



# Central Highlands Council

## AGENDA – ORDINARY MEETING – 21<sup>st</sup> FEBRUARY 2012

Agenda of an Ordinary Meeting of Central Highlands Council scheduled to be held at Bothwell Council Chambers, on Tuesday 21<sup>st</sup> February 2012, commencing at 9.00am and be closed to the public until 10.00am.

I certify under S65(2) of the Local Government Act 1993 that the matters to be discussed under this agenda have been, where necessary, the subject of advice from a suitably qualified person and that such advice has been taken into account in providing any general advice to the Council.

Lyn Eyles  
General Manager

### 1.0 OPENING

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### 2.0 PRESENT

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### 3.0 APOLOGIES

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### 4.0 PECUNIARY INTEREST DECLARATIONS

In accordance with Regulation 8 of the Local Government (Meeting Procedures) Regulations 2005, the Mayor requests Councillors to indicate whether they or a close associate have, or are likely to have a pecuniary interest (any pecuniary or pecuniary detriment) in any item of the Agenda.

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### 5.0 COMMITTEE

Regulation 15 of the Local Government (Meeting Procedures) regulations 2005 provides that Council may consider certain sensitive matters is Closed Agenda which relate to:

- Personnel matters, including complaints against an employee of the Council;
- Industrial matters relating to a person;
- Contracts for the supply and purchase of goods and services;
- The security of property of the Council
- Proposals for the Council to acquire land or an interest in the land or for the disposal of land;
- Information provided to the Council on the condition it is kept confidential;
- Trade secrets of private bodies;
- Matters relating to actual or possible litigations taken by or involving the Council or an employee of the Council;
- Applications by Councillors for leave of absence;
- The personal affairs of any person.

The decision to move in Closed Council requires an absolute majority of Council.

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### List of Interviews

#### **Tony Briscoe - ABC**

- Wind Farm
- Health Services
- School Closures
- Forestry
- Viability of Council

#### **Charles Waterhouse - The Mercury**

- Options Paper

### **9.1 COUNCILLORS COMMITMENTS**

#### **Clr A J Downie**

17 <sup>th</sup> Jan 2012	Council Meeting, Hamilton
25 <sup>th</sup> Jan 2012	Australia Day Reception
26 <sup>th</sup> Jan 2012	Australia Day - Ellendale
6 <sup>th</sup> Feb 2012	Bothwell drainage issues, planning update - Bothwell
8 <sup>th</sup> Feb 2012	Hamilton workshop
14 <sup>th</sup> Feb 2012	Planning Committee - Bothwell
20 <sup>th</sup> Feb 2012	Bothwell Golf Museum Meeting Meet representatives re Uniting Church footpath and parking

#### **Clr I V McMichael**

17 <sup>th</sup> Jan 2012	Council Meeting, Hamilton
18 <sup>th</sup> Jan 2012	Ellendale Hall Meeting
19 <sup>th</sup> Jan 2012	RAW Board Meeting
31 <sup>st</sup> Jan 2012	Audit Planning - Sue Colgrave Hamilton
14 <sup>th</sup> Feb 2012	Planning Committee

#### **Clr L M Triffitt**

17 <sup>th</sup> Jan 2012	Council Meeting, Hamilton
26 <sup>th</sup> Jan 2012	Australia Day Awards - Ellendale
10 <sup>th</sup> Feb 2012	Meeting with General Manager & Diane Lovell - Men's Shed MOU



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### 9.2 GENERAL MANAGER'S COMMITMENTS

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17 <sup>th</sup> Jan 2012	Council Meeting - Hamilton
23 <sup>rd</sup> Jan 2012	Shortlist applicants, Healthy Communities Initiative Project Local Government Office
24 <sup>th</sup> Jan 2012	STCA Meeting
25 <sup>th</sup> Jan 2012	Meeting Southern Water onsite at Ellendale
27 <sup>th</sup> Jan 2012	Meeting A Jones & R Mace
30 <sup>th</sup> Jan 2012	Interviews Leading Hand
1 <sup>st</sup> Feb 2012	Interviews HCI Co-ordinator & Project Officer
2 <sup>nd</sup> Feb 2012	Meeting Richard Gerathy
6 <sup>th</sup> Feb 2012	Meeting Damian Mackey Meeting B Bissett
8 <sup>th</sup> Feb 2012	Workshop Hamilton
9 <sup>th</sup> Feb 2012	Southern Water Owners Meeting
10 <sup>th</sup> Feb 2012	Meeting CHCMS Inc
14 <sup>th</sup> Feb 2012	Planning Committee Meeting
15 <sup>th</sup> Feb 2012	Meeting Peter Rolston

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### 9.3 COMMUNITY & ECONOMIC DEVELOPMENT OFFICER'S COMMITMENTS

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18 <sup>th</sup> Jan 2012	Seniors Church Tour, Bothwell Rivers Run Tourism Association meeting, New Norfolk
19 <sup>th</sup> Jan 2012	Anne Langman (Dept Ec Dev), Hamilton
20 <sup>th</sup> Jan 2012	Lana Benson, National Youth Week, Hamilton
23 <sup>rd</sup> Jan 2012	HCI Selection Committee, Kempton
25 <sup>th</sup> Jan 2012	Interview HCI, Hamilton Premier's Australia Day Cocktail Party, Hobart
26 <sup>th</sup> Jan 2012	Australia Day Celebrations, Ellendale
27 <sup>th</sup> Jan 2012	Geoff Parsons re Gretna Hall Rivers Run Tourism Association, map reprint, New Norfolk
31 <sup>st</sup> Jan 2012	HCI Interviews, Bothwell
6 <sup>th</sup> Feb 2012	Meeting re: AGFEST attendance, Hamilton
8 <sup>th</sup> Feb 2012	Council Workshop, Hamilton
10 <sup>th</sup> Feb 2012	Craft Fair, Ouse

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### 10.0 NOTIFICATION OF COUNCIL WORKSHOPS

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### 10.1 FUTURE WORKSHOPS

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### 11.0 MAYORAL ANNOUNCEMENTS

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### 12.0 MINUTES

### 12.1 RECEIVAL MINUTES ORDINARY MEETING

Moved **Clr**

Seconded **Clr**

**THAT** the Minutes of the **Ordinary Meeting** of **Council** held on **Tuesday 17<sup>th</sup> January 2012** be received.

**Carried**

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### 12.2 CONFIRMATION OF MINUTES ORDINARY MEETING

Moved **Clr**

Seconded **Clr**

**THAT** the Minutes of the **Ordinary Meeting** of **Council** held on **Tuesday 17<sup>th</sup> January 2012** be confirmed.

**Carried**

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### 12.3 RECEIVAL MINUTES PLANNING COMMITTEE MEETING

Moved **Clr**

Seconded **Clr**

**THAT** the Minutes of the **Planning Committee Meeting** of **Council** held on **Tuesday 14<sup>th</sup> February 2012** be received.

**Carried**

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### 13.0 BUSINESS ARISING

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### 14.0 DEVELOPMENT & ENVIRONMENTAL SERVICES

In accordance with Regulation 25(1) of the Local Government (Meeting Procedures) Regulations 2005, the Mayor advises that the Council intends to act as a Planning Authority under the Land Use Planning and Approvals Act 1993, to deal with the following items:

Moved **Clr**

Seconded **Clr**

**THAT the Development & Environmental Services Report be received.**

**Carried**

### 14.1 DA 2012/01: PETER BINNY SURVEYS: THOUSAND ACRE LANE, HAMILTON (CT107369/3): SUBDIVISION OF FOUR LOTS IN THE RURAL ZONE

#### **Recommendation**

Moved **Clr**

Seconded **Clr**

That Central Highlands Council (Planning Authority) in accordance with the provisions of the *Central Highlands Planning Scheme 1998* and Section 57 of the *Land Use Planning & Approvals Act 1993*, APPROVE the application for a *Subdivision of Four (4) Lots in the Rural Zone* at Thousand Acre Lane, Hamilton, Certificate of Title Volume 107369 Folio 3, subject to the following conditions:

#### **General**

1. The subdivision layout or development must be carried out substantially in accordance with the application for planning approval, the endorsed drawings (*Plan of Subdivision prepared by Peter Binny Surveys, version 1 and dated 22 December 2011*) and with the conditions of this permit and must not be altered or extended without the further written approval of Council.

#### **Easements**

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

#### **Endorsements**

3. The final plan of survey must be noted that Council cannot or will not provide a means of reticulated drainage, water or sewer services to all lots shown on the plan of survey.

#### **Staged development**

4. The subdivision development must not be carried out in stages except in accordance with a staged development plan submitted to and approved by Council's General Manager.

#### **Bushfire Management**

5. An agreement pursuant to Part 5 of the *Land Use Planning and Approvals Act 1993* must be entered into prior to the sealing of the final plan of survey to require any residential use or development to be carried out and maintained in accordance with the recommendations of Tasfire (1995), Planning Conditions and Guidelines for Subdivisions in Bushfire Prone Areas, Tasmanian Fire Service, Hobart and constructed in accordance



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with Level 1 of Standards Australia (1999): AS 3959: Construction of Buildings in Bushfire Prone Areas Standards Australia, Sydney.

### **Agreements**

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

### **Covenants**

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

### **Aboriginal Heritage**

8. In the event that any suspected item of archaeological significant is inadvertently encountered during works associated with development of the site, then the activity creating the disturbance should cease immediately, and the *Aboriginal Relics Act 1975* will apply for reporting and management.

### **Final Plan**

9. A fee of \$220.00, or as otherwise adopted by Council resolution from time to time, must be paid to Council prior to the sealing of each stage of the final plan of survey.
10. A final plan of survey and two (2) copies must be provided together with the schedule of easements as necessary.
11. All conditions of this permit must be satisfied before the Council seals the final plan. It is the subdivider's responsibility to arrange any required inspections and to advise Council in writing that the conditions of the permit have been satisfied. The final plan of survey will not be dealt with until this advice has been provided.

### **Water Quality**

12. Where a development exceeds a total of 250 square metres of ground disturbance a soil and water management plan (SWMP) prepared in accordance with the guidelines *Soil and Water Management on Building and Construction Sites*, by the Derwent Estuary Programme and NRM South, must be approved by Council's Municipal Engineer before development of the land commences.

### **Environmental Health**

13. The final plan of survey must be endorsed that the lots are only suitable for the on-site disposal of wastewater using a licensed Aerated Wastewater Treatment System or modified trench septic or other approved system.



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### ***Telecommunications, electrical and gas reticulation***

14. Where electrical and telecommunications services are to be provided to each lot, they must be provided in accordance with the requirements of the responsible authority and the satisfaction of Council's General Manager.

### ***Access***

15. A new separate vehicle access must be provided from the road carriageway to Lots 2 and 3. Accesses must be sealed with a minimum width of 3 metres at the property boundary and located and constructed in accordance with the standards shown on standard drawings SD-1009 Rural Roads - Typical Standard Access and SD-1012 Intersection and Domestic Access Sight Distance Requirements prepared by the IPWE Aust. (Tasmania Division) (attached) and the satisfaction of Council's General Manager.
16. The existing access to Lot 1 and 4 are to be upgraded as required to comply with the standards shown on standard drawings SD-1009 Rural Roads - Typical Standard Access and SD-1012 Intersection and Domestic Access Sight Distance Requirements prepared by the IPWE Aust. (Tasmania Division) (attached) and the satisfaction of Council's General Manager.

### ***Engineering drawings***

17. Engineering design drawings are to be submitted for approval by Council's General Manager. Engineering Drawings are to be prepared by a qualified and experienced Civil Engineer, or other person approved by the General Manager.
18. Approved Engineering Plans will remain valid for a period of 2 years from the original date of approval.

### ***Construction amenity***

19. Any works relating to the development must be carried out between the following hours:
- |                           |                   |
|---------------------------|-------------------|
| Monday to Friday          | 7.00am to 6.00pm  |
| Saturday                  | 9.00am to 6.00pm  |
| Sundays & Public Holidays | 10.00am to 6.00pm |

### **The applicant shall also be advised that:**

- A. This permit does not imply that any other approval required under any other legislation or by-law has been granted.
- B. The SWMP shall be prepared in accordance with the guidelines *Soil and Water Management on Building and Construction Sites*, by the Derwent Estuary Programme and NRM South, the *State Policy for Water Quality Management 1997* and the requirements of the Council's General Manager and show the following -
- Allotment boundaries, north-point, contours, layout of roads, driveways, building envelopes and reticulated services (including power and telephone and any on-site drainage or water supply), impervious surfaces and types of all existing natural vegetation;
  - Critical natural areas such as drainage lines, recharge area, wetlands, and unstable land;





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- Estimated dates of the start and completion of the works;
  - Timing of the site rehabilitation or landscape program;
  - Details of land clearing and earthworks or trenching and location of soil stockpiles associated with roads, driveways, building sites, reticulated services and fire hazard protection;
  - Arrangements to be made for surface and subsurface drainage and vegetation management in order to prevent sheet and tunnel erosion;
  - Temporary erosion and sedimentation controls to be used on the site; and
  - Recommendations for the treatment and disposal of wastewater in accordance with Standards Australia: AS/NZS 1547: On-site wastewater management, Standards Australia, Sydney, 2000.
- C. The issue of this permit does not ensure compliance with the provisions of the *Threatened Species Protection Act 1995* or the *Environmental Protection and Biodiversity Protection Act 1999* (Commonwealth). The applicant may be liable to complaints in relation to any non-compliance with these Acts and may be required to apply to the Policy and Conservation Assessment Branch of the Department of Primary Industries, Parks, Water and the Environment or the Commonwealth Minister for a permit.
- D. **This permit shall not take effect and must not be acted on until 15 days after the date of receipt of this permit unless, as the applicant and the only person with a right of appeal, you notify Council in writing that you propose to commence the use or development before this date, in accordance with Section 53 of the *Land Use Planning and Approvals Act 1993*.**
- E. **This planning approval shall lapse at the expiration of two (2) years from the date of the commencement of planning approval if the development for which the approval was given has not been substantially commenced. Where a planning approval for a development has lapsed, an application for renewal of a planning approval for that development shall be treated as a new application.**

Carried

14.2 DA 2011/37 :  
**WOOLCOTT  
 SURVEYS : VICTORIA  
 VALLEY ROAD,  
 LONDON LAKES  
 (CT3456/1 &  
 CT43175/1) :  
 SUBDIVISION OF  
 SEVEN LOTS AND  
 BALANCE IN THE  
 RURAL ZONE**

### Recommendation

Moved C/r

Seconded C/r

That Central Highlands Council (Planning Authority) in accordance with the provisions of the *Central Highlands Planning Scheme 1998* and Section 57 of the *Land Use Planning & Approvals Act 1993*, APPROVE the application for a *Subdivision of Seven (7) Lots and Balance* in the Rural Zone at Victoria Valley Road, London Lakes, Certificate of Title Volume 34561 Folio 1 and Certificate of Title Volume 43175 Folio 1, subject to the following conditions:

### General

1. The subdivision layout or development must be carried out substantially in accordance with the application for planning approval, the endorsed drawings (Project No.2011-33, Edition V.02, Sheet 1 of 1 prepared by Woolcott Surveys) and with the conditions of this

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permit and must not be altered or extended without the further written approval of Council.

### **Easements**

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

### **Endorsements**

3. The final plan of survey must be noted that Council cannot or will not provide a means of drainage, water or sewer services to all lots shown on the plan of survey.

### **Covenants**

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

### **Bushfire Management**

5. An agreement pursuant to Part 5 of the *Land Use Planning and Approvals Act 1993* must be entered into prior to the sealing of the final plan of survey to require any residential use or development to be carried out and maintained in accordance with the recommendations of Bushfire Planning Group (2005), *Guidelines for Development in Bushfire Prone Areas: Living with Fire in Tasmania*, Tasmanian Fire Service, Hobart and constructed in accordance with Level 1 of Standards Australia (1999): AS 3959: Construction of Buildings in Bushfire Prone Areas Standards Australia, Sydney.

### **Agreements**

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

### **Weed management**

7. Prior to the carrying out of any works approved or required by this approval, the subdivider must provide a Weed Management Plan detailing measures to be adopted to limit the spread of weeds listed in the *Weed Management Act 1999* through imported soil or land disturbance by appropriate water management and machinery and vehicular hygiene to the satisfaction of Council's General Manager and of the Regional Weed Management Officer, Department of Primary Industries, Parks, Water and Environment.

### **Aboriginal Heritage**

8. In the event that any suspected item of archaeological significant is inadvertently encountered during works associated with development of the site, then the activity creating the disturbance should cease immediately, and the *Aboriginal Relics Act 1975* will apply for reporting and management.

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### ***Final Plan***

9. A fee of \$220.00, or as otherwise adopted by Council resolution from time to time, must be paid to Council prior to the sealing of each stage of the final plan of survey.
10. A final plan of survey and two (2) copies must be provided together with the schedule of easements as necessary.
11. All conditions of this permit must be satisfied before the Council seals the final plan. It is the subdivider's responsibility to arrange any required inspections and to advise Council in writing that the conditions of the permit have been satisfied. The final plan of survey will not be dealt with until this advice has been provided.

### ***Water Quality***

12. Temporary run-off, erosion and sediment controls must be installed and maintained at full operational capacity to the satisfaction of Council's General Manager until the land is effectively rehabilitated and stabilised after completion of the development.

### ***Environmental Health***

13. The final plan of survey must be endorsed that the lots are only suitable for the on-site disposal of wastewater using a licensed Aerated Wastewater Treatment System or modified trench septic or other approved system.

### ***Telecommunications, electrical and gas reticulation***

14. If electrical and telecommunications services are to be provided to each lot, they must be provided in accordance with the requirements of the responsible authority and the satisfaction of Council's General Manager.

### ***Access***

15. The shared vehicular access must be upgraded, as required, in accordance with Section 107 of the *Local Government (Buildings and Miscellaneous Provisions) Act 1993* to comply with relevant municipal standard drawings, the recommendations of Bushfire Planning Group (2005): *Guidelines for development in bushfire prone areas of Tasmania, Tasmania Fire Service, Hobart* and to the satisfaction of Council's General Manager. Shared access must include a:
  - all weather construction;
  - minimum trafficable width of 6.00 metres (Including consolidated, formed, surfaced and drained shoulders), or minimum 4.0 metres trafficable width with 2.0 metre wide by 20 metre long passing bays every 90 metres along the access otherwise;
  - stormwater drainage as required.

### ***Engineering drawings***

16. Engineering design drawings, as required, are to be submitted for approval by Council's General Manager. Engineering Drawings are to be prepared by a qualified and experienced civil engineer, or other person approved by the General Manager.
17. Approved Engineering Plans will remain valid for a period of 2 years from the original date of approval.

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### ***Construction amenity***

18. Any works relating to the development must be carried out between the following hours:
- |                           |                   |
|---------------------------|-------------------|
| Monday to Friday          | 7.00am to 6.00pm  |
| Saturday                  | 9.00am to 6.00pm  |
| Sundays & Public Holidays | 10.00am to 6.00pm |

### **The applicant shall also be advised that:**

- A. This permit does not imply that any other approval required under any other legislation or by-law has been granted.
- B. Appropriate temporary control measures include, but are not limited to, the following:
- Minimise site disturbance and vegetation removal;
  - Diversion of up-slope run-off around cleared and/or disturbed areas, or areas to be cleared and/or disturbed, provided that such diverted water will not cause erosion and is directed to a legal discharge point (eg. temporarily connected to Council's storm water system, a watercourse or road drain);
  - Sediment retention traps (e.g. sediment fences, straw bales, grass turf filter strips, etc.) at the down slope perimeter of the disturbed area to prevent unwanted sediment and other debris escaping from the land;
  - Sediment retention traps (e.g. sediment fences, straw bales, etc.) around the inlets to the stormwater system to prevent unwanted sediment and other debris blocking the drains;
  - Rehabilitation of all disturbed areas as soon as possible.
- C. The issue of this permit does not ensure compliance with the provisions of the *Threatened Species Protection Act 1995* or the *Environmental Protection and Biodiversity Protection Act 1999* (Commonwealth). The applicant may be liable to complaints in relation to any non-compliance with these Acts and may be required to apply to the Policy and Conservation Assessment Branch of the Department of Primary Industries, Parks, Water and the Environment or the Commonwealth Minister for a permit.
- D. Please be advised that the creation of conservation covenants requires the landowner to demonstrate that the land has viable long-term conservation values. There are costs associated with the on-ground assessment of the areas proposed for covenanting and preparation of maps for the Nature Conservation Plan. The Policy and Conservation Assessment Branch of the Department of Primary Industries, Parks, Water and the Environment should be contacted prior to the assessment in order to discuss the requirements and information to be collected, quality standards and application forms for completion, preparation of the Central Plan Register map. Please call 1300 368 550 for more information or visit the Protected Areas on private Land Program website at [www.papl.tas.gov.au](http://www.papl.tas.gov.au).
- E. **This permit shall not take effect and must not be acted on until 15 days after the date of receipt of this permit unless, as the applicant and the only person with a**

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right of appeal, you notify Council in writing that you propose to commence the use or development before this date, in accordance with Section 53 of the *Land Use Planning and Approvals Act 1993*.

- F. This planning approval shall lapse at the expiration of two (2) years from the date of the commencement of planning approval if the development for which the approval was given has not been substantially commenced. Where a planning approval for a development has lapsed, an application for renewal of a planning approval for that development shall be treated as a new application.

Carried

14.3 DA 2011/50 :  
SWANSTON RURAL :  
CERTIFICATE OF  
TITLE 243744 FOLIO  
1 1-3 DALRYMPLE  
STREET, BOTHWELL  
: CHAGE OF USE TO  
BULK STORE  
INCLUDING NEW  
SHED AND SIGNAGE  
IN THE RURAL ZONE  
& VILLAGE ZONE &  
HERITAGE  
CONSERVATION  
AREA

### Recommendation

Moved C/r

Seconded C/r

That Central Highlands Council (Planning Authority) in accordance with the provisions of the *Central Highlands Planning Scheme 1998* and Section 57 of the *Land Use Planning & Approvals Act 1993*, approve the application for *Change of Use to Bulk Store & Including New Shed and Signage* in the Village Zone and Rural Zone and Heritage Conservation Area at 1-3 Dalrymple Street, Bothwell, Certificate of Title Volume 243744 Folio 1, subject to the following conditions:

### General

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

### Signage

4. The proposed sign must not exceed 1.2 metres in length and 0.6 metres in height.

### Amenity

5. All external metal building surfaces must be clad in non-reflective pre-coated metal sheeting or painted to the satisfaction of the Council's General Manager.
6. Before any work commences a schedule specifying the finish and colours of all external surfaces and samples must be submitted to and approved by the Council's General Manager. The schedule must provide for muted and subdued finished colours (blue or bright greens should be avoided) that minimise visual intrusion. The schedule shall form part of this permit when approved.

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7. The premises and grounds are to be kept free from filth, dust, ashes, refuse waste and other offensive matter and such materials are not permitted to accumulate on the premises in a manner which in the opinion of an authorised officer from Council is likely to create a health risk or is unsightly.

### ***Heritage values***

8. A minimum 2 metre separation must be provided between the existing building and the warehouse. Amended drawings showing compliance with this condition must be submitted to and approved by Council's General Manager prior to lodgement of a Building Permit.
9. The proposal must be amended to provide a gabled roof with a 30 degree pitch. Amended drawings showing compliance with this condition must be submitted to and approved by Council's General Manager prior to lodgement of a Building Application.

### ***Landscaping***

10. The existing plantings located in the nature strip extending the length of the property frontage must be retained.
11. A hedge must be planted along the frontage with Dalrymple Street extending for a minimum length of 6 metres on either side of the driveway.
12. The western and southern perimeter of the warehouse must be landscape by trees, shrubs, screens or other means approved by Council's General Manager in order to provide adequate screening from Patrick Street. Plantings must bear a suitable relationship to the proposed height of the building and must not use species listed as noxious weeds within Tasmania, displaying invasive characteristics. Landscaping should be concentrated near the siting of the warehouse.
13. Before any work commences, a landscape plan must be submitted to and approved by Council's General Manager showing compliance with Conditions 10, 11 and 12. The landscape plan must show the areas to be landscaped, the form of landscaping, the plants species and estimates of the cost of the works. The landscaping plan shall form part of the permit when approved.
14. The landscaping works must be completed in accordance with the revised landscape plan and to the satisfaction of Council's General Manager within six (6) months of the first use of the development.

### ***Hours of operation***

15. The use or development must only operate between the following hours unless otherwise approved by Council's General Manager:
  - Monday to Friday 7:00 a.m. to 6:00 p.m.
  - Saturday 8:00 a.m. to 6:00 p.m.
  - Sunday and State-wide public holidays 10:00 a.m. to 6:00 p.m.

### ***Parking and Access***

16. At least four (4) parking spaces must be provided on the land at all times for the use of the occupiers in accordance with Standards Australia (2004): Australian Standard AS

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2890.1 - 2004 – Parking Facilities Part 1: Off Street Car Parking; Standards Australia, Sydney.

17. Car parking spaces, other than those designed and marked out for use by the disabled, must be a minimum of 2.60 metres wide and 5.50 metres long, unless otherwise approved by the Council's General Manager.
18. The vehicle access from the carriageway of the road onto the subject land must be located and constructed using a sealed/gravel pavement in accordance with the construction and sight distance standards shown on standard drawings SD 1012 and SD 1009 prepared by the IPWE Aust. (Tasmania Division) (attached) and to the satisfaction of Council's General Manager.
19. A parking plan prepared and certified by a qualified civil engineer or other person approved by Council's General Manager must be submitted to Council prior to or in conjunction with lodgement of Building Application. The parking plan is to include:
  - a) pavement details,
  - b) design surface levels and drainage,
  - c) turning paths,
  - d) dimensions
  - e) and shall form part of the permit when approved.
20. All parking and associated turning, loading and unloading areas and access must be constructed in accordance with the approved parking plan.
21. The completed parking and associated turning, loading and unloading areas and access must be certified by a practicing civil engineer to the effect that they have been constructed in accordance with the endorsed drawings and specifications approved by Council before the use commences.
22. All areas set-aside for parking and associated turning, loading and unloading areas and access must be completed before the use commences or the building is occupied and must continue to be maintained to the satisfaction of the Council's General Manager.

### **Stormwater**

23. Stormwater from the roof must not discharge directly to the road but must discharge through a storage tank overflow or to another legal point of discharge in accordance with a Plumbing Permit issued by the Permit Authority in accordance with the *Building Act 2000*.

### **Services**

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

### **Southern Water**

25. The development must meet all required Conditions of approval specified by Southern Water Response to the Council Notice of Planning Application Referral, date 9 February



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2012 (SWDA2012/00087).

### **Water Quality**

26. Before any work commences a soil and water management plan (SWMP) prepared in accordance with the guidelines *Soil and Water Management on Building and Construction Sites*, by the Derwent Estuary Programme and NRM South, must be approved by Council's General Manager before development of the land commences (refer to advice below). The SWMP shall form part of this permit when approved.

### **Construction amenity**

27. Any works relating to the development must be carried out between the following hours:
- |                           |                   |
|---------------------------|-------------------|
| Monday to Friday          | 7.00am to 6.00pm  |
| Saturday                  | 9.00am to 6.00pm  |
| Sundays & Public Holidays | 10.00am to 6.00pm |

### **The applicant shall also be advised that:**

- A. This permit does not imply that any other approval required under any other legislation or by-law has been granted.
- B. The SWMP shall be prepared in accordance with the guidelines *Soil and Water Management on Building and Construction Sites*, by the Derwent Estuary Programme and NRM South, the *State Policy for Water Quality Management 1997* and the requirements of the Council's General Manager and show the following -
- Allotment boundaries, north-point, contours, layout of roads, driveways, building envelopes and reticulated services (including power and telephone and any on-site drainage or water supply), impervious surfaces and types of all existing natural vegetation;
  - Critical natural areas such as drainage lines, recharge area, wetlands, and unstable land;
  - Estimated dates of the start and completion of the works;
  - Timing of the site rehabilitation or landscape program;
  - Details of land clearing and earthworks or trenching and location of soil stockpiles associated with roads, driveways, building sites, reticulated services and fire hazard protection;
  - Arrangements to be made for surface and subsurface drainage and vegetation management in order to prevent sheet and tunnel erosion;
  - Temporary erosion and sedimentation controls to be used on the site; and
  - Recommendations for the treatment and disposal of wastewater in accordance with Standards Australia: *AS/NZS 1547: On-site wastewater management*, Standards Australia, Sydney, 2000.
- C. The issue of this permit does not ensure compliance with the provisions of the *Commonwealth Disability Discrimination Act 1992* in relation to access to or use of premises that the public can enter or use. Building access issues may also arise under other *Disability Discrimination Act 1992* provisions relating to employment, access to services and accommodation provisions. The operator may be liable to complaints in





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relation to any non-compliance with the *Disability Discrimination Act 1992*.

There are currently no standards prescribed for compliance with the *Disability Discrimination Act 1992*, however, Australian Standards associated with the Act, including AS 1428.1-2001 - Design for access and mobility - General requirements for access - New building work and the Building Code of Australia (BCA) may apply to occupants of the building. It is recommended that you obtain further information concerning the Disability Discrimination Act 1992 from the Office of the Human Rights and Equal Opportunities Commission or the Tasmanian Anti-Discrimination Commission.

- D. This planning approval shall lapse at the expiration of two (2) years from the date of the commencement of planning approval if the development for which the approval was given has not been substantially commenced. Where a planning approval for a development has lapsed, an application for renewal of a planning approval for that development shall be treated as a new application.**

**Carried**

### 14.4 DA 2010/35: PH & LK KAINE : ARTHURS LAKE ROAD, ARTHURS LAKE : REQUEST FOR APPROVAL OF CROSSOVERS

#### Recommendation

Moved **Clr**

Seconded **Clr**

THAT the requirement for engineering drawings for the crossovers as required by Condition 19 of Development Permit 2010/35 be waived as Council's Works Manager is satisfied that the access meets the standards applied to urban roads.

**Carried**

### 14.5 DA2011/38 : MIDLANDS WATER SCHEME : APPEAL

Report & recommendation to be provided by James Drysburgh prior to meeting day.

### 14.6 PUBLIC OPEN SPACE

#### Recommendation

Moved **Clr**

Seconded **Clr**

**THAT** Council's Planning Consultant be engaged to develop a Policy to deal with Public Open Space Contributions and purposes for funds collected.

**Carried**





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### 15.3 AGFEST 2012

#### Recommendation

Moved **Clr**

Seconded **Clr**

**THAT** Council allocate a \$3,000.00 from the Australia Day underspend and Event Sponsorship budget line to cover costs of AGFEST attendance.

**Carried**

### 15.4 RIVERS RUN TOURISM ASSOCIATION

Clr Jacka has requested that this item be placed on the agenda and will provide and update on the Rivers Run Tourism Association and membership.

### 15.5 PURCHASE OF PA SYSTEM

#### For discussion

### 16.0 WORKS & SERVICES

Moved **Clr**

Seconded **Clr**

**THAT** the **Works & Services Report** be **received**.

**Carried**

### 16.1 DISCUSSION

### 16.2.1 RECEIVAL OF STATUS REPORT

Moved **Clr**

Seconded **Clr**

**THAT** the **Status Report** be **received**.

**Carried**

### 16.2.2 STATUS REPORT DISCUSSIONS

### 16.2.3 NRM REPORT

Moved **Clr**

Seconded **Clr**

**THAT** the **NRM Report** be **received**.

**Carried**





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**17.4 REQUEST FOR  
REMISSION  
(GARBAGE RATES &  
PENALTIES)  
04-0015-03866  
\$207.33**

Advised these rates were to be exempt for 20 years following an agreement on the transfer of land for grave yard at Bothwell.

**18.0  
ADMINISTRATION**

**18.1 MEMORANDUM  
OF  
UNDERSTANDING –  
CENTRAL  
HIGHLANDS  
COMMUNITY MEN'S  
SHED INC.  
(PAGES 1-5)**

At the January Council Meeting it was resolved that the General Manager, Cllr Loueen Triffitt and Mrs Diane Lovell review the Draft Memorandum of Understanding submitted by the Central Highlands Community Men's Shed Inc. A revised document has been prepared and is submitted for Council endorsement.

**Recommendation:**

Moved **Cllr**

Seconded **Cllr**

**THAT** the General Manager be authorised to sign the Memorandum of Understanding between the Council and the Central Highlands Community Men's Shed Inc.

**Carried**

**18.2 CENTAL  
HIGHLANDS  
SHACKOWNERS  
ASSOCIATION  
MEETING**

The next meeting of the Association is to be held on Sunday 11<sup>th</sup> March 2012 at the Miena Community Centre commencing at 9.30am with AGM and followed by the General Meeting. An invitation has been extended to the Mayor, Councillors, Works and Services Manager and the General Manager to attend.

**For Noting**

**18.3 LGAT ANNUAL  
GENERAL MEETING  
AND GENERAL  
MEETING 11<sup>TH</sup> JULY  
2012  
(PAGES 6-7)**

Councils are invited to submit motions for inclusion in the agenda of the General Meeting to be held in July, 2012. Motions will need to be received at LGAT by close of business on Friday 30 March, 2012.

**For Noting**



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### 18.4 LEGISLATIVE & REGULATORY FRAMEWORK FOR THE SALE AND SUPPLY OF ALCOHOL IN TASMANIA (PAGES 8-9)

LGAT as a member of the Inter Agency Working Group on Drugs, has been contributing to the development of a scoping study of the legislative and regulatory framework dealing with the sale and supply of alcohol and the management of alcohol-related harm in Tasmania. Stenning and Associates have successfully tendered to undertake the study and will be engaging with peak industry representatives and LGAT on key issues relating to the framework. LGAT will be hosting a meeting with Stenning and Associates on Tuesday, 6 March at 10am and have invited any interested Councillors to attend as the meeting will provide an opportunity to directly input into the consultation process, in particular on the role of local government in relation to the liquor licensing process and town planning considerations.

#### For Information

### 18.5 BIODIVERSITY OFFSETS GUIDELINES PROJECT (PAGES 10-11)

At the January Meeting, Council expressed some concern at the consultation process undertaken by the STCA for this project. A response has been received from David Hunn, CEO of STCA which is attached. David has offered to arrange for the Project Manager, Emma Riley, to do a specific presentation to Council during the public consultation period (3 March to 16 April, 2012).

#### Recommendation:

Moved **Clr**

Seconded **Clr**

**THAT** Council invite Emma Riley to the March Council Meeting to give a presentation on the Biodiversity Offsets Guidelines Project.

**Carried**

### 18.6 SUMMARY OF ISSUES RAISED BY COUNCILS IN RESPONSE TO THE STATEWIDE DIRECTIONS PAPER ON RV SITES (PAGES 12-16)

Attached is an update provided by the Local Government Association of Tasmania detailing responses received from Councils. At the present stage the Working Group is waiting to receive all submissions in, and will then be reconvening to discuss input and feedback received. The content of the submissions will then determine where the issue is taken to from that stage.

#### For Information

### 18.7 REVIEW OF THE LGAT RECREATIONAL VEHICLES GUIDELINES (PAGES 17-24)

LGAT is seeking comments on their Draft Policy Guidelines for Recreation Vehicles Development and management of Facilities.

The Association requests that comments and feedback be forwarded by Monday 19 March, 2012.

#### For Discussion



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### 18.8 STAKEHOLDER CONSULTATION FOR SURVEILLANCE OF FOREST MANAGEMENT PRACTICES TADBERRY HOLDINGS PTY LTD (APRIL 2012) (PAGES 25-29)

The Woodmark Forest Certification program is accredited by the Forest Stewardship Council (FSC) to evaluate forest management against the FSC's internationally recognised set of principles and criteria for responsible forest management. Forests that meet the standard can promote their products with the FSC logo. They are currently undertaking a forest management evaluation on practices carried out by Peter Downie (Tasberry Holdings Pty Ltd).

Comments using the attached form can be submitted until 26<sup>th</sup> March, 2012.

#### For Information

### 18.9 MEETING OF OWNER COUNCILS OF SOUTHERN WATER

A meeting of the Owner Councils of Southern Water was held on 9<sup>th</sup> February, 2012.

Discussed at the meeting was the matter of payment to the Owners Representatives (3) and two options were put forward for appointment of Owner Representatives. It was considered at the meeting that while there is uncertainty about the future of the Corporation that it would be prudent to have in place an agreed process for appointment of Owners' Representatives that could be activated if necessary.

It was moved Mr Heath seconded Mayor Flint:

#### 1. *Payments to Owners Representatives*

*(a) That from 1st July 2012, the Owners' Representatives be paid \$5,000 per annum.*

*(b) That the cost of payments to the Owners' Representatives and additional costs including allocations for legal advice and the travelling expenses of the Owners Representatives be recovered from the Owner Councils through an increase in subscriptions payable to the STCA and that this be dealt with through the STCA 2012/13 budget process.*

#### 2. *Appointment of Owners' Representatives for a period of three years from 1st July 2012. (Options 2a and 2b are alternatives.)*

*That the following options be referred to the Owner Councils for their consideration:*

*2a. Option 1 – Nomination of a single Owner Representative to represent the interests one of three groups of Owner Councils in the region.*

*That:*

*Each Council seeks nominations from qualified and interested individuals. Those wishing to be appointed as a nominee provide a brief summary of their claim/s to the position based on the criteria outlined above.*

*Each Council elects an individual to be its nominee.*

*The four nominees of each group hold a meeting at which they decide which one of their number is best qualified to represent theirs and the regional interest. (The discussion may be*

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*facilitated by the four General Managers of those Councils if necessary.)  
If a decision cannot be made, each Elected Member of each Council in a group of Councils will vote for their preferred nominee using a preferential voting system. (Note that the recommended groupings mean that there would be equal numbers of Elected Members from each Council in each Council Group - 12 in each of the large Councils and 9 in each of the small and medium size Councils);*

*The names of the three persons elected by steps 1. to 5. are forwarded to all Councils for their agreement that those elected be appointed. At least 9 of the 12 Councils will need to agree;*

*1. To provide for the eventuality that a simple majority of the twelve Owner Councils will not support either option 1 or option 2:*

*a. each Owner Council appoints a single delegate to attend a meeting to resolve the impasse;*

*b. A meeting of Owners' delegates will be held to resolve the matter and determine the method of nomination; and*

*c. Each council will agree with the outcome of the meeting of delegates; and*

*2. The process of appointment commence at the beginning of April 2012 if, by that time, it will have become clear that Owners' Representatives will be required from 1st July 2012 and that this decision be delegated to the General Managers of the twelve Owner Councils.*

*2 b. Option 2 –Nomination of three Owner Representative to represent the interests all Owner Councils in the region.*

*That:*

*Nominations are sought from qualified and interested individuals.*

*Those wishing to be appointed as an Owners' Representative provide a brief summary of their claim/s to the position based on the criteria outlined above.*

*The names of the persons nominated are forwarded to all General Managers with the statement that each has prepared with a ballot paper.*

*Each Council votes for the three representatives in a preferential system.*

*1. The names of those elected by steps 1. to 4. are forwarded to all Councils for their agreement that these persons be appointed as Owners Representatives. At least 9 of the 12 Councils will need to agree.*

*2. If a simple majority of the twelve Owner councils does not support either option 1 or option 2:*

*a. each Owner Council appoints a single delegate to attend a meeting to resolve the impasse;*

*b. A meeting of Owners' delegates will be held to resolve the matter and determine the method of nomination; and*

*c. Each council will agree with the outcome of the meeting of delegates; and*

*2. The process of appointment commence at the beginning of April 2012 if, by that time, it will have become clear that Owners' Representatives will be required from 1st July 2012 and that this decision be delegated to the*





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### *General Managers of the twelve Owner Councils.*

The impact of payment to the Owners' Representatives based on the assumption that the same percentage of the total required that applies to STCA subscriptions would also apply to support of the Owners' Representatives would mean an increase of approximately \$352.00 to Central Highland. The other alternative is that the 12 councils contribute an equal amount of \$1,834.00. The Mayor will need to vote for Council's preferred option for the appointment of Southern Water Owners' Representatives from Option 1 or 2 above.

#### **Recommendation:**

Moved **Clr**

Seconded **Clr**

**THAT** Council support Option.....for the appointment of Owners" Representatives of Southern Water for a three year period from 1 July, 2012.

**Carried**

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### **18.10 PROPOSAL TO FORM A SINGLE STATEWIDE WATER CORPORATION**

At the Southern Water Owner Councils Meeting Hobart City Council requested that the following draft motion be considered:

- 1. The owners note the contents of the Deloitte Report dated 18 November 2011 and the letter from the Chairman of the Tasmanian Water and Sewerage Corporations dated 16 January 2012;*
- 2. The owners advise the Chairman of the Tasmanian Water and Sewerage Corporations that they do not consider the above documents amount to a full and proper due diligence in relation to any proposed merger of the existing corporations;*
- 3. Until a full and proper due diligence is received, the owners are unable to consider and support any proposed merger.*

The Chairman outlined the sequence of events that had led to a single Statewide Corporation being proposed. He then invited Ald Sexton of Hobart City Council (HCC) to speak to the draft motion.

Ald Sexton stressed that the major concern of HCC was that governance issues had not been fully addressed in the various papers that had been made available concerning the proposal to form a single Statewide Corporation. He therefore proposed that the following words be inserted at the end of part 2 of the draft motion:

**"specifically in relation to the governance model"**. Ald Sexton was particularly concerned that when the issue was debated at a meeting of the Local Government Association of Tasmania in late March, the Owners of Southern Water would not be in a position to speak with a united voice on these issues.

In discussion that followed, it became clear that there was general agreement that governance issues had to be addressed, that such consideration should not hold up the

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process of consideration of the proposal and that it was desirable that a “Southern position” on governance issues be developed and supported by all owners of Southern Water.

Following further discussion, **it was resolved as follows:**

- That the General Managers meet and draft a Position Paper on governance issues for circulation to the Owners.
- That the representatives of the Owners meet again at 1 p.m. on Thursday 23rd February 2012 to discuss the draft Position Paper, resolve outstanding issues and submit a final version of the Position Paper to all Owner Councils with a request that it be discussed and adopted by each Council; and
- That each Owner Council considers adopting the Position Paper before the March meeting of the LGAT

### For Noting

#### 19.0 SUPPLEMENTARY AGENDA ITEMS

Moved **Clr**

Seconded **Clr**

**THAT** Council consider the matters on the Supplementary Agenda.

**Carried**

#### 20.0 COMMITTEE REPORTS

#### 21.0 CLOSURE