



Central Highlands Council

AGENDA – ORDINARY COUNCIL MEETING – 20 AUGUST 2024

Dear Councillors,

Notice is hereby given, that an Ordinary Meeting of Central Highlands Council is scheduled to be held in the Council Chamber, **Bothwell** on **Tuesday 20th August 2024**, commencing at **9.00am**.

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

Dated at Hamilton this **15th** day of **August 2024**.

Jason Branch
Acting General Manager

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1. OPENING

2. AUDIO RECORDING DISCLAIMER

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

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

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

3. ACKNOWLEDGEMENT OF COUNTRY

4. PRESENT

5. IN ATTENDANCE

6. APOLOGIES

7. LEAVE OF ABSENCE

8. PECUNIARY INTEREST DECLARATIONS

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

9. PERCEIVED INTEREST DECLARATIONS

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

PART 2 – Conflict of Interest that are not Pecuniary.

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

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

10. CLOSED SESSION OF THE MEETING

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

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

RECOMMENDATION: 01/08.2024/C

Moved: Cr

Seconded: Cr

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

Item Number	Matter	Outcome
1.1	Confirmation of the Minutes - Closed Session of the Ordinary Meeting of Council held on 16 July 2024.	Regulation 15 (2)(G) of the <i>Local Government (Meeting Procedures) Regulations 2015</i> – information of a personal and confidential nature or information provided to Council on the condition it is kept confidential.
1.2	Confirmation of the Minutes - Closed Session of the Special Meeting of Council held on 30 July 2024.	Regulation 15 (2)(G) of the <i>Local Government (Meeting Procedures) Regulations 2015</i> – information of a personal and confidential nature or information provided to Council on the condition it is kept confidential.
3.1	Legal Advice	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.

MEETING CLOSED to the public at ____ am.

11. MOTION OUT OF CLOSED SESSION

12. RE-OPEN MEETING TO THE PUBLIC

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

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

13. DEPUTATIONS

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.

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 – DEPUTY MAYOR J ALLWRIGHT

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:	August 20, 2024
Councillor Name:	Jim Allwright
Proposed Motion:	That Council consider endorsing the draft correspondence below, addressed to the State Minister for Planning, Felix Ellis.
Background Details:	<p>The following is the draft letter to various State Ministers, seeking clarification on the State's moves towards rating renewable energy sites, and recommending the <u>PiLOR</u> approach, as it applies in some mainland states.</p> <p>If acceptable to Council, copies need to go to:</p> <ul style="list-style-type: none"> • Nic Street. (Local Government) • Nick <u>Duigan</u>. (Energy & Renewables) • Michael Fergusson, (Treasurer) • Jeremy Rockliff, (Premier) <p>With a FYI copy also going to LGAT.</p>
Signature:	<i>Jim Allwright</i>
Date:	13/08/24

RECOMMENDATION: 02/08.2024/C**Moved:** Cr**Seconded:** Cr

THAT Council consider endorsing the draft correspondence below, addressed to the State Minister for Planning, Felix Ellis

The Honourable Felix Ashton Ellis, Minister for Housing and Planning

Ministerial Office: Level 5, Salamanca Building, 4 Salamanca Place, Hobart, 7000.

Phone:(03) 6165 7770

Dear Minister:

Central Highlands Council would like to take this opportunity to address their interests and concerns in relation to the possible rating of renewable energy sites across Tasmania.

Our understanding is that the Valuer General is examining this matter as part of the response to The Future of Local Government Review. Council would welcome the ability to rate renewable energy operations to bolster our present relatively minor level of rating income.

Our particular interest is that the Valuer General may determine a new land usage rating category, in an effort to enable local government rating. We have some reservations about such an approach:

- 1) We wonder how such a rating system would operate in the instance of renewable energy plants that cover a number of landholders, such as the St Patrick's Plains development, recently approved by Council. There are six landholders hosting that development. Rating individual properties, rather than the collective renewable energy operation, would likely add layers of administrative complexity for Council.
- 2) If such a rating basis was established, our concern is that landholders who host perhaps 5 to 10 turbines might be rated on the same basis as their neighbours who are hosting 10 to 20 turbines. The latter group would have the advantage of attendant higher lease payments being received from the renewable energy operator, disadvantaging them relative to the former group.
- 3) Rating individual property owners, rather than renewable energy operations, would impose upon landholders an additional cost burden not necessarily foreseen in the provisions of their existing contracts with the renewable energy operators.

Council would welcome advice from your Office as to:

- 1) How such a rating scheme might operate.
- 2) The timeframe for the possible implementation of such a rating approach.

3) The probable levels of rating income if such an approach was adopted.

Our preference is that Tasmania adopt the payment in lieu of rates system (PiLOR), as it exists in Victoria. As we see it, adopting that system would carry the following advantages:

- 1) It is administratively simpler for us to rate renewable energy operation on the site's nameplate rated output (megawatts), plus a standing charge, CPI annually indexed. This is the approach adopted in Victoria.
- 2) Adopting the Victorian system would put local energy operators on the same ratings type cost basis as their mainland competitors. We would not diminish the viability of local operators relative to their mainland competitors.
- 3) As the Future of Local Government Review canvassed, we recognize a need to avoid what they termed as the 'punitive' rating of operations. The PiLOR system, based upon the output of renewable energy firms, has the advantage of being a non-punitive approach.
- 4) As in Victoria, there would be an avenue for a differential rate to apply to not-for-profit, community operated renewable energy sites.
- 5) Freedom will exist for individual councils to come to a differential payment basis by renewable energy operators. Councils could for instance vary the PiLOR payable by renewable energy operators relative to their community development obligations. We acknowledge this capacity for councils to exact different levels of payment exists with any rating approach.

We understand and accept that PiLOR may still be dependent upon a Valuer General assessment of renewable energy sites.

Your advice in relation to all of the matters addressed above would be appreciated.

Sincerely, Mayor Loueen Triffitt.

Deputy Mayor James Allwright

15.2 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:	August 20, 2024
Councillor Name:	David Meacheam
Proposed Motion:	For discussion: Council provisioning and support to Central Plateau communities during extended episodes of ultralow temperatures.
Background Details:	<p>If anybody harboured doubts about the impact of climate change, consider this: the record three lowest temperatures on record for Tasmanian communities were recorded in the last five years. All at the Liawenee weather station</p> <p>This year's episode of ultralow temperatures resulted in numerous households completely losing their water supplies. At the time of writing, some residents are still waiting for plumbing repairs.</p> <p>The impact has been particularly severe in relation to tourism operations on the Central Plateau. Both the Lodge and the pub at Miena were closed for many days so that repairs could be carried out. None of the public toilets on the Central Plateau were usable, with solid frozen cisterns and toilet bowls.</p> <p>My thanks goes to Council employees, Katrina Brazendale and Graham Rogers for initiating the supply of fresh drinking water to the Miena township. Great credit also to Colin Triffitt for organising a pallet of water to be delivered from Taswater supplies. These supplies are being hosted at the Great Lake Community Centre.</p> <p>The issues:</p> <ol style="list-style-type: none"> 1) There is a public health risk in people taking medicines et cetera with reliance upon tank water that they don't normally use. The microflora that exists in all tank water tends to be unique and can result in severe gastric upset. Equally, water from Great Lake. Hence the need for access to safe drinking water. 2) With public toilets blocked, the numerous visitors had to either retreat to Bothwell or Deloraine. This dented business for local tourism operators. One of the lessons is that if we build further public toilet up in these communities, they should be of the composting type.
Signature:	<i>David Meacheam</i>
Date:	31/7/24

RECOMMENDATION: 03/08.2024/C

Moved: Cr

Seconded: Cr

THAT Council discuss provisioning and support to the Central Plateau communities during extended episodes of ultralow temperatures at a future workshop.

15.3 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:	August 20, 2024
Councillor Name:	David Meacheam
Proposed Motion:	<p>That with attention to RESOLUTION: 20/06.2024/C. Council rescind part 3 of that motion that reads as follows, THAT a Building Status Report be undertaken on all council properties and that Councillors be provided with a list of non-productive assets prior to the commencement of the 2025/2026 budget process.</p> <p>And substitute that part of the motion with the following: 3) THAT a Status Report be undertaken on all Council land and buildings and that Councillors be provided with a list of non-productive assets prior to the commencement of the 2025/2026 budget process.</p> <p>And: 4) That at the discretion of senior management, Mr Rick De Santi be engaged to provide expert input to the forming of the status report and the possible sale of non-productive assets.</p>
Background Details:	<p>As the Deputy Mayor Allwright can verify, the intention of the Audit Committee from its meeting of Wednesday June 12th 2024 was that Council undertake an assessment of its land and building assets with a view to selling off non-productive elements in favour of either bolstering our financial reserves or investing in more productive assets.</p> <p>Councillors will recall that the debate of this matter at the June meeting was somewhat chaotic. I was conscious at the time that the motion was limited to only buildings but felt that any attempt at a correction would only heighten the chaos.</p> <p>Such an evaluation of non-productive assets is a specialised matter. Council would benefit from expert input to the process. The amended part 4 given above is intended to give senior staff the discretion to engage Mr De Santi for support, if needed.</p>
Signature:	<i>David Meacheam</i>
Date:	06/8/24

RESOLUTION: 20/06.2024/C**Moved:** Cr R Cassidy**Seconded:** Deputy Mayor J Allwright

1. **THAT** Council note the recommendation by the Audit Panel to adopt a 5.1% general rates increase and all Fees and Charges to increase by the same level.
2. **THAT** Council note the recommendation by the Audit Panel to adopt draft Annual Plan 2024 - 2025.
3. **THAT** a Building Status Report be undertaken on all council properties and that Councillors be provided with a list of non-productive resources prior to the commencement of the 2025/2026 budget process.

AMENDMENT TO THE MOTION**Moved:** Cr Y Miller**Seconded:** Cr D Meacheam**THAT** the wording be changed in No 3. from resources to assets.**AMENDED MOTION WAS PUT**

1. **THAT** Council note the recommendation by the Audit Panel to adopt a 5.1% general rates increase and all Fees and Charges to increase by the same level.
2. **THAT** Council note the recommendation by the Audit Panel to adopt draft Annual Plan 2024 - 2025.
3. **THAT** a Building Status Report be undertaken on all council properties and that Councillors be provided with a list of non-productive assets prior to the commencement of the 2025/2026 budget process.

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.

RECOMMENDATION: 04/08.2024/C**Moved:** Cr**Seconded:** Cr

THAT Council rescind dot point 3 of resolution 20/06.2024C (**THAT** a Building Status Report be undertaken on all council properties and that Councillors be provided with a list of non-productive assets prior to the commencement of the 2025/2026 budget process) **and substitute that part of the motion with the following:**

- 3) **THAT** a Status Report be undertaken on all Council **land and buildings** and that Councillors be provided with a list of non-productive assets prior to the commencement of the 2025/2026 budget process; and
- 4) **THAT** at the discretion of senior management, Mr Rick De Santi be engaged to provide expert input to the forming of the status report and the possible sale of non-productive assets.

16. COMMITMENTS

16.1 MAYORAL COMMITMENTS

11 July 2024 to 14 August 2024

16 July 2024	Ordinary Council Meeting, Hamilton
19 July 2024	Vietnam Veterans Association official opening of Multipurpose, Education, and Training Facility Interlaken
26 July 2024	LGAT General Meeting
27 July 2024	Elected Member Professional Development Day
30 July 2024	Special Council Meeting and Closed Session Meeting
30 July 2024	ABC Interview
30 July 2024	Meeting with David Morris
13 August 2024	Planning Committee Meeting
13 August 2024	Meeting with Paul West (Independent Advisor) and Deputy Mayor J Allwright

- Business of Council x 21
- Ratepayer and community members – communications x 2
- Elected Members - communications x 22
- Council Management communications x 8

FOR INFORMATION

16.2 COUNCILLOR COMMITMENTS

Deputy Mayor J Allwright

16 July 2024	Ordinary Council Meeting, Hamilton
30 July 2024	Special Council Meeting and Closed Session Meeting, Bothwell
30 July 2024	Meeting with David Morris
13 August 2024	Planning Committee Meeting, Bothwell
13 August 2024	Meeting with Paul West (Independent Advisor)

Cr A Archer

16 July 2024	Ordinary Council Meeting, Hamilton
30 July 2024	Special Council Meeting and Closed Session Meeting, Bothwell
30 July 2024	Meeting with David Morris

Cr A Bailey

16 July 2024	Ordinary Council Meeting, Hamilton
30 July 2024	Special Council Meeting and Closed Session Meeting, Bothwell
30 July 2024	Meeting with David Morris
13 August 2024	Planning Committee Meeting, Bothwell

Cr R Cassidy

16 July 2024	Ordinary Council Meeting, Hamilton
19 July 2024	Vietnam Veterans Association official opening of Multipurpose, Education, and Training Facility Interlaken
30 July 2024	Special Council Meeting and Closed Session Meeting, Bothwell
30 July 2024	Meeting with David Morris
13 August 2024	Planning Committee Meeting, Bothwell

Cr J Hall

16 July 2024	Ordinary Council Meeting, Hamilton
30 July 2024	Special Council Meeting and Closed Session Meeting, Bothwell
30 July 2024	Meeting with David Morris
13 August 2024	Planning Committee Meeting, Bothwell

Cr J Honner

16 July 2024 Ordinary Council Meeting, Hamilton
 30 July 2024 Special Council Meeting and Closed Session Meeting, Bothwell
 30 July 2024 Meeting with David Morris

Cr D Meacheam

16 July 2024 Ordinary Council Meeting, Hamilton
 27 July 2024 Elected Member Professional Development Day, Devonport
 30 July 2024 Special Council Meeting and Closed Session Meeting, Bothwell
 30 July 2024 Meeting with David Morris
 7 August 2024 Meeting with Paul West (Independent Advisor)

Cr Y Miller

16 July 2024 Ordinary Council Meeting, Hamilton
 27 July 2024 Elected Member Professional Development Day, Devonport
 30 July 2024 Special Council Meeting and Closed Session Meeting, Bothwell
 30 July 2024 Meeting with David Morris

16.2.1 REPORT OF THE ATTENDANCE AT THE LGAT ELECTED MEMBERS PROFESSIONAL DEVELOPMENT DAY HELD AT DEVONPORT SATURDAY JULY 27 2024.

Considering the invitation went out to all local government areas across the state, we thought the attendance at this excellent event was smaller than we expected.

Following the welcome message from the LGAT President, Dion Lester, Dr Neryl East presented engagingly in relation to “Positive Social Media Practices for Councillors”. Neryl gave helpful hints in relation to steering online conversations into positive territories and avoiding pointless arguments, and the peril of the ever present ‘trolls’.

Next up was David Morris of Simmons Wolfhagen, briefing us on “Meeting Procedures”. This was probably the best received presentation in the entire day. David gave detailed advice in relation to how to put up successful motions, successfully run amendments to motions and generally maintaining productive meeting processes. David also gave us cautions in relation to making planning decisions contrary to our planner’s advice, and explained recent developments in relation to Code of Conduct panels where, in his words, the bar has been lowered in what has been considered to be ‘perceived conflicts of interest’. Attention to David’s advice was so strong that there was a significant queue after he spoke of people seeking guidance on current issues.

After lunch to have the principals from ‘Well Minds Work’ speaking in relation to strategies for mental health resilience. This was a timely reminder to everyone to exercise a degree of self-care within our work.

Mindful of the need for us to commute home before dark, we missed the final, 10 minute presentation from Amanda Aitken in relation to the ‘Take a Minute campaign’.

Cr Yvonne Miller and Cr David Meacheam

RECOMMENDATION: 05/08.2024/C

Moved: Cr

Seconded: Cr

THAT the information be noted.

16.3 GENERAL MANAGER'S COMMITMENTS

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

FOR INFORMATION

16.4 ACTING GENERAL MANAGER COMMITMENTS

Date	With Whom	Subject / Comment
5 August 24	Acting Works and Services Manager	Capital works projects
5 August 24	Hamilton admin staff	Re-my position as Acting GM
5 August 24	Bothwell admin staff	Re-my position as Acting GM
7 August 24	Nadine Cove	Bushfest
7 August 24	Tracey Turale	Ash Cottage
8 August 24	SES	Community flood protection planning
13 August 24	Planning Committee	Planning Meeting

FOR INFORMATION

17. NOTIFICATION OF COUNCIL WORKSHOPS HELD

Nil

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 – 16 JULY 2024

RECOMMENDATION: 06/08.2024/C

Moved: Cr

Seconded: Cr

THAT the Draft Minutes of the Ordinary Meeting of Council held on Tuesday 16 July 2024 be confirmed.

20.2 CONFIRMATION OF DRAFT SPECIAL COUNCIL MEETING MINUTES – 30 JULY 2024

RECOMMENDATION: 07/08.2024/C

Moved: Cr

Seconded: Cr

THAT the Draft Minutes of the Special Meeting of Council held on Tuesday 30 July 2024 be confirmed.

20.3 RECEIVAL OF DRAFT OF PLANNING COMMITTEE MEETING MINUTES – 13 AUGUST 2024

RECOMMENDATION: 08/08.2024/C

Moved: Cr

Seconded: Cr

THAT the Draft Minutes of the Planning Committee Meeting of Council held on Tuesday 13 August 2024 be received.

21. BUSINESS ARISING – JULY 2024 COUNCIL MEETING

Nil

22. DERWENT CATCHMENT PROJECT



Derwent Catchment Project Monthly Report for Central Highlands Council July 11th – August 14th 2024

General business

Over the past month we have been busy wrapping up the 2023-24 financial year and planning budgets and schedules for the next financial year. We have lots of great active projects as well as opportunities in the pipeline. Our annual report is in development and will be distributed for next months report. The AGM and Spring Dinner is scheduled for Friday the 6th of September at Curringa Farm. Invitations will be emailed to Council, we hope you may be able to attend.

Josie and Stuart attended the Biosecurity Tasmania state weeds forum and presented on the Central Highlands Weed Management Program, specifically the Orange Hawkweed collaboration and other priority weed management programs undertaken by DCP. The event was designed to share information on the new Biosecurity Act and its implementation as well as other important weed updates.

There has been a delay in announcement of the Disaster Ready Fund grants due to a change of Minister at the federal level. Our Clyde River Resilience Project application made it through the first round of assessment but is still in the review process and we are expecting to hear within a month. A DCP team update, we are excited to have Todd Holliday join us as Works Manager. Todd brings a wealth of practical experience and will be coordinating the on-ground works team to deliver weed management, revegetation and river restoration programs across the catchment.

Central Highlands Weeds Program

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

The winter months provide an opportunity to evaluate the weed management work being carried out on a landscape scale around the Central Highlands whilst giving space to assess priorities for the coming season. Morgan has been working with larger stakeholders, such as TasNetworks and Hydro, to develop restoration plans that align with the Central Highlands Weed Management Plan. To mitigate the impacts of no new Weed Action Fund grants, the DCP has created a season of works in partnership with other stakeholders to keep programs such as Orange Hawkweed highly functional and ensure the last four years' efforts are not wasted. Preparation work is being carried out with Parks and Wildlife Services to assess the possibility of burning the dead broom at Tarraleah.

The winter months provide an opportunity to evaluate the weed management work being carried out on a landscape scale around the Central Highlands whilst offering some space to assess priorities for the coming season. Morgan has been working with larger stakeholders, such as TasNetworks and Hydro, to develop restoration plans that align with the Central Highlands Weed Management Plan. In anticipation of the Weed Action Fund gap (we have had 4 years of funding), DCP has developed a weeds partnership with other stakeholders that will keep programs such as Orange Hawkweed operational and ensure the last four years' efforts are not wasted.

There has been minimal on-ground work during the cooler months, but the crew have focused on the final section of broom control on Thiessen Crescent. The job required the physical removal of English broom along the lower bank of the road whilst ensuring there was no erosion. The site was prepared for planting, which has been completed last week. Whilst this section of roadside management was more labour-heavy, the outcome will ensure minimal follow-up maintenance is required and satisfied homeowners.



Preparation work is also being carried out with Parks & Wildlife Services to assess the possibility of burning the dead broom at Tarraleah.

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

Peter is continuing to monitor pasture biomass at the Thorpe species trial site. Cultivar differences are starting to reveal themselves and we are planning a field session to share the findings with the dryland graziers group. At the Arundel fertiliser test strip site, benefits are still emerging. Legume responses are still present in key plots and interesting lime and nutrient interaction needs further investigation to see if they can be reproduced at another trial site. Peter has also been involved in an online review of the Farming Forecaster project review. It's been a valuable project for decision support across Tasmania, particularly in areas like the Derwent where there are drought challenges.

Containment Project - funded by the Tas Farm Innovation Hub and NRM South through the Farming Forecaster program

This project has been running since September last year and is wrapping up this month. Twenty containment plans were delivered across the grazing districts of Tasmania, all within budget, based on farms visited conducted by Sam Bye. The plans were in a simple report format. Most plans were delivered in late June and July which is after the containment feeding season for most situations in Tasmania. An animal nutrition consultation by Sarah White from Longford Vets was also offered as part of the plan. As part of the broader project, Sarah participated in expert containment nutrition training to ensure Tasmanian veterinary advice was available for farmers looking to undertake containment.

Two containment yards have been built following advice from the project. Three more farms used containment feeding in existing fields with advice from the project's nutritionists. Ten more properties have indicated they will be building containment yards this winter. This has been a highly successful project with great feedback.

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.

Platypus Walk

As part of the ongoing maintenance program for Platypus Walk, the DCP crew has visited the site twice over the last month. The crew have been treating juvenile gorse seedlings popping up along the length of the river in previously treated areas; gorse has a particularly long seed survival, so we will require diligent maintenance. The crew have also continued to infill natives on the higher bank to help stabilise the soil. We are very excited about the possibility of being able to carry out more work along Platypus Walk and the Clyde River in general if the grant application is positive.

Willow Warriors – Ellendale Branch

The Willow Warriors were formed in collaboration with the Tyenna River Recovery Program and have been operating since 2019. The focus of the Willow Warriors has been treating willows along the Tyenna and supporting revegetation efforts on the river when required. Due to interest from the Ellendale community, there has been a discussion about forming the Ellendale branch of the Willow Warriors. This group will focus on treating willow on watercourses in the Ellendale township and general restoration programs. The group will be supported by the DCP, and management plans will be developed over the coming months.

Nursery expansion

The expansion of the nursery will increase the current production from 25,000 to 90,000 plants. The work is made possible by funding from the Central Highlands, Derwent Valley and Brighton Councils, with in-kind support from the DCP. The most recent works have connected the new shed to power, and preparation for the new hothouse is well underway. The crew have been up there expanding the current drainage system to ensure the impact of increased irrigation does not flood the site and water is directed to the appropriate locations.

Plants continue to be purchased by the public whilst the river restoration programs continue to use plants as part of the restoration program. The season has been a difficult one for sales due to the dryer conditions. Discussions are being had with commercial entities about large-scale orders and how the DCP can help fulfil new planting requests.

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
Morgan McPherson (Works Manager) 0418 667 426
Stuart Rose (Restoration Manager) 0401 098 080
Karen Phillips (Nursery Manager) 0400 039 303

RECOMMENDATION: 09/08.2024/C

Moved: Cr

Seconded: Cr

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

23. COUNCIL ACTING AS A PLANNING AUTHORITY

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

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

RECOMMENDATION 10/08.2024/C

Moved: Cr

Seconded: Cr

THAT Council now act as a Planning Authority.

23.1 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

Report By

Senior Planning Officer (Louisa Brown)

Approved By

Manger of Development & Environmental Services (Graham Rogers)

Date

Tuesday 14th May

Enclosure

Development Application Documents
Representation 1

Discretions

- 11.5.1 P2
- 11.5.3 P2
- 20.5.1 P1

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 existing 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.

The Site

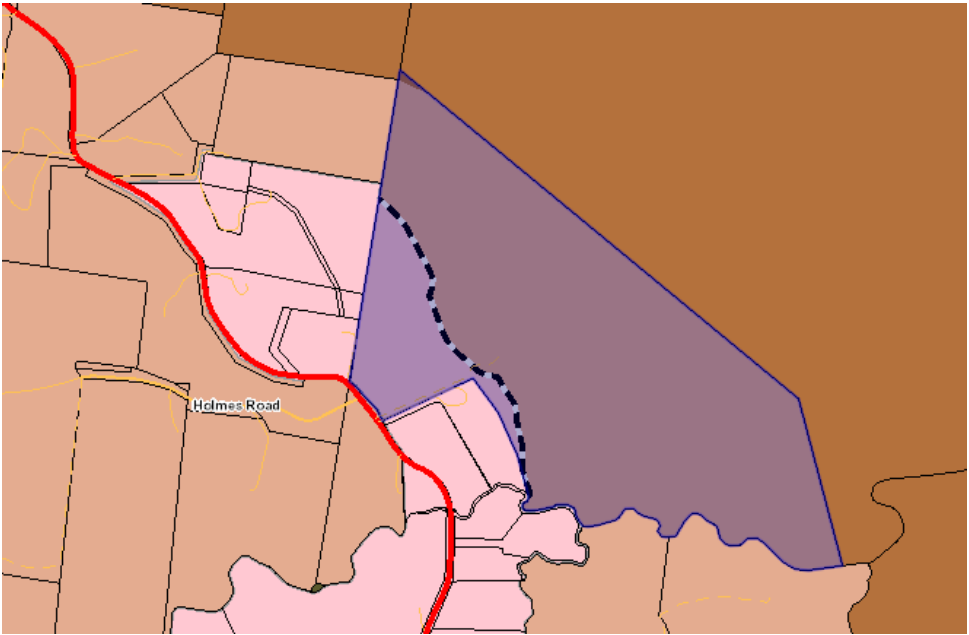
The properties are located at Lot 1 Ellendale Road, Ellendale, CT 244823/1 and is 64.98ha. The property 1204 Ellendale Road, Ellendale CT 43479/1 is currently 2.88ha. Both properties are located off the Ellendale Road, opposite the junction with Holmes Road to the north of the settlement of Ellendale.

The land and that of the surrounding area is predominantly pasture, agricultural land use, including some hardwood and softwood plantation forestry. A water course runs diagonally through the properties, north-west to south-east. The land form increases in height from the water course towards the rear property boundary.

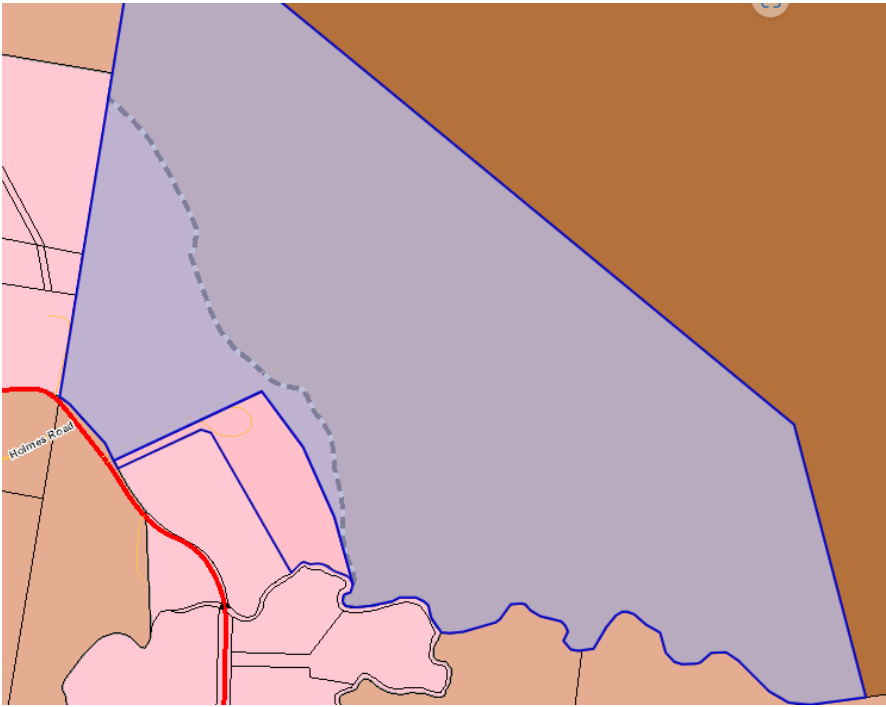
An existing dwelling and outbuilding is located on the property 1204 Ellendale Road. The existing access to the property 1204 Ellendale Road is lined with mature trees.

An outbuilding on the property Lot 1 Ellendale Road is located within 80m to the west of the existing dwelling.

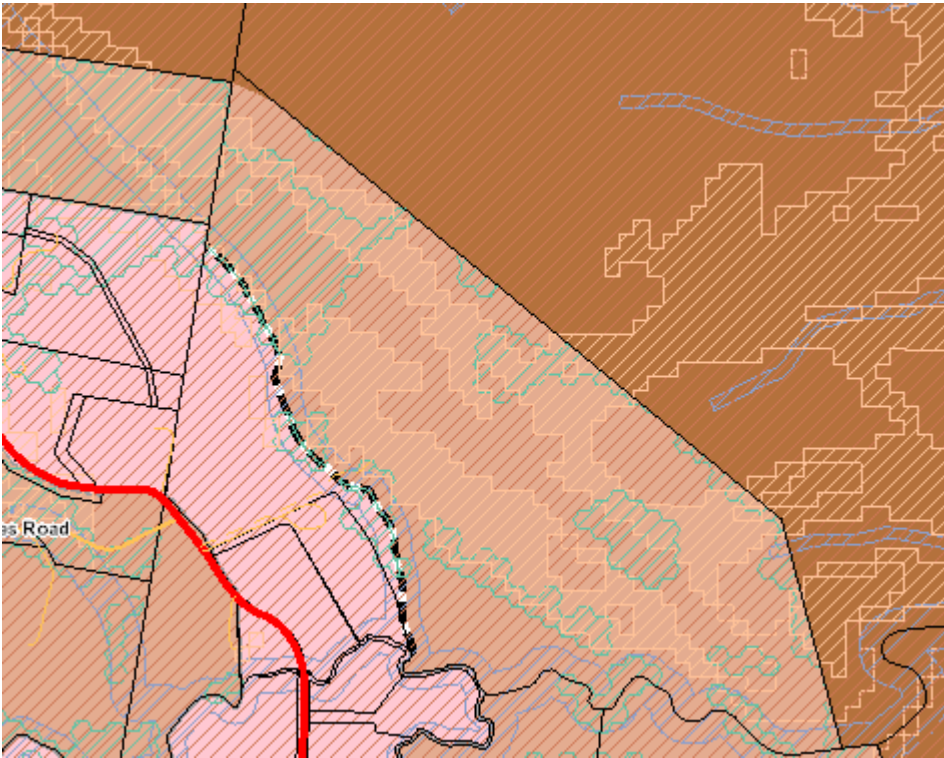
1204 Ellendale Road is zoned Rural Living (A) in the Tasmanian Planning Scheme – Central Highlands. The zone boundary within Lot 1 Ellendale Road is divided by a water course, where land to the south of the watercourse is zoned Rural Living (A) and the north is zoned Rural.



Map 1_ Lot 1 Ellendale Road is highlighted in blue. The dashed white and black line indicates the line of the split Zone. Light pink represents the Rural Living Zone, the light brown colour represents the Rural Zone and Brown is the Agriculture Zone of the Tasmanian Planning Scheme. (source: thelist. 07/08/24)



Map 2_ 1204 Ellendale Road property boundary is shown with a blue line and Lot 1 highlighted in blue. (source: thelist. 07/08/24)



Map 3_ The subject land area with the Bushfire Prone Area Code Overlay (brown lines), Natural Assets Code, Waterway and Coastal Protection Area (light blue lines) Natural Assets Code, Priority Vegetation (green lines) (source:thelist. 07/08/24)



Map 4_ The subject land area aerial photograph (source: thelist. 07/08/24)

USE/DEVELOPMENT DEFINITION

The proposed use and development is defined in the Tasmanian Planning Scheme (The Scheme), as below:

“means the act of subdividing or the lot subject to an act of subdividing”.

Subdivision is a Discretionary development, 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*. Council has the discretion to grant a permit or refuse to grant a permit.

As a discretionary development, the application was advertised in accordance with Section 57 of the Act.

PUBLIC NOTIFICATION AND REPRESENTATIONS

The application was advertised for 14 days from 23rd July until the 6th August 2024.

During which time one (1) representation was received. This is summarised in the table below. Please refer to enclosure to view the full copy of representation received.

Public Notice Period 23/7/24 – 6/8/24	
Representation 1	Council Planning Officer Comment
<p>Concerned that the proposed Rights of Way for the numerous new lots will potentially increase traffic noise and disturbance to existing nearby residences.</p> <p>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.</p> <p>A housing subdivision this close 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.</p> <p>We also have concerns about maintaining the wallaby proof integrity of our current boundary fence.</p> <p>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.</p>	<p><i>The proposed number of lots and access arrangements have been assessed against the development standards of the Tasmanian Planning Scheme (The Scheme) for the Rural Zone and the Rural Living Zone. This assessment forms part of the following sections of this Report to Council. The proposal meets the requirements of The Scheme.</i></p> <p><i>The exact location of any future dwelling on the proposed lots will be subject to future applications for Planning Permits. However, the side and rear setback for dwellings in the Rural Living Zone is 10m. A proposed dwelling with a setback less than 10m, would require a discretionary permit, therefore the application would be advertised, offering a further opportunity to voice concerns regarding the development.</i></p> <p><i>The property Lot 1 Ellendale Road and surrounding land is zoned Rural Living (A) which the minimum lot size is 1ha. The purpose of this zone is to provide for residential use in a rural setting where services are limited.</i></p> <p><i>Fencing agreements between neighbouring properties is outside of the scope of the Council as Planning Authority.</i></p> <p><i>Council notes that there is some existing mature vegetation to the western property boundary of Lot 1 Ellendale Road. However some of this maybe required to be removed to gain access to the proposed lots. A condition to maintain existing vegetation where possible and to supplement the existing with appropriate planting will be made.</i></p>

ZONE ASSESSMENT – TASMANIAN PLANNING SCHEME – CENTRAL HIGHLANDS

The subject sites are in the Rural Living Zone (A) and the Rural Zone of the Tasmanian Planning Scheme – Central Highlands.

Subdivision is a discretionary use in both zones. Accordingly, the proposal must satisfy the requirements of the Zone Purpose and the following relevant development standards of these zones and Codes:

11.0 Rural Living Zone

The purpose of the Rural Living Zone is:

11.1.1 To provide for residential use or development in a rural setting where:

- (a) services are limited; or
- (b) existing natural and landscape values are to be retained.

11.1.2 To provide for compatible agricultural use and development that does not adversely impact on residential amenity.

11.1.3 To provide for other use or development that does not cause an unreasonable loss of amenity, through noise, scale, intensity, traffic generation and movement, or other off site impacts.

11.1.4 To provide for Visitor Accommodation that is compatible with residential character.

Development Standards for Subdivision		
11.5.1 Lot design		
That each lot:		
(a) has an area and dimensions appropriate for use and development in the zone;		
(b) is provided with appropriate access to a road; and		
(c) contains areas which are suitable for residential development.		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1 Each lot, or a lot proposed in a plan of subdivision, must:</p> <p>(a) have an area not less than specified in Table 11.1 and:</p> <p>(i) be able to contain a minimum area of 15m x 20m clear of:</p> <p>a. all setbacks required by clause 11.4.2 A2 and A3; and b. easements or other title restrictions that limit or restrict development; and</p> <p>(ii) existing buildings are consistent with the setback required by clause 11.4.2 A2 and A3;</p> <p>(b) be required for public use by the Crown, a council or a State authority;</p> <p>(c) be required for the provision of Utilities; or</p> <p>(d) be for the consolidation of a lot with another lot provided</p>	<p>P1 Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have sufficient useable area and dimensions suitable for its intended use, having regard to:</p> <p>(a) the relevant requirements for development of existing buildings on the lots;</p> <p>(b) the intended location of buildings on the lots;</p> <p>(c) the topography of the site;</p> <p>(d) any natural or landscape values;</p> <p>(e) adequate provision of private open space; and</p> <p>(f) the pattern of development existing on established properties in the area, and must be no more than 20% smaller than the applicable lot size required by clause 11.5.1 A1.</p>	<p><i>All lots are no less than 1ha in area, as specified in table 11.1.</i></p> <p><i>All lots have a minimum area of 15m x 20m clear of required setbacks.</i></p> <p><i>The existing dwelling on 1204 Ellendale Road is clear of setbacks required.</i></p> <p><i>The proposal meets Acceptable Solution A1.</i></p>

each lot is within the same zone.		
<p>A2 Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a frontage not less than 40m</p>	<p>P2 Each lot, or a lot proposed in a plan of subdivision, must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use, having regard to:</p> <p>(a) the width of frontage proposed, if any;</p> <p>(b) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access;</p> <p>(c) the topography of the site;</p> <p>(d) the functionality and useability of the frontage;</p> <p>(e) the ability to manoeuvre vehicles on the site; and</p> <p>(f) the pattern of development existing on established properties in the area, and is not less than 3.6m wide.</p>	<p><i>Lots 1, 2 and 3 do not have a frontage of 40m, therefore are assessed against the Performance Criteria P2.</i></p> <p><i>Lots 1, 2 and 3 are provided with Rights of Way and all are over 3.6m in wide. The proposed access strip is 6m wide with access shared for all 3 lots.</i></p> <p><i>Other similar arrangements for access strips are within the area.</i></p> <p><i>The shared access for 3 lots has been designed to accommodate vehicles for the lots, providing adequate space for manoeuvring.</i></p> <p><i>The proposal meets the Performance Criteria P2.</i></p>
<p>A3 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 Each lot, or a lot proposed in a plan of subdivision, must be provided with reasonable vehicular access to a boundary of a lot or building area on the lot, if any, having regard to:</p> <p>(a) the topography of the site;</p> <p>(b) the length of the access;</p> <p>(c) the distance between the lot or building area and the carriageway;</p> <p>(d) the nature of the road and the traffic;</p> <p>(e) the anticipated nature of vehicles likely to access the site; and</p> <p>(f) the ability for emergency services to access the site.</p>	<p><i>Lots 1, 2 and 3 will have a new access from Ellendale Road. The remaining lots have existing access.</i></p> <p><i>The proposal meets the Acceptable Solution A3.</i></p>

11.5.2 Roads That the arrangement of new roads with a subdivision provides: (a) safe, convenient and efficient connections to assist accessibility and mobility of the community; (b) adequate accommodation of vehicular, pedestrian, cycling and public transport traffic; and (c) the efficient ultimate subdivision of the entirety of the land and of surrounding land.		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1 The subdivision includes no new roads.	P1 The arrangement and construction of roads within a subdivision must provide an appropriate level of access, connectivity, safety, convenience and legibility for vehicles, having regard to: (a) any relevant road network plan adopted by the council; (b) the existing and proposed road hierarchy; (c) maximising connectivity with the surrounding road network; (d) appropriate access to public transport; and (e) access for pedestrians and cyclists.	<i>No new roads are proposed, the Acceptable Solution A1 is met.</i>

11.5.3 Services That the subdivision of land provides services for the future use and development of the land.		
Acceptable Solution	Performance Criteria	Officer Comment
A1 Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must: (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.	<i>There is no full water supply service within 30m of the frontage to the proposed Lots. The proposed lots will have connect to a limited water supply, of which there is sufficient space within the lots.</i> <i>The acceptable solution A1 is met.</i>
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:	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	<i>There is no reticulated sewage system in the area, therefore on site wastewater systems will be required.</i> <i>The Performance Criteria P2 is met.</i>

<p>(a) be connected to a reticulated sewerage system; or</p> <p>(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.</p>	<p>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.</p>	
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20.0 Rural Zone

The purpose of the Rural Zone is:

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; and
- (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

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	OFFICER COMMENT
<p>A1</p> <p>Each lot, or a lot proposed in a plan of subdivision, must:</p> <p>(a) have an area not less than specified in Table 11.1 and:</p> <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; (ii) existing buildings are consistent with the setback required by clause 11.4.2 A2 and A3; <p>(b) be required for public use by the Crown, a council or a State authority;</p> <p>(c) be required for the provision of Utilities; or</p>	<p>P1</p> <p>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 nonsensitive uses on adjoining properties; and (iv) is appropriate for a rural location; or <p>(b) be for the excision of a dwelling or Visitor Accommodation existing at the effective date that satisfies all of the following:</p>	<p><i>The balance of Lot CT 244823/1 is 47.83 ha</i></p> <p><i>The proposed Lot 5 total area will be 14.62ha, therefore the Performance Criteria P1 applies.</i></p> <p><i>The application documents state that the 14.62ha lot will provide additional land for stock and is the exciting owner managing resources available to them.</i></p> <p><i>The proposal will not diminish the existing capacity of the land for stock.</i></p> <p><i>Existing vehicle access will be maintained.</i></p> <p><i>The agricultural capacity of the balance lot has not diminished.</i></p> <p><i>The proposal meets the Performance Criteria P1.</i></p>

<p>(d) be for the consolidation of a lot with another lot provided each lot is within the same zone.</p>	<p>(i) the balance lot provides for the sustainable operation of a Resource Development use, having regard to:</p> <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; <p>(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</p> <p>(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;</p> <p>(iv) it is demonstrated that the new lot will not unreasonably confine or restrain the operation of any 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 	
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	(vii) the pattern of development existing on established properties in the area.	
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.	<i>The proposal meets the Acceptable Solution A2 as the balance lot and Lot 5 have existing vehicular access.</i>

ZONE ASSESSMENT – TASMANIAN PLANNING SCHEME – CENTRAL HIGHLANDS

Parking and Sustainable Transport Code

The Code applies to all use and development. The proposal must satisfy the requirements of the following relevant development standards:

C2.5 Use Standards		
C2.5.1 Car parking numbers		
That an appropriate level of car parking spaces are provided to meet the needs of the use.		
Acceptable solutions	Performance Criteria	OFFICER COMMENT
A1 The number of on-site car parking spaces must be no less than the number specified in Table C2.1, excluding if: (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: (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	P1.1 The number of on-site car parking spaces for uses, excluding dwellings, must meet the reasonable needs of the use, having regard to: (a) the availability of off-street public car parking spaces within reasonable walking distance of the site; (b) the ability of multiple users to share spaces because of: (i) variations in car parking demand over time; or (ii) efficiencies gained by consolidation of car parking spaces; (c) the availability and frequency of public transport within reasonable walking distance of the site; (d) the availability and frequency of other transport alternatives;	<i>The number of car parking spaces required for the existing dwelling is met.</i> <i>At a minimum site area of 1ha, the proposed lots have adequate space to provide for car parking.</i> <i>The proposal meets the acceptable solution A1.</i>

<p>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</p> <p>(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: $N = A + (C - B)$</p> <p>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>(e) any site constraints such as existing buildings, slope, drainage, vegetation and landscaping;</p> <p>(f) the availability, accessibility and safety of on-street parking, having regard to the nature of the roads, traffic management and other uses in the vicinity;</p> <p>(g) the effect on streetscape; and</p> <p>(h) any assessment by a suitably qualified person of the actual car parking demand determined having regard to the scale and nature of the use and development.</p> <p>P1.2 The number of car parking spaces for dwellings must meet the reasonable needs of the use, having regard to:</p> <p>(a) the nature and intensity of the use and car parking required;</p> <p>(b) the size of the dwelling and the number of bedrooms; and</p> <p>(c) the pattern of parking in the surrounding area.</p>	
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<p>C2.6 Development Standards for Buildings and Works</p>		
<p>C2.6.1 Construction of parking areas</p>		
<p>That parking areas are constructed to an appropriate standard.</p>		
<p>Acceptable solutions</p>	<p>Performance Criteria</p>	<p>OFFICER COMMENT</p>
<p>A1 All parking, access ways, manoeuvring and circulation spaces must:</p> <p>(a) be constructed with a durable all weather pavement;</p> <p>(b) be drained to the public stormwater system, or contain stormwater on the site; and</p> <p>(c) excluding all uses in the Rural Zone, Agriculture Zone, Landscape Conservation Zone, Environmental Management Zone, Recreation Zone and Open Space Zone, be surfaced by a spray seal, asphalt, concrete, pavers or equivalent material to restrict abrasion from traffic and minimise entry of water to the pavement.</p>	<p>P1 All parking, access ways, manoeuvring and circulation spaces must be readily identifiable and constructed so that they are useable in all weather conditions, having regard to:</p> <p>(a) the nature of the use;</p> <p>(b) the topography of the land;</p> <p>(c) the drainage system available;</p> <p>(d) the likelihood of transporting sediment or debris from the site onto a road or public place;</p> <p>(e) the likelihood of generating dust; and</p> <p>(f) the nature of the proposed surfacing.</p>	<p><i>The access driveways throughout the proposed development will be conditioned to be constructed from an all weather pavement and drained to a stormwater system as required by a Plumbing Permit issued by the authority.</i></p> <p><i>The proposal meets the Acceptable Solution A1.</i></p>

C2.6.2 Design and layout of parking areas		
That parking areas are designed and laid out to provide convenient, safe and efficient parking.		
Acceptable solutions	Performance Criteria	OFFICER COMMENT
<p>A1 Parking, access ways, manoeuvring and circulation spaces must either: (a) comply with the following: (i) have a gradient in accordance with Australian Standard AS 2890 - Parking facilities, Parts 1-6; (ii) provide for vehicles to enter and exit the site in a forward direction where providing for more than 4 parking spaces; (iii) have an access width not less than the requirements in Table C2.2; (iv) have car parking space dimensions which satisfy the requirements in Table C2.3; (v) have a combined access and manoeuvring width adjacent to parking spaces not less than the requirements in Table C2.3 where there are 3 or more car parking spaces; (vi) have a vertical clearance of not less than 2.1m above the parking surface level; and (vii) excluding a single dwelling, be delineated by line marking or other clear physical means; or (b) comply with Australian Standard AS 2890- Parking facilities, Parts 1-6.</p> <p>A1.2 Parking spaces provided for use by persons with a disability must satisfy the following: (a) be located as close as practicable to the main entry point to the building; (b) be incorporated into the overall car park design; and (c) be designed and constructed in accordance with Australian/New Zealand Standard AS/NZS 2890.6:2009 Parking facilities, Off-street parking for people with disabilities. [S35]</p>	<p>P1 All parking, access ways, manoeuvring and circulation spaces must be designed and readily identifiable to provide convenient, safe and efficient parking, having regard to: (a) the characteristics of the site; (b) the proposed slope, dimensions and layout; (c) useability in all weather conditions; (d) vehicle and pedestrian traffic safety; (e) the nature and use of the development; (f) the expected number and type of vehicles; (g) the likely use of the parking areas by persons with a disability; (h) the nature of traffic in the surrounding area; (i) the proposed means of parking delineation; and (j) the provisions of Australian Standard AS 2890.1:2004 - Parking facilities, Part 1: Off-street car parking and AS 2890.2 -2002 Parking facilities, Part 2: Off-street commercial vehicle facilities.</p>	<p><i>Car parking, access and circulation space will be conditioned to meet the requirements of the Australian Standard AS 2890 - Parking facilities, Parts 1-6.</i></p> <p><i>The proposal meets the Acceptable Solution A1.</i></p>

C2.6.3 Number of accesses for vehicles		
That:		
(a) access to land is provided which is safe and efficient for users of the land and all road network users, including but not limited to drivers, passengers, pedestrians and cyclists by minimising the number of vehicle accesses;		
(b) accesses do not cause an unreasonable loss of amenity of adjoining uses;		
(c) the number of accesses minimise impacts on the streetscape.		
Acceptable solutions	Performance Criteria	OFFICER COMMENT
A1 The number of accesses provided for each frontage must: <ul style="list-style-type: none"> (a) be no more than 1; or (b) no more than the existing number of accesses, whichever is the greater. 	P1 The number of accesses for each frontage must be minimised, having regard to: <ul style="list-style-type: none"> (a) any loss of on-street parking; and (b) pedestrian safety and amenity; (c) traffic safety; (d) residential amenity on adjoining land; and (e) the impact on the streetscape. 	<i>The acceptable solution A1 is met, the proposed Lots are provided with a single point of vehicular access. Existing access will serve the balance lot and Lot 5.</i>
A2 Within the Central Business Zone or in a pedestrian priority street no new access is provided unless an existing access is removed.	P2 Within the Central Business Zone or in a pedestrian priority street, any new accesses must: <ul style="list-style-type: none"> (a) not have an adverse impact on: <ul style="list-style-type: none"> (i) pedestrian safety and amenity; or (ii) traffic safety; and (b) be compatible with the streetscape. 	<i>Not applicable, the zone is Rural.</i>

Natural Assets Code

This Code applies as areas of Waterway & Coastal Protection Area and Priority Vegetation Overlay are located throughout the property.

The purpose of the Natural Assets Code is:

- To minimise impacts on water quality, natural assets including native riparian vegetation, river condition and the natural ecological function of watercourses, wetlands and lakes.
- To minimise impacts on coastal and foreshore assets, native littoral vegetation, natural coastal processes and the natural ecological function of the coast.
- To protect vulnerable coastal areas to enable natural processes to continue to occur, including the landward transgression of sand dunes, wetlands, saltmarshes and other sensitive coastal habitats due to sea-level rise.
- To minimise impacts on identified priority vegetation.
- To manage impacts on threatened fauna species by minimising clearance of significant habitat.

Both the Waterway & Coastal Protection Area and Priority Vegetation Area are shown on the overlay map of the Local Provisions Schedule.

The proposal must satisfy the requirements of the following relevant development standards:

C7.7.1 Subdivision within a waterway and coastal protection area or a future coastal refugia area		
<p>That:</p> <p>(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</p> <p>(b) future development likely to be facilitated by subdivision is unlikely to lead to an unnecessary or unacceptable impact on natural assets.</p>		
Acceptable solutions	Performance Criteria	OFFICER COMMENT
<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> <p>(a) be for the creation of separate lots for existing buildings;</p> <p>(b) be required for public use by the Crown, a council, or a State authority;</p> <p>(c) be required for the provision of Utilities;</p> <p>(d) be for the consolidation of a lot; or</p> <p>(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>	<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> <p>(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</p> <p>(b) future development likely to be facilitated by the subdivision.</p>	<p><i>The proposal meets the Acceptable Solution as the subdivision does not include any works (excluding boundary fencing), building area, services, bushfire hazard management area or vehicular access within a waterway area.</i></p>

C7.7.2 Subdivision within a priority vegetation area		
<p>That:</p> <p>(a) works associated with subdivision will not have an unnecessary or unacceptable impact on priority vegetation; and</p> <p>(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	Performance Criteria	OFFICER COMMENT
<p>A1</p> <p>Each lot, or a lot proposed in a plan of subdivision, within a priority vegetation area must:</p> <p>(a) be for the purposes of creating separate lots for existing buildings;</p> <p>(b) be required for public use by the Crown, a council, or a State authority;</p> <p>(c) be required for the provision of Utilities;</p>	<p>P1.1</p> <p>Each lot, or a lot proposed in a plan of subdivision, within a priority vegetation area must be for:</p> <p>(a) subdivision for an existing use on the site, provided any clearance is contained within the minimum area necessary to be cleared to provide adequate bushfire protection, as</p>	<p><i>The proposal meets the Acceptable Solution A1 as no works (excluding boundary fencing), building area, bushfire hazard management area, services or vehicular access within a priority vegetation area.</i></p>

<p>(d) be for the consolidation of a lot; or</p> <p>(e) not include any works (excluding boundary fencing), building area, bushfire hazard management area, services or vehicular access within a priority vegetation area.</p>	<p>recommended by the Tasmania Fire Service or an accredited person;</p> <p>(b) subdivision for the construction of a single dwelling or an associated outbuilding;</p> <p>(c) subdivision in the General Residential Zone or Low Density Residential Zone;</p> <p>(d) use or development that will result in significant long term social and economic benefits and there is no feasible alternative location or design;</p> <p>(e) subdivision involving clearance of native vegetation where it is demonstrated that ongoing pre-existing management cannot ensure the survival of the priority vegetation and there is little potential for long-term persistence; or</p> <p>(f) subdivision involving clearance of native vegetation that is of limited scale relative to the extent of priority vegetation on the site.</p> <p>P1.2</p> <p>Works association with subdivision within a priority vegetation area must minimise adverse impacts on priority vegetation, having regard to:</p> <p>(a) the design and location of any works, future development likely to be facilitated by the subdivision, and any constraints such as topography or land hazards;</p> <p>(b) any particular requirements for the works and future development likely to be facilitated by the subdivision;</p> <p>(c) the need to minimise impacts resulting from bushfire hazard management measures through siting and fire-resistant design of any future habitable buildings;</p>	
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	<p>(d) any mitigation measures implemented to minimise the residual impacts on priority vegetation;</p> <p>(e) any on-site biodiversity offsets; and</p> <p>(f) any existing cleared areas on the site.</p>	
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CONCLUSION

The report has assessed the 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.

During the Public Notification period, one representation was received, the concerns of which have been addressed in this report.

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

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

PLANNING COMMITTEE CONSIDERATION

This item was considered at the Planning Committee Meeting held on Tuesday 13th August 2024 with the Planning Committee making the following recommendation to Council acting as the Planning Authority.

RECOMMENDATION 11/08.2024/C

Moved: Cr

Seconded: Cr

THAT, in accordance with the provisions of the *Tasmanian Planning Scheme – Central Highlands* and section 57 of the *Land Use Planning & Approvals Act 1993*, Council APPROVE the Development Application (DA2024/43) for Subdivision (3 Lots) at 1204 Ellendale Road, Ellendale & Lot 1 Ellendale Road, Ellendale (CT's 244823/1 & 43479/1)

CONDITIONS

General

1. The subdivision layout or development must be carried out substantially in accordance with the application for planning approval, the endorsed drawings and with the conditions of this permit and must not be altered or extended without the further written approval of Council.
2. The development and works must be carried out in accordance with:
Bushfire Hazard Report, Proposed Subdivision 1204 Ellendale Road, Ellendale (Mark Van den Berg, GES) J10343v1 dated June 2024.
3. Prior to Council sealing the final plan of survey for any stage the developer must provide certification from a suitably qualified person that all works required by the approved Bushfire Hazard Management Plan has been complied with.

Agreements

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

Easements

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

Public Open Space

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

Covenants

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

Final plan

9. A final approved plan of survey and schedule of easements as necessary, together with two (2) copies, must be submitted to Council for sealing for each stage. The final approved plan of survey must be substantially the same as the endorsed plan of subdivision and must be prepared in accordance with the requirements of the Recorder of Titles.
10. A fee of \$237.00, or as otherwise determined in accordance with Council's adopted fee schedule, must be paid to Council for the sealing of the final approved plan of survey for each stage.
11. All conditions of this permit, including either the completion of all works and maintenance or payment of security in accordance with this permit, must be satisfied before the Council seals the final plan of survey for each stage. It is the subdivider's responsibility to notify Council in writing that the conditions of the permit have been satisfied and to arrange any required inspections.
12. The subdivider must pay any Titles Office lodgment fees direct to the Recorder of Titles.

Services

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

Access to Ellendale Road

15. Unless approved otherwise by Council's General Manager the proposed Vehicular access to Lots 1, 2, 3 and Balance Lot, Accesses must be sealed with a minimum width of 3 metres at the property boundary to the Road and must comply with Standard Drawings TSD-R03-v1 Rural Roads Typical Property Access, TSD-R04-v1 Rural Roads Typical Driveway Profile and TSD-RF01-v1 Guide To Intersection And Domestic Access Sight Distance and to the satisfaction of Council's General Manager. Or as otherwise as required by the approved Bushfire Hazard Report & Plan.

Landscaping

16. No vegetation other than that necessary for the construction of the associated access and any services is to be cleared without the prior approval of Council's General Manager.

17. Any vegetation removed from the western property boundary to Lots 1, 2 and 3 must be replaced with appropriate planting. Planting must not use species listed as noxious weeds within Tasmania, displaying invasive characteristics or unsuitable for Bush Fire Prone areas.

Construction amenity

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

THE FOLLOWING ADVICE APPLIES TO THIS PERMIT: -

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

24. ORDINARY COUNCIL MEETING RESUMED

RECOMMENDATION 12/08.2024/C

Moved: Cr

Seconded: Cr

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

25. DEVELOPMENT & ENVIRONMENTAL SERVICES

25.1 DRAFT AMENDMENT TO THE STATE PLANNING PROVISIONS 05-2024 : AGRICULTURAL WORKERS ACCOMMODATION

Report By

Damian Mackey, Planning Consultant (SMC)

Date

14 August 2024

Attachments

1. [Draft Amendment to the State Planning Provisions 05-2024.](#)
2. [Draft Amendment - Fact Sheet.](#)
3. [Correspondence from the State Planning Office, 22 July 2024.](#)

Purpose

The purpose of this report is to advise Councillors on a draft planning scheme amendment arising out of the State Government's five-year statutory review of the State Planning Provisions (the SPPs).

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 SPP amendments.

One such issue is that of agricultural workers accommodation in rural areas. A discussion paper issued by the State Planning Office was considered by Council at its June meeting.

The proposed change to the SPPs has now proceeded to the statutory public exhibition phase through the Tasmanian Planning Commission. Attached is the formal draft amendment along with an accompanying 'fact sheet'.

FARM WORKERS ACCOMMODATION

Central Highlands Council officers have been involved in the SPO's Action Group dealing with the issue of farm workers accommodation in rural areas. This matter has long been a concern, with Council arguing there needs to be a planning approval pathway to enable such accommodation on farms. Many other rural Councils have also expressed this view.

The Action Group dealing with this issue is now progressing the matter quickly. The State Government included the resolution of this issue in its 'first 100 day plan' following the 2024 election.

The attached 'fact sheet' provides a good level of information on the how the draft amendment would work. As detailed, it is intended to address this issue by creating a new category of the Residential Use Class and adding new development and use standards to the Agriculture Zone and the Rural Zone.

Agricultural Workers Accommodation will therefore be treated by planning schemes separately to similar types of residential use, such a Single Dwellings or Visitor Accommodation, noting that approval will be able to be sought for seasonal Agricultural Workers Accommodation to be used for Visitor Accommodation in the off season.

CONCLUSION

The draft amendment appears to be well considered and well drafted. This change to the State Planning Provisions will address an issue with which that Council has long been concerned, and it should be supported.

No amendments are suggested.

RECOMMENDATION 13/08.2024/C

Moved: Cr

Seconded: Cr

THAT the information be received, and that Council note its support for Draft Amendment 05-2024 to the State Planning Provisions, thereby enabling the approval of accommodation for agricultural workers in rural areas.

25.2 REVIEW OF THE SOUTHERN TASMANIAN REGIONAL LAND USE STRATEGY (STRLUS) : COMMUNITY CONSULTATION

Report By

Damian Mackey, Council Planning Consultant (SMC)

Date

14 August 2024

Attachments

[STRLUS Review Update \(including community consultation options\).](#)

Purpose

The purpose of this report is to raise discussion with Council on community consultation options for the Review of the Southern Tasmania Regional Land Use Strategy (STRLUS).

Council further needs to consider how the community consultation for the STRLUS Review will interact with our own community consultation for the draft Structure Plans for Bothwell, Hamilton & Ouse, which will overlap.

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.

Since the preparation of the existing STRLUS in 2009-2010, 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 these changes, the 12 Southern Councils committed to conduct a comprehensive review and update of the STRLUS. This is co-funded by the 12 Councils and the State Government.

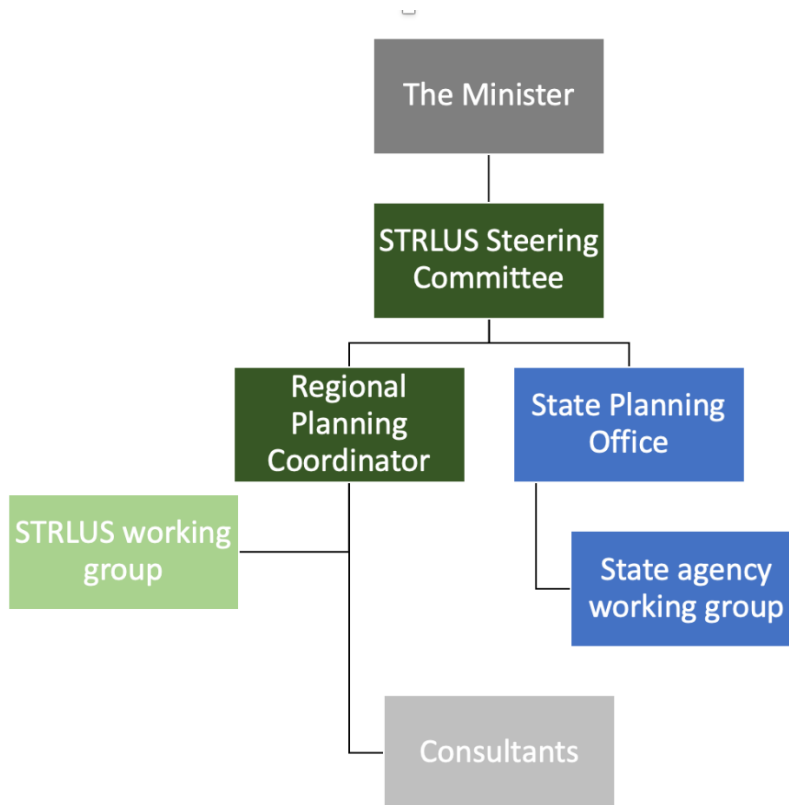
In February 2023, a Steering Committee was established and in August 2023 a Regional Planning Coordinator was appointed. The Regional Planning Coordinator is responsible for working with the Southern Councils and the State Planning Office to conduct the review.

A STRLUS Working Group consisting of Council and State Government planning officers was then established.

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 & social impact, and public policy has been engaged to support with communication and engagement.

The STRLUS Review structure:



GOING FORWARD

The first major output of the STRLUS Review, the ‘State of Play Report’, was presented to Council at the July Council meeting, for noting. This will now be used to begin initial consultation with stakeholders and the community.

It is anticipated that a draft revised STRLUS will be provided to Council for endorsement in early 2025. It will then be placed on public exhibition.

It is anticipated the final STRLUS will be provided to the Minister for consideration in mid-2025.

COMMUNITY CONSULTATION OPTIONS

For the initial public consultation, which is expected to run from mid-September to mid-December 2024, the State of Play report and associated materials are to be made publicly accessible via a project website.

Each Council within the region has been requested by the STRLUS Review Steering Committee to publicly exhibit the State of Play Report, making copies available for viewing by the public at Council premises and via Council’s website, and through linking to the project’s website.

Specifically, the STRLUS Review has suggested that Councils consider the following:

As a project we intend to do the heavy lifting on engagement however, Councils are requested to:

1. *Make documents available in Council chambers.*
2. *Link to the project website.*
3. *Support comms e.g. social media broadcasts.*
4. *Support manning of pop ups.*

We will organise a way to catch up and communicate on what is happening in the comms and engagement space in the region. For now, I am seeking advice on:

1. *Pop ups for early engagement Sep to Dec. Who, what and where? (Thanks for the advice re the ag shows Lisa)*

2. Possible 'community champions'.

The attached STRLUS Review Update includes further information on community consultation options.

DISCUSSION

It is proposed that Council does at least the following.

- Posters on community notice boards.
- Information on Council's website, including link to the STRLUS Review website.
- Items in community newspaper.
- One, or more, information drop-in session (called 'pop-ups' in the STRLUS Review Update).
 - These could run from mid-afternoon to early evening on a weekday.
 - One should be done in Bothwell.
 - Question: should other information drop-in sessions be run in other towns?

The STRLUS Review also suggests the consultation method of 'community champions', whereby Councils choose a small number of trusted and respected members of the community to firstly attend a seminar to learn about the STRLUS Review, and then to work within the community to provide information and encourage interested people to lodge submissions.

INTERACTION WITH TOWNSHIPS STRUCTURE PLANNING CONSULTATION

Council needs to consider how the community consultation for the STRLUS Review will interact with the community consultation for our own Draft Structure Plans for Bothwell, Hamilton and Ouse, which will overlap.

The risk is that community members may suffer from 'consultation fatigue' and/or become confused by too many planning-related consultation processes, and therefore disengaged.

On the other hand, there may be benefits in combining some consultation processes, such as information drop-in sessions and newsletter items. This would provide the opportunity to explain the differences.

Following the Council meeting there will be a Project Steering Group meeting for the Structure Planning Project, to which all Councillors are invited. This will provide an opportunity to further discuss this matter.

RECOMMENDATION 14/08.2024/C

Moved: Cr

Seconded: Cr

THAT the information be received.

25.3 STATE PLANNING PROVISIONS – DRAFT AMENDMENT 01-2024 HAZARD CODES

Council is in receipt of a letter from the Commissioner for Planning advising 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 has been approved for public exhibition.

The public exhibition period commenced from 12 August to 23 September 2024.

A copy of the letter received has been included in the attachments.

Council's Planning staff have advised the draft amendment will not have a signification impact for Central Highlands Council and will mainly be applicable to coastal local government areas.

To enable staff to prepare a submission any comments on the draft amendment are to be forwarded to the Planning Officer by close of business on Monday 26th September 2024.

RECOMMENDATION 15/08.2024/C

Moved: Cr

Seconded: Cr

THAT comment on the State Planning Provisions Draft Amendment 01-2024 Hazard Code be forwarded to the Planning Officer by close of business on Monday 26th September 2024.

25.4 GREAT LAKE COMMUNITY CENTRE

Report By

Graham Rogers, Manager Development & Environmental Services

Background

Over the past month Council has had to engage a Plumber to repair breaks in the old copper water lines at the Great Lake Community Centre. This has entailed having to remove the external brickwork to be able to access the breaks. This appears to be an on-going issue.

Two quotes have been obtained to re-run the hot and cold water lines in the ceiling to internal walls in the bathrooms to bypass the old copper that keeps breaking in the walls being \$11,000 and \$14,300. Based on the quotes received a further allocation of \$11,000 will need to be allocated in the 2024/2025 as this work has not been budgeted for.

The DES Manager will provide a further update on the reasons for the required plumbing works.

RECOMMENDATION 16/08.2024/C

Moved: Cr

Seconded: Cr

THAT Council allocate \$11,000 in the 2024/2025 budget for plumbing works required at the Great Lake Community Centre.

25.5 BOTHWELL SWIMMING POOL COMMITTEE

Report By

Graham Rogers, Manager Development & Environmental Services

Background

The Central Highlands Council has in place a Special Committee known as the Swimming Pool Committee.

As outlined in the Terms of Reference for this Committee the Committee assumes responsibility for the management and maintenance of the Bothwell Swimming Pool and consists of seven members as follows:

- Two Councillors (currently Mayor L Triffitt (Chair) & Cr J Honner)
- Two Central Highlands Council Staff Members (Currently Manager DES & Manager Works & Services)
- Bothwell District High School Association Representative
- Bothwell District High School Principal or Representative
- Community Representative

One Committee Meeting was called during the 2023-2024 Season but did not proceed due to a lack of a quorum.

A long-standing Community Representative for this Committee resigned last year and Council will now need to advertise for a new Community Representative, as well as seek a nominated representative from the Bothwell District High School Association.

The Principal from the Bothwell District High School has also contacted Council with regards to using the Pool in the final week of School. In the past, the School have had access to the pool during December prior to the opening of the season.

Yearly maintenance will commence shortly and it is anticipated that the pool will be ready for the School to use for the last week of the School term in December.

RECOMMENDATION 17/08.2024/C**Moved:** Cr**Seconded:** Cr

THAT Council seek expressions of interest for a community member to join the Bothwell Swimming Pool Committee.

25.6 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.

PERMITTED

DA NO.	APPLICANT	LOCATION	PROPOSAL
2024 / 00035	S J & P A Davison	54 Gully Road, Fentonbury	Visitor Accommodation (Change of Use)
2024 / 00039	Brooks Lark & Carrick Surveyors	(Part Of) 80 Marriotts Road, Ellendale & P1155 Marriotts Road, Ellendale	Boundary Adjustment
2024 / 00041	P D A Surveyors	(Part Of) 460 Jones River Road, Ellendale & 475 Rockmount Road, Ellendale	Boundary Adjustment

DISCRETIONARY

DA NO.	APPLICANT	LOCATION	PROPOSAL
2024 / 00038	P & J Sheds	240 Ellendale Road, Fentonbury	Secondary Residence
2024 / 00040	J J Rayner	70 Quinns Road, Ellendale	Dwelling
2024 / 00042	H B V Architects	Waddamana Road, Waddamana	Change of Use to Interpretation Centre

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 13 August 2024	
Number of Dogs Impounded during last month	2
Number of Dogs Currently Registered	815
Number of Dogs Pending Re-Registration	155
Number of Kennel Licences	31

Reports By

Beverley Armstrong, Environmental Health Officer

ANNUAL REPORTING

The following Annual Reports for Environmental Health have been submitted to DHHS as required:

- Private Water Report for 2023-2024
- Recreational Water Report 2023-2024
- Food Safety Annual Report 2023-2024
- EHO Annual Register submitted 2023
- Regulated Systems - Central Highlands Council have no Regulated Systems.

All reports were submitted on 31 July 2024.

RECOMMENDATION 18/08.2024/C

Moved: Cr

Seconded: Cr

THAT the Development & Environmental Services Report be received.

26. WORKS & SERVICES

26.1 WORKS & SERVICES MONTHLY REPORT – JULY 2024

Report By Barry Harback, Acting - Works & Services Manager

Background

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

Grading & Sheeting	Dawson Road Waddamana Road Victoria Vally Road Wihareja Road Tor Hill Road Meadsfild Road
Maintenance Grading	
Potholing / shouldering	Interlaken Road, Dennistoun Road, Fourteen Mile Road Meadsfild Road Thousand Acre Lane Denniston Road
Spraying:	Nil
Culverts / Drainage:	Clean culverts Tor-hill Roads Clean culverts Victoria Valley until the Bashan Road Clean culverts Denniston Road Dig new drains and install new coverts Denniston 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:	Nil
Refuse / recycling sites:	Cover Hamilton Tip twice weekly

Other:	Replace Hollow Tree Road sign Completion of the Old Mans Head black spot funding Completion off the Patrick Street asphalt verge Trim trees Wayatinah township Install new drainage grate at the old school Hamilton Install new give way sign Victoria Vally Road
Slashing:	
Municipal Town Maintenance:	<ul style="list-style-type: none"> • Collection of town rubbish twice weekly • Maintenance of parks, cemetery, recreation ground and Caravan Park. • Cleaning of public toilets, gutters, drains and footpaths. • Collection of rubbish twice weekly • Cleaning of toilets and public facilities • General maintenance • Mowing of towns and parks • Town Drainage
Buildings:	
Plant:	Pm751 new clutch and driver's seat Pm756 Kenworth truck brake works Pm818 Hilux Ute works on lico loader Pm757 Jcb Backhoe two new tyres and new tensioner pully Pm665 dog trailer 4 new tyres Pm676 replace tracks rollers and idlers
Private Works:	
Casuals	<ul style="list-style-type: none"> • Toilets, rubbish and Hobart • Hamilton general duties
Program for next 4 weeks	Town mowing Pot holing off Municipal roads Grading and re sheeting off municipal roads Culvert cleaning

RECOMMENDATION: 19/08.2024/C

Moved: Cr

Seconded: Cr

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

26.2 BOTHWELL TRUCK WASH

There has been a request from a local regular user for Council to revisit the cost for use of the Bothwell truck wash for local users. The fees were raised by Councilors in this year's budget from \$207 per year to \$500 per year for washing out stock trailers and the likes. Council approved the following increase in the fees and charges for the Truck Wash Hamilton and Bothwell:

The fees for 23/24 were as follows.

TRUCK WASH

Resident	\$22.00	\$21.80
Non-Resident	\$28.00	\$38.10
Annual user	\$190.00	\$207

The new fees council adopted in the 24/25 budget are as follows.

TRUCK WASH

		(GST Incl)
Resident	Per use	\$40
Non-Resident	Per use	\$50
Annual User - semi trailers	Annual fee	\$500

The wash bay must be cleaned out 5 to 6 times per year using the council's backhoe and a small truck costing the council approximately \$3,000 per year. There is currently only one local business registered to use the facility plus Council use. The Acting Manager of Works and Services has done some research on what other facilities charge and could only find one other which is at the sale yards at Powranna their fees are a \$30.00 registration fee and \$1.20 plus GST per minute.

The local user accepts that Council needs to increase the cost at the facility but believes the increase this year is very substantial for one increase.

RECOMMENDATION: 20/08.2024/C

Moved: Cr

Seconded: Cr

THAT Council;

- (1) leave as the current adopted budget.
- (2) go back to 23/24 budget allocation plus cpi.
- (3) suspend the service and don't offer the truck wash facilities to the public

27. ADMINISTRATION SERVICES**27.1 MONTHLY FINANCE REPORT TO 31 JULY 2024****Report by**

Zeeshan Taqueer, Finance Officer

Background

The monthly finance report to 31 July 2024 (excluding on-costs and plant) are below for Councillors reference.

Rates Reconciliation as at 31 July 2024

	<u>2023</u>	<u>2024</u>
Rates in Debit 31st July	\$135,606.82	\$196,877.36
Rates in Credit 31st July	-\$171,244.88	-\$145,341.00
Balance 31st of July	-\$35,638.06	\$51,536.36
Rates Raised	\$4,469,589.38	\$4,716,976.66
Penalties Raised	\$0.00	\$0.00
Supplementaries/Debit Adjustments	\$3,663.06	\$2,088.33
Total Raised	\$4,437,614.38	\$4,719,064.99
Less:		
Receipts to Date	\$676,231.21	\$591,275.02
Pensioner Rate Remissions	\$115,187.13	\$125,721.93
Remissions/Supplementary Credits	\$483.22	\$25.08
Balance	\$3,645,712.82	\$4,053,579.32

Bank Reconciliation as at 31 July 2024

	<u>2023</u>	<u>2024</u>
Balance Brought Forward	\$10,541,025.68	\$6,659,613.95
Receipts for month	\$931,125.83	\$3,479,184.09
Expenditure for month	\$1,959,592.77	\$3,423,739.93
	<hr/>	<hr/>
Balance	\$9,512,558.74	\$6,715,058.11
	<hr/> <hr/>	<hr/> <hr/>
Represented By:		
Balance Commonwealth Bank	\$656,348.91	\$1,802,506.04
Balance Westpac Bank	534,988.44	\$150,546.03
Investments	\$8,320,671.39	\$4,761,456.04
Petty Cash & Floats	\$550.00	\$550.00
	<hr/>	<hr/>
	\$9,512,558.74	\$6,715,058.11
Plus Unbanked Money	\$0.00	
	<hr/>	<hr/>
	\$9,512,558.74	\$6,715,058.11
Less Unpresented Cheques	\$0.00	\$0.00
Unreceipted amounts on bank statements	\$0.00	
	<hr/>	<hr/>
	\$9,316,681.43	\$6,715,058.11
	<hr/> <hr/>	<hr/> <hr/>

BANK ACCOUNT BALANCES AS AT 31 July 2024

No.	Bank Accounts	Investment Period	Current Interest Rate %	Due Date	BALANCE	
					2023	2024
11100 Cash at Bank and on Hand						
11105	Bank 01 - Commonwealth - General Trading Account				649,175.87	1,802,506.04
11106	Bank 02 - Westpac - Direct Deposit Account				337,288.54	150,546.03
11110	Petty Cash				350.00	350.00
11115	Floats				200.00	200.00
11199	TOTAL CASH AT BANK AND ON HAND				987,014.41	1,953,602.07
11200 Investments						
11115	Bank 04	30 Days	4.40%	28.08.2024	2,650,021.06	2,173,552.74
11110	Tascorp	92days	4.80%	27.09.2024	82,259.93	84,217.27
11115	Bank 16	30days	4.36%	15.08.2024	1,744,237.70	2,503,686.03
11299	TOTAL INVESTMENTS				4,476,518.69	4,761,456.04
TOTAL BANK ACCOUNTS AND CASH ON HAND					9,316,681.43	6,715,058.11

RECOMMENDATION: 21/08.2024/C

Moved: Cr

Seconded: Cr

THAT the Monthly Finance Report to 31 July 2024 be received.

27.2 PERFORMANCE IMPROVEMENT DIRECTION – MAYOR TRIFFITT

Report by

Paul West (Independent Advisor)

Attachment – Letter Hon Nic Street MP (Minister for Local Government) dated 2 August 2024

Background

Council is in receipt of correspondence from the Minister for Local Government, Hon Nic Street, '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'. The letter indicates that the Acting Director, in accordance with section 214L of the *Local Government Act 1993*, recommended the Minister issue a Performance Improvement Direction on Mayor Triffitt to address identified breaches of the Act, namely:

- *“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 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 meeting”.*

Mayor Triffitt and Council in June 2024 were provided with a draft of the Performance Improvement Direction in accordance with section 214N(2) of the Act, with a request that written submissions be provided. The Council at a Special Closed Meeting on 28 June 2004 reviewed the draft Performance Improvement Direction and endorsed:

- a recommendation that the Minister issue a Performance Improvement Direction on Mayor Triffitt; and
- a request that Council be notified of the successful conclusion of the training by Mayor Triffitt as required in the Performance Improvement Direction.

The Minister's letter formally advises the Council of the issue of the Performance Improvement Direction.

The Minister requested that the Performance Improvement Direction be tabled at the next Council meeting for noting and that it be published on Council's website for the period it remains in effect (for the duration of the Mayor's current term of office).

The Minister's letter and the Performance Improvement Direction imposed under Part 12B, section 214M of the *Local Government Act 1993* are attached to this report.

In accordance with the Minister's direction a copy of the Performance Improvement Direction is to be uploaded to the Council's website.

RECOMMENDATION: 22/08.2024/C

Moved: Cr

Seconded: Cr

THAT Council in relation to the Performance Improvement Direction issued by the Minister for Local Government on Mayor Triffitt, receive and note the information.

27.3 INDEPENDENT ADVISOR PROGRESS REPORT – 14 AUGUST 2024

Report by

Paul West (Independent Advisor)

Background

The Council at a Special Meeting on 30 July 2024 unanimously determined to appoint Paul West of River Road Consulting Pty Ltd as Independent Advisor in accordance with an agreed Terms of Reference.

As part of the role the Independent Advisor is to provide a monthly progress report to the Council (to be included on the meeting agenda).

Introduction

The Acting Director Local Government recommended to Council that an Independent Advisor be engaged to assist the Council in addressing several operational matters within the Central Highlands Council.

The Terms of Reference agreed by Council included the requirement that the Independent Advisor provide a monthly progress report to the Council for inclusion on the meeting agenda.

The agreed term commenced on 1 August 2024 until 31 October 2024.

Summary

Following advice of appointment on 31 July 2024, contact was made with the Acting General Manager, Mr Adam Wilson, to arrange for background material to be supplied which specifically related to the

items included in the Terms of Reference. The Acting General Manager provided by email a series of documents including:

- Terms of Reference
- Councillors contact details
- Confidential employee related documents
- Contact details of external parties
- Council Minutes – Closed Session 28 June 2024
- Council Minutes – Closed Session 16 July 2024
- Council Minutes – Closed Session 30 July 2024
- Legal Advice

During the week commencing 5 August 2024 individual discussions were held with most Councillors to understand what they hoped to achieve through the appointment of the Independent Advisor.

It became clear there remains a concern that the matters which led to the involvement of the Acting Director Local Government dated back further than the 5 April 2024 meeting, the subject of which Mayor Triffitt has in part been issued with a Performance Improvement Direction by the Minister for Local Government.

At the outset, if the Council wishes to achieve meaningful outcomes from this process, all Councillors will need to be willing to constructively participate in the various components identified.

This report has been structured in line with the agreed Terms of Reference.

Respectful Relationships Policy

- The Respectful Relationships Policy is to establish clear guidelines and expectations for interactions among councillors, between councillors and the General Manager, and between the Mayor and the General Manager.
- Commenced researching other available 'Respectful Relationships Policies' and considering the best structure which might apply for Central Highlands.

Improving Communication

- There is a requirement to address communication concerns and implementing improved communication processes within the Council.
- A mediator is to be engaged to address the breakdown in communication within the Council.
- Commenced drafting a 'expression of interest' for providing to specialist mediators who may be available to assist in delivering a tailored program for Councillors.

Statement of Expectations

- Council is required to prepare and adopt a 'Statement of Expectations' which is to be approved by the Acting Director Local Government.
- Commenced reviewing other available 'Statements of Expectations' and considering the best structure for Central Highlands.

Workplace Culture, Health and Safety

- An independent review of workplace culture, health and safety is to be arranged with the aim of ensuring the Council is meeting its obligations under the *Work Health and Safety Act 2012*.
- There has been recent media coverage relating to the management of psychosocial risks in local government more generally. This aspect is to be considered as part of the review.

- Commenced the process to identify who best should be engaged to undertake the review of the workplace culture, health and safety.

Governance

- Assistance is to be provided to ensure good governance practices and procedures are in place at Central Highlands including reviewing the agenda preparation and reporting requirements, reviewing meeting procedures and processes, and supporting effective and transparent decision making.
- Various discussion with the Acting General Manager, Mr Jason Branch, including the process related to Notice of Motions submitted by Councillors.

Council Meeting processes

- The Independent Advisor is to attend the August, September and October 2024 Council meetings.
- As an outcome of attendance, the Council has requested that advice/suggestions for improving the conduct of future meeting processes be provided.
- Compliance with the *Local Government (Meeting Procedures) Regulations 2015* and the *Local Government Act 1993* is also to be considered.
- The first attendance at a Council meeting will be on 21 August 2024.

Assistance and Advice

- Support and assistance is to be provided to the General Manager (or a person acting in the role).
- Advice was provided on the drafting of the report for inclusion on the Council Meeting Agenda relating to the Performance Improvement Direction issued to Mayor Triffitt by the Minister for Local Government.
- The Council at the Special Closed Meeting on 30 July 2024 determined the appointment of the Acting General Manager. Assistance provided in drafting an appointment letter the Acting General Manager. Attended a meeting with the Mayor and Deputy Mayor to finalise the appointment in accordance with the Council resolution.

Reporting

- The Terms of Reference requires that a monthly progress report is to be provided to the Council and included on the meeting agenda. This is the first opportunity to provide a report.
- The Independent Advisor is also to provide regular updates/progress reports to the Director of Local Government.

Other

- Onsite at Bothwell on Monday 12th and Tuesday 13th August 2024.
- Various other discussions relevant to the role.

RECOMMENDATION: 23/08.2024/C

Moved: Cr

Seconded: Cr

THAT Council receive and note the Independent Advisor's report.

27.4 REQUEST FOR BUDGET MAINTENANCE OR INCREASE FOR HIGHLANDS BUSHFEST 2024

Report by

Nadine Cove, Events Officer

Request that the 2024 budget for Highlands Bushfest, scheduled for November 23 & 24, either remain equal to or increase from last year's allocation. Maintaining or boosting this budget is essential to ensure the event's success and accessibility, particularly for regional communities.

Significance of Highlands Bushfest

Highlands Bushfest is a vital event in the Central Highlands, driving tourism, strengthening community ties, and boosting local businesses. The festival enhances the quality of life by promoting engagement and celebrating the region's natural beauty.

Key Benefits

- **Economic Impact:** With over 4,500 attendees expected, the event significantly boosts local businesses and stimulates economic activity in the region.
- **Community Development:** The festival offers local artisans, vendors, and outdoor enthusiasts opportunities to showcase their work, fostering community pride and connection.
- **Environmental Education:** Workshops and presentations educate attendees on sustainable practices and local biodiversity.

Budget Considerations

Maintaining or increasing the budget is crucial due to:

- **Rising Costs:** Inflation has driven up costs for infrastructure, logistics, and materials. Keeping the budget consistent with last year's will help manage these expenses effectively.
- **Regional Demand:** Ensuring fair access to the festival across remote areas requires additional resources for transportation, outreach, and logistical support.

Sponsorship Challenges

While in-kind support from local businesses and community groups is likely to remain stable or increase, financial sponsorship may be less forthcoming due to widespread economic pressures. This makes the need for a stable or increased budget even more critical.

Opportunities for Additional Funding

To further support the event, the Council could explore:

- **Fundraising Initiatives:** Hosting council-backed fundraising events or campaigns specifically for Highlands Bushfest.
- **Fee-Based Activities:** Introducing paid workshops or premium experiences to generate additional revenue during the festival.

Conclusion

Maintaining or increasing the budget is not just about covering costs; it's an investment in the future of the community and the continued success of Highlands Bushfest. With appropriate financial support, this event will remain a cornerstone of the region, providing valuable experiences and economic benefits.

Budget Overview

Year	Budget Allocation	Proposed Adjustment
2023 Budget	\$84,500	-
2024 Budget	\$64,500	+\$20,000
Total		\$84,500 or CPI

RECOMMENDATION 18/08.2024/C**Moved:** Cr**Seconded:** Cr

THAT the budget for Highlands Bushfest 2024 be maintained at the 2023 level of \$84,500, plus be increased by the Consumer Price Index (CPI) to ensure the continued success and accessibility of this important community event.

27.5 REQUEST FOR RATES REMISSION – PROPERTY NUMBER 04-0017-03967**Report by**

Jason Branch, Acting General Manager

Background

Mr John & Mrs June Pilcher have written the General Manager requesting a Remission of Rates on Property Number 04-0017-03967 at Schaw Street, Bothwell.

For several years Council have resolved to remit the rates on this property for the full financial year.

Rates on the property are \$637.87

According to the Crown Lands Dept. this P.I.D. 1743535 is Last Street in Bothwell. The owner only uses a small portion of the street, part is still a public street, part is used by other residents and the bottom is flooded by Ratho Dam.

The owner pays a lease to the Department of Primary Industries, so they have to pay rates as well the convenience of the part that they use is not worth it – the owner continues to keep their section free of noxious weeds (ie: Gorse etc.).

The following Rates and Charges for 2024/2025 are as follows:

Garbage	\$105.00
General	\$483.87
Fire	\$49.00
TOTAL	\$637.87

The Fire Levy is Council's contribution and payment is passed onto the State Fire Commission pursuant to Section 93A of the *Local Government Act 1993* and charged as follows:-

- a) For land within the Bothwell Volunteer Brigade Rating District an amount of **0.283512** cents in the dollar on the assessed annual value of all separately valued parcels of rateable land subject to a minimum **\$49.00**; and
- b) For all other land in the Municipal area an amount of **0.272980** cents in the dollar on the assessed annual value of all separately valued parcels of the land subject to a minimum **\$49.00**.

RECOMMENDATION 24/08.2024/C

Moved: Cr

Seconded: Cr

THAT Council

- a) remit the total rates of \$637.87 on Property Number 04-0017-03967
- b) remit the general rate of \$483.87 on Property Number 04-0017-03967
- c) remit the general rate and garbage rate of \$588.87 on Property Number 04-0017-03967

27.6 REQUEST FOR RATES REMISSION – PROPERTY NUMBERS 04-0859-02579, 04-0859-05778 AND 04-0859-02580

Report by

Jason Branch, Acting General Manager

Background

Council has received correspondence from Michael at Lake St Clair Lodge, with regard to the solid waste commercial garbage levy charges at the rate of \$593.00 on the following three properties:

Tourist Complex – Visitor Centre
 Restaurant – Café
 Cabin Park

Michael states that the Lake St Clare Lodge engages JJ Richards to remove all of their commercial waste and do not avail of any council services at all. Nor do we use the public facility in Hamilton as it is too far away.

In light of this I respectfully request the removal of this charge.

Notice of 2024 / 2025 Rates & Charges

Under the *Local Government Act 1993* and the *Fire Service Act 1979*, the Central Highlands Council has made the following rates and charges upon rateable land within the municipal area of Central Highlands ("the municipal area"): –

General Rate

A General Rate pursuant to Section 90 and Section 91 of the *Local Government Act 1993* consisting of:

- (a) 2.703392 cents in the dollar on the assessed annual value for all separately valued parcels of rateable land within the Central Highlands Council area; and
- (b) A fixed charge of \$464.41 which applies to all rateable land.

Waste Management Charge

2 A Service Charge pursuant to Section 94 of the *Local Government Act 1993* consisting of:

- (a) For the municipal area, a Waste Management Charge of \$331.00 for all rateable land; and
- (b) For the different parts of the municipal area specified, by declaration of an absolute majority of Council pursuant to sections 94(3) and 107 of the *Local Government Act 1993*, the Waste Management Charge is varied as follows:
 - i. Land to which Council provides a garbage and recycling collection service and which is used for commercial purposes is charged \$622.00 per tenement; and
 - ii. All land outside the Council's garbage and recycling collection service area which comprises a separately valued parcel of rateable land within the municipal area is charged the amount specified under the heading "Charge" according to the use or non-use of the land specified under the heading "Type":

Fees		
Type:	Charge:	Factor:
a. Commercial properties	\$593	Use of land
b. Land used for residential purposes, industrial purposes, public purposes, primary production, sporting or recreational facilities, or quarrying or mining.	\$202	Use of land
c. Non-use of land	\$105	Non-use of land

As per Council's Rates and Charges for 2024/2025 - Council charge a rate of \$593.00 for commercial properties, \$202 for land used for residential purposes, industrial purposes, public purposes, primary production, sporting or recreational facilities, or quarrying or mining and \$105 for non-use of land. These charges are on all properties throughout the municipality and this enables property owners access to all the waste sites located at Hamilton, Bronte Park, Miena and Hamilton.

As Councillors would be aware the State Government have now introduced a waste levy fee to be paid for waste tonnage placed at Council's landfill site even though Central Highlands Council owns the site. Under the *Waste And Resource Recovery Act 2022*, it specifies a series of increases over the first four years of the landfill levy. For the period of 1 July 2024 until 30 June 2026 the levy rate will be set at 4 Fee Units and come 1 July 2026, the levy rate will increase to 36 Fee Units.

RECOMMENDATION 25/08.2024/C

Moved: Cr

Seconded: Cr

THAT Council

- a) adhere to the fees set in the 2024 / 2025 Rates and Charges; or
- b) remit the commercial garbage for the three properties being a total cost of \$1,779.00

27.7 REQUEST FOR RATES REMISSION – PROPERTY NUMBER 03-0201-03706

Report by

Jason Branch, Acting General Manager

Background

Council has received correspondence from Inland Fisheries Service seeking a rates remission for the public toilet located at Woods Lake.

The toilet block at Woods Lake has been a great service to the community. The rates payable on the property leased by Inland Fisheries Service from Forestry Tasmania for a public toilet block are exempt from the fire levy and the garbage collection rate the only rates payable on the toilet block is the general rate charge of \$504.42.

Council has previously supported this request to remit the general rates on this toilet facility.

RECOMMENDATION 26/08.2024/C

Moved: Cr

Seconded: Cr

THAT Council

- a) adhere to the fees set in the 2024 / 2025 Rates and Charges; or
- b) remit the general rate charge of \$504.42

27.8 DONATION – DEMENTIA AUSTRALIA

Report by

Jason Branch, Acting General Manager

The Mayor has requested that Council consider if they would like to support and donate to Dementia Australia, as the family of the Late Mr George Booth requested donations to Dementia Australia instead of receiving flowers at the funeral service.

RECOMMENDATION: 27/08.2024/C

Moved: Cr

Seconded: Cr

THAT Council;

- a) donate \$..... to Dementia Australia; or
- b) note the information

27.9 COMMUNITY GRANT APPLICATION – GREAT LAKE COMMUNITY CENTRE

Report by

Kat Cullen (Community Development Officer)

Attachment – Community Grant Application

Background

Council have received a Community Grant Application from Great Lake Community Centre (GLCC) at Miena. The project is entitled “Renewing Comfort: Empowering Our Community Hall with Smart, Sustainable Heating”. They are requesting a Grant of \$2,000 from Council.

The Project objective is to replace the outdated and inefficient heat panel system with an updated 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. 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.

The GLCC have committed to make both a financial, and in-kind contribution towards the project. In addition to this, they are applying for additional grants as shown in their application.

This project will assist the Great Lake Community Centre to enhance the usability of their centre, and thereby contribute to the social connection, health, and wellbeing of their local community.

The Community Grants budget allocation has sufficient funds available to cover this request, with a current balance of \$15,000

RECOMMENDATION: 28/08.2024/C

Moved: Cr

Seconded: Cr

THAT Council approve an allocation of \$2,000 to the Great Lake Community Centre for upgrades to their heating system through the Community Grants budget.

27.10 COMMUNITY DONATION APPLICATION – KRISTY MAYNE

Report by

Kat Cullen (Community Development Officer)

Attachment – support letter from AFL Tasmania

Background

Local resident Kristy Mayne has been selected to represent Tasmania at the National AFL Masters Football Carnival in Western Australia. Kristy will be playing for the Women’s over 40s team at the Carnival, which will be held in Fremantle from 29 September to 7 October 2024.

Kristy has requested financial assistance from Council. As per Council’s community donations program, local residents may apply for and receive up to \$500 in financial support to attend an interstate representative event.

RECOMMENDATION: 29/08.2024/C**Moved:** Cr**Seconded:** Cr

THAT Council approve an allocation of \$500 to Kristy Mayne to assist with travel costs to attend the National AFL Masters Football Carnival in Fremantle.

28. SUPPLEMENTARY AGENDA ITEMS**RECOMMENDATION: 30/08.2024/C****Moved:** Cr**Seconded:** Cr

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

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*.
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29. CLOSURE

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