the concept of 'ownership' the right way to think about who is responsible for Aboriginal heritage?

Comments:

- Should the 'rules' in the Act apply to everyone in every situation?

Comments: [Need to ensure farmers understand what process is required if they find an Aboriginal 'relic' or significance site.](#)

- Should land tenure on which Aboriginal heritage exists make any difference to who owns/how the heritage is to be managed?

Comments:

4. Making decisions about what happens to Aboriginal heritage

Questions:

- Is the way the Act describes who makes decisions, and how decisions must be made, adequate and reasonable?

Comments:

- How can decision making be improved?

Comments:

- Who should make decisions under the Act?

Comments:

- Are there circumstances where different people, or parties, should make decisions about how to manage Aboriginal heritage? How should decisions be made?

Comments:

5. The Aboriginal Heritage Council – what it is and what it does

Questions:

- How should members for the Aboriginal Heritage Council be chosen?

Comments: [Aboriginal Heritage Council should include members from all Aboriginal Groups.](#)

- Should the Act specify criteria for Council membership, and what criteria should apply?

Comments:

- How clearly does the Act describe the role and function of the Aboriginal Heritage Council?

Comments:

- Is the role of the Aboriginal Heritage Council adequate and appropriate?

Comments:

- Could this be improved, and if so, how?

Comments:

6. Offences under the Aboriginal Heritage Act and penalties for doing the wrong thing.

Questions:

How well does the Act describe and manage offences?

Comments:

Are the penalties adequate?

Comments: [Penalties should be increased to protect significant Aboriginal sites.](#)

Could the offences and penalties provisions in the Act be improved, and if so, how?

Comments:

Are there circumstances where the 'rules' of the Act should apply differently to different people?

Comments:

7. When can Aboriginal heritage be interfered with?

Questions:

- Are the defence provisions in the Act adequate and reasonable?

Comments:

- Could the defence provisions be improved, and if so, how?

Comments:

- Do the Guidelines provide adequate protection for Aboriginal heritage?

Comments: [Believe there is an issue with farming methods outlined in the Statutory Guidelines that deal with farming near significant Aboriginal sites.](#)

- Could the Guidelines be improved, and if so, how?

Comments: [Cost to undertake Aboriginal survey of proposed dam sites.](#)

8. Enforcement of the legislation.

Questions:

- How well does the Act provide for enforcement of its provisions?

Comments:

- Could this be improved, and if so, how?

Comments:

- Should the Act include stop-work provisions?

Comments:

- Should the Act include provision for infringement notices and associated on-the-spot fines?

Comments:

- Should offences in the Act be further scaled to distinguish between minor and non-minor offences?

Comments:

9. Other ways the legislation protects Aboriginal heritage;

Questions:

- How well does the Act protect and manage Tasmania's Aboriginal heritage?

Comments:

- Could this be improved, and if so, how?

Comments: [Aboriginal Heritage Assessment in Planning Authority decision-making process, to be included in CHC Local Provisions of our Planning Scheme. Need to link the Aboriginal Heritage Act / Statutory Guidelines with the Planning Scheme so it can be considered by the Planning Authority.](#)

- Are 'protected sites' a useful mechanism for protecting Aboriginal heritage?

Comments: Need to ensure Aboriginal ochre quarry sites and scarred trees sites are protected and recorded in the Aboriginal Heritage Tasmania Register. Buffer zones around Aboriginal quarry sites are important to protect sites.

- Is the provision for the making of Regulations useful?

Comments:

10. Other matters covered by the legislation.

Questions:

- Is there anything else you would like to see included in Aboriginal heritage legislation in Tasmania?

Comments: Need for a mapping system of all Aboriginal Heritage sites which is linked to the Aboriginal Heritage Tasmania Register. Understand that this was considered during the 2013 review.

- Are there any other comments that you would like to make with regard to Aboriginal heritage management in Tasmania?

Comments: Appeal process so that any future Aboriginal surveys are not required for future development applications.

Recommendation:

THAT any further comments be provided to the Mayor by Monday the 26 August 2019, so that the Mayor, General Manager and Deputy General Manager can draft the submissions that will be tabled at the 17 September 2019 Council Meeting for approval.

17.0 SUPPLEMENTARY AGENDA ITEMS

Moved:

Seconded:

THAT Council consider the matters on the Supplementary Agenda.

18.0 CLOSURE