

AGENDA ATTACHMENTS

20 AUGUST 2024

ORDINARY COUNCIL MEETING

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Central Highlands Council

AGENDA – ORDINARY COUNCIL MEETING – 16 JULY 2024

Minutes of the Ordinary Meeting of Central Highlands Council held in the Council Chamber, **Hamilton** on **Tuesday 16th July 2024**, commencing at **9.00am**.

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1. OPENING

2. AUDIO RECORDING DISCLAIMER

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

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

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

3. ACKNOWLEDGEMENT OF COUNTRY

4. PRESENT

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

5. IN ATTENDANCE

Mr Adam Wilson (Deputy General Manager), Damian Mackey (Planning Consultant) and Mrs Katrina Brazendale (Minute Secretary).

6. APOLOGIES

Nil

7. LEAVE OF ABSENCE

Nil

8. PECUNIARY INTEREST DECLARATIONS

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

Cr Y Miller – Item 28.1 2024 LGAT Annual General Meeting

9. PERCEIVED INTEREST DECLARATIONS

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

PART 2 – Conflict of Interest that are not Pecuniary.

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

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

10. CLOSED SESSION OF THE MEETING

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

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

RESOLUTION: 01/07.2024/C

Moved: Cr J Honner

Seconded: Cr J Hall

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

Item Number	Matter	Outcome
1.1	<i>Confirmation of the Minutes - Closed Session of the Ordinary Meeting of Council held on 18 June 2024.</i>	<i>Regulation 15 (2)(G) of the Local Government (Meeting Procedures) Regulations 2015 – information of a personal and confidential nature or information provided to Council on the condition it is kept confidential.</i>
1.2	<i>Confirmation of the Minutes - Closed Session of the Special Meeting of Council held on 28 June 2024.</i>	<i>Regulation 15 (2)(G) of the Local Government (Meeting Procedures) Regulations 2015 – information of a personal and confidential nature or information provided to Council on the condition it is kept confidential.</i>
3.1	<i>Legal Advice</i>	<i>Regulation 15 (4)(a)(b) legal action taken by or involving council; or possible future legal action that may be taken or may involve the Council.</i>
3.2	<i>Letter from Acting Director of Local Government</i>	<i>Regulation 15 (2)(G) - Information of a personal and confidential nature or information provided to the Council on the condition it is kept confidential.</i>
3.3	<i>Tender – Hamilton Recreation Ground Electrical Supply & Installation Contract CHC CHC 02/24</i>	<i>Regulation 15 (2)(D) – Contracts, and tenders, for the supply of goods and services and their terms, conditions, approval and renewal.</i>

5	Supplementary Agenda Items	Part 2 Regulation 8 (6) of the Local Government (Meeting Procedures) Regulations 2015.
6	Consideration of Matters for Disclosure to the Public.	Regulation 15 (8) of the Local Government (Meeting Procedures) Regulations 2015 – <i>Wile in a closed meeting, the Council, or Council Committee, is to consider whether any discussions, decisions, reports or documents relating to that closed meeting are to be kept confidential or released to the public, taking into account privacy and confidentiality issues.</i>

CARRIED

For the Motion

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

MEETING CLOSED to the public at 9.10 am.

11. MOTION OUT OF CLOSED SESSION

RESOLUTION 07/07.2024/CC

Moved: Cr J Honner

Seconded: Cr R Cassidy

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
1.1	<i>Confirmation of the Minutes - Closed Session of the Ordinary Meeting of Council held on 18 June 2024.</i>	<i>THAT</i> the Minutes of the Closed Session of the Ordinary Meeting of Council held on 18 June 2024 be confirmed.
1.2	<i>Confirmation of the Minutes - Closed Session of the Special Meeting of Council held on 28 June 2024.</i>	<i>THAT</i> the Minutes of the Closed Session of the Special Meeting of Council held on 28 June 2024 be confirmed.
3.1	<i>Legal Advice</i>	<i>THAT</i> Council note the legal advice.
3.2	<i>Letter from Acting Director of Local Government</i>	<i>THAT</i> Councillors provide the Acting Director of Local Government with a response to his letter.
3.3	<i>Tender - Hamilton Recreation Ground Electrical Supply & Installation Contract CHC CHC 02/24</i>	1. <i>THAT</i> Council accepts the conforming tender received from RBD for \$211,099.00 Plus GST provide RBD retract their alternate terms and conditions and agree to

		<p><i>Council's tender contract terms and conditions.</i></p> <p>2. That Council approves an additional \$95,000.00 for the Hamilton Show Ground power upgrade in Councils 24/25 capital recreation ground budget.</p>
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CARRIED

For the Motion

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

12. RE-OPEN MEETING TO THE PUBLIC

The meeting re-opened to the public at **10.02 am**. The Mayor again advises, to the meeting and members of the public that Council Meetings, not including Closed Sessions, are audio recorded and published on Council's Website.

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

13. DEPUTATIONS

Nil

14. PUBLIC QUESTION TIME

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

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

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

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

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

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

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

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

There was 1 member in the galley with no questions raised.

15. NOTICE OF MOTIONS

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

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

15.1 NOTICE OF MOTION – CR R CASSIDY

CENTRAL HIGHLANDS COUNCIL

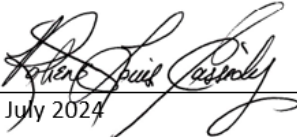


NOTICE OF MOTION

Under Division 2 – Motions, Section 16 (5) of the Local Government (Meeting Procedures) Regulations 2015, a Councillor may give to the General Manager, at least 7 days before a meeting, written notice of a motion, together with supporting information and reasons, to be included on the agenda of that meeting.

Date of Meeting:	16 July 2024
Councillor Name:	Robert L. Cassidy
Proposed Motion:	<p>To update and modernize the Central Highlands Council website, overall. The Central Highlands Council website should include a Business Directory, to include all hospitality, tourism, short-stay accommodation (i.e. <u>AirBnB</u>, Bed and Breakfast, motel and hotel), dining, petrol/diesel/Electric Vehicle service stations, automotive repairs, medical and pharmacy facilities, et cetera, with a pin on a map of the Central Highlands to highlight their specific location.</p> <p>To contract a website designer to update and modernize the Central Highlands Council website.</p> <p><u>And</u>, please consider combining the Community Development and Economic Development Officer positions to consult with the contracted website designer and to design a web-based and paper business directory for Central Highlands businesses.</p>
Background Details:	<p>The current website design is obsolete and no longer fit for purpose, with dead links, obsolete information, et cetera. It is based upon WordPress Elite theme. I would dare suggest it is vulnerable to hacking, especially employing Java script. In the Central Highlands municipality, according to Department of State Growth and The National Institute of Economic and Industry Research, tourism in 2022/2023, total sales in Central was \$18.0 million and the total value added was \$9.9 million. It employed both direct and indirect 140 people.</p> <p>reference: https://economy.id.com.au/tasmania/tourism-value?Tourismtype=3&WebID=140</p> <p>That would be a huge contribution to Council's bottom line, because those businesses pay Rates and many of those 140 people would pay Rates, also</p> <p>What are we doing to proactively promote tourism, <u>especially</u> making the municipality and Central Highlands Council's information more attractive?</p>

CENTRAL HIGHLANDS COUNCIL

	<p>I <u>would dare</u> suggest giving tourism and hospitality (businesses) higher recognition and profile on our list of priorities would encourage local, interstate, and international tourists to visit and stay longer than a couple hours or a couple days. It may <u>actually encourage</u> people to relocate to the municipality and some to establish businesses, which would increase our population and Rates-base.</p>
<p>Signature:</p>	
<p>Date:</p>	<p>7 July 2024</p>

Background

Council have approved \$6000.00 in the 2024/25 Budget to update the Central Highlands Council website using internal staff members.

RESOLUTION: 02/07.2024/C

Moved: Cr R Cassidy

Seconded: Cr J Honner

THAT Council approve additional expenditure funding in the 2024/25 Budget of \$29,000 to contract a website designer to update and modernize the Central Highlands Council website.

LOST 3/6

For the Motion

Cr R Cassidy; Cr J Honner; and Cr Y Miller

Against the Motion

Mayor L Triffitt; Deputy Mayor J Allwright; Cr A Archer; Cr A Bailey; Cr J Hall and Cr D Meacheam

15.2 NOTICE OF MOTION – CR R CASSIDY

CENTRAL HIGHLANDS COUNCIL


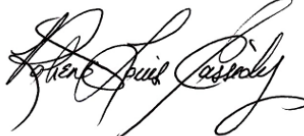


NOTICE OF MOTION

Under Division 2 – Motions, Section 16 (5) of the Local Government (Meeting Procedures) Regulations 2015, a Councillor may give to the General Manager, at least 7 days before a meeting, written notice of a motion, together with supporting information and reasons, to be included on the agenda of that meeting.

Date of Meeting:	16 July 2024
Councillor Name:	Robert L. Cassidy
Proposed Motion:	<p>Request Central Highlands Council's Acting General Manager engage with Telstra's Regional General Manager, Mr Michael Patterson, to please explain why the new Telstra tower located at 102 Sonners Road, Pelham, intended to reduce telecommunications blackspots from Gretna to Hamilton, as well as the Pelham area has not delivered, though Central Highlands Council contributed substantial financial resources to this project.</p> <p>Please refer to the following:</p> <ul style="list-style-type: none"> • Development Application 2023-43 • Signal Strength Report, using certified test equipment • screenshot from the Nationals Party spruiking improved coverage along the Lyell Highway • infrastructure.gov.au report reflecting the same information <div data-bbox="432 1462 1369 1597" style="background-color: #006633; color: white; padding: 5px;"> <p>THE NATIONALS <i>for Regional Australia</i></p> <p style="text-align: right;"> About Our Team News Contact Us Donate </p> </div> <p>Regional Connectivity Program Round 2 Projects in Tasmania:</p> <ul style="list-style-type: none"> • Northern Midlands, Lyons (\$2,504,872) <ul style="list-style-type: none"> • The project will deploy three new Telstra macro mobile sites at Deddington, Royal George and Lake Leake, providing new and improved coverage to the area. • Pelham, Lyons (\$600,000) <ul style="list-style-type: none"> • The project will deploy a new Telstra macro mobile site, providing improved coverage to Pelham in the Central Highlands and along the Lyell Highway.

CENTRAL HIGHLANDS COUNCIL

	 <table border="1"> <thead> <tr> <th>Provider</th> <th>Location</th> <th>Service Type</th> <th>Region</th> <th>Cost</th> </tr> </thead> <tbody> <tr> <td>Telstra</td> <td>Noojee</td> <td>Mobile Voice & Data</td> <td>VIC</td> <td>\$941,200</td> </tr> <tr> <td>Telstra</td> <td>Pelham</td> <td>Mobile Voice & Data</td> <td>TAS</td> <td>\$600,000</td> </tr> <tr> <td>Telstra</td> <td>North West Coast Tasmania</td> <td>Mobile Voice & Data</td> <td>TAS</td> <td>\$4,624,725</td> </tr> <tr> <td>Pivotal Mobile Pty Ltd</td> <td>Dubbo - Digital Connectivity Network</td> <td>Mobile Voice & Data</td> <td>NSW</td> <td>\$436,300</td> </tr> <tr> <td>Telstra</td> <td>Gingin Transmission Upgrade</td> <td>Mobile Voice & Data</td> <td>WA</td> <td>\$891,350</td> </tr> </tbody> </table>	Provider	Location	Service Type	Region	Cost	Telstra	Noojee	Mobile Voice & Data	VIC	\$941,200	Telstra	Pelham	Mobile Voice & Data	TAS	\$600,000	Telstra	North West Coast Tasmania	Mobile Voice & Data	TAS	\$4,624,725	Pivotal Mobile Pty Ltd	Dubbo - Digital Connectivity Network	Mobile Voice & Data	NSW	\$436,300	Telstra	Gingin Transmission Upgrade	Mobile Voice & Data	WA	\$891,350
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<p>Background Details:</p>	<p>Concerned area residents and motorists using the Lyell Highway have made me aware of an independently conducted Signal Strength survey, using certified test equipment, showing nil coverage along the Lyell Highway, between Gretna and Hamilton.</p> <p>It is my understanding that the installation benefits only a couple residents along Pelham Road area and those in the Southern Midlands and Derwent Valley Councils. Did they contribute to that facility? It is my recollection that Central Highlands Council negotiated for that Telstra tower.</p> <p>Rates that Central Highlands Council collects and disburses via contractual arrangements should benefit the Rate Payers of the Central Highlands, exclusively.</p>																														
<p>Signature:</p>																															
<p>Date:</p>	<p>7 July 2024</p>																														

RESOLUTION: 03/07.2024/C

Moved: Cr R Cassidy

Seconded: Cr D Meacheam

THAT Council request the Telstra Tasmanian Regional General Manager to attend the September Council Workshop to provide Councillors with an update on the operations of the new Telstra tower located at Pelham.

CARRIED

For the Motion

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

15.3 NOTICE OF MOTION – CR R CASSIDY

CENTRAL HIGHLANDS COUNCIL



NOTICE OF MOTION

Under Division 2 – Motions, Section 16 (5) of the Local Government (Meeting Procedures) Regulations 2015, a Councillor may give to the General Manager, at least 7 days before a meeting, written notice of a motion, together with supporting information and reasons, to be included on the agenda of that meeting.

Date of Meeting:	16 July 2024
Councillor Name:	Robert Cassidy
Proposed Motion:	<p>That the Acting General Manager engage with the Ministers for Tourism, Health and Wellbeing, Energy, Infrastructure, and Planning . . . Honourable Ministers, Rockliff, Ferguson, Barnett, and Ellis . . . regarding securing state funding and partnership with Central Highlands Council, to bury overhead powerlines, within the heritage precincts of Bothwell, Hamilton, Ouse, and any other town where visual amenity is adversely impacted. Worse, the powerlines attract numerous birds which perch and defecate onto whatever lays below, which has the potential to introduce up to sixty known infectious diseases to humans.</p> <p>Councils on the mainland, such as in Victoria and Western Australia have already undertaken such projects. I am aware that residents of Evandale, in Northern Midlands Council have appealed to have powerlines buried, within its Heritage Precinct.</p>
Background Details:	<p>In April 2023, a photographer I know, personally, had been engaged to provide photographs of a heritage building, in Bothwell, for <i>Planning Matters Alliance Tasmania</i>, Sophie Underwood, for which he had to use Adobe Photoshop to remove a very distracting powerline to that building, to improve the visual amenity, as one example. These utility poles <u>masking</u> and powerlines draped in front of our historic buildings affect tourism’s photographic opportunities.</p> <p>As an example of a dichotomy in Planning between preserving Heritage Values of structures within the Heritage Precinct and exemption(s) given for various infrastructure that could be perceived as diminishing Heritage Values, utility poles and powerlines exist in very close proximity to the Bothwell Garage, which has been subject of various Development Applications, over the years, that compliance with preserving Heritage Values in our Planning Scheme had been imposed upon them.</p> <p>Worse, is that one of Central Highlands Council’s remits is to look after the health and well-being of residents and visitors to our food venues, yet picnic tables lay directly beneath powerlines, where disease-bearing bird droppings has fallen upon along William Street and near the doorway that can be tracked inside where fresh food is served.</p> <p>Under Work, Health, and Safety, Central Highlands Council must protect its</p>

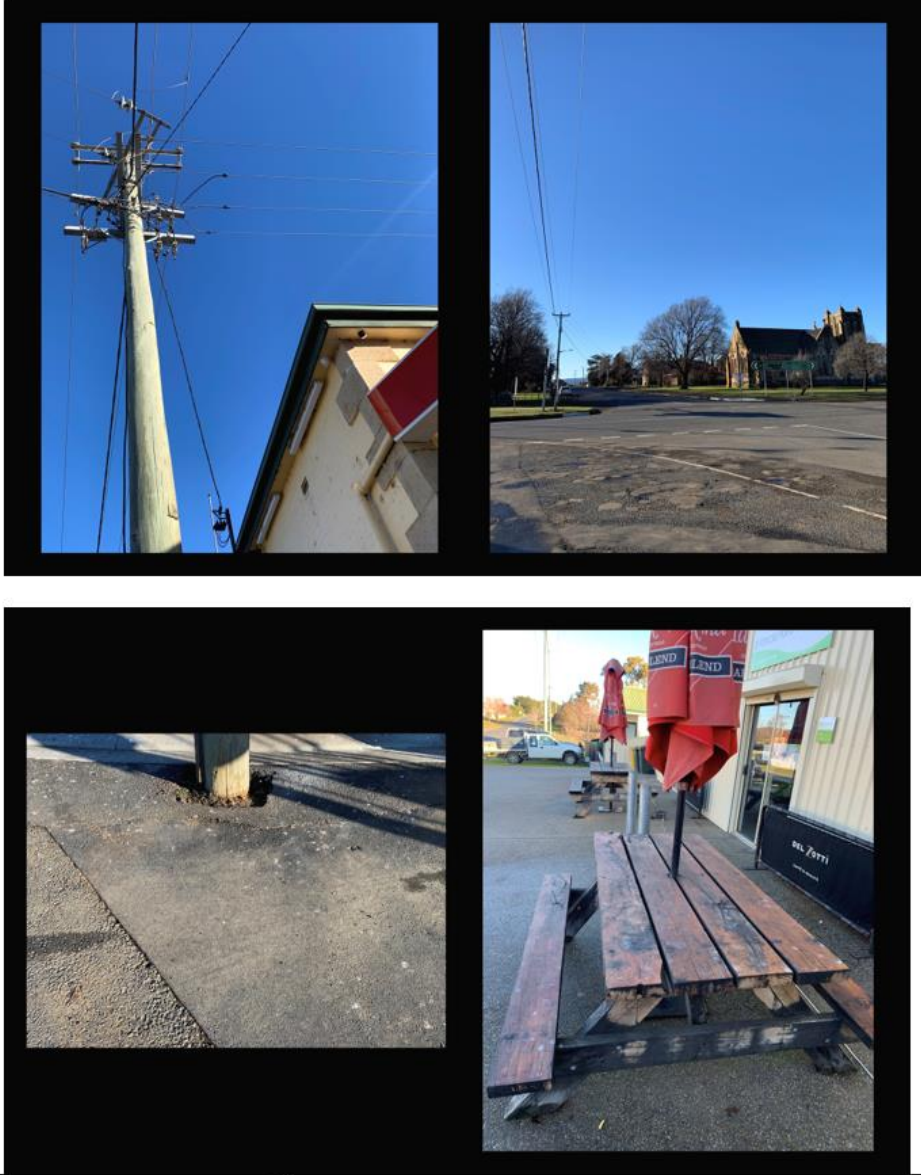

CENTRAL HIGHLANDS COUNCIL

employees, but Council employees whom park their personal vehicles and Council vehicles under powerlines would have bird droppings land upon them, which may carry one of sixty infectious diseases.

Photos are provided for your visual edification.



CENTRAL HIGHLANDS COUNCIL

	 The top row contains two photographs. The left one shows a utility pole with multiple cross-arms and wires against a clear blue sky, with the corner of a building visible. The right one shows a wide, paved parking lot with a building in the background under a clear blue sky. The bottom row contains two photographs. The left one is a close-up of a utility pole base where it meets the asphalt. The right one shows a wooden picnic table with a red umbrella in the background, situated in a paved area near a building.
Signature:	
Date:	7 July 2024

RESOLUTION: 04/07.2024/C**Moved:** Cr R Cassidy**Seconded:** Cr Y Miller

THAT the Mayor and General Manager engage with the Ministers for Tourism, Health and Wellbeing, Energy, Infrastructure, and Planning regarding securing state funding to install underground power within the heritage precincts of Bothwell, Hamilton, Ouse, and any other towns within the municipality where visual amenity is adversely impacted.

CARRIED**For the Motion**

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

15.4 NOTICE OF MOTION – CR D MEACHEAM

CENTRAL HIGHLANDS COUNCIL



NOTICE OF MOTION

Under Division 2 – Motions, Section 16 (5) of the Local Government (Meeting Procedures) Regulations 2015, a Councillor may give to the General Manager, at least 7 days before a meeting, written notice of a motion, together with supporting information and reasons, to be included on the agenda of that meeting.

Date of Meeting:	July 9, 2024
Councillor Name:	David Meacheam
Proposed Motion:	That Council approve modifications to the Great Lake Community Centre associated with the conversion of the heating system.
Background Details:	<p>The Great Lake Community Centre was constructed with an extensive radiant ceiling heater system. The 20+ year old system has proven to become hopelessly ineffective and under commercial Tariff 94, highly expensive to run. With a 3.6m ceiling, it takes between 4-5 hours for the warm air to become apparent down at the floor level. The Community Centre has difficulty paying the exceedingly high running costs as the Centre's usage is primarily within the Peak On-Demand time of 7AM – 10PM.</p> <p><u>In order to satisfy the grantor's requirements for funding to be assessed, formal support from the building's owners, in the form of a letter of support, is required from said owner of the facility.</u></p> <p>The Committee's funding application will require this to be included in the application process, prior to its submission by 3rd August.</p>
Signature:	<i>David Meacheam</i>
Date:	7/7/24

RESOLUTION: 05/07.2024/C

Moved: Cr D Meacheam

Seconded: Cr R Cassidy

THAT Council approve modifications to the Great Lake Community Centre associated with the conversion of the heating system.

CARRIED

For the Motion

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

15.5 NOTICE OF MOTION – CR D MEACHEAM

CENTRAL HIGHLANDS COUNCIL



NOTICE OF MOTION

Under Division 2 – Motions, Section 16 (5) of the Local Government (Meeting Procedures) Regulations 2015, a Councillor may give to the General Manager, at least 7 days before a meeting, written notice of a motion, together with supporting information and reasons, to be included on the agenda of that meeting.

Date of Meeting:	July 16, 2024
Councillor Name:	David Meacheam
Proposed Motion:	That as a matter of urgency, Council engage on an ongoing .60 basis somebody to act as either a locum General Manager or as a facilitator.
Background Details:	This motion attends to some urgent matters before Council: <ol style="list-style-type: none"> 1) Attending to some remedial governance actions required by the State Government Office of Local Government. 2) The continuing absence of our General Manager. 3) The looming extended leave of the Deputy General Manager. 4) Following the decease of our accountant, a need to get our new accountant up to speed and get CHC's accounts into order.
Signature:	<i>David Meacheam</i>
Date:	9/7/24

Report by

Adam Wilson, Acting General Manager

Background

Clr Meacheam states that as a matter of urgency, Council engage on an ongoing 0.60 basis somebody to act as either a locum General Manager or as a facilitator.

This motion attends to some urgent matters before Council:

1. Attending to some remedial governance actions required by the State Government Office of Local Government.
2. The continuing absence of our General Manager.

3. The looming extended leave of the Deputy General Manager.

4. Following the decease of our accountant, a need to get our new accountant up to speed and get CHC's accounts into order.

The Mayor has also requested an agenda item to discuss the appointment of the Works & Services Manager, to act in the position of Acting General Manager for the period that the current Acting General Manager is on leave.

The Works & Services Manager, has acted in this position before and his experience and knowledge are invaluable for Council and Council employees.

Clr Archer suggests Council engage Mr Paul West from River Road Consulting or similar to provide advice and act in a temporary capacity to fill the role of Acting General Manager during the current Acting General Manager period of leave.

RESOLUTION: 06/07.2024/C

Moved:

Seconded:

1. ***THAT Council appoints the Works & Services Manager, to act in the position of Acting General Manager for the period that the current Acting General Manager is on leave; and***
2. ***THAT Council engage a facilitator to assist the Acting General Manager.***

LAPSED

RESOLUTION: 07/07.2024/C

Moved: Cr A Archer

Seconded: Cr Y Miller

THAT Council engage Paul West (River Road Consulting) as Locum General Manager and Mediator.

CARRIED 7/2

For the Motion

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

Against the Motion

Mayor L Triffitt; and Cr J Honner

16. COMMITMENTS

16.1 MAYORAL COMMITMENTS

13 June 2024 to 10 July 2024

18 June 2024	Ordinary Council Meeting, Bothwell
9 July 2024	Council Workshop, Bothwell

- Business of Council x 16
- Ratepayer and community members – communications 8
- Elected Members - communications 7
- Council Management communications 7

FOR INFORMATION

16.2 COUNCILLOR COMMITMENTS

Deputy Mayor J Allwright

18 June 2024 Ordinary Council Meeting, Bothwell
 27 June 2024 Tas Water Meeting, Launceston
 28 June 2024 Special Council Meeting, Bothwell
 9 July 2024 Council Workshop, Bothwell

Cr A Archer

18 June 2024 Ordinary Council Meeting, Bothwell
 28 June 2024 Special Council Meeting, Bothwell

Cr A Bailey

18 June 2024 Ordinary Council Meeting, Bothwell

Cr R Cassidy

18 June 2024 Ordinary Council Meeting, Bothwell
 27 June 2024 Derwent Valley & Central Highlands Business Boost Workshop (Rathmore)
 28 June 2024 Special Council Meeting, Bothwell
 9 July 2024 Council Workshop, Bothwell

Cr J Hall

18 June 2024 Ordinary Council Meeting, Bothwell
 27 June 2024 Derwent Valley & Central Highlands Business Boost Workshop (Rathmore)
 28 June 2024 Special Council Meeting, Bothwell
 9 July 2024 Council Workshop, Bothwell

Cr J Honner

18 June 2024 Ordinary Council Meeting, Bothwell
 28 June 2024 Special Council Meeting, Bothwell
 9 July 2024 Council Workshop, Bothwell

Cr D Meacheam

18 June 2024 Ordinary Council Meeting, Bothwell
 28 June 2024 Special Council Meeting, Bothwell
 9 July 2024 Council Workshop, Bothwell

Cr Y Miller

18 June 2024 Ordinary Council Meeting, Bothwell
 28 June 2024 Special Council Meeting, Bothwell
 9 July 2024 Council Workshop, Bothwell

16.3 GENERAL MANAGER'S COMMITMENTS

Date	With Whom	Subject / Comment
3 May 2024 – current		On Leave

FOR INFORMATION

16.4 ACTING AND DEPUTY GENERAL MANAGER COMMITMENTS

Date	With Whom	Subject / Comment
20 June 2024	Management and LGAT Members	LG Emergency Management and Recovery review
24 June 2024	Acting General Manager, Management Members, Council Officer and Mr Morris	Meeting
28 June 2024	Council and Management Members	Special Closed Council Meeting
9 July 2024	Council and Management Members	Workshop
10 July 2024	Management and Audit Office Members	Audit update/catchup
16 July 2024	Council and Management Members	Council Meeting

FOR INFORMATION

17. NOTIFICATION OF COUNCIL WORKSHOPS HELD

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

- Peter Downie - Property Development
 - Letter Discussions - Mike Mogridge, Acting Director of Local Government in relation to recommendations to Central Highland Council.
-

18. FUTURE WORKSHOPS

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

- 10 September 2024
-

19. MAYORAL ANNOUNCEMENTS

20. MINUTES

20.1 CONFIRMATION OF DRAFT ORDINARY COUNCIL MEETING MINUTES – 18 JUNE 2024

RESOLUTION: 08/07.2024/C

Moved: Cr J Honner

Seconded: Cr Y Miller

THAT the Draft Minutes of the Ordinary Meeting of Council held on Tuesday 19 March 2024 be confirmed.

CARRIED

For the Motion

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

20.2 CONFIRMATION OF DRAFT SPECIAL COUNCIL MEETING MINUTES – 28 JUNE 2024

RESOLUTION: 09/07.2024/C

Moved: Cr Y Miller

Seconded: Cr J Honner

THAT the Draft Minutes of the Special Meeting of Council held on Friday 28 June 2024 be confirmed.

CARRIED

For the Motion

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

21. BUSINESS ARISING – APRIL 2024 COUNCIL MEETING

Business Arising - actions undertaken.

15.1	NOTICE OF MOTION - Solid waste charges	Actioned
25.4	DRAFT TASMANIAN PLANNING POLICIES – REPORT BY THE TASMANIAN PLANNING COMMISSION TO THE MINISTER FOR PLANNING UNDER S.12F OF THE LAND USE PLANNING AND APPROVALS ACT 1993	Actioned
25.6	STATE EMERGENCY SERVICE (SES) : FLEET REPLACEMENT PROGRAM PROPOSAL	Actioned
25.7	REQUEST FOR REMISSION OF DEVELOPMENT APPLICATION FEES – WESTERWAY FIRE STATIONS	Actioned
25.9	REGIONAL TOWNS WATER SUPPLY IMPROVEMENT PROGRAM – STAGE 4	Actioned
26.1	HAULAGE ROAD ESTIMATE SEALING COSTING	Actioned
27.3	DRAFT COUNCIL FEES AND CHARGES 2024-2025	Actioned
27.4	COUNCIL RATES RESOLUTION 2024-2025	Actioned
27.5	ANNUAL BUDGET ESTIMATES 2024-2025	Actioned
27.9	COUNCIL WORKSHOPS	Actioned
27.10	COMMUNITY GRANTS APPLICATION – WESTERWAY COMMUNITY HALL	Actioned
27.11	FINANCIAL SUPPORT – REPTILE RESCUE INC	Actioned
27.12	UPDATED IMAGE LIBRARY FOR WEBSITE AND PROMOTIONS	Actioned

FOR INFORMATION

22. DERWENT CATCHMENT PROJECT



Derwent Catchment Project Monthly Report for Central Highlands Council

June 12th – July 10th 2024

General business

The last month has been a quieter month with staff being away on holidays and weather impeding access to some areas. We have just finished our initial assessment for Miena Cider Gums to submit to the Federal Government to reassess their endangered status. This work was supported by Hydro and will help support the long-term management of Miena Cider Gums throughout the Central Highlands. The nursery expansion is going well, with the next stages ready to take place in the coming months, plans are on track for the expansion to be complete before the growing season in Spring.

Central Highlands Weeds Program

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

Winter has set in, which limits the ability to do work on weed management however the crew have been out in the Highlands carrying out manual control.

Dee Lagoon

The crew have finished their last days of manual control of gorse, broom, and holly around the Dee Lagoon foreshore. It has been great to have the opportunity to treat these larger weeds with manual control techniques as the native vegetation is in reasonable condition and will do well with the minimal impact of herbicide. Hydro, STT & TasNetworks have all indicated their interest in continuing the program into next season

Roadside treatment

The crew has manually controlled English broom in Miena along Thiessen Crescent in the first stage of implementing erosion control. This section of road has had minor landslips (less than 2 metres) and is impacting the residents' infrastructure. The DCP has worked with the council and residents on an approach that removes the English broom restores the slope with native vegetation and mitigates erosion.



Agriculture

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

Derwent Pasture Network - funded by the Derwent Catchment Project

Comprehensive species frequency assessments have commenced at the network's species persistence trials, with both phalaris and cocksfoot trial plots now sufficiently active. Data collection has been completed at our Bothwell site and is being collated for presentations at a site visit. Whilst there has been some improvement in phalaris plot performance, it is the cocksfoot plots that continue to provide most consistent and persistent ground cover across the site's north facing slope. Within the cultivars being compared, assessments of the frequency of established plant bases and % contribution to total pasture cover are showing the decline of some and persistence and increase of others. In particular there are three cocksfoot cultivars that appear to be continuing to improve, despite the challenging conditions. Single species plots of phalaris are least impressive. Preliminary biomass assessments are indicating that there are growth differences that require more detailed investigation. Assessment of the remaining sites is set to commence shortly.

We have received advice that DCP has been successful in an application for a small grant from the Foundation for Rural Regional Renewal, which will support a series of field day activities focussing on drought resilient pastures and providing an opportunity for an out of area pasture tour. We are currently planning the delivery of this activity.

Forage shrubs

final report, video and factsheet have been developed to report on our observation of saltbush performance over the last growing season. These are currently being reviewed prior to publication.

Restoration and Conservation

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

Tyenna River Restoration

Morgan went back with Inland Fisheries Services to finish off the carpark and interpretations signs at the large

restoration site along the Tyenna River near Maydeana. The plantings completed with the Willow Warriors in May are doing very well and showing signs of growth. Two more plantings are planned for August and September 2024.

TAFE partnership and training

Morgan met with the TAFE students for their final stages of rivers restoration training. The students have taken on a 600-metre stretch of river and are learning about techniques for physically restoring the rivers, and some of the management approaches when working in semi-rural environments. As part of the visit to the nursery, the TAFE students management approaches when working in semi-rural environments. As part of the visit to the nursery, the TAFE



Students learning about DCP's nursery and helping out



Students visiting Platypus Walk in Hamilton

Nursery update

The nursery expansion has completed its final stages of preparation before the earthworks take place. The site has now been cleared, and the trenches are to be dug ready for power to be connected to the new shed. The TAFE day was a great success with students learning about how a commercial nursery works from Karen. They also helped around the place with weed management and potting up plants.

Grant applications

Disaster Ready Fund – Australian Government through DPAC Tasmania - \$1.97 million – stage one approval

This project will build on significant stormwater upgrades in Bothwell and two bridge infrastructure projects on the Clyde River being undertaken by Council to reduce flood risk. The project will remove 20 km of willows in 2 phases: 1) targeted control through the townships of Hamilton and Bothwell and 2) drill and fill and/removal of willows at 5 pinch points along the Clyde River on farming land. Willow control will be followed by strategic revegetation efforts to improve riverbank stability. Individual flood plans will be developed in consultation with key landholders to improve community preparedness.

Grassroots drought resilience extension in the Derwent Catchment – The Tas Farm Innovation Hub - \$120,000 – pending

This application is for funding to continue provide drought resilience ag-extension support through workshops/seminars, field days, small group meetings and through one-on-one sessions with targeted farmers that do not attend events.

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

Yours Sincerely,

The Derwent Catchment Team

Key Contacts:

Josie Kelman (Executive Officer) 0427 044 700

Eve Lazarus (Deputy Executive Officer) 0429 170 048

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RESOLUTION: 10/05.2024/C

Moved: Cr J Hall

Seconded: Cr Y Miller

THAT the Derwent Catchment Project Report for March 2024 be received.

CARRIED

For the Motion

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

23.0 COUNCIL ACTING AS A PLANNING AUTHORITY

N/A

24.0 ORDINARY COUNCIL MEETING RESUMED

N/A

25.0 DEVELOPMENT & ENVIRONMENTAL SERVICES

Adam Wilson (Acting General Manager) left the meeting at 11.01 a.m.

25.1 REVIEW OF THE SOUTHERN TASMANIAN REGIONAL LAND USE STRATEGY (STRLUS): THE 'STATE OF PLAY' REPORT

Report By, Council Planning Consultant (SMC) Damian Mackey

Attachments

1. STRLUS Review "State of Play" Report.
2. FAQs: The STRLUS Review.

Purpose

The purpose of this report is to advise Council of the 'State of Play' report (attached), that has been produced under the Review of the Southern Tasmania Regional Land Use Strategy (STRLUS).

The State of Play report is the first step in updating the STRLUS. It summarises available data and information on a range of issues to understand the key issues and influences in the Region and the causes of growth and change. It endeavours to capture what we know from experience, what is currently happening, and (for some issues) projections of what may occur over the next 25-30 years.

It is anticipated that the State of Play report will be placed on the project website mid-September 2024. It will be used to begin consultation around updates to the STRLUS. Feedback gathered through consultation will be used to inform the STRLUS review

The State of Play report is presented to Council for noting.

Also attached is a 'Frequently Asked Questions' document for the STRLUS Review.

Background

The Southern Tasmania Regional Land Use Strategy (STRLUS) is a long-term plan to facilitate and manage change, growth, and development, whilst protecting our natural values, within Southern Tasmania to 2035.

Section 5A of the *Land Use Planning and Approvals Act 1993* provides for the making the review of the Regional Land Use Strategies.

Since the preparation of the STRLUS, the Southern Tasmanian region has experienced population growth, and new economic and social conditions are driving change.

There have also been changes to the Tasmanian planning framework including the introduction of the Tasmanian Planning Scheme.

Furthermore, draft Tasmanian Planning Policies (TPPs) are currently under consideration. The STRLUS will need to be consistent with the TPPs, once they are approved by the Minister for Planning.

In the context of this change, the 12 Southern Councils committed to conduct a comprehensive review and update of the STRLUS. The comprehensive review and update program is co-funded by the 12 Councils and the State Government.

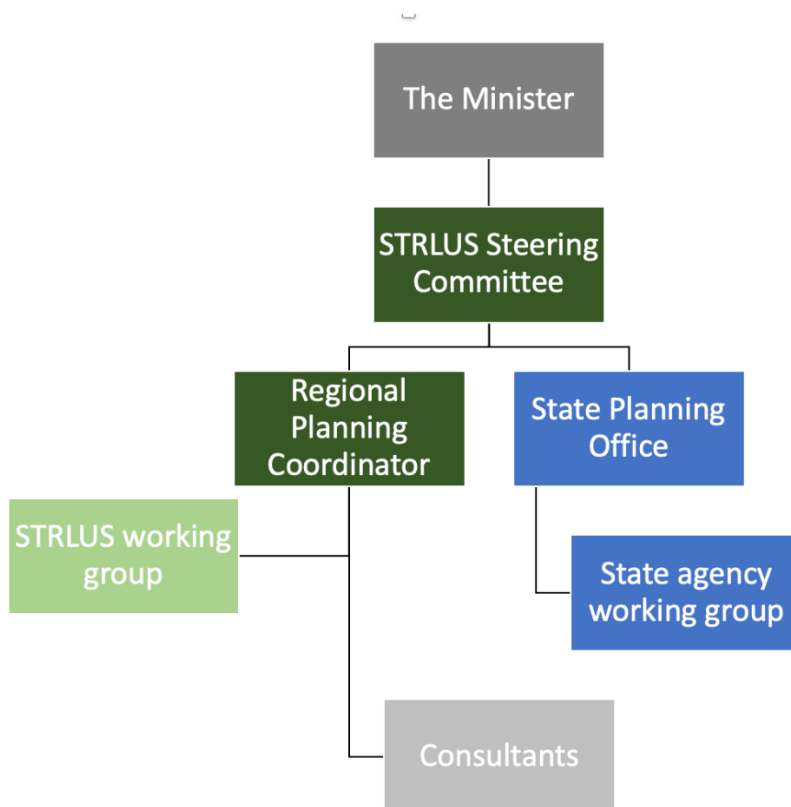
In February 2023, a Steering Committee was established. This is made up of the following:

- Chair:** Robert Higgins, General Manager, Sorell Council
Cr Daniel Hulme, Clarence
Mayor Rod MacDonald, Tasman
Mayor Leigh Bray, Brighton
- James Dryburgh, General Manager, Brighton Council
- Tony McMullen, General Manager Glenorchy City Council
- Neil Noye, Director City Futures, Hobart City Council

The role of the Steering Committee is to: ensure Project outcomes and deliverables are achieved; approve the release of Project deliverables and establish communication channels and maintain regular project updates with the elected members and executives of the Councils.

In August 2023, a Regional Planning Coordinator was appointed. The Regional Planning Coordinator is responsible for working with the Southern Councils and the State Planning Office to coordinate the comprehensive review and development of the updated STRLUS.

In December 2023, to support the delivery of the project, a Working Group was established. This is comprised of the Regional Planning Coordinator, one senior planning advisor from the State Planning Office, two State Agency/Authority representatives and 12 Council planners. The role of the Working Group is to provide advice to the Regional Planning Coordinator on regional planning matters relevant to the review and provide advice on technical planning issues, as relevant.



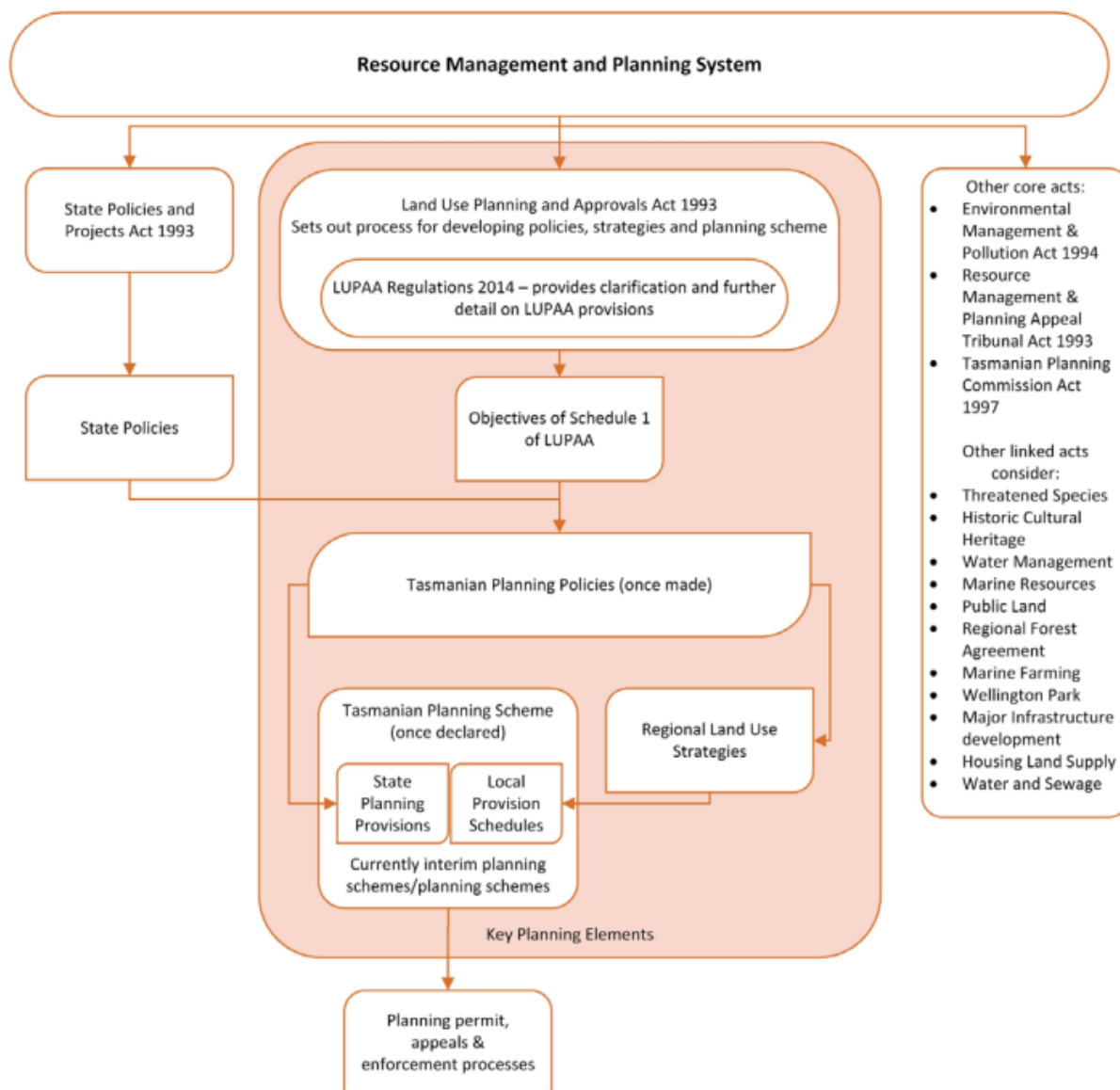
ETHOS Urban, a leading consultancy comprising of planners, economists, social strategists, and designers, has been engaged to support the delivery of the State of Play and updates to the STRLUS.

Capire Consulting Group, a specialist community engagement consultancy with expertise in regional planning, community development and social impact, and public policy has been engaged to support with communication and engagement.

Coeee Communities, palawa consultants, have reviewed the State of Play and are currently being engaged to support palawa engagement.

REGIONAL LAND USE STRATEGIES WITHIN THE PLANNING SYSTEM

Regional Land Use Strategies play a key role in Tasmania’s planning system, known as the *Resource Management and Planning System*:



DISCUSSION

The State of Play report is the first step in updating the STRLUS. It endeavours to summarise available data and information on a range of issues to understand the key issues and influences in the Region and the causes of growth and change. It seeks to address what we know from experience, what is currently happening, and (for some issues) projections of what may occur over the next 25-30 years.

Southern Tasmania is unique, complex, and diverse. The State of Play report endeavours to document the things that make parts of the Region unique, that the community values, and that are important to address for the benefit of people, the economy, and the climate and landscape that shapes the region.

The document is designed to be a community facing document enabling initial conversations around:

- How our region is changing and will continue to change.
- Changes we need to make to create a more equitable and resilient region for future generations.
- Where and how we accommodate growth.
- What great outcomes could look like and how the STRLUS can support this.
- Why it is important people are involved.

Data for the State of Play report has been gathered from several sources including, but not limited to:

- Residential demand and supply study.
- Economic profile.
- ABS data.
- State data including LISTmap and plans such as Tasmania's Climate Change Action Plan 2023-25.
- Local planning provisions.
- Council input through the working group.

During background analysis key themes emerged which have informed the contents of the State of Play, namely:

- Country, climate, landscape, and environmental values
- Economic activity and infrastructure
- People, communities, and growth.

SHAPING THE REGION

The State of Play report articulates some key principles for 'shaping the region'. These principles seek to respond to the diversity of our region and are informed by the draft Tasmanian Planning Policies. Following input from stakeholders they may set key principles in developing the STRLUS:

- Planning for the Region is grounded in understanding of, respect for, and connections to culture, history, and Country.
- Land use and economic activity respect, respond sustainably to and protect the Region's unique natural environment.
- Communities across Southern Tasmania are safe and resilient to natural hazards and climate change.
- Communities in the Region are sustainable, connected, and diverse.
- Social services and infrastructure are planned and delivered to support a growing and changing community.
- Employment and economic clusters are accessible and transport networks support how, where, and why people and goods move within, to and from the Region.
- The Region's economy leverages its unique strengths and provides a stable base for employment growth and diversification.

NEXT STEPS

Following noting by Councils and the Tasmanian Government's Minister for Planning, the State of Play report will be placed on a project website where it will be used to begin consultation with stakeholders around updates to the STRLUS. Feedback gathered through consultation will be used to inform the STRLUS review.

ETHOS Urban in consultation with the Working Group is reviewing the current STRLUS. It is anticipated that a draft revised STRLUS will be provided to Council for endorsement late 2024 – early 2025. Following which it will be placed on formal public exhibition. It is anticipated the final STRLUS will be provided to the Minister for consideration mid-2025.

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

The following are relevant to the broader policy context of the State of Play:

- Australian Government, National Urban Policy Consultation Draft
- Tasmanian Government, Tasmania's Population Policy – Planning for Our Future
- Tasmanian Government, Tasmanian Housing Strategy
- The Southern Tasmanian Regional Land Use Strategy.
- Local planning provisions and interim planning schemes.
- 30-Year Greater Hobart Plan 2022 and 30-Year Greater Hobart Plan: Strategy for Growth and Change 2022.
- Draft Tasmanian Planning Policies.

FINANCIAL

There are no current or proposed funding implications associated with the State of Play or the STRLUS.

Funding for the STRLUS review was allocated within the 23/24 budget.

SUSTAINABILITY

Sustainability is recognised as a key principle for shaping the region within the State of Play. Embedded through all chapters, the ongoing sustainability of our communities, towns and natural environment is discussed.

COMMUNICATIONS STRATEGY

The Tasmanian Government, State Planning Office is preparing a communications plan for Regional Land Use Strategies.

The State of Play report and associated materials are to be made publicly accessible via a project website.

Each Council within the region is requested by the STRLUS Review Steering Committee to publicly exhibit the State of Play making copies available for viewing by the public at Council premises and made available for viewing and downloading via Council's website and or linking to the project website.

Councils are also requested to promote project engagement activities via their own engagement channels.

FUTURE COMMUNITY ENGAGEMENT

The STRLUS Review Steering Committee is preparing an engagement plan for the southern region.

It is anticipated that the State of Play will be placed on the project website mid-September. It will act as a catalyst for community engagement. A series of engagement activities are planned to seek input into the STRLUS.

Councils are requested by the STRLUS Review Steering Committee to support the dissemination and collating feedback on the State of Play report through normal engagement channels.

RESOLUTION 11/07.2024/C

Moved: Cr J Honner

Seconded: Cr R Cassidy

THAT Council note the Southern Tasmania Regional Land Use Strategy Review *State of Play* report.

CARRIED

For the Motion

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

25.2 DRAFT AMENDMENT 03-2024 TO THE STATE PLANNING PROVISIONS

Report By, Planning Consultant (SMC) Damian Mackey

Attachments

1. Correspondence from the State Planning Office, 1 July 2024, regarding Draft Amendment 03-2024.
2. Draft Amendment 03-2024 of the State Planning Provisions.
3. Draft Amendment 03-2024: Explanatory Document.

PURPOSE

The purpose of this report is to advise of Draft Amendment 03/2024 to the State Planning Provisions (the SPPs), and of the opportunity for Council to provide comment.

BACKGROUND

In 2022 the State Government commenced its statutory five-year review of the State Planning Provisions; the SPPs.

The SPPs form the great majority of the ordinance of the Tasmanian Planning Scheme, with the local provisions (as set out in each Council's Local Provisions Schedule) constituting only a small fraction.

The legislation directs that the State Government must review the SPPs every five years, hence the review now underway, (since 2022). Council lodged a submission in August 2022.

The State Planning Office has been working through a process with Council planners to analyse the submissions that were made and develop draft amendments. Issues were divided into various categories and 'Action Groups' were formed consisting of officers from the State Planning Office and Local Government.

A collection of small changes that have been deemed to be '*Minor Amendments*' have been combined into a single amendment instrument, and this has now been distributed to Councils for the opportunity to comment under Section 30NA(2)(a) of the *Land Use Planning & Approvals Act 1993*.

If and when Draft Amendment 03-3024 is approved, the State Planning Provisions, and therefore the planning provisions that Council must enforce under the Tasmanian Planning Scheme, will be thus amended.

MINOR AMENDMENTS

Minor amendments to the State Planning Provisions (SPPs) do not need to proceed through the full public consultation and hearing process at the Tasmanian Planning Commission, provided they meet the associated statutory definition outlined in Section 30NA(1) of the Act:

- (i) correcting a clerical mistake, an error arising from any accidental slip or omission, an evident miscalculation of figures, or an evident material mistake, in a provision of the SPPs;
- (ii) removing an anomaly in the SPPs;
- (iii) clarifying or simplifying the SPPs;
- (iv) removing an inconsistency in the SPPs;
- (v) removing an inconsistency between the SPPs and the LUPA Act or any other Act;
- (vi) bringing the SPPs into conformity with a State Policy;
- (vii) bringing the SPPs into conformity with a planning directive which the former Minister for Planning has, under section 30BA of the LUPA Act, determined should be reflected in the SPPs;
- (viii) changing provisions of the SPPs that indicate or specify the structure to which an LPS is to conform or the form that a provision of an LPS is to take; or
- (ix) a purpose prescribed by regulation.

The attached Explanatory Document from the State Planning Office outlines why the various amendments within Draft Amendment 03-2024 are considered to meet these requirements.

DRAFT AMENDMENT 03-2024 TO THE STATE PLANNING PROVISIONS

The draft amendment comprises multiple amendments to the SPPs. (Refer attached statutory document.) In 'plain English', they are as follows:

- Revisions to the exempt use requirements in Table 4.1 to include a new clause 4.1.7 for display homes to bring the SPPs into conformity with *Planning Directive No. 10 – Exemption for Display Homes*.
- Revisions to the vegetation exemptions in Table 4.1, clause 4.4.1(a), to clarify that works associated with vegetation removal authorised under a forest practices plan are also exempt from a planning permit. This includes road construction and the quarry of road materials authorised under the forest practices plan. It also removes a potential inconsistency in the SPPs with the Natural Assets Code exemptions and with the *Forest Practices Act 1985*.
- Revisions to the description for 'Domestic Animal Breeding, Boarding or Training' at Table 6.2 to clarify that the use is for a commercial purpose.
- A revision to the assessment of an application for discretionary use or development at clause 6.2.8 to clarify the operation of the subclauses.
- A revision to the Rural Zone to correct a clerical error in a Purpose Statement.
- Revisions to the Natural Assets Code exemptions at C7.4.1(d) to remove a potential inconsistency in the SPPs with the Natural Assets Code exemptions and with the Forest Practices Act 1985 and to clarify its application.
- Revisions to the Attenuation Code to include a new clause C9.2.5 to clarify that it does not apply to sensitive uses and activities that are located on the same site.

These proposed changes to the State Planning Provisions do not raise any concerns. On the contrary, they will facilitate the smooth operation of the planning scheme.

Furthermore, they impact none of the matters that Council raised in its 2022 submission.

It is recommended that Council simply note the Draft Amendment, and that there is no need to provide comment back to the State Planning Office.

RESOLUTION 12/07.2024/C

Moved: Cr Y Miller

Seconded: Cr J Honner

THAT Draft Amendment 03-2024 to the State Planning Provisions be noted, and that no comments be provided to the State Planning Office.

CARRIED

For the Motion

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

25.3 WASTE LEVY INCREASE

Report By, Beverley Armstrong EHO

INFORMATION

Council has received the following advice from the Department of Natural Resources and Environment Tasmania:

Change to State Government Fee Units for 2024-25 and its impact on the Landfill Levy rate

To Facility Operators from the Department of Natural Resources and Environment Tasmania

The landfill levy rate is set in the Waste and Resource Recovery Act (2022). This levy goes up each year in accordance with legislation.

Why is the levy increasing?

The levy has been introduced with staged increases to help businesses and customers adjust to the change.

The amount of a fee unit is adjusted each year to account for inflation and other factors.

- On 1 July 2022 it commenced at 12 fee units;
- On 1 July 2024, it increases to 24 fee units;
- On 1 July 2026 it will increase to the full amount of 36 fee units.

How much is the landfill levy?

- For the 2023-24 financial year, the levy was **\$21.36 per tonne** of waste disposed of to landfill.
- From 1 July 2024, the landfill levy is **\$44.88 per tonne** of waste disposed of to landfill.

Details on the process of setting government Fee Units can be found on the Treasury website here: <https://www.treasury.tas.gov.au/economy/economic-policy-and-reform/fee-units>].

CONCLUSION

This information will mean an increase in the amount of Landfill Levy Councils pays, for budget purposes Council should allow an average of 150tonne of waste per month.

Council Officers will be undertaking a review of the input and output revenue and will then call a Waste Committee Meeting and provide further updates to full Council.

NOTED

25.4 DEVELOPMENT & ENVIRONMENTAL SERVICES (DES) REPORT

Reports By Graham Rogers, Manager DES

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
2024 / 00037	W M M Law	6011 Highland Lakes Road, Steppes	Adhesion Order

PERMITTED

DA NO.	APPLICANT	LOCATION	PROPOSAL
2024 / 00030	Sunray Berry Plant Propagators Pty Ltd	871 Dawson Road, Ouse	Extractive Industry (Gravel Quarry)
2024 / 00036	Tasmania Fire Service	60 Ellendale Road, Westerway	Shipping Container for Storage

DISCRETIONARY

DA NO.	APPLICANT	LOCATION	PROPOSAL
2024 / 00027	Core Collective Architects	2120 Hollow Tree Road, Hollow Tree	Outbuilding & External Stairs to Existing Outbuilding
2024 / 00034	Rainbow Building Solutions	6 Barrack Street, Bothwell	Addition to Fire Station

ANIMAL CONTROL

Total Number of Dogs Registered in 2023/2024 Financial Year – 998
Total Number of Kennel Licences Issued for 2023/2024 Financial Year – 29

2024/2025 Dog Registration Renewal have been issued and are due by 31 July 2024.

Statistics as of 10 July 2024	
Number of Dogs Impounded during last month	0
Number of Dogs Currently Registered	314
Number of Dogs Pending Re-Registration	646
Number of Kennel Licences	11

RESOLUTION 13/07.2024/C

Moved: Cr Y Miller

Seconded: Cr A Bailey

THAT the Development & Environmental Services Report be received.

CARRIED

For the Motion

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

26. WORKS & SERVICES

26.1 WORKS & SERVICES MONTHLY REPORT – JUNE 2024

Report By Barry Harback, Acting - Works & Services Manager

Background

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

Grading & Sheeting	Victoria Vally Road Wellwood Road Oldman's Head Road Interlaken Road Mark Tree Road Bason Road
Maintenance Grading	Interlaken Road Old mans Head Road Wellwood Road Mark Tree Road
Potholing / shouldering	Vic Valley Road Bridge road Belchers Road Richerson road Tore hill road Interlaken road Mark Tree road
Spraying:	Nil
Culverts / Drainage:	Victoria Vally Road Lanes Tire Road

	Strickland Road
Occupational Health and safety	<ul style="list-style-type: none"> • Monthly Toolbox Meetings • Day to day JSA and daily prestart check lists completed. • Monthly workplace inspections completed. • Playground inspections
Bridges:	Completion off Green Vally Bridge
Refuse / recycling sites:	Cover Hamilton Tip twice weekly Push in Green waste Bothwell waste transfer station Drum muster x3
Other:	Bolck off franklin Street with a rock barrier Install two new slippery surface signs on Andrews Bridge
Slashing:	Bashan Road Interlachen Road
Municipal Town Maintenance:	<ul style="list-style-type: none"> • Collection of town rubbish twice weekly • Maintenance of parks, cemetery, recreation ground and Caravan Park. • Cleaning of public toilets, gutters, drains and footpaths. • Collection of rubbish twice weekly • Cleaning of toilets and public facilities • General maintenance • Mowing of towns and parks
Buildings:	
Plant:	PM687 Western Star truck replace injector sleeves PM843 Hilux Ute service PM654 New Holand tractor hose repair PM774 Cat Grader puncher repair PM654 New Holland tractor new battery
Private Works:	
Casuals	<ul style="list-style-type: none"> • Toilets, rubbish and Hobart • Hamilton general duties
Program for next 4 weeks	Old Mans Head widening, Black Spot Funding Maintenance grading Reshteeing municipal roads Colverts and drainage Pot holing municipal roads

RESOLUTION: 14/07.2024/C

Moved: Cr J Honner

Seconded: Cr A Bailey

THAT the Works & Services monthly report for June 2024 be received.

CARRIED

For the Motion

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

27. ADMINISTRATION SERVICES

27.1 MONTHLY FINANCE REPORT TO 30 JUNE 2024

NO monthly finance report will be provided for at 30 June 2024. All monthly figures cannot be finalised at this time due to end of financial year processing and auditing.

27.2 RATES EXEMPTION REQUEST – WILDLIFE RESERVE PTY LTD AS TRUSTEE FOR THE WILDLIFE BANK TRUST

Report by Adam Wilson, Acting General Manager

Background

Council has received a written application from Dr Miles Jakeman, AM Director for Wildlife Reserve Pty Limited ACN 642 288 579 as trustee for the Wildlife Bank Trust (Wildlife Bank Trust).

Dr Milles states as background, on 15 May 2023, the Wildlife Bank Trust purchased the property known as “Jinks Tier”, Black Snake Road, Bothwell in Tasmania (Property), more particularly described in folios of the Register Volume 101028 Folio 3 and Volume 222695 Folio 1. Last year, we were granted an exemption of rates by the Central Highlands Council for being a charitable organisation and I understand we need to reapply for this exemption each year.

Accordingly, pursuant to section 87(1)(d) of the Local Government Act 1993, the Wildlife Bank Trust applies to have the Property again exempted from rates on the basis it remains owned and occupied exclusively for charitable purposes, and the Property retains registered conservation covenants protecting it in perpetuity. There have also been no changes of circumstances with our charity: it remains governed by the trust deed dated 12 August 2020 and remains a registered charity with the Australian Charities and Not-for-profits Commission for environmental purposes and protecting / restoring / researching Australian ecosystems, see:

<https://www.acnc.gov.au/charity/charities/ccafe656-a8e2-ea11-a818-000d3ad1f497/profile> .

For the purposes of the land tax exemption, the relevant charitable purpose is “other purposes beneficial to the community”.

Copies of the registered conservation covenants, Trust Deed and DGR evidence were previously provided to Council but, if you need them again or anything else, please do not hesitate to contact me.

The property details are as listed –

- PID 5005679
- CT's 101028/3 and 222695/1
- Area = 1552.8 hectares
- General Rates component for 2024/2025 = \$ 1653.90.

RESOLUTION: 15/07.2024/C

Moved: Cr J Honner

Seconded: Cr Y Miller

THAT Council approve the exemption of general rate component, for the property PID 5005679, for the 2024/2025 financial year whilst the legal owner is a registered charitable organisation. The legal owner will need to apply annually for any ongoing exemption.

LOST 5/4

For the Motion

Mayor L Triffitt, Cr R Cassidy; Cr J Honner and Cr Y Miller.

Against the Motion

Deputy Mayor J Allwright; Cr A Archer; Cr A Bailey; Cr J Hall and Cr D Meacheam

27.3 RELATED PARTY DECLARATIONS – QUARTERLY UPDATE**Report by**

Katrina Brazendale, Executive Assistant

Background

As part of Council's legislative requirements under the AASB 124 Related Party Disclosures, local governments must disclose related party relationships, transactions and outstanding balances, including commitments, in the annual financial statements.

All Councillors and Senior Managers must declare any close family member or any entities that they control or jointly control, which have any transactions between them and Council; whether it is monetary or not, needs to be identified and disclosed.

These declarations are completed on an annual basis but from time to time, circumstances may change throughout any one year and therefore, a new updated declaration must be completed.

NOTED

Mr Adam Wilson (Deputy General Manager) and Mrs Katrina Brazendale (Minute Secretary) left the meeting at 11.12 a.m.

27.4 COMMUNITY GRANT APPLICATION – BOTHWELL GOLF CLUB

Report by, Kat Cullen - Community Development Officer.

Purpose

The purpose of this report is to consider a Community Grant request from Bothwell Golf Club for Highlands Championships Event being held on 27th July 2024.

Background

This event will attract 100 if not more golfers to Bothwell from all over the state and we are seeking financial assistance from Council towards the running costs of the event.

Not only are they showcasing the local townships golf course, but we also know that other local businesses will benefit from this event with the purchases of fuel, accommodation, food and much more.

The Community Grants budget allocation has sufficient funds available to cover this request.

RESOLUTION: 16/07.2024/C

Moved: Cr J Honner

Seconded: Cr R Cassidy

THAT Council grant a donation of \$900.00 to the Bothwell Golf Club for the Highlands Championships Event being held on 27th July 2024.

CARRIED

For the Motion

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

Bothwell Golf Club



PO Box 68, Bothwell Tasmania 7030

*Inaugural Member
Tasmanian Golf Hall Of Fame*

The 2024 HIGHLAND CHAMPIONSHIPS

'A Toogood Trophy event'



SATURDAY, 27th JULY 2024

Gross & Net prizes for A, B & C Grade

Nearest the Pin on all par 3s

Highland Champion

Entry fee \$40 per player Lunch included
(payments before the day would be greatly appreciated)

If you can't pay online please let us know.

Bothwell Golf Club BSB 807-009 Account 30127538

To enter **(No later than Tuesday, 23rd July)**

please contact Magne on mforfang@hotmail.com

Leanne Datlen 6259 5508, Andrew Brazendale 0409 239 408

For more info go to our web site: www.bothwellgolf.com

Mr Adam Wilson (Deputy General Manager) and Mrs Katrina Brazendale (Minute Secretary) returned to the meeting at 11.15 a.m.

27.5 LIONS CLUB OF KINGBOROUGH INC FUNDING SUPPORT 2024 CIRCUS QUIRKUS

Report by

Katrina Brazendale, Executive Assistant

Background

The Lions Club of Kingborough Inc. are seeking Council support towards the annual Circus Quirkus that will take place at the Federation Concert Hall at the Grand Chancellor.

Monies raised from this year's show will go towards Lions projects in and around Hobart like the Lions Eye health Project, Hobart Legacy and the Lions Drug awareness Foundation.

The Lions Club of Kingborough Inc. would like Council to consider donating \$350, \$420 or \$490 towards the event.

'Council have previously donated to the Immune Deficiencies in August 2023 for the amount of \$360.00 for the event that was held in September 2023 at the Federation Concert Hall at the Grand Chancellor.'

RESOLUTION: 17/07.2024/C

Moved: Deputy Mayor J Allwright

Seconded: Cr J Hall

THAT Council grant a donation of \$500.00 to the Bothwell Lions Club to use at their discretion.

CARRIED 8/1

For the Motion

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

Against the Motion

Cr R Cassidy



LIONS CLUB OF KINGBOROUGH Inc.

ABN: 46-554-390-530

2024 CIRCUS QUIRKUS

Project Office: Ph: 1800 306 005

Fax: 1800 550 440

Email: hobartcq@sponsorship.net.au

P O Box 495, Kingston, TAS 7051

Attention:	Katrina Brazendale	Date:	11 Jul 2024
Company:	Central Highlands Council Hamilton		
kbrazendale@centralhighlands.tas.gov.au	From:	Matthew Roberts	

Thank you for your interest in our annual **CIRCUS QUIRKUS** and for asking for more information. We are excited to introduce the Lions Club of Kingborough Inc as hosts for this year's show!

For 34 years the Lions Club have received support from the business community of Hobart and its surrounding areas; to enable disadvantaged and disabled children from all over southern Tasmania to have a day of happiness. This year's show will be held at the Federation Concert Hall – Hobart Grand Chancellor.

The Circus Quirkus will have jugglers, acrobats, and good old-fashioned clowns to entertain and inspire, with funds raised from this year's show going towards Parkinsons Research, the RHH Research Foundation, Rural Alive & Well, Need for Feed and other Lions projects inc: Childhood Cancer Research, Drug Awareness, Diabetes Foundation, the Eye Health Program and Hearing Dogs, just to name a few.

This live show is a highlight of the year for many children, who may not get the opportunity to experience something of this nature. It is a great experience to be present, allow the children to be themselves, and to see just how well they interact with the performers. The smiles on the children's faces as they leave the show makes this event very rewarding, and it's all thanks to the businesses and community of Hobart for their kind sponsorship.

If you have supported the Circus Quirkus Show in the past, we thank you. This year, with your help, we are aiming to get as many disabled and disadvantaged young and adult Tasmanians, their carers and families involved as possible – but for this to happen, **we need your support**.

Sponsorship this year is \$140.00 (inc GST) for a 'show pass', which entitles a child and their carer access to the event. A single ticket can be sponsored at \$70 (inc GST). We have a lot of children who are hoping to see the show and have some groups for you to consider:

7 Tickets = \$490

6 Tickets = \$420

5 Tickets = \$350

If you have any questions, please contact a member of our friendly team on **1800-306-005**.

Kind Regards

Robert Hazell

President

"On behalf of my fellow Lions, I again trust you can help us!"



27.6 UPCOMING LGAT EVENTS

Report by

Katrina Brazendale, Executive Assistant

Background

LGAT are hosting multiple events for elected representatives at over the next few months. They are requesting that the information be forwarded to our elected members.

LGAT General Meeting and Annual General Meeting

When: Friday 26 July 2024

Where: Devonport

General Meeting: 1pm

AGM: 2.30pm

We welcome elected representatives to join us at our General Meeting and Annual General Meeting (AGM) where we will adopt the budget for the forthcoming financial year, set subscriptions, and receive reports from LGAT representatives, along with other items.

The Minister for Housing and Planning, Hon. Felix Ellis, will also be making an address to attendees.

The AGM will be held in conjunction with our Elected Members Day (see details below).

Elected Member Professional Development Day

When: Saturday 27 July 2024

Where: Devonport

Our Elected Members Day is a valuable professional development and networking opportunity.

The day will start with a presentation regarding positive social media practices where attendees will be provided with tools for managing their response to bullying behaviours.

Following that, David Morris will discuss meeting regulations and highlight how elected members can be better meeting participants. In the afternoon, the team from Well Minds Work will share how to build resilience strategies.

We invite all attendees to join us at our networking dinner which will be held on Friday 26 July. Starting at 5:30pm, we will be hosting a Climate Change Cocktail Hour where you can find out how your council can be involved in the Tasmanian Local Government Climate Capability Program.

2024 LGAT Annual Conference

When: 4 + 5 September 2024

Where: Hobart

We are thrilled to announce that registrations are open for our 2024 Annual Conference: *Navigating a Shifting Landscape*.

This is the main event for the Tasmanian local government sector, and we have secured a fantastic lineup of speakers to discuss Tasmania's changing population, the future of our economy, minority governments and authentic leadership.

We are delighted to announce that Kim Millar will again be our Master of Ceremonies throughout the event.

NOTED

28. SUPPLEMENTARY AGENDA ITEMS

RESOLUTION: 18/07.2024/C

Moved: Cr J Honner

Seconded: Cr R Cassidy

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

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

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

CARRIED

For the Motion

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

Cr Y Miller declared an interest and left the meeting at 11.22 a.m.

28.1 2024 LGAT ANNUAL GENERAL MEETING

The LGAT Annual General Meeting will be held in Devonport on Friday the 26 July, 2024.

A request has been received from Cr Miller to attend the LGAT Annual General Meeting and attend the LGAT dinner in Devonport on Friday the 26 July, 2024.

Council Policy No 2016- 43 Payment of Councillors Expenses & Provision of Facilities Policy states in clause 5 - CONFERENCES, SEMINARS AND SPECIAL FUNCTIONS the following:

5.1 The Council will pay on behalf of Councillors, registration costs in respect of attendance at any seminar or conference, in compliance with a resolution of Council.

5.2 The council will pay accommodation expenses for the attendance at the Annual Conference of the Local Government Association of Tasmania for the Mayor, Deputy Mayor and their spouses/partners at the median rate as advised on the conference program in compliance with a resolution of Council.

5.3 Where Councillors desire to attend a daily session of the Annual Conference of the Local Government Association of Tasmania, Council will pay, subject to a resolution of Council, the daily registration cost but any accommodation costs will be the responsibility of the Councillors themselves unless there is extenuating circumstances, where it is to be approved by two of either the Mayor, Deputy Mayor or General Manager.

RESOLUTION: 19/07.2024/C

Moved: Cr D Meacheam

Seconded: Cr A Bailey

THAT Council endorse Cr Y Millers attendance at the Elected Members Professional Development Day (Saturday 27th July 2024) and meet the associated costs.

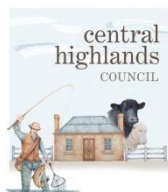
CARRIED

For the Motion

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

29. CLOSURE

Mayor Triffitt thanked everyone for their contribution and declared the meeting closed at **11.28 am**.



Central Highlands Council

MINUTES – SPECIAL COUNCIL MEETING – 30 JULY 2024

Minutes of the Special Meeting of Central Highlands Council held in the Town Hall, **Bothwell** on **Tuesday 30th July 2024**, commencing at **10.00am**.

1. OPENING

2. AUDIO RECORDING DISCLAIMER

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

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

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

3. ACKNOWLEDGEMENT OF COUNTRY

4. PRESENT

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

5. IN ATTENDANCE

Mr Adam Wilson (Deputy General Manager), Mr Graham Rogers (Development and Environmental Services Manager), Mr Trent Henderson (Planning Consultant), Mrs Louisa Brown (Planning Consultant), Mr David Morris (Lawyer), Mrs Kathy Bradburn (Senior Administration Officer) and Mrs Katrina Brazendale (Minute Secretary).

6. APOLOGIES

Nil

7. LEAVE OF ABSENCE

Nil

8. PECUNIARY INTEREST DECLARATIONS

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

Nil

9. PERCEIVED INTEREST DECLARATIONS

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

PART 2 – Conflict of Interest that are not Pecuniary.

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

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

The following declarations were recorded:

Cr R Cassidy, Cr J Honner and Cr D Meacheam - Item 10.2 Development Application (Da2023/34) For Wind Farm Development (47 Wind Turbines), Associated Infrastructure & Facilities At Land Described As The Steppes And St Patricks Plains, Submitted By Era Planning & Environment Obo St Patrick Plains Wind Farm Pty Ltd (Ark Energy Projects Pty Ltd).

10.0 COUNCIL ACTING AS A PLANNING AUTHORITY

In accordance with Regulation 25(1) of the *Local Government (Meeting Procedures) Regulations 2015*, the Mayor advises that the Council intends to act as a Planning Authority under the *Land Use Planning and Approvals Act 1993*, to is to be noted.

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

RESOLUTION: 01/07.2024/SC

Moved: Cr Y Miller

Seconded: Cr J Hall

THAT Council now act as a Planning Authority.

CARRIED

For the Motion

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

10.1 PUBLIC COMMENTS AND /OR QUESTIONS ON THE DEVELOPMENT APPLICATION

Procedures for Public Comments and/or Questions for the Special Meeting of Council to be held on 30th July 2024 as adopted by Council at its meeting held on 15 September 2020

Speakers should follow the procedure detailed below.

Public Comments and/or Questions Procedures for Special Meeting of Council

1. Only those people that have:
 - (a) Initiated the planning decision under the Land Use Planning and Approvals Act 1993 (Act) (“Applicant”); or
 - (b) The owner of the land subject to the planning decision (“Owner”); or
 - (c) made a representation within the statutory notice period in relation to a planning decision (“Representor”)

will be entitled to speak at the meeting.
2. Prior to the commencement of the Meeting a person who wishes to address the Meeting must:
 - 2.1 Notify the Council in writing by close of business on the Friday prior to the meeting of the person’s intention to address the Meeting, including the following detail:
 - (a) Identify whether the person is the Applicant or a Representor;
 - (b) If a Representor, the date the person made a representation in respect to the planning decision; and
 - (c) the relevant planning decision by the Council allocated number, or by reference to the land to which it relates (eg, by certificate of title, PID or address);
 - (d) the question or topic on which the person wishes to speak.
 - 2.2 Notify the Chairperson of his or her arrival prior to the commencement of the meeting and complete a register.
3. If a person has complied with the procedure in 2, the person will be entitled to speak at the meeting.
4. The Chairperson will determine the order of speakers.
5. All people entitled to speak will be given equal opportunity to speak.
6. Each person will be limited to 5 minutes unless otherwise allowed by the Chairperson.
7. A person may make a statement only or ask questions that are directed through the Chairperson.
8. A person may not direct questions to staff members unless directed through the Chairperson. The Chairperson may ask staff members to answer any question.
9. The Council is under no obligation to answer questions. Questions may be taken on notice Council may answer such questions at its discretion.

10. Councillors may ask questions of the person speaking or seek clarification at the discretion of the Chairperson.
11. The Applicant may be given notice of a person's intention to speak. The Applicant will be given an opportunity to speak in reply, limited to 5 minutes unless otherwise allowed by the Chairperson. If the Applicant is not present at the Meeting, Council may provide the Applicant with an opportunity to respond.
12. No debate or argument is permitted at any time.
13. Members of the gallery must not interject while another party is speaking.

Weight to be given to verbal representations made at the meeting in planning decisions

Council is under no obligation to consider or to give any weight to any oral submission or questions made at this Meeting.

Council is under no obligation to give reasons if it chooses not to rely upon or give weight to a verbal representation made pursuant to this policy.

The hearing of an oral submission at this Meeting by Council does not take any special weight or precedence over the written application and representations made.

Cr J Honner and Cr D Meacheam joined the public gallery and Cr R Cassidy, declared an interest and left the meeting at 10.19 a.m.

10.2 DEVELOPMENT APPLICATION (DA2023/34) FOR WIND FARM DEVELOPMENT (47 WIND TURBINES), ASSOCIATED INFRASTRUCTURE & FACILITIES AT LAND DESCRIBED AS THE STEPPES AND ST PATRICKS PLAINS, SUBMITTED BY ERA PLANNING & ENVIRONMENT OBO ST PATRICK PLAINS WIND FARM PTY LTD (ARK ENERGY PROJECTS PTY LTD)

REPORT BY

Planning Report prepared by Red Seal Planning

APPROVED BY

Manager of Development & Environmental Services (Graham Rogers)

DATE

Tuesday 30th July 2024

Enclosure

- Development Application Documents
- Appendix A - Planning Authority Review of issues Raised in representations received during public consultation period.
- Appendix B – Copy of all Representations Received
- Appendix C - Permit Conditions Part B - Environmental No. 10201, dated 2 July 2024
- Appendix D – Referral Agencies Responses

The following persons made a presentation to Council during the meeting.

1	Greg Oates (Representor)
2	Dominica Tannock (Representor obo NTAG)
3	Greg Pullen (Representor)
4	Anthony Waring (Representor)
5	Geoff Glover (Representor)
6	Julie Honner (Representor)
7	David Ridley (Representor)
8	John Malcolm Crosse (Representor)
9	Bradley Saunders (Representor)
10	Ian Ferrier (Representor)
11	Victoria Onslow (Representor)
12	Emma Riley (Applicant - ERA Planning)



RED SEAL

Urban & Regional Planning

Planning Assessment of St. Patricks Plains Wind Farm (DA-2023-34)

- *at Steppes and St Patricks Plains.*

For: *Central Highland Council*

BY: TRENT J. HENDERSON

BA(Hons), GCertUrbDes, MEnvPlg, MCulHerMus, RPIA

Principal Planner

RED SEAL Urban & Regional PLANNING

Assoc. Member Australian ICOMOS

RED SEAL Urban & Regional Planning | ABN 40 176 568 800
M +61 411 631 258 | E redsealplanning@gmail.com
“The Old Parsonage”, 160 New Town Road, New Town, Tasmania

This Planning Report has been prepared by Trent Henderson, a Registered Planner of the Planning Institute of Australia (RPIA) and an Associate Member of Australian ICOMOS. Mr Henderson holds a Bachelor of Arts (Honours) (University of Tasmania), Graduate Certificate of Urban Design (Deakin University), Master of Environmental Planning (University of Tasmania), and Master of Cultural Heritage & Museum Studies (Deakin University) and has nearly twenty years’ experience working within the Tasmanian Planning System in community, local government, and private sector roles particularly within rural communities. Mr Henderson also holds qualifications and experience in Business Sustainability Management (Institute for Sustainable Leadership, University of Cambridge), On-site implementation of conservation earthworks (Cert L2 QLD TAFE), Risk-based Land Use Planning (Emergency Management Australia), & Rural Operations.

Limitations

Red Seal Urban & Regional Planning provides town planning advice based on the information provided by the Client, which is assumed correct in relation to the provisions of the Tasmanian Resource Management Planning System.

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Appendix A – Planning Authority Review of Representations	

Summary

Client:	Central Highlands Council Planning Authority
Property Owner(s):	Multiple
Project:	Planning Assessment of DA-2023-34
Development:	47 Wind turbine generators and ancillary infrastructure
Location:	23 different land parcels /titles as listed: <ul style="list-style-type: none">- 4244A Waddamana Road, Steppes (CT: 156999/1, 100672/1)- Penstock Road, Shannon (CT: 100080/2, 100080/3, 100081/65, 205991/1)- 5057 Highland Lakes Road, Steppes (CT: 241119/1, 148905/1, 148905/2, 241119/2)- 6011 Highland Lakes Road, Steppes (CT: 182190/1, 182189/1)- 6212 Highland Lakes Road, Steppes (CT: 124603/1)- 6300 Highland Lakes Road, Steppes (CT: 126982/1)- Highland Lakes Road, Steppes (CT: 126983/1)- No formal address (CT: 26886/1, 28987/1, 26886/2, 26886/3, 26886/4, 26886/5)- Highland Lakes Road Reserve,- Watkins Road- Shannon River Conservation Area
Planning Authority:	Central Highlands Council
Planning Scheme:	Tasmanian Planning Scheme – Central Highlands
Zone:	Rural (20), Utilities (26), Environmental Management (23)
Overlay Code:	Natural Assets Code (C7): <ul style="list-style-type: none">- Priority Vegetation Area,- Waterway & Coastal Protection Area, Bushfire-prone Areas Code (C13), Flood-Prone Areas Hazard Code (C12), Landslip Hazard Code (C15).
Development Code:	Parking & Sustainable Transport Code (C2), Road & Railway Assets Code (C3), Electricity Transmission Infrastructure Protection Code (C4), Attenuation Code (C9)
Local Provisions:	Central Highlands Local Provisions Schedule
Specific Area Plan:	N/A
Use Class:	Utilities: electricity generation

Summary

The Development Application DA-2023-34 described as a “new wind farm and associated infrastructure and facilities” is proposed to be located within the area known as the Steppes and St Patricks Plains. The wind farm consists of 47 wind turbine generators along with ancillary support infrastructure including an upgraded internal road network and accesses, electrical infrastructure, and an operations facility.

The application is classified as a Level 2 Activity under the *Environmental Management and Pollution Control Act 1994* (EMPCA) as it meets the definition of a Wind Energy Facility under that legislation and is also a controlled action under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBCA) for its potential impacts on several matters of national environmental significance. Therefore, there are numerous matters or issues associated with this proposal that are assessed by the Environment Protection Authority Tasmania (EPA) and are outside the jurisdiction of the local government’s role as the Planning Authority, pursuant to Section 25(2)(f) and Section 25 (8A) of the EMPCA.

Therefore, matters associated with noise and environmental values are addressed by the EPA which has issued Conditions to be included as part any Planning Permit that may be issued by the Planning Authority.

The site is currently livestock grazing and there is no proposal to stop this use on the site as part of this development application. Height of the tower hubs is 150m with a blade length of 80m: the absolute height is 231m from the natural ground level.

The development site is zoned Rural, and the project relies on the performance criteria of the following provisions of the Tasmanian Planning Scheme – Central Highlands LPS:

- Building Height – Clause 20.4.1
- Setback – Clause 20.4.2

The principal test under cl. 20.4.1 is whether the structures’ required height will unreasonably impact the use of the property that shares a common boundary. As explored by this report, the height will not prevent the land being purposed for agricultural use as currently occurs on the site. As the potential impact on the uses on adjoining properties has been demonstrated to be considered reasonable, there are no grounds under cl. 20.4.1 P1 to refuse the application.

Whilst it may be debated that a structure exceeding the acceptable solution by 219m above ground level was not the intent of the provision, and as pointed out by four representations not suitable for assessing Wind Turbines, this is not the test of the standard that is before the Planning Authority.

There are several codes that apply to the mapped site, the extent to which they are significant to a specific development application varies according to the provisions of the Code, or whether Council as the Planning Authority has jurisdiction on the matter pursuant to Section 25(2)(f) or 25(8)(b) of the EMPCA.

As demonstrated by the assessment within this Report, and the supporting documentation submitted, the proposal is consistent with the applicable standards of the Tasmanian Planning Scheme – Central Highlands LPS.

Consequently, there are no grounds for the Planning Authority to refuse the Development Application DA-2023-34 for a wind farm consisting of 47 wind turbines at St Patricks Plans and the Steppes.

1 Introduction

Red Seal Urban & Regional Planning has been engaged by Central Highlands Council to assess the Development Application DA-2023-34 against the provisions of the Tasmanian Planning Scheme – Central Highlands, pursuant to the *Land Use Planning and Approvals Act 1993*.

1.1 The Proposal

The application described as a “new wind farm and associated infrastructure and facilities” is proposed to be located within the area known as the Steppes and St Patricks Plains (Figure 1.1a).

The Applicant describes the wind farm as comprising:

“...47 wind turbine generators (WTGs) with a proposed maximum generating capacity of 300 megawatts, along with ancillary support infrastructure including an upgraded internal road network and accesses, electrical infrastructure, and an operations facility.”

The development application seeks approval for the establishment of a Wind Farm and associated infrastructure across the St. Patricks Plains west of Steppes.

The development site is described as the following lots:

- 4244A Waddamana Road, Steppes (CT: 156999/1, 100672/1)
- Penstock Road, Shannon (CT: 100080/2, 100080/3, 100081/65, 205991/1)
- 5057 Highland Lakes Road, Steppes (CT: 241119/1, 148905/1, 148905/2, 241119/2)
- 6011 Highland Lakes Road, Steppes (CT: 182190/1, 182189/1)
- 6212 Highland Lakes Road, Steppes (CT: 124603/1)
- 6300 Highland Lakes Road, Steppes (CT: 126982/1)
- Highland Lakes Road, Steppes (CT: 126983/1)
- No formal address (CT: 26886/1, 28987/1, 26886/2, 26886/3, 26886/4, 26886/5)
- Highland Lakes Road Reserve,
- Watkins Road
- Shannon River Conservation Area



Figure 1.1a – Looking south over St Patricks Plains in the foreground towards the established Cattle Hill Wind Farm in the centre of the image next to Lake Eco. The Shannon River is seen crossing the image with the straight easement for the Transmission Line to Launceston evident. (image: T Henderson 12:56pm Sunday 26 May 2024, aerial view looking south).

1.2 The Development

The wind farm incorporates forty-seven (47) wind turbine generators (known as WTGs, referred to as wind turbines within this report for clarity) with the capacity to generate 300MW into the National Electricity Market (NEM) via the existing TasNetworks transmission lines that run through the site.

The WTGs have the following dimensions:

- Rotor diameter 162m
- Blade length 80m
- Rotor swept area 20,612m²
- Maximum blade tip height 231m
- Hub height 150m
- Total WTG permanent hardstand 0.92ha

Supporting infrastructure includes the construction of a substation with “transfer, underground 33 kV cabling from the WTGs to the substation, and an overhead (or potentially underground) 220 kV transmission line from the substation to a switchyard where the Project will connect to the existing TasNetworks Liapootah-Palmerston 220 kV transmission line”¹.

An operations facility within a “2m high security fence” yard that measures 40m by 55m and includes the Workshop (24.3m by 20.3m, 8m in height) and Office Facility (24.3m by 9.6m, 3.9m in height) forms part of the development application. Both buildings are Colorbond with the roof likely to be “Monument” in colour. No colour has been specified for the walls.

The office building includes office and training rooms, utilities, three WCs and kitchen. Eight parking spaces are delineated in front of the office building within the yard that is to be sealed with a two-coat spray. A reinforced concrete access route extends from the workshop roller doors to the gate of the fenced area. Adjacent to this hard stand a hazardous material storage area is proposed.

Two meteorological masts (met masts) 150m in height are proposed to replace two temporary met masts currently located within the site.

A total of 24 automated proposed *Identiflight System* curtailment units on simple towers of varying heights will be installed across the Project Site to minimise eagle impacts by reducing or halting WTG blades when the system identifies an approaching eagle. The EIS states that the 24 units will collectively control all 47 WTGs.

All-weather access tracks will be required throughout the site covering approximately 52.5 km using new and upgraded existing tracks where suitable.

¹ ERA Planning & Environment, *St Patricks Plains Wind Farm Environmental Impact Statement (Final)*, 29 June 2023, p.8.

1.3 Legislative Requirements

Unless specifically exempt, all works, development and use on land within Tasmania is subject to the *Land Use Planning and Approvals Act 1993* (the LUPAA). Administration of the Act for this site is the Tasmanian Planning Scheme – Central Highlands, which sets out several provisions through the category of use, zoning, codes, and specific area plans with standards that exempt, set automatic compliance under acceptable solution, or discretionary compliance subject to being consistent with an applicable performance criteria.

Pursuant to cl. 5.6.2 a provision is regarded as an applicable standard if:

- (a) *the proposed use or development will be on a site within:*
 - i. *a zone;*
 - ii. *an area to which a specific area plan relates; or*
 - iii. *an area to which a site-specific qualification applies; or*
- (b) *the proposed use or development is a use or development to which a relevant code applies; and*
- (c) *the standard deals with a matter that could affect, or could be affected by, the proposed use or development.*

Under the provisions of the Tasmanian Planning Scheme – Central Highlands the applicable zones are:

- Rural,
- Utilities, and
- Environmental Management.

Matters that are applicable to either a particular type of use or development that may apply to land in one or more zones, or alternatively affect land that is not appropriately described by zone boundaries are addressed by Codes within the Scheme. The following codes are applicable to the assessment of this development application:

- Parking and Sustainable Transport Code C2.0,
- Road and Railway Assets Code C3.0,
- Electricity Transmission Infrastructure Protection Code C4.0,
- Natural Assets Code C7.0,
- Attenuation Code C9.0,
- Flood-Prone Areas Hazard Code C12.0,
- Bushfire-Prone Areas Code C13.0,
- Landslip Hazard Code E15.0.

However, the extent to which these codes are applicable varies due to the specific standards within each code that will be examined in detail within this report.

Pursuant to cl. 5.5.3 of the Scheme, where there is an inconsistency between a provision in a code and a provision in a zone, the code provision prevails. Additionally, in accordance with cl. 5.5.4 of the Scheme:

“an inconsistency between a provision of a code and a provision of a zone does not exist if a code requires compliance with standards additional to those that apply within a zone”.

The application is classified as a Level 2 Activity under the *Environmental Management and Pollution Control Act 1994* (EMPCA) as it meets the definition of a Wind Energy Facility under that legislation and is also a controlled action under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBCA) for its potential impacts on several matters of

national environmental significance. Therefore, there are numerous matters or issues associated with this proposal that are assessed by the Environment Protection Authority Tasmania (EPA) and are outside the jurisdiction of the local government's role as the Planning Authority, pursuant to Section 25(2)(f) and Section 25 (8A) of the EMPCA.

Therefore, where an applicable standard triggers the assessment of the project, the provisions within govern the assessment of the proposal against the standards of the Planning Scheme. If subsequently an applicable provision exempts a development or use due to it being a Level 2 Activity, then the associated matters are determined by the EPA, pursuant to Section 25(2)(f) and Section 25 (8A) of the EMPCA and are no longer under the jurisdiction of the Planning Authority.

On 2 July 2024, the Board of the Environment Protection Authority issued Part B: Permit Conditions – Environmental No. 10201. In addition to General Conditions (G1 to G11) the EPA Permit has issued conditions addressing the following:

- Atmospheric,
- Blasting
- Construction
- Decommissioning & Rehabilitation
- Effluent
- Flora & Fauna
- Groundwater
- Hazardous Substances
- Noise Control
- Operations
- Stormwater Management
- Legal Obligations
- Other Information: Waster management

1.4 State & Local Government Policy

There are currently three state policies in place governing Tasmania's strategic policy direction, being:

- *State Policy on the Protection of Agricultural Land 2009,*
- *State Policy on Water Quality Management 1997, and*
- *State Coastal Policy 1996.*

In addition, the National Environmental Protection Measures (NEPMs) are developed under the *National Environment Protection Council (Tasmania) Act 1995* and outline objectives and protections for aspects of the environment. Section 12A of the *State Policies and Projects Act 1993* provides NEPMs with the status of a State Policy.

There is no Tasmanian Planning Policy (TPP) currently in effect.

The development proposal is within land covered by the *Southern Tasmania Regional Land Use Strategy 2010-2035* (STRLUS). The STRLUS guides land use, development, and infrastructure decisions, by setting out the strategy and policy basis to facilitate and manage change, growth, and development.

The local government strategic plan prepared under Section 66 of the *Local Government Act 1993*, applicable to this municipality, is the Central Highlands Strategic Plan 2015 – 2024, available from Council's website.

Pursuant to Section 34 of the *Land Use Planning and Approvals Act 1993* regard for the strategies within these policy documents was undertaken for the preparation of the Planning Scheme. Therefore, implementation of these policies is subsequently achieved through the Scheme and the application Local Provisions Schedule (LPS) and the State Planning Provisions (SPP).

Whilst they may be referenced to provide context and interpretation of policy, these policy documents are not standalone enforcement or compliance documents.

1.5 Documentation Submitted

The documentation submitted for the application is listed as:

- *Covering letter - Ark Energy Projects Pty Ltd dated 29 June 2023*
- *St Patricks Plains Wind Farm - Planning Application Form dated 6 Mar 2023*
- *Title documentation for 21 titles.*
- *PWS Consent to DA for 6011 Highland Lakes Road Steppes – St Patricks Plains Wind Farm Pty Ltd*
- *PWS Instrument of Delegation LUPAA DGL to Various*
- *PWS Signed St Patricks Plains Wind Farm, Planning Application Form dated 6 Mar 2023*
- *DSG Consent to DA – St Patricks Plains Wind Farm adjacent to Highland Lakes Road*
- *DSG Instrument of Delegation*
- *DSG Signed St Patricks Plains Wind Farm, Planning Application Form dated 6 Mar 2023*
- *St Patricks Plains Wind Farm, supporting planning report dated 8 Mar 2023 and notated, V2 maps.*
- *St Patricks Plains Wind Farm, Reconnaissance Landslide Risk Assessment, 6 Jul 2023*
- *St Patricks Plains Wind Farm, BESS Site Plan dated 12 Sept 2019*
- *St Patricks Plains Wind Farm, Met Mast Plan and Elevations dated 17 Feb 2023*
- *St Patricks Plains Wind Farm, O&M Facility General Arrangement dated 14 Jul 2021*
- *St Patricks Plains Wind Farm, O&M Facility Elevations dated 16 Dec 2022*
- *St Patricks Plains Wind Farm, Preliminary Access Plans and Details dated 4 Aug 2022*
- *St Patricks Plains Wind Farm, Typical WF Design Criteria, 22 Aug 2022*
- *St Patricks Plains Wind Farm EIS dated 29 Jun 2023*
- *Appendix A - General design principles*
- *Appendix B - Avifauna report*
- *Appendix C - Terrestrial flora and fauna report*
- *Appendix D - Noise assessment*
- *Appendix E - Background noise assessment*
- *Appendix F - Socio-economic report*
- *Appendix Ha - Visual Impact Assessment Vol 1*
- *Appendix Hb - Visual Impact Assessment Vol 2*
- *Appendix I - Shadow flicker assessment*
- *Appendix J - Hydrogeology Report*
- *Appendix K - Reconnaissance Acid Sulfate Soils Report*
- *Appendix L - EPA Tasmania avian mortality monitoring plan guidelines*
- *Appendix L - EPA Tasmania avian mortality monitoring plan guidelines*
- *Signed EPA Proponent Letter – D23-175727 – St Patricks Plains Wind Farm EIS conditionally accepted.*

Following the public consultation period and a request for further information by the EPA Board, the following documents were submitted:

- *St Patricks Plains Wind Farm, Supplement to EIS, dated 27 March 2024,*
- *Supplement Appendix A - Avoidance Rate Determination, dated 25 Jan 2023*
- *Supplement Appendix B – Manifestation of long-term collision rate, dated 20 Nov 2023,*
- *Supplement Appendix C - WTE nesting and foraging habitat,*
- *Supplement Appendix D – bats, dated 8 Dec 2023,*

- Supplement Appendix E - Miena jewel beetle, dated 20 Dec 2023,
- Supplement Appendix F - Miena cider gum – 16 Jan 2024,
- Supplement Appendix G - Potential Noise, dated 12 Jan 2024,
- Supplement Appendix H P.1 – Acoustics, dated 17 Jan 2024,
- Supplement Appendix H P.2 – Acoustics, dated 5 Mar 2024,
- Supplement Appendix I – Summary of Issues Raised in Representations,
- Supplement Appendix J – Threatened Avian Fauna, Site Utilisation, dated 21 Mar 2024.
- Supplement Appendix K – St Patricks Plains Wind Farm - Showing WTGs removed or relocated during project planning.

1.6 Certificate of Title

The proposal involves the following (Bold indicates Lots with Wind Turbines):

- **156999/1**, 100672/1, 100080/2, 100080/3, 100081/65, 205991/1, **241119/1**, 148905/1, **148905/2**, 241119/2, **182190/1**, 182189/1, 124603/1, 126982/1, **126983/1**, 26886/1, 28987/1, 26886/2, 26886/3, 26886/4, 26886/5.

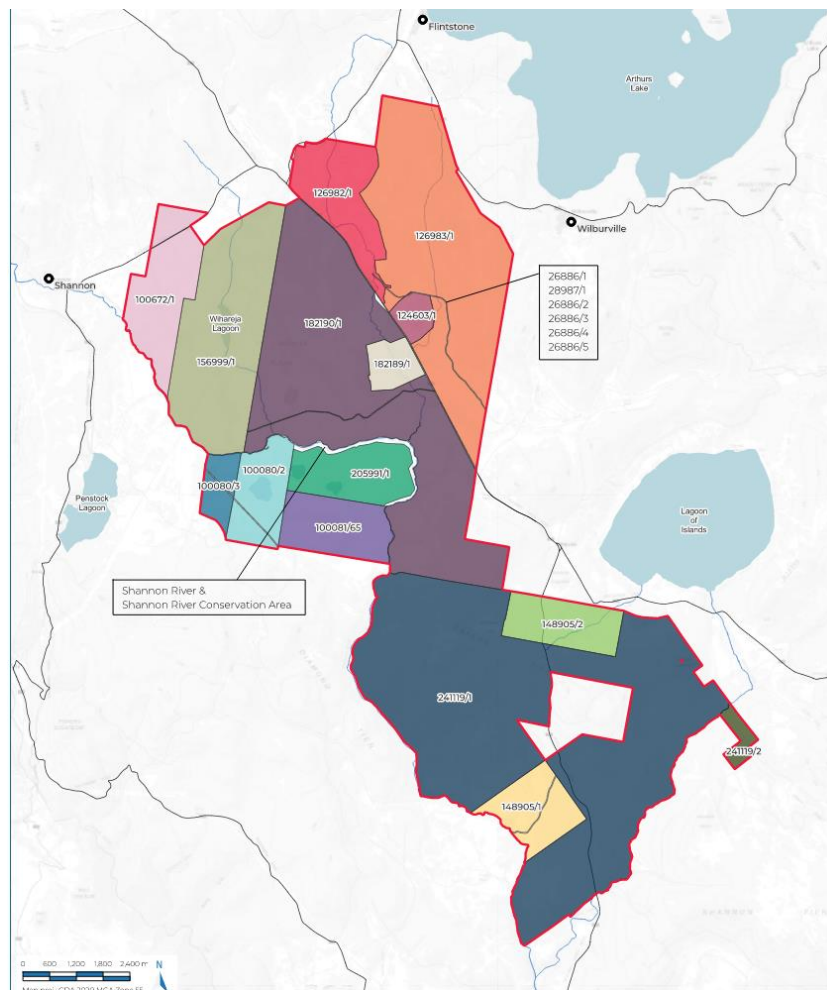


Figure 1.6a – Mapped land with title references, the Lots 156999/1, 182190/1, 126983/1, 241119/1, & 148905/2 are proposed to have Wind Turbines. (Source Page 6 of ERA Supporting Planning Report 2023)

There are no covenants or similar restrictions on the Schedule of Easements associated with this Certificate of Title that limit a proposal of this type on this site.

2 St Patricks Plains & the Steppes

The development site is made up of combination of Lots under multiple ownership, such that it cannot be prescribed a single address other than that which the landscape is named: St Patricks Plains.

To provide context and background clarity to the assessment of the applicable standards of the Tasmania Planning Scheme – Central Highlands (the Scheme), Section 2 of this Planning Report presents a brief Site and Surrounds Analysis of the area. In this context, an analysis may potentially be broader than the development site, but the assessment against the Scheme’s provisions relate to the development site as the project is applied unless specified by an applicable standard.

It is observed that site is defined in the Scheme as “*means the lot or lots on which a use or development is located or proposed to be located.*” The decision in *Saltwater Lagoon Pty Ltd v Glamorgan Spring Bay Council* [2022] TASFC 5 affirmed that the definition must be applied, even where it results in a large area of land falling “*within the purview of such definition*” and even though this may pose difficulties for any assessment against the performance criteria.

As such, the development site relates to the specific lots associated with the 21 Certificates of Title submitted with the application.

2.1 The Site & Surrounding Analysis

The proposal covers a considerable area that could feasibly fit more wind turbines within the space; however, due to legislative consideration and practicality, several turbines have been removed from the project (Figure 2.1a). Consideration and assessment of the remaining 47 wind turbines and associated infrastructure against the applicable standards of the Tasmanian Planning Scheme – Central Highlands form the basis of this Planning Report.

St Patricks Plains covers just under 7000 hectares of land that is for the most part around the 900m contour level; whilst the Project Site has an approximate range between the 700m to 950m contour and covers approximately 10,000ha in total as it includes parts of Bakers Tiers south of Steppes.

St Patricks Plains is accessed from the south via the Highland Lakes Road, which enters the landscape through Wilsons Pass after coming up through the Steppes and Bakers Tier. The Highland Lakes Road runs along the northeastern edge of the Plain, almost in alignment with Ripple Creek. Beyond this to the east of Sheepyard Hill is an unnamed ridgeline that separates St Patricks Plains from Arthurs Lake beyond. Contour levels indicate this ridgeway is around the 1000m level.

To the north another low ridgeline acts as a step up in elevation to Ellis Plains and Great Lake. The ridgeline’s high points consist of Five Mile Pinnacles (1183m) and Barren Tier (1187m): the latter has a transmission tower present. Flowing between these two peaks, the Shannon River emerges onto St Patricks Plains forming the western side of the Plain. In the southwestern corner the Shannon River takes a right-angle turn to the north of land known as Allwrights Lagoons before heading south at a right angle between Diamond Tier and Bakers Tier.

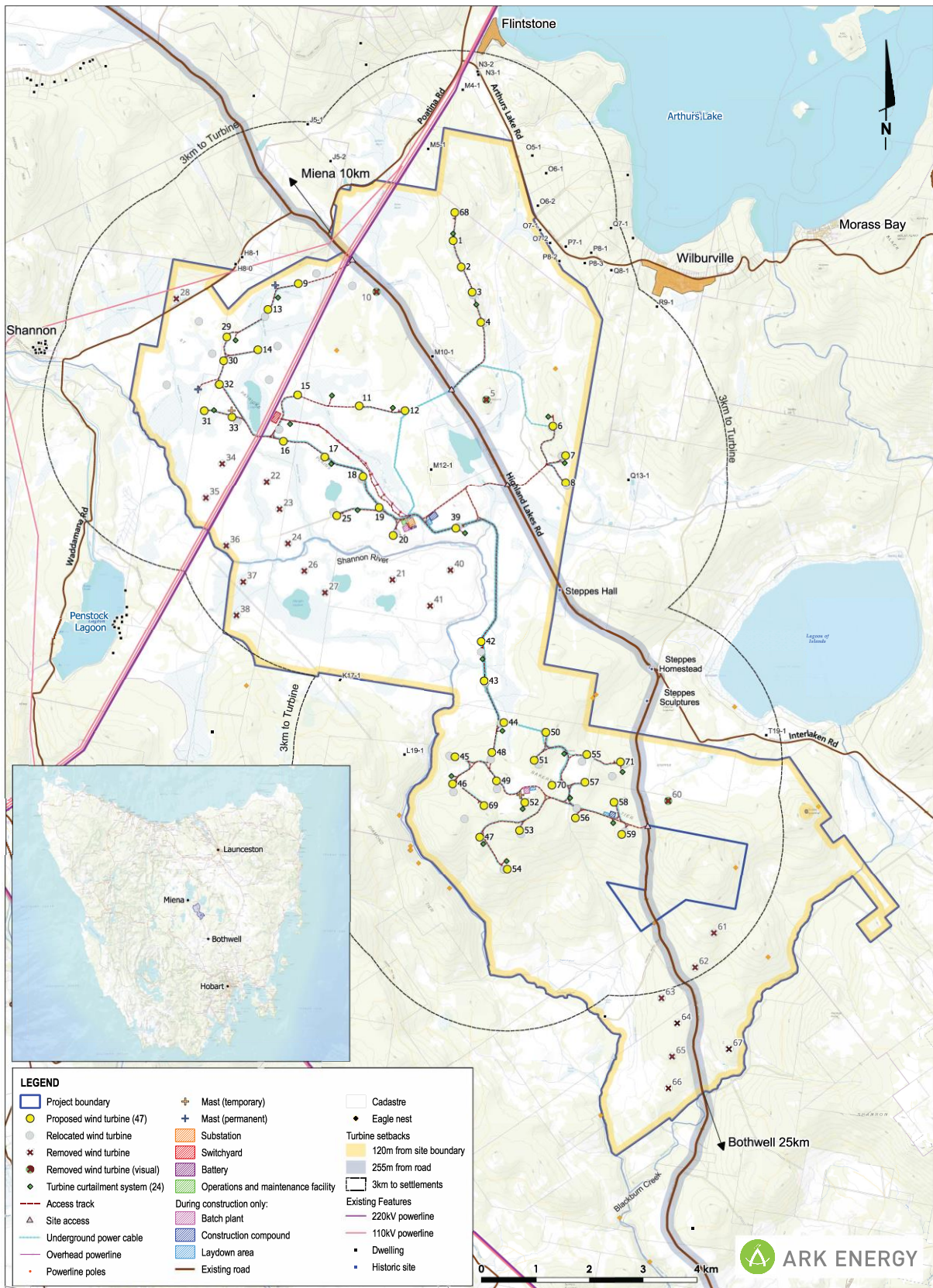


Figure 2.1a – “St Patricks Plains Wind Farm, showing WTGs removed or relocated during project planning”, plus other features such as eagle nests, dwellings, and historic sites. (Source: EIS Supplement Appendix K)

The Highland Lakes Road continues north to Liawenee and Deloraine beyond. In the northern corner of the Plain the Poatina Road meets the Highland Lakes Road, providing a route down the Western Tiers to the Northern Midland towns of Poatina, Cressy and Launceston beyond. At the opposite end, Wilsons Pass serves as the junction of the Highland Lakes Road and the Interlaken Road, which provides a route to the Midlands at Tunbridge. South of the Steppes, the Highland Lakes Road proceeds to Bothwell.

Reflective of its central location within the State, St Patricks Plains is crossed by established Transmission Lines that head to Launceston from Waddamana Power Station at the bottom of the escarpment on the Ouse River to the southwestern corner of the Plain. From Waddamana Power Station Transmission Lines proceed in a southeasterly direction to Hobart.

At the western end of the St Patricks Plains is the hamlet of Shannon. Zoned Low-density Residential, Shannon consists of sixteen dwellings: some used as shacks, whilst others are long-term residential dwellings². There are also several dwellings or shacks on the eastern side of Penstock Lagoon.

North of the Plain along the Poatina Road is the larger settlement of Flintstone on the western shore of Arthurs Lake. Separated by a low ridgeline on the southern shore of Arthurs Lake is Wilburville and Morass Bay. Both these settlements are zoned Low Density Residential.

In the northern corner of St Patricks Plains is the homestead of “Wihareja”, which forms the main farm on the north and western sides of the plain. Another house known as the Ripple is located on the eastern side of the Highland Lakes Road where it crosses the Ripple Creek.

Watkins Road traverses the Plain to the north of the Shannon River. Whilst this has a road reserve, it is an acquired road with no public access.

The geology of the site is dolerite bedrock with minor basalt and sedimentary rocks that contains low-salinity, slightly acidic groundwater that moves very slowly³.

The State List Mapping indicates within the TASVEG (Live) the dominate vegetation community is Highland Poa grassland (GPH), mixed with *Eucalyptus pauciflora* (snow gum) forest and woodland on dolerite (DPD) and *Eucalyptus gunnii* (miena cider gum) woodland (DGW). *E. gunnii* subsp. *divaricate* is listed under the Tasmanian *Threatened Species Protection Act 1995* as endangered, and the National *Environment Protection and Biodiversity Conservation Act 1999*, as endangered.

In the more wooded southern corner of the development site around Bakers Tier, the vegetation is mapped as *Eucalyptus delegatensis* (gum-top stringy bark) dry forest and woodland.

There are ten individual conservation covenants within the development site, pursuant to the *Nature Conservation Act 2002*. In regard to vegetation management the proponent’s EIS states:

The surveys also identified 23 threatened flora species listed either under the *Threatened Species Protection Act 1995* (TSP Act), the EPBC Act, or both. An additional three state-listed species are expected to occur within the Project Site but were not identified during

² Whether a dwelling is a shack or permanent residence is immaterial as single dwelling is a no permit required use class pursuant to cl. 6.6 of the Scheme: thus, a dwelling within the Low Density Residential Zone must be considered a permanent residence for assessment.

³ Appendix J – Cromer, W.C. (2022). *Hydrogeological report, proposed wind farm, St. Patricks Plains, Central Highlands Tasmania*.

on-ground surveys. The Project Site was also found to harbour eight species of weeds declared under the *Tasmanian Weed Management Act 1999*, including gorse (*Ulex europaeus*) and ragwort (*Senecio jacobaea*). There are no areas of high-quality wilderness mapping in or adjacent to the Project Site.⁴

Additionally, the EIS notes,

Fauna surveys undertaken at the Project Site confirmed the presence of five terrestrial species listed either under the EPBC Act or TSP Act, including the Tasmanian devil, spotted-tailed and eastern quoll, *ptunarra* brown butterfly, and the Miena jewel beetle. Although not surveyed for, there are a variety of aquatic species that may occur within the Project Site. The Project Site is also known to support the threatened Tasmanian wedge-tailed eagle and white-bellied sea-eagle, as well as a host of other avifauna species including the listed species Tasmanian masked owl and Latham's snipe.⁵

In regard to agricultural activity the site and the majority of the surrounding land is classified as Class 6 Land, which is:

*Land marginally suitable for grazing because of severe limitations. This land has low productivity, high risk of erosion, low natural fertility or other limitations that severely restrict agricultural use. This land should be retained under its natural vegetation cover.*⁶

Therefore, within St Patricks Plains itself, agricultural use has been limited to seasonal grazing of sheep, although cattle appear to remain grazing over winter. Surrounding the area within the ridgelines and tiers where the native vegetation extends to a more treed forest environment, several Private Timber Reserves exist, implying that timber harvesting occurs in the surrounding area and the southern sector of the site.

2.2 Cultural Heritage

The area is reputed to have been a meeting place for the Lairmairener people and the Tyerenotepaner who harvested the Miena Cider Gum *Eucalyptus gunii subsp. Divaricata*⁷.

European interest in the area historically occurred from the early 1800s with early explorers observing the potential grazing capabilities of the plains, although, the area was also a hideout for bushrangers⁸. In September 1830 Jones's Hut St Patrick Plains appears to be a muster point⁹ for Lieutenant Governor Arthur's "Black Line"¹⁰. Robert Jones had reportedly established a hut and a shepherd running sheep and cattle in the summer of 1820¹¹.

Grazing of sheep and cattle would prove to be the dominate land use following European settlement of the area, supplemented by timber harvesting and hunting¹². Climatic and

⁴ ERA. (2023) *St Patricks Plains Wind Farm: Environmental Impact Statement* (29 June). p.49.

⁵ *Ibid.*

⁶ CJ Grose, (1999) *Land capability handbook: Guidelines for the classification of agricultural land in Tasmania*, Department of Primary Industries, Water and Environment Natural Heritage Trust, p.13.

⁷ Hardstaff, G., (2010). *Cider Gums and Currawongs: A History of Lifestyle, People and Places. the Lake Country of Tasmania to the 1950s.* (ed. S. Ellis). Australia: Forty Degrees South. p.5.

⁸ Jetson, T., (1989). *The Roof of Tasmania: A History of the Central Plateau.* Australia: Pelion Press. pp.23-25.

⁹ Jones's Hut, St. Patrick's Plains (1830, September 25). *The Hobart Town Courier* (Tas.: 1827 - 1839), p. 1 (Additional Supplement to the Hobart Town Courier.). Retrieved 3 April 2023, from <http://nla.gov.au/nla.news-article4206960>

¹⁰ Calder, Graeme (2010). *Levée, Line and Martial Law.* Launceston: Fullers Bookshop. p.183.

¹¹ Ellis, S. ed. (2001) *Bothwell Revisited: A History: Foundation, Federation and the Millennium.* Australia: Bothwell Historical Society. p.154.

¹² Hardstaff (2010).

environmental conditions resulted in grazing, particularly for sheep, being seasonal with shepherds driving flocks to lowland pastures from the Lake Country and St Patrick Plains for winter¹³.

There are several dwellings from the early colonial period and subsequent grazing listed on the State Heritage Register (*Interlaken* THR No.866, and *Dungrove* THR No.72) but these are not within the vicinity of St Patrick Plains being over 15km at the closet point. Whilst St Patrick Plains has no homesteads listed on the State Heritage Register, on the eastern edge of the plain approximately 1km before the Highland Lakes Road begins its decent from the plain, on the northern edge of an area mapped as the “Cider Marsh”, is the Steppes Hall (THR No.10174). The Hall is registered as it represents an historical record of Steppes: “It demonstrates aspects of the community’s development and growth – encompassing practical, aesthetic, economic, social and moralistic qualities of the community”¹⁴ (Figure 2.2a).



Figure 2.2a - State Heritage Registered (THR No. 10174) Steppes Hall. At this location, WTGs are located to the south or further to the north and not within proximity of the site which means no shadow flicker, according to the submitted Assessment. It is observed that whilst not on the same title, the Hall is surrounded by established Eucalypts and other trees that prevent the site having unimpeded views across St Patricks Plains. (Image: T Henderson, 8 Aug 2023)

¹³ Ellis, S. ed. (2001) p.38,56; Hardstaff (2010) p.15-18.

¹⁴ Tasmanian Heritage Register Datasheet, *Steppes Hall* (No. 10174),

The region was identified for potential Hydro Electric Power at the beginning of the twentieth century. By 1911 water had been diverted from the Shannon River to man-made Penstock Lagoon¹⁵ (Figure 2.2b), located in the southwest corner of the plain. However, it was not until the 1920s that the Hydro Electric Power development of the area undertook a significant increase in productivity and population growth until the 1950s, resulting in the subsequent establishment of Waddamana, Hilltop, and Shannon¹⁶. Whilst these towns are now settlements and mere remnants of their former peaks, the fabric associated with the Great Lake Scheme is now listed on the State Heritage Register¹⁷.

With the improved access to the region and with the increased size and establishment of man-made waterways, the Lake Country has become an attraction for anglers with a “proliferation of fishermen’s shacks” around Great Lake and Arthur’s Lake¹⁸. Complete sealing of the Highland Lakes Road in recent years has seen the route become increasingly popular for travellers between Hobart and Northern Tasmania.



Figure 2.2b - Located at the northern campsite on the western shore of Penstock Lagoon and built in 1916 as Penstock, prior to the steep descent to the power stations at Waddamana and as part of the Great Lake Hydro Electric Scheme, the shallow lake is now a popular fly-fishing location. The closest Wind Turbine is over 3.5km from this site. From this location the tops of WTGs 31, 33, & 16 might be seen. However, several WTGs sites closer to the lagoon that would clearly have been seen did not form part of the development application. (Image: T Henderson, 8 Aug 2023)

¹⁵ Ellis, S. ed. (2001) p.191.

¹⁶ *Ibid.*

¹⁷ Tasmanian Heritage Register Datasheet, *Great Lake Scheme* (No. 11943).

¹⁸ Ellis, S. ed. (2001) p.201-203.

2.3 Landscape Analysis

Although not considered a freight and passenger road under the Tasmanian Dept. State Growth's "State Road Hierarchy", the Highland Lakes Road is the principal route into the Lake Country from Southern Tasmania. Whilst nowhere near the traffic numbers of the Midlands Highway, the route serves as an alternative between the Northwest Coast and Hobart, particularly since it has been sealed all the way.

Travelling in a vehicle is the principal way most people experience this landscape. As a result, the road is the principal vantage point. The main local viewpoint is from the historic Steppes Hall, with other views being prominent anglers' locations such as Penstock Lagoon and residential areas such as Shannon. However, these latter two sites are on the western edge of the Plain and away from the main road.

A striking feature of the landscape is the apparent lack of development or appearance of infrastructure. Other than the road and the wire fence either side, St Patricks Plains presents as an expansive panorama. When entering the Plains from the southern approach at Steppes Hall, dwellings are not evident, no powerlines follow the road, and the hills or ridgelines are void of breaks in the skyline. Only the telecommunication tower at Barren Tier can be seen as evidence of development when looking from Steppes Hall.

The expansive terrain is even more striking after travelling north from Bothwell along the Highland Lakes Road. A good proportion of the rural landscape involves high-voltage transmission lines that appear to weave over the carriageway along the route. Additionally, in the distance the established wind turbines of Cattle Hill Wind Farm can be seen. However, whilst this infrastructure stops approximately 22km prior to the Steppes Hall, the last few kilometres is done within a forested or wooded landscape that comes up to the road.

It is not until the northern corner of the Plain is reached, that powerlines begin to align with the road and small sheds or farm structures are seen. The dwelling and sheds are sheltered near Ripple Creek and the large transmission lines cross perpendicular to the road.

The low variation in elevation for the surrounding hills only strengthens the sense of openness of the windswept, exposed landscape. The vista is not a conventional mountain scene: there are no sharp alpine peaks, high tarn, or views to lowlands below.

Whilst the openness, lack of buildings or features in the landscape might seem to some to be "drab" with "limited scenic value"¹⁹, an alternative view is that in comparison to conventional agriculture, the landscape manifests unique farming heritage reflective of the harsh local environment. The openness of the landscape that appears on passing Steppes Hall is in contrast and marks a point of difference to the enclosed forested road that has just been travelled through. See Figures 2.3 Below.

¹⁹ Appendix Ha - Inspiring Place (Sept 2021) *Landscape and Visual Impact Analysis – St Patricks Plains Wind Farm, Vol.1.* p.23.



Figure 2.3a - The view of St Patricks Plains along the road looking southwest. At this point, WTG 42 would be seen beyond the edge of the tree on the left of the image near the dead trees in the background past Cider Marsh, which is not evident in the image. WTG 43 may be seen; however, it could be too sharp an angle to see WTG 44. (Image: T Henderson, 8 Aug 2023)



Figure 2.3b - Looking Northwest from the entrance to the State Reserve opposite Steppes Hall. Other than the road, wire fence and the blue Parks sign, the noticeable feature of the St Patricks Plains landscape upon entry from the south is that it appears devoid of infrastructure and development. (Image: T Henderson, 8 Aug 2023)



Figure 2.3c - Travelling north along the Highland Lake Road, the high-voltage transmission lines are a feature of the landscape. The structures and associated cables regularly cross the carriageway or run between Bark Hut Creek and just past the southern junction with Waddamana Road. Although not verified, these towers appear to be 50m in height. (Image: T Henderson 8 Aug 2024)



Figure 2.3d - Near the junction with Dungle Road, on the Highland Lakes Road. The rural landscape along this section of road is interspersed with high-voltage transmission lines, with a former tower on its side in the foreground the transmission lines have been relocated to the other side of the road. At this point of the road, as seen in the centre of the image, a passenger in a vehicle can make out on the horizon the wind turbines of Cattle Hill Wind Farm, 26.5km away: See Figure 2.3e. (Image: T Henderson, 8 Aug 2023)



Figure 2.3e - Taken at the same location as Figure 2.3d but image zoomed, Cattle Hill Wind Farm from Highland Lakes Road, near the junction with Dungrove Road. At the location where the image was taken the WTGs are over 20km away. (Image: T Henderson, 8 Aug 2023)



Figure 2.3f - Established wind turbines at Cattle Hill Wind Farm looking south from Waddamana Road where the Transmission Lines that run to the Northern Midlands cross the road up the escarpment from the River Ouse. At this location the WTGs are 3.6km away. (Image: T Henderson, 8 Aug 2023)

3 Public Consultation

3.1 Public Consultation Overview

In accordance with section 27G(1)(a) of the *Environmental Management and Pollution Control Act 1994*, the EPA Director directed Central Highlands Council to advertise development application DA 2023/34 and to call for public submissions. Council advertised the development application in both the *Mercury* and *Examiner* newspapers Saturday 12th August 2023 with the public consultation period closing at 5pm on Monday 25 September 2023, pursuant to section 57(5) of the *Land Use Planning and Approvals Act 1993*. Documentation submitted was available online via Council's and the EPA's website and at Council's Bothwell office.

A total of 145 representations were received during the public exhibition period, with an additional 15 received outside the statutory time frame: making a total of 160 submissions. Nineteen representations were received in support of the proposal whilst all other representations opposed.

The EPA has summarised and detailed the number of submissions raising each issue within *Supplement Appendix I – Summary of Issues Raised in Representations*. To avoid repeating this document the issues will be addressed within the assessment of the proposal against the applicable standards of the Scheme.

Please see attached **Appendix A** for Council Planning response to the matters raised during the public exhibition period.

It is understood that copies of all representations have been made available to each member of the Planning Authority; although, technically matters raised separately within late submissions should not form the basis of a planning decision.

3.2 Representations in Support

Of the nineteen representations in support of the project, the following reasons are summarised as:

- Economic benefit to the region,
- Green energy source,
- Benefit of increased infrastructure in the area,
- Increase in jobs,
- Site is appropriate being near to established transmission lines minimising cost,
- Proponent has done a good job mitigating issues and taking all relevant precautions.

3.3 Representations in Opposition

The 141 representations received in opposition raised matters predominately focused on the following issues:

- Alternative sites should be considered (raised in 53 submissions)
- Impact on lifestyle, wellness and overall amenity (raised in 39 submissions)
- Reduction in tourism due to impact on visual amenity (raised in 21 submissions)
- Impact to Avifauna during construction and operation (raised in 92 submissions)
- Impact on the Tasmanian Wedge-tailed eagle (TWtE) *Aquila audax fleayi* (raised in 91 submissions)
- Too close to Cattle Hill Wind Farm and impact on TWtE (raised in 70 submissions)
- Inability for proposed *Identiflight System* to protect TWtE (raised in 96 submissions)

- Buffer distances for nesting vs disturbance not adequate for Wind Farms (raised in 88 submissions)
- Negative impact on other bird species (raised in 79 submissions)
- Impact on other fauna species, Ptunarra Brown Butterfly *Oreixenica ptunarra*, Meina Jewel Beetle *Castiarina insculpta*, Tasmanian Devil *Sarcophilus harrisii*, plus multiple others.
- Impact on Miena Cider Gum *Eucalyptus gunii subsp. Divaricata* (raised in 52 submissions)
- Impact from noise and cumulative effect with Cattle Hill Wind Farm (raised in 33 submissions)
- Noise impact on surrounding settlements, Penstock Lagoon, Wilburville, Shannon, Flintstone (raised in 64 submissions)
- Safety of storage and handling of explosives for blasting (raised in 54 submissions)
- Visual impact on the scenic values of the Central Highlands (raised in 77 submissions)
- Insufficient mitigation measures proposed for visual impact (raised in 60 submissions)
- Visual impact on Tasmanian World Heritage Area (raised in 56 submissions)
- Unacceptable impact on fly fishing activities including Penstock Lagoon, Arthurs Lake, and Great Lake (raised in 22 submissions)

These above listed issues are only a summary of the matters raised by the majority of the submissions; however, it is emphasised that it is not the number of submissions, but the matters raised that are applicable to the assessment.

Eight submissions raised concerns that the proposal would have a negative impact on Aboriginal cultural heritage of the St Patrick Plains and wider landscape. However, one representation (Rep.130) provided more than a comment but made a detailed submission on the Aboriginal heritage and European heritage associated with the St Patrick Plains and the Steppes and Wilson Homestead: stating that the area is a cultural landscape and should be assessed as such.

Eleven representations raised concerns over the transparency relating to the remuneration being given to nearby property owners by the proponent, stating that the distance should be 5km and not the 3km as proposed.

Five representations raised safety concerns including the project's potential impact on aviation in the area.

3.4 Referral Agencies

The Central Highlands Council referred the Development Application to the following organisations:

- *Aboriginal Heritage Tasmania*
- *Heritage Tasmania*
- *Hydro Tasmania*
- *Inland Fisheries Service*
- *NRE Tasmania – Water Management Branch*
- *NRE Tasmania (Property Services)*
- *Dept. State Growth*
- *Sustainable Timber Tasmania*
- *Tasmanian Irrigation*

A written response was received by Council from the following:

- Aboriginal Heritage Tasmania
- Heritage Tasmania
- NRE Tasmania – Water Management Branch
- Dept. State Growth

The following summarised matters were raised (with the full documents available to the Planning Authority):

Aboriginal Heritage Tasmania

Concerned with the variation in the layout of the site from the initial consultation, specifically:

- Road system,
- Transmission Power Line Corridor,
- Met Masts, and
- Footprint and associated vicinity of WTG6 and IDF19

It is advisable that the final layout and design of the road system is undertaken with consultation and the recommendation of Aboriginal Heritage Tasmania.

Heritage Tasmania

Heritage Tasmania confirmed that no “Tasmanian Heritage Register places being directly affected by the St Patricks Plain Wind Farm development”.

NRE Tasmania – Water Management Branch

Confirmed that they had no interest in the proposal.

Dept. State Growth

State Growth raised concerns regarding the route from Bell Bay to the development site, which does not form part of the development site.

State Growth note:

“The TIA indicates that the section of the route from the junction with Highland Lakes Road and Midland Highway to St Patricks Plains was upgraded to enable the Cattle Hill project loads to traverse the route. However, the loads associated with this project are larger in both mass and dimensions. The surveys conducted by the proposed transport operator have highlighted a number of areas on this route that will require additional works for the loads to be able to safely traverse the route.

State Growth will continue to work directly with the transport operator to ensure all oversize and over-mass components can be transported to site in a safe and efficient manner whilst minimising impacts on other road users.”

The Development Application specifically relates to Lots cited within Section 1.6 Certificate of Title and as described within Section 1.1 The Proposal, of this report, which drew on the

description within ERA's Supporting Planning Report and Council's Application Form submitted with the Application. No works along the route from Bell Bay were indicated to be required.

If additional works are required, as referenced by State Growth, this would generate the need for an assessment against the Planning Scheme that is in place, and a development application would need to be submitted with the applicable Planning Authority prior to such works occurring.

3.5 Assessment of Representations

Again, please see attached **Appendix A** for Council Planning response to all matters raised during the public exhibition period.

Several representations were received after the specified public notice period. It is observed that most of the representations were received from locations outside of the Central Highlands Council area. Additionally, many of the submissions were in the form of a proforma letter, although each had individual input sections to the proforma.

However, these matters are not relevant to the question of validity of a representation. For simplicity a representation is considered validly made where it:

- (a) includes sufficient information to identify and contact the author(s);
- (b) is referable to a discretionary application for planning approval; and
- (c) is made during the period specified by s 57(5) of LUPAA.

Geographical location is not relevant to the validity of a representation, nor is the fact that a person uses a template for a submission.

There may be issues associated with validity and appeal rights under the provisions of the Act for late submissions; however, that is not a matter within the scope of this assessment. A review of the matters raised within the submissions received after the due period, revealed that no specific issue was raised that had not been previously raised in some form.

It is observed that pursuant to cl. 6.10.1 in determining a development application the Planning Authority must

"...in addition to the matters required by section 51(2) of the Act [LUPAA], take into consideration:

- (a) all applicable standards and requirements in this planning scheme; and*
- (b) any representations received pursuant to and in conformity with section 57(5) of the Act,*

but in the case of the exercise of discretion, only insofar as each such matter is relevant to the particular discretion being exercised.

That is the matters raised by the representations are also assessed against the applicable standards and considered in determining the compliance of the project in relation to a particular discretion.

If matters fall within the jurisdiction of the EPA, then it is the EPA that considers the matter. Issues and concerns raised by the representors, either in support or against a development, must also be considered on their individual merits alongside the requirements of the Planning Scheme.

4 Tasmanian Planning Scheme Requirements

4.1 Scheme Operational Requirements

The development of a Wind Farm at St Patricks Plains is determined by the provisions of the Tasmanian Planning Scheme – Central Highlands.

4.2 Purpose of the Zones

The Proposal is located predominately within the Rural Zone, but sections of the development involve the Utilities Zone and the Environmental Management Zone within the Scheme.

The purpose of the Rural Zone is set out at cl. 20.1 of the Scheme as:

- 20.1.1 - *To provide for a range of use or development in a rural location:*
 - (a) *where agricultural use is limited or marginal due to topographical, environmental or other site or regional characteristics;*
 - (b) *that requires a rural location for operational reasons;*
 - (c) *is compatible with agricultural use if occurring on agricultural land;*
 - (d) *minimises adverse impacts on surrounding uses.*
- 20.1.2 - *To minimise conversion of agricultural land for non-agricultural use.*
- 20.1.3 - *To ensure that use or development is of a scale and intensity that is appropriate for a rural location and does not compromise the function of surrounding settlements.*

The purpose of the Environmental Management Zone is set out at cl. 23.1 of the Scheme as:

- 23.1.1 - *To provide for the protection, conservation and management of land with significant ecological, scientific, cultural or scenic value.*
- 23.1.2 - *To allow for compatible use or development where it is consistent with:*
 - (a) *the protection, conservation and management of the values of the land; and*
 - (b) *applicable reserved land management objectives and objectives of reserve management plans.*

Additionally, the purpose of the Utilities Zone is set out at cl. 26.1 of the Scheme as:

- 26.1.1 - *To provide land for major utilities installations and corridors.*
- 26.1.2 - *To provide for other compatible uses where they do not adversely impact on the utility.*

In accordance with cl. 6.10 of the Scheme, in determining an application for a permit for a discretionary use regard must be given to the purpose of the applicable zone and any relevant desired future character statement (see cl. 6.10.2 (a) & (b)). However, there are no desired future character statements applicable to the St Patricks Plains area under the Scheme.

Regard is therefore given to the matters listed within the Zone Purpose Statements to provide context to applicable standards where the Performance Criteria requires context and clarity in interpreting the provision. They are not stand alone matters.

4.3 Classification & Assessment of Use Class

The site is currently livestock grazing which is agricultural use and classified as Resources Development, there is no proposal to stop this use occurring on the site as part of this development application (Figure 4.3a). The Planning Scheme does not specifically identify a use classification for wind turbines or wind farms.

In accordance with cl. 6.2.1, each proposed use or development must be categorised into one of the Use Classes in Table 6.2; however, “if a use or development does not readily fit any Use Class, it must be categorised into the most similar Use Class” (cl. 6.2.4).

In accordance with Use Class Table 6.2, the use classification that this proposal fits the proposal is “Utilities”, which is defined as:

use of land for utilities and infrastructure including:

- (b) electricity generation;*
- (c) transmitting ... or electricity;*

Examples include an electrical sub-station or powerline, ...

It is observed throughout the Scheme that there is a delineation between Utilities and Minor utilities. This proposal does not meet the requirement of minor utilities cited under cl. 3.1 of the Scheme.



Figure 4.3a - Looking east across St Patricks Plains, the transmission line towers can be seen in the background. At this location, the view would be looking at WTGs 29, 30, 32, & 31 as well at the turbines behind these. Location approx. 800m southeast from Waddaman Road & approx. 480m northeast Flagstaff Creek. (Image: T Henderson, 8 Sept 2023)

4.3.1 Zone Use Classification

In accordance with Use Class Table 20.2 Rural Zone, and Use Class Table 26.2 Utilities Zone, the use class *Utilities* is listed as a Permitted use class if not considered a minor utility.

As the Use Class Utilities is listed as Permitted under Use Class Table 20.2, the provisions within Rural Zone – cl. 20.3.1 Discretionary Use, are not applicable to the determination of this proposal.

Use Class Utilities is listed as Discretionary under Use Class Table 23.2 Environmental Management Zone: therefore, the matters within Environmental Management Zone - cl. 20.3.1 Discretionary Use need to be addressed.

With Utilities Use Class being permissible within all three zones, cl. 7.6.1 which deals with access and infrastructure crossing another zone is not applicable to the assessment of this application. As cl. 7.6.1 only applies if the use is prohibited in the zone that is being crossed, which is not the case at this site.

4.4 General Provisions

The General Provisions listed under Part 7 of the Scheme are not applicable to the determination of this proposal.

4.5 Zone Development & Work Standards

The Rural Zone, Environmental Management Zone, and Utilities Zone provides several provisions that govern the design and location of any development or works within a site.

Pursuant to cl. 3.1, the Scheme defines Building Height as:

“the vertical distance from natural ground level at any point to the uppermost part of a building directly above that point”.

Setback is defined by the Scheme as:

“the distance from any lot boundary to a building on the lot”.

The applicable provisions are:

4.5.1 Development Standards for Buildings & Works in Rural Zone

Two development standards are applicable to this proposal within the Rural Zone of the Tasmanian Planning Scheme – Central Highlands being Building Height and Setback. The Development Application relies on the Performance Criteria within both standards.

4.5.1.1 Building Height

The objective of cl. 20.4.1 is for the development to have a building height that:

- (a) is necessary for the operation of the use; and
- (b) minimises adverse impacts on adjoining properties.

The maximum building height is not more than 12m pursuant to Acceptable Solution cl. 20.4.1. The facilities sheds have a building height of 8m and 3.9m; therefore, comply with the Acceptable Solution.

The development includes 24 Avifauna optical mitigation technology – IDF cameras that are mounted on a pole 6m to 30m in height depending on site requirements.

The development includes two met masts that have a height of 150m, one located on Lot 100672/1, the other on Lot 156999/1.

There are 47 Wind Turbines proposed with a height of 231m as measured from the structural base to the tip of a blade at the high point of rotation. This height measurement is different from that provided by the scheme (cl. 3.1) which is to natural ground level; however, each site will be slightly different in that natural ground level may change by a few centimetres or a metre. Regardless, the height still exceeds the acceptable solution and the variation for each turbine site would be in reality visually negligible in terms of the structure's overall height.

Therefore, having regard to the matters listed under cl. 6.10.2 (a) the proposal relies on the Performance Criteria of cl. 20.4.1 P1, which states:

- P1** - Building height must be necessary for the operation of the use and not cause an unreasonable impact on adjoining properties, having regard to:
- (a) the proposed height of the building;
 - (b) the bulk and form of the building;
 - (c) the separation from existing uses on adjoining properties; and
 - (d) any buffers created by natural or other features.

The test of the standard is whether the structure's height is necessary for the operational use and that at the specified location of the development, the structure's height will not cause an unreasonable impact on adjoining properties.

As indicated in the Supporting Planning Report²⁰, the height of the structure is considered necessary to "efficiently harness wind resources for the purpose of generating up to 300 MW of electricity" so the height is at a scale to take advantage of the resource and operate safely. Shorter Wind Turbines would require more turbines increasing the overall impact of the project.

Technical matters on the structures' specific height are not the principal matter for the Planning Authority to determine but for the Applicant to deduce prior and consider if appropriate. Having so determined the technical need for the size and scale as indicated above, the Applicant, has made a development application for the proposed site and with a turbine design at a height that will best meet the technical operational requirements for the area. That is, the Proponent has demonstrated that there is a need for the height; therefore, the first part of the standard's test is met.

²⁰ ERA (8 Mar 2023) *Supporting Planning Report*. p.28.

The assessment therefore focuses on the second part of the test, whether a structure at the set height required for this particular project and site will not cause an “unreasonable impact on adjoining properties”.

Although not defined by the Scheme, ‘unreasonable impact’ has been held to be a loss that is ‘immoderate’ or ‘exorbitant’²¹. That is, to what extent will the proposal impact on the adjoining property considered to be to an extent that is unrestrained or excessive. It is acknowledged that this sets a high bar, but context is provided by the requirement to have regard to the four listed matters under the Performance Criteria²².

In terms of the provision, regard for the four listed matters is only taken into consideration in that the structure’s height will not cause an unreasonable impact on adjoining properties.

The use of the term “adjoining properties” is noted. In accordance with the Scheme’s Table 3.1 Planning Terms and Definitions (cl. 3.1) adjoining is defined to mean, “next to, or having a common boundary”.

Adjoining is therefore a restrictive term that requires a physical connection.

The pertinent text in respect of adjoining is the use of “or” between “*next to*” and “*having a common boundary*”. The interpretation of “and” and “or” in interpreting statutes is well understood – ‘and’ denotes conjunctive and the word ‘or’ a disjunctive meaning. In short, ‘and’ means both must exist for the definition to be satisfied, whereas ‘or’ denotes two separate requirements or considerations – with only one needing to be satisfied for the definition to apply. Therefore, adjoining only requires that the property, lot etc in question has a physical boundary or be next to – although in most cases it will satisfy both requirements. It does not consider surrounding properties within the broader landscape.

While ‘*adjoining*’ is defined in the Scheme, “*properties*” is not defined. Whilst Lot is defined as, “*a piece or parcel of land where there is only one title other than a lot within the meaning of the Strata Titles Act 1998*” (cl. 3.1).

It has long been accepted planning convention for statutory interpretation that where a Scheme could have used the same word but chose to adopt different terminology, the intention was that they should have a separate meaning. Therefore, the use of the term “*properties*” instead of “*Lot*” could indicate that properties is more encompassing: entire farm boundaries.

It will assist to briefly consider the distinction between the term “property” and a certificate of title Lot. The term property in the context of the Scheme is generic, referring to a thing or collection of things that belong to someone singularly or collectively: in the Scheme’s case, land.

An area of land maybe assigned a PID, a unique Property Identification number relating to a current rateable property. Property information is maintained against the PID in the VISTAS valuation property database. The PID is largely used for ascertaining rates and land valuation. It can be made up of several certificate of titles and those titles can be readily sold or purchased independently of the PID, or the property name altering. Further, a certificate of title can be included or removed from a PID by application without going through a public process. Therefore, any boundary of a PID to delineate a property is not finite and can be

²¹ *Dunn v Central Coast Council and PLA Designs [2018] TASRMPAT 27* at [49], citing the *Macquarie Dictionary*.

²² It is noted that these factors associated with the term, “having regard to” all of the following, are for a Planning Authority to consider in determining whether the application complies with the Performance Criteria’s test, they are not themselves mandatory requirement that the proposal *must* satisfy or comply with but may be considered in context with the standard’s test: *Craig Webb Pty Ltd v Launceston City Council [2023] TASCAT 108* at [22]; *C & H Margetts v Burnie City Council [2017] TASRMPAT 18* at [91] to [92].

varied easily. It is merely used as a method of grouping titles for the purpose of valuation and rates. This issue also applies to a property’s name or road number that has no legislative correlation to the boundaries.

On the other hand, a Certificate of Title in Tasmania is an official document issued by the Land Titles Office that serves as evidence of a person's ownership of land or property. The title boundaries of a property can only be varied by more limited legislative methods such as subdivision or adhesion. As such, whilst the standard refers to “properties” it is interpreted that it is referring to Lot as defined under cl. 3.1 of the Scheme.

In the context of cl. 20.4.1 P1, “properties” should be given the same meaning as “Lot” because of the preceding word “adjoining” – which seeks to regulate offsite impacts to properties that share a common boundary with the following lots:

- 156999/1,
- 182190/1,
- 126983/1,
- 241119/1, &
- 148905/2.

Which is visually seen within Figure 4.5a below.

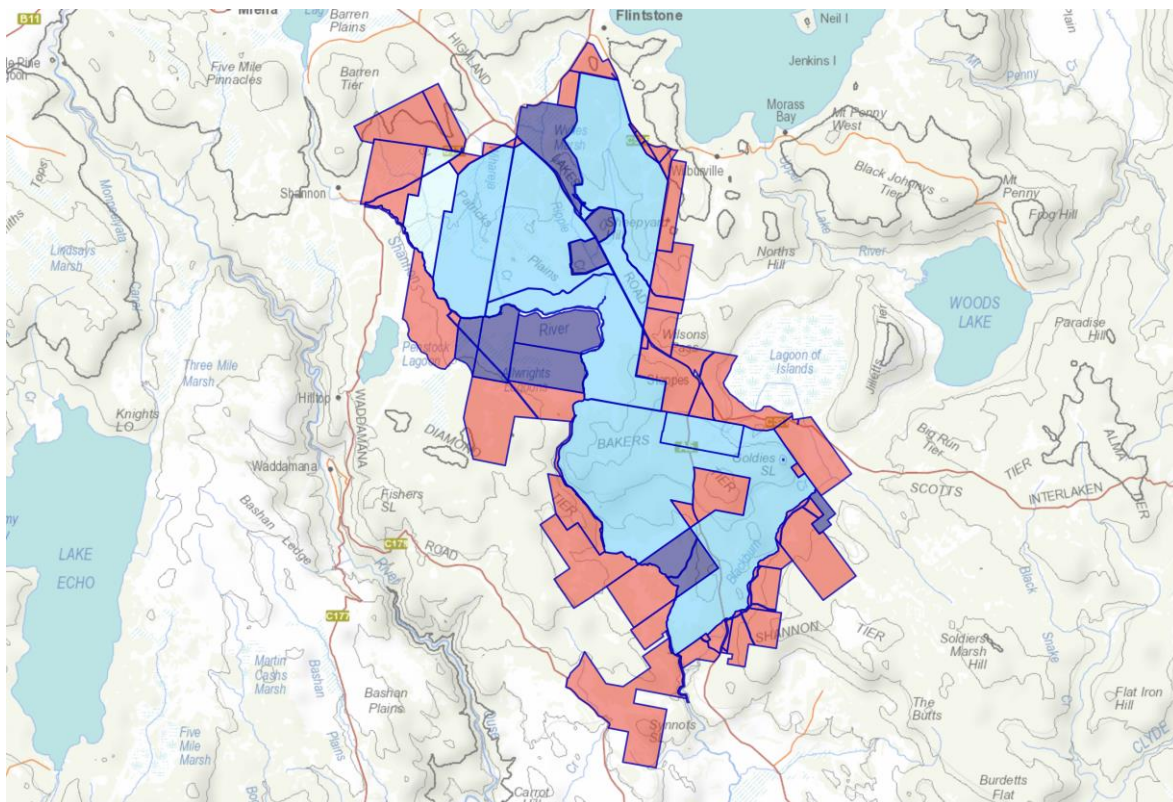


Figure 4.5a – Mapped adjoining properties. All of the blue lots are associated with the development proposal, with Wind Turbines only proposed on the sky-blue lots. Dark blue indicates Lots that are included in the development site but with no Wind Turbines. The red lots share a common boundary with a lot that has a Wind Turbine. The light blue lot CT: 100672/1 has not WTG but does have a Met Mast. (Source: State LIST Mapping)

In relation to the four listed matters of sub-clause (a) to (d) of cl. 20.4.1 P1, it is a well-accepted planning principle that regard can be had to an acceptable standard applying to a development site to provide context for the consideration of an effect on the amenity of adjoining sites²³. However, in the context of this project the acceptable solution height of 12m is evidently not a suitable height for the operational needs.

Additionally, the standard does not refer to terms such as: adjacent or surrounding landscape, rural area, region, or similar terms that imply the larger rural landscape area in scope than the land that adjoins the site. In contrast, neither does the standard refer to items or matters such as: sensitive use, dwellings, amenity, visual impact or similar.

To reiterate, the test that is applicable is whether the height of the Wind Turbines will cause an unrepresentable impact on the land that shares a common boundary with the five abovementioned Lots, having regard to:

- (a) *the proposed height of the wind turbine,*
- (b) *the bulk and form of the wind turbine,*
- (c) *the separation from existing uses on adjoining properties, and*
- (d) *any buffers created by natural or other features.*

It is observed that the two Meteorological Masts and the many of the Avifauna optical mitigation technology poles exceed the Acceptable Solution Height. However, the Masts are essentially replacing two existing Masts, and both types of structures are thin and passive enough to be inconsequential in relation to the proposed wind turbines so that they are not the core focus of concern against the Standard.

Having regard to the Rural Zone Purpose Statements, a variety of use or development is encouraged within the rural location provided it does not compromise agricultural land and the ability for agricultural use to occur on that land.

In regard to ZPS 20.1.3, the development is of a size that does not compromise the function of surrounding settlements. In this context the function of a surrounding settlement is interpreted to be the role or purpose a particular settlement has within a greater hierarchy of settlements servicing the region, as detailed within the *Southern Tasmanian Regional Land Use Strategy 2010-2035*. An example may be the establishment of a commercial activity that compromises the viability of a nearby town's commercial precinct. However, in the context of cl. 20.4.1. P1, this ZPS is not relevant to the adjoining land.

In regard to ZPS 20.1.3, the Scheme defines (cl. 3.1) agricultural land as:

...all land that is in agricultural use, or has the potential for agricultural use, that has not been zoned or developed for another use or would not be unduly restricted for agricultural use by its size, shape and proximity to adjoining non-agricultural uses.

The same provision (cl. 3.1) defines agricultural use as:

...use of the land for propagating, cultivating or harvesting plants or for keeping and breeding of animals, excluding domestic animals and pets. It includes the handling, packing or storing of plant and animal produce for dispatch to processors. It includes controlled environment agriculture and plantation forestry.

As previously established, for the most part the land is used for seasonal grazing of livestock, though forestry activities also occur, primarily in the southern sectors of the site. Whilst parts

²³ *R Boland v Clarence City Council [2021] TASFC 5.*

of the Private Timber Reserves are to be revoked, the remaining land has the potential to still operate as a forestry use (subject to the applicable forest practice plan).

Although the land is zoned Rural, it is not considered prime agricultural land (class 1, 2, or 3) having only limited to marginal agricultural value, being Class 6 Land. Whilst individual pasture improvements may occur, this is unlikely to extend to cropping or similar intensive agricultural use on a regular seasonal commercial basis.

A number of the locations are positioned where there is no capacity for either grazing, cropping or other agricultural use due to the topographical characteristic of the site (see Figure 4.5b). Whilst the base of the turbines consists of a hard stand, there is no reason why livestock cannot graze remaining pasture or similar surrounding the site. Therefore, the height of the Wind Turbines has no adverse impact on ZPS 20.1.1 of the Scheme.

The matters listed under sub-clause (a) and (b) relating to proposed height of the wind turbine and the bulk and form of the wind turbine are read together, and are governed by the function of the structure. As established, the height has been justified by the Applicant as being required to facilitate the rotation of 80m long blades that provide a rotor diameter of 162m, resulting in the necessity of the hub height (the main pole/tower) being 150m. A reduction in size would apparently require additional wind turbines²⁴.



Figure 4.5b – Location WT01 looking south. The site is zoned Rural but is not agricultural land. (Image: T Henderson, 8 Sept 2023)

²⁴ ERA (8 Mar 2023) *Supporting Planning Report*. p.28.

Sub-clause (c) requires “the separation from existing uses on adjoining properties”, ZPS 20.1.1 requires development to be compatible with agricultural use. As previously established the principal agricultural use on adjoining properties associated with this site is grazing with some forestry, and natural values management. There is no indication that these uses would be hampered by the height of the structures specifically.

It is noted that ZPS 20.1.1 (d) provides for a range of use or development as long as it minimises adverse impact on surrounding uses. It is therefore recognised that a number of the adjoining properties include a residential dwelling. The size and scale of the development site results in there being considerable distance between a Wind Turbine and a sensitive use, or dwelling: the closest distance being 1,283m from Wind Turbine no.68²⁵ (Figure 4.5c).

A potential impact on use on adjoining properties caused by the structure’s height is that of shadow flicker. Shadow flicker is the shadow movement that is the result of the blades rotation. Its impact on a position depends on the angle of the sun and the proximity to the structure: closer to the structure when the sun is low in the sky the greater the potential impact. For a residential dwelling there is the potential for an annoyance or nuisance to be established. Additionally, there is the potential for blade glint occurring from the rotation of the blades.



Figure 4.5c - The location of the northern most WTG no.68, which is also the site closest to a dwelling not part of the properties associated with the development. (Image: T. Henderson 8 Sept 2023)

A “Shadow Flicker Assessment” has been undertaken by *Epuron Projects Pty Ltd* (EIS – Appendix I), which addresses these issues.

Of the sixty (60) dwellings within 5km of the Wind Farm, seventeen (17) were identified as potentially being exposed to shadow flicker effect. Out of the 17, “five dwellings belong to wind

²⁵ Ibid, p.29.

farm host landowners or landowners who have entered into a formal agreement with the Proponent, and twelve are neighbour dwellings²⁶. In the context of cl. 20.4.1 P1, it is only the dwellings on a Lot that adjoins or shares a common boundary with the Lot that has a Wind Turbine that is relevant to the assessment of the standard.

The adjoining property of concern is 344 Arthurs Lake Rd, Arthurs Lake (CT: 45765/3), which is the closet dwelling to a WTGs. Whilst the dwelling has a setback of 1,283m to WTG no.68, the shadow length reaches to within 50m of the sensitive use.

It is noted that there are no provisions within the Scheme that address Shadow Flicker, nor are there any guidelines within Tasmania: although, it is acknowledged that draft national guidelines are being prepared. These matters could be considered an annoyance, having the potential to be an environmental nuisance or establish environmental harm as is described in the *Environmental Management and Pollution Control Act 1994*, as defined by cl. 3.1 of the Scheme. Such matters would be assumed addressed within the standards of the Attenuation Code C.9 of the Scheme: they have not been addressed by the EPA.

Regardless, the test for cl. 20.4.1 P1 is whether shadow rotation at 50m setback to the dwelling creates an unreasonable impact on the adjoining property: that is, considered to be an extent that is unrestrained or excessive.

The assessment ascertained that the shadow flicker duration within 50m remains slightly above the recommended limit of 10 hours per year, in accordance with draft National Guidelines. The Proponent has proposed mitigation measures that include additional tree screening – the site is already screened to an extent by trees – and installation of industrial curtains or blinds²⁷.

As the shadow does not reach the dwelling on the adjoining property, it is considered that the impact is not unreasonable, given that the draft National Guidelines are not incorporated as part of the Tasmanian Planning Scheme – Central Highlands.

Documentation on Shadow Flicker has not referenced the impact on Highland Lake Road, which shares a property boundary with several of the Lots that have Wind Turbines. Blade glint is considered not to be an issue due to use of nonreflective materials and colours as part of the structure, which should be a condition of any Planning Permit issued.

Whilst the Scenic Impact Assessment may consider the movement of shadows as a point of interest for someone travelling along the road, the movement of a large shadow might startle a surprised driver. However, the actual impact would be no different to driving through the wooded area, with overhanging vegetation shading a carriageway. Therefore, pursuant to cl. 20.4.1 P1, the structures' height regarding shadow flicker on the Highland Lakes Road is not an unreasonable impact. Signage warning motorists prior to entering the area would be advisable.

Matters associated with Shadow Flicker for properties beyond those that adjoin a boundary are not applicable to the assessment of cl. 20.4.1 P1 and, whilst they may be considered under the Attenuation Code as the project is a Level 2 Application, it is exempt from the TPS.

As previously explored, the visual impact has been raised by multiple representations; however, there is a long-established planning principal that views are not a right, unless the applicable standards reference views in some form. As previously noted, neither the wording of cl. 20.4.1 objective or standards reference views or amenity, nor is there any reference

²⁶ Epuron Projects (May 2022) *Shadow Flicker Assessment*, p.2.

²⁷ *Ibid*, p.11.

within the zone purpose statements. Focus is on the potential impact on the use or activity that is occurring on the adjoining property, by the height of the structure. Natural features are raised as possible screens or buffers, not in terms of maintaining sightlines.

Concerns raised in representations that the Wind Turbines can be seen from the Tasmanian World Heritage Area or may impact on aviation or aerial fire fighting activities are not relevant matters under cl. 20.4.1 P1 of the Scheme.

Therefore, the principal test under cl. 20.4.1 P1 is whether the structures' required height will unreasonably impact the use of the property that shares a common boundary. As explored by this report, the height will not prevent the land being purposed for agricultural use as currently occurs on the site. As the potential impact on the dwelling has been demonstrated to be not considered unreasonable, there are no grounds under cl. 20.4.1 P1 to refuse the application.

Whilst it may be debated that a structure exceeding the acceptable solution by 219m above ground level was not the intent of the provision, and as pointed out by four representations not suitable for assessing Wind Turbines, this is not the test of the standard that is before the Planning Authority.

4.5.1.2 Setbacks

Clause 20.4.2 has the objective "that the siting of buildings minimises potential conflict with use on adjoining sites". It is reminded that the definition of site refers to Lot as defined by the cl. 3.1 of the Scheme, and that this site includes multiple Lots.

The Acceptable Solution cl. 20.4.2 A1, buildings must have a setback from all boundaries of no less than 5m or if the setback of an existing building is within 5m, not less than the existing building.

The ERA's Supporting Planning Report on Page 30 provides the following statement:

The proposed substation and operations facilities are over 200 m from the nearest boundary.

All buildings are more than 50 m from the external boundaries of the Project site. The closest structure to the external boundary of the Project site are:

- the met mast located between WTG 9 and 13 at the northern end of the Project site which has a setback of approximately 70 metres from the nearest guy rope; and
- WTG no. 8 which has a setback of 152 metres from the tower to the nearest external boundary or 71m from the edge of the blade tip.

A number of buildings are however either close to or overhanging the internal property boundaries of CT 100672/1 and CT 156991. These are

- The met mast to the west of WTG No. 32.
- WTG No. 30 which would have blade overhang.
- WTG No. 29 which would have blade overhang.

The acceptable solution is therefore not satisfied, even those these are titles under the same land ownership.

Therefore, the development application relies on the Performance Criteria of cl. 20.4.2 P1 which states:

P2 - Buildings must be sited to provide adequate vehicle access and not cause an unreasonable impact on existing use on adjoining properties,

There is no impact on the vehicle access, nor is there an unreasonable impact on the adjoining property that is in the same ownership, having regard to the four listed matters under cl. 20.4.2 P1. However, whilst this boundary may not be an “external Project site boundaries”²⁸ as justified by Supporting Report, it is a Lot boundary.

As established previously addressing cl. 20.4.1, the provision is assessing the impact on the land associated with the adjoining land that is sharing a common boundary, not an external property boundary.

If the proposal is approved, it would be advisable that the boundary was adjusted pursuant to Part 7 – cl. 7.3.1 of the Scheme to avoid a structure overhanging the title boundary and potentially complicating matters at a future date; however, this is not a fundamental requirement of the project to proceed. The proposal is otherwise consistent with the intent of the provision.

4.5.2 Development Standards for Buildings & Works in EMZ

A section of Ripple Creek is zoned Environmental Management (EMZ). The proposal intends to cross the creek to provide internal access to the southern sector of the site and run services along this route.

There appears to be an historic track mapped on the State’s Topographic Maps that crosses Ripple Creek just upstream from the end of the mapped EMZ area; however, this track appears to be more of a stock route. Therefore, works at this point are considered to be new development.

As the project is a Level 2 Activity, matters associated with the environmental values are addressed under the Natural Assets Code and subsequently assessed by the EPA. Therefore, the standards as listed under the Environmental Management Zone are not applicable.

4.5.3 Development Standards for Buildings and Works in Utilities Zone

The Utilities Zone applies to the land along the Highland Lakes Road, with the only works and development proposed within this space the construction of new access points, as well as upgrading existing accesses. These activities are associated with a Permitted Use Class under Table 26.2 within the zone: there are no applicable standards for vehicle crossovers within the zone provisions.

²⁸ ERA (8 Mar 2023) *Supporting Planning Report*. p.31.

5 Code Requirements

For matters that transcend specific zones, the Planning Scheme addresses these via a Code, either in the form of a development code or a mapped overlay. Whilst there are several codes that apply to the mapped site, the extent to which they are significant to a specific development application varies according to the final design and the intensity or type of use and the provisions of the Code, or whether Council as the Planning Authority has jurisdiction on the matter pursuant to Section 25(2)(f) or 25(8)(b) of the EMPCA.

5.1 Signs Code

Pursuant to the requirements of Clause C1.2.1 the Signage Code is not applicable to the proposed development.

5.2 Parking & Sustainable Transport Code

Pursuant to Clause C2.2.1 this Code applies to all use and development. Pursuant to the Clause C2.5.1 Car Parking Numbers there is no specified parking space number required for Utilities Use under Table C2.1 Parking space Requirements.

Regardless, documentation has been provided that demonstrates a service vehicle space is provided at the base of each turbine and in the form of Preliminary Access Plans and Details that indicate the footprint of all works associated with the proposal and how the vehicle movement is to be managed throughout the site.

However, it is noted that whilst documentation has been provided that relate to the access plans, details have not been provided on the specific layout of the site. This was a specific concern for several representations. Documentation submitted has conceptually demonstrated that the internal access route can work without the cost of Civil Engineering Plans being prepared. However, prior to works occurring those Civil Design Plans will need to be prepared in accordance with not only relevant Australian Standards, but also the conditions that have been provided by the EPA in regards to avoidance of ecological sensitive locations, measures to manage stormwater and water quality, erosion and sediment control as well as ongoing management issues such as dust suppression.

It is also advisable that the final Civil Design Plans are prepared with the consultation of Aboriginal Heritage Tasmania to consider any potential sites of significance as pursuant of the *Aboriginal Heritage Act 1975*.

5.3 Road & Railway Assets Code

Pursuant to Clause C3.2.1 this Code applies to the assessment of this proposal.

A *Traffic Impact Assessment* has been undertaken by Hubble Traffic and along with drawings prepared as part of *St Patricks Plains Wind Farm Preliminary Access Plans and Details 4 Aug 2022* there is sufficient information to assess the provisions of this Code.

5.4 Electricity Transmission Infrastructure Protection Code

As referenced within the Supporting Planning Report the site is bisected by the Electricity Transmission Infrastructure Corridor. Works in the corridor, including in the inner protection area, include an internal access road, access from Highland Lakes Road, and the new switchyard; therefore, the Code applies pursuant to Clause C4.2.1

As no exemption provision under clause C4.4.1 applies to the application, the Project requires assessment against the code.

It is also advised that Hydro Tasmania was notified of the application during public exhibition period as an organisation with a potential interest.

5.5 Telecommunication Code

Pursuant to Clause C5.2 of the Scheme, this Code is not applicable to this proposal.

5.6 Local Historic Heritage Code

Pursuant to Clause C6.2 of the Scheme, this Code is not applicable to this proposal, as there is no local heritage place, precinct, historic landscape precinct or site of archaeological potential, listed within the Tasmanian Planning Scheme - Central Highlands LPS: CHI-Code List applicable to the St Patricks Plains area and within the development site.

There are two State Heritage Registered sites within the vicinity of the project site, being Great Lake Scheme (THR No. 11943) and Steppes Hall (THR No.10174). Pursuant to Clause C6.2.3 this code does not apply to a registered place on the Tasmanian Heritage Register. Heritage Tasmania was notified of the development application and raised no concerns with the project.

Several representations were made opposing the development on cultural heritage grounds, specifically Aboriginal heritage associated with the site. There is no question that St Patricks Plains plays a significant role within Aboriginal heritage; however, that is not within the jurisdiction of this Code.

Representation No.130 provided a detailed report on the historic significance of the St Patricks Plans and detailing how the landscape should be considered a cultural landscape, criticising the Scheme for not having any heritage provisions relating to the site and heritage not being considered within the EIS. The submission suggests that being a cultural landscape it presents the *Australian ICOMOS Burra Charter* as the principal guide to heritage conservation in Australia as a solution to addressing the lack of heritage provisions.

The Burra Charter is internationally a highly regarded set of guidelines on how to analyse and manage cultural heritage; however, they are only guidelines. Unless the Scheme replicates the approach, principles, methodology, or indeed the terms of the Burra Charter, assessment must give way to the applicable standards of the Scheme²⁹. Whilst the site may have attributes of a cultural landscape, it is not listed within the provisions of the Scheme; therefore, such matters are not taken into consideration in the determination of the project.

²⁹ *Sunset Rock Investments Pty Ltd v Hobart City Council and CNC Management Pty Ltd (77/15P)*, *JK Tasmania Hobart Pty Ltd v Hobart City Council and CNC Management Pty Ltd (78/15P) [2016] TASRMPAT 1 [212-213]*

5.7 Natural Assets Code C7

Assessment of Natural Assets Code

Although Clause C7.2.1 triggers the application of the Natural Assets Code, as the development is associated with a level 2 activity under the *Environmental Management and Pollution Control Act 1994* the development application is exempt from the code pursuant to clause C7.4.1(b).

Therefore, matters listed under Clause C7.1.1 of the Code are not within the jurisdiction of Council to determine or condition and are addressed by the assessment of the EPA.

Most of the concern within the representations related to matters associated with the Natural Assets Code, subsequently addressed by the EPA. These include:

- Impact to Avifauna during construction and operation
- Impact on the Tasmanian Wedge-tailed eagle (TWtE) *Aquila audax fleayi*
- Too close to Cattle Hill Wind Farm and impact on TWtE
- Inability for proposed *Identiflight System* to protect TWtE
- Buffer distances for nesting vs disturbance not adequate for Wind Farms
- Negative impact on other bird species
- Impact on other fauna species, Ptunarra Brown Butterfly *Oreixenica ptunarra*, Meina Jewel Beetle *Castiarina insculpta*, Tasmanian Devil *Sarcophilus harrisii*, plus multiple others.
- Impact on Miena Cider Gum *Eucalyptus gunii subsp. Divaricata*.

These matters and associated issues under the Natural Assets Code, are not within the jurisdiction for the Planning Authority to consider.

5.8 Scenic Protection Code C8

Pursuant to Clause C8.2.1 the Scenic Protection Code only applies to land that is subject to either the scenic protection area overlay or scenic road corridor as it is mapped on Rural or Environmental Management Zoned land. However, neither the Tasmanian Planning Scheme - Central Highlands or the Central Highlands Local Provisions Schedule have either the scenic protection area overlay, or scenic road corridor mapped within their provisions.

As there are no mapped scenic protection area or scenic road corridor overlay as defined under Clause C8.3.1 of the Scheme, the Scenic Protection Code does not apply to the determination of this development application.

It is observed that documentation has been submitted addressing visual impact matters; however, the following documents have been submitted:

- *St Patricks Plains Wind Farm EIS Appendix Ha - Visual Impact Assessment Vol 1*
- *St Patricks Plains Wind Farm EIS Appendix Hb - Visual Impact Assessment Vol 2*

The following concerns were raised within the representations in opposition to the project:

- Reduction in tourism due to impact on visual amenity
- Visual impact on the scenic values of the Central Highlands
- Insufficient mitigation measures proposed for visual impact
- Visual impact on Tasmanian World Heritage Area
- Unacceptable visual amenity impact on fly fishing activities including Penstock Lagoon, Arthurs Lake, and Great Lake

Criticism extended to the fact that the Planning Scheme does not have either a Scenic Landscape Area or Corridor Overlay. Like the lack of heritage provisions, this criticism is a fair concern as it frustrates the ability to assess a project in its entirety; however, it is something that needed to be addressed during community consultation of the Planning Scheme. The inclusion of such provisions may have been beyond the capability or scope of the Planning Authority at the time, for which community consultation may have assisted the process. Now is not the time to introduce such standards and policy provisions when a Proponent has undertaken the work to prepare a proposal in accordance with the applicable standard.

Matters associated with visual impact derived by the Wind Turbines within the Tasmanian Planning Scheme - Central Highlands are governed in relation to applicable standards regarding height and setback for the zone.

5.9 Attenuation Code E.9

Pursuant to Clause C9.2.1 the wind turbines are a listed Activity under Table C9.1 Attenuation Distances; therefore, the Attenuation Code applies to wind energy facilities. However, the development is a Level 2 Activity under EMPCA and is subsequently exempt from the determination of the Planning Authority pursuant to Clause C9.4.1(a).

Matters raised within the representations included the following concerns:

- Impact from noise and cumulative effect with Cattle Hill Wind Farm
- Noise impact on surrounding settlements, Penstock Lagoon, Wilburville, Shannon, Flintstone,
- Safety of storage and handling of explosives for blasting.

Due to cl. C9.2.1 exempting Level 2 Activity Projects, then the associated matters are determined by the EPA, pursuant to Section 25(2)(f) and Section 25 (8A) of the EMPCA and are no longer under the jurisdiction of the Planning Authority.

5.10 Coastal Erosion Hazard Code

Pursuant to cl. C10.2 this Code is not applicable to the proposed development.

5.11 Coastal Inundation Hazard Code

Pursuant to cl. C11.2 this Code is not applicable to the proposed development.

5.12 Flood-Prone Areas Hazard Code

Although sections of the properties involved with the proposed development are mapped as being potentially flood-prone, the location of the development and works are clear of this area.

5.13 Bushfire-Prone Areas Code

Pursuant to Clause C13.2 this Code is not applicable to the proposed development, as it does not involve a subdivision, or a use class that is either listed as vulnerable or hazardous under Clause 13.3 Definition of Terms under the Code.

As indicated within the Supporting Planning Submission, the quantity of hazardous materials stored at the workshop site are not considered to exceed manifest quantity to be stored on site.

The EPA have addressed this under Conditions H1, H2, and H3; therefore, it is not an applicable matter for the Planning Authority.

5.14 Potentially Contaminated Land Code

Pursuant to Clause C14.2 this Code is not applicable to the proposed development.

5.15 Landslip Hazard Code

Several sites are within the mapped landslip hazard risk overlay. A Reconnaissance Landslide Hazard Risk Assessment was completed by Bill Cromer and is sufficient documentation to assess the proposal. This report demonstrates and states (p.13) that the risks to the towers are “Low to Very Low range at all sites”³⁰. The proposed sites are consistent with provisions of the Code.

Recommendations will need to be considered and demonstrated within the final construction plans.

5.16 Safeguarding of Airports Code

Pursuant to Clause C16.2.1 this clause only applies to a sensitive use within an airport noise exposure area and development located within an airport obstacle limitation area.

The proposal does not include a sensitive use and is not located within an airport obstacle limitation area; therefore, the provisions of this Code are not applicable to the determination of the project.

Whilst representations were received on this matter, aviation issues are outside of the Planning Authority jurisdiction.

6 Specific Area Plans

There are no Specific Area Plans listed within the Tasmanian Planning Scheme – Central Highlands that are applicable to this location.

³⁰ Cromer, W. C. (2022). *Reconnaissance landslide risk assessment, proposed wind farm towers, Central Highlands, Tasmania*, p.13.

7 Conclusion

The development application described as a “new wind farm and associated infrastructure and facilities” is proposed within the area known as the Steppes and St Patricks Plains. That area covers approximately 10,000 hectares; however, it is important to note this is not the footprint of the area of disturbance, though the footprint associated with the scale of the proposed development is not inconsequential.

The project is for 47 Wind Turbine Generators (WTGs) with a height of 231m above the ground level and the capacity to generate 300MW for the National Electricity Market (NEM) via the existing TasNetworks transmission lines that run through the site. As detailed within the supporting Social & Economic Impact Assessment by SGS Economics & Planning, the development lists several economic and social benefits to the Central Highlands Region and Tasmania, from significant financial spending to an influx of population growth during the period of construction. However, whilst these are significant considerations justifying the site being chosen and the potential benefit to the region’s economy, these do not relate to applicable standards to assess the development application.

As the project is classified a scheduled Level 2 Activity under the provisions of the Environmental Management and Pollution Control Act 1994, many matters associated with the assessment against the Tasmanian Planning Scheme – Central Highlands are essentially overruled and assessed by the Environment Protection Authority Tasmania (EPA) and consequently are outside the jurisdiction of local government’s role as the Planning Authority, pursuant to Section 25(2)(f) and Section 25 (8A) of the EMPCA.

Whilst it may be considered that there is a lack of clarity in some provisions, to the point of lack of standards on matters of cultural heritage and scenic landscape, guidelines that are not referred or cited by the Scheme do not become replacement standards. Taking into consideration the Permit Conditions issued by the EPA, the Planning Authority’s position is to assess the development application as presented for the site applied for against the applicable standards of the Tasmanian Planning Scheme – Central Highlands.

Accordingly, I am of the opinion that there are no grounds for the Central Highlands Council in its capacity as the Planning Authority to refuse the development application DA-2023-34 for a Wind Farm at St Patricks Plains and Steppes, under applicable standards of the Tasmanian Planning Scheme – Central Highlands.

RESOLUTION: 02/07.2024/SC**Moved:** Deputy Mayor J Allwright**Seconded:** Cr J Hall

THAT, in accordance with the provisions of the Tasmanian Planning Scheme – *Central Highlands* and section 57 of the *Land Use Planning & Approvals Act 1993*, Council APPROVE the Development Application (DA2023/34) for Wind Farm Development (47 Wind Turbines), associated infrastructure & facilities at land described as The Steppes and St Patricks Plains and that a permit be issued with the following conditions:

**PERMIT PART A
CONDITIONS**

General

1. The use or development must be substantially in accordance with the documents and drawings that comprise the Development Application No. DA 2023/34, except where modified below.
2. The use and/or development must comply with the conditions contained in Schedule 2 of Permit Part B, Permit Conditions - Environmental No. 10201, as attached to this permit, dated 2 July 2024, which the Board of the Environment Protection Authority has required the Planning Authority to include in this permit, pursuant to Section 25(5) of the *Environmental Management and Pollution Control Act 1994*.
3. 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*.
4. This permit allows for up to forty-seven (47) wind turbine generators that each have a maximum height of up to 231 m.

The height of a wind turbine generator is measured from natural ground level at the base of each tower of the wind turbine generator to the blade tip at its highest point.

5. The wind energy facility must meet the following requirements:
 - (i) The wind energy facility must comprise no more than 47 wind turbines.
 - (ii) the wind generators must contain lightning protection.
6. The wind generator towers, nacelles and rotor blades must be 'off white' and must be of a non-reflective finish to the satisfaction of the General Manager.
7. Blade shadow flicker from the wind energy facility must not exceed 30 hours per annum at any dwelling existing **off-site**. The operation of the wind energy facility is not required to comply with this condition at any dwelling on land on which part of the wind energy facility is erected. This exemption will be given effect through an agreement with the landowner that shall apply to any occupant of the dwelling.

Lighting

8. Except in the case of an emergency, no external lighting of infrastructure associated with the wind energy facility, other than low level security lighting or aviation safety lighting may be installed or operated without the further written consent of the General Manager.

Covenants

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

Traffic Management Plan

10. Prior to the development commencing a Pre-Construction Traffic Management Plan is to be submitted to Council for approval by the Department of State Growth and Council's Manager Works and Service. The Traffic Management Plan is to include:
 - An assessment from an Independent Engineer acceptable to the Central Highlands Council and the applicant of the condition and wear of roads, bridge and weir structures for transportation routes,
 - Details of any road closures,
 - Management of upgrades to infrastructure,
 - Traffic sign removal and reinstatement,
 - Speed limits, transport times and other restrictions during transport,
 - Management for the use of escorts for over-dimensional vehicles,
 - A public contact plan,
 - Procedures for incident management,
 - Details of permits required;
 - A maintenance program for affected roads; and
 - During construction the roads shall be maintained to their pre-construction standard to the Council's Manager Works and Service satisfaction.
11. The Design Report, Construction Environmental Management Plan, and Operational Environmental Management Plan, as required by the EPA, and/or outlined in the Development Proposal and Environmental Management Plan submitted with the application are to be submitted to Council's Manager Works and Service for approval prior to the commencement of works.

Roadworks

12. The internal access roads and areas set-aside for parking and associated access and turning must be designed, constructed and maintained to avoid dust or mud generation, erosion and sediment transfer off site or de-stabilisation of the soil on site or on adjacent properties to the standard required by Council's Manager Works and Service.
13. The developer must pay the cost of any alterations, damages and/or reinstatement to Road Authority's Road assets, Council infrastructure, existing services or private property incurred as a result of the development. Any work required is to be to Road Authority or Council's specifications and undertaken by the authority concerned.
14. Upon practical completion the developer in conjunction with Road Authority must undertake a post construction condition assessment of roads, bridge and weir structures for transportation routes for submission to Council's Manager Works and Service. Any damage or wear and tear, which may be attributed to the development is to be made good at the developer's expense to the satisfaction of the Council's Manager Works and Service. A minimum of 200 tonnes per KLM at the end of project would be needed to meet this condition that the gravel be an acceptable size and standard to the Central Highlands Council.

Engineering drawings

15. Prior to the commencement of works, engineering design drawings prepared by a suitably qualified person, must be submitted for approval by Council's Manager Works and Service. Engineering design drawings must be incorporate the requirements and conditions contained in Schedule 2 of Permit Part B, Permit Conditions - Environmental No. 10201 as attached to this permit, dated 2 July 2024, which the Board of the Environment Protection Authority has required the Planning Authority to include in this permit, pursuant to Section 25(5) of the *Environmental Management and Pollution Control Act 1994*.

The drawings must be prepared in accordance with *Australian Standard AS1100* and show;

- a. All road works and accesses required by this permit;
- b. All existing and proposed services required or associated with this permit;
- c. All storm water management and disposal works demonstrating how storm water from all new hard surfaces and access tracks will be disposed;
- d. All proposed stormwater treatment including water sensitive urban design
- e. Sight distance at road junctions and accesses demonstrating compliance with the minimum requirements of the road authority;
- f. All vegetation to be retained and removed;
- g. Cut, fill and retaining walls
- h. All other work required by this permit.

The final layout and footprint of works should be determined with the consultation of Aboriginal Heritage Tasmania to minimise the risk of disturbance on a site recognised by the *Aboriginal Heritage Act 1975*.

The engineering plans and specifications must be prepared and certified by a professional Civil Engineer approved by Council's Manager Works and Service. The engineer must supervise the construction works.

16. Approved Engineering Plans will remain valid for a period of 2 years from the original date of approval.

ADVICE NOTES

The following advice applies to this permit:

- A. 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.
- B. The issue of this permit does not ensure compliance with the provisions of the *Aboriginal Heritage 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 Heritage Act 1975*.
- C. All roads and footpaths adjoining the construction site shall be kept clear of all construction materials and debris during the construction period.

Any mud tracked onto the roadway or footpath during construction shall be properly cleaned off at least by the end of the relevant working day to council approval. Failure to do so may result in Council's Works Department undertaking the clean-up works, with all costs, plus overheads being invoiced directly to the applicant.

- D. This permit does not take effect until all other approvals required for the use or development to which the permit relates have been granted.
- E. This permit does not imply that any other approval required under any other legislation or by-law has been granted.

CARRIED 5/1

For the Motion

Mayor L Triffitt, Deputy Mayor J Allwright; Cr A Archer; Cr A Bailey; Cr J Hall

Against the Motion

Cr Y Miller

Cr R Cassidy, Cr J Honner and Cr D Meacheam returned to the meeting at 11.42 a.m.

11. ORDINARY COUNCIL MEETING RESUMED

RESOLUTION: 03/07.2024/SC

Moved: Cr A Bailey

Seconded: Cr Y Miller

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

CARRIED

For the Motion

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

The meeting was adjourned at 11.47 a.m. and resumed at 12.03 p.m.

12. 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.

RESOLUTION: 04/07.2024/SC

Moved: Cr J Honner

Seconded: Cr A Archer

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

Item Number	Matter	Outcome

5.1	Legal Advice	Regulation 15(2)(g) information of a personal and confidential nature or information provided to the council on the condition it is kept confidential.
5.2	Legal Advice	Regulation 15(2)(g) information of a personal and confidential nature or information provided to the council on the condition it is kept confidential.

CARRIED**For the Motion**

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

MEETING CLOSED to the public at **12.03 pm**.

13. MOTION OUT OF CLOSED SESSION**RESOLUTION 05/07.2024/SCC****Moved:** Cr D Meacheam**Seconded:** Cr R Cassidy**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
5.1	Legal Advice	THAT Council note the legal advice.
5.2	Legal Advice	THAT Council note the legal advice.

CARRIED**For the Motion**

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

14. RE-OPEN MEETING TO THE PUBLIC

The meeting re-opened to the public at **1.55 pm**. The Mayor again advises, to the meeting and members of the public that Council Meetings, not including Closed Sessions, are audio recorded and published on Council's Website.

15. CLOSURE

Mayor Triffitt thanked everyone for their contribution and declared the meeting closed at **1.55 pm**.



Central Highlands Council

MINUTES

PLANNING COMMITTEE MEETING – 13 AUGUST 2024

Minutes of the **Planning Committee Meeting** (Special Committee of Central Highlands Council) held at the **Bothwell Council Chambers, 19 Alexander Street, Bothwell** on **Tuesday 13th August 2024**, commencing at **9.00am**.

1.0 PRESENT

Cr R Cassidy (Chairperson), Mayor L Triffitt, Deputy Mayor J Allwright and Cr J Hall.

IN ATTENDANCE

Cr J Honner, Cr A Bailey, Mr J Branch (Acting General Manager), Mr G Rogers (Development & Environmental Services Manager), Mrs L Brown (Senior Planning Officer) and Mrs K Bradburn (Minutes Secretary).

2.0 APOLOGIES

Nil

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 PERCEIVED INTEREST DECLARATIONS

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

PART 2 – Conflict of Interest that are not Pecuniary

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

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

Nil

5.0 CONFIRMATION OF DRAFT MINUTES OF THE PLANNING COMMITTEE MEETING HELD 14TH MAY 2024

RESOLUTION 01/08.2024/PC

Moved: Cr J Hall

Seconded: Deputy J Mayor Allwright

THAT the Draft Minutes of the Planning Committee Meeting of Council held on Tuesday 14th May 2024 to be confirmed with a minor clerical error amended.

CARRIED

FOR the Motion

Cr R Cassidy, Mayor L Triffitt, Deputy Mayor J Allwright and Cr J Hall

6.0 PUBLIC QUESTION TIME

In accordance with Council's Policy No 2017-49 *Public Comment on Planning Agenda Items at Committee Meetings* a person may speak about an item on the agenda to be considered by the Planning Committee during public question time or at the beginning of the item, as determined by the Chairperson.

Speakers should follow the procedure below:

1. Only those people that have:
 - (a) Initiated the planning decision under the *Land Use Planning and Approvals Act 1993 (Act)* ("Applicant"); or
 - (b) The owner of the land subject to the planning decision ("Owner"); or
 - (c) made a representation within the statutory notice period in relation to a planning decision ("Representor")

will be entitled to speak at a Planning Committee Meeting ("Meeting").

2. Prior to the commencement of the Meeting a person who wishes to address the Meeting must:
 - i. Notify the Council in writing by close of business on the Friday prior to the Planning Committee meeting of the person's intention to address the Meeting, including with the following detail:
 - (a) Identify whether the person is the Applicant or a Representor;
 - (b) If a Representor, the date the person made a representation in respect to the planning decision; and
 - (c) the relevant planning decision by the Council allocated number, or by reference to the land to which it relates (eg, by certificate of title, PID or address);
 - (d) the question or topic on which the person wishes to speak.
 - ii. Notify the Chairperson of his or her arrival prior to the commencement of the PCM and complete a register.
3. If a person has complied with the procedure in 2 above, the person will be entitled speak at the meeting.
4. The Chairperson will determine the order of speakers.
5. All people entitled to speak will be given equal opportunity to speak.
6. Each person will be limited to **5 minutes** unless otherwise allowed by the Chairperson.
7. A person may make a statement only or ask questions that are directed through the Chairperson.

8. A person may not direct questions to staff members unless directed through the Chairperson. The Chairperson may ask staff members to answer any question.
9. The Council is under no obligation to answer questions. Questions may be taken on notice by the Planning Committee. The Planning Committee may answer such questions at its discretion.
10. (a) Planning Committee members may ask questions of the person speaking.
(b) Councillors present who are not members of the Planning Committee may ask questions or seek clarification only at the discretion of the Chairperson.
11. The Applicant may be given notice of a person's intention to speak. The Applicant will be given an opportunity to speak in reply, limited to 5 minutes unless otherwise allowed by the Chairperson. If the Applicant is not present at the Meeting, the Planning Committee may provide the Applicant with an opportunity to respond.
12. No debate or argument is permitted at any time.
13. Members of the gallery must not interject while another party is speaking.

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

No Public Questions

7.0 PLANNING REPORTS

7.1 DEVELOPMENT APPLICATION (DA2024/43) FOR SUBDIVISION (3 LOTS) AT 1204 ELLENDALE ROAD, ELLENDALE & LOT 1 ELLENDALE ROAD, ELLENDALE (CT'S 244823/1 & 43479/1) SUBMITTED BY PDA SURVEYORS, ENGINEERS & PLANNERS OBO BY T & S WALLACE

PROPOSAL

Council is in receipt of an application for a planning permit for a 3 lot Subdivision at Lot 1 Ellendale Road and 1204 Ellendale Road, Ellendale (CT 244823/1 and CT 43479/1).

The proposal seeks that Lot 1 Ellendal Road (CT 244823/1) which is currently 64.98ha be subdivided into 3 lots (Lot 1, 2 and 3). The property 1204 Ellendale Road be consolidated with proposed Lot 5, as illustrated on the plan of subdivision.

Lot 1 Ellendale Road is currently split zoned, Rural and Rural Living A with the zone boundary formed by an existing water course. The proposal will bring the new lots 1,2 and 3 into alignment with the existing Rural Living (A) Zone boundary. The proposed Lot 5 and balance of CT 244823/1 encompasses all of the Rural Zone.

It is propsoed that;

Lot 1 - area of 1ha, access via new Right of Way, frontage 12.9m.

Lot 2 - area of 1.36ha, access via new Right of Way, frontage 8.22m.

Lot 3 - area of 3.06ha, access via new Right of Way, frontage 8.3m.

Balance of lot CT 244823/1 – area of 47.83ha, access via exitsing Right of Way, frontage 90m.

Lot 5 is to be consolidated with CT 43479/1 to form a single parcel of 14.62ha, containing the existing residential dwelling, existing access and frontage of 6m.

The documents provided with the Development Application include the following:

- Completed Development Application Form;
- Certificate of Title documents;
- Proposed Plan of Subdivision: PDA-52416CT-P4;
- Bushfire Hazard Report, prepared by GES Solutions, J10343v1 dated June 2024: and
- Planning Compliance Report, Subdivision 3 Lots by PDA Surveyors, Engineers & Planners.

This report to Council will assess the proposal against the relevant provisions of the Act and the Tasmanian Planning Scheme – Central Highlands. It is recommended that Council grant a planning permit for the development application subject to conditions.

RESOLUTION 02/08.2024/PC

Moved: Mayor L Triffitt

Seconded: Deputy Mayor J Allwright

THAT the Planning Committee make the following recommendation to Council acting as the Planning Authority:

THAT in accordance with the provisions of the Tasmanian Planning Scheme – *Central Highlands* and section 57 of the *Land Use Planning & Approvals Act 1993*, Council APPROVE the Development Application (DA2023/68) to demolish the existing dwelling, construct a new dwelling, outbuilding, four (4) cabins to be used as Visitor Accommodation and associated infrastructure at the property described as 14246 Lyell Highway (CT 241772/1), owned by J Butt & R Parker and that a permit be issued with the following 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*.

Amenity

- 3) All external metal building surfaces must be clad in non-reflective pre-coated metal sheeting or painted to the satisfaction of the Manager Development and Environmental Services.
- 4) No vegetation other than that necessary for the construction of the development, associated access and services is to be cleared without the approval of Council.
- 5) The proposed outbuilding is approved as ancillary to the Residential and is to be used for domestic storage only. It is not to be used for commercial, industrial or habitable purposes, unless in accordance with a permit issued by Council or as otherwise permitted by Council's Planning Scheme.

Parking and Access

- 6) Detailed design drawings of the culvert over the watercourse prepared by a suitably qualified person (engineer), are to be provided and approved by Council's Manager of Infrastructure and Works before application for permits under the *Building Act 2016* are lodged.
- 7) The siting of vehicular accesses and car parking spaces must generally accord with the endorsed plans.
- 8) At least four (4) car parking spaces must be provided for the use of the visitor accommodation and must be available for car parking at all times. Car parking must be in accordance with Standards Australia (2004) Australian Standard AS 2890.1 - 2004 – Parking Facilities Part 1: Off Street Car Parking; Standards Australia, Sydney.

- 9) 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 to the satisfaction of Council's Municipal Engineer, and must include all of the following;
 - a) Constructed with a durable all weather pavement;
 - b) Minimum carriageway width of 4 metres;
 - c) Drained to an approved stormwater system; and
 - d) Vehicular passing areas 6 metres wide (total) x 20 metres long every 200 metres.
 or as otherwise required by an approved Bushfire Plan.
- 10) The internal driveway and areas set-aside for parking and associated access and turning must be designed, constructed and maintained to avoid dust or mud generation, erosion and sediment transfer off site or de-stabilisation of the soil on site or on adjacent properties to the standard required by Council's Municipal Engineer.

Access to State Road

- 11) The Access to the Lyell Highway is to be a minimum 5.5m wide to permit two vehicles to pass each other.
- 12) The Access is to be sealed a minimum of 6.0m from the edge of the existing seal of the Lyell Highway.
- 13) The existing B2 Centre line (double continuous line) is to be modified to create a break in the line to permit vehicles to legally turn right into the access from the Lyell Highway.
- 14) The existing access where the structure to be demolished is located, must be either removed or blocked to prevent future use.
- 15) Any conditions imposed by the Department of State Growth for works affecting the road reserve shall form part of this permit and must be adhered to.
- 16) Prior to undertaking any access (or other) works in the state road reserve an Access Permit is required from the Department of State Growth in accordance with Section 16 of the Roads and Jetties Act 1935. Application for Permits can be located at; https://www.transport.tas.gov.au/road_permits/permits_and_bookings
- 17) Applications must be received by the Department of State Growth at least 20 business days before the expected start date for works, to allow enough time to assess the application.

Services

- 18) 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

- 19) A Stormwater Management Plan prepared by a suitably qualified person must be prepared and submitted to Council's Municipal Engineer for approval. Once approved the plans shall form part of the permit.
- 20) Prior to the commencement of use and the issuing of a plumbing permit, detailed plans and calculations of the stormwater drainage system, including treatment, retention and outfalls must be prepared by a suitably qualified civil engineer and be submitted to Council's Plumbing Surveyor for approval. Once approved the plans shall form part of the permit.
- 21) Stormwater drainage from the proposed development must be retained on site (or) drain to a legal point of discharge to the satisfaction of Council's General Manager and in accordance with a Certificate of Likely Compliance or Plumbing permit issued by the Permit Authority in accordance with the Building Act 2016.

Wastewater

- 22) Wastewater from the development must discharge to an on-site waste disposal system in accordance with a Certificate of Likely Compliance or Plumbing Permit issued by the Permit Authority in accordance with the Building Act 2016.

Protection of Water Quality

- 23) 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 Development and Environmental Services before development of the land commences (refer to advice below). The SWMP shall form part of this permit when approved.
- 24) 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 Development and Environmental Services.

Natural Values

- 25) Unless otherwise agreed by the Council's General Manager, the development and works must be carried out in accordance with the recommendations made in the Flora and Fauna Report, prepared by RMCC and dated 27 February 2024.

Weed Management

- 26) Prior to the carrying out of any works approved or required by this approval, the property owner must provide a weed management plan detailing measures to be adopted to limit the spread of weeds listed in the Weed Management Act 1999 through imported soil or land disturbance by appropriate water management and machinery and vehicular hygiene to the satisfaction of Council's Manager of Development & Environmental Services.

Construction Amenity

- 27) 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. |
- 28) 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:
- Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, ash, dust, waste water, waste products, grit or otherwise.
 - The transportation of materials, goods and commodities to and from the land.
 - Obstruction of any public footway or highway.
 - Appearance of any building, works or materials.
 - 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.
- 29) 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.
- 30) The developer must make good and/or clean any footpath, road surface or other element damaged or soiled by the development to the satisfaction of the Council's Manger of Works and Technical Services.

ADVICE NOTES

The following advice applies to this permit:

- A. This Planning Permit is in addition to the requirements of the Building Act 2016. Approval in accordance with the Building Act 2016 may be required prior to works commencing. A copy of the Directors Determination – categories of Building Work and Demolition Work is available via the CBOS website: [Director's Determination - Categories of Building and Demolition Work \(PDF, 504.4 KB\)](#) or for Low Risk Building Work information go to: [Consumer Guide to Low Risk Building and Plumbing Work](#).
- B. 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.
- C. This permit does not take effect until all other approvals required for the use or development to which the permit relates have been granted.
- 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 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.
- F. 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.
- G. 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.
- H. Land on adjacent properties are Timber Production Zone Land (PTPZL) and will be subject to noise and heavy vehicle movements outside of business hours. It should also be noted that as Timber Production land, once harvested, the visual amenity of the area will change.
- I. A separate application may be required for Signage.

CARRIED

FOR the Motion

Cr R Cassidy, Mayor L Triffitt, Deputy Mayor J Allwright and Cr J Hall.

8.0 OTHER BUSINESS

Nil

9.0 CLOSURE

The Chairperson thanked everyone for their contribution and declared the meeting closed at **9.17am**.



Development & Environmental Services
 19 Alexander Street
 BOTHWELL TAS 7030
 Phone (03) 6259 5503
 Fax (03) 6259 5722
 www.centralhighlands.tas.gov.au

For office use only:

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: Date:

Applicant, Owner & Contact Details:

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

Applicant:	<input type="text" value="Payal Patel of PDA"/>	Phone No:	<input type="text" value="03 6423 6875"/>
Address:	<input type="text" value="77 Gunn Street, Devonport TAS 7310"/>	Fax No:	<input type="text"/>
Email:	<input type="text" value="payal.patel@pda.com.au"/>	Mobile No:	<input type="text"/>
Owner:	<input type="text" value="THOMAS ANDREW WALLACE - SHARON DENISE WALLACE"/>	Phone No:	<input type="text"/>
Address:	<input type="text" value="1204 ELLENDALE RD ELLENDALE TAS 7140"/>	Fax No:	<input type="text"/>

Land Details:

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

Address:	<input type="text" value="1204 ELLENDALE RD ELLENDALE TAS 7140"/>	Volume:	<input type="text" value="244823/1, 43479/1"/>
Existing Use:	<input type="text" value="residential"/>	Folio:	<input type="text"/>

Please use definitions in planning scheme

Proposed Development Details:

Provide details of the proposed subdivision development.

Development:	<input type="text" value="subdivision as per attached documents"/>
	<input type="text"/>
	<input type="text"/>
	<input type="text"/>

Tick if proposed developed is to be staged: Yes No

Tick Is 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:

Refer to application checklist over page for additional information requirements

Checklist

To ensure that we can process your application as quickly as possible, please read the following checklist carefully and ensure that you have provided the following at the time of lodging the application. If you are unclear on any aspect of your application, please contact Central Highlands Council by phone on (03) 6259 5503 to discuss or arrange an appointment concerning your proposal. Note that Council may require additional information in accordance with section 54 of the Land Use Planning and Approvals Act 1993.

1. A completed Application for Approval of Use/Development form.
Please ensure that the information provides an accurate description of the proposal, has the correct address and contact details and is signed and dated by the applicant.
2. A current copy of the Certificate of Title for all lots involved in the proposal.
The title details must include, where available, a copy of the search page, title plan, sealed plan or diagram and any schedule of easements (if any), or other restrictions, including covenants, Council notification or conditions of transfer.
3. Two (2) copies of the following information -
 - a) An analysis of the site and surrounding area setting out accurate descriptions of the following -
 - (i) topography and major site features including an indication of the type and extent of native vegetation present, natural drainage lines, water courses and wetlands, trees greater than 5 metres in height in areas of skyline or landscape importance and identification of any natural hazards including flood prone areas, high fire risk areas and land subject to instability;
 - (ii) soil conditions (depth, description of type, land capability etc);
 - (iii) the location and capacity of any existing services or easements on the site or connected to the site;
 - (iv) existing pedestrian and vehicle access to the site;
 - (v) any existing buildings on the site;
 - (vi) adjoining properties and their uses; and
 - (vii) soil and water management plans.
 - b) A site plan for the proposed use or development drawn, unless otherwise approved, at a scale of not less than 1:200 or 1:1000 for sites in excess of 1 hectare, showing -
 - (i) a north point;
 - (ii) the boundaries and dimensions of the site;
 - (iii) Australian Height Datum (AHD) levels and contours;
 - (iv) natural drainage lines, watercourses and wetlands;
 - (v) soil depth and type;
 - (vi) the location and capacity of any existing services or easements on the site or connected to the site, including the provisions to be made for supplying water and draining the lots;
 - (vii) the location of any existing buildings on the site, indicating those to be retained or demolished, and their relationship to buildings on adjacent sites, streets and access ways;
 - (viii) the use of adjoining properties;
 - (ix) the proposed subdivision lots boundaries and the building envelopes for buildings, including distinguishing numbers, boundary dimensions and areas;
 - (x) the streets, roads, footpaths and other ways public and private, existing and to be opened or constructed on the land, including the widths of any such roads, footpaths and other ways;
 - (xi) the general location of all trees over three (3) metres in height;
 - (xii) the position of any easement over or adjoining the land;
 - (xiii) the location of any buildings on the site or lots adjoining it;
 - (xiv) any proposed public open space, or communal space or facilities;
 - (xv) proposed landscaping, indicating vegetation to be removed or retained and species and mature heights of plantings; and
 - (xvi) methods of minimizing erosion and run-off during and after construction and preventing contamination of storm water discharged from the site.
4. A written submission supporting the application that demonstrates compliance with the relevant parts of the Act, State Policies and the Central Highlands Planning Scheme 1998, including a Traffic Impact Statement where the development is likely to create more than 100 vehicle movements per day.
5. Application fees.
As per Fee Schedule. Please contact Central Highland Council's Development and Environmental Services Department by phone on (03) 6259 5503 if you require assistance in calculating the fees.

SEARCH OF TORRENS TITLE

VOLUME 43479	FOLIO 1
EDITION 5	DATE OF ISSUE 16-Sep-2016

SEARCH DATE : 14-Feb-2024

SEARCH TIME : 12.50 PM

DESCRIPTION OF LAND

Parish of SUTHERLAND, Land District of BUCKINGHAM
 Lot 1 on Sealed Plan 43479
 Derivation : Part of Lor 2479 Gtd to W a Bethune
 Prior CT 4651/46

SCHEDULE 1

M584886 TRANSFER to THOMAS ANDREW WALLACE and SHARON DENISE
 WALLACE Registered 16-Sep-2016 at 12.01 PM

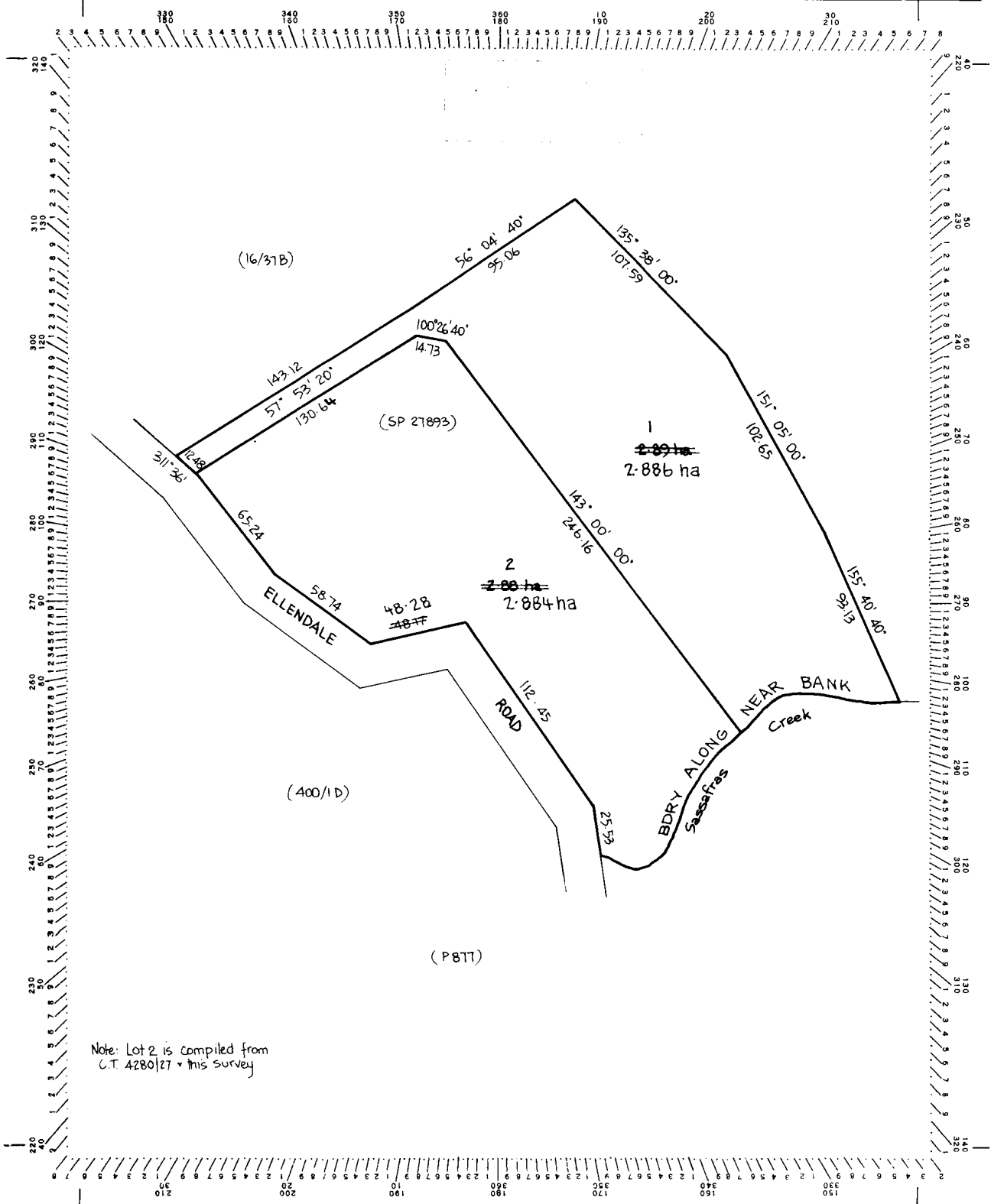
SCHEDULE 2

Reservations and conditions in the Crown Grant if any
 E63267 MORTGAGE to Westpac Banking Corporation Registered
 16-Sep-2016 at 12.02 PM

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

Owner: M. L. TRIGG	PLAN OF SURVEY by Surveyor... <u>D.G.J. POTTER</u> ... of land situated in the LAND DISTRICT OF BUCKINGHAM PARISH OF SUTHERLAND	Registered Number: SP43479
Title Reference: C.T. 4280/27		Approved <u>27 MAR 1990</u> Effective from:
Grantee: Part of Lot 2479 (G15-0-0) Gtd to Walter A Bethune Bethune	SCALE 1: 2000 MEASUREMENTS IN METRES	 Recorder of Titles



SEARCH OF TORRENS TITLE

VOLUME 244823	FOLIO 1
EDITION 3	DATE OF ISSUE 16-Sep-2016

SEARCH DATE : 14-Feb-2024

SEARCH TIME : 12.49 PM

DESCRIPTION OF LAND

Parish of SUTHERLAND, Land District of BUCKINGHAM
 Lot 1 on Plan 244823
 Derivation : Part of Lot 2479 Gtd. to W.A. Bethune
 Prior CT 4280/28

SCHEDULE 1

M584886 TRANSFER to THOMAS ANDREW WALLACE and SHARON DENISE
 WALLACE Registered 16-Sep-2016 at 12.01 PM

SCHEDULE 2

Reservations and conditions in the Crown Grant if any
 E63267 MORTGAGE to Westpac Banking Corporation Registered
 16-Sep-2016 at 12.02 PM

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

OS D 415

ANNEXURE TO CERTIFICATE OF TITLE
FOLIO OF REGISTER

VOL. 4280 FOL. 28



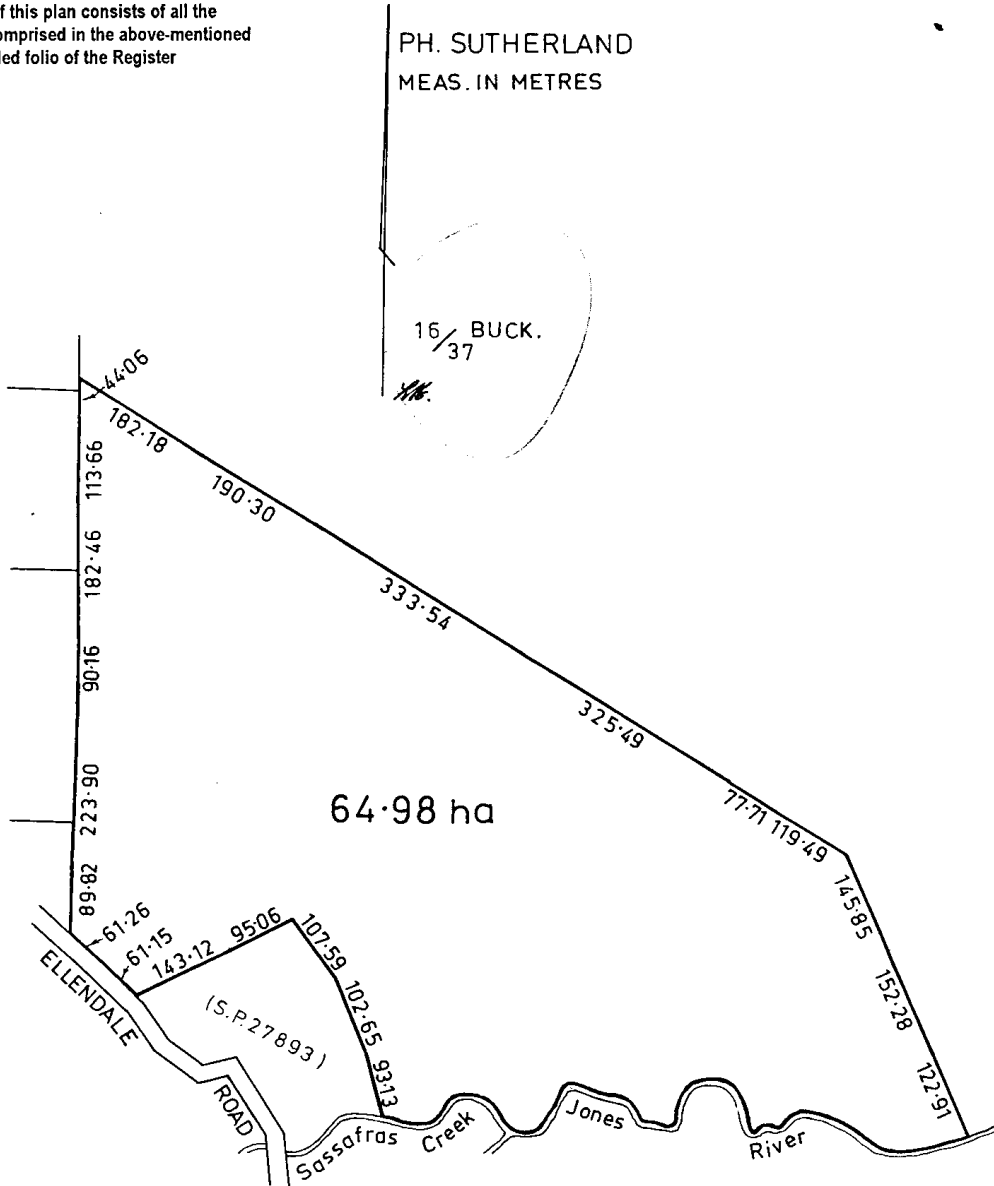
REGISTERED NUMBER
244823

Recorder of Titles

Lot 1 of this plan consists of all the land comprised in the above-mentioned cancelled folio of the Register

PH. SUTHERLAND
MEAS. IN METRES

16/37 BUCK.



64.98 ha

PLAN OF SUBDIVISION



Owners
Thomas Andrew Wallace & Sharon Denise Wallace

Title References
FR 244823/1 & FR 43479/1

Address
Ellendale Road Ellendale tas 7140

Council
Central Highlands Council

Planning scheme
Central Highlands Local Provisions Schedule

Zone
11 Rural Living Zone A
20 Rural

Code Overlay Name
13 Bushfire-prone areas
15 Low landslip hazard band
17 Waterway and coastal protection area

Point of interest
Lat/Lon : -42.59714, 146.70974

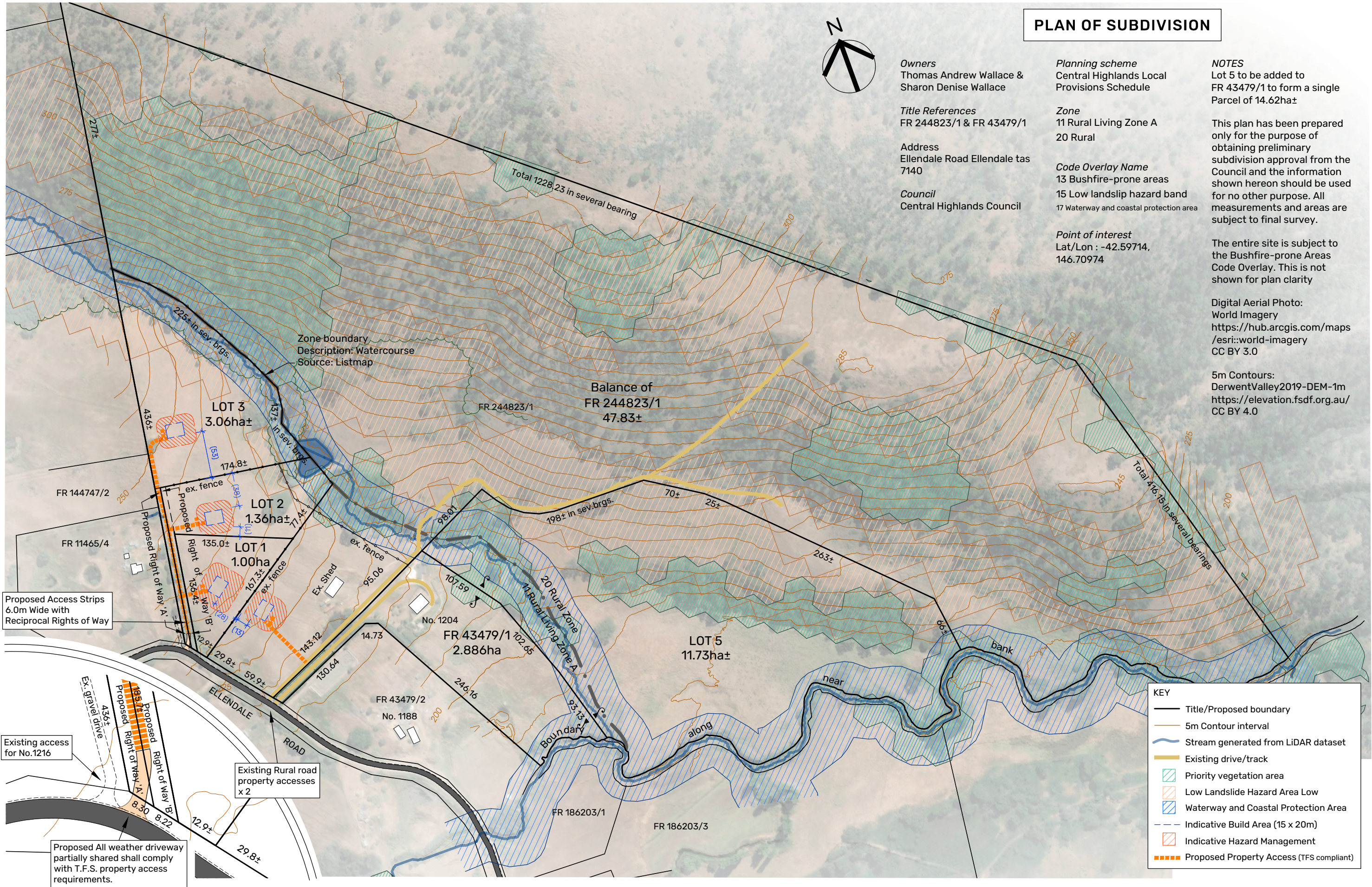
NOTES
Lot 5 to be added to FR 43479/1 to form a single Parcel of 14.62ha±

This plan has been prepared only for the purpose of obtaining preliminary subdivision approval from the Council and the information shown hereon should be used for no other purpose. All measurements and areas are subject to final survey.

The entire site is subject to the Bushfire-prone Areas Code Overlay. This is not shown for plan clarity

Digital Aerial Photo: World Imagery
<https://hub.arcgis.com/maps/esri:world-imagery>
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5m Contours: DerwentValley2019-DEM-1m
<https://elevation.fsdf.org.au/>
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Proposed Access Strips 6.0m Wide with Reciprocal Rights of Way

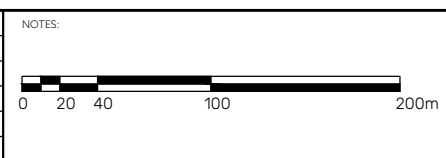
Existing access for No.1216

Existing Rural road property accesses x2

Proposed All weather driveway partially shared shall comply with T.F.S. property access requirements.

KEY	
	Title/Proposed boundary
	5m Contour interval
	Stream generated from LiDAR dataset
	Existing drive/track
	Priority vegetation area
	Low Landslide Hazard Area Low
	Waterway and Coastal Protection Area
	Indicative Build Area (15 x 20m)
	Indicative Hazard Management
	Proposed Property Access (TFS compliant)

REV	AMENDMENTS	DRAWN	DATE	APPR.
0	PLAN OF SUBDIVISION - 3 LOTS (FOLLOWING EXISTING FENCING WITH 1HA MINIMUM LOT)	MK	27.03.24	CMT



SURVEYOR	GEOCIVIL
DRAWN	CHECKED
MK	CMT
DATE	27 MARCH 2024

PLAN OF SUBDIVISION
1206 ELLENDALE ROAD, ELLENDALE TAS
for TOM WALLACE

PDA
SURVEYORS, ENGINEERS & PLANNERS

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SCALE	PAPER
1:4000	(A3)
JOB NUMBER	DRAWING
52416CT-P4	24



GEO-ENVIRONMENTAL

S O L U T I O N S

Proposed Subdivision
1204 Ellendale Road, Ellendale
Bushfire Hazard Report



Applicant: PDA Surveyors, Engineers & Planners
June 2024, J10343v1

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1.0 Introduction

This Bushfire Hazard Report has been completed to form part of supporting documentation for a planning permit application for a three lot plus Balance subdivision and adjustment of boundaries. The proposal occurs in a Bushfire-prone Area defined by the Tasmanian Planning Scheme – Central Highlands (the Scheme). This report has been prepared by Mark Van den Berg a qualified person under Part 4a of the *Fire Service Act 1979* of Geo Environmental Solutions Pty Ltd for PDA Surveyors, Engineers & Planners

The report considers all the relevant standards of Code C13 of the planning scheme, specifically;

- The requirements for Hazard Management Areas (HMA's) in relation to building areas;
- The requirements for Public and Private access;
- The provision of water supplies for firefighting purposes;
- Compliance with the planning scheme, and
- Provides a Bushfire Hazard Management Plan to facilitate appropriate compliant future development.

2.0 Proposal

The proposal is for the subdivision of land resulting in three new lots plus balance and an adjustment of boundaries, as described on the proposed plan of subdivision in appendix A. Public access to new lots will be provided by existing public roadways. The development is proposed to occur as a single stage. Lots 1, 2, 3 and balance are undeveloped, FR 43479/1 has existing residential development.

3.0 Site Description

The subject site comprises private land on two titles at 1204 Ellendale Road, Ellendale, FR: 43479/1 & FR: 244823/1 (figure 1). The site occurs in the municipality of the Central Highlands, this application is administered through the Tasmanian Planning Scheme – Central Highlands which makes provision for subdivision. The proposed development occurs within the Rural Living and Rural zones. The site is located north of the Ellendale settled area, approximately 2.7 km west north-west of Waterfalls Hill (figure 1). The surrounding landscape is characterised by agriculture land uses including grasslands which extend into landscape scale forests including hardwood and softwood plantation forestry. Vegetation throughout the immediate area provides linkages to landscape scale bushfire-prone vegetation units (figure 2) and is dominated by grasslands.

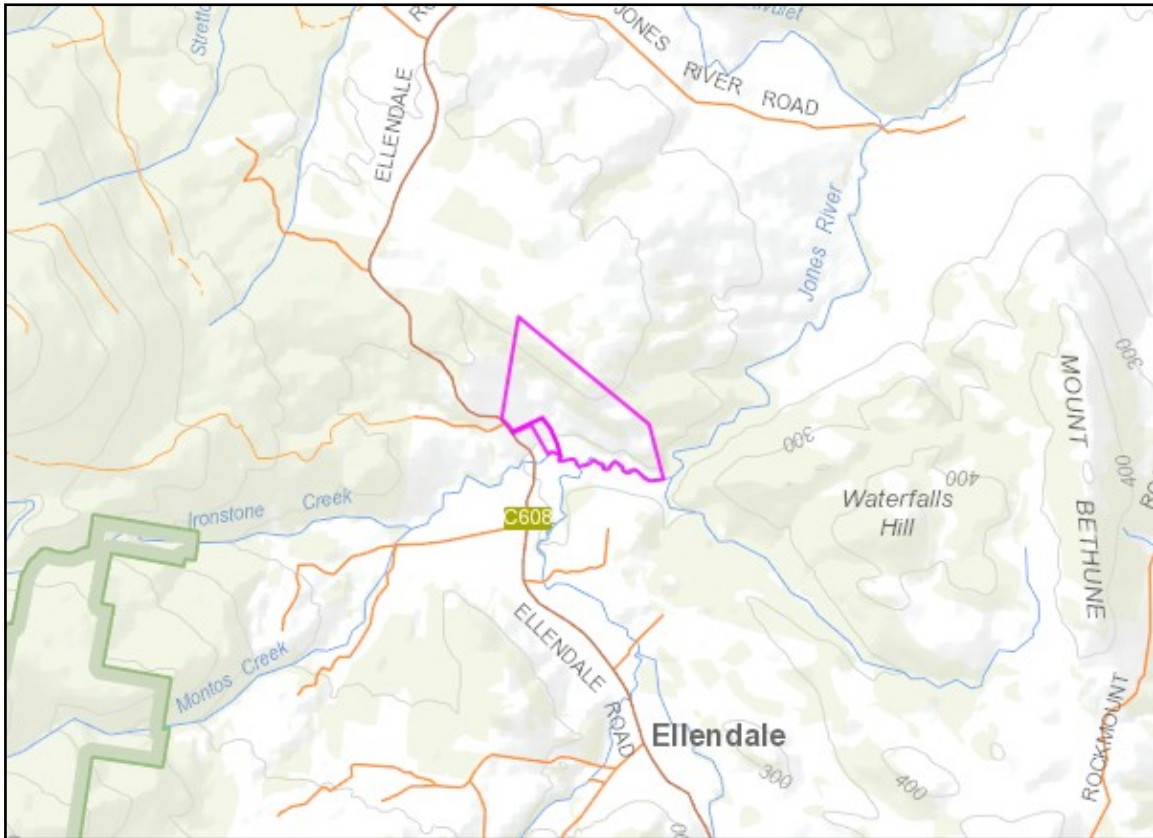


Figure 1. The site in a topographical context, pink line defines the parent lots (approximate).



Figure 2. Aerial photo of the site, pink line denotes the parent lots (approximate).

4.0 Bushfire Hazard Assessment

4.1 Vegetation

The site and adjacent lands within 100 metres of the proposed building areas carry Grassland and forest vegetation (figures 3 to 5). The highest risk vegetation occurs to the north and north-west of the sites.

4.2 slopes

The effective slopes in relation to the proposed building areas are gentle to moderate (<10 degrees) and may have some influence on the bushfire attack at the sites.

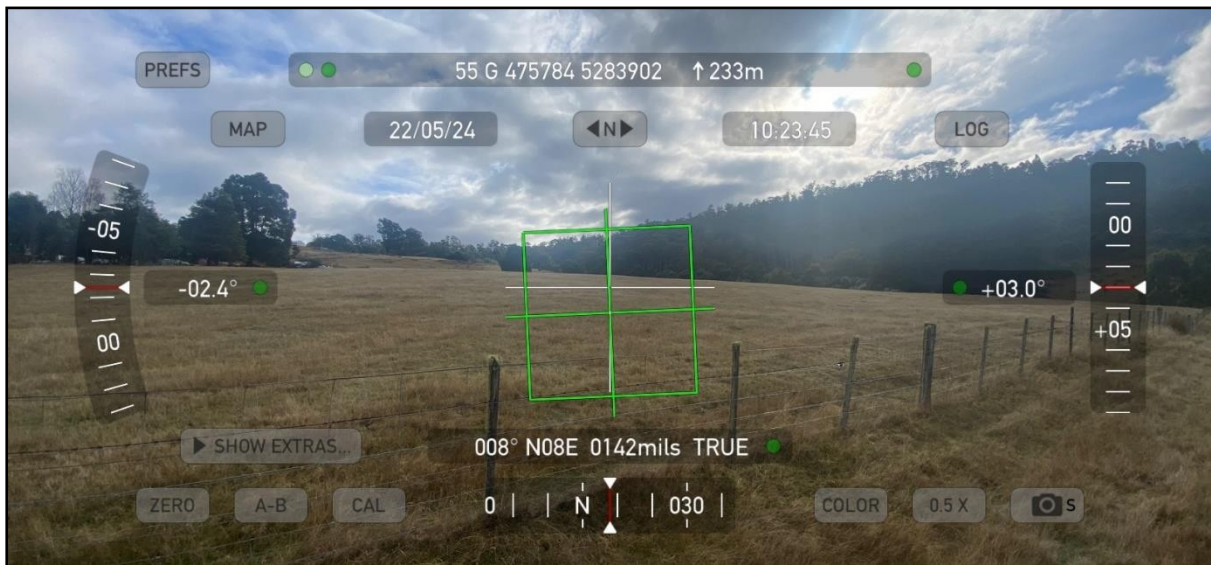


Figure 3. Grassland vegetation within and adjacent to the balance lot looking north from at the building areas within lots 1 and 2..



Figure 4. Grassland vegetation within lot 2 looking west from the building area within lot 2.



Figure 5. Grassland vegetation within the balance lot from the building area within lot 1, existing residential development within FR: 43479/1 (background) and existing shed on balance lot (middle ground)

4.3 Bushfire Attack Level

An assessment of vegetation and topography was undertaken within and adjacent to the proposed building areas on each lot. A bushfire attack level assessment as per AS3959-2018 was completed which has determined setbacks for each building area from bushfire-prone vegetation which do not exceed BAL-19 of AS3959-2018 (appendix B). The building areas and bushfire attack levels are identified on the BHMP.

5.0 Bushfire Prone Areas Code

Code C13 of the planning scheme articulates requirements for the provision of hazard management areas, standards for access and firefighting water supplies and requirements for hazard management for staged subdivisions.

5.1 Hazard Management Areas

Hazard management areas are required to be established and/or maintained for all lots, they provide an area around the building within which fuels are managed to reduce the impacts of direct flame contact, radiant heat and ember attack on the site. FR 43479/1 has an existing hazard management area which will require ongoing maintenance.

The Bushfire Hazard Management Plan (BHMP) shows building areas (for habitable buildings) and associated Hazard Management Areas for each lot, guidance for establishment and maintenance of HMA's is provided below.

This subdivision is to occur as a single stage. Each proposed lot can accommodate a hazard management area with sufficient separation from bushfire-prone vegetation not exceeding the requirements for BAL-19 of AS3959-2018. This means that each lot is not dependant on adjacent land use or management for bushfire mitigation.

5.1.1 Building areas

Building areas for habitable buildings are shown on the BHMP. Each lot has been assessed and a Bushfire Attack Level (BAL) assigned to it. If future buildings are located within the building area and comply with the minimum hazard management areas widths for the building area, the buildings may be constructed to the bushfire attack level assigned to that lot. If associated structures like sheds or other non-habitable buildings exist or are proposed, they do not need to conform to a BAL unless they are within 6 metres of the habitable building. The building area for FR: 43479/1 contains the footprint of existing residential development.

5.1.2 Hazard Management Area requirements

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, 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;
- Maintain 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 or prune larger trees to establish and maintain horizontal separation between tree canopies;
- Minimise the storage of flammable materials such as firewood;
- Maintain vegetation clearance around vehicular access and water supply points;
- 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.

It is not necessary to remove all vegetation from the hazard management area, trees and shrubs may provide protection from wind borne embers and radiant heat under some circumstances if other fuels are appropriately managed.

5.2 Public and firefighting Access

5.2.1 Public Roads and Fire Trails

There is no proposal for the construction of new public roadways or fire trails, in this circumstance there are no applicable standards for the construction of new public roads or fire trails.

5.2.2 Property access (for building compliance Lots 1, 2, 3, and balance lot)

Proposed property access will be required to be used to access a static firefighting water supply and connection point, consistent with table C13.2 of the Bushfire-prone Areas Code property access is required to comply with the following standards:

- 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 inner 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.
- k) Passing bays of 2 metres additional carriageway width and 20 metres length provided every 100 metres (applicable to Lots 1, 2, & 3 only)

5.2.2 Property access – FR: 43479/1

There is existing property access to the existing dwelling on FR: 43479/1 which provides safe access and egress for occupants and emergency services personnel and will provide access to a static water supply with hardstand. In this circumstance there is an insufficient increase in risk from bushfire to warrant any further property access requirements.

5.3 Water supplies for firefighting

The building areas are not serviced by a reticulated water supply system. Therefore, dedicated static firefighting water supplies will be provided in accordance with table 1 below. The firefighting water supplies for lots 1, 2, 3 and balance lot will be required at the time of construction of a new dwelling, the firefighting water supply for FR: 43479/1 will be required prior to the sealing of titles.

Table 1. 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.

6.0 Compliance

6.1 Planning Compliance

Table 2 summarises the compliance requirements for subdivisions in bushfire prone areas against Code C13 as they apply to this proposal. A planning certificate has been issued for the associated BHMP as being compliant with the relevant standards as outlined below and is located in appendix D.

Table 2. Compliance: Code C13 of the Tasmanian Planning Scheme – Central Highlands

Clause	Compliance
C13.4 Use or development exempt from this code	Not applicable.
C13.5 1 Vulnerable Uses	Not applicable.
E13.5.2 Hazardous Uses	Not applicable
C13.6.1 Subdivision: Provision of hazard management areas	<p>The Bushfire Hazard Management Plan is certified by an accredited person. Each lot within the subdivision has a building area and associated hazard management area shown which does not exceed BAL-19 construction standards. Hazard management areas are able to be contained within each individual lot, therefore there is no requirement for part 5 agreements or easements to facilitate hazard management.</p> <p>The proposal is compliant with the acceptable solution at A1(b).</p>
C13.6.2 Subdivision: Public and firefighting access	<p>There is no proposal for the construction of new public roadways or fire trails as part of this development. Minimum standards for property access have been specified for lots 1, 2, 3 & Balance Lot consistent with table C13.2. There is an insufficient increase in risk from bushfire for FR: 43479/1 to warrant any further property access requirements.</p> <p>The Bushfire Hazard Management Plan is certified by an accredited person.</p> <p>The proposal is compliant with the acceptable solution at A1(b) (lots 1, 2, 3 & balance lot) and A1(a).</p>
C13.6.3 Subdivision: Provision of water supply for firefighting purposes	<p>The building areas are not serviced by a reticulated water supply system with fire hydrants. In this circumstance dedicated static firefighting water supplies will be provided for all lots in accordance table C13.5, FR: 43479/1 will require the firefighting water supply prior to the sealing of titles.</p> <p>The proposal is compliant with the acceptable solution at A2(b)</p>

6.2 Building Compliance (for future development)

Future residential development may not require assessment for bushfire management requirements at the planning application stage. Subsequent building applications will require demonstrated compliance with the Directors Determination. If future development is

undertaken in compliance with the Bushfire Hazard Management Plan associated with this report, a building surveyor may rely upon it for building compliance purposes if it is not more than 6 years old.

7.0 Summary

The proposed development occurs within a bushfire-prone area. The vegetation is classified as Grassland and Forest, with the highest risk is presented by vegetation to the north and north-west of the building areas.

A bushfire hazard management plan has been developed and shows building areas with hazard management areas and construction standards, the location proposed property access and requirements for the provision of firefighting water supplies. The firefighting water supply for FR: 43479/1 will be required prior to the sealing of titles.

8.0 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. 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.

9.0 References

Building Amendment (Bushfire-Prone Areas) Regulations 2014

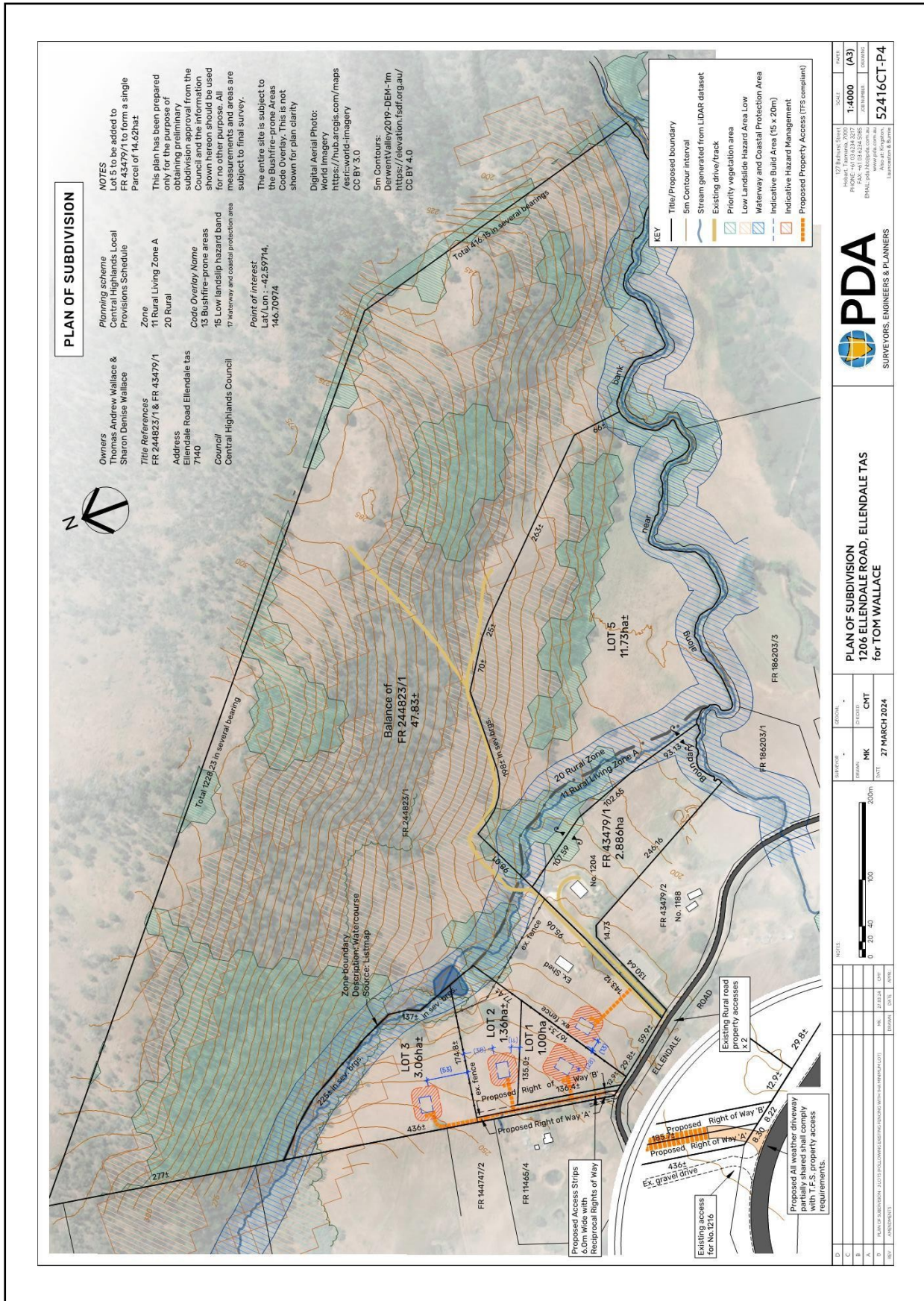
Determination, Director of Building Control – Requirements for Building in Bushfire-Prone Areas, version 2.2, 6th February 2020. Consumer, Building and Occupational Services, Department of Justice, Tasmania

Standards Australia 2018, *Construction of buildings in bushfire prone areas*, Standards Australia, Sydney.

Tasmanian Planning Commission 2017, *Planning Directive No.5.1 – Bushfire prone Areas Code*. Tasmanian Planning Commission, Hobart. 20th July 2022.

Tasmanian Planning Scheme – Southern Midlands.

Appendix A - Site Plan



Appendix B – Bushfire Attack Level assessment tables

Table 1. Bushfire Attack Level Assessment for Lot 1.

Azimuth	Vegetation Classification	Effective Slope	Distance to Bushfire-prone vegetation	Hazard management area width	Bushfire Attack Level
North-east	Grassland	>0 to 5° downslope	0 to 100 metres	16 metres	BAL-12.5
	--	--	--		
	--	--	--		
	--	--	--		
South-east	Grassland	>10° to 15° downslope	0 to 100 metres	22 metres	BAL-12.5
	--	--	--		
	--	--	--		
	--	--	--		
South-west	Grassland	>5° to 10° downslope	0 to 70 metres	19 metres	BAL-12.5
	Exclusion 2.2.3.2 (e, f) [^]	flat 0°	70 to 80 metres		
	Grassland [^]	>0 to 5° downslope	80 to 100 metres		
	--	--	--		
North-west	Grassland [^]	upslope	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).

Appendix B – Bushfire Attack Level assessment tables

Table 2. Bushfire Attack Level Assessment for Lot 2

Azimuth	Vegetation Classification	Effective Slope	Distance to Bushfire-prone vegetation	Hazard management area width	Bushfire Attack Level
North	Grassland	flat 0°	0 to 100 metres	14 metres	BAL-12.5
	--	--	--		
	--	--	--		
	--	--	--		
East	Grassland	>10° to 15° downslope	0 to 90 metres	22 metres	BAL-12.5
	Forest [^]	flat 0°	90 to 100 metres		
	--	--	--		
	--	--	--		
South	Grassland	>0 to 5° downslope	0 to 100 metres	16 metres	BAL-12.5
	--	--	--		
	--	--	--		
	--	--	--		
West	Grassland [^]	upslope	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 1. Bushfire Attack Level Assessment for Lot 3.

Azimuth	Vegetation Classification	Effective Slope	Distance to Bushfire-prone vegetation	Hazard management area width	Bushfire Attack Level
North	Grassland	flat 0°	0 to 100 metres	14 metres	BAL-12.5
	--	--	--		
	--	--	--		
	--	--	--		
East	Grassland	>10° to 15° downslope	0 to 55 metres	22 metres	BAL-12.5
	Forest [^]	flat 0°	55 to 100 metres		
	--	--	--		
	--	--	--		
South	Grassland	>0 to 5° downslope	0 to 100 metres	16 metres	BAL-12.5
	--	--	--		
	--	--	--		
	--	--	--		
West	Grassland [^]	upslope	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 4. Bushfire Attack Level Assessment for FR: 43479/1 (existing development)

Azimuth	Vegetation Classification	Effective Slope	Distance to Bushfire-prone vegetation	Hazard management area width	Bushfire Attack Level
North	Grassland	flat 0°	0 to 70 metres	14 metres	BAL-12.5
	Forest [^]	upslope	70 to 100 metres		
	--	--	--		
	--	--	--		
East	Grassland	>0 to 5° downslope	0 to 100 metres	16 metres	BAL-12.5
	--	--	--		
	--	--	--		
	--	--	--		
South	Low Open Woodland	>5° to 10° downslope	0 to 100 metres	19 metres	BAL-12.5
	--	--	--		
	--	--	--		
	--	--	--		
West	Grassland [^]	upslope	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 5. Bushfire Attack Level Assessment for Balance Lot

Azimuth	Vegetation Classification	Effective Slope	Distance to Bushfire-prone vegetation	Hazard management area width	Bushfire Attack Level
North-east	Grassland	flat 0°	0 to 100 metres	14 metres	BAL-12.5
	--	--	--		
	--	--	--		
	--	--	--		
South-east	Grassland	>5° to 10° downslope	0 to 100 metres	19 metres	BAL-12.5
	--	--	--		
	--	--	--		
	--	--	--		
South-west	Grassland	flat 0°	0 to 70 metres	14 metres	BAL-12.5
	Exclusion 2.2.3.2 (e, f) [^]	flat 0°	70 to 80 metres		
	Grassland [^]	flat 0°	80 to 100 metres		
	--	--	--		
North-west	Grassland [^]	upslope	0 to 100 metres	14 metres	BAL-12.5
	--	--	--		
	--	--	--		
	--	--	--		

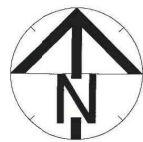
[^] Vegetation classification as per AS3959-2018 and Figures 2.4(A) to 2.4 (H).

^{*} 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).

Appendix C

Bushfire Hazard Management Plan



BUSHFIRE HAZARD MANAGEMENT PLAN

Bushfire Hazard Management Plan, 1204 Ellendale Road, Ellendale. June 2024. J10343v1. Tasmanian Planning Scheme -Central Highlands



Compliance Requirements

Property Access

Property access length is 30 metres or greater; and access is required for a fire appliance to connect to a firefighting 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
- (k) Passing bays of 2 metres additional carriageway width and 20 metres length provided every 100 metres (applicable to Lots 1, 2, & 3 only)

Water Supplies for Firefighting

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:

- 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

Building Area 30m x 30m

Static Water Supply Point

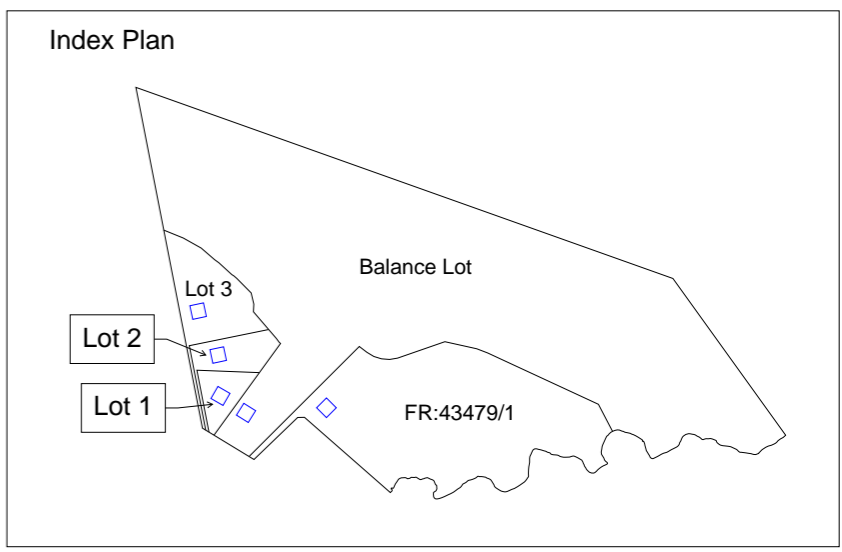
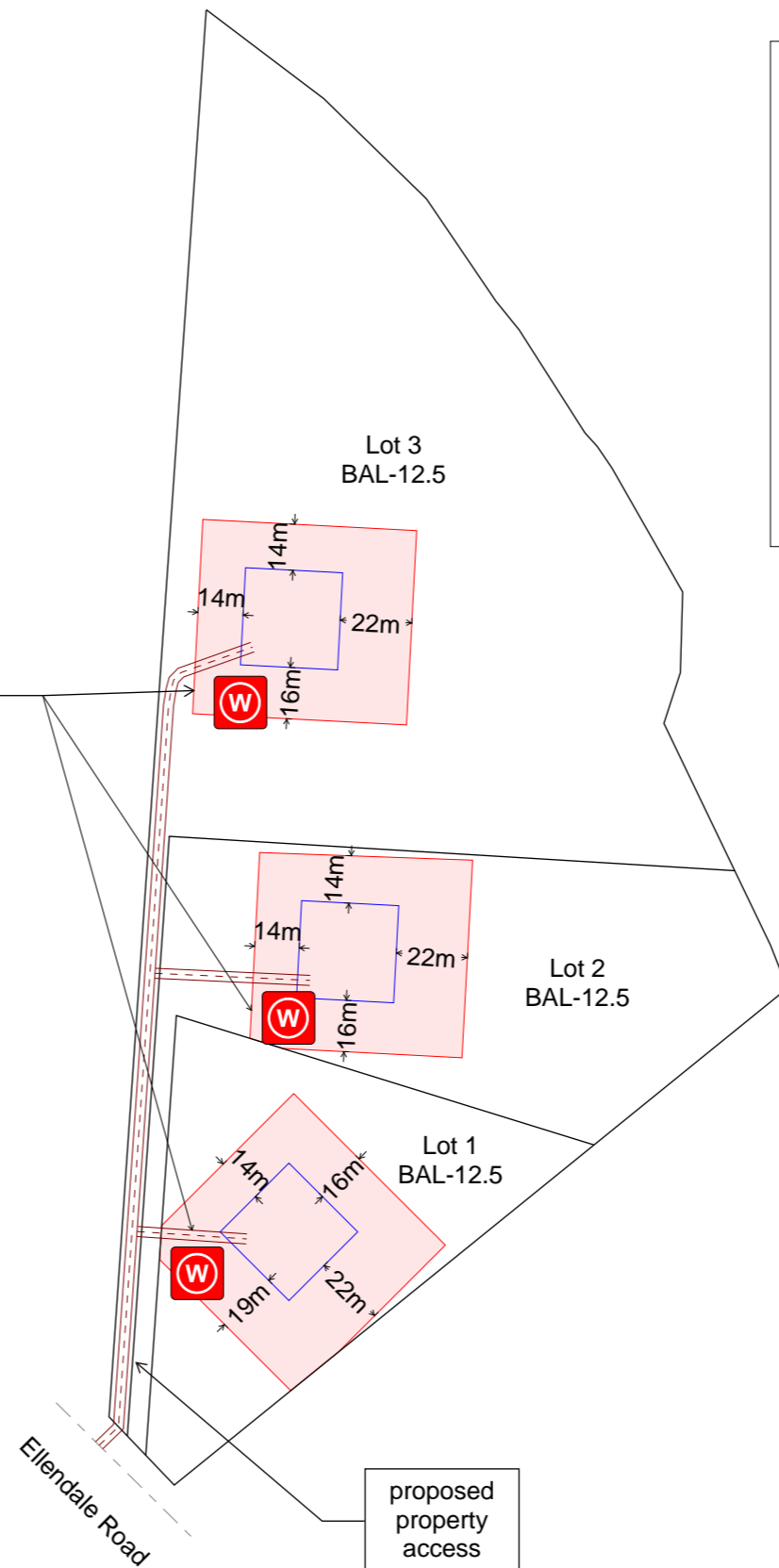
Hazard Management Area

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 Areas

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.



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;

- Remove fallen limbs, sticks, leaf and bark litter;
- Maintain grass at less than a 100mm height;
- Remove pine bark and other flammable mulch (especially from 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);
- Prune larger trees to maintain horizontal separation between canopies;
- Minimise the storage of flammable materials such as firewood;
- Maintain vegetation clearance around vehicular access and water supply points;
- Use low-flammability species for landscaping purposes where appropriate;
- Clear out any accumulated leaf and other debris from roof gutters and other accumulation points.

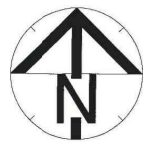
It is not necessary to remove all vegetation from the hazard management area, trees may provide protection from wind borne embers and radiant heat under some circumstances.

Certification No. J10343

Mark Van den Berg

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. Written specifications to take precedence over diagrammatic representations.	PDA Surveyors, Engineers & Planners 127 Bathurst Street, Hobart, Tas., 7000	C.T.: 43479/1 & 244823/1	Date : 4/06/2024 135	Bushfire Hazard Management Plan 1204 Ellendale Road, Ellendale. June 2024. J10343v1. Bushfire Management Report 1204 Ellendale Road, Ellendale. June 2024. J10343v1.	Drawing Number: A01	Sheet 1 of 2 Prepared by: MvdB 45
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BUSHFIRE HAZARD MANAGEMENT PLAN

Bushfire Hazard Management Plan, 1204 Ellendale Road, Ellendale. June 2024. J10343v1. Tasmanian Planning Scheme -Central Highlands



GEO-ENVIRONMENTAL

SOLUTIONS

29 Kirksway Place, Battery Point. T| 62231839 E| office@geosolutions.net.au

Compliance Requirements

Property Access

Property access length is 30 metres or greater; and access is required for a fire appliance to connect to a firefighting 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
- (k) Passing bays of 2 metres additional carriageway width and 20 metres length provided every 100 metres (applicable to Lots 1, 2, & 3 only)

Water Supplies for Firefighting

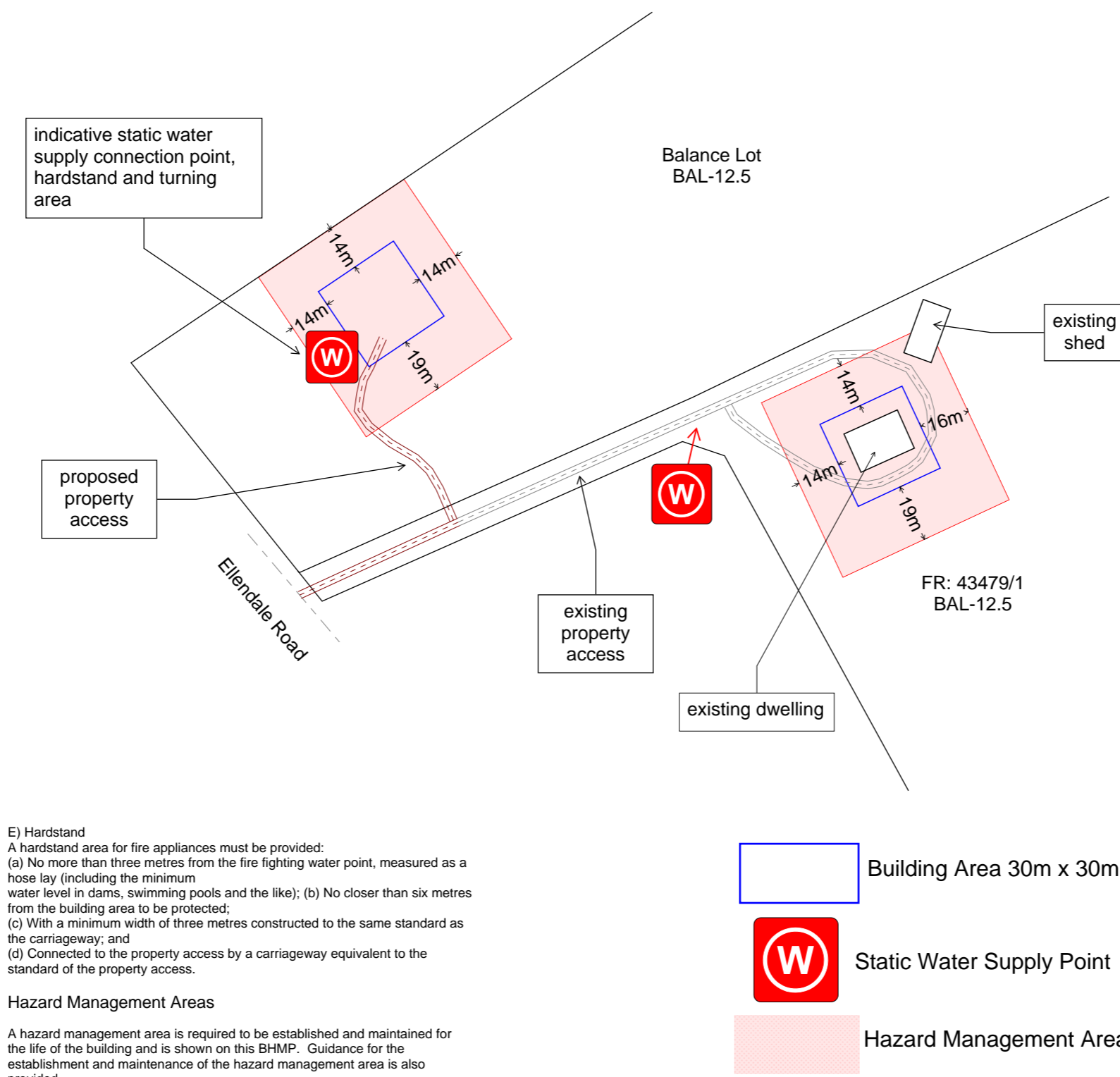
The site is not serviced by a reticulated water supply, therefore a dedicated, static firefighting water supply will be provided in accordance with the following:

- 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 Areas
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.

Note:
Static water supply for FR:43479/1 required prior to the sealing of titles

- 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;
- Remove fallen limbs, sticks, leaf and bark litter;
 - Maintain grass at less than a 100mm height;
 - Remove pine bark and other flammable mulch (especially from 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);
 - Prune larger trees to maintain horizontal separation between canopies;
 - Minimise the storage of flammable materials such as firewood;
 - Maintain vegetation clearance around vehicular access and water supply points;
 - Use low-flammability species for landscaping purposes where appropriate;
 - Clear out any accumulated leaf and other debris from roof gutters and other accumulation points.
- 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. J10343

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. Written specifications to take precedence over diagrammatic representations.	PDA Surveyors, Engineers & Planners 127 Bathurst Street, Hobart, Tas., 7000	C.T.: 43479/1 & 244823/1	Date : 4/06/2024 136	Bushfire Hazard Management Plan 1204 Ellendale Road, Ellendale. June 2024. J10343v1. Bushfire Management Report 1204 Ellendale Road, Ellendale. June 2024. J10343v1.	Drawing Number: A01	Sheet 2 of 2 Prepared by: MvdB 46
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Appendix D

Planning Certificate

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:

1204 Ellendale Road, Ellendale

Certificate of Title / PID:

FR: 43479/1 & FR: 244823/1

2. Proposed Use or Development

Description of proposed Use and Development:

Three lot plus Balance subdivision and boundary adjustment

Applicable Planning Scheme:

Tasmanian Planning Scheme – Central Highlands

3. Documents relied upon

This certificate relates to the following documents:

Title	Author	Date	Version
Plan of Subdivision	PDA Surveyors	27/03/2024	52416CT-P4
Bushfire Hazard Report 1204 Ellendale Road, Ellendale. June 2024. J10343v1.	Mark Van den Berg	04/06/2024	1
Bushfire Hazard Management Plan 1204 Ellendale Road, Ellendale. June 2024. J10343v1.	Mark Van den Berg	04/06/2024	1

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 checked="" 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 checked="" type="checkbox"/>	E1.6.2 A1 (a) / C13.6.2 A1 (a)	Insufficient increase in risk (43479/1)
<input checked="" type="checkbox"/>	E1.6.2 A1 (b) / C13.6.2 A1 (b)	Access complies with relevant Tables (Lots 1, 2, 3 & balance)

<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: Mark Van den Berg

Phone No: 03 62231839

Postal Address: 29 Kirksway Place
Battery Point Tas. 7004

Email Address: mvandenberg@geosolutions.net.au

Accreditation No: BFP – 108

Scope: 1, 2, 3a, 3b & 3c

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:

Mark Van den Berg

04/06/2024

Certificate
Number: J10343v1

(for Practitioner Use only)

Appendix E

Certificate of Others

CERTIFICATE OF QUALIFIED PERSON – ASSESSABLE ITEM

Section 321

To: Owner /Agent
 Address
 Suburb/postcode

Form **55**

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 1204 Ellendale Road, Ellendale. June 2024. J10343v1. Bushfire Hazard Management Plan 1204 Ellendale Road, Ellendale. June 2024. J10343v1. 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)

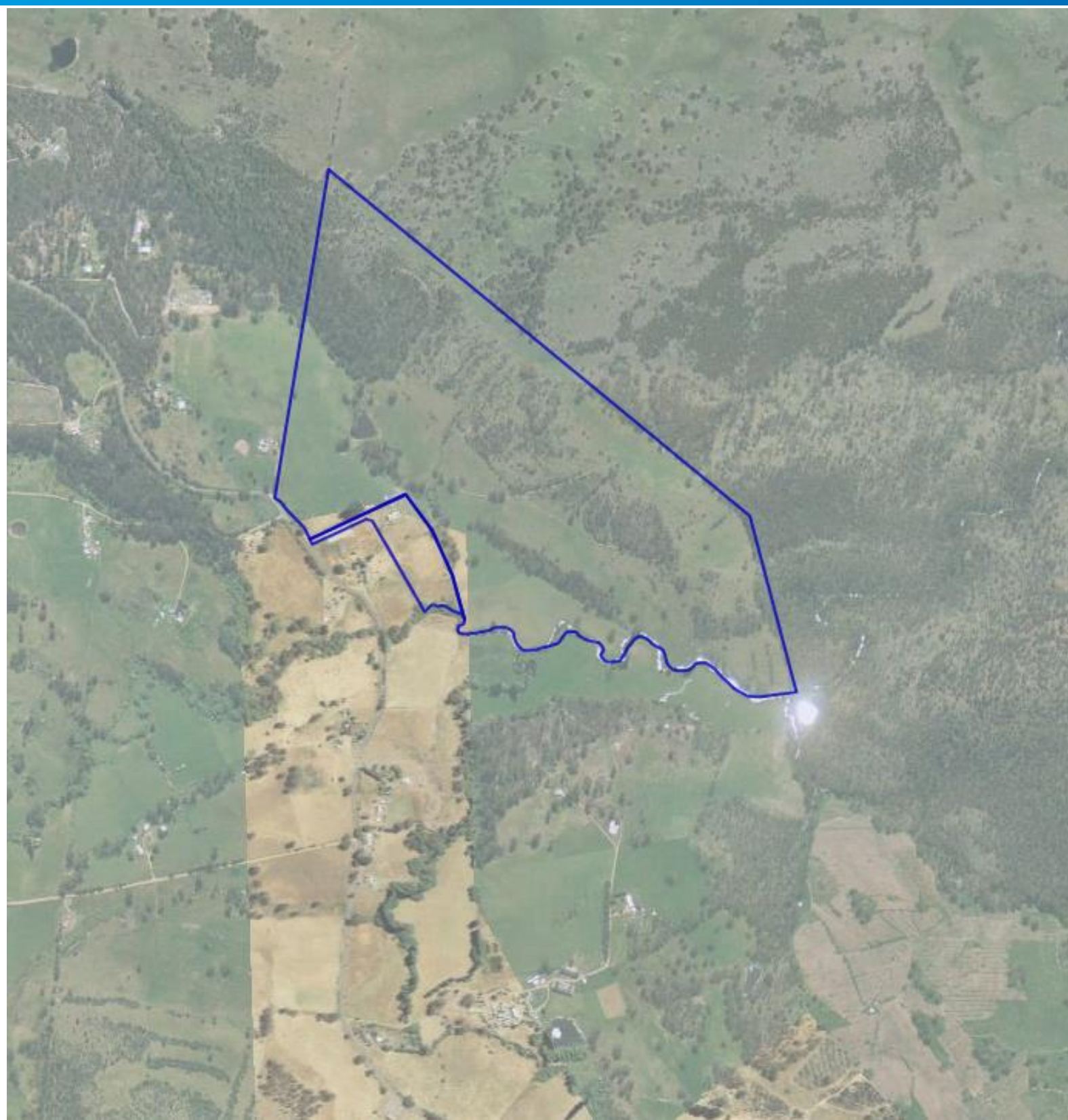
The Bushfire Attack Level for building areas is **BAL-12.5**. All specifications of the Bushfire hazard management plan and report to be implemented for compliance.

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:	Date:
		J10343	04/06/2024



Planning Compliance Report

1204 ELLENDALE ROAD, ELLENDALE

Subdivision: 3 Lots

52416CT | 16 June 2024

55

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PDA Contributors

Planning	Payal Patel	16 June 2024
Review & Approval		

Revision History

Revision	Description	Date
0		

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EXECUTIVE SUMMARY

Property Address	1204 Ellendale Road, Ellendale Tas 7140
Proposal	Subdivision: 3 Lots.
Land Area	69.37ha±
Land Owner/s	Thomas Andrew Wallace - Sharon Denise Wallace
Clients	Tom Wallace

PID / CT	7674358, 7516237	244823/1, 43479/1
Planning Ordinance	Tasmanian Planning Scheme - Central Highlands	
Land Zoning	<i>Rural Living Zone (A)</i> <i>Rural Zone</i>	
Specific Areas Plans	<i>None</i>	
Code Overlays	<i>Natural Assets Code - Priority Vegetation Area</i> <i>Natural Assets Code - Waterway & Coastal Protection Area.</i> <i>Bushfire-prone Areas Code</i> <i>Landslip Hazard Code -low landslide hazard bands</i>	

Use Status	Residential
Application Status	Discretionary

1. Introduction/Context

Council approval is sought for a 3 lot Subdivision at 1204 Ellendale Road, Ellendale (CT 244823/1, 43479/1). In support of the proposal the following associated documents have been provided in conjunction with this planning assessment:

- The Title Plan and Folio, Schedule of Easement: (CT 244823/1, 43479/1)
- Proposed Plan of Subdivision: PDA-52416CT-P4
- Bushfire Hazard Assessment & Bushfire Hazard Management Plan prepared by Mark Ven Den Berg

1.1. The Land



Figure 1. Existing aerial image of the subject land (LISTmap, 2024)

The subject land is located at 1204 Ellendale Road, Ellendale, consists of two subject titles CT 244823/1 and CT43479/1 with an area of 66.44ha± and 2.90ha± respectively. The subject land is inclusive of gentle hills, bush land, pasture, creeks and an existing residence with associated outbuildings. The zone boundary within the subject land is divided by a tributary offset of Montos creek. Land south of watercourse is zoned Rural Living (A) and north is zoned Rural. The existing

residence is located within the Rural Living Zone. Access from Ellendale Road to the existing residence is located within the Rural Living Zone.

1.2. Existing Development

The subject land at 1204 Ellendale Road, Ellendale contains an existing residential dwelling, garage and garden sheds. The subject land has over 100m of frontage to Ellendale Road and is accessible from the existing property access for FR43479/1.

1.3. Natural Values

Natural Values are present on the subject land inclusive of small tributary which crosses through the subject land and sparse vegetation area which covers a north east portion of the site. Forested areas will remain undisturbed on steeper rocky sections of the lot.

2. The Proposal

A Planning Permit for a 3 Lot Subdivision is sought, in accordance with Section 57 of the *Land Use Planning and Approvals Act 1993* and Clause 6.8.1 (b) of the *Tasmanian Planning Scheme – Central Highlands*.

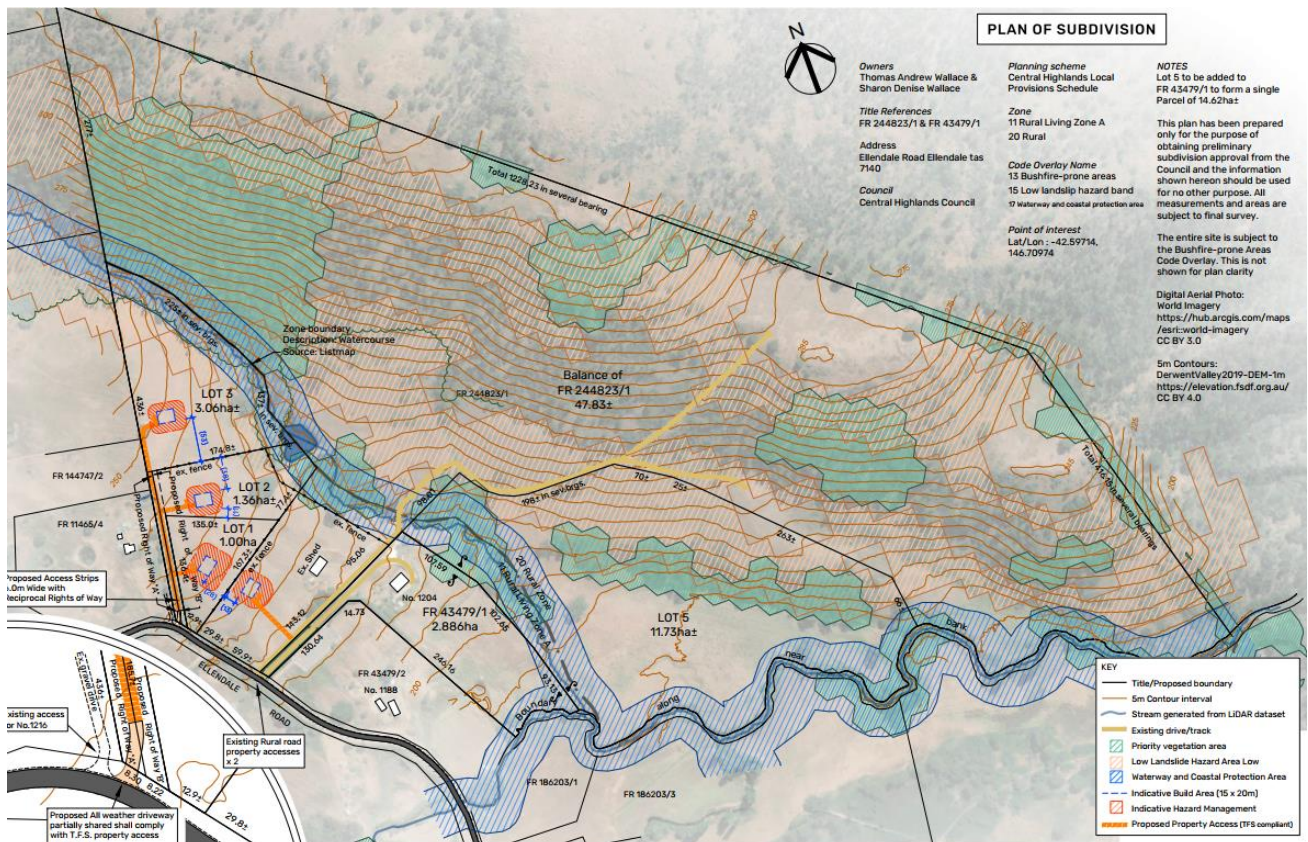


Figure 2. Proposed Plan of Subdivision

It is proposed that the title CT 244823/1 be subdivided into 3 lots (Lot 1, 2 and 3), 43479/1 be consolidated with Lot 5, as illustrated on the plan of subdivision. The proposed new boundary is

situated in alignment with the existing zone boundary. Proposed Lots 1, 2 and 3 are contained within the Rural Living Zone, whilst Lot 5 and balance of FR244823/1 encompasses all of the Rural Zone and a section of the Rural Living Zone.

It is proposed that lot 1 have an area of 1ha, Lot 2 have an area of 1.36ha and lot 3 have an area of 3.06ha. Lot 5 is to be consolidated with 43479/1 to form a single parcel of 14.62ha, containing the existing residential dwelling, access and services. Proposed lots 1, 2 and 3 are provided with frontage and access along Ellendale Road via proposed right of way, as illustrated on the plan of subdivision.

3. Planning Assessment

This current proposal for subdivision has been developed in accordance with the *Tasmanian Planning Scheme - Central Highlands*.

3.1. Use Class

Use Class – Residential

3.2 Zoning

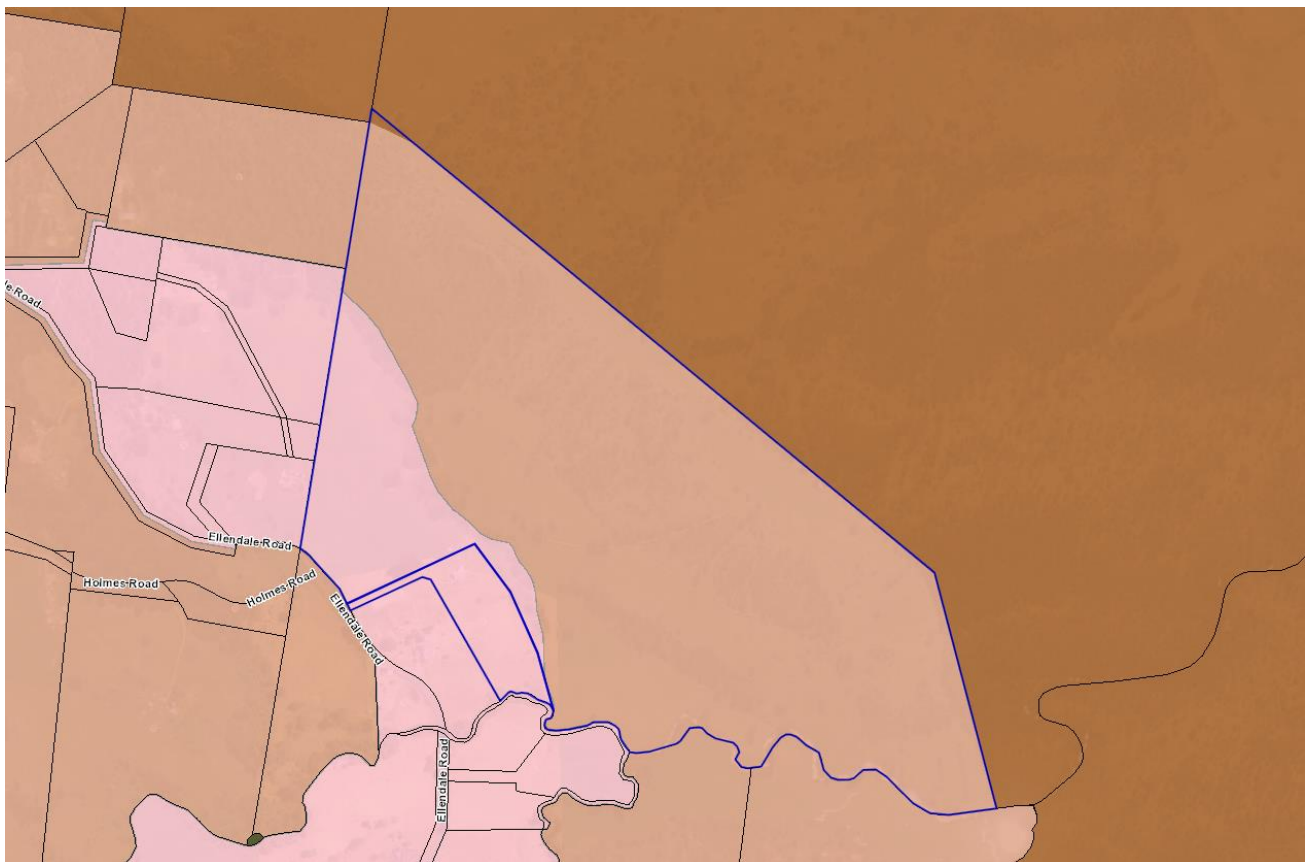


Figure 3. Zoning identification of the subject land and surrounds (LISTmap, 2024)

The subject land is located within the **Rural Living Zone (pink)** and **Rural Zone (light brown)**, whilst is also adjacent to the Rural Living, Agricultural and Rural Zones, as shown in Figure 3 above.

3.3 Zone Standards

11.0 Rural Living Zone

11.5 Development Standards for Subdivision

11.5.1 Lot design

Objective:	
That each lot: <ul style="list-style-type: none"> (a) has an area and dimensions appropriate for use and development in the zone; (b) is provided with appropriate access to a road; and (c) contains areas which are suitable for residential development. 	
Acceptable Solutions	Performance Criteria
A1 Each lot, or a lot proposed in a plan of subdivision, must: <ul style="list-style-type: none"> (a) have an area not less than specified in Table 11.1 and: <ul style="list-style-type: none"> (i) be able to contain a minimum area of 15m x 20m clear of: <ul style="list-style-type: none"> a. all setbacks required by clause 11.4.2 A2 and A3; and b. easements or other title restrictions that limit or restrict development; and (ii) existing buildings are consistent with the setback required by clause 11.4.2 A2 and A3; (b) be required for public use by the Crown, a council or a State authority; (c) be required for the provision of Utilities; or (d) be for the consolidation of a lot with another lot provided each lot is within the same zone. 	P1
Comment: A1 (a) is met: <ul style="list-style-type: none"> (a) Each lot proposed on the plan of subdivision has an area not less than 1ha as required in table 11.1. of the scheme and; <ul style="list-style-type: none"> (i) Proposed lot 1, 2 and 3 are provided with a building area of 15m x 20m clear of; <ul style="list-style-type: none"> a. all setbacks required by clause 11.4.2 A2 and A3 and; b. is not restricted by any title restrictions that limit development on the land. (ii) The existing dwelling contained on FR43479/1 is clear of all setbacks as required by clause 11.4.2 A2 and A3. 	
A2	P2

Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a frontage not less than 40m.

Each lot, or a lot proposed in a plan of subdivision, must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use, having regard to:

- (a) the width of frontage proposed, if any;
- (b) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access;
- (c) the topography of the site;
- (d) the functionality and useability of the frontage;
- (e) the ability to manoeuvre vehicles on the site; and
- (f) the pattern of development existing on established properties in the area, and is not less than 3.6m wide.

Comment:

A2 is not met: Proposed Balance of FR244823/1 have frontage of more than 40m to Ellendale Road and hence meets acceptable solution A2. However, as proposed Lot 1, 2, 3 and FR43479/1 is provided with a frontage which is less than 40m, the performance criteria are addressed below.

P2 is met: as Lot 1, 2 and 3 are provided with 12.9m, 8.22m, and 8.3m of frontage respectively and maintains the existing access for FR43479/1, which is sufficient for the residential use, with regard to the following criterions;

- (a) Proposed Lot 1, 2 and 3 are provided with 12.9m, 8.22m, and 8.3m of frontage respectively;
- (b) The proposed access strip will be 6m wide with a Reciprocal Rights of Way to be shared between Lot 1, 2 and 3 as their principal means of access;
- (c) The access to Lot 1, 2 and 3 with slight slopy topography of the land is suitable for the sealed rural residential all-weather access;
- (d) The usability of the frontage is sufficient for the use and further is consistent with the surrounding pattern of development;
- (e) Each lot is provided with a frontage of more than 8m and lot size of more than 1ha, which provides sufficient area for vehicles to manoeuvre.
- (f) The frontage and access proposed for Lot1, 2 and 3 is consistent with surrounding properties and is not less than 3.6m in width.

<p>A3</p> <p>Each lot, or a lot proposed in a plan of subdivision, must be provided with a vehicular access from the boundary of the lot to a road in accordance with the requirements of the road authority.</p>	<p>P3</p> <p>Each lot, or a lot proposed in a plan of subdivision, must be provided with reasonable vehicular access to a boundary of a lot or building area on the lot, if any, having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) the length of the access; (c) the distance between the lot or building area and the carriageway; (d) the nature of the road and the traffic; (e) the anticipated nature of vehicles likely to access the site; and (f) the ability for emergency services to access the site.
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Comment:

A3 is met: as proposed Lot 1, 2 and 3 are provide with a new access to Ellendale Road and Lot FR43479/1 is to utilise the existing vehicular access. All new accesses are to be constructed in accordance with the requirements of the road authority.

11.5.2 Roads

Objective:

That the arrangement of new roads with a subdivision provides:

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

Acceptable Solutions

Performance Criteria

A1

The subdivision includes no new roads.

P1

Comment:

A1 is met: The subdivision includes no new roads.

11.5.3 Services

Objective:

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

Acceptable Solutions

Performance Criteria

A1

Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must:

- (a) be connected to a full water supply service if the frontage of the lot is within 30m of a full water supply service; or
- (b) be connected to a limited water supply service if the frontage of the lot is within 30m of a limited water supply service,

unless a regulated entity advises that the lot is unable to be connected to the relevant water supply service.

P1

No Performance Criterion.

Comment:

A1 is not applicable: as no water connection is available within 30m of the frontage to either lot. Existing dwelling on FR43479/1 is connected to water tanks, which are located within title boundaries. Lot1, 2 and 3 have sufficient area to accommodate future water supply service when required.

A2

Each lot, or a lot proposed in a plan of subdivision, excluding within Rural Living Zone C or Rural Living Zone D or for public open space, a riparian or littoral reserve or Utilities, must:

- (a) be connected to a reticulated sewerage system; or
- (b) be connected to a reticulated sewerage system if the frontage of each lot is within 30m of a reticulated sewerage system and can be connected by gravity feed.

P2

Each lot, or a lot proposed in a plan of subdivision, excluding within Rural Living Zone C or Rural Living Zone D or for public open space, a riparian or littoral reserve or Utilities, must be capable of accommodating an on-site wastewater treatment system adequate for the future use and development of the land.

Comment:

A2 is not met: as no reticulated sewer system is available.

P2 is met: as proposed lot 1 ,2 and 3 are capable of accommodating an onsite wastewater treatment system that is adequate for future residential use and development of the land. Whilst, FR43479/1 contains an existing onsite wastewater treatment system (septic) which is suitable for the existing residential use.

20.0 Rural Zone

20.5 Development Standards for Subdivision

20.5.1 Lot design

Objective:

To provide for subdivision that:

- (a) relates to public use, irrigation or Utilities; or

(b) facilitates use and development for allowable uses in the zone.

Acceptable Solutions	Performance Criteria
<p>A1 Each lot, or a lot proposed in a plan of subdivision, must:</p> <ul style="list-style-type: none"> (a) be required for public use by the Crown, a council or a State authority; (b) be required for the provision of Utilities or irrigation infrastructure; (c) be for the consolidation of a lot with another lot provided each lot is within the same zone; or (d) be not less than 40ha with a frontage of no less than 25m and existing buildings are consistent with the setback and separation distance required by clause 20.4.2 A1 and A2. 	<p>P1 Each lot, or a lot proposed in a plan of subdivision, must:</p> <ul style="list-style-type: none"> (a) have sufficient useable area and dimensions suitable for the intended purpose, excluding Residential or Visitor Accommodation, that: <ul style="list-style-type: none"> (i) requires the rural location for operational reasons; (ii) minimises the conversion of agricultural land for a non-agricultural use; (iii) minimises adverse impacts on non-sensitive uses on adjoining properties; and (iv) is appropriate for a rural location; or (b) be for the excision of an existing dwelling or Visitor Accommodation that satisfies all of the following: <ul style="list-style-type: none"> (i) the balance lot provides for the sustainable operation of a Resource Development use, having regard to: <ul style="list-style-type: none"> a. not materially diminishing the agricultural productivity of the land; b. the capacity of the balance lot for productive agricultural use; and c. any topographical constraints to agricultural use; (ii) an agreement under section 71 of the Act is entered into and registered on the title preventing future Residential use if there is no dwelling on the balance lot; (iii) the existing dwelling or Visitor Accommodation must meet the setbacks required by subclause 20.4.2 A2 or P2 in relation to setbacks to new boundaries; (iv) it is demonstrated that the new lot will not unreasonably confine or restrain the operation of any

	<p>adjoining site used for agricultural use; and</p> <p>(c) be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use, having regard to:</p> <ul style="list-style-type: none"> (i) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access; (ii) the topography of the site; (iii) the functionality and useability of the frontage; (iv) the anticipated nature of vehicles likely to access the site; (v) the ability to manoeuvre vehicles on the site; (vi) the ability for emergency services to access the site; and (vii) the pattern of development existing on established properties in the area.
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Comment:

A1 is not met: as proposed boundary adjustment between FR43479/1 and consolidation of Lot 5 will result in 14.62ha, therefore the performance criteria are addressed below:

P1 is met:

- (a) The proposed boundary adjustment between FR43479/1 and consolidation of Lot 5 is to allow additional land for existing stock on site.
 - (i) Proposed livestock grazing requires rural location and given the owner currently has surplus cleared land (Lot 5) within Balance of 2244823/1, this consolidation of Lot 5 and FR43479/1 is purely onsite management of available natural resources.
 - (ii) The subject land is not suitable for large-scale agricultural use given the land is classified as Class 6 within Land Capability. However, the proposed subdivision does not further diminish the existing productivity of the land and the proposal contrary supports hobby farm scale.
 - (iii) No foreseen impact on adjoining property is anticipated due to on-ground natural barriers such as Monotos Creek and Jones River being the title boundaries.
 - (iv) The proposal deems appropriate for boundary adjustment within rural location to support livestock.
- (c) FR43479/1 will retain existing access and does not anticipate any change with nature of vehicles anticipated to access the site as the scale of this stock grazing can be considered minimal.

A2

Each lot, or a lot proposed in a plan of subdivision, must be provided with a vehicular access from the boundary of the lot to a road in accordance with the requirements of the road authority.

P2

Each lot, or a lot proposed in a plan of subdivision, is provided with reasonable vehicular access to a boundary of a lot or building area on the lot, if any, having regard to:

- (a) the topography of the site;
- (b) the distance between the lot or building area and the carriageway;
- (c) the nature of the road and the traffic, including pedestrians; and
- (d) the pattern of development existing on established properties in the area.

Comment:

A2 is met: as FR43479/1 will retain existing vehicular access constructed in accordance with the requirement of the road authority.

3.4 Codes

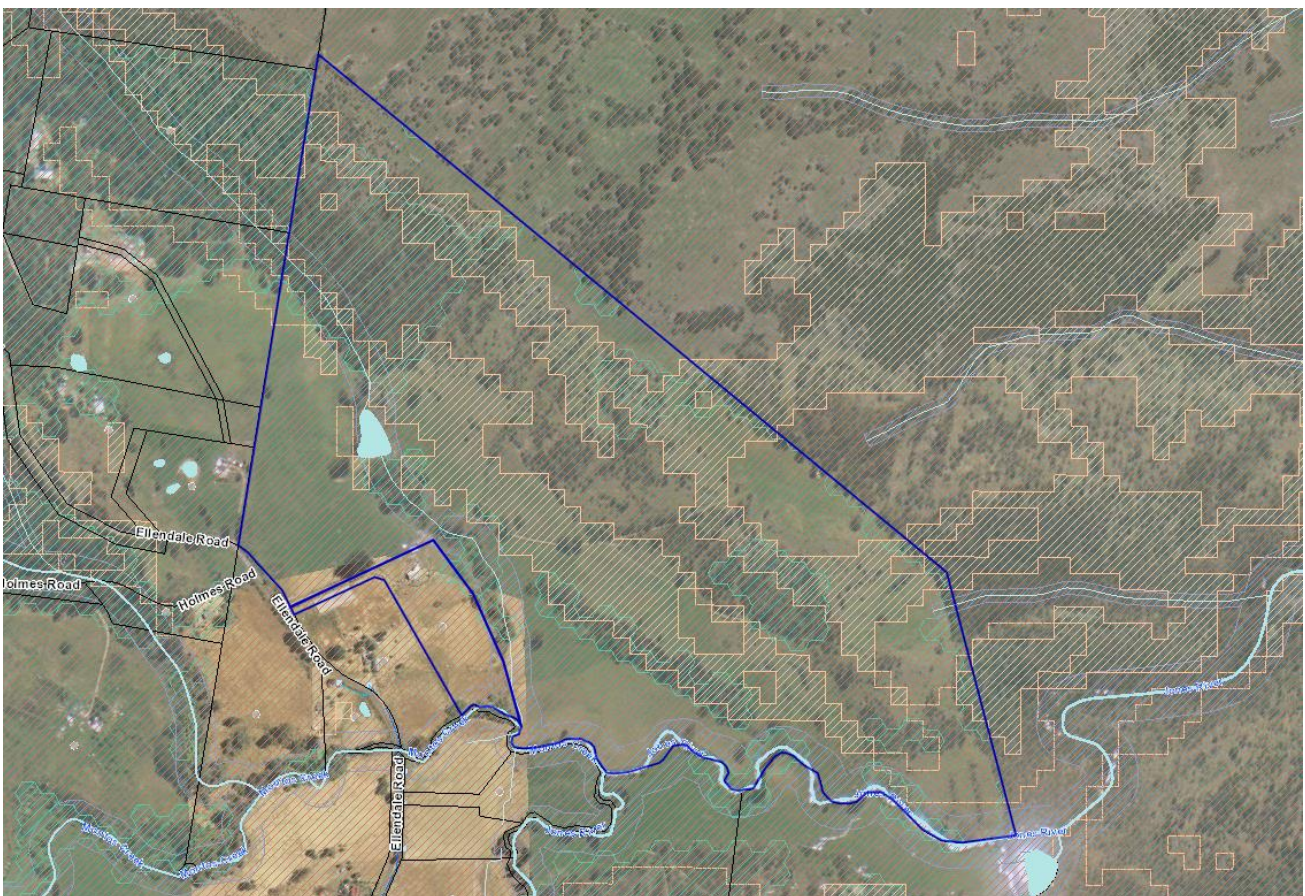


Figure 5. Scheme Overlay identification of the subject land and surrounds (LISTmap, 2024)

The subject land is overlaid with the **Natural Assets Code, Bushfire-prone Areas Code and Landslip Hazard Code - Medium/low landslide hazard bands** as illustrated in Figure 5. The

proposed 3 lot subdivision requires the following Codes under the Tasmanian Planning Scheme
 - Central Highlands to be considered;

Code	Comments:
C1.0 Signs Code	N/A
C2.0 Parking and Transport Code	<i>Applicable - Please refer to planning assessment below.</i>
C3.0 Road and Railway Assets Code	N/A
C4.0 Electricity Transmission Infrastructure Protections Code	N/A
C5.0 Telecommunications Code	N/A
C6.0 Local Historic Heritage Code	N/A
C7.0 Natural Assets Code	<i>Applicable - Please refer to planning assessment below.</i>
C8.0 Scenic Protections Code	N/A
C9.0 Attenuation Code	N/A
C10.0 Coastal Erosions Hazard Code	N/A
C11.0 Coastal inundation Hazard Code	N/A
C12.0 Flood-prone Areas Hazard Code	N/A
C13.0 Bushfire-prone Areas Code	<i>Please refer to BHA prepared by Mark Van Den Berg.</i>
C14.0 Potentially Contaminated Land Code	N/A
C15.0 Landslip Hazard Code	<i>Accordance with clause C15.4 (e) the development for subdivision is exempt from this code as the land is within a low/medium landslip hazard band and is not inclusive of significant works.</i>
C16.0 Safeguarding of Airports Code	N/A

3.5 Code Standards

C2.0 Parking and Transport Code

C2.5.1 Car parking numbers

Objective:	
That an appropriate level of car parking spaces are provided to meet the needs of the use.	
Acceptable Solutions	Performance Criteria

<p>A1</p> <p>The number of on-site car parking spaces must be no less than the number specified in Table C2.1, excluding if:</p> <ul style="list-style-type: none"> (a) the site is subject to a parking plan for the area adopted by council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan; (b) the site is contained within a parking precinct plan and subject to Clause C2.7; (c) the site is subject to Clause C2.5.5; or (d) it relates to an intensification of an existing use or development or a change of use where: <ul style="list-style-type: none"> (i) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is greater than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case no additional on-site car parking is required; or (ii) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is less than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case on-site car parking must be calculated as follows: <p style="margin-left: 40px;"> $N = A + (C - B)$ N = Number of on-site car parking spaces required A = Number of existing on site car parking spaces B = Number of on-site car parking spaces required for the existing use or development specified in Table C2.1 C = Number of on-site car parking spaces required for the proposed use or development specified in Table C2.1. </p>	<p>P1</p>
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Comment:

A1 is met: as the proposal complies with criterion (d)(ii). The site relates to an intensification of an existing use. The FR43479/1 contains an existing parking area that has capacity to contain more than the required parking specified in table C2.1. Proposed Lot 1, 2 and 3 are vacant, however there is sufficient area for a future residential development to meet the requirements of table C2.1.

C2.6.1 Construction of parking areas

Objective:	
That parking areas are constructed to an appropriate standard.	
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>All parking, access ways, manoeuvring and circulation spaces must:</p> <ul style="list-style-type: none"> (a) be constructed with a durable all-weather pavement; 	P1

- (b) be drained to the public stormwater system, or contain stormwater on the site; and
- (c) excluding all uses in the Rural Zone, Agriculture Zone, Landscape Conservation Zone, Environmental Management Zone, Recreation Zone and Open Space Zone, be surfaced by a spray seal, asphalt, concrete, pavers or equivalent material to restrict abrasion from traffic and minimise entry of water to the pavement.

Comment:

A1 is met: as it is proposed that the new accesses be constructed with durable all-weather pavement to minimise the entry of water to the driveway and restrict abrasion from traffic.

C2.6.3 Number of accesses for vehicles

Objective:

That:

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

Acceptable Solutions

Performance Criteria

A1

P1

The number of accesses provided for each frontage must:

- (a) be no more than 1; or
- (b) no more than the existing number of accesses, whichever is the greater.

Comment:

A1 is met: as no more than 1 access is provided per lot. The access to the FR43479/1 is an existing and is to be utilised by the existing residence, whilst proposed Lot 1, 2 and 3 are each provided with a new shared access.

C7.0 Natural Assets Code

C7.7.1 Subdivision within a waterway and coastal protection area or a future coastal refugia area

Objective:

That:

- (a) works associated with subdivision within a waterway and coastal protection area or a future coastal refugia area will not have an unnecessary or unacceptable impact on natural assets; and
- (b) future development likely to be facilitated by subdivision is unlikely to lead to an unnecessary or unacceptable impact on natural assets.

Acceptable Solutions

Performance Criteria

<p>A1</p> <p>Each lot, or a lot proposed in a plan of subdivision, within a waterway and coastal protection area or a future coastal refugia area, must:</p> <ul style="list-style-type: none"> (a) be for the creation of separate lots for existing buildings; (b) be required for public use by the Crown, a council, or a State authority; (c) be required for the provision of Utilities; (d) be for the consolidation of a lot; or (e) not include any works (excluding boundary fencing), building area, services, bushfire hazard management area or vehicular access within a waterway and coastal protection area or future coastal refugia area. 	<p>P1</p> <p>Each lot, or a lot proposed in a plan of subdivision, within a waterway and coastal protection area or a future coastal refugia area, must minimise adverse impacts on natural assets, having regard to:</p> <ul style="list-style-type: none"> (a) the need to locate building areas and any associated bushfire hazard management area to be outside a waterway and coastal protection area or a future coastal refugia area; and (b) future development likely to be facilitated by the subdivision.
<p>Comment:</p> <p>A1 (e) is met: The proposed building area will be located more than 50m offset from waterbody and does not include any works, building area, services, bushfire hazard management area or vehicular access within a waterway and coastal protection area or future coastal refugia area.</p>	

C7.0 Natural Assets Code

C7.7.2 Subdivision within a priority vegetation area

<p>Objective:</p>	
<p>That:</p> <ul style="list-style-type: none"> (a) works associated with subdivision will not have an unnecessary or unacceptable impact on priority vegetation; and (b) future development likely to be facilitated by subdivision is unlikely to lead to an unnecessary or unacceptable impact on priority vegetation. 	
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>
<p>A1</p> <p>Each lot, or a lot proposed in a plan of subdivision, within a priority vegetation area must:</p> <ul style="list-style-type: none"> (a) be for the purposes of creating separate lots for existing buildings; (b) be required for public use by the Crown, a council, or a State authority; (c) be required for the provision of Utilities; (d) be for the consolidation of a lot; or 	<p>P1</p>

(e) not include any works (excluding boundary fencing), building area, bushfire hazard management area, services or vehicular access within a priority vegetation area.

Comment:

A1 (e) is met: The proposed subdivision does not include any works, building area, services, bushfire hazard management area or vehicular access within a waterway and coastal protection area or future coastal refugia area.

4. Conclusion

The planning assessment and supporting documentation provided, demonstrates that the development proposal for a 3-lot subdivision at 1204 Ellendale Road, Ellendale, meets all requirements of the *Tasmanian Planning Scheme - Central Highlands*.

Yours faithfully,



PAYAL PATEL

**On behalf of
PDA Surveyors, Engineers and Planners**

5. Contact

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31/07/2024

DA 2024/43

To whom it may concern...

I have owned and lived at this property for nearly 40 years now.

I would like to raise some serious concerns about a planned subdivision DA 2024/43 lodged recently.

a subdivision – which entails running a road, that services 4 proposed housing blocks – directly adjacent to our boundary fence.

We are greatly concerned that this has the potential to increase traffic noise and disturbance quite close to our existing residence.

We are greatly concerned there will be a lack of privacy and security with cars passing, and if houses are built close to the boundary.

A housing subdivision this close to our residence will greatly diminish our ability to enjoy the rural lifestyle that we have established and enjoyed for decades. And this includes all the sights, sounds and smells of the rural lifestyle – horses, tractors, chainsaws, fire hazard reduction burnoffs, shooting vermin wallabies and rabbits and the like.

If we wanted neighbours this close, we would have opted for a Housing Commission house in the suburbs of New Norfolk.

We also have concerns about maintaining the wallaby proof integrity of our current boundary fence – particularly as I have had NO financial or physical support from ANY of the neighbouring property owners. If these fences are disturbed – it will potentially lead to the need for increased firearms use on the property for vermin reduction.

We have had cordial discussions with the DA applicants recently voicing our concerns and discussed the viability of establishing a planted corridor along the boundary – to provide visual screening – for the mutual benefit of all parties. If this development must go ahead (which I still think will have a detrimental effect on our rural lifestyle and set a poor precedent for the area) can there be a provision inserted to guarantee the establishment of a planted screening corridor to separate the properties in question.

Thank you for your time, and we hope you will inform us of your decision as soon as you can.

Draft Amendment 05-2024 of the State Planning Provisions

Agricultural worker accommodation

1. In Table 3.1 Planning Terms and Definitions, after the row for ‘agricultural use’, insert a new term and definition for ‘agricultural workers accommodation’ as follows:

agricultural worker accommodation	means accommodation, whether self-contained or not, located in a Rural Zone or Agriculture Zone for workers employed in agricultural uses.
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2. Table 3.1 Planning Terms and Definitions, in the row for ‘sensitive use’, amend the definition by inserting the text shown underlined as follows:

sensitive use	means a residential use, <u>excluding agricultural worker accommodation</u> , or a use involving the presence of people for extended periods except in the course of their employment such as a caravan park, childcare centre, dwelling, hospital or school.
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3. In Table 6.2 Use Classes, in the row for ‘Residential’, amend the definition by inserting the text shown underlined as follows:

Residential	use of land for self-contained or shared accommodation. Examples include a secondary residence, boarding house, communal residence, <u>agricultural worker accommodation</u> , home-based business, home-based child care, residential care facility, residential college, respite centre, assisted housing, retirement village and single or multiple dwellings.
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4. In the Rural Zone, in clause 20.2 Use Table, delete the Permitted Residential Use Class qualification and replace with the following:

Residential	<p>If for:</p> <ul style="list-style-type: none"> (a) a home-based business in an existing dwelling; (b) agricultural worker accommodation; or (c) alterations or extensions to an existing dwelling.
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5. In the Rural Zone, in clause 20.3 Use Standards, insert a new use standard for agricultural worker accommodation as follows:

20.3.2 Agricultural worker accommodation

Objective:	To provide for agricultural worker accommodation to support agricultural use.
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Agricultural worker accommodation must:</p> <p>(a) be used to accommodate not more than 20 workers;</p> <p>(b) accommodate workers that are employed in an agricultural use on the site or on an adjoining site in the same ownership;</p> <p>(c) be located on the same lot as:</p> <p>(i) an existing dwelling and share with the existing dwelling the vehicular access and electricity connections; or</p> <p>(ii) an existing building or facility, where the workers are employed, and share with the existing building or facility the vehicular access; and</p> <p>(d) be located on a lot with an area of not less than 40ha, or be part of agricultural business that operates over adjoining lots with a total area of not less than 40ha.</p>	<p>P1</p> <p>Agricultural worker accommodation must be required as part of an agricultural use either on the site or in the vicinity of the site, having regard to:</p> <p>(a) the scale of the agricultural use being serviced;</p> <p>(b) the complexity of the agricultural use being serviced;</p> <p>(c) the operational requirements of the agricultural use being serviced;</p> <p>(d) the need for employees to be accommodated on the proposed site to attend to the agricultural use on the site or in the vicinity of the site; and</p> <p>(e) proximity of the site to the agricultural use being serviced.</p>

6. In the Rural Zone, in clause 20.4.3 A1, insert the text shown underlined as follows:

<p>A1</p> <p>New dwellings, <u>excluding agricultural worker accommodation</u>, must be located on lots that have frontage with access to a road maintained by a road authority.</p> <p><u>Agricultural worker accommodation that meets the requirements in clause 20.3.2 A1 must use the existing legal access to the lot if there is no frontage with access to a road maintained by a road authority.</u></p>	<p>P1</p> <p>New dwellings must have legal access, by right of carriageway, to a road maintained by a road authority that is appropriate, having regard to:</p> <p>(a) the number of users of the access;</p> <p>(b) the length of the access;</p> <p>(c) the suitability of the access for use by the occupants of the dwelling;</p> <p>(d) the suitability of the access for emergency services vehicles;</p> <p>(e) the topography of the site;</p> <p>(f) the construction and maintenance of the access;</p> <p>(g) the construction, maintenance and usage of the road; and</p> <p>(h) any advice from a road authority.</p>
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7. In the Rural Zone, in clause 20.5.1 P1(b) amend the leading sentence to insert the text show underlined as follows:

- (b) be for the excision of an existing dwelling, excluding agricultural worker accommodation, or Visitor Accommodation that satisfies all of the following:

8. In the Agriculture Zone, in clause 21.2 Use Table, delete the Permitted Residential Use Class qualification and replace with the following:

Residential	<p>If for:</p> <ul style="list-style-type: none"> (a) a home-based business in an existing dwelling; (b) agricultural worker accommodation; or (c) alterations or extensions to an existing dwelling.
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9. In the Agriculture Zone, in clause 21.3 Use Standards, insert a new use standard for agricultural worker accommodation as follows:

21.3.2 Agricultural worker accommodation

Objective:	To provide for agricultural worker accommodation to support agricultural use.
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Agricultural worker accommodation must:</p> <ul style="list-style-type: none"> (a) be used to accommodate not more than 20 workers; (b) accommodate workers that are employed in an agricultural use on the site or on an adjoining site in the same ownership; (c) be located on the same lot as: <ul style="list-style-type: none"> (i) an existing dwelling and share with the existing dwelling the vehicular access and electricity connections; or (ii) an existing building or facility, where the workers are employed, and share with the existing building or facility the vehicular access; and (d) be located on a lot with an area of not less than 40ha, or be part of agricultural business that operates over adjoining lots with a total area of not less than 40ha. 	<p>P1</p> <p>Agricultural worker accommodation must be required as part of an agricultural use either on the site or in the vicinity of the site, having regard to:</p> <ul style="list-style-type: none"> (a) the scale of the agricultural use being serviced; (b) the complexity of the agricultural use being serviced; (c) the operational requirements of the agricultural use being serviced; (d) the need for employees to be accommodated on the proposed site to attend to the agricultural use on the site or in the vicinity of the site; and (e) proximity of the site to the agricultural use being serviced.

10. In the Agriculture Zone, in clause 21.4.3 A1, insert the text shown underlined as follows:

<p>A1</p> <p>New dwellings, <u>excluding agricultural worker accommodation</u>, must be located on lots that have frontage with access to a road maintained by a road authority.</p> <p><u>Agricultural worker accommodation that meets the requirements in clause 21.3.2 A1 must use the existing legal access to the lot if there is no frontage with access to a road maintained by a road authority.</u></p>	<p>P1</p> <p>New dwellings must have legal access, by right of carriageway, to a road maintained by a road authority that is appropriate, having regard to:</p> <ul style="list-style-type: none"> (a) the number of users of the access; (b) the length of the access; (c) the suitability of the access for use by the occupants of the dwelling; (d) the suitability of the access for emergency services vehicles; (e) the topography of the site; (f) the construction and maintenance of the access; (g) the construction, maintenance and usage of the road; and (h) any advice from a road authority.
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11. In the Agriculture Zone, in clause 21.5.1 P1(c) amend the leading sentence to insert the text shown underlined as follows:

- (c) be for the excision of a use or development, excluding agricultural worker accommodation, existing at the effective date that satisfies all of the following:

12. In the Parking and Sustainable Transport Code, in Table C2.1 Parking Space Requirements, in the Row for the 'Residential' use class, insert a new sub-row before the sub-row for use 'Other Residential use in the General Residential Zone' as follows:

Residential	Agricultural worker's accommodation in the Rural Zone or Agriculture Zone	No requirement	No requirement
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State Planning Provisions

Amendment 05/2024 – Agricultural Worker Accommodation

What is agricultural worker accommodation?

Agricultural worker accommodation is for workers employed in agricultural uses, such as fruit picking and packing, dairies, or sheep shearing. The accommodation can be for seasonal or permanent workers, and may be in self-contained units or part of a shared facility. It must be on land zoned Rural or Agriculture in the Tasmanian Planning Scheme.

Can accommodation for agricultural workers be located in other zones?

Yes. Workers often stay in villages and towns near the farms where they work. They may also stay in visitor accommodation like motels, backpacker hostels, or caravan parks. The proposed changes do not impact this.

What are the proposed changes?

The proposed changes improve the current planning requirements for agricultural worker accommodation meaning that agricultural businesses will have the flexibility, when needed, to accommodate their labour force on site.

The changes include:

- Adding a definition for ‘agricultural worker accommodation’
- Clarifying how the use is categorised in the planning scheme
- Creating a Permitted approval pathway for modest-scale agricultural worker accommodation
- Simplifying the assessment standards, like setbacks, vehicular access and parking for approval of agricultural worker accommodation
- Consistent requirements in both the Rural Zone and Agriculture Zone.

Why is the reason for the proposed changes?

The agricultural industry is a major employer and amongst the largest contributors to Tasmania's economy. The Tasmanian Government has a goal of increasing the value of the agricultural sector to \$10 billion by 2050. Current housing shortages are making it difficult to accommodate the agricultural labour force and it is important to improve the options available.

Will the proposed changes make it harder to build agricultural worker accommodation?

No. The proposed changes will make it easier by clarifying the requirements that apply and providing certainty for agricultural businesses seeking planning approval. The proposed Permitted approval pathway guarantees planning approval for agricultural worker accommodation provided it meets any other relevant code requirements in the planning scheme. This means any requirements on heritage, natural values or natural hazards.

How do the proposed changes differ to the current requirements?

The Agriculture Zone already includes Discretionary¹ approval of residential development required as part of an agricultural use. This could include farmhouses, farm managers residences, or agricultural worker accommodation. The Rural Zone currently limits residential development to a single dwelling per title which limits the approval of agricultural worker accommodation.

The proposed changes introduce specific requirements for the assessment of agricultural worker accommodation in both the Rural Zone and Agriculture Zone, including a Permitted² approval pathway for modest-scale accommodation.

Current requirements for Residential or Visitor Accommodation approvals in other zones are not affected as the proposed changes only apply to the Rural Zone and Agriculture Zone.

What are the proposed Permitted and Discretionary approval pathways?

A Permitted² approval pathway guarantees receiving a planning permit when all relevant Acceptable Solutions are met. Under the proposed changes, a planning application will be approved if:

- it accommodates up to 20 workers;
- the workers are employed on the site or an adjoining site in the same ownership;
- the accommodation is located on the same lot as either an existing dwelling or an existing building or facility where the workers are employed;
- the accommodation shares the vehicular access and electricity connections with the dwelling, or shares the vehicular access with the existing building or facility;

¹ The council can make a decision to approve or refuse to issue a planning permit for a Discretionary use or development based on an assessment against the planning requirements. Discretionary applications are subject to public comment and appeals on the council decision can be lodged by a third-party.

² A planning permit is required for a Permitted use or development. The council must issue a planning permit for a Permitted application which may be subject to conditions.

- the accommodation is on a lot, or is part of a farm, that is 40 hectares or larger;
- any other relevant Acceptable Solutions are met in the zone (such as building height and setbacks), and
- any matters in the relevant codes (e.g. heritage, natural values, or natural hazards).

Applications that do not meet the Permitted requirements will be assessed through the Discretionary¹ approval pathway.

The council may ask for a business plan for the agricultural use to show that the accommodation is needed. This is to make sure that our valuable agricultural land is kept available for agricultural uses to meet the [State Policy on the Protection of Agricultural Land 2009](#).

What types of agricultural worker accommodation can be built?

The proposed changes do not control the type of accommodation that can be built. The operator can choose the accommodation type that best suits their needs and budget, whether permanent or temporary buildings and modular, or transportable housing options.

Can I build accommodation for more than 20 workers, or on farms smaller than 40 hectares?

Yes. This will be considered by the council through the Discretionary approval pathway. The council may ask for a business plan to show that it is needed as part of an agricultural use.

Can I build accommodation for workers employed on other farms?

Yes. Accommodation can be approved for workers employed on other farms. The Permitted approval pathway provides flexibility so that workers can be employed on other farms provided they are also employed on the farm on which they are accommodated. Accommodation for workers not employed on that site will be considered under the Discretionary approval pathway.

Can agricultural workers be accommodated in towns?

Yes, the proposed changes do not affect this. There are a variety of housing options that can be approved in residential zones or mixed use and business zones in towns.

Why aren't changes proposed for other workers in remote locations?

Other projects are considering the housing needs of other remote workers, such as those employed in mines and renewable energy projects on the West Coast. These industries have more complex issues to consider.

Can agricultural worker accommodation be used as visitor accommodation?

Yes. An application could be made at any time for approval of the use of agricultural worker accommodation as visitor accommodation (e.g. farm stays) when not being used for workers. Any visitor accommodation would need to be assessed against the relevant requirements in the planning scheme.

Why is the Government seeking to bring SPPs amendment 05-2024 into effect sooner?

The Government wants to implement improvements as a priority through an 'interim' SPPs amendment. An interim SPPs amendment allows changes to be brought into effect earlier. The process for an SPPs amendment to become an interim SPPs amendment is shown in a flowchart below. This process has recently been used to bring the planning requirements for Tasmania's Container Refund Scheme into effect earlier.

Are there other building and plumbing requirements for agricultural worker accommodation?

Building and plumbing requirements are separate, and in addition, to the planning requirements.

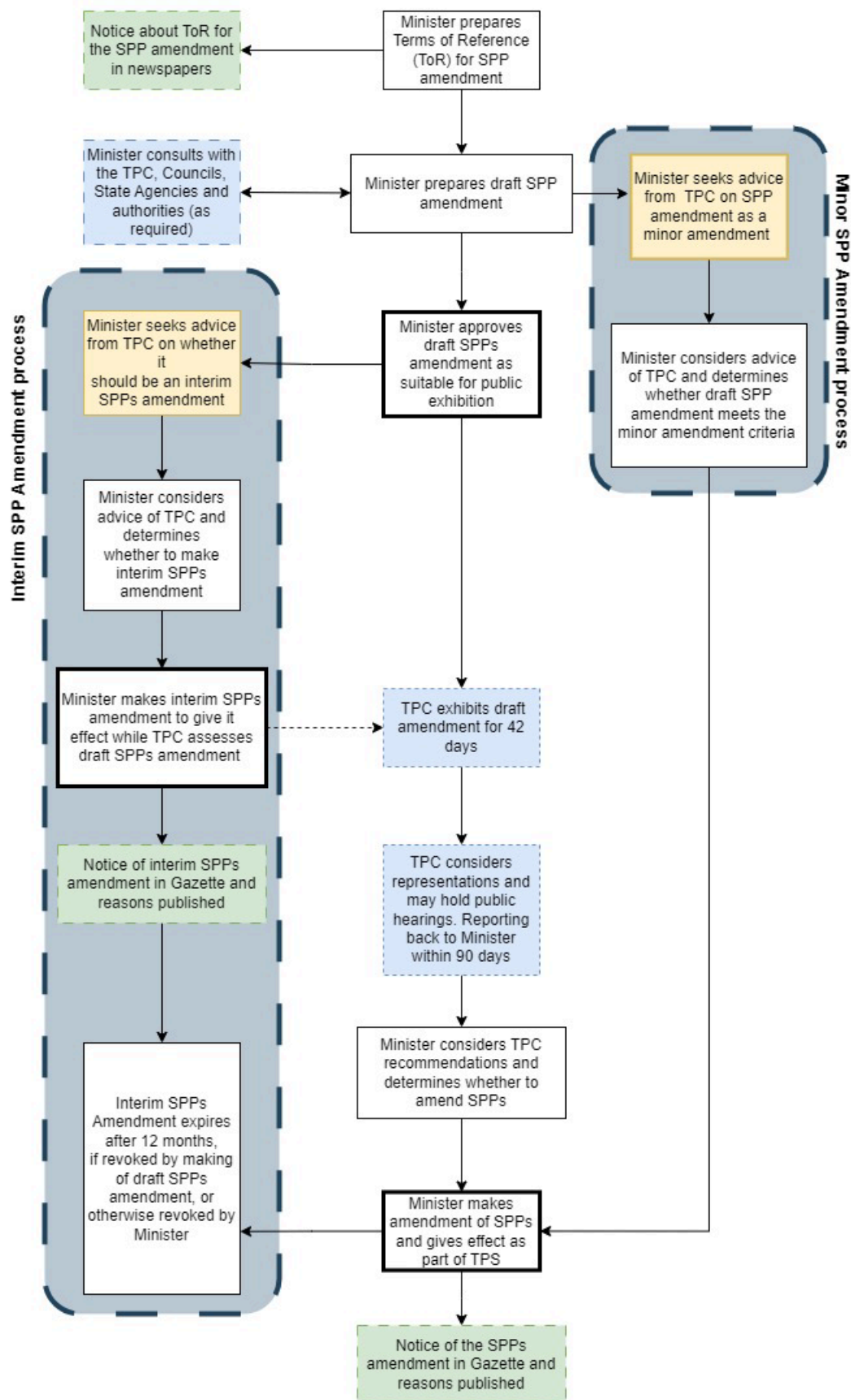
You should check with your council whether a building or plumbing permit is needed.

General enquiries about the Government's planning reform agenda and the Tasmanian Planning Scheme should be directed to:

State Planning Office, Department of Premier and Cabinet
GPO Box 123
HOBART TAS 7001
Phone: 1300 703 977
Email: stateplanning@dpac.tas.gov.au

Date: June 2024

Flow chart - Amendment process for State Planning Provisions (SPPs) under *Land Use Planning and Approvals Act 1993 (LUPA Act)*



Department of Premier and Cabinet
State Planning Office

Executive Building 15 Murray Street HOBART TAS 7000 Australia
GPO Box 123 HOBART TAS 7001 Australia
Ph: 1300 703 977
Email: stateplanning@dpac.tas.gov.au
Web: www.planningreform.tas.gov.au



22 July 2024

Councillor Loueen Triffitt
Mayor
Central Highlands Council
PO Box 20
HAMILTON TAS 7140

By Email: council@centralhighlands.tas.gov.au

Dear Mayor

Draft Amendment 05-2024 of the State Planning Provisions and draft Land Use Planning and Approvals Amendment Regulations 2024

It is important to keep the State Planning Provisions (SPPs) under regular review to ensure that they remain relevant and suitable to deliver the intended planning outcomes.

A comprehensive review of the SPPs commenced in 2022 as part of the five-yearly statutory review of the SPPs. The SPPs review scoping consultation undertaken in 2022 identified issues and grouped them into Action Group projects for further investigation or to progress as amendments to the SPPs.

Issues raised from the SPPs Review scoping process and recent workshops with council planners has identified an opportunity to provide greater consistency and certainty in the current planning requirements for use and development of agricultural worker accommodation on farms in the Agriculture Zone. There is also an opportunity to extend the requirements to the Rural Zone. This aligns with the Government's *2030 Strong Plan for Tasmania's Future – First 100 Days* following the March 2024 State election. The 2030 Strong Plan aims to support the agriculture industry and prioritise addressing any restrictions on developing housing on farms to accommodate their workforce, specifically:

“Address restrictions that apply to the development of housing on agricultural land, including an option for more than one dwelling on a single title (either temporary or permanent). This will make it possible for short term, modular or transportable housing solutions to be used on farms as agricultural workforce accommodation.”

Draft amendment 05-2024 of the SPPs is intended to improve the requirements in the Rural Zone and Agriculture Zone for the assessment of agricultural worker accommodation.

In accordance with section 30C of the *Land Use Planning and Approvals Act 1993* (the LUPA Act), the Minister for Housing and Planning, the Hon Felix Ellis MP, has prepared Terms of Reference for the preparation of draft amendment 05-2024 of the SPPs. The Minister has also prepared draft amendment 05-2024 of the SPPs, that is in accordance with the Terms of Reference, and an accompanying explanatory document and fact sheet.

In accordance with section 30D(2) of the LUPA Act, the State Planning Office, on behalf of the Minister, is seeking your comment on draft amendment 05-2024 of the SPPs. In accordance with section 30D(3) of the LUPA Act, I also seek your opinion on whether the amendment should become an interim SPPs amendment in accordance with section 30NB of the LUPA Act to enable these changes to come into effect earlier.

Section 30NB(4) of the LUPA Act enables an interim SPPs amendment to be made for certain circumstances, and additional circumstances may be prescribed in the *Land Use Planning and Approvals Regulations 2014* (the LUPA Regulations). There is currently only one prescribed circumstance in the LUPA Regulations for rollout of the State's Container Refund Scheme. It is proposed to make amendments to the LUPA Regulations to enable an interim SPPs amendment to be made where it relates to the use and development of accommodation of agricultural workers in the Rural Zone or Agriculture Zone of the SPPs.

The following documents are available for viewing on the Planning in Tasmania website (www.planningreform.tas.gov.au):

- Terms of Reference for draft amendment 05-2024 of the SPPs;
- Draft amendment 05-2024 of the SPPs;
- Explanatory document for draft amendment 05-2024 of the SPPs;
- Fact sheet about draft amendment 05-2024 of the SPPs; and
- *Land Use Planning and Approvals Amendment Regulations 2024* – Consultation Draft.

Written submissions can be provided to the State Planning Office by close of business on **Tuesday 27 August 2024**:

By post:

State Planning Office
Department of Premier and Cabinet
GPO Box 123
Hobart TAS 7001

By email: yoursay.planning@dpac.tas.gov.au

Please note that all submissions will be treated as public information and will be published on the Planning in Tasmania website.

If you have any questions or would like a briefing, please contact the State Planning Office on 1300 703 977 or stateplanning@dpac.tas.gov.au

Yours sincerely



Brian Risby
Director

CC: General Manager, Ms Kim Hossack



Southern Tasmanian Councils Authority

Southern Tasmanian Regional Land Use Strategy (STRLUS) review and update

Working group meeting #7, 8 August 24

What is a Regional Land Use Strategy?

A regional land use strategy helps to:

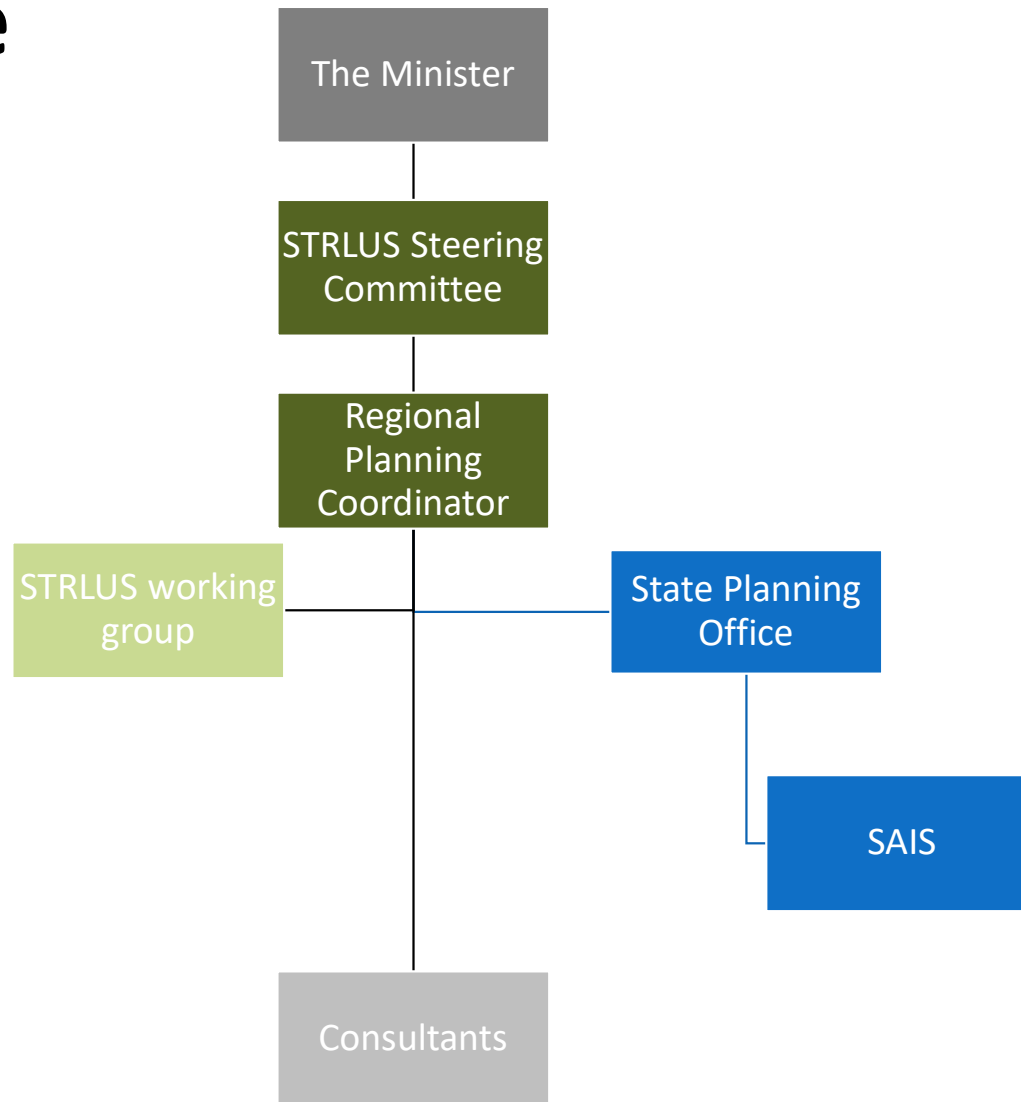
- identify housing need in the region
- plan for climate change
- provide for fair, orderly and sustainable growth in the region
- identify key infrastructure and service requirements
- protect the liveability of a region including its natural values
- reduce land use conflicts
- guide future planning decisions
- provide certainty for the community and industry.

Regional land use strategies do not:

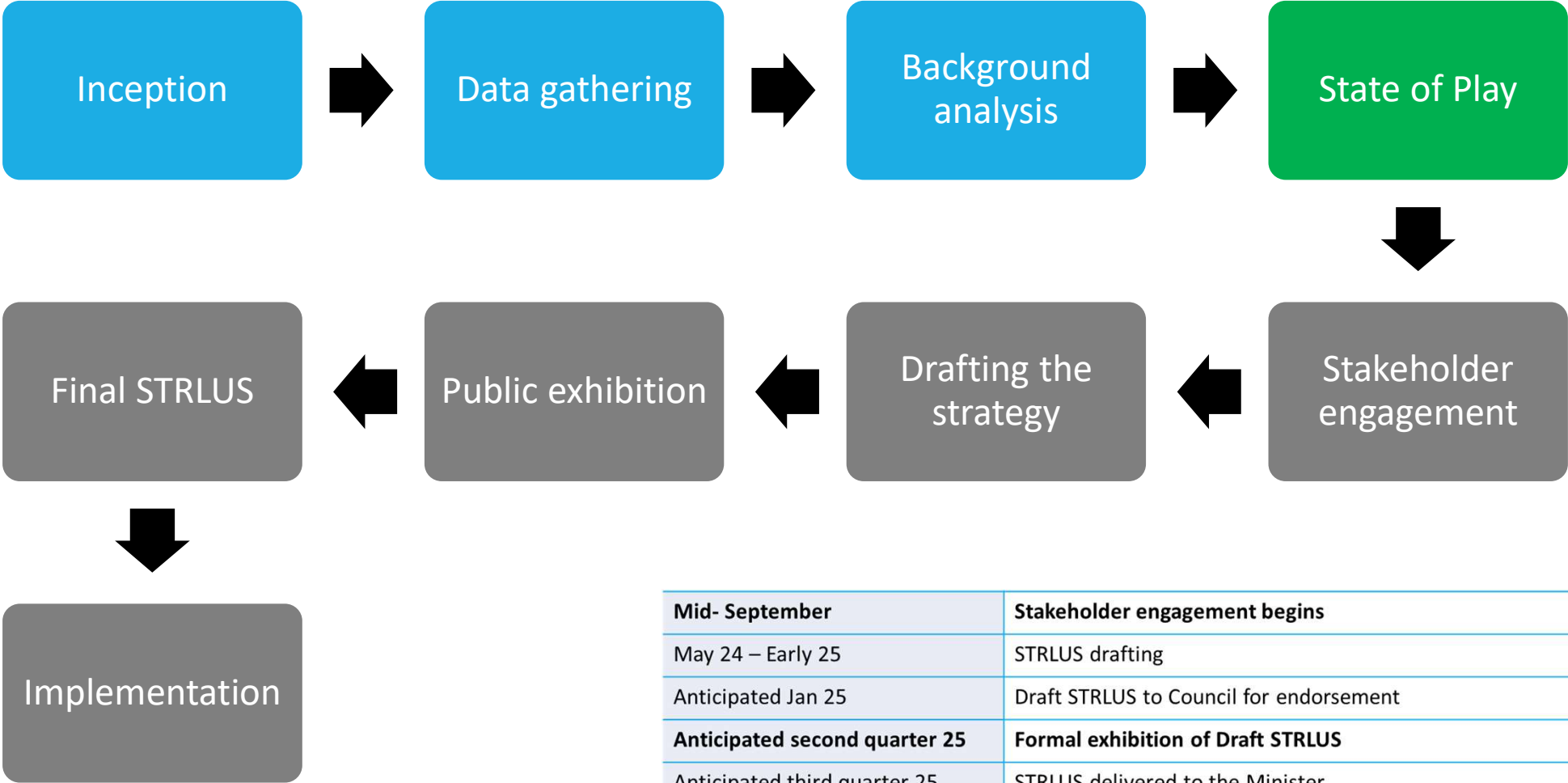
- address local level issues which are the responsibility of local government
- commit to government spending or delivery of projects.



Governance



STRLUS update



Mid- September	Stakeholder engagement begins
May 24 – Early 25	STRLUS drafting
Anticipated Jan 25	Draft STRLUS to Council for endorsement
Anticipated second quarter 25	Formal exhibition of Draft STRLUS
Anticipated third quarter 25	STRLUS delivered to the Minister

Shaping our region

- Planning for the Region is grounded in understanding of, respect for, and connections to culture, history, and Country.
- Land use and economic activity respect, respond sustainably to and protect the Region's unique natural environment.
- Communities across Southern Tasmania are safe and resilient to natural hazards and climate change.
- Communities in the Region are sustainable, connected and diverse.
- Social services and infrastructure are planned and delivered to support a growing and changing community.
- Employment and economic clusters are accessible, and transport networks support how, where and why people and goods move within, to and from the Region.
- The Region's economy leverages its unique strengths and provides a stable base for employment growth and diversification.



Engagement objectives

To provide those who live in Southern Tasmania with the opportunity to contribute to strategic land use planning.

To build community capacity through education and sharing knowledge, including understanding need and the decision-making processes.

To build community understanding of the value, role and function of strategic land use planning.

In summary Southern Tasmania's population has:



Engagement approach

Stage one

Broad engagement

Comms and Marketing Campaign

Announce broader project is underway and flag opportunities for involvement including recruitment for community champions program

Stage two

Stakeholder engagement

Community Champions Program / Pop ups / Interactive website

Provide opportunities for the community to provide input into challenges and opportunities for region, region shapers and considerations for the draft STRLUS.

Stage three

Formal exhibition





Formal exhibition of the Draft STRLUS / Pop ups / Interactive website

Provide opportunities for the community to provide feedback on the draft STRLUS

Tools – online engagement platform

COMMUNITY 360
Community Engagement is hard
Building a positive & thriving community is even harder
Community 360 bridges the gap between you & your community

[Request Demo](#)

 Engage Connect with your Social Media, Website & Physical Audience all from one platform	 Listen Collect Surveys, Polls, Questions, User Generated Content, Stories & Ideas. All AI Curated	 Participate Events, Custom Maps, Town Halls & everything your community needs to feel part of the journey	 Collaborate Live Chat, Members Directory, Business Directory, Forums & CMS to collectively progress
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Tools – community champions/ambassadors

Developing toolkit: Capire to develop toolkit that is a conversation guide and reporting mechanism (hard copy or online).

Selecting Champions: The program then begins with identifying individuals who are well-respected and influential within their communities e.g. community leaders, advocates setc

Providing Support: Champions receive resources to effectively hold community conversations.

Recording input: Toolkit includes mechanisms for recording input and feeding back to STRLUS working group

Tools – pop ups

When?

- Stakeholder engagement
- Formal exhibition

Where?

- Every LGA? Are there some key regional events we can hook into?

Support?

- Need Councils support



Tools – Other

Posters for community notice boards

Newspaper ads

Documents available in Council chambers

Social media provided to Councils for dissemination through own channels

Councils to link to project website



TASMANIAN PLANNING COMMISSION

Our ref: DOC/24/94523
Officer: Lauren O'Brien
Phone: 6165 6828
Email: tpc@planning.tas.gov.au

9 August 2024

Ms Kim Hossack
General Manager
Central Highlands Council

By email: council@centralhighlands.tas.gov.au

Dear Ms Hossack

Draft amendment 01-2024 of the State Planning Provisions Hazard Codes

The Commission has been notified by the Minister for Planning that draft amendment 01-2024 of the State Planning Provisions (draft SPP amendment) to the Coastal Erosion Hazard, Coastal Inundation Hazard and Landslip Hazard codes is approved for public exhibition.

Public exhibition will commence from 12 August to 23 September 2024.

The draft SPP amendment will apply to the Tasmanian Planning Scheme which at the time of writing this letter, operates in the following municipalities: Break O'Day, Brighton, Burnie, Central Coast, Central Highlands, Circular Head, Clarence, Devonport, Dorset, Flinders, George Town, Glamorgan Spring Bay, Glenorchy, Latrobe, Launceston, Meander Valley, Northern Midlands, Sorell, Southern Midlands, Tasman, Waratah-Wynyard, West Coast and West Tamar.

The Commission invites you to make a representation (written submission) for consideration in the assessment of the above matter.

The draft SPP amendment may be viewed on the Commission's website at www.planning.tas.gov.au. A copy of the draft SPP amendment can also be viewed at the Commission's office at Level 3, 144 Macquarie Street, Hobart between 9am and 5pm, Monday to Friday.

Comments can be made in writing to the Commission until 5pm Monday 23 September 2024 by email to tpc@planning.tas.gov.au; or post to Tasmanian Planning Commission, GPO Box 1691, Hobart TAS 7001.

Yours sincerely



Claire Hynes
Chair of the Delegated Panel

Minister for Finance
Minister for Local Government
Minister for Sport and Events

Level 5, 4 Salamanca Place, HOBART TAS 7000 Australia
GPO Box 123 HOBART TAS 7001 Australia
Ph: 03 6165 7794
Email: Minister.Street@dpac.tas.gov.au



Councillors
Central Highlands Council

Dear Councillor

Issuance of Performance Improvement Direction under section 214M of the Local Government Act 1993

I write in relation to measures being undertaken by the Acting Director of Local Government, Mr Mike Mogridge, to address instances of dysfunction within the Central Highlands Council.

As you are aware, the Acting Director identified evidence that, in his view, demonstrated breaches of the *Local Government Act 1993* (the Act) by Mayor Loueen Triffitt. These breaches relate to the functions of mayor in section 27 of the Act, namely that Mayor Triffitt:

- failed to promote good governance by, and within, the council (section 27(1)(c)) at the 5 April 2024 Special Council Meeting;
- failed to act as chairperson of the council and to chair meetings of the council in a manner that supports decision-making processes (section 27(1)(d)) at the 5 April 2024 Special Council Meeting; and
- failed to act as chairperson of the council and to chair meetings of the council in a manner that supports decision-making processes (section 27(1)(d)) at the 16 April 2024 Council Meeting.

The Acting Director, in accordance with section 214L of the Act, recommended that I issue a Performance improvement Direction to Mayor Triffitt to address the above breaches.

A draft Performance improvement Direction was issued to Mayor Triffitt in accordance with section 214N(2) of the Act. A copy was also provided to the Council. In accordance with the Act, Council was provided 14 days to make a written submission in response to the draft Performance improvement Direction.

I received Council's submission in response to this and note that:

- in accordance with resolution 01/06.2024/SCC, the Council endorsed the recommendation that I issue a Performance improvement Direction on Mayor Triffitt; and

- in accordance with resolution 02/06.2024/SCC, the Council requested notification of the successful conclusion of the training by Mayor Triffitt as required in the Performance improvement Direction.

This letter constitutes notice that I am issuing Mayor Triffitt the enclosed PID, which is in effect from the date she receives the Performance improvement Direction. The final Performance improvement Direction takes into account a submission received from Mayor Triffitt and, in response to that submission, I have refined particular B to read:

At the 5 April 2024 Special Council Meeting the Councillor made public statements that were **contrary to legal advice** provided to her by Council's legal representative, to the effect that the Special Council Meeting had not been legitimately convened.

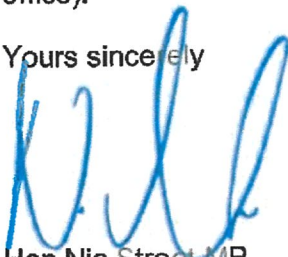
Similarly, I have refined action number 4 to read:

Refrain from making public statements that are contrary to qualified legal advice given to Council.

In response to your request, I also confirm that the Office of Local Government will notify the Council when the training required under Actions 1 and 2 of Schedule 2 of the Performance improvement Direction is completed.

Schedule 2 of the Performance improvement Direction also contains actions that require Mayor Triffitt to refrain from certain activities for the remainder of her term of office. For this reason, in the interests of transparency, I request that the Performance improvement Direction be tabled at the next Council meeting for noting and be published on Council's website for the period it remains in effect (for the duration of the Mayor's current term of office).

Yours sincerely



Hon Nic Street MP
Minister for Local Government

2/08/2024

Performance Improvement Direction Imposed under Part 12B, section 214M of the *Local Government Act 1993*

I, Nic Street, Minister for Local Government:

- having considered the recommendation of the Acting Director of Local Government under section 214L of the *Local Government Act 1993* (the Act); and
- having considered the submissions made under section 214N(3)(e) of the Act; and
- being satisfied that it is appropriate to issue this Performance Improvement Direction (PID),

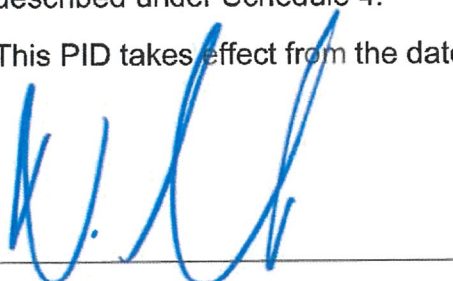
hereby issue this PID to Mayor Loueen Triffitt (the Councillor) of the Central Highlands Council (the Council).

This PID is made on the grounds described under Schedule 1.

The Councillor is required to take the actions described in Schedule 2 and 3.

If the Councillor fails to comply with this PID I may exercise the measure(s) described under Schedule 4.

This PID takes effect from the date upon which it is received, care of registered post.



The Hon Nic Street MP

Minister for Local Government

Dated: 2/8/24

Schedule 1 – Grounds for the Issue of a PID (section 214L of the Act)

No.	Grounds
1	<p>The Councillor has failed to adequately perform the following functions of mayor under section 27 of the Act, in that she:</p> <ul style="list-style-type: none"> A. failed to promote good governance by, and within, the council (section 27(1)(c)) at the 5 April 2024 Special Council Meeting; B. failed to act as chairperson of the council and to chair meetings of the council in a manner that supports decision-making processes (section 27(1)(d)) at the 5 April 2024 Special Council Meeting; and C. failed to act as chairperson of the council and to chair meetings of the council in a manner that supports decision-making processes (section 27(1)(d)) at the 16 April 2024 Council Meeting.
No.	Particulars
1	<ul style="list-style-type: none"> A. At the 5 April 2024 Special Council Meeting the Councillor made public statements alleging an '<i>abuse of power</i>' by her fellow councillors of the Council regarding their legitimate request for the convening of that Special Council Meeting. The Councillor made further public statements at the same meeting alleging '<i>collusion and possible corruption</i>' by her fellow councillors and the General Manager without providing, or making reference to, any evidence to support that allegation. B. At the 5 April 2024 Special Council Meeting the Councillor made public statements that were contrary to legal advice provided to her by Council's legal representative, to the effect that the Special Council Meeting had not been legitimately convened. C. At the 16 April 2024 Council Meeting the Councillor interjected on a number of occasions while her fellow councillors attempted to debate motions.

Schedule 2 – Actions required for improved performance (section 214M(3)(a) of the Act)

For the purpose of complying with obligations under section 27 of the Act, the Councillor must take the actions specified in column 2 of the following table, within the timeframe allocated for that action in column 3:

No.	Description of Actions	Timeframe
1	Attend specific mayoral training, by a suitably qualified provider approved by the Acting Director of Local Government, on compliance with the Act and with specific focus on: <ul style="list-style-type: none"> - the performance of mayoral functions under section 27 of the Act. 	The Councillor must complete this action within 30 days of receipt of the PID
2	Attend specific mayoral training, by a suitably qualified provider approved by the Acting Director of Local Government, on compliance with the <i>Local Government (Meeting Procedures) Regulations 2015</i> and with specific focus on: <ul style="list-style-type: none"> - convening and chairing council meetings. 	The Councillor must complete this action within 30 days of receipt of the PID
3	Refrain from making unfounded public statements alleging an abuse of power, collusion or possible corruption (or words to that effect) by councillors and/or council staff.	For the entirety of the Councillor's current term in office.
4	Refrain from making public statements that are contrary to qualified legal advice given to Council.	For the entirety of the Councillor's current term in office.

Schedule 3 - Reporting Requirements (section 214M(3)(b) of the Act)

The Councillor is required to notify the Minister for Local Government in writing and within 30 days of receipt of this PID detailing the steps the Councillor has taken, or proposes to take, to comply with the requirements of Actions 1 and 2 in Schedule 2.

The Councillor is required to provide written evidence to support the completion of Actions 1 and 2 in Schedule 2 to the Acting Director of Local Government as requested by the Acting Director.

Schedule 4 – Consequences for non-compliance (section 214O of the Act)

Should the Councillor fail to comply with any of the requirements of this PID, I may exercise the power to suspend the Councillor from the office of councillor for a period not exceeding six months as per section 214O(1)(a) of the Act.



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: Renewing Comfort: Empowering Our Community Hall with Smart, Sustainable Heating

Amount of Grant Requested: \$2000

Estimated Total Project Cost: 28630

Applicant Organisation: Great Lake Community Centre

Contact Person's Name: [REDACTED]

Contact Details

Address: [REDACTED]

Phone: (Business hours) [REDACTED]

Mobile: [REDACTED]

Fax:

Email: greatlakecommcentreinc@gmail.com

Signature

Name [REDACTED]

Position in Organisation Committee Officer

Date 4th Aug 2024

What is the overall aim/purpose of the applying organisation?

Our Mission is to help build a cohesive Great Lake Community, by supporting community activities that enhance the wellbeing of residents and visitors to the area, encouraging participation without disadvantaging financially our members, residents and visitors, and as a designated Emergency Evacuation Safe Space, we endeavour to provide a welcoming and safe respite to our residents, visitors and Emergency Responders during times of environmental extremes.

What is the membership of the organisation?

President Robert J. Cox

Secretary Vicki Bygrave

Treasurer Trudy Oakley

Public Officer/s Stephen Loring

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) No

If yes;

Name of Project:

Date Grant received:

Amount of Grant:

3. PROJECT DETAILS

Project Start Date: Nov - Dec 2024

Project Completion Date: Jan - Feb 2025

Project Objectives:

The Project objective is to upgrade the now inefficient and ineffective 20+ year-old radiator panel heating system with the latest R32 eco-refrigerant Heat Pump system. This will help to reduce costs and improve the amenity and comfort of the Community Centre for members and attendees during the colder seasonal temperatures.

4. COMMUNITY SUPPORT

What level of community support is there for this project?

The GLCC Committee and attending members have for some months now voiced their concerns regarding the inability of the old system to effectively provide heating for activities and events. In addition, they have been concerned about the high cost associated with running the system. They have asked the Committee to investigate new, state-of-the-art heating solutions that are efficient, effective, and provide sustainable and low running costs.

Does the project involve the community in the delivery of the project?

Only to the point that members of the Community Centre will provide some In-Kind support and cost savings, by preparing the area with suitable level concrete pads for the location of the outdoor units.

How will the project benefit the community or provide a community resource?

The GLCC Committee and its members are excited about the planned upgrade, as it will greatly benefit the community, its members, and everyone who visits the Centre. The upgraded space will be welcoming, safe, and warm, enhancing the overall experience for everyone attending the various activities and events. This enhancement will also contribute to reducing costs and ultimately allow the Centre to maintain and expand its diverse range of activities, in turn supporting a resilient and socially active community.

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.

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?

One way to acknowledge the council's contribution is by providing suitable acknowledgement on our Facebook page, incorporating their support into signage to be displayed, and sending a letter of thanks to the council for their involvement in the project.

6. FUTURE APPLICATIONS AND THE SUCCESS THIS PROJECT

Do you anticipate the organisation will apply for funding in future years?

As a Community based association operating in the Central Highlands LGA, we anticipate that small Grant Funding such as that provided by the CHC, will always be welcome and required.

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

The Project Grant contribution we have applied for is intended to offset the cost of implementing 6 new power circuits for the proposed New HVAC Heating System. The system will be based on 6x11kw Floor Console Heat Pump units. Upon the successful operation of the new circuits and the heating units, this specific aspect of the larger Heating Upgrade Project will demonstrate a successful completion.

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	28380	Guarantee	
Refurbishment		Government Grants	
Equipment		Trust/Foundations	
Premises		Donations from Business	
Vehicles		Special Funding	
Other:		Gifts in Kind	
Other:		Other:	
Subtotal	28380	Other	
		Subtotal	
Revenue		Anticipated	
Salaries (including super)		Government Grants	
Short-term contract fees		Central Highlands Grant	2000
Running costs		Trust/Foundations	15000
Production of information PR materials		Donations from Businesses	
Training staff/volunteers		Special Fundraising	
Travel		Gifts in kind (details)	
Rent		Cash Reserves	1380
Reference materials		Other: CattleHill Community Fund	10000
Other:			
Subtotal	28380	Subtotal	28380
TOTAL	28380	TOTAL	28380



AFL Masters Tasmania

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11th July 2024

Ms Kristy Mayne

To Whom It May Concern

AFL MASTERS FOOTBALL CARNIVAL FREMANTLE 2024

This letter confirms that Kristy Mayne (Worker) has been selected to play for one of our teams representing Tasmania at our upcoming National AFL Masters Football Carnival in Western Australia.

Kristy will be playing for our Women's Over 40s team at the Carnival, which will be held in Fremantle from 29th September to 7th October inclusive.

We congratulate Kristy on her selection to play in our Over 40s women's team and wish her every success at the Carnival.

Yours sincerely

Rebecca Stewart

Admin Assistant

AFL Masters Tasmania

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