

AGENDA ATTACHMENTS

21 JUNE 2022

ORDINARY COUNCIL MEETING

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Central Highlands Council

MINUTES– ORDINARY MEETING – 17 MAY 2022

Minutes of an Ordinary Meeting of Central Highlands Council held in the Hamilton Town Hall, Hamilton on Tuesday 17 May 2022, commencing at 9am.

1.0 OPENING

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

2.0 ACKNOWLEDGEMENT OF COUNTRY

3.0 PRESENT

Mayor L Triffitt, Deputy Mayor J Allwright, Clr A Archer (9.12), Clr A W Bailey, Clr S Bowden, Clr A Campbell, Clr R Cassidy, Clr J Honner, Clr J Poore

3.1 IN ATTENDANCE

Mrs Lyn Eyles (General Manager) Mr Adam Wilson (Deputy General Manager), Mrs Janet Monks (Minute Secretary)

4.0 APOLOGIES

Graham Rogers DES Manager attended the meeting at 9.05

5.0 PECUNIARY INTEREST DECLARATIONS

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

Clr S Bowden - 15.3 Assessment of St Patricks Plain Windfarm

Clr A Campbell 15.3 Assessment of St Patricks Plain Windfarm

Clr A Campbell 17.10 Highlands Healthy Connect Project 2023 - Community Grant (\$20,000)

Mayor L Triffitt 17.18 CWA Bothwell –Community Grant (\$2,950.00)-

Clr J Honner 17.20 Stronger Communities Grant Round 7 - Steppes Community Caretaker Committee

6.0 CLOSED SESSION OF THE MEETING

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

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

Moved: Cllr J Honner

Seconded: Cllr S Bowden

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

Item Number	Matter	<i>Local Government (Meeting Procedures) Regulations 2015</i>
1	Confirmation of the Minutes of the Closed Session of the Ordinary Meeting of Council held on 12 April 2022	Regulation 15 (2)(g) – information of a personal and confidential nature or information provided to Council on the condition it is kept confidential
2	Receival of the Minutes of the closed session Waste Committee Meeting held on 4 May 2022	Regulation 15 (2)(g) – information of a personal and confidential nature or information provided to Council on the condition it is kept confidential
3	Tenders – 02/22 Kerbside Domestic Garbage & Recycling Collection Service 03/22 Service for supply, installation & maintenance of waste bins in various locations, waste transfer stations and collection of waste 04/22 Service for supply, installation & maintenance of recycling bins at waste transfer stations and collection of recyclables	Regulation 15 (2)(d) – contracts and tenders, for the supply of goods and services and their terms, conditions, approval and renewal
4	Confidential Matter	Regulation 15 (2)(g) – information of a personal and confidential nature or information provided to Council on the condition it is kept confidential
5	Consideration of Matters for Disclosure to the Public	Regulation 15 (8) - While in a closed meeting, the Council, or Council Committee, is to consider whether any discussions, decisions, reports or documents relating to that closed meeting are to be kept confidential or released to the public, taking into account privacy and confidentiality issues

CARRIED

FOR the Motion

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

6.1 ADJOURNMENT OF CLOSED SESSION MEETING

Moved: Clr R Cassidy

Seconded: Clr A Bailey

THAT Council adjourn the Closed Session meeting and reconvene at the end of the open session of the agenda.

CARRIED

FOR the Motion

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

OPEN MEETING TO PUBLIC

Due to COVID-19 a limit of 4 members of the public, at any one time will be applied.

7.0 DEPUTATIONS

7.1 Senior Sergeant Jason Klug, Bridgewater Police Station, highlighted the following points relevant to the Central Highlands region:

- overall, there has been a reduction in figures across the board, however traffic offences and fatalities are always a concern.
- Road Safety Week extra police will be out and about and cautions will not be issued only infringement notices and fines for those breaking the law.
- there will be a special police vehicle available soon that will be fitted out with the latest equipment for policing, which will enable the reading of both front and back number plates, in car radars that can detect speeds in both directions and improved connectivity in places where services wouldn't normally be available.
- members of the public can assist greatly by supplying footage of offences that they record
- the best safety tips are always lock your house, vehicle and keep valuables out of sight.

CERTIFICATE FOR LONG SERVICE – CLR J HONNER

Mayor Lou Triffitt congratulated Clr J Honner for her continued service as a school bus driver for 35 years. Clr Honner had been recently presented with a framed certificate from the Tasmanian Bus Association for 30 years' service to the passenger transport industry

Damian Mackey - Council Planning Consultant (SMC) attended the meeting at 10.30

7.2 Mr Anthony McConnon, Southern Central Subregion (SCS) Workforce Development Co-ordinator, provided a handout and gave an overview of the project to date which covers 4 LG areas, (Central Highlands, Southern Midlands, Derwent Valley and Brighton) highlighted the following points:

- KPIs reached in the first 12 months – instead of 3 years
- Website developed and up and running
- Office Space and training rooms at Pontville provided by the Brighton Council
- Transport – Assistance is provided through Area Connect as a short-term solution
- Outreach services – there has been one at Bothwell and one is being planned for Ouse
- Working with schools -has delivered White Card training, Chainsaw Safety training and a Careers Workshop
- Established a Youth Volunteering network – placing school leavers in suitable volunteering roles to assist school leavers with showing some experience on their resumes.

- State Growth – working closely with State Growth to cut out duplication and deliver more services and assistance on the ground where it is needed most
- Hands on training – equipment has been sourced for training in specific areas, mainly hospitality, where participants can have hands on training numerous times to gain confidence with the tasks at hand.
- Agricultural sector – plans are underway to develop a suitable, where participants can gain skills in various areas of agricultural practices, have farm placements at no cost to the employer whilst being supported for a period of time
- Mental Health First Aid is a key element to all training modules

Discussion was held on the shortage of available employees within the agricultural sector. Anthony advised that it was a national problem and not specific to Tasmania. Anthony went on to say that some of the challenges for those wishing to enter the workforce was that employers want are skilled and job ready applicants.

7.3 Mr Terry Byard, Anglers Alliance Tasmania and a representative on the Consultative Group for the Review of the Lake Sorell and Crescent Water Management Plan. Terry advised Council on a study that was being undertaken by the School of Business Economics at the University of Tasmania, which will determine the economic value of recreational freshwater fishery in Tasmania by capturing, how much do Anglers spend in a variety of areas (accommodation, gear, travel, licenses etc) through a questionnaire survey.

Prior to the collapse of the Sorell/Crescent Fishery due to the discovery of European Carp a previous study showed that an average of 29.8% of all licensed anglers (8,470) fished Lake Sorell and 8% (2,254) fished Lake Crescent. This study also revealed that 70% of all anglers who fished Lake Sorell (approx. 6,000) came from the south of the State and passed through Bothwell. The closure of Lakes had a huge impact on the commercial operators in Bothwell (16 businesses were surveyed).

Mr Byard also summarised the extensive private development investment which has occurred in and around Lakes Sorell and Crescent because of recreational fishing interest and that the question as to whether to include the capital investment value of fishing shacks across the Central Plateau generally in the UTAS study, was still being considered.

Moved: Deputy Mayor J Allwright

Seconded: Clr R Cassidy

THAT Council moved to agenda item 15.0

CARRIED

FOR the Motion

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

15.0 DEVELOPMENT & ENVIRONMENTAL SERVICES

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

Moved: Clr J Honner

Seconded: Clr R Cassidy

THAT the Development & Environmental Services Report be received.

CARRIED

FOR the Motion

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

15.1 DA 2021/61: MOTOR RACING FACILITY: 8735 LYELL HIGHWAY, OUSE (CT 236669/1)**Moved:** Cllr J Poore**Seconded:** Deputy Mayor J Allwright**THAT Council:****1. 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 DA2021/61 for a Motor Racing Facility at 8735 Lyell Highway, for the reasons detailed below.

Reasons:-

1. The application provides insufficient information to enable Council to assess the Motor Racing Facility against the Central Highlands Interim Planning Scheme 2015.
2. Due to the insufficient information provided to Council, Council is not satisfied that the proposal does not create a land use conflict between the proposed Motor Racing Facility and the existing or future residential use and surrounding agricultural activity.

CARRIED 8/1**FOR the Motion**

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

AGAINST the Motion

Cllr R Cassidy

15.2 DA 2022/15: REPLACEMENT ROOF & CLADDING: 36 HIGH STREET, BOTHWELL (CT 233745/7)**Moved:** Deputy Mayor J Allwright**Seconded:** Cllr A Campbell**THAT**

1. The information provided by the owner satisfies in most part the Heritage Conditions 3 & 4 of Planning Permit DA2022/15; and
2. Council approve the use of colourbond (Surf Mist & Manor Red) for the replacement of the roof and the plastic PVC weatherboards (which have already been removed by the applicant) at 36 High Street, Bothwell.

CARRIED 8/1**FOR the Motion**

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

AGAINST the Motion

Cllr R Cassidy

Clr A Campbell advised a conflict of interest in Agenda item 15.3
 Clr S Bowden advised a conflict of interest in Agenda item 15.3

15.3 ASSESSMENT OF ST PATRICKS PLAIN WINDFARM

Moved: Deputy Mayor J Allwright r

Seconded: Clr R Cassidy

THAT a review of Council's Planning Services be undertaken in the form of a future workshop.

CARRIED

FOR the Motion

Mayor L Triffitt, Deputy Mayor J Allwright, Clr A Archer, Clr A W Bailey, Clr R Cassidy, Clr J Honner, Clr J Poore

15.4 PROPOSED BOTHWELL, OUSE & HAMILTON STRUCTURE PLANNING PROJECTS

Moved: Clr R Cassidy

Seconded: Clr A Bailey

THAT:

- A. Council initiate a project to undertake structure planning projects for Bothwell, Ouse, Hamilton, Gretna, Ellendale, and Miena, as outlined in the Draft Project Brief, attached, (to be finalised by the Project Steering Committee), subject to point B, below.
- B. Endeavour to commit a budget of \$50,000 for each of the two coming financial years, (noting the commitment from the State of \$70,000 in the first financial year and up to \$70,000 in the second), to be confirmed through Council's budget workshop process.
- C. The appointment of the Project Steering Committee be determined at a later date.

CARRIED

FOR the Motion

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

15.5 SCENIC LANDSCAPES

Moved: Clr J Honner

Seconded: Clr J Poore

THAT:

- A. Council engage with the State Government's ReCFIT program, with a view to supporting its community engagement program and expediting its assessment of community values, including scenic values, within Central Highlands.
- B. Invite ReCFIT representatives to the next Council meeting to provide a briefing on the project.

CARRIED8/1

FOR the Motion

Mayor L Triffitt, Deputy Mayor J Allwright, Clr A Archer, Clr A W Bailey, Clr A Campbell, Clr R Cassidy, Clr J Honner, Clr J Poore

AGAINST the Motion

Clr S Bowden

15.6 CENTRAL HIGHLANDS DRAFT LOCAL PROVISIONS SCHEDULE: RURAL – AGRICULTURE ZONE REVIEW

Central Highlands Draft Local Provisions Schedule: Rural-Agriculture Zone Review

Moved: Clr R Cassidy

Seconded: Clr J Poore

THAT Council accept the proposal from Pinion Advisory, dated 6 May 2022, for the review of Council's methodology in allocating the Rural and Agriculture Zones in the Central Highlands Draft Local Provisions Schedule, as directed by the Tasmanian Planning Commission.

CARRIED

FOR the Motion

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

Damian Mackey - Council Planning Consultant (SMC) left the meeting at 11.52

15.7 DEVELOPMENT AND ENVIRONMENTAL SERVICES FEES AND CHARGES REGISTER REVIEW

The annual review of the planning, building, plumbing and environmental health fees has been undertaken by the relevant staff.

The fees and charges schedule below provides all current items and the proposed fees for the 2022/2023 financial year.

Fees & Charges Register 2022/2023

BUILDING	
Building Permit (Class 1) *	\$220.00
Building Permit (Class 10) *	\$170.00
Building Permit Commercial (Classes 2 – 9) *	\$220.00
Notifiable Building Work (Class 1) *	\$165.00
Notifiable Building Work (Class 10) *	\$90.00
Notifiable Building Work (Class 2-9) *	\$170.00
Building Permit (Demolition Only) - All Building Classes * (As prescribed by Part 13 of the Building Act 2016)	\$170.00
Staged Building Permit *	\$120.00 / Stage in addition to Permit Authority Fee
Permit of Substantial Compliance - All Building Classes *	Applicable Building Permit Fee (by Class) plus 100%
Building Permit (Extension of Time) – 1 st year	\$180.00
Building Permit (Extension of Time) – each year after 1 st extension	\$320.00
Building Permit (Amendment to Permit)	\$140.00
Building Plan - Search / Copy Fee	\$30.00
Supplementary Inspection Fee (re-inspection)	\$220.00 per inspection

Plumbing	
Permit Authority Assessment (Class 1 building not including onsite wastewater)	\$370.00

Application fee, Certificate of Likely Compliance, compliance inspections & issuing of completion certificate	
Permit Authority Assessment (Class 10 building not including onsite wastewater) Application fee, Certificate of Likely Compliance, compliance inspections & issuing of completion certificate	\$320.00
Permit Authority Assessment (New Dwelling / Outbuilding with Sanitary Fixtures inc onsite wastewater) <i>Application fee, Certificate of Likely Compliance, compliance inspections & issuing of completion certificate</i>	\$520.00
Permit Authority Assessment (Installation of onsite wastewater management system or upgrade of existing onsite wastewater management system) Application fee, Certificate of Likely Compliance, compliance inspections & issuing of completion certificates	\$470.00
Permit Authority Assessment (Class 10) – stormwater only	\$170.00
Permit Authority Assessment Commercial (Classes 2 – 9 not including onsite wastewater) Application fee, compliance inspections & issuing of completion certificate	\$525.00
Permit Authority Assessment Commercial (Classes 2-9) – including onsite wastewater Application fee, compliance inspections & issuing of completion certificate	\$675.00
Additional inspection required as a result of a Plumbing Inspection Direction	\$120.00
Illegal plumbing work	Applicable Plumbing Permit fee (by Class) plus 100%
Notifiable Plumbing work as prescribed by Part 9 of the Building Act 2016	\$315.00
Amendment to special plumbing permit issued in accordance with the Building Act 2000 or a Plumbing Permit issued in accordance with the Building Act 2000 or Building Act 2016	\$120.00

*** For building work with a value of work greater than \$20,000 the TBCITB Training Levy (0.2% of the value of work) and Building Administration Levy (0.1% of the value of work) is applicable in addition to Council fees.**

Description	Fee
Planning	
Permitted Development	
All Permitted Development	\$120.00 min & \$1.10 per \$1000 where value of works > \$10,000
No Permit Required Compliance Fee	
Planning Certification (where developer wants formal assessment of no permit required works or exempt)	\$90.00
Discretionary Development	
Discretionary Development	\$195.00 min & \$1.10 per \$1000 where value of works > \$10,000
Application for Level 2 Activities	\$600.00 min & 1.10 per \$1000 where value of works > \$10,000

Statutory Advertising	\$310.00
Subdivision	
Application for Subdivision or Boundary Adjustment	\$55/lot (minimum fee \$435.00)
Statutory Advertising	\$310.00
Final Plans	
Sealing Final Plans & Stratum	\$40/lot (minimum fee \$210.00)
Amendments to Sealed Plans	\$220.00 Plus \$600 if a hearing is required
Other	
Amendments to Permits	\$165.00
Extension of time to Permits	\$110.00
Application for Adhesion Order	\$215.00
Engineering Drawing Assessment Fee	\$320 minimum & 1% value of works
Engineering Inspections	\$130/hour
Amendments to Planning Scheme	
Assessment of Applicant's Submission	\$805/ minor amendment or \$1605 / all others plus applicable DA/SUB assessment fee for s.43A combined applications
Statutory Advertising & Notification	\$820 per advertisement (2 advertisements required)
Tasmanian Planning Commission Fee	Current fee as set by the TPC

Description	Fee
Environmental Health	
Registration & Licence Fees	
Food Premises application or annual renewal fee	
• Low Risk Premises P3 [1]	\$165.00
• Medium Risk Premises P2 [2]	\$285.00
• High Risk Premises P1 [3]	\$530.00
• Community Organisation	\$30.00
Transfer of Food Business Licence	\$165.00
Mobile Food Van – Annual Fee	\$305.00
Temporary Food Licence –(Commercial) Per Day	\$50.00
Temporary Food Licence –(Community) Flat Fee	\$30.00
Food Sampling (Analysis Extra)	\$125.00
Non-Compliance Follow up Inspection	\$120.00
Water, Wastewater, Environmental	
Private Water Supply Licence & Water Carrier Licence	\$165.00
Non-Compliance Follow up Inspection	\$160.00
Water Sampling Charges (analysis are extra)	\$135.00
Environmental Protection Notices (for updating permits or to abate environmental harm)	\$235.00
Public Health	
Place of Assembly Licence (Temporary Event)	\$125.00
Place of Assembly Licence (Community Organisations)	\$30.00
Registration of Premises for Public Health Risk Activity (E.g. Skin Penetration)	\$135.00
Registration of a Regulated System (E.g. Cooling Towers)	\$135.00
Hawkers Licence, Includes Kerb Side Vendors (residents)	\$75.00
Hawkers Licence (non - residents)	\$100.00
Caravans (per van per annum)	\$165.00
Non-Compliance Follow up Inspection	\$110.00

Notes

- 1 Premises are ranked in accordance with a Risk Classification system, low risk include B&B and cafes with no cooking.
- 2 Premises are ranked in accordance with a Risk Classification System, med risk include restaurants.
- 3 Premises are ranked in accordance with a Risk Classification System, high risk include nursing homes; there are no high risk food premises in CHC and if a premises performs well then it may move down a category.

Moved: Cllr J Honner**Seconded:** Deputy Mayor J Allwright

THAT pursuant to Section 205 of the *Local Government Act 1993*, Council resolve to adopt the Development and Environmental Services fees and charges register 2022/2023 and for it to take effect commencing 1 July 2022.

CARRIED**FOR the Motion**

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

15.8 DOG REGISTRATION SCHEDULE OF FEES

In accordance with the Dog Management Policy Council must determine all fees payable under the Dog Control Act 2000. The schedule of fees is to be set annually and is to be in line with the financial year, i.e. 1st July to 30th June.

No increase for 2022/2023 is being proposed.

Dog Registration Schedule of Fees 2022/2023

Description	Paid by 31 July 2022	Paid after 31 July 2022
Domestic Dog (Desexed)	\$22.00	\$42.00
Domestic Dog (not Desexed)	\$42.00	\$72.00
Pensioner (1 st dog only)	\$12.00	\$22.00
Working Dog (used for the purpose of working farm stock)	\$12.00	\$22.00
Hunting Dog (used to flush game)	\$12.00	\$22.00
Greyhound (TGRA registered)	\$12.00	\$22.00
Registered Breeding Dog (TCA Registered & Dog Owner holding current membership of the TCA)	\$12.00	\$22.00
Special Assistance Dog (Guide Dog / Hearing Dog)	Nil	Nil
Declared Dangerous Dog	\$1000.00	\$1500.00
Kennel Licence Application Fee	\$52.00	
Kennel Licence Renewal Fee	\$32.00	
Impounding Reclaim Fee (First Offence)	\$22.00	
Impounding Reclaim Fee (Subsequent Offences)	\$42.00	
Pound Maintenance Fee	\$12.00 per day	
Replacement Tag (Metal Lifetime Tag)	\$6.00	

Dog Surrender Fee	\$100.00
Formal Notice of Complaint Fee	\$50.00 (Refundable)

Moved: Cllr J Poore

Seconded: Cllr A Campbell

THAT Council adopt the Dog Registration Schedule of Fees 2022/2023.

CARRIED 7/2

FOR the Motion

Mayor L Triffitt, Deputy Mayor J Allwright, Cllr A W Bailey, Cllr S Bowden, Cllr A Campbell, Cllr J Honner, Cllr J Poore

AGAINST the Motion

Cllr A Archer, Cllr R Cassidy

15.9 WTS OPENING HOURS

Moved: Cllr J Poore

Seconded: Cllr R Cassidy

THAT:

- Commencing 1 July 2022, the operating hours for the Bothwell, Bronte Park & Miena Waste Transfer Stations and the Hamilton Refuse Disposal Site be amended to the following, for a trial period of six months:
 - Wednesday – 12.00 to 4.00pm
 - Saturday – 12.00 to 4.00pm
 - Sunday – 12.00 to 4.00pm
 - Monday Public Holidays (Bronte Park & Miena WTS) - 12.00 to 4.00pm.
- Funds be allocated in the 2022/2023 budget accordingly.

CARRIED

FOR the Motion

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

15.10 CAT MANAGEMENT POLICY - CHC

Moved: Cllr R Cassidy

Seconded:

THAT Council develop a draft Central Highlands Cat Management Policy.

MOTION LAPSED

15.11 TASMANIAN HERITAGE COUNCIL NOTIFICATIONS

NOTED

15.12 LANDFILL LEVY UPDATE

NOTED

15.13 EXPLOSIVES REGULATIONS

Moved: Clr J Honner

Seconded: Clr R Cassidy

THAT comments be provided to Council's Environmental Health Officer by 5.00pm on Monday 30 May 2022.

CARRIED

FOR the Motion

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

15.14 SOUTHERN TASMANIA REGIONAL RECYCLING PROCESSING SERVICES: PARTICIPATING COUNCILS DEED

Moved: Clr J Poore

Seconded: Clr S Bowden

THAT Council accept the Southern Tasmania Regional Recycling Processing Services Participating Councils Deed to allow City of Hobart to manage the contract until the Joint Authority is formed and authorise the General Manager to sign the Deed.

CARRIED

FOR the Motion

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

15.15 HAMILTON SHOW GROUND – HALL OF INDUSTRY BUILDING

Moved: Clr R Cassidy

Seconded: Clr S Bowden

1. **THAT** the Development and Environmental Service Manager prepare building plans, develop a schedule of works and prepare a detailed budget so that Council can apply for grant funding to build a new Hall of Industry Building at the Hamilton Show Grounds.
2. **THAT** Council allocate \$60,000 in the 22/23 capital works budget to support a grant funding application to build a new Hall of Industry Building at the Hamilton Show Grounds.

CARRIED

FOR the Motion

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

15.16 REQUEST FOR LANDOWNER CONSENT TO LODGE DEVELOPMENT APPLICATION: WADDAMANA ROAD, WADDAMANA

Moved: Clr J Honner

Seconded: Clr R Cassidy

THAT Council agree to provide landowner consent for the lodgement of a Development Application under Section 52 (1B) of the *Land Use Planning and Approvals Act 1993* for a bus and oversized vehicle gravel parking bay, asphalt apron from the entrance to the Waddamana Heritage Site and traffic signage at Waddamana Road, Waddamana; and

THAT the General Manager be authorised to sign the landowner consent.

CARRIED

FOR the Motion

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

15.17 DES BRIEFING REPORT

PLANNING PERMITS ISSUED UNDER DELEGATION

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

NO PERMIT REQUIRED

DA NO.	APPLICANT	LOCATION	PROPOSAL
2022 / 00031	A J Kent	47 Fleming Drive, Miena	Outbuilding
2022 / 00037	Design To Live Pty Ltd	26A Arthurs Lake Road, Wilburville	Outbuilding
2022 / 00040	L Smith	5 Pauciflora Drive, London Lakes	Dwelling Additions & Alterations

PERMITTED USE

DA NO.	APPLICANT	LOCATION	PROPOSAL
2022 / 00028	R C Belcher	1 Boomer Road, Hamilton	Shed
2022 / 00039	B A Watt	6 Fourth Street, Wayatinah	Change of Use to Visitor Accommodation

DISCRETIONARY USE

DA NO.	APPLICANT	LOCATION	PROPOSAL
2022 / 00015	W P Dexter	36 High Street, Bothwell	Replacement Roof & Cladding
2022 / 00021	Smeekes Drafting	Marked Tree Road, Hamilton (CT 171934/1)	Dwelling & Outbuilding
2022 / 00022	C Ellis	Tunbridge Tier Road, Interlaken (CT 171405/3 & 4)	Dwelling, Outbuildings (2) & PV Ground Array
2022 / 00023	S C P Josey	27 Holmes Road, Ellendale	Ancillary Dwelling
2022 / 00024	Pettit Designs	1 Headlam Road North, Reynolds Neck	Demolition & Addition
2022 / 00002	Smeekes Drafting	1910 Tunbridge Tier Road, Interlaken	Dwelling and Outbuilding
2021 / 00073	I Cooper	6485 Lyell Highway, Ouse	Outbuilding & Bond Store

ANIMAL CONTROL

IMPOUNDED DOGS

Two Kelpie Cross dogs were found at Strickland and were impounded on 6 April 2022. Owner unknown and neither dog was microchipped. Dogs unclaimed and taken to the Dogs Home on 12 April 2022.

STATISTICS AS OF 11 MAY 2022

Registrations

Total Number of Dogs Registered in 2020/2021 Financial Year – 978

2021/2022 renewal have been issued.

- Number of Dogs Currently Registered - 930

- Number of Dogs Pending Re-Registration – 29

Kennel Licences

Total Number of Kennel Licences Issued for 2020/2021 Financial Year – 29

2021/2022 Renewal have been Issued.

- Number of Licences Issued –30
- Number of Licences Pending – 0

Jason Branch, Works & Services Manager attended the meeting at 12.15pm

Graham Rogers, Manager DES left the meeting at 12.15pm

Moved: Cllr R Cassidy

Seconded: Cllr A Bailey

THAT Council move back to agenda item 8.0

CARRIED

FOR the Motion

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

7.1 PUBLIC QUESTION TIME

8.0 MAYORAL COMMITMENTS

11 April 2022 to 12 May 2022

11 April 2022	ANZAC Day preparations meeting
12 April 2022	Ordinary Meeting of Council – Bothwell
20 April 2022	THS calls re health services
20 April 2022	Premier Jeremy Rockliff – telephone call
20 April 2022	ANZAC DAY preparations meeting
23 April 2022	ABC Radio interview
25 April 2022	ANZAC Dawn Service – Gretna
25 April 2022	ANZAC Service – Bothwell
25 April 2022	Premier Jeremy Rockliff – telephone call
26 April 2022	Budget Workshop – Hamilton
09 May 2022	Bothwell Bicentennial informal community meeting re names lists
10 May 2022	Planning Committee Meeting – Bothwell
10 May 2022	Meeting with Bothwell Bicentennial Coordinator
10 May 2022	THS calls re health services
11 May 2022	Jobs Hub with partner Mayors and GMs - Pontville

- Business of Council x 15
- Ratepayer and community members - communications x 51
- Elected Members - communications x 32
- Central Highlands Council Management - communications x 7

8.1 COUNCILLOR COMMITMENTS

Deputy Mayor J Allwright

12 April 2022	Ordinary Meeting of Council – Bothwell
25 April 2022	ANZAC Service – Hamilton
26 April 2022	Budget Workshop – Hamilton

4 May 2022	Waste Committee Meeting – Bothwell
9 May 2022	Audit Panel Meeting – Hamilton
10 May 2022	Planning Committee Meeting - Bothwell

Clr A Archer

12 April 2022	Ordinary Meeting of Council – Bothwell
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Clr A Bailey

12 April 2022	Ordinary Meeting of Council – Bothwell
25 April 2022	ANZAC Service – Gretna
25 April 2022	ANZAC Service – Hamilton
9 May 2022	Audit Panel Meeting – Hamilton
10 May 2022	Planning Committee Meeting – Bothwell

Clr A Campbell

12 April 2022	Ordinary Meeting of Council – Bothwell
25 April 2022	ANZAC Service – Bothwell
26 April 2022	Budget Workshop – Hamilton

Clr R Cassidy

12 April 2022	Ordinary Meeting of Council – Bothwell
10 May 2022	Planning Committee Meeting – Bothwell

Clr J Honner

12 April 2022	Ordinary Meeting of Council – Bothwell
25 April 2022	ANZAC Dawn Service - Arthur's Lake
25 April 2022	ANZAC Service - Bothwell
26 April 2022	Budget Workshop Meeting - Hamilton
04 May 2022	Waste Committee Meeting - Bothwell
10 May 2022	Planning Committee Meeting - Bothwell

Clr J Poore

12 April 2022	Ordinary Meeting of Council – Bothwell
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STATUS REPORT COUNCILLORS

8.2 GENERAL MANAGER'S COMMITMENTS

26 April 2022	Council Budget Workshop
04 May 2022	Waste Committee Meeting
09 May 2022	Audit Panel Meeting
10 May 2022	Planning Committee Meeting
11 May 2022	Jobs Hub Pontville

8.3 DEPUTY GENERAL MANAGER'S COMMITMENTS

14 April 2022	Meeting with Spirit Super
03 May 2022	Local Government Review Workshop
05 May 2022	Meeting with LGAT Health & Well Being
09 May 2022	Audit Panel Meeting
17 May 2022	Council Meeting, Bothwell

9.0 NOTIFICATION OF COUNCIL WORKSHOPS HELD

26 April 2022 – Council budget workshop

9.1 FUTURE WORKSHOPS

- iPad/IT Workshop – date to be confirmed
- Council Budget workshop – 31st May 2022
- 14 June 2022 – Workshop Sue Hickey UTAS – Bothwell Hall 12.30

10.0 MAYORAL ANNOUNCEMENTS

Mayor Lou Triffitt read from a letter received from Caroline Wells CEO of Diabetes Tas thanking Council for its generous donation.

11.0 MINUTES

11.1 RECEIVAL DRAFT MINUTES ORDINARY MEETING 12th APRIL 2022

Moved: Clr J Honner

Seconded: Clr J Poore

THAT the Draft Minutes of the Ordinary Meeting of Council held on Tuesday 12th April 2022 be received.

CARRIED

FOR the Motion

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

11.2 CONFIRMATION OF DRAFT MINUTES ORDINARY MEETING 12th APRIL 2022

Moved: Clr J Honner

Seconded: Clr A Campbell

THAT the Draft Minutes of the Ordinary Meeting of Council held on Tuesday 12th April 2022 be confirmed.

CARRIED

FOR the Motion

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

11.3 RECEIVAL DRAFT MINUTES AUDIT PANEL MEETING 9TH APRIL 2022

Moved: Clr A Bailey

Seconded: Clr J Honner

THAT the Draft Minutes of the Audit Panel Meeting held on Monday 9th May 2022 be received

CARRIED

FOR the Motion

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

11.4 RECEIVAL DRAFT MINUTES PLANNING COMMITTEE MEETING 10TH MAY 2022

Moved: Clr J Honner

Seconded: Clr J Poore

THAT the Draft Minutes of the Planning Committee Meeting held on Tuesday 10th May 2022 be received

CARRIED

FOR the Motion

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

12.0 BUSINESS ARISING:

AGENDA ITEM DETAILS

OUTCOME

15.1	DA2022/04-Subdivision 18 Patrick St, Bothwell	Planning Permit Issued – P/O
15.2	DA2022/10-4 Dennistoun Rd, Bothwell	Planning Permit Issued – P/O
15.3	DA2022/01-1 Cramps Bay Esplanade, Cramps Bay	Planning Permit Issued – P/O
15.5	Transition to Private Building Surveyors	DES Manager actioned
15.7	Waste Levy & Resource Recovery	DES Manager actioned
16.1	Targa Tasmania 2022	Works & Service Manager
16.2	Capital Plant Replacement	Works & Service Manager
17.1	New Aboriginal Cultural Heritage Legislation	Deputy General Manager
17.3	Community Grant Application, Campdrafting Tas	Deputy General Manager
17.8	Community Donations Program Cooper Smythe	Deputy General Manager
17.9	Draft Biosecurity Regulations	No comments received - GM
17.13	Gambling Harm Minimisation Technologies	No comments received - GM
17.14	Police Offences Amendment Bill	Deputy General Manager
18.1	Tas Community Sport & Active Rec Strategy	Deputy General Manager
18.3	Occupational Licensing, Automatic Mutual Recognition Scheme	Deputy General Manager

13.0 DERWENT CATCHMENT PROJECT REPORT

Moved: Clr J Honner

Seconded: Clr A Bailey

THAT the Derwent Catchment Project Monthly Report be received. (See page 70 of Attachments)

CARRIED

FOR the Motion

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

14.0 FINANCE REPORT

Moved: Clr J Honner

Seconded: Clr J Poore

THAT the Finance Reports be received.

CARRIED

FOR the Motion

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

16.0 WORKS & SERVICES

Moved: Clr J Honner

Seconded: Clr J Poore

THAT the Works & Services Report be received.

CARRIED

FOR the Motion

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

16.1 SEALING OF THE SECTION OF ROAD TO WOODS LAKE WHICH PASSES THE MORASS BAY SHACKS

NOTED

16.2 BETHUNE PARK NEW TOILETS

NOTED

17.0 ADMINISTRATION

17.1 REMISSIONS UNDER DELEGATION

The General Manager has granted the following remission under delegation:

01-0864-03492	\$17.30	Penalty on property sold
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Moved: Clr J Honner

Seconded: Clr R Cassidy

That the remission under delegation be noted.

CARRIED

FOR the Motion

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

17.2 ANZAC DAY COMMITTEE

RESOLVED THAT Council Committee list with representative elected members be tabled at the next meeting of Council

17.3 SOUTHERN TASMANIAN REGIONAL WASTE AUTHORITY

Moved: Clr J Honner

Seconded: Clr J Poore

THAT:

1. The Council notes that no submissions were received during the public consultation process undertaken as a component of the establishment of the Southern Tasmanian Regional Waste Authority.
2. The proposed rules of the Southern Tasmanian Regional Waste Authority, as notified in accordance with Section 31 of the Local Government Act 1993, be approved.
3. The General Manager be authorised to undertake all necessary actions to enable the establishment of the new Joint Authority in accordance with the Local Government Act 1993, including providing certification to the Director of Local Government that the rules have been made in accordance with the Act.

CARRIED

FOR the Motion

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

17.4 LGAT AGM

NOTED

17.5 POLICY NO 2016- 43 PAYMENT OF COUNCILLORS EXPENSES AND PROVISION OF FACILITIES POLICY

NOTED

17.6 LEGACY 100 CENTENARY OF SERVICE 1923 - 2023

Moved: Deputy Mayor J Allwright

Seconded: Clr A Bailey

THAT Council provide a community donation to Hobart Legacy of \$1000.00 towards the Legacy 100 Centenary of Service 1923 – 2023.

CARRIED

FOR the Motion

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

17.7 REQUEST FOR RATES REMISSION

Moved: Clr J Honner

Seconded: Clr R Cassidy

1. **THAT** Council remit the Solid Waste Garbage Fee of \$162.00 on property 01-0838-02982 for the 2021 / 2022 financial year, and
2. **THAT** Council remit the Solid Waste Garbage Fee for property 01-0838-02982 for the 2022 / 2023 financial year.

CARRIED

FOR the Motion

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

17.8 TELSTRA PAYPHONE INTERLAKEN TASMANIA

Moved: Clr A Archer

Seconded: Clr J Honner

THAT Council request Telstra to install a Telstra payphone in the Interlaken area of the Central Highlands to ensure a standard telephone service (STS) is accessible to all people in the Interlaken area.

CARRIED

FOR the Motion

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

17.9 LIONS CLUB OF BOTHWELL & DISTRICTS

Moved: Clr A Campbell

Seconded: Clr J Poore

THAT

1. the General Manager to write to Lions Club of Bothwell and Districts thanking them for their service to Council; and
2. Council advertise for 'expressions of interest' to provide catering for Council Meetings etc.

CARRIED

FOR the Motion

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

Clr A Campbell advised a conflict of interest in Agenda item 17.10

17.10 HIGHLANDS HEALTHY CONNECT PROJECT 2023/2024

Moved: Clr S Bowden

Seconded: Deputy Mayor J Allwright

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

CARRIED

FOR the Motion

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

Council adjourned for lunch at 12.40pm
Council reconvened the meeting at 1.02pm

17.11 PREPARING AUSTRALIAN COMMUNITIES PROGRAM GRANT

Moved: Clr A Archer

Seconded: Clr R Cassidy

1. **THAT** Council authorise the Deputy General Manager to sign the Preparing Australian Communities - Local Stream - River Clyde Flood Mapping and Study grant agreement on the portal; and
2. **THAT** Council authorise the Deputy General Manager and Councillor A Archer to meet with GHD Consultancy to ensure that the scope of the River Clyde Flood Mapping and Study Project will produce outcomes to enable Council to be 'shovel ready' and in a position to apply for suitable grants to carry out the identified works.

CARRIED

FOR the Motion

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

17.12 COMMUNITY GRANT APPLICATION – MORASS BAY SHACK OWNERS

Moved: Clr J Honner

Seconded: Clr A Campbell

THAT Council donate the amount of \$483.45 to the Morass Bay Shack Owners purchase a Defibrillator.

CARRIED

FOR the Motion

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

17.13 POLICY NO. 2018-53 ASSET MANAGEMENT POLICY

Moved: Clr J Poore

Seconded: Clr J Honner

That Council approve Policy No. 2018-53 Asset Management Policy.

CARRIED

FOR the Motion

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

17.14 POLICY NO. 2018-55 CODE OF CONDUCT FOR MEMBERS OF THE AUDIT PANEL**Moved:** Clr A Bailey**Seconded:** Clr R Cassidy

That Council approve Policy No. 2018-55 Code of Conduct for members of the Audit Panel.

CARRIED**FOR the Motion**

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

17.15 POLICY NO. 2020-57 FINANCIAL HARDSHIP ASSISTANCE MODEL POLICY**Moved:** Clr R Cassidy**Seconded:** Clr J Honner

That Council approve Policy No. 2020-57 Financial Hardship Assistance Model Policy.

CARRIED**FOR the Motion**

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

17.16 POLICY NO. 2020-58 COMMERCIAL ADDENDUM TO FINANCIAL HARDSHIP ASSISTANCE MODEL POLICY**Moved:** Clr J Honner**Seconded:** Clr A Bailey

That Council approve Policy No. 2020-58 Commercial Addendum to Financial Hardship Assistance Model Policy.

CARRIED**FOR the Motion**

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

17.17 MOTION FROM AUDIT PANEL**Moved:** Deputy Mayor J Allwright**Seconded:** Clr A Bailey**THAT** the waste costs should be recovered through the waste rate charge.**CARRIED****FOR the Motion**

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

Mayor L Triffitt advised the meeting that she was a member of the CWA
 Clr J Poore advised the meeting that he chaired the CWA AGM

17.18 COUNTRY WOMEN'S ASSOCIATION OF BOTHWELL – COMMUNITY GRANT APPLICATION (\$2,950.00)

Moved: Clr R Cassidy

Seconded: Clr Deputy Mayor J Allwright

THAT Council provide a community grant donation to the Country Women's Association of Bothwell by purchasing the computer equipment on behalf of the Country Women's Association of Bothwell from Harvey Norman, Moonah as per the quote.

CARRIED

FOR the Motion

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

17.19 COMMUNITY GRANT APPLICATION – BRIGHTON AND SOUTHERN MIDLANDS PONY CLUB

Moved: Deputy Mayor J Allwright

Seconded: Clr J Honner

THAT Council provide a community grant donation of \$150 to the Brighton & Southern Midlands Pony Club.

CARRIED8/1

FOR the Motion

Mayor L Triffitt, Deputy Mayor J Allwright, Clr A Archer, Clr A W Bailey, Clr S Bowden, Clr A Campbell, Clr J Honner, Clr J Poore

AGAINST the Motion

Clr R Cassidy

Clr J Honner declared a conflict of interest in Agenda item 17.20

17.20 STRONGER COMMUNITIES GRANT ROUND 7 - STEPPES COMMUNITY CARETAKER COMMITTEE

Moved: Clr A Campbell

Seconded: Clr A Bailey

THAT Council allocate \$6000 from the capital works budget for the wombat fence grant at the Steppes Community Hall.

CARRIED

FOR the Motion

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

18.0 SUPPLEMENTARY AGENDA ITEMS

Moved: Clr R Cassidy

Seconded: Clr A Campbell

THAT Council consider the matters on the Supplementary Agenda.

CARRIED

FOR the Motion

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

18.1 STATE GRANTS COMMISSION ROAD PRESERVATION MODEL

Moved: Deputy Mayor J Allwright

Seconded: Clr J Honner

THAT Councillors provide their comments on the State Grants Commission's Road Preservation Model Major Review Discussion Paper DP22-02 - Changing the underlying basis of the RPM to the Deputy General Manager by Wednesday the 1 June 2022 so that Council can provide comments to the State Grants Commission.

CARRIED

FOR the Motion

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

18.2 VALUER-GENERAL MUNICIPALITIES RECENT REVALUATION PRESENTATION

Moved: Clr R Cassidy

Seconded: Clr A Campbell

THAT the following Councillors, Deputy Mayor J Allwright, Clr A Archer, Clr S Bowden, Clr A Bailey, Clr J Honner, Clr A Campbell, the General Manager, Deputy General Manager, Senior Rates Officer and Accountant attend the presentation to Council of the Municipalities recent revaluation.

CARRIED

FOR the Motion

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

6.0 CLOSED SESSION OF COUNCIL

Moved: Clr J Honner

Seconded: Clr R Cassidy

THAT Council move back into the Closed Session Meeting

CARRIED

FOR the Motion

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

6.1 OUT OF CLOSED SESSION:

Moved: Cllr S Bowden

Seconded: Cllr J Honner

THAT the Council:

- (1) Having met and dealt with its business formally move out of the closed session; and
- (2) Resolved to report that it has determined the following:

Item Number	Matter	Outcome
1	Confirmation of the Minutes of the Closed Session of the Ordinary Meeting of Council held on 12 April 2022	Minutes of the Closed Session of the Ordinary Meeting of Council held on 12 April 2022 were confirmed
2	Receival of the Minutes of the Closed Session Waste Committee Meeting held on 4 May 2022.	Minutes of the Closed Session of the Ordinary Meeting of Council held on 4 May 2022 were received.
3	<p>Tenders – 02/22 Kerbside Domestic Garbage & Recycling Collection Service</p> <p>03/22 Service for supply, installation & maintenance of waste bins in various locations, waste transfer stations and collection of waste</p> <p>04/22 Service for supply, installation & maintenance of recycling bins at waste transfer stations and collection of recyclables</p>	<p>Tender 02/22 was awarded to Thorp Waste</p> <p>Tender 03/22 was awarded to Thorp Waste</p> <p>Tender 04/22 was awarded to Thorp Recycling</p>
Supplementary Closed Agenda Item 1	Confidential Matter	The matter was discussed
4	Confidential Matters	Confidential matters were discussed
5	Consideration of Matters for Disclosure to the Public	Matters were considered

CARRIED

FOR the Motion

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

19.0 CLOSURE 2.10

Mayor Lou Triffitt thanked everyone for their contribution and closed the meeting at 2.10pm



MINUTES OF THE PLANNING COMMITTEE MEETING OF THE CENTRAL HIGHLANDS COUNCIL HELD AT THE BOHTWELL TOWN HALL, AT 9.00AM ON TUESDAY 14TH JUNE 2022

1.0 PRESENT

Deputy Mayor Allwright (Chairperson), Clr Bailey & Clr Cassidy

IN ATTENDANCE

Clr Honner, Clr Campbell, Mrs L Eyles (General Manager), Mrs L Brown (Planning Officer), Mr G Rogers (Manager DES), Ms G Balon, Mr M Overeem, Mr M Wilson & Mrs K Bradburn (Minutes Secretary)

2.0 APOLOGIES

Mayor Triffitt

3.0 PECUNIARY INTEREST DECLARATIONS

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

Nil

4.0 CONFIRMATION OF MINUTES

Moved **Clr Bailey**

Seconded **Clr Cassidy**

THAT the Draft Minutes of the Planning Committee Meeting of Council held on Tuesday 10th May 2022 to be confirmed.

Carried

For the Motion: Deputy Mayor Allwright, Clr Bailey & Clr Cassidy

5.0 QUESTION TIME & DEPUTATIONS

Item 6.0 – Ms G Balon

Emergency Access Road

- Concerned emergency access road through to Robertson Road will be used as a shortcut road.
- How will this be managed by Council? Will there be a locked gate?
- Wanted to flag this with Council now in case this become an issue in the future.

Wastewater and Stormwater Runoff

- Concerned about the possible runoff from Lot 915.

Ms Balon thanked the Committee for the opportunity speak.

Item 6.1 – Mr M Overeem

Mr Overeem provided the Committee with an overview of their proposal and made the following points:

- Development will enhance the area bringing eco-tourism to the area.
- Development is low key.
- Designed to be sensitive to the area (i.e. Aboriginal Heritage etc)

6.0 DA2022/11: SUBDIVISION 38 LOTS: JOHNSONS ROAD (CT152719/622) AND ROBERTSON ROAD (CT134100/1,CT130056/1) MIENA

Report by

Louisa Brown (Planning Officer)

Applicant

P H Thiessen

Owner

P H Thiessen & others

Discretions

12.5.1 Lot Design - P2 & P3

12.5.2 Roads - P1

Proposal

An application for a 38 lot (plus balance) subdivision at two separate title areas in Miena, was made to council in February 2022 by the applicant P H Thiessen. The subdivision comprises of the following:

- 26 lot subdivision accessed via Robertson Road, Miena (CT:130056/1);
- 12 lot subdivision accessed via Johnsons Road, Miena (CT:152719/622): and
- Associated infrastructure.

The proposal is to be staged, with stage 1 being the subdivision on Johnson Road and stages 2, 3, 4, 5 and 6 proposed to the Robertson Road area.

- Stage 1 – 12 lots Johnson road.
- Stage 2 – 6 lots to the south west of Robertson Road, junction to Robertson Road and southern section of new road;
- Stage 3 – 6 lots and new section of road, including emergency access point onto Robertson Road;
- Stage 4 – 4 lots;
- Stage 5 – 6 lots: and
- Stage 6 – 4 lots.

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

Additional documents provided with the Development Application include;

- A Traffic Impact Assessment prepared by Midson Traffic Pty Ltd May 2022;
- Bushfire Hazard Assessment prepared by Gifford Bushfire Risk Assessment 04/12/2021;
- Desktop Natural values Assessments prepared by North Barker Ecosystem Services 23/09/2020: and
- Preliminary Onsite Wastewater Rationale prepared by Rock Solid Geotechnics 110/2/2021.

DA2019/45 Boundary Adjustment was approved in 2019 to enable a through road for emergency access on Robertson Road, for this proposed subdivision.

Subject site and Locality.

The site is located in two locations in Miena. One component is on the southern side of Robertson Road (parts of CT134100/1 and CT130056/1) and includes 26 lots and the second located on both sides of Johnsons Road (CT152719/622), situated behind Fleming Drive for 12 lots.

The area is characterised as low density dwellings, which is predominantly used for 'shack' accommodation long the southern banks of the Great Lake at Swan Bay and Mackersey Head, Miena. The majority of established dwellings are not fully occupied throughout the year.

The topography of the area is hilly, ranging in 1075m to 1115m above sea level. The land falls downslope towards Swan Bay and rises upslope to a marshy plateau to the south.

Vegetation of the area is predominantly Eucalyptus forest/woodland, with some small areas of alpine heathland.

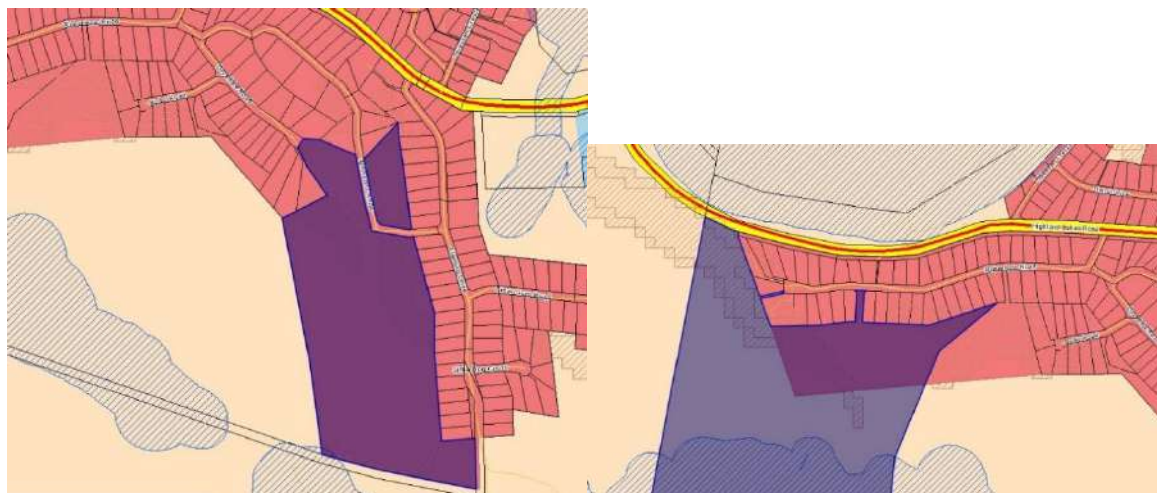


Fig 1. Location and zoning of the existing two titles, indicating the Low density Residential (red) Rural Resource zone (Cream). Waterway and Coastal Protection Code Overlay in blue lines and Landslide Overlay Code in brown lines (Source: LISTmap, accessed 09/06/2022).



Fig 2. Aerial photo of the subject land and surrounding area, (Source: LISTmap, accessed 09/06/2022).

Exemptions

Nil

Special Provisions

Nil

Use standards

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

12.5 Development Standards for Subdivision

12.5.1 Lot Design

To provide for new lots that:

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

Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1 The size of each lot must be in accordance with the following, except if for public open space, a riparian or littoral reserve or utilities: as specified in Table 12.1.	P1 No Performance Criteria.	Each lot shown on the proposed plan of subdivision is a minimum of 1500 m ² , which is the minimum lot size in table 12.1. The acceptable solution is met.
A2 The design of each lot must provide a minimum building area that is rectangular in shape and complies with all of the following, except if for public open space, a riparian or littoral reserve or utilities; (a) clear of the frontage, side and rear boundary setbacks; (b) not subject to any codes in this planning scheme; (c) clear of title restrictions such as easements and restrictive covenants; (d) has an average slope of no more than 1 in 5; (e) is a minimum of 10 m x 15 m in size.	P2 The design of each lot must to satisfy all of the following: (a) is reasonably capable of accommodating residential use and development; (b) meets any applicable standards in codes in this planning scheme; (c) enables future development to achieve reasonable solar access, given the slope and aspect of the land; (d) minimises the requirement for earth works, retaining walls, and cut & fill associated with future development;	The proposal is assessed against the Performance Criteria. The lot sizes for the subdivision range from the minimum lot size for the zone 1500m ² to 7570m ² . The size of the lots allow for residential development and wastewater requirements within lots. All applicable standards in the scheme are met. The proposed layout of the subdivision allows for the continuation of roads and/or follows existing roads, therefore minimising the need for earthworks, where possible. The layout and orientation of the subdivision and the generous size of the blocks, will enable dwellings to achieve solar access through the orientation of dwellings. The Performance Criteria is met.
A3 The frontage for each lot must be no less than the following, except if for public open space, a riparian or littoral reserve or utilities and except if an internal lot: 30m.	P3 The frontage of each lot must provide opportunity for reasonable vehicular and pedestrian access and must be no less than: 6 m.	The majority of the lots will meet the acceptable solution, however one lot will have an access of not less than 6m. The performance criteria is met.
A4 No lot is an internal lot [R1].	P4 An internal lot must satisfy all of the following:	The acceptable solution is met, no lot is an internal lot.

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

Acceptable Solution for setback.		
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12.5.2 Roads

To ensure that the arrangement of new roads within a subdivision provides for all of the following:

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

Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1 The subdivision includes no new road.	P1 The arrangement and construction of roads within a subdivision must satisfy all of the following: <ul style="list-style-type: none"> (a) the appropriate and reasonable future subdivision of the entirety of any balance lot is not compromised; (b) the route and standard of roads accords with any relevant road network plan adopted by the Planning Authority; (c) the subdivision of any neighbouring or nearby land with subdivision potential is facilitated through the provision of connector roads and pedestrian paths, where appropriate, to common boundaries; (d) an acceptable level of access, safety, convenience and legibility is provided through a consistent road function hierarchy; (e) cul-de-sac and other terminated roads are not created, or their use in road layout design is kept to an absolute minimum; (f) connectivity with the neighbourhood road network is maximised; (g) the travel distance between key destinations such as shops and services is minimised; (h) walking, cycling and the efficient movement of public transport is facilitated; (i) provision is made for bicycle infrastructure on new arterial and collector roads in accordance with Austroads Guide to Road Design Part 6A; (j) multiple escape routes are provided if in a bushfire prone area. 	<p>The subdivision will require new roads, therefore the application is assessed against the Performance Criteria.</p> <p>The proposed layout of roads makes efficient use of the available land, whilst not compromising any future subdivision of the balance lots.</p> <p>All new roads will be conditioned to meet Council standards and will be to the satisfaction of the Council's General manager.</p> <p>Existing roads will be connected through the subdivision, to join with connector roads where possible.</p> <p>All new roads will be legible for road users, roads will be direct and will connect to existing roads where possible.</p> <p>A turning area to the Robertson Road site is required for emergency vehicles. No other cul-de-sac arrangements in the road layout is required.</p> <p>Roads and emergency access points will be direct and will connect to the existing road network.</p> <p>Segregated footpaths will not be provided, as the road serves vehicles, pedestrians and cyclists combined. Low vehicle numbers are predicted, based on the findings of the Traffic Impact Report.</p> <p>The Traffic Impact Assessment indicates that the likely additional traffic movements created by the development will not create significant detrimental road safety impacts.</p> <p>An emergency access only is created on Robertson Road.</p>

12.5.3 Ways and Public Open Space

To ensure that the arrangement of ways and public open space provides for all of the following:

- (a) the provision of safe, convenient and efficient connections for accessibility, mobility and recreational opportunities for the community;
- (b) the adequate accommodation of pedestrian and cycling traffic;
- (c) the adequate accommodation of equestrian traffic.

Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1 No Acceptable Solution.	P1 The arrangement of ways and public open space within a subdivision must satisfy all of the following: (a) connections with any adjoining ways are provided through the provision of ways to the common boundary, as appropriate; (b) connections with any neighbouring land with subdivision potential is provided through the provision of ways to the common boundary, as appropriate; (c) connections with the neighbourhood road network are provided through the provision of ways to those roads, as appropriate; (d) new ways are designed so that adequate passive surveillance will be provided from development on neighbouring land and public roads as appropriate; (e) topographical and other physical conditions of the site are appropriately accommodated in the design; (f) the route of new ways has regard to any pedestrian & cycle way or public open space plan adopted by the Planning Authority; (g) new ways or extensions to existing ways must be designed to minimise opportunities for entrapment or other criminal behaviour including, but not limited to, having regard to the following: (i) the width of the way; (ii) the length of the way; (iii) landscaping within the way; (iv) lighting; (v) provision of opportunities for 'loitering'; (vi) the shape of the way (avoiding bends, corners or other	<p>The proposal must be assessed against the Performance Criteria.</p> <p>All new roads will connect to existing roads where possible. Roads and emergency access points will be direct and will connect to the existing road network.</p> <p>Segregated footpaths will not be provided, as the road serves vehicles, pedestrians and cyclists combined. Low vehicle numbers are predicted, based on the findings of the Traffic Impact Report.</p> <p>Ways will be created on common boundaries if applicable.</p> <p>All lots will front onto the public, creating opportunities for passive surveillance.</p> <p>The Performance Criteria is met.</p>

	opportunities for concealment). (h) the route of new equestrian ways has regard to any equestrian trail plan adopted by the Planning Authority.	
A2 No Acceptable Solution.	P2 Public Open Space must be provided as land or cash in lieu, in accordance with the relevant Council policy.	The Performance criteria is met.

12.5.4 Services

To ensure that the subdivision of land provides adequate services to meet the projected needs of future development.

Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1 Each lot must be connected to a reticulated potable water supply where such a supply is available. R1	P1 No Performance Criteria.	Reticulated water by a water corporation is not available to the area. Static water supply will be necessary.
A2 Each lot must be connected to a reticulated sewerage system where available. R1	P2 Where a reticulated sewerage system is not available, each lot must be capable of accommodating an on-site wastewater treatment system adequate for the future use and development of the land.	Reticulated sewage is systems are not available in the area, therefore each lot will accommodate an on-site wastewater treatment system. A Preliminary onsite wastewater report has been prepared and confirms that lots can sustain an onsite wastewater system for a 3 bedroom dwelling. The Performance Criteria is met.
A3 Each lot must be connected to a stormwater system able to service the building area by gravity. R2	P3 Each lot must be capable of accommodating an on-site stormwater management system adequate for the likely future use and development of the land.	The Performance Criteria is met. Stormwater will be managed on-site.
A4 The subdivision includes no new road.	P4 The subdivision provides for the installation of fibre ready facilities (pit and pipe that can hold optical fibre line) and the underground provision of electricity supply.	The Performance Criteria is met.

Codes

E1 Bushfire-Prone Areas Code

The Bushfire-Prone Code applies to subdivision of land that is located within a bushfire-prone area. E1.6 Development Standards, E1.6.1 Subdivision: Provision of Hazard Management Areas requires that a Bushfire Risk and Hazard Management Plan be prepared by TFS or an accredited person.

A Bushfire Hazard Report has been submitted as a part of the application, prepared by Gifford Bushfire Risk Assessment 04/12/2021. This report includes a Certificate confirming that both lots Provides BAL-19 or BAL-12.5, access complies with requirements and static water supply complies requirements. The report has been certified by an accredited Bushfire Assessor.

E3.0 Landslide Code

Some parts of the subject land are identified as Low Landslide Risk Areas. As the areas are small and no works will be required for the subdivision further assessment is not required.

E5.0 Road and Railway Assets Code

The purpose of this provision is to:

- (a) protect the safety and efficiency of the road and railway networks; and
- (b) reduce conflicts between sensitive uses and major roads and the rail network.

The applicable standards of the Code are addressed in the following tables:

Development Standards		
E5.6.2 Road accesses and junctions		
To ensure that the safety and efficiency of roads is not reduced by the creation of new accesses and junctions.		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1 No new access or junction to roads in an area subject to a speed limit of more than 60km/h.	P1 For roads in an area subject to a speed limit of more than 60km/h, accesses and junctions must be safe and not unreasonably impact on the efficiency of the road, having regard to: (a) the nature and frequency of the traffic generated by the use; (b) the nature of the road; (c) the speed limit and traffic flow of the road; (d) any alternative access; (e) the need for the access or junction; (f) any traffic impact assessment; and (g) any written advice received from the road authority.	<p>Proposed lots on Johnsons road will be accessed via an existing formed gravel public road and connects to Fleming Drive. This will provide access to lots in stage 1.</p> <p>Stages 2-6 will be accessed via Robertson Road which is a formed gravel public road that connects to Highland Lakes Road and terminates in a cul-de-sac. A partially formed track leads from Robertson Road to the site.</p> <p>Access to stages 2-6 of the proposed subdivision will require a new public access road.</p> <p>A Traffic Impact Assessment has been prepared for the subdivision. The TIA has been reviewed by the Department of State Growth, whom have no concerns with the proposal.</p> <p>The Performance Criteria is met.</p>
A2 No more than one access providing both entry and exit, or two accesses providing separate entry and exit, to roads in an area subject to a speed limit of 60km/h or less.	P2 For roads in an area subject to a speed limit of 60km/h or less, accesses and junctions must be safe and not unreasonably impact on the efficiency of the road, having regard to: (a) the nature and frequency of the traffic generated by the use; (b) the nature of the road; (c) the speed limit and traffic flow of the road;	<p>Proposed lots on Johnsons road will be accessed via an existing formed gravel public road and connects to Fleming Drive. This will provide access to lots in stage 1.</p> <p>Stages 2-6 will be accessed via Robertson Road which is a formed gravel public road that connects to Highland Lakes Road and terminates in a cul-de-sac. A partially formed</p>

	<p>(d) any alternative access to a road;</p> <p>(e) the need for the access or junction;</p> <p>(f) any traffic impact assessment; and</p> <p>(g) any written advice received from the road authority.</p>	<p>track leads from Robertson Road to the site.</p> <p>Access to stages 2-6 of the proposed subdivision will require a new public access road.</p> <p>A Traffic Impact Assessment has been prepared for the subdivision. The TIA has been reviewed by the Department of State Growth, whom have no concerns with the proposal.</p> <p>The Performance Criteria is met.</p>
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Representations

The proposal was advertised for the statutory 14 days period, plus additional days to take into consideration the Public Holidays during Christmas, from 15 February until 1 March 2022. A total of 8 representations have been received. A summary of the main objections from each representation is below, with Council's Planning Officer response. Please see attached document Representations received for a full copy of the representations.

Representation Received	Officer Comment
<p>Representation 1</p> <p>Our main concern about the development is the access road , 'Set apart for emergency access'. What is the intention under the current development application for this easement?</p> <p>In a previous subdivision part of the original proposal, but was knocked back on the basis that there was insufficient Land Application Area to allow construction on this lot and/or that there would be unacceptable drainage of waste water into our property. The boundaries of the lot may have changed some since the Ruby Lane subdivision was constructed, but the properties of proposed lot 915 have not; there is almost no suitable ground for drainage purposes – all of lot 915 is soil class 6 bedrock.</p> <p>In the schedule of easements that is attached to our property (SP111877) we note that we are not permitted to erect any building closer than 40 m to the Robertson Road boundary and it is our understanding that this was to allow space for the absorption trenches and septic system to infiltrate properly so as to ensure that there is no flow of effluent onto Robertson Road or our neighbours property. If a similar setback is required for lot 915 then there is clearly no suitable ground for infiltration – it is all bedrock.</p> <p>We note that the Natural Values Assessment to date has been a desk-top appraisal only. Given the likely occurrence of a number of threatened plant and animal species in the area, we assume that prior to approval of the subdivision or part thereof, that there will be a thorough ground-based Natural Values Assessment?</p> <p>We are interested to understand what is the planning process from here? Can affected neighbours such as ourselves expect to be kept updated? We note that the part of the development adjacent to our property is listed as Stage</p>	<p>DA2019/45 Boundary Adjustment was approved in 2019 to enable a through road for emergency access on Robertson Road, for this proposed subdivision. This infrastructure is critical to providing additional access for emergency services. It will be for emergency vehicle access only. The proposed carriage width is 4m, which is sufficient for the purpose and in line with the standards of the Bushfire Prone Area Code.</p> <p>A Preliminary onsite wastewater report has been prepared for the proposed subdivision with a soil category estimated to be 5 or 6. The report confirms that lots can sustain an onsite wastewater system for a 3 bedroom dwelling. In addition, once dwellings come forward for development, all dwellings will require a permit for an on-site waste disposal system in accordance with a Plumbing permit issued by the Permit</p>

<p>Is there any obligation on the developer to make public the expected timeframe for implementation should it be approved? Presumably the stages will proceed in order, 1 through 6 so that stage 6 may be some time away?</p>	<p>Authority in accordance with the Building Act 2016.</p> <p>A desk top Natural Values has been carried out. A further Ground based assessment will be required and conditioned as a part of any planning permit granted.</p> <p>The planning process from here on, if the subdivision is approved by Council, then the applicant has 2 years in which to 'substantially commence' the development.</p> <p>The submission of Final Plans for Sealing by Council will be the next step in the development process, this may take several months and will require any infrastructure to be approved by Council.</p> <p>After which, the development will progress in stages, as approved in the Planning Application documents. Of which there are no timescales.</p>
<p>Representation 2 increase dust that is already a nuisance. This problem could be overcome by sealing the roadway or resurfacing with a less dusty gravel or an alternative surface coating.</p> <p>The entry point of the new road on to Robertson's road is located in a position such that if an accident occurs person's residing at Numbers 37 and 39 would be in danger of having a vehicle (s) crash into their shacks.</p> <p>The current junction of Robertson's "road" on to the Highland Lakes road is also of a dubious standard and I am aware of several near misses including cars sliding down the road and onto the main road in icy conditions. Increased traffic will obviously increase the risk factor.</p> <p>You are no doubt aware that the "connector" part of Robertson's road is in fact built on what is actually a 1.8 metre walkway to the lake.</p>	<p>The area is characterised by rural, low density 'shack' development. Sealing the roads are not practical for Council. All roads existing or proposed will meet the Council's standards for Rural Roads and will be to the satisfaction of Council's manager of Works and Infrastructure.</p> <p>A Traffic impact Assessment prepared for the Development Application does not raise any road safety concerns and concludes that the proposed development will not create significant detrimental road safety impacts.</p>
<p>Representation 3 Covenants which states that blocks cannot be subdivided. Now we expect the council and the applicant to honour that and uphold that covenant in this case.</p>	<p>Covenants on certificates of titles can not prevent planning permits from being granted. However, Any covenant on a title will remain as an agreement between the owner and all parties, until the Certificate of Title is amended.</p>

	<p>The owner is bound by the covenant. To conclude, a Planning Permit maybe issued for the development, however the owner is bound by the covenant until it is removed, at the agreement of Council.</p>
<p>Representation 4 We are concerned about the stormwater runoff from the proposed blocks down to our block.</p>	<p>It is proposed that storm water run off will be collected in storage facilities. Lot sizes are generous and provide for adequate space for septic systems and storm water run off.</p>
<p>Representation 5 We wish to object to the proposed development on the grounds that is doesn't adequately address the problems of drainage, sewerage, electricity distribution, road width, gutters, footpaths and it does not allow for the adequate protection of native trees and shrubs.</p> <p>Miena is the largest town in the Central Highlands yet its infrastructure is poor, no town sewerage system, water, waste collection, no underground electricity supply, footpaths or proper gutters. It has no areas marked for public open spaces and parks. Surely all of this needs to be addressed before approving this development.</p> <p>The drainage for the proposed access road above our property must be sufficient to divert all runoff from entering our properties.</p> <p>We are very concerned that the development is not allowing for the protection of the native trees and shrubs that are just recovering from the 2019 fires.</p>	<p>The area is characterised by rural, low density 'shack' development. Reticulated water and sewage systems are not possible in the area.</p> <p>All roads existing or proposed will meet the Council's standards for Rural Roads and will be to the satisfaction of Council's manager of Works and Infrastructure.</p> <p>Public open space requirements do not necessitate parks, contribution towards open space is also acceptable. This contribution allows council to allocate funds to maintain existing facilities and open spaces in the area.</p> <p>Lot sizes are generous and provide for adequate space for septic systems and storm water runoff.</p> <p>A desk top Natural Values has been carried out. A further Ground based assessment will be required and conditioned as a part of any planning permit granted.</p>
<p>Representation 6 Concerned regarding the access to proposed properties, steepness of driveways and dangerous conditions in winter.</p> <p>Better solution would be to switch main access on Robertson Road with emergency access.</p>	<p>A Traffic impact Assessment prepared for the Development Application does not raise any road safety concerns and concludes that the proposed development will not create significant detrimental road safety impacts.</p>

<p>Representation 7 I am writing in support of this development application</p> <p>I support the development application for the following reasons:</p> <p>1) I have a concern for the social development of the Central Highlands community.</p> <p>2) By the end of this decade the climate in Hobart will mirror that of inland southern Victoria, and major parts of the mainland will become only marginally habitable. Climate change refugees will find living in the Highlands increasingly attractive.</p> <p>3) When the Epuron wind farm and Great Lake Adventure Trail become developed, there will be increased demand for housing for the staff in both ventures. The income from those enterprises will help balance the high reliance on Commonwealth benefits evident in the present permanent population.</p> <p>I do have a concern that I'm not sure Council can address. I suspect many residential blocks here are purchased by speculators, This development will put downward pressure on prices. I presume the land, when sold, will have a caveat that residential building will start in x years. In addition to those caveats, I urge Council to consider whatever measures are possible to stem demand by speculators.</p>	<p>Comments are noted.</p> <p>Planning Permits will remain for 2 years, within which the development must be substantially commenced. There are no other timeframes relating to the timings of development.</p>
<p>Representation 8 Easement 'Set apart for emergency access'. We assume that this access will be upgraded as part of the subdivision.</p> <p>Will this emergency access have a gate at one or both ends? If the track is upgraded to a navigable standard*, what is to stop residents of the new subdivision using it as a convenient route/shortcut between the new road for the subdivision and Robertson Road?</p> <p>We have significant concerns that development of Lot 915 in this proposed subdivision, would create unacceptable (and illegal) drainage of wastewater and stormwater onto our property.</p>	<p>The emergency access will be upgraded in line with the requirements of the Bushfire hazard Management Plan and the Bushfire Prone Area Code.</p> <p>Lot sizes are generous and provide for adequate space for septic systems and storm water runoff.</p>
<p>Representation 9 Department of State Growth recommends a traffic Impact Assessment be provided.</p>	<p>A traffic Impact Assessment has since been prepared and sent to DSG for comment. DSG have no concerns with the findings of the report or the proposed subdivision.</p>

Conclusion

The proposal DA2022/11: Subdivision 38 Lots: Johnsons Road (CT152719/622) and Robertson Road (CT134100/1,CT130056/1) Miena has been assessed to comply with the applicable standards of the Low Density Residential Zone and the relevant codes of the *Central Highlands interim Planning Scheme 2015* as outlined in the body of this report.

The proposal was advertised for public comment, 8 representations have been 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 DA2022/11: Subdivision 38 Lots: Johnsons Road (CT152719/622) and Robertson Road (CT134100/1,CT130056/1) 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. The Planning Authority must consider the report but is not bound to adopt the Recommendation. Broadly, the Planning Authority can either: (1) adopt the Recommendation, (2) vary the Recommendation by adding, modifying or removing recommended conditions or (3) replacing an approval with a refusal.

This determination has to be made no later than 24 June 2022, which has been extended beyond the usual 42 day statutory time frame with the consent of the application.

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

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

Options

The Planning Authority must determine the Development Application DA2022/11: Subdivision 38 Lots: Johnsons Road (CT152719/622) and Robertson Road (CT134100/1,CT130056/1) 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 DA2022/11: Subdivision 38 Lots: Johnsons Road (CT152719/622) and Robertson Road (CT134100/1,CT130056/1) 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 DA2022/11: Subdivision 38 Lots: Johnsons Road (CT152719/622) and Robertson Road (CT134100/1,CT130056/1) 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 DA2022/11: Subdivision 38 Lots: Johnsons Road (CT152719/622) and Robertson Road (CT134100/1,CT130056/1) Miena, for the reasons detailed below.

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

Reasons :-

RECOMMENDATION

Moved **Clr Cassidy**

Seconded **Clr Bailey**

THAT the Planning Officer and Manager Development & Environmental Services liaise with the Works Manager with regards to the future management of the Emergency Access Road; and

THAT the following recommendation be made to Council:

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 DA2022/11: Subdivision 38 Lots: Johnsons Road (CT152719/622) and Robertson Road (CT134100/1,CT130056/1) Miena, subject to conditions in accordance with the Recommendation.

Recommended Conditions

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*.

Bushfire Hazard Management

3. The development and works must be carried out in accordance with:
Bushfire Hazard Assessment, Proposed Subdivision dated 04/12/2021, prepared by Gifford Bushfire Risk.
4. 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

5. Prior to the sealing of the Final Plan of Survey an agreement 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.

Staged development

6. The subdivision must be carried out in the approved stages or in accordance with a staged development plan submitted to and approved by Council's General Manager.

Natural Values

7. Prior to any work being carried out the ground survey for natural values as recommended by the submitted Desktop Natural values Assessments prepared by North Barker Ecosystem Services 23/09/2020 must be completed. The results are to be submitted to and approved by the Council's Planning Officer prior to commencement of works and any recommendations must be complied with.

Public open space

8. In accordance with the provisions of Section 117 of the Local Government (Building and Miscellaneous Provisions) Act 1993, payment of a cash contribution for Public Open Space must be made to the Council prior to sealing the Final Plan of Survey. The cash contribution amount is to be equal to 5% of the value of the land being subdivided in the plan of subdivision at the date of lodgement of the Final Plan of Survey. The value is to be determined by a Land Valuer within the meaning of the Land Valuers Act 2001 at the developers' expense.
9. The cash-in-lieu of public open space must be in the form of a direct payment made before the sealing of the final plan of survey or, alternatively, in the form of a Bond or Bank guarantee to cover payment within ninety (90) days after demand, made after the final plan of survey has taken effect.

Transfer of reserves

10. Land shown as public open space on the final plan of survey must be transferred to the Central Highlands Council by Memorandum of Transfer submitted with the final plan of survey.
11. All roads or footways must be shown as "Road" or "Footway" on the final plan of survey and transferred to the Central Highlands Council by Memorandum of Transfer submitted with the final plan.

Easements

12. 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

13. 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

14. 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.

Final plan

15. 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.
16. A fee of \$180.00, 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.
17. 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.
18. 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.
19. The subdivider must pay any Titles Office lodgment fees direct to the Recorder of Titles.

Water quality

20. 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.
21. 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.
22. 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.

23. 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.

Weed management

24. Prior to the carrying out of any works approved or required by this approval, the subdivider must provide a weed management plan detailing measures to be adopted to control any weeds on the site and limit the spread of weeds listed in the *Weed Management Act 1999* through imported soil or land disturbance by appropriate water management and machinery and vehicular hygiene to the satisfaction of Council's Municipal Engineer and of the Regional Weed Management Officer, Department of Primary Industries Water and Environment.

Property Services

25. 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

26. 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.

Sizing of services

27. All services must be sized and located to service the ultimate potential development of the site to the satisfaction of Council's Municipal Engineer or the responsible authority.

Telecommunications, electrical and gas reticulation

28. Electrical and telecommunications services must be provided to each lot in accordance with the requirements of the responsible authority and the satisfaction of Council's Municipal Engineer.
29. Prior to the work being carried out a drawing of the electrical reticulation and telecommunications reticulation in accordance with the appropriate authority's requirements and relevant Australian Standards must be submitted to and endorsed by the Council's Municipal Engineer.
30. A Letter of Release from each authority confirming that all conditions of the Agreement between the Owner and authority have been complied with and that future lot owners will not be liable for network extension or upgrade costs, other than individual property connections at the time each lot is further developed, must be submitted to Council prior to the sealing of the final plan of survey.

Roadwork's

31. The corners of each road intersection must be splayed or rounded by chords of a circle with a radius of not less than 6.00 metres in accordance with Sections 85(d)(viii) and 108 of the *Local Government (Building & Miscellaneous Provisions) Act 1993* and the requirements of the Council's Municipal Engineer.
32. Roadworks and drainage must be constructed in accordance with the standard drawings prepared by the IPWE Aust. (Tasmania Division) and to the requirements of Council's Municipal Engineer.

Rural Access

33. A separate vehicle access must be provided from the road carriageway to each lot. Accesses 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 Municipal Engineer.
34. Road construction standards may be varied by Council's Municipal Engineer.

Engineering drawings

35. Engineering design drawings to the satisfaction of the Council's Municipal Engineer must be submitted to and approved by the Central Highlands Council before development of the land commences.

36. Engineering design drawings are to be prepared by a qualified and experienced civil engineer, or other person approved by Council's Municipal Engineer, in accordance with Standards Australia (1992): *Australian Standard AS1100.101 Technical Drawing – General principles*, Homebush, and Standards Australia (1984): *Australian Standard AS1100.401 Technical Drawing – Engineering survey and engineering survey design drawing*, Homebush, and must show -
- All existing and proposed services required by this permit;
 - All existing and proposed roadwork required by this permit;
 - Measures to be taken to provide sight distance in accordance with the relevant standards of the planning scheme;
 - Measures to be taken to limit or control erosion and sedimentation;
 - Any other work required by this permit.
37. Two sets of preliminary engineering design drawings are to be initially submitted to Council for inspection and comment. Following this, four (4) sets of final engineering plans are to be submitted for final approval by Council. The approved engineering design drawings shall form part of this permit when approved.
- Council will keep two (2) sets of approved drawings and two (2) sets will be returned to the subdivider's engineer. One (1) set of the approved engineering design drawings must be kept on site at all times during construction.
38. Approved engineering design drawings will remain valid for a period of 2 years from the date of approval of the engineering drawings.
39. All new public infrastructure and subdivision work must be designed and constructed to the satisfaction of Council's Municipal Engineer and in accordance with the following -
- *Local Government (Building & Miscellaneous Provisions) Act 1993*;
 - *Local Government (Highways) Act*;
 - *Drains Act 1954*;
 - *Waterworks Clauses Act*;
 - Australian Standards;
 - Building and Plumbing Regulations;
 - Relevant By-laws and Council Policy;
 - Current IPWEA (Tasmanian Division) and central Highlands Council Municipal Standard Drawings;
 - Current IPWEA and central Highlands Council Municipal Standard Specification.
- Construction amenity
40. 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 |
41. 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 -
- 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.
 - Transport of materials, goods or commodities to or from the land.
 - Appearance of any building, works or materials.
42. 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.
43. 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

44. 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.
45. 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.
46. 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.

Survey pegs

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

'As constructed' drawings

49. Prior to the works being placed on the maintenance period an "as constructed" drawing of all engineering works provided as part of this approval must be provided to Council to the satisfaction of the Council's Municipal Engineer. These drawings must be prepared by a qualified and experienced civil engineer or other person approved by the Municipal Engineer and provided in both digital and "hard copy" format.

Defects Liability Period

50. The subdivision must be placed onto a 6 month statutory defects liability period in accordance with section 86 of the *Local Government (Buildings and Miscellaneous Provisions) Act 1993*, Councils Specification and Policy following the completion of the works in accordance with the approved engineering plans and permit conditions.

THE FOLLOWING ADVICE APPLIES TO THIS PERMIT: -

- A. This permit does not imply that any other approval required under any other legislation or by-law has been granted.
- B. 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 *Threatened Species Protection Act 1995* or the *Environmental Protection and Biodiversity Protection Act 1999* (Commonwealth). The applicant may be liable to complaints in relation to any non-compliance with these Acts and may be required to apply to the Threatened Species Unit of the Department of Tourism, Arts and the Environment or the Commonwealth Minister for a permit.
- D. 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*.
- E. The SWMP must show the following:
 - (a) Allotment boundaries, north-point, contours, layout of roads, driveways, building envelopes and reticulated services (including power and telephone and any on-site drainage or water supply), impervious surfaces and types of all existing natural vegetation;
 - (b) Critical natural areas such as drainage lines, recharge area, wetlands, and unstable land;
 - (c) Estimated dates of the start and completion of the works;

- (d) Timing of the site rehabilitation or landscape program;
- (e) Details of land clearing and earthworks or trenching and location of soil stockpiles associated with roads, driveways, building sites, reticulated services and fire hazard protection.
- (f) Arrangements to be made for surface and subsurface drainage and vegetation management in order to prevent sheet and tunnel erosion.
- (g) Temporary erosion and sedimentation controls to be used on the site.
- (h) Recommendations for the treatment and disposal of wastewater in accordance with Standards Australia (2000), AS/NZS 1547: *On-site wastewater management*, Standards Australia, Sydney.

Appropriate temporary control measures include, but are not limited to, the following (refer to brochure attached):

- Minimise site disturbance and vegetation removal;
- 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 (eg. temporarily connected to Council's storm water system, a watercourse or road drain);
- 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;
- 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;
- Stormwater pits and inlets installed and connected to the approved stormwater system before the roadwork's are commenced; and
- Rehabilitation of all disturbed areas as soon as possible.

F. The owner is advised that an engineering plan assessment and inspection fee of 1% of the value of the approved engineering works, or a minimum of \$220.00, must be paid to Council in accordance with Council's fee schedule.

G. 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.

Carried

For the Motion: Deputy Mayor Allwright, Cllr Bailey & Cllr Cassidy

Ms G Balon left the meeting at 9.35am

6.1 DA2022/05 : VISITOR ACCOMMODATION & OUTBUILDING: LOT 3 & 4 MEADOWBANK ROAD, MEADOWBANK

Report by

Louisa Brown (Planning Officer)

Applicant

M Overeem

Owner

M Wilson

Discretions

26.2 Use

26.3.2 Visitor Accommodation – P1

26.3.3 Discretionary Use – P1

F1.4 Use

F1.7.1 Tourism Operations and Visitor Accommodation – P1, P3

Proposal

An application for three (3) Visitor Accommodation Units and an Outbuilding at Lot 3 Meadowbank Road, Meadowbank was submitted to Council by the applicant M Overeem in February 2022. The proposal includes;

- Three (3) one bedroom transportable cabins for visitor accommodation;
- Each cabin has two separate car parking spaces;
- Outbuilding, with an area of 120m²;
- Construction of private access road within the property; and
- Proposed septic tank and trenches, with associated pump station.

It is noted that the supporting application documents, make reference to the construction of a Boat Ramp and Jetty. However, this is not included in the description of use or development in the application form and is not considered as a part of this Development Application.

Additional documents provided with the Development Application include;

- Aboriginal Heritage Assessment Report prepared by Cultural Heritage Australia 24.9.2021;
- Wastewater Assessment report prepared by GES Solutions October 2021; and
- Bushfire Hazard report prepared by GES Solutions December 2021.

The Visitor accommodation will have a maximum occupancy of six (6) guests at any time. The three cabins, are small, transportable units which will be constructed off site. The cabins will overlook Lake Meadowbank and are proposed to be situated 23m, 45m, and 40m from the rear property boundary. The location of which is within the 100m setback from the lake full supply area. Each cabin is approximate 49m² and includes an additional 28m² covered deck to the northern elevation overlooking Lake Meadowbank. The total height of the cabins are 4.09m. The northern elevations of the cabins will be clad in natural weather rough sawn timber, which will reduce the visual impact of the development when viewed from the lake. The natural timber finish will age and blend with the surroundings over time. The southern, eastern and western elevations will be clad in non reflective sheet cladding. A single bathroom window is proposed to the southern elevation of each cabin, with the majority of windows to the northern elevation, taking advantage of views. Limited window openings to the southern elevation, allows for privacy to adjacent properties.

An outbuilding of 12m by 11m is proposed for storage of equipment and is approximately 4.05m high. The outbuilding will be clad in non reflective sheet cladding and is located outside of the 100m setback from lake full supply level. A septic tank and trenches are proposed next to the outbuilding.

The proposed wastewater system has been designed by a suitably qualified agent. The system includes a dual purpose septic tank and absorption trench, which are proposed to be located outside of the 100m Lake Full Supply Line. A pump station with effluent grinder pump will be required on each cabin to deliver effluent to the septic via a rising main.

A new access road will be constructed on the property to serve the development. The road and passing areas will be required to be constructed to the standards within the Bushfire Hazard Report and the recommendations of which are included in the proposed planning permit conditions below.

Covenants exist on the property between the owner of the lot and Central Highlands Council within the certificate of title document SP163527. There are two relevant covenants to this DA which state the following;

1. Not to construct any building on such lot north east of the line marked 100 METRE SET BACK FROM MEADOWBANK LAKE FULL SUPPLY LINE on the plan
2. Not to construct or maintain any wastewater infrastructure on such lot north east of the line marked 100 METRE SET BACK FROM MEADOWBANK LAKE FULL SUPPLY LINE on the plan

Council has sort legal advice in relation to Covenants and this advice states that the determination of the Development Application is separate to the Covenants. Advice regarding the Covenants will be listed in any Planning Permit granted by Council.

The proposal is discretionary owing to being visitor accommodation and is assessed against the relevant standards for the Rural Resource Zone pursuant to section 26.0 and the Lake Meadowbank Specific Area Plan (SAP) of the Central Highlands Interim Planning Scheme 2015.

Subject site and Locality

The site is currently vacant and located 4.2km south of Hamilton, adjacent to the southern banks of Lake Meadowbank. It is rectangular in shape, with the shorter side adjoining the Lake. The site has moderate slopes with a northerly aspect, vegetation on the property is predominately grassland.

The property is accessed via a private Right Of Way (ROW) from Meadowbank Road, as described on the certificate of title documents. The ROW passes through Meadowbank Water Ski Club. In addition a 20m wide section of reserve road runs parallel to the lake, ranging some 90-150m from the property boundary. Crown consent for the lodging the application has been sought and forms a part of the application documents.

Adjacent land is classified as rural, with agriculture land use predominant in the surrounding area. Lake Meadowbank is used by various clubs and individuals for water sport recreation. Meadow Bank Water Ski Club is located 500m to the east of the site.

Adjacent lots 4 and 2 are currently vacant.

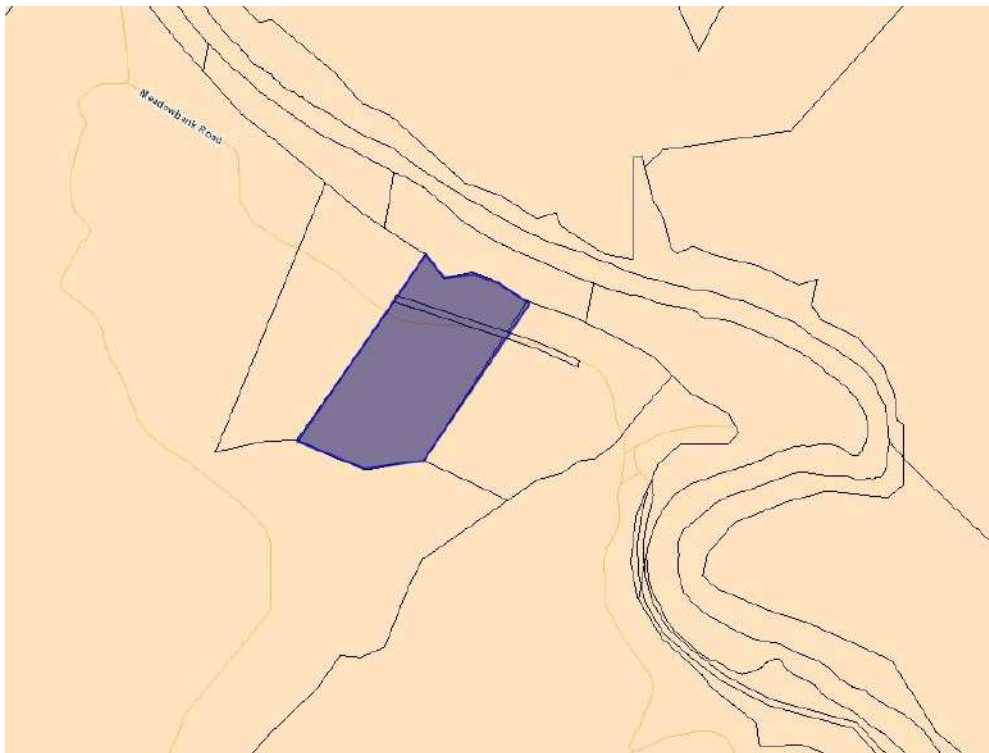


Fig 1. Location and zoning of Lot 3 Meadowbank Road indicating the Rural Resource zone (Cream). (Source: LISTmap, accessed 08/06/2022).

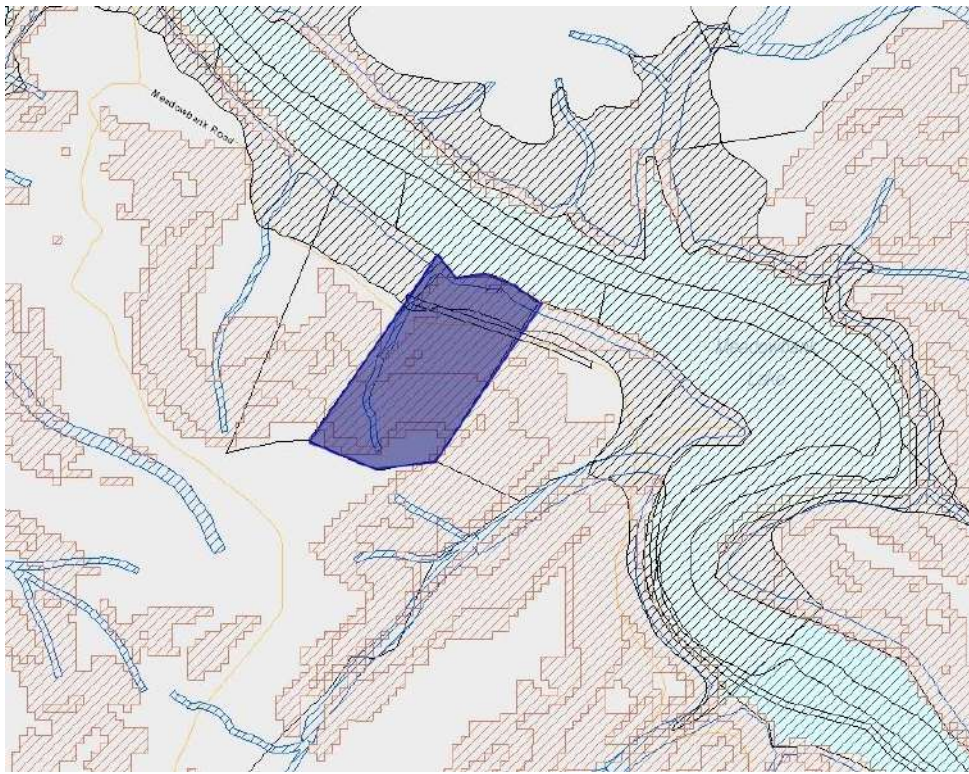


Fig 2. Meadow Bank SAP in black lines, Waterway and Coastal Protection Code Overlay in blue lines and Landslide Overlay Code in brown lines (Source: LISTmap, accessed 08/06/2022).).

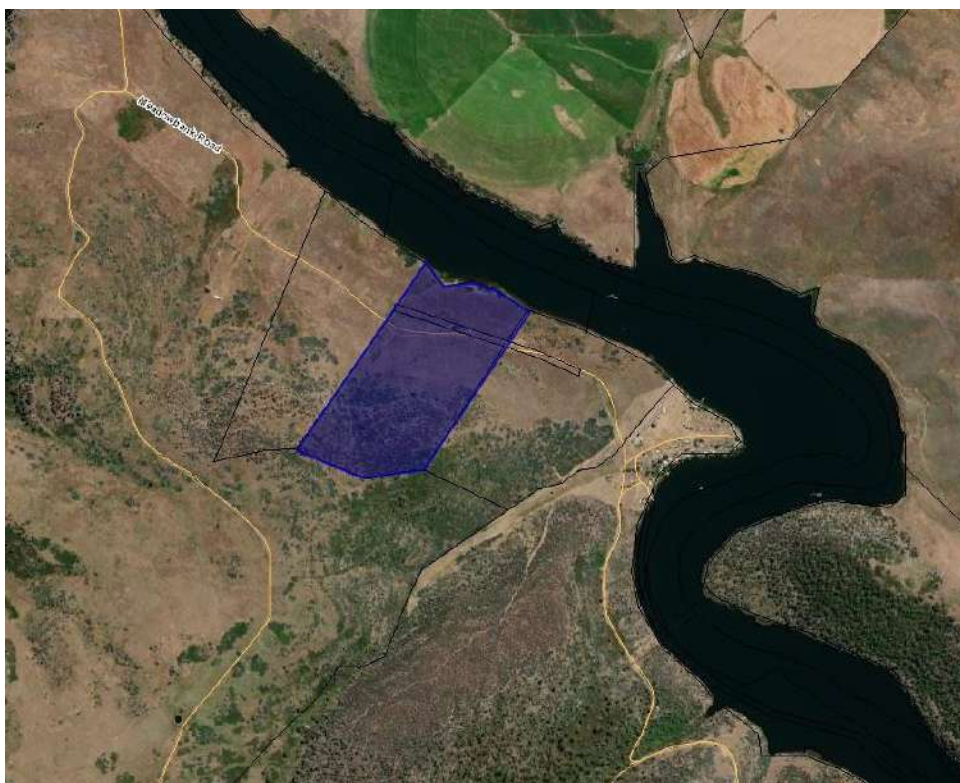


Fig 3 Aerial photo of the subject land and surrounding area. Lake Meadowbank Water Ski Club is located to the east of the site (Source: LISTmap, accessed 08/06/2022).

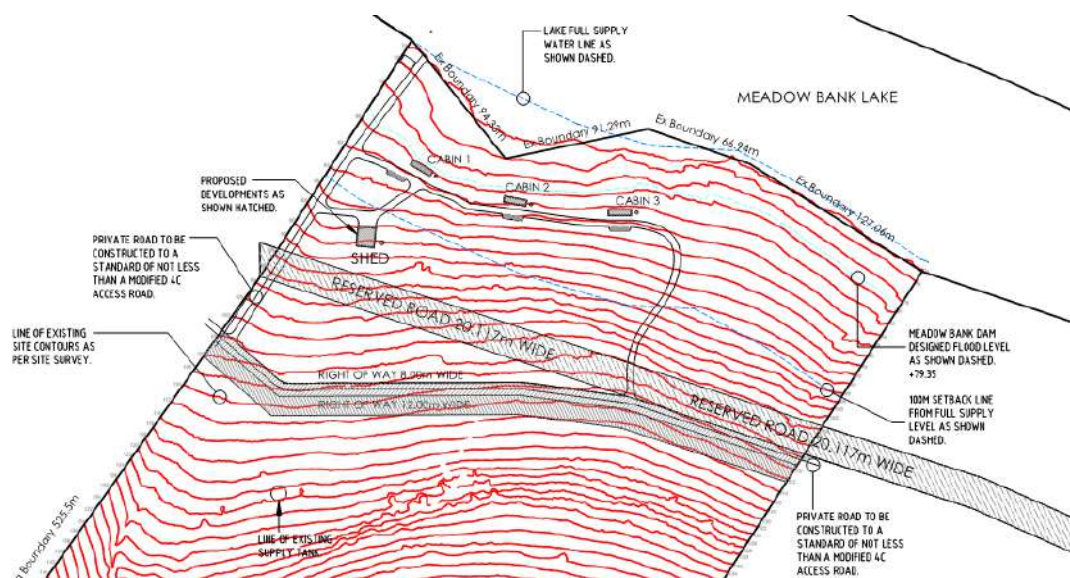


Fig 3. Plan of proposed development (Source: DA2022/05 StudioKo architecture design & drafting)

Exemptions

Nil

Special Provisions

Nil

Use standards

The subject land is located in the Rural Resource Zone of the Central Highland Interim Planning Scheme 2015. The proposal must satisfy the requirements of the following use and development standards, relevant to visitor accommodation:

26.3.2 Visitor Accommodation

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

Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1 Visitor accommodation must comply with all of the following: (a) is accommodated in existing buildings; (b) provides for any parking and manoeuvring spaces required pursuant to the Parking and Access Code on-site; (c) has a floor area of no more than 160m ² .	P1 Visitor accommodation must satisfy all of the following: (a) not adversely impact residential amenity and privacy of adjoining properties; (b) provide for any parking and manoeuvring spaces required pursuant to the Parking and Access Code on-site; (c) be of an intensity that respects the character of use of the area;	The proposal does not comply with the Acceptable Solution and must be assessed against the Performance Criteria. (a) The closest residential dwelling is 1.5km to the western boundary. The proposal will not adversely impact the privacy or amenity of the dwelling. (b) The property is 23ha and contains adequate space for car parking to meet the requirements of the Parking and Access Code. A new access road within the property will assist manoeuvring to and from the visitor accommodation units and the outbuilding. (c) Given the size of the property, the proposed 3 cabins and an outbuilding are modest. The cabins themselves are single bedroomed and have an overall area of 49m ² each. The cabins are spaced out along the rear boundary overlooking the lake and setback a

	<p>(d) not adversely impact the safety and efficiency of the local road network or disadvantage owners and users of private rights of way;</p> <p>(e) be located on the property's poorer quality agricultural land or within the farm homestead buildings precinct;</p> <p>(f) not fetter the rural resource use of the property or adjoining land.</p>	<p>minimum of 23m from the boundary. The small scale development will respect the rural character of the area.</p> <p>(d) Lake Meadowbank Road is partly maintained by Council, however the majority of the access into the property is via a private Right of Way (ROW), which serves Lots 4, 3 and 2. An additional six vehicles into the property will not disadvantage other users of the ROW.</p> <p>(e) The property is currently vacant and not used for agricultural purposes. The proposed visitor accommodation is a small section of the property, a further 17ha of the property may be used for agriculture.</p> <p>(f) As mentioned above, 17ha of the property may be used for agricultural purposes. The proposed 3 visitor accommodation units are located adjacent to Lake Meadowbank, creating a large separation distance between the accommodation and surrounding properties. It is not considered given the size of the property that the fettering of adjoining rural land will occur.</p>
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26.3.3 Discretionary Use

To ensure that discretionary non-agricultural uses do not unreasonably confine or restrain the [agricultural use](#) of [agricultural land](#).

Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1 No acceptable solution.</p>	<p>P1 A discretionary non-agricultural use must not conflict with or fetter agricultural use on the site or adjoining land having regard to all of the following:</p> <p>(a) the characteristics of the proposed non-agricultural use;</p> <p>(b) the characteristics of the existing or likely agricultural use;</p>	<p>The proposal must be assessed against the Performance Criteria.</p> <p>(a) Conflicts with adjacent agricultural use is not considered a concern, as the property is 23ha in total, of which the proposed visitor accommodation will be located on a small area, providing a remaining 17ha to be used for agricultural purposes. The proposed development is adjacent to Lake Meadowbank, not on a part of the property which directly adjoins agricultural use or potential agricultural use.</p> <p>(b) It is likely that any potential agricultural use would be grazing as this is the predominant agricultural use of the area. A conflict between this and the proposed visitor accommodation is not anticipated.</p>

	<p>(c) setback to site boundaries and separation distance between the proposed non-agricultural use and existing or likely agricultural use;</p> <p>(d) any characteristics of the site and adjoining land that would buffer the proposed non-agricultural use from the adverse impacts on amenity from existing or likely agricultural use.</p>	<p>(c) The development is setback 41m from the western property boundary, 150m from the eastern boundary and 500m to the adjoining agricultural property to the southern site boundary.</p> <p>(d) The property contains a large area of 17ha, providing adequate separation distances, whilst acting as a buffer. Lake Meadowbank also acts a physical buffer to agricultural uses on the other side of the Lake.</p>
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F1.0 Lake Meadowbank Specific Area Plan

The development of the three cabins, associated road, car parking and outbuilding are within the Lake Meadowbank Specific Area Plan of the scheme and therefore must satisfy the requirements of the following use and development standards, relevant to the discretionary use visitor accommodation.

Application Requirements

An Aboriginal Heritage Assessment or statement from Aboriginal Heritage Tasmania is required for all discretionary applications. Aboriginal Heritage Assessment Report prepared by Cultural Heritage Australia 24.9.2021 has been prepared and is included in the application documents. The recommendations of the Aboriginal Heritage Assessment are within the proposed conditions of the Planning Permit below.

F1.7 Development Standards for Tourism Operations and Visitor Accommodation		
F1.7.1 Tourism Operations and Visitor Accommodation		
To provide the opportunity for small-scale tourism operations and visitor accommodation, whilst maintaining the characteristics and amenity of the rural landscape.		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1 Development associated with tourist operation and visitor accommodation use classes must be in accordance with a development plan approved by Council that provides an overall site layout of buildings and infrastructure, and a total building footprint, and other relevant matters that are consistent with the provisions of this Specific Area Plan.	P1 No performance criteria.	The application for Visitor Accommodation identifies the location of buildings and development, the proposed location of a wastewater system and report, the amount of cut required, confirmation that no native vegetation will be removed, provides adequate car parking spaces and includes an Aboriginal Heritage Assessment. These are consistent with the SAP, if approved, the acceptable solution will be met.
A2 Building height must be no more than 5m.	P2 No performance criteria.	The acceptable solution is met, no structures are more than 5m in height.
A3 Buildings must be setback a minimum of 100m from all of the following: (a) fully supply level; (b) maximum flood level.	P3 Buildings setback must be sufficient to satisfy all of the following: (a) have a waste treatment system suitable for the site conditions;	The proposed visitor accommodation units, associated car parking and access road, are within 100m of the full supply level of Lake Meadowbank. The proposal must be assessed against the Performance Criteria. (a) The proposed wastewater system has been designed by a suitably

	(b) not compromise the visual amenity of the rural setting when viewed from adjoining lots, or from the lake.	<p>qualified agent and will form part of a Plumbing Permit, as conditioned with a Planning permit.</p> <p>(b) The cabins are modest in size, the materials chosen for the lake side elevation are natural, and will blend into the surrounding landscape visually over time. The buildings are spread out parallel to the rear boundary and set back at least 23m from the boundary.</p> <p>When viewed from the surrounding agricultural properties, the cabins will look similar to agricultural outbuildings, as the materials used to the elevations will be non reflective sheet cladding. A single bathroom window is proposed to the elevations adjacent to agricultural zoned land.</p> <p>The performance criteria is met.</p>
A4 Buildings must not be developed on land with a slope greater than 1:5 or 20%.	P4 No performance criteria.	An assessment provided with the application documents confirms that the acceptable solution is met.
A5 Buildings and outbuildings must have external finishes that are non-reflective (excluding photovoltaic panels, solar panels, solar water heaters, windows and door glazing).	P5 No performance criteria.	The proposed materials of natural sawn timber and non reflective sheet cladding meet the acceptable solution.

F1.7.2 Roads and Tracks

To ensure that safe and practicable vehicular access is provided to visitor accommodation or tourism operations. The design, construction and arrangement of roads must:

- (a) provide safe connections from existing road infrastructure to visitor accommodation or tourism operations for visitors, fire fighters and other emergency personal;
- (b) minimise the total number of new roads and tracks within the Lake Meadowbank Precinct; and
- (c) be appropriate to the setting, and not substantially detract from the rural character of the area.

Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1 Visitor accommodation is to be accessed from existing road infrastructure by one main road, from which individual driveways will originate, all of which must comply with E1.0 Bushfire-Prone Areas Code.	P1 No performance criteria.	<p>Lake Meadowbank road is partly maintained by Council. The remaining section of the road is a private right of way through Meadowbank Water Ski Club and onto lots 4, 3 and 2. This infrastructure is existing.</p> <p>A bushfire hazard assessment has been conducted and provided with the application. This document confirms that E1.0 of the Bushfire-Prone Areas Code can be met.</p>

		The Acceptable Solution is met.
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F1.7.4 Outbuildings

To ensure that outbuildings do not detract from the rural character of Lake Meadowbank and surrounds, do not visually dominate the [tourist operation](#) or visitor accommodation on the [site](#), or impact on the [amenity](#) of adjoining lots.

Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1 Outbuildings must not exceed a maximum gross floor area of 50m ² .	P1 No performance criteria.	There is no Performance Criteria, therefore the Acceptable Solution must be met. It is proposed that the Outbuilding be conditioned in the Planning Permit if granted, to not exceed the maximum gross floor area of 50m ² .

Codes

E3.0 Landslide Code

Some parts of the subject land are identified as Low Landslide Risk Areas. Visitor accommodation is considered a vulnerable use within the Code. The vulnerable use satisfies the Performance Criteria as no part of the development is in a High Landslide Hazard Area and the risk is considered acceptable.

E11.0 Waterway and Coastal Protection Code:

Parts of the site include minor creeks/drainage lines are covered by Waterway Protection Areas under the Waterway and Coastal Protection Code. The Code applies to all development, in this case the access road is within the WCPA. However this proposal meets the exemptions of the code owing to the works required for fire hazard management in accordance with the Bushfire Hazard report prepared by GES Solutions December 2021.

Representations

The proposal was advertised for the statutory 14 days period, 7 March 2022 until 22 March 2022 during which, two (2) representations were received. These are discussed below.

Representation Received	Officer Comment
<p>Representation 1</p> <p>Our main concern about the development is the access road, which consists of a single lane right away which is shared by six property owners including the applicant.</p> <p>The road itself is approximately 6 kilometres long and it is of gravel construction, for many years nowhave spent a considerable amount of money to bring the road up to a suitable standard so its members are able to transgress over the road in a safe manner. Other land owners have made monetary contributions to its up keep as well.</p> <p>The recent sale of land to the applicant and his two neighbours have seen considerable more traffic on the road ,particularly heavy vehicles which has seen the condition of the road deteriorate much faster than it normally has .</p> <p>We have had discussions with these new landowners about the road maintenance, but they are a bit reluctant to commit a reasonably amount of funds to its up keep</p>	<p>The access road into the property is a private right of way and not a Council maintained road. Therefore Council has no involvement between land owners and road users regarding the maintenance of the access road.</p> <p>Further information received from the applicant states that the applicant will continue to negotiate contributions towards the maintenance of the road, to find a fair way of splitting costs according to usage.</p>

<p>Our concerns are that during the construction stage and the on going traffic this development is likely to attract ,the road will deteriorate and it will make it unsafe for all ,particularly emergency service vehicle's that may need to use the road in the case of an emergency ,such as fire and ambulance ,and as this is the only vehicular access to all the properties ,it does raise considerable concern</p> <p>It appears that this development is a commercial enterprise, therefore we ask that the Central Highlands take on board our concerns and maybe have the applicant commit to a continuing road maintenance plan ,to the satisfaction of all parties involved.</p>	<p>With respect to the access requirements for Fire Fighting vehicles, a Bushfire Hazard Report has been prepared and the recommendations of which are included in the proposed planning permit conditions below.</p>
<p>Representation 2</p> <p>I object to this because – It goes against the covenant on the land. Buildings within 100m of the water.</p> <p>If you look at the photos on the application, there has already been a lot of work done without council approval ie (toilet, water tank on hill, large amounts of land excavated)</p> <p>working farm close by, I am concerned about guests at the accommodation (pets etc chasing sheep)</p>	<p>The covenant cannot affect the determination of the Development Application. Any covenant on a title will remain as an agreement between the owner and Central Highlands Council, until the Certificate of Title is amended. The owner is bound by the covenant. To conclude, a Planning Permit maybe issued for the development, however the owner is bound by the covenant until it is removed, at the agreement of Council.</p> <p>Comments regarding work undertaken on site have been noted by Council. Some works on rural properties maybe exempt from requiring a Planning Permit.</p> <p>The property is fully fenced, therefore adjacent properties cannot be accessed by people at the visitor accommodation.</p>

Conclusion

The proposal for three (3) Visitor Accommodation Units and an Outbuilding at Lot 3 Meadowbank Road, Meadowbank submitted by the applicant M Overeem has been assessed to comply with the applicable standards of the Rural Resource Zone, the Lake Meadowbank Specific Area Plan and the relevant codes of the *Central Highlands Interim Planning Scheme 2015* as outlined in the body of this report.

The proposal was advertised for public comment, two 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 DA2022/5 in accordance with the requirements of the *Land Use Planning and Approvals Act 1993* (LUPAA). The provisions of LUPAA require a Planning Authority to take all reasonable steps to ensure compliance with the Planning Scheme.

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

This determination has to be made no later than 24 June 2022, which has been extended beyond the usual 42 day statutory time frame with the consent of the application.

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

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

Options

The Planning Authority must determine the Development Application DA2022/05 VISITOR ACCOMODATION & OUTBUILDING at Lot 3 Meadowbank Road, Meadowbank 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 DA2022/05 VISITOR ACCOMODATION & OUTBUILDING at Lot 3 Meadowbank Road, Meadowbank, 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 DA2022/05 VISITOR ACCOMODATION & OUTBUILDING at Lot 3 Meadowbank Road, Meadowbank, 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 Development Application DA2022/05 VISITOR ACCOMODATION & OUTBUILDING at Lot 3 Meadowbank Road, Meadowbank, for the reasons detailed below.

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

Reasons :-

RECOMMENDATION

Moved **Clr Cassidy**

Seconded **Clr Bailey**

THAT the following recommendation be made to Council:

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 DA2022/05 VISITOR ACCOMODATION & OUTBUILDING at Lot 3 Meadowbank Road, Meadowbank, subject to conditions in accordance with the Recommendation.

Recommended Conditions

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.

Outbuilding

- 4) The outbuilding must not exceed a maximum [gross floor area](#) of 50m² and must be used for the purposes detailed within the approved plan only, that is; a storage shed. It must not be used for habitable, industrial, commercial or other purposes without the prior written consent of Council.
- 5) The outbuilding is approved as *ancillary to the Visitor Accommodation* use 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.

Bushfire

- 6) The development must be in accordance with the endorsed Bushfire Hazard Report prepared by GES Solutions December 2021 or as otherwise required by this permit, whichever standard is greater.

Aboriginal Heritage

- 7) The recommendations made within the Aboriginal Heritage Assessment Report must be implemented in accordance with the report prepared by Cultural Heritage Australia 24.9.2021.

Amenity

- 8) The proposed colours and materials for the walls and roof as shown on the approved drawings are accepted. Any variation in the colours and materials must be submitted to and approved by Council's General Manager.
- 9) All external metal building surfaces must be clad in non-reflective pre-coated metal sheeting or painted to the satisfaction of the Council's General Manager.
- 10) External lighting must be designed and baffled to ensure no light spill to surrounding properties to the satisfaction of the Council's General Manager.

Parking & Access

- 11) At least three (3) 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.
- 12) 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; and
 - c. Be in accordance with an approved bushfire management plan.

- 13) All areas set-aside for parking and associated turning, and access must be completed before the use commences and must continue to be maintained to the satisfaction of the Council's General Manager.

Services

- 14) 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

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

Wastewater

- 16) 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.

Weed management

- 17) Prior to or in conjunction with lodgment of a building application, a weed management plan prepared by a suitably qualified person (or as otherwise approved) must be submitted to the satisfaction of Council's General Manager.
- 18) The approved weed management plan will form part of this permit and is to be implemented during and after construction to the satisfaction of Council's General Manager.

Soil and Water Management

- 19) Before any work commences a soil and water management plan (SWMP) prepared in accordance with the guidelines Soil and Water Management on Building and Construction Sites, by the Derwent Estuary Programme and NRM South, must be approved by Council's General Manager before development of the land commences. The SWMP shall form part of this permit when approved.
- 20) Before any work commences install temporary run-off, erosion and sediment controls in accordance with the recommendations of the approved SWMP and maintain these controls at full operational capacity until the land is effectively rehabilitated and stabilised after completion of the development in accordance with the guidelines Soil and Water Management on Building and Construction Sites, by the Derwent Estuary Programme and NRM South and to the satisfaction of Council's General Manager.

Construction Amenity

- 21) 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.
- 22) 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.
- 23) 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.
- 24) The developer must make good and/or clean any road surface or other element damaged or soiled by the development to the satisfaction of the Council's Manager of Works and Technical Services.

The following advice applies to this permit:

- A. This Planning Permit does not imply that any other approval required under any other legislation has been granted.
- B. 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.
- 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. A covenant on the title restricts development, stating not to construct any building or construct or maintain any wastewater infrastructure on such lot north east of the line marked 100 METRE SET BACK FROM MEADOWBANK LAKE FULL SUPPLY LINE on the plan. The development approved by this permit may not be able to proceed without further written approval of the covenanters and Central Highlands Council.
- E. The issue of this permit does not ensure compliance with the provisions of the *Threatened Species Protection Act 1995* or the *Commonwealth Environmental Protection and Biodiversity Protection Act 1999*. The applicant may be liable to complaints in relation to any non-compliance with these Acts and may be required to apply to the Threatened Species Unit of the Department of Primary Industry, Parks, Water & Environment or the Commonwealth Minister for a permit.
- F. The prevention of spread of any declared weeds from your site is legal requirement under the Weed Management Act 1999. Follow the guidelines of the *Weed and Disease Planning and Hygiene Guidelines - Preventing the spread of weeds and diseases in Tasmania* to ensure you are meeting this requirement. This can be found at www.dpipwe.tas.gov.au.
- G. A separate permit is required for any signs unless otherwise exempt under Council's planning scheme.

For the Motion: Deputy Mayor Allwright, Clr Bailey & Clr Cassidy

Mr M Overeem & Mr M Wilson left the meeting at 9.45am

6.2 SCOPING THE STATE PLANNING PROVISIONS REVIEW

Council is in receipt of a letter from Michael Ferguson MP Deputy Premier Minister for Planning advising as follows:

The Tasmanian Government is currently seeking your input to help scope the 5-yearly review of the State Planning Provisions (SPPs).

The SPPs are the statewide set of consistent planning rules in the Tasmanian Planning Scheme, which are used for the assessment of applications for planning permits. The SPPs contain the planning rules for the 23 zones and 16 codes in the Tasmanian Planning Scheme, along with the administrative, general, and exemption provisions.

Regular review of the SPPs is best practice ensuring we implement constant improvement and keep pace with emerging planning issues and pressures.

While the SPPs are not yet in effect across all areas of the State, a suitable period has now passed since the SPPs were drafted to initiate a review. The full suite of SPPs have been in effect in some local government areas for nearly 2 years, and some parts of the SPPs are also already in effect in the remaining interim planning schemes. This provides enough information and experience for conducting

the review. The SPPs will also require review for consistency with the Tasmanian Planning Policies (TPPs) once they are made.

The SPPs Review Scoping Paper has been prepared to assist you with providing feedback. The Scoping Paper and a range of other information can be viewed through the Have Your Say on the Planning in Tasmania website : www.planningreform.tas.gov.au.

The feedback you provide will assist in identifying the key themes or parts of the SPPs that require detailed review. This will be conducted through separate projects and will conclude in amendments to the SPPs.

The SPPs review will occur in two stages. Some matters may be addressed in the short-term through amendments to the SPPs, while others may require the finalisation of the TPPs before progressing.

Written submissions in response to the SPPs Review Scoping Paper can be made until close of business on Friday 29 July 2022.

NOTED

7.0 OTHER BUSINESS

Nil

8.0 CLOSURE

There being no further business the Chairperson thanked everyone for attending and closed the meeting at 9.47am.



Derwent Catchment Project Monthly Report for Central Highlands Council

May-June 2022

General

The winter months are a busy time with a flurry of end of financial year grant reporting and the planting season kicking off. We have been up in the highlands as weather permits with on-going works for the Miena Cider Gum program, setting cameras to observe wildlife and banding trees for protection from possums.

We have also submitted a series of grant under the latest round of Drought Hub funding aiming to get support for managing biosecurity, on-farm drought resilience and carbon and biodiversity projects.

Climate change policy

We have developed a policy for Central Highlands Council based on the Tasman Climate Policy as previously discussed. It is a simple document and sets out some priorities for Council and acknowledges the role the Council plays within the broader community. A draft is attached with this report.

Central Highlands weeds program

General

It's a quieter time of year for the on-ground weed management program and our on-ground works manager Morgan is now on leave for a month. Although there have been ongoing follow up on key activities and lots of behind the scenes works mapping distributions and reporting on outputs delivered. It is also our time for preparing ongoing submissions for funding for weed management programs with key stakeholders such as Hydro, State Growth and TasNetworks.

Invasive Grasses Biosecurity Project

We met with Adam Muyt to discuss key risk 'nasty grasses' (i.e. African lovegrass) and sites within the Highlands. We are connecting Adam with landholders to ensure high risk areas are identified for future survey and control efforts.

African love grass (pictured right) quickly overtakes other vegetation and forms dense stands which can completely change habitats and impact on a range of native species. In agricultural areas, low-nutrient mature plants reduce pasture quality and are difficult to control.



Biosecurity Network Meeting

On 18th May we held a Derwent Biosecurity Network meeting to go through the draft plan and discuss actions going forward with stakeholders. We received positive feedback from the group and have submitted a project under the recent Tasmanian Innovation Hub grant round to facilitate the priority actions outlined in the plan.

Weed Action Fund Gap Analysis Workshop

A workshop was held in Campbell Town to determine priorities for the remaining funds, as this year marks the last of the 5-year grant round supported by the State Government. Our representative highlighted the importance of funding activities that have already received support to ensure follow up is undertaken and support for weed management projects that have a strategic approach i.e., an action plan, with collaborative aims.

Agri-best practice programs

Derwent Pasture Network

Demonstration sites and case studies

Peter has been busy measuring cocksfoot density at the fertilizer test strips at Arundel Farm. The cocksfoot growth and vigour has significantly improved at Fiona Hume's due to the trial. Peter has also been monitoring the sown species cover at Thorpe and Cawood which are showing differences. The cocksfoot cover is expanding its domain with Phalaris finally getting away after the break and starting to cement its cover. We have also put in another fertiliser test strip at Wetheron, working with Richard Ellis.

Winter cleaning field day



The fog lifted to reveal a sunny afternoon at Alanvale where a group of 12 producers got together to discuss the pros and cons of winter cleaning. Winter Cleaning refers to the process of managing the feedbase through winter and setting up for spring time. Key discussions were held around using herbicides to knock out the emerging weedy annual seedlings and spray topping as an option for more reliably managing weedy annual grass loads in perennial pasture.

Restoration programs

Tyenna River Recovery

Another successful working bee was undertaken late May with the Willow Warriors on the job. TasNetworks funded DCP to facilitate the day, where volunteers and members of our team were busy working under the power lines to remove willows from the riverbank.

Nursery

Native plantings

We are working with several landholders on providing species selection advice and scheduling the on-ground works team for planting. Karen's stock at nursery is disappearing as the plants make their way out around the catchment.



Grant applications

The Tasmanian Innovation Hub (Drought Hub) has recently put out expressions of interests for projects in two streams. DCP have applied for three grants, details below:

1. *Drought Risk Assessment: Practical Management Support To Build Resilience* - In partnership with Rural Business Tasmania we have submitted a project that will develop a simple assessment tool for farmers and landowners to identify how vulnerable they are to the impacts of drought. This project is explicitly working to address accessibility issues for the farming community that are not operating in the top 20% of producers. The assessment and scorecard will provide the farmer with a risk rating and pathways to increase their preparedness for future droughts. **\$100,000 (pending)**
2. *A model for grass-roots biosecurity collaboration in the Derwent Catchment* - This project will implement the highest priority actions of the regional biosecurity plan in collaboration with the Derwent Catchment Biosecurity Network, land holders and community and offers a model for place-based biosecurity networks that strengthen the work undertaken by Biosecurity Tasmania. **\$100,000 (pending)**
3. *Natural capital & On-farm opportunities in the Derwent* - This project is a collaboration between commercial primary producers and the Derwent Catchment Project. The project will explore market opportunities for natural capital and carbon projects and how to integrate new investment streams to build on farm resilience. **\$100,000 (pending)**

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

Yours Sincerely,

Josie Kelman, Executive Officer, The Derwent Catchment Project 0427 044 700

Eve Lazarus, NRM Co-ordinator, The Derwent Catchment Project 0429 170 048



Title:	Climate Change Adaptation & Mitigation Policy
Policy Ref Number:	
Approved Date:	
Next Review Date:	
Responsible Officer:	

1. BACKGROUND

Across Australia there is an increasing awareness and understanding of the economic, environmental and social impacts of climate change and that the impacts of climate on communities are continuing to increase.

Central Highland Council recognises that climate change is a complex issue that impacts on Council's role, functions and processes, and that it needs to take reasonable and practical measures to increase climate change resilience.

Council also recognises the important role it needs to play in building community awareness and fostering community resilience.

This climate change policy will provide Council with direction on how it can best adapt to and mitigate the current and potential impacts of climate change.

2. PURPOSE

The purpose of this policy is to support Council with the preparation and delivery of climate change adaptation and mitigation planning, actions and programs. The policy also aims to ensure that Council takes reasonable and practical measures to increase climate change resilience in its operations and lead the community in this area by increasing community understanding of climate change and promoting preparedness.

3. SCOPE

This policy applies across Council to all services and activities undertaken by Councillors, Council officers, contractors and external consultants on behalf of the Council.

4. OBJECTIVES

- To ensure the impacts of climate change on Council operations, functions and processes are considered
- To support Council to promote initiatives and partnerships that support climate change adaptation and mitigation
- To outline Council's role in engaging and leading the community to build climate change resilience across the community.



Title:	Climate Change Adaptation & Mitigation Policy
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5. KEY DEFINITIONS

Adaptation

Adaptation is the process of adjustment to actual or expected climate change and its effects *eg minimising risks of damage by relocating critical infrastructure*

Mitigation

Mitigation is the process of intervention to reduce the causes of climate change *eg reducing emissions, retrofitting old buildings to make them more energy-efficient, planting trees and preserving forests to store carbon*

6. POLICY

Council is committed to addressing climate change issues and broader sustainability objectives. Council recognises the importance of allocating appropriate resources to implementing effective climate change actions and strategies that

- assist the Council and the community to reduce carbon footprints, adapt to climate change impacts; and
- increase awareness and understanding of climate change within Council and across the community.

6.1 Council Operations

Council will ensure that climate impacts are considered by

1. Taking all reasonable and practical measures to increase climate change resilience and reduce greenhouse gas emissions across all Council assets, functions, services and programs, and prioritising actions that also contribute to mitigation and adaptation.
2. Undertaking and/or supporting initiatives that will increase the understanding of future climate impacts across the Central Highlands LGA, community and the region, and sharing this information with other stakeholders
3. Seeking opportunities and/or continuing to collaborate on climate change adaptation and mitigation actions with key stakeholders and all levels of Government.
4. Being flexible and timely in its response to climate impacts, risks and hazards
5. Developing cooperative partnerships to secure support for better climate planning
6. Developing clear criteria relating to climate change and natural hazards for decision making. Ensuring that all relevant law is identified and the relevant information and facts are known and understood to minimise exposure of Council to potential liability for decisions made, or not made, now or in the future.



Title:	Climate Change Adaptation & Mitigation Policy
Policy Ref Number:	
Approved Date:	
Next Review Date:	
Responsible Officer:	

6.2 Community Leadership

Council will engage with community and provide leadership by undertaking the following

1. Providing effective and strong leadership on climate change to increase sustainability to its communities, the Central Highlands LGA and across other regions,
2. Continuing to develop and implement actions and strategies that assist communities to reduce carbon footprints, adapt to climate change impacts and increase their awareness and understanding of climate change
3. Ensuring that Council plans for and manages adaptation to the impacts of climate change, particularly where these impacts represent a threat to people and property
4. Making information available to the community on climate change risks and hazards to enable residents, business and community groups to manage the impacts on private property, business and on community assets and services
5. Increasing the resilience of Central Highland communities, enabling better preparedness, response and recovery from inevitable climate change impacts and increased frequency and intensity of natural hazards, through targeted programs, services and appropriate management of the Council assets and other relevant resources
6. Promoting the important roles biodiversity and ecosystem services play in building climate resilience

5 LEGISLATION AND REFERENCES:

Climate Change (State Action Act) 2008

Local Government Act (Tas) 1993

Local Government Order (Content of Plans and Strategies) 2014

Climate Action 21:Tasmania's Climate Change Action Plan 2017 - 2021

Central Highlands Council Strategic Plan 2015-2024

CHC Risk Management Policy & Strategy Policy No 2015-41

Land Use and Planning Approvals Act 1993

Central Highlands Interim Planning Scheme 2015

Central Highlands Strategic Risk Register

Regional Climate Change Adaptation Program (RCCAP)

Regional Climate change Initiative Background (RCCI)

Regional Council Climate Resilience Strategy Southern Tasmania 2013-2017



Title:	Climate Change Adaptation & Mitigation Policy
Policy Ref Number:	
Approved Date:	
Next Review Date:	
Responsible Officer:	

Graham, K., Green, G., Heyward, O. 2013 *Regional Councils Climate Change Adaptation Strategy, Southern Tasmania*, Southern Tasmanian Councils Authority.

Southern Tasmanian Council's Authority, 2019, *Central Highlands Council Community Energy Use and Greenhouse Gas Footprint Summary Report May 2019* – Regional Climate Change Initiative

Gorse, Michael - Antarctic Climate & Ecosystems Cooperative Research Centre - Local Climate Profile – Central Highlands Municipality - Regional Councils Climate Adaptation Project using material from the technical reports of the Climate Future for Tasmania project. Central Highlands Council Climate Change Information For Decision Making 2020

DRAFT

John. B. Medbury.

SURVEYOR

JOHN .B. MEDBURY
R.L.S., HON F.I.S. TAS. HON F.S.S.S.I.

159 CILWEN ROAD
CAMBRIDGE 7170

PHONE: (03) 62 485083
EMAIL: medbury@optusnet.com.au

REF NO: 12700
YOUR REF:

Manager,
Development & Environmental Services
Central Highlands Council
19 Alexander Street
Bothwell 7030

Dear Sir

RE: PROPOSED SUBDIVISION – LAND IN THE VICINITY OF JOHNSONS ROAD & ROBERTSONS ROAD, MIENA

Attached are the Application for Planning Approval and the proposal plan in this matter together with copies of relevant titles - FR 152719/622, FR 134100/1 and FR 130056/1

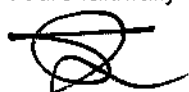
The proposal is lodged under Clause 12.5 and conforms to the requirements of 12.5.1, A1, P2, & P3, 12.5.2, P1 of that clause of the Central Highlands Interim Planning Scheme 2015.

The applicant, Mr P H Thiessen, had preliminary discussion with Council's Planner, a copy of the notes provided at that time is included with the documentation, along with the Bushfire Hazard Assessment, Desktop Natural Values Assessments, a preliminary Onsite Wastewater Rationale from Rock Solid Geotechnics, on which the lot size, shape and orientation are based and a "Typical Cross Section" design and explanatory email from Ross Cumming Engineering regarding the proposed road and emergency bushfire access/egress in the vicinity of Robertsons Road (the Cross Section is also shown on the Proposal Plan).

In accordance with s52 of the Land Use Planning Approvals Act, the owner of land comprised in FR 134100/1 has been notified of this application.

Should you require clarification of any matter please contact me.

Yours faithfully



John B Medbury

31 January 2022



Date Received:	
DA Number:	
PID:	

Application for Planning Approval – Subdivision & Strata Division

Use this form to apply for subdivision approval in accordance with section 81 of the Local Government (Building & Miscellaneous Provisions) Act 1993 and section 57 and 58 of the Land Use Planning and Approvals Act 1993 (the Act).

Tick ☒ if there has been a pre-application meeting with a Council officer:

Yes: ☒ No: ☐

Officer's name: JACSON IVSON

Date: 2019

Applicant, Owner & Contact Details:

Provide details of the Applicant and Owner of the land. (Please print)

Applicant: P.H. THIESSEN

Address: 272 DAVEY STREET
STH HOBART 7000

Email:

Phone No: 0362 241 717

Fax: No:

Mobile: No:

Owner: P.H. THIESSEN & OTHERS

Address: "AS ABOVE"

Phone No:

Fax: No:

Land Details:

Provide details of the land, including street address, title details and the existing use.

Address: JOHNSON'S RD & ROBERTSON'S RD
MIENA 7030

Volume: 152719 & 13DD56

Folio: 622 1

Existing Use: VACANT

Please use definitions in planning scheme

Proposed Development Details:

Provide details of the proposed subdivision development.

Development: 38 LOTS SUBDIVISION WITH ASSOCIATED
INFRASTRUCTURE

Tick ☒ if proposed developed is to be staged:

Yes ☒ No ☐

Tick ☐ if the proposed development located on land previously used as a tip site?

Yes ☐ No ☒

Provide an estimate of the completed value of the proposed development works, including the value of all site works and any labour contributions by the Applicant or the Owner.

Est. value: \$ Write 'Nil' if no works are proposed, e.g. boundary adjustment

Declaration:

I/we hereby apply for planning approval to carry out the subdivision development described in this application and the accompanying documents and declare that: -

- The information in this application is true and correct.
- In relation to this application, I/we agree to allow Council employees or consultants to enter the site in order to assess the application.
- I/we authorise Council to provide a copy of any documents relating to this application to any person for the purpose of assessment or public consultation and agree to arrange for the permission of the copyright owner of any part of this application to be obtained.

Council will only use the information provided to consider and determine the application for planning approval. Information provided may be made available for public inspection in accordance with section 57 of the Act.

- I/We declare that the Owner has been notified of the intention to make this application in accordance with section 52(1) of the Land Use Planning and Approvals Act 1993.

Applies where the applicant is not the Owner and the land is not Crown land or owned by a council, and is not land administered by the Crown or a council.

Signature:

The Applicant must sign and date this form.

Date: 31/1/2022

Refer to application checklist over page for additional information requirements

CERTIFICATE OF TITLE

LAND TITLES ACT 1980



TASMANIA

TORRENS TITLE

VOLUME		FOLIO
152719		622
EDITION	DATE OF ISSUE	
3	24-Sep-2014	
Page 1		of 2

I certify that the person described in Schedule 1 is the registered proprietor of an estate in fee simple (or such other estate or interest as is set forth in that Schedule) in the land within described subject to such exceptions, encumbrances, interests and entries specified in Schedule 2 and to any additional entries in the Folio of the Register.

Alice Kawa

Recorder of Titles.



DESCRIPTION OF LAND

Parish of FENWICK Land District of CUMBERLAND
Lot 622 on Sealed Plan 152719
Derivation : Part of Lot 29656, 95-2-15, Granted to Arthur James Drysdale
Prior CTs 134098/8 and 149111/7

SCHEDULE 1

PETER HENRIC THIESSEN

SCHEDULE 2

Reservations and conditions in the Crown Grant if any
SP152719 COVENANTS in Schedule of Easements
SP152719 FENCING COVENANT in Schedule of Easements
SP134098 COVENANTS in Schedule of Easements
D96701 LEASE to NBN CO LIMITED of a leasehold estate for the term of 10 years from 21-Dec-2012 (of that part of the said land within described shown as Lot 1 on Annexure Plan B attached to the said Lease) (Together with a Electricity Infrastructure Easement)
Registered 07-Aug-2013 at noon
D96702 LEASE to NBN CO LIMITED of a leasehold estate for the term of 10 years from 21-Dec-2022 (of that part of the said land within described shown as Lot 1 on Annexure Plan B attached to the said Lease) (Together with a Electricity Infrastructure Easement)
Registered 07-Aug-2013 at 12.01 PM
D134685 LEASE to CROWN CASTLE AUSTRALIA PTY LTD of a leasehold estate for the term of 10 years from 11-Jul-2014 that is concurrent with and subject to Lease D96701 until the 20-Dec-2022 and Lease D96702 until the 10-Jul-2024 (of that part of the said land within described shown as Lot 1 on SIO 167321)
Registered 24-Sep-2014 at noon
D134684 LEASE to CROWN CASTLE AUSTRALIA PTY LTD of a leasehold estate for the term of Ten (10) years from 11-Jul-2024 that is concurrent with and subject to Lease D96702 until the 20-Dec-2032 (of that part of the said land within described shown as Lot 1 on SIO 167321) Registered 24-Sep-2014 at 12.01 PM

CERTIFICATE OF TITLE

LAND TITLES ACT 1980



TASMANIA

TORRENS TITLE

VOLUME		FOLIO
152719		622
EDITION	DATE OF ISSUE	
3	24-Sep-2014	
Page 2		of 2

I certify that the person described in Schedule 1 is the registered proprietor of an estate in fee simple (or such other estate or interest as is set forth in that Schedule) in the land within described subject to such exceptions, encumbrances, interests and entries specified in Schedule 2 and to any additional entries in the Folio of the Register.

Alice Kawa

Recorder of Titles.



D134686 LEASE to CROWN CASTLE AUSTRALIA PTY LTD of a leasehold estate for the term of Ten (10) years from 11-Jul-2034 (of that part of the said land within described shown as Lot 1 on SIO 167321) Registered 24-Sep-2014 at 12.02 PM

GRANTEE
PART OF LOT 29656, 953-2-15 GRANTED TO
ARTHUR JAMES DRYSDALE

PLAN OF SURVEY

BY SURVEYOR J.B.MEDBURY
J.B.MEDBURY P/L SURVEYORS
LOCATION OF 224 CAMPBELL STREET, HOBART

LAND DISTRICT OF CUMBERLAND
PARISH OF FENWICK

SCALE 1: 3000 LENGTHS IN METRES

REGISTERED NUMBER

SP152719

APPROVED 10 OCT 2007
EFFECTIVE FROM

Place Kansas

Recorder of Titles

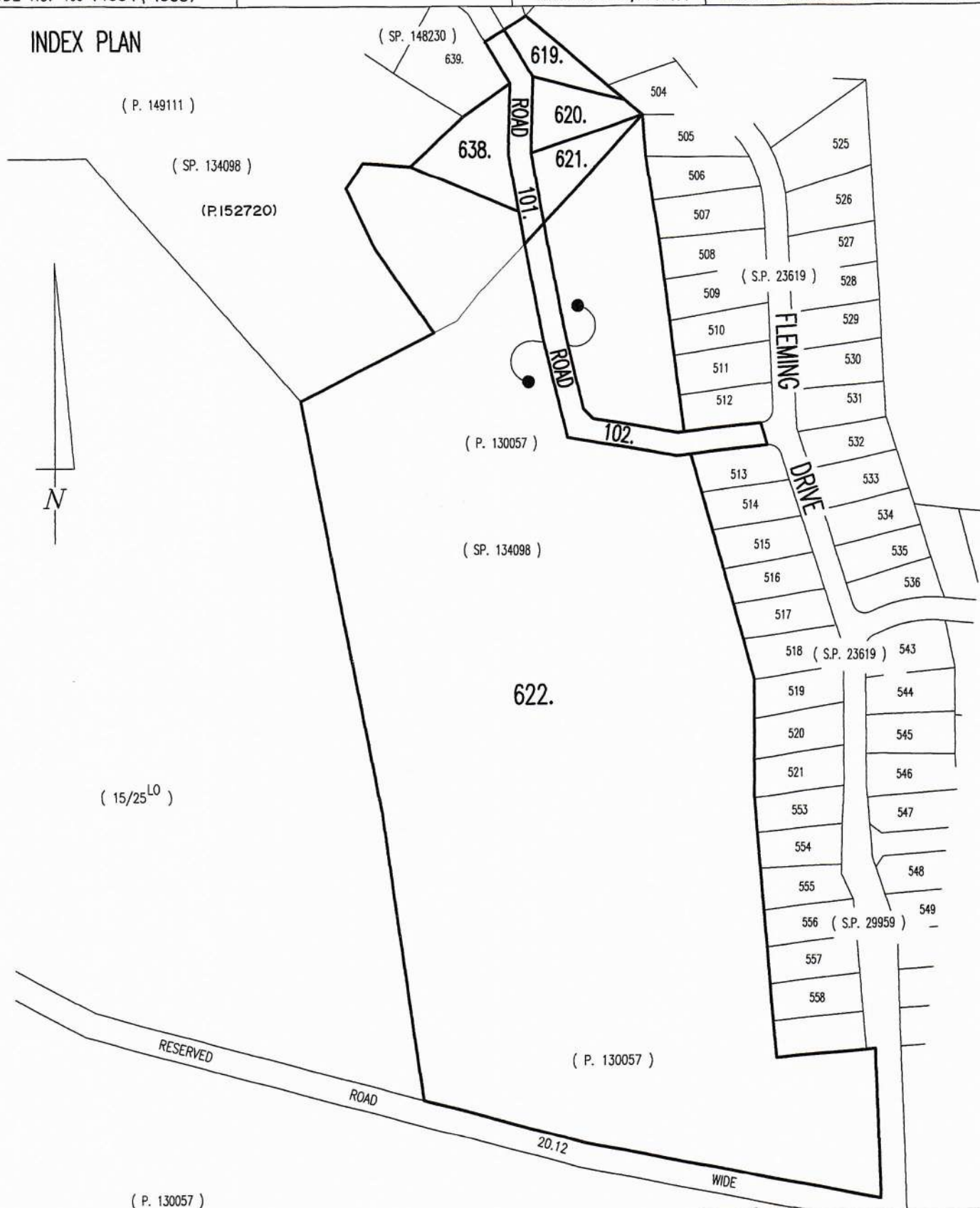
MAPSHEET MUNICIPAL
CODE No. 105 (4634, 4635)

LAST UPI No. GHV67, GHV68

LAST PLAN
No. SPI34098, PI49111

ALL EXISTING SURVEY NUMBERS TO BE
CROSS REFERENCED ON THIS PLAN

INDEX PLAN



Donna
Donna COUNCIL DELEGATE 24.1.01 DATE

SHE. 1 OF 2 SHEETS

FOLIO REFERENCE 134098-8
149111-7

LENGTHS IN METRES

SP 152719

THIS ANNEXURE SHEET FORMS PART OF THE ATTACHED
INDEX PLAN. THE SURVEYORS CERTIFICATE EXTENDS TO
THE DETAILS ON THIS SHEET

APPROVED EFFECTIVE FROM 10 OCT 2007

Date _____

Registered Land Surveyor

Date _____

Recorder of Titles



SCHEDULE OF EASEMENTS

NOTE: THE SCHEDULE MUST BE SIGNED BY THE OWNERS
& MORTGAGEES OF THE LAND AFFECTED.
SIGNATURES MUST BE ATTESTED.

Registered Number

SP 152719

PAGE 1 OF 2 PAGE/S

EASEMENTS AND PROFITS

Each lot on the plan is together with:-

- (1) such rights of drainage over the drainage easements shown on the plan (if any) as may be necessary to drain the stormwater and other surplus water from such lot; and
- (2) any easements or profits a prendre described hereunder.

Each lot on the plan is subject to:-

- (1) such rights of drainage over the drainage easements shown on the plan (if any) as passing through such lot as may be necessary to drain the stormwater and other surplus water from any other lot on the plan; and
- (2) any easements or profits a prendre described hereunder.

The direction of the flow of water through the drainage easements shown on the plan is indicated by arrows.

FENCING COVENANT

The owner of each Lot on the Plan covenants with the Vendor (Peter Henric Thiessen) that the Vendor shall not be required to fence

COVENANTS

Covenants continued on page 2.

The owner of each Lot on the Plan covenants with the Vendor (Peter Henric Thiessen), the owner for the time being of every other lot shown on the Plan and the Central Highlands Council to the intent that the burden of this covenant may run with and bind the covenantors lot and every part thereof and that the benefit thereof shall be annexed to and devolve with each and every part of every lot shown on the Plan and the said Central Highlands Council to observe the following stipulations, namely:

1. Not to erect or permit to be erected a fence on any boundary of any Lot on the Plan without the prior written consent of the Central Highlands Council or its successor
2. Not to remove any native vegetation from any Lot on the Plan except where required for safety purposes and the prior written consent of the Central Highlands Council has been obtained, unless the removal is in order to ensure compliance with the requirements of the Tasmania Fire Service for fire protection
3. Not to further subdivide any Lot on the Plan excepting Lot 622

(USE ANNEXURE PAGES FOR CONTINUATION)

SUBDIVIDER: PETER HENRIC THIESSEN

FOLIO REF: 134098-8
149111-7

SOLICITOR
& REFERENCE: KATRINA GREGG

PLAN SEALED BY: CENTRAL HIGHLANDS

DATE: 24 January 2007

DA 22/03

REF NO.

Council Delegate

NOTE: The Council Delegate must sign the Certificate for the purposes of identification.

**ANNEXURE TO
SCHEDULE OF EASEMENTS**

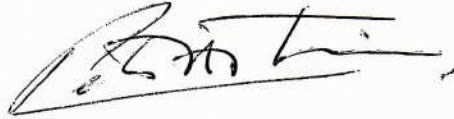
PAGE 2 OF 2 PAGES

Registered Number

SP 152719

SUBDIVIDER: PETER HENRIC THIESSEN
FOLIO REFERENCE: 134098-8
149111-7

Signed by PETER HENRIC THIESSEN)
As Registered Proprietor of land comprised)
In folio of the Register Volume 134098)
Folio 1 and Volume 149111 Folio 1)



In the presence of:



J.P. MEDBURY
159 CILWEN ROAD, CAMBRIDGE
REG. LAND SURVEYOR

COVENANTS

That portion of Lot 622 on the plan formerly comprised in Lot 7 on Sealed Plan 134098 is burdened by restrictive covenant created by SP 134098 in the following terms:

Not to erect or permit to be erected any building on the area of land marked 'WXYZ' on the plan.

NOTE: Every annexed page must be signed by the parties to the dealing or where the party is a corporate body be signed by the persons who have attested the affixing of the seal of that body to the dealing.

CERTIFICATE OF TITLE

LAND TITLES ACT 1980



TASMANIA

TORRENS TITLE

VOLUME		FOLIO
130056		1
EDITION	DATE OF ISSUE	
5	18-Jun-2012	
Page 1		of 1

I certify that the person described in Schedule 1 is the registered proprietor of an estate in fee simple (or such other estate or interest as is set forth in that Schedule) in the land within described subject to such exceptions, encumbrances, interests and entries specified in Schedule 2 and to any additional entries in the Folio of the Register.

Alice Kawa

Recorder of Titles.



DESCRIPTION OF LAND

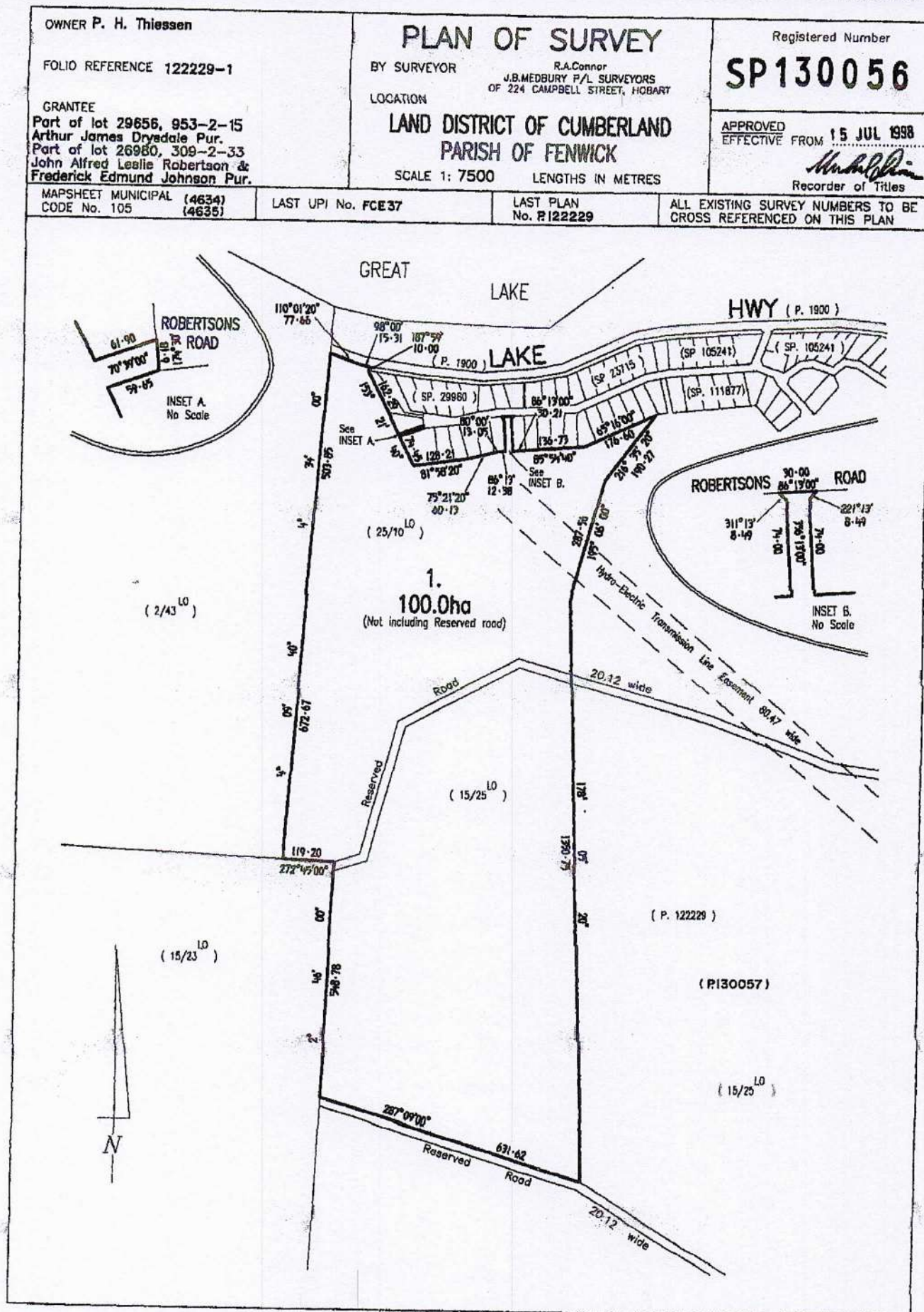
Parish of FENWICK, Land District of CUMBERLAND
Lot 1 on Sealed Plan 130056
Derivation : Part of Lot 29656, 953a 2r 15ps, Gtd to A J
Drysdale & part of Lot 26980, 309a 2r 33ps, Gtd to L Robertson
& F Johnson
Prior CT 122229/1

SCHEDULE 1

D53862 TRANSFER to PETER HENRIC THIESSEN FAMILY SUPER PTY
LTD Registered 18-Jun-2012 at noon

SCHEDULE 2

Reservations and conditions in the Crown Grant if any
SP 130056 EASEMENTS in Schedule of Easements



<p align="center">SCHEDULE OF EASEMENTS</p> <p>NOTE: THE SCHEDULE MUST BE SIGNED BY THE OWNERS & MORTGAGEES OF THE LAND AFFECTED. SIGNATURES MUST BE ATTESTED.</p>	<p align="center">Registered Number</p> <p align="center" style="font-size: 2em;">SP 130056</p>
---	--

PAGE 1 OF 1 PAGE/S

EASEMENTS AND PROFITS

Each lot on the plan is together with:-

- (1) such rights of drainage over the drainage easements shown on the plan (if any) as may be necessary to drain the stormwater and other surplus water from such lot; and
- (2) any easements or profits a prendre described hereunder.

Each lot on the plan is subject to:-

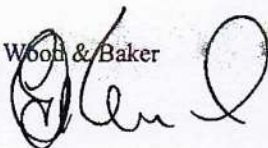
- (1) such rights of drainage over the drainage easements shown on the plan (if any) as passing through such lot as may be necessary to drain the stormwater and other surplus water from any other lot on the plan; and
- (2) any easements or profits a prendre described hereunder.

The direction of the flow of water through the drainage easements shown on the plan is indicated by arrows.

Lot 1 on the plan is subject to a reservation for the Crown as created by & more fully set forth in Purchase Grant Nos. 196/4, 196/5 & 196/6 to go in and upon the land marked Hydro-Electric Transmission Line Easement 80.47 wide within such lot and to clear the same and maintain towers and power lines thereon.

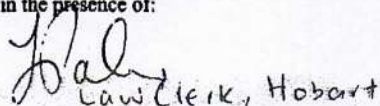
Nil easements or profits a prendre.

Piggott Wood & Baker
Per:

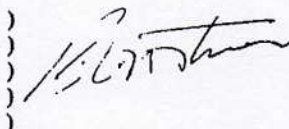


Solicitors for PH Thiessen

SIGNED by PETER HENRIC THIESSEN
as the registered proprietor of the
land comprised in Certificate of Title
Volume 122229 Folio 1
in the presence of:



Law Clerk, Hobart



(USE ANNEXURE PAGES FOR CONTINUATION)

<p>SUBDIVIDER: PH Thiessen</p> <p>FOLIO REF: 122229-1</p> <p>SOLICITOR & REFERENCE: Piggott Wood & Baker (Ref:GEK:FR:972160)</p>	<p>PLAN SEALED BY: Central Highlands Council</p> <p>DATE: 27/4/98</p> <p>DA (D) 8-97/98 REF NO.</p> <p align="right"> Council Delegate</p>
<p>NOTE: The Council Delegate must sign the Certificate for the purposes of identification.</p>	

SEARCH OF TORRENS TITLE

VOLUME 134100	FOLIO 1
EDITION 5	DATE OF ISSUE 27-Nov-2018

SEARCH DATE : 26-Mar-2019

SEARCH TIME : 12.05 PM

DESCRIPTION OF LAND

Parish of FENWICK, Land District of CUMBERLAND
Lot 1 on Plan 134100
Derivation : For grantees see plan
Prior CT 130057/1

SCHEDULE 1

M719491 TRANSFER to PETER JOHN DOWNIE Registered
27-Nov-2018 at noon

SCHEDULE 2

Reservations and conditions in the Crown Grant if any
PG 196/4; PG 196/5 & PG 196/6 RESERVATION for the Crown to go
in and upon the land marked 'HYDRO-ELECTRIC
TRANSMISSION LINE EASEMENT 80.47 WIDE' on P.134100
and to clear the same and maintain towers and power
lines thereon

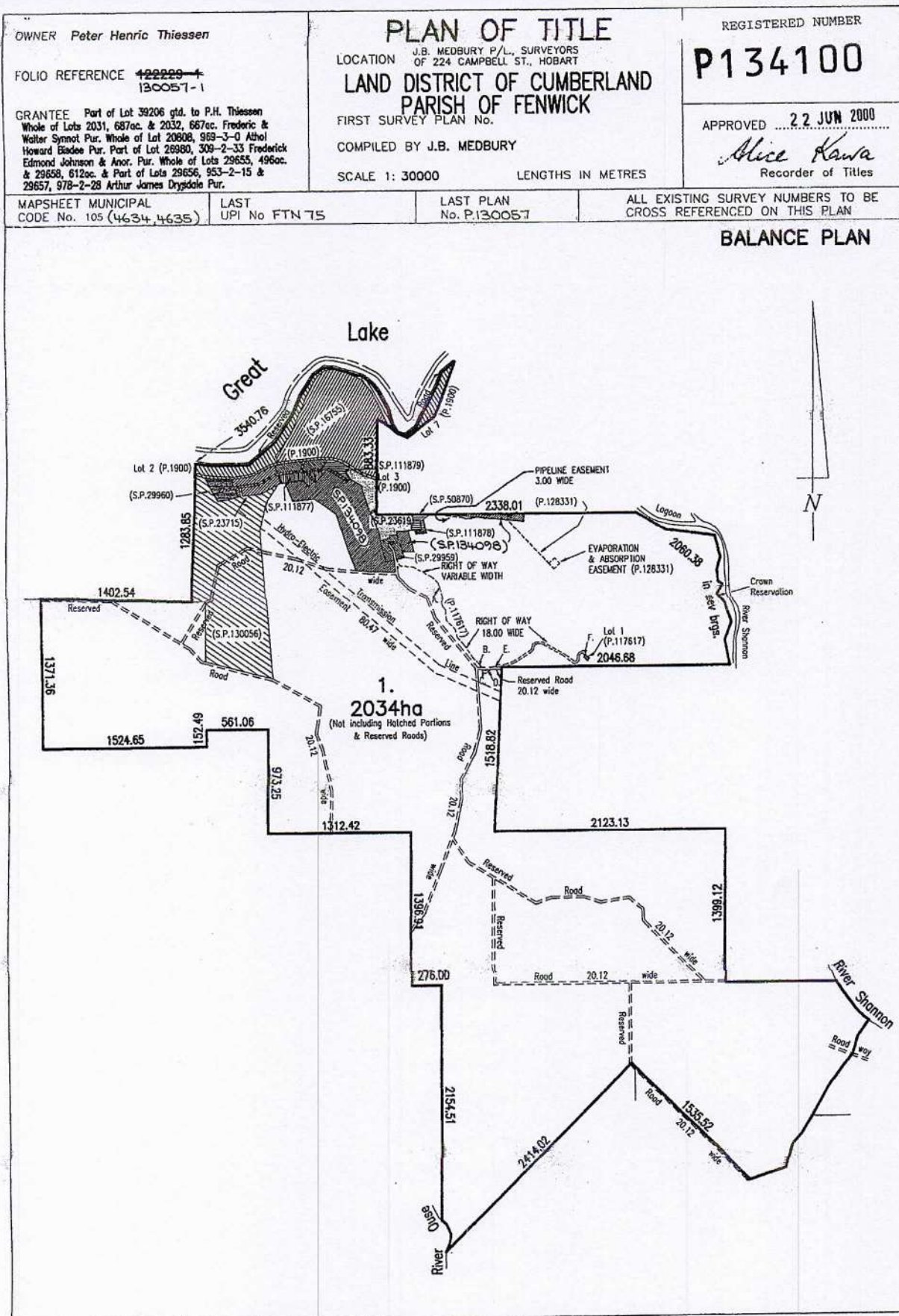
B911996 Burdening easement: a right of carriageway
(appurtenant to Lot 1 on P.117617) over the lands
marked 'RIGHT OF WAY VARIABLE WIDTH' and 'RIGHT OF
WAY 18.00 WIDE' (AB) (CD) & (EF) on P.134100

C43870 BURDENING EASEMENT: a right of drainage (together
with the right to drain effluent) (appurtenant to Lot
3 on Sealed Plan No. 46660) over the "EVAPORATION &
ABSORPTION EASEMENT" on Plan No. 134100

C43870 BURDENING EASEMENT: pipeline rights (as defined
therein) (appurtenant to Lot 3 on Sealed Plan No.
46660) over the "PIPELINE EASEMENT 3.00 WIDE" on Plan
No. 134100 (subject to provisions contained therein)

UNREGISTERED DEALINGS AND NOTATIONS

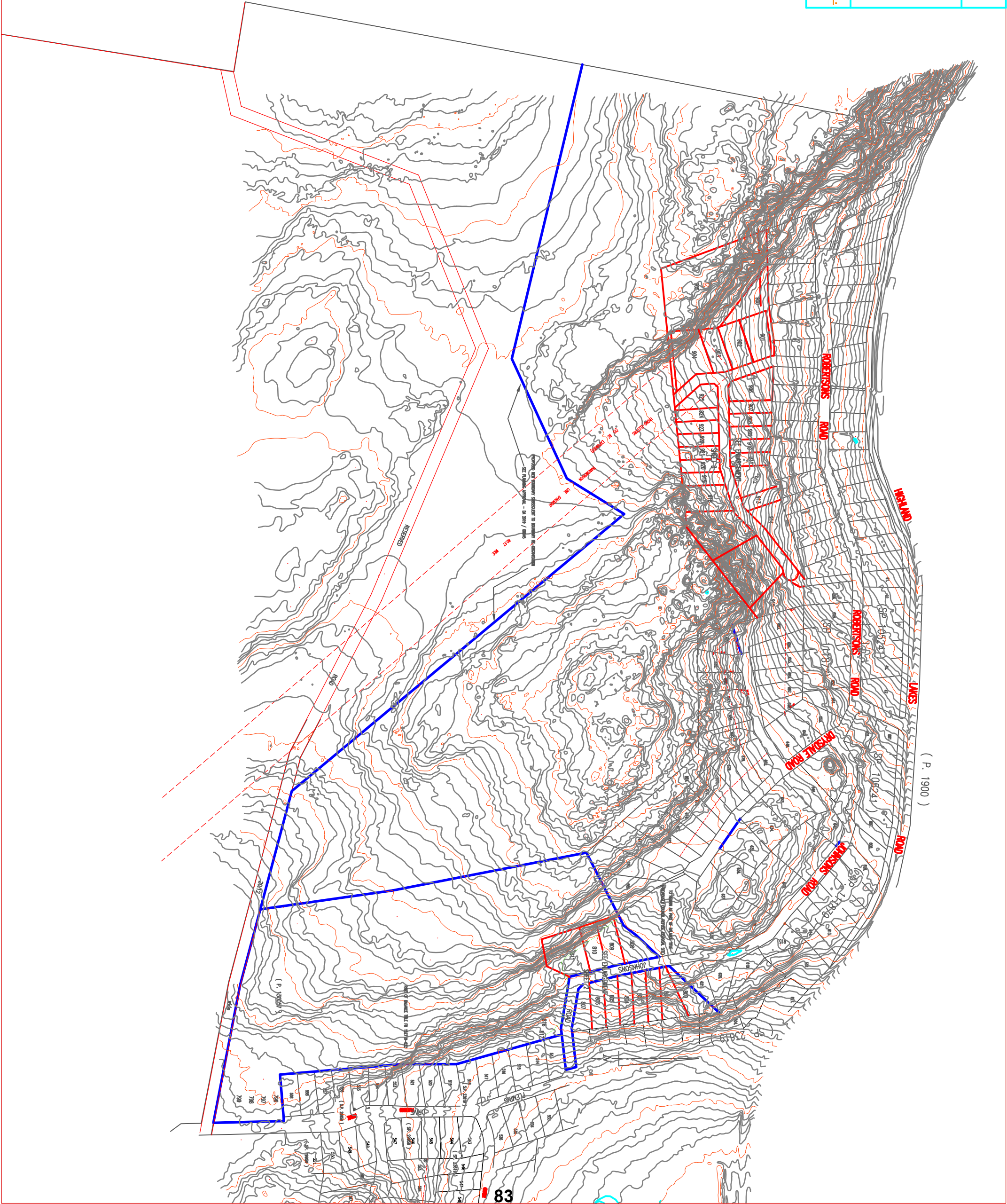
No unregistered dealings or other notations

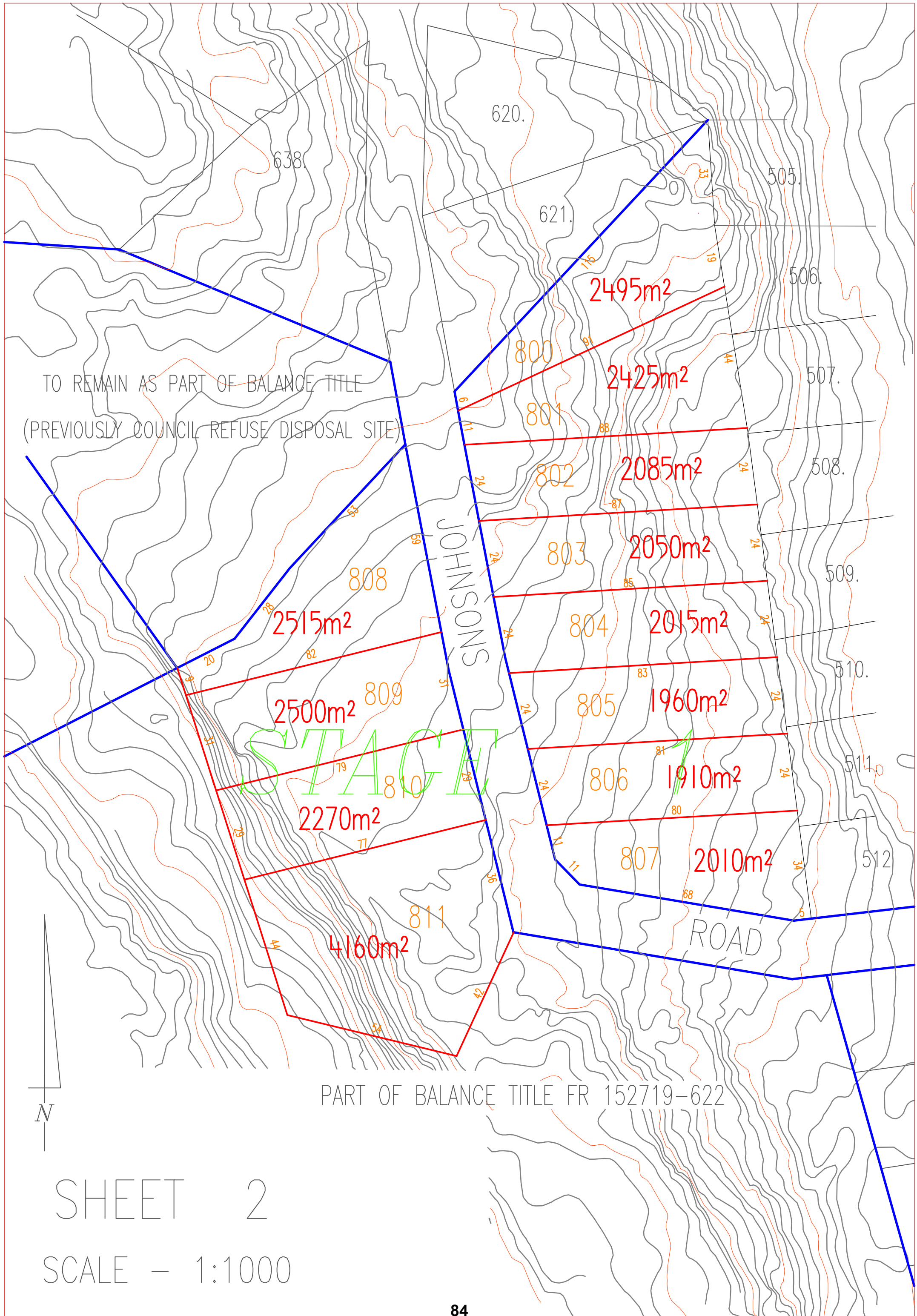


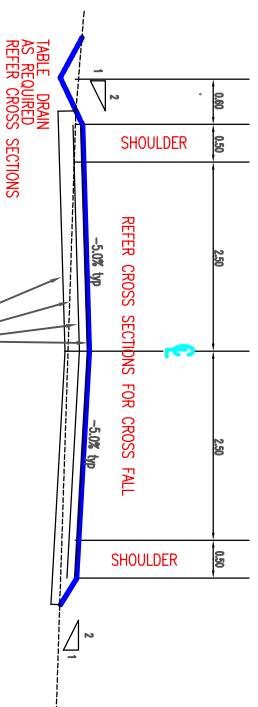
PROPOSED SUBDIVISION
P H THIESSEN & OTHERS
ROBERTSONS & JOHNSONS ROAD
MIENA

SCALE	DATE	REF. NO.
1:6000	22-11-2021	160184pp

INDEX PLAN

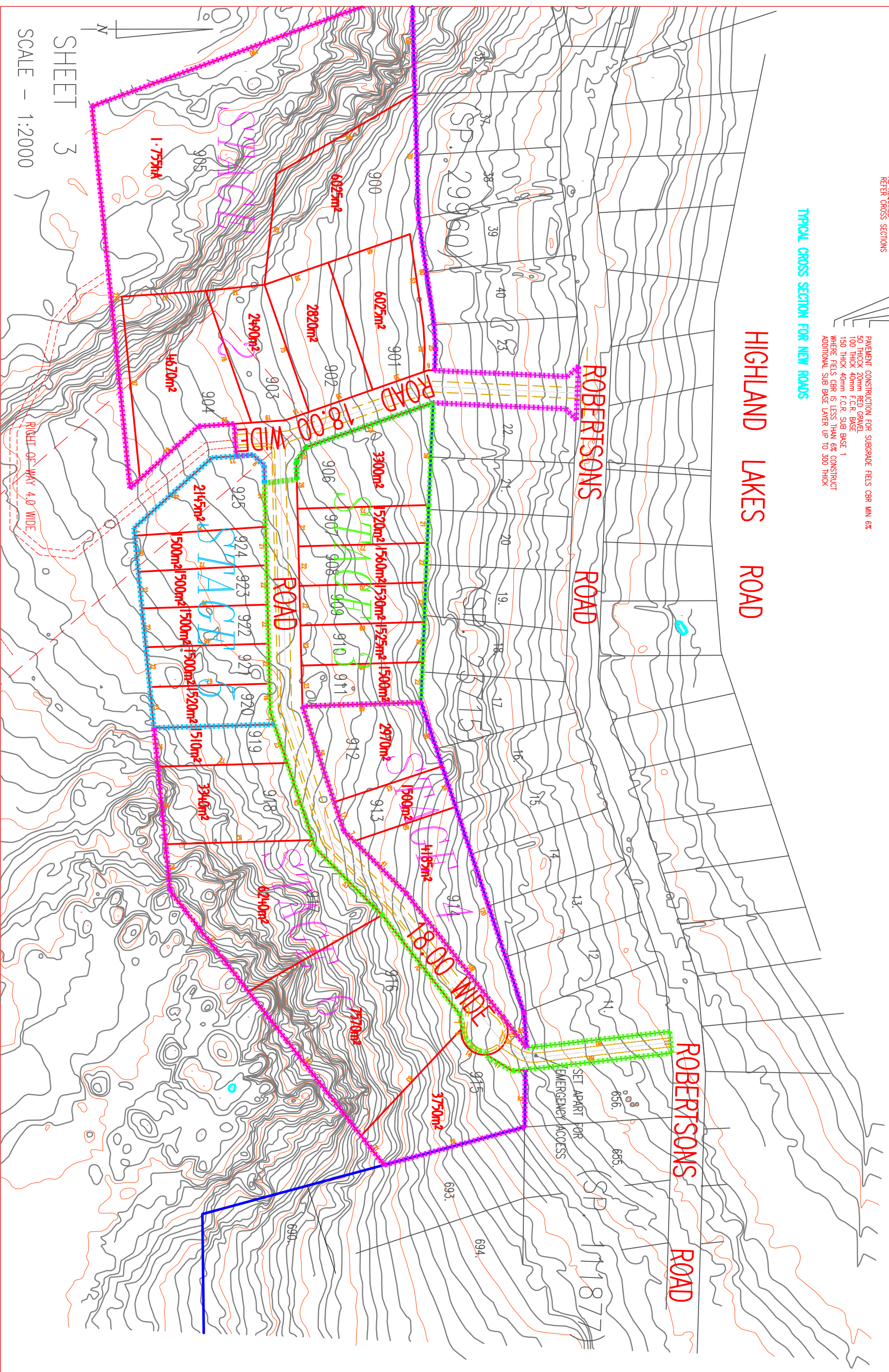






PAVEMENT CONSTRUCTION FOR SUBGRADE FIELDS CBR MIN 6%
50 THICK 20mm RED GRAVEL
100 THICK 40mm F.C.R. BASE
150 THICK 40mm F.C.R. SUB BASE 1
WHERE FIELDS CBR IS LESS THAN 6% CONSTRUCT
ADDITIONAL SUB BASE LAYER UP TO 300 THICK

TYPICAL CROSS SECTION FOR NEW ROADS



**Miena Subdivision
Lot 622 Johnsons Road
and Highland Lakes Road, Miena
Stage 1-10: Lots 818-921**

Desktop Natural Values Assessment

23/09/2020

Central Highlands Council
THI002



Andrew North anorth@northbarker.com.au **Philip Barker** pbarker@northbarker.com.au
163 Campbell Street Hobart TAS 7000 Telephone 03. 6231 9788 Facsimile 03. 6231 9877

Summary

Zoning: Low Density Residential

Codes: None relevant to natural values

Threatened Flora	Potential for <i>Eucalyptus gunnii</i> subsp. <i>divaricata</i> (TSPA endangered, EPBCA Endangered) and <i>Hovea montana</i> (TSPA rare, EPBCA not listed)
Threatened Fauna	<p>Potential foraging habitat for Tasmanian devil, quolls, wedge-tailed eagle and white-bellied sea eagle.</p> <p>Denning habitat for quolls and Tasmanian devil is possible in the rocky areas. Part of the proposal area is modelled as potentially suitable nesting habitat for eagles.</p>
Impact to flora and fauna	Given this is a desktop assessment it is not possible to quantify impact. Possible impact to <i>Eucalyptus gunnii</i> subsp. <i>divaricata</i> and <i>Hovea montana</i> and threatened fauna.
Threatened vegetation	None present or expected to occur.
Environment Protection and Biodiversity Conservation Act 1999	If there is a substantial occurrence of <i>Eucalyptus gunnii</i> subsp. <i>divaricata</i> then there is potential to trigger this Act.
Threatened Species Protection Act 1995	A permit to take is required for impact to <i>Eucalyptus gunnii</i> subsp. <i>divaricata</i> and <i>Hovea montana</i> . An on-ground survey is required to determine the presence and spread of these species in the proposal area.
Weed Management Act 1999	Five weeds declared under this Act within 500 m of the proposal area.

Contributors:

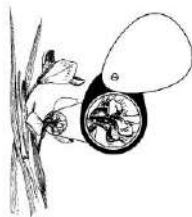
Report: Kaely Kreger and Richard White

Mapping: Jacques Demange and Kaely Kreger

Project Management: Richard White

File Control

Version	Date	Author / Comment
First draft	18/09/2020	Kaely Kreger
Internal review of first draft	23/09/2020	Richard White with input from Grant Daniels
Report version 1.0	23/09/2020	Richard White



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1 Project Details

1.1 Background

The proposal area is located at Lot 622 Johnsons Road, Miena and is close to the southern shore of Great Lake (Property IDs 2814016 and 1867036). The proposal area is in the Central Highlands Council (CHC), is 27.51 ha in extent and adjoins a smaller 3.22 ha area that is concurrently proposed for subdivision by the proponent (Peter Thiessen). North Barker Ecosystem Services (NBES) have been requested to assess the potential impact to both proposals. The subdivision proposal area dealt with in the present report is referred to as Development 2, while the smaller area as Development 1 (see Figure 1 below). The proponent plans to subdivide the portion of the property zoned Low Density Residential under the *Central Highlands Interim Planning Scheme 2015*.

We understand that the *Central Highlands Council Interim Planning Scheme 2015* does not include a Biodiversity Protection Code (or any other Codes to manage impact to natural values in this area), and that Council does not require a field survey for the submission of this development application (confirmed by Jacqui Tyson the Senior Planning Officer at CHC). Rather, a desktop analysis of the potential impact to natural values has been requested of the proponent. NBES have been contracted to undertake the desktop analysis of the natural values that may occur within the proposal area; the following report presents the findings of this assessment.

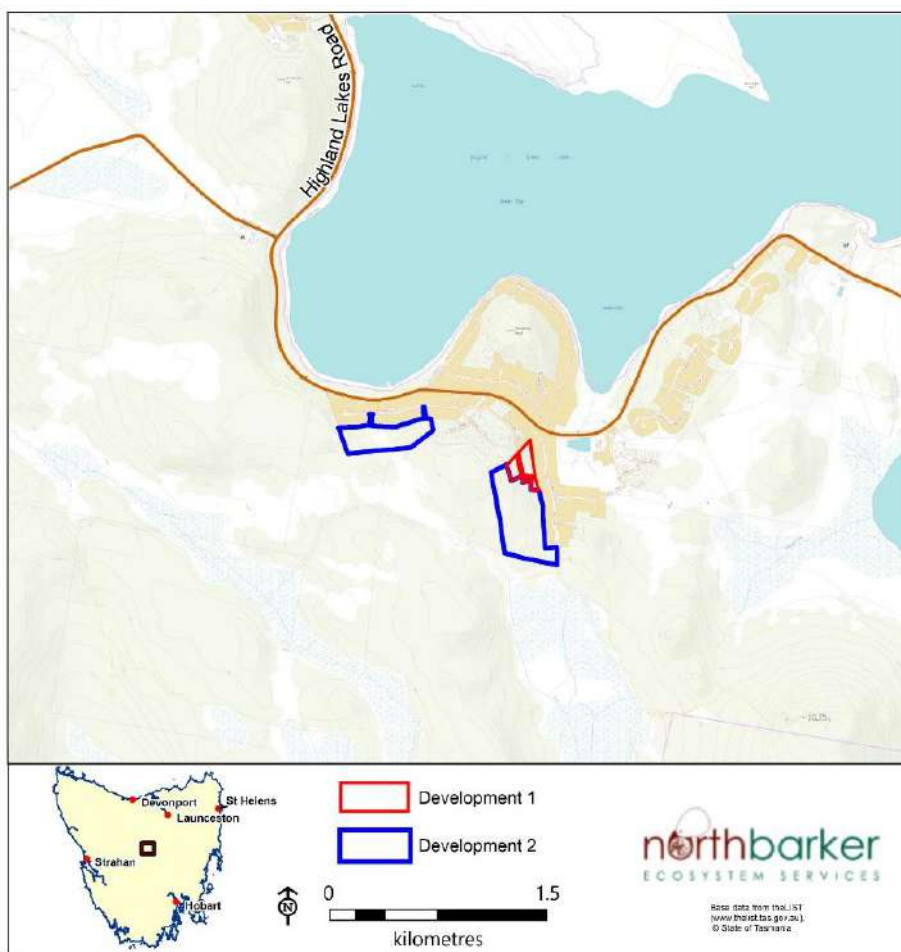


Figure 1: Location of the proposed subdivision - the present report refers to Development 2

1.2 Methods

A desktop review of previously recorded natural values was completed. The Natural Values Atlas was consulted for records of threatened flora and fauna within a 5 km radius from the proposal boundary¹. The possibility of these values occurring within the impact area has been considered in the interpretation of results. The vegetation was mapped using TASVEG 4.0. Aerial imagery and layers from the LIST (e.g. hydrology) were also consulted to inform our assessment.

A previous report by NBES for a subdivision application at the adjacent property was also referred to². Additionally, NBES have conducted surveys in the broader area (e.g. St Patricks Plains) and our experience in these was referred to where relevant.

1.3 Limitations

The current assessment is a desktop assessment only; no on-ground work has been undertaken. The data that has informed this report is primarily from existing records in the Tasmanian Natural Values Atlas and vegetation mapping as per TASVEG 4.0, much of which has not been ground-truthed. Accordingly, the paucity of records for threatened flora and fauna species in the proposal area cannot be considered as indicative of a low likelihood of threatened species. The potential for threatened species is considered in some detail below.

Given the assessment is desktop only, it should be noted that our assessment of the potential for threatened species to occur, and hence the potential impact to threatened species, is indicative only.

2 Site Values

2.1 Site Characteristics

The proposal site is in two portions comprising an area of 27.51 ha. The vegetation in these areas appears to be predominantly native, and is bounded by native vegetation to the south and west, and by an existing low density housing subdivision to the east and north (Figure 2). The title north of the eastern proposal area has been subdivided, and although this area is mapped as native vegetation on TASVEG 4.0 and appears predominantly native in recent satellite imagery (2019), it is expected that this area will be gradually cleared as low-density housing is constructed. This eastern portion of the proposal area adjoins the other area immediately to the north that is subject to a separate but concurrent development application by the same proponent (Development 1, Figure 1).

The eastern portion of the proposal area slopes to the east, and ranges in elevation from approximately 1010 – 1110 m. The west portion slopes to the north and ranges in elevation from approximately 1060 – 1120 m. The geology is Jurassic dolerite.

2.2 Vegetation

Vegetation is mapped in TASVEG 4.0 units (Figure 3). Three native vegetation communities are mapped, the remaining 0.32 ha is mapped as Urban Areas (FUR):

¹ Natural Values Atlas Report, (nvr_1_14-Sep-2020)

² North Barker Ecosystem Services 2004 Proposed Subdivision, Lot 7 Drysdale & Johnsons Rd, Miena, Desktop Vegetation Assessment, 27 July 2004

- *Eucalyptus coccoifera* forest and woodland (DCO) – 17.60 ha
- *Eucalyptus gunnii* woodland (DGW) – 7.95 ha
- Eastern alpine heathland (HHE) – 1.64 ha

None of these communities are listed as threatened under any act.

In the absence of ground truthing, it is not possible to comment in detail on whether the vegetation communities are accurately mapped on TASVEG 4.0. However, based on the aerial imagery it appears that the TASVEG 4.0 mapping units fit with boundaries of apparent changes in vegetation and that the mapping units are at least plausible if not correct.

It should be noted that *Eucalyptus delegatensis* and *E. pauciflora* are common in this area and that some of the area may be a community dominated by either species rather than the mapped DOC or DGW. Regardless, based on the aerial imagery and our understanding of the area, we do not expect any threatened vegetation communities to occur in the proposal area.

The following notes on the composition of each vegetation community are drawn from *From Forest to Fjaeldmark*³.

2.2.1 *Eucalyptus coccoifera* forest and woodland (DCO)

This vegetation community occupies 63% (or 17.6 ha) of the proposal area (Figure 2). This vegetation community is dominated by *Eucalyptus coccoifera* and the understorey generally has a significant heathy or shrubby component.

2.2.2 *Eucalyptus gunnii* forest woodland (DGW)

This vegetation community comprises 29% (or 7.95 ha) of the proposal area (Figure 2). The canopy of this vegetation community is dominated by *E. gunnii*, both subspecies *gunnii* and *divaricata* (TSPA and EPBCA endangered). The community is subalpine with a variable grassy, sedgy or ferny bog understorey.

2.2.3 Eastern alpine heathland (HHE)

This vegetation community comprises 6% (or 1.64 ha) of the proposal area. This vegetation community is typically a floristically variable heathland.

³ Harris and Kitchener (2005) *From Forest to Fjaeldmark: Descriptions of Tasmania's Vegetation*, DPIWE, Hobart, Tasmania

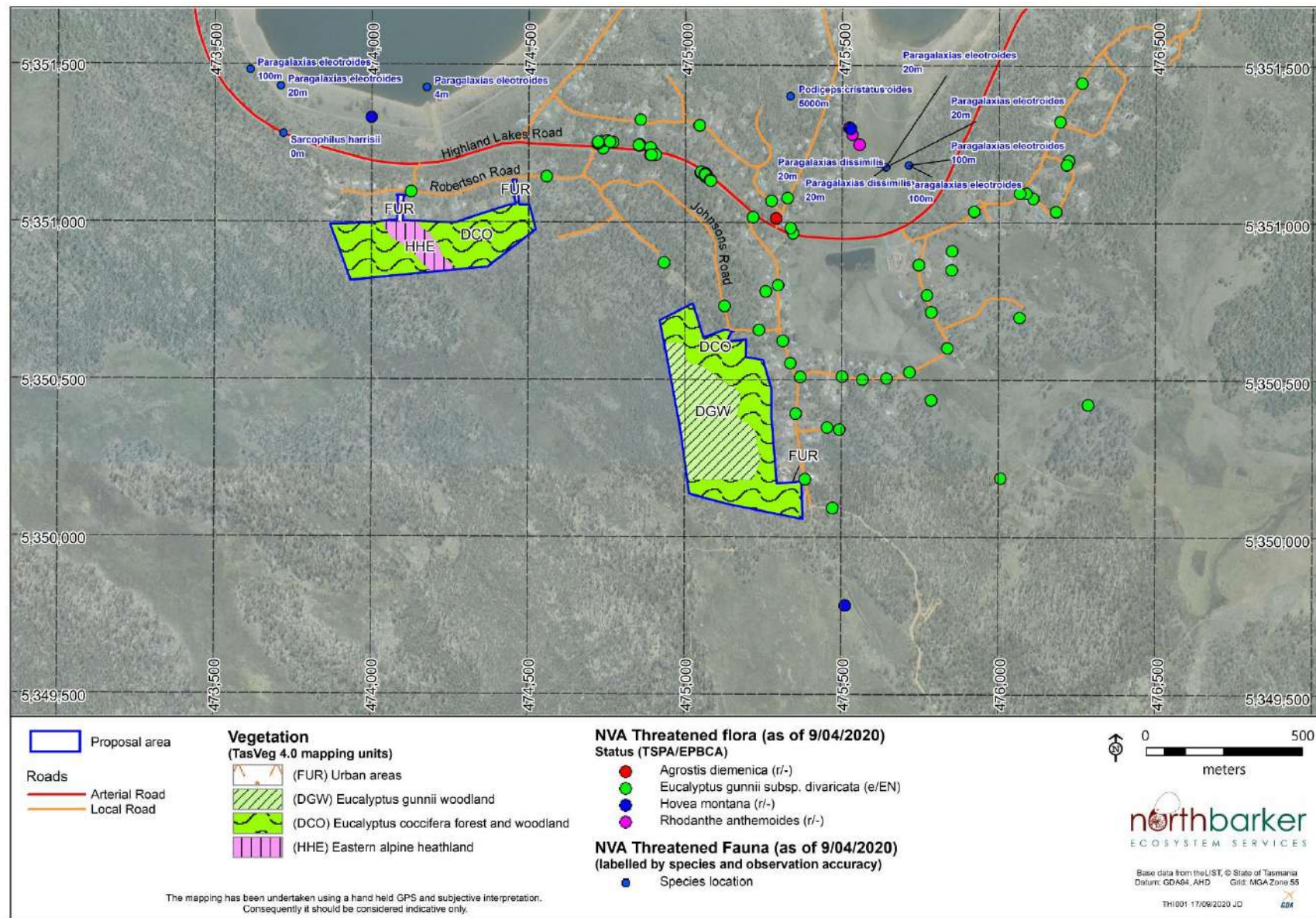


Figure 2: Vegetation (from TASVEG 4.0) and natural values (NVA records) recorded in the area.

2.3 Threatened Flora

No threatened flora records occur within the proposal area but this should not be interpreted as a low likelihood of any threatened flora occurring. Three threatened flora species are recorded within 500 m of the proposal area, and an additional seven threatened flora species are recorded within 5 km. These are listed under either or both the Tasmanian *Threatened Species Protection Act 1995* (TSPA) and the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBCA). The likelihood of these species occurring in the proposal area is detailed in Table 1 below. Notably, of these species, two are considered moderately to highly likely to occur within the proposal area:

Eucalyptus gunnii subsp. *divaricata* (TSPA endangered, EPBCA Endangered).

This dominates open woodland and woodland with grassy/heathy/shrubby understoreys on dolerite around the Great Lake region on the Central Plateau. The most characteristic forms are found towards the exposed edges of treeless flats, which tend to be poorly drained and prone to severe frost (the species is the most frost-tolerant of any eucalypt). It also extends to adjacent rocky slopes, often dominated by *E. delegatensis*. The recorded altitude range is 865-1150 m above sea level. Unfortunately, there has been significant dieback of trees of *E. gunnii* subsp. *divaricata*, coupled with browsing of regeneration, so many sites are marked by dead stags and dying trees, with little prospect of replacement.

Records of this species are not uncommon in the area, especially east of the eastern proposal area (Figure 2). A total of 61 records of this species occur within 500 m of the proposal area⁴, and the proposal area is near the core populations of this species⁵. The nearest occurrence is a record from 2010 and is ~13 m from the south eastern corner of the proposal area, alongside Fleming Road (Figure 2). Accordingly, it is considered likely that this species occurs within the proposal area, especially given that 7.9 ha of *Eucalyptus gunnii* woodland is mapped within the proposal area that may contain individuals of the endangered subspecies⁶ (Figure 2).

Hovea montana (TSPA rare, EPBCA not listed)

This species occurs in subalpine grasslands and grassy woodlands, occasionally extending to grassy/heathy subalpine forests dominated by *E. delegatensis*, *E. pauciflora*, *E. gunnii*, *E. coccifera* and *E. dalrympleana*.

Suitable habitat occurs throughout the proposal area and given that the nearest record is from 2019 and is 350 m from the proposal area it is quite possible that this species occurs in the proposal area.

⁴ Natural Values Atlas Report, (report nvr_1_14-Sep-2020)

⁵ Threatened Species Section (2010) Listing Statement for *Eucalyptus gunnii* subsp. *divaricata* (Miena cider gum), Department of Primary Industries, Parks, Water and Environment, Tasmania

⁶ Harris and Kitchener (2005) *From Forest to Fjaeldmark: Descriptions of Tasmania's Vegetation*, DPIWE, Hobart, Tasmania

Table 1: Threatened flora species with records within 500 m and 5 km of the proposal area⁷. Species are listed in alphabetical order.

Species	Status ⁸ TSPA / EPBCA	Potential to occur on site, or relative size of population if present	Observations and preferred habitat ⁹
Species with records within 500 m			
<i>Agrostis diemenica</i> flatleaf southern bent	rare/-	Low	<i>Agrostis diemenica</i> has been recorded from the edges of lakes, marshes and streams. The distribution and habitat requirements of native species of <i>Agrostis</i> is poorly understood because of many recent taxonomic changes. One record within 5 km, located ~500 m from the proposal area, recorded 2004 with 50 m spatial accuracy. Based on the habitat available and the paucity of records in the area it is not considered likely that this species occurs in the proposal area.
<i>Eucalyptus gunnii</i> subsp. <i>divaricata</i> cider gum	endangered/ ENDANGERED	High	Discussed above.
<i>Hovea montana</i> mountain purplepea	rare/ -	Moderate - high	Discussed above.
Additional species with records within 5 km			
<i>Asperula scoparia</i> subsp. <i>scoparia</i> prickly woodruff	rare/ -	Low	<i>Asperula scoparia</i> subsp. <i>scoparia</i> is widespread in Tasmania is mainly found in native grasslands and grassy forests, often on fertile substrates such as dolerite-derived soils. Forested sites are usually dominated by <i>Eucalyptus globulus</i> and <i>E. viminalis</i> (lower elevations) and <i>E. delegatensis</i> (higher elevations). There is just a single record within 5 km, recorded in 1996, and with 10 km accuracy. The habitat is expected to be largely sub-optimal for this species and the likelihood of occurrence is low.

⁷ Natural Values Report, nvr_1_14_sep_2020⁸ Tasmanian Threatened Species Protection Act 1995, Commonwealth Environment Protection and Biodiversity Conservation Act 1999⁹ Threatened Species Section (2020)

Species	Status ⁸ TSPA / EPBCA	Potential to occur on site, or relative size of population if present	Observations and preferred habitat ⁹
<i>Calocephalus lacteus</i> milky beautyheads	rare/ -	Low	<i>Calocephalus lacteus</i> occurs in open, dry sites in lowland areas of eastern and northern Tasmania and on lower altitudes of the Central Plateau. It requires bare ground for recruitment and may benefit from disturbance. It is often found on roadsides and beside tracks. The nearest record is located 2.7 km away, recorded 2006 with 10 m spatial accuracy, at approximately 1020 m elevation. There are 3 records within 5 km. The proposal area is expected to comprise mostly relatively closed vegetation communities that are not suitable for this species. Broadly, the site may be considered suboptimal for this species and the chances of occurrence are low.
<i>Isoetes drummondii</i> subsp. <i>drummondii</i> plain quillwort	rare / -	Very low	<i>Isoetes drummondii</i> subsp. <i>drummondii</i> is usually found in damp soils amongst dense grasses, such as the waterlogged pastures and waterways of the Midlands (with some outliers on the Forestier Peninsula and elsewhere). Habitats include woodland and forest dominated by <i>Eucalyptus rodwayi</i> and <i>E. amygdalina</i> , man-made ditches, muddy tracks and grassy "runs" through open forest. It also occurs on the seasonally inundated shores of man-made or natural waterbodies such as Camerons Lagoon, Wihareja Lagoon and Lake Leake. Nearest record 3.4 km from proposal area, recorded in 1979 with 1 km accuracy. 4 records within 5 km, most recently recorded 1991. Suitable habitat is unlikely to occur within the proposal area, which appears mostly well-drained (based on contours). It is possible that marginal suitable habitat may occur but this is likely very limited in extent. Accordingly, there is a very low likelihood of this species occurring.
<i>Isoetes humilior</i> veiled quillwort	rare/ -	Very low	<i>Isoetes humilior</i> occurs in still waters and slow-moving sections of running water around the Central Highlands. It frequently occurs with <i>Isoetes gunnii</i> and the two species may be intermingled within the same clump.

Species	Status ⁸ TSPA / EPBCA	Potential to occur on site, or relative size of population if present	Observations and preferred habitat ⁹
			Two records within 5 km, most recently recorded 1990. Unlikely to occur within study area owing to the absence of suitable habitat.
<i>Muehlenbeckia axillaris</i> matted lignum	rare/ -	Low	<i>Muehlenbeckia axillaris</i> is predominantly found in moist gravelly or rocky places on the Central Plateau, extending out to the west, north-west and lower reaches of the South Esk River. 7 records within 5 km, last recorded 2009. Unlikely to occur within proposal area owing to the probable absence of suitable habitat.
<i>Prasophyllum crebriflorum</i> crowded leek-orchid	Endangered / ENDANGERED	Low	In north-western Tasmania, <i>Prasophyllum crebriflorum</i> occurs in montane tussock grassland dominated by <i>Poa labillardierei</i> (silver tussock grass), with scattered patches of the woody shrub <i>Hakea microcarpa</i> (smallfruit needlebush). On the Central Plateau, plants sometimes ascribed to <i>Prasophyllum crebriflorum</i> occur in highland native grassland dominated by <i>Poa gunnii</i> (gunns snowgrass) and grassy woodland with a sparse overstorey of <i>Eucalyptus gunnii</i> . Seven records within 5 km, most recently recorded 2010. Known populations are located to the south and east on the Central Plateau. Suitable habitat not likely in the proposal area and the chance of this species occurring is consider low.
<i>Pterostylis pratensis</i> Liawenee greenhood	vulnerable/ VULNERABLE	Very low	<i>Pterostylis pratensis</i> is restricted to the Central Highlands of Tasmania, growing at an elevation of 850-1100 m above sea level in subalpine <i>Poa labillardierei</i> tussock grassland that is very exposed, low and open, with patches of often stunted <i>Olearia algida</i> (alpine daisybush) and <i>Hakea microcarpa</i> (smallfruit needlebush) scrub on red-brown loamy to clay soils derived from basalt. 22 records within 5 km of proposal area, most recently recorded 2010. Suitable geology is not mapped within the proposal area, and therefore it is unlikely to occur within the proposal area.

Species	Status ⁸ TSPA / EPBCA	Potential to occur on site, or relative size of population if present	Observations and preferred habitat ⁹
<i>Ranunculus jugosus</i> twinned buttercup	rare/ -	Very low	<i>Ranunculus jugosus</i> is endemic to Tasmania and inhabits short alpine herbfields in the Central Plateau region. It appears to be associated with rivers and soaks. 1 record within 5 km, recorded 1982. Suitable habitat is not likely to occur within the proposal area, and therefore it is considered unlikely to occur.
<i>Rhodanthe anthemoides</i> chamomile sunray	rare/ -	Very low	The distribution of <i>Rhodanthe anthemoides</i> includes montane grasslands, heath and heathy scrub in central and north-western Tasmania. Nearest record is 718 m from proposal area near the lake shore. 4 records within 5 km, all recorded in 2018 with 5 m accuracy. Typically, this species occurs in open, grassy habitats and such habitat is not expected to occur in the proposal area to any meaningful extent. Accordingly, there is a low to very low likelihood of the species occurring within the proposal area.
<i>Taraxacum aristum</i> mountain dandelion	rare / -	Low	<i>Taraxacum aristum</i> occurs in subalpine grassland, grassy heath and grassy woodland in the Central Highlands. 1 record within 5 km, recorded 1986. Potential habitat is not expected to occur in the proposal area to any meaningful extent. Accordingly, there is a low to very low likelihood of the species occurring within the proposal area.
<i>Viola cunninghamii</i> alpine violet	rare / -	Low	<i>Viola cunninghamii</i> occurs in short alpine herbfield, grassland and grassy heath in the higher parts of the eastern and central mountains where it is often associated with small patches of bare ground. 1 record within 5 km, recorded 1989. Potential habitat is not expected to occur in the proposal area to any meaningful extent. Accordingly, there is a low to very low likelihood of the species occurring within the proposal area.

2.4 Threatened Fauna

Three threatened fauna species are recorded within 500 m. Two are exclusively aquatic and suitable habitat is not mapped or expected to occur in the proposal area: these species are therefore not considered further. The third species is the Tasmanian devil. Nineteen threatened fauna species are recorded within 5 km.

The range boundaries of 20 species are located within 500 m of the proposal area, and the range boundary of 1 additional species occurs within 5 km. Twelve of these species are exclusively aquatic and are not considered further. The likelihood of the remaining 11 threatened fauna species occurring within the proposal area are detailed in Table 2 below.

Table 2: Threatened fauna with records or range boundaries within 5 km¹⁰.

Species	Status ¹¹ TSPA / EPBCA	Potential to occur	Observations and preferred habitat ¹²
TERRESTRIAL INVERTEBRATES			
ptunarra brown butterfly <i>Oreixenica ptunarra</i>	Vulnerable/ ENDANGERED	Low	Found within Poa tussock grassland, woodland and grassy shrubland, this species is found in small populations above 400 m in the Central Plateau, the Steppes, eastern highlands, southern midlands and north-west plains. Poa grass is considered crucial for this species as the food plant for its caterpillar stage. If suitable habitat occurs on site it is likely very limited in extent. Accordingly, the chances of this species occurring is considered low.
Miena jewel beetle <i>Castiarina insculpta</i>	Vulnerable, up-listing to endangered pending / -	Low to moderate	Endemic to Tasmania, the species is only reportedly found in the Great Lake/Lake Augusta area of Tasmania's Central Plateau. Found in open heath and subalpine woodland above 900 m, this species feeds primarily on <i>Ozothamnus hookeri</i> . Threats to this species include climate change, habitat loss and illegal collection. There are 8 records of the species within 5 km, most recently recorded 2015. There are 29 records of the host

¹⁰ Natural Values Report, nvr_1_14_sep_2020

¹¹ Tasmanian Threatened Species Protection Act 1995, Commonwealth Environment Protection and Biodiversity Conservation Act 1999

¹² Threatened Species Section (2020)

Species	Status ¹¹ TSPA / EPBCA	Potential to occur	Observations and preferred habitat ¹²
			plant <i>O. hookeri</i> within 5 km of the proposal area, with the nearest records ~900 m from the proposal area. Although it is possible <i>O. hookeri</i> occurs in the proposal area it is most common on grassy/heathy flats. The chances of the host plants occurring in sufficient density in the woodland environments for there to be a reasonable chance of supporting the beetle is low. The patch eastern alpine heathland is most likely to contain <i>O. hookeri</i> but given the small area the chances of this patch supporting the beetle are assumed to be low to moderate.
MAMMALS			
Tasmanian devil <i>Sarcophilus harrisii</i>	Endangered/ ENDANGERED	Foraging: Moderate to high Denning: Low to moderate	<p>The Tasmanian devil lives in a wide range of habitats across Tasmania, especially in landscapes with a mosaic of pasture and woodland. Populations have declined substantially since the first observations of the infectious cancer Devil Facial Tumour Disease (DFTD). DFTD has now spread across much of Tasmania. The reduced population is also likely to be more sensitive to additional threats such as death by roadkill, competition with cats and foxes, and loss or disturbance of areas surrounding traditional dens where young are raised. The protection of breeding opportunities is particularly important for the species due to the mortalities from demographic pressures.</p> <p>There are 11 records within 5 km, most recently recorded 2016. This species occurs in a wide range of habitats, and it is likely that devils traverse the site from time to time. Typically, dens are sparsely distributed in the landscape and although it possible they may utilise rocky areas for denning in the proposal area the chances are low to moderate at best.</p>

Species	Status ¹¹ TSPA / EPBCA	Potential to occur	Observations and preferred habitat ¹²
eastern quoll <i>Dasyurus viverrinus</i>	-/ ENDANGERED	Foraging: Moderate Denning: Low to moderate	<p>The eastern quoll is widespread in Tasmania and was previously widespread in mainland south-eastern Australia but has been effectively extinct there since 1963 (some reintroductions have occurred). Not currently listed as threatened species within Tasmania under the TSPA.</p> <p>Records from the NVA indicate that the eastern quoll occurs in most parts of Tasmania but is recorded infrequently in the wetter western third of the state. The species' distribution is associated with areas of low rainfall and cold winter minimum temperatures. It is found in a range of vegetation types including open grassland (including farmland), tussock grassland, grassy woodland, dry eucalypt forest, coastal scrub and alpine heathland, but is typically absent from large tracts of wet eucalypt forest and rainforest.</p> <p>There are two records within 5 km, recorded 1996. Core range is located within 500 m of the proposal area. The species is considered moderately likely to occur within the study area and there is some albeit limited potential for this species to breed here.</p>
spotted-tailed quoll <i>Dasyurus maculatus</i> subsp. <i>maculatus</i>	Rare/ VULNERABLE	Foraging: Low to moderate Denning: Low	<p>Occurs widely in Tasmania, including the northwest. Primary habitats are wet forest and rainforest.</p> <p>One record within 5 km, recorded 2015. Foraging and denning habitat may occur within the proposal area, but this is less suitable than for eastern quoll and the site is outside the core range of the species. Potential range occurs within 500 m of the site.</p>
BIRDS			
wedge-tailed eagle	Endangered / ENDANGERED	Foraging: High	Wedge-tailed eagles nest in a range of old growth native forests and the species is dependent on forest for

Species	Status ¹¹ TSPA / EPBCA	Potential to occur	Observations and preferred habitat ¹²
<i>Aquila audax fleayii</i>		Nesting: modelled as potentially suitable (Figure 3)	<p>nesting. Territories can contain up to five alternate nests usually close to each other but may be up to 1 km apart where habitat is locally restricted. Wedge-tailed eagles prey and scavenge on a wide variety of fauna including fish, reptiles, birds and mammals.</p> <p>Two nest records within 5 km located 3.5 km and 4.2 km from the proposal area, most recently recorded 2018. It is likely that wedge tailed eagles hunt across the property. According to the Forest Practices Authority eagle habitat model the proposal area is mapped as containing potentially suitable habitat for the eagle (areas that score higher than 3 in Figure 3 below). A ground survey is required to adequately ascertain the suitability of nesting habitat.</p>
<p>white-bellied sea-eagle</p> <p><i>Haliaeetus leucogaster</i></p>	vulnerable/ -	<p>Foraging: Moderate to high</p> <p>Nesting: modelled as potentially suitable (Figure 3)</p>	<p>In Tasmania the white-bellied sea-eagle is restricted to nesting within 5 km of coastlines, major estuaries and inland lakes. They typically build nests in large eucalypt trees, much like the Tasmanian wedge-tailed eagle, although their specific nesting requirements aren't as strict as WTE, such that they often nest in relatively small and exposed coastal trees (including [in a minority of cases] non-native species [e.g. <i>Pinus radiata</i>]), and are also known to nest occasionally on sea cliffs or even piles of rocks at ground level on islands lacking ground predators (e.g. Ninth Island).</p> <p>No records within 5 km. It's possible that this species forages across the proposal area from time to time. According to the Forest Practices Authority eagle habitat model the proposal area is mapped as containing potentially suitable habitat for the eagle (areas that score higher than 3 in Figure 3 below). A ground survey is required to adequately</p>

Species	Status ¹¹ TSPA / EPBCA	Potential to occur	Observations and preferred habitat ¹²
			ascertain the suitability of nesting habitat.
<p>Tasmanian masked owl</p> <p><i>Tyto novaeseelandica</i> subsp. <i>castanops</i></p>	<p>endangered / VULNERABLE</p>	<p>Foraging: Low</p> <p>Nesting: Low</p>	<p>Found in a range of habitats which contain some mature hollow-bearing forest, usually below 600 m altitude. This includes native forests and woodlands as well as agricultural areas with a mosaic of native vegetation and pasture. Significant habitat is limited to large eucalypts within dry eucalypt forest in the core range. The species does however occur above 600 m, demonstrated by recent records (2020) obtained by NBES staff in the St Patricks Plains area at ~1000 m in elevation (12 km the southeast of the proposal area).</p> <p>No records within 5 km. Potential range occurs within 500 m of proposal area. This species has a territory of ~2000 ha and although it is possible that this species utilises the area for foraging the species is expected to occur at very low densities in the area. A ground survey would be required to determine the potential for hollow bearing trees on the site and therefore the likelihood of this species nesting. However, trees with suitable nesting hollows are typically sparse in the landscape so the chances of such trees occluding and being utilised by the species at this sub-optimal altitude are considered low.</p>
<p>swift parrot</p> <p><i>Lathamus discolor</i></p>	<p>endangered / CRITICALLY ENDANGERED</p>	<p>Foraging: None</p> <p>Nesting: None</p>	<p>The swift parrot spends its winter in south-eastern mainland Australian before migrating to Tasmania in late winter/early spring to breed. During the breeding season, nectar from Tasmanian blue gum (<i>Eucalyptus globulus</i>) and black gum (<i>Eucalyptus ovata</i>) flowers is the primary food source for the species. These eucalypts are patchily distributed and their flowering patterns are erratic and unpredictable, often leading to only a small proportion of Swift Parrot habitat being available for breeding in any one year. Swift Parrots breed in tree</p>

Species	Status ¹¹ TSPA / EPBCA	Potential to occur	Observations and preferred habitat ¹²
			<p>hollows in mature eucalypts within foraging range of a flower source.</p> <p>One record within 5 km, dated 1969. The proposal area is above the elevational range of the eucalypt species that are the primary foraging resource for this species, and therefore the proposal area offers neither foraging nor nesting habitat for this species.</p>
<p>grey goshawk <i>Accipiter novaehollandiae</i></p>	endangered/-	<p>Foraging: Very low</p> <p>Nesting: None</p>	<p>Inhabits large tracts of wet forest and swamp forest, particularly patches with closed canopies above an open understorey, but with dense stands of prey habitat nearby. Mature trees provide the best nesting sites. Most nests have been recorded from blackwoods and occasional myrtle beech.</p> <p>The proposal area is not expected to support suitable nesting habitat. Grey goshawk may very occasionally forage over the proposal area. Not sightings or nests within 5 km. Potential range occurs within 500 m of proposal area.</p>
<p>great crested grebe <i>Podiceps cristatus</i></p>	vulnerable / -	None	<p>The Great Crested Grebe inhabits wetlands, deep lakes, rivers and swamps and prefers a combination of open water and dense reedbeds. This species is relatively rare in Tasmania but can have minor irruptions and periods of regular sightings in some areas.</p> <p>One record within 5 km, dated 1945. Suitable habitat does not occur within the proposal area.</p>

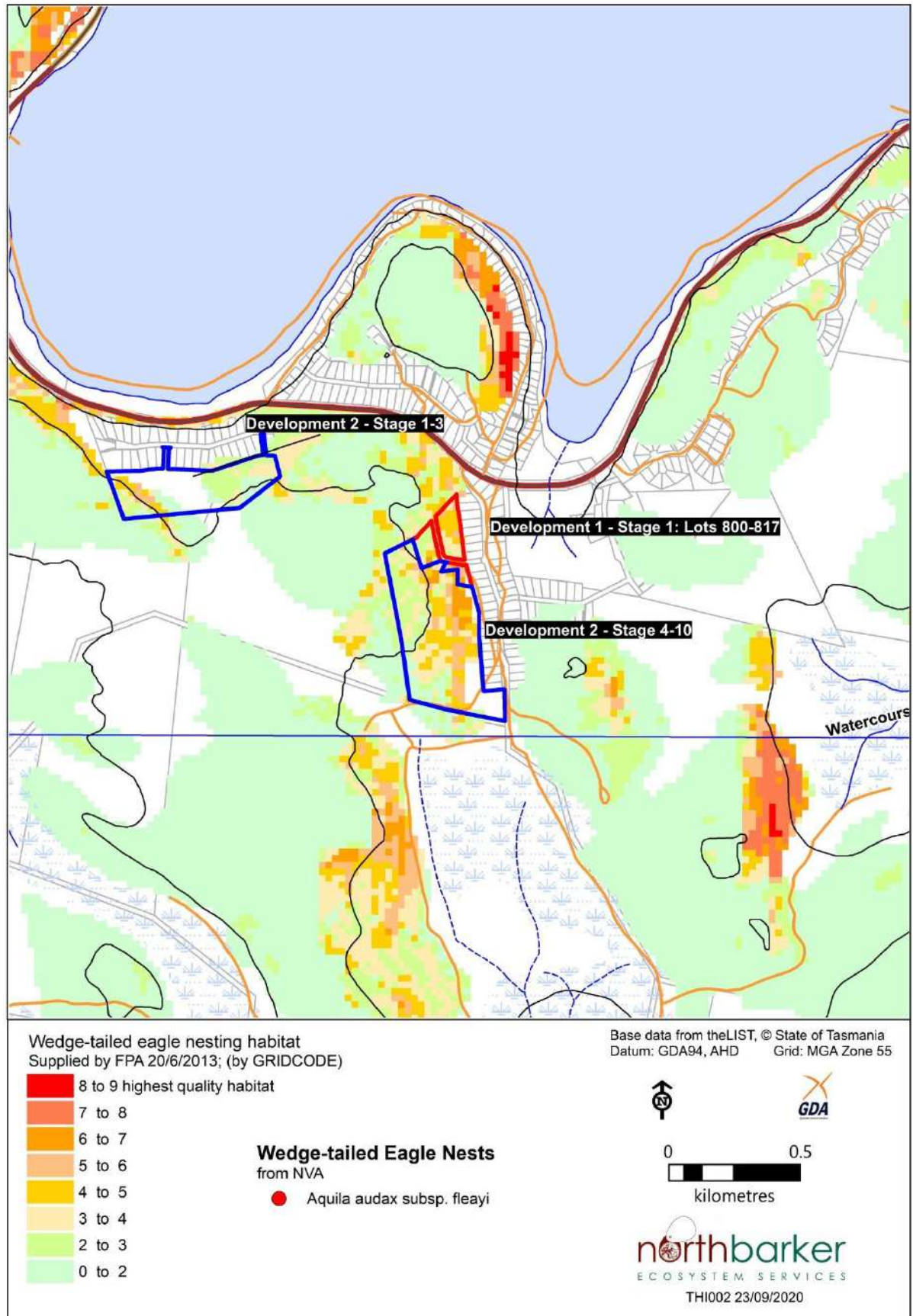


Figure 3: Forest Practices Authority wedge-tailed eagle nesting model

2.5 Weeds

There are no declared weeds recorded within the proposal area, but this should not be interpreted as an absence of weed species. It is quite possible that noxious weeds occur, particularly along road edges and other disturbed areas within the proposal area. There are records of five weed species declared under the Tasmanian Weed Management Act 1999¹³ (WMA) within 500 m of the proposal area (Table 3, Figure 4).

Table 3: Tasmanian WMA weeds recorded within 500 m of proposal area.

Species	Common Name	Observation Count	Last Recorded
<i>Cytisus scoparius</i>	english broom	5	01-Dec-2012
<i>Genista monspessulana</i>	montpellier broom	3	13-Aug-1999
<i>Hieracium aurantiacum</i> subsp. <i>carpathicola</i>	orange hawkweed	2	02-Jan-2012
<i>Pilosella aurantiaca</i> subsp. <i>aurantiaca</i>	orange hawkweed	6	18-Dec-2012
<i>Senecio jacobaea</i>	ragwort	1	01-Feb-2012
<i>Ulex europaeus</i>	gorse	6	01-Feb-2012

Four of these species are Zone B species for the Central Highlands Council, for which containment is the stated management goal. One species is a Zone A species for Central Highlands Council, elimination is the management goal for Zone A species.

Zone A - elimination

- Orange hawkweed (*Pilosella aurantiaca* subsp. *aurantiaca*, synonymous with *Hieracium aurantiacum* subsp. *carpathicola*): this species can be highly invasive.

Zone B - containment

- English broom (*Cytisus scoparius*)
- Montpellier broom (*Genista monspessulana*)
- Gorse (*Ulex europaeus*)
- Ragwort (*Senecio jacobaea*)

¹³ Tasmanian *Weed Management Act 1999*

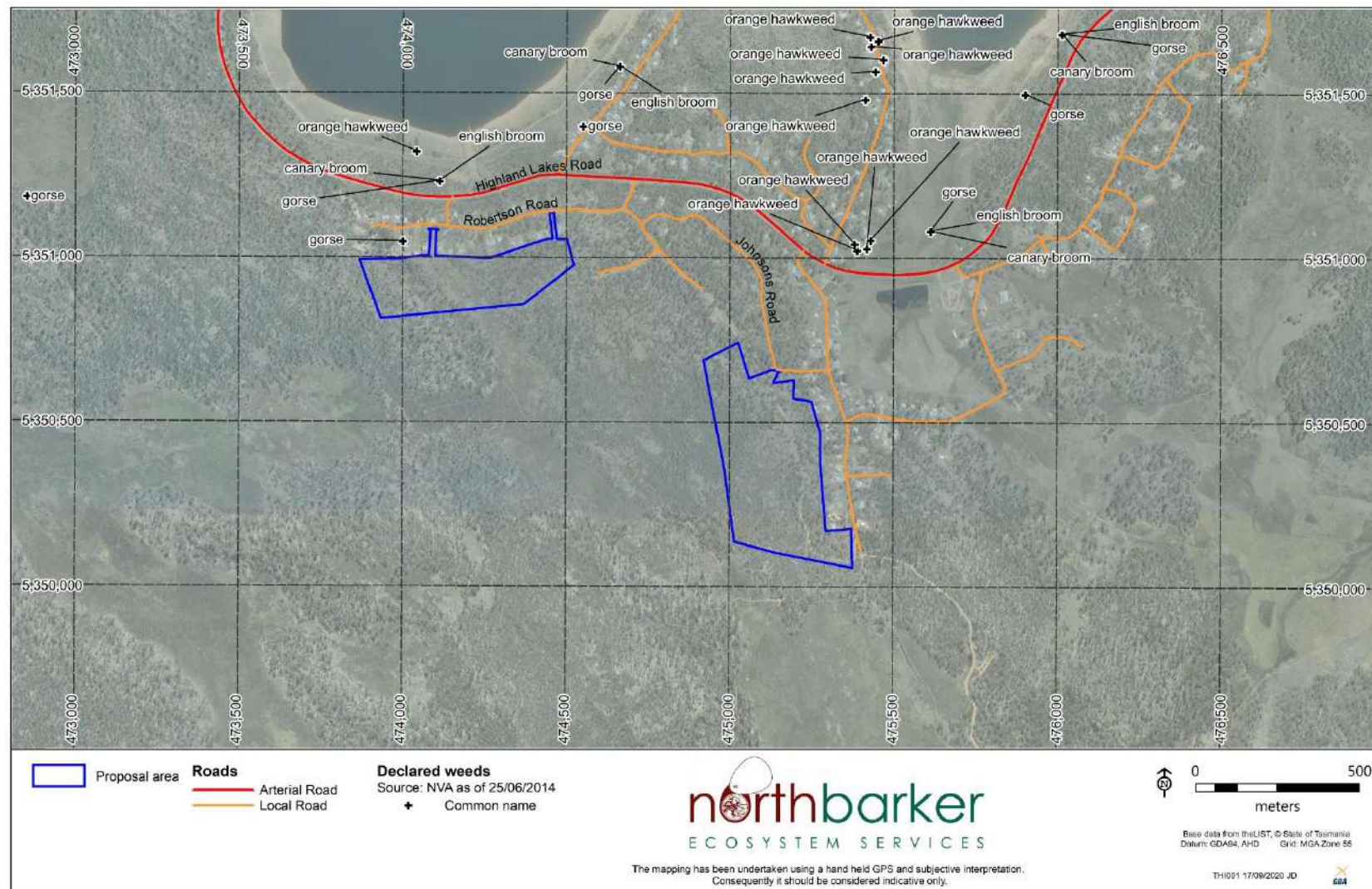


Figure 4: Locations of declared weed species records from the NVA.

3 Impact assessment and scope for mitigation

3.1 Impact on native vegetation

The assumption is that all native vegetation will be cleared within the proposal area. Therefore, 27.51 ha native vegetation is expected to be impacted by the proposal. The native vegetation communities mapped within the proposal area are not listed as threatened under any act. No threatened vegetation communities are expected to be impacted by the proposal.

Table 4: Total extent in ha of impacted vegetation communities within proposal area.

(DCO) <i>Eucalyptus coccoifera</i> forest and woodland	17.60
(DGW) <i>Eucalyptus gunnii</i> woodland	7.95
(HHE) <i>Eastern alpine</i> heathland	1.64
(FUR) Urban areas	0.32
TOTAL	27.51

3.2 Threatened Flora

It is considered moderately likely that the site supports the threatened flora species *Eucalyptus gunnii* subsp. *divaricata* and *Hovea montana*.

E. gunnii subsp. *divaricata* is listed as endangered under both the TSPA and the EPBCA, and the species appears to be in rapid decline¹⁴. In the absence of ground surveys, it is not possible to determine the scale of the impact, and hence the potential significance of the impact. However, based on the number of records in the area, the mapped occurrence of a *E. gunnii* community in the project area and the scale of the clearance, there is some potential for the impact to be significant.

H. montana is listed as rare under the TSPA. Although there is some potential for this species to occur it is unlikely to occur in high numbers but in the absence of a ground survey it is not possible to quantify impact.

3.3 Threatened Fauna and Threatened Fauna Habitat

The site may support habitat for several threatened fauna species. Quantifying impact is not possible without a ground survey and it should be noted that the following comments on impact are based on our assumptions of the study area based on a desktop review. The species that we consider have a moderate to high chance of occurring and may therefore be impacted are as follows (TSPA/EPBCA status given in parentheses):

Tasmanian devil and quolls:

It is quite possible that Tasmanian devil (endangered/endangered), eastern quoll (-/endangered) and spotted-tailed quoll (rare/vulnerable) forage in the proposal area. Typically, dens are sparsely distributed in the landscape but there is suitable rocky habitat in the proposal area so there is a chance, albeit low to moderate at best, of these species denning in the proposal area (the devil and eastern quoll are more likely than spotted-tailed quoll). Accordingly, impact is not likely to be

¹⁴ Threatened Species Section (2010) Listing Statement for *Eucalyptus gunnii* subsp. *divaricata* (Miena cider gum), Department of Primary Industries, Parks, Water and Environment, Tasmania

significant, but this cannot be determined without a ground survey. Notably, a pre-clearance that checks for dens will go some way to reducing possible impact to these species.

Wedge-tailed eagle (endangered/endangered) and white-bellied sea eagle (vulnerable/-)

Both species may forage in the proposal area and the area is modelled as having suitable habitat for nesting. Nests are however not a commonly encountered feature in areas relatively close to existing developments such as the present proposal area, but the presence/absence of nests cannot be determined without a ground survey and given the suitability of the area based on the model this is warranted.

3.4 Weeds

Earthworks on site are likely to stimulate germination of weeds on site. The use of machinery and vehicles during construction also increases the risk of spreading these weeds from the site and introducing others. Best practice site hygiene and primary and secondary weed control should be implemented to prevent the proliferation, spread and/or introduction of weeds as a result of the proposal.

4 Legislation

4.1 Commonwealth Environment Protection and Biodiversity Conservation Act 1999

Activities that impact on matters of national environmental significance (MNES) trigger assessment under the Environment Protection and Biodiversity Conservation (EPBC) Act. This includes activities that are likely to impact on listed threatened species and ecological communities.

Given there has been no on ground assessment we are unable to comment with certainty on the likelihood of the proposal triggering this Act. If *Eucalyptus gunnii* subsp. *divaricata* occurs in substantial number in the proposal area, then the proposal may have a significant impact in terms of this Act.

It is not considered likely that potential impact to the remaining species listed under this Act that have some chance of occurring at the site will be significant. However, this cannot be qualified or quantified without an on-ground assessment. Assessing the area for dens and nests of the species protected under this Act will ensure that the potential for significant impacts is managed accordingly.

Finally, although this proposal is being submitted as a separate development application to the smaller adjoining development (see Figure 1), the proponent should be aware of the following point raised in the significant impact guidelines¹⁵:

Considering the proposed action at its broadest scope (that is, considering all stages and components of the action, and all related activities and infrastructure), is there potential for impacts, including indirect impacts, on matters of national environmental significance?

Accordingly, the potential for impacts for both projects may be considered simultaneously.

¹⁵ Commonwealth of Australia 2013 Matters of National Environmental Significance Significant impact guidelines 1.1 Environment Protection and Biodiversity Conservation Act 1999

4.2 Tasmanian Threatened Species Protection Act 1995

Under the TSPA, it is an offence to collect, disturb, damage or destroy species listed as threatened under the TSPA unless under permit. A 'permit to take' is required if a development will involve impact to a species listed as threatened under the TSPA.

It is our estimation that two species protected under this Act (*Eucalyptus gunnii* subsp. *divaricata* and *Hovea montana*) have a reasonable chance of occurring on the site. Without a survey the proposal risks impact to these species without a permit in place and this is a breach of this Act.

4.3 Tasmanian Weed Management Act 1999

Five species declared under the WMA occur within 500 m of the proposal area.

One of these species is a Zone A species for Central Highlands Council, for which elimination is the management goal. The remaining species are Zone B species, for which containment is the management aim.

4.4 Tasmanian Land Use and Planning Approvals Act 1993 (LUPAA)

LUPAA states that 'in determining an application for a permit, a planning authority (the Central Highlands Council in this case) must (amongst other things) seek out the objectives set out in Schedule 1.

Schedule 1 includes 'The objectives of the Resource Management and Planning System of Tasmania' which are (amongst other things):

'To promote sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity'.

Sustainable development includes *'avoiding, remedying or mitigating any adverse effects of activities on the environment'*.

The development will result in the loss of 27 ha native vegetation at the site and will potentially impact threatened flora species. In the absence of a ground survey it is not possible to advise meaningful efforts for the Planning Authority to consider to avoid or mitigate impact to threatened values if indeed they are present on the site.

4.5 Central Highlands Interim Planning Scheme 2015

4.5.1 Zoning

The site is classified within 'Zone 12 – Low Density Residential' under the Central Highlands Interim Planning Scheme 2015. Purposes of this zone include:

4.5.2 Codes

The Central Highlands Interim Planning Scheme does not include a Biodiversity Code or any other Code that manages the impact to threatened flora or fauna species.

5 Summary and recommendations

A desktop review of natural values that may be present within the proposal area was conducted. The proposal area is mapped as occupied by three native vegetation communities, none of which are listed under any act. No threatened vegetation community is expected to occur.

Three species of threatened flora have been recorded within 500 m of the proposal area, and it is quite possible that the site supports two of these species: *Eucalyptus gunnii* subsp. *divaricata* (TSPA endangered, EPBCA endangered) and *Hovea montana* (TSPA rare, EPBCA not listed).

The proposal may also affect habitat for several threatened fauna species including Tasmanian devil, quolls, wedge-tailed eagle and white-bellied sea eagle. The potential for impact to breeding habitat for these species is considered low and accordingly the potential for a significant impact to these species is low.

If the proposal impacts threatened flora species listed under the TSPA, a permit to take will be required prior to clearing. However, in the absence of a ground survey it is not possible to determine if threatened species will be impacted; the proposal therefore risks breaching this Act. Additionally, if the site supports a large number *E. gunnii* subsp. *divaricata*, the impact may be considered significant in terms of the EPBCA.

5.1 Recommendations:

- A ground survey of the proposal area should be undertaken to assess the potential impact to two species of threatened flora that may be present. Additionally, our assessment of the potential occurrence of and impact to threatened fauna should be verified with a site-wide ground survey. There are limitations to the use of aerial imagery and other desktop-based sources used in this desktop assessment and a ground survey is required to fully assess the potential occurrence and hence impact to both flora and fauna. This will reduce any potential to breach environmental legislation and allow for the recommendation of meaningful mitigation and avoidance measures.
- Given the potential for this project to impact threatened flora protected under the TSPA we recommend that the Council seeks advice from the Conservation Assessments Section of DPIPW regarding the potential to impact threatened flora. This is in line with the following recommendation on the "Planning ahead" page on DPIPW's Threatened Species Link site¹⁶ "...Councils may refer the assessment to DPIPW for advice in the event that the activity is likely to result in an impact on a state listed threatened species."
- A weed management plan should be developed, and appropriate hygiene measures implemented during clearing and construction to prevent the spread and establishment of declared and serious environmental weeds. To inform this plan, the site should be surveyed for serious environmental and declared weeds.

¹⁶ See <https://www.threatenedspecieslink.tas.gov.au/Pages/planning-ahead.aspx>

6 References

DPIPWE (2015). Guidelines for Natural Values Survey – Terrestrial Development Proposals. Version 1.0. 16th April 2015. Policy and Conservation Advice Branch. Department of Primary Industries, Parks, Water and Environment.

DPIPWE (2015). Weed and Disease Planning and Hygiene Guidelines - Preventing the spread of weeds and diseases in Tasmania. (Eds.) Karen Stewart and Michael Askey-Doran. Department of Primary Industries, Parks, Water and Environment, Hobart, Tasmania.

DPIPWE (2020). Natural Values Report September 2020 (report nvr_1_14-Sep-2020), Natural Values Atlas, Threatened Species Section, Department of Primary Industries and Water, Hobart.

Commonwealth of Australia (1999). Environment Protection and Biodiversity Conservation Act 1999. No. 91, 1999.

FPA (2016) Fauna Technical Note No. 17: Identifying masked owl habitat. Version 1.4 March 2016

Harris, S and Kitchener, A (2005) *From Forest to Fjaeldmark: Descriptions of Tasmania's Vegetation*, Department of Primary Industries, Water and the Environment, Printing Authority of Tasmania, Hobart.

Tasmanian State Government (1995). Threatened Species Protection Act 1995. No.83 of 1995. Government Printer, Hobart, Tasmania
Tasmanian State Government (1999). Weed Management Act 1999. No.105 of 1999. Government Printer, Hobart, Tasmania.

Threatened Species Section (2010) Listing Statement for *Eucalyptus gunnii* subsp. *divaricata* (Miena cider gum), Department of Primary Industries, Parks, Water and Environment, Tasmania

Threatened Species Section (2020). Species Management Profiles from Tasmania's Threatened Species Link. <http://www.threatenedspecieslink.tas.gov.au>. Department of Primary Industries, Parks, Water and Environment, Tasmania.

Todd (2012) Ecology and habitat of a threatened nocturnal bird, the Tasmanian Masked Owl, Thesis submitted in fulfilment of the requirements for the Degree of Doctor of Philosophy, University of Tasmania

BUSHFIRE-PRONE AREAS CODE

CERTIFICATE¹ UNDER S51(2)(d) *LAND USE PLANNING AND APPROVALS ACT 1993*

1. Land to which certificate applies

The subject site includes property that is proposed for use and development and includes all properties upon which works are proposed for bushfire protection purposes.

Street address:

Lot 622 Johnsons Road &
Lot 1 Highland Lakes Road, Miena 7030

Certificate of Title / PID:

CT 152719/622 (PID 2814016) & CT 130056/1 (PID 1867036)

2. Proposed Use or Development

Description of proposed Use and Development:

40 lot subdivision in 6 stages

Applicable Planning Scheme:

Central Highlands Interim Planning Scheme

3. Documents relied upon

This certificate relates to the following documents:

Title	Author	Date	Version
BAL	Blair Gifford	10/08/2021	v.04
BHAR	Blair Gifford	22/11/2021	v.04b
BHMP	Blair Gifford	22/11/2021	v.04
Plan Subdivision	John Medbury	22/11/2021	16018App

¹ This document is the approved form of certification for this purpose and must not be altered from its original form.

4. Nature of Certificate

The following requirements are applicable to the proposed use and development:

<input type="checkbox"/>	E1.4 / C13.4 – Use or development exempt from this Code	
	Compliance test	Compliance Requirement
<input type="checkbox"/>	E1.4(a) / C13.4.1(a)	Insufficient increase in risk

<input type="checkbox"/>	E1.5.1 / C13.5.1 – Vulnerable Uses	
	Acceptable Solution	Compliance Requirement
<input type="checkbox"/>	E1.5.1 P1 / C13.5.1 P1	<i>Planning authority discretion required. A proposal cannot be certified as compliant with P1.</i>
<input type="checkbox"/>	E1.5.1 A2 / C13.5.1 A2	Emergency management strategy
<input type="checkbox"/>	E1.5.1 A3 / C13.5.1 A2	Bushfire hazard management plan

<input type="checkbox"/>	E1.5.2 / C13.5.2 – Hazardous Uses	
	Acceptable Solution	Compliance Requirement
<input type="checkbox"/>	E1.5.2 P1 / C13.5.2 P1	<i>Planning authority discretion required. A proposal cannot be certified as compliant with P1.</i>
<input type="checkbox"/>	E1.5.2 A2 / C13.5.2 A2	Emergency management strategy
<input type="checkbox"/>	E1.5.2 A3 / C13.5.2 A3	Bushfire hazard management plan

<input checked="" type="checkbox"/>	E1.6.1 / C13.6.1 Subdivision: Provision of hazard management areas	
	Acceptable Solution	Compliance Requirement
<input type="checkbox"/>	E1.6.1 P1 / C13.6.1 P1	<i>Planning authority discretion required. A proposal cannot be certified as compliant with P1.</i>
<input type="checkbox"/>	E1.6.1 A1 (a) / C13.6.1 A1(a)	Insufficient increase in risk
<input checked="" type="checkbox"/>	E1.6.1 A1 (b) / C13.6.1 A1(b)	Provides BAL-19 for all lots (including any lot designated as 'balance')
<input type="checkbox"/>	E1.6.1 A1(c) / C13.6.1 A1(c)	Consent for Part 5 Agreement

<input type="checkbox"/>	E1.6.2 / C13.6.2 Subdivision: Public and fire fighting access	
	Acceptable Solution	Compliance Requirement
<input type="checkbox"/>	E1.6.2 P1 / C13.6.2 P1	<i>Planning authority discretion required. A proposal cannot be certified as compliant with P1.</i>
<input type="checkbox"/>	E1.6.2 A1 (a) / C13.6.2 A1 (a)	Insufficient increase in risk
<input checked="" type="checkbox"/>	E1.6.2 A1 (b) / C13.6.2 A1 (b)	Access complies with relevant Tables

<input checked="" type="checkbox"/>	E1.6.3 / C13.1.6.3 Subdivision: Provision of water supply for fire fighting purposes	
	Acceptable Solution	Compliance Requirement
<input type="checkbox"/>	E1.6.3 A1 (a) / C13.6.3 A1 (a)	Insufficient increase in risk
<input type="checkbox"/>	E1.6.3 A1 (b) / C13.6.3 A1 (b)	Reticulated water supply complies with relevant Table
<input type="checkbox"/>	E1.6.3 A1 (c) / C13.6.3 A1 (c)	Water supply consistent with the objective
<input type="checkbox"/>	E1.6.3 A2 (a) / C13.6.3 A2 (a)	Insufficient increase in risk
<input checked="" type="checkbox"/>	E1.6.3 A2 (b) / C13.6.3 A2 (b)	Static water supply complies with relevant Table
<input type="checkbox"/>	E1.6.3 A2 (c) / C13.6.3 A2 (c)	Static water supply consistent with the objective

5. Bushfire Hazard Practitioner


Name:	Blair Gifford	Phone No:	03 6281 5866
Postal Address:	Gifford & Associates Pty Ltd Unit 3 / 69 Letitia Street, North Hobart, 7000	Email Address:	blair@giffordbuildingdesign.com.au
Accreditation No:	BFP – P	Scope:	1, 2, 3A Provisionally accredited

6. Certification

I certify that in accordance with the authority given under Part 4A of the *Fire Service Act* 1979 that the proposed use and development:

- ☐ Is exempt from the requirement Bushfire-Prone Areas Code because, having regard to the objective of all applicable standards in the Code, there is considered to be an insufficient increase in risk to the use or development from bushfire to warrant any specific bushfire protection measures, or
- ☒ The Bushfire Hazard Management Plan/s identified in Section 3 of this certificate is/are in accordance with the Chief Officer's requirements and compliant with the relevant **Acceptable Solutions** identified in Section 4 of this Certificate.

Signed:
certifier



Name:

Blair Gifford

Date:

03/12/2021

Certificate Number:

THEISSEN01

(for Practitioner Use only)

Chris Moore Bushfire Planning and
Assessment Officer On behalf of the
Chief Officer Tasmania Fire Service
December 06 2021



CERTIFICATE OF QUALIFIED PERSON – ASSESSABLE ITEM

Section 321

To: **P H Theissen c/- J B Medbury Surveyor** Owner /Agent
159 Cilwen Road Address
Cambridge Tas **7170** Suburb/postcode

Form **55**

Qualified person details:

Qualified person: **Blair Gifford**
Address: **3/69 Letitia Street** Phone No: **03 6281 5866**
North Hobart **7000** Fax No:
Licence No: **BFP-P** Email address: **blair@giffordbuildingdesign.com.au**

Qualifications and Insurance details: **Accredited to report on bushfire hazards under Part IVA of the Fire Service Act 1979.**
Professional Indemnity LPS009926458
Public Liability LCB011157188
(description from Column 3 of the Director's Determination - Certificates by Qualified Persons for Assessable Items)

Speciality area of expertise: **Analysis of hazards in bushfire-prone areas.**
(description from Column 4 of the Director's Determination - Certificates by Qualified Persons for Assessable Items)

Details of work:

Address: **Lot 622 Johnsons Road & Lot 1 Highland Lakes Road** Lot No:
Miena, Tas **7030** Certificate of title No: **152719/622 & 130056/1**
The assessable item related to this certificate: **Assessment of the site Bushfire Attack Level (BAL) to Australian Standards 3959-2018**
(description of the assessable item being certified)
Assessable item includes –

- a material.
- a design
- a form of construction
- a document
- testing of a component, building system, or plumbing system
- an inspection, or assessment, performed

Certificate details:

Certificate type: **Bushfire Hazard**
(description from Column 1 of Schedule 1 of the Director's Determination - Certificates by Qualified Persons for Assessable Items n)

This certificate is in relation to the above assessable item, at any stage, as part of - (tick one)

building work, plumbing work or plumbing installation or demolition work: ☒

or

a building, temporary structure or plumbing installation: ☐

In issuing this certificate the following matters are relevant –

Documents:

Bushfire Hazard Management Plan v.04_GBRA – 22 November 2021
Miena Plan of Subdivision - overall plan 16018App – 22 November 2021
Miena – Plan of Subdivision Stage 1 – 22 November 2021
Miena – Plan of Subdivision Stages 2-6 – 22 November 2021
Miena – Staging Plan – 22 November 2021
Draft Part 5 Agreement – 04 October 2021
DA 2019-45 - Boundary Adjustment - Planning Approval 20 August 2019

Relevant
calculations:

Refer to BAL Assessment Plan v04 dated 10/08/2021 for relevant calculations

References:

AS 3959-2018 Construction of buildings in bushfire prone areas.
National Construction Code Volume 2 – 2018
Building Regulations 2016 – Division 6
Directors Determination – Bushfire Hazard Areas v1-1 2021

Substance of Certificate: (what it is that is being certified)

1. Certification of the Bushfire Hazard Management Plan v.04 22 November 2021
2. Certification that the Design Bushfire Attack Levels are as shown on the BHMP

Scope and/or Limitations

This report was commissioned to evaluate the risks to the development associated with bushfire hazard and defines the site's Bushfire Attack Level (BAL). All comment, advice and fire suppression measures are in relation to compliance with Directors Determination – Bushfire Hazard Areas v1-1 2021 in relation to the Tasmanian Building Act 2016 and Building Regulations 2016 – Division 6, Australia and Australian Standards, AS 3959-2018, Construction of buildings in bushfire-prone areas.

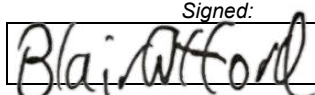
The inspection has been undertaken and this assessment provided on the understanding that:-

1. The assessment only deals with the potential bushfire risk all other statutory assessments are outside the scope of this assessment.
2. The assessment only identifies the size, volume and status of vegetation at the time the site inspection was undertaken and cannot be relied upon for any future development.
3. Impacts of future development and vegetation growth have not been considered.
4. There can be no guarantee that a building will survive a bushfire event on every occasion. This is substantially due to the degree of vegetation management, the unpredictable nature and behaviour of fire and extreme weather conditions.
5. The effectiveness of the measures and recommendations are dependent on their implementation and maintenance for the life of the development.
6. Should the site characteristics that this assessment has been measured from alter from those identified, the BAL classification may differ and cause this assessment to become void.
7. No liability can be accepted for actions by others which may compromise the effectiveness of this assessment.

I certify the matters described in this certificate.

Qualified person:

Signed:



Certificate No:

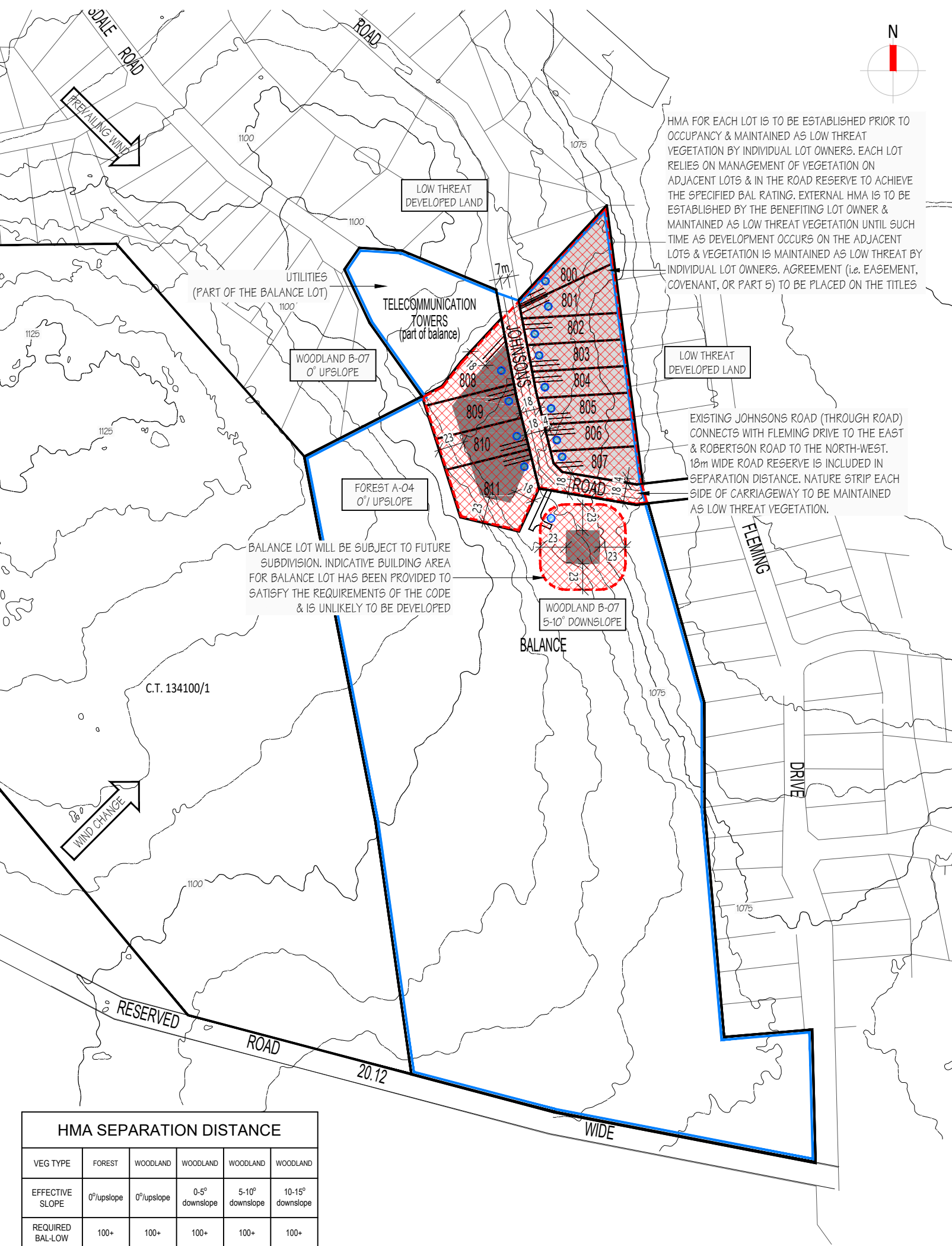
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Date:

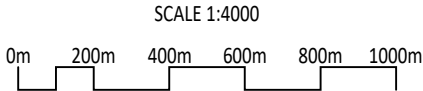
03/12/2021

Chris Moore Bushfire Planning and Assessment
Officer On behalf of the Chief Officer Tasmania
Fire Service December 06 2021





HMA SEPARATION DISTANCE					
VEG TYPE	FOREST	WOODLAND	WOODLAND	WOODLAND	WOODLAND
EFFECTIVE SLOPE	0°/upslope	0°/upslope	0-5° downslope	5-10° downslope	10-15° downslope
REQUIRED BAL-LOW	100+	100+	100+	100+	100+
REQUIRED BAL-12.5	32-<100	22-<100	26-<100	32-<100	40-<100
REQUIRED BAL-19	23-<32	15-<22	18-<26	23-<32	28-<40



GENERAL

- SEPARATION DISTANCES BETWEEN THE BUILDING AREAS & THE IDENTIFIED BUSHFIRE-PRONE VEGETATION HAVE BEEN DETERMINED USING METHOD 1 OF AS-3959-2018 CONSTRUCTION OF BUILDINGS IN BUSHFIRE PRONE AREAS.
- THIS PLAN MUST BE READ IN CONJUNCTION WITH THE BUSHFIRE REPORT v.04 BY GBRA DATED 10/08/2021

HAZARD MANAGEMENT AREA

- ESTABLISH HAZARD MANAGEMENT AREAS AS DIMENSIONED ON THIS PLAN
- MAINTAIN THE HMA SO THAT FUELS ARE REDUCED SUFFICIENTLY & OTHER HAZARDS ARE REMOVED SUCH THAT THE FUELS & OTHER HAZARDS DO NOT SIGNIFICANTLY CONTRIBUTE TO THE BUSHFIRE ATTACK
- EACH LOT IS PROVIDED WITH A BUILDING AREA WITH SEPARATION DISTANCES EQUAL TO OR GREATER THAN REQUIRED FOR BAL-19 IN ACCORDANCE WITH E1.6.1 / C13.6.1 OF THE BUSHFIRE PRONE AREAS CODE
- EACH LOT WITHIN STAGE 1 RELIES ON MANAGEMENT OF VEGETATION ON ADJACENT LOTS & IN THE ROAD RESERVE TO ACHIEVE THE SPECIFIED BAL RATING. TO ENSURE THAT EXTERNAL HMA IS MAINTAINED AS LOW THREAT VEGETATION, A COVENANT, EASEMENT OR PART 5 AGREEMENT MUST BE ATTACHED TO EACH TITLE
- HMA FOR EACH LOT IS TO BE ESTABLISHED PRIOR TO OCCUPANCY & MAINTAINED AS LOW THREAT VEGETATION BY INDIVIDUAL LOT OWNERS
- EXTERNAL HMA IS TO BE ESTABLISHED BY THE BENEFITING LOT OWNER & MAINTAINED AS LOW THREAT VEGETATION UNTIL SUCH TIME AS DEVELOPMENT OCCURS ON THE ADJACENT LOTS & EACH LOT IS MAINTAINED AS LOW THREAT VEGETATION BY INDIVIDUAL LOT OWNERS

VEGETATION MANAGEMENT

- LIMITED AMOUNTS OF LOW FLAMMABILITY PLANTS ARE ACCEPTABLE WITHIN THE HMA; INCLUDING MAINTAINED LAWN (SHORT CROPPED & KEPT TO A NOMINAL HEIGHT OF 100mm), PATHS, PAVING, SWIMMING POOLS, LOW FLAMMABILITY ORNAMENTAL GARDENS, VEGETABLE GARDENS, ON-SITE WASTE TREATMENT DISPERSION AREAS ETC.
- LANDSCAPE WITH FIRE RESISTING PLANTS TO ABSORB HEAT FROM AN APPROACHING BUSHFIRE, TRAP BURNING EMBERS & REDUCE WIND SPEEDS. PREFERENCE SHOULD BE GIVEN TO LOW GROWING PLANTS & GROUND COVERS
- DO NOT PLANT ADJACENT TO WALLS & DECKS OR DIRECTLY UNDER GLAZED ELEMENTS. CONSIDER CONSTRUCTING A NON FLAMMABLE PERIMETER PATH AROUND BUILDINGS TO REDUCE BUILDUP OF FINE FUELS IN DIRECT CONTACT WITH BUILDINGS
- LIMITED TREES & SHRUBS (PREFERABLY FIRE RESISTANT) MAY BE RETAINED / PLANTED WITHIN THE HMA. SELECTIVELY REMOVE / PLANT TREES & SHRUBS TO CREATE DISCONTINUOUS ROWS & CLUMPS OF VEGETATION. PROVIDE A 2m MINIMUM SEPARATION BETWEEN TREE CANOPIES TO REDUCE CONNECTIVITY. TREES & SHRUBS WILL BE SUBJECT TO CONTINUAL MAINTENANCE & PRUNING OF MID LEVEL GROWTH. ENSURE THAT NO VEGETATION LINKAGE IS PRESENT BETWEEN GROUND COVER & TREE CANOPIES. CREATE HORIZONTAL SEPARATION BETWEEN TREE CROWNS & VERTICAL SEPARATION BETWEEN MID LEVEL VEGETATION & THE CANOPY BY LOPPING LOWER BRANCHES 4m FROM GROUND & PRUNING SHRUBS TO 3m MAX. HEIGHT. TREES SHOULD NOT OVERHANG BUILDINGS & PREFERABLY BE LOCATED GREATER THAN 10m FROM BUILDINGS
- REGULARLY REMOVE GROUND FUELS I.E. LEAVES, BARK, FALLEN BRANCHES, MOWN GRASSES ETC

CONSTRUCTION STANDARD

- SEPARATION DISTANCES SPECIFIED ON THIS PLAN PROVIDE FOR DESIGN BAL-19 MINIMUM
- HABITABLE BUILDINGS (& ASSOCIATED OUTBUILDINGS LOCATED WITHIN 6m OF THE HABITABLE BUILDING) ARE TO BE DESIGNED, CONSTRUCTED & MAINTAINED IN ACCORDANCE WITH THE RELEVANT CONSTRUCTION SECTIONS OF AS 3959-2018 FOR THE DETERMINED BAL FOR EACH LOT AS SHOWN ON THIS PLAN. HIGHER LEVELS OF CONSTRUCTION ARE ACCEPTABLE

PUBLIC & FIRE FIGHTING ACCESS

- DESIGN & CONSTRUCTION OF ACCESS TO THE BUILDING AREAS & TO THE FIRE FIGHTING WATER SUPPLY IN ACCORDANCE WITH IN E1.6.2 / C13.6.2 OF THE BUSHFIRE PRONE AREAS CODE
- PUBLIC & FIRE FIGHTING ACCESS IN ACCORDANCE WITH IN E1.6.2 / C13.6.2 OF THE BUSHFIRE PRONE AREAS CODE
 - DESIGN & CONSTRUCTION OF PUBLIC ACCESS IS TO COMPLY WITH TABLE E1 /C13.1 OF THE BUSHFIRE PRONE AREAS CODE & RELEVANT LOCAL COUNCIL & DEPARTMENT OF STATE GROWTH REQUIREMENTS
 - PRIOR TO OCCUPANCY PROVIDE A COMPLIANT PRIVATE ACCESS FOR EACH HABITABLE BUILDING
 - DESIGN & CONSTRUCTION OF PRIVATE ACCESS TO THE BUILDING AREAS & TO THE FIRE FIGHTING WATER SUPPLY IS TO COMPLY WITH TABLE E2 / C13.2 OF THE BUSHFIRE-PRONE AREAS CODE
 - PROVIDE COMPLIANT PROPERTY ACCESS FROM THE PUBLIC ROAD TO WITHIN 90m OF FURTHEST ELEMENT OF EACH HABITABLE BUILDING & TO WITHIN 3m OF EACH FIRE-FIGHTING WATER SUPPLY CONNECTION POINT. PROVIDE COMPLIANT TURNING AREA AT TOP OF THE ACCESS

WATER SUPPLY FOR FIRE FIGHTING

- LOCATION & INSTALLATION OF FIREFIGHTING WATER SUPPLY IN ACCORDANCE WITH IN E1.6.3/ C13.6.3 OF THE BUSHFIRE PRONE AREAS CODE
- SELECTION & LOCATION OF STATIC WATER SUPPLY FOR FIREFIGHTING IS TO COMPLY WITH TABLE E5 /C13.5 OF THE BUSHFIRE-PRONE AREAS CODE
 - PRIOR TO OCCUPANCY, PROVIDE A COMPLIANT STATIC WATER SUPPLY (I.E. WATER STORAGE TANK) WITH A MINIMUM OF 10,000 LITRES STORED WATER RESERVED SOLELY FOR FIRE FIGHTING PURPOSES FOR EACH HABITABLE BUILDING
 - FIREFIGHTING WATER CONNECTION POINT MUST BE LOCATED WITHIN 90m OF FURTHEST ELEMENT OF THE HABITABLE BUILDING, MEASURED AS A HOSE LAY, & ACCESSIBLE WITHIN LESS THAN 3m OF A HARDSTAND. IDENTIFY THE CONNECTION POINT WITH COMPLIANT SIGNAGE

DESIGN BAL	
BAL	LOT
BAL-12.5	800
	801
	802
	803
	804
	805
	806
	807
BAL-19	808
	809
	810
	811
	balance

LEGEND

HAZARD MANAGEMENT AREA

BAL-12.5 BUILDING AREA

BAL-19 BUILDING AREA

FIRE WST (exact location tbc)

STAGE 1

P. H. THIESSEN FAMILY SUPER PTY LTD

PROPOSED SUBDIVISION - stage 1

HIGHLAND LAKES ROAD, MIENA 7030

LOT 622 JOHNSONS ROAD, MIENA 7030

7561A HIGHLAND LAKES ROAD, MIENA 7030

C.T. 130056/1

C.T. 152719/622

C.T. 134100/1

BUSHFIRE HAZARD MGMT

22 NOVEMBER 2021

v04

1 OF 2

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TRUE NORTH

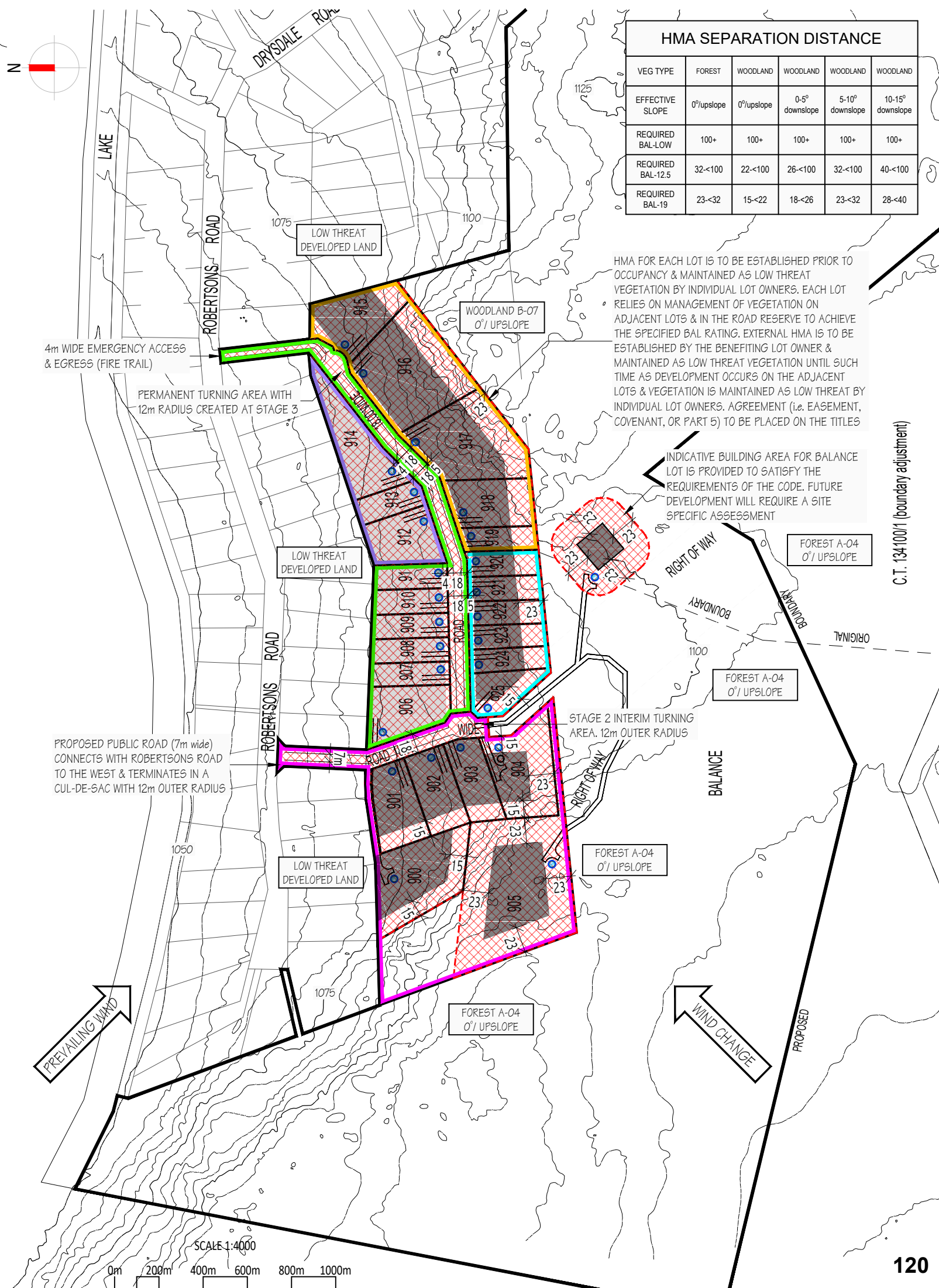
gifford

bushfire risk assessment

PH: 03 6281 5866

admin@giffordbuildingdesign.com.au

certification number: BFP-103



HMA SEPARATION DISTANCE					
VEG TYPE	FOREST	WOODLAND	WOODLAND	WOODLAND	WOODLAND
EFFECTIVE SLOPE	0° upslope	0° upslope	0-5° downslope	5-10° downslope	10-15° downslope
REQUIRED BAL-LOW	100+	100+	100+	100+	100+
REQUIRED BAL-12.5	32-<100	22-<100	26-<100	32-<100	40-<100
REQUIRED BAL-19	23-<32	15-<22	18-<26	23-<32	28-<40

HMA FOR EACH LOT IS TO BE ESTABLISHED PRIOR TO OCCUPANCY & MAINTAINED AS LOW THREAT VEGETATION BY INDIVIDUAL LOT OWNERS. EACH LOT RELIES ON MANAGEMENT OF VEGETATION ON ADJACENT LOTS & IN THE ROAD RESERVE TO ACHIEVE THE SPECIFIED BAL RATING. EXTERNAL HMA IS TO BE ESTABLISHED BY THE BENEFITING LOT OWNER & MAINTAINED AS LOW THREAT VEGETATION UNTIL SUCH TIME AS DEVELOPMENT OCCURS ON THE ADJACENT LOTS & VEGETATION IS MAINTAINED AS LOW THREAT BY INDIVIDUAL LOT OWNERS. AGREEMENT (i.e. EASEMENT, COVENANT, OR PART 5) TO BE PLACED ON THE TITLES

INDICATIVE BUILDING AREA FOR BALANCE LOT IS PROVIDED TO SATISFY THE REQUIREMENTS OF THE CODE. FUTURE DEVELOPMENT WILL REQUIRE A SITE SPECIFIC ASSESSMENT

C.T. 134/100/1 (boundary adjustment)

GENERAL

- SEPARATION DISTANCES BETWEEN THE BUILDING AREAS & THE IDENTIFIED BUSHFIRE-PRONE VEGETATION HAVE BEEN DETERMINED USING METHOD 1 OF AS-3959-2018 CONSTRUCTION OF BUILDINGS IN BUSHFIRE PRONE AREAS.
- THIS PLAN MUST BE READ IN CONJUNCTION WITH THE BUSHFIRE REPORT v.04 BY GBRA DATED 10/08/2021

HAZARD MANAGEMENT AREA

- ESTABLISH HAZARD MANAGEMENT AREAS AS DIMENSIONED ON THIS PLAN
- MAINTAIN THE HMA SO THAT FUELS ARE REDUCED SUFFICIENTLY & OTHER HAZARDS ARE REMOVED SUCH THAT THE FUELS & OTHER HAZARDS DO NOT SIGNIFICANTLY CONTRIBUTE TO THE BUSHFIRE ATTACK
- EACH LOT IS PROVIDED WITH A BUILDING AREA WITH SEPARATION DISTANCES EQUAL TO OR GREATER THAN REQUIRED FOR BAL-19 IN ACCORDANCE WITH E1.6.1 / C13.6.1 OF THE BUSHFIRE PRONE AREAS CODE
- EACH LOT WITHIN STAGE 1 RELIES ON MANAGEMENT OF VEGETATION ON ADJACENT LOTS & IN THE ROAD RESERVE TO ACHIEVE THE SPECIFIED BAL RATING. TO ENSURE THAT EXTERNAL HMA IS MAINTAINED AS LOW THREAT VEGETATION, A COVENANT, EASEMENT OR PART 5 AGREEMENT MUST BE ATTACHED TO EACH TITLE
- HMA FOR EACH LOT IS TO BE ESTABLISHED PRIOR TO OCCUPANCY & MAINTAINED AS LOW THREAT VEGETATION BY INDIVIDUAL LOT OWNERS
- EXTERNAL HMA IS TO BE ESTABLISHED BY THE BENEFITING LOT OWNER & MAINTAINED AS LOW THREAT VEGETATION UNTIL SUCH TIME AS DEVELOPMENT OCCURS ON THE ADJACENT LOTS & EACH LOT IS MAINTAINED AS LOW THREAT VEGETATION BY INDIVIDUAL LOT OWNERS

VEGETATION MANAGEMENT

- LIMITED AMOUNTS OF LOW FLAMMABILITY PLANTS ARE ACCEPTABLE WITHIN THE HMA; INCLUDING MAINTAINED LAWN (SHORT CROPPED & KEPT TO A NOMINAL HEIGHT OF 100mm), PATHS, PAVING, SWIMMING POOLS, LOW FLAMMABILITY ORNAMENTAL GARDENS, VEGETABLE GARDENS, ON-SITE WASTE TREATMENT DISPERSION AREAS ETC.
- LANDSCAPE WITH FIRE RESISTING PLANTS TO ABSORB HEAT FROM AN APPROACHING BUSHFIRE, TRAP BURNING EMBERS & REDUCE WIND SPEEDS. PREFERENCE SHOULD BE GIVEN TO LOW GROWING PLANTS & GROUND COVERS
- DO NOT PLANT ADJACENT TO WALLS & DECKS OR DIRECTLY UNDER GLAZED ELEMENTS. CONSIDER CONSTRUCTING A NON FLAMMABLE PERIMETER PATH AROUND BUILDINGS TO REDUCE BUILDUP OF FINE FUELS IN DIRECT CONTACT WITH BUILDINGS
- LIMITED TREES & SHRUBS (PREFERABLY FIRE RESISTANT) MAY BE RETAINED / PLANTED WITHIN THE HMA. SELECTIVELY REMOVE / PLANT TREES & SHRUBS TO CREATE DISCONTINUOUS ROWS & CLUMPS OF VEGETATION. PROVIDE A 2m MINIMUM SEPARATION BETWEEN TREE CANOPIES TO REDUCE CONNECTIVITY. TREES & SHRUBS WILL BE SUBJECT TO CONTINUAL MAINTENANCE & PRUNING OF MID LEVEL GROWTH. ENSURE THAT NO VEGETATION LINKAGE IS PRESENT BETWEEN GROUND COVER & TREE CANOPIES. CREATE HORIZONTAL SEPARATION BETWEEN TREE CROWNS & VERTICAL SEPARATION BETWEEN MID LEVEL VEGETATION & THE CANOPY BY LOPPING LOWER BRANCHES 4m FROM GROUND & PRUNING SHRUBS TO 3m MAX. HEIGHT. TREES SHOULD NOT OVERHANG BUILDINGS & PREFERABLY BE LOCATED GREATER THAN 10m FROM BUILDINGS
- REGULARLY REMOVE GROUND FUELS i.e. LEAVES, BARK, FALLEN BRANCHES, MOWN GRASSES ETC

CONSTRUCTION STANDARD

- SEPARATION DISTANCES SPECIFIED ON THIS PLAN PROVIDE FOR DESIGN BAL-19 MINIMUM
- HABITABLE BUILDINGS (& ASSOCIATED OUTBUILDINGS LOCATED WITHIN 6m OF THE HABITABLE BUILDING) ARE TO BE DESIGNED, CONSTRUCTED & MAINTAINED IN ACCORDANCE WITH THE RELEVANT CONSTRUCTION SECTIONS OF AS 3959-2018 FOR THE DETERMINED BAL FOR EACH LOT AS SHOWN ON THIS PLAN. HIGHER LEVELS OF CONSTRUCTION ARE ACCEPTABLE

PUBLIC & FIRE FIGHTING ACCESS

DESIGN & CONSTRUCTION OF ACCESS TO THE BUILDING AREAS & TO THE FIRE FIGHTING WATER SUPPLY IN ACCORDANCE WITH IN E1.6.2 / C13.6.2 OF THE BUSHFIRE PRONE AREAS CODE

- PUBLIC & FIRE FIGHTING ACCESS IN ACCORDANCE WITH IN E1.6.2 / C13.6.2 OF THE BUSHFIRE PRONE AREAS CODE
- DESIGN & CONSTRUCTION OF PUBLIC ACCESS IS TO COMPLY WITH TABLE E1 / C13.1 OF THE BUSHFIRE PRONE AREAS CODE & RELEVANT LOCAL COUNCIL & DEPARTMENT OF STATE GROWTH REQUIREMENTS
- PRIOR TO OCCUPANCY PROVIDE A COMPLIANT PRIVATE ACCESS FOR EACH HABITABLE BUILDING
- DESIGN & CONSTRUCTION OF PRIVATE ACCESS TO THE BUILDING AREAS & TO THE FIRE FIGHTING WATER SUPPLY IS TO COMPLY WITH TABLE E2 / C13.2 OF THE BUSHFIRE-PRONE AREAS CODE
- PROVIDE COMPLIANT PROPERTY ACCESS FROM THE PUBLIC ROAD TO WITHIN 90m OF FURTHEST ELEMENT OF EACH HABITABLE BUILDING & TO WITHIN 3m OF EACH FIRE-FIGHTING WATER SUPPLY CONNECTION POINT. PROVIDE COMPLIANT TURNING AREA AT TOP OF THE ACCESS

WATER SUPPLY FOR FIRE FIGHTING

LOCATION & INSTALLATION OF FIREFIGHTING WATER SUPPLY IN ACCORDANCE WITH IN E1.6.3/ C13.6.3 OF THE BUSHFIRE PRONE AREAS CODE

- SELECTION & LOCATION OF STATIC WATER SUPPLY FOR FIREFIGHTING IS TO COMPLY WITH TABLE E5 /C13.5 OF THE BUSHFIRE-PRONE AREAS CODE
- PRIOR TO OCCUPANCY, PROVIDE A COMPLIANT STATIC WATER SUPPLY (i.e. WATER STORAGE TANK) WITH A MINIMUM OF 10,000 LITRES STORED WATER RESERVED SOLELY FOR FIRE FIGHTING PURPOSES FOR EACH HABITABLE BUILDING
- FIREFIGHTING WATER CONNECTION POINT MUST BE LOCATED WITHIN 90m OF FURTHEST ELEMENT OF THE HABITABLE BUILDING, MEASURED AS A HOSE LAY, & ACCESSIBLE WITHIN LESS THAN 3m OF A HARDSTAND. IDENTIFY THE CONNECTION POINT WITH COMPLIANT SIGNAGE

DESIGN BAL		
BAL	LOT	
BAL-12.5	906	911
	907	912
	908	913
	909	914
	910	-
BAL-19	900	918
	901	919
	902	920
	903	921
	904	922
	905	923
	915	924
	916	925
	917	balance

LEGEND

HAZARD MANAGEMENT AREA

BAL-12.5 BUILDING AREA

BAL-19 BUILDING AREA

FIRE WST (exact location tbc)

STAGE 1

STAGE 2

STAGE 3

STAGE 4

STAGE 5

STAGE 6

P. H. THIESSEN FAMILY SUPER PTY LTD

PROPOSED SUBDIVISION - stage 2, 3, 4, 5 & 6

HIGHLAND LAKES ROAD, MIENA 7030

LOT 622 JOHNSONS ROAD, MIENA 7030

7561A HIGHLAND LAKES ROAD, MIENA 7030

C.T. 130056/1

C.T. 152719/622

C.T. 134100/1

BUSHFIRE HAZARD MGMT

22 NOVEMBER 2021

v04

2 OF 2

TRUE NORTH

gifford

bushfire risk assessment

PH: 03 6281 5866

admin@giffordbuildingdesign.com.au

certification number: BFP-103

BUSHFIRE HAZARD ASSESSMENT

P H Thiessen

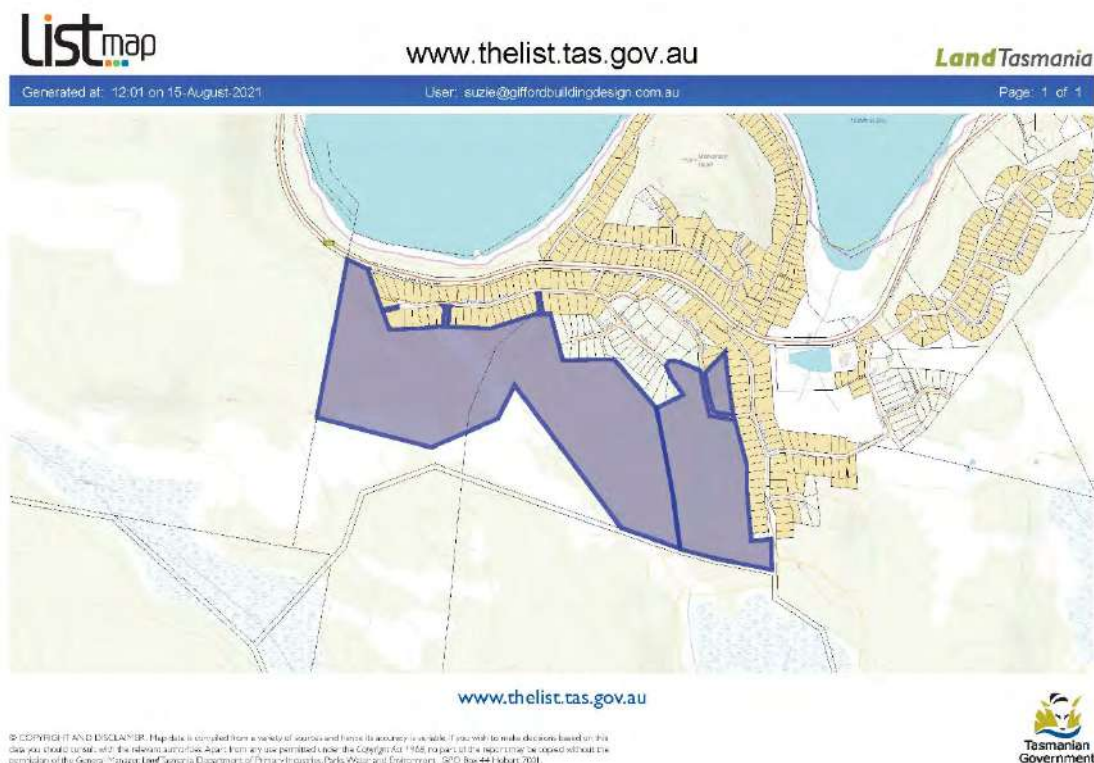
&

P H Thiessen Family Super Pty Ltd

Proposed Subdivision

Lot 622 Johnsons Road & Lot 1 Highland Lakes Road, Miena 7030

v04b



GBRA Project ID: P H Thiessen Family Super Pty Ltd - Proposed subdivision - Miena**Document Issue Status**

Ver.	Issue Date	Description	Originator	Checked	Approved
v01 draft	06/12/2016	Draft Bushfire Hazard Assessment	SG	BG	
v01 draft	28/06/2018	Draft Bushfire Hazard Assessment & BHMP	SG	BG	
v02 draft	29/05/2020	Draft Revised Bushfire Hazard Assessment & BHMP	SG	BG	
v03 draft	31/07/2021	Draft Amended layout Bushfire Risk Assessment & BHMP	SG	BG	
v04 draft	10/08/2021	Draft Amended layout Bushfire Hazard Assessment & BHMP	BG	BG	
v04	26/11/2021	Bushfire Hazard Assessment & BHMP	BG	TFS	
v4b	04/12/2021	Bushfire Hazard Assessment & BHMP	BG	TFS	TFS

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LIMITATIONS & DISCLAIMERS

- Information contained within this report is based on the instructions of AS3959-2018 *Construction of Buildings in Bushfire-Prone Areas*. Although AS3959-2018 is designed to improve the performance of buildings when subjected to bushfire attack in designated bushfire-prone areas there can be no guarantee that a building will survive a bushfire event on every occasion. This is substantially due to the degree of vegetation management, the unpredictable nature and behaviour of fire and extreme weather conditions.
- Compliance with BCA is not part of the scope of this report. The report may include references to BCA as a guide to likely compliance/noncompliance of a particular aspect but should not be taken as definitive nor comprehensive in respect of BCA compliance.
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- The effectiveness of the measures and recommendations in this report are dependent on their implementation and maintenance for the life of the development. Should the site characteristics that this assessment has been measured from alter from those identified, the BAL classification may differ and cause this report to be void. No liability can be acceptable for actions by individuals or agencies which compromise the effectiveness of this report.
- Whilst compliance with the recommendations of this report will enhance the likelihood of the development surviving a bushfire hazard, no guarantee is made that the development will survive every bushfire hazard event.

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Executive Summary

Gifford Bushfire Risk Assessment (GBRA) has been engaged by P H Thiessen Family Super Pty Ltd to assess the bushfire risk and prepare a bushfire hazard assessment and plan in support of a development application for a 40 lot residential subdivision proposal.

Bushfire prone area mapping has not yet been adopted in this municipal area, however, the vast area of adjacent vegetation visible on the aerial imagery and identified on TasVEG mapping available from the Land Information Tasmania (LIST) website suggests that the development is located within a Bushfire Prone Area.

In order to confirm that the site is located within a Bushfire Prone Area as defined by the *Central Highlands Interim Planning Scheme 2015* and to assess the level of bushfire risk, an investigation of the site was undertaken by GBRA's bushfire hazard practitioner. The type of vegetation and the slope under the vegetation was assessed for a distance greater than 100m in all directions from the site.

Using Method 1 (Simplified Procedure) of AS3959-2018 *Construction of Buildings in Bushfire-Prone Areas*, the likely bushfire risk to the site was calculated, a Bushfire Hazard Assessment was undertaken to determine the necessary bushfire risk mitigation measures and a Bushfire Hazard Management plan specifying the bushfire risk mitigation measures was prepared.

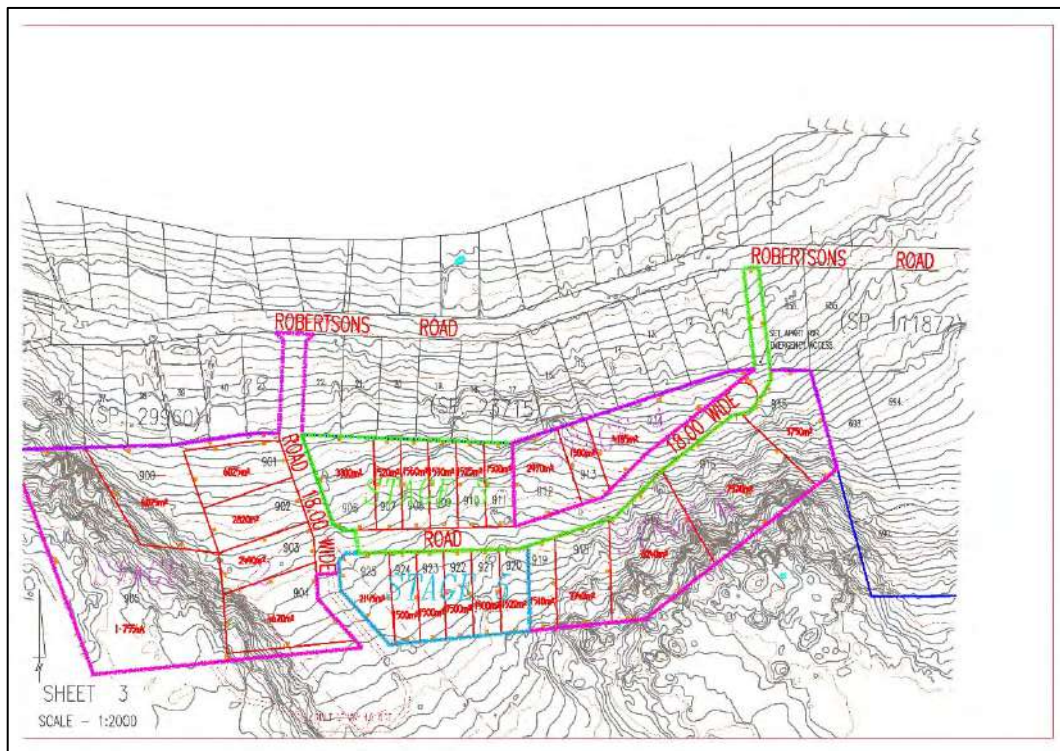
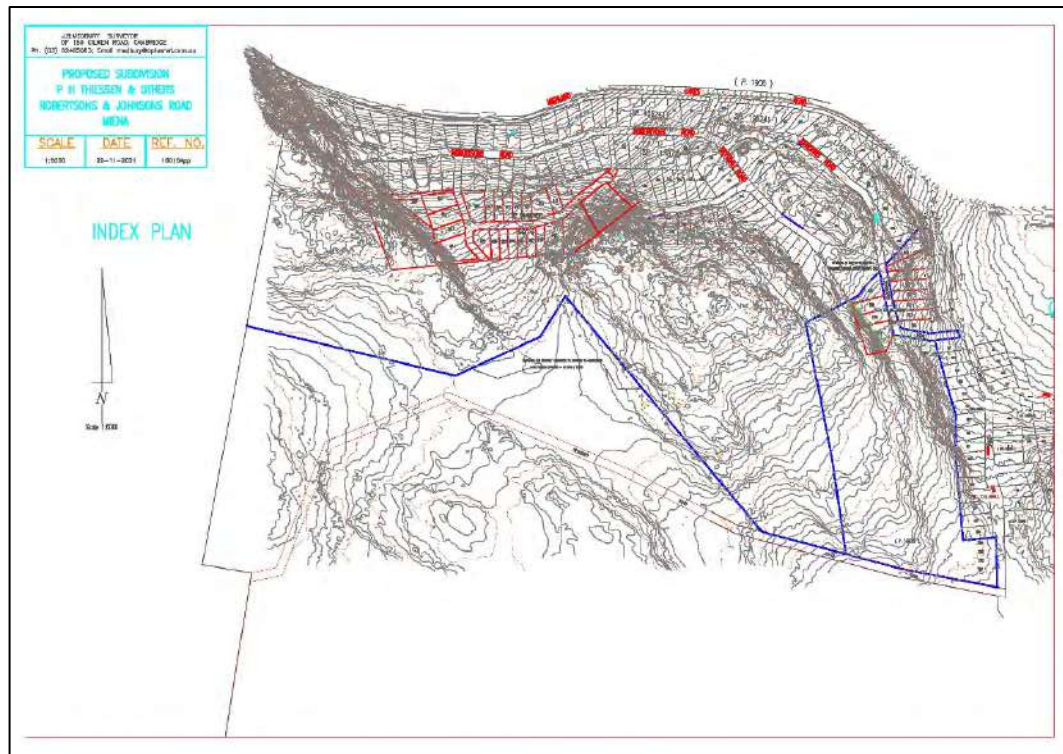
The Bushfire Hazard Management Plan (Attachment 1) demonstrates that each proposed lot is capable of accommodating a building area with a Bushfire Attack Level meeting acceptable solution *E1.6.1 A1 (b)* of PD-5.1 *Bushfire-prone Areas Code* and demonstrates that proposed access and firefighting water supply meet acceptable solutions *E1.6.2 A1 (b)* and *E1.6.3 A2 (b)* of PD-5.1.

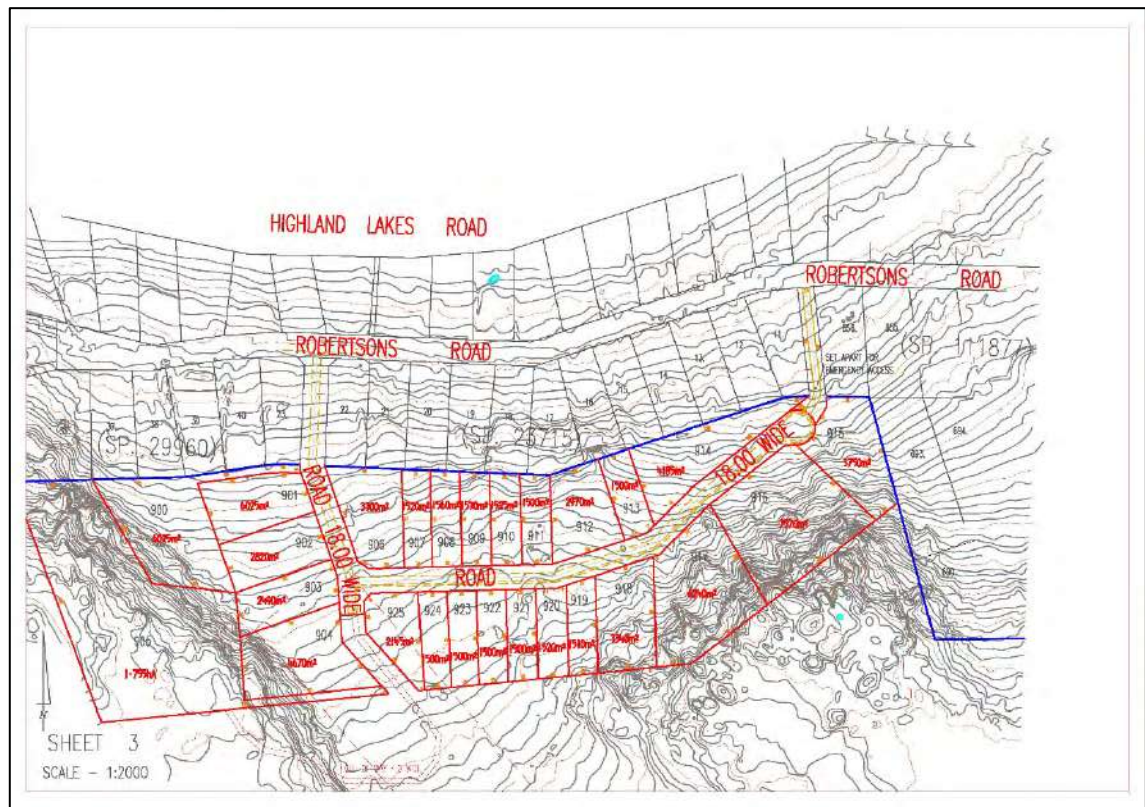
1 Introduction

1.1 Proposal

P H Thiessen Family Super Pty Ltd proposes a 40 lot residential subdivision in 6 stages across two separate titles. Stage 1 creates 13 lots on CT 152719/622 (Lot 622 Johnsons Road) and Stages 2-6 creates 27 lots on CT 130056/1 (Lot 1 Highland Lakes Road) and part of CT 134100/1 (7561A Highland Lakes Road). Refer to figures below and also at full scale attached to this report.

Figure 1. Miena – Plan of Subdivision overall plan





1.2 Background

To provide a through-road for emergency access/egress, a boundary reorganisation between CT 130056/1 (Lot 1 Highland Lakes Road), owned by P H Thiessen Family Super Pty Ltd and CT 134100/1 (7561A Highland Lakes Road), owned by P Downie, was approved in 2019. Refer to DA 2019-45 - Boundary Adjustment Documents (Attachment 8). The plan for the approved boundary reorganisation is yet to be sealed, however, Mr Downie is agreeable to the proposed subdivision and has been notified in accordance with s52 of LUPA Act.

1.3 Purpose

Planning Directive 5.1 - Bushfire-prone Areas Code (PD-5.1) applies to the subdivision of land that is located within, or partially within, a bushfire-prone area. The purpose of PD-5.1 is to ensure that use and development is appropriately designed, located, serviced, and constructed, to reduce the risk to human life and property, and the cost to the community, caused by bushfires.

Gifford Bushfire Risk Assessment (GBRA) has been engaged by P H Thiessen Family Super Pty Ltd to assess the bushfire risk to the development and prepare a bushfire hazard assessment and plan in support of a development application for a subdivision proposal. The bushfire hazard management plan prescribes appropriate measures to reduce the risk, having regard for the objectives of *PD-5.1 Clause E1.6 Development Standards*.

1.4 Objective

The objective of the bushfire hazard assessment and plan is to:

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

1.5 Scope

This assessment relates solely to bushfire risk to the proposed subdivision located at Lot 1 Highland Lakes Road (part of CT 130056/1), 7561A Highland Lakes Road (part of CT 134100/1) and Lot 622 Johnsons Road (part of CT 152719/622).

This report determines whether the site meets the definition of bushfire-prone, calculates the likely Bushfire Attack Level (BAL) using Method 1 of Australian Standard AS3959-2018 *Construction of Buildings in Bushfire Prone Areas* and prescribes appropriate measures to reduce that risk, having regard to the objectives of PD-5.1 *Clause E1.6 Development Standards*.

It also takes into consideration the capability of future development on each lot to comply with the National Construction Code, Australian Standard AS3959-2018 *Construction of Buildings in Bushfire Prone Areas*, the Tasmanian Building Act 2016 - *Building Amendment (Bushfire-Prone Areas) Regulations 2014* and the *Director's Determination – Requirements for Building in Bushfire-Prone Areas 2020*.

As such it includes as attachments:

- Bushfire Hazard Management Plan (Attachment 1)
- Planning Certificate - Bushfire Prone Areas (Attachment 5)
- Certificate of a Specialist or other Person - Form 55 (Attachment 6)

2 Site description

The site comprises of part of CT 152719/622, part of CT 130056/1 and part CT134100/1 as described in Clause 1.1. All vacant land parcels situated on the southern edge of a strip of established residential development along the southern banks of the Great Lake at Swan Bay and Mackersey Head, Miena.

2.1 Desk study

Figures obtained from Land Information Tasmania (theList) show the location of the site bordered in dark blue.

2.1.1 Topography

Based on topographic information from theLIST (Fig. 5) the site ranges from 1075m to 1115m above sea level and has a moderate to steep easterly aspect for CT 152719/622 (Stage 1) and a moderate to steep northerly aspect for CT 130056/1 (Stages 2-6), with the exception of lot 905 which has a sheer rocky escarpment running diagonally from the south-eastern corner to the north-western corner and a steep north-easterly aspect.

All adjacent properties are private freehold and comprise of residential development on low-density residential lots with an average size of 2,500m² to the north and east of CT 152719/622 (Stage 1) and to the north and east of CT 130056/1 (Stages 2-6) with the occasional lot measuring 5,000m², and a vast area of light forest and patches of woodland located upslope to the south and west of CT 130056/1 (Stages 2-6) and upslope to the west and downslope to the south of CT 152719/622 (Stage 1). The northernmost tip of Stage 1 (previously a refuse disposal site) holds a telecommunications tower.

Topography of the surrounding area is hilly, generally falling downslope towards Swan Bay on the Great Lake and rising upslope to a marshy plateau to the south.

Figure 5. Topographic Map - Johnsons Road / Highland Lakes Road & Surrounds



Figure 6. Aerial Image - Johnsons Road / Highland Lakes Road & Surrounds



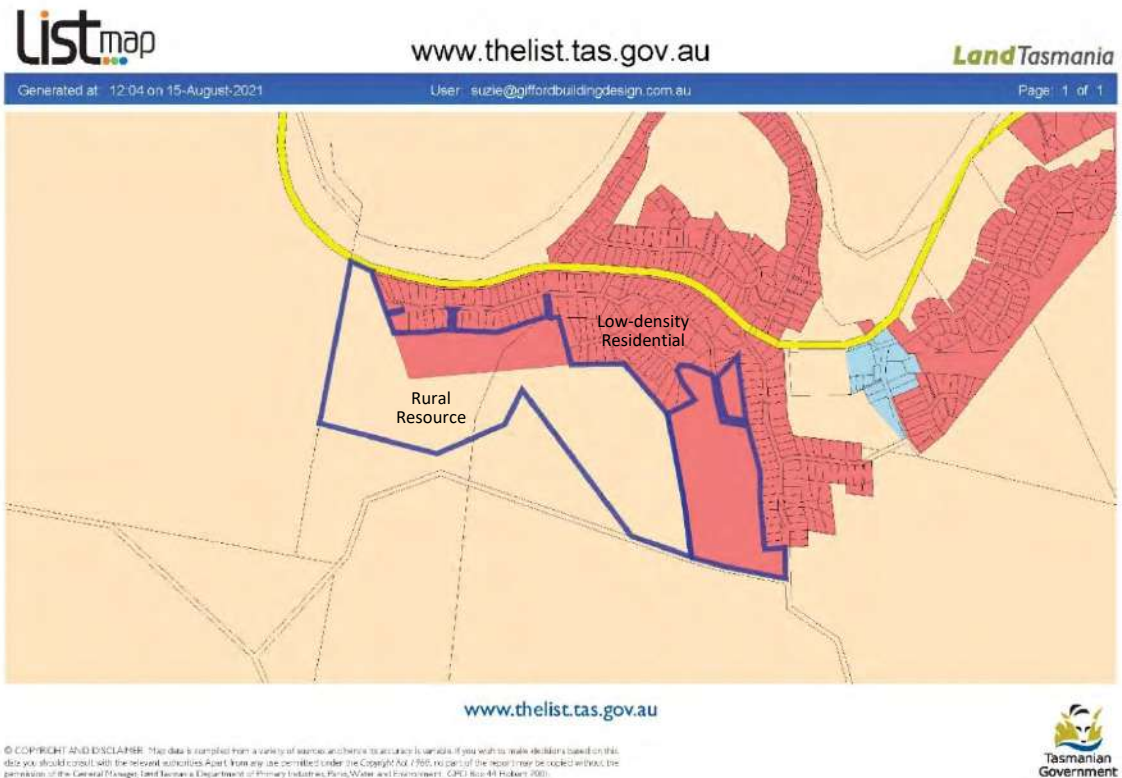
2.1.1 Vegetation

TasVEG mapping (Fig 7) and aerial images (Fig 6) indicate the site is a large bushland lot vegetated almost entirely with *Eucalyptus coccifera* forest and woodland (DCO) aside from a strip of eastern alpine heathland (HHE) which runs diagonally through CT 130056/1 and CT134100/1 (Stages 2-6) and follows the alignment of a now removed power transmission line; and an area of *Eucalyptus gunnii* woodland (DGW) in the upper south-western corner of CT 152719/622 (Stage 1). Vegetation on adjacent land to the south and west is typically a continuation of the vegetation on site. Developed properties to the north and east are identified as urban area (FUR).

Figure 7. TasVEG Map - Johnsons Road / Highland Lakes Road & Surrounds



Figure 8. Zone Map - Johnsons Road / Highland Lakes Road & Surrounds



2.1.2 Zoning and overlays

The site and developed land to the north and east is zoned Low Density Residential and forested land to the south and west is zoned Rural Resource under the *Central Highlands Interim Planning Scheme 2015* (Fig 8). *Tasmanian Interim Planning Scheme 2015* overlay mapping (Fig 9) identifies landslide hazard areas (low and medium) over steeper sections of the site. Bushfire prone area mapping has not yet been adopted in this municipal area.

Figure 9. Overlay Map - Johnsons Road / Highland Lakes Road & Surrounds

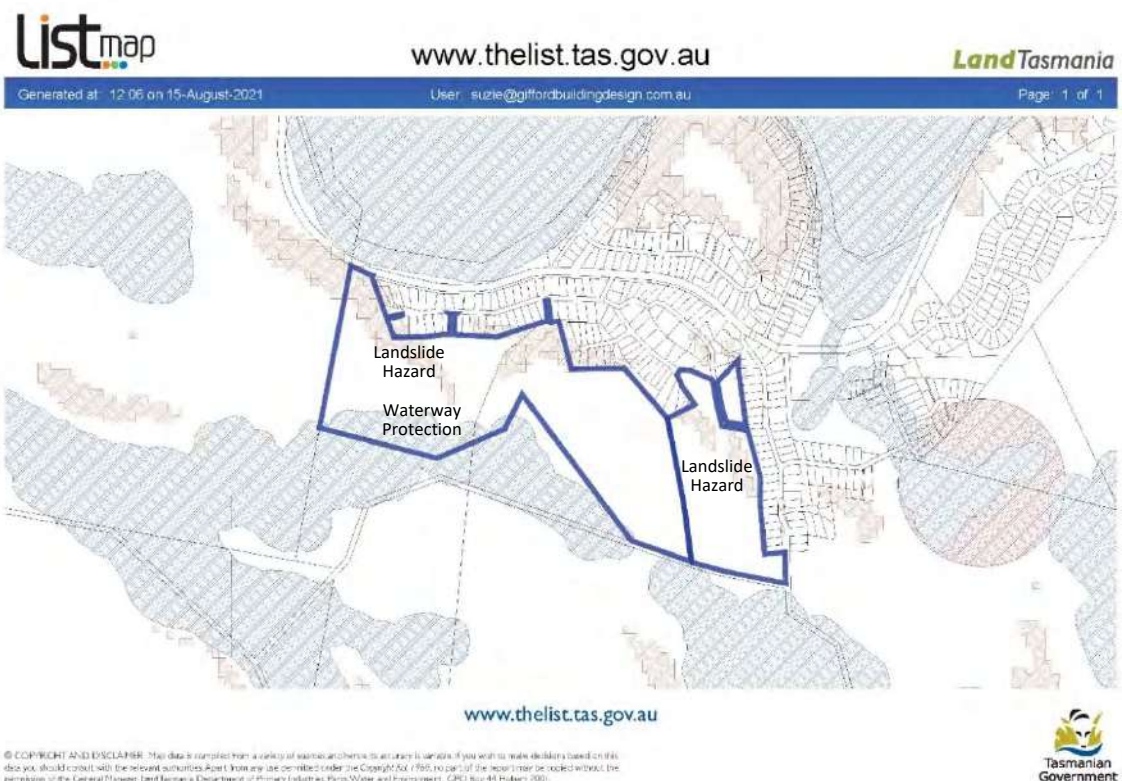
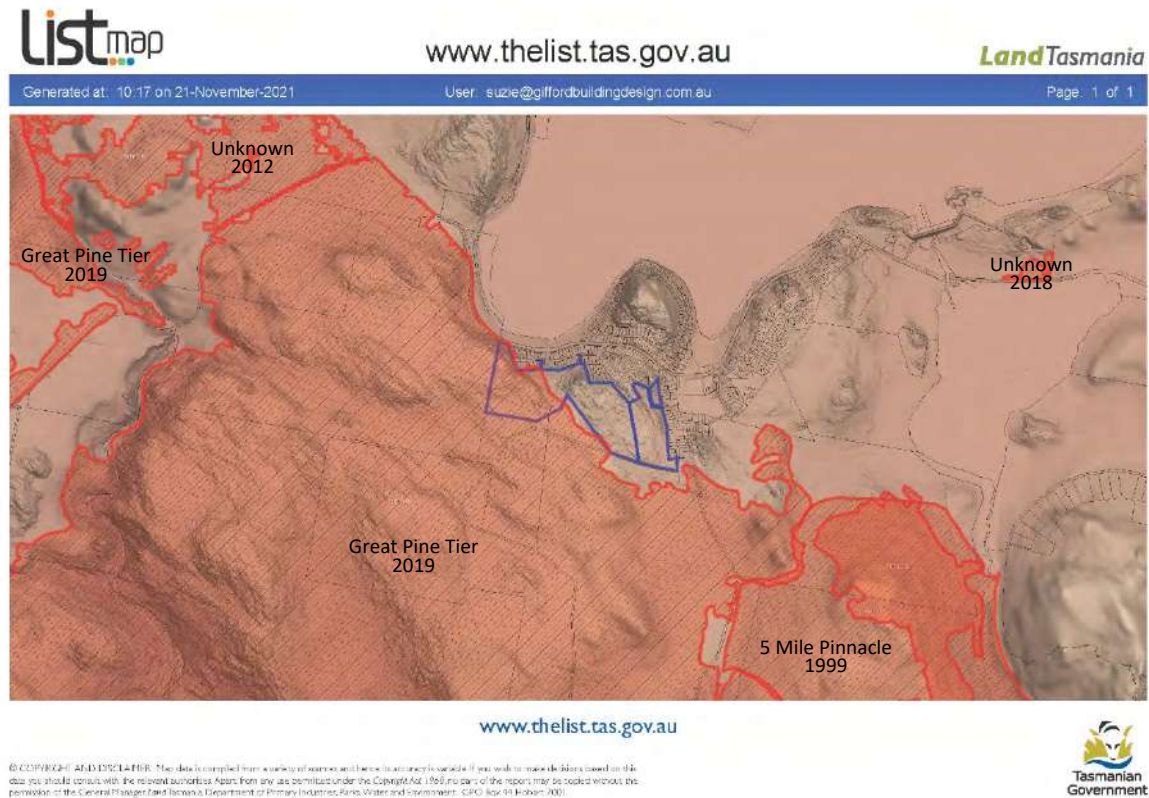


Figure 10. Fire History – Johnsons Road / Highland Lakes Road & Surrounds

The locality holds extensive areas of native vegetation on slopes of 15° or greater. Tasmanian Fire Service defines areas of high fire hazard as being over 15° in slope and covered with vegetation. Based on this description, the site is in a high fire hazard area.

Fire History obtained from the LiST (Fig. 10) shows there have been several instances of bushfire activity recorded on, and in close proximity to the subject site since recorded bushfire history. The most recent being the 51228 hectare, 2019 Great Pine Tier Fires which was prevented from affecting the site by back burning but affected 51228 hectares of bushland to the south-west.

Primary Brigade for the Miena area is the Great Lake-Miena Volunteer Brigade located at 55-57 Cider Gum Road, Miena - 2minutes under normal driving conditions, (1.5 km) to the east of CT 152719/622 (Stage 1) and 5 minutes (2km) to the east of CT 130056/1 (Stages 2-6). Support brigades are; Highland Lakes Volunteer Brigade located at 83 Wilburville Road, Wilburville 25 km to the east; Clyde- Breona Volunteer Brigade located at Highland Lakes Road, Brandum 25km to the north; and Poatina Volunteer Brigade located at Gordon Street, Poatina 55 km to the north-east.

A Community Protection Plan has been prepared by the Tasmanian Fire Service for the Miena/Todds Corner area and identifies a Nearby Safer Place (NSP) at Central Highlands Lodge, 7795 Highland Lakes Road, Miena Map Grid F7, 5 minutes under normal driving conditions, (1.5 km) to the east of CT 152719/622 (Stage 1) and 5 minutes (2km) to the east of CT 130056/1 and CT134100/1 (Stages 2-6) via Highland Lakes Road. This NSP has a Catastrophic FDI 100+ classification. Local emergency radio broadcaster is ABC NE Tasmania 91.7 FM

The link to current TFS Community Protection Plans is

<http://www.fire.tas.gov.au/Show?pageId=communityProtectionPlanningProjectPublic>

2.2 Site Investigation

To determine the level of bushfire risk, the site was investigated on the 6th December 2018. Information within this section should be read in conjunction with photographs taken during the site investigation and the Assessment Plan summarising the main elements from the site investigation.

2.2.1 Site Description

The areas to be developed are approximately 3 hectares located at the northern end of CT 152719/622 - Lot 622 Johnsons Road (Stage 1) and approximately 10 hectares located along the northern boundary of CT 130056/1 - Lot 1 Highland Lakes Road (Stages 2-6) predominantly vegetated with *Eucalyptus coccifera* and *Eucalyptus gunnii* woodland with trees 5-10m high and patches of low heath and tufted grasses on an exposed dolerite substrate, aside from a strip of eastern alpine heathland (HHE) which runs diagonally through CT 130056/1. The northernmost tip of Stage (previously a refuse disposal site) holds a telecommunications tower.

Aerial Image (Stage 1)



Aerial Image (Stages 2-6)



2.2.2 Vegetation Classification

Onsite vegetation (Stage 1): CT 152719/622 - Lot 622 Johnsons Road site vegetation was observed as *Eucalyptus coccifera* woodland with trees 5-10m high and patches of low heath and tufted grasses on a gently undulating exposed dolerite substrate with a moderate easterly slope.



North & east (Stage 1): Vegetation to the north and east of CT 152719/622 - Lot 622 Johnsons Road was observed as residential development bounded by maintained native vegetation and hardstand interspersed with isolated patches of low heath and scattered trees.



South (Stage 1): Vegetation to the south of CT 152719/622 - Lot 622 Johnsons Road was observed as *Eucalyptus coccifera* forest and woodland with trees 10-15m high and patches of low heath and tufted grasses on exposed dolerite substrate with a 5-10° easterly slope.



West (Stage 1): Vegetation to the west of CT 152719/622 - Lot 622 Johnsons Road was observed as *Eucalyptus coccifera* forest and woodland with trees 10-15m high and patches of low heath and tufted grasses on exposed dolerite substrate 0°/upslope.



Onsite vegetation (Stages 2-6): CT 130056/1 - Lot 1 Highland Lakes Road site vegetation was observed as *Eucalyptus coccifera* woodland with trees 5-10m high and patches of low heath and tufted grasses on a gently undulating exposed dolerite substrate with a moderate northerly slope.



North & east (Stages 2-6): Vegetation to the north and east of CT 130056/1 - Lot 1 Highland Lakes Road was observed as residential development bounded by maintained native vegetation and hardstand interspersed with isolated patches of low heath and scattered trees.



South (Stages 2-6): Vegetation to the south of CT 130056/1 - Lot 1 Highland Lakes Road was observed as *Eucalyptus coccifera* forest and woodland with trees 10-15m high and patches of low heath and tufted grasses on exposed dolerite substrate 0°/upslope.



West (Stages 2-6): Vegetation to the west of CT 130056/1 - Lot 1 Highland Lakes Road was observed as *Eucalyptus coccifera* forest and woodland with trees 10-15m high and patches of low heath and tufted grasses on exposed dolerite substrate 0°/upslope.



2.2.3 Existing Access

Lot 622 Johnsons Road - CT 152719/622 (Stage 1) is accessed via Johnsons Road which is a formed gravel paved public road which passes through the north-eastern corner of the lot and connects with Fleming Drive to the east and Drysdale Road to the north-west. Johnsons Road provides access to all lots in Stage 1.

Lot 1 Highland Lakes Road - CT 130056/1 (Stages 2-6) is accessed via Robertson Road which is formed gravel paved public road connecting with Highland Lakes Road (Lake Highway A5) to the north-east and terminating in a cul-de-sac to the west. A partially formed track leads from Robertson Road to the site. Access to lots in Stages 2-6 will require a new public access road.

Existing access (Stage 1)



Existing access (Stages 2-6)



2.2.4 Existing Water Supply

Reticulated water by the water corporation is not available to the site. No existing water supply suitable for fire-fighting was observed on the site. Each site will require a static water supply for firefighting.

2.2.5 Likely Fire Behaviour

During a bushfire event, a number of bushfire attack mechanisms may threaten buildings and occupants, including:

- Radiant heat
- Direct flame contact
- Ember attack
- Wind

Greatest potential threat in a bushfire attack situation was found to be the *Eucalyptus coccifera* forest and woodland located upslope to the south and west.

Eucalyptus coccifera forest and woodland (DCO) have been identified as having high flammability. "Will burn readily when fuels are dry enough but will be too moist to burn for lengthy periods, particularly in winter. Fuels will be dry enough to burn on most days from late spring to early autumn." (Pyrke & Marsden-Smedley, 2008)

Historically, peak bushfire conditions are associated with north-westerly winds. Slopes in the area around Stage 1 (CT 152719/622 - Lot 622 Johnsons Road) fall to the east and in the area around Stages 2-6 (CT 130056/1 - Lot 1 Highland Lakes Road) fall to the north and are likely to have an influence on fire behaviour. The worst-case scenario fire path for Stage 1 would be a fire in the *Eucalyptus coccifera* forest and woodland upslope to the west impacting the site under the influence of strong prevailing west to south-westerly winds. The worst-case scenario fire path for Stages 2-6 would be a fire in the *Eucalyptus coccifera* forest and woodland upslope to the south and west impacting the site under the influence of strong prevailing west to south-westerly winds as this is the direction of peak fire conditions as well as the location of the largest quantity of contiguous vegetation. Fire would tend to travel along the contours and flank the site or travel downslope towards the site or down the contours towards the site.

Given the bushland interface context, the likelihood of a bushfire front impacting the site is probable. The key bushfire attack mechanisms are likely to be wind-borne embers and some radiant heat.

2.2.6 Environmental Considerations

There are no overlays for this site that require consideration regarding clearing of vegetation. No endangered fauna or flora species listed under the *Threatened Species Protection Act 1995* or the *Environment Protection and Biodiversity Conservation Act 1999* are recorded as having been observed on the site. No weed species are recorded as having been observed on the site.

Consideration should be given to the Landslide Hazard Area (low) overlay which covers steeper sections of the site and adjoining land at all aspects. Care should be taken to limit disturbance of soil on steep slopes. Removal of vegetation from the area identified as Landside Hazard should be minimised to reduce the effects of soil erosion and land stability.

3 Bushfire Attack Level Assessment

Bushfire Attack Level (BAL) refers to the potential level of hazard exposure a building may face in an uncontrolled bushfire and takes into consideration a number of factors including the Fire Danger Index (FDI), the slope of land and the types of vegetation in proximity to any building. AS3959-2018 sets out the process for determining BAL ratings which range from BAL-LOW to BAL-FZ and the construction standards based on these ratings.

3.1 Site Assessment

An investigation was undertaken on 6th December 2018 and elements of the site and the surrounding area were documented, providing descriptions, measurements and photographs which allowed assessment of the Bushfire Attack Level in accordance with Method 1 (Simplified Procedure) of AS3959-2018. Published geographical and topographical information and the Tasmania Fire Service were also consulted.

3.2 Bushfire Attack Level

The assessment relies on the following elements being managed as 'low threat vegetation' as defined in AS3959-2018 *Clause 2.2.3.2*:

- Management of individual Hazard Management Area in perpetuity
- Management of interim external Hazard Management Areas around each individual lot
- Management of adjacent nature strips (road verge) in perpetuity

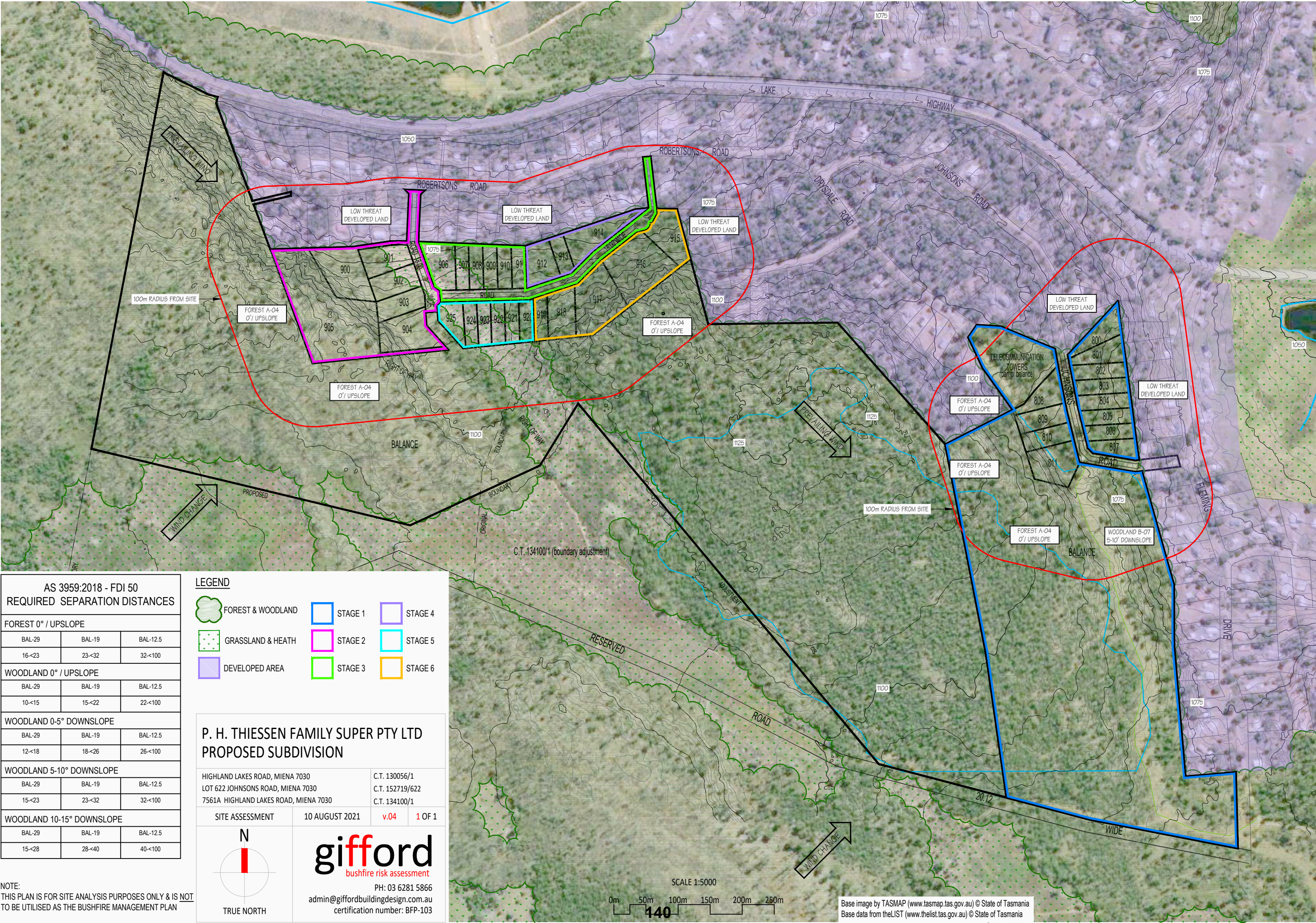
Each lot (with the exception of the balance lots and lot 905) relies on interim HMA on adjoining lots to be maintained as low threat vegetation by the benefiting owner until such a time as development occurs on the adjacent lots at which time they will be maintained as low threat vegetation by the individual owners in accordance with requirements of the Bushfire Hazard Management Plan.

BAL ratings for this proposal have been developed in accordance with PD-5.1 *Clause E1.6.1-subdivision: Provision of hazard management areas*. The objective of *Clause E1.6.1* is that subdivision provides for hazard management areas that:

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

The Bushfire Hazard Management Plan (Attachment 1) shows each lot as provided with hazard managed separation distances between bushfire-prone vegetation and each building area that have dimensions equal to, or greater than, the separation distances required for BAL 19 in *Table 2.4.4* of AS3959-2018 *Construction of Buildings in Bushfire Prone Areas*. With the exception of the balance lots and lot 905, separation distances cannot be achieved within individual title boundaries and this development requires the removal and/or management of vegetation located on land external to each lot.

Should an individual lot owner wish to build to a higher BAL rating, the lot owner has the option to commission an individual Bushfire Hazard Management Plan for that specific lot which may vary the Hazard Management Area nominated by this Subdivision Bushfire Hazard Management Plan. This would be undertaken through the development and permit process associated with individual lot development.



AS 3959:2018 - FDI 50
REQUIRED SEPARATION DISTANCES

FOREST 0° / UPSLOPE		
BAL-29	BAL-19	BAL-12.5
16-<23	23-<32	32-<100
WOODLAND 0° / UPSLOPE		
BAL-29	BAL-19	BAL-12.5
10-<15	15-<22	22-<100
WOODLAND 0-5° DOWNSLOPE		
BAL-29	BAL-19	BAL-12.5
12-<18	18-<26	26-<100
WOODLAND 5-10° DOWNSLOPE		
BAL-29	BAL-19	BAL-12.5
15-<23	23-<32	32-<100
WOODLAND 10-15° DOWNSLOPE		
BAL-29	BAL-19	BAL-12.5
15-<28	28-<40	40-<100

LEGEND		
	FOREST & WOODLAND	STAGE 1
	GRASSLAND & HEATH	STAGE 2
	DEVELOPED AREA	STAGE 3
		STAGE 4
		STAGE 5
		STAGE 6

P. H. THIESSEN FAMILY SUPER PTY LTD
PROPOSED SUBDIVISION

HIGHLAND LAKES ROAD, MIENA 7030	C.T. 130056/1
LOT 622 JOHNSONS ROAD, MIENA 7030	C.T. 152719/622
7561A HIGHLAND LAKES ROAD, MIENA 7030	C.T. 134100/1

SITE ASSESSMENT	10 AUGUST 2021	v.04	1 OF 1
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gifford
bushfire risk assessment

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admin@giffordbuildingdesign.com.au
certification number: BFP-103

N
TRUE NORTH

NOTE:
THIS PLAN IS FOR SITE ANALYSIS PURPOSES ONLY & IS NOT
TO BE UTILISED AS THE BUSHFIRE MANAGEMENT PLAN

Table 1. BAL Assessment – Method 1 (Simplified Procedure)**1. Relevant fire danger index:** FDI 50**2. Classification of vegetation within 100-140m in all directions**

Vegetation classification	North X	East X	South X	West X
	North-East	South-East	South-West	North-West
Group A Forest			X	X
Group B Woodland	X	X	X	X
Group C Shrub-land				
Group D Scrub				
Group E Mallee/Mulga				
Group F Rainforest				
Group G (FDI 50) Grassland				
Exclusions (where applicable)	X	X		
	(b) (c) (d) (e) (f)	(b) (c) (d) (e) (f)	(b) (c) (d) (e) (f)	(b) (c) (d) (e) (f)

3a: Required distance from classified vegetation with an effective slope of upslope and 0°

	distances in metres			
BAL-LOW	100m +	100m +	100m +	100m +
BAL-12.5	100m + low threat 22m to woodland	100m + low threat 22m to woodland	32m to forest 22m to woodland	32m to forest 22m to woodland
BAL-19	100m + low threat 15m to woodland	100m + low threat 15m to woodland	23m to forest 15m to woodland	23m to forest 15m to woodland

3b: Required distance from classified vegetation with an effective slope of 0-5° downslope

	distances in metres			
BAL-LOW	100m +	100m +	100m +	100m +
BAL-12.5	100m + low threat 26m to woodland	100m + low threat 26m to woodland	38m to forest 26m to woodland	38m to forest 26m to woodland
BAL-19	100m + low threat 18m to woodland	100m + low threat 18m to woodland	27m to forest 18m to woodland	27m to forest 18m to woodland

3c: Required distance from classified vegetation with an effective slope of 5-10° downslope

	distances in metres			
BAL-LOW	100m +	100m +	100m +	100m +
BAL-12.5	100m + low threat 32m to woodland	100m + low threat 32m to woodland	46m to forest 32m to woodland	46m to forest 32m to woodland
BAL-19	100m + low threat 23m to woodland	100m + low threat 23m to woodland	34m to forest 23m to woodland	34m to forest 23m to woodland

3d: Required distance from classified vegetation with an effective slope of 10-15° downslope

	distances in metres			
BAL-LOW	100m +	100m +	100m +	100m +
BAL-12.5	100m + low threat 40m to woodland	100m + low threat 40m to woodland	56m to forest 40m to woodland	56m to forest 40m to woodland
BAL-19	100m + low threat 28m to woodland	100m + low threat 28m to woodland	41m to forest 28m to woodland	41m to forest 28m to woodland

Table 2. Bushfire Attack Level (BAL) Lot Schedule

BAL-19	BAL-12.5	BAL-LOW
808	800	nil
809	801	
810	802	
811	803	
Balance Stage 1	804	
900	805	
901	806	
902	906	
903	907	
904	908	
905	909	
915	910	
916	911	
917	912	
918	913	
919	914	
902		
921		
922		
923		
924		
925		
Balance Stages 2-6		

4 Bushfire Protection Requirements

This section contains measures to protect buildings from the effects of bushfire and reduce the likelihood of fatalities arising from occupants of a dwelling who do not evacuate a property prior to exposure from a bushfire event.

All design requirements for building compliance contained herein are shown on the BHMP.

4.1 Hazard Management Area

Hazard Management Area meeting the requirements of PD-5.1 *Clause E1.6.1* is achieved by complying with the following table:

PD 5.1 - E1.6.1 Subdivision: Provision of hazard management areas

Objective: Subdivision provides for hazard management areas that: <ul style="list-style-type: none"> (a) facilitate an integrated approach between subdivision and subsequent building on a lot; (b) provide for sufficient separation of building areas from bushfire-prone vegetation to reduce the radiant heat levels, direct flame attack and ember attack at the building area; and (c) provide protection for lots at any stage of a staged subdivision. 	
Acceptable Solutions	Performance Criteria
A1 <ul style="list-style-type: none"> (a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant the provision of hazard management areas as part of a subdivision; or (b) The proposed plan of subdivision: <ul style="list-style-type: none"> i) shows all lots that are within or partly within a bushfire-prone area, including those developed at each stage of a staged subdivision; ii) shows the building area for each lot; iii) shows hazard management areas between bushfire-prone vegetation and each building area that have dimensions equal to, or greater than, the separation distances required for BAL 19 in Table 2.4.4 of Australian Standard AS 3959 – 2018 Construction of buildings in bushfire-prone areas; and iv) is accompanied by a bushfire hazard management plan that addresses all the individual lots and that is certified by the TFS or accredited person, showing hazard management areas equal to, or greater than, the separation distances required for BAL 19 in Table 2.4.4 of Australian Standard AS 3959 – 2018 Construction of buildings in bushfire-prone areas; and (c) If hazard management areas are to be located on land external to the proposed subdivision the application is accompanied by the written consent of the owner of that land to enter into an agreement under section 71 of the Act that will be registered on the title of the neighbouring property providing for the affected land to be managed in accordance with the bushfire hazard management plan. 	P1 A proposed plan of subdivision shows adequate hazard management areas in relation to the building areas shown on lots within a bushfire-prone area, having regard to: <ul style="list-style-type: none"> (a) the dimensions of hazard management areas; (b) a bushfire risk assessment of each lot at any stage of staged subdivision; (c) the nature of the bushfire-prone vegetation including the type, fuel load, structure and flammability; (d) the topography, including site slope; (e) any other potential forms of fuel and ignition sources; (f) separation distances from the bushfire-prone vegetation not unreasonably restricting subsequent development; (g) an instrument that will facilitate management of fuels located on land external to the subdivision; and (h) any advice from the TFS.

Hazard Management Area requirements have been developed in accordance with PD-5.1 *Clause E1.6.1-Subdivision: Provision of hazard management areas*. The Bushfire Hazard Management Plan demonstrates that all lots are capable of accommodating a building area with separation distances equal to, or greater than required for BAL-19 classification. Building areas with dimensions equal to, or greater than the separation distances required for BAL 19 in *Table 2.4.4* of AS3959-2018 meet the acceptable solutions of PD-5.1 *E1.6.1 A1 (b)*.

4.1.1 Hazard Management Throughout Subdivision Development / Construction

Each lot (with the exception of the balance lots and lot 905) relies on interim HMA on adjoining lots to be maintained as low threat vegetation by the benefiting owner until such a time as development occurs on the adjacent lots at which time they will be maintained as low threat vegetation by the individual owners in accordance with requirements of the Bushfire Hazard Management Plan. Each lot, with the exception of the balance lots, lot 900, lot 904 and lot 905, shall be responsible for maintaining the adjacent nature strip as low threat vegetation in perpetuity.

Refer to Table 3 below for minimum HMA separation distances to achieve the nominated BAL rating.

Table 4. Stage 1 - Required HMA Separation Distance (inc. interim HMA)

LOT	NORTH	EAST	SOUTH	WEST
800 (BAL-12.5)	Low Threat 0m	Low Threat 0m	Woodland 22m	Woodland 22m (4m + 18m road)
801-806 (BAL-12.5)	Woodland 22m	Low Threat 0m	Woodland 22m	Woodland 22m (4m + 18m road)
807 (BAL-12.5)	Woodland 22m	Low Threat 0m	Woodland 22m (4m + 18m road)	Woodland 22m (4m + 18m road)
808 (BAL-19)	Woodland 18m	Woodland 18m (0m + 18m road)	Woodland 18m	Forest 23m
809-810 (BAL-19)	Woodland 18m	Woodland 18m (0m + 18m road)	Woodland 18m	Forest 23m
811 (BAL-19)	Woodland 18m	Woodland 18m (0m + 18m road)	Forest 23m	Forest 23m
BALANCE (BAL-19)	Woodland 23m	Woodland 23m	Forest 23m	Forest 23m

Table 5. Stage 2 - Required HMA Separation Distance (inc. interim HMA)

LOT	NORTH	EAST	SOUTH	WEST
900 (BAL-19)	Low Threat 0m	Woodland 15m	Woodland 15m	Woodland 15m
901 (BAL-19)	Low Threat 0m	Woodland 18m (0m + 18m road)	Woodland 15m	Woodland 15m
902 (BAL-19)	Woodland 15m	Woodland 18m (0m + 18m road)	Woodland 15m	Woodland 15m
903 (BAL-19)	Woodland 23m	Woodland 18m (0m + 18m road)	Forest 23m	Woodland 15m
904 (BAL-19)	Woodland 23m	Woodland 15m	Forest 23m	Woodland 15m
905 (BAL-19)	Woodland 23m	Woodland 23m	Forest 23m	Forest 23m
BALANCE (BAL-19)	Woodland 23m	Woodland 23m	Forest 23m	Forest 23m

Table 6. Stage 3 - Required HMA Separation Distance (inc. interim HMA)

LOT	NORTH	EAST	SOUTH	WEST
906 (BAL-12.5)	Low Threat 0m	Woodland 22m	Woodland 22m (4m + 18m road)	Woodland 22m (4m + 18m road)
907-911 (BAL-12.5)	Low Threat 0m	Woodland 22m	Woodland 22m (4m + 18m road)	Woodland 22m

Table 7. Stage 4 - Required HMA Separation Distance (inc. interim HMA)

LOT	NORTH	EAST	SOUTH	WEST
912-913 (BAL-12.5)	Low Threat 0m	Woodland 22m	Woodland 22m (4m + 18m road)	Woodland 22m
914 (BAL-12.5)	Low Threat 0m	Woodland 22m (4m + 18m road)	Woodland 22m (4m + 18m road)	Woodland 22m

Table 8. Stage 5 - Required HMA Separation Distance (inc. interim HMA)

LOT	NORTH	EAST	SOUTH	WEST
920-924 (BAL-19)	Woodland 23m (5m + 18m road)	Woodland 15m	Forest 23m	Woodland 15m
925 (BAL-19)	Woodland 23m (5m + 18m road)	Woodland 15m	Forest 23m	Woodland 15m

Table 9. Stage 6 - Required HMA Separation Distance (inc. interim HMA)

LOT	NORTH	EAST	SOUTH	WEST
915 (BAL-19)	Woodland 23m (5m + 18m road)	Low Threat 0m	Forest 23m	Woodland 15m
916-919 (BAL-19)	Woodland 23m (5m + 18m road)	Woodland 15m	Forest 23m	Woodland 15m

4.1.2 Hazard Management Area Recommendations

Hazard Management Area for this development is proposed by creating separation distances as specified on the Bushfire Hazard Management Plan. With the exception of the balance lots and lot 905, separation distances cannot be achieved within individual title boundaries and management of vegetation on adjacent lots is necessary.

The entirety of each lot (with the exception of the balance lots and lot 905) are to be managed as 'low threat vegetation' by the individual property owners upon development of each title. Where titles have not been issued/lots sold, it is the responsibility of benefiting adjoining land owners to maintain their interim HMA on unsold lots, on lots where titles have not been issued and on the adjacent nature strip. The responsibility of each benefiting adjoining owner to maintain interim HMA, and the responsibility of each individual lot owner to maintain the entirety of their lot as 'Low threat' upon development of each title, should be formalised through a Part 5 Agreement, burdening or benefiting easement, covenant, or similar instrument attached to the title. A draft Part 5 is attached to this report (Attachment 7).

Indicative BAL-19 building areas are nominated for the balance lots to satisfy the requirements of PD-5.1 *Clause E1.6.1* although it is unlikely that the balance lots will be developed for single use as it is the future intent of the developer to further subdivide the balance lots. An indicative building area has not been provided for CT 134100/1 (7561A Highland Lakes Road) associated with the boundary alignment. The sole purpose of boundary realignment is to provide for the emergency access/egress and no development is planned for CT 134100/1 as part of the proposal.

Habitable building setbacks of 23m should be shown on the titles bounding the forest to the south and west of Stage 1 and the south and west of Stages 2-6 to explicitly illustrate the minimum BAL-19 setbacks. Should an individual lot owner wish to construct a habitable building beyond the setbacks, the lot owner has the option to commission an individual Bushfire Hazard Management Plan for that specific lot which may vary the Hazard Management Area nominated by this Subdivision Bushfire Hazard Management Plan. This would be undertaken through the development and permit process associated with individual lot development.

4.2 Vegetation Management

The HMA is to be managed in accordance with the recommendations of this report and perpetually maintained to ensure ongoing compliance with 'low threat vegetation' classification as defined in AS3959-2018 *Clause 2.2.3.2*.

4.2.1 Vegetation management recommendations

When landscaping the HMA, incorporate measures to reduce bushfire hazard. These measures include maintained lawn, paths, paving, swimming pools, low flammability ornamental gardens, vegetable gardens, orchards, rockeries, on-site waste dispersion areas and the like.

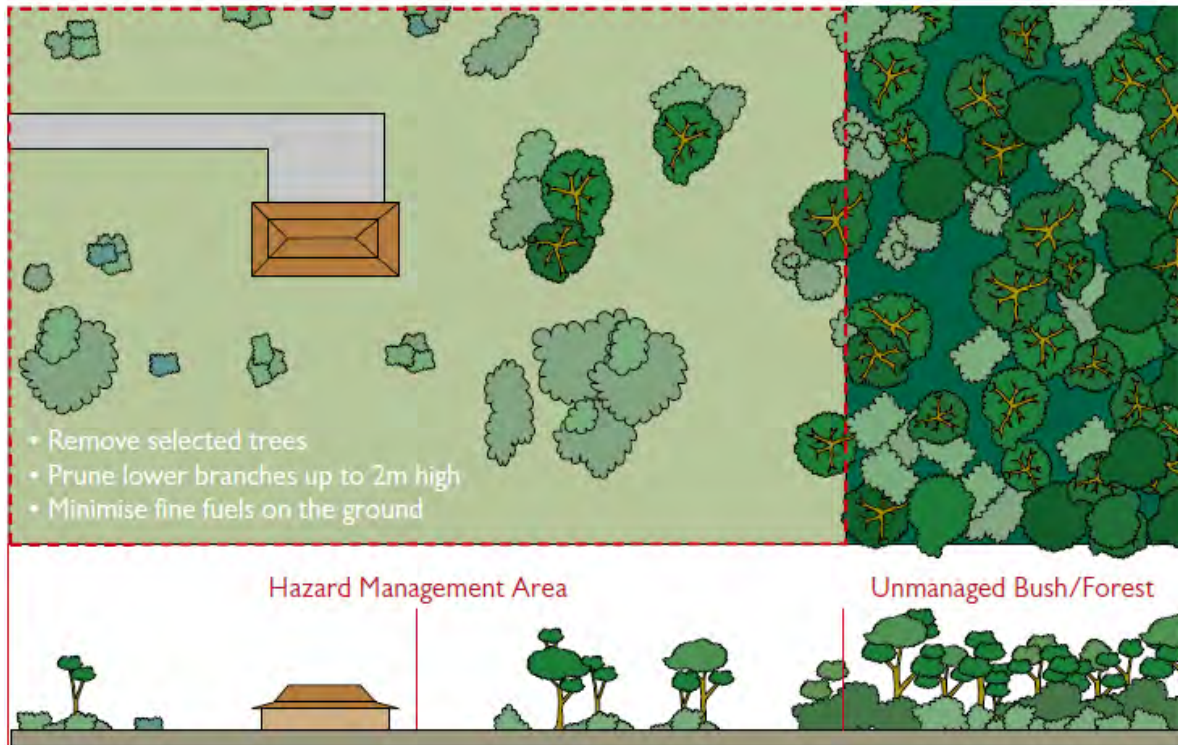
Limited amounts of low flammability plants are acceptable in this area. Preference should be given to low growing plants and ground covers. Mulch with gravel or pebbles (not cut grass and wood chips). Accumulation of fine fuels at ground level should be minimised and grass should be considered as lawn (not pasture) and must be short cropped and kept to a nominal height of 100mm. Regularly remove surface fuels (grass clippings, leaves, twigs, bark and fallen branches).

Except for a minimum distance of 6m around the buildings, which is to be maintained as lawn, paving and low garden beds with no trees or large shrubs planted or retained, managing the HMA in a minimum fuel condition does not require the removal of all standing vegetation. It is recommended that when creating the HMA a selective vegetation management approach is applied as opposed to indiscriminate, wholesale clearance. Limited amounts of trees and shrubs

(preferably with low flammability) could be planted or retained in discontinuous rows and clumps to trap embers and reduce wind speeds without significantly contributing to the bushfire risk to the site or increasing the BAL rating.

Figure 11. Typical Hazard Management Area

Planning & Building in Bushfire-Prone Areas for Owners & Builders (TFS, Dec 2013)



When planting or retaining trees and shrubs within the HMA, allow a minimum of 20m separation between the dwelling and significant clumps of vegetation. Small clumps of vegetation can also be retained provided they are further than 10m from the dwelling and are greater than 10m apart. It is recommended no trees or large shrubs be planted or retained within 6m of dwelling or associated outbuildings. Where possible, trees should not overhang buildings and should preferably be located at a distance greater than 1.5 times their mature height from buildings.

Trees and shrubs which are retained within the HMA will be subject to continual maintenance and pruning of mid-level growth. Maintain a tree canopy separation of 2m minimum. Create horizontal separation between tree crowns and vertical separation between ground level vegetation and the canopy by pruning lower branches less than 4m above ground level. Maintain shrubs and understorey plantings at a height less than 3m. Avoid planting/retaining shrubs directly under trees.

To reduce the build-up of fine fuels in direct contact with habitable buildings it is recommended that a non-flammable perimeter path be provided around buildings. Do not plant vegetation adjacent to walls and decks or directly under glazed elements. Locate flammable materials such as wood piles, fuel storage, building materials etc. away from buildings. Further information about preparing your home for bushfire and creating a defensible space is available from the Tasmania Fire Service website <http://www.fire.tas.gov.au/Show?pagelId=colPrepare>

4.2.2 Low Threat Vegetation Description

Figure 12. Visual Examples of Low Threat Vegetation



PHOTOGRAPHS

- A. Orchard with mowed understorey
- B. Local government public open space with mowed grass
- C. Local government public open space with mowed grass
- D. Landscaped gardens in private estate
- E. Rocky outcrop
- F. Golf course

Image courtesy of the Visual Guide for Bushfire Risk Assessment in Western Australia - Published February 2016

Notes:

1. Minimal fuel condition means there is insufficient fuel available to significantly increase the severity of the bushfire attack (recognizable as short-cropped grass for example, to a nominal height of 100 mm).
2. A windbreak is considered a single row of trees used as a screen or to reduce the effect of wind on the leeward side of the trees.

AS3959-2018 - Clause 2.2.3.2 describes non-vegetated areas as:

- areas permanently cleared of vegetation, including waterways, exposed beaches, roads, footpaths, buildings and rocky outcrops

AS3959-2018 - Clause 2.2.3.2 describes low threat vegetation as:

- vegetation regarded as low threat due to factors such as flammability, moisture content or fuel load. This includes grassland managed in a minimal fuel condition, mangroves and other saline wetlands, maintained lawns, golf courses (such as playing areas and fairways), maintained public reserves and parklands, sporting fields, vineyards, orchards, banana plantations, market gardens (and other non-curing crops), cultivated gardens, commercial nurseries, nature strips and windbreaks.

4.3 Construction Requirements

Building work in a bushfire-prone area must be carried out in accordance with the requirements of the *Building Amendment (Bushfire-prone Areas) Regulations 2014*. Clause 11D of the *Regulations* states that if a building in a bushfire-prone area is constructed or altered in accordance with the *Director's Determination – Requirements for Building in Bushfire-Prone Areas 2020 (Director's Determination)* then “the Performance Requirements P2.3.4 of the *Tasmanian Variation of BCA Volume Two*, and *Tas Part GP 5.1 of the Tasmanian Appendix to BCA Volume One*, are taken to be complied with.”

4.3.1 Construction objectives

- improve the ability of buildings to withstand attack from bushfires
- provides greater protection for the occupants of a building from a bushfire as well as protection to the building itself

4.3.2 Construction Deemed-to-Satisfy Requirements

- 1) Building work (including additions or alterations to an existing building) in a bushfire-prone area must be designed and constructed in accordance with an Acceptable Construction Manual determined by the BCA, being either of the following (as appropriate for a BAL determined for that site): -
 - a) AS3959-2018; or
 - b) *NASH Standard - Steel Framed Construction in Bushfire Areas*
- 2) Subclause (1)(a) is applicable to the following:
 - a) a Class 1, 2 or 3 building; or
 - b) a Class 10a building or deck associated with a Class 1, 2 or 3 building.
- 3) Subclause (1)(b) is applicable to the following:
 - a) a Class 1 building; or
 - b) a class 10a building or deck associated with a Class 1 building.
- 4) Despite subsection (1) above, variations from requirements specified in 1(a) and 1(b) are as specified in Table 4.1 below.
- 5) Despite subsections (1) and (4) above, performance requirements for buildings subject to BAL 40 or BAL Flame Zone (BAL-FZ) are not satisfied by compliance with subsections (1) or (4) above.

4.3.3 Construction compliance

Construction meeting Deemed-to Satisfy Requirement 4.1 of the *Director's Determination* is achieved by constructing in accordance with the relevant construction sections of AS3959-2018 for the Design Bushfire Attack Level and by complying with the following table:

Directors Determination - Table 4.1 Construction Requirements and Construction Variations

Column 1		Column 2
Element		Requirement
A.	Straw Bale Construction	May be used in exposures up to and including BAL 19.
B.	Shielding provisions under Section 3.5 of AS3959-2018.	To reduce construction requirements due to shielding, building plans must include suitable detailed elevations or plans that demonstrate that the requirements of Section 3.5 of the Standard can be met. N.B. Application of Section 3.5 of the Standard cannot result in an assessment of BAL – LOW.
C.	Construction standard for vulnerable use	Building work for a building classified as a vulnerable use must be constructed to a BAL that is determined in a BHMP certified by an accredited person.

4.3.4 Construction recommendations

Habitable buildings (and associated outbuildings) are to be designed, constructed, and maintained in accordance with the relevant Construction Sections of AS3959-2018 for the Design Bushfire Attack Level (BAL). Specifically; Section 3 for General Construction requirements, Section 5 for BAL-12.5 and Section 6 for BAL-19. Higher levels of construction shall be acceptable.

Carports, garages, and outbuildings etc. which are attached to the dwelling, located below the dwelling or located less than 6m separation from the dwelling are to be constructed to the same level as the dwelling or be separated from the dwelling by compliant fire separation in accordance with AS3959-2018 *Clause 3.2.3 (b)*.

Specification of building materials and construction methods (prepared by a suitably qualified person) are to be provided as part of the construction documentation.

4.4 Public and fire fighting access

4.4.1 Access compliance

Access meeting the requirements of PD-5.1 *Clause E1.6.2* is achieved by complying with the following tables:

PD 5.1 - E1.6.2 Subdivision: Public and fire fighting access

Objective: Access roads to, and the layout of roads, tracks and trails, in a subdivision: <ul style="list-style-type: none"> (a) allow safe access and egress for residents, fire fighters and emergency service personnel; (b) provide access to the bushfire-prone vegetation that enables both property to be defended when under bushfire attack and for hazard management works to be undertaken; (c) are designed and constructed to allow for fire appliances to be manoeuvred; (d) provide access to water supplies for fire appliances; and (e) are designed to allow connectivity, and where needed, offering multiple evacuation points. 	
Acceptable Solutions	Performance Criteria
A1 (a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant specific measures for public access in the subdivision for the purposes of fire fighting; or (b) A proposed plan of subdivision showing the layout of roads, fire trails and the location of property access to building areas is included in a bushfire hazard management plan that: <ul style="list-style-type: none"> i) demonstrates proposed roads will comply with Table E1, proposed private accesses will comply with Table E2 and proposed fire trails will comply with Table E3; and ii) is certified by the TFS or an accredited person 	P1 A proposed plan of subdivision shows access and egress for residents, fire-fighting vehicles and emergency service personnel to enable protection from bushfires, having regard to: <ul style="list-style-type: none"> (a) appropriate design measures, including: <ul style="list-style-type: none"> i) two way traffic; ii) all weather surfaces; iii) height and width of any vegetation clearances; iv) load capacity; v) provision of passing bays; vi) traffic control devices; vii) geometry, alignment & slope of roads, tracks & trails; viii) use of through roads to provide for connectivity; ix) limits on the length of cul-de-sacs and dead-end roads; x) provision of turning areas; xi) provision for parking areas; xii) perimeter access; and xiii) fire trails; (b) the provision of access to: <ul style="list-style-type: none"> i) bushfire-prone vegetation to permit the undertaking of hazard management works; and ii) fire fighting water supplies; and (c) any advice from the TFS

PD 5.1 - Table E1: Standards for roads

Element		Requirement
A.	Roads	<p>Unless the development standards in the zone require a higher standard, the following apply:</p> <ul style="list-style-type: none"> (a) two-wheel drive, all-weather construction; (b) load capacity of at least 20t, including for bridges and culverts; (c) minimum carriageway width is 7m for a through road, or 5.5m for a dead-end or cul-de-sac road; (d) minimum vertical clearance of 4m; (e) minimum horizontal clearance of 2m from the edge of the carriageway; (f) cross falls of less than 3 degrees (1:20 or 5%); (g) maximum gradient of 15 degrees (1:3.5 or 28%) for sealed roads, and 10 degrees (1:5.5 or 18%) for unsealed roads; (h) curves have a minimum inner radius of 10m; (i) dead-end or cul-de-sac roads are not more than 200m in length unless the carriageway is 7 metres in width; (j) dead-end or cul-de-sac roads have a turning circle with a minimum 12m outer radius; and (k) carriageways less than 7m wide have 'No Parking' zones on one side, indicated by a road sign that complies with <i>Australian Standard AS1743-2001 Road signs-Specifications</i>.

PD 5.1 - Table E2 Standards for property access

Element		Requirement
A.	Property access length is less than 30 metres; or access is not required for a fire appliance to access a fire fighting water point.	There are no specified design and construction requirements.
B.	Property access length is 30 metres or greater; or access is for a fire appliance to a fire fighting water point.	<p>The following design and construction requirements apply to property access:</p> <ul style="list-style-type: none"> (a) All-weather construction; (b) Load capacity of at least 20 tonnes, including for bridges and culverts; (c) Minimum carriageway width of 4 metres; (d) Minimum vertical clearance of 4 metres; (e) Minimum horizontal clearance of 0.5 metres from the edge of the carriageway; (f) Cross falls of less than 3° (1:20 or 5%); (g) Dips less than 7° (1:8 or 12.5%) entry and exit angle; (h) Curves with a minimum inner radius of 10 metres; (i) Maximum gradient of 15° (1:3.5 or 28%) for sealed roads, and 10° (1:5.5 or 18%) for unsealed roads; and (j) Terminate with a turning area for fire appliances provided by one of the following: <ul style="list-style-type: none"> i) A turning circle with a minimum outer radius of 10 metres; ii) A property access encircling the building; or iii) A hammerhead "T" or "Y" turning head 4 metres wide and 8 metres long.
C.	Property access length is 200 metres or greater.	<p>The following design and construction requirements apply to property access:</p> <ul style="list-style-type: none"> (a) The Requirements for B above; and (b) Passing bays of 2 metres additional carriageway width and 20 metres length provided every 200 metres.
D.	Property access length is greater than 30 metres, and access is provided to 3 or more properties.	<p>The following design and construction requirements apply to property access:</p> <ul style="list-style-type: none"> (a) Complies with Requirements for B above; and (b) Passing bays of 2 metres additional carriageway width and 20 metres length must be provided every 100 metres.

PD 5.1 - Table E3 Standards for fire trails

Element		Requirement
A.	All fire trails	<p>The following design and construction requirements apply:</p> <ul style="list-style-type: none"> (a) all-weather, 4-wheel drive construction; (b) load capacity of at least 20t, including for bridges and culverts; (c) minimum carriageway width of 4m; (d) minimum vertical clearance of 4m; (e) minimum horizontal clearance of 2m from the edge of the carriageway; (f) cross falls of less than 3 degrees (1:20 or 5%); (g) dips less than 7 degrees (1:8 or 12.5%) entry and exit angle; (h) curves with a minimum inner radius of 10m; (i) maximum gradient of 15 degrees (1:3.5 or 28%) for sealed fire trails, and 10 degrees (1:5.5 or 18%) for unsealed fire trails; (j) gates if installed at fire trail entry, have a minimum width of 3.6m, and if locked, keys are provided to TFS; and (k) terminate with a turning area for fire appliances provided by one of the following: <ul style="list-style-type: none"> i) a turning circle with a minimum outer radius of 10m; or ii) a hammerhead "T" or "Y" turning head 4m wide and 8m long.
B.	Fire trail length is 200m or greater.	<p>The following design and construction requirements apply to property access:</p> <ul style="list-style-type: none"> (a) Complies with Requirements for A above; and (b) Passing bays of 2 metres additional carriageway width and 20 metres length provided every 200 metres.

4.4.2 Public access recommendations

Design and construction of public access is to comply with PD-5.1 *Table E1* and local council requirements.

Refer to the Subdivision Plan by JB Medbury Land Surveyors for the proposed layout of public access.

At any stage of the staged subdivision, interim turning heads with a minimum 12m outer radius must be provided at the end of the road reserve for each stage. These turning heads must be created as part of the civil works. Prior to sealing the titles for each stage, council must verify that interim turning heads comply with PD-5.1 *Table E1*.

4.4.3 Property and fire fighting access recommendations

Majority of lots are accessible within less than 30m of the public roadway. For internal lots and lots with building areas greater than 30m from the public road, provide compliant property access from the public road to within 90m of furthest element of the habitable buildings and to within 3m of the fire-fighting water supply connection point. Provide a compliant turning area at top of the access. Keep access clear of vegetation 0.5m either side and 4m above the carriageway.

Design and construction of property access is to comply with PD-5.1 *Table E2 Standards for property access*. Construction details and final location of the access driveway, turning area and hardstand (prepared by a suitably qualified person) are to be provided as part of the construction documentation for habitable buildings.

4.4.4 Fire trail recommendations

At any stage of the staged subdivision, interim emergency access/egress fire trails must be provided where necessary to facilitate the safe access to and from all lots. An emergency access/egress fire trail, connecting the new public road with Robertson Road and is proposed as part of Stage 3.

Design and construction of fire trails is to comply with PD-5.1 *Table E3* and local council requirements. Refer to the subdivision plans by JB Medbury Land Surveyors for the proposed location of the fire trail (Attachments 2, 3 & 4).

4.5 Fire fighting water supply

4.5.1 Fire fighting water supply compliance

Fire fighting water supply meeting the requirements of PD-5.1 *Clause E1.6.3* is achieved by complying with the following tables:

PD 5.1 - E1.6.3 Subdivision: Provision of water supply for fire fighting purposes

Objective: Adequate, accessible and reliable water supply for the purposes of fire fighting can be demonstrated at the subdivision stage and allow for the protection of life and property associated with the subsequent use and development of bushfire-prone areas.	
Acceptable Solutions	Performance Criteria
A1 In areas serviced with reticulated water by the water corporation: <ul style="list-style-type: none"> (a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant the provision of a water supply for fire fighting purposes; (b) A proposed plan of subdivision showing the layout of fire hydrants, and building areas, is included in a bushfire hazard management plan approved by the TFS or accredited person as being compliant with Table E4; or (c) A bushfire hazard management plan certified by the TFS or an accredited person demonstrates that the provision of water supply for fire fighting purposes is sufficient to manage the risks to property and lives in the event of a bushfire. 	P1 (a) No Performance Criterion.
A1 In areas that are not serviced by reticulated water by the water corporation: <ul style="list-style-type: none"> (a) The TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant provision of a water supply for fire fighting purposes; (b) The TFS or an accredited person certifies that a proposed plan of subdivision demonstrates that a static water supply, dedicated to fire fighting, will be provided and located compliant with Table E5; or (c) A bushfire hazard management plan certified by the TFS or an accredited person demonstrates that the provision of water supply for fire fighting purposes is sufficient to manage the risks to property and lives in the event of a bushfire. 	P2 (a) No Performance Criterion.

Table E5 Static water supply for fire fighting

Element		Requirement
A.	Distance between building area to be protected and water supply	The following requirements apply: <ul style="list-style-type: none"> (a) The building area to be protected must be located within 90 metres of the fire fighting water point of a static water supply; and (b) The distance must be measured as a hose lay, between the fire fighting water point and the furthest part of the building area.
B.	Static Water Supplies	A static water supply: <ul style="list-style-type: none"> (a) May have a remotely located offtake connected to the static water supply; (b) May be a supply for combined use (fire fighting and other uses) but the specified minimum quantity of fire fighting water must be available at all times; (c) Must be a minimum of 10,000 litres per building area to be protected. This volume of water must not be used for any other purpose including fire fighting sprinkler or spray systems; (d) Must be metal, concrete or lagged by non-combustible materials if above ground; and (e) If a tank can be located so it is shielded in all directions in compliance with Section 3.5 of AS 3959-2018, the tank may be constructed of any material provided that the lowest 400 mm of the tank exterior is protected by:

		i) metal; ii) non-combustible material; or iii) fibre-cement a minimum of 6 mm thickness.
C.	Fittings, pipework and accessories (including stands and tank supports)	Fittings and pipework associated with a fire fighting water point for a static water supply must: <ul style="list-style-type: none"> (a) Have a minimum nominal internal diameter of 50mm; (b) Be fitted with a valve with a minimum nominal internal diameter of 50mm; (c) Be metal or lagged by non-combustible materials if above ground; (d) Where buried, have a minimum depth of 300mm; (e) Provide a DIN or NEN standard forged Storz 65 mm coupling fitted with a suction washer for connection to fire fighting equipment; (f) Ensure the coupling is accessible and available for connection at all times; (g) Ensure the coupling is fitted with a blank cap and securing chain (minimum 220 mm length); (h) Ensure underground tanks have either an opening at the top of not less than 250 mm diameter or a coupling compliant with this Table; and (i) Where a remote offtake is installed, ensure the offtake is in a position that is: <ul style="list-style-type: none"> i) Visible; ii) Accessible to allow connection by fire fighting equipment; iii) At a working height of 450 – 600mm above ground level; and iv) Protected from possible damage, including damage by vehicles.
D.	Signage for static water connections	The fire fighting water point for a static water supply must be identified by a sign permanently fixed to the exterior of the assembly in a visible location. The sign must: <ul style="list-style-type: none"> (a) Comply with water tank signage requirements within Australian Standard AS 2304-2011 Water storage tanks for fire protection systems; or (b) Comply with the Tasmania Fire Service Water Supply Signage Guideline published by the Tasmania Fire Service
E.	Hardstand	A hardstand area for fire appliances must be: <ul style="list-style-type: none"> (a) No more than three metres from the fire-fighting water point, measured as a hose lay (including the minimum water level in dams, swimming pools and the like); (b) No closer than six metres from the building area to be protected; (c) With a minimum width of three metres constructed to the same standard as the carriageway; and (d) Connected to the property access by a carriageway equivalent to the standard of the property access.

4.5.2 Water supply for fire fighting recommendations

Provide compliant static water supply (i.e. water storage tank) with a minimum of 10,000 litres stored water reserved solely for fire fighting purposes for each habitable building. Firefighting water connection points must be located within 90m of furthest element of the habitable buildings, measured as a hose lay, and be accessible within less than 3m of a hardstand. Identify the connection points with compliant signage.

Selection and location of static water supply for firefighting is to comply with PD-5.1 *Table E5 Static water supply for fire fighting*.

4.6 Evacuation

There are no specific evacuation considerations for this site. Occupants should make a survival plan and know their Community Protection Plan and Nearby Safer Place. Evacuation in an emergency situation is likely to be hampered by large quantities of smoke and ash effecting visibility which may limit the opportunity to leave in a bushfire situation. Occupants should consider the risk when deciding to leave or stay and defend. The safest option is always to leave early. Community Bushfire Protection Plans which contain information on preparing, acting and surviving a bushfire event including a relevant map of your area can be found on the TFS website

<http://www.fire.tas.gov.au/Show?pageId=communityProtectionPlanningProjectPublic>

Conclusion

P H Thiessen Family Super Pty Ltd proposes a 40 lot residential subdivision in 6 stages across two separate titles. Stage 1 creates 13 lots on CT 152719/622 (Lot 622 Johnsons Road) and Stages 2-6 creates 27 lots on CT 130056/1 (Lot 1 Highland Lakes Road).

Bushfire prone area mapping prepared for this region identifies that the site is located within a bushfire prone area. Investigation of the site has confirmed that there is greater than a hectare of bushfire prone vegetation located within 100m of the site. The development is therefore considered to be in a bushfire prone area.

Using Method 1 (Simplified Procedure) of AS3959-2018 *Construction of Buildings in Bushfire-Prone Areas*, this assessment establishes that each proposed lot is capable of a building area with a Bushfire Attack Level meeting acceptable solution E1.6.1 A1 (b) of PD-5.1 *Bushfire-prone Areas Code*.

The Design Bushfire Attack Level of each proposed title is shown on the Bushfire Hazard Management Plan (Attachment 1). Bushfire protection measures including Construction Requirements, Vegetation Management, Property Access and Fire Fighting Water Supply are contained in this report.

Recommendations:

- The prescribed HMA requirements (including interim and permanent HMA) are to be formalised through a Part 5 Agreement, or similar instrument, attached to the titles.
- The prescribed public access requirements (including interim measures and emergency access/egress) are to be implemented prior to the issue of titles.
- 23m habitable building area setbacks are to be shown on the title of Lots 808-811 in Stage 1 and Lots 904, 905 and 915-925 in Stage 2.
- Council is to condition the planning approval on compliance with the BHMP.

Well prepared homes have a better chance of surviving a bushfire attack. Information about preparing your property against bushfire attack is available from Tasmania Fire Service by calling 1800 000 699 or online at <http://www.fire.tas.gov.au/>

Distances and slopes should be confirmed on-site by a land surveyor prior to commencement of works. It is the developer's responsibility to ensure that all requirements contained in this report are adhered to and maintained. Notify the author of this report of any relevant variations to the proposal. Development Application Plans differing from the plans attached to this report may render the BHMP invalid, in which case a review should be conducted to determine the suitability of any variations in relation to bushfire-prone area requirements. It is the responsibility of the regulatory authorities to determine consistency between the Bushfire Hazard Management Plan and the Development Plans.

Definitions

BAL:	Means the bushfire attack level as defined in AS3959-2018 <i>Construction of Buildings in Bushfire Prone Areas</i> as 'a means of measuring the severity of a building's potential exposure to ember attack, radiant heat and direct flame contact, using increments of radiant heat expressed in kilowatts per metre squared, and the basis for establishing the requirements for construction to improve protection of building elements from attack by bushfire'.
BHMP:	Bushfire Hazard Management Plan as defined in the Act.
Bushfire-Prone Area:	Means land that is within the boundary of a bushfire-prone area shown on an overlay on a planning scheme map; and Where there is no overlay on a planning scheme map, or where the land is outside the boundary of a bushfire prone area shown on an overlay on such a map; Land that is within 100 m of an area of bushfire-prone vegetation equal to or greater than 1 hectare.
Bushfire-Prone Vegetation:	Means contiguous vegetation including grasses and shrubs but not including maintained lawns, parks and gardens, nature strips, plant nurseries, golf courses, vineyards, orchards or vegetation on land that is used for horticultural purposes.
Contiguous:	Means separated by less than 20 m.
Hazard Management Area:	Means the area, between a habitable building or building area and the bushfire-prone vegetation, which provides access to a fire front for fire fighting, which is maintained in a minimal fuel condition and in which there are no other hazards present which will significantly contribute to the spread of bushfire.

List of Attachments

- Attachment 1: Bushfire Hazard Management Plan v.04_GBRA – 15 August 2021**
- Attachment 2: Miena Plan of Subdivision - overall plan 16018App – 22 November 2021**
- Attachment 3: Miena – Plan of Subdivision Stage 1 – 22 November 2021**
- Attachment 4: Miena – Plan of Subdivision Stages 2-6 – 22 November 2021**
- Attachment 5: Planning Certificate**
- Attachment 6: Form 55**
- Attachment 7: Draft Part 5 Agreement – 04 October 2021**
- Attachment 8: DA 2019-45 - Boundary Adjustment -Planning Approval 20 August 2019**

References

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- Department of Justice (Tasmania). (2017). Determination - Requirements for building in bushfire prone areas dated 23 February 2017. Hobart, TAS, Australia. Retrieved 2017, from Tasmania Online: www.justice.tas.gov.au
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- Tasmanian Planning Commission. (2017). Planning Directive No. 5.1 - Bushfire-Prone Areas Code. Hobart, Tasmania, Australia: Tasmanian Planning Commission.

J.B.MEDBURY SURVEYOR
OF 159 CLIWEN ROAD, CAMBRIDGE
PH. (03) 62485083; Email medbury@optusnet.com.au

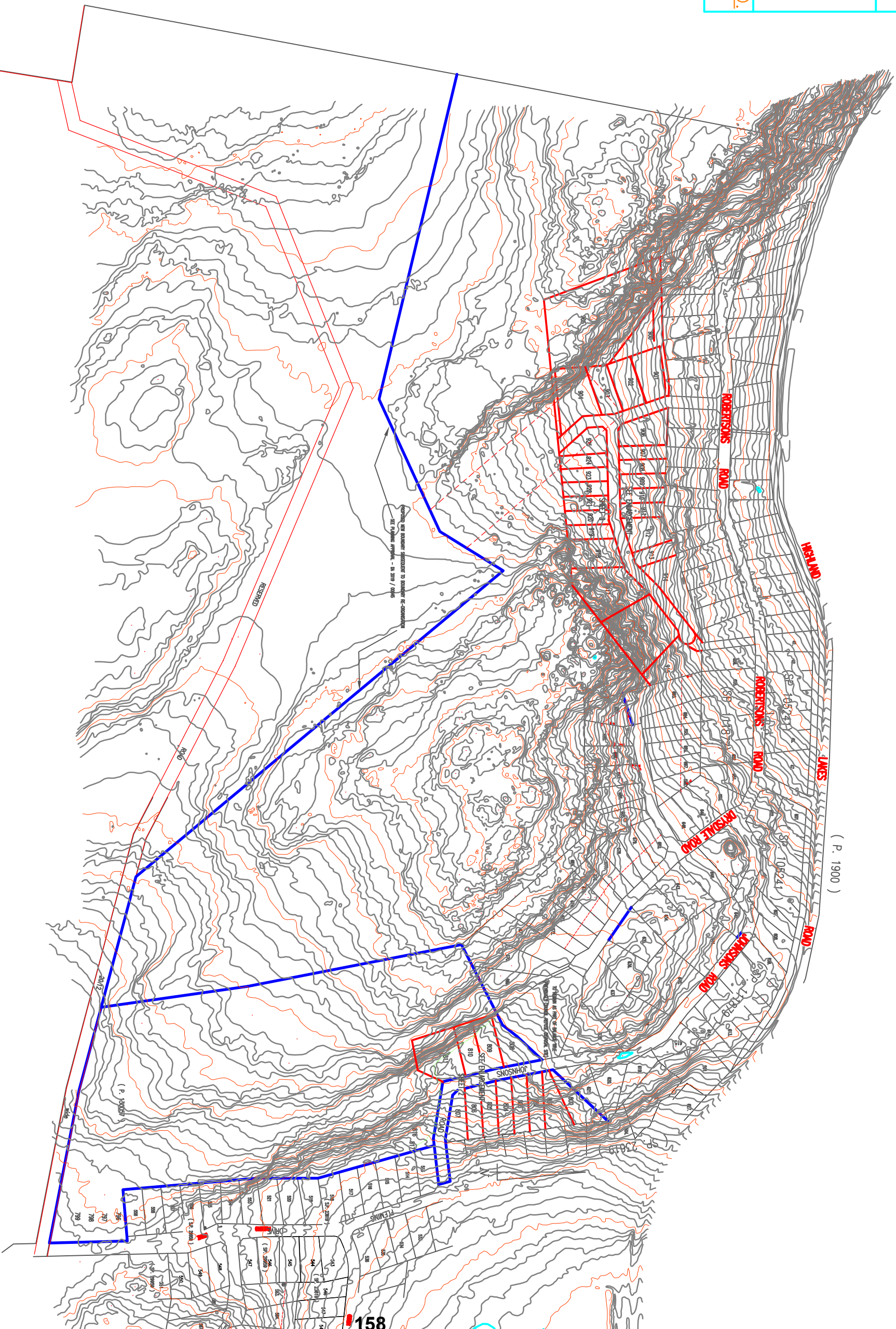
PROPOSED SUBDIVISION
P H THIESSEN & OTHERS
ROBERTSONS & JOHNSONS ROAD
MIENA

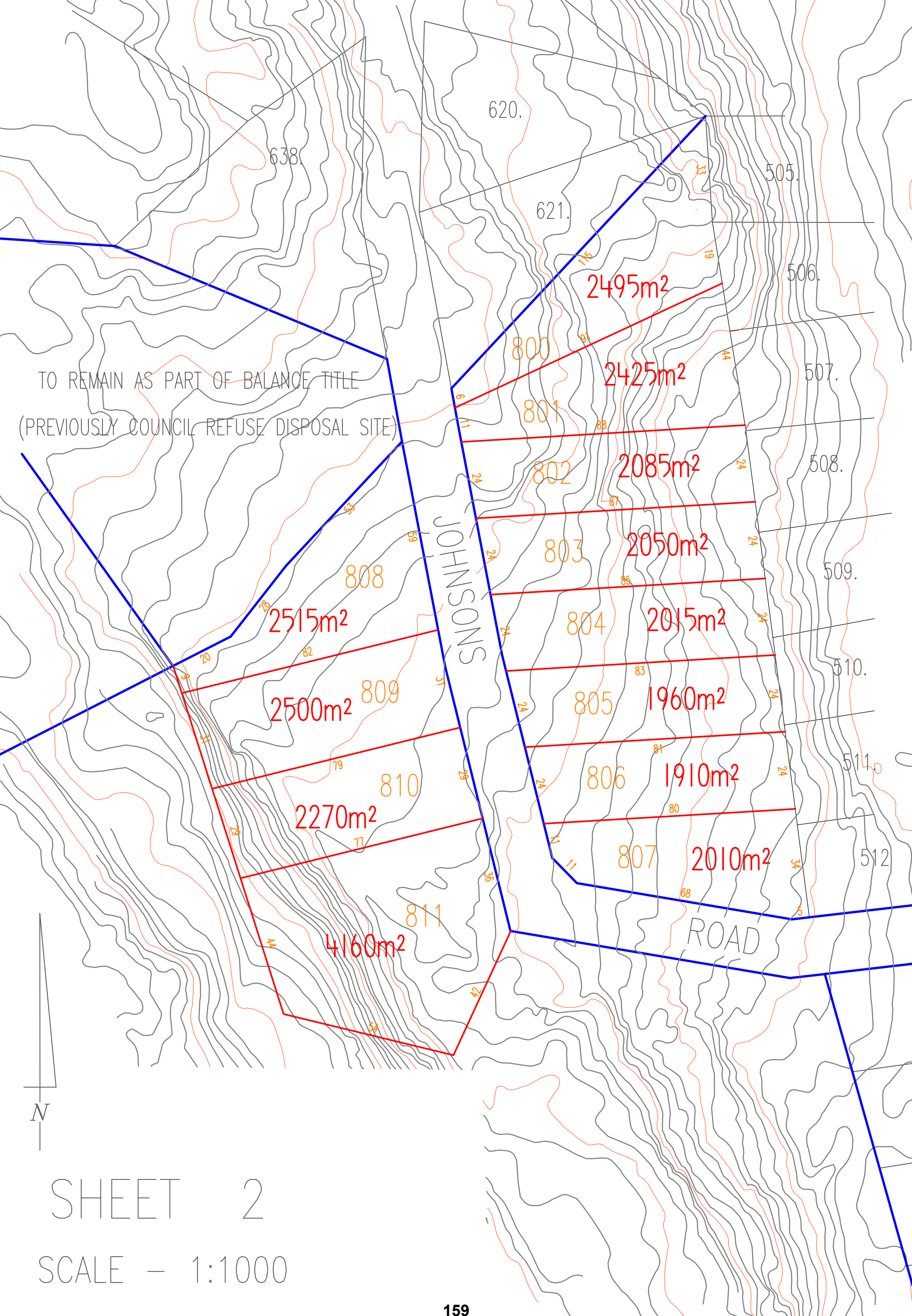
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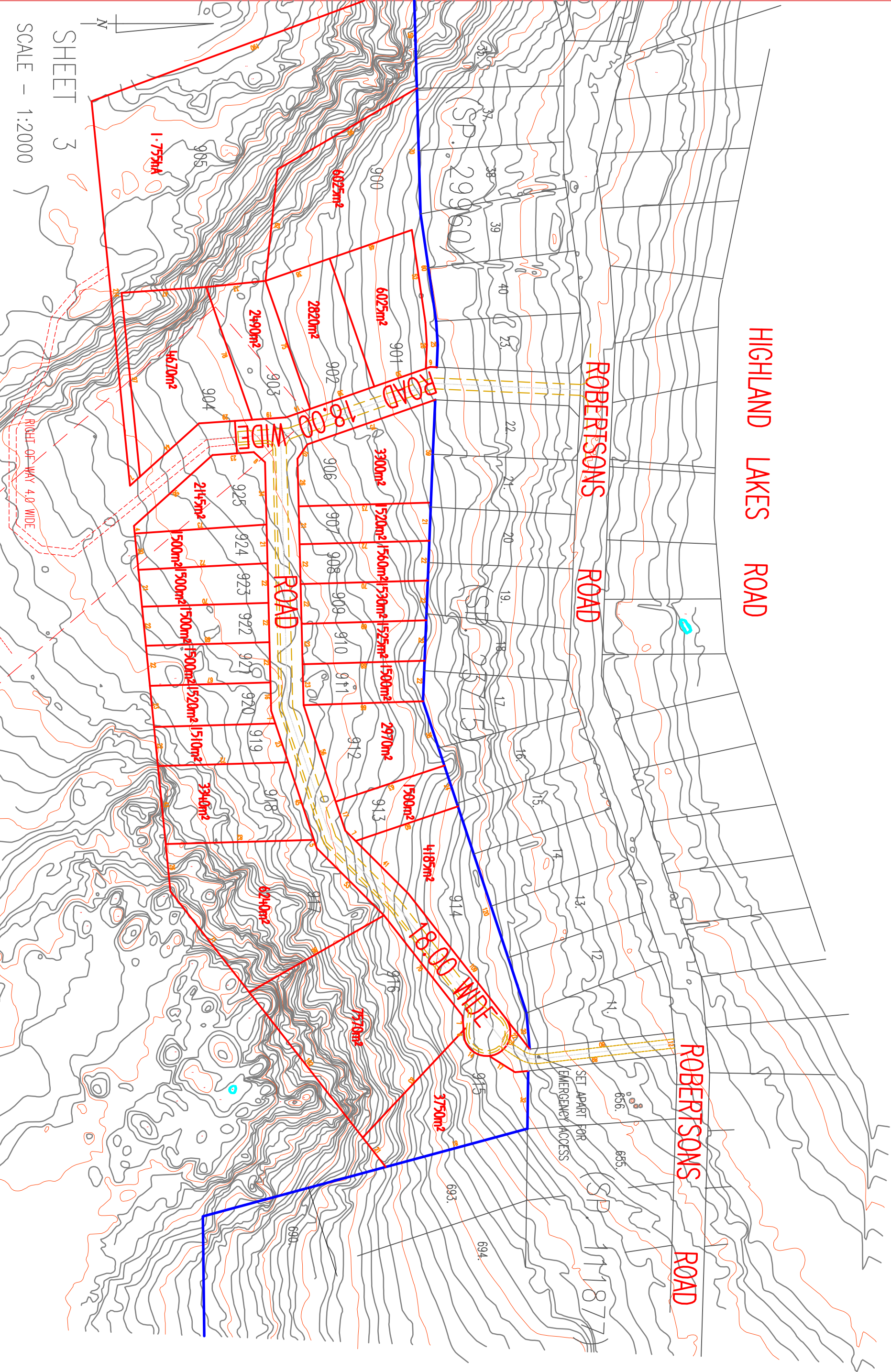
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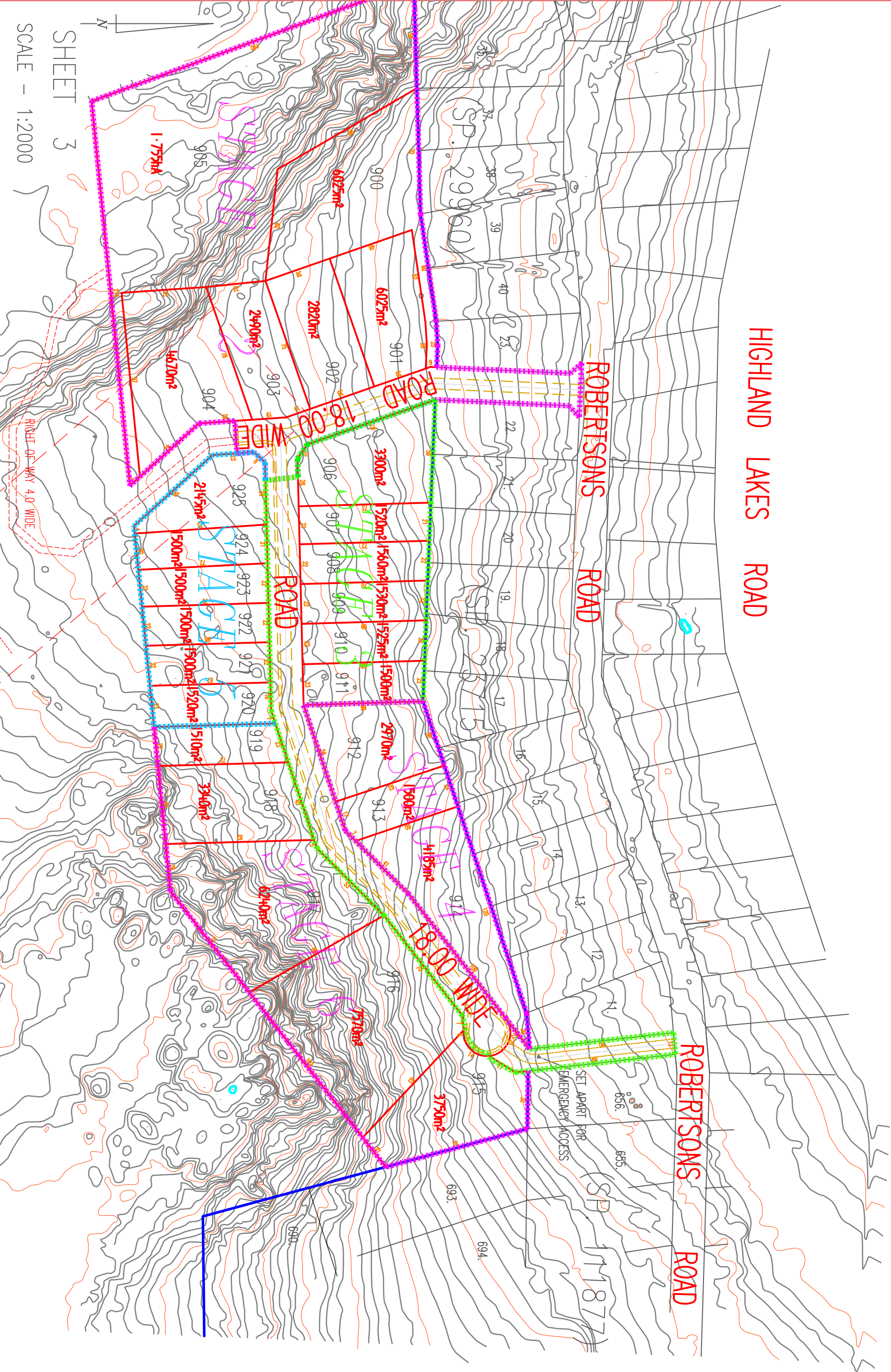


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THIS DEVELOPMENT AGREEMENT is made under section 78 of the *Land Use Planning and Approvals Act 1993* this day of 2021.

BETWEEN:

1. CENTRAL HIGHLANDS COUNCIL of 6 Tarleton Street, Hamilton in Tasmania (“the Council”) and
2. PETER HENRIC THIESSEN of 272 Davey Street, Hobart in Tasmania (“the Subdivider

INTERPRETATION

In this Agreement:

- The “LAND” means those lots shown as Lots to and the balance lot on the attached Plan annexed hereto and marked “A” (“the Lots” and individually “Lot”) currently comprising part of, Miena in Tasmania described in Certificate of Title Volume Folio
- The “ADJOINING OWNER” means the Subdivider and the Owner of any lot bounded by any other lot on the Plan upon alienation of that lot to a third party by the Subdivider.
- The “OWNER” means the Subdivider and the owner of any lot on the Plan upon alienation of that lot to a third party, subject to the operations of Clause 2 of this Agreement, by the Subdivider.
- The “USE AND DEVELOPMENT” means any dwelling approved on the land by the Council under the *Land Use Planning and Approvals Act 1993*.
- To “ESTABLISH AND MAINTAIN DEFENDABLE SPACE” means that vegetation will be managed in a minimal fuel condition to ensure that there is insufficient fuel available to significantly increase the severity of bushfire attack.
- “REASONABLE NOTICE” means notice, in writing, delivered to the Adjoining Owners at least 7 days prior to undertaking the action that the notice refers to. The notice must include the time of entry onto the adjoining land, the date of entry onto the adjoining land, the duration of entry onto the adjoining land, who will be entering the adjoining land, and the action(s) to be carried out whilst present on the adjoining land.
- “HAZARD MANAGEMENT AREAS” means that part of the Adjoining Land as shown on the Bushfire Hazard Management Plan forming part of Annexure “B”.
- “THE PLAN” means any Plan sealed by the Council dealing with the Land.

BACKGROUND

- The use and development is considered to be bushfire prone and therefore compliance with the Australian Standard for *Construction of Buildings in Bushfire Prone Areas AS3959:2018* (“the Standard”) and the Tasmanian Fire Service approved Bushfire Hazard Management Plan annexed hereto and forming part of Annexure “B” is required.

- This Agreement allows the Owner to enter the Adjoining Land in order to establish and maintain the defendable space required to achieve a Bushfire Attack Hazard Management Area for the use and development in accordance with the annexed Bushfire Hazard Management Report.

THE AGREEMENT

1. The terms of this agreement are in addition to the conditions imposed in the Council's planning and building approvals for the use and development.
2. That upon alienation of any lot on the Plan, so far as it relates to that lot, the Subdivider is no longer bound by the terms of this Agreement to a third party by the Subdivider and that the Owner and Adjoining Owner, as far as those lots are concerned, assume the responsibilities and privileges of the Subdivider, and the Council, Owners and Adjoining Owners will hold harmless the Subdivider for anything arising by virtue of this Agreement.
3. The Owner and their successors in title and the Adjoining Owner and their successors in title hereby covenant and agree with the Council:
 - (i) that the Adjoining Owner will allow, upon the giving of reasonable notice in writing by the Owner, the Owner (or his/her agents or assigns) to enter the adjoining land in order to establish and maintain defendable space from the adjoining land's common boundary with the land as provided by the Bushfire Hazard Report annexed hereto and forming part of Annexure "B";
 - (ii) that the Adjoining Owner will not undertake use, (unless to remove bushfire threat) development, or maintenance of the adjoining land in a manner that prevents the defendable space being maintained;
 - (iii) that the Owner will give reasonable notice to the Adjoining Owner before entering the adjoining land for the purpose listed under clause 2(i) of this Agreement; and
 - (iv) not to hold the Council responsible or liable for, or make the Council and Adjoining Owner a party to, any action, claims, costs, losses or expenses arising out of damage or inconvenience to the use and development arising as a result of non-compliance with this Agreement;
 - (v) to indemnify and hold harmless the Council and the Subdivider against all claims, costs, losses and expenses incurred by the Owner in respect of repair, maintenance, replacement and/or reconstruction of the use and development to the extent that such claims, costs, losses and expenses have been incurred or increased by reason of the use and development being affected by bushfire; and
 - (vi) to advise any successor in title to the land or the adjoining land of the existence of this Agreement and its terms and conditions
4. On the signing of this agreement, the Subdivider is to pay the Council's stamp duty and registration fees of this agreement.
5. The parties agree to do all things necessary, including the signing of any documents and the refraining from making any representations to the contrary of any documents to fulfill this agreement and to register this agreement under section 78 of the *Land Use Planning and Approvals Act 1993*.

6. It is expressly agreed by Council and the Owner that upon a Certificate of Occupancy being issued for a structure on any Lot, that the right to enter the Adjoining Land for the purpose of Clause 3 shall cease.
7. This agreement binds the parties and their heirs, executors and assigns.
8. The terms of this agreement do not merge in any sale.

THE COMMON SEAL of the Central Highlands)
 Council has been hereunto affixed pursuant)
 to a resolution of the said Council passed)
 the day of 2021 in the)
 presence of us:)

Council Delegate

Councillor

SIGNED by Peter Henric Thiessen)
 in the presence of:)

Witness
 Name:
 Address:.....
 Occupation:

ANNEXURE “A”



Our Ref: DA 2019 / 00045
Your Ref:
Enquiries to: Jacqui Tyson
Telephone: (03) 6259 5503

22 August 2019

PH Thiessen
C/- 159 Cilwen Road
CAMBRIDGE TAS 7170

Dear Sir / Madam

PLANNING APPROVAL (DA 2019 / 00045) : RE-ORGANISATION OF BOUNDARY : HIGHLAND LAKES ROAD, MIENA & 7561A HIGHLAND LAKES ROAD, MIENA

Further to your application in respect to the above development, I am pleased to advise that planning approval has been granted. A copy of the planning permit is **attached**.

Section 61 of the *Land Use Planning & Approvals Act 1993* provides that there is a right of appeal to the Resource Management & Planning Appeal Tribunal (the Tribunal) against the granting of the permit within 14 days of the day on which notice of the decision is served. Appeals are required to be in writing and lodged with a fee to the Tribunal. For further information about the procedures for lodging an appeal please contact the Registrar of the Tribunal by phone on (03) 6165 6794 or by mail at GPO Box 2036, Hobart 7001.

Note that the final plan of survey may not be sealed by Council or lodged with the Land Titles Office until you have complied with all conditions of this permit or with all other necessary approvals, including approval of engineering design drawings.

If you need to discuss this matter further please do not hesitate to contact the Development and Environmental Services Office on 6259 5503 quoting the above reference.

Yours faithfully

for 
Jacqui Tyson
Senior Planning Officer

Encl.: Planning Permit

Administration & Works & Services
Tarleton Street Tel: (03) 6286 3202
Hamilton, Tasmania 7140 Fax: (03) 6286 3334

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

website www.centralhighlands.tas.gov.au



PLANNING PERMIT DA 2019 / 00045

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

To: PH Thiessen
Of: C/- 159 Cilwen Road
CAMBRIDGE TAS 7170

For land described as:

CT 130056/1 and 7561A Highland Lakes Road, Miena

This Permit allows for:

The land to be developed by the subdivision (boundary reorganisation – 2 titles) and ancillary site works substantially in accordance with the information and particulars set out in the development application and the endorsed drawings.

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT: -

General

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

Services

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

Subdivision

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

Final plan

- 5) A final approved plan of survey and schedule of easements as necessary, together with one copy, must be submitted to Council for sealing. The final approved plan of survey must be substantially the same as the endorsed plan of subdivision and must be prepared in accordance with the requirements of the Recorder of Titles.

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

THE FOLLOWING ADVICE APPLIES TO THIS PERMIT: -

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

Dated 20 August 2019

for 

Jacqui Tyson

Senior Planning Officer

J.B. MEDBURY PROPOSED SUBDIVISION

159 CILWEN ROAD, CAMBRIDGE 7170

PA 2019/45

Email: medbury@optusnet.com.au

OWNER: P J Downie & Peter Henric Theissen
Family Super Pty Ltd

LOCATION: VICINITY OF FLEMING DRIVE, MEHA

IMPORTANT NOTE

This plan was prepared for P J Downie & Peter Henric Theissen Family Super Pty Ltd as a proposed subdivision application to the Central Highlands Council and should not be used for any other purpose. The dimensions, areas and total number of lots shown herein are subject to field survey and also to the requirements of council and any other authority which may have requirements under any relevant legislation. In particular, no reliance should be placed on the information on this plan for any financial dealings involving the land. This note is an integral part of this plan.

TITLE REF: FR130056-1 & FR130056-1

PROPOSED EASEMENTS AS SHOWN

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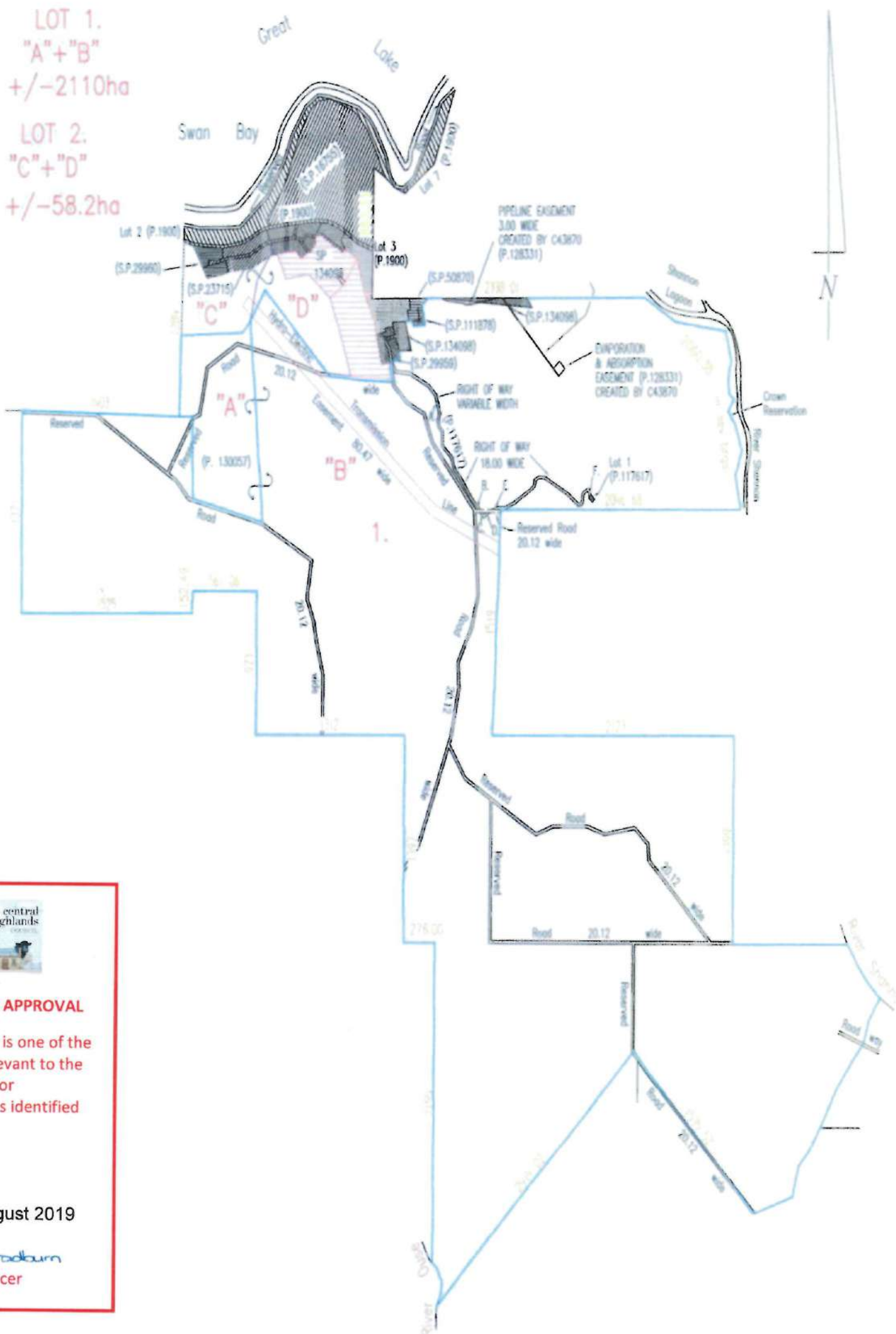
Municipality: Central Highlands

Date: 18-06-2019

Ref No. Downie_Theissen

LOT 1:
"A"+"B"
+/-2110ha

LOT 2:
"C"+"D"
+/-58.2ha



PLANNING APPROVAL

This document is one of the documents relevant to the permit issued for development as identified by Permit no.

DA 2019/45

Dated: 20 August 2019

Signed *J. Brodum*
Authorised Officer

ROCK SOLID GEOTECHNICS PTY LTD

10/2/2021

Ms John Medbury 0438346844
medbury@optusnet.com.au

Mr Peter Thiessen

Peter Hofto
163 Orielson Road
Orielson
TAS 7172
0417 960 769
peter@rocksolidgeotechnics.com.au

Preliminary Report: Onsite Wastewater – Subdivision – Miena

As you know I have completed the assessment of the area using Nick Bennetto and his 11-tonne excavator.

The Central Highlands Council do not utilise Code E23 (Wastewater) in their current 2015 Interim Planning Scheme. The 2015 Interim Planning Scheme is due to be replaced with a Statewide Planning Scheme sometime in the next 1-2 years. It is not known if onsite wastewater requirements will be specified in the new Statewide Planning Scheme when it is implemented – but it is unlikely.

The most probable outcome is that onsite wastewater will be referred back to the current *Director's Guidelines for On-Site Wastewater Management Systems – Building Act 2016*. So, in essence the current rules and regulations will probably be retained (w.r.t. onsite wastewater).

All wastewater systems for new residential developments need to comply with the *Director's Guidelines*.

There are no specific [subdivision](#) requirements for onsite wastewater in the *Director's Guidelines*.

However, there are strict requirements for onsite wastewater for new residences specified in the *Director's Guidelines*.

In my opinion it is logical that each of the blocks in the proposed subdivision should be of such a size, shape and permeability to allow for the successful installation of an onsite wastewater system for a single dwelling, in addition to the construction of the dwelling and other 'normal' associated aspects of the development (driveway, garage, etc).

It is reasonable that, as a minimum requirement, a new block of land should be able to sustain an onsite wastewater system for a single 3-bedroom residence.

Considering the above it is logical that the aspects of the *Director's Guidelines* that relate to;

- 5. *Area required for Onsite Wastewater Management – New Dwellings, and*
- 7. *Standards for Wastewater Land Application Areas,*

are addressed in this subdivision report. Compliance with these parts of the *Director's Guidelines* should ensure that every block in the subdivision can sustain an onsite wastewater system for a 3-bedroom residence. ie. Every available block should have a suitable Land Application Area (LAA). The appropriate compliance chart for the *Director's Guidelines* is presented below.

Compliance Table Directors Guidelines for OSWM		
Acceptable Solutions	Performance Criteria	Compliance achieved by
5.1 To ensure sufficient land is available for sustainable onsite wastewater management for buildings.		
A1 A new dwelling must be provided with a LAA that complies with Table 3.	P1 A new dwelling must be provided with a LAA that meets all of the following: a) The LAA is sized in accordance with the requirements of AS/NZS 1547; and b) A risk assessment in accordance with Appendix A of AS/NZS 1547 has been completed that demonstrates that the risk is acceptable.	Compliance Table 3 below – along with applicable comments. Compliance achievable.
7. Standards for Wastewater Land Application Areas		
A1 Horizontal separation distance from a building to a LAA must comply with one of the following: a) be no less than 6m; b) be no less than: (i) 3m from an upslope boundary or level building; (ii) If primary treated effluent to be no less than 4m plus 1m for every degree of average gradient from a downslope building; (iii) If secondary treated effluent and subsurface application, no less than 2m plus 0.25m for every degree of average gradient from a downslope building.	P1 The LAA is located so that the risk of wastewater reducing the bearing capacity of a building's foundations is acceptably low.	To be determined by new owners – dependent on the house site. Note that logically a suitable house site should be available to the owners, as well as a suitable LAA. Compliance achievable.
A2 Horizontal separation distance from downslope surface water to a LAA must comply with (a) or (b) (a) be no less than 100m; or (b) be no less than the following: (i) if primary treated effluent 15m plus 7m for every degree of average gradient to downslope surface water; or (ii) if secondary treated effluent and subsurface application, 15m plus 2m for every degree of average gradient to downslope surface water.	P2 Horizontal separation distance from downslope surface water to a LAA must comply with all of the following: a) Setbacks must be consistent with AS/NZS 1547 Appendix R; b) A risk assessment in accordance with Appendix A of AS/NZS 1547 has been completed that demonstrates that the risk is acceptable.	No obvious downslope surface water within 100m of the land proposed for subdivision. Compliance achievable.
A3 Horizontal separation distance from a property boundary to a LAA must comply with either of the following: (a) be no less than 40m from a property boundary; or (b) be no less than: (i) 1.5m from an upslope or level property boundary; & (ii) If primary treated effluent 2m for every degree of average gradient from a downslope property boundary; or (iii) If secondary treated effluent and subsurface application, 1.5m plus 1m for	P3 Horizontal separation distance from a property boundary to a LAA must comply with all of the following: (a) Setback must be consistent with AS/NZS 1547 Appendix R; and (b) A risk assessment in accordance with Appendix A of AS/NZS 1547 has been completed that demonstrates that the risk is acceptable.	LAA to be a minimum of 1.5m from upslope or level property boundary. Secondary treated effluent. Lower slope boundary setbacks 1.5m + 1m / degree of slope to downslope property boundary. See below discussion.

every degree of average gradient from a downslope property boundary.		
A4 Horizontal separation distance from a downslope bore, well or similar water supply to a LAA must be no less than 50m and not be within the zone of influence of the bore whether up or down gradient.	P4 Horizontal separation distance from a downslope bore, well or similar water supply to a LAA must comply with all of the following: (a) Setback must be consistent with AS/NZS 1547 Appendix R; and (b) A risk assessment completed in accordance with Appendix A of AS/NZS 1547 demonstrates that the risk is acceptable.	Only water supplies are natural streams. None of these are permanent water supplies. Compliance achievable.
A5 Vertical separation distance between groundwater & a LAA must be no less than: (a) 1.5m if primary treated effluent; or (b) 0.6m if secondary treated effluent	P5 Vertical separation distance between groundwater and a LAA must comply with the following: (a) Setback must be consistent with AS/NZS 1547 Appendix R; and (b) A risk assessment completed in accordance with Appendix A of AS/NZS 1547 that demonstrates that the risk is acceptable	Groundwater not encountered within 1.5m of the surface in the test holes. Compliance achievable.
A6 Vertical separation distance between a limiting layer & a LAA must be no less than: (a) 1.5m if primary treated effluent; or (b) 0.5m if secondary treated effluent	P6 Vertical setback must be consistent with AS/NZS1547 Appendix R.	Secondary treated effluent required. Require 0.50m setback to a limiting layer. Compliance achievable.
A7 Nil	P7 A wastewater treatment unit must be located a sufficient distance from buildings or neighbouring properties so that emissions (odour, noise or aerosols) from the unit do not create an environmental nuisance to the residents of those properties	To be determined by the owners. Compliance achievable.

Table 3 – Minimum Land Application Areas (area required for a 3-bedroom residence marked in orange)

Soil Category – top 1.5m of Soil profile as in AS/NZS 1547		Area required / bedroom for primary treated effluent (m ²)	Area required / bedroom for irrigated secondary treated effluent (m ²)		
			Slope		
			<10%	10-20%	>20%
1	(SAND)	50 (150)	50 (150)	60 (180)	100 (300)
2	(sandy LOAM)	60 (180)	55 (165)	66 (198)	110 (330)
3	(LOAM)	90 (270)	70 (210)	84 (252)	140 (420)
4	(clay LOAM)	120 (360)	80 (240)	96 (288)	160 (480)
5	(light CLAY)	180 (540)	100 (300)	120 (360)	200 (600)
6	(CLAY)	180 (540)	130 (390)	156 (468)	260 (780)

If dispersive soils or a limiting layer are encountered within the upper 1m of the soil profile, then the area required must be calculated on the basis of the requirements for Category 6 soil.

Bedrock is a limiting layer.

All land over the subdivision area will have a Soil Category of Class 5 or 6 – more commonly Class 6.

Primary treated effluent is defined as “effluent that has been treated via the separation of suspended material from wastewater by settlement and/or floatation in septic tanks or primary settling chambers”.

Secondary treated effluent is defined as “Means effluent has been treated via aerobic biological processing and settling of wastewater to a quality equal to, or less than, 20mg/L BODs and 30mg/L suspended solids.

Effluent disposal utilising a Primary Treatment System is not permitted in Class 6 soils, and rarely permitted in Class 5 soils (may be permissible in sites where multiple, long trenches can be installed).

So, most sites will require some form of Secondary Treated Wastewater System.

It is not within the scope of this assessment to determine the type of Secondary Treatment System, merely to state that the effluent must be treated to a level defined as secondary treated.

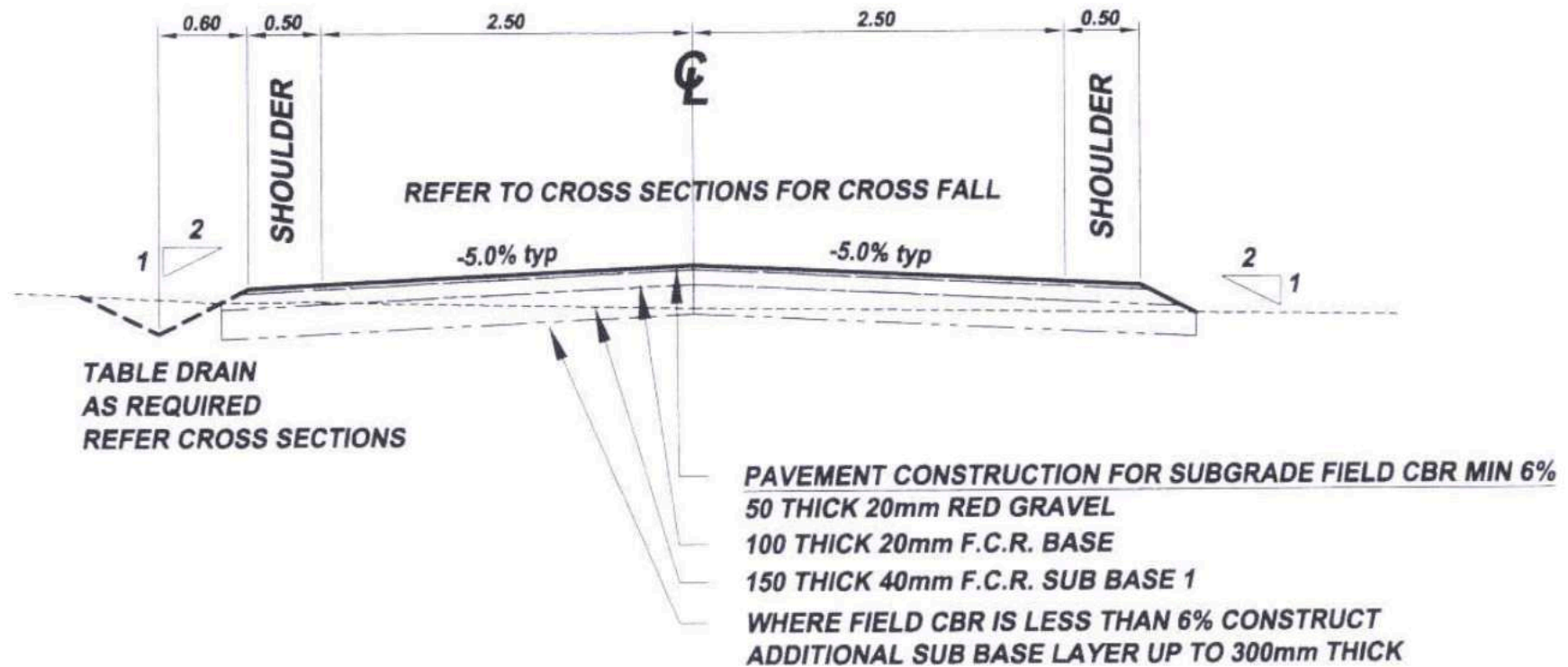
Sites will therefore require between 390m² and 780m² of available, and suitable Land Application Area to comply with the *Director's Guidelines*. Suitable means that the area must be able to be utilised for wastewater disposal and therefore must be compliant with section 7 of the *Director's Guidelines* – as per the table above.

As per the orange comments in the RHS column of the *Director's Guidelines*' compliance table, the only issue with respect to compliance is the 'Horizontal separation distance from a property boundary to a LAA'.

In my opinion this is the critical issue w.r.t. onsite wastewater compliance for the proposed subdivision.

We need to provide evidence that every block can comply with;

- minimum LAA size (between 390m² and 780m²), and
- minimum lower slope boundary setback requirements.



TYPICAL CROSS SECTION

From:
Sent:
To:
Cc:
Subject: DA Number: DA 2022 / 00011

Hello Louisa, Central Highlands Council,

We are writing in regard to Development Application DA 2022/00011

We are in the process of putting in a representation about the above development application but are seeking some further information about this application before doing so. We have the following queries that we hope you can assist with.

1. Easement

Survey sheet 3 shows the easement ; 'Set apart for emergency access'.

What is the intention under the current development application for this easement? Is it intended to upgrade this access route to a navigable standard, noting that there is not the width available to construct a proper road. If the track is upgraded to a navigable standard, what is to stop residents of the new subdivision using it as a convenient route to Robertsons Road? We are particularly concerned to understand this because of obvious implications for our privacy and security.

2. Drainage

In a previous subdivision managed by the proponent on Ruby Lane, the lot immediately to the south of our property (shown as lot 915 on 'survey sheet 3', page 17 of the Development Application) was part of the original proposal, but was knocked back (at least once, and possibly twice as we recall) on the basis that there was insufficient Land Application Area to allow construction on this lot and/or that there would be unacceptable drainage of waste water into our property. The boundaries of the lot may have changed some since the Ruby Lane subdivision was constructed, but the properties of proposed lot 915 have not; and upslope there is almost no suitable ground for drainage purposes – all of lot 915 is soil class 6 bedrock. Has something changed that the lot is now reappearing in a new subdivision application?

In the schedule of easements that is attached we are not permitted to erect any building closer than 40 m to the Roberston Road boundary and it is our understanding that this was to allow space for the absorption trenches and septic system to infiltrate properly so as to ensure that there is no flow of effluent onto Robertson Road or our neighbours property. If a similar setback is required for lot 915 then there is clearly no suitable ground for infiltration – it is all bedrock, class 6.

3. Natural Values

We note that the Natural Values Assessment to date has been a desk-top appraisal only. Given the likely occurrence of a number of threatened plant and animal species in the area, we assume that prior to approval of the subdivision or part thereof, that there will be a thorough ground-based Natural Values Assessment?

4. Planning process/developers obligations

We are interested to understand what is the planning process from here?
expect to be kept updated? We note that the part of the development adj
6. Is there any obligation on the developer to make public the expected timeframe for implementation should it be
approved? Presumably the stages will proceed in order, 1 through 6 so that stage 6 may be some time away?

;
t

From:
Sent:
To:
Subject:

I have considered the above development application and offer the following comments.

1. Approval of this D/A will significantly increase the volume of traffic using Robertson's road and this will in turn increase dust that is already a nuisance.

This problem could be overcome by sealing the roadway or resurfacing with a less dusty gravel or an alternative surface coating.

2. The entry point of the new road on to Robertson's road is located in a position such that if an accident occurs person's residing at Numbers 37 and 39 would be in danger of having a vehicle (s) crash into their shacks.(I own no

Perhaps some crash barriers on the northern side of Robertson's road could overcome this problem. Alternatively some alteration to the intersection may be possible.

3. The current junction of Robertson's "road" on to the Highland Lakes road is also of a dubious standard and I am aware of several near misses including cars sliding down the road and onto the main road in icy conditions.

Increased traffic will obviously increase the risk factor.

This problem ,I believe, is a major one requiring some work to make it safer.

You are no doubt aware that the "connector" part of Robertson's road is in fact built on what is actually a 1.8 metre walkway to the lake.

By way of back ground it started off as a couple of logs in the gutter for people to access 3/4 shack sites in the early/mid 80's and developed into an unofficial road encroaching on a couple of private properties

I don't have any real problem with this but I believe the problems I have outlined should be addressed by the developer with Council oversight if the development is approved, Alternatively it may be possible to construct other access to the proposed development .

Thank you for consideration of my concerns and suggestions.

Sent from my iPhone

From:
Sent:
To:
Subject:

Hi
I am writing to challenge the proposed development (see picture)

The details of the application are as follows:

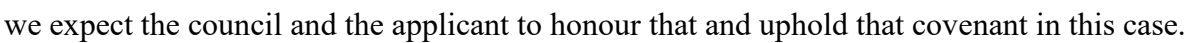
Applicant: P H Thiessen
Location: Johnsons Road & Robertsons Road, Mier
of 130056/1 & 134100/1)
Development: Subdivision (38 Lots and Balance)

The application can be viewed on Council's website www.
at Council's Offices at 6 Tarleton Street, Hamilton and 1
during normal office hours until **1 March 2022**.

Written representations may be made during this time
Manager, 19 Alexander Street, Bothwell 7030,
development@centralhighlands.tas.gov.au and will be rec
1 March 2022.

The subdivision that includes 693 and 694 and the block to the west of 693 on Ruby Lane has a covenant that blocks cannot be subdivided.

The block that is to the west of 693 has been redrawn and is now 915 on the proposed plans. See picture



From:
Sent:
To:
Subject:

Follow Up Flag:
Flag Status:

Subject: Johnsons Road & Robertson Road Miena Development Application

Dear Sir/Madam

We are shackholders in Robertson Road, Miena, and wish to express our concern about the proposed subdivision in Johnsons Road and Robertson Road Miena.

We are concerned about the stormwater run off from the proposed blocks down to our block ;

There is already a spring in that area and this will also add to the volume of stormwater run off particularly after a heavy weather event.

Can you please advise how these issues will be addressed.

Yours sincerely

From:
Sent:
To:
Subject:

Dear Sir/Madam

We have a property : the proposed development.

As this is an elevated mountainous area we are concerned about the water run off (and natural spring disturbance). Naturally this is greater in extreme weather conditions. Could you please advise if the proposed roadway to service the blocks in stage 2 includes drainage, culverts etc to divert the water from flowing onto the blocks below.

Has any consideration been given for some open space in this area to avoid overcrowding and protection of our environment.

We await your reply on these matters.

Yours sincerely

Sent from my iPad

General Manager
19 Alexander Street
BOTHWELL TAS 7030

Monday, 28 February 2022

Dear sir/madam,

We wish to object to the proposed development on the grounds that it doesn't adequately address the problems of drainage, sewerage, electricity distribution, road width, gutters, footpaths and it does not allow for the adequate protection of native trees and shrubs. We have particular concerns with stage 2 and the effect on our properties Road.

Miena is the largest town in the Central Highlands yet its infrastructure is poor, no town sewerage system, water, waste collection, no underground electricity supply, footpaths or proper gutters. It has no areas marked for public open spaces and parks. Surely all of this needs to be addressed before approving this development.

Now is the time to face this shortfall by building these requirements into this development eg allowing for wider roads which are sealed and have footpaths and gutters, insisting that the electricity is delivered underground. Put in parks and open spaces. If the bike track around the Great Lake proceeds, then demand for housing and infrastructure will only increase.

Water runoff is a major problem at our residence, there is almost a continuous flow from the very steep rocky hill above us.

Recently we had a large amount of white material come from the hill with water runoff see photos below. Some of the white material has been removed with a high-pressure hose, but some still remains.



It may have come from the soil testing conducted about 6 months earlier (see below).



Some residents use this water for their domestic supply, if septic tanks are to be allowed there is a possibility that the outflow may leak into their water supply.

The drainage for the proposed access road at _____ y must be sufficient to divert all runoff from entering our properties.

We are very concerned that the development is not allowing for the protection of the native trees and shrubs that are just recovering from the 2019 fires. Can a there be a limit on what trees can be cut down.

One only has so look at the house at 5 Robertson Road, Miena so see what devastation can be done before building, every tree was taken down, next page is a google earth photo before removal.



Trees that have been removed.

Please consider the future of Miena before approving this development.

We look forward to hearing your reply.

Yours faithfully

Louisa Brown

From:
Sent:
To:
Subject:
Attachments:

Dear sir/madam,

please find attached our objection to this development as proposed, it needs many changes so as to be in the interests of Miena as a town.

February 28, 2022

Lyn Eyles
General Manager
Central Highlands Council
Via Email: developmnet@centralhighlands.tas.gov.au

Dear Ms Eyles,

I would like to submit this my representation regarding the proposed development at Johnsons Road and Robertsons Road in Miena lodged by P H Thiessen.

I am not opposed to the sub division per say, however I would like to propose the following changes based on lived experience in the area. During the colder and winter months of the year significant ice and snow fall are prevalent and cause real difficulty for residents with sloped or steep driveways; myself included.

The proposed main ingress and egress for traffic is located at the western end of the sub division and would require an access road to be constructed at or around an 8 degree slope. This is consistent with the driveways in the area where I and other residents have difficulty using in the months indicated above. The dwelling directly below the proposed access road has their driveway adjacent and as such a safety barrier would not be able to be practically installed to protect his property from potential vehicle damage in adverse conditions.

There is a proposed emergency access located at the eastern end of the subdivision that is at a 2 degree slope. This proposed access point is not only at a safer gradient but is much closer to the Johnsons Road access off of the Highland Lakes Road, reducing increased traffic flow along Robertsons Road to the western access.

My proposal is that the primary and emergency access points be switched to have the eastern access point become the primary access and the western access point become a controlled emergency access only (gated). This would address the potential problems with access to the subdivision during icy and snow months and reduce the amount of potential traffic travelling along Robertsons Road from the Johnsons Road turn off.

Yours sincerely,

To: The General Manager, Central Highlands Council.

19 Alexander Street BOTHWELL TAS 7030

Email: development@centralhighlands.tas.gov.au

Re: DA 2020 00011.

Johnson Road & Robertson Road, Miena (CTs 152719/622, and Part of 130056/1 & 134100/1)

Dear Ms Eyles:

I am writing in support of this development application. I do note the concerns of the 'downhill' residents from each of the development areas in relation to rainwater runoff and possible sewage seepage, and urge Council to address those concerns.

I am a permanent resident here, having built in 2014. The development in Johnson Road will mean I will likely have an additional 12 neighbours.

I support the development application for the following reasons:

- 1) I have a concern for the social development of the Central Highlands community. The presence of permanent residents heightens the chance of growing a supportive society up here. The common belief is that only 20% of the residences here are permanently occupied. On my estimation from the 2021 Census, I think the figure is more like 16%. We need to address that imbalance.
- 2) By the end of this decade the climate in Hobart will mirror that of inland southern Victoria, and major parts of the mainland will become only marginally habitable. Climate change refugees will find living in the Highlands increasingly attractive. A friend claims we will become Australia's Riviera, - that might be near correct. This development will help meet that housing demand from climate change refugees.
- 3) When the Epuron wind farm and Great Lake Adventure Trail become developed, there will be increased demand for housing for the staff in both ventures. The income from those enterprises will help balance the high reliance on Commonwealth benefits evident in the present permanent population.

I do have a concern that I'm not sure Council can address. I suspect many residential blocks here are purchased by speculators, confident of being able to cash in after a few years as land values rise. Prices here have risen because of the limit of supply. This development will put downward pressure on prices. I presume the land, when sold, will have a caveat that residential building will start in x years. In addition to those caveats, I urge Council to consider whatever measures are possible to stem demand by speculators.

If you have any questions in relation to the above, don't hesitate to contact me.

Representation in regard to: Development Application DA 2022/00011

Background

We wish to raise the following concerns/issues with regard to this Development Application.

1. Easement

Survey Sheet 3 shows the easement to i 'Set apart for emergency access'.

We assume that this access will be upgraded as part of the subdivision.

Will this emergency access have a gate at one or both ends? If the track is upgraded to a navigable standard*, what is to stop residents of the new subdivision using it as a convenient route/shortcut between the new road for the subdivision and Robertson Road?

If this use was to occur it would have obvious implications privacy and security.

* We note that that the easement width of 4 metres is not sufficient to construct a proper road, which requires 18 metres of width.

2. Drainage

We have significant concerns that development of Lot 915 in this proposed subdivision (see 'Survey Sheet 3', page 17 of the Development Application), ty, would create unacceptable (and illegal) drainage of wastewater and stormwater

In a previous subdivision managed by the proponent on Ruby Lane, a lot immediately to the south of our property was proposed, but refused (at least once, and possibly twice as we recall) on the basis that there was insufficient Land Application Area to allow construction on this lot and/or that there would be unacceptable drainage of wastewater onto our property. The boundaries of the lot may have changed since the Ruby Lane subdivision was constructed, but the landscape features of proposed Lot 915 have not; from the southern end of our property and upslope there is almost no suitable ground for drainage purposes –

all of lot 915 is soil class 5 or 6 bedrock. We do not understand why this area is now reappearing in a new subdivision application.

In the schedule of easements that is attached to our property ã note that we, as owners, are not permitted to erect any building closer than 40 m to the Robertson Road boundary and it is our understanding that this was to allow space for the absorption trenches and septic system to infiltrate properly so as to ensure that there is no flow of effluent onto Robertson Road or our neighbours property. If a similar setback is required for lot 915 then there is clearly no suitable ground for infiltration – it is all class 6bedrock.

Regards,

25 February 2022

John. B. Medbury.

SURVEYOR

JOHN .B. MEDBURY
R.L.S., HON F.I.S. TAS. HON F.S.S.I.

159 CILWEN ROAD
CAMBRIDGE 7170

PHONE: (03) 62 485083
EMAIL: medbury@optusnet.com.au

REF NO: 12700/16018
YOUR REF:

Manager, Development & Environmental Services
Central Highlands Council
19 Alexander Street,
Bothwell 7030

ATTENTION: LOUISA BROWN

Dear Louisa

RE: DEVELOPMENT APPLICATION DA2022/11 PROPOSED SUBDIVISION – LAND IN THE VICINITY OF JOHNSONS ROAD & ROBERTSONS ROAD, MIENA

I refer to your letter of 3 March 2022, addressed to the applicant Mr Peter Thiessen, and the subsequent provision of redacted representations received by Council.

The DSG representation regarding the impact on Council and State roads in the vicinity could only be properly addressed by the preparation of a Traffic Impact Assessment by a suitably qualified Traffic Engineer. Unfortunately this report was very difficult to obtain and hence the delay in providing further information.

As indicated in your letter the main issue seems to centre on the safety issues of Robertsons Road and the existing and proposed junctions.

The attached TIA prepared by Midson Traffic Pty Ltd indicates that the likely additional traffic movements created by the proposed development will not create "*significant detrimental road safety impacts*" (Section 4.6).

As suggested in your correspondence the other matters mentioned in the representations concerned stormwater runoff as well as effluent disposal.

The proponent has been involved in subdivision developments in the Miena region for around 40 years, many of which have required the provision of newly constructed roads, experience has shown that the runoff created by these developments has not created any major problem in the past. It is noted that the highest median rainfall in the vicinity occurs in the months of June, July and August (75.6, 79.6 & 84.2mm) and it is suggested that a large proportion of this would be snow-melt which does not create intense overland flows.

It should also be pointed out that, as reticulated water is unavailable, the roof runoff from most building will be collected in storage facilities.

In the correspondence accompanying the application, a report dealing with "Onsite Wastewater" was provided. Your attention is drawn to two matters on the fourth page of that document -: paragraph 5 which states "*...most sites will require some form of Secondary Treated Wastewater System*" and the final four paragraphs which as noted in the abovementioned correspondence were used as the basis of the lot size, shape and orientation.

The copies of the proposal provided herewith are indicative of this rationale.

Should you require clarification of any matter please contact me.

Yours faithfully



John B Medbury
30 May 2022





P H Thiessen

**Robertson Road & Johnsons Road,
Miena
Traffic Impact Assessment**

May 2022



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1. Introduction

1.1 Background

Midson Traffic were engaged by P H Thiessen to prepare a traffic impact assessment for a proposed residential subdivision development at Johnson Road and Robertsons Road, Miena.

1.2 Traffic Impact Assessment (TIA)

A traffic impact assessment (TIA) is a process of compiling and analysing information on the impacts that a specific development proposal is likely to have on the operation of roads and transport networks. A TIA should not only include general impacts relating to traffic management, but should also consider specific impacts on all road users, including on-road public transport, pedestrians, cyclists and heavy vehicles.

This TIA has been prepared in accordance with the Department of State Growth (DSG) publication, *Traffic Impact Assessment Guidelines*, August 2020. This TIA has also been prepared with reference to the Austroads publication, *Guide to Traffic Management*, Part 12: *Traffic Impacts of Developments*, 2019.

Land use developments generate traffic movements as people move to, from and within a development. Without a clear understanding of the type of traffic movements (including cars, pedestrians, trucks, etc), the scale of their movements, timing, duration and location, there is a risk that this traffic movement may contribute to safety issues, unforeseen congestion or other problems where the development connects to the road system or elsewhere on the road network. A TIA attempts to forecast these movements and their impact on the surrounding transport network.

A TIA is not a promotional exercise undertaken on behalf of a developer; a TIA must provide an impartial and objective description of the impacts and traffic effects of a proposed development. A full and detailed assessment of how vehicle and person movements to and from a development site might affect existing road and pedestrian networks is required. An objective consideration of the traffic impact of a proposal is vital to enable planning decisions to be based upon the principles of sustainable development.

This TIA also addresses the relevant clauses of E5.0, '*Road and Railway Assets Code*', and E6.0, '*Parking and Access Code*', of the Central Highlands Interim Planning Scheme, 2015.

1.3 Statement of Qualification and Experience

This TIA has been prepared by an experienced and qualified traffic engineer in accordance with the requirements of Council's Planning Scheme and The Department of State Growth's, *Traffic Impact Assessment Guidelines*, August 2020, as well as Council's requirements.

The TIA was prepared by Keith Midson. Keith's experience and qualifications are briefly outlined as follows:

- 26 years professional experience in traffic engineering and transport planning.
- Master of Transport, Monash University, 2006
- Master of Traffic, Monash University, 2004

- Bachelor of Civil Engineering, University of Tasmania, 1995
- Engineers Australia: Fellow (FIEAust); Chartered Professional Engineer (CPEng); Engineering Executive (EngExec); National Engineers Register (NER)

1.4 Project Scope

The project scope of this TIA is outlined as follows:

- Review of the existing road environment in the vicinity of the site and the traffic conditions on the road network.
- Provision of information on the proposed development with regards to traffic movements and activity.
- Identification of the traffic generation potential of the proposal with respect to the surrounding road network in terms of road network capacity.
- Review of the parking requirements of the proposed development. Assessment of this parking supply with Planning Scheme requirements.
- Traffic implications of the proposal with respect to the external road network in terms of traffic efficiency and road safety.

1.5 Subject Site

The subject site is located at two locations in Miena. One component is located along the southern side of Robertsons Road and the second located on both sides of Fleming Drive.

The subject site and surrounding road network is shown in Figure 1.

Figure 1 Subject Site & Surrounding Road Network



Image Source: LIST Map, DPIPWE

1.6 Reference Resources

The following references were used in the preparation of this TIA:

- Central Highlands Interim Planning Scheme, 2015 (Planning Scheme)
- Austroads, *Guide to Traffic Management*, Part 12: *Traffic Impacts of Developments*, 2019
- Austroads, *Guide to Road Design*, Part 4A: *Unsignalised and Signalised Intersections*, 2017
- Austroads, *Guide to Traffic Management*, Part 6: *Intersections, Interchanges and Crossings*, 2019
- Department of State Growth, *Traffic Impact Assessment Guidelines*, 2020
- Roads and Maritime Services NSW, *Guide to Traffic Generating Developments*, 2002 (RMS Guide)
- Roads and Maritime Services NSW, *Updated Traffic Surveys*, 2013 (Updated RMS Guide)
- Australian Standards, AS2890.1, *Off-Street Parking*, 2004 (AS2890.1:2004)

2. Existing Conditions

2.1 Transport Network

For the purpose of this report, the transport network consists of Highland Lakes Road, Robertsons Road, Johnsons Road, and Fleming Drive.

2.1.1 Highland Lakes Road

Highland Lakes Road is classified as a Category 5 'Other Road' in the Department of State Growth's road hierarchy. Category 5 roads are primarily access roads for private properties and may be used for comparatively low frequency heavy freight vehicle transport.

Highland Lakes Road has a posted speed limit of 80-km/h and carries approximately 430 vehicles per day in Miena¹. Peak flows are spread throughout the middle of the day, with up to 65 vehicles per hour between 11:00am and 2:00pm. Peak hourly flow by day of week is shown in Figure 3.

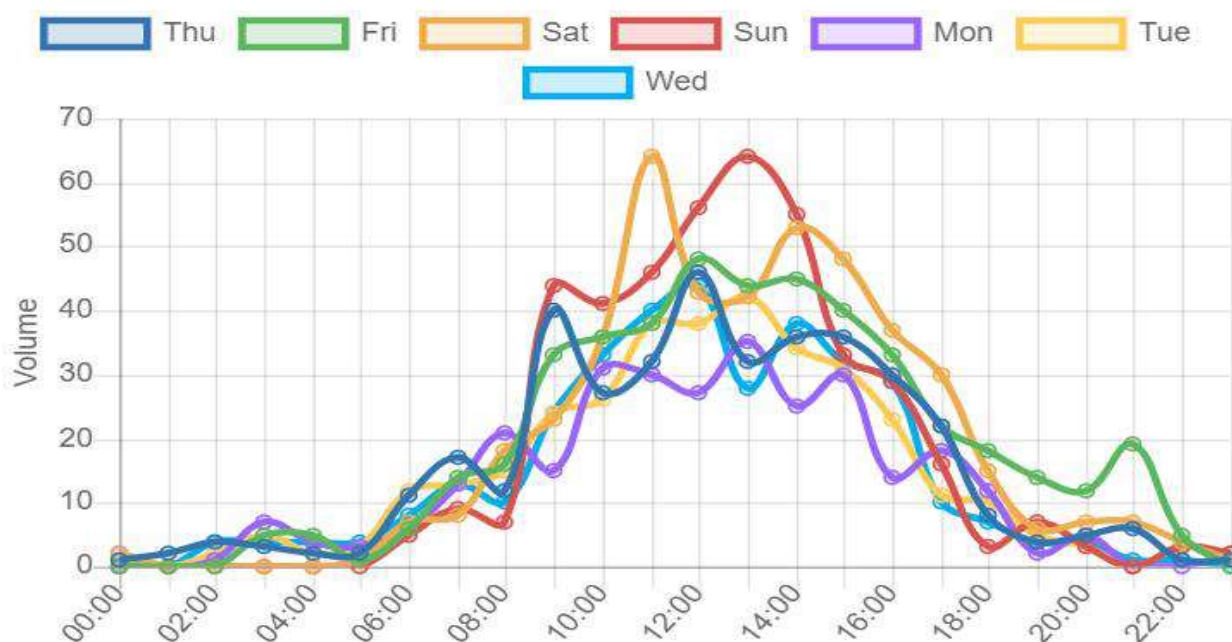
Near the subject site, Highland Lakes Road has a two-lane configuration with centre and edge line marking. The combined lane width is approximately 6 metres. Highland Lakes Road at the Johnsons Road junction is shown in Figure 2.

Figure 2 Highland Lakes Road



¹ Department of State Growth traffic data, 2021 data.

Figure 3 Miena Road Hourly Traffic Volumes



Source: Department of State Growth

2.1.2 Robertson Road

Johnsons Road is a local road that provides access to a small residential catchment. It connects to Drysdale Road at a Y-junction with no clearly defined priority. The junction, as viewed from Johnsons Road is shown in Figure 5.

Johnsons Road is unsealed with a pavement width of approximately 4.5 to 5 metres. Traffic volumes are very low, in the order of 100 vehicles per day.

Figure 4 Robertson Road



Figure 5 Robinson Road/ Johnsons Road Junction



2.1.3 Johnsons Road

Johnsons Road is a local road that provides access to residential properties along its length. It connects with Highland Lakes Road at a T-junction.

Johnsons Road, viewed looking north towards Highland Lakes Road, is shown in Figure 6.

Figure 6 Johnsons Road



2.1.4 Fleming Drive

Fleming Drive is a local access road that connects to Highland Lakes Road at its northern end. Fleming Drive connects to Johnsons Road, Cider Gum Road and Little Dog Court. Fleming Drive carries low traffic volumes, in the order of 200 vehicles per day.

2.2 Road Safety Performance

Crash data can provide valuable information on the road safety performance of a road network. Existing road safety deficiencies can be highlighted through the examination of crash data, which can assist in determining whether traffic generation from the proposed development may exacerbate any identified issues.

Crash data was obtained from the Department of State Growth for a 5+ year period between 1st January 2017 to 30th April 2022 for Highland Lakes Road through Miena, as well as Robertson Road and Johnsons Road.

Three crashes were reported during this time. All three crashes were reported in Highland Lakes Road:

- 6:30pm, Saturday 29th March 2018, 'rear-end' collision resulting in property damage only.
- 11:00am, Saturday 14th December 2018, 'other-straight' crash resulting in property damage only.
- 7:30pm, Saturday 1st July 2019, 'other-curve' crash resulting in property damage only.

The crash data is considered typical of low volume rural roads.

Figure 7 Crash Locations



Source: Department of State Growth

3. Proposed Development

3.1 Development Proposal

The proposed development is a 38-lot residential subdivision comprised of the following:

- 26 lots accessed via Robertsons Road
- 12 lots accessed via Johnsons Road

The proposed development plans are shown in Figure 8, Figure 9 and Figure 10.

Figure 8 Proposed Development Overall Layout Plan

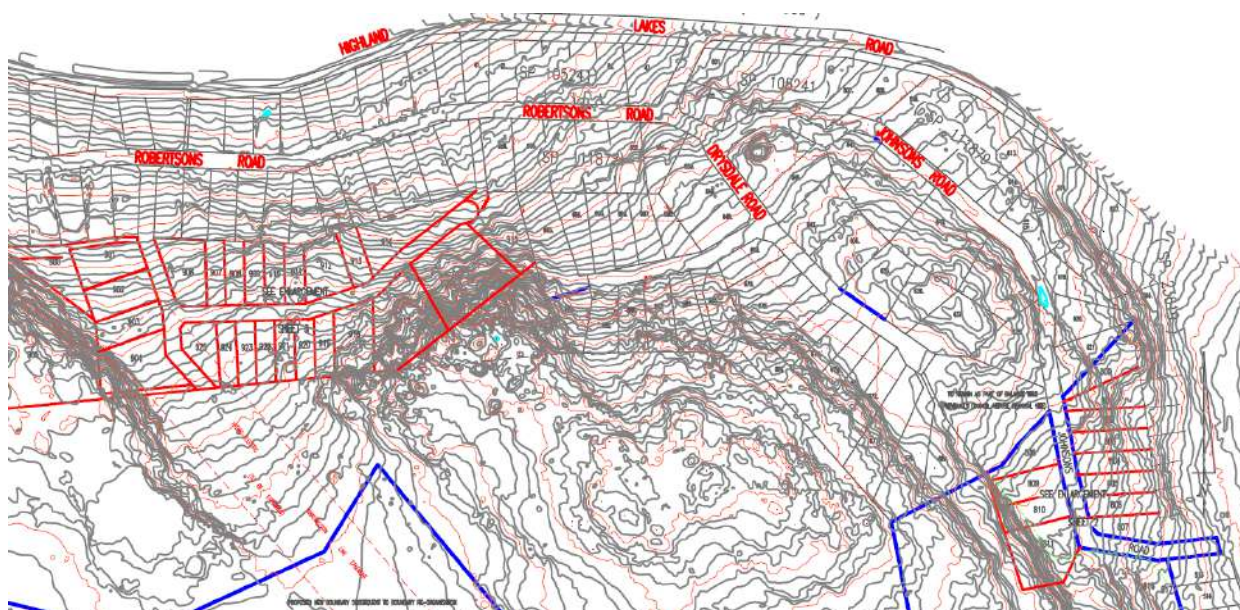
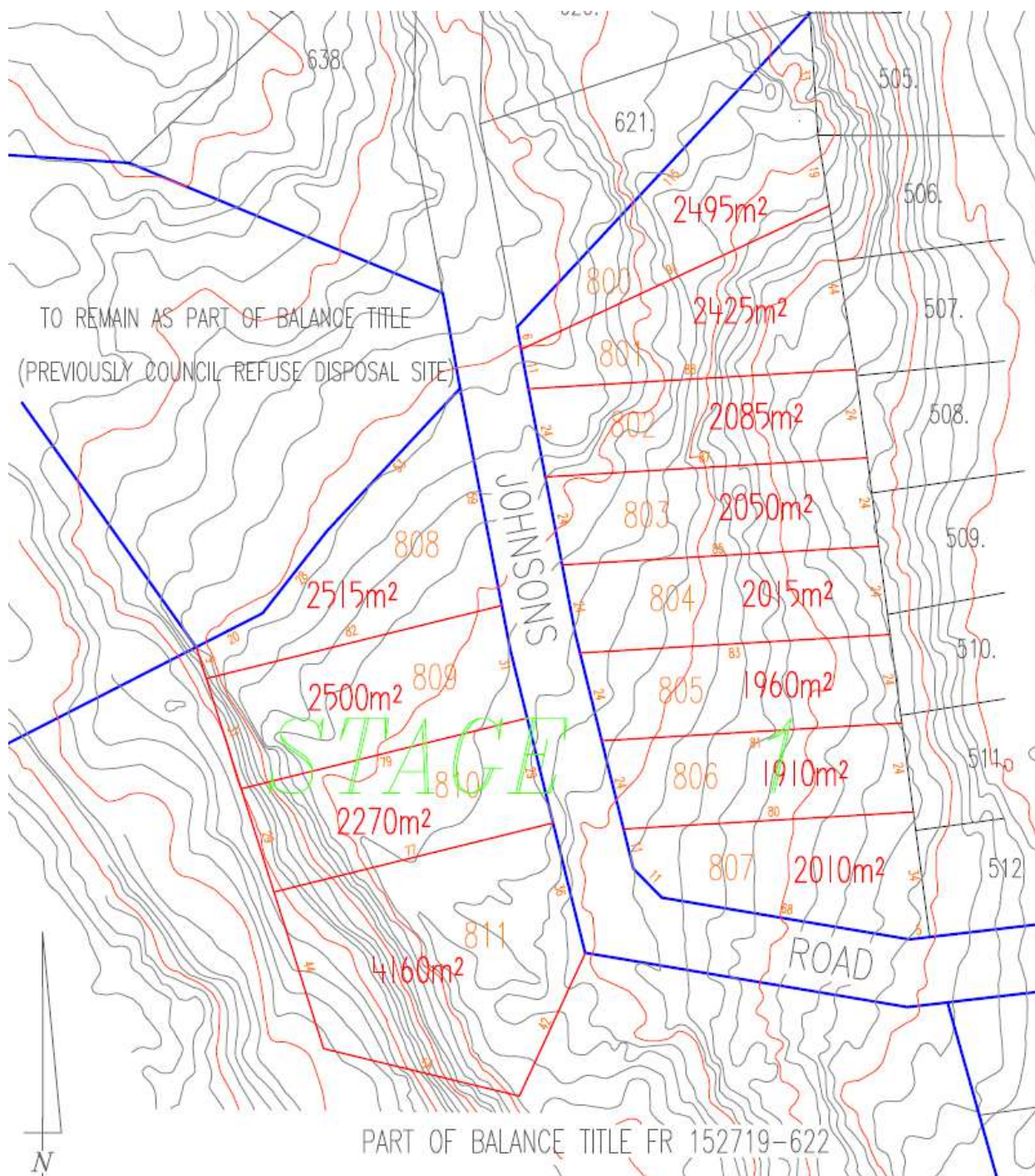


Figure 10 Johnsons Road Subdivision Plans



4. Traffic Impacts

4.1 Trip Generation

The subject site is located in a remote rural area that is predominantly used for casual 'shack' accommodation. In this regard, average traffic generation rates of the existing dwellings are typically low as the majority of dwellings are not fully occupied.

Average traffic generation rates for dwellings are therefore lower than residential generation rates. A rate of 3 trips per dwelling per day has been assumed, with a peak of 0.3 trips per hour per dwelling. This is consistent with casual accommodation traffic generation rates. It is also noted that peak periods are likely to be through the middle of the day, rather than typical commuter peak periods (consistent with existing traffic flows on Highland Lakes Road).

The traffic generation of the subdivision is therefore likely to be 114 vehicles per day with a peak of 11 vehicles per hour. This will be split as follows:

- Robertson Road 78 vehicles per day, peak of 8 vehicles per hour
- Johnsons Road 36 vehicles per day, peak of 3 vehicles per hour

It is further noted that the traffic generation of the subdivision will be highly seasonal, with most dwellings unoccupied during winter months.

4.2 Trip Assignment

The distribution of traffic generated by the development on the surrounding road network will be as follows:

- Johnsons Road/ Highland Lakes Road junction 87 vehicles per day/ 8 vehicles per hour
- Fleming Drive/ Highland Lakes Road junction 27 vehicles per day/ 3 vehicle per hour

Turning movements at the Johnsons Road and Fleming Road junctions with Highland Lakes Road are summarised in Table 1. Note that peak flow distributions normally associated with commuter peak periods are not applicable to the traffic generation associated with the development proposal.

Peak volumes may also fluctuate between 1 and 5 vehicles per hour for the Johnsons Road/ Highland Lakes Road junction. Turning movements at the Fleming Drive junction may vary between zero and 3 vehicles per hour.

Table 1 Highland Lakes Road Junction Peak Turning Movements

Junction	Left-In	Right-In	Left-Out	Right-Out
Johnsons Road/ Highland Lakes Road	2 vph	2 vph	2 vph	2 vph
Fleming Drive/ Highland Lakes Road	0 vph	1 vph	1 vph	1 vph

4.3 Junction Assessment

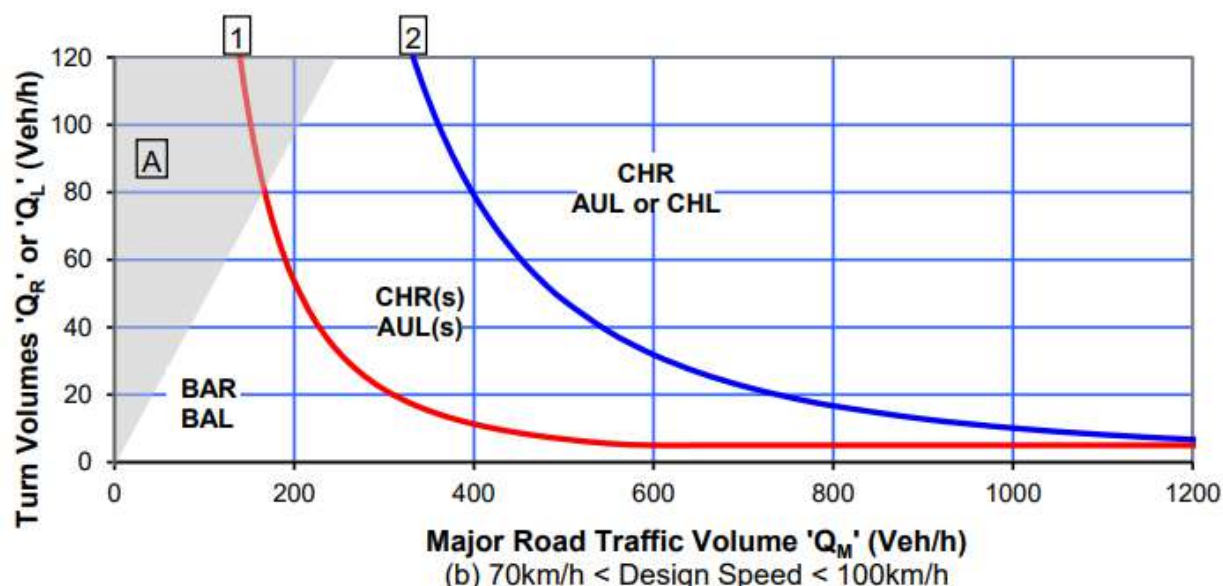
The traffic generation of the subdivision will disburse in the transport network, altering traffic flows at the following junctions:

- Robinson Road/ Johnsons Road
- Johnsons Road/ Fleming Road
- Highland Lakes Road/ Johnsons Road
- Highland Lakes Road/ Fleming Drive

The junctions of Robinson Road/ Johnsons Road and Johnsons Road/ Fleming Road will have relatively small changes in traffic volumes. There is sufficient spare capacity in these intersections to absorb the increased traffic volumes associated with the proposed subdivision.

The Highland Lakes Road junctions were assessed in accordance with the turning lane warrants of Austroads Part 6. In rural context (80-km/h), the requirements for junction turning lane treatments are reproduced in Figure 11.

Figure 11 Austroads Turning Lane Warrants



The major road traffic volume (Q_m) peaks at approximately 65 vehicles per hour and the right turn movements at the Johnsons Road junction peak at approximately 6 vehicles per hour (2 vph associated with the development and 4 vph existing). This places the turning lane warrants in the lower left corner of the BAR requirements (referring to Figure 11 above).

The turning volumes at the Fleming Drive junction are lower than the Johnsons Road junction.

The low turning movements coupled with the through movements on Highland Lakes Road do not warrant any turn lane facilities at both junctions.

4.4 Sight Distance

The Acceptable Solution A1 of E5.6.4 of the Planning Scheme states "*Sight distances at an access or junction must comply with the Safe Intersection Sight Distance shown in Table E5.1*".

Table E5.1 is reproduced in Table 2. The "Vehicle Speed" is defined in the Planning Scheme as "*the actual or recorded speed of traffic passing along the road and is the speed at or below which 85% of passing vehicles travel*". This is often referred to as the "Design Speed" or the "85th Percentile speed" in traffic engineering terminology.

Table 2 Planning Scheme SISD Requirements

Vehicle Speed	Safe Intersection Sight Distance in metres, for speed limit of:	
	60 km/h or less	Greater than 60 km/h
50	80	90
60	105	115
70	130	140
80	165	175
90		210
100		250
110		290

In this case the subdivision will form a new junction with Robertson Road. The 85th percentile speed of vehicles using Robertson Road is estimated to be less than 40-km/h due to the narrow road width, geometry and construction of the road.

No SISD values are provided for a vehicle speed of 40-km/h in Table E5.1 of the Planning Scheme. It could be argued that the requirements of Table E5.1 are therefore not applicable for vehicle speeds less than 50-km/h and therefore the requirements of Acceptable Solution A1 of Clause E5.6.4 of the Planning Scheme are met.

A conservative approach has been taken in this report that assumes that the minimum value of 80 metres of sight distance must be provided in order to meet the requirements of Acceptable Solution A1 of Clause E5.6.4 of the Planning Scheme. More than 80 metres is available in both directions along Roberson Road and therefore the Acceptable Solution A1 of Clause E5.6.4 of the Planning Scheme is met.

4.5 Internal Road Assessment

Council relies on the design criteria of LGAT Tasmanian Standard Drawings and Subdivision Guidelines, 2013. The requirements for residential subdivision roads are reproduced in Table 3. The following standards are applicable to the design of the internal road network associated with the development proposal:

- Road design should be in accordance with Austroads Guidelines.
- LGAT Standard Drawings and Tasmanian Subdivision Guidelines.

Table 3 LGAT Standard Drawings – Road Requirements, Residential

ROAD TYPES	ROAD TYPE	ROAD LENGTH / NUMBER OF TENEMENTS	MINIMUM ROAD WIDTH	MINIMUM RESERVATION WIDTH	MINIMUM FOOTPATH REQUIREMENTS
1 – Arterial	Detail design required				
2 – Sub Arterial					
3 – Collector	Through Road	Any length	11.0m	20.0m	Both Sides
4 – Local	Through Road	Any length	8.9m	18.0m	One Side Only
	Cul-De-Sac	Length > 150m	8.9m	18.0m	One Side Only
	Cul-De-Sac	Length ≤ 150m and / or No. of equiv. tenements ≤ 15	6.9m	15.0m	One Side Only

The applicable minimum road widths within the internal road network have therefore been designed as follows:

- Local road (through road) 18 metre road reservation width, 8.9 metre road width.
- long cul-de-sac 18 metre road reservation width, 8.9 metre road width.
- Short cul-de-sac 15 metre road reservation width, 6.9 metre road width.

All roads have a road reservation width of 18 metres and therefore comply with the LGAT requirements. The main access internal roadway would require a minimum unsealed pavement width of 8.9 metres.

4.6 Road Safety Impacts

There are no significant detrimental road safety impacts foreseen for the proposed subdivision. This is based on the following:

- The surrounding road network is able to adequately absorb the relatively low amount of traffic generated by the proposed development (peak of 11 vehicles per hour).
- The existing road safety performance of the transport network near the subject site does not indicate that there are any current road safety deficiencies that might be exacerbated by the proposed development.
- Adequate sight distance is available at the proposed site access at Robertsons Road in relation to the prevailing vehicle speeds.
- The proposed development is consistent with the surrounding land use, and as such movements into and out of the subject site will not be seen as an uncommon event by other motorists.

5. Conclusions

This traffic impact assessment (TIA) investigated the traffic and parking impacts of a proposed residential subdivision development at Miena.

The key findings of the TIA are summarised as follows:

- The traffic generated by the subdivision is likely to be 114 vehicles per day, with a peak of 11 vehicles per hour.
- The Traffic distribution of the subdivision will result in 87 vehicles per day utilising the Johnsons Road/ Highland Lakes junction, and 27 vehicles per day utilising the Fleming Drive/ Highland Lakes Road junction. Peak volumes will be 8 and 3 vehicles per hour at these junctions respectively.
- The traffic generation at the two junctions will not have any significant adverse impacts on traffic flow or safety of the Highland Lakes Road junctions.

Based on the findings of this report the proposed development is supported on traffic grounds.

Midson Traffic Pty Ltd ABN: 26 133 583 025

28 Seaview Avenue

Taroona TAS 7053

T: 0437 366 040 E: admin@midsontraffic.com.au W: www.midsontraffic.com.au

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Document Status

Revision	Author	Review	Date
0	Keith Midson	Zara Kacic-Midson	23 May 2022



Development & Environmental Services
19 Alexander Street
BOTHWELL TAS 7030

Phone: (03) 6259 5503
Fax: (03) 6259 5722

www.centralhighlands.tas.gov.au

OFFICE USE ONLY

Application No.: _____

Property ID No.: _____

Date Received: _____

Application for Planning Approval Use and Development

Use this form to apply for planning approval in accordance with section 57 and 58 of the *Land Use Planning and Approvals Act 1993*

Applicant / Owner Details:

Applicant Name	Michael Overeem		
Postal Address	7B/54 Browns Road	Phone No:	0409 296 502
	Kingston	7050	Fax No:
Email address	michael@overeem.com.au		
Owner/s Name (if not Applicant)	Michael Wilson		
Postal Address	C/O Applicant	Phone No:	
			Fax No:
Email address:			

Description of proposed use and/or development:

Address of new use and development:	Lot 3 Meadowbank Road, Meadowbank		
	Lot 4 Meadowbank Road, Meadowbank (access only)		
Certificate of Title No:	Volume No	163527	Lot No:
		163527	3 4
Description of proposed use or development:	Holiday cabins and shed		
Current use of land and buildings:	N/A		

ie: New Dwelling / Additions / Demolition / Shed / Farm Building / Carport / Swimming Pool or detail other etc.

Eg. Are there any existing buildings on this title?
If yes, what is the main building used as?

Proposed Material	What are the proposed external wall colours	see attached plans	What is the proposed roof colour	see attached plans
	What is the proposed new floor area m ² .	see attached plans	What is the estimated value of all the new work proposed:	\$ 400,000

<i>Is proposed development to be staged:</i>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Tick <input checked="" type="checkbox"/>
<i>Is the proposed development located on land previously used as a tip site?</i>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	
<i>Is the place on the Tasmanian Heritage Register?</i>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	
<i>Have you sought advice from Heritage Tasmania?</i>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	
<i>Has a Certificate of Exemption been sought for these works?</i>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	

Signed Declaration

I/we hereby apply for a planning approval to carry out the use or development described in this application and in the accompanying plans and documents, accordingly I declare that:

1. The information given is a true and accurate representation of the proposed development. I understand that the information and materials provided with this development application may be made available to the public. I understand that the Council may make such copies of the information and materials as, in its opinion, are necessary to facilitate a thorough consideration of the Development Application. I have obtained the relevant permission of the copyright owner for the communication and reproduction of the plans accompanying the development application, for the purposes of assessment of that application. I indemnify the Central Highlands Council for any claim or action taken against it in respect of breach of copyright in respect of any of the information or material provided.
2. In relation to this application, I/we agree to allow Council employees or consultants to enter the site in order to assess the application.
3. I am the applicant for the planning permit and I have notified the owner/s of the land in writing of the intention to make this application in accordance with Section 52(1) of the *Land Use Planning Approvals Act 1993* (or the land owner has signed this form in the box below in "Land Owner(s) signature");
Applies where the applicant is not the Owner and the land is not Crown land or owned by a council, and is not land administered by the Crown or a council.

Applicant Signature

Michael Overeem

(if not the Owner)

Applicant Name (Please print)

Michael Overeem

Date

18 January 2021

Land Owner(s) Signature

Michael Wilson

Land Owners Name (please print)

Michael Wilson

Date

18 January 2022

Land Owner(s) Signature

Land Owners Name (please print)

Date

<p>Information</p> <p>If you provide an email address in this form then the Central Highlands Council (“the Council”) will treat the provision of the email address as consent to the Council, pursuant to Section 6 of the Electronic Transactions Act 2000, to using that email address for the purposes of assessing the Application under the Land Use Planning and Approvals Act 1993 (“the Act”).</p> <p>If you provide an email address, the Council will not provide hard copy documentation unless specifically requested.</p> <p>It is your responsibility to provide the Council with the correct email address and to check your email for communications from the Council.</p> <p>If you do not wish for the Council to use your email address as the method of contact and for the giving of information, please tick ✓ the box</p>	<input type="checkbox"/>
<p>Heritage Tasmania</p> <p>If the Property is listed on the Tasmanian Heritage Register then the Application will be referred to Heritage Tasmania unless an Exemption Certificate has been provided with this Application. (Phone 1300 850 332 or email enquires@heritage.tas.gov.au)</p>	
<p>TasWater</p> <p>Depending on the works proposed Council may be required to refer the Application to TasWater for assessment (Phone 136992)</p>	

SEARCH OF TORRENS TITLE

VOLUME 163527	FOLIO 3
EDITION 4	DATE OF ISSUE 24-Mar-2021

SEARCH DATE : 13-Jan-2022

SEARCH TIME : 07.12 AM

DESCRIPTION OF LAND

Parish of ARGYLE Land District of BUCKINGHAM
Lot 3 on Sealed Plan 163527
Derivation : Part of 360 Acres Gtd to Mary Rayner & William
Watchorn & Part of Lot 7045, 4655 Acres Gtd. to Nicholas John
Brown
Prior CTs 138542/2 and 138542/3

SCHEDULE 1

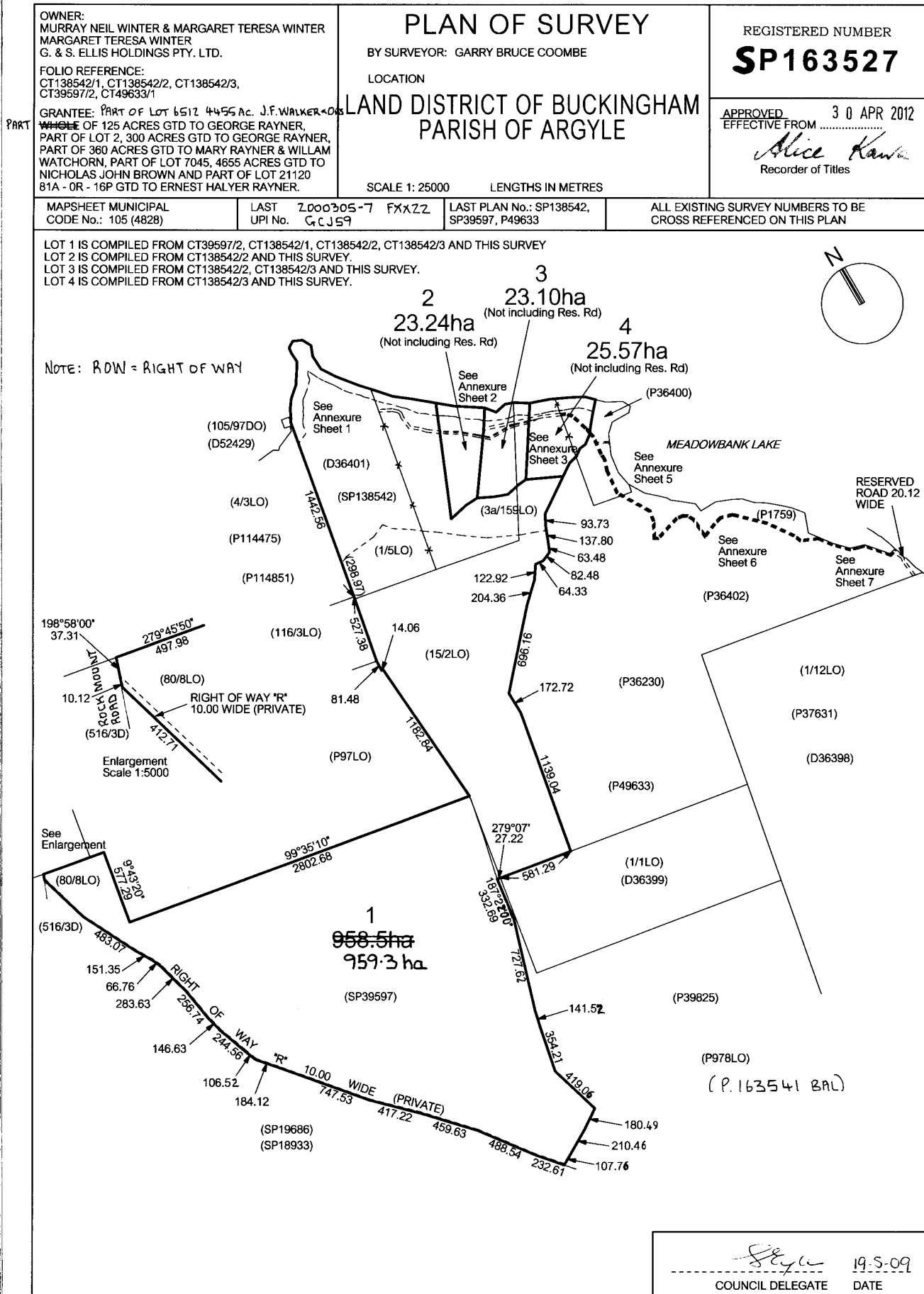
M869320 TRANSFER to MICHAEL WILSON Registered 24-Mar-2021
at noon

SCHEDULE 2

Reservations and conditions in the Crown Grant if any
SP163527 EASEMENTS in Schedule of Easements
SP163527 COVENANTS in Schedule of Easements
SP163527 FENCING PROVISION in Schedule of Easements
SP163527 WATER SUPPLY RESTRICTION
SP163527 SEWERAGE AND/OR DRAINAGE RESTRICTION
SP138542 FENCING PROVISION in Schedule of Easements
SP138542 SEPTIC TANK NOTIFICATION

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations



<p align="center">PLAN OF SURVEY ANNEXURE SHEET</p> <p align="center">SHEET 1 OF 7 SHEETS</p>	<p>OWNER: MURRAY NEIL WINTER & MARGARET TERESA WINTER MARGARET TERESA WINTER G. & S. ELLIS HOLDINGS PTY. LTD.</p> <p>FOLIO REFERENCE: CT138542/1, CT138542/2, CT138542/3 CT39597/2, CT49633/1</p> <p>SCALE 1: 5000 LENGTH IN METRES</p>	<p align="right">Registered Number</p> <p align="center" style="font-size: 1.5em;">SP 163527</p>
<p>SIGNED FOR IDENTIFICATION PURPOSES</p> <p align="center"> Council Delegate Date <u>19.5.09</u> </p>	<p>THIS ANNEXURE SHEET FORMS PART OF THE ATTACHED INDEX PLAN. THE SURVEYORS CERTIFICATE EXTENDS TO THE DETAILS ON THIS SHEET</p> <p align="center"> Registered Land Surveyor Date <u>13/2/2012</u> </p>	<p>APPROVED <u>30 APR 2012</u></p> <p align="center"> Recorder of Titles </p>

No.	Bearing	Dist.	No.	Bearing	Dist.
1	246°58'40"	94.53	19	325°11'00"	50.27
2	192°47'40"	79.65	20	323°35'40"	47.90
3	212°25'20"	30.29	21	322°43'	26.95
4	215°36'40"	31.06	22	327°17'20"	39.39
5	209°19'00"	33.38	23	331°14'20"	43.46
6	211°34'40"	33.68	24	321°54'20"	56.37
7	200°36'	22.85	25	318°26'20"	30.97
8	210°42'	27.16	26	311°28'20"	66.24
9	222°46'	19.43	27	331°25'	26.72
10	237°07'	21.24	28	313°14'40"	44.30
11	228°11'	26.56	29	319°22'20"	61.96
12	232°09'00"	35.83	30	317°07'00"	54.78
13	224°08'20"	70.38	31	310°11'20"	65.02
14	189°19'10"	44.85	32	317°38'20"	72.87
15	209°47'	22.63	33	311°46'40"	43.35
16	305°20'	7.08	34	320°59'40"	37.15
17	335°20'40"	48.72	23A	327°42'	14.04
18	335°25'20"	36.58	23B	332°56'	29.45

MEADOWBANK LAKE

MEADOWBANK Lake

full supply line

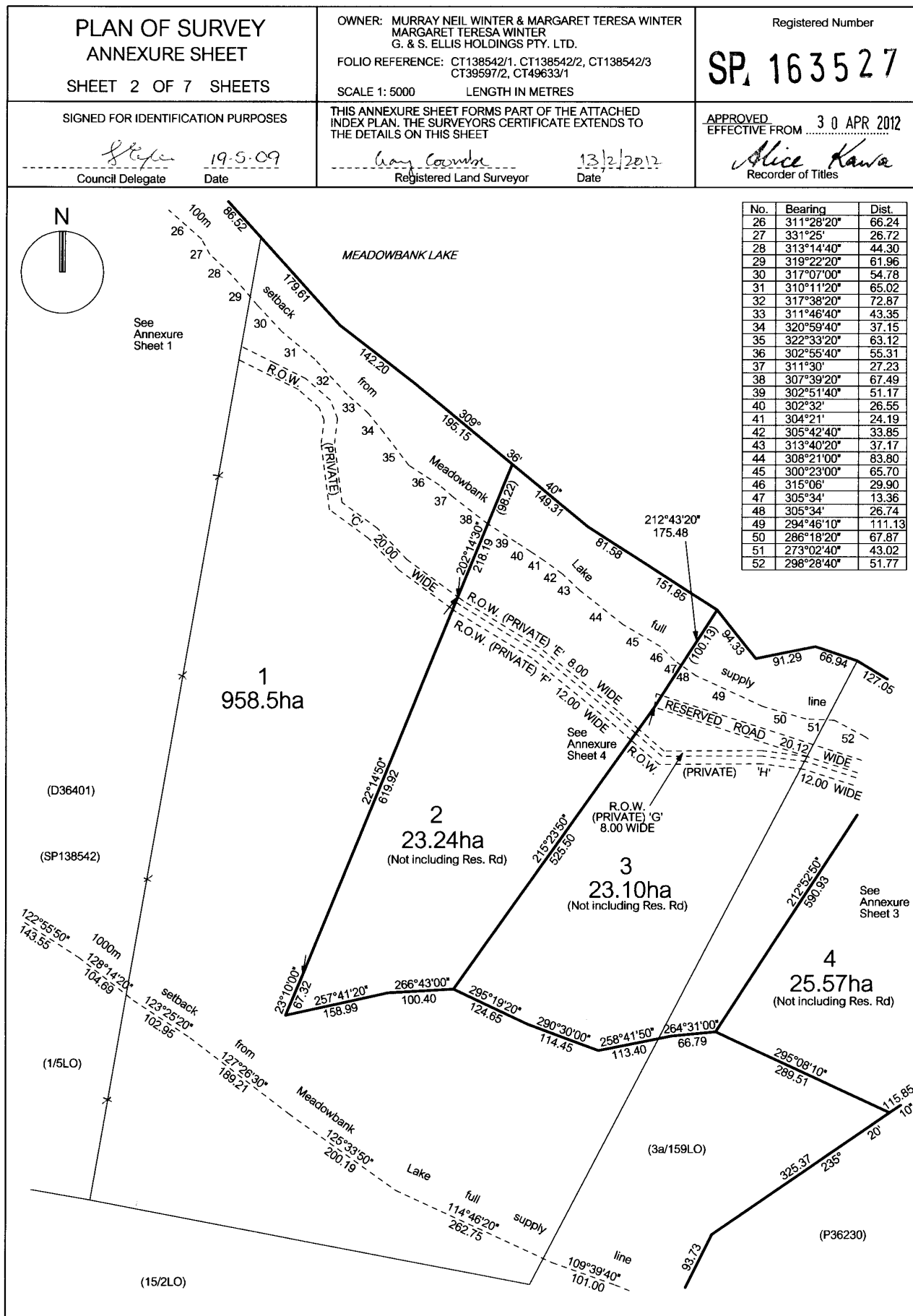
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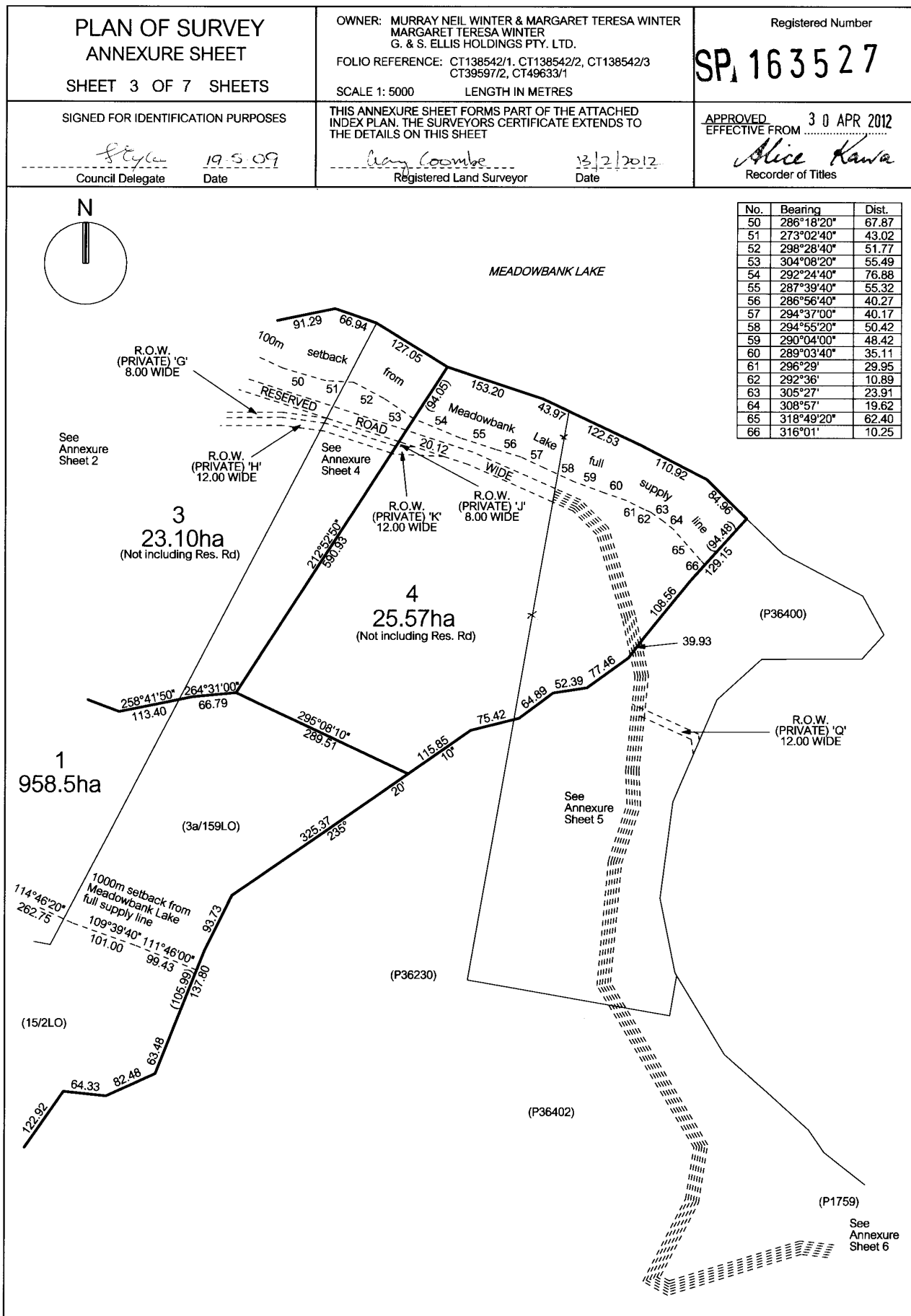
1000m setback from Meadowbank Lake full supply line

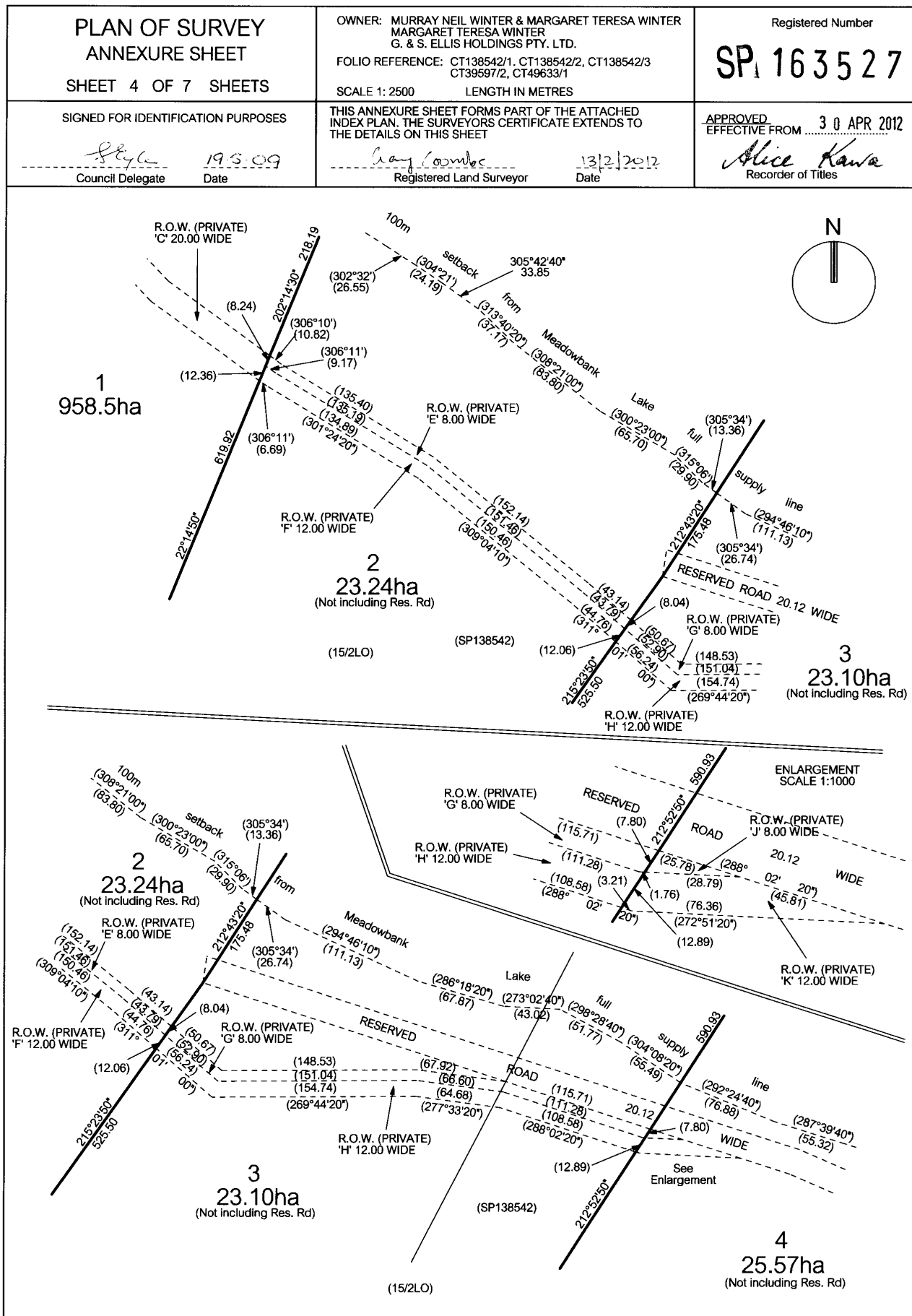
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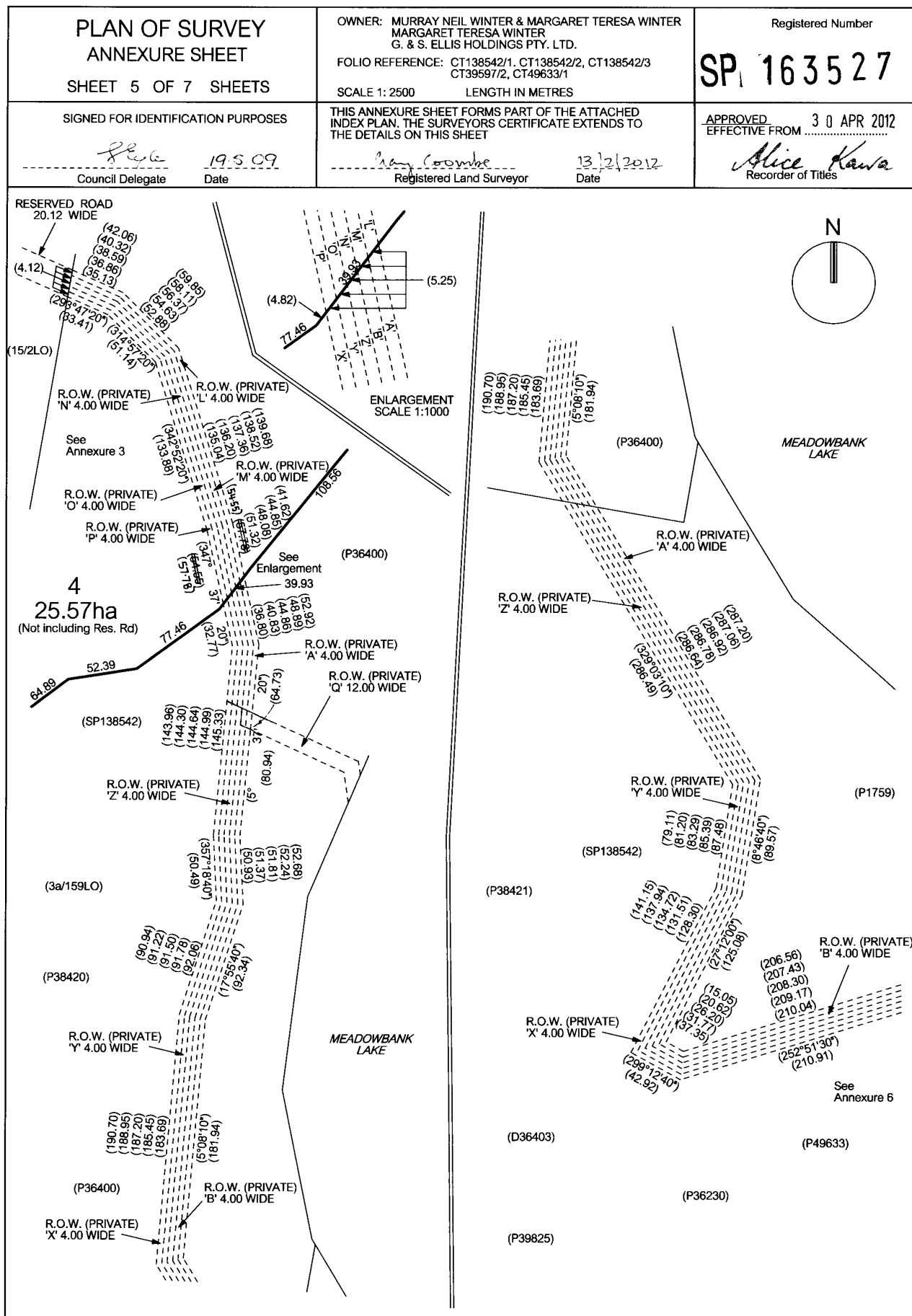
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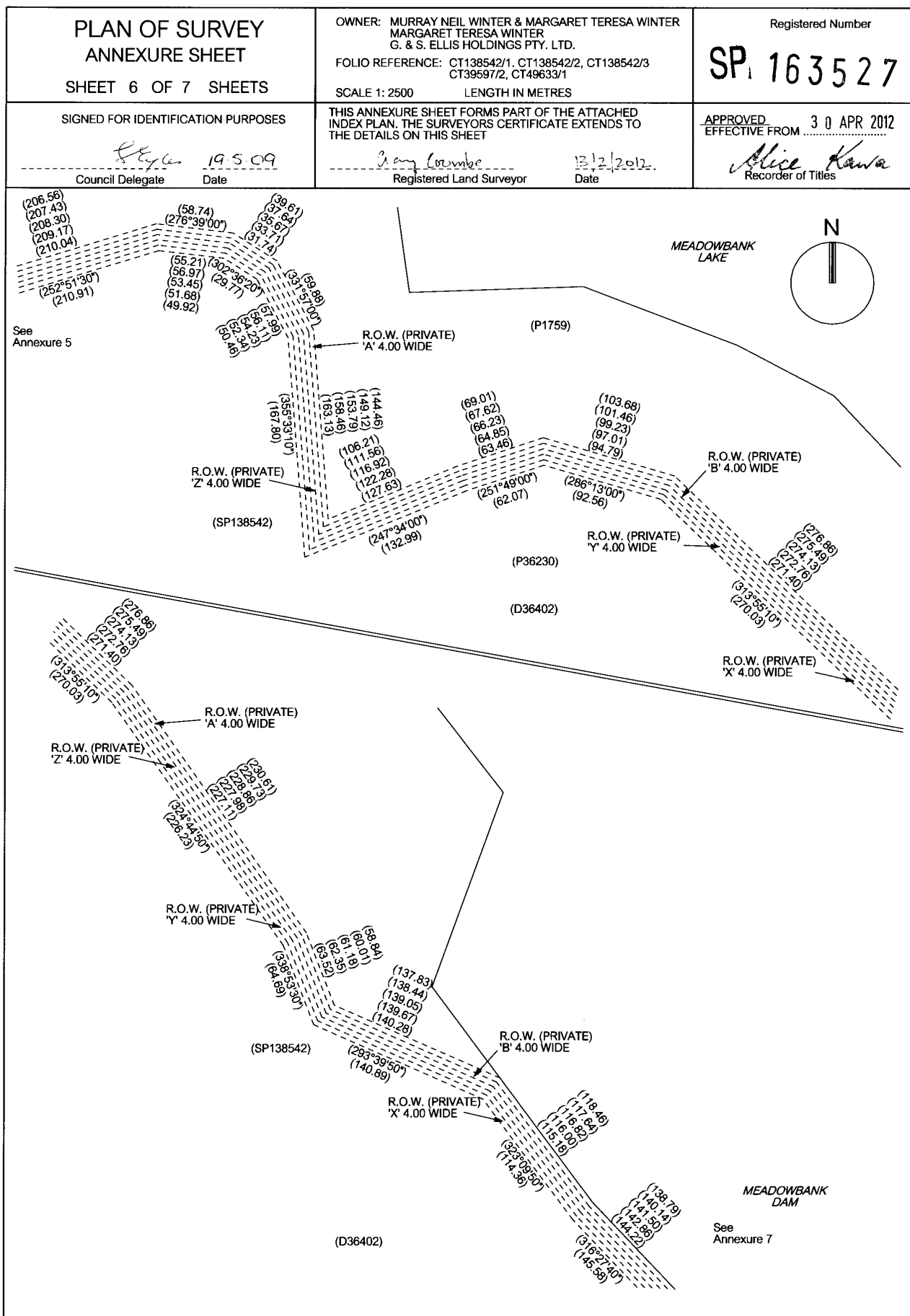
122°55'50" 143.55











<p>PLAN OF SURVEY ANNEXURE SHEET</p> <p>SHEET 7 OF 7 SHEETS</p>	<p>OWNER: MURRAY NEIL WINTER & MARGARET TERESA WINTER G. & S. ELLIS HOLDINGS PTY. LTD.</p> <p>FOLIO REFERENCE: CT138542/1, CT138542/2, CT138542/3 CT39597/2, CT49633/1</p> <p>SCALE 1: 2500 LENGTH IN METRES</p>	<p>Registered Number</p> <p>SP, 163527</p>
<p>SIGNED FOR IDENTIFICATION PURPOSES</p> <p><i>Seymour</i> 19.5.09 Council Delegate Date</p>	<p>THIS ANNEXURE SHEET FORMS PART OF THE ATTACHED INDEX PLAN. THE SURVEYORS CERTIFICATE EXTENDS TO THE DETAILS ON THIS SHEET</p> <p><i>Ray Coombe</i> 13/2/2012 Registered Land Surveyor Date</p>	<p>APPROVED 30 APR 2012 EFFECTIVE FROM</p> <p><i>Alice Kawa</i> Recorder of Titles</p>

SCHEDULE OF EASEMENTS	Registered Number
NOTE: THE SCHEDULE MUST BE SIGNED BY THE OWNERS & MORTGAGEES OF THE LAND AFFECTED. SIGNATURES MUST BE ATTESTED.	SP 163527

PAGE 1 OF 7 PAGES

EASEMENTS AND PROFITS

Each lot on the plan is together with:-

- (1) such rights of drainage over the drainage easements shown on the plan (if any) as may be necessary to drain the stormwater and other surplus water from such lot; and
- (2) any easements or profits a prendre described hereunder.

Each lot on the plan is subject to:-

- (1) such rights of drainage over the drainage easements shown on the plan (if any) as passing through such lot as may be necessary to drain the stormwater and other surplus water from any other lot on the plan; and
- (2) any easements or profits a prendre described hereunder.

The direction of the flow of water through the drainage easements shown on the plan is indicated by arrows.

Lot 1 is together with a right of carriageway over the lands marked RIGHT OF WAY (PRIVATE) "E" 8.00 WIDE, RIGHT OF WAY (PRIVATE) "F" 12.00 WIDE, RIGHT OF WAY (PRIVATE) "G" 8.00 WIDE, RIGHT OF WAY (PRIVATE) "H" 12.00 WIDE, RIGHT OF WAY (PRIVATE) "J" 8.00 WIDE, RIGHT OF WAY (PRIVATE) "K" 12.00 WIDE, RIGHT OF WAY (PRIVATE) "N" 4.00 WIDE, RIGHT OF WAY (PRIVATE) "O" 4.00 WIDE and RIGHT OF WAY (PRIVATE) "P" 4.00 WIDE on the plan


The portion of lot 1 formerly comprised in folio of the Register volume 138542 folio 3 is together with a right of carriageway over the lands marked RIGHT OF WAY (PRIVATE) "Y" 4.00 WIDE and RIGHT OF WAY (PRIVATE) "Z" 4.00 WIDE on the plan

Right of Way (private) "X" 4.00 wide and Right of Way (private) "A" 4.00 wide

The portion of lot 1 formerly comprised in folio of the Register volume 138542 folio 1 is together with a right of carriageway over the land marked RIGHT OF WAY (PRIVATE) "Q" 12.00 WIDE on the plan

The portion of lot 1 formerly comprised in folios of the Register volume 138542 folios 1, 2 & 3 is together with a right of carriageway over the lands marked "CD" & "DE" on Plan 36230

(USE ANNEXURE PAGES FOR CONTINUATION)

<p>SUBDIVIDER: M N & M T WINTER and G & S ELLIS HOLDINGS P/L</p> <p>FOLIO REF: 138542/1-3 and 49633/1</p> <p>SOLICITOR & REFERENCE: DOBSON MITCHELL & ALLPORT (JSB)</p>	<p>PLAN SEALED BY: CENTRAL HIGHLANDS COUNCIL</p> <p>DATE: 19-5-2009</p> <p style="text-align: center;">  Council Delegate </p> <p>DA 1/05 REF NO.</p>
<p>NOTE: The Council Delegate must sign the Certificate for the purposes of identification.</p>	

ANNEXURE TO SCHEDULE OF EASEMENTS PAGE 2 OF 7 PAGES	Registered Number SP 163527
SUBDIVIDER: M N & M T WINTER and G & S ELLIS HOLDINGS P/L FOLIO REFERENCE: 138542/1-3, 39597/2 and 49633/1	

Lot 1 is subject to a right of carriageway (appurtenant to lots 1 & 2 on Plan 49633) over the land marked RIGHT OF WAY (PRIVATE) "R" 10.00 WIDE passing through that lot on the plan

Lot 1 is subject to a right of carriageway (appurtenant to lot 1 on Sealed Plan 138542) over the lands marked RIGHT OF WAY (PRIVATE) "C" 20.00 WIDE passing through that lot on the plan

Lot 2 is together with a right of carriageway over the lands marked RIGHT OF WAY (PRIVATE) "G" 8.00 WIDE, RIGHT OF WAY (PRIVATE) "J" 8.00 WIDE, RIGHT OF WAY (PRIVATE) "M" 4.00 WIDE and RIGHT OF WAY (PRIVATE) "B" 4.00 WIDE on the plan

Lot 2 is together with a right of carriageway over the lands marked "CD" & "DE" on Plan 36230

Lot 2 is subject to a right of carriageway (appurtenant to lot 1 and lot 1 on Sealed Plan 138542) over the lands marked RIGHT OF WAY (PRIVATE) "E" 8.00 WIDE and RIGHT OF WAY (PRIVATE) "F" 12.00 WIDE passing through that lot on the plan

Lot 3 is together with a right of carriageway over the land marked RIGHT OF WAY (PRIVATE) "L" 4.00 WIDE on the plan

The portion of lot 3 formerly comprised in folio of the Register volume 138542 folio 3 is together with a right of carriageway over the land marked RIGHT OF WAY (PRIVATE) "A" 4.00 WIDE on the plan

Lot 3 is together with a right of carriageway over the lands marked "CD" & "DE" on Plan 36230

Lot 3 is subject to a right of carriageway (appurtenant to lot 1 and lot 1 on Sealed Plan 138542) over the lands marked RIGHT OF WAY (PRIVATE) "G" 8.00 WIDE and RIGHT OF WAY (PRIVATE) "H" 12.00 WIDE passing through that lot on the plan

M N Winter:  M T Winter:  G Ellis:  S Ellis: 

NOTE: Every annexed page must be signed by the parties to the dealing or where the party is a corporate body be signed by the persons who have attested the affixing of the seal of that body to the dealing.

ANNEXURE TO SCHEDULE OF EASEMENTS PAGE 3 OF 7 PAGES	Registered Number SP 163527
SUBDIVIDER: M N & M T WINTER and G & S ELLIS HOLDINGS P/L FOLIO REFERENCE: 138542/1-3, 39597/2 and 49633/1	

Lot 3 is subject to a right of carriageway (appurtenant to lot 2) over the land marked RIGHT OF WAY (PRIVATE) "G" 8.00 WIDE passing through that lot on the plan

Lot 4 is together with a right of carriageway over the land marked RIGHT OF WAY (PRIVATE) "X" 4.00 WIDE on the plan





Lot 4 is together with a right of carriageway over the lands marked "CD" & "DE" on Plan 36230

Lot 4 is subject to a right of carriageway (appurtenant to lot 1 and lot 1 on Sealed Plan 138542) over the lands marked RIGHT OF WAY (PRIVATE) "J" 8.00 WIDE, RIGHT OF WAY (PRIVATE) "K" 12.00 WIDE, RIGHT OF WAY (PRIVATE) "N" 4.00 WIDE, RIGHT OF WAY (PRIVATE) "O" 4.00 WIDE and RIGHT OF WAY (PRIVATE) "P" 4.00 WIDE passing through that lot on the plan

Lot 4 is subject to a right of carriageway (appurtenant to lot 2) over the lands marked RIGHT OF WAY (PRIVATE) "J" 8.00 WIDE and RIGHT OF WAY (PRIVATE) "M" 4.00 WIDE passing through that lot on the plan

Lot 4 is subject to a right of carriageway (appurtenant to lot 3) over the lands marked RIGHT OF WAY (PRIVATE) "L" 4.00 WIDE passing through that lot on the plan

Lot 4 is subject to a right of carriageway (appurtenant to lot 2 on Sealed Plan 138542) over the land marked RIGHT OF WAY (PRIVATE) "M" 4.00 WIDE passing through that lot on the plan

M N Winter:  M T Winter:  G Ellis:  S Ellis: 

NOTE: Every annexed page must be signed by the parties to the dealing or where the party is a corporate body be signed by the persons who have attested the affixing of the seal of that body to the dealing.

ANNEXURE TO SCHEDULE OF EASEMENTS PAGE 4 OF 7 PAGES	Registered Number SP 163527
SUBDIVIDER: M N & M T WINTER and G & S ELLIS HOLDINGS P/L FOLIO REFERENCE: 138542/1-3, 39597/2 and 49633/1	

Covenants

The owner of each lot on the plan covenants with the Central Highlands Council to the intent that the burden of this covenant may run with and bind the covenantors lot and every part thereof and that the benefit thereof may devolve with the Central Highlands Council to observe the following stipulations-

1. Not to construct any building on such lot north east of the line marked 100 METRE SET BACK FROM MEADOWBANK LAKE FULL SUPPLY LINE on the plan
2. Not to construct or maintain any wastewater infrastructure on such lot north east of the line marked 100 METRE SET BACK FROM MEADOWBANK LAKE FULL SUPPLY LINE on the plan
3. Not to place a caravan on such lot as a permanent fixture
4. Not to use a caravan on such lot for permanent occupation

The owner of lot 1 on the plan covenants with the Central Highlands Council to the intent that the burden of this covenant may run with and bind the covenantors lot and every part thereof and that the benefit thereof may devolve with the Central Highlands Council to observe the following stipulations-

5. Not to further subdivide such lot north east of the line marked 1000 METRE SET BACK FROM MEADOWBANK LAKE FULL SUPPLY LINE on the plan

The owners of lots 2, 3 & 4 on the plan each covenant with the Central Highlands Council to the intent that the burden of this covenant may run with and bind the covenantors lot and every part thereof and that the benefit thereof may devolve with the Central Highlands Council to observe the following stipulations-

6. Not to further subdivide such lot

~~**Fencing covenant**~~

~~The owners of the lots on the plan are subject to the fencing covenants created by and set forth in Sealed Plan 138542~~

M N Winter: M T Winter: G Ellis: S Ellis: 

NOTE: Every annexed page must be signed by the parties to the dealing or where the party is a corporate body be signed by the persons who have attested the affixing of the seal of that body to the dealing.

ANNEXURE TO SCHEDULE OF EASEMENTS PAGE 5 OF 7 PAGES	Registered Number SP 163527
SUBDIVIDER: M N & M T WINTER and G & S ELLIS HOLDINGS P/L FOLIO REFERENCE: 138542/1-3, 39597/2 and 49633/1	

Fencing provision

In respect to the lots on the plan the subdivider (Murray Neil Winter and Margaret Therese Winter) shall not be required to fence

~~The owner of the portion of lot 1 formerly comprised in folio of the Register volume 39597 folio 1 is subject to the fencing provision created by and set forth in Scaled Plan 39597.~~

M N Winter:  M T Winter:  G Ellis:  S Ellis: 

NOTE: Every annexed page must be signed by the parties to the dealing or where the party is a corporate body be signed by the persons who have attested the affixing of the seal of that body to the dealing.

ANNEXURE TO SCHEDULE OF EASEMENTS PAGE 6 OF 7 PAGES	Registered Number SP 163527
SUBDIVIDER: M N & M T WINTER and G & S ELLIS HOLDINGS P/L FOLIO REFERENCE: 138542/1-3, 39597/2 and 49633/1	

Signed by the said MURRAY NEIL WINTER being the registered proprietor in folios of the Register volume 138542 folios 1 & 2 and folio of the Register volume 39597 folio 2 in the presence of-

) *M Winter*
)
)

Witness: *Garry Coombe*

name: **GARRY BRUCE COOMBE**
 address: **60 EVERTON PLACE, ACTON PARK**
 occupation: **SURVEYOR**

Signed by the said MARGARET THERESE WINTER being the registered proprietor in folios of the Register volume 138542 folios 1, 2 & 3 and folio of the Register volume 39597 folio 2 in the presence of-

) *M Winter*
)
)

Witness: *Garry Coombe*

name: **GARRY BRUCE COOMBE**
 address: **60 EVERTON PLACE, ACTON PARK**
 occupation: **SURVEYOR**

COMMONWEALTH BANK OF AUSTRALIA as mortgagee in Mortgage No C506126 over folio of the Register volume 138542 folio 1 hereby consents to the subdivision-

SIGNED SEALED and DELIVERED
 for and on behalf of COMMONWEALTH BANK
 OF AUSTRALIA by its Attorney
LISA JANE WEBB
 under Registration Power of Attorney No. 72/6177
 who certifies that he/she is
 a **CONSULANCY OFFICER**
 of the COMMONWEALTH BANK OF AUSTRALIA and
 declares that he/she has received no notice
 of revocation of the said Power of Attorney and
 in the presence of:
L. J. Webb
 Bank Officer, Melbourne
DESMOND WAY
LEVEL 8
385 BOURKE ST

NOTE: Every annexed page must be signed by the parties to the dealing or where the party is a corporate body be signed by the persons who have attested the affixing of the seal of that body to the dealing.

ANNEXURE TO SCHEDULE OF EASEMENTS PAGE 7 OF 7 PAGES	Registered Number SP 163527
SUBDIVIDER: M N & M T WINTER and G & S ELLIS HOLDINGS P/L FOLIO REFERENCE: 138542/1-3 , 39597/2 and 49633/1	

Executed by G. & S. ELLIS HOLDINGS PTY LTD)
 under section 127 of the Corporations Act 2001 by)
 being signed by two directors-)

Director: [Signature]

Director: [Signature]

WESTPAC BANKING CORPORATION as mortgagee in
 Mortgage No 413197 over folio of the Register volume
 49633 folio 1 hereby consents to the subdivision

SIGNED by Vandna Wadhawan as attorney for
 Westpac Banking Corporation under power of
 attorney registered No, 72/5446.

[Signature]
 (Signature) Tier Three Attorney
 By executing this instrument the attorney states that
 the attorney has received no notice of the revocation
 of the power of attorney.

John Christopher Bullock and Sheryl Anne Bullock as mortgagee
 in Mortgage NoC835929 over the folio of the Register volume 49633
 Folio 1 hereby consent to the subdivision

I certify that the Attorney for the Mortgagee, with
 whom I am personally acquainted or as to whose
 identity I am otherwise satisfied, signed this
 instrument in my presence.

[Signature]
 JOHN CHRISTOPHER BULLOCK

Signature of Witness: [Signature]

Name of Witness: TRO LLOYD

in the presence of-

Witness: [Signature]

name: EMILY BULLOCK
 address: 20 RECREATION ST
KINGSTON BEACH.
 occupation: UNIVERSITY LECTURER

[Signature]
 SHERYL ANNE BULLOCK

Address of Witness: 360 Collins Street, Melbourne

in the presence of-

Witness: [Signature]

name: EMILY BULLOCK
 address: 20 RECREATION ST
KINGSTON BEACH
 occupation: UNIVERSITY LECTURER.

NOTE: Every annexed page must be signed by the parties to the dealing or where the party is a corporate body be signed by the persons who have attested the affixing of the seal of that body to the dealing.

SEARCH OF TORRENS TITLE

VOLUME 163527	FOLIO 4
EDITION 4	DATE OF ISSUE 28-Apr-2021

SEARCH DATE : 18-Jan-2022

SEARCH TIME : 08.01 AM

DESCRIPTION OF LAND

Parish of ARGYLE Land District of BUCKINGHAM
Lot 4 on Sealed Plan 163527
Derivation : Part of 125 Acres Gtd. to George Rayner & Part of
Lot 7045, 4655 Acres Gtd to Nicholas John Brown
Prior CT 138542/3

SCHEDULE 1

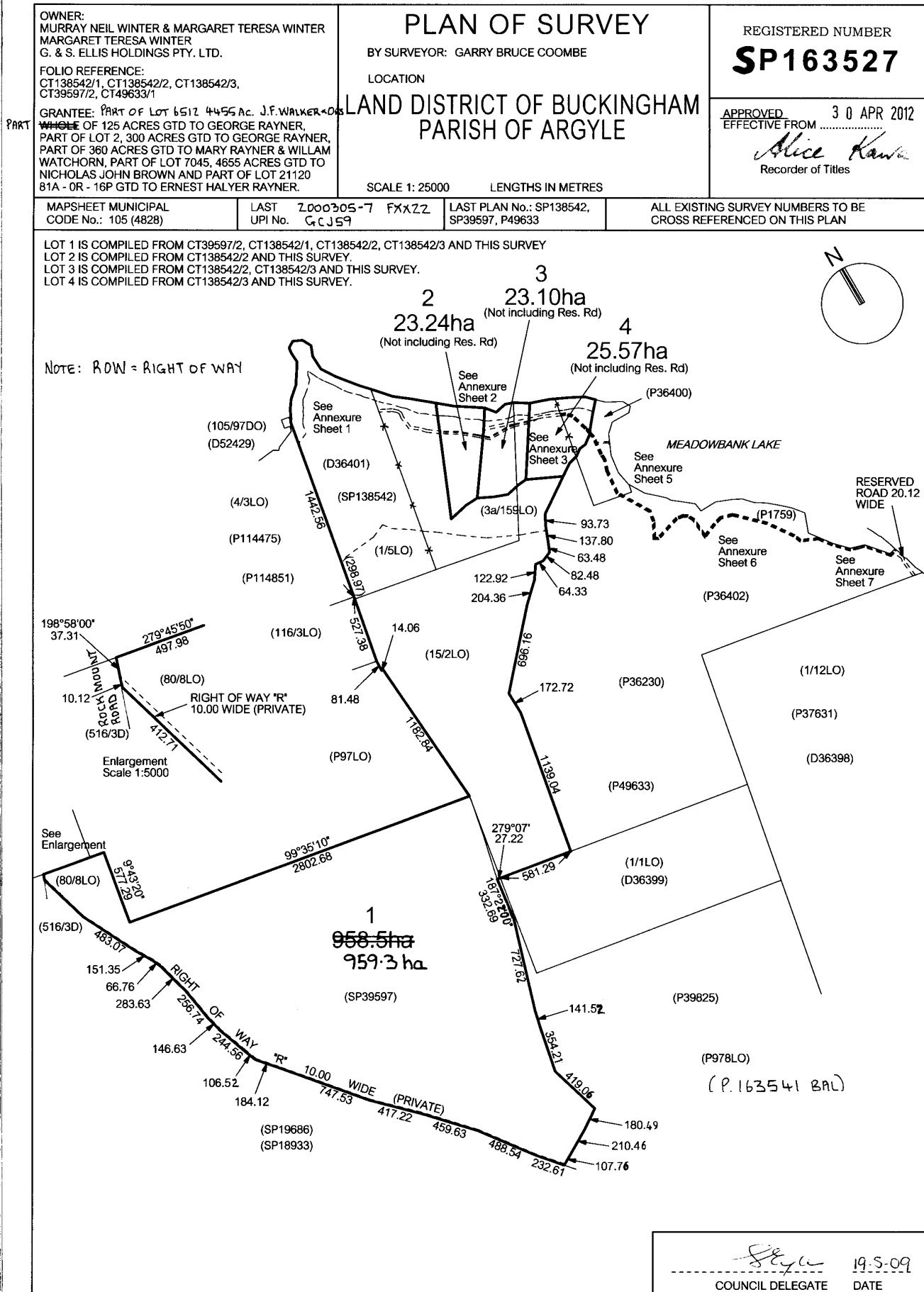
M856176 TRANSFER to MAKRO PROPERTY PTY LTD Registered
28-Apr-2021 at noon

SCHEDULE 2

Reservations and conditions in the Crown Grant if any
SP163527 EASEMENTS in Schedule of Easements
SP163527 COVENANTS in Schedule of Easements
SP163527 FENCING PROVISION in Schedule of Easements
SP163527 WATER SUPPLY RESTRICTION
SP163527 SEWERAGE AND/OR DRAINAGE RESTRICTION
SP138542 FENCING PROVISION in Schedule of Easements
SP138542 SEPTIC TANK NOTIFICATION

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations



<p align="center">PLAN OF SURVEY ANNEXURE SHEET</p> <p align="center">SHEET 1 OF 7 SHEETS</p>	<p>OWNER: MURRAY NEIL WINTER & MARGARET TERESA WINTER MARGARET TERESA WINTER G. & S. ELLIS HOLDINGS PTY. LTD.</p> <p>FOLIO REFERENCE: CT138542/1, CT138542/2, CT138542/3 CT39597/2, CT49633/1</p> <p>SCALE 1: 5000 LENGTH IN METRES</p>	<p align="right">Registered Number</p> <p align="center" style="font-size: 1.5em;">SP 163527</p>
<p>SIGNED FOR IDENTIFICATION PURPOSES</p> <p align="center"> Council Delegate Date <u>19.5.09</u> </p>	<p>THIS ANNEXURE SHEET FORMS PART OF THE ATTACHED INDEX PLAN. THE SURVEYORS CERTIFICATE EXTENDS TO THE DETAILS ON THIS SHEET</p> <p align="center"> Registered Land Surveyor Date <u>13/2/2012</u> </p>	<p>APPROVED <u>30 APR 2012</u></p> <p align="center"> Recorder of Titles </p>

No.	Bearing	Dist.	No.	Bearing	Dist.
1	246°58'40"	94.53	19	325°11'00"	50.27
2	192°47'40"	79.65	20	323°35'40"	47.90
3	212°25'20"	30.29	21	322°43'	26.95
4	215°36'40"	31.06	22	327°17'20"	39.39
5	209°19'00"	33.38	23	331°14'20"	43.46
6	211°34'40"	33.68	24	321°54'20"	56.37
7	200°36'	22.85	25	318°26'20"	30.97
8	210°42'	27.16	26	311°28'20"	66.24
9	222°46'	19.43	27	331°25'	26.72
10	237°07'	21.24	28	313°14'40"	44.30
11	228°11'	26.56	29	319°22'20"	61.96
12	232°09'00"	35.83	30	317°07'00"	54.78
13	224°08'20"	70.38	31	310°11'20"	65.02
14	189°19'10"	44.85	32	317°38'20"	72.87
15	209°47'	22.63	33	311°46'40"	43.35
16	305°20'	7.08	34	320°59'40"	37.15
17	335°20'40"	48.72	23A	327°42'	14.04
18	335°25'20"	36.58	23B	332°56'	29.45

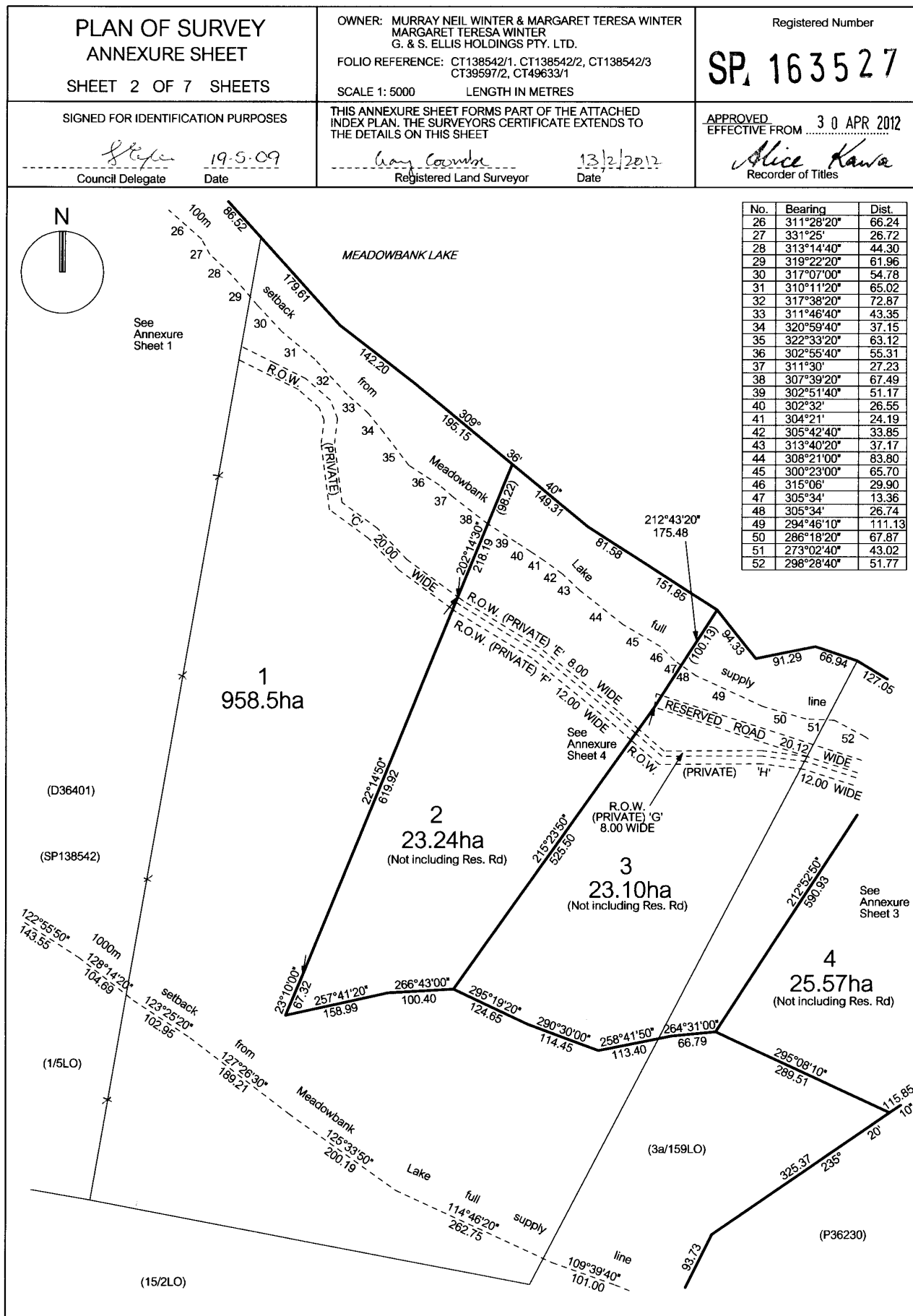
MEADOWBANK LAKE

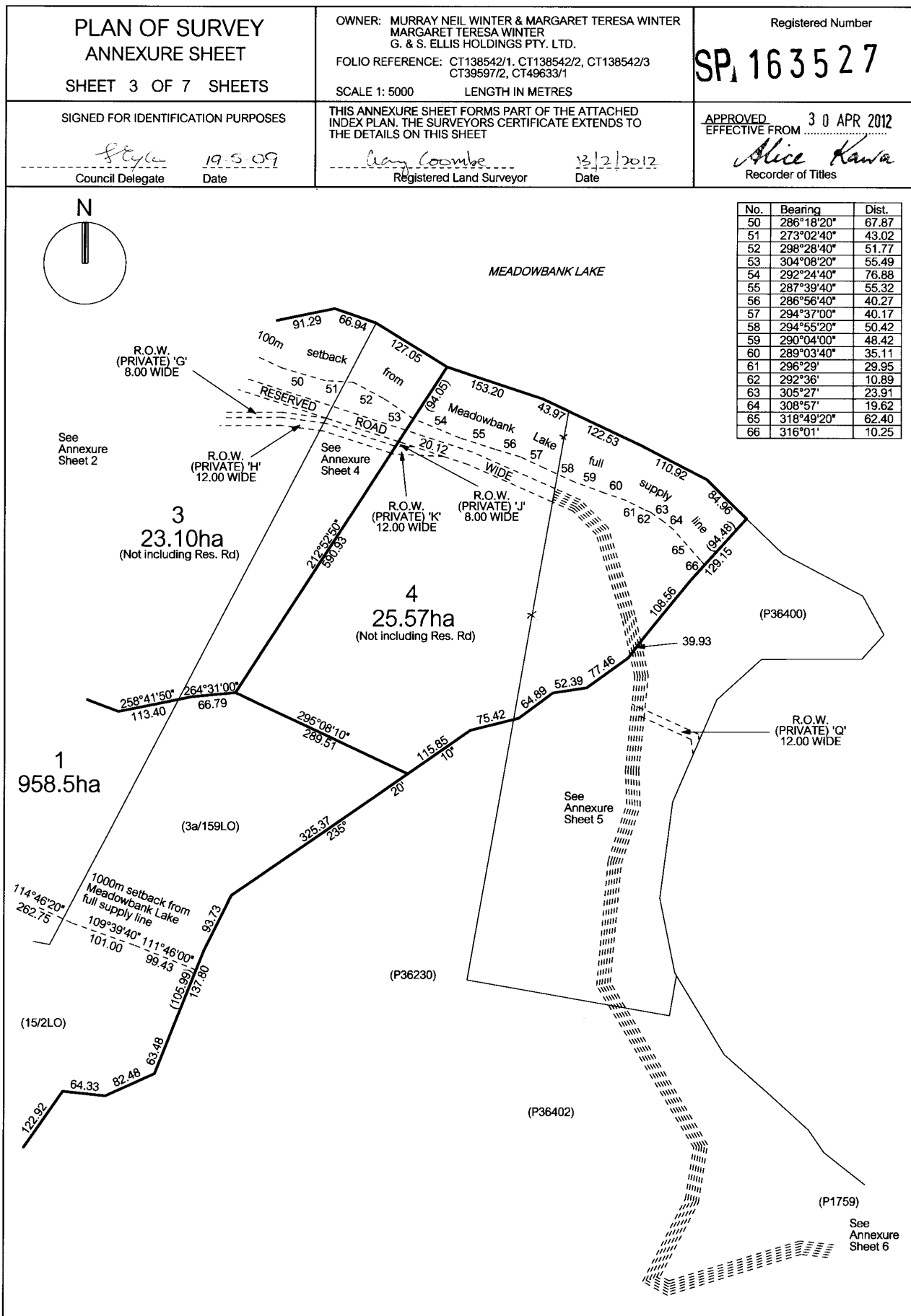
MEADOWBANK Lake

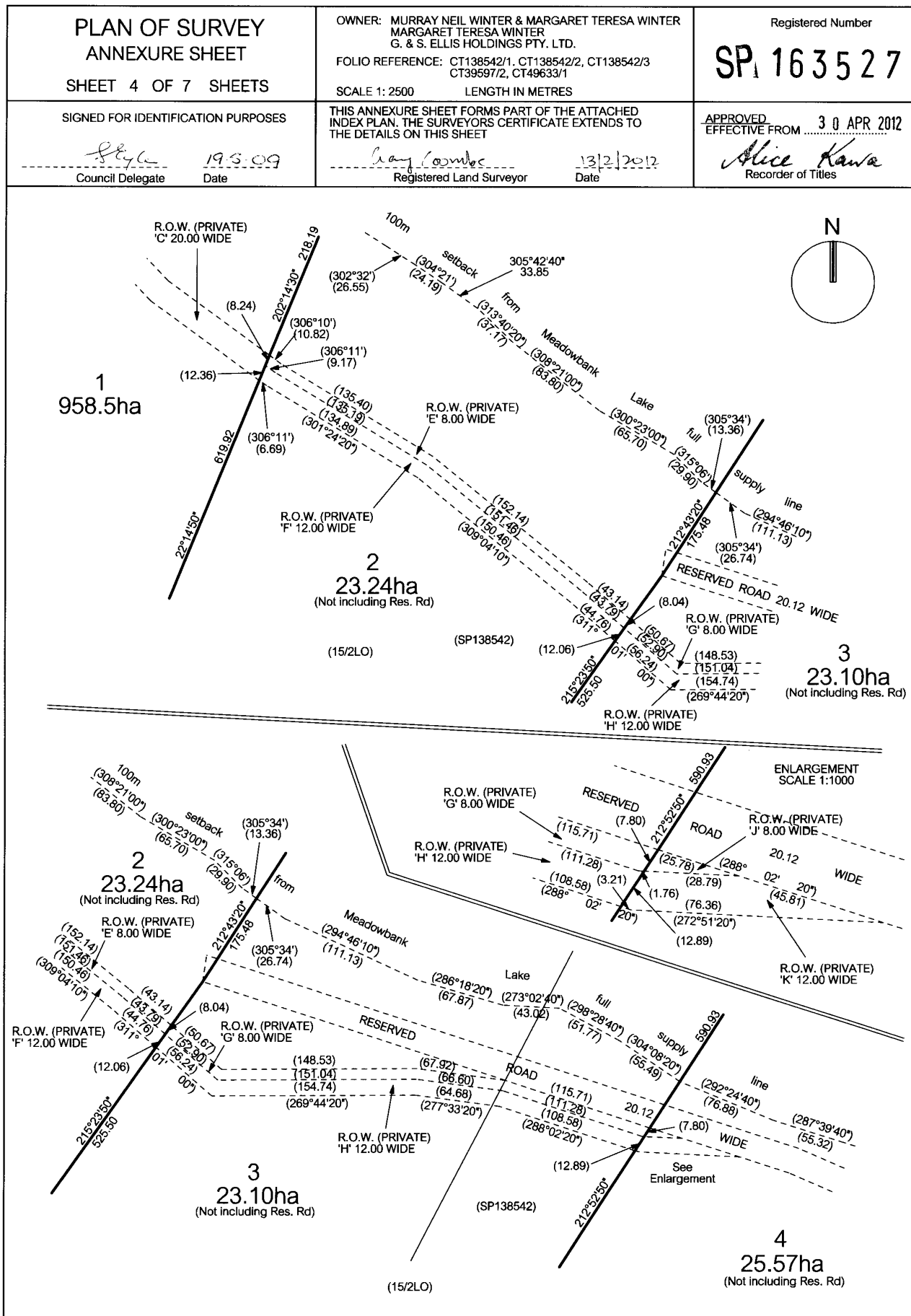
full supply line

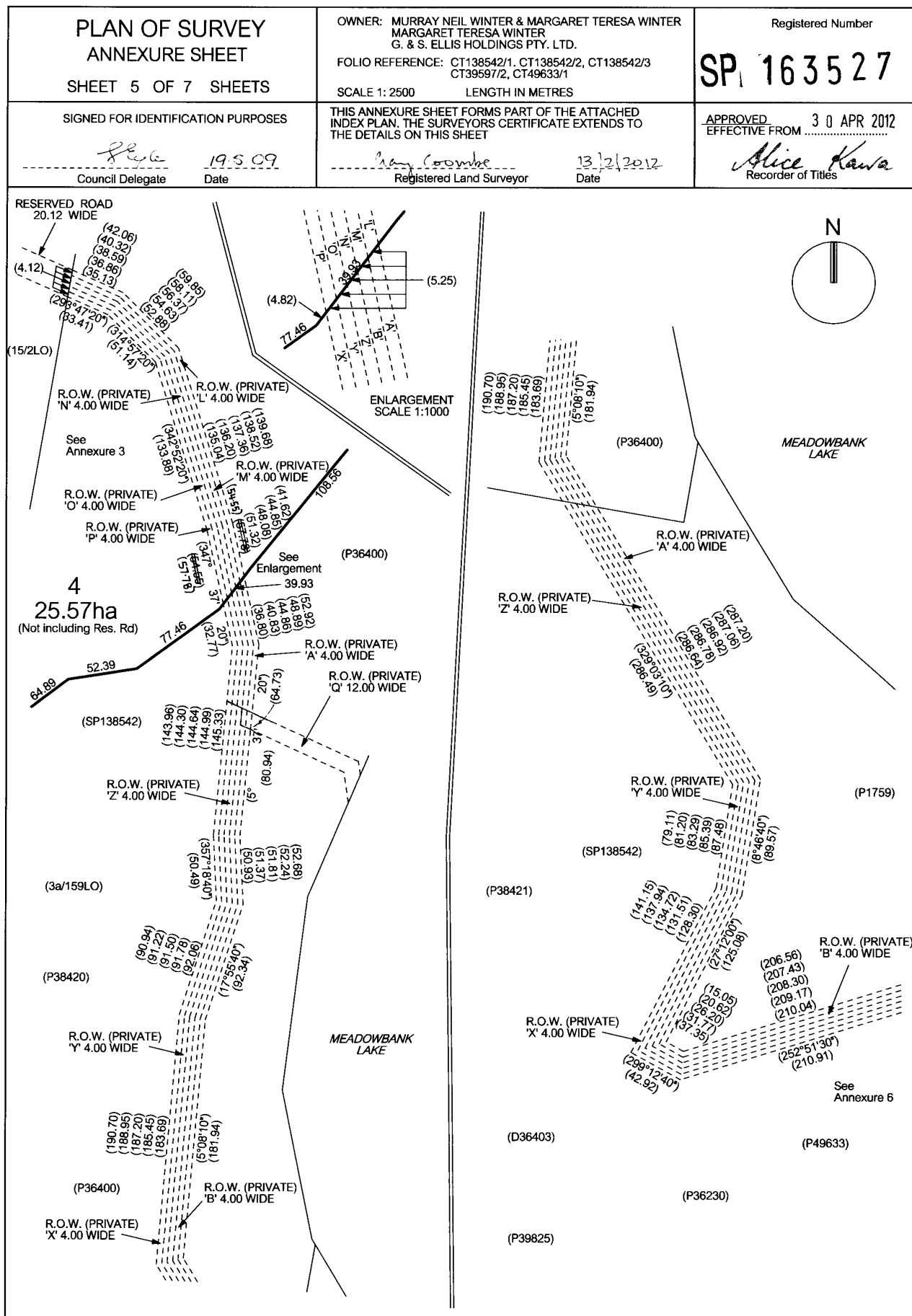
R.O.W. (PRIVATE) 20.00 WIDE

See Annexure Sheet 2









<p>PLAN OF SURVEY ANNEXURE SHEET SHEET 6 OF 7 SHEETS</p>	<p>OWNER: MURRAY NEIL WINTER & MARGARET TERESA WINTER G. & S. ELLIS HOLDINGS PTY. LTD. FOLIO REFERENCE: CT138542/1, CT138542/2, CT138542/3 CT39597/2, CT49633/1 SCALE 1: 2500 LENGTH IN METRES</p>	<p>Registered Number SP 163527</p>
<p>SIGNED FOR IDENTIFICATION PURPOSES _____ Council Delegate _____ Date</p>	<p>THIS ANNEXURE SHEET FORMS PART OF THE ATTACHED INDEX PLAN. THE SURVEYORS CERTIFICATE EXTENDS TO THE DETAILS ON THIS SHEET _____ Registered Land Surveyor _____ Date</p>	<p>APPROVED EFFECTIVE FROM 30 APR 2012 _____ Recorder of Titles</p>

See Annexure 5

MEADOWBANK LAKE

MEADOWBANK DAM

See Annexure 7

<p>PLAN OF SURVEY ANNEXURE SHEET</p> <p>SHEET 7 OF 7 SHEETS</p>	<p>OWNER: MURRAY NEIL WINTER & MARGARET TERESA WINTER G. & S. ELLIS HOLDINGS PTY. LTD.</p> <p>FOLIO REFERENCE: CT138542/1, CT138542/2, CT138542/3 CT39597/2, CT49633/1</p> <p>SCALE 1: 2500 LENGTH IN METRES</p>	<p>Registered Number</p> <p>SP, 163527</p>
<p>SIGNED FOR IDENTIFICATION PURPOSES</p> <p><i>[Signature]</i> 19.5.09 Council Delegate Date</p>	<p>THIS ANNEXURE SHEET FORMS PART OF THE ATTACHED INDEX PLAN. THE SURVEYORS CERTIFICATE EXTENDS TO THE DETAILS ON THIS SHEET</p> <p><i>[Signature]</i> 13/2/2012 Registered Land Surveyor Date</p>	<p>APPROVED 30 APR 2012 EFFECTIVE FROM</p> <p><i>[Signature]</i> Alice Kawa Recorder of Titles</p>

See Annexure 6

(137.83)
(138.44)
(139.05)
(139.67)
(140.28)

(293°39'50")
(140.69)

(118.46)
(117.64)
(116.83)
(115.00)
(114.36)

R.O.W. (PRIVATE)
'A' 4.00 WIDE

R.O.W. (PRIVATE)
'Z' 4.00 WIDE

(138.19)
(140.14)
(142.88)
(144.22)

(60.37)
(61.50)
(62.62)
(63.75)
(64.87)

(SP138542)

(285°03'40")
(66.00)

MEADOWBANK DAM

(53.23)
(51.98)
(50.74)
(49.50)
(48.25)

R.O.W. (PRIVATE)
'B' 4.00 WIDE

R.O.W. (PRIVATE)
'Y' 4.00 WIDE

(201.13)
(209.00)
(210.20)
(212.83)
(214.11)

(319°37'30")
(24.11)

(21.84)
(24.97)
(28.10)
(31.22)
(34.35)

R.O.W. (PRIVATE)
'X' 4.00 WIDE

(4.05)

(255°10'00")
(37.48)

RESERVED ROAD 20.12 WIDE

MEADOWBANK ROAD

RIVER DERWENT

(1/12LO)

(D36398)

(P37631)

SCHEDULE OF EASEMENTS	Registered Number
NOTE: THE SCHEDULE MUST BE SIGNED BY THE OWNERS & MORTGAGEES OF THE LAND AFFECTED. SIGNATURES MUST BE ATTESTED.	SP 163527

PAGE 1 OF 7 PAGES

EASEMENTS AND PROFITS

Each lot on the plan is together with:-

- (1) such rights of drainage over the drainage easements shown on the plan (if any) as may be necessary to drain the stormwater and other surplus water from such lot; and
- (2) any easements or profits a prendre described hereunder.

Each lot on the plan is subject to:-

- (1) such rights of drainage over the drainage easements shown on the plan (if any) as passing through such lot as may be necessary to drain the stormwater and other surplus water from any other lot on the plan; and
- (2) any easements or profits a prendre described hereunder.

The direction of the flow of water through the drainage easements shown on the plan is indicated by arrows.

Lot 1 is together with a right of carriageway over the lands marked RIGHT OF WAY (PRIVATE) "E" 8.00 WIDE, RIGHT OF WAY (PRIVATE) "F" 12.00 WIDE, RIGHT OF WAY (PRIVATE) "G" 8.00 WIDE, RIGHT OF WAY (PRIVATE) "H" 12.00 WIDE, RIGHT OF WAY (PRIVATE) "J" 8.00 WIDE, RIGHT OF WAY (PRIVATE) "K" 12.00 WIDE, RIGHT OF WAY (PRIVATE) "N" 4.00 WIDE, RIGHT OF WAY (PRIVATE) "O" 4.00 WIDE and RIGHT OF WAY (PRIVATE) "P" 4.00 WIDE on the plan


The portion of lot 1 formerly comprised in folio of the Register volume 138542 folio 3 is together with a right of carriageway over the lands marked RIGHT OF WAY (PRIVATE) "Y" 4.00 WIDE and RIGHT OF WAY (PRIVATE) "Z" 4.00 WIDE on the plan

Right of Way (private) "X" 4.00 wide and Right of Way (private) "A" 4.00 wide

The portion of lot 1 formerly comprised in folio of the Register volume 138542 folio 1 is together with a right of carriageway over the land marked RIGHT OF WAY (PRIVATE) "Q" 12.00 WIDE on the plan

The portion of lot 1 formerly comprised in folios of the Register volume 138542 folios 1, 2 & 3 is together with a right of carriageway over the lands marked "CD" & "DE" on Plan 36230

(USE ANNEXURE PAGES FOR CONTINUATION)

<p>SUBDIVIDER: M N & M T WINTER and G & S ELLIS HOLDINGS P/L</p> <p>FOLIO REF: 138542/1-3 and 49633/1</p> <p>SOLICITOR & REFERENCE: DOBSON MITCHELL & ALLPORT (JSB)</p>	<p>PLAN SEALED BY: CENTRAL HIGHLANDS COUNCIL</p> <p>DATE: 19-5-2009</p> <p style="text-align: center;">  Council Delegate </p> <p>DA 1/05 REF NO.</p>
<p>NOTE: The Council Delegate must sign the Certificate for the purposes of identification.</p>	

ANNEXURE TO SCHEDULE OF EASEMENTS PAGE 2 OF 7 PAGES	Registered Number SP 163527
SUBDIVIDER: M N & M T WINTER and G & S ELLIS HOLDINGS P/L FOLIO REFERENCE: 138542/1-3, 39597/2 and 49633/1	

Lot 1 is subject to a right of carriageway (appurtenant to lots 1 & 2 on Plan 49633) over the land marked RIGHT OF WAY (PRIVATE) "R" 10.00 WIDE passing through that lot on the plan

Lot 1 is subject to a right of carriageway (appurtenant to lot 1 on Sealed Plan 138542) over the lands marked RIGHT OF WAY (PRIVATE) "C" 20.00 WIDE passing through that lot on the plan

Lot 2 is together with a right of carriageway over the lands marked RIGHT OF WAY (PRIVATE) "G" 8.00 WIDE, RIGHT OF WAY (PRIVATE) "J" 8.00 WIDE, RIGHT OF WAY (PRIVATE) "M" 4.00 WIDE and RIGHT OF WAY (PRIVATE) "B" 4.00 WIDE on the plan

Lot 2 is together with a right of carriageway over the lands marked "CD" & "DE" on Plan 36230

Lot 2 is subject to a right of carriageway (appurtenant to lot 1 and lot 1 on Sealed Plan 138542) over the lands marked RIGHT OF WAY (PRIVATE) "E" 8.00 WIDE and RIGHT OF WAY (PRIVATE) "F" 12.00 WIDE passing through that lot on the plan

Lot 3 is together with a right of carriageway over the land marked RIGHT OF WAY (PRIVATE) "L" 4.00 WIDE on the plan

The portion of lot 3 formerly comprised in folio of the Register volume 138542 folio 3 is together with a right of carriageway over the land marked RIGHT OF WAY (PRIVATE) "A" 4.00 WIDE on the plan

Lot 3 is together with a right of carriageway over the lands marked "CD" & "DE" on Plan 36230

Lot 3 is subject to a right of carriageway (appurtenant to lot 1 and lot 1 on Sealed Plan 138542) over the lands marked RIGHT OF WAY (PRIVATE) "G" 8.00 WIDE and RIGHT OF WAY (PRIVATE) "H" 12.00 WIDE passing through that lot on the plan

M N Winter:  M T Winter:  G Ellis:  S Ellis: 

NOTE: Every annexed page must be signed by the parties to the dealing or where the party is a corporate body be signed by the persons who have attested the affixing of the seal of that body to the dealing.

ANNEXURE TO SCHEDULE OF EASEMENTS PAGE 3 OF 7 PAGES	Registered Number SP 163527
SUBDIVIDER: M N & M T WINTER and G & S ELLIS HOLDINGS P/L FOLIO REFERENCE: 138542/1-3, 39597/2 and 49633/1	

Lot 3 is subject to a right of carriageway (appurtenant to lot 2) over the land marked RIGHT OF WAY (PRIVATE) "G" 8.00 WIDE passing through that lot on the plan

Lot 4 is together with a right of carriageway over the land marked RIGHT OF WAY (PRIVATE) "X" 4.00 WIDE on the plan





Lot 4 is together with a right of carriageway over the lands marked "CD" & "DE" on Plan 36230

Lot 4 is subject to a right of carriageway (appurtenant to lot 1 and lot 1 on Sealed Plan 138542) over the lands marked RIGHT OF WAY (PRIVATE) "J" 8.00 WIDE, RIGHT OF WAY (PRIVATE) "K" 12.00 WIDE, RIGHT OF WAY (PRIVATE) "N" 4.00 WIDE, RIGHT OF WAY (PRIVATE) "O" 4.00 WIDE and RIGHT OF WAY (PRIVATE) "P" 4.00 WIDE passing through that lot on the plan

Lot 4 is subject to a right of carriageway (appurtenant to lot 2) over the lands marked RIGHT OF WAY (PRIVATE) "J" 8.00 WIDE and RIGHT OF WAY (PRIVATE) "M" 4.00 WIDE passing through that lot on the plan

Lot 4 is subject to a right of carriageway (appurtenant to lot 3) over the lands marked RIGHT OF WAY (PRIVATE) "L" 4.00 WIDE passing through that lot on the plan

Lot 4 is subject to a right of carriageway (appurtenant to lot 2 on Sealed Plan 138542) over the land marked RIGHT OF WAY (PRIVATE) "M" 4.00 WIDE passing through that lot on the plan

M N Winter:  M T Winter:  G Ellis:  S Ellis: 

NOTE: Every annexed page must be signed by the parties to the dealing or where the party is a corporate body be signed by the persons who have attested the affixing of the seal of that body to the dealing.

ANNEXURE TO SCHEDULE OF EASEMENTS PAGE 4 OF 7 PAGES	Registered Number SP 163527
SUBDIVIDER: M N & M T WINTER and G & S ELLIS HOLDINGS P/L FOLIO REFERENCE: 138542/1-3 , 39597/2 and 49633/1	

Covenants

The owner of each lot on the plan covenants with the Central Highlands Council to the intent that the burden of this covenant may run with and bind the covenantors lot and every part thereof and that the benefit thereof may devolve with the Central Highlands Council to observe the following stipulations-

1. Not to construct any building on such lot north east of the line marked 100 METRE SET BACK FROM MEADOWBANK LAKE FULL SUPPLY LINE on the plan
2. Not to construct or maintain any wastewater infrastructure on such lot north east of the line marked 100 METRE SET BACK FROM MEADOWBANK LAKE FULL SUPPLY LINE on the plan
3. Not to place a caravan on such lot as a permanent fixture
4. Not to use a caravan on such lot for permanent occupation

The owner of lot 1 on the plan covenants with the Central Highlands Council to the intent that the burden of this covenant may run with and bind the covenantors lot and every part thereof and that the benefit thereof may devolve with the Central Highlands Council to observe the following stipulations-

5. Not to further subdivide such lot north east of the line marked 1000 METRE SET BACK FROM MEADOWBANK LAKE FULL SUPPLY LINE on the plan

The owners of lots 2, 3 & 4 on the plan each covenant with the Central Highlands Council to the intent that the burden of this covenant may run with and bind the covenantors lot and every part thereof and that the benefit thereof may devolve with the Central Highlands Council to observe the following stipulations-

6. Not to further subdivide such lot

~~**Fencing covenant**~~

~~The owners of the lots on the plan are subject to the fencing covenants created by and set forth in Sealed Plan 138542~~

M N Winter: M T Winter: G Ellis: S Ellis: 

NOTE: Every annexed page must be signed by the parties to the dealing or where the party is a corporate body be signed by the persons who have attested the affixing of the seal of that body to the dealing.

ANNEXURE TO SCHEDULE OF EASEMENTS PAGE 5 OF 7 PAGES	Registered Number SP 163527
SUBDIVIDER: M N & M T WINTER and G & S ELLIS HOLDINGS P/L FOLIO REFERENCE: 138542/1-3, 39597/2 and 49633/1	

Fencing provision

In respect to the lots on the plan the subdivider (Murray Neil Winter and Margaret Therese Winter) shall not be required to fence

~~The owner of the portion of lot 1 formerly comprised in folio of the Register volume 39597 folio 1 is subject to the fencing provision created by and set forth in Scaled Plan 39597.~~

M N Winter:  M T Winter:  G Ellis:  S Ellis: 

NOTE: Every annexed page must be signed by the parties to the dealing or where the party is a corporate body be signed by the persons who have attested the affixing of the seal of that body to the dealing.

ANNEXURE TO SCHEDULE OF EASEMENTS PAGE 6 OF 7 PAGES	Registered Number SP 163527
SUBDIVIDER: M N & M T WINTER and G & S ELLIS HOLDINGS P/L FOLIO REFERENCE: 138542/1-3, 39597/2 and 49633/1	

Signed by the said MURRAY NEIL WINTER being the registered proprietor in folios of the Register volume 138542 folios 1 & 2 and folio of the Register volume 39597 folio 2 in the presence of-

) *M Winter*
)
)

Witness: *Garry Coombe*

name: GARRY BRUCE COOMBE
address: 60 EVERTON PLACE, ACTON PARK
occupation: SURVEYOR

Signed by the said MARGARET THERESE WINTER being the registered proprietor in folios of the Register volume 138542 folios 1, 2 & 3 and folio of the Register volume 39597 folio 2 in the presence of-

) *M Winter*
)
)

Witness: *Garry Coombe*

name: GARRY BRUCE COOMBE
address: 60 EVERTON PLACE, ACTON PARK
occupation: SURVEYOR

COMMONWEALTH BANK OF AUSTRALIA as mortgagee in Mortgage No C506126 over folio of the Register volume 138542 folio 1 hereby consents to the subdivision-

SIGNED SEALED and DELIVERED
for and on behalf of COMMONWEALTH BANK
OF AUSTRALIA by its Attorney
LISA JANE WEBB
under Registration Power of Attorney No. 72/6177
who certifies that he/she is
A SOLICITOR
of the COMMONWEALTH BANK OF AUSTRALIA and
declares that he/she has received no notice
of revocation of the said Power of Attorney and
in the presence of:
L. J. Webb
Bank Officer, Melbourne
DESMOND WAY
LEVEL 8
385 BOURKE ST

NOTE: Every annexed page must be signed by the parties to the dealing or where the party is a corporate body be signed by the persons who have attested the affixing of the seal of that body to the dealing.

ANNEXURE TO SCHEDULE OF EASEMENTS PAGE 7 OF 7 PAGES	Registered Number SP 163527
SUBDIVIDER: M N & M T WINTER and G & S ELLIS HOLDINGS P/L FOLIO REFERENCE: 138542/1-3, 39597/2 and 49633/1	


Executed by G. & S. ELLIS HOLDINGS PTY LTD)
 under section 127 of the Corporations Act 2001 by)
 being signed by two directors-)

Director: 

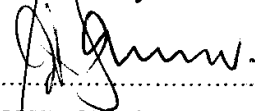
Director: 

WESTPAC BANKING CORPORATION as mortgagee in
 Mortgage No 413197 over folio of the Register volume
 49633 folio 1 hereby consents to the subdivision

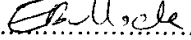
SIGNED by Vandna Wadhawan as attorney for
 Westpac Banking Corporation under power of
 attorney registered No, 72/5446.


 (Signature) Tier Three Attorney
 By executing this instrument the attorney states that
 the attorney has received no notice of the revocation
 of the power of attorney.

John Christopher Bullock and Sheryl Anne Bullock as mortgagee
 in Mortgage NoC835929 over the folio of the Register volume 49633
 Folio 1 hereby consent to the subdivision


 JOHN CHRISTOPHER BULLOCK

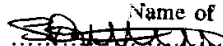
in the presence of-

Witness: 


name: EMILY BULLOCK
 address: 20 RECREATION ST
KINGSTON BEACH.
 occupation: UNIVERSITY LECTURER

Signature of Witness: 

Name of Witness: TRO LLOYD


 Address of Witness: 360 Collins Street, Melbourne
 SHERYL ANNE BULLOCK

in the presence of-

Witness: 

name: EMILY BULLOCK
 address: 20 RECREATION ST
KINGSTON BEACH
 occupation: UNIVERSITY LECTURER.

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DRAWING SCHEDULE

Architectural Drawings:

- A00 Cover Page
- A01 Site Plan & Legend
- A02 Location Plan
- A03 Bulk Excavation Plan
- A04 Proposed Cabin 1, 2 & 3 Floor Plan (Typ)
- A05 Proposed Cabin Elevations (Typ)
- A06 Proposed Shed Plan
- A07 Proposed Shed Elevations

Structural Drawings:

T.B.A

Electrical Drawings:

T.B.A

Hydraulics Drawings:

- H01 Site Drainage Plan
- H02 Location Drainage Plan

PROPOSED TRANSPORTABLE CABIN DEVELOPMENT
3/380 Meadowbank Road, Meadowbank, Tasmania

GENERAL INFORMATION

FOLIO NUMBER:	3
VOLUME NUMBER:	163527
LAND AREA:	51.66 acres
ZONING:	
MUNICIPLAITY:	Central Highlands Council
FLOOR AREAS:	
Proposed Cabin (3)	49m2
Proposed Deck (3)	28m2
Proposed Shed	120m2
Total =	351m2
WIND CLASSIFICATION:	N3
DESIGN WIND SPEED:	50MS-1
CORROSION ENVIRONMENT:	Low
(Refer to General Notes 1)	
CLIMATE ZONE:	7
BUSH FIRE ATTACK LEVEL (BAL):	T.B.A



62 McKinly Street
Midway Point
Tasmania 7171
studiko@live.com.au
MOB: 0407 460 029
ACC No: CC5753 F

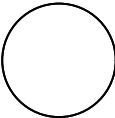
GENERAL NOTES
Confirm all dimensions on site prior to commencement of any work.
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Services shown on this drawing are based on available and above ground analysis. Exact location and extent of services to be verified on site.
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No:	Amendment:	Date:

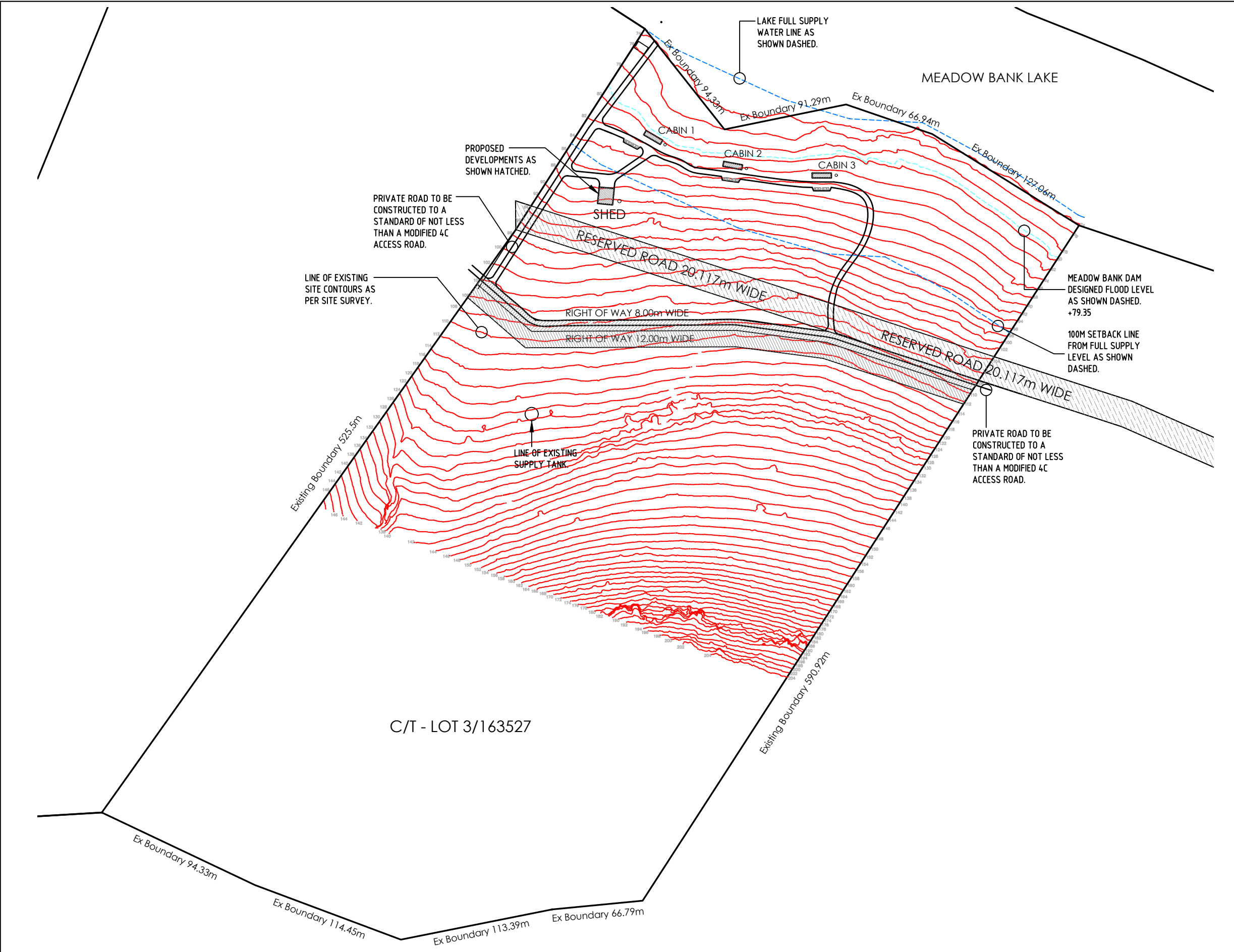
Overeem, Morgan & Wilson
3/380 Meadowbank Road, Meadowbank

**PROPOSED TRANSPORTABLE CABIN
DEVELOPMENT**

Cover Page



Scale N.T.S @ A3
December 2021
A00



LEGEND	
D2.01/W2.01	DOOR/WINDOW CODE
+ 35.00	FINISHED LEVEL
=====	STUD FRAMED PARTITION
=====	INSULATED PARTITION
=====	MASONRY WALL
BH	BULKHEAD
FW	FLOOR WASTE
GL	GROUND LEVEL
FFL	FINISHED FLOOR LEVEL
AFL	ABOVE FLOOR LEVEL
RWP	RAIN WATER PIPE
2990	CEILING HEIGHT ABOVE FL
GS	GRATED SUMP
GP	GRATED PIT
RWH	RAIN WATER HEAD
BD	BIDET
BSN	BASIN
SHWR	SHOWER
WC	WATER CLOSET
DS	DOUBLE STUD
Col.	COLUMN
BH	BULKHEAD
FINISHES	
CONC	MONOLITHIC CONCRETE
CA	CARPET
TIM	TIMBER
FC	FIBRE CEMENT
PCONC	POLISHED CONCRETE
CT	CERAMIC TILES
PBD	PLASTERBOARD
PLY	PLYWOOD
PV	PAVERS
SPBD	SUSPENDED PLASTERBOARD
RPBD	RAKING PLASTERBOARD
EPS	EXPANDED POLYSTYRENE
SS	STAINLESS STEEL
SERVICES LEGEND	
⊗	MECHANICAL EXHAUST FAN
⊗ RH	RANGE HOOD MECHANICAL EXHAUST FAN
Ⓢ	HARD WIRED FIRE DETECTOR

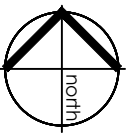
studiko
architectural design & drafting

62 McKinly Street
Midway Point
Tasmania 7171
studiko@live.com.au
MOB: 0407 460 029
ACC No: CC5753 F

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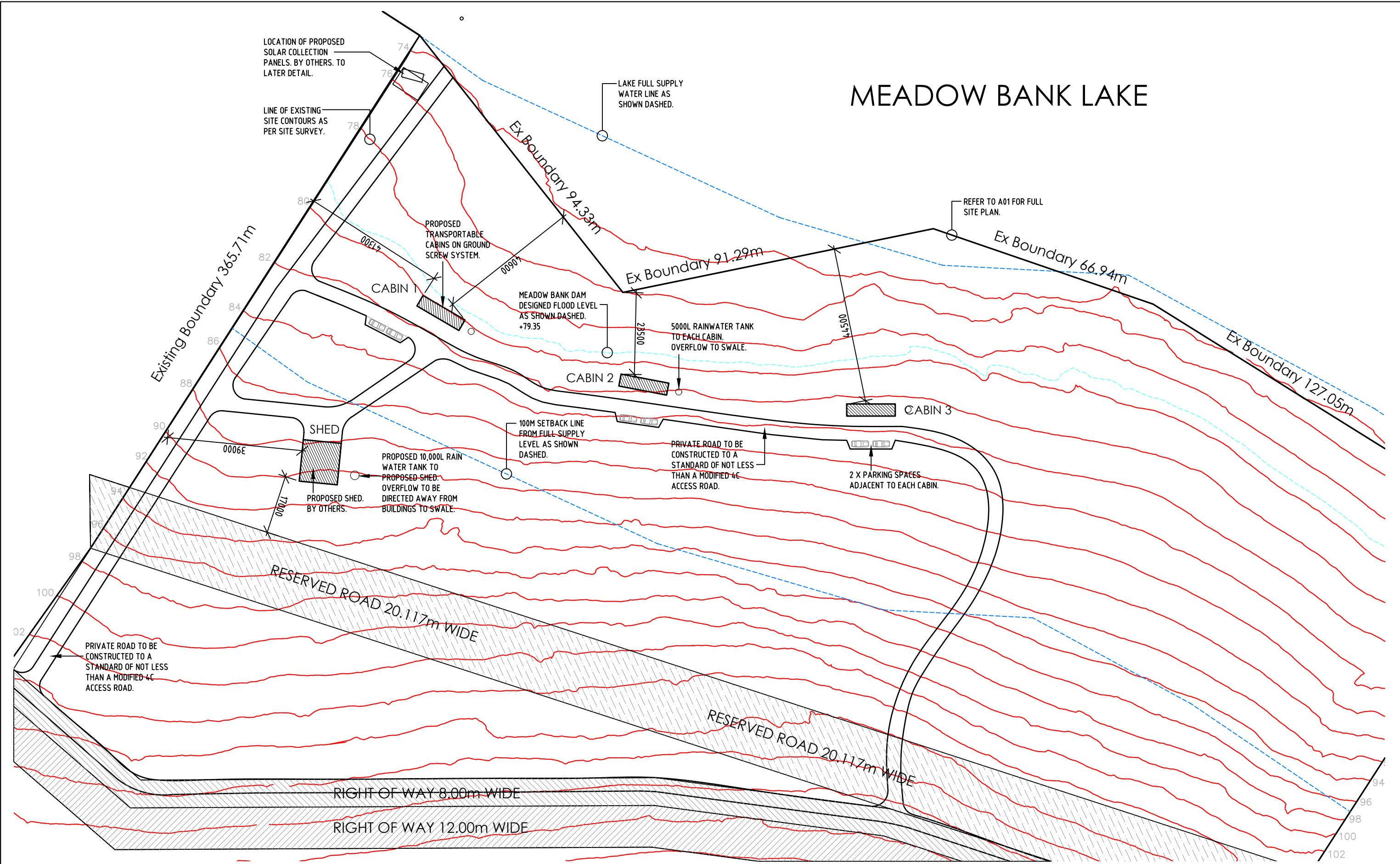
Overeem, Morgan & Wilson
3/380 Meadowbank Road, Meadowbank
PROPOSED TRANSPORTABLE CABIN DEVELOPMENT



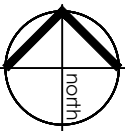
Scale 1:2500 @ A3
December 2021

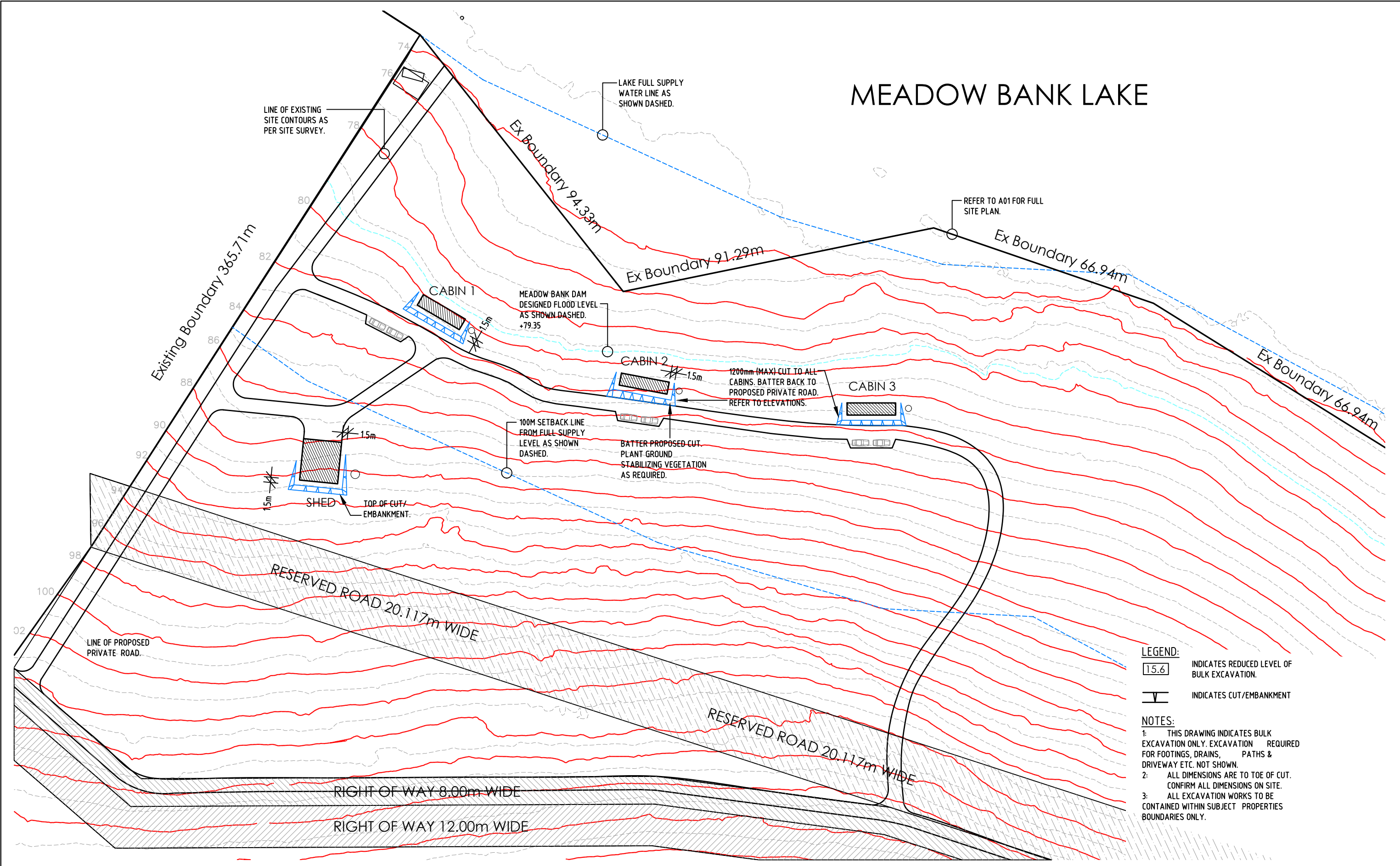
Site Plan & Legend

A01



No:	Amendment:	Date:





MEADOW BANK LAKE

- LEGEND:**
- 15.6 INDICATES REDUCED LEVEL OF BULK EXCAVATION.
 - INDICATES CUT/EMBANKMENT
- NOTES:**
- THIS DRAWING INDICATES BULK EXCAVATION ONLY. EXCAVATION REQUIRED FOR FOOTINGS, DRAINS, PATHS & DRIVEWAY ETC. NOT SHOWN.
 - ALL DIMENSIONS ARE TO TOE OF CUT. CONFIRM ALL DIMENSIONS ON SITE.
 - ALL EXCAVATION WORKS TO BE CONTAINED WITHIN SUBJECT PROPERTIES BOUNDARIES ONLY.

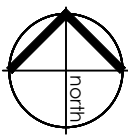
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architectural design & drafting

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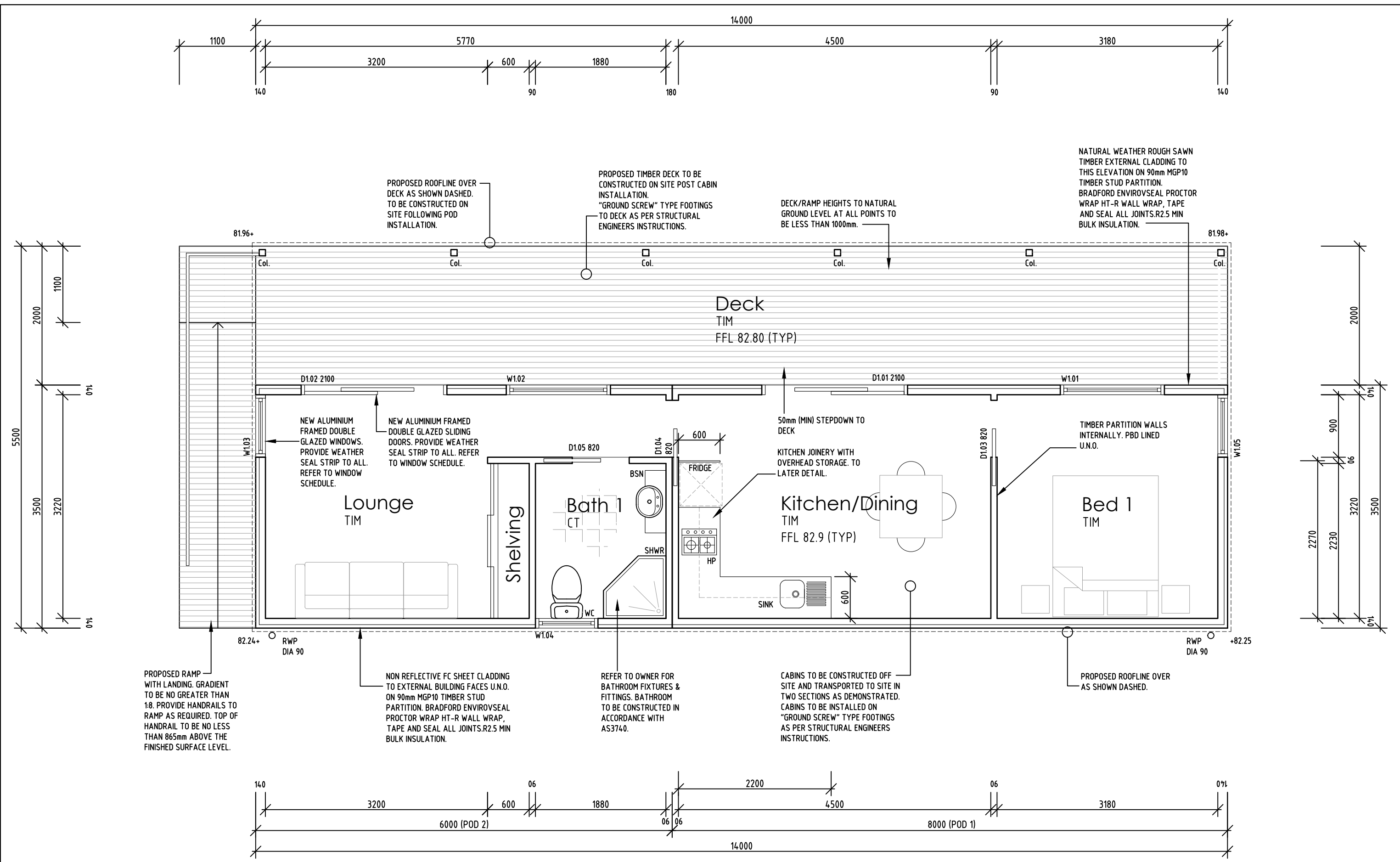
Overeem, Morgan & Wilson
3/380 Meadowbank Road, Meadowbank
PROPOSED TRANSPORTABLE CABIN DEVELOPMENT

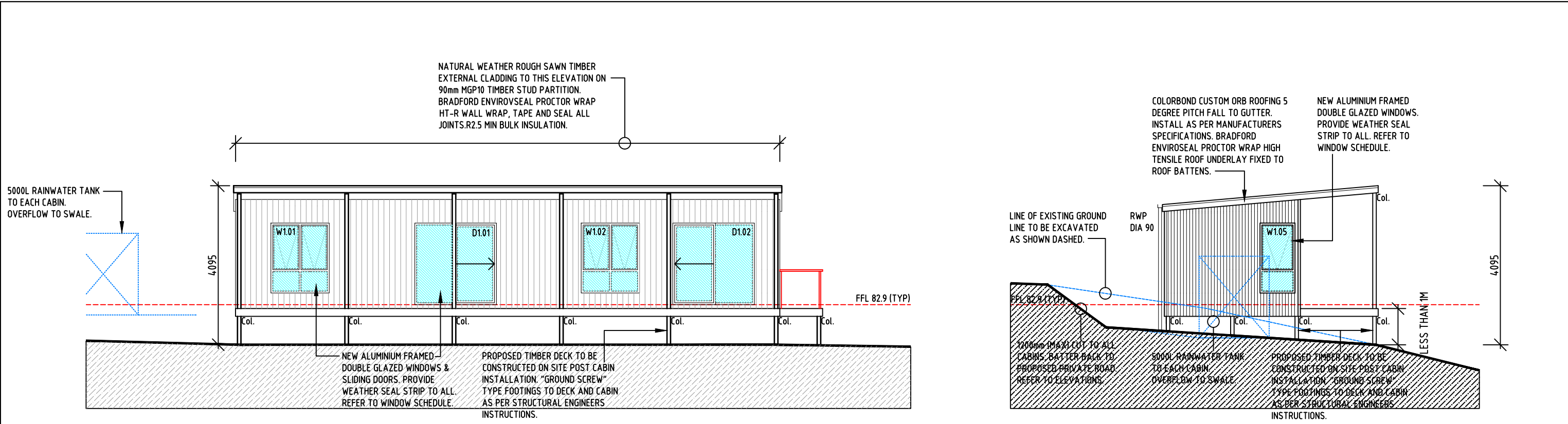


Bulk Excavation Plan

Scale 1:1000 @ A3
December 2021

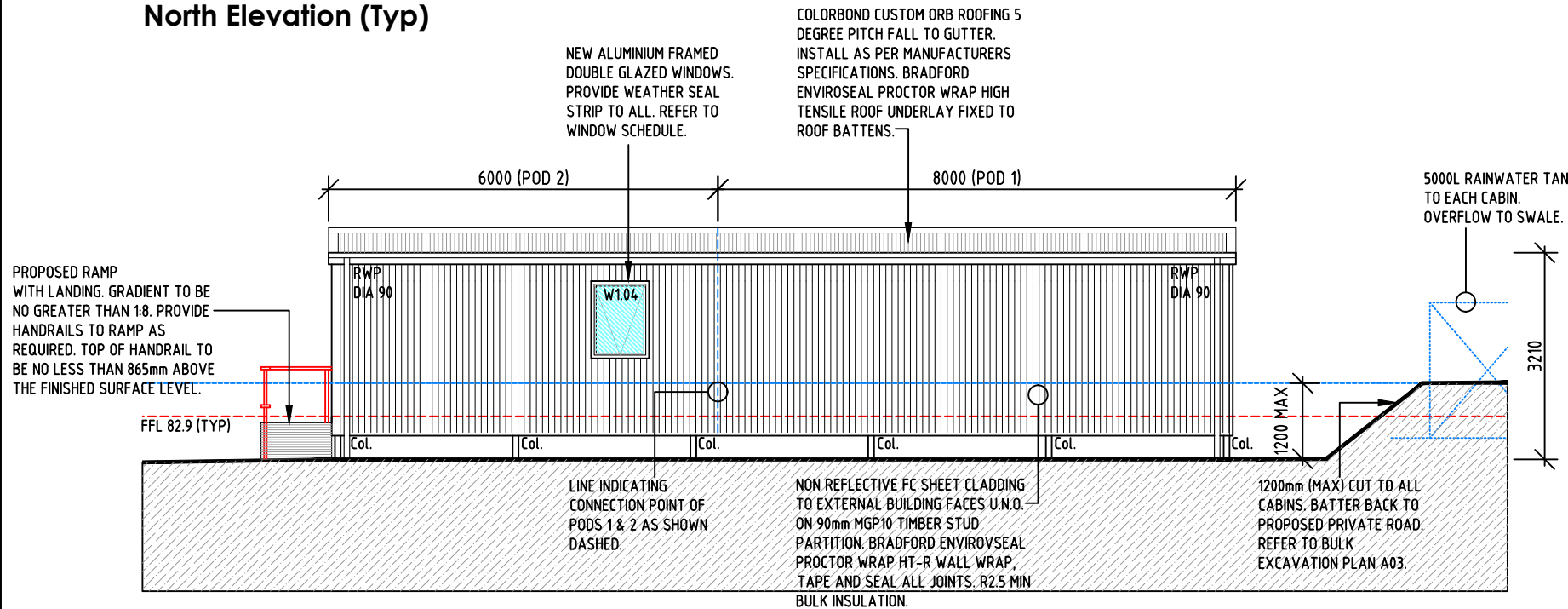
A03



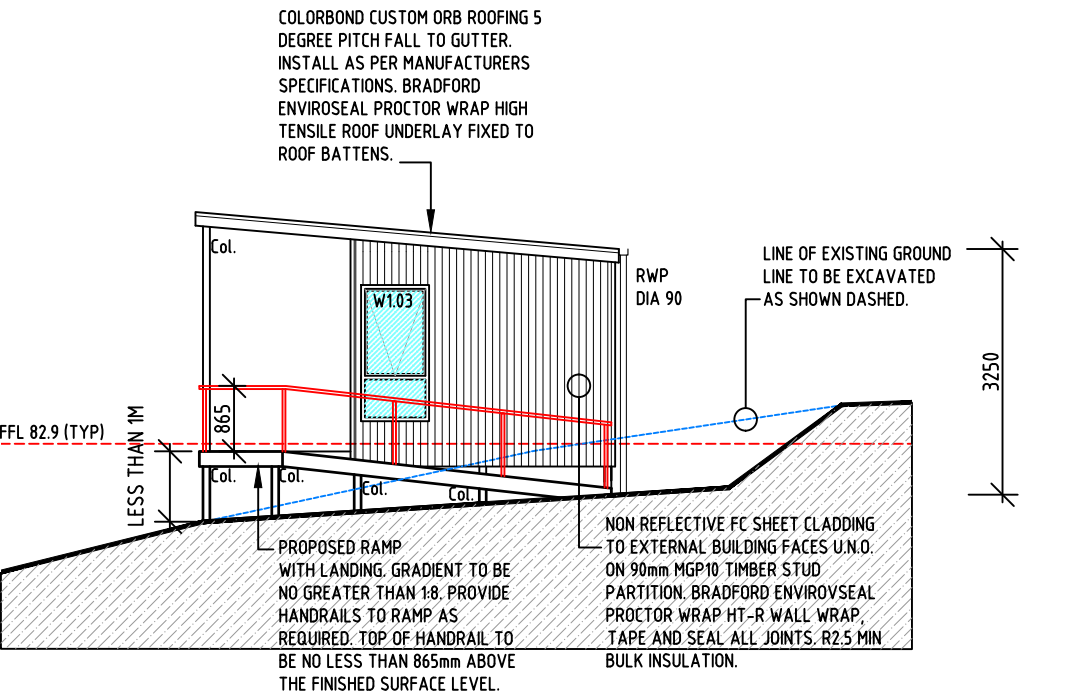


North Elevation (Typ)

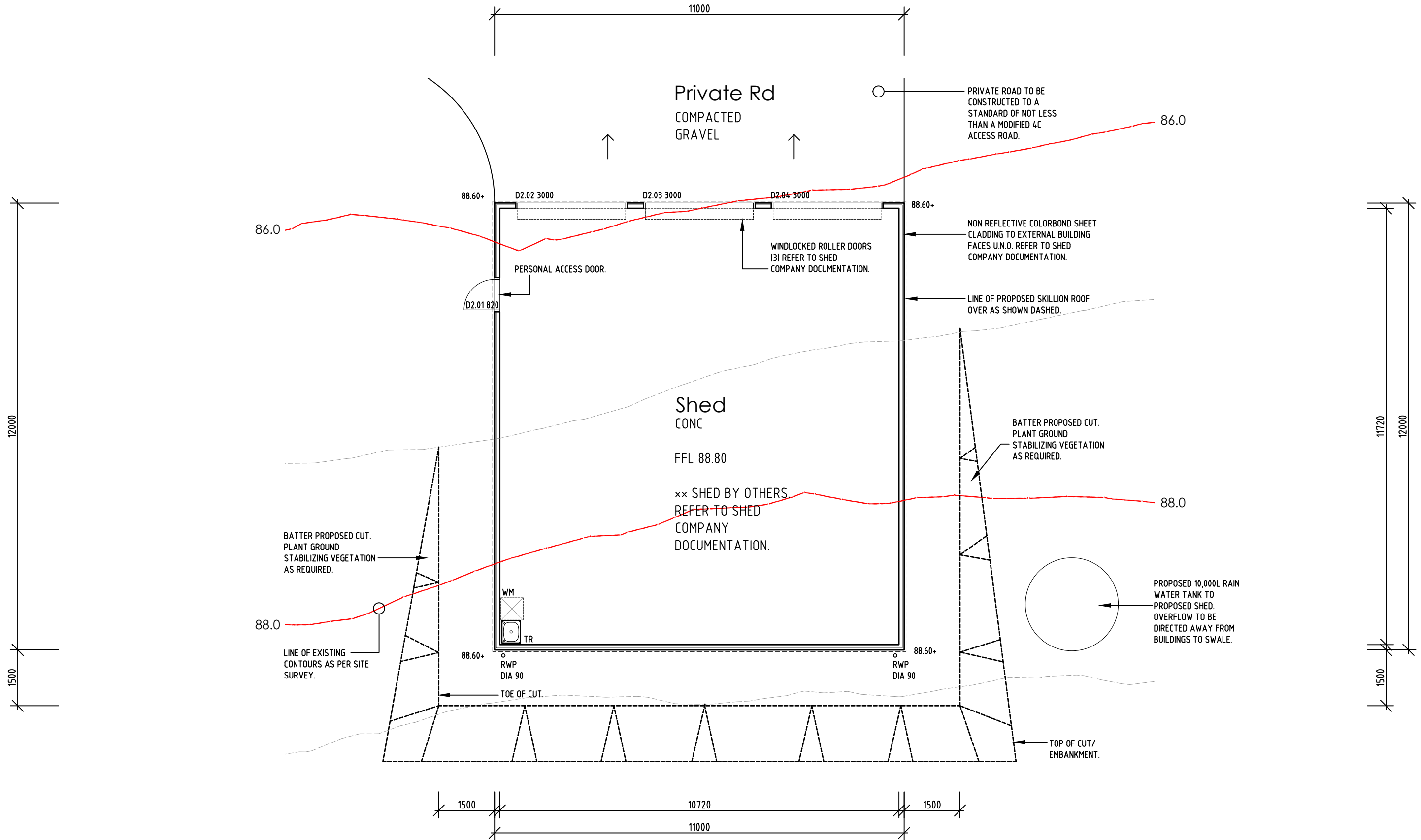
East Elevation (Typ)



South Elevation (Typ)



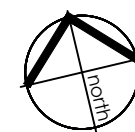
West Elevation (Typ)



GENERAL NOTES

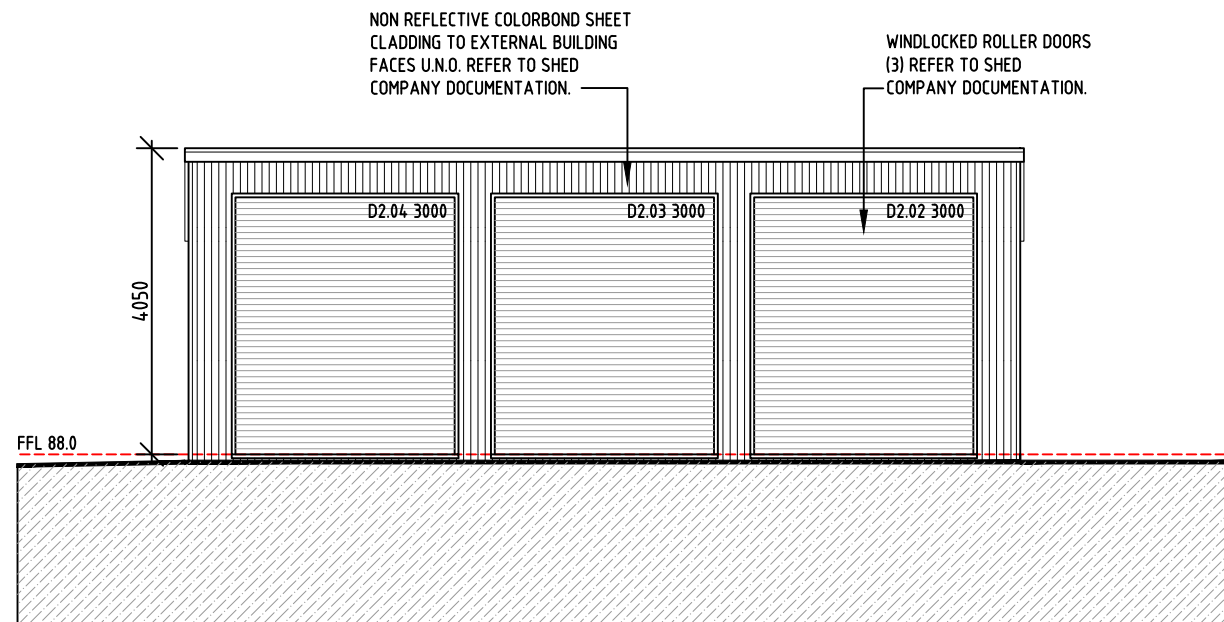
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Proposed Shed Plan

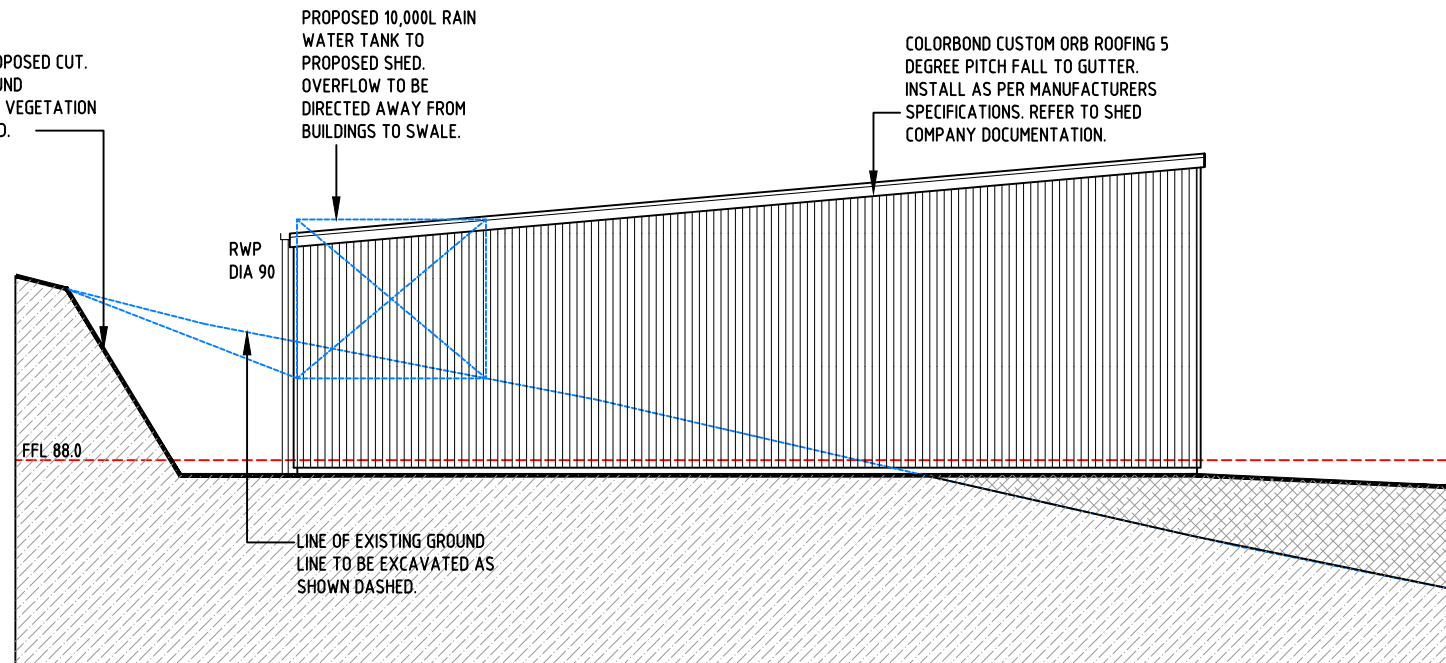


Scale 1:100 @ A3
December 2021

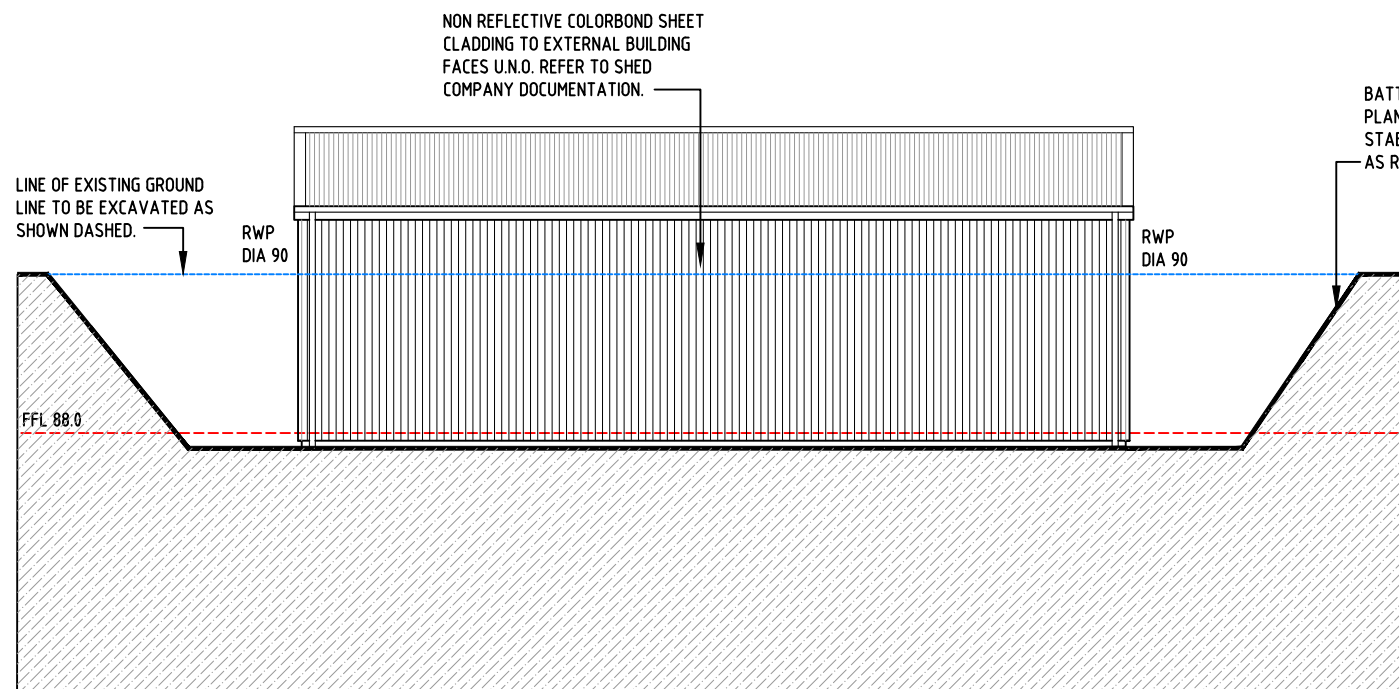
A06



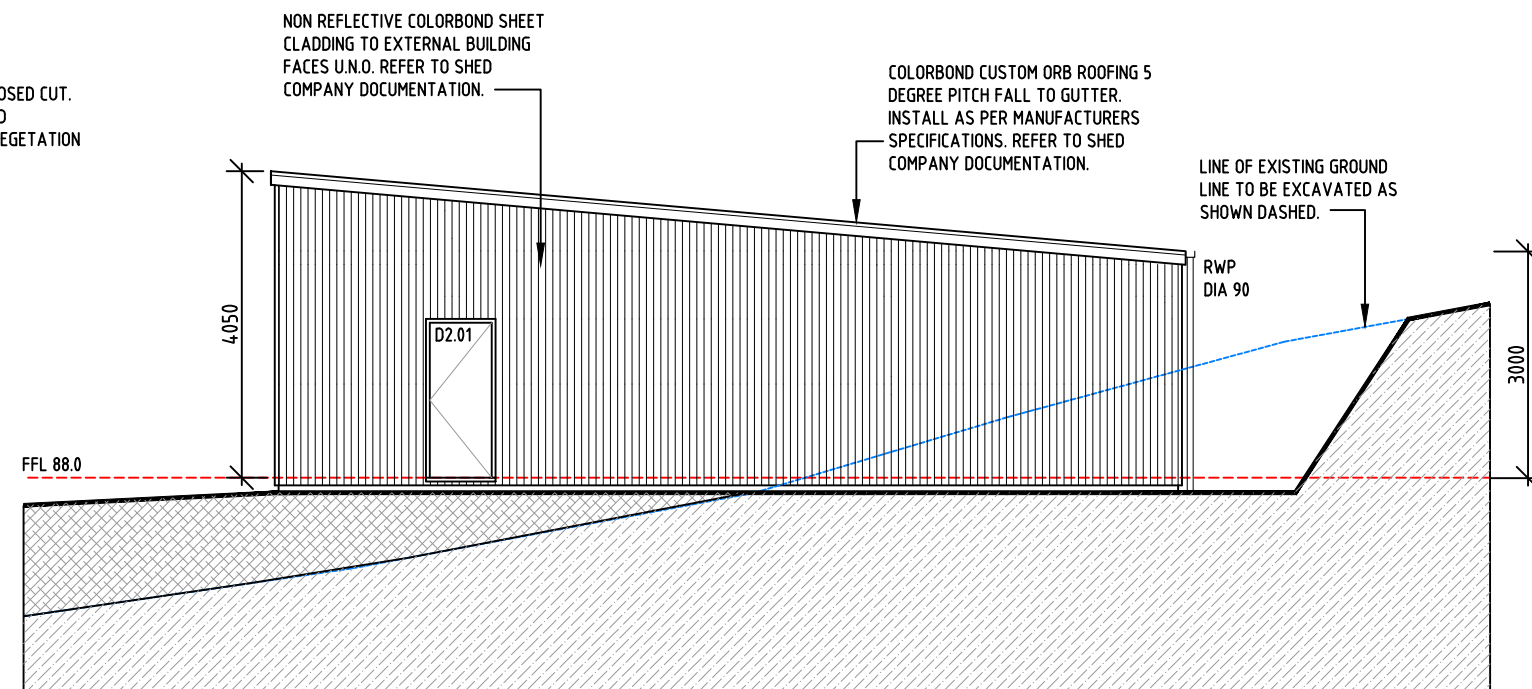
North Elevation



East Elevation



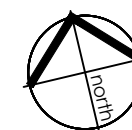
South Elevation

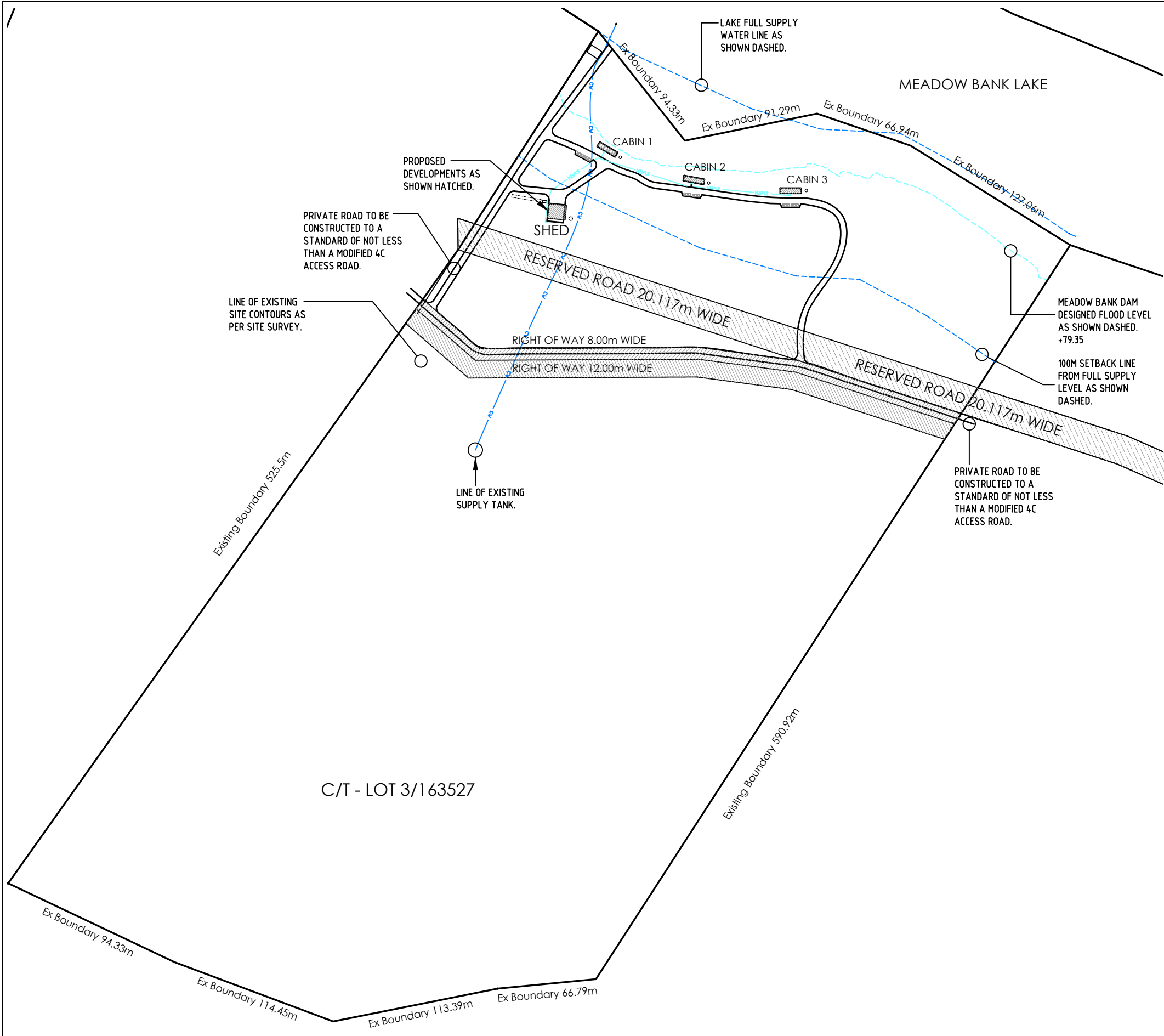


West Elevation

GENERAL NOTES

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SOIL & WATER MANAGEMENT NOTES GENERAL:

BUILDER IS RESPONSIBLE FOR THE ESTABLISHMENT AND MAINTENANCE OF ALL EROSION AND SEDIMENT CONTROL MEASURES.
BUILDER AND ALL SITE CONTRACTORS TO IMPLEMENT AND COMPLY TO:

ACCESS:

Single site access at point at existing cross over point only.
Stabilize access by laying down 200MM of aggregate, add new gravel as required to maintain access. Alternatively permanent driveway measures may be installed in accordance to drawings.
Avoid unnecessary vehicle access to site at all times.
All deliveries to be made at this single site access point.
Any damage to existing infrastructure will be at the cost of the Builder/Client.
Site access shall be at the location of the existing formed cross-over only, for the purpose of excavation.
No vehicle access on/over existing Drainage Easement.

VEGETATION:

Retain and protect natural vegetation wherever practical.
All existing shrubs/grass on existing site to be retained outside of building envelope throughout building/construction phase. Maintain in good condition to ensure stabilization.
No vehicle access to these areas.
Ensure a one metre grass buffer zone is retained and maintained to the front property boundary.
Introduce additional seeding, erosion control mats/blankets as necessary to maintain stabilization of exposed soil zones.

EXCAVATION:

Excavation to be limited to building envelope only.
Keep removed topsoil for respreading over the developed area.

DRAINAGE CONTROL:

All services shown on this drawing are based on available and above ground analysis. Verify extent and exact location of such services on site prior to commencement of works. Any damage/disruption to such services will be to the cost of the Builder/Client.
Connect all roof and rain water pipes in place as soon as applicable. If road connection can not be achieved at early stage disperse catchment to a turfed area or infiltration trench.
Do not at any time divert stormwater onto adjacent properties, always discharge on work site at legal point of discharge.
Diversion channels to be constructed with a curved shape and to a minimum of 150mm deep and 2000mm wide (including raised berm). Place any excavated soil from diversion channel on the down-slope border to increase capacity to a maximum height of 200mm.
Add additional diversion channels onsite as deemed necessary throughout construction to ensure all stormwater is diverted around the disturbed or active work area.
All new drainage to comply with AS3500 and Local Authority Guidelines.

MAINTENANCE:

Ensure regular maintenance and monitoring of all sediment and erosion controls.
Generally inspect all sediment and erosion controls weekly and after all major rainfalls.
Remove all sediment build up from said measures. Check for holes breaks, clogging & blockages. Replace any measures as required.
Add additional rock/gravel to stabilized site access as/when required to maintain stability.

SEDIMENT GENERATING ACTIVITIES:

Sediment generating activities may take place in the vicinity of the dedicated stockpile area as indicated. Activities to occur above proposed diversion channel. Do not discharge into stormwater system at anytime.
Line diversion channel with plastic or geotextile lining. Dispose/clear all solid materials from channel and dispose of, or reuse as fill.
Use only hoses with automatic shut off nozzles.

SITE REVEGETATION:

Primarily use revegetation for protection against soil erosion. Control mats and blankets to be used as deemed necessary.
Revegetate any areas as disturbed by the building and construction process. Revegetation may include perennial grasses, turf strips and native plant seedlings. Use only natives relative to the region. For more advice on appropriate species contact the Local Council.
Apply 75-100mm of mulch to new garden beds and use tree guards and stakes to protect vegetation.

GENERAL NOTES

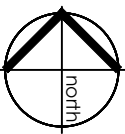
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No:	Amendment:	Date:

Overeem, Morgan & Wilson
3/380 Meadowbank Road, Meadowbank

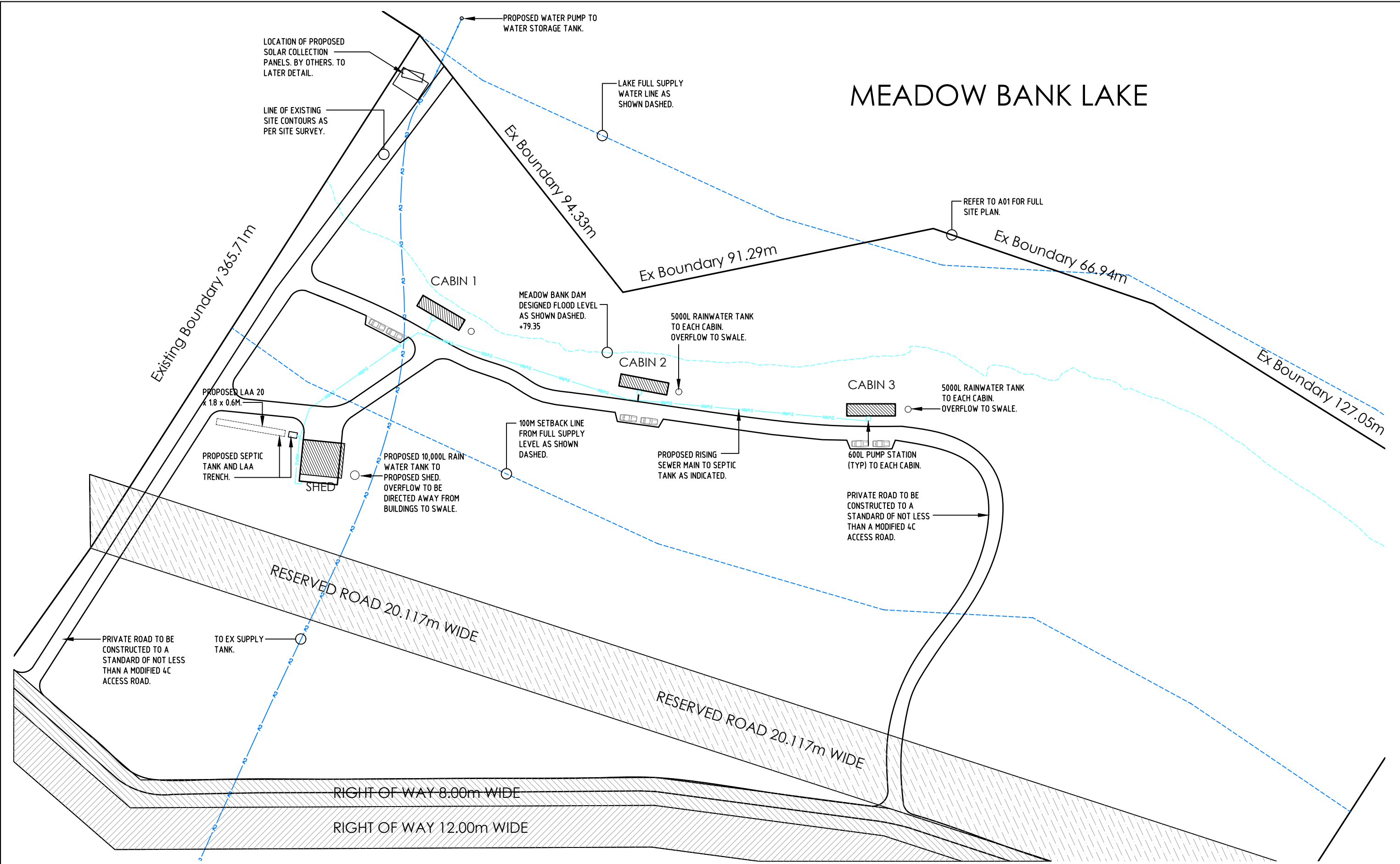
**PROPOSED TRANSPORTABLE CABIN
DEVELOPMENT**

Site Drainage Plan



Scale 1:2500 @ A3
December 2021

H01



No:	Amendment:	Date:

1. Proposal

The proposal is for the development of 3 cabins (49 m² each), a 120 m² shed and access road. The holiday cabins will be used for visitor accommodation with the shed to be ancillary to this use, storing recreation equipment and equipment and material for maintenance of the site as required.

2. Planning Assessment

The site is zoned Rural Resource under the *Central Highlands Interim Planning Scheme 2015* (planning scheme) and is subject to the Landslide Hazard Area (low) overlay and the Specific Area Plan (Lake Meadowbank Precinct).

In accordance with clause 7.4.2 of the planning scheme where there is a conflict between a provision in a specific area plan and a provision in a zone or code, the specific area plan prevails. Accordingly, the visitor accommodation proposed has been assessed against the use standards, the zone purpose statements and all development standards of the specific area plan and two development standards only of the Rural Resource Zone.

2.1 Rural Resource Zone

The proposed visitor accommodation is a discretionary use in the Rural Resource Zone. The relevant standards are assessed in the Table 1 below.

Table 1: development standard assessment – Rural Resource Zone

Planning scheme requirement	
Acceptable solution	Performance criteria
26.4.3 Design	
A1 The location of buildings and works must comply with any of the following: <ul style="list-style-type: none"> (a) be located within a building area, if provided on the title; (b) be an addition or alteration to an existing building; (c) be located in an area not requiring the clearing of native vegetation and not on a skyline or ridgeline. 	P1 The location of buildings and works must satisfy all of the following: <ul style="list-style-type: none"> (a) be located on a skyline or ridgeline only if: <ul style="list-style-type: none"> i. there are no sites clear of native vegetation and clear of other significant site constraints such as access difficulties or excessive slope, or the location is necessary for the functional requirements of infrastructure; ii. significant impacts on the rural landscape are minimised through the height of the structure, landscaping and use of colours with a light reflectance value not greater than 40 percent for all exterior building surfaces; (b) be consistent with any Desired Future Character Statements provided for the area; (c) be located in an area requiring the clearing of native vegetation only if: <ul style="list-style-type: none"> i. there are no sites clear of native vegetation and clear of other significant site constraints such as access difficulties or excessive slope, or the location is necessary for the functional requirements of infrastructure;

	ii. the extent of clearing is the minimum necessary to provide for buildings, associated works and associated bushfire protection measures.
Response The proposal does not involve the clearance of native vegetation and is not located on a skyline or ridgeline. The proposal satisfies A1.	
A3 The depth of any fill or excavation must be no more than 2 m from natural ground level, except where required for building foundations.	P3 The depth of any fill or excavation must be kept to a minimum so that the development satisfies all of the following: <ul style="list-style-type: none"> (a) does not have significant impact on the rural landscape of the area; (b) does not unreasonably impact upon the privacy of adjoining properties; (c) does not affect land stability on the lot or adjoining areas.
Response There is no fill proposed with all excavation less than 1 m. The proposal satisfies A3.	

2.2 Lake Meadowbank Specific Area Plan

Visitor accommodation is a discretionary use under table F1.4 of the specific area plan. The purpose of the specific area plan is to provide for the use and development of the land immediately adjoining Lake Meadowbank for recreational purposes whilst maintaining environmental quality consistent with Local Area Objectives and Desired Future Character Statements for the area. The proposed visitor accommodation, which is clustered near to Lake Meadowbank, does not involve the clearance of native vegetation and includes a wastewater treatment system that ensures there are no environmental impacts, is consistent with the zone purpose statement, the Local Area Objectives and Desired Future Character Statements for the area.

Table 2: development standard assessment – Specific Area Plan

Planning scheme requirement	
Acceptable solution	Performance criteria
F1.6.2 Waste Treatment Systems	
A1 Waste treatment systems must be setback a minimum of 100 m from the full supply level or above the maximum flood level of the lake, whichever is the greater.	P1 Wastewater treatment systems incorporating communal waste facilities to be setback sufficiently to satisfy all of the following: <ul style="list-style-type: none"> (a) local topography or other site characteristics mean that the Acceptable Solution cannot be achieved; (b) that the waste treatment system will not result in adverse environmental impacts (e.g. water quality).
Response The waste treatment system will be setback over 100 m from the full supply level of the Lake Meadowbank. The proposal satisfied A1.	
F1.7.1 Tourism operations and visitor accommodation	
A1 Development associated with tourist operation and visitor accommodation use classes must be in accordance with a development plan approved by	P1 No performance criteria.

Council that provides an overall site layout of buildings and infrastructure, and a total building footprint, and other relevant matters that are consistent with the provisions of this Specific Area Plan.	
Response The site plan that forms part of the application documents shows the site layout of buildings and infrastructure, the total building footprint and access to the site. The proposal satisfied A1.	
A2 Building height must be no more than 5m.	P2 No performance criteria.
Response All buildings will be less than 5 m above natural ground level. The proposal satisfies A2.	
A3 Buildings must be setback a minimum of 100m from all of the following: (c) fully supply level; (d) maximum flood level.	P3 Buildings setback must be sufficient to satisfy all of the following: (a) have a waste treatment system suitable for the site conditions; (b) not compromise the visual amenity of the rural setting when viewed from adjoining lots, or from the lake.
Response The proposed cabins are less than 100 m from the full supply level and therefore must be assessed against P3. The application documents include details of the wastewater treatment system that is suitable for the site conditions and is consistent with the requirements of the <i>Building Act 2016 Guidelines for On-site Wastewater Disposal</i> . The cabins which are single storey, have an internal floor area of less than 50 m ² and are clad in timber will not compromise the visual amenity of the rural setting. The proposal satisfies P3.	
A4 Buildings must not be developed on land with a slope greater than 1:5 or 20%.	P4 No performance criteria.
Response In accordance with the Geo-Environmental Assessment undertaken for the site there is a natural slope of 8 – 14%. The proposal satisfies A4.	
A5 Buildings and outbuildings must have external finishes that are non-reflective (excluding photovoltaic panels, solar panels, solar water heaters, windows and door glazing).	P5 No performance criteria.
Response The cabins will be clad with natural rough sawn timber, which will have a light reflectance value less than 40 percent. The shed will be clad in non-reflective colorbond. The proposal satisfies A5.	
F1.7.2 Roads and Tracks	
A1 Visitor accommodation is to be accessed from existing road infrastructure by one main road, from	P1 No performance criteria

which individual driveways will originate, all of which must comply with E1.0 Bushfire-Prone Areas Code.	
Response The application documents include a bushfire assessment report that details the construction requirements for the access road. The planning permit can be conditioned to ensure the access road is consistent with the requirements of the bushfire assessment report and therefore A1 will be satisfied.	
F1.7.3 Aquatic Structures	
There are no aquatic structures proposed.	

2.3 Codes

E3.0 Landslide code

The proposed buildings and access road are within the Landslide Hazard Area overlay. A site and soil classification assessment was undertaken by Geo Environmental Solutions which recommends that all site earthworks to comply with AS3798-2012 and drainage and sediment control to be managed on site during and after construction.

The proposal will be developed in accordance with this report and therefore the landslide risk associated with the building and works proposed is acceptable and the landslide code satisfied.

E6.0 Road and Railway Assets Code

The proposal includes 2 car parking space per holiday cabin which is greater than that required by the road and railway assets code. All parking, access and manoeuvring areas will be constructed in accordance with Council standards.

The proposal is consistent with the requirements of the code.

E7.0 Stormwater management code

There is no reticulated or public stormwater infrastructure on the site. All stormwater will be collected for reuse on the site. The proposal satisfies the stormwater code.

3. Conclusion

The above assessment demonstrates the holiday cabins, which will facilitate the recreation use of Lake Meadowbank, have been designed to maintain and enhance the rural character of the area and will not impact on natural values, water quality or the soil resource of the area. The proposal satisfies the requirements of the planning scheme and should be approved.



Development Proposal for Lot 3 Meadowbank
Road, Meadowbank

Aboriginal Heritage Assessment Report
Final Draft Version 1

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Executive Summary

Project Details

Michael Overeem is proposing to develop visitor accommodation on his property at Lot 3 Meadowbank Road, Meadowbank, in the Southern Highlands Region of Tasmania. (see Figure 1). The property encompasses approximately 25ha and is situated on the southern margins of Meadowbank Lake. It is accessed via Meadowbank Road. Figure 2 shows the boundaries of the property.

The proposed development on the property will include the following infrastructure.

- Three visitor accommodation cabins, each measuring 12m x 3m.
- A boat shed measuring 12m x 10m.
- A boat ramp and jetty.
- Ancillary infrastructure including on-site wastewater systems and internal access tracks to each cabin.

All of the infrastructure associated with the development proposal will be sited within the northern portion of the property, in the area to the north of Meadowbank Road. Figure 3 shows the preliminary concept designs for the proposed development.

CHMA Pty Ltd and Aboriginal Heritage Officer (AHO) Rocky Sainty have been engaged by Michael Wilson to undertake an Aboriginal heritage assessment for the proposed development at Lot 3 Meadowbank Road (the study area), in order to identify any potential Aboriginal heritage constraints. This report presents the findings of the assessment.

Registered Aboriginal Sites in the Vicinity of the Study Area

As part of Stage 1 of the present assessment a search was carried out of Aboriginal Heritage Register (AHR) to determine the extent of registered Aboriginal heritage sites within and in the general vicinity of Lot 3 Meadowbank Road. The search shows that there are 44 registered Aboriginal sites that are situated within an approximate 6km radius of the study area (search results provided by Kate Moody from AHT on the 13/8/2021). None of these 44 registered Aboriginal sites appear to be situated within or in the immediate vicinity of the boundaries of the property at Lot 3 Meadowbank Road. The closest registered sites are AH4047 (an artefact scatter) and AH7185 (a rock shelter), which are situated between 800m and 1km to the north-west. The detailed AHR search results are presented in section 4.3 of this report.

Summary of Results

The field survey was undertaken over a period of one day (13/9/2021) by Stuart Huys (CHMA archaeologist) and Rocky Sainty (Aboriginal Heritage Officer). The field survey assessment was focused in the northern portion of the property, north of Meadowbank Road, in the area where the proposed development footprint is located.

During the course of the field survey assessment, the field team identified one Aboriginal site (AH13949). The site is low density artefact scatter comprising seven artefacts. It is positioned on a large erosion scald, on the northern boundary of the

study area, on the bank immediately above the southern margins of the lake. The artefacts associated with the site were spread across an area measuring 30m (east-west) x 5m, on a large erosion scald area on the southern edge of the lake. Table i provides the summary details for site AH13949, with Figure i showing the location of the site within the study area. The detailed description and photos for site AH13949 is provided in Appendix 2.

Site AH13949 is not located within the footprint of any of the proposed infrastructure associated with the development proposal. The proposed location of the cabin 3 footprint is the closest infrastructure to the site. This cabin footprint is situated 40m to the south of the site.

Besides site AH13949, no other Aboriginal heritage sites, suspected features or specific areas of elevated archaeological potential were identified in the study area. As described in section 4.3 of this report, a search of the AHR shows that there no registered Aboriginal sites within or in the immediate vicinity of the study area. On this basis, it is apparent that the current layout for the proposed development at Lot 3 Meadowbank Road will have no direct impacts on any known Aboriginal sites.

The issue then becomes whether the development proposal poses a risk for impacting on any undetected Aboriginal heritage sites or features. As described in section 6 of this report, there were some constraints in surface visibility experienced across the study area, with visibility ranging between 10%-70%, with the estimated average being 40%. Given that there were some visibility constraints, it can't be stated with absolute certainty, that there are no undetected Aboriginal sites located within the study area. With this acknowledged, an average surface visibility of 40% is comparatively good for Tasmania, where dense vegetation cover is a common occurrence. The negative survey findings across the remainder of the study area can therefore be taken as providing a reasonable indication that sites are either absent across the rest of the study area, or alternatively, if sites are present, they are likely to be low density artefact scatters or isolated artefacts representing more sporadic activity. Importantly, surface visibility across the proposed footprint areas of the development proposal (the three cabin sites, the shed and access road) was quite good, ranging between 30%-50%. Soils in these areas were also quite shallow. Taking these factors into account, it is assessed that the potential for undetected Aboriginal sites to be present within the proposed development footprint is significantly reduced.

The field survey assessment was able to confirm that there are no sandstone outcrop features present within the study area that would be suitable for human occupation. Whilst sandstone bedrock is exposed to the surface across much of the study area, the outcroppings are all under 1m in height. As part of the survey assessment, a survey inspection was undertaken of the shoreline to check if there may be any submerged sandstone features in this area. No submerged sandstone features were observed. It should be noted that there are sandstone outcrops present on the steeper hill slopes in the southern portion of the Lot 3 Meadowbank Road property. These outcrops are well outside (to the south) of the boundaries of the study area

and were not inspected as part of this assessment. There is some potential for rock shelter features to occur in these areas.

The detailed survey results and discussions are presented in section 7 of this report.

Table i: Summary details for site AH13949

AH No.	Grid Reference (GDA 94)	Site Type	Site Description
AH13949	E485485 N5284308 E485484 N5284303 E485470 N5284313 E485470 N5284309 E485456 N5284314 E485456 N5284310	Artefact scatter	Low density artefact scatter comprising seven stone artefacts. The site is located on the basal northern side slopes of a series of foothills, just above the highwater mark of south margins of Meadowbank Lake. The artefacts associated with site AH13949 were spread across an area measuring 30m (east-west) x 5m, on a large erosion scald area on the southern edge of the lake.

Significance Assessment

Site AH13949 has been assessed and allocated a rating of significance. A five tiered rating system has been adopted for the significance assessment; low, low-medium, medium, medium-high and high. Table ii provides the summary details for significance ratings for site AH13949. A more detailed explanation for the assessment ratings are presented in section 8 of this report. A statement of social significance, prepared by Rocky Sainty is presented in section 9 of this report.

Table ii: Summary significance ratings for the Aboriginal site AH13949

TASI Site Number	Site Type	Scientific Significance	Aesthetic Significance	Historic Significance	Social Significance
AH13949	Artefact scatter	Low-Medium	Medium	N/A	High

Management Recommendations

Recommendation 1 (Conservation and Protection of Site AH13949)

Grid references: (GDA 94)

- E485485 N5284308
- E485484 N5284303
- E485470 N5284313
- E485470 N5284309
- E485456 N5284314
- E485456 N5284310

Site AH13949 is low density artefact scatter (7 artefacts). The site has been assessed as being of Low-medium scientific significance and high social significance. The grid references above denote the recorded site boundaries, with Figure i showing the spatial extent of the site. Site AH13949 is not located within the footprint of any of the proposed infrastructure associated with the development proposal. The

proposed location of the cabin 3 footprint is the closest infrastructure to the site. This cabin footprint is situated 40m to the south of the site.

It is recommended that site AH13949 is conserved in-situ and protected from any future proposed development works on Lot 3 Meadowbank Road. To this end, the following measures should be implemented.

- The spatial extent of site AH13949 should be plotted onto any design plans for the development and it noted that the site is not to be impacted.
- Any contractors undertaking construction works on the property should be made aware of the presence of site AH13949 and informed that the site is not to be impacted.
- In terms of medium and long term management of the site, the site area should be allowed to naturally re-vegetate, which will assist in stabilisation of exiting erosion activity. It is noted that re-vegetation has already started to occur across the site area. If wave erosion along the foreshore in front of site AH13949 continues, then consideration should be given to stabilising the base of the eroded banks with rocks. This should be done without any impacts to the recorded boundaries of the site.

As specified in section 10.1 of this report, all Aboriginal relics are protected under the *Aboriginal Heritage Act 1975* (The Act). It is illegal to destroy, damage, deface, conceal or otherwise interfere with a relic, unless in accordance with the terms of a permit granted by the Minister. Therefore, if there is a risk of site AH13949 being impacted by proposed development works, then the proponent will need to apply for and obtain a permit to impact the site prior to any works proceeding.

Recommendation 2 (The Remainder of the study area)

Besides site AH13949, no other Aboriginal heritage sites, suspected features or specific areas of elevated archaeological potential were identified within the study area on Lot 3 Meadowbank Road. A search of the AHR shows that there are no other registered Aboriginal sites situated within or in the immediate vicinity of the study area. It is assessed that there is a low potential for undetected Aboriginal heritage sites to be present in the proposed development footprint. On this basis it is advised that there are no other Aboriginal heritage constraints to development works proceeding.

Recommendation 3 (General Recommendations)

If previously undetected Aboriginal heritage sites, objects or suspected features are located during the course of the proposed development works, the processes outlined in the Unanticipated Discovery Plan should be followed (see Appendix 3). A copy of the Unanticipated Discovery Plan (UDP) should be kept on site during all ground disturbance work. All construction personnel should be made aware of the Unanticipated Discovery Plan and their obligations under the *Aboriginal Heritage Act 1975* (the Act).

Copies of this report should be submitted to Aboriginal Heritage Tasmania (AHT) and the Aboriginal Heritage Council (AHC) for review and comment.



Figure i: Aerial image showing the location and spatial extent of site AH13949

1.0 Project Outline

1.1 Project Details

Michael Overeem is proposing to develop visitor accommodation on his property at Lot 3 Meadowbank Road, Meadowbank, in the Southern Highlands Region of Tasmania. (see Figure 1). The property encompasses approximately 25ha and is situated on the southern margins of Meadowbank Lake. It is accessed via Meadowbank Road. Figure 2 shows the boundaries of the property.

The proposed development on the property will include the following infrastructure.

- Three visitor accommodation cabins, each measuring 12m x 3m.
- A boat shed measuring 12m x 10m.
- A boat ramp and jetty.
- Ancillary infrastructure including on-site wastewater systems and internal access tracks to each cabin.

All of the infrastructure associated with the development proposal will be sited within the northern portion of the property, in the area to the north of Meadowbank Road. Figure 3 shows the preliminary concept designs for the proposed development.

CHMA Pty Ltd and Aboriginal Heritage Officer (AHO) Rocky Sainty have been engaged by Michael Wilson to undertake an Aboriginal heritage assessment for the proposed development at Lot 3 Meadowbank Road (the study area), in order to identify any potential Aboriginal heritage constraints. This report presents the findings of the assessment.

1.2 Aims of the Investigation

The principal aims of the current Aboriginal Heritage assessment are as follows.

- To undertake an Aboriginal cultural heritage assessment for the proposed development on Lot 3 Meadowbank Road (the study area, as shown in Figures 1-3). The assessment is to be compliant with both State and Commonwealth legislative regimes, in particular the intent of the *Aboriginal Heritage Act 1975* and the associated *Aboriginal Heritage Standards and Procedures (June 2018)*.
- Search the Aboriginal Heritage Register (AHR) to identify previously registered Aboriginal heritage sites within and in the general vicinity of the study area.
- Undertake relevant archaeological, environmental and ethno-historical background research to develop and understanding of site patterning within the study area.
- To locate, document and assess any Aboriginal heritage sites located within the study area.
- To assess the archaeological and cultural sensitivity of the study area.
- To assess the scientific and Aboriginal cultural values of any identified Aboriginal cultural heritage sites located within the study area.

- Consult with (or ensure the Aboriginal community representative consults with) Aboriginal organisation(s) and/or people(s) with an interest in the study area in order to obtain their views regarding the cultural heritage of the area.
- To develop a set of management recommendations aimed at minimising the impact of the proposed development on any identified Aboriginal heritage values.
- Prepare a report which documents the findings of the Aboriginal heritage assessment and meets the standards and requirements of the current *Aboriginal Heritage Standards and Procedures* prepared by AHT, Department of Primary industries, Parks, Water and Environment.

1.3 Project Limitations

All archaeological investigations are subject to limitations that may affect the reliability of the results. The main constraint to the present investigation was restricted surface visibility due primarily to vegetation cover. Surface visibility across the inspected areas in the northern portion of the property was estimated to range between 20%-70%, with the estimated average being 40%. There were numerous erosion scalds, vehicle tracks and animal tracks throughout the northern portion of the study area provided locales of improved visibility.

These constraints in surface visibility limited the effectiveness of the survey assessment to some degree. However, in the context of Tasmania this level of surface visibility is comparatively good. The issue of surface visibility is further discussed in Section 6 of this report.

1.4 Project Methodology

A three stage project methodology was implemented for this assessment.

Stage 1 (Pre-Fieldwork Background Work)

Prior to field work being undertaken, the following tasks were completed by CHMA staff.

Consultation with Aboriginal Heritage Tasmania

AHT was contacted and informed that a field survey was to be undertaken for the proposed visitor accommodation project at Lot 3 Meadowbank Road. As part of this initial contact a search request of the Aboriginal Heritage Register (AHR) was submitted to AHT in order to ascertain the presence of any previously registered sites in the vicinity of the study area (search request dated 8/8/2021).

The collation of relevant documentation for the project

As part of Stage 1 the following research was carried out and background information was collated for this project:

- The collation of information pertaining to any registered heritage sites located within the general vicinity of the study area.
- Maps of the study area;
- Relevant reports documenting the outcomes of previous Aboriginal heritage studies in the vicinity of the study area;

- Ethno-historic literature for the region;
- References to the land use history of the study area;
- GIS Information relating to landscape units present in the study area;
- Geotechnical information for the study area, including soil and geology data.

Consultation with Aboriginal Heritage Officer (AHO)

Rocky Sainty is the AHO for this project. As part of Stage 1 works Stuart Huys (CHMA archaeologist) was in regular contact with Rocky Sainty. The main purpose of this contact was to discuss the scope of the present investigations, to ratify the proposed methodology for the investigations and to co-ordinate the timeframes for implementing field work.

Stage 2 (Field Work)

Stage 2 entailed the field work component of the assessment. The field survey was undertaken over a period of one day (13/9/2021) by Stuart Huys (CHMA archaeologist) and Rocky Sainty (Aboriginal Heritage Officer).

The field survey assessment was focused in the northern portion of the property, north of Meadowbank Road, in the area where the proposed development footprint is located. A total of 4.1km of survey transects were walked across this area, with the average width of each transect being 10m. The survey transects were aligned to cover all parts of the northern portion of the property, with a specific focus on the proposed locations for the infrastructure specified in section 1.1 of this report. The transects also covered the section of Meadowbank Road that runs through the property. Section 6 provides further details as to the survey coverage achieved by the field assessment.

Where Aboriginal heritage sites were identified, the following site features were recorded.

- The spatial extent of the site (polygon co-ordinates).
- The nature of Aboriginal heritage deposits and features associated with the site.
- Any intra-site variations that occur.
- The condition of each site, and any notable impacts to the site.
- Photos and site maps.
- Proposed management recommendations (as discussed between the archaeologist and AHO).

The results of the field investigation were discussed by Rocky Sainty and Stuart Huys. This included the potential cultural and archaeological sensitivity of the study area, the significance of recorded sites and possible site management options.

Stage 3 (Report preparation)

Stage three of the project involves the production of a Draft and Final Report that includes an analysis of the data obtained from the field survey, an assessment of archaeological sensitivity and management recommendations. The report has been prepared by Stuart Huys in consultation with Rocky Sainty. The report has been

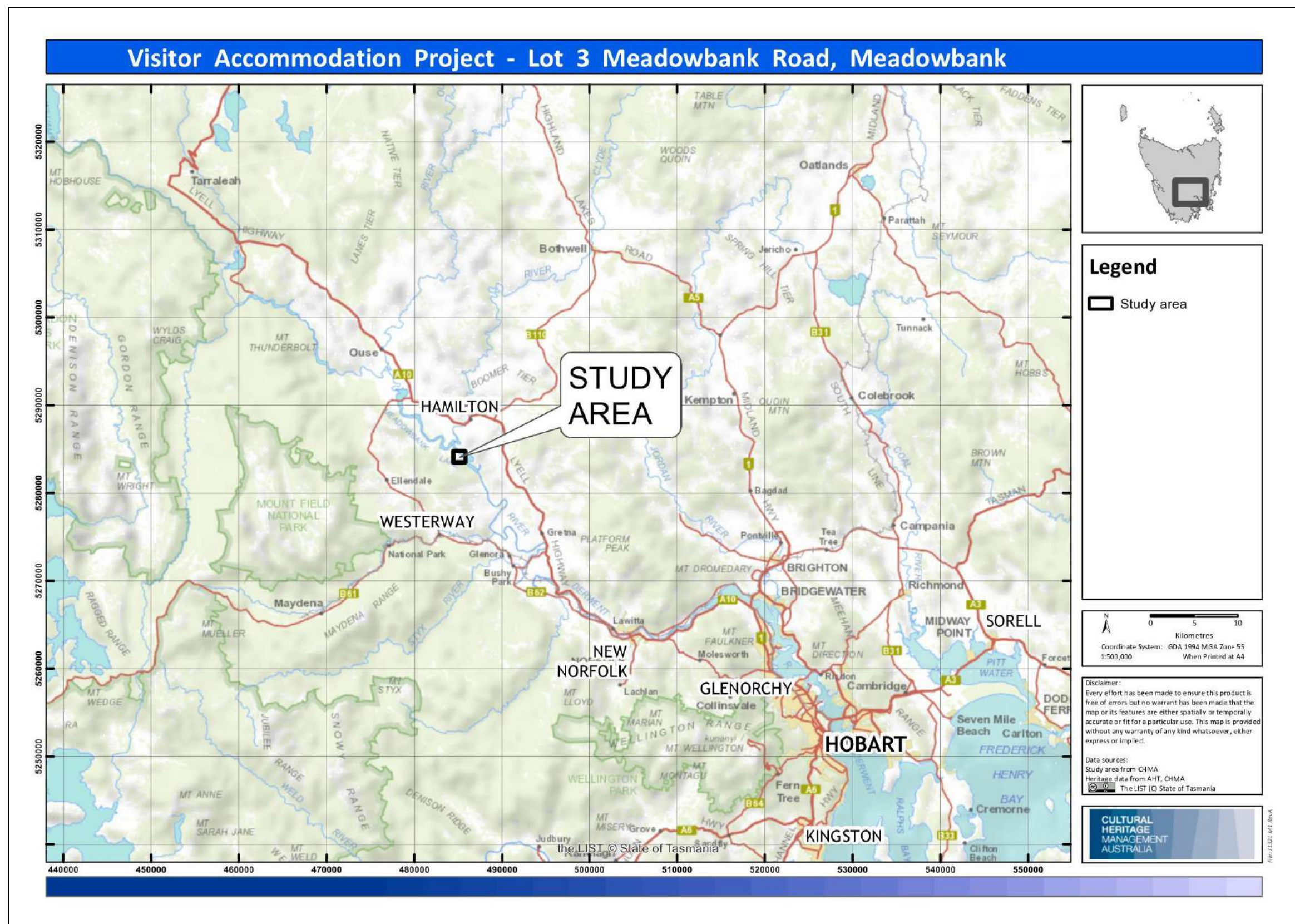
structured to be compliant with the *Aboriginal Heritage Standards and Procedures 2018* prepared by AHT.

A draft copy (one electronic copy) of the report has been submitted to the proponent and AHT for review. In addition, CHMA has provided AHT with all site spatial data files, and mapping associated with the project (in ESRI shape file format (GDA94).

The draft report has been sent out to a range of Tasmanian Aboriginal organisations in the South of the State for information purposes.



Plate 1: Rocky Sainty, the AHO for this project



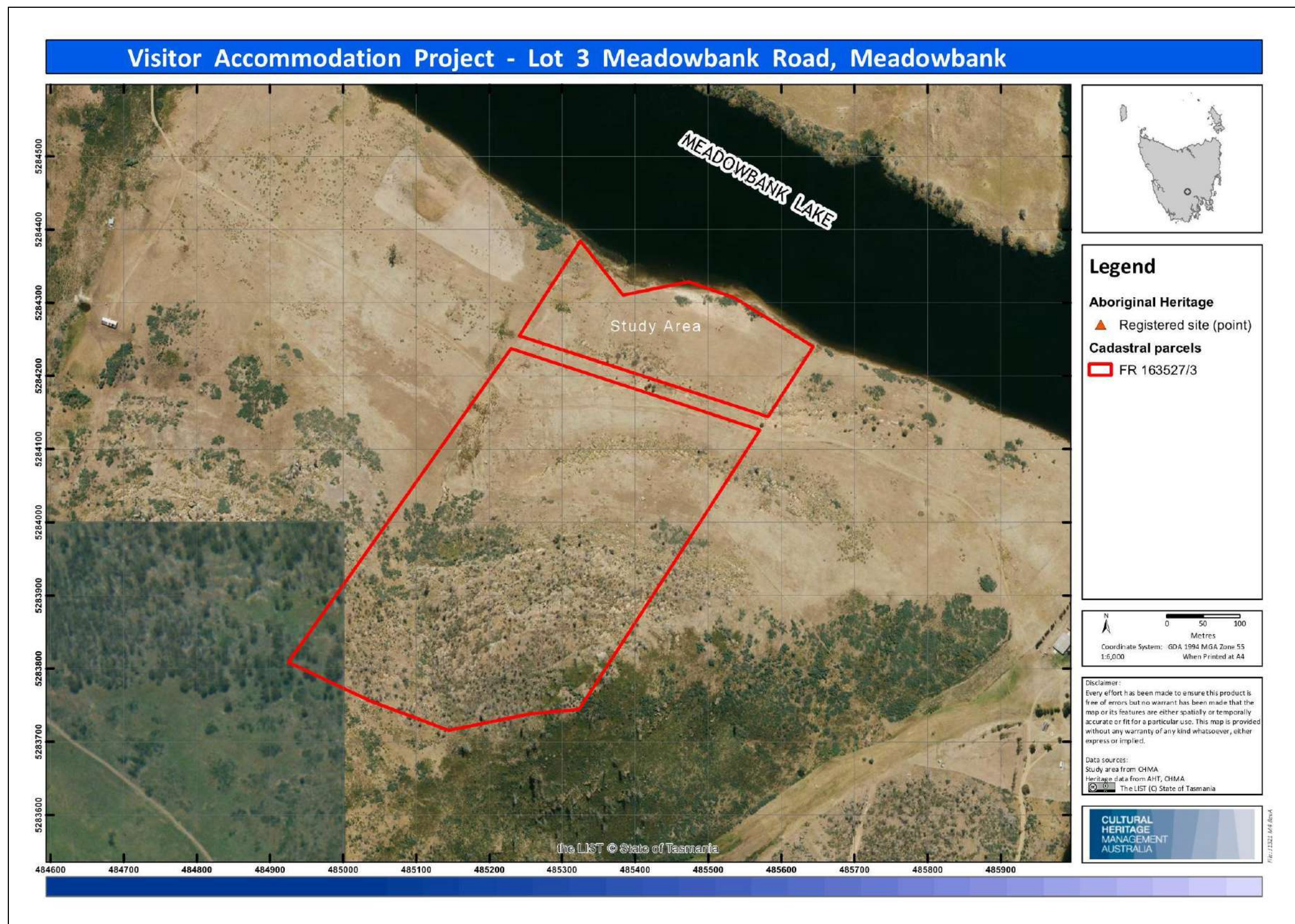


Figure 2: Aerial image showing the boundaries of Lot 3 Meadowbank Road and the northern portion of the property that was the focus of this assessment

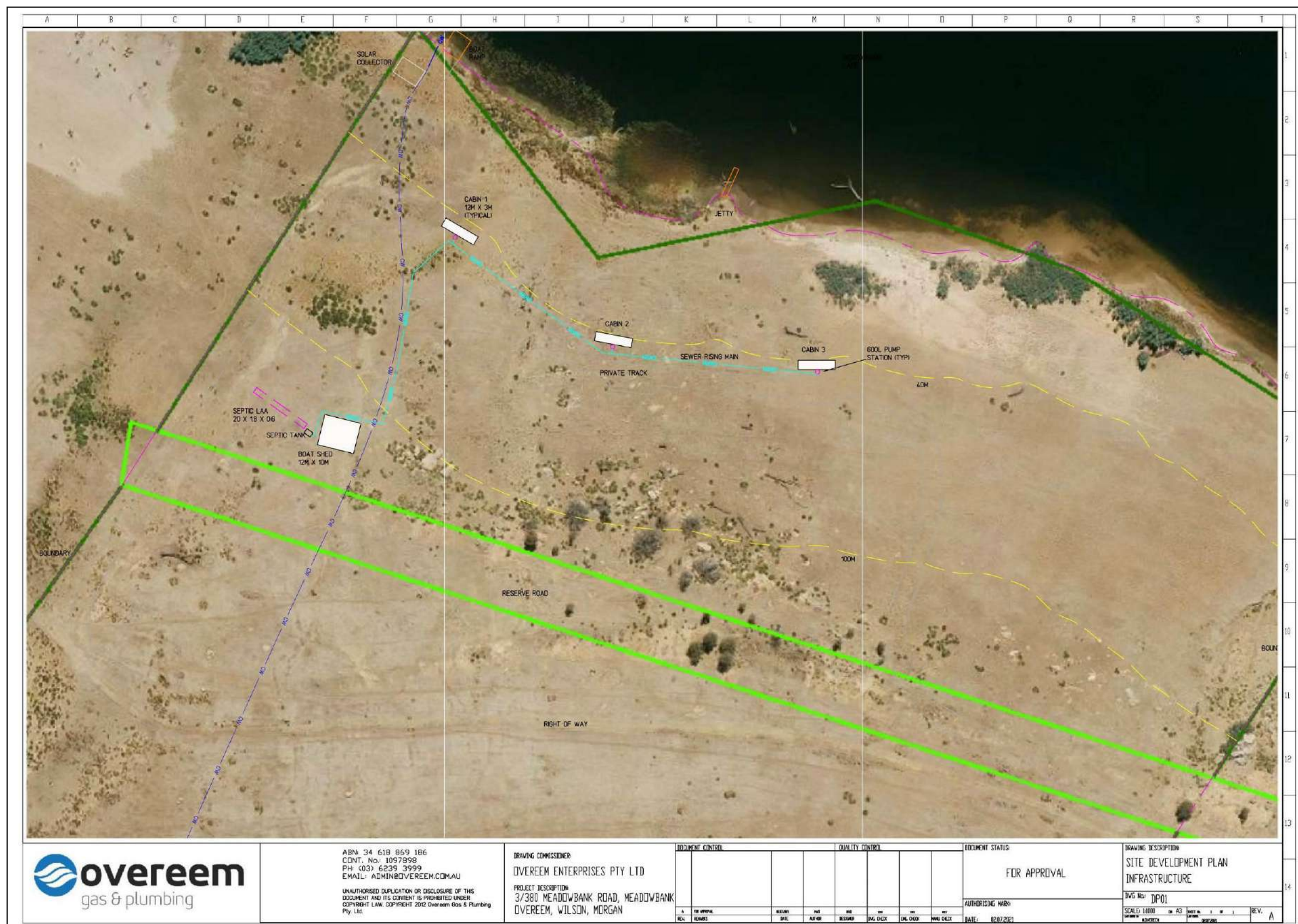


Figure 3: Aerial image showing the three proposed visitor accommodation footprint at Lot 3 Meadowbank Road

2.0 Environmental Setting of the Study Area

2.1 Introduction

Prior to undertaking archaeological survey of the study area, it is necessary to characterise the landscape. This includes considering environmental factors such as topography, geology, climate, vegetation and past and current landscape use. An assessment of the environmental setting helps to develop understanding of the nature of Aboriginal occupation and site patterning that might be expected to occur across the study area. In addition, it must be remembered that in Aboriginal society, the landscape extends beyond economic and technological behaviour to incorporate social geography and the embodiment of Ancestral Beings.

The archaeological context is generally only able to record the most basic aspects of Aboriginal behaviour as they relate to artefact manufacture and use and other subsistence related activities undertaken across the landscape such as raw material procurement and resource exploitation. The distribution of these natural resources occurs intermittently across the landscape and as such, Aboriginal occupation and associated archaeological manifestations occur intermittently across space. However, the dependence of Aboriginal populations on specific resources means that an understanding of the environmental resources of an area accordingly provides valuable information for predicting the type and nature of archaeological sites that might be expected to occur within an area.

The primary environmental factors known to affect archaeological patterning include the presence or absence of water, both permanent and ephemeral, animal and plant resources, stone artefact resources and terrain.

Additionally, the effects of post-depositional processes of both natural and human agencies must also be taken into consideration. These processes have a dramatic effect on archaeological site visibility and conservation. Geomorphological processes such as soil deposition and erosion can result in the movement of archaeological sites as well as their burial or exposure. Heavily vegetated areas can restrict or prevent the detection of sites, while areas subject to high levels of disturbance may no longer retain artefacts or stratified deposits.

The following sections provide information regarding the landscape context of the study area including topography, geology, soils and vegetation.

2.2 Landscape Setting of the Study Area

The study area is situated on the southern margins of Meadowbank Lake, around 3km to the south-east of the town of Hamilton, in the Southern Highlands Region. The property is accessed via Meadowbank Road (see Figure 4).

Meadowbank Lake is one of four dams that have been constructed along the 30km section of the River Derwent, between the Wayatinah Power Station and the Meadowbank dam wall. The others being Lake Repulse, Lake Catagunya and Cluny Lagoon. Meadowbank Lake is the largest of these artificial water bodies, and extends

for a distance of approximately 14km. This section of the River flows through a quite narrow valley system, which varies in width from between 300m to 500m. The side slopes of the valley are typically moderately inclined (see Plate 2). Besides the River Derwent, there are two other major water courses in reasonably close proximity to the study area, these being the River Clyde and the Jones River. The River Clyde merges with the River Derwent 1.5km to the north-west of the study area. The Jones River joins with the River Derwent around 6km to the north-west of the study area.

Lot 3 Meadowbank Road encompasses approximately 25ha and is situated on the northern side slopes of a series of foothills associated with Mt Bethune, which is the dominant landscape feature within this part of the River Derwent Valley. In the southern portion of the property, the slope gradients are steep (up to 50°), with a series of rocky outcrops present on the upper parts of the hill slopes (see Plate 3). Slope gradients gradually decrease within the northern portion of the property, approaching Meadowbank Lake. Within the study area to the north of Meadowbank Road (the area that is the focus of this assessment), the slope gradients range from between 15° down to 3° along the margins of the lake (see Plate 4).

The underlying geology across the entire property and surrounds is Quartz sandstone from the Upper Parmeener Supergroup. The Parmeener Supergroup is generally divided into a Lower division which includes all known glaucomarine strata and an Upper division which includes all freshwater strata. The Lower Parmeener group consists of muddy lagoonal and estuarine rocks. The change from rocks of a restricted glaciomarine environment to rocks of a fluvial environment is relatively abrupt in stratigraphic sections. A eustatic fall in sea level or regional uplift in eastern Australia may have contributed to the abrupt change in the Lower/Upper Parmeener Supergroup boundary. The Upper Parmeener Supergroup consists predominantly of sandstone, siltstone, mudstone and coal measures (Forsyth 1987:01).

Within the study area and general surrounds, the bedrock sandstone is exposed to the surface across the upper and mid side slopes of the hills that fringe the southern margins of Meadowbank Lake. In some discrete locations within the southern portion of the property, the sandstone outcrops have formed sandstone overhang features, that are potentially suited for habitation. A number of occupied Aboriginal rock shelter sites have been recorded within the general surrounds of the study area although no Aboriginal rock shelters have been recorded in the study area itself (see section 4 of this report for further details). Within the northern portion of the property (the study area), the sandstone bedrock is just exposed to the surface, but there are no large outcroppings that would be suited for habitation (see Plate 5).

Soils within the study area comprise Podzolic soils on sandstone, described as 'imperfectly drained texture contrast soils and well drained deep sands developed on Triassic sandstone bedrock and colluvium on undulating to rolling (3-32%) land' (Spanswick and Kidd 2000). Soils which have formed on the sedimentary rocks of the Parmeener Supergroup have a tendency to be highly erodible. The soil depth across the majority of the study area is typically shallow to skeletal, with the sandstone bedrock exposed to the surface across much of the hill slopes. Soil

erosion has occurred in several areas (see Plate 6). Along the northern edge of the study area, on the southern margins of Meadowbank Lake, there is a build up of sand deposits up to a metre thick (see Plate 7). These sand deposits have been derived through the decomposition of the parent bedrock and have presumably washed down slope and have accumulated in this area. From an archaeological perspective the greatest potential for sub-surface archaeological deposits to be encountered is along the margins of Meadowbank Lake.

The native vegetation across the northern portion of Lot 3 Meadowbank Road has been virtually entirely cleared as part of past farming practices and has been replanted with grasses (see Plate 8). There is some patches of wattle and casuarina regrowth in parts as well as remnant patches of native tussocks. In the steeper, rockier terrain in the southern portion of the property (to the south of the study area), the native vegetation structure is still largely intact, and comprises open Eucalypt woodland.

From an archaeological perspective, any Aboriginal sites that that may be located within these cleared pastoral areas will have been adversely impacted by activities such as land clearing, pasture improvement and/or animal grazing. Impacts will primarily be confined to the top 40cm of the soil horizon.

Existing infrastructure on the property includes a small shed, a solar unit a day-use area and irrigation piping.



Plate 2: View north west across the study area towards Meadowbank Lake



Plate 3: View south at the steep hills in the southern portion of the property where are sandstone rock outcrops present



Plate 4: View west across the study area within the northern portion of the property showing typical hill slope gradients



Plate 5: Sandstone rock outcrops occurring within the study area



Plate 6: View west at eroded soil deposits within the study area, exposing the underlying sandstone bedrock



Plate 7: View west at the deeper accumulation of sand deposits along the margins of Meadowbank Lake



Plate 8: View east across the study area, showing the area cleared of native vegetation and an existing shed

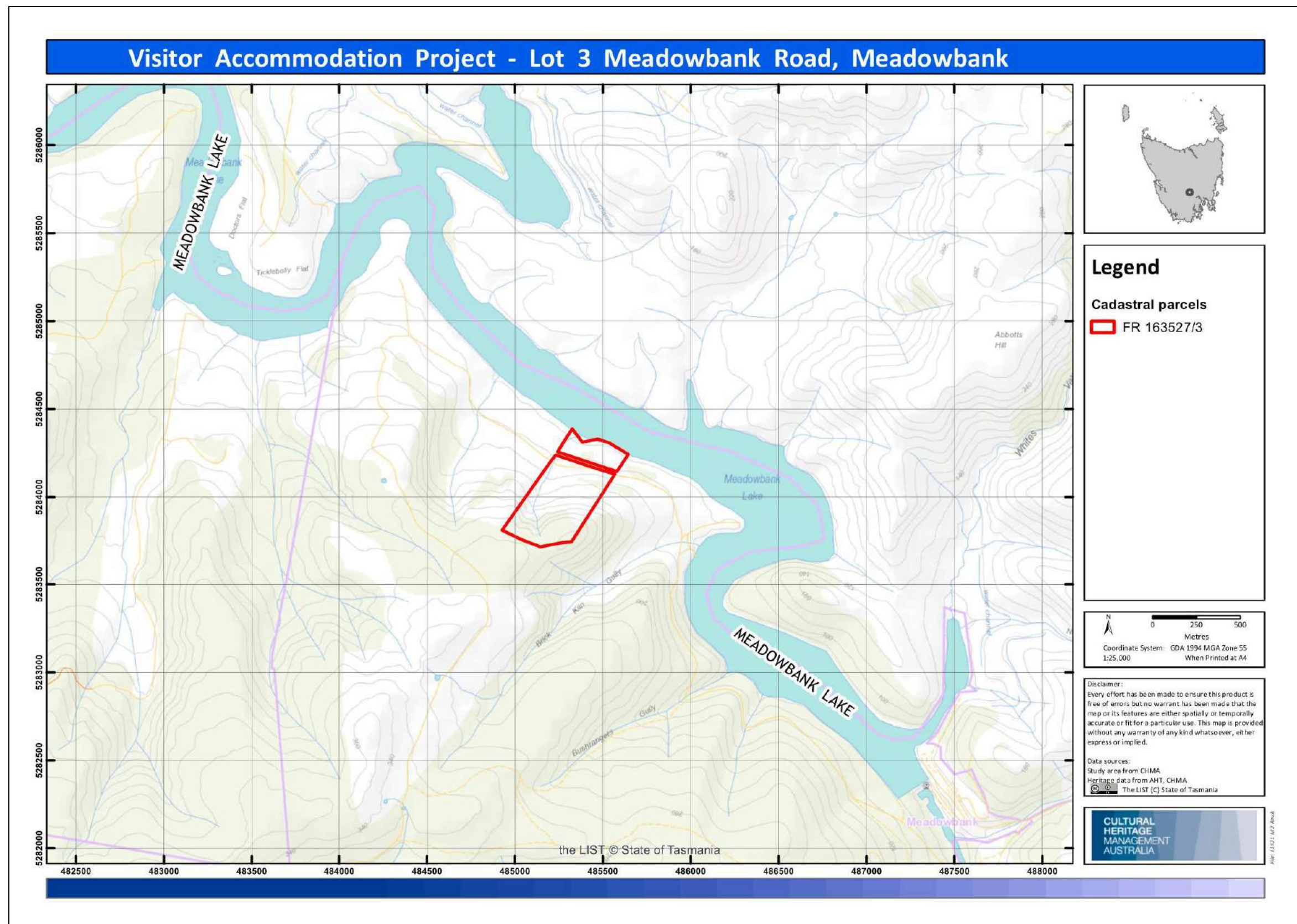


Figure 4: Topographic map showing the general landscape setting of Lot 3 Meadowbank Road

3.0 Ethno-historic Background

3.1 Aboriginal Social Organisation in Tasmania

According to Jones (1974), the social organisation of Tasmanian Aboriginal society appears to have consisted of three social units, these being the hearth group, the band (clan) and the tribe (nation). The hearth group was the basic family unit and would generally have consisted of a man and woman, their children, aged relatives and sometimes friends and other relatives. The size of hearth groups would generally range from between 2-8 individuals (Jones 1974: Plomley 1983). Plomley (1983) provides a description made by Peron of a hearth group he encountered at Port Cygnet:

There were nine individuals in this family, and clearly they represented a hearth group, because Peron visited their campsite with its single hut. The group comprised an older man and wife, a younger man and wife, and five children, one a daughter (Oure-Oure) of the older man and wife, and the other four the children of the younger man and wife. (Plomley 1983:168).

The clan appears to have been the basic social unit and was comprised of a number of hearth groups (Jones 1974). Jones (1974:324-325) suggests that the clan owned a territory and that the boundaries of this territory would coincide with well-marked geographic features such as rivers and lagoons. Whilst the clan often resided within its territory, it also foraged widely within the territories of other clans. Brown (1986:21) states that the band was led by a man, usually older than the others and who had a reputation as a formidable hunter and fighter. Brown also suggests that the clan (as well as the hearth group) was ideally exogamous, with the wife usually moving to her husband's band and hearth group.

Each clan was associated with a wider political unit, the nation. Jones (1974:328-329) defines the tribe (or nation) as being:

...that agglomeration of bands which lived in contiguous regions, spoke the same language or dialect, shared the same cultural traits, usually intermarried, had a similar pattern of seasonal movement, habitually met together for economic and other reasons, the pattern of whose peaceful relations were within the agglomeration and of whose enmities and military adventures were directed outside it. Such a tribe had a territory, consisting of the sum of the land owned by its constituent bands...The borders of a territory ranged from a sharp well defined line associated with a prominent geographic feature to a broad transition zone. (Jones 1974:328-329)

Ryan (2012) explains that the terms 'nation' and 'clan' are the preferred terms used by the Tasmanian Aboriginal community in place of 'tribe' and 'band' respectively. This terminology has been adopted in the following discussion.

According to Ryan (2012:11), the Aboriginal population of Tasmania was aligned within a broad framework of nine nations, with each nation comprising between six to fifteen clans (Ryan 2012:14). The mean population of each Nation is estimated to have been between 350 and 470 people, with overall population estimates being in

the order of five to ten thousand people prior to European occupation (Ryan 2012:14). Ryan (2012:13) presents a map showing the approximate boundaries for the nine Tasmanian Aboriginal Tribes. The present study area falls within the territory of the Big River Nation (see Figure 5).

The Big River Nation occupied the Central Highlands and are estimated to have numbered between four and five hundred people at the time of contact with European settlers (Ryan 2012:26). They were the only Tasmanian nation without access to a coastal strip. However, this was compensated by the highland lake system, control over Great Lake, and visiting arrangements with the neighbouring North and Oyster Bay Nations (Ryan 2012:25). Through these relationships the Big River people had seasonal access to the east, north and west coasts, and to the ochre sources in the mountains to the north (Ryan 2012:28). The Big River Nation interacted with a greater number of diverse nations and clans than any other Tasmanian nation (Ryan 2012:27). This suggests an active and dynamic social unit continually exposed to varying cultures and ideas through this high level of interaction outside the nation.

The Big River Nation is believed to have comprised five clans; the Leenowwenne people who lived near New Norfolk, the Pangerninghe who lived on the west bank of the River Derwent just opposite the meeting of the Derwent and Clyde Rivers, the Braylwunyer people who lived on the hilly plains between the Ouse and Dee Rivers, the Larmairrenener people lived in the high country west of the Dee River and the Luggermairrernerpairner people who lived north of the Great Lake (Ryan 2012:16). The study area appears to be situated within the territory of the Pangerninghe clan, based around the Clyde-Derwent Junction (Ryan 2012:16).

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In return, neighbouring nations were granted access to the resources of the highlands in the territory of the Big River Nation. Oyster Bay people are known to have travelled up the Clyde and Ouse River valleys during the summer months to hunt, and to harvest the *eucalyptus gurii* forests, a tree confined to the highlands that produces an intoxicating gum (Ryan 2012:26).

Travel across the Big River Nation's lands was via well maintained and regularly used travelling routes. Ryan (2012: 26-7) describes the Big River Nation as having two routes running north out of their country (see Figure 6). One route ran along their western boundary "from near Lake St Clair, past Cradle Mountain and Lake Dove, to south of Black Bluff". The second route, being the one "they most commonly

used went past the Great Lake and through a pass in the Great Western Tiers near Quamby Bluff where the present-day Lake Highway makes its descent.”

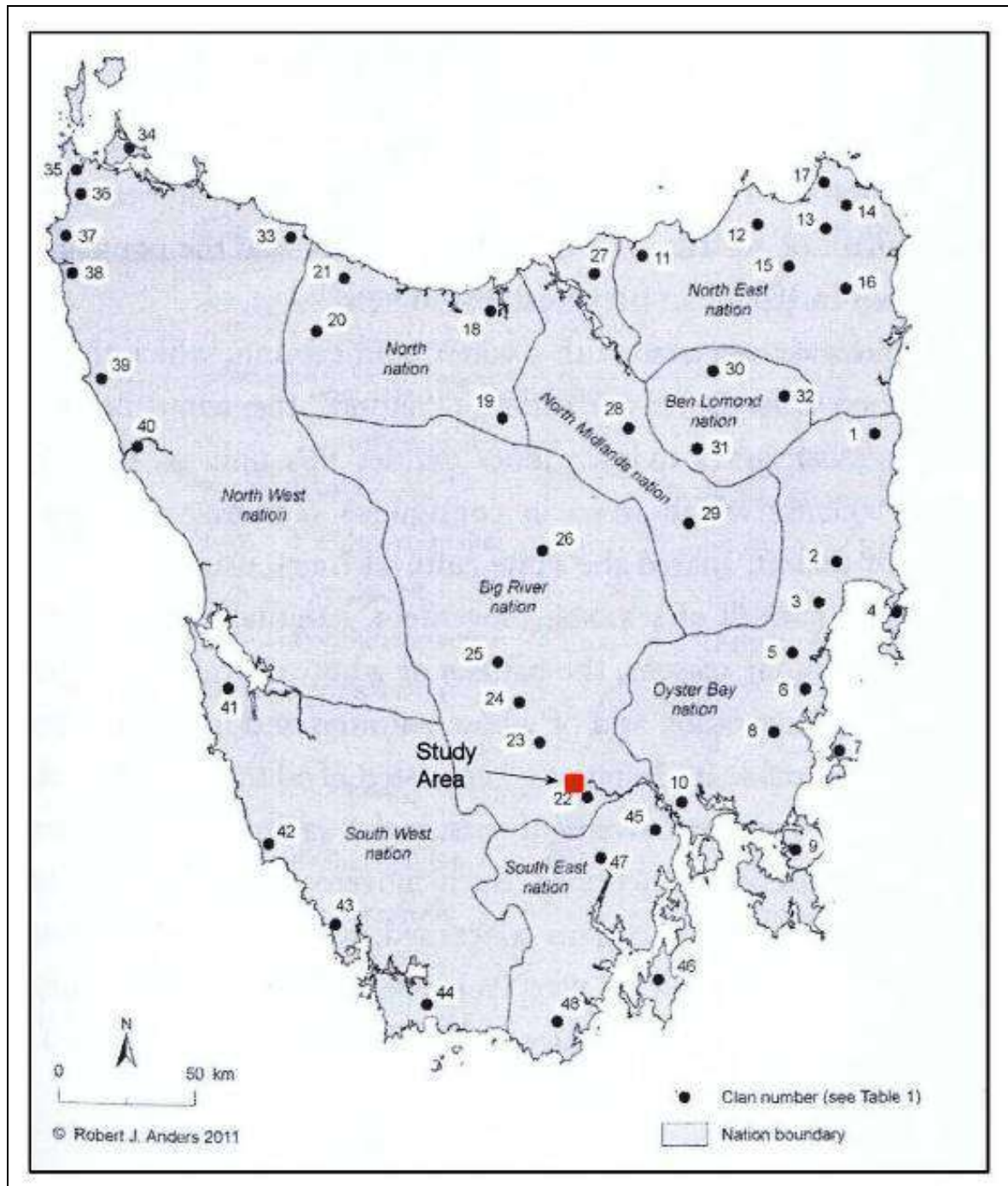
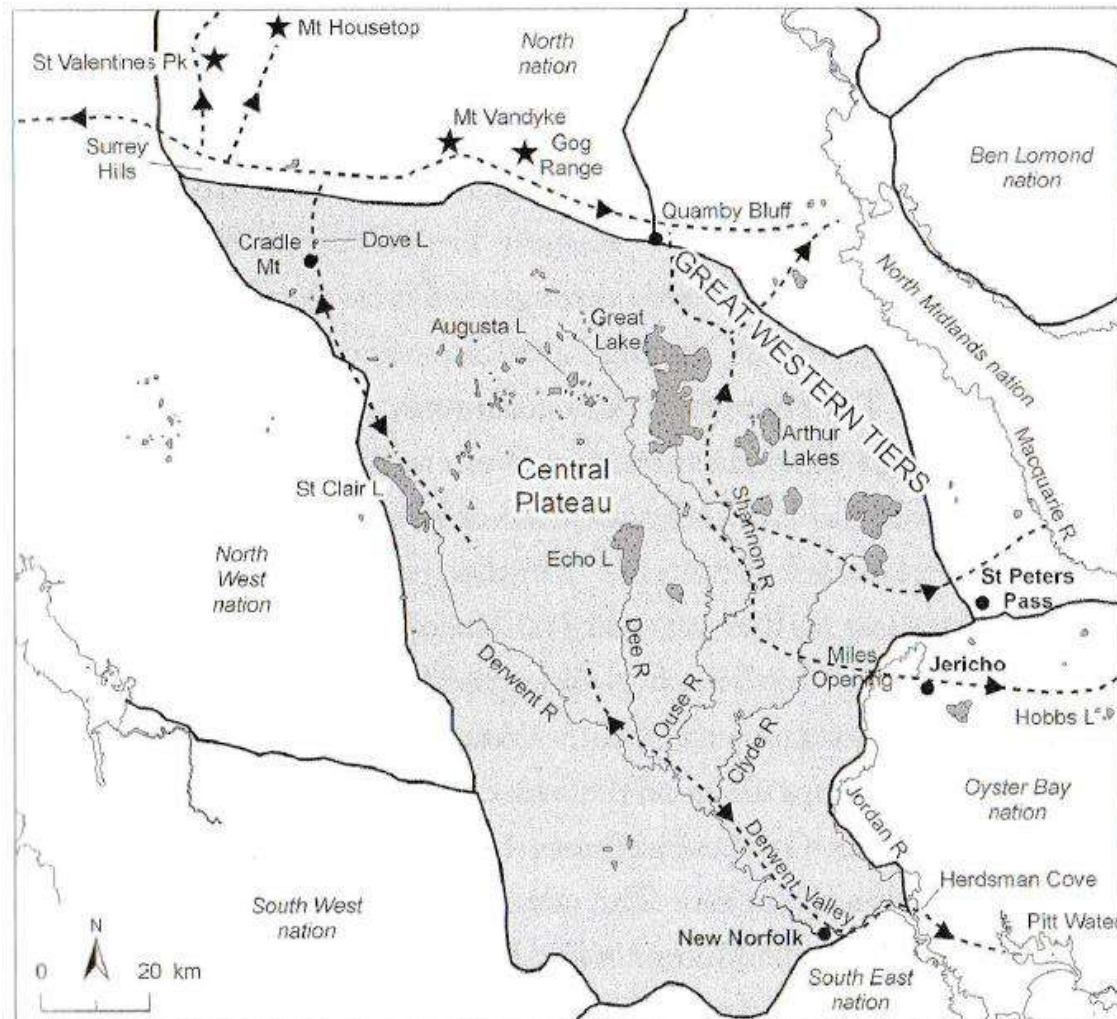


Figure 5: The location of the study area within the territory of the Big River Nation (taken from Ryan 2012:13)



**Figure 6: Trade routes and seasonal movements of the Big River Nation
 (Ryan 2012: 27)**

Ethnographic Accounts of the Big River Nation

Several early explorers and ethnographers have left accounts of their observations of the Big River Nation that provide an insight into the economy, material culture and social customs of the people prior to European settlement. Primary among the ethnographic sources are the diaries of George Augustus Robinson, appointed as government Protector of Aborigines who followed a policy of conciliation with the ultimate aim of removing Aboriginal people to offshore islands (Plomley 2008:515). Around the Lake Echo area, Robinson records Aboriginal hut sites along the margins of the marshy lagoons that intercept the rugged hills (Plomley 2008:543-44). There are often large numbers of huts that Robinson describes as 'villages' (Plomley 2008:548). When Robinson approached the huts they were empty but showed signs of having recently been occupied. He repeatedly described the abundance of 'kangaroo' (Bennett's wallaby), 'native bread' (a tuber, *Polyporus myllitae*) and duck and bird life that abounded in: 'the place of resort ... and their hunting grounds' (Plomley 2008:542). There is also reference to a plant with a red berry that the Larmairrenener people call *Murerleener* (Plomley 2008:543). The plant was unknown to those Aboriginal people from the south that were with Robinson.

The valleys of the Big River Nation that Robinson travelled through had been burnt to facilitate access and attract game. Robinson records the evidence of this as he travels through the area around modern day Bronte Lagoon (Plomley 2008:545). Robinson also recorded the petrified wood artefacts that he found across the southern plateau country (Plomley 2008:548). There were worn paths through the country that Robinson in some cases followed. One ran along the Dee River valley, and it seems that this was a major seasonal travel route for the Big River people (Plomley 2008:549).

There is evidence that the Big River people put ochre in their hair. In a wonderful example of culture contact, Robinson recorded that when his party passed through Campbell Town some of the Big River people pound a brick to a fine powder and mixed it with animal grease to apply a thick coat to their hair (Plomley 2008:535).

3.2 European Settlement of the Big River Nation

European exploration into the central highlands occurred early in the settlement phase of the colony. Robert Brown led a reconnaissance of the River Derwent in 1803. Brown followed the course of the river for about fifty miles upstream, sighting the Clyde and Ouse Rivers in the process. This was followed four years later by an excursion into the Western Tiers and central highlands by Laycock and his party in 1807, seeking an overland route between Port Dalrymple and Hobart in order to obtain supplies. Following Laycock's expedition there was a hiatus of almost ten years until John Beumont and his exploration party were dispatched to examine the land around the Great Lake (Jetson 1989:xiii). Beumont is reported to have penetrated west to the highlands north of Lake St Claire.

The first Europeans to venture into the highlands with any sense of permanency were kangaroo hunters, stockkeepers and bushrangers (Jetson 1989:12). One hunter called Toombs is reported to have advanced as far as the Great Lake by 1815 (Kostoglou 1998). The notorious bushranger Michael Howe made the highlands his home, living off the bush and wearing skins until his violent death at the hands of a past accomplice near Bothwell in 1818 (Jetson 1989:16). Robinson gives a sense of the violence of these people, who were more than ready to attack the Aboriginal inhabitants of the highlands. Robinson described numerous attacks by the settlers and gives a revealing description of a typical stockkeepers hut that he observed near Lake Echo:

A formidable construction ... made by piling large rolled logs horizontally upon each other, halved together at the ends, with portholes to fire out of. The roof is barked and covered with turf so as not to ignite. (Plomley 2008:541)

For the first two decades of European settlement in Van Diemen's Land the highlands provided something of a refuge for members of the Big River Nation as the plains below became settled. Robinson claimed in 1831 that in this country '[the Big River Nation] had remained undisturbed by their white enemies' (Plomley 2008:548). However, all this was about to change.

From the early 1820s European settlement of the central highlands began to have a devastating impact on the Big River Nation. Within one year from 1822 to 1823 the

European population of the highlands multiplied tenfold; from a population of less than ten men and a few thousand sheep to over sixty settlers with their families and upwards of sixty thousand sheep (Ryan 2012:115). The Big River Nation responded to this rapid colonisation with the onset of guerrilla war.

Initial contact between the Big River Nation and European settlers had aspects of an exchange dialogue. Ryan (2012:115) records that in the autumn of 1822 Big River people visited the east coast, and on their return to their territory encountered the new wave of settlers. Ryan notes that Big River women were traded to the settlers in exchange for food (2012:115). This suggests either a very rapid adaptation to European dietary staples, or the rapid devastation of traditional hunting grounds and resources.

The 1820s through to the mid 1830s saw an increased number of surveying and exploration parties entering the central highlands. These included Scott (1821-23), Helder (1825), Sharland (1832) and Frankland (1835). The increasing shortage of food supplies in the colonies led to the dispatch of kangaroo hunters into the unsettled parts of the colonies. These hunting parties were soon roaming areas well beyond the borders of the colonised areas.

Pastoralists soon followed the hunting parties, with shepherds penetrating into the eastern fringes of the Lakes District by 1818. By the early 1820s larger flocks of sheep were grazing as far west as the Great Lake (Kostoglou 1998). Wild cattle were sighted in these areas in the early 1820s. Grazing operations in the central highlands during this early period were generally small scale operations run by a single shepherd or small groups of men, with the herds rarely being contained by fences. By the latter part of the 18th century, many of the small scale pastoral holdings had been abandoned or bought out by large sheep stations that had begun to operate in the district (Kostoglou 1998).

From 1824 violence and guerrilla attacks came to characterise the highlands. In January 1824 a European stockman was killed at Abyssinia when he attempted to abduct a Big River woman (Ryan 2012:115). This led to a skirmish in which the stockman was speared and his hut burnt (Ryan 2012:115). Attacks continued from both the Big River people and the Europeans throughout the 1820s.

In 1827 Luggemairrernerpairner people robbed five huts along the Ouse and Shannon Rivers, creating panic among the European settlers (Ryan 2012:118). By the end of the year the Luggemairrernerpairner had moved west into more rugged country, although they continued to attack and raid settler's huts. Firearms were sometimes taken during these raids, and Ryan suggests that these were useful trade items (2012:118).

Ryan argues that firearms were quickly absorbed into the material culture of the Big River people and were exchange items rather than valued weapons (1996:118). However, Robinson claims that his companions saw the firearms as weapons, to use against the Europeans but also in fights with antagonistic neighbouring tribes, such as the North Tribe (Plomley 2008:547). In his 1830 expedition through the highlands

Robinson expresses surprise at the sheer number of weapons caches that his companions reveal to him (Plomley 2008:547). This demonstrates the volatile situation in the highlands, and the rapidity with which violence could erupt.

By 1828 the two surviving Big River clans, the Luggemairrernepairner and the Larmairrenener, had moved to the Lagoon of Islands and Regents Plains areas (Ryan 2012:118). This congregation of people was seen as a threat by the Europeans and prompted the settlers to appeal to Hobart for protection (Ryan 2012:118). Military parties were dispatched to disperse the Aboriginal people, but the bands were not located. Ryan suggests that the Big River people had travelled to the north coast for the winter (2012:118). However, by October the surviving members of the Big River Nation returned to the highlands, and guerrilla warfare intensified (Ryan 2012:118). The Larmairrenener people travelling with Robinson told him how during the cold winter of 1830, the people stayed in the highlands rather than follow seasonal migration patterns to Oyster Bay (Jetson 1989:32). This demonstrates the danger on the midlands to Aboriginal people by the early 1830s.

In September 1830 the 'Black Line' moved through the central highlands; a military operation aimed at forcibly removing Aboriginal people from pastoral districts across Tasmania. Ryan (2012:120) argues that the Big River people once again moved to the high country to the west in order to avoid the armed parties. The Black Line was largely ineffective in the highlands; Robinson relates how his companions showed him how people avoided the line in the steep terrain and thick bush (Plomley 2008:547). He writes that 'the people here had avoided the strictest search' (Plomley 2008:547).

Robinson met the surviving Big River people on December 1831 just north of Lake Echo (Ryan 2012:120). At this point the group numbered only twenty six people, and were led by Montpeillater of the Big River Tribe and Tongerlongton from the Oyster Bay Nation (Ryan 2012:121). The group agreed to accompany Robinson to Hobart in order to claim compensation for the loss of their land and the lives of many of their people (Ryan 2012:122). This compensation never eventuated and the people were eventually resettled on offshore islands.

The Big River Nation was dispossessed of their country by the killing of an estimated two hundred and forty people, while around sixty Europeans were also killed in frontier violence on the highlands (Ryan 2012:122). In addition, the trade and abduction of Big River women by male European stockmen and settlers contributed to the decimation of the Big River people.

4.0 Background Archaeology

4.1 Previous Archaeological Research in the Region

The study area is located within the Southern Highlands region of Tasmania.

Probably the most comprehensive archaeological investigation undertaken within the Highlands region is that of Cosgrove (1984), who implemented the Central Highlands Prehistory Project. This project entailed the collation of ethno-historic literature for the region, and the undertaking of a range of field survey investigations, with the primary aim being to compile a database for future archaeological work in the region and to establish a preliminary model of Aboriginal settlement in the central highlands.

For the purposes of his field survey assessment, Cosgrove (1984) divided the central highlands into five areas based on variations in climate, altitude, vegetation and geomorphology. The five areas were defined as High Plateau Surface, Low Plateau Surface, St Clair Surface, High Coastal Surface and South-West Derwent Catchment Area. These categories were then further divided into riverine and lacustrine environments.

The area most applicable to the present study is the Jordan and Clyde river valley systems. The Jordan River has its origins at Lake Dulverton, near the town of Oatlands in the Tasmanian Midlands. A total of sixteen sites were identified by Cosgrove (1984) within the Jordan River valley, with the vast majority of sites being located on flat or gently sloping ground. Fourteen of these sites were artefact scatters, with the largest site comprising over 350 artefacts and numerous hearths, located on a sand sheet 200m south of the River. The other two sites identified in the Jordan River valley were both sandstone shelters, which are described as comprising moderate quantities of cultural deposits (Cosgrove 1984).

The Clyde River has its origins at Lake Crescent, a naturally occurring body of water located on the eastern side of the Central Plateau. In the course of the field assessment, Cosgrove (1984) identified a total of twenty sites in the vicinity of the Clyde River. Eighteen of these sites were classified as artefact scatters, with the remaining two sites being sandstone rock shelters. The vast majority of these sites were situated within 200m of the River and had northerly or easterly aspects. The largest of the artefact scatters was identified in a large deflated sand sheet, 400m south-east of the River and comprised over 350 artefacts as well as a number of hearths. The other seventeen artefact scatters each comprised less than 25 artefacts (Cosgrove 1984).

Overall, the field survey investigations undertaken by Cosgrove (1984) in the Central Highlands resulted in the identification of 202 Aboriginal sites. The vast majority of these were classified as artefact scatters or isolated artefacts (193 sites). Of the remaining nine sites, four were classified as sandstone rock shelters, three were rock cairns of possible Aboriginal origin and two were quarry sites. Cosgrove (1984) is of the opinion that most, if not all of these sites date to within the Holocene period. The overall evidence (ethno-historic accounts and archaeological results) indicate that

Aboriginal settlement patterns show a preference towards occupying those areas where there is the interface of the boundaries of lake and forest environments, where maximum resources were available. This is seen as a decisive Sub-Alpine adaptation strategy (Cosgrove 1984).

Exploitation of the Central Highlands region was characterised by two main forms of economic strategy (Cosgrove 1984). The first is a subsistence economy based on the exploitation of forest resources, primarily arboreal and terrestrial animals, and to a limited degree a small range of forest plants. The second is the exploitation of lake and riverine resources, which includes the hunting of birds and aquatic mammals, as well as the harvesting of aquatic plants. The evidence available for settlement patterns in the Central Highlands indicates that there was a distinct concentration of activity in the contact zones between lake and forest environments, where presumably the available resources were maximised (Cosgrove 1984).

The movement of Aboriginal people through the Central Highlands was primarily via the use of a network of tracks that crossed the region. Aboriginal movement through this region was facilitated by the use of fire. The practice of firing both grassland and forest was common and observed by early European settlers or explorers in the region to take place between the months of October and March. The result on the landscape was to limit vegetation regrowth thereby providing easier movement through otherwise densely forested areas (Cosgrove 1984).

Cosgrove (1984) highlights the use of fire and the practice of barking trees as two adaptive practices that greatly enhanced the success of Aboriginal people occupying this region. Barking of trees was primarily for the purpose of constructing bark huts. These bark huts not only provided essential shelter in this harsh environment, but the practice of tree barking also had the long term effect of further opening up the forested areas, eventually producing a mosaic of forest and grassland vegetation (Cosgrove 1984). These strategies reflect management of and adaptation to the harsh highlands environment.

4.2 Previous Studies in the Vicinity of the Study Area

There have been a number of smaller heritage investigations carried out within the general vicinity of the study area. The majority of these studies have been undertaken as part of impact assessments associated with specific development projects such as proposed dam sites and pipeline easements. The following provides a brief overview of a select range of the more recent of these investigations.

Stanton (1999)

In 1999 Stanton was engaged to undertake a cultural heritage assessment of the site of a proposed Salmonoid Hatchery at Cluny Lagoon, near Ouse. The area investigated covered 4ha of level alluvial floodplains created by the River Derwent, with areas of slight elevation above Cluny Lagoon. The area offered generally poor visibility due to pasture however a stone artefact scatter, comprising 4 artefacts and potentially more subsurface, was identified (AH 8267) along a vehicle track (Stanton 1999).

Everett (2007)

Aaron Everett (Aboriginal Heritage Officer) was commissioned by Pip and James Allwright to undertake a cultural heritage assessment of the proposed 20ha sub-division on the “Ellendale” property. In the course of his investigations, Everett (2007) identified a total of eight Aboriginal heritage sites. Seven of these sites were classified as isolated artefacts, with the remaining site being a small artefact scatter comprising six artefacts. Everett (2007) states that the majority of sites were located in eroding areas such as sheep and native animal tracks which would indicate the possibility of more sites occurring in these locations. Unfortunately, Everett (2007) did not provide a map showing the location of these sites, nor did he provide the grid datum for the GPS location recordings of the sites. As such, it is difficult to determine exactly where these sites were situated. Based on the findings of his investigation, Everett (2007) recommended that a further survey should be undertaken within the proposed sub-division by a qualified archaeologist and an Aboriginal Heritage Officer.

Graham (2008)

Graham (2008) subsequently undertook a cultural heritage survey of a proposed access road to the Ellendale subdivision. Graham identified a small artefact scatter (2 artefacts) and 4 isolated finds (AH sites 10633-10637 inclusive) within the proposed access road easement. The artefacts comprised flakes and a core manufactured from ‘cherty hornfels’ and quartzite (Graham 2008).

CHMA (2009)

CHMA (2009) later undertook a heritage survey of the 20ha residential subdivision on Meadowbank Lake. The study identified 5 Aboriginal sites (AH 10858-10862 inclusive), all of which were classified as small open artefact scatters (numbering 5 artefacts or less) or isolated artefacts (CHMA 2009).

All five sites were located either on the level eastern edge of the spine of a broad spur line running through the study area, or on the associated upper north-east side slopes of this spur. A sixth site (AH 10657), previously identified by Graham (2008) was also re-identified during the assessment. This site too was an isolated find. All six sites were assessed as being of low archaeological significance (CHMA 2009).

As part of the present investigations, CHMA (2009) also attempted to re-locate three registered rock shelter sites that were reported as occurring within or in the immediate vicinity of the study area (AH0397, AH0444 and AH0445).

CHMA (2009) observed that site AH0444 (Unoccupied shelter/painting) appeared to have been submerged by the inundation of the Meadowbank Lake. Sites AH0397 and AH0445 were both re-located. Site 0397 (occupied shelter) was located on the east margins of Jones River, around 200m from the junction point with Meadowbank Lake. This site was reported as being situated outside the proposed 20ha sub-division. The inspection of the shelter did not result in the identification of any surface artefacts, and there were no visible signs of disturbance to the shelter overhang.

Site AH0445 (Occupied shelter/painting) was located on the “Ellendale” property, approximately 400m to the south-east of the proposed 20 ha sub-division area.

CHMA (2009) noted that the art shelter site generally appeared to be in good condition. There were no signs of vandalism to the site, and no evidence of insect infestation on the rock art itself (wasp or bee nests). There was no evidence of water damage to the rock art (water drip), nor of exfoliation of the rock surface in the immediate vicinity of the art. The art did not appear to be situated in direct sunlight, so there was no fading resulting from direct UV exposure. The rock art was noted to be fading. It was noted that the rock art/shelter site was reasonably well hidden from view from the southern approaches to the site, but it appeared to quite easily visible from the Lake. This had implications for future management strategies.

CHMA (2017a)

CHMA (2017a) were engaged to undertake an assessment for three proposed pontoon locations on the margins of Meadowbank Lake, on privately owned properties along Jones Road. This is around 6km to the north-west of the current study area. CHMA (2017a) identified one Aboriginal site (AH13355), which was classified as Potential Aboriginal Rock shelter feature. The site was located approximately 30m to the west of Meadowbank Lake, on the mid to upper side slopes leading down to the lake margins. An inspection of the shelter walls revealed no evidence for Aboriginal rock paintings or engraved motifs. No stone artefacts or any other evidence of Aboriginal occupation was identified within the shelter, or within the general surrounds of the sandstone rock shelter. Given that there was some deposit present on the shelter floor, it was assessed that there was some potential for sub-surface cultural deposits to be present. However, CHMA (2017a) noted that the shelter feature was only small, and the deposit build up was quite shallow. Therefore, if cultural deposits were present, they were likely to be minimal in extent.

CHMA (2017b)

CHMA (2017b) was engaged by G & S Ellis Holdings Pty Ltd to undertake an Aboriginal heritage assessment of a proposed sandstone quarry on the Meadowbank property at 584 Meadowbank Rd Meadowbank, which is located approximately 5km to the south of the current study area. CHMA (2017b) identified one Aboriginal site (AH13274). The site is classified as an Occupied Rock shelter, which was located at the south-west end of a small sandstone outcrop that measured approximately 150m in length (north-south) x 80m wide. This is the most prominent portion of the outcrop, where the sandstone is exposed to a height of around 3m above the ground surface. The rock shelter was located on the lower west side slopes of a hill, around 100m east of Meadowbank Creek. The shelter was only small, measuring approximately 2m in height, 1.8m wide and 1.5m deep. One stone artefact was identified in the rock. The artefact was located on the drip line of the shelter, where there was a shallow soil deposit build up. Given the very shallow soil deposits, it was assessed that there was a very low potential for additional undetected artefacts to be present in the shelter.

CHMA (2019)

CHMA (2019) was later engaged by G & S Ellis Holdings Pty Ltd to undertake an Aboriginal heritage assessment for a single residential dwelling on the same Meadowbank property. No Aboriginal heritage sites were identified during the field

survey assessment of the proposed residential dwelling development footprint. CHMA (2019) noted that surface visibility across the development footprint was sufficient to generate an accurate impression of the general level of site densities that can be expected to occur in the area. The indications were that site and artefact densities were likely to be low to very low, consistent with sporadic activity.

4.3 Registered Aboriginal Sites in the Vicinity of the Study Area

As part of Stage 1 of the present assessment a search was carried out of Aboriginal Heritage Register (AHR) to determine the extent of registered Aboriginal heritage sites within and in the general vicinity of Lot 3 Meadowbank Road. The search shows that there are 44 registered Aboriginal sites that are situated within an approximate 6km radius of the study area (search results provided by Kate Moody from AHT on the 13/8/2021).

Thirteen of these sites are classified as occupied Aboriginal rock shelters, with occupation evidence including either the presence of artefacts or rock art. Site AH445 and AH444 are noted to be duplicate recording of the same site. Of the remaining 31 registered sites, 17 sites are classified as artefact scatters, and 14 sites are isolated artefacts. Table 1 provides the summary details for these 44 sites, with Figure 7 showing the location of the sites in relation to the property at Lot 3 Meadowbank Road.

None of these 44 registered Aboriginal sites appear to be situated within or in the immediate vicinity of the boundaries of the property at Lot 3 Meadowbank Road. The closest registered sites are AH4047 (an artefact scatter) and AH7185 (a rock shelter), which are situated between 800m and 1km to the north-west.

Table 1: Registered Aboriginal Sites located within a 6km radius of Lot 3 Meadowbank Road (Based on search results dated 13-8-2021)

AH Number	Site Type	Locality	Grid Reference Easting (GDA94)	Grid Reference Northing (GDA94)
10	Rock Marking Painting, Occupied Rockshelter, Artefact Scatter	Ellendale	481210	5286463
397	Occupied Rockshelter, Unoccupied Rockshelter	Ellendale	480512	5287582
398	Artefact Scatter, Occupied Rockshelter	Hamilton	481112	5286782
399	Artefact Scatter, Occupied Rockshelter	Hamilton	481712	5286082
444	Rock Marking Painting, Occupied Rockshelter	Ellendale	480951	5286627
445	Rock Marking Painting, Occupied Rockshelter, Duplicate site	Ellendale	481209	5286462
607	Isolated Artefact	Gretna	487812	5281382
10633	Artefact Scatter	Ellendale	479239	5286257
10634	Isolated Artefact	Ellendale	479498	5286719
10635	Isolated Artefact	Ellendale	479811	5286925
10636	Isolated Artefact	Ellendale	479959	5287065
10637	Isolated Artefact	Ellendale	480786	5286821

AH Number	Site Type	Locality	Grid Reference Easting (GDA94)	Grid Reference Northing (GDA94)
10857	Artefact Scatter	Ellendale	479416	5286551
10858	Artefact Scatter	Ellendale	480765	5286996
10859	Isolated Artefact	Ellendale	480814	5286887
10860	Artefact Scatter	Ellendale	480878	5286863
10861	Artefact Scatter	Ellendale	480919	5286671
10862	Isolated Artefact	Ellendale	480891	5286509
11727	Isolated Artefact	Gretna	488645	5279725
11889	Artefact Scatter	Ellendale	480976	5286582
1479	Artefact Scatter	Ellendale	477312	5286682
2768	Isolated Artefact	Ellendale	481412	5286282
4047	Artefact Scatter	Meadowbank	484712	5284782
4050	Occupied Rockshelter	Meadowbank	488412	5279382
4051	Artefact Scatter	Meadowbank	487532	5281785
4052	Artefact Scatter	Meadowbank	489312	5277182
4053	Artefact Scatter, Occupied Rockshelter	Meadowbank	486212	5280782
4056	Occupied Rockshelter, Isolated Artefact	Ellendale	482191	5285887
4057	Occupied Rockshelter	Meadowbank	489612	5277682
4058	Artefact Scatter	Meadowbank	489112	5276982
7185	Occupied Rockshelter	Ellendale	483912	5284882
13140	Artefact Scatter	Ellendale	480403	5287431
13274	Occupied Rockshelter	Meadowbank	487208	5278935
13355	Unoccupied Rockshelter	Ellendale	480738	5287283
13882	Artefact Scatter	Ellendale	481930	5285787
13883	Isolated Artefact	Ellendale	482056	5285800
13884	Isolated Artefact	Ellendale	481654	5285810
13885	Artefact Scatter	Ellendale	481990	5285637
13886	Artefact Scatter	Ellendale	481954	5285666
13887	Artefact Scatter		481298	5286193
13888	Isolated Artefact	Ellendale	481158	5286520
13889	Isolated Artefact	Ellendale	481398	5286021
13890	Artefact Scatter	Ellendale	481551	5285883
13891	Isolated Artefact	Ellendale	481868	5285761

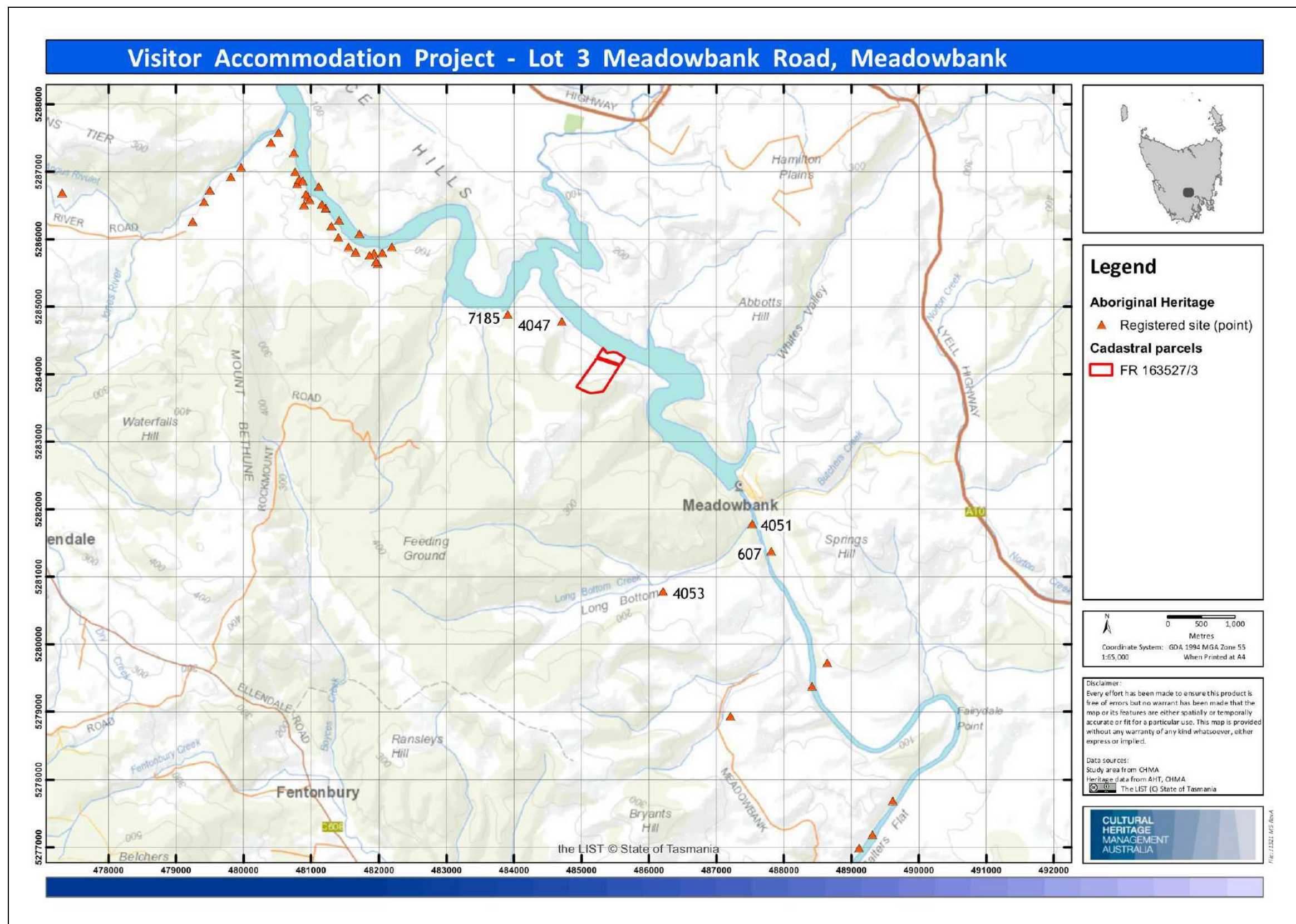


Figure 7: Topographic map showing the location of registered Aboriginal Sites located within a 6km radius of Lot 3 Meadowbank Road (Based on search results dated 13-8-2021)

5.0 Predictive Modelling

5.1 Introduction to Predictive Modelling

Predictive modelling, in an archaeological context, is a fairly straightforward concept and has been utilised by archaeologists in Australia for a number of years as a tool for undertaking research into Aboriginal heritage sites. In summary, predictive modelling involves the collation of information generated from previous archaeological research in a given region, and using this information to establish patterns of Aboriginal site distributions within the landscape of that particular region. On the basis of perceived patterns of site distribution, archaeologists can then make predictive statements regarding the potential for various Aboriginal site types to occur within certain landscape settings, and can make preliminary assessments regarding the potential archaeological sensitivity of landscape types within a given region.

5.2 Predictive Models; Strengths and Weaknesses

It should be acknowledged that most, if not all predictive models have a number of potential inherent weaknesses, which may serve to limit their value. These include, but may not be limited to the following:

- 1) The accuracy of a predictive model is directly influenced by the quality and quantity of available site data and information for a given region. The more data available and the greater the quality of that data, the more likely it is that an accurate predictive model can be developed.
- 2) Predictive modelling works very well for certain types, most particularly isolated artefacts and artefact scatters, and to a lesser extent scarred trees. For other site types it is far more difficult to accurately establish distribution patterns and therefore make predictive modelling statements. Unfortunately, these site types are generally the rarer site types (in terms of frequency of occurrence) and are therefore generally the most significant sites.
- 3) Predictive modelling (unless it is very sophisticated and detailed) will generally not take into account micro-landscape features within a given area. These micro features may include (but is certainly not limited to) slight elevations in the landscape (such as small terraces) or small soaks or drainage depressions that may have held water. These micro features have been previously demonstrated to occasionally be focal points for Aboriginal activity.
- 4) Predictive modelling to a large extent is often predicated on the presence of watercourses. However, in some instances the alignment of these watercourses has changed considerably over time. As a consequence the present alignment of a given watercourse may be substantially different to its alignment in the past. The consequence of this for predictive modelling (if these ancient water courses are not taken into account) is that predicted patterns of site distributions may be greatly skewed.

5.3 A Predictive Model of Site Type Distribution for the Study Area

The findings of previous archaeological investigations undertaken in the general vicinity of the study area indicate that the most likely site types that will be encountered within the study area will be artefact scatters / isolated artefacts, and Aboriginal rock shelters and/or art sites. The following provides a definition for these site types, and a general predictive statement for their distribution within the study area.

Artefact Scatters and Isolated artefacts

Definition

Isolated artefacts are defined as single stone artefacts. Where isolated finds are closer than 50 linear metres to each other they should generally be recorded as an artefact scatter. Artefact scatters are usually identified as a scatter of stone artefacts lying on the ground surface. For the purposes of this project, artefact scatters are defined as at least 2 artefacts within 50 linear metres of each other. Artefacts spread beyond this can be best defined as isolated finds.

It is recognised that this definition, while useful in most instances, should not be strictly prescriptive. On some large landscape features for example, sites may be defined more broadly. In other instances, only a single artefact may be visible, but there is a strong indication that others may be present in the nearby sediments. In such cases it is best to define the site as an Isolated Find/Potential Archaeological Deposit (PAD).

Artefact scatters can vary in size from two artefacts to several thousand, and may be representative of a range of activities, from sporadic foraging through to intensive camping activity. In rare instances, campsites which were used over a long period of time may contain stratified deposits, where several layers of occupation are buried one on top of another.

Site Distribution Patterns:

Previous archaeological research in the region has identified the following pattern of distribution for this site type.

- The majority of artefact scatters are located in close proximity to a water course, on relatively level and well drained ground.
- Larger open artefact scatters (representing more intensive activity, such as regular camp areas), tend to be located on level, elevated landscape features, close to (within 500m) major water courses. The most common areas are the elevated basal slopes of hills, the level spines of spurs (around the termination point of the spur), or on elevated sand bodies;
- Sites are likely to occur at the intersection of the hilly country with the plains. Sheltered valleys at the base of ridgelines have been noted as having an increased likelihood of containing archaeological sites.
- Site and artefact densities on the lower lying flood plains of water courses tend to be comparatively lower. This may be reflective of the

fact these low lying areas were less favoured as camp locations, due to such factors as rising damp and vulnerability to flooding; and

- Site and artefact densities also tend to be comparatively lower in areas away from water courses;
- Site and artefact densities are comparatively lower moderate to steeply sloping terrain.
- Isolated artefacts may be found distributed across the landscape.

Predictive Statement:

The study area is located on the lower northern slopes of a hill, on the southern margins of Meadowbank Lake. Prior to the creation of the lake, the northern boundary of the study area would have been situated between 100m to 200m to the south of the River Derwent.

Applying the broad pattern of Aboriginal site distribution described above to the study area, it would be anticipated that the density of sites (artefact scatters), and the density of artefacts associated with these sites would generally be low to moderate. Any sites and artefacts that are present are likely to be situated on benched areas on the lower hill side slopes, adjacent to the margins of Meadowbank Lake. Site and artefact densities would be expected to be much lower on the steeper hill slopes away from the lake margins.

Given the very shallow nature of the soil deposits across much of the study area, any artefacts that are present are likely to be mainly confined to the surface. The possible exception is along the northern edge of the study area, on the fringes of the lake, where there is an accumulation of sand deposits.

Rock Shelters and Rock Art Sites

Definition

As the name implies, these sites are formed under rocky outcrops which may either be escarpments hollowed by erosion, or in the case of rocks such as granite shelters, may be located under boulder overhangs. Such sites may contain deposit and/or art.

Rock art consists of paintings, drawings and/or engravings on rock surfaces. Some of the art may have had a ceremonial or ritual purpose, while other art may have been produced for more secular purposes.

Predictive Statement

Obviously, rock shelters will only occur in areas where there are rock formations of a suitable size and scale to provide potential shelter for human habitation. In the Meadowbank Lake area, the most common form of rock shelters are sandstone caves/overhangs. The underlying geology in the study area and surrounds is dominated by sandstone and numerous sandstone rock shelters have been identified within a 6km radius of the study area. If suitably sized sandstone outcrop features occur within the study area, then there is a reasonable potential that they will have evidence of Aboriginal occupation.

As with rock shelters the location of rock art sites is directly related to the distribution of suitable rock outcrops. In the Highlands region, art sites are most commonly encountered on the smooth surfaces of sandstone overhangs. Several of the rock shelters recorded in the general surrounds of the study area have evidence of rock art.

6.0 Effective Survey Coverage of the Study Area

Survey Coverage

Survey coverage refers to the estimated portion of a study area that has actually been visually inspected during a field survey.

The field survey was undertaken over a period of one day (13/9/2021) by Stuart Huys (CHMA archaeologist) and Rocky Sainty (Aboriginal Heritage Officer). The field survey assessment was focused in the northern portion of the property, north of Meadowbank Road, in the area where the proposed development footprint is located. A total of 4.1km of survey transects were walked across this area, with the average width of each transect being 10m. This equates to a survey coverage of 41 000m². The survey transects were aligned to cover all parts of the northern portion of the property, with a specific focus on the proposed locations for the infrastructure specified in section 1.1 of this report. The transects also covered the section of Meadowbank Road that runs through the property. Figure 9 shows the alignment of the survey transects walked by the field team.

Surface Visibility

Surface Visibility refers to the extent to which the actual soils of the ground surface are available for inspection. There are a number of factors that can affect surface visibility, including vegetation cover, surface water and the presence introduced gravels or materials.

Surface visibility across the inspected areas in the northern portion of the property was estimated to range between 10%-70%, with the estimated average being 40%. This is in the Low-medium range (see Figure 8 for guidelines in estimating surface visibility). However, in the context of Tasmania this level of surface visibility is comparatively good. Importantly, surface visibility across the main proposed infrastructure locations such as the cabin sites and shed was reasonable, ranging between 30% and 40% (see Plates 9-11). There were numerous erosion scalds, vehicle tracks and animal tracks throughout the northern portion of the study area provided locales of improved visibility (see Plates 12-14). In an effort to offset visibility constraints, all areas of improved visibility were inspected by the field team.

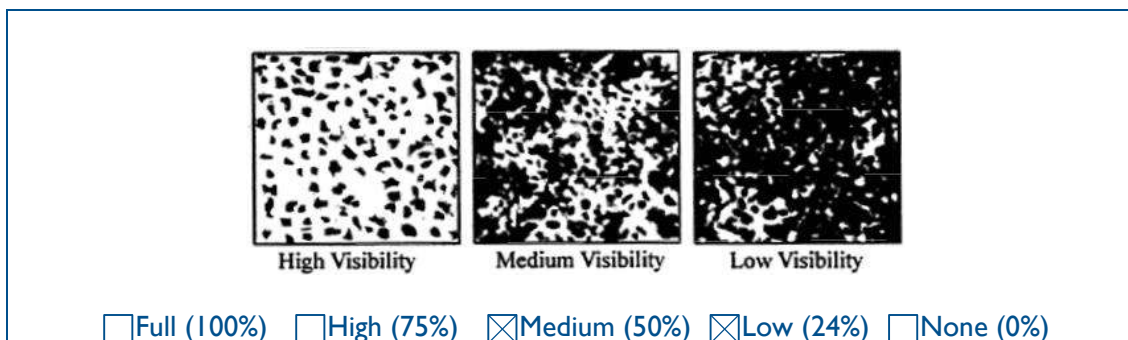


Figure 8: Guidelines for the estimation of surface visibility



Figure 9: Survey transects walked within and in the immediate surrounds of the study area

Effective coverage

Variations in both survey coverage and surface visibility have a direct bearing on the ability of a field team to detect Aboriginal heritage sites, particularly site types such as isolated artefacts and artefact scatters, which are the main site types predicted to occur within the study area. The combination of survey coverage and surface visibility is referred to as effective survey coverage. Table 2 presents the estimated effective survey coverage achieved within the study area, and provides an indication as to the levels of surface visibility within each of the proposed infrastructure footprints. The overall effective coverage is estimated to have been 16 400m². This level of effective coverage is generally considered sufficient for the purposes of determining the likely extent and nature of Aboriginal sites that may be located within the study area.

Table 2: Effective survey coverage across the study area

Portion of Study Area	Total Area Surveyed	Estimated Surface Visibility	Effective Survey Coverage
Cabin 1		40%	
Cabin 2		30%	
Cabin 3		40%	
Shed		50%	
New access track alignment to Cabins		40%	
Total	4 100m x 10m = 41 000m ²	40%	16 400m ²



Plate 9: View west across the location of Cabin 1, with visibility averaging 40%



Plate 10: View east across the location of Cabin 2, with visibility averaging 30%



Plate 11: View west across the location of Cabin 3, with visibility averaging 40%



Plate 12: View west across a large erosion scald in the north part of the study area



Plate 13: View east across a large erosion scald in the central northern part of the study area



Plate 14: View west along Meadowbank Road providing a transect of improved visibility



Plate 15: View west across a thickly grassed part of the study area on the hill slopes, with visibility at 10%

7.0 Survey Results and Discussion

7.1 Survey Results

During the course of the field survey assessment, the field team identified one Aboriginal site (AH13949). The site is low density artefact scatter comprising seven artefacts. It is positioned on a large erosion scald, on the northern boundary of the study area, on the bank immediately above the southern margins of the lake. The artefacts associated with the site were spread across an area measuring 30m (east-west) x 5m, on a large erosion scald area on the southern edge of the lake. The erosion scald itself measures around 60, (east-west) x 30m north-south. Surface visibility across the site area and broader erosion scald was typically good (50-80%), with the area being lightly grassed and vegetated with patches of wattle regrowth. The field team carried out a detailed inspection of the broader erosion scald area as well as a number of other large erosion scalds along the southern margins of the lake, in close proximity to the site. No additional artefacts or suspected cultural features were identified. Given the good surface visibility conditions in the general surrounds of the site, it is likely that the current recorded spatial extent of the site is reasonably accurate. Soils across the site area comprises loosely consolidated sand deposits. The depth of the sand deposits is estimated to be up to a 1m deep. There is the potential for sub-surface artefact deposits to be associated with site AH13949. Based on the observed surface expression, artefact densities would be expected to be in the low to medium range.

Site AH13949 is situated within a moderately to heavily disturbed context. The site is positioned within a rural farm paddock that has been virtually entirely cleared of native vegetation. The site has been heavily eroded by down-slope water run off. In addition, the southern bank of the lake, immediately to the north of the site is steadily being eroded away by wave action. As a result, any artefact deposits associated with this site will have been disturbed to some extent.

Table 3 provides the summary details for site AH13949, with Figure10 showing the location of the site within the study area. The detailed description and photos for site AH13949 is provided in Appendix 2.

Table 3: Summary details for site AH13949

AH No.	Grid Reference (GDA 94)	Site Type	Site Description
AH13949	E485485 N5284308 E485484 N5284303 E485470 N5284313 E485470 N5284309 E485456 N5284314 E485456 N5284310	Artefact scatter	Low density artefact scatter comprising seven stone artefacts. The site is located on the basal northern side slopes of a series of foothills, just above the highwater mark of south margins of Meadowbank Lake. The artefacts associated with site AH13949 were spread across an area measuring 30m (east-west) x 5m, on a large erosion scald area on the southern edge of the lake.

Site AH13949 is not located within the footprint of any of the proposed infrastructure associated with the development proposal. The proposed location of the cabin 3 footprint is the closest infrastructure to the site. This cabin footprint is situated 40m to the south of the site. Figure 11 shows the location of site AH13949 in relation to the proposed development footprint.

Besides site AH13949, no other Aboriginal heritage sites, suspected features or specific areas of elevated archaeological potential were identified in the study area. As described in section 4.3 of this report, a search of the AHR shows that there no registered Aboriginal sites within or in the immediate vicinity of the study area. On this basis, it is apparent that the current layout for the proposed development at Lot 3 Meadowbank Road will have no direct impacts on any known Aboriginal sites.

The issue then becomes whether the development proposal poses a risk for impacting on any undetected Aboriginal heritage sites or features. As described in section 6 of this report, there were some constraints in surface visibility experienced across the study area, with visibility ranging between 10%-70%, with the estimated average being 40%. Given that there were some visibility constraints, it can't be stated with absolute certainty, that there are no undetected Aboriginal sites located within the study area. With this acknowledged, an average surface visibility of 40% is comparatively good for Tasmania, where dense vegetation cover is a common occurrence. The negative survey findings across the remainder of the study area can therefore be taken as providing a reasonable indication that sites are either absent across the rest of the study area, or alternatively, if sites are present, they are likely to be low density artefact scatters or isolated artefacts representing more sporadic activity. Importantly, surface visibility across the proposed footprint areas of the development proposal (the three cabin sites, the shed and access road) was quite good, ranging between 30%-50%. Soils in these areas were also quite shallow. Taking these factors into account, it is assessed that the potential for undetected Aboriginal sites to be present within the proposed development footprint is significantly reduced.

The field survey assessment was able to confirm that there are no sandstone outcrop features present within the study area that would be suitable for human occupation. Whilst sandstone bedrock is exposed to the surface across much of the study area, the outcroppings are all under 1m in height. As part of the survey assessment, a survey inspection was undertaken of the shoreline to check if there may be any submerged sandstone features in this area. No submerged sandstone features were observed. It should be noted that there are sandstone outcrops present on the steeper hill slopes in the southern portion of the Lot 3 Meadowbank Road property. These outcrops are well outside (to the south) of the boundaries of the study area and were not inspected as part of this assessment. There is some potential for rock shelter features to occur in these areas.

7.2 Further Discussions

The available ethnographic information indicates that the study area was situated within the territory of the Pangerninghe clan from the Big River Nation, who were based around the Clyde-Derwent Junction. Travel across the Big River Nation's

lands was via well maintained and regularly used travelling routes. One of the main travelling routes through to the Highlands region is likely to have followed closely to the River Derwent valley system and the Ouse River valley system. Both river valley systems would have afforded reliable water and plentiful food resources. Additionally, there were numerous sandstone rock shelter features present along sections of both river valleys that afforded comfortable, sheltered camp locations. There would have also been a number of elevated, level and well drained landscape features adjacent to the rivers that would have offered comfortable open campsite locations. These campsites would have been visited on an interim seasonal basis by people from the Big River Nation moving between the Highlands and the coast. Seasonal, short term occupation of these camp locations are likely to leave an archaeological signature of moderate to high artefact deposits.

The study area is located on the lower hill slopes fringing the southern edge of the River Derwent. Prior to the creation of Meadowbank Dam, the study area would have been between 100m to 200m to the south of the main river channel. Occasionally, the hillier terrain fringing these river corridors may have been accessed as part of hunting and foraging activity. However, people are unlikely to have camped on these hill slopes for any duration. The archaeological signature of this activity will most likely be low density artefact scatters and isolated artefacts. Site AH13949 is likely to be representative of this more sporadic activity within these hill slopes fringing the river.



Figure 10: Aerial image showing the location of site AH13949 on the northern boundary of the study area

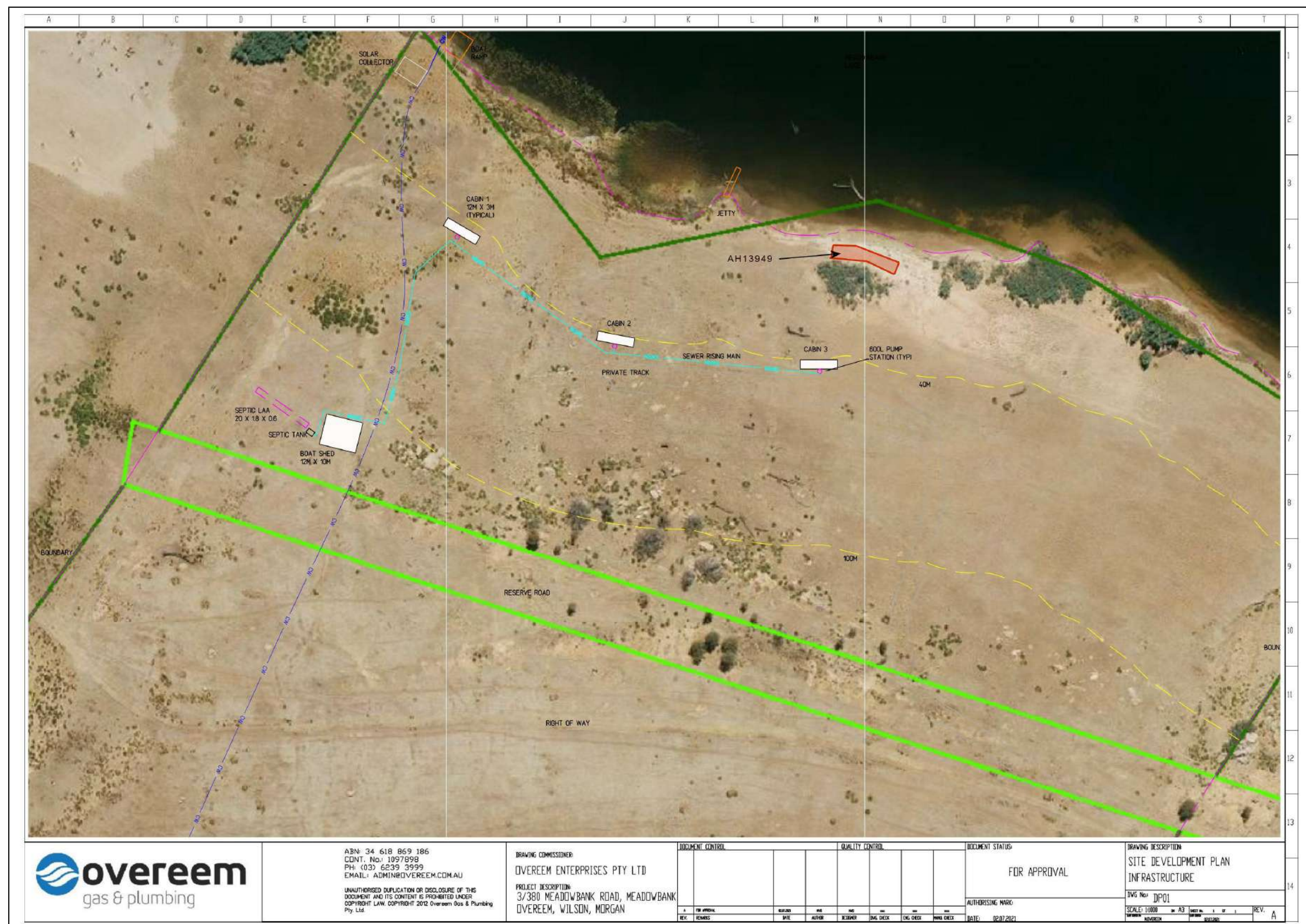


Figure 11: Aerial image showing the location of AH13949 in relation to the proposed development footprint

8.0 Site Significance Assessments

The following provides an outline of the processes used to assess the significance of any cultural heritage sites that were identified during the course of the assessment.

8.1 Assessment Guidelines

There are several different ways of defining types of significance, and many practitioners have developed their own system of significance assessment. However, as Sullivan and Pearson (1995) point out, there seems to be a general advantage in using a set of criteria which is already widely accepted. In Australia cultural significance is usually assessed against the Burra Charter guidelines and the Australian Heritage Commission guidelines (ICOMOS 1988, 1999).

8.2 The Burra Charter

Under the guidelines of the Burra Charter 'cultural significance' refers to the 'aesthetic, historic, scientific, social or spiritual value for past, present or future generations' of a 'place' (ICOMOS 1999:2). The guidelines to the Burra Charter comment:

"Although there are a variety of adjectives used in definitions of cultural significance in Australia, the adjectives 'aesthetic', 'historic', 'scientific' and 'social' ... can encompass all other values".

The following provides the descriptions given for each of these terms.

Aesthetic Value

Aesthetic value includes aspects of sensory perception for which criteria can and should be stated. Such criteria may include consideration of the form, scale, colour, texture and materials of the fabric; the smells and sounds associated with the place and its use (Marquis-Kyle & Walker 1992).

Historic Value

A place may have historic value because it has influenced, or has been influenced by, an historic figure, event, phase or activity. It may also have historic value as the site of an important event. For any given place the significance will be greater where evidence of the association or event survives in situ, or where the settings are substantially intact, than where it has been changed or evidence does not survive. However, some events or associations may be so important that the place retains significance regardless of subsequent treatment (Marquis-Kyle & Walker 1992).

Scientific Value

The scientific or research value of a place will depend upon the importance of the data involved or its rarity, quality or representativeness and on the degree to which the place may contribute further substantial information.

A site or a resource is said to be scientifically significant when its further study may be expected to help current research questions. That is, scientific significance is defined as research potential (Marquis-Kyle & Walker 1992).

Social Value

The social value of a place is perhaps the most difficult value for heritage professionals to substantiate (Johnston 1994). However, social value is broadly defined as ‘the qualities for which a place has become a focus of spiritual, political, natural or other cultural sentimental to a majority or minority group’ (ICOMOS 1988:30). In What is Social Value, Johnston (1994) has provided a clear definition of social value:

“Social value is about collective attachment to places that embody meaning important to a community, these places are usually community owned or publicly accessible or in some other way ‘appropriated’ into people’s daily lives. Such meanings are in addition to other values, such as the evidence of valued aspects of history or beauty, and these meanings may not be apparent in the fabric of the place, and may not be apparent to the disinterested observer”. (Johnston 1994:10)

Although encompassed within the criterion of social value, the spiritual value of a place is a more recent addition to the Burra Charter (ICOMOS 1999:1). Spiritual value is predominantly used to assess places of cultural significance to Indigenous Australians.

The degree to which a place is significant can vary. As Johnston (1994:3) has stated when trying to understand significance a ‘variety of concepts [are] used from a geographical comparison (‘national’, ‘state’, ‘local’) to terms such as ‘early’, ‘rare’, or ‘seminal’’. Indeed, the Burra Charter clearly states that when assessing historic significance, one should note that for:

“any given place the significance will be greater where evidence of the association or event survives in situ, or where the setting are substantially intact, than where it has been changed or evidence does not survive”. (ICOMOS 1988:29)

8.3 Significance Criteria Relevant to Indigenous Sites

Indigenous heritage sites and places may have educational, tourism and other values to groups in society. However, their two principal values are likely to be in terms of their cultural / social significance to Aboriginal people and their scientific / archaeological significance. These are the two criteria that are commonly used in establishing the significance of Aboriginal sites. The following provides an explanation of these criteria.

1) Aboriginal Cultural / Social Significance

This relates to the value placed upon a site or suite of sites by the local or regional Aboriginal community. The identification and assessment of those sites that are significant to Aboriginal people is a matter for Aboriginal people. This assessment can only be made by the appropriate Aboriginal representatives of the relevant community.

2) Scientific (Archaeological) Significance

Archaeological significance values (or scientific values) generally are assessed on the potential of a site or place to generate knowledge through archaeological

research or knowledge. Bowdler (1984) states that the scientific significance should be assessed according to timely and specific research questions (research potential) and site representativeness.

Research potential entails the potential of a site or suite of sites for scientific research and excavation. This is measured in terms of a site's ability to provide information on aspects of Aboriginal culture. In this respect, the contents of a site and their state of preservation are important considerations.

Representativeness takes account of how common a site type is (Bowdler 1984). That is, it allows sites to be evaluated with reference to the known archaeological record within the given region. The primary goal of cultural resource management is to afford the greatest protection to a representative sample of sites throughout a region. The corollary of a representative site is the notion of a rare or unique site. These sites may help to understand the patterning of more common sites in the surrounding area, and are therefore often considered of archaeological significance. The concept of a rarity cannot be easily separated from that of representativeness. If a site is determined to be rare, then it will by definition be included as part of the representative sample of that site type.

The concepts of both research potential and representativeness are ever changing variables. As research interests shift and archaeological methods and techniques change, then the criteria for assessing site significance are also re-evaluated. As a consequence, the sample of site types which are used to assess site significance must be large enough to account for the change in these variables.

8.4 Summary Significance Ratings for Recorded Sites

One Aboriginal site has been identified during the course of the present investigations (AH13949). The site has been assessed and allocated a rating of significance, based on the criteria presented in section 8.2. As discussed in section 8.2, Aboriginal sites are usually assessed in terms of their scientific and social significance. The concepts of Aesthetic significance and Historic significance are rarely applied in the assessment of Aboriginal sites unless there is direct evidence for European/Aboriginal contact activity at the site, or the site has specific and outstanding aesthetic values. However, based on advice received from AHT, aesthetic and historic significance values have also been taken into consideration as part of the assessment of site AH13949.

A five tiered rating system has been adopted for the significance assessment; low, low-medium, medium, medium-high and high. Table 4 provides the summary details for significance ratings for site AH13949. A more detailed explanation for the assessment ratings are presented in sections 8.5 to 8.8. A statement of social significance, prepared by Rocky Sainty, is presented in section 9 of this report.

Table 4: Summary significance ratings for the Aboriginal site AH13949

TASI Site Number	Site Type	Scientific Significance	Aesthetic Significance	Historic Significance	Social Significance
AH13949	Artefact scatter	Low-Medium	Medium	N/A	High

8.5 Scientific Significance for Recorded Sites

Archaeological (or scientific) significance values generally are assessed on the potential of a site or place to generate knowledge through archaeological research or knowledge. Bowdler (1984) states that the scientific significance should be assessed according to timely and specific research questions (research potential) and site representativeness. Research potential entails the potential of a site or suite of sites for scientific research and excavation. This is measured in terms of a site's ability to provide information on aspects of Aboriginal culture. In this respect, the contents of a site and their state of preservation are important considerations. Representativeness takes account of how common a site type is (Bowdler 1984).

Site AH13949 is classified as a low density artefact scatter comprising seven artefacts. Isolated artefacts and artefact scatters are two of the most common site types recorded in the Region (as evidenced through the AHR search results) and more broadly, the State of Tasmania. As such, the scientific significance of artefact scatters and isolated artefacts usually relates primarily to their research potential as opposed to the rarity of the site type. The potential exception to this is where comparatively rare artefact types (either tool or stone material types) are represented in assemblages.

In this instance, site AH13949 is assessed as being of low-medium scientific significance. The rationale for this assessment is as follows.

- 1) The site is a common site type in the region and as such rarity is not a consideration.
- 2) The artefacts associated with the site comprise tool types (flakes) and stone material types (chert and silcrete) that are commonly represented in artefact assemblages across the region. As such, rarity is again not a consideration.
- 3) The site has been subject to moderate levels of prior disturbance associated with farming activity and erosion. These disturbances have reduced the research potential of the site to some extent.
- 4) It is assessed that there is some potential for additional undetected surface artefacts to be associated with site AH13949, however artefact densities are likely to be low to low-moderate. This further limits the research potential of the site.

8.6 Aesthetic Significance for Recorded Sites

Aesthetic value includes aspects of sensory perception for which criteria can and should be stated. Such criteria may include consideration of the form, scale, colour, texture and materials of the fabric; the smells and sounds associated with the place and its use (Marquis-Kyle & Walker 1992).

Site AH13949 is situated in a landscape that has been modified through land clearing and farming practices, and the flooding of the River Derwent to create Meadowbank Lake. These land disturbances have reduced the aesthetic setting of the site to some extent. However, the intrinsic nature of the landscape in this area has not been dramatically altered. On this basis, the landscape setting of AH13949 is assessed as being Medium.

8.7 Historic Significance for Recorded Sites

A place may have historic value because it has influenced, or has been influenced by, an historic figure, event, phase or activity. It may also have historic value as the site of an important event. For any given place the significance will be greater where evidence of the association or event survives in situ, or where the settings are substantially intact, than where it has been changed or evidence does not survive. However, some events or associations may be so important that the place retains significance regardless of subsequent treatment (Marquis-Kyle & Walker 1992).

Historic significance is not an attribute often considered when assessing the significance of Aboriginal sites unless there is direct evidence for some form of European/Aboriginal contact activity. In this instance no such evidence exists site AH13949. As such the concept of historic significance is not applicable to this site.

8.8 Significance Under the Aboriginal Heritage Act 1975

In Tasmania, the *Aboriginal Heritage Act 1975* (the Act) is the primary Act for the treatment of Aboriginal cultural heritage. Under Part 1, Section 2(8) of the *Aboriginal Heritage Act 1975*, Aboriginal tradition and significance is defined as follows.

Aboriginal tradition means –

- (a) the body of traditions, knowledge, observances, customs and beliefs of Aboriginal people generally or of a particular community or group of Aboriginal people; and
- (b) any such tradition, knowledge, observance, custom or belief relating to particular persons, areas, objects or relationships;

significance, of a relic, means significance in accordance with –

- (a) the archaeological or scientific history of Aboriginal people; or
- (b) the anthropological history of Aboriginal people; or
- (c) the contemporary history of Aboriginal people; or
- (d) Aboriginal tradition.

In accordance with the *Aboriginal Heritage Standards and Procedures 2018*, Aboriginal heritage assessments in Tasmania have addressed the issue of significance as per the Burra Charter 2013. This approach has been adopted for this assessment (see sections 8.1 to 8.7 above). However, AHT have now advised that in order to ensure compliance with the *Aboriginal Heritage Act 1975* (the Act), assessments are now also to also consider significance and Aboriginal tradition as defined in the Act.

The Act came into effect in 1975, which is several decades before the Burra Charter Guidelines and protocols for determining significance were developed. To a large extent, the definitions of Aboriginal tradition and significance, as defined under Section 2(8) of the Act are covered by the Burra Charter, and have been addressed in this report.

The archaeological or scientific history of Aboriginal people (a) is covered under the concept of Scientific significance. This component of significance, as it relates to site AH13851, have been addressed in detail in sections 8.2, 8.3 and 8.5 of this report.

Aboriginal cultural, social and spiritual significance under the Burra Charter relates to the value placed upon a site or suite of sites by the local or regional Aboriginal community (see sections 8.2 and 8.3 of this report). The definition of Aboriginal tradition, as provided in the Act, is broadly covered under this section of the Burra Charter. As is the anthropological history of Aboriginal people (b), the contemporary history of Aboriginal people (c) and Aboriginal tradition (d).

The notion of Aboriginal cultural, social and spiritual significance, and the assessment of these values is a matter for Aboriginal people and can only be made by the appropriate Aboriginal representatives of the relevant communities. Section 9 of this report presents a statement of cultural/social significance provided by Rocky Sainty for site AH13949, recorded during the current assessment, and the study area as a whole. Rocky Sainty is an experienced Aboriginal Heritage Officer, and a respected member of the Tasmanian Aboriginal community.

As described in section 3 of this report, the available ethnographic information indicates that the study area is situated within land traditionally occupied by the Pangerninghe clan from the Big River Nation. Site AH13949 is one numerous sites recorded along this section of the River Derwent valley system that provide tangible evidence for the occupation of this area by the Pangerninghe clan. The sites are highly important to the contemporary Tasmanian Aboriginal community (see section 9 below).

9.0 Consultation with Aboriginal Communities and Statement of Aboriginal Significance

The designated Aboriginal Heritage Officer (AHO) for this project is Rocky Sainty. One of the primary roles of the Aboriginal Heritage Officer is to consult with Aboriginal community groups. The main purpose of this consultation process is:

- to advise Aboriginal community groups of the details of the project,
- to convey the findings of the Aboriginal heritage assessment,
- to document the Aboriginal social values attributed to Aboriginal heritage resources in the study area,
- to discuss potential management strategies for Aboriginal heritage sites, and
- to document the views and concerns expressed by the Aboriginal community representatives.

Aboriginal Heritage Tasmania (AHT) has recently advised that there have been some changes to the accepted approach to Aboriginal community consultation, based on recommendations made by the AHC on 28 April 2017. These changes relate to cases where the AHC consider it may be sufficient for a Consulting Archaeologist (CA) or Aboriginal Heritage Officer (AHO) to consult only with the Aboriginal Heritage Council.

The Council recommended that consultation with an Aboriginal community organisation is not required for a proposed project when:

There are less than 10 isolated artefacts that are not associated with any other nearby heritage; or

The impact of the project on Aboriginal heritage:

- is not significant; or
- will not destroy the heritage; or
- affects only part of the outer approximately 20% of a buffer around a registered site

The CA and AHO will need to demonstrate in Aboriginal heritage reports including map outputs:

- that the proposed impact on the Aboriginal heritage within the project area is not significant and why;
- that the project activity will not destroy the heritage;
- that the proposed impact to the site buffer is not adjacent to a significant component of the registered site polygon.

One Aboriginal site was identified during the field survey of the study area at Lot 3 Meadowbank Road (site AH13949, which is an artefact scatter). The site is not located within the proposed development footprint and is not under any direct threat of impact from the development. Recommendations have been put in place to ensure that the site is not inadvertently impacted during development activity (see section 11 of this report).

No other Aboriginal heritage sites, suspected cultural features or specific areas of archaeological potential were identified within or in the immediate vicinity of the study area. As described in section 4.3 of this report, a search of the AHR shows that there are no registered Aboriginal sites within or in the immediate vicinity of the study area. On this basis, it is apparent that the proposed development at Lot 3 Meadowbank Road will have no direct impacts on any known Aboriginal sites. It is assessed that there is a low to very low potential for the development to impact on any undetected Aboriginal heritage values.

Given the above, the report for this assessment has been provided to a select range of Aboriginal organisations in the State for information purposes. The report has also been provided to AHT for review and comment. Rocky Sainty has provided a statement of the Aboriginal cultural values attributed to site AH13949, and the study area as a whole. This statement is presented below.

Statement of Cultural/Social Significance by Rocky Sainty

Aboriginal heritage provides a direct link to the past, however is not limited to the physical evidence of the past. It includes both tangible and intangible aspects of culture. Physical and spiritual connection to land and all things within the landscape has been, and continues to be, an important feature of cultural expression for Aboriginal people since creation.

Physical evidence of past occupation of a specific place may include artefacts, living places (middens), rock shelters, markings in rock or on the walls of caves and/or rock shelters, burials and ceremonial places. Non-physical aspects of culture may include the knowledge (i.e. stories, song, dance, weather patterns, animal, plant and marine resources for food, medicines and technology) connected to the people and the place.

*While so much of the cultural landscape that was **lutruwita** (Tasmania) before invasion and subsequent colonization either no longer exists, or has been heavily impacted on, these values continue to be important to the Tasmanian Aboriginal community, and are relevant to the region of the project proposal.*

We identified one Aboriginal site during our survey assessment of the Lot 3 Meadowbank Road development proposal. This site (AH13949) is an artefact scatter. I have read the CHMA significance rating for site AH13949, and whilst I agree with the scientific significance of Low-medium, I would advocate that this site is of high cultural significance. Site AH13949 is one of many Aboriginal heritage sites that have been recorded along the River Derwent. These sites are highly important to the Tasmania Aboriginal community as they provide physical evidence of the occupation of the area by our old people.

My understanding is that site AH13949 is located outside the proposed development footprint, and is therefore not going to be directly impacted. I support the recommendations presented in this report to protect the site from accidental impacts during construction.

We did not identify any Aboriginal sites throughout the remainder of the study area, and I am satisfied that there is a very low potential for any undetected Aboriginal sites to be present. On this basis, I am confident that the proposed development will not impact on Aboriginal cultural heritages sites or features.

10.0 Statutory Controls and Legislative Requirements

The following provides an overview of the relevant State and Federal legislation that applies for Aboriginal heritage within the state of Tasmania.

10.1 State Legislation

In Tasmania, the *Aboriginal Heritage Act 1975* (the Act) is the primary Act for the treatment of Aboriginal cultural heritage. The Act is administered by the Minister for Aboriginal Affairs through Aboriginal Heritage Tasmania (AHT) in the Department of Primary Industries, Parks, Water and the Environment (DPIPWE). AHT is the regulating body for Aboriginal heritage in Tasmania and '[n]o fees apply for any application to AHT for advice, guidance, lodgement or permit application'.

The Act applies to 'relics' which are any object, place and/or site that is of significance to the Aboriginal people of Tasmania (as defined in section 2(3) of the Act). The Act defines what legally constitutes unacceptable impacts on relics and a process to approve impacts when there is no better option. Aboriginal relics are protected under the Act and it is illegal to destroy, damage, deface, conceal or otherwise interfere with a relic, unless in accordance with the terms of a permit granted by the Minister. It is illegal to sell or offer for sale a relic, or to cause or permit a relic to be taken out of Tasmania without a permit (section 2(4) qualifies and excludes 'objects made, or likely to have been made, for purposes of sale').

Section 10 of the Act sets out the duties and obligations for persons owning or finding an Aboriginal relic. Under section 10(3) of the Act, a person shall, as soon as practicable after finding a relic, inform the Director or an authorised officer of the find.

It should be noted that with regard to the discovery of suspected human skeletal remains, the *Coroners Act 1995* takes precedence. The *Coroners Act 1995* comes into effect initially upon the discovery of human remains, however once determined to be Aboriginal the *Aboriginal Heritage Act* overrides the *Coroners Act*.

In August 2017, the Act was substantively amended and the title changed from the *Aboriginal Relics Act 1975*. As a result, the AHT *Guidelines to the Aboriginal Heritage Assessment Process* were replaced by the *Aboriginal Heritage Standards and Procedures*. The Standards and Procedures are named in the statutory *Guidelines* of the Act issued by the Minister under section 21A of the Act. Other amendments include:

- An obligation to fully review the Act within three years.
- Increases in maximum penalties for unlawful interference or damage to an Aboriginal relic. For example, maximum penalties (for deliberate acts) are 10,000 penalty units (currently \$1.57 million) for bodies corporate other than small business entities and 5,000 penalty units (currently \$785,000) for individuals or small business entities; for reckless or negligent offences, the maximum penalties are 2,000 and 1,000 penalty units respectively (currently \$314,000 and \$157,000). Lesser offences are also defined in sections 10, 12, 17 and 18.

- Prosecution timeframes have been extended from six months to two years.
- The establishment of a statutory Aboriginal Heritage Council to advise the Minister.

Section 21(1) specifies the relevant defence as follows: “It is a defence to a prosecution for an offence under section 9 or 14 if, in relation to the section of the Act which the defendant is alleged to have contravened, it is proved ... that, in so far as is practicable ... the defendant complied with the guidelines”.

10.2 Commonwealth Legislation

There are also a number of Federal Legislative Acts that pertain to cultural heritage. The main Acts being; *The Australian Heritage Council Act 2003*, *The Aboriginal and Torres Strait Islander Heritage Protection Act 1987* and the *Environment Protection and Biodiversity Conservation Act 1999*

Australian Heritage Council Act 2003 (Comm)

The *Australian Heritage Council Act 2003* defines the heritage advisory boards and relevant lists, with the Act's Consequential and Transitional Provisions repealing the Australian Heritage Commission Act 1975. The Australian Heritage Council Act, like the Australian Heritage Commission Act, does not provide legislative protection regarding the conservation of heritage items in Australia, but has compiled a list of items recognised as possessing heritage significance to the Australian community. The Register of the National Estate, managed by the Australian Heritage Council, applies no legal constraints on heritage items included on this list.

The Aboriginal and Torres Strait Islander Heritage Protection Act 1987.

This Federal Act is administered by the Department of Sustainability, Environment, Water, Populations and Communities (SEWPaC) with the Commonwealth having jurisdiction. The Act was passed to provide protection for the Aboriginal heritage, in circumstances where it could be demonstrated that such protection was not available at a state level. In certain instances, the Act overrides relevant state and territory provisions.

The major purpose of the Act is to preserve and protect from injury and desecration, areas and objects of significance to Aborigines and Islanders. The Act enables immediate and direct action for protection of threatened areas and objects by a declaration from the Commonwealth minister or authorised officers. The Act must be invoked by, or on behalf of an Aboriginal or Torres Strait Islander or organisation.

Any Aboriginal or Torres Strait Islander person or organization may apply to the Commonwealth Minister for a temporary or permanent 'Stop Order' for protection of threatened areas or objects of significant indigenous cultural heritage.

The Commonwealth Act 'overrides' State legislation if the Commonwealth Minister is of the opinion that the State legislation (or undertaken process) is insufficient to protect the threatened areas or objects. Thus, in the event that an application is made to the Commonwealth Minister for a Stop Order, the Commonwealth Minister will, as a matter of course, contact the relevant State Agency to ascertain what

protection is being imposed by the State and/or what mitigation procedures have been proposed by the landuser/developer.

In addition to the threat of a 'Stop Order' being imposed, the Act also provides for the following:

- If the Federal Court, on application from the Commonwealth Minister, is satisfied that a person has engaged or is proposing to engage in conduct that breaches the 'Stop Order', it may grant an injunction preventing or stopping such a breach (s.26). Penalties for breach of a Court Order can be substantial and may include a term of imprisonment;
- If a person contravenes a declaration in relation to a significant Aboriginal area, penalties for an individual are a fine up to \$10,000.00 and/or 5 years gaol and for a Corporation a fine up to \$50,000.00 (s.22);
- If the contravention is in relation to a significant Aboriginal object, the penalties are \$5,000.00 and/or 2 years gaol and \$25,000.00 respectively (s.22);
- In addition, offences under s.22 are considered 'indictable' offences that also attract an individual fine of \$2,000 and/or 12 months gaol or, for a Corporation, a fine of \$10,000.00 (s.23). Section 23 also includes attempts, inciting, urging and/or being an accessory after the fact within the definition of 'indictable' offences in this regard.

The Commonwealth Act is presently under review by Parliament and it is generally accepted that any new Commonwealth Act will be even more restrictive than the current legislation.

Environment Protection and Biodiversity Conservation Act 1999 (Comm)

This Act was amended, through the Environment and Heritage Legislation Amendment Act (No1) 2003 to provide protection for cultural heritage sites, in addition to the existing aim of protecting environmental areas and sites of national significance. The Act also promotes the ecologically sustainable use of natural resources, biodiversity and the incorporation of community consultation and knowledge.

The 2003 amendments to the *Environment Protection and Biodiversity Conservation Act 1999* have resulted in the inclusion of indigenous and non-Indigenous heritage sites and areas. These heritage items are defined as:

'indigenous heritage value of a place means a heritage value of the place that is of significance to indigenous persons in accordance with their practices, observances, customs, traditions, beliefs or history;

Items identified under this legislation are given the same penalty as actions taken against environmentally sensitive sites. Specific to cultural heritage sites are §324A-324ZB.

Environment and Heritage Legislation Amendment Act (No1) 2003 (Comm)

In addition to the above amendments to the *Environment Protection and Biodiversity Conservation Act 1999* to include provisions for the protection and conservation of heritage, the Act also enables the identification and subsequent listing of items for

the Commonwealth and National Heritage Lists. The Act establishes the *National Heritage List*, which enables the inclusion of all heritage, natural, Indigenous and non-Indigenous, and the *Commonwealth Heritage List*, which enables listing of sites nationally and internationally that are significant and governed by Australia.

In addition to the *Aboriginal and Torres Strait Islander Heritage Protection Act 1987*, amendments made to the *Environment Protection and Biodiversity Conservation Act 1999 (Cth)* enables the identification and subsequent listing of indigenous heritage values on the Commonwealth and/or National Heritage Lists (ss. 341D & 324D respectively). Substantial penalties (and, in some instances, gaol sentences) can be imposed on any person who damages items on the National or Commonwealth Heritage Lists (ss. 495 & 497) or provides false or misleading information in relation to certain matters under the Act (ss.488-490). In addition, the wrongdoer may be required to make good any loss or damage suffered due to their actions or omissions (s.500).

11.0 Aboriginal Cultural Heritage Management Plan

Heritage management options and recommendations provided in this report are made on the basis of the following criteria.

- Background research into the extant archaeological and ethno-historic record for the study area and the surrounding region (see sections 3 and 4 of this report).
- The results of the investigation as documented in this report (see section 7)
- Consultation with Aboriginal Heritage Officer Rocky Sainty and the outcomes of the Aboriginal community consultation (see section 9)
- The legal and procedural requirements as specified in the *Aboriginal Heritage Act 1975* (see section 10).

Recommendation 1 (Conservation and Protection of Site AH13949)

Grid references: (GDA 94)

- E485485 N5284308
- E485484 N5284303
- E485470 N5284313
- E485470 N5284309
- E485456 N5284314
- E485456 N5284310

Site AH13949 is low density artefact scatter (7 artefacts). The site has been assessed as being of Low-medium scientific significance and high social significance. The grid references above denote the recorded site boundaries, with Figure 12 showing the spatial extent of the site.

Site AH13949 is not located within the footprint of any of the proposed infrastructure associated with the development proposal. The proposed location of the cabin 3 footprint is the closest infrastructure to the site. This cabin footprint is situated 40m to the south of the site.

It is recommended that site AH13949 is conserved in-situ and protected from any future proposed development works on Lot 3 Meadowbank Road. To this end, the following measures should be implemented.

- The spatial extent of site AH13949 should be plotted onto any design plans for the development and it noted that the site is not to be impacted.
- Any contractors undertaking construction works on the property should be made aware of the presence of site AH13949 and informed that the site is not to be impacted.
- In terms of medium and long term management of the site, the site area should be allowed to naturally re-vegetate, which will assist in stabilisation of exiting erosion activity. It is noted that re-vegetation has already started to occur across the site area. If wave erosion along the foreshore in front of site AH13949 continues, then consideration should be given to stabilising the base of the eroded banks with rocks. This should be done without any impacts to the recorded boundaries of the site.

As specified in section 10.1 of this report, all Aboriginal relics are protected under the *Aboriginal Heritage Act 1975* (The Act). It is illegal to destroy, damage, deface, conceal or otherwise interfere with a relic, unless in accordance with the terms of a permit granted by the Minister. Therefore, if there is a risk of site AH13949 being impacted by proposed development works, then the proponent will need to apply for and obtain a permit to impact the site prior to any works proceeding.

Recommendation 2 (The Remainder of the study area)

Besides site AH13949, no other Aboriginal heritage sites, suspected features or specific areas of elevated archaeological potential were identified within the study area on Lot 3 Meadowbank Road. A search of the AHR shows that there are no other registered Aboriginal sites situated within or in the immediate vicinity of the study area. It is assessed that there is a low potential for undetected Aboriginal heritage sites to be present in the proposed development footprint. On this basis it is advised that there are no other Aboriginal heritage constraints to development works proceeding.

Recommendation 3 (General Recommendations)

If previously undetected Aboriginal heritage sites, objects or suspected features are located during the course of the proposed development works, the processes outlined in the Unanticipated Discovery Plan should be followed (see Appendix 3). A copy of the Unanticipated Discovery Plan (UDP) should be kept on site during all ground disturbance work. All construction personnel should be made aware of the Unanticipated Discovery Plan and their obligations under the *Aboriginal Heritage Act 1975* (the Act).

Copies of this report should be submitted to Aboriginal Heritage Tasmania (AHT) and the Aboriginal Heritage Council (AHC) for review and comment.



Figure 12: Aerial image showing the location and spatial extent of site AH13949

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Glossary of Terms

Aboriginal Archaeological Site

A site is defined as any evidence (archaeological features and/or artefacts) indicating past Aboriginal activity, and occurring within a context or place relating to that activity. The criteria for formally identifying a site in Australia vary between States and Territories.

Artefact

A portable object that has been humanly made or modified (see also stone artefact).

Assemblage (lithic)

A collection of complete and fragmentary stone artefacts and manuports obtained from an archaeological site, either by collecting artefacts scattered on the ground surface, or by controlled excavation.

Broken Flake

A flake with two or more breakages, but retaining its area of break initiation.

Chert

A highly siliceous rock type that is formed biogenically from the compaction and precipitation of the silica skeletons of diatoms. Normally there is a high percentage of cryptocrystalline quartz. Like chalcedony, chert was valued by Aboriginal people as a stone material for manufacturing stone tools. The rock type often breaks by conchoidal (shell like) fracture, providing flakes that have hard, durable edges.

Cobble

Water worn stones that have a diameter greater than 64mm (about the size of a tennis ball) and less than 256mm (size of a basketball).

Core

A piece of stone, often a pebble or cobble, but also quarried stone, from which flakes have been struck for the purpose of making stone tools.

Core Fragments

A piece of core, without obvious evidence of being a chunky primary flake.

Cortex

The surface of a piece of stone that has been weathered by chemical and/or physical means.

Debitage

The commonly used term referring to the stone refuse discarded from knapping. The manufacturing of a single implement may result in the generation of a large number of pieces ofdebitage in an archaeological deposit.

Flake (general definition)

A piece of stone detached from a nucleus such as a core. A complete or substantially complete flake of lithic material usually shows evidence of hard indenter initiation, or occasional bending initiation. The most common type of flake is the 'conchoidal flake'. The flake's primary fracture surface (the ventral or inside surface) exhibits features such as fracture initiation, bulb of force, and undulations and lances that indicate the direction of the fracture front.

Flake fragment

An artefact that does not have areas of fracture initiation, but which displays sufficient fracture surface attributes to allow identification as a stone artefact fragment.

Flake portion (broken flake)

The proximal portion of a flake retaining the area of flake initiation, or a distal portion of a flake that retains the flake termination point.

Flake scraper

A flake with retouch along at least one margin. The character of the retouch strongly suggests shaping or rejuvenation of a cutting edge.

Nodules

Regular or irregular cemented masses or nodules within the soil. Also referred to as concretions and buckshot gravel. Cementing agents may be iron and/or manganese oxides, calcium carbonate, gypsum etc. Normally formed in situ and commonly indicative of seasonal waterlogging or a fluctuating chemical environment in the soil such as; oxidation and reduction, or saturation and evaporation. Nodules can be redistributed by erosion. (See also 'concretion').

Pebble

By geological definition, a waterworn stone less than 64 mm in diameter (about the size of a tennis ball). Archaeologists often refer to waterworn stones larger than this as pebbles though technically they are cobbles.

Quartz

A mineral composed of crystalline silica. Quartz is a very stable mineral that does not alter chemically during weathering or metamorphism. Quartz is abundantly common and was used by Aboriginal people throughout Australia to make light-duty cutting tools. Despite the often unpredictable nature of fracture in quartz, the flakes often have sharp cutting edges.

Quartzite

A hard silica rich stone formed in sandstone that has been recrystallised by heat (metaquartzite) or strengthened by slow infilling of silica in the voids between the sand grains (Orthoquartzite).

Retouch (on stone tools)

An area of flake scars on an artefact resulting from intentional shaping, resharpening, or rejuvenation after breakage or blunting of a cutting edge. In resharpening a cutting edge the retouch is invariably found only on one side (see also 'indeterminate retouched piece', retouch flake' etc).

Scraper

A general group of stone artefacts, usually flakes but also cores, with one or more retouched edges thought to have been used in a range of different cutting and scraping activities. A flake scraper is a flake with retouch along at least one margin, but not qualifying for attribution to a more specific implement category. Flake scrapers sometimes also exhibit use-wear on the retouched or another edge.

Silcrete

A hard, fine grained siliceous stone with flaking properties similar to quartzite and chert. It is formed by the cementing and/or replacement of bedrock, weathering deposits, unconsolidated sediments, soil or other material, by a low temperature physico-chemical process. Silcrete is essentially composed of quartz grains cemented by microcrystalline silica. The clasts in silcrete are most often quartz grains but may be chert or chalcedony or some other hard mineral particle. The mechanical properties and texture of silcrete are equivalent to the range exhibited by chert at the fine-grained end of the scale and with quartzite at the coarse-grained end of the scale. Silcrete was used by Aboriginal people throughout Australia for making stone tools.

Site Integrity

The degree to which post-depositional disturbance of cultural material has occurred at a site.

Stone Artefact

A piece (or fragment) of stone showing evidence of intentional human modification.

Stone procurement site

A place where stone materials is obtained by Aboriginal people for the purpose of manufacturing stone artefacts. In Australia, stone procurement sites range on a continuum from pebble beds in water courses (where there may be little or no evidence of human activity) to extensively quarried stone outcrops, with evidence of pits and concentrations of hammerstones and a thick layer of knapping debris.

Stone tool

A piece of flaked or ground stone used in an activity, or fashioned for use as a tool. A synonym of stone tool is 'implement'. This term is often used by archaeologists to describe a flake tool fashioned by delicate flaking (retouch).

Use wear

Macroscopic and microscopic damage to the surfaces of stone tools, resulting from its use. Major use-wear forms are edge fractures, use-polish and smoothing, abrasion, and edge rounding bevelling.

Appendix 1

Gazetteer of Recorded Sites

AH No.	Grid Reference (GDA 94)	Site Type	Site Description
AH13949	E485485 N5284308 E485484 N5284303 E485470 N5284313 E485470 N5284309 E485456 N5284314 E485456 N5284310	Artefact scatter	<p>Low density artefact scatter comprising seven stone artefacts. The site is located on the basal northern side slopes of a series of foothills, just above the highwater mark of south margins of Meadowbank Lake.</p> <p>The artefacts associated with site AH13949 were spread across an area measuring 30m (east-west) x 5m, on a large erosion scald area on the southern edge of the lake.</p> <p><i>Artefact details</i></p> <ul style="list-style-type: none"> - Brown chert flake 62mm x 59mm x 5mm (usewear on lateral margin) - Brown silcrete flake 64mm x 49mm x 6mm - Brown chert flake 83mm x 69mm x 37mm (usewear on lateral margin) - Crème chert flake 31mm x 28mm x 4mm - Brown silcrete flake 56mm x 39mm x 12mm (usewear on distal margin) - Grey chert flake 53mm x 42mm x 12mm - White silcrete flake 33mm x 20mm x 4mm

Appendix 2

Detailed Site Description

Site Name: AH13949

Site Type: Artefact scatter

Grid Reference GDA94)

- **E485485 N5284308**
- **E485484 N5284303**
- **E485470 N5284313**
- **E485470 N5284309**
- **E485456 N5284314**
- **E485456 N5284310**

Site Description

Site AH13949 is classified as a low density artefact scatter comprising seven stone artefacts. The site is located on a private rural property (Lot 3 Meadowbank Road), on the southern margins of Meadowbank Lake in the Southern Highlands Region of Tasmania.

The site is positioned on the basal northern side slopes of a series of foothills associated with Mount Bethune, just above the highwater mark of Meadowbank Lake. The hill slope gradients where site AH13949 is located is in the range of between 2° to 5°.

Meadowbank Lake is an artificial body of water that has formed through the damming of this section of the River Derwent. It is estimated that the rock shelter feature would have been located around 100m to 200m to the south of the original river channel.

The artefacts associated with site AH13949 were spread across an area measuring 30m (east-west) x 5m, on a large erosion scald area on the southern edge of the lake. The erosion scald itself measures around 60, (east-west) x 30m north-south. Surface visibility across the site area and broader erosion scald was typically good (50-80%), with the area being lightly grassed and vegetated with patches of wattle regrowth. The field team carried out a detailed inspection of the broader erosion scald area as well as a number of other erosion scalds along the southern margins of the lake, in close proximity to the site. No additional artefacts or suspected cultural features were identified. Given the good surface visibility conditions in the general surrounds of the site, it is likely that the current recorded spatial extent of the site is reasonably accurate. Soils across the site area comprises loosely consolidated sand deposits. These sands have been derived from the decomposition of the parent bedrock and has washed down slope, accumulating along the margins of the lake. The depth of the sand deposits is estimated to be up to a 1m deep. There is the potential for sub-surface artefact deposits to be associated with site AH13949. Based on the observed surface expression, artefact densities would be expected to be in the low to medium range.

Site AH13949 is situated within a moderately to heavily disturbed context. The site is positioned within a rural farm paddock that has been virtually entirely cleared of native vegetation. The area is currently being re-vegetated by wattle regrowth. The site has been heavily eroded by down-slope water run off. In addition, the southern

bank of the lake, immediately to the north of the site is steadily being eroded away by wave action. As a result, any artefact deposits associated with this site will have been disturbed to some extent.

Artefact details

- Brown chert flake 62mm x 59mm x 5mm (usewear on lateral margin)
- Brown silcrete flake 64mm x 49mm x 6mm
- Brown chert flake 83mm x 69mm x 37mm (usewear on lateral margin)
- Crème chert flake 31mm x 28mm x 4mm
- Brown silcrete flake 56mm x 39mm x 12mm (usewear on distal margin)
- Grey chert flake 53mm x 42mm x 12mm
- White silcrete flake 33mm x 20mm x 4mm



Plate 1: View west at the location of site AH13949



Plate 2: View east at the location of site AH13949



Plate 3: View east at the eroded southern lake bank in front of site AH13949



Plate 4: Brown chert flake from site AH13949



Plate 5: Brown chert flake from site AH13949



Plate 6: White silcrete flake from site AH13949

Appendix 3

Unanticipated Discovery Plan

Unanticipated Discovery Plan

Procedure for the management of unanticipated discoveries of Aboriginal relics in Tasmania

For the management of unanticipated discoveries of Aboriginal relics in accordance with the *Aboriginal Heritage Act 1975* and the *Coroners Act 1995*. The Unanticipated Discovery Plan is in two sections.

Discovery of Aboriginal Relics other than Skeletal Material

Step 1:

Any person who believes they have uncovered Aboriginal relics should notify all employees or contractors working in the immediate area that all earth disturbance works must cease immediately.

Step 2:

A temporary 'no-go' or buffer zone of at least 10m x 10m should be implemented to protect the suspected Aboriginal relics, where practicable. No unauthorised entry or works will be allowed within this 'no-go' zone until the suspected Aboriginal relics have been assessed by a consulting archaeologist, Aboriginal Heritage Officer or Aboriginal Heritage Tasmania staff member.

Step 3:

Contact Aboriginal Heritage Tasmania on **1300 487 045** as soon as possible and inform them of the discovery. Documentation of the find should be emailed to **aboriginal@heritage.tas.gov.au** as soon as possible. Aboriginal Heritage Tasmania will then provide further advice in accordance with the *Aboriginal Heritage Act 1975*.

Discovery of Skeletal Material

Step 1:

Call the Police immediately. Under no circumstances should the suspected skeletal material be touched or disturbed. The area should be managed as a crime scene. It is a criminal offence to interfere with a crime scene.

Step 2:

Any person who believes they have uncovered skeletal material should notify all employees or contractors working in the immediate area that all earth disturbance works cease immediately.

Step 3:

A temporary 'no-go' or buffer zone of at least 50m x 50m should be implemented to protect the suspected skeletal material, where practicable. No unauthorised entry or works will be allowed within this 'no-go' zone until the suspected skeletal remains have been assessed by the Police and/or Coroner.

Step 4:

If it is suspected that the skeletal material is Aboriginal, Aboriginal Heritage Tasmania should be notified.

Step 5:

Should the skeletal material be determined to be Aboriginal, the Coroner will contact the Aboriginal organisation approved by the Attorney-General, as per the *Coroners Act 1995*.

Guide to Aboriginal site types

Stone Artefact Scatters

A stone artefact is any stone or rock fractured or modified by Aboriginal people to produce cutting, scraping or grinding implements. Stone artefacts are indicative of past Aboriginal living spaces, trade and movement throughout Tasmania. Aboriginal people used hornfels, chalcedony, spongelite, quartzite, chert and silcrete depending on stone quality and availability. Stone artefacts are typically recorded as being 'isolated' (single stone artefact) or as an 'artefact scatter' (multiple stone artefacts).

Shell Middens

Middens are distinct concentrations of discarded shell that have accumulated as a result of past Aboriginal camping and food processing activities. These sites are usually found near waterways and coastal areas, and range in size from large mounds to small scatters. Tasmanian Aboriginal middens commonly contain fragments of mature edible shellfish such as abalone, oyster, mussel, warrener and limpet, however they can also contain stone tools, animal bone and charcoal.

Rockshelters

An occupied rockshelter is a cave or overhang that contains evidence of past Aboriginal use and occupation, such as stone tools, middens and hearths, and in some cases, rock markings. Rockshelters are usually found in geological formations that are naturally prone to weathering, such as limestone, dolerite and sandstone.

Quarries

An Aboriginal quarry is a place where stone or ochre has been extracted from a natural source by Aboriginal people. Quarries can be recognised by evidence of human manipulation such as battering of an outcrop, stone fracturing debris or ochre pits left behind from processing the raw material. Stone and ochre quarries can vary in terms of size, quality and the frequency of use.

Rock Marking

Rock marking is the term used in Tasmania to define markings on rocks which are the result of Aboriginal practices. Rock markings come in two forms; engraving and painting. Engravings are made by removing the surface of a rock through pecking, abrading or grinding, whilst paintings are made by adding pigment or ochre to the surface of a rock.

Burials

Aboriginal burial sites are highly sensitive and may be found in a variety of places, including sand dunes, shell middens and rock shelters. Despite few records of pre-contact practices, cremation appears to have been more common than burial. Family members carried bones or ashes of recently deceased relatives. The Aboriginal community has fought long campaigns for the return of the remains of ancestral Aboriginal people.

Further information on Aboriginal Heritage is available from:

Aboriginal Heritage Tasmania
Natural and Cultural Heritage Division
Department of Primary Industries, Parks, Water and Environment
GPO Box 44 Hobart TAS 7001

Telephone: **1 300 487 045**

Email: **aboriginal@heritage.tas.gov.au**

Web: **www.aboriginalheritage.tas.gov.au**

This publication may be of assistance to you but the State of Tasmania and its employees do not accept responsibility for the accuracy, completeness, or relevance to the user's purpose, of the information and therefore disclaims all liability for any error, loss or other consequence which may arise from relying on any information in this publication.





Proposed Residential Development – Lot 3, 380 Meadowbank Road, Meadowbank

Bushfire Hazard Report

Applicant: Overeem Gas and Plumbing



December 2021 J5375v1.0

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Attachment 1 – Bushfire Hazard Management Plan

Attachment 2 - Certificate of Others (form 55)

Disclaimer

The measures contained in Australian Standard 3959-2018 cannot guarantee that a building will survive a bushfire event on every occasion. This is substantially due to the unpredictable nature and behaviour of fire and extreme weather conditions.

Reasonable steps have been taken to ensure that the information contained within this report is accurate and reflects the conditions on and around the lot at the time of assessment. The assessment has been based on the information provided by you or your designer.

Authorship

This report was prepared by Mark Van den Berg BSc. (Hons.) FPO (planning) of Geo Environmental Solutions. Base data for mapping: TasMap, Digital and aerial photography: Mark Van den Berg, GoogleEarth.

1.0 Purpose

This bushfire hazard report is intended to provide information in relation to the proposal. It will demonstrate compliance with the *Determination, Director of Building Control – Requirements for Building in Bushfire-Prone Areas (transitional), version 2.2 6th February 2020*. Provide a certificate of others (form 55) as specified by the Director of Building Control for bushfire hazard and give guidance by way of a certified bushfire hazard management plan which shows a means of protection from bushfires in a form approved by the Chief Fire Officer of the Tasmania Fire Service.

2.0 Summary

Site details & compliance

Title reference	163527/3
PID	9932850
Address	Lot 3, 380 Meadowbank Road, Meadowbank
Applicant	Overeem Gas and Plumbing
Municipality	Central Highlands
Planning Scheme	Central Highlands Interim Planning Scheme 2015
Zoning	Rural Resource
Land size	~23.1
Bushfire Attack Level	BAL-12.5
Certificate of others (form 55)	Complete and attached
Bushfire Hazard Management Plan	Certified & Attached

Development of a three (3) new class 1a buildings at Lot 3, 380 Meadowbank Road, Meadowbank requires demonstrated compliance with the *Determination, Director of Building Control – Requirements for Building in Bushfire-Prone Areas (transitional), version 2.2 6th February 2020*, the site is located in a bushfire prone area. The Bushfire attack level has been determined as 'BAL-12.5', provisions for property access and water supplies for firefighting will be required as detailed in this report and the Bushfire Hazard Management Plan (BHMP).

3.0 Introduction

This bushfire hazard report has been completed to form part of supporting documentation for a building permit application for the proposed development. The proposed development site has been identified as being in a bushfire prone area. A site-specific bushfire hazard management plan has been provided for compliance purposes.

4.0 Proposal

It is proposed that three (3) new class 1a buildings be developed at Lot 3, 380 Meadowbank Road, Meadowbank (appendix B). Construction standards for buildings, property access, water supplies for firefighting and hazard management areas will be required (as appropriate) to meet the standards outlined in the *'Director's Determination – Requirements for Building in Bushfire-Prone Areas (transitional), version 2.2 6th February 2020'* and *'Australian Standard 3959-2018 Construction of Buildings in Bushfire-prone Areas'*.

5.0 Bushfire Attack Level (BAL) Assessment

5.1 Methods

The Bushfire attack level has been determined through the application of section 2 of AS3959-2018 'Simplified Procedure'. Vegetation has been classified using a combination of onsite observations and remotely sensed data to be consistent with table 2.3 of AS3959-2018. Slope and distances have been determined by infield measurement and/or the use of remotely sensed data (aerial/satellite photography, GIS layers from various sources) analysed with proprietary software systems. Where appropriate vegetation has been classified as low threat.

5.2 Site Description

The proposal is located at Lot 3, 380 Meadowbank Road, Meadowbank, in the municipality of Central Highlands and is zoned Rural Resource under the Central Highlands Interim Planning Scheme 2015. Access to the lot will be by an existing crossover from Meadowbank Road, a council-maintained road. The lot is ~23.1, is rectangular in shape and is located approximately 4.2km south of the township of Hamilton (Figure 1).

Adjacent lands surrounding the lot are zoned rural resource and carries bushfire prone vegetation. At a landscape scale the lot occurs on the southern banks of Lake Meadowbank within a rural setting characterised by predominantly grassland with native forest vegetation further to the south. The lot has moderate slopes with a northerly aspect and is likely to have a significant effect on fire behaviour. Vegetation surrounding the lot was assessed (Tables 1-3) and described as 'grassland' (as per AS3959-2018). The classified vegetation potentially having the greatest impact on the site occurs on every azimuth of the site (Figure 2). The vegetation classification system as defined in AS 3959-2018 Table 2.3 and Figure 2.4 (A to H) has been used to determine vegetation types within 100 metres of the site (Tables 1-3).

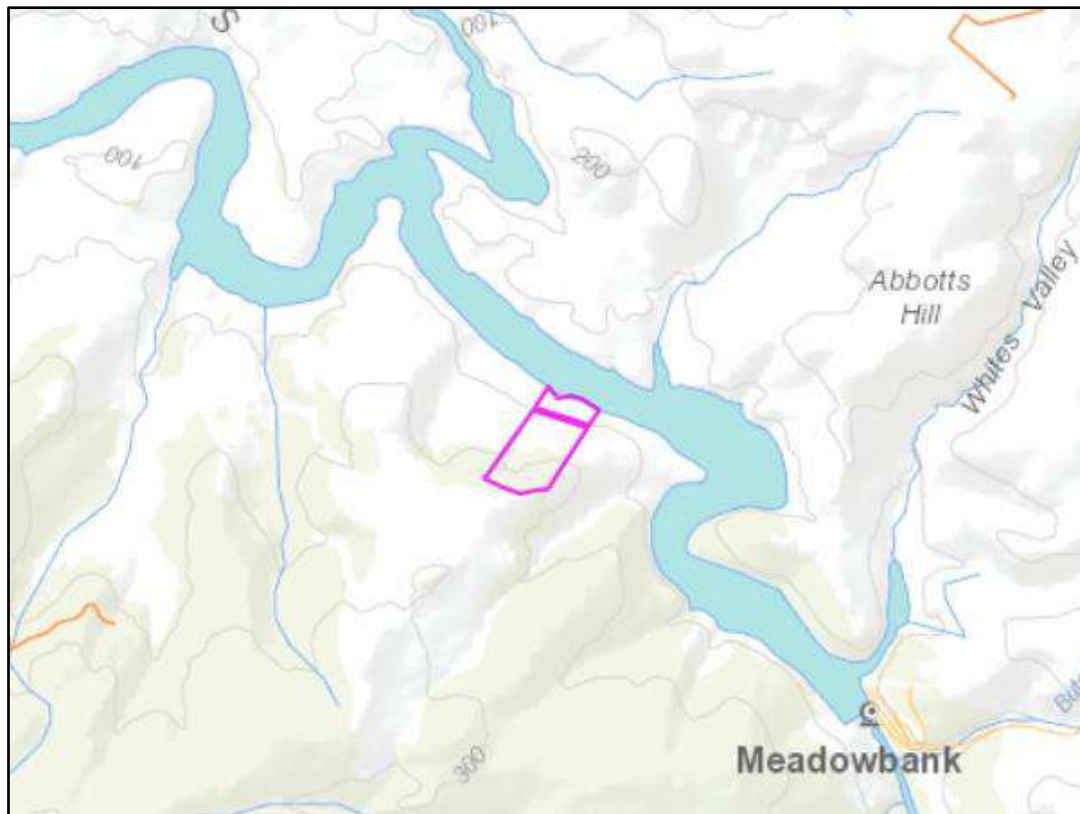


Figure 1. The lot in a topographical context (lot outlined in pink).



Figure 2. Shows the approximate location of the site (pink line) in the context of the adjacent lands and classified vegetation.

Table 1. Bushfire Attack Level (BAL) Assessment for Cabin 1

Azimuth	Vegetation Classification	Effective Slope	Distance to Bushfire-prone vegetation	Hazard management area width	Bushfire Attack Level
North	Grassland [^]	>5° to 10° downslope	0 to 43 metres	19 metres	BAL-12.5
	Exclusion 2.2.3.2 (e, f) ^{^^}	flat 0°	43 to >100 metres		
	--	--	--		
	--	--	--		
East	Grassland [^]	flat 0°	0 to >100 metres	14 metres	BAL-12.5
	--	--	--		
	--	--	--		
	--	--	--		
South	Grassland [^]	upslope	0 to >100 metres	14 metres	BAL-12.5
	--	--	--		
	--	--	--		
	--	--	--		
West	Grassland [^]	flat 0°	0 to >100 metres	14 metres	BAL-12.5
	--	--	--		
	--	--	--		
	--	--	--		

[^] Vegetation classification as per AS3959-2018 and Figures 2.4 (A) to 2.4 (H).

^{*} Low threat vegetation as per Bushfire Prone Areas Advisory Note (BHAN) No.1-2014, version 3, 8/11/2017.

^{^^} Exclusions as per AS3959-2018, section 2.2.3.2, (a) to (f).

Table 2. Bushfire Attack Level (BAL) Assessment for Cabin 2

Azimuth	Vegetation Classification	Effective Slope	Distance to Bushfire-prone vegetation	Hazard management area width	Bushfire Attack Level
North	Grassland [^]	>5° to 10° downslope	0 to 43 metres	19 metres	BAL-12.5
	Exclusion 2.2.3.2 (e, f) ^{^^}	flat 0°	43 to >100 metres		
	--	--	--		
	--	--	--		
East	Grassland [^]	flat 0°	0 to >100 metres	14 metres	BAL-12.5
	--	--	--		
	--	--	--		
	--	--	--		
South	Grassland [^]	upslope	0 to >100 metres	14 metres	BAL-12.5
	--	--	--		
	--	--	--		
	--	--	--		
West	Grassland [^]	flat 0°	0 to >100 metres	14 metres	BAL-12.5
	--	--	--		
	--	--	--		
	--	--	--		

[^] Vegetation classification as per AS3959-2018 and Figures 2.4 (A) to 2.4 (H).

^{*} Low threat vegetation as per Bushfire Prone Areas Advisory Note (BHAN) No.1-2014, version 3, 8/11/2017.

^{^^} Exclusions as per AS3959-2018, section 2.2.3.2, (a) to (f).

Table 3. Bushfire Attack Level (BAL) Assessment for Cabin 3

Azimuth	Vegetation Classification	Effective Slope	Distance to Bushfire-prone vegetation	Hazard management area width	Bushfire Attack Level
North	Grassland [^]	>10° to 15° downslope	0 to 40 metres	22 metres	BAL-12.5
	Exclusion 2.2.3.2 (e, f) ^{^^}	flat 0°	40 to >100 metres		
	--	--	--		
	--	--	--		
East	Grassland [^]	flat 0°	0 to >100 metres	14 metres	BAL-12.5
	--	--	--		
	--	--	--		
	--	--	--		
South	Grassland [^]	upslope	0 to >100 metres	14 metres	BAL-12.5
	--	--	--		
	--	--	--		
	--	--	--		
West	Grassland [^]	flat 0°	0 to >100 metres	14 metres	BAL-12.5
	--	--	--		
	--	--	--		
	--	--	--		

[^] Vegetation classification as per AS3959-2018 and Figures 2.4 (A) to 2.4 (H).

^{*} Low threat vegetation as per Bushfire Prone Areas Advisory Note (BHAN) No.1-2014, version 3, 8/11/2017.

^{^^} Exclusions as per AS3959-2018, section 2.2.3.2, (a) to (f).

6.0 Results

The bushfire attack level for the site has been determined as BAL-12.5. While the risk is considered to be low, there is a risk of ember attack and a likelihood of low levels of radiant heat impacting the site. The construction elements are expected to be exposed to a heat flux not greater than 12.5 kW/m².

6.1 Property Access

The specifications below apply to the proposed access from Perth Mills Road to the proposed site:

B) Property access length is 30 metres or greater; or access is for a fire appliance to a fire fighting water point.

The following design and construction requirements apply to property access:

- (a) All-weather construction;
 - (b) Load capacity of at least 20 tonnes, including for bridges and culverts;
 - (c) Minimum carriageway width of 4 metres;
 - (d) Minimum vertical clearance of 4 metres;
 - (e) Minimum horizontal clearance of 0.5 metres from the edge of the carriageway;
 - (f) Cross falls of less than 3° (1:20 or 5%);
 - (g) Dips less than 7° (1:8 or 12.5%) entry and exit angle; (h) Curves with a minimum inner radius of 10 metres;
 - (i) Maximum gradient of 15° (1:3.5 or 28%) for sealed roads, and 10° (1:5.5 or 18%) for unsealed roads; and
 - (j) Terminate with a turning area for fire appliances provided by one of the following:
 - (i) A turning circle with a minimum outer radius of 10 metres;
 - (ii) A property access encircling the building; or
 - (iii) A hammerhead “T” or “Y” turning head 4 metres wide and 8 metres long
- C) If property access length is 200 metres or greater.

The following design and construction requirements apply to property access:

- (a) The Requirements for B above; and
- (b) Passing bays of 2 metres additional carriageway width and 20 metres length provided every 200 metres.

6.2 Water supplies for fire fighting

The site is not serviced by a reticulated water supply; therefore a dedicated, static firefighting water supply will be provided in accordance with table 2 below.

Table 2. Requirements for Static Water Supplies dedicated for Firefighting

Element		Requirement
A.	Distance between building area to be protected and water supply	The following requirements apply: (a) The building area to be protected must be located within 90 metres of the firefighting water point of a static water supply; and (b) The distance must be measured as a hose lay, between the firefighting water point and the furthest part of the building area
B.	Static Water Supplies	A static water supply: (a) May have a remotely located offtake connected to the static water supply; (b) May be a supply for combined use (firefighting and other uses) but the specified minimum quantity of firefighting water must be available at all times; (c) Must be a minimum of 10,000 litres per building area to be protected. This volume of water must not be used for any other purpose including firefighting sprinkler or spray systems; (d) Must be metal, concrete or lagged by non-combustible materials if above ground; and (e) If a tank can be located so it is shielded in all directions in compliance with Section 3.5 of AS 3959:2018, the tank may be constructed of any material provided that the lowest 400 mm of the tank exterior is protected by: (i) metal; (ii) non-combustible material; or (iii) fibre-cement a minimum of 6 mm thickness.
C.	Fittings, pipework and accessories (including stands and tank supports)	Fittings and pipework associated with a firefighting water point for a static water supply must: (a) Have a minimum nominal internal diameter of 50mm; (b) Be fitted with a valve with a minimum nominal internal diameter of 50mm; (c) Be metal or lagged by non-combustible materials if above ground; (d) Where buried, have a minimum depth of 300mm; (e) Provide a DIN or NEN standard forged Storz 65 mm coupling fitted with a suction washer for connection to firefighting equipment; (f) Ensure the coupling is accessible and available for connection at all times; (g) Ensure the coupling is fitted with a blank cap and securing chain (minimum 220 mm length); (h) Ensure underground tanks have either an opening at the top of not less than 250 mm diameter or a coupling compliant with this Table; and (i) Where a remote offtake is installed, ensure the offtake is in a position that is: (i) Visible; (ii) Accessible to allow connection by firefighting equipment; (iii) At a working height of 450 – 600mm above ground level; and (iv) Protected from possible damage, including damage by vehicles.
D.	Signage for static water connections	The firefighting water point for a static water supply must be identified by a sign permanently fixed to the exterior of the assembly in a visible location. The sign must: (a) comply with water tank signage requirements within AS 2304:2019; or (b) comply with the Tasmania Fire Service Water Supply Signage Guideline published by the Tasmania Fire Service.
E.	Hardstand A hardstand area for fire appliances must be provided:	(a) No more than three metres from the firefighting water point, measured as a hose lay (including the minimum water level in dams, swimming pools and the like); (b) No closer than six metres from the building area to be protected; (c) With a minimum width of three metres constructed to the same standard as the carriageway; and (d) Connected to the property access by a carriageway equivalent to the standard of the property access.

6.3 Hazard management area.

A hazard management area will need to be established and maintained for the life of the development and is shown on the BHMP. Guidance for the establishment and maintenance of the hazard management area is given below and on the BHMP.

A hazard management area is the area, between a habitable building or building area and the bushfire prone vegetation, which provides access to a fire front for firefighting, which is maintained in a minimal fuel condition and in which there are no other hazards present which will significantly contribute to the spread of a bushfire. This can be achieved through, but is not limited to the following strategies;

- Remove fallen limbs, sticks, leaf and bark litter;
- Maintaining grass at less than a 100mm height;
- Avoid or minimise the use of flammable mulches (especially against buildings);
- Thin out under-story vegetation to provide horizontal separation between fuels;
- Prune low-hanging tree branches (<2m from the ground) to provide vertical separation between fuel layers;
- Remove and or prune larger trees to maintain horizontal separation between canopies;
- Minimise the storage of flammable materials such as firewood;
- Maintaining vegetation clearance around vehicular access;
- Use low-flammability plant species for landscaping purposes where possible;
- Clear out any accumulated leaf and other debris from roof gutters and other debris accumulation points.

7.0 Compliance

Table 3. Compliance with the Directors Determination Requirements for Building in Bushfire-prone Areas, version 2.2, 6th February 2020.

Requirements	Compliance
4.1 Construction Requirements	<p>Clause 4.1 requires buildings to be constructed in accordance with AS3959-2018 or NASH standard – Steel Framed Construction in Bushfire Areas consistent with the BAL determined for the site.</p> <p>The BHMP specifies construction to BAL-12.5 standards of AS3959-2018.</p> <p>If the proposed buildings are designed and constructed in accordance with BAL-12.5 construction standards the development will comply with clause 4.1.</p>
4.2 Property Access	<p>Clause 4.2 requires property access to be designed and constructed to comply with table 4.2 of the determination and is applicable from the public roadway to within (at minimum) 90 metres of the furthest part of the building/s and includes access to a hardstand for the firefighting water point.</p> <p>Design and construction requirements are specified within this report and are required for compliance on the BHMP.</p> <p>If the property access is designed and constructed in accordance with the requirements of section 6.1 of this report, the proposal will comply with clause 4.2.</p>
4.3 Water Supply for Firefighting	<p>Clause 4.3 requires that a new building constructed in a bushfire-prone area is provided with a dedicated firefighting water supply in accordance with tables 4.3A or 4.3B.</p> <p>Static water supplies consistent with table 4.3B have been specified in this report and are required for compliance on the BHMP.</p> <p>If the requirements of section 6.2 of this report are implemented the proposal will comply with clause 4.3.</p>
4.4 Hazard Management Areas	<p>Clause 4.4 requires that new buildings in bushfire-prone areas are provided with an HMA which is compliant with table 4.4. The HMA must have the minimum separation distances required for the BAL determined for the site and, have an HMA established which reduces fuels and other hazards so that fuels and other hazards do not significantly contribute to the bushfire attack.</p> <p>HMA's are shown on the BHMP and are specified to the minimum widths required to achieve BAL-12.5 for the sites. This report and the BHMP specify requirements for hazard management areas.</p> <p>If the HMA's are established in accordance with the BHMP the proposal will comply with clause 4.4.</p>
4.5 Emergency Plan	<p>The proposal is for the construction of a class 1a building and therefore in this circumstance Emergency Plans are not required for compliance.</p>

8.0 Guidance

The defensible space (hazard management area) around a building is critical for providing occupants and/or fire fighters with safe access to the building in order that fire fighting activities may be undertaken. The larger the defensible space, the safer it will be for those defending the structure. Some desirable characteristics of a hazard management area are:

- The area directly adjacent to the building has a significant amount of flammable material removed such that there is little to no material available to burn around the building;
- Includes non flammable areas such as paths, driveways, short cropped lawns;
- Establishment of orchards, vegetable gardens, dams or waste water effluent disposal areas on the fire prone side of the building;
- Creating wind breaks and radiation shields such as non combustible fences and low flammability hedges;
- It is not necessary to remove all vegetation from the defensible space, trees can provide protection from wind borne embers and radiant heat in some circumstances.

9.0 Further Information

For further information on preparing yourself and your property for bushfires visit the Tasmania Fire Service website at www.fire.tas.gov.au or phone 1800 000 699 for information on:

- Preparing a bushfire survival plan
- Preparing yourself and your home for a bushfire
- Guidelines for development in bushfire prone areas in Tasmania
- Fire resisting plants for the urban fringe and rural areas
- Using fire outdoors
- Fire permits
- Total fire bans
- Bushfires burning in Tasmania

10.0 References

Australian Building Codes Board, *National Construction Code, Building Code of Australia*, Australian Building Codes Board, Canberra.

Building Amendment (Bushfire-Prone Areas) Regulations 2016

Determination, Director of Building Control – Requirements for Building in Bushfire-Prone Areas (transitional), version 2.2 6th February 2020. Consumer, Building and Occupational Services, Department of Justice, Tasmania.

The Bushfire Planning Group 2005, *Guidelines for development in bushfire prone areas of Tasmania – Living with fire in Tasmania*, Tasmania Fire Service, Hobart.

Tasmania Fire Service 2013, *Building for Bushfire – Planning and Building in Bushfire-Prone Areas for Owners and Builders*.

Central Highlands Interim Planning Scheme 2015, Tasmanian Planning Commission 2015, Tasmanian Planning Commission, Hobart.

Standards Australia, AS3959-2018 Construction of buildings in bushfire-prone areas. Sydney, NSW., Australia.

11.0 Limitations Statement

This Bushfire Hazard Report has been prepared in accordance with the scope of services between Geo-Environmental Solutions Pty. Ltd. (GES) and the applicant named in section 2. To the best of GES's knowledge, the information presented herein represents the Client's requirements at the time of printing of the Report. However, the passage of time, manifestation of latent conditions or impacts of future events may result in findings differing from that described in this Report. In preparing this Report, GES has relied upon data, surveys, analyses, designs, plans and other information provided by the Client and other individuals and organisations referenced herein. Except as otherwise stated in this Report, GES has not verified the accuracy or completeness of such data, surveys, analyses, designs, plans and other information.

The scope of this study does not allow for the review of every possible bushfire hazard condition and does not provide a guarantee that no loss of property or life will occur as a result of bushfire. As stated in AS3959-2018 "It should be borne in mind that the measures contained in this Standard cannot guarantee that a building will survive a bushfire event on every occasion. This is substantially due to the degree of vegetation management, the unpredictable nature and behaviour of fire, and extreme weather conditions". In addition, no responsibility is taken for any loss which is a result of actions contrary to AS3959-2018 or the Tasmanian Planning Commission Bushfire code.

This report does not purport to provide legal advice. Readers of the report should engage professional legal practitioners for this purpose as required. No responsibility is accepted for use of any part of this report in any other context or for any other purpose by third party.

Appendix A – Site Photos

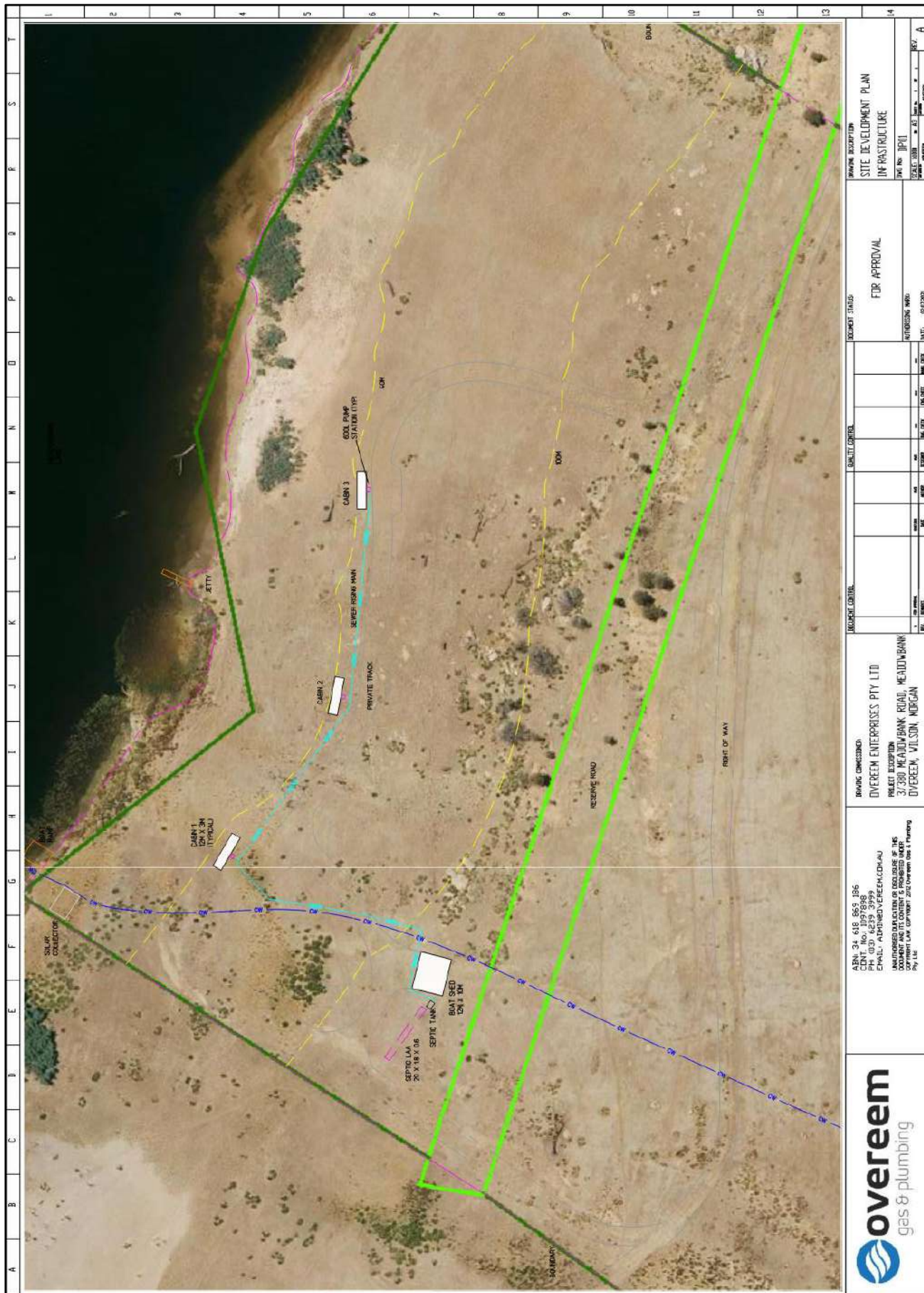


Figure 3. Northern azimuth from the site.



Figure 4. Southern azimuth from the site.

Appendix B - Site Plan





Design and Specification Requirements
4.2 Standards for Property Access
Property access length is greater than 30 metres; or access is required for a fire appliance to access a water connection point.

The following design and construction requirements apply to property access:

- (1) All-weather construction;
- (2) Load capacity of at least 20 tonnes, including for bridges and culverts;
- (3) Minimum carriageway width of 4 metres;
- (4) Minimum vertical clearance of 4 metres;
- (5) Minimum horizontal clearance of 0.5 metres from the edge of the carriageway;
- (6) Cross falls of less than 3° (1:20 or 5%);
- (7) Dips less than 7° (1:8 or 12.5%) entry and exit angle;
- (8) Curves with a minimum inner radius of 10 metres;
- (9) Maximum gradient of 15° (1:3.5 or 28%) for sealed roads, and 10° (1:5.5 or 18%) for unsealed roads; and
- 10) Terminate with a turning area for fire appliances provided by one of the following:
 - (a) A turning circle with a minimum inner radius of 10 metres;
 - (b) A property access encircling the building; or
 - (c) A hammerhead "T" or "Y" turning head 4 metres wide and 8 metres long.

C) If property access length is 200 metres or greater.

The following design and construction requirements apply to property access:

- (a) The requirements for B above; and
- (b) Passing bays of 2 metres additional carriageway width and 20 metres length provided every 200 metres

4.3B Static Water Supply for Fire fighting

The site is not serviced by a reticulated water supply, therefore a dedicated, static firefighting water supply will be provided in accordance with the following;

Static water supplies and associated infrastructure for firefighting purposes will be provided in accordance with table 4.3B of the Determination, Director of Building Control – Requirements for Building in Bushfire-Prone Areas (transitional), version 2.2 6th February 2020

A Distance between building area to be protected and water supply

The following requirements apply:

- (a) The building area to be protected must be located within 90 metres of the fire fighting water point of a static water supply; and
- (b) The distance must be measured as a hose lay, between the fire fighting water point and the furthest part of the building area.

B) Static Water Supplies

A static water supply:

- (a) May have a remotely located offtake connected to the static water supply;
- (b) May be a supply for combined use (fire fighting and other uses) but the specified minimum quantity of fire fighting water must be available at all times;
- (c) Must be a minimum of 10,000 litres per building area to be protected. This volume of water must not be used for any other purpose including fire fighting sprinkler or spray systems;
- (d) Must be metal, concrete or lagged by non-combustible materials if above ground; and
- (e) If a tank can be located so it is shielded in all directions in compliance with Section 3.5 of AS 3959-2009, the tank may be constructed of any material provided that the lowest 400 mm of the tank exterior is protected by:
 - (i) metal;
 - (ii) non-combustible material; or
 - (iii) fibre-cement a minimum of 6 mm thickness.

C) Fittings and pipework associated with a fire fighting water point for a static water supply must:

- (a) Have a minimum nominal internal diameter of 50mm; (2) Be fitted with a valve with a minimum nominal internal diameter of 50mm;
- (b) Be fitted with a valve with a minimum nominal internal diameter of 50mm;
- (c) Be metal or lagged by non-combustible materials if above ground;
- (d) Where buried, have a minimum depth of 300mm (compliant with AS/NZS 3500.1-2003 Clause 5.23);
- (e) Provide a DIN or NEN standard forged Storz 65 mm coupling fitted with a suction washer for connection to fire fighting equipment;
- (f) Ensure the coupling is accessible and available for connection at all times;
- (g) Ensure the coupling is fitted with a blank cap and securing chain (minimum 220 mm length);
- (h) Ensure underground tanks have either an opening at the top of not less than 250 mm diameter or a coupling compliant with this Table; and
- (i) Where a remote offtake is installed, ensure the offtake is in a position that is:
 - (i) Visible;
 - (ii) Accessible to allow connection by fire fighting equipment;
 - (iii) At a working height of 450 – 600mm above ground level; and
 - (iv) Protected from possible damage, including damage by vehicles.

D) Signage for static water connections

The fire fighting water point for a static water supply must be identified by a sign permanently fixed to the exterior of the assembly in a visible location. The sign must comply with the Tasmania Fire Service Water Supply Signage Guideline published by the Tasmania Fire Service

E) Hardstand

A hardstand area for fire appliances must be provided:

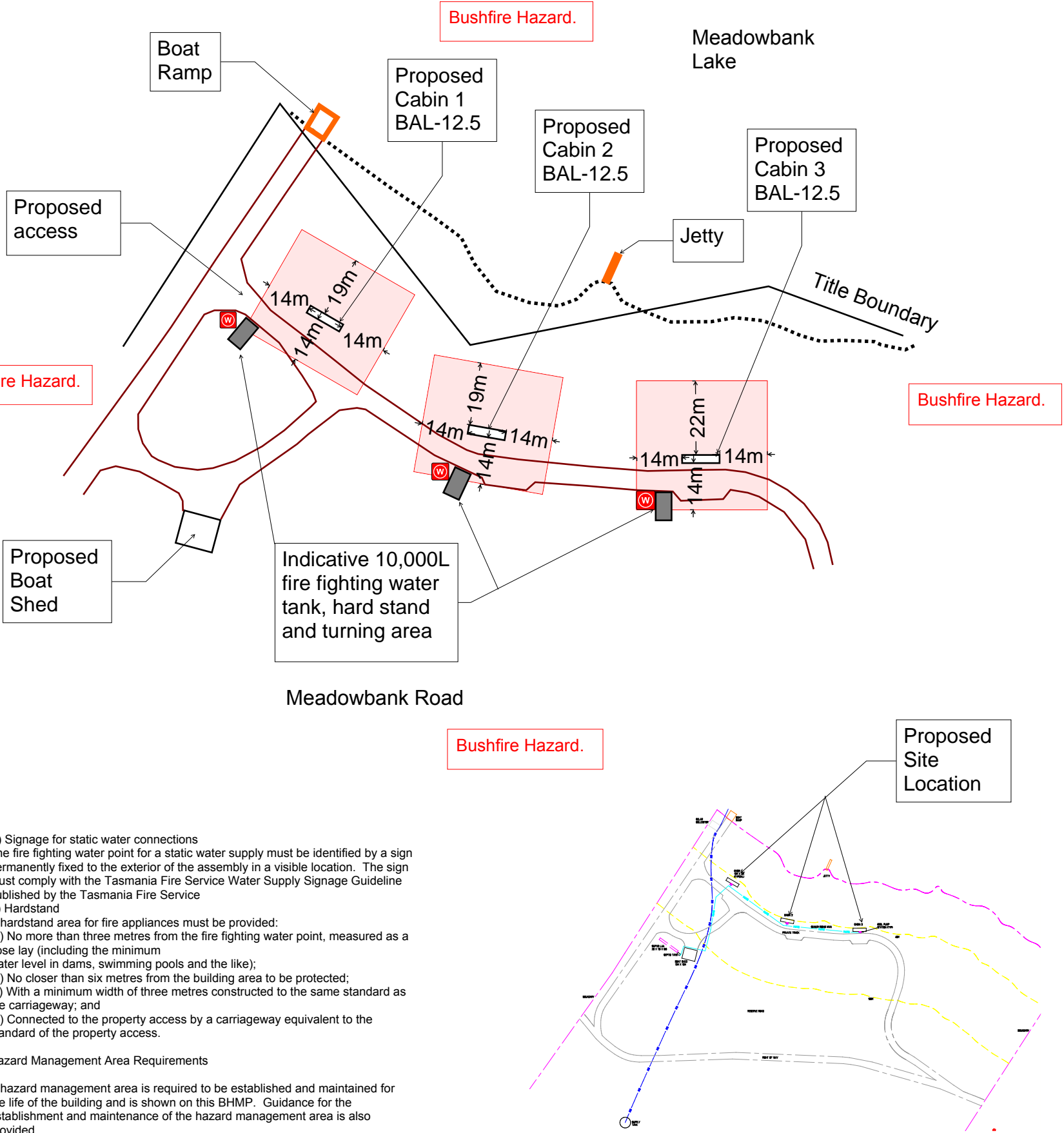
- (a) No more than three metres from the fire fighting water point, measured as a hose lay (including the minimum water level in dams, swimming pools and the like);
- (b) No closer than six metres from the building area to be protected;
- (c) With a minimum width of three metres constructed to the same standard as the carriageway; and
- (d) Connected to the property access by a carriageway equivalent to the standard of the property access.

Hazard Management Area Requirements

A hazard management area is required to be established and maintained for the life of the building and is shown on this BHMP. Guidance for the establishment and maintenance of the hazard management area is also provided.

BUSHFIRE HAZARD MANAGEMENT PLAN

Bushfire Hazard Management Plan Lot 3, 380 Meadowbank Road. Meadowbank. December 2021. J5375v1.0
Central Highlands Interim Planning Scheme 2015



GES

GEO-ENVIRONMENTAL

SOLUTIONS

29 Kirksway Place, Battery Point
T| 62231839 E| office@geosolutions.net.au



Approximate location of water point

Property Access



Hazard Management Area

Building Specifications to BAL-12.5 of AS3959-2018

Hazard Management Area

A hazard management area is the area, between a habitable building or building area and the bushfire prone vegetation, which provides access to a fire front for firefighting, which is maintained in a minimal fuel condition and in which there are no other hazards present which will significantly contribute to the spread of a bushfire. This can be achieved through, but is not limited to the following actions;

- Removing of fallen limbs, sticks, leaf and bark litter;
- Maintaining grass at less than a 100mm height;
- Removing pine bark and other flammable mulch (especially from against buildings);
- Thinning out under-story vegetation to provide horizontal separation between fuels;
- Pruning low-hanging tree branches (<2m from the ground) to provide (vertical separation between fuel layers);
- Pruning larger trees to maintain horizontal separation between canopies;
- Minimise the storage of flammable materials such as firewood;
- Maintaining vegetation clearance around vehicular access and water supply points;
- Use of low-flammability species for landscaping purposes where appropriate;
- Clearing out any accumulated leaf and other debris from roof gutters.

It is not necessary to remove all vegetation from the hazard management area, trees may provide protection from wind borne embers and radiant heat under some circumstances.

Certification No. J5375

Mark Van den Berg
Acc. No. BFP-108
Scope 1, 2, 3A, 3B, 3C.

**Do not scale from these drawings.
Dimensions to take precedence
over scale.**

Overeem Gas and Plumbing
7b/ 54 Browns Road
Kingston TAS 7050

C.T.: 163527/3
PID: 9932850

Date: 10/12/2021

Bushfire Hazard Management Plan: Lot 3,380 Meadowbank Road, Meadowbank 10th December 2021. J5375v1.0
Bushfire Hazard Report: Lot 3,380 Meadowbank Road, Meadowbank 10th December 2021. J5375v1.0

Drawing Number:
A01

Sheet 1 of 1
Prepared by:
MvdB

CERTIFICATE OF QUALIFIED PERSON – ASSESSABLE ITEM

Section 321

Form **55**

To: Owner /Agent
 Address
 Suburb/postcode

Qualified person details:

Qualified person:
 Address: Phone No:
 Fax No:
 Licence No: Email address:

Qualifications and Insurance details: (description from Column 3 of the Director's Determination - Certificates by Qualified Persons for Assessable Items)

Speciality area of expertise: (description from Column 4 of the Director's Determination - Certificates by Qualified Persons for Assessable Items)

Details of work:

Address: Lot No:
 Certificate of title No:
 The assessable item related to this certificate: (description of the assessable item being certified)
 Assessable item includes –
 - a material;
 - a design
 - a form of construction
 - a document
 - testing of a component, building system or plumbing system
 - an inspection, or assessment, performed

Certificate details:

Certificate type: (description from Column 1 of Schedule 1 of the Director's Determination - Certificates by Qualified Persons for Assessable Items n)

This certificate is in relation to the above assessable item, at any stage, as part of - (tick one)

building work, plumbing work or plumbing installation or demolition work: ☒

or

a building, temporary structure or plumbing installation: ☐

In issuing this certificate the following matters are relevant –

Documents:	Bushfire Hazard Report Lot 3, 380 Meadowbank Road, Meadowbank. 10 th December 2021. J5375v1.0 Bushfire Hazard Management Plan Lot 3, 380 Meadowbank Road, Meadowbank. 10 th December 2021. J5375v1.0 And Form 55
Relevant calculations:	Not Applicable.
References:	Determination, Director of Building Control Requirements for Building in Bushfire-Prone Areas (transitional), version 2.2 6 th February 2020. Consumer, Building and Occupational Services, Department of Justice, Tasmania. Building Amendment (Bushfire-Prone Areas) Regulations 2014 Standards Australia 2018, Construction of buildings in bushfire prone areas, Standards Australia, Sydney.

Substance of Certificate: (what it is that is being certified)

The Bushfire Attack Level for the proposed 3 cabins is **BAL-12.5**. All specifications of the Bushfire hazard management plan and report to be implemented for compliance.

Scope and/or Limitations

Scope: This report was commissioned to identify the Bushfire Attack Level for the existing property. Limitations: The inspection has been undertaken and report provided on the understanding that;-1. The report only deals with the potential bushfire risk all other statutory assessments are outside the scope of this report. 2. The report only identifies the size, volume and status of vegetation at the time the site inspection was undertaken and cannot be relied upon for any future development. 3. Impacts of future development and vegetation growth have not been considered.

I certify the matters described in this certificate.

Qualified person:	Signed: 	Certificate No: J5375	Date: 10/12/2021
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GEO-ENVIRONMENTAL ASSESSMENT

Lot 3/380 Meadowbank Road

Lake Meadowbank

October 2021



Disclaimer: The author does not warrant the information contained in this document is free from errors or omissions. The author shall not in any way be liable for any loss, damage or injury suffered by the User consequent upon, or incidental to, the existence of errors in the information.

Introduction

Client:	Overeem Gas & Plumbing
Date of inspection:	20/10/21
Location:	Lot 3/380 Meadowbank Road, Meadowbank Lake, Hamilton
Land description:	Broad acre agricultural property – Strata title holiday lot
Building type:	Proposed holiday cabins
Investigation:	70mm auger
Inspected by:	JP Cumming

Background information

Map:	Mineral Resources Tasmania, SE Sheet 1:250 000
Rock type:	Triassic Sandstone
Soil depth:	~ 2.0m dependent upon slope position
Landslide zoning:	None known
Local meteorology:	Annual rainfall approx 550 mm
Local services:	Tank water with on site wastewater disposal required

Site conditions

Slope and aspect:	Gentle hill slope North Easterly aspect, approx. 8-14% natural slope
Site drainage:	Slope away from the proposed building sites to the North East
Vegetation:	Mixed improved pasture species (sparse native scrub in places)
Weather conditions:	Fine, approx 10mm rainfall received in preceding 7 days.
Ground surface:	Slightly moist sandy surface with surface stones

Investigation

A number of auger holes were completed to identify the distribution of, and variation in soil materials on the site. One representative auger hole was chosen for testing and classification according to AS2870-2011 & AS1547-2012.

Profile summary 1

Depth (m)	Horizon	Description
0 – 0.20	A1	Brownish Yellow SAND (SW) , loam fabric, weak polyhedral structure, common fine roots, moist loose consistency, irregular boundary to
0.40 – 0.95	B2	Mixed Brownish Yellow & Grey Clayey SAND (SC) approx 70% medium to coarse sand, moderately developed angular blocky structure, variable red/light yellow mottles, moist firm but friable consistency, gradual boundary to
0.95 – 2.3	BC	Yellowish Brown Clayey SAND (SC) , medium sand with approx 10-15% clay, angular blocky structure, few fine roots, moist firm consistency, trace of sandstone fragments grading to
~2.3	Rock	Auger refusal on slightly weathered sandstone bedrock

Site summary

The soils in the building site are moderately deep, with a maximum depth to bedrock of over 2m. The soils are likely to exhibit small ground surface movement with moisture variations and have moderately good permeability for on site wastewater disposal.

Site Classification

According to AS2870-2011 (construction) the natural soil is classified as **Class S**, which is a slightly reactive site.

Wind Classification

The AS 4055-2021 *Wind load for Housing* classification of the site is:

Region: **A**
 Terrain category: **TC2**
 Shielding Classification: **NS**
 Topographic Classification: **T1**
 Wind Classification: **N3**
 Design Wind Gust Speed ($V_{h,u}$) **50 m/sec**

Wastewater recommendations

According to AS1547-2012 for wastewater management the soil is classified **Category 2 –Sandy Loam** with a Design Loading Rate of 20L/m²/day. A system loading of 720L/day was calculated

based upon a 3 x one bedroom visitor accommodation cabins connected to tank water and a maximum occupancy of 2 persons @ 120L/day/person per cabin. Based upon the site classification it is recommended that a dual-purpose septic tank be installed, and wastewater loading be disposed of via a minimum of 36m² of absorption area. This can be accommodated by a 3250L dual purpose septic tank and one absorption trench 20m x 1.8m x 0.60m. Due to the location of the cabins a 600L pump station with effluent grinder pump will be required on each cabin to deliver effluent to the septic tank via a rising main (see attached site plan).

The absorption area must be excluded from traffic and any future development. A 100% reserve area will also need to be set aside and kept free from development for any future wastewater requirements. There is sufficient space available onsite to accommodate the required reserve.

The following setback distances are required to comply with Building Act 2016:

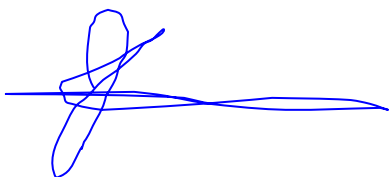
Upslope or level buildings:	3m
Downslope buildings:	6m
Upslope or level boundaries:	1.5m
Downslope boundaries:	10m
Downslope surface water:	100m

Compliance with Building Act 2016 is outlined in the attached table.

Construction recommendations

According to AS2870-2011 (construction) the natural soil is classified as **Class S** which is a slightly reactive site. All site earthworks must comply with AS3798-2012 and consideration should also be given to drainage and sediment control on site during and after construction.

During installation GES will need to be notified of any major variation to the soil conditions or wastewater loading as outlined in this report.



Dr John Paul Cumming B.Agr.Sc (hons) PhD CPSS GAICD
Environmental and Engineering Soil Scientist

Appendix 1 – Trench summary report

GES

Land suitability and system sizing for on-site wastewater management

Trench 3.0 (Australian Institute of Environmental Health)

Assessment Report

Site assessment for wastewater system

Assessment for Overeem Gas & Plumbing

Assess. Date 23-Oct-21

Assessed site(s) Lot 3 - Meadowbank View Estate

Ref. No.

Site(s) inspected 20-Oct-21

Local authority Central Highlands Council

Assessed by John Paul Cumming

This report summarises wastewater volumes, climatic inputs for the site, soil characteristics and system sizing and design issues. Site Capability and Environmental sensitivity issues are reported separately, where 'Alert' columns flag factors with high (A) or very high (AA) limitations which probably require special consideration for system design(s). Blank spaces on this page indicate data have not been entered into TRENCH.

Wastewater Characteristics

Wastewater volume (L/day) used for this assessment = 600 (using the 'No. of bedrooms in a dwelling' method)

Septic tank wastewater volume (L/day) = 200

Sullage volume (L/day) = 400

Total nitrogen (kg/year) generated by wastewater = 3.2

Total phosphorus (kg/year) generated by wastewater = 1.5

Climatic assumptions for site

(Evapotranspiration calculated using the crop factor method)

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Mean rainfall (mm)	41	36	36	47	44	48	48	47	49	55	47	49
Adopted rainfall (R, mm)	41	36	36	47	44	48	48	47	49	55	47	49
Retained rain (Rr, mm)	36	32	32	42	40	43	43	42	44	50	42	44
Max. daily temp. (deg. C)												
Evapotrans (ET, mm)	130	110	91	63	42	29	32	42	63	84	105	126
Evapotr. less rain (mm)	94	78	59	21	2	-14	-12	0	19	35	63	82

Annual evapotranspiration less retained rain (mm) = 425

Soil characteristics

Texture = sandy loam

Category = 2 Thick. (m) = 2

Adopted permeability (m/day) = 1.8

Adopted LTAR (L/sq m/day) = 20

Min depth (m) to water = 5

Proposed disposal and treatment methods

Proportion of wastewater to be retained on site: All wastewater will be disposed of on the site

The preferred method of on-site primary treatment: In dual purpose septic tank(s)

The preferred method of on-site secondary treatment: In-ground

The preferred type of in-ground secondary treatment: Trench(es)

The preferred type of above-ground secondary treatment: None

Site modifications or specific designs: Are needed

Suggested dimensions for on-site secondary treatment system

Total length (m) = 20

Width (m) = 1.8

Depth (m) = 0.6

Total disposal area (sq m) required = 36

comprising a Primary Area (sq m) of: 36

and a Secondary (backup) Area (sq m) of:

Sufficient area is available on site

To enter comments, click on the line below 'Comments'. (This yellow-shaded box and the buttons on this page will not be printed.)

Comments

The Calculated DLR for category 2 soils is a conservative 20 L sq m per day, with a required absorption area of 36sq m (accommodated by one 20m long x 1.8m wide x 0.60m deep trench). Wastewater loading is based upon a three x one bedroom cabins on tank water and a water usage of 720 L/day (6 persons @ 120 L/day).

GES
Land suitability and system sizing for on-site wastewater management
 Trench 3.0 (Australian Institute of Environmental Health)

Site Capability Report
Site assessment for wastewater system

Assessment for Overeem Gas & Plumbing

Assess. Date

23-Oct-21

Ref. No.

Assessed site(s) Lot 3 - Meadowbank View Estate

Site(s) inspected

20-Oct-21

Local authority Central Highlands Council

Assessed by

John Paul Cumming

This report summarises data relating to the physical capability of the assessed site(s) to accept wastewater. Environmental sensitivity and system design issues are reported separately. The 'Alert' column flags factors with high (A) or very high (AA) site limitations which probably require special consideration in site acceptability or for system design(s). Blank spaces indicate data have not been entered into TRENCH.

Alert	Factor	Units	Value	Confid level	Limitation		Remarks
					Trench	Amended	
	Expected design area	sq m	1,000	V. high	Moderate		
	Density of disposal systems	/sq km	5	High	Very low		
	Slope angle	degrees	5	V. high	Very low		
	Slope form	Convex spreading		V. high	Very low		
	Surface drainage	Mod. good		High	Low		
	Flood potential	Site floods <1:100 yrs		High	Very low		
	Heavy rain events	Infrequent		High	Moderate		
	Aspect (Southern hemi.)	Faces NE or NW		V. high	Low		
	Frequency of strong winds	Common		High	Low		
	Wastewater volume	L/day	600	High	Moderate		
	SAR of septic tank effluent		1.7	Mod.	Low		
	SAR of sullage		2.1	Mod.	Moderate		
	Soil thickness	m	2.0	V. high	Very low		
	Depth to bedrock	m	2.0	High	Low		
	Surface rock outcrop	%	0	High	Very low		
	Cobbles in soil	%	5	High	Low		
	Soil pH		6.0	High	Low		
	Soil bulk density	gm/cub. cm	1.5	High	Low		
	Soil dispersion	Emerson No.	8	V. high	Very low		
	Adopted permeability	m/day	1.8	High	Moderate		
	Long Term Accept. Rate	L/day/sq m	20	High	Low		

To enter comments, click on the line below 'Comments'. (This yellow-shaded box and the buttons on this page will not be printed.)

The soils on site are rich in sand, but have good sturtcure and a moderate CEC to retain nutrients on site. Given the large rainfall deficit in the area the site should easily accept the wastewater loading calculated once a terraced absorption trench are constructed.

GES

Land suitability and system sizing for on-site wastewater management

Trench 3.0 (Australian Institute of Environmental Health)

Environmental Sensitivity Report

Site assessment for wastewater system

Assessment for Overeem Gas & Plumbing

Assess. Date

23-Oct-21

Ref. No.

Assessed site(s) Lot 3 - Meadowbank View Estate

Site(s) inspected

20-Oct-21

Local authority Central Highlands Council

Assessed by

John Paul Cumming

This report summarises data relating to the environmental sensitivity of the assessed site(s) in relation to applied wastewater. Physical capability and system design issues are reported separately. The 'Alert' column flags factors with high (A) or very high (AA) limitations which probably require special consideration in site acceptability or for system design(s). Blank spaces indicate data have not been entered into TRENCH.

Alert	Factor	Units	Value	Confid level	Limitation		Remarks
					Trench	Amended	
	Cation exchange capacity	mmol/100g	75	High	Moderate		
	Phos. adsorp. capacity	kg/cub m	0.6	Mod.	Moderate		
	Annual rainfall excess	mm	-425	High	Very low		
	Min. depth to water table	m	5	High	Very low		
	Annual nutrient load	kg	4.7	High	Very low		
	G'water environ. value	Agric non-sensit		High	Low		
	Min. separation dist. required	m	25	High	Moderate		
	Risk to adjacent bores		Very low	High	Very low		
A	Surf. water env. value	Recreational		High	High		
A	Dist. to nearest surface water	m	125	High	High		
	Dist. to nearest other feature	m	125	V. high	Very low		
	Risk of slope instability		Low	High	Low		
	Distance to landslip	m	500	Mod.	Very low		

To enter comments, click on the line below 'Comments'. (This yellow-shaded box and the buttons on this page will not be printed.)

There is a low environmental risk associated with wastewater re-use on the site due to the large land area available and setbacks of over 100m.

Demonstration of wastewater system compliance to *Building Act 2016 Guidelines for On-site Wastewater Disposal*

Acceptable Solutions	Performance Criteria	Compliance
<p>A1</p> <p>Horizontal separation distance from a building to a land application area must comply with one of the following:</p> <ul style="list-style-type: none"> a) be no less than 6m; or b) be no less than: <ul style="list-style-type: none"> (i) 3m from an upslope building or level building; (ii) If primary treated effluent to be no less than 4m plus 1m for every degree of average gradient from a downslope building; (iii) If secondary treated effluent and subsurface application, no less than 2m plus 0.25m for every degree of average gradient from a downslope building. 	<p>P1</p> <ul style="list-style-type: none"> a) The land application area is located so that <ul style="list-style-type: none"> (i) the risk of wastewater reducing the bearing capacity of a building's foundations is acceptably low.; and (ii) is setback a sufficient distance from a downslope excavation around or under a building to prevent inadequately treated wastewater seeping out of that excavation 	<p>Complies with A1 (b) (i)</p> <p>Land application area will be located with a minimum separation distance of 3m from an upslope or level building.</p>
<p>A2</p> <p>Horizontal separation distance from downslope surface water to a land application area must comply with (a) or (b)</p> <ul style="list-style-type: none"> (a) be no less than 100m; or (b) be no less than the following: <ul style="list-style-type: none"> (i) if primary treated effluent 15m plus 7m for every degree of average gradient to downslope surface water; or (ii) if secondary treated effluent and subsurface application, 15m plus 2m for every degree of average gradient to down slope surface water. 	<p>P2</p> <p>Horizontal separation distance from downslope surface water to a land application area must comply with all of the following:</p> <ul style="list-style-type: none"> a) Setbacks must be consistent with AS/NZS 1547 Appendix R; b) A risk assessment in accordance with Appendix A of AS/NZS 1547 has been completed that demonstrates that the risk is acceptable. 	<p>Complies with A2 (a)</p> <p>Land application area will be located with a minimum separation >100m from downslope surface water</p>

<p>A3</p> <p>Horizontal separation distance from a property boundary to a land application area must comply with either of the following:</p> <p>(a) be no less than 40m from a property boundary; or</p> <p>(b) be no less than:</p> <ul style="list-style-type: none"> (i) 1.5m from an upslope or level property boundary; and (ii) If primary treated effluent 2m for every degree of average gradient from a downslope property boundary; or (iii) If secondary treated effluent and subsurface application, 1.5m plus 1m for every degree of average gradient from a downslope property boundary. 	<p>P3</p> <p>Horizontal separation distance from a property boundary to a land application area must comply with all of the following:</p> <p>(a) Setback must be consistent with AS/NZS 1547 Appendix R; and</p> <p>(b) A risk assessment in accordance with Appendix A of AS/NZS 1547 has been completed that demonstrates that the risk is acceptable.</p>	<p>Complies with A3 (b) (i) Land application area will be located with a minimum separation distance of 1.5m from an upslope or level property boundary</p> <p>Complies with A3 (b) (ii) Land application area will be located with a minimum separation distance of >10m of downslope property boundary (actual >100m)</p>
<p>A4</p> <p>Horizontal separation distance from a downslope bore, well or similar water supply to a land application area must be no less than 50m and not be within the zone of influence of the bore whether up or down gradient.</p>	<p>P4</p> <p>Horizontal separation distance from a downslope bore, well or similar water supply to a land application area must comply with all of the following:</p> <p>(a) Setback must be consistent with AS/NZS 1547 Appendix R; and</p> <p>(b) A risk assessment completed in accordance with Appendix A of AS/NZS 1547 demonstrates that the risk is acceptable</p>	<p>Complies with A4 No bore or well identified within 50m</p>

<p>A5</p> <p>Vertical separation distance between groundwater and a land application area must be no less than:</p> <p>(a) 1.5m if primary treated effluent; or</p> <p>(b) 0.6m if secondary treated effluent</p>	<p>P5</p> <p>Vertical separation distance between groundwater and a land application area must comply with the following:</p> <p>(a) Setback must be consistent with AS/NZS 1547 Appendix R; and</p> <p>(b) A risk assessment completed in accordance with Appendix A of AS/NZS 1547 that demonstrates that the risk is acceptable</p>	<p>Complies with A5 (a)</p> <p>No groundwater encountered</p>
<p>A6</p> <p>Vertical separation distance between a limiting layer and a land application area must be no less than:</p> <p>(a) 1.5m if primary treated effluent; or</p> <p>(b) 0.5m if secondary treated effluent</p>	<p>P6</p> <p>Vertical setback must be consistent with AS/NZS1547 Appendix R.</p>	<p>Complies with A6 (a)</p>
<p>A7</p> <p>nil</p>	<p>P7</p> <p>A wastewater treatment unit must be located a sufficient distance from buildings or neighbouring properties so that emissions (odour, noise or aerosols) from the unit do not create an environmental nuisance to the residents of those properties</p>	<p>Complies</p>

AS1547:2012 – Loading Certificate – Septic System Design

This loading certificate sets out the design criteria and the limitations associated with use of the system.

Site Address: Lot 3/380 Meadowbank Road

System Capacity: 6 people @ 120L/person/day

Summary of Design Criteria

DLR: 20L/m²/day.

Absorption area: 36m²

Reserve area location /use: Assigned – more than 100% available

Water saving features fitted: Standard fixtures

Allowable variation from design flows: 1 event @ 200% daily loading per quarter

Typical loading change consequences: Expected to be minimal due to capacity of system and site area (provided loading changes within 25% of design)

Overloading consequences: Continued overloading may cause hydraulic failure of the absorption area and require upgrading/extension of the area. Risk considered acceptable due to visible signs of overloading and owner monitoring.

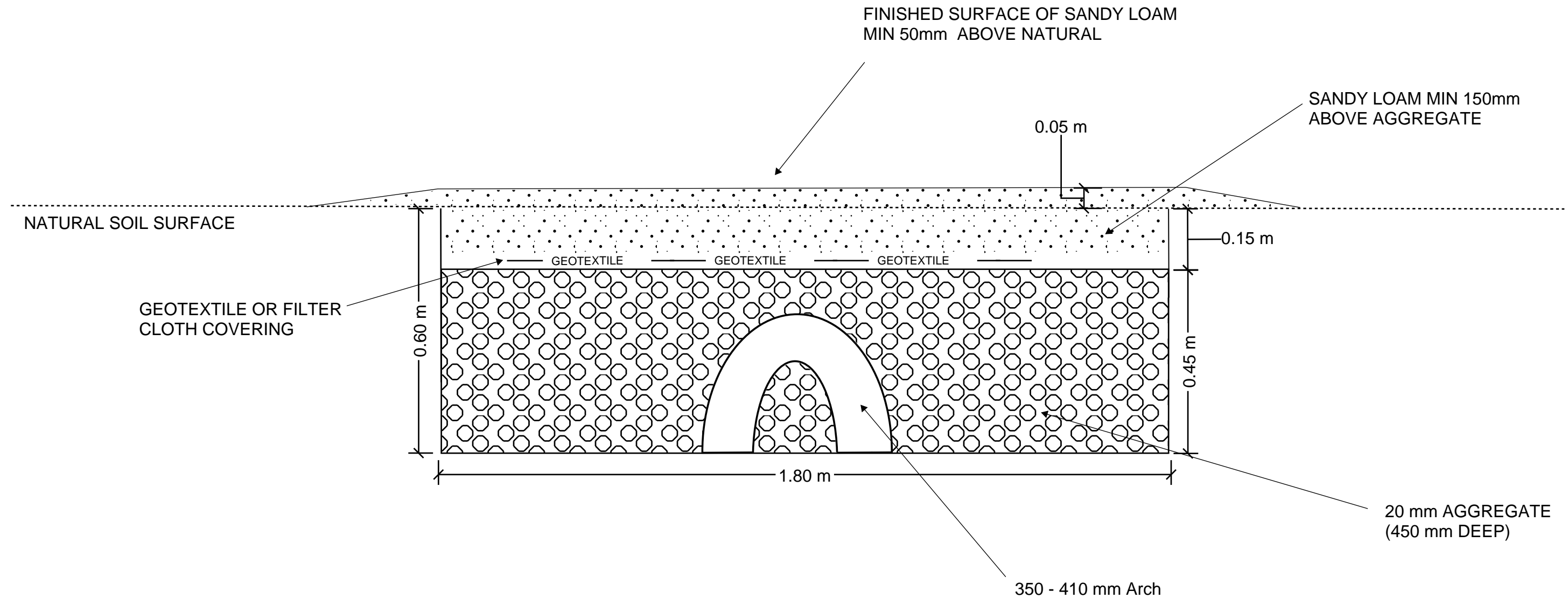
Underloading consequences: Lower than expected flows will have minimal consequences on system operation unless the house has long periods of non occupation. Under such circumstances additional maintenance of the system may be required. Risk considered acceptable.

Lack of maintenance / monitoring consequences: Issues of underloading/overloading and condition of the absorption area require monitoring and maintenance, if not completed system failure may result in unacceptable health and environmental risks. Septic tank de-sludging must also be monitored to prevent excessive sludge and scum accumulation. Monitoring and regulation by the property owner required to ensure compliance.

Other operational considerations: Owners/occupiers must be aware of the operational requirements and limitations of the system, including the following; the absorption area must not be subject to traffic by vehicles or heavy stock and should be fenced if required. The absorption area must be kept with adequate grass cover to assist in evapotranspiration of treated effluent in the absorption trenches. The septic tank must be desludged at least every 3 years, and any other infrastructure such as septic tank outlet filters must also be cleaned regularly (approx. every 6 months depending upon usage). Foreign materials such as rubbish and solid waste must be kept out of the system.

Design notes:

- 1.Absorption trench dimensions of up to 20m long by 0.60m deep by 1.8m wide
– total storage volume calculated at average 35% porosity.
- 2.Base of trenches to be excavated level and smearing and compaction avoided.
- 3.350-410mm Arch should be placed in the centre of trench
- 4.Geotextile or filter cloth to be placed over the distribution arch to prevent clogging
- 5.Construction on slopes up to 10% to allow trench depth range 650mm upslope edge to 450mm on down slope edge
- 6.Dispersive soils gypsum to be incorporated into the base of the trench at a rate of 1kg/m²
- 7.All works on site to comply with AS3500 and Tasmanian Plumbing code.



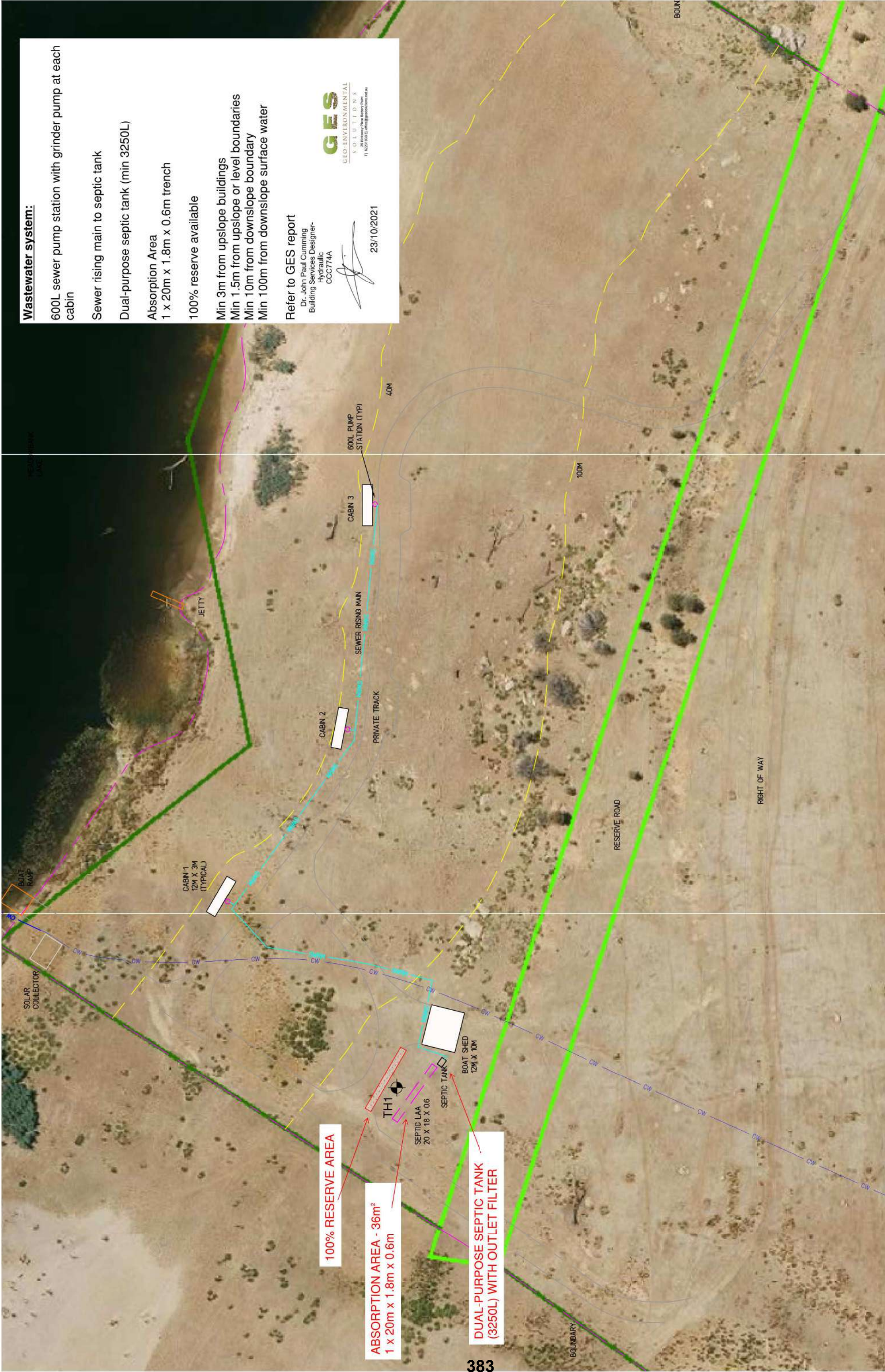
Do not scale from these drawings.
Dimensions to take precedence
over scale.

Geo-Environmental Solutions

Date: Jun 2020

Terraced Absorption Trench Detail

Sheet 1 of 1



Wastewater system:

- 600L sewer pump station with grinder pump at each cabin
- Sewer rising main to septic tank
- Dual-purpose septic tank (min 3250L)
- Absorption Area
1 x 20m x 1.8m x 0.6m trench
- 100% reserve available
- Min 3m from upslope buildings
- Min 1.5m from upslope or level boundaries
- Min 10m from downslope boundary
- Min 100m from downslope surface water

Refer to GES report

Dr. John Paul Cumming
Building Services Designer -
Hydraulic
CCC774A



23/10/2021



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OVEREEM ENTERPRISES PTY LTD
PROJECT DESCRIPTION:
3/380 MEADOWBANK ROAD, MEADOWBANK
OVEREEM, WILSON, MORGAN

DOCUMENT CONTROL		QUALITY CONTROL				DOCUMENT STATUS		FOR APPROVAL	
REV.	REMARKS	DATE	AUTHOR	REVISOR	DATE	DATE			
A	TR APPROVAL								
							</		

CERTIFICATE OF QUALIFIED PERSON – ASSESSABLE ITEM

Section 321

Form **55**

To: Owner /Agent
 Address
 Suburb/postcode

Qualified person details:

Qualified person:
Address: Phone No:
 Fax No:
Licence No: Email address:

Qualifications and Insurance details: (description from Column 3 of the Director's Determination - Certificates by Qualified Persons for Assessable Items)

Speciality area of expertise: (description from Column 4 of the Director's Determination - Certificates by Qualified Persons for Assessable Items)

Details of work:

Address: Lot No:
 Certificate of title No:
The assessable item related to this certificate: (description of the assessable item being certified)
Assessable item includes –

- a material;
- a design
- a form of construction
- a document
- testing of a component, building system or plumbing system
- an inspection, or assessment, performed

Certificate details:

Certificate type: (description from Column 1 of Schedule 1 of the Director's Determination - Certificates by Qualified Persons for Assessable Items n)

This certificate is in relation to the above assessable item, at any stage, as part of - (tick one)

building work, plumbing work or plumbing installation or demolition work ☒
or

a building, temporary structure or plumbing installation: ☐

In issuing this certificate the following matters are relevant –

Documents:	The attached soil report for the address detailed above in 'details of Work'
Relevant calculations:	Reference the above report.
References:	AS2870:2011 residential slabs and footings AS1726:2017 Geotechnical site investigations CSIRO Building technology file – 18.

Substance of Certificate: (what it is that is being certified)

Site Classification consistent with AS2870-2011.

Scope and/or Limitations

The classification applies to the site as inspected and does not account for future alteration to foundation conditions as a result of earth works, drainage condition changes or variations in site maintenance.

I, John-Paul Cumming certify the matters described in this certificate.

Qualified person:

Signed:

Certificate No:

Date:

J5375

23/10/2021



A handwritten signature in black ink, appearing to read 'John Paul Cumming', written over a light grey circular background.

CERTIFICATE OF THE RESPONSIBLE DESIGNER

Section 94
Section 106
Section 129
Section 155

To: Owner name
 Address
 Suburb/postcode

Form **35**

Designer details:

Name: Category:
Business name: Phone No:
Business address:
 Fax No:
Licence No: Email address:

Details of the proposed work:

Owner/Applicant Designer's project reference No.
Address: Lot No:

Type of work: Building work ☐ Plumbing work ☒ (X all applicable)

Description of work:

(new building / alteration / addition / repair / removal / re-erection / water / sewerage / stormwater / on-site wastewater management system / backflow prevention / other)

Description of the Design Work (Scope, limitations or exclusions): (X all applicable certificates)

Certificate Type:	Certificate	Responsible Practitioner
	<input type="checkbox"/> Building design	Architect or Building Designer
	<input type="checkbox"/> Structural design	Engineer or Civil Designer
	<input type="checkbox"/> Fire Safety design	Fire Engineer
	<input type="checkbox"/> Civil design	Civil Engineer or Civil Designer
	<input checked="" type="checkbox"/> Hydraulic design	Building Services Designer
	<input type="checkbox"/> Fire service design	Building Services Designer
	<input type="checkbox"/> Electrical design	Building Services Designer
	<input type="checkbox"/> Mechanical design	Building Service Designer
	<input type="checkbox"/> Plumbing design	Plumber-Certifier; Architect, Building Designer or Engineer
	<input type="checkbox"/> Other (specify)	

Deemed-to-Satisfy: ☒ Performance Solution: ☐ (X the appropriate box)

Other details:

Design documents provided:

The following documents are provided with this Certificate –

Document description:

Drawing numbers:	Prepared by: Geo-Environmental Solutions	Date: Oct-21
Schedules:	Prepared by:	Date:
Specifications:	Prepared by: Geo-Environmental Solutions	Date: Oct-21
Computations:	Prepared by:	Date:
Performance solution proposals:	Prepared by:	Date:
Test reports:	Prepared by: Geo-Environmental Solutions	Date: Oct-21

Standards, codes or guidelines relied on in design process:

AS1547:2012 On-site domestic wastewater management.

AS3500 (Parts 0-5)-2013 Plumbing and drainage set.

Any other relevant documentation:

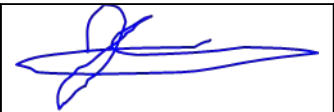
Geo-Environmental Assessment - Lot 3, 380 Meadowbank Road, Meadowbank - Oct-21
- Lot 3, 380 Meadowbank Road, Meadowbank - Oct-21

Attribution as designer:

I John-Paul Cumming, am responsible for the design of that part of the work as described in this certificate;

The documentation relating to the design includes sufficient information for the assessment of the work in accordance with the *Building Act 2016* and sufficient detail for the builder or plumber to carry out the work in accordance with the documents and the Act;

This certificate confirms compliance and is evidence of suitability of this design with the requirements of the National Construction Code.

	<i>Name: (print)</i>	<i>Signed</i>	<i>Date</i>
Designer:	John-Paul Cumming		23/10/2021
Licence No:	CC774A		

Assessment of Certifiable Works: (TasWater)

Note: single residential dwellings and outbuildings on a lot with an existing sewer connection are not considered to increase demand and are not certifiable.

If you cannot check ALL of these boxes, LEAVE THIS SECTION BLANK.

TasWater must then be contacted to determine if the proposed works are Certifiable Works.


I confirm that the proposed works are not Certifiable Works, in accordance with the Guidelines for TasWater CCW Assessments, by virtue that all of the following are satisfied:

- ☒ The works will not increase the demand for water supplied by TasWater
- ☒ The works will not increase or decrease the amount of sewage or toxins that is to be removed by, or discharged into, TasWater's sewerage infrastructure
- ☒ The works will not require a new connection, or a modification to an existing connection, to be made to TasWater's infrastructure
- ☒ The works will not damage or interfere with TasWater's works
- ☒ The works will not adversely affect TasWater's operations
- ☒ The work are not within 2m of TasWater's infrastructure and are outside any TasWater easement
- ☒ I have checked the LISTMap to confirm the location of TasWater infrastructure
- ☒ If the property is connected to TasWater's water system, a water meter is in place, or has been applied for to TasWater.

Certification:

I John-Paul Cumming..... being responsible for the proposed work, am satisfied that the works described above are not Certifiable Works, as defined within the *Water and Sewerage Industry Act 2008*, that I have answered the above questions with all due diligence and have read and understood the Guidelines for TasWater CCW Assessments.

Note: the Guidelines for TasWater Certification of Certifiable Works Assessments are available at: www.taswater.com.au

	Name: (print)	Signed	Date
Designer:	John-Paul Cumming		23/10/2021



Enquiries: Gerry Murrell
Phone: (03) 6165 3065
Email: propertyservices@parks.tas.gov.au
Our ref: 22/3216

9 May 2022

Mr Michael Wilson
500 Gellibrand Drive
SANDFORD TAS 7020

E: mwilson@dmtdas.com.au

Dear Mr Wilson,

**LODGEMENT OF PLANNING APPLICATION
MICHAEL WILSON
HOLIDAY CABINS AND SHED
LOT 3 AND LOT 4 (ACCESS ONLY) MEADOWBANK ROAD, MEADOWBANK**

This letter, issued pursuant to section 52(1B) of the *Land Use Planning and Approvals Act 1993* (LUPAA), is to confirm that the Crown consents to the making of the enclosed Planning Permit Application, insofar as the proposed development relates to Crown land managed by the Department Natural Resources and Environment Tasmania.

Crown consent is only given to the lodgement of this application. Any variation will require further consent from the Crown.

Please note, it is Departmental policy that all fire buffer areas (Hazard Management Areas and Fuel Modified Areas) are maintained wholly within freehold title boundaries and not on neighbouring Crown or Reserved land. Additionally, it is not PWS' practice for the Crown to enter into agreements under Part 5 of LUPAA in support of developments on private property.

This letter does not constitute, nor imply, any approval to undertake works, or that any other approvals required under the *Crown Lands Act 1976* have been granted. If planning approval is given for the proposed development, the applicant will be required to obtain separate and distinct consent from the Crown before commencing any works on Crown land.

If you need more information regarding the above, please contact the officer nominated at the head of this correspondence.

Yours sincerely,



Jesse Walker
Team Leader (Assessments)

Notice of Termination of Authority and Instrument of Delegation

DELEGATION OF THE DIRECTOR-GENERAL OF LANDS' FUNCTIONS UNDER THE LAND USE PLANNING AND APPROVALS ACT 1993

I, TIMOTHY WILLIAM BAKER, being and as the Director-General of Lands appointed under section 7 of the *Crown Lands Act 1976* ("the Act"), acting pursuant to section 23AA(5A) of the *Acts Interpretation Act*, hereby give notice that the authority of the holders of the offices of Deputy Secretary (Parks & Wildlife Service) (position number 700451), Manager - Crown Land Services (position number 707556), Team Leader - Crown Land Services (Unit Manager, Leases & Licences) (position number 340697) and Team Leader - Crown Land Services (Unit Manager, Policy & Projects) (position number 334958) to perform the functions conferred on the Director-General of Lands, as delegated on 20 December 2020 by Deidre Wilson, then Acting Director-General of Lands, is terminated with immediate effect.

Further, acting pursuant to section 52(IE) of the *Land Use Planning and Approvals Act 1993* ("the Act"), I hereby delegate the functions described (by reference to the relevant provision of the Act and generally) in Schedule I, to the persons respectively holding the offices of Deputy Secretary (Parks & Wildlife Service) (position number 700451), General Manager (Park Operations and Business Services) (position number 708581), Director (Operations) (position number 708050), Manager (Property Services) (position number 707556), Unit Manager (Operations) (position number 702124), and Team Leader (Assessments) (position number 334958) in accordance with the functions delegated to me by the Minister for Parks, being and as the Minister administering the *Crown Lands Act 1976*, by instrument dated 30 November 2021.

SCHEDULE I

Provision	Description of Functions
Section 52(1B)	Signing, and providing written permission for, applications for permits in relation to Crown land.

Dated at HOBART this 7th day of December 2021



.....

Tim Baker
DIRECTOR-GENERAL OF LANDS



Development & Environmental Services
19 Alexander Street
BOTHWELL TAS 7030

Phone: (03) 6259 5503
Fax: (03) 6259 5722

www.centralhighlands.tas.gov.au

OFFICE USE ONLY

Application No.: _____

Property ID No.: _____

Date Received: _____

Application for Planning Approval Use and Development

Use this form to apply for planning approval in accordance with section 57 and 58 of the *Land Use Planning and Approvals Act 1993*

Applicant / Owner Details:

Applicant Name

Michael Overeem

Postal Address

7B/54 Browns Road

Phone No:

0409 296 502

Kingston

7050

Fax No:

Email address

michael@overeem.com.au

Owner/s Name

Michael Wilson

(if not Applicant)

Postal Address

C/O Applicant

Phone No:

Fax No:

Email address:

Description of proposed use and/or development:

Address of new use and development:

Lot 3 Meadowbank Road, Meadowbank

Lot 4 Meadowbank Road, Meadowbank (access only)

Certificate of Title No:

Volume No

163527

Lot No:

3

163527

4

Description of proposed use or development:

Holiday cabins and shed

ie: New Dwelling / Additions / Demolition / Shed / Farm Building / Carport / Swimming Pool or detail other etc.

Current use of land and buildings:

N/A

Eg. Are there any existing buildings on this title?
If yes, what is the main building used as?

Proposed Material

What are the proposed external wall colours

see attached plans

What is the proposed roof colour

see attached plans

What is the proposed new floor area m².

see attached plans

What is the estimated value of all the new work proposed:

\$ 400,000

Is proposed development to be staged:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Tick <input checked="" type="checkbox"/>
Is the proposed development located on land previously used as a tip site?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	
Is the place on the Tasmanian Heritage Register?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	
Have you sought advice from Heritage Tasmania?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	
Has a Certificate of Exemption been sought for these works?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	

Signed Declaration

I/we hereby apply for a planning approval to carry out the use or development described in this application and in the accompanying plans and documents, accordingly I declare that:

1. The information given is a true and accurate representation of the proposed development. I understand that the information and materials provided with this development application may be made available to the public. I understand that the Council may make such copies of the information and materials as, in its opinion, are necessary to facilitate a thorough consideration of the Development Application. I have obtained the relevant permission of the copyright owner for the communication and reproduction of the plans accompanying the development application, for the purposes of assessment of that application. I indemnify the Central Highlands Council for any claim or action taken against it in respect of breach of copyright in respect of any of the information or material provided.
2. In relation to this application, I/we agree to allow Council employees or consultants to enter the site in order to assess the application.
3. I am the applicant for the planning permit and I have notified the owner/s of the land in writing of the intention to make this application in accordance with Section 52(1) of the *Land Use Planning Approvals Act 1993* (or the land owner has signed this form in the box below in "Land Owner(s) signature");
Applies where the applicant is not the Owner and the land is not Crown land or owned by a council, and is not land administered by the Crown or a council.

Applicant Signature

Michael Overeem

(if not the Owner)

Applicant Name (Please print)

Michael Overeem

Date

18 January 2021

Land Owner(s) Signature

Michael Wilson

Digitally signed by Michael Wilson
Date: 2022.01.18 11:42:49 +11'00'

Land Owners Name (please print)

Michael Wilson

Date

18 January 2022

Land Owner(s) Signature



Land Owners Name (please print)

Jesse Walker - Delegated Officer

Date

9 May 2022

On Behalf of The Crown in Right of Tasmania

<p>Information</p> <p>If you provide an email address in this form then the Central Highlands Council ("the Council") will treat the provision of the email address as consent to the Council, pursuant to Section 6 of the Electronic Transactions Act 2000, to using that email address for the purposes of assessing the Application under the Land Use Planning and Approvals Act 1993 ("the Act").</p> <p>If you provide an email address, the Council will not provide hard copy documentation unless specifically requested.</p> <p>It is your responsibility to provide the Council with the correct email address and to check your email for communications from the Council.</p> <p>If you do not wish for the Council to use your email address as the method of contact and for the giving of information, please tick ✓ the box</p>	<input type="checkbox"/>
<p>Heritage Tasmania</p> <p>If the Property is listed on the Tasmanian Heritage Register then the Application will be referred to Heritage Tasmania unless an Exemption Certificate has been provided with this Application. (Phone 1300 850 332 or email enquires@heritage.tas.gov.au)</p>	
<p>TasWater</p> <p>Depending on the works proposed Council may be required to refer the Application to TasWater for assessment (Phone 136992)</p>	

Louisa Brown

From:
Sent: Monday, 21 March 2022 5:43 PM
To: development
Cc:
Subject: DA No DA2022/00005

The General Manager

Dear Sir

I would like to put forward the following views in regards to the above development application

The main concern about the development is the access road, which consists of a single lane right away which is shared by six property owners including the applicant

The road itself is approximately 6 kilometers long and it is of gravel construction, for many years now I have spent a considerable amount of money to bring the road up to a suitable standard so I am not able to transgress over the road in a safe manner. The land owners, Chaffey, Ellis and Winter have partnered and made monetary contributions to its up keep as well.

The recent sale of land to the applicant and his two neighbors have seen considerable more traffic on the road, particularly heavy vehicles which has seen the condition of the road deteriorate much faster than it normally has.

We have had discussions with these new landowners about the road maintenance, but they are a bit reluctant to commit a reasonable amount of funds to its up keep

Our concerns are that during the construction stage and the on going traffic this development is likely to attract, the road will deteriorate and it will make it unsafe for all, particularly emergency service vehicle's that may need to use the road in the case of an emergency, such as fire and ambulance, and as this is the only vehicular access to all the properties, it does raise considerable concern

As it appears that this development is a commercial enterprise, therefore we ask that the Central Highlands take on board our concerns and maybe have the applicant commit to a continuing road maintenance plan, to the satisfaction of all parties involved

Yours Faithfully

Louisa Brown

From:
Sent: Tuesday, 22 March 2022 3:56 PM
To: planner@centralhighlands.tas.gov.au
Subject: Lot 3&4 Development Meadowbank

Good afternoon,

In regards to Lot 3 & 4 Meadowbank RD development

Proposal – Visitor accommodation

I object to this because –

It goes against the covenant on the land. Buildings within 100m of the water

If you look at the photos on the application, there has already been a lot of work done without council approval ie (toilet, water tank on hill, large amounts of land excavated)

concerned about guests at the accommodation (pets etc chasing sheep)

Thanks.



PLEASE CONSIDER THE ENVIRONMENT BEFORE YOU PRINT THIS E-MAIL

Email disclaimer: The information contained in this message, and any attachments, may include confidential or privileged information and is intended solely for the named recipient(s). If you are not a named recipient of this message, you may not copy or deliver the contents of this

Deputy Premier
Treasurer
Minister for Infrastructure and Transport
Minister for Planning



Level 10, Executive Building, 15 Murray Street, Hobart
Public Buildings, 53 St John Street, Launceston
GPO Box 123, Hobart TAS 7001
Phone: (03) 6165 7754; Email: Michael.Ferguson@dpac.tas.gov.au

25 May 2022

Councillor Loueen Triffitt
Mayor
Central Highlands Council
PO Box 20
HAMILTON TAS 7140

By email: council@centralhighlands.tas.gov.au

Dear Mayor

Scoping the State Planning Provisions Review

The Tasmanian Government is currently seeking your input to help scope the 5-yearly review of the State Planning Provisions (SPPs).

The SPPs are the statewide set of consistent planning rules in the Tasmanian Planning Scheme, which are used for the assessment of applications for planning permits. The SPPs contain the planning rules for the 23 zones and 16 codes in the Tasmanian Planning Scheme, along with the administrative, general, and exemption provisions.

Regular review of the SPPs is best practice ensuring we implement constant improvement and keep pace with emerging planning issues and pressures.

While the SPPs are not yet in effect across all areas of the State, a suitable period has now passed since the SPPs were drafted to initiate a review. The full suite of SPPs have been in effect in some local government areas for nearly 2 years, and some parts of the SPPs are also already in effect in the remaining interim planning schemes. This provides enough information and experience for conducting the review. The SPPs will also require review for consistency with the [Tasmanian Planning Policies](#) (TPPs) once they are made.

The **SPPs Review Scoping Paper** has been prepared to assist you with providing feedback. The Scoping Paper and a range of other information can be viewed through the [Have Your Say](#) on the Planning in Tasmania website : www.planningreform.tas.gov.au.

The feedback you provide will assist in identifying the key themes or parts of the SPPs that require detailed review. This will be conducted through separate projects and will conclude in amendments to the SPPs.

The SPPs review will occur in two stages. Some matters may be addressed in the short-term through amendments to the SPPs, while others may require the finalisation of the TPPs before progressing.

Written submissions in response to the **SPPs Review Scoping Paper** can be made until close of business on **Friday 29 July 2022** in one of the following ways:

1. Via email to yoursay.planning@dpac.tas.gov.au
2. Via post to:
Department of Premier and Cabinet
State Planning Office
GPO Box 123
HOBART TAS 7001

Enquiries can be directed to the Department of Premier and Cabinet, State Planning Office on 1300 703 977 or email stateplanning@dpac.tas.gov.au.

Yours sincerely



Michael Ferguson MP
Deputy Premier
Minister for Planning

Cc: Mrs Lyn Eyles, General Manager

State Planning Provisions Review

Scoping Paper



Author:
State Planning Office

Publisher:
Department of Premier and Cabinet

Date:
May 2022

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Minister's Foreword

The Government is committed to improving Tasmania's planning system and it will not be long before the Tasmanian Planning Scheme is fully in effect across our State, establishing a fairer, more consistent approach to planning and development approval. A single set of planning rules will apply across every local government area, generating efficiencies and increasing certainty and transparency for developers, planners, councils and our communities.

Having a well-drafted and contemporary planning scheme will ensure that our strategic land use planning policies and strategies are appropriately implemented, and that what is delivered on the ground through development applications are in accordance with community expectations.

As the new Minister for Planning, I believe that it is important that we regularly review our planning instruments to ensure they remain fit-for-purpose and current. Reviews provide the Government, councils, the community and other stakeholders with opportunities to identify areas for improvement and enable us to apply appropriate changes in policy and update specifications.

The State Planning Provisions (SPPs) came into effect as part of the Tasmanian Planning Scheme on 2 March 2017 following a comprehensive assessment process undertaken by the independent Tasmanian Planning Commission (the Commission), which included extensive public exhibition and 25 days of public hearings.

The SPPs establish the single set of planning rules for the 23 zones and 16 codes, which manage the use, development and conservation of land in Tasmania. Put simply the SPPs set out planning requirements such as the height of buildings, the uses allowed in particular locations, and what additional controls might be required for developing a heritage building. The SPPs are currently in effect across 12 municipalities in the State and will come into effect in the remaining areas following the approval of each council's Local Provisions Schedules.

Under the *Land Use Planning and Approvals Act 1993* (LUPAA), the SPPs are required to be reviewed every five years. This review is now due.

It is also a requirement that the SPPs be reviewed in the context of the Tasmanian Planning Policies (TPPs) once they are made. The TPPs are currently being prepared and a suite of draft TPPs are expected to be publicly exhibited towards the end of this year.

The State Planning Office has already started preparing for the SPPs review, which will formally commence with the public release of this Scoping Paper. While the review will cover all the SPPs, we want to identify any issues of specific concern so that we can focus our efforts to where they are most needed, and develop a suite of short, medium and longer-term amendments.

The SPPs are a vital part of our planning system and I encourage everyone to consider how they could potentially be improved.

I look forward to hearing your views.

Hon Michael Ferguson MP
Minister for Planning



Introduction

This paper introduces the first comprehensive review of the SPPs, the Statewide planning rules that apply as part of the Tasmanian Planning Scheme, and invites you to inform the scope of that review.

The aim is to identify the provisions of the SPPs that may require review, as well as if there is a need for any new provisions in the SPPs.

This paper has been prepared to help you provide feedback to assist us in identifying the scope of the SPPs review. The paper includes some key questions for you to consider and is organised with the following sections:

Section 1 explains what the SPPs are, how they work within the planning system, and why the government is reviewing them.

Section 2 details what the review will cover and how it will happen.

Section 3 lets you know how you can get involved.

Links and references to additional information that may assist you with providing feedback are included throughout this paper.

Why are we reviewing the State Planning Provisions?

The State Planning Provisions (SPPs) play an important role in the management of the use, development, and conservation of land in Tasmania, and it is important that they are regularly reviewed to ensure they remain contemporary and fit-for-purpose.

For these reasons, section 30T of LUPAA requires that the SPPs are reviewed every 5 years. Section 30T of LUPAA also requires a review of the SPPs to take place after the making of the TPPs, which is expected to occur during 2023. This ensures consistency with the policies contained in the TPPs.

Having been approved in 2017, the SPPs are due for review during 2022. Regular review of planning instruments is considered best practice to:

- improve how they achieve their purpose,
- apply improvements in knowledge and policy, and
- give people and groups a chance to provide their views on how those planning instruments are working, and to suggest improvements.

While the SPPs are not yet fully in effect across all our State, a suitable period has now passed since the SPPs were drafted to initiate a review. The full suite of SPPs have been in effect in some local government areas for nearly 2 years, and some parts of the SPPs are also already in effect in the remaining interim planning schemes. This provides enough information and experience for conducting the review.



1. Understanding the SPPs

1.1 Overview of land use planning in Tasmania

Land use planning is about putting in place a guiding framework of policies, strategies, and rules for use and development that will shape the future of how our society looks and functions. These tools then influence decision making about how our settlements, our infrastructure, and our landscapes look and how we want them to function.

Figure 1 illustrates an overview of Tasmania's land use planning system.

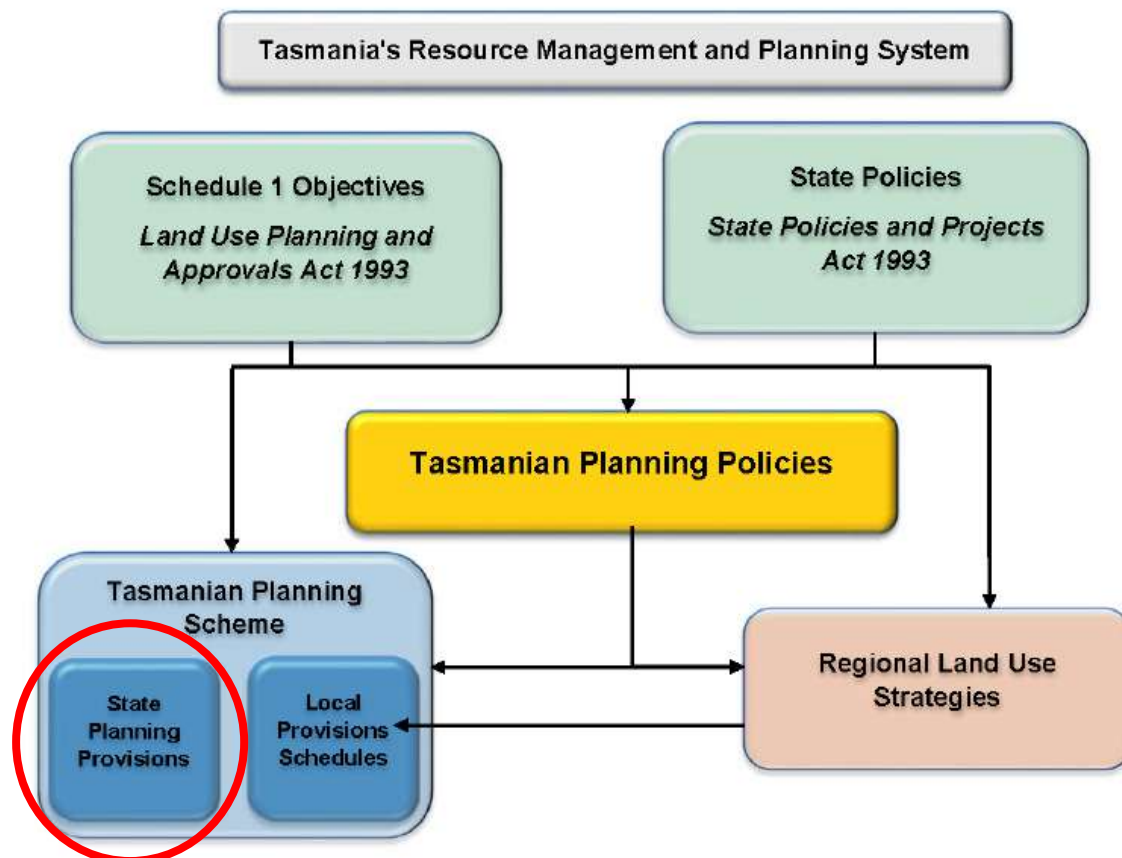


Figure 1 - Tasmania's land use planning system

The range of land use planning documents that make up Tasmania's planning system can be described as either 'strategic' or 'statutory' planning documents. The framework that provides for these documents is set out in LUPAA.

Strategic planning documents guide longer term land use and development through statements such as objectives, principles, policies, or strategies which are informed by social, economic, and environmental data. Strategic planning documents in Tasmania include the State Policies, the TPPs that are currently under preparation, and the three regional land use strategies. Councils also prepare a range of other local strategic planning documents.

The main statutory planning documents in Tasmania are the current planning schemes: the Tasmanian Planning Scheme and the remaining interim and older planning schemes. These set the rules for making decisions about use or development on particular sites in the immediate future.



It is the role of local councils acting as ‘planning authorities’ to assess applications for planning permits (often referred to as development applications) in accordance with the rules contained in planning schemes. The processes for making decisions on development applications are outlined in LUPAA.

1.2 The Tasmanian Planning Scheme

The Tasmanian Planning Scheme is made up of the SPPs and Local Provisions Schedules (LPS), as shown in Figure 2.

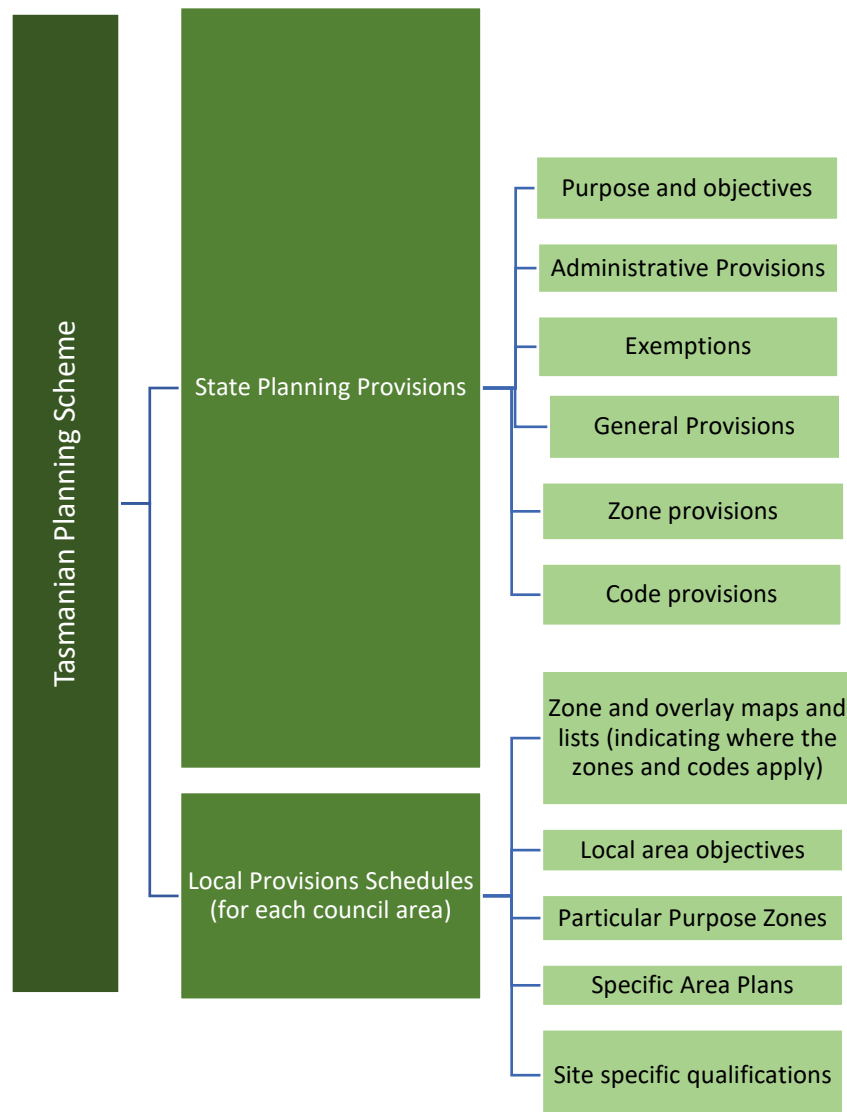


Figure 2 - Structure of the Tasmanian Planning Scheme

The rules in the Tasmanian Planning Scheme control the use, development, and conservation of land across the State in support of the LUPAA Schedule 1 Objectives, State Policies, and the TPPs (once made).

The SPPs are the Statewide set of rules (or provisions) expressed mainly through 23 zones and 16 codes. The SPPs also include administrative, general, and exemption provisions, and the requirements and a template for the LPS. More information on the SPPs is available on the [Planning in Tasmania website](#).

The SPPs are prepared, approved and amended by the Minister for Planning, with expert planning advice provided by both the Commission and the State Planning Office.



The LPS apply the SPPs in each local government area through zone maps, overlay maps, and lists of places where the codes apply. LPS may also contain local area objectives, particular purpose zones (PPZs), specific area plans (SAPs), and site-specific qualifications (SSQs). Each of these is a form of planning control for unique places specific to the local area.

The Tasmanian Planning Scheme, including the SPPs, only applies once a council has its LPS approved. For this reason, some councils still operate under the older Interim Planning Schemes. All councils will eventually use the Tasmanian Planning Scheme to make decisions about land use and development.

The Tasmanian Planning Scheme also operates alongside other legislative requirements, including integrated assessment processes for:

- certain activities with the potential for environmental emissions or impacts (Level 2 activities) administered by the [Environment Protection Authority \(EPA\) Tasmania](#);
- works on heritage places of State significance listed on the [Tasmanian Heritage Register](#) administered by [Tasmanian Heritage Council](#); and
- considering impacts on [TasWater's water and sewerage infrastructure](#).

Certain forestry operations and works, mineral exploration, and marine farming are managed under separate legislation. There are also exemptions from the Tasmanian Planning Scheme for certain electricity, water and sewerage, gas and railway infrastructure works as outlined in their relevant legislation.

1.3 Background of the SPPs

The first SPPs were drafted during 2015 as part of the Government's planning reform agenda to introduce a single Statewide planning scheme.

The drafting of the SPPs involved input from technical reference groups and consultative groups including State and regional organisations across business, industry, the community sector, environmental and heritage interests, and local government.

The SPPs largely adopted the structure established by [Planning Directive No. 1 – The Format and Structure of Planning Schemes](#) (Planning Directive No. 1) on which all interim planning schemes were based. Departures from Planning Directive No. 1 occurred to align the administrative provisions with the Tasmanian Planning Scheme structure required by LUPAA, in addition to:

- detailed reconsideration of the planning scheme exemptions;
- additional Special Provisions (renamed as General Provisions) from interim planning schemes; and
- reconsideration of some zones, such as replacing the Rural Resource Zone and Significant Agriculture Zone with the Rural Zone and Agriculture Zone, removal of the Environmental Living Zone, and inclusion of the Landscape Conservation Zone and the Future Urban Zone.

The content of the zones and codes in the SPPs was drafted with detailed regard to all interim planning schemes that were in operation at the time. It also captured the latest versions of codes as recommended by the Commission in accordance with:

- other approved or draft planning directives (the Bushfire-Prone Areas Code, Road and Railway Assets Code and Potentially Contaminated Land Code), and



- latest State Government policies on natural hazards (the Coastal Erosion Hazard Code, Coastal Inundation Hazard Code and Landslip Hazard Code).

During 2016, the Commission undertook a comprehensive independent assessment of the SPPs, including 60 days of public consultation and 25 days of public hearings.

The Commission's assessment of the SPPs concluded in December 2016 with a recommendations report being provided to the then Minister for Planning. In making the SPPs, the then Minister accepted the majority of the Commission's recommendations. A statement of reasons was released in response to those recommendations that were not accepted.

The SPPs were made on 2 March 2017.

2. Understanding the review

2.1 Scope of the review

The review will consider the SPPs component of the Tasmanian Planning Scheme. All of the SPPs are open to review.

It is important to note that this review does not include the:

- Local Provisions Schedules;
- Regional Land Use Strategies;
- State Policies; or
- the broader planning framework within LUPAA and associated legislation.

The review will not consider where zones and codes are applied in the Local Provisions Schedules. This is the role of individual councils with independent oversight from the Commission. Instead, the review will consider the rules and administrative requirements in the SPPs.

There are limitations on matters that may be covered by the Tasmanian Planning Scheme and the SPPs as listed in sections 11(3) and 12 of LUPAA. Certain building design and engineering and safety requirements are also covered by the *Building Act 2016*, associated regulations, and the *National Construction Code*. These also do not form part of the review.

2.2 Review process

The SPPs review begins with the release of this scoping paper and related information documents (Step 1 in Figure 3 below).

Feedback received from the scoping process will assist with identifying those provisions in the SPPs that require review, potential gaps in the SPPs, and inform options for improvement and potential amendments to the SPPs. A report will be prepared in response to the feedback from the scoping process (Step 2 in Figure 3 below).

The scoping process will help inform key themes or parts of the SPPs that require more detailed consideration for progression through separate projects and conclude in amendments to the SPPs. The State Planning Office will establish reference groups and consultative groups to assist with these detailed projects and amendments.



Some matters may be addressed in the short-term through amendments to the SPPs (Step 3 in Figure 3 below), while others may require the finalisation of the TPPs before progressing (Step 4 in Figure 4 below). It is a requirement of LUPAA for the SPPs to be consistent with the TPPs.

The making of the TPPs, which is expected to occur during 2023, will result in a review of the SPPs for consistency. A discussion paper will be released for consultation to consider options for amendments to the SPPs to make them consistent with the TPPs (Step 4 in Figure 3 below).

The SPPs amendment processes are detailed in [Part 3, Division 2](#) of LUPAA. All non-minor amendments are subject to public consultation, and independent assessment, including public hearings, by the Commission. The Commission then provides recommendations on the draft SPPs amendments which must be considered by the Minister for Planning before determining whether or not to make the amendment.

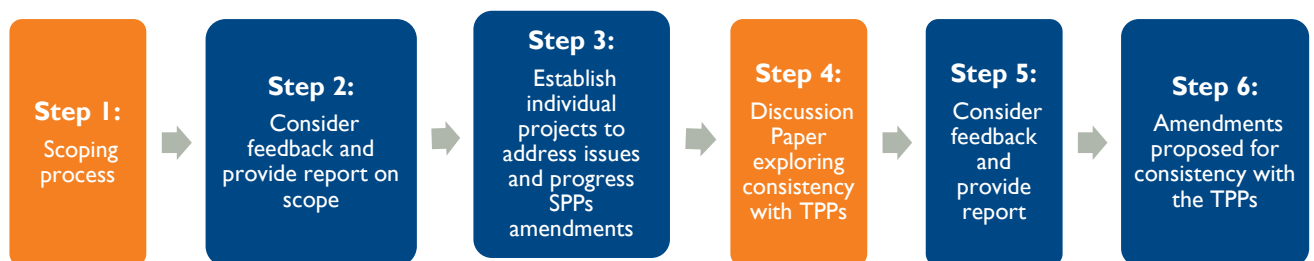


Figure 1 - The SPP review process

2.3 What has happened so far

The State Planning Office has put together a list of issues that have already been raised through conversations with stakeholders, along with submissions received through other processes. These processes include exhibition of [Planning Directive No. 8 – Exemptions, Application Requirements, Special Provisions and Zone Provisions](#) and reports provided to the Commission on the SPPs in accordance with [section 35G](#) of LUPAA.

A summary of these issues is available on the [Planning in Tasmania website](#).

Section 35G of LUPAA provides a process for a local council, after considering submissions on their draft LPS, to advise the Commission on potential amendments to the SPPs. The Commission must consider the advice of the council and provide a recommendation to the Minister for Planning. More information on the process under s.35G of LUPAA is available of the [Commission's website](#).

Several current projects will also inform the SPPs review. These projects are detailed below.



Residential and Housing Reviews

Review of the residential development standards derived from Planning Directive 4.1

The rules in the SPPs General Residential Zone and Inner Residential Zone are based on those in *Planning Directive 4.1 – Standards for Residential Development in the General Residential Zone* (Planning Directive No. 4.1).

In 2014, Planning Directive No. 4.1 introduced a Statewide set of rules for residential development in the General Residential Zone across all interim planning schemes.

In 2020 the State Planning Office commissioned a consultant to engage with stakeholders about their key concerns with the requirements in Planning Directive No. 4.1 and to seek examples of their practical application. This process has resulted in the *Review of Tasmania's Residential Development Standards – Issues Paper* which has been made available through the [Planning in Tasmania website](#) to further assist with scoping the SPPs Review.

Medium Density Residential Development Standards Project

In 2019, the then Premier of Tasmania announced a project to prepare planning rules to deliver consistent requirements for apartment developments in Tasmania. The new requirements will be implemented through an Apartment Code in the SPPs to provide a clear pathway for the assessment of apartments and encourage good quality design and liveable spaces.

The project is being managed by the State Planning Office in partnership with Hobart City Council through the Hobart City Deal and will be delivered through a future amendment to the SPPs.

This project will be informed by the SPPs Review, and the review of the residential development standards derived from Planning Directive No. 4.1.

More information on the medium density residential development standards project and the Apartment Code is available through the [Planning in Tasmania website](#).

Tasmanian Planning Policies (TPPs)

The TPPs are high-level strategic policy ambitions and directions on land use planning matters of State and community interest. They will provide a way for the Tasmanian Government and community to consider and set directions on a broad range of complex and emerging planning issues. These high-level policies will inform strategic planning and the statutory planning provisions within the SPPs and LPS.

Some matters raised during the SPPs review scoping process may need to be considered in conjunction with the broader policies in the TPPs. The SPPs must be reviewed for consistency with these policies once the TPPs are made.

Once the TPPs are made, a discussion paper will be circulated to explore how consistent the SPPs are with the TPPs and what changes may need to be made to the SPPs.

More information on the TPPs is available through the [Planning in Tasmania website](#).



3. How to get involved

The Government wants to hear from you about issues with the SPPs.

We want to hear about the provisions in the SPPs that you think require review, or any provisions that you think are missing.

Your feedback will help scope the 5-yearly review of the SPPs and to identify issues to be addressed through amendments to the SPPs.

We encourage you to read this scoping paper in full before providing your comments as a submission. Please note, the scope of the review is outlined in section 2.1 of this scoping paper. We also encourage you to peruse all other documents made available as part of the scoping process as these may help inform your submission.

To help you respond, we invite you to consider the following questions. We also encourage you to provide reasons and examples (where possible).

QUESTIONS TO CONSIDER

Which parts of the SPPs do you think work well?

Which parts of the SPPs do you think could be improved?

What improvements do you think should be prioritised?

Are there any requirements that you don't think should be in the SPPs?

Are there additional requirements that you think should be included in the SPPs?

Are there any issues that have previously been raised on the SPPs that you agree with or disagree with?

Are there any of the issues summarised in the *Review of Tasmania's Residential Development Standards – Issues Paper* that you agree or disagree with?

Submissions on the State Planning Provisions Scoping Paper can be made until the close of business on **29 July 2022** in one of the following ways:

- Via email to yoursay.planning@dpac.tas.gov.au
- Via post to:

Department of Premier and Cabinet
State Planning Office
GPO Box 123
HOBART TAS 7001

Submissions will be treated as public information and will be published on the [Planning in Tasmania website](#), unless confidentiality is specifically requested.



No personal information other than an individual's name or the organisation making a submission will be published.

For further information, please contact the State Planning Office via email: stateplanning@dpac.tas.gov.au, or read the [Tasmanian Government Public Submissions Policy](#).

The State Planning Office website contains more information on the Tasmanian Planning Scheme and the SPPs:

If you would like to discuss the SPPs review further, or would like a briefing, please contact the State Planning Office at: stateplanning@dpac.tas.gov.au or by telephoning 1300 703 977.

4. What will happen next?

Once the consultation period has ended, the State Planning Office will carefully consider all comments received.

Feedback received from this scoping process will assist with deciding the extent of the SPPs review. A report will be prepared in response to the feedback from the scoping process.

The scoping process will help inform key themes or parts of the SPPs that require more detailed consideration for progression through separate projects and conclude in amendments to the SPPs.





Tasmanian
Government

Department of Premier and Cabinet
State Planning Office

Phone:
1300 703 977

Email:
Stateplanning@dpac.tas.gov.au

www.planningreform.tas.gov.au

12 May 2022

Ms Lyn Eyles
The General Manager
Central Highlands Council
PO Box 20

HAMILTON TAS 7140

(Via email: leyles@centralhighlands.tas.gov.au)

Via email: council@centralhighlands.tas.gov.au)

THR 12003

Dear Ms Eyles,

**REMOVAL OF AN ENTRY OR ENTRIES FROM
THE TASMANIAN HERITAGE REGISTER**

Further to our previous correspondence, I wish to advise that the Tasmanian Heritage Council has resolved to remove the following entry or entries from the Tasmanian Heritage Register, under the provisions in section 22(1) and 25(1)(a) of the *Historic Cultural Heritage Act 1995*:

THR 884, Cawood, 167 Tor Hill Road, Ouse

The reason for the removal is that there are duplicate entries for Cawood, 167 Tor Hill Road, Ouse in the Heritage Register, THR 884 and THR 12003. The Heritage Council has decided to remove entry THR 884 noting that the place will remain in the Heritage Register under entry, THR 12003.

Please be aware that this entry, or these entries, will not be removed until at least 31 days after this notice, in accordance with section 25(2)(a) of the Act or, if an appeal is lodged, following the outcome of that appeal.

If you would like to discuss this matter, please contact Heritage Tasmania by calling 1300 850 332 or via email: enquiries@heritage.tas.gov.au.

Yours sincerely



Ms Brett Torossi
Chair
Tasmanian Heritage Council



12 May 2022

NOTICE OF REMOVAL OF AN ENTRY OR ENTRIES FROM THE TASMANIAN HERITAGE REGISTER

To:

Ms Lyn Eyles
The General Manager
Central Highlands Council
PO Box 20

HAMILTON TAS 7140

(Via email: leyles@centralhighlands.tas.gov.au)

Via email: council@centralhighlands.tas.gov.au)

In accordance with section 26(a) of the *Historic Cultural Heritage Act 1995* (the Act) and having considered:

- the objections made under section 23 of the Act; and
- the submissions made under section 24 of the Act –

in relation to the Tasmanian Heritage Council's intention to remove the entry or entries relating to the place or places set out below, the Tasmanian Heritage Council gives notice that it will remove the following entry or entries from the Tasmanian Heritage Register:

Place(s):

THR 884, Cawood, 167 Tor Hill Road, Ouse

The reason for the removal is that this entry duplicates Heritage Register entry THR 12003, Cawood, 167 Tor Hill Road, Ouse, which will remain entered in the Heritage Register.

Any person who lodged an objection under section 23 of the Act or a submission under section 24 of the Act, may appeal this decision to the Resource Management and Planning Appeal Tribunal under section 27 of the Act. An appeal must be made in writing and lodged with the Tribunal (GPO Box 2036, Hobart 7001) within 30 days after this notice has been given to you.

In accordance with section 25(2)(a) the entry relating to this place will not be removed from the Heritage Register until at least 31 days after this notice is given to you. If the decision is appealed, the entry will not be removed unless and until the Tribunal makes an order confirming the decision.

Ms Brett Torossi

Chair
Tasmanian Heritage Council
12 May 2022



12 May 2022

Ms Lyn Eyles
The General Manager
Central Highlands Council
PO Box 20

HAMILTON TAS 7140

(Via email: leyles@centralhighlands.tas.gov.au)

Via email: council@centralhighlands.tas.gov.au)

THR 12004

Dear Ms Eyles,

**REMOVAL OF AN ENTRY OR ENTRIES FROM
THE TASMANIAN HERITAGE REGISTER**

Further to our previous correspondence, I wish to advise that the Tasmanian Heritage Council has resolved to remove the following entry or entries from the Tasmanian Heritage Register, under the provisions in section 22(1) and 25(1)(a) of the *Historic Cultural Heritage Act 1995*:

THR 875, Hunter's Hill Barn, 167 Tor Hill Road, Ouse

The reason for the removal is that there are duplicate entries for Hunter's Hill barn and cottages, 67 Tor Hill Road, Ouse in the Heritage Register, THR 875 and THR12004. The Heritage Council has decided to remove entry THR 875 noting that the place will remain in the Heritage Register under entry, THR 12004.

Please be aware that this entry, or these entries, will not be removed until at least 31 days after this notice, in accordance with section 25(2)(a) of the Act or, if an appeal is lodged, following the outcome of that appeal.

If you would like to discuss this matter, please contact Heritage Tasmania by calling 1300 850 332 or via email: enquiries@heritage.tas.gov.au.

Yours sincerely

Ms Brett Torossi
Chair
Tasmanian Heritage Council



12 May 2022

NOTICE OF REMOVAL OF AN ENTRY OR ENTRIES FROM THE TASMANIAN HERITAGE REGISTER

To:
Ms Lyn Eyles
The General Manager
Central Highlands Council
PO Box 20
HAMILTON TAS 7140
(Via email: leyles@centralhighlands.tas.gov.au)
Via email: council@centralhighlands.tas.gov.au)

In accordance with section 26(a) of the *Historic Cultural Heritage Act 1995* (the Act) and having considered:

- the objections made under section 23 of the Act; and
- the submissions made under section 24 of the Act –

in relation to the Tasmanian Heritage Council's intention to remove the entry or entries relating to the place or places set out below, the Tasmanian Heritage Council gives notice that it will remove the following entry or entries from the Tasmanian Heritage Register:

Place(s):
THR 875, Hunter's Hill Barn, 167 Tor Hill Road, Ouse

The reason for the removal is that this entry duplicates Heritage Register entry THR 12004, Hunter's Hill barn and cottages, 167 Tor Hill Road, Ouse, which will remain entered in the Heritage Register.

Any person who lodged an objection under section 23 of the Act or a submission under section 24 of the Act, may appeal this decision to the Resource Management and Planning Appeal Tribunal under section 27 of the Act. An appeal must be made in writing and lodged with the Tribunal (GPO Box 2036, Hobart 7001) within 30 days after this notice has been given to you.

In accordance with section 25(2)(a) the entry relating to this place will not be removed from the Heritage Register until at least 31 days after this notice is given to you. If the decision is appealed, the entry will not be removed unless and until the Tribunal makes an order confirming the decision.

Ms Brett Torossi

Chair
Tasmanian Heritage Council
12 May 2022

12 May 2022

Ms Lyn Eyles
The General Manager
Central Highlands Council
PO Box 20

HAMILTON TAS 7140

(Via email: leyles@centralhighlands.tas.gov.au)

Via email: council@centralhighlands.tas.gov.au)

THR 12006

Dear Ms Eyles,

**REMOVAL OF AN ENTRY OR ENTRIES FROM
THE TASMANIAN HERITAGE REGISTER**

Further to our previous correspondence, I wish to advise that the Tasmanian Heritage Council has resolved to remove the following entry or entries from the Tasmanian Heritage Register, under the provisions in section 22(1) and 25(1)(a) of the *Historic Cultural Heritage Act 1995*:

THR 862, Strathborough, 2120 Hollow Tree Road, Hollow Tree

The reason for the removal is that there are duplicate entries for Strathborough, 2120 Hollow Tree Road, Hollow Tree in the Heritage Register, THR 862 and THR 12006. The Heritage Council has decided to remove entry THR 862 noting that the place will remain in the Heritage Register under entry, THR 12006.

Please be aware that this entry, or these entries, will not be removed until at least 31 days after this notice, in accordance with section 25(2)(a) of the Act or, if an appeal is lodged, following the outcome of that appeal.

If you would like to discuss this matter, please contact Heritage Tasmania by calling 1300 850 332 or via email: enquiries@heritage.tas.gov.au.

Yours sincerely



Ms Brett Torossi
Chair
Tasmanian Heritage Council



12 May 2022

**NOTICE OF REMOVAL OF AN ENTRY OR ENTRIES
FROM THE TASMANIAN HERITAGE REGISTER**

To:

Ms Lyn Eyles
The General Manager
Central Highlands Council
PO Box 20

HAMILTON TAS 7140

(Via email: leyles@centralhighlands.tas.gov.au)

Via email: council@centralhighlands.tas.gov.au)

THR 12006

In accordance with section 26(a) of the *Historic Cultural Heritage Act 1995* (the Act) and having considered:

- the objections made under section 23 of the Act; and
- the submissions made under section 24 of the Act –

in relation to the Tasmanian Heritage Council's intention to remove the entry or entries relating to the place or places set out below, the Tasmanian Heritage Council gives notice that it will remove the following entry or entries from the Tasmanian Heritage Register:

Place(s):

THR 862, Strathborough, 2120 Hollow Tree Road, Hollow Tree

The reason for the removal is that this entry duplicates Heritage Register entry THR 12006, Strathborough 2120 Hollow Tree Road, Hollow Tree, which will remain entered in the Heritage Register.

Any person who lodged an objection under section 23 of the Act or a submission under section 24 of the Act, may appeal this decision to the Resource Management and Planning Appeal Tribunal under section 27 of the Act. An appeal must be made in writing and lodged with the Tribunal (GPO Box 2036, Hobart 7001) within 30 days after this notice has been given to you.

In accordance with section 25(2)(a) the entry relating to this place will not be removed from the Heritage Register until at least 31 days after this notice is given to you. If the decision is appealed, the entry will not be removed unless and until the Tribunal makes an order confirming the decision.

Ms Brett Torossi

Chair

Tasmanian Heritage Council

12 May 2022

12 May 2022

Ms Lyn Eyles
General Manager
Central Highlands Council
PO Box 20

HAMILTON TAS 7140

(Via email: leyles@centralhighlands.tas.gov.au;
council@centralhighlands.tas.gov.au)

THR 12032

Dear Ms Eyles

**REMOVAL OF AN ENTRY OR ENTRIES FROM
THE TASMANIAN HERITAGE REGISTER**

Further to our previous correspondence, I wish to advise that the Tasmanian Heritage Council has resolved to remove the following entry or entries from the Tasmanian Heritage Register, under the provisions in section 22(1) and 25(1)(a) of the *Historic Cultural Heritage Act 1995*:

THR 826, Church of St Mary the Virgin and Cemetery, 31 Church Road, Gretna

The reason for the removal is that there are duplicate entries for **Church of St Mary the Virgin & Cemetery, 31 Church Road, Gretna** in the Heritage Register, THR 826 and THR 12032. The Heritage Council has decided to remove entry THR 826 noting that the place will remain in the Heritage Register under entry, THR 12032.

Please be aware that this entry, or these entries, will not be removed until at least 31 days after this notice, in accordance with section 25(2)(a) of the Act or, if an appeal is lodged, following the outcome of that appeal.

If you would like to discuss this matter, please contact Heritage Tasmania by calling 1300 850 332 or via email: enquiries@heritage.tas.gov.au.

Yours sincerely



Ms Brett Torossi
Chair
Tasmanian Heritage Council

12 May 2022

NOTICE OF REMOVAL OF AN ENTRY OR ENTRIES FROM THE TASMANIAN HERITAGE REGISTER

To:
Ms Lyn Eyles
General Manager
Central Highlands Council
PO Box 20
HAMILTON TAS 7140
(Via email: leyles@centralhighlands.tas.gov.au;
council@centralhighlands.tas.gov.au)

In accordance with section 26(a) of the *Historic Cultural Heritage Act 1995* (the Act) and having considered:

- the objections made under section 23 of the Act; and
- the submissions made under section 24 of the Act –

in relation to the Tasmanian Heritage Council's intention to remove the entry or entries relating to the place or places set out below, the Tasmanian Heritage Council gives notice that it will remove the following entry or entries from the Tasmanian Heritage Register:

Place(s):
THR 826, Church of St Mary the Virgin and Cemetery, 31 Church Road, Gretna

The reason for the removal is that this entry duplicates Heritage Register entry THR 12032, Church of St Mary the Virgin & Cemetery, 31 Church Road, Gretna which will remain entered in the Heritage Register.

Any person who lodged an objection under section 23 of the Act or a submission under section 24 of the Act, may appeal this decision to the Resource Management and Planning Appeal Tribunal under section 27 of the Act. An appeal must be made in writing and lodged with the Tribunal (GPO Box 2036, Hobart 7001) within 30 days after this notice has been given to you.

In accordance with section 25(2)(a) the entry relating to this place will not be removed from the Heritage Register until at least 31 days after this notice is given to you. If the decision is appealed, the entry will not be removed unless and until the Tribunal makes an order confirming the decision.



Ms Brett Torossi
Chair
Tasmanian Heritage Council
12 May 2022

Department of Natural Resources and Environment Tasmania

BIOSECURITY TASMANIA

GPO Box 44

Hobart TAS 7001

Ph. (03) 6165 3777

Web: [www.nre.tas.gov.au/Invasive species](http://www.nre.tas.gov.au/Invasive%20species)



Dear General Manager

The Government is releasing for targeted consultation the draft Cat Management Regulations 2022 (the draft Regulations).

The Regulations need to be re-made due to the requirements of section 11(2) of the *Subordinate Legislation Act 1992*, subordinate legislation (which applies to the Regulations) being repealed on the tenth anniversary of the date on which it was made. Re-making the Regulations will ensure that relevant rules continue to apply.

As part of the remake of the Regulations, changes resulting from recent amendments to the *Cat Management Act 2009* will also be incorporated.

The Regulations include the prescribed details for cat management facilities, microchipping, desexing, miscellaneous provisions and the offences under the [Cat Management Act 2009](#) for which infringement notices may be issued (and the associated penalties).

Feedback

A copy of the draft Cat Management Regulations 2022 is attached for your review.

The 'Draft Cat Management Regulations 2022 - Information sheet' (attached) draws your attention to proposed changes, which will assist in understanding the scope of what is being proposed.

The Government is seeking feedback on the proposed amendments by close of business on **Monday 4 July 2022** via email to CatManagement@nre.tas.gov.au.

If you have any queries or require further information regarding the consultation on the draft Regulations, please contact Karen Crouch on M: 0400 184 341.

Regards

Michael Askey-Doran
Manager
Invasive Species Branch
Biosecurity Tasmania

Draft Cat Management Regulations 2022

Information Sheet

Remaking of the Cat Management Regulations 2012

The Government is seeking feedback on the draft Cat Management Regulations 2022 (the draft Regulations), as part of the required re-make the Cat Management Regulations 2012 (the Regulations), that occurs every 10 years.

The draft Regulations include changes associated with the recent amendments to the *Cat Management Act 2009*; and proposed amendments to the existing Regulations as outlined below.

i) Changes associated with recent amendments to the *Cat Management Act 2009*

Public consultation for amendments to the *Cat Management Act 2009* (the Act) was undertaken prior to the Cat Management Amendment Bill 2020 being tabled in Parliament. Regulations have been amended in line with these amendments including penalties.

ii) Proposed amendments to the existing Regulations

Draft Regulation	Proposed amendments
13 Microchip implanters	Changes to criteria for recognition of a microchip implanter. <i>Comment:</i> Removes ambiguity around who is recognised as a microchip implanter and requisite qualifications and experience.
18 Identification of desexing	Rewording to have a desexing mark approved by the Secretary, NRE Tas. <i>Comment:</i> Allows for more than one mark to be recognised.
19 Prescribed prohibited area	New regulation to allow for land that has ecological, scientific, cultural, recreational, or aesthetic value and is managed by council to meet paragraph d of the definition of prohibited area as per section 4 of the <i>Cat Management Act 2009</i> . <i>Comment:</i> Section 18 of the <i>Cat Management Act 2009</i> , enables cat management actions to be undertaken in prohibited areas (includes trapping, seizing, detaining, humanely destroying a cat). The intention of the regulation is to permit councils to undertake cat management action on land they maintain that has either ecological, scientific, cultural, recreational or aesthetic value, without having to formally declare the area as a prohibited or a cat management area.

Draft Cat Management Regulations 2022

Information Sheet

Draft Regulation	Proposed amendments
20 Prescribed health checks	<p>Removal of the general health check by a veterinarian regulation 20(c).</p> <p><i>Comment:</i></p> <p>This existing requirement has limited value as a health check is only valid for the day of issue.</p>
22 Prescribed manner of notification of application to keep more than 4 cats	<p>New regulation prescribing the manner in which a person applying for a multiple cat permit under Section 16B(3) of the <i>Cat Management Act</i> must publish a notice of their intention to keep more than four cats.</p> <p><i>Comment:</i></p> <p>Provides the permitting authority with options relating to the requirement for publication of a notice of intention to keep more than four cats.</p>
23 Approval of code of practice or standards and obligations of registered breeders to comply with code of practice or standards	<p>New regulation allowing for a code of practice or standard relating to registered breeders to be developed and approved by the Secretary; and requiring registered breeders to comply with any such approved code of practice or standard. A penalty (including prescribed infringement notice penalty) for not following an approved code or standard has also been included in Schedule 1.</p> <p><i>Comment:</i></p> <p>This regulation provides for the Secretary to continue to regulate breeders registered with the State Government prior to 1 March 2022 through development of, and compliance with, a registered breeder code of practice or standard.</p>
24 Obligations of holders of multiple cat permits or cat breeding permits	<p>New regulation obligating the holder of a multiple cat permit or a cat breeding permit to comply with conditions of permit. A penalty (including prescribed infringement notice penalty) has also been included in Schedule 1.</p> <p><i>Comment:</i></p> <p>This requires the holder of a multiple cat permit or a cat breeding permit to comply with conditions to which their permit relates.</p>
Schedule 1 Infringement notice offences	<p>Inclusion of infringement notice penalties for the new offences in the <i>Cat Management Act 2009</i> and the Cat Management Regulations.</p> <p>Removal of infringement notice penalties for sections removed from the <i>Cat Management Act 2009</i>.</p> <p>Increasing the infringement penalty to reflect amendments to the <i>Cat Management Act 2009</i>.</p>

TASMANIA

CAT MANAGEMENT REGULATIONS 2022
STATUTORY RULES 2022, No.

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SCHEDULE 1 – INFRINGEMENT NOTICE OFFENCES

CAT MANAGEMENT REGULATIONS 2022

I, the Governor in and over the State of Tasmania and its Dependencies in the Commonwealth of Australia, acting with the advice of the Executive Council, make the following regulations under the *Cat Management Act 2009*.

Dated 20 .

Governor

By Her Excellency's Command,

Minister for Primary Industries and Water

PART 1 – PRELIMINARY

1. Short title

These regulations may be cited as the *Cat Management Regulations 2022*.

2. Commencement

These regulations take effect on 27 June 2022.

3. Interpretation

In these regulations –

Act means the *Cat Management Act 2009*;

Cat Management Regulations 2022
Statutory Rules 2022, No.

r. 3

Part 1 – Preliminary

AVA means The Australian Veterinary Association Ltd. (ABN 63 008 522 852), also known as the Australian Veterinary Association;

microchip database means the approved database where the prescribed details are entered in accordance with section 12(3) of the Act.

PART 2 – CAT MANAGEMENT FACILITIES

4. Prescribed cat management facilities

For paragraph (d) of the definition of *cat management facility* in section 4 of the Act, a facility operated by a person or organisation approved under regulation 5 is a cat management facility.

5. Approval to operate cat management facility

- (1) A person or organisation may apply to the Secretary for approval to operate a facility as a cat management facility.
- (2) An application under this regulation is to –
 - (a) be in an approved form; and
 - (b) specify –
 - (i) the facility that is intended to be operated as a cat management facility; and
 - (ii) the size of the facility with reference to the building size and land size; and
 - (iii) the intended maximum number of cats to be housed at the facility; and
 - (c) provide full details in respect of –

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- (i) any offence of which the applicant has been convicted that involves or relates to an animal; and
 - (ii) all current approvals for the facility, if such approval is required under any Act for the facility to operate.
- (3) Before approving or refusing to approve an application under this regulation, the Secretary may –
 - (a) request further information from the applicant; and
 - (b) take the further information into account when considering the application.
- (4) The Secretary may –
 - (a) approve the person or organisation to operate a cat management facility, subject to any conditions that the Secretary thinks fit, if the Secretary is satisfied –
 - (i) that the person, or organisation, is fit and proper to operate such a facility; and
 - (ii) that it is appropriate to approve the person or organisation; or

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- (b) refuse to approve the person or organisation to operate a cat management facility.
- (5) If the Secretary approves a person or organisation under subregulation (4)(a), the Secretary –
 - (a) is to inform the person, or organisation, in writing of –
 - (i) the approval and of any conditions attached to the approval by the Secretary; and
 - (ii) the specific facility which may be operated under the approval; and
 - (b) is to cause the name of the person, or organisation, to be published in the *Gazette* as a person or organisation approved to operate a facility as a cat management facility; and
 - (c) may issue a certificate to reflect the approval of the person or organisation.
- (6) If the Secretary refuses an application under subregulation (4)(b), the Secretary is to provide written reasons for the refusal to the applicant.

6. Immediate suspension of approval to operate cat management facility

- (1) The Secretary may suspend the operation of a cat management facility without complying with regulation 7 if the operator of the facility has

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been charged with an offence under the *Animal Welfare Act 1993*, or any other Act, that the Secretary believes is so serious, due to the circumstances of the offence, that the operation of the cat management facility should be immediately suspended.

- (2) The Secretary is to give the operator of the cat management facility written notice of the following relating to a suspension under subregulation (1):
- (a) the reason for the suspension;
 - (b) that the suspension takes effect on the receipt of the written notice by the operator or an employee of the operator;
 - (c) the arrangements that are to be undertaken in respect of the cat management facility affected by the suspension.
- (3) A person who receives written notice under subregulation (2) must comply with the notice.

Penalty: Fine not exceeding 5 penalty units.

- (4) The cancellation of an approval to operate a cat management facility, that has been suspended under this regulation, is to be in accordance with regulation 7.

7. Suspension or cancellation of approval to operate cat management facility in other cases

- (1) The Secretary may suspend the operation of a cat management facility if the Secretary is satisfied that –
 - (a) the operator of, or an employee at, the cat management facility has contravened the Act or a condition attached under regulation 5(5)(a) to the approval of the person or organisation to operate the cat management facility; or
 - (b) an employee at the cat management facility has been found guilty within the last 5 years of an offence in relation to an animal; or
 - (c) the facility used for the cat management facility is creating a nuisance; or
 - (d) it is in the public interest that the operation of the cat management facility be suspended.
- (2) The Secretary may cancel an approval under regulation 5(4)(a) if the Secretary is satisfied of any one or more of the matters specified in subregulation (1).
- (3) Before suspending the operation of a cat management facility, or cancelling an approval under regulation 5(4)(a), the Secretary is to give the person or organisation operating the cat management facility written notice that states –

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- (a) that the Secretary is considering suspending the operation of the cat management facility or cancelling the approval; and
- (b) the reasons why suspension or cancellation is being considered; and
- (c) if the suspension or cancellation can be prevented –
 - (i) the steps that may be taken to prevent the suspension or cancellation if those steps are taken to the satisfaction of the Secretary; and
 - (ii) the time frame within which the person or organisation is to complete the steps to the satisfaction of the Secretary; and
- (d) if the suspension or cancellation is unlikely to be prevented, that, apart from the step referred to in paragraph (e), there are no clear steps that can be taken to prevent the suspension or cancellation; and
- (e) that written submissions may be made to the Secretary, within the period specified in the notice, as to why the operation of the cat management facility should not be suspended or the approval should not be cancelled.

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-
- (4) If the Secretary decides not to suspend the operation of the cat management facility or not to cancel the approval under regulation 5(4)(a), after due consideration of any submissions made under subregulation (3)(e), the Secretary is to give the person or organisation operating the cat management facility written notice of that fact as soon as practicable after making the decision.
- (5) If the Secretary suspends the operation of the cat management facility or cancels the approval under regulation 5(4)(a), after due consideration of any submissions made under subregulation (3)(e), the Secretary is to give the person or organisation operating the cat management facility written notice of the following:
- (a) the suspension or cancellation;
 - (b) the reasons for the suspension or cancellation;
 - (c) if the operation of the cat management facility is suspended, the day on which the suspension takes effect and the period of suspension;
 - (d) if the approval is cancelled, the day on which the cancellation takes effect.
- (6) In suspending the operation of a cat management facility, or cancelling an approval under regulation 5(4)(a), the Secretary –
- (a) may determine what arrangements may be necessary in respect of the cat

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management facility affected by the suspension or cancellation; and

(b) is to attach the details of the arrangements determined under paragraph (a) to the notice given under subregulation (5).

(7) A person who receives written notice under subregulation (5) must comply with the notice and any arrangements attached to the notice under subregulation (6).

Penalty: Fine not exceeding 5 penalty units.

(8) The Secretary may revoke a suspension under this regulation before the suspension is due to expire if the Secretary reasonably believes that it is appropriate to do so.

8. Notification of cancellation of approval to operate cat management facility

If an approval under regulation 5(4)(a) is cancelled under regulation 7, the Secretary is to publish in the *Gazette* –

- (a) the name of the person or organisation who held the approval; and
- (b) the name of the cat management facility that was operated under the approval; and
- (c) that the approval is cancelled; and

- (d) the date on which the cancellation takes effect.

9. Surrender of approval to operate cat management facility

- (1) A person or organisation is to surrender, to the Secretary, an approval of the person or organisation under regulation 5(4)(a) by notice in writing at least 15 working days before the surrender is to take effect.
- (2) A person surrendering an approval under subregulation (1), whether on the person's behalf or on behalf of an organisation, must ensure that arrangements are in place to rehome, sell or transfer any cats from the cat management facility being operated before the approval is surrendered.

Penalty: Fine not exceeding 5 penalty units.

10. Transfer of approval to operate cat management facility

- (1) A person or organisation approved under regulation 5(4)(a) may apply in writing to the Secretary to transfer the approval to another person or organisation.
- (2) The Secretary may –
 - (a) transfer the approval, if satisfied that –
 - (i) the person or organisation that is to operate a cat management

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facility under the transferred approval would be approved to operate a cat management facility under regulation 5(4)(a) if an application were made under that regulation; and

(ii) it is appropriate to transfer the approval; or

(b) refuse to transfer the approval.

(3) An approval transferred under this regulation is taken to be an approval under regulation 5(4)(a) and is subject to the same terms and conditions as such an approval.

11. Regulation of cat management facilities

(1) The Secretary may approve one or more codes of practice or standards in respect of cat management facilities.

(2) Before approving a code of practice or standard, the Secretary –

(a) may seek submissions, within such a time and in such a manner as the Secretary directs, in respect of the draft code of practice or draft standard, from any person or group, that the Secretary thinks fit; and

(b) is to take into account any such submissions that are made in respect of

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the draft code of practice or draft standard.

- (3) The approval of a code of practice or standard under this section, and the date on which the approval takes effect, are to be notified in the *Gazette*.
- (4) A person operating, or working at, a cat management facility must comply with each code of practice and standard approved under subregulation (1).

Penalty: Fine not exceeding 20 penalty units and, in the case of a continuing offence, a further fine not exceeding 5 penalty units for each day during which the offence continues.

12. Review of decisions

A person who is aggrieved by a decision of the Secretary under this Part may apply to the Magistrates Court (Administrative Appeals Division) for a review of that decision.

PART 3 – MICROCHIPPING

13. Microchip implanters

For paragraph (a) in the definition of *microchip implanter* in section 4 of the Act, the following persons are prescribed persons:

- (a) a registered veterinary surgeon;
- (b) a person who is registered, or otherwise recognised, as a veterinary surgeon in another State or a Territory;
- (c) a person who –
 - (i) has successfully completed an approved course in the implantation of microchips; and
 - (ii) can provide evidence from a veterinary surgeon that the person is implanting microchips in cats under the supervision, or direction, of the veterinary surgeon;
- (d) a person implanting a microchip in a cat –
 - (i) as part of an approved course of training; and
 - (ii) under the supervision of a person that is a microchip implanter other than in accordance with this paragraph;

- (e) a person approved, in writing, to be a microchip planter.

14. Prescribed manner of microchipping

- (1) For section 12(1) of the Act, a cat is implanted with a microchip in a prescribed manner if –
 - (a) the microchip is implanted –
 - (i) by a microchip planter; and
 - (ii) in a manner consistent with the provisions of AVA Policy on Electronic Identification of Animals – Microchip, ratified by the AVA on 8 April 2016 and as amended or substituted from time to time, that relate to the implantation of a microchip in a cat; or
 - (b) the cat was implanted with a microchip before the commencement of the Act.
- (2) A person must not implant a microchip in a cat unless the person is a microchip planter.

Penalty: Fine not exceeding 5 penalty units.

15. Details to be entered into microchip database

- (1) For section 12(3) of the Act, the prescribed details to be entered in the microchip database in respect of each cat that is implanted with a microchip under the Act are as follows:

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- (a) the name, residential address and contact number of the owner of the cat;
 - (b) an alternative contact and contact number for the owner of the cat, if available;
 - (c) the address and municipal area in which the cat resides if different from the residential address under paragraph (a);
 - (d) the name of the cat;
 - (e) the breed of the cat, if known;
 - (f) whether or not the cat has been desexed;
 - (g) the colouring of the cat;
 - (h) the date of birth of the cat or, if the date of birth is not known, the approximate age of the cat;
 - (i) the unique identification number of the microchip;
 - (j) the date of implantation of the microchip;
 - (k) the full name of the microchip implanter;
 - (l) the business address of the microchip implanter.
- (2) For section 12(3) of the Act, a person has provided the prescribed details in relation to a microchip implanted before the commencement of the Act if the person complied with any request for information by the microchip

implanter at the time at which the cat was microchipped.

- (3) The owner of a cat that has been implanted with a microchip, whether before or after the commencement of this Act, is to ensure that the microchip database is notified of a change in any of the details specified in subregulation (1) within 30 days after the change has occurred.
- (4) A microchip implanter must keep a record of the details required to be entered under section 12(3) of the Act until the microchip implanter has confirmation that the information has been recorded by the microchip database provider.

Penalty: Fine not exceeding 10 penalty units.

16. Access to information in microchip database

- (1) The Secretary may determine guidelines in respect of any one or more of the following:
 - (a) the access to information in the microchip database;
 - (b) the reasons for permitting access to information;
 - (c) how information received from the database may be used.
- (2) A person must comply with any guidelines determined under this regulation.

Penalty: Fine not exceeding 5 penalty units.

PART 4 – DESEXING OF CATS

17. Cats not required to be desexed

For section 14(2)(c) of the Act, the following are members of a prescribed class of cats:

- (a) a cat that is registered with an approved organisation to be shown at an event that is organised or sanctioned by that organisation;
- (b) a cat that is purchased, by a member of an approved organisation, to be shown at an event that is organised or sanctioned by that organisation.

18. Identification of desexing

- (1) The Secretary may approve a mark to be used to identify that a cat is desexed.
- (2) For section 14(3) of the Act, the mark approved by the Secretary under subsection (1) is the mark that is to be permanently marked inside the left ear of a cat to identify that the cat is desexed.

PART 5 – MISCELLANEOUS

19. Prescribed prohibited area

For paragraph (d) of the definition of *prohibited area* in section 4 of the Act, an area of land that is within the authority of a council and that has any ecological, scientific, cultural, recreational or aesthetic value is prescribed.

20. Prescribed health checks

For section 15(1)(e) of the Act, the following health checks are prescribed:

- (a) a cat is to be vaccinated to a level of F3 (Feline 3), or with the core vaccinations, that are recommended by AVA Vaccination of Dogs and Cats ratified on 6 August 2018, as amended from time to time, as appropriate for the age of the cat to be vaccinated;
- (b) a cat is to be free from external parasites and to have received at least one treatment for internal worms.

21. Sale of cat that is not desexed

For section 15(2)(c) of the Act, section 15(1) does not apply to the sale of a cat that is not desexed interstate if the purchaser of the cat is permitted, under the relevant legislation of the relevant State or Territory, to have a cat that is not desexed.

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Part 5 – Miscellaneous

22. Prescribed manner of notification of application to keep more than 4 cats

For section 16B(3)(b) of the Act, the prescribed manner in which an applicant must publish a notice is by –

- (a) placing the notice, for a period of 14 days, at each entry point to the individual property to which the application relates in a way so that the notice is visible to people passing by each entry point; or
- (b) causing the notice to be published in a daily newspaper circulating within the municipal area in which the individual property to which the application relates is situated.

23. Approval of code of practice or standards and obligations of registered breeders to comply with code of practice or standards

- (1) The Secretary may approve a code of practice or standards that contains obligations in respect of registered breeders.
- (2) The approval of a code of practice or standards under this section, and the date on which the approval takes effect, is to be notified in the *Gazette*.
- (3) A registered breeder must comply with a code of practice or standards approved under subsection (1).

Penalty: Fine not exceeding 20 penalty units and, in the case of a continuing offence, a further fine not exceeding 5 penalty units for each day during which the offence continues.

24. Obligations of holders of multiple cat permits or cat breeding permits

- (1) The holder of a multiple cat permit has an obligation to comply with any conditions to which the permit is subject.
- (2) The holder of a multiple cat permit must comply with an obligation imposed under subsection (1).

Penalty: Fine not exceeding 20 penalty units and, in the case of a continuing offence, a further fine not exceeding 5 penalty units for each day during which the offence continues.

- (3) The holder of a cat breeding permit has an obligation to comply with any conditions to which the permit is subject.
- (4) The holder of a cat breeding permit must comply with an obligation imposed under subsection (3).

Penalty: Fine not exceeding 20 penalty units and, in the case of a continuing offence, a further fine not exceeding 5 penalty units for each day during which the offence continues.

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Part 5 – Miscellaneous

25. Cats in prohibited areas

For section 18(2) and section 18(4) of the Act, the prescribed circumstances, where cat management action may not be taken in respect of a cat in a prohibited area, are if the cat is –

- (a) being transported on a road through the prohibited area that does not terminate in the prohibited area; and
- (b) confined or restrained in a manner that prevents escape while being transported through the prohibited area.

26. Displaying of remains

- (1) In this regulation –

taxidermist means a person who –

- (a) is a member of an approved organisation relating to taxidermy; or
- (b) holds an approved licence, or other approved authorisation, relating to taxidermy.

- (2) For section 28(3) of the Act, the remains of a cat may be displayed if –

- (a) the remains have been prepared and preserved by a taxidermist; or
- (b) the Secretary has approved the display containing the remains.

27. Infringement offences and penalties

For section 39 of the Act –

- (a) the offences specified in column 1 of Schedule 1 are prescribed to be infringement offences; and
- (b) the penalties specified in column 2 of Schedule 1 are the penalties applicable to those infringement offences.

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SCHEDULE 1 – INFRINGEMENT NOTICE OFFENCES		
	Column 1	Regulation 27 Column 2
	Offences	Penalty Unit
1.	Section 8A(8)	2.5
2.	Section 9	1
3.	Section 10	2.5
4.	Section 12(1)	1
5.	Section 12(4)	1
6.	Section 13	1
7.	Section 14(1)	1
8.	Section 14(4)	1
9.	Section 15(1)	2.5
10.	Section 16A(2)	1
11.	Section 16B(3)	1
12.	Section 17(5)	5
13.	Section 18(6)	5
14.	Section 21B(2)	5
15.	Section 24(2)	1
16.	Section 24(4)	1

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	Column 1 Offences	Column 2 Penalty Unit
17.	Section 27(1)	2
18.	Section 28(2)	5
19.	Section 28(3)	1
20.	Section 29(1)	2.5
21.	Section 30(2)	1
22.	Section 35	2
23.	Section 37(2)	2
24.	Section 38	1
25.	Section 38A(4)	5
26.	Regulation 6(3)	3
27.	Regulation 7(7)	1
28.	Regulation 9(2)	2
29.	Regulation 11(4)	3
30.	Regulation 14(2)	1
31.	Regulation 15(4)	1
32.	Regulation 16(2)	2
33.	Regulation 23(3)	
	(a) First offence	3

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	Column 1 Offences	Column 2 Penalty Unit
	(b) Second or subsequent offence	3
34.	Regulation 24(2)	
	(a) First offence	3
	(b) Second or subsequent offence	3
35.	Regulation 24(4)	
	(a) First offence	3
	(b) Second or subsequent offence	3

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Printed and numbered in accordance with the *Rules Publication Act 1953*.

Notified in the *Gazette* on 20 .

These regulations are administered in the Department of Natural Resources and Environment Tasmania.

EXPLANATORY NOTE

(This note is not part of the regulations)

There regulations –

- (a) prescribe, for the purposes of the *Cat Management Act 2009* –
 - (i) procedures for the approval, suspension or cancellation of cat management facilities in certain circumstances; and
 - (ii) processes relating to the microchipping of cats; and
 - (iii) other miscellaneous matters, including offences for which an infringement notice may be served; and
- (b) are made consequentially on the repeal of the *Cat Management Regulations 2012* under section 11 of the *Subordinate Legislation Act 1992*.

Central Highlands Council
10/04/2022

**To Mayor Lou Triffitt
and all Councilors
and GM Lyn Eyles**

Tip Shop Hamilton overview

Vision

To save the home industries building from being bulldozed and use this sturdy building as a community based recycle venue for the central highlands

What are we developing?

A useful and sustainable venture to reduce landfill and create a more circular economy through this recycling initiative

Mission – Why is this community project needed?

We all know recycling is good for the environment, but many don't realise the ways recycling can positively impact their own community. Today, there are more than just moral and ethical incentives for communities to establish recycling options and encourage participation. Here are five ways the benefits of recycling can hit close to home.

The potential industry can grow exponentially the more the community invests in their own recycling efforts.

The old saying one man's trash is another man's treasure couldn't be truer than in the case of recycling. The market value of recycled or recyclable materials offers a great incentive for communities that recycle. There are growing opportunities for communities to earn money by selling the items donated. When communities earn

money from recycling this can be used to help with other community events and local needs, this is a recycling win-win.

Recycling isn't just saving materials from the landfill; it's also saving expenses and resources for communities that participate. Recycling can help save money by diverting solid waste from regular garbage collection. Landfills are an easily overlooked aspect of throwing your rubbish out, but they are costs that add up and are usually absorbed by local council budgets.

These recovered materials, furniture, tools and the like that would be sold at low prices would offer somewhere for people to put their good used items, keeping it out of landfill and making money to go back into the community

Objectives – How will we measure outcomes?

- ✓ Public participation,
- ✓ Purchases
- ✓ Quality of recycled products
- ✓ Feedback from waste disposal areas in relation to reduction of landfill
- ✓ Income being used to help the community

Strategies – How will we build this venture?

The old home industries hall is perfect for this sensible recycling venture
It will be open Saturdays from 2pm to 4pm fitting in with the waste disposal operating time on Saturdays.

During this time the Tip Shop will be opened to receive goods only for the purpose of sorting and valuing items for sale.

The Tip Shop will be open on the first Sunday of every month from 10am to 3pm for selling to the community/general public.

If the need arises and the Tip Shop is well patronised, we will be receptive to being open more often.

At present we operate Ye Old Thrift Shop on the second Thursday of every month, this will continue and be an arm of the Tip Shop.

Plans -What is the work to be done?

Our vision is to work as volunteers, hoping to train others in retail and customer service. We are both from a vocational training and assessment background

We are looking to council to assist with insurance.

There also needs a discussion in relation to power and water usage.

There needs to be discussion on how/where all the piping that is at present stored in the old home industry building can be stored elsewhere.

The Issue of birds and possums will be better managed if the building is in constant use. A possum trap would be needed to be kept on premises and used as required to manage the possums

The fact that the building has been repainted and repaired after the major flood last year is a bonus so this project can get up and running ASAP

As the Tip Shop gets going and becomes more financial, we as volunteers will investigate the maintenance project of getting new doors for the building.

We have support from the Hamilton tip caretaker Peter Marks. (attached)

Kind regards

Jannie Fahey and Allacia Penn Ford

Email: faheyjannie0@gmail.com or naneth53@hotmail.com

Phone: 0488 456 657 0409 959 953

PO BOX 93 Ouse TAS 7140



Australian Government

**Department of Industry, Science,
Energy and Resources**

Commonwealth Standard Grant Agreement

between the Commonwealth represented by

Department of Industry, Science, Energy and Resources

and

CENTRAL HIGHLANDS COUNCIL

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Grant Agreement PACLS000468

Once completed, this document, together with the Grant Details and the Commonwealth Standard Grant Conditions (Schedule 1), forms an Agreement between the Commonwealth and the Grantee.

Parties to this Agreement

The Grantee

Full legal name of Grantee	CENTRAL HIGHLANDS COUNCIL
Legal entity type (e.g. individual, incorporated association, company, partnership, etc)	Local Government Entity
Trading or business name	CENTRAL HIGHLANDS COUNCIL
Any relevant licence, registration or provider number	Not applicable
Australian Business Number (ABN) or other entity identifiers	30472494899
Australian Company Number (ACN)	Not applicable
Registered for Goods and Services Tax (GST)?	Yes
Date from which GST registration was effective?	1/07/2000
Registered office address	TARLETON ST HAMILTON TAS 7140 Australia
Relevant business place	7 Tarleton St HAMILTON TAS 7140 Australia

The Commonwealth

The Commonwealth of Australia represented by the
Department of Industry, Science, Energy and Resources
of 10 Binara Street CANBERRA ACT 2600
ABN 74 599 608 295

The Department of Industry, Science, Energy and Resources will manage the Agreement on behalf of the National Recovery and Resilience.

Background

The Commonwealth has agreed to enter this Agreement under which the Commonwealth will provide the Grantee with a Grant for the purpose of assisting the Grantee to undertake the associated Activity.

The Grantee agrees to use the Grant and undertake the Activity in accordance with this Agreement and the relevant Grant Details.

Scope of this Agreement

This Agreement comprises:

- (a) this document;
- (b) the Supplementary Terms (if any);
- (c) the Standard Grant Conditions (Schedule 1);
- (d) the Grant Details;
- (e) any other document referenced or incorporated in the Grant Details.

If there is any ambiguity or inconsistency between the documents comprising this Agreement in relation to a Grant, the document appearing higher in the list will have precedence to the extent of the ambiguity or inconsistency.

This Agreement represents the Parties' entire agreement in relation to the Grant provided under it and the relevant Activity and supersedes all prior representations, communications, agreements, statements and understandings, whether oral or in writing.

Certain information contained in or provided under this Agreement may be used for public reporting purposes.

Grant Details PACLS000468

A. Purpose of the Grant

The Grant is being provided as part of the Preparing Australian Communities - Local Stream grant opportunity.

The objectives of the Preparing Australia Program are to:

- improve the long-term resilience of Australian communities to natural hazards including bushfires, floods and tropical cyclones
- deliver disaster risk reduction projects that reduce hazard exposure or vulnerability and are aligned with the recommendations of the Royal Commission into National Natural Disaster Arrangements and the National Disaster Risk Reduction Framework.

The intended outcome of the grant opportunity is to support communities to undertake disaster risk reduction and resilience initiatives that provide public benefit through reducing:

- . the impact of future natural hazards on Australian communities
- . the burden (cost and time) of recovery in communities following future disasters.

B. Activity

The Activity is made up of the Grantee's project and all eligible project activities as specified in these Grant Details.

Project title

River Clyde Flood Mapping and Study

Project scope and description

This planning project will increase the community's ability to mitigate the risk of and withstand floods in the social, economic, natural and built environment by providing updated and accurate flood mapping and data to predict and prepare for future flood behaviour.

Project activities comprise of flood mapping, flood modelling, collating and collecting data and applying to emergency plans and strategies. The project location is LGA Central Highlands TAS.

Project outcomes

The project outcomes are:

- improved understanding and responsiveness to flood risk to mitigate events and reduce the social and financial costs of flood events
- incorporate principles of best practice flood management
- inclusion of advice and guidance on future works and land use planning in the options analysis
- assessment of the consequences of flooding on people, economy, environment, public administration, and social setting on the basis of the historical and anecdotal information, modelling outputs and flood emergency response planning classifications
- inform the management of flood risk in the area, and how risk can be reduced
- outline consequences that may include flood warning, fatalities, major roads cut, services that may become disrupted, business areas that may become disrupted, areas flooded, flood free and evacuation routes, recovery times, environmental outcomes and properties affected
- improved understanding of flood behaviour to inform a future revised floodplain management

strategy within the study area, improve the community's understanding of flood risk/hazard of the River Clyde floodplain to guide land use planning and development and recommend a flood risk management strategy for the floodplain, emergency response planning and increase community awareness of flood risk

In undertaking the Activity, the Grantee must comply with the requirements of the grant opportunity guidelines (as in force at the time of application).

The Grantee must notify the Commonwealth about events relating to the project and provide an opportunity for the Minister or their representative to attend.

C. Duration of the Grant

The Activity starts on 01 June 2022 and ends on 30 March 2023, which is the **Activity Completion Date**.

The Agreement ends on 06 September 2023 which is the **Agreement End Date**.

Activity Schedule

In undertaking the Activity, the Grantee will meet the following milestones by the due dates.

Milestone number	Milestone name and description	Due date
001	Data Review Report Collation of all available data and report on the data available and quality of this data.	30/07/2022
002	Community Consultation Feedback Report Consultation feedback report reviewing messages, methods and activities of consultation period. Report to include results of feedback and recommendations of next steps to be presented to Council.	30/09/2022
003	Draft Hydrologic and Hydraulic Report Report containing hydrologic analysis, model calibration, sensitivity analysis, options analysis - land use planning analysis and natural values assessment presented to Council representative.	01/02/2023
004	Final Report Final report detailing all information collected presented to Council.	30/03/2023

D. Payment of the Grant

The total amount of the Grant is \$247,360 (plus GST if applicable).

The Grant will be provided at up to 100.00 per cent of eligible expenditure as defined in the grant opportunity guidelines subject to availability of Program funds.

The Grant will be paid in accordance with clause ST2.

An initial payment will be made on execution of the Grant Agreement based on forecast eligible expenditure for the first six months. Subsequent payments will be paid six monthly in advance, based on forecast eligible expenditure and adjusted for unspent amounts from previous payments. Payments are subject to satisfactory progress on the project and compliance by the Grantee with its obligations under this Agreement.

A final payment of at least 10 per cent of the Grant will be withheld until the Grantee submits a satisfactory end of project report demonstrating end of project reporting obligations have been met.

Invoicing

The Grantee agrees to allow the Commonwealth to issue it with a Recipient Created Tax Invoice (RCTI) for any taxable supplies it makes in relation to the Activity.

E. Reporting

The Grantee agrees to provide the following reports to the Commonwealth representative in accordance with the reporting requirements (Schedule 2).

Report type	Period start date	Period end date	Agreed evidence	Due date
Progress report	01/06/2022	14/10/2022	Evidence to demonstrate progress as outlined in the portal, including evidence of expenditure	15/11/2022
End of project report	01/06/2022	30/03/2023	Evidence to demonstrate completion of project, including evidence of all expenditure.	30/04/2023

During the Agreement period, the Commonwealth may ask the Grantee for ad-hoc reports on the project. The Grantee must provide these reports in the timeframes notified by the Commonwealth.

F. Party representatives and address for notices

Grantee's representative and address

Grantee's representative name	Adam Wilson
Position	Deputy General Manager
Address	7 Tarleton St HAMILTON TAS 7140
Business hours telephone	03 6286 3202
Mobile	
Email	awilson@centralhighlands.tas.gov.au

Commonwealth representative and address

Name of representative	Arabella Lee
Position	Customer Service Manager
Postal address	GPO Box 2013 CANBERRA ACT 2601
Physical address	10 Binara Street CANBERRA ACT 2600
Business hours telephone	02 9226 6066
Email	PACPL@industry.gov.au

The Parties' representatives will be responsible for liaison and the day-to-day management of the Grant, as well as accepting and issuing any written notices in relation to the Grant.

G. Activity Material

Not applicable

Supplementary Terms

ST1. Other Contributions

Not applicable

ST2. Activity Budget

ST2.1 In this Agreement, Appropriation means money drawn from the Consolidated Revenue Fund.

ST2.2 The Grantee agrees to use the Grant and any Other Contributions and undertake the Activity consistently with the Activity Budget in the following table:

Financial year 2021/22

Head of expenditure	Breakdown of expenditure	Agreed project cost
Project expenditure	Approvals – Planning, environment or regulatory	\$0
Project expenditure	Audit costs	\$0
Project expenditure	Contingency costs (up to 10% of total eligible project costs)	\$0
Project expenditure	Contract (including expert advice)	\$247,360
Project expenditure	Domestic travel	\$0
Project expenditure	Equipment/ Materials (purchase or hire)	\$0
Project expenditure	Labour	\$0
Project expenditure	Labour on-costs	\$0
Project expenditure	Other eligible expenditure	\$0
Project expenditure	Staff training	\$0
Project expenditure	Workshops, conferences and events	\$0
Financial year total		\$247,360

Financial year 2022/23

Head of expenditure	Breakdown of expenditure	Agreed project cost
Project expenditure	Approvals – Planning, environment or regulatory	\$0
Project expenditure	Audit costs	\$0
Project expenditure	Contingency costs (up to 10% of total eligible project costs)	\$0
Project expenditure	Contract (including expert advice)	\$0
Project expenditure	Domestic travel	\$0

Project expenditure	Equipment/ Materials (purchase or hire)	\$0
Project expenditure	Labour	\$0
Project expenditure	Labour on-costs	\$0
Project expenditure	Other eligible expenditure	\$0
Project expenditure	Staff training	\$0
Project expenditure	Workshops, conferences and events	\$0
Financial year total		\$0

All financial years

Head of expenditure	Breakdown of expenditure	Agreed project cost
Project expenditure	Approvals – Planning, environment or regulatory	\$0
Project expenditure	Audit costs	\$0
Project expenditure	Contingency costs (up to 10% of total eligible project costs)	\$0
Project expenditure	Contract (including expert advice)	\$247,360
Project expenditure	Domestic travel	\$0
Project expenditure	Equipment/ Materials (purchase or hire)	\$0
Project expenditure	Labour	\$0
Project expenditure	Labour on-costs	\$0
Project expenditure	Other eligible expenditure	\$0
Project expenditure	Staff training	\$0
Project expenditure	Workshops, conferences and events	\$0
All financial years total		\$247,360

Figures in the above table are GST inclusive amounts less GST credits that can be claimed in relation to the expenditure.

ST2.3 Subject to sufficient appropriation being available, the Grant will be paid up to the Annual Capped Amounts over the financial years specified in the following table.

Annual capped amounts

Financial Year	Annual capped amount (GST excl)
2021/22	\$202,500
2022/23	\$44,860

Total	\$247,360
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ST2.4 The Commonwealth is not required to make a payment if it would result in the amount paid in a financial year exceeding the Annual Capped Amount for that financial year specified in the table under clause ST2.3.

ST2.5 In accordance with the Activity Budget under clause ST2.2, the Annual Capped Amounts may not be exceeded unless the Commonwealth specifically approves an increase of that amount under clause ST2.8.

ST2.6 Subject to this clause, the Grantee may reallocate expenditure in respect of categories of expenditure in the Activity Budget, provided it does not materially change the Activity, any Milestone(s) set out in this Agreement, or cause the Grantee to be in breach of any of its obligations under this Agreement.

ST2.7 The Grantee must give the Commonwealth:

- (a) at any time the Grantee wishes to request a variation to any one or more of the Annual Capped Amounts; or
- (b) if otherwise requested by the Commonwealth,

a revised Activity Budget in a form acceptable to the Commonwealth. The revised Activity Budget must clearly identify any proposed changes, including of any proposed changes to the Annual Capped Amounts, and explain the reasons for the proposed changes.

ST2.8 The Commonwealth may, at its discretion, approve or reject a revised Activity Budget provided under clause ST2.7 and/or any proposed changes to the Annual Capped Amounts. The Commonwealth's approval may be granted subject to conditions.

ST2.9 If a revised Activity Budget and any proposed changes to the Annual Capped Amounts are approved by the Commonwealth, then it will become the Activity Budget and, if relevant, the Annual Capped Amounts will be adjusted accordingly.

ST3. Intellectual property in Activity Material

Not applicable

ST4. Access/monitoring/inspection

ST4.1 The Grantee agrees to give the Commonwealth, or any persons authorised in writing by the Commonwealth:

- (a) access to premises where the Activity is being performed and/or where Material relating to the Activity is kept within the time period specified in a Commonwealth notice; and
- (b) permission to inspect and take copies of any Material relevant to the Activity.

ST4.2 The Auditor-General and any Information Officer under the *Australian Information Commissioner Act 2010* (Cth) (including their delegates) are persons authorised for the purposes of clause ST4.1.

ST4.3 This clause ST4 does not detract from the statutory powers of the Auditor-General or an Information Officer (including their delegates).

ST5. Equipment and Assets

Not applicable

ST6. Specified Personnel

Not applicable

ST7. Relevant qualifications, licences, permits, approvals or skills

ST7.1 The Grantee agrees to ensure that personnel performing work in relation to the Activity:

- (a) are appropriately qualified to perform the tasks indicated
- (b) have obtained the required qualifications, licences, permits, approvals or skills before performing any part of the Activity; and
- (c) continue to maintain all relevant qualifications, license, permits, approvals or skills for the duration of their involvement in the Activity

ST8. Vulnerable Persons

ST8.1 In this Agreement

Criminal or Court Record means any record of any Other Offence;

Other Offence means, in relation to a person, a conviction, finding of guilt, on-the-spot fine for, or court order relating to:

- (a) an apprehended violence or protection order made against the person;
- (b) the consumption, dealing in, possession or handling of alcohol, a prohibited drug, narcotic or other prohibited substance;
- (c) violence against another person or the injury, but excluding the death, of another person; or
- (d) an attempt to commit a crime or offence, or to engage in any conduct or activity, described in paragraphs (a) to (c);

Police Check means a formal inquiry made to the relevant police authority in each State or Territory and designed to obtain details of an individual's criminal conviction or a finding of guilt in all places (within and outside Australia) that the Grantee knows the person has resided in;

Serious Offence means:

- (a) a crime or offence involving the death of a person;
- (b) a sex-related offence or a crime, including sexual assault (whether against an adult or child); child pornography, or an indecent act involving a child;
- (c) fraud, money laundering, insider dealing or any other financial offence or crime, including those under legislation relating to companies, banking, insurance or other financial services; or
- (d) an attempt to commit a crime or offence described in (a) to (c);

Serious Record means a conviction or any finding of guilt regarding a Serious Offence; and

Vulnerable Person means an individual aged 18 years and above who is or may be unable to take care of themselves, or is unable to protect themselves against harm or exploitation for any reason, including age, physical or mental illness, trauma or disability, pregnancy, the influence, or past or existing use, of alcohol, drugs or substances or any other reason.

ST8.2 Before any person commences performing work on any part of the Activity that involves working or contact with a Vulnerable Person, the Grantee must:

- (a) obtain a Police Check for that person;
- (b) confirm that the person is not prohibited by any law from being engaged in a capacity where they may have contact with a Vulnerable Person;
- (c) comply with all State, Territory or Commonwealth laws relating the employment or engagement of persons in any capacity where they may have contact with a Vulnerable Person; and
- (d) ensure that the person holds all licences or permits for the capacity in which they are to be engaged, including any specified in the Grant Details, and the Grantee must ensure that Police Checks and any licences or permits obtained in accordance with this clause ST8.2 remain current for the duration of their involvement in the Activity.

ST8.3 The Grantee must ensure that a person does not perform work on any part of the Activity that involves working or contact with a Vulnerable Person if a Police Check indicates that the person at any time has:

- (a) a Serious Record; or
- (b) a Criminal or Court Record and the Grantee has not conducted a risk assessment and determined that any risk is acceptable.

ST8.4 In undertaking a risk assessment under clause ST8.3, the Grantee must have regard to

- (a) the nature and circumstances of the offence(s) on the person's Criminal or Court Record and whether the charge or conviction involved Vulnerable Persons;
- (b) whether the person's Criminal or Court Record is directly relevant to, or reasonably likely to impair the person's ability to perform, the role that the person will, or is likely to, perform in relation to the Activity;
- (c) the length of time that has passed since the person's charge or conviction and his or her record since that time;
- (d) the circumstances in which the person will, or is likely to, have contact with a Vulnerable Person as part of the Activity;
- (e) any other relevant matter,

and must ensure it fully documents the conduct and outcome of the risk assessment.

ST8.5 The Grantee agrees to notify the Commonwealth of any risk assessment it conducts under this clause and agrees to provide the Commonwealth with copies of any relevant documentation on request.

ST8.6 If during the term a person involved in performing work on any part of the Activity that involves working or contact with a Vulnerable Person is:

- (a) charged with a Serious Offence or Other Offence, the Grantee must immediately notify the Commonwealth; or
- (b) convicted of a Serious Offence, the Grantee must immediately notify the Commonwealth and ensure that that person does not, from the date of the conviction, perform any work or role relating to the Activity.

ST9. Child safety

ST9.1 In this Agreement

Child	means an individual(s) under the age of 18 years and Children has a similar meaning;
Child-Related Personnel	means officers, employees, contractors (including subcontractors), agents and volunteers of the Grantee involved with the Activity who as part of that involvement may interact with Children;
Legislation	means a provision of a statute or subordinate legislation of the Commonwealth, or of a State, Territory or local authority;
National Principles for Child Safe Organisations	means the National Principles for Child Safe Organisations, which have been endorsed in draft form by the Commonwealth Government (available at: https://humanrights.gov.au/our-work/childrens-rights/projects/child-safe-organisations) and subsequently, from the time of their endorsement by the Council of Australian Governments, the final National Principles for Child Safe Organisations as published by the Australian Government;
Relevant Legislation	means Legislation in force in any jurisdiction where any part of the Activity may be carried out;
Working With Children Check or WWCC	means the process in place pursuant to Relevant Legislation to screen an individual for fitness to work with Children.

Relevant checks and authority

ST9.2 The Grantee must

- (a) comply with all Relevant Legislation relating to the employment or engagement of Child-Related Personnel in relation to the Activity, including all necessary Working With Children Checks however described; and
- (b) ensure that Working With Children Checks obtained in accordance with this clause ST9.2 remain current and that all Child-Related Personnel continue to comply with all Relevant Legislation for the duration of their involvement in the Activity.

National Principles for Child Safe Organisations and other action for the safety of Children

ST9.3 The Grantee agrees in relation to the Activity to:

- (a) implement the National Principles for Child Safe Organisations;
- (b) ensure that all Child-Related Personnel implement the National Principles for Child Safe Organisations;
- (c) complete and update, at least annually, a risk assessment to identify the level of responsibility for Children and the level of risk of harm or abuse to Children;

- (d) put into place and update, at least annually, an appropriate risk management strategy to manage risks identified through the risk assessment required by this clause ST9.3;
- (e) provide training and establish a compliance regime to ensure that all Child Related Personnel are aware of, and comply with
 - (i) the National Principles for Child Safe Organisations;
 - (ii) the Grantee's risk management strategy required by this clause ST9.3;
 - (iii) Relevant Legislation relating to requirements for working with Children, including Working With Children Checks;
 - (iv) Relevant Legislation relating to mandatory reporting of suspected child abuse or neglect, however described; and
- (f) provide the Commonwealth with an annual statement of compliance with clauses ST9.2 and ST9.3, in such form as may be specified by the Commonwealth.

ST9.4 With reasonable notice to the Grantee, the Commonwealth may conduct a review of the Grantee's compliance with this clause ST9.

ST9.5 The Grantee agrees to:

- (a) notify the Commonwealth of any failure to comply with this clause ST9;
- (b) co-operate with the Commonwealth in any review conducted by the Commonwealth of the Grantee's implementation of the National Principles for Child Safe Organisations or compliance with this clause ST9; and
- (c) promptly, and at the Grantee's cost, take such action as is necessary to rectify, to the Commonwealth's satisfaction, any failure to implement the National Principles for Child Safe Organisations or any other failure to comply with this clause ST9.

ST10. Commonwealth Material, facilities and assistance

Not applicable

ST11. Jurisdiction

ST11.1 This Agreement is governed by the law of the Australian Capital Territory.

ST12. Grantee trustee of trust (if applicable)

ST12.1 In this Agreement, **Trust** means the trust specified in the Parties to the Agreement section of this Agreement.

ST12.2 The Grantee warrants that:

- (a) it is the sole trustee of the Trust; and
- (b) it has full and valid power and authority to enter into this Agreement and perform the obligations under it on behalf of the Trust; and
- (c) it has entered into this Agreement for the proper administration of the Trust; and
- (d) all necessary resolutions, consents, approvals and procedures have been obtained or duly satisfied to enter into this Agreement and perform the obligations under it; and

- (e) it has the right to be indemnified out of the assets of the Trust for all liabilities incurred by it under this Agreement.

ST13. Fraud

ST13.1 In this Agreement, Fraud means dishonestly obtaining a benefit, or causing a loss, by deception or other means, and includes alleged, attempted, suspected or detected fraud.

ST13.2 The Grantee must ensure its personnel and subcontractors do not engage in any Fraud in relation to the Activity.

ST13.3 If the Grantee becomes aware of:

- (a) any Fraud in relation to the performance of the Activity; or
- (b) any other Fraud that has had or may have an effect on the performance of the Activity;

then it must within 5 business days report the matter to the Commonwealth and all appropriate law enforcement and regulatory agencies.

ST13.4 The Grantee must, at its own cost, investigate any Fraud referred to in clause ST11.3 in accordance with the Australian Government Investigations Standards available at www.ag.gov.au.

ST13.5 The Commonwealth may, at its discretion, investigate any Fraud in relation to the Activity. The Grantee agrees to co-operate and provide all reasonable assistance at its own cost with any such investigation.

ST13.6 This clause survives the termination or expiry of the Agreement.

ST14. Prohibited dealings

Not applicable

ST15. Anti-corruption

ST15.1 In this Agreement:

Illegal or Corrupt Practice means directly or indirectly:

- (a) making or causing to be made, any offer, gift, payment, consideration or benefit of any kind to any party, or
- (b) receiving or seeking to receive, any offer, gift, payment, consideration or benefit of any kind from any party, as an inducement or reward in relation to the performance of the Activity, which would or could be construed as an illegal or corrupt practice;

ST15.2 The Grantee warrants that the Grantee, its officers, employees, contractors, agents and any other individual or entity involved in carrying out the Activity have not, engaged in an Illegal or Corrupt Practice.

ST15.3 The Grantee agrees not to, and to take all reasonable steps to ensure that its officers, employees, contractors, agents and any other individual or entity involved in carrying out the Activity do not:

- (a) engage in an Illegal or Corrupt Practice; or
- (b) engage in any practice that could constitute the offence of bribing a foreign public official contained in section 70.2 of the Criminal Code Act 1995 (Cth).

ST15.4 The Grantee agrees to inform the Commonwealth within five business days if the Grantee becomes aware of any activity as described in ST15.3 in relation to the performance of the Activity.

ST16. Step-in rights

Not applicable

ST17. Grant administrator

Not applicable

ST18. Management Adviser

Not applicable

ST19. Indemnities

ST19.1 The Grantee indemnifies the Commonwealth, its officers, employees and contractors against any claim, loss or damage arising in connection with the Activity.

ST19.2 The Grantee's obligation to indemnify the Commonwealth will reduce proportionally to the extent any act or omission involving fault on the part of the Commonwealth contributed to the claim, loss or damage.

ST20. Compliance with Legislation and Policies

ST20.1 In this Agreement:

Legislation means a provision of a statute or subordinate legislation of the Commonwealth, or of a State, Territory or local authority.

ST20.2 The Grantee agrees to comply with all Legislation applicable to its performance of this Agreement.

ST20.3 The Grantee agrees, in carrying out its obligations under this Agreement, to comply with any of the Commonwealth's policies as notified, referred or made available by the Commonwealth to the Grantee (including by reference to an internet site).

ST20.4 In carrying out the Activity, the Grantee must comply with the following applicable policies/laws:

- (a) [The Building Code 2016](#)¹ (Building Code) and the Australian Government's [Work Health and Safety Accreditation Scheme](#)² (the Scheme).

ST21. Work health and safety

ST21.1 The Grantee agrees to ensure that it complies at all times with all applicable work health and safety legislative and regulatory requirements and any additional work health and safety requirements set out in the Grant Details.

ST21.2 If requested by the Commonwealth, the Grantee agrees to provide copies of its work health and safety management plans and processes and such other details of the arrangements it has in place to meet the requirements referred to in clause ST21.1.

ST21.3 When using the Commonwealth's premises or facilities, the Grantee agrees to comply with all reasonable directions and procedures relating to work health and safety and security in effect at those premises or those facilities, as notified by the Commonwealth or as might reasonably be inferred from the use to which the premises or facilities are being put.

¹ The Building Code 2016 can be found at <https://www.abcc.gov.au/building-code/building-code-2016>

² The Work Health and Safety Accreditation Scheme can be found at <https://www.fsc.gov.au/what-accreditation-1> .

ST22. Transition

Not applicable

ST23. Corporate Governance

ST23.1 In this Agreement:

Constitution means (depending on the context):

- (a) a company's, body corporate's or incorporated association's constitution, or equivalent documents, which (where relevant) includes rules and any amendments that are part of the constitution;
- (b) in relation to any other kind of body:
 - (i) the body's charter or memorandum; or
 - (ii) any instrument or law constituting or defining the constitution of the body or governing the activities of the body or its members.

ST23.2 The Grantee warrants that nothing in its constitution conflicts with its obligations under this Agreement.

ST23.3 The Grantee agrees to provide a copy of its constitution to the Commonwealth upon request and inform the Commonwealth whenever there is a change in the Grantee's constitution, structure or management.

ST24. Counterparts

ST24.1 This Agreement may be executed in any number of counterparts. All counterparts, taken together, constitute one instrument. A Party may execute this Agreement by signing any counterpart.

ST25. Secret and Sacred Indigenous Material

ST25.1 In this clause:

Aboriginal Person has the same meaning given in the *Aboriginal and Torres Strait Islander Act 2005* (Cth);

Aboriginal Tradition has the meaning given in the *Aboriginal and Torres Strait Islander Heritage Protection Act 1984* (Cth);

Indigenous Person means a person who is or identifies and is accepted as an Aboriginal Person or a Torres Strait Islander;

Secret and Sacred Indigenous Material means all information, knowledge or Material of special spiritual, cultural or customary significance which is considered to be sacred or of significance by an Indigenous Person or according to Aboriginal Tradition; and

Torres Strait Islander has the same meaning given in the *Aboriginal and Torres Strait Islander Act 2005* (Cth)

ST25.2 The parties agree that, for the purposes of this Agreement:

- (a) the definition of Activity Material in clause 22 excludes any Secret and Sacred Indigenous Material;
- (b) the definition of Reporting Material in clause 22 excludes any Secret and Sacred Indigenous Material;

- (c) the record keeping requirements in clause 12 do not apply to any Secret and Sacred Indigenous Material; and
- (d) any Secret and Sacred Indigenous Material is the confidential information of the relevant Indigenous Person or Indigenous community.

ST25.3 The Grantee agrees to inform the Commonwealth of the existence of Secret and Sacred Indigenous Material relevant to the performance of the Activity which is not disclosed to the Commonwealth due it being Secret and Sacred Indigenous Material.

Schedule 1: Commonwealth Standard Grant Conditions

1. Undertaking the Activity

1.1 The Grantee agrees to undertake the Activity for the purpose of the Grant in accordance with this Agreement.

1.2 The Grantee is fully responsible for the Activity and for ensuring the performance of all its obligations under this Agreement in accordance with all relevant laws. The Grantee will not be relieved of that responsibility because of:

- (a) the grant or withholding of any approval or the exercise or non-exercise of any right by the Commonwealth; or
- (b) any payment to, or withholding of any payment from, the Grantee under this Agreement.

2. Payment of the Grant

2.1 The Commonwealth agrees to pay the Grant to the Grantee in accordance with the Grant Details.

2.2 Notwithstanding any other provision of this Agreement, the Commonwealth may by notice withhold payment of any amount of the Grant and/or take any other action specified in the Supplementary Terms if it reasonably believes that:

- (a) the Grantee has not complied with this Agreement;
- (b) the Grantee is unlikely to be able to perform the Activity or manage the Grant in accordance with this Agreement; or
- (c) there is a serious concern relating to this Agreement that requires investigation.

2.3 A notice under clause 2.2 will contain the reasons any action taken under clause 2.2 and, where relevant, the steps the Grantee can take to address those reasons.

2.4 The Commonwealth will only be obliged to pay the withheld amount once the Grantee has addressed the reasons contained in a notice under clause 2.2 to the Commonwealth's reasonable satisfaction.

3. Acknowledgements

3.1 The Grantee agrees not to make any public announcement, including by social media, in connection with the awarding of the Grant without the Commonwealth's prior written approval.

3.2 The Grantee agrees to acknowledge the Commonwealth's support in all Material, publications and promotional and advertising materials published in connection with this Agreement. The Commonwealth may notify the Grantee of the form of acknowledgement that the Grantee is to use.

4. Notices

4.1 Each Party agrees to promptly notify the other Party of anything reasonably likely to adversely affect the undertaking of the Activity, management of the Grant or its performance of any of its other requirements under this Agreement.

4.2 A notice given by a Party under this Agreement must be in writing and addressed to the other Party's representative as set out in the Grant Details or as most recently updated by notice given in accordance with this clause.

5. Relationship between the Parties

5.1 A Party is not by virtue of this Agreement the employee, agent or partner of the other Party and is not authorised to bind or represent the other Party.

6. Subcontracting

6.1 The Grantee is responsible for the performance of its obligations under this Agreement, including in relation to any tasks undertaken by subcontractors.

6.2 The Grantee agrees to make available to the Commonwealth the details of any of its subcontractors engaged to perform any tasks in relation to this Agreement upon request.

7. Conflict of interest

7.1 Other than those which have already been disclosed to the Commonwealth, the Grantee warrants that, to the best of its knowledge, at the date of this Agreement, neither it nor its officers have any actual, perceived or potential conflicts of interest in relation to the Activity.

7.2 If during the term of the Agreement, any actual, perceived or potential conflict arises or there is any material change to a previously disclosed conflict of interest, the Grantee agrees to:

- (a) notify the Commonwealth promptly and make full disclosure of all relevant information relating to the conflict; and
- (b) take any steps the Commonwealth reasonably requires to resolve or otherwise deal with that conflict.

8. Variation, assignment and waiver

8.1 This Agreement may be varied in writing only, signed by both Parties.

8.2 The Grantee cannot assign its obligations, and agrees not to assign its rights, under this Agreement without the Commonwealth's prior approval.

8.3 The Grantee agrees not to enter into negotiations with any other person for the purposes of entering into an arrangement that will require novation of, or involve any assignment of rights under, this Agreement without first consulting the Commonwealth.

8.4 A waiver by a Party of any of its rights under this Agreement is only effective if it is in a signed written notice to the other Party and then only to the extent specified in that notice.

9. Taxes, duties and government charges

9.1 The Grantee agrees to pay all taxes, duties and government charges imposed or levied in Australia or overseas in connection with the performance of this Agreement, except as provided by this Agreement.

9.2 If Goods and Services Tax (GST) is payable by a supplier on any supply made under this Agreement, the recipient of the supply will pay to the supplier an amount equal to the GST payable on the supply, in addition to and at the same time that the consideration for the supply is to be provided under this Agreement.

- 9.3 The Parties acknowledge and agree that they each:
- (a) are registered for GST purposes;
 - (b) have quoted their Australian Business Number to the other; and
 - (c) must notify the other of any changes to the matters covered by this clause.
- 9.4 The Grantee agrees that the Commonwealth will issue it with a recipient created tax invoice for any taxable supply it makes under this Agreement.
- 9.5 The Grantee agrees not to issue tax invoices in respect of any taxable supplies.
- 9.6 If the Grantee is not, or not required to be, registered for GST, then:
- (a) clauses 9.3(a), 9.4 and 9.5 do not apply; and
 - (b) the Grantee agrees to notify the Commonwealth in writing within 7 days of becoming registered for GST if during the term of the Agreement it becomes, or is required to become, registered for GST.

10. Spending the Grant

Projects with grant amounts equal to and less than \$500,000

- 10.1 The Grantee agrees to spend the Grant for the purpose of performing the Activity and otherwise in accordance with this Agreement.
- 10.2 Within 60 days after the Activity Completion Date, the Grantee agrees to provide a statement signed by the Grantee in a form specified by the Commonwealth verifying the Grant was spent in accordance with this agreement.

Grant amounts over \$500,000

- 10.1 The Grantee agrees to spend the Grant for the purpose of performing the Activity and otherwise in accordance with this Agreement.
- 10.2 Within 60 days after the Activity Completion Date, the Grantee agrees to provide the Commonwealth with an independently audited financial acquittal report verifying that the Grant has been spent in accordance with this Agreement.
- 10.3 The reports under clause 10.2 must be audited by:
- (a) a Registered Company Auditor registered under the *Corporations Act 2001* (Cth); or
 - (b) a certified Practising Accountant; or
 - (c) a member of the Institute of Public Accountants; or
 - (d) a member of Chartered Accountants Australia and New Zealand;

who is not a principal member, shareholder, officer or employee of the Grantee or a related body corporate.

11. Repayment

- 11.1 If any amount of the Grant:
- (a) has been spent other than in accordance with this Agreement; or
 - (b) is additional to the requirements of the Activity

then the Commonwealth may, by written notice:

- (c) require the Grantee to repay that amount to the Commonwealth;
- (d) require the Grantee to deal with that amount as directed by the Commonwealth; or
- (e) deduct the amount from subsequent payments of the Grant or amounts payable under another agreement between the Grantee and the Commonwealth.

11.2 If the Commonwealth issues a notice under this Agreement requiring the Grantee to repay a Grant amount:

- (a) the Grantee must do so within the time period specified in the notice;
- (b) the Grantee must pay interest on any part of the amount that is outstanding at the end of the time period specified in the notice until the outstanding amount is repaid in full; and
- (c) the Commonwealth may recover the amount and any interest under this Agreement as a debt due to the Commonwealth without further proof of the debt being required.

12. Record keeping

12.1 The Grantee agrees to keep financial accounts and other records that:

- (a) detail and document the conduct and management of the Activity;
- (b) identify the receipt and expenditure of the Grant and any Other Contributions separately within the Grantee's accounts and records so that at all times the Grant is identifiable;
- (c) enable all receipts and payments related to the Activity to be identified and reported.

12.2 The Grantee agrees to keep the records for five years after the Activity Completion Date or such other time specified in the Grant Details and provide copies of the records to the Commonwealth upon request.

13. Reporting and liaison

13.1 The Grantee agrees to provide the Reporting Material specified in the Grant Details to the Commonwealth.

13.2 In addition to the obligations in clause 13.1, the Grantee agrees to:

- (a) liaise with and provide information to the Commonwealth as reasonably required by the Commonwealth; and
- (b) comply with the Commonwealth's reasonable requests, directions, or monitoring requirements,

in relation to the Activity.

13.3 If the Commonwealth acting reasonably has concerns regarding the performance of the Activity or the management of the Grant, the Commonwealth may by written notice require the Grantee to provide one or more additional reports, containing the information and by the date(s) specified in the notice.

13.4 The Grantee acknowledges that the giving of false or misleading information to the Commonwealth is a serious offence under the *Criminal Code Act 1995* (Cth).

14. Privacy

14.1 When dealing with Personal Information in carrying out the Activity, the Grantee agrees:

- (a) to comply with the requirements of the *Privacy Act 1988* (Cth);
- (b) not to do anything which, if done by the Commonwealth, would be a breach of an Australian Privacy Principle;
- (c) to ensure that any of the Grantee's subcontractors or personnel who deal with Personal Information for the purposes of this Agreement are aware of the requirements of the *Privacy Act 1988* (Cth) and the Grantee's obligations under this clause;
- (d) to immediately notify the Commonwealth if the Grantee becomes aware of an actual or possible breach of this clause by the Grantee or any of the Grantee's subcontractors or personnel.

14.2 In carrying out the Activity, the Grantee agrees not to send any Personal Information outside of Australia without the Commonwealth's prior written approval. The Commonwealth may impose any conditions it considers appropriate when giving its approval.

15. Confidentiality

15.1 The Parties agree not to disclose each other's confidential information without the other Party's prior written consent unless required or authorised by law or Parliament to disclose.

15.2 The Commonwealth may disclose the Grantee's confidential information where;

- (a) the Commonwealth is providing information about the Activity or Grant in accordance with Commonwealth accountability and reporting requirements;
- (b) the Commonwealth is disclosing the information to a Minister of the Australian Government, a House or Committee of the Commonwealth Parliament; or
- (c) the Commonwealth is disclosing the information to its personnel or another Commonwealth agency where this serves the Commonwealth's legitimate interests.

16. Insurance

16.1 The Grantee agrees to maintain adequate insurance for as long as any obligations remain in connection with this Agreement and provide proof of insurance to the Commonwealth upon request.

17. Intellectual property

17.1 Subject to clause 17.2 the Grantee owns the Intellectual Property Rights in Activity Material created and Reporting Material.

17.2 This Agreement does not affect the ownership of Intellectual Property Rights in Existing Material.

17.3 The Grantee provides the Commonwealth a permanent, non-exclusive, irrevocable, royalty-free licence to use, modify, communicate, reproduce, publish, adapt and sub-license the Reporting Material for Commonwealth Purposes.

17.4 The licence in clause 17.3 does not apply to Activity Material.

18. Dispute resolution

18.1 The Parties agree not to initiate legal proceedings in relation to a dispute arising under this Agreement unless they have first tried and failed to resolve the dispute by negotiation.

18.2 Unless clause 18.3 applies, the Parties agree to continue to perform their respective obligations under this Agreement when a dispute exists.

18.3 The Parties may agree to suspend performance of the Agreement pending resolution of the dispute.

18.4 Failing settlement by negotiation in accordance with clause 18.1, the Parties may agree to refer the dispute to an independent third person with power to intervene and direct some form of resolution, in which case the Parties will be bound by that resolution. If the Parties do not agree to refer the dispute to an independent third person, either Party may initiate legal proceedings.

18.5 Each Party will bear their own costs in complying with this clause 18, and the Parties will share equally the cost of any third person engaged under clause 18.4.

18.6 The procedure for dispute resolution under this clause does not apply to any action relating to termination, cancellation or urgent interlocutory relief.

19. Reduction, Suspension and Termination

19.1 Reduction in scope of agreement for fault

19.1.1 If the Grantee does not comply with an obligation under this Agreement and the Commonwealth believes that the non-compliance is incapable of remedy, or if the Grantee has failed to comply with a notice to remedy, the Commonwealth may by written notice reduce the scope of the Agreement.

19.1.2 The Grantee agrees, on receipt of the notice of reduction, to:

- (a) stop or reduce the performance of the Grantee's obligations as specified in the notice;
- (b) take all available steps to minimise loss resulting from the reduction;
- (c) continue performing any part of the Activity or the Agreement not affected by the notice if requested to do so by the Commonwealth;
- (d) report on, and return any part of the Grant to the Commonwealth, or otherwise deal with the Grant, as directed by the Commonwealth.

19.1.3 In the event of reduction under clause 19.1.1, the amount of the Grant will be reduced in proportion to the reduction in the scope of the Agreement.

19.2 Suspension

19.2.1 If:

- (a) the Grantee does not comply with an obligation under this Agreement and the Commonwealth believes that the non-compliance is capable of remedy;
- (b) the Commonwealth reasonably believes that the Grantee is unlikely to be able to perform the Activity or manage the Grant in accordance with this Agreement; or
- (c) the Commonwealth reasonably believes that there is a serious concern relating to this Agreement that requires investigation;

the Commonwealth may by written notice:

- (d) immediately suspend the Grantee from further performance of the Agreement (including expenditure of the Grant); and/or
- (e) require that the non-compliance or inability be remedied, or the investigation be completed, within the time specified in the notice.

19.2.2 If the Grantee:

- (a) remedies the non-compliance or inability specified in the notice to the Commonwealth's reasonable satisfaction, or the Commonwealth reasonably concludes that the concern is unsubstantiated, the Commonwealth may direct the Grantee to recommence performing the Activity; or
- (b) fails to remedy the non-compliance or inability within the time specified, or the Commonwealth reasonably concludes that the concern is likely to be substantiated, the Commonwealth may reduce the scope of the Agreement in accordance with clause 19.1 or terminate the Agreement immediately by giving a second notice in accordance with clause 19.3.

19.3 Termination for fault

19.3.1 The Commonwealth may terminate this Agreement by notice where the Grantee has:

- (a) failed to comply with an obligation under this Agreement and the Commonwealth believes that the non-compliance is incapable of remedy or where clause 19.2.2(b) applies;
- (b) provided false or misleading statements in relation to the Grant; or
- (c) become bankrupt or insolvent, entered into a scheme of arrangement with creditors, or come under any form of external administration.

19.3.2 The Grantee agrees, on receipt of the notice of termination, to:

- (a) stop the performance of the Grantee's obligations;
- (b) take all available steps to minimise loss resulting from the termination; and
- (c) report on, and return any part of the Grant to the Commonwealth, or otherwise deal with the Grant, as directed by the Commonwealth.

20. Cancellation or reduction for convenience

20.1 The Commonwealth may cancel or reduce the scope of this Agreement by notice, due to:

- (a) a change in government policy; or
- (b) a Change in the Control of the Grantee which the Commonwealth reasonably believes will negatively affect the Grantee's ability to comply with this Agreement.

20.2 On receipt of a notice of reduction or cancellation under this clause, the Grantee agrees to:

- (a) stop or reduce the performance of the Grantee's obligations as specified in the notice; and
- (b) take all available steps to minimise loss resulting from that reduction or cancellation; and
- (c) continue performing any part of the Activity or the Agreement not affected by the notice if requested to do so by the Commonwealth;

- (d) report on, and return any part of the Grant to the Commonwealth, or otherwise deal with the Grant, as directed by the Commonwealth.

20.3 In the event of reduction or cancellation under this clause, the Commonwealth will be liable only to:

- (a) pay any part of the Grant due and owing to the Grantee under this Agreement at the date of the notice; and
- (b) reimburse any reasonable and substantiated expenses the Grantee unavoidably incurs that relate directly and entirely to the reduction in scope or cancellation of the Agreement.

20.4 In the event of reduction, the amount of the Grant will be reduced in proportion to the reduction in the scope of the Agreement.

20.5 The Commonwealth's liability to pay any amount under this clause is:

- (a) subject to the Grantee's compliance with this Agreement; and
- (b) limited to an amount that when added to all other amounts already paid under the Agreement will not exceed the total amount of the Grant.

20.6 The Grantee will not be entitled to compensation for loss of prospective profits or benefits that would have been conferred on the Grantee but for the cancellation or reduction in scope of the Agreement under clause 20.1.

20.7 The Commonwealth will act reasonably in exercising its rights under this clause.

21. Survival

21.1 The following clauses survive termination, cancellation or expiry of this Agreement:

- clause 10 (Spending the Grant);
- clause 11 (Repayment);
- clause 12 (Record keeping);
- clause 13 (Reporting);
- clause 14 (Privacy);
- clause 15 (Confidentiality);
- clause 16 (Insurance);
- clause 17 (Intellectual property);
- clause 19 (Reduction, Suspension and Termination);
- clause 21 (Survival);
- clause 22 (Definitions);
- ST4 (Access/monitoring/inspection);
- ST19 (Indemnities); and
- any other clause which expressly or by implication from its nature is meant to survive.

22. Definitions

22.1 In this Agreement, unless the contrary appears:

- **Activity** means the activities described in the Grant Details and includes the provisions of the Reporting Material.

- **Activity Completion Date** means the date or event specified in the Grant Details.
- **Activity Material** means any Material, other than Reporting Material, created or developed by the Grantee as a result of the Activity and includes any Existing Material that is incorporated in or supplied with the Activity Material.
- **Agreement** means the Grant Details, Supplementary Terms (if any), the Commonwealth Standard Grant Conditions and any other document referenced or incorporated in the Grant Details.
- **Agreement End Date** means the date or event specified in the Grant Details.
- **Australian Privacy Principle** has the same meaning as in the *Privacy Act 1988*
- **Change in the Control** means any change in any person(s) who directly exercise effective control over the Grantee.
- **Commonwealth** means the Commonwealth of Australia as represented by the Commonwealth entity specified in the Agreement and includes, where relevant, its officers, employees, contractors and agents.
- **Commonwealth Purposes** includes the following:
 - (a) the Commonwealth verifying and assessing grant proposals, including a grant application;
 - (b) the Commonwealth administering, monitoring, reporting on, auditing, publicising and evaluating a grant program or exercising its rights under this Agreement;
 - (c) the Commonwealth preparing, managing, reporting on, auditing and evaluating agreements, including this Agreement; and
 - (d) the Commonwealth developing and publishing policies, programs, guidelines and reports, including Commonwealth annual reports;
 but in all cases:
 - (e) excludes the commercialisation (being for-profit use) of the Material by the Commonwealth.
- **Commonwealth Standard Grant Conditions** means this document.
- **Existing Material** means Material developed independently of this Agreement that is incorporated in or supplied as part of Reporting Material or Activity Material.
- **Grant** means the money, or any part of it, payable by the Commonwealth to the Grantee for the Activity as specified in the Grant Details and includes any interest earned by the Grantee on that money once the Grant has been paid to the Grantee.
- **Grantee** means the legal entity other than the Commonwealth specified in the Agreement and includes, where relevant, its officers, employees, contractors and agents.
- **Grant Details** means the document titled Grant Details that forms part of this Agreement.
- **Intellectual Property Rights** means all copyright, patents, registered and unregistered trademarks (including service marks), registered designs, and other rights resulting from intellectual activity (other than moral rights under the *Copyright Act 1968*).
- **Material** includes documents, equipment, software (including source code and object code versions), goods, information and data stored by any means including all copies and extracts of them.
- **Party** means the Grantee or the Commonwealth.

- **Personal Information** has the same meaning as in the *Privacy Act 1988*.
- **Records** includes documents, information and data stored by any means and all copies and extracts of the same.
- **Reporting Material** means all Material which the Grantee is required to provide to the Commonwealth for reporting purposes as specified in the Grant Details, and includes any Existing Material that is incorporated in or supplied with the Reporting Material.

Signatures

Executed as an agreement:

Commonwealth

Signed for and on behalf of the Commonwealth of Australia as represented by the Department of Industry, Science, Energy and Resources.

Name	Ami McGrath
Position	Manager
Date	23 May 2022

Grantee

Full legal name of the Grantee	CENTRAL HIGHLANDS COUNCIL ABN: 30472494899
Name of Authorised Representative	Adam Wilson
Date	23 May 2022

Schedule 2 Reporting requirements

Appendix 1

Preparing Australian Communities - Local Stream - progress report requirements

You will need to provide the following information in your progress reports. The Commonwealth reserves the right to amend or adjust the requirements.

You must complete and submit your report on the [portal](#). You can enter the required information in stages and submit when it is complete.

Project progress

- a. Complete the following table, updating for all milestones shown in the Activity Schedule of your grant agreement.

Milestone	Agreed end date	Actual/ anticipated end date	Current % complete	Progress comments – work undertaken and impact of any delay

- b. Where applicable, describe any project activities completed during the reporting period that are not captured in the table above.
- c. Is the overall project proceeding in line with your grant agreement?
If no, identify any changes or anticipated issues. Comment on any impacts on project timing and outcomes and how you expect to manage these.
- d. Are there any planned events relating to the project that you are required to notify us about in accordance with your agreement?
If yes, provide details of the event including date, time, purpose of the event and key stakeholders expected to attend.
- e. Describe any collaboration with other organisations in your LGA or other LGA/s to deliver your project and any use of local procurement of goods, labour and services.
- f. Explain the community engagement and collaboration undertaken to date.

Project outcomes

- a. Outline the project outcomes achieved to date.
- b. Explain your progress towards reducing the risks of bushfires, flood and/or tropical cyclones in the community.

- c. Explain your progress towards increasing the long term resilience of your community against bushfires, flood and/or tropical cyclones.

Project expenditure

Provide the following information about your eligible project expenditure. Eligible expenditure is divided into the same categories as the budget in your application.

If you are registered for GST, enter the GST exclusive amount. If you are not registered for GST, enter the GST inclusive amount. We may ask you to provide evidence of costs incurred.

Refer to the grant opportunity guidelines or contact us if you have any questions about eligible expenditure.

- a. What is the eligible expenditure you have incurred in this reporting period?
- b. What is the estimated eligible expenditure for the next reporting period?
- c. What is the estimated eligible expenditure for remaining reporting periods in current financial year (if applicable)?
- d. What is the estimated total eligible expenditure for future financial years?
- e. What is the estimated total eligible expenditure for the project?
- f. Briefly explain the reason for any changes between the forecast and actual expenditure for the current reporting period, and any significant changes to the forecast budget for the remainder of the project.
- g. Is the project expenditure broadly in line with the activity budget in the grant agreement?
If no, explain the reasons.

Project funding

- a. Provide details of all contributions to your project other than the grant. This includes your own contributions as well as any contributions from government (except this grant), project partners or others.

Attachments

- a. Attach any agreed evidence required with this report to demonstrate project progress.
- b. Attach copies of any published reports and promotional material, relating to the project.

Declaration

You must ensure an authorised person completes the report and can declare the following:

- The information in this report is accurate, complete and not misleading and that I understand the giving of false or misleading information is a serious offence under the *Criminal Code 1995* (Cth).
- The activities identified in this report are for the purposes stated in the grant agreement.
- I am aware of the grantee's obligations under their grant agreement, including the need to keep the Commonwealth informed of any circumstances that may impact on the objectives, completion and/or outcomes of the agreed project.

- I am aware that the grant agreement empowers the Commonwealth to terminate the grant agreement and to request repayment of funds paid to the grantee where the grantee is in breach of the grant agreement.

Appendix 2

Preparing Australian Communities - Local Stream - end of project report requirements

You will need to provide the following information in your progress reports. The Commonwealth reserves the right to amend or adjust the requirements.

You must complete and submit your report on the [portal](#). You can enter the required information in stages and submit when it is complete.

Project achievements

- a. Complete the following table, updating for all milestones shown in the Activity Schedule of your grant agreement.

Milestone	Agreed end date	Actual/ anticipated end date	Current % complete	Progress comments – work undertaken and impact of any delay

- b. Where applicable, describe any project activities completed during the reporting period that are not captured in the table above.
- c. Describe any collaboration with other organisations in your LGA or other LGA/s to deliver your project and any use of local procurement of goods, labour and services.
- d. Explain the community support for your project and how you gained and maintained community support during the delivery of your project.

Project outcomes

- a. Outline the project outcomes achieved by the project end date.
- b. Do the achieved project outcomes align with those specified in the grant agreement?
If no, explain why.
- c. Are there any planned events relating to the project that you are required to notify us about in accordance with your agreement?

If yes, provide details of the event including date, time, purpose of the event and key stakeholders expected to attend.
- d. Explain how your project has reduced the hazard exposure or vulnerability of people and/or assets in your community to disasters
- e. Explain how your project has reduced the likelihood and intensity of bushfires, flood and/or tropical cyclones in the community.

- f. Describe how your project has increased community confidence in responding to future hazards.
- g. For projects assessing risk, vulnerability, adaptation options, investment/business case or technical feasibility (if this does not apply to your project answer N/A):
 - i. Has your project improved or supported:
 - i. Your understanding of risk to natural hazards in your community?
 - ii. Your understanding of vulnerability to natural hazards in your community?
 - iii. Your understanding of adaptation options for your community?
 - iv. Development of an investor-ready business case?
 - v. A robust technical feasibility study?
- h. For projects increasing awareness and capacity (if this does not apply to your project answer N/A):
 - i. Has your project increased disaster risk, resilience and adaptation awareness?
 - ii. Has your project effectively built capacity in your community?
 - iii. If you delivered awareness raising activities, how many people did you reach?
 - iv. If you provided training/capacity building exercises, how many participants were there?
- i. For projects delivering built and or natural infrastructure (if this does not apply to your project answer N/A):
 - i. Has your project reduced the risk of harm and damage caused by a hazard?

Project benefits

- a. What are the broader benefits the project has achieved for the region and community? Describe the economic, social, built environment and community resilience outcomes as relevant with examples.
- b. What ongoing impact will the project have for the community, including vulnerable people? How will you ensure the long term sustainability of project outcomes beyond the term of grant funding?
- c. How has your project reduced the likely cost and time of recovery following natural hazards or disasters?
- d. Did the project result in any unexpected benefits?
If yes, explain why.
- e. Did the project result in any unexpected negative impacts?
If yes, explain why.
- f. Is there any other information you wish to provide about your project?
If yes, provide details.
- g. Have you identified any future activities that could be undertaken to further reduce natural hazards in the community?

Total eligible project expenditure

- a. Indicate the total eligible project expenditure incurred. Eligible expenditure is divided into the same categories as the budget in your application.
- If you are registered for GST, enter the GST exclusive amount. If you are not registered for GST, enter the GST inclusive amount. We may ask you to provide evidence of costs incurred.
- Refer to the grant opportunity guidelines or contact us if you have any questions about eligible expenditure.
- b. Provide any comments you may have to clarify any figures.
- c. Was the expenditure incurred in accordance with the activity budget in the grant agreement?
- If no, explain the reason for a project underspend or overspend, or any other significant changes to the budget.

Project funding

- a. Provide details of all contributions to your project other than the grant. This includes your own contributions as well as any contributions from government (except this grant), project partners or others.

Updated business indicators

- a. Provide the following financial data for your organisation for your latest complete financial year.
- These fields are mandatory and entering \$0 is acceptable if applicable.
- Financial year completed
 - Sales revenue (turnover)
 - Export revenue
 - R&D expenditure
 - Taxable income
 - Number of employees including working proprietors and salaried directors (headcount)
 - Number of independent contractors (headcount)

Attachments

- a. Attach any agreed evidence required with this report to demonstrate progress or successful completion of your project.
- b. Attach copies of any published reports and promotional material, relating to the project.

Declaration

You must ensure an authorised person completes the report and can declare the following:

- The information in this report is accurate, complete and not misleading and that I understand the giving of false or misleading information is a serious offence under the *Criminal Code 1995* (Cth).
- The grant was spent in accordance with the grant agreement.
- I am aware of the grantee's obligations under their grant agreement, including survival clauses.
- I am aware that the grant agreement empowers the Commonwealth to terminate the grant agreement and to request repayment of funds paid to the grantee where the grantee is in breach of the grant agreement.

Appendix 3

Preparing Australian Communities - Local Stream - Compliance with working with children obligations

You will need to answer the following questions in your annual statement of compliance. The Commonwealth reserves the right to amend or adjust the requirements.

You must submit your annual statement of compliance as you would a report on the [portal](#).

Statement of compliance

- 1 Is the organisation, and persons working with children on behalf of the organisation in relation to the Activity, compliant with Commonwealth, state or territory legislation?
- 2 Has the organisation completed a risk assessment in relation to the Activity and all persons who may engage with children in association with the Activity?
- 3 Has the organisation put in place an appropriate strategy to manage risks identified through the risk assessment?
- 4 Has the organisation delivered training and established a compliance regime to ensure that all persons who may engage with children are aware of, and comply with:
 - the National Principles for Child Safe Organisations
 - the risk management strategy in item 3 above
 - relevant legislation relating to requirements for working with children, including working with children checks
 - relevant legislation relating to requirements for working with vulnerable people, including working with vulnerable people checks; and
 - relevant legislation relating to mandatory reporting of suspected child abuse or neglect however described?

Declaration

You must ensure an authorised person completes the report and can declare the following:

- The information in this report is accurate, complete and not misleading and that I understand the giving of false or misleading information is a serious offence under the *Criminal Code 1995* (Cth).
- I am aware of the grantee's obligations under their grant agreement.
- I am aware that the grant agreement empowers the Commonwealth to terminate the grant agreement and to request repayment of funds paid to the grantee where the grantee is in breach of the grant agreement.

Appendix 4

Independent audit report

Background

These templates assist Grantees (and their auditors) to understand the audit requirements under a Commonwealth grant agreement administered by the Department of Industry, Science, Energy and Resources. For further information contact us on 13 28 46 or at business.gov.au.

When an independent audit report is required under our grant agreements the Grantee must provide us with:

- a statement of grant income and expenditure against the expenditure categories under the grant agreement (attachment A)
- an independent audit report on the statement of grant income and expenditure (attachment B)
- certification of certain matters by the auditor (attachment C).

You can find additional information on the grant opportunity relevant to your grant at business.gov.au or by calling us on 13 28 46.

Eligible expenditure

Advice on eligible expenditure for projects under the grant opportunity can be found in grant opportunity guidelines. These guidelines are revised from time to time and therefore more than one version of the document may exist. The relevant guidelines are those that were effective at the time the Grantee's application was accepted.

It is essential that Grantees and their auditors understand the eligible expenditure requirements because these determine whether, and the extent to which, certain costs are reportable and claimable.

The amount of grant funding we approve is based on the Grantee's estimated eligible expenditure, as provided in their application. However, the grant funding any Grantee is ultimately entitled to receive is determined against actual eligible expenditure incurred and paid for on the project. The grant amount specified in the grant agreement is the **maximum** amount the Grantee may be paid.

The expenditure reported in the 'statement of grant income and expenditure' at attachment A must represent actual 'eligible expenditure' paid on the project during that period.

Attachment A – Statement of grant income and expenditure

Grant opportunity name	[grant opportunity name]
Project number	[project number]
Grantee	[organisation]
Project title	[project title]
Reporting period start date	[project start date or other reporting period start date]
Reporting period end date	[project end date or other reporting period end date]

This statement of grant income and expenditure must be prepared by the Grantee and contain the following:

- Statement of funds, Grantee contributions and other financial assistance*
- Statement of eligible expenditure*
- Notes to the statement of eligible expenditure, explaining the basis of compilation
- Certification by directors of the Grantee
- *We will compare this information to that detailed in the grant agreement.

1. Statement of funds, Grantee contributions and other financial assistance

Complete the following table for all cash [and in-kind] contributions for your project for the period in question, including

- the grant
- other government funding
- your own contributions
- partner or other third party contributions
- any additional private sector funding.

Insert rows as required.

Contributor	Cash amount (GST excl)	[Estimated in-kind amount (GST excl)]	Total (GST excl)
Grant	[\$[enter amount]]	[\$[enter amount]]	[\$[enter amount]]
Grantee	[\$[enter amount]]	[\$[enter amount]]	[\$[enter amount]]
[enter contributor]	[\$[enter amount]]	[\$[enter amount]]	[\$[enter amount]]
[enter contributor]	[\$[enter amount]]	[\$[enter amount]]	[\$[enter amount]]
Total	[\$[enter amount]]	[\$[enter amount]]	[\$[enter amount]]

2. Statement of eligible expenditure

You must provide detail of the eligible expenditure that has been incurred and paid for during the reporting period in the 'Statement of eligible expenditure' spreadsheet.

Comment on any variance between the expenditure items and amounts detailed in the grant agreement and the actual items and amounts detailed in the attached statement of eligible expenditure.

[enter details]

3. Note to the statement of eligible expenditure

3.1 Eligible expenditure

The eligible expenditure as reported in the statement of eligible expenditure is in accordance with the grant opportunity guidelines.

3.2 Basis of compilation

This statement of eligible expenditure has been prepared to meet the requirements of the grant agreement between [enter Grantee name] and the Commonwealth represented by the Department of Industry, Science, Energy and Resources. Significant accounting policies applied in the compilation of the statement of grant income and expenditure include the following:

[enter details]

4. Certification by directors [if not director, replace with appropriate equivalent]

[Grantee name]

[Project number]

For the period [dd/ mm/yyyy] to [dd/ mm/yyyy]

We confirm that, to the best of our knowledge and believe, having made such enquiries as we considered necessary for the purpose of appropriately informing ourselves:

Statement of grant income and expenditure

- a. We have fulfilled our responsibilities for the preparation of the statement of grant income and expenditure in accordance with the cash basis of accounting and the terms of the grant agreement with the Commonwealth, represented by the Department of Industry, Science, Energy and Resources dated [enter date]; in particular, the statement of grant income and expenditure presents fairly in accordance therewith.
- b. All events subsequent to the date of the statement of grant income and expenditure which require adjustment or disclosure so as to present fairly the statement of grant income and expenditure, have been adjusted or disclosed.
- c. [Where applicable] The effects of uncorrected misstatements are immaterial, both individually and in the aggregate, to the statement of grant income and expenditure as a whole. A list of the uncorrected misstatements is attached to this representation letter.
- d. That all Grantee contributions and other financial assistance were spent for the purpose of the project and in accordance with the grant agreement and that the Grantee has complied with the grant agreement and relevant accounting policies.
- e. That salaries and allowances paid to persons involved in the project are in accordance with any applicable award or agreement in force under any relevant law on industrial or workplace relations.

Signature

Name [enter name]

Director

Date [dd/mm/yyyy]

Signature

Name [enter name]

Director

Date [dd/mm/yyyy]

5. For Auditor use only

I certify that this statement of grant income and expenditure is the one used to prepare my independent audit report dated [enter date] for the Department of Industry, Science, Energy and Resources.

Signature

Name [enter name]

Position [enter position]

Auditor's employer [enter employer name]

Date [dd/mm/yyyy]

Attachment B - Independent audit report

Background for auditors

The purpose of the independent audit report is to provide us with an auditor's opinion on the Grantee's statement of grant income and expenditure. The statement of grant income and expenditure is prepared by the Grantee to correspond with the expenditure reported to the department by the Grantee for the same period, in the process of claiming grant payments.

The independent audit report must be prepared by a person who is an approved auditor.

An approved auditor is a person who is:

- a. registered as a company auditor under the *Corporations Act 2001* or an appropriately qualified member of Chartered Accountants Australia and New Zealand, or of CPA Australia or the Institute of Public Accountants; and
- b. not a principal, member, shareholder, officer, agent, subcontractor or employee of the Grantee or of a related body corporate or a Connected Entity.

The audit should be undertaken and reported in accordance with Australian Auditing Standards.

The independent audit report must follow the required format and include any qualification regarding the matters on which the auditor provides an opinion. We may follow up any qualifications with the Grantee or auditor. The independent audit report must be submitted on the auditor's letterhead.

Auditors must comply with the professional requirements of Chartered Accountants Australia and New Zealand, CPA Australia and the Institute of Public Accountants in the conduct of their audit.

If the auditor forms an opinion that the statement of grant income and expenditure does not give a true and fair view of the eligible expenditure for the period, the independent audit report should be qualified and the error quantified in the qualification section of the independent audit report.

The required independent audit report format follows.

Auditor's report

Independent audit report in relation to [Grantee name]'s statement of grant income and expenditure to the Commonwealth, represented by the Department of Industry, Science, Energy and Resources (the department).

We have audited:

- a. the accompanying statement of grant income and expenditure of [Grantee name] for the period [dd/mm/yyyy] to [dd/mm/yyyy], a summary of significant accounting policies and other explanatory information, and management's attestation statement thereon (together "the financial statement"). The financial statement has been prepared by management using the cash basis of accounting described in note 3.2 to the financial statement; and
- b. [Grantee name]'s compliance with the terms of the grant agreement between [Grantee name] and the Commonwealth dated [date of agreement] for the period [dd/mm/yyyy] to [dd/mm/yyyy] (the grant agreement).

We have:

- a. reviewed [Grantee name]'s statement of labour costs in support of its claim of eligible expenditure; and
- b. performed limited assurance procedures on [Grantee name]'s statement of employee numbers under the grant agreement].

Management's responsibility

Management is responsible for:

- a. the preparation and fair presentation of the financial statement in accordance with the basis of accounting described in note 3.2, this includes determining that the cash basis of accounting is an acceptable basis for the preparation of the financial statement in accordance with the grant agreement;
- b. compliance with the terms of the grant agreement;
- c. the preparation of the statement of employee numbers and labour costs in support of eligible expenditure; and
- d. such internal control as management determines is necessary to:
 - i enable the preparation of the financial statement and the statement of [employee numbers and]labour costs that are free from material misstatement, whether due to fraud or error; and
 - ii enable compliance with the terms of the grant agreement.

Auditor's responsibility

Our responsibilities are:

- a. To express an opinion, based on our audit, on:
 - i the financial statement; and
 - ii [Grantee name]'s compliance, in all material respects, with the terms of the grant agreement; and

- b. To conclude based on:
 - i our review procedures, on the statement of labour costs; and
 - ii our limited assurance procedures on the statement of employee numbers.

We conducted our audit of the financial statement in accordance with Australian Auditing Standards; our audit of compliance with the grant agreement in accordance with ASAE 3100, our review of the statement of labour costs in accordance with ASRE 2405; and our limited assurance procedures on employee numbers in accordance with ASAE 3000. The applicable Standards require that we comply with relevant ethical requirements and plan and perform our work to:

- a. obtain reasonable assurance about whether the financial statement is free from material misstatement and that [Grantee name] has complied, in all material respects, with the terms of the grant agreement; and
- b. obtain limited assurance as to whether anything has come to our attention that causes us to believe that the statements of employee numbers and labour costs are materially misstated.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statement and about the Grantee's compliance with the grant agreement. The procedures selected depend on the auditor's judgement, including the assessment of the risks of material misstatement of the financial statement, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the Grantee's preparation and fair presentation of the financial statement, and to the Grantee's compliance with the grant agreement, in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Grantee's internal control. An audit also includes evaluating the appropriateness of accounting policies used by management, as well as evaluating the overall presentation of the financial statement.

A review consists of making enquiries and applying analytical and other review procedures. A review is substantially less in scope than an audit conducted in accordance with Auditing Standards and consequently does not enable us to obtain assurance that we would become aware of all significant matters that might be identified in an audit. Accordingly, we do not express an audit opinion on the statement of labour costs.

A limited assurance engagement undertaken in respect of the statement of employee numbers, in accordance with ASAE 3000 involves [level of detail about procedures to be determined by the auditor]. The procedures performed in a limited assurance engagement vary in nature and timing from, and are less in extent than for, a reasonable assurance engagement; and consequently, the level of assurance obtained in a limited assurance engagement is substantially lower than the assurance that would have been obtained had a reasonable assurance engagement been performed.

We believe that the evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion, review and limited assurance conclusions.

Opinion

In our opinion:

- a. the financial statement presents fairly, in all material respects, the grant income and expenditure of [Grantee name] for the period [dd/mm/yyyy] to [dd/mm/yyyy] in accordance with the cash basis of accounting described in note 3.2 and the terms of the grant agreement, dated [date of agreement], with the Commonwealth; and

- b. [Grantee name] has complied, in all material respects, with the requirements of the grant agreement between the organisation and the Commonwealth dated [date of agreement], for the period [dd/mm/yyyy] to [dd/mm/yyyy].

Basis of Accounting and Restriction on Distribution

Without modifying our opinion, we draw attention to note 3.2 to the financial statement, which describes the basis of accounting. The financial statement is prepared to provide information to the department in accordance with the grant agreement, dated [date of agreement]. As a result, the financial statement may not be suitable for another purpose.

Use of Report

This report has been prepared for [Grantee name] and the department in accordance with the requirements of the grant agreement between [Grantee name] and the Commonwealth, dated [date of agreement]. We disclaim any assumption of responsibility for any reliance on this report to any persons or users other than [Grantee name] and the department, or for any purpose other than that for which it was prepared.

Conclusions

Based on:

- a. Our review, which is not an audit, nothing has come to our attention that causes us to believe that the statement of labour costs in the period [dd/mm/yyyy] to [dd/mm/yyyy] is not, in all material respects, fairly presented in accordance with the grant agreement dated [date of agreement] with the Commonwealth; and
- b. The procedures we have performed and the evidence we have obtained, nothing has come to our attention that causes us to believe that the statement of employee numbers as at [dd/mm/yyyy] is not prepared, in all material respects, in accordance with the grant agreement dated [date of agreement] with the Commonwealth].

Auditor's signature

Name [enter name]

Auditor's employer [enter employer name]

Employer's address [enter address]

Qualifications [enter qualification]

Position [enter position]

Date [dd/mm/yyyy]

Attachment C - Certification of certain matters by the auditor

The department also requires a certification of certain matters by the auditor in addition to the independent audit report. This should be submitted with the statement of grant income and expenditure and independent audit report.

The auditor who signs this certification must also initial and date a copy of the Grantee's statement of eligible expenditure. The department will not accept an independent audit report that lacks this attachment.

The required format of certification is on the following page.

[print on auditor letterhead]

[addressee]

Department of Industry, Science, Energy and Resources
GPO Box 2013
Canberra ACT 2601

I understand that the Commonwealth, represented by the Department Industry, Science, Energy and Resources and [Grantee name] have entered into a grant agreement for the provision of financial assistance under the [grant opportunity name] to the Grantee for the project. A condition of funding under the grant agreement is that the Grantee provides a statement of grant income and expenditure certifying that expenditure on approved project items has been incurred within the relevant audit period and paid in accordance with the grant opportunity guidelines, and is supportable by appropriate documentation.

In fulfilment of the condition, I hereby certify that:

- a. I am a member of Chartered Accountants Australia and New Zealand/ CPA Australia/ the Institute of Public Accountants (as a Public Practice Certified Member).
- b. I have prepared the independent audit report on [Grantee name]'s, statement of grant income and expenditure in accordance with the details of the grant agreement between the Grantee and the Commonwealth, project no [project no] dated [dd/mm/yyyy].
- c. I have reviewed the grant agreement between the Grantee and the Commonwealth, project no [project no] dated [dd/mm/yyyy], and related grant opportunity guidelines and understand the requirements pertaining to financial reporting and eligible expenditure contained therein.
- d. I have signed the attached copy of [Grantee name]'s statement of eligible expenditure that I used to prepare the independent audit report.
- e. I have complied with the professional independence requirements of Chartered Accountants Australia and New Zealand/ CPA Australia/the Institute of Public Accountants. I specifically certify that I:
 - i am not, and have not been, a director, office holder, or employee of [Grantee name] or related body corporate of [Grantee name]
 - ii have not been previously engaged by [Grantee name] for the purpose of preparing their [grant opportunity name] application or any report required under the grant agreement
 - iii have no financial interest in [Grantee name].

Signature

Name [enter name]

Qualifications [enter qualification]

Position [enter position]

Date [dd/mm/yyyy]



CWA in Tasmania Inc. Bothwell Branch
8 Alexander Street
Bothwell TAS 7030

Lyn Eyles
General Manager
Central Highlands Council
6 Tarleton Street
Hamilton TAS 7140
leyles@centralhighlands.tas.gov.au

Dear Lyn,

The Bothwell CWA branch would like to submit our tender for the catering at the bi-monthly Council meeting held in Bothwell.

We submit the following:

Morning tea	\$8.50 per person
Lunch and desert	\$21.00 per person

All meals will be prepared on site in the kitchen at the Town Hall.

We will require any dietary requirements prior to the meetings and can provide sample menus on request.

Please do not hesitate to contact us should you require any further information.

Kind regards,

Jane Norrish
Treasurer



CENTRAL HIGHLANDS COUNCIL COMMUNITY CHURCH GRANTS PROGRAM APPLICATION FORM

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

1. APPLICATION & ORGANISATION DETAILS

Applicant Organisation: **ANGELICAN PARISH OF HAMILTON**

Contact Person's Name: **NICHOLA BALL**

Contact Details
Address: **LACHLAN VALE
5 CLUNY ST, DOUSE, 7140**

Phone: (Business hours)

Mobile: **0408339044**

Fax:

Email: **nichola.ball@hotmail.com**

Signature

Nichola Ball

Name

Position in Organisation

Date

SECRETARY

Name of Church: **ST. PETER'S, HAMILTON**

Address of Church: **15 PONSONBY ST. HAMILTON**

Amount Applied for \$ **500**
(Maximum \$500.00)

2. PROJECT DETAILS

Project Start Date: JULY — 2022

Project Completion Date: SEPTEMBER 2022

Project Objectives: FOR an interpretive sign of metal, to be placed inside front gate, as has been done at Bottonwell — a benefit to the whole community.

3. COUNCIL SUPPORT

Are you requesting other Council support? If yes, please give details.

NO

Are you requesting participation by Councillors or Council Staff?
If yes, please give details.

NO

If your application is successful, how do you plan to acknowledge Council's contribution?

NO

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

on its successful completion.

7

4. PROJECT BUDGET

Please provide a breakdown of the project expenditure and income:

Expenditure	Amount \$	Income	Amount \$
(Grant)	500	(Grant)	500
TOTAL	500	TOTAL	500



CENTRAL HIGHLANDS COUNCIL COMMUNITY CHURCH GRANTS PROGRAM APPLICATION FORM

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

1. APPLICATION & ORGANISATION DETAILS

Applicant Organisation: ANGLICAN PARISH OF HAMILTON

Contact Person's Name: NICHOLA BALL

Contact Details
Address: LACHLAN VALE
5 CLUNY ST, OUSE, 7140

Phone: (Business hours)

Mobile: 0408 339 044

Fax:

Email: nichola.ball@hotmail.com

Signature: Nichola Ball

Name

Position in Organisation: SECRETARY

Date: 30.5.2022

Name of Church: ST. JOHN THE BAPTIST, OUSE

Address of Church: ~~CHURCH~~ RD, OUSE
BRIDGE

Amount Applied for: \$500.00
(Maximum \$500.00)

2. PROJECT DETAILS

Project Start Date: JULY 2022

Project Completion Date: SEPTEMBER 22

Project Objectives: Repair of plasterwork surrounding stained glass windows. Essential to the safe maintenance of the windows.

3. COUNCIL SUPPORT

Are you requesting other Council support? If yes, please give details.

NO.

Are you requesting participation by Councillors or Council Staff? If yes, please give details.

NO.

If your application is successful, how do you plan to acknowledge Council's contribution?

Letter to Council
Notice in Highland's Digest.

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

With successful completion of
plaster work.

7

4. PROJECT BUDGET

Please provide a breakdown of the project expenditure and income:

Expenditure	Amount \$	Income	Amount \$
5 (Grant)	500	(Grant)	500
TOTAL	500	TOTAL	500



CENTRAL HIGHLANDS COUNCIL COMMUNITY CHURCH GRANTS PROGRAM APPLICATION FORM

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

1. APPLICATION & ORGANISATION DETAILS

Applicant Organisation: **ANGELICAN PARISH OF HAMILTON**

Contact Person's Name: **NICHOLA BALL**

Contact Details
Address: **LACHLAN VALE
5, CLUNY ST, DUNEDIN, 7140.**

Phone: (Business hours)

Mobile: **0408 339044**

Fax:

Email: **nichola.ball@hotmail.com.**

Signature **Nichola Ball**

Name **SECRETARY**

Position in Organisation

Date

Name of Church: **ST. ANDREW'S, ELLENDALE, 7140**

Address of Church: **1063 Ellendale Rd, Ellendale
7140**

Amount Applied for **\$500.**
(Maximum \$500.00)

2. PROJECT DETAILS

Project Start Date: JULY -

Project Completion Date: SEPTEMBER - 2022

Project Objectives: PLUMBING - REPAIRS &
REMEDIATION TO WATER ^{SUPPLY} - PIPES,
ON GOING LEAKAGE etc

3. COUNCIL SUPPORT

Are you requesting other Council support? If yes, please give details.

NO

Are you requesting participation by Councillors or Council Staff?
If yes, please give details.

NO

If your application is successful, how do you plan to acknowledge
Council's contribution?

NO

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

At successful completion of work.

7

4. PROJECT BUDGET

Please provide a breakdown of the project expenditure and income:

Expenditure	Amount \$	Income	Amount \$
Grant	500	Grant	500
TOTAL		TOTAL	

LOCAL GOVERNMENT AWARDS

LIFE MEMBERSHIP AWARD

FOR LONG AND OUTSTANDING SERVICE TO WHOLE OF LOCAL GOVERNMENT

Nominations may be made by Councils or by Elected Members or General Managers and seconded by an Elected Member or General Manager. GMC may determine an award without a nomination.

- **An Elected Member**
 - Minimum service of 12 years
 - Served as Mayor
 - 2 full terms as President of The Local Government Association of Tasmania
- **An Officer of Local Government**
 - Minimum service in Local Government of 20 years
 - Served as CEO/GM
 - Represented Local Government with distinction at a National level
 - Significant achievement and contribution to Local Government
 - eg PLGC Officials, Legislation Committee, Local Government Board, State Grants Commission, High Level Working Parties (EMPCA)

OUTSTANDING COMMITMENT AND SERVICE TO LOCAL GOVERNMENT AWARD

FOR PERSONAL COMMITMENT, EMINENT SERVICE AND CONTRIBUTION TO WHOLE OF LOCAL GOVERNMENT

Nominations may be made by Councils or by Elected Members or General Manager and seconded by an Elected Member or General Manager. GMC may determine an award without a nomination.

- **An Elected Member**
 - Minimum service of 8 years
 - 2 terms service on GMC
 - Distinguished service to Local Government
 - Whole of Local Government Committee or Working Party member for a minimum of 2 years (eg Forestry Consultative Committee, Legislation Committee etc); and/or
 - Member of Statewide or National Committees for minimum of 3 years (eg Forest Practices Board, State Fire Commission, Tasmanian Cultural Heritage Council etc)
- **An Officer**
 - Minimum service of 15 years in Local Government
 - Served with distinction on State executive of professional body eg LGMA, IPWEA, RAPI etc
 - Whole of Local Government Committee or Working Party member for a minimum of 3 years (eg Animal Welfare Advisory Committee, Building Regulations Advisory Committee, Planning Appeals Board, EMPCA Board etc)

OUTSTANDING ACHIEVEMENT AWARD

FOR MAKING A SIGNIFICANT CONTRIBUTION AND LONG LASTING IMPACT ON THE WHOLE OF LOCAL GOVERNMENT

Open to elected members and officers in Local Government.

Nominations may be made by Councils or by Elected Members or General Managers and seconded by an Elected Member or General Manager. GMC may determine an award without a nomination.

This award is not related to length of service or participation, but instead relates to a significant project or body of work that has a long lasting and positive impact on the sector.

Nominees should be exemplars for the sector, demonstrating dedication and leadership, excelling in advocacy and delivering sustainable and strategic outcomes for Local Government.

CERTIFICATE OF OUTSTANDING COMMITMENT AND SERVICE TO COUNCIL

FOR LONG SERVICE OF A HIGH DEGREE

Nomination by Mayor or General Manager.

- **An Elected Member**
 - Minimum service of 2 terms
 - Significant contribution to the community (specific to municipality represented)

LGAT LONG SERVICE AWARD

Nominations may be made by Councils or by Elected Members or General Managers and seconded by an Elected Member or General Manager. GMC may determine an award without a nomination.

- **An Officer of Local Government**
 - Minimum service of 40 years
 - Served in a senior or management role
 - Contributed significantly to the betterment of Local Government at the local or regional level
 - Achieved outcomes for Local Government and the community worthy of exceptional recognition



GUIDELINES FOR LOCAL GOVERNMENT AWARDS

1. Nominations

Nomination requirements for each Award are detailed in the accompanying Local Government Award Criteria schedule.

At all times, nominations must be seconded by another member of Council or the General Manager.

Nominations are to be submitted to the Association at least two days prior to a scheduled GMC meeting.

Nominations will not be made public and will be considered by the GMC in closed session. Decisions made by GMC are final.

In the case of a GMC member being nominated for Life Membership, GMC may confer out of session without the nominee present. Voting must be unanimous for the nominee to be awarded Life Membership.

2. Presentations

Awards for Life Membership and for Outstanding Commitment and Service to Local Government will be made at either a General Meeting or Annual General Meeting. Those awarded Life Membership will be presented a certificate and appropriate gift for service by the President or Vice-President.

The Outstanding Achievement, Certificate of Outstanding Commitment & Service to Council and the LGAT Long Service Awards will be awarded, if practicable, by the President or a GMC member at an appropriate Council function. Recipients will receive a framed certificate.

3. Costs

The Association will meet the costs of the above, however, should a plaque or other such gift be requested, the cost will be met by Councils.



An improved model for returning land to Tasmania's Aboriginal people

Consultation Paper on proposals for change



Department of Natural Resources and Environment Tasmania

GPO Box 44 Hobart TASMANIA 7001

www.nre.tas.gov.au

June 2022

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Cover photos (clockwise from top):

Mainwaring River

Australian Fur Seals, Southwest National Park

Toogee Hill

Message from the Minister

The Tasmanian Government recognises that Aboriginal people have an ongoing connection to Tasmanian lands and waters. Connection to, and caring for, Country is central to Aboriginal culture and identity. Land returned to Aboriginal people can create individual and community empowerment, strengthen cultural identity, and assist us all in our journey towards reconciliation.

The *Aboriginal Lands Act 1995* (the Act) is currently the only mechanism for permanently returning substantial parcels of Crown land to the Tasmanian Aboriginal people. As stated in its long title, it is *An Act to promote reconciliation with the Tasmanian Aboriginal community by granting to Aboriginal people certain parcels of land of historic or cultural significance*.

Returning more land to Tasmanian Aboriginal people is a priority for the Tasmanian Government and is a key aspect of our *Reset the Relationship* policy agenda. The Review into the model for returning land, which aims to identify the barriers to returning land and explore options to improve the land return process, is an integral step in this process.

As highlighted by the feedback received from the 2018 public consultation process, it is clear the current process to return land does not work for all Tasmanian Aboriginal people. The process identified strong support for:

- more land to be returned;
- assessment of land to be returned using agreed criteria;
- improved Aboriginal representation in the voting processes for the Aboriginal Land Council Tasmania (ALCT); and
- improved governance and accountability in the management of returned land.

The *Pathway to Truth-Telling and Treaty* report, released in November 2021 by Professors Kate Warner and Tim McCormack, also includes commentary and recommendations directly relevant to the Act, including how the ALCT election process can be improved, and promotes the need to progress land return and joint land management arrangements as a matter of priority. The Tasmanian Government has committed to taking further steps on both a Truth-telling and Treaty process through a commitment to establish an Aboriginal Advisory body.

This Consultation Paper has taken that feedback into account and outlines the Government's proposed approaches to amend the Act and return more land to Aboriginal people. There will, of course, be different views. We have listened, and will continue to listen to all interested parties. In this Paper, we are clear and transparent about our proposed responses to the issues raised, and the Government welcomes feedback that presents clear arguments for or against the directions we propose.

Feedback will inform the drafting of the amending legislation, which will be released in the form of a Draft Exposure Bill for further consultation. My intention is to introduce legislation to Parliament as soon as possible to facilitate the return of more land to Tasmanian Aboriginal people.



Roger Jaensch MP
Minister for Aboriginal Affairs

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This Consultation Paper sets out the Government's proposed approaches and directions for improving the model for returning land to Tasmania's Aboriginal people through amendment of the *Aboriginal Lands Act 1995*.

Providing feedback on this Consultation Paper

Feedback can be provided either in written submissions, or at meetings, which will be recorded in agreed notes of the discussion. The intention is to conduct meetings with Tasmanian Aboriginal people and Aboriginal community organisations, as well as with interested stakeholders.

The formal consultation period closes on Sunday, 24 July. Submissions can be made:

- Via email to: aboriginallandsact@nre.tas.gov.au
- Via post to: Review of the *Aboriginal Lands Act 1995*
NRE Tasmania
GPO Box 44
Hobart TAS 7001
- By requesting a face-to-face meeting via the above email address.
- By completing an online survey available [here](#)

Important information to note:

- Consistent with Tasmanian Government policy, all submissions will be treated as public information unless it is clearly indicated that a submission is intended to be treated as confidential. They will be published on the Department of Natural Resources and Environment Tasmania website [here](#).
- If you would like your submission treated as confidential, whether in whole or in part, please indicate this in writing at the time of making your submission, clearly identifying the parts of your submission you want to remain confidential and the reasons. In this case, your submission will not be published to the extent of that request.
- No personal information other than an individual's name will be published. Further information on confidentiality and the *Right to Information Act 2009* can also be found [here](#).
- Copyright in submissions remains with the author(s), not with the Tasmanian Government.
- Defamatory or offensive material will not be published.

Next steps

The outcomes of this consultation process will inform the development of a Draft Exposure Bill. The intention is to release the Draft Exposure Bill for comment ahead of a planned introduction in Parliament in 2023.

Introduction

The passing of the [Aboriginal Lands Act 1995](#) (“the Act”) by the Tasmanian Parliament has been recognised as a historically important development in the recognition of Tasmanian Aboriginal people and their deep connection to the land. The legislation was developed to facilitate the return of Crown land to Tasmania’s traditional owners in a legal environment where, due to Tasmania’s unique and tragic history, native title is unable to be established. The legislation also provides for land that is otherwise acquired, whether ‘returned’ by a private landowner where they volunteer to do so, or purchased by or on behalf of Aboriginal people to be declared as ‘Aboriginal land’.

The Act established the Aboriginal Land Council of Tasmania (ALCT), an autonomous body elected by Aboriginal people, as a statutory authority with responsibility for the use and sustainable management of statutorily defined ‘Aboriginal land’, and its natural resources, on behalf of all Aboriginal people. ALCT holds that land in perpetuity for all Tasmanian Aboriginal people. The Act outlines the functions and powers of ALCT and establishes the mechanism for electing members to the Council.

By the end of its first decade in operation, the Act had been the means of transferring more than 55,000 hectares of Crown land to ALCT to hold on behalf of all Tasmanian Aboriginal people. The land parcels involved are set out in the first section of Appendix 1.

In 2012 and 2013, an attempt to return Crown land at Irapuna (Eddystone Point) and Rebecca Creek failed to pass the Legislative Council, and the processes in that House highlighted some criticisms of the Act and the operations of ALCT.

As Appendix 1 illustrates, the transfers under the Act have not been limited to land returned by the Crown. ALCT and other Aboriginal organisations have entered into their own property acquisition arrangements with partner organisations outside the Act.

For example, the two parcels comprising Kings Run, a 711-hectare site between the Arthur River and Marrawah, were purchased by ALCT through collaborative funding arrangements with other organisations. This approach has been used successfully for other ALCT property acquisitions. In addition, land has been acquired outside of the processes set out in the Act, including substantial agricultural properties now owned by the Flinders Island Aboriginal Association Inc. and by the Weetapoonna Aboriginal Corporation. Other Aboriginal organisations have approached the Government seeking to negotiate land returns and joint land management arrangements outside the Act.

In 2016 the Government announced its policy agenda for Resetting the Relationship with Tasmanian Aboriginal people. One of the five key priorities was to ‘Explore joint land management arrangements and review the current land return model’. Fulfilling that commitment, and with the clear aim of facilitating the return of further Crown land, in November 2017 the Tasmanian Government formally commenced a review of the model for returning land to Aboriginal people.

A consultation process supported by a [Discussion Paper](#) occurred in 2018, and a [Consultation and Stakeholder Feedback Report: Improving the Model for the Return of Land to Aboriginal communities](#) summarising feedback from the 151 submissions received was released in July 2019. Consultation with Aboriginal organisations continued throughout the review, and the conversation is ongoing.

The importance of land return was also reflected in the consultations undertaken by Professors Kate Warner and Tim McCormack, documented in their *Pathway to Truth-Telling and Treaty* report. The findings of their consultations are consistent with the Government’s proposals.

This Consultation Paper has been informed by the consultation undertaken to date and outlines the Government’s proposed approaches and directions on key amendments to improve the implementation of

the Act, and facilitate the return of land to Aboriginal people. These proposals reflect what the Government has heard and are to:

- extend the scope and intent of the Act to meet community expectations;
- enable broader representation on the ALCT electoral roll;
- simplify the process for land return;
- expand provisions for local or regional Aboriginal community organisations to play a role in land management;
- create transparent processes and clear criteria for proposing and assessing land for return; and
- clarify the role of ALCT and require reporting of administrative and land management activity.

The key roles of ALCT (ie holding the title of the land and overseeing its management on behalf of all Tasmanian Aboriginal people) are not intended to change.

Proposed directions for amendments to the Act

The Government intends to maintain the framework of the *Aboriginal Lands Act 1995* and the intent that it should provide the legal framework for land to be:

- transferred to an independent statutory authority, ALCT, comprising members elected by Aboriginal people; and
- held and managed by ALCT, as statutorily defined 'Aboriginal land', in perpetual trust for, and for the benefit of Aboriginal people.

The following proposals seek to improve the transparency, ease and inclusivity of the processes that support ALCT, and provide a clearer process for transferring land.

This paper outlines the proposed policies and approaches that will inform the amendments to the Act.

Shell midden, West Coast of Tasmania.



1: Clarifying the scope and intent of the Act

What is proposed:

That the long title of the Act be amended and/or a Purpose and Objectives provision be added to expand the Act's scope and intent to reflect the importance and significance of land to Tasmanian Aboriginal people.

Context:

The current long title for the Act is as follows:

An Act to promote reconciliation with the Tasmanian Aboriginal community by granting to Aboriginal people certain parcels of land of historic or cultural significance.

Previous feedback, as highlighted in the Consultation and Stakeholder Feedback Report, indicated that the use of 'land' in the Act appeared to only consider 'historic or cultural significance'. However, there was a clear view from many respondents that this should be expanded to capture and acknowledge a deeper understanding of 'land' to Aboriginal people. For example, considering health, wellbeing, housing and economic outcomes. Inclusion of water(s) in the scope of the Act may also be considered.

In keeping with this feedback, the Government considers that this broadening would be a more accurate reflection of the way that land return is regarded around Australia, as well as in Tasmania.

Critically, the Act should specify its intent to create a process by which Crown land can be more readily returned by the Government. Other forms of transfer, such as voluntary gifts or sales of land by private owners, will continue to be available.

Comments and suggestions are invited on how best to amend the Act and make this intent clear.

Coastal landscape, Southwest National Park.



2: Revisions to ALCT elections

What is proposed:

That the Act would be amended to:

- remove the process for objecting to a person's enrolment on the ALCT Roll (s.10(3)(c) etc);
- apply a method consistent with the intent of the Government's Eligibility Policy to determine eligibility to participate in ALCT election processes, creating consistency with the practices of the Commonwealth and other jurisdictions; and
- implement appropriate procedural reforms to reflect a reduced role of the Electoral Commissioner.

Context:

The Government considers it necessary to respond to the widespread perception that the determination of Aboriginality under the *Aboriginal Lands Act 1995*, as applied to eligibility for the electoral roll for ALCT elections, has been restrictive and inequitable, and a source of conflict between Aboriginal people. The Government's introduction of the Eligibility Policy¹ in 2016 was based on similar concerns.

The current process under the Act is unique, whereas the intent of the Eligibility Policy is consistent with the general practice of the Commonwealth and the other States and Territories.

Currently the ALCT Roll is small, including approximately 630 people, with only a small fraction of these participating in the voting process. For example, at the 2018 election a total of 148 votes (about one-quarter of eligible voters) were cast to elect the eight successful members. In 2021, even fewer (135) votes were cast.

Feedback to the previous consultation indicated some Tasmanian Aboriginal people had concerns about a process that allows a key, decision-making Aboriginal body to be chosen by such a small proportion of the Tasmanian Aboriginal population.

The Act includes the ability to object to enrolment 'on the basis that the person is not an Aboriginal person' (s.10(3)(c) etc). The details of the relevant processes are provided in Guidelines published by the Tasmanian Electoral Commissioner under s.9(3)².

The objection process is unique in Tasmanian legislation, and there is no directly comparable process in other jurisdictions.

Some Tasmanian Aboriginal people have indicated that the objection process is unnecessarily adversarial, and creates divisions between Aboriginal people, which has deterred many from participating in the ALCT process.

The intention therefore is to remove the objection process and apply a method consistent with the

¹ Full title: Eligibility Policy for Tasmanian Government Aboriginal and Torres Strait Islander Programs and Services.

² See https://www.tec.tas.gov.au/OtherElections/ALCT/2020-21_ALCT/pdf/ALCT-Enrolment-and-election-booklet-2020-21.pdf

Government's inclusive Eligibility Policy to enrolment on the ALCT Electoral Roll, and to the ability to nominate or be considered for election to the ALCT.

These amendments would provide clarity on who can nominate to participate in ALCT. As a result, the Electoral Commissioner's responsibilities in the Act would be more consistent with the Commissioner's role and expertise in the conduct of elections, and not in determining a person's Aboriginality.

Mount Cameron West, Preminghana, West Coast of Tasmania, Photo Nick Monk.



3: Simplification of land transfer process

What is proposed:

That the Act would be amended to:

- create a new instrument of transfer for significant parcels of Crown land, including reserved land, which will simplify the process; and
- otherwise make greater use (for both freehold and unreserved Crown land acquired by ALCT) of the ability to declare land as 'Aboriginal land'.

Context:

A key finding of the Review of the Act is that the complexity of the transfer process under the current legislation is an impediment to land returns.

A high priority for the Government is to simplify the process for land transfer.

There are currently two processes by which ALCT can become the owner of land that is classified as 'Aboriginal land' and subject to Part 3 of the Act:

- The original process – which still accounts for most of the Aboriginal land held by ALCT – requires the amendment of the Act to add the land, and relevant details including conditions relating specifically to each parcel, to s.27 of the Act and its Schedules; and
- The second, through s.35A, which was inserted in 2005, allows ALCT to have land it has acquired by other means declared 'Aboriginal land' under the Act.

The intention of the new instrument would be to avoid the necessity of amending the Act each time a significant land return is proposed.

The current process has resulted in a confusing set of provisions in s.27 (largely covering details about access to each parcel) and the Schedules, so that it is difficult to track the conditions applying to each piece of land. The new instrument of transfer would provide a clear, consolidated set of relevant conditions for each piece of newly transferred land (see also the next section).

Importantly, the new instrument would be disallowable – that is, it would be valid unless disallowed by either House of Parliament within a specified time. This means there would be an opportunity for debate and decision in the Parliament if any member moves to disallow a transfer of land. In addition, the Government proposes that there would be public exposure and consultation on the draft instruments before their tabling in Parliament.

4: A land management role for local or regional Aboriginal community organisations

What is proposed:

That the Act would be amended to provide, as part of the new instrument of transfer:

- the option to specify a land manager or co-manager, in addition to ALCT, including where appropriate a local Aboriginal group; and
- consolidated details of access rights, ensuring that Aboriginal land vested in ALCT would be (as far as practicable) freely available to access by Tasmanian Aboriginal people and organisations.

Context:

A significant concern put forward in the consultation was that there is limited opportunity for local groups to play a role in the management of Aboriginal land, and a desire to involve a wider range of Aboriginal people was argued. In addition to direct consultation, this concern was noted in evidence to the Legislative Council Select Committee that was set up to consider the proposed 2012-13 land transfer Bill (for the Eddystone Point/Irapuna and Rebecca Creek parcels) and in the *Pathway to Truth-Telling and Treaty* report.

Some local or regional Aboriginal groups have raised concerns around being effectively excluded from Aboriginal land, or from management responsibility and involvement in the management of Aboriginal land.

The intention of this proposal is to provide the opportunity for an instrument of transfer to specify the roles of ALCT and local or regional groups, or persons, and provide opportunity for local groups to have formal involvement or responsibilities in land management.

Among the matters to explore is whether there may be scope for differentiating land that is clearly of local or regional significance from that which is of interest to all Aboriginal people in the State.

Another important issue is access to or over returned land. To date this has generally been managed by reference to s.27 and Schedule 3 of the Act, and plans held in the Government's Central Plan Register. It is proposed that new instruments should provide clear details of access rights, in terms of their location and to whom they apply, including a general provision for reasonable public access and for access by Aboriginal people. Requirements for a management plan are discussed in section 6.

5: Identification of land suitable for transfer

What is proposed:

That the Act would be amended to provide for:

- clear identification of the values, and the significance to Tasmanian Aboriginal people, of any land proposed for transfer;
- a way of identifying whether the significance is primarily to all Tasmanian Aboriginal people (ie, statewide) or is specifically local/regional; and
- development of clear criteria to support future evaluation of land nominated for return.

Context:

The Government will continue to discuss land already identified by Aboriginal people for possible transfer, as well as being open to new proposals. However, a clear framework that provides for consistency and transparency of nomination and evaluation processes is considered necessary.

The need for greater transparency and clarity in the choice of land to be returned has been raised in the consultation to date. There has in the past been a criticism that there seemed insufficient justification for the choice of land parcels to transfer. Feedback on considerations to capture in the framework is welcomed. This may include identifying parcels of land that Tasmanian Aboriginal people would like considered for future transfer.

A possible option for improving transparency could be the publishing of criteria, developed in consultation with Tasmanian Aboriginal people, against which nominations for land return would be evaluated. Views are sought on this and on criteria that may be relevant.

Privately owned land will not be eligible for declaration as Aboriginal land unless first gifted to ALCT, or purchased by or on behalf of ALCT. This has occurred already (see properties listed in section 4 of Appendix 1). Once owned by ALCT, the land can be declared Aboriginal land under s.35A of the Act. The Act is focussed on the transfer of Crown land.

6: Governance issues

What is proposed:

That the Act would be amended to:

- require management plans to be prepared and published that are proportionate for the size or complexity of the land parcel involved; and
- require ALCT to publish an annual report to support transparency and accountability to Tasmanian Aboriginal people on whose behalf they hold and manage land, and to increase understanding and appreciation among the broader Tasmanian community of the work that ALCT and other Aboriginal land managers undertake.

Context:

The intent of the proposals is to emphasise and support ALCT's role as holding the title and overseeing the management of Aboriginal land for the benefit of all Aboriginal people. If there is to be a wider range of Aboriginal community organisations involved in the management of the expanded land portfolio, ALCT will have greater responsibilities and be accountable for the good management of more land.

It is expected that management plans will be an important element. They are already provided for in s.32 of the Act. However, they are not currently required to be prepared, or to be published. Subject to any necessary confidentiality, including in relation to sensitive Aboriginal cultural heritage information, publication would provide for greater transparency about how the land is being managed, including any objectives for the land that relate to benefiting Aboriginal people.

In the Act, the only reporting requirement on ALCT is to provide its financial statements to the Auditor-General each year and make them available on request to 'an Aboriginal person'. The Government understands that the very nature of ALCT means that it would be inappropriate to require it to report to the Minister. However, the Government considers it would appropriate to require ALCT to publish an annual report so that Tasmanian Aboriginal people are able to see how land is managed that is being held for their benefit.

For others in the broader community, such reporting could help increase understanding and appreciation of the importance of the work that ALCT undertakes in relation to managing its Aboriginal land estate.

APPENDIX 1:

Land owned or held by the Aboriginal Land Council of Tasmania, or by other Aboriginal community organisations, including land owned or subsequently transferred by the Commonwealth's Indigenous Land and Sea Corporation and private landowners

Property name / location	Aboriginal name	Total area (ha)	Region (ALCT electoral region)*	Year	Status	Registered proprietor / owner	Process
1: Land returned to ALCT by the Crown through parliamentary processes under the Aboriginal Lands Act 1995 (ALA)							
Oyster Cove	putalina	31.00	S	1995	Returned	ALCT	Amendment of ALA
Mt Cameron West	preminghana	525.00	NW	1995	Returned	ALCT	Amendment of ALA
Mt Chappell Island	Hummocky	325.00	CBI	1995	Returned	ALCT	Amendment of ALA
Steep (Head) Island		22.00	NW	1995	Returned	ALCT	Amendment of ALA
Kuti Kina Cave	kutikina	152.00	NW	1995	Returned	ALCT	Amendment of ALA
Ballawinne Cave	ballawinne	560.00	NW	1995	Returned	ALCT	Amendment of ALA
Wargata Mina Cave	wargata mina	156.00	S	1995	Returned	ALCT	Amendment of ALA
Badger Island		1,244.00	CBI	1995	Returned	ALCT	Amendment of ALA
Babel Island		460.00	FI	1995	Returned	ALCT	Amendment of ALA
(Great) Big Dog Island		331.80	FI	1995	Returned	ALCT	Amendment of ALA
Risdon Cove	piyura kitina	78.95	S	1995	Returned	ALCT	Amendment of ALA
Cape Barren Island (Wombat Point)	truwana	718.00	CBI	1995	Returned	ALCT	Amendment of ALA
Wybalenna	Wybalenna	138.60	FI	1999	Returned	ALCT	Amendment of ALA
Cape Barren Island	truwana	42,706.00	CBI	2005	Returned	ALCT	Amendment of ALA
Clarke Island	lungtalanana	8,149.00	CBI	2005	Returned	ALCT	Amendment of ALA
Sub Total		55,597.35					

Property name / location	Aboriginal name	Total area (ha)	Region (ALCT electoral region)*	Year	Status	Registered proprietor / owner	Process
2: Land returned to ALCT by the Crown under the Crown Lands Act 1976 and declared under s.35A of the ALA							
Bruny Island (part)	pungkatina	9.00	S	2006	Returned	ALCT	Crown Land Assessment and Classification Project
Nirmena Nala Cave (upper Derwent Valley)	nirmena nala	0.53	S	2015	Returned	ALCT	Acquired by Crown from Hydro Tasmania (150826/1: 0.1864ha) and Mr Ian Edwards (139332/1: 0.3426ha)
	Sub Total	9.53					
3: Land held by ALCT under lease from Crown							
Eddystone Point	larapuna	10.40	N	2006	40-year lease	Crown	40-year lease issued by the Crown
	Sub Total	10.40					

Property name / location	Aboriginal name	Total area (ha)	Region (ALCT electoral region)*	Year	Status	Registered proprietor / owner	Process
4: Land owned by ALCT following transfer from ILSC³ or non-Crown owners and declared under s.35A of the ALA							
Modder River Station (on Cape Barren Island)		1,007.83	CBI	2010	Transfer by ILSC	ALCT	Transfer to ALCT, 4/2/10
Trefoil Island	ttitima	115.78	NW	2010	Transfer by ILSC	ALCT	Transfer to ALCT, 27/5/10
(formerly Gowan Brae)	trawtha makuminya	6,750.00	S	2013	Transfer by private owners	ALCT	Transfer (sale) by private owners to ALCT, 27/2/13 [ILSC and others were involved in financing the purchase]
Kings Run		711.06	NW	2016 & 2019	Transfer by private owners and TLC	ALCT	Transfer (sale) by private owner; 19/12/16; and gifted by Tas. Land Conservancy, 12/8/19. [purchase funded by ILSC and TLC and others]
Windsong		117.9	SE	2019	Returned by private gift	ALCT	Transfer (gifted) by Tom and Jane Teniswood, 8/4/19
	Sub Total	8,702.57					

³ Was the Indigenous Land Corporation; became the Indigenous Land and Sea Corporation in February 2019.

Property name / location	Aboriginal name	Total area (ha)	Region (ALCT electoral region)*	Year	Status	Registered proprietor / owner	Process
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5: Land transferred by ILSC to other Aboriginal community organisations							
Thule (on Flinders Island)		2,054.14	FI	2005	Transfer by ILSC	FIAAI	Transfer, 7/7/05
73 Mella Road, Smithton	trawmanna	6.07	NW	2012	Transfer by ILSC	Circular Head AC	Transfer, 12/12/12
38 Rothesay Circle, Goodwood	Karadi	0.49	S	2015	Transfer by ILSC	Karadi AC	Transfer, 18/6/15
Murrayfield & Kirkby Lodge, Bruny Island	Murrayfield	4,097.00	S	2016	Transfer by ILSC	weetapoona AC	Transfer, 1/7/16
Diana's Basin ⁴		195	N	2021		TAC	Transfer, 13/12/21
	Sub Total	6,352.70					

6: Land leased by ILSC to Aboriginal community organisation							
Panatana	panatana	234.88	NW	2015	ILSC owned, leased out	ILSC	ILC lease to Six Rivers AC [however, in process of divestment by ILSC to Six Rivers]
	Sub Total	234.88					
	Total	70,721.43					

*S = South region N = North region NW = North-West region FI = Flinders Island Group CB = Cape Barren Island Group

⁴ In December 2021 the Tasmanian Aboriginal Centre became part-owner with the TLC of a 195 ha property at Dianas Basin, near St Helens, also in partnership with the ILSC.



BRIGHTON FAMILY DAY CARE P/L

PCYC Building
22-24 Greenpoint Road
BRIDGEWATER 7030
Phone: 03 6263 4009
brightonfdc@intas.net.au
ABN: 91 125 513 260

Tax invoice

Invoice number	Issue date	Due date
00001526	09/06/2022	23/06/2022

Bill to
Central Highlands Council
PO BOX 20
HAMILTON TAS 7140

Description	Tax	Amount (\$) <i>excluding tax</i>
Annual child care support grant	FRE	5,000.00
Subtotal (<i>exc. tax</i>)		\$5,000.00
Tax		\$0.00
Total Amount (<i>inc. tax</i>)		\$5,000.00
Total paid		\$0.00
Balance due		\$5,000.00


View your invoice online
[Click here to view](#)

How to pay Due date: 23/06/2022

View your invoice online

Bank deposit via EFT

Scan the QR code or click the link above to view this invoice online.



Bank	BENDIGO
Name	BRIGHTON FAMILY DAY CARE
BSB	633000
AC#	134084417
Ref#	00001526

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding is made on the date of last signature below.

BETWEEN

Brighton Family Day Care P/L (91125513260) of 22-24 Greenpoint Road, Bridgewater, Tasmania, 7005 (**First Party**)

- AND -

Central Highlands Council (.....) of C H Council Offices, Hamilton , Tasmania, 7140 (**Second Party**)

SUBJECT TO CONTRACT

Background

A. The First Party and the Second Party are interested in entering into a Child Care support annual grant agreement (the Proposed Agreement).

B. This Memorandum of Understanding sets out the principal terms and conditions upon which the Parties agree to enter into the Proposed Agreement.

1. Status of Memorandum of Understanding

The terms in this Memorandum of Understanding are not exhaustive and are expressly 'subject to contract' until a final written agreement has been entered into. The terms are not intended to be legally binding between the parties except where specifically stated.

2. Timescale and notice to terminate

- (a) The Parties agree to negotiate in good faith with a view to signing the final written Proposed Agreement on or before
- (b) Either Party may at any time, by notice to the other in writing, terminate negotiations for the Proposed Agreement, without having to give any reasons for doing so.
- (c) The Party giving notice will not incur any financial liability to any other Party, unless it has breached a legally binding obligation of this Memorandum of Understanding as set out below.
- (d) Upon giving notice of termination, each Party must:

- (i) return all of the other party's equipment and materials;
- (ii) return or destroy (as directed in writing by the other party) any documents, handbooks, CD-ROMS or DVDs, software or other information or data provided to it by the other party.

3. Basis of Proposed Agreement

- (a) Under the Proposed Agreement, the First Party's primary obligations are:
To provide child care opportunities in the Central Highlands area
- (b) Under the Proposed Agreement, the Second Party's primary obligations are:
To provide financial support in the form of an annual grant of \$5000
- (c) Under the Proposed Agreement, both parties obligations are:
Each party to provide support and information regarding child care needs and possible educator registrations through consultations and information sessions to the general public and other community organisations.

4. Costs

Each Party is responsible for its own costs in connection with the Proposed Agreement, whether or not it proceeds (including, without limitation, the preparation and negotiation of this Memorandum of Understanding, the negotiation and drafting of the Proposed Agreement and any documents contemplated by it).

5. Other agreements

Where they exist, any agreements between the parties will continue to apply to this Memorandum of Understanding and shall remain in full force and effect and are not affected by anything in this Memorandum of Understanding.

6. Rights and remedies

- (a) Each Party agrees that damages alone would not be an adequate remedy for any breach of a legally binding obligation by the other Party. In such an event, the non-defaulting Party shall be entitled to the remedies of an injunction, specific performance or other equitable relief in addition to any other remedy including damages.
- (b) This Memorandum of Understanding is for the benefit of the parties to it and is not intended to benefit, or be enforceable by, anyone else.

7. Governing law and jurisdiction

The agreement constituted by this Memorandum of Understanding shall be governed by the laws of Tasmania and the courts of Tasmania shall have exclusive jurisdiction for all matters arising under it.

8. Commencement and signature

The agreement in this Memorandum of Understanding will remain in effect until superseded by the Proposed Agreement, notice to terminate negotiations or other event equivalent to termination of the agreement in this Memorandum of Understanding (including the insolvency of one of the Parties or the performance of the obligations set out above (Basis of Proposed Agreement)).



**The Parties have signed this Memorandum of Understanding on the date(s)
below:**

Agreed by (First Party):

Agreed by (Second Party):

.....
Signature

.....
Signature

.....
Print Name

.....
Print Name

.....
Date

.....
Date

ADVOCATING FOR REGIONAL AUSTRALIA

NATIONAL GENERAL ASSEMBLY FOR LOCAL GOVERNMENT 2022

Isaac Regional Council is seeking your support for a motion that deals with a matter of great importance to regional and rural Australian communities, and to the industries that drive the Australian economy.

It is critical that the Federal Government takes the lead to ensure federal funding and federal programs for mental health and related services are fit for purpose, place-based models in small and medium sized regional, rural and remote areas of Australia.

In the past 20 years there is an extensive list of parliamentary inquiries and research papers into regional Australia. For the number of inquiries that have occurred and the recommendations that have been made, there has been little result.

Further there is a critical need for action by the Federal Government to ensure there is a stronger Rural Health Strategy that addresses the diversity of rural Australia and its health service needs. Across rural and regional Australia, there are critical shortages of medical, nursing and allied health staff. These critical shortages present an unacceptable risk to regional Australian communities. With your support, this National General Assembly can



CR ANNE BAKER
Mayor, Isaac Regional Council

ensure the Federal Government plays its part in ensuring equity for regional Australia and to ensure Australians living in rural and remote Australia are provided with an equitable model of health care which is fit for purpose.

CR ANNE BAKER
Mayor of Isaac Regional Council

MOTION #39

STRONGER MENTAL HEALTH SERVICES FOR REGIONAL, RURAL AND REMOTE AREAS OF AUSTRALIA

.....
This National General Assembly calls on the Australian Government to ensure federal funding and federal programs for mental health and related services are fit for purpose, place-based models in small and medium sized regional, rural and remote areas of Australia.



ADVOCATING FOR REGIONAL AUSTRALIA

NATIONAL GENERAL ASSEMBLY FOR LOCAL GOVERNMENT 2022

OBJECTIVE

As part of the Australian Government's mental health response to the COVID-19 pandemic, Head to Health services are being initiated by Primary Health Networks partnering with local health service providers.

Whilst this model of delivery may suit large regional centres with established local health service capacity and providers, in small and medium sized regional, rural and remote areas of Australia, where communities are already experiencing a critical shortage of medical, allied and health services, an unintended consequence of the Head to Health model is further distancing of critical mental health services from areas in serious need.

Nationally, communities built on energy-based resources and agricultural sectors are at the forefront of adaptation regarding climate change impacts on its industries and its communities.

The cumulative effects of prolonged social and economic impacts of the pandemic, the current and future adaptation of industry and the need to re-engineer how work is done are further exacerbating mental health impacts in the regions.

The Federal Government working in partnership with local governments to support fit for purpose place based models in mental health services across regional Australia would make an absolute difference in communities where critical shortages of mental health services are experienced.

KEY ARGUMENTS

In 2020, modelling indicated that mental health issues were likely to rise significantly in Australia as a result of COVID-19. About 18 months on, data from the Australian Institute for Health and Welfare shows that although suicide rates have remained stable, there has been a significant increase in demand for mental health services.

In rural and remote areas, access to mental health services is substantially more limited than in metropolitan areas and tragically, rates of suicide and self-harm increase with remoteness.

By way of example, the Bowen Basin resource region in Queensland is a region where this increasing demand for mental health support has not been met with a proportional increase in mental health services, predominantly due to challenges of funding, delivering, and staffing mental health services in this region.

The recent establishment of a Federally funded Head to Health partnership with North Queensland Primary Health Network in Townsville is providing a service that connects adults who are experiencing high levels of distress and seeking help with local mental health and wellbeing support services.

The primary health network is the commissioning body for Townsville Head to Health, having conducted the system co-design, facilitated service model localisation. The Head to Health model is also in place in Victoria. Unintended consequences of this model are that the significantly increasing demand on mental health services which have been identified off the back of COVID-19 in smaller

regional, rural and remote areas of Australia are continuing to not be met. Moreover, the access to mental health services, which is already substantially limited in rural and remote areas, becomes even less accessible with the focus and funding being redirected to major regional centres and cities.

Our regions require the same level of access to mental health services as our larger regional and metropolitan areas.

Distance and isolation experienced by regional, rural and remote areas lead to poor and too often tragic mental health outcomes. Academic Research undertaken by Wesley Medical Research, supported by Queensland University of Technology has identified that place based models are required to navigate the complexity of the mental health care landscape. That research has further identified that there is an absolute need for people seeking access to mental health services to be provided an effective navigation of the system because without it, the care maze is too complex meaning they either do not engage with it or get ejected from it.

Primary health network assessments have identified that general practice demands are increasing while access is reducing. That general practices are predominantly the gate keepers to referrals and other key health care resources. Further, that there are primary care workforce shortages across nearly all professions with after hours access being very poor.

Federally supported fit for purpose place-based mental health services are a critical piece of the overall mental health support framework required to meet the increasing demand across rural and remote regional Australia.



13 June 2022

Dear Council

RE ISAAC REGIONAL COUNCIL ALGA NATIONAL GENERAL ASSEMBLY FOR LOCAL GOVERNMENT 2022 – CONFERENCE MOTION 39

Council, at its Ordinary Council Meeting held on 13 March 2022 by resolution No. 7775, unanimously endorsed Motion 39 which is **attached** for your information.

We seek your support for the motion as we continue to advocate on matters relevant for Isaac communities, which are no doubt relevant to other regional, resource, rural and remote local governments across Australia.

The proposed Motion advocates for an issue which predominantly impacts regional local government communities, resource communities and rural and remote communities as follows:

Motion 39 – Stronger Mental Health Services for Regional, Rural and Remote Areas of Australia

That this National General Assembly of the Local Government Association of Australia calls on the Australian Government to ensure federal funding and federal programs for mental health and related services are fit for purpose, place-based models in small and medium sized regional, rural and remote areas of Australia.

Objective

The objective is for the Federal Government to work in partnership with local government to support fit for purpose place-based models in mental health services across regional Australia, specifically where there are critical shortages of mental health services experienced.

Why is this an important issue for local government? Because

It should not matter where you live in Australia, you should be able to receive health services when you need them.

Given the extensive list of parliamentary inquiries and major research conducted into regional Australia over the past 20 years, now is the time to take stock of the findings. What is required is a health system that provides place-based models of health care in small and medium sized regional, rural and remote areas of Australia, that builds on what has been learned through the many inquiries and the expertise of those who live in the regions.

The global pandemic has been one of the most significant events of the past 50 years. It has required a new way of thinking about economic, social and political issues. It has seen regional Australia become more attractive to live with lower house prices, relaxed life style and a safer environment regarding health and illness.

Previous Federal Government inquiries have repeatedly heard that for the regions to prosper and reduce inequality they need sustained investment in infrastructure, education and training and amenities and healthcare.

Now is the time to make necessary investments in the regions to develop, stimulate and rebuild the Australian economy. The next decade presents a critical opportunity to make those investments and allow regional Australia to fulfil its potential.

If you would like any further information on the above motion, please do not hesitate to contact me.

Thank you for your consideration.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Anne Baker', is written over a light blue rectangular background.

CR ANNE BAKER
Mayor

Encl:



CENTRAL HIGHLANDS COUNCIL COMMUNITY GRANTS PROGRAM APPLICATION FORM

Please ensure you have read and understand the Program Guidelines prior to completing this form. Please enclose your group/club's current financial statement.

1. APPLICATION & ORGANISATION DETAILS

Name of Project: Taking Time for Myself

Amount of Grant Requested: \$2,000

Estimated Total Project Cost: \$2,000

Applicant Organisation: Rural Alive and Well

Contact Person's Name: Kristy Mayne

Contact Details

Address: 73 High Street, Oatlands, 7120

Phone: (Business hours)

Mobile: 0428 145 319

Fax: N/A

Email: kristy@rawtas.com.au

Signature

Name Kristy Mayne

Position in Organisation Community Manager

Date

What is the overall aim/purpose of the applying organisation?

Reducing the prevalence of suicide and breaking down barriers of help hesitant community members & re-engaging communities after the impact of COVID.

What is the membership of the organisation?

President Tom Windsor

Secretary N/A

Treasurer Andrew Dunbabin

Public Officer/s Virginia Mudie, Nick Goddard, Robert Walters, Lynn Mason, Ian McMichael
Lucy Byrne, Andrew Calvert, Sarah Jacobson, Hayden Moore.

2. ELIGIBILITY *(see Community Grant Program Guidelines)*

Is the organisation:

- ☒ Representative of the interests of the Central Highlands Community
- ☒ Incorporated
- ☒ Not for Profit
- ☐ Unincorporated
- ☐ A Hall Committee

OR

- ☐ An individual community member

Have you previously received funding from the Central Highlands Council? *(Please attached additional pages if required)*

If yes;

Name of Project:

Date Grant received:

Amount of Grant:

3. PROJECT DETAILS

Project Start Date: 1st of July, 2022

Project Completion Date: 31st of December, 2022

Project Objectives: Provide self-care initiative with two (2) community Sip N Paint sessions.

4. COMMUNITY SUPPORT

What level of community support is there for this project?

RAW has previously worked within the Central Highlands Communities to provide self-care sessions and worked with the local football club to promote positive mental health.

Does the project involve the community in the delivery of the project?

Taking Time for Myself would involve the local football club, a local catering group & local artist Jodie Chivers to assist with delivery of the project.

How will the project benefit the community or provide a community resource?

The Self-Care sessions will benefit members of the community to take time out for themselves and to re-engage within their community in a covid friendly environment following the impact of the pandemic. Our Country team worker Julia Batchelor who will be co-ordinating the Taking Time for Me Sessions will also be present at each session to provide support for participants.

5. COUNCIL SUPPORT

Are you requesting other Council support? E.g. parks, halls, telephones, fax, photocopying, computers, office accommodation, cleaning facilities, street closure.

If yes, please give details.

Yes. Hire of the Bothwell Community Club Rooms at no cost.

Are you requesting participation by Councillors or Council Staff?

If yes, please give details.

No

If your application is successful, how do you plan to acknowledge Council's contribution?

When advertising for the Taking Time for Me sessions we will acknowledge that this event has been made possible by the Central Highlands Council Community Grants Program. When opening the sessions we will acknowledge and thank the Central Highlands Council Community Grants Program for their generous grant and opportunity to run sessions within the local community.

6. FUTURE APPLICATIONS AND THE SUCCESS THIS PROJECT

Do you anticipate the organisation will apply for funding in future years?

Yes

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

The success of the project will be evaluated in two (2) ways.

1. The number of participant attending the self-care sessions.
2. Requesting participants to complete a feedback form. This will enable us to evaluate what was beneficial and what areas that we need to improve for future projects.

7. PROJECT BUDGET

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

Please provide a breakdown of the project expenditure and income:			
Expenditure	Amount \$	Income	Amount \$
Capital		Guarantee	
Refurbishment		Government Grants	
Equipment		Trust/Foundations	
Premises	Donated by the Central Highlands Council	Donations from Business	
Vehicles		Special Funding	
Other: Fee for session is \$70 per person x 2 sessions with 12 participants per session Local Artist - Jodie Chivers Local Catering Service	\$1,680	Gifts in Kind Raw Country Worker to deliver a Fast 5 Mental Health and Wellbeing Session	
Other:		Other:	
Subtotal		Other	
		Subtotal	
Revenue		Anticipated	
Salaries (including super)	Provided by RAW	Government Grants	
Short-term contract fees		Central Highlands Grant	\$2,000
Running costs		Trust/Foundations	
Production of information PR materials	\$50	Donations from Businesses	
Training staff/volunteers		Special Fundraising	
Travel	\$150	Gifts in kind (details)	
Rent	N/R	Cash Reserves	
Reference materials	N/R	Other:	
Other:			
Subtotal	\$1,880	Subtotal	\$2,000
TOTAL	\$1,880	TOTAL	\$2,000