

# Central Highlands Council

## AGENDA – ORDINARY MEETING – 18<sup>th</sup> MARCH 2014

Agenda of an Ordinary Meeting of Central Highlands Council scheduled to be held at Hamilton Council Chambers, on Tuesday 18<sup>th</sup> March 2014, commencing at 9am and be closed to the public until 10.00am.

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

## 2.0 PRESENT

## 3.0 APOLOGIES

## **4.0 PECUNIARY INTEREST DECLARATIONS**

In accordance with Regulation 8 of the Local Government (Meeting Procedures) Regulations 2005, 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) in any item of the Agenda.

## 5.0 COMMITTEE

Regulation 15 of the Local Government (Meeting Procedures) regulations 2005 provides that Council may consider certain sensitive matters in Closed Agenda which relate to:

- Personnel matters, including complaints against an employee of the Council;
- Industrial matters relating to a person;
- Contracts for the supply and purchase of goods and services;
- The security of property of the Council
- Proposals for the Council to acquire land or an interest in the land or for the disposal of land;
- Information provided to the Council on the condition it is kept confidential;
- Trade secrets of private bodies;

- Matters relating to actual or possible litigations taken by or involving the Council or an employee of the Council;
- Applications by Councillors for leave of absence;
- The personal affairs of any person.

The decision to move in Closed Council requires an absolute majority of Council.

## 5.1 MOTION INTO COMMITTEE

 $\mathsf{Moved}\ \mathbf{CIr}$ 

Seconded CIr

Seconded CIr

**THAT** Council move into Committee to discuss confidential matters in accordance with Section 15 of the Local Government (Meeting Procedures) Regulations 2005.

## Carried

Carried

## **5.2 MATTERS DISCUSSED IN COMMITTEE**

## **5.3 MOTION OUT OF COMMITTEE**

Moved CIr

THAT Council move out of Committee and resume the Ordinary Meeting.

## **OPEN MEETING TO PUBLIC**

The Meeting will be opened to the public at 10.00am

## **6.0 IN ATTENDANCE**

## **6.1 PUBLIC QUESTION TIME**

## 7.0 MAYORAL COMMITMENTS

18 <sup>th</sup> February	Council Meeting – Bothwell Function – Bothwell Football Club
19 <sup>th</sup> February	Audit Workshop
21 <sup>st</sup> February	TT Line – Mr Mike Granger CEO Red Cross 100 Year Anniversary
22 <sup>nd</sup> February	Southern Highlands Irrigation Scheme Funding Announcement Premier – Lara Giddings & Deputy Premier Bryant Green
23 <sup>rd</sup> February	Rotary Club Fundraiser for Disadvantaged Children in the Central Highlands – Hamilton Inn

24 <sup>th</sup> February	Inspection with CIr Bowden – Mr Andreos Hastrup
25 <sup>th</sup> February	Bushfest Sub-Committee Meeting Derwent Bridge Toilets – Craig Farrell MP AGM – Ouse Country Club
26 <sup>th</sup> February	<ul> <li>Meetings held in Derwent Bridge</li> <li>John &amp; Louise Wendt – Derwent Bridge Chalets</li> <li>Greg Duncan – "The Wall"</li> <li>David and Carol Fitzgibbon – Derwent Bridge Hotel</li> <li>Bushwatch Meeting – Westerway</li> </ul>
27 <sup>th</sup> February	Central Highlands Community Health Centre Meeting
28 <sup>th</sup> February	Graduation Ceremony of Recruit Training Course – Police Academy
4 <sup>th</sup> March	New Norfolk Rotary Club – Cheque from Rotary Fundraiser Central Highlands Tourism Meeting
5 <sup>th</sup> March	Interview WIN TV – Bothwell Water Mercury Newspaper – Bothwell Water Gretna Fire Brigade Community Meeting- ANZAC Day Service
6 <sup>th</sup> March	Tasmanian Association for Hospice & Palliative Care
8 <sup>th</sup> March	Function for Mrs Mavis Clark – Ellendale
9 <sup>th</sup> March	Great Lake Shackowners Association – AGM and General Meeting
11 <sup>th</sup> March	Mr D Itchins
12 <sup>th</sup> March	Rev Ellen Clark – ANZAC Day
13 <sup>th</sup> March	Mr James Allwright – NRM Sub-Committee – CHCHC
17 <sup>th</sup> March	Meeting – Mr Mike Brown and Mrs Pauline Cairns

## 7.1 COUNCILLORS COMMITMENTS

## CIr L M Triffitt

18 <sup>th</sup> February	Council Meeting Bothwell
9 <sup>th</sup> March	Shackowner's Meeting - Miena
12 <sup>th</sup> March	Meeting with Kathy Bradburn - Draft Cemetery Policies
Clr I V McMichael	
18th February	Council Meeting Bothwell
19th February	Audit Workshop Hamilton
27th February	Central Highlands Health Services Consultative committee

Tuesday 18 <sup>th</sup> February	Council Meeting
Wednesday 19 <sup>th</sup> February	Audit Committee – Presentation
Thursday 20 <sup>th</sup> February	Seminar Hobart Meeting - Page Seager
Monday 24 <sup>th</sup> February	Healthy Communities Initiatives Steering Committee Meeting
Tuesday 25 <sup>th</sup> February	Bushfest Sub-Committee Meeting
Thursday 27 <sup>th</sup> February	Presentation from LGD to Staff
Tuesday 4 <sup>th</sup> March	Tourism Committee Meeting
Thursday 6 <sup>th</sup> March	Meeting with Ratepayer
Sunday 9 <sup>th</sup> March	Central Highlands Shackowners Meeting Miena
Wednesday 12 <sup>th</sup> March	General Managers Workshop Hobart

## 7.0 NOTIFICATION OF COUNCIL WORKSHOPS

## **8.0 FUTURE WORKSHOPS**

## 9.0 MAYORAL ANNOUNCEMENTS

**10.0 MINUTES** 

## **10.1 RECEIVAL DRAFT MINUTES ORDINARY MEETING**

Moved CIr

Seconded Clr

THAT the Draft Minutes of the Ordinary Meeting of Council held on Tuesday 18<sup>th</sup> February 2014 be received.

Carried

## **10.2 CONFIRMATION OF DRAFT MINUTES ORDINARY MEETING**

Moved CIr

THAT the Draft Minutes of the Ordinary Meeting of Council held on Tuesday 18th February 2014 be confirmed.

Carried

## 10.3 RECEIVAL DRAFT MINUTES HIGHLANDS TASMANIA TOURISM COMMITTEE MEETING

Seconded Clr

Carried

Seconded CIr THAT the Draft Minutes of Audit Committee Meeting of Council held on Thursday 30th January 2014 be received. Carried **10.5 RECEIVAL DRAFT MINUTES BUSHFEST COMMITTEE MEETING** Seconded Clr Carried **BUSINESS ARISING 12.0 NRM REPORT** Moved CIr Seconded CIr THAT the NRM Report be received. Carried

**Derwent Catchment Natural Resource Management Committee Inc. PO Box 22** Hamilton Tas 7140 Phone: 6286 3211 Fax: 6286 3370 **Report Central Highlands Council 22<sup>nd</sup> Jan to 18<sup>th</sup> Feb 2014** 

**Catchment Coordinators Vacancy** 

natural resource management

## Seconded CIr

THAT the Draft Minutes of Highlands Tasmania Tourism Committee Meeting of Council held on Tuesday 4th March 2014 be received.

**10.4 RECEIVAL DRAFT MINUTES AUDIT COMMITTEE MEETING** 

Moved CIr

10.0

Moved CIr

Moved CIr

THAT the Draft Minutes of Bushfest Committee Meeting of Council held on Tuesday 25th February 2014 be received.

The three applicants from the second round of advertising were appraised using the merit principle. All were rated between 50 and 60%. The applicants had relevant qualifications for the position, lack of work experience, was a concern. To this end, NRM South have taken ownership of their facilitation component of the position, advised the DCNRMC and the two other investors (Derwent Valley & Central Highlands Council) that the Catchment Coordinators position no longer exists and therefore, the current co-investments deed is no longer in effect.

A number of options have been put on the table by NRM South, these are in the attached letter. Council is encouraged to consider the options and put forth any other options.

Minutes of the 28<sup>th</sup> Feb MOU meeting where issues were discussed in details are available from either Chris Absolom or Derwent Catchment NRM Secretary Kathy Van Dullemen.

## Funding grants obtained by DCNRMC

Derwent Catchment have secured project money to trial green manure crops, the aim is to re-carbonizing soils after poppy crops, which will reduce the rest period between rotations.

Additional fire recovery money has also been secured, a number of properties have been identified which will benefit from the additional funds.

## Weeds

Orange Hawkweed works have been completed at Butlers Gorge and the Shannon.

Aurora Energy requested information from Derwent Catchment on the multi-land weed control model being undertaken at Dee Lagoon. Aurora aims to use this model to control gorse under their power lines between Strahan & Queenstown.

Jason Branch has made available a crew to provide follow up spraying of Gorse along the Interlaken Road.

## **General Projects**

The Red Hot Tips fuel reduction burning program facilitated by Macquarie Franklin have completed property assessments with a focus on looking at a more co-ordinate approach along property boundaries.

A workshop on the burn program will be held at the Bothwell Fire Shed 24<sup>th</sup> March 2014.

NRM South are touring the Derwent Catchment on 17<sup>th</sup> March, taking in two farms and Interlaken Ramsar site. No other details have been supplied to Derwent Catchment at this stage.

Kathy Van Dullemen Secretary Derwent Catchment NRM Committee

## 12.1 LETTER FROM NRM SOUTH TO WORKING GROUP (SEPARATE ATTACHMENT)

**For Discussion** 

## 12.2 DERWENT CATCHMENT NRM MOU MEETING MINUTES (SEPARATE ATTACHMENT)

Chris Absolom (Finance Manager) attended meeting on behalf of Council.

For Discussion

## **13.0 FINANCE REPORT**

Moved Clr Seconded Clr

THAT the Finance Report be received.

Carried

## 13.1 PLANT REPORT (SEPARATE ATTACHMENT)

## **14.0 DEVELOPMENT & ENVIRONMENTAL SERVICES**

In accordance with Regulation 25(1) of the Local Government (Meeting Procedures) Regulations 2005, 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 CIr

Seconded CIr

THAT the Development & Environmental Services Report be received.

Carried

14.1 CONSENT AGREEMENT - APPEAL NO: 158/13S: LARK & CREESE – LAND & ENGINEERING SURVEYORS and CENTRAL HIGHLANDS COUNCIL

SA 2012/58: LARK & CREESE SURVEYORS: RA 2780 DENNISTOUN ROAD, INTERLAKEN: SUBDIVISION – THIRTEEN LOTS & BALANCE IN THE RURAL ZONE

Report By:

Contract Planner (J Tyson)

## Applicant:

Lark & Creese Surveyors

## <u>Owner</u>

Duckhole Pty Ltd

## **Background**

In December 2013 Council approved a subdivision of 13 lots and balance for land at RA 2780 Dennistoun Road, Interlaken.

The applicant decided to appeal some of the conditions placed on the planning permit (Attachment 1) to the Resource Management and Planning Appeals Tribunal (RMPAT). The Grounds of Appeal are attached (Attachment 2).

Mediation has been conducted with the applicant with the assistance of Council's legal representative (Marc Edwards, Abetz Curtis) and with advice from the Contract Engineering Officer (Leigh Wighton). Agreement on an alternative set of conditions has been reached, which are now presented to Council for their consideration (Attachment 3).

## **Discussion**

The following conditions were appealed and the mediated position is explained below.

## **Condition 8**

Required a building envelope to be designated on the final plan for each lot as shown on the plans submitted with the application.

The applicant requested greater flexibility to allow future owners choice of building sites. The agreed solution is to place 'no build' areas on the titles in areas that are unsuitable for development due to natural values, bush fire risk and proximity to boundaries and the lake and then allow a building envelope of 1ha to be chosen anywhere else on each block.

## Condition 11

Required the applicant to enter a Part 5 agreement with Council to fence on the Clyde Marsh boundary.

It was established that fencing exists along this boundary already and that the neighbouring land managers (Inland Fisheries and DPIPWE) are satisfied that the fencing can be maintained without a permit condition. This part of condition 11 has therefore been removed as it was placed on the permit at the suggestion of Inland Fisheries.

## **Condition 22**

Required the applicant to provide a connection of power and telephone services to the lots.

It was determined that the wrong version of this condition was used on the permit. The condition has been amended to add *"Where provided..."* at the beginning of the condition, making the connection of these services optional.

## **Condition 23**

Road works and road widening.

It has been agreed that a road reserve of 18m will be created for Dennistoun Road and there will be no requirement to do any roadwork.

The new subdivision road will be required to be constructed to the minimum standard which is 5m including shoulders and any passing bays required by the Tasmanian Fire Service.

## CONCLUSION

The issues raised in the appeal grounds have been considered and a new set of conditions has been negotiated, with agreement from the applicant.

A consent memorandum has been drafted and is ready for submission to the RMPAT if Council agrees to the mediated solution. If Council does not agree to the revised permit conditions it is likely that the matter would require a full hearing to be determined.



# PLANNING PERMIT DA 2012/58

In accordance with Division 2 of Part 4 of the Land Use and Planning Approvals Act 1993, the Central Highlands Council (Planning Authority) grants a permit –

To: Lark & Creese Of: PO Box 136 KINGSTON TA

KINGSTON TAS 7050

#### For land described as:

2780 Dennistoun Road, Interlaken

#### This Permit allows for:

The land to be developed by the subdivision of 13 lots and balance and ancillary site works substantially in accordance with the information and particulars set out in the development application and the endorsed drawings.

#### THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT: -

#### General

 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.

### Final Plan

- A fee as determined by Council resolution from time to time must be paid to Council prior to the sealing of each stage of the final plan of survey.
- A final plan of survey and two (2) copies must be provided together with the schedule of easements as necessary.
- 4. 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.

#### Easements

 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

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

#### Covenants

7. 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.

#### **Building** envelopes

- 8. All development must be contained within the building envelope as shown on the Application for Subdivision prepared by Lark & Creese Land & Engineering Surveyors and dated 2<sup>nd</sup> July 2013. The location of the building envelope must be shown on the final plan of the survey.
- 9. An agreement pursuant to Part 5 of the Land Use Planning and Approvals Act 1993 must be entered into prior to the sealing of the final plan of survey to require that no removal or clearing of vegetation is to occur outside of the designated building envelopes with the exception of the clearing or removal of vegetation for the following purposes:
  - The removal or trimming of trees for reasons of safety and protection of the property;
  - b. The removal of environmental weeds;
  - c. Unless in accordance with a Bushfire Hazard Management Plan approved by the Tasmanian Fire Service.

#### **Bushfire Management**

10. An agreement pursuant to Part 5 of the Land Use Planning and Approvals Act 1993 must be entered into prior to the sealing of the final plan of survey to require any residential use or development to be carried out and maintained in accordance with the recommendations of Bushfire Planning Group (2005), Guidelines for Development in Bushfire Prone Areas: Living with Fire in Tasmania, Tasmanian Fire Service, Hobart and constructed in accordance with Level 1 of Standards Australia (1999): AS 3959: Construction of Buildings in Bushfire Prone Areas Standards Australia, Sydney.

#### Environmental Management

- An agreement pursuant to Part 5 of the Land Use Planning and Approvals Act 1993 must be entered into prior to the scaling of the final plan of survey to require:
  - Fencing of property boundaries adjoining Clyde Marsh to prevent livestock and vehicles from entering the wetland.
  - A private conservation covenant must be created for lots 5, 6, and 7, to the satisfaction of Council's General Manager to protect the existing endangered vegetation community – Highland Poa Grassland. The location of the conservation reserves must be shown on the final plan of survey.

#### Agreements

12. Agreements made pursuant to Part 5 of the Land Use Planning and Approvals Act 1993 must be prepared by the applicant on a blank instrument form to the satisfaction of the Council and registered with the Recorder of Titles. The subdivider must meet all costs associated with the preparation and registration of the Part 5 Agreement.

#### Weed management

13. 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 address the Slender Thistle found on the site and 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 General Manager and of the Regional Weed Management Officer, Department of Primary Industries, Parks, Water and Environment.

#### Environmental Health

14. The final plan of survey must be endorsed that the lots are only suitable for the on-site disposal of wastewater using a licensed Aerated Wastewater Treatment System or modified trench septic or other approved system.

#### Engineering

- The subdivision must be carried out in accordance with the Central Highlands Council Subdivision Guidelines 2012 (attached).
- 16. Engineering design drawings, to the satisfaction of the Council's General Manager or Municipal Engineer, must be submitted to and approved by Council before any works associated with development of the land commence.
- Engineering design drawings are to be prepared by a qualified and experienced civil engineer, or other person approved by Council's General Manager or Municipal Engineer, in accordance with the Central Highlands Council Subdivision Guidelines 2012.
- Approved engineering design drawings will remain valid for a period of 2 years from the date of approval of the engineering drawings.
- 19. 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.
- 20. A Part 5 Agreement must be placed on lots 5 to 14 detailing the future management and maintenance obligation of each lot in relation to the Private Road and shared accesses, to the satisfaction of Council's General Manager.

#### **Existing** services

21. 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

 Electrical and telecommunications services are to be provided to each lot in accordance with the requirements of the responsible authority and the satisfaction of Council's General Manager.

#### Roadwork's

- 23. Roadwork's must include -
  - (a) Dennistoun Road
    - Minimum road reservation width of 18.00 metres (being 9.0 metres from the centreline of the existing road).
    - Fully paved and drained road widening, as required, to achieve a total minimum pavement width of 6.0m across the full frontage of the subdivision.
    - Road drainage.
  - (b) Private subdivision road(s)
    - Fully paved and drained gravel carriageway with a minimum pavement width (inc shoulders) of 6.00m
    - 19 metres diameter (inc. shoulders) cul-de-sac at the south eastern boundary of lot 15 (where the access splits).
    - Road drainage.
- 24. A vehicle access must be provided from the road carriageway to each lot. Accesses must be located and constructed in accordance with the IPWE Aust. (Tasmania Division) standard drawings and to the satisfaction of Council's Municipal Engineer.
- 25. All driveway carriageways providing shared access to more than one lot must be constructed in accordance with Section 107 of the Local Government (Buildings and Miscellaneous Provisions) Act 1993 and municipal standard drawings. Shared access must include a:
  - maximum grade of 1 in 5 (20%) onto the lot;
  - minimum trafficable width of 4.00 metres for up to 90 metres, with additional minimum 2.0 metre wide by 20 metre long passing bays at the boundary and every 90 metres along the access otherwise;
  - all weather pavement;
  - stormwater drainage, as required.

#### Survey pegs

- Survey pegs are to be stamped with lot numbers and marked for ease of identification.
- 27. Prior to the works being taken over by Council, evidence must be provided from a registered surveyor that the subdivision has been re-pegged following completion of substantial subdivision construction work. peg survey must be included in the value of any security.

#### **Defects Liability Period**

28. The subdivision must be placed onto a 12 month maintenance and defects liability period following the completion of the works in accordance with the approved engineering plans and permit conditions.

#### 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. The issue of this permit does not ensure compliance with the provisions of the Threatened Species Protection Act 1995 or the Environmental Protection and Biodiversity Protection Act 1999 (Commonwealth). The applicant may be liable to complaints in relation to any non-compliance with these Acts and may be required to apply to the Policy and Conservation Assessment Branch of the Department of Primary Industries, Parks, Water and the Environment or the Commonwealth Minister for a permit.
- 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. This planning approval shall lapse at the expiration of two (2) years from the date of the commencement of planning approval if the development for which the approval was given has not been substantially commenced. Where a planning approval for a development has lapsed, an application for renewal of a planning approval for that development shall be treated as a new application.

Dated 9 December 2013

ABradburn

<sup>AC</sup> Jacqui Tyson Planning Consultant

## RESOURCE MANAGEMENT & PLANNING APPEAL TRIBUNAL

Appeal No: 158/13S

LARK & CREESE - LAND & ENGINEERING SURVEYORS Appellant

Between: - and -

### CENTRAL HIGHLANDS COUNCIL

Respondent

## CONSENT MEMORANDUM

THE PARTIES hereto request that the Tribunal make the following orders by consent:

- A. THAT the decision of the Respondent to grant planning approval for DA 2012/58 is affirmed;
- B. THAT the Respondent issue a planning permit for DA 2012/58 in the form annexed hereto and marked "A"; and
- C. THAT each party bear their own costs of and incidental to this appeal.

ABETZ CURTIS Per: LARK & CREESE Per:

On behalf of the Respondent

On behalf of the Appellant

DATED:

DATED:





# PLANNING PERMIT DA 2012/58

In accordance with Division 2 of Part 4 of the Land Use and Planning Approvals Act 1993 (Tas), the Central Highlands Council (Planning Authority) grants a permit -

- To: Lark & Creese (the 'Applicant')
- Of: PO Box 136
  - KINGSTON TAS 7050

## For land described as:

2780 Dennistoun Road, Interlaken, as comprised in Certificate of Title Volume 165589 Folio 2 of the Register and Certificate of Title Volume 165589 Folio 3 of the Register (formerly part of historical Certificate of Title Volume 230881 Folio 1 of the Register) (the **'Land'**).

#### This Permit allows for:

The Land to be developed by the subdivision of thirteen (13) lots and balance and ancillary site works substantially in accordance with the information and particulars set out in the development application lodged with Council and the endorsed drawings that form part of this permit.

### THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT: -

#### General

 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.

#### Final Plan

- A fee as determined by Council resolution from time to time must be paid to Council prior to the sealing of each stage of the final plan of survey.
- A final plan of survey and two (2) copies must be provided together with the schedule of easements as necessary.
- 4. All conditions of this permit must be satisfied before the Council seals the final plan. It is the Applicant'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.

#### Easements

 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 Applicant's full cost.

#### Endorsements

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

#### Covenants

7. 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.

#### Building envelopes - No-Build Areas & Restrictive Covenants

- 8. (a) The final plan of survey must delineate for lots 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, and 13 areas where buildings, structures and other like matters are not to be erected and works are not to occur (excepting works directly concerned with the construction of access roads and the provision of domestic service connections) (here called 'No-Build Areas'). The No-Build Areas must be located on each relevant lot in accordance with the findings and recommendations set out in the Lark & Creese Land and Engineering Surveyors Natural Values Assessment that formed part of the application submitted to Council.
  - (b) Restrictive covenants which give effect to condition 8(a) of this permit must be prepared by the Applicant and included in the schedule of easements which accompanies the final plan of survey.
  - (c) The following restrictive covenant applying to lots 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, and 13 must be included in the schedule of easements which accompanies the final plan of survey:

"all 'development' (as that term is defined in the Land Use Planning and Approvals Act 1993 (Tas) as may be amended or replaced from time time) on the lot must occur within a building envelope of one (1) hectare. For the purposes of this covenant, the term 'development' does not include works and infrastructure directly concerned with the construction of access roads and the provision of domestic service connections."

The restrictive covenant set out above must be enforceable, jointly or severally, by the Council and each of the owners of lots 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, and 13.

**9.** An agreement pursuant to Part 5 of the *Land Use Planning and Approvals Act 1993* (Tas) must be entered into prior to the sealing of the final plan of survey to require that no removal or clearing of vegetation is to occur in the No-Build Areas defined in condition 8(a) of this permit **EXCEPTING**:

- the removal or trimming of trees for reasons of safety and protection of the property;
- (b) the removal of environmental weeds; and
- (c) the clearing and trimming of vegetation carried out in accordance with a Bushfire Hazard Management Plan approved by the Tasmanian Fire Service.

#### Bushfire Management

10. An agreement pursuant to Part 5 of the Land Use Planning and Approvals Act 1993 (Tas) must be entered into prior to the sealing of the final plan of survey to require any residential use or development to be carried out and maintained in accordance with the recommendations of Bushfire Planning Group (2005), Guidelines for Development in Bushfire Prone Areas: Living with Fire in Tasmania, Tasmanian Fire Service, Hobart and constructed in accordance with Level 1 of Standards Australia (1999): AS 3959: Construction of Buildings in Bushfire Prone Areas Standards Australia, Sydney.

#### Environmental Management

11. An agreement pursuant to Part 5 of the Land Use Planning and Approvals Act 1993 (Tas) must be entered into prior to the sealing of the final plan of survey to require a private conservation covenant must be created for lots 5, 6, and 7, to the satisfaction of Council's General Manager to protect the existing endangered vegetation community of Highland Poa Grassland identified in the Lark & Creese Land and Engineering Surveyors Natural Values Assessment that formed part of the application submitted to Council. The location of the conservation reserves must be shown on the final plan of survey.

#### Agreements

12. Agreements made pursuant to Part 5 of the Land Use Planning and Approvals Act 1993 (Tas) must be prepared by the Applicant on a blank instrument form to the satisfaction of the Council and registered with the Recorder of Titles. The Applicant must meet all costs associated with the preparation and registration of the Part 5 Agreement.

#### Weed management

13. Prior to the carrying out of any works approved or required by this approval, the Applicant must provide a weed management plan detailing measures to be adopted to address the Slender Thistle found on the site and to limit the spread of weeds listed in the Weed Management Act 1999 (Tas) through imported soil or land disturbance by appropriate water management and machinery and vehicular hygiene to the satisfaction of Council's General Manager and of the Regional Weed Management Officer, Department of Primary Industries, Parks, Water and Environment.

#### Environmental Health

14. The final plan of survey must be endorsed that the lots are only suitable for the on-site disposal of wastewater using a licensed Aerated Wastewater Treatment System or modified trench septic or other approved system.

#### Engineering

- The subdivision must be carried out in accordance with the Central Highlands Council Subdivision Guidelines 2012, a copy of which is attached to this permit.
- 16. Engineering design drawings, to the satisfaction of the Council's General Manager or Municipal Engineer, must be submitted to and approved by Council before any works associated with development of the Land commence.

- Engineering design drawings are to be prepared by a qualified and experienced civil engineer, or other person approved by Council's General Manager or Municipal Engineer, in accordance with the Central Highlands Council Subdivision Guidelines 2012.
- Approved engineering design drawings will remain valid for a period of 2 years from the date of approval of the engineering drawings.
- 19. 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.
- 20. A Part 5 Agreement must be placed on lots 5 to 14 detailing the future management and maintenance obligation of each lot in relation to the Private Road and shared accesses, to the satisfaction of Council's General Manager.

#### Existing services

**21.** The Applicant 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

**22.** Where provided, electrical and telecommunications services are to be provided to each lot in accordance with the requirements of the responsible authority and to the satisfaction of Council's General Manager.

#### Roadworks

- 23. Roadwork's must include:
  - (a) Dennistoun Road:
    - The final plan of survey must indicate on the Land a minimum road reservation width of 18.00 metres (being 9.0 metres from the centreline of Dennistoun Road).
  - (b) Private subdivision roads:
    - must be fully paved and drained gravel carriageway with a minimum pavement width of 5.00 metres which includes a shoulder width of 0.5 metres;
    - must be constructed in accordance with Standard Drawing TSD-R01-v1, a copy of which is **attached** to this permit; and
    - must incorporate vehicle passing bays designed in accordance with the road design and construction standards set out in the Guidelines for Development in Bushfire Prone Areas of Tasmania document.
- 24. A vehicle access must be provided from the road carriageway to each lot. Accesses must be located and constructed in accordance with the IPWE Aust. (Tasmania Division) standard drawings and to the satisfaction of Council's Municipal Engineer.
- 25. All driveway carriageways providing shared access to more than one lot must be constructed in accordance with Section 107 of the Local Government (Buildings and Miscellaneous Provisions) Act 1993 (Tas) and municipal standard drawings. Shared accesses must include:

- (a) a maximum grade of 1 in 5 (20%) onto the lot;
- (b) a minimum trafficable width of 4.00 metres for up to 90 metres, with additional minimum 2.0 metre wide by 20 metre long passing bays at the boundary and every 90 metres along the access otherwise;
- (c) all weather pavement; and
- (d) stormwater drainage, as required.

#### Survey pegs

- 26. Survey pegs are to be stamped with lot numbers and marked for case of identification.
- 27. Prior to the works being taken over by Council, evidence must be provided from a registered surveyor that the subdivision has been re-pegged following completion of substantial subdivision construction work. The cost of the repeg survey must be included in the value of any security.

#### **Defects Liability Period**

28. The subdivision must be placed onto a 12 month maintenance and defects liability period following the completion of the works in accordance with the approved engineering plans and permit conditions.

#### 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. The issue of this permit does not ensure compliance with the provisions of the Threatened Species Protection Act 1995 (Tas) or the Environmental Protection and Biodiversity Protection Act 1999 (Cwlth). The Applicant may be liable to complaints in relation to any non-compliance with these Acts and may be required to apply to the Policy and Conservation Assessment Branch of the Department of Primary Industries, Parks, Water and the Environment or the Commonwealth Minister for a permit.
- 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 (Tas).
- D. This planning approval shall lapse at the expiration of two (2) years from the date of the commencement of planning approval if the development for which the approval was given has not been substantially commenced. Where a planning approval for a development has lapsed, an application for renewal of a planning approval for that development shall be treated as a new application.

#### Recommendation

Moved Clr

Seconded CIr

That Central Highlands Council (Planning Authority) in accordance with Section 16A of the *Resource Management and Planning Appeals Tribunal Act 1993*, AGREE to the attached Consent Memorandum and revised Planning Permit conditions for 2780 Dennistoun Road, Interlaken, as comprised in Certificate of Title Volume 165589 Folio 2 of the Register and Certificate of Title Volume 165589 Folio 3 of the Register (formerly part of historical Certificate of Title Volume 230881 Folio 1 of the Register).

# 14.2 DA 2014/3 : SUBDIVISION OF 29 RESIDENTIAL LOTS & 3 OPEN SPACE LOTS IN VILLAGE ZONE & POTENTIAL IMPACT AREA : WAYATINAH VILLAGE; WAYATINAH : REMISSION OF FEES

## **Background**

Pitt and Sherry submitted an application for Stage 1a in April 2012. During the advertising and referral process the subdivision plan had to be amended to accommodate changes required by Southern Water. As the amendments made changes to the lot configuration a fresh application had to be submitted.

## **Current Situation**

An amended application consisting of 29 residential lots and 3 open space lots has been submitted and was advertised on 26 February 2014 with the representation period closing on 13 March 2014.

The fees associated with this application will need to be remitted by Council and are as follows:

Subdivision Application Fee: \$1,600.00

Statutory Advertising Fee: \$250.00

It is anticipated that this application will be presented to the April Planning Committee Meeting for consideration.

The Manager DES also met with Mr Richard Cassidy from Pitt and Sherry on-site on Tuesday 25<sup>th</sup> February 2014 to discuss final details. Pitt and Sherry and now preparing tender documents and Engineering Drawings for Council.

## Recommendation

Moved Cir Seconded Cir

**THAT** the application fees for DA 2014/3 for the subdivision of 29 residential lots and 3 open space lots at Wayatinah be remitted as follows:

- Subdivision Application Fee: \$1,600.00
- Statutory Advertising Fee: \$250.00

Carried

## 14.3 EMERGENCY MANAGEMENT PLAN

At a meeting of Council held on 14 January 2014 Council endorsed the Central Highlands Municipal Emergency Management Plan. The Plan has now been signed off by The State Emergency Management Controller, Darren Hine.

A copy of the approved document is available on Council's Website.

## For Information

## 14.4 COMMERCIAL RELEASE OF CANOLA GENETICALLY MODIFIED FOR HERBICIDE TOLERANCE

Council has received the below email regarding an application for the commercial release of genetically modified canola for herbicide tolerance. Comments are being sought and will need to be submitted to the Manager Development & Environmental Services no later than **Monday 14**<sup>th</sup> **April 2014** 



Australian Government

Department of Health Office of the Gene Technology Regulator

Dear CEO/Manager

## Request for advice on licence application DIR 127 from Monsanto Australia Ltd: Commercial release of canola genetically modified for herbicide tolerance

I have received a licence application (DIR 127) from Monsanto Australia Ltd (Monsanto) for the commercial release of genetically modified (GM) canola into the environment. The *Gene Technology Act 2000* (the Act) sets out the process that I, as the Gene Technology Regulator, must follow in evaluating the application. Following an initial screening of the application, I am seeking advice on matters relevant to the preparation of a Risk Assessment and Risk Management Plan (RARMP) from a broad range of experts, agencies and authorities, including all local councils in Australia.

Please note that I realise Councils do not usually have specialist scientific advice available to them. The purpose in consulting your Council is to make you aware of the application and to seek comment from people who are familiar with the areas where the proposed release could take place.

## The Application

Licence application DIR 127 is for unrestricted commercial release of the genetically modified (GM) canola variety MON 88302 (also referred to as TruFlex<sup>™</sup> Roundup Ready<sup>®</sup> canola). MON 88302 contains one introduced gene that confers tolerance to the herbicide glyphosate.

Monsanto is seeking approval to release the MON 88302 canola in all canola growing areas of Australia. The GM canola and its products would enter general commerce, including use in human food and animal feed.

A summary of the application is attached along with a set of 'Questions and Answers' that provide an overview of the application and an outline of the assessment process. A copy of the application is available from my Office upon request.

## **Consultation process for this DIR application**

As this application is for commercial purposes, the Act specifies two rounds of consultation. Before a RARMP is prepared in accordance with section 51 of the Act, I am required to seek advice from prescribed experts, agencies and authorities. This first round of consultation must include the Gene Technology Technical Advisory Committee, State and Territory Governments, prescribed Australian Government agencies, any local council that I consider appropriate (which in this case I consider to be all local councils in Australia) and the Environment Minister. I am also consulting with a range of Australian Government agencies that, while not prescribed in the legislation, have maintained a strong interest in the implementation of the Act.

The second round of consultation, required by section 52 of the Act, will occur after a consultation version of the RARMP has been prepared. I must seek advice on the RARMP from the same prescribed experts, agencies and authorities consulted initially. In addition, I must seek public comment on the RARMP.

## Timeframe for comments

In order to comply with the legislative timeframe for this application, I require your advice on matters related to risks to human health and safety and the environment that I should consider in preparing the RARMP by **24 April 2014**.

Please note that if I do not receive advice by this date, subregulation 8(3) of the Gene Technology Regulations 2001 requires me to proceed with the evaluation. However, you will have a further opportunity to comment on the RARMP once it has been prepared.

## Conclusion

My office would be happy to discuss any issues or concerns in relation to the application or the preparation of the RARMP. If you have any questions please contact the OGTR by email to <u>ogtr@health.gov.au</u> or by telephone on 1800 181 030 and quote application number DIR 127.

Yours sincerely

Dr Joe Smith Gene Technology Regulator 27 February 2014

(Approved for electronic transmission)

Attachments: Summary of Application Questions and Answers

February 2014

## Summary of Licence Application DIR 127

## Introduction

An application has been made under the *Gene Technology Act 2000* (the Act) for Dealings involving the Intentional Release (DIR) of genetically modified organisms (GMOs) into the Australian environment.

Application number	DIR 127
Applicant:	Monsanto Australia Ltd (Monsanto)

Project Title:	Commercial release of canola genetically modified for herbicide tolerance (MON 88302) <sup>1</sup>
Parent organism:	Canola ( <i>Brassica napus</i> L.)
Introduced gene and modified trait:	5-enolpyruvylshikimate-3-phosphate synthase ( <i>cp4 epsps</i> ) gene derived from the bacterium <i>Agrobacterium</i> sp. strain CP4 (herbicide tolerance)
Proposed release dates:	Ongoing from date of approval
Proposed locations:	All canola growing areas of Australia

## The proposed dealings

Monsanto proposes a commercial release of the genetically modified (GM) canola variety MON 88302 (also referred to as TruFlex<sup>™</sup> Roundup Ready<sup>®</sup> canola). MON 88302 contains one introduced gene that confers tolerance to the herbicide glyphosate.

Monsanto is seeking approval for unrestricted commercial release of MON 88302 canola in all canola growing areas in Australia. Commercial canola production occurs mainly in New South Wales, Victoria, South Australia and Western Australia, and to a much lesser extent in Tasmania and southern Queensland. However, the commercial cultivation of GM canola is currently prohibited in South Australia and Tasmania under State legislation introduced for marketing reasons.

If a licence is issued, the GM canola would enter general commerce, including use in human food and animal feed. Food Standards Australia New Zealand has assessed and approved food made from MON 88302. Authorities in the United States, Canada, Japan and Mexico have also approved food derived from MON 88302.

## **Parent organism**

The parent organism, Brassica napus L., is commonly known as canola, and is exotic to Australia.

## The genetic modification and its effect

MON 88302 contains an introduced *cp4 epsps* gene from the common soil bacterium *Agrobacterium tumefaciens* strain CP4. The gene encodes 5-enolpyruvylshikimate-3-phosphate synthase (EPSPS), an enzyme of the shikimic acid pathway which is involved in the biosynthesis of aromatic compounds, including some amino acids. In non-GM plants, glyphosate binds to and blocks the activity of the natural plant version of this enzyme, which results in the plant being deprived of essential amino acids for growth and development. However, as glyphosate does not bind to the introduced CP4 EPSPS enzyme, expression of the introduced *cp4 epsps* gene enables the GM canola plants to produce aromatic amino acids in the presence of glyphosate. Herbicides containing glyphosate could then be used for weed control in the GM canola crop.

The introduced *cp4 epsps* gene is under the control of a chimeric constitutive promoter containing enhancer sequences from the Figwort mosaic virus 35S promoter combined with sequences of the *Tsf1* gene promoter from *Arabidopsis thaliana* (thale cress).

Other short regulatory sequences that contribute to control the expression of the *cp4 epsps* gene are also present in MON 88302. These are derived from *A. thaliana* and *Pisum sativum* (common garden pea).

MON 88302 canola differs from the already commercially grown Roundup Ready<sup>®</sup> canola by expression of the *cp4 epsps* gene in all tissue types, particularly in pollen. It can therefore tolerate higher rates of glyphosate herbicides and has a wider window for herbicide application. The applicant advises that this is intended to allow optimisation of herbicide applications to suit environmental and weed growth conditions, providing improved weed control. It is not intended to increase the number of herbicide applications.

## Method of genetic modification

MON 88302 was generated using *Agrobacterium tumefaciens*-mediated transformation. This transformation method has been widely used in Australia and overseas for introducing genes into plants. More detailed information on methods of genetic modification can be found in the document *Methods of plant genetic modification* available from the <u>Risk</u> <u>Assessment References</u> page on the OGTR website.

<sup>&</sup>lt;sup>1</sup> The title of the licence application submitted by Monsanto is "General release of *Brasica napus* genetically modified for herbicide tolerance (MON 88302) in Australia".

## Previous releases of the same or similar GMOs

Field trials of MON 88302 have been conducted in Australia under licence DIR 105. Environmental release of MON 88302 canola has also been approved in the United States and Canada.

Other GM canola modified for herbicide tolerance have been approved in Australia for field trials, and for commercial release (DIR 020/2002: Roundup Ready<sup>®</sup> canola; DIR 021/2002: InVigor<sup>®</sup> canola; and DIR 108: InVigor<sup>®</sup> × Roundup Ready<sup>®</sup> canola). Roundup Ready<sup>®</sup> canola also contains an introduced *cp4 epsps* gene.

There have been no credible reports of adverse effects on human health and safety or the environment resulting from any of these releases.

## Assessment and consultation process for this DIR application

The Act and the Gene Technology Regulations 2001 set out requirements for considering licence applications, including matters that the Gene Technology Regulator (the Regulator) must take into account before deciding whether or not to issue a licence.

Since this application is for commercial purposes, the Regulator is required to seek advice from prescribed experts, agencies and authorities on matters relevant to the preparation of a Risk Assessment and Risk Management Plan (RARMP), in accordance with section 50 of the Act. This first round of consultation must include the Gene Technology Technical Advisory Committee, State and Territory Governments, Australian Government agencies, any local council that the Regulator considers appropriate and the Environment Minister.

While the Regulator is not required to seek public comment at this stage, copies of the application are available on request from the OGTR. Please quote application number DIR 127.

In a second round of consultation, the Regulator will seek comment on the consultation RARMP from the public as well as prescribed experts, agencies and authorities. The RARMP will then be finalised, taking into account matters raised relating to risks to human health and safety and the environment, and will inform the Regulator's decision whether or not to issue a licence.

At this stage, **the RARMP is expected to be released for comment in July 2014.** The public will be invited to provide submissions on the RARMP via advertisements in the media and direct mail to anyone registered on the OGTR mailing list. The RARMP and other related documents will be available on the OGTR website, or in hard copy from the OGTR.

More information on Australia's national scheme for regulation of gene technology and the assessment process can be found at the Office of The Gene Technology Regulator's website (<u>www.ogtr.gov.au</u>).

If you have any questions about the application or the assessment process, or wish to register on the mailing list, please contact the OGTR at:

## The Office of the Gene Technology Regulator, MDP 54 GPO Box 9848 Canberra ACT 2601

Telephone: 1800 181 030 Facsimile: 02 6271 4202 Email: ogtr@health.gov.au

Website http://www.ogtr.gov.au

## Questions & Answers on licence application DIR 127 – Commercial release of genetically modified canola

## What is this application for?

Monsanto Australia Ltd (Monsanto) is seeking approval for the commercial release of one variety of genetically modified (GM) canola, referred to as MON 88302 or TruFlex<sup>™</sup> Roundup Ready<sup>®</sup> canola, which has been modified for herbicide tolerance.

The GM canola is proposed to be grown in all canola growing areas in Australia, and its products would enter general commerce, including use in human food and animal feed.

## How has the GM canola been modified?

The GM canola contains an introduced gene derived from a common soil bacterium, which confers tolerance to the herbicide glyphosate. This enables the GM canola plants to grow in the presence of the herbicide, which can be used to control weeds in the GM canola crop.

## How is the GM canola different from existing commercial GM Roundup Ready<sup>®</sup> canola?

In the 2013 season, GM Roundup Ready<sup>®</sup> canola constituted about 10% of the Australian canola crop. Both MON 88302 canola and Roundup Ready<sup>®</sup> canola are tolerant to herbicides containing glyphosate, however MON 88302 canola can tolerate higher rates of glyphosate and has a wider window for herbicide application. The applicant advises that this is intended to allow optimisation of herbicide applications to suit environmental and weed growth conditions, providing improved weed control. It is not intended to increase the number of herbicide applications.

## What is the process for considering this application?

The licence application will be subject to comprehensive, science-based risk analysis. The process includes two rounds of stakeholder consultation. In the first round, the Gene Technology Regulator will seek advice from prescribed experts, agencies and authorities prior to preparing a draft Risk Assessment and Risk Management Plan (RARMP). The RARMP focuses on identifying risks to human health and safety and to the environment that may be posed by the proposed commercial release. Following public release of the draft RARMP, submissions will again be sought from stakeholders, this time including the public. The RARMP will then be finalised taking into account submissions received, and inform the Regulator's decision whether or not to issue a licence.

## Has the GM canola received any other approvals?

Food Standards Australia New Zealand, as well as authorities in the United States, Canada, Japan and Mexico, have approved food made from MON 88302 canola. Environmental release of MON 88302 canola has been approved in the United States and Canada.

#### How can I comment on this application?

The comprehensive Risk Assessment and Risk Management Plan for this application is expected to be released for public comment in July 2014. Its release will be advertised in newspapers, and it will be available on the OGTR website along with a range of supporting information. While comment is not being sought from the public at this stage, you can obtain a copy of the application by contacting the OGTR (contact details below). Please quote the application number DIR 127. As the application is quite lengthy, you may prefer to view a summary of the application, which is posted on the OGTR website along with this document (under 'What's New'), or a copy can be obtained by contacting the OGTR.

## 14.5 PLANNING PERMITS ISSUED UNDER DELEGATION

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

## PERMITTED USE

DA NO.	APPLICANT	LOCATION	PROPOSAL
2014/6	L R Clark	Ruby Road, Miena	House in Holiday Residential Zone
2014/5	B A & L R Stoward	7 Dolerite Crescent, Flintstone	House Addition (Deck) in Holiday Residential Zone

## **DISCRETIONARY USE**

DA NO.	APPLICANT	LOCATION	PROPOSAL
2013/40	D Hay	Site 19, 378 Marlborough Road, Bronte Park	Caravan Park (Storage & Deck) in Holiday Residential Zone

## **NO PERMIT REQUIRED UNDER PLANNING DIRECTIVE 4**

## **14.6 IMPOUNDED DOGS**

Following a request by Council to be advised of all dogs impounded at Council's Bothwell and Hamilton pounds and the outcome of the impoundment, please be advised as follows:

Date Impounded	Pound Location	Reason for Impoundment	Outcome
22/2/2014	Bothwell	Brown & White Spaniel picked up in suspected sheep attack at Westerway.	After negotiations with the owner the dog was relinquished to Council and taken to the Dogs Home on 4 March 2014.
25/2/2014	Bothwell	Sable & Tan Pit Bull Cross brought in by Constable Harley collected from a car at Poatina	Dog Released back to Tasmania Police on 26 February 2014 who arranged to transfer dogs to Poatina.
25/2/2014	Bothwell	Black, Tan & Sable German Shepherd brought in by Constable Harley collected from a car at Poatina	Dog Released back to Tasmania Police on 26 February 2014 who arranged to transfer dogs to Poatina.

25/2/2014	Bothwell	Smokey Grey & White Staffy Cross brought in by Constable Harley collected from a car at Poatina	Dog Released back to Tasmania Police on 26 February 2014 who arranged to transfer dogs to Poatina.
25/2/2014	Bothwell	Black & Tan Hound Cross impounded in a suspected sheep attack at Westerway.	After negotiations with the owner the dog was relinquished to Council and taken to the Dogs Home on 4 March 2014.

## **15.0 COMMUNITY & ECONOMIC DEVELOPMENT REPORT**

Moved CIr

Seconded CIr

THAT the Community & Economic Development Report be received and noted.

Carried

## COMMUNITY & ECONOMIC DEVELOPMENT OFFICER'S REPORT

## MARCH 2014

## HIGHLANDS TASMANIA TOURISM COMMITTEE

The activities of the committee and my report to the committee are presented to Council in the draft minutes of the meeting held on March 4, 2014.

## HIGHLANDS BUSHFEST

A copy of the proposed Stallaholders Information Pack is attached and submitted to Council for approval.

Sponsorship is being handled in-house as per minutes of the March Highlands Tasmania Tourism Committee.

Consultant Malcolm MacDonald withdrew his proposal to raise \$57,000 towards the cost of running Highlands Bushfest, citing a delay in a decision on his appointment causing concerns that the target could not be reached within the remaining timescale.

## **GLOVER PRIZE 2014**

A depiction of the Central Highlands has earned Derwent Valley-born artist Mark Rodda the \$40,000 Glover Prize for landscape painting.

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Mr Rodda completed his *South from the Labyrinth to Mount Olympus and Lake St Clair* from photographs and has never visited the area.

I have been in contact with the organisers of the Glover Prize and it is now likely Mr Rodda will visit the Central Highlands in the next few months.

This is an important marketing opportunity for the Highlands Tasmania Brand.

## TASMANIA MEDICARE LOCAL SOCIAL DETERMINANTS OF HEALTH

Central Highlands Council has been invited to contribute a proposal in conjunction with external partners to access \$300,000 of funding over two and a half years, including \$50,000 towards perfecting the proposal.

Healthy Communities co-ordinator Janet Monks and I have held several discussions with potential partners, including Southern Midlands Council and the Rural Primary Health Service based in Ouse.

Southern Midlands Council is proposing it acts as the lead authority and fund holder in any proposed joint project.

To date, no specific proposal has been identified, but Southern Midlands' preference is towards children and youth education.

The Rural Primary Health Service has withdrawn as a primary partner due to operational workload and the delivery of existing programs.

Our belief is that any project should include the areas of the current come Alive 'N' Thrive program which is continually achieving traction and success under Janet Monks' co-ordination.

We also believe that any proposal should focus on parenting and children in a more holistic approach to practical guidance, exercise and wellbeing.

It is our belief that partnering with Southern Midlands might impact on the sustainability and continuation of some of the Come Alive 'N' Thrive projects into the future.

Tasmania Medicare Local has indicated it is keen for the successes of the Come Alive 'N' Thrive program to continue as the Federal Government seeks to end the perception, and fact, that often the positives of a program come to a grinding halt once initial funding is concluded.

We are seeking Council's in principle support to submit a proposal to TML that is specific to the Central Highlands region and engages partners who can build on the success of the Healthy Communities Initiative and more specifically Come Alive 'N' Thrive.

**RECOMMENDATION:** That Council provides in principle support for an application for Social Determinants of Health funding that is specific to the Central Highlands region.

## **SOUTHERN VALLEYS TOUR 2014**

Hobart Wheelers and Southern Tasmanian Cycling Club staged two cycling events in Bothwell on Sunday, February 23.

The event attracted more than 70 riders and around 50 supporters and brought substantial business to food and beverage businesses in the town.

The organisers are planning to stage Roubaix on Roubaix, in Bothwell, on Sunday, April 13, 2014.

Cyclists will complete several laps of 12km circuit that will include Market Place, Patrick Street, Highland Lakes Road, Dennistoun Road and two kilometres of gravel road in Nant Lane.

This is expected to be a prime spectator event.

## **CARAVANNING AUSTRALIA FEATURE**

I have contributed a two page feature on the Central Highlands to Caravanning Australia magazine. The feature is attached.

A similar feature in the magazine in 2013 appears to have had a positive result with bookings at Council camping grounds at Bothwell and Hamilton up between 169 and 220 vehicles on 2012-13 figures. The increase of \$2,200 in revenue represents 169 campers paying \$15 or 220 paying \$10 for a site.

It is fair to estimate that the occupants of each vehicle would spend at least \$100 in the Central Highlands region on food, drink or fuel, so the increase in the number of vehicles has been worth between \$16,900 and \$22,000 to the local economy.

### Tasmania

Point, accessed on foot, or by ferry from Cynthia Bay.

Dowent Bridge hosts The Wall in the Wildomess, a testament to the history of the Cantral Highlands, carved in 100 one-matre by three-metre Huon pine panels.

Sculptor Greg Duncan committed to the project 10 years ago, has produced 75 panels so far and hopes to complete his awe inspiring work by the end of 2016.

No one visiting Highlands Tasmanla should miss it.

Travelling east, between some of Tasmania's most popular and profile trout-fishing lakes, two power stations either side of the Nive River – Tungatinah and Tamakah – deliver a sensational wow!' moment.

Tamaleah Estate, possibly the most stunning of the former hydro-villages and formerly home to about 3000 people, sits atop the Nive Filver valley and has been graciously restored to its Art Deco glory. A stroli through the bush to Tamaleah Falls is about 50 minutes ratum.

Heading further east reveals Wayathah village and its Liapootah Clock, beside the higtway.

The township of Ouse is next, where All Salnts Anglican Church is open daily and features vibrant yet serone stainedplass windows. Between Ouse and Hamilton Is Lake Meadowbank, over which you travel to Elendale and through to Mt Field National Park, or historic Redlands and the Salmon Ponds, en route to New Norfolic.

Hamilton's camping ground lies beside the Olyde River and is just a short walk to the main street, featuring historic buildings for almost its entire length and the world-famous country gardens at Prospect Villa.

If you are intending to travel to Tasmanla's Central Highlands, give yourself plenty of time, it's a region worth savouring.



## Journey to Highlands Tasmania

IGHLANDS Tasmania, one seventh of the land mass of the Island State, covers some of the most spectacular scenery around, just outside your caravan door.

Natural and man-made lakes abound, wildamess rainforests, awe-inspiring mountains, heritage buildings dating back to the 1820s, and so much more.

Highlands Taamania strotches from north of Graat Lake to the edge of the Mt Field National Park in the south, and from Derwartt Bridge in the west to Graina in the east.

It features historic towns like Bothwell, Hamilton and Gretna; white water rivers and waterbills; former hydro-villages, and Lake St Clair, the deepest natural lake in Australia.

Not to mention the best trout fishing and the oldest golf course in the Southern Hemisphere, and The Wall in the Wildemess, a living loon in timber.

## CARAVANS WELCOME

Bethune Park, Lake Moodowbark, Ouse. Bothwoli Camping Ground, Bothwoli. Bronte Park Caravan Park, Marborough Hwy. Groat Lake Hold Caravan Park, Mone. Hamilton Camping Ground, Hamilton, Jonah Bay Camping Ground, Arthurs Lake. Lake St Clair Caravan Park. Pumphouse Bay, Arthurs Lake. Tamaksh Caravan Park, Lyuli Hwy. Wayathah Caravan Park, Lyuli Hwy.



## COMMUNITY GRANT APPLICATION – WESTERWAY BUSH WATCH

A Community Grant application has been received from Westerway Bush Watch for \$500 to cover the cost of repainting the organisation's trailer.

It is Council's policy to contribute 50 per cent of the cost of a project or a maximum of \$500.

**RECOMMENDATION:** That Council contributes \$250 towards the Westerway Bush Watch trailer project.

CENTRAL HIGHLANDS COUNCIL COMMUNTY GRANTS PROGRAM 2013/14 APPLICATION FORM	
Please ensure you have read and understand the Program Guidelines prio completing this form.	r to
1. APPLICATION & ORGANISATION DETAILS	-
Name of Project: Westerway Bush Watch Trailer	
Amount of Grant Requested: \$505.80	
Estimated Total Project Cost: \$505.80	
Applicant Organisation: Westerway Bush Watch	
Contact Person's Name: Stefan Frazik	
Contact Details Address: 39 Bridge Road Westerway 7140	
Phone: (Business hours) 0362881243	
Mobile: 0409881427	
Fax: 0362881243	1
Email: ssfrazik@bigpond.com Signature	
Name: Stefan Frazik Position in Organisation: Coordinator/Chairman Date: 7 <sup>th</sup> March 2014	
What is the overall aim/purpose of the applying organisation? To inform the public of the 131444 phone number to report crime And make inquiries to the Police.	
What is the membership of the organisation? President: Stefan Frazik Secretary: Sharon Frazik Treasurer: Yvonne Read	
Ashiev Poore. Peter Sweetlove (all Tas Police.	)

2. ELIGIBILITY (see 2012/13 community Grant Program Guidelines) Is the organisation: Representative of the interests of the Central Highlands Community X Not for Profit Unincorporated A Hall Committee OR An individual community member Have you previously received funding from the Central Highlands Council? (Please attached additional pages if required) If yes; Name of Project: Paint the Trailer Date Grant received: 5th July 2011 Amount of Grant: \$500 3. PROJECT DETAILS Project Start Date: March 2014 Project Completion Date: ongoing Project Objectives: Remove old sign writing from the rear of our trailer, respray and fit 2 new signs. Register and replace tail lights. Towing the trailer to shows @ 50 cents per KM, estimated 400 KM. Print 1000 business size cards with the 131444 number. 4. COMMUNITY SUPPORT What level of community support is there for this project? We have community members from Gretna, Bushy Park, Westerway, Tas Police and both councils are represented.

at a sector the	volve the community in the delivery of the project?
	Party Hamilton, Autumn Fest, Sorrell Fair and
At the shows eg. B school fairs, the tra	ailer is maned by Bush Watch Members.
How will the project	ct benefit the community or provide a community
	14
Every person that business card (13 their wallet or pur reported as it hap	visits our trailer at the shows, will walk away with a 1444 phone number on it) and be asked to put it in se. Hopefully this will reduce crime or having it pens.
5. COUNCIL SUPP	
Are you requestin fax, photocopying facilities, street c If yes, please give	ng other Council support? E.g. parks, halls, telephones, g, computers, office accommodation, cleaning losure. e details.
No Thank you	
Are you requesti If yes, please giv	ng participation by Councillors or Council Staff? e details.
No Thank you	
If your application	on is successful, how do you plan to acknowledge bution?
In our newslette Central Highland	r and by wearing our safety vests at the shows, with ds Council Logo on the vests.
Central Highland	r and by wearing our safety vests at the shows, with ds Council Logo on the vests. LICATIONS AND THE SUCCESS THIS PROJECT

How will you monitor/evaluate the success of this project?

By using the trailer at the shows and the amount of information we are able to pass onto the public, and by the local crime reports we receive at our monthly meetings.

## 7. PROJECT BUDGET

Note: Amount from Council must not exceed half the project cost

Expenditure	Amount \$	Income	Amount \$
Capital		Guarantee	
Refurbishment		Government Grants	
Equipment		Trust/Foundations	
Premises		Donations from Business	
Vehicles		Special Funding	
Other: Trailer Rego Upkeep & tail lights Paint Towing	75.80 75.00 55.00 200.00	Gifts in Kind	
Other: Business cards	100.00	Other:	
Subtotal		Other	
		Subtotal	
Revenue		Anticipated	
Salaries (including super)		Government Grants	
Short-term contract fees		Central Highlands Grant	\$05.80
Running costs		Trust/Foundations	
Production of information PR materials		Donations from Businesses	
Training staff/volunteers		Special Fundraising	
Travel		Gifts in kind (details)	
Rent		Cash Reserves	
Reference materials		Other:	
Other:			
Subtotal		Subtotal	
TOTAL	\$505.80	TOTAL	\$505.80

## **16.0 WORKS & SERVICES**

Moved Clr Seconded Clr

THAT the Works & Services Report be received.

Carried

## WORKS & SERVICES REPORT

13th February 2014 – 11th March 2014

<b>Grading &amp; sheeting</b> Trap Hut Rd Boomer Rd	Rosehill Rd Langloh Rd
Maintenance Grading Dawson Rd	14 Mile Rd
Potholing / shouldering Arthurs Lake Rd	14 Mile Rd

**Culverts / Drainage:** Drainage and clean culverts, Ellendale Rd, Drypoles Rd, Trap Hut Rd, Meadsfield Rd, Torhill Rd

Install new culverts at: Southernfield Rd Jones River Rd Avenue Ellendale Rd

## **Occupational Health and Safety**

- Monthly Toolbox Meetings
- Day to day JSA and daily pre start check lists completed
- Monthly work place inspections completed
- Play ground inspections
- 28hrs sick leave Hours taken
- 109hrs Long Service Leave

### **Bridge Maintenance:**

## **Bridges:**

## Refuse / recycling sites:

Cover Hamilton Tip twice weekly

## Other:

Chairs and tables to spin out Continue preparation on Hamilton rec for show Lights at Bothwell rec Repair footpath Franklin Place Clean up trees Dawson Rd and Woodmore Rd Culverts and drainage Avenue Scrubbing Lanes Tier Rd Repair signs Ellendale Rd Repair washouts on municipal roads after thunderstorm (3 days) Scrubbing Victoria Valley Rd Remove tree Theissen Cresent

#### **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

#### Weed control:

#### **Buildings:**

#### Plant: (Repairs and Maintenance)

Pm687 Western Star serviced tyres rotated Pm735 Hilux serviced Pm692 Triton ute repairs Pm738 Triton ute repairs New backhoe 100hr service

#### Private Works:

Gravel Frank Moore Gravel Lake Crescent Gravel Stornoway Gravel J & T Suttcliffe Mowing Jason Branch Backhoe hire Casey Bryant Premix Terry Hoskison

### Casuals

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

#### Slashing

Lower Marshes Rd Rotherwood Rd Pelham Tier Rd Thousand Acre Lane

#### Program for next 4 weeks:

Install exercise equipment Council play grounds White Line Hollow Tree Rd White Line Ellendale Rd Cart gravel for Pelham Diversion

## **15.1 STOCK GRID JEAN BANKS RD**

Correspondence has received on behalf of Mr Reardon who owns the properties "Rockford" and "Jean Banks" regarding the stock grid on Jean Banks Road. The letter states that the ramp is poorly constructed and allows sheep and cattle to exit Jean Banks.

The Works Manager has undertaken inspections of the ramp in previous times and a clean out of the ramp won't solve the issue as the ramp is too narrow which allows the stock to jump over.

The Works Manager raised this issue with Council at the January meeting of 2012 and it was decided that Mr Reardon should fence Jean Banks at his own costs.

The cost to install a new stock grid would be \$7500, this would be 4m long and 2.4 wide that doesn't allow stock to jump across with timber sides.

### **For Discussion**

## 15.2 BRIDGE CHRISTIAN MARSH (SEPARATE ATTACHMENT)

For Discussion

## **16.2 STATUS REPORT**

#### • 328 - 20/4/2012

Gorse at Christian Marsh, Responsible Officer: NRM This item was asked to be placed on the Status Report at the March 2012 Meeting.

#### • 329 - 18/8/2012

Platypus Walk, Responsible Officer: Works Manager Regular Maintenance

#### 332 - 17/9/2013

Blackberry Removal, Responsible Officer: Works Manager / NRM Clr Bowden requested that this item be placed on the Status Report

## **17.0 ADMINISTRATION**

#### **17.1 CARAVAN BY-LAW**

Attached is a draft Central Highlands Council Caravans By-Law No 1 of 2014

If Council intends to make a By-Law, it must pass a resolution by absolute majority to that effect.

Council is also required to prepare a regulatory impact statement in respect of the By-law it intends to make and submit it to the Director of Local Government to issue a certificate:

- (a) Certifying that the statement is satisfactory; and
- (b) Stating that the Council may commence the public consultation process.

#### CENTRAL HIGHLANDS COUNCIL CARAVANS BY-LAW NO 1 OF 2014

A BY-LAW of the Central Highlands Council made under the provisions of Section 145 of the Local Government Act 1993 for the purpose of controlling and licensing the occupation of caravans in the municipal area.

#### Short Title

1. This By-Law may be cited as the Caravans By-law Number 1 of 2013

#### 2. Interpretation

3. In this By-law, unless the contrary intention appears -

"authorised officer" means an employee of the Council authorised by the General Manager for the purpose of this By-law;

#### "caravan"

(a) is any object or structure which has the general characteristics of a caravan, house on wheels, a covered van or trailer and any vehicle used or adapted for occupation; and

(b) includes any structure, awning, verandah, lean-to, tent, carport or any other enclosed or partly enclosed area used or capable of being used in connection with, or attached to any caravan; and

(c) may or may not have the wheels or axles attached; and

(d) may be resting directly on the ground or placed on blocks or other supports.

"Council" means the 'Central Highlands Council';

"Environmental Health Officer" means the Environmental Health Officer appointed by Council;

"General Manager" means a person appointed by Council to that position;

"licence" means a licence to occupy a caravan in accordance with Form 2 of Schedule 1 of this By-law, issued by an authorised officer;

"municipal area" means the area of land under the control of the Central Highlands Council and defined in accordance with Section 16 of the Local Government Act 1993;

"occupy" includes reside or live in any caravan for the purposes of shelter, entertainment, sleeping, resting, cooking, eating, or for any other similar use whether temporary or permanent; "person" includes a corporate entity;

"proprietor" includes the owner, occupier or the person having the control or management of any land;

"road" has the same meaning as 'public street' under the *Traffic Act 1925* and includes any street, lane, thoroughfare, footpath, bridge, or place open to or used by the public, or to which the public have or are permitted to have access, whether on payment of a fee or otherwise.

"public reserve" means any reserve owned or under the control of the Council;

"public place" has the meaning as defined in the Police Offences Act 1935;

## Application

4. This By-law does not apply to a caravan that is:

(a) situated in a caravan park; or

(b) used by a travelling show person in the ordinary course of their business; or

(c) used by Council employees or contractors involved in performing duties for and on behalf of the Council; or

(d) unoccupied and being stored by the proprietor on the proprietor's land.

## Application for caravan licences

 (1) A person may apply in writing for a licence to occupy a caravan by making an application to the General Manager in accordance with Form 1, together with the required fee.

(2) On receipt of an application, an authorised officer may grant or refuse to grant a licence.

(3) An authorised officer may grant a licence subject to terms and conditions.

(4) A licence to occupy a caravan is not to be granted unless an Environmental Health Officer has approved the proposed method for the disposal of garbage, and on-site wastewater.

(5) The General Manager may cancel the licence of a person who is in breach of this By-Law or who breaches a condition imposed under the licence.

## Licence necessary to occupy a caravan

6. (1) A person must not occupy a caravan without a licence.

Penalty:

Fine not exceeding 5 penalty units.

(2) The proprietor of any land within the municipal area must not authorise or permit any person to occupy a caravan upon that land without a licence.

Penalty:

Fine not exceeding 5 penalty units.

## Expiry of licence

- (a) A licence shall be for a period not exceeding twelve months
  - (b) The authorised officer may extend the period of the licence to a person who is constructing a house as their primary residence on land owned by them and intends to occupy a caravan during construction.

## Cessation of occupation

 If the holder of a licence issued by an authorised officer ceases to occupy a caravan before the expiry date of the licence, the holder is to inform the Council within ten days of the cessation of occupation.

## Disallowance of occupation in public places

A person must not occupy a caravan situated on any road, public reserve or other public place.

Penalty:

Fine not exceeding 5 penalty units.

## Fee for occupation of a caravan

10. An owner or occupier of land must not approve or permit any person to occupy a caravan situated on that land in exchange for the payment of rent whether the rent is paid to the owner or occupier of that land or to some other person.

Penalty:

Fine not exceeding 2 penalty units.

## Entry onto land

 For the purposes of this By-Law, an authorised officer may enter and remain on land after giving the proprietor of the land notice of their intention to do so.

## Infringement notices and Enforcement

## 12. Infringement notices

(a) An authorized Officer may:

- issue an infringement notice to a person that the authorized officer has reason to believe is guilty of a specified offence;
- (ii) issue one infringement notice in respect of more than one specified offence;
- (iii) impose a monetary penalty for the specified offence in respect of which the infringement notice is issued.

(b) Infringement notices may be issued in repsect of the offences specified in Column 1 of Schedule 2 to the By-law and the penalty specified in Column 3 opposite the offence is the penalty payable under an infringement notice issued in respect of that offence.

(c) In order to avoid the infringement notice being referred to the Director Monetary Penalties Enforcement Service for enforcement action the person issued with an infringement notice must either:

 pay the total amount of the monetary penalty stated on the I infringement notice to; or

- (ii) lodge a notice of election to have the offence heard by a court with the General Manager within 28 days of the date of service of the notice.
- (d) An infringement notice alleging that a vehecile has been used in relation to a specified offence may be served by affixing it to that vehicle.
- (e) The Monetary Penalties Enforcement Act 2005 applies to an infringement notice issued under this By-law.
- (f) All monies payable to the Council or General Manager under this By-law are a debt due to the Council and recoverable at law.

## SCHEDULE 1 FORM 1

## CENTRAL HIGHLANDS COUNCIL

# Application for Licence to Occupy a Caravan

Applicant's Details:	
Mr/Mrs/Ms/Miss	
Surname	
Given Names	
Telephone (Home)	
Telephone (Work)	
Mobile Telephone No.	

## About the Caravan:

## Site Details:

Address where caravan will be	
kept:	

and the second se

. 2 .

Type of water supply to carav	/an:
.,,	
Proposed method of disposal	
waste water (including toilet,	
bath, shower, hand-basin, sin and laundry):	and the second se
and numery).	
	- 110 and 110 distance on the res are the test into the test into 110 distance in the second second second sec
Number of people to occupy caravan:	
Caravan.	
Period proposed to remain or	n site
Name of Applicant:	
Signature of Applicant:	***************************************
Date:	

Please attach a site plan to your application showing the outline of the property, the existing buildings and the proposed location of the caravan

#### SCHEDULE 1

#### FORM 2

## CENTRAL HIGHLANDS COUNCIL

## Licence to Occupy a Caravan

The Central Highlands Council, pursuant to By-Law No 1 of 2014, hereby licenses:

(Authorised Officer)

Date:

# SCHEDULE 2 - INFRINGEMENT NOTICE OFFENCES

.....

Column 1 CLAUSE	Column 2 OFFENCE	Column 3 PENALTY (Penalty Units)
6(1)&(2)	Licence necessary to occupy a caravan	1
9	Disallowance of occupation in public places	1
10	Fee for occupation of a caravan	1

×

Certified as being in accordance with the law by:

, Qualified Legal Practitioner.

Dated this day of 20014, at Hobart.

Certified as being made in accordance with the Local Government Act 1993.

L.M. Eyles General Manager

Dated this day of 2014, at Hamilton.

In witness whereof the seal of the Central Highlands Council was hereunto affixed this day of 2014

## REGULATORY IMPACT STATEMENT CENTRAL HIGHLANDS COUNCIL

## CARAVANS BY-LAW NO. 1 OF 2014

## **Objectives of the By-Law**

The objective of the By-law is to license the occupation of caravans situated on land within the Central Highlands municipal area as a means to ensure that proper provision is made for the disposal of sewage and wastewater arising from the occupation of caravans.

## Background

The By-law has been written in plain English.

The By-law applies to caravans in the Central Highlands municipal area but does not apply to those:

- (a) situated in a caravan park; or
- (b) used by a travelling show person in the orfinary course of their business; or
- used by council employees or contractors involved in performing duties for and on behalf of the Council; or
- (d) unoccupied and being stored by the proprietor on the proprietor's land.

## Does the By-Law Restrict Competition

The Council believes the By-law will place no restriction on competition as it deals with purely governance matters, being to regulate and license the occupation of caravans within the Central Highlands municipal area excepting those mentioned above. It is not considered that the By-law will have any impact on persons other than those wishing to reside in caravans.

## Does the By-Law Impact on Business?

Council believes that the By-law will not have a negative impact on business as it deals with purely governance matters.

## Other Options Considered

The legal status of a By-law is preferred. No other options offer this level of certainty in enforcement.

## Justification of Public Interest

It is in the public interest that any potential risk to public health arising from the occupation of

caravans within the municipal area is minimized by ensuring standards are maintained.

The By-law will allow Council to grant a licence to occupy a caravan, subject to compliance with certain health and other conditions.

## Environmental Impact

The benefit of Council being able to licence the occupation of caravans and to be able to impose conditions on the licence will ensure that there is no detrimental impact on the natural, visual and residential environment.

## Public Consultation Process

The following consultation process will now occur:

- 1. The Council will debate a recommendation that it make a By-law on Caravans
- Council will pass a motion that it intends to make the By-law.
- Council will submit this Regulatory Impact Statement to the Director of Local Government
- Upon Receipt of the Certificate from the Director of Local Government, Council will then publish notice of that resolution:
- a) once in the Mercury newspaper and once in the Examiner Newspaper
- b) by displaying the notice on the Notice Board at the Municipal Offices from the day when the newspaper advertisement is first published until the end of the submission period which is specified in the notice.

The notice will state the following:

- i. the title and objectives of the proposed By-law;
- ii. the envisaged or potential impact and the primary features of the proposed By-law affecting the community or particular groups within the community;
- iii. that a copy of the By-law and of the Regulatory Impact Statement may be inspected at the Council Chambers until the specified day;
- that a copy may be obtained from the Municipal Office or on council's website www.centralhighlands.tas.gov.au until the specified day;
- that submissions in respect of the proposed By-law may be made in writing, addressed to and lodged with the General Manager, stating the grounds of the submission and the facts relied upon to support those grounds;
- vi. that submissions must be lodged before the specified day;
- A contact person for public enquiries on the content and effect of the proposed By-law.

The specified day will be no earlier than 21 days after the publication of the notice in the Mercury newspaper and Examiner newspaper.

- The General Manager will make copies of the proposed By-law and the Regulatory Impact Statement available to the public until the day specified in the notice.
- 2. The Council will consider all submissions which have been made to it concerning the

proposed By-law and if it decides to amend it as a result of any of these submissions it will do so by absolute majority. The Council does not need to give further public notice unless an amendment substantially changes the purpose or effect of the proposed By-law.

#### **Recommendation:**

**THAT** Council resolve its intention, in accordance with Section 156 of the Local Government Act 1993, to make Caravans By-Law No 1 of 2014 for the regulation of caravans within the Municipal area.

#### **17.2 REVIEW OF COUNCIL POLICIES (SEPARATE ATTACHMENTS)**

As part of the continuing review of Council policies, the following policies have been reviewed and are submitted to Council for adoption:

- 2014-24 Work Health and Safety Policy
- 2014-25 Healthy Catering Policy (new)
- 2014-26 Playground Inspection Policy

Recommendation

**THAT** Council Adopt the following policies:

- 2014-24 Work Health And Safety Policy
- 2014-25 Healthy Catering Policy (new)
- 2014-26 Playground Inspection Policy

#### **17.3 GOLF MUSEUM LINK BUILDING**

The Australasian Golf Museum is re-applying to the Tasmanian Community Fund towards the building of a link between the Old Schoolmasters House and the Museum. Council during budget deliberations for 2013/2014 had allowed \$50,000 as a Council contribution but the amount was deleted from the budget when the Australasian Golf Museum was unsuccessful with their application at that time.

If this current application is successful, Council will need to make a budget allocation for 2014-2015.

#### **Recommendation:**

**THAT** Council allocate a contribution of \$50,000 towards linking the Australasian Golf Museum building and the Old Schoolmasters House in the 2014-2015 budget.

#### **17.4 DESTINATION SOUTHERN TASMANIA**

Ben Targett, CEO Destination Southern Tasmania has flagged DST's intention to apply to all 11 Council partners for proportional, year one support of their Destination Management Plan implementation in addition to Council's membership fee. The estimated investment required for the implementation is \$100,000 and using the proportional model provided, Central Highland's contribution is 1.85% (\$1,850).

SOUTHERN TASMANIA

4 March, 2014

Lyn Eyles General Manager Central Highlands Council [sent vio emoil]

Dear Lyn

I am pleased to confirm that the first of the two projects jointly funded in 2013/14 by the 11 southern Council Partners of Destination Southern Tasmania is now complete in its first iteration. A PDF of the *Destination Management Plan – Southern Tasmania, January 2014* (DMP) is attached for your records. Our *DMP Steering Committee* has worked in concert with *Sarah Lebski & Associates* to deliver a DMP that will be used extensively to inform our priorities and actions for years to come. The STCA's Economic Development Committee has already met to discuss the DMP and the response of their delegates has been very positive.

As you will be aware, I am visiting each Council during February/March to present to your elected representatives a summary of the DMP process, framework, supply and demand analysis and action plan; in each case leaving a printed copy for attendees to consume in their own time.

The DMP provides a framework for, and direction to, the work we must now do to increase the sustainable contribution of tourism to our metropolitan and regional communities. On behalf of the Board of DST, I commend the DMP to your organisation.

It is also an important piece of work in that it defines Destination Southern Tasmania's essential role in leading the growth of visitation, yield, regional dispersal and underlying capacity in the tourism industry in southern Tasmania. With more than 160 members contributing over \$70,000 in membership fees and co-operative marketing participants generating in excess of \$130,000 of investment per annum, we believe the question of whether DST can demonstrate the commitment of tourism operators to their own industry has been answered strongly in the affirmative.

Our next critical step is to address the 37 Actions suggested by the DMP. To do this in a timely manner, DST will itself require greater capacity. Whereas for 2013/14 we proposed two projects for our Council Partners to proportionally fund, this year we will propose only one: a 2014/15 only 'project' commitment to fund the implementation of critical actions within our DMP. In the years beyond, we will strongly advocate that the continual work to build our destination be provided by way of base funding within our Grant Deed with the Crown, via the Department of Economic Development, Tourism and the Arts.

The Board of DST has constituted a sub-committee - the DMP Implementation Committee - with a view to ensuring that the highest priority is given to ensuring the maximum possible return on investment from activities that occur as a result of our DMP. The following table provides an indication of the key responsibilities of an Industry Development Officer whose role it would be to implement key aspects of the DMP during 2014/15. The table indicates the strategic/policy area to which activities apply and establishes the essential tasks from which KPIs would be drawn. This approach will provide clear measurability in the context of the Destination Management Plan – Southern Tasmania, January 2014 Actions.

Council Partner Project Outline - Industry Development Officer, 2014/15.

Policy/Strategy	2014/15 Implementation Project Deliverables	Includes Work Relating to Actions 2, 3, 4, 5	
Sustainably utilising natural attractions, resources and infrastructure.	<ul> <li>Commence signage, road and roadside facility audit in consultation with CEO, DIER, Councils and industry.</li> <li>Complete a regional public transport audit.</li> </ul>		
Identifying new market opportunities, products and improving distribution models.	<ul> <li>provide business development support and advice.</li> <li>educate operators about new and changing distribution models and opportunities.</li> <li>catalogue desired tourism Wifi hotspots.</li> <li>identify community support/opportunities for events that will appeal to tourists.</li> <li>work with producers, hospitality and tourism operators to identify opportunities to highlight the quality and availability of local food and beverages.</li> </ul>	7, 8, 9, 10, 11, 12	
Positioning, promotion and brand alignment.	<ul> <li>contribute to the suggested content of a range of regional itineraries.</li> <li>identify opportunities to capitalise on Tourism Tasmania's Visiting Journalist Program (VJP).</li> </ul>	16, 17	
Encouraging and facilitating investment. - establish an understanding of the limitations expectations and opportunities for increased utilisation of our waterways by tourists. - analyse the location, type and quality of accommodation in southern Tasmania. - meet regularly with officers of GBE's that contro assets forming part of our tourism appeal.		19, 20, 22	
Facilitating skill development, creativity and innovation.	<ul> <li>conduct capacity building, educational and networking functions across the southern region.</li> <li>provide regular feedback about the progress, limitations and issues with LTA's and sub-LTA's.</li> </ul>	23, 26, 27	
Leading and managing with quality information, contemporary process and inclusion of key partners.	30, 32		

Naturally we will work up a more complete description of this role and nail down the KPIs once we have confirmed the support of our Council Partners for this project.

## Estimated Investment

The following estimates are provided to illustrate the basic requirements of this approach:

Salary & On-costs	\$ 65,000
Vehicle	\$ 15,000
Travel	\$ 10,000
Workshops	\$ 10,000
Total	\$100,000

The proportional model we use for project funding groups the following municipal contributions, based on population bands for our 11 southern Tasmanian tourism region Council Partners:

Hobart, Glenorchy and Clarence City Councils	20.16%
Kingborough Council	12.41%
Derwent Valley, Huon Valley, Sorell and Brighton Councils	5.39%
Tasman, Southern Midlands and Central Highlands Councils	1.85%

Clearly in the context of your annual budget process it is important that we flag our intention to apply to all 11 Council Partners for proportional, year-one support of our DMP implementation according to the details outlined above. It is important to reiterate that beyond this year-one implementation we envisage a return to proposing regional projects and we intend to consult widely on the future direction of our approach in partnership with our Council Partners.

I trust you have enjoyed reading the Destination Management Plan – Southern Tasmania, January 2014, and I will be in touch shortly to discuss the DMP and our approach to funding with you during the coming weeks.

Kind regards

serforgett

Ben Targett Chief Executive Officer Destination Southern Tasmania m | 0410 575 457

## Recommendation

**THAT** Council consider its contribution towards the implementation of the DST Destination Management Plan during its 2014-2015 budget deliberations.

#### **17.5 BOTHWELL CEMETERY COMMITTEE RESIGNATION**

Mrs Mary Ramsay has resigned as a community representative on the Bothwell Cemetery Committee as she is moving away from the area and feels that a local resident should be the community representative.

Ratho PO Box 1 BOTHWELL 7030

Deirdre Flint OAM Mayor Central Highlands Council BOTHWELL

.

Dear Mayor

# Re BOTHWELL CEMETERY COMMITTEE

I wish to resign as a community representative on this committee. For many years I have felt that the committee and its deliberations have been overlooked or ignored. Any major decisions have been taken by Council and council officers without any referral to our committee – the destruction of the *pinus pinaster* in the church-yard and the plans for the new cemetery being two examples that come immediately to mind.

I am also moving away from the area and feel that someone local should be the community representative.

I would like to remind all councilors that the Bothwell cemetery is heritage listed and should be treated very carefully.

Yours faithfully

Mary Ramsay

#### Recommendation

**THAT** a letter of appreciation be forwarded to Mrs Mary Ramsay for her contribution to the community through the Bothwell Cemetery Committee.

#### 17.6 OUSE AND HIGHLANDS REGIONAL COMMUNITY CRAFT GROUP

Attached is an application from Mrs Frances Macdonald, President of the Ouse & Highlands Regional Community Craft Group requesting that the Craft Fair be considered for an annual allocation through Council's annual budgets.

The Craft Fair is a very successful annual event and grows bigger each year. An annual budgetary allocation would ensure that Council contributes to this worthwhile event and reduce the need for the Group to apply for a community grant each year.

## **Ouse & Highlands Regional Community Craft Group**

5-3-2014

Lyn Eyles General Manager Central Highlands Council Tarleton st Hamilton

Received 1.3.14 Mail V Fax C Email C DES C Forwarded to GM & FM, Q WM Q DES O Other. Entered By: . Ref

6945 Lyell Highway Ouse Tas 7140

Dear Lyn,

I would appreciate you passing this application on to Council at their next meeting.

We have been very appreciative of the support received from Council in previous years that has helped us manage the many expenses associated with running a successful Craft Fair. Expenses will rise this year as we are seeking to make the Fair even bigger and better building on last year's achievements. Our intention is to motivate the town and increase the number of visitors attending with all profits raised this year to be used to benefit the whole community of the Central Highlands. (Possible projects being considered and details are still in the planning process).

We have planned to make better use of the outdoor area available at the Hall and expand the number of stalls and outdoor activities. To this end we have reserved both Council Marquees with one of these already filled. The Online Centre has been approached to run another display in the History Room plus a book sale. We have again enlisted the support of the St John the Baptist ladies guild plus the Lachlan Hotel have agreed to have a display there. We are hopeful that St John the Baptist will again host a Floral Art display in the Church and the Highlander Centre is already planning their stalls. At this stage the Country Club cannot commit themselves as the Bowls calendar isn't available till later in the year but will support us if they can.

We wondered if this year it would be possible to have the Fair put forward for budgetary consideration as this is now an annual event and it would simplify paperwork. From feedback received, we have had many people attending the Fair from all parts of Tasmania who have signified their intention to come again and with Council's continued assistance we hope to increase visitor numbers and further promote the region. Thank you for considering our request,

edanalex

Frances Macdonald

President

# CENTRAL HIGHLANDS COUNCIL COMMUNTY GRANTS PROGRAM 2013/14-APPLICATION FORM 2014/15

Please ensure you have read and understand the Program Guidelines prior to completing this form.

a grand

이 것 것 같은 것	GANISATION DETAILS
Name of Project: らい	SE + HIGHLANDS REGIONAL
Amount of Grant Requ	A STATE AND A STAT
Estimated Total Projec	tCost 1400
Applicant Organisation	CRAFT GROUP
Contact Person's Name	: FRAN MACOONALD
Contact Details Address:	6945 LYELL HIGHWAY DUGE THE THE
Phone: (Business hour	13) 62-571431
Mobile: 0	457 973 938
Fax:	
Email: franem Signature JE	Wardonald
Name FRAn	UCES MACOONALD
Position in Organisatio Date	ON CO-ORCHNIZER
TO PROMOTH	Purpose of the applying organisation? E THE REGIONS ARTO, CRAFTS REVITALISE THE CONNUMMET
	ip of the organisation?
	TH 600005
Treasurer 2 P	

2. ELIGIBILITY (see 2012/13 community Grant Program Guidelines)
Is the organisation:
A Hall Committee
OR □ An individual community member
Have you previously received funding from the Central Highlands Council? (Please attached additional pages if required)
If yes; Name of Project: OUSE & HIGHLANDS REGIONAL CRAFT FRIR
Date Grant received: APRIL 2013
Amount of Grant: \$1000
Project Start Date: IのTA OCT 2014 Project Completion Date: IのTH GCT RONA
Project Objectives: To STINULATE THE
COMMUNITY a. PROVIDE R SHOW CASE FOR LOCAL TALENT +
ENCOURAGE OTHER COMMUNITY GROUP
TO TAKE PART
4. COMMUNITY SUPPORT What level of community support is there for this project?
LOT OF GUPPORT FROM LOCAL
BLIDINES, CHURCH CORDUPS, ONLINE
CENTRE FLUD ARTIGTE & ERAFTOPEOFLE

How will you monitor/evaluate the success of this project? ATTENDANCE GUARDEY OF STALL HOUDERS FUGLIC OPINION.

#### 7. PROJECT BUDGET

Note: Amount from Council must not exceed half the project cost

Expenditure	Amount \$	Income	Amount \$
Capital		Guarantee	
Refurbishment		Government Grants	
Equipment		Trust/Foundations	
Premises		Donations from Business	
Vehicles		Special Funding	
Other:		Gifts in Kind	
Other:		Other:	
Subtotal		Other	
		Subtotal	
Revenue		Anticipated	
Selaries (including super) LABou R	\$ 240	Government Grants	
Short-term contract fees	600	Central Highlands Grant	1000
Running costs ( IN CODE	0103 200	Trust/Foundations	
Production of information PR materials	700	Donations from Businesses	
Training staff/volunteers		Special Fundraising	200
Travel	200	Gifts in kind (details)	1000
Rent		Cash Reserves	200
Reference materials		Other: STALL HIRE	600
Other: PRIZE MONEY	700		
Subtotal	-	Subtotal	
TOTAL	\$ 26 kg0	TOTAL	13000

# ENTERTAINMENT

HIRE TREPTLES, CHAIRS MARGUEES

## Recommendation

×

**THAT** Council make an ongoing annual allocation of \$1,000 towards the Ouse and Highlands Regional Community Group Craft Fair through Council's budget.

## **17.7 HELICOPTER LANDING SITES**

Councillor L M Triffitt has requested that this item be listed on the agenda for discussion by Council.

### Lyn Eyles

From: Lou Triffitt
Sent: Monday, 10 March 2014 3:58 PM
To: Lyn Eyles
Subject: Re: agenda item

Dear GM (Lyn)

I would like to request an Agenda item for March Council meeting. Concerns regarding Helicopter Landing Sites & Obstruction Marking. This is a safety issue that needs to be addressed. Regards Clir Loueen Triffitt

#### **For Discussion**

#### **17.8 CENTRAL HIGHLANDS COUNCIL AUDIT PANEL**

Councillors are aware that the Local Government (Audit Panels) Order 2014 has been gazetted.

- Membership minimum 3 (at least 1 independent person) with a maximum of 5 (at least 2 independent persons)
- The Mayor, General Manager or an employee cannot be on the Audit Panel
- Only an independent person can be chairperson
- Members hold office of not less than one year and not more than 4 years
- Independent members entitled to be paid remuneration and allowances determined by Council

Council may provide to its audit panel a charter relating to the manner in which the audit panel is to perform its functions and the procedure of the audit panel in respect of its meeting

Audit Panel to prepare an annual work plan and to hold at least 4 meetings each financial year

Audit Panel to provide a copy of its minutes to Council

Council to provide secretariat support to the Audit Panel

Council now need to determine the composition of the Audit Panel – number, members, remuneration, charter.

#### Recommendation

**THAT** Council's Audit Committee consider the matters required for the establishment of the Audit Panel and report back to Council's April meeting with a recommendation for Council adoption and implementation.

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### **17.9 HIGHLANDS TASMANIA TOURISM COMMITTEE**

At the committee meeting held on 4 March, 2014 the committee has made the following recommendation to Council:

THAT this Committee recommend to Council

- a) THAT Council send out Stallholder Application packages for Bushfest;
- b) THAT this Committee review progress of Bushfest in June prior to Council Meeting; and
- c) THAT Council staff carry out the sponsorship project and report to Council April Council meeting

The General Manager together with Tania Whelan and Casey Bryant are working on seeking sponsorship for Bushfest. A package has been developed and will be forwarded to appropriate organisations.

#### **Recommendation:**

**THAT** Council accept the recommendations of the Highlands Tasmania Tourism Committee to:

- a) Send out stallholder packages for Bushfest
- b) the Committee review Bushfest in June prior to Council's meeting; and

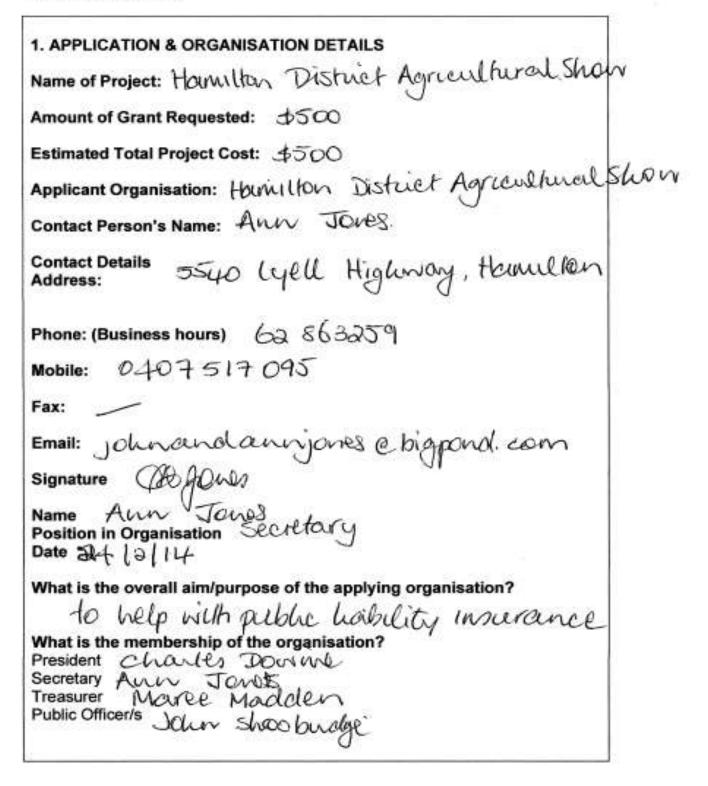
Council staff carry out the sponsorship project and report to the April Council meeting.

## 17.10 COMMUNITY GRANT APPLICATION - HAMILTON DISTRICT AGRICULTURAL SHOW



# CENTRAL HIGHLANDS COUNCIL COMMUNTY GRANTS PROGRAM 2013/14 APPLICATION FORM

Please ensure you have read and understand the Program Guidelines prior to completing this form.



ELIGIBILITY (see 2012/13 community Grant Program Guidelines) Is the organisation: Representative of the interests of the Central Highlands Community Incorporated Not for Profit Unincorporated A Hall Committee OR An individual community member Have you previously received funding from the Central Highlands Council? (Please attached additional pages if required) If yes; Name of Project: Hamilton Show Date Grant received: March 2013 Amount of Grant: 3500 3. PROJECT DETAILS Project Start Date: 29 Meuch 2014 Project Completion Date: 29 March 2014 Project Objectives: To provide a community event that is financially viable - to allow the committee to fund the show each year 4. COMMUNITY SUPPORT What level of community support is there for this project? The show is supported by local schools, Bothwell Lions, Deravent Pony Club and Counch into Leauning (who organise free activities for children ) attending the show

Does the project involve the community in the delivery of the project? the committee need the involvement of the community eg Mens Shed to help erect and dismantle the marquees - we need community members How will the project benefit the community or provide a community resource? offers a day where community and past community members can meet up in a firmaly, family montated environment. 5. COUNCIL SUPPORT Are you requesting other Council support? E.g. parks, halls, telephones, fax, photocopying, computers, office accommodation, cleaning facilities, street closure. If yes, please give details. the Council help in many ways - some photocopying moving the ground and generoe mantenance of of ground their suggest is unralvable. Are you requesting participation by Councillors or Council Staff? If yes, please give details. no If your application is successful, how do you plan to acknowledge Council's contribution? We always acknowledge the Council's support in our contologue, own the PA denny the day and with a kter of thanks 6. FUTURE APPLICATIONS AND THE SUCCESS THIS PROJECT Do you anticipate the organisation will apply for funding in 2013/14? 400

How will you monitor/evaluate the success of this project? speaking with patrons on the day show asking if they have any show on unpowing the show

## 7. PROJECT BUDGET

Note: Amount from Council must not exceed half the project cost

Expenditure	Amount \$	Income	Amount \$
Capital		Guarantee	
Refurbishment		Government Grants	
Equipment		Trust/Foundations	
Premises		Donations from Business	3,400
Vehicles		Special Funding	0.52
Other:		Gifts in Kind	500
Other:		Other gale takings	8,000
Subtotal		Other ()	1
hulas hereen street		Subtotal	11, 900
Revenue		Anticipated	
Salaries (including super)		Government Grants	300
Short-term contract fees		Central Highlands Grant	500
Running costs	3,200	Trust/Foundations	
Production of information PR materials	2,200	Donations from Businesses	
Training staff/volunteers		Special Fundraising	
transport of equipment	3,000	Gifts in kind (details)	
Rent		Cash Reserves	5,000
Reference materials		Other:	6.00
Other: Insurance tay	6,500		
Subtotal		Subtotal	5800
TOTAL	14,900	TOTAL	17,700

## **18.0 SUPPLEMENTARY AGENDA ITEMS**

Moved Clr Seconded Clr

THAT Council consider the matters on the Supplementary Agenda.

Carried

## **19.0 COMMITTEE REPORTS**

20.0 CLOSURE