



# Central Highlands Council

## AGENDA – ORDINARY MEETING – 15<sup>th</sup> SEPTEMBER 2015

Agenda of an Ordinary Meeting of Central Highlands Council scheduled to be held at Hamilton Council Chambers, on Tuesday 15<sup>th</sup> September 2015, commencing at 9am.

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

**Adam Wilson**  
Acting General Manager

### 1.0 OPENING

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### 2.0 PRESENT

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### 3.0 APOLOGIES

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### 4.0 PECUNIARY INTEREST DECLARATIONS

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

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### 5.0 CLOSED SESSION OF THE MEETING

Moved **Cllr**

Seconded **Cllr**

**THAT** pursuant to Regulation 15 (1) of the Local Government (Meeting Procedures) Regulations 2015, Council close the meeting to the public.

Items for Closed Session:

- 1 Confirmation of Confidential Minutes of Council's Ordinary Meeting held on 19<sup>th</sup> August 2015 Regulation 15 (2) (g)
- 2 Personnel Matters Regulation 15 (2) (a)
- 3 Tender Regulation 15 (2) (d)

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## 5.1 OUT OF CLOSED SESSION

Moved **Clr**

Seconded **Clr**

**THAT** Council moves out of Closed Session and endorse those decisions taken while in Closed Session and the information remains confidential.

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## OPEN MEETING TO PUBLIC

The Meeting will be opened to the public at 10.00am

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## 6.0 IN ATTENDANCE

Dr. Katrena Stephenson, Chief Executive Officer of the Local Government Association of Tasmania will be attending the meeting at 10.30 am

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## 6.1 PUBLIC QUESTION TIME

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## 7.0 MAYORAL COMMITMENTS

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### 7.1 COUNCILLORS COMMITMENTS

#### Deputy Mayor A J Downie

|                                |   |          |
|--------------------------------|---|----------|
| 20 <sup>th</sup> August 2015   | Independent living units Committee                | Hamilton |
| 21 <sup>st</sup> August 2015   | Funeral   | Bothwell |
| 24 <sup>th</sup> August 2015   | Planning Meeting – (change planning arrangements) | Brighton |
| 27 <sup>th</sup> August 2015   | Tourism Committee                                 | Hamilton |
| 2 <sup>nd</sup> September 2015 | STCA State-wide Planning                          | Hobart   |
| 8 <sup>th</sup> September 2015 | Planning Committee                                | Bothwell |

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### 7.2 GENERAL MANAGER COMMITMENTS

#### Acting General Manager – Adam Wilson

|                          |  |
|--------------------------|--|
| Wednesday 19 August 2015 | Council Meeting                              |
| Monday 24 August 2015    | Tasmanian Community Fund                     |
| Thursday 27 August 2015  | Destination Southern Tasmania AGM            |
| Thursday 27 August 2015  | Highlands Tasmania Tourism Committee Meeting |

Thursday 3 September 2015      Local Government Common Services Joint Venture

Tuesday 8 September 2015      Planning Committee Meeting

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## 8.0 NOTIFICATION OF COUNCIL WORKSHOPS HELD

Nil

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## 8.1 FUTURE WORKSHOPS

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## 9.0 MAYORAL ANNOUNCEMENTS

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## 10.0 MINUTES

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### 10.1 RECEIVAL DRAFT MINUTES ORDINARY MEETING

Moved **Clr**

Seconded **Clr**

**THAT** the Draft Minutes of the **Ordinary Meeting** of **Council** held on **Wednesday 19<sup>th</sup> August 2015** be **received**.

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### 10.2 CONFIRMATION OF DRAFT MINUTES ORDINARY MEETING

Moved **Clr**

Seconded **Clr**

**THAT** the Draft Minutes of the **Ordinary Meeting** of **Council** held on **Wednesday 19<sup>th</sup> August 2015** be **confirmed**.

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### 10.3 RECEIVAL DRAFT MINUTES PLANNING COMMITTEE MEETING

Moved **Clr**

Seconded **Clr**

**THAT** the Draft Minutes of **Planning Committee** of **Council** held on **Tuesday 8<sup>th</sup> September 2015** be **received**.

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### 10.4 RECEIVAL DRAFT MINUTES ILU COMMITTEE MEETING

Moved **Clr**

Seconded **Clr**

**THAT** the Draft Minutes of **Independent Living Units Committee** of **Council** held on **Thursday 20<sup>th</sup> August 2015** be **received**.

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### 10.5 RECEIVAL DRAFT MINUTES TOURISM COMMITTEE MEETING

Moved **Clr**

Seconded **Clr**

**THAT** the Draft Minutes of **Tourism Committee** of **Council** held on **27<sup>th</sup> August 2015** be **received**.



## 11.0 BUSINESS ARISING

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### 11.1 SECURITY BUSHFEST – BOTHWELL LIONS

Tony Johnston advised that the Bothwell Lions would be again interested in providing security, manning of the gate & parking for the event. Tony advised that the Lions would like to discuss the possibility of increasing their fee from \$3,000 to \$3,500.

#### **Recommendation to Council from the Tourism Committee held on 28<sup>th</sup> August 2015**

**Moved** *Clr R L Cassidy*

**Seconded** *Pauline Cairns*

**THAT** Council increase the payment to the Bothwell Lions from \$3,000 to \$3,250 for providing the services of security, manning of gate & parking at Bushfest.

**Carried**

**For the motion:** *Clr R Cassidy, Lynda Jeffery, Pauline Cairns*

#### **Recommendation:**

**Moved** *Clr*

**Seconded** *Clr*

**THAT** Council increase the payment to the Bothwell Lions from \$3,000 to \$3,250 for providing the services of security, manning of gate & parking at Bushfest.

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## 12.0 NRM REPORT

**Moved** *Clr*

**Seconded** *Clr*

**THAT** the NRM Report be received.



**Derwent Catchment Natural Resource Management Committee Inc.**

**PO Box 22 Hamilton Tas 7140 Phone: 6286 3211**

**Report for Central Highlands Council 19<sup>th</sup> August to 8<sup>th</sup> September 2015**

### **General Business:**

Josie has just returned from leave and so is back on board this week. We have made preliminary arrangements for the AGM that is going to be held at the Hamilton Resource Centre on the 16<sup>th</sup> October 2015. Dr. Richard Doyle from the Tasmanian Institute of Agricultural Research will be speaking.

### **Weed Management Program**

#### *Weed control meeting*

A meeting was held in Campbell town on the 3<sup>rd</sup> September to secure commitment from various agencies to undertake weed control works for the following season. Kathy presented an overview of the report and each agency outlined the recommended actions from the report that they were able to fund. There was a good turnout at the meeting and the Central Highlands Weed Management Program is looking set for another year of successful weed control in 2015-2016.

### Revegetation at Clearview

Works have begun with approximately 1000 sites marked with stakes (see picture below) and sprayed with chemical to kill existing grass and weeds which increases the capacity of the new plant to get established. A mix of native eucalypts and shrubs have been selected and are ready to go into the ground. Planting should begin within the next 2 weeks.



### Pasture principles course

The workshops have now progressed into the field, starting on the 9th at Dally Downs near Ellendale. Farmers will be mentored on farm to implement the theory that has been covered in the course so far.

### Andrew Miller visit

Stock and Land/Tasmanian Farmer journalist Andrew Miller visited the State last week and came out for the day with NRM South (Ken Moore) and DCNRM (Eve Lazarus) to speak with farmers in the catchment working on programs related to NRM South. Redlands (whiskey distillery) was visited first, followed by Patrick Ransley at Ellendale (Healthy Hoof project), Grant Rogers at Ouse (Dairy Cares for the Derwent) and John Ramsey at Bothwell (one year on from winning the MLA challenge) The day was very successful, Andrew was fascinated with the subject matter and will be publishing next month.



Andrew Miller (left) and Ken Moore (right)

### **Grant applications**

Spanish Heath eradication at Ellendale continuation – 30/06/2015 - Tas Landcare grant - pending

Clearview restoration project - 30/06/2015 – Tas Landcare grant - pending

Yours Sincerely,

Eve Lazarus, Projects Officer, Derwent Catchment NRM Committee  
0429 170 048

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## 13.0 FINANCE REPORT

Moved Cllr

Seconded Cllr

**THAT the Finance Report be received.**

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### 13.1 REQUEST FOR RATES REMISSION

Letter received from Rate Payer 24<sup>th</sup> July 2015 to Mayor Flint. Requesting a rebate on the 2015/2016 rates on property 04-0011-03963.

The letter reads further to a conversation I held with (Mayor Flint) some weeks ago I am writing on behalf of the Rates Property to request whether the Central Highlands Council would consider a rates rebate on our building in Patrick Street Bothwell. The Lodge Rooms were built some years ago largely with voluntary labour provided by many of our members. The building has since been made available for other community groups to use.

As an organisation whose aims are for the betterment of its members and the community in general any funds raised are solely from dues paid by our members and internal fundraising to help cover our costs. A large proportion of the dues go to our central governing body. Of this money a great deal is put towards our Benevolent Funds which helps any member in need or worthwhile community projects. The Freemasons Homes and the Centenary Masonic Medical Research Foundation also benefit from our dues. Any funds we have left must go towards general running costs such as insurances, electricity, Water and Council Rates.

As a country lodge our membership base is not large. Quite a few of our members are also members of other Bothwell organisations such as the Lions, Highlands Spin-In Committee and Volunteer Ambulances Officers. As such they give not only of their time but also financially to help support these organisations.

The Lodge also tries wherever possible to support the local Community without seeking any special attention for their efforts. In recent times we have helped the Bothwell "Central Hawks" Football Club to purchase footballs, donated to an Annual Bothwell District School Bursary and help during emergencies such as the 2013 Bushfires.

We are an organisation that has been in existence in Bothwell of 111 years having been formed in 1904 and have a proud history of producing community minded members. With diminishing numbers and increasing costs our membership is finding the increasingly difficult to meet all our expenses and therefore we respectfully ask that your council consider a rates rebate which would greatly help our financial situation.

#### **Recommendation:**

Moved Cllr

Seconded Cllr

**THAT Council provide a 50% rebate on the general rate on property 04-0011-03963 of \$280.43.**



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### 13.2 REQUEST FOR RATES REMISSION

Letter received from Rate Payer 1<sup>st</sup> September 2015. In 2014 Council remitted 50% of the General Rate plus both the Fire Levy and Solid Waste Charge on property 01-0805-02805.

As explained in this letter Joe Slatter & Gingerbread Huts at Mt Rufus are accessible only by foot, being geographically remote and a considerable distance from the nearest road, population base and services – the Gingerbread hut is 6km from the road and vehicle access.

They are quite small and very basic in terms of design and facilities (eg no power, water, toilets, gas ect).

The huts are and have always been accessible to the general public (the visitor book confirms the regular use of the huts by visitors to the Mt Rufus area over a long period of time).

The characteristics of the huts are significantly different to other rateable property such as private shacks and fishing and other clubs in the municipality. The huts are in effort a community asset and provide basic and emergency shelter for visitors to Mt Rufus – rather than being an asset for the exclusive use and enjoyment for the club, This club is family based and non-profit.

It would be appreciated if the council would again provide a remission for rates on the huts in recognition of the special circumstances outlined above.

#### **Recommendation:**

Moved **Clr**

Seconded **Clr**

**THAT** Council remit 50% of the General Rate plus both the Fire Levy and Solid Waste Charge on property 01-0805-02805 \$357.22

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### 14.0 DEVELOPMENT & ENVIRONMENTAL SERVICES

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

Moved **Clr**

Seconded **Clr**

**THAT** the **Development & Environmental Services Report** be received.

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### 14.1 ENFORCEMENT DELEGATIONS

#### **Report By:**

Contract Planner (S Wells)

#### **Background:**

The legislative provisions for planning compliance have recently been amended and it is appropriate to consider what delegations could be granted to Council officers.

Broadly, the amendments provide for

- More formal process for dealing with alleged non-compliance raised by the community, including timeframes to investigate and respond;
- The ability to issue enforcement notices and orders and to cancel permits and to prosecute if the issue is unresolved
- The ability to issue an infringement notice with monetary penalties

The previous provisions were cumbersome and, at times, ineffective. The new provisions of the Land Use Planning and Approvals Act 1993 (LUPAA) reduce the role of the Resource Management and Planning Appeals Tribunal and give more direct powers to Planning Authorities. Generally, the extent of powers and the process is similar to building and environmental management legislation.

#### **Delegations:**

Current delegations for planning compliance are limited as there was little scope for officer action. Previously Council offices would investigate and if the matter could not be resolved would have to seek an order of the Tribunal and then prosecute failure to comply with that order; all of which required solicitors.

It is not foreshadowed that the current practice will change. The amendments do however provide some more teeth that, if necessary, could bring prompt and efficient resolution to issues. The practice of Council officers is not guided by any Council policy and none is currently sought; however Council staff seek to ensure that compliance is:

- outcome, rather than punitive, focused
- proportional to the seriousness of the offence
- transparent, equitable and consistent
- in the public interest
- necessary in light of the available evidence
- follows due process, and
- cost effective to Council

It is considered appropriate that Council's General Manager, Manager Development and Environmental Services and Senior Planner be authorised officers for planning compliance with the powers set out in Division 4B of LUPAA and have the delegated authority to:

- Issue and serve an infringement notice (s65A)
- Issue a notice of intention to issue enforcement notice (s65B)
- Issue and serve an enforcement notice (s65C & s65D)
- Issue and serve a notice of intention to cancel a permit (s65F), and
- Issue notice and advice with respect to whether a charge, infringement notice or enforcement notice will be issued in response to the receipt of a notice of contravention or failure or likely contravention of failure received by the planning authority under s63B (s63B & s64).

Delegation is not sought in relation to powers to cancel a permit.

#### **Consultation:**

Consultation has occurred with Council's Manager Development and Environmental Services and Council's solicitors have briefed Council planning staff on the amendments.

#### **Risk Implications:**

There are no significant risks. The recommendation will give delegations that are equivalent to other Council staff and are considered appropriate in light of new compliance powers.

#### **Financial Implications:**

Nil. Infringements could provide additional, but incidental, revenue to Council through use of the recommended delegations. However, compliance activity is generally at a cost to Council.

#### **Options:**

1. As per the recommendation.
2. Council adopts a different option.
3. Council does not adopt the recommendation.

#### **Recommendation**

Moved C/r

Seconded C/r

**THAT** Council resolve to delegate the following powers in Division 4B of Land Use Planning and Approvals Act 1993 to the General Manager, Manager Development and Environmental Services and Senior Planner:

- Issue a notice of intention
- Issue and serve an infringement notice (s65A)
- Issue a notice of intention to issue enforcement notice (s65B)
- Issue and serve an enforcement notice (s65C & s65D)
- Issue and serve a notice of intention to cancel a permit (s65F), and
- Issue notice and advice with respect to whether a charge, infringement notice or enforcement notice will be issued in response to the receipt of a notice of contravention or failure or likely contravention of failure received by the planning authority under s63B (s63B & s64).

Delegation is not sought in relation to powers to cancel a permit.

### Planning Enforcement under the new LUPA Act Provisions

#### **1. What has changed?**

- 1.1 Section 64 proceedings may only be commenced by a person other than the Commission or a planning authority.
- 1.2 Section 48AA, 48A and 63A excluded from section 64 proceedings.
- 1.3 Section 64 proceedings, against a person other than a planning authority, may only be commenced after notice to the planning authority of the contravention and no action notified or taken within 120 days by the planning authority.
- 1.4 Part Division 4A provides for enforcement action available to be taken by Council on its own motion or in response to a notification.
- 1.5 Part 4 Division 4B provides for the powers of authorised officers to investigate and prosecute offences.

#### **2. Responding to a third party complaint.**

- 2.1 Section 63B(1) requires a person who believes another person is failing to comply with section 63(2) to give notice in writing to the planning authority.
- 2.2 The notice is to specify the contravention and request the planning authority to advise whether charges are to be laid or an infringement or enforcement notice is to be issued.
- 2.3 The planning authority must advise within 120 days whether the offence is to be prosecuted, or an infringement or enforcement notice is to be issued.
- 2.4 If no such advice is provided within 120 days or if the advice is that no action is to be taken, the person may commence section 64 proceedings. Council will invariably be joined as an applicant.

#### **3 What are Council's options if it decides to take action?**

- 3.1 Prosecution of the offender is commenced by complaint and summons filed in the Magistrate's Court, pursuant to the provisions of the *Justices Act 2000*.
- 3.2 An infringement notice is issued in accordance with section 65A of LUPA. A person may elect to have the offence determined by a magistrate within 28 days of service of the notice, pursuant to the *Monetary Penalties Enforcement Act 2005*, section 14(1)(c).
- 3.3 The limitation with these actions is that they target fines, but not action to remedy the breach.

#### **Enforcement action by Council**

### 3.4 An enforcement notice.

- 3.4.1 A notice of intention to issue an enforcement notice, pursuant to section 65B, must be issued first unless the matter is urgent, pursuant to section 65C(3).
- 3.4.2 If the recipient is not the owner of the property, the owner must be notified.
- 3.4.3 The notice of intention must be in writing and specify:
- the offence provision;
  - particulars;
  - that it is proposed to issue an enforcement notice;
  - that the person may make a representation (in writing) to a specified authorised officer and to the specified address within (not less than) 14 business days.
- 3.4.4 Any representation by the person must be considered before an enforcement notice is issued.
- 3.4.5 The enforcement notice, pursuant to section 65C, may be issued and served only if a notice of intention has been issued and served unless urgent (see 3.3.1).
- 3.4.6 The enforcement notice must be in writing and specify:
- the offence provision;
  - particulars;
  - the person's right to appeal (within 14 days of service, pursuant to section 61(7) of LUPA);
  - the requirements for action to be taken (under section 65D).
- 3.4.7 If the recipient is not the owner of the property, the owner must be notified.
- 3.4.8 An enforcement notice may be withdrawn by notice, in which case the person may not be prosecuted for failing to comply with it and the owner must also be notified in writing.
- 3.4.9 It is an offence, under section 65E, not to comply with an enforcement notice. Heavy penalties apply and the court may order that any specified works be carried out and, if they aren't, the planning authority can carry out the works and recover the cost.
- 3.4.10 The Court may also order that the defendant pay the Council's costs of investigating and enforcing the original contravention and the offence under section 65E.

### 3.5 A notice of cancellation of a permit.

- 3.5.1 A notice of intention to cancel a permit, pursuant to section 65F, must be issued first and served on an owner or occupier if an authorised officer considers there are grounds to do so.
- 3.5.2 The notice must be in writing and specify:
- that the planning authority is proposing to cancel the permit;
  - the grounds for cancellation;
  - particulars;
  - that representations may be made to a specified authorised officer at a specified address within (not less than) 14 business days.
- 3.5.3 If the recipient is not the owner of the property, the owner must be notified.
- 3.5.4 A notice of cancellation of a permit, pursuant to section 65G, may be issued and served on an owner or occupier on the following grounds:
- failure to comply with an enforcement notice;
  - the applicant made a material mis-statement of fact (or concealed facts) that otherwise would have led to the permit not being granted.
- 3.5.5 A notice of intention must first have been served on the owner or both the owner and occupier and any representation must have been considered.

3.5.6 The permit is cancelled from the end of the period specified in the intention notice for representations.

3.5.7 The notice must be in writing and specify:

- the permit details;
- that the permit is cancelled by the notice;
- the grounds in this section 65G;
- the particulars;
- that the person has the right to appeal the cancellation, pursuant to section 61(8) of LUPA, within 14 days of service.

3.5.8 If the recipient is not the owner of the property, the owner must be notified.

3.6 None of these notices may be issued while section 64 proceedings or an appeal under section 61 of LUPA are in progress (section 65H).

#### **4. Delegation and authorisation.**

4.1 Authorised officers for the purposes of exercising power within the Municipal area the Council, under the LUPA Act, pursuant to section 65I, are:

- a person authorised by the general manager;
- the general manager;
- a police officer.

4.2 It is important that an authorisation or delegation is in place as the lack of it can lead to a finding of invalidity of a notice if challenged.

#### **5. Property inspection / search warrants.**

5.1 The powers of authorised officers are listed in section 65J:

- entry and inspection;
- take photos or examine or test things;
- require a document and inspect or copy it;
- require information;
- require answers to questions;
- require a person's name and evidence of identity.

5.2 If necessary an authorised officer may apply to a magistrate for a search warrant under section 65K. The grounds must be specified by affidavit.

5.3 The search warrant must specify:

- the offence;
- a description of the land;
- the name of the authorised officer(s) responsible to execute the warrant;
- the period of the warrant (expires after 28 days if not executed);
- the times during which the warrant may be executed;
- what is authorised by the warrant for seizure etc in relation to the offence or another offence (if the officer believes seizure is necessary).

5.4 The application for a warrant may be made by phone or personally.

5.5 An authorised officer may get assistance to execute a warrant as is reasonable and necessary. A police officer may use force as is reasonable and necessary.

5.6 The authorised officer must prepare and give notice of the warrant to the occupier or person apparently in charge of the land. Schedule 2 of the LUPA Regulations contains the prescribed form for a 'Notice of Executed Warrant'.

5.7 Section 65L provides for assistance to persons not fluent in English.

5.8 Section 65M makes it an offence to interfere with, assault, threaten, fail to comply with, provide false or misleading information to or impersonate an authorised officer.

## **14.2 VEHICULAR ACCESS IN HERITAGE AREAS**

### **Report By:**

Contract Planner (S Wells) & Manager DES (G Rogers)

### **Background**

This report considers options for vehicular access requirements within the heritage areas of Bothwell and Hamilton.

Council's standard drawings specify how access is to be constructed but provide no direction as to whether access should be sealed or gravel. Gravel may be appropriate in these areas given their heritage values and that most existing accesses are currently gravel.

Under the current and new planning scheme development within the heritage areas is discretionary which affords some basis to assess each instance on a case by case basis. However, Council's subdivision guidelines do specify that reinforced concrete access is used in all residential streets.

### **Engineering implications**

Key engineering issues are:

- the tracking of gravel or mud from the access onto the road;
- the tracking of gravel or mud from the access onto any concrete footpath;
- higher maintenance requirements for owners and how to ensure maintenance is undertaken.

If gravel is used it would be important to ensure that it was either of a red gravel type specified by the Department of State Growth or stabilised with lime or cement. Poor gravel material will lead to excess mud or dirt or use of blue metal will result in material being tracked onto roads and would be contrary to any aesthetic benefit.

Similar issues have been considered in Southern Midlands where new subdivisions at Kempton and Oatlands are being constructed with concrete driveways, swale drains and flush kerbing in response to heritage values. Further options could be exposed aggregate driveways.

### **Heritage outcomes**

The majority of accesses at Bothwell have a gravel surface. At Hamilton the proportion is less as most properties front the Lyell Highway.

Without doubt gravel accesses are more consistent with the heritage values and streetscape patterns and more sympathetic to built heritage values.

### **Patrick Street**

Patrick Street requires further consideration. The street has a very wide reservation and informal car parking adjacent to businesses. Recent developments have been conditions to include sealed perpendicular car parking and this should continue into the future.

### **Recommendation**

Moved CIr

Seconded CIr

**THAT** Council resolve to:

Modify the subdivision guidelines to include Table 3 Section 7 and rename the guideline to: '*Central Highlands Council Subdivision Guidelines 2015*'.

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### 14.3 SHARED SERVICES : JOINT PLANNING SERVICES PROPOSAL

Deputy Mayor Downie attended a meeting on Monday 24<sup>th</sup> August at Brighton Council Chambers to discuss the sharing of planning and development services.

The purpose of the meeting was to:

- a) To provide an opportunity for Damian Mackey and James Dryburgh to present a model for discussion and feedback; and
- b) Decide 'where to from here' in terms of implementation or otherwise.

A copy of the model presented at the meeting is attached for discussion.

### Recommendation

Moved **Clr**

Seconded **Clr**

**THAT** Council resolve to have the General Manager contact the General Manager of Southern Midlands Council asking for a formal contract to be drafted for Planning Services for the Central Highlands Council based on the current contract conditions with the Brighton Council.

Brighton- Central Highlands – Derwent Valley – Glamorgan Spring Bay - Sorell – Southern Midlands - Tasman

## JOINT SERVICES PROPOSAL – PLANNING

Draft 1 – 30 July 2015

| FUNCTION / TASK   | BRIGHTON  | CENTRAL<br>HIGHLANDS                | DERWENT<br>VALLEY          | GLAMORGAN<br>SPRING BAY    | SORELL                    | SOUTHERN<br>MIDLANDS                | TASMAN                   |
|---|---|-------------------------------------|----------------------------|----------------------------|---------------------------|-------------------------------------|--------------------------|
| <b>PLANNING ADMINISTRATION</b> <ul style="list-style-type: none"> <li>...</li> <li>...</li> <li>...</li> </ul> <p>At SMC Linda does the initial assessment and drafts permit conditions for standard permitted residential uses – which are reviewed and resolved/agreed at our weekly DAC meetings. Then she signs and issues the permits and approved plans. Do we want to get into the details of this by setting out the duties in the dot points in this section? Or break this section into two sections? We probably should.</p> | Helen<br>(BC)   | Kathy<br>Bradburn<br>(CHC)          | Jo<br>(DVC)                | Winny/Jane<br>(GSB)        | ??                        | Linda<br>Cartledge<br>(SMC)         | ??                       |
| <b>STATUTORY PLANNER</b> <ul style="list-style-type: none"> <li>Assessment of development applications.</li> <li>Overseeing administration of public notification, etc.</li> <li>Requests for more information.</li> <li>Draft reports to Council (to be reviewed by Senior Planner if necessary, or by other planner if not??)</li> <li>.....</li> <li>.....</li> <li>.....</li> </ul>   | Patrick Carroll<br>Jo<br>Blackwell/Jem<br>ma Farmer<br>(BC) | New<br>Planning<br>Officer<br>(SMC) | Patrick<br>Carroll<br>(BC) | David<br>Allingham<br>(BC) | Jenny<br>Richmond<br>(SC) | New<br>Planning<br>Officer<br>(SMC) | Shane<br>Wells??<br>(BC) |
| <b>SENIOR PLANNER</b> <ul style="list-style-type: none"> <li>Provide high-level advice and support to Statutory Planners.</li> <li>Presenting development application reports to Council, if planning officer needs.</li> <li>Manage local strategic planning projects. For example:</li> </ul>   | Shane Wells<br>(BC)   | David<br>Cundall<br>(smc)           | David<br>Cundall<br>(smc)  | Shane Wells<br>(BC)        | John Molnar<br>(SC)       | David<br>Cundall<br>(smc)           | Shane Wells<br>(BC)      |



## Brighton- Central Highlands – Derwent Valley – Glamorgan Spring Bay - Sorell – Southern Midlands - Tasman

|  |  |                        |                        |                        |                        |                        |                        |
|--|--|------------------------|------------------------|------------------------|------------------------|------------------------|------------------------|
| structure plans, (with assistance from the Strategic Planner)<br>• Manage applications for amendments to the Interim Planning Schemes, (with assistance from the Strategic Planner).<br>• ....<br>• ....<br>• ....   |  |                        |                        |                        |                        |                        |                        |
| <b>PLANNING COORDINATOR</b><br>• Liaise with all planners serving the seven Councils to undertake the following tasks:<br>• Develop standard conditions.<br>• Standardise processes, thereby facilitating exchange of planners.<br>• Standardise report and permit templates<br>• Standardise use of RegApps<br>• .... (what else in here, Shane)<br>• ....<br>• ....  | Shane Wells<br>(bc)  | Shane Wells<br>(bc)    | Shane Wells<br>(bc)    | Shane Wells<br>(bc)    | Shane Wells<br>(bc)    | Shane Wells<br>(bc)    | Shane Wells<br>(bc)    |
| <b>STRATEGIC PLANNER</b><br>• Liaise with planners serving each Council and delegate where appropriate to undertake following tasks:<br>• Interim Planning Schemes (2015): <ul style="list-style-type: none"> <li>• Oversee public exhibition process.</li> <li>• Respond to questions from public.</li> <li>• Collate representations, assesses and prepare a draft 'S.30J' report to Council.</li> <li>• Run a workshop with councillors.</li> <li>• Finalise S.30J report.</li> <li>• Present at Council meeting.</li> <li>• Send S.30J report to TPC.</li> <li>• Follow-up proposed amendments through the TPC process.</li> </ul> • Statewide Planning Scheme (2016): | James Dryburgh - Interim Planning Scheme ???<br>(bc)<br><br>Damian Mackey – Statewide Planning Scheme ???<br>(smc) | Damian Mackey<br>(smc) | Damian Mackey<br>(smc) | Damian Mackey<br>(smc) | Damian Mackey<br>(smc) | Damian Mackey<br>(smc) | Damian Mackey<br>(smc) |

## Brighton- Central Highlands – Derwent Valley – Glamorgan Spring Bay – Sorell – Southern Midlands – Tasman

|  |  |  |  |  |  |  |  |
|--|--|--|--|--|--|--|--|
| <ul style="list-style-type: none"> <li>Assess draft Tasmanian Planning Scheme and report to Council.</li> <li>Run a workshop with councillors.</li> <li>Draft a submission to the Minister/Planning Taskforce.</li> <li>Present at a Council meeting.</li> <li>Finalise submission to the Minister / Planning Taskforce.</li> <li>Draft Council's 'local provisions' to fit with the new state-wide scheme.</li> <li>Work with Council's mapping person re: spatial allocation of zones.</li> <li>Run a 'local provisions' and zoning workshop with councillors.</li> <li>Finalise 'local provisions' and zoning.</li> <li>Present at a Council meeting.</li> <li>Forward 'local provisions' to Minister/Planning Taskforce, via entering into the State's Content Management System, (iplan).</li> <li>Strategic or special projects.</li> <li>Economic development work</li> <li>Policy advocacy and development</li> <li>Planning media/PR</li> <li></li> </ul> |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |

#### 14.4 LAND USE PLANNING AND APPROVALS (TASMANIA PLANNING SCHEME) AMENDMENT BILL 2015

A copy of LGAT's response on the Amendment Bill which was distributed to Councillors at the August Council Meeting. The Manager DES and the Planning Consultant will provide comments on the letter from the Shadow Minister for Planning and Local Government, Lara Giddings MP.

##### **Comments below from DES Manager Graham Rogers**

*Letter received from Lara Giddings MP and address to Mayor Deirdre Flint dated 25<sup>th</sup> August 2015.*

*The Shadow Minister has indicated that while not being necessarily opposed in principle to the concept of a State Wide Planning Scheme.*

*The letter indicated 4 areas of concern (A, B, C & D page 2)*

*In these brief sections there are key words that stand out:*

- A. Meets Community Expectations?*
- B. Provisions are and improvement?*
- C. Are acceptable to the broader community?*
- D. Is not inconsistent?*
- E. Council is comfortable with the increased Ministerial powers??*

*To be fair these questions cannot be answered at present until the State Wide Planning Scheme has been introduced.*

*At present Central Highlands Council is still working under the existing Planning Scheme 1998, but in say that there must still be a concern that planning may not be simplified in the Central Highlands Municipal Scheme which is apparent by the comments that were received by LGAT from other Councils.*

*Councils Senior Planner Shane Wells has also forwarded a report for discussion. These are examples of how the interim Planning Scheme may effect Developments.*

##### **Comments in relation to new scheme**

*Firstly, the statewide scheme is only partially drafted. It has a full public exhibition process yet to be completed followed by a full hearing process by the Tasmanian Planning Commission (which is vastly more transparent and accountable than how the previous government delivered the planning scheme template and planning directive no. 4)*

*Clearly, Council and its community has not viewed the draft and therefore its impact cannot be judged. Council should be confident that the process proposed in legislation ensures ministerial powers are not unfettered.*

*Council should also note that most other jurisdictions give the Minister for Planning much more extensive powers, including the ability to call-in key developments (such as for the Tamar Valley Pulp Mill or Parliament Square development). Such powers should not be viewed as necessarily negative but an extension to a modern and effective planning system*

*Several issues with the new scheme will see increased discretionary applications but with discretions focused on minor components, such as the following examples. These examples are due in part to the structure of the new scheme and the legislation both of which are the responsibility of the State but also to poor drafting and because the scheme was only reviewed for its compliance with the regional land use strategy and not whether provisions were reasonable, necessary or appropriate*

1. *All accesses off a sealed road must be sealed for 75m distance. Most properties don't have this and don't want this. Therefore, discretions will exist for new buildings but also to building additions*
2. *Accesses greater than 30m in length must have a passing bay every 30m in length; 3 times that required by bushfire provisions and generally too costly to implement for large rural properties. Thus, cheaper to apply for discretion, which will be granted*
3. *Properties without gravity stormwater connection are automatically discretionary; thus all rural development is discretionary*
4. *Absolute minimum setbacks in many rural based zones could lead to unreasonable outcomes; e.g., a shed to house a pump can't be located on the side or rear boundary with a watercourse but must be at least 25 metres away*



**LARA GIDDINGS MP  
SHADOW MINISTER FOR PLANNING  
SHADOW MINISTER FOR LOCAL GOVERNMENT**

Mayor Deirdre Flint  
Central Highlands Council  
PO Box 20  
HAMILTON TAS 7140  
Email: council@centralhighlands.tas.gov.au

Dear Mayor *Deirdre*

**RE: Land use Planning and Approvals (Tasmanian Planning Scheme)  
amendment Bill 2015**

I am writing as a matter of urgency to raise with you the issue of the imminent legislation to be tabled in the parliament to give effect to a state-wide planning scheme.

The Labor Opposition understands the State Government will shortly introduce legislation into Parliament and that this legislation proposes to provide the Minister for Planning with legislative powers which will require, among other things, Councils to accept the Government's State-wide Planning Scheme.

While the Opposition is not opposed 'in principle' to the concept of a State-wide Planning Scheme it can only support such an important change to our State planning arrangements if it is satisfied that the changes deliver improved outcomes for all and that councils are supportive of the changes.

We are concerned, that in view of the unfettered powers this legislation is likely to provide to the Minister for Planning, that any bill should not be considered by the Parliament until each Council has had an opportunity to agree to what is contained within the State-wide Planning Scheme.

Likewise, the Opposition is concerned that as a participant in the Parliamentary debate, at this point in time, we have little detailed knowledge as to the planning content or public/ratepayer/Councils acceptance of the State-wide Planning Scheme.

That is, we may be asked to consent to providing the Minister for Planning with greater powers to implement its State-wide Planning Scheme without a full understanding of its content and what the consequences might be.

While not being necessarily opposed 'in-principle' to the concept of a state-wide planning scheme, we believe that we could only consider supporting the Government's legislation with unfettered Ministerial powers subject to:

- a) each Council advising the Opposition that the State-wide Planning Scheme covering its Municipal area represents an acceptable public document that meets community expectations;
- b) each Council confirming that it has compared all the provisions of its current planning scheme with the corresponding provisions of the Governments State-wide Planning Scheme and has determined that comparable planning provisions are an improvement, robust and represent a professional working document;
- c) advising what consultation Council has undertaken with its ratepayers that has enabled it to conclude that the detailed provisions of the State-wide Planning Scheme are acceptable to the broader community;
- d) each Council advising that the State-wide Planning Scheme is not inconsistent with the future strategic (planning) direction of the municipality; and
- e) each Council is comfortable with the increased ministerial powers.

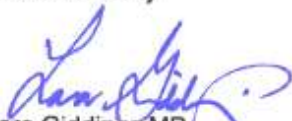
The State Opposition understands that both 'State planning provisions' and 'local planning provisions' will form a significant part of the State-wide Planning Scheme. We have no particular issue with this approach but would like to be assured that each Council is supportive of any State planning provisions proposed and any 'directive(s)' associated with local provisions.

While the Government has utilised slogans of 'faster' 'cheaper' and 'more consistent' to promote its State-wide Planning Scheme, the wider community understands that these slogans are not the test to be applied to this very serious matter, which effects all ratepayers. The Opposition considers that the time has arrived to move beyond the slogans to consider the substance of the State-wide Planning Scheme and, in

particular, if Local Government is satisfied with this document that it will have to administer on behalf of the community.

Thank you for your consideration of the issues raised. I look forward to receiving your response as soon as possible.

Yours sincerely



Lara Giddings MP

**Shadow Minister for Planning and Local Government**

*25* August 2015

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#### **14.5 RENEWAL OF LEASE – BRONTE WASTE TRANSFER STATION**

Submitted by Beverley Armstrong - EHO

Wayne Turale has agreed to renew the lease for the Bronte Waste Transfer Station. Cost of renewal is \$300.00 per year with a CPI increase yearly for five years with the option for renewal. The cost of the lease has not been increased since 2000.

**Recommendation:**

Moved **Clr**

Seconded **Clr**

**THAT** Council renewal the lease for the Bronte Waste Transfer Station.



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## 14.6 DERWENT BRIDGE TOILETS

### For Discussion

Works started at the Derwent Bridge public toilet site on the 31/8/2015.

1/9/2015 – The Works Department continued on with stripping out grass and top soil to sub grade level; only to find the sub grade was very poor quality. When we had completed this over the whole road surface, we got in contact with the engineer who then came up with the solution to over dig the sub base by 150 mm over the whole road surface then fill with rock that we could source from a gravel pit in Bronte Park. We also need to use fabric on top, to stop the clay coming through the sub base.

2/9/2015 – Started to proceed with the over dig of sub base only to find there was not much improvement as we were digging out and carting it away. We found more soft spots which needed to be extracted deeper by 150 mm and filled with rock so we continued by digging the hole for the dump point tank to be installed the next day.

3/9/2015 – Started digging the trench for the power cable and water line to install the BBQ area and load the truck with over fill which we only had to take just up the road. We carted in 1 load of rock from the gravel pit at Bronte Park to make a track for trucks and trailers the next day.

4/9/2015 - Started carting in gravel with trucks and trailers which was taking approx. 1.5 hours per load return. 2 trucks did 4 loads each and one did only one load due to the operator becoming ill and could not continue his work duties safely.

7/9/2015 - Dug hole for new power pole which Council installed and put cable in to BBQ area. 1 truck and trailer carted in gravel with Run of Mine from Hamilton, this load was used under slab for the new toilet block.

8/9/2015 - 2 trucks and trailers were carting today, 2 loads each from Hamilton with Run of Mine for under slabs. Also have labourer on site to help with levels and rolling.

Please note that gravel we are carting in at this stage is all extra work which is approx. 422 tons

|                                  |                      |                   |
|----------------------------------|----------------------|-------------------|
| <b>Expenditure</b>               |                      |                   |
| Toilet Erect & slab              | \$ 61,380.00         | Spent             |
| Extra 5 slabs for BBQ shelters   | \$ 28,000.00         | Allocated         |
| Plumb pump station & rising main | \$ 41,176.00         | Allocated         |
| Ezy Dump                         | \$ 3,400.00          | Spent             |
| Holding Tank                     | \$ 4,500.00          | Allocated         |
| Electrical                       | \$ 3,000.00          |                   |
| Roadworks                        | \$ 47,000.00         | Allocated         |
|                                  |                      |                   |
|                                  | <b>\$ 188,456.00</b> |                   |
|                                  |                      |                   |
| BBQ 5 x shelters tables          | \$ 25,000.00         | Allocated / Spent |
| Info Bay (\$25,000 allocated)    | \$ 4,000.00          | Allocated         |
| Landscape                        | \$ 5,000.00          | Allocated         |
| Contingencies                    | \$ 21,000.00         | Spent             |
|                                  |                      |                   |
| <b>Additional amount sought</b>  | <b>\$ 55,000.00</b>  |                   |
|                                  |                      |                   |
| <b>TOTAL COST OF PROJECT</b>     | <b>\$ 243,456.00</b> |                   |

|                         |                      |
|-------------------------|----------------------|
| <b>Funding Received</b> |                      |
| Government              | \$ 100,000.00        |
| Central Highlands       | \$ 50,000.00         |
| Funding requested       | \$ 88,670.00         |
|                         |                      |
| <b>TOTAL</b>            | <b>\$ 238,670.00</b> |



## 14.7 STATUS REPORT

|     |          |                                      |                                   |   |
|-----|----------|--------------------------------------|-----------------------------------|---|
| 323 | 16/11/10 | Caravans – Meadow Bank Lake          | DES Manager & Planning Consultant | Meadowbank Special Area Plan has been included in the draft Interim Central Highlands Planning Scheme 2014. Caravan By-Law has been adopted by Council. |
| 331 | 16/7/13  | Vehicle body removal in Municipality | DES Manager                       | Being monitored regularly.  |

## 14.8 DES BRIEFING REPORT

### 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          |
|--------------|------------------|----------------------------------|-------------------|
| 2015 / 00036 | MR & JA Whiteley | 105 Arthurs Lake Rd, Wilburville | Verandah & Garage |

#### DISCRETIONARY USE

| DA NO.              | APPLICANT                                   | LOCATION                                | PROPOSAL                            |
|---------------------|---|---|-------------------------------------|
| 2015 / 00035 - Disc | Central Highlands Council                   | 9 Adelaide Street, Bothwell             | Transportable Office & Storage Shed |
| 2015 / 00038 - Disc | T J & J K Parsons                           | "Curringa" 5831 Lyell Highway, Hamilton | New Buildings (Accommodation Units) |
| 2015 / 00033 – Disc | JM Crosse, MC & PJ & RM Aspinall, NJ Bowden | Penstock Lagoon, Shannon                | Storage Shed                        |

#### NO PERMIT REQUIRED UNDER PLANNING DIRECTIVE 4

| DA NO. | APPLICANT | LOCATION | PROPOSAL |
|--------|-----------|----------|----------|
|        |           |          |          |

### 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:

**There were no dogs impounded**



## 15.0 WORKS & SERVICES

### 12<sup>th</sup> August 2015 – 9<sup>th</sup> September 2015

#### Maintenance Grading

|               |                |                |              |
|---------------|----------------|----------------|--------------|
| Rotherwood Rd | Lower Marshes  | Woodsprings Rd | Holmes Rd    |
| Kingsholme    | Jones River Rd | Curley's Lane  | Marriotts Rd |
| Dillons Rd    | Quinns Rd      | Rayners Rd     | Rockmount Rd |
| Coopers Rd    | Ransleys Rd    | Nant Lane      | Wetheron Rd  |
| Clarendon Rd  | Woolpack Rd    | Tunbridge Tier |              |

#### Re-Sheeting

|              |             |              |
|--------------|-------------|--------------|
| Dry Poles Rd | Ransleys Rd | Clarendon Rd |
|--------------|-------------|--------------|

#### Potholing / shouldering

|                    |                    |                    |               |
|--------------------|--------------------|--------------------|---------------|
| Jones Rd           | Cider Gum Drive    | Robertson Rd       | Hunterston Rd |
| Todds Corner       | Hunterston Rd      | Weasel Plains Rd   | Glovers Rd    |
| Barren Plains      | Thiessen Cres      | Berry Drive        | Laycock Drive |
| Cramps Bay         | Little Pine Lagoon | Waddamana          | Stickland Rd  |
| Victoria Valley Rd | Bashan Rd          | McGuire's Marsh Rd | Marked Tree   |
| Meadowbank Rd      |                    |                    |               |

#### Culverts / Drainage:

|                                 |                           |
|---------------------------------|---------------------------|
| Culvert upgrade Victoria Valley | Drainage upgrade Hamilton |
| Repair culvert Hollow Tree      | Clean culverts Meadsfield |

#### Occupational Health and Safety

Monthly Toolbox Meetings  
 Day to day JSA and daily pre start check lists completed  
 Monthly work place inspections completed  
 Playground inspections  
 76hrs Long Service Leave taken  
 63hrs Sick Leave taken  
 76.5hrs Annual Leave taken  
 Grader, excavator, compactor course for employees

#### Refuse / recycling sites:

|                                  |                                  |
|----------------------------------|----------------------------------|
| Cover Hamilton Tip twice weekly  | Removal of tyres from Bronte WTS |
| Push up green waste Bothwell WTS | Bulky rubbish run                |

#### Other:

|  |                                      |
|--|--------------------------------------|
| Derwent Bridge Toilets                 | Oil rubbish bins Bothwell            |
| Pick up rubbish bins Haulage           | Repairs to BBQ's Queens Park         |
| Edging Hollow Tree Rd                  | Remove tree Wayatinah                |
| Repair cupboard at units               | Clean out storm water pits, Bothwell |
| Drainage Victoria Valley               | Clean out ramp Woodsprings           |
| Repair ramp Green Valley & Woodsprings | Dig 1 x grave                        |

#### 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

**Plant:**

|                                   |                              |
|-----------------------------------|------------------------------|
| PM760 Hilux new tyres             | PM751 Toro (B) Serviced      |
| PM705 Mack (H) Serviced           | PM666 Loader (H) Repair hose |
| PM684 Komatsu Grader (B) Serviced |                              |

**Private Works:**

|                     |                                       |
|---------------------|---------------------------------------|
| Casey Bryant        | Concrete premix, backhoe & truck hire |
| Andrew Whelan       | Truck hire                            |
| Brian Beard         | 7mm metal                             |
| Mavis Smith         | Backhoe hire                          |
| Tony Donaghy        | Truck & gravel delivery               |
| Andrew Jones        | Culvert pipes                         |
| G Oates             | Float private excavator               |
| Jason Branch        | Backhoe hire                          |
| Sandra Tomlin       | Truck & gravel                        |
| Ramsey Agriculture  | Excavator hire                        |
| Tim Parsons         | Grader hire                           |
| Brazendale Brothers | Truck & gravel                        |
| Wally Triffitt      | Grader hire                           |
| Meadowbank Ski Club | Truck & trailer gravel delivery       |

**Casuals**

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

|   |  |
|---|--|
| Program for next 4 weeks                |  |
| Install soft fall border Wayatinah Park | Replace decking on Gowen Brae Bridge     |
| Install slide Wayatinah Park            | Start drainage for Capital Works Program |

Moved **Clr**Seconded **Clr****THAT the Works & Services Report be received.**

---

## 15.1 QUEENS PARK BOTHWELL

Councillor McRae would like to bring to Council attention the concerns of rate payers regarding two separate incidents which occurred in Queens Park, Bothwell on Thursday the 20 August one regarding the barbeques and the other chemical spraying.

Ms Vince also wrote to Council on the 20 August regarding the barbeques and concerns over the play area on the Alexander Street side of Queens Park, Bothwell. A copy of the letter is attached and a reply letter from the Acting General Manager.

The Mayor and Acting General Manager inspected Queens Park on Monday the 24th August at around 1.45pm and yes the Acting General Manager agrees that the barbeques are near the end of their asset life, however they are still working and in fair order.

The Works Manager believes that one barbeques was install in the 1980's and the other in the 1990's. The Works Manager on Tuesday the 25<sup>th</sup> August undertook some general maintenance in the park on the barbeques and organised for an electrician to install a timer push button switch and new light to each of the barbeques. A new fence will be installed by the end of September, which will include new gates and a bottom rail.

A Safe Work Procedure has been developed for Chemical Spraying (copy attached) and the Works Manager has held a tool box meeting with his crew regarding the need to ensure that there are no pedestrians, children and animals moving through the work zone during the spraying process.

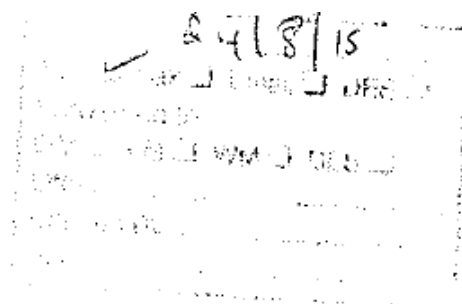
The following motion has been put forward by Councillor McRae:

Moved **Clr**

Seconded **Clr**

For council to upgrade/replace the 2 barbeques in Queens Park, Bothwell as a matter of urgency due to potential safety issues for community members and visitors.

**For Discussion**



22 Patrick St

P.O. Box 85

Bothwell 7030

20/8/2015

Adam Wilson

Acting General Manager

Central Highlands Council

Bothwell 7030

Dear Mr Wilson and fellow councillors,

I am writing to the council again in regard to Queens Park at Bothwell. In May this year I wrote to the council addressing concerns of the safety of the park and in particular the play area Alexander St end.

Today, again, I witnessed unsafe issues at the park.

On a regular basis, local parents meet at the park for a chat, catch up and to support each other while their children play. As Bothwell does not have a community house /centre where they could meet, the park is the place where children are not confined to a café but can play freely while giving the parents and grandparents(carers) the opportunity to relax and enjoy adult company. The only other place parents can meet like this with their children is at the school at the Launching into Learning Leapfrog session which is held one a week.

The parents at the park today came from Miena and Apsley as well as Bothwell. The park is a central meeting spot.

The issues today are not only the continued point of the gates and fence but also the barbeques.

The gates still do not close securely. One push or pull and they open. Again I witnessed this today.

On Elm corner today there were 5 work vehicles of great interest to small children as renovation are carried out at the Elm. On the other side were work vehicles with workmen busy near the Golf Museum and toilets. More exciting things to tempt a small child to go and have a look. Parents who are familiar with this issue now post one of themselves as gate watcher while others supervise children on the play equipment. Parents are resigned to the fact that they cannot supervise more than one child securely without another adult to be gate keeper.



The other more dangerous issue is the electric barbeques.

The community is pleased that there are 2 barbeques for families and visitors to use. (Of course a shelter over them would be such an advantage). There are tables close by and a *non-secure gate* between the 2. To activate the barbeques a button is pressed.

There are NO safety warnings, NO cover on the buttons, No time frame of heating information. There are dodgy covers half falling off, incorrect information and holes where I am guessing lights should be. In short these are extremely dangerous as witnessed today.

The parents and children today were using the tables for lunch when we noticed smoke pouring from the covered barbeques ( both of them). One of the children had obviously pressed the buttons to activate the barbeques ( even though adults were right there, children are quick ).

Fortunately we checked the barbeques and lifted the now warming up lids. We found filthy cooking plates and food residue which was burning. We were able to keep the children away to prevent burns. There was no indication as to how long the barbeque would be active. One barbeque gives incorrect information with instruction to put money in a non-existent slot!!

As stated in my previous letter to the council, the park is an attractive central place in Bothwell where many tourist and families can be found sharing time together. The play area / barbeque area is close to the public toilets, caravan park and holiday accommodation.

What a shame that the gates and fences are not safe and secure and that children run the risk of severe burns near the barbeques.

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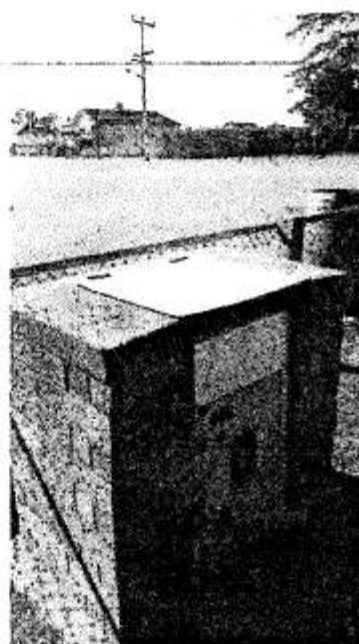
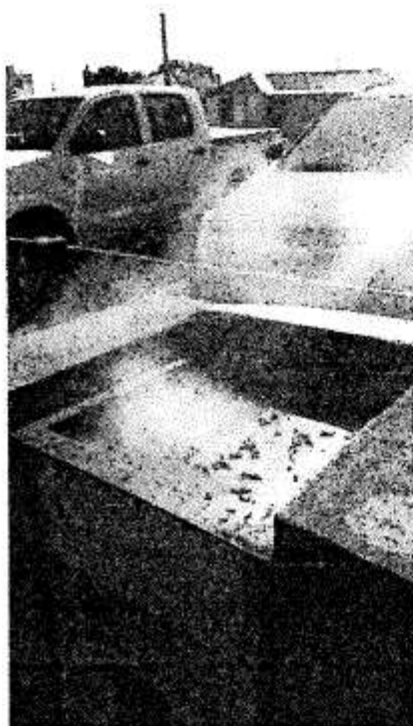
I believe my previous letter sent to the council in May 2015 was tabled at a meeting but I did not receive any correspondence or indication that the gate issue would be addressed.

I am enclosing photographs taken today showing the barbeques.

I look forward to action being taken to keep our beautiful park safe for all who use it.



*Shurlie Vince*





26 August 2015

Mrs S Vince  
PO Box 85  
BOTHWELL Tas 7030

Dear Madam

### **QUEENS PARK, BOTHWELL**

I refer to your letter dated the 20<sup>th</sup> August 2015, regarding Queens Park at Bothwell.

The Mayor and I inspected the park on Monday the 24<sup>th</sup> August at around 1.45pm and yes I do agree that the barbeques are near the end of their asset life, however they are still working and in fair order.

I did not turn the barbeques on, however noticed that they would have been used in the past few days. Yes I agree that the lids of the barbeques require some general maintenance and this model of barbeque was originally a coin operated model however due to vandalism Council had a push button switch installed.

I have spoken with Council's Works Manager this afternoon and an electrician will be installing a timer push button switch and new light to each of the barbeques. The barbeque lids will also be repaired.

The Works Manager has advised me that a new fence will be installed by the end of September, which will include new gates.

Councillor McRae has asked for this matter to be placed on the Council agenda for the September Council Meeting which will be held at Hamilton on Tuesday the 15<sup>th</sup> September, with public question time starting at 10.00am. You are welcome to attend the Council meeting and speak during public question time about your concerns at Queens Park, Bothwell.

Yours faithfully

Adam Wilson  
ACTING GENERAL MANAGER

Administration & Works & Services  
Tarloston Street  
Hamilton, Tasmania 7140  
Tel: (03) 6296 3202  
Fax: (03) 6296 3334

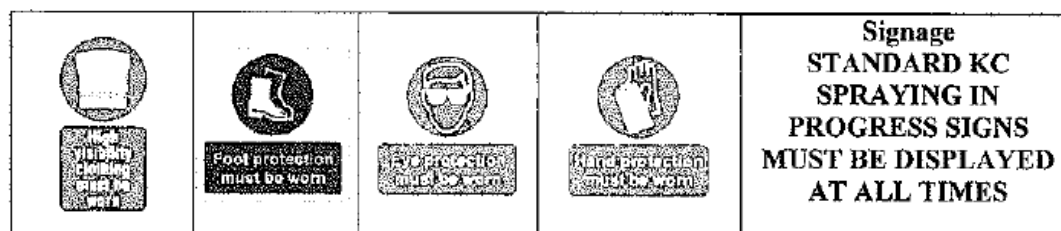
Development & Environmental Services  
Alexander Street  
Bothwell, Tasmania 7030  
Tel: (03) 6259 5503  
Fax: (03) 6259 5722

website [www.centralhighlands.tas.gov.au](http://www.centralhighlands.tas.gov.au)

**Central Highlands Council –  
Works Department  
STANDARD OPERATING PROCEDURE**

VERSION 1  
Date 25/8/15

## **CHEMICAL SPRAYING**



**ONLY CERTIFIED AND ACCREDITED PERSONNEL TO UNDERTAKE THIS PROCEDURE (SPRAYING IN PUBLIC PLACES)**

### **Training and Competency**

As a Council employee, in order to apply chemicals, you must have completed or updated Chem Cert accreditation, at some time during the last five years, which includes at least the following units of competency:

*ChemCert (Keep Safe - Be Chemically Aware)*

- Apply chemicals under supervision (AHCCHM201A)
- Prepare and apply chemicals (AHCCHM303A)
- Transport, handle and store chemicals (AHCCHM304A)

If you only ever apply chemicals on Council land you are not required to hold a *DPIPWE Certificate of Competency*. However, if you apply chemicals on other land tenures (e.g. DIER roadsides, Crown Land or private land or private easements) while working for Council, you must hold a *DPIPWE Certificate of Competency* as well as your *Chem Cert* accreditation.

### **Potential Hazards**

|  |   |
|--|---|
| <b>Contact with undiluted chemicals</b>          | <b>Contact with diluted chemicals (spray)</b> |
| <b>Poisoning - Early &amp; Long term affects</b> | <b>Contaminate soil, waterways or drains</b>  |
| <b>Contaminate crops or plants</b>               | <b>Chemical spills</b>                        |

### **Planning Your Work**

Before starting the job:

1. Notify Works Manager or Supervisor of intent to spray.
2. Make sure you have checked the No Spray Register to confirm Council Staff are able to apply chemicals at the intended location.
3. Make sure you have the necessary PPE on hand for all stages of the job (refer to PPE section).

This SOP does not necessarily cover all possible hazards associated with this operation.

Approved

Page 1 of 6

Date  
25/08/15

Central Highlands Council  
Standard Operating Procedure

**Chemical Spraying**

4. If you intend taking undiluted chemicals into the field for diluting or mixing close to a work site ensure they are transported in suitable containers (refer to **Transporting Undiluted Chemicals** section).
5. Make sure you are equipped with the following:
  - First aid kit
  - Chemical spill kit
  - Adequate sanitation supplies (20L water, soap, etc.)
6. Make sure you have all the signage required to safely carry out the work (see **At the Work Site** section)
7. If you will need to be mixing or diluting in the field to carry out the task, plan to do so away from high traffic areas but near a source of running water (e.g. public amenities block) if possible.
8. Make sure your equipment is well maintained and functioning properly:

Knapsacks

- Check and clean knapsack for any residue/chemicals before use if dirty **Unknown chemicals must not be mixed together.**
- Ensure knapsack, lid and hoses do not leak.
- Ensure pump works properly.
- Check spray nozzle for correct delivery.

Boom, Truck / Ute Mounted spray units

- Check oil and petrol in pump.
- Check for & clean any chemical residues. **Unknown chemicals must not be mixed together.**
- Ensure all fittings are tight with no leaks.
- Check spray nozzles for correct delivery.
- Check boom mounted spray bar for any leakages.

**Personal Protective Equipment (PPE)**

Spraying chemicals usually requires diluting concentrates and/or mixing more than one substance together. There are different PPE requirements for each type of task. Refer to the following tables to ensure you are wearing the appropriate PPE **before** you commence diluting, mixing or spraying chemicals.

The following items **must** be worn whenever **DECANTING, DILUTING OR MIXING** undiluted chemicals, except for using the “**chamber packs**” for in the field mixing. When decanting at the chemical store, use a drum pump and jug to transfer chemicals wherever possible:

FULL PPE IS REQUIRED. This includes:

|   |   |
|---|---|
| Goggles or face shield / respirator (refer to SDS)                                    | Full length chemical resistant apron (and chemical resistant disposable coveralls if specified by the SDS or label) |
| Uniform PPE i.e. long pants & long hi-Vis sleeved shirts (rolled down), steel capped- | Elbow length chemical resistant gloves  |

This SOP does not necessarily cover all possible hazards associated with this operation.

**Central Highlands Council  
Standard Operating Procedure**

**Chemical Spraying**

|                              |                     |
|------------------------------|---------------------|
| chemical resistant footwear. | AS/NZS 2161.10:2005 |
|------------------------------|---------------------|

Whilst **SPRAYING** chemicals please use the below tables to assist in what PPE to wear:

| <b><u>Poison Schedule No<br/>As stated in the current<br/>SDS</u></b>  | <b><u>Up to (&amp; including) S5 rating<br/>Chemicals<br/>CAUTION RATED</u></b>   | <b><u>S6 Chemicals &amp; upwards<br/>POISONOUS RATED</u></b>  |
|--|---|---|
| <b>Examples of Chemicals<br/>used by Central<br/>Highlands Council</b> | Includes Glyphosate (Round-up<br>biactive), Blazon (Marker- Dye),<br>Dicamba-MCPA (Kamba M),<br>Trinexapac-ethyl (Primo maxx) | Triclopyr (Garlon 600), Triclopyr<br>Picloram (Grazon DS), Clopyralid<br>(Lontrel), Dicamba (Kamba 500),<br>Grazon Extra. |
| <b>Up to &amp; including, 2<br/>Knapsacks usage per<br/>week</b>       | <b>Basic PPE</b>  | <b>Full PPE</b>   |
| <b>Over 2 Knapsacks usage<br/>per week</b>                             | <b>Full PPE</b>   | <b>Full PPE</b>   |
| <b>Use of a spray hood<br/>adapter on the knapsack.</b>                | <b>Basic PPE</b>  | <b>Basic PPE</b>  |

**Basic PPE** includes the minimum PPE specified on the SDS plus other items as follows:

|   |                                 |
|---|---------------------------------|
| Side covering moulded type Safety Glasses<br>(i.e. side covers) or goggles  | Chemical resistant gloves       |
| Uniform PPE i.e. long pants & long hi-Vis<br>sleeved shirts (rolled down), steel capped-<br>chemical resistant footwear, hat. | Respirator (refer to SDS Label) |

**Full PPE** includes the minimum PPE specified on the SDS plus other items as follows:

|  |  |
|--|--|
| Side covering moulded type Safety Glasses<br>(i.e. side covers) or goggles   | Chemical resistant gloves  |
| <b>Uniform PPE as per Basic PPE above +<br/>Chemical resistant disposable coveralls</b><br>(preferably breathable type for prolonged<br>uses). | Respirator with a vapour style canister on it<br>(as per AS1715, 1716 & Chemical SDSs) |

This SOP does not necessarily cover all possible hazards associated with this operation.

Approved

Page 3 of 6

Date  
25/08/15

Central Highlands Council  
Standard Operating Procedure

**Chemical Spraying**

If personnel are found not to be using PPE as stated in this S.O.P (as a minimum), then disciplinary action may be taken against the worker for non-compliance.

**Transporting Undiluted Chemicals**

If you are intending taking undiluted chemicals with you to mix up in the field you **must**:

- At the chemical shed, decant the required amount of chemical concentrate from the manufacturer's containers into a dedicated, properly labelled **chamber pack**. No pouring of concentrates into measuring jugs is allowed in the field. To avoid splashing, in-field diluting/mixing **may only be done using concentrate dispensed from chamber packs**.
- As per national WH&S regulations, if a chemical has been decanted or transferred from the container in which it was packed by the manufacturer, it must have a label affixed which contains at least the following:
  - the product identifier (e.g. Roundup Biactive)
  - a hazard pictogram or hazard statement consistent with the correct classification of the chemical (e.g. CAUTION etc.)
  - Also include the Active Constituent and concentration (e.g. Glyphosate 360g/L present as isopropylamine salt)



**Getting Ready to Spray**

Before starting the job, make sure the following checks are made:

✓ - Pre-spraying checklist

- ☐ Consult the Works Manager or Supervisor before using chemicals.
- ☐ Complete a Job Hazard Assessment (JHA) for the task.
- ☐ You have adequate water supplies on hand for washing hands, etc. If you are mixing or diluting you should have 20L of clean water on hand to enable flushing of eyes in the event of contamination. If available in the vicinity of the worksite, all mixing or diluting should be done near a source of running water (e.g. Public amenities block, Community Hall, etc.)
- ☐ You have read and are familiar with the safety instructions contained in all relevant product SDSs.
- ☐ You have read and are familiar with the application instructions contained in all relevant product label documents.
- ☐ It is not too windy to spray safely. As a guide, do not spray when wind speed is above 15km/h (Approximate, check BOM website for weather report).
- ☐ You are wearing the proper PPE for the task(s) (including any mixing or diluting).
- ☐ Half fill knapsack with water then add chemical. If using a vehicle mounted unit, fill tank with water first, and then add chemical (to minimise foaming).
- ☐ If filling knapsack from a portable water supply ensure that hoses are not inserted into the knapsack filling point.
- ☐ To inform the public of works, erect standard KC "Spraying in Progress" warning signs at least **5 meters** out from your spraying area on **all** access ways leading to your site. This applies to both knapsack and boom type spraying. "Spraying in Progress" signage should include: -
  - Date and time of spraying

This SOP does not necessarily cover all possible hazards associated with this operation.



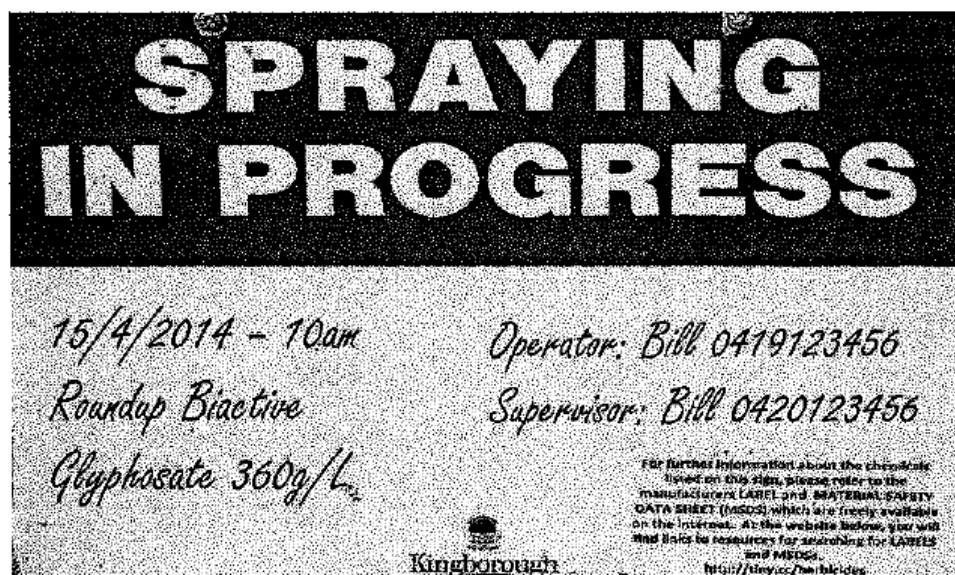
Central Highlands Council  
Standard Operating Procedure

**Chemical Spraying**

- Works Manager or Supervisor and operator contact numbers
  - Web address for obtaining further information about chemicals (sticker available)
  - Product identifier (e.g. Roundup Biactive)
  - Active constituents in product(s) used (e.g. Glyphosate)
- ☐ Contractors must supply their own signage.
- ☐ Complete the Record of Chemical Used form.



Place the above sign on roadways, recreational area or next to park gates while spraying as well as the sign below.



**NOTE:** If you do not have a "WORK" mobile phone, use your Works Manager / Supervisor's/Team Leader's mobile number only.

**While Spraying:**

- Chemical must be used as directed on the label/SDS.

This SOP does not necessarily cover all possible hazards associated with this operation.

Approved

Page 5 of 6

Date  
25/08/16



**Central Highlands Council  
Standard Operating Procedure**

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**Chemical Spraying**

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- Ensure there are no pedestrians in the vicinity. Always be aware of people and animals moving through your work zone and work accordingly. Pause spraying operations if people decide to enter your work zone.
- If vehicle mounted spray unit is being used, hazards and flashing lights should be used when spraying (making sure you leave the car running whilst using the flashing lights).
- Be aware of any vegetation that is not intended to be sprayed and avoid off target damage by not spraying where it is unsafe and reducing spray pressures to increase droplet size and reduce spray drift.
- Monitor wind conditions and pause work if wind speeds increase beyond acceptable risk levels as mentioned previously on page 4 of this SOP.

**After Spraying:**

- Take down "Spraying in Progress" signage after the appropriate safe re-entry time has elapsed.
  - If spraying blackberries before fruiting, erect "Blackberries Have Been Sprayed" signage (See NRM for signage).
  - Fill out spray recording sheets or database and hand back to/inform the supervisor the same day
- After Spraying**
- When spraying is completed ensure the spray unit is rinsed & cleaned thoroughly. Triple rinse knapsack for any residue/chemicals after use.
  - Clean PPE thoroughly, i.e. use of alcohol wipes / baby wipes for cleaning respirators etc.
  - Triple rinse all empty drums and puncture holes in drums. Mark drums as rinsed & store in the designated area until there are enough drums so they can be disposed of through Chem-Clear Program.

**The Works Manager reserves the right to review or vary this standard at any time.**

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This SOP does not necessarily cover all possible hazards associated with this operation.

**Approved**

**Page 6 of 6**

**Date  
25/08/15**

## 15.2 DRAINAGE EXTENSION AT ARTHUR STREET HAMILTON APPROX 100m

At the August Council Meeting the Works Manager was asked to give a report on the drainage issue in Arthur Street Hamilton.

### THE PROBLEM

Stormwater drainage from The Highway onto Arthur Street is causing excessive scouring of open drains on both sides of a 100m section of Arthur Street.

### RECOMMENDED ACTION

1. New stormwater pits and DN300 drain pipe are required to convey the concentrated flow from top end of the problem section to River Street drains. Refer to the green marked section on Map # 5 above.

2. Kerb & channel is required to be constructed to both sides of Arthur Street to collect stormwater runoff from the road.

3. Some road surface seal reinstatement may be required.

This will require a detailed survey and detailed engineering design.

Works by Public tender.

Works by Public tender with gravel supply by CHC

**ESTIMATED COST** \$40,000 +GST see schedule attached

| ITEM  | DESCRIPTION  | QTY.  | UNIT | RATE     | AMOUNT |
|---|--|-------|------|----------|--------|
| <b>DRAINAGE EXTENSION AT ARTHUR STREET HAMILTON APPROX 100m</b> |  |       |      |          |        |
| (By CHC unless noted otherwise)                                 |  |       |      |          |        |
| 1   | New stormwater pits                                | 2     | no.  | 1,200.00 | 2,400  |
| 2   | New endwall  | 1     | no.  | 350.00   | 350    |
| 3   | Kerb & channel (sub-contract)                      | 180   | m    | 80.00    | 14,400 |
| 4   | DN300 stormwater pipe                              | 75    | m    | 100.00   | 7,500  |
| 5   | Reinstate edges to new K&G                         | 100.0 | m2   | 15.00    | 1,500  |
| 6   | Nature strip, loam, seed                           | 200.0 | m2   | 5.00     | 1,000  |
| 7   | Engineering level Survey & engineering design Item |       |      |          | 6,000  |

SUB-TOTAL: \$30,400

ADD CONTINGENCY ALLOWANCE: 30% \$9,120

**BUDGET ESTIMATE: \$40,000**



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### 15.3 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

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### 16.0 ADMINISTRATION

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#### 16.1 ANNUAL END OF YEAR SCHOOL AWARDS

Council traditionally give awards to students at their end of year presentation assemblies. Awards are presented to students from New Norfolk High School, Bothwell District High School, Glenora District High School, Ouse District Primary School and Westerway Primary School.

#### **Recommendation:**

Moved Clr

Seconded Clr

#### **That Council make the following end of year awards:**

- New Norfolk High School – Central Highlands Continuing Education Busary - \$250
- Bothwell District High School - Central Highlands Continuing Education Busary - \$250
- Glenora District High School - Central Highlands Continuing Education Busary - \$250
- Ouse District Primary School - Central Highlands Continuing Education Busary - \$100
- Westerway Primary School - Central Highlands Continuing Education Busary - \$100
- Westerway Primary School - Citizenship Award - \$50
- Glenora District High School – Citizenship Award - \$50
- Ouse District Primary School – Primary Value Award – 2 Awards of \$50 each
- Bothwell District High School – Primary Citizenship Award - \$50
- Bothwell District High School – Primary Encouragement Award - \$50

#### **For Discussion**



## Glenora District School

620 Gordon River Road, Bushy Park Tasmania 7140  
 Ph (03) 6286 1301 Fax (03) 6286 1425  
 Email [glenora.district.high@education.tas.gov.au](mailto:glenora.district.high@education.tas.gov.au)



23 July 2015

Ms Lyn Eyles  
 General Manager  
 Central Highlands Council  
 Tarleton Street  
**HAMILTON TAS 7140**

Dear Ms Eyles

In 2014 your organisation generously contributed towards the awards at our school's End-of-Year Presentation Assembly by donating a \$250 bursary and \$50 Citizenship Award.

This kind of community support for and involvement in the educational and extra-curricular program of our school is highly valued. I invite you to participate again this year.

Our Presentation Day is planned for Monday 30<sup>th</sup> November at 1:30pm and we extend a warm invitation also to you or your representative to attend that afternoon.

It will help in our planning if you can return the enclosed form by mail or fax by Friday 2<sup>nd</sup> October or you can email our Presentation Day Coordinator, Annie McKenzie:  
[annie.mckenzie@education.tas.gov.au](mailto:annie.mckenzie@education.tas.gov.au)

Yours sincerely

  
 Annie McKenzie  
 Presentation Day Co-ordinator

  
 Andrew Woodham  
 Acting Principal





New Norfolk High School  
 101 Blair Street, New Norfolk, TAS 7140  
 PO Box 168, New Norfolk, TAS 7140  
 Ph (03) 6261 7800 Fax (03) 6261 2236  
 Email new.norfolk.high@education.tas.gov.au



14 August 2015

Ms Lyn Eyles  
 General Manager  
 Central Highlands Council  
 Tarleton Street  
 HAMILTON TAS 7140

14/08/15

☒ Fax ☐ Email ☐ DES ☐

Forwarded to

☒ FM ☐ WM ☐ DES ☐

Forwarded By: \_\_\_\_\_

Date: \_\_\_\_\_

Dear Ms Eyles

#### PRIZE PRESENTATION AWARDS 2015

We would like to most sincerely thank you for your support of the students at New Norfolk High School in donating the bursary, "Central Highlands Council Bursary - Open to a student residing in the Central Highlands and proceeding to Further Education" in previous years. Your continued support would be greatly appreciated. We are asking you to complete the attached questions to assist us with planning and organising this year's awards. Please return the completed form to the school by Friday, 11<sup>th</sup> September. If you decide to continue your donation, please forward your prize to the school office by Friday, 30<sup>th</sup> October.

This year's Prize Presentation Evening will be held on Tuesday, 1<sup>st</sup> December from 7.00 until 8.30 pm at the Derwent Valley Sports and Recreation Centre, Derwent Terrace, New Norfolk. We hope you are available to attend and present your award.

We look forward to your continued support of the students of New Norfolk High School.

Yours sincerely

Craig Youd  
 Assistant Principal

Through

Adam Potito  
 Principal

---

## 16.2 TASMANIAN COMMUNITY FUND FUTURE BOARD APPOINTMENTS

On the 24 August the Mayor had a meeting in Bothwell with Mrs Lyn Mason the Chairperson of the Tasmanian Community Fund to discuss future projects within the municipality and how the Tasmanian Community Fund has invested and strengthened our community over past funding rounds.

The Tasmanian Community Fund was established in 1999 to provide grants to not-for-profit organisations. The fund arose from the sale of the Trust Bank. The sale proceeds were used to gain two particular benefits to the community:

- retirement of a portion of State debt; and
- establish a community fund to distribute an annual appropriation to the community through grants.

The legislation provided that the appropriation would be maintained in line with the consumer price index.

In 2005, Parliament passed stand-alone legislation which governs the Fund's operations. The new legislation preserved the main principles enshrined in the original legislation, including:

- the Board has full autonomy to set the Fund's direction and award grants; and
- funds provided to the Board for distribution are guaranteed and not subject to Budget deliberation.

Under the legislation, Board members must act honestly and in the best interests of the Tasmanian community, and to avoid any conflicts of interests.

Under the current governing legislation, the Tasmanian Community Fund is managed by a Board of up to six members who, collectively, have sole and absolute discretion to make grants for worthwhile community purposes. Board members are appointed by the Governor on the recommendation of the Minister. The Board has a legislative obligation to exercise reasonable care, act prudently and operate in an efficient, effective and economical manner.

To ensure there is a local government community focus on the Board it is suggested that Council write to the Premier Mr Will Hodgman suggesting that one Board Member of the Tasmanian Community Fund must have local government knowledge and experience.

### For Discussion

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### 16.3 MOBILE PHONE USAGE AT COUNCIL MEETINGS

Councillor Cassidy would like to put forward the following motion for Council to consider:

*‘that Councillors are not to receive or take mobile telephone calls during Council Meetings, except the Mayor, Deputy Mayor, GM, and Councillor mobile phones must be switched to silent, not vibrate.’*

#### For Discussion

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### 16.4 2015 WATER AND SEWERAGE PRICE DETERMINATION STAKEHOLDER SURVEY

A request has been received from The Local Government Association of Tasmania (LGAT) regarding any feedback Council may have on the 2015 Water and Sewerage Price Determination Stakeholder survey so that LGAT can provide a response reflective of the sector.

The review’s findings will be used by the Economic Regulator to assist with future investigations, the survey considers:

- the process (including the timing of the investigation and the consultation process);
- documentation;
- data templates/requests including the adequacy and timeliness of information provided; and
- the involvement of industry stakeholders.

Attached for Councillors information is a copy of the Stakeholder Survey that forms part of the Economic Regulator’s review of the 2015 Water and Sewerage Price Determination Investigation.

The Office of the Tasmanian Economic Regulator (OTTER) encourages all stakeholders to complete the survey (the more comments the better) or provide a sector response from LGAT. Completed surveys should be submitted by 15 September 2015. If Council wish to provide in-depth information, a face-to-face or telephone interview can be arranged, at a mutually convenient time.

#### For Discussion



OCCC

## Stakeholder Survey

### Review of the

## 2015 Water and Sewerage Price Determination Investigation

### About the Survey

The Stakeholder Survey is a key part of the Economic Regulator's review of the 2015 Water and Sewerage Price Determination Investigation. The survey considers:

- the process (including the timing of the investigation and the consultation process);
- documentation;
- data templates/requests including the adequacy and timeliness of information provided; and
- the involvement of industry stakeholders.

### Who completes the survey?

Members (including immediate past members) of the Tasmanian Economic Regulator and other industry regulators, TasWater, Jacobs (OPEX/CAPEX consultant) and members of the OTTER Customer Consultative Committee. Each of the aforementioned groups receive a slightly different survey – tailored to suit the particular characteristics of their involvement in the Investigation process.

Rather than, or in addition to, completing the survey in written form, you can request a face to face meeting with an OTTER staff member, if you prefer, by emailing [office@economicregulator.tas.gov.au](mailto:office@economicregulator.tas.gov.au) and we will get in touch with you to arrange a mutually convenient time.

All the information you give us will be treated with confidentiality.

### What happens to the Stakeholder Survey results?

The results of the survey form part of a review of the 2015 Water and Sewerage Price Determination Investigation process that will culminate in advice to the Tasmanian Economic Regulator on the findings of the review and include recommendations on how these issues might be addressed in future investigations.

### General comments

1. Please rate the Tasmanian Economic Regulator's<sup>1</sup> performance in undertaking the 2015 Water and Sewerage Price Determination Investigation.

|                             |      |              |      |           |
|-----------------------------|------|--------------|------|-----------|
| Consultation                | Poor | Satisfactory | Good | Excellent |
| Timeliness of outputs       | Poor | Satisfactory | Good | Excellent |
| Quality of the Final Report | Poor | Satisfactory | Good | Excellent |

Please comment

<sup>1</sup> References to "Economic Regulator" should be taken as inclusive of the Office of the Tasmanian Economic Regulator unless otherwise noted.

2. Are there any changes or improvements you would like to see implemented for the next price determination investigation?

3. Do you believe the Economic Regulator is fulfilling its statutory role in protecting the long-term interests of Tasmanians with regard to the sustainable operation of the regulated water and sewerage industry?

Yes

No

Please comment

#### Consultation

4. Did the Economic Regulator's consultation processes provide adequate opportunity for consultation with stakeholders in relation to the 2015 Price Determination Investigation?

Yes

No

If no, please provide reasons below

5. In developing the Price and Service Plan (PSP) Guideline, which specified the legislative and regulatory requirements that TasWater was required meet in preparing its proposed PSP, the Economic Regulator published a draft guideline and complementary Consultation Paper.

The Economic Regulator also:

- developed a series of fact sheets to support consultation processes during the Price Determination Investigation;
- released a Draft Report; and
- released a Statement of Reasons outlining the issues raised during consultation on the Draft Report and the Economic Regulator's responses.

Please rate each of the following documents in terms of whether they were easily understood, they assisted with consultation outcomes and their requirements were clear (where relevant).

|  |      |              |      |           |
|--|------|--------------|------|-----------|
| Draft PSP Guideline (link)                 | Poor | Satisfactory | Good | Excellent |
| Consultation paper on PSP Guideline (link) | Poor | Satisfactory | Good | Excellent |
| PSP Guideline (link)                       | Poor | Satisfactory | Good | Excellent |
| Draft Report (link)                        | Poor | Satisfactory | Good | Excellent |
| Draft Report fact sheets (link)            | Poor | Satisfactory | Good | Excellent |
| Statement of Reasons                       | Poor | Satisfactory | Good | Excellent |

6. If applicable, please provide reasons why you consider the above documents were not clear and effective or did not assist with consultation outcomes.

#### Jacobs Review

To ensure TasWater's annual regulated revenue allowances were based on efficient costs and optimised asset values the Regulator engaged Jacobs to undertake a review of TasWater's proposed OPEX and CAPEX (including asset values).

- |  |     |    |
|--|-----|----|
| 7. Did you read any of Jacobs' report?                     | Yes | No |
| 8. Was Jacobs' report useful in increasing your knowledge? | Yes | No |

Please comment

#### Other

9. Are there other specific issues that you want to discuss with OTTER?

Yes No

If yes, please outline briefly below.

---

## 16.5 REVIEW OF THE BIOSECURITY LEGISLATION FRAMEWORK

The State Government is currently undertaking a review of its Biosecurity Legislation Framework to determine if legislative reform is necessary. The Acts included in the review form some of the primary supporting legislation within the Tasmanian Biosecurity Strategy. Of particular interest to Local Government is the Weed Management Act 1999.

As part of this review the Department of Primary Industries, Parks, Water and Environment (DPIPWE) wants to consult with its primary stakeholders including Local Government. DPIPWE intends to meet with primary stakeholder Associations in early November to discuss the framework and to garner feedback from the various stakeholders. DPIWE will be meeting with officers from Local Government Association of Tasmania (LGAT) and in order to inform this discussion and to ensure that LGAT raises all issues pertinent to Councils it would be great if Council could provide LGAT with comments in relation to the discussion paper (attached).

The key questions that are raised in the discussion paper include;

- What changes are required in our biosecurity laws to make them more relevant and adaptable?
- What are the additional gaps, areas of duplication or issues for Local Government with our current biosecurity system?
- Does the proposed framework cater for current and future biosecurity needs?
- Do you think a single Act is the best legislative approach for implementation of the biosecurity framework that the State Develops?

From a Local Government perspective LGAT would like our input on the broader questions but also more specifically around the role of councils under the Weed Management Act. In particular:

- Is the current system the most efficient given the risks?
- Are there ways of streamlining to increase efficiencies?
- Are there areas where things aren't working well now?
- Are the compliance mechanisms for weed management effective?

LGAT is seeking Council feedback to develop a sectoral response to the discussion paper by the 26 October 2015.

### For Discussion

## Biosecurity Legislation Framework Review

# Biosecurity Legislation Framework Review

Background Information for Discussion  
with Primary Stakeholders

**Further information about the Review**

Further information about the Biosecurity Legislation Framework Review including the full set of Terms of Reference can be found at the Department's webpage:

<http://dpiwwe.tas.gov.au/biosecurity/biosecurity-tasmania-created/biosecurity-legislative-framework-review>

**Contact:**

Project Manager

Biosecurity Legislation Framework Review Project

Biosecurity Tasmania

GPO Box 44

HOBART TAS 7001

Ph: 1300 368 550

Email: [biosecurityreview@dpiwwe.tas.gov.au](mailto:biosecurityreview@dpiwwe.tas.gov.au)

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## Table of Contents

|  |           |
|--|-----------|
| <b>1 Introduction</b>  | <b>4</b>  |
| <b>2 What are our Current Biosecurity Arrangements?</b>                              | <b>6</b>  |
| 2.1 International  | 6         |
| 2.2 National settings  | 6         |
| 2.3 Tasmania   | 7         |
| 2.4 Other States   | 8         |
| <b>3 Why Review how Tasmania Regulates Biosecurity?</b>                              | <b>10</b> |
| 3.1 The changing context of biosecurity  | 10        |
| 3.2 What are the key issues with our current legal framework for biosecurity?        | 13        |
| <b>4 Goals and Structure of a Modern Biosecurity Legislative Framework</b>           | <b>20</b> |
| 4.1 Goals, objectives and guiding principles   | 20        |
| 4.2 Structure and components   | 21        |
| <b>5 What Regulatory Approaches Should we Consider for Implementing a Framework?</b> | <b>25</b> |
| 5.1 Should we introduce a single Biosecurity Act?                                    | 25        |
| <b>6 Discussion Points and Policy Areas for Consideration</b>                        | <b>27</b> |
| <b>Appendices</b>  | <b>30</b> |
| <b>Appendix A: Biosecurity Legislation across Australia and New Zealand</b>          | <b>30</b> |
| <b>Appendix B: Biosecurity System Objectives, Guiding Principles and Components</b>  | <b>31</b> |
| <b>References</b>  | <b>34</b> |

## Biosecurity LFR Project Background Information for Discussion with Primary Stakeholders

### I Introduction

Biosecurity is, and will continue to be, of great importance to Tasmania. Being an island affords us the advantage of relative freedom from pests, diseases and weeds compared to the rest of Australia and the world. This in turn can translate into a competitive advantage for our State through efficiency dividends and environmental benefits. Tasmania's growing reputation as a tourism 'destination' is in part because of the State's clean and intact environment. Maintenance of export markets and access to new ones is important for the economic sustainability of our primary industries; products are easier and cheaper to produce if we have fewer pests and diseases to manage. To retain these advantages we rely on sound management of threats that pests and diseases pose to the operation of our industries and to our environment. The recent impacts of diseases such as abalone viral ganglioneuritis, myrtle rust and blueberry rust have highlighted these threats to our economy and environment. The State's economic, social and environmental assets are all in some way dependent upon a functioning biosecurity system.

There are however many challenges in managing biosecurity. Globalisation of trade and the increase in accessibility of travel establishes new pathways to incursions of pests and diseases. Climate change may also mean Tasmania becomes a niche for pest species which previously did not occur here or pose a threat. Tasmania needs a biosecurity management system that can be applied across the entire biosecurity continuum (offshore, at the border and onshore), so the risks that new pests or diseases entering and establishing or, those presented by existing pests and diseases, can be managed at an appropriate level. To effectively manage biosecurity risks our system must consider how to manage potential risks before things enter the State (pre-border), at potential entry points (border) and when they are already here (post-border).

The Tasmanian Government is reviewing whether legislative reform is necessary as part of a program of continuous improvements to how biosecurity is regulated. The State already has a biosecurity strategy and associated policy (Tasmanian Biosecurity Strategy (TBS) and Tasmanian Biosecurity Policy (Tasmanian Biosecurity Committee, 2012) that establish eight key policy principles used in the approach to biosecurity regulation within the State:

- Appropriate level of protection
- Least restrictive sanitary and phytosanitary requirements
- Evidence based risk assessment
- Regional differences
- Risk based resource allocation
- Cost-benefit decision making on control and eradication
- Whole-of-government approach to biosecurity
- Shared responsibilities

This review is focusing on how well existing biosecurity legislation delivers on these policy principles; how efficient and effective our biosecurity systems are; and whether there are gaps and shortfalls in them. The review will also consider what should be contained in a contemporary biosecurity system; what functions and capabilities should be enabled and who should be responsible for what under the system. To enable us to implement a sound biosecurity system we also need to explore how the biosecurity legislation framework should look to provide benefits and protection to business, community and environment from biosecurity risks.

There are eight pieces of legislation that directly regulate biosecurity activities that are administered by Biosecurity Tasmania within the Department of Primary Industries, Parks, Water and Environment (DPIPWE):

- *Plant Quarantine Act 1997*



#### Biosecurity LFR Project Background Information for Discussion with Primary Stakeholders

- *Animal Health Act 1995*
- *Seeds Act 1985*
- *Weed Management Act 1999*
- *Vermin Control Act 2000*
- *Biological Control Act 1985*
- *Animal (Brands and Movement) Act 1984*
- *Animal Farming (Registration) Act 1994*

These laws largely regulate the importation of plants and animals, management of pests and diseases of plants and animals, the control of pest plants and animals and the government's ability to register farms and trace the movements into and within the state of certain types of animals (i.e. stock). There are many other laws which interact with the biosecurity legislation above that also need to be considered in this review in so much as how they overlap (for example: *Inland Fisheries Act 1995*, *Living Marine Resources Management Act 1995*, *Nature Conservation Act 2002*).

This document is intended to provide relevant background information on Tasmania's current biosecurity system, to facilitate discussion with primary stakeholders on the review currently underway. Key issues with the existing framework identified (to date) under the review are highlighted in this document. The goals and structure of a modern biosecurity legislative framework are presented and a legislative approach to implementation is introduced. The document contains questions throughout which may be useful to consider prior to our discussion with your organisation. These questions are designed to provide a basis for a conversation around important policy areas that must be resolved in this review. The prompting questions and policy areas are consolidated in the final section of the document.

## 2 What are our Current Biosecurity Arrangements?

### 2.1 International

There are a number of international agreements and instruments of particular relevance to biosecurity to which Australia is a signatory.

#### **World Trade Organisation Agreement on the Application of Sanitary and Phytosanitary Measures**

Internationally, fair and consistent trading rules are established by the World Trade Organisation (WTO). The WTO's Agreement on the Application of Sanitary and Phytosanitary Measures (known as the SPS Agreement) establishes biosecurity principles and rules that member countries agree to abide by. The SPS Agreement sets out the basic rules for food safety as well as animal and plant health. It allows countries to set their own standards necessary to protect human, animal or plant life or health, provided they are scientifically based, non-discriminatory, consistently applied and minimise interference with international trade. The SPS Agreement defines what is meant by 'appropriate level of sanitary and phytosanitary protection' or ALOP. In setting our ALOP Australia's biosecurity system has been designed to provide a high level of sanitary and phytosanitary protection which aims to reduce risks to a very low level, but not to zero (Beale et al., 2008).

#### **Marine biosecurity agreements**

The prevention of the spread of harmful aquatic organisms from one region to another is guided by the International Maritime Organisation's (IMO): International Convention for the Control and Management of Ships Ballast Water and Sediments (Ballast Water Management Convention). The IMO has established standards and procedures for the management and control of ships' ballast water and sediments. Shipping has been identified as a major pathway for introducing invasive aquatic species to new environments. The effects on marine ecosystems of such introductions have, in many areas of the world, been devastating. Australia's biosecurity systems aim to reduce the effects of ballast water on our marine environment.

#### **United Nations Convention on Biological Diversity**

Australia has also been a party to the United Nations Convention on Biological Diversity (CBD) since 1992. The CBD sets out a comprehensive strategy for sustainable development with parties producing national strategies to achieve the objectives of the convention (United Nations, 2015). The CBD requires parties shall 'as far as possible and as appropriate, prevent the introduction of, control or eradicate those alien species which threaten ecosystems, habitats or species' (Australian Government, 2015). A strategic plan adopted by the parties to the agreement in 2010 contains targets specific to biosecurity (the 'Aichi Biodiversity Targets') (United Nations, 2010b) (United Nations, 2010a).

### 2.2 National settings

The national biosecurity system is regulated by the Australian Government's Department of Agriculture, which has primary responsibility for enforcing the *Quarantine Act 1908*<sup>1</sup>. Environmental biosecurity issues are primarily dealt with by the Commonwealth Department of Environment. The Commonwealth draws its head of power to regulate biosecurity matters from the constitution, which allows for quarantine powers, external affairs, international and interstate trade and commerce powers and corporation powers. The

<sup>1</sup> Significant reforms were proposed in the Beale review (Beale et al., 2008) to strengthen the national biosecurity system including the development of new biosecurity legislation; the Biosecurity Bill 2015 was passed in May 2015 and will come into effect twelve months after reaching royal assent from the Governor General.

## Biosecurity LFR Project Background Information for Discussion with Primary Stakeholders

powers relating to external affairs are particularly relevant in fulfilling international obligations relating to the SPS Agreement, agreements on health and the CBD (Beale et al., 2008).

Administratively the National Biosecurity Committee provides advice to the Agricultural Senior Officials group and the Agricultural Minister on biosecurity matters. The National Biosecurity Committee oversees committees that focus on plant health, animal health, environmental biosecurity, invasive pest species, aquatic animal health and marine pests.

Agreements between the States and Commonwealth establish cost sharing arrangements for biosecurity response across the country. National biosecurity obligations exist for each State under animal and plant cost sharing agreements in relation to emergency animal disease (Emergency Animal Disease Response Agreement or EADRA), plant pest incursions (Emergency Plant Pest Response Deed or EPPRD) and environmental biosecurity threats (National Environmental Biosecurity Response Agreement or NEBRA). Whilst not a signatory, Tasmania has agreed to abide by most provisions of the national Intergovernmental Agreement on Biosecurity (IGAB) and participates in all activities relating to the agreement<sup>2</sup>. The State also contributes to the national objectives and targets for biodiversity conservation (Australian Government 2001) and marine pest incursions<sup>3</sup>.

In 1996, the Council of Australian Governments (COAG) adopted the National Strategy for the Conservation of Australia's Biological Diversity, to fulfil Australia's obligations under the CBD. Australia's Biodiversity Conservation Strategy 2010–2030 has since replaced the 1996 Strategy and provides a guiding framework for conserving the nation's biodiversity over the coming decades. It was developed through the collaboration of all Australian governments with public input from a variety of sectors, interest groups and individuals. It is a guiding framework for conserving Australia's biodiversity over the coming decades and is due to be reviewed in 2015.

The National System for the Prevention and Management of Marine Pest Incursions is a comprehensive national approach to reducing the risks posed by marine pests. The National System is jointly implemented by the Commonwealth, state and territory governments along with marine industries and marine scientists. Its aim is to prevent new marine pest species arriving, guide responses when a new pest is discovered and minimise the spread and impact of those that are already established.

Each State is subject to mandatory requirements for livestock traceability and identification under the National Livestock Identification System (NLIS).

### 2.3 Tasmania

Biosecurity is primarily regulated by the Tasmanian Government's DPIPWE (human health is regulated by the Department of Health and Human Services). The Tasmanian Biosecurity Strategy 2013 – 2017 (Tasmanian Biosecurity Committee, 2012) (TBS) provides a long term plan to guide biosecurity decision-making within the State and a mechanism to implement the Tasmanian Biosecurity Policy (Tasmanian Biosecurity Committee, 2012). There are eight key policy principles contained within the TBS (outlined in Section 1) which form the basis for the approach to biosecurity regulation within the State.

The aims of our current system are reflected in the key biosecurity functions it performs:

- managing the risk of entry and movement of exotic and some endemic pests and diseases through regulation and surveillance;

<sup>2</sup> Tasmania is not a signatory to IGAB due to concerns with section 7.19 which allows the Commonwealth to override state and territory controls on interstate trade where a measure is scientifically unjustified and/or unnecessarily trade restrictive. By not signing up to this agreement Tasmania is still free to protect its pest and disease status in situations where products from other states may pose biosecurity risks without Commonwealth intervention.

<sup>3</sup> Inter-Governmental Agreement on the National System for the Prevention and Management of Marine Pest Incursions 2005 (Marine IGA)



### Biosecurity LFR Project Background Information for Discussion with Primary Stakeholders

- managing the risk of establishment of pests and diseases, and containment and eradication of regulated pests and diseases that do enter the State (or emerge as issues due to changed conditions) through surveillance, early detection, diagnosis and rapid response;
- managing the risk of spread of pests and diseases that are present, exotic and/or emerging post border through regulation of movement, possession and management; and
- tracing and registering stock and farming activities.

Key biosecurity functions within our system occur pre-border (or offshore), at the border and post-border (or on-shore) and focus on pre-clearance of commodities, regulating the entry of risk commodities, surveillance, diagnostics and response activities (including biosecurity emergency responses). Activities undertaken include certification of pre-border activities that some industries undertake, auditing of certification agreements and collaboration with other States. Border activities include inspections and screening of people, animals, vehicles and goods at airports, ports and Australia Post outlets. Containment, seizure, treatment and destruction of materials or pests and diseases occur as does certifying products as suitable for entry into the State (through for example the application of import requirements). Post-state border management of pests and diseases include programs for the surveillance for and detection of emerging pest species and diseases and control programs. In order to support these activities we have ongoing programs for the management and maintenance of traceability information (which allows identification and tracing of certain stock for biosecurity, meat safety, product integrity and market access) and registration of farming enterprises.

The laws that regulate these functions and activities are focussed on the importation and management of plant and animal diseases and pests, pest plant and animal species and the biosecurity risk they may pose, the registration of farming activities and the tracing of livestock under the NLIS (Table 1).

Table 1: Aspects of biosecurity regulated by legislation under review

| Aspect of Biosecurity Regulated  |   |   |
|--|---|---|
| Pest Plants and Animals  | Plant and Animal Diseases and Pests                               | Traceability  |
| <i>Seeds Act 1985</i><br><i>Weed Management Act 1999</i><br><i>Vermin Control Act 2000</i><br><i>Biological Control Act 1985</i> | <i>Plant Quarantine Act 1997</i><br><i>Animal Health Act 1995</i> | <i>Animal (Brands and Movement) Act 1984</i><br><i>Animal Farming (Registration) Act 1994</i> |

## 2.4 Other States

The legislative frameworks for biosecurity adopted across other states and territories can be classified into two broad groups: those States that have a primary Act encompassing traceability, diseases and pests of plants and animals, and pest plants and animals and those States which have multiple Acts regulating the same issues.

Consolidated biosecurity legislation has been introduced in New South Wales (NSW), Queensland (Qld) and Western Australia (WA) (Appendix A). Of the three states NSW is the only one to effectively have standalone legislation dealing with biosecurity matters. Queensland and WA have both retained some additional laws that regulate biosecurity matters.

### Biosecurity LFR Project Background Information for Discussion with Primary Stakeholders

For the remaining states multiple Acts exist (Appendix A). In general legislation dealing with branding and traceability is largely consistent across the states. Similar to Tasmania, pests and diseases of plants and animals are regulated separately from one another in the Australian Capital Territory (ACT). Pest plant and animal species are also regulated separately from one another (and separately from pests and diseases). In the Northern Territory (NT) plant disease and pests, and pest plant species are regulated under the same legislation, while animal issues are regulated separate to plants and under separate Acts from one another. In South Australia (SA) plant pests and diseases and pest plants are regulated together. Animal pests, diseases and pest animals are also regulated together (but separately from plants).

Even with national guidance and multilateral agreement on certain aspects of biosecurity management the legislative approaches to regulating biosecurity still vary from state to state. Terminology, listing approaches, flexibility within the legislation and the level of streamlining that has occurred is inconsistent across jurisdictions. The aspects of biosecurity regulated in primary versus secondary legislation also vary considerably as do the administrative responsibilities under legislation (i.e. who can regulate what).

### 3 Why Review how Tasmania Regulates<sup>4</sup> Biosecurity?

#### 3.1 The changing context of biosecurity

Our existing approaches to biosecurity regulation have been developed over many years and may require changes in order to:

- take account of advances in technologies and contemporary philosophies associated with biosecurity;
- provide efficient and effective regulation that is consistent with national and international agreements whilst reducing unnecessary regulatory burden;
- ensure our approaches cater for changed risk profiles that now exist;
- allow regulators to consider different levels of discretion in regulatory models; and
- adequately take into account stakeholder knowledge, positions and practices.

Once laws are in place, periodically reviewing how they are designed, what they aim to deliver, whether they deliver the intended outcomes and whether those outcomes are still in the public interest is simply good regulatory practice (e.g. Australian Government Guide to Regulation (2014), Victorian Guide to Regulation (2014), NSW Guide to better regulation (2009)).

The Tasmanian Government believes that whilst the existing legislation that forms the basis of our biosecurity framework is largely sound, it could be more efficient. Over the past decade the focus on biosecurity systems has shifted from border protection and intervention regimes to the consideration of activities across the biosecurity continuum. This shift allows for a more balanced approach to the increasing number of biosecurity risks and threats that Tasmania faces. It acknowledges that whilst border activities are important significant consideration and action also must be directed towards resourcing mitigation of off-shore risks and being prepared for post-border incursions. During the same period it has been recognised that biosecurity is an important consideration beyond just the agricultural industry with environmental and social values now being included in biosecurity decision making. The Tasmanian community expectations around what a biosecurity framework should cover and how it should be delivered in law are also likely to have shifted. The value the community places on different aspects of biosecurity regulation needs to be gauged, as do their views around how protection of values, be they environmental, agricultural or other, should be achieved. Regulation plays an important role in delivering biosecurity outcomes and in order to be legitimate, the form and content of biosecurity regulation into the future must reflect all values and norms (Haines, 2006). Strategically our approach to biosecurity management within the State has been mapped out (Tasmanian Biosecurity Committee, 2012) but the principles outlined in that approach are not reflected in our legislation and this may need to change.

#### National Biosecurity Developments

The context within which biosecurity is regulated nationally has changed in recent years. Traditionally, Australia's biosecurity system has had a narrow focus with the assessment of risks and resulting management practices centred around potential for (financial) impacts on the agricultural sector (Smith and Webster, 2010). In 2008 a review of Australia's biosecurity regime was undertaken (Beale et al., 2008). The Beale Review (as it is known) presented a broader concept for biosecurity than previously applied; one which encompasses social and environmental aspects and identifies the role a national biosecurity system has in the protection of these values (Smith and Webster, 2010). The review investigated how the national

<sup>4</sup> "Regulation is implemented which leads to changes in the behavior of individuals or entities targeted or affected by regulation which ultimately leads to changes in outcomes such as amelioration in an underlying problem or other (hopefully positive) changes in condition in the world." (COGLIANESE, C. 2012. Measuring Regulatory Performance: Evaluating the Impact of Regulation and Regulatory Policy. Expert Paper No. 1. OECD.)

## Biosecurity LFR Project Background Information for Discussion with Primary Stakeholders

biosecurity system was administered pre-border, at the border and post-border and recommended that, in order to achieve a sustainable biosecurity system, a shift in focus from direct intervention at the border to the management of threats across the biosecurity continuum was required. Significant reforms were proposed in the review to strengthen the national biosecurity system. One such reform was the development of new biosecurity legislation; in 2014 the resulting *Commonwealth Biosecurity Bill 2014* was introduced into the Australian Parliament. The national law is designed to simplify and clarify biosecurity regulatory requirements in order to achieve greater consistency in how regulations are applied and to reduce the regulatory burden on industry and community. It aims to modernise how the Australian Government regulates biosecurity and will: promote regulation across the biosecurity continuum, provide an evidence based approach and facilitate shared responsibility for biosecurity. The changes occurring at the national level to biosecurity regulation provide an opportunity for States to consider whether their systems remain relevant and effective.

### Reduction of regulatory burden and consistency

The introduction of regulatory burden reduction measures by the Australian Government and most Australian states have also been a guiding factor in legislative review across the country. These measures include setting standards for: reviewing the impacts of new regulation (regulatory impact statements), Ministerial expectations, annual reporting requirements and the completion of audits on reduction initiatives within states. The Tasmanian Government aims to reduce regulatory burden by 20% and has appointed a Coordinator General and Regulation Reduction Coordinator to assist with this task. Some States and Territories have already undertaken reviews and revised their approach to biosecurity, developing more streamlined legal frameworks. The changes these other jurisdictions have made in the regulatory environment have also been driven by a need for national consistency in how biosecurity is regulated. Nationally agreements exist relating to the management of biosecurity issues and emergency responses which have also influenced the alignment of legislation and processes across different States.

### A change in risks over time

The Tasmanian laws which relate to biosecurity were brought into being at a time when many of the biosecurity risks and threats we now face were not conceived of, or if they were, their scale of occurrence was not predicted. For example, non-commercial importation occurring as a result of internet trade has increased significantly. The level of internet use has also steadily risen within Australia from around 3,968,000 subscribers in 2001 (Australian Bureau of Statistics, 2001) to 12,691,000 in 2014 (Australian Bureau of Statistics, 2014). The way in which we determine the potential risks to Tasmania's primary industry and community posed by this type of incoming freight could be improved in light of the increased risk such high volumes pose. Similarly, levels of international and interstate travel have increased dramatically during the life of our current biosecurity framework. During the 20 year period from 1994 to 2014 international short term visits to Australia increased from 3,361,700 annually, to more than 560,000 every month (or in excess of 6,720,000 during 2014) (Australian Bureau of Statistics, 1995, Australian Bureau of Statistics, 2015). Interstate visitor numbers to Tasmania increased from 769,500 in 2008 to 1,062,700 in 2014 (Tourism Tasmania, 2008, Tourism Tasmania, 2014). At the same time as travel numbers have increased, so too has the amount of international trade. With all of these changes comes an increase in the threat of introduction of new pests and diseases, some of which may pose high risks to our natural and agricultural resources. Our biosecurity system must cater for changes in the types and numbers of pests and diseases posing risks across the biosecurity continuum. It must also be able to cope with the shifting likelihood of pests and diseases establishing as the impacts of climate change are felt. Risks and threats have and will continue to change over time, but so too have the technological solutions available to manage them. The regulatory structures within our biosecurity system could be better suited to the types and nature of risks we encounter.

### Regional differences are important



## Biosecurity LFR Project Background Information for Discussion with Primary Stakeholders

Contextually some things remain the same for Tasmania; we are still an island State which has a different pest profile to other regions throughout Australia (and hence 'regional difference' is important to us). This is a factor which is likely to have informed our approaches to biosecurity since the late 1800's (Rootes, 2008). However, how we manage those differences may need to change given the level and number of threats that now exist. Our biosecurity framework needs to consider and accommodate the regional differences in biosecurity risk status that we have – this is important because our biosecurity status remains a key determinant in market access for export products.

### How should the shared responsibility for biosecurity be expressed in our framework?

'Sharing the responsibility for biosecurity' is a concept that is being addressed nationally through mechanisms like emergency response agreements and in other states through the introduction of a 'biosecurity obligation'. The idea of obligations and 'risk creators' paying for biosecurity systems is explicit in legislation in some other states and nationally. Within Tasmania, what this principle means in practice and how it should be addressed across all of our biosecurity laws and procedures has not been discussed at length. The role of partnerships between industry, community and government and the different models available for cooperative approaches to biosecurity similarly have not been explored in any great detail. The NSW biosecurity legal framework provides a systematic approach for decision making on where investment in biosecurity should come from (Government of New South Wales, 2014). The question as to who should pay for the benefits of a good biosecurity system and how this can be institutionalised needs to be explored in Tasmania.

### Are there better approaches to regulating biosecurity than those we currently use?

How we regulate biosecurity – whether it is by command and control laws, rules based concepts or co-regulatory approaches also requires investigation as discussions around the globe on the relative benefits of each 'model' continue. Shifting our focus from direct government intervention at the border to the accreditation of systems and organisations (to provide biosecurity protection across the continuum) is an appealing approach and one that has been adopted in some other states and countries. Under this approach government sets policy outcomes and monitors the adherence to those goals; this is potentially a more efficient way of retaining our current biosecurity status.

Experience in some industries suggests that if the standards to be met come from industry themselves, regulatory outcomes can be better than current systems deliver, including improved levels of compliance (Haines, 2006). However, this type of approach does mean a shift in responsibility from the regulator to industry or individuals – the risks this type of shift may pose to biosecurity outcomes must be taken into account by government.

Many benefits of different types of industry co-regulation exist: speed, flexibility, sensitivity to market circumstances and lower costs to name a few, but there are numerous examples from around the world where the size and type of industry means the 'regulation' ends up being motivated by self-interest rather than the wider public good. The capacity of industry members to exert peer pressure on each other to perform can also be a limiting factor in achieving high levels of compliance in some industries (Haines, 2006, Johnstone and Sarre, 2004, Coglianese and Mendelson, 2010, Short and Toffel, 2010).

Self-regulation may appeal to some more than others – for example, large companies that are aiming to demonstrate social and environmental conscience may be more willing to take up self-regulatory opportunities than smaller members of an industry, for whom the benefits are apparently fewer. There are functions that a biosecurity system needs to perform that are well suited to co-regulatory arrangements, but financial and social benefits of moving regulation in that direction need to be defined, along with the risks. Business stakeholders operate in an environment where they must build opportunities and engender commitment from staff, contractors and others. Any changes to our existing regulatory framework will need to occur in this same environment (Haines, 2006). This means that the structure of organisations



## Biosecurity LFR Project Background Information for Discussion with Primary Stakeholders

being regulated, how they operate and their culture, in addition to the types of rules which would be imposed all need to be considered in determining the best fit for a legislative framework.

### Things to Consider Prior to Our Discussion:

**PRIMARY QUESTION 1:** What changes do you think are required in our biosecurity laws to make them more relevant and adaptable to current and likely future biosecurity needs?

#### ADDITIONAL PROMPT QUESTIONS:

- Ia) What other, if any, national level biosecurity issues should we be considering in developing a revised legislative framework for biosecurity?
- Ib) How important is national consistency and reducing regulatory burden for you and how do you think we could best achieve both in Tasmania's revised legislative framework?
- Ic) Can you provide any examples of regulatory burden in the biosecurity area that presents significant challenge for your business?
- Id) What other relevant risks to biosecurity exist and can you describe how you think they could be dealt with under a revised framework?
- Ie) Differences in pest and disease status and the threats they pose exist between Tasmania and other States. Can we improve the way in which we deal with these 'regional differences' under a revised framework and if so, how?
- If) Who should pay for the benefits of a good biosecurity system in Tasmania and how should this be institutionalised?
- Ig) Should there be an explicit biosecurity obligation imposed under the framework?
- Ih) What are the alternative approaches to regulating biosecurity that could improve our current approach and what are the risks associated with these alternatives?
- Ii) Should co-regulatory arrangements be part of the revised framework and if so, for which parts?

## 3.2 What are the key issues with our current legal framework for biosecurity?

The current legislative system for biosecurity has served us well but with the passage of time improvements may be needed. In order to determine where opportunities for improvement in our current legislation lie we are investigating four key areas of regulatory performance:

- how well our legislation is designed;
- how efficiently is it delivered<sup>5</sup>;

<sup>5</sup> We are only considering the legislative components of our current framework in this review but we do acknowledge that delivering a fully functional and effective biosecurity system will require changes to our administrative practices and educational approaches irrespective of what changes are recommended out of this review.

## Biosecurity LFR Project Background Information for Discussion with Primary Stakeholders

- whether it achieves the desired regulatory outcomes and
- whether those outcomes are achieved at a reasonable cost to society as a whole.

We are already aware of some of the issues that occur within Tasmania's biosecurity system through previous external reviews, industry input (e.g. Primary Industry Biosecurity Action Alliance, 2013) and our own internal discussions. These are summarised below in the context of key areas of regulatory performance.

### The Design of our Biosecurity Laws

The current biosecurity laws under review do not contain contemporary principles and objectives that have been identified here and elsewhere as being in the public interest. The Acts under review do not have a set of common objectives, principles or definitions that make it clear they are part of an overarching and consistent biosecurity system. Of the legislation being reviewed, the *Weed Management Act 1999* is the only Act with stated objectives. The Act requires the objectives of the Tasmanian Resource Management and Planning System (RMPS) to be furthered when powers are used. The RMPS consists of a suite of legislation which provides for the attainment of sustainable outcomes from the use and development of the State's resources (both natural and physical). None of the other legislation covered by the review has a legislative statement of objectives and nor are they part of the RMPS.

Objectives are an important component of laws as they set out what changes in behaviour are sought and what outcomes this achieves – they effectively present the purpose for which the law has been created, clarifying the intent. System wide objectives such as the RMPS objectives allow consistency in aims to be articulated across multiple pieces of legislation. For the objectives of a biosecurity system to be in the public interest they would need to articulate principles such as the consideration of the biosecurity continuum, shared responsibility and a general biosecurity obligation. The biosecurity principles expressed in the Tasmanian Biosecurity Strategy (2012) are also absent from our legislative framework as are commonly used terms used in principles and objectives such as 'risk creator', 'biosecurity' and 'biosecurity matter'.

In its entirety the current biosecurity framework provides for the management and regulation of critical biosecurity issues within the State, however the arrangement of these laws may not be the best way to achieve desired biosecurity outcomes. In totality, the legislation under review provides for almost all activities we need to undertake across the biosecurity continuum. In spite of its capability, the Tasmanian biosecurity system has been described as fragmented and unwieldy by stakeholders, with tools used within our system not necessarily providing the most cost effective way of achieving compliance for stakeholders.

Over time multiple amendments have occurred to the eight principle pieces of legislation and nine sets of regulations being reviewed; in total there have been 52 amendments since they have been in place. Most amendments have been minor, to align legislation when other laws are changed. There have however been a number of more significant changes made over time to individual Acts. At the time of creation of much of the legislation, the concept of 'outcomes based laws' was not common practice in Tasmania. As a result of this our legislative system reflects a 'rules based' approach in many instances. Public consultation occurred during the development of legislative changes over time but we now have the opportunity for legislative reform to be informed by a system wide perspective, rather than an Act by Act approach.

The design of our current legislative framework means that multiple Acts may need to be used to provide biosecurity approvals in certain circumstances. The way that this is implemented in practice has been raised as confusing and duplicative by stakeholders. Approvals processes across legislation within the framework also differ. For example, a person importing plants, plant products and/or prescribed matter is required to provide notification of their intention not less than 24 hours prior to the importation– the same requirement does not exist for importation of animals. Concerns have been raised as to the consistency of application of principles and conditions in the importation of wildlife into Tasmania; in the wildlife import

## Biosecurity LFR Project Background Information for Discussion with Primary Stakeholders

example, these issues are dealt with through administrative policies rather than being codified under laws. Some legislation has appeals periods during which a requirement for action can be queried (e.g. under the *Vermin Control Act 2000* a person has up to 14 days to appeal a notice). This may not be compatible with the actions required under the notice.

There are numerous inconsistencies between functions and how they are undertaken under biosecurity laws and it can be complicated to determine when one applies and another doesn't. Different Acts contain different statutory powers for officers in relation to common activities that need to be undertaken in a biosecurity system (such as entry to investigate disease outbreaks). Another key difference between Acts is the length of the statute of limitations – this means our compliance processes must take account of this.

How some issues are regulated is not well communicated to the public; for example dealing with marine pests or importation of some aquarium fish species. There are also subtle differences between Acts which determine how animals are regulated in certain situations – fish, for example are not defined as wildlife and therefore their importation is not regulated by the *Nature Conservation Act 2002*.

It is easy to understand how the complex nature of the biosecurity system has led to inconsistencies in how biosecurity issues are dealt with under the law.

Some aspects of biosecurity are not as well catered for as they could be in the current design. We use our existing capacities to control plant pest species (through the *Weed Management Act 1999*) once they are in the state more fully than we do for pest animal species (especially vertebrate species). In order to control vertebrate pests they must be declared under law. The declaration or listing processes for plant and animal pest species and diseases differ under different laws. Since its introduction, we have tended to not use the relevant legislation for animal pests; the *Vermin Control Act 2000* to its full extent. This is primarily due to the recognition that the Act provided little effect and declaration did not empower the government or landowners to take action in a way that other legislation, such as the *Weed Management Act 1999* does.

Capacity does exist to place conditions on the importation of animals under the *Animal Health Act 1995* where a biosecurity risk is posed. However in the case of importation of wildlife (also regulated under the *Nature Conservation Act 2002*) post border controls under the *Animal Health Act 1995* are not routinely applied. This is in part because of the complexity of the laws. Our capacity to trace animals versus plants differs as well. Whilst we have capacity to trace certain types of livestock through the *Animal (Brands and Movements) Act 1984*, tracing plant materials brought into the State for the purposes of biosecurity is more difficult. These issues highlight that there are currently some gaps in the way in which some species are dealt with under our biosecurity laws.

The reasons behind creating some laws are no longer valid and on balance are not likely to be in the public interest. The *Animal Farming (Registration) Act 1994* for example, was initially intended to regulate the farming of certain types of wildlife and other animals in order to reduce regulatory restrictions on ownership of the animals. The legislation was introduced primarily to regulate deer farming but also to remove that species from regulation under nature conservation laws – competition rules introduced in the mid 1990's later saw deer removed from the animals covered by the legislation, leaving only emus as a regulated species. The farming of deer is still regulated under nature conservation legislation. Whilst there is still a need to enable farming of wildlife in law, a standalone Act that currently only deals with one species is not an efficient use of statutes. To add to this, the capacity to register and trace animals already exists under the *Animal (Brands and Movement) Act 1984*.

The *Vermin Control Act 2000* was introduced to direct the destruction and control of animals declared as vermin whilst removing restrictions on farming of rabbits for meat and fur. It was the intention that food safety conditions would be included in licences issued under the Act. The capacity to create regulatory programs for management of pest species is still required however there are other laws in place which



## Biosecurity LFR Project Background Information for Discussion with Primary Stakeholders

regulate the food safety aspects of meat production. In addition, the way in which programs for control are established and regulated differs between vertebrate pests (such as rabbits) and weeds.

Some things our biosecurity laws are aiming to achieve may be better achieved through streamlined regulation or no regulation at all. For example, the listing of weeds, pests and diseases is undertaken in a different way for each, using different types of laws (Regulations versus primary Acts) and different tools under the law (Orders and Notices). The statutory position or person responsible for listing things differs across legislation and the timeframe for listing varies.

Stakeholders have indicated a preference for a single listing framework which identifies species that are permitted within the State. There are resourcing implications for the different listing processes our laws follow and the currently inconsistent approaches may not be the best way of achieving 'lists' of species that require management.

The current legislative framework for biosecurity is not contemporary in terms of the regulatory tools and approaches used. Whilst some parts of our regulatory system allow for certification agreements and audits, the way in which these are achieved differ under each Act. Currently the capacity to certify certain types of activities exists under some legislation; where it does not exist in law it sometimes occurs (less formally) under administrative arrangements. For example, the codification of aspects of biosecurity management has occurred at an administrative level under the *Plant Quarantine Act 1997*. These approaches are in place without formal requirements for a state-wide auditing framework which, if in place, would measure how well the requirements are delivering the biosecurity outcomes Tasmania is seeking from them.

Capacity to deliver accreditation schemes, codes of practice and other biosecurity functions like consistent enforcement tools or 'enforceable undertakings' differs across our legislation. The option of national accreditation schemes for importers bringing goods into Tasmania has been previously raised by stakeholders, as have calls for a regulatory code of practice to be introduced for the importation of animals. The capacity to establish management zones and the possible classes these zones are assigned differs under each Act under review. The way in which we manage invasive species and emergency responses differs between plants and animals because of these legislative differences. Our legislative system would benefit from the application of more contemporary and consistent best practice legal structures and terminology.

### Efficiency with which our Laws are administered

The efficiency of our regulatory system is reduced because of how we administer it – but some of these issues would not be changed by changing laws. Interaction with our regulatory system occurs at the point of advice and guidance, licensing and approvals, monitoring and compliance, or enforcement. At each of these points of interaction the degree to which key principles of 'good regulatory practice' are applied varies, as does whether or not that practice is required under law or not. Regulatory best practice principles include: clear and effective communication, risk based proportionate responses, consistent transparent and accountable behaviours and systems which allow for continuous improvement of regulatory frameworks. Management of our regulatory performance in accordance with best practice principles is important but only some aspects of administrative practice are controlled under laws.

Whilst legislation outlines what approvals are required for certain activities it does not always specify the type and nature of supporting information that the Department prepares to assist in this requirement. Feedback on our provision of advice and guidance suggests that sometimes our messages are not being articulated as clearly as we would like, especially in processes where individuals require an approval from us to undertake an action. The information provided is not always consistent over time. Our efforts to communicate effectively are also not always successful with information on biosecurity regulation sometimes difficult to find and follow. We have some mechanisms for continuous improvements in, for

## Biosecurity LFR Project Background Information for Discussion with Primary Stakeholders

example, our import conditions for plant pests and diseases and our weed management plans (with transparent process and public consultation) but our capacity to fulfil these requirements is limited.

Our approvals processes are designed to produce approval conditions that are risk-based and proportionate. However, some concerns already raised by stakeholders include: the accuracy of information provided can vary according to who provides it; publically available information is difficult to use and for some issues the compliance burden is considerably higher than business thinks is reasonable. For some approvals required under our current regulatory system there are no appeal provisions where the activity is refused resulting in less transparent and accountable decision making than in other similar biosecurity systems. Our processes have also been described as not providing a level playing field because of the inconsistent treatment of applicants during approvals processes.

Our current legislative approaches do not make it easy for an operator to receive a single approval where requirements under multiple laws exist. The flexibility we have in our current framework is beneficial, however duplication or redundancies make applying our laws somewhat difficult and time consuming and adds administrative burden. The options we make available for submitting information requirements associated with approvals and management are limited (e.g. smart forms are not currently used). When implementing some regulations our current biosecurity systems require paperwork to be provided manually. This can be time consuming and costly if delays are incurred due to missing information. Timeframes for administrative decisions are not published and clear, there are few examples of regular feedback being sought by us on approvals processes from stakeholders and even fewer examples of collaborative arrangements being established to empower industry through for example, accreditation schemes.

Regulatory policy (administrative policies, practices and processes) that support the delivery of our legislative commitments have undergone significant changes in recent years but still require further revision to enable us to be contemporary and efficient. Biosecurity notifications have been useful in spreading relevant information across the State but in large part we lack modern administrative approaches to assist with communication, data compilation and compliance. Our use of integrated tools and mobile technologies is limited. Another area where there are opportunities to improve is in the development of overarching auditing frameworks to enable us to demonstrate compliance with and effectiveness of our biosecurity systems and legislation. This would also improve the overall transparency of government operations. The lack of efficient data management tools make it difficult to analyse border and post border information which has implications for how we determine resource allocation within Biosecurity Tasmania.

### How well our Current Legislation Achieves Regulatory Outcomes

Tasmania's biosecurity system is delivering good outcomes but we can improve how we measure its success. We currently do not take advantage of all opportunities to record, in an easily accessible format, information from pre, at and post border functions we undertake. We have some targeted monitoring approaches which provide early warning systems for incursions of pest species such as fruit fly, but the identification and monitoring of pests and diseases once they are present within Tasmania requires well executed auditing approaches, which we currently lack. The way in which we record information about pests and diseases makes it difficult to determine exactly how effective our biosecurity systems are across the biosecurity continuum.

Resourcing the same proportion of active interventions across the biosecurity continuum may not be sustainable into the future given the increase in volumes of materials entering the state, the threats they pose and the new and emerging threats which may arise from, for example, climate change. Our current legislative framework is not explicit in terms of the use of best practice risk-based approaches to enforcement and compliance for pests and diseases and hence does not always deliver outcomes consistent with these principles.



## Biosecurity LFR Project Background Information for Discussion with Primary Stakeholders

Despite improvements underway, our legislative system still needs some overarching measures of regulatory success – there is a paucity of data capture and analysis occurring which could inform regulatory reviews and resourcing policies into the future. We need to adapt and develop outcomes based systems which enable us to achieve the appropriate protection across the biosecurity continuum in the most efficient manner possible.

### Who should pay for our Biosecurity System – what is the Regulatory Impact?

The provision of biosecurity legislation that achieves agreed objectives is in the public interest, but we have not yet reached the right balance in terms of who should pay for the system to ensure it is sustainable. The benefits of our State's regulatory system in terms of market access and protection of our environment are difficult to deny. However, our policies on which of those services are deemed for public good and which are deemed a community obligation need to be reconsidered in light of changing public views, best practice in other jurisdictions and the variety and number of stakeholders with an interest in a functioning biosecurity system. Government will not have the capacity to continue to provide biosecurity services at their current level given ever increasing threats to our State. Other models to support a sustainable approach, such as risk creators paying for a proportion of the system, need to be looked at.

The cost effectiveness and net benefits of our entire biosecurity legislative framework have not been assessed in an integrated manner. Tasmania assesses the regulatory impacts of new or revised legislation on an individual Act by Act basis through our regulatory impact assessment processes (our RIS process). Tasmania's RIS process does not require the source, nature, magnitude or extent of a problem to be identified or scoped (it is assumed this has occurred prior to a RIS) (Productivity Commission, 2012). This is different to all other states. There is also no guidance on the government, compliance and administration costs of regulation required in a RIS in Tasmania for primary legislation. This makes 'after the fact' reviews (and comparative reviews) more difficult as the issue being managed during regulatory reform was not required to be scoped fully. Since the mid-1990s restrictions on competition and the level of public benefit provided by laws have been determined while they are being developed. None of the eight Acts under review was identified as imposing restrictions on competition or imposing significant impacts on business at the time of preparation. However, there is a broadly held concern amongst various stakeholders that the cumulative efforts of regulatory burden are significant.

Within Tasmania cost recovery mechanisms are in place only for a sub set of our biosecurity activities and apply only to some who use our systems (e.g. active interventions at the border for commercial operators). There is some support to broaden the delegation of responsibilities for some areas of biosecurity especially in relation to import activities which could mean services would be provided by those outside of government. This approach raises issues in terms of how the breakdown of sharing of costs would occur across different industries and individuals who each pose different threats from a biosecurity perspective.

Some stakeholders believe that the government should bear the entire cost of biosecurity protections for the State. This is no longer consistent with how biosecurity is funded elsewhere. It is also unsustainable and incompatible with the reality of reducing government revenue and the application of the principle of 'shared responsibility'. Cost recovery and compensation relating to biosecurity responses has been regulated for in other jurisdictions through establishing which activities costs are recoverable for (e.g. NSW). Nationally agreed decision making and investment principles have been developed to assist states to prepare consistent approaches to this issue. Industry compensation schemes also exist such as those determined under national agreements for emergency response situations. The fair and equitable sharing of costs associated with our biosecurity system is essential but this principle is not being met in our existing system.

## Biosecurity LFR Project Background Information for Discussion with Primary Stakeholders

### Things to Consider before our Discussion:

PRIMARY QUESTION 2: What are the additional gaps, areas of duplication or issues from your perspective with our current biosecurity system?

#### ADDITIONAL PROMPT QUESTIONS

- 2a) What additional aspects of legislative design do you think we should consider in this review?
- 2b) How could we better administer biosecurity legislation?
- 2c) How well do you think our current system is delivering biosecurity outcomes and how could we improve this?
- 2d) Who do you think should pay for what under a revised legislative framework for biosecurity?
- 2e) Which aspects of the system if any should include cost recovery provisions?

## 4 Goals and Structure of a Modern Biosecurity Legislative Framework

In order to decide how to regulate biosecurity into the future the government needs to establish what the legislative framework should achieve. The important components that the State wants to regulate need to be defined and how those components should relate to one another must be determined.

### 4.1 Goals, objectives and guiding principles

The goal of a modern biosecurity legislative framework must be to allow for the timely, effective and proportionate management of biosecurity through a biosecurity system that:

- operates across the biosecurity continuum;
- is founded on evidence based risk assessment; and
- facilitates and promotes shared responsibility.

The objectives of this framework would allow for components that:

- control the entry, establishment and spread, and the impact of organisms or carriers of organisms that may adversely affect plants, animals, human health, the environment (terrestrial, aquatic and marine), commercial activities (agriculture, aquaculture etc.) and community activities;
- provide a framework for risk based decision making in relation to biosecurity;
- help minimise biosecurity risks;
- allow for timely and effective response to biosecurity risks;
- manage risks associated with:
  - emerging, endemic and exotic pests and diseases to industry, environment, commerce and community
  - the transfer of disease from species to species
  - contaminants in carriers
  - ensuring safety of animal feed;
- establish and promote a shared obligation for the management of biosecurity across community, government and industry;
- establish governance structures around biosecurity regulation;
- give effect to intergovernmental agreements and facilitate the State's efforts to align Tasmania with other State's approaches to biosecurity management;
- provide market access for Tasmanian products within and outside of Australia; and
- develop certification and registration schemes.

These objectives would be consistent with the well-established **principles** for biosecurity management embodied within the TBS (Section 1). They would also allow us to deliver our key biosecurity functions efficiently (Section 2.3).



## Biosecurity LFR Project Background Information for Discussion with Primary Stakeholders

### 4.2 Structure and components

The structure of a biosecurity legislative framework which delivers those goals and objectives must include primary law(s), secondary (or subordinate) laws (such as regulations) and administrative practice (Codes of Practice, procedures, guidelines and so on) (Figure 1)<sup>6</sup>.

The key components the framework requires include: a statement of overarching policy principles of the framework (the goals), system wide functions and more specific biosecurity management functions (Figure 2 and Appendix B).

The goals of a modern biosecurity legislative framework (Section 4.1) can be expressed as **overarching principles** to provide clarification of the intent of the framework. In order to deliver the overarching principles and meet all eight biosecurity principles outlined in the TBS the framework would have **system wide components** as well as **biosecurity management provisions** which are explained below.

System wide components would include the following functions or requirements:

- *General biosecurity obligation* – a general obligation applied to the whole community requiring them to take all reasonable and practical measures to prevent or minimise biosecurity threats/risks.
- *General powers and authorisations* – a set of general powers and authorisations to allow officers to complete necessary tasks under the biosecurity management system (e.g. powers for authorised officers to undertake duties associated with surveillance, audit, control, eradication or other function under the system).
- *Obligations requiring compliance with legislation* – a statement outlining that everyone has an obligation to be consistent with biosecurity legislation.
- *Obligations for a traceability system* – a requirement for traceability systems to be legislated with the capacity to extend to plants and animals (more generally than NLIS requirements).
- *Definitions of key terms* – e.g. biosecurity matter, biosecurity consideration, prohibited/restricted contaminant.
- *Capacity to create regulations, codes of practices and guidelines.*
- *Other biosecurity obligations* – e.g. regulation of animal feed.
- *Administrative responsibilities* – establishment of administrative responsibility including concepts such as chief administrators for plants and animals or who could become authorised officers (e.g. non-government officers).

Biosecurity management provisions would cover both general biosecurity management and emergency management functions and would include components that: operate across the biosecurity continuum, allow market access, provide national consistency, reflect risk based assessment and allocation of resources and provide for protection of environment, community and economy:

- *General biosecurity obligation* - as above.
- *Notices* – the capacity for authorised officer to require compliance with parts of legislation or issue directives to undertake, or not to undertake, specified actions.
- *Registration systems for operations/different industries* - Registration system in place for animals and plants to meet NLIS and best practice traceability and to register particular types of dealings so an operation is deemed to have met standards (e.g. bee keeping).

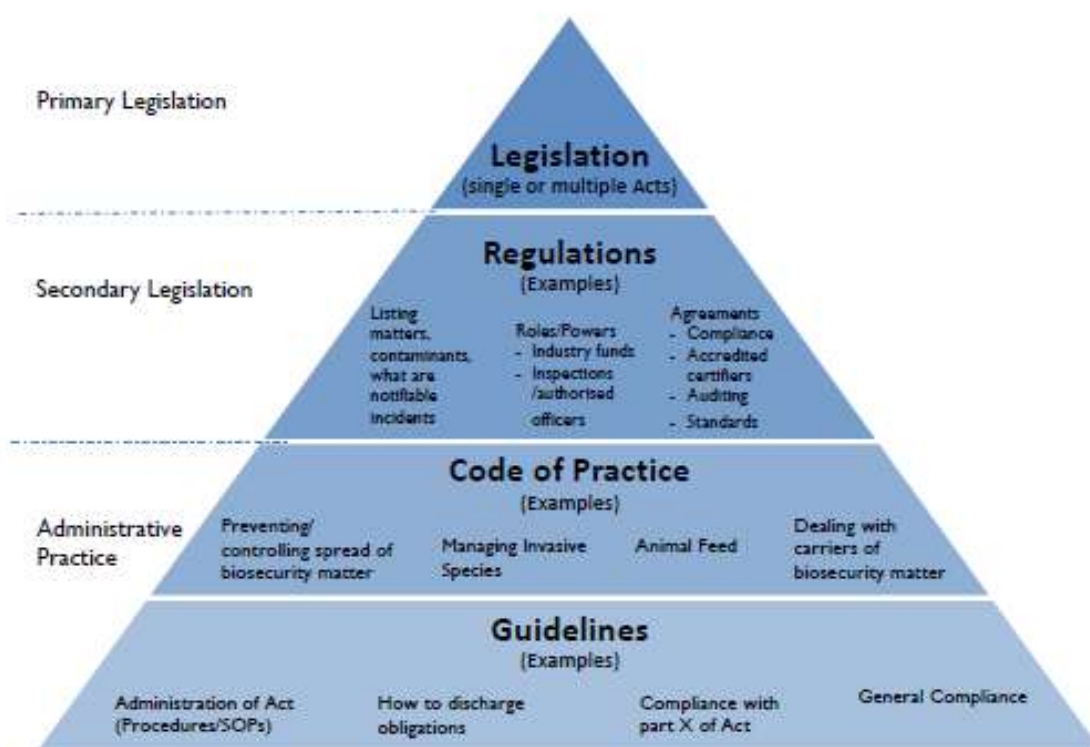
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<sup>6</sup> We are only considering the legislative components of our current framework in this review but we do acknowledge that delivering a fully functional and effective biosecurity system will require changes to our administrative practices and educational approaches irrespective of what changes are recommended out of this review.

### Biosecurity LFR Project Background Information for Discussion with Primary Stakeholders

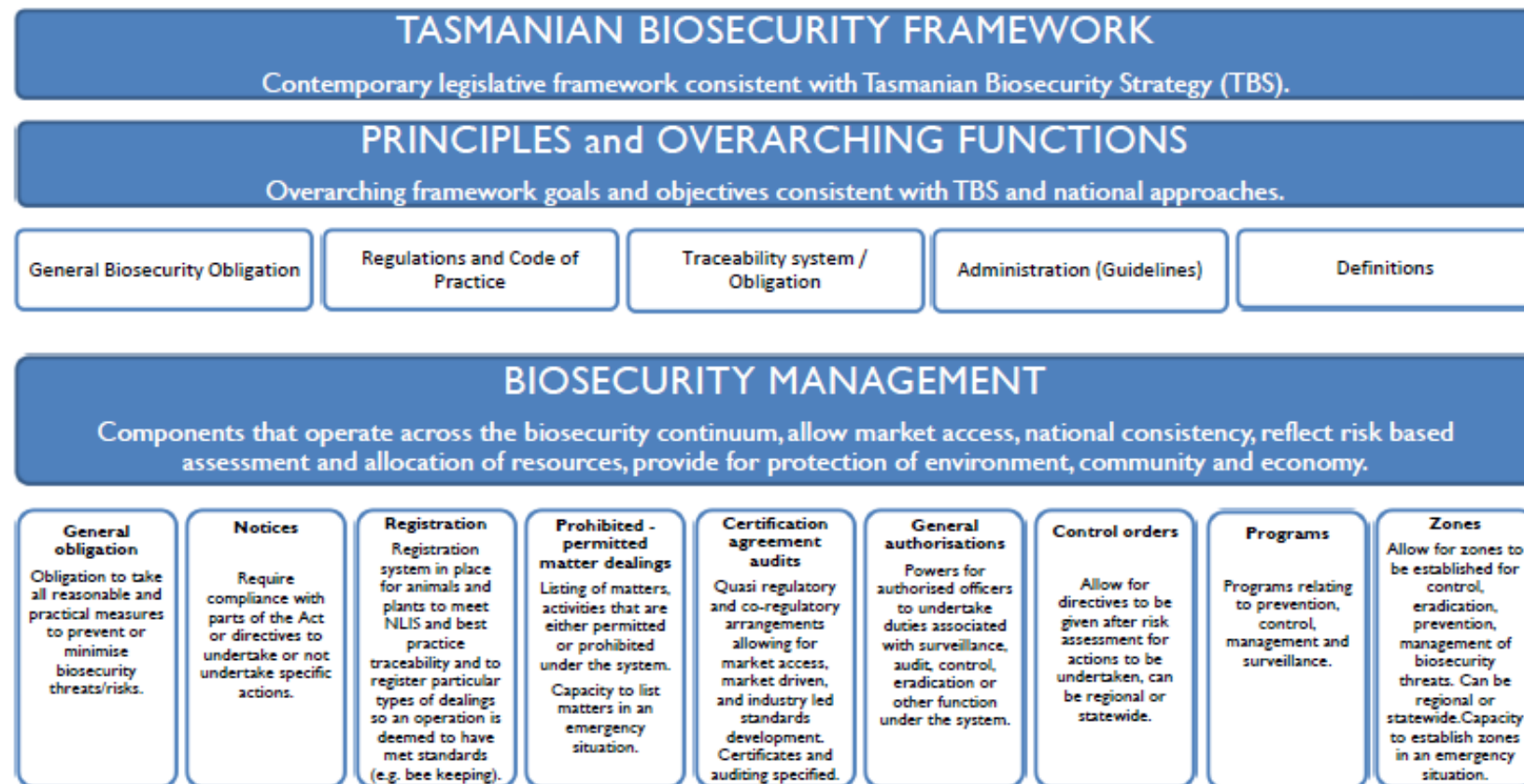
- *Declaration/Listing of prohibited or permitted matters* – Listing of matters and activities that are either permitted or prohibited under the system with the capacity to list matters in an emergency situation.
- *Certification Agreements and Auditing* - Quasi regulatory and co-regulatory arrangements allowing for market access, market driven and industry led standards development. Requirements for certificates and auditing specified.
- *General and other Authorisations/powers* – general powers as above plus powers which would be used during emergency situations such as increased inspection powers, destruction powers and overriding powers.
- *Control Orders* – orders that allow for directives to be given after risk assessment for actions to be undertaken, that can be applied regionally or statewide.
- *Programs for control or management* – Capacity to develop, implement and audit programs relating to: prevention, control and management of biosecurity matters.
- *Zones for biosecurity matters* – Allow for zones for containment, exclusion and management of biosecurity threats to be established that can apply at a range of geographic scales.

Figure 1: Regulatory pyramid



## Biosecurity LFR Project Background Information for Discussion with Primary Stakeholders

Figure 2: Biosecurity framework



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Biosecurity LFR Project Background Information for Discussion with Primary Stakeholders

**Things to Consider before our Discussion:**

**PRIMARY QUESTION 3:** Does the proposed framework cater for current and future biosecurity needs?

**ADDITIONAL PROMPT QUESTIONS:**

- 3a) Are there alternative framework models that you could see working better for biosecurity regulation in Tasmania?
- 3b) What additional or alternative goals, objectives or guiding principles do you think a revised framework should include?
- 3c) What additional or alternative components do you think a revised framework should include?



## 5 What Regulatory Approaches Should we Consider for Implementing a Framework?

Agreement on what components a modern biosecurity framework should contain is crucial to making improvements to how Tasmania deals with biosecurity. Once we have a shared view of what a framework should contain and achieve, how we implement the framework in law must be determined.

Maintaining our existing legislative system cannot deliver the outcomes we are seeking for biosecurity within the State. Nor can retaining the current legislation and improving it to reflect consistent terminology and approaches. Whilst technically feasible, retaining and improving legislation is not considered to be a suitable approach as, amongst other things, it will not address issues of duplication in our legislation.

In undertaking the review, the Department's focus has shifted to exploring how a modern biosecurity framework could be achieved in different ways under legislation. There are many possible combinations of existing legislation which could achieve a streamlined and functional system, with some providing more benefits than others.

The example approach presented below is one worth considering as part of the discussion on how to approach improving our biosecurity framework.

### 5.1 Should we introduce a single Biosecurity Act?

One legislative approach is to deliver a single biosecurity Act to regulate all biosecurity functions that the eight pieces of legislation under review currently regulate. Biosecurity functions (aside from human health) currently carried out under other areas of government such as import conditions or farming registration would also be covered under a single biosecurity Act. A single piece of legislation would contain the overarching principles, system wide components and biosecurity management provisions outlined in the description of a modern framework above (Section 4).

**Advantages:** The advantages of this approach include: a reduction in regulatory burden through a decline in the number of Acts regulating biosecurity, improvement in the administration of law through consistent terminology and approaches and removal of unnecessary duplication in law. Advice provision, licencing and approvals, monitoring and compliance and enforcement functions would all be more efficient, consistent and transparent. It would allow us to legislatively reflect the objectives of the biosecurity system within the State and would result in consistency with the legislation of the Commonwealth and some other states that have revised their biosecurity legislation in recent years.

**Disadvantages:** The disadvantages include the significant time associated with the drafting of a complex piece of legislation. Although one piece of law will result in one set of consequential amendments, the range of issues covered by it would mean significant resourcing would be required over a short time period to produce the law. Revision of administrative practices in their entirety would be required to ensure implementation of legislation occurs in a timely manner. The same clarification of the scope and application of the 'precautionary principle' as outlined above would exist. Amalgamation of traceability into biosecurity legislation would make it difficult to regulate other functions delivered by tracing and registration associated with welfare or food safety (as biosecurity legislation would not have these as primary objectives).

Things to Consider before our Discussion:

**PRIMARY QUESTION 4:** Do you think a single Act is the best legislative approach for implementing the biosecurity framework we develop?

## Biosecurity LFR Project Background Information for Discussion with Primary Stakeholders

## ADDITIONAL PROMPT QUESTIONS

4a) Do you think a single Act represents the most cost effective and beneficial approach to implementing a revised framework?

4b) What alternative legislative combinations do you think would be feasible to allow implementation of a revised framework?

## 6 Discussion Points and Policy Areas for Consideration

This paper has been prepared to provide background information to primary stakeholders identified under the Biosecurity LFR Review to assist with discussion around a future legislative framework for biosecurity within the State.

The structure and content of the biosecurity framework outlined represent what the DPIPWE feels are necessary components of a contemporary biosecurity system that will deliver the protection and management of our industries and natural environment into the future. The legislative example of adopting a single Biosecurity Act outlines how the biosecurity framework proposed could be implemented into the future.

The Department is seeking to understand what views primary stakeholders hold in relation to the biosecurity framework and legislation as administered by Biosecurity Tasmania. To help that discussion a series of prompting questions are provided throughout the text. These are summarized below in Table 3. These questions are designed to assist your organisation consider aspects of Tasmania's biosecurity system that DPIPWE feels will be important to resolve in this review.

The aspects or 'policy areas' DPIPWE is seeking more detailed conversations with primary stakeholders about are presented below (Figure 3). Some aspects are likely to be more straight forward to discuss than others. For example the contents of certification agreements or what emergency powers are required, whilst important, are likely to be agreed on more easily than compensation, cost recovery, or general biosecurity obligations under a revised framework. There are also other issues this review will deal with not stated below in Figure 3. We would encourage you to raise any issues of importance during our discussions but in the first instance we would like to focus on the policy areas outlined below.



Figure 3

## Biosecurity LFR Project Background Information for Discussion with Primary Stakeholders

Table 3: Discussion Questions

| Question Number | Question  |
|-----------------|---|
| 1               | What changes do you think are required in our biosecurity laws to make them more relevant and adaptable to current and likely future biosecurity needs?   |
| 1a)             | What other, if any, national level biosecurity issues should we be considering in developing a revised legislative framework for biosecurity?   |
| 1b)             | How important is national consistency and reducing regulatory burden for you and how do you think we could best achieve both in Tasmania's revised legislative framework?   |
| 1c)             | Can you provide any examples of regulatory burden in the biosecurity area that presents significant challenge for your business?  |
| 1d)             | What other relevant risks to biosecurity exist and can you describe how you think they could be dealt with under a revised framework?   |
| 1e)             | Differences in pest and disease status and the threats they pose exist between Tasmania and other States. Can we improve the way in which we deal with these 'regional differences' under a revised framework and if so, how? |
| 1f)             | Who should pay for the benefits of a good biosecurity system in Tasmania and how should this be institutionalised?  |
| 1g)             | Should there be an explicit biosecurity obligation imposed under the framework?   |
| 1h)             | What are the alternative approaches to regulating biosecurity that could improve our current approach and what are the risks associated with these alternatives?  |
| 1i)             | Should co-regulatory arrangements be part of the revised framework and if so, for which parts?  |
| 2               | What are the additional gaps, areas of duplication or issues from your perspective with our current biosecurity system?   |
| 2a)             | What additional aspects of legislative design do you think we should consider in this review?   |
| 2b)             | How could we better administer biosecurity legislation?   |
| 2c)             | How well do you think our current system is delivering biosecurity outcomes and how could we improve this?  |
| 2d)             | Who do you think should pay for what under a revised legislative framework for biosecurity?   |
| 2e)             | Which aspects of the system if any should include cost recovery provisions?   |
| 3               | Does the proposed framework cater for current and future biosecurity needs?   |
| 3a)             | Are there alternative framework models that you could see working better for biosecurity regulation in Tasmania?  |



### Biosecurity LFR Project Background Information for Discussion with Primary Stakeholders

|     |   |
|-----|---|
| 3b) | What additional or alternative goals, objectives or guiding principles do you think a revised framework should include?   |
| 3c) | What additional or alternative components do you think a revised framework should include?                                |
| 4   | Do you think a single Act is the best legislative approach for implementing the biosecurity framework we develop?         |
| 4a) | Do you think a single Act represents the most cost effective and beneficial approach to implementing a revised framework? |
| 4b) | What alternative legislative combinations do you think would be feasible to allow implementation of a revised framework?  |

## Biosecurity LFR Project Background Information for Discussion with Primary Stakeholders

## Appendices

### Appendix A: Biosecurity Legislation across Australia and New Zealand

| State | Aspect of Biosecurity   |  |   |
|-------|---|--|---|
|       | Traceability  | Plant and Animal Diseases and Pests  | Pest Plants and Animals   |
| NSW   | <i>Biosecurity Bill 2014</i>  | <i>Biosecurity Bill 2014</i>   | <i>Biosecurity Bill 2014</i>  |
| Qld   | <i>Biosecurity Act 2014</i>   | <i>Biosecurity Act 2014</i><br><i>Land Protection (Pest and Stock Route Management) Act 2002</i>   | <i>Biosecurity Act 2014</i><br><i>Land Protection (Pest and Stock Route Management) Act 2002</i><br><i>Land Protection Act 2002</i>   |
| WA    | <i>Biosecurity and Agricultural Management Act 2007</i>   | <i>Biosecurity and Agricultural Management Act 2007</i><br><i>Exotic Diseases of Animals Act 1993</i>  | <i>Biosecurity and Agricultural Management Act 2007</i>   |
| Vic   | <i>Livestock Management Act 2010</i><br><i>Stock (Seller Liability and Declarations) Act 1993</i> | <i>Catchment and Land Protection Act 1994</i><br><i>Plant Biosecurity Act 2010</i><br><i>Fisheries Act 1995</i><br><i>Livestock Disease Control Act 1994</i> | <i>Plant Biosecurity Act 2010</i><br><i>Fisheries Act 2010</i><br><i>Biological Control Act 1986</i>  |
| SA    | <i>Brands Act 1933</i>  | <i>Fisheries Management Act 2007</i><br><i>Plant Health Act 2009</i><br><i>Livestock Act 1997</i>  | <i>Fisheries Management Act 2007</i><br><i>Plant Health Act 2009</i><br><i>Livestock Act 1997</i><br><i>Natural Resources Management Act 2004</i>   |
| ACT   | <i>Animal Diseases Act 2005</i><br><i>Stock Act 2005</i>  | <i>Animal Diseases Act 2005</i><br><i>Plant Diseases Act 2005</i>  | <i>Pest Plant and Animals Act 2005</i><br><i>Fisheries Act 2000</i>   |
| NT    | <i>Livestock Act 2008</i>   | <i>Plant Health Act 2008</i><br><i>Livestock Act 2008</i><br><i>Fisheries Act 1988</i>   | <i>Plant Health Act 2008</i><br><i>Biological Control Act 1986</i><br><i>Weed Management Act 2001</i><br><i>Territory Parks and Wildlife Conservation Act 1980</i><br><i>Fisheries Act 1988</i> |
| Tas   | <i>Animal (Brands and Movement) Act 1984</i><br><i>Animal Farming (Registration) Act 1994</i>     | <i>Plant Quarantine Act 1997</i><br><i>Animal Health Act 1995</i>  | <i>Seeds Act 1985</i><br><i>Weed Management Act 1999</i><br><i>Vermin Control Act 2000</i><br><i>Biological Control Act 1985</i>  |
| NZ    | <i>National Animal Identification and Tracing Act 2012</i>  | <i>Biosecurity Act 1993</i><br><i>Hazardous Substances and New Organisms Act 1996</i><br><i>Health Act 1956</i>  | <i>Biosecurity Act 1993</i><br><i>Wild Animal and Control Act 1977</i>  |

## Biosecurity LFR Project Background Information for Discussion with Primary Stakeholders

## Appendix B: Biosecurity System Objectives, Guiding Principles and Components

Table 1: Biosecurity System Objectives, Guiding Principles and Components

| Objectives of Framework  | Principles for Biosecurity Systems  |   | How Objectives may be Achieved   |  |
|--|---|---|--|--|
|  | Primary   | Related   | Legislative Component  | Administrative Examples  |
| <p>A framework that allows for timely, effective and proportionate management of biosecurity by providing a system to:</p> <p>a) Control the entry, establishment and spread, and the impact of organisms or carriers of organisms that may adversely affect:</p> <ul style="list-style-type: none"> <li>i. plants</li> <li>ii. animals</li> <li>iii. human health</li> <li>iv. the environment (terrestrial, aquatic and marine)</li> <li>v. commercial activities (agriculture, aquaculture etc.)</li> <li>vi. community activities</li> </ul> | <p>Biosecurity continuum: an integrated biosecurity continuum involving risk assessment and monitoring, surveillance and response pre-border, at the border and post-border</p> | <p>Appropriate levels of protection (ALOP) should be required that ensure a realistic and cost effective approach is taken to risk and capacity to manage threats</p> | <p>Overarching functions under primary legislation:</p> <ul style="list-style-type: none"> <li>a) General compliance requirement obliging consistency with Act</li> <li>b) General authorities for appointed officers</li> <li>c) Establishment of Administrative responsibility including:               <ul style="list-style-type: none"> <li>i. Chief Administrator(s) for plants and animals</li> <li>ii. Authorized officers</li> <li>iii. Appointed officers outside of government</li> </ul> </li> </ul> | <p>Guidelines for:</p> <ul style="list-style-type: none"> <li>a) Buying, selling and moving stock</li> <li>b) Emergency response procedures</li> <li>c) Import Risk Assessment to determine which biosecurity risks should have formal control orders issued</li> </ul> <p>Code of Practice for:</p> <ul style="list-style-type: none"> <li>d) State Emergency Response</li> </ul> |
|  |   | <p>Least restrictive measures to ensure trade is not restricted should be adopted</p>   | <p>Establishment of requirement for traceability obligation:</p> <ul style="list-style-type: none"> <li>a) Outline requirement for property and animal registration systems with attendant registers and regulations that outline content and structure requirements and species regulated</li> </ul>  |  |
|  |   | <p>Flexibility is needed that allows for rapid and accurate pest and disease identification or contamination source</p>   | <p>Emergency Response provisions within primary legislation:</p> <ul style="list-style-type: none"> <li>a) Emergency Powers that allow for seizure, inspection, halting and so on in certain situations</li> <li>b) Emergency declarations that allow for emergency matters to be declared and for zones to be declared with associated management requirements</li> </ul>   |  |
|  |   | <p>Proportionate powers to ensure the response is commensurate with the risk posed should be applied</p>  | <p>Notices issued by officers to direct people how to comply with obligations under legislation including restrictions prior to entry, at the border and post the border.</p>  |  |
|  |   | <p>Preparedness, prevention and early intervention in a coordinated, integrated and</p>   | <p>Control Orders to outline specific requirements for situations over short or long periods applied regionally or statewide.</p>  |  |

## Biosecurity LFR Project Background Information for Discussion with Primary Stakeholders

|  |  |  |   |  |
|--|--|--|---|--|
|  |  | comprehensive manner is the most cost-effective approach to biosecurity management   |   |  |
|  |  | An adaptive management approach that will allow for new information sourced from monitoring to inform an inherently adaptable system is needed               | Biosecurity Zones which can be declared to allow for the management of biosecurity risks over a range of timeframes and at a range of scales.   |  |
| A framework that allows for timely, effective and proportionate management of biosecurity by providing a system that:  | Science based risk assessment: risk assessment reflecting scientific evidence and rigorous analysis                        | Regional differences must be considered in assessing risk  | Establishment of prohibited or permitted biosecurity matters classified as pests and diseases of animals, pests and diseases of plants, diseases of aquatic animals, pest terrestrial invertebrates and vertebrates, terrestrial and freshwater weeds, aquatic pests (marine and freshwater). Regulations specifying species and management options for specific species. Capacity for listing on a statewide or regional basis. Requirement for scientific risk based assessment and precautionary principle with respect to acting on a biosecurity threat. | Guidelines for:<br><br>a) Scientific risk based assessment method for listing of biosecurity matter<br>b) Stock feed quality<br>c) Stock feed procedures |
| a) provide a framework for risk based decision making in relation to biosecurity<br>b) help minimise biosecurity risks<br>c) allow for timely and effective response to biosecurity risks<br>d) manages risks associated with:<br>I. emerging, endemic and exotic pests and diseases to industry, environment, commerce and community<br>II. the transfer of disease from species to species<br>III. contaminants in carriers<br>IV. ensures safety of animal feed |  | Science should provide the fundamental basis for development, implementation, monitoring and review of biosecurity strategies and policies.                  | Requirement for restriction on animal feed prescribed in regulations  |  |
|  |  | A risk management approach should be applied in setting priorities and investment across the biosecurity management continuum (i.e. Cost benefit analysis).  | Overarching functions under primary legislation:<br><br>d) General compliance requirement obliging consistency with Act<br>e) General authority to regulate activities involving a listed biosecurity matter or carrier   |  |
|  |  | Risk assessments should be evidence based  |   |  |
|  |  | Any risk based framework should help minimise biosecurity risks  |   |  |
| A framework that allows for timely, effective and proportionate management of biosecurity by providing a system that:  | Shared responsibility: between Commonwealth and State governments<br><br>And between businesses and the general community. | In order to be effective, biosecurity systems require joint effort and clear pathways for accountability of government, industry, community and individuals. | Impose a General Obligation that requires people to take all reasonable measures to prevent or minimise impact of biosecurity risks on human health, community and environment  | Awareness and engagement programs to enhance effectiveness of biosecurity activities.  |
| a) establishes and promotes a shared obligation for the management of biosecurity across community, government and industry<br>b) establishes governance structures around biosecurity regulation.<br>c) gives effect to intergovernmental agreements and facilitates the State's efforts to align Tasmania with   |  | The cost of biosecurity should be borne equitably by all risk creators and beneficiaries   | Provide for a framework which allows Programs for the control, management and eradication of biosecurity risks that allow for local government, industry and the community input and facilitate their participation in response.  | Guidelines for:<br><br>a) Information storage<br>b) Administration of Act<br>c) How to discharge obligations<br>d) Compliance with specific parts of     |



### Biosecurity LFR Project Background Information for Discussion with Primary Stakeholders

|  |  |   |   |   |
|--|--|---|---|---|
| <p>other states' approaches to biosecurity management</p> <p>d) provides market access for Tasmanian products within and outside of Australia</p> <p>e) Development of certification and registration schemes.</p> |  | <p>A biosecurity framework should provide a whole-of-government approach</p>  | <p>Provide general powers for the relevant Department to create guidelines, codes and policies on how the Act applies and how a person may comply with obligations under it.</p>  | <p>the Act</p> <p>e) General compliance requirements</p> <p>f) Industry specific schemes</p> <p>g) Industry specific standards</p>  |
|  |  | <p>A framework should provide mechanisms to meet requirements in other jurisdictions and enable market access requirements for industry to be met</p> | <p>Capacity for Registration of specific industries or activities through notices that can require auditing, adherence to certain standards and so on. Regulations that outline specific industries that must be registered and other aspects such as auditors, audit requirements, standards preparation, information requirements</p>   | <p>Codes of Practices for:</p> <p>h) Managing invasive species (e.g. plant quarantine manual)</p> <p>i) Prevention/control of spread</p> <p>j) Dealing with carriers of biosecurity threats (e.g. vehicle hygiene)</p> <p>k) Managing specific industries</p> <p>l) Preparations of schemes</p> |
|  |  |   | <p>The capacity to allow for industry specific Certification Agreements and Audits which allow for:</p> <ul style="list-style-type: none"> <li>a) certification of products as being at a particular standard to allow for market access</li> <li>b) be market driven</li> <li>c) allow for industry led standard development and</li> <li>d) quasi or co-regulatory arrangements</li> </ul> <p>Industry specific regulations which allow for standards development</p> |   |

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## 16.6 ROTARY CLUB “TOUR DE NORFY” CYCLE CHALLENGE

The Rotary Club of Claremont is in the process of organising an annual public riding event called the ‘PMM Tour de Norfy Cycle Challenge’ for Sunday the 1<sup>st</sup> November. This event is in its eighth year, however this year Tasmania Police have asked the Rotary Club to obtain formal approval from Central Highlands Council.

The ride begins in New Norfolk, travelling along the Eastern side of the Derwent as far as Ellendale road just West of Hamilton, returning via Ellendale and Bushy Park to New Norfolk. As riders travel on roads that are in our municipality the Rotary Club seek Council written permission to hold the event.

In addition the Rotary Club would also like Council to check Ellendale Road from the Lyell Highway intersection through to the boundary with Derwent Valley Council. The Rotary Club understand that Council have been extremely helpful over the past seven years in ensuring the safety of the riders by fixing damaged sections prior to the event and for this the Rotary Club are extremely grateful.

Attached for Councils information is a letter from the Rotary Club, traffic management plans, course maps, risk assessment, mitigation strategies and insurance certificate.

### For Discussion

Moved **Clr**

Seconded **Clr**





## The Rotary Club of Claremont

### “Tour de Norfy” Cycle Challenge

1<sup>st</sup> November 2015

Lyn Eyles – General Manager  
Central Highlands Council  
6 Tarleton Street, Hamilton TAS 7140

Received ... 26/8/15

Mail ☒ Fax ☐ Email ☐ DES ☐

Forwarded to

GM ☐ FM ☐ WM ☐ DES ☐

Other .....

Entered By: .....

Rotary Club of Claremont  
PO Box 52  
Claremont TAS 7011  
22nd August 2015

Dear Ms Eyles

The Rotary Club of Claremont is once again in the process of organising our annual public riding event arranged for 1<sup>st</sup> November 2015. This event known as the Tour De Norfy is in the 8<sup>th</sup> year. It has not been necessary for approval to be requested in writing over the past years. However this year Tasmania Police ask that Claremont Rotary gain approval for the event to be held by the relevant Councils.

The ride begins in New Norfolk, travelling along the Eastern side of the Derwent as far as Ellendale road just West of Hamilton. Returning via Ellendale and Bushy Park to New Norfolk. As riders travel on roads that are under the jurisdiction of your Council I am asking for your written permission approving the event.

In addition I ask that the Council consider checking Ellendale Road from the Lyell Highway intersection through to your boundary. We understand that the Council have been extremely helpful over the past 7 years in ensuring the safety of the riders by fixing damaged sections prior to the event, and for this we are extremely grateful.

The event known as the “PMM Tour de Norfy Cycle Challenge” will begin at 09:30 from Kensington Park New Norfolk. Riders will travel over the Derwent Bridge and turn left on to the Lyell Highway. Four courses will be available for participants;

- Course 1, beginning at Kensington Park New Norfolk, riders travel via the Lyell Highway turning onto Gordon River Road just past Rosegarland. Riders will continue through Bushy Park and turning into Glenora Road returning to Kensington Park via Blair Street.
- Course 2 is a repeat of Course one, returning to and finishing at Kensington Park.
- Course 3, travelling through Rosegarland and Hamilton, turning off the Lyell Highway into Ellendale Road via Meadowbank Bridge, continuing to New Norfolk via Ellendale, Westerway and Bushy Park returning on Glenora Road to and finishing at Kensington Park.
- Course 4, is Course 3 and Course 1 combined for experienced cyclists. Riders cover Course 3 and then continue onto the Derwent River Bridge at New Norfolk and riding Course 1. Returning to New Norfolk and finishing at Kensington Park.

The event begins with the first group of riders on the long Course 3 setting out from Kensington Road at 09:30. The second group will be tackling either Course 1 or 2, and starting soon after the first riders have cleared from Kensington Road. All riders must have completed the course by 15:00 or they will be picked up as of 14:30 by volunteers manning the sweep vehicles. Strategic intersections will be manned during the event, and signposted

I have enclosed a copy of the Traffic Management Plan, course maps, risk assessment and mitigation strategies, and our insurance certificate for your information.

This event has been successfully carried out since 2008, and as in previous years, the co-operation of Tasmania Police has been forth coming.

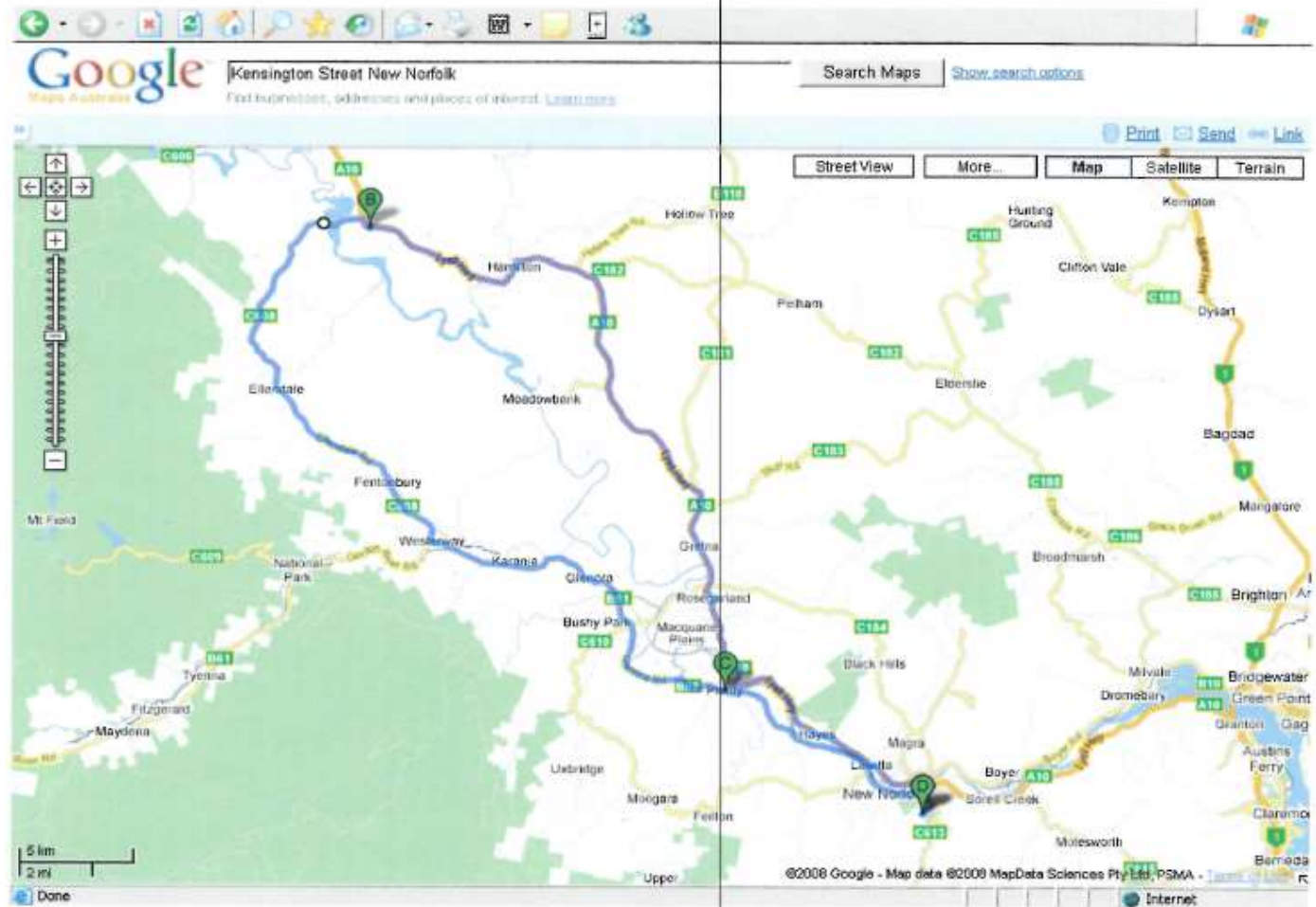
I am available on 0400 112 743 should you require further information.

In anticipation



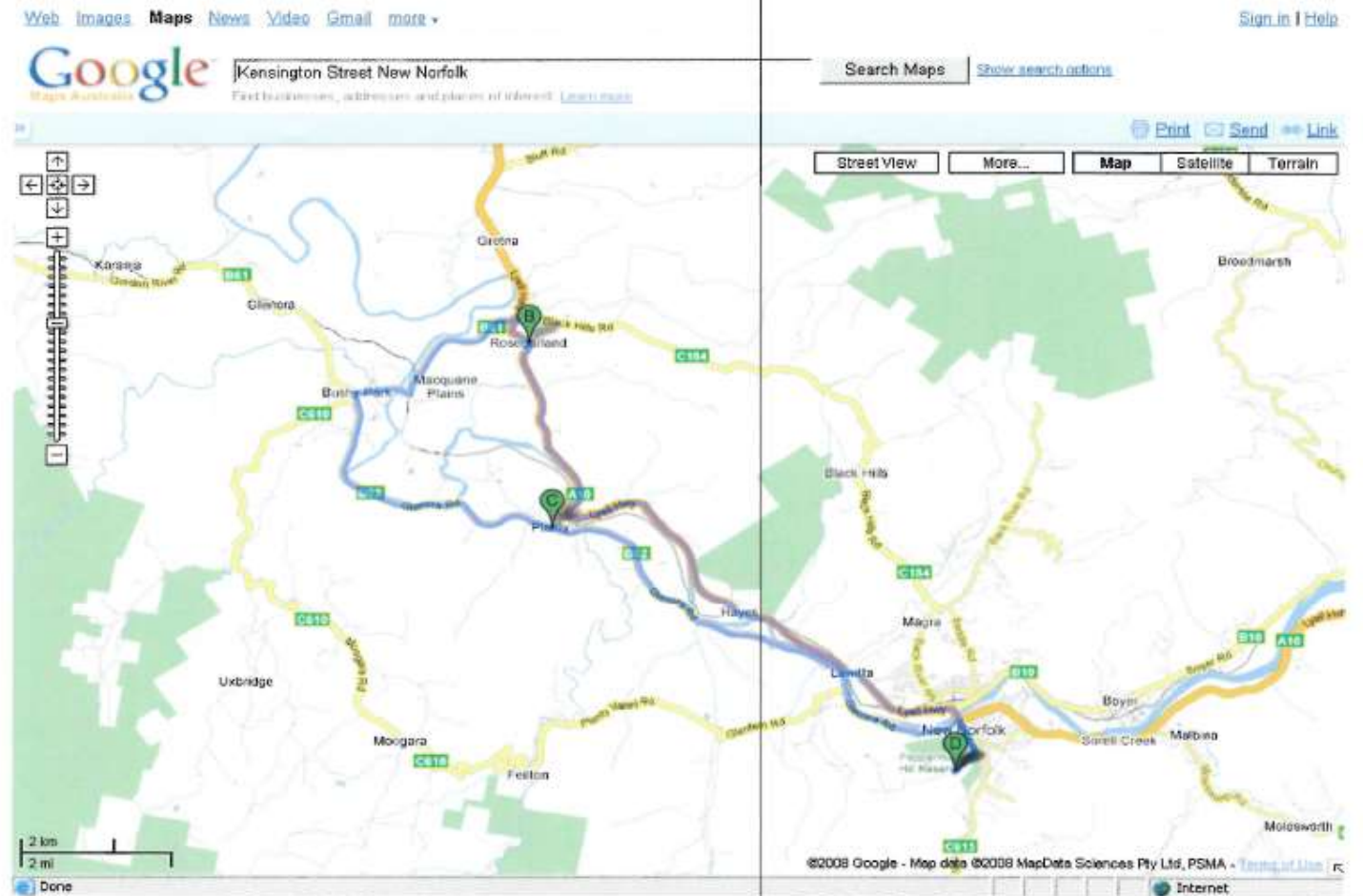
Eric Lown  
Secretary 2015-16  
Rotary Club of Claremont

## Courses 3/4 – 106/144km – Adventurous



Claremont Rotary's Mission is; "To Make a Difference"

## Course 1 & 2 – 38km or 76km







Broker:

QBE INSURANCE (AUSTRALIA) LIMITED  
ABN 78 003 191 035

International Brokers  
100 Edward Street  
Brisbane QLD 4000

Postal Address & Enquiries care of:  
Mr Alex Dimitrijevic  
Aon Risk Solutions Australia Limited  
GPO Box 65  
Brisbane QLD 4001

Telephone: (07) 3223 7456  
Facsimile: (07) 3223 7529

## Certificate of Currency

|                            |  |                         |  |
|----------------------------|--|-------------------------|--|
| <b>Policy Number</b>       | AQ R008958 PLB   |                         |  |
| <b>Name of Insured</b>     | Rotary Club of Claremont   |                         |  |
| <b>Type of Insurance</b>   | Public and Products Liability  |                         |  |
| <b>Cover</b>               | QBE will pay in respect of Personal Injury or Property Damage first happening during the Period of Insurance and caused by an Occurrence within the Territorial Limits in connection with Your Business. |                         |  |
| <b>Limit of Liability</b>  | <b>Public:</b>   | <del>\$50,000,000</del> | <del>any one Occurrence</del>  |
|                            | <b>Products:</b>   | \$50,000,000            | any one Occurrence & in the aggregate for all injury or damage occurring during the Period of Insurance. |
| <b>Territorial Limits</b>  | Anywhere in the World but subject to the Terms, Conditions and Exceptions of the Policy  |                         |  |
| <b>Period of Insurance</b> | From: 4.00pm on 30 <sup>th</sup> June 2015 to: 4.00pm on 30 <sup>th</sup> June 2016  |                         |  |
| <b>Special Conditions</b>  | Subject to the existing Terms, Conditions and Exceptions of the Policy   |                         |  |

Brisbane this 30th day of June 2015 Signed

QBE INSURANCE (AUSTRALIA) LIMITED  
ABN: 78 003 191 035  
AFS Licence No. 239545

Prepared by Eric Myers - Rotary Club of Claremont  
Traffic Management Plan – Tour de Norfy Cycle Challenge 2015

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## Tour de Norfy Cycle Challenge 2015

### TRAFFIC MANAGEMENT PLAN

#### INTRODUCTION

This is the Traffic Management Plan (TMP) to deal with the traffic conditions required to allow the smooth and safe running of Tour de Norfy Cycle Challenge, on Sunday 1st November 2015. The four event distances will be 38km, 76km, 106km, and 144km.

Start time for this event is 9:30AM and was selected to ensure participants had enough time to travel from afar, complete the course, and return home.

The completion time is 15:00, where all participants must have completed the event or be off the course by this time. A sweep vehicle will begin picking up stragglers from 14:30.

This TMP is to be read in conjunction with the permit issued by Police Tasmania.

#### TRAFFIC MANAGEMENT OBJECTIVES AND STRATEGIES

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The objectives of the TMP are to:

- Provide a safe environment for all road users;
- Provide protection to event participants, organisers and the general public from traffic hazards that may arise as a result of the event and associated activities;
- Minimise disruption, congestion and delays to all road users;
- Ensure access to adjacent private/commercial premises is not unduly hindered.

To achieve the above objectives, the TMP will:

- Ensure that delays and traffic congestion are kept to a minimum and within acceptable standards;
- Ensure that appropriate & sufficient warning and information signs are installed and that adequate guidance is provided either by signage or volunteer marshalls throughout the event;
- Reduce as much as possible road hazards and that road users are adequately cosseted from activities of event participants and organisers;

- Ensure that road users, motorists, pedestrians, cyclists, and the public's needs are accommodated during the event.

#### RESIDENTS AND BUSINESS NOTIFICATION

Along the proposed route, signage will be posted to alert residents and business owners of the event. Media coverage in the weeks prior to the event will also assist in communicating the proposed event to the general public.

A notice will be placed in the Mercury newspaper in accordance with the Police Permit.

#### EVENT SIGNAGE

Signage throughout the event course will comply with cycling event protocols and Police Tasmania requirements.

#### COURSE DESCRIPTION IN BRIEF

Participant riders will gather in Kensington Park in 2 Groups. The first group will consist of those riders partaking in the 106km and 144km course and these will be sent off from Kensington Street at 09:30.

The second group will comprise riders partaking in the 38km or 76km course. These will also be sent off from Kensington Street soon after but before 9:40AM.

From Kensington Street, all riders will travel down Blair Street and across the Derwent River turning left onto the Lyell Highway. At Rosegarland the 106km and 144km riding group will continue West towards Hamilton where a drink station will be set up.

At the Lyell Highway/Ellendale Road intersection riders will turn left travelling across Lake Medowbank towards Ellendale and a second drink station. From Ellendale these riders will continue through Bushy Park turning right onto Glenora Road and returning to New Norfolk where those completing the course will travel to Kensington Park. Those riders doing the 144km course will turn onto the Derwent River Bridge, travel on the 38km course, returning to New Norfolk and Kensington Park via Blair Street.



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Traffic Management Plan – Tour de Norfy Cycle Challenge 2015

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Those riders on the 38km and 76km course will travel from Kensington Street, down Blair Street and across the Derwent Bridge. Travelling through to Rosegarlan, riders will turn left at the Lyell Highway/Gordon Road intersection and travel to Bushy Park. Here a manned drink station will be set up at the showgrounds entrance. From the Drink Station riders will turn left at the intersection of Gordon River Road and Glenora Road returning to the Blair Street roundabout. Those riders on the 38km course will turn right and continue up Blair Street completing the event at Kensington park.

Those riders on the 76km course will turn left at the Blair Street roundabout crossing the Derwent river and repeating the 38km course eventually completing the event at Kensington Park.

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 Traffic Management Plan – Tour de Norfy Cycle Challenge 2015

### Short Course 38km

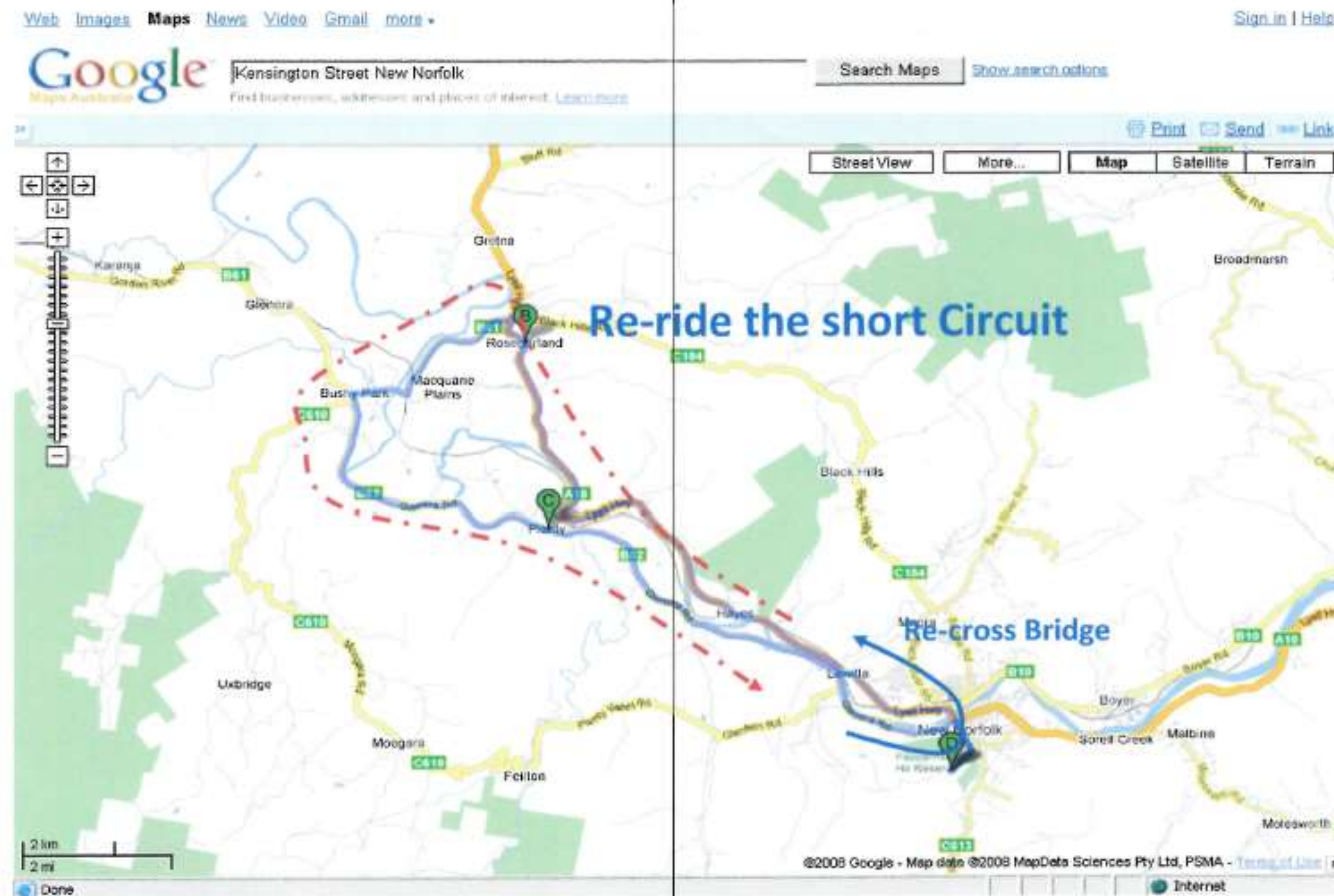
[Web](#) [Images](#) [Maps](#) [News](#) [Video](#) [Gmail](#) [more](#)

[Sign in](#) | [Help](#)



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 Traffic Management Plan – Tour de Norfy Cycle Challenge 2015

**Intermediate Course – 76km repeat of 38km course.**

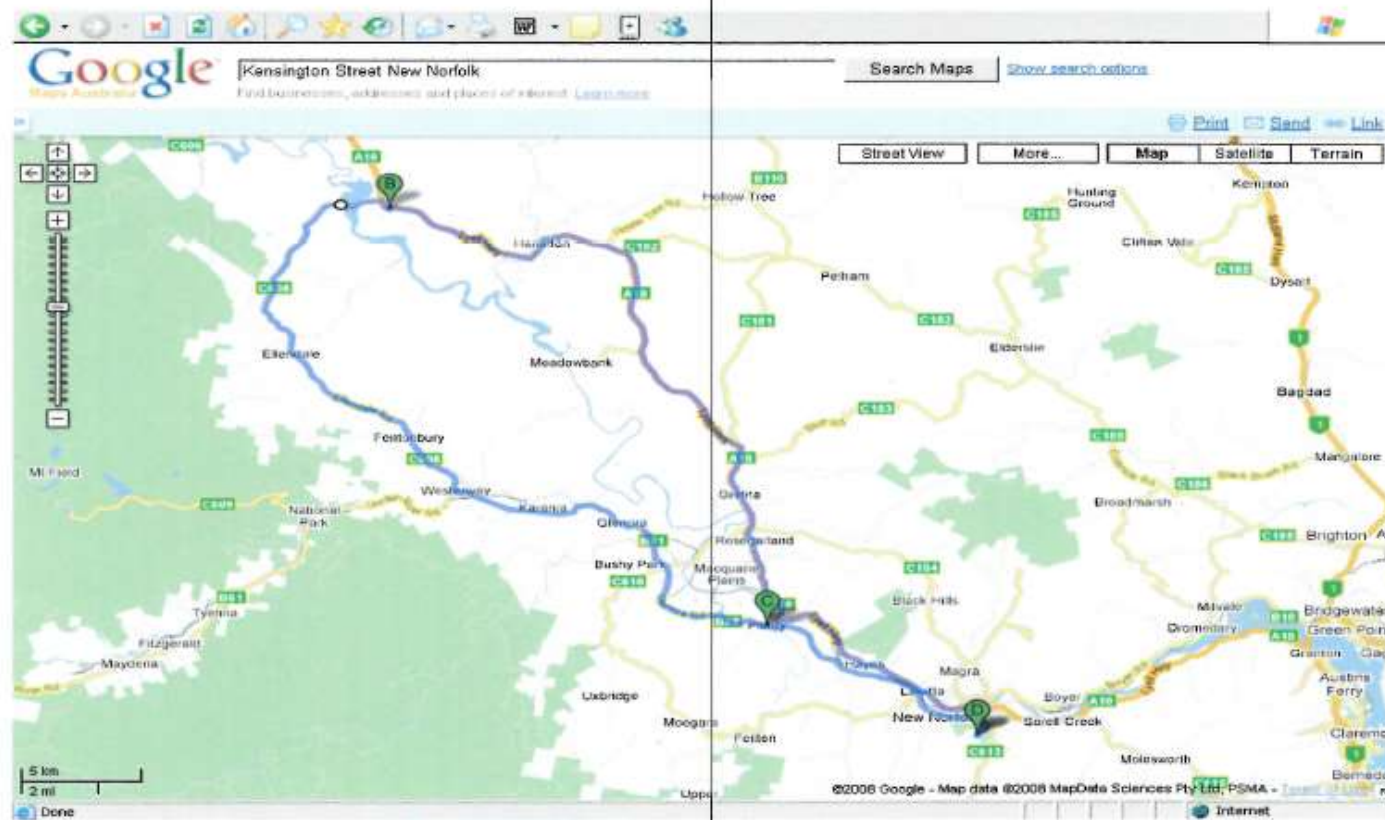


Version 17<sup>th</sup> August 2015

Page 5 of 9

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 Traffic Management Plan – Tour de Norfy Cycle Challenge 2015

**Long 106km Course. The 144km course is achieved by riding this one first then riding the 38km Course.**



### **Event times**

The event will commence at 09:30 and be completed at 15:00. Any riders remaining on the course after this time will be picked up by the sweep vehicle or revert to being private riders using the road.

### **Brief**

A brief will be provided to all riders prior to starting outlining the general condition of the permit as requested and advised by Police Tasmania. In particular:

- Riders must obey all Tasmanian road rules and directions provided by Tasmanian Police, Organisers or Marshalls;
  - Riders must not ride more than two abreast;
  - Riders must not unduly delay traffic en route. Queing of more than ten vehicles behind any group of riders could lead to safety issues, thus riders will move off the carriage and allow vehicles to pass;
- 
- It is a condition of the permit that all riders carry a rear flashing light which should be activated at all times during the event;
  - Any bike which breaks down must go immediately to the side of the road;
  - Riders must be aware that the course has potholes, rough surfaces and train tracks. Riders must ride to the road conditions and even dismount where it is considered hazardous. This is particularly appropriate where train tracks or dirt roads are present.

### **Safety Officer**

A Safety officer will be appointed to review the Traffic Management Plan and Risk Assessment and ensure compliance during the period of the event.

The Safety Officer will brief all riders prior to them setting out on the course.

### **Lead and following vehicles.**

A lead vehicle will be in front of the 106km course riders at all times. A sweep vehicle will follow the 106km course riders at all times. These vehicles will be fitted with signage and

flashing hazard lights in accordance with the Permit from Tasmania Police , warning of riders on the road.

A lead vehicle will be in front of the 38/76km riders. The sweep vehicle will initially follow the 38/76km riders to Rosegarland turnoff. This vehicle will then progress towards Hamilton until they meet the last riders of the 106km course and continue to follow these riders around the course.

### **Marshals**

Volunteer marshals will be located at strategic intersections to assist in the direction of riders and to take appropriate action in case of an unforeseen event.

Marshals are to be located at;

- Blair Street roundabout during the period 09:00 to 09:45;
- Intersection of Lyell Highway and Boyer road during the period 09:00 to 10:30;
- Rail crossings near Lawitta during the period 09:00 to 10:30;
- Rosegarland intersection of Gordon River Road and Lyell Highway during the period 10:00 to 11:00;
- The Hamilton drink station, located on the left side of the road when heading West, near the toilets from 10:00 until the last of the 106/144km riders has passed;
- The Lyell Highway and Ellendale Road Intersection from 10:00 until the last of the 106/144km riders has passed;
- The intersection of Gordon River Road and Ellendale Road, from 11:00 until the last of the 106km riders has passed;
- Gordon River Road and Glenora Road, from 11:00 until the last of the riders has passed.

### **Supporting Motorcyclists**

A number of motorcyclists are planned to be on the course wearing bright flouro vests and with hazard lights flashing and are programmed to be in attendance at intersections whilst the main group of riders for each course passes.



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 Traffic Management Plan – Tour de Norfy Cycle Challenge 2015

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Where in attendance they are to bring to the attention of motorists that the event is in progress. The motorcyclists will leapfrog from intersection to intersection of joining streets or minor roads.

### **Signage**

Signage will be placed at strategic intersections highlighting that the event is in progress and “Caution Cyclists Ahead”

Strategic intersections and positions such as the;

- Blair Street roundabout where a large electronic sign will be used;
  - Lyell Highway and Boyer Road intersection where a large electronic sign will be used;
  - Railway crossings at Lawitta;
  - Rosegarland intersection of Gordon River Road and Lyell Highway;
  - The Lyell Highway and Ellendale Road Intersection where a large electronic sign will be used;
  - The intersection of Gordon River Road and Ellendale Road;
- 
- Gordon River Road and Glenora Road.

The large electronic portable display signs will be “ON” for the period of the event 09:30 to 15:00.

### **Ambulance and First Aiders**

An ambulance from Tasmania Private is planned to be in attendance for the duration of the event. Each drink station and Kensington Park will have a first aid box available.



|    |  |  |   |   |  |   |  |  |  |   |   |
|----|--|--|---|---|--|---|--|--|--|---|---|
| 5  | Participants crossing roads are exposed to danger                  | Driver uses road without due care<br>Accident caused by driver impacting participant | 3 | 3 | Course has majority of left turns only to improve safety of event for participants<br>Marshalls strategically positioned at intersections and in attendance  | Signage positioned prior to event;<br>Task sheets prepared;<br>Task Roster prepared;<br>Marshalls understand their roles and tasks;<br>Electronic signs prepared and in place;<br>Lead and sweep vehicles in place; |  |  |  | 1 | 2 |
| 6  | Personal accident to participant requires minor intervention       | Participant needs first aid attention  | 2 | 4 | First aiders at each drink station<br>ambulance to be available during event<br>Ambulance contactable through Event Co-ordinator and Safety Officer  | Ambulances and first aiders confirmed   |  |  |  | 1 | 1 |
| 7  | Personal accident to participant requires significant intervention | Participant needs medical attention  | 2 | 3 | First aiders at each drink station<br>ambulance to follow event<br>Ambulance contactable through Safety Officer  | Ambulance and first aiders confirmed;<br>Safety officer appointed.  |  |  |  | 1 | 1 |
| 8  | Personal accident to participant requires major intervention       | Participant needs para-medical attention   | 2 | 3 | First aiders at each drink station<br>ambulance to be available during event<br>Ambulance contactable through Event Co-ordinator and Safety Officer<br>999 used for major trauma events.   | Ambulance and first aiders confirmed;<br>Safety officer appointed.  |  |  |  | 2 | 2 |
| 9  | Main intersections require traffic control                         | Public traffic enters event while riders crossing intersection                       | 3 | 4 | Police at Blair Street intersections for start, manned marshalls at other major intersections;<br>Motorcyclists with vests and hazard lights flashing, leapfrog to man minor intersections where possible until main rider group passes. | Police arranged and confirmed;<br>Alternative marshalling arranged if Police unavailable;<br>Motorcyclists arranged;  |  |  |  | 2 | 1 |
| 10 | Participants require water or sustenance                           | Dehydration or loss of energy occurs   | 3 | 4 | 3 drink stations provided<br>Participants provided water and sustenance at start of event.   | Drink station roster, water and sustenance arranged<br>Roster completed, manned and confirmed   |  |  |  | 2 | 1 |
| 11 | Participants are unable to complete event                          | Participants on road after event finishes and unable to return to start              | 3 | 4 | Sweep vehicles to follow event;<br>Stragglers and those with equipment problems picked up;   | Pick up participants as required;<br>After 14:30 pick up stragglers.  |  |  |  | 2 | 2 |
| 12 | Participants require equipment assistance                          | Participants equipment fails, rider unable to complete event and left on road        | 3 | 3 | Sweep vehicles to follow event;<br>Stragglers and those with equipment problems picked up;   | Sweep to pick up or assist participants as required;  |  |  |  | 2 | 2 |
| 13 | Ambulance is called away to emergency                              | Ambulance is unable to provide support to event.<br>Ambulance role is unsupported    | 2 | 2 | Ambulance is assigned for period of event  | Ambulances and first aiders confirmed   |  |  |  | 1 | 1 |

|    |   |  |   |   |  |  |  |  |   |   |
|----|---|--|---|---|--|--|--|--|---|---|
| 14 | Police are called away to emergency                       | Police are unable to provide support to event.<br>Police role is unsupported         | 2 | 2 | Police are only required for start of event; if Police unavailable, alternative marshalling arranged;  | Police arranged and confirmed; Alternative marshalling arranged if Police unavailable;           |  |  | 1 | 2 |
| 15 | Volunteers do not turn up to event, lack of event control | Tasks are unmanned by volunteers<br>Risk of danger to participants                   | 3 | 2 | Task sheet for each site prepared.<br>Alternative volunteers and marshalls rostered;<br>Task sheet and volunteer assignments prepared;<br>Volunteers are confirmed on the day;   | Task sheets finalised;<br>Roster prepared;<br>Sufficient volunteers confirmed;                   |  |  | 1 | 1 |
| 16 | Loss of communications occurs                             | Participants are exposed to lack of support;<br>Emergencies can not be communicated; | 1 | 3 | Mobile phones used for communications. There is only one small black spot area know between Meadowbank and Ellendale<br>Sweep vehicle and motorbike riders to monitor this area. | Let all participants and officials know of black spots and provide Safety Officers phone number. |  |  | 1 | 1 |
| 17 | Severe weather storm impacts event prior to start         | Event cancelled prior to starting;   | 4 | 3 | Monitor weather forecast for 7 days prior to event;<br>Assess risk night before and again on the day;<br>Can use social media to inform participants if required;                | Cancel event where severe danger exists.   |  |  | 1 | 1 |
| 18 | Severe wind impacts event prior to start.                 | Event cancelled prior to starting;   | 4 | 3 | Monitor weather forecast for 7 days prior to event;<br>Assess risk night before and again on the day;<br>Can use social media to inform participants if required;                | Cancel event where severe danger exists.   |  |  | 1 | 1 |
| 19 | Severe weather storm impacts event during ride.           | Event cancelled or postponed;  | 3 | 3 | Monitor weather forecast for 7 days prior to event;<br>Assess risk night before and again on the day;<br>Can use social media to inform participants if required;                | Cancel event where severe danger exists.<br>Notify all marshalls and volunteers.                 |  |  | 1 | 1 |
| 20 | Severe wind impacts event during ride.                    | Event cancelled or postponed;  | 3 | 3 | Monitor weather forecast continuously during event;<br>Assess risk;<br>Utilise marshalls and volunteers to inform participants if required;                                      | Cancel event where severe danger exists.<br>Notify all marshalls and volunteers.                 |  |  | 1 | 1 |
| 21 | Major traffic accident on course.                         | Significantly impacts ability to safely proceed potentially cancelling event;        | 2 | 3 | Plan to re-route riders around accident where possible;<br>Follow emergency services directive.  | Cancel event where severe danger exists.<br>Notify all marshalls and volunteers.                 |  |  | 1 | 1 |

|    |  |                        |   |   |   |                                   |  |  |   |   |
|----|--|------------------------|---|---|---|-----------------------------------|--|--|---|---|
| 22 | Riders slip on rail crossings such as the one at Lawitta | Injury to participants | 3 | 3 | Notify riders at "Start briefing" of specific danger;<br>Sign post danger spots;<br>Marshalls arranged at appropriate spots where possible. | Marshalls arranged and confirmed; |  |  | 1 | 1 |
|----|--|------------------------|---|---|---|-----------------------------------|--|--|---|---|

| <b>Likelihood</b> |       |   |
|-------------------|-------|---|
| Descriptor        | Level | Description                                 |
| Rare              | 1     | May occur only in exceptional circumstances |
| Unlikely          | 2     | Could occur at some time                    |
| Possible          | 3     | Might occur at some time                    |
| Likely            | 4     | Will probably occur in most circumstances   |
| Almost Certain    | 5     | Is expected to occur in most circumstances  |

| <b>Impact</b> |       |   |
|---------------|-------|---|
| Descriptor    | Level | Description   |
| Insignificant | 1     | An event, the impact of which can be readily absorbed through normal activity       |
| Minor         | 2     | An event, the impact of which can be absorbed with some effort by management        |
| Moderate      | 3     | A serious event which requires additional effort or intervention                    |
| Major         | 4     | A critical event which requires extraordinary effort and intervention by management |
| Catastrophic  | 5     | A disaster with potential to lead to significant impact on event and participants.  |

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|                            |   | Likelihood |   |   |   |   |
|----------------------------|---|------------|---|---|---|---|
|                            |   | 1          | 2 | 3 | 4 | 5 |
| I<br>m<br>p<br>a<br>c<br>t | 1 |            |   |   |   |   |
|                            | 2 |            |   |   |   |   |
|                            | 3 |            |   |   |   |   |
|                            | 4 |            |   |   |   |   |
|                            | 5 |            |   |   |   |   |



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## 16.7 SNOWBOUND RESIDENTS AND ROAD CONDITIONS

Councillor Cassidy would like to put forward the following motion for Council to consider:

*'Propose a to move a motion or however it should be handled that TAS Police with RACT and anyone else whom are deemed appropriate that specific training or driver handling techniques be given to Public Passenger Vehicles, such as school buses, being driven on roads throughout CHC, during slippery conditions, such as snow and black ice. How many Metro or O'Driscoll Bus Drivers would know to steer toward the direction of the rear wheels sliding, for example? Or, that a change in torque or tilt would affect the skid? If we could cover ourselves from any pecuniary liability or tertiary responsibility by raising the issue with the appropriate parties.'*

### For Discussion

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## 16.8 CHILDREN'S ACTIVITIES – BOTHWELL HALL

A letter has been received from Kerrie Pearce at Bothwell, asking for Council assistance to establish a Children's Activities Program at the Bothwell Hall. Initially a grant was requested and a Community Grant Application sent out. Ms Pearce is now requesting waiver of the Hall Hire fee. She will be charging a small fee for the children to attend with monies raised going back into buying equipment for the group.

### For Discussion

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Lyn Eyles

3/8/2015

I am writing this letter as a parent of this community as it has come to mine and other community members attention that this town is in need of an after school program to be put in place that the whole town will benefit from.

With the community's support behind me in large numbers I am asking for the councils full support in this matter to run a program from the town hall with exemption from the halls hire fees as this will be a community program.

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This program will be run by my self and other community members it will be aimed at school aged children 4 to 16 year olds, between the hours 2:45pm to 4pm on a Wednesday and Friday.

This program will be run with actives aimed at each age group and their abilities. There will be a small fee of \$3.00 for each child per day, all children will need consent before hand and in writing.

As this will take some time, effort and money to set up I would like to ask the council if there is any way of getting a start-up grant of any amount possible for equipment and other things needed.

As the town is in need of a program like this I would ask if this matter be discussed at the next council meeting

Yours thankfully

K.

Kernie Pearce

20<sup>th</sup> August 2015

Mrs Kerrie Pearce  
1 High Street  
BOTHWELL TAS 7030

Dear Kerrie

I am in receipt of your letter dated 3<sup>rd</sup> August 2015. Unfortunately this was only received at our Hamilton Office Thursday 20<sup>th</sup> August so it has missed the Council Meeting which was held on Wednesday 19<sup>th</sup> August.

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I have enclosed a Community Grant Application Form to complete. Please return to me as soon as possible and I will include it for consideration at the next Council Meeting to be held on 15<sup>th</sup> September 2015.

Yours faithfully

Casey Bryant  
Senior Administrative Officer

To Lyn Eyles

General manger

03 September 2015

As a parent of this community it has come to mine and other community members attention that there are no programs for the children of this community, after school hours other than the active after school program which is only one day a week for the students .

As a parent I am asking that the Central Highlands Council either put in place some sort of program for the children or if that's not an option let myself run such a program from the Bothwell hall with exemption from the hall hire fees as it would be a community program.

I am willing to run such a program for the children on my own time and of not cost of any sort to the council all I ask that there be a small fee of \$2.50 per child per day with all monies going back into the program to keep it going for equipment and other things needed.

I would like this matter discussed at the next council meeting as the children need something.

Yours thankfully

Kerrie Pearce



## 16.9 TOURISM PROPOSAL LAKE MEADOWBANK

The Lake Meadowbank sub-committee would like Council to consider calling for expressions of interest from tourism operators to develop, and run tourism infrastructure and possibly a lake tour from a jointly owned camping ground, just north of at Dunrobin Bridge, on the lakes western shore.

The Lake Meadowbank sub-committee believes that Lake Meadowbank is an easily accessible engineering feat that has largely gone unnoticed by the large numbers of locals and tourists that travel the district. A lake tour, although only seasonal, could offer fishing, as well as history (Indigenous, as well as European) and land use details (agriculture, power generation, water skiing, camping and holiday shacks).

It's envisaged that there might be some economic opportunities for neighbouring land owners to, for example, provide "farm" meals and stopovers as well as potential opportunities for Aboriginal Tasmanians to present their cultural history to interested tourists.

### Similar Tourism Models

Councillor Allwright on a recent tour of the Kimberly's, and Northern Territory observed that many of the tourist activities were conducted on public, or indigenous owned land, mainly by private operators with local council providing basic services, such as rubbish collection. The most prominent example was the Katherine Gorge Tour, which is a joint venture between the owners the local indigenous corporation, who get employment opportunities, the Northern Territory Parks & Wildlife Service, who get income to supplement environmental programs as well as the private operator who hopefully makes a profit and invest it locally.

Other examples include the Victoria River tour, which could be on private pastoral lease country and the operation of the Lake Argyle Tours, as well as smaller operations such as the Mt Barnett Indigenous Corporation, on the Gibb River Rd, that provides a shop, and camping facilities run by private operators. All these tours and operations operate seasonally in the dry.

### Calling for expressions of interest from tourism operators

The Lake Meadowbank sub-committee recognises the importance of "all party involvement", which includes the Aboriginal Land Council, Hydro Tas as well as a number of private land owners. The Lake Meadowbank sub-committee would like Council to consider calling for expressions of interest from tourism operators to develop, and run tourism infrastructure and possibly a lake tour from a jointly owned camping ground, just north of at Dunrobin Bridge, on the lakes western shore.

### For Discussion

## 16.10 REQUEST FOR SUPPORT

The following email was received from Hydro Tasmania seeking Council's in-principle support for a Waddamana Interpretation Upgrade

*Dear Mayor,*

*As part of its commitment to heritage management and the Tasmanian community, Hydro Tasmania is in the process of re-envisaging the interpretation and visitor experience presently provided by the Waddamana Power Station Museum.*

*The 2014 Tasmanian Heritage Register listing of the Waddamana Power Stations as part of the Great Lake Scheme (GLS) serial listing provides further impetus to conserve and interpret Waddamana and other places linked to construction and operation of Australia's first networked electricity scheme.*

*Hydro Tasmania is seeking funding under the recently announced Tourism Funding Program (Tourism Demand-Driver Infrastructure [TDDI] Program and the Regional Tourism Infrastructure and Innovation Fund [RTIIF]) to help upgrade interpretive infrastructure at Waddamana in order to improve the visitor experience and to increase awareness of the Great Lake Scheme generally.*

[http://www.premier.tas.gov.au/releases/millions\\_for\\_tourism\\_funding\\_program](http://www.premier.tas.gov.au/releases/millions_for_tourism_funding_program)

*Through a successful expression of interest process, Hydro Tasmania has been shortlisted to prepare a business case for the Waddamana interpretation upgrade and potential roll out of allied GLS tourism infrastructure. The business case*



*must be lodged on 25 September 2015. If the funding application is successful the proposed works will be staged over three years (2015-2018).*

*The proposed works involve interpretation upgrades at Waddamana and some level of signage or basic interpretation at other GLS sites. This may possibly be in the form of a heritage trail which aims to draw people deeper into the region for a longer and more enjoyable stay.*

*Because some places connected by the proposed GLS heritage trail, and the roads themselves, are not owned or managed by Hydro Tasmania, it will be important to have a broad community support base and to establish partnerships with affected property owners and Central Highlands Council.*

*The purpose of this email and preliminary project outline is to seek Council's in-principle support for the initiative. Supporting statements from potential stakeholders positively influences the chances of a successful funding application. In the event the application is successful Hydro Tasmania will consult fully with all affected stakeholders.*

*It would be greatly appreciated if you could notify us of your level of support by 16 September.*

*Yours sincerely,*

*Helga Grant*

Moved **Clr**

Seconded **Clr**

**THAT** Council write a letter of support for a Waddamana Interpretation Upgrade initiative.

## 16.11 OUSE AND HIGHLANDS FESTIVAL COMMITTEE – CHILDREN'S CHRISTMAS PARTY

A letter has been received from the Ouse and Highlands Festival Committee, in relation to holding the 2015 Children's Christmas Party at the Hamilton Recreation Ground on the 6<sup>th</sup> December 2015. The committee is seeking Council's support by waiving the fees and charges associated for the usage of the Hamilton Recreation Ground for the hours of 10.00 a.m. – 3.00 p.m.

See letter attached

Moved **Clr**

Seconded **Clr**

**THAT** Council waive the hire of the Hamilton Recreation Ground for the Children's Christmas Party to be held on 6<sup>th</sup> December 2015.

### **Ouse & Highlands Festival**

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6945 Lyell Highway  
Ouse Tas 7140  
Phone: 62871431  
Mob: 0457 873 938

9<sup>th</sup> September 2015

Lyn Eyles  
General Manager  
Central Highlands Council

Dear Lyn

The Ouse & Highlands Festival Committee intend to hold a Children's Christmas Party for all children in the Central Highlands Area on Sunday December 6<sup>th</sup> 2015 and we are seeking permission to use the Hamilton Recreation Ground.. Hours of use would be from 11- 2pm with an approx hour either side for the setup & clean up.

We are hoping that Council may agree to waive the fees normally associated with the hire.

Can this request be placed before Council for consideration?

Thank you for your assistance



Fran Macdonald

President

Ouse & Highlands Festival Committee

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## 17.0 SUPPLEMENTARY AGENDA ITEMS

Moved **Clr**

Seconded **Clr**

**THAT** Council consider the matters on the Supplementary Agenda.

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## 18.0 CLOSURE

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