MINUTES OF THE ORDINARY MEETING OF THE HUON VALLEY COUNCIL
HELD ON WEDNESDAY 14 DECEMBER 2011 AT 6.00PM IN THE
COUNCIL CHAMBERS, HUONVILLE

1. ATTENDANCE

Councillors:
Mayor R Armstrong, Councillors G Doyle, B Heron, M Wilson, L Smith, T Duggan, R Woodruff, R Gudden and P Pepper

Council Officers:
General Manager G Doyle, Manager Corporate Services M Norman, Manager Planning & Legal Services M Grimsey, Manager Family Services J Brookesbank, Manager Community Services M Waller, Manager Infrastructure Services S Watson and Executive Officer H Smith.

2. NON ATTENDANCE

2.1 Apologies           Nil
2.2 Leave of Absence    Nil
2.3 Absent              Nil

3. DECLARATION OF INTEREST

Mayor Armstrong declared an interest in a Closed Council Briefing Item
Cr Heron declared an interest in Agenda Item No. 18.088/11
Cr Smith declared an interest in Agenda Item No. 9.002/11
Cr Gudden declared an interest in Agenda Item No. 18.087/11

4. CONFIRMATION OF MINUTES

4.012/11*A
RESOLVED
CR DUGGAN     CR GUDDEN

That the Minutes of the Ordinary Meeting of Wednesday 9 November 2011 as circulated be confirmed.

• Councillors Armstrong, Doyle, Heron, Wilson, Smith, Duggan, Gudden, Woodruff & Pepper voted for the motion & no Councillors voted against the motion.

4.012/11*B
RESOLVED
CR PEPPER     CR GUDDEN

That the Minutes of the Special Meeting of Monday 21 November 2011 as circulated be confirmed.

• Councillors Armstrong, Doyle, Heron, Wilson, Smith, Duggan, Gudden, Woodruff & Pepper voted for the motion & no Councillors voted against the motion.

5. PUBLIC QUESTION TIME

Questions from the Gallery included:-
• Proportion of allocation of Government grant for bus shelters across the Huonville, Geeveston and Cygnet townships.
6. DEPUTATION/ADDRESSORS TO COUNCIL

Nil

7. MAYORAL AND COUNCILLOR REPORTS

Mayor Armstrong
10 November  Attended STCA Board Meeting
11 November  Attended Remembrance Day Service
11 November  Attended Seniors Luncheon
14 November  Attended Launch of Rural Health Week
14 November  Attended Council Workshop
16 November  Attended LGAT Meeting
17 November  Attended Mayor’s Workshop
20 November  Attended and Opened Good Life Summer Market
21 November  Chaired Workshop and Special Council Meeting
22 November  Chaired NRM Meeting
22 November  Attended Huonville Town Forum
23 November  Attended Meeting with John Young, Franklin
24 November  Attended Dover Town Forum
25 November  Meeting with Cygnet Residents Regarding Folk Festival
28 November  Attended Official Opening of Dover Independent Living Unit
30 November  Chaired Governance Committee Meeting
01 December  Attended Meeting with Huon Show Representatives
05 December  Attended Finance & Risk Management Committee
06 December  Attended Official Opening of Shipwrights Point Playground
07 December  Attended Meeting with Julie Collins MHR
08 December  Attended Meeting with DIER Representatives
08 December  Attended STCA Meeting
09 December  Attended Councillor Christmas Function
12 December  Attended Geelong School Presentations
12 December  Attended Meeting with Geelong Resident
13 December  Chaired Cygnet Township Committee Meeting
14 December  Chaired Ordinary Meeting of Council
14 December  Chaired AGM of Council

Cr Gary Doyle
03 October  Attended Council Workshop
12 October  Attended Ordinary Council Meeting
27 October  Chaired Dover Sports Centre Advisory Committee Meeting
04 November  Attended Official Opening of Huonville Primary School Refurbishments
07 November  Attended Geelong Town Forum
08 November  Attended Cygnet Town Forum
09 November  Attended Ordinary Council Meeting
14 November  Attended Council Workshop
15 November  Attended Franklin Town Forum
15 November  Attended Tender Opening with Manager Corporate Services and Manager Infrastructure Services
17 November  Attended Primary Industry Biosecurity Action Alliance Meeting
20 November  Attended Official Launch of Good Life Summer Market
21 November  Attended Workshop and Special Council Meeting
22 November  Attended Huonville Town Forum
23 November  Attended Franklin Working Waterfront Presentation
24 November  Attended Dover Town Forum
28 November  Attended Official Opening of Dover Independent Living Unit
30 November  Attended Governance Committee Meeting
Cr Gary Doyle (cont.)
05 December Chaired Dover Township Committee Meeting
06 December Attended Official Opening of Shipwrights Point Playground
08 December Attended Meeting with DIER Representatives
09 December Attended Councillor Christmas Function
14 December Attended Ordinary Meeting of Council
14 December Attended Annual General Meeting of Council

Cr Bruce Heron
14 October Meeting with Manager Family Services
26 October Meeting with Manager Family Services
07 November Attended Geeveston Town Forum
08 November Attended Cygnet Town Forum
09 November Attended Ordinary Meeting of Council
14 November Attended Council Workshop
21 November Attended Workshop and Special Meeting of Council
25 November Attended Positive Ageing Consultant Selection Meeting
28 November Chaired EMPHC Management Advisory Committee Meeting and Attended Christmas Function
08 December Attended Meeting with DIER Representatives
09 December Attended Councillor Christmas Function
14 December Attended Ordinary Meeting of Council
14 December Attended Annual General Meeting of Council

Cr Mike Wilson
17 October Attended Meeting with General Manager
21 October Attended Geeveston Township Committee Meeting
09 November Attended Ordinary Meeting of Council
14 November Attended Council Workshop
15 November Chaired Franklin Town Forum
21 November Attended Workshop and Special Meeting of Council
30 November Attended Governance Committee Meeting
02 December Chaired Franklin Township Committee Meeting
05 December Chaired Finance & Risk Management Committee Meeting
08 December Attended Meeting with DIER Representatives
08 December Chaired Tourism Meeting at Kingston
09 December Attended Councillor Christmas Function
11 December Attended Meeting with General Manager
14 December Attended Ordinary Meeting of Council
14 December Attended Annual General Meeting of Council

Cr Peter Pepper
11 November Met with General Manager Huon Valley Council
14 November Met with Manager Corporate Services, Manager Planning & Legal Services, Manager Infrastructure Services and Manager Family Services
14 November Attended Council Workshop
15 November Attended Franklin Township Forum
16 November Met with Manager Community Services
16 November Arranged Appointment for Residents with Minister O'Byrne re: Somers Straight
18 November Chaired Geeveston Township Committee Meeting
20 November Attended Opening of Good Life Summer Market at Huonville
21 November Met on site with Rohan and Leanne Carter, re: proposed Caravan development
21 November Attended Council Workshop and Special Meeting of Council
22 November Attended Geeveston Arts & Heritage Strategy Meeting
22 November Attended Huonville Town Forum
Cr Peter Pepper (cont.)
23 November  Attended DIER briefing in Geeveston re Passing Lanes, Somers Straight
23 November  Attended Geeveston Golf Club Annual General Meeting
24 November  Attended meeting with Mayor Armstrong and Cr Wilson with a Franklin resident re Somers Straight Passing Lanes
24 November  Attended Dover Township Forum
25 November  Received “Renewal of Geeveston” briefing at Geeveston Community Centre
06 December  Attended Opening of the Shipwrights Point Regatta Ground
08 December  Attended Meeting with DIER Representatives
09 December  Attended Councillor Christmas Function
14 December  Attended Ordinary Meeting of Council
14 December  Attended Annual General Meeting of Council

Cr Liz Smith


The two-day conference was attended by about 80 people, mostly from Victoria, with five Tasmanian elected members from four Councils.

Rob Hopkins, one of the founders of the global Transition Network and Alexis Rowell, a Councillor in Camden Town in London, addressed the meeting by video and answered questions live on Skype. Rowell was especially interesting as his talk on “Communities, Councils and a Low Carbon Future: what we can do if governments won’t” looked at best eco practices from local authorities in Britain, as well as discussing unsuccessful projects. His view is that local government can be a huge driver for positive change, but not on its own. Both speakers stressed that the community must be involved in addressing the challenges of climate change (more frequent extreme weather events) and the effects of oil depletion (shortages of oil, higher cost for travel etc).

Kevin Hennessy, a climate scientist at CSIRO, highlighted the fact that communities will be facing growing challenges in the coming decades and that long term planning and adaptation is required at all levels, and Matt Mushalik, a Sydney-based Peak Oil planner, spoke about the latest information from the International Energy Agency on oil supply and demand, and its implications for Australia.

There were several case studies including one from Ballarat, where members of a community-based non-profit grassroots organisation – Ballarat Renewable Energy and Zero Emissions (BREAZE) – established in late 2006 set out to demonstrate that individual and community-based actions can make a difference to our response to climate change.

A particularly interesting talk was that by Patrick Blampied, who has worked in marketing and advertising, about better community engagement through use of electronic media, development of good websites and provision of high speed internet access.

The formal talks were supplemented by small group discussions and the results were collated for participants. Overall there was an atmosphere of optimism despite the clear message that communities and local governments are facing many challenges over the coming decade.

Thanks to the Huon Valley Council for funding the registration fee for this very informative conference.
7.012/11*
RESOLVED CR WILSON CR DOYLE

That the Mayoral and Councillor Reports as tabled be received.

- Councillors Armstrong, Doyle, Heron, Wilson, Smith, Duggan, Gudden, Woodruff & Pepper voted for the motion & no Councillors voted against the motion.

8. COUNCIL WORKSHOPS

21 November 2011
Roads Asset Management Plan, Stormwater Asset Management Plan

Cr Smith declared an interest in Agenda Item 9.002/11 and left the meeting at 6.03pm

9. PETITIONS

The General Manager tabled a “Petition to Improve Public Toilets in Loongana Park” lodged with Council 24 November 2011, requesting Council to consider all options for improvements to the existing public toilets in Loongana Park rather than their demolition and to hold a public meeting to discuss this issue and how the allocated funding of $155,000 might be better spent to benefit the Cygnet community, as provided under Section 59 of the Local Government Act 1993.

There are 782 signatories to the Petition.

9.002/11
RESOLVED CR HERON CR WOODRUFF

That the Petition to Improve Public Toilets in Loongana Park lodged with Council 24 November 2011, be received and noted.

- Councillors Armstrong, Doyle, Heron, Wilson, Duggan, Gudden, Woodruff & Pepper voted for the motion & no Councillors voted against the motion.

Cr Smith returned to the meeting at 6.04pm

10. QUESTIONS ON NOTICE

Nil

11. QUESTIONS WITHOUT NOTICE

Cr Pepper Status of presentation by DIER to Council in regard to passing lanes at Somers Straight, South Franklin

12. URGENT MATTERS

Nil
13. NOTICES OF MOTION

13.014/11
MOTION CR WILSON CR WOODRUFF

That a report be prepared for the January 2012 meeting which provides advice and direction to Council on the ability of individual portfolio holders to make public statements and issue media releases (on behalf of the Council) on issues relating to their respective portfolio areas.

AMENDMENT CR DOYLE CR GUDDEN

That Council hold a workshop to discuss the ability of individual portfolio holders to make public statements and issue media releases (on behalf of the Council) on issues relating to their respective portfolio areas.

THE AMENDMENT WAS PUT AND CARRIED

- Councillors Armstrong, Doyle, Heron, Duggan & Gudden voted for the amendment & Councillors Wilson, Smith, Woodruff & Pepper voted against the amendment.

THE AMENDMENT BECAME THE MOTION AND WAS PUT AND CARRIED

- Councillors Armstrong, Doyle, Heron, Wilson, Smith, Duggan, Gudden, Woodruff & Pepper voted for the motion & no Councillors voted against the motion.
Title OPERATIONAL REPORTS
Agenda Number 14.012/11*
Strategic Plan Reference 5.1, 2.1, 1.1, 3.6, 1.2, 1.3, 1.5
File Reference 12/39
Author General Manager, Economic Development Coordinator, Parks & Reserves Coordinator, Recreation Services Coordinator, Building Support Officer, Senior Planning Officer, NRM Coordinator
Responsible Officer General Manager, Manager Community Services, Manager Planning & Legal Services
Reporting Brief General Manager presenting reports on behalf of Council Officers for the month of November 2011

Report
Operational reports from the following are included in the Attachments to the Reports:

General Manager Building Unit
Economic Development Unit Planning Unit
Parks & Reserves Unit NRM Unit
Recreation Services Unit

14.012/11*
RESOLVED CR HERON CR DOYLE

That the reports from the following Council Officers, Departments and Operational Units for November 2011 be noted:

General Manager Building Unit
Economic Development Unit Planning Unit
Parks & Reserves Unit NRM Unit
Recreation Services Unit

- Councillors Armstrong, Doyle, Heron, Wilson, Smith, Duggan, Gudden, Woodruff & Pepper voted for the motion & no Councillors voted against the motion.
Title: LOCAL GOVERNMENT REFORM

Agenda Number: 15.035/11*

Strategic Plan Reference: 5.2

File Reference: 25/17

Author: General Manager

Responsible Officer: General Manager

Reporting Brief: General Manager presenting a report on the potential reform of Local Government in southern Tasmania.

Background

The Huon Valley Council, together with the other eleven Councils located in southern Tasmania, participates as a member of an Authority known as the Southern Tasmanian Councils Authority (STCA). The Authority is managed by a Board. The Mayor is Council's authorised delegate to that Board.

In December 2010, funding was obtained under the Local Government Reform Fund by the STCA to undertake an Independent Review of Structures for Local Governance and Service Delivery in Southern Tasmania. A sum of $150,000 was granted by the Commonwealth and $10,000 in cash and further in-kind support from the STCA and regional Councils.

Approval of the funding was obtained and a project plan was prepared. A copy of the project plan is included within the Attachments to the Reports.

The STCA Board then appointed a Steering Committee to oversee the project. The members of that Steering Committee were as follows:-

- Alderman Adriana Taylor (Chair)
- Alderman Rob Valentine
- Mr Greg Brown – Local Government Division
- Mr Stephen Mackey – a Council General Manager
- The Chairman of the Local Government Board (when appointed)
  
  Note: Mr Hadley Sides was appointed Chair of the Local Government Board in September 2011 and in view of the fact that the project was at an advanced stage, chose not to take up membership of the Steering Committee.

- Mr David Hunn and/or Mr David Lovell, STCA

The Steering Committee nominated potential members of an independent expert panel to assist with the project, with the following accepting an invitation to participate on that panel:-

- Ms Jude Munro AO (Chair), former CEO of the City of Brisbane, the City of Adelaide, the City of Moreland, and the City of St Kilda
Mr Saul Eslake, Program Director, Productivity Growth, Grattan Institute; and former Chief Economist with the ANZ Banking Group

Mr Stephen Hains, former CEO of the City of Salisbury (SA), and City of Unley (SA); former CEO of the SA Department of Business Manufacturing and Trade, and former SA Director of Planning

The Steering Committee also appointed Professor Graham Sansom, Director of the University of Technology, Sydney, Centre for Local Government Excellence as advisor to the project and the panel.

In June 2011, advertisements appeared in the Mercury on two consecutive Saturdays explaining that the project had commenced, its nature and inviting submissions from interested individuals and organisations. Submissions were received from and meetings held by the panel with:-

- Mr Robert Rockefeller
- Property Council of Australia (Tasmanian Division)
- Council of Hobart Community Associations
- Tasmanian Council of Social Service, and
- Tasmanian Chamber of Commerce

The panel also conducted an extensive community survey with some 1,200 participants.

In early July, an independent survey consisting of telephone interviews with all elected representatives of the twelve regional Councils was conducted to ascertain views in relation to the areas of governance, organisational structures, inter-government relationships and the role of local government. The final survey sample comprised 114 completed questionnaires from the total available survey population of 131 – an overall response of 87%.

Members of the panel spoke to all Council Mayors and General Managers to discuss the project in the second half of July 2011.

At this stage in the project, the panel identified four potential options for the structural reform of local government in southern Tasmania.

On 27 August 2011, a two page advertisement presenting options for the future of local government in the regions was published in the Mercury referring to a larger more comprehensive options paper on the STCA website and calling for submissions and opinions.

On Wednesday 22 September a copy of the options paper with a covering letter calling for comment was sent to over 350 community organisations including ratepayers, precinct committees and progress associations and service clubs, names and addresses having been supplied by all Councils in the region.
By the end of the first week in October 2011 over 260 submissions had been received and have been posted on the STCA website. In commenting on the submissions received, the panel indicated that the number, give the nature of the exercise was exceptional, and showed a great deal of interest in the issues being explored. However, also of note was the quality of the responses which were thoughtful and considered and in many cases had obviously been compiled following conversations that those who submitted had had with family, friends and work colleagues. There was no sign in the responses of an orchestrated campaign since each one was unique and did not contain commonly used phrases.

The independent expert panel’s report was finalised in October 2011 and has now been released publicly.


The report has the following content:-

1. Executive Summary
2. Introduction
3. Challenges and opportunities facing local government in southern Tasmania
4. Community views – an appetite for change
5. Evaluation of the options
6. The case for change
7. A program for reform
8. Recommendations and next steps

Appendices:

a) Elected member survey
b) Community survey
c) Options paper
d) Public feedback
e) Councillor workshops
f) Council submissions
g) Asset management and maintenance
h) Strategic procurement – Better practice examples of efficiency gains in Local Government
i) Participation and place
j) History of local government reform in southern Tasmania
k) Better practice examples of governance in local government

The report contains a total of 13 key recommendations. Those recommendations are as follows:-

Recommendation 1 – Greater Hobart

a. That the present cities of Hobart, Glenorchy and urban Clarence (with Richmond and surrounds moving into the Sorell Council area), the urban part Kingborough excluding the Channel and Bruny Island (which would be incorporated into Huon Valley) be merged with Brighton to form a single council, to be named the City of Greater Hobart.

b. That wards be introduced at least for the first term of the Greater Hobart Council.

c. Further, that the STCA should call a meeting of two representatives of each council in metropolitan Hobart to discuss the core recommendations of this report and the transition towards a Greater Hobart Council.
Recommendation 2 – City of Greater Hobart Act
That a City of Greater Hobart Act be developed that recognises the city as a capital city, identifies the powers of the mayor and council, and the obligations the city has to support rural councils through its resources and contracts.

Recommendation 3 – Non-metropolitan councils
That, apart from consequential boundary adjustments as a result of the formation of a Greater Hobart Council, no further boundary adjustments or amalgamations are promoted in the non-metropolitan area at this stage, but that a review of the special needs of these councils and appropriate reform options be undertaken.

The panel further recommends that the distribution of Financial Assistance Grants (FAGs) within the region be considered to assist these councils towards long-term reform and greater sustainability (see recommendation 12).

Recommendation 4 – Timing of amalgamations and boundary changes
That, if adopted, the structural changes proposed in this report are implemented as from the commencement of the new council terms following the next local government elections in October 2013, with those elections to be based on the newly structured councils.

Recommendation 5 – Transition committee
That a transition committee, comprising two councillors from each of Brighton, Clarence, Glenorchy, Hobart and Kingborough Councils, be established to oversee the transition to the new Greater Hobart Council.

Recommendation 6 – Committee for Hobart
That a Committee for Hobart be established from the business, environment, social, arts, tourism sectors to build a vision for the Greater Hobart area.

Recommendation 7 – Three year reform program
That Southern Tasmanian councils work with the State Government on implementing a three-year reform program. The reform program would include reform in:
- governance,
- community and customer engagement,
- planning,
- asset management and capital works,
- strategic procurement and
- service delivery.

Recommendation 8 – Financial management and sustainability
That a review of the distribution of Financial Assistance Grants and roads funding be undertaken in the light of the special needs of non-metropolitan councils.

Further, that a review of financial management policies of Southern Tasmanian councils be undertaken with a view to appropriate financial management principles and practices being adopted.
Recommendation 9 – Period of office for mayors and councillors
That the Local Government Act be changed to provide for the popular election of mayors for a four-year term, for full council elections every four years, and a removal of the requirement for mayors to have previously served in local government.

Recommendation 10 – Compulsory voting
That the State Government introduce compulsory voting for local government elections.

Recommendation 11 – Local government skills
That the STCA develop a skills development strategy for staff and elected members of southern Tasmanian councils.

Recommendation 12 – Community engagement
That the STCA take steps to introduce a training program for elected officials and council staff in community engagement strategies as a basis for continued improvement in this regard in the newly structured councils.

Recommendation 13 – STCA responsibilities
That the STCA take on the responsibility for formulating and coordinating strategies for the region as a whole, that focus on the Greater Hobart and rural hinterland relationships in areas such as economic development, tourism, niche production and marketing.

The final report was tabled at a meeting of the STCA Board held on 10 November 2011.

An extract of the minutes from that Board meeting is included in the Attachments to the Reports.

Specifically the decisions of the STCA Board meeting of 10 November 2011 are as follows:-


2. That the Report be distributed as a confidential document to all elected representatives and General Managers of the twelve member councils of the STCA on Friday 11th November 2011.

3. That the Report be made available to the Public from Monday 14th November 2011 with an accompanying Media release by the Chairman of the STCA.

4. That a special meeting be called in the third week of January to consider:
   a. Feedback on the report from individual councils;
   b. The views of individual councils on undertaking and funding additional modeling; and
   c. The preparedness of councils to participate in a one-day Conference to be held to which all elected representatives and senior officers of the Region’s Councils will be invited. The conference would also involve, among others, the Independent Panel, Professor Sansom and Mayors of former recently amalgamated councils in Queensland.

In accordance with the Board’s decision, copies of the final report were circulated to Councillors.
Councillors were briefed on the content of the report and the 13 recommendations contained within the report at Workshops held 14 November 2011 and 21 November 2011.

It is now necessary that Council formally prepare its response and provide direction to the Mayor when this matter is dealt with by future STCA Board meetings.

Report

Public discussion relating to the potential structural reform of local government has been ongoing for a number of years. The Huon Valley Council is a product of the 1993 amalgamation of the former Huon, Esperance and Port Cygnet Councils. There is little doubt that the advancements made by the Huon Valley Council over the last 18 years would not have progressed to the same extent without the 1993 reform.

It is also widely accepted that the provision of 29 Councils to serve a Tasmanian population of 500,000 people may not be the most effective and efficient means of the delivery of local government services. It is understood that the average population of a mainland Council (in a number of states) approaches 70,000, whilst the average population of a Tasmanian Council is 17,000.

The key challenge has always been the identification of the appropriate number of local government authorities required in Tasmania to deliver services to the community. Associated with that is the difficulties associated with the recognition of appropriate geographical boundaries for any newly established local government authorities.

Many argue that the circumstances in Tasmania are unique given the diversity and spread of the island’s small population.

Huon Valley Councillors have been briefed on the potential for structural reform and whilst the Council has no specific policy, the Council has, in its informal sessions, suggested that its approach to structural reform should be as follows:-

- **Preferred Option**
  For the Council’s municipal boundary to remain as is, as it is considered that the Council:-
  - Is well run
  - Has exercised a high level of prudent financial management and has demonstrated longer term financial sustainability
  - Has effective community engagement strategies

- **Option 2**
  In the event of structural reform in southern Tasmania, Councillors are of a view that the expansion of the existing Huon Valley Council boundary to encompass the geographical area Margate-south, ie the utilisation of the Northwest Bay River as a northern boundary and the annexation of the D’Entrecasteaux Channel and Bruny Island into a merged Council area (with Huon Valley) is a preferred option.
It is noted that this option aligns with the recommendations contained within the Final Report of the independent panel appointed by the Southern Tasmanian Councils Authority to Review Structures for Local Governance and Service Delivery in Southern Tasmania.

Option 3
Huon Valley Councillors are strongly of the view that any wholesale amalgamation between the existing Kingborough and Huon Valley municipal areas (encompassing the Kingborough area north of the Northwest Bay River) should be resisted.

Councillors are far from convinced that the urban area of Kingborough could positively add to the financial performance of the rural areas.

Councillors also hold a strong view that the community of interest between the D’Entrecasteaux Channel and Bruny Island aligns seamlessly with that of the Huon Valley.

Should a decision be taken to ignore this community of interest and the urban/rural divide, Councillors are of a view that boundary changes should be more dramatic and encompass the existing municipal boundary of the Hobart City Council south (ie the combination of the existing Hobart City, Kingborough and Huon Valley municipal areas).

It is recognised this option would however be far from perfect and may not be in the best long term interest of Huon Valley residents.

Given the release of the STCA report including its 13 recommendations and the determination of the STCA Board, it is now necessary for the Council to determine its response to the Board, and to the recommendations identified.

The recommendations cover a range of issues, however there are the following key areas:-

- Structural reform of urban Councils in the region
- Further review of non-metropolitan Councils
- Enhanced resource sharing proposals
- Compulsory voting
- Amendments to the current term of Councillors

Whilst each area has significance to the Council, perhaps the most significant area of change is the proposal to create the City of Greater Hobart. The proposal suggests the amalgamation of the five metropolitan Councils with the Kingborough Council area dissected.
The result would see the expansion of the Huon Valley Council boundary to encompass the D’Entrecasteaux Channel and Bruny Island. As indicated this proposal aligns with Council’s preferences should change take place.

It is recognised that there is a high level of commonality between the communities of the Huon Valley, Channel and Bruny Island. This commonality and the shared rural values offer significant advantage.

Care will need to be taken to ensure service delivery to the expanded area by a rural Council with a significant geographical spread can be delivered on a financially sustainable basis. To that end it will be necessary to undertake detailed financial modelling and risk assessments.

A document has been prepared which details responses to each of the 13 recommendations contained within the STCA report. A copy of that paper is included within the Attachments to the Reports.

In response to the decisions taken at the November STCA Board meeting, it is proposed that:-

• Council note the proposal to hold a Special STCA Board meeting in the third week of January 2012.

• Council’s response to the 13 recommendations contained within the STCA report be as detailed in the response document, and that the Mayor be authorised to advise the STCA Board of the Council’s responses.

• Councillors agree to participate in a one-day Conference to be held with all elected representatives and senior officers of the region’s Councils as proposed.

• Council agrees to participate in an independently facilitated meeting (if and when held) of all non-metropolitan Councils to discuss core recommendations of the report.

Consultations

Consultation has taken place with the Mayor and all elected Huon Valley Councillors in the preparation of this report.

Extensive consultation has also taken place with the members of the Council’s senior management team.

It will be necessary for the Council to consider what level of community consultation (or awareness) it will undertake should the reform process proceed. Considerations should also include the development of a communication plan.

Legislative Requirements

The Local Government Act 1993 is very clear on the process to be followed to undertake a review of a Council.
Section 210 of the Local Government Act 1993 covers the appointment of a Local Government Board, with Section 211 of the Local Government Act 1993 detailing the functions and powers of the Board.

It is noted that the Minister is required to refer to the Board any proposal to structurally change local government areas. While undertaking a review, the Board provides recommendations to the Minister at the conclusion of its review, with Section 214(d) of the Local Government Act 1993 providing detail of the content that must be included in the report prepared by the Board.

After considering the matter, the Minister has the power to make determinations on the recommendations offered by the Board.

**Risk Implications**

Significant structural reform is always accompanied by a series of risks.

The extent of those risks is directly related to the extent of reform proposed.

The risks that could accompany the structural reform being proposed at this time include the following:-

- Financial
- Social
- Potentially others

A careful risk assessment would need to be completed prior to Council’s support of any change to the existing Huon Valley municipal boundary.

**Council Policy**

The Council has no documented policy in respect of local government reform.

Information has been provided earlier in this report in relation to the Council’s informal policy position in respect of the matter.

Section 5.2 of the Council’s Strategic Plan 2010-2015 includes the goal:-

To foster and promote long term organisational sustainability and the strategic positioning of the Huon Valley Council for potential future changes to local government in Tasmania

**Options**

The Council has the option of determining that the structural reform proposed is inappropriate and unnecessary. Should Council embrace this option however, there is a real risk that decisions in respect of future structural reform will be made by others and the ability for Council to have a direct impact on the outcome of that reform process may be diminished.
The alternative option is for Council to positively engage with the change process, encouraging further detailed assessment of the proposals contained within the *Independent Review of Structures for Local Governance and Service Delivery in Southern Tasmania* report so that optimum outcomes for the residents of the Huon Valley can be achieved.

**Human Resource and Financial Implications**

One of the key areas to be carefully considered is the financial impact on the Council which might accompany the structural change, as promoted by the STCA report.

This situation is made more complex by the campaigns currently being conducted by the Tasmanians for Reform Group that strongly suggest that any structural change to local government will be accompanied by significant reductions in rates and charges levied by the Councils.

The propaganda being circulated by the Group fails to take an account of the current financial situation of Councils, and therefore naively suggests that savings might be reflected as rate reductions, when in reality efficiencies and savings that might accrue through structural reform will address the operating deficits being experienced by a number of Councils at this time.

Through careful and prudent management of its finances, the Huon Valley Council does not operate with a recurrent deficit. The Council fully cash funds its depreciation and accounts for a modest surplus. That surplus is in turn utilised to fund the Council’s 10 Year New Asset Program.

This situation does not prevail however in a number of other Councils located in the region.

Given the high level of demonstrated financial sustainability by the Huon Valley Council within its existing municipal area, it will be necessary for careful and thorough financial modelling of the Council with an expanded area (in line with the STCA report recommendation) to ensure that that financial sustainability is maintained.

The Council has commissioned external advice in this regard and whilst the preliminary indications are positive, there is more work to be undertaken.

15.035/11*
RESOLVED CR WILSON CR DOYLE

That:

a) The report on the potential reform of Local Government in southern Tasmania be received and noted.

b) Council recognise the benefits that might accrue to Tasmania through the introduction of structural reform of local government.
c) The report entitled *Independent Review of Structures for Local Governance and Service Delivery in Southern Tasmania*, dated October 2011, prepared by the independent expert panel commissioned by the Southern Tasmanian Councils Authority, be received and noted.

d) The decisions of the Southern Tasmanian Councils Authority Board meeting, held 10 November 2011, be noted.


f) Councillors agree to participate in a one-day Conference with all other elected representatives and senior officers of the southern region.

g) Councillors agree to participate in an independently facilitated meeting (if and when held) with representatives of the other seven non-metropolitan Councils in southern Tasmania to discuss the core recommendations of the report as they affect those Councils.

h) The Mayor (as the Council’s authorised delegate to the STCA Board), be authorised to advise of the Council’s position in respect of this matter.

• Councillors Armstrong, Doyle, Heron, Wilson, Smith, Duggan, Gudden, Woodruff & Pepper voted for the motion & no Councillors voted against the motion.
Title GOVERNANCE COMMITTEE

Agenda Number 15.036/11*
Strategic Plan Reference 5.1
File Reference 12/78
Author General Manager
Responsible Officer General Manager
Reporting Brief General Manager presenting a report on the inaugural meeting of the Council’s Governance Committee held on 30 November 2011.

Background

The Council’s Governance Committee was established by Council resolution on 9 November 2011 in accordance with Section 24 of the Local Government Act 1993.

The inaugural meeting of the Governance Committee was held at Huonville at 2.00pm on Wednesday 30 November 2011.

The purpose of this report is to present the minutes and recommendations from that meeting.

Report

A copy of the minutes (including meeting attachments) of the inaugural Governance Committee meeting held 30 November 2011, is included in the Attachments to the Reports.

It can be noted that the discussions at the meeting included the following:-

- 2012 Meeting Dates
- Membership of the Franklin Township Committee
- Review of the Terms of Reference and Appointment Process for the Governance Committee
- Allocation of Councillors Portfolios and Committee Responsibilities

Background information in relation to each of these matters is provided in the minutes of the meeting.

It is noted that recommendations in respect of the items identified have been developed by the Committee and are now presented for the consideration of Council.

Consultations

Consultations have been carried out with members of the Council’s senior management team in the preparation of this report.
Legislative Requirements

The Terms of Reference approved for the Governance Committee specify the matters which are to be directed to the Committee for consideration.

The Governance Committee is established under Section 24 of the Local Government Act 1993 and has the responsibility of providing recommendations to full Council on matters considered.

Risk Implications

There are no risk implications identified in the content of this report.

Council Policy

Matters dealt with by the Governance Committee have been considered in accordance with the relevant Council policy.

Options

No options are provided to Council in respect of the recommendations made.

Human Resource and Financial Implications

There are no adverse human resource or financial implications identified with the recommendations presented in this report.

15.036/11*
RESOLVED CR GUDDEN CR PEPPER

That:

a) The report on the inaugural meeting of the Council’s Governance Committee held on 30 November 2011 be received and noted.

b) i) The 2012 schedule of meetings for the Council’s Governance Committee be as follows:-
   o Wednesday 22 February 2012
   o Wednesday 23 May 2012
   o Wednesday 26 September 2012
   o Wednesday 28 November 2012

   ii) Additional meetings be scheduled as required throughout the year.

c) i) Mr Robert Frost be appointed as a member of the Franklin Township Committee for the term December 2011 to October 2013.

ii) In the event that Mr Frost is unable to accept membership, Mr Shane Johnson be appointed as a member of the Franklin Township Committee for the term December 2011 to October 2013.
iii) In the event that Mr Frost and Mr Johnson are unable to accept membership, Mr Peter Lee be appointed as a member of the Franklin Township Committee for the term December 2011 to October 2013.

d) The Terms of Reference and appointment process for the Governance Committee be referred to a Workshop of Councillors for consideration to inform the content of a report for consideration at the next meeting of the Council’s Governance Committee.

e) The following allocations of portfolios to Councillors and Committee appointments of Councillors be approved.

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<tr>
<th>Mayor Robert Armstrong</th>
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<td><strong>Portfolio</strong></td>
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<td><strong>Committee</strong></td>
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<td>• Economic Development Advisory Committee (as a member)</td>
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<th>Deputy Mayor Gary Doyle</th>
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<td>• Dover Township Committee (Chair)</td>
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<th>Cr Bruce Heron</th>
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<td>• Cygnet Township Committee (Chair)</td>
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<th>Cr Mike Wilson</th>
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<td>• Finance &amp; Risk Management Committee (as a member)</td>
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### Cr Liz Smith

**Portfolio**
- Environmental Management
- Information Technology

**Committee**
- Franklin Township Committee (Chair)
- Finance & Risk Management Committee (as a member)

### Cr Tony Duggan

**Portfolio**
- Parks & Property Maintenance
- Recreation

**Committee**
- Huonville Township Committee (Chair)

### Cr Rosalie Woodruff

**Portfolio**
- Community & Cultural Development
- Waste Management

### Cr Rohan Gudden

**Portfolio**
- Youth Services
- Children’s Services & Education

### Cr Peter Pepper

**Portfolio**
- Community Relations & Customer Service
- Finance & Risk

**Committee**
- Finance & Risk Management Committee (Chair)
- Geeveston Township Committee (Chair)

- Councillors Armstrong, Doyle, Heron, Wilson, Smith, Duggan, Gudden, Woodruff & Pepper voted for the motion & no Councillors voted against the motion.
Title COPPING REFUSE DISPOSAL SITE JOINT AUTHORITY

Agenda Number 15.037/11*
Strategic Plan Reference 4.5
File Reference 24/18
Author General Manager
Responsible Officer General Manager
Reporting Brief General Manager presenting a report on a proposal to invest in the Copping Refuse Disposal Site Joint Authority

Background

During the development of the 2011/2012 budget, provision was made in the Council’s 10 Year New Asset Program for a potential investment for the Council to become a part owner of the Copping Refuse Disposal Site Joint Authority.

Report

Correspondence was sent to the Copping Refuse Disposal Site Joint Authority on 26 August 2011 advising of the Council’s potential interest in becoming a member of the Authority and seeking advice from the Authority on its preparedness to have the Huon Valley Council join it.

This matter was considered at a meeting of the Board of the Authority on 19 October 2011 where it was agreed that it would be inappropriate to consider the Council’s request at this time.

A copy of the advice received from the Authority is included within the Attachments to the Reports.

It can be noted that the advice received details a process of review that has been undertaken and that a series of governance changes in respect of the Authority is taking place.

It can be noted that the Board envisages the processes associated with this review will be complete by February 2012 and that further contact will be made with the Huon Valley Council after that time.

Consultations

Consultation has taken place with members of the Council’s Senior Management Team.

Legislative Requirements

The Copping Refuse Disposal Site Joint Authority was established as a joint authority under Section 38 of the Local Government Act 1993.
Discussion of matters relating to the contracts for the supply and purchase of goods or services are properly dealt with in Closed Council pursuant to Regulation 15(2)(c) of the Local Government (Meeting Procedures) Regulations 2005.

Risk Implications
Nil

Council Policy
There is no Council policy to provide direction on this matter.

Options
There is the option of retaining funding allocations as detailed in the existing budget documentation and pursuing opportunities to invest as originally proposed.

Alternatively the Council has the option of re-allocating the funding and abandoning the proposal of acquiring a shareholding in the Copping Refuse Disposal Site Joint Authority.

Human Resource and Financial Implications
The Council’s 10 Year New Asset Program identifies an allocation of $200,000 (over the 2011/2012 and 2012/2013 years) to cover the costs associated with an investment in the Copping Refuse Disposal Site Joint Authority.

In the event that the Council does not proceed to become a member of the Authority, there will be an opportunity for this funding to be reallocated. It would seem appropriate that further consideration in this regard take place as a component of the development of the Council’s 2012/2013 budget.

15.037/11*
RESOLVED CR HERON CR SMITH

That:

a) The report on a proposal to invest in the Copping Refuse Disposal Site Joint Authority be received and noted.

b) The Council give further consideration to the potential of joining the Copping Refuse Disposal Site Joint Authority following receipt of additional information from the Authority after February 2012.

c) If the Council’s proposal to become a member of the Copping Refuse Disposal Site Joint Authority does not proceed, the reallocation of funding set aside for this purpose in the Council’s 10 Year New Asset Program be considered as a component of the development of the Council's 2012/2013 budget.

- Councillors Armstrong, Doyle, Heron, Wilson, Smith, Duggan, Gudden, Woodruff & Pepper voted for the motion & no Councillors voted against the motion.
Title  
OWNERS’ REPRESENTATIVES – SOUTHERN WATER

Agenda Number  
15.038/11

Strategic Plan Reference  
5

File Reference  
35/01

Author  
General Manager

Responsible Officer  
General Manager

Reporting Brief  
The General Manager presenting a report on proposed extension of the term of the Owners' Representatives for Southern Water by an additional six months to 1 July 2012.

Background

This report is provided to assist Council in considering a proposal to further extend the term of the Owners’ Representatives for Southern Water by an additional six months to 1 July 2012.

The Water and Sewerage Corporations Act 2008 requires that ‘the members of a Regional Corporation must, by special majority, appoint three persons as Owners’ Representatives for that Regional Corporation’. A special majority is prescribed in the Act as ‘representing at least 75% of all members of the Regional Corporation’ (9 of the 12 southern councils need to agree).

The current three Owners’ Representatives appointments commenced on 1 July 2008. As the appointments were for a period of three years the initial Representatives terms were due to expire on 30 June 2011.

The current Owners’ Representatives for Southern Water are:

- Mayor Bury – Kingborough
- Mayor Foster – Brighton
- Mr Henry Edgell – Central Highlands

Due to the House of Assembly Select Committee Inquiry into the Tasmanian Water and Sewerage Corporations, which was underway at the time, the Owner Councils determined to extend the terms of the Owner Representatives until 31 December 2011 in anticipation that the review would be completed by that time.

Subsequently it was advised that the review was unlikely to be completed until mid 2012. There is also now a proposal being considered in relation to the consolidation of the current 3 Regional Corporations and Onstream into a single Statewide Corporation.
Report

It has recently been decided to conduct a further review of the Water and Sewerage Corporations to determine whether or not they should be merged into a single Company and to determine the governance arrangements for such an entity. This has again caused uncertainty about the future role of the Owners Representatives and the question again arises about whether or not it is prudent to commence the process for appointment of Owners Representatives for a three year period effective from 1 January 2012.

On this basis a request has been provided to owner Councils by the STCA seeking advice on the following alternatives in relation to the Owner Representatives:

1. Undertake a process to appoint Owners’ Representatives for three years from 1 January 2012; or
2. Extend the current appointments for a further period of, say, six months subject, of course, to the current Representatives’ agreement.

An extension of the term at the expiration of their current terms of appointment (31 December 2011) the current Owners’ Representatives would be appointed for a period of six months which accords with the provisions of the Act.

In relation to the other regional corporations it has been advised that:

- Ben Lomond Water – Owners’ Representative terms have been extended to 1 July 2012
- Cradle Mountain Water – Owners’ Representatives have been re-appointed for a period of three years.

Consultations

Consultations have taken place with Councillors via email sent 14 November 2011. Whilst it appeared time constraints would prevent this matter being considered by Council a request has been made that Council’s view on this matter be formalised.

On the whole the Councillors who responded agreed with a further six month extension of the existing terms.

Legislative Requirements

The provisions of the Water and Sewerage Corporations Act 2008, (in particular section 19), is relevant.

19. Owners’ Representatives for Regional Corporations

(1) The members of a Regional Corporation must, by special majority, appoint 3 persons as Owners’ Representatives for that Regional Corporation.

(2) Where persons have been appointed as Owners’ Representatives for a Regional Corporation under subsection (1), one or more members of that Regional Corporation are to notify the Treasurer in writing of the appointments.
(3) Subject to subsection (7), each Owners’ Representative for a Regional Corporation is to hold that office for a term of 3 years from the date of his or her appointment, or such shorter period –
   (a) as set out in the constitution of the Regional Corporation; or
   (b) as determined by the members of the Regional Corporation at the time of the appointment of that Owners’ Representative.

(4) Subsection (3) does not limit the number of times a person may be appointed to the role of Owners’ Representative.

(5) If at any time a vacancy occurs in the role of an Owners’ Representative for a Regional Corporation, the members of that Regional Corporation must, as soon as is practicable, do all things necessary to appoint a person to fill that vacancy in accordance with the procedures set out in this Act.

(6) The Owners’ Representatives for a Regional Corporation are to –
   (a) consult with other Owners' Representatives and undertake such other functions imposed on Owners' Representatives for a Regional Corporation under this Act; and
   (b) act as the official liaison between the Board of the Regional Corporation and the members of that Regional Corporation.

(7) The members of a Regional Corporation may, by special majority, remove any person from the role of Owners’ Representative for that Regional Corporation.

Risk Implications

There would appear to be limited risk to Council in the options proposed.

Council Policy

Nil

Options

There are two options available to Owner Councils in relation to the appointment of Owner Representatives as required under the legislation.

It would seem appropriate at this time to extend the term of appointment of the current Owners’ Representatives.

Human Resource and Financial Implications

Owners’ Representatives are not currently paid any form of allowance or remuneration. It was proposed that a payment of $5,000 be made, it was agreed however this payment be made following the permanent appointment of the members.
RESOLVED                CR WILSON       CR DUGGAN

That:

a) The report on proposed extension of the term of the Owners’ Representatives for Southern Water by an additional six months to 1 July 2012 be received and noted.

b) New Owners’ Representative appointments for a three year term be deferred until 1 July 2012.

c) The reappointment of the existing Owners’ Representatives for a six month period commencing 1 January 2012 be approved.

- Councillors Armstrong, Doyle, Heron, Wilson, Smith, Duggan, Gudden, Woodruff & Pepper voted for the motion & no Councillors voted against the motion.
Title | HUON VALLEY COUNCIL FINANCE & RISK MANAGEMENT COMMITTEE
---|---
Agenda Number | 16.023/11*
Strategic Plan Reference | 5.2
File Reference | 10/86
Author | Manager Corporate Services
Responsible Officer | Manager Corporate Services
Reporting Brief | Manager Corporate Services presenting a report on the Finance and Risk Management Committee meeting held on Monday 5 December 2011.

**Background**

The Finance & Risk Management Committee was established to:

*Monitor financial and other risks to ensure the protection of the Council's assets as well as compliance with laws and regulations and best practice guidelines in accordance with Section 28 of the Local Government Act 1993.*

It meets on a monthly basis to discuss, and provide direction to the Council’s senior management, in order to meet the Committee’s objectives.

**Report**

A copy of the minutes (including meeting attachments) of the Finance & Risk Committee meeting held 5 December 2011, is included in the Attachments to the Reports.

It can be noted that the discussions at the meeting included the following:-

- Review of Finance & Risk Management Committee Terms of Reference
- 2012 Meeting Dates
- Financial Report for the 5 month period ending 30 November 2011
- Council’s Investment Portfolio
- Auditor General’s Report
- Risk Management

Background information in relation to each of these matters is provided in the minutes of the meeting.

**Consultations**

Consultations have been undertaken with Council’s senior management and the Corporate Services Department in the preparation of this report.

**Legislative Requirements**

The Committee has been appointed by the Council pursuant to Section 24 of the Local Government Act 1993 and is to operate in accordance with the approved Terms of Reference.
Risk Implications

With the Committee now meeting on a monthly basis, issues relating to risk management and the financial performance of the Council are undergoing close scrutiny by Committee members.

Council Policy

The Committee operates within the Terms of Reference as approved by the Council on 10 March 2009 resolution number 15.003/09* and updated on 20 January 2010 resolution number 16.001/10*.

As agreed, copies of the Agenda for the meeting of the Committee were made available to all Councillors.

Options

Nil

Human Resource and Financial Implications

Nil

16.023/11*
RESOLVED CR WILSON CR DUGGAN

That:

a) The report on the Finance and Risk Management Committee meeting held on Monday 5 December 2011 be received and noted.

b) The 2012 schedule of meetings for the Council's Finance & Risk Management Committee be as follows:-
   - Monday 9 January 2012
   - Monday 6 February 2012
   - Monday 5 March 2012
   - Wednesday 4 April 2012
   - Monday 7 May 2012
   - Wednesday 6 June 2012
   - Monday 9 July 2012
   - Monday 6 August 2012
   - Monday 10 September 2012
   - Monday 8 October 2012
   - Monday 5 November 2012
   - Monday 3 December 2012

and that additional meetings be scheduled as required throughout the year.

- Councillors Armstrong, Doyle, Heron, Wilson, Smith, Duggan, Gudden, Woodruff & Pepper voted for the motion & no Councillors voted against the motion.
Title 2011 TOWNSHIP FORUMS
Agenda Number 17.065/11*
Strategic Plan Reference 4.3
File Reference 05/166, 05/167, 05/168, 05/174, 05/208
Author Community Development Officer
Responsible Officer Community Development Officer
Reporting Brief Manager Community Services presenting a report from the Community Development Officers on a review of the 2011 Township Forums.

Background

Council hosts annual Township Forums in conjunction with the respective Township Committees.

This year’s forums were held throughout November 2011.

Report

The Forums received a mixed response, with attendance rates listed below:

- Cygnet - 40
- Dover - 12
- Franklin - 31
- Geeveston - 14
- Huonville - 18

Each Township Forum had its own agenda. A representative of the relevant Committees gave a presentation on behalf of that Committee. A standard presentation of regional projects was given by the relevant Managers, the topics for the regional projects consisted of:

- Waste Management and Minimisation
- Planning Scheme Update
- Arts & Heritage Strategy

In addition a presentation on local projects of significance was given by relevant Managers, these included:

- **Cygnet**
  - Cygnet Medical Centre
  - Cygnet Toilet Block
  - Cygnet Car Park
  - Cygnet Skate Park

- **Dover**
  - Esperance Multi Purpose Health Centre
  - Dover Brick Kiln
  - Dover Foreshore
• Franklin
  o Franklin Foreshore Plan
  o Walking Track

• Geeveston
  o Geeveston Child Care Centre
  o Economic Analysis

• Huonville
  o Huonville/Ranelagh Town Structure Plan
  o Good Life Summer Market
  o Sale Street Upgrade

Consultations
The Township Committees and Council’s Senior Management team were consulted in
the planning of the Forums.

Legislative Requirements
Nil

Risk Implications
Nil

Council Policy
The Council’s Strategic Plan 4.3 includes the following key strategy:

“To engage the community in a continuing conversation about the future of the
Huon Valley based on mutual trust and as a genuine basis for decision making.”

The Council’s Consultation and Communication Strategy identifies the holding of annual
Town Forums as a key component of the Council’s engagement with the Community.

Options
Nil

Human Resource and Financial Implications
Human Resource implications are absorbed within the position of Community
Development Officer.

17.065/11*
RESOLVED CR WOODRUFF CR GUDDEN

That the report on a review of Council’s 2011 Township Forums be received and
noted.

• Councillors Armstrong, Doyle, Heron, Wilson, Smith, Duggan, Gudden, Woodruff
  & Pepper voted for the motion & no Councillors voted against the motion.
Title: GEEVESTON TOWNSHIP COMMITTEE

Agenda Number: 17.066/11*
Strategic Plan Reference: 1.1
File Reference: 05/208
Author: Community Development Officer
Responsible Officer: Community Development Officer
Reporting Brief: Manager Community Services presenting a report from the Community Development Officer on the Geeveston Township Committee meeting held on 18 November 2011.

Background

The Geeveston Township Committee has been established in accordance with Section 24 of the Local Government Act 1993 to provide advice and recommendations to Council on matters relating to the Geeveston Township.

The Geeveston Township Committee held a meeting at the Geeveston Community Hall on Friday 18 November 2011 at 2.00pm. A copy of the Minutes is included within the Attachments to the Reports.

Report

Main Items discussed were:

- **Tasmanian Forest Memorial Signage**
  The Committee noted that the appropriate paperwork for directional signage to the Tasmanian Forest Memorial had been sent to the Department of Infrastructure, Energy and Resources (DIER) for approval.

- **Tree Planting and Management Plan**
  Discussions were held regarding the tree management and planting plan which was tabled at the last meeting for consideration. The plan is included as an attachment to this report. The Committee noted support for the plan with option one for each section being the preferred choice. The Committee requested that it be recommended to Council that the plan be submitted to the Community for 30 days to allow public comment. Comments to be collated and brought back to the Committee for further discussion. A copy of the Communication assessment and Consultation strategy is included within the Attachments to the Reports.

- **Heritage Park Playground Meeting**
  Discussion was held regarding the possibility of creating one good quality playground within Geeveston. Consultation to be undertaken with parents on suitable locations and equipment.
• **Educational Cycle Track**
  The Committee were provided estimated costings to produce an educational cycle track to the scale of the one at Dru Point, Margate. The Committee noted that should an educational cycle track be installed at Geeveston it would not be as large as the one at Dru Point. A meeting to take place between Committee members and relevant Council staff at Heritage Park on Friday 2 December at 2.00pm to discuss possible locations and size.

**Consultations**

Consultations have been undertaken with members of the Geeveston Township Committee.

**Legislative Requirements**

The Committee has been appointed as a Special Committee of Council pursuant to Section 24 of the *Local Government Act 1993* and is to operate in accordance with approved Terms of Reference.

**Risk Implications**

Nil

**Council Policy**

The Committee operates within the terms of Reference as approved by the Council.

The Council’s Strategic Plan 1.1 includes the following key strategy:

“*Continue the Township Development Program.*”

**Options**

Nil

**Human Resource and Financial Implications**

Human Resource implications are absorbed within the position of Community Development Officer.

**17.066/11**

RESOLVED    CR HERON    CR WILSON

That:

a) The report on the Geeveston Township Committee meeting held on 18 November 2011 be received and noted.

b) The Tree Management and Planting Plan for Geeveston be endorsed with option one for each stage being the preferred option, and the plan be submitted for Community Consultation for a period of 30 days to enable public comment.

  • Councillors Armstrong, Doyle, Heron, Wilson, Smith, Duggan, Gudden, Woodruff & Pepper voted for the motion & no Councillors voted against the motion.
Title HUONVILLE TOWNSHIP COMMITTEE
Agenda Number 17.067/11*
Strategic Plan Reference 1.1
File Reference 05/174
Author Community Development Officer
Responsible Officer Manager Community Services
Reporting Brief Manager Community Services presenting a report from the Community Development Officer on the Huonville Township Committee meeting held on 26 October 2011.

Background
The Huonville Township Committee has been established in accordance with Section 24 of the Local Government Act 1993 to provide advice and recommendations to Council on matters relating to the Huonville Township.

The Huonville Township Committee held a meeting at the Huon Valley Community Health Centre on Wednesday 26 October at 3.30pm. A copy of the Minutes is included within the Attachments to the Reports

Report

• Huon LINC Representative
  The Huon LINC Representative on the Huonville Township Committee recently retired and therefore resigned from the Committee. Amanda Oliver, Huon LINC Coordinator has been nominated for the position. See the recommendation below.

• Huonville Bus Shelter
  Simone Watson, Manager Infrastructure Services, informed the group that funding had been secured to carry out an upgrade of the current Huonville bus shelter to comply with Disability Discrimination Act requirements. It was noted that it was likely that further modifications could take place if sufficient funding is secured, including the provision of a new shelter which would include solar lighting and clear side panelling in an effort to reduce anti-social behaviour.

• Street Tree Planting
  The group was informed of correspondence indicating that DIER has no objection in principle to the proposal to carry out street tree planting along the Main Street roadside and indicates that this type of streetscaping can have a calming effect on traffic.

  The group discussed previous suggestions regarding tree choices and deferred making a decision on tree species until a more comprehensive list of possible trees has been compiled.

• Banner Design Competition
  The Committee was informed of the outcome of the Banner Design competition held at the Huon LINC. It was agreed that the most popular designs would be used on the new banners with modifications to be undertaken suit colour recommendations.

  Discussion took place regarding the topics for discussion at the Huonville Town Forum on 22 November. The following topics were listed for discussion by the HTC representative:
• Walton Park
• Boer War Sculpture
• Huonville High School Banner Designs
• Street Tree Plan
• Bus Shelter

Consultations

Consultations have been undertaken with members of the Huonville Township Committee.

Legislative Requirements

The Committee has been appointed as a Special Committee of Council pursuant to Section 24 of the Local Government Act 1993 and is to operate in accordance with approved Terms of Reference.

Risk Implications

Nil

Council Policy

The Committee operates within the Terms of Reference as approved by the Council.

The Council's Strategic Plan 1.1 includes the following key strategy:

"Continue the Township Development Program."

Options

Nil

Human Resource and Financial Implications

Human Resource implications are absorbed within the position of Community Development Officer.

17.067/11*
RESOLVED CR DUGGAN CR GUDDEN

That:

a) The report on the Huonville Township Committee meeting held on 26 October 2011 be received and noted.

b) Amanda Oliver be appointed as a member of the Huonville Township Committee as the Huon LINC representative replacing the previous Huon LINC representative, Cheryl Robertson.

- Councillors Armstrong, Doyle, Heron, Wilson, Smith, Duggan, Gudden, Woodruff & Pepper voted for the motion & no Councillors voted against the motion.
Title DOVER TOWNSHIP COMMITTEE

Agenda Number 17.068/11*
Strategic Plan Reference 1.1
File Reference 05/168
Author Community Development Officer
Responsible Officer Manager Community Services

Reporting Brief Manager Community Services presenting a report from the Community Development Officer on the Dover Township Committee held on 5 December 2011.

Background

The Dover Township Committee has been established in accordance with Section 24 of the Local Government Act 1993 to provide advice and recommendations to Council on matters relating to the Dover Township.

The Dover Township Committee held a meeting at the Esperance Multi Purpose Health Centre on Monday 5 December 2011 at 6.00pm. A copy of the Minutes is included within the Attachments to the Reports

Report

Main Items discussed were:

- **Dover Foreshore**
  Quotations for the upgrading of the northern area of the Dover Foreshore were tabled for discussion. The Committee noted that the quotation to be accepted should be based on who could undertake the works prior to Christmas.

  The Committee also requested that Council staff obtain quotes to extend the walking track at the northern end of the Dover Foreshore.

- **Dover Brick Kiln**
  The Committee noted that a variation to the original grant application is currently being sought for the Brick Kiln Project. It was further noted that advice and permission is also being sought from Heritage Tasmania.

- **Celebration of 150 years of Dover as a Township**
  Discussions were held regarding the Committee hosting an event on the Dover Foreshore to combine celebrations for 150 years of Dover as a Township, the opening of the Dover Foreshore and “Clean Up Dover Day”. The Committee agreed that it be recommended to the Council that an allocation of their funds (up to $2,000) to host the event on the Dover Foreshore be approved.

  It was further agreed that a small group would meet to discuss these plans further.
Further discussion was held regarding the possible allocation of one third of the land on the corner of Station and Kent Beach Road for a small commemorative park.

Consultations

Consultations have been undertaken with members of the Dover Township Committee.

Legislative Requirements

The Committee has been appointed as a Special Committee of Council pursuant to Section 24 of the Local Government Act 1993 and is to operate in accordance with approved Terms of Reference.

Risk Implications

Nil

Council Policy

The Committee operates within the terms of Reference as approved by the Council.

The Council’s Strategic Plan 1.1 includes the following key strategy:

“Continue the Township Development Program.”

Options

Nil

Human Resource and Financial Implications

Human Resource implications are absorbed within the position of Community Development Officer.

RESOLVED

That:

a) The report on the Dover Township Committee held on Monday 5 December 2011 be received and noted.

b) The General Manager be authorised to accept either of the following quotations with funding being provided from the Dover Township Committee budget:-

- Kermandie Hire $9,039 GST inclusive
- Donald Gordon $8,800 GST inclusive

To undertake upgrading of the northern area of the Dover Foreshore depending on availability.
c) The Deputy Mayor be authorised to make contact with the two contractors and determine who has the availability of undertaking works prior to Christmas.

d) A cost estimate be obtained and provided to the next Committee meeting to enable the connection of the existing walkway to Knobby’s Point on an alignment base from Kent Beach Road.

e) An allocation of up to $2,000 from the Dover Township Committee budget be made for the hosting of an event on the Dover Foreshore to Commemorate 150 years of Dover as a Township.

- Councillors Armstrong, Doyle, Heron, Wilson, Smith, Duggan, Gudden, Woodruff & Pepper voted for the motion & no Councillors voted against the motion.
Title DOVER SPORTS CENTRE ADVISORY COMMITTEE
Agenda Number 17.069/11*
Strategic Plan Reference 3.6
File Reference 05/203
Author Recreation Services Coordinator
Responsible Officer Recreation Services Coordinator
Reporting Brief Manager Community Services presenting a report from the Recreation Services Coordinator on the Dover Sports Centre Advisory Committee meeting held 27 October 2011.

Background

The Council has appointed the Dover Sports Centre Advisory Committee as a Special Committee of Council to provide advice and assistance to Council on matters related to the operations of the Dover Sports Centre.

Report

The Dover Sports Centre Advisory Committee held a meeting at the Dover Sports Centre on Thursday 27 October 2011 at 6pm and a copy of the minutes is included within the Attachments to the Reports.

Consultations

Consultation has been undertaken with members of the Dover Sports Centre Advisory Committee.

Legislative Requirements

The Special Committee of Council was appointed under Section 24 of the Local Government Act 1993.

Risk Implications

Nil

Council Policy

The Huon Valley Council’s Strategic Plan 3.6 Goal includes the following:

“To support a varied range of leisure, sporting and recreational opportunities by developing infrastructure, public spaces and facilities.”

Options

Nil
Human Resource and Financial Implication

Nil

17.069/11*
RESOLVED        CR DOYLE        CR WILSON

That the report on the Dover Sports Centre Advisory Committee meeting held on 27 October 2011 be received and noted.

- Councillors Armstrong, Doyle, Heron, Wilson, Smith, Duggan, Gudden, Woodruff & Pepper voted for the motion & no Councillors voted against the motion.
Title: HUON VALLEY ARTS & HERITAGE ADVISORY COMMITTEE

Agenda Number: 17.070/11*
Strategic Plan Reference: 1.6
File Reference: 06/34
Author: Community Development Officer
Responsible Officer: Community Development Officer
Reporting Brief: Manager Community Services presenting a report from the Community Development Officer on the Arts and Heritage Advisory Committee meeting held on 10 November 2011

Background

The Arts & Heritage Advisory Committee has been established in accordance with Section 24 of the Local Government Act 1993 to provide advice and recommendations to Council relating to arts and heritage in the Huon Valley.

A meeting of the Arts & Heritage Advisory Committee was held at Huonville on Thursday 10 November 2011 and a copy of the meeting notes is included within the Attachments to the Reports.

Report

Main issues discussed at the meeting included:

- **Arts & Heritage Strategy and Action Plan**
  It was reported that members of the Strategy and Action Plan sub-committee had met with the appointed consultants to review the proposed timeline. It was noted that the timeline had been adjusted to avoid clashing with the Christmas/New Year season. The revised timeline has a deadline for February for the discussion paper, with the final Arts and Heritage Strategy and Action Plan scheduled for completion in May 2012.

- **Heritage Sub-Committee Report**
  It was reported that the Heritage sub-committee had discussed the content of the Local Heritage Listings Briefing Paper (13 October 2011) and the methods for establishing guidelines and criteria for inclusion on a future Local Heritage List.

Consultations

Consultation has been undertaken with members of the Huon Valley Arts & Heritage Advisory Committee.
Legislative Requirements

The Committee has been appointed as a Special Committee of Council pursuant to section 24 of the Local Government Act 1993 and is to operate in accordance with approved Terms of Reference.

Risk Implications

Nil

Council Policy

The Committee operates within their Terms of Reference as approved by the Council.

The Council’s Strategic Plan 1.6 includes the following key strategy:-

“Develop an Arts and Heritage Strategy”

Options

Nil

Human Resource and Financial Implications

Human Resource Implications are absorbed within the position of Community Development Officer.

17.070/11*
RESOLVED CR WOODRUFF CR SMITH

That the Report on the Arts and Heritage Advisory Committee meeting held on 10 November 2011 be received and noted.

• Councillors Armstrong, Doyle, Heron, Wilson, Smith, Duggan, Gudden, Woodruff & Pepper voted for the motion & no Councillors voted against the motion.
Title SPONSORSHIP REQUEST - HUON ART EXHIBITIONS GROUP

Agenda Number 17.071/11*
Strategic Plan Reference 1.6
File Reference 05/38
Author Manager Community Services
Responsible Officer Manager Community Services
Reporting Brief Manager Community Services presenting a report on a request by the Huon Art Exhibitions Group to sponsor the Southern Exposure Art Exhibition in March 2012.

Background

Correspondence has been received from the Huon Art Exhibitions Group Inc (HAEG) requesting the Council sponsor the Southern Exposure Art Exhibition in March 2012 by contributing $1,000 for the Mayor’s Choice Award.

Report

A request has been received from the Huon Art Exhibitions Group to once again, provide sponsorship of $1,000 for the Mayor’s Choice (Acquisitive) Award in the Southern Exposure Art Exhibition in March 2012. A copy of the letter is included in the Attachments to this Report.

As this is an acquisitive prize the work selected by the Mayor will become the property of Council.

Consultations

Consultation has taken place with the Chairman of the Huon Art Exhibitions Group Inc. and the Mayor.

Legislative Requirements

Section 77 of the Local Government Act 1993 provides that Council may make a grant to any person for any purposes it considers appropriate. Community Grants are provided pursuant to this section.

Risk Implications

Nil

Council Policy

The Council has previously been supportive of the efforts of the Huon Art Exhibitions Group and its operation of the Lovett Gallery and has supported the Mayor’s Choice Award in previous years. The Lovett Gallery space is leased by HAEG from the Council.
The Council, through its Strategic Plan includes the following goal:-

\textit{To recognise and protect the heritage and cultural identity of the Huon Valley and expand arts related activity.}

\textbf{Options}

The Council has two clear options available to it. One is to refuse granting the sponsorship. However, given there is a strong tradition of supporting this Art Exhibition, approval is recommended.

\textbf{Human Resource and Financial Implications}

The Manager of Community Services has offered to accompany the Mayor to provide advice in the selection of the artwork. The $1,000 sponsorship cost can be charged to the unexpended funds in the Community Grants Budget.

\texttt{17.071/11*}

\texttt{RESOLVED \hspace{1cm} CR DOYLE \hspace{1cm} CR DUGGAN}

That:

a) The report on a request by the Huon Arts Exhibition Group to sponsor the Southern Art Exhibition in March 2012 be received and noted.

b) Pursuant to Section 77 of the \textit{Local Government Act 1993}, the amount of $1,000 be allocated from the Community Grants Budget for the Mayor’s Choice Award (Acquisitive) in the Huon Art Exhibitions Group Southern Exposure Art Exhibition in March 2012.

- Councillors Armstrong, Doyle, Heron, Wilson, Smith, Duggan, Gudden, Woodruff & Pepper voted for the motion & no Councillors voted against the motion.
Mayor Armstrong advised Council was acting as a Planning Authority as at 6.44pm.

Cr Gudden declared an interest in Agenda Item 18.087/11 and left the meeting at 6.44pm.

Title: PLANNING APPLICATION DA-217/2011

Agenda Number: 18.087/11*

Strategic Plan Reference: 1.2

File Reference: 2746615

Author: Senior Planning Officer

Responsible Officer: Senior Planning Officer

Reporting Brief: Manager Planning and Legal Services presenting a report from the Senior Planning Officer for a proposed caravan park & signage at land generally opposite 2 Louisa Street, Ranelagh.

<table>
<thead>
<tr>
<th>Applicant</th>
<th>Peacock, Darcey &amp; Anderson Pty Ltd</th>
<th>Owner</th>
<th>Ms L M Stanton</th>
</tr>
</thead>
<tbody>
<tr>
<td>Planning Scheme</td>
<td>Huon Planning Scheme 1979</td>
<td>Zone</td>
<td>Intensive Rural Zone</td>
</tr>
<tr>
<td>Application Received</td>
<td>31 October 2011</td>
<td>Status</td>
<td>Discretionary</td>
</tr>
<tr>
<td>Representations</td>
<td>Four</td>
<td>Expiry Date</td>
<td>21 December 2011 (Extension to 42 day period granted)</td>
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<tr>
<td></td>
<td>A: Site Location &amp; Aerial Image</td>
<td></td>
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<tr>
<td></td>
<td>B: Relevant extracts of proposal plans and supporting statements</td>
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<td></td>
<td>C: Submission</td>
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<td>D: Southern Water response</td>
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<td></td>
<td>E: Flood images</td>
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<td></td>
<td>F: Representations</td>
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BACKGROUND

This application is similar to DA-66/2011 in that it seeks approval for a caravan park on the same piece of land. DA-66/2011 was refused by Council at its September 2011 meeting for the following reasons:

1. The proposal does not satisfy clause 5.2.5 of the Huon Planning Scheme 1979 as it is not of a temporary nature and will result in an undue detrimental effect to neighbourhood amenity.
2. The proposal will cause a loss of agricultural land and will likely fetter agricultural use of adjoining land contrary to the intent of the zone and the State Policy on the Protection of Agricultural Land.
3. The land is entirely below the 1 in 20 year flood level and the proposal has not demonstrate that the risk to life and property from a flood event is to an acceptable standard and is therefore inconsistent with clause 6.2.8 of the Huon Planning Scheme 1979.

DESCRIPTION OF PROPOSAL

Application is made for a Caravan Park (Temporary Planning Approval) on land generally opposite 2 Louisa Street, Ranelagh with access from Wilmot Road (CT 123292/2 & 3 & CT 243707/2).

The Caravan Park is comprised of the following elements proposed over four stages

- 28 powered sites & 30 unpowered sites,
- a relocated vehicular access point from Wilmot Road with a partially raised all weather gravel access road,
- a 15m X 7m X 3.5m amenities building constructed in a slab on ground manner,
- a 63mm rising sewer line with pump station to enable sewerage disposal from the amenities building and from dump station to the Ranelagh Wastewater Treatment Plant,
- a new water line and new underground power line from an existing overhead line along the proposed gravel access road, and
- landscaping along the Wilmot Road frontage

The footprint of the powered and unpowered sites is approximately 2.2 hectares and is located approximately 220m west of Wilmot Road. The sites are approximately located between 25m and 50m from the sites boundary with Mountain River.

A 3.6m X 1.8m non-illuminated sign on poles is proposed near the entrance to the site.

The applicant advises that the proposal is intended to cater for farm stay users, in part, through the retention of the existing orchard.

Rubbish disposal is proposed via Council services.

SITE AND LOCALITY

The site is comprised of three lots totalling approximately 10ha in site. The site is adjacent to the Huon River and Mountain River with frontage to Wilmot Road. The Ranelagh Wastewater Treatment Plant is located to the north-west and separated from the site only by a narrow piece of Crown land. The site is largely flat and is partly comprised of orchard and pasture.

DISCUSSION

Planning Scheme

The site is zoned Intensive Rural under Huon Planning Scheme 1979 (the Scheme). The proposal is categorised as Caravan Parks which is a prohibited use in the zone. The application is made pursuant to clause 5.2.5 which provides for temporary planning approvals (discussed below).
The Scheme does not however provide any buffer zone or specific provision in relation to the plant.

Clause 6.2 of the Scheme requires that Council take into consideration a range of matters including:

6.2.3 The character of the locality, the existing and future amenity of the neighbourhood and the values of the properties in the surrounding locality

6.2.4 The availability of existing public utility services and roads

6.2.6 The provision of access, loading, parking and manoeuvring of vehicles

6.2.8 The circumstances of the case and the public interest

The following will have regard to these matters.

Temporary Planning Approval

Clause 5.2.5 provides the following

(i) For a development prohibited under Clause 5.2.3 Council may, at its discretion, grant conditionally or otherwise a Temporary Planning Approval to enable that development to be established and undertaken for a limited period, provided that:-

(1) Council has not resolved to amend the Scheme in respect of the subject land;

(2) the period of issue of the permit is not in excess of three years;

(3) the proposed building(s), works and activities are of a temporary nature only, and

(4) the proposed development will not have or result in undue detrimental effect on the amenity of the neighbourhood or environs through the creation of visual intrusion, noise, offensive smell, dust or other pollution, excessive traffic, loss of convenience or hazard of any kind.

(ii) The issue of a planning approval pursuant to Clause 5.2.5(i) shall be subject to the condition that no later than 6 months after the date of expiry of that approval (such other period at day as is specified by Council therein), the restoration of the site subject to the approval by or on behalf of the person(s) issued that approval shall have been completed to the satisfaction of Council, without claim against Council, for compensation, and such restoration shall include the removal from the site of all trace of any works, buildings, materials, plant or other equipment introduced and used for the purposes for which the approval was granted.
Attachment C includes a submission from the applicant on how they consider the proposal to be consistent with clause 5.2.5. The submission states that infrastructure required for this proposal can be removed or converted to farm use and that the proposal will not have a detrimental impact on amenity.

Is the proposal temporary in nature?

The scheme does not consider what constitutes temporary in nature.

The *Macquarie Dictionary, 4th Edition*, defines “temporary” as “1. lasting, existing, serving, or effective for a time only, not permanent.” It also defines “nature” as “1. the particular combination of qualities belonging to a person or thing by birth or constitution …”.

In general terms it is considered reasonable to view something as being temporary in nature if it is for a short period of time only and the type and value of any works required can readily be removed.

This view is consistent with clause 5.2.5 (ii) which requires a site to be restored at the end of a temporary approval so that *all trace of any works, buildings, materials, plant or other equipment introduced and used for the purposes for which the approval was granted*, is removed.

The following are relevant considerations for this proposal:

- the estimated cost of works is $226,000 and the scheme requires all trace of this work to be removed regardless of whether it can be used or approved for another use,
- the application indicates that a planning scheme amendment to rezone the land to enable a permanent planning approval to be granted will proceed once the Ranelagh Wastewater Treatment Plant has been upgraded and odour modelling completed, and
- whilst the underground utility services, buildings and access are works that can be removed by heavy machinery they are nevertheless not designed for removal. In other words they are works that fundamentally are of a permanent and not temporary nature.

It is considered that the proposal is not of a temporary nature and therefore should not be approval pursuant to clause 5.2.5.

Will the proposal result in an undue detrimental effect on amenity?

It is considered that a caravan park has the potential to have a negative visually intrusion into the surrounding rural landscape which is notable for its position between Huonville and Ranelagh and its riparian setting. Landscaping as proposed could reduce this by screening the development from the public road however this would also have a negative visually intrusion by preventing current views and openness and would not be necessary if it were not for the proposal.
It is therefore considered that the proposal is likely to result in an undue detrimental effect on the amenity of the neighbourhood and should therefore not be approved pursuant to clause 5.2.5.

It is nevertheless appropriate to have regard to the remaining relevant provisions of the planning scheme.

**Intent of zone**

The Intent of the Intensive Rural Zone is the retention of land for agricultural production. The proposal is considered to be contrary to this intention for reasons outlined below with respect to the *State Policy on the Protection of Agricultural Land 2009*.

**Setbacks**

Schedule 7 prescribes a front boundary setback of 15m and a side and rear boundary setback of 10m. The proposal complies with these setbacks.

**Height**

No height standard is prescribed by the Scheme.

**Parking**

Due to the nature of the use the Scheme does not prescribe car parking numbers for a Caravan Park. It is considered that the design adequately accommodates the range of vehicles likely to use the site and any secondary or visitor vehicles.

**Access**

Vehicular access is proposed from Wilmot Road and it is proposed to fill the land behind the existing access to provide a level junction.

Comments from Council’s Infrastructure Services Department and the Department of Infrastructure Energy and Resources are provided later in this report.

**Land Stability**

Clause 6.2.8 requires Council to consider the circumstances of the case and public interest where necessary when accessing the application. This includes potential land instability.

The site is flat and not at risk of instability and is not identified as containing dispersive soil. The site borders Mountain River and is experiencing erosion due to the lack of stabilising vegetation however this has no effect on the ability to implement the proposal.

**Flooding**

Clause 6.2.8 requires Council to consider the circumstances of the case and public interest where necessary when accessing the application. This includes the potential for flooding.
The GHD Mountain River Flood Prone Map and the Hydro Tasmania Huon River Flood Evacuation Plan Map indicate that the property is entirely below 1:20 and 1:100 year flood levels.

The application advises that an emergency management plan can be prepared to manage flood events. The application refers to Council’s Accommodation Prospectus and it must be noted that the Accommodation Prospectus is discussing a different site.

Whilst numerous caravan parks are located beside rivers and experience flooding, the subject site is not well suited to this use as the entire site is flat and subject to regular flooding. Further, unlike some other flood prone caravan parks the proposed caravan park is a large distance from a public road.

Flooding impact on the site is demonstrated in photos taken 25 August, 2003 from the adjoining Council Land as shown in Attachment D.

It is considered that the application does not provide sufficient justification to demonstrate that the use is appropriate for this site and that the risk to life and property is to an acceptable level. As such, it is considered that the application should be refused.

**Heritage**

The place is not listed on the Tasmanian Heritage Register.

The proposal was referred to Aboriginal Heritage Tasmania who consider that the presence of aboriginal heritage to have some likelihood given the location at the junction of two significant rivers. The developer was requested to provide an aboriginal heritage assessment but, given the current situation, requested to not submit a report. Regardless, the developer must comply with the *Aboriginal Relics Act 1975* which is aimed at protecting Aboriginal heritage. If any relics are located during construction, this Act contains procedures for their protection.

**Flora and Fauna**

The proposal is accompanied by an environmental values report (which has not been included in the Attachments to this report). The report identifies the presence of weeds but no vegetation community or habitat of significance.

**Southern Water comments**

The application was referred to Southern Water who provided conditions of approval that must be included on any permit issued which are included in Attachment D.

**Department of Infrastructure, Energy & Resources (DIER) comments**

*DIER has no objection in principle to the … proposal. However as access is required directly onto Ranelagh Secondary Road (Wilmot St) application will need to be made for works within the road reservation. There will be conditions to be met under any permit issued, inclusive of, but not restricted to, pavement construction, sealing and drainage.*
Infrastructure Services Department comments

Wilmot Road comes under the jurisdiction of DIER and the new access must meet DIER requirements.

The proposal plans indicated that the internal access roads will be a 6m wide gravel road and it would appear that the intention is for the caravan parking bays to be retained as grass. Due to the fact that the land is low lying river flat in the winter months these parking areas would become very wet and not suitable for there intended use.

As a minimum the access road should be sealed from the start of the 1 in 6 grade detailed on the proposal plan to the edge of the carriage way of Wilmot Road and the parking allotments should be constructed in an all weather surface.

The proposal includes the following rationale for the gravel surface of the internal roads. Officer comments are below each rationale provided.

• A gravel access road can be readily removed as opposed to a sealed access road.
  It is questionable as to how the removal by heavy machinery differs whether it is a gravel or sealed road.

• A pervious road surface can be readily repaired after any flood damage, should it occur, where as an asphalt surface can buckle and warp during & after a flood event is much more costly and slower to repair.

  The initial section of the access road required to be sealed is less likely to be impacted upon by a flood as the developer proposes to raise the land.

  An asphalt surface is considered to be more expensive to repair but the surface is going to better withstand the traffic movements generated by the development and offer an improved surface to service those vehicles through out the various times of the year especially in periods of rain fall like the local environment experience.

  It is considered that the development cannot be supported in its current configuration.

  If the development is to be approved the concerns noted above would need to be addressed. Therefore any permit granted should required detailed Engineering Design Drawings demonstrating appropriate access, car parking and stormwater management.

Environmental Health Unit comments

There are no environmental health issues relevant to this application.
Natural Resource Management Unit comments

Vulnerable Land
- Mountain River and the Huon River are Class 1 streams and a 40m wide buffer should be provided to protect the watercourses and existing threatened vegetation along the Huon River
- Consideration should be given to stormwater management measures that reduce the velocity of flow and maintain water quality through gross pollutant traps or similar measures

Weeds
- Ragwort & crack willow have been recorded on the site with California thistly, gorse, blackberry fennel and canary broom recorded on the roadside adjacent to this property. These are Declared Zone B weeds in the Huon Valley. The management goal for these weeds is to eradicate isolated infestations or where threatening assets (such as threatened vegetation, threatened species and/or reserves/protected areas).
- Gorse, willows, cumbungi and blackberry are present in the area proposed as open space. These weeds spread easily via seeds and plant fragments (including roots). Care should be taken with regards to soil movement and machine hygiene to reduce the risk of weed spread.

Conditions of approval relating to the above comments should be included in any permit issued.

State Policies

State Policy on Water Quality Management 1997
The State Policy on Water Quality Management 1997 came into operation on 27 September 1997. The purpose of the Policy is to achieve the sustainable management of surface and ground waters and this includes ensuring that use or development is consistent with the physical capacity of the land so that the potential for erosion and water quality degradation is minimised.

A Soil and Water Management Plan (SWMP) prepared in accordance with the Guidelines for Soil and Water Management (HMCA, Hobart, June 1999) is required as:

- (a) the total site disturbance is expected to exceed 250m$^2$,
- (b) the average gradient of the development site is greater than 20%, and/or,
- (c) the development site is located close to a waterway.

A SWMP should be submitted as part of a future building application and, once implemented, should ensure that the proposal furthers the purpose of the Policy. A condition of approval to this effect should be included on any permit issued.
**State Coastal Policy 1996**
The State Coastal Policy 1996 applies to this proposal as the site is within one kilometre of State waters. The principles of the policy are:

- Natural and cultural values of the coast shall be protected
- The coast shall be used and developed in a sustainable manner
- Integrated management and protection of the coastal zone is a shared responsibility

The relevant clauses of the Policy are as follows:

- Siting, design, construction and maintenance of buildings, engineering works and other infrastructure, including access routes within the coastal zone, will be sensitive to the natural and aesthetic qualities of the coastal environment.

- In determining decisions on use and development in the coastal zone, priority will be given to those which are dependent on a coastal location for spatial, social, economic, cultural or environmental reasons.

- The public’s common right of access to and along the coast, from both land and water, will be maintained and enhanced where it does not conflict with the protection of natural and cultural coastal values, health and safety and security requirements.

It is considered that the proposal is generally consistent with the Policy.

**State Policy on Protection of Agricultural Land 2009**
The State Policy on the Protection of Agricultural Land 2009 became effective on 3 September 2009. A comprehensive implementation strategy for this new Policy is currently being prepared by the TPC and this may include implementation guidelines.

The purpose of the Policy is

- To conserve and protect agricultural land so that it remains available for the sustainable development of agriculture, recognising the particular importance of prime agricultural land.

Agricultural land is defined as

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

The most significant principle of the Policy with respect to the proposal is

- The protection of non-prime agricultural land from conversion to non-agricultural use will be determined through consideration of the local and regional significance of that land for agricultural use.
The site is identified as Significant Agricultural Land under the draft regional land use strategy for Southern Tasmania.

It is considered that the proposal, as it is not temporary in nature and is likely to be the dominate commercial enterprise on the land, will convert agricultural land to non-agricultural use. It is considered that this conversion serves no other strategic land use purpose and the land is significant in a local and regional context for agricultural use.

As such it is considered that the proposal is inconsistent with the Policy and therefore the application ought to be refused.

Representations

Council received three representations opposing the proposal and one representation in support.

The one representation in support raised the following matters:

   a) the potential economic benefits of the proposal,
   b) the amenity that the site will afford future users, and
   c) improved maintenance of the land.

Officer comments

It is considered that the reasons outlined are all valid benefits that will follow any approval of the proposal. However, they do not outweigh the negative aspects of the proposal and its inability to comply with the planning scheme, particularly the non-compliance of the technical components of clause 5.2.5.

The three representations in opposition raised the following matters.

1. The proposal is a prohibited use under the scheme and is not temporary in nature;
2. The proposal would cause a loss of productive agricultural land and would fetter adjoining agricultural land and is therefore contrary to the State Policy on the Protection of Agricultural Land 2009;
3. The proposal would cause a loss of rural character which separates Huonville and Ranelagh by causing a visual intrusion into the rural appearance of the land and by providing ribbon development contrary to the tenor of the planning scheme;
4. The site is flood prone and cannot safely accommodate the proposed use (ie. how would vehicles be moved from the site during heavy rainfall when the land becomes boggy) and raises liability issues for rate payers;
5. The proposal is contrary to the objectives of the Act, the tenor of the planning scheme and the direction for the area set out in the Huonville / Ranelagh Structure Plan;
6. Capacity to do more harm than good to the local tourism industry;
7. Amenity impacts, including noise, light and increased traffic;
8. Construction has commenced prior to any decision on this application;
9. The availability of other, more suitable sites for a Caravan Park
Planning Officer Comments

1. This issue has been discussed earlier in the report.
2. This issue has been discussed earlier in the report.
3. This issue has been discussed earlier in the report.
4. This issue has been discussed earlier in the report.
5. The objectives of the Act are not relevant to the assessment of an individual application. The proposal is not considered to further the tenor of the planning scheme however it must be noted that it is difficult to apply the tenor to individual planning applications. The structure plan has been endorsed by Council but has no legal effect.
6. This issue is not directly relevant to the planning scheme.
7. This issue has been discussed earlier in the report.
8. The concern raised relates to a large amount of fill that has been deposited on the site. Effectively, this application if approved would provide for the retrospective approach of the fill. It is considered appropriate to await Council’s determination on this matter before proceeding further.
9. The suitability of alternative sites is not a relevant consideration under the Scheme.

Land Use Planning and Approvals Act 1993
The application has been submitted in accordance with section 57 of the Land Use Planning and Approvals Act 1993 (the Act). The application was advertised in accordance with the Act and four representations were received during the statutory advertising period. The issues raised in the representation have been discussed earlier in this report.

CONCLUSION
Application is made for a Caravan Park (Temporary Planning Approval) on land generally opposite 2 Louisa Street, Ranelagh with access from Wilmot Road (CT 123292/2 & 3 & CT 243707/2).

It is considered that the proposal is unreasonable and ought to be refused as:

- it is a prohibited use in the zone and is not of a temporary nature
- the proposal will have an unreasonable impact of neighbourhood amenity
- the proposal is contrary to the State Policy on the Protection of Agricultural Land 2009, and
- the proposal is incompatible with the flood hazard that affects the land.

18.087/11*
RECOMMENDATION

That the application by Peacock, Darcey & Anderson for a caravan park (temporary planning approval) (DA-217/2011) submitted to Council in accordance with section 57 of the Land Use Planning and Approvals Act 1993 be refused for the following reasons:

1. The proposal does not satisfy clause 5.2.5 of the Huon Planning Scheme 1979 as it is not of a temporary nature and will result in an undue detrimental effect to neighbourhood amenity.
2. The proposal will cause a loss of agricultural land and will likely fetter agricultural use of adjoining land contrary to the intent of the zone and the State Policy on the Protection of Agricultural Land.

3. The land is entirely below the 1 in 20 year flood level and the proposal has not demonstrate that the risk to life and property from a flood event is to an acceptable standard and is therefore inconsistent with clause 6.2.8 of the Huon Planning Scheme 1979.

18.087/11*
RESOLVED    CR WILSON    CR PEPPER

That the application by Peacock, Darcey & Anderson for a caravan park (temporary planning approval) (DA-217/2011) submitted to Council in accordance with section 57 of the Land Use Planning and Approvals Act 1993 approved subject to the following conditions:

1. The development must be substantially in accordance with DA-217/2011, the endorsed plans, and as amended by this permit. Whoever acts upon this permit (hereafter referred to as ‘the developer’) must comply with all conditions placed upon it. Any amendment, variation, or extension of this permit requires further approval.

2. Approval is granted for a period of three (3) years only from the date of this permit.

No later than 6 months after the date of expiry of this permit the site shall be restored to the satisfaction of Council. This shall include the removal from the site all trace of any works, buildings, materials, plant or other equipment introduced and used for the purposes for which the permit was granted. This must occur without claim for compensation against Council.

3. The approved signage must be located wholly within the boundaries of the lot and must be maintained at all times in good repair and in a clean, tidy and safe condition to the satisfaction of Council’s Manager Planning and Legal Services.

4. No flashing signs or lights are to be erected or affixed to the premises and no fluorescent or day-glo colours are to be used in any signage.

5. No topsoil is to be removed from the site.

6. Prior to the commencement of the use, a Weed Hygiene Plan identifying methods to eradicate any infestation of weed species and to also prevent the possible spread of weeds and soil based pathogens to and from your site during construction must be submitted to and approved by Council’s Manager Planning and Legal Services.
The plan must be implemented prior to any works occurring on the land and be maintained throughout the construction period.

At a minimum, the plan must provide

(a) a site survey for environmental weeds including details of the name, location and extent of any weeds present,
(b) describe methods for the management of weeds present, and
(c) describe methods to eradicate any Priority 1 weeds present.

7. Prior to the issue of a commencement of works, a Soil and Water Management Plan (SWMP) that provides controls of temporary run-off, erosion and soil retention must be submitted to and approved by Council’s Manager Planning and Legal Services.

The SWMP must be prepared generally in accordance with Soil & Water Management on Building & Construction Sites Guidelines, provided in the form of various fact sheets, which is available at http://www.derwentestuary.org.au/index.php?id=30.

The SWMP should be prepared in accordance with the follow fact sheets

2. Soil & Water Management on Standard Building and Construction Sites
3. Soil & Water Management Plans
4. Dispersive Soils – High Risk of Tunnel Erosion
6. Preserve Vegetation
7. Divert Up-slope Water
9. Protect Service Trenches & Stockpiles
12. Stabilised Site Access
13. Wheel Wash
14. Sediment Fences & Fibre Rolls
18. Dust Control, and
19. Site Revegetation

The SWMP must be implemented prior to any works occurring on the land and must be maintained until such time that the land is effectively rehabilitated and stabilised.

8. Stormwater from the land must be discharged in accordance with all relevant legislation and to the satisfaction of the Council’s Manager Infrastructure Services.

To demonstrate compliance with this condition a stormwater management plan must be submitted to and approved by Council’s Manager Infrastructure Services detailing all proposed stormwater concentration and discharge from buildings, access and the use of gross pollutant traps and measures to reduce the velocity of any off site discharge.
The stormwater management plan must demonstrate that no stormwater will be discharged on or under a State Road, Crown Land or adjoining land unless all necessary consents and easements are obtained.

9. The cost of any repair work or any alterations to and/or reinstatement of existing services including roads and footpaths or private property incurred as a result of the development must be at the expense of the developer. Any work so required must be specified and undertaken by the appropriate authority concerned or alternatively with the written consent of the appropriate authority.

10. Vehicular access must be provided from Wilmot Road to the property boundary in accordance with the Department of Infrastructure, Energy and Resources (DIER) standard drawings and to the satisfaction of DIER.

11. The conditions as determined by Southern Water, and set out in the attached Appendix A, form part of this permit.

For The Following Reasons:
- 80% of land will stay rural
- Easily revert back to farm use
- Agri-tourism is a way of the future for sustainable farming
- Alternative income source “Caravan Park” to make 26 acre rural property viable
- Now system in place for flood alert on the Huon River that gives plenty of notice

- Councillors Armstrong, Doyle, Heron, Wilson, Duggan & Pepper voted for the motion & Councillors Smith & Woodruff voted against the motion.

Cr Gudden returned to the meeting at 7.08pm.

Mayor Armstrong adjourned the meeting for the purpose of holding the Annual General Meeting as at 7.08pm.

Mayor Armstrong re-opened the meeting following holding of the Annual General Meeting as at 7.22pm.
Cr Heron declared an interest in Agenda Item 18.088/11 and left the meeting at 7.22pm.

**Title**  
PLANNING APPLICATION DA-172/2011

**Agenda Number**  
18.088/11*

**Strategic Plan Reference**  
1.2

**File Reference**  
DA-172/2011 / 3029917

**Author**  
Planning Officer

**Responsible Officer**  
Senior Planning Officer

**Reporting Brief**  
Manager Planning & Legal Services presenting a report from the Planning Officer for a partial change of use from a Cool store building to a Landscape and Garden Centre.

<table>
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<th>Applicant</th>
<th>Howard and Sharon Watson</th>
<th>Owner</th>
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<td>Zone</td>
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<td>Status</td>
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<td>Representations</td>
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**DESCRIPTION OF PROPOSAL**

Application is made for the partial change of use of an existing cool store and fruit packing building to a landscape & garden centre on land at 14-20 Louisa Street, Ranelagh.

The proposed use (refer to Attachment A) would occupy the north-western portion of the existing cool store and fruit packing shed that is located on the site and would stock supplies such as sand, loam, compost, bark and wood chips.

The majority of goods for sale will be housed within the building. Supplies that have the potential to emit dust and debris would be stored wholly within part of the cool store building within containment bays constructed from 500kg straw bales.

Only packaged goods such as manure would be displayed outside during business hours.

Dust control measures would be implemented on the site during periods in which environmental conditions may increase the risk of dust leaving the site.

Landscaping supplies which have the potential to present odour such as manure and the like would be sold in bags. The applicant advises that noise emissions from the site would not exceed that which currently exists on the site with the current use.
Ingress and egress for the site for both deliveries and the general public would be via two accesses in Agnes Street, with site deliveries restricted to the approved operating hours only. Inwards traffic would enter the site from Agnes Street, approximately 50m south-east of the Agnes Street / Louisa Street intersection and exit the site approximately 12m from this intersection.

Vehicles associated with the use would include a small loader and tip truck. The tip truck would be used for inwards deliveries of supplies and for off site customer deliveries; the loader would be used on site to manipulate supplies into the storage bays, for loading the tip truck for off site deliveries and for loading customer vehicles. The tip truck would be stored off site at the applicant’s residence after hours and the loader would be stored permanently on the site.

The loading of customer vehicles would be undertaken in two locations on the site: within the undercover area in which the supplies are stored, and on the 30m x 10m open concrete pad that is situated on site and to the north-west of the under cover area. The open concreted area would also be utilised for customer parking. Staff parking would be located to the south-west of the site.

The operating hours for the use would be as follows:

- Monday to Friday: 8.00am to 4.40pm
- Saturday: 8.30am to 3.00pm; and
- Sunday: 10.00am to 2.00pm

The proposal would also include the erection of two 1.8m long x 1.2m high signs with one sign to be erected on the Louisa Street elevation of the building to be occupied for the use and one on the Agnes Street elevation.

SITE AND LOCALITY

The subject site (refer to Attachment B) is an irregular shaped, 8452 m² corner lot with frontage to both Agnes Street and Louisa Street. The property contains an enclosed operational cool store and fruit packing facility which occupies a significant portion of the site (approximately 46%). The proposed use would occupy approximately 702m² of this under cover facility as well as the 75m x 8m open concrete pad which is situated to the north-west.

The title for the site (CT 131643 / 2) contains no matter that would form an obstacle to the proposed development. The site is flat, and is serviced with reticulated water sewer and storm water disposal.

The site is surrounded by residential uses to the west, south, east and park land to the north-west.

DISCUSSION

Planning Scheme

The site is zoned Light Industrial under the *Huon Planning Scheme 1979* (the Scheme). The proposal is categorised as *Filling Stations and Other Retail* which is a discretionary use in the zone.
Clause 6.2 of the Scheme requires Council to take into consideration a range of matters including the following with regard to processing applications and the application of the Scheme:

6.2.3 The character of the locality, the existing and future amenity of the neighbourhood and the values of the properties in the surrounding locality.

6.2.4 The availability of existing public utility services and roads.

6.2.6 The provision of access, loading, parking and manoeuvring of vehicles.

6.2.7 The provision of adequate landscaping and associated furniture, amenity facilities, illumination and treatment of the site generally.

6.2.8 The circumstances of the case and the public interest.

6.2.10 The need to impose limits as to length of establishment of operation and the periods within which activities may only be carried out.

The following with have regard to these matters.

Amenity

The subject site is currently used for agricultural purposes of an industrial nature.

It is considered that in terms of visual amenity the proposed use would fit with the existing use of the site as a large portion of the use (product stockpiles) will be hidden from view. Those products that would be visible from the street would be bagged supplies and visually reminiscent of what one would expect to see at such a site if the existing use decided to sell cherries and apples directly to the public from the site. The activity generated by the coming and going of customer vehicles and the operation of the loader on the site could also be described as being similar to the kind of intensity that is currently experienced on the site with the existing use as a packing shed and cool store.

Landscape and gardening centres have the potential, by virtue of the type goods that they stock, to create a nuisance to residential land uses with sediment and noise emissions from the site if not managed with care. Any permit that is issued should include conditions which control noise emissions and sediment emissions from the site. It is considered that the subject proposal could operate in a manner that would not cause a nuisance to adjoining properties provided that it accords with recommended conditions regarding noise and sediment control.

As discussed below, the public utilities have been identified to be capable, of accommodating the proposal and Council’s Infrastructure Services Department and Southern Water have recommended conditions regarding this matter.
**Intent of zone**

The Scheme does not have a dedicated statement of intent for the Light Industrial zone. The implied intent for the zone is for use and development in the zone not to have a detrimental impact upon the amenity of adjoining residential uses and for residential uses not to unreasonably encumber the effective operation of industrial uses on industrial zoned land.

It is considered that proposed would accord with implied intent for the zone if it is operated in compliance with the recommended conditions.

**Parking**

Schedule 8 prescribes car parking requirements for uses. Schedule 8 does not specify required car parking for the use and development category of *Filling Stations and Other Retail Services* which leaves the allocation of car parking requirements to the discretion of Council. It is considered that a similar use and development category to the proposed use would be a *Saleyard, Service Station* which has a car parking requirement of four spaces.

It is recommended that it be a condition of approval that four, clearly marked car parking spaces be provided for the proposed use prior to commencement of the use.

The size of each space and associated manoeuvring area should also comply with the relevant provisions of the Scheme and Australian Standard AS 2890.1 2004 (Off Street Car Parking).

**Access**

Vehicular access is proposed from Agnes Street. The proposed use would only utilise Agnes Street for vehicular ingress and egress. Comments from Council’s Infrastructure Services are provided later in this report in relation to this matter.

The proposal was referred to DIER for comment as the relevant authority for Louisa Street. The Department raised no objection overall to the proposed development but recommended the applicant prepare a Traffic Impact Assessment for the proposal. The advice from DIER was received outside of the 21 day period in which Council had to request the applicant for additional information, as such, the applicant was not requested to provide a Traffic Impact Assessment for the proposal.

**Heritage**

The place is not listed on the Tasmanian Heritage Register.

**Landscaping**

It is considered appropriate that the developer be required to landscape the site in order to improve the overall appearance of the site. A condition to this effect should be included in any permit issued.
Southern Water comments

The application was referred to Southern Water who provided conditions of approval that must be included on any permit issued (Refer to Attachment C).

Infrastructure Services Department comments

The site has frontage to Louisa Street & Agnes Street, the proposed vehicular entry locations are on Agnes Street.

Agnes Street is a Council maintained road. The entry location will need to comply with Council’s requirements for safe sight distance which is 55 m.

Car parking conditions will apply for this development.

There will be line marking and signage requirements for this development.

In an order to minimise dust generated from the proposed use, dust mitigation systems and processes will need to be installed such as the use of sprinkler misting over the stock piled landscaping supply products.

In order to prevent the contamination of Council’s storm water system and in an effort to prevent contaminants entering Mountain River an appropriately designed sediment retention system will need to be provided and approved by Council. This system will need to be designed by an approved practising professional geo technical engineer.”

Conditions of approval relating to the above comments should be included in any permit issued.

Environmental Health Unit comments

The proposal was recommended to Council’s Environmental Health Unit who raised no objection to the proposed development. Conditions of approval were recommended for the development which relate to noise, dust, smell, liquid control so that they do not have a detrimental impact upon the environment.

Conditions of approval relating to the above comments should be included in any permit issued.

Natural Resource Management Unit comments

“Hard material dividers (concrete or equivalent) would be a preferred material for the bays from a weed hygiene point of view. It cannot be guaranteed that hay bales have come from a pasture crop that is not contaminated by declared weeds. Since landscaping material would be transported from these storage bays to other sites in the Huon Valley, this material could potentially pose a weed risk. High priority declared weeds known to occur in some pastures in the Huon Valley include ragwort, Pattersons curse, St Johns wort and slender thistles.
The applicant is responsible for compliance under the Weed Management Act 1999. Under this legislation, anything contaminated with a declared weed (including plant fragments, roots and seed material) must not be moved, sold or stored.

Due to the nature of the proposed business, which will involve the transport of landscaping material contained by large hay bales, it is recommended that the applicant develop a risk management plan for the purchase and use of the proposed hay bales and undertake measures to control the risk of transporting declared weed matter.

Further information is available:

It is recommended that conditions of approval regarding the above comments be included in any permit that is issued for the development.

State Policies

**State Policy on Water Quality Management 1997**
The State Policy on Water Quality Management 1997 came into operation on 27 September 1997. The purpose of the Policy is to achieve the sustainable management of surface and ground waters and this includes ensuring that use or development is consistent with the physical capacity of the land so that the potential for erosion and water quality degradation is minimised.

A Soil and Water Management Plan (SWMP) is not required as:

- (a) the total site disturbance is expected to be less than 250m²;
- (b) the average gradient of the development site is less than 20%, and
- (c) the development site is not located close to a waterway.

The proposal complies with the Water Quality Policy as the risk of erosion and water quality degradation as a result of the proposed development is considered acceptable.

**State Coastal Policy 1996**
The State Coastal Policy 1996 applies to this proposal as the site is within one kilometre of State waters. The principles of the policy are:

- Natural and cultural values of the coast shall be protected
- The coast shall be used and developed in a sustainable manner
- Integrated management and protection of the coastal zone is a shared responsibility

It is considered that the proposal will not prejudice the purpose of the policy and is unlikely to cause any adverse off-site impacts on the environmental or the coastal location provided the use is conducted in accordance with the recommended conditions of approval.
**State Policy on Protection of Agricultural Land 2009**

The site is not considered to fall within the definition of agricultural land under the Policy as the site is located within an established town.

**Representations**

Council received one representation during the statutory advertising period (refer to Attachment C).

The representation raised three main concerns with the proposed development:

1. Increase in traffic flows and vehicle emissions in Agnes Street resulting in the detriment to the residents in the street;
2. Increase in dust and fumes from vehicles utilising the site from the access which is currently unsealed;
3. Concern that the Louisa Street/Agnes Street intersection is deficient and that the increased traffic numbers may cause problems.

**Planning Officer Comments**

1. it is expected that the traffic flows generated by the proposed use would not increase significantly from the existing use of the site (as a fruit packing shed) if it was operating at full capacity;
2. this matter has already been discussed within the report.
3. this matter has already been discussed within the report. Council’s Infrastructure Services Department have made recommendations regarding this matter which include the implementation of signage and access. It is considered that that with the application of the conditions recommended by Council’s Infrastructure Department that this issues raised by the representor has been addressed.

**Land Use Planning and Approvals Act 1993**

The application has been submitted in accordance with Section 57 of the *Land Use Planning and Approvals Act 1993* (the Act). The application was advertised in accordance with the Act and one representation was received during the statutory advertising period. The issues raised in the representation have been discussed earlier in this report.

**CONCLUSION**

Provided the proposal is undertaken as outlined in this report, it is considered to be in keeping with the intent and development provisions for the Light Industrial Zone, the objectives of the Scheme and the Act and the relevant State Policies in force at the time of writing this report, and is to be recommended for approval subject to conditions.
It should be noted that if the proposal receives planning approval, and the operation is not managed in accordance with the recommended conditions, Council has the means under the Land Use planning and Approvals Act 1993 to seek compliance with a planning permit or imply additional controls on the operator of the site under Environmental Health legislation such as the Environmental Management and Pollution Control Act 1994.

18.088/11*
RESOLVED CR PEPPER CR WILSON

That a permit be granted for the proposal by Mr H G Watson and Mrs S M Watson. partial change of use to landscape & garden centre (DA-172/2011) submitted to Council in accordance with Section 57 of the Land Use Planning and Approvals Act 1993, subject to the following conditions:

1. The development must be substantially in accordance with DA-172/2011, the endorsed plans, and as amended by this permit. Whoever acts upon this permit (hereafter referred to as ‘the developer’) must comply with all conditions placed upon it. Any amendment, variation, or extension of this permit requires further approval.

2. Prior to commencement of the use, vehicular access must be provided from the carriageway of Agnes Street to the property boundary. Any new or existing access must comply with Municipal Standard Drawing SD-1003 to the satisfaction of the Council’s Manager Infrastructure Services.

   No entry / exit location will be approved or permitted that does not comply with Council’s safe sight distance requirements of 55m.

   In the event that entry and exit arrangements are utilised from single access point a dual width vehicular access / cross over will need to be installed.

   It is advised that no works shall occur within the road reserve until a works permit has been granted by the Council’s Manager Infrastructure Services.

3. Stormwater from the land must be discharged in accordance with all relevant legislation and to the satisfaction of the Council’s Manager Infrastructure Services.

   To demonstrate compliance with this condition a Stormwater Management Plan must be submitted to and approved by the Council’s Manager Infrastructure Services detailing all proposed stormwater concentration and discharge from buildings, access and other hard stand areas including any gross pollutant traps.

   No sediment or materials are to be allowed to enter the Council stormwater system. The design for the Stormwater Management Plan will need to detail how sediment and material / waste produced from the operation of the business will be prevented from entering the Council stormwater main. This design will need to be undertaken by a recognised professional Geotechnical Engineer.
The Stormwater Management Plan must demonstrate that no stormwater will be discharged on or under a State Road, Crown Land or adjoining land unless all necessary consents and easements are obtained.

4. The cost of any repair work or any alterations to and/or reinstatement of existing services including roads and footpaths or private property incurred as a result of the development must be at the expense of the developer. Any work so required must be specified and undertaken by the appropriate authority concerned or alternatively with the written consent of the appropriate authority.

5. The car parking spaces, driveway and turning bays must be constructed with an asphalt or concrete running surface that is properly graded and drained to an approved stormwater outlet.

   The internal access and exit drive way will need to be sealed with a concrete or asphalt running service from the edge of the sealed vehicular access to the edges of the building.

   All spaces designated for car park use will need to be line marked to the satisfaction of the Council’s Manager of Infrastructure Services and in accordance with the relevant standards for off street car parking.

   A clear ENTRY & EXIT sign must be installed prior to first use with directional arrows painted on the internal sealed entry / exit. Lane separation lines must be installed prior to first use.

   The pavement and drainage must be designed by a suitably qualified person and certified for compliance on completion of the works.

6. Prior to the commencement of use securely fixed wheel stops, kerbing or similar must be installed in all areas set aside for car parking to the satisfaction of the Council’s Manager Infrastructure Services.

7. This approval does not extend to the use of Louisa Street for ingress or egress for the site for the subject use.

8. The concrete apron on the north-eastern side of the site is not to be used as a loading or off-loading point for landscaping supplies or a storage area for landscaping stockpiles.

9. Landscaping supplies with the potential to emit odour, such as but not limited to - manure, blood and bone, composting and fertilisers are to be stored on site and sold in sealed bags.
10. The site must be landscaped to achieve a high standard of appearance.

Prior to first use a landscape plan must be submitted to and approved by the Council’s Manager Planning and Legal Services. The landscape plan must be to scale and show:

- details of proposed plantings including names, number and location and the height and spread at maturity; and
- an appropriate watering system.

All landscaping works must be completed within three months of the commencement of the use.

11. Prior to commencement of use a Weed Hygiene Plan identifying methods to prevent the possible spread of weeds and soil based pathogens to and from your site during the operation of the use must be submitted to and approved by the Council’s Manager Planning & Legal Services.

The plan must be implemented prior to first use and be maintained throughout the construction period.

12. Southern Water has imposed conditions in accordance with Section 56Q of the Water and Sewerage Industry Act 2008. The conditions as determined by Southern Water, and set out in the attached Appendix A, form part of this permit.

- Councillors Armstrong, Doyle, Wilson, Smith, Duggan, Gudden, Woodruff & Pepper voted for the motion & no Councillors voted against the motion.
Cr Heron returned to the meeting at 7.25pm.

Title REGIONAL MODEL PLANNING SCHEME
Agenda Number 18.089/11*
Strategic Plan Reference 1.2
File Reference 17/18
Author Senior Planning Officer
Responsible Officer Senior Planning Officer
Reporting Brief Manager Planning and Legal Services presenting a report from the Senior Planning Officer on the proposed Regional Model Planning Scheme.

Background

A future Huon Valley planning scheme will consist of:
- State wide provisions as detailed in the Planning Scheme Template for Tasmania
- Regional provisions as detailed in a regional model planning scheme, and
- Local provisions to be determined by Council.

The State wide and regional provisions will provide commonality and consistency between a Huon Valley planning scheme and new planning schemes being developed by all other Tasmanian Councils and is consistent with the Memorandum of Understanding signed by Council.

A draft regional model planning scheme has been prepared through the Regional Planning Project (RPP) which is being managed by the Southern Tasmanian Council’s Authority (STCA).

The draft Regional Model Planning Scheme has previously been circulated to Councillors.

Report

The purpose of this report is:
- To present a brief overview of the proposed regional model planning scheme;
- To enable comments to be made for the consideration of the RPP on the more significant direction and components of the regional model planning scheme; and
- To obtain delegation for Council officers to comment on more minor implementation matters such as drafting issues.

A regional model planning scheme

The regional model planning scheme will form a component of the implementation strategy for the regional land use strategy. The implementation strategy will not be endorsed by Councils or State agencies with only the RPP's steering committee to endorse it. This means that the implementation strategy can be a ‘living’ document. This also means that no Planning Authority will be bound by a regional model planning scheme. However, any departures will need to be justified on local strategic grounds.
The provisions of the regional model planning scheme are intended to be those necessary to ensure the regional land use strategy is implemented. Each planning authority will be required to add local provisions (such as use qualifications, standards and codes) necessary to achieve the local strategy.

The regional model planning scheme will also set out consistent expression of provisions for the entire scheme.

The draft regional model planning scheme consists of:

- The provisions of the Planning Scheme Template for Tasmania and Planning Directive No. 4 – Standards for single dwellings which are shown in black text
- Instructional text from the State or the region shown in grey text
- Provisions that are intended to be mandatory across the region which are shown in blue text; and
- Provisions that are intended to be optional across the region which are shown in purple text.

Some provisions include both mandatory and optional provisions. For instance the mandatory provision may be a minimum lot size for a zone with an optional component for each Planning Authority to specify the figure.

**Brief explanation of the structure and operation of a new scheme**

At a basic level a new scheme will be comprised of objectives, operational / technical clauses, exemptions, zones, codes and specific area plans. Specific area plans override codes and both override zones.

The objectives are to outline a basis for provisions in zones, codes and specific area plans and show how detailed standards have some strategy basis. Objectives will not have any statutory decision making weight other than for planning scheme amendments.

Each zone has a purpose statement and the purpose statements must relate to the use table and all standards within the zone (i.e., the use table and standards must further the purpose statements). However, the purpose statements will not have any statutory decision making weight other than for planning scheme amendments.

Some zones may include a Local Area Objective of Desired Future Character statement where there is sufficiently detailed strategic work to identify discrete and unambiguous objectives or character statements for a street or area. If these are provided they will only be relevant for statutory decision making if specifically referred to in a performance criteria.

Each standard (in a zone, code or specific area plan) will consist of an objective, an acceptable solution and a performance criteria. A performance criteria must be read in conjunction with the associated objective whereas a acceptable solution will standalone. If a proposal relies on one or more performance criteria a Planning Authority will be required to exercise its discretion in determining an application.

The table of use will specify if that use is no permit required, permitted, discretionary or prohibited. A qualification can be used to make a particular use permitted in some instances and discretionary in other instances.
Overview of the Regional Model Planning Scheme
The following provides an overview of each section of the regional model planning scheme.

Part A
Section 2.2 outlines the vision and key features of the Southern Tasmania region and also provides two examples of municipal setting.

Section 3 provides the objectives of the planning scheme and must include a brief statement of how the objectives are to be achieved by the planning scheme. The objectives included are those considered necessary to implement the regional land use strategy and the majority of desired outcomes come directly from that document. Feedback is sought of whether additional local objectives, if necessary, should be included below the regional objectives or in a separate section.

Part B – Section 4.0
Terms are defined for activity centres, communal lane, commercial vehicle, craft and cottage industry, curtilage, Greater Hobart residential strategy, ridgeline, significant agricultural land, skyline and southern region.

Part B – Section 5.0 & 6.0
Provides the general and limited exemptions from the Planning Scheme Template for Tasmania and proposes no additional regional exemptions.

In earlier planning scheme drafting consideration was given to including limited exemptions for outbuildings and small dwelling additions in the rural living zone. Unless other Planning Authorities also choose to do so this can be considered as a local provision.

Part B – Section 7.0 & 8.0
These sections are taken unmodified from the Planning Scheme Template for Tasmania.

Part C
This part is taken unmodified from the Planning Scheme Template for Tasmania. The Tasmanian Planning Commission have recently advised that it is not possible to add any other clauses to this section.

Part D – General Residential Zone
Provides regional zone purpose statements, table of use and standards relating to amenity of discretionary uses, subdivision, and the construction of single and multiple dwellings and non-residential buildings.

Notable elements are:

- Subdivision is discretionary unless it is for a boundary adjustment that facilitates a change greater than that allowable in Part C or a Special Area Plan has been incorporated in the scheme then provided they meet the relevant requirements they are permitted,
- The minimum and maximum lot size is 500m² & 1000m² respectively with specific provisions for corner lots, internal lots and lots adjacent to public open space or in close proximity to a local shop of activity centre,
- Minimum frontage of 15m, and
- Consistent with the regional land use strategy, the inability to approve a subdivision of more than 40 lots unless the site has a Specific Area Plan. A Specific Area Plan can only be incorporated into the scheme through a planning scheme amendment process.

**Part D – Inner Residential Zone**
Not applicable.

**Part D – Low Density Residential Zone**
Provides a table of use and standards relating to amenity of discretionary uses, site cover, height, front, side and rear setbacks and outbuildings.

**Part D – Rural Living Zone**
Provides additional zone purpose statements, a table of use, standards relating to amenity of discretionary uses, amenity of sensitive uses, subdivision site cover, height, front, side and rear setbacks and outbuildings.

**Part D – Environmental Living Zone**
Provides additional zone purpose statements, a table of use, standards relating to amenity of discretionary uses, amenity of sensitive uses, subdivision, building design and siting (maximum roof area, height, located in clear areas and not on skylines or ridgelines and colour).

Notably it is proposed to prohibit agricultural activities namely forestry which will influence where this zone can be used.

**Part D – Urban Mixed Use Zone**
Not applicable as the Village zone is intended to provide the mixed use zone outside of Greater Hobart.

**Part D – Village zone**
Provides additional zone purpose statements, a table of use, standards relating to amenity of non-residential uses and village character, subdivision, building design and siting (maximum roof area, height, front, side and rear setbacks), private open space, outbuildings, residential density, car parking and multiple dwelling development.

The Village zone effectively provides a mix use zone.

Mixed use areas have been identified in numerous locations throughout the Huon Valley such as:

- along Shield Street in the Huonville / Ranelagh Structure Plan,
- in Franklin in the Huon Valley Land Use and Development Strategy,
- in Port Huon around the Kermandie Hotel in the Huon Valley Land Use and Development Strategy, and
- along Mary Street, Cygnet in the Huon Valley Land Use and Development Strategy.
The Village zone focuses (based on the Planning Scheme Template for Tasmania zone purpose statements and the construction of some proposed standards) on the zone being applied to a settlement rather than part of a settlement such as Huonville and it is appropriate to raise this as an issue.

**Part D – Community Purpose Zone**
To be drafted locally.

**Part D – Recreation Zone**
Consists entirely of optional provisions that relate to table of use, residential amenity, subdivision, building design and siting, floodlighting and fencing.

**Part D – Open Space Zone**
Consists entirely of optional provisions that relate to an additional zone purpose statement, table of use, commercial uses, residential amenity, subdivision, building design and siting, floodlighting and fencing.

**Part D – Local Business Zone**
Provides additional zone purpose statements and a table of use. Use and development standards are to be set locally. The table of use is designed to ensure that the Activity Centre Network hierarchy is appropriately implemented.

**Part D – General Business Zone**
Provides additional zone purpose statements and a table of use. Use and development standards are to be set locally. The table of use is designed to ensure that the Activity Centre Network hierarchy is appropriately implemented.

**Part D – Central Business Zone**
Not applicable.

**Part D – Commercial Zone**
Provides additional zone purpose statements only. Table of use and use and development standards are to be set locally.

**Part D – Light Industrial Zone**
Provides additional zone purpose statements, table of use, use standards on opening hours, noise and commercial vehicles and development standards on subdivision, front setback, setback to a residential zone, height, building design, landscaping, storage and fencing.

**Part D – General Industrial Zone**
Provides additional zone purpose statements, table of use, use standards on opening hours, noise and commercial vehicles and development standards on subdivision, front setback, setback to a residential zone, height, building design, landscaping, storage and fencing.

**Part D – Rural Resource Zone**
Provides additional zone purpose statements, table of use, use standards related to residential and commercial use, development standards relating to subdivision, building design and siting of sensitive (i.e., houses) and non-sensitive uses and plantation forestry.
Clause (c) (d) & (e) of the performance criteria for subdivision should be read as subclause of (b). These clauses are equivalent of Council’s failed planning scheme amendments from earlier this year.

**Part D – Significant Agriculture Zone**
Provides additional zone purpose statements, table of use, use standards related to residential and discretionary use, development standards relating to subdivision, building design and siting of sensitive (ie. houses) and non-sensitive uses and plantation forestry.

**Part D – Utilities Zone**
Provides a table of use, use standards for non-utility uses, development standards for subdivision, building design and siting (height & setbacks).

**Part D – Environmental Management Zone**
Provides additional zone purpose statements, a table of use, development standards for subdivision, building design and siting (height, materials, avoidance of skylines and ridgelines & setbacks from reserves) & ancillary structures (fencing).

**Part D – Major Tourism Zone**
Provides optional additional zone purpose statements. This zone is to be developed locally.

**Part D – Port and Marine Zone**
Provides an additional zone purpose statement. This zone is unlikely to be used.

**Part D – Particular Purpose zones**
Particular purpose zones are to be developed locally to address specific site issues. Two particular purpose zones are provided: a urban growth boundary zone and a future road corridor zone. The urban growth boundary zone is tailored to Greater Hobart and a local version would need to be prepared if this were to be used and which may be appropriate for some towns. The future road corridor zone could be appropriate for the extension of flood road identified, most recently, in the Huonville / Ranelagh Structure Plan.

**Part E – Bushfire, Potentially Contaminated Land, Landslip, Flood Prone Areas, Road and Rail Asset Codes**
The Codes have been prepared by the Tasmanian Planning Commission and have been publicly exhibited. No determination of each of these has been made by the TPC. The bushfire code has been modified and rereleased for public consultation from 29 November 2011 to 22 December 2011. The RPP is awaiting advice on the current status of each of the other Codes. It would appear increasingly likely that some, if not all, of these Codes will not be finalised in time for a new planning scheme. If this occurs each planning authority will need to either prepare a Code on these issues (which may occur in conjunction with other authorities) or to not include a code on these matters. At this stage the second option would be preferable as any Codes would be rushed and may attract unfair criticism and liability as a result.

**Part E – Parking and Access Code**
The Code has been drafted by Glenorchy City Council officers and is based on other Codes elsewhere in Australia. Whilst written for an urban context it has applicability to rural areas and towns as well.
The Code provides standards for car parking, motorcycle, bicycle and disabled car parking standards, the number and design of accesses to a site, passing areas, on-site turning, parking area design, surfacing, lighting, crime prevention & landscaping.

The final configuration will depend on other zone and code standards such as a multiple dwelling code which the TPC may prepare and may include various car parking standards.

Whilst there are several technical issues that should be addressed it is considered that there are no broad issues that require Council comment.

**Part E – Infrastructure Code**
The Code has been drafted by Huon Valley Council officers. The Code attempts to ensure that all aspects of infrastructure design and influence the physical design of a subdivision or development. It is tailored to what would be appropriate for the Huon Valley and may not be appropriate for other Planning Authorities.

**Part E – On-site Wastewater Management Code**
To be drafted.

**Part E – Construction Management Code**
The Code is designed to address issues such as soil and water management and weed management through a construction management plan. Planning authorities address these issues as conditions that are imposed through broad head of powers (i.e., objectives). Unfortunately, the Planning Scheme Template for Tasmania gives no statutory effect to objectives for a normal application process. The TPC will also not allow any head of powers to be introduced through Section 9. Thus, general matters such as those addressed in this Code need to be through a detailed code rather than more general statements.

**Part E – Biodiversity, Geodiversity and Landscape Code**
This code has been drafted by Huon Valley and Kingborough Council officers. The Code provides standards on vegetation removal, scenic landscapes, habitat connectivity within subdivision, protection of soil and water quality, geodiversity, offsets and operational considerations. The level of assessment and outcomes depend on whether a high, moderate or low biodiversity value is affected which are defined. High biodiversity value is to be retained unless exception circumstances apply.

**Part E – Wetlands and Waterways Code**
This Code has been drafted by Huon Valley Council officers and is based on similar Codes. It provides consideration of development adjacent to and within a wetland or waterway.

**Part E – Coastal and Marine Development Code**
This Code has been drafted by Huon Valley Council officers and is based on similar Codes. It provides consideration of marine facilities, canal estate, building design and siting, dredging or reclamation, point source discharge, public access, fill and excavation, development on coastal systems and shoreline protection works.
Part E – Coastal Vulnerability Code
This Code is being prepared by the TPC however it is unlikely to be completed in time. The STCA have sought clarification from the TPC which may or may not be answered. Planning authorities will be forced to prepare a Code individually or in combination. Given the lack of policy at the State level any response by planning authorities will be difficult to prepare. Further advice will be provided to Council.

Part E – Acid Sulfate Soils Code
This Code was prepared by Northern Council’s for their regional planning initiative. The Code has limited applicability in the Huon Valley.

Part E – Environmental Impacts and Attenuation Code
This Code was prepared by Northern Council’s for their regional planning initiative.

It provides standard to ensure that new sensitive uses (such as houses) have appropriate separation from various industrial type activities and also that new industrial type activities have appropriate separation from sensitive uses.

*Provide acceptable solutions or exemptions for residential outcomes and minor additions to existing residential use*

*Provide acceptable solutions or exemptions for minor additions to uses listed in Table E.14.1 that will not affect the potential to cause environmental nuisance (such as incidental storage, signage or office buildings).*

Part E – Heritage Code
Not provided at the time of writing.

Part E – Signs Code
This Code was prepared by Hobart City Council officers. It provides definitions for various sign types with exemptions and standards for sign types, standards for signs dealing with matters such as adjacency to residential areas, maximum number of signs per site, third party signage, illumination of signage and signage on heritage buildings.

Whilst this Code has a distinct central Hobart approach and that the entire Code is presented as a local optional Code it is considered that a high degree of regional consistency can be achieved, particularly through purpose statements, definitions and exemptions.

Comments on the regional model planning scheme
Recommended comments have been collated into a single document entitled *Huon Valley Council Comments on draft Regional Model Planning Scheme, December 2011.* A copy of this document is included in the Attachments to the Reports. The comments contained in the document reflect only changes that are considered necessary to the regional model provisions and do not indicate potential local provisions. In other words comments relate to what may prove best for consistency across the region rather than what is appropriate for local provisions or local variation.

It will be recommended that a submission be made to the STCA which includes the comments along with other comments on detailed implementation matters (including drafting issues).
Consultations

MANEX, Council officer attendance at a workshop to discuss parts of the draft regional model planning scheme and Infrastructure Services Department.

Legislative Requirements

The *Land Use Planning and Approvals Act 1993* provides for the development of an interim planning scheme to further a regional land use strategy.

Risk Implications

The regional model planning scheme has no identified risk implications for Council.

Development of the new Planning Scheme may continue to be subject to external factors and uncertainties discussed above and therefore any Plan may need to be subject to ongoing review.

Council Policy

Council has resolved to develop its planning scheme through the Southern Regional Planning Scheme process.

Options

It is recommended that the report be received and noted.

Human Resource and Financial Implications

The development of a regional model planning scheme has positive impacts on human resource and financial matters as it allows Council resources to focus on local matters. Conversely the process and responsibility of maintaining and amending regional provisions still remains outstanding despite repeated approaches from the STCA to the Tasmanian Planning Commission and any potential negative issues are not yet known.

18.089/11*

RESOLVED CR DOYLE CR SMITH

That:

a) The report on the Regional Model Planning Scheme be received and noted.

b) The General Manager prepare a submission to the Southern Tasmanian Council’s Authority Regional Planning Project which includes the Comments on draft Regional Model Planning Scheme, December 2011, included as an Attachment to this Report, along with other comments on detailed implementation matters (including drafting issues) as identified.

- Councillors Armstrong, Doyle, Heron, Wilson, Smith, Duggan, Gudden, Woodruff & Pepper voted for the motion & no Councillors voted against the motion.

The General Manager briefed Councillors on the process for the development of the Scheme.
Mayor Armstrong advised Council was no longer acting as a Planning Authority as at 7.32pm.

Title INTERNAL CLIMATE CHANGE WORKING GROUP

Agenda Number 18.090/11*
Strategic Plan Reference 1.5
File Reference 02/77
Author NRM Officer
Responsible Officer NRM Officer

Reporting Brief Manager Planning & Legal Services presenting a report from the NRM Officer on a meeting of the Internal Climate Change Working Group held on 15 November 2011.

Background

The Internal Climate Change Working Group met at the Huon Valley Council Chambers in Huonville on Tuesday 15 November 2011. A copy of the minutes of the meeting is included in the Attachments to the Reports.

Report

There are no recommendations at this stage however the following matters are noted:

- The statewide agreement on Climate Change between the State Government and LGAT has been abandoned and co-operative action will remain informal.
- For the Regional Climate Change Adaptation Project (RCCAP), Hyder Consulting has held two workshops with key HVC staff. The first identified and quantified risks and the second prioritised risks and identified adaptation options. Hyder Consulting will now develop regional and individual council adaptation plans based on the risks identified. The project will be completed by February 2012.
- HVC and Kingborough Councils were successful in gaining funds to carry out an Innovative Demonstration Project to be carried out as part of the RCCAP project. ‘Facilitating Effective Community Adaptation to Bushfire Risk as a Result of Climate Change’. RMIT has been engaged to carry out the research and develop a ‘tool kit’. Interviews and consultations in the Huon Valley were carried out in mid-October. Further workshops and presentations are planned in November and February. This project is also to be completed by February 2012.
- Using a template from Sustainability Victoria, an internal inventory database and reporting system has been developed and will be in use shortly.
- The wind farm project for Southern Tasmania initiated by Hobart City Council has not progressed to the working group stage as yet.
- Sites for a micro-hydro system have been identified. These sites will be professionally assessed for feasibility.
- A 3.5KW solar panel installation is complete at the Upper Huon Community Centre. Aurora has yet to connect the system. An information sign is being developed.
- Professional energy audits will be carried out for 40 and 40A in early December.
Consultations
Nil

Legislative Requirements
The Climate Change Internal Working Group, whilst not appointed as a Special Committee of Council pursuant to section 24 of the Local Government Act 1993, is a Working Group appointed by Council to operate in accordance with approved Terms of Reference.

Risk Implications
Nil

Council Policy
The Huon Valley Council Strategic Plan 2010 – 2015 outlines goals and strategies for the NRM Unit, as follows:-

1.5 Natural Environment: Create and maintain sustainable environments that enable sustainable human development, enhance human health and well being and ensure environmental protection.

Options
It will be recommended the report be received and noted.

Human Resource and Financial Implications
Support for the Climate Change Internal Working Group is provided through Council’s NRM Unit.

18.090/11*
RESOLVED CR DUGGAN CR SMITH
That the report on the meeting of the Internal Climate Change Working Group held on 15 November 2011 be received and noted.

- Councillors Armstrong, Doyle, Heron, Wilson, Smith, Duggan, Gudden, Woodruff & Pepper voted for the motion & no Councillors voted against the motion.
Title  NATURAL RESOURCE MANAGEMENT ADVISORY COMMITTEE

Agenda Number  18.091/11*
Strategic Plan Reference  1.5
File Reference  02/50
Author  NRM Coordinator
Responsible Officer  NRM Coordinator
Reporting Brief  Manager Planning & Legal Services presenting a report from the NRM Coordinator on the meeting of the Huon Valley Natural Resource Management Advisory Committee held on Tuesday 22 November 2011.

Background

The Natural Resource Management Advisory Committee has been established in accordance with Section 24 of the Local Government Act 1993 to provide advice and recommendations to Council on matters relating to natural resource management in the Huon Valley.

The Natural Resource Management Advisory Committee met at the Huon Valley Council Chambers in Huonville on Tuesday 22 November 2011. A copy of the minutes of the meeting is included within the Attachments to the Reports.

Report

The Committee has been considering the activities of the NRM Unit and the applications received for the HVC Volunteer Care Group Grants 2011.

Five applications were received for the HVC Volunteer Care Group Grants 2011 and the merits and issues of each were considered. In summary:

- The Committee considered the application from Friends of Randalls Bay Coastcare to update their management plan in conjunction with land managers (Crown Land Services and HVC) and recommend to Council that the application be approved.

- The Committee considered the application from Port Cygnet Landcare and Watercare to extend their willow control program and recommend to Council that the application be approved.

- Further information was sought by the Committee regarding the application received from Abels Bay/Eggs and Bacon Bay Coastcare (i.e. quotes for signage development and research, construction and installation). The Committee considered a revised application out of session (which reflected quotes received) and recommend to Council that the application be approved.
• The Committee made the recommendation that the application received from Verona Sands Coastcare and Community Group be approved subject to approval from Crown Land Services and on the condition that Council will not be responsible for future management of this site. Approval from Crown Land Services has not been granted at this stage, so it recommended that this application not be approved. Crown Land Services have requested that the group apply for a licence and maintenance agreement for the track. This may take some time to arrange. The Committee recommends that the group consider applying for a future grant to assist them with the development of a management and scoping plan.

• The application received from Surveyors Bay Coastcare was considered to be beyond the capacity of the group and the installation of hard structures on the coast should require advice from a professional coastal engineer prior to consideration. The Committee recommends that the group consider applying for a future grant to assist them with the development of a management and scoping plan.

The Committee also discussed the management of priority declared weeds in the Huon Valley and the potential transport of these weeds in hay over the upcoming harvesting season. The committee recommended that a letter be sent to the Department of Primary Industries, Parks, Water and Environment seeking information on actions being undertaken by the Department to minimise the risks associated with the movement of hay possibly contaminated by declared weeds.

The Committee was advised by the NRM Coordinator that the NRM South had nominated a new representative to the Huon Valley NRM Advisory Committee following a staff restructure at the organisation. NRM South nominated their Communications Manager, Cathy Limb, to be their representative on the Committee. As Cathy will be responsible for the NRM South management of the Coinvestment deed with Huon Valley Council (regarding the delivery of the Huon Priority Area program) it is considered by the NRM Unit that Cathy’s nomination to the Committee is appropriate.

The meeting concluded an update of projects provided by the Committee representative from the aquaculture sector – focusing on issues and projects relevant to the Huon Valley.

Consultations

Huon Valley NRM Advisory Committee.

Legislative Requirements

The NRM Advisory Committee has been appointed as a Special Committee of Council pursuant to Section 24 of the Local Government Act 1993 and is to operate in accordance with approved Terms of Reference.

Risk Implications

N/A
Council Policy

The Huon Valley Council Strategic Plan 2010 – 2015 outlines goals and strategies for the NRM Unit, as follows:-

1.5 Natural Environment: Create and maintain sustainable environments that enable sustainable human development, enhance human health and well being and ensure environmental protection.

Options

The Committee passed a motion to recommend that Council write to the Department of Primary Industries, Parks, Water and Environment seeking information on actions being undertaken by the Department to minimise the risks associated with the movement of hay possibly contaminated by declared weeds. Council may choose to endorse this recommendation.

The merits and issues regarding the five applications received for the HVC Volunteer Care Group Grants 2011 were considered. Council may choose to:

1. Make grants as recommended
2. Make altered or partial grants
3. Do not make grants

A nomination for Cathy Limb (NRM South) has been received to fill a vacant position on the Huon Valley NRM Advisory Committee. It will be recommended that the Council formally appoints Cathy Limb to fill the vacant position on the Huon Valley NRM Advisory Committee.

Human Resource and Financial Implications

Support for the NRM Advisory Committee is provided through Council's NRM Unit. Care group support activities are from Council's budget allocation of $13,500.

RESOLVED

That:

a) The Report on the meeting of the Huon Valley Natural Resource Management Advisory Committee held on Tuesday 22 November 2011 be received and noted.

b) A letter be sent to the Department of Primary Industries, Parks, Water and Environment seeking information on actions being undertaken by the Department to minimise the risks associated with the movement of hay possibly contaminated by declared weeds.

c) Pursuant to section 77 of the Local Government Act 1993 the following grants be made from the 2011/2012 Care Group Support Program to the persons for the proposed works and amounts as specified in the following table:
<table>
<thead>
<tr>
<th>Care Group</th>
<th>Amount</th>
<th>Brief project description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Friends of Randalls Bay Coastcare</td>
<td>$1,500</td>
<td>Review of management plan and permissions from Crown Land and Huon Valley Council</td>
</tr>
<tr>
<td>Port Cygnet Landcare and Watercare</td>
<td>$2,000</td>
<td>Extension of willow control program</td>
</tr>
<tr>
<td>Abels Bay/Egg and Bacon Bay Coastcare</td>
<td>$1,525</td>
<td>Interpretive signage, Minnie Point</td>
</tr>
<tr>
<td><strong>Total funded</strong></td>
<td><strong>$5,025</strong></td>
<td></td>
</tr>
</tbody>
</table>

d) The applications to the 2011/2012 Care Support Program not approved be further reconsidered subject to provision of additional information on the application and recommendations from the Huon Valley Natural Resource Management Advisory Committee.

e) Cathy Limb (NRM South) be appointed to Huon Valley NRM Advisory Committee to replace Alistair Kay (NRM South) in accordance with Clause 5 of the Terms of Reference dated April 2010.

- Councillors Armstrong, Doyle, Heron, Wilson, Smith, Duggan, Gudden, Woodruff & Pepper voted for the motion & no Councillors voted against the motion.
Title PROPOSED CHANGES TO VEHICLE MOVEMENTS IN COLEMAN STREET, FRANKLIN

Agenda Number 19.023/11*
Strategic Plan Reference 4.1
File Reference 23/303
Author Technical Officer
Responsible Officer Manager Infrastructure Services
Reporting Brief The Manager Infrastructure Services presenting a report from the Technical Officer on the proposed changes to vehicle movements in Coleman Street, Franklin.

Background

Concerns have been raised by residents in relation to vehicles consistently parking illegally on the grass verge in Coleman Street, Franklin and blocking access and impeding kerbside collection vehicles.

This is a frequent occurrence. Discussions have been undertaken with a limited number of residents in relation to this matter and a number of issues have been raised with respect to the parking arrangements. In order to overcome these issues without the need for road widening it is recommended that Coleman Street be made one way thus enabling provision for on street parking.

Report

Nature of the Road
Coleman Street is a sealed Council maintained road that is 117 metres in length with a sealed pavement width of 4.8 metres. There is kerb and channelling on the eastern side of Coleman Street. Seven properties have direct frontage and vehicular access via / to Coleman Street. The western side of Coleman Street is characterised by a narrow grass verge that varies in width.

Investigation
Council officers have undertaken an investigation based on the geography of the road. The preferred option identified to rectify the lack of on street parking in Coleman Street is to make the street one way. This would then enable on street parking to be provided.

Under this scenario the one way only traffic will travel in a northerly direction, with a 3.15 metre wide lane allocated for vehicle thoroughfare. Parking is to be formalised with the installation of a solid white line denoting the edge of the lane way and the start of the car parking bay. The car park bay is to be 2.1 metres wide in compliance with Australian Standard for Parking Facilities.
Impact of Change in Conditions

There is a Council sign at the southern end of Coleman Street designating a section of road as bus parking only between the hours of 3:00 – 4:30 pm. The proposed changes to Coleman Street will not impact upon the existing use of this area, in fact it facilitates in improving the ability for the bus to park and not obstruct the carriage way of Coleman Street.

By making the western side of Coleman Street designated parking the Council street sweeper will still be able to clean the road pavement and associated kerb and guttering of the eastern side of Coleman Street.

The eastern side of Coleman Street is to be designated no parking to allow the unobstructed passage movement of all vehicles utilising Coleman Street. This will be achieved through the use of regulatory no standing signs and the painting of a solid yellow no parking line.

Pedestrian access movements will not be impacted upon by the proposed works. A 1.5 metre grassed verge on the eastern and western side of Coleman Street provides pedestrian access to Coleman Street from adjoining side streets.

No vehicular access from local properties will be impeded or impacted upon by the proposed works.

Recommendation

It is recommended that the option of making Coleman Street one way be endorsed for community consultation, including undertaking consultation with those residents that are directly affected and service delivery vehicles such as kerbside collection contractors and bus drivers and the local school.

This consultation is to be conducted in accordance with Level 3 of the Council’s Consultation and Communication Strategy. This requires a letter to residents, advertising on notice boards, advertising on the Council’s website and discussion with the Township Committees. It is proposed that a letter also be sent to the school and to bus operators if they use this road as a route.

Consultations

To date consultation has been undertaken with the Council’s Infrastructure Services and Planning and Legal Departments.

Consultation has also been undertaken with the Department of Infrastructure Energy & Resources (DIER).
Legislative Requirements

Restricting traffic movement along a street, including by way of a one way sign is governed by section 31 of the Local Government (Highways Act) 1982 which provides as follows. This legislation will apply should Council provide approval for the change in traffic movements in Coleman Street.

**LOCAL GOVERNMENT (HIGHWAYS) ACT 1982 - SECT 31**

31. Obstructions for prohibition or restriction of vehicular traffic

(1) A corporation may, with the approval of the Transport Commission, construct or place obstructions in a local highway for the purpose of preventing or restricting the movement of vehicular traffic.

(2) Before making an application under this section for the approval of the Transport Commission, the corporation shall cause a notice to be published twice in separate issues of a local newspaper circulating in the municipality of its intention to make the application, specifying the situation and nature of the obstruction and stating that written representations may be made to the corporation with respect to the matter before such day as is specified in the notice, being a day not earlier than 28 days after its first publication.

(3) The Transport Commission shall not give its approval under this section in respect of an obstruction unless there has been submitted to the Commission a copy of the notice published under subsection (2), together with evidence that it has been published as required by that subsection and copies of any representations made to the corporation in accordance with the notice and its comments on those representations.

Risk Implications

Huon Valley Council being the local road owner is responsible for all road safety issues and issues pertaining to the use of the road. At present the practice of parking vehicles on the verge reduces the physical width of the grassed footpath and impacts upon pedestrian’s ability to utilise the verge as a thoroughfare.

By retaining the status quo the Council is exposing itself to a minimal level of risk as no vehicle conflict or pedestrian conflict issues have been raised, although this may arise in the future, and has been identified as a risk.

By rationalising and formalising the car parking arrangements in Coleman Street the safe sight distance and safe pedestrian egress along the Council road verge will be improved.

Council Policy

Parking a car on a Council verge is an offence under the Australian Road Rule 197.
Options

To let the status quo remain or not. For the reasons set out above it is recommended to make Coleman Street a one way street and introduce on street car parking.

Human Resource and Financial Implications

The major financial implications involved in making Coleman Street one way only is the cost of formalising the car parking arrangements through the installation of a solid white line on the western side of Coleman Street and installing no parking signs on the eastern side of Coleman Street.

The cost of the line marking and signage is estimated to be approximately $1,000 and can be absorbed by the current signage budget.

19.023/11*
RESOLVED CR WILSON CR HERON

That:

a) The report on the proposed changes to vehicle movements in Coleman Street, Franklin be received and noted.

b) The Council endorses the proposal to make Coleman Street, Franklin a one way street with on street car parking for the purposes of community consultation in accordance with Level 3 of the Council’s Consultation and Communication Strategy.

c) A further report be prepared for Council at the conclusion of the consultation period to make a determination in accordance with Section 31 of the Local Government (Highways Act) in respect of the proposal to make Coleman Street one way.

- Councillors Armstrong, Doyle, Heron, Wilson, Smith, Duggan, Gudden, Woodruff & Pepper voted for the motion & no Councillors voted against the motion.
EXTENSION OF KERBSIDE REFUSE COLLECTION SERVICE

Agenda Number 19.024/11*
Strategic Plan Reference 4.5
File Reference 24/01
Author Waste Management Coordinator
Responsible Officer Waste Management Coordinator
Reporting Brief Manager Infrastructure Services presenting a report from the Waste Management Coordinator on a proposal to extend the kerbside refuse collection service to Connors Road Cygnet, and Jetty Road Waterloo

Background

From time to time the Council will receive requests from residents seeking an extension of the kerbside waste collection service. Recently requests have been received from residents of both Connors Road, Cygnet and Jetty Road, Waterloo to include these roads on the Council’s kerbside collection routes.

Once a resident’s request is received a Council officer will undertake a preliminary desktop assessment to determine if the proposed extension articulates with the Council’s existing route and to determine other residences located on the proposed extended route.

An onsite inspection will then follow to ensure the suitability of the route for the kerbside collection vehicle. Once these preliminary assessments have been completed an expression of interest is sent to each residence on the proposed collection route to gauge the views of the residents on that route to the introduction of a kerbside collection service. These are then collated and presented to Council for consideration of an extension of the kerbside collection service.

Historically extensions to the service have been on an “all in”/“all out” basis in that if the route is extended then all residents on the route will be charged for the service whether they desire it or not.

Report

Connors Road, Cygnet

A request has been received by a resident in Connors Road, Cygnet to include up to 109 Connors Road on the kerbside collection route. Consultation was undertaken by mail to each residence in Connors Road requesting feedback on the proposed extension to the kerbside collection service.

The consultation found that six residents were in favour of the extension, three residents currently have conditional bins collected on the Channel Highway and three responses were negative. The negative responses expressed the view that the service was too expensive and that the distance from their house to the collection point was too far.
In consultation with the contractor an inspection of Connors Road was conducted to ascertain the suitability for kerbside collection. The inspection identified a suitable area near the entrance to 89 Connors Road for turning the truck (subject to a minimal amount of tree clearing) and determined that the road is suitable for kerbside collection. Discussion has occurred with residents above 89 Connors Road and they are happy to have their bins collected from this address, as is the owner of 89 Connors Road.

In summary, the majority of residents do want the kerbside collection service and it is recommended that the service be extended up to and including 109 Connors Road with the collection point being at 89 Connors Road.

Jetty Road, Waterloo

A request has been received by a resident in Jetty Road, Waterloo to include the full length of Jetty Road to the intersection with Lumsden Road on the kerbside collection route. Consultation was undertaken by mail to each residence in Jetty Road requesting feedback on the proposed extension to the kerbside collection service.

The consultation found that two residents were in favour of the extension, one resident currently has a conditional bins collected on the Huon Highway and one response was negative. The negative response expressed the view that the service was too expensive.

In consultation with the contractor an inspection of Jetty road was conducted to ascertain the suitability for kerbside collection. The inspection identified the road as suitable and a suitable turning area was identified at the bottom of the road where Lumsden road branches off.

In summary, the majority of residents do want the kerbside collection service and it is recommended that the service be extended up to the intersection with Lumsden Road.

Consultations

Consultation has been undertaken with the residents directly affected by this matter and with the kerbside collection contractor.

Legislative Requirements

Nil

Risk Implications

The risk in this case is that the residents that have expressed that they do not want kerbside collection will be required to pay for the service. This is balanced by the desire of the majority of residents wanting the service. The balancing of these competing interests is not a matter that is able to be the subject of an officer's recommendation and is within the purview of Council as policy maker.
Council Policy

The 2010-2015 Strategic Plan provides as follows:-

\[\text{to review, update and implement a waste management strategy that encourages waste minimisation and considers household collections, recycling alternatives and resource management centre}\]

Options

The options available are as follows:-

\[\begin{align*}
\text{a) Leave the kerbside refuse collection route as it currently is and do not extend the service.} \\
\text{b) Extend the kerbside refuse collection route as per the report.}
\end{align*}\]

For the reasons set out above it is recommended that the kerbside collection route be extended to include both Jetty Road, Waterloo and Connors Road, Cygnet.

Human Resource and Financial Implications

Nil. The increase in the kerbside collection costs are passed through to the end user of the service.

19.024/11*

RESOLVED CR HERON CR WOODRUFF

That:

\[\begin{align*}
\text{a) The report on a proposal to extend the kerbside refuse collection service to Connors Road, Cygnet and Jetty Road, Waterloo be received and noted.} \\
\text{b) The kerbside refuse collection service be extended up to and including 109 Connors Road, Cygnet.} \\
\text{c) The kerbside refuse collection service be extended along Jetty Road, Waterloo to the junction with Lumsden Road, Waterloo.}
\end{align*}\]

\[\begin{itemize}
\item \text{Councillors Armstrong, Doyle, Heron, Wilson, Smith, Duggan, Gudden, Woodruff & Pepper voted for the motion & no Councillors voted against the motion.}
\end{itemize}\]
Title  LONNAVALE ROAD RECONSTRUCTION
Agenda Number  19.025/11*
Strategic Plan Reference  4.1
File Reference  23/299
Author  Manager Infrastructure Services
Responsible Officer  Manager Infrastructure Services
Reporting Brief  The Manager Infrastructure Services presenting a report on a proposal to upgrade Lonnavale Road, Judbury.

Background

Lonnavale Road, Judbury has been identified as in need of reconstruction by a report commissioned from ARRB. Historically this road has been considered for use by commercial vehicles with the potential for being a high productivity vehicle route (ie. B-Double size trucks). A concept design for this road was delivered in August 2010. Based on this report and concept design a budget allocation was made in the 2011/2012 budget of $739,530 for the road works (intersection to the bridge) and $148,599 for the intersection. A further amount of $1,660,905 has been identified for consideration in the 2012/2013 budget allocation for road works from the bridge to just beyond Herons Road. The total amount that was estimated was therefore $2,549,034.

Report

The 2010 concept design for Lonnavale Road followed the existing alignment of the road but provided for a typical pavement design of a 6.5m sealed width with 500mm gravel shoulders. This design required land acquisition, moving water lines and moving electricity poles.

Detailed designs and cost estimates were recently undertaken and the commissioned design critically assessed on a needs basis. An alternative design is proposed in which the current road alignment is followed however the typical cross section is a seal width of 6.5 with 250mm gravel shoulders. A copy of the typical cross section and road alignment is attached to this report. The estimated cost of this design is $1,500,000.

This design is not a design recommended for a high productivity vehicle (HPV) route (over 21 metre B Doubles) but is suitable for vehicles 21 m and under. In this location there are currently no high productivity vehicle routes that intersect with this road and therefore if it was built to a HPV standard it could not form part of a HPV route. In the future should either Glen Huon Road or North Huon Road be upgraded to a HPV route, which is unlikely, then this section of Lonnavale Road could be considered further at that time. It is therefore recommended that the design of Lonnavale Road be in accordance with the 2011 design rather than the 2010 design.

Consultations

Consultation has also been undertaken with the Department of Infrastructure Energy & Resources (DIER).
Legislative Requirements
Nil

Risk Implications
The risks identified are in respect of the HPV route considerations discussed above.

Council Policy
Nil

Options
The options are to construct Lonnavale Road in accordance with the 2010 or 2011 design. The 2011 design is recommended as the road will be suitable for the current traffic and is a substantial cost saving.

Human Resource and Financial Implications
The financial implications of constructing Lonnavale Road in accordance with the 2011 design is a saving of approximately $1,000,000. Given the project is being brought forward from a two year to a one year project Council approval to deficit fund the additional amount in 2011/2012 is sought.

19.025/11*
RESOLVED CR DOYLE CR DUGGAN

That:

a) The report on a proposal to upgrade Lonnavale Road, Judbury be received and noted.

b) The Council reconstruct Lonnavale Road in the current road alignment and to a total seal width of 6.5m with 500mm gravel shoulder (250mm each side).

c) The savings made on Lonnavale Road be considered for reallocation as part of the asset management planning process.

d) The Council writes to all residents in Lonnavale advising of the planned road reconstruction.

- Councillors Armstrong, Doyle, Heron, Wilson, Smith, Duggan, Gudden, Woodruff & Pepper voted for the motion & no Councillors voted against the motion.
Title: SOUTHERN WASTE STRATEGY AUTHORITY (SWSA) ANNUAL REPORT 2010/11

Agenda Number: 19.026/11*
Strategic Plan Reference: 4.5
File Reference: 24/18
Author: Waste Management Coordinator
Responsible Officer: Waste Management Coordinator
Reporting Brief: Waste Management Coordinator presenting a report on the SWSA Annual Report 2010/11

Background

The Southern Waste Strategy Authority (SWSA) is the representative body established by the twelve Southern Tasmanian Councils. It was established in 2001 to facilitate integrated regional strategic planning and implementation of the Southern waste management strategy. Member Councils fund SWSA via a voluntary levy equivalent to $2 per tonne of waste that is placed in landfill.

Report

SWSA has provided their Annual Report 2010/11 which is included in the attachments to this report.

Of note the Annual report discusses:

1. Purpose
   The purpose of the Authority is to facilitate integrated regional strategic planning in southern Tasmania, and to implement the Southern Waste Management Strategy.

2. Functions
   The functions of the Authority are to provide the most cost effective management and facilitation of:
   a) Municipal waste minimisation programs
   b) Waste stream control and performance monitoring
   c) Establishment of a non-municipal waste minimisation program
   d) Monitoring of residual waste treatment technologies
   e) Infrastructure developments
   f) Landfill development strategy
   g) Education and marketing programs
   h) Represent the “Southern Councils” views in the implementation of the waste management processes at both a State and Local level.

3. Chairman’s Report
   A summary of SWSA’s past twelve months including information on the Blue Environment report which contains the recommendation to move to compulsory levy on all waste going to landfill.
4. **2010/11 Achievements**

Achievements during the year include public education programs, such as the “do the right thing” campaign, a schools program and the clean business challenge, service developments through major events recycling, public place recycling and the household hazardous waste program, data gathering, investigation and analysis and policy relating to the Waste management 2020 and beyond document.

5. **Financial report**

SWSA produced a deficit for the 2010/11 financial year which was partially offset by the transfer from reserves to meet the expenditure on the Household Hazardous waste project. The Auditors opinion on the financial report was that it presents fairly, in all material aspects, SWSA’s financial position as at 30 June 2011 and is in accordance with Australian Accounting Standards and the Rules of the Authority.

**Consultations**

Nil

**Legislative Requirements**

Nil

**Risk Implications**

Nil

**Council Policy**

Council does not have a policy in relation to this matter.

**Options**

Nil

**Human Resource and Financial Implications**

Nil

19.026/11*

**RESOLVED**

CR HERON  CR WILSON

That the report on the SWSA Annual Report 2010/11 be received and noted.

- Councillors Armstrong, Doyle, Heron, Wilson, Smith, Duggan, Gudden, Woodruff & Pepper voted for the motion & no Councillors voted against the motion.
Title: YOUTH ADVISORY COMMITTEE

Agenda Number: 20.021/11*

Strategic Plan Reference: 3.4

File Reference: 31/14

Author: Youth Services Coordinator

Responsible Officer: Youth Services Coordinator

Reporting Brief: Manager Family Services presenting a report from the Youth Services Coordinator on the Youth Advisory Committee meetings held on 27 October and 7 November 2011.

Background

The Huon Valley Council Youth Advisory Committee has been established in accordance with Section 24 of the Local Government Act 1993 and is to operate in accordance with approved Terms of Reference.

The Huon Valley Council Youth Advisory Committee held meetings on Thursday 27 October 2011 and again on Monday 7 November 2011. Copies of the Minutes are included within the Attachments to the Reports.

Report

A survey requesting input on the proposed Cygnet skate park has been designed and is currently being circulated amongst young people by members of the Advisory Committee. Feedback from the survey will be considered by the project committee in January 2012.

The Advisory Committee is planning a presentation ceremony as the young people on the Committee are presented with their Committee t-shirts, an invitation will be issued to Councillors when a date has been finalised.

In a Council report (resolution 20.011/10), it had recommended that a mobile graffiti wall be placed at the Huonville skate park and monitored for appropriate art work. To ensure that the art work was recognised and recorded it would then be photographed and displayed at the Youth Services office and the mobile wall would be white washed on a regular basis.

Since the time of the original Council report, a project involving young people working with a local artist to design a mural on the wall of a local business has been extremely successful. Following the success of the mural wall project, it has generated discussion for a similar project to be combined with a graffiti wall at the skate park. In seeking feedback from the young people a preference was identified for the existing skate park wall to be used for art work under guidance of a local artist with the wall being white washed on a 6 monthly basis and replacement art work being undertaken.
Consultations

Consultations have been undertaken with members of the Youth Advisory Committee.

Legislative Requirements

The Committee has been appointed as a Special Committee of Council pursuant to Section 24 of the Local Government Act 1993 and is to operate in accordance with approved Terms of Reference.

Risk Implications

Nil

Council Policy

The Committee operates within the Terms of Reference as approved by the Council.

The Council’s Strategic Plan 3.4 Young People includes the following key strategy:

“Review young person’s advisory and input mechanisms”

“Support varied recreational opportunities for young people”

Options

Nil

Human Resource and Financial Implications

The cost of this project has been allocated within the annual Youth Program budget.

RESOLVED

CR GUDDEN

CR DOYLE

That:

a) The report on the Youth Advisory Committee meetings held on 27 October and 7 November 2011 be received and noted.

b) One wall of the Huonville Skate Park be made available for young people, under the guidance of an artist, to complete art work on a 6 monthly rotational basis. The wall is to be white washed between art projects.

- Councillors Armstrong, Doyle, Heron, Wilson, Smith, Duggan, Gudden, Woodruff & Pepper voted for the motion & no Councillors voted against the motion.
Title: POSITIVE AGEING ADVISORY COMMITTEE

Agenda Number: 20.022/11*
Strategic Plan Reference: 3.1
File Reference: 01/105
Author: Manager Family Services
Responsible Officer: Manager Family Services
Reporting Brief: Manager Family Services presenting a report on the Positive Ageing Advisory Committee meeting held 10 November 2011.

Background

The Positive Ageing Advisory Committee has been established in accordance with Section 24 of the Local Government Act 1993 and is to operate in accordance with approved Terms of Reference.

The Positive Ageing Advisory Committee a meeting at Huon LINC on Thursday 10 November 2011 at 2pm. A copy of the Minutes is included within the Attachments to the Reports.

Report

It can be noted from the Minutes that Expressions of Interest had been received from 6 consultants for the Positive Ageing Strategy. The Advisory Committee agreed to establish a sub group for assessment of submissions to make a recommendation for the appointment of the Consultant.

The Advisory Committee will receive a report on the outcome of that assessment at the 15 December 2011 meeting. The first meeting of 2012 will provide opportunity for the Consultant to workshop with the Advisory Committee.

The Committee recommended that the Council consider a review of the Terms of Reference relating to the regularity of meetings. Recognition of maintaining productive meetings and allowing adequate time between them to enable progress of recommendations was the basis of the discussion. The Advisory Committee reached agreement that meetings were able to be practical and productive with a regularity of 2 monthly meeting dates. The Advisory Committee recognise that an additional meeting was able to be scheduled if necessity to discuss a matter urgently arose.

The current Terms of Reference for the Positive Ageing Advisory Committee, dated November 2010 (20.018) state that:

13. Meetings

b) Advisory Committee meetings will be held at least monthly for the duration of the project for the purpose of monitoring and developing the progress of the development of the Positive Ageing Strategy.
The Advisory Committee shall meet at a mutually convenient time.

The Committee recommended that the Terms of Reference, dated November 2010 be revised to state

13. Meetings

b) Advisory Committee meetings will be held at least every two months for the duration of the project for the purpose of monitoring and developing the progress of the development of the Positive Ageing Strategy.

The Advisory Committee shall meet at a mutually convenient time.

Agreement was reached for the first meeting of 2012 to be scheduled in February 2012 with meeting dates being the second Thursday of every second month from that date.

Consultations

Consultations have been undertaken with members of the Positive Ageing Advisory Committee.

Legislative Requirements

The Committee has been appointed as a Special Committee of Council pursuant to Section 24 of the Local Government Act 1993 and is to operate in accordance with approved Terms of Reference.

Risk Implications

Nil

Council Policy

The Committee operates within the Terms of Reference as approved by the Council.

Through its Strategic Plan, Council has resolved to:

‘To ensure older people enjoy a quality lifestyle and receive support through high quality services and infrastructure.’

Options

Nil

Human Resource and Financial Implications

Nil
20.022/11*
RESOLVED CR HERON CR GUDDEN

a) That the report on the Positive Ageing Advisory Committee meeting held 10 November 2011 be received and noted.

b) The Terms of Reference of the Positive Ageing Advisory Committee, dated November 2010 (20.018) be amended by

omitting paragraph b) from Clause 13 and substituting:

b) Advisory Committee meetings will be held at least every two months for the duration of the project for the purpose of monitoring and developing the progress of the development of the Positive Ageing Strategy.

The Advisory Committee shall meet at a mutually convenient time.

- Councillors Armstrong, Doyle, Heron, Wilson, Smith, Duggan, Gudden, Woodruff & Pepper voted for the motion & no Councillors voted against the motion.
Title: HUON VALLEY COUNCIL ACCESS ADVISORY COMMITTEE MEMBERSHIP

Agenda Number: 20.023/11
Strategic Plan Reference: 3.9
File Reference: 33/38
Author: Family Services Manager
Responsible Officer: Family Services Manager
Reporting Brief: Family Services Manager presenting a report on Access Advisory Committee appointments.

Background

At the March 2011 Council meeting the following was resolved:

That:

a) The report on a proposal to develop an Access Strategy for the Huon Valley be received and noted.

b) Council endorses the proposal of developing an Access Strategy for the Huon Valley.

c) That an allocation of $30,000 be considered from the 2011/2012 Council budget to undertake the consultation process and development of an Access Strategy.

d) Pursuant to Section 24 of the Local Government Act 1993 the Huon Valley Access Advisory Committee be established as a Special Committee of Council.

e) That the Terms of Reference for the Huon Valley Access Advisory Committee dated April 2011 included as an Attachment to this Report, be approved for implementation.

f) Advertisement for expression of interest for membership of the Access Advisory Committee be undertaken in August 2011.

In accordance with the Council resolution, Expressions of Interest were advertised in August 2011 with 7 applications received.

Consideration of applications has been undertaken with recommendations for membership of the Committee prepared.
Report

Access to services and facilities impacts directly on the quality of everyday life of many people, their families and carers. While most individuals take for granted the ability to go about our lives without experiencing barriers in the normal environment, the same is not the case for people with a disability or other access issues.

It is the intention that the development of an Access Strategy would provide the Council with an opportunity to understand the issues facing people with access issues and to clarify the Council’s role in addressing those issues and to enable the Council to develop and implement a strategic approach into the future.

The development of an Access Strategy is seen to have strategic and social importance. In line with the development of other Council Strategies, it is proposed that an Advisory Committee be convened to provide oversight into the development of the Access Strategy.

The Terms of Reference for the Access Advisory Committee, dated March 2011 state that:-

Members of the Advisory Committee shall be appointed from time to time by the Council and the Council may reappoint any Member and may remove any Member from the Advisory Committee and may appoint another Member in his/her stead.

b) The membership of the Advisory Committee shall comprise of 8 persons and shall consist of the following:

- The Councillor, who holds the Portfolio for Equity of Access unless another Councillor is appointed by Council in his or her place.
- 7 community representatives

c) The Council may from time to time vary the number of Members constituting the Advisory Committee.

Advertisement calling for Expressions of Interest for membership of the Advisory Committee was undertaken during August to October 2011. A total of seven submissions were received.

A selection panel discussed applications for membership and agreed that given the range and depth of applicants it was agreed that the best outcome for the Committee was to appoint all 7 applicants.

Consultations

In preparation of this report consultation has been undertaken with the Council’s senior management team, Rural Health Co ordinator and Seniors Health Officer.
Legislative Requirements

The Access Advisory Committee would be appointed as a Special Committee of Council pursuant to Section 24 of the Local Government Act 1993 and is to operate in accordance with approved Terms of Reference.

Requirements for Council to consider access issues arising from the following Legislation;

Anti Discrimination Act 1991 (Cth)
Disability Discrimination Act 1992 (Cth)
Anti Discrimination Act 1998 (Tas)

Risk Implications

There are Legislative requirements, as mentioned previously in this report placed on the Council which are required to be met and maintained. The establishment of an Access Strategy enables the Council to reduce risk in the following ways:

- The establishment of an Access Strategy will help to ensure that Council meets the requirements under the Commonwealth Disability Discrimination Act 1992 (DDA), and the Tasmanian Anti Discrimination Act 1999, as a provider of goods and services and as an employer.

- An Access Strategy will assist the Council to identify responsibilities under the relevant Legislation to avoid discrimination and to comply with the associated responsibilities.

- Effective community engagement undertaken through the establishment of the Access Advisory Committee can assist the Council reduce risk associated with any decision taken and assist to identify the key issues for the community.

Compliance with Legislation is necessary and should go ahead regardless of whether or not there is a Huon Valley Council Access Strategy however there is risk associated in progressing without an Access Strategy.

Council Policy

The development of an Access Strategy is consistent with the Huon Valley 2010-2015 Strategic Plan and its Strategic Direction.

The Huon Valley Council’s Strategic Plan 3.9 includes the following key strategy:

‘To develop the capacity and cohesion of the community through a spirit of friendliness and openness, resilience and sustainability’

‘Develop and implement an Access and Equity Strategy’.
Options

Council has two options available to it:

1) To resolve to endorse the appointment of members to the Access Advisory Committee or

2) To take no action on the establishment of the Access Advisory Committee.

Option 2 is not supported as being in the best interest of either the Council or the community. Access is about achieving equality for all. The establishment of an Access Advisory Committee overseeing the establishment of a Strategy is supported as being a vital link with the community in planning for the future therefore it is recommended that Council proceed with Option 1.

Human Resource & Financial Implications

Council has allocated $20,000 for the development of an Access Strategy in the 2011/12 budget.

20.023/11
RESOLVED CR WILSON CR DOYLE

That:

a) The report on the Access Advisory Committee selection of members be received and noted.

b) The following persons be appointed as members of the Huon Valley Access Advisory Committee for a term of 2 years concluding 31 December 2013:-

- Geoff Bean
- Joyce Williams
- Amber Bean
- Huon Eldercare – nominated representative Trevor Weller

c) The following persons be appointed as members of the Huon Valley Council Access Advisory Committee for a term of 3 years concluding 31 December 2014:-

- Robert Dick
- Susan Everson
- DHHS – nominated representative Mary Coad

- Councillors Armstrong, Doyle, Heron, Wilson, Smith, Duggan, Gudden, Woodruff & Pepper voted for the motion & no Councillors voted against the motion.
<table>
<thead>
<tr>
<th>Title</th>
<th>HUON VALLEY HEALTH SERVICES ADVISORY COMMITTEE</th>
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</thead>
<tbody>
<tr>
<td>Agenda Number</td>
<td>20.024/11*</td>
</tr>
<tr>
<td>Strategic Plan Reference</td>
<td>3.2</td>
</tr>
<tr>
<td>File Reference</td>
<td>33/21</td>
</tr>
<tr>
<td>Author</td>
<td>Manager Family Services</td>
</tr>
<tr>
<td>Responsible Officer</td>
<td>Manager Family Services</td>
</tr>
<tr>
<td>Reporting Brief</td>
<td>Manager Family Services presenting a report on the Huon Valley Health Services Advisory Committee meetings held on 13 September and 8 November 2011.</td>
</tr>
</tbody>
</table>

**Background**

The Huon Valley Health Services Advisory Committee met at the Huon Community Health Centre on Tuesday 13 September 2011 and 8 November 2011 and copies of the Minutes are included in the Attachments to the Reports.

The Committee meets on a 2 monthly basis. Minutes are prepared and circulated by Department of Health and Human Services.

**Report**

It can be noted from the Minutes that the Committee meeting of 13 September 2011 was specific to the assessment of grant applications received.

Following the successful presentation to the Committee from grant applications it was agreed at the meeting of 8 November 2011 that opportunity would be provided for future short listed grant recipients to provide a presentation to the Committee on their project.

The Committee was advised that two Committee members term of office were due for expiry and one vacancy remained unfilled. The Committee considered applications received for positions on the Committee and a sub group was established to undertake interviews for the vacant Committee position.

The Health and Well Being Liaison Officer provided a progress report to the Committee.

**Consultations**

Consultations have been undertaken with members of the Huon Valley Health Services Advisory Committee.

**Legislative Requirements**

Nil
Risk Implications

There have been no risks identified with the Council’s participation on the Advisory Committee.

Council Policy

Nil

Options

The Council has two clear options in respect to representation on the Huon Valley Health Services Advisory Committee.

It could resolve to discontinue any further participation, however given the potential high level of impact on the community if the ongoing provision of appropriate health services are not provided, as well as Council’s current involvement in the provision of health services, non-participation is not regarded as the best option for the Huon Valley community.

Human Resource and Financial Implications

Apart from the time implication of staff attendance at meetings and Committee business, there are no other financial or human resource obligations required from the Council.

20.024/11*
RESOLVED CR DUGGAN CR GUDDEN

That the report on the Huon Valley Health Services Advisory Committee meetings held on 13 September 2011 and 8 November 2011 be received and noted.

- Councillors Armstrong, Doyle, Heron, Wilson, Smith, Duggan, Gudden, Woodruff & Pepper voted for the motion & no Councillors voted against the motion.
Background

The Esperance Multi Purpose Health Centre Management Advisory Committee met at EMPHC, Dover on Monday 31 October 2011 and at Petty Sessions Franklin on Monday 28 November 2011. A copy of the meeting Minutes are included in the Attachments to the Reports.

Report

It can be noted from the Minutes that construction of the new Independent Living Unit has been completed with an official opening having been held on Monday 28 November 2011. The Advisory Committee was provided with an update on the independent valuation and growing community interest in securing a lease on the premise.

The Advisory Committee having been provided with an update on the ongoing negotiation to identify a sustainable future management option recognised both the work to date and the urgency to resolve the matter.

The meeting noted advice from Manager Family Services on the ongoing operations of the Dover Medical Centre acknowledging the upcoming commencement of a 5 year contract for the services of Dr Ronda Gurney. The Advisory Committee acknowledged the benefit of a permanent GP and welcomed the commencement of Dr Dimuthu Gammage in 2012.

Consultations

Consultation has been undertaken with members of the Esperance Multi Purpose Health Centre Management Advisory Committee.

Legislative Requirements

The Committee has been appointed as a Special Committee of Council pursuant to section 24 of the Local Government Act 1993 and is to operate in accordance with approved Terms of Reference.
Risk Implications

Nil

Council Policy

The Huon Valley 2020 Community Plan includes the following strategic objective:-

“Provision of aged care and housing”

The Council’s 2010-2015 Strategic Plan

3. A Connected and Thriving Community

3.1 Seniors and Aged Care

“To ensure older people enjoy a quality lifestyle and receive support through high quality services and infrastructure”

Options

Nil

Human Resource and Financial Implications

The possible changes to the future management of the EMPHC could have significant impact on human resource and financial implications. As a result of these changes a careful and considered approach is required.

20.025/11*

RESOLVED CR HERON CR DOYLE

That the report on the Esperance Multi Purpose Health Centre Management Advisory Committee meetings held 31 October 2011 and 28 November 2011 be received and noted.

- Councillors Armstrong, Doyle, Heron, Wilson, Smith, Duggan, Gudden, Woodruff & Pepper voted for the motion & no Councillors voted against the motion.
ITEMS TO BE DEALT WITH IN CLOSED COUNCIL

RESOLVED

CR WILSON

CR GUDDEN

That the meeting now be closed to the public as at 7.42pm pursuant to regulation 15 of the *Local Government (Meeting Procedures) Regulations 2005* to discuss the following matters:

<table>
<thead>
<tr>
<th>Matter</th>
<th>Reference</th>
</tr>
</thead>
<tbody>
<tr>
<td>21.026/11* Governance Committee</td>
<td>R.15(2)(e) Matters relating to the personal affairs of a person</td>
</tr>
<tr>
<td>21.027/11* Huon Valley Finance &amp; Risk Management Committee</td>
<td>R.15(2)(h) Matters relating to possible litigation</td>
</tr>
<tr>
<td>21.028/11* Tender for the Supply and Placement of Asphalt Surfacing on Sale Street, Huonville</td>
<td>R.15(2)(c) Matters relating to contracts for the supply and purchase of goods and services</td>
</tr>
<tr>
<td>21.029/11* Tender for the Supply, Laying and Preparation of Concrete Kerb and Channel, Footpaths, Pram Ramp on Sale Street, Huonville</td>
<td>R.15(2)(c) Matters relating to contracts for the supply and purchase of goods and services</td>
</tr>
</tbody>
</table>

CARRIED BY AN ABSOLUTE MAJORITY

- Councillors Armstrong, Doyle, Heron, Wilson, Smith, Duggan, Gudden, Woodruff & Pepper voted for the motion & no Councillors voted against the motion.

1. ATTENDANCE

Councillors:

Mayor R Armstrong, Councillors G Doyle, B Heron, M Wilson, L Smith, T Duggan, R Woodruff, R Gudden and P Pepper

Council Officers:

General Manager G Doyle, Manager Corporate Services M Norman, Manager Planning & Legal Services M Grimsey, Manager Family Services J Brooksbank, Manager Community Services M Waller, Manager Infrastructure Services S Watson and Executive Officer H Smith.

2. NON ATTENDANCE

- 2.1 Apologies Nil
- 2.2 Leave of Absence Nil
- 2.3 Absent Nil
The Mayor returned to the meeting and resumed the Chair at 8.05pm.

Manager Community Services, Marcia Waller, returned to the meeting at 8.05pm.

OPEN COUNCIL

RESOLVED CR DOYLE CR DUGGAN

That the meeting now be open to the public as at 8.05pm.

- Councillors Armstrong, Doyle, Heron, Wilson, Smith, Duggan, Gudden, Woodruff & Pepper voted for the motion & no Councillors voted against the motion.

The General Manager briefed Councillors on:-

- Launch of the Huon Trail
- Cancellation of the January Finance & Risk Management Committee Meeting
- Councillor Workshop for Monday 19 December 2011

CLOSURE

The meeting closed at 8.06pm.

CONFIRMED

CR R ARMSTRONG
MAYOR