



Central Highlands Council

AGENDA – ORDINARY COUNCIL MEETING – 16 JANUARY 2024

Dear Councillors,

Notice is hereby given, that an Ordinary Meeting of Central Highlands Council is scheduled to be held in the Council Chamber, **Hamilton** on **Tuesday 16 January 2024**, commencing at **9.00am**.

I certify under Section 65 of the *Local Government Act 1993*, that the matters to be discussed under this Agenda have been, where necessary, subject of advice from a suitably qualified person and that such advice has been taken into account in providing advice to the Council.

Dated at Hamilton this **11th** day of **January 2024**.

Kim Hossack
General Manager

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1. OPENING

2. AUDIO RECORDING DISCLAIMER

As per Regulation 33 (2) (a) of the Local Government (Meeting Procedures) Regulations 2015, audio recordings of meetings will be made available to Councillors, staff and members of the wider community including Government Agencies at no charge and will be made available on Council's website as soon as practicable after each Council Meeting. Unlike Parliament, Council meetings are not subject to parliamentary privilege, and both Council and the individual may be liable for comments that may be regarded as offensive, derogatory and/or defamatory.

The Mayor advises the meeting and members of the public that Council Meetings, not including Closed Sessions, are audio recorded and published on Council's Website in accordance with Council's Policy 2017-50.

The Mayor also advises, that members of the public are not permitted to make audio recordings of Council Meetings without prior approval being granted.

3. ACKNOWLEDGEMENT OF COUNTRY

4. PRESENT

5. IN ATTENDANCE

6. APOLOGIES

7. LEAVE OF ABSENCE

8. PECUNIARY INTEREST DECLARATIONS

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

9. PERCEIVED INTEREST DECLARATIONS

Under the **Model Code of Conduct** made by Order of the Minister responsible for Local Government the following will apply to a Councillor –

PART 2 – Conflict of Interest that are not Pecuniary

(6) A Councillor who has an actual, potential or perceived conflict of interest in a matter before the Council must –

- (a) Declare the conflict of interest and the nature of the interest before discussion on the matter begins; and
 (b) Act in good faith and exercise reasonable judgement to determine whether a reasonable person would consider that the conflict of interest requires the Councillor to remove himself or herself physically from any Council discussion and remain out of the room until the matter is decided by the Council.

10. CLOSED SESSION OF THE MEETING

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

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

RECOMMENDATION: 01/01.2024/C

Moved: Cr

Seconded: Cr

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

Item Number	Matter	Outcome
1	Confirmation of the Minutes of the Closed Session of the Ordinary Meeting of Council held on 12 December 2023.	Regulation 15 (2)(G) of the <i>Local Government (Meeting Procedures) Regulations 2015</i> – information of a personal and confidential nature or information provided to Council on the condition it is kept confidential.
2	Deputations	Regulation 15 (2) (C) of the <i>Local Government (Meeting Procedures) Regulations 2015</i> – Commercial information of a confidential nature.
3.1	Purchase of Land at 381 Marlborough Road, Bronte Park	Regulation 15 (2) (F) of the <i>Local Government (Meeting Procedures) Regulations 2025</i> - proposals for the council to acquire land or an interest in land or for the disposal of land.
3.2	St Michael & All Angels Church, Bothwell	Regulation 15 (2) (F) of the <i>Local Government (Meeting Procedures) Regulations 2025</i> - proposals for the council to acquire land or an interest in land or for the disposal of land.
3.3	TENDER CHC 13-23 Widening of Bridge No. 2406 at Wentworth Creek on 14 Mile Road	Regulation 15 (2) (D) of the <i>Local Government (Meeting Procedures) Regulations 2025</i> - contracts and tenders for the supply of goods and services and their terms, conditions, approval, and renewal.
4	Notice of Motion – Deputy Mayor J Allwright	Regulation 15 (2) (A) of the <i>Local Government (Meeting Procedures) Regulations 2025</i> - personnel matters, including complaints against an employee of the council and industrial relations matters.
5	Supplementary Agenda Items	Part 2 Regulation 8 (6) of the <i>Local Government (Meeting Procedures) Regulations 2015</i> .
6	Consideration of Matters for Disclosure to the Public.	Regulation 15 (8) of the <i>Local Government (Meeting Procedures) Regulations 2015</i> - While in a closed

		<i>meeting, the Council, or Council Committee, is to consider whether any discussions, decisions, reports or documents relating to that closed meeting are to be kept confidential or released to the public, taking into account privacy and confidentiality issues.</i>
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MEETING CLOSED to the public at ____ am.

11. MOTION OUT OF CLOSED SESSION

12. RE-OPEN MEETING TO THE PUBLIC

The meeting re-opened to the public at ____am. The Mayor again advises, to the meeting and members of the public that Council Meetings, not including Closed Sessions, are audio recorded and published on Council's Website.

Members of the public are not permitted to make audio recordings of Council Meetings without prior approval being granted.

13. DEPUTATIONS

14. PUBLIC QUESTION TIME

In accordance with the *Local Government (Meeting Procedures) Regulations 2015*, the Council conducts a Public Question Time Forum to enable members of the public to ask question on Council related matters.

A period of 15 minutes, if required, will be set aside at the beginning of each Ordinary Council Meeting to conduct Public Question Time. If a response to a question cannot be provided at the meeting a written response will be provided as soon as practicable.

A member of the public may give written notice to the General Manager, 7 days before a meeting of a question to be put to the Meeting.

The Chairman may invite any member of the public present at a meeting to ask questions, without notice, relating to activities of the Council, subject to the provisions of Clause 2 below.

1. Once Question Time commences the Chairman will determine the order in which questions are heard.
2. Questions may relate to any business of the Council capable of being discussed in the open portion of the meeting, and which is not listed as an item for consideration on the Agenda for the Council Meeting.
3. Members of the public proposing a question are required to be present at the Council Meeting at which their question is to be read. Where a person submits a question for Public Question Time but fails to attend the meeting, the question will be treated as general correspondence and a written response will be provided at the earliest opportunity.
4. A person asking a question, when called upon by the Chairman is requested to:
 - Stand,
 - State their name and address,

- Read out their question.
5. The Chairman retains the right to accept or decline questions and to determine if the question is to be answered at the meeting by the appropriate Councillor or employee or written down and taken on notice. The decision to take the question on notice may also be taken by the Councillor or employee to whom the question is directed. Questions taken on notice will be answered at a later meeting.
 6. The Chairman may rule a question inappropriate, and thus inadmissible if in his or her opinion it has already been asked, is unclear, irrelevant, insulting, improper or relates to any matter which would normally be discussed in the closed portion of the meeting as defined in the *Local Government (Meeting Procedures) Regulations 2015*.
 7. Public Question Time forum will be limited to a maximum of 15 minutes in duration and will be declared closed following the expiration of the allocated time period, or where all valid questions have been dealt with, whichever is the sooner.
 8. Each question is to be asked by the proponent who will be allowed a maximum of three minutes in which to put the question.
 9. The Chairman will **not allow** any discussion or debate on either the question or the response.
 10. Where a person proposes more than one question at any one forum, and there are a number of persons wishing to lodge questions, the Chairman may take the questions in such order so as to hear as many members of the public as practical during the time allocated.
 11. The minutes of the Council Meeting will contain a summary of each question asked by members of the public and the response given.
 12. Public Statements (as opposed to questions) **will not** be accepted for the reason that statements could be considered a form of participation.

Pertaining to any Planning Authority agenda item within this agenda, Council will do so in accordance with Council's Policy 2017-49.

Both the Public Question Time Procedure above and Council's Policy 2017-49 'Public Comment on Planning Agenda Items' will be available for the public to view at the meeting.

15. NOTICE OF MOTIONS

Under Regulation 16 of the *Local Government (Meeting Procedures) Regulations 2015* relating to Motions on Notice. It states the following:

- (5) *A Councillor may give to the general manager, at least 7 days before a meeting, give written notice of a motion, together with supporting information and reasons, to be included on the agenda of that meeting. general manager of a question in respect of which the councillor seeks an answer at that meeting.*

15.1 NOTICE OF MOTION – CR R CASSIDY

A Notice of Motion has been received from **Cr R Cassidy** on **2 December 2023**, for inclusion on this Agenda and provides the following supporting information and reasons for this motion: -

Residents and ratepayers may not understand the risks of fire and violet explosion that Lithium Ion Batteries pose, especially when a broken battery case is exposed to liquid, thus should seek to recycle them rather than dispose of them into trash.

References:

<https://www.accc.gov.au/media-release/consumers-urged-to-use-and-store-lithium-ion-batteries-safely-to-prevent-deadly-fires>

<https://tasfire.com/lithium-ion-battery-fires/>

https://www.fire.tas.gov.au/userfiles/saraha/file/20230504/0_7_1%20Guideline%20for%20the%20use%20of%20portable%20fire%20extinguishers%20for%20lithium%20battery%20fires%20TFS%20V1%20.pdf

<https://www.productsafety.gov.au/products/electronics-technology/lithium-ion-batteries>

Council should distribute educational material, by whatever means to inform ratepayers and residents of the extreme fire hazard that Lithium Ion Batteries pose and should not be left unattended whilst charging and if the battery's case is broken open, it could violently explode if it gets wet.

The following motion has been proposed –

RECOMMENDATION: 02/01.2024/C

Moved: Cr R Cassidy

Seconded: Cr

***THAT** Council consider creating a policy banning the acceptance of Lithium Ion Batteries in Council's ratepayers' and residents' waste bins and that no Lithium Ion Batteries should be admitted to Central Highlands tip sites, due to extreme fire risk.*

15.2 NOTICE OF MOTION – CR R CASSIDY

A Notice of Motion has been received from **Cr R Cassidy** on **5 December 2023**, for inclusion on this Agenda and provides the following supporting information and reasons for this motion: -

I discovered TasWater does not provide fluoride within the Bothwell Town Water supply. It is the only place I have lived without it. Dental care is poor in Tasmania and fluoride prevents dental decay and disease. I can provide contact details to Council.

The following motion has been proposed –

RECOMMENDATION: 03/01.2024/C

Moved: Cr R Cassidy

Seconded: Cr

***THAT** Council write to the Tasmania Health Service Fluoridation Committee; Minister Guy Barnett, Chair of this Committee; and TasWater to expedite the introduction of fluoride in Bothwell Town Water for the long-term health / dental benefit.*

15.3 NOTICE OF MOTION – CR D MEACHEAM

A Notice of Motion has been received from **Cr D Meacheam** on **2 December 2023**, for inclusion on this Agenda and provides the following supporting information and reasons for this motion: -

A number of Bronte residents have approached me, expressing grave concern at the number of dogs wandering in the Bronte Park settlement, creating a major nuisance. I acknowledge that enforcement of

any dog control measure in this community could be problematic, being remote from Hamilton and Bothwell, but the signage alone will prompt some residents to exercise better control of their dogs.

Zoning Bronte Park as a dog control area will bring the settlement into line with the same zoning in Miena.

RECOMMENDATION: 04/01.2024/C

Moved: Cr D Meacheam

Seconded: Cr

THAT the Bronte Village be subject to the following dog control measure, with appropriate signage: “Restricted area. Dogs must be on leash or under effective control”.

16. COMMITMENTS

16.1 MAYORAL COMMITMENTS

6 December 2023 to 10 January 2024

11 December 2023	Australia Day Committee Meeting, Hamilton
12 December 2023	Annual General Meeting of Council, Bothwell
12 December 2023	Ordinary Meeting of Council, Bothwell
12 December 2023	Bothwell District High School – Presentation of Bursaries and Awards
15 December 2023	Citizenship Ceremony x 2, Bothwell
20 December 2023	Westerway Primary School - Presentation of Bursaries and Awards
21 December 2023	Council Christmas BBQ
21 December 2023	Gretna Volunteer Fire Brigade – Christmas BBQ
9 January 2024	Planning Meeting (Bothwell)
9 January 2024	Workshop (Bothwell)

- Business of Council **x 9**
- Ratepayer and community members - communications **x 10**
- Elected Members - communications **x 18**
- Central Highlands Council Management - communications **x 4**

FOR INFORMATION

16.2 COUNCILLOR COMMITMENTS

Deputy Mayor J Allwright

12 December 2023	Annual General Meeting of Council, Bothwell
12 December 2023	Ordinary Meeting of Council, Bothwell
9 January 2024	Planning Meeting (Bothwell)
9 January 2024	Workshop (Bothwell)

Cr A Archer

12 December 2023	Annual General Meeting of Council, Bothwell
12 December 2023	Ordinary Meeting of Council, Bothwell

Cr A Bailey

11 December 2023	Australia Day Committee Meeting, Hamilton
12 December 2023	Annual General Meeting of Council, Bothwell
12 December 2023	Ordinary Meeting of Council, Bothwell
19 December 2023	Glenora District High School Presentation Day
21 December 2023	Council Xmas BBQ
9 January 2024	Planning Meeting (Bothwell)
9 January 2024	Workshop (Bothwell)

Cr R Cassidy

9 January 2024	Planning Meeting (Bothwell)
9 January 2024	Workshop (Bothwell)

Cr J Hall

12 December 2023	Annual General Meeting of Council, (Bothwell)
12 December 2023	Ordinary Meeting of Council, (Bothwell)
13 December 2023	Online Learning Framework and Development modules from 1 to 4
19 December 2023	Glenora District High School Presentation Day
21 December 2023	Council Xmas BBQ
9 January 2024	Planning Meeting (Bothwell)
9 January 2024	Workshop (Bothwell)

Cr J Honner

12 December 2023	Annual General Meeting of Council, Bothwell
12 December 2023	Ordinary Meeting of Council, Bothwell
12 December 2023	Bothwell District High School – Presentation of Bursaries and Awards
21 December 2023	Council Xmas BBQ
9 January 2024	Planning Meeting (Bothwell)
9 January 2024	Workshop (Bothwell)

Cr D Meacheam

21 December 2023	Council Xmas BBQ
9 January 2024	Planning Meeting (Bothwell)
9 January 2024	Workshop (Bothwell)

Cr Y Miller

9 January 2024	Planning Meeting (Bothwell)
9 January 2024	Workshop (Bothwell)

FOR INFORMATION**16.3 GENERAL MANAGER'S COMMITMENTS**

Date	With Whom	Subject / Comment
12 Dec 2023	Council and Management Members	Annual General Meeting
12 Dec 2023	Council and Management Members	Council Meeting
12-13 Dec 2023	Councillors	Various Subjects
15 Dec 2023	Members of the community	Australian Citizenship Ceremonies
20 Dec 2023	Management Members, Union and Staff Representatives	Enterprise Agreement Meeting
21 Dec 2023	Councillors and Staff	Council Christmas Function
9 Jan 2024	Council and Management Members	Planning Committee Meeting
9 Jan 2024	Council and Management Members	Council Workshop
11 Jan 2024	Management Members, Union and Staff Representatives	Enterprise Agreement Meeting

FOR INFORMATION

16.4 DEPUTY GENERAL MANAGER COMMITMENTS

Date	With Whom	Subject / Comment
20 Dec 2023	General Manager, Management Members, Union and Rep's	Enterprise Agreement Meeting
9 Jan 2024	Council and Management Members	Council Workshop
11 Jan 2024	General Manager, Management Members, Union and Rep's	Enterprise Agreement Meeting
16 Jan 2024	Council and Management Members	Council Meeting

FOR INFORMATION

17. NOTIFICATION OF COUNCIL WORKSHOPS HELD

A Council Workshop was held on **9 January 2024**. The following items were discussed –

- Future of Local Government Review – Final Report submission
- Private Works Audit
- Purchase of 30 River Street, Hamilton
- Osterley Church & Cemetery Purchase progress update
- Bridges Renewal Program Grant
- National Disaster Risk Reduction Program – review of emergency management capability
- LGAT Open Spaces Grant Program
- Strategic Plan for Highlands Bushfest #GoneBush (10 years & beyond)

18. FUTURE WORKSHOPS

The proposed next Council Workshop will be held on the following date/s –

- 13 February 2024

19. MAYORAL ANNOUNCEMENTS

20. MINUTES

20.1 CONFIRMATION OF DRAFT MINUTES ORDINARY MEETING – 12 DECEMBER 2023

RECOMMENDATION: 05/01.2024/C

Moved: Cr

Seconded: Cr

THAT the Draft Minutes of the Ordinary Meeting of Council held on Tuesday 12 December 2023 be confirmed.

20.2 RECEIVAL OF DRAFT MINUTES PLANNING COMMITTEE MEETING – 9 JANUARY 2024

RECOMMENDATION: 06/01.2024/C

Moved: Cr

Seconded: Cr

THAT the Draft Minutes of the Planning Committee Meeting held on Tuesday 9 January 2024 be received.

21. BUSINESS ARISING – DECEMBER 2023 COUNCIL MEETING

Business Arising - actions undertaken.

15.1	NOTICE OF MOTION – CR R CASSIDY	Deferred to January Council Meeting
20.2	RECEIVAL OF DRAFT AUDIT PANEL MINUTES – 4 DECEMBER 2023	Received and all 3 recommendations approved
23.1	DEVELOPMENT APPLICATION (DA 2023/50) FOR SUBDIVISION (8 LOTS & BALANCE LOT) AT 937 ELLENDALE ROAD, ELLENDALE OWNED BY J & A DALLEY	Approved and actioned
25.1	TASMANIAN PLANNING COMMISSION DECISIONS REGARDING THE SUBSTANTIAL MODIFICATIONS TO THE CENTRAL HIGHLANDS LOCAL PROVISIONS SCHEDULE: PLANNING SCHEME AMENDMENTS 2023/01, 2023/02 AND 2023/03	Actioned
25.2	TOWNSHIP STRUCTURE PLANNING PROJECT – PROGRESS UPDATE	Actioned
25.3	HAMILTON AMENITIES BUILDING AND BBQ SHELTER	Deferred to the 2024/25 Budget Deliberations
27.2	COUNCIL AND COMMITTEE MEETING DATES AND TIMES FOR 2024	Actioned & advertised
27.3	COUNCILLOR REPRESENTATIVES ON COMMITTEES 2023-24	Actioned except for the Planning Committee & TasWater representatives – follow up items in this Agenda
27.5	GREAT LAKE TIE-IN COMMUNITY GRANT APPLICATION	Actioned and approved
27.6	ROTARY CLUB OF HOBART FUNDING SUPPORT FOR ANNUAL MAGIC SHOW 2024	Actioned and approved \$280
27.7	CHILD AND YOUTH SAFE ORGANISATIONS FRAMEWORK AND DRAFT POLICY	Actioned

FOR INFORMATION

22. DERWENT CATCHMENT PROJECT



Derwent Catchment Project Monthly Report for Central Highlands Council December 6th, 2023 – January 10th, 2024

Central Highlands Weeds Program

Strategic Actions 4.4 Continue the program of weed reduction in the Central Highlands, and 4.7 Support and assist practical programs that address existing environmental problems and improve the environment.

The weed management program focuses on implementing the Central Highlands Weed Management Plan and addressing weed control priorities.

The season has remained to be a challenging one to predict but the ground crew have been out on the roads treating weeds. A focus this season has been to treat weeds along Hollow Tree Road. As you would know, the road is a complicated place to work safely along and as such we waited until extra traffic management could be used. The ground crew have since been back to treat any remaining weeds along safer sections of the road, and we look forward to seeing how it progresses.



Bashan Road near the Cattle Hill Wind Farm still poses a threat from thistle infestation after the large works and landslips that happened in the region. The team prioritised treating the thistles along the road late last year as per a request from a council and a local resident. We will continue to watch and act along this section of Bashan Road.

The team have also been spraying Central Highlands townships as per the request from council. They treated the last zone within the Ellendale township last year. Whilst working in the Ellendale region we also carried out inspections of the previously treated (2022-23) blackberry along the side roads. Whilst there is some regrowth (which is to be expected) there has been a high success rate in the treatment of blackberry within Ellendale.

Orange Hawk: Weed Action Fund

Work has continued with this program with all known sites having their preliminary survey completed and 70% of the sites have been treated. It has been a bumper growth year for Orange hawkweed and we have been working closely with local and landholders and a range of State Government organisations to develop a more comprehensive strategy for containment and eradication.

Restoration and Conservation

Strategic Actions: 4.1 Continue to fund and support the Derwent Catchment Project and 4.7 Support and assist practical programs that address existing environmental problems and improve the environment.

Nursery update

The summer months have brought on growth at the nursery, and we are already running out of space. Karen the Nursery Manager is busily pricking out and growing plants for internal and external planting projects scheduled for autumn.



New plant growth at the Hamilton nursery

Tyenna River Recovery – Willow Warriors – supported by IFS, SFM, DV council and Tassal

There were no working bees organised over the festive season however, Morgan has been working on a rehabilitation plan in the upper reaches of the Tyenna River in collaboration with IFS and SFM. The rehabilitation will be reported on in more detail once the details are finalised.

Grant applications

There are no current grant applications awaiting approval.

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

Yours Sincerely,

The Derwent Catchment Team

Key Contacts:

Josie Kelman (Co Executive Officer) 0427 044 700

Eve Lazarus (Co Executive Officer) 0429 170 048

Morgan McPherson (Works Manager) 0418 667 426

Stuart Rose (Restoration Manager)

Karen Phillips (Nursery Manager) 0400 039 303

RECOMMENDATION: 07/01.2024/C**Moved:** Cr**Seconded:** Cr*THAT the Derwent Catchment Project Report for December be received.***23. COUNCIL ACTING AS A PLANNING AUTHORITY**

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 is to be noted.

In accordance with Regulation 25, the Council will act as a Planning Authority in respect to those matters appearing under Item 23 on this agenda, inclusive of any supplementary items.

RECOMMENDATION: 08/01.2024/C**Moved:** Cr**Seconded:** Cr*THAT Council now act as a Planning Authority.*

23.1 DEVELOPMENT APPLICATION (DA2023/63) FOR SUBDIVISION (2 LOTS & BALANCE LOT) AT LOT 2 ELLENDALE ROAD, WESTERWAY OWNED BY T CLARK & S GATENBY-CLARK

Author

Lousia Brown, Senior Planning Officer

Authorised By

Graham Rogers, Development & Environmental Services Manager

ATTACHMENTS

- Development Application documents
- Planning Compliance Report
- Bushfire Hazard Assessment
- Copy of Title
- Site plan/plan of subdivision

PROPOSAL

Council is in receipt of a Development Application for a 2 Lot and Balance subdivision at Lot 2 Ellendale Road, Westerway.

PDA Surveyors, Engineers and Planners, have applied to the Central Highlands Council for a Permit under the *Land Use Planning and Approvals Act 1993* ("the Act") to subdivide the land.

The existing property is made up of one title (CT: 177709/2) with a total area of 50.59ha. The property is vacant of any structures and an existing vehicular access is provided from Ellendale Road.

The application seeks to subdivide the site to create a total of two (2) lots and the balance lot in the following arrangement:

Lot 1 – 8.85ha, 272m of frontage to Ellendale Road, new shared vehicular access from the Road;

Lot 2 – 5.66ha, 186m of frontage to Ellendale Road, new shared vehicular access from the Road; and

Balance Lot – 36.08ha, 71m frontage to Ellendale Road and exiting vehicular access from the Road.

The application has been lodged under the *Tasmanian Planning Scheme – Central Highlands* (“the Planning Scheme”) and the property is zoned Rural Living A within the Planning Scheme.

Under the Planning Scheme subdivision is defined as development. The proposal is to be assessed against the development standards of the zone and the development standards of the applicable Codes. These matters are described and assessed in this report.

This is a discretionary application under the Planning Scheme. The Council gave notice of the application for public comment as required by the Act. During the notification period no representations were received.

This report will assess the proposal against the relevant provisions of the Act and the Scheme. It is recommended that Council grant a permit for the subdivision subject to conditions.

THE SITE

The property is located within the settlement of Westerway, 1km north of the bridge junction with Gordon River Road. Several existing dwellings adjoin the north-eastern property boundary, the northern boundary is defined by Ellendale Road.

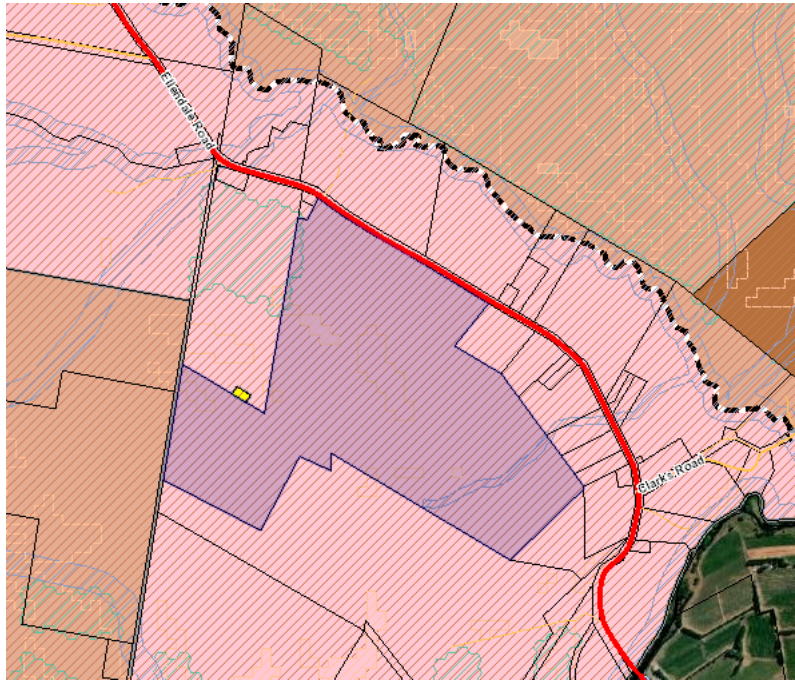
Agricultural uses, predominantly pastoral are characteristic of the area, with adjacent properties also within the Rural Living Zone of the Planning Scheme.

The land slopes downwards from the highest point in the southwest corner towards Ellendale Road. The property is currently vacant of any structures.

A “wayleave easement” runs south-west from Ellendale Road through the property, this accommodates TasWater infrastructure on adjacent land to the north-west.

Map 1 below shows the land zoning, code overlays and location of the property.

Map 2 is an aerial image of the property and surrounds, with the TasWater infrastructure shown.



Map 1_ The subject land and most surrounding properties are in the Rural Living Zone (pink). Adjoining land to the west and further north, north-east is in the Rural Zone (light brown). The pink colour represents the Rural Living Zone. The subject title is identified by the blue line. Source: LISTmap (02/01/24)



Map 2_ Aerial image of the subject land and surrounding area. Subject titles marked with blue line. TasWater infrastructure is shown as blue and black line. Source: LISTmap (02/01/24)

THE APPLICATION

The Applicant has submitted the attached Plans and reports to accompany the Development Application form.

Specific matters relevant to the application are discussed below.

Access

New Lots 1 and 2 lots will require new access crossovers and the balance lot will use the existing access.

Stormwater and Sewer

Reticulated sewer is not available in this location; therefore all proposed lots are sized sufficiently for wastewater to be managed onsite. This will be assessed as part of any future proposals to develop the vacant lots.

Stormwater will either be retained on site or discharge to the storm in line with any future Plumbing Permits.

Bushfire

The entirety of the land is identified as bushfire prone.

As such, a Bushfire Hazard Report and Management Plan has been provided to address the requirements of the Bushfire Prone Areas Code (assessed below).

In summary, the proposed subdivision is able to meet the requirements of the Code.

Public Open Space

No land will be provided for Public Open Space in this subdivision. A condition requiring payment of cash in lieu of 5% of the value in accordance with the *Local Government (Building and Miscellaneous Provisions) Act 1994* is included in the recommendation.

TasWater

Water reticulation is available to the land, with the main running along Ellendale Road.

The developer will need to provide new water connections for all lots and in accordance with the requirements of TasWater.

USE/DEVELOPMENT DEFINITION

The proposed use and development is defined, under the Planning Scheme, as development for Subdivision, which is Discretionary in accordance with the *Tasmanian Planning Scheme – Central Highlands*.

Use/Development Status under the Planning Scheme

As a discretionary development, the application was advertised in accordance with Section 57 of the Act. Council has the discretion to grant a permit for this proposal with or without conditions or refuse to grant a permit.

PUBLIC NOTIFICATION AND REPRESENTATIONS

The application was advertised for 14 days until the 6th December 2023.

No representations were received.

ASSESSMENT - THE TASMANIAN PLANNING SCHEME – CENTRAL HIGHLAND

RURAL LIVING ZONE 'A'

The land is in the Rural Living Zone A. The proposal is a discretionary land use and development in this zone. The proposal must satisfy the requirements of the following relevant provisions of this zone:

11.5 Development Standards for Subdivision 11.5.1 Lot design That each lot:		
(a) has an area and dimensions appropriate for use and development in the zone;		
(b) is provided with appropriate access to a road; and		
(c) contains areas which are suitable for residential development.		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1 Each lot, or a lot proposed in a plan of subdivision, must:	P1 Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have sufficient useable area and dimensions	<i>All lots are in excess of the minimum lot size of 1ha and can accommodate a minimum building area of 15mx20m, clear of setback requirement and existing easements.</i>

<p>(i) be able to contain a minimum area of 15m x 20m clear of:</p> <p>a. all setbacks required by clause 11.4.2 A2 and A3; and</p> <p>b. easements or other title restrictions that limit or restrict development; and</p> <p>(ii) existing buildings are consistent with the setback required by clause 11.4.2 A2 and A3;</p> <p>(b) be required for public use by the Crown, a Council or a State Authority;</p> <p>(c) be required for the provision of Utilities; or</p> <p>(d) be for the consolidation of a lot with another lot provided each lot is within the same zone.</p>	<p>suitable for its intended use, having regard to:</p> <p>(a) the relevant requirements for development of existing buildings on the lots;</p> <p>(b) the intended location of buildings on the lots;</p> <p>(c) the topography of the site;</p> <p>(d) any natural or landscape values;</p> <p>(e) adequate provision of private open space; and</p> <p>(f) the pattern of development existing on established properties in the area, and must be no more than 20% smaller than the applicable lot size required by clause 11.5.1 A1.</p>	<p><i>There are no existing structures on the property.</i></p> <p><i>The Acceptable Solution A1 is met.</i></p>
<p>A2</p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a frontage not less than 40m.</p>	<p>P2</p> <p>Each lot, or a lot proposed in a plan of subdivision, must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use, having regard to:</p> <p>(a) the width of frontage proposed, if any;</p> <p>(b) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access;</p> <p>(c) the topography of the site;</p> <p>(d) the functionality and useability of the frontage;</p> <p>(e) the ability to manoeuvre vehicles on the site; and</p> <p>(f) the pattern of development existing on established properties in the area, and is not less than 3.6m wide.</p>	<p><i>The proposed new Lots 1 and 2 and the balance lot have frontages over than 40m. The Acceptable Solution A2 is met.</i></p>
<p>A3</p> <p>Each lot, or a lot proposed in a plan of subdivision, must be provided with a vehicular access from the boundary of the lot to a road in accordance with the requirements of the road authority.</p>	<p>P3</p> <p>Each lot, or a lot proposed in a plan of subdivision, must be provided with reasonable vehicular access to a boundary of a lot or building area on the lot, if any, having regard to:</p> <p>(a) the topography of the site;</p> <p>(b) the length of the access;</p>	<p><i>Lots 1 and 2 will be provided with a new shared vehicular access from Ellendale Road, a Council Maintained Road. The balance lot will maintain the existing access from Ellendale Road.</i></p> <p><i>The Acceptable Solution A3 is met.</i></p>

	(c) the distance between the lot or building area and the carriageway; (d) the nature of the road and the traffic; (e) the anticipated nature of vehicles likely to access the site; and (f) the ability for emergency services to access the site.	
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11.5.2 Roads

That the arrangement of new roads with a subdivision provides:

- (a) safe, convenient and efficient connections to assist accessibility and mobility of the community;
- (b) adequate accommodation of vehicular, pedestrian, cycling and public transport traffic; and
- (c) the efficient ultimate subdivision of the entirety of the land and of surrounding land.

Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1 The subdivision includes no new roads.	P1 The arrangement and construction of roads within a subdivision must provide an appropriate level of access, connectivity, safety, convenience and legibility for vehicles, having regard to: <ul style="list-style-type: none"> (a) any relevant road network plan adopted by the council; (b) the existing and proposed road hierarchy; (c) maximising connectivity with the surrounding road network; (d) appropriate access to public transport; and (e) access for pedestrians and cyclists. 	<i>Acceptable solution A1 is met as no new roads are proposed as a part of this subdivision.</i>

11.5.3 Services

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

Acceptable Solutions	Performance Criteria	Officer Comment
A1 Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must: <ul style="list-style-type: none"> (a) be connected to a full water supply service if the frontage of the lot is within 30m of a full water supply service; or (b) be connected to a limited water supply service if the frontage of the lot is within 30m of a limited water supply 	P1 No Performance Criterion.	<i>Lot 1 and Lot 2 will be provided with Water connections as these are within 30m of an existing service.</i> <i>The proposal meets the acceptable solution A1.</i>

service, unless a regulated entity advises that the lot is unable to be connected to the relevant water supply service.		
A2 Each lot, or a lot proposed in a plan of subdivision, excluding within Rural Living Zone C or Rural Living Zone D or for public open space, a riparian or littoral reserve or Utilities, must: (a) be connected to a reticulated sewerage system; or (b) be connected to a reticulated sewerage system if the frontage of each lot is within 30m of a reticulated sewerage system and can be connected by gravity feed.	P2 Each lot, or a lot proposed in a plan of subdivision, excluding within Rural Living Zone C or Rural Living Zone D or for public open space, a riparian or littoral reserve or Utilities, must be capable of accommodating an on-site wastewater treatment system adequate for the future use and development of the land.	<i>The Performance Criteria P2 is met for both lots 1 and 2, as there is no reticulated sewerage systems available in the area. The size of the lots are more than adequate to accommodate the requirements of a wastewater treatment system.</i>

C2.0 Parking and Sustainable Transport Code

The purpose of the Parking and Sustainable Transport Code is:

- To ensure that an appropriate level of parking facilities is provided to service use and development.
- To ensure that cycling, walking and public transport are encouraged as a means of transport in urban areas.
- To ensure that access for pedestrians, vehicles and cyclists is safe and adequate.
- To ensure that parking does not cause an unreasonable loss of amenity to the surrounding area.
- To ensure that parking spaces and accesses meet appropriate standards.
- To provide for parking precincts and pedestrian priority streets.

C2.6.3 Number of accesses for vehicles

That:

- (a) access to land is provided which is safe and efficient for users of the land and all road network users, including but not limited to drivers, passengers, pedestrians and cyclists by minimising the number of vehicle accesses;
- (b) accesses do not cause an unreasonable loss of amenity of adjoining uses; and
- (c) the number of accesses minimise impacts on the streetscape.

Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1 The number of accesses provided for each frontage must: (a) be no more than 1; or (b) no more than the existing number of accesses, whichever is the greater.	P1 The number of accesses for each frontage must be minimised, having regard to: (a) any loss of on-street parking; and (b) pedestrian safety and amenity; (c) traffic safety; (d) residential amenity on adjoining land; and (e) the impact on the streetscape.	<i>The proposal complies with Acceptable Solution A1, as a new shared access is proposed for Lots 1 and 2. The Balance of the lot will be served by the existing access.</i>
A2 Within the Central Business Zone or in a pedestrian priority street no new access is	P2 Within the Central Business Zone or in a pedestrian priority	<i>Not applicable.</i>

provided unless an existing access is removed.	<p>street, any new accesses must:</p> <p>(a) not have an adverse impact on:</p> <p>(i) pedestrian safety and amenity; or</p> <p>(ii) traffic safety; and</p> <p>(b) be compatible with the streetscape.</p>	
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C7.0 Natural Assets Code

The application of this Code applies to development on land within a Waterway & Coastal Protection Area and a Priority Vegetation within the Rural Living Zone.

C7.7.1 Subdivision within a waterway and coastal protection area or a future coastal refugia area That: <ul style="list-style-type: none"> (a) works associated with subdivision within a waterway and coastal protection area or a future coastal refugia area will not have an unnecessary or unacceptable impact on natural assets; and (b) future development likely to be facilitated by subdivision is unlikely to lead to an unnecessary or unacceptable impact on natural assets. 		
Acceptable Solutions	Performance Criteria	Officer Comment
A1 Each lot, or a lot proposed in a plan of subdivision, within a waterway and coastal protection area or a future coastal refugia area, must: <ul style="list-style-type: none"> (a) be for the creation of separate lots for existing buildings; (b) be required for public use by the Crown, a council, or a State authority; (c) be required for the provision of Utilities; (d) be for the consolidation of a lot; or (e) not include any works (excluding boundary fencing), building area, services, bushfire hazard management area or vehicular access within a waterway and coastal protection area or future coastal refugia area. 	P1 Each lot, or a lot proposed in a plan of subdivision, within a waterway and coastal protection area or a future coastal refugia area, must minimise adverse impacts on natural assets, having regard to: <ul style="list-style-type: none"> (a) the need to locate building areas and any associated bushfire hazard management area to be outside a waterway and coastal protection area or a future coastal refugia area; and (b) future development likely to be facilitated by the subdivision. 	<p><i>A small section of Lot 1 on the western boundary is within the Priority Vegetation Area. A section of the Balance lot is within the Waterway & Coastal protection Area.</i></p> <p><i>As there is no works proposed within these areas, the proposal meets the Acceptable Solution A1.</i></p>

C13.0 Bushfire prone Area Code

This code applies to subdivision of land that is located within a bushfire-prone area, which the property is located within.

A Bushfire Hazard Assessment Report and Bushfire Hazard Management Plan for the proposed 2 Lot and balance Subdivision, has been prepared by GES Geo-Environmental Solutions, dated October 2023, J9134v2 was provided with the Development Application.

This report makes several recommendations which form a part of the planning conditions of the permit, and which must be completed prior to Council sealing the final plan of survey.

The assessment against the development standards of the code is provided in the following tables.

Development Standards - Subdivision C13.6.1 Subdivision: Provision of hazard management areas		
Objective: That subdivision provides for hazard management areas that: <ul style="list-style-type: none"> (a) facilitate an integrated approach between subdivision and subsequent building on a lot; (b) provide for sufficient separation of building areas from bushfire-prone vegetation to reduce the radiant heat levels, direct flame attack and ember attack at the building area; and (c) provide protection for lots at any stage of a staged subdivision. 		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1 (a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant the provision of hazard management areas as part of a subdivision; or (b) The proposed plan of subdivision: <ul style="list-style-type: none"> (i) shows all lots that are within or partly within a bushfire-prone area, including those developed at each stage of a staged subdivision; (ii) shows the building area for each lot; (iii) shows hazard management areas between bushfire-prone vegetation and each building area that have dimensions equal to, or greater than, the separation distances required for BAL 19 in Table 2.4.4 of Australian Standard AS 3959 – 2009 Construction of 	P1 A proposed plan of subdivision shows adequate hazard management areas in relation to the building areas shown on lots within a bushfire-prone area, having regard to: <ul style="list-style-type: none"> (a) the dimensions of hazard management areas; (b) a bushfire risk assessment of each lot at any stage of staged subdivision; (c) the nature of the bushfire-prone vegetation including the type, fuel load, structure and flammability; (d) the topography, including site slope; (e) any other potential forms of fuel and ignition sources; (f) separation distances from the bushfire-prone vegetation not unreasonably restricting subsequent development; (g) an instrument that will facilitate management of fuels located on land external to the subdivision; and 	<i>A Bushfire Hazard Assessment Report is provided with a Certificate under Section 51 (2) (d) of the Act that requires the Planning Authority <u>must accept</u> any certificate issued by an accredited person that certifies the plans provided are acceptable to manage/mitigate risk or that the development will result in an insufficient risk from the hazard.</i> <i>The provided Certificate and Report demonstrates that Hazard Management Areas can be provided to a BAL-12.5 risk level for all lots including the balance.</i> <i>The proposal therefore complies with A1 (b) and sub criteria.</i> <i>There is no need to extend hazard management areas into the adjoining land and therefore A1 (c) is not applicable.</i> <i>The proposal meets Acceptable Solution A1.</i>

<p>buildings in bushfire-prone areas; and</p> <p>(iv) is accompanied by a bushfire hazard management plan that addresses all the individual lots and that is certified by the TFS or accredited person, showing hazard management areas equal to, or greater than, the separation distances required for BAL 19 in Table 2.4.4 of Australian Standard AS 3959 – 2009 Construction of buildings in bushfire-prone areas; and</p> <p>(c) If hazard management areas are to be located on land external to the proposed subdivision the application is accompanied by the written consent of the owner of that land to enter into an agreement under section 71 of the Act that will be registered on the title of the neighbouring property providing for the affected land to be managed in accordance with the bushfire hazard management plan.</p>	<p>(h) any advice from the TFS.</p>	
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Development Standards - Subdivision

C13.6.2 Subdivision: Public and fire-fighting access

Objective:

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

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

Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1	P1	The provided Report/Certificate states that

<p>(a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant specific measures for public access in the subdivision for the purposes of firefighting; or</p> <p>(b) A proposed plan of subdivision showing the layout of roads, fire trails and the location of property access to building areas is included in a bushfire hazard management plan that:</p> <p>(i) demonstrates proposed roads will comply with Table E1, proposed private accesses will comply with Table E2 and proposed fire trails will comply with Table E3; and</p> <p>(ii) is certified by the TFS or an accredited person.</p>	<p>A proposed plan of subdivision shows access and egress for residents, fire-fighting vehicles and emergency service personnel to enable protection from bushfires, having regard to:</p> <p>(a) appropriate design measures, including:</p> <p>(i) two way traffic;</p> <p>(ii) all weather surfaces;</p> <p>(iii) height and width of any vegetation clearances;</p> <p>(iv) load capacity;</p> <p>(v) provision of passing bays;</p> <p>(vi) traffic control devices;</p> <p>(vii) geometry, alignment and slope of roads, tracks and trails;</p> <p>(viii) use of through roads to provide for connectivity;</p> <p>(ix) limits on the length of cul-de-sacs and dead-end roads;</p> <p>(x) provision of turning areas;</p> <p>(xi) provision for parking areas;</p> <p>(xii) perimeter access; and</p> <p>(xiii) fire trails;</p> <p>(b) the provision of access to:</p> <p>(i) bushfire-prone vegetation to permit the undertaking of hazard management works; and</p> <p>(ii) fire-fighting water supplies; and</p> <p>(c) any advice from the TFS.</p>	<p><i>the access will comply with the relevant standards for road access.</i></p> <p><i>The proposal therefore complies with A1 (b) and sub criteria.</i></p>
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Development Standards - Subdivision C13.6.3 Subdivision: Provision of water supply for fire-fighting purposes		
<p>Objective:</p> <p>Adequate, accessible and reliable water supply for the purposes of fire-fighting can be demonstrated at the subdivision stage and allow for the protection of life and property associated with the subsequent use and development of bushfire-prone areas.</p>		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1</p> <p>In areas serviced with reticulated water by the water corporation:</p> <p>(a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to</p>	<p>P1</p> <p>No Performance Criterion.</p>	<p><i>The provided Report/Certificate states that the static water supply complies with the relevant table.</i></p> <p><i>The proposal therefore complies with Acceptable Solution A1.</i></p>

<p>warrant the provision of a water supply for fire-fighting purposes;</p> <p>(b) A proposed plan of subdivision showing the layout of fire hydrants, and building areas, is included in a bushfire hazard management plan approved by the TFS or accredited person as being compliant with Table E4; or</p> <p>(c) A bushfire hazard management plan certified by the TFS or an accredited person demonstrates that the provision of water supply for fire-fighting purposes is sufficient to manage the risks to property and lives in the event of a bushfire.</p>		
<p>A2 In areas that are not serviced by reticulated water by the water corporation:</p> <p>(a) The TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant provision of a water supply for fire-fighting purposes;</p> <p>(b) The TFS or an accredited person certifies that a proposed plan of subdivision demonstrates that a static water supply, dedicated to fire-fighting, will be provided and located compliant with Table E5; or</p> <p>(c) A bushfire hazard management plan certified by the TFS or an accredited person demonstrates that the provision of water supply for fire-fighting purposes is sufficient to manage the risks to property and lives in the event of a bushfire.</p>	<p>P2 No Performance Criterion.</p>	<p><i>The provided Report/Certificate states that the static water supply complies with the relevant table.</i></p> <p><i>The proposal therefore complies with Acceptable Solution A2.</i></p>

C15.0 Landslip Hazard Code

The purpose of this code is to ensure a tolerable risk can be achieved and maintained for the type, scale and intensity of use or development on land within a landslip hazard area.

The proposal is exempt from this code, as the development is subdivision within a low landslip hazard band and does not involve significant works.

CONCLUSION

The report has assessed a Development Application for (DA2023/63) for subdivision (2 lots & balance lot) at Lot 2 Ellendale Road, Westerway owned by T Clark & S Gatenby-Clark.

No representations were received.

The proposal has been found to comply with all the relevant standards of the Rural Living Zone and the applicable Codes.

It is recommended that the Application be approved, and a Permit issued with conditions and advice.

PLANNING COMMITTEE CONSIDERATION

This item was considered at the Planning Committee Meeting held on Tuesday 9th January 2024 with the Planning Committee making the following recommendation to Council acting as the Planning Authority.

RECOMMENDATION: 09/01.2024/C

Moved: Cr

Seconded: Cr

THAT, in accordance with the provisions of the *Tasmanian Planning Scheme – Central Highlands* and section 57 of the *Land Use Planning & Approvals Act 1993*, Council **APPROVE** the Development Application (DA2023/63) for Subdivision (2 Lots & Balance Lot) at Lot 2 Ellendale Road, Westerway owned by T Clark & S Gatenby-Clark subject to conditions detailed below:

CONDITIONS

General

1. The subdivision layout or development must be carried out substantially in accordance with the application for planning approval, the endorsed drawings and with the conditions of this permit and must not be altered or extended without the further written approval of Council.
2. The development and works must be carried out in accordance with:
Bushfire Hazard Report, Proposed Subdivision Lot 2 Ellendale Road, Westerway (Mark Van den Berg, GES) J9134v2 dated October 2023.
3. Prior to Council sealing the final plan of survey for any stage the developer must provide certification from a suitably qualified person that all works required by the approved Bushfire Hazard Management Plan has been complied with.

Agreements

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

Easements

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

Public Open Space

6. In accordance with the provisions of Section 117 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*, payment of a cash contribution for Public Open Space must be made to the Council prior to sealing the Final Plan of Survey.

The cash contribution amount is to be equal to 5% of the value of the land (excluding the balance lot) at the date of lodgement of the Final Plan of Survey.

The value is to be determined by a Land Valuer within the meaning of the *Land Valuers Act 2001* at the developers' expense.

7. The cash-in-lieu of public open space must be in the form of a direct payment made before the sealing of the final plan of survey or, alternatively, in the form of a Bond or Bank guarantee to cover payment within ninety (90) days after demand, made after the final plan of survey has taken effect.

Covenants

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

Final Plan

9. A final approved plan of survey and schedule of easements as necessary, together with two (2) copies, must be submitted to Council for sealing for each stage. The final approved plan of survey must be substantially the same as the endorsed plan of subdivision and must be prepared in accordance with the requirements of the Recorder of Titles.
10. A fee of \$225.00, or as otherwise determined in accordance with Council's adopted fee schedule, must be paid to Council for the sealing of the final approved plan of survey for each stage.
11. All conditions of this permit, including either the completion of all works and maintenance or payment of security in accordance with this permit, must be satisfied before the Council seals the final plan of survey for each stage. It is the subdivider's responsibility to notify Council in writing that the conditions of the permit have been satisfied and to arrange any required inspections.
12. The subdivider must pay any Titles Office lodgment fees direct to the Recorder of Titles.

Services

13. Property services must be contained wholly within each lot served or an easement to the satisfaction of the Council's Development & Environmental Services Manager or responsible authority.
14. The Subdivider must pay the cost of any alterations and/or reinstatement to existing services, Council infrastructure or private property incurred as a result of the proposed subdivision works. Any work required is to be specified or undertaken by the authority concerned.
Advice: Any redundant services under the subject land are to be removed.

Access

15. A separate vehicle access must be provided from the road carriageway to the new Lots (lot 1 & lot 2). The existing access which serves the Balance Lot must be upgraded. Accesses must be located and constructed in accordance with the standards shown on standard drawings Standard Drawings TSD-R09-v2 Urban Roads Driveways, or as otherwise agreed by Council's Works & Services Manager.

Water

16. Each lot must be connected to a reticulated potable water supply.

TasWater

17. The development must meet all required Conditions of approval specified by TasWater Submission to Planning Authority Notice, TWDA 2023/01632-CHL, dated 01/12/2023.

Telecommunications and Electrical Reticulation

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

Construction

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

Construction Amenity

21. The development must only be carried out between the following hours unless otherwise approved by the Council's General Manager:
- | | |
|---------------------------------------|-------------------|
| Monday to Friday | 7:00am to 6:00pm |
| Saturday | 8:00am to 6:00pm |
| Sunday and State-wide Public Holidays | 10:00am to 6:00pm |
22. All works associated with the development of the land must be carried out in such a manner so as not to unreasonably cause injury to, or unreasonably prejudice or affect the amenity, function and safety of any adjoining or adjacent land, and of any person therein or in the vicinity thereof, by reason of -
- (a) emission from activities or equipment related to the use or development, including noise and vibration, which can be detected by a person at the boundary with another property; and/or
 - (b) transport of materials, goods or commodities to or from the land; and/or
 - (c) appearance of any building, works or materials.
23. Any accumulation of vegetation, building debris or other unwanted material must be disposed of by removal from the land in an approved manner. No burning of such materials on-site will be permitted unless approved in writing by the Council's General Manager.
24. Public roadways or footpaths must not be used for the storage of any construction materials or wastes, for the loading/unloading of any vehicle or equipment; or for the carrying out of any work, process or tasks associated with the subdivision during the construction period.

THE FOLLOWING ADVICE APPLIES TO THIS PERMIT: -

- A. This permit does not imply that any other approval required under any other legislation has been granted.
- B. This permit does not take effect until all other approvals required for the use or development to which the permit relates have been granted.
- C. This planning approval shall lapse at the expiration of two (2) years from the date of the commencement of planning approval unless the development for which the approval was given has been substantially commenced or extension of time has been granted. Where a planning approval for a development has lapsed, an application for renewal of a planning approval for that development may be treated as a new application.



Submission to Planning Authority Notice

Council Planning Permit No.	DA 2023/63	Council notice date	24/11/2023
TasWater details			
TasWater Reference No.	TWDA 2023/01632-CHL	Date of response	01/12/2023
TasWater Contact	Timothy Carr	Phone No.	0419 306 130
Response issued to			
Council name	CENTRAL HIGHLANDS COUNCIL		
Contact details	kbradburn@centralhighlands.tas.gov.au		
Development details			
Address	Lot 2 ELLENDALE RD, WESTERWAY	Property ID (PID)	9170139
Description of development	Subdivision(2 Lots & Balance)		
Schedule of drawings/documents			
Prepared by	Drawing/document No.	Revision No.	Date of Issue
PDA	Proposal Plan – 49834CT - 1	-	01/11/2023
Conditions			
<p>Pursuant to the <i>Water and Sewerage Industry Act 2008</i> (TAS) Section 56P(1) TasWater imposes the following conditions on the permit for this application:</p> <p>CONNECTIONS, METERING & BACKFLOW</p> <ol style="list-style-type: none"> 1. A suitably sized water supply with metered connections to each lot of the development must be designed and constructed to TasWater's satisfaction and be in accordance with any other conditions in this permit. Advice: <i>The proposed water connection/meter for lot 2, must be located adjacent to the driveway.</i> 2. Any removal/supply and installation of water meters and/or the removal of redundant and/or installation of new and modified property service connections must be carried out by TasWater at the developer's cost. <p>ASSET CREATION & INFRASTRUCTURE WORKS</p> <ol style="list-style-type: none"> 3. Plans submitted with the application for the Certificate for Certifiable Work (Building and/or Plumbing) must, to the satisfaction of TasWater show, all existing or proposed property services and mains. <ol style="list-style-type: none"> a. An offset fire hydrant located in the road reserve, outside the proposed lots 1 & 2 as to comply with the hydrant spacing standards outlined in the TasWater Supplement table 8.8.8. Rural Living Zone. b. Provide long section of the proposed driveways as to confirm depth of cover over the existing water main. <p>FINAL PLANS, EASEMENTS & ENDORSEMENTS</p> <ol style="list-style-type: none"> 4. Prior to the Sealing of the Final Plan of Survey, a Consent to Register a Legal Document must be obtained from TasWater as evidence of compliance with these conditions when application for sealing is made. Advice: <i>Council will refer the Final Plan of Survey to TasWater requesting Consent to Register a Legal Document be issued directly to them on behalf of the applicant.</i> 			



5. Pipeline easements, to TasWater's satisfaction, must be created over any existing or proposed TasWater infrastructure and be in accordance with TasWater's standard pipeline easement conditions.
6. Prior to the issue of a TasWater Consent to Register a Legal Document, the applicant must submit a .dwg file, prepared by a suitably qualified person to TasWater's satisfaction, showing:
 - a. the exact location of the existing water infrastructure,
 - b. the easement protecting that infrastructure.

The developer must locate the existing TasWater infrastructure and clearly show it on the .dwg file. Existing TasWater infrastructure may be located by a surveyor and/or a private contractor engaged at the developers cost.

DEVELOPER CHARGES

7. Prior to TasWater issuing a Consent to Register a Legal Document, the applicant or landowner as the case may be, must pay a developer charge totalling \$3,514.00 to TasWater for water infrastructure for 2.0 additional Equivalent Tenements, indexed by the Consumer Price Index All groups (Hobart) from the date of this Submission to Planning Authority Notice until the date it is paid to TasWater.

DEVELOPMENT ASSESSMENT FEES

8. The applicant or landowner as the case may be, must pay a development assessment fee of \$389.86 and a Consent to Register a Legal Document fee of \$248.30 to TasWater, as approved by the Economic Regulator and the fees will be indexed, until the date paid to TasWater.

The payment is required within 30 days of the issue of an invoice by TasWater.

Advice

General

For information on TasWater development standards, please visit <https://www.taswater.com.au/building-and-development/technical-standards>

For application forms please visit <https://www.taswater.com.au/building-and-development/development-application-form>

Developer Charges

For information on Developer Charges please visit the following webpage - <https://www.taswater.com.au/building-and-development/developer-charges>

Service Locations

Please note that the developer is responsible for arranging to locate the existing TasWater infrastructure and clearly showing it on the drawings. Existing TasWater infrastructure may be located by a surveyor and/or a private contractor engaged at the developers cost to locate the infrastructure.

- (a) A permit is required to work within TasWater's easements or in the vicinity of its infrastructure. Further information can be obtained from TasWater.
- (b) TasWater has listed a number of service providers who can provide asset detection and location services should you require it. Visit <https://www.taswater.com.au/building-and-development/service-locations> for a list of companies.

Advice to Planning Authority (Council) and developer on fire coverage

TasWater cannot provide a supply of water for the purposes of firefighting to the entirety of lots on the plan.

24.0 ORDINARY COUNCIL MEETING RESUMED

RECOMMENDATION: 10/01.2024/C

Moved: Cr

Seconded: Cr

THAT Council no longer act as a Planning Authority and resume the Ordinary Council Meeting.

25. DEVELOPMENT & ENVIRONMENTAL SERVICES

25.1 DEVELOPMENT ASSESSMENT PANEL (DAP) DISCUSSION PAPER

Reports By

Graham Rogers, Development & Environmental Services Manager

At the Ordinary Meeting of Council held on 21st November 2023 the Discussion Paper, outlining the proposed Development Assessment Panel (DAP), was discussed with Councillor comments on the Discussion Paper required by 30th November 2023.

A copy of Council's submission has been included in the attachments.

Council is now also in receipt of the submission prepared by the Local Government Association of Tasmania on behalf of Tasmanian local government and a copy of the submission has also been included in the attachments for your information.

FOR INFORMATION

25.2 CONTAINER REFUND SCHEME – AMENDMENT 01-2022 & PLANNING DIRECTIVE NO. 9

Reports By

Graham Rogers, Development & Environmental Services Manager

The Minister for Planning has advised of the making of amendment 01-2022 of the State Planning Provisions and the issuing of *Planning Directive No. 9 – Exemptions, Application Requirements, Special Provisions and Zone Provisions*.

The amendment provides definitions, exemptions and general provisions to enable a consistent approach to consideration of applications for the rollout of the State's Container Refund Scheme.

Amendment 01-2022 and Planning Directive No. 9 come into effect on Wednesday 24 January 2024.

A copy of the amendment and planning directive have been included in the attachments for your information.

FOR INFORMATION

25.6 DEVELOPMENT & ENVIRONMENTAL SERVICES (DES) MONTHLY REPORT

Reports By

Graham Rogers, Development & Environmental Services Manager

PLANNING PERMITS ISSUED UNDER DELEGATION

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

DISCRETIONARY

DA NO.	APPLICANT	LOCATION	PROPOSAL
2023 / 00059	D G Madden	1126 Ellendale Road, Ellendale	Outbuilding
2023 / 00064	A J Odell	13 Fleming Drive, Miena	Outbuilding
2023 / 00065	J I Triffett	32 Patrick Street, Bothwell	Outbuilding
2023 / 00066	J R Allwright	460 Jones River Road, Ellendale	Visitor Accommodation

ANIMAL CONTROL

Total Number of Dogs Registered in 2022/2023 Financial Year – 968

Total Number of Kennel Licences Issued for 2022/2023 Financial Year – 29

2023/2024 Dog Registration & Kennel Licence Renewals have been issued and were due by 31 July 2023.

2023/2024 Statistics as of 10 January 2024	
Number of Dogs Impounded during last month	2
Number of Dogs Currently Registered	979
Number of Dogs Pending Re-Registration	11
Number of Kennel Licences Issued	33
Number of Kennel Licences Pending	1

RECOMMENDATION: 11/01.2024/C

Moved: Cr

Seconded: Cr

THAT the Development & Environmental Services monthly report for December 2023 be received.

26. WORKS & SERVICES

26.1 WORKS & SERVICES MONTHLY REPORT – DECEMBER 2023

Report By

Jason Branch, Works & Services Manager

Background

The following activities were performed during **December 2024** by Works & Services –

Grading & Sheeting	Meadowbank Road
Maintenance Grading	Meadsfield Road repair wash outs, Waddamana Road repair wash outs, McGuires Marsh Road repair wash outs, Hamilton Plains Road
Potholing / shouldering	Strickland Road, 14 Mile Road, Browns Marsh Road, Pothole Dawson Road
Spraying:	
Culverts / Drainage:	Install culverts Rotherwood Road
Occupational Health and safety	<ul style="list-style-type: none"> • Monthly Toolbox Meetings • Day to day JSA and daily prestart check lists completed. • Monthly workplace inspections completed.
Bridges:	14 Mile Bridge tender evaluation assessment
Refuse / recycling sites:	Cover Hamilton Tip twice weekly
Other:	<ul style="list-style-type: none"> • Spray and seed grass area at new Hamilton toilet block • Hamilton tip maintenance • 2 x drum musters • Remove fallen tree Victoria Valley Road • Remove fallen tree Dennistoun Road • Cold mix holes Victoria Valley Road and Ellendale Road • Trim hedges Bothwell cemetery and township • Remove fallen tree Browns Marsh Road • Repair water break Bothwell recreation ground • Remove waste oil from Hamilton landfill site • Repair road signs Ellendale Road • Remove rubbish from Hollow Tree Road
Slashing:	
Municipal Town Maintenance:	<ul style="list-style-type: none"> • Collection of town rubbish twice weekly • Maintenance of parks, cemetery, recreation ground and Caravan Park.

	<ul style="list-style-type: none"> • Cleaning of public toilets, gutters, drains and footpaths. • Collection of rubbish twice weekly • Cleaning of toilets and public facilities • General maintenance • Mowing of towns and parks • Town Drainage
Buildings:	
Plant:	<ul style="list-style-type: none"> • PM705 Mack truck repair brake boosters and ring feeder • PM753 Compactor started works to repair head gasket • PM757 JCB backhoe new tyres • PM817 Toyota Hilux serviced. • PM741 Mack truck 4 new slack adjusters • New Toyota Hilux ute arrived at Hamilton Works Depot
Private Works:	
Casuals	<ul style="list-style-type: none"> • Toilets, rubbish and Hobart • Hamilton general duties
Program for next 4 weeks	<ul style="list-style-type: none"> • Start Franklin Place, Hamilton footpath replacement. • Start stabilization works Ellendale Road • Install culverts Rotherwood Road • Commence investigation works into entrances to Thiessen Crescent

RECOMMENDATION: 12/01.2024/C

Moved: Cr

Seconded: Cr

THAT the Works & Services monthly report for December 2023 be received.

27. ADMINISTRATION SERVICES

27.1 MONTHLY FINANCE REPORT TO 31 DECEMBER 2023

Our Contracted Accountant is currently away on annual leave and therefore, a report has not been provided.

27.2 COMMUNITY GRANT APPLICATION – THE TASMANIAN HIGHLANDS GATHERING 2024

Report

Adam Wilson, Deputy General Manager

Background

Council has received a community grant application from Mr Frank McGregor the Patron of the Gathering.

Mr McGregor asking for Council to consider a community grant of \$1,000 towards the running of the Tasmanian Highlands Gathering 2024 festival in the Highlands of Tasmania between Friday the 23 February and Sunday the 25 February 2024.

Mr McGregor suggests the direct aim of this community grant would be a chance to celebrate all the Great Lake and surrounding charming country towns have to offer, including strong highland ties and tales, fishing, stunning vistas and waterways, fine arts, entertainment, locally made whisky and pure highlands hospitality.

The objective of the festival is to host a successful Tasmanian Highlands Gathering, showcasing the region's cultural richness, and fostering community engagement.

Mr McGregor states the Tasmanian Highlands Gathering project will benefit the community by fostering cultural vibrancy, strengthening community bonds, and showcasing local talent. It provides a valuable cultural resource through music workshops, traditional sessions, and public events, contributing to the region's identity and enriching the overall community experience.

A copy the community grant application is included in the attachments.

RECOMMENDATION: 13/01.2024/C

Moved: Cr

Seconded: Cr

***THAT** Council provide the Tasmanian Highlands Gathering Inc. with a \$1,000 donation to hold the Tasmanian Highlands Gathering 2024 Festival in the Highlands of Tasmania between Friday the 23 February and Sunday the 25 February 2024 and provide approval to borrow 60 council moulded plastic chairs for musicians.*

27.3 REQUEST FOR REMISSION OF HALL HIRE FEES 2024 – BOTHWELL WELLNESS GROUP

Report

Adam Wilson, Deputy General Manager

Background

Council has received a letter from Mrs Brigitte White, Treasurer of the Bothwell Wellness Group writing in regard to the use of the Bothwell Town Hall and Bothwell Football Community Centre rooms for the purpose of their exercise classes. Mrs White states that the Bothwell Wellness Group is a non-for-profit group that runs exercise classes on a Tuesday.

The Bothwell Wellness Group seeking a remission of the hire fees for the Bothwell Town Hall / Bothwell Football Club & Community Centre for their weekly exercise classes during 2024.

The Bothwell Wellness Group classes do not recommence until 30th January 2024 and are held weekly on a Tuesday from 1.30 to 2.30pm. Classes are normally held in the Bothwell Town Hall but are moved to the Bothwell Football Club & Community Centre if Council requires the Bothwell Town Hall.

The Hire Form has been completed and a copy of the Public Liability Insurance from All About Fitness is about to expire and they have advised the new policy will be provided to Council prior to commencing their classes for the year.

RECOMMENDATION: 14/01.2024/C

Moved: Cr

Seconded: Cr

THAT Council remit the hire fees for the Bothwell Wellness Group for weekly exercise classes during 2024.

27.4 REQUEST FOR FUNDING – HIGHLANDS HEALTHY CONNECT PROJECT – STAGE 2

Report

Adam Wilson, Deputy General Manager

Background

Council has received a request from HATCH for additional funding in 2024 for administration support for the Highlands Healthy Connect Project - Stage 2.

Council agreed at the May 2022 Council Meeting, that Council would continue to provide funding for 8 hours per week of administration support for the Highlands Healthy Connect Project - Stage 1:

Moved: Cllr S Bowden

Seconded: Deputy Mayor J Allwright

THAT Council include \$10,000 in the 22/23 budget and \$10,000 in the 23/24 budget for administration support for the Highlands Healthy Connect Project for 2023.

CARRIED

FOR the Motion

Mayor L Triffitt, Deputy Mayor J Allwright, Cllr A Archer, Cllr A W Bailey, Cllr S Bowden, Cllr R Cassidy, Cllr J Honner, Cllr J Poore

HATCH has requested that Council continue to provide administrative and project support of 8 hours per week for the Highlands Healthy Connect Project – Stage 2.

Stage 2 of the Highlands Healthy Connect project commenced in July 2023 for a period of 2 years. The budget for this project includes administrative support for 8 hours per week. This proposal will increase the hours of this position to 16 hours per week (the hours currently provided to the position).

The programs and activities conducted as part of the Highlands Healthy Connect project - Stage 2 include implementing recommendations from the external evaluation conducted in 2022 by Fae Robinson.

Council have kindly provided funds in the 2022/23 financial year and start of 2023/24 financial year for this position. Without this funding there are some activities and programs that could not continue in the current capacity, including the Food Hub which is increasing in demand due to the high cost of living. This program commenced at Ash Cottage in Ouse in late 2023 and is growing every week. It is planned to continue to support this program and look at extending into other areas of the Central Highlands. This will not be possible without project support.

Other activities and projects supported by this position include the meal delivery program, exercise programs, monthly walking group, op shop, providing opportunity for social connection & identifying health needs in the community.

HATCH requests Council to consider continuing to provide funding for the administrative and project support position based at Ash Cottage Ouse for 8 hours per week for a total of \$20,000 per calendar year.

RECOMMENDATION: 15/01.2024/C

Moved: Cr

Seconded: Cr

***THAT** Council include an additional \$10,000 in the current 2023/24 budget and \$10,000 in the future 2024/25 budget for administration support for the Highlands Healthy Connect Project – Stage 2 for the 2024 calendar year.*

27.5 OPEN SPACES GRANT DEED – WAYATINAH COMMUNITY ‘GET TOGETHER’ MEETING, PICNIC, FAMILY AREA

Report

Adam Wilson, Deputy General Manager

Background

Mr Ben Morris the Policy Director for the Local Government Association of Tasmania has written to Council stating he is pleased to provide the grant deed for the Open Spaces Grant for Council's review and signing.

The full grant agreement includes the grant deed, along with your council's original application and risk assessment are included in the attachments. The grant agreement will be read by the parties including application documents.

Background information about the Open Spaces Grant application submitted by the Deputy General Manager:

Project Title – Wayatinah Community ‘Get Together’ Meeting, Picnic, Family Area

The Wayatinah Community ‘Get Together’ Meeting, Picnic, Family Area will provide a safe environment to help to improving community connections and social inclusion through the meeting of families and friends at a central location within the village of Wayatinah. It will also provide members of the community with a central location to address issues like:

- Reducing social isolation for children, adults and seniors in the village.
- Improving community resilience between age groups in the community;
- Infrastructure and equipment support or enables communities to connect, support and rebuild; and
- Rebuilding social fabric.

The project will foster community engagement by creating a space for families to come together to talk and share their experiences in the highlands. This facility will provide an area that will allow families to take advantage of long summer days by having a picnic or BBQ together.

This project is linked to the Central Highlands Health and Wellbeing Plan as it builds another community meeting place to build and strengthen the community connection, while increasing liveability within the village, build bushfire resilience in local communities that recognises the unique location, risks, hazards and resources available, engage with young people to increase their participation in and commitment to the Central Highlands and will also support tourism infrastructure.

The Wayatinah Community ‘Get Together’ Meeting, Picnic, Family Area is an investment into improving local community participation and contributes to vibrant and viable communities.

Overall community self-esteem will be enhanced by having this facility at Wayatinah.

Wayatinah is located in the Central Highlands off the Lyell Highway on the southern edge of the Cradle Mountain-Lake St Clair National Park in Tasmania. Currently there is no local Community ‘Get Together’ Meeting, Picnic, Family Area.

Officers have been working with local community members to identify an appropriate location for a 'Get Together' meeting, picnic, family area in the Wayatinah township and will redevelop the old school site in the centre of the village.

The project site is a location next to the Wayatinah Shop and Community Hall.

Council's will level and landscape the site using their own funds to ensure amenities like public toilets, barbeque, covered seating area and playground equipment can be installed in the one location.

Project budget to build a Community 'Get Together' Meeting, Picnic, Family Area, at Wayatinah:

Expenditure

Project	Total Cost
Toilet block	\$90,000.00
Contract to supply and install playground equipment	\$45,000.00
	\$135,000.00

Other funds – Council expenditure

Project	Total Cost
Site works – prepare level area for playground equipment	\$15,000.00
Installation of Barbeque	\$29,000.00
Installation of a covered seating areas	\$30,000.00
Landscaping of the site	\$10,000.00
	\$84,000.00

Total budget **\$219,000.00**, Council will need to contribute \$84,000 towards the project.

RECOMMENDATION: 16/01.2024/C

Moved: Cr

Seconded: Cr

THAT Council authorise the General Manager to sign the Open Spaces Grant Deed – Wayatinah Community 'Get Together' Meeting, Picnic, Family Area and include \$84,000 in the 2024/25 Council Capital Works Budget for the project.

27.6 EMPLOYMENT AND RECRUITMENT POLICY

Report

Adam Wilson, Deputy General Manager

Background

RECOMMENDATION FROM THE AUDIT PANEL

At the Audit Panel Meeting held on Monday 4 December 2024 the committee reviewed Policy 2013-18 Employee Recruitment and Selection and made the following recommendation:

The Employee Recruitment and Selection Policy 2023-08 be approved with no changes and be table at the January Council Meeting.

A copy of the policies is included in the attachments.

RECOMMENDATION: 17/01.2024/C

Moved: Cr

Seconded: Cr

THAT Council adopt Policy 2013-18 Employee Recruitment and Selection Policy.

27.7 TASMANIAN AUTUMN FESTIVAL – SPONSORSHIP

Report by

Kim Hossack, General Manager

Attachment

Tasmanian Autumn Festival Flyer

Background

Michael Smith the President of the Derwent Valley and Central Highlands Tourist Association Inc. has written to the General Manager regarding the Tasmanian Autumn Festival sponsorship.

The Derwent Valley and Central Highlands Tourism Association (DHTA) invites Central Highlands Council to become a sponsor of the Tasmanian Autumn Festival.

The Tasmanian Autumn Festival is a regional festival that celebrates the natural beauty, cultural heritage and culinary delights of the Derwent Valley and Central Highlands regions of Tasmania.

The Derwent Valley and Central Highlands Tourist Association has a membership base of 44 businesses and growing. Central Highlands businesses currently account for 25% of our member base such as Curringa Farm, Rathmore, 28 Gates, Meadowbank and The Great Lakes Hotel.

Destination Southern Tasmania (DST) are in support of this initiative, and we attach a letter from Alex Heroys, CEO to that affect.

The Tasmanian Autumn Festival aims to position the Valley and Highlands as a premier destination for Autumn experiences in Tasmania, and to create a memorable and distinctive brand identity that reflects the character and appeal of the region. The festival will foster community and business collaboration, as well as engagement and pride amongst local residents. When more visitors come to our region, stay longer and tell our stories in person and via social media the economic and social benefits are far reaching.

The Autumn Festival will be an annual event that will take place over a minimum of two weeks in April with the inaugural event in 2024. It will feature a range of activities, events and experiences, primarily hosted by businesses and community groups in the Valley and Highlands at their own properties. The operational cost of these satellite events are the responsibility of the hosting business.

The Derwent Valley and Central Highlands Tourist Association will be responsible for working with businesses and groups to inspire and bring their events and activities together and market them under the Tasmanian Autumn Festival banner. We have invited the long running one day Derwent Valley Autumn Festival run by Rotary, to be a key event on the broader Tasmanian Autumn Festival calendar.

DHTA will also assist to coordinate joint activities and services such as trails, transport and visual activations at several locations.

As a sponsor of the Tassie Autumn Festival, Council will have the opportunity to promote your organisation to a large and diverse audience of visitors, locals and media. You will also be able to demonstrate your support for the regional tourism industry and the local community. Depending on your level of sponsorship, you will receive various benefits such as logo placement on promotional materials, website and social media, acknowledgement in media releases and speeches, invitations to functions, signage at venues and events, and naming rights to specific activities or events.

The sponsorship proposal opportunities are listed below –

- Event Partner \$10,000 contribution
- Gold Leaf Sponsor \$5,000 contribution
- Silver Leaf Sponsor \$3,000 contribution
- Bronze Leaf Sponsor \$1,000 contribution
- Hero Sponsor Provision of In-Kind Support and prizes

The Derwent Valley and Central Highlands Tourist Association hopes that Central Highlands Council will sponsor this exciting and unique event that will showcase the best of what our region has to offer which includes the significant businesses and visitor infrastructure of your council area.

Previous Action

This item was tabled at the November Ordinary Council Meeting and the following Resolution was approved.

RESOLUTION: 16/11.2023/C

Moved: Cr R Cassidy

Seconded: Cr A Bailey

THAT Council invite Mr Michael Smith, President of the Derwent Valley and Central Highlands Tourist Association Inc to give a presentation at the December Council meeting.

CARRIED

For the Motion

Mayor L Triffitt; Deputy Mayor J Allwright; Cr A Bailey; Cr R Cassidy; Cr J Hall; Cr J Honner; Cr D Meacheam; and Cr Y Miller.

Michael Smith, the President; Lisa West, the Secretary; and business owner, Susie Parsons from 28 Gates addressed Council concerning Tasmania Autumn Festival at the December Ordinary Council Meeting during Deputations, the support of and possible sponsorship.

Key points they raised in support of possible sponsorship were as followings -

- The Association is incorporated, they are working on branding, attracting members and volunteers.
- Collaboration between the Derwent Valley Council and the Central Highlands Council.
- Aim to establish the Tasmanian Autumn Festival as an annual event.
- Noting that the traveller visits Regions and don't recognise LGA boundaries.
- Encourage the visitor to stay longer in the Region by offering experiences and events.
- Produce a central webpage and calendar for events.
- Seeking letters of support from Council for grant applications.
- Seeking financial support from Council.

Conclusion

This item is now before Council again, for a final decision on whether to support this sponsorship.

RECOMMENDATION 18/01.2024/C

Moved: Cr

Seconded: Cr

THAT Council supports the Tasmanian Autumn Festival by being a _____ Sponsor.

27.8 MANAGING CONFLICTS OF INTEREST OF COUNCILLORS – FRAMEWORK PROPOSAL / DISCUSSION PAPER

Report by

Kim Hossack, General Manager

Attachments

Letter from Minister for Local Government to Mayor Triffitt on 8 November 2023

Managing Conflicts of Interest of Councillors – Framework Proposal - Discussion Paper

Addendum to Managing Conflicts of Interest of Councillors Proposal

Background

The Office of Local Government has written to all Councils outlining a range of options to strengthen the regulation of conflicts of interest of Local Government Councillors. The proposed framework in the discussion paper sets out a contemporary approach for identifying, managing, and mitigating Councillors' personal interests and conflicts of interest, while ensuring that a Councillors' decisions and actions are guided by ethical principles.

By implementing a principals-based framework encourages a culture of ethical behaviour, professional conduct, and good governance, while also fostering trust and confidence within their local community.

The original proposal/discussion paper was in early November with all feedback being welcomed by 22 December 2023. However, on 15 December 2023 the Office of Local Government emailed Council (forwarded to all Councillors on 20 December 2023) advising they were seeking further clarification on several issues raised in the discussion paper, so they released an addendum regarding the following –

- Options for the types of debt that could be required to be declared,
- Clarification of what the declaration of “other income” could include, and
- Clarification of the “nature” of interests.

Therefore, the consultation period has been extended to **2 February 2024** for Councillor comments to be provided.

RECOMMENDATION 19/01.2024/C

For Discussion and actioning.

27.9 COUNCILLOR REPRESENTATIVES ON THE PLANNING COMMITTEE AND TASWATER OWNER REPRESENTATIVE for 2023-24

Report by

Kim Hossack, General Manager

Background

At the last Ordinary Council Meeting held on **12 December 2023**, the following Council Representatives were appointed to the Planning Committee and TasWater with the addition of Cr A Archer as a member to each. This approval was subject to the General Manager checking their individual terms of reference.

Council Committee	Representatives	Meeting Schedule
Planning Committee	Cr R Cassidy (Chair) Mayor L Triffitt Deputy Mayor J Allwright Cr J Hall Cr A Archer Cr A Bailey (Proxy)	Monthly

TasWater Owner Representative	Deputy Mayor J Allwright Cr A Archer Cr D Meacheam (Proxy)	Quarterly
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Terms of Reference (TOR)

Council's **Planning Committee** was first established on 20 September 2011, to pursue planning applications and suitable planning permit conditions prior to submission of development applications to Council as a Planning Authority. The Committee was also responsible for monitoring the progress of the Council's new Planning Scheme. The following motion was approved –

Planning Committee

Moved **Clr L M Triffitt**

Seconded **Clr A W Bailey**

THAT Council for a Planning Committee consisting of; Council's Planner, Manager DES Graham Rogers, Kathy Bradburn (Minute Secretary), Deputy Mayor A J Downie, Clr I V McMichael and Clr G Herbert.

Carried

For the motion Mayor D E Flint, Deputy Mayor A J Downie, Clr A W Bailey, Clr R G Bowden, Clr G Herbert, Clr T H Jacka, Clr I V McMichael, Clr L M Triffitt

No formal TOR were established for this Committee at that time, however at the first meeting held on 11 October 2011, Mayor D Flint was recorded as the Chair with three Councillors & staff being present.

Since this time membership has stayed at four Councillors with a proxy member and agendas are sent to all Councillors in case they wish to attend.

By increasing the membership to five, it then becomes a 'Majority' of Council which undermines the legislative approval process of the Planning Authority function.

Therefore, the Planning Committee membership should be kept at four only.

Under **TasWater's** Owner's Representatives Group (ORG) Charter clause 2 states the following –

Under the Constitution, the ORG comprises one representative from each member of the corporation. Each member may appoint a Deputy Representative to fulfil the role of Representative in the absence of the usual Representative.

Therefore, there cannot be two appointed Representatives.

RECOMMENDATION 20/01.2024/C

Moved: Cr

Seconded: Cr

THAT Council discussed the matter.

28. SUPPLEMENTARY AGENDA ITEMS

In accordance with the requirements of Part 2 Regulation 8 (6) of the *Local Government (Meeting Procedures) Regulations 2015*, the Council by absolute majority may decide to deal with a matter that is not on the agenda if, where the General Manager has reported either:

- The reason it was not possible to include the matter on the agenda;
- That the matter is urgent; or
- That advice of a qualified person has been obtained and taken into account in providing advice to Council under Section 65 of the *Local Government Act 1993*.

RECOMMENDATION: 21/01.2024/C**Moved:** Cr**Seconded:** Cr

***THAT** the Council resolve by absolute majority to deal with any supplementary items not appearing on the agenda, as reported by the General Manager in accordance with the Local Government (Meeting Procedures) Regulations 2015.*

29. OTHER BUSINESS

30. CLOSURE

Mayor Triffitt thanked everyone for their contribution and declared the meeting closed at _____ **am/pm**.