



Central Highlands Council

MINUTES – ORDINARY COUNCIL MEETING – 21 MAY 2024

Minutes of the Ordinary Meeting of Central Highlands Council held in the Council Chamber, **Hamilton** on **Tuesday 21st May 2024**, commencing at **9.00am**.

Table of Contents

1.	OPENING.....	3
2.	AUDIO RECORDING DISCLAIMER.....	3
3.	ACKNOWLEDGEMENT OF COUNTRY	3
4.	PRESENT.....	3
5.	IN ATTENDANCE.....	3
6.	APOLOGIES.....	3
7.	LEAVE OF ABSENCE.....	3
8.	PECUNIARY INTEREST DECLARATIONS	3
9.	PERCEIVED INTEREST DECLARATIONS	4
10.	CLOSED SESSION OF THE MEETING	4
11.	MOTION OUT OF CLOSED SESSION	5
12.	RE-OPEN MEETING TO THE PUBLIC	6
13.	DEPUTATIONS.....	6
14.	PUBLIC QUESTION TIME	6
15.	NOTICE OF MOTIONS.....	7
15.1	NOTICE OF MOTION – CR D MEACHEAM	8
15.2	NOTICE OF MOTION – CR R CASSIDY	11
16.	COMMITMENTS.....	13
16.1	MAYORAL COMMITMENTS.....	13
16.2	COUNCILLOR COMMITMENTS.....	13
16.3	GENERAL MANAGER’S COMMITMENTS.....	15
16.4	ACTING AND DEPUTY GENERAL MANAGER COMMITMENTS	15
17.	NOTIFICATION OF COUNCIL WORKSHOPS HELD	15
18.	FUTURE WORKSHOPS.....	15
19.	MAYORAL ANNOUNCEMENTS.....	16
20.	MINUTES.....	16
20.1	CONFIRMATION OF DRAFT ORDINARY COUNCIL MEETING MINUTES – 16 APRIL 2024	16
20.2	RECEIVAL OF DRAFT AUDIT PANEL MEETING MINUTES – 6 MAY 2024	16
20.3	RECEIVAL OF DRAFT OF PLANNING COMMITTEE MEETING MINUTES – 14 MAY 2024	16

	2
21. BUSINESS ARISING – APRIL 2024 COUNCIL MEETING	17
22. DERWENT CATCHMENT PROJECT	18
23. COUNCIL ACTING AS A PLANNING AUTHORITY.....	22
23.1 DEVELOPMENT APPLICATION (DA2023/68) FOR DEMOLITION, CONSTRUCTION OF A NEW DWELLING, OUTBUILDING, VISITOR ACCOMMODATION (4 CABINS) AND ASSOCIATED INFRASTRUCTURE AT 14246 LYELL HIGHWAY, BRONTE PARK (CT 241772/1), OWNED BY J BUTT & R PARKER.....	23
23.2 DEVELOPMENT APPLICATION (DA2024/18) BOAT RAMP & JETTY AT LAND DESCRIBED AS 475 ROCKMOUNT ROAD, ELLENDALE (182981/0) SUBMITTED BY PDA SURVEYORS AND OWNED BY STRATA CORPORATION 182981 “PARADISE”	46
24. ORDINARY COUNCIL MEETING RESUMED	64
25. DEVELOPMENT & ENVIRONMENTAL SERVICES.....	64
26. WORKS & SERVICES	66
26.1 WORKS & SERVICES MONTHLY REPORT – APRIL 2024.....	66
27. ADMINISTRATION SERVICES	68
27.1 MONTHLY FINANCE REPORT TO 30 APRIL 2024.....	68
27.2 ANNUAL LEAVE POLICY 2014-28.....	73
27.3 HEALTHY CATERING POLICY 2014-25	73
27.4 RELATED PARTY DISCLOSURES POLICY 2017-46.....	74
27.5 ASSET MANAGEMENT POLICY 2018-53	74
27.6 CODE OF CONDUCT FOR MEMBERS OF THE AUDIT PANEL POLICY 2018-55	75
27.7 CENTRAL HIGHLANDS COUNCIL FINANCIAL AUDIT STRATEGY.....	76
27.8 RATE ASSISTANCE – OUSE COMMUNITY COUNTRY CLUB.....	76
27.9 IN KIND SUPPORT – BOTHWELL LIONS CLUB.....	77
28. SUPPLEMENTARY AGENDA ITEMS.....	79
28.1 NOTICE OF MOTION – CR D MEACHEAM	79
29. CLOSURE	85

1. OPENING

2. AUDIO RECORDING DISCLAIMER

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

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

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

3. ACKNOWLEDGEMENT OF COUNTRY

4. PRESENT

Mayor L Triffitt; Deputy Mayor J Allwright; Cr A Archer (attended at 9.10a.m.); Cr A Bailey; Cr R Cassidy; Cr J Hall; Cr J Honner; Cr D Meacheam and Cr Y Miller

5. IN ATTENDANCE

Mr Adam Wilson (Deputy General Manager), Graham Rogers (Development & Environmental Services Manager) and Mrs Katrina Brazendale (Minute Secretary).

6. APOLOGIES

Mrs Kim Hossack (General Manager)

7. LEAVE OF ABSENCE

Nil

8. PECUNIARY INTEREST DECLARATIONS

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

The following reclaration were recorded:

Deputy Mayor J Allwright - Item 23.2 Development Application (Da2024/18) Boat Ramp & Jetty At Land Described As 475 Rockmount Road, Ellendale (182981/0) Submitted By PDA Surveyors And Owned By Strata Corporation 182981 "Paradise"

9. PERCEIVED INTEREST DECLARATIONS

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

PART 2 – Conflict of Interest that are not Pecuniary.

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

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

10. CLOSED SESSION OF THE MEETING

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

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

RESOLUTION: 01/05.2024/C

Moved: Cr J Honner

Seconded: Cr J Hall

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

Item Number	Matter	Outcome
1	<i>Confirmation of the Minutes - Closed Session of the Ordinary Meeting of Council held on 16 April 2024.</i>	<i>Regulation 15 (2)(G) of the Local Government (Meeting Procedures) Regulations 2015 – information of a personal and confidential nature or information provided to Council on the condition it is kept confidential.</i>
3.1	<i>Purchase of Land Ellendale for ILU</i>	<i>Regulation 15 (2)(F) of the Local Government (Meeting Procedures) Regulations 2015 – Proposals for the council to acquire land or an interest in land or for the disposal of land.</i>
3.2	<i>Update to the Acting Director of Local Government</i>	<i>Regulation 15 (2)(G) - Information of a personal and confidential nature or information provided to the Council on the condition it is kept confidential.</i>
3.3	<i>General Manager's Performance Review – Appointment of review consultant</i>	<i>Regulation 15 (2)(G) - Information of a personal and confidential nature or information provided to the Council on the condition it is kept confidential.</i>

3.4	<i>Notice of Motion Deputy Mayor J Allwright</i>	<i>Regulation 15 (2)(G) of the Local Government (Meeting Procedures) Regulations 2015 – information of a personal and confidential nature or information provided to Council on the condition it is kept confidential.</i>
5	<i>Supplementary Agenda Items</i>	<i>Part 2 Regulation 8 (6) of the Local Government (Meeting Procedures) Regulations 2015.</i>
6	<i>Consideration of Matters for Disclosure to the Public.</i>	<i>Regulation 15 (8) of the Local Government (Meeting Procedures) Regulations 2015 – While in a closed meeting, the Council, or Council Committee, is to consider whether any discussions, decisions, reports or documents relating to that closed meeting are to be kept confidential or released to the public, taking into account privacy and confidentiality issues.</i>

MEETING CLOSED to the public at **9.09 am**.

11. MOTION OUT OF CLOSED SESSION

RESOLUTION 07/05.2024/CC

Moved: Cr J Honner

Seconded: Cr J Hall

THAT the Council:

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

Item Number	Matter	Outcome
1	<i>Confirmation of the Minutes - Closed Session of the Ordinary Meeting of Council held on 16 April 2024.</i>	THAT <i>the Minutes of the Closed Session of the Ordinary Meeting of Council held on 16 April 2024 be confirmed.</i>
3.1	<i>Purchase of Land Ellendale for ILU</i>	THAT <i>Council approve an additional \$80,000 in the 23/24 Capital Budget to purchase the Land at Ellendale.</i>
3.2	<i>Update to the Acting Director of Local Government</i>	THAT <i>the Mayor on the Council's behalf update the Acting Director of Local Government.</i>
3.3	<i>General Manager's Performance Review – Appointment of Review Consultant</i>	THAT <i>the Council approved the appointment of LG Services Group to conduct the performance review.</i>
3.4	<i>Notice of Motion Deputy Mayor J Allwright</i>	THAT <i>Council move the closed session motion that: "The</i>

		<i>Mayor and General Manager hold weekly meeting with the Deputy Mayor or his proxy in attendance" into open session.</i>
--	--	---

CARRIED**For the Motion**

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

12. RE-OPEN MEETING TO THE PUBLIC

The meeting re-opened to the public at **10.00 a.m.** 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.

*There were three members (3) of the public in the gallery
Steve Loring (Miena), Ian Edwards (Ellendale) and Damien Bester (New Norfolk News)*

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.

The following question was raised by members of the public:-

Steve Loring – Question

Accidents on the single lane bridge across the Shannon River near the dam at Miena. Steve is requesting that Council write to the appropriate bodies raising concerns from the ratepayers.

It was resolved that Council write a letter to the State Minister and Local Federal Member

Graham Rogers (Development & Environmental Services Manager) attended the meeting at 10.12 a.m.

15. NOTICE OF MOTIONS

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

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

15.1 NOTICE OF MOTION – CR D MEACHEAM

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:

May 21, 2024

Councillor Name:

David Meacheam

Proposed Motion:

- 1) That Council consider the request given below by Miena resident, Liz Lang.
- 2) That Council consider holding some of its future ordinary meetings in some of the CHC's 'remote' communities.

Background Details:

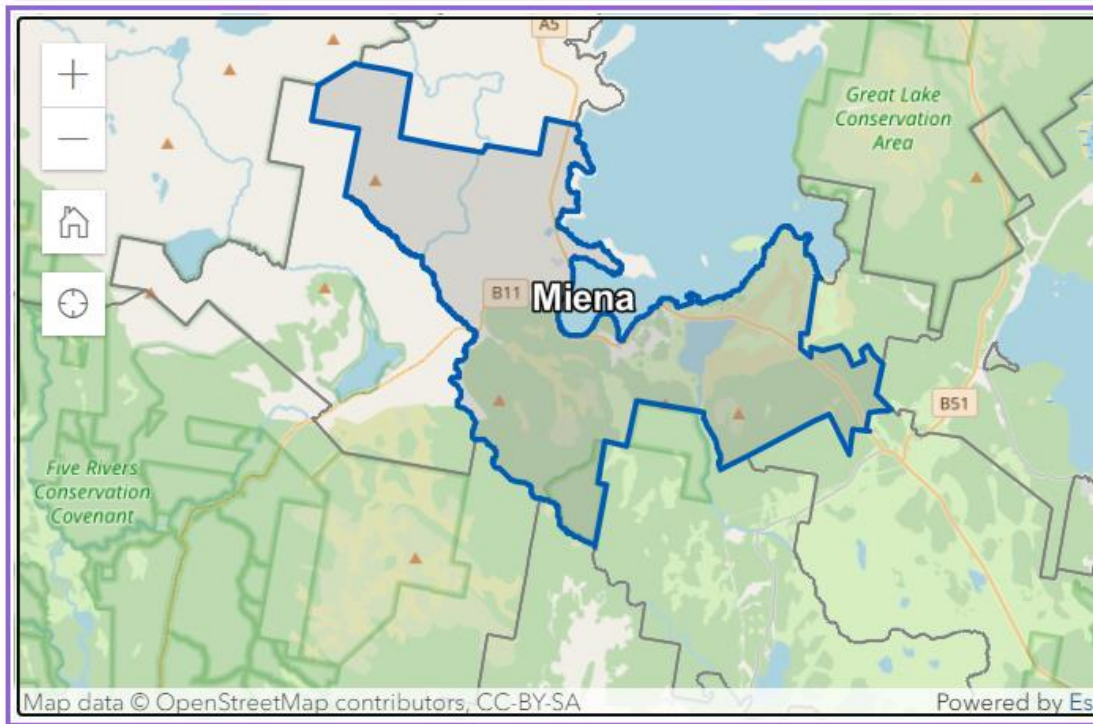
Re 1), Liz was amongst a number of Miena residents who attended the Town Structure Planning session in Bothwell this year. In the lead up to that meeting, there was extensive discontent expressed in the Central Plateau communities that the planning process would only take place in the lowland towns, - Bothwell, Hamilton and Ouse.

Miena has a five year growth rate of 45%, Derwent Bridge 75%, Bronte Park 75%, Ellendale 18.2%, Hamilton 14%, Ouse 7.6%, and Bothwell 2.8%. Planning surely needs to come with population growth, not after.

If we accept the Tasmanian Grants Commission proposal to consider population estimates to be based on the 'service community', rather than the resident community, then **Miena must be considered as having a population of 650, vs Bothwell's 539**. That estimate of Bothwell's service population is based on the broader Bothwell area, not just the township, as shown here:



The Miena service population figure relates only to the following, taking in Barren Plains Road, but not Little Pine, Liawenee, Tods Corner or the Western Great Lake communities



Other 2016 Census products available for this area:

Re 2), at the national government level, Cabinet occasionally chooses to meet in state capitals or regional centres. Doing so goes beyond showing symbolically a concern for issues in those communities. It also enables locals to better know who is representing them and how government operates. Council could consider emulating the National government practice, meeting perhaps in the Great Lake Community Centre, Miena, Ellendale Hall and Wayatinah. In the instance of Miena, we could schedule a meeting for January, February or March next year, and follow the meeting of Council with a town structure consultation. Councillors would then be available to stay, for the consultation.

Liz Lang’s request is given below:

Signature:	<i>David Meacheam</i>
Date:	3/5/24

Residential
address:

109 Thiessen Cres.
Miera 7030.

P.O. Box 112,
Longford 7301.

23-03-2024.

ATTN: Central Highlands Mayor, Lon Triffitt.
All Councillors.

Dear all:

As a concerned citizen and resident of Miera, I would exhort you to definitely hold further "Townships Structure Planning Project" meetings in other parts of The Central Highlands.

I attended the Bothwell session (12/03/24), which was interesting. However, the situation as regards communities such as Miera differ considerably.

A 'Round Two' series of meetings would reassure many of us that our voices are able to be heard, and that we feel part of our area's future development proposals and strategies.

A meeting, to be held during January, February, or March 2025 in Miera would be greatly appreciated. This specific time enables more shack owners to attend. The session also requires advertising many months in advance to ensure word is spread that it is to occur. "The Highland Digest" is the best means to contact people.

Could this request be tabled, via meeting agenda items, for the immediate future.

Thanking you in anticipation, and confident that the many rate payers in this part of The Central Highlands will see a meeting held in Miera -

Yours sincerely,
Elizabeth Lang.

RESOLUTION: 02/05.2024/C**Moved:** Cr D Meacheam**Seconded:** Cr Y Miller

1. That Council consider the request given below by Miena resident, Liz Lang.
2. That Council consider holding some of its future ordinary meetings in some of the CHC's 'remote' communities.

CARRIED 8/1**For the Motion**

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


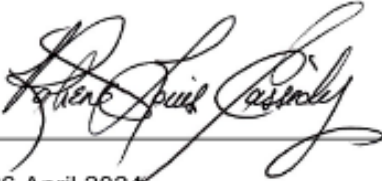
Against the Motion

Cr R Cassidy

15.2 NOTICE OF MOTION – CR R CASSIDY

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:	21 May 2024
Councillor Name:	Robert Cassidy
Proposed Motion:	Request Mayor and General Manager contact Department of State Growth to install a sign to suggest to Heavy Vehicle/Prime Mover drivers to "Avoid Using Engine Brake in Residential Area" on all approaches to Gretna, Hamilton, Ouse, Miena and Bothwell.
Background Details:	<p>Generally, heavy vehicles fitted with a good muffler system cause minimal noise when the Engine Brake is used. Engine Brakes are an integral part of a truck's braking system.</p> <p>The issue of traffic noise is of some concern particularly to residents living on or in the vicinity of a Highland Lakes Road/Patrick Street. Heavy vehicles are a major contributor to intermittent peak noise events, particularly at night, when residents are trying to watch television, listen to music or sleep and ambient noise levels are low.</p> <p>The drivers are using the Engine Brakes from a long way off, from the Pub With No Beer new bypass even when the trucks are empty, as I have observed and heard. They can be heard across town.</p> 
Signature:	
Date:	26 April 2024

Cr R Cassidy has put a request forward that the Mayor and General Manager contact the Department of State Growth to have signs installed to suggest to heavy vehicle drivers to "Avoid Using Engine Brake In Residential Area". Please see attached Notice Of Motion.

Councilor Cassidy suggests these signs be installed at both approaches on the Highlands Lake Road and Lyell Highway coming into Bothwell, Gretna, Hamilton, Ouse and Miena.

After inspection it has been sighted that Hamilton already has signs installed in place at both approaches.

As all towns are situated on State owned roads Council will have no control on the decision if signs are justified or not.

RESOLUTION: 03/05.2024/C**Moved:** Cr R Cassidy**Seconded:** Cr J Hall

THAT the Mayor and General Manager contact the Department of State Growth to have signs installed to suggest to heavy vehicle drivers to “Avoid Using Engine Brake In Residential Area”.

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.

16. COMMITMENTS**16.1 MAYORAL COMMITMENTS****11 April 2024 to 16 May 2024**

15 April 2024	Onsite Meeting Ellendale with Deputy General Manager
16 April 2024	Ordinary Council Meeting (Bothwell)
17 April 2024	Telemeeting with LGAT
19 April 2024	Telemeeting with LGAT
23 April 2024	Budget Workshop (Bothwell)
25 April 2024	Anzac Services (Gretna & Bothwell)
29 April 2024	Meeting General Manager and Deputy Mayor
30 April 2024	Budget Workshop (Bothwell)
8 May 2024	Meeting – Director Local Government
14 May 2024	Planning Committee & Workshop (Bothwell)

- Business of Council **x 22**
- Ratepayer and community members – communications x 4
- Elected Members - communications **x 9**
- Council Management communications **x 2**

FOR INFORMATION**16.2 COUNCILLOR COMMITMENTS*****Deputy Mayor J Allwright***

16 April 2024	Ordinary Council Meeting (Bothwell)
19 April 2024	Meeting with Local Government Office (Bothwell)
23 April 2024	Budget Workshop (Bothwell)
25 April 2024	Anzac Services (Fentonbury & Hamilton)
30 April 2024	Budget Workshop (Bothwell)
6 May 2024	Audit Panel Meeting (Hamilton)
14 May 2024	Planning Committee & Workshop (Bothwell)

Cr A Archer

16 April 2024 Ordinary Council Meeting (Bothwell)
 19 April 2024 Meeting with Local Government Office (Bothwell)
 25 April 2024 Anzac Services (Bothwell)
 30 April 2024 Budget Workshop (Bothwell)
 14 May 2024 Planning Committee & Workshop (Bothwell)

Cr A Bailey

16 April 2024 Ordinary Council Meeting (Bothwell)
 19 April 2024 Meeting with Local Government Office (Bothwell)
 23 April 2024 Budget Workshop (Bothwell)
 25 April 2024 Anzac Services (Fentonbury & Hamilton)
 30 April 2024 Budget Workshop (Bothwell)
 6 May 2024 Audit Panel Meeting (Hamilton)
 14 May 2024 Planning Committee & Workshop (Bothwell)

Cr R Cassidy

16 April 2024 Ordinary Council Meeting (Bothwell)
 19 April 2024 Meeting with Local Government Office (Bothwell)
 23 April 2024 Budget Workshop (Bothwell)
 30 April 2024 Budget Workshop (Bothwell)
 14 May 2024 Planning Committee & Workshop (Bothwell)

Cr J Hall

16 April 2024 Ordinary Council Meeting (Bothwell)
 19 April 2024 Meeting with Local Government Office (Bothwell)
 23 April 2024 Budget Workshop (Bothwell)
 25 April 2024 Anzac Services (Arthurs Lake & Bothwell)
 30 April 2024 Budget Workshop (Bothwell)
 14 May 2024 Planning Committee & Workshop (Bothwell)

Cr J Honner

16 April 2024 Ordinary Council Meeting (Bothwell)
 19 April 2024 Meeting with Local Government Office (Bothwell)
 23 April 2024 Budget Workshop (Bothwell)
 25 April 2024 Anzac Services (Arthurs Lake & Bothwell)
 30 April 2024 Budget Workshop (Bothwell)
 14 May 2024 Planning Committee & Workshop (Bothwell)

Cr D Meacheam

16 April 2024 Ordinary Council Meeting (Bothwell)
 19 April 2024 Meeting with Local Government Office (Bothwell)
 23 April 2024 Budget Workshop (Bothwell)
 30 April 2024 Budget Workshop (Bothwell)
 14 May 2024 Planning Committee & Workshop (Bothwell)

Beta testing of module five, parts A, B, C, of the Councillor training and development program, Office of Local Government Policy and Intergovernmental Relations Division.

Written input to the Audit meeting of May 6

Cr Y Miller

16 April 2024 Ordinary Council Meeting (Bothwell)
 19 April 2024 Meeting with Local Government Office (Bothwell)
 23 April 2024 Budget Workshop (Bothwell)
 25 April 2024 Anzac Service (Gretna & Hamilton)
 30 April 2024 Budget Workshop (Bothwell)
 14 May 2024 Planning Committee & Workshop (Bothwell)

16.3 GENERAL MANAGER'S COMMITMENTS

Date	With Whom	Subject / Comment
3 May 2024 – 29 May 2024		On Leave

FOR INFORMATION

16.4 ACTING AND DEPUTY GENERAL MANAGER COMMITMENTS

Date	With Whom	Subject / Comment
18 April 2024	Management Members	Staff Budget & Finance Discussions at Hamilton
19 April 2024	A/g Executive Director, Council and Deputy General Manager	Meeting between A/g Executive Director and Councillors
22 April 2024	State Government and Council Officers	Meeting with Tasmanian Audit Office
22 April 2024	Electrona Pty Ltd and Deputy General Manager	Discussion of EV Charging and Energy Solution Grant Funding Application
23 April 2024	Council and Management Members	Budget Workshop
30 April 2024	Council and Management Members	Budget Workshop
6 May 2024	Councillors, Audit Panel Chair, State Government and Council Officers	Audit Panel Meeting
16 May 2024	SWN Officers and Management Members	SWN visit to Central Highlands Council (discuss Accountant position)
21 May 2024	Council and Management Members	Council Meeting

FOR INFORMATION

17. NOTIFICATION OF COUNCIL WORKSHOPS HELD

A Council Workshop was held on **23 April 2024, 30 April 2024, and 14 May 2024**. The following items were discussed –

- 2024-25 Budget Deliberations
- Australian Renewable Energy Alliance
- General Managers Performance Review with Simmons Wolfhagen

18. FUTURE WORKSHOPS

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

- 28 May 2024
- 11 June 2024

19. MAYORAL ANNOUNCEMENTS

Council received a sponsorship appreciation plaque from the Bothwell Cricket club

20. MINUTES

20.1 CONFIRMATION OF DRAFT ORDINARY COUNCIL MEETING MINUTES – 16 APRIL 2024

RESOLUTION: 04/05.2024/C

Moved: Cr J Honner

Seconded: Cr Y Miller

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

CARRIED

For the Motion

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

20.2 RECEIVAL OF DRAFT AUDIT PANEL MEETING MINUTES – 6 MAY 2024

RESOLUTION: 05/05.2024/C

Moved: Deputy Mayor J Allwright

Seconded: Cr D Meacheam

THAT the Draft Minutes of the Audit Panel Meeting of Council held on Monday 6 May 2024 be received.

CARRIED

For the Motion

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

20.3 RECEIVAL OF DRAFT OF PLANNING COMMITTEE MEETING MINUTES – 14 MAY 2024

RESOLUTION: 06/05.2024/C

Moved: Cr R Cassidy

Seconded: Cr J Hall

THAT the Draft Minutes of the Planning Committee Meeting of Council held on Tuesday 14 May 2024 be received.

CARRIED

For the Motion

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

Jason Branch (Works and Services Manager) attended the meeting at 10.46 a.m.

21. BUSINESS ARISING – APRIL 2024 COUNCIL MEETING

Business Arising - actions undertaken.

15.1	NOTICE OF MOTION – DEPUTY MAYOR J ALLWRIGHT	Actioned
26.2	BOTHWELL ROAD RACE	Actioned
27.2	LICENCE AGREEMENT WITH TASMANIAN WATER AND SEWERAGE CORPORATION PTY LTD (TASWATER)	Actioned
27.3	INQUIRY INTO LOCAL GOVERNMENT SUSTAINABILITY	Actioned
27.4	COMMUNITY DONATIONS APPLICATION – COOPER SMYTHE	Actioned
27.5	COMMUNITY DONATIONS APPLICATION – HUDSON STOTT	Actioned

FOR INFORMATION

22. DERWENT CATCHMENT PROJECT



Derwent Catchment Project Monthly Report for Central Highlands Council

April 17th – May 15th 2024

General business

The DCP successfully obtained the FRRR – Strengthening Rural Communities application for funds to install conference IT capabilities and an internet upgrade at the Hamilton Resource Centre. The DCP will begin installing this and ensure it is ready for use by all.

The financial year is ending, so the DCP team has been reviewing all our projects and their progress. We are pleased to say that there has been great progress. As part of our commitments to all stakeholders and the council, the DCP will produce reports on major projects and an overall report for the year.

Morgan and Stuart have been in conversation with the Friends of Great Lake to discuss weed management and upskilling the community in their ability to identify and treat weeds around the Miena region. A workshop has been booked for early June.

Karen ran her first of three market stalls this past weekend to help our nursery reach a greater audience. The market days are a great way to sell plants, but more importantly, they create great opportunities to connect with the community and discuss land management.

Eve has been part of a documentary series about the cider gum (the weeping tree) which has also showcased the beauty of the Central Highlands. Eve was part of a panel discussion at the State Cinema in Hobart for a sold-out debut screening of the series. The video episode of featuring the work of the Derwent Catchment Project is available on YouTube <https://youtu.be/bJSUnTQ-JHo>

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.



Roadside treatment on Denniston Road

The ground team have been working through the final eradication zones, focusing on gorse and broom. Mienna is the last zone to receive broom and gorse treatment and will be targeted over the coming month. Inspection of Dee Lagoon showed that the areas receiving weed treatment did not get burnt, and as such, the team have been returning to the site. The weather has impeded spraying days. To help mitigate this, the new focus will be on manual control, including the large Holly patch.

Tarraleah Broom control: Weed Action Fund

The broom infestation at Tarraleah has required extensive work through spraying, manual cuts, and paste. The infestation was incredibly thick in some areas, and the overall footprint made gaining access challenging. There is still plenty of follow-up work to be done, but the primary control is in its final stages.



Tarraleah broom control – WAF program

Stakeholder weed programs in the Central Highlands.



Poatina ragwort control for TasNetworks

TasNetworks

Extra ragwort control was required on new sites near Poatina. Although there were less than 100 plants, it was a very important site to treat as each plant can produce over 70,000 seeds. This site will be added to our monitoring program for TasNetworks.

Agriculture

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

Farming Forecaster extension – funded by NRM South



Willow Warrior working bee 11th of May 2024

DCP attended two workshops run by NRM South on maintaining livestock in dry times. The first at St Peters Pass was attended by about 8 producers. The next day, 30 came to the shearing shed at Wetheron near Bothwell. Livestock consultant Phil Graham offered insights from farming forecaster and nutrition calculator Grazfeed to help with feed budgeting. Georgia McCarthy from Pinion Advisory covered grazing management with help on local context from Peter Ball. Sam Bye promoted the containment feeding project and helped with some insights in an extended discussion at the Wetheron containment facility.

Derwent Pasture Network - funded by the Derwent Catchment Project

Recent work on the pasture network has included some site maintenance and pasture condition observations at our fertiliser test strips. One higher fertility site dominated by perennial grasses does have some biomass grown since January in response to summer storms, albeit only 700kg DM/ha at last measure. Our low fertility site has been largely dormant. The plots are currently being harvested and cleaned up in preparation for the break of season.

Containment Project – funded by NRM South (Farming Forecaster) and the Tas Farm Innovation Hub

Sam Bye and Sarah White have been able to use new capacity and networks from the containment project to deliver advice directly to growers on containment fencing and nutrition. This has enabled informed drought strategy decisions for the four growers they worked with in April. This will be used as a platform to reach more people who have expressed an interest in the service by the end of June.

Restoration and Conservation

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

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



Willow Warrior working bee 11th of May 2024

The Derwent Catchment Project has developed and implemented a restoration project for the Tyenna River within Maydena with support from Inland Fisheries and SFM/Leanah Estates. Extensive work has been completed on a 2-kilometre section of the Tyenna River in the upper reaches, focusing on removing woody debris from the river. On Saturday, May 11th, the Willow Warriors had a working bee to plant 200 trees to help kick-start the riparian vegetation zone. This planting was the first of many, continuing over the next two years.

Nursery update

The nursery expansion is nearing completion of stage 1, with the shed and potting bay construction now complete. Recent sales to Glamorgan Spring Bay Council (GSBC) have shown how much demand there is for native tube stock, with the GSBC purchasing an initial 1000 tube stock. The GSBC has expressed interest in forming an ongoing supply relationship with the DCP and wishes to purchase all future native plants through the nursery at Hamilton. Ongoing restoration work has required large volumes of tube stock from the nursery, with 800 plants going out the door and into the Derwent catchment landscape. Demand is steadily increasing since the DCP has guaranteed a supply of native tube stock to the public and other potential buyers. The DCP had a nursery stall at the recent New Norfolk market, with high public engagement, interest, and sales.



New potting shed at the Hamilton Nursery

Grant applications

FRRR – Strengthening Rural Communities - \$10 k – Successful

This application is seeking funds to install conference IT capabilities and an internet upgrade at the Hamilton Resource Centre.

Disaster Ready Fund – Australian Government through DPAC Tasmania - \$1.97 million - pending

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.

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

Yours Sincerely,

The Derwent Catchment Team

Key Contacts:

Josie Kelman (Co Executive Officer) 0427 044 700

Eve Lazarus (Co Executive Officer) 0429 170 048

Morgan McPherson (Works Manager) 0418 667 426

Stuart Rose (Restoration Manager) 0401 098 080

Karen Phillips (Nursery Manager) 0400 039 303

RESOLUTION: 07/05.2024/C

Moved: Cr D Meacheam

Seconded: Cr Y Miller

***THAT** the Derwent Catchment Project Report for March 2024 be received and a thank you letter be sent to Josie and the crew from Council.*

CARRIED

For the Motion

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

23. COUNCIL ACTING AS A PLANNING AUTHORITY

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

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

RESOLUTION: 08/05.2024/C**Moved:** Cr J Honner**Seconded:** Cr R Cassidy**THAT** Council now act as a Planning Authority.**CARRIED****For the Motion**

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

23.1 DEVELOPMENT APPLICATION (DA2023/68) FOR DEMOLITION, CONSTRUCTION OF A NEW DWELLING, OUTBUILDING, VISITOR ACCOMMODATION (4 CABINS) AND ASSOCIATED INFRASTRUCTURE AT 14246 LYELL HIGHWAY, BRONTE PARK (CT 241772/1), OWNED BY J BUTT & R PARKER

AUTHOR

Senior Planning Officer (Louisa Brown)

APPROVED BY

Manger of Development & Environmental Services (Graham Rogers)

ATTACHMENTS

- Development Application Documents
- Representation 1
- Representation 2
- Representation 3

DISCRETIONS

- 20.3.1 P1, P2, P3 & P4
- C7.6.1 P1.1, P3
- C7.6.2 P1.1 & P1.2

PROPOSAL

An application has been made to Council by the property owners J Butt & R Parker to demolish the existing dwelling, construct a new dwelling, outbuilding and 4 cabins to be used as Visitor Accommodation on the property 14246 Lyell Highway (CT 241772/1). The application also includes internal roads as infrastructure.

The documents provided with the Development Application include the following:

- Completed Development Application Form
- Certificate of Title documents
- Site Plans and Elevations
- Response to Discretionary Use of Rural Zone
- Flora & Fauna Report Prepared by RMCG, Launceston
- Bushfire Hazard Report prepared by ES & D
- Geo-Environmental Assessment prepared by GES

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

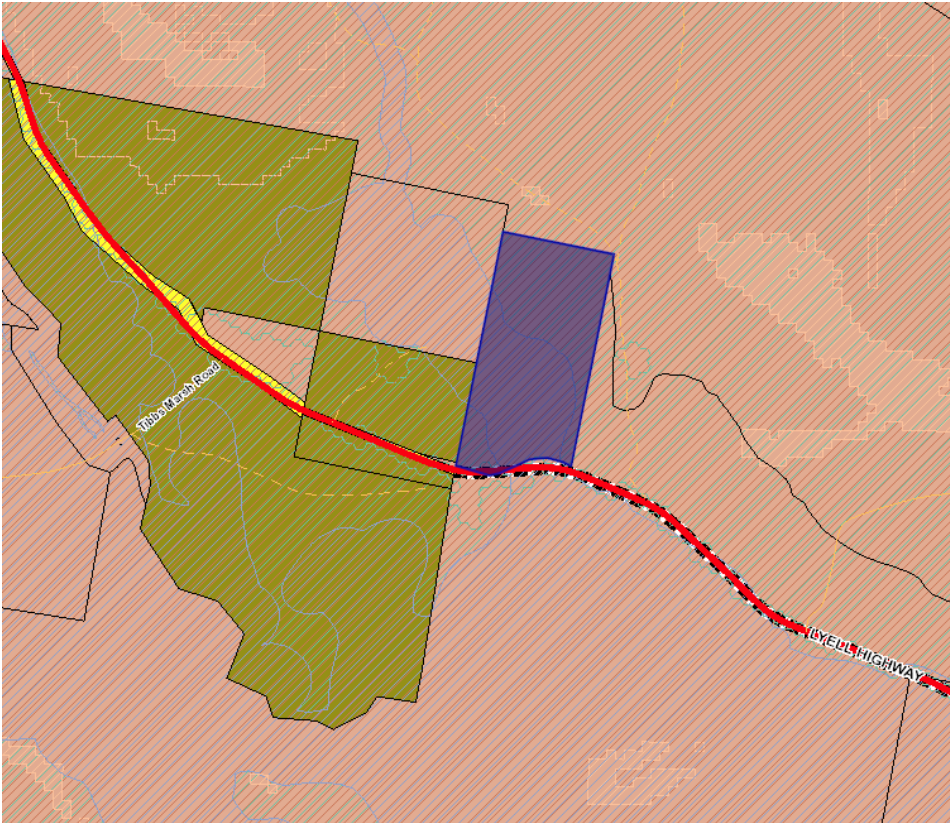
THE SITE

The property has an area of 19.91ha and is located from the Lyell Highway, 7km west of the junction of the Lyell Highway with Fourteen Mile Road and 10km east of 'The Wall' Derwent Bridge.

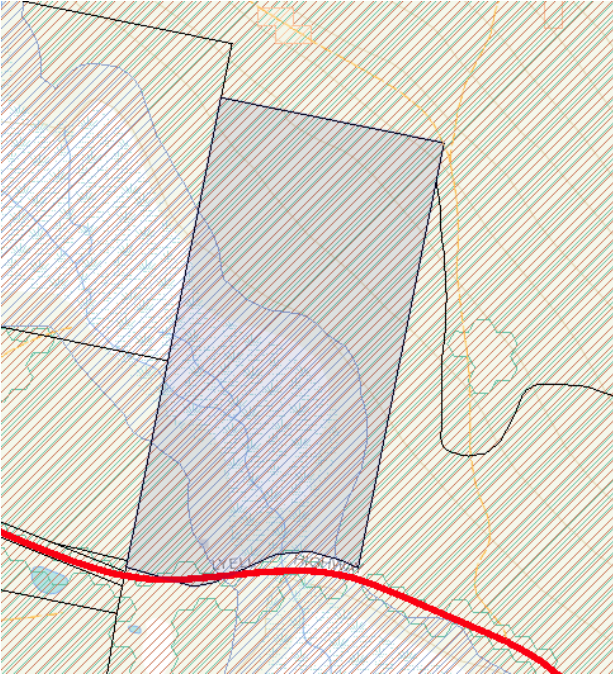
An existing dwelling is located 50m parallel to the Highway in the bottom north west corner of the property, it is proposed to be removed. An existing vehicular access to this structure is also present, however this will be removed or blocked and a new access provided.

Areas of Private Timber Production land form the northern and eastern property boundaries and land identified as Future Potential Production Forest form the Southern property boundary. Adjacent to the western boundary is a property zoned Landscape Conservation in the Tasmanian Planning Scheme and a second title under the property address, which is zoned Rural.

Maps 1, 2 and 3 below indicate the location, zoning and code overlays of the property and immediate area.



Map 1_ The subject land area and surrounds shown in pink is zoned Rural, surrounding properties are in the Landscape Conservation Zone (green) (source: thelist. 05/05/24)



Map 2_ The subject land area shaded blue with the Bushfire Prone Area Code Overlay (black lines), Natural Assets Code, Waterway and Coastal Protection Area (light blue lines) Natural Assets Code, Priority Vegetation (green lines) (source:thelist. 05/05/24)



Map 3_ The subject land area aerial photograph (source: thelist. 05/05/24)

USE/DEVELOPMENT DEFINITION

The proposed use and development is defined, under the Tasmanian Planning Scheme (The Planning Scheme), as 'residential' and 'Visitor Accommodation' as below:

Residential use of land for self-contained or shared accommodation. Examples include a single dwelling.

Visitor Accommodation use of land for providing short or medium-term accommodation for persons away from their normal place of residence on a commercial basis or otherwise available to the general public at no cost. Examples include holiday cabin.

(Extract: Tasmanian Planning Scheme – Central Highlands May 2024)

Use/Development Status under the Planning Scheme

- Under the Tasmanian Planning Scheme – Central Highlands, a Development Application for Residential development and Visitor Accommodation in the Rural Zone is permitted with Qualifications. These qualifications cannot be met, therefore the application is Discretionary.
- As a discretionary development, the application was advertised in accordance with Section 57 of the Act. Council has the discretion to grant a permit or refuse to grant a permit.

PUBLIC NOTIFICATION AND REPRESENTATIONS

The application was advertised from 19th March until 8th April, the notification period was extended beyond the 14 days to allow for the Easter Public Holidays. During which time three (3) representations were received and are summarised in the table below. Please refer to enclosure to view the full copies of representations received.

Public Notice Period 19th March to 8th April	
Representation 1	Council Planning Officer Comment
<p>Opposes the development due to several non-compliances with the Tasmanian Planning Scheme and inconsistency with the Southern Tasmania Regional Land Use Strategy (STRLUS).</p> <ol style="list-style-type: none"> 1. Visitor accommodation is incompatible with the zone purpose and does not meet the Performance Criteria for a Discretionary use in the zone. A lack of information has been provided by the applicant to address the Performance Criteria, therefore a Planning permit should be refused. 2. The location of the Visitor Accommodation fails to; <ol style="list-style-type: none"> a) Minimise adverse impacts on surrounding uses as required in the zone; b) Avoid or minimise adverse impacts on natural assets within the waterway & coastal protection area; and c) Minimise adverse impacts on priority vegetation within a Priority vegetation area. 3. The location of the visitor accommodation away from the existing settlement is inconsistent with STRLUS policy T1.3, SRD1 and Table 3. 4. The Flora & Fauna Report, including its Planning Scheme Assessment contains errors of fact and lacks objectivity in its findings. 5. As there are no permit conditions that could make the proposed development compliant with the Planning Provisions and STRLUS policies, it is contended that the Planning Authority should refuse to grant a permit. 	<p><i>The Southern Tasmania Regional Land Use Strategy documents are intended to guide land use, development, and infrastructure investment decision across the region. The STRLUS guides growth and informs the Tasmanian Planning Scheme – Central Highlands and the Local Provisional Strategy (LPS) for Central Highlands. The Dwelling and Visitor Accommodation is not assessed against the STRLUS, but the Planning Scheme and the LPS.</i></p> <p><i>As a discretionary development application, the decision to grant or refuse a Planning Permit will be determined by Council. This decision will be based upon the assessment of the information provided by the applicant to Council by Council's Planning Officer. Council has determined that there is adequate information to assess the proposal against the Planning Scheme.</i></p> <p><i>Assessment against the objectives and Standards of the applicable Zone and Codes of the Scheme is provided below in this report.</i></p> <p><i>The applicant has provided a Flora and Fauna Report prepared by a suitably qualified person, as required by the Scheme. The information contained within the report is adequate and informs the assessment of the proposal against the Scheme in the remainder of this report.</i></p> <p><i>Within the representation, reference is also made to the Bushfire Hazard Management Plan, however as the dwelling and Visitor Accommodation is not a Vulnerable Use or Hazardous Use as defined in the Code, Bushfire Risk is not assessed at the Planning Stage.</i></p>

	<i>The representation also discusses the hazard of the existing vehicular access. As a State Growth Road, the Department of State Growth have been referred the Development Application and placed Conditions on the blocking of the existing access and the creation of a new access, these are contained with the recommended Conditions of the Planning Permit.</i>
Representation 2	Council Planning Officer Comment
<p>Because of the zoning of our land, we have signed a Covenant Agreement with the state government as a part of the Private Land Conservation Programme.</p> <ol style="list-style-type: none"> 1. Perhaps the land owner would consider a formal covenant placed on their property to enhance their application and complement the natural beauty of the area. 2. There are many animals, some listed on the NRE threatened species act found in the locality. I am concerned of the effect of the development on these species in terms of habitat range and feeding areas. 3. The application lacks detail in terms of reference to 'low impact'. In such a sensitive environment I would expect no impact. 4. Some works have already been undertaken. 5. The area floods, this is problematic for residential activity. 	<p><i>14246 Lyell Highway does not contain any Covenants on the land. The adoption of Covenants would be for the property owner to consider, outside of the Planning Process.</i></p> <p><i>The comment regarding existing fauna and loss of habitat is noted. These concerns are addressed in the zone assessment and Code assessment in this report to Council.</i></p> <p><i>The wording in the Zone Assessment of the Tasmanian Planning Scheme is 'low impact', therefore Council can only respond to the wording in the scheme.</i></p> <p><i>Council takes note of the comment that some works have already been undertaken.</i></p> <p><i>The property contains areas which are within the Waterway & Coastal Protection Area, however they are not identified as Flood Zone. The Waterway & Coastal Protection Area assessment is provided below.</i></p>
Representation 3	Council Planning Officer Comment
<p>The property is adjacent to a Permeant Timber Production Zone Land (PTPZL) and will be subject to noise and heavy vehicle movements outside of business hours.</p> <p>It should also be noted that as Timber Production land, once harvested, the visual amenity of the area will change.</p>	<p><i>Comment noted.</i></p>

ASSESSMENT – TASMANIAN PLANNING SCHEME – CENTRAL HIGHLANDS

Rural Zone

The subject site is in the Rural Zone of the Tasmanian Planning Scheme – Central Highlands.

The use of the proposal residential and visitor accommodation are both discretionary uses in this zone. Accordingly, the proposal must satisfy the requirements of the following relevant use and development standards of this zone:

20.3 Use Standards		
20.3.1 Discretionary Uses		
That the location, scale and intensity of a use listed as Discretionary:		
(a) is required for operational reasons;		
(b) does not unreasonably confine or restrain the operation of uses on adjoining properties;		
(c) is compatible with agricultural use and sited to minimise conversion of agricultural land; and		
(d) is appropriate for a rural location and does not compromise the function of surrounding settlements.		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1 A use listed as Discretionary, excluding Residential, is for an alteration or extension to an existing use, if:</p> <p>(a) the gross floor area does not increase by more than 30% from that existing at the effective date; and</p> <p>(b) the development area does not increase by more than 30% from that existing at the effective date.</p>	<p>P1 A use listed as Discretionary, excluding Residential, must require a rural location for operational reasons, having regard to:</p> <p>(a) the nature, scale and intensity of the use;</p> <p>(b) the importance or significance of the proposed use for the local community;</p> <p>(c) whether the use supports an existing agricultural use;</p> <p>(d) whether the use requires close proximity to infrastructure or natural resources; and</p> <p>(e) whether the use requires separation from other uses to minimise impacts.</p>	<p><i>Visitor accommodation is discretionary, as the permitted qualification could not be met. The proposal must be assessed against Performance Criteria P1. Residential use is excluded from P1.</i></p> <p><i>There is no existing agriculture use on the property and the applicant states that due to existing vegetation and topography the property is unsuitable agricultural use.</i></p> <p><i>The proposed Visitor Accommodation is for 4 cabins of 110m² and 80m² and will include an access track and car parking. The property area is 19.91ha, the development of a section of the property for Visitor Accommodation use is considered to be small in scale and relative intensity.</i></p> <p><i>The visitor accommodation may bring additional employment opportunities to the local community and visitors to the wider community, therefore supporting local business.</i></p> <p><i>The use does not require to be close to infrastructure or natural resources, however it is noted that the surrounding natural resources are of benefit to the proposed use.</i></p> <p><i>As the land to the north and the east of the property is productive timber plantations, the location of the visitor accommodation away from these uses is beneficial. The remainder of the property then</i></p>

		<p><i>acts as a separation between the two uses.</i></p> <p><i>The application meets the Performance Criteria.</i></p>
<p>A2 No Acceptable Solution</p>	<p>P2 A use listed as Discretionary must not confine or restrain existing use on adjoining properties, having regard to: (a) the location of the proposed use; (b) the nature, scale and intensity of the use; (c) the likelihood and nature of any adverse impacts on adjoining uses; (d) whether the proposed use is required to support a use for security or operational reasons; and (e) any off site impacts from adjoining uses.</p>	<p><i>Both residential and visitor accommodation uses are listed as discretionary, as the permitted qualification could not be met. The proposal must be assessed against Performance Criteria P2.</i></p> <p><i>The use on adjoining properties is productive timber, of which the dwelling is located several hundred of meters away. AN advice note will be added to the conditions of the permit which states that the surrounding land maybe subject to noise.</i></p> <p><i>Land zoned Landscape Conservation is located adjoining the property to the western boundary. There are no existing uses on this property which will be effected. All proposed development will be contained within the property 14246 Lyell Highway.</i></p> <p><i>The application meets the Performance Criteria.</i></p>
<p>A3 No Acceptable Solution</p>	<p>P3 A use listed as Discretionary, located on agricultural land, must minimise conversion of agricultural land to non-agricultural use and be compatible with agricultural use, having regard to: (a) the nature, scale and intensity of the use; (b) the local or regional significance of the agricultural land; and (c) whether agricultural use on adjoining properties will be confined or restrained.</p>	<p><i>Both residential and visitor accommodation uses are listed as discretionary, as the permitted qualification could not be met. The proposal must be assessed against Performance Criteria P3</i></p> <p><i>The property is not used for agricultural purposes.</i></p> <p><i>No adjoining properties contain Agricultural land.</i></p> <p><i>The application meets the Performance Criteria.</i></p>
<p>A4 No Acceptable Solution.</p>	<p>P4 A use listed as Discretionary, excluding Residential, must be</p>	<p><i>Visitor accommodation is discretionary, as the permitted qualification could not be met.</i></p>

	<p>appropriate for a rural location, having regard to:</p> <p>(a) the nature, scale and intensity of the proposed use;</p> <p>(b) whether the use will compromise or distort the activity centre hierarchy;</p> <p>(c) whether the use could reasonably be located on land zoned for that purpose;</p> <p>(d) the capacity of the local road network to accommodate the traffic generated by the use; and</p> <p>(e) whether the use requires a rural location to minimise impacts from the use, such as noise, dust and lighting.</p>	<p><i>The proposal must be assessed against Performance Criteria P4.</i></p> <p><i>The proposed visitor accommodation is appropriate for the property as it is a small scale development on a larger property.</i></p> <p><i>There is no "hierarchy of activity centres, therefore the proposal will not compromise the function of surrounding settlements.</i></p> <p><i>The visitor accommodation could not be located on land zoned for that purpose because the predominant zoning of land within the area is Rural.</i></p> <p><i>Traffic generated by the proposal is relatively low and is therefore likely to be accommodated on the Lyell Highway.</i></p> <p><i>The use does not require a rural location to minimise impacts from the use.</i></p> <p><i>The application meets the Performance Criteria.</i></p>
--	--	--

20.4 Development Standards for Buildings and Works		
20.4.1 Building height		
To provide for a building height that:		
(a) is necessary for the operation of the use; and		
(b) minimises adverse impacts on adjoining properties.		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1 Building height must be not more than 12m.	P1 Building height must be necessary for the operation of the use and not cause an unreasonable impact on adjoining properties, having regard to: (a) the proposed height of the building; (b) the bulk and form of the building; (c) the separation from existing uses on adjoining properties; and (d) any buffers created by natural or other features.	<p><i>The height of the proposed development, dwelling, outbuilding and cabins are under 12m.</i></p> <p><i>The proposal complies with the Acceptable Solution A1.</i></p>

20.4.2 Setbacks		
That the siting of buildings minimises potential conflict with use on adjoining sites.		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1 Buildings must have a setback from all boundaries of: (a) not less than 5m; or (b) if the setback of an existing building is within 5m, not less than the existing building.</p>	<p>P1 Buildings must be sited to provide adequate vehicle access and not cause an unreasonable impact on existing use on adjoining properties, having regard to: (a) the bulk and form of the building; (b) the nature of existing use on the adjoining properties; (c) separation from existing use on the adjoining properties; and (d) any buffers created by natural or other features.</p>	<p><i>The development of dwelling, outbuilding and cabins meets the minimum setback of 5m to all boundaries.</i></p> <p><i>The proposal complies with the Acceptable Solution A1.</i></p>
<p>A2 Buildings for a sensitive use must be separated from an Agriculture Zone a distance of: (a) not less than 200m; or (b) if an existing building for a sensitive use on the site is within 200m of that boundary, not less than the existing building.</p>	<p>P2 Buildings for a sensitive use must be sited so as not to conflict or interfere with an agricultural use within the Agriculture Zone, having regard to: (a) the size, shape and topography of the site; (b) the prevailing setbacks of any existing buildings for sensitive uses on adjoining properties; (c) the location of existing buildings on the site; (d) the existing and potential use of adjoining properties; (e) any proposed attenuation measures; and (f) any buffers created by natural or other features.</p>	<p><i>The proposal does include a sensitive use, a dwelling, however the surrounding zones are not Agriculture.</i></p> <p><i>The proposal complies with the Acceptable Solution A1.</i></p>

20.4.3 Access for New Dwellings		
That new dwellings have appropriate vehicular access to a road maintained by a road authority.		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1 New dwellings must be located on lots that have frontage with access to a road maintained by a road authority.</p>	<p>P1 New dwellings must have legal access, by right of carriageway, to a road maintained by a road authority that is appropriate, having regard to: (a) the number of users of the access; (b) the length of the access; (c) the suitability of the access for use by the occupants of the dwelling; (d) the suitability of the access for emergency services vehicles; (e) the topography of the site;</p>	<p><i>The proposal complies with the Acceptable Solution A1.</i></p>

	(f) the construction and maintenance of the access; (g) the construction, maintenance and usage of the road; and (h) any advice from a road authority.	
--	--	--

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
<p>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 parking spaces specified in Table C2.1 for the proposed use or development, in which case no additional on-site car parking is required; or (ii) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is less than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case on-site car parking must be calculated as follows: $N = A + (C - B)$ N = Number of on-site car parking spaces required A = Number of existing on site car parking spaces</p>	<p>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; (e) any site constraints such as existing buildings, slope, drainage, vegetation and landscaping; (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; (g) the effect on streetscape; and (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</p>	<p><i>The number of car parking spaces required for the dwelling is two (2) which are easily accommodated on the property adjacent to the dwelling or outbuilding.</i></p> <p><i>The number of car parking spaces required for visitor accommodation is One (1) space per accommodation unit. The proposal allows for two spaces per unit.</i></p> <p><i>The proposal meets the acceptable solution A1.</i></p>

<p>B = Number of on-site car parking spaces required for the existing use or development specified in Table C2.1</p> <p>C= Number of on-site car parking spaces required for the proposed use or development specified in Table C2.1.</p>	<p>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>	
---	---	--

C2.6 Development Standards for Buildings and Works		
C2.6.1 Construction of parking areas		
That parking areas are constructed to an appropriate standard.		
Acceptable solutions	Performance Criteria	OFFICER COMMENT
<p>A1</p> <p>All parking, access ways, manoeuvring and circulation spaces must:</p> <p>(a) be constructed with a durable all weather pavement;</p> <p>(b) be drained to the public stormwater system, or contain stormwater on the site; and</p> <p>(c) excluding all uses in the Rural Zone, Agriculture Zone, Landscape Conservation Zone, Environmental Management Zone, Recreation Zone and Open Space Zone, be surfaced by a spray seal, asphalt, concrete, pavers or equivalent material to restrict abrasion from traffic and minimise entry of water to the pavement.</p>	<p>P1</p> <p>All parking, access ways, manoeuvring and circulation spaces must be readily identifiable and constructed so that they are useable in all weather conditions, having regard to:</p> <p>(a) the nature of the use;</p> <p>(b) the topography of the land;</p> <p>(c) the drainage system available;</p> <p>(d) the likelihood of transporting sediment or debris from the site onto a road or public place;</p> <p>(e) the likelihood of generating dust; and</p> <p>(f) the nature of the proposed surfacing.</p>	<p><i>The 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 Performance Criteria P1.</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</p> <p>Parking, access ways, manoeuvring and circulation spaces must either:</p> <p>(a) comply with the following:</p> <p>(i) have a gradient in accordance with Australian Standard AS 2890 - Parking facilities, Parts 1-6;</p> <p>(ii) provide for vehicles to enter and exit the site in a forward direction where providing for more than 4 parking spaces;</p> <p>(iii) have an access width not less than the requirements in Table C2.2;</p>	<p>P1</p> <p>All parking, access ways, manoeuvring and circulation spaces must be designed and readily identifiable to provide convenient, safe and efficient parking, having regard to:</p> <p>(a) the characteristics of the site;</p> <p>(b) the proposed slope, dimensions and layout;</p> <p>(c) useability in all weather conditions;</p> <p>(d) vehicle and pedestrian traffic safety;</p> <p>(e) the nature and use of the development;</p>	<p><i>Car parking areas are relatively level and will meet the Australian Standard AS 2890.</i></p> <p><i>All vehicles will be able to exit the property in a forward direction.</i></p> <p><i>The width of the access roads meets the standards of the Code and the Bushfire Prone Code.</i></p> <p><i>Car parking space dimensions meet the requirements, as indicated in the application plans.</i></p>

<p>(iv) have car parking space dimensions which satisfy the requirements in Table C2.3;</p> <p>(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;</p> <p>(vi) have a vertical clearance of not less than 2.1m above the parking surface level; and</p> <p>(vii) excluding a single dwelling, be delineated by line marking or other clear physical means; or</p> <p>(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:</p> <p>(a) be located as close as practicable to the main entry point to the building;</p> <p>(b) be incorporated into the overall car park design; and</p> <p>(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>(f) the expected number and type of vehicles;</p> <p>(g) the likely use of the parking areas by persons with a disability;</p> <p>(h) the nature of traffic in the surrounding area;</p> <p>(i) the proposed means of parking delineation; and</p> <p>(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>The combined access and manoeuvring width adjacent to parking spaces meets the requirements of the scheme.</i></p> <p><i>The proposal meets the Acceptable Solution A1.</i></p>
--	--	---

<p>C2.6.3 Number of accesses for vehicles</p>		
<p>That:</p>		
<p>(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;</p> <p>(b) accesses do not cause an unreasonable loss of amenity of adjoining uses;</p> <p>(c) the number of accesses minimise impacts on the streetscape.</p>		
<p>Acceptable solutions</p>	<p>Performance Criteria</p>	<p>OFFICER COMMENT</p>
<p>A1 The number of accesses provided for each frontage must:</p> <p>(a) be no more than 1; or</p> <p>(b) no more than the existing number of accesses, whichever is the greater.</p>	<p>P1 The number of accesses for each frontage must be minimised, having regard to:</p> <p>(a) any loss of on-street parking; and</p> <p>(b) pedestrian safety and amenity;</p> <p>(c) traffic safety;</p> <p>(d) residential amenity on adjoining land; and</p> <p>(e) the impact on the streetscape.</p>	<p><i>The acceptable solution A1 is met as no more than the one access point is proposed. The old access will be blocked and a new access provided to standard.</i></p>
<p>A2 Within the Central Business Zone or in a pedestrian priority</p>	<p>P2</p>	<p><i>Not applicable, the zone is Rural.</i></p>

<p>street no new access is provided unless an existing access is removed.</p>	<p>Within the Central Business Zone or in a pedestrian priority street, any new accesses must:</p> <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. 	
---	---	--

Road and Railway Assets Code

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

<p>C3.5 Use Standards</p>		
<p>C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction</p>		
<p>To minimise any adverse effects on the safety and efficiency of the road or rail network from vehicular traffic generated from the site at an existing or new vehicle crossing or level crossing or new junction.</p>		
<p>Acceptable solutions</p>	<p>Performance Criteria</p>	<p>OFFICER COMMENT</p>
<p>A1.1 For a category 1 road or a limited access road, vehicular traffic to and from the site will not require:</p> <ul style="list-style-type: none"> (a) a new junction; (b) a new vehicle crossing; or (c) a new level crossing. <p>A1.2 For a road, excluding a category 1 road or a limited access road, written consent for a new junction, vehicle crossing, or level crossing to serve the use and development has been issued by the road authority.</p> <p>A1.3 For the rail network, written consent for a new private level crossing to serve the use and development has been issued by the rail authority.</p> <p>A1.4 Vehicular traffic to and from the site, using an existing vehicle crossing or private level crossing, will not increase by more than:</p> <ul style="list-style-type: none"> (a) the amounts in Table C3.1; or (b) allowed by a licence issued under Part IVA of the Roads and Jetties Act 1935 in respect to a limited access road. <p>A1.5</p>	<p>P1 Vehicular traffic to and from the site must minimise any adverse effects on the safety of a junction, vehicle crossing or level crossing or safety or efficiency of the road or rail network, having regard to:</p> <ul style="list-style-type: none"> (a) any increase in traffic caused by the use; (b) the nature of the traffic generated by the use; (c) the nature of the road; (d) the speed limit and traffic flow of the road; (e) any alternative access to a road; (f) the need for the use; (g) any traffic impact assessment; and (h) any advice received from the rail or road authority. 	<p><i>The proposed visitor accommodation and new dwelling will require a new access from Lyell Highway. The Department of State Growth as provided Conditions for the upgrading of the existing vehicular access, including increasing the width to 5.5m to allow for two vehicles to pass each other and 6m seal. The existing access will be decommissioned.</i></p> <p><i>The proposal meets the Acceptable Solution A1.</i></p>

Vehicular traffic must be able to enter and leave a major road in a forward direction.		
--	--	--

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.

The Tasmanian Planning Scheme – Central Highlands defines the Waterway and Coastal Protection Area as land:

- shown on an overlay map in the relevant Local Provisions Schedule as within a waterway and coastal protection area; or
- within the relevant distance from a watercourse, wetland, lake or the coast shown in the Table C7.3 below, but does not include a piped watercourse or piped drainage line. If an inconsistency for the width exists between Table C7.3 and the area shown on the overlay map, the greater distance prevails, excluding the width measured from the high water mark of tidal waters where the distance shown on the overlay map in the relevant Local Provisions Schedule prevails. The depiction of a watercourse, or a section of a watercourse on an overlay map in the relevant Local Provisions Schedule, is definitive regardless of the actual area of the catchment

The Tasmanian Planning Scheme – Central Highlands defines the Priority Vegetation Area as land shown on an overlay map in the relevant Local Provisions Schedule, as within a Priority Vegetation Area.

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:

C7.6 Development Standards for Buildings and Works		
C7.6.1 Buildings and works within a waterway and coastal protection area or a future coastal refugia area		
That buildings and works within a waterway and coastal protection area or future coastal refugia area will not have an unnecessary or unacceptable impact on natural assets.		
Acceptable solutions	Performance Criteria	OFFICER COMMENT
<p>A1 Buildings and works within a waterway and coastal protection area must:</p> <p>(a) be within a building area on a sealed plan approved under this planning scheme;</p> <p>(b) in relation to a Class 4 watercourse, be for a crossing or bridge not more than 5m in width; or</p>	<p>P1.1 Buildings and works within a waterway and coastal protection area must avoid or minimise adverse impacts on natural assets, having regard to:</p> <p>(a) impacts caused by erosion, siltation, sedimentation and runoff;</p>	<p><i>The proposal must be assessed against the Performance Criteria P1.</i></p> <p><i>The documents provided in the application state that it is unlikely that proposal will result in adverse impacts caused by erosion, siltation, sedimentation and runoff. However, conditions have been added based on the</i></p>

<p>(c) if within the spatial extent of tidal waters, be an extension to an existing boat ramp, car park, jetty, marina, marine farming shore facility or slipway that is not more than 20% of the area of the facility existing at the effective date..</p>	<p>(b) impacts on riparian or littoral vegetation;</p> <p>(c) maintaining natural streambank and streambed condition, where it exists;</p> <p>(d) impacts on in-stream natural habitat, such as fallen logs, bank overhangs, rocks and trailing vegetation;</p> <p>(e) the need to avoid significantly impeding natural flow and drainage;</p> <p>(f) the need to maintain fish passage, where known to exist;</p> <p>(g) the need to avoid land filling of wetlands;</p> <p>(h) the need to group new facilities with existing facilities, where reasonably practical;</p> <p>(i) minimising cut and fill;</p> <p>(j) building design that responds to the particular size, shape, contours or slope of the land;</p> <p>(k) minimising impacts on coastal processes, including sand movement and wave action;</p> <p>(l) minimising the need for future works for the protection of natural assets, infrastructure and property;</p> <p>(m) the environmental best practice guidelines in the Wetlands and Waterways Works Manual; and</p> <p>(n) the guidelines in the Tasmanian Coastal Works Manual.</p> <p>P1.2 Buildings and works within the spatial extent of tidal waters must be for a use that relies upon a coastal location to fulfil its purpose, having regard to:</p> <p>(a) the need to access a specific resource in a coastal location;</p>	<p><i>recommendations of the Fauna & Flora Report.</i></p> <p><i>Impacts on riparian or littoral vegetation will be limited to the width of the access track to the Visitor Accommodation where it crosses the watercourse (5m). This is considered minimal impact as the watercourse is 330m through the title. No littoral vegetation will be impacted.</i></p> <p><i>The proposal includes a vehicular crossing of a shallow tributary, this is not considered to significantly impact the natural flow or drainage. Additional conditions will be contained in the planning permit to ensure that the crossing is engineered and installed to the satisfaction of Council's Manager of Infrastructure & Works.</i></p> <p><i>It is noted that water is not constantly present on the property, however the installation of a vehicle crossing and culvert will not impede fish passage.</i></p> <p><i>No fill of the wetland area is proposed.</i></p> <p><i>The proposed visitor accommodation units are grouped together and located on an area previously disturbed, that of the existing dwelling to be demolished.</i></p> <p><i>The visitor accommodation is contained within a small area of the 19.91ha, on relatively level ground within the property. It is therefore considered that the building design is not required to respond to the size, shape, contours or slope of the land.</i></p> <p><i>A Soil & Water Management Plan will form a part of the conditions of a planning permit.</i></p> <p><i>The proposal meets the performance criteria. P1.1</i></p> <p><i>P1.2 is not applicable.</i></p>
---	--	--

	<p>(b) the need to operate a marine farming shore facility;</p> <p>(c) the need to access infrastructure available in a coastal location;</p> <p>(d) the need to service a marine or coastal related activity;</p> <p>(e) provision of essential utility or marine infrastructure; or</p> <p>(f) provisions of open space or for marine-related educational, research, or recreational facilities.</p>	
<p>A2 Buildings and works within a future coastal refugia area must be located within a building area on a sealed plan approved under this planning scheme.</p>	<p>P2.1 Buildings and works within a future coastal refugia area must allow for natural coastal processes to continue to occur and avoid or minimise adverse impacts on natural assets, having regard to:</p> <p>(a) allowing for the landward transgression of sand dunes and the landward colonisation of wetlands, saltmarshes and other coastal habitats from adjacent areas;</p> <p>(b) avoiding the creation of barriers or drainage networks that would prevent future tidal inundation;</p> <p>(c) allowing the coastal processes of sand deposition or erosion to continue to occur;</p> <p>(d) the need to group new facilities with existing facilities, where reasonably practical;</p> <p>(e) the impacts on native vegetation;</p> <p>(f) minimising cut and fill;</p> <p>(g) building design that responds to the particular size, shape, contours or slope of the land;</p> <p>(h) the impacts of sea-level rise on natural coastal processes and coastal habitat;</p>	<p><i>Not applicable.</i></p>

	<p>(i) the environmental best practice guidelines in the Wetlands and Waterways Works Manual; and</p> <p>(j) the guidelines in the Tasmanian Coastal Works Manual.</p> <p>P2.2 Buildings and works within a future coastal refugia area must be for a use that relies upon a coastal location to fulfil its purpose, having regard to:</p> <p>(a) the need to access a specific resource in a coastal location;</p> <p>(b) the need to operate a marine farming shore facility;</p> <p>(c) the need to access infrastructure available in a coastal location;</p> <p>(d) the need to service a marine or coastal related activity;</p> <p>(e) provision of essential utility or marine infrastructure; and</p> <p>(f) provision of open space or for marine-related educational, research, or recreational facilities.</p>	
<p>A3 Development within a waterway and coastal protection area or a future coastal refugia area must not involve a new stormwater point discharge into a watercourse, wetland or lake.</p>	<p>P3 Development within a waterway and coastal protection area or a future coastal refugia area involving a new stormwater point discharge into a watercourse, wetland or lake must avoid or minimise adverse impacts on natural assets, having regard to:</p> <p>(a) the need to minimise impacts on water quality; and</p> <p>(b) the need to mitigate and manage any impacts likely to arise from erosion, sedimentation or runoff.</p>	<p><i>Additional stormwater discharge is proposed to the existing waterbody.</i></p> <p><i>It is considered that impacts will be negligible, however it is recommended that a Stormwater Management Plan and A Soil & Water Management Plan form a part of the conditions of a planning permit.</i></p> <p><i>The proposal meets the performance criteria P3.</i></p> <p>.</p>
<p>A4 Dredging or reclamation must not occur within a waterway and coastal protection area or a future coastal refugia area.</p>	<p>P4.1 Dredging or reclamation within a waterway and coastal protection area or a future coastal refugia area must</p>	<p><i>The proposal meets the acceptable solution A4, no dredging or reclamation will occur in the watercourse.</i></p>

	<p>minimise adverse impacts on natural coastal processes and natural assets, having regard to:</p> <ul style="list-style-type: none"> (a) impacts caused by erosion, siltation, sedimentation and runoff; (b) impacts on riparian or littoral vegetation; (c) the need to avoid land filling of wetlands; (d) impacts on sand movement and wave action; and (e) the potential for increased risk to inundation of adjacent land. <p>P4.2 Dredging or reclamation within a waterway and coastal protection area or a future coastal refugia area must be necessary:</p> <ul style="list-style-type: none"> (a) to continue an existing use or development on adjacent land; or (b) for a use which relies upon a coastal location to fulfil its purpose, having regard to: <ul style="list-style-type: none"> (i) the need to access a specific resource in a coastal location; (ii) the need to operate a marine farming shore facility; (iii) the need to access infrastructure available in a coastal location; (iv) the need to service a marine or coastal related activity; (v) provision of essential utility or marine infrastructure; and (vi) provision of open space or for marine-related educational, research, or recreational facilities. 	
<p>A5 Coastal protection works or watercourse erosion or inundation protection works must not occur within a waterway and coastal protection area or a future coastal refugia area.</p>	<p>P5 Coastal protection works or watercourse erosion or inundation protection works within a waterway and coastal protection area or a future coastal refugia area must be designed by a suitably qualified person and minimise adverse impacts on natural coastal processes, having regard to:</p>	<p><i>Not applicable.</i></p>

	(a) impacts on sand movement and wave action; and (b) the potential for increased risk of inundation to adjacent land.	
--	---	--

C7.6.2 Clearance within a priority vegetation area		
<p>That clearance of native vegetation within a priority vegetation area:</p> <p>(a) does not result in unreasonable loss of priority vegetation;</p> <p>(b) is appropriately managed to adequately protect identified priority vegetation; and</p> <p>(c) minimises and appropriately manages impacts from construction and development activities.</p>		
Acceptable solutions	Performance Criteria	OFFICER COMMENT
<p>A1 Clearance of native vegetation within a priority vegetation area must be within a building area on a sealed plan approved under this planning scheme.</p>	<p>P1.1 Clearance of native vegetation within a priority vegetation area must be for:</p> <p>(a) 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 recommended by the Tasmania Fire Service or an accredited person;</p> <p>(b) buildings and works associated with 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) clearance of native vegetation where it is demonstrated that on-going pre-existing management cannot ensure the survival of the priority vegetation and there is little potential for long-term persistence; or</p> <p>(f) the clearance of native vegetation that is of</p>	<p><i>The new dwelling, outbuilding and sections of the access road will be cleared, meeting P1.1 (b).</i></p> <p><i>The area of native vegetation on the property to be cleared for visitor accommodation is not for an existing use.</i></p> <p><i>A Bushfire Hazard Report has been provided and has informed the Fauna & Flora Report for the proposal.</i></p> <p><i>The supporting Flora & Fauna Assessment Report states that the clearance of the existing native vegetation on the property for the Visitor Accommodation is limited, 8.5% of the total area of priority vegetation will be cleared. The report also states that it is likely that the priority vegetation species will persist within the hazard management area.</i></p> <p><i>Clearance of native vegetation will be limited to the area surrounding the visitor accommodation, which is located adjacent to an existing dwelling to be demolished, which includes areas of already disturbed land. Clearance of large areas of Priority Vegetation has been avoided.</i></p> <p><i>The designs enable the car parking and manoeuvring spaces for the visitor accommodation to be contained within the Bushfire Hazard management Area. The Hazard area is also</i></p>

	<p>limited scale relative to the extent of priority vegetation on the site.</p> <p>P1.2 Clearance of native vegetation within a priority vegetation area must minimise adverse impacts on priority vegetation, having regard to:</p> <p>(a) the design and location of buildings and works and any constraints such as topography or land hazards;</p> <p>(b) any particular requirements for the buildings and works;</p> <p>(c) minimising impacts resulting from bushfire hazard management measures through siting and fire-resistant design of habitable buildings;</p> <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>	<p><i>expected to continue support the priority vegetation.</i></p> <p><i>The Flora & Fauna report makes recommendations to minimise the residual impacts on priority vegetation, which have been included in the conditions of the Planning Permit.</i></p> <p><i>In addition, A Soil & Water Management Plan will form a part of the conditions of a planning permit.</i></p> <p><i>Conditions for Weed Management will also be included in the Planning Permit.</i></p> <p><i>The proposal meets the performance criteria.</i></p>
--	---	---

CONCLUSION

This report has assessed a Development Application to demolish the existing dwelling, construct a new dwelling, outbuilding and four (4) cabins to be used as Visitor Accommodation on the property 14246 Lyell Highway (CT 241772/1).

Three representations were received to Council during the notice period and these have been addressed in this report.

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

It is recommended that the Development 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 14th May 2024 with the Planning Committee making the following recommendation to Council acting as the Planning Authority.

RESOLUTION: 09/05.2024/C

Moved: Cr R Cassidy

Seconded: Cr J Honner

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

General

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

Amenity

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

Parking and Access

- 6) Detailed design drawings of the culvert over the watercourse prepared by a suitably qualified person (engineer), are to be provided and approved by Council's Manager of Infrastructure and Works before application for permits under the *Building Act 2016* are lodged.
- 7) The siting of vehicular accesses and car parking spaces must generally accord with the endorsed plans.
- 8) At least four (4) car parking spaces must be provided for the use of the visitor accommodation and must be available for car parking at all times. Car parking must be in accordance with Standards Australia (2004) Australian Standard AS 2890.1 - 2004 – Parking Facilities Part 1: Off Street Car Parking; Standards Australia, Sydney.
- 9) The internal driveway and areas set-aside for parking and associated access and turning must be provided in accordance with Standards Australia (2004): Australian Standard AS 2890.1 - 2004 – Parking Facilities Part 1: Off Street Car Parking; Standards Australia, Sydney and to the satisfaction of Council's Municipal Engineer, and must include all of the following;
 - a) Constructed with a durable all weather pavement;
 - b) Minimum carriageway width of 4 metres;
 - c) Drained to an approved stormwater system; and
 - d) Vehicular passing areas 6 metres wide (total) x 20 metres long every 200 metres.
 or as otherwise required by an approved Bushfire Plan.
- 10) The internal driveway and areas set-aside for parking and associated access and turning must be designed, constructed and maintained to avoid dust or mud generation, erosion and sediment transfer off site or de-stabilisation of the soil on site or on adjacent properties to the standard required by Council's Municipal Engineer.

Access to State Road

- 11) The Access to the Lyell Highway is to be a minimum 5.5m wide to permit two vehicles to pass each other.
- 12) The Access is to be sealed a minimum of 6.0m from the edge of the existing seal of the Lyell Highway.
- 13) The existing B2 Centre line (double continuous line) is to be modified to create a break in the line to permit vehicles to legally turn right into the access from the Lyell Highway.

- 14) The existing access where the structure to be demolished is located, must be either removed or blocked to prevent future use.
- 15) Any conditions imposed by the Department of State Growth for works affecting the road reserve shall form part of this permit and must be adhered to.
- 16) Prior to undertaking any access (or other) works in the state road reserve an Access Permit is required from the Department of State Growth in accordance with Section 16 of the Roads and Jetties Act 1935. Application for Permits can be located at;
https://www.transport.tas.gov.au/road_permits/permits_and_bookings
- 17) Applications must be received by the Department of State Growth at least 20 business days before the expected start date for works, to allow enough time to assess the application.

Services

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

Stormwater

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

Wastewater

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

Protection of Water Quality

- 23) A Soil and Water Management Plan (SWMP) prepared in accordance with the guidelines *Soil and Water Management on Building and Construction Sites*, by the Derwent Estuary Programme and NRM South, must be approved by Council's Development and Environmental Services before development of the land commences (refer to advice below). The SWMP shall form part of this permit when approved.
- 24) Before any work commences install temporary run-off, erosion and sediment controls in accordance with the recommendations of the approved SWMP and maintain these controls at full operational capacity until the land is effectively rehabilitated and stabilised after completion of the development in accordance with the guidelines *Soil and Water Management on Building and Construction Sites*, by the Derwent Estuary Programme and NRM South and to the satisfaction of Council's Development and Environmental Services.

Natural Values

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

Weed Management

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

Construction Amenity

- 27) The development must only be carried out between the following hours unless otherwise approved by the Council's Manager of Development and Environmental Services:
- | | |
|---------------------------------------|-------------------------|
| Monday to Friday | 7:00 a.m. to 6:00 p.m. |
| Saturday | 8:00 a.m. to 6:00 p.m. |
| Sunday and State-wide public holidays | 10:00 a.m. to 6:00 p.m. |
- 28) All works associated with the development of the land shall be carried out in such a manner so as not to unreasonably cause injury to, or prejudice or affect the amenity, function and safety of any adjoining or adjacent land, and of any person therein or in the vicinity thereof, by reason of:
- Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, ash, dust, waste water, waste products, grit or otherwise.
 - The transportation of materials, goods and commodities to and from the land.
 - Obstruction of any public footway or highway.
 - Appearance of any building, works or materials.
 - Any accumulation of vegetation, building debris or other unwanted material must be disposed of by removal from the site in an approved manner. No burning of such materials on site will be permitted unless approved in writing by the Council's Manager of Development and Environmental Services.
- 29) Public roadways or footpaths must not be used for the storage of any construction materials or wastes, for the loading/unloading of any vehicle or equipment; or for the carrying out of any work, process or tasks associated with the project during the construction period.
- 30) The developer must make good and/or clean any footpath, road surface or other element damaged or soiled by the development to the satisfaction of the Council's Manager of Works and Technical Services.

ADVICE NOTES

The following advice applies to this permit:

- This Planning Permit is in addition to the requirements of the Building Act 2016. Approval in accordance with the Building Act 2016 may be required prior to works commencing. A copy of the Directors Determination – categories of Building Work and Demolition Work is available via the CBOS website: [Director's Determination - Categories of Building and Demolition Work \(PDF, 504.4 KB\)](#) or for Low Risk Building Work information go to: [Consumer Guide to Low Risk Building and Plumbing Work](#).
- 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.
- This permit does not take effect until all other approvals required for the use or development to which the permit relates have been granted.
- The issue of this permit does not ensure compliance with the provisions of the *Aboriginal Relics Act 1975*. If any aboriginal sites or relics are discovered on the land, stop work and immediately contact the Tasmanian Aboriginal Land Council and Aboriginal Heritage Unit of the Department of Tourism, Arts and the Environment. Further work may not be permitted until a permit is issued in accordance with the *Aboriginal Relics Act 1975*.
- The issue of this permit does not ensure compliance with the provisions of the Threatened Species Protection Act 1995 or the Environmental Protection and Biodiversity Protection Act 1999 (Commonwealth). The applicant may be liable to complaints in relation to any non-compliance with these Acts and may be required to apply to the Threatened Species Unit of the Department of Tourism, Arts and the Environment or the Commonwealth Minister for a permit.
- The SWMP must show the following:
 - Allotment boundaries, north-point, contours, layout of roads, driveways, building envelopes and reticulated services (including power and telephone and any on-site drainage or water supply), impervious surfaces and types of all existing natural vegetation;
 - Critical natural areas such as drainage lines, recharge area, wetlands, and unstable land;
 - Estimated dates of the start and completion of the works;
 - Timing of the site rehabilitation or landscape program;

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

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

- Minimise site disturbance and vegetation removal;
- Diversion of up-slope run-off around cleared and/or disturbed areas, or areas to be cleared and/or disturbed, provided that such diverted water will not cause erosion and is directed to a legal discharge point (eg. temporarily connected to Council's storm water system, a watercourse or road drain);
- Sediment retention traps (e.g. sediment fences, straw bales, grass turf filter strips, etc.) at the down slope perimeter of the disturbed area to prevent unwanted sediment and other debris escaping from the land;
- Sediment retention traps (e.g. sediment fences, straw bales, etc.) around the inlets to the stormwater system to prevent unwanted sediment and other debris blocking the drains;
- Stormwater pits and inlets installed and connected to the approved stormwater system before the roadwork's are commenced; and
- Rehabilitation of all disturbed areas as soon as possible.

H. Land on adjacent properties are Timber Production Zone Land (PTPZL) and will be subject to noise and heavy vehicle movements outside of business hours. It should also be noted that as Timber Production land, once harvested, the visual amenity of the area will change.

I. A separate application may be required for Signage.

CARRIED

For the Motion

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

Deputy Mayor J Allwright declared an interest and left the meeting at 11.00 am.

23.2 DEVELOPMENT APPLICATION (DA2024/18) BOAT RAMP & JETTY AT LAND DESCRIBED AS 475 ROCKMOUNT ROAD, ELLENDALE (182981/0) SUBMITTED BY PDA SURVEYORS AND OWNED BY STRATA CORPORATION 182981 "PARADISE"

AUTHOR

Senior Planning Officer (Louisa Brown)

AUTHORISED BY

Manager Development & Environmental Services (Graham Rogers)

ATTACHMENTS

- Application for Planning Permit Documents
- Title Plan and Folio
- Site Plan & Designs
- Planning Assessment prepared by PDA
- Cultural Heritage Management letter
- Representation 1

DISCRETIONS

- CHI-S1.6.1 Discretionary use P1, P2
- CHI-S1.7.5 Aquatic structures P1
- CHI-S1.7.6 Aboriginal Heritage P1
- CHI-S1.7.7 Protection of Lake Operation P1

PROPOSAL

Council is in receipt of an application for a Planning Permit for a Boat Ramp and Launching Jetty at the property 475 Rockmount Road, Ellendale also known as “Paradise”.

An informal boat ramp area exists on the property, this development application seeks to formalise and upgrade the facility, to include a boat ramp and launching jetty.

The proposal is to be assessed against the development standards of the Tasmanian Planning Scheme – Central Highlands, the Act and Central Highlands Local Provisions Schedule, CHI-S1.0 Meadowbank Lake Specific Area Plan.

This is a discretionary application under the CHI-S1.0 Meadowbank Lake Specific Area Plan.

The Council gave notice of the application for public comment as required by the Act. During the notification period one representation was received. The representation is summarised below and response from Council’s planning Officer included.

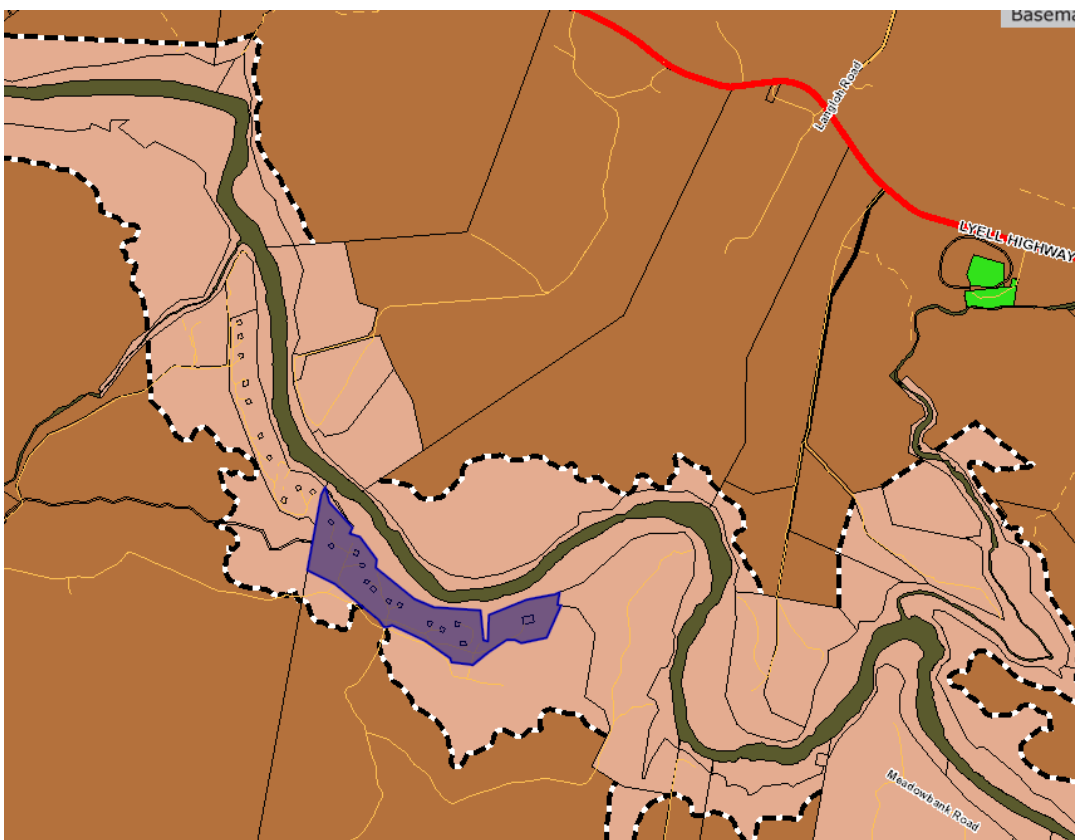
It is recommended that Council grant a planning permit for the development application subject to conditions.

THE SITE

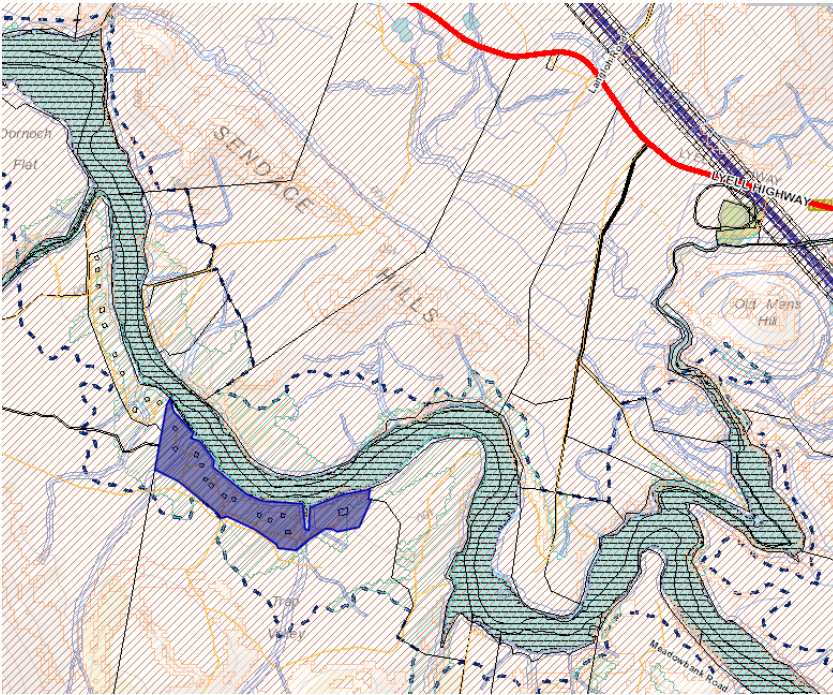
The property is located on the banks of the Meadowbank Lake, some 5km south-west of Hamilton. The scheme is a strata scheme for 13 Visitor Accommodation Units known as “Paradise”.

An existing boat ramp is located to the North West corner of the property. This proposal seeks to formalise the launching area and provide upgraded facilities, such as a launching jetting.

Map 1 and 2 below shows the land zoning, code overlays and location of the property. Map 3 is an aerial image of the property and surrounds. Map 4 identifies the proposed upgrade of facilities.



Map 1_ The subject land in blue. Surrounding land is in the Rural Zone (light brown). The brown colour represents the Agriculture Zone. line. Source: LISTmap (09/05/24)



Map 1_ The subject land in blue. The Black dashed line represents the Lake Meadow Bank Specific Area Plan. Blue lines represent the Waterway & Coastal Protection Area, Green Lines represent Priority Vegetation of the Natural Assets Code. Source: LISTmap (09/05/24)



Map 2_ Aerial image of the subject land and surrounding area. Subject titles marked with blue line. Source The List (09/05/24)



Map 4_Aerial image of the subject land and the location of the Boat Ramp and jetty indicated in red. Source The List (09/05/24)

USE/DEVELOPMENT DEFINITION

The property is within the Rural Zone of the Tasmanian Planning Scheme – Central Highlands and also within the Central Highlands Local Provisions Schedule, CHI-S1.0 Meadowbank Lake Specific Area Plan.

In the area of land to which the SAP applies, the provisions of the specific area plan are in substitution for, and in addition to the provisions of the Rural Zone.

Within the Meadowbank Lake Specific Area Plan, Pleasure boat facility is a discretionary use and is defined as *"If for a boat ramp, jetty, pontoon"*.

Source CHI-S1.0 Meadowbank Lake Specific Area Plan

Use/Development Status under the Planning Scheme

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

Council has the discretion to grant a permit for this proposal with or without conditions, or refuse to grant a permit.

PUBLIC NOTIFICATION AND REPRESENTATIONS

The application was advertised from 26th March until 16th April, the notification period was extended beyond the 14 days to allow for the Easter Public Holidays. During this time, one representation was received.

A summary of the representation received and the response from Council's planning Officer is provided below.

Representation Received	Planning Officer Comments
<p>I wish to make the following points regarding the development application:</p> <ol style="list-style-type: none"> 1. That council in reviewing the application is consistent in its requirements and ruling based on similar applications from neighboring Jones River Strata Title development. 2. Aboriginal site inspections have been required in the past, and letters of support from Hydro. I do not see reference to these documents in the application submitted? 3. When similar applications have been put to Council, Council stated that this would be the last time council would approve additional pontoon constructions on the lake. 4. I ask Council to be consistent and align to previous decisions made regarding pontoons on the Lake. 	<p><i>This development application will be assessed under the current Planning Scheme which is in operation that is the Tasmanian Planning Scheme – Central Highlands and the Central Highlands Local Provisions Schedule, CHI-S1.0 Meadowbank Lake Specific Area Plan (SAP).</i></p> <p><i>The SAP has been updated and made clearer, requirements for applications are clear as is the process in which to seek approval.</i></p> <p><i>Council will assess this application based on the requirements and the standards of the Central Highlands Local Provisions Schedule, CHI-S1.0 Meadowbank Lake Specific Area Plan and the Tasmanian Planning Scheme.</i></p> <p><i>This assessment against the relevant standards of the scheme follows in this report.</i></p>

ASSESSMENT – CENTRAL HIGHLANDS LOCAL PROVISIONAL SCHEDULE CHI-S1.0 MEADOWBANK LAKE SPECIFIC AREA PLAN & THE TASMANIAN PLANNING SCHEME –

In the area of land to which this development application applies, the provisions of the Meadowbank Lake SAP are in substitution for, and in addition to the provisions of the Rural Zone.

The purpose of the Meadowbank Lake Specific Area Plan is:

- To recognise and protect the operation of the Meadowbank Lake Hydro-electric Power Station from incompatible use and development.
- To ensure that on-site wastewater management does not contribute to adverse impacts on water quality.
- To recognise Meadowbank Lake as the premier water-skiing facility in the State and to support associated use and development whilst managing other use and development to minimise conflict between activities.

- To encourage the use and development of Meadowbank Lake and the adjoining land for tourism, recreational and visitor accommodation purposes whilst maintaining and enhancing the natural, cultural and landscape values of the area.
- To recognise and protect Aboriginal heritage values.
- To encourage co-ownership and sharing of aquatic structures such as boat ramps, jetties, pontoons and water-based sports infrastructure.
- To protect the lake foreshore landscape, from becoming over-crowded with buildings for Visitor Accommodation.
- To encourage the orderly and strategic development of appropriately scaled and located Visitor Accommodation, particularly camping and caravan parks and overnight camping areas.
- To provide for Resource Development and Resource Processing compatible with recreation and tourism's use of the area.
- To provide for use and development which does not compromise the significant role the lake plays in the Greater Hobart drinking water system.

The Application of this Plan

The specific area plan applies to the area of land designated as Meadowbank Lake Specific Area Plan on the overlay maps.

In the area of land to which this plan applies, the provisions of the specific area plan are in substitution for, and in addition to the provisions of the Rural Zone.

CHI-S1.6 Use Standards		
CHI-S1.6.1 Discretionary use		
This clause is in substitution for Rural Zone – clause 20.3.1 Discretionary Uses. That uses listed as Discretionary recognise and are compatible with the natural, cultural and landscape values of Meadowbank Lake and the plan purpose statements.		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1 No Acceptable Solution	P1 A use listed as Discretionary must be consistent with the natural, cultural and landscape values of Meadowbank Lake and the plan purpose statements, having regard to: (a) the significance of the natural, cultural, and landscape values; (b) the protection, conservation and management of the values; (c) the location, intensity and scale of the use and impacts on existing use and other lake activities; (d) the characteristics and type of use; (e) impact of traffic generation and parking requirements; (f) any emissions and waste produced by the use; (g) the storage and holding of goods, materials and waste; and (h) the proximity of sensitive uses.	<i>Pleasure boat facility is a discretionary use and is defined as "If for a boat ramp, jetty, pontoon".</i> <i>The application seeks to formalise an existing boat ramp and upgrade the facility. The existing ramp has been used for many years and an opportunity improve the facilities has arisen.</i> <i>The scale of the improvements to that which is existing are relatively minimal in terms of the upgrading of the boat ramp. The proposed new launching jetty could increase the use of pleasure boats on the lake. However, this will be a private jetty for the existing Visitor Accommodation use on the property. It is therefore concluded that the intensification of the use is minimal.</i> <i>Sensitive uses include dwellings, of which Meadowbank View Strat</i>

		<p><i>Scheme is some 300m plus from the proposed jetty.</i></p> <p><i>The proposal meets the Performance Criteria P1.</i></p>
<p>A2 No Acceptable Solution</p>	<p>P2 A use listed as Discretionary must not confine or restrain existing agricultural use on adjoining properties, having regard to: (a) the location of the proposed use; (b) the nature, scale and intensity of the use; (c) the likelihood and nature of any adverse impacts on adjoining uses; and (d) any off site impacts from adjoining uses.</p>	<p><i>Agricultural activities take place on land surrounding the proposal. Uses include pasture.</i></p> <p><i>As Meadowbank Lake is a very popular area for recreational use of pleasure boats, it is anticipated that the addition of the proposed launching jetty will not intensify the existing use or adversely impact this adjoining agricultural use.</i></p> <p><i>The proposal meets the Performance Criteria P2.</i></p>

CHI-S1.7.5 Aquatic structures

This clause is in addition to Rural Zone – clause 20.4 Development Standards for Buildings and Works and Environmental Management Zone – clause 23.4 Development Standards for Building and Works.

That permanent aquatic structures such as pontoons, boat ramps and jetties on Meadowbank Lake or its foreshore are only constructed as necessary and are safe, functional, and do not detract from the natural, cultural and landscape values of the area or impede recreational use or the operational needs of Hydro Tasmania.

Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1 An aquatic structure is: (a) for the replacement of an existing structure; (b) provided by or on behalf of the Crown, council or a State Authority; and (c) the rationalisation of two or more structures on Meadowbank Lake or its foreshore.</p>	<p>P1 Aquatic structures must avoid adverse impacts on the natural, cultural and landscape values of Meadowbank Lake and only be constructed as necessary and safe having regard to: (a) the advice and operational needs of Hydro Tasmania; (b) rationalising existing aquatic structures as far as practicable; (c) avoiding the proliferation of aquatic structures in the immediate vicinity; (d) the demonstrated need for the aquatic structure; and (e) the plan purpose statements.</p>	<p><i>Within the application documents submitted, an agreement for the lodgement of this Development Application is provided by Hydro. This is an in principle agreement to the upgrade and construction of the boat ramp and jetty.</i></p> <p><i>This application seeks to formalise an existing launching facility and upgrade facilities.</i></p> <p><i>The purpose of the SAP is to encourage the use and development of Meadowbank Lake and the adjoining land for tourism, recreational and visitor accommodation purposes whilst maintaining and enhancing the natural, cultural and landscape values of the area.</i></p> <p><i>The proposal will upgrade an existing facility, rationalising</i></p>

		<p><i>an existing facility for the adjacent strata owners.</i></p> <p><i>The proposal meets the Performance Criteria P1.</i></p>
--	--	--

<p>CHI-S1.7.6 Aboriginal Heritage This clause is in addition to Rural Zone – clause 20.4 Development Standards for Buildings and Works That Aboriginal heritage is not inappropriately disturbed.</p>		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1 Building and works: (a) must not involve excavation; (b) the application is accompanied by a record of advice and Unanticipated Discovery Plan, issued by Aboriginal Heritage Tasmania; or (c) is in accordance with an Approved Permit issued by the Minister for Aboriginal Affairs under Section 14 of the Aboriginal Heritage Act 1975.</p>	<p>P1 Building and works must not inappropriately disturb Aboriginal heritage, having regard to any: (a) advice received from Aboriginal Heritage Tasmania; or (b) Aboriginal cultural heritage assessment by a suitably qualified person.</p>	<p><i>The application documents include a letter from Cultural Heritage Management Australia, which contains advice and supports the application.</i></p> <p><i>The proposal meets the Performance Criteria P1.</i></p>

<p>CHI-S1.7.7 Protection of Lake Operation This clause is in addition to Rural Zone – clause 20.4 Development Standards for Buildings and Works. That the operation of the lake for hydro-electric power generation and as a major source of potable water for greater Hobart is not compromised.</p>		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1 Buildings and works within 20 metres of the full supply level must be accompanied by the written support of Hydro Tasmania, with or without conditions.</p>	<p>P1 Buildings and works within 20m of the full supply level must: (a) not hinder the operation of the lake for hydro-electric generation purposes; and (b) not compromise water quality; having regard to any advice received from Hydro Tasmania and/or relevant authority</p>	<p><i>The proposal meets the Performance Criteria P1, as the proposal seeks to formalise and improve existing facilities.</i></p>

ASSESSMENT – TASMANIAN PLANNING SCHEME – CENTRAL HIGHLANDS

Rural Zone

The subject site is in the Rural Zone of the Tasmanian Planning Scheme – Central Highlands. Accordingly, the proposal must satisfy the requirements of the following relevant use and development standards of this zone:

20.4 Development Standards for Buildings and Works 20.4.1 Building height		
To provide for a building height that: (a) is necessary for the operation of the use; and (b) minimises adverse impacts on adjoining properties.		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1 Building height must be not more than 12m.	P1 Building height must be necessary for the operation of the use and not cause an unreasonable impact on adjoining properties, having regard to: (a) the proposed height of the building; (b) the bulk and form of the building; (c) the separation from existing uses on adjoining properties; and (d) any buffers created by natural or other features.	<i>The height of the proposed development, is under 12m.</i> <i>The proposal complies with the Acceptable Solution A1.</i>

20.4.2 Setbacks That the siting of buildings minimises potential conflict with use on adjoining sites.		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1 Buildings must have a setback from all boundaries of: (a) not less than 5m; or (b) if the setback of an existing building is within 5m, not less than the existing building.	P1 Buildings must be sited to provide adequate vehicle access and not cause an unreasonable impact on existing use on adjoining properties, having regard to: (a) the bulk and form of the building; (b) the nature of existing use on the adjoining properties; (c) separation from existing use on the adjoining properties; and (d) any buffers created by natural or other features.	<i>The development will be on the boundary, therefore the proposal must satisfy the Performance Criteria P1.</i> <i>As stated, the proposal seeks to formalise and improve an existing boating facility. The area is popular for pleasure boating and the proposed facilities are for private use.</i> <i>The proposal complies with P1.</i>
A2 Buildings for a sensitive use must be separated from an Agriculture Zone a distance of: (a) not less than 200m; or (b) if an existing building for a sensitive use on the site is within 200m of that boundary, not less than the existing building.	P2 Buildings for a sensitive use must be sited so as not to conflict or interfere with an agricultural use within the Agriculture Zone, having regard to: (a) the size, shape and topography of the site; (b) the prevailing setbacks of any existing buildings for sensitive uses on adjoining properties; (c) the location of existing buildings on the site; (d) the existing and potential use of adjoining properties;	<i>Not applicable, the proposal is not a building.</i>

	(e) any proposed attenuation measures; and (f) any buffers created by natural or other features.	
--	---	--

20.4.3 Access for New Dwellings		
That new dwellings have appropriate vehicular access to a road maintained by a road authority.		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1 New dwellings must be located on lots that have frontage with access to a road maintained by a road authority.	P1 New dwellings must have legal access, by right of carriageway, to a road maintained by a road authority that is appropriate, having regard to: (a) the number of users of the access; (b) the length of the access; (c) the suitability of the access for use by the occupants of the dwelling; (d) the suitability of the access for emergency services vehicles; (e) the topography of the site; (f) the construction and maintenance of the access; (g) the construction, maintenance and usage of the road; and (h) any advice from a road authority.	<i>Not applicable, no new dwellings are proposed.</i>

C7.0 Natural Assets Code

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.

This Code applies to development in the Rural Zone, in the Waterway & Coastal Protection Area overlays, therefore the proposal is assessed against the relevant standards of the scheme.

C7.6 Development Standards for Buildings and Works		
C7.6.1 Buildings and works within a waterway and coastal protection area or a future coastal refugia area.		
That buildings and works within a waterway and coastal protection area or future coastal refugia area will not have an unnecessary or unacceptable impact on natural assets.		
Acceptable Solutions	Performance Criteria	Officer Comment
<p>A1 Buildings and works within a waterway and coastal protection area must:</p> <p>(a) be within a building area on a sealed plan approved under this planning scheme;</p> <p>(b) in relation to a Class 4 watercourse, be for a crossing or bridge not more than 5m in width; or</p> <p>(c) if within the spatial extent of tidal waters, be an extension to an existing boat ramp, car park, jetty, marina, marine farming shore facility or slipway that is not more than 20% of the area of the facility existing at the effective date.</p>	<p>P1.1 Buildings and works within a waterway and coastal protection area must avoid or minimise adverse impacts on natural assets, having regard to:</p> <p>(a) impacts caused by erosion, siltation, sedimentation and runoff;</p> <p>(b) impacts on riparian or littoral vegetation;</p> <p>(c) maintaining natural streambank and streambed condition, where it exists;</p> <p>(d) impacts on in-stream natural habitat, such as fallen logs, bank overhangs, rocks and trailing vegetation;</p> <p>(e) the need to avoid significantly impeding natural flow and drainage;</p> <p>(f) the need to maintain fish passage, where known to exist;</p> <p>(g) the need to avoid land filling of wetlands;</p> <p>(h) the need to group new facilities with existing facilities, where reasonably practical;</p> <p>(i) minimising cut and fill;</p> <p>(j) building design that responds to the particular size, shape, contours or slope of the land;</p> <p>(k) minimising impacts on coastal processes, including sand movement and wave action;</p> <p>(l) minimising the need for future works for the protection of natural assets, infrastructure and property;</p> <p>(m) the environmental best practice guidelines in the Wetlands and Waterways Works Manual; and</p> <p>(n) the guidelines in the Tasmanian Coastal Works Manual.</p> <p>P1.2 Buildings and works within the spatial extent of tidal waters</p>	<p><i>The proposal is to upgrade an existing facility and is not more than 20% of the existing area (proposal is 4.8m</i></p> <p><i>The Acceptable Solution A1 is met.</i></p>

	<p>must be for a use that relies upon a coastal location to fulfil its purpose, having regard to:</p> <ul style="list-style-type: none"> (a) the need to access a specific resource in a coastal location; (b) the need to operate a marine farming shore facility; (c) the need to access infrastructure available in a coastal location; (d) the need to service a marine or coastal related activity; (e) provision of essential utility or marine infrastructure; or (f) provisions of open space or for marine-related educational, research, or recreational facilities. 	
<p>A2 Buildings and works within a future coastal refugia area must be located within a building area on a sealed plan approved under this planning scheme.</p>	<p>P2.1 Buildings and works within a future coastal refugia area must allow for natural coastal processes to continue to occur and avoid or minimise adverse impacts on natural assets, having regard to:</p> <ul style="list-style-type: none"> (a) allowing for the landward transgression of sand dunes and the landward colonisation of wetlands, saltmarshes and other coastal habitats from adjacent areas; (b) avoiding the creation of barriers or drainage networks that would prevent future tidal inundation; (c) allowing the coastal processes of sand deposition or erosion to continue to occur; (d) the need to group new facilities with existing facilities, where reasonably practical; (e) the impacts on native vegetation; (f) minimising cut and fill; (g) building design that responds to the particular size, shape, contours or slope of the land; (h) the impacts of sea-level rise on natural coastal <p>P2.1</p>	<p><i>Not Applicable, the property is not within a coastal refugia area.</i></p>

	<p>Buildings and works within a future coastal refugia area must allow for natural coastal processes to continue to occur and avoid or minimise adverse impacts on natural assets, having regard to:</p> <p>(a) allowing for the landward transgression of sand dunes and the landward colonisation of wetlands, saltmarshes and other coastal habitats from adjacent areas;</p> <p>(b) avoiding the creation of barriers or drainage networks that would prevent future tidal inundation;</p> <p>(c) allowing the coastal processes of sand deposition or erosion to continue to occur;</p> <p>(d) the need to group new facilities with existing facilities, where reasonably practical;</p> <p>(e) the impacts on native vegetation;</p> <p>(f) minimising cut and fill;</p> <p>(g) building design that responds to the particular size, shape, contours or slope of the land;</p> <p>(h) the impacts of sea-level rise on natural coastal.</p>	
<p>A3 Development within a waterway and coastal protection area or a future coastal refugia area must not involve a new stormwater point discharge into a watercourse, wetland or lake.</p>	<p>P3 Development within a waterway and coastal protection area or a future coastal refugia area involving a new stormwater point discharge into a watercourse, wetland or lake must avoid or minimise adverse impacts on natural assets, having regard to:</p> <p>(a) the need to minimise impacts on water quality; and</p> <p>(b) the need to mitigate and manage any impacts likely to arise from erosion, sedimentation or runoff.</p>	<p><i>The proposal includes no new stormwater discharge points.</i></p> <p><i>The proposal meets the Acceptable Solution A3.</i></p>
<p>A4 Dredging or reclamation must not occur within a waterway and coastal protection area or a future coastal refugia area.</p>	<p>P4.1 Dredging or reclamation within a waterway and coastal protection area or a future coastal refugia area must minimise adverse impacts on natural</p>	<p><i>Not applicable, no dredging is required.</i></p>

	<p>coastal processes and natural assets, having regard to:</p> <ul style="list-style-type: none"> (a) impacts caused by erosion, siltation, sedimentation and runoff; (b) impacts on riparian or littoral vegetation; (c) the need to avoid land filling of wetlands; (d) impacts on sand movement and wave action; <p>and</p> <ul style="list-style-type: none"> (e) the potential for increased risk to inundation of adjacent land. <p>P4.2 Dredging or reclamation within a waterway and coastal protection area or a future coastal refugia area must be necessary:</p> <ul style="list-style-type: none"> (a) to continue an existing use or development on adjacent land; or (b) for a use which relies upon a coastal location to fulfil its purpose, having regard to: <ul style="list-style-type: none"> (i) the need to access a specific resource in a coastal location; (ii) the need to operate a marine farming shore facility; (iii) the need to access infrastructure available in a coastal location; (iv) the need to service a marine or coastal related activity; (v) provision of essential utility or marine infrastructure; and (vi) provision of open space or for marine related educational, research, or recreational facilities. 	
--	---	--

<p>C7.6.2 Clearance within a priority vegetation area</p>		
<p>That clearance of native vegetation within a priority vegetation area:</p> <ul style="list-style-type: none"> (a) does not result in unreasonable loss of priority vegetation; (b) is appropriately managed to adequately protect identified priority vegetation; <p>and</p> <ul style="list-style-type: none"> (c) minimises and appropriately manages impacts from construction and development activities. 		
<p>Acceptable solutions</p>	<p>Performance Criteria</p>	<p>OFFICER COMMENT</p>
<p>A1 Clearance of native vegetation within a priority vegetation area must be within a building area</p>	<p>P1.1 Clearance of native vegetation within a priority vegetation area must be for:</p>	<p><i>Not applicable, no Priority Vegetation is present, the area is clear of vegetation.</i></p>

<p>on a sealed plan approved under this planning scheme.</p>	<p>(a) 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 recommended by the Tasmania Fire Service or an accredited person;</p> <p>(b) buildings and works associated with 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) clearance of native vegetation where it is demonstrated that on-going pre-existing management cannot ensure the survival of the priority vegetation and there is little potential for long-term persistence; or</p> <p>(f) the clearance of native vegetation that is of limited scale relative to the extent of priority vegetation on the site.</p> <p>P1.2 Clearance of native vegetation within a priority vegetation area must minimise adverse impacts on priority vegetation, having regard to:</p> <p>(a) the design and location of buildings and works and any constraints such as topography or land hazards;</p> <p>(b) any particular requirements for the buildings and works;</p>	
--	---	--

	<p>(c) minimising impacts resulting from bushfire hazard management measures through siting and fire-resistant design of habitable buildings;</p> <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>	
--	---	--

CONCLUSION

This report has assessed a Development Application to construct a Boat Ramp & Jetty at land described as 475 Rockmount Road, Ellendale.

One representation was received to Council during the notice period and this has been addressed in this report.

The proposal has been found to comply with all the relevant standards of the Act, the Tasmanian Planning Scheme – Central Highlands, and the Central Highland Local Provisional Schedule.

It is recommended that the Development 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 14th May 2024 with the Planning Committee making the following recommendation to Council acting as the Planning Authority.

RESOLUTION: 10/05.2024/C

Moved: Cr R Cassidy

Seconded: Cr J Honner

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 (DA2024/18) Boat Ramp & Jetty at land described as 475 Rockmount Road, Ellendale (182981/0) submitted by PDA Surveyors and owned by Strata Corporation 182981 “Paradise” and that a permit be issued with the following conditions:

General

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

Amenity

- 3) No vegetation other than that necessary for the construction of the development, associated access and services is to be cleared without the approval of Council.

Services

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

Protection of Water Quality

- 5) A Soil and Water Management Plan (SWMP) prepared in accordance with the guidelines *Soil and Water Management on Building and Construction Sites*, by the Derwent Estuary Programme and NRM South, must be approved by Council's Development and Environmental Services before development of the land commences (refer to advice below). The SWMP shall form part of this permit when approved.
- 6) Before any work commences install temporary run-off, erosion and sediment controls in accordance with the recommendations of the approved SWMP and maintain these controls at full operational capacity until the land is effectively rehabilitated and stabilised after completion of the development in accordance with the guidelines *Soil and Water Management on Building and Construction Sites*, by the Derwent Estuary Programme and NRM South and to the satisfaction of Council's Development and Environmental Services.

Weed Management

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

Construction Amenity

- 8) The development must only be carried out between the following hours unless otherwise approved by the Council's Manager of Development and Environmental Services:
- | | |
|---------------------------------------|-------------------------|
| Monday to Friday | 7:00 a.m. to 6:00 p.m. |
| Saturday | 8:00 a.m. to 6:00 p.m. |
| Sunday and State-wide public holidays | 10:00 a.m. to 6:00 p.m. |
- 9) All works associated with the development of the land shall be carried out in such a manner so as not to unreasonably cause injury to, or prejudice or affect the amenity, function and safety of any adjoining or adjacent land, and of any person therein or in the vicinity thereof, by reason of:
- Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, ash, dust, waste water, waste products, grit or otherwise.
 - The transportation of materials, goods and commodities to and from the land.
 - Obstruction of any public footway or highway.
 - Appearance of any building, works or materials.
 - Any accumulation of vegetation, building debris or other unwanted material must be disposed of by removal from the site in an approved manner. No burning of such materials on site will be permitted unless approved in writing by the Council's Manager of Development and Environmental Services.
- 10) Public roadways or footpaths must not be used for the storage of any construction materials or wastes, for the loading/unloading of any vehicle or equipment; or for the carrying out of any work, process or tasks associated with the project during the construction period.
- 11) The developer must make good and/or clean any footpath, road surface or other element damaged or soiled by the development to the satisfaction of the Council's Manager of Works and Technical Services.

ADVICE NOTES

The following advice applies to this permit:

- A. This permit does not take effect until all other approvals required for the use or development to which the permit relates have been granted. Including the relevant approvals from Hydro Tasmania.
- B. This Planning Permit is in addition to the requirements of the Building Act 2016. Approval in accordance with the Building Act 2016 may be required prior to works commencing. A copy of the Directors Determination – categories of Building Work and Demolition Work is available via the CBOS website: [Director's Determination - Categories of Building and Demolition Work \(PDF, 504.4 KB\)](#) or for Low Risk Building Work information go to: [Consumer Guide to Low Risk Building and Plumbing Work](#).

- 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.
- D. The issue of this permit does not ensure compliance with the provisions of the *Aboriginal Relics Act 1975*. If any aboriginal sites or relics are discovered on the land, stop work and immediately contact the Tasmanian Aboriginal Land Council and Aboriginal Heritage Unit of the Department of Tourism, Arts and the Environment. Further work may not be permitted until a permit is issued in accordance with the *Aboriginal Relics Act 1975*.
- E. The issue of this permit does not ensure compliance with the provisions of the Threatened Species Protection Act 1995 or the Environmental Protection and Biodiversity Protection Act 1999 (Commonwealth). The applicant may be liable to complaints in relation to any non-compliance with these Acts and may be required to apply to the Threatened Species Unit of the Department of Tourism, Arts and the Environment or the Commonwealth Minister for a permit.
- F. The SWMP must show the following:
- (a) Allotment boundaries, north-point, contours, layout of roads, driveways, building envelopes and reticulated services (including power and telephone and any on-site drainage or water supply), impervious surfaces and types of all existing natural vegetation;
 - (b) Critical natural areas such as drainage lines, recharge area, wetlands, and unstable land;
 - (c) Estimated dates of the start and completion of the works;
 - (d) Timing of the site rehabilitation or landscape program;
 - (e) Details of land clearing and earthworks or trenching and location of soil stockpiles associated with roads, driveways, building sites, reticulated services and fire hazard protection.
 - (f) Arrangements to be made for surface and subsurface drainage and vegetation management in order to prevent sheet and tunnel erosion.
 - (g) Temporary erosion and sedimentation controls to be used on the site.
 - (h) Recommendations for the treatment and disposal of wastewater in accordance with Standards Australia (2000), AS/NZS 1547: *On-site wastewater management*, Standards Australia, Sydney.
- G. Appropriate temporary control measures include, but are not limited to, the following (refer to brochure attached):
- Minimise site disturbance and vegetation removal;
 - Diversion of up-slope run-off around cleared and/or disturbed areas, or areas to be cleared and/or disturbed, provided that such diverted water will not cause erosion and is directed to a legal discharge point (eg. temporarily connected to Council's storm water system, a watercourse or road drain);
 - Sediment retention traps (e.g. sediment fences, straw bales, grass turf filter strips, etc.) at the down slope perimeter of the disturbed area to prevent unwanted sediment and other debris escaping from the land;
 - Sediment retention traps (e.g. sediment fences, straw bales, etc.) around the inlets to the stormwater system to prevent unwanted sediment and other debris blocking the drains;
 - Stormwater pits and inlets installed and connected to the approved stormwater system before the roadwork's are commenced; and
 - Rehabilitation of all disturbed areas as soon as possible.
- H. A separate application may be required for Signage.

CARRIED

For the Motion

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

Deputy Mayor J Allwright returned to the meeting at 11.03 am.

24. ORDINARY COUNCIL MEETING RESUMED

RESOLUTION: 11/05.2024/C

Moved: Cr J Hall

Seconded: Cr J Honner

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

CARRIED

For the Motion

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

25. DEVELOPMENT & ENVIRONMENTAL SERVICES

25.1 DOG REGISTRATION SCHEDULE OF FEES

Report By

Graham Rogers, Manager DES

Background

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

Current Situation

It is being proposed to apply a 5.1% increase (rounded to the nearest dollar) to the fees for 2024/2025 as follows:

	Paid by 31 July		Paid after 31 July	
	Current 2023/24	Proposed 2024/25	Current 2023/24	Proposed 2024/25
Domestic Dog (Desexed)	\$24.00	\$25.00	\$46.00	\$48.00
Domestic Dog (not Desexed)	\$46.00	\$48.00	\$78.00	\$82.00
Pensioner (1 st dog only)	\$13.00	\$14.00	\$24.00	\$25.00
Working Dog (used for the purpose of working farm stock)	\$13.00	\$14.00	\$24.00	\$25.00
Hunting Dog (used to flush game)	\$13.00	\$14.00	\$24.00	\$25.00
Greyhound (TGRA registered)	\$13.00	\$14.00	\$24.00	\$25.00
Registered Breeding Dog (TCA Registered & Dog Owner holding current membership of the TCA)	\$13.00	\$14.00	\$24.00	\$25.00
Special Assistance Dog (Guide Dog / Hearing Dog)	Nil	Nil	Nil	Nil
Declared Dangerous Dog	\$1,085.00	\$1,711.00	\$1,628.00	\$1,711.00

	Current 2023/24	Proposed 2024/25
Kennel Licence Application Fee	\$56.00	\$59.00
Kennel Licence Renewal Fee	\$35.00	\$37.00
Impounding Reclaim Fee (First Offence)	\$24.00	\$25.00
Impounding Reclaim Fee (Subsequent Offences)	\$46.00	\$48.00
Pound Maintenance Fee	\$13.00 per day	\$14.00 per day

Replacement Tag (Metal Lifetime Tag)	\$7.00	\$7.00
Dog Surrender Fee	\$108.00	\$114.00
Formal Notice of Complaint Fee	\$54.00 (Refundable)	\$57.00 (Refundable)

RESOLUTION: 12/05.2024/C

Moved: Cr R Cassidy

Seconded: Cr A Bailey

THAT Council adopt the following Dog Registration Schedule of Fees for 2024/2025.

Description	Paid by 31 July 2024	Paid after 31 July 2024
Domestic Dog (Desexed)	\$25.00	\$48.00
Domestic Dog (not Desexed)	\$48.00	\$82.00
Pensioner (1 st dog only)	\$14.00	\$25.00
Working Dog (used for the purpose of working farm stock)	\$14.00	\$25.00
Hunting Dog (used to flush game)	\$14.00	\$25.00
Greyhound (TGRA registered)	\$14.00	\$25.00
Registered Breeding Dog (TCA Registered & Dog Owner)	\$14.00	\$25.00
Special Assistance Dog (Guide Dog / Hearing Dog)	Nil	Nil
Declared Dangerous Dog	\$1,711.00	\$1,711.00
Kennel Licence Application Fee	\$59.00	
Kennel Licence Renewal Fee	\$37.00	
Impounding Reclaim Fee (First Offence)	\$25.00	
Impounding Reclaim Fee (Subsequent Offences)	\$48.00	
Pound Maintenance Fee	\$14.00 per day	
Replacement Tag (Metal Lifetime Tag)	\$7.00	
Dog Surrender Fee	\$114.00	
Formal Notice of Complaint Fee	\$57.00 (Refundable)	

CARRIED

For the Motion

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

25.2 DEVELOPMENT & ENVIRONMENTAL SERVICES (DES) REPORT

Reports By

Graham Rogers, Manager DES

PLANNING PERMITS ISSUED UNDER DELEGATION

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

NO PERMIT REQUIRED

DA NO.	APPLICANT	LOCATION	PROPOSAL
2024 / 00013	P J Gallagher	10539 Highland Lakes Road, Doctors Point	Dwelling Addition (Deck)

PERMITTED

DA NO.	APPLICANT	LOCATION	PROPOSAL
2024 / 00022	J L Hampton	10633 Highland Lakes Road, Doctors Point	Visitor Accommodation
2024 / 00024	Kings Outdoor Living	460 Dry Poles Road, Ellendale	Dwelling Addition (Sunroom)

DISCRETIONARY

DA NO.	APPLICANT	LOCATION	PROPOSAL
2024 / 00021	Bison Construction	(Part Of) Lots 7 & 8 Dawson Road, Ouse	Outbuilding (Packing Shed)

ANIMAL CONTROL

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

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

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

2023/2024 Statistics as of 14 May 2024	
Number of Dogs Impounded during last month	3
Number of Dogs Currently Registered	977
Number of Dogs Pending Re-Registration	11
Number of Kennel Licences	35

Infringement Notices have now been issued for the dogs pending re-registration.

RESOLUTION: 13/05.2024/C

Moved: Cr J Hall

Seconded: Cr J Honner

THAT the Development & Environmental Services Report be received.

CARRIED

For the Motion

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

26. WORKS & SERVICES**26.1 WORKS & SERVICES MONTHLY REPORT – APRIL 2024****Report By**

Jason Branch, Works & Services Manager

Background

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

Grading & Sheeting	Dawson Road
-------------------------------	-------------

Maintenance Grading	Dennistoun Road, Interlaken Road, 14 Mile Road, Some on Victoria Valley Road, Bronte Heights Road, Bronte Estate Road, Bronte Lagoon Road, Bradys Lake Road, Woodward's Road
Potholing / shouldering	Interlaken Road, Dennistoun Road,
Spraying:	Spot spraying Bothwell township
Culverts / Drainage:	Clean culverts Meadsfield and Torhill Roads Repair culvert Meadsfield Road Clean culverts McGuire's Marsh Road Clean culverts Lanes Tier Road Clean culverts Victoria Valley until the Bashan Road Road Clean culverts 14 Mile Road Replace broken culvert Lanes Tier Road Install 2 new culverts McGuire's Marsh Extend 2 x culverts Bashan 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:	Placement of deck onto Wentworth Creek Bridge 14 Mile Road, Works continue
Refuse / recycling sites:	Cover Hamilton Tip twice weekly
Other:	Repair water break at Hamilton Rec Ground Repair water leak Hamilton Works Depot Install drainage grates at Hamilton Toilet Break Edge Breaks Hollow Tree Road Repair sign Hollow Tree Road Trim vegetation Meadowbank Bridge Thousand Acre Lane Construction works continue Install concealed entrance signs Pelham Replace Bannisters Road sign Place Bushfest sign at Melton Mowbray Set up and clean up memorials for ANZAC Day services Install new table Ouse Park Concrete slab at Ellendale ready for new park seating Replace Road Mirror William Street
Slashing:	Ransleys Road Quinns Road Dawson Road Dillions Road Coopers Road Marriots Road Sections of Ellendale Road Wiggs Road Jones River Road
Municipal Town Maintenance:	<ul style="list-style-type: none"> • Collection of town rubbish twice weekly • Maintenance of parks, cemetery, recreation ground and Caravan Park. • Cleaning of public toilets, gutters, drains and footpaths. • Collection of rubbish twice weekly • Cleaning of toilets and public facilities • General maintenance • Mowing of towns and parks • Town Drainage
Buildings:	Construction of new toilets at Ouse

Plant:	PM687 Western Star truck service and repairs PM720 Dog trailer new tyres PM815 Service and new brake pads to Triton ute PM705 Mack Truck new radiator New cutting edges for grader PM740 Hino truck electric window repairs PM824 Toyota Hilux new battery Nassan x trail service and new tyres PM748 Hino truck 200,000kn service PM717 Dog trailer repairs
Private Works:	
Casuals	<ul style="list-style-type: none"> • Toilets, rubbish and Hobart • Hamilton general duties
Program for next 4 weeks	Old Mans Head widening, Black Spot Funding Wentworth Creek Bridge widening to continue Continue with Thousand Acre Lane reconstruction

RESOLUTION: 14/05.2024/C

Moved: Cr A Bailey

Seconded: Cr J Hall

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

CARRIED

For the Motion

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

27. ADMINISTRATION SERVICES

Jason Branch (Works and Services Manager) and Graham Rogers (Development & Environmental Services Manager) left the meeting at 11.21 a.m.

27.1 MONTHLY FINANCE REPORT TO 30 APRIL 2024

Report by

Katrina Brazendale, Executive Assistant

Background

The monthly finance report to 30 April 2024 are below for Councillors reference.

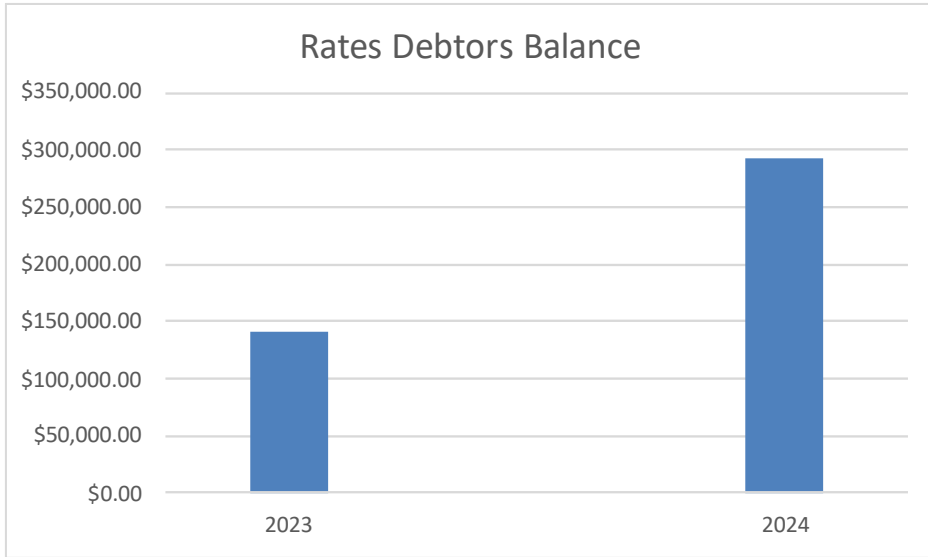
Comprehensive Income Statement

At 30 April 2024

Recurrent Income	Actual to Date	Budget 2023-2024	Variation from YTD Budget %	Comments
Rates Charges	\$4,477,140	\$4,469,863	0%	
User Fees	\$527,720	\$355,450	58%	
Grants - Operating	\$274,432	\$124,860	130%	
Other Revenue	\$659,891	\$453,200	56%	
Grants received in Advance	\$3,031,386	\$2,998,566		FAGs received Jun 2023 for 2023/24
Total Revenues	\$8,970,570	\$8,401,939	17%	
Expenditure				
Employee Benefits	\$2,224,394	\$2,553,663	(3)%	
Materials and Services	\$2,156,690	\$2,012,016	17%	
Other Expenses	\$1,459,840	\$1,715,852	(5)%	
Depreciation and Amortisation	\$1,606,545	\$2,260,000	(19)%	
Total Expenditure	7,447,469	8,541,531	(3)%	
Operating Surplus(Deficit)	1,523,100	(139,593)		

Rates Reconciliation as at 30 April 2024

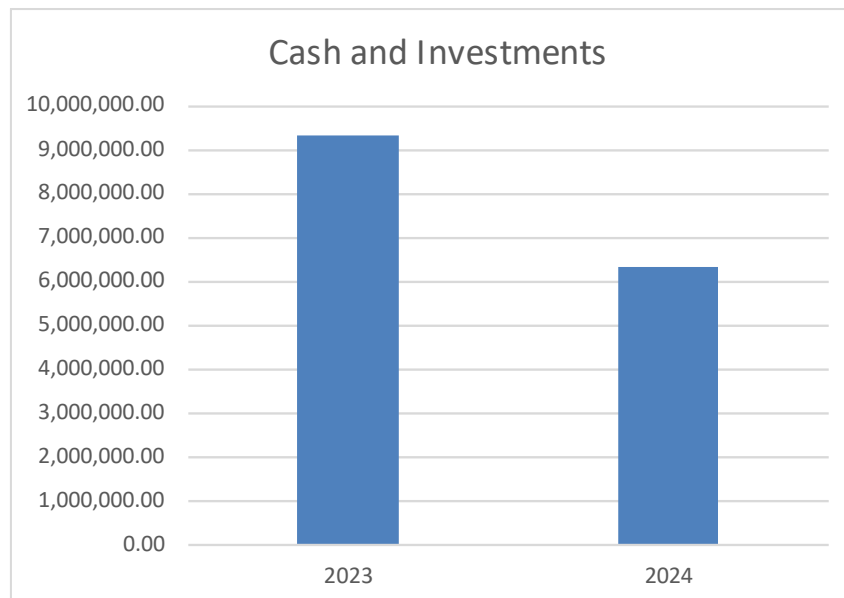
	<u>2023</u>	<u>2024</u>
Rates in Debit 30th June	\$100,036.35	\$135,606.82
Rates in Credit 30th June	-\$139,127.10	-\$171,244.88
Balance 30th June	-\$39,090.75	-\$35,638.06
Rates Raised	\$4,120,043.73	\$4,486,365.49
Penalties Raised	\$34,871.17	\$42,213.36
Supplementaries/Debit Adjustments	\$42,388.20	\$21,061.41
Total Raised	\$4,158,212.35	\$4,549,640.26
Less:		
Receipts to Date	\$3,848,266.77	\$4,082,711.47
Pensioner Rate Remissions	\$110,356.31	\$119,626.72
Remissions/Supplementary Credits	\$58,821.82	\$18,651.14
Balance	\$140,767.45	\$293,012.87



DONATIONS AND GRANTS 2023-24											
Date	Details	Budget	Australia Day, ANZAC Day, Hamilton Show	Childrens Services	Community Grants \ Donations	Event Development and Sponsorship	Further Education Bursaries and School Support	General Items	Church Grants	Tourism	TOTAL
	Community & Economic Development Support	\$4,133									
	Support/Donations	\$2,902									
	Further Education Bursaries	\$1,800									
	Central Highlands School Support	\$2,600									
	Anzac Day	\$6,000									
	Hamilton Show	\$5,000									
	Australia Day	\$2,214									
	Church Grants	\$5,000									
	Suicide Prevention Program	\$2,000									
	Anglers Alliance Sponsorship	\$3,000									
	Royal Flying Doctor Service	\$1,000									
	Youth Activities	\$5,000									
	Australasian Golf Museum contribution to power	\$5,000									
	South Central Region Projects	\$5,000									
	Local Govt Shared Services Project	\$2,000									
	200 Years of Hamilton Celebration	\$40,000									
	Health & Wellbeing Plan Implementation	\$5,000									
	Visitors Centre	\$5,000									
	Grant assistance	\$15,000									
	Design/concept contractors - Grants	\$25,000									
	Healthy Connect Project	\$10,000									
	Highlands Digest Support	\$0									
	Contribution Children's Services Bothwell	\$500									
31/07/2023	Brighton Family Day Care	\$5,000		5,000.00							5,000.00
10/08/2023	Aussie Table Tennis - wheelchair	\$1,291			1,290.91						
17/08/2023	Lions Club of Hobart	\$360						360.00			360.00
7/09/2023	Highlands Digest Support	\$10,800						10,800.00			10,800.00
5/10/2023	Great Lake Volunteer Fire Brigade	\$867			867.00						867.00
27/08/2023	End of year school awards	\$400					400.00				
28/11/2023	Cameras for Gretna Rec Ground	\$2,683			2,683.00						2,683.00
20/12/2023	Rotary Club of Hobart - Magic Show	\$255						254.55			254.55
5/01/2024	Great Lake Tie-In Assn	\$1,000			1,000.00						1,000.00
5/01/2024	Menzies Institute - Cancer Research Donation	\$500						500.00			500.00
8/01/2024	Bothwell Cricket Club - Telstra Wifi	\$160			160.00						160.00
17/01/2024	Smithawards - Australia Day Trophies	\$286	286.36								286.36
24/01/2024	Gretna Volunteer Fire Brigade	\$850			850.00						850.00
6/02/2024	Travis Rust Education Bursary	\$350					350.00				350.00
7/02/2024	Tas Highlands Gathering	\$1,000			1,000.00						1,000.00
26/02/2024	Internet - Gretna Cricket Club	\$320						320.00			
27/02/2024	Highlands Digest	\$89						88.89			
7/03/2024	Bothwell District High School Breakfast Club	\$2,800			2,800.00						
7/03/2024	Gretna Cricket Club Trophie Donation	\$250						250.00			
25/03/2024	Immune Deficiencies Fund	\$382						381.82			
28/03/2024	Midlands Multi-Purpose Health Centre	\$500						500.00			
3/04/2024	The Pancreatic Cancer Foundation	\$1,000						1,000.00			
3/04/2024	Dementia Australia	\$500						500.00			
8/04/2024	Donation towards Autumn Festival	\$1,000								1,000.00	
8/04/2024	Dee Lagoon Fishing Club Clean-up	\$1,000						1,000.00			
24/04/2024	ANZAC Day Flowers	\$827	827.27								
30/04/2024	Bothwell Family Fun Day	\$1,072			1,072.00						
6/05/2024											
YEAR TO DATE EXPENDITURE			1,113.63	6,072.00	10,650.91	0.00	750.00	15,955.26	0.00	1,000.00	35,541.80
BUDGET		\$188,690	13,500.00	10,500.00	10,000.00	41,000.00	4,800.00	84,800.00	5,000.00	8,000.00	177,600.00

BANK ACCOUNT BALANCES AS AT 30 April 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	1,613,439.91
11106	Bank 02 - Westpac - Direct Deposit Account				337,288.54	252,678.98
11110	Petty Cash				350.00	350.00
11115	Floats				200.00	200.00
11199	TOTAL CASH AT BANK AND ON HAND				987,014.41	1,866,668.89
11200 Investments						
11207	Bank 05	30 Days	4.36%	27/05/2024	-	2,650,021.06
11207	Bank 06	30 Days			2,041,681.64	-
11214	Tascorp	183 Days	4.60%	21/06/2024	79,599.12	82,259.93
11216	Bank 16	60 Days	4.55%	12/06/2024	4,103,273.72	1,744,237.70
11299	TOTAL INVESTMENTS				6,224,554.48	4,476,518.69
	TOTAL BANK ACCOUNTS AND CASH ON HAND				9,316,681.43	6,343,187.58



RESOLUTION: 15/05.2024/C

Moved: Cr J Honner

Seconded: Cr Y Miller

THAT the Monthly Finance Report to 30 April 2024 be received.

CARRIED

For the Motion

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

27.2 ANNUAL LEAVE POLICY 2014-28

Report by

Adam Wilson, Deputy General Manager

Background

The Audit Panel at its meeting on the 6 May 2024 agreed to recommend that Council rescind Policy No. 2014-28 Annual Leave Policy as the policy is covered in the Central Highlands Council Enterprise Agreement 2023 under clause 8.1.

RESOLUTION: 16/05.2024/C

Moved: Cr D Meacheam

Seconded: Cr Y Miller

THAT Council rescind Policy No. 2014-28 Annual Leave Policy as the policy is covered in the Central Highlands Council Enterprise Agreement 2023 under clause 8.1.

CARRIED

For the Motion

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

27.3 HEALTHY CATERING POLICY 2014-25

Report by

Adam Wilson, Deputy General Manager

Background

The current policy has been in place since June 2020 and it provides a framework to ensure that members of the Central Highlands Council community, staff, volunteers and visitors have the opportunity to access healthy food and drink choices when attending council operated facilities and workplaces and at council sponsored events.

Council officers have reviewed Policy No. 2014 - 25 Healthy Catering Policy and no changes are required as the aims and principles of this policy are still to increase the availability of healthy food and drink choices and to encourage and support the community to make food and drink choices that will impact positively on health.

The Audit Panel at its meeting on the 6 May 2024 agreed to recommend that Council approve Policy No. 2014-25 Healthy Catering Policy.

RESOLUTION: 17/05.2024/C

Moved: Cr J Honner

Seconded: Cr A Bailey

THAT Council approve Policy No. 2014-25 Healthy Catering Policy.

CARRIED

For the Motion

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

27.4 RELATED PARTY DISCLOSURES POLICY 2017-46

Report by

Adam Wilson, Deputy General Manager

Background

The previous Related Party Disclosures Policy was approved by Council in March 2021 and the intent of this revised policy is to review any required changes in the legislation.

The policy outlines what is expected of elected members and staff of Council in relation to Australian Accounting Standard AASB 124 Related Party Disclosures (AASB 124). It also provides procedures for Council to collect, store, manage and report on related party relationships, transactions and commitments.

The Audit Panel at its meeting on the 6 May 2024 agreed to recommend that Council approve Policy No. 2017-46 Related Party Disclosures Policy.

RESOLUTION: 18/05.2024/C

Moved: Cr A Bailey

Seconded: Cr J Honner

THAT Council approve Policy No. 2017-46 Related Party Disclosures Policy.

CARRIED

For the Motion

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

27.5 ASSET MANAGEMENT POLICY 2018-53

Report by

Adam Wilson, Deputy General Manager

Background

The previous asset management policy was approved by Council in May 2022.

This policy has been produced to set guidelines for implementing consistent asset management processes throughout the Central Highlands Council.

The policy has been developed to ensure provision is made for the long-term replacement of major assets by:

- Ensuring that Council's services and infrastructure are provided in a sustainable manner, with the appropriate levels of service to residents, visitors and the environment;
- Safeguarding Council assets including physical assets and employees by implementing appropriate asset management strategies and appropriate financial resources for those assets;
- Creating an environment where all Council employees take an integral part in the overall management of Council assets by creating and sustaining an asset management awareness throughout the organisation by training and development;
- Meeting legislative requirements for asset management;
- Ensuring resources and operational capabilities are identified and responsibility for asset management is allocated.

The Audit Panel at its meeting on the 6 May 2024 agreed to recommend that Council approve Policy No. 2018-53 Asset Management Policy.

RESOLUTION: 19/05.2024/C

Moved: Cr Y Miller

Seconded: Cr D Meacheam

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

CARRIED

For the Motion

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

27.6 CODE OF CONDUCT FOR MEMBERS OF THE AUDIT PANEL POLICY 2018-55

Report by

Adam Wilson, Deputy General Manager

Background

The previous code of conduct for members of the audit panel policy was approved by Council in May 2022.

This code of conduct sets out the standards of behaviour expected of the Central Highland Council's Audit Panel members (members). The standards support the characteristics of good governance outlined in the Good Governance Guide for Local Government in Tasmania (reference below).

As an independent source of scrutiny in the interests of the community, the Audit Panel provides checks and balances on key Council activities and a means of highlighting issues that require strategic attention.

Councillors who are members of the Audit Panel are in a unique position and having an obligation to maintain an Audit Panel perspective in the interests of the community when they discharge their duties as Audit Panel members, ie they must display independence of mind, separate from their role as a Councillor.

In performing their role on the Central Highlands Council's Audit Panel, and in acting in the best interests of the community, all members of the Central Highlands Council Audit Panel commit to the standards within the policy.

The Audit Panel at its meeting on the 6 May 2024 agreed to recommend that Council approve Policy No. 2018-55 Code of Conduct for Members of the Audit Panel.

RESOLUTION: 20/05.2024/C

Moved: Cr D Meacheam

Seconded: Deputy Mayor J Allwright

THAT Council approve Policy No. 2018-55 Code of Conduct for Members of the Audit Panel.

CARRIED

For the Motion

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

27.7 CENTRAL HIGHLANDS COUNCIL FINANCIAL AUDIT STRATEGY

Report by

Adam Wilson, Deputy General Manager

Background

The Tasmanian Audit Office provide Council with the Central Highlands Council Financial Audit Strategy for the year ending the 30 June 2024. A draft was presented to and discussed with Central Highlands Council's Audit Panel at a meeting on 6 May 2024.

This Financial Audit Strategy outlines the Tasmanian Audit Office risk-based approach to the audit of the financial report of Central Highlands Council for the year ending 30 June 2024. The Tasmanian Audit Office risk identification and assessment process is iterative and dynamic.

The Tasmanian Audit Office understanding of Council and its environment, the reporting framework, and system of internal control are fundamental to our identification and assessment of the risks of material misstatement in the financial report. This understanding also enables the Tasmanian Audit Office to design and implement audit procedures to respond to the assessed risks of material misstatement.

The audit of the financial report is carried out under section 18 of the Audit Act 2008. The primary objective of the audit is to obtain reasonable assurance about whether the financial report as a whole is free from material misstatement, whether due to fraud or error, so as to enable us to express an opinion on whether the financial report is prepared, in all material respects, in accordance with the applicable financial reporting framework.

RESOLUTION: 21/05.2024/C

Moved: Cr J Honner

Seconded: Cr J Hall

THAT Council endorse the Tasmanian Audit Office Financial Audit Strategy for the year ending the 30 June 2024.

CARRIED

For the Motion

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

Cr A Bailey declared an interest and left the meeting at 11.27 a.m.

27.8 RATE ASSISTANCE – OUSE COMMUNITY COUNTRY CLUB

Report by

Kat Cullen, Community Development Officer

Purpose

The purpose of this report is to consider a rate assistance request from Ouse Community Country Club for 2023/2024, submitted via the Community Grants process.

Background

Ouse Community Country Club is a volunteer-run organisation. Providing relief for rates will allow the organisation to continue to serve the local community and provide a valuable sporting and social facility in the town.

Council has previously assisted the Club with a 50% reduction in rates in the following financial years: 2011, 2014, 2016, 2018, 2019 and 2023. Ouse Community Country Club is comprised of two properties; one being the Bowls Green and Club house; the other being Golf Course and Sheds. The current rates are as follows:

Property Number 01-0810-03938 – (the Bowls Green & Club House)

General Rate: \$994.76

Garbage Rate: \$592.00

Fire Levy Rate: \$57.87

Total Rates: \$1,644.63

Property Number 01-0805-03937 (Golf Course & Sheds)

General Rate: \$885.81

Garbage Rate: \$192.00

Fire Levy Rate: \$48.00

Total Rates: \$1125.81

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

RESOLUTION: 22/05.2024/C

Moved: Cr J Honner

Seconded: Cr Y Miller

THAT Council grant a remission of the following:

1. \$497.38 being 50% of the general rate on Property No 01-0810-03938; and
2. \$634.91 being 50% general rate and total garbage charge on Property No 01-0805-03937.

CARRIED

For the Motion

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

Cr A Bailey returned to the meeting at 11.28 a.m.

Cr R Cassidy declared an interest and left the meeting at 11.28 a.m.

27.9 IN KIND SUPPORT – BOTHWELL LIONS CLUB

Report by

Kat Cullen, Community Development Officer

Purpose

The purpose of this report is to consider a request for in-kind support from Bothwell Lions Club Theatre group for photocopying and Bothwell Hall Hire associated with their upcoming inaugural production.

Background

The Bothwell Theatre Group is a newly created community group which comes under the umbrella of the Bothwell Lions Club. The inaugural performance – ‘Can I ignore you later?’ is a comedy written and directed by a local playwright, Linda Boulter.

The group are holding auditions commencing 16 June in the Bothwell Freemasons Lodge. Most of the rehearsals will be held in the Freemason Lodge. The Bothwell Community Hall is also required to be used for 6 occasions between 11-25 August for dress rehearsals, set-up, performance, and clean-up.

The group will charge a small fee for tickets to the performance, with all proceeds to be used as fundraising for Lions Club Theatre Group future activities in the town.

The Bothwell Theatre Group are requesting in-kind support from Council for colour printing. This is for audition promotion, scripts, tickets, schedules, and performance promotion. The total costs of the printing will be approximately \$424 if charged at the rate prescribed in fees and charges schedule.

In accordance with Council's fees and charges, there will be no cost for hire of the Bothwell Hall as this is a fundraising activity for a local not-for-profit group.

This in-kind request would be costed against the Community and Economic Development budget.

RESOLUTION: 23/05.2024/C

Moved: Cr J Honner

Seconded: Cr Y Miller

THAT Council approve in-kind request of up to \$424 for printing costs and fee waiver for Bothwell Hall Hire associated with the production of Can I Ignore You later? by the Bothwell Lions Theatre Group and support an agreement be drafted which outlines the support being offered and any conditions or requirements of Council's support.

CARRIED

For the Motion

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

Cr R Cassidy returned to the meeting at 11.29 a.m

28. SUPPLEMENTARY AGENDA ITEMS

RESOLUTION: 24/05.2024/C

Moved: Cr R Cassidy

Seconded: Cr D Meacheam

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

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

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

CARRIED

For the Motion

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

28.1 NOTICE OF MOTION – CR D MEACHEAM

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:

May 21, 2024

Councillor Name:

David Meacheam

Proposed Motion:

That Council instigate the levying of financial charges in relation to renewable energy operations in the Central Highlands. The Victorian PiLOR system, Payments In Lieu Of Rates, is recommended as the basis of such charges.

Background Details:

The following is notable in relation to this motion:

- 1) In its policy deliberations, LGAT notes that on the mainland the operation of such a system of charges has not dented the economic viability of renewable energy operations.
- 2) That renewable energy operations in the Central Highlands will feed into the national energy market. The implementation of charges in the Central Highlands will not disadvantage operators relative to those operating in Victoria.
- 3) Reliance upon the PiLOR approach will enable ready understanding of the charging mechanisms and the indexation of the charges payable.

- 4) It is suggested that not-for-profit, community managed renewable energy producers will pay concessional charges.

Attachments:

Attachment 1 : Supp Agenda Meacheam notice of motion for RE charges May 2024

Signature:	David Meacheam
Date:	3/5/24

RESOLUTION: 25/05.2024/C

Moved: Cr D Meacheam

Seconded: Cr R Cassidy

THAT Council instigate the levying of financial charges in relation to renewable energy operations in the Central Highlands. The Victorian PiLOR system, Payments In Lieu Of Rates, is recommended as the basis of such charges.

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.

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:	May 21, 2024
Councillor Name:	David Meacheam
Proposed Motion:	That Council instigate the levying of financial charges in relation to renewable energy operations in the Central Highlands. The Victorian PiLOR system, Payments In Lieu Of Rates, is recommended as the basis of such charges.
Background Details:	<p>The following is notable in relation to this motion:</p> <ol style="list-style-type: none"> 1) In its policy deliberations, LGAT notes that on the mainland the operation of such a system of charges has not dented the economic viability of renewable energy operations. 2) That renewable energy operations in the Central Highlands will feed into the national energy market. The implementation of charges in the Central Highlands will not disadvantage operators relative to those operating in Victoria. 3) Reliance upon the PiLOR approach will enable ready understanding of the charging mechanisms and the indexation of the charges payable. 4) It is suggested that not-for-profit, community managed renewable energy producers will pay concessional charges.
Signature:	<i>David Meacheam</i>
Date:	3/5/24

CENTRAL HIGHLANDS COUNCIL

Payment in Lieu of Rates

Information for Local Government Authorities and Renewable Energy Generators

What is Payment in Lieu of Rates?

Established under section 94(6A) of the Electricity Industry Act 2000 (Ei ACT), the Payment in Lieu of Rates (PiLoR) framework allows for councils and electricity generators to negotiate annual payments.

A methodology currently exists under section 94(6A) of the Ei ACT for estimating payments and applies to all coal, gas, hydro, and wind generators. In addition, solar has been added as a defined energy source so that councils can use the methodology to estimate payments for all solar generators coming online now and in the future.

The methodology combines a fixed charge with a variable charge based on the capacity of the power station in megawatts. The fixed charge in FY2018-19 is \$54,400 and the variable charge is \$1,225 per megawatt (MW). A 50 MW solar farm, for example, would pay \$115,650 under the methodology.

If a generator operates below 20 per cent average capacity factor in any financial year, it can receive a discount under the methodology. This could apply to some large scale solar generators as solar efficiency is close to this threshold.

If a 50 MW solar farm operated with an average capacity factor of less than 20 per cent, but greater than 10 per cent, then a discount of 25 per cent applies, and the solar farm would therefore pay \$86,738. If it operated at less than 10 per cent, for example because the generator was offline for an extended period, then a discount of 50 per cent applies, and the solar farm would therefore pay \$57,825.

A new methodology for community and commercial solar and wind generators

A new methodology has been introduced specifically for community oriented and smaller commercial solar and wind generators. A threshold of 25 MW has been set for these types of generators, whereby any solar or wind generator greater in size must use the first methodology.

The new methodology includes a new definition for community generators that is intended to be broad enough to encompass the various ways in which a community project is owned and operated for the benefit of the local community.

These projects may be developed in partnership with a commercial entity, but the community owned portion must be at least 20 per cent, and revenues from the electricity generator that are distributed to the local community must be equal to the proportion of ownership.

How the new methodology works

The PiLoR methodology sets a payment rate per megawatt hour (MWh) generated by a power station with a nameplate capacity of up to 25 MW, that is indexed to inflation. The established rates are as follows:

For a commercial solar or wind generator: \$1.12 per MWh generated, or \$7,500, whichever is greater in each year; or

For a community solar or wind generator: \$0.56 per MWh generated, or \$5,000, whichever is greater in each year.

The minimum rate of \$7,500 for a commercial generator up to 25 MW capacity, and \$5,000 for a community owned generator up to 25 MW capacity applies where actual generation is less than expected, for example in a year where a generator is offline. This ensures that councils still receive some revenue that contributes to local services.

Prior to the introduction of the new methodology, a small-scale 10 MW wind generator for example would pay \$66,650 in FY2018-19. Under the new methodology the 10 MW wind generator would pay \$33,358, about half of what it would have previously paid under the previous methodology.

How councils should use the new methodology

To calculate expected payments for a relevant generator, an estimate of generation for the year is required at the beginning of the period, which will be reconciled with actual generation that occurred that year in the calculation for the next period.

Under this approach a rates notice should only need to be issued once for each period, and it will ensure that payments will be balanced from date of commission to decommission of a generator and compensate for any periods of inactivity or lower than expected generation.



Payment in Lieu of Rates

Councils should seek an estimate of generation for the period from the generator. If the generator is unable to provide one, the council can calculate an estimate using the average capacity factor of generator, or the industry average of the energy source (22 per cent for solar and 34 per cent for wind¹).

The formula for calculating an estimate of generation is:

Nameplate capacity (MW) x average capacity factor (per cent) x 8,760 (hours in a year)

The calculated generation is then multiplied by the established rate (depending on the type of ownership) to determine annual payments for the generator.

Example: Community Wind Farm

CWF Renewables has constructed a 10 MW wind farm near Ballarat. The project is 100 per cent owned by the community. The organisation wishes to use the PILoR methodology for rate payments and advises the council accordingly. The project is scheduled for commission half way through the 2018-19 financial year, on 1 January 2019.

As a community owned project, the new methodology for community generators should be used. The community wind farm is not sure of how much electricity it will generate in the first year of operation. Ballarat City Council must therefore calculate the expected amount for the year, and does this using an average capacity factor for a typical windfarm:

10 MW x 34 per cent x 4,380 hours (1 January 2020 – 30 June 2020) = 14,892 MWh.

The council then multiplies the calculated output by the rate for community generators and issues an invoice to the generator for the following amount:

14,892 MWh x \$0.56 = \$8,340.

The above amount is paid by the generator within that financial year.

In the next year, 2019-2020, the council continues to estimate the amount to be paid using the same formula for the full year, but also needs to add or subtract any difference between estimated and actual generation that occurred in the first year of operation.

The actual generation of the wind farm in its first year was 15,700 MWh, slightly higher than the estimated 14,892 MWh. The amount that should have been paid was \$8,792, although the wind farm paid \$8,340 in that period.

The wind farm therefore owes the council \$452 for the previous period, plus the estimated amount for the current period:

**10 MW x 34 per cent x 8,760 hours x \$0.56 = \$26,679;
plus \$452 = \$27,131.**

This approach continues every year of operation thereafter, whereby the council adds or subtracts the difference between estimated and actual generation in the previous year. Note that the rates increase each year according to Melbourne Consumer Price Index and should be applied in each year.

What generators should do

To assist councils, generators should provide an estimate of electricity generation for the financial year where possible, or at least an estimate of the efficiency (average capacity factor) of the power station. Generators are also responsible for ensuring councils are properly applying the methodology every period.

Additional assistance is available by contacting your DELWP regional engagement team:

DELWP Region	Contact name	Contact phone
Berwon South West	Ross Martin	0457 533 902
Gippsland	Jodie Simpson Rob Dimary	0418 397 151 0427 592 006
Grampians	Geoff Miller (Wimmera Southern Mallee) Tim Hudspeth (Central Highlands)	0428 599 927 0429 985 056
Hume	Chelsea Cherry	0439 315 410
Loddon Mallee	Erin Baxter Dana Coyetana	0423 125 539 0456 829 668
Port Phillip	Peter Merritt	0418 124 563

This fact sheet and additional information is available at:

<https://www.energy.vic.gov.au/renewable-energy/community-energy>

¹ Estimate based on assumptions outlined in EY 2017, Modelling of the Victorian Renewable Energy Target climate scenario, available at:

https://www.energy.vic.gov.au/%2F_publications%2Fpublications%2F0021%2F03091%2F001-modelling-report-vRET.pdf

The following is extracted from [#https://www.energy.vic.gov.au/renewable-energy/payment-in-lieu-of-rates-for-electricity-generators.#](https://www.energy.vic.gov.au/renewable-energy/payment-in-lieu-of-rates-for-electricity-generators)

Payment in lieu of rates for electricity generators

A methodology that allows councils and electricity generators to negotiate payments in lieu of rates.

CENTRAL HIGHLANDS COUNCIL

Established under section 94 of the Electricity Industry Act 2000, the payment in lieu of rates (PiLoR) framework allows electricity generators to negotiate payments made to local councils.

It includes a methodology under section 94(6A) to assist in calculating these payments. For most generators, the methodology includes both a fixed and variable component, the latter based on the nameplate capacity of the power station.

For community and smaller commercial solar and wind generators up to 25 MW capacity, the methodology sets a variable charge only based on electricity generation sent to the grid (subject to a minimum amount payable). This aims to encourage more community projects and lower access costs for smaller renewable generators, while ensuring councils receive enough revenue to help fund local services.

The methodology indexes the PiLoR charges each financial year. Further information is available below:

Indexed amounts for payment in lieu of rates charges

Electricity generators

CSV 159 BYTES

PiLoR charge component	19-20	20-21	21-22	22-23	23-24
Fixed charge	\$54400	\$56312	\$56790	\$59372	\$63435
Variable charge (per MW)	\$1235	\$1268	\$1279	\$1337	\$1428

Solar and wind generators with a nameplate capacity of up to 25 Megawatts (MW)

CENTRAL HIGHLANDS COUNCIL

Row 1 relates to commercial generators
minimum amount payable \$7,500

Row 2 relates to community minimum amount
payable \$5,000

Payment per megawatt hour (MWh) generated

CSV 138 BYTES

Generator type	19-20	20-21	21-22	22-23	23-24
Commercial < 7.5k	\$1.13	\$1.16	\$1.17	\$1.22	\$1.31
Commercial < 5k	0.56	0.56	0.58	0.61	0.65

Payment in lieu of rates - for electricity generators fact sheet [PDF577.2 KB](#)

Payment in lieu of rates - Government Gazette GG2024G009 [PDF241.7 KB](#)

Page last updated: 17/04/24

29. CLOSURE

Mayor Triffitt thanked everyone for their contribution and declared the meeting closed at 11.45 a.m.

Signed as Confirmed:

Mayor L Triffitt

Dated: 18 June 2024