



Central Highlands Council

AGENDA – ORDINARY MEETING – 16th OCTOBER 2012

Agenda of an Ordinary Meeting of Central Highlands Council scheduled to be held at Bothwell Council Chambers, on Tuesday 16th September 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

2.0 PRESENT

3.0 APOLOGIES

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.

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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5.1 MOTION INTO COMMITTEE

Moved **Clr**

Seconded **Clr**

THAT Council move into Committee to discuss confidential matters in accordance with Section 15 of the Local Government (Meeting Procedures) Regulations 2005.

Carried

5.2 MATTERS DISCUSSED IN COMMITTEE

5.3 MOTION OUT OF COMMITTEE

Moved **Clr**

Seconded **Clr**

THAT Council move out of Committee and resume the Ordinary Meeting.

Carried

OPEN MEETING TO PUBLIC

The Meeting will be opened to the public at 10.00am

6.0 IN ATTENDANCE

Kathy Hean will be in attendance at 10.00am

6.1 PUBLIC QUESTION TIME

7.0 NRM REPORT

Moved **Clr**

Seconded **Clr**

THAT the **NRM Report** be received.

Carried

8.0 FINANCE REPORT

Moved **Clr**

Seconded **Clr**

THAT the **Finance Report** be received.

Carried



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9.0 COMMUNITY & ECONOMIC DEVELOPMENT REPORT

Moved **Clr**

Seconded **Clr**

THAT the **Community & Economic Development Report** be received and noted.

Carried

9.1 BRANDING – WEB SITE

For Information

9.2 BRANDING – CENTRAL HIGHLANDS NEWS

For Information

9.3 BRANDING - HIGHLANDS TASMANIA. DESTINATION SOUTHERN TASMANIA MEMBERSHIP – COUNCIL OR BRAND?

For Discussion and Recommendation

9.4 BRANDING – HIGHLANDS TASMANIA MARKETING STRATEGY

Recommendation:

Moved **Clr**

Seconded **Clr**

THAT Highlands Tasmania joins ATEC.

Carried

9.5 BRANDING - KEEP AUSTRALIA BEAUTIFUL AWARDS – HIGHLANDS TASMANIA, ONE COMMUNITY

For Discussion

9.6 TOUR OF TASMANIA/LAUNCESTON TO NEW NORFOLK CYCLE RACES

For Discussion



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9.7 ARTHURS LAKE BOAT RAMPS

Recommendation:

Moved **Clr**

Seconded **Clr**

THAT Council agree in principle to provide this service subject to further discussion, draft and final agreements on cost-recovery.

Carried

9.8 HAULAGE HILL INFORMATION BAY

9.9 INFRASTRUCTURE

For Discussion

9.10 TIGER TRAIL FESTIVAL

Report to be presented at the meeting

10.0 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

10.1 DA 2012/30: TASMANIAN LAND CONSERVANCY INC: 1190 MARKED TREE ROAD, HAMILTON: SUBDIVISION – TWO LOTS & BALANCE 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 in the Rural Zone* at 1190 Marked Tree Road, Hamilton, Certificate of Title Volume 102690, Folio 4, subject to the following conditions:



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General

1. The subdivision layout or development must be carried out substantially in accordance with the application for planning approval, the endorsed drawings and with the conditions of this permit and must not be altered or extended without the further written approval of Council.

Final Plan

2. A fee as determined 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.
3. A final plan of survey and two (2) copies must be provided together with the schedule of easements as necessary.
4. 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.

Easements

5. 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

6. 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

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.

Building envelopes

8. All development must be contained within the building envelope as shown on the Application for Subdivision prepared by the Tasmanian Land Conservancy and dated August 2012. The location of the building envelope must be shown on the final plan of the survey.
9. 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 that no



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removal or clearing of vegetation is to occur outside of the designated building envelopes on Lots 2 and 3, with the exception of the clearing or removal of vegetation for the following purposes:

- a. The removal or trimming of trees for reasons of safety and protection of the property;
- b. The removal of environmental weeds;
- c. Unless in accordance with a Bushfire Hazard Management Plan approved by the Tasmanian Fire Service.

Bushfire Management

10. 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

11. 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

12. 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.

Water Quality

13. 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

14. 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

15. 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.

Rural access

16. A separate vehicle access must be provided from the road carriageway to each lot. Accesses must be 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) 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 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.
- C. **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***



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Use Planning and Approvals Act 1993.

- 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

10.2 DA 2012/39:
PEACOCK DARCEY &
ANDERSON P/L: 289
ROTHERWOOD ROAD,
LOWER MARSHES
(CT154494/1 &
CT154495/1):
SUBDIVISION -
BOUNDARY
ADJUSTMENT 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 in the Rural Zone* at 289 Rotherwood Road, Lower Marshes , Certificate of Title Volume 154494, Folio 1 and Certificate of Title Volume 154495, 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 and with the conditions of this permit and must not be altered or extended without the further written approval of Council.

Final Plan

2. A fee as determined 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.
3. A final plan of survey and two (2) copies must be provided together with the schedule of easements as necessary.
4. 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.

Easements

5. 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

6. 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.
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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.

Telecommunications, electrical and gas reticulation

8. 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.

Construction amenity

9. 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. **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*.**
- C. **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



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10.3 DA 2012/27:
IRENEINC PLANNING
OBO HALLCHADWICK
CHARTERED
ACCOUNTANTS: 5814
HIGHLAND LAKES ROAD,
WILBURVILLE:
SUBDIVISION OF 27
LOTS & BALANCE IN THE
HOLIDAY RESIDENTIAL
ZONE, CONSERVATION
ZONE AND RIVERSIDE,
LAKESIDE AND
WETLAND AREA

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 27 Lots and balance in the Holiday Residential and Conservation Zones* at 5814 Highland Lakes Road, Wilburville, Certificate of Title Volume 33300 Folios 1 & 2, 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 and with the conditions of this permit and must not be altered or extended without the further written approval of Council.
2. This permit shall not take effect and must not be acted on until 15 days after the date of receipt of this 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*.
3. Prior to the sealing of the final plan of survey a Traffic Impact Assessment (TIA), prepared by a suitably qualified professional, is to be submitted to and approved by Council's General Manager. The TIA must address the impact of traffic generated by the proposal on the intersection of Arthurs Lake Road and Poatina Road and the sight distances at that intersection. Any works required by the recommendations of the TIA must be completed at the cost of the developer.
4. No personal access, boat ramps, jetties or like structures shall be allowed to be constructed on the foreshore of Arthurs Lake.

Staged development

5. 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.

Easements

6. 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

7. 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.



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Covenants

8. Covenants or other similar restrictive controls that conflict with any provisions or seek to prohibit any use provided within the planning scheme must not be included or otherwise imposed on the titles to the lots created by this permit, either by transfer, inclusion of such covenants in a Schedule of Easements or registration of any instrument creating such covenants with the Recorder of Titles, unless such covenants or controls are expressly authorised by the terms of this permit or the consent in writing of the Council's General Manager.
9. A covenant or other restrictive control must be established to restrict building, access/track construction, wastewater disposal, removal of vegetation or use of fertilisers and other chemicals within the building exclusion zone and shall be registered on the relevant lot titles in accordance with the approved plan.

Public open space

10. Land shown as public open space on the final plan of survey must be transferred to the Central Highlands Council by Memorandum of Transfer submitted with the final plan of survey.
11. To protect the existing peat areas from suffering continued land degradation, no vehicular access to the foreshore is to be made through the Public Open Space; this area is to be fenced with appropriate low height fencing constructed in natural materials to prevent vehicles gaining entry.

Bushfire management

12. 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 with Level 1 of Standards Australia (1999): AS 3959: Construction of Buildings in Bushfire Prone Areas Standards Australia, Sydney.
13. 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.

Natural Values

14. Prior to construction commencing, a ground survey of the site is to be undertaken by a suitably qualified professional in accordance with the Guidelines for Natural Values Assessments (DPIPWE). A report on the findings of the survey must be submitted to and approved by Council's General Manager prior to construction. The survey is to include, but is not limited to, the following:
 - a) Nesting habitat for masked owls in the form of mature tree hollows;



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- b) Denning habitat for the Tasmanian devil;
- c) Potential habitat for Ptunarra brown butterfly;
- d) Threatened flora previously recorded on the site; and
- e) Exact location of the eagle nest and if it is active and a survey for other unknown nests.

Weed Management Plan

- 15.** 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 control any identified weeds on the site and measures 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.

Final Plan

- 16.** A fee as 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.
- 17.** A final plan of survey and two (2) copies must be provided together with the schedule of easements as necessary.
- 18.** 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

- 19.** 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

- 20.** 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

- 21.** Where provided, electrical reticulation and telecommunication reticulation must be installed in accordance with the requirements of the responsible authority and the satisfaction of Council's General Manager.

Access

- 22.** A separate vehicle access must be provided from the road carriageway to each lot. Accesses must be of a gravel formation with a minimum width of 3 metres at the



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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) and the satisfaction of Council's General Manager.

Roadwork's

23. The corners of each road intersection must be splayed or rounded by chords of a circle with a radius of not less than 6.00 metres in accordance with Sections 85(d)(viii) and 108 of the *Local Government (Building & Miscellaneous Provisions) Act 1993* and the requirements of the Council's General Manager.
24. Roadwork's and drainage must be constructed in accordance with the standard drawings prepared by the IPWE Aust. (Tasmania Division) and to the requirements of Council's General Manager.
25. The proposed subdivision road is to be constructed/upgraded to an unsealed rural road standard in accordance with the standards shown on standard drawings SD-1008 Rural Roads – Typical Cross Section prepared by the IPWE Aust. (Tasmania Division) (attached) and to the requirements of Council's General Manager with a minimum road reserve of 18.00 metres and 25 metres at the cul-de-sac. The minimum construction standard must include:
 - All weather construction;
 - minimum trafficable width of 6.00 metres with at least 1.00 metre consolidated, formed, surfaced and drained shoulders; and
 - stormwater drainage as required.
26. All roads or footways must be shown as "Road" or "Footway" on the final plan of survey and transferred to the Central Highlands Council by Memorandum of Transfer submitted with the final plan.

Engineering drawings

27. 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.
28. Approved Engineering Plans will remain valid for a period of 2 years from the original date of approval.

Construction amenity

29. 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



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Construction

30. The subdivider must provide not less than 48 hours written notice to Council's General Manager before commencing construction works on site or within a council roadway. The written notice must be accompanied by evidence of payment of the Building and Construction Industry Training Levy where the cost of the works exceeds \$12,000.
31. The subdivider must provide not less than 48 hours written notice to Council's General Manager before reaching any stage of works requiring inspection by Council unless otherwise agreed by the Council's General Manager.

Defects Liability Period

32. The subdivision must be placed onto a 6 month statutory defects liability period in accordance with section 86 of the *Local Government (Buildings and Miscellaneous Provisions) Act 1993*, Councils Specification and Policy following the completion of the works in accordance with the approved engineering plans and permit conditions.

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. 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.
- D. The issue of this permit does not ensure compliance with the provisions of the *Threatened Species Protection Act 1995* or the Commonwealth *Environmental Protection and Biodiversity Protection Act 1999*. The applicant may be liable to complaints in relation to any non-compliance with these



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Acts and may be required to apply to the Policy and Conservation Assessment Branch of the Department of Primary Industries, Parks, Water & Environment or the Commonwealth Minister for a permit.

- 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

**10.4 DA 2012/17 :
WOOLCOTT SURVEYS
(OBO TASMANIAN LAND
CONSERVANCY INC) :
BLACK SNAKE ROAD,
BOTHWELL ;
SUBDIVISION OF 9 LOTS
AND BALANCE IN 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 Nine Lots and Balance (Road Lot) in the Rural Zone* at Blake Snake Road, Bothwell, Certificate of Title Volume 101028 Folio 3 and Certificate of Title 222695 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 and with the conditions of this permit and must not be altered or extended without the further written approval of Council.
- 2.** This permit shall not take effect and must not be acted on until 15 days after the date of receipt of this 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*.

Staged development

- 3.** 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.

Easements

- 4.** 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.



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Endorsements

5. 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.
6. Taking into consideration the findings contained within the '*Biodiversity Assessment for Jinks Tier*' prepared by Matthew Taylor and dated March 2012, building envelopes for each lot must be shown on the Final Plan of Survey. Building envelopes must be capable of containing all servicing infrastructure, access, parking and fire management Building Protection Zone.

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.
8. A conservation covenant must be created on Lots 1, 2 and 4 in accordance with the *Nature Conservation Act 2002* to protect the following values ascertained in the '*Biodiversity Assessment for Jinks Tier*' prepared by Matthew Taylor and dated March 2012:

Lot 1 and 9: for the area containing the *Freshwater aquatic sedgeland and rushland* and *Eucalyptus rodwayi* forest native vegetation community.

Lot 5 and 6: for the area containing the *Highland Poa grassland* threatened native vegetation community.

The general reserve design and terms and conditions of the Conservation Covenant must be agreed upon by the landowner (Tasmanian Land Conservancy), Council and the Department of Primary Industries, Parks, Water and the Environment (represented by the Policy and Conservation Assessment Branch) prior to lodgement of the Final Plan of Survey for sealing by Council. The final reserve design and terms and conditions are subject to approval by the Minister administering the *Nature Conservation Act 2002*.

Agreements

9. 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 future development of each lot to be carried out in accordance with the following:

a) No development is to occur within 30 metres of the embankment of the Clyde



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River on Lots 2, 3, 4, 5, 6 and 7.

- b) Any residential use or development is to be carried out and maintained in accordance with the recommendations of the Bushfire Planning Group (2005): *Guidelines for development in bushfire prone areas of Tasmania*, Tasmania 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.

10. 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 Plan

11. 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 manage any identified weeds on the site and 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.

Final Plan

12. A fee as determined 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.
13. A final plan of survey and two (2) copies must be provided together with the schedule of easements as necessary.
14. 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

15. 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

16. 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 and electrical reticulation

17. Where provided, electrical reticulation and telecommunication reticulation must be



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installed in accordance with the requirements of the responsible authority and the satisfaction of Council's General Manager.

Access

- 18.** A separate vehicle access must be provided from the road carriageway to each lot. Accesses must be of a gravel formation 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.

Roadwork's

- 19.** The corners of each road intersection must be splayed or rounded by chords of a circle with a radius of not less than 6.00 metres in accordance with Sections 85(d)(viii) and 108 of the *Local Government (Building & Miscellaneous Provisions) Act 1993* and the requirements of the Council's General Manager.
- 20.** Roadwork's and drainage must be constructed in accordance with the standard drawings prepared by the IPWE Aust. (Tasmania Division) and to the requirements of Council's General Manager.
- 21.** The developer is to upgrade Black Snake Road, from the proposed new road to Dennistoun Road, to an unsealed rural road standard in accordance with the standards shown on standard drawings SD-1008 Rural Roads – Typical Cross Section prepared by the IPWE Aust. (Tasmania Division) and to the requirements of Council's General Manager. The minimum construction standard must include:
- All weather construction;
 - minimum trafficable width of 6.00 metres with at least 1.00 metre consolidated, formed, surfaced and drained shoulders;
 - stormwater drainage as required;
 - the developer must provide a contribution of 50% of the total cost of the future upgrade of the existing bridge on Black Snake Road as negotiated with Council prior to the sealing of the final plan and to the requirements of Council's General Manager.
 - Vegetation to be cleared to at least 2m from either side of the constructed road pavement.
- 22.** The proposed subdivision road is to be constructed/upgraded to an unsealed rural road standard in accordance with the standards shown on standard drawings SD-1008 Rural Roads – Typical Cross Section prepared by the IPWE Aust. (Tasmania Division) and to the requirements of Council's General Manager with a minimum road reserve of 18.00 metres and 25 metres at the cul-de-sac. The minimum construction standard must include:
- All weather construction;
 - minimum trafficable width of 6.00 metres with at least 1.00 metre consolidated,
-



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formed, surfaced and drained shoulders; and

- stormwater drainage as required.

- 23.** A vehicle access must be provided from the road carriageway to each lot. Accesses must be 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) and the satisfaction of Council's General Manager.
- 24.** The proposed shared vehicular access to lots 1, 2, 3 and 4 must be upgraded 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.
- 25.** All roads or footways must be shown as "Road" or "Footway" on the final plan of survey and transferred to the Central Highlands Council by Memorandum of Transfer submitted with the final plan.

Engineering drawings

- 26.** 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.
- 27.** Approved Engineering Plans will remain valid for a period of 2 years from the original date of approval.

Construction amenity

- 28.** 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 |

Construction

- 29.** The subdivider must provide not less than 48 hours written notice to Council's General



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Manager before commencing construction works on site or within a council roadway. The written notice must be accompanied by evidence of payment of the Building and Construction Industry Training Levy where the cost of the works exceeds \$12,000.

30. The subdivider must provide not less than 48 hours written notice to Council's General Manager before reaching any stage of works requiring inspection by Council unless otherwise agreed by the Council's General Manager.

Defects Liability Period

31. The subdivision must be placed onto a 6 month statutory defects liability period in accordance with section 86 of the *Local Government (Buildings and Miscellaneous Provisions) Act 1993*, Councils Specification and Policy following the completion of the works in accordance with the approved engineering plans and permit conditions.

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. 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.
- D. The issue of this permit does not ensure compliance with the provisions of the *Threatened Species Protection Act 1995* or the Commonwealth *Environmental Protection and Biodiversity Protection Act 1999*. 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 & Environment or the Commonwealth Minister for a permit.



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- 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

10.5 DOG REGISTRATION RENEWALS 2012/2013

Recommendation

Moved **Clr**

Seconded **Clr**

THAT Infringement Notices be issued under the Monetary Penalties Act to the twenty dog owners who have not registered their dog/s for the 2012/2013 financial year and the appropriate action taken if not resolved within the statutory 28 day period.

Carried

10.6 DES STATUS REPORT

For Information

11.0 WORKS & SERVICES

Moved **Clr**

Seconded **Clr**

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

Carried

11.1 DISCUSSION

11.2 VICTORIA VALLEY ROAD – LETTER ANDREW JONES

Recommendation:

Moved **Clr**

Seconded **Clr**

- a) Council cover the cost of the \$468.00 to replace the windscreen of Andrew Jones.
- b) The Works Manager and Leading Hand take Councillors to Victoria Valley Road to discuss some options and what Council may want to spend ready for the next budget deliberation.

Carried



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11.3 PELHAM TIER ROAD

Moved **Clr**

Seconded **Clr**

Recommendation:

THAT Council seek an engineering report and costing for the purpose of changing Pelham Tier Road.

Carried

11.4 SAFER ROADS

For Discussion

11.5 BOTHWELL REC GROUND

Recommendation:

Moved **Clr**

Seconded **Clr**

THAT Council allocate \$10,500 to repair the Bothwell Recreation Ground to make it safe to play and train again.

Carried

11.6 BOTHWELL ILU FENCING

Recommendation:

Moved **Clr**

Seconded **Clr**

THAT Council proceed with the fencing at a price of \$380, with the Works Manager to purchase the timber.

Carried

11.7 SURPLUS EQUIPMENT TENDER

Tenders to be tabled at the Meeting

11.8 REMOVAL OF FUEL TANKS – BOTHWELL DEPOT

Recommendation:

Moved **Clr**

Seconded **Clr**

THAT Council accept the quote for \$19,140 for removal of existing fuel tanks at the Bothwell Depot

Carried



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11.9 RECEIVAL OF STATUS REPORT

Moved **Clr**

Seconded **Clr**

THAT the **Status Report** be received.

Carried

11.9.1 STATUS REPORT DISCUSSIONS

12.0 MAYORAL COMMITMENTS

18 th Sept 2012	Council Meeting – Hamilton Forestry Public Meeting – New Norfolk
26 th Sept 2012	General Meeting LGAT
28 th Sept 2012	Independent Living Unit Meeting – Hamilton
30 th Sept 2012	Ellendale Community Hall AGM
1 st Oct 2012	Independent Living Unit Meeting – Ouse
3 rd Oct 2012	Handover Dinner – Lions Club of Bothwell
5 th Oct 2012	Book Launch – History of Southern Midlands by the Governor
7 th Oct 2012	Blessing of the Pets, and Farmers Day in Bothwell
9 th Oct 2012	Planning Workshop Water & Sewerage Workshop
11 th Oct 2012	Building Appeals Board Hearings
12 th Oct 2012	March – anti bullying for school children

TV Interviews

ABC

WIN

Southern Cross

Radio – ABC

Mercury Newspaper



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12.1 COUNCILLORS COMMITMENTS

Clr A J Downie

18 th Sept 2012	Forestry Meeting at New Norfolk
21 st Sept 2012	Tiger Trail opening at Plenty
27 th Sept 2012	SWSA at Kingston
8 th Oct 2012	Finance Position Interviews at Hamilton
9 th Oct 2012	Planning Committee at Bothwell

Clr G L Herbert

18 th Sept 2012	Council Meeting – Hamilton Forestry Public Meeting – New Norfolk
9 th Oct 2012	Planning Workshop - Bothwell

Clr I V McMichael

17 th Sept 2012	CHCSCC Ouse
18 th Sept 2012	Council Meeting Hamilton
28 th Sept 2012	ILU Committee Meeting Hamilton
1 st Oct 2012	ILU Committee Meeting Ouse
8 th Oct 2012	Interview Finance & Admin Staff
9 th Oct 2012	Planning Meeting Bothwell

12.2 GENERAL MANAGERS COMMITMENTS

1 st Oct 2012	Interview applicant for Units
8 th Oct 2012	Interviews Finance Manager & Admin Officer
9 th Oct 2012	Planning Committee Meeting Council workshop
10 th Oct 2012	Performance appraisals Hamilton Staff

13.0 NOTIFICATION OF COUNCIL WORKSHOPS

13.1 FUTURE WORKSHOPS

14.0 MAYORAL ANNOUNCEMENTS



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15.0 MINUTES

15.1 RECEIVAL MINUTES
ORDINARY MEETING

Moved Cllr

Seconded Cllr

THAT the Draft Minutes of the **Ordinary Meeting** of **Council** held on **Tuesday 18th September 2012** be received.

Carried

15.2 CONFIRMATION OF
MINUTES ORDINARY
MEETING

Moved Cllr

Seconded Cllr

THAT the Draft Minutes of the **Ordinary Meeting** of **Council** held on **Tuesday 18th September 2012** be confirmed.

Carried

15.3 RECEIVAL MINUTES
PLANNING COMMITTEE
MEETING

Moved Cllr

Seconded Cllr

THAT the Draft Minutes of the **Planning Committee Meeting** of **Council** held on **Tuesday 9th October 2012** be received.

Carried

15.4 RECEIVAL MINUTES
ILU COMMITTEE
MEETING

Moved Cllr

Seconded Cllr

THAT the Draft Minutes of the **Independent Living Units Committee Meeting** of **Council** held on **Friday 28th September 2012** be received.

Carried

16.0 BUSINESS ARISING

17.0 ADMINISTRATION



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17.1 PROPOSED CHANGES TO LOCAL GOVERNMENT ELECTORAL ARRANGEMENTS (PAGES 1-20)

Councillors have previously been circulated with a Discussion Paper “Proposed Changes to Local Government Electoral Arrangements” which includes discussion on the following”

- Introducing opt-in compulsory voting, whereby a council may choose to make voting in local government elections compulsory within its municipal area;
- Introducing all-in, all-out elections every four years, with four year terms for Mayors and Deputy Mayors;
- Moving to election of Deputy Mayors ‘around the table’ rather than by popular vote; and
- Banning dual representation, so that a person cannot in future hold a seat on council and in State parliament at the same time.

Matt Healey, Director of Local Government is seeking Council’s feedback on the proposed changes by Wednesday 31 October 2012.

For Discussion

17.2 SOUTHERN WATER ANNUAL GENERAL MEETING

The Annual General Meeting of the Tasmanian Water and Sewerage Corporation (Southern Region) Pty Ltd will be held on Wednesday, 7 November, 2012 at the Glenorchy Civic Centre commencing at 4.00pm.

The Board has extended an invitation to the meeting to Council’s elected members and executive. Mayor Deirdre Flint is Council’s Standing Representative.

For Information

17.3 MEMORANDUM OF UNDERSTANDING – RAW INC (PAGES 21-24)

Attached is a Memorandum of Understanding between Central Highlands Council and Rural Alive and Well Inc. which has been prepared to formally recognize the respective strengths of each other’s organization.

The MOU outlines the purposes, objectives, and means of achievement by both organisations singularly and jointly.

Recommendation:

Moved **Clr**

Seconded **Clr**

THAT Council authorize the General Manager to sign the Memorandum on behalf of Council.

Carried



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17.4 MEMORANDUM OF UNDERSTANDING – NRM (PAGES 25-34)

Attached if a final version of the Derwent Catchment NRM Memorandum of Understanding between Derwent Catchment NRM Committee, Central Highlands Council, Derwent Valley Council and NRM South.

Cathy Limb, NRM South has advised that this MOU will be put to Derwent Valley's next meeting. It has been approved by the Derwent Catchment NRM Committee and NRM South.

For Discussion

17.5 ANNUAL RATE REBATES FOR CONSERVATION COVENANTS IN THE CENTRAL HIGHLANDS MUNICIPALITY (PAGES 35-36)

The Manager, Private Land Conservation Program, has advised that as at 30 June, 2012 there were 684 conservation covenants registered on private land across Tasmania covering an area of 80,677 hectares. 40 of these covenants, covering a total of 9713 hectares are in the Central Highlands.

Mr Vincent outlines the benefits of providing support and recognition to these landowners via a rate rebate.

Council does not currently offer a rate rebate for land with conservation covenants.

For Information

17.6 RATE REMISSION PID 2990300 DPIW

The above property comprises 701.8 ha on the Highland Lakes Road, Brandum. Rates raised for 2012/2013 are \$780.98.

Council has received advice that this land is now a conservation area and as such is now exempt from rates.

Recommendation:

Moved **Clr**

Seconded **Clr**

THAT Council remit rates of \$780.98 on property PID 2990300.

Carried

17.7 OUSE HALL

Council has received a report from an electrician on the condition of the electrical wiring, switches, switchboard etc which have been deemed to be unsafe and with a recommendation that the hall is in need of a part re-wire, as the kitchen appears to have already been completed.

Two quotes were obtained to complete the works. As the hall is booked for the Ouse Monster Fair on 20 October, 2012 the General Manager after consultation with the Mayor and Manager DES, accepted the quote of \$11,057 GST inclusive. The hall will be made safe for the Fair and all works are to be completed by 31 October, 2012.

For Information



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17.8 INDEPENDENT LIVING UNITS

The Committee interviewed a prospective tenant for the Units at Ouse. It was resolved that the committee recommends to Council that the prospective tenant be offered their choice of either Unit 3 at the Independent Living Units or Unit 1 of the Affordable Housing Units.

Recommendation:

Moved **Clr**

Seconded **Clr**

THATbe offered the choice of either Unit 3 at the Ouse ILU or Unit 1 Affordable Housing Unit.

Carried

17.9 CITIZENSHIP AWARDS AND BURSARY AWARDS (PAGES 37-39)

Bothwell District High School has written seeking Council's interest in sponsoring awards for 2012. Council last year provided the following sponsorship:

- **Bothwell District High School**
- Primary Encouragement Award - \$50
- Citizenship Award - \$50
- Bursary Award - \$250

- **Ouse District School**
- 2 x Value Awards @ \$50 each - \$100
- Bursary Primary Student Award - \$100

- **Glenora District High School**
- Citizenship Award - \$50
- Bursary Award - \$250

- **New Norfolk High School**
- Bursary Award - \$250

Recommendation:

Moved **Clr**

Seconded **Clr**

THAT Council sponsor the following awards:

- **Bothwell District High School**
- Primary Encouragement Award - \$50
- Citizenship Award - \$50
- Bursary Award - \$250



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- **Ouse District School**
 - 2 x Value Awards @ \$50 each - \$100
 - Bursary Primary Student Award - \$100
- **Glenora District High School**
 - Citizenship Award - \$50
 - Bursary Award - \$250
- **New Norfolk High School**
 - Bursary Award - \$250

And

THAT Councillors be appointed to present the awards on behalf of Council.

Carried

17.10 TABLE AND BENCH SEAT “PUB-WITH-NO-BEER” (PAGE 40)

The Bothwell Historical Society Members are looking at tidying up the Pub-with-no-Beer landmark and surrounding area. Members are asking council to provide a table and bench seats for the area and have suggested that if Council are unable to provide a new set, that the seldom used set between the toilet block and the Golf Museum be relocated to this site.

The Historical Society is currently seeking approval from DIER for the above project.

Recommendation:

Moved **Clr**

Seconded **Clr**

THAT the Works Manager liaise with the Historical Society to supply a table and bench seats to the value of \$1,000 and that the Bothwell Historical Society be responsible for its installation.

Carried

17.11 STATE FIRE MANAGEMENT COUNCIL (PAGES 41-43)

The term of the Local Government nominee to the State Fire Management Council has expired and LGAT has been asked to submit 3 nominations. The principle function of the SFMC is to develop a State vegetation fire management policy. Nominations are to be made on the attached form and be received at LGAT by Monday 22 October, 2012.

For Information



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18.0 SUPPLEMENTARY AGENDA ITEMS

Moved **Clr**

Seconded **Clr**

THAT Council consider the matters on the Supplementary Agenda.

Carried

19.0 COMMITTEE REPORTS

20.0 CLOSURE
