



# Central Highlands Council

## AGENDA – ORDINARY COUNCIL MEETING – 18 JULY 2023

Dear Councillors,

Notice is hereby given, that an Ordinary Meeting of Central Highlands Council is scheduled to be held in the **Hamilton Council Chambers, Hamilton** on **Tuesday 18 July 2023**, 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 **13<sup>th</sup>** day of **July 2023**.

Kim Hossack  
**General Manager**

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## 1. OPENING

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## 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.

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### 3. ACKNOWLEDGEMENT OF COUNTRY

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### 4. PRESENT

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### 5. IN ATTENDANCE

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### 6. APOLOGIES

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### 7. LEAVE OF ABSENCE

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### 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.

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### 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.
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### 10. DEPUTATIONS

*Nil*

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### 11. 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.

## 12. NOTICE OF MOTION

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.*

A Notice of Motion has been received from **Cr David Meacheam** on **11 July 2023**, for inclusion on this Agenda and provides the following supporting information and reasons for this motion: -

This has been a matter for information discussion within Council for some time. Presently, properties upon which renewable energy developments become established are rated on the same basis as neighbouring agricultural or rural properties.

The following motion has been proposed –

### RECOMMENDATION 01/07.2023/C

**Moved:** Cr D Meacheam

**Seconded:** Cr

***THAT*** Council engage professional legal services to develop a basis upon which Council might rate future renewable energy developments in the Central Highlands.

## 13.COMMITMENTS

### 13.1 MAYORAL COMMITMENTS

#### 15 June 2023 to 12 July 2023

20 June 2023	Ordinary Council Meeting - Bothwell
26 June 2023	Tele Meeting – Elected Member
30 June 2023	LGAT AGM & General Meeting – Hobart
11 July 2023	Planning Committee Meeting
11 July 2023	Town Structure Plan Steering Group Meeting
11 July 2023	Council Workshop – David Morris
11 July 2023	EOI Panel – Shortlisting of applicants
12 July 2023	Interviews re EOI Consultant – consultancy applicants

- Business of Council x 9
- Ratepayer and community members - communications x 10
- Elected Members - communications x 15
- Central Highlands Council Management - communications x 4

***For Information Only***

## 13.2 COUNCILLOR COMMITMENTS

### ***Deputy Mayor J Allwright***

19 June 2023	Audit Panel Meeting - Hamilton
20 June 2023	Ordinary Council Meeting – Bothwell
26 June 2023	TasWater General Meeting – Launceston
05 July 2023	GHD – Clyde River Flood Mapping - consultation
06 July 2023	FoLG Review Community Meeting, Kempton, hosted by Southern Midlands Council
11 July 2023	Planning Committee Meeting - Bothwell
11 July 2023	Town Structure Plan Steering Group Meeting - Bothwell
11 July 2023	Council Workshop – David Morris
11 July 2023	EOI Panel – shortlisting of applicants
12 July 2023	Interview EOI Consultants for FoLG Review submission

### ***Cr A Bailey***

20 June 2023	Ordinary Council Meeting - Bothwell
24 June 2023	Saving the Osterley Church & Cemetery Event
11 July 2023	Planning Committee Meeting - Bothwell
11 July 2023	Town Structure Plan Steering Group Meeting
11 July 2023	Council Workshop – David Morris

### ***Cr S Bowden***

20 June 2023	Ordinary Council Meeting - Bothwell
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### ***Cr R Cassidy***

20 June 2023	Ordinary Council Meeting – Bothwell
05 July 2023	GHD – Clyde River Flood Mapping - consultation
11 July 2023	Town Structure Plan Steering Group Meeting - Bothwell
11 July 2023	Council Workshop – David Morris

### ***Cr J Hall***

20 June 2023	Ordinary Council Meeting - Bothwell
11 July 2023	Planning Committee Meeting - Bothwell
11 July 2023	Town Structure Plan Steering Group Meeting - Bothwell
11 July 2023	Council Workshop – David Morris
11 July 2023	EOI Panel – shortlisting of applicants
12 July 2023	Interview EOI Consultants for FoLG Review submission

### ***Cr J Honner***

20 June 2023	Ordinary Council Meeting – Bothwell
05 July 2023	GHD Presentation - Bothwell
11 July 2023	Planning Committee Meeting - Bothwell
11 July 2023	Town Structure Plan Steering Group Meeting
11 July 2023	Council Workshop – David Morris

### ***Cr D Meacheam***

20 June 2023	Ordinary Council Meeting - Bothwell
07 July 2023	FoLG Review Community Meeting Kempton, hosted by Southern Midlands Council
11 July 2023	Planning Committee Meeting - Bothwell
11 July 2023	Town Structure Plan Steering Group Meeting - Bothwell
11 July 2023	Council Workshop – David Morris
11 July 2023	EOI Panel – shortlisting of applicants
12 July 2023	Interview EOI Consultants for FoLG Review submission

### ***Cr Y Miller***

20 June 2023	Ordinary Council Meeting – Bothwell
11 July 2023	Town Structure Plan Steering Group Meeting - Bothwell
11 July 2023	Council Workshop – David Morris

### ***For Information Only***

### 13.3 GENERAL MANAGER'S COMMITMENTS

Date	With Whom	Subject / Comment
19 June 2023	Council and Management Members	Audit Panel Meeting
20 June 2023	Council and Management Members	Council Meeting at Bothwell
30 June 2023	Local Government Association of Tas	General Meeting & AGM at Hobart
05 July 2023	Council and Management Members	River Clyde Flood Mapping Study – public presentation
06 July 2023	Southern Midlands Council	Community Meeting at Kempton Hall
11 July 2023	Council and Management Members	Planning Committee Meeting at Bothwell
11 July 2023	Council and Management Members	Town Structure Plan Steering Group Meeting
11 July 2023	Council and Management Members	Council Workshop at Bothwell
11 July 2023	Council EOI Panel	Shortlisting of EOI Applicants
12 July 2023	Council EOI Panel	Interview EOI Consultants
12 July 2023	Successful EOI Applicant	Providing Detail Briefing & Scope for the role
13 July 2023	Enterprise Bargaining Committee and ASU Representative	Finalising new Agreement before the vote

*For Information Only*

### 13.4 DEPUTY GENERAL MANAGER'S COMMITMENTS

Date	With Whom	Subject / Comment
5 July 2023	Councillors, General Manager, Managers, GHD staff members and general public.	River Clyde Flood Mapping Study - Final Community Consultation
13 July 2023	Both General Managers and Managers.	Meeting with Southern Midlands Council regarding Shared Services
18 July 2023	Councillors, General Manager, Managers and general public.	Council Meeting at Hamilton

*For Information Only*

## 14. NOTIFICATION OF COUNCIL WORKSHOPS HELD

Workshops were held on the below dates and the following items were discussed -

- **11 July 2023** – a legal presentation by David Morris from Simmons Wolfhagen Lawyers on roles & responsibilities of Councillors; pecuniary/non-pecuniary interests; and other legal requirements.

## 15. FUTURE WORKSHOPS

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

- **8 August 2023** – Town Structure Plans project EOI submissions.

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## 16. MAYORAL ANNOUNCEMENTS

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## 17. MINUTES

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### 17.1 CONFIRMATION OF DRAFT MINUTES ORDINARY MEETING – 20 JUNE 2023

#### RECOMMENDATION 02/07.2023/C

**Moved:** Cr

**Seconded:** Cr

***THAT the Draft Minutes of the Ordinary Meeting of Council held on Tuesday 20 June 2023 be confirmed.***

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### 17.2 RECEIVAL OF DRAFT MINUTES PLANNING COMMITTEE MEETING – 11 JULY 2023

#### RECOMMENDATION 03/07.2023/C

**Moved:** Cr

**Seconded:** Cr

***THAT the Draft Minutes of the Planning Committee Meeting held on Tuesday 11 July 2023 be received.***

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## 18. BUSINESS ARISING – JUNE 2023 COUNCIL MEETING

### Business Arising

14	NOTICE OF MOTION – Cr D Meacheam	To form a Working Group to respond to the State Government proposals for amalgamations
27.1	RECEIVAL DRAFT MINUTES AUDIT MEETING 19 JUNE 2023	Actioned.
27.2	RECOMMENDATION 1 FROM THE AUDIT PANEL – COUNCIL POLICIES	Policies revoked and removed from register.
27.3	RECOMMENDATION 2 FROM THE AUDIT PANEL – FUTURE OF LOCAL GOVERNMENT REVIEW STAGE 3 COMMUNITY ENGAGEMENT	<ol style="list-style-type: none"> <li>1. Council forms a position before the July Council Meeting and discuss the issue at the 11 July Council Workshop.</li> <li>2. Council formed a position that we reject all four scenarios and say no to amalgamations.</li> </ol>
27.4	RECOMMENDATION 3 FROM THE AUDIT PANEL – DRAFT ANNUAL BUDGET AND ANNUAL PLAN FOR 2023-24	Supported Council adopting a 8.9% rate increase and endorses the documents.



22.1	SUBMISSION TO THE TASMANIAN PLANNING POLICIES – DRAFT FOR CONSULTATION IN ACCORDANCE WITH SECTION 12C(3)(A) OF THE LAND USE PLANNING AND APPROVALS ACT 1993	Submission endorsed.
25.2	PREPARING AUSTRALIAN COMMUNITIES PROGRAM GRANT	Final document endorsed & community information session be held 5 July 2023.
26.3	QUEENS PARK IN BOTHWELL	Correspondence provided & actioned.
26.4	POLICY REVIEW – AUDIO RECORDING OF COUNCIL MEETINGS 2017-50	Policy endorsed and register updated.
26.5	POLICY REVIEW – BULLYING POLICY 2015-33	Policy endorsed and register updated.
26.6	POLICY REVIEW – HARASSMENT AND DISCRIMINATION POLICY 2015-34	Policy endorsed and register updated.
26.7	POLICY REVIEW – GREIVANCE AND DISPUTE RESOLUTION POLICY 2015-35	Policy endorsed and register updated.
26.8	POLICY REVIEW – DISCIPLINARY POLICY AND PROCEDURE 2017-47	Policy endorsed and register updated.
26.9	POLICY REVIEW – COUNCIL POOL VEHICLE 2017-48	Policy endorsed and register updated.
26.10	GREAT LAKE COMMUNITY CENTRE – GRANT SUPPORT	Correspondence provided & actioned.
26.11	COUNCIL AND COMMITTEE MEETINGS – DATES & TIMES	All motions actioned and advertised.
26.12	LOCAL GOVERNMENT ASSOCIATION OF TASMANIA – GENERAL MEETING MOTION SUPPORT	Action at meeting held 30 June 2023.
26.13	COMMUNITY GRANT APPLICATION – CENTRAL HIGHLANDS SCHOOL HOLIDAY ACTIVITIES	Correspondence provided & actioned.
26.15	DRAFT COUNCIL FEES AND CHARGES 2023-2024	Document approved unchanged.
26.16	COUNCIL RATES RESOLUTION 2023-2024	Resolution approved unchanged.
26.17	ANNUAL BUDGET ESTIMATES 2023-2024	Document approved unchanged.
26.18	ANNUAL PLAN 2023-2024	Document approved unchanged.
26.19	BOTHWELL AND DISTRICTS LIONS CLUB PROPOSAL	Correspondence provided & actioned
26.20	FUTURE OF LOCAL GOVERNMENT REVIEW – STAGE 3 CENTRAL & MIDLANDS COMMUNITY CATCHMENT INFORMATION PACK	Submission to be actioned by 2 August 2023.
28.1	HATCH COMMITTEE REPRESENTATIVE	Correspondence provided & actioned.
28.2	FUTURE OF LOCAL GOVERNMENT WORKING GROUP	General Manager actioned and consultant appointed on 12 July 2023.
28.3	MOBILE MESSAGING BOARDS	Actioned as per resolution.

**FOR NOTING**

## 19. DERWENT CATCHMENT PROJECT – MONTHLY REPORT FOR JUNE 2023

### RECOMMENDATION 04/07.2023/C

Moved: Cr

Seconded: Cr

*THAT the Derwent Catchment Project monthly report for June 2023 be received.*



### Derwent Catchment Project Monthly Report for Central Highlands Council

**13<sup>th</sup> June – July 12<sup>th</sup> 2023**

#### General

This past month has been focused on reporting to our funders and reviewing the successes of the past year's programs. There has been limited on-ground works due to the season, but we have still made it out to Miena and Liawenee for conservation and restoration works when weather permits!

Morgan attended a meeting with Parks and Wildlife Services (PWS) about PWS creating another "working group" around the TWWHA. The Central Highlands Weed Management Plan already covered most of the issues and ideas for sections of the Central Highlands that neighbour the TWWHA. The boundary of the TWWHA however is long and stretches across Meander Valley, West Coast and Huon municipalities. We will attend the meetings held by PWS to work collaboratively with our current stakeholders and any neighbouring stakeholders to help deliver landscape-scale environmental management.

Morgan also attended the flood modelling meeting held by GHD at Bothwell, and we are looking forward to working with the council to develop and deliver a plan for the Clyde River willow removal and associated restoration.

We also held our Quarterly Derwent Catchment Project committee meeting and have set a date for 1<sup>st</sup> of September for the Annual General Meeting in the late afternoon and evening. So please keep the date free and come along. We will send out a formal invite and information in the next couple of weeks.

## 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.

Analysis of the data collected throughout the spray season has begun, which shows the vast number of weeds treated within the Central Highlands. The primary focus for this year was blackberry in the Ellendale region and Californian thistle. The Californian thistle was particularly widespread this year. It is vital to review works to not only show what has been treated but to help adaptively manage the Central Highlands Weed Management Plan. A complete summary and map will be available as part of our annual report.

## Agri-Best Practice Programs

*Strategic Actions 4.7 Support and assist practical programs that address existing environmental problems and improve the environment.*

### **Derwent Pasture Network – funded by NRM South through the Australian Government's National Landcare Program**

This program is supporting producers with improved dryland grazing management across the Central Highlands and Derwent Valley.

This program has come to a close as of the 30<sup>th</sup> of June. We have loved the opportunity to work with local producers and have run 3 intensive Grazing Time courses, a series of field days and workshops on a broad range of agricultural topics over the three years. The last quarter was particular busy as we wrapped up the Pasture Network program. The two Grazing Time sessions visited Bloomfield and Grassy Hut on Bendeveon respectively. At Bloomfield we review an old pasture species trial site and undertook biomass and pasture condition assessments across multiple sites in old dryland, current dryland and paddocks under irrigation. At Bendeveon we looked at how to use big mobs as a pasture management tool and we reviewed the Grassy Hut lambing paddock strategy where Phalaris is drilled into undulating and stony north-facing country.

Our field days were also well attended given the very cold weather. We held a fertiliser test strip update at Arundel Farm and looked at the pasture species demonstration site results at Thorpe Farm, this event had attendance from three farmers who are quiet achievers and have not attended events regularly which was great.

Our comms this quarter include a video outlining the results pasture demonstration sites to date and we will circulate this once we have approval from the Australian Government. This will allow us to increase the reach of the Pasture Network results. Peter Ball has produced articles published in the New Norfolk News and the Central Highlands Digest. We have continued to post on social media.

### **Cross-hub containment feeding/drought lotting project - funded by the Future Drought Fund (National Drought Hub)**

This program is supporting producers with containment feeding across the State. This program also came to a close at the end of the financial year and it has had good reach for a short-term project. The past month has mostly revolved around wrapping up extra information from the series of workshops held in June and seeking additional funding to support the project into the future.

## **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.*

### **Tyenna River Recovery – willow warriors – supported by IFS, SFM, DV council and Tassal**

Working bees are on hold until the warmer months, starting in September 2023. A University master's student has approached us to discuss reviewing the Tyenna River's health to help show the benefits of willow control; we will be working closely with them to help deliver the required information.

### **Miena Cider Gums – Supported by Hydro**

The ground team have been braving the weather and erecting fences around the Miena Cider Gums as part of the ongoing restoration for Hydro. We have marked at least 12 new trees to protect, meaning 40 trees have been protected by the end of this year.





## Hamilton Native Plant Nursery update

It's planting season and Karen has sent out hundreds of plants with substantial planting projects in the Hamilton and Ellendale areas. More are planned in late winter, early spring with plant orders made and the team booked in for plantings.

Seeds requiring cold temperatures over winter have been sown and put in the shade house. These include *Banksia marginata*, *Bursaria spinosa*, *Lomandra longifolia* and *Dianella tasmanica*. A couple of new species we are trying this year are *Pittosporum bicolor* (Cheesewood) and *Beyeria viscosa* (Pinkwood). These species can take up to 6 months to germinate and will be planted along the Lachlan River as part of the Lachlan River Recovery program.

We had a good response to the series of photos we put on Facebook and Instagram showing the cleaning process for the *Pittosporum*.

## Grant Applications

### Long term trial through the Australian Government's Future Drought Fund -

### 'Tasmanian drought adaptation through long-term management tool development and farmer engagement'

A 5-year program assessing if longer growing season rest can improve pasture condition, desirable species composition and biomass production. **Pending.**

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 (CEO) 0427044700

Eve Lazarus (Program Manager) 0429170048

Morgan McPherson (Works Manager) 0418 667 426

Karen Phillips (Nursery Manager) 0400 039 303

### Browsing protection for Miena Cider Gum



Derwent Catchment Project

13 June at 15:33 · 🌐

Cheesewood - from fruit to ready-to-sow seed!

Fruiting late this year in our neck of the woods, these seeds have been carefully prepared by our nursery manager, Karen, to now be tended into new plants ready for restoration projects.

Cheesewood (*Pittosporum bicolor*), has a sticky outer surface that can inhibit germination. So, to ensure the most seeds possible germinate, they are washed to remove it.... [See more](#)



## 20. 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 be noted.

In accordance with Regulation 25, the Council will act as a Planning Authority in respect to those matters appearing under Item 22 in this Agenda, inclusive of any supplementary items.

### RECOMMENDATION 05/07.2023/C

**Moved:** Cr

**Seconded:** Cr

***THAT Council now act as a Planning Authority.***

### 20.1 DA 2023/27: CHANGE OF USE TO VISITOR ACCOMMODATION AT LAND DESCRIBED AS 73A JONES ROAD, MIENA

**Report by:**

Senior Planning Officer (Louisa Brown)

**Attachments:**

- Development Application
- Representations (4)
- Applicant Correspondence

**Applicant:**

N Gore

**Owner:**

N Gore & C Buisson

**Discretions**

**Proposal**

An application for a Planning Permit for a change of use outbuilding to Visitor Accommodation at the property described as 73A Jones Road, Miena has been made to Council. An outbuilding containing a sauna and an outside spa exist on the property which has a Planning Permit (DA2018/36). The Building Permit for the outbuilding and spa are currently in progress.

The application seeks to change the existing use of the outbuilding and spa and proposes new structure of a 5m geodesic dome tent for Visitor Accommodation.

The proposal includes:

Change of use of existing outbuilding and spa to Visitor Accommodation. The existing outbuilding includes dressing area, bath/shower, toilet facilities, sauna and timber deck to the southern and western elevations. In addition, an outdoor spa is currently located to the north of the outbuilding, overlooking Yingina (the Great Lake).

A new 5m semi-permanent geodesic dome tent will be constructed on a timber deck for sleeping accommodation. The accommodation will be for up to 2 people and is located to the west of the outbuilding, a window in the structure will also look out across Yingina.

The property is zoned Low Density Residential under the Tasmanian Planning Scheme – Central Highlands, within which Visitor Accommodation is a Permitted Use within existing habitable buildings. The current

outbuilding is not classed as a habitable building and as a new habitable structure is proposed for accommodation, the Development Application is considered Discretionary.

The proposal is to be assessed against the development standards of the zone and the development standards of the applicable Codes. These matters are discussed and assessed in this report.

Council gave notice of the application for public comment for 14 days. During the notification period four (4) representations were received.

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

### **The Site**

The property is situated between Jones Road and Highland Lakes Road, Miena. Shannon Lagoon is 1.5km to the east and Yingina less than 100m from the property boundary to the west. The boundary to Highland Lakes Road is unsuitable for vehicle access due to the steep levels of the land.

Properties within the close vicinity include some holiday/second homes and also main residences.

The land rises from Jones Road, up to the top of the ridge, the proposed Visitor Accommodation is down slope of the ridge, adjacent to Highland Lakes Road.



*Map 1\_ The site is in the Low Density Residential Zone, as shown by the red colour on the map. The site boundary is highlighted in blue. Green lines represent areas of Priority Vegetation Overlay and orange lines indicate the Low landslide Hazard Areas. Source: The List 04/07/2023*





Map 2\_ Ariel Photograph. The site boundary is highlighted in blue. Source: The List 04/07/2023



Map 3\_ Hillshade Ariel Photograph. The site boundary is highlighted in blue. Darker grey areas on the image represent higher elevations (hills). Source: The List 04/07/2023

### **The Application**

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

In addition, the attached Applicant Correspondence responds to representations received during the advertising period.

### **Use / Development Definition**

The proposed use and development are defined, under the Planning Scheme, as 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 on the 24 May 2023 for fourteen (14) days. During this period Council received four (4) representations, a representation was received twice from the same house hold, therefore it is considered as 1 representation as the issues raised were duplicated. A full copy of the representations received are within the attachments to this report.

Representation Received	Planning Officer Response
<p><b>Representation 1</b></p> <p>I am concerned about the impact Visitor Accommodation will have on neighbouring properties. The unique location currently grants us privacy and serenity, due to it being off a private road which is only accessed by three other owners. We can enjoy the remoteness and tranquillity, which is the beauty of being in the Central Highlands area.</p> <p>As per the covenants on our Title, we are not allowed to fence our boundaries (and nor would we wish to). If the proposed Visitor Accommodation was approved on 73A Jones Road, guests would not be aware of the boundaries of the property and would likely trespass.</p> <p>The building of the proposed application is already under construction, without any approvals (Planning, Building or Plumbing).</p> <p>The existing driveway to 73A Jones Road is extremely steep and would not accommodate construction vehicles, and rental cars from proposed future guests. I therefore have concerns about other vehicles being manoeuvred and parked on nearby property, as there are no turning or parking areas available along the private road. This would have an impact on the privacy of nearby property.</p>	<p><i>Visitor Accommodation is a Permitted Use in the Low density Residential Zone which the property and surrounds are located within.</i></p> <p><i>Council acknowledges the concern raised; however, covenants do not form part of the Planning Process and cannot be taken into consideration when assess Development Applications.</i></p> <p><i>Defining the boundaries of the Visitor Accommodation could be managed with appropriate signage, which the applicant has stated they are willing to consider.</i></p> <p><i>A Planning Permit was issued for the development of an outbuilding in 2018, these works relate to the construction on site, Building and Plumbing Permits are also being issued.</i></p> <p><i>The access road will be required to meet the standards for off street carparking, this is conditioned in the Planning Permit, should Council grant one. The use cannot commence until Council is satisfied that this condition has been met.</i></p> <p><i>Passing bays are only required for vehicle access greater than 200m in length. The access is less than 200m.</i></p>
<p><b>Representation 2</b></p> <p>Please accept my representation against the above application, on the following grounds:</p> <ol style="list-style-type: none"> <li>1. The application is referred to as an amendment to planning permit DA2018-36. Is it possible under the Act to amend a 5-year-old application with a change of use and additional building?</li> <li>2. The application refers to non-compliance with D.12.3.2 A1(a)... This appears to be the wrong code and refers to the Village Zone. This may have previously been zoned</li> </ol>	<p><i>To clarify, the application is a new Development Application for a Change of Use to the existing outbuilding to Visitor Accommodation and includes an additional dome tent structure. The application is not considered nor has been assessed as an amendment to DA 2018/36.</i></p> <p><i>Council confirms that the property is zoned within the Low Density Residential Zone of the Tasmanian Planning Scheme – Central Highlands.</i></p>

<p>Village but is now Low Density Residential (reinforcing point 1 that an amendment to an existing approval could not be permitted). What I think the applicant is referring to is 10.3.2 Visitor Accommodation, and the application fails to address the Performance Criteria. 73A Jones Road is accessed via a Right of Way that passes by 3 other properties on a private road. When considering the visitors to this property will be tourists, unaccustomed to the area and weather patterns, it becomes clear to understand this proposal does not comply with (a), (b), (c), (d), (e) or (f) of the P1 Performance Criteria.</p> <p>3. The application refers to the Central Highlands Interim Planning Scheme 2015, which is no longer applicable.</p> <p>4. The application does not outline how it complies with the requirements of the Priority Vegetation Area Code Overlay.</p> <p>5. The site is designated as being within a Bushfire-Prone Areas. While this cannot always be enforced at a planning level, the construction requirements of the National Construction Code will have implications on the finished building / site layout, and I believe the current proposal will have to be significantly modified due to:</p> <ul style="list-style-type: none"> <li>a. Material s</li> <li>c. Tanker access and passing bays</li> </ul> <p>6. The application does not comply with the requirements of the Tasmanian Interim Planning Directive No.5.1 Bushfire-Prone Areas Code,</p> <p>7. How will the wastewater be treated, and will the land application area result in more priority vegetation being removed?</p> <p>8. The existing driveway gradient is not compliant with AS2890.1 Part 2.6 Design of Domestic Driveways. I don't know how (or if) this was previously approved by Council. As the owner has applied for a Change of Use, I believe the access to the property should be investigated further as an approved access to a Class 1 dwelling. It is certainly only accessible by the best of 4x4 vehicles in it's current state.</p> <p>9. As the site shares a private access with other owners, could we request if the DA is approved, Council add a condition to the permit that a Visitor Management Plan be supplied and enforced (similar to how Hobart City Council operates, see attached example).</p>	<p><i>Within this zone, Visitor Accommodation is a Permitted Use.</i></p> <p><i>The proposed change of use to visitor accommodation has been assessed against the Performance Criteria P1 below and does meet the Standards.</i></p> <p><i>Council confirms that the Tasmanian Planning Scheme – Central Highlands is the current scheme used to assess the development.</i></p> <p><i>The Priority Vegetation Code Overlay (Natural Assets Code) only applies to Subdivision within the Low Density Residential Zone. The proposed development is therefore exempt from the Code.</i></p> <p><i>The Bushfire Prone Area Code of The Scheme does not apply to this development, as it is not a Subdivision or a Hazardous Use.</i></p> <p><i>The consideration of Bushfire Risk and any required assessments will be part of the Building Permit Process, which is separate to the Planning Process.</i></p> <p><i>Waste water will be subject to a Plumbing Permit issued by Council as the Permit Authority. This is currently in the final stages of assessment as it forms a part of the previous Development Application DA2018/36 which is under construction.</i></p> <p><i>Conditions of the Planning Permit require the access to be constructed to Standards, additionally the use may not commence until Council is satisfied with the standard of construction for the access, turning and parking area.</i></p> <p><i>There is no requirement in the Planning Scheme for Council to Condition a Visitor Management Plan, nor is it considered necessary for the proposed development.</i></p>
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<p><b>Representation 3</b></p> <p>This proposal for visitor accommodation attached to an existing “Outbuilding”?? will have a significant impact on the privacy of properties.</p> <p>Construction of this deck is well underway, despite no consultation being undertaken with the other owners. Nor has council approval been secured.</p> <p>The application does not properly address the State Planning Provisions, section 10.3.2 Visitor Accommodation Performance Criteria, see following:</p> <ol style="list-style-type: none"> <li>1. The privacy of adjoining properties <ul style="list-style-type: none"> <li>• The proposal shares access with other owners, on a private road behind a locked gate. The gate system currently operates on a single shared padlock to secure all land holdings beyond the gate. The sharing of keys with visitors negates the security currently enjoyed by the owners.</li> <li>• The subject site is the furthest from the road (Jones Road), meaning visitors and their guests will be driving past all the other properties.</li> <li>• As per the title deed covenants, there are no fences to indicate the boundaries of 73A Jones Road. Being Visitor Accommodation, guests are likely to explore across other boundaries for the better photo opportunities offered by the higher blocks with superior views (75, 73B and 73C), impacting the privacy of those owners.</li> </ul> </li> <li>2. Any likely increase in noise to adjoining properties <ul style="list-style-type: none"> <li>• Additional vehicle movements from the guests, including the cleaner/manager (to prepare and clean the property for each booking) will increase the noise to all adjoining properties. The proposed building has an outside spa and we are concerned guests may invite friends around for gatherings and create unwanted noise.</li> <li>• The additional road usage by guests with less respect for the common road will lead to additional maintenance costs for all land owners.</li> </ul> </li> <li>3. The scale of the use and its compatibility with the surrounding character and uses within the area <ul style="list-style-type: none"> <li>• The proposal is not compatible with the surrounding character and uses which are predominantly fishing cabins / permanent residences. This looks more like a commercial glamping</li> </ul> </li> </ol>	<p><i>The Outbuilding and associated works do have a Planning Permit, DA2028/36 and approval from Council.</i></p> <p><i>Construction of a deck for the base of the tent has subsequently ceased after the applicant was asked to stop work until all Permits are in Place.</i></p> <p><i>Lot 1 has a legal Right Of Way (private) to access the property through Lots 4 and 5. This Right Of way for Lot 1 and also Lot 3, should not be restricted by locked gates. This is a Legal Right of Access which must be accessible at all times.</i></p> <p><i>A legal Right Of Way provides a legal right for the property owners and visitors to access the property, regardless of the use of the property, be it a residential dwelling or visitor accommodation.</i></p> <p><i>Given the rugged land, it is unlikely that guests using the accommodation will venture onto neighbouring properties. However, appropriate signage could be used to clearly define the boundaries of the property, and/or adjacent properties.</i></p> <p><i>As addressed in previous comments, the accommodation is relatively small in scale being for two persons. It is unlikely that a significant increase in noise to adjoining properties will occur.</i></p> <p><i>The scale of the one bedroomed accommodation and facilities are considered compatible with the surrounding character and uses within the area.</i></p> <p><i>The closest structure to the Outbuilding from adjacent properties is over 65m away and there is no direct overlooking or over shadowing from the visitor accommodation into neighbouring dwellings.</i></p>
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<p>experience better suited to the outskirts of towns.</p> <p>4. Retaining the primary residential function of an area • Being Visitor Accommodation, there could be different guests at the property every night of the week. This does not retain the primary residential function of the Low Density Residential Zone.</p> <p>5. The impact on the safety and efficiency of the local road network; and • 73A Jones Road does not have any viable parking or turning circle for high cars or any vehicles that are not 4WD. Even the owner of 73A Jones Road rarely drives to the bottom of the road.</p> <ul style="list-style-type: none"> <li>• Guests at the Visitor Accommodation are likely to be in rental cars, and unfamiliar with driving in inclement conditions. Access to the site is very narrow and limited, which inexperienced drivers will find it difficult to navigate and put other road users (including pedestrians) at risk. Particularly during winter months.</li> <li>• This is likely to result in the use of other land for parking and turning vehicles and inevitably requests to assistance from visitors when their vehicles become stuck at the bottom of the road.</li> </ul> <p>6. Any impact on the owners and users rights of way • The site is accessed via a right of way with other owners. All owners will be impacted by the volume of traffic, at all times of the day and night. Guests will unlikely be able to access the site due to the steep driveway, and will most likely park on the right of way – which will prohibit access to the other owners.</p>	<p><i>The surrounding properties of the area are predominantly shacks used for second homes/holiday homes and some places of main residence. A one bedroomed visitor accommodation facility will not affect the ability for residential function of the area.</i></p> <p><i>As addressed in previous comments, the access, turning and parking for the property will be conditioned to meet the relevant standards and conditioned that the use cannot commence until Council is satisfied with the work.</i></p> <p><i>The improvement in the standard of the access track and car parking will make the property more accessible for all visitors.</i></p> <p><i>Adequate signage directing visitors to the accommodation will address this, along with the required access improvements.</i></p>
<p><b>Representation 4</b> The reasons for my concerns are identified below.</p> <p><b>ZONING:</b> I have concerns that the area is currently zoned Low Density Residential, however, this proposal intends to amend usage to tourism visitor accommodation based on an existing outbuilding only.</p> <p><b>PARKING:</b> The site is the further-most block accessed via a right-of-way shared by three other owners through a locked gate. The current driveway leading into the site is extremely steep and unsuitable for conventional vehicles. Furthermore, site access is impassible during</p>	<p>The application seeks a change of use for the current outbuilding to Visitor Accommodation, which is a Permitted Use in the Low density Residential Zone.</p> <p>Lot 1 has a legal Right Of Way to access the property through Lots 4 and 5, this access should not be restricted by locked gates.</p> <p>The access road will be improved to meet standard and as previously raised, passing bays may not be required.</p>

<p>inclement weather events. The proposal identifies on-site parking, however, this is difficult for visitors to access.</p> <p>a. Poor direct access to the site will necessitate off-site visitor parking in other nearby neighbouring areas. However, there are no areas available for off-site parking in the immediate area. Unintended parking on the narrow right-of-way will directly impact and inconvenience other residents.</p> <p><b>TRAFFIC:</b> As noted previously, the furthestmost section of driveway which leads directly into the site is problematic.</p> <p>a. Increased tourism usage will result in unwanted increased traffic through a private block which directly impacts three other residents.</p> <p>b. The topography, and/or adverse weather conditions, In combination with inexperienced tourist drivers, will lead to unforeseen traffic incidents.</p> <p><b>PRIVACY:</b></p> <p>The site is accessed by a private right-of-way through a locked gate. Adjacent properties comprise three other permanent and semi permanent residents, and fishing cabins.</p> <p>a. Visitor exploration of the area or their unintended navigation errors will lead to unintended trespass into neighbours properties.</p> <p>b. Increased visitor use is incompatible with the current character of the immediate area.</p> <p><b>SAFETY:</b></p> <p>As noted previously, site topography is difficult and is exacerbated by environment and weather. Increased visitor access will increase the numbers of inexperienced drivers to the site.</p> <p>a. Inexperienced tourist drivers in combination with topography and environmental conditions, will lead to unforeseen traffic incidents and potentially put others at risk.</p> <p>b. Access to the site is impossible or extremely difficult for emergency service vehicles.</p>	<p>Parking on the access road and the standard of the access road have been addressed in the comments above.</p> <p>Council acknowledges that there will be an increase in traffic to the property, this is mainly due to the fact that the property has been previously vacant. It is not considered that a 1 bedroomed visitor accommodation will create significant increase in traffic volumes.</p> <p>Comments regarding privacy have been addressed in comments above.</p> <p>As previously address, the standard of the access, turning and parking areas will be improved to meet the required standard, which may have to include emergency fire fighting vehicles, depending upon the requirements of the Building Permit.</p>
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## ASSESSMENT - THE TASMANIAN PLANNING SCHEME – CENTRAL HIGHLAND

### Low Density Residential

The property is in the 10.0 Low Density Residential Zone of the Tasmanian Planning Scheme – Central Highlands. The proposal must satisfy the requirements of the following relevant provisions of this zone:

<b>10.3.2 Visitor Accommodation</b> Objective: That Visitor Accommodation: (a) is compatible with the character and use of the area; (b) does not cause an unreasonable loss of residential amenity; and (c) does not impact the safety and efficiency of local roads or rights of way.		
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	<b>OFFICER COMMENT</b>
A1 Visitor Accommodation must: (a) accommodate guests in existing habitable buildings; and (d) have a gross floor area of not more than 200m <sup>2</sup> per lot.	P1 Visitor Accommodation must be compatible with the character and use of the area and not cause an unreasonable loss of residential amenity, having regard to: (a) the privacy of adjoining properties; (b) any likely increase in noise to adjoining properties; (c) the scale of the use and its compatibility with the surrounding character and uses within the area; (d) retaining the primary residential function of an area; (e) the impact on the safety and efficiency of the local road network; and (f) any impact on the owners and users' rights of way.	<p><i>As the proposed visitor accommodation will be within an existing non-habitable building and an additional habitable building is proposed, the proposal must be assessed against the Performance Criteria P1.</i></p> <p><i>The proposed use is visitor accommodation which is compatible with the surrounding existing residential use. Adjacent properties are used as main residences and second homes/holiday homes by owners.</i></p> <p><i>The elevations of the existing outbuilding and proposed dome tent are blank to surrounding properties, windows are directed to Yingina and therefore windows do not directly overlook adjacent properties. In addition, the nearest structure to the outbuilding is over 65m away.</i></p> <p><i>The Visitor accommodation is limited to a single dome tent, for an occupancy of two people. The scale of the use is therefore limited to singles and couples. Noise levels would be similar to that of a dwelling.</i></p> <p><i>Similarly, the number of vehicle movements on the Right Of Way would be similar if not less to that of a dwelling.</i></p> <p><i>The proposal meets the Performance Criteria P1.</i></p>
A1 Visitor Accommodation is not for a strata lot that is part of a strata scheme where another strata lot within that strata scheme is used for a residential	P2 Visitor Accommodation within a strata scheme must not cause an unreasonable loss of residential amenity to long term residents occupying other strata lots	<i>Not Applicable.</i>

use.	within the strata scheme, having regard to: (a) the privacy of residents; (b) any likely increase in noise; (c) the residential function of the strata scheme; (d) the location and layout of the strata lots; (e) the extent and nature of any other non-residential uses; and (f) any impact on shared access and common property.	
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## 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.

<b>C2.6.1 Construction of parking areas</b>		
Objective: That parking areas are constructed to an appropriate standard		
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	<b>OFFICER COMMENT</b>
<p>A1</p> <p>All parking, access ways, manoeuvring and circulation spaces must:</p> <p>(a) be constructed with a durable all weather pavement;</p> <p>(b) be drained to the public stormwater system, or contain stormwater on the site; and</p> <p>(c) excluding all uses in the Rural Zone, Agriculture Zone, Landscape Conservation Zone, Environmental Management Zone, Recreation Zone and Open Space Zone, be surfaced by a spray seal, asphalt, concrete, pavers or equivalent material to restrict abrasion from traffic and minimise entry of water to the pavement.</p>	<p>P1</p> <p>All parking, access ways, manoeuvring and circulation spaces must be readily identifiable and constructed so that they are useable in all weather conditions, having regard to:</p> <p>(a) the nature of the use;</p> <p>(b) the topography of the land;</p> <p>(c) the drainage system available;</p> <p>(d) the likelihood of transporting sediment or debris from the site onto a road or public place;</p> <p>(e) the likelihood of generating dust; and</p> <p>(f) the nature of the proposed surfacing.</p>	<p><i>The proposal complies with the Acceptable Solution A1 the existing vehicle access has been constructed from gravel and is drained in line with the Planning Permit Conditions for the Outbuilding DA2018/36.</i></p>

<b>C2.6.2 Design and layout of parking areas</b>		
Objective: That parking areas are designed and laid out to provide convenient, safe and efficient parking		
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	<b>OFFICER COMMENT</b>
<p>A1 Parking, access ways, manoeuvring and circulation spaces must either: (a) comply with the following: (i) have a gradient in accordance with Australian Standard AS 2890 - Parking facilities, Parts 1-6; (ii) provide for vehicles to enter and exit the site in a forward direction where providing for more than 4 parking spaces; (iii) have an access width not less than the requirements in Table C2.2; (iv) have car parking space dimensions which satisfy the requirements in Table C2.3; (v) have a combined access and manoeuvring width adjacent to parking spaces not less than the requirements in Table C2.3 where there are 3 or more car parking spaces; (vi) have a vertical clearance of not less than 2.1m above the parking surface level; and (vii) excluding a single dwelling, be delineated by line marking or other clear physical means; or (b) comply with Australian Standard AS 2890- Parking facilities, Parts 1-6.</p> <p>A1.2 Parking spaces provided for use by persons with a disability must satisfy the following: (a) be located as close as practicable to the main entry point to the building; (b) be incorporated into the overall car park design; and (c) be designed and constructed in accordance with Australian/New Zealand Standard AS/NZS</p>	<p>P1 All parking, access ways, manoeuvring and circulation spaces must be designed and readily identifiable to provide convenient, safe and efficient parking, having regard to: (a) the characteristics of the site; (b) the proposed slope, dimensions and layout; (c) useability in all weather conditions; (d) vehicle and pedestrian traffic safety; (e) the nature and use of the development; (f) the expected number and type of vehicles; (g) the likely use of the parking areas by persons with a disability; (h) the nature of traffic in the surrounding area (i) the proposed means of parking delineation; and (j) the provisions of Australian Standard AS 2890.1:2004 - Parking facilities, Part 1: Off-street car parking and AS 2890.2 -2002 Parking facilities, Part 2: Off-street commercial vehicle facilities</p>	<p><i>Due to the gradient of the property, the proposal must be assessed against the Performance Criteria P1.</i></p> <p><i>The characteristics of the property and surrounding properties is steep and rocky ground. It is acknowledged that the applicants have improved the access, turning and car parking to the property in line with the conditions of the Planning Permit DA2028/36.</i></p> <p><i>It is also acknowledged that the access, manoeuvring space and car parking space are currently useable. However, the useability in all weather conditions especially with regard to the gradient is not satisfied, given the potential for cold weather and the effects this may have on the access. It is therefore recommended that Planning Permit Conditions further work to bring the access up to standard and to the satisfaction of Council. The standard will also include that of Bushfire requirements, if applicable.</i></p> <p><i>As a part of this condition, Council must be satisfied with the standard of the access before the Use commences.</i></p> <p>.</p>



2890.6:2009 Parking facilities, Off-street parking for people with disabilities.		
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### **Conclusion**

The proposed change of use from outbuilding to visitor accommodation and additional dome tent has been assessed to comply with the applicable standards of the Low Density Residential Zone and the relevant codes of the *Tasmanian Planning Scheme – Central Highlands* as outlined in the body of this report.

The proposal was advertised for public comment and four (4) representations were received which have been addressed in this report.

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

### **Legislative Context**

The purpose of the report is to enable the Planning Authority to determine the Development Application DA2023/27 Change of Use to Visitor Accommodation at land described as 73A Jones Road, Miena in accordance with the requirements of the *Land Use Planning and Approvals Act 1993* (LUPAA). The provisions of LUPAA require a Planning Authority to take all reasonable steps to ensure compliance with the Planning Scheme.

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

This determination has to be made no later than 18 July 2023.

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

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

### **Options**

The Planning Authority must determine the DA2023/27 Change of Use to Visitor Accommodation at as 73A Jones Road, Miena in accordance with one of the following options:

#### **1. Approve in accordance with the Recommendation:-**

In accordance with section 57 of the Land Use Planning and Approvals Act 1993 the Planning Authority **Approve** the Development Application DA2023/27 Change of Use to Visitor Accommodation at as 73A Jones Road, Miena subject to conditions in accordance with the Recommendation.

#### **2. Approve with altered conditions:-**

In accordance with section 57 of the Land Use Planning and Approvals Act 1993 the Planning Authority **Approve** the Development Application DA2023/27 Change of Use to Visitor Accommodation at as 73A Jones Road, Miena subject to conditions as specified below.

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

Alteration to Conditions:-

#### **3. Refuse to grant a permit:-**

In accordance with section 57 of the Land Use Planning and Approvals Act 1993 the Planning Authority **Refuse** the Development Application DA2023/27 Change of Use to Visitor Accommodation at as 73A Jones Road, Miena for the reasons detailed below.

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

Reasons :-

## PLANNING COMMITTEE CONSIDERATION

This item was considered at the Planning Committee Meeting held on Tuesday 11 July 2023 with the Planning Committee making the following recommendation to the Planning Authority.

## RECOMMENDATION 06/07.2023/C

**Moved:** Cr

**Seconded:** Cr

**THAT** the Planning Committee make the following recommendation to the Planning Authority:

### 1. Approve in accordance with the Recommendation:-

In accordance with Section 57 of the *Land Use Planning and Approvals Act 1993* the Planning Authority **Approve** the Development Application DA2023/27 Change of Use to Visitor Accommodation at as 73A Jones Road, Miena subject to conditions in accordance with the Recommendation.

### **Recommended Conditions**

#### General

- 1) The use or development must be carried out substantially in accordance with the application for planning approval, the endorsed drawings and with the conditions of this permit and must not be altered or extended without the further written approval of Council.
- 2) This permit shall not take effect and must not be acted on until 15 days after the date of receipt of this letter or the date of the last letter to any representor, whichever is later, in accordance with Section 53 of the *Land Use Planning and Approvals Act 1993*.

#### Approved Use

- 3) The development is approved for use as *Visitor Accommodation* only and must not be used for any other purpose unless in accordance with a permit issued by Council or as otherwise permitted by Council's Planning Scheme.

#### Amenity

- 4) All external metal building surfaces must be clad in non-reflective pre-coated metal sheeting or painted to the satisfaction of the Council's Development & Environmental Services (DES) Manager.
- 5) External lighting must be designed and baffled to ensure no light spill to surrounding properties to the satisfaction of the Council's DES Manager.

#### Parking & Access

- 6) At least one (1) parking spaces must be provided on the land at all times for the use of the occupiers in accordance with Standards Australia (2004): Australian Standard AS 2890.1 - 2004 – Parking Facilities Part 1: Off Street Car Parking; Standards Australia, Sydney.
- 7) The internal driveway and areas set-aside for parking and associated access and turning must be provided in accordance with Standards Australia (2004): Australian Standard AS 2890.1 - 2004 – Parking Facilities Part 1: Off Street Car Parking; Standards Australia, Sydney and Tasmanian Municipal Standard Specifications and Drawings to the satisfaction of Council's General Manager, and must include all of the following;
  - a. Constructed with a durable all weather gravel pavement;

- b. Appropriately drained, avoiding concentrated flows to the road;
  - c. Minimum carriageway width of 4 metres;
  - d. Drained to an approved stormwater system; and
  - e. Vehicular passing areas 6 metres wide (total) x 20 metres long every 200 metres.
- or as otherwise required by an approved Bushfire Plan.

- 8) The internal driveway and areas set-aside for parking and associated access and turning must be designed, constructed and maintained to avoid dust or mud generation, erosion and sediment transfer off site or de-stabilisation of the soil on site or on adjacent properties to the standard required by Council's DES Manager.

#### Services

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

#### Stormwater

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

#### Wastewater

- 11) Wastewater from the development must discharge to an on-site waste disposal system in accordance with a Plumbing permit issued by the Permit Authority in accordance with the *Building Act 2016*.

#### Soil and Water Management

- 12) Before any work commences install temporary run-off, erosion and sediment controls and maintain these at full operational capacity until the land is effectively rehabilitated and stabilised after completion of the development in accordance with the guidelines Soil and Water Management on Building and Construction Sites, by the Derwent Estuary Programme and NRM South and to the satisfaction of Council's DES Manager.

#### Construction Amenity

- 13) The development must only be carried out between the following hours unless otherwise approved by the Council's Manager of Development and Environmental Services:

Monday to Friday 7:00 a.m. to 6:00 p.m.

Saturday 8:00 a.m. to 6:00 p.m.

Sunday and State-wide public holidays 10:00 a.m. to 6:00 p.m.

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

**The following advice applies to this permit:**

- A. This Planning Permit is in addition to the requirements of the *Building Act 2016*. Approval in accordance with the *Building Act 2016* may be required prior to works commencing. A copy of the Directors Determination – categories of Building Work and Demolition Work is available via the Customer Building and Occupational Services (CBOS) website.
- B. This Planning Permit does not imply that any other approval required under any other legislation has been granted.
- C. This planning approval shall lapse at the expiration of two (2) years from the date of the commencement of planning approval if the development for which the approval was given has not been substantially commenced. Where a planning approval for a development has lapsed, an application for renewal of a planning approval for that development shall be treated as a new application.
- D. The proposed works are located within a mapped bushfire prone area and as such a bushfire assessment and BAL must be provided by a suitably qualified person and form part of the certified documents for the building approval.
- E. A separate permit maybe required for any signs unless otherwise exempt under Council's planning scheme.
- F. Appropriate temporary erosion and sedimentation control measures during construction include, but are not limited to, the following –
  - a) Minimise site disturbance and vegetation removal;
  - b) Diversion of up-slope run-off around cleared and/or disturbed areas, or areas to be cleared and/or disturbed, provided that such diverted water will not cause erosion and is directed to a legal discharge point (e.g. temporarily connected to Council's storm water system, a watercourse or road drain);
  - c) Sediment retention traps (e.g. sediment fences, straw bales, grass turf filter strips, etc.) at the down slope perimeter of the disturbed area to prevent unwanted sediment and other debris escaping from the land;
  - d) Sediment retention traps (e.g. sediment fences, straw bales, etc.) around the inlets to the stormwater system to prevent unwanted sediment and other debris blocking the drains; and
  - e) Rehabilitation of all disturbed areas as soon as possible.

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## 20.2 DA 2023/26: FOUR LOT AND BALANCE SUBDIVISION - 197 ELLENDALE ROAD, FENTONBURY

### Report By:

Senior Planning Officer (Louisa Brown)

### Attachments:

- Development Application
- SPAN TasWater

### Applicant:

Brooke, Lark & Carrick

### Owner:

A Helsloot

### Discretions:

11.5.1 Lot Design, P1, P2 & P3

11.5.3 Services P2

C2.6.3 Number of accesses for vehicles, P1

C7.7.1 Subdivision within a waterway and coastal protection area, P1

### Proposal:

An application for planning approval for a 4 Lot and balance subdivision at 197 Ellendale Road, Fentonbury has been received by Council.

The proposal includes the following:

Lot 1 – 4.95ha, 216m of frontage to a Council Road (McCallums Road), proposed water connection to existing TasWater service within 30m of the property and two proposed vehicular access;

Lot 2 – 3.82ha, 170m of frontage to a Council Road (McCallums Road) and a proposed vehicular access;

Lot 3 – 6.04ha, 20m of frontage to a Council Road (McCallums Road), includes existing dwelling and maintain existing vehicular access from a proposed ROW via Ellendale Road;

Lot 4 – 1.66ha, 10m of frontage to a Council Road (McCallums Road) and a proposed vehicular access; and

Balance Lot – 8.20ha 10m frontage (via Reserve Road) to Ellendale Road (Council Road) and proposed water connection to TaWater services within 30m of property access.

The development will be staged as identified on the proposed plan of subdivision, into 4 stages. The application has been lodged under the Tasmanian Planning Scheme – Central Highlands (“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.

Council gave notice of the application for public comment for 14 days. During the notification period no representations were received.

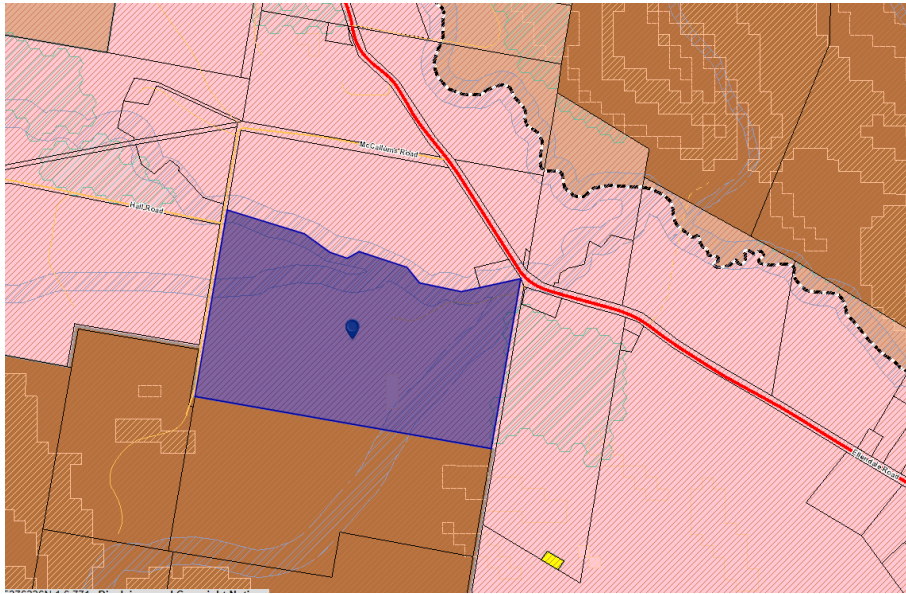
This report will assess the proposal against the relevant provisions of the Act and the Scheme. It is recommended that Council grant a permit for the subdivision subject to conditions.

### **The Site**

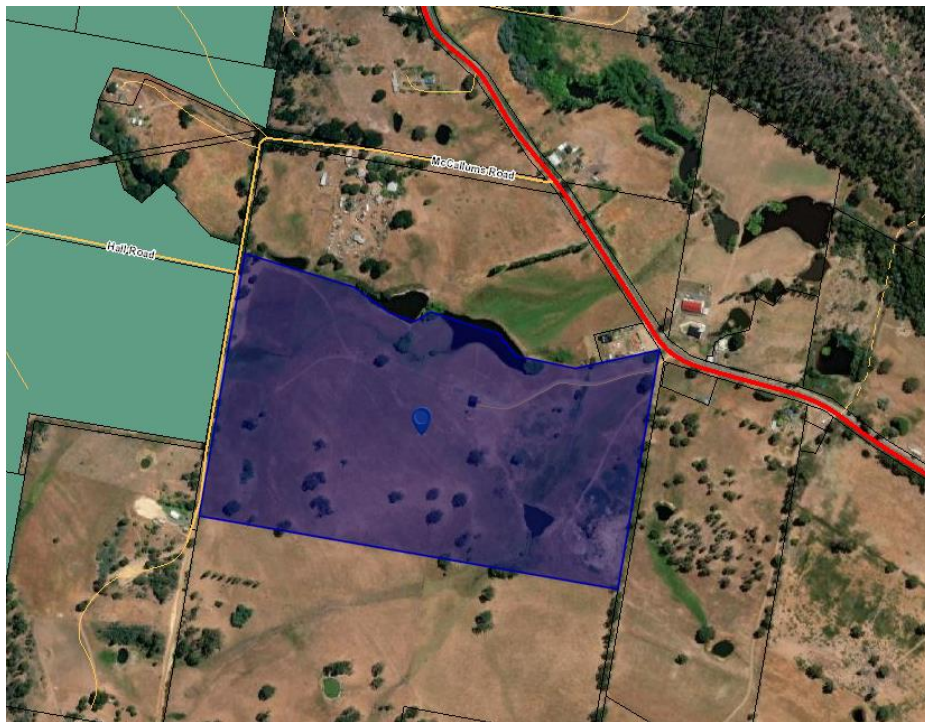
The property is located 7km southeast from Ellendale and 2km north west of the junction with Gordon River Road, Westerway. Situated in a rural setting, surrounding land comprises of pasture, with a significant number of Private Timber reserves located to adjacent to the western property boundary.

Sections of the property are within the Waterway & Coastal Protection area of the Natural Assets Code.

There are three dams on the property, two dams are on the boundary with the adjacent property to the northern boundary. A third dam is located to south east corner of the property.



*Map 1\_ The land is in the Rural Living Zone A, as shown by the pink colour on the map. The site boundary is highlighted in blue. Blue lines represent areas of Waterway & Coastal Protection. Source: The List 30/06/2023*



*Map 2\_ Ariel Photograph. The site boundary is highlighted in blue. Source: The List 30/06/2023*

## **The Application**

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

The proposal has been referred to TasWater and conditions have been provided to be attached to the planning permit should approval be granted by Council.

## 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 on the 15 June 2023 for fourteen (14) days. During this period Council received no representations.

## 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
<b>A1</b> Each lot, or a lot proposed in a plan of subdivision, must: <ul style="list-style-type: none"> <li>(a) have an area not less than 1ha;</li> <li>(i) be able to contain a minimum area of 15m x 20m clear of:               <ul style="list-style-type: none"> <li>a. all setbacks required by clause 11.4.2 A2 and A3; and</li> <li>b. easements or other title restrictions that limit or restrict development; and</li> </ul> </li> <li>(ii) existing buildings are consistent with the setback required by clause 11.4.2 A2 and A3;</li> <li>(b) be required for public use by the Crown, a council or a State authority;</li> <li>(c) be required for the provision of Utilities; or</li> <li>(d) be for the consolidation of a lot with another lot provided each lot is within the same zone.</li> </ul>	<b>P1</b> 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 suitable for its intended use, having regard to: <ul style="list-style-type: none"> <li>(a) the relevant requirements for development of existing buildings on the lots;</li> <li>(b) the intended location of buildings on the lots;</li> <li>(c) the topography of the site;</li> <li>(d) any natural or landscape values;</li> <li>(e) adequate provision of private open space; and</li> <li>(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.</li> </ul>	<p><i>The proposed subdivision does not meet the Acceptable Solution (a), i, a, due to the adjacent property being zoned Rural and must therefore be assessed against the Performance Criteria P1.</i></p> <p><i>All lots are in excess of the minimum lot size of 1ha and contain a minimum building area of 15mx20m.</i></p> <p><i>Lots are generous in size and contain more than adequate provision for open space.</i></p> <p><i>The future location of new dwellings for the lots will be determined at the Development Application stage, however, the generous size and regular shaped lots with no constraints means the requirements of The Scheme can be met.</i></p>

<p><b>A2</b> 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><b>P2</b> 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> <ul style="list-style-type: none"> <li>(a) the width of frontage proposed, if any;</li> <li>(b) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access;</li> <li>(c) the topography of the site;</li> <li>(d) the functionality and useability of the frontage;</li> <li>(e) the ability to manoeuvre vehicles on the site; and</li> <li>(f) the pattern of development existing on established properties in the area, and is not less than 3.6m wide.</li> </ul>	<p><i>Lots 1 &amp; 2 meet the Acceptable Solution.</i></p> <p><i>The remaining lots and balance lot are assessed against the Performance Criteria P2.</i></p> <p><i>Lots 3 and 4 will be provided with frontage to McCallums Road. The frontages to the road are 20m and 10m respectively.</i></p> <p><i>A Right Of Way will be provided over the existing access from Ellendale Road for the Balance lot and for Lot 3.</i></p> <p><i>Both McCallums Road and Ellendale Road are Council Maintained Roads.</i></p> <p><i>In summary, three new vehicular access onto McCallums Road will be functional.</i></p> <p><i>The Performance Criteria is met.</i></p>
<p><b>A3</b> 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><b>P3</b> 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> <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the length of the access;</li> <li>(c) the distance between the lot or building area and the carriageway;</li> <li>(d) the nature of the road and the traffic;</li> <li>(e) the anticipated nature of vehicles likely to access the site; and</li> <li>(f) the ability for emergency services to access the site.</li> </ul>	<p><i>Lots 1, 2 and 4 will be provided with a vehicle access onto McCallums Road, a Council Maintained Road.</i></p> <p><i>The proposed plan of subdivision indicates two vehicle access points for Lot 1, this is due to TasWater's requirements to locate water connections adjacent to vehicle access points.</i></p> <p><i>A Right Of Way will be provided over the existing access from Ellendale Road for the Balance lot and for Lot 3.</i></p> <p><i>The Performance Criteria P3 is met.</i></p>

### 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
<b>A1</b> The subdivision includes no new roads.	<b>P1</b> 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: (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>

<b>11.5.3 Services</b> That the subdivision of land provides services for the future use and development of the land.		
Acceptable Solutions	Performance Criteria	Officer Comment
<b>A1</b> Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must: (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 service, unless a regulated entity advises that the lot is unable to be connected to the relevant water supply service.	<b>P1</b> No Performance Criterion.	<i>Lot 1 and the Balance Lot will be provided with Water connections as these are within 30m of an existing service.</i>  <i>The remaining Lots 2,3 and 4 are unable to be connected to a full water supply service, as stated in correspondence with the water provider. A limited water supply service will be used.</i>  <i>The proposal meets the acceptable solution A1.</i>
<b>A2</b> 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	<b>P2</b> 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 all lots, 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>

system and can be connected by gravity feed.		
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## 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.

<b>C2.6.3 Number of accesses for vehicles</b> 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
<b>A1</b>  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.	<b>P1</b>  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 must be assessed against the Performance Criteria P1 because two vehicle access points for Lot 1 are proposed, this is due to TasWater's requirements to locate water connections adjacent to vehicle access.</i>  <i>Due to the low traffic volumes of McCallums Road and low density of the surrounding dwellings, the proposed plan of subdivision meets the Performance Criteria.</i>
<b>A2</b>  Within the Central Business Zone or in a pedestrian priority street no new access is provided unless an existing access is removed.	<b>P2</b>  Within the Central Business Zone or in a pedestrian priority street, any new accesses must:  (a) not have an adverse impact on:  (i) pedestrian safety and amenity; or  (ii) traffic safety; and	<i>Not applicable.</i>

	(b) be compatible with the streetscape.	
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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.

<b>C7.7.1 Subdivision within a waterway and coastal protection area or a future coastal refugia area</b> That: (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
<b>A1</b> 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: (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.	<b>P1</b> 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: (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.	<i>A small section of the Right Of Way will be within the Waterway &amp; Coastal Protection Area (WCPA) and therefore the proposal must be assessed against P1.</i>  <i>Bushfire Hazard Management Areas are located outside of the WCPA.</i>  <i>Generous lot sizes could accommodate future development outside of the WCPA.</i>  <i>The Performance Criteria is met.</i>

### 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 4 Lot and balance Subdivision at 197 Ellendale Road, has been prepared by Rebecca Green Associates, Version 1 and dated 27 March 2023.

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.

### Conclusion

The 4 lot and balance subdivision at 197 Ellendale Road, Fentonbury has been assessed to comply with the applicable standards of the Rural Living Zone and the relevant codes of the *Tasmanian Planning Scheme – Central Highlands* as outlined in the body of this report.

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

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

### **Legislative Context**

The purpose of the report is to enable the Planning Authority to determine the Development Application DA2023/26 in accordance with the requirements of the *Land Use Planning and Approvals Act 1993* (LUPAA). The provisions of LUPAA require a Planning Authority to take all reasonable steps to ensure compliance with the Planning Scheme.

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

This determination has to be made no later than 21 July 2023.

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

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

### **Options**

The Planning Authority must determine the Development Application DA2023/26 4 Lot and Balance subdivision at 197 Ellendale Road, Fentonbury in accordance with one of the following options:

**1. Approve in accordance with the Recommendation:-**

In accordance with Section 57 of the *Land Use Planning and Approvals Act 1993* the Planning Authority **Approve** the Development Application DA2023/26 4 Lot and Balance subdivision at 197 Ellendale Road, Fentonbury subject to conditions in accordance with the Recommendation.

**2. Approve with altered conditions:-**

In accordance with Section 57 of the *Land Use Planning and Approvals Act 1993* the Planning Authority **Approve** the Development Application DA2023/26 4 Lot and Balance subdivision at 197 Ellendale Road, Fentonbury subject to conditions as specified below.

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

Alteration to Conditions:-

**3. Refuse to grant a permit:-**

In accordance with Section 57 of the *Land Use Planning and Approvals Act 1993* the Planning Authority **Refuse** the Development Application DA2023/26 4 Lot and Balance subdivision at 197 Ellendale Road, Fentonbury for the reasons detailed below.

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

Reasons :-

### **PLANNING COMMITTEE CONSIDERATION**

This item was considered at the Planning Committee Meeting held on Tuesday 11 July 2023 with the Planning Committee making the following recommendation to the Planning Authority.

## RECOMMENDATION 07/07.2023/C

**Moved:** Cr

**Seconded:** Cr

**THAT** the Planning Committee make the following recommendation to the Planning Authority:

**1. Approve in accordance with the Recommendation:-**

In accordance with Section 57 of the *Land Use Planning and Approvals Act 1993* the Planning Authority **Approve** the Development Application DA2023/26 4 Lot and Balance subdivision at 197 Ellendale Road, Fentonbury subject to conditions in accordance with the Recommendation.

### **Recommended Conditions**

#### ***General***

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

#### ***Staged Development***

3. The subdivision development must not be carried out in stages except in accordance with a staged development plan submitted to and approved by Council's Manager Environment and Development Services.

#### ***Easements***

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

#### ***Endorsements***

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

#### ***Covenants***

6. 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 Manager Environment and Development Services.

#### ***Bushfire***

7. The development and works must be carried out in accordance with the Bushfire Hazard Assessment Report and Bushfire Hazard Management Plan prepared by Rebecca Green Associates, Version 1 and dated 27 March 2023.
8. 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***

9. 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.

#### ***Final Plan***

10. 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.
11. 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.
12. Prior to Council sealing the final plan of survey for each stage, security for an amount clearly in excess of the value of all outstanding works and maintenance required by this permit must be lodged with the Central Highlands Council. The security must be in accordance with Section 86(3) of the *Local Government (Building & Miscellaneous Provisions) Council 1993*. The amount of the security shall be determined by the Council's Municipal Engineer.
13. 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.
14. The subdivider must pay any Titles Office lodgment fees direct to the Recorder of Titles.

#### ***Water Quality***

15. Where a development exceeds a total of 250 square metres of ground disturbance a soil and water management plan (SWMP) prepared in accordance with the guidelines *Soil and Water Management on Building and Construction Sites*, by the Derwent Estuary Programme and NRM South, must be approved by Council's Municipal Engineer before development of the land commences.
16. Temporary run-off, erosion and sediment controls must be installed in accordance with the approved SWMP and must be maintained at full operational capacity to the satisfaction of Council's Municipal Engineer until the land is effectively rehabilitated and stabilised after completion of the development.
17. The topsoil on any areas required to be disturbed must be stripped and stockpiled in an approved location shown on the detailed soil and water management plan for reuse in the rehabilitation of the site. Topsoil must not be removed from the site until the completion of all works unless approved otherwise by the Council's Municipal Engineer.
18. All disturbed surfaces on the land, except those set aside for roadways, footways and driveways, must be covered with top soil and, where appropriate, re-vegetated and stabilised to the satisfaction of the Council's Municipal Engineer.

#### ***Property Services***

19. Property services must be contained wholly within each lots served or an easement to the satisfaction of the Council's Municipal Engineer or responsible authority.

#### ***Existing services***

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

#### ***TasWater***

21. The use and/or development must comply with the requirements of TasWater, as detailed in the form Submission to Planning Authority Notice, Reference No TWDA2023/00632-CHL dated 01/06/2023, as attached to this permit.

### **Rural Access**

22. A separate vehicle access must be provided from the road carriageway to Lots 1,2 and 4. New and existing access must be sealed with a minimum width of 3 metres at the property boundary and located and constructed in accordance with the standards shown on standard drawings SD-1009 *Rural Roads - Typical Standard Access* and SD-1012 *Intersection and Domestic Access Sight Distance Requirements* prepared by the IPWE Aust. (Tasmania Division) (attached) and the satisfaction of Council's Manager of Infrastructure & Works.

### **Access to Ellendale Road**

23. Unless approved otherwise by Council's Manager Works & Services the existing vehicular access, from Ellendale Road to the property boundary, must be upgraded (including a minimum 2 coat seal) to comply with Standard Drawings TSD-R03-v1 Rural Roads Typical Property Access, TSD-R04-v1 Rural Roads Typical Driveway Profile and TSD-RF01-v1 Guide To Intersection And Domestic Access Sight Distance or as otherwise required by an approved Bushfire Plan.

### **Construction Amenity**

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

Monday to Friday	7:00 AM to 6:00 PM
Saturday	8:00 AM to 6:00 PM
Sunday and State-wide public holidays	10:00 AM to 6:00 PM

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

### **Construction**

28. The subdivider must provide not less than 48 hours written notice to Council's Municipal Engineer before commencing construction works on site or within a council roadway. The written notice must be accompanied by evidence of payment of the Building and Construction Industry Training Levy where the cost of the works exceeds \$12,000.
29. The subdivider must provide not less than 48 hours written notice to Council's Municipal Engineer before reaching any stage of works requiring inspection by Council unless otherwise agreed by the Council's Manager Engineering Services.
30. A fee for supervision of any works to which Section 10 of the *Local Government (Highways) Council 1982* applies must be paid to the Central Highlands Council unless carried out under the direct supervision of an approved practising professional civil engineer engaged by the owner and approved by the Council's Municipal Engineer. The fee must equal not less than three percent (3%) of the cost of the works.

### **THE FOLLOWING ADVICE APPLIES TO THIS PERMIT: -**

- A. This permit does not imply that any other approval required under any other legislation or by-law has been granted.

- B. This permit does not take effect until all other approvals required for the use or development to which the permit relates have been granted.
- C. The issue of this permit does not ensure compliance with the provisions of the *Aboriginal Relics Act 1975*. If any aboriginal sites or relics are discovered on the land, stop work and immediately contact the Tasmanian Aboriginal Land Council and Aboriginal Heritage Unit of the Department of Tourism, Arts and the Environment. Further work may not be permitted until a permit is issued in accordance with the *Aboriginal Relics Act 1975*.
- D. 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.
- E. Appropriate temporary erosion and sedimentation control measures during construction include, but are not limited to, the following –
  - a) Minimise site disturbance and vegetation removal;
  - b) Diversion of up-slope run-off around cleared and/or disturbed areas, or areas to be cleared and/or disturbed, provided that such diverted water will not cause erosion and is directed to a legal discharge point (e.g. temporarily connected to Council's storm water system, a watercourse or road drain);
  - c) Sediment retention traps (e.g. sediment fences, straw bales, grass turf filter strips, etc.) at the down slope perimeter of the disturbed area to prevent unwanted sediment and other debris escaping from the land;
  - d) Sediment retention traps (e.g. sediment fences, straw bales, etc.) around the inlets to the stormwater system to prevent unwanted sediment and other debris blocking the drains; and
  - e) Rehabilitation of all disturbed areas as soon as possible.

## 21. ORDINARY COUNCIL MEETING RESUMED

### RECOMMENDATION 08/07.2023/C

**Moved:** Cr

**Seconded:** Cr

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

## 22. DEVELOPMENT & ENVIRONMENTAL SERVICES (DES) MONTHLY REPORT – JUNE 2023

### Report By

Graham Rogers, Development & Environmental Services Manager

### RECOMMENDATION 09/07.2023/C

**Moved:** Cr

**Seconded:** Cr

*THAT the Development & Environmental Services Monthly Report for June 2023 be received.*



## PLANNING PERMITS ISSUED UNDER DELEGATION

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

### NO PERMIT REQUIRED

DA NO.	APPLICANT	LOCATION	PROPOSAL
2023 / 00032	G A Freeman	299 Bronte Lagoon Road, Bronte Park	Dwelling Addition

### PERMITTED USE

DA NO.	APPLICANT	LOCATION	PROPOSAL
2023 / 00030	Matthew Pettit (Pettit Designs)	172 Bluff Road, Gretna	Dwelling Addition, Deck & Outbuilding
2023 / 00031	Pettit Designs	170 Bluff Road, Gretna	Dwelling Addition & Outbuilding
2023 / 00033	L L & L Wasserfall	1873 Fourteen Mile Road, Bronte Park	Change of Use to Visitor Accommodation

### DISCRETIONARY USE

DA NO.	APPLICANT	LOCATION	PROPOSAL
2023 / 00016	N & B Woods	3423 Lyell Highway, Gretna	Outdoor Stage
2022 / 00085	B A Mathews	2 Bowermans Road, Hamilton	Dwelling
2023 / 00029	Steven Penton Building Design	1 Oswald Road, Brandum	Outbuilding

## 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 are due by 31 July 2023.

2023/2024 Statistics as of 12 July 2023	
Number of Dogs Impounded during last month	2
Number of Dogs Currently Registered	408
Number of Dogs Pending Re-Registration	544
Number of Kennel Licences Issued	18
Number of Kennel Licences Pending	12

## 23. WORKS & SERVICES

### 23.1 WORKS & SERVICES MONTHLY REPORT – JUNE 2023

**Report By**

Jason Branch, Works & Services Manager

#### RECOMMENDATION 10/07.2023/C

**Moved:** Cr

**Seconded:** Cr

*THAT the Works & Services Monthly Report for June 2023 be received.*

#### Background

The following activities were performed during **June 2023** by Works & Services –

<b>Grading &amp; Sheeting</b>	Warner Road, Barren Plains Road, Tods Corner Road, Victoria Valley Road, Strickland Road, Browns Marsh Road, Watkins Road
<b>Maintenance Grading</b>	Bluff Road, Woolpack Road, Parsons Road, Clarendon Road
<b>Potholing / shouldering</b>	Meadowbank Road, Strickland, Victoria Valley, 14 Mile Road, Green Valley Road, Humble Road, Weasle Plains Road, Glovers Road, Allison Road, Hunterston Road, Thiessen Crescent, Cider Gum Drive, Jones Road, Flemming Drive, Little Pine Lagoon Road, Wetheron Road, Rotherwood Road Dry Poles Road, Rayners Hill Road
<b>Spraying:</b>	Gretna recreation ground
<b>Culverts / Drainage:</b>	Repair culvert and drainage Hollow Tree Road
<b>Occupational Health and safety</b>	<ul style="list-style-type: none"> <li>• Monthly Toolbox Meetings</li> <li>• Day to day JSA and daily prestart check lists completed</li> <li>• Monthly workplace inspections completed.</li> <li>• Playground inspections</li> <li>• 1 X traffic course</li> <li>• 2 X front end loader accreditations.</li> </ul>
<b>Bridges:</b>	Pothole approaches on bridges 14 Mile Road
<b>Refuse / recycling sites:</b>	Cover Hamilton Tip twice weekly
<b>Other:</b>	Repair sign in Bothwell Cemetery Cold mix holes Ellendale Road, Victoria Valley Road Cold mix holes Dennistoun Road, Pelham Road Edging Ellendale Road Completion of Hamilton footpath construction Completion of Bothwell footpath construction Repair bench Queens Park Remove graffiti from sign Lower Marshes Road Commence installing play equipment Queens Park

	Install VMS boards around Municipal roads. Remove graffiti from toilets Miena Cold mix holes Hollow Tree Road Replace guideposts Dennistoun Road Replace sign Dunrobbin bridge Picked up dumped tyres Ellendale Road Picked up dumped white guides and tyres from Mark Tree Remove large tree Pelham Road Remove falling tree over Waddamana Road Pick up litter Ouse
<b>Slashing:</b>	Fourteen Mile Road Victoria Valley Road
<b>Municipal Town Maintenance:</b>	<ul style="list-style-type: none"> <li>• Collection of town rubbish twice weekly</li> <li>• Maintenance of parks, cemetery, recreation ground and Caravan Park.</li> <li>• Cleaning of public toilets, gutters, drains and footpaths.</li> <li>• Collection of rubbish twice weekly</li> <li>• Cleaning of toilets and public facilities</li> <li>• General maintenance</li> <li>• Mowing of towns and parks</li> <li>• Town Drainage</li> </ul>
<b>Buildings:</b>	New back door and surround Hamilton office
<b>Plant:</b>	PM821 Komatsu grader serviced PM757 JCB Backhoe Hamilton new dash camera and repairs to fuel pump PM788 Toyota Hilux serviced PM772 Hino truck new tyres PM740 Hino truck new tyres PM726 John Deer tractor new tyres PM687 Western star truck PM723 Repairs to rams on traxcavator
<b>Private Works:</b>	Derwent Vallet Glass grader hire Dave Siggins gravel pick up David Drysdale gravel delivery Harriett England water delivery Brett Speed concrete premix Jim Poore truck hire Ken Orr concrete premix Edward Sonners dry hire of truck Nathan Lovell dry hire backhoe Bell Pty Ltd gravel delivery Kurt otto gravel pick up Sutcliffe Contracting gravel
<b>Casuals</b>	<ul style="list-style-type: none"> <li>• Toilets, rubbish and Hobart</li> <li>• Hamilton general duties</li> </ul>
<b>Program for next 4 weeks</b>	Finish Bothwell storm water Grading and sheeting Municipal roads Lake Crescent car park area larger Start process for Councils capital works projects

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## 24. ADMINISTRATION SERVICES

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### 24.1 HEALTH AND WELLBEING PLAN 2020-2025 – MONTHLY PROGRESS REPORT FOR JUNE 2023

**Report by**

Katrina Brazendale, Senior Administration/Community Relations Officer

**RECOMMENDATION 11/07.2023/C****Moved:** Cr**Seconded:** Cr

*THAT the Health & Wellbeing Plan 2020-2025 monthly progress report for June 2023 be received.*

**Background**

- Bothwell Playgroup

Families Tasmania will be running Soup and Sing sessions during August at the Bothwell Football Club and Community Centre. (8<sup>th</sup> will be held at the Hall)

- Supporting School with Breakfast Club

Breakfast Club at the Bothwell District High School is continuing with the support of the school parents who are coming in to assist on a weekly basis. Council will now also support Westerway Primary School; deliveries will commence at the start of Term 3 and funding will also be through the Goldwind Grant that was provided to Council at the start of the year.

- Youth and Adults Mental Health Community Sports

The Bothwell District High School along with the assistance from the Bothwell Golf Club will commence the weekly golf sessions facilitated by the Golf Club members in term 3. This will commence on Thursdays with 10-12 students participating in this program. Council in conjunction with the Goldwind grant has purchased new adult golfing equipment to better support the older students.

- Highlands Bushfest 2023

Discussions will commence next week with Nadine Cove to engage her help with the upcoming Highlands Bushfest.

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### 24.2 MONTHLY FINANCE REPORT TO 30 JUNE 2023

**Report by**

David Doyle, Contract Accountant

**NO monthly finance report will be provided for at 30 June 2023. All monthly figures cannot be finalised at this time due to end of financial year processing and auditing.**

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## 24.3 OUSE TABLE TENNIS CLUB - COMMUNITY GRANT APPLICATION

### Report by

Adam Wilson, Deputy General Manager

### RECOMMENDATION 12/07.2023/C

**Moved:** Cr

**Seconded:** Cr

***THAT** Council donate \$ ..... to the Ouse Table Tennis Club for table tennis equipment.*

### Background

Council has received a community grant application from the Ouse Table Tennis Club for table tennis equipment.

The Ouse Table Tennis Club have requested \$1500 to help fund table tennis equipment for the new club.

### Attachment

A copy of the Ouse Table Tennis Club community grant application is included.

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## 24.4 FUTURE OF LOCAL GOVERNMENT REVIEW – STAGE 3 PUBLIC HEARINGS

### Report by

Kim Hossack, General Manager

### RECOMMENDATION 13/07.2023/C

**Moved:** Cr

**Seconded:** Cr

***THAT** Council receive the Future of Local Government – Stage 3 Public Hearing information and participate in the Council sessions on Thursday 10 August 2023 at Campbell Town.*

### Background

As part of Stage 3 of the Future of Local Government Review, the Local Government Board will be holding public hearings to supplement the written submission process which close on 2<sup>nd</sup> August. They will allow both Councils and community members to present their views and for the Board to ask questions (where appropriate).

The following public hearings for each catchment area will be as below –

Catchment	Date	Location
Eastern Shore Community Catchment	Friday 4 August	Sorell
<i>Community Groups and Organisations Session</i>	Wednesday 9 August	Campbell Town
Central and Midlands Community Catchment	Thursday 10 August	Campbell Town
Tamar Valley Community Catchment	Friday 11 August	Norwood
North-East Community Catchment	Monday 14 August	Scottsdale
Southern Shore Community Catchment	Wednesday 16 August	Kingston
Western Community Catchment	Monday 21 August	Wynyard
Cradle Coast Community Catchment	Tuesday 22 August	Devonport
Southeast Community Catchment	Monday 28 August	Triabunna
Western Shore Community Catchment	Thursday 31 August	Moonah

#### Attachments

- Stage 3 Public Hearings details and schedule.

## 25. 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:

- a) The reason it was not possible to include the matter on the agenda;
- b) That the matter is urgent; or
- c) 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 14/07.2023/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*.

## 26. 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 15/07.2023/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:

<b>Item Number</b>	<b>Matter</b>	<b>Outcome</b>
<b>1</b>	<i>Confirmation of the Minutes of the Closed Session of the Ordinary Meeting of Council held on 20 June 2023.</i>	<i>Regulation 15 (2)(G) of the Local Government (Meeting Procedures) Regulations 2015 – information of a personal and confidential nature or information provided to Council on the condition it is kept confidential.</i>
<b>2</b>	<i>Deputations</i>	<i>Regulation 15 (2)(C) of the Local Government (Meeting Procedures) Regulations 2015 – Commercial information of a confidential nature.</i>
<b>3</b>	<i>Purchase of Land</i>	<i>Regulation 15 (2)(C)&amp;(F) of the Local Government (Meeting Procedures) Regulations 2015 – Commercial information of a confidential nature.</i>
<b>4</b>	<i>Future of Local Government Review – Stage 3 Submission Briefing from Business Advisory Consultant</i>	<i>Regulation 15 (2)(C) of the Local Government (Meeting Procedures) Regulations 2015 – Commercial information of a confidential nature.</i>
<b>5</b>	<i>Supplementary Agenda Items</i>	<i>Part 2 Regulation 8 (6) of the Local Government (Meeting Procedures) Regulations 2015.</i>
<b>6</b>	<i>Consideration of Matters for Disclosure to the Public.</i>	<i>Regulation 15 (8) of the Local Government (Meeting Procedures) Regulations 2015 - While in a closed meeting, the Council, or Council Committee, is to consider whether any discussions, decisions, reports or documents relating to that closed meeting are to be kept confidential or released to the public, taking into account privacy and confidentiality issues.</i>

**MEETING CLOSED** to the public at \_\_\_\_ am/pm.

## **27. MOTION OUT OF CLOSED SESSION**

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## **28. RE-OPEN MEETING TO THE PUBLIC**

The meeting re-opened to the public at \_\_\_\_**am/pm**. 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.

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## **29. OTHER BUSINESS**

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## **30. CLOSURE**

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