

dorset
C O U N C I L

Ordinary Agenda

Council Meeting

22 April 2024

COUNCIL CHAMBERS

it's in the making

Qualified Persons Advice

The *Local Government Act 1993*, Section 65, provides (in part) as follows: -

- A general manager must ensure that any advice, information or recommendation given to the council is given by a person who has the qualifications or experience necessary to give such advice, information or recommendation.
- A council is not to decide on any matter which requires the advice of a qualified person without considering such advice unless the general manager certifies in writing that such advice was obtained and taken into account in providing general advice to the council and a copy of that advice or, if the advice was given orally, a written transcript or summary of that advice is provided to the council with the general managers certification.

I therefore certify that with respect to all advice, information or recommendation provided to the council in or with this agenda:

- a. the advice, information or recommendation is given by a person who has the qualifications or experience necessary to give such advice, information or recommendation; and
- b. where any advice is directly given by a person who does not have the required qualifications or experience that person has obtained and taken into account in that person's general advice the advice from an appropriately qualified or experienced person.

Notification of Council Meeting

NOTICE¹ is given that the next Ordinary Meeting of the Dorset Council will be held on Monday, 22 April 2024 at the **Council Chambers, 3 Ellenor Street, Scottsdale** commencing at 6:00 pm.

Members of the public are invited to attend in person, however, if any member of the public is feeling unwell, **please do not attend**.

The audio recording of the Council Meeting, except for any part held in Closed Session, will be made available to the public as soon as practicable after the meeting via Council's website and social media.



JOHN MARIK
General Manager

¹ In accordance with the Local Government (Meeting Procedures) Regulations 2015

Contents

Item 58/24	Confirmation of Ordinary Council Meeting Minutes – 18 March 2024 _____	4
	Recommendation	4
Item 59/24	Confirmation of Agenda _____	4
	Recommendation	4
Item 60/24	Declaration of an Interest of the Commissioner or Close Associate _____	5
Item 61/24	Commissioner Communications _____	5
	Commissioner Wardlaw’s Calendar 14 March 2024 – 17 April 2024 _____	5
Item 62/24	Management Team Briefing Report _____	6
	CUSTOMER SERVICE REQUESTS _____	6
	APPROVED APPLICATIONS _____	6
	WASTE MANAGEMENT REQUESTS _____	7
	2023/24 CAPITAL WORKS PROGRAM _____	7
	Recommendation	10
Item 63/24	Council Workshops Held Since Last Council Meeting _____	11
Item 64/24	Applications for Leave of Absence _____	11
Item 65/24	Public Question Time _____	12
Item 66/24	Deputations _____	14
Item 67/24	Commissioner Question Time _____	14
Item 68/24	Notices of Motion by the Commissioner _____	14
Item 69/24	Planning Application – 12 Lot Subdivision and Construction of Vehicle Access and Crossings 61 Henry Street, 31 Marilyn Drive and Wildflower Reserve BRIDPORT _____	15
	Recommendation	17
Item 70/24	Northern Tasmania Development Corporation Membership Review _____	21
	Recommendation	26
Item 71/24	Bridport Seaside Caravan Park Quarterly Report – Period Ended 31 March 2024 _____	27
	Recommendation	30
Item 72/24	2023/24 Budget Estimates Variation – Capital Works Road Resheeting Cape Portland Road _____	31
	Recommendation	32
Item 73/24	Draft CCTV and Remote Camera Policy (No. 62) for Community Consultation _____	33
	Recommendation	34
Item 74/24	2023/24 Annual Plan March Quarterly Report and Variations _____	35
	Recommendation	37
Item 75/24	Closure of Meeting to the Public _____	38
	Recommendation	38
	CLOSED SESSION AGENDA ITEMS _____	38
Item 76/24	Confirmation of Ordinary Council Meeting Closed Session Minutes – 18 March 2024 _____	38
Item 77/24	Varied General Rate Remissions _____	38
	Time Meeting Closed: _____	38



**Council Meeting
Agenda
22 April 2024**

Meeting Opened:

Present:

Apologies:

Acknowledgement of Country

Dorset Council acknowledges the deep history and culture of the First People who were the traditional owners of the lands and waterways where we live and work. We acknowledge the clans-people who lived here for over a thousand generations on the Country where Scottsdale is built and throughout the area we know as the north east region.

Dorset Council acknowledge the present-day Aboriginal custodians and the inclusive contribution they make to the social, cultural and economic essence of the municipality.

Item 58/24

Confirmation of Ordinary Council Meeting Minutes – 18 March 2024

Ref: DOC/24/3161

The Chair reported that he had viewed the minutes of the Ordinary Meeting held on Monday, 18 March 2024 finds them to be a true record and recommends that they be taken as read and signed as a correct record.

Recommendation

That the Minutes of Proceedings of the Dorset Council Ordinary Meeting held on 18 March 2024 having been circulated to the Commissioner, be confirmed as a true record.

Item 59/24

Confirmation of Agenda

Recommendation

That Council confirm the Agenda and order of business for the 22 April 2024 Council Meeting.

In accordance with Regulation 8 of the *Local Government (Meeting Procedures) Regulations 2015* and Council's adopted Code of Conduct, the Commissioner is requested to indicate whether he has, or is likely to have a pecuniary interest (any pecuniary interest or pecuniary detriment) or conflict of interest in any item on the Agenda.

INTEREST DECLAREDCommissioner Wardlaw's Calendar | 14 March 2024 – 17 April 2024**March 2024**

- 14 Local Government Association of Tasmania General Meeting with General Manager, Wrest Point, Hobart
- 14 TasWater Owners Representative Group General Discussion Meeting, Hobart
- 18 Weekly meeting with the Management team where the following was discussed
- 18 Meet and Greet, Branxholm Hall with the Management team
- 18 March Council Meeting, Branxholm Hall
- 19 Phone call with ratepayer
- 20 Scottsdale Visitor Information Centre Volunteers Annual Meeting, with the General Manager, Information Centre, Scottsdale
- 21 Meeting with ratepayers, Council Chambers
- 21 Visit Northern Tasmania and Tasmanian Hospitality Association's Great Customer Experience Program Networking Event, Bo & Barn, Jetsonville
- 27 Meeting with Tania Rattray MLC with Director – Infrastructure, Scottsdale
- 27 Site visit to ratepayer property with Assistant General Manager, Ringarooma
- 27 Barry Jarvis Education Scholarship discussion with Elizabeth Hadley, Council Chambers
- 28 MAST Drop-In Session – Bridport Pier, Bridport Hall

April 2024

- 8 North East Tasmania Chamber of Commerce meeting with General Manager, Scottsdale
- 9 April Council Briefing Workshop, Council Chambers
- 10 Future-Links Gladstone meeting, Gladstone Hall
- 11 Meeting with Frost Transformation with General Manager, Launceston Library
- 15 Meeting with Tasmania Irrigation with General Manager, Tas Irrigation Office, Launceston Airport
- 17 Meeting with Vena Energy with General Manager and Assistant General Manager, Council Chambers
- 17 Meeting with TasWater with the General Manager, Council Chambers

The purpose of this agenda item is to provide the Commissioner and the community with a briefing on matters of interest dealt with during the past month by Council's Management Team.

CUSTOMER SERVICE REQUESTS

	Requests Received March 2024	Comparison Requests March 2023	Received 2024	Comparison 2023
Animal	1	1	6	1
Bridges	-	-	-	-
Caravan Parks	1	3	3	3
Cemeteries	-	-	-	-
Community Development General	-	-	-	-
Corporate Services General	-	1	-	1
Customer Service	-	-	-	-
Emergency Services Enquiries	-	-	-	-
Environmental Management & Health	-	1	2	1
Government Relations	-	-	-	-
Licencing	-	-	-	-
Parks and Reserves	2	1	2	3
Planning & Building	-	-	1	1
Public Health	-	-	1	-
Public Online Enquiries	6	2	26	4
Public Amenities	1	1	4	1
Public Halls Buildings	-	1	-	1
Recreation Grounds	-	-	1	1
Roads	20	12	64	21
Swimming Pools	-	-	-	-
Waste Management	-	-	-	1
Total Requests	31	23	110	39

A detailed copy of the 2024 Customer Service Requests is included in the attachments.

APPROVED APPLICATIONS

	Approved March	Approved 2024 YTD	Approved 2023 YTD
Planning	8	24	24
Building²	7	27	29
Plumbing	3	12	20

See attachments for detailed information about applications approved in March 2024.

² From 15 March 2023, Dorset Council ceased providing Building Surveying services for any new building applications. Council is still providing Plumbing Surveyor services and continues to act as the Permit Authority, as required.

WASTE MANAGEMENT REQUESTS

	Requests Received March 2024	Comparison March 2023	FYTD Received 2023/24	Comparison FYTD Received 2022/23
Feedback and Queries	-	-	15	7
Missed Bins – Council Fault	-	-	-	-
Request a New Service (Opt In)	-	-	-	-
Repair Bin	2	1	36	34
Replace Bin	2	4	28	33
Request a New Service	3	1	28	19
Remove Additional Bin	-	1	5	1
Request an Additional Bin	2	4	32	17
Request an Upsize/Downsize	3	3	35	30
Request to Opt Out (of Service)	-	1	1	-
Request a Collection	-	-	-	-
Total Requests	12	15	178	141

2023/24 CAPITAL WORKS PROGRAM

Ref: DOC/23/8447

	Complete 2023/24
	Completed in March 2024
	Carried Forward Projects – 2024/25

PROJECT	PROJECT PHASE
BRIDGES	
Bridge 1507 Garibaldi Road, Pioneer - timber superstructure renewal (carried forward)	Commenced
Bridge 1507 Garibaldi Road, Pioneer - timber renewal (additional works to carried forward)	Commenced
Bridge 1508 Garibaldi Road, Pioneer – scour protection piers (flood related)	Repair options under investigation
Bridge 1514 Coffey Road / Carries Brook, Ringarooma – timber superstructure replacement	Completed
Bridge 1572 Haas Road / Frenches Creek, Legerwood – upgrade to concrete	Carried Forward – 2024/25
Bridge 1550 Barnbogle Road, Jetsonville – timber re-deck	Completed
Bridge 1599 Nook Road, Nabowla – timber re-deck	Completed
Bridge 1515 Maurice Road, Ringarooma - upgrade to concrete (carried forward)	Completed
Bridge 1617 Duncraggen Road, Jetsonville - upgrade to concrete (carried forward)	Completed
ROADS - RESHEETING	
Burns Road, Wyena	Completed
Boddingtons Road, Bridport	Completed
Forsyth Hill Road, Ringarooma	Completed
New River Road, Ringarooma	Completed
West Maurice Road, Ringarooma	Completed
Banca Link Road, Winnaleah	Completed
Olivers Road, Winnaleah	Completed
Rosier Road, Ringarooma	Completed

PROJECT	PROJECT PHASE
Sledge Track, Springfield	Completed
Koomeela Road, West Scottsdale	Completed
Duncraggen Road, Jetsonville (carried forward)	Completed
ROADS - RESEALS	
Banca Link Road, Winnaleah	Completed
Sledge Track, Briggs Road to Brid River, West Scottsdale	Completed
Legerwood Lane, Legerwood	Completed
Tomahawk Drive, Tomahawk	Completed
Murphy Place, Scottsdale	Completed
Golconda Road, Lietinna	Completed
Golconda Road, Lietinna	Completed
Golconda Road, Lietinna	Completed
Banca Road, Winnaleah	Completed
Racecourse Road, Winnaleah	Completed
Warrentinna Road, Winnaleah	Completed
Fenckers Road, Branxholm	Completed
Main Road, Musselroe Bay	Completed
Cairns Close, Tomahawk (carried forward)	Completed
Telita Road, Telita (carried forward)	Completed
Main Road, Pioneer (carried forward)	Completed
Charles Street, Pioneer (carried forward)	Completed
Moore Street, Pioneer (carried forward)	Completed
Alfred Street, Pioneer (carried forward)	Completed
STORMWATER	
Joyce Street, Branxholm – renewal	Commenced
Allan Street, Derby – renewal	Completed
William Street, Scottsdale (Incitec Pivot) – investigation	Commenced
Northeast Park, Scottsdale – upgrade existing network	Completed
Murray Street, Bridport – upgrade	Completed
William Street, Bridport – extend existing network from Richard Street	Planning
South Street, Bridport – renew pipeline from Main Street to Thomas Street	Commenced
Union Street, Scottsdale - upgrade existing pipeline lower end of Union Street (carried forward)	Completed
Main Street, Bridport - upgrade existing 525 pipeline to 900 and install new side entry pits (carried forward)	Commenced
Bentley Street, Bridport – upgrade existing 525 pipeline to 900 (carried forward)	Completed
Bridport - stormwater pit replacements in Walter Street and Richard Street (carried forward)	Completed
Urban Stormwater Management Plan (carried forward)	
Victoria Street, Scottsdale – upgrade (carried forward)	Completed

PROJECT	PROJECT PHASE
ROADS - OTHER	
Golconda Road, Golconda – renew pavement from Denison River 1km east	Commenced
Golconda Road, Lietinna – renew pavement adjacent to Moores Road	Commenced
South Street, Bridport – replace kerb from Main Street to Thomas Street	Commenced
Gillespies Road, Nabowla – upgrade	Commenced
Cascade Dam Road, Derby – safety upgrade	Planning
Carisbrook Lane, Legerwood - complete works McDougalls Road intersection (carried forward)	Commenced
Carisbrook Lane, Legerwood - underpass contribution (carried forward)	Not proceeding
Old Waterhouse Road, Waterhouse - safety improvements and upgrade (carried forward)	Carried Forward – 2024/25
Golconda Road, Golconda - straighten road alignment and upgrade culvert Lone Star Creek (carried forward)	Completed
FOOTPATHS	
Alfred Street, Scottsdale – replace kerb and footpath (Ellenor to Christopher Street)	Completed
Smith Street, Scottsdale – new (Alice to Union Street)	Commenced
Tomahawk Drive, Tomahawk – new (Morgan Esplanade to playground)	Completed
BUILDINGS	
Branxholm Park – new BBQ upgrade	Commenced
Branxholm Hall – front disabled access upgrade and step handrail to side entrance	Completed
Derby Town Hall – re-roof	Commenced
Gladstone Hall – new hot water unit	Completed
Ringarooma Hall – new heat pumps	Completed
Ringarooma Public Toilets – replace cisterns	Completed
Scottsdale Sports Stadium – replace roller door	Completed
Scottsdale Visitor Information Centre – repair additional windows	Completed
Scottsdale Aquatic Centre – amenities upgrade	Completed
Scottsdale Depot – office renovation	Planning
Scottsdale Depot – new storage sheds (carried forward)	Planning
Scottsdale Depot – earthworks for storage sheds (additional works to carried forward)	Planning
Scottsdale Depot – chemical spill trays	Completed
Bridport Girl Guides Building – planning and investigation	Planning
Bridport Seaside Caravan Park – pin code upgrades to Main, Mattingleys Beach and Goftons Beach Amenities Blocks	Completed
Bridport Seaside Caravan Park – renewal of Eastmans Beach public toilets	Commenced
Bridport Seaside Caravan Park – gas upgrade to Main amenities and Eastmans Beach shower block	Commenced
Winnaleah Hall – disabled access upgrade	Completed
Blue Derby Mountain Bike Trails – new trail crew storage shed	Planning
Scottsdale Railway Station Restoration (carried forward)	Carried Forward – 2024/25
Building Renovations (Proposed Workers Accommodation) - 71 Main Street, Derby (carried forward)	Blue Derby Foundation Project
Bridport Football Club viewing deck (carried forward)	Commenced
Depot Storage (carried forward)	Planning
Scottsdale Sports Stadium - floor recoat (carried forward)	Completed
Sideling Toilets – additional solar panels	Completed
Gladstone Hall - new septic tank (carried forward)	Completed

PROJECT	PROJECT PHASE
WASTE MANAGEMENT	
Green Waste – storage / processing investigation and implementation	Completed
Scottsdale Waste Transfer Station – spare bin area roof covering	Carried Forward – 2024/25
Branxholm and Gladstone Waste Transfer Stations – gates	Completed
Branxholm Waste Transfer Station – recycle bin upgrade	Commenced
LAND IMPROVEMENTS	
Scottsdale Recreation Ground – new cricket pitch covers	Ordered
Scottsdale Recreation Ground – upgrade lighting and reseal road at Show Office	Commenced
Scottsdale Aquatic Centre – shade cloth for external fence	Completed
Bridport Cemetery – new grave surrounds	Planning
Main Street, Derby (near Bank House) – retaining wall to stabilise access road	Planning
Legerwood Memorial Park – site works for new equipment	Completed
Blue Derby Mountain Bike Trails – Relics trail bridge	Permits approved
Blue Derby Mountain Bike Trails – Rusty Crusty Bridge and trail rebuild (flood related)	Permits approved
Blue Derby Mountain Bike Trails – Hazy Days trail capping of stones	Completed
Blue Derby Mountain Bike Trails – network signage redesign	Commenced
Blue Derby Mountain Bike Trails – original trailhead redevelopment (south of Main Street)	Commenced
Blue Derby Mountain Bike Trails – Tunnel lights renewal	Commenced
Blue Derby Mountain Bike Trails – Kumma Gutza re-route	Completed
Blue Derby Mountain Bike Trails – Turbo Tunnel re-route	Completed
Childrens Reserve – Learn to Ride Skills Development Track (carried forward)	Planning
Rail Trail (carried forward)	Planning
Gladstone Pump Track (carried forward)	Consultation Underway

Recommendation

That Council receive and note the Management Team Briefing Report.

9 April | Briefing Workshop

- PRESENTATION: Northern Tasmania Development Corporation
- Draft 2024/25 Annual Plan
- 2024/25 Budget Estimates Concepts and Long Term Financial Plan
- Risk Management Framework and Policy
- 2023/24 Budget Estimates Variation – Capital Works Road Resheeting
- Proposed Event Funding Policy
- Proposed CCTV and Remote Camera Policy
- Briefing Reports
 - Commissioners Communications
 - Correspondence
 - Management Team Updates

Item 64/24**Applications for Leave of Absence**

Nil

The following question has been received on notice:

Karl Willrath, Scottsdale | 6 April 2024

Further to publication in last month's agenda of the types and amount of obesogenic foodstuffs that continue to be sold at the Scottsdale pool, apparently under the guise of financial efficiency which is coming at a great cost to the health and safety of the community. As the scope of health and safety officers clearly needs to be broadened, can Dorset apply to Equal Opportunity Tasmania for an exemption under the anti-discrimination act so they can advertise and employ work place health and safety officers that are within the healthy body mass index (BMI) guidelines?

Supporting argument

In its simplest form the storage of excess adipose tissue is induced via two main drivers, people move less and they also consume more. The stimulus to cause people to do this are multiple, some identified while others are not. The standardised mantra of health and safety officers over the years is to stop and assess the danger just to be "safe". Because of this and other factors, the obesity pandemic is actually self-perpetuating. Owing to their actions and inactions, governments at all levels have directly and indirectly mandated this pandemic.

A recent road safety report conducted by the legislative council highlighted this point. At no point did the committee take into account the obesity pandemic. From cognitive decline (dementia) induced via type two diabetes, practicalities of handling and transporting obese casualties, recorded lower seatbelt use of the obese, higher casualty and death due to sheer mass (body mass) etc. and obvious consequences of drive through obesogenic foodstuff sale points, road signing and road systems to facilitate easy if not mandatory access and consumption e.g. child pester power. The road safety report is defective to the point it should not have been tabled or at the very least, the deficiency declared.

Road safety report

Note: as the BMI is still only used as a rule of thumb guide and it is not beyond the realms of possibility that a big brained, big boned individual may wish to argue the point on their application, it would be prudent to state that the successful applicant may be subject to a DEXA scan.

Response from General Manager, John Marik:

Dorset Council will not apply to Equal Opportunity Tasmania for an exemption under the Anti-Discrimination Act to allow Council to then advertise and employ work place health and safety officers that are within the healthy body mass index (BMI) guidelines for the following reasons:

1. Under the Anti-Discrimination Act the protected attribute is disability and being overweight, even obese, has not been recognised in Australia as a disability, and it would not likely fall within the definition of disability under the Act.
2. Your suggested approach to hire based on BMI exposes Council to legal risk under Workplace Health and Safety (WHS) law. WHS laws impose a positive obligation on the Council to prevent psychosocial hazards. This also applies to Council's recruitment process. Body shaming including fat shaming, subjects a person to humiliation and criticism for their bodily features. This sort of behaviour creates psychosocial risk and potentially physical risk because it can result in negative emotional effects, including lowered self-esteem and the development of issues such as eating disorders, anxiety, body image disturbance, body dysmorphic disorder and depression. There are some roles

where there are legitimate WHS reasons why a person's weight may be relevant and need to be managed from a WHS point of view, either by imposing a precondition or by a fitness for work process. Unless a certain weight restriction has to apply as an inherent requirement of a role at Council for a safety reason, Council will not impose a restriction within the recruitment process based on a person's weight.

3. Your suggested approach does not align with organisational values, or the culture I want for this organisation. I want a high performance culture of engaged, motivated and passionate individuals that want to make a difference for the community. I want a culture of respect for people and a culture that provides equal opportunity. This approach will result in a team that has diversity of thought, diversity of approach, diversity of knowledge and diversity of skillset. I have a vision for Council to be an employer of choice in Dorset, the employer that local talent is proud to be part of and one that the community aspire to be part of. This means attracting the best and brightest thinkers and giving clear pathways for local talent so that we do not lose people to other regions, which includes moving away from Dorset or Tasmania. Discriminating against certain attributes, including physical attributes, will not assist Council to attain this vision.

Karl Willrath, Scottsdale | 12 April 2024

In the previous 12 months how many randomised alcohol and other drug tests were performed on Dorset Council employees, including all levels of office staff and commissioner Wardlaw in line with current acceptable practice for work place health and safety? What was the full breakdown of drugs detected and what action was taken?

Response from General Manager, John Marik:

Dorset Council have not undertaken any random drugs or alcohol testing of staff, or the Commissioner, in the previous 12 months.

The following questions were received without notice from members of the public:

The following questions were received without notice from the Commissioner:

*** Council are reminded that they are acting as a Planning Authority for Item 69

Item 69/24 **Planning Application – 12 Lot Subdivision and Construction of Vehicle Access and Crossings | 61 Henry Street, 31 Marilyn Drive and Wildflower Reserve BRIDPORT**
Reporting Officer: Consultant Town Planner, George Walker
Ref: DOC/24/4632 | Assessment Report: DOC/24/4634 | PLA/2024/1310

Purpose

The purpose of this report is for Council to determine a planning application submitted by PDA Surveyors, Engineers and Planners on behalf of Barnett and Stanford Pty Ltd for the subdivision of one (1) lot into twelve (12) lots at 61 Henry Street, Bridport.

Background

Location

The land subject to the proposal is addressed as the following:

Subject Land	Owner	PID	Folio of the Register
61 Henry Street, Bridport	Barnett and Stanford Pty Ltd	6846461	236880/17
31 Marilyn Drive, Bridport	Allan Barnett Fishing Co. Pty Ltd	9691149	179754/20
Bridport Wildflower Reserve	Department of Natural Resources and Environment Tasmania (NRE Tas) ³	6847800	N/A
Crown land road reserve	Department of Natural Resources and Environment Tasmania (NRE Tas) ⁴	N/A	N/A

Applicant

The applicant for the proposal is PDA Surveyors, Engineers and Planners.

Planning Controls

The planning application is assessed against all applicable provisions of the *Tasmanian Planning Scheme* incorporating the *Dorset Local Provision Schedules* ('the Scheme').

Statutory Timeframes

Date Received as Valid: 09/02/2024
Date Advertised: 14/02/2024
Closing date for representations: 29/02/2024
Extension of time granted: 20/03/2024
Decision due: 23/04/2024

³ The applicant obtained consent from NRE Tas for the making of the application in accordance with section 52(1B) of the *Land Use Planning and Approvals Act 1993*.

⁴ The applicant obtained consent from NRE Tas for the making of the application in accordance with section 52(1B) of the *Land Use Planning and Approvals Act 1993*.

An application was lodged under section 57 of the *Land Use Planning and Approvals Act 1993* (the LUPA Act), by PDA Surveyors, Engineers and Planners, for:

- 12-lot subdivision and construction of vehicle access and crossings – 61 Henry Street, Bridport Wildflower Reserve and 31 Marilyn Drive, Bridport

During the public advertisement period, three (3) representations were received.

The attached '*Planning Application PLA/2024/1310 - 12-lot subdivision and construction of vehicle access and crossings - Assessment Report*' considers the submitted planning application and representations received during the statutory public advertising period against the *Tasmanian Planning Scheme - Dorset*.

Statutory Requirements

Council must process and determine the application in accordance with the *Land Use Planning and Approvals Act 1993* (the LUPA Act) and the Council's Planning Scheme. The application is made in accordance with Section 57 of the LUPA Act.

Policy Implications

The application is eligible for a proportional reduction of payment in-lieu of public open space requirements [pursuant to Part 3, Division 8 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*] in consideration of Council Policy No. 46 – Public Open Space Contribution.

Financial & Asset Management Implications

N/A

Risk Management

Management of risk(s) to land use and development is inherent in the assessment of the application against the planning scheme and the conditioning of any planning permit for the application.

Strategic and Annual Plans

N/A

Community Considerations

The application was advertised for the statutory period. During this period Council received three (3) representations.

Consideration of the representations is provided within the attached '*Planning Application PLA/2024/1310 - 12-lot subdivision and construction of vehicle access and crossings - Assessment Report*'.

Alternative Options

Council can either approve, with or without conditions, or refuse the application.

Recommendation

It is recommended that the proposal for 12-lot subdivision and construction of vehicle access and crossings at the subject land, be approved subject to the following conditions:

1. Basis of Approval

The use is approved and must be undertaken in accordance with the Endorsed Documents, except where specified otherwise in this permit and documents lodged with this application (PLA/2024/1310). Any substantial variation from this application will require the further planning consent of the Council.

2. TasWater

The development must be in accordance with the Submission to Planning Authority Notice issued by TasWater dated 9 April 2024 (Reference No. TWDA 2024/00358-DC, copy attached to this permit).

3. Bushfire Hazard Management Plan

- (a) The development must comply with the Bushfire Hazard Management Plan, and associated supporting content, provided within the 'Bushfire Hazard Management Report: Subdivision' prepared by Scott Livingston of Livingston Natural Resource Services, dated 13th November 2023, copy of which is attached to this permit.
- (b) Prior to the sealing of the Plan of Survey of any approved lot, documentation must be provided to the satisfaction of Council's Town Planner that demonstrates:
 - (a) fire hydrants have been installed for the development with the required pressure in accordance with the endorsed Bushfire Hazard Management Plan; or
 - (b) an accredited person under Part 4A of the *Fire Service Act 1979* certifies that a static water supply for fire-fighting purposes is capable of being provided for each approved lot in accordance with all applicable requirements of the Bushfire-Prone Areas Code under the Tasmanian Planning Scheme.

4. Road Construction (Maxwell Street / Henry Street Extension)

- (a) The road must be fully sealed and constructed, from the road verge of Henry Street, complete with kerb and channel, in accordance with Council's urban road standards.
- (b) All works described in (a) above must be undertaken by, or under the supervision of, a tradesman/contractor who is registered with the Council as a "Registered Contractor", or a person who is otherwise approved by the Council's Town Planner to undertake the works. Prior to the commencement of any works, the Council's Director of Infrastructure must be notified of the contractor's name and registration number. The Council's Director of Infrastructure must also be informed of the commencement date, duration and nature of the works.
- (c) As constructed designs of all completed works in (a) above must be prepared and certified by a Practising Engineer. All works in (a) above must be carried out to Council's standards, to the satisfaction of the Council's Town Planner and under the direct supervision of a qualified civil engineer. Certification that all works have been carried out in accordance with the approved engineering design plans and to Council's standards will be required to be submitted to the Council's Director of Infrastructure prior to issue of the Certificate of Practical Completion.
- (d) All necessary line marking and signage (including street name signage) to be provided for the road must be completed/installed to the satisfaction of the Council's Director of Infrastructure.

- (e) Prior to the sealing of the Plan of Survey of any approved lot, works and requirements identified in (a), (b), (c), and (d) above must be completed to the satisfaction of the Council's Town Planner.

5. Stormwater Management

- (a) A public drainage system to drain the road, footpath, nature strips within the road reserve and all land draining onto the road reserve must be provided within the subject land.
- (b) A DN 100 connection must be provided to the lowest point of each approved lot.
- (c) Drainage works must be constructed between the subject land and the nominated point of discharge (as identified in Drawing No. 48786CW SW 103 and Drawing No. 48786CW SW 102, each dated 01 November 2023). Drainage works must be designed and constructed to the satisfaction of Council's Town Planner.
- (d) Prior to the commencement of the applicable works identified in (a), (b) and (c), preliminary design plans prepared and certified by a Practicing Engineer for the applicable works identified in (a), (b) and (c) above must be submitted to the Council's Town Planner and prepared to the satisfaction of the Council's Town Planner for approval.
- (e) Prior to the sealing of the Plan of Survey of any approved lot, works and requirements identified in (a), (b), (c) and (d) above must be completed to the satisfaction of the Council's Town Planner.

6. Construction of Driveways

- (a) Vehicle access to each lot must be fully sealed and constructed, from the road verge to property boundary of each lot, in accordance with Council's urban roads driveways standards.
- (b) All works described in (a) above must be undertaken by, or under the supervision of, a tradesman/contractor who is registered with the Council as a "Registered Contractor", or a person who is otherwise approved by the Council's Director of Infrastructure to undertake the works. Prior to the commencement of any works the Council's Director of Infrastructure must be notified of the contractors name and registration number. The Council's Director of must also be informed of the commencement date, duration and nature of the works.
- (c) As constructed designs of all completed works in (a) and (b) above must be prepared and certified by a Practicing Engineer. All works in (a) must be carried out to Council's standards, to the satisfaction of the Council's Director of Infrastructure under the direct supervision of a qualified civil engineer. Certification that all works have been carried out in accordance with the approved engineering design plans and to Council's standards will be required to be submitted to the Council's Director of Infrastructure prior to issue of the Certificate of Practical Completion.
- (d) Prior to the sealing of the Plan of Survey of any approved lot, works and requirements identified in (a), (b) and (c) must be completed to the satisfaction of the Council's Town Planner.

7. Demolition

Any demolition works must ensure the protection of property and services which are to either remain on or adjacent to the site from interference or damage.

8. Easements

Easements are required over all Council and third party services located in private property. The incorporation of any necessary easements including drainage easements over sewer and storm water pipelines are to be shown. Easements must include any overland drainage paths where concentrated water runs. The minimum width of any easement must be 3 metres for Council (public) mains.

9. Covenants

Covenants or similar restrictive controls must not be included on or otherwise imposed on the titles to the lots created by the subdivision permitted by this permit unless:

- (a) such covenants or controls are expressly authorised by the terms of this permit; or
- (b) such covenants or similar controls are expressly authorised by the consent in writing of the Council; or
- (c) such covenants or similar controls are submitted for and receive written approval by Council prior to submission of a Plan of Survey and associated title documentation is submitted to Council for sealing.

10. Conveyance of Road

All roads in the Subdivision must be conveyed to the Council upon the issue, by the Council's Director of Infrastructure, of the Certificate under Section 10 (7) of the *Local Government (Highways) Act 1982*. All costs involved in this procedure must be met by the person responsible.

11. Payment In Lieu of Public Open Space

Prior to the sealing of the Plan of Survey, the person responsible must pay to the Council a sum equivalent to 7/12ths of 5% of the unimproved value of the approved lots, as determined by either:

- (a) a registered land valuer procured at the expense of the person responsible; or
- (b) a fresh valuation, undertaken within the previous two years of date of this permit, by the Valuer-General of Tasmania.

12. Completion of Works and Construction Documentation

- (a) All works required by Conditions 4, 5, and 6 above must be carried out to Council standards and to the satisfaction of Council's Town Planner.
- (b) Construction documentation sufficient to illustrate that the works are completed in accordance with Council standards and are locatable for maintenance or connection purposes must be provided to the satisfaction of Council's Town Planner. The construction documentation is to consist of:
 - i. 'as-constructed' plans, prepared in accordance with Council's standard requirements for as-constructed drawings;
 - ii. compaction and soil test results, where required, for earthworks and pavement works; and
 - iii. an engineer's certificate that each component of the works comply with the approved engineering plans and Council standards.

13. Sealing Plans of Subdivision

No Plan of Survey will be sealed for any approved lot until the following matters have been completed to the satisfaction of the Council's Town Planner and made at cost to the person responsible:

- (a) the satisfactory completion of public and private infrastructure and service works/installation in accordance with the Council's and any other responsible authority/s requirements (including the provision of engineering certification where required); and
- (b) any payment or action required by a planning permit condition to occur prior to the sealing of the Final Plan of Survey.

14. Final Plans

Subject to satisfying Condition 13, a Final Plan of Survey and three (3) copies are to be lodged, for the respective stage, for the approval of the Council.

NOTE: For the purpose of this permit "the person responsible", depending on the context, means:

- (a) the person who has and takes the benefit of this permit for the undertaking of the use or development authorised pursuant to it;
- (b) the person or persons who undertake development or use pursuant to this permit; and
- (c) servants, agents and contractors, in each case of such persons.

Purpose

The purpose of this agenda item is to recommend Council continue membership with the Northern Tasmania Development Corporation (NTDC) until 30 June 2026 to align with the existing agreements between northern councils and the NTDC.

Background

NTDC is the regional development body for Northern Tasmania. NTDC as a regional development agency seeks to create collaborative partnerships to enhance the quality of life in Northern Tasmania through promoting and encouraging sustainable regional development. A major part of this aim is achieved through working with the funding member councils on regional priorities which give direct and indirect benefits to the community in ways greater than possible if members worked in isolation. Up to November 2023, the NTDC was funded by six northern councils: City of Launceston, Northern Midlands, Meander Valley, West Tamar, George Town and Break O'Day. The current three year agreement between member northern councils and the NTDC is for the period 1 July 2023 to 30 June 2026.

Dorset Council has not been a member of the NTDC since June 2015. On 18 May 2015, the following Notice of Motion was received from Councillor M A Hall:

That Dorset Council discontinues funding Northern Tasmania Development⁵ (NTD). For the following reasons:

- 1. The performance for our region outside the Derby Mountain Bike Trail does not meet the requirements to continue funding.*
- 2. The dollars Council has spent over the past 11 years have not had a very good outcome.*
- 3. Council should look for alternative uses of the funding.*

This Notice of Motion was then deliberated on and the following recommendation was adopted (5 for, 3 against) at the 29 June 2015 Council Meeting:

That Dorset Council discontinues funding Northern Tasmania Development, effective 30 June 2015.

At the 20 November 2023 Council Meeting, General Manager John Marik, presented an agenda supporting Councils reinstatement of membership with the NTDC. This agenda outlined the work conducted by the NTDC historically which greatly assisted Council in bringing the iconic Blue Derby Mountain Bike Trails to life. The NTDC also delivered the market demand and economic assessment report in 2014 for the North East Rail Trail. Council is currently at the beginning of its 10 year Strategic Plan (2023 – 2032) and many of the initiatives within the Strategic Plan would benefit by working closely with the NTDC and surrounding northern councils. In light of this, the following recommendation was made to Council and was adopted by Commissioner Wardlaw:

⁵ Note that the NTD would later become NTDC.

That Council:

- a. Join the Northern Tasmania Development Corporation on a trial membership from 1 December 2023 to 30 June 2024;*
- b. No later than 31 March 2024, conduct a review on whether to continue membership with the Northern Tasmania Development Corporation post 30 June 2024; and*
- c. Vary the 2023/24 Operational Budget Estimates by \$26,000 excluding GST, to be allocated as follows:*
 - a. \$15,000 for the trial membership of the NTDC; and*
 - b. \$11,000 for involvement in the Northern Tasmania Sports Facility Study.*

In the November 2023 Council Meeting, the General Manager proposed a 'trial funding membership.' This trial was underpinned by a Memorandum of Understanding (MoU) which allowed Council the full benefits of membership of NTDC through until 30 June 2024, with no obligation of continuance. The decision on whether to continue membership with NTDC would be subject to a review undertaken by Council no later than 31 March 2024, which was to include the following:

- Appreciate performance by both parties to date;
- Appreciate planned and / or actions underway through until 30 June 2024;
- Acknowledge best efforts of both parties to fulfil obligations within the agreement;
- On conclusion of the review, both parties would honestly and actively consider continuation of the agreement by way of a formal membership agreement through until 30 June 2026, unless material failings have occurred within the delivery of obligations within this agreement.

NTDC would agree to the following through the trial period:

- Include Council in all dialogue between funding members and the agency;
- Include Council in all regional projects during the 2023/24 financial year, including:
 - Regional Priority Projects Advocacy
 - Population Strategy Review
 - Regional Economic Development Strategy (REDS) Implementation Plan
 - Other projects as identified and mutually agreed to by funding members;
- Share with Council intelligence gained through collaboration with local, state and federal government partnerships;
- Invite Council to participate in all relevant events and forums hosted by NTDC and / or partners; and
- Report and communicate progress of annual work plan to Council.

Dorset Council would agree to:

- Work in partnership with the NTDC to achieve the annual work plan as it relates to the Dorset municipality;
- Observe communication protocols within the membership group;
- Contribute data and resources relevant to achieving the annual work plan;

- Assist in coordinating and facilitating public input from community relating to regional projects and broader collaborations with state and / or federal Government;
- Contribute membership funds for the period of the agreement; and
- Review the performance of the agreement with the honest intent of exploring a continuation of membership.

Dorset Council and NTDC have conducted a series of reviews prior to 31 March 2024, which included NTDC Chief Executive Officer Chris Griffin addressing Council at the 9 April Briefing Workshop with Council’s management team and Commissioner Wardlaw present.

Planning, Environment and Statutory Requirements

Local Government Act, Section 82

Strategic and Annual Plan

- Dorset Council Strategic Plan (2023 – 2032), Imperatives 9.2 and 9.3
- 2023/24 Annual Plan – Activity 13

Risk Management

There is a chance that without NTDC membership, and support from the surrounding Northern Councils, Dorset Council may not achieve some of the strategic imperatives within Council’s 2023 – 2032 Strategic Plan. An example of this can be seen in Council’s Priority Projects Plan which includes various unfunded projects. Without grant funding, or election promises, many of these projects will not go ahead unless either the Dorset rate base is increased, or Dorset service levels are decreased in other areas to fund these projects. The support and advocacy by the NTDC at Federal and State Government level should improve Council’s chances of grant funding and election promises due to much of this funding being contingent on regional support for a project. The membership of NTDC has been included as one of many controls in Council’s risk register that reduces the possibility that Council will not attain its strategic objectives.

The recommendation for Council to continue membership with the NTDC until 30 June 2026 would align Dorset Council’s agreement with the other northern councils. Therefore the recommendation is not to continue NTDC membership into perpetuity, but to allow the NTDC to prove its value over a longer period of time. NTDC performance can then be reviewed as part of a holistic review process by the northern council group, and Dorset Council, in the first half of 2026, to then decide whether to continue membership from 1 July 2026.

Financial and Asset Management Implications

The NTDC annual membership fee is calculated based on population of Local Government Areas (LGAs). With this model the larger LGAs pay significantly larger subscription fees than the smaller LGAs. The amount applicable for Dorset Council for 2024/25 budget estimates amounts to \$30,990 plus GST.

Community Considerations

There may be years where the community, or a Council, perceive that the municipality have not attained sufficient value from membership of a regional body such as the NTDC. The following factors should be considered when assessing value:

1. NTDC advocating for the entire region ensures that all municipalities benefit from regional projects commenced by other northern Tasmanian councils. This may include direct economic benefits which result in additional visitors overall to a region, and indirect benefits from strengthening the northern economy by ensuring there is a pipeline of work available for commercial operators and suppliers and the resulting multiplier effect throughout the region.
2. One project, such as the Blue Derby Mountain Bike trail network, can take a decade to proceed from feasibility to final delivery. One project such as this can deliver inter-generational change and value within a municipality.
3. It is up to the General Manager, Officers and Councillors to work effectively together to ensure value is maximised from the NTDC by ascertaining, and advocating for, priority municipal projects with the NTDC and reviewing memberships annually for all collaborations to ensure both the Council and the representative body are held accountable in value creation.

Council's trial NTDC membership has been met with positive community feedback. This supports the recommendation to extend Council's membership to 30 June 2026.

Officer's Comments

Dorset Council initiated a new planning cycle for the organisation post the October 2022 Council elections. This planning cycle included a complete review of Council's ten year Strategic Plan 2023 – 2032. This Plan was adopted by Council in the June 2023 Council meeting. Activity 9.3 of the Strategic Plan included the establishment of a Council Priority Projects Plan to clearly highlight those projects where Council seeks to attain grant funding, funding from election promises and those projects that require advocacy. This Priority Projects Plan ensures alignment of priorities across Dorset, government and community departments and organisations. The Priority Projects Plan will benefit from collaboration and advocacy from the NTDC.

The following were tangible benefits delivered by the NTDC to Dorset Council during the trial period:

- The Rail Trail, Golconda Road and Blue Derby Master Planning, have been accepted as regional priority projects by the NTDC. This includes the NTDC advocating for these projects for grant funding, election promises (March 2024 State election), and providing advice to maximise grant funding success. NTDC CEO Chris Griffin suggested Blue Derby Master Planning is a project of not only regional, but state significance. The NTDC has provided a letter of support for the Blue Derby Master Planning project which will aid in funding opportunities for this project.
- Over the last 4 months, there was significant value created from the trial membership by having the NTDC, other advocacy groups (such as Regional Development Australia), community groups and the Council, all consistently advocating for the same regionally significant projects. This was extremely important during the March 2024 State election. Commentary was received by Council from State Political Parties, that Council and advocacy groups were well aligned with funding requests and focus areas, which increases the possibility of funding success.

- Dorset Council have been involved as a participant member in a range of forums and events, helping to create connections and networks.
- The Sports Facility Study stakeholder interviews have been completed and a draft report is expected by the end of April 2024. This process includes engagement with sporting groups, assessment of facility usage, and issues / opportunities for venues. This will allow Council to look at current population, and population projections, to prioritise actions for growth areas and a future plan for Council sporting facilities.
- Active involvement in the Regional Planning Group (RPG). This has allowed a consistent discussion and approach to planning issues across the Northern Local Government Areas, including up-coming work on the Regional Land Use Strategy. The Regional Planning Coordinator role is embedded within the NTDC.

The proposed NTDC 2024/25 annual work plan is yet to be drafted, or endorsed by funding members, however there is confidence the following projects will be explored and refined:

- **Regional Future Program** (details pending NTDC strategy workshop); with the possibility of various large developments and projects being built in the Northern region, including Sun Cable and ACEN North East Wind Farm, having a consistent approach by the Northern Council General Managers and the RPG to solve land supply issues. This will assist in creating synergies and consistency across the region. The Regional Future Program will focus on regional land supply and infrastructure planning to determine possible solutions to deal with the difficulties for workers to attain worker accommodation and permanent housing.
- **Population Strategy**; this project will look at workforce attraction / retention. This NTDC project aligns with Council's Priority Projects Plan strategic imperative 7. This strategic imperative includes town master planning and structure planning to release housing and light industrial land supply, infrastructure planning and a plan to attract industry and skilled workers into the region.
- **Priority Project Advocacy** (continued); with a Federal election looming in 2025, or sooner, having the NTDCs support in relation to priority project advocacy for possible Federal election promises and grant funding would be beneficial to Council.
- **Regional prioritisation of policy settings** (Federal and State government)
- **.id regional group subscription**; this includes Dorset specific data and forecasting which will assist Council better plan for the future.
- **Gastronomy Northern Tasmania** auspice; in November 2021 Launceston was designated a UNESCO City of Gastronomy, one of only 49 around the world. While the designation names Launceston, the project centres on Launceston and surrounds and is marketed as a regional designation. With Dorset being an agriculturally, and culinary rich region, ensuring this designation is maximised and strengthened should yield benefits for the Dorset municipality. This will include maximising this designation in Council's refresh of the Regional Tourism Marketing Strategy and Plan which is a proposed Council activity for 2024/25.
- Scenario planning and advocacy for **major investment attraction / disruption**
- **Project management / continuance** – on demand

The proposed member agreement between Council and the NTDC is included in the attachments.

Recommendation

That Council:

- a. continue membership with the Northern Tasmania Development Corporation to 30 June 2026;
and
- b. conduct a review of the Northern Tasmania Development Corporation, no later than 31 March 2026 with the other northern councils, to determine membership value and possible continuation of membership post 30 June 2026.

Purpose

The purpose of this agenda item is to present an update to Council on the Bridport Seaside Caravan Park (the Park) following the implementation of the temporary operating model approved in the August 2023 Council Meeting (Item 129/23).

Background

Since Council took over the Park, operations have generally been managed by contracted caretakers. There has been a high turnover of park caretakers over the past 5 years and each outgoing Park Manager has cited that the contract value is insufficient to deliver the service outcomes in the contract.

Council undertook exit interviews with each outgoing caretaker and implemented changes to the contract which included substantially increasing the base fee and bonus elements, however the most recent outgoing caretaker still cited the contract value as untenable.

Based on this feedback, Council implemented a temporary operating model from September 2023. The temporary operating model sees the reception, administration and on-call functions performed by contracted relief caretakers and amenities cleaning, grounds maintenance and casual reception support performed by Council employees. The temporary operating model was implemented to:

- a) Maintain continuity of park operations, as the 3 month notice period given by the outgoing caretaker was not sufficient for Council to conduct a full procurement process;
- b) Enable Council to take learnings about park operations to assist in establishing a sustainable operating model moving forward.

Strategic and Annual Plan

Dorset Council Strategic Plan (2023 – 2032), Imperatives 10.1 and 13.1.

Risk Management

In assessing the effectiveness of the temporary operating model and any proposed future operating models, regard will be given to Council's Risk Framework.

The key risk identified in relation to the assessment of the operating model for the park is that the model implemented may not be sustainable and may lead to loss of key personnel. The consequence of not implementing a sustainable operating model is that park operations could be disrupted, likely leading to loss of income and reputational damage.

The key control for the identified risk is to have appropriate cross-training and back up options in place to maintain park operations in the event of key personnel loss. As the previous caretakers directly employed any required support staff, there was very little continuity of knowledge and experience from contract to contract. Council are now employing support staff for the park directly and would be able to maintain operations as usual or in a slightly reduced capacity in the event of key personnel loss. The relief caretakers and key staff are also reviewing all operating procedures for the park to ensure that all

key processes are documented and could be performed with little to no training in the event of key personnel loss.

Financial & Asset Management Implications

Income and expenditure for the operation of the Park is included in the 2023/24 Budget Estimates. A budget variation of \$125,000 was also approved in the August 2023 Council Meeting to assist with the implementation of the temporary model.

Officer's Comments

Operations Update

Before the temporary operating model was implemented, caretakers would typically work excessive hours over peak season. Based on feedback received from outgoing caretakers this was likely due to difficulty recruiting seasonal support staff with the relevant skills and experience required to assist in operating the park, or feeling that the contract value was not sufficient to fund an optimal level of support staff. The associated burnout was likely a contributing factor to the recent high turnover of caretakers.

The current relief caretakers were initially contracted from December 2023 to April 2024 for five days per week, with casual reception staff manning the office two days per week. Council also engaged amenities cleaning staff and used existing town maintenance staff to perform all cleaning and grounds maintenance in the park. This allowed the relief caretakers to focus on delivering administration and reception functions, and to deliver high quality customer service and patron management.

The current relief caretakers expressed interest in continuing to manage the park medium to long term and their contract has been extended to 14 July 2024 accordingly. Off peak season has now commenced, so the relief caretakers will take over all day to day grounds maintenance during this time. Council will continue to engage reduced cleaning and reception support.

In addition to performing the administration, grounds maintenance and on-call requirements over the off-peak season, the relief caretakers will also be working strategies to increase occupancy rates. The park is generally only fully occupied from Christmas to February and on some long weekends, so there is scope to generate additional revenue if more visitors can be drawn to the park. The relief caretakers will also be working on ad-hoc projects including site surveying and improving site boundary markings.

The following matters have been flagged for consideration during the assessment of the ongoing operating model:

- a) The feedback from guests has both improved and generally decreased since the implementation of the temporary operating model. This is largely attributed to the fact that the relief caretakers were able to focus on guest satisfaction rather than also trying to perform park maintenance, particularly over the summer peak period.
- b) Communication is generally good between the relief caretakers and Council employees, and any communication challenges are regularly being discussed and addressed. The key communication challenge has been that casual reception support staff have very limited crossover with the relief caretakers and do not report directly to the relief caretakers. Any future operating model will need to give regard to how communication can be improved between these two parties.

- c) During the off-peak season, it is possible that park operations could be performed autonomously by the relief caretakers without support from Council employees. While this would be the most cost effective option, it would likely mean that Council would not be able to retain the current support staff which would impact the long term sustainability of the model. When assessing the future operating model, due consideration must be given to both the cost and the sustainability of the model.
- d) The nature of the contract between Council and the relief caretakers means that they are not as empowered as an employee would be to make decisions at the right level and be in direct contact with key contacts across Council. This can create unnecessary delays and inefficiencies.

The ongoing operating model will be costed and proposed in the 2024/25 budget estimates process and further details will be available to be presented to Council in the next quarterly report.

Financial Result Update

The financial result for the nine months ended 31 March shows a slightly improved position than originally estimated with a surplus of \$281,000 recorded compared to a budgeted surplus of \$265,000 (\$16,000 above budget).

This improvement is primarily the result of a decrease in management contract costs resulting from a shorter hand over period between the incoming and outgoing caretakers, lower than expected expenditure for the external caretaker services and lower contractor costs due to the timing of tree and vegetation maintenance still to be completed within the park.

Compared to the same period last financial year the net result has decreased by \$100,000 (down 26.2%) as a result of the implementation of the temporary operating model for the park.

Bridport Seaside Caravan Park
Operating Results for the period ended 31 March 2024

	Current Financial Year					Prior Financial Year	
	Annual Budget \$'000	YTD Budget \$'000	YTD Actual \$'000	YTD Budget Variance \$'000	YTD Budget Variance %	YTD Actual \$'000	YTD Variance %
Operating Income							
<i>User charges</i>							
Camping fees	982	828	827	(1)	(0.1%)	766	8.0%
Shower & laundry fees	7	5	6	1	20.0%	5	20.0%
Lease/Rent received	3	3	3	-	0.0%	8	(62.5%)
Total Operating Income	992	836	836	-	0.0%	779	7.3%
Expenses							
<i>Employee costs</i>							
Wages – maintenance^	-	-	22	22	100.0%	10	120.0%
Wages – operational	77	64	67	3	4.7%	-	100.0%
Overtime^	-	-	6	6	100.0%	2	200.0%
<i>Materials and services</i>							
Contractors	67	64	38	(26)	(40.6%)	30	26.7%
Management contract	79	79	59	(20)	(25.3%)	172	(65.7%)
Professional services	-	-	2	2	100.0%	-	100.0%
Other external services	179	119	105	(14)	(11.8%)	-	100.0%
Materials	37	26	17	(9)	(34.6%)	8	112.5%
Office administration	2	2	1	(1)	(50.0%)	1	0.0%
Utilities	113	85	83	(2)	2.3%	79	5.1%
Furniture & equipment expensed	1	-	3	3	100.0%	-	100.0%
Plant hire (internal usage)^	-	-	13	13	100.0%	8	62.5%
<i>Other expenses</i>							
Communications	24	18	15	(3)	(16.7%)	14	7.1%
Insurance	4	3	4	1	33.3%	3	33.3%
Bonus payment	47	47	46	(1)	(2.1%)	26	76.9%
Other sundry expenses	1	-	9	9	100.0%	-	100.0%
<i>Depreciation and amortisation</i>	86	64	65	1	1.6%	45	44.4%
Total Expenses	717	571	555	(16)	(2.8%)	398	39.4%
Net result for the period	275	265	281	16	6.0%	381	(26.2%)

^The budget allocation for this item is included at a department level.

Recommendation

That Council receive the Bridport Seaside Caravan Park Quarterly Report for the period ended 31 March 2024.

Purpose

The purpose of this agenda item is to approve a variation to the 2023/24 capital works road re-sheeting budget by reallocating \$139,000 of unallocated funds to re-sheeting works on Cape Portland Road, Little Musselroe Bay.

Background

Cape Portland Road - north of the township of Gladstone - provides access to Little Musselroe Bay, with an existing commercial wind farm in operation and agriculture land use. The total length of the unsealed gravel sections of Cape Portland Road from the end of the existing seal through Rushy Lagoon to Little Musselroe Bay makes up approximately 14.5km.

Council Officers have received internal and external feedback regarding the poor condition of the road during wet and dry weather. A combination of visitors, local residents, community groups and a school bus operator have contacted council with concerns about the condition of the road with issues within the first 5 km section to Rushy identified as the most concerning. This section has eleven school students using the local bus service daily and a larger volume of traffic traveling regularly from Rushy all year round.

Reactive maintenance has now been undertaken as an interim measure due to the condition and requests received. The unsealed gravel sections of the road had been previously re-sheeted approximately 7 years ago and due to the volume of resident, tourist and commercial traffic the gravel that forms the wear layer on the road has now deteriorated requiring replacement.

The most cost-effective solution is to re-sheet with a gravel wear layer to approximately 5.2 km of the road from the end of seal to Rushy Lagoon and continue to maintain the remaining 9.3km, inspecting and prioritising for re-sheeting in future budgets.

Council's civil construction team have completed all capital works road re-sheeting projects below budget for the 2023/24 financial year, including the scheduling of Cascade Dam Road. The team have capacity to undertake the additional proposed scope of works on Cape Portland Road before the end of the financial year, which have been costed at \$139,000.

Planning, Environment and Statutory Requirements

- *Local Government Act 1993*
- *Local Government (Highways) Act 1982*

Risk Management

Council has undertaken short term works to ensure the road meet maintenance intervention levels and conducted a risk assessment on the condition of Cape Portland Road.

Strategic and Annual Plan

Dorset Council Strategic Plan (2023 – 2032), Imperative 10.1.

Community Considerations

Council has listened to extensive feedback from local Rushy residents, a school bus operator and Little Musselroe visitors as to the substandard condition of the unsealed sections of Cape Portland Road specifically to Rushy.

Officer's Comments

A total of 11 re-sheeting projects were included within Council's original capital works road re-sheeting program for the 2023/24 financial year, all of which have now been completed.

Cascade Dam Road was approved for re-sheeting to the estimated value of \$100,000 at the March Council Meeting and the consideration to reallocate the remaining budget to re-sheet Cape Portland Road will ensure the budget is spent in key areas identified by the public and based on public safety.

High levels of commercial, tourism, residential and agricultural usage on the road has seen the gravel wear layer deteriorate requiring increased maintenance and risk when out of intervention. It is therefore recommended that the proposed re-sheeting works on Cape Portland Road be performed as a matter of priority, through re-allocation of \$139,000 of unallocated budget funds from the 2023/24 road re-sheeting program.

	2023/24 Original Budget	2023/24 Year Allocated Budget	Budget Variance
Capital Works Road Re-sheeting	\$1,080,000	\$940,479	\$139,000
Cape Portland Road Re-sheeting Project	\$0	\$0	\$139,000
Capital Works Road Re-sheeting	\$1,080,000	\$1,080,000	\$0

Recommendation

That Council approve a variation to the 2023/24 capital works road re-sheeting budget by reallocating \$139,500 of unallocated funds to re-sheeting works on the unsealed section of Cape Portland Road from the end of seal through to Rushy.

Purpose

The purpose of this agenda item is to table Council’s newly developed draft Policy No.62 – CCTV and Remote Camera (the Policy) for endorsement by Council for community consultation to take place.

Background

Council started installing cameras approximately 5 years ago to key sites across the municipality due to repeated infrastructure vandalism and the growing cost of repair. The success of the initiative has seen the number of cameras grow to 57 cameras in use today located at 17 individual sites covering internal and external areas.

This use of CCTV cameras has provided the following benefits:

- ensure the safety of Council employees, councillors and members of the public;
- protect property from theft and damage;
- discourage unlawful activity;
- improve the investigation of incidents; and
- assist in minimising the incidents of vandalism and / or willful destruction of property.

Remote and body worn camera devices are also in use within the municipality, the main purpose of this use is to assist with various programs in the management of natural resources and Council assets. These include, but are not limited to:

- incident monitoring
- dog and cat management
- illegal vegetation clearing
- management of infrastructure and other assets and facilities
- monitoring for/detection of illegal activities
- collection of usage and activity data
- Compliance Officer safety

Council is currently working with the Local Government Association of Tasmania on a project to develop an understanding on existing infrastructure and what is required to integrate this into a statewide system, while also looking at potential high priority community safety CCTV requirements

Planning, Environment and Statutory Requirements

- *Local Government Act 1993*
- *Right to Information Act 2009*
- *Personal Information Protection Act 2004*
- *Archives Act 1983*
- *Listening Devices Act 1991*
- *Security and Investigations Agents Act 2002*

Strategic and Annual Plan

Dorset Council Strategic Plan (2023-2032), Imperatives 4.1, 5.2 and 6.1.

Risk Management

Access to live streaming or recorded footage for the purposes of viewing, taking notes, making statements or confirming events will be restricted to authorised personnel as listed in the draft policy. The stored footage is kept in a secure location with restricted access.

Any request by members of the public to view records of incidents must be done through Tasmania Police or through the same *Right to Information Act 2009* process as is required to access any Council record.

Financial and Asset Management Implications

There are no significant financial risks identified with the adoption of the Policy.

Community Considerations

The use of this technology for crime prevention and public safety is strongly supported by the general public, business community and Tasmanian Police.

It is recommended that the newly developed draft Policy be advertised for community consultation for a 28 day period. Any submissions received will be considered before a recommendation is made to adopt the proposed Policy.

Officer's Comments

This newly developed draft Policy outlines the control and use of any vision recorded by the CCTV network in public areas of the municipality and vision recorded by a remote camera including body worn devices under the control of the Dorset Council.

The Policy is an important document to provide guidance for the appropriate use of CCTV, remote and body worn surveillance cameras and the use of footage collected by Council.

This Policy will be reviewed every three (3) years in line with the Council's policy framework or earlier in the event of major changes to legislation or related policies, procedures or if deemed necessary by the General Manager.

The draft Policy is available in the agenda attachments.

Recommendation

That Council endorse the newly developed draft Policy No.62 - CCTV and Remote Camera for a community consultation period of 28 days.

Purpose

The purpose of this agenda item is to update Council and the community on the progress of the 2023/24 Annual Plan as at 31 March 2024.

Background

On 26 June 2023, Council adopted the Annual Plan for 2023/24. The March Quarterly Report provides an update of progress against the Plan.

Planning, Environment and Statutory Requirements

Under Section 71 of the *Local Government Act 1993*, Council is required to prepare an Annual Plan. The Plan is to be consistent with Council's Strategic Plan and lists the major activities to be completed within the year.

Strategic and Annual Plan

N/A

Risk Management

Council's Risk Management Framework both informs, and is informed by Council's Strategy, the Financial Management Strategy and the Long Term Financial Plan. Council's Annual Plan aligns with and contributes to, the implementation of Council's Strategic Plan.

Financial and Asset Management implications

See officer comments.

Community Considerations

100% compliance with the Annual Plan was achieved for the March quarter. The table below shows compliance with the Annual Plan to date:

	September Quarter	December Quarter	March Quarter
Achieved	4	6	5
In Progress	-	1	2
Not Achieved	-	-	-
Compliance Score	100%	100%	100%
Deferred	1	-	-

Officers Comments

Council achieved a 100% compliance with the Annual Plan for the March quarter. The Annual Plan includes activities over and above the day-to-day operational tasks undertaken by Council, both of which are reflected in Council's budget estimates for 2023/24. It must also be recognised that Council has delivered on the Annual Plan whilst also responding to the demands of the Board of Inquiry.

The March quarter listed seven key activities as follows:

- **Activity 2 | Waste Management:** the Draft Green Waste Strategy has been prepared and was discussed with the Commissioner at the 5 March 2024 Briefing Workshop. Outcomes of the strategy will have financial implications that will be discussed as part of the budget estimates process for 2024/25.
- **Activity 3 | Asset Management:** the stormwater asset revaluation is underway and expected to be finalised by the end of May. It is anticipated that the reviewed and updated stormwater asset management plan will be presented to Council at the 24 June 2024 Council Meeting.
- **Activity 4 | Scottsdale and Derby Structure Plans:** are currently in progress, with an extension of time agreed to between Council and the State Planning Office until the end of financial year. This will allow for structure plan finalisations in order to review documentation and incorporate feedback received during public exhibition of draft plans.
- **Activity 9 | Blue Derby Transition:** the December quarterly report was presented to Council at the 19 February 2024 Council Meeting.
- **Activity 13 | Projects of Significance:** The Dorset Council Priority Projects Plan 2023 – 2025 was adopted by Council at the 20 November 2023 Council Meeting.
- **Activity 24 | Social Media Policy:** this Policy was reviewed and adopted by Council at the 18 March 2024 Council Meeting.
- **Activity 28 | Child and Youth Safe Organisations Framework:** Council was provided with an update on implementation at the 18 March 2024 Council Meeting.

Activity 16 in the Annual Plan required the review of the **Sponsorship of Sporting and Cultural Representatives Policy** in the June 2024 quarter. This review was undertaken during the March quarter and adopted by Council at the 18 March 2024 Council Meeting.

Proposed Variations

Activity 5 | Austins Road Residential Development, and 6 | Scottsdale Light Industrial Rezoning: as noted in Activity 4, review of draft structure plan documentation is being progressed, with final plans to be presented to Council for endorsement before end of financial year. Final recommendations from the Scottsdale Structure Plan are critical to the sequenced advancement of Activities 5 & 6; hence both of these activities will be pursued during 2024/25 financial year and included accordingly in Council's 2024/25 Annual Plan.

Activity 7 | Bridport Structure Plan: noting that Council's strategic planning resources are being directed toward finalisation of the Scottsdale and Derby Structure Plan projects by the end of the financial year, preparation of a draft Structure Plan for Bridport will be deferred for action under the 2024/25 Annual Plan.

Activity 8 | Derby Master Plan: this project is included in Council's Priority Projects Plan 2023-25 and incorporates structure planning, infrastructure planning, mountain bike precinct planning and an Economic and Social Impact Study. Derby Master planning is a project that the Northern Tasmania Development Corporation have recognised as a project of regional significance, and have also deemed it a project of state significance due to its positive impact on mountain biking and tourism in the region and for the state. This project is currently unfunded and will be deferred pending grant or election promise funding.

Activity 26 | Bridport Seaside Caravan Park – Annual Site Policy: this Policy is listed for review, adoption and implementation in the June Quarter. Council is in the process of negotiating a new lease with Crown Land which encompasses the Bridport Seaside Caravan Park. As the lease is expected to commence on 1 October 2024, it is proposed that this activity be deferred to the 2024/25 Annual Plan so that the policy can be assessed for compliance against the conditions of the lease.

A copy of the quarterly report and proposed variations is included as an attachment to the agenda.

Recommendation

That Council:

1. receive and note the attached 2023/24 Annual Plan - March Quarterly Report; and
2. adopt the attached revised 2023/24 Annual Plan with the following variations:
 - a. deferral of the following activities for inclusion in the 2024/25 Annual Plan -
 - i. Activity 5 – Austins Road Residential Development;
 - ii. Activity 6 – Scottsdale Light Industrial Rezoning;
 - iii. Activity 7 – Bridport Structure Plan;
 - iv. Activity 8 – Derby Master Plan;
 - v. Activity 26 – Policy No. 56 Bridport Seaside Caravan Park - Annual Site;
 - b. change department name from Administration / Finance to Corporate Services in the responsibility column to reflect structural changes in the management team; and
 - c. include a Strategic Plan imperative reference in Activity 1: Strategic Plan review.

Recommendation

That the Meeting be closed to the public pursuant to Regulation 15 of the *Local Government (Meeting Procedures) Regulations 2015*, and that members of the public be required to leave the meeting room.

Time Meeting Closed to the Public:

CLOSED SESSION AGENDA ITEMS

Purpose

To confirm the Minutes of Proceedings of the Dorset Council Ordinary Meeting Closed Session held on 18 March 2024.

Purpose

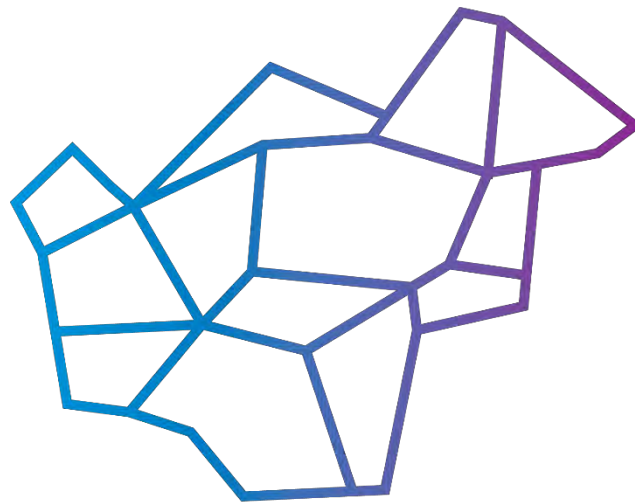
The purpose of this agenda item is to seek approval from Council to provide remission of the Varied General Rate for properties identified in accordance with Section 129 of the *Local Government Act 1993*.

This item is considered in closed session in accordance with Regulation 15 (2)(g) of the *Local Government (Meeting Procedures) Regulations 2015*

“15 (2)(g):

information of a personal and confidential nature or information provided to the council on the condition it is kept confidential”

Time Meeting Closed:



dorset
C O U N C I L

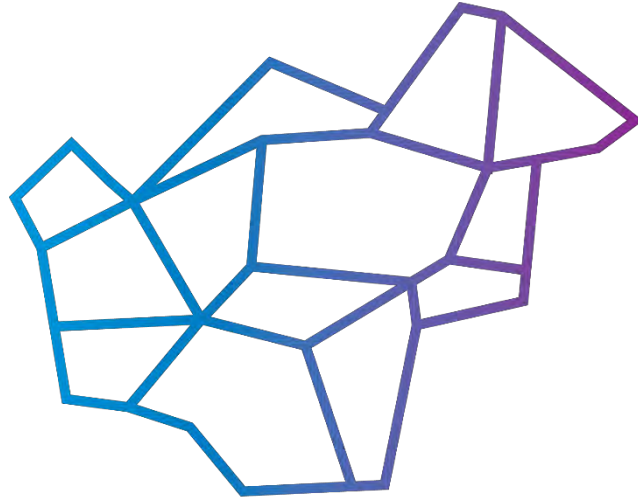
Ordinary Council Meeting

Agenda Attachments

22 April 2024

it's in the making

Item 58



dorset
C O U N C I L

UNCONFIRMED

Minutes

Council Meeting

18 March 2024

BRANXHOLM HALL

it's in the making

Contents

Item 36/24	Confirmation of Ordinary Council Meeting Minutes – 19 February 2024 _____	3
	DECISION	3
Item 37/24	Confirmation of Agenda _____	4
	DECISION	4
Item 38/24	Declaration of an Interest of the Commissioner or Close Associate _____	4
Item 39/24	Commissioner Communications _____	4
	Commissioner Wardlaw’s Calendar 15 February 2024 – 13 March 2024 _____	4
Item 40/24	Management Team Briefing Report _____	5
	DECISION	5
Item 41/24	Council Workshops Held Since Last Council Meeting _____	6
Item 42/24	Applications for Leave of Absence _____	6
Item 43/24	Public Question Time _____	6
Item 44/24	Deputations _____	7
Item 45/24	Commissioner Question Time _____	7
Item 46/24	Notices of Motion by the Commissioner _____	7
Item 47/24	Endorsement of Playground Facility Audit Report for Community Consultation _____	8
	DECISION	8
Item 48/24	Reallocation of Grant Funding and 2023/24 Budget Estimates Variation _____	8
	DECISION	8
Item 49/24	Main Street, Bridport – Speed Zone Assessment Reports _____	9
	DECISION	10
Item 50/24	Review of Policy No. 44 - Social Media _____	10
	DECISION	10
Item 51/24	Review of Policy No. 4 - Sponsorship of Sporting and Cultural Representatives _____	11
	DECISION	11
Item 52/24	2023/24 Budget Estimates Variation – Capital Works Road Resheeting _____	11
	DECISION	11
Item 53/24	Dorset Municipal Emergency Management Plan – Issue 9 February 2024 _____	12
	DECISION	12
Item 54/24	Closure of Meeting to the Public _____	12
	DECISION	12
	CLOSED SESSION ITEMS _____	12
Item 55/24	Confirmation of Ordinary Council Meeting Closed Session Minutes – 19 February 2024 _____	12
Item 56/24	Recovery of Unpaid Rates _____	12



Council Meeting Minutes 18 March 2024

Meeting Opened: 6:00 pm

Present: Commissioner Andrew Wardlaw

General Manager: John Marik, Assistant General Manager / Director – Community & Development: Rohan Willis, Director – Infrastructure: Michael Buckley, Acting Director – Corporate Services: Lauren Tolputt, Executive Assistant: Sarah Forsyth

Apologies: Nil

Acknowledgement of Country

Dorset Council acknowledges the deep history and culture of the First People who were the traditional owners of the lands and waterways where we live and work. We acknowledge the clans-people who lived here for over a thousand generations on the Country where Branhholm is built and throughout the area we know as the north east region.

Dorset Council acknowledge the present-day Aboriginal custodians and the inclusive contribution they make to the social, cultural and economic essence of the municipality.

Item 36/24 **Confirmation of Ordinary Council Meeting Minutes – 19 February 2024**
Ref: DOC/24/1914

The Chair reported that he had viewed the minutes of the Ordinary Meeting held on Monday, 19 February 2024 finds them to be a true record and recommends that they be taken as read and signed as a correct record.

DECISION

MOVED / SECONDED: Commissioner Wardlaw

That the Minutes of Proceedings of the Dorset Council Ordinary Meeting held on 19 February 2024 having been circulated to the Commissioner, be confirmed as a true record.

CARRIED: COMMISSIONER

DECISION**MOVED / SECONDED: Commissioner Wardlaw**

That Council confirm the Agenda and order of business for the 18 March 2024 Council Meeting.

CARRIED: COMMISSIONER

In accordance with Regulation 8 of the *Local Government (Meeting Procedures) Regulations 2015* and Council's adopted Code of Conduct, the Commissioner is requested to indicate whether he has, or is likely to have a pecuniary interest (any pecuniary interest or pecuniary detriment) or conflict of interest in any item on the Agenda.

INTEREST DECLARED

Nil

Commissioner Wardlaw's Calendar | 15 February 2024 – 13 March 2024

February 2024

- 15 Annual Mayoral Croquet Challenge with General Manager John Marik, St Leonards
- 18 Bridport Innovations Annual General Meeting with Director – Infrastructure, Michael Buckley, Bridport Bunker Club
- 19 Weekly meeting with the Management Team, Council Chambers
- 19 Meet and Greet Session with the Management Team, Gladstone Hall
- 19 February Council Meeting, Gladstone Hall
- 22 Meeting with Tas Community Fund representatives with General Manager, John Marik, Council Chambers
- 22 Meeting with Rotary Club of Scottsdale representatives with General Manager and Assistant General Manager regarding the Scottsdale Railway Station refurbishment, Council Chambers
- 22 Weekly meeting with the Management Team, Council Chambers
- 22 Dorset Community Connect one year celebration with General Manager and Administration Manager, Scottsdale
- 23 Meeting with Simone Lee from Tasmanian Audit Office, Launceston
- 26 Branxholm Progress Association Meeting with Director – Infrastructure, Branxholm Hall
- 27 Dorset Audit Panel Meeting, Council Chambers
- 28 Scottsdale Probus Meeting, Northbourne Community Centre

March 2024

- 2 Attended the Back to Gladstone event, Gladstone
- 4 Meeting with Telstra representatives with General Manager, Council Chambers

- 4 North East Tasmania Chamber of Commerce Meeting with Director – Infrastructure, Scottsdale Art Gallery Café
- 5 March Briefing Workshop, Council Chambers
- 6 Annual State Grants Commission Hearing with General Manager, via Microsoft Teams
- 6 Meeting with Councillor Ian Bark and his wife, Deputy Mayor of Bridport, Dorset Shire Council, England UK, Bridport Café
- 8 Meeting with ratepayer, Branxholm
- 8 Attended the Legerwood Catering Group Meeting, Legerwood Hall
- 12 Radio interview with General Manager, Mornings with Leon Compton, ABC Northern Tasmania, on site in Scottsdale
- 12 Meeting with Minister Michael Ferguson with General Manager, via Zoom
- 13 Disaster Ready Fund – Intelligent Wireless Network demonstration by Telstra with General Manager, via Microsoft Teams

Item 40/24 Management Team Briefing Report

The purpose of this agenda item is to provide the Commissioner and the community with a briefing on matters of interest dealt with during the past month by Council’s Management Team.

Recommendation

That Council

1. receive and note the unconfirmed Audit Panel Minutes, dated 27 February 2024;
2. note the management resourcing update;
3. note the Dorset Council submission on the Future of Local Government Review – Final Report, and note that this submission will be forwarded to the Local Government Association of Tasmania for their Local Government sector records;
4. note the update on the Child and Youth Safe Organisations Framework; and
5. receive and note the Management Team Briefing Report.

DECISION

MOVED / SECONDED: Commissioner Wardlaw

That Council

1. receive and note the unconfirmed Audit Panel Minutes, dated 27 February 2024;
2. note the management resourcing update;
3. note the Dorset Council submission on the Future of Local Government Review – Final Report, and note that this submission will be forwarded to the Local Government Association of Tasmania for their Local Government sector records;
4. note the update on the Child and Youth Safe Organisations Framework; and
5. receive and note the Management Team Briefing Report.

CARRIED: COMMISSIONER

5 March | Briefing Workshop

Nil

The following questions have been **received on notice**:

Karl Willrath, Scottsdale | 2 March 2024

Mayor Howard would often spruik the benefits of the Dorset Council "private sector model" of local government. As Dorset is the only council in the state that is under a board of inquiry, in part due to non-compliance, and this "private sector model" now openly appears to be more akin to a sovereign citizen model of government. Is Dorset management prepared to declare the private sector/SovCit model an abject failure, before the board of inquiry hands down its report?

Response from General Manager, John Marik:

Every organisation's aim should be – whether it's a private organisation, Government Business Enterprise, State Owned Entity or any form of Government – is to ensure it operates as effectively and efficiently as possible and utilises resources in the best way to provide value for its key stakeholders, while having regard and being fully compliant with relevant legislation and standards. This is Dorset Council's aim.

Karl Willrath, Scottsdale | 7 March 2024

Even though Dorset might now be selling less obesogenic foodstuffs at the Scottsdale pool kiosk, does Council think it may be more ethically sound to stop selling these items completely and source income for the pool elsewhere? (see attached spreadsheet provided for information)

Response from Scottsdale Aquatic Centre Manager, Jane Kilburn:

The provision of healthier snacks has been a process of improvement each year at the kiosk and something Council would like to see continue as the residents of Dorset are encouraged to change their purchasing decisions towards healthier options. The kiosk is limited regarding the types of food it can sell as only pre-prepared foods can be sold. This limits the range of healthier fresher options.

The sources of income from the pool are currently under review as budget submissions are prepared. Growth in income at the Aquatic Centre is currently forecast to be generated from the swimming school, bookings and additional fitness activities provided at the centre.

NOTE: A supplementary question was asked in relation to this matter directly to Council, as follows:

For the spreadsheets of all foodstuffs sold at the Scottsdale pool kiosk since it reopened after rebuild.

Response from General Manager, John Marik:

In addition to the food item sales for 2022/23 and 2023/24 (to 1 February 2024) previously requested and provided, 2021/22 food item sales dating back to the reopening of the pool after the rebuild have also been provided in the [attachments](#). The attachment includes food item sales from the reopening of the facility up to 13 March 2024.

The following question was received **without notice** from a member of the public:

Jacki Moore, Gladstone

In relation to the Playground Facility Audit Report. Is there a report for every town available, for example on your website and was the report prepared internally or was the public able to have their say? I'm just wondering if the playgrounds in Gladstone have been reviewed and mentioned, as I believe there's some playgrounds being upgraded this year.

Response from Commissioner Andrew Wardlaw:

My understanding is that the Audit Report was prepared and Gladstone has been included. There was consultation undertaken, with the playground design competition one of those, which would have provided some data to inform this report.

Response from Assistant General Manager, Rohan Willis:

There has been a round of public consultation through virtue of the item on the agenda this evening, and Council are proposing that further consultation occurs on those recommendations listed in the report.

Response from General Manager, John Marik:

There is an item on the agenda tonight regarding this report, however yes, this report will be made public and circulated for further community consultation. It is an audit of all the playground facilities within Dorset with various recommendations made. Consultation undertaken to date totalled 31 responses, with an online community survey, internal staff consultation and a playground competition.

Item 44/24 Deputations

Nil

Item 45/24 Commissioner Question Time

The following questions were received **without notice** from the Commissioner:

Nil

Item 46/24 Notices of Motion by the Commissioner

Nil

Item 47/24**Endorsement of Playground Facility Audit Report for Community Consultation**

Reporting Officer: Director – Infrastructure, Michael Buckley

Ref: DOC/24/1651 | Report: DOC/23/10120

Purpose

The purpose of this agenda item is to table the Council’s draft Playground Facility Audit Report (the Report) for the Dorset Municipality for endorsement by Council for community consultation.

Recommendation

That Council endorse the attached Playground Facility Audit Report recommendations for a community consultation period of 14 days.

DECISION**MOVED / SECONDED: Commissioner Wardlaw**

That Council endorse the attached Playground Facility Audit Report recommendations for a community consultation period of 14 days.

CARRIED: COMMISSIONER**Item 48/24****Reallocation of Grant Funding and 2023/24 Budget Estimates Variation**

Reporting Officer: Assistant General Manager / Director – Community & Development, Rohan Willis

Ref: DOC/24/2926

Purpose

The purpose of this agenda item is for Council to approve (i) a reallocation of \$100,000 in grant funding received under Phase 3 of the Local Roads and Community Infrastructure (LRCI) Program and (ii) a budget variation of \$50,000, for construction of a sealed pathway through the North East Corridor from Coplestone Street to King Street, Scottsdale.

Recommendation

That Council approve:

- a. a reallocation of grant funding of \$100,000 received under Phase 3 of the Local Roads and Community Infrastructure Program, and
- b. a variation to the 2023/24 Budget Estimates of \$50,000, for construction of a recreation corridor pathway between Coplestone Street and King Street, Scottsdale.

DECISION**MOVED / SECONDED: Commissioner Wardlaw**

That Council approve:

- a. a reallocation of grant funding of \$100,000 received under Phase 3 of the Local Roads and Community Infrastructure Program, and
- b. a variation to the 2023/24 Budget Estimates of \$50,000,

for construction of a recreation corridor pathway between Coplestone Street and King Street, Scottsdale.

Note: that an allocation of \$100,000 for the Scottsdale Railway Station Restoration Project be set aside in the 2024/25 budget.

CARRIED: COMMISSIONER

Item 49/24

Main Street, Bridport – Speed Zone Assessment Reports

Reporting Officer: Director – Infrastructure, Michael Buckley

Ref: DOC/24/2958 | Midson Traffic Reports – Dec 2019: DOC/19/13647 & Feb 2024: DOC/24/2594

Purpose

The purpose of this agenda item is to provide Council with a copy of the 2019 and 2024 Main Street, Bridport Speed Zone Assessment Reports prepared by Midson Traffic.

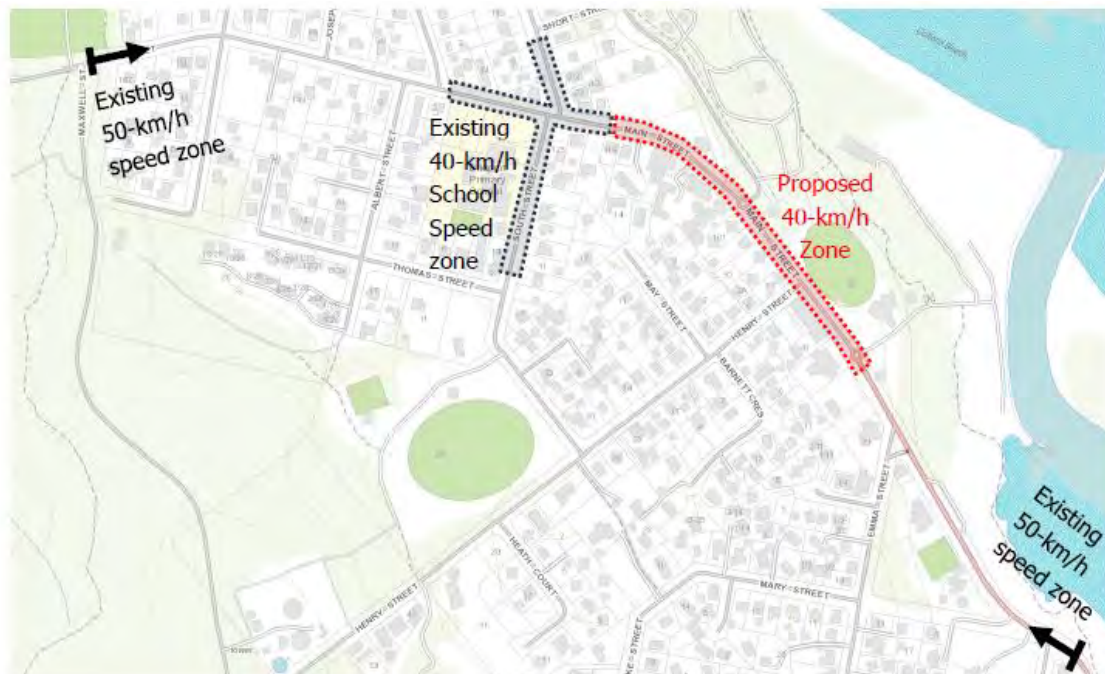


Figure 1. Proposed speed limit reduction zone change along Main Street, Bridport.

Recommendation

That Council:

1. receive and note:
 - a. the Main Street / Henry Street Bridport Intersection Assessment (2019) and
 - b. the Main Street Bridport Speed Zone Assessment (2024),
 prepared by Midson Traffic;
2. engage with the Department of State Growth for final approval to reduce the lawful speed limit along Main Street, Bridport from 50 km/h to 40km/h, consistent with the zone change area illustrated in figure 1 above;

3. install improved signage, stickers on bins and stencils on pathways to better identify a dismount zone along the shop fronts in Main Street Bridport and improve safety for pedestrians; and
4. prepare design concepts for pedestrian crossing treatment, within the proximity of the Main Street and Henry Street, Bridport intersection, for future public consultation.

DECISION

MOVED / SECONDED: Commissioner Wardlaw

That Council:

1. receive and note:
 - a. the Main Street / Henry Street Bridport Intersection Assessment (2019) and
 - b. the Main Street Bridport Speed Zone Assessment (2024),
prepared by Midson Traffic;
2. engage with the Department of State Growth for final approval to reduce the lawful speed limit along Main Street, Bridport from 50 km/h to 40km/h, consistent with the zone change area illustrated in figure 1 above;
3. install improved signage, stickers on bins and stencils on pathways to better identify a dismount zone along the shop fronts in Main Street Bridport and improve safety for pedestrians; and
4. prepare design concepts for pedestrian crossing treatment, within the proximity of the Main Street and Henry Street, Bridport intersection, for future public consultation.

CARRIED: COMMISSIONER

Item 50/24

Review of Policy No. 44 - Social Media

Reporting Officer: Executive Assistant, Sarah Forsyth
Ref: DOC/24/2692 | Reviewed Policy: DOC/24/1927

Purpose

The purpose of this agenda item is to review Policy No. 44 – Social Media (the Policy).

Recommendation

That Council adopt the attached revised Policy No. 44 – Social Media.

DECISION

MOVED / SECONDED: Commissioner Wardlaw

That Council adopt the attached revised Policy No. 44 – Social Media.

CARRIED: COMMISSIONER

Item 51/24**Review of Policy No. 4 - Sponsorship of Sporting and Cultural Representatives**

Reporting Officer: Executive Assistant, Sarah Forsyth

Ref: DOC/24/2799 | Reviewed Policy: DOC/19/3412

Purpose

The purpose of this agenda item is to review Policy No. 4 - Sponsorship of Sporting and Cultural Representatives (the Policy).

Recommendation

That Council adopt the attached revised Policy No. 4 – Sponsorship of Sporting and Cultural Representatives.

DECISION**MOVED / SECONDED: Commissioner Wardlaw**

That Council adopt the attached revised Policy No. 4 – Sponsorship of Sporting and Cultural Representatives.

CARRIED: COMMISSIONER**Item 52/24****2023/24 Budget Estimates Variation – Capital Works Road Resheeting**

Reporting Officer: Director – Infrastructure, Michael Buckley

Ref: DOC/24/2990

Purpose

The purpose of this agenda item is to approve a variation to the 2023/24 capital works road re-sheeting budget by reallocating \$100,000 of unexpended funds to re-sheeting works on Cascade Dam Road, Derby.

	2023/24 Original Budget	2023/24 Year to Date Budget	Budget Variance
Capital Works Road Resheeting	\$1,080,000	\$840,479	\$239,521
Cascade Dam Road Resheeting Project	\$0	\$0	\$100,000
Capital Works Road Resheeting	\$1,080,000	\$940,479	\$139,521

Recommendation

That Council approve a variation to the 2023/24 capital works road re-sheeting budget by reallocating \$100,000 of unexpended funds to re-sheeting works on Cascade Dam Road, Derby.

DECISION**MOVED / SECONDED: Commissioner Wardlaw**

That Council approve a variation to the 2023/24 capital works road re-sheeting budget by reallocating \$100,000 of unexpended funds to re-sheeting works on Cascade Dam Road, Derby.

CARRIED: COMMISSIONER

Item 53/24

Dorset Municipal Emergency Management Plan – Issue 9 | February 2024

Reporting Officer: Director – Infrastructure, Michael Buckley

Ref: DOC/24/3067 | Emergency Management Plan: DOC/24/3069

Purpose

The purpose of this agenda report is for Council to formally adopt the Dorset Municipal Emergency Management Plan - Issue 9 (February 2024).

Recommendation

That Council adopt the attached Dorset Municipal Emergency Management Plan - Issue 9, February 2024.

DECISION**MOVED / SECONDED: Commissioner Wardlaw**

That Council adopt the attached Dorset Municipal Emergency Management Plan - Issue 9, February 2024.

CARRIED: COMMISSIONER

Item 54/24

Closure of Meeting to the Public**DECISION****MOVED / SECONDED: Commissioner Wardlaw**

That the Meeting be closed to the public pursuant to Regulation 15 of the *Local Government (Meeting Procedures) Regulations 2015*, and that members of the public be required to leave the meeting room.

Time Meeting Closed to the Public: 7:02 pm

CARRIED: COMMISSIONER

Meeting Adjourned: 7:02 pm

Reason: *Tea break with the public*

Meeting Resumed: 7:07 pm

CLOSED SESSION ITEMS

The following matters were listed in the Closed Session Meeting section of the Council Agenda in accordance with Regulation 15 of the *Local Government (Meeting Procedures) Regulations 2015*:

Item 55/24 Confirmation of Ordinary Council Meeting Closed Session Minutes – 19 February 2024

Item 56/24 Recovery of Unpaid Rates

The reports on these matters were listed in the Closed Meeting section of the Council Agenda in accordance with Regulation 15 of the *Local Government (Meeting Procedures) Regulations 2015* as the detail covered in the respective reports relates to:

- personal and confidential information

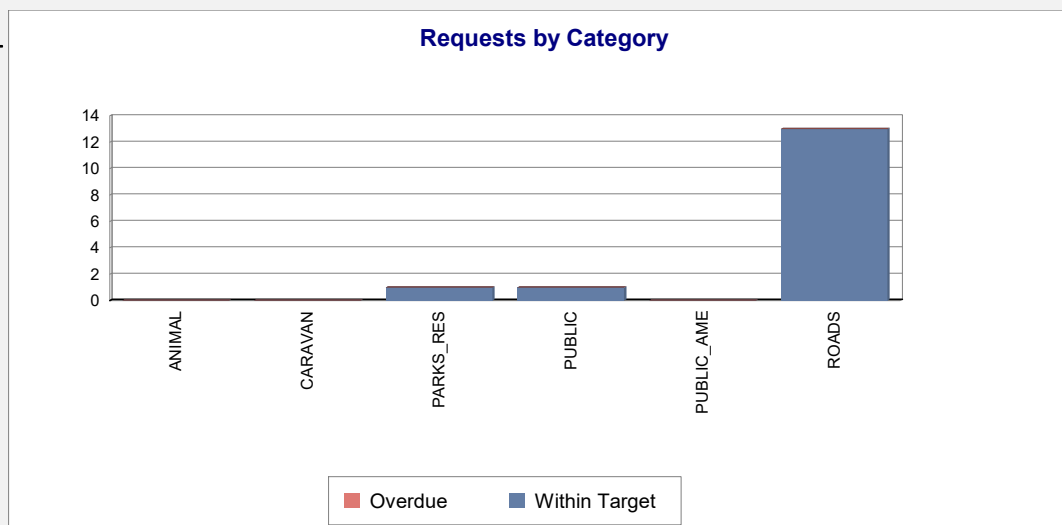
Time Meeting Closed: 7:09 pm

Minutes Confirmed: 22 April 2024

Minute No:

.....
Commissioner Wardlaw

Item 62.1



Customer Request Summary by Category

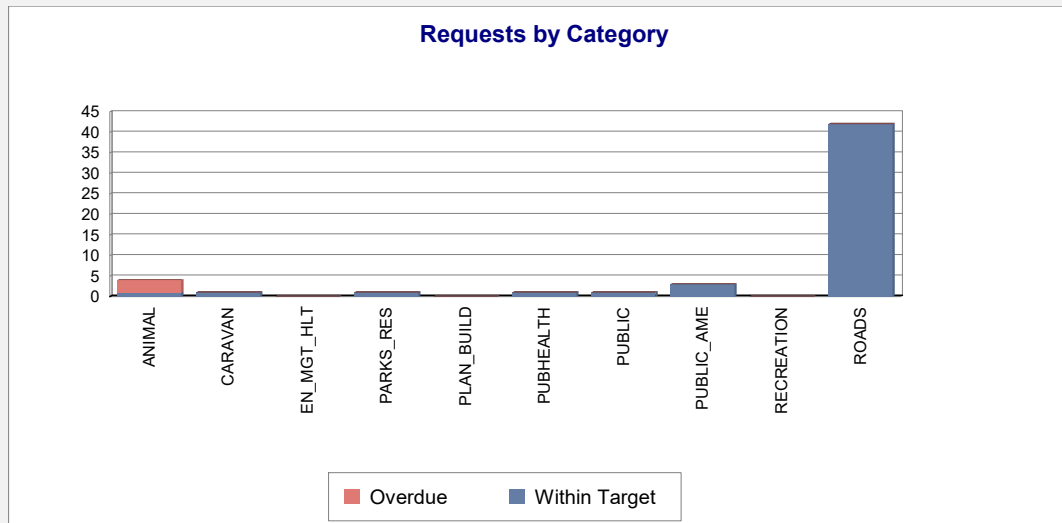
For period 01/03/2024 to 31/03/2024

Double click onto the Minor Category to access Request detail

Dorset A7 *live*

Report Created: 12/04/2024 9:46:48AM

Major / Minor Category	New Requests Received	Total requests closed this period	Closed Within Target	%	Closed, but Over Target	%	Open Within Target	Open, but Over Target
Animals	1	0	0	0%	0	0%	1	1
Animal Enquiry	1	0	0	0%	0	0%	1	1
Caravan Parks	1	0	0	0%	0	0%	0	0
Caravan Parks Enquiries	1	0	0	0%	0	0%	0	0
Parks & Reserves	2	1	1	100%	0	0%	0	0
Parks & Reserves Maintenance	2	1	1	100%	0	0%	0	0
Public	6	1	1	100%	0	0%	4	4
Online Enquiries	6	1	1	100%	0	0%	4	4
Public Amenities	1	0	0	0%	0	0%	1	0
Public Amenities Maintenance	1	0	0	0%	0	0%	1	0
Roads	20	13	13	100%	0	0%	7	0
Roads Enquiries	2	1	1	100%	0	0%	1	0
Roads Rural - Kerb & Gutter Maintenance	1	0	0	0%	0	0%	1	0
Roads Rural - Maintenance	13	11	11	100%	0	0%	2	0
Roads Rural - Tree/Vegetation Maintenance	1	1	1	100%	0	0%	0	0
Roads Urban - Maintenance	3	0	0	0%	0	0%	3	0
GRAND TOTAL	31	15	15	100%	0	0%	13	5



Customer Request Summary by Category

For period 01/01/2024 to 31/03/2024

Double click onto the Minor Category to access Request detail

Dorset A7 *live*

Report Created: 12/04/2024 9:48:46AM

Major / Minor Category	New Requests Received	Total requests closed this period	Closed Within Target	%	Closed, but Over Target	%	Open Within Target	Open, but Over Target
Animals	6	4	1	25%	3	75%	2	2
Animal Enquiry	1	0	0	0%	0	0%	1	1
Barking Dog	1	0	0	0%	0	0%	1	1
Animal Welfare	4	4	1	25%	3	75%	0	0
Caravan Parks	3	1	1	100%	0	0%	1	0
Caravan Parks Enquiries	1	0	0	0%	0	0%	0	0
Caravan Parks Maintenance	2	1	1	100%	0	0%	1	0
Environmental Management and Health	2	0	0	0%	0	0%	2	2
Fire Hazards	1	0	0	0%	0	0%	1	1
Noise Pollution	1	0	0	0%	0	0%	1	1
Parks & Reserves	2	1	1	100%	0	0%	0	0
Parks & Reserves Maintenance	2	1	1	100%	0	0%	0	0
Planning & Building Services	1	0	0	0%	0	0%	1	1
Building Enquiries	1	0	0	0%	0	0%	1	1
Public Health	1	1	1	100%	0	0%	0	0
Water Safety	1	1	1	100%	0	0%	0	0
Public	26	1	1	100%	0	0%	24	24
Online Enquiries	26	1	1	100%	0	0%	24	24

For period 01/01/2024 to 31/03/2024

Double click onto the Minor Category to access Request detail

Dorset A7 *live*

Report Created: 12/04/2024 9:49:37AM

Major / Minor Category	New Requests Received	Total requests closed this period	Closed Within Target	%	Closed, but Over Target	%	Open Within Target	Open, but Over Target
Public Amenities	4	3	3	100%	0	0%	1	0
Public Amenities Maintenance	4	3	3	100%	0	0%	1	0
Recreation Grounds	1	0	0	0%	0	0%	1	0
Recreation Grounds Maintenance	1	0	0	0%	0	0%	1	0
Roads	64	42	42	100%	0	0%	20	1
Roads Enquiries	3	2	2	100%	0	0%	1	0
Roads Rural - Kerb & Gutter Maintenance	6	3	3	100%	0	0%	3	0
Roads Rural - Maintenance	27	22	22	100%	0	0%	5	0
Roads Rural - Shoulder Maintenance	1	0	0	0%	0	0%	1	0
Roads Rural - Signage & Guide Posts Maintenance	1	0	0	0%	0	0%	1	0
Roads Rural - Spraying/Pest Plant Control	1	1	1	100%	0	0%	0	0
Roads Rural - Tree/Vegetation Maintenance	2	2	2	100%	0	0%	0	0
Roads Rural - Verge Mowing/Slashing	3	2	2	100%	0	0%	1	0
Stormwater Maintenance	3	3	3	100%	0	0%	0	0
Roads Urban - Footpath Maintenance	4	3	3	100%	0	0%	1	1
Roads Urban - Garden Bed Maintenance	1	0	0	0%	0	0%	0	0
Roads Urban - Maintenance	7	1	1	100%	0	0%	6	0
Roads Urban - Spraying/Pest Plant Control	2	2	2	100%	0	0%	0	0
Roads Urban - Tree/Vegetation Maintenance	3	1	1	100%	0	0%	1	0
GRAND TOTAL	110	53	50	94%	3	6%	52	30

DORSET COUNCIL – Planning Approvals

1 March 2024 to 31 March 2024

DEV-2024/7	TCP Building Design 39 Marilyn DR BRIDPORT	Lodged 22/01/2024	Construction of a single dwelling, outbuilding and associated works with relaxation of setback standard
		Value of Works - \$830,000	Determined APPD on 05/03/2024
DEV-2024/8	Mr D Bardenhagen Golconda RD NABOWLA	Lodged 22/01/2024	Tourist Accommodation
			Determined APPD on 05/03/2024
DEV-2024/9	Stuart Oates Services 22 Carins CL TOMAHAWK	Lodged 23/01/2024	Single dwelling addition and garage with relaxation of building envelope standards
		Value of Works - \$40,000	Determined APPD on 05/03/2024
DEV-2024/14	Musselroe Bay Community Group Mr C Forward Main RD MUSSELROE BAY	Lodged 08/02/2024	Car Park
		Value of Works - \$5,000	Determined APPD on 22/03/2024
DEV-2024/15	Mr J S James 103 Westwood ST BRIDPORT	Lodged 15/02/2024	Extension to garage with relaxation of setback standards
		Value of Works - \$9,000	Determined APPD on 26/03/2024
DEV-2024/24	Mr A F Waddingham 16 Heath CT BRIDPORT	Lodged 07/03/2024	Construction of two residential outbuildings and a retaining wall
		Value of Works - \$20,000	Determined APPD on 07/03/2024

DEV-2024/31	Design Intent Architecture 10 William ST BRIDPORT	Lodged 21/03/2024 Dwelling addition Value of Works - \$15,000	Determined APPD on 21/03/2024
DEV-2024/32	Bison Constructions 62 Bridport Back RD NABOWLA	Lodged 25/03/2024 Farm Building Value of Works - \$45,000	Determined APPD on 25/03/2024

DORSET COUNCIL – Building Approvals

1 March 2024 to 31 March 2024

OTH-2024/6	Bison Constructions 1391 Barnbouggle RD BRIDPORT	Lodged 12/02/2024 Value of Works - \$175,000	Shed Determined APPR on 04/03/2024
OTH-2024/12	In Series Electrical and Solar 217 Headquarters RD STH SPRINGFIELD	Lodged 13/02/2024 Value of Works - \$33,859	Solar Panels Determined APPR on 04/03/2024
OTH-2024/13	DC Degree C 10 South ST BRIDPORT	Lodged 13/02/2024 Value of Works - \$3,000	Solar Panels Determined APPR on 04/03/2024
OTH-2024/14	Mr D Lloyd - Webb 135 Westwood ST BRIDPORT	Lodged 13/02/2024 Value of Works - \$100,000	Dwelling addition Determined APPR on 04/03/2024
OTH-2024/18	Dorset Council Foreshore RES BRIDPORT	Lodged 14/03/2024 Value of Works - \$245,400	Demolition and New Amenities Block Determined APPR on 21/03/2024
OTH-2024/19	Woolnorth Renewables 2205 Cape Portland RD CAPE PORTLAND	Lodged 22/03/2024 Value of Works - \$600,000	Towers - 30 Identiflight Determined APPR on 25/03/2024
OTH-2024/20	Mr T D Jensen 5 Heckrath RD BRIDPORT	Lodged 25/03/2024 Value of Works - \$85,000	2 x Sheds Determined APPR on 27/03/2024

DORSET COUNCIL – Plumbing Approvals

1 March 2024 to 31 March 2024

SP-2024/8	RCC Design Pty Ltd 495 East Maurice RD TALAWA	Lodged 12/02/2024	New Dwelling Determined APPR on 28/03/2024
OTH-2024/14	Mr D Lloyd - Webb 135 Westwood ST BRIDPORT	Lodged 13/02/2024	Dwelling addition Value of Works - \$100,000 Determined APPR on 04/03/2024
OTH-2024/18	Dorset Council Foreshore RES BRIDPORT	Lodged 14/03/2024	Demolition and New Amenities Block Value of Works - \$245,400 Determined APPR on 21/03/2024

PLANNING APPLICATION - PLA/2024/1310
12-LOT SUBDIVISION AND CONSTRUCTION OF VEHICLE ACCESS AND CROSSINGS –
ASSESSMENT REPORT
 (Ref: DOC/24/4634)

Purpose

The purpose of this report is for Council to determine a planning application submitted by PDA Surveyors, Engineers and Planners on behalf of Barnett and Stanford Pty Ltd for the subdivision of one (1) lot into twelve (12) lots at 61 Henry Street, Bridport.

Background

Location

The land subject to the proposal is addressed as the following (refer to Figure 1):

Subject Land	Owner	PID	Folio of the Register
61 Henry Street, Bridport	Barnett and Stanford Pty Ltd	6846461	236880/17
31 Marilyn Drive, Bridport	Allan Barnett Fishing Co. Pty Ltd	9691149	179754/20
Bridport Wildflower Reserve	Department of Natural Resources and Environment Tasmania (NRE Tas) ¹	6847800	N/A
Crown land road reserve	Department of Natural Resources and Environment Tasmania (NRE Tas) ²	N/A	N/A

¹ The applicant obtained consent from NRE Tas for the making of the application in accordance with section 52(1B) of the *Land Use Planning and Approvals Act 1993*.

² The applicant obtained consent from NRE Tas for the making of the application in accordance with section 52(1B) of the *Land Use Planning and Approvals Act 1993*.



Figure 1: Aerial image showing the location and spatial extent of 61 Henry Street, Bridport which will comprise the proposed new lots along with the adjoining Bridport Wildflower Reserve to the north-west, west and south-west and 31 Marilyn Drive to the south-east.

Applicant

The applicant for the proposal is PDA Surveyors, Engineers and Planners.

Planning Controls

The planning application is assessed against all applicable provisions of the *Tasmanian Planning Scheme* incorporating the *Dorset Local Provision Schedules* ('the Scheme').

Statutory Timeframes

Date Received as Valid:	09/02/2024
Date Advertised:	14/02/2024
Closing date for representations:	29/02/2024
Extension of time granted:	20/03/2024
Decision due:	23/04/2024

Planning Process

The initial application was for a 13-lot subdivision of 61 Henry Street (refer to Figure 2). However, during the assessment process, the plan of subdivision was amended to achieve an improved bushfire hazard management solution with respect to proposed Lot 1. The amendment to the plan of subdivision involved the amalgamation of proposed Lots 1 and 2 into a single lot with no changes to any boundaries of the remaining lots or to the location of the road access and stormwater, sewer and water servicing arrangements. The proposed 12-lot subdivision is illustrated in Figure 3.



Figure 2: Configuration of the initial 13-lot subdivision within 61 Henry Street.



Figure 3: Configuration of the proposed 12-lot subdivision within 61 Henry Street highlighting the area of the amendment (amalgamation of proposed Lots 1 and 2).

The Site

The site comprises three (3) lots and an unmade portion of the south-western end of the Henry Street. The 3 lots are described as follows:

1. 61 Henry Street which is a rectangular lot at the south-western end of Henry Street. It contains a dwelling and outbuilding in the southern corner of the lot with the balance of the lot comprising managed grassland interspersed with a mixture of trees and shrubs.
2. Bridport Wildflower Reserve which is a large expanse of land that extends north of the Brid River to Sandy Points Road. Jarvis Link forms the western boundary of the reserve and the Bridport urban area forms the eastern boundary of the reserve.
3. An unmade section of Crown land road reserve (which includes the Council-maintained Henry Street road formation to the northeast of the proposed subdivision land).
4. 31 Marilyn Drive which is a triangular shaped lot at the south-western end of Marilyn Drive. It contains a single dwelling.

Figure 4 illustrates the location and spatial extent of the 3 lots that comprise the site and their relationship to one another.



Figure 4: Aerial image identifying the location and spatial extent of the lots that comprise the site.

Figure 5 illustrates the zoning of the subject land that forms the site which includes Low Density Residential, Environmental Management and General Residential.

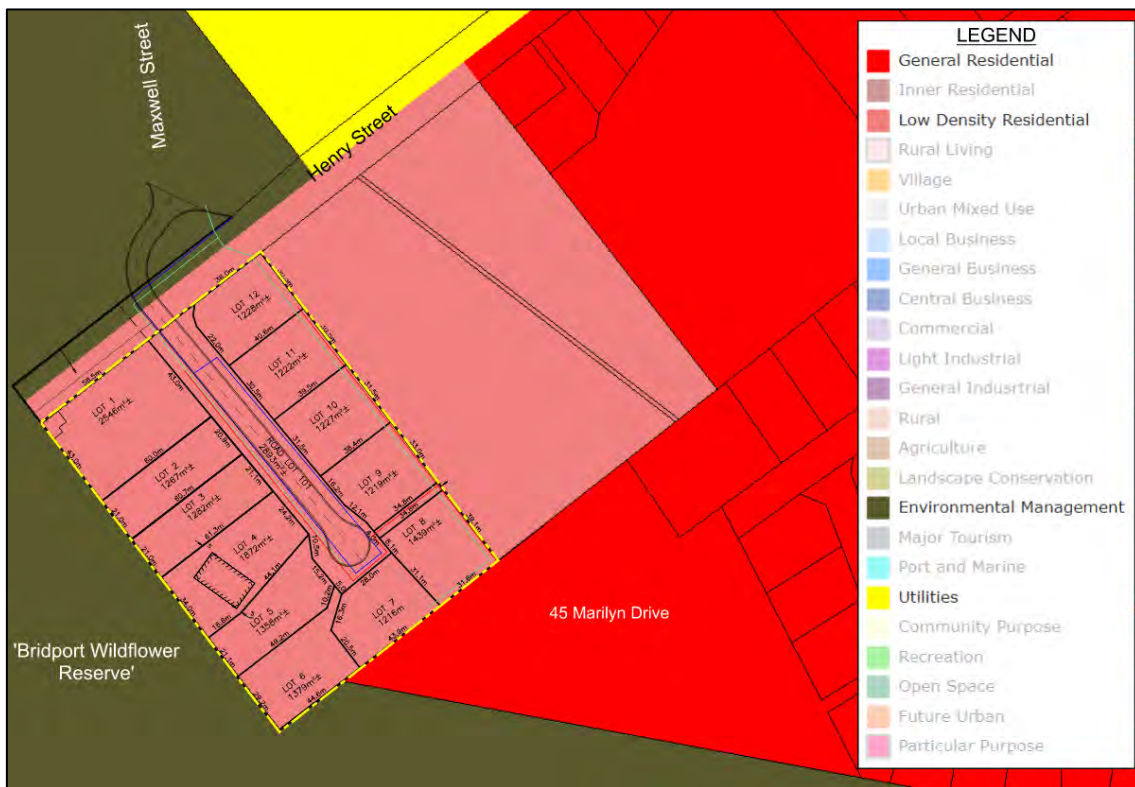


Figure 5: Zone map illustrating the zone of the site and adjacent land.

Consultation with State Government & Other Authorities

The application was referred to TasWater pursuant to section 56O of the *Water and Sewerage Industry Act 2008*. TasWater issued a Submission to Planning Notice ('SPAN') on (9 April 2024). Pursuant to section 56Q(2) of the *Water and Sewerage Industry Act 2008*, Council must include any condition that TasWater requires and must not attach a condition to a permit which conflicts with any condition required and imposed by TasWater.

It is therefore recommended that a condition be applied requiring the proposed subdivision to be undertaken in accordance with the SPAN issued by TasWater.

Officer's Comments

Details of Proposal

The application is seeking planning approval for a 12-lot subdivision. The primary lot associated with the proposed subdivision is 61 Henry Street with secondary lots being small portions of the Bridport Wildflower Reserve, a Crown land road reserve and 31 Marilyn Street. Figure 5 illustrates the arrangement of the proposed 12-lot subdivision along with associated access and infrastructure service works.

Works that are proposed within a portion of the Wildflower Reserve include a new road junction with Henry Street and Maxwell Street and extension of a stormwater main which will connect into existing stormwater infrastructure within Maxwell Street.

Works that are proposed within 31 Marilyn Drive include the extension of the gravity reticulation sewer main from the northern corner of the Marilyn Street lot to the south-eastern boundary of 61 Henry Street.

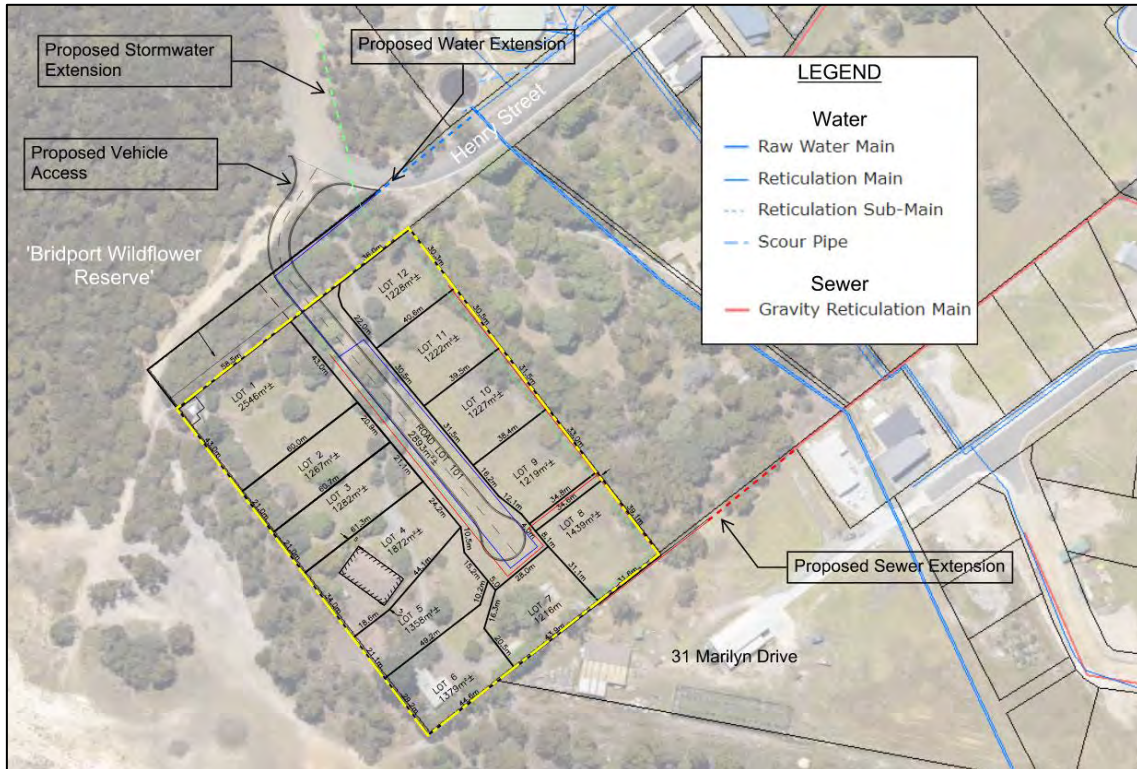


Figure 6: Illustration of the proposed subdivision within 61 Henry Street and associated works on the adjoining Wildflower Reserve and Marilyn Drive lot.

PLANNING ASSESSMENT

The following section provides an assessment of the application within the framework of the *Land Use Planning and Approvals Act 1993*.

Representations

Council received three (3) representations, each highlighting concerns with the proposed subdivision. Key concerns expressed by the representations, and the Town Planner’s response to these, are provided in the following table and should be read in conjunction with the full planning assessment.

Key Concern	Town Planner Response
<p>1. Concerns were raised as to why a section of the Bridport Wildflower Reserve is required for access given that there is access available from Henry Street</p>	<p><i>The Henry Street Road reserve extends for the full length of the north-western boundary of 61 Henry Street which will accommodate the proposed new lots.</i></p>

Key Concern	Town Planner Response
including of the section of the unmade road reserve of Henry Street;	<p><i>The location of the proposed vehicle access (junction) with Henry Street and Maxwell Street has been selected on the basis that it incorporates an existing vehicle access, being the gravel road that provided access to the previous waste transfer station, and it provides for improved sight distances on the outer bend of Henry Street and Maxwell Street.</i></p> <p><i>The location of the proposed new road junction will also provide an improved stormwater management solution which will involve draining and discharging stormwater runoff from the proposed new road to existing public stormwater infrastructure to the north along Maxwell Street.</i></p>
2. The application has no mention of earth works and removal of vegetation;	<p><i>The application includes plans and information illustrating and describing the proposed works including the areas where earth works, and vegetation removal are required. This information was sufficient to make an informed assessment against the Scheme which was reinforced by visiting the site and observing areas where earth works, and vegetation removal is proposed.</i></p>
3. Allowing access over wildflower reserve for the purposes of private subdivision development will set a precedent which will slowly erode the natural landscape associated with the Wildflower Reserve. Developers should only build or develop land they own and not rely upon acquiring or using public land;	<p><i>Within the context of the application, access over Wildflower Reserve is an outlier. The location of 61 Henry Street is unique relative to Henry Street including its unmade road reserve, the existing gravel access through the reserve which provided access to the previous waste transfer station. In this regard, it is the remaining parcel of private freehold land that adjoins the reserve, and which does not have alternative access to a public road. Access over a small portion of the reserve and the south-western end of the Henry Street road reserve provides an improved outcome in terms of sight distances and safety and efficiency of the proposed new road junction and will utilise existing cleared areas of the reserve. It is also noted that the road that will be located within the reserve will be a public road which is able to be accessed by the community.</i></p> <p><i>Accordingly, the unique circumstances of the site and its relationship to the Wildflower Reserve enable the access across the reserve to be investigated and considered. It is not expected that this would result in a precedent</i></p>

Key Concern	Town Planner Response
	<i>or erosion of the natural landscape values of the reserve on the basis that there is no other land that adjoins the reserve which requires access across the reserve under the terms of the current Scheme.</i>
4. The location of planning signs on Maxwell Street, Louisa Street and Emma Street are a long way from the proposed subdivision site and the application does not include any information as to why this section of Wildflower Reserve is required as part of the subdivision;	<i>Council has a statutory obligation under the <u>Land Use Planning and Approvals Act 1993</u> to notify all landowners that adjoining the site that is subject to the proposed application. In this instance, the site included the Bridport Wildflower Reserve, 61 Henry Street and 31 Marilyn Street. Due to the large size and spatial arrangement of the reserve, all properties that adjoin the reserve were required to be notified of the application even though the proposed subdivision involved only a small portion of the reserve (<0.04%) and which was often a significant distance away from respective properties and landowners which were notified.</i>
5. The Wildflower Reserve is public space with important flora and fauna values. It doesn't seem appropriate that a residential development can impact on the reserve.	<i>The area of the Bridport Wildflower Reserve that will contain the proposed public road equates to less than 0.04% of the area of the reserve. The quality of vegetation that is proposed to be removed is assessed as being low and is currently segregated from the main body of the reserve which contains significantly higher value vegetation including threatened flora and fauna species and threatened vegetation communities. The proposed subdivision will not have any adverse impacts on these values within the reserve.</i>

Tasmanian Planning Scheme incorporating the Dorset Local Provisions Schedule

Categorisation of Use

Development that is for subdivision is not required to be categorised into a Use Class pursuant to clause 6.2.6 of the Scheme.

7.10 - DEVELOPMENT NOT REQUIRED TO BE CATEGORISED INTO A USE CLASS

Clause 7.10.1 specifies that an application for development that is not required to be categorised into one of the Use Classes under sub-clause 6.2.6 of Scheme and to which 6.8.2 applies, excluding adjustment of a boundary under sub-clause 7.3.1, may be approved at the discretion of Council.

In this instance, the proposed subdivision does not include a boundary adjustment under sub-clause 7.3.1.

The following section provides an assessment of the proposed subdivision against clauses 7.10.2 and 7.10.3 of the Scheme.

Table 1: Clause 7.10 Development Not Required to be Categorised into a Use Class

7.10.2	<p>An application must only be approved under sub-clause 7.10.1 if there is no unreasonable detrimental impact on adjoining uses or the amenity of the surrounding area.</p> <p><u>Town Planner Response</u></p> <p>The application primarily involves the subdivision of land on the western periphery of the Bridport urban boundary. The main lot that will accommodate the proposed new residential lots is zoned Low Density Residential and it adjoins Low Density Residential zoned land to the east and General Residential zoned land to the south-east. Adjoining land to the north-west, west and south-west comprises the Bridport Wildflower Reserve which is public land that contains native vegetation and recreation trails used for walking, running and mountain biking.</p> <p>The application involves subdivision of land to create 12 residential lots. Whilst the proposed subdivision is not required to be categorised into a Use Class pursuant to clause 6.2.6 of the Scheme, the proposed new lots are intended to be developed for residential use in the form of single dwellings.</p> <p>The future use of the proposed new lots will therefore be compatible with adjoining uses and the amenity of the surrounding area which is predominately characterised by residential and passive recreation uses.</p>
7.10.3	<p>In exercising its discretion under sub-clauses 7.10.1 and 7.10.2 of this planning scheme, the planning authority must have regard to:</p>
	<p>(a) the purpose of the applicable zone;</p> <p><u>Town Planner Response</u></p> <p>Low Density Residential Zone</p> <p>The proposed subdivision is assessed as being consistent with the purpose of the Low Density Residential zone insofar as it will create new lots that are capable of accommodating residential use and development where infrastructure services are available. The proposed lots will create further opportunity for a range of dwelling types within a residential area of Bridport.</p> <p>Environmental Management Zone</p> <p>The proposed subdivision is assessed as being consistent with the purpose of the Environmental Management zone insofar as the proposed development within the zone will not result in a material impact upon the protection, conservation and management of the values of the Wildflower Reserve which are predominantly contained within the body of the reserve rather than the perimeter or periphery areas of the reserve, which is the case in this instance.</p>

(b) the purpose of any applicable code;

Town Planner Response

Road and Railway Assets Code

The proposed subdivision is consistent with the purpose of the Road and Railway Assets Code insofar as the design of the proposed road network within the subdivision will not result in any significant detrimental road safety impacts and will not impact upon the efficiency and safety of the Henry Street and the broader road network.

Natural Assets Code

The proposed subdivision is consistent with the purpose of the Natural Assets Code insofar as development within the priority vegetation area will minimise impacts upon identified priority vegetation.

Bushfire-Prone Areas Code

The proposed subdivision is consistent with the purpose of the Bushfire-Prone Areas Code insofar as the bushfire hazard management, prepared by an accredited person, satisfies the acceptable solutions of the applicable Standards of the Bushfire-Prone Areas Code ensuring that the proposed subdivision has been appropriately designed, located and serviced to reduce the risk to human life and property, and the cost to the community, caused by bushfires.

(c) any relevant local area objectives; and

Town Planner Response

The site is not subject to any local area objectives.

(d) the purpose of any applicable specific area plan

Town Planner Response

The site is not subject to a specific area plan.

10.0 - LOW DENSITY RESIDENTIAL ZONE

The following section provides an assessment of the proposed subdivision against the applicable development standards within the Low Density Residential zone.

10.3 Use Standards

Use standards listed under clause 10.3 of the Scheme are not applicable on the basis that the application does not involve use³ and the proposed subdivision is not required to be categorised into a Use Class pursuant to clause 6.2.6 of the Scheme.

10.4 Development Standards for Dwellings

Development standards listed under clause 10.4 of the Scheme are not applicable on the basis that the application does not involve development for the purposes of constructing a dwelling or dwellings.

10.5 Development Standards for Non-dwellings

Development standards listed under clause 10.5 of the Scheme are not applicable on the basis that the application does not involve development for the purposes of constructing a building or buildings for non-dwellings.

10.6 Development Standards for Subdivision

Development standards listed under clause 10.6 of the Scheme apply to the application on the basis that it involves subdivision of land assigned to the Low Density Residential zone.

Table 2: Clause 10.6.1 Lot Design - A1/ P1

Objective:	That each lot: (a) has an area and dimensions appropriate for use and development in the zone; (b) is provided with appropriate access to a road; and (c) contains areas which are suitable for residential development.	
Acceptable Solution	Performance Criteria	
A1	P1	
Each lot, or a lot proposed in a plan of subdivision, must:	Each lot, or a lot in a plan of subdivision, must have sufficient useable area and dimensions suitable for its intended use, having regard to:	

³ **Use** means, in relation to land, includes the manner of utilising land but does not include the undertaking of development. Section 3(1) *Land Use Planning and Approvals Act 1993*.

<p>(a) have an area of not less than 1,500m² and:</p> <p>(i) be able to contain a minimum area of 10m x 15m with a gradient not steeper than 1 in 5, clear of:</p> <p>a. all setbacks required by clause 10.4.3 A1 and A2; and</p> <p>b. easements or other title restrictions that limit or restrict development; and</p> <p>(ii) existing buildings are consistent with the setback required by clause 10.4.3 A1 and A2;</p> <p>(b) be required for public use by the Crown, a council or a State authority;</p> <p>(c) be required for the provision of Utilities; or</p> <p>(d) be for the consolidation of a lot with another lot provided each lot is within the same zone.</p>	<p>(a) the relevant requirements for development of buildings on the lots;</p> <p>(b) the intended location of buildings on the lots;</p> <p>(c) the topography of the site;</p> <p>(d) adequate provision of private open space;</p> <p>(e) the pattern of development existing on established properties in the area; and</p> <p>(f) any constraints to development;</p> <p>and must have an area not less than 1,200m².</p>
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Town Planner Response

Proposed Lot 1 and 4 will have an area greater than 1,500m². All other proposed lots will have an area less than 1,500m² which does not satisfy Acceptable Solution A1(a) and assessment against the corresponding Performance Criteria is therefore required. Sub clauses A1(b), (c) and (d) are not applicable to the proposed subdivision.

Each proposed lot will have sufficient useable area and dimensions suitable for their intended residential use. Each proposed lot will be provided with a minimum (building) area of 10m by 15m with a gradient less than 1:5 that will be clear of all setbacks required by clause 10.4.3 A1 and A2 as well as all existing and future easements or other title restrictions (refer to Figure 7). The size and dimensions of each proposed lot therefore satisfies Acceptable Solution A1(a)(i) and by virtue of this, satisfies Performance Criteria P1(a) and (c).

Table 3: Clause 10.6.1 Lot Design - A2/ P2

Objective:	<p>That each lot:</p> <ul style="list-style-type: none"> (a) has an area and dimensions appropriate for use and development in the zone; (b) is provided with appropriate access to a road; and (c) contains areas which are suitable for residential development.
Acceptable Solution	Performance Criteria
<p>A2</p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a frontage not less than 20m.</p>	<p>P2</p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use, having regard to:</p> <ul style="list-style-type: none"> (a) the width of frontage proposed, if any; (b) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access; (c) the topography of the site; (d) the functionality and useability of the frontage; (e) the ability to manoeuvre vehicles on the site; and (f) the pattern of development existing on established properties in the area, <p>and is not less than 3.6m wide.</p>

Town Planner Response

Proposed Lots 6 and 8 will have a frontage width of less than 20m. All other proposed lots will have a frontage width greater than 20m. Assessment against the corresponding Performance Criteria is therefore required.

Of the proposed 12 residential lots, 2 lots will have a frontage less than 20m in width. The lots that have a frontage width of less than 20m correlate with the cul-de-sac head of the road which constrain the ability to provide the required frontage width whilst making efficient use of the land for residential purposes in terms of lot yield.

In this instance, proposed Lots 6 and 8 will be provided with frontage to a road that is sufficient for the intended residential use of each lot.

The narrowest frontage width will be 5m which is associated with proposed Lot 6 and proposed Lot 8 will have a frontage width of 8.1m. The frontages of proposed lots 6 and 8 therefore satisfy the minimum frontage width required by this Performance Criteria of 3.6m. The width of frontage for each proposed lot is therefore considered sufficient for residential use including for the purposes of emergency vehicle access, satisfying subclause P2(a).

No proposed lots rely on or will be subject to a right of carriageway and subclause P2(b) is therefore not applicable.

The topography of land gently falls to a low point at the eastern corner of the lot. The proposed new road is located within a central location which is observed as being level. The majority of road infrastructure will therefore be close to existing surface levels. The topography within the site therefore does not impose a constraint on the provision of access to the lots in terms of providing vehicle crossings between the road and the frontage of each proposed lot, satisfying subclause P1(c).

The frontage for each proposed lot will be functional and useable for residential purposes, satisfying subclause P1(d).

The main body (excluding the access strip of proposed Lot 6) of proposed Lots 6 and 8 will have sufficient dimensions to site a dwelling in a position that will enable vehicles to manoeuvre within the site in order to exit in a forward direction, satisfying subclause P1(e).

The location and configuration of proposed Lots 6 and 8 will be compatible with the pattern of subdivision development in the area. In this regard, the location and configuration of residential lots that have sub-minimal frontages (less than 20m within the Low Density Residential zone and less than 12m within the General Residential zone) are typically located at the end of cul-de-sacs and on the outer side of bends in roads. Proposed Lots 6 and 8 are located at the end of the cul-de-sac head, consistent with the pattern of residential lots within the surrounding area, satisfying subclause P1(f).

Table 4: Clause 10.6.1 Lot Design - A3/P3

Objective:	<p>That each lot:</p> <p>(a) has an area and dimensions appropriate for use and development in the zone;</p> <p>(b) is provided with appropriate access to a road; and</p> <p>(c) contains areas which are suitable for residential development.</p>	
Acceptable Solution		Performance Criteria
<p>A3</p> <p>Each lot, or a lot proposed in a plan of subdivision, must be provided with a vehicular access from the boundary of the lot to a road in accordance with the requirements of the road authority.</p>		<p>P3</p> <p>Each lot, or a lot proposed in a plan of subdivision, must be provided with reasonable vehicular access to a boundary of a lot or building area on the lot, if any, having regard to:</p> <p>(a) the topography of the site;</p> <p>(b) the distance between the lot or building area and the carriageway;</p> <p>(c) the nature of the road and the traffic;</p> <p>(d) the anticipated nature of vehicles likely to access the site; and</p> <p>(e) the ability for emergency services to access the site.</p>

Town Planner Response

All proposed residential lots will be provided with kerb crossings and concrete driveway aprons to the frontage in accordance with TSD-R09-V3 to the satisfaction of Council being the road authority for the proposed future internal road network. In this regard, appropriate conditions have been recommended to ensure the proposed road and vehicular access to each proposed lot will be constructed in accordance with Council's requirements.

Table 5: Clause 10.6.2 Roads - A1/P1

Objective:	<p>That the arrangement of new roads within a subdivision provides:</p> <ul style="list-style-type: none"> (a) the provision of safe, convenient and efficient connections to assist accessibility and mobility of the community; (b) the adequate accommodation of vehicular, pedestrian, cycling and public transport traffic; and (c) the efficient ultimate subdivision of the entirety of the land and of the surrounding land.
Acceptable Solution	Performance Criteria
<p>A1</p> <p>The subdivision includes no new roads.</p>	<p>P1</p> <p>The arrangement and construction of roads within a subdivision must provide an appropriate level of access, connectivity, safety, convenience and legibility for vehicles, pedestrians and cyclists, having regard to:</p> <ul style="list-style-type: none"> (a) any relevant road network plan adopted by council; (b) the existing and proposed road hierarchy; (c) the need for connecting roads and pedestrian paths, to common boundaries with adjoining land, to facilitate future subdivision potential; (d) maximising connectivity with the surrounding road, pedestrian, cycling and public transport networks; (e) minimising the travel distance between key destinations such as shops and services and public transport routes; (f) access to public transport; (g) the efficient and safe movement of pedestrians, cyclists and public transport; (h) the need to provide for bicycle infrastructure on new arterial and collector roads in accordance with <i>Guide to Road Design Part 6A: Paths for Walking and Cycling 2016</i>; (i) the topography of the site; and

	(j) the future subdivision potential of any balance lots on adjoining or adjacent land.
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Town Planner Response

The proposed subdivision involves the construction of a new road. Assessment against the corresponding Performance Criteria is therefore required.

The arrangement and construction of the proposed road within a subdivision will provide an appropriate level of access, connectivity, safety, convenience and legibility for vehicles, pedestrians and cyclists within the context of the subclauses of the Performance Criteria.

Council does not have an adopted road network plan. However, the subdivision design connects with the existing road network of Henry Street and Maxwell Street and will therefore integrate with the broader road network.

Henry Street and Maxwell Street are identified as local roads. The proposed new roads will also be designated as a local road which will be consistent with the existing road hierarchy within the area, satisfying subclause P1(b).

A strip of land that is capable of containing a footpath will be provided between proposed Lots 8 and 9 which will allow for future pedestrian and cycle connectivity to the adjoining land to the north-east in the event this is subdivided in the future (which is capable under the Low Density Residential zone), satisfying subclause P1(c).

The location of the proposed road provides the shortest distance between the proposed subdivision and Henry Street which provides direct access to the Bridport village centre, satisfying subclause P1(d) and (e).

Bridport does not contain a public transport network and the access road will be designed and constructed with a footpath that will integrate into the broader footpath and cycling network (albeit there is not designated cycling paths within the local road network, rather cyclists use existing road or footpath infrastructure), satisfying subclause P1(f) and (g).

The proposed new road will not be an arterial or collector road and subclause P1(h) is therefore not applicable.

The land that is proposed to be subdivided is unaffected by significant topographical constraints to the degree that it would affect the efficient and safe movement of pedestrians, cyclists and vehicles and there is not significant need to provide road connectivity to adjoining land to assist with facilitating future subdivision of this land where able, satisfying subclauses P1(i) and (j).

Table 6: Clause 10.6.3 Services - A1/P1

Objective:	That the subdivision of land provides services for the future use and development of the land.	
Acceptable Solution	Performance Criteria	
A1	P1	
<p>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must:</p> <p>(a) be connected to a full water supply service if the frontage of the lots is within 30m of a full water supply service; or</p> <p>(b) be connected to a limited water supply service if the frontage of the lot is within 30m of a limited water supply service,</p> <p>unless a regulated entity advises that the lot is unable to be connected to the relevant water supply service.</p>	No Performance Criterion.	

Town Planner Response

Each proposed residential lot will be provided with a DN32 (ID25) PE100 water connection with a standard 20mm meter and meter box in accordance with TasWater Drawing TWS-W-0002-Sheet 5 or as otherwise specified by TasWater through the submission made under section 56P(2) of the *Water and Sewerage Industry Act 2008* ('WSI Act').

Table 7: Clause 10.6.3 Services - A2/P2

Objective:	That the subdivision of land provides services for the future use and development of the land.	
Acceptable Solution	Performance Criteria	
A2	P2	
<p>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a reticulated sewerage system.</p>	<p>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of accommodating an on-site wastewater treatment system adequate for the future use and development of the land.</p>	

Town Planner Response

Each proposed residential lot will be provided with a DN100 uPVC SN10 gravity sewer connection in accordance with TasWater Drawing MRWA-300 series drawings or as

otherwise specified by TasWater through the submission made under section 56P(2) WSI Act.

Table 8: Clause 10.6.3 Services - A3/P3

Objective:	That the subdivision of land provides services for the future use and development of the land.	
Acceptable Solution	Performance Criteria	
A3	P3	
Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of connecting to a public stormwater system.	Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of accommodating an on-site stormwater management system adequate for the future use and development of the land, having regard to:	
	<ul style="list-style-type: none"> (a) the size of the lot; (b) topography of the site; (c) soil conditions; (d) any existing buildings on the site; (e) any area of the site covered by impervious surfaces; and (f) any watercourse on the land. 	

Town Planner Response

Each proposed residential lot will be provided with a DN100 standard stormwater gravity connection in accordance with Tasmania Standard Drawing TSD-SW25-V3 which will form part of the recommendation for approval.

23.0 - ENVIRONMENTAL MANAGEMENT ZONE

The following section provides an assessment of the proposed subdivision against the applicable development standards within the Environmental Management zone.

23.3 Use Standards

Use standards listed under clause 23.3 of the Scheme are not applicable on the basis that the application does not involve use⁴ and the proposed subdivision is not required to be categorised into a Use Class pursuant to clause 6.2.6 of the Scheme.

23.4 Development Standards for Buildings and Works

Clause 23.4.1 (Development area) is applicable on the basis that the application involves works within land assigned to the Environmental Management zone.

Table 9: Clause 23.4.1 Development area - A1/P1

Objective:	That the development area is: (a) compatible with the values of the site and surrounding area; and (b) minimises disturbance of the site.	
Acceptable Solution	Performance Criteria	
A1	P1	
The development area must: (a) be not more than 500m ² ; (b) be in accordance with any authority under the National Parks and <i>Reserve Management Regulations 2019</i> granted by the Managing Authority or the <i>Nature Conservation Act 2002</i> ; or (c) be in accordance with an approval of the Director-General of Lands under the <i>Crown Lands Act 1976</i> .	The development area must not cause an unreasonable impact on the values of the site and surrounding area, having regard to: (a) the design, siting, scale and type of development; (b) the operation of the use; (c) the impact of the development on the values of the site and surrounding area; (d) the need for the development to be located on the site; (e) how any significant values are managed; and (f) any protection, conservation, remediation or mitigation works.	

Town Planner Response

⁴ **Use** means, in relation to land, includes the manner of utilising land but does not include the undertaking of development. Section 3(1) *Land Use Planning and Approvals Act 1993*.

The proposed subdivision involves construction of a road within the Environmental Management zone. The development area⁵ of the road is approximately 955.81m² which exceeds the maximum limit prescribed by subclause A1(a). Subclauses A1(b) and (c) are not applicable. Assessment against the corresponding performance Criteria is therefore required.

The proposed development area within the Environmental Management zone will not cause an unreasonable impact on the values of the site and surrounding area. Figure 8 illustrates the current state of the land within the Environmental Management zone that will accommodate the proposed road.

The proposed development area within the area of the site that contains the Environmental Management zone is located on the eastern periphery of the Wildflower Reserve and includes the western end of the Henry Street road reserve. It has been significantly modified to accommodate a gravel access road (which provided access to the former waste transfer station to the west of 61 Henry Street) and an unmade access road within the road reserve which provides access to a telecommunications tower.

The roads segregate native vegetation from the larger contiguous area of the Wildflower Reserve. Figures 8 and 9 illustrated the disturbed and heavily modified nature of the native vegetation within the Environmental Management zone that will accommodate the proposed road. The images illustrate that this area of the Environmental Management zone has minimal vegetation or habitat values with only a small number of trees (approximately 15 or less) required to be removed to accommodate the proposed road. It also illustrates the presence of weeds which have established along the side of the gravel road and spread into the development area more broadly.

⁵ means the area of land occupied by development including its yard, outbuildings, vehicle parking, driveways, storage areas, landscaping and wastewater disposal areas. Clause 3.1, Scheme.



Figure 8: Photograph showing the area of the site that will accommodate the proposed road. The photograph shows the gravel road in the middle ground and the unmade access road in the foreground. The land is heavily modified and does not contain understorey vegetation. View looking north-west.



Figure 9: Photograph showing the unmade access road within the Henry Street road reserve which provides access to a telecommunications tower. The proposed road will be located perpendicularly (across) this road in a general north-west to south-east alignment. View looking north-east toward Henry Street.

The minimal environmental and habitat value of the area of the Environmental Management zone to be developed for the proposed road is corroborated (in addition to site observations) by threatened flora, fauna and vegetation community data from the LIST which is shown in Figure 10.

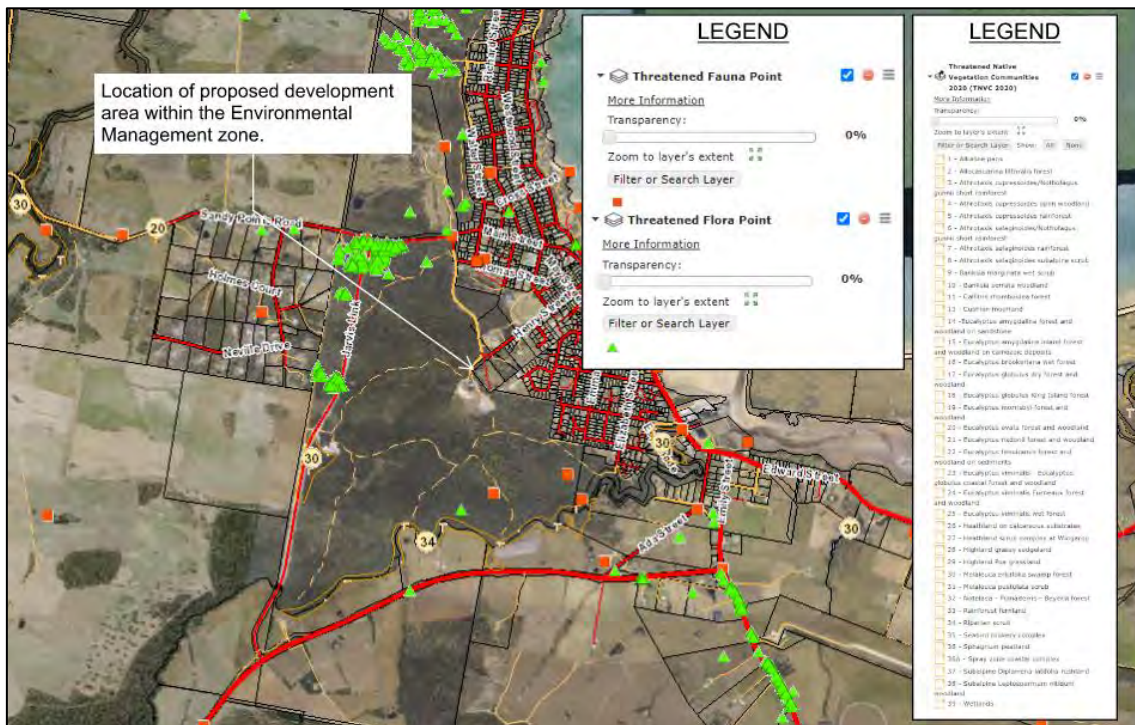


Figure 10: Aerial image showing the location of threatened flora and fauna points and the location of threatened vegetation communities within proximity to the site.

The proposed development area will not have any impacts upon the values of the site or surrounding area insofar as it will not require the removal of a known threatened flora species or substantial habitat for a threatened fauna species, it does not contain vegetation that is part of a threatened vegetation area and the proposed development area will be located within an area of the reserve that contains roads and other larger cleared areas (such as the remnants of the waste transfer station to the west).

The proposed development area, being the access road extending partially over the existing gravel road from Henry Street and Maxwell Street, is minimal in comparison to the area of Wildflower Reserve that will remain unaltered. The proposed road will be used for access purposes for the proposed new residential lots and will be compatible with other access roads which area located around the norther, eastern and western perimeter of the reserve.

The proposed access road is required to be located on the site insofar as it will be located partially over an existing gravel road which forms an established junction with Henry Street and Maxwell Street and the location of the proposed road offers a safe and efficient outcome for the road junction in terms of sight distances with Henry Street and Maxwell Street.

The proposed development area is therefore assessed as satisfying the Performance Criteria.

Other

Clauses 23.4.2 and 23.4.3 are not applicable on the basis that the application does not include development or works for the purposes of buildings.

Clause 23.4.4 (Vegetation management) is applicable on the basis that the application involves works that involve the clearance of native vegetation within land assigned to the Environmental Management zone.

Table 10: Clause 23.4.4 Vegetation management - A1/P1

Objective:	That the site contributes to the values of the surrounding area by restricting vegetation removal.	
Acceptable Solution	Performance Criteria	
A1	P1	
<p>Building and works must:</p> <ul style="list-style-type: none"> (a) be located on land where the native vegetation cover has been lawfully removed; or (b) be in accordance with any authority under the National Parks and <i>Reserve Management Regulations 2019</i> granted by the Managing Authority or the <i>Nature Conservation Act 2002</i>. 	<p>Building and works must be located to minimise native vegetation removal and the impact on values of the site and surrounding area, having regard to:</p> <ul style="list-style-type: none"> (a) the extent of native vegetation to be removed; (b) any proposed remedial, mitigation or revegetation measures; (c) provision for native habitat for native fauna; (d) the management and treatment of the balance of the site or native vegetation areas; and (e) the type, size and design of development. 	

Town Planner Response

The proposed subdivision requires removal of native vegetation within the Environmental Management zone which has not previously been lawfully removed. Assessment against the corresponding Performance Criteria is therefore required.

The works associated with the proposed access road will minimise native vegetation removal within the context of the area of native vegetation that exists within the contiguous area of Environmental Management zoned land within the Wildflower Reserve and the higher environmental values that exist within the reserve (being identified threatened flora and fauna points and threatened vegetation communities).

Figure 11 illustrates the indicative area of native vegetation within the Environmental Management zone that is required to be removed which equates to approximately 850m². This area is equivalent to 0.034% of the total area of the Wildflower Reserve and is therefore a minimal area in this regard (although it is recognised that there are some locations within the reserve that are clear of native vegetation so the actual area of vegetation to be removed within the reserve will be slightly higher on percentage basis). Performance Criteria P1(a) is therefore satisfied.

The quality of the vegetation proposed to be removed is low in comparison to the quality of vegetation within the broader Wildflower Reserve. The area contains an assortment of eucalyptus trees with a modified understory which is partially infested with weed species. Removal of the vegetation will not minimise or diminish the provision of native habitat for native fauna within the body of the reserve or the existing management and treatment of the reserve more broadly, satisfying subclauses P1(c) and (d). No remedial, mitigation or revegetation measures are proposed or considered necessary given the location and quality of native vegetation to be removed and the size and design of the proposed access road which will be integrated with an established gravel access road and unmade track which provides access to a telecommunications tower.

Finally, it is acknowledged that NRE Tas are manage the Wildflower Reserve and have provided consent for the making of the application. Should a planning permit be issued, the proponent will be required to undertake a reserve activity assessment (or equivalent) prior to conducting works on Crown land which will cover matters including vegetation and weed management as well as any remedial or revegetation works NRE Tas deem necessary.

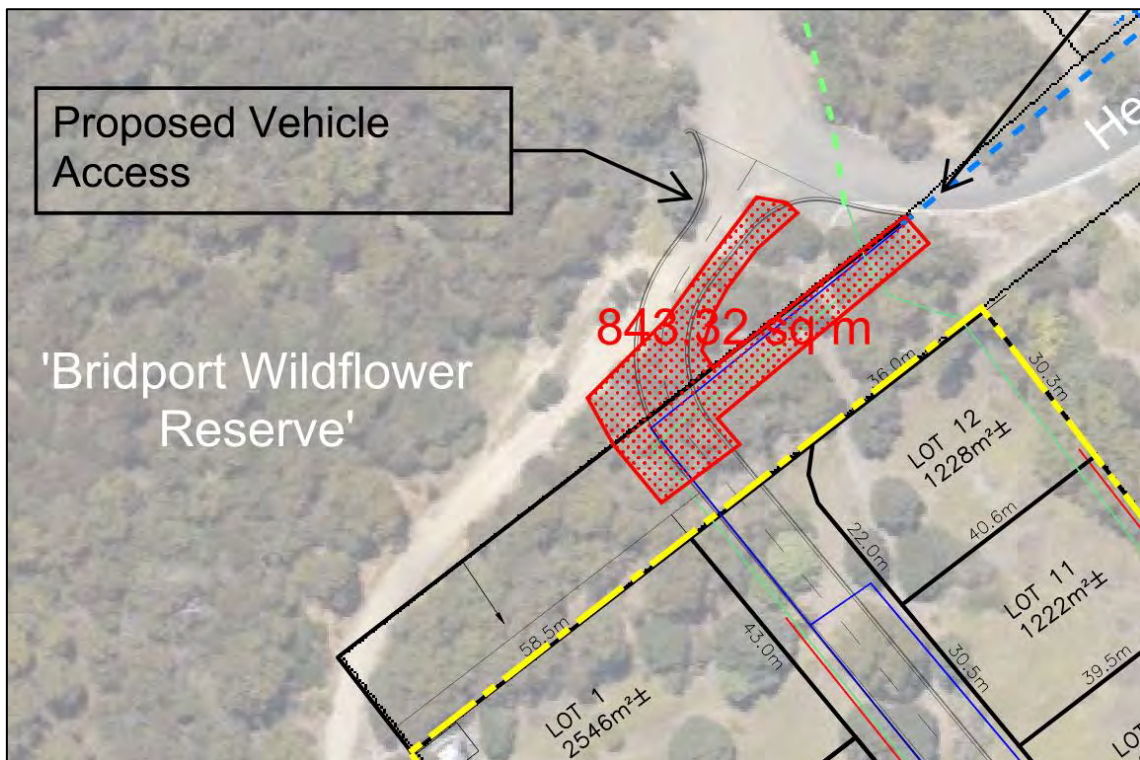


Figure 11: Aerial image showing the indicative area of vegetation required to be removed within Environmental Management zoned land to facilitate the proposed road.

23.5 Development Standards for Subdivision

Development standards listed under clause 23.5 of the Scheme are not applicable on the basis that the application does not involve subdivision within land that is assigned to the Environmental Management zone.

C3.0 – ROAD AND RAILWAY CODE

The following section provides an assessment of the standards and clauses of the Road and Railway Code that apply to the proposed subdivision.

Table 11: Clause C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction - A1/P1

Objective:	To minimise any adverse effects on the safety and efficiency of the road or rail network from vehicular traffic generated from the site at an existing or new vehicle crossing or level crossing or new junction.
Acceptable Solution	Performance Criteria
<p>A1.1</p> <p>For a category 1 road or a limited access road, vehicular traffic to and from the site will not require:</p> <ul style="list-style-type: none"> (a) a new junction; (b) a new vehicle crossing; or (c) a new level crossing. <p>A1.2</p> <p>For a road, excluding a category 1 road or a limited access road, written consent for a new junction, vehicle crossing, or level crossing to serve the use and development has been issued by the road authority.</p> <p>A1.3</p> <p>For the rail network, written consent for a new private level crossing to serve the use and development has been issued by the rail authority.</p> <p>A1.4</p> <p>Vehicular traffic to and from the site, using an existing vehicle crossing or private level crossing, will not increase by more than:</p> <ul style="list-style-type: none"> (a) the amounts in Table C3.1; or (b) allowed by a licence issued under Part IVA of the <i>Roads and Jetties Act 1935</i> in respect to a limited access road. 	<p>P1</p> <p>Vehicular traffic to and from the site must minimise any adverse effects on the safety of a junction, vehicle crossing or level crossing or safety or efficiency of the road or rail network, having regard to:</p> <ul style="list-style-type: none"> (a) any increase in traffic caused by the use; (b) the nature of the traffic generated by the use; (c) the nature of the road; (d) the speed limit and traffic flow of the road; (e) any alternative access to a road; (f) the need for the use; (g) any traffic impact assessment; and (h) any advice received from the rail or road authority.

A1.5

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

Town Planner Response

Henry Street and Maxwell Street are not a Category 1 Road or a Major Road. Acceptable Solutions A1.1 and A1.5 are therefore not applicable.

The proposal does not require direct access over a level crossing, or a new private level crossing and the proposal will result in a new road junction being created. Acceptable Solutions A1.3 and A1.4 are therefore not applicable.

Council, being the road authority for Henry Street, Maxwell Street and the proposed future road, has provided written consent for the new junction, satisfying Acceptable Solution A1.2.

The proposed subdivision therefore satisfies all applicable Acceptable Solutions of the Standard.

C7.0 – NATURAL ASSETS CODE

The following section provides an assessment of the standards and clauses of the Natural Assets Code that apply to the proposed subdivision.

Figure 12 shows the location and extent of the priority vegetation area that applies to the site. The proposed subdivision is required to be assessed against clause C7.6.2 due to the clearance of vegetation within the Environmental Management zone which does not include the physical subdivision of land and clause C7.7.2 due to the development involving subdivision of the Low Density zoned land that comprises a small portion of the priority vegetation area within proposed Lot 1.



Figure 12: Image showing the location and extent of the priority vegetation area that applies to the portions of the site that will contain the development area.

Table 12: Clause C7.6.2 Clearance within a priority vegetation area

Objective:	That clearance of native vegetation within a priority vegetation area: <ul style="list-style-type: none"> (a) does not result in unreasonable loss of priority vegetation; (b) is appropriately managed to adequately protect identified priority vegetation; and (c) minimises and appropriately manages impacts from construction and development activities.
Acceptable Solution	Performance Criteria
<p>A1</p> <p>Clearance of native vegetation within a priority vegetation area must be within a building area on a sealed plan approved under this planning scheme.</p>	<p>P1.1</p> <p>Clearance of native vegetation within a priority vegetation area must be for:</p> <ul style="list-style-type: none"> (a) an existing use on the site, provided any clearance is contained within the minimum area necessary to be cleared to provide adequate bushfire protection, as recommended by the

	<p>Tasmania Fire Service or an accredited person;</p> <ul style="list-style-type: none"> (b) buildings and works associated with the construction of a single dwelling or an associated outbuilding; (c) subdivision in the General Residential Zone or Low Density Residential Zone; (d) use or development that will result in significant long term social and economic benefits and there is no feasible alternative location or design; (e) clearance of native vegetation where it is demonstrated that ongoing pre-existing management cannot ensure the survival of the priority vegetation and there is little potential for long-term persistence; or (f) the clearance of native vegetation that is of limited scale relative to the extent of priority vegetation on the site. <p>P1.2</p> <p>Clearance of native vegetation within a priority vegetation area must minimise adverse impacts on priority vegetation, having regard to:</p> <ul style="list-style-type: none"> (a) the design and location of buildings and works and any constraints such as topography or land hazards; (b) any particular requirements for buildings and works; (c) minimising impacts from bushfire hazard management measures through siting and fire-resistant design of any future habitable buildings; (d) any mitigation measures implemented to minimise the
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	<p>residual impacts on priority vegetation;</p> <p>(e) any on-site biodiversity offsets; and</p> <p>(f) any existing cleared areas on the site.</p>
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Town Planner Response

The native vegetation required to be removed within the Environmental Management Zone is not within a building area on a sealed plan approved under this planning scheme. Assessment against the corresponding Performance Criteria is therefore required.

With respect to Performance Criteria P1.1, subclause (f) is satisfied on the basis that the clearance of native vegetation is of a limited scale relative to the extent of the priority vegetation on the site which encompasses the entirety of the Wildflower Reserve lot. In this regard, the native vegetation proposed to be removed represents approximately 0.034% of the total area of the Wildflower Reserve. P1.1(f) is therefore satisfied.

With respect to Performance Criteria P1.2, the clearance of native vegetation within the priority vegetation area will minimise adverse impacts on priority vegetation within the broader context of the Wildflower Reserve. In this regard, the native vegetation to be removed has been significantly modified and is largely segregated from the higher quality native vegetation within the body of the reserve.

The proposed development area will not have any impacts upon the values of the site or surrounding area insofar as it will not require the removal of a known threatened flora species or substantial habitat for a threatened fauna species, it does not contain vegetation that is part of a threatened vegetation area and the proposed development area will be located within an area of the reserve that contains and incorporates roads and other larger cleared areas (such as the remnants of the waste transfer station to the west).

Accordingly, the application is assessed as satisfying Performance Criteria P1.2.

Table 13: Clause C7.7.2 Subdivision within a priority vegetation area

Objective:	<p>That:</p> <p>(d) works associated with subdivision will not have an unnecessary or unacceptable impact on priority vegetation; and</p> <p>(e) future development likely to be facilitated by subdivision is unlikely to lead to an unnecessary or unacceptable impact on priority vegetation.</p>
Acceptable Solution	Performance Criteria
<p>A1</p> <p>Each lot, or a lot proposed in a plan of subdivision, within a priority vegetation area must:</p> <ul style="list-style-type: none"> (a) be for the purposes of creating separate lots for existing buildings; (b) be required for public use by the Crown, a council, or a State authority; (c) be required for the provision of Utilities; (d) be for the consolidation of a lot; or (e) not include any works (excluding boundary fencing), building area, bushfire hazard management area, services or vehicular access within a priority vegetation area. 	<p>P1.1</p> <p>Each lot, or a lot proposed in a plan of subdivision, within a priority vegetation area must be for:</p> <ul style="list-style-type: none"> (a) subdivision for an existing use on the site, provided any clearance is contained within the minimum area necessary to be cleared to provide adequate bushfire protection, as recommended by the Tasmania Fire Service or an accredited person; (b) subdivision for the construction of a single dwelling or an associated outbuilding; (c) subdivision in the General Residential Zone or Low Density Residential Zone; (d) use or development that will result in significant long term social and economic benefits and there is no feasible alternative location or design; (e) subdivision involving clearance of native vegetation where it is demonstrated that ongoing pre-existing management cannot ensure the survival of the priority vegetation and there is little potential for long-term persistence; or (f) subdivision involving clearance of native vegetation that is of limited scale relative to the extent of priority vegetation on the site.

	<p>P1.2</p> <p>Works association with subdivision within a priority vegetation area must minimise adverse impacts on priority vegetation, having regard to:</p> <ul style="list-style-type: none"> (g) the design and location of any works, future development likely to be facilitated by the subdivision, and any constraints such as topography or land hazards; (h) any particular requirements for the works and future development likely to be facilitated by the subdivision; (i) the need to minimise impacts resulting from bushfire hazard management measures through siting and fire-resistant design of any future habitable buildings; (j) any mitigation measures implemented to minimise the residual impacts on priority vegetation; (k) any on-site biodiversity offsets; and (l) any existing cleared areas on the site.
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Town Planner Response

Proposed Lot 1 will required bushfire hazard management areas within the priority vegetation area that extends into the Low Density Residential zone. Assessment against the corresponding Performance Criteria is therefore required.

With respect to Performance Criteria P1.1, the proposed subdivision is for subdivision of land within the Low Density Residential zone and therefore subclause (c) is satisfied.

With respect to Performance Criteria P1.2, the area of proposed Lot 1 that is subject to the priority vegetation area does not contain any priority vegetation (which is separate and distinct from a priority vegetation area). In this regard, the definition of priority vegetation area and priority vegetation area are:

Priority Vegetation Area means land shown on an overlay map in the relevant Local Provisions Schedule, as within a priority vegetation area.

Priority Vegetation means native vegetation where any of the following apply:

(a) it forms an integral part of a threatened native vegetation community as prescribed under Schedule 3A of the Nature Conservation Act 2002;

(b) is a threatened flora species;

(c) it forms a significant habitat for a threatened fauna species; or

(d) it has been identified as native vegetation of local importance.

Figure 13 shows the priority vegetation area of proposed Lot 1. It contains domestic plants and trees including some blackwood and some large pines. The understory comprises managed grass. The vegetation is either non-native, non-threatened or does not constitute significant habitat for threatened fauna species.

Accordingly, the proposed subdivision will not result in any impacts upon priority vegetation on the basis that proposed Lot 1 does not contain priority vegetation.



Figure 13: Photograph of the area of proposed Lot 13 that is subject to the priority vegetation area. View looking south-west.

C13.0 - BUSHFIRE-PRONE AREAS CODE

The site is located within a bushfire-prone area and the Bushfire-Prone Areas Code applies on the basis that the application involves subdivision of land.

The application is accompanied by a Bushfire Hazard Management Report which incorporates a Bushfire Hazard Management Plan ('BHMP') and certificate under section 51(2)(d) of the *Land Use Planning and Approvals Act 1993* prepared by an accredited person⁶.

The BHMP and certificate demonstrate that the proposed subdivision satisfies all applicable acceptable solutions of relevant standards of the code.

It is observed that the BHMP states that water supply for fire-fighting purposes will be reticulated and in accordance with the requirements of the code. TasWater have recognised within their SPAN that water pressure may not be able to be achieved without upgrading pumping infrastructure within the local reticulated network.

Accordingly, it is recommended that a condition be applied to any permit requiring an accredited person to certify that the proposed subdivision, including the provision of a water reticulated water supply service for fire hydrants have been installed in accordance with the BHMP. Alternatively, the accredited person must certify that, in the event reticulated water supply is unable to be provided to the requirements of the code and TasWater specifications, on-site water supply for fire-fighting purposes is able to be provided in accordance with the code.

OTHER CODES

No other codes or specific area plans apply to the particulars of the application.

⁶ Scott Livingston – Accreditation Number: BFP-105.

Recommendation

It is recommended that the proposal for 12-lot subdivision and construction of vehicle access and crossings at the subject land, be approved subject to the following conditions:

1. *Basis of Approval*

The use is approved and must be undertaken in accordance with the Endorsed Documents, except where specified otherwise in this permit and documents lodged with this application (PLA/2024/1310). Any substantial variation from this application will require the further planning consent of the Council.

2. *TasWater*

The development must be in accordance with the Submission to Planning Authority Notice issued by TasWater dated 9 April 2024 (Reference No. TWDA 2024/00358-DC, copy attached to this permit).

3. *Bushfire Hazard Management Plan*

- (a) The development must comply with the Bushfire Hazard Management Plan, and associated supporting content, provided within the 'Bushfire Hazard Management Report: Subdivision' prepared by Scott Livingston of Livingston Natural Resource Services, dated 13th November 2023, copy of which is attached to this permit.
- (b) Prior to the sealing of the Plan of Survey of any approved lot, documentation must be provided to the satisfaction of Council's Town Planner that demonstrates:
 - (a) fire hydrants have been installed for the development with the required pressure in accordance with the endorsed Bushfire Hazard Management Plan; or
 - (b) an accredited person under Part 4A of the *Fire Service Act 1979* certifies that a static water supply for fire-fighting purposes is capable of being provided for each approved lot in accordance with all applicable requirements of the Bushfire-Prone Areas Code under the Tasmanian Planning Scheme.

4. *Road Construction (Maxwell Street / Henry Street Extension)*

- (a) The road must be fully sealed and constructed, from the road verge of Henry Street, complete with kerb and channel, in accordance with Council's urban road standards.
- (b) All works described in (a) above must be undertaken by, or under the supervision of, a tradesman/contractor who is registered with the Council as a "Registered Contractor", or a person who is otherwise approved by the Council's Town Planner to undertake the works. Prior to the commencement of any works, the Council's Director of Infrastructure must be notified of the contractor's name and registration number. The Council's Director of Infrastructure must also be informed of the commencement date, duration and nature of the works.
- (c) As constructed designs of all completed works in (a) above must be prepared and certified by a Practising Engineer. All works in (a) above must be carried out

to Council's standards, to the satisfaction of the Council's Town Planner and under the direct supervision of a qualified civil engineer. Certification that all works have been carried out in accordance with the approved engineering design plans and to Council's standards will be required to be submitted to the Council's Director of Infrastructure prior to issue of the Certificate of Practical Completion.

- (d) All necessary line marking and signage (including street name signage) to be provided for the road must be completed/installed to the satisfaction of the Council's Director of Infrastructure.
- (e) Prior to the sealing of the Plan of Survey of any approved lot, works and requirements identified in (a), (b), (c), and (d) above must be completed to the satisfaction of the Council's Town Planner.

5. Stormwater Management

- (a) A public drainage system to drain the road, footpath, nature strips within the road reserve and all land draining onto the road reserve must be provided within the subject land.
- (b) A DN 100 connection must be provided to the lowest point of each approved lot.
- (c) Drainage works must be constructed between the subject land and the nominated point of discharge (as identified in Drawing No. 48786CW SW 103 and Drawing No. 48786CW SW 102, each dated 01 November 2023). Drainage works must be designed and constructed to the satisfaction of Council's Town Planner.
- (d) Prior to the commencement of the applicable works identified in (a), (b) and (c), preliminary design plans prepared and certified by a Practising Engineer for the applicable works identified in (a), (b) and (c) above must be submitted to the Council's Town Planner and prepared to the satisfaction of the Council's Town Planner for approval.
- (e) Prior to the sealing of the Plan of Survey of any approved lot, works and requirements identified in (a), (b), (c) and (d) above must be completed to the satisfaction of the Council's Town Planner.

6. Construction of Driveways

- (a) Vehicle access to each lot must be fully sealed and constructed, from the road verge to property boundary of each lot, in accordance with Council's urban roads driveways standards.
- (b) All works described in (a) above must be undertaken by, or under the supervision of, a tradesman/contractor who is registered with the Council as a "Registered Contractor", or a person who is otherwise approved by the Council's Director of Infrastructure to undertake the works. Prior to the commencement of any works the Council's Director of Infrastructure must be notified of the contractors name and registration number. The Council's Director of must also be informed of the commencement date, duration and nature of the works.

- (c) As constructed designs of all completed works in (a) and (b) above must be prepared and certified by a Practising Engineer. All works in (a) must be carried out to Council's standards, to the satisfaction of the Council's Director of Infrastructure under the direct supervision of a qualified civil engineer. Certification that all works have been carried out in accordance with the approved engineering design plans and to Council's standards will be required to be submitted to the Council's Director of Infrastructure prior to issue of the Certificate of Practical Completion.
- (d) Prior to the sealing of the Plan of Survey of any approved lot, works and requirements identified in (a), (b) and (c) must be completed to the satisfaction of the Council's Town Planner.

7. Demolition

Any demolition works must ensure the protection of property and services which are to either remain on or adjacent to the site from interference or damage.

8. Easements

Easements are required over all Council and third party services located in private property. The incorporation of any necessary easements including drainage easements over sewer and storm water pipelines are to be shown. Easements must include any overland drainage paths where concentrated water runs. The minimum width of any easement must be 3 metres for Council (public) mains.

9. Covenants

Covenants or similar restrictive controls must not be included on or otherwise imposed on the titles to the lots created by the subdivision permitted by this permit unless:

- (a) such covenants or controls are expressly authorised by the terms of this permit; or
- (b) such covenants or similar controls are expressly authorised by the consent in writing of the Council; or
- (c) such covenants or similar controls are submitted for and receive written approval by Council prior to submission of a Plan of Survey and associated title documentation is submitted to Council for sealing.

10. Conveyance of Road

All roads in the Subdivision must be conveyed to the Council upon the issue, by the Council's Director of Infrastructure, of the Certificate under Section 10 (7) of the *Local Government (Highways) Act 1982*. All costs involved in this procedure must be met by the person responsible.

11. Payment In Lieu of Public Open Space

Prior to the sealing of the Plan of Survey, the person responsible must pay to the Council a sum equivalent to 7/12ths of 5% of the unimproved value of the approved lots, as determined by either:

- (a) a registered land valuer procured at the expense of the person responsible; or
- (b) a fresh valuation, undertaken within the previous two years of date of this permit, by the Valuer-General of Tasmania.

12. Completion of Works and Construction Documentation

(a) All works required by Conditions 4, 5, and 6 above must be carried out to Council standards and to the satisfaction of Council's Town Planner.

(b) Construction documentation sufficient to illustrate that the works are completed in accordance with Council standards and are locatable for maintenance or connection purposes must be provided to the satisfaction of Council's Town Planner. The construction documentation is to consist of:

- i. 'as-constructed' plans, prepared in accordance with Council's standard requirements for as-constructed drawings;
- ii. compaction and soil test results, where required, for earthworks and pavement works; and
- iii. an engineer's certificate that each component of the works comply with the approved engineering plans and Council standards.

13. Sealing Plans of Subdivision

No Plan of Survey will be sealed for any approved lot until the following matters have been completed to the satisfaction of the Council's Town Planner and made at cost to the person responsible:

- (a) the satisfactory completion of public and private infrastructure and service works/installation in accordance with the Council's and any other responsible authority/s requirements (including the provision of engineering certification where required); and
- (b) any payment or action required by a planning permit condition to occur prior to the sealing of the Final Plan of Survey.

14. Final Plans

Subject to satisfying Condition 13, a Final Plan of Survey and three (3) copies are to be lodged, for the respective stage, for the approval of the Council.

NOTE: For the purpose of this permit "the person responsible", depending on the context, means:

- (a) the person who has and takes the benefit of this permit for the undertaking of the use or development authorised pursuant to it;
- (b) the person or persons who undertake development or use pursuant to this permit; and
- (c) servants, agents and contractors, in each case of such persons.

ADVISORY NOTES*(i) Permission in Writing*

Any reference to the need for Council approval of a matter or thing prescribed under the conditions pertinent to this permit requires such approval to be given in writing.

(ii) Objections to Proposal

This permit has no effect until the expiry of the period for the lodgment of an appeal against the granting of the permit or, if an appeal is lodged, until ten days after the appeal has been determined by the Resource and Planning Stream of the Tasmanian Civil and Administrative Tribunal (TASCAT).

(iii) Appeal Provisions

Attention is directed to sections 61 and 62 of the Land Use Planning and Approvals Act 1993 (as amended) which relate to appeals. These provisions should be consulted directly, but the following provides a guide as to their content:

A planning appeal may be instituted by lodging a notice of appeal with the Resource and Planning Stream of the Tasmanian Civil and Administrative Tribunal (TASCAT).

A planning appeal may be instituted within 14 days of the date the planning authority serves notice of the decision on the applicant.

(iv) Permit Commencement

This permit takes effect 14 days after the date of Council's notice of determination or at such time as any appeal to the Resource and Planning Stream of the Tasmanian Civil and Administrative Tribunal (TASCAT) is abandoned or determined. If an applicant is the only person with a right of appeal pursuant to section 61 of the Land Use Planning and Approvals Act 1993 and wishes to commence the use or development for which the permit has been granted within that 14 day period, the Council must be so notified in writing.

(v) Period of Approval

Pursuant to Section 53(5) the Land Use Planning and Approvals Act 1993, this approval will lapse after a period of two (2) years from:

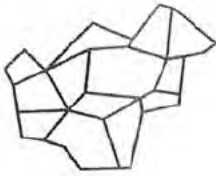
- (a) the date on which the permit is granted; or
- (b) if an appeal has been instituted against the planning authority's decision to grant the permit, the date of the determination or abandonment of the appeal,

if the use or development is not substantially commenced within that period.

(vii) Other Approvals

This permit does not imply that any other approval required under any other by-law or legislation has been granted. At least the following additional approvals may be required before construction commences:

- (a) Building (Demolition) approval
- (b) TasWater approval
- (c) Plumbing approval
- (d) Sealing of Plans of Survey
- (e) Crown Land Works Approval



dorset
COUNCIL

Planning Permit Application

Please print all applicable details clearly

THE PROPOSAL

Describe in full the way it is proposed to use and/or develop the land: 13 Lot and Road Subdivision <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>	⇨ Provide a full description of the proposed use or development, including: <ul style="list-style-type: none"> • Building work • Change of use • Subdivision • Forestry • Demolition • Staging (if development is proposed to be carried out in stages, indicate this on the plans and describe in written material) • Signage • Other
--	--

THE LAND

Address 61 Henry Street, Bridport <hr/> <hr/>	Certificate of Title (include all applicable title references) Volume: 236880 Folio: 17
Land Area (m ² or hectares): 2.02ha	
Present use of land: Residential <hr/> <hr/>	⇨ Provide a description of the existing use of the land, for example vacant, residential, agriculture, industrial, commercial
Present use of existing building(s): Residential <hr/> <hr/>	⇨ Provide a description of the use of the existing buildings on the land, for example dwelling, workshop, farm building, office, shop

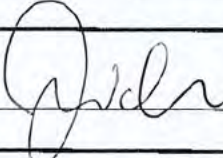
THE APPLICANT (Note: the person to be nominated as the Applicant is the one whose name will appear for public notification purposes and permit issue)

Applicant's Name: PDA Surveyors, Engineers and Planners obo Barnett & Stanford PTY LTD	
Address: 3/23 Brisbane Street, Launceston <hr/> <hr/>	Phone: [REDACTED]
	Fax: [REDACTED]
	Mobile: [REDACTED]
Email: [REDACTED]	

THE OWNER

Owner's Name(s): Barnett & Stanford PTY LTD	
Address: [REDACTED]	Phone:
	Fax:
	Mobile:
Email: [REDACTED]	

CROWN AND/OR COUNCIL CONSENT [to be completed where land in respect of the Application is (i) Crown land (within the meaning of the *Crown Lands Act 1976*) or (ii) owned or administered by the Crown or a Council]

Owner / Administrator's Name(s): <i>The Crown</i>	
Person signing the Application: <i>Jesse Walker, Team Leader (Assessments)</i>	⇒ to be completed by a person conferred the authority to ensure compliance with Section 52(1B)(a) of the Land Use Planning and Approvals Act 1993.
Signature: 	

DETAILS OF BUILDING WORK (to be completed if Application requires building work)

Value of building work: \$ _____	⇒ Please tick applicable box: <input type="checkbox"/> Estimate <input type="checkbox"/> Contract Price
Type of work: _____ _____	⇒ For example, new building, alteration, addition, removal, repairs, demolition, re-erection, change of use
Proposed use of building: _____ _____	⇒ Describe the main use of the proposed building, for example, dwelling, workshop, farm building, office, shop
Existing floor area: _____ m ²	New / additional floor area: _____ m ²
Proposed maximum building height above natural ground level: _____ m	
Materials: structural floor: _____ external walls: _____ colour: _____ roof cladding: _____ colour: _____ structural frame: _____	

DETAILS OF OTHER WORKS

Vehicle Access:

Is a new vehicle access or crossover required? (if so, ensure this is indicated on the plans) _____

What would be the surfacing of the vehicle access? _____

Car Parking:

How many car parking spaces are currently provided? _____

How many additional car parking spaces would be provided? _____

What would be the surfacing of the car parking spaces? _____

Is provision made for loading and unloading of vehicles? (to be completed for retail, commercial, industrial, service industry or storage uses)

Describe any proposed earthworks, vegetation removal or other works required as part of the use and/or development:

DETAILS OF OTHER MATTERS

Proposed hours of operation:

Monday to Friday: _____ am to _____ pm

Saturday: _____ am to _____ pm

Sunday: _____ am to _____ pm

Provide details of any goods that would be stored outside:

Privacy Statement

The Dorset Council is committed to upholding the right to privacy of all individuals who have dealings with the Council. Unless required by law or by a Court or tribunal, the Council will take the necessary steps to ensure that the personal information that members of the public share with the Council remains confidential. How we use this information is explained in our Personal Information Protection Policy which is available at www.dorset.tas.gov.au or at the Council office.

Appointment Details

To ensure Council's officers are available to assist you with the submission of your Application, it is advisable to make an appointment by contacting Regulatory Services on 6352 6500.

Date: _____ Time: _____ Council Officer: _____

Copyright Authority

I authorise the Council and the Crown in right of the state of Tasmania to provide to any person, for the purposes of assessment or public consultation, a partial or complete copy of documents relating to this application.

I understand that the information and materials provided with this Application may be made available to the public in electronic form on the Council's website. I understand that the Council may make such copies of the information and materials as, in its opinion, are necessary to facilitate a thorough consideration of the Application.

I declare that the information given is a true and accurate representation of the proposed use and/or development, and I am liable for the payment of Council application processing fees even in the event of the use and/or development proposed by this Application not proceeding.

I confirm I am the copyright owner or have the authority to sign on behalf of any other person with copyright for documents relating to this Application.

I indemnify the Dorset Council for any claim or action taken against it in respect of breach of copyright in respect of any of the information or material provided.

Note: This authority is intended to cover copies made by the Crown or Council under Sections 40, 43, 49 or 183 of the *Copyright Act 1968*.

Where the applicant is NOT the owner, I hereby declare that the owner of the land to which this application relates has been notified of this application being made and the information and details supplied by me in this application are a true and accurate description of the proposal.

Applicant's Signature:



Date:

22/12/2022



Department of Natural Resources,
and Environment Tasmania

GPO Box 44, Hobart, TAS 7001 Australia
Ph 1300 TAS PARKS / 1300 827 727 Fax (03) 6223 8308
www.parks.tas.gov.au



Enquires Tanya Simm
Phone. [REDACTED]
Email. [REDACTED]
Our ref 22/10631

25 August 2023

Attn: Allan Brooks
PDA Surveyors, Engineers and Planners
PO Box 284
LAUNCESTON TAS 7250

E: [REDACTED]

Dear Mr Brooks,

**LODGEMENT OF PLANNING APPLICATION
PDA SURVEYORS, ENGINEERS AND PLANNERS OBO BARNETT & STANFORD PTY LTD
13 LOT AND ROAD SUBDIVISION
61 HENRY STREET, BRIDPORT**

This letter, issued pursuant to section 52(1B) of the *Land Use Planning and Approvals Act 1993* (LUPAA), is to confirm that the Crown consents to the making of the enclosed Planning Permit Application, insofar as the proposed development relates to Crown land managed by the Department of Natural Resources and Environment Tasmania.

Crown consent is only given to the lodgement of this application. Any variation will require further consent from the Crown.

Please note that the Department's preliminary desktop assessment indicates that there may be threatened species within range of the proposed development that may require further consideration.

It is Departmental policy that all fire buffer areas (Hazard Management Areas and Fuel Modified Areas) are maintained wholly within freehold title boundaries and not on neighbouring Crown land. Additionally, it is not the Parks and Wildlife Service's (PWS) practice for the Crown to enter into agreements under Part 5 of LUPAA in support of developments on private property.

Please also note, it is PWS' practice that it will not approve any permanent private drainage infrastructure (stormwater or treated effluent) on Crown land unless connected to publically maintained infrastructure.

This letter does not constitute, nor imply, any approval to undertake works, or that any other approvals required under the *Crown Lands Act 1976* have been granted. If planning approval is given for the proposed development, the applicant will be required to obtain separate and distinct consent from the Crown before commencing any works on Crown land.

Notice of Termination of Authority and Instrument of Delegation

DELEGATION OF THE DIRECTOR-GENERAL OF LANDS' FUNCTIONS UNDER THE LAND USE PLANNING AND APPROVALS ACT 1993

I, MICHAEL PERVAN, being and as the Director-General of Lands appointed under section 7 of the *Crown Lands Act 1976*, acting pursuant to section 23AA(5A) of the *Acts Interpretation Act*, hereby give notice that the authority of the holders of the offices of Deputy Secretary (Parks and Wildlife Service) (position number 700451), General Manager (Park Operations and Business Services) (position number 708581), Director (Operations) (position number 708050), Manager (Property Services) (position number 707556), Unit Manager (Operations) (position number 702124) and Team Leader (Assessments) (position number 334958) to perform the functions conferred on the Director-General of Lands, as delegated on 7 December 2021 by Tim Baker, then Director-General of Lands, is terminated with immediate effect.

Further, acting pursuant to section 52(1E) of the *Land Use Planning and Approvals Act 1993* ("the Act"), I hereby delegate the functions described (by reference to the relevant provision of the Act and generally) in Schedule 1, to the persons respectively holding the offices of Deputy Secretary (Parks and Wildlife Service) (position number 700451), General Manager (Park Operations and Business Services) (position number 708581), Director (Operations) (position number 708050), Manager (Property Services) (position number 707556), Unit Manager (Operations) (position number 702124) and Team Leader (Assessments) (position number 334958) in accordance with the functions delegated to me by the Minister for Parks, being and as the Minister administering the *Crown Lands Act 1976*, by instrument dated 7 December 2022.

SCHEDULE 1

Provision	Description of Functions
Section 52(1B)	Signing, and providing written permission for, applications for permits in relation to Crown land.

Dated at HOBART this 13th day of December, 2022



Michael Pervan
DIRECTOR-GENERAL OF LANDS

If you need more information regarding the above, please contact the officer nominated at the head of this correspondence.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Jesse Walker', written in a cursive style.

Jesse Walker
Team Leader (Assessments)



Planning Permit Application

Please print all applicable details clearly

THE PROPOSAL

Describe in full the way it is proposed to use and/or develop the land: 12Lot and Road Subdivision <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>	⇒ Provide a full description of the proposed use or development, including: <ul style="list-style-type: none"> • Building work • Change of use • Subdivision • Forestry • Demolition • Staging (if development is proposed to be carried out in stages, indicate this on the plans and describe in written material) • Signage • Other
---	--

THE LAND

Address 61 Henry Street, Bridport <hr/> <hr/>	Certificate of Title (include all applicable title references) Volume: 236880 Folio: 17 179754 20
Land Area (m ² or hectares): 2.02ha	
Present use of land: Residential <hr/> <hr/>	⇒ Provide a description of the existing use of the land, for example vacant, residential, agriculture, industrial, commercial
Present use of existing building(s): Residential <hr/> <hr/>	⇒ Provide a description of the use of the existing buildings on the land, for example dwelling, workshop, farm building, office, shop

THE APPLICANT (Note: the person to be nominated as the Applicant is the one whose name will appear for public notification purposes and permit issue)

Applicant's Name: PDA Surveyors, Engineers and Planners obo Barnett & Stanford PTY LTD	
Address: 3/23 Brisbane Street, Launceston <hr/> <hr/>	Phone: [REDACTED]
	Fax: [REDACTED]
	Mobile: [REDACTED]
Email: [REDACTED]	

THE OWNER

Owner's Name(s): Barnett & Stanford PTY LTD	
Address: [REDACTED]	Phone:
	Fax:
	Mobile:
Email: [REDACTED]	

CROWN AND/OR COUNCIL CONSENT [to be completed where land in respect of the Application is (i) Crown land (within the meaning of the *Crown Lands Act 1976*) or (ii) owned or administered by the Crown or a Council]

Owner / Administrator's Name(s): Dorset Council	
Person signing the Application: John Marik	⇒ to be completed by a person conferred the authority to ensure compliance with Section 52(1B)(a) of the <i>Land Use Planning and Approvals Act 1993</i> .
Signature: [Signature]	
Date: 09/02/2024	

DETAILS OF BUILDING WORK (to be completed if Application requires building work)

Value of building work: \$ _____	⇒ Please tick applicable box: <input type="checkbox"/> Estimate <input type="checkbox"/> Contract Price
Type of work: _____ _____	⇒ For example, new building, alteration, addition, removal, repairs, demolition, re-erection, change of use
Proposed use of building: _____ _____	⇒ Describe the main use of the proposed building, for example, dwelling, workshop, farm building, office, shop
Existing floor area: _____ m ²	New / additional floor area: _____ m ²
Proposed maximum building height above natural ground level: _____ m	
Materials:	
structural floor: _____	
external walls: _____	colour: _____
roof cladding: _____	colour: _____
structural frame: _____	

DETAILS OF OTHER WORKS

Vehicle Access:

Is a new vehicle access or crossover required? (if so, ensure this is indicated on the plans) _____

What would be the surfacing of the vehicle access? _____

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How many car parking spaces are currently provided? _____

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DETAILS OF OTHER MATTERS

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Sunday: _____ am to _____ pm

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I understand that the information and materials provided with this Application may be made available to the public in electronic form on the Council's website. I understand that the Council may make such copies of the information and materials as, in its opinion, are necessary to facilitate a thorough consideration of the Application.

I declare that the information given is a true and accurate representation of the proposed use and/or development, and I am liable for the payment of Council application processing fees even in the event of the use and/or development proposed by this Application not proceeding.

I confirm I am the copyright owner or have the authority to sign on behalf of any other person with copyright for documents relating to this Application.

I indemnify the Dorset Council for any claim or action taken against it in respect of breach of copyright in respect of any of the information or material provided.

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Where the applicant is NOT the owner, I hereby declare that the owner of the land to which this application relates has been notified of this application being made and the information and details supplied by me in this application are a true and accurate description of the proposal.

Applicant's Signature:



Date:

22/12/2022



dorset
COUNCIL

Our Ref: 2024/1310 29280 6846461
09/02/2024

ABN 68 027 137 155
3 Ellenor Street
Scottsdale Tasmania
PO Box 21 Scottsdale
Tasmania 7260

Town Planner - Dorset Council
PO Box 21
SCOTTSDALE TAS 7260

T 03 6352 6500
F 03 6352 6509
E dorset@dorset.tas.gov.au
dorset.tas.gov.au



Dear Town Planner

Council Landowner Consent

12-lot subdivision and construction of vehicle access and crossings

**At: 61 Henry Street BRIDPORT, 31 Marilyn Drive BRIDPORT and Bridport
Wildflower Reserve**

I refer to the application being made by PDA Surveyors to gain planning approval for 12-lot subdivision and construction of vehicle access and crossings on land addressed as 61 Henry Street BRIDPORT, 31 Marilyn Drive BRIDPORT and Bridport Wildflower Reserve.

This development encompasses land which is owned by the Council. I therefore advise that consent to lodge this application is granted.

Yours faithfully

JOHN MARIK
General Manager

SEARCH OF TORRENS TITLE

VOLUME 236880	FOLIO 17
EDITION 8	DATE OF ISSUE 27-Sep-2021

SEARCH DATE : 22-Dec-2022

SEARCH TIME : 10.20 AM

DESCRIPTION OF LAND

Town of BRIDPORT
 Lot 17 on Plan 236880
 Derivation : Whole of Lot 17 (Section D.1.) Gtd. to T.M.
 Langley
 Prior CT 3461/31

SCHEDULE 1

M912342 TRANSFER to BARNETT & STANFORD PTY LTD Registered
 27-Sep-2021 at noon

SCHEDULE 2

Reservations and conditions in the Crown Grant if any

C946542 LEASE to OPTUS MOBILE PTY LIMITED of a leasehold estate for the term of 10 years from 01-Apr-2019 (of that part of the said land within described shown hatched on the said Lease Registered 02-Dec-2009 at noon

C879741 LEASE to NBN CO LIMITED of a leasehold estate for the term of 10 Years from 15-Dec-2012 (of that part of the said land within described as shown on Annexure B attached to the said Lease) Registered 06-Aug-2013 at noon

C879740 LEASE to NBN CO LIMITED of a leasehold estate for the term of 10 Years from 15-Dec-2022 (of that part of the said land within described as shown on Annexure B attached to the said Lease) Registered 06-Aug-2013 at 12.01 PM

E275899 MORTGAGE to Westpac Banking Corporation Registered
 27-Sep-2021 at 12.01 PM

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

DE 512

VOL. FOL.
ANNEXURE TO CERTIFICATE OF TITLE 3461 31

Mitchinson

Recorder of Titles

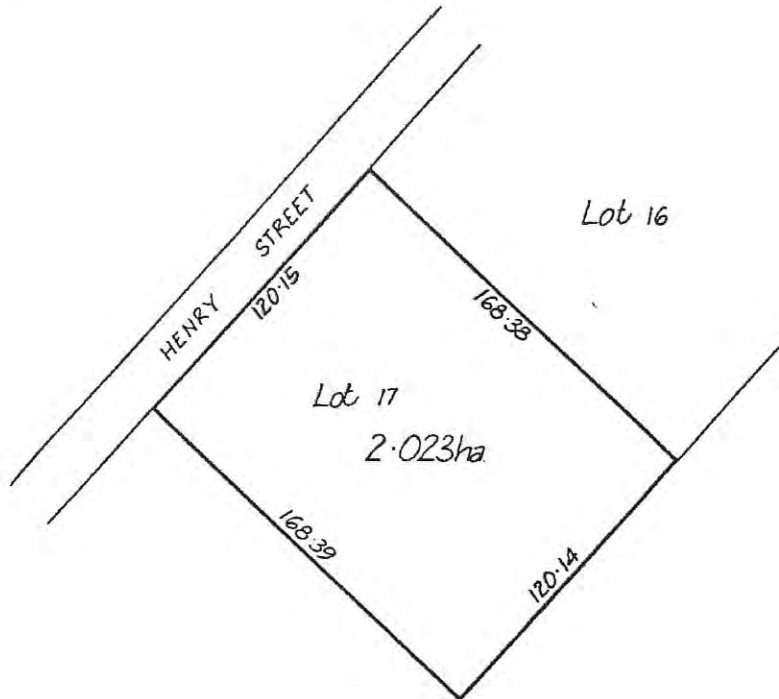


Lot 17 of this plan consists of all the land comprised in the above-mentioned cancelled folio of the Register.

REGISTERED NUMBER
236880

Whole of Lot 17 Sec. D1 Gtd
to T. M. Langley
Meas. in Metres

TWN. BRIDPORT



SEARCH OF TORRENS TITLE

VOLUME 179754	FOLIO 20
EDITION 1	DATE OF ISSUE 09-Nov-2020

SEARCH DATE : 20-Nov-2023

SEARCH TIME : 12.51 PM

DESCRIPTION OF LAND

Town of BRIDPORT
 Lot 20 on Sealed Plan 179754
 Derivation : Part of Lot 40545 Gtd. to The Uniting Church in
 Australia Property Trust (Tas)
 Prior CT 177532/1

SCHEDULE 1

C181621 TRANSFER to ALLAN BARNETT FISHING CO. PTY. LTD.
 Registered 12-Aug-1999 at noon

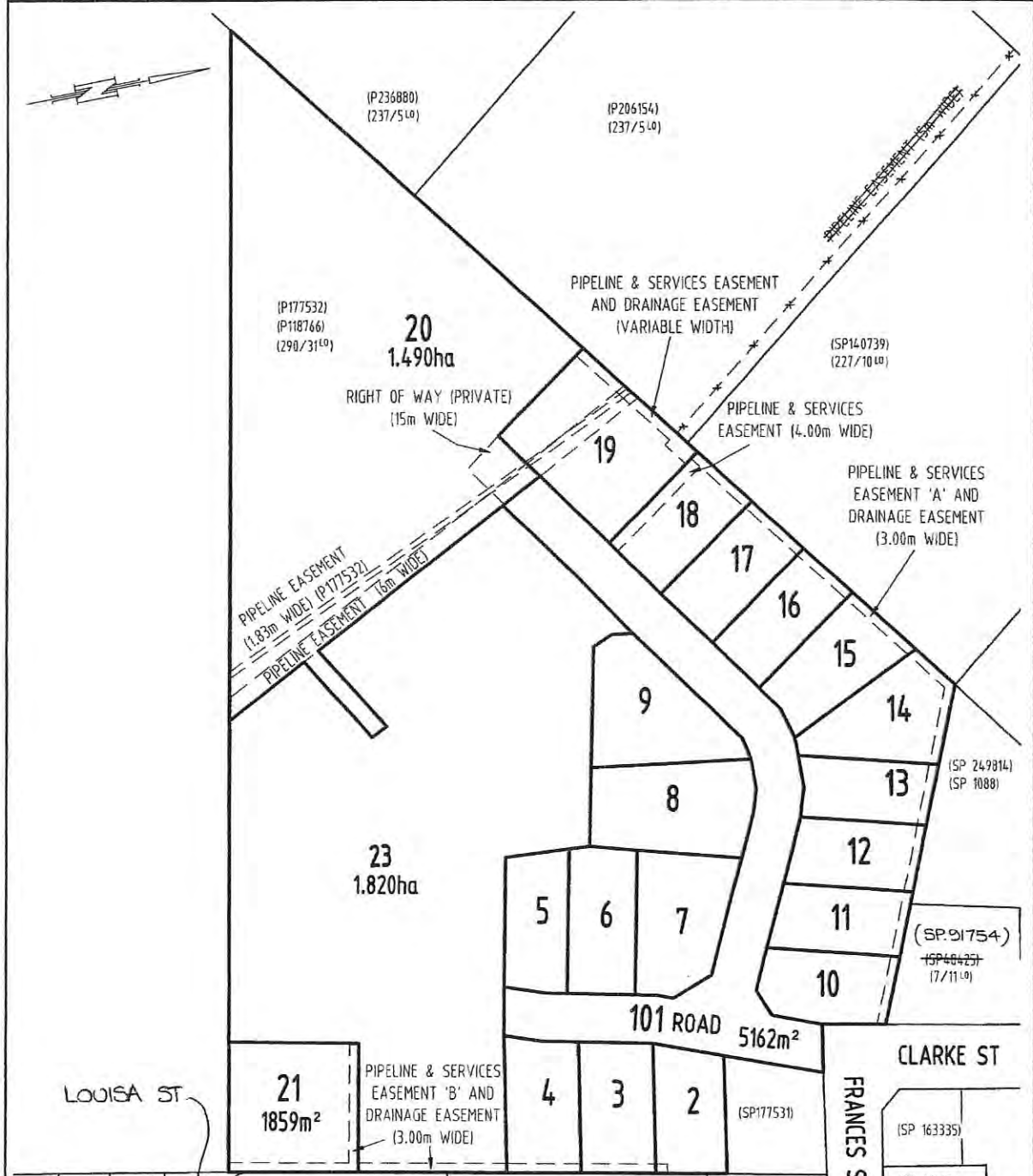
SCHEDULE 2

Reservations and conditions in the Crown Grant if any
 SP179754 EASEMENTS in Schedule of Easements
 SP179754 FENCING COVENANT in Schedule of Easements

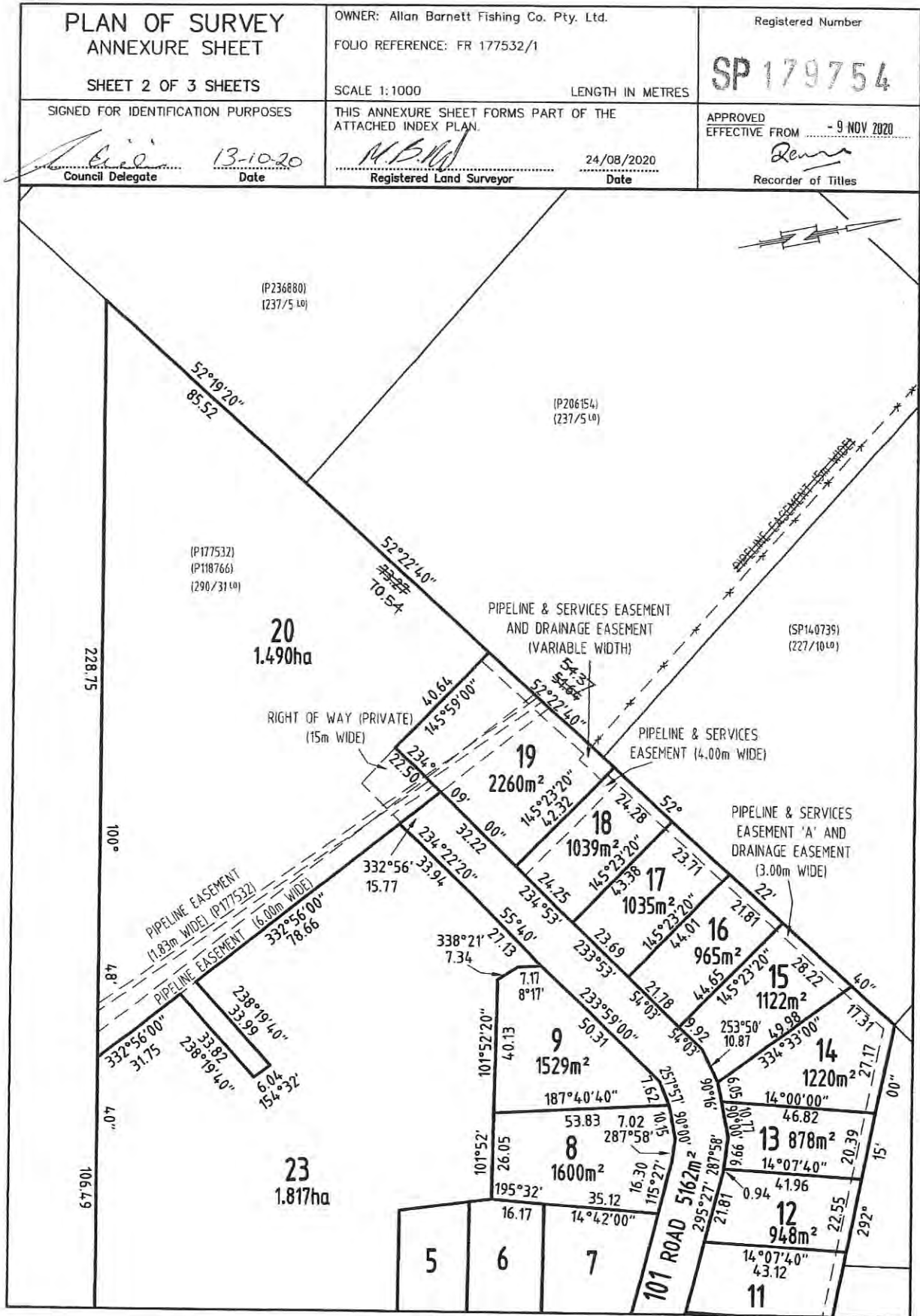
UNREGISTERED DEALINGS AND NOTATIONS

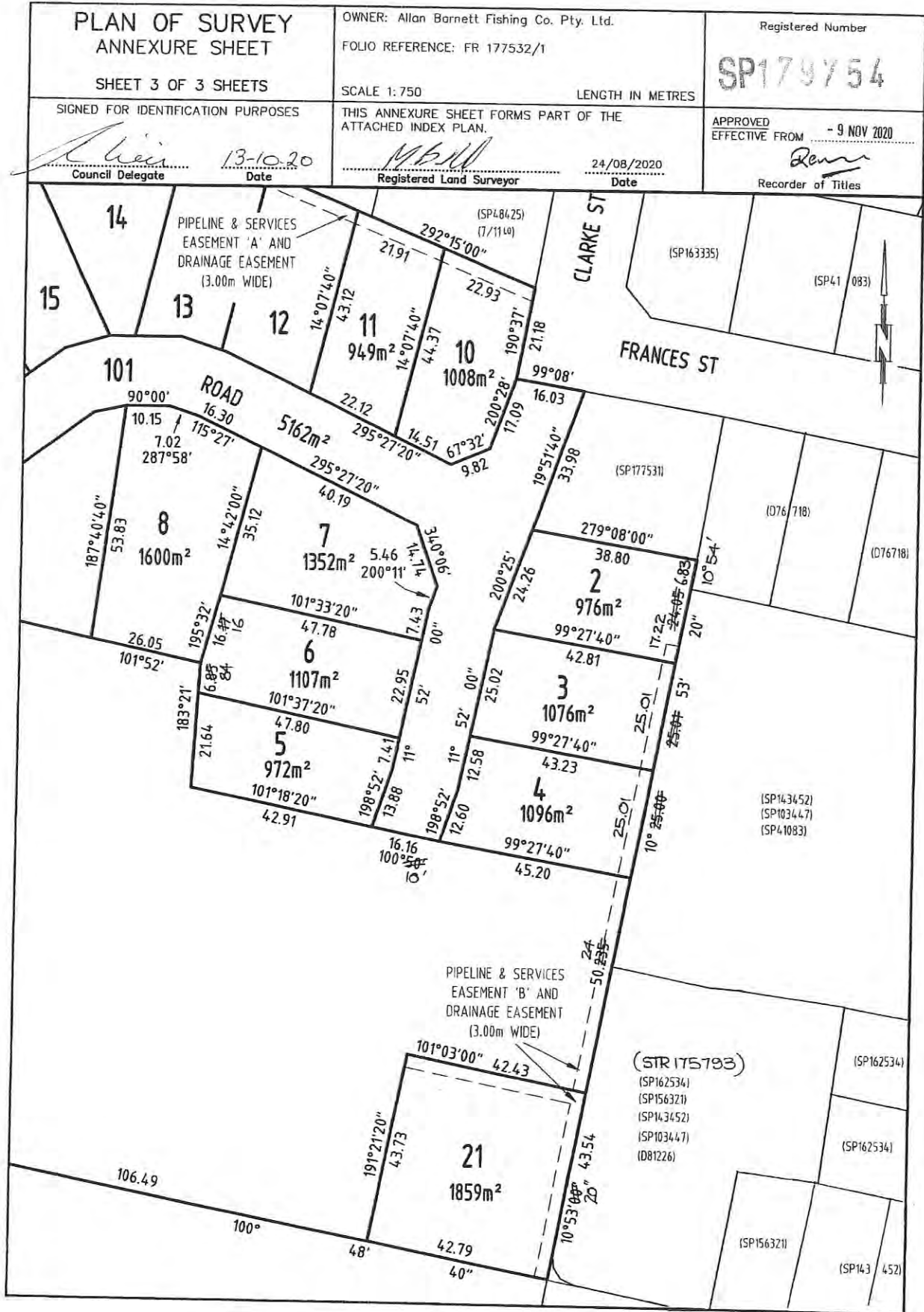
No unregistered dealings or other notations

OWNER: Allan Barnett Fishing Co. Pty. Ltd. FOLIO REFERENCE: FR 177532/1 GRANTEE: PART OF LOT 40545 GRANTED TO THE UNITING CHURCH IN AUSTRALIA PROPERTY TRUST (TAS).	PLAN OF SURVEY		Registered Number SP 179754
	BY SURVEYOR: M.B.REID of PDA Surveyors 3/23 BRISBANE STREET, LAUNCESTON		APPROVED EFFECTIVE FROM - 9 NOV 2020
LOCATION: TOWN OF BRIDPORT		SCALE 1:1250 LENGTHS IN METRES SURVEYORS REF: 44431	Recorder of Titles



	24/08/2020 Date		13-10-20 Date
Registered Land Surveyor		Council Delegate	





SCHEDULE OF EASEMENTS	Registered Number
NOTE: THE SCHEDULE MUST BE SIGNED BY THE OWNERS & MORTGAGEES OF THE LAND AFFECTED. SIGNATURES MUST BE ATTESTED.	SP 179754

PAGE 1 OF 5 PAGE/S

EASEMENTS AND PROFITS

Each lot on the plan is together with:-

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

Each lot on the plan is subject to:-

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

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


Lots 19 and 20 on the Plan are each SUBJECT TO a Pipeline Easement as described in Schedule 2 of Folio of the Register Volume 177532 Folio 1 in favour of the Dorset Council over the Pipeline Easement (1.83 Wide) (P177532) passing through such lots.

Lot 19 on the Plan is SUBJECT TO a Right of Drainage for the Dorset Council over the Pipeline & Services Easement and Drainage Easement (Variable Width) on the Plan.

Lots 10, 11, 12, 13, 14, 15, 16, 17, and 18 on the Plan are each SUBJECT TO a Right of Drainage for the Dorset Council over the Pipeline & Services Easement 'A' and Drainage Easement (3.00m Wide) on the Plan.

Lots 2, 3, 4, 21, and 23 on the Plan are each SUBJECT TO a Right of Drainage for the Dorset Council over the Pipeline & Services Easement 'B' and Drainage Easement (3.00m Wide) on the Plan.

(USE ANNEXURE PAGES FOR CONTINUATION)

SUBDIVIDER: Allan Barnett Fishing Co Pty Ltd FOLIO REF: 177532/1 SOLICITOR & REFERENCE: Shields Heritage – DA Smith	PLAN SEALED BY: <i>Dorset Council</i> DATE: <i>13-10-2020</i> REF NO: <i>2018-1192</i>  Council Delegate
NOTE: The Council Delegate must sign the Certificate for the purposes of identification.	

ABarnett

<p>ANNEXURE TO SCHEDULE OF EASEMENTS</p> <p>PAGE 2 OF 5 PAGES</p>	<p>Registered Number</p> <p>SP 179754</p>
<p>SUBDIVIDER: Allan Barnett Fishing Co Pty Ltd FOLIO REFERENCE: 177532/1</p>	

Lot 20 on the Plan is SUBJECT TO a Right of Carriageway (appurtenant to lot 19 on the Plan) over the Right of Way (Private) (15m Wide) shown on the Plan.

Lot 19 on the Plan is TOGETHER WITH a Right of Carriageway over the Right of Way (Private) (15m Wide) shown on the Plan.

Lots 19 and 20 on the Plan are each SUBJECT TO an easement in the terms of the PIPELINE AND SERVICES EASEMENT (as hereinafter defined) in gross in favour of TasWater over the land marked Pipeline & Services Easement (6m Wide) shown on the Plan ("the Easement Land").

Lot 19 on the Plan is SUBJECT TO an easement in the terms of the PIPELINE AND SERVICES EASEMENT (as hereinafter defined) in gross in favour of TasWater over the land marked Pipeline & Services Easement and Drainage Easement (Variable Width) shown on the Plan ("the Easement Land").

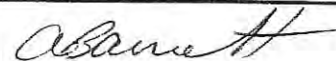
Lot 18 on the Plan is SUBJECT TO an easement in the terms of the PIPELINE AND SERVICES EASEMENT (as hereinafter defined) in gross in favour of TasWater over the land marked Pipeline & Services Easement (4.00m Wide) shown on the Plan ("the Easement Land").

Lots 10, 11, 12, 13, 14, 15, 16, 17, and 18 on the Plan are each SUBJECT TO an easement in the terms of the PIPELINE AND SERVICES EASEMENT (as hereinafter defined) in gross in favour of TasWater over the land marked Pipeline & Services Easement 'A' and Drainage Easement (3.00m Wide) shown on the Plan ("the Easement Land").

Lots 2, 3, 4, 21, and 23 on the Plan are each SUBJECT TO an easement in the terms of the PIPELINE AND SERVICES EASEMENT (as hereinafter defined) in gross in favour of TasWater over the land marked Pipeline & Services Easement 'B' and Drainage Easement (3.00m Wide) shown on the Plan ("the Easement Land").

A Pipeline and Services Easement is defined as follows:-

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



<p>ANNEXURE TO SCHEDULE OF EASEMENTS</p> <p>PAGE 3 OF 5 PAGES</p>	<p>Registered Number</p> <p>SP 179754</p>
<p>SUBDIVIDER: Allan Barnett Fishing Co Pty Ltd FOLIO REFERENCE: 177532/1</p>	

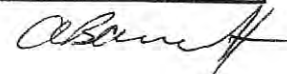
FIRSTLY, THE FULL AND FREE RIGHT AND LIBERTY for TasWater and its employees, contractors, agents and all other persons duly authorised by it, at all times to:-

- (1) enter and remain upon the Easement Land with or without machinery, vehicles, plant and equipment;
- (2) investigate, take soil, rock and other samples, survey, open and break up and excavate the Easement Land for any purpose or activity that TasWater is authorised to do or undertake;
- (3) install, retain, operate, modify, relocate, maintain, inspect, cleanse, repair, remove and replace the Infrastructure;
- (4) run and pass sewage, water and electricity through and along the Infrastructure;
- (5) do all works reasonably required in connection with such activities or as may be authorised or required by any law:
 - (1) without doing unnecessary damage to the Easement Land; and
 - (2) leaving the Easement Land in a clean and tidy condition;
- (6) if the Easement Land is not directly accessible from a highway, then for the purpose of undertaking any of the preceding activities TasWater may with or without employees, contractors, agents and any other persons authorised by it, and with or without machinery, vehicles, plant and equipment enter the Lot from the highway at any vehicle entry and cross the relevant Lot to the Easement Land; and
- (7) use the Easement Land as a right of carriageway for the purpose of undertaking any of the preceding purposes on other land, TasWater reinstating any damage that it causes in doing so to any boundary fence of the Lot.

SECONDLY, the benefit of a covenant in gross for TasWater with the registered proprietor/s of the Easement Land and their successors and assigns not to erect any building, or place any structures, objects, vegetation, or remove any thing that supports, protect or covers any Infrastructure on or in the Easement Land, without the prior written consent of TasWater to the intent that the burden of the covenant may run with and bind the servient land and every part thereof and that the benefit thereof maybe annexed to the easement herein described.

Interpretation:

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



<p>ANNEXURE TO SCHEDULE OF EASEMENTS</p> <p>PAGE 4 OF 5 PAGES</p>	<p>Registered Number</p> <p>SP 179754</p>
<p>SUBDIVIDER: Allan Barnett Fishing Co Pty Ltd FOLIO REFERENCE: 177532/1</p>	

“Infrastructure” means infrastructure owned or for which TasWater is responsible and includes but is not limited to:

- (a) sewer pipes and water pipes and associated valves;
- (b) telemetry and monitoring devices;
- (c) inspection and access pits;
- (d) electricity assets and other conducting media (excluding telemetry and monitoring devices);
- (e) markers or signs indicating the location of the Easement Land or any other Infrastructure or any warnings or restrictions with respect to the Easement Land or any other Infrastructure;
- (f) anything reasonably required to support, protect or cover any other Infrastructure;
- (g) any other Infrastructure whether of a similar nature or not to the preceding which is reasonably required for the piping of sewage or water, or the running of electricity, through the Easement Land or monitoring or managing that activity; and
- (h) where the context permits, any part of the Infrastructure.

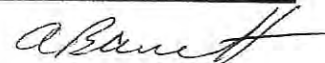
“TasWater” means Tasmanian Water & Sewerage Corporation Pty Ltd (ACN 162 220 653), its successors and assigns.

COVENANTS

The owners of lots 2 to 18 (inclusive) and lot 21 covenant with ALLAN BARNETT FISHING CO PTY LTD (A.C.N. 009 517 159) and the owners for the time being of every other lot shown on the Plan (except lots 23 and 101) to the intent that the burden of this covenant may run with and bind the covenantor’s lot and every part thereof and that the benefit thereof shall be annexed to and devolve with each and every part of every lot shown on the Plan (except lots 23 and 101) to observe the following stipulations:-

- 1. That no building or other structure whether permanent or temporary may at any time be built or placed or permitted upon the lot of a height that exceeds 6.5 metres in height. In this paragraph height means the vertical distance from natural ground level at any point to the uppermost part of the building directly above that point, (excluding minor protrusions such as aerials, antennae, solar panels, chimneys and vents).
- 2. That no tree or shrub may at any time be planted or permitted or grown upon the lot of a greater height from the ground than 5.0 metres.

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



<p>ANNEXURE TO SCHEDULE OF EASEMENTS</p> <p>PAGE 5 OF 5 PAGES</p>	<p>Registered Number</p> <p>SP 179754</p>
<p>SUBDIVIDER: Allan Barnett Fishing Co Pty Ltd FOLIO REFERENCE: 177532/1</p>	

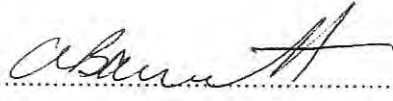
Provided that it is hereby declared that nothing herein contained or implied shall prevent ALLAN BARNETT FISHING CO PTY LTD (A.C.N. 009 517 159) or its director from:-

1. Selling any lot free or exempt from any one or more of the restrictive covenants and stipulations contained in the covenants hereinbefore contained; and
2. Modifying, waiving, or releasing or allowing any departure from either of the said restrictive covenants in relation to any lot or portion of any lot.

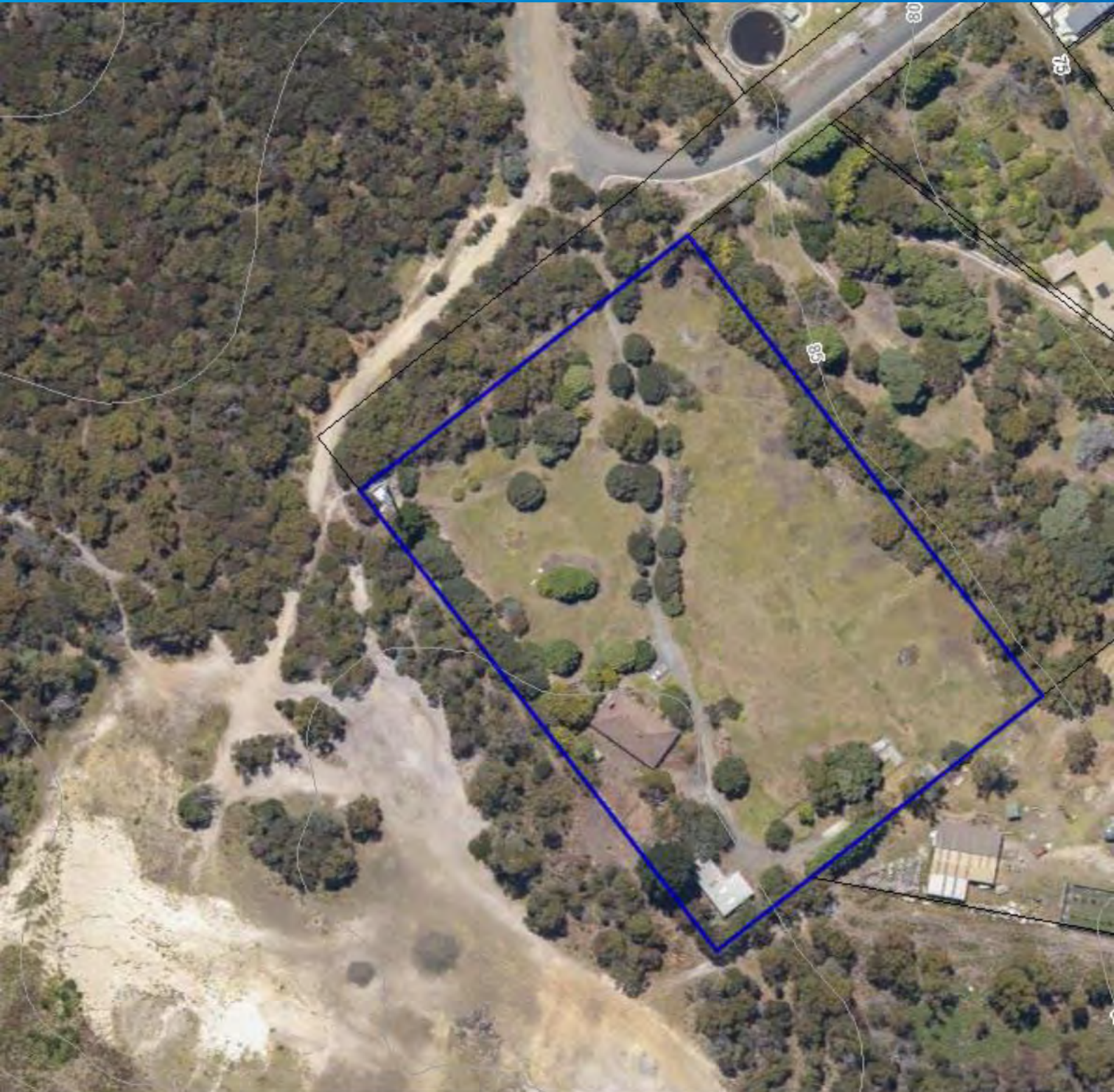
The exercise of the said rights in relation to any lot shall not release the owner of any other lot from any of the covenants or stipulations imposed upon such other lots or give the owner of any lot any right of action against ALLAN BARNETT FISHING CO PTY LTD (A.C.N. 009 517 159).

FENCING COVENANT

The owner of each lot covenants with the Vendor ALLAN BARNETT FISHING CO PTY LTD (A.C.N. 009 517 159) that the said ALLAN BARNETT FISHING CO PTY LTD (A.C.N. 009 517 159) shall not be required to fence.

EXECUTED by ALLAN BARNETT FISHING CO PTY LTD (A.C.N. 009 517 159) the registered proprietor of the land comprised in Folio of the Register Volume 177532 Folio 1 pursuant to Section 127(1)(c) of the Corporations Act 2001 by being signed by the company's sole director who is also the sole company secretary)
)
) )
) Sole company director who is also sole)
) secretary – Keith Allan John Barnett)
)
)

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



Planning Report

61 Henry Street, Bridport

Table of Contents

1. Introduction/Context.....	4
1.1. The Land	4
1.2. Existing Development	5
1.3. Natural Values.....	5
2. The Proposal	5
3. Planning Assessment	6
3.2 Zone Standards - Low Density.....	7
3.3 Codes.....	12
Conclusion	14
Contact	15

PDA Contributors

Planning	Allan Brooks	22/12/2022
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Revision History

Revision	Description	Date
01	First issue	22/12/2022
02	Revised Layout	20/11/2023

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EXECUTIVE SUMMARY

Council approval is sought for 12 subdivision at 61 Henry Street, Bridport (236880/17).

A permit is sought in accordance with Section 57 of the *Land Use Planning and Approvals Act 1993* and Clause 6.8.1 (b) of the *Tasmanian Planning Scheme - Dorset*.

Development Details:

Property Address	61 Henry Street, Bridport
Proposal	12 Lot Subdivision
Land Area	2.03ha

CT	236880/17
PID	6846461
Planning Ordinance	Tasmanian Planning Scheme - Dorset
Land Zoning	Low Density
Code Overlays	Bushfire Prone Area

1. Introduction/Context

Council approval is sought for a 12 lot subdivision (CT 236880/17). In support of the proposal, the following associated documents have been provided in conjunction with this planning assessment:

- Subdivision Proposal Plan
- Completed Development Application Form
- Copy of Title
- Bushfire Report

1.1. The Land



Figure 1. Existing aerial image of the subject land (LISTmap, 2022)

61 Henry Street is sloped towards the North with access from Henry street.

1.2. Existing Development

Proposed lot 4 will contain the existing dwelling, the remaining lots will be vacant.

1.3. Natural Values

The land is majority cleared with some small vegetation section throughout.

2. The Proposal

The proposal is to subdivide land into 12 lots. All lots will be serviced by reticulated sewer and water and frontage from the new road. Stormwater will be discharged from the site through Parks owned land and too Maxwell Street.



Figure 2. Proposed Plan of Subdivision

3. Planning Assessment

This current proposal for 13 lot Subdivision has been developed in accordance with the *Tasmanian Planning Scheme – Dorset*.

3.1 Zoning

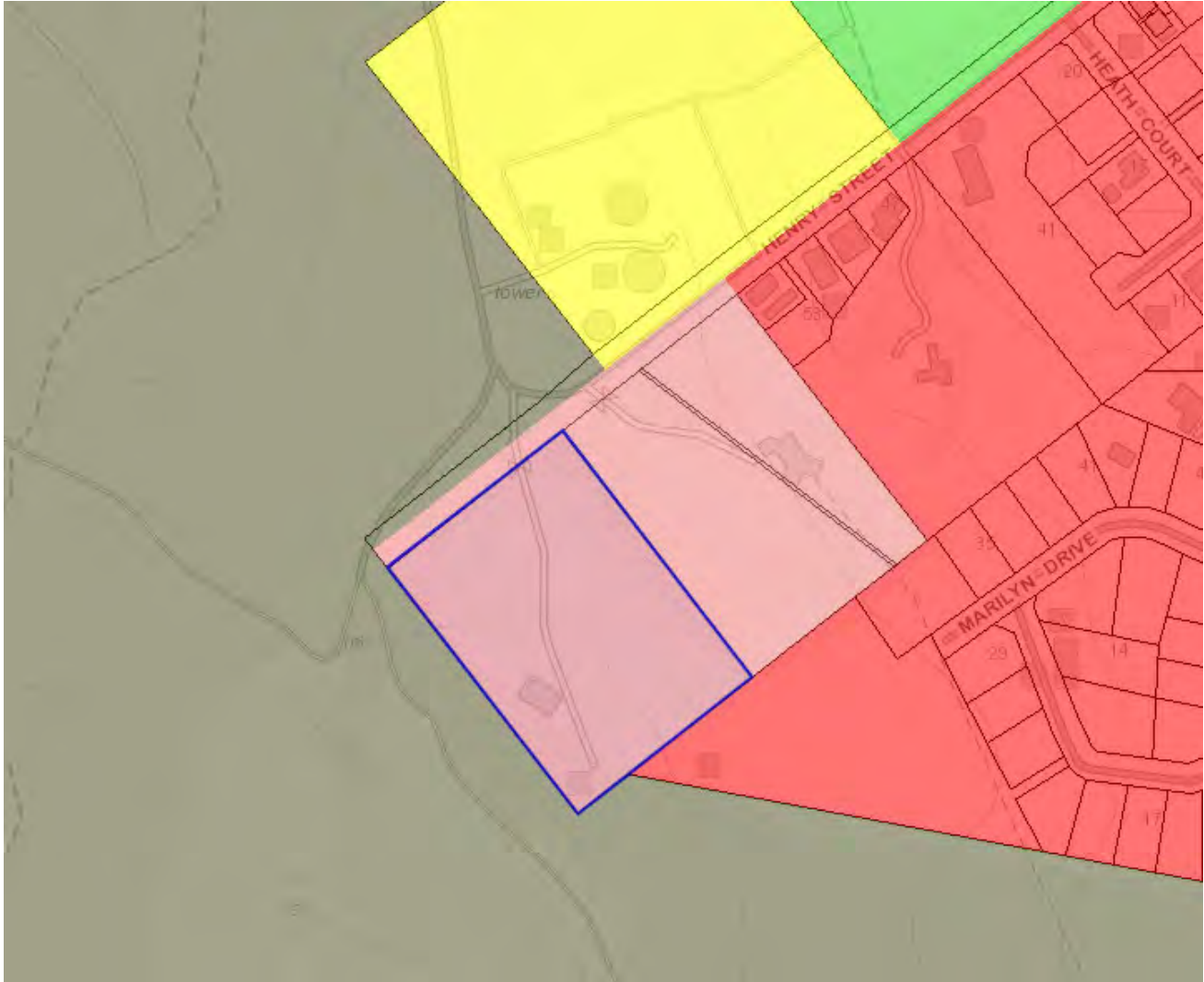


Figure 3. Zoning identification of the subject land and surrounds. (LISTmap, 2023)

The subject land is located within the Low-Density Zone. The neighbouring properties are zoned Low Density. The site to the south-west is zoned environmental management as site was the previous Bridport Tip.

3.2 Zone Standards – Low Density

10.6 Development standards for Subdivision

10.6.1 Lot design

<p>Objective: That each lot:</p> <ul style="list-style-type: none"> a) Has an area and dimensions appropriate for use and development in the zone; b) Is provided with appropriate access to a road; c) Contains areas which are suitable for residential development. 	
Acceptable Solutions	Performance Criteria
<p>A1 Each lot, or a lot proposed in a plan of subdivision, must:</p> <ul style="list-style-type: none"> a) Have an area no less than 1500m² and: <ul style="list-style-type: none"> i. Be able to contain a minimum area of 10m x 15m with a gradient not steeper than 1 in 5 clear of: <ul style="list-style-type: none"> a. all setbacks required by the clause 10.4.3 A1 and A2; and b. easements of other title restrictions that limit or restrict development; and ii. existing buildings are consistent with the setback required by clause 10.4.3 A1 and A2; b) be required for public use by the crown, a council or state authority; c) be required for the provisions of Utilities; or d) be for the consolidation of a lot with another lot provided each lot is within the same zone 	<p>P1 Each lot, or proposed in a plan of subdivision, must have sufficient useable area and dimensions suitable for its intended use, having regard to:</p> <ul style="list-style-type: none"> a) the relevant requirements for development of buildings on the lots; b) the intended location of buildings on the lots; c) the topography of the site; d) adequate provision of private open space; e) the pattern of development existing on established properties in the area; and f) any constraints to development, <p>and must have an area not less than 1200m².</p>
<p>Comment:</p> <p>P1 is met: Each lot is larger than 1200m² and is able to contain a building area of 10m x 15m. Each lot has adequate private open space, and the site's topography is relatively flat. The size pattern matches other low-density zoned land within Bridport at the end of Westwood Street.</p>	
Acceptable Solutions	Performance Criteria

A2

Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a frontage not less than 20m.

P2

Each lot, or proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be provided with a frontage or legal connection to a road by right of carriageway, that is sufficient for the intended use, having regard to:

- a) the width of frontage proposed, if any
- b) the number of other lots which have the land subject to the right of carriageway as their sole or principal mean of access;
- c) the topography of the site;
- d) the ability to manoeuvre vehicles on the site; and
- e) the pattern of development existing on established properties in the area,

and is not less than 3.6m wide.

Comment:

P2 is met: All the lots other than lot 6 & 8 meet the acceptable solution. Lot 6 and 8 meet the performance solution as is larger than 3.6m and no proposed Right of Way are subjected to their access. Each lot has the ability to manoeuvre from the site.

Acceptable Solutions
Performance Criteria
A3

Each lot, or a lot proposed in a plan of subdivision, must be provided with a vehicular access from boundary of the lot to a road in accordance with the requirements of the road authority.

P3

Each lot, or proposed in a plan of subdivision, must be provided with reasonable vehicular access to a boundary of a lot or building area on the lot, if any having regard to:

- a) the topography of the site
- b) the distance between the lot or building area and the carriageway;
- c) the nature of the road and the traffic;
- d) the anticipated nature of vehicles likely to access the site; and
- e) the ability for emergency services to access the site.

Comment:

A3 is met: Each lot will have vehicular access from a boundary in accordance with the requirements of the road authority.

10.6.2 Roads

Objective:

That the arrangement of new roads within a subdivision provides;

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

Acceptable Solutions	Performance Criteria
<p>A1</p> <p>The Subdivision includes no new road.</p>	<p>P1</p> <p>The arrangement and construction of roads within a subdivision must provide an appropriate level of access, connectivity, safety, convenience and legibility for vehicles, pedestrians and cyclists, having regard to:</p> <ol style="list-style-type: none"> a) any relevant road network plan adopted by council; b) the existing and proposed road hierarchy; c) the need for connecting roads and pedestrian path, to common boundaries with adjoining land, to facilitate future subdivision potential; d) maximising connectivity with the surrounding road, pedestrian, cycling and public transport networks; e) minimise the travel distance between key destinations such as shops and services and public transport routes; f) access to public transport; g) the efficient and safe movement of pedestrians, cyclists and public transport; h) the need to provide bicycle infrastructure on new arterial and collector roads in accordance with the <i>Guide to Road Design Part 6A: Paths for Walking and Cycling 2016</i>; i) the topography of the site; and

- j) the future subdivision potential of any balance lots on adjoining or adjacent land.

Comment:

P1 is met: is met as the road will be constructed to the standard of surrounding roads.

Construction of the road is the only way to efficiently utilise the land. The proposed road will maximise connectivity to the site and connection roads.

10.6.3 Services

Objective:

That the subdivision of land provides services for the future use and development of the land.

Acceptable Solutions

Performance Criteria

A1

Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must:

- a) be connected to a full water supply service if the frontage of the lot is within 30m of a full water supply service; or:
- b) be connected to a limited water supply service if the frontage of the lot is within 30m of a limited water supply service,

unless a regulated entity advises that the lot is unable to be connected to the relevant water supply service.

P1

No Performance Criterion.

Comment:

A1 is met: Each lot will be connected to a water main.

Acceptable Solutions

Performance Criteria

A2

Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a reticulated sewerage system.

P2

Each lot, or proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of accommodating an onsite wastewater treatment system adequate for the future use and development of the land.

Comment:

A2 is met: Each lot is connected to a reticulated sewer system.

Acceptable Solutions	Performance Criteria
<p>A3 Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of connecting to a public stormwater system.</p>	<p>P3 Each lot, or proposed in a plan of subdivision, must be capable of accommodating an onsite stormwater management system adequate for the future use and development of the land, having regards to:</p> <ul style="list-style-type: none"> a) the size of the lots b) topography of the site c) soil conditions; d) any existing buildings on the site; e) any area of the site covered by impervious surfaces; and f) any watercourse on the land.

Comment:

A3 is met: Each lot is connected to a public stormwater system.

3.3 Codes

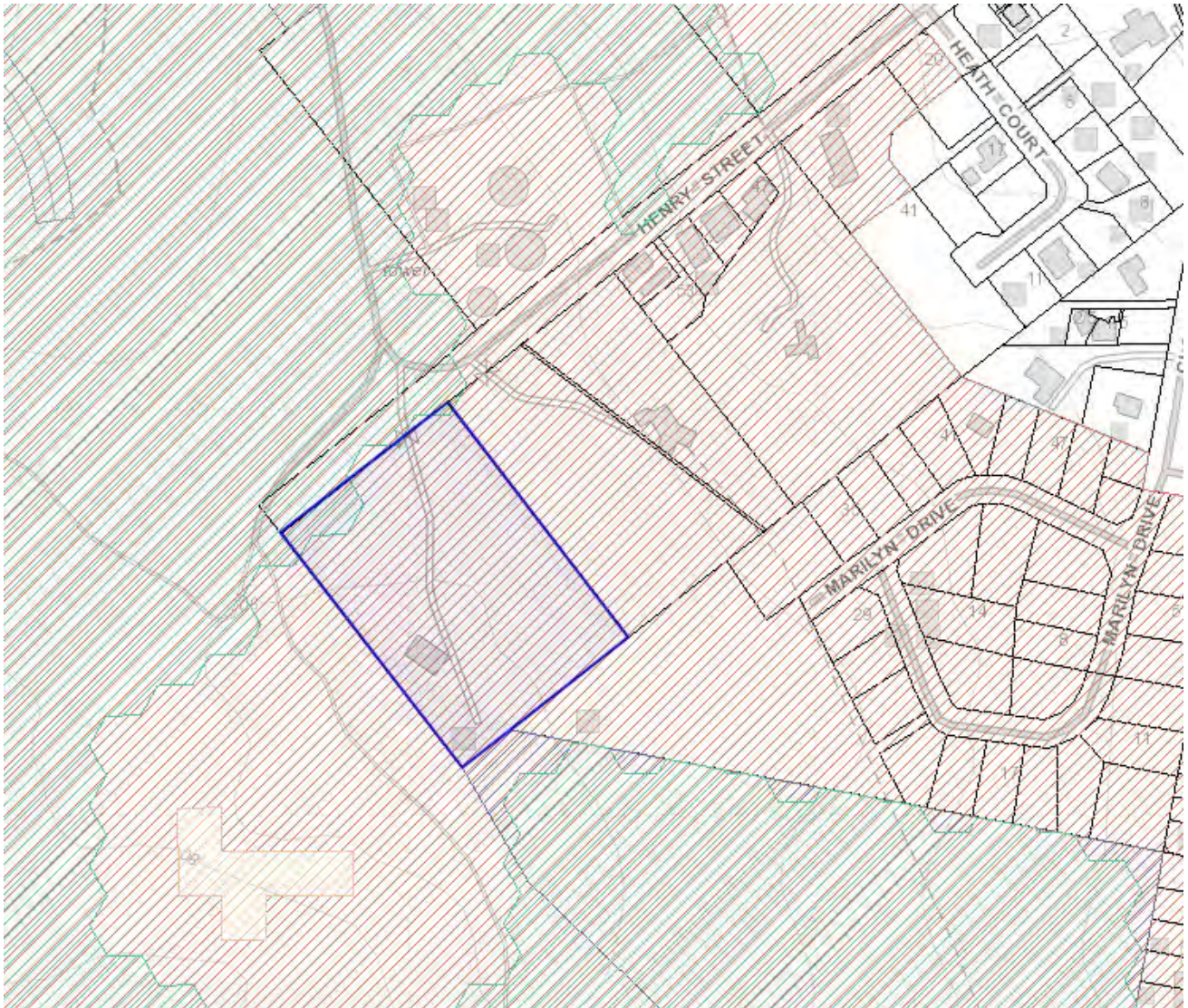


Figure 4. Scheme Overlay identification of the subject land and surrounds (LISTmap, 2023)

Code	Comments:
C1.0 Signs Code	N/A
C2.0 Parking and Sustainable Transport Code	As this Code is relevant to this proposal, an assessment is provided below
C3.0 Road and Railway Assets Code	N/A
C4.0 Electricity Transmission Infrastructure Protection Code	As this Code is relevant to this proposal, an assessment is provided below
C5.0 Telecommunications Code	N/A
C6.0 Local Historic Heritage Code	N/A
C7.0 Natural Assets Code	N/A
C8.0 Scenic Protection Code	N/A
C9.0 Attenuation Code	N/A
C10.0 Coastal Erosion Hazard Code	N/A
C11.0 Coastal Inundation Hazard Code	[N/A
C12.0 Flood-Prone Areas Hazard Code	N/A
C13.0 Bushfire-Prone Areas Code	As this Code is relevant to this proposal, an assessment has commenced and will be provided once received.
C14.0 Potentially Contaminated Land Code	N/A
C15.0 Landslip Hazard Code	N/A
C16.0 Safeguarding of Airports Code	N/A

C2.0 Parking and Sustainable Transport Code

C2.6.7 Development Standards

C2.6.3 Number of accesses for vehicles

Objective: That:

- (a) access to land is provided which is safe and efficient for users of the land and all road network users, including but not limited to drivers, passengers, pedestrians and cyclists by minimising the number of vehicle accesses;
- (b) accesses do not cause an unreasonable loss of amenity of adjoining uses; and
- (c) the number of accesses minimise impacts on the streetscape.

Acceptable Solutions

A1

The number of accesses provided for each frontage must:

- (a) be no more than 1; or
 - (b) no more than the existing number of accesses,
- whichever is the greater.

Response:

A1 is met: Each lot has no more than one vehicle access point per road frontage

C13.0 Bushfire-Prone Areas Code

A Bushfire Hazard Assessment and Hazard Management Plan has been commissioned to support the proposed subdivision. Once received will be supplied.

Conclusion

The planning assessment and supporting documentation provided demonstrate that the development proposal for 12 lot subdivision at 61 Henry Street meets all applicable requirements of the Tasmanian Planning Scheme – Dorset.

Yours faithfully,

Allan Brooks



On behalf of
PDA Surveyors, Engineers and Planners

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Bushfire Hazard Management Report: Subdivision

Report for: PDA Surveyors

Property Location: 61 Henry Street, Bridport

Prepared by: Scott Livingston

Livingston Natural Resource Services

Date: 13th November 2023

Version 3



Client: PDA Surveyors - James & Roslyn Leitch.

61 Henry Street, Bridport, CT 236880/17, PID 6846461.

Property identification: Current zoning: Low Density Residential, Tasmanian Planning Scheme - Dorset.

Proposal: 12 Lot subdivision from 1 existing title.

Assessment A field inspection of the site was conducted to determine the Bushfire Risk and Bushfire Attack Level.

Assessment by: Scott Livingston

Master Environmental Management, Natural Resource Management Consultant.

Accredited Person under part 4A of the Fire Service Act 1979: Accreditation # BFP-105.

Version	Date	Notes
1	31/7/2023	
2	28/9/2023	Revised lot layout to include walkway
3	13/11/23	Lots reduced to 12, (original 1&2 combined), removal of reliance of external (western) firebreak maintenance

Contents

DESCRIPTION	3
BAL AND RISK ASSESSMENT	3
ROADS	8
PROPERTY ACCESS	9
FIRE FIGHTING WATER SUPPLY	10
CONCLUSIONS	13
REFERENCES	13
APPENDIX 1 – MAPS	14
APPENDIX 2 – PHOTOS	17
BUSHFIRE HAZARD MANAGEMENT PLAN	21
CERTIFICATE UNDER S51(2)(d) LAND USE PLANNING AND APPROVALS ACT 1993	22
CERTIFICATE OF QUALIFIED PERSON – ASSESSABLE ITEM	26
Figure 1: Building Area BAL 12.5 / BAL 19	7
Figure 2: Location, existing title in blue	14
Figure 3: Aerial Image	15
Figure 4: Proposed Subdivision Plan	16
Figure 5: NW along northern boundary	17
Figure 6: woodland to north	17
Figure 7: northwest along southern boundary	18
Figure 8: existing dwelling	18
Figure 9: fire break to east of lots	19
Figure 10: council land (ex tip) to south of property	19
Figure 11: north along western boundary, lease access	20

LIMITATIONS

This report only deals with potential bushfire risk and does not consider any other potential statutory or planning requirements. This report classifies type of vegetation at time of inspection and cannot be relied upon for future development or changes in vegetation of assessed area.

DESCRIPTION

A 12 Lot subdivision from existing title CT 236880/17 at 61 Henry Street, Bridport. The area is mapped as Bushfire Prone in Planning Scheme Overlays. The property has an existing dwelling and outbuildings and is currently low threat around the dwelling and grassland on the balance.

Surrounding land to the northwest is low density lots with a mosaic of low threat, grassland and woodland. Land to the east is residential with some areas of grassland. Land to the south is grassland with woodland patches, land to the west is woodland and forest. The area is currently not serviced by a reticulated water supply and the lots front Henry Street and a new subdivision road.

BAL AND RISK ASSESSMENT

The land mapped as Bushfire Prone Area in planning scheme overlays.

VEGETATION AND SLOPE

Lot		Northeast	Southeast	Southwest	Northwest
1	Vegetation within 100m lot boundaries	0-60m grassland (on lots), 60-100m woodland grassland mosaic	0-100m grassland low threat mosaic (on lots)	0-20m woodland, 20-100m grassland	0-8m access to tower lease, 8-30m woodland, 30-40m road, 40-100m forest
	Slope (degrees, over 100m)	Downslope 0-5°	Downslope 0-5°	Flat/ Upslope	Flat/ Upslope
	BAL Rating: existing vegetation	BAL FZ	BAL FZ	BAL FZ	BAL FZ
	BAL Rating: with setbacks & HMA	BAL 19/BAL12.5			
2, 3	Vegetation within 100m lot boundaries	0-60m grassland (on lots), 60-100m woodland grassland mosaic	0-100m grassland low threat mosaic (on lots)	0-20m woodland, 20-100m grassland	0-43+grassland (on lots)-, 22+50+m woodland, 50+-60+m road, 60+-100m forest
	Slope (degrees, over 100m)	Downslope 0-5°	Downslope 0-5°	Flat/ Upslope	Flat/ Upslope
	BAL Rating: existing vegetation	BAL FZ	BAL FZ	BAL FZ	BAL FZ
	BAL Rating: with setbacks & HMA	BAL 12.5 / BAL 19			

Lot		Northeast	Southeast	Southwest	Northwest
4 existing dwelling	Vegetation within 100m existing dwelling	0-11m low threat, 11-60m grassland (on lots), 60-100m woodland grassland mosaic	0-54m low threat (on lots), 54-64 firebreak, 64-100m forest	0-11m low threat, 11-32m woodland, 32-100m grassland	0-14m low threat, 14-90 grassland (on lots) 90-98 proposed tower lease access, 98-100 woodland.
	Slope (degrees, over 100m)	Downslope 0-5°	Downslope 0-5°	Flat/ Upslope	Flat/ Upslope
	BAL Rating: existing vegetation	BAL 19	BAL 12.5	BAL 29	BAL FZ
4	Vegetation within 100m lot boundaries	0-60m grassland (on lots), 60-100m woodland grassland mosaic	0-50m low threat (on lots), 5-60 firebreak, 60-100m forest	0-26m woodland, 26-100m grassland	0-86m grassland (on lots) 86-100 woodland.
	Slope (degrees, over 100m)	Downslope 0-5°	Downslope 0-5°	Flat/ Upslope	Flat/ Upslope
	BAL Rating: existing vegetation	BAL FZ	BAL FZ	BAL 29	BAL FZ
	BAL Rating: with setbacks & HMA	BAL 12.5 / BAL 19			
5	Vegetation within 100m lot boundaries	0-60m grassland (on lots), 60-100m woodland grassland mosaic	0-30m low threat (on lots), 30-40 firebreak, 40-100m forest	0-21m woodland, 21-100m grassland	0-100m grassland (on lots)
	Slope (degrees, over 100m)	Downslope 0-5°	Downslope 0-5°	Flat/ Upslope	Flat/ Upslope
	BAL Rating: existing vegetation	BAL FZ	BAL 12.5	BAL 29	BAL FZ
	BAL Rating: with setbacks & HMA	BAL 12.5 / BAL 19			
6	Vegetation within 100m lot boundaries	0-75m grassland (on lots), 75-100m woodland grassland mosaic	0-30m low threat (on lots), 0-10 firebreak, 10-100m forest	0-26m woodland, 26-100m grassland	0-100m grassland (on lots)
	Slope (degrees, over 100m)	Downslope 0-5°	Downslope 0-5°	Flat/ Upslope	Flat/ Upslope

Lot		Northeast	Southeast	Southwest	Northwest
	BAL Rating: existing vegetation	BAL FZ	BAL 12.5	BAL FZ	BAL FZ
	BAL Rating: with setbacks & HMA	BAL 19			
7	Vegetation within 100m lot boundaries	0-32m grassland (on lots), 32- 100m woodland	0-15m low threat, 15-30 grassland, 30- 100m forest	0-45m low threat, 45-70 woodland, 70- 100m grassland	0-100m grassland (on lots)
	Slope (degrees, over 100m)	Downslope 0-5°	Downslope 0-5°	Flat/ Upslope	Flat/ Upslope
	BAL Rating: existing vegetation	BAL FZ	BAL 19	BAL 12.5	BAL FZ
	BAL Rating: with setbacks & HMA	BAL 12.5 / BAL 19			
8	Vegetation within 100m lot boundaries	0-100m woodland	0-50m low threat, 50-100m grassland low threat mosaic	0-88m, grassland on lots 88-100m woodland	0-100m grassland (on lots)
	Slope (degrees, over 100m)	Downslope 0-5°	Downslope 0-5°	Flat/ Upslope	Flat/ Upslope
	BAL Rating: existing vegetation	BAL FZ	BAL Low	BAL FZ	BAL FZ
	BAL Rating: with setbacks & HMA	BAL 12.5 / BAL 19			
9, 10, 11	Vegetation within 100m lot boundaries	0-50m woodland, 50- 100m low threat woodland mosaic	0-40+m grassland (on lots), 40+-100m low threat	0-88m, grassland on lots 88-100m woodland	0-20m+ grassland (on lots)
	Slope (degrees, over 100m)	Downslope 0-5°	Downslope 0-5°	Flat/ Upslope	Flat/ Upslope
	BAL Rating: existing vegetation	BAL FZ	BAL Low	BAL FZ	BAL FZ
	BAL Rating: with setbacks & HMA	BAL 12.5 / BAL 19			
12	Vegetation within 100m	0-50m woodland, 50- 100m low threat	0-76+m grassland (on	0-80m, grassland on	verge/ services (grassland) ,20- 30m road,

Lot		Northeast	Southeast	Southwest	Northwest
	lot boundaries	woodland mosaic	lots), 76+-100m low threat	lots), 80-100m woodland	30+100m forest and verges, 60-100m forest
	Slope (degrees, over 100m)	Downslope 0-5°	Downslope 0-5°	Flat/ Upslope	Flat/ Upslope
	BAL Rating: existing vegetation	BAL FZ	BAL FZ	BAL FZ	BAL FZ
	BAL Rating: with setbacks & HMA	BAL 12.5 / BAL 19			

BUILDING AREA BAL RATING

Setback distances for BAL Ratings have been calculated based on the vegetation that will exist after development and have also considered slope gradients. Where no setback is required for fire protection other Planning Scheme setbacks may need to be applied, other constraints to building such as topography have not been considered.

The BAL ratings applied are in accordance with the Australian Standard AS3959-2018, *Construction of Buildings in Bushfire Prone Areas*, and it is a requirement that any habitable building, or building within 6m of a habitable building be constructed to the BAL ratings specified in this document as a minimum.

Bushfire Attack Level (BAL)	Predicted Bushfire Attack & Exposure Level
BAL-Low	Insufficient risk to warrant specific construction requirements
BAL-12.5	Ember attack, radiant heat below 12.5kW/m ²
BAL-19	Increasing ember attack and burning debris ignited by windborne embers together with increasing heat flux between 12.5-19kW/m ²
BAL-29	Increasing ember attack and burning debris ignited by windborne embers together with increasing heat flux between 19-29kW/m ²
BAL-40	Increasing ember attack and burning debris ignited by windborne embers together with increasing heat flux between 29-40kW/m ²
BAL-FZ	Direct exposure to flames radiant heat and embers from the fire front

Setbacks

		Grassland	Woodland	Forest
BAL 12.5	Upslope and flat	14m	22m	32m
	Downslope 0- 5°	16m	26m	38m
BAL 19	Upslope and flat	10m	15m	23m
	Downslope 0- 5°	11m	18m	27m

PROPOSED LOT BAL RATING

There is sufficient land on all lots for BAL 19 construction with an increased setback for BAL 12.5 available on all lots.

The lot 4 existing dwelling is partially outside the BAL 19 building area, there is no increase in risk for the dwelling, a proof of concept building area is shown for Lot 4 that meets BAL 19 requirement at subdivision.

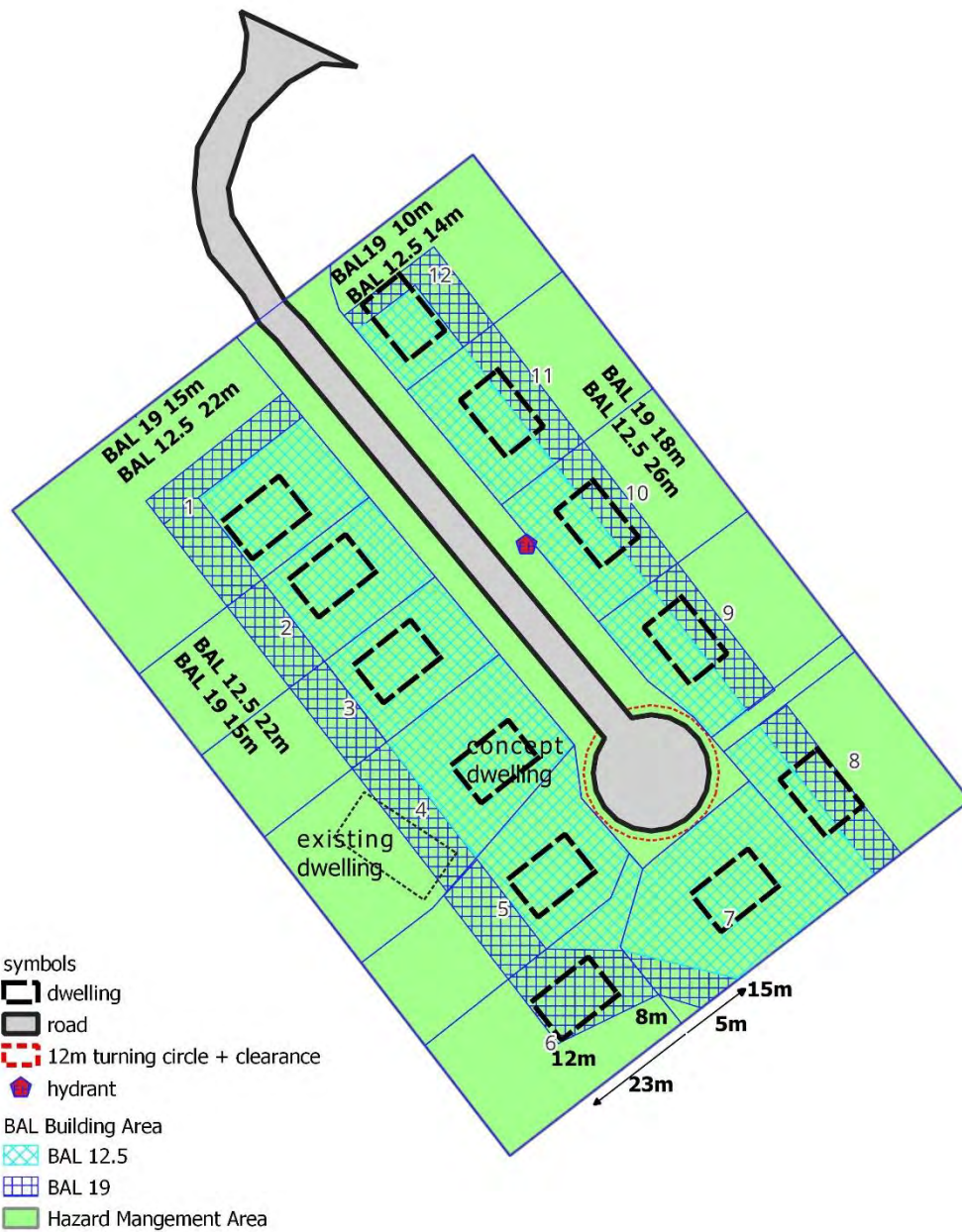


Figure 1: Building Area BAL 12.5 / BAL 19

HAZARD MANAGEMENT AREAS

All land within the subdivision must be maintained as low threat vegetation from sealing of titles of any lot other than a road lot and be maintained in perpetuity.

ROADS

Lots will have frontage to a new subdivision road. Roads must meet the requirements of table C13.1 prior to sealing of titles for any lot accessed from the road. The dead-end road must meet terminus turn provision, with 12m outer radius and 2m horizontal clearance. Any staging of road construction must meet terminus turn requirements.

Table C13.1 Standards for Roads

Element		Requirement
A.	Roads.	<p>Unless the development standards in the zone require a higher standard, the following apply:</p> <ul style="list-style-type: none"> (a) two-wheel drive, all-weather construction; (b) load capacity of at least 20 tonnes, including for bridges and culverts; (c) minimum carriageway width is 7m for a through road, or 5.5m for a dead-end or cul-de-sac road; (d) minimum vertical clearance of 4m; (e) minimum horizontal clearance of 2m from the edge of the carriageway; (f) cross falls of less than 3 degrees (1:20 or 5%); (g) maximum gradient of 15 degrees (1:3.5 or 28%) for sealed roads, and 10 degrees (1:5.5 or 18%) for unsealed roads; (h) curves have a minimum inner radius of 10m; (i) dead-end or cul-de-sac roads are not more than 200m in length unless the carriageway is 7m in width; (j) dead-end or cul-de-sac roads have a turning circle with a minimum 12m outer radius; and (k) carriageways less than 7m wide have 'No Parking' zones on one side, indicated by a road sign that complies with <i>Australian Standard, AS 1743-2001 Road signs-Specifications</i>.

PROPERTY ACCESS

Access to lots must comply with the relevant elements of Table C13.2 Standards for Property Access, *Bushfire-Prone Areas Code*. Provided the area is fully serviced by new hydrant(s) no access to water supply will be required and access will meet Element A with no specific design or construction requirements. Any building area not within 120m of the hose lay of a hydrant must meet Element B including turn provision, prior to the commencement of construction of a habitable building.

Table C13.2: Standards for Property Access

Element		Requirement
A.	Property access length is less than 30m; or access is not required for a fire appliance to access a fire fighting water point.	There are no specified design and construction requirements.
B.	Property access length is 30m or greater; or access is required for a fire appliance to a fire fighting water point.	<p>The following design and construction requirements apply to property access:</p> <ul style="list-style-type: none"> (a) all-weather construction; (b) load capacity of at least 20t, including for bridges and culverts; (c) minimum carriageway width of 4m; (d) minimum vertical clearance of 4m; (e) minimum horizontal clearance of 0.5m from the edge of the carriageway; (f) cross falls of less than 3 degrees (1:20 or 5%); (g) dips less than 7 degrees (1:8 or 12.5%) entry and exit angle; (h) curves with a minimum inner radius of 10m; (i) maximum gradient of 15 degrees (1:3.5 or 28%) for sealed roads, and 10 degrees (1:5.5 or 18%) for unsealed roads; and <p>terminate with a turning area for fire appliances provided by one of the following:</p> <ul style="list-style-type: none"> (j) <ul style="list-style-type: none"> (i) a turning circle with a minimum outer radius of 10m; or (ii) a property access encircling the building; or

		(iii) a hammerhead “T” or “Y” turning head 4m wide and 8m long.
C.	Property access length is 200m or greater.	The following design and construction requirements apply to property access: (a) the requirements for B above; and (b) passing bays of 2m additional carriageway width and 20m length provided every 200m.
D.	Property access length is greater than 30m, and access is provided to 3 or more properties.	The following design and construction requirements apply to property access: (a) complies with requirements for B above; and (b) passing bays of 2m additional carriageway width and 20m length must be provided every 100m.

FIRE FIGHTING WATER SUPPLY

The subdivision lots will be serviced by a reticulated supply. Hydrant(s) must meet the requirements of table C13.4 of the Bushfire Prone Areas Code. Habitable buildings more than 120m hose lay from a hydrant will require static water supplies that meet the requirements of Table C13.5 prior to the commencement of construction of a habitable building.

Table C13.5

Element		Requirement
A.	Distance between building area to be protected and water supply	The following requirements apply: a) The building area to be protected must be located within 90 metres of the water connection point of a static water supply; and b) The distance must be measured as a hose lay, between the water point and the furthest part of the building area.
B.	Static Water Supplies	A static water supply: a) May have a remotely located offtake connected to the static water supply; b) May be a supply for combined use (fire fighting and other uses) but the specified minimum quantity of fire fighting water must be available at all times; c) Must be a minimum of 10,000 litres per building area to be protected. This volume of water must not be used for any other purpose including fire fighting sprinkler or spray systems; d) Must be metal, concrete or lagged by non-combustible materials if above ground; and e) If a tank can be located so it is shielded in all directions in compliance with Section 3.5 of AS 3959-2009, the tank may be constructed of any material provided that the lowest 400 mm of the tank exterior is protected by: (i) metal; (ii) non-combustible material; or

		(iii) fibre-cement a minimum of 6 mm thickness.
C.	Fittings, pipework and accessories (including stands and tank supports)	<p>Fittings and pipework associated with a water connection point for a static water supply must:</p> <ul style="list-style-type: none"> (a) Have a minimum nominal internal diameter of 50mm; (b) Be fitted with a valve with a minimum nominal internal diameter of 50mm; (c) Be metal or lagged by non-combustible materials if above ground; (d) Where buried, have a minimum depth of 300mm (compliant with <i>AS/NZS 3500.1-2003 Clause 5.23</i>); (e) Provide a DIN or NEN standard forged Storz 65 mm coupling fitted with a suction washer for connection to fire fighting equipment; (f) Ensure the coupling is accessible and available for connection at all times; (g) Ensure the coupling is fitted with a blank cap and securing chain (minimum 220 mm length); (h) Ensure underground tanks have either an opening at the top of not less than 250 mm diameter or a coupling compliant with this Table; and (i) Where a remote offtake is installed, ensure the offtake is in a position that is: <ul style="list-style-type: none"> (i) Visible; (ii) Accessible to allow connection by fire fighting equipment; (iii) At a working height of 450 – 600mm above ground level; and (iv) Protected from possible damage, including damage by vehicles
D.	Signage for static water connections	<p>The water connection point for a static water supply must be identified by a sign permanently fixed to the exterior of the assembly in a visible location. The sign must</p> <ul style="list-style-type: none"> (a) comply with: <i>Water tank signage requirements within AS 2304-2011 Water storage tanks for fire protection systems</i>; or (b) comply with <i>water tank signage requirements within Australian Standard AS 2304-2011 Water storage tanks for fire protection systems</i>; or (c) comply with the <i>Tasmania Fire Service Water Supply Signage Guideline</i> published by the Tasmania Fire Service.

E.	Hardstand	<p>A hardstand area for fire appliances must be provided:</p> <ul style="list-style-type: none">(a) No more than three metres from the water connection point, measured as a hose lay (including the minimum water level in dams, swimming pools and the like);(b) No closer than six metres from the building area to be protected;(c) With a minimum width of three metres constructed to the same standard as the carriageway; and(d) Connected to the property access by a carriageway
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CONCLUSIONS

A 12 Lot subdivision is proposed from 1 existing title CT 236880/17 at 61 Henry Street, Bridport. The area is mapped as bushfire prone. All lots have sufficient area to provide for BAL 19 habitable dwellings. A decreased building area with increased setbacks is available for construction to BAL 12.5 standards on all lots. All areas of the subdivision are to be managed as low threat from sealing of titles of any lot. Roads must meet the requirements of table C13.1 including terminus turn provision. If any building area is outside a 120m hose lay from a hydrant, lot access and static water supplies will be required prior to the commencement of construction of a habitable building.

REFERENCES

Standards Australia. (2018). *AS 3959-2018 Construction of Buildings in Bushfire Prone Areas*.

Planning Commission (2021), *Tasmanian Planning Scheme - Dorset*

APPENDIX 1 – MAPS

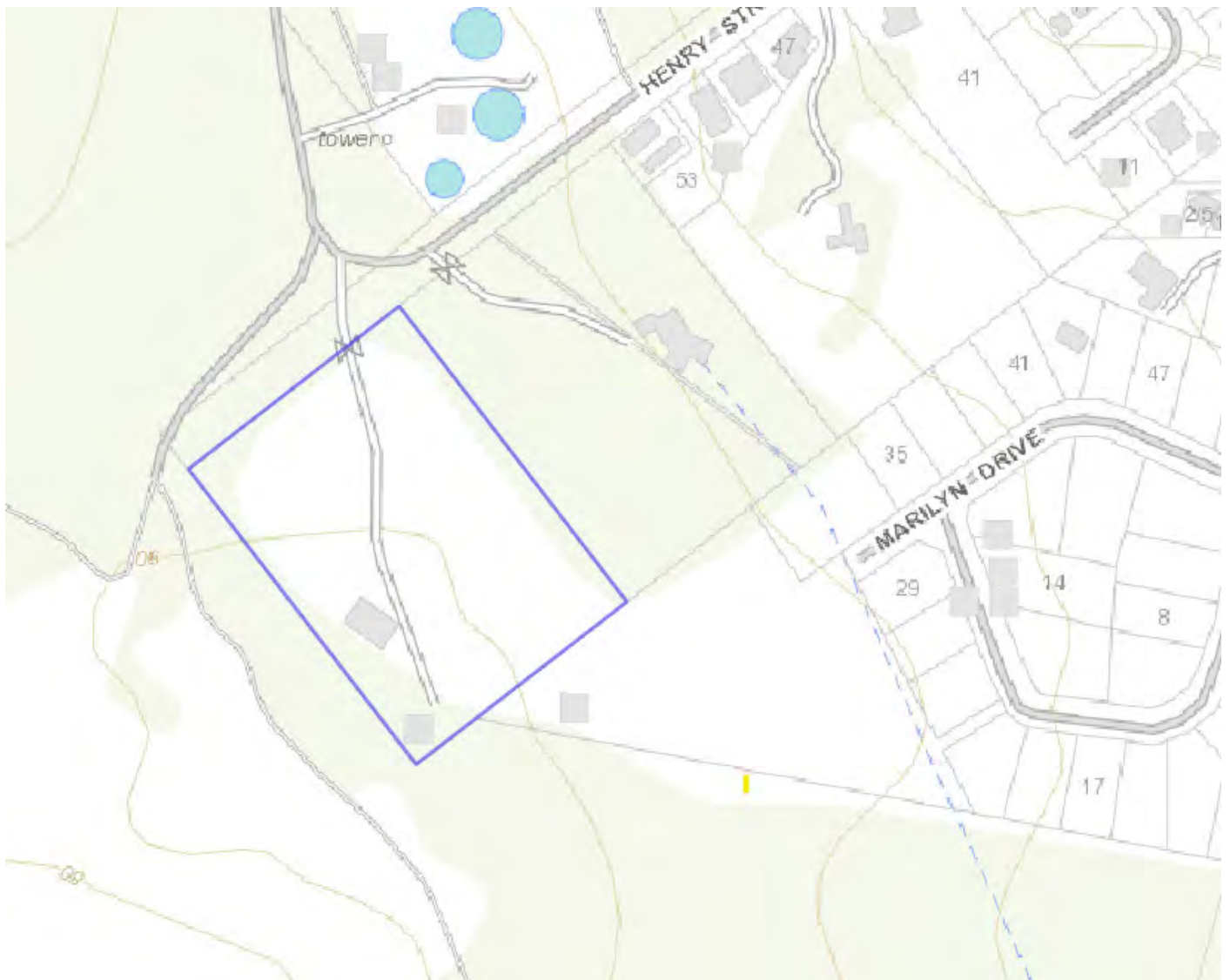


Figure 2: Location, existing title in blue



Figure 3: Aerial Image

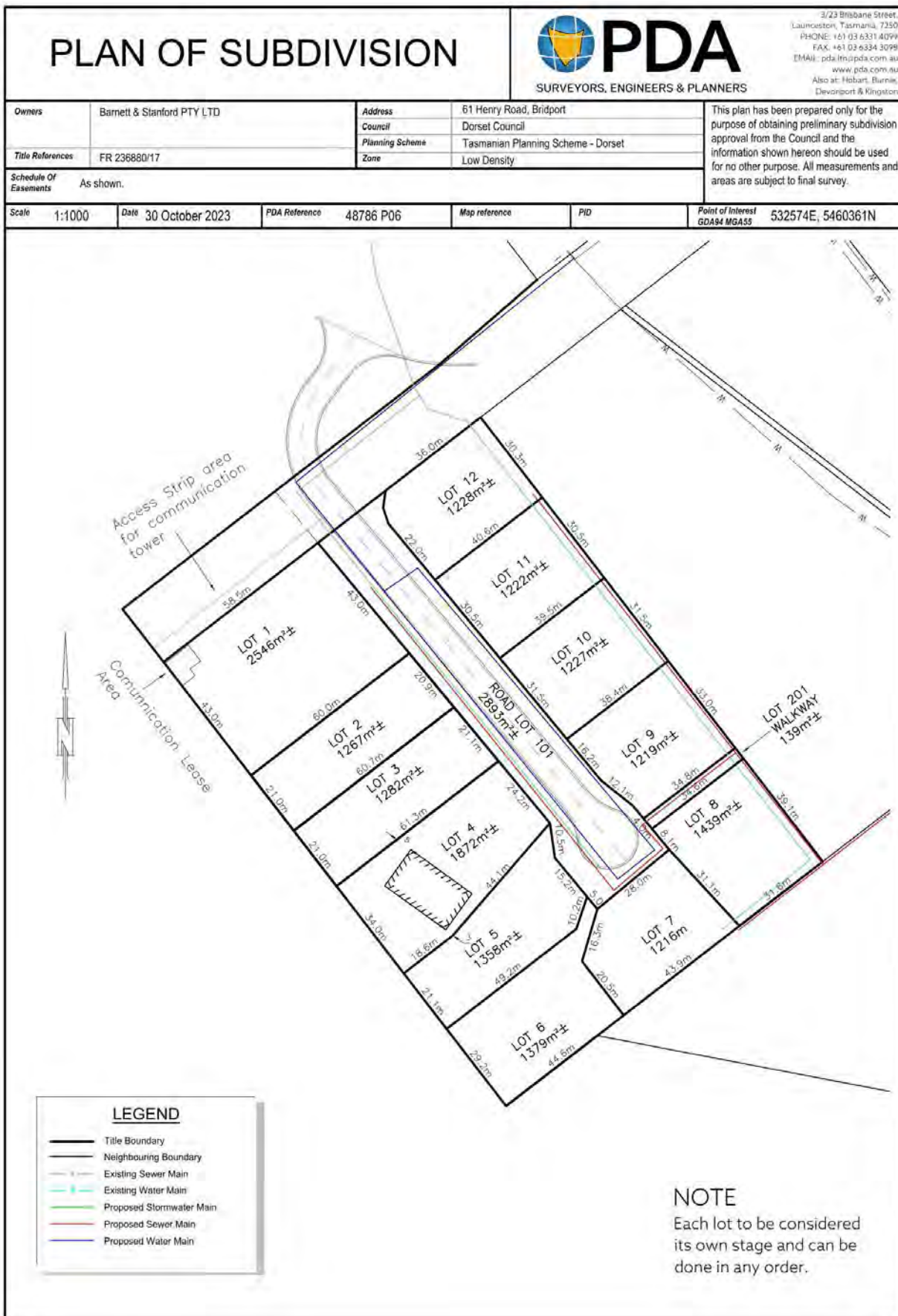


Figure 4: Proposed Subdivision Plan

APPENDIX 2 – PHOTOS



Figure 5: NW along northern boundary



Figure 6: woodland to north



Figure 7: northwest along southern boundary



Figure 8: existing dwelling



Figure 9: fire break to east of lots



Figure 10: council land (ex tip) to south of property.



Figure 11: north along western boundary, lease access

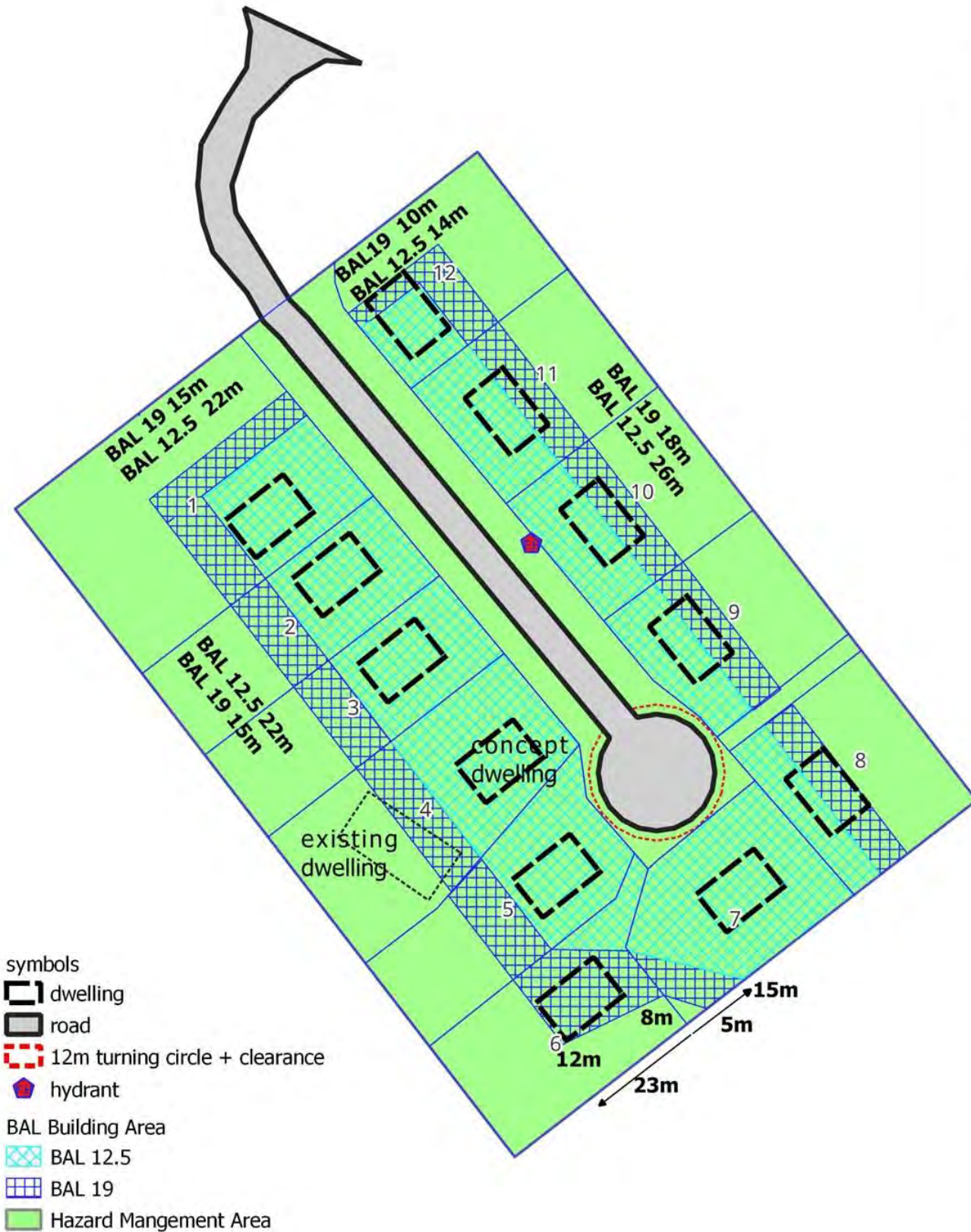
Bushfire Hazard Management Plan:

Proposed Development	Subdivision, 13 lots from 1 lot
Plan of Subdivision	PDA Surveyors. Plan of Subdivision,
Property Owner	Barnett & Stanford Pty Ltd
Address	61 Henry Street, Bridport
CT	236880/17
PID	6846461

The following must be in place prior to sealing of titles:

- Road including turn provision
- Fire break including turn provision
- Hydrant (s)
- Hazard management Area (all of lots)

The owner of a lot is responsible for management of vegetation and maintenance of infrastructure within a lot.



Construction: BAL 12.5/ 19 as shown

Buildings in Bushfire Prone Area to be built in accordance with the Building Code of Australia and Australian Standard AS3959.

Building setbacks / BAL ratings apply to habitable buildings (Class 1, 2 3, 8 or 9) and class 10a buildings within 6m of a habitable building.

Hazard Management Areas (HMA)

Hazard management areas include the area to protect the buildings as well as the access and water supplies. All land within the lots to be managed and maintained in a minimum fuel condition. The owner of a lot is responsible for management of fuels and maintenance of infrastructure on the lot.

Roads, firebreak and water supply

See report for detail

This BHMP has been prepared to satisfy the requirements of the Tasmanian Planning Scheme –Dorset. This plan should be read in conjunction with the report titled: Bushfire Hazard Management Report 61 Henry Street Bridport. Livingston Natural Resource Services

Scott Livingston
 Accreditation: BFP – 105: 1, 2, 3A, 3B, 3C
 Date 13/11/2023
 SRL23/33S3 *[Signature]*

BUSHFIRE-PRONE AREAS CODE**CERTIFICATE¹ UNDER S51(2)(d) LAND USE PLANNING AND APPROVALS ACT 1993****1. Land to which certificate applies**

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

Street address:

61 Henry Street, Bridport

Certificate of Title / PID:

CT 236880/17 PID 6846461

2. Proposed Use or Development**Description of proposed Use and Development:**

12 Lot subdivision from 1 existing title

Applicable Planning Scheme:

Tasmanian Planning Scheme - Dorset

3. Documents relied upon

This certificate relates to the following documents:

Title	Author	Date	Version
Bushfire Hazard Management Report 61 Henry Street, Bridport v3	Scott Livingston	13/11/2023	3
Bushfire Hazard Management Plan, 61 Henry Street, Bridport v3	Scott Livingston	10/9/2023	3
Plan of Subdivision	PDA Surveyors	13/11/2023	PO7

4. Nature of Certificate

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

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

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

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

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

<input checked="" type="checkbox"/>	E1.6.1 / C13.6.1 Subdivision: Provision of hazard management areas	
	Acceptable Solution	Compliance Requirement
<input type="checkbox"/>	E1.6.1 P1 / C13.6.1 P1	<i>Planning authority discretion required. A proposal cannot be certified as compliant with P1.</i>
<input type="checkbox"/>	E1.6.1 A1 (a) / C13.6.1 A1(a)	Insufficient increase in risk
<input checked="" type="checkbox"/>	E1.6.1 A1 (b) / C13.6.1 A1(b)	Provides BAL-19 :

<input type="checkbox"/>	E1.6.1 A1(c) / C13.6.1 A1(c)	Consent for Part 5 Agreement
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<input checked="" type="checkbox"/> E1.6.2 / C13.6.2 Subdivision: Public and fire fighting access		
	Acceptable Solution	Compliance Requirement
<input type="checkbox"/>	E1.6.2 P1 / C13.6.2 P1	<i>Planning authority discretion required. A proposal cannot be certified as compliant with P1.</i>
<input type="checkbox"/>	E1.6.2 A1 (a) / C13.6.2 A1 (a)	Insufficient increase in risk
<input checked="" type="checkbox"/>	E1.6.2 A1 (b) / C13.6.2 A1 (b)	Access complies with relevant Tables

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

5. Bushfire Hazard Practitioner

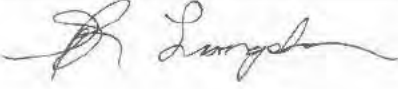
Name:	<input type="text" value="Scott Livingston"/>	Phone No:	<input type="text" value=""/>
Postal Address:	<input type="text" value="PO Box 178, Orford 7190"/>	Email Address:	<input type="text" value=""/>
Accreditation No:	<input type="text" value="BFP – 105"/>	Scope:	<input type="text" value="1, 2, 3A, 3B, 3C"/>

6. Certification

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

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

Signed:
certifier



Name:

Date:

Certificate Number:

(for Practitioner Use only)

Section 321

**CERTIFICATE OF QUALIFIED PERSON – ASSESSABLE
ITEM**Form **55**

To: *Owner /Agent*

Address

Suburb/postcode

Qualified person details:

Qualified person:

Address:

Phone No:

Fax No:

Licence No:

Email address:

Qualifications and Insurance details:

(description from Column 3 of the Director's Determination - Certificates by Qualified Persons for Assessable Items)

Speciality area of expertise:

(description from Column 4 of the Director's Determination - Certificates by Qualified Persons for Assessable Items)

Details of work:	
-------------------------	--

Address: Lot No:

Certificate of title No:

The assessable item related to this certificate:

(description of the assessable item being certified)

Assessable item includes –

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

Certificate details:	
-----------------------------	--

Certificate type:

(description from Column 1 of Schedule 1 of the Director's Determination - Certificates by Qualified Persons for Assessable Items n)

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

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

or

a building, temporary structure or plumbing installation:

In issuing this certificate the following matters are relevant –

Documents:	<input style="width: 95%; height: 100px;" type="text" value="Bushfire Attack Level Assessment Report and Bushfire Hazard Management Plan"/>
Relevant calculations:	<input style="width: 95%; height: 80px;" type="text" value="NA"/>

Australian Standard 3959

Building Amendment Regulations 2016

Director of Building Control (2021) Director's Determination for Bushfire
Hazard Areas v1.1 2021

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

1. Assessment of the site Bushfire Attack Level (BAL) to Australian Standards 3959

Assessed as - BAL 12.5/ BAL 19

2. Bushfire Hazard Management Plan

Proposal is compliant with DTS requirements, clauses 4.1, 4.2, 4.3 & 4.4 Directors Determination Requirements for Building in Bushfire Prone Areas (v2.1)

Scope and/or Limitations

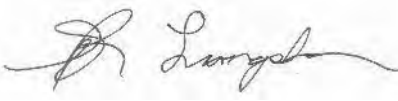
I certify the matters described in this certificate.

Signed:

Certificate No:

Date:

Qualified person:



SRL23/33S3

13/11//2023



Submission to Planning Authority Notice

Council Planning Permit No.	PLA/2024/1310	Council notice date	27/03/2024
TasWater details			
TasWater Reference No.	TWDA 2024/00358-DC	Date of response	9/04/2024
TasWater Contact	David Boyle	Phone No.	[REDACTED]
Response issued to			
Council name	DORSET COUNCIL		
Contact details	development@dorset.tas.gov.au		
Development details			
Address	61 HENRY ST, BRIDPORT	Property ID (PID)	6846461
Description of development	Subdivision - 12 Lots		
Schedule of drawings/documents			
Prepared by	Drawing/document No.	Revision No.	Date of Issue
PDA	48786 P06 – Lot Layout		30/10/2023
Conditions			
Pursuant to the <i>Water and Sewerage Industry Act 2008 (TAS)</i> Section 56P(1) TasWater imposes the following conditions on the permit for this application:			
CONNECTIONS, METERING & BACKFLOW			
<ol style="list-style-type: none"> 1. A suitably sized water supply with metered connections and sewerage system and connections to each lot of the development must be designed and constructed to TasWater's satisfaction and be in accordance with any other conditions in this permit. 2. Any removal/supply and installation of water meters and/or the removal of redundant and/or installation of new and modified property service connections must be carried out by TasWater at the developer's cost. 3. Prior to commencing construction of the subdivision/use of the development, any water connection utilised for construction/the development must have a backflow prevention device and water meter installed, to the satisfaction of TasWater. 			
ASSET CREATION & INFRASTRUCTURE WORKS			
The developer must design and install a new pump set at the existing TasWater Bridport Water Booster Pumping Station, Asset number BRDWPO2 to			
<ol style="list-style-type: none"> 4. Achieve TasWater's minimum water pressure standards for the proposed subdivision at the new lots front boundaries for the required elevation of this subdivision. Note:- An assessment of the existing pumps has demonstrated that they are only capable of generating (180 kPa) of pressure at a assumed 90m elevation. Therefore, the existing pumps need to be replaced. This may possibly be achieved through a "slip in slip out" change from the currently installed pumps to pumps with the same physical dimensions and 1 or 2 more impellor stages. The power supply equipment must also be checked and confirmed to be capable of supporting the new pump set. 5. Plans submitted with the application for Engineering Design Approval must, to the satisfaction of TasWater show, all existing, redundant and/or proposed property services and mains. 			

6. Prior to applying for a Permit to Construct, to construct new infrastructure the developer must obtain from TasWater Engineering Design Approval for new TasWater infrastructure. The application for Engineering Design Approval must include engineering design plans prepared by a suitably qualified person showing the hydraulic servicing requirements for water and sewerage to TasWater's satisfaction.
7. Prior to works commencing, a Permit to Construct must be applied for and issued by TasWater. All infrastructure works must be inspected by TasWater and be to TasWater's satisfaction.
8. In addition to any other conditions in this permit, all works must be constructed under the supervision of a suitably qualified person in accordance with TasWater's requirements.
9. Prior to the issue of a Consent to Register a Legal Document all additions, extensions, alterations or upgrades to TasWater's water and sewerage infrastructure required to service the development, are to be completed generally as shown on, and in accordance with, the plans listed in the schedule of drawings/document, and are to be constructed at the expense of the developer to the satisfaction of TasWater, with live connections performed by TasWater.
10. After testing/disinfection, to TasWater's requirements, of newly created works, the developer must apply to TasWater for connection of these works to existing TasWater infrastructure, at the developer's cost.
11. At practical completion of the water and sewerage works and prior to TasWater issuing a Consent to a Register Legal Document the developer must obtain a Certificate of Practical Completion from TasWater for the works that will be transferred to TasWater. To obtain a Certificate of Practical Completion:
 - a. Written confirmation from the supervising suitably qualified person certifying that the works have been constructed in accordance with the TasWater approved plans and specifications and that the appropriate level of workmanship has been achieved.
 - b. A request for a joint on-site inspection with TasWater's authorised representative must be made.
 - c. Security for the twelve (12) month defects liability period to the value of 10% of the works must be lodged with TasWater. This security must be in the form of a bank guarantee.
 - d. Work As Constructed drawings and documentation must be prepared by a suitably qualified person to TasWater's satisfaction and forwarded to TasWater.

Upon TasWater issuing a Certificate of Practical Completion, the newly constructed infrastructure is deemed to have transferred to TasWater.
12. After the Certificate of Practical Completion has been issued, a 12-month defects liability period applies to this infrastructure. During this period all defects must be rectified at the developer's cost and to the satisfaction of TasWater. A further 12-month defects liability period may be applied to defects after rectification. TasWater may, at its discretion, undertake rectification of any defects at the developer's cost. Upon completion, of the defects liability period the developer must request TasWater to issue a "Certificate of Final Acceptance". TasWater will release any security held for the defect's liability period.
13. The developer must take all precautions to protect existing TasWater infrastructure. Any damage caused to existing TasWater infrastructure during the construction period must be promptly reported to TasWater and repaired by TasWater at the developer's cost.
14. Ground levels over the TasWater assets and/or easements must not be altered without the written approval of TasWater.
15. A construction management plan must be submitted with the application for TasWater Engineering



Design Approval. The construction management plan must detail how the new TasWater infrastructure will be constructed while maintaining current levels of services provided by TasWater to the community. The construction plan must also include a risk assessment and contingency plans covering major risks to TasWater during any works. The construction plan must be to the satisfaction of TasWater prior to TasWater's Engineering Design Approval being issued.

FINAL PLANS, EASEMENTS & ENDORSEMENTS

16. Prior to the Sealing of the Final Plan of Survey, a Consent to Register a Legal Document must be obtained from TasWater as evidence of compliance with these conditions when application for sealing is made.

Advice: Council will refer the Final Plan of Survey to TasWater requesting Consent to Register a Legal Document be issued directly to them on behalf of the applicant.

17. Pipeline easements, to TasWater's satisfaction, must be created over any existing or proposed TasWater infrastructure and be in accordance with TasWater's standard pipeline easement conditions and/or lot creation requirements.

DEVELOPER CHARGES

18. Prior to TasWater issuing a Consent to Register a Legal Document/Certificate(s) for Certifiable Work (Building) and/or (Plumbing), the applicant or landowner as the case may be, must pay a developer charge totalling \$38,654 to TasWater for water and sewerage infrastructure for 11 additional Equivalent Tenements, indexed by the Consumer Price Index All groups (Hobart) from the date of this Submission to Planning Authority Notice until the date it is paid to TasWater.
19. In the event Council approves a staging plan, prior to TasWater issuing a Consent to Register a Legal Document for each stage, the developer must pay the developer charges commensurate with the number of Equivalent Tenements in each stage, as approved by Council.

DEVELOPMENT ASSESSMENT FEES

20. The applicant or landowner as the case may be, must pay a development assessment fee of \$749.17 and a Consent to Register a Legal Document fee of \$248.30 to TasWater, as approved by the Economic Regulator and the fees will be indexed, until the date paid to TasWater.

The payment is required within 30 days of the issue of an invoice by TasWater.

21. In the event Council approves a staging plan, a Consent to Register a Legal Document fee for each stage, must be paid commensurate with the number of Equivalent Tenements in each stage, as approved by Council.

Advice

General

For information on TasWater development standards, please visit <https://www.taswater.com.au/building-and-development/technical-standards>

For application forms please visit <https://www.taswater.com.au/building-and-development/development-application-form>

Developer Charges

For information on Developer Charges please visit the following webpage - <https://www.taswater.com.au/building-and-development/developer-charges>

Declaration

The drawings/documents and conditions stated above constitute TasWater's Submission to Planning Authority Notice.



TasWater Contact Details			
Phone	13 6992	Email	development@taswater.com.au
Mail	GPO Box 1393 Hobart TAS 7001	Web	www.taswater.com.au

Henry St,
Bridport Tas 7262

18/02/24



Planning Committee ,
C/- General Manager,
Dorset Council,
3 Elenor St ,
Scottsdale 7260.

Re Proposed development 61 Henry St .,31 Marylin Drive & Bridport Wildflower Reserve *Ref FR236880/17*

I have no issues with the subdivision of this land . However I do have issues with using a section of the Bridport Wildflower Reserve for access .

This land was made a reserve for a reason to protect many wild flower plants in the area and the area is constantly used by people walking the track.

Looking at the plans on the planning site, I can see no reason why the applicant needs to have land from the reserve to access the subdivision as the cul-de-sac on the proposed plan has a clear access from Henry St.

Alternatively there would be access from Maxwell street that could be used as well. (not on the plan)

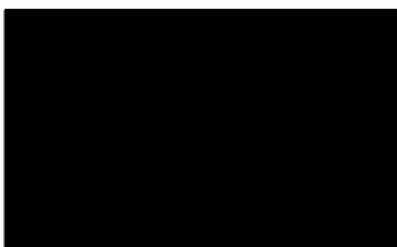
I have noted on the application that there is no mention to address earth works & removal of vegetation .

There is a planning sign on Maxwell St. a long way north from the proposed sub division site . Does this indicate that the area that is posted would be acquired as part of the sub division? If that is the case it is not noted on the plan & I can see no reason why it should be required for access, destroying the natural vegetation..

If Council and Crown start allowing developers to use Reserves in the area, this will set a precedent and little by little the natural landscape that is enjoyed by locals & a draw card for so many to come to Bridport will be lost.

If people have to build on their own property and within the building envelop then surely developers are required to only build or develop the land they own, without acquiring more land that is marked as a reserve.

Thank you for your time,
Regards,



[REDACTED]

From: Development Applications
Sent: Tuesday, 16 April 2024 9:46 AM
To: Development Applications
Subject: FW: Enquiry from Adjoining Land Owner Letter - PLA/2024/1310

From: [REDACTED]
Sent: Wednesday, 21 February 2024 4:53 PM
To: Development Applications <development@dorset.tas.gov.au>
Subject: Fwd: Plan application

----- Forwarded message -----

From: [REDACTED]
Date: Wed, 21 Feb Reiwa 6 at 2:24 pm
Subject: Plan application
To: <dorset@dorset.tas.gov.au>

DA 2024/1310

Not sure if this is the correct means of communication regarding a development.
My concern is that wildflower reserve is involved.
That is public space, not to mention flora and fauna.
It doesn't seem appropriate that a residential development can impact on that.
I presume it's for access? Cannot that be on the owners existing land.

Regards
[REDACTED]

[REDACTED]

From: Development Applications
Sent: Tuesday, 16 April 2024 9:44 AM
To: Development Applications
Subject: FW: Attention Elizabeth Hadley

-----Original Message-----

From: [REDACTED]
Sent: Thursday, 22 February 2024 8:50 AM
To: Dorset Council <dorset@dorset.tas.gov.au>
Subject: Attention Elizabeth Hadley

Good morning Bib,

I hope you are well!

Just contacting you in relation to a letter received regarding notice of placing application PLA/2024/1310. I have a few questions.

Does this mean I will have a road going past my boundary to access a new subdivision?

Is this land currently council own land or land owned by the developers?

There appears to be a new small sign placed up in the bush, which I assume is the planning application. This sign is well out of view of public and seems to be somewhat placed as not to be seen! I feel this is deceiving and keeping important information from the public!

Am I the only person in Louisa street advised of this application as my property adjoins the possible road access?

I feel this would affect most of the top end of Louisa street and notice should be given to all residents to be fair.

I feel this road, if that's what this is stating would devalue my property and create a public nuisance to our now peaceful area. You only have to sit and listen to the hooning that happens in distant streets to realise this would be an issue.

I would also like to see the proposed access plans to ensure safe access to our complex of units and how this will be managed with the new road.

In saying this, I'm currently looking at placing my property for sale, so I guess if successful it won't be an issue to me personally, but fear will devalue! Also I don't expect to make a change against such developments which could be good for Bridport. However I do feel the placement of the signage is underhanded, no one would attempt to go to where the sign is, so in turn public is not being given access to proposed development information.

Could you provide an indication of possible start work dates if road development is to go through please?

I also note the people whom I'm assuming are the developers were very good to me in the past and sold me the property after extending my contract while I got my affairs in order. I'm forever grateful to them for this and certainly don't want to stand in their way, however would like more information if possible on the actual structure of this road and start dates etc.

Kind regards
[REDACTED]

PLAN OF SUBDIVISION



SURVEYORS, ENGINEERS & PLANNERS

3/23 Brisbane Street,
Launceston, Tasmania, 7250
PHONE: 61 03 6331 4099
FAX: 61 03 6334 3098
EMAIL: pda.ltn@pda.com.au
www.pda.com.au
Also at: Hobart, Burnie,
Devonport & Kingston

Owners	Barnett & Stanford PTY LTD	Address	61 Henry Road, Bridport	This plan has been prepared only for the purpose of obtaining preliminary subdivision approval from the Council and the information shown hereon should be used for no other purpose. All measurements and areas are subject to final survey.							
Title References	FR 236880/17	Council	Dorset Council								
Schedule Of Easements	As shown.	Planning Scheme	Tasmanian Planning Scheme - Dorset								
		Zone	Low Density								
Scale	1:1000	Date	30 October 2023	PDA Reference	48786 P06	Map reference		PID		Point of Interest	GDA94 MGA55 532574E, 5460361N



LEGEND	
	Title Boundary
	Neighbouring Boundary
	Existing Sewer Main
	Existing Water Main
	Proposed Stormwater Main
	Proposed Sewer Main
	Proposed Water Main

NOTE
Each lot to be considered its own stage and can be done in any order.

STANDARD NOTES:

1. PRIOR TO ANY DEMOLITION, EXCAVATION OR CONSTRUCTION ON THE SITE. A DIAL BEFORE YOU DIG ENQUIRY MUST BE PERFORMED AND THE RELEVANT AUTHORITY(S) SHOULD BE CONTACTED FOR POSSIBLE LOCATION OF FURTHER UNDERGROUND SERVICE AND DETAILED LOCATIONS OF ALL SERVICES. THE CONTRACTOR SHALL VERIFY THE LOCATION OF ALL SERVICES AND CONNECTION POINTS AS SOON AS PRACTICAL.
2. ALL DIMENSIONS AND LOT SIZES SUBJECT TO FINAL SURVEY.
3. ALL WORKS TO BE CONSTRUCTED IN ACCORDANCE WITH TASMANIAN STANDARD DRAWINGS ISSUED - IPEWA-LGAT DECEMBER 2020
4. CONSTRUCTION TO COMPLY WITH WSAA SEWERAGE CODE OF AUSTRALIA (MELBOURNE RETAIL WATER AGENCIES EDITION) - WSA 02-2014-3 V2 AND TASWATER SUPPLEMENT TO THE CODE
5. CONSTRUCTION TO COMPLY WITH WSAA WATER CODE OF AUSTRALIA (MELBOURNE RETAIL WATER AGENCIES EDITION) - WSA 03-2011 VER 3.1 AND TASWATER SUPPLEMENT TO THE CODE
6. ALL WORKS TO BE CONSTRUCTED IN ACCORDANCE WITH THE TASMANIAN COUNCILS' SUBDIVISION GUIDELINES (VERSION 1, DATED OCTOBER 2013) UNLESS OTHERWISE NOTED
7. ALL CONNECTIONS TO EXISTING SEWER AND WATER MAINS TO BE CARRIED OUT BY TASWATER AT DEVELOPER'S COST UNLESS APPROVED OTHERWISE



LOCALITY PLAN
N.T.S.(A3)

LEGEND

- Sw — EXISTING STORMWATER MAIN
- S — EXISTING SEWER
- W — EXISTING WATER MAIN
- (Green) — NEW STORMWATER MAIN
- (Red) — NEW SEWER MAIN
- (Blue) — NEW WATER MAIN
- - - DRAINAGE AND SERVICES EASEMENT
- - - DESIGN ROAD BATTER
- NEW STORMWATER MANHOLE
- NEW STORMWATER ROD EYE
- ROAD PAVEMENT
- CONCRETE DRIVEWAY
- CONCRETE FOOTPATH
- F/SW — FUTURE STORMWATER MAIN
- F/W — FUTURE WATER MAIN
- F/S — FUTURE SEWER MAIN

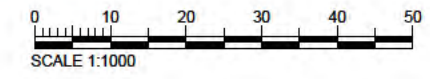
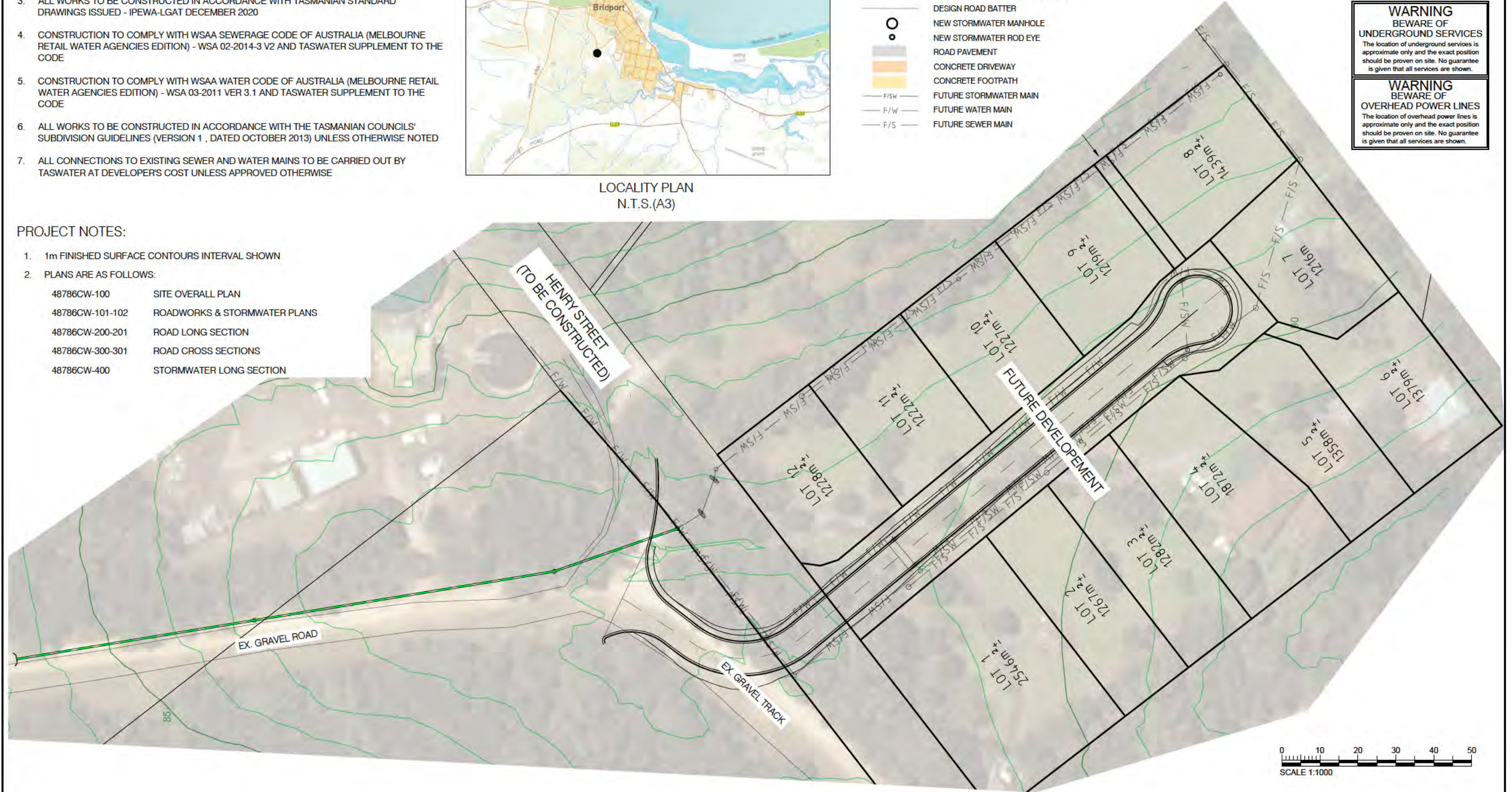


WARNING
BEWARE OF UNDERGROUND SERVICES
The location of underground services is approximate only and the exact position should be proven on site. No guarantee is given that all services are shown.

WARNING
BEWARE OF OVERHEAD POWER LINES
The location of overhead power lines is approximate only and the exact position should be proven on site. No guarantee is given that all services are shown.

PROJECT NOTES:

1. 1m FINISHED SURFACE CONTOURS INTERVAL SHOWN
2. PLANS ARE AS FOLLOWS:
 - 48786CW-100 SITE OVERALL PLAN
 - 48786CW-101-102 ROADWORKS & STORMWATER PLANS
 - 48786CW-200-201 ROAD LONG SECTION
 - 48786CW-300-301 ROAD CROSS SECTIONS
 - 48786CW-400 STORMWATER LONG SECTION



REV	AMENDMENTS	DRAWN	DATE	APPR.	SS	HAYB	RN	D	US	GO	OUR	HAYB	NECH	GD	D	ISSUED DATE: 01/11/2023
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DRAWING STATUS: PRELIMINARY																
COORDINATE/DATUM: GDA2020																
DESIGNED: M.S. REVISED: J.F.																
DRAWN: M.S. REVISED: J.F.																
OB MANAGER: CHRIS WALKER																

ALLAN BARNETT FISHING COMPANY P/L
13 LOT RESIDENTIAL SUBDIVISION
61 HENRY ST. BRIDPORT
PROPOSED OVERALL PLAN



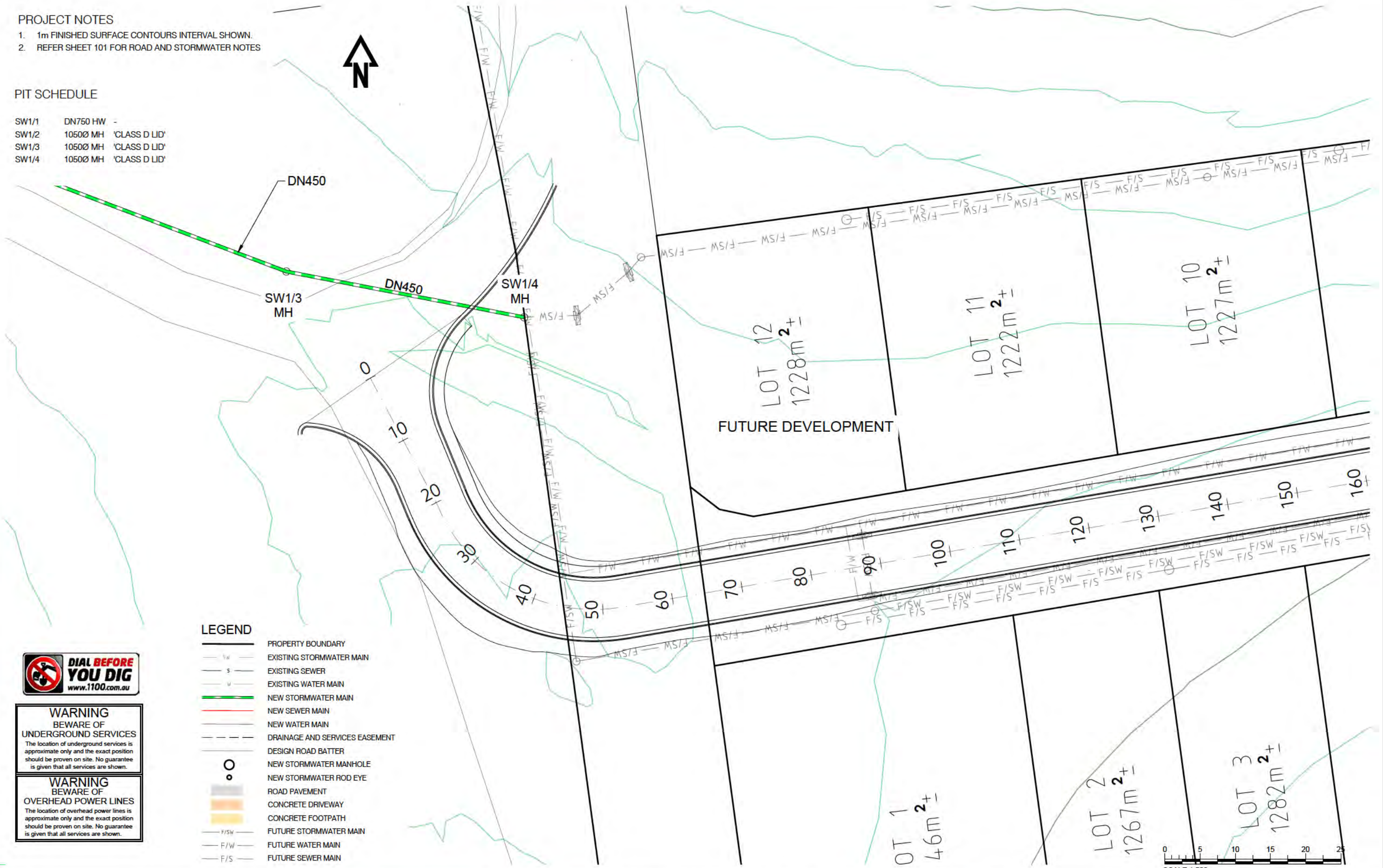
3/23 Brisbane Street, Launceston, Tasmania, 7250 PHONE: +61 03 6331 4099 FAX: +61 03 6334 3098 EMAIL: pda.tn@pda.com.au www.pda.com.au As at: Hobart, Burnie, Devonport & Kingston		CONTRACT NO.	SCA E	PAPER
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OB NUMBER	D S C P	N E	S E E T	REV 5 ON
				48786CW SW 100 ----

PROJECT NOTES

- 1m FINISHED SURFACE CONTOURS INTERVAL SHOWN.
- REFER SHEET 101 FOR ROAD AND STORMWATER NOTES

PIT SCHEDULE

SW1/1	DN750 HW	-
SW1/2	10500 MH	'CLASS D LID'
SW1/3	10500 MH	'CLASS D LID'
SW1/4	10500 MH	'CLASS D LID'



LEGEND

- PROPERTY BOUNDARY
- EXISTING STORMWATER MAIN
- EXISTING SEWER
- EXISTING WATER MAIN
- NEW STORMWATER MAIN
- NEW SEWER MAIN
- NEW WATER MAIN
- DRAINAGE AND SERVICES EASEMENT
- DESIGN ROAD BATTER
- NEW STORMWATER MANHOLE
- NEW STORMWATER ROD EYE
- ROAD PAVEMENT
- CONCRETE DRIVEWAY
- CONCRETE FOOTPATH
- FUTURE STORMWATER MAIN
- FUTURE WATER MAIN
- FUTURE SEWER MAIN



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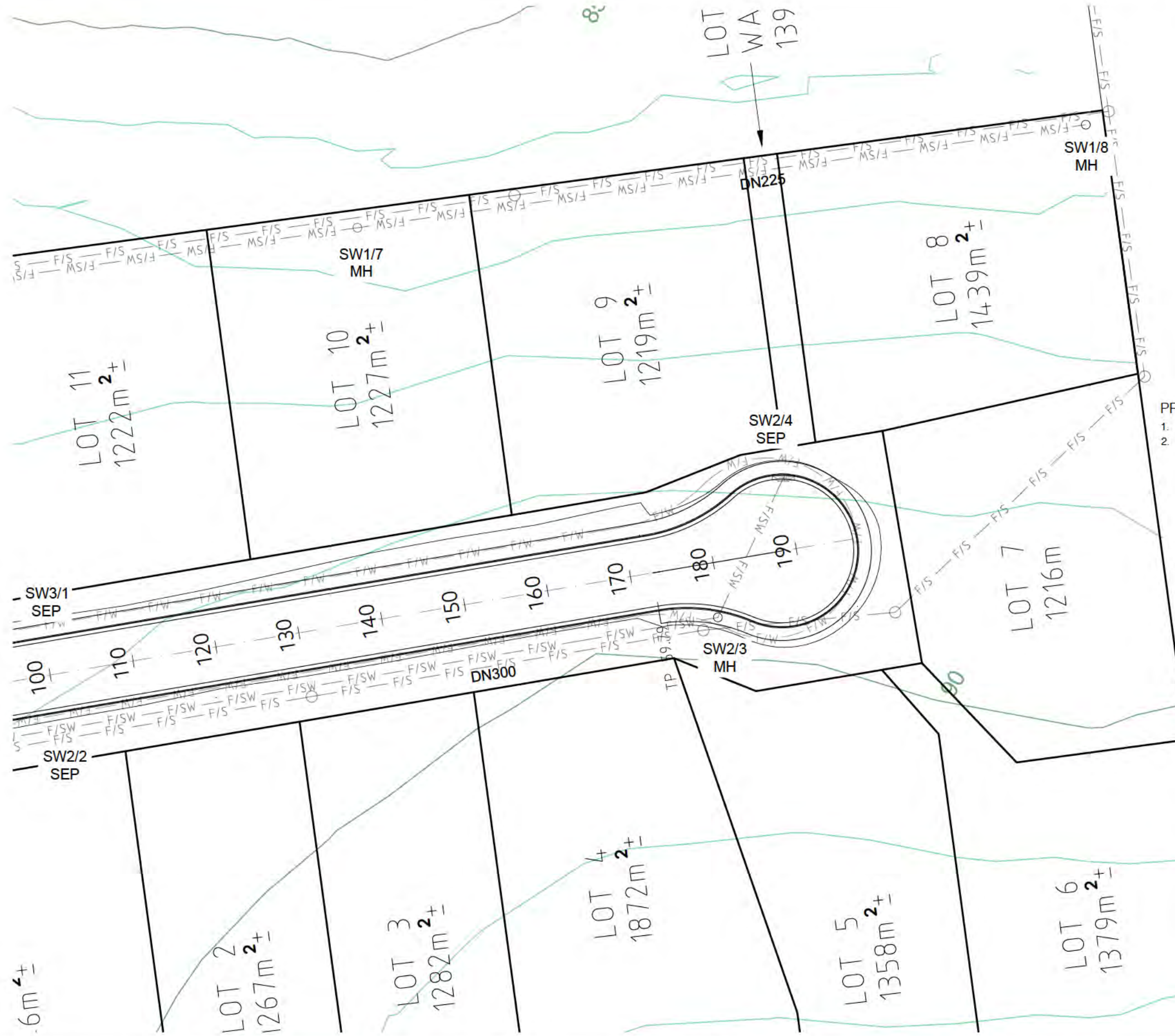
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DRAWN: M.S. REV EWD: J.F.																
OB MANAGER: CHR S WALKER																
ISSUED DATE: 01/11/2023																

CLIENT: ALLAN BARNETT FISHING COMPANY P/L
 PROJECT DESCRIPTION: 13 LOT RESIDENTIAL SUBDIVISION
 ADDRESS: 61 HENRY ST. BRIDPORT
 DRAWING TITLE: PROPOSED ROAD AND STORMWATER PLAN 2/3



3/23 Brisbane Street,
 Launceston, Tasmania, 7250
 PHONE: +61 03 6331 4099
 FAX: +61 03 6334 3098
 EMAIL: pda.tn@pda.com.au
 www.pda.com.au
 Also at: Hobart, Burnie,
 Devonport & Kingston

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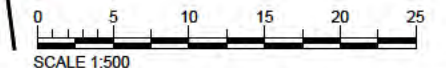
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	EXISTING SEWER
	EXISTING WATER MAIN
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	NEW SEWER MAIN
	NEW WATER MAIN
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	CONCRETE FOOTPATH
	FUTURE STORMWATER MAIN
	FUTURE WATER MAIN
	FUTURE SEWER MAIN

- PROJECT NOTES**
1. 1m FINISHED SURFACE CONTOURS INTERVAL SHOWN.
 2. REFER SHEET 101 FOR ROAD AND STORMWATER NOTES



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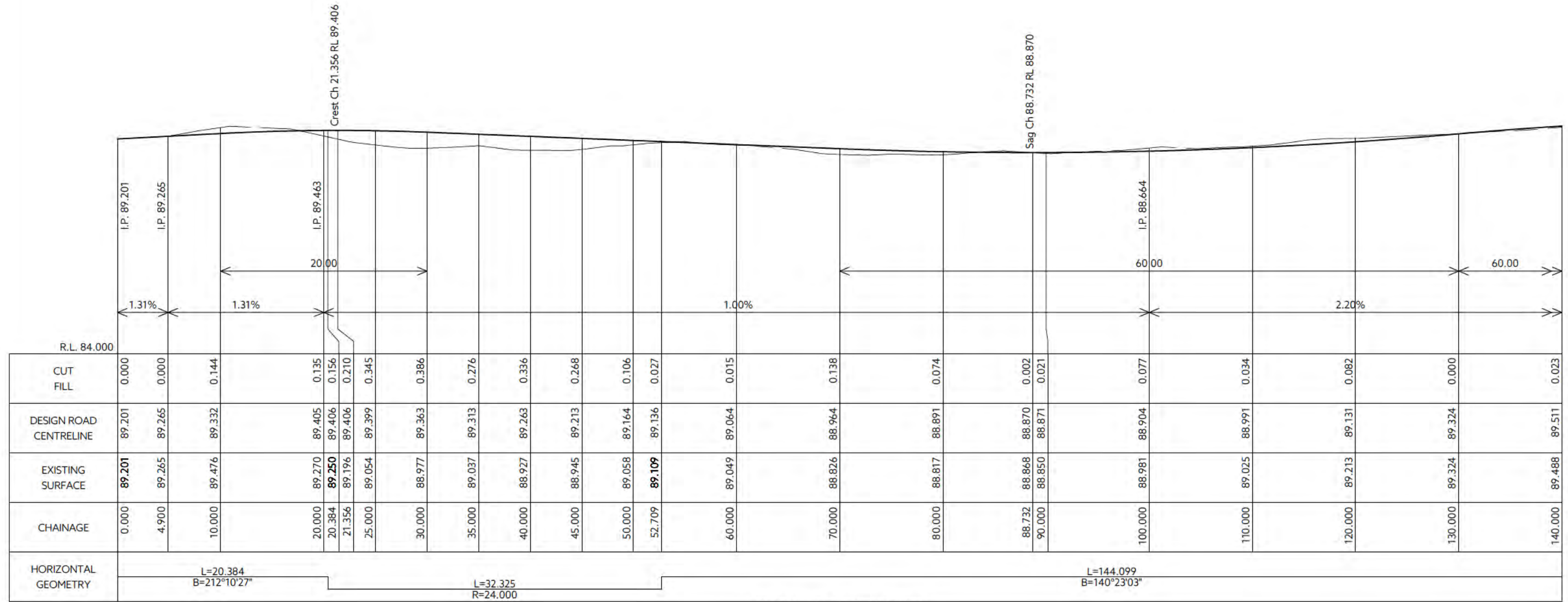
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COORDINATE/DATUM:	GDA2020	DRAWN:	M.S.	REVISED:	J.F.
OB MANAGER:	CHRIS WALKER				
ISSUED DATE:	01/11/2023				

ALLAN BARNETT FISHING COMPANY P/L
13 LOT RESIDENTIAL SUBDIVISION
61 HENRY ST. BRIDPORT
PROPOSED ROAD AND STORMWATER PLAN 1/3



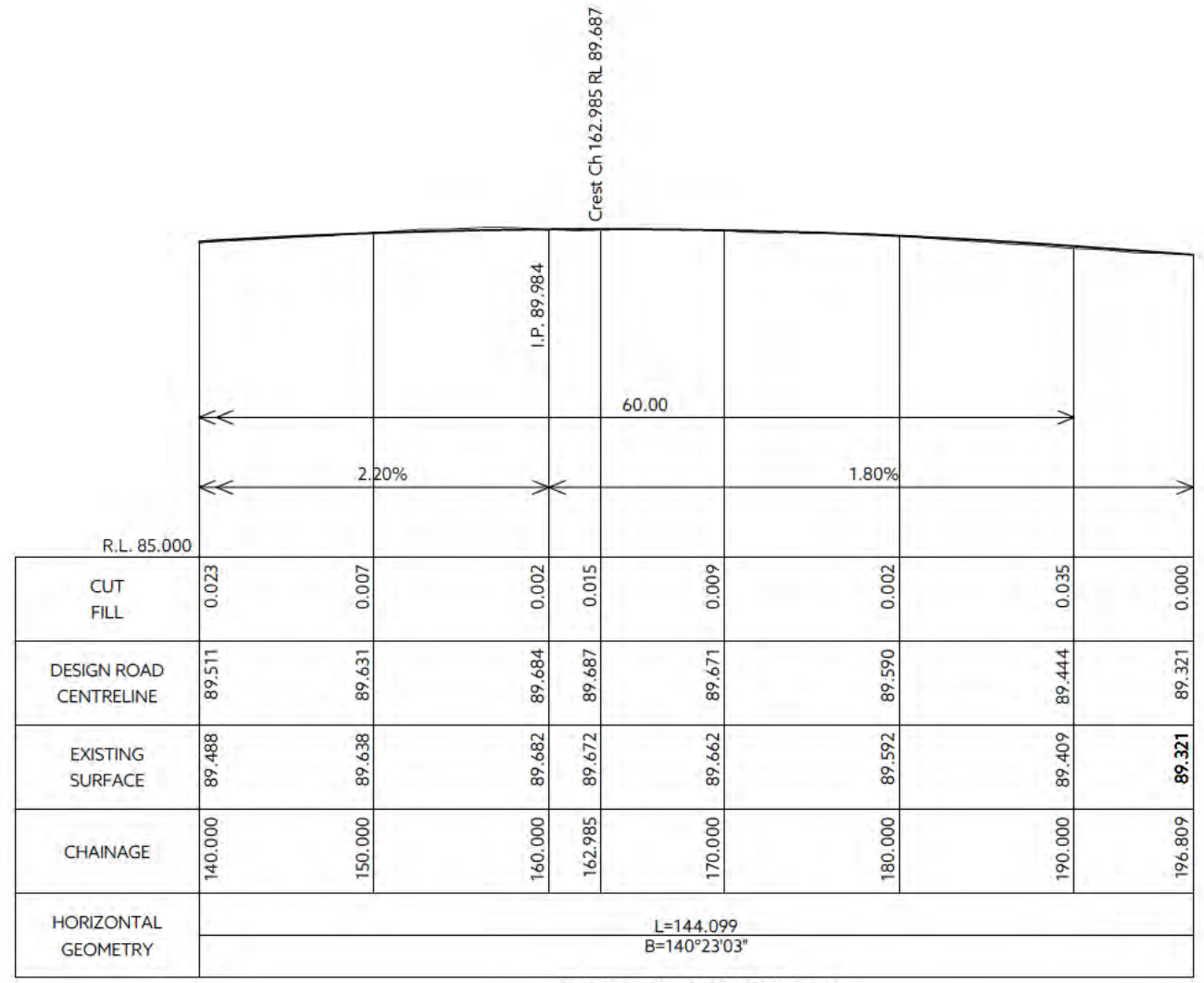
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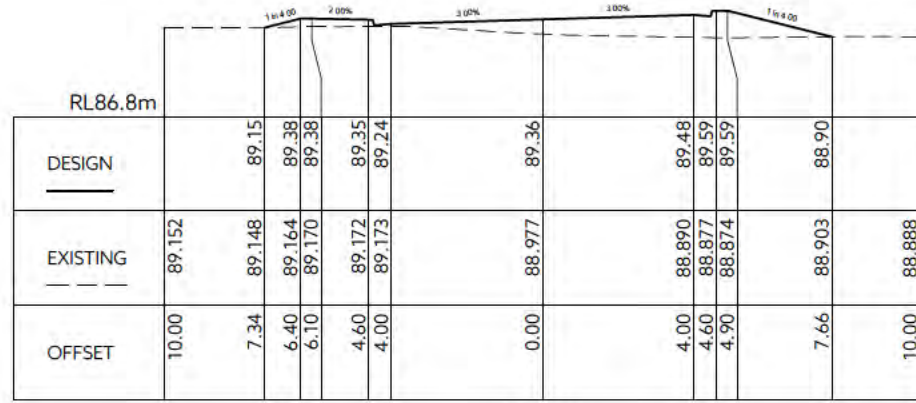
LONG SECTION SUBDIVISION ROAD
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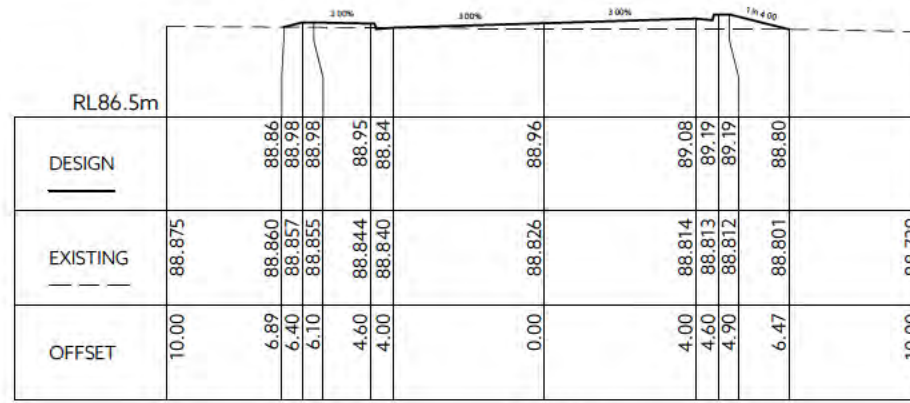


LONG SECTION SUBDIVISION ROAD
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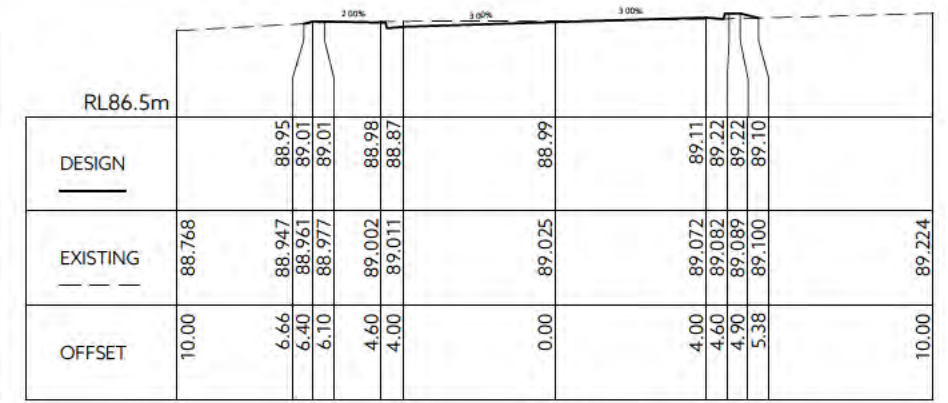
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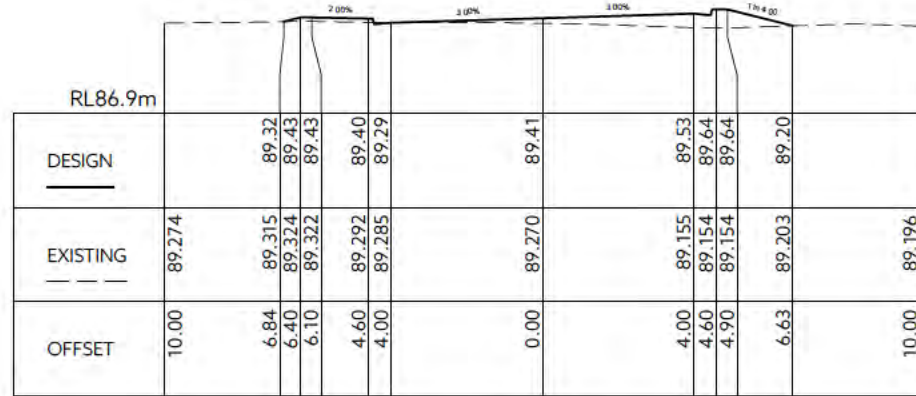
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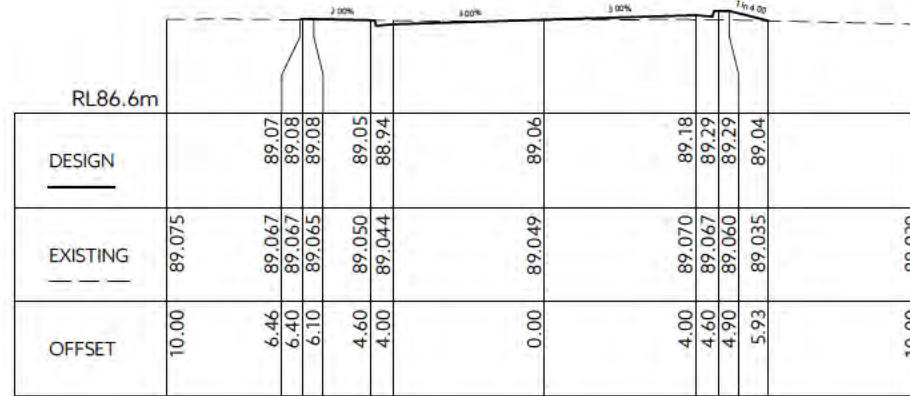
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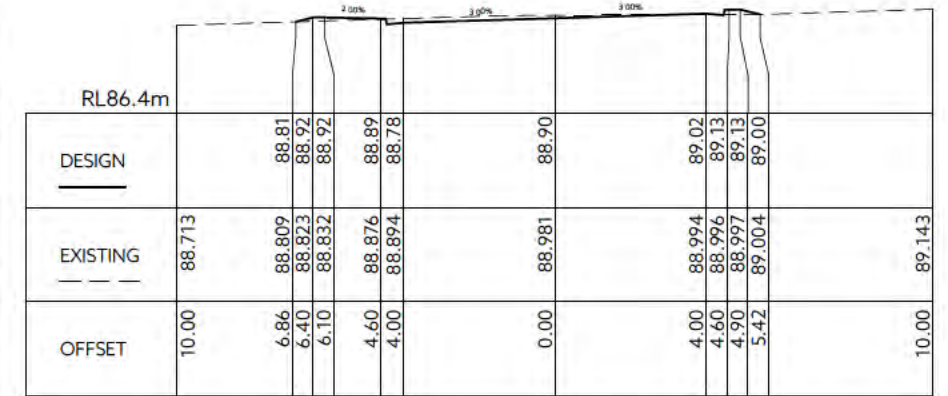
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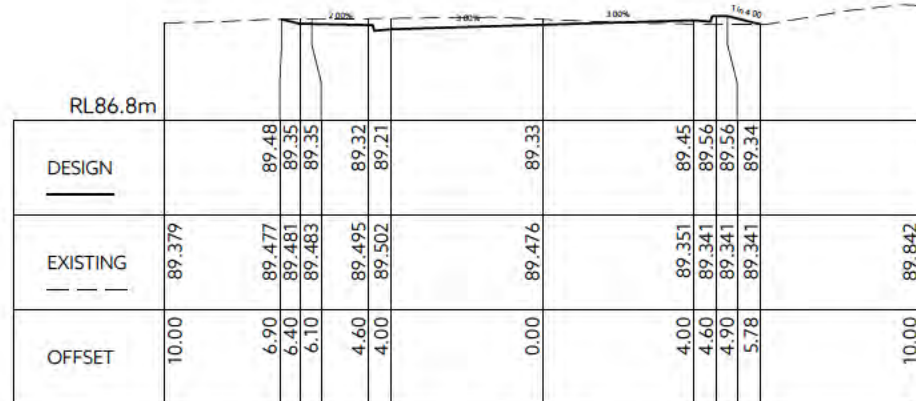
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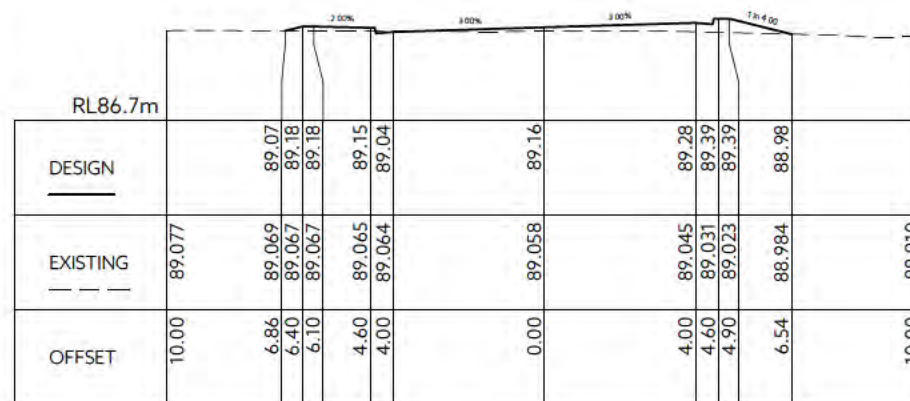
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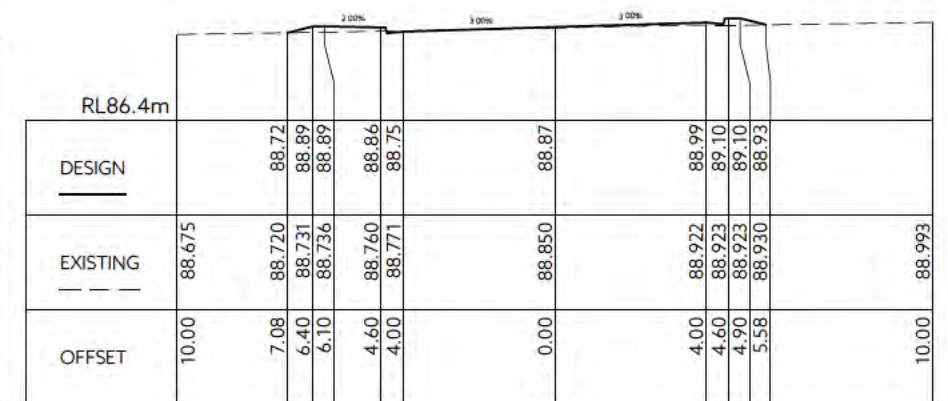
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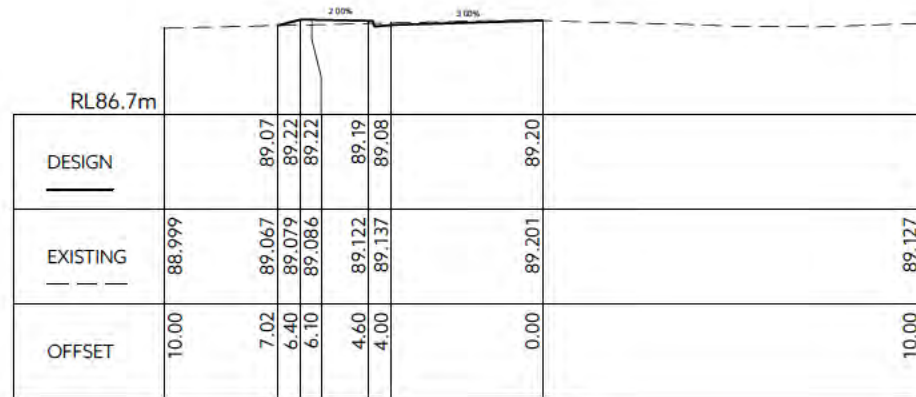
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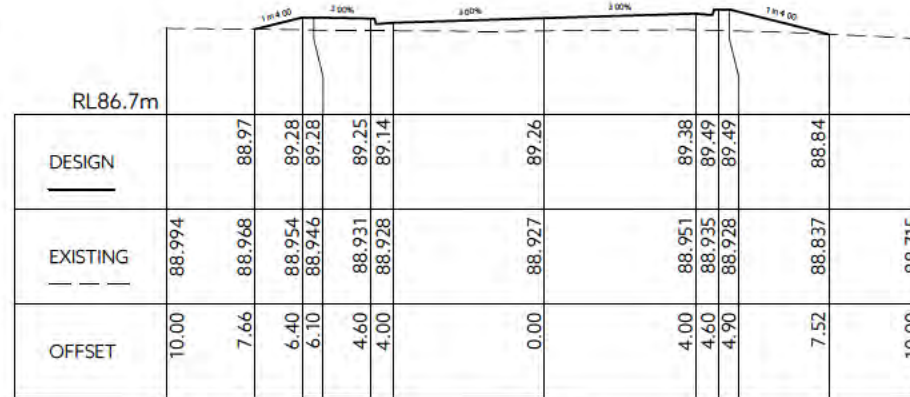
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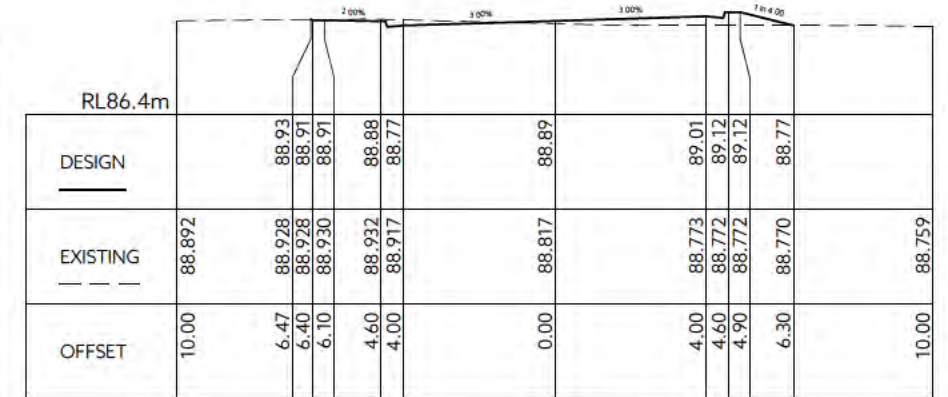
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Ch 40.00




Ch 80.00

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GDA2020		M.S.	J.F.	DRAW NG TT E:
		OB MANAGER: CHR S WALKER		
		ISSUED DATE: 01/11/2023		

ALLAN BARNETT FISHING COMPANY P/L
 13 LOT RESIDENTIAL SUBDIVISION
 61 HENRY ST. BRIDPORT
 PROPOSED ROAD CROSS SECTIONS
 1/2

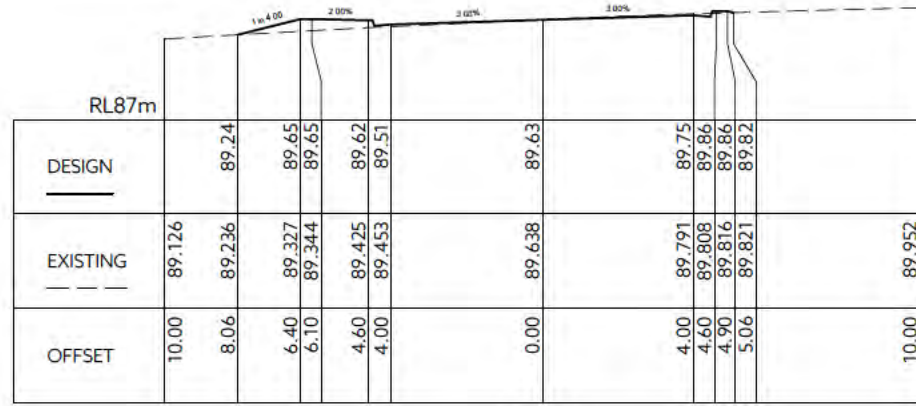


PDA
SURVEYORS, ENGINEERS & PLANNERS

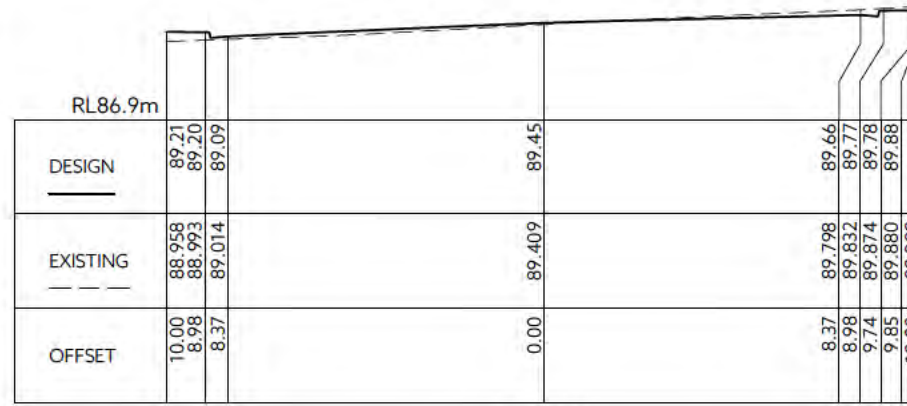
3/23 Brisbane Street,
 Launceston, Tasmania, 7250
 PHONE: +61 03 6331 4099
 FAX: +61 03 6334 3098
 EMAIL: pda.tn@pda.com.au
 www.pda.com.au

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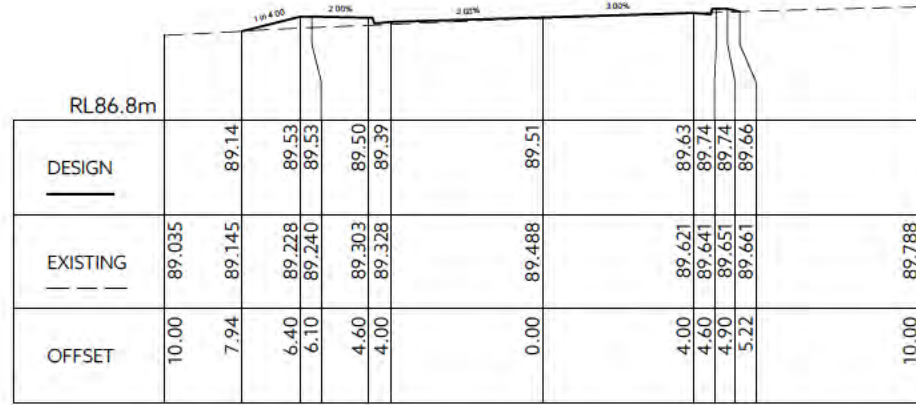
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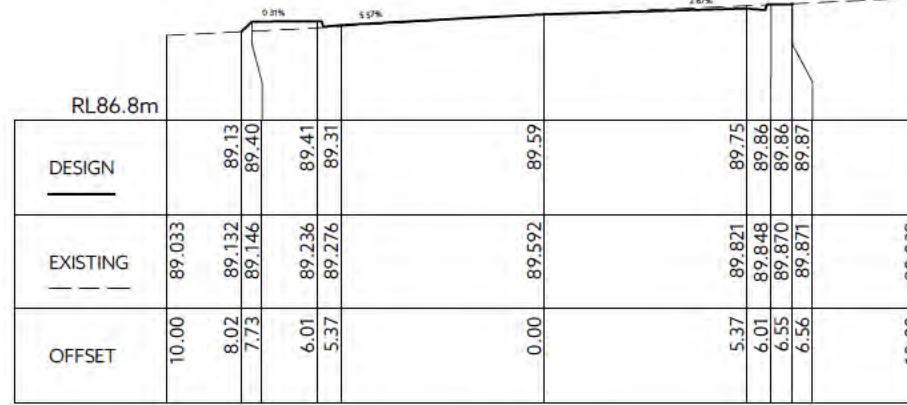
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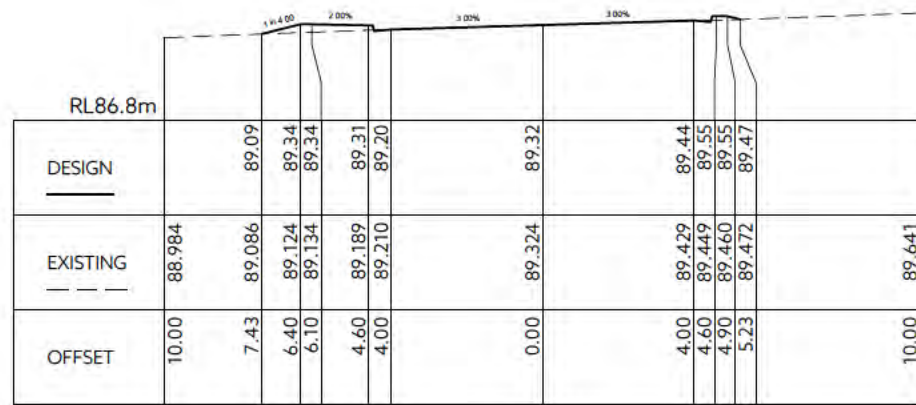
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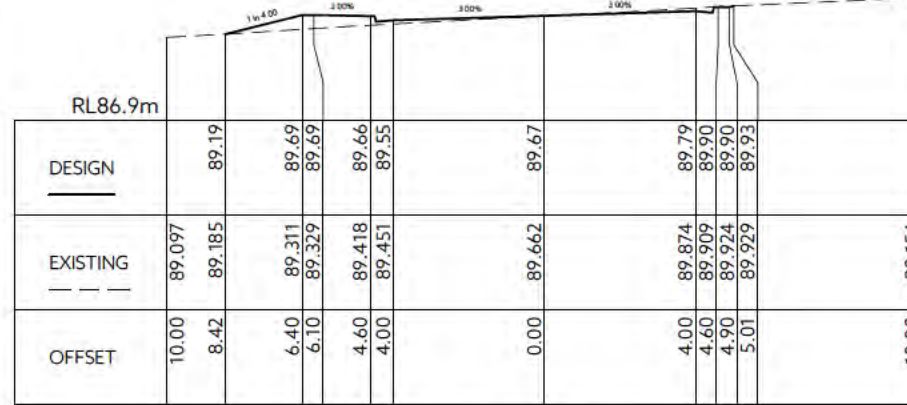
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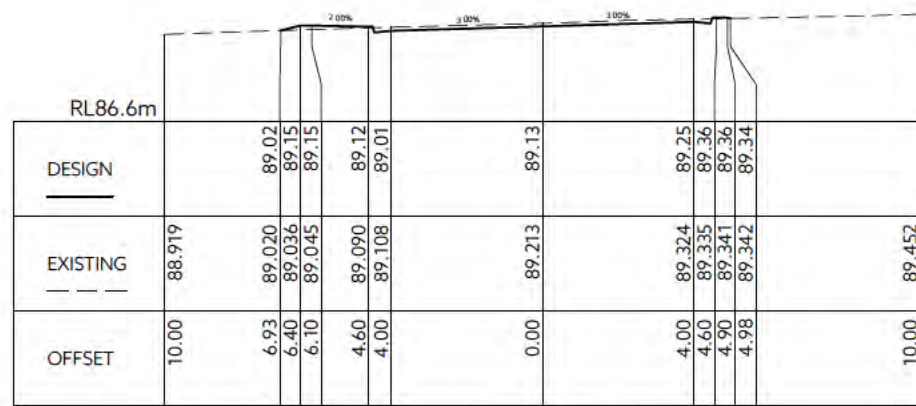
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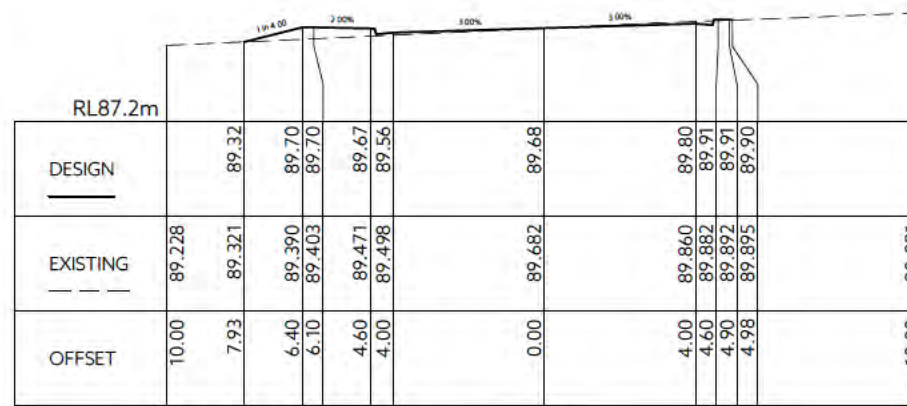
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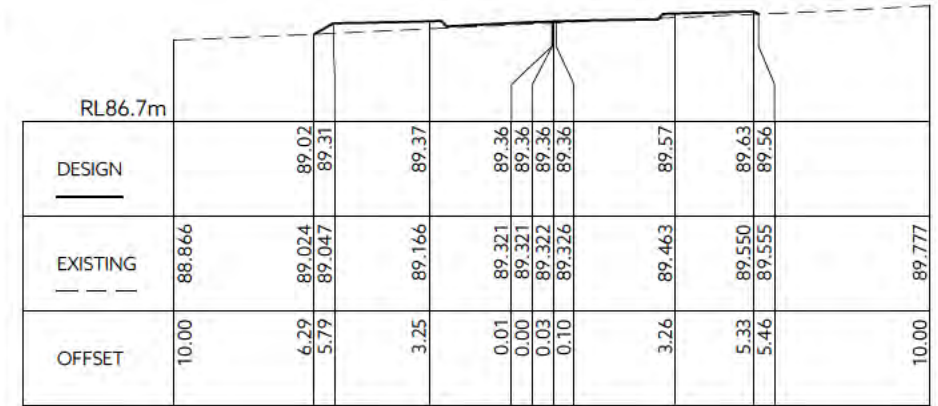
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DRAWN: M.S. REV EWD: J.F.																		
OBJ MANAGER: CHRIS WALKER																		
ISSUED DATE: 01/11/2023																		

CLIENT: ALLAN BARNETT FISHING COMPANY P/L
 PROJECT DESCRIPTION: 13 LOT RESIDENTIAL SUBDIVISION
 ADDRESS: 61 HENRY ST. BRIDPORT
 DRAWING TITLE: PROPOSED ROAD CROSS SECTIONS 2/2

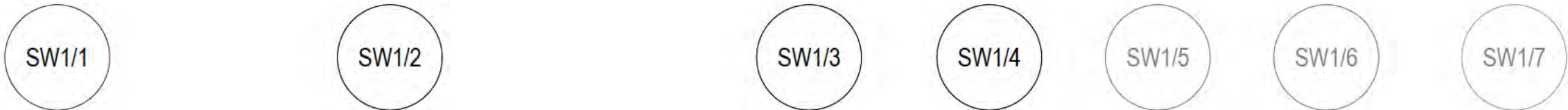


PDA
SURVEYORS, ENGINEERS & PLANNERS

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 www.pda.com.au

CONTRACT NO.	SCA E	PAPER
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48786CW SW 301 ----



LEGEND

FCR BACKFILL (UNDER ROADS & DRIVEWAYS)

STANDARD NOTES

1. ALL FILL TO BE PLACED & COMPACTED PRIOR TO TRENCH EXCAVATION.
2. FILL MATERIAL FOR NEW ROAD AND FILL EMBANKMENTS MUST NOT CONTAIN ORGANIC OR OTHER MATERIALS THAT DECOMPOSE OR OTHERWISE LEAD TO LONG TERM SETTLEMENT AND TO BE APPROVED BY SUPERINTENDENT BEFORE USE.
3. FILL IN EXCESS OF 300mm DEPTH TO BE COMPACTED TO 95% STANDARD DENSITY (AS 1289E4.01) IN 150mm MAX LAYERS
4. FCR BACKFILL UNDER ROADS & DRIVEWAYS.
5. ALL SW LOT CONNECTIONS DN100 TO LGAT STD DWG TSD-SW25 UNLESS NOTED OTHERWISE

PIPE DETAILS	DN450 PP SN8 RRJ		DN450 PP SN8 RRJ		DN450 PP SN8 RRJ		DN300 PP SN8 RRJ		DN300 PP SN8 RRJ		DN300 PP SN8 RRJ	
GRADE	0.18%		0.25%		0.25%		0.25%		0.25%		0.50%	
DATUM RL 78.2												
COVER	-0.686	2.987	4.234	4.140	4.240	3.487	3.437	3.578	3.528	1.558		
DEPTH TO INVERT	-0.236	3.437	4.684	4.590	4.540	3.787	3.737	3.878	3.828	1.858		
INVERT LEVEL	83.766	83.882	84.082	84.169	84.219	84.259	84.309	84.316	84.366	84.772		
FINISHED SURFACE	83.531	87.319	88.767	88.758	88.758	88.046	88.046	88.194	88.194	86.631		
EXISTING SURFACE	83.531	87.319	88.767	88.758	88.758	88.039	88.039	87.900	87.900	86.631		
CHAINAGE	0.000	63.472	143.472	177.869	177.869	183.975	183.975	196.794	196.794	278.023		
	63.472		80.000		34.397		16.107		2.819		81.229	

STORMWATER LONG SECTION - LINE 1

SCALE: HORIZ 1:1000 VERT 1:200

REV	AMENDMENTS	DRAWN	DATE	APPR.	S/S	MAYB	R/N	D	L	S	G	O	D	DRAWING STATUS:	DESIGNED:	REVISED:	C ENT:	PROJECT DESCRIPTION:	ADDRESS:	DRAWING TITLE:	 PDA SURVEYORS, ENGINEERS & PLANNERS	3/23 Brisbane Street, Launceston, Tasmania, 7250 PHONE: +61 03 6331 4099 FAX: +61 03 6334 3098 EMAIL: pda.tn@pda.com.au www.pda.com.au Also at: Hobart, Burnie, Devonport & Kingston	CONTRACT NO.	SCALE	PAPER
															M.S.	J.F.							ALLAN BARNETT FISHING COMPANY P/L 13 LOT RESIDENTIAL SUBDIVISION 61 HENRY ST. BRIDPORT PROPOSED STORMWATER LONG SECTION 1/3	48786CW SW 400 ----	
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															DRAWN: M.S. REVISED: J.F. OBJ MANAGER: CHRIS WALKER ISSUED DATE: 01/11/2023										



STANDARD NOTES

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4. FCR BACKFILL UNDER ROADS & DRIVEWAYS.
5. ALL SW LOT CONNECTIONS DN100 TO LGAT STD DWG TSD-SW25 UNLESS NOTED OTHERWISE

PIPE DETAILS		DN225 PP SN8 RRJ	
GRADE		1.00%	
DATUM RL 79.5			
COVER	1.558		0.626
DEPTH TO INVERT	1.787		0.855
INVERT LEVEL	84.843		85.718
FINISHED SURFACE	86.631		86.573
EXISTING SURFACE	86.631		86.573
CHAINAGE	278.086	87.492	365.578


STORMWATER LONG SECTION - LINE 1

SCALE: HORIZ 1:1000 VERT 1:200

PIPE DETAILS		DN300 PP SN8 RRJ		DN300 PP SN8 RRJ		DN300 PP SN8 RRJ		DN300 PP SN8 RRJ	
GRADE		4.11%		1.00%		1.00%		1.00%	
DATUM RL 78.9									
COVER	4.256	2.435	2.385	1.946	1.896	1.476	1.426	0.631	
DEPTH TO INVERT	4.556	2.735	2.685	2.246	2.196	1.776	1.726	0.931	
INVERT LEVEL	84.218	86.248	86.298	86.842	86.892	87.692	87.742	87.925	
FINISHED SURFACE	88.774	88.983		89.088		89.468		88.856	
EXISTING SURFACE	88.774	88.983		89.056		89.765		88.861	
CHAINAGE	0.000	49.354		103.725		183.732		201.989	
		49.354		54.370		80.007		18.258	

STORMWATER LONG SECTION - LINE 2

SCALE: HORIZ 1:1000 VERT 1:200

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REV	AMENDMENTS	DRAWN	DATE	APPR.																												
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LINE SW2/3 ENTERS 3000 I.L. 86.892

PIPE DETAILS DN300 PP S/N8 RRJ
GRADE 5.00%

DATUM RL 81.5


COVER	1.967	0.996
DEPTH TO INVERT	2.196	1.225
INVERT LEVEL	86.892	87.462
FINISHED SURFACE	89.088	88.687
EXISTING SURFACE	89.056	88.816
CHAINAGE	0.000 11.404	11.404

STORMWATER LONG SECTION - LINE 3

SCALE: HORIZ 1:1000 VERT 1:200

STANDARD NOTES

1. ALL FILL TO BE PLACED & COMPACTED PRIOR TO TRENCH EXCAVATION.
2. FILL MATERIAL FOR NEW ROAD AND FILL EMBANKMENTS MUST NOT CONTAIN ORGANIC OR OTHER MATERIALS THAT DECOMPOSE OR OTHERWISE LEAD TO LONG TERM SETTLEMENT AND TO BE APPROVED BY SUPERINTENDENT BEFORE USE.
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4. ALL SW LOT CONNECTIONS DN100 TO LGAT STD DWG TSD-SW25 UNLESS NOTED OTHERWISE

DESIGNED: M.S.	REVISED: J.F.	CLIENT: ALLAN BARNETT FISHING COMPANY P/L 13 LOT RESIDENTIAL SUBDIVISION 61 HENRY ST. BRIDPORT PROPOSED STORMWATER LONG SECTION 3/3	 <p>PDA SURVEYORS, ENGINEERS & PLANNERS</p>	3/23 Brisbane Street, Launceston, Tasmania, 7250 PHONE: +61 03 6331 4099 FAX: +61 03 6334 3098 EMAIL: pda.tn@pda.com.au www.pda.com.au A so at: Hobart, Burnie, Devonport & Kingston	CONTRACT NO.	SCALE	PAPER
DRAWN: M.S.	REVISED: J.F.				OB NUMBER	DISCIPLINE	SHEET
DRAWING STATUS: PRELIMINARY		ISSUED DATE: 01/11/2023		48786CW SW 402 ----			
DRAWING STATUS: GDA2020							

Item 70

Northern Tasmania Development Corporation Limited

ACN 616 650 367

Members Agreement

2023-2026

Based on the 2017 Previous Member's Agreement by Levi and Stacey.

Revised for the 2020-2023 Agreement

Revised for the 2023-2026 Agreement (including consolidation with Constitution)

Contents

Schedule of Particulars	3
Background	4
1. Definitions and Interpretation	5
2. Acknowledgments	8
3. Purpose and Objectives	10
4. Corporate Governance – Size and Role of Board	10
5. Corporate Governance – Member Representative Group	11
6. Accountability	12
7. Remuneration	14
8. Funding – Subscription Fees from Members	14
9. Voting	17
10. Member Expectations	17
11. Financial Reports	18
12. Intellectual and Industrial Property	19
13. Restrictive Covenant	19
14. Sunset Provisions - Review	19
15. Dispute Resolution	21
16. Default	21
17. Disciplinary Proceedings	22
18. Winding Up	22
19. Notices	23
20. Additional Provisions	24
Execution	27
Annexures	29

Schedule of Particulars

1. **Date of Agreement** The 1st day of December 2023

2. **The Company** Northern Tasmania Development Corporation
Limited

also trading as NTDC Limited
("the Company")

3. **Members** As set out in the Schedule of Members in the
Company Constitution
("the Members")

4. **Registered Office** Level 1, Suite 1, 62 – 65 Cameron Street,

Launceston in Tasmania

5. **Sunset Period** Seven months until 30 June 2024

Continuance through until 30 June 2026 is
dependent on fulfilment of mutual obligations
specified in Appendix B. Memorandum of
understanding.

End of Schedule of Particulars

This Members Agreement is made on the date set out at **Item 1** of the Schedule of Particulars.

Between The Company set out at **Item 2** of the Schedule of Particulars

And The Members set out at **Item 3** of the Schedule of Particulars

Background

- A.** The Company is a properly constituted company limited by guarantee.
- B.** Historically, the Company had previously existed as a not-for-profit company but was converted to an incorporated association in 2012¹. However, upon the recommendation of Bill Fox & Associates, the shareholders of the Company in its prior form agreed to adopt a recommendation to convert to a company limited by guarantee in 2017.
- C.** As at the date of this Agreement, the Members set out at **Item 2** of the Schedule of Particulars are:
 - 1. all of the Members of the Company; and
 - 2. all bound by guarantee to contribute the Guarantee Amount, set out in the Company Constitution, to the Company on a winding up.
- D.** The Members have agreed to enter into this Members Agreement (“the Agreement”) to more fully regulate their legal, commercial and business relationships as members of the Company.
- E.** The corporate entity of the Company is also joined in to this Agreement in order to take notice of the provisions contained in this Agreement and as far as is permitted by the Corporations Law and Company’s constituent documents, to conduct the affairs and business of the Company as contemplated by the provisions of this Agreement.
- F.** The Members have agreed that the Company needs to source more funds from outside Member Fees.

¹ Bill Fox & Associates, 2016, *Review of Regional Bodies in Northern Tasmania* Final Report, p6.

Agreement

1. Definitions and Interpretation

1.1. Unless there is something in the subject or context inconsistent the following meanings apply in this Agreement:

- (a) "Agreement" means this Members Agreement and all of the Background, Parts, terms, clauses, schedules, annexures, tables or exhibits to it, as amended by the parties from time to time;
- (b) "Assets" means the all of the assets, property (real and personal) and choses in action of the Company;
- (c) "Background" means the part of this Agreement that follows the heading of that name, and enumerated by letters rather than numbers;
- (d) "Company" means, in the case of a corporation, the officers, servants, agents, attorneys and permitted assigns of the Company;
 - (i) "Confidential Information" means and includes:
 - (ii) any information concerning the Company, its methods of operation, strategic direction, marketing and other activities;
 - (iii) financial information concerning the Company and its related activities;
 - (iv) specialised or corporate documentation produced by the Company; and
specialised of corporate documentation produced by entities associated with the Company which information, whether in the nature of trade secrets or otherwise, is not in the public domain;
- (e) "Constituent Documents" means:
 - (i) this Agreement;
 - (ii) the Company Constitution of the Company;
 - (iii) any by-laws created by the Company under the Company Constitution; and
 - (iv) any other document deemed to be a Constituent Document by the Company;

- (f) "Corporations Law" means the Corporations Act 2001 (Cth) as amended from time to time;
- (g) "Director" means, in the case of a natural person or persons, the respective heirs, personal legal representatives and permitted assigns of that person or persons;
- (h) "Division 7" means Division 7 of the Income Tax Assessment Act 1997 in respect of inter-entity and related-party loans;
- (i) "Intellectual Property" has the following extended meaning:

 - (i) the Company's name and all unregistered trading names used by the Company;
 - (ii) all copyright, moral rights, trademarks (registered and unregistered), designs (registered and unregistered) of the Company;
 - (iii) all of the documents, forms, processes, know-how, systems, of any description of the Company;
 - (iv) all domain names, telephone numbers and email addresses used in the Company; and
 - (v) all hard copy images used in yellow pages and other advertising, if any, of the Company;
- (j) "Member" means:

 - (i) in the case of a natural person or persons, the respective heirs, personal legal representatives and permitted assigns of that person or persons;
 - (ii) (ii) in the case of a corporation or trust entity, the officers, servants, agents, attorneys and permitted assigns of that entity;
 - (iii) (iii) in the case of any other body, however it is constituted, the officers, servants, agents, attorneys and permitted assigns of that body; and
- (k) "Part" means a reference to the relevant Part of this Agreement.

If any other term is used in this Agreement, which is not a defined term, but which is a defined term in the Company Constitution, the meaning of that term

in the Company Constitution must be attributed to that term in this Agreement, as if that term was expressly defined, on the same terms, in this Agreement.

1.2. Unless there is something in the subject or context that is inconsistent the following provisions apply in this Agreement:

- (a)** any covenants implied by law (statutory or otherwise) are not negated but are deemed, to the extent of any inconsistency with the provisions of this Agreement, to be modified (where modification is permitted);
- (b)** where two (2) or more persons are named as a party to this Agreement the terms, covenants, conditions, provisions, stipulations and restrictions contained in this Agreement bind each of them jointly and severally and benefit each of them jointly and severally;
- (c)** ~~if any term, covenant, condition, provision, stipulation or restriction contained in this Agreement is or becomes illegal or unenforceable, then~~ this Agreement must be read and construed as if that term, covenant, condition, provision, stipulation or restriction, as the case may be had been severed and the balance of this Agreement remains in full force and effect;
- (d)** a reference to any document or instrument (and, where applicable, to any of its provisions) is a reference to that document or instrument as amended, novated, supplemented or replaced from time to time;
- (e)** a reference to a right includes a benefit, remedy, discretion, authority or power;
- (f)** a reference to the whole of property or a thing includes part of that property or thing unless stated otherwise;
- (g)** a reference to a statute, code or other law includes regulations and other instruments under it, and consolidations, amendments, re-enactments or replacements of any of them occurring at any time before or after the date of the Agreement;
- (h)** where any expression is defined, any other part of speech or grammatical form of that expression has a corresponding meaning;
- (i)** where the word “including” is used, that use does not limit or exclude in any way unless the context requires otherwise;
- (j)** words importing the singular include the plural and vice versa;

- (k) words importing the masculine gender include the feminine and a corporation and vice versa;
- (l) words importing persons include a firm, a body corporate, an unincorporated association or an authority and vice versa;
- (m) headings are inserted for guidance only and are not deemed to form part of the provisions of this Agreement and must not be used for the purpose of construction;
- (n) the first letters of words and expressions defined in this document are indicated by capital letters for convenience and the absence of a capital letter alone does not imply the word or phrase is used with a meaning different from that given by its definition;
- (o) a reference to “dollar” or “\$” is a reference to the lawful currency of Australia;
- (p) a reference to a time or date affecting the performance of an obligation by a party is a reference to the time and date in Tasmania, even though the obligation is to be or may be performed elsewhere;
- (q) where the day on or by which anything is to be done is a Saturday, a Sunday or a public holiday in the place in which that thing is to be done then that thing must be done on or by the next succeeding business day;
- (r) if a period of time is expressed to be calculated from or after a specified day, that day is not included in the period;
- (s) a provision of this Agreement must not be construed to the disadvantage of a party merely because that party was responsible for the preparation of this Agreement or the inclusion of the provision in this Agreement; and
- (t) a reference to a person who is an “associate” of another person is a reference to a person who is an associate of that other person within the meaning of Part 1.2 of Division 2 of the Corporations Law.

2. Acknowledgments

2.1. The parties acknowledge that the Background of this Agreement sets out a true, accurate and complete representation of the commercial relationship between the parties and the circumstances surrounding the execution of this Agreement.

2.2. Each party separately acknowledges for the benefit of each other party that:

- a) they have entered into this Agreement after mature consideration, reflection, and exercise of independent judgment;
- b) they have read and understood the provisions of this Agreement and that the provisions are just, equitable, fair, reasonable and satisfactory to them;
- c) they have entered into this Agreement of their own free will and volition and that no coercion, force, or undue influence has been used in the execution of this Agreement either by the other party or by any other person or persons;
- d) they have either obtained independent legal advice, or are aware of their right to do so, and have chosen not to do so; and
- e) they have not relied upon any representation or promise in entering into this Agreement except for those expressly stated in this Agreement.

2.3. The parties express acknowledge and agree that if there is any inconsistency, discrepancy or conflict that arises in respect of the interpretation or application of any of the Constituent Documents, the order of priority of the documents to the extent of that inconsistency, discrepancy or conflict is as follows:

- a) the provisions of the Company Constitution take priority over all other subordinate Constituent Documents;
- b) the provisions of this Agreement take next priority over all other subsequent subordinate Constituent Documents;
- c) the provisions of any by-laws created by the Directors take next priority over all other subsequent subordinate Constituent Documents; and
- d) any other document deemed by the parties to be a Constituent Document takes last priority.

2.4. The Board, on behalf of the Company, and the Initial Members acknowledge that Dorset Council is entitled to be admitted as an Initial Member of The Company, even though Dorset Council is not recorded in the Schedule of Initial Members in the Company Constitution as an Initial Member. If, at any time after the registration of the Company, Dorset Council, resolves to become a Member of The Company, the Board must admit Dorset Council as a Member. Subject to the terms of the Company Constitution, this Agreement, and any other constituent document of the Company, Dorset Council is deemed to be an Initial Member of the Company and will enjoy all

of the rights and privileges of being an Initial Member, albeit from the date that it is registered in the register of Members.

3. Purpose and Objectives

- 3.1. The parties agree to carry on the Company with the common purpose of achieving the primary objectives set out in **clause 3.2**.
- 3.2. The primary objectives of the The Company are as set out in **clause 1.8** of the Company Constitution.
- 3.3. The CompanyThe Members expressly acknowledge that the Company is:
 - (a) a not-for-profit enterprise, with funding coming principally from annual subscription fees paid by the Members;
 - (b) is not, and is not intended to be, a charity, as defined or administered by ~~the Australian Charities and Not-For-Profits Commission; and~~
 - (c) not a tax-exempt entity for the purposes of the *Income Tax Assessment Acts 1936 and 1997*, but it is contemplated that the Company may seek tax-exempt status in the future if that is considered necessary and prudent at the time.

4. Corporate Governance – Size and Role of Board

- 4.1. The parties agree that the governance structure of NTDC Limited is a Board of Directors comprising not less than three (3) and not more than nine (9) Directors (“the Board”) but the parties agree that the optimal size of the Board is seven (7) Directors.
- 4.2. The following governance principles outline the strategic function of the Board:
 - (a) Principle 1 – the Board plays a key role in approving the vision, purpose and strategies of The Company. The Board must act in the best interests of the Company and is accountable to the Members as a whole;
 - (b) Principle 2 – the Board sets the cultural and ethical tone for the Company. This includes the ‘how’ of undertaking the work of the Company by being an exemplar of contemporary best practice and collaboration throughout the region;
 - (c) Principle 3 – all Directors are responsible to exercise independent judgment and provide independent oversight of management of the Company;

- (d) Principle 4 – the Board should comprise an appropriate number of Directors for the size and scale of the Company, with a relevant and diverse range of skills, expertise, experience and background and who are able to effectively understand the Company's business and regional context.
- (e) Principle 5 – the Board should have an appropriate system of risk oversight and internal controls put in place;
- (f) Principle 6 – Directors should act diligently on an appropriately informed basis and have access to accurate, relevant and timely information;
- (g) Principle 7 – the Board would normally delegate certain functions to management. Where it does so, there should be a clear statement and understanding as to the functions that have been delegated;
- ~~(h) Principle 8 – the Board is responsible for the appointment of the CEO and the continuing evaluation of the CEO's performance;~~
- (i) Principle 9 – the Board should ensure that the Company communicates with Members and other shareholders in a regular and timely manner. The Board and management will respect the rights of Members and will not speak publically against any Member; and
- (j) Principle 10 – the Board's performance (including the performance of the Chair, the individual Directors and the Board's subcommittees) needs to be regularly assessed and appropriate actions taken to address any issues identified.

4.3. All other mechanics as to the operation of the Board are outlined in the Company Constitution, and certain Board Policies.

5. Corporate Governance – Member Representative Group

- 5.1. Each Member must nominate one representative who will represent that Member on the Member Representative Group.
- 5.2. In relation to each Member, the elected Mayor for the time being, is automatically that Member's nominated representative for all purposes of the Company, but any Member may nominate an alternative representative in accordance with **clause 6.1** of the Company Constitution
- 5.3. Members of the Member Representative Group must be ready, willing and able do all of the following:

- (a) Attend meetings of the Member Representative Group, being at least Quarterly unless otherwise agreed with the Company;
- (b) Use their influence with their appointing Member to:
 - (i) Promote the activities and success of the Company;
 - (ii) Facilitate reasonable access to Councillors, Mayor and General Manager of the Member, including twice yearly presentations by the Company to the Member's Council; and
 - (iii) Use their best efforts to assist the Company to communicate the Company's Annual Plans, Operational Plans, Budgets and Quarterly reports;
- (c) Be an active member of the Board Selection Committee of the Company if so nominated by the Member Representative Group;
- (d) Be an active member of the Chair Selection Committee if so nominated by the Member Representative Group; and
- (e) Support the Company Secretary as requested in the event of a concern or grievance in accordance with **clause 14.4** of the Company Constitution.

5.4. The Chair of the Company is an ex officio member of the Member Representative Group.

5.5. The Company Secretary will provide rudimentary secretariat services in accordance with **clause 15.5** of the Company Constitution.

5.6. Owing to the special nature of the relationship between the Members and the Directors of the Company, as evidenced by this Members Agreement, it is an essential provision that the Board properly consider any issue that the Member Reference Group (by simple majority request) put to the Board for consideration at the earliest possible Board meeting and that the Board provides a fulsome report back to Members in a reasonably prompt time in relation to that issue following the Board meeting at which it is considered.

6. Accountability

6.1. The Board of Directors is accountable to the Members of The Company at all times. It is important that all Directors foster a relationship of trust and confidence with the Members, in order to properly and appropriately represent the Members' interests at all times.

- 6.2.** In addition to the material that must be considered at the AGM under the Corporations Law, the Board must supply to the Members for consideration at the AGM the following additional material, and be prepared to speak to and/or account for:
- (a)** an annual report on the performance of the Company over the past relevant period as it relates to the KPIs agreed by the Members at the last AGM;
 - (b)** any changes to the KPIs as agreed by the Members
 - (c)** progress reports on all projects being undertaken by the Company at the relevant time; and
 - (d)** questions raised by any Member at the AGM (or must provide a written response within fourteen (14) days of the AGM if a question is taken on notice).
- 6.3.** Any disputes will be dealt with through the dispute resolution procedures provided in **clause 2.8** of the Company Constitution.
- 6.4.** Consistent with the nature, purpose and function of the Company, the Company will report formally to Members on a semi-annual (twice yearly) basis, based on agreed KPIs and other information of interest. The process for reporting will include:
- (a)** a strategic progress update by the Board;
 - (b)** an operational progress update by the CEO;
 - (c)** an offer of a formal presentation to Members if requested; and
 - (d)** one of the semi-annual meetings (twice yearly) with Members will be in the lead up to the Company's annual planning process to ensure Member's feedback is considered in advance of this process.
- 6.5.** In accordance with the Corporations Law and **clause 4.4** of the Company Constitution, the Company must hold an annual general meeting once every calendar year, within five (5) months after the end of each financial year.
- 6.6.** A majority of Members of the Company may call a Special Meeting of the Company in accordance with **clause 4.1(b)** of the Company Constitution.
- 6.7.** A majority of Members of the Company are entitled to appoint or remove Directors in accordance with **clause 8.5(a)** of the Company Constitution.

7. Remuneration

- 7.1. The Chair is entitled to be remunerated for the work done and responsibilities undertaken by the Chair in that role. On and from the date of this Agreement, the Members agree to set the remuneration of the Chair at the rate of \$33,114.19 per annum. That rate will be reviewed to CPI (All groups, Hobart, or an equivalent index) at the end of each financial year.
- 7.2. The Company Secretary is entitled to be remunerated for the work done and responsibilities undertaken by the Company Secretary in that role. On and from the date of this Agreement, the Members agree to set the remuneration of the Company Secretary at the rate of \$22,076.12 per annum. That rate will be reviewed to CPI (All groups, Hobart, or an equivalent index) at the end of each financial year.
- 7.3. ~~Directors who are not the Chair nor the Company Secretary are entitled to be paid a notional fee, to be set by the Board, to attend meetings and undertake the duties and responsibilities of the Directors.~~
- 7.4. All employees of the Company, including the CEO, are entitled to be paid in accordance with the entitlements arising under the FairWork legislation and by reference to prevailing market rates for persons acting in similar positions of employment in similar organisations.
- 7.5. All reasonable expenses of the Chair, the Company Secretary and the Directors will be met by the Company whilst travelling or undertaking approved business on behalf of the Company.

8. Funding – Subscription Fees from Members

- 8.1. The Company relies on its Members to fund the Company to partly achieve its primary objectives. This includes both the:
- (a) execution of the strategic plan from time to time; and
 - (b) day to day operations of the Company.
- 8.2. The Members expressly agree to each pay an annual subscription fee to the Company to be set by the Board in each financial year of operation of the Company, which subscription fee is intended to be paid:
- (a) evenly by reference to the methodology for calculation of the subscription fee amounts for all Members; and
 - (b) unevenly, by reference to the actual dollar value amount payable by individual Members, as produced by those calculations.

8.3. The Members agree that the annual subscription fee that each Member is required to contribute to the Company is to be calculated in accordance with the following formula:

$$\mathbf{SF = FC + VC}$$

Where:

- (a) SF = the total amount of the Member's Subscription Fee for that year;
- (b) FC = the fixed component (based on the 2019-20 financial year) calculated by application of the following bands calculated based on the population of the municipal area of each Member (figures for 2021/22):

(i)	Population of 0 – 5,000 people	\$5,036.00
(ii)	Population of 5,001 – 10,000 people	\$10,072.00
(iii)	Population of 10,001+ people	\$20,144.00

The FC component is indexed annually to CPI (All groups, Hobart, or an equivalent index); and

- (c) VC = the variable component calculated at a contribution rate of approximately \$2.79 per head of population (figure for 2021/22) in the municipal area of each Member multiplied by the actual municipal population.

The VC component is also indexed annually to CPI (All groups, Hobart, or an equivalent index).

For example, a Council with 32,000 population would calculate its fees as follows:

$$\begin{aligned} SF &= \$10,072 + (32,000 \times \$2.79) \\ &= \$10,072 + \$89,280 \\ &= \$99,352 \end{aligned}$$

8.4. The Company will calculate the contribution amounts for the following financial year, to be approved by the Board and must notify the Members of the annual subscription fee amount for the following year not less than three (3) months prior to the end of each financial year.

8.5. The Members expressly agree that to remain as a member of The Company each Member must commit to pay the annual subscription fee amount each year for number of consecutive years detailed in this agreement from the date

that the membership commences. At the end of each funding/ membership cycle a review will be undertaken in accordance with **clause 14**.

- 8.6.** Subject to the approval of the Board, and any conditions or restrictions set by the Board, there is no value limit to the amount of the subscription fee payable in any one year by any one Member, as determined by the calculations set out in this **clause 8**.
- 8.7.** The Board may accept applications from other persons or entities to become Members of The Company in accordance with the Company Constitution. The Board may charge an application fee to new members if the Board elects to do so.
- 8.8.** If the Board accepts the application of any new Member, it must only be on condition that the new Member enters into a written deed in a form acceptable to the Board by which the new Member:
- (a)** expressly agrees to be bound by the Constituent Documents of the Company; and
 - (b)** enters into an agreement on substantially similar terms and conditions as this agreement.
- 8.9.** All of the parties agree that the Company will not obtain, or seek to obtain, any debt funding for any purpose without a unanimous resolution of the Members to that effect.
- 8.10.** If any debt funding is obtained by unanimous resolution, each Member agrees to be liable for and guarantee the repayment by the Company of that debt funding in accordance with the proportionate amount of the annual subscription fee paid by that Member as against all of the subscription fees paid by all Members of the Company at the relevant time.
- 8.11.** Subject to the passing of an appropriate unanimous resolution, the Company may accept loans from any of the Members, on whatever terms those parties may agree, and if so accepted, the Company must create a credit ledger for that purpose in the Company's books of account.
- 8.12.** Subject to the unanimous consent of all Members, the Company may grant loans to any of the Members, on whatever terms those parties may agree, and if so granted, the Company must create a debit ledger for that purpose in the Company's books of account.

9. Voting

- 9.1. The voting rights of the Members, in general meeting, are as set out in **clauses 5.9-5.13** of the Company Constitution. The Members agree to the following determinations.
- 9.2. Subject always to the Company Constitution, if, for any reason, at any general meeting of the Members, a poll is demanded then each Member and the Board, on behalf of the Company, as the parties to this Agreement expressly acknowledge and agree that each Member will have, and the Board must recognise, one (1) vote per Member for each \$22,076, increment, or part thereof, of subscription fees paid by each Member to the Company in the then current financial year.
- 9.3. Upon any vote taken by the Company in general meeting, if any Member has not paid that Member's annual subscription fees in full at the time of that meeting, ~~the voting rights of that Member are deemed to be pro-rated, based~~ on the proportion of the subscription fee that has been paid at the relevant time, unless all of the other Members unanimously agree that the unpaid, or partially unpaid, Member's voting rights are not so affected.

10. Member Expectations

- 10.1. Each party to this Agreement covenants and agrees to deal with each other party to this Agreement to deal with those other parties in good faith.
- 10.2. In particular, all parties to this Agreement must:
- (a) be completely honest in all communications to, with or on behalf of the Company and each other;
 - (b) provide full disclosure about all material matters that arise from or may affect the Company and that party's involvement in it, including health (physical and mental) and wellbeing issues if relevant;
 - (c) display appropriate and professional personal conduct at all times in the Company environment and when representing the Company externally; and
 - (d) not make, publish or support any disparaging, defamatory or offensive remark, comment or communication about the Company, the Members, the Directors or officers of the Company, any employee of the Company or any other shareholder on any fact, matter or concern that is within the knowledge or opinion of that party.

- 10.3.** Each party must only make use of Confidential Information for the purpose of carrying out the purpose and objectives of The Company.
- 10.4.** No party to this Agreement is permitted to:
- (a)** give or disclose Confidential Information to anyone other person or entity; or
 - (b)** use any Confidential Information for personal gain or profit; or
 - (c)** use any Confidential Information to cause injury, loss or damage to the Company or any other party to this Agreement.
- 10.5.** No party to this Agreement is permitted to make any promise, representation or warranty or to give any undertaking to any person, which purports to bind The Company, which that party is not authorised to make or give.

11. Financial Reports

- 11.1.** Notwithstanding the appointment of external accountants, the Company may, in its sole and absolute discretion, elect to undertake routine accounting procedures internally or to engage an external book-keeper for that purpose.
- 11.2.** The Board must ensure that proper and sufficient records, reports and financial statements of The Company, should be prepared in accordance with the relevant accounting standards on a weekly, monthly, quarterly and annual basis as:
- (a)** the Directors may require;
 - (b)** the CEO may require for the proper management of the Company from time to time; and
 - (c)** as the Corporations Law or other statutes may require.
- 11.3.** The Company must comply with the auditing and review procedures of the Corporations Law relevant to the turnover Tier that the Company sits in from time to time, including the requirements of the Tasmanian Audit Office if the Company is required to meet its requirements.
- 11.4.** The Company must provide the following to all Members on a Quarterly basis:
- (a)** Progress report on delivery of the Annual Operational Plan; and

(b) Progress report on delivery of the Annual Budget.

12. Intellectual and Industrial Property

12.1. Each party agrees and covenants with each other party, as a separate agreement and covenant that that party will keep confidential and preserve all Intellectual Property of The Company at all times confidential.

12.2. Each party agrees and covenants with each other party that that party will pass to the Company for use by the Company as the Company sees fit, free of charge, details of:

(a) all of the technology know-how and research results relevant to the Company that are from time to time in that party's possession or knowledge and which that party is not restrained by obligations to others from passing to the Company; and

(b) all of the technology know-how and research results relevant to the Company that are developed, discovered or invented by that party from time to time;

provided that the Company gives to the relevant party each time an appropriate covenant to keep confidential those aspects of the technology know-how or research results which are confidential and the parties agree to cause the Company to give those covenants.

13. Restrictive Covenant

13.1. Upon:

(a) the cessation as a Director by a Director for any reason; or

(b) the cessation of membership by a Member, for any reason

the provisions of confidentiality and protection of intellectual property continue to apply to that Director or Member indefinitely and do not merge on the resignation or cancellation of membership.

13.2. The Company must ensure that appropriate restrictive covenants are contained in each and every employment agreement for employees of The Company.

14. Sunset Provisions - Review

14.1. Each party agrees to commit to participation in The Company, and to the terms of this Agreement for the Sunset Period set out in **Item 5** of the

Schedule of Particulars, which period commences from the date of this Agreement.

14.2. The parties agree that not less than three (3) months prior to the end of the Sunset Period, the Board will undertake a comprehensive review of the strategic purposes and operations of the Company for the purposes of recommending to the Members whether to:

- (a) continue the operation of Company in its then current form;
- (b) change the operation of the Company as the parties may then agree;
- (c) continue with the then current Members;
- (d) change the then current Members;
- (e) re-set the Sunset Period;

(f) make any other required amendments, changes and modifications to:

- (i) this Agreement; and
- (ii) the operations of the Company;

(g) wind up the Company; and/or

(h) deal with any other relevant matter at that time.

14.3. In conducting that review, the Board may have recourse to any relevant material, matter or issue in making its recommendation to the Members.

14.4. Upon the receipt of a recommendation arising from a review, the Members must pass a Special Resolution to either:

- (a) adopt the recommendation of the Board; or
- (b) to take some other course of action.

14.5. After and as a consequence of a review under this **clause 20**, no Member is bound, nor can be compelled, to remain and continue as a Member and if a Member elects to cease being a Member, the shares of that Member are deemed to be forfeited.

14.6. Every Member that elects to continue as a Member of the Company expressly agrees to commit to the funding cycle for the number of years proposed by the Board, subject to all relevant annual CPI adjustments for the new period, and the Board must record a resolution to that effect.

14.7. The Board may require Members to enter into a Members Agreement as a condition of ongoing membership of the Company.

15. Dispute Resolution

15. The parties agree to adopt and be bound by the dispute resolution procedures set out in **clause 2.8** of the Company Constitution.

16. Default

16.1. If any party breaches that parties obligations under this Agreement, and does not remedy that breach to the satisfaction of the other parties after receiving not less than one (1) month's notice to do so, that party is in default of this Agreement.

16.2. A party is also in default of this Agreement if any of the following occurs in relation to that party:

- (a)** the party, being a natural person:
 - (i)** commits any act of bankruptcy;
 - (ii)** enters, or proposes to enter, into any arrangement, composition or compromise with creditors;
 - (iii)** is convicted of any offence in any jurisdiction that carries any term of imprisonment;
 - (iv)** is convicted of any offence of dishonesty;
 - (v)** is convicted of any offence in relation to the Company or any other party to this Agreement; or
 - (vi)** fails to attend to that Party's responsibilities under this Agreement for a period of more than thirty (30) days for no explainable reason; or
- (b)** the party, being a company or trust or other body corporate:
 - (i)** commits any act of insolvency;
 - (ii)** enters, or proposes to enter, into any arrangement, composition or compromise with creditors; or
 - (iii)** has a Director or trustee who is convicted of any offence under **clause 16.2(a)(iii), (iv) or (v)**.

16.3. A party, being a natural person, is deemed to be in default of this Agreement if any of the following occurs to that party:

- (a) two competent medical practitioners declare that the party is of an unsound mind;
- (b) some other event beyond the control of the party causes that party to lose legal capacity; or
- (c) the party cannot be found for a period of more than ninety (90) days.

17. Disciplinary Proceedings

17.1. The parties agree to adopt and be bound by the disciplinary procedures set out in **clause 2.9** of the Company Constitution.

18. Winding Up

18.1. The parties agree to adopt and be bound by the winding up procedures set out in **clause 24** of the Company Constitution.

18.2. Upon a winding up of the Company, the following process must be followed, in the order set out below, after liquidation of all assets:

- (a) as much notice as possible of the winding up must be given to any employees of the Company who are not parties to this Agreement;
- (b) all employee entitlements must be paid out as the first priority, including to any party to this Agreement, who is a natural person, who is also a bona fide employee of the Company in receipt of salary or wages, and superannuation;
- (c) all secured creditors must be paid out, but excluding any loan accounts in favour of parties to this Agreement;
- (d) all unsecured creditors must be paid out, but excluding any loan accounts in favour of parties to this Agreement;
- (e) all unpaid present entitlements;
- (f) all loan accounts must be paid out, subject to any set-off or adjustment for loans made to that party or to a related party of that party; and
- (g) the balance of net assets of the Company must be distributed in accordance with the winding up provisions of the Company Constitution.

18.3. The Members expressly acknowledge and agree that no Member can receive any payment of capital, distribution of assets or other benefit from the Company on a winding up.

19. Notices

19.1. A notice or other communication in connection with this Agreement is to be in writing and:

- (a)** may be given by the relevant party or its lawyer; and
- (b)** must be:
 - (i)** left at the address set out or referred to in the Details; or
 - (ii)** sent by prepaid post to the address set out or referred to on the Details; or
 - (iii)** sent by fax to the fax number set out or referred to in the Details; or
 - (iv)** sent by email to the last known email address of the relevant party or lawyer;

However, if the intended recipient has notified a changed postal address or changed fax number, then the communication must be to that postal address or fax number.

19.2. Notices take effect from the time they are received unless a later time is specified in the notice.

19.3. If a notice is sent by post, it is taken to be received two (2) days after posting (or seven (7) days after posting if sent to or from a place outside Australia).

19.4. If a notice is sent by fax, it is taken to be received at the time shown in the transaction report as the time that the whole of the fax was sent.

19.5. If a notice is sent by email it is taken to be delivered at the time it is sent, but only if the sender of the email notice has obtained a delivery receipt for that email.

19.6. For the avoidance of doubt, every Member is entitled to receive separate notice of every general meeting of the Company.

20. Additional Provisions

20.1. Each of the parties to this Agreement will sign and execute any further documents and do any deeds, acts and things as the other party reasonably requires for effecting the intention of the parties under this Agreement. However, this obligation does not extend to incurring a liability:

- (a)** to pay any money, or to provide any financial compensation, valuable consideration or any other incentive to or for the benefit of any person except for payment of any applicable fee for the lodgement or filing of any relevant application with any government agency, unless a provision of this Agreement expressly requires otherwise; or
- (b)** to commence any legal action against any person, to procure that the thing is done or happens.

20.2. This Agreement constitutes the entire agreement between the parties about the subject matter of this Agreement. It supersedes and extinguishes all prior agreements, understandings, representations, warranties, covenants or agreements previously given or made between the parties about the subject matter.

20.3. This Agreement may be executed by the parties in two or more counterparts, each of which is deemed to be an original, but all of which together constitute one and the same instrument.

20.4. The parties must execute and exchange original signed counterparts of this Agreement unless there is a specific provision in the Agreement that permits the exchange of counterparts by facsimile or scanned email copy.

20.5. This Agreement must not be amended, modified or supplemented except by a written instrument signed on behalf of the respective parties.

20.6. Any clause, covenant or condition in this Agreement that requires a party to do something after completion does not merge on completion and that party is obliged to perform the obligation within the time allowed for doing so. A failure to perform an obligation of this nature is a breach of the Agreement retrospectively and gives rise to a claim for injury, loss and damage to the party with the benefit of the performance of the obligation.

20.7. No waiver by any party of any default in the strict and literal performance or compliance with any other provision, condition or requirement of this Agreement is deemed to be a waiver of the strict and literal performance of or compliance with any other provision, condition or requirement in this

Agreement nor be a waiver of or in any manner release any other party from strict compliance with any provision, condition or requirement in the future nor will any delay or omission of any party to exercise any right under this Agreement in any manner impair the exercise of any right accruing to it after completion.

- 20.8.** A provision of or a right created under this Agreement may not be:
- (a)** waived except in writing, signed by the party with the benefit of that provision or right; or
 - (b)** varied except in writing signed by the Parties.
- 20.9.** The obligations of the parties under this Agreement are subject to the express condition that whenever a party is required to perform or do any act or thing, the performance of that obligation is not required if it is rendered ~~reasonably or practically impossible by reason of any riot, civil commotion, strike, lockout, act of God, act of the public enemy, priority, allocation, rationing or the regulation or prohibition of the use of any material, heat, fuel, hours of work or award, of the party.~~
- 20.10.** Each party warrants and represents to the other party that the signing or performance under this Agreement does not conflict with or result in a breach of its constitution, any writ, order, judgement, law, rule or regulation which is binding upon the party.
- 20.11.** Any party who executes this Agreement on behalf of a party under a Power of Attorney warrants that he or she has no notice of the revocation of that Power or of any fact or circumstance that might affect his or her authority to execute this Agreement under that Power.
- 20.12.** The rights, powers and remedies under the Agreement are in addition to and do not replace or limit any other rights, powers or remedies provided by law independently of the Agreement.
- 20.13.** Where a party is required to give a consent, that party may give that consent conditionally, unconditionally or withhold it without giving reasons, unless expressly stated otherwise.
- 20.14.** Whether or not any of the transactions contemplated by this Agreement are completed the parties must pay their own fees, costs and expenses of and incidental to the negotiation, preparation and execution of this Agreement, including the fees and disbursements of its lawyers and accountants.

20.15. Where any party is entitled to take enforcement or recovery action against another party, that party is entitled to recover its fees, costs and expense of and incidental to the enforcement action from the other party.

20.16. This Agreement is governed by and construed in accordance with the law of Tasmania and the Commonwealth of Australia and each of the parties submit to the jurisdiction of the Courts of the State of Tasmania and the Courts of the Commonwealth of Australia.

End of Operative Part

Execution

Company



Signed for and on behalf of
**Northern Tasmania Development Corporation
Limited**
ACN 616 650 367

Director



by its authorised officers under
S127 of the *Corporations Act 2001*

Director/Secretary

Members

The Common Seal of
Break O'Day Council
was affixed in the presence
Seal here
the authorised officers of the Council

affix

Member

General Manager

The Common Seal of
Flinders Council
was affixed in the presence
Seal here
the authorised officers of the Council

affix

Member

General Manager

The Common Seal of
George Town Council
was affixed in the presence
Seal here
the authorised officers of the Council

affix

Member

General Manager

The Common Seal of

City of Launceston
was affixed in the presence
Seal here
the authorised officers of the Council

affix

Member

General Manager

The Common Seal of
Meander Valley Council
was affixed in the presence
Seal here
the authorised officers of the Council

affix

Member

General Manager

The Common Seal of
Northern Midlands Council
was affixed in the presence
Seal here
the authorised officers of the Council

affix

Member

General Manager

The Common Seal of
West Tamar Council
was affixed in the presence
Seal here
the authorised officers of the Council

affix

Member

General Manager

The Common Seal of
Dorset Council
was affixed in the presence
Seal here
the authorised officers of the Council

affix

Member

General Manager



Annexures

A. Company Constitution

B. Memorandum of Understanding

Dorset Council initiated a new planning cycle for the organisation post the October 2022 election of a new Council. This planning cycle included a complete review of Council's ten-year Strategic Plan 2023 – 2032 which was adopted by Council in the June 2023 Council meeting.

Activity 9.3 of this Strategic Plan included the establishment of a Priority Projects Plan to ensure clarity of the projects Dorset for advocacy, grant funding and election promises.

It is Council's intent that this Priority Projects Plan will benefit from collaboration and advocacy from the NTDC. As Council is operating under a Commissioner model, the agreed approach is to enter into a trial funding membership' with NTDC.

This trial would see Dorset Council enjoy the full benefits of membership of NTDC through until 30 June 2024, with no obligation of continuance. An agreed review of benefits received would allow both parties to consider whether extension of the membership is mutually beneficial. The decision on whether to continue membership with NTDC would be subject to a review undertaken by Council no later than 31 March 2024, which will:

- Appreciate performance by both parties to date
- Appreciate planned and/or actions underway through until 30 June 2024
- Acknowledge best efforts of both parties to fulfil obligations within the agreement
- On conclusion of the review, both parties will honestly and actively consider continuation of the agreement by way of a formal membership agreement through until 30 June 2026, unless material failings have occurred within the delivery of obligations within this agreement.

NTDC agree to the following through the trial period:

- Include Dorset Council in all dialogue between funding members and the agency
- Include Dorset Council in all regional projects during FY24, including:
 - Regional Priority Projects Advocacy
 - Population Strategy Review – Stage I.
 - Regional Economic Development Strategy (REDS) Implementation Plan
 - Other projects as identified and mutually agreed to by funding members

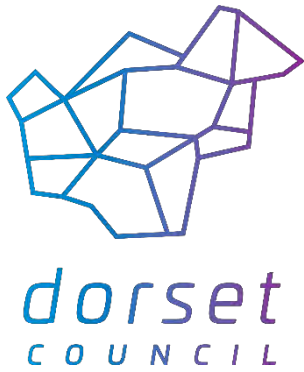
- Project manager an extension to the Northern Sports Facility Study, explicitly focusing on Dorset sporting facilities and green spaces. Noting the study itself being an additional cost beyond membership fees specified.
- Share with Dorset Council intelligence gained through collaboration with Local, State and Federal government partnerships
- Invite Dorset Council to participate in all relevant events and forums hosted by NTDC and / or partners
- Report and communicate progress of annual workplan to Dorset Council Dorset

Council would agree to:

- Work in partnership with NTDC to achieve the annual workplan as it relates to Dorset municipality
- Observe communication protocols within membership group
- Contribute data and resources relevant to achieving the annual workplan
- Assist in coordinating and facilitating public input from community relating to regional projects and broader collaborations with State and / or Federal Government
- Contribute membership funds for the period of the agreement
- Review the performance of the agreement with the honest intent of exploring a continuation of membership.

Membership Fee

- Dorset Council will make funds available to NTDC by way of one instalment of **\$15,000 + gst** for membership for the period from 1 December 2023 to 30 June 2024.
- The Sports Facility Study – Dorset extension project fees include
 - NTDC project Management (included within the above membership fee)
 - **\$11,000+ gst** contractor services to fulfil the agreed scope of the study.
- Projects beyond the above agreed scope of works can be entertained, but additional fees may apply if costs are incurred by NTDC beyond the current annual workplan budget.



DRAFT Policy 62 – CCTV and Remote Camera

CM Ref:	DOC/24/4018
Adopted:	Minute
Version:	1
Reviewed Date:	-
Author	Director - Infrastructure
Responsible Officer	Director - Infrastructure

PURPOSE

To provide a policy for the establishment and operation of the Council's camera surveillance systems to ensure they are managed and used in accordance with relevant legislation.

The purposes for which the Council may use camera surveillance in public places include:

- protection of community assets,
- improve community safety and security,
- to deter anti-social behaviour and crime
- recording of Council works and operations,
- recording for regulatory and compliance investigations and inspections,
- to assist law enforcement agencies
- recording of Council functions / events; and
- staff safety.

OBJECTIVE

The objectives of this Policy are to ensure that:

- Camera surveillance systems and footage will only be used for the purpose for which it was intended;
- Management and operation of camera surveillance systems and footage complies with relevant legislation; and
- Camera surveillance systems and footage are fit for purpose.

SCOPE

This Policy applies to:

- Surveillance cameras and systems established in public spaces within the Council’s local government area and owned by the Council;
- Surveillance cameras and systems installed on Council owned or Council controlled land and / or Infrastructure;
- Council owned body-worn surveillance cameras worn by authorised Council employees while performing official duties within the Council’s local government area; and
- All Council employees, contractors and other parties involved with installation, management and maintenance of Council’s surveillance cameras in public spaces.

POLICY

Definitions

Term	Definition
Camera Surveillance	Any equipment used to observe and record images of an area such as closed-circuit television (CCTV), temporary or fixed cameras (such as automatic number plate recognition cameras), body-worn cameras and unmanned aerial vehicles (such as drones).
Closed Circuit Television	The use of video cameras to transmit a signal to a specific place, on a limited set of monitors. (CCTV).
Council	Means the Dorset Council.
Public Space	An area that is open and accessible to all people, such as parks, commons, beaches, roads and footpaths. To a limited extent, public facilities and government buildings which are open to the public are public spaces, although they have restricted areas and greater limits upon use.
Risk	Probability and consequence of an event that could impact on the Council’s ability to meet its strategic objectives.

PUBLIC INTEREST

Camera surveillance systems will be operated with due regard to the privacy and civil liberties of members of the public, employees and contractors by:

- Informing authorised employees and contractors involved in the recording, observation and capture of images of their responsibility to act in an ethical and lawful manner as required by legislation.
- Investigate any complaints by members of the public in relation to the Council’s camera surveillance programs and provide a timely response in accordance with the Council’s Customer Service Charter.
- Review the policy against any changing legislation as required.

SECURITY OF CAMERA SURVEILLANCE EQUIPMENT AND FOOTAGE

Camera surveillance equipment and footage will be adequately protected against misuse, loss and unauthorised access, use and disclosure by:

- Restricting use of camera surveillance equipment to authorised employees and contractors only;
- Appropriate approvals for employees and contractors to view any images or footage;
- Implementing adequate controls to protect against unauthorised access, alteration, dissemination, disclosure, loss or destruction of recorded material;
- Maintaining equipment to ensure its effective operation; and
- Applying relevant recordkeeping practices.

Council will approve the purchase, installation and use of surveillance cameras based on officer recommendations outlining the need and feedback from relevant stakeholders.

Current use includes:

- Surveillance of Council waste facilities including Waste Transfer Stations;
- Surveillance of Council assets that are buildings, associated infrastructure and open spaces in public places;
- Surveillance of Council assets in Parks (play/exercise equipment, seating, bins etc.);
- Surveillance of Council assets, materials and equipment in public areas of Council Depots and Offices;
- Authorised Officers body-worn cameras;

Council has established dedicated equipment specifically for the storage of camera surveillance data. This equipment is secure and backed up. Only the staff and Managers of staff who operate cameras will have access to the dedicated equipment for the filing and viewing of surveillance data.

The release of camera surveillance data will only be provided to comply with:

- Internal reporting requirements at management levels only;
- The requirements of the Police in relation to the investigation of crime;
- A legal document issued by the Court at the request of a party to a case;
- A valid formal request for public information, which will be assessed in accordance with the provisions of the *Right to Information Act 2009*;
- Staff wearing a body camera would be able to view footage for the purpose of reviewing for notes, making statements or confirming events;
- Lessees of Council buildings may access footage for the listed purposes, particularly in regard to anti-social behaviour and crime

COMPLAINTS

The Council will investigate all complaints by members of the public in relation to the Council's camera surveillance programs and will provide a timely response in accordance with the Council's Customer Service Charter.

RESPONSIBILITY

The Council officers and contractors authorised to manage equipment and view surveillance footage include:

- General Manager
- Directors
- Managers
- Compliance Officer

RELEVANT LEGISLATION

- *Local Government Act 1993*
- *Right to Information Act 2009*
- *Personal Information Protection Act 2004*
- *Archives Act 1983*
- *Listening Devices Act 1991*
- *Security and Investigations Agents Act 2002*

REVIEW

This Policy will be reviewed every three years, unless organisational and legislative changes require more frequent modification.

DOCUMENT INFORMATION

Version	Doc Ref	Date Reviewed	Author	Comments
V1	DOC/24/4018	April 2024	Michael Buckley	Policy established

Item 74



dorset
C O U N C I L

2023/24

Annual Plan

March Quarter Update

Introduction

Councils are required each financial year, under Section 71 of the *Local Government Act 1993*, to prepare an Annual Plan.

The Annual Plan outlines Council's high level actions for the year and is directly linked to Department Plans that identify tasks associated with meeting the Actions outlined in the Annual Plan and strategies identified in the Strategic Plan.

The Annual Plan Quarterly Update provides Council and the community with an update on progress with the Annual Plan. Where tasks have been identified for a quarter, a status of Achieved, In Progress or Not Achieved are assigned.

As at 31 March 2024, the following results were achieved:

	September Quarter	December Quarter	March Quarter
Achieved	4	6	5
In Progress	-	1	2
Not Achieved	-	-	-
Compliance Score	100%	100%	100%
Deferred	1	-	-

Priority Action Plan

The following pages of the Annual Plan provide details on additional goals, outcomes and objectives that the Council is seeking to undertake and complete as priority activities in addition to its annual business.

No.	Activity	Strategic Plan #	30 September	31 December	31 March	30 June	Responsibility
1	Dorset Strategic Plan	13.1				Commence annual review of Strategic Plan	Governance
2	Waste Management	14.2, 14.4			Prepare draft Green Waste Strategy ACHIEVED	Update to Council - Planning for State Government Container Refund Scheme	Infrastructure
MAR 1/4 NOTE: Draft Green Waste Strategy presented and discussed at 5 March Briefing Workshop.							
3	Asset Management	10.3			Review and update Stormwater Asset Management Plan IN PROGRESS		Infrastructure / Corporate Services
MAR 1/4 NOTE: The stormwater asset revaluation is underway and expected to be finalised by the end of May. It is anticipated that the reviewed and updated Stormwater Asset Management Plan will be presented to Council at the 24 June 2024 Council Meeting.							
4	Scottsdale and Derby Structure Plans	7.2			Finalise Structure Plans IN PROGRESS		Regulatory
MAR 1/4 NOTE: Extension of time has been agreed to between Council and State Planning Office until end of financial year 2023/24 for structure plan finalisations in order to review documentation and incorporate feedback received during public exhibition of draft plans.							

No.	Activity	Strategic Plan #	30 September	31 December	31 March	30 June	Responsibility
5	Austins Road Residential Development	7.2				Preparation of Master Plan and Stage 1 Subdivision plan DEFERRED	Regulatory / Infrastructure
6	Scottsdale Light Industrial Rezoning	7.2				Complete draft Master Plan for industrial rezoning at Scottsdale Depot site DEFERRED	Regulatory / Infrastructure
<p>MAR 1/4 NOTE: As noted at Activity 4 review of draft structure plan documentation is being progressed, with final plans to be presented to Council for endorsement before end of financial year 2023/24. Final recommendations from the Scottsdale Structure Plan are critical to the sequenced advancement of Activities 5 & 6; hence both of these activities will be pursued during 2024/25 financial year and included accordingly in Council's 2024/25 Annual Plan.</p>							
7	Bridport Structure Plan	7.2				Prepare draft Structure Plan DEFERRED	Regulatory
<p>MAR 1/4 NOTE: noting that Council's strategic planning resources are being directed toward finalisation of the Scottsdale and Derby Structure Plan projects by the end of the financial year, preparation of a draft Structure Plan for Bridport will be deferred for action under the 2024/25 Annual Plan.</p>							
8	Derby Master Plan	7.2				Commence draft Master Plan for Derby DEFERRED	Regulatory / Governance
<p>MAR 1/4 NOTE: This project is included in Council's Priority Projects Plan 2023-25 and incorporates structure planning, infrastructure planning, mountain bike precinct planning and an Economic and Social Impact Study. Derby Master planning is a project that the Northern Tasmania Development Corporation have recognised as a project of regional significance, and have also deemed it a project of state significance due to its positive impact on mountain biking and tourism in the region and for the state. This project is currently unfunded and will be deferred pending grant or election promise funding.</p>							

No.	Activity	Strategic Plan #	30 September	31 December	31 March	30 June	Responsibility
9	Blue Derby Transition	9.4		Quarterly Report – October 2023 ACHIEVED	Quarterly Report – February 2024 ACHIEVED	Quarterly Report – May 2024	Governance
MAR 1/4 NOTE: December Quarterly Report presented to Council at 19 February 2024 Council Meeting.							
DEC 1/4 NOTE: September Quarterly Report presented to Council at 16 October 2023 Council Meeting.							
10	Municipal Revaluation	10.4				Application of new property valuations and review of Council's Rates Strategy	Corporate Services
11	Rail Trail Project	8.2		Update to Council ACHIEVED		Tender approved and project works commenced	Regulatory / Infrastructure
DEC 1/4 NOTE: Updated presented to Council at its 18 December 2023 Council Meeting							
12	Road and Footpath Representation Committee/Panel	9.2, 9.3		Establish a representative panel of industries to assist with future planning and review of Council's Road Plan IN PROGRESS			Infrastructure
DEC 1/4 NOTE: Council have initiated discussions with industry groups, including Sustainable Timber Tasmania and Tasmanian Irrigation, to better understand commercial traffic flows to feed into Council's Road Plan. Council has also made contact with Tasmanian Farmers and Graziers Association and State Growth representatives with contacts in the National Heavy Vehicle Regulator. The intent of the Panel is to provide feedback next financial year and input from a local transport industry perspective into the Dorset Council Road Plan and Priority Project Summary							

No.	Activity	Strategic Plan #	30 September	31 December	31 March	30 June	Responsibility
13	Projects of Significance	8.3, 9.3			Establish a Project of Significance report to ascertain grant funding / advocacy / election promise priorities ACHIEVED		Governance
DEC 1/4 NOTE: The Dorset Council Priority Projects Plan 2023 – 2025 was adopted by Council at the 20 November 2023 Council Meeting.							
14	Payment of Councillors Expenses and Provision of Facilities (No.2)	10.1	Review, adopt and implement ACHIEVED				Corporate Services / Governance
SEPT 1/4 NOTE: The Policy was reviewed and adopted by Council at the 21 August 2023 Council Meeting.							
15	On Street Dining, Vending & Signage Policy (No.3)	9.1, 10.1	Review, adopt and implement ACHIEVED				Regulatory
SEPT 1/4 NOTE: The Policy was reviewed and adopted by Council at the 18 September 2023 Council Meeting.							
16	Sponsorship of Sporting and Cultural Representatives Policy (No.4)	4.3, 10.1				Review, adopt and implement ACHIEVED	Governance
MAR 1/4 NOTE: The Policy was reviewed and adopted by Council at the 18 March 2024 Council Meeting.							
17	Contribution of Boundary Fences Policy (No.7)	10.1		Review, adopt and implement ACHIEVED			Regulatory
DEC 1/4 NOTE: The Policy was reviewed and adopted by Council at the 20 November 2023 Council Meeting.							

No.	Activity	Strategic Plan #	30 September	31 December	31 March	30 June	Responsibility
18	Risk Management Policy (No.9)	10.1, 10.2				Review, adopt and implement Policy Review and implement Risk Management Framework	Governance
SEPT 1/4 NOTE: This activity was deferred to the June 2024 quarter at the 18 September 2023 Council Meeting.							
19	Electronic Communications Policy (No.16)	10.1, 13.1				Review, adopt and implement	Corporate Services
20	Customer Service Charter (No. 18)	10.1, 13.4		Review, adopt and implement ACHIEVED			Corporate Services
DEC 1/4 NOTE: The Customer Service Charter was reviewed and adopted by Council at the 20 November 2023 Council Meeting.							
21	Code for Tenders and Contracts Policy (No.31)	9.1, 10.1	Review, adopt and implement ACHIEVED				Infrastructure / Corporate Services
SEPT 1/4 NOTE: The Policy was reviewed and adopted by Council at the 21 August 2023 Council Meeting.							
22	Public Interest Disclosures Act 2002 Procedures (No.32)	10.1, 13.1				Review, adopt and implement Model Procedures as provided by Ombudsman Tasmania	Governance / Corporate Services
23	Personal Information Protection Policy (No.36)	10.1	Review, adopt and implement ACHIEVED				Corporate Services
SEPT 1/4 NOTE: The Policy was reviewed and adopted by Council at the 21 August 2023 Council Meeting.							

No.	Activity	Strategic Plan #	30 September	31 December	31 March	30 June	Responsibility
24	Social Media Policy (No.44)	5.1, 10.1			Review, adopt and implement ACHIEVED		Governance / Corporate Services
MAR 1/4 NOTE: The Policy was reviewed and adopted by Council at the 18 March 2024 Council Meeting.							
25	Wood Encouragement Policy (No.54)	9.1, 10.1		Review, adopt and implement ACHIEVED			Governance
DEC 1/4 NOTE: The Policy was reviewed and adopted by Council at the 18 December 2023 Council Meeting.							
26	Bridport Seaside Caravan Park – Annual Site Policy (No.56)	10.1				Review, adopt and implement DEFERRED	Governance / Corporate Services
MAR 1/4 NOTE: Council is in the process of negotiating a new lease with Crown Land which encompasses the Bridport Seaside Caravan Park. As the lease is expected to commence on 1 October 2024, it is proposed that this activity be deferred to the 2024/25 Annual Plan so that the Policy can be assessed for compliance against the conditions of the lease.							
27	Managed Grassland Fire Risk Abatement Policy (No.57)	10.1		Review, adopt and implement ACHIEVED			Regulatory
DEC 1/4 NOTE: The Policy was reviewed and adopted by Council at the 20 November 2023 Council Meeting.							
28	Child and Youth Safe Organisations Framework				Update to Council on implementation - March 2024 ACHIEVED	Update to Council on implementation – June 2024	Corporate Services
MAR 1/4 NOTE: Update was provided to Council at the 18 March 2024 Council Meeting.							

APPROVED VARIATIONS TO THE 2023/24 ANNUAL PLAN

Item 221/23 – 18 December 2023 Council Meeting

That Council adopted the attached revised 2023/24 Annual Plan with the following variations:

- Activity 2 relating to the State Government container refund scheme is deferred to the June 2024 quarter.*
- Activity 9 relating to the Blue Derby transition reporting is varied to reflect the Notice of Motion from Commissioner Wardlaw relating to the timing of quarterly reports.*
- Activity 26 - review of Policy No. 56 – Bridport Seaside Caravan Park Annual Site is deferred to the June 2024 quarter.*
- Inclusion of new Activity 28 relating to the Child and Youth Safe Organisations Framework and quarterly update reporting to Council.*
- Administration changes to the responsible teams be undertaken due to internal team appointments and review.*

Item 126/23 – 18 September 2023 Council Meeting

That Council

- 1. Defer Activity 18 “Risk Management Framework and Policy” to the June 2024 quarter.*