



Central Highlands Council

AGENDA – ORDINARY MEETING – 9TH DECEMBER 2013

Agenda of an Ordinary Meeting of Central Highlands Council scheduled to be held at Bothwell Council Chambers, on Tuesday 9th December 2013, commencing at 9am 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 in 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.

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

6.1 PUBLIC QUESTION TIME

7.0 MAYORAL COMMITMENTS

19 th November 2013	Council Meeting – Hamilton Parliament House – Hon Michael Polley MP
21 st November 2013	Central Highlands Tourism Meeting – Hamilton Focus
22 nd November 2013	DIER Community Road Safety Partnership Awards
25 th November 2013	Biodiversity Workshop Bushfire Recovery Meeting Inspection The Avenue, Ellendale Hon Craig Farrell – New Norfolk Rotary Function
26 th November 2013	Independent Living Units Meeting Cenotaph proposal, Hamilton Hon Jamie Briggs – Infrastructure Portfolio

27 th November 2013	Westerway Bush Watch
28 th November 2013	Mrs Amy Hallett's Funeral
29 th November 2013	ANZAC Day Committee Meeting Mrs Kay Allen, Ellendale – St Vinnies Award Theatre Royal Launch
2 nd December 2013	Ash Cottage function
3 rd December 2013	Bothwell – Miena – Derwent Bridge – Hamilton accompanying CEO Tourism Tasmania Highlands Tasmania Tourism Meeting New Norfolk District School Presentation Evening
4 th December 2013	General Meeting – Local Government Association of Tasmania
5 th December 2013	Mayor's Workshop
6 th December 2013	Southern Tasmania Councils Authority Governance and Audit Committee
7 th December 2013	Country Women's Association Christmas Dinner

7.1 COUNCILLORS COMMITMENTS

Clr L M Triffitt

19 th November 2013	November Council Meeting
29 th November 2013	Update with General Manager Anzac Day Meeting
3 rd December 2013	ILU Meeting

Clr A W Bailey

19 th November 2013	November Council Meeting
22 nd November 2013	Westerway Primary School
2 nd December 2013	Planning Workshop – Bothwell

7.2 GENERAL MANAGER COMMITMENTS

19 th November 2013	Council Meeting
21 st November 2013	Hamilton Operators Meeting
25 th November 2013	Workshop Planning – Biodiversity Map Overlay Healthy Communities Initiative Steering Meeting
26 th November 2013	Independent Living Units Committee Meeting
28 th November 2013	Hobart Meeting BM & B
3 rd December 2013	Independent Living Units Committee Meeting Highlands Tasmania Tourism Meeting

7.0 NOTIFICATION OF COUNCIL WORKSHOPS

Planning Workshop - Biodiversity Code Overlay Map

8.0 FUTURE WORKSHOPS

9.0 MAYORAL ANNOUNCEMENTS

10.0 MINUTES

10.1 RECEIVAL DRAFT MINUTES ORDINARY MEETING

Moved **Clr**

Seconded **Clr**

THAT the Draft Minutes of the **Ordinary Meeting** of **Council** held on **Tuesday 19th November 2013** be received.

Carried

10.2 CONFIRMATION OF DRAFT MINUTES ORDINARY MEETING

Moved **Clr**

Seconded **Clr**

THAT the Draft Minutes of the **Ordinary Meeting** of **Council** held on **Tuesday 19th November 2013** be confirmed.

Carried

10.3 RECEIVAL DRAFT MINUTES INDEPENDENT LIVING UNITS COMMITTEE MEETING

Moved **Clr**

Seconded **Clr**

THAT the Draft Minutes of the **Planning Committee Meeting** of **Council** held on **Tuesday 26th November 2013** be received.

Carried

10.4 RECEIVAL DRAFT MINUTES INDEPENDENT LIVING UNITS COMMITTEE MEETING

Moved **Clr**

Seconded **Clr**

THAT the Draft Minutes of the **Planning Committee Meeting** of **Council** held on **Tuesday 3rd December 2013** be received.

Carried

10.5 RECEIVAL DRAFT MINUTES TOURISM COMMITTEE MEETING

Moved **Clr**

Seconded **Clr**

THAT the Draft Minutes of the **Tourism Committee Meeting** of **Council** held on **Tuesday 3rd December 2013** be received.

Carried

11.0 BUSINESS ARISING

12.0 NRM REPORT

Moved Clr

Seconded Clr

THAT the NRM Report be received.

Carried



Derwent Catchment Natural Resource Management Committee Inc.

PO Box 22 Hamilton Tas 7140 Phone: 6286 3211 Fax: 6286 3370

Report Central Highlands Council 20th November to 9th December 2013

The DCNRM executive had a very successful MOU review meeting. NRM South is happy with the demonstration of co-investment, provided by DCNRM. We have also tweaked the Catchment Coordinators Position Description taking into consideration the additional roles such as Public Officer and increased emphasis on project, budget management and the role associated to weed control for both Councils. DCNRM would like to thank Council for being able to organize Chris Absolom at such short notice to participate in the MOU meeting. His input was of great benefit.

The Catchment Coordinators position will be advertised in Saturday the 7th December Mercury as well as on the NRM Regional web site. If Council wishes to have a representative on the interview panel, please contact the Secretary Kathy Van Dulleman to register. Applications for the position close 20th December and perusal of applications is likely to occur early in the New Year with interviews held shortly after.

Unfortunately our discussion group meeting, with local Derwent Valley agricultural producers and run by Macquarie Franklin, had to be postponed for a week however is now being held Wed 4th Dec. Interest in our program is high with 20 farmers registering for the initial workshop. Topics to be discussed include demonstrating productive and sustainable cropping rotations built around poppy and forage crops, as well as building knowledge of the new generation of productive and persistent pastures based on our trial sites at Bloomfield, Grassy Hut and Blackwood.

This month DCNRM has provided advice to Council on effective control of White weed within road reserves and identified an introduced plant species known as common salsify.

The Weed Implementation Plan for the Upper Derwent Highland Lakes was revised and sent to Lyn Eyles and Barry Hardwick. Blackburn Creek gorse has been treated under budget. Negotiations on re-directing the remaining money to the Council land along the Clyde River in Bothwell on the blackberry infestation has been successful. Once the river drops to a workable level, land owners associated with this issue will be contacted for in-kind support and treatment will occur as previously agreed. Additional gorse on private land along the Lake Secondary Road between Blackburn Creek and Steppes has been sighted. DIER has had a program to control gorse in the road reserve through this area over the last two years. DCNRM will approach the land owner to discuss control measures on these patches of Gorse. Mt Adelaide English Broom control has been completed for this year. Next stage is to approach adjoining land owners to the reserve with regard to weed control on their land. Another working bee with the Lions Club will be planned mid autumn.

The Fire recovery project will be on hold until the successful applicant takes up the position.

Macquarie Franklin has a pilot project out called Red Hot Tips, which is funded by the Tasmanian Government. It is all about planning and implementing controlled burns. The Upper Derwent Valley is one of the targeted areas. Please refer to the attached flier for details.

Kathy Van Dullemen
Secretary
Derwent Catchment NRM Committee

Red Hot Tips

Planned burning on private land

Applications now open

to landholders interested in upskilling in planned burning of native vegetation.

Do you fit the following selection criteria?

- ✓ Your property is located in the Southern Midlands, Upper Derwent Valley, Glamorgan Spring Bay municipality or Dial Range region;
- ✓ You have areas of native vegetation that would benefit from planned burning; and
- ✓ You are a commercial farmer (>70% income from your farm);

To strengthen your application chances:

- ✓ Neighboring properties are also keen to participate;
- ✓ You have conservation covenants on your property; and
- ✓ You have current electronic farm maps.

For more information or an application form contact:

Bronnie Grieve, Macquarie Franklin

Mobile: 0400 763 904 Email: bgrieve@macfrank.com.au

or online: www.macquariefranklin.com.au/red-hot-tips.html or
www.sfmc.tas.gov.au

Applications close 5pm Friday 13 December 2013

Red Hot Tips

Planned burning on private land

Project Background

Red Hot Tips is funded by the Tasmanian Government, to continue the work of a recent pilot project funded by NRM North and delivered by Macquarie Franklin.

Red Hot Tips will assist in upskilling landholders to enable them to safely and effectively conduct planned burning of native vegetation on their properties, using a range of tools and participating in a training program.

Red Hot Tips is a three year project, being rolled out in three separate rounds. Round 1 will commence in December 2013 and finish in June 2014 and offers 20 landholders the opportunity to participate. Interested landholders are invited to apply for a place in Round 1.

Applications close at 5pm on Friday 13 December 2013.

For additional information please contact:

Bronnie Grieve
Macquarie Franklin
M: 0400 763 904
E: bgrieve@macfrank.com.au

Selection criteria

The following criteria will be used to select applicants for Round 1. Criteria 1, 2 and 3 **MUST** be met for applicants to be considered. Meeting criteria 4, 5 and 6 will improve your chances of success.

1. Your property is located in the Southern Midlands, Upper Derwent Valley, Glamorgan Spring Bay municipality or Dial Range region (near Penguin, Ulverstone, Gunns Plains, North Motton and Riana);
2. You have areas of native vegetation that would benefit from planned burning;
3. You are a commercial farmer (>70% income from your farm);
4. Neighbouring properties are also keen to participate;
5. You have current electronic farm maps; and
6. Properties with conservation covenants will be assessed favourably.

Applicants will be ranked and assessed by the project Steering Committee, which has representatives from Tasmania Farmers and Graziers Association (TFGA), Parks and Wildlife Service (PWS), Tasmania Fire Service State Fire Management Council, Tasmanian Fire Service Bushfire Ready Neighbourhoods Program and Forestry Tasmania (FT). Selection decisions by the Steering Committee are final. Unsuccessful applicants may reapply in future funding rounds, providing they meet the selection criteria for that round.

13.0 FINANCE REPORT

Moved Cllr

Seconded Cllr

THAT the Finance Report be received.

Carried

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 Cllr

Seconded Cllr

THAT the Development & Environmental Services Report be received.

Carried

14.1 DA 2013/34: JOHN MURRELL HALL & DATLEN FAMILY TRUST: 18 PATRICK STREET, BOTHWELL: SIGNAGE AND SHIPPING CONTAINER IN VILLAGE ZONE AND HERITAGE CONSERVATION AREA

Contract Planner (D Allingham)

Approved:

Senior Contract Planner (J Tyson)

Applicant:

John Murray Hall & Datlen Family Trust

Owner

Datlen Family Trust

Discretions

Development in a Heritage Conservation Area.

Proposal:

This report will consider an application made to Council for signage and a shipping container for an existing shop at 18 Patrick Street, Bothwell.

The 3,600mm x 500mm signage is for a gun shop ("Halls Ammo") which is to be located on the face of the existing awning which was previously used to shelter petrol bowlers. The gun shop will occupy one room of the "Bothwell

Super Store” that was previously used as part of that business. The gun shop itself does not form part of this application as it is defined as a “Shop” under the *Central Highlands Planning Scheme 1998* (the Scheme) and has existing use rights.

The proposed 6m x 2.6m shipping container is proposed to be sited 5.2m from the front boundary which is roughly in line with the existing building line. The container is proposed to be located 3.2m to the west of an existing timber garage and 4.2m from the eastern boundary. The proposed container is to be 2.6m in height and sit partially in front of the existing house. The purpose of the shipping container is to provide vermin proof storage for food stock. The container will be painted “heritage green”.

Site Description:

The subject site is located on the main street in the historic town of Bothwell and is located on the corner of Patrick Street and William Street. Patrick Street is generally lined with heritage dwellings and shops and is a continuation of the Highland Lakes Road which is the major route to the Highland Lakes area. The subject site is the first of a series of shops on the main street as you travel into Bothwell. The adjoining lots to the south and east are vacant residential lots.

The site consists of a historic sandstone dwelling which has a number of additions including a weatherboard extension to the dwelling to the rear and a weatherboard garage adjoining the eastern wall. Adjoining the western wall is a rendered extension which is used as a shop. A large awning extends from the sandstone dwelling at the front which was previously used as shelter the now removed petrol bowzers. A large sign sits atop the awning for the “Bothwell Super Store”. The store is typical of a general store in a small town and sells itself as a newsagency, supermarket and take-away shop among other things.

The area between the shop and Patrick Street is surfaced entirely with concrete and acts as an informal parking area with no parking delineation. The length of the front boundary is built to the same level as the road so there are no specific entry and exit points to the parking area.

While the sandstone structure is still in good condition, the additions detract from its heritage qualities and the property is not listed on the Tasmanian Heritage Register or the Municipal Heritage Register.

The subject land is zoned ‘Village’ under the *Central Highlands Planning Scheme 1998*, and is within a ‘Heritage Conservation Area’.

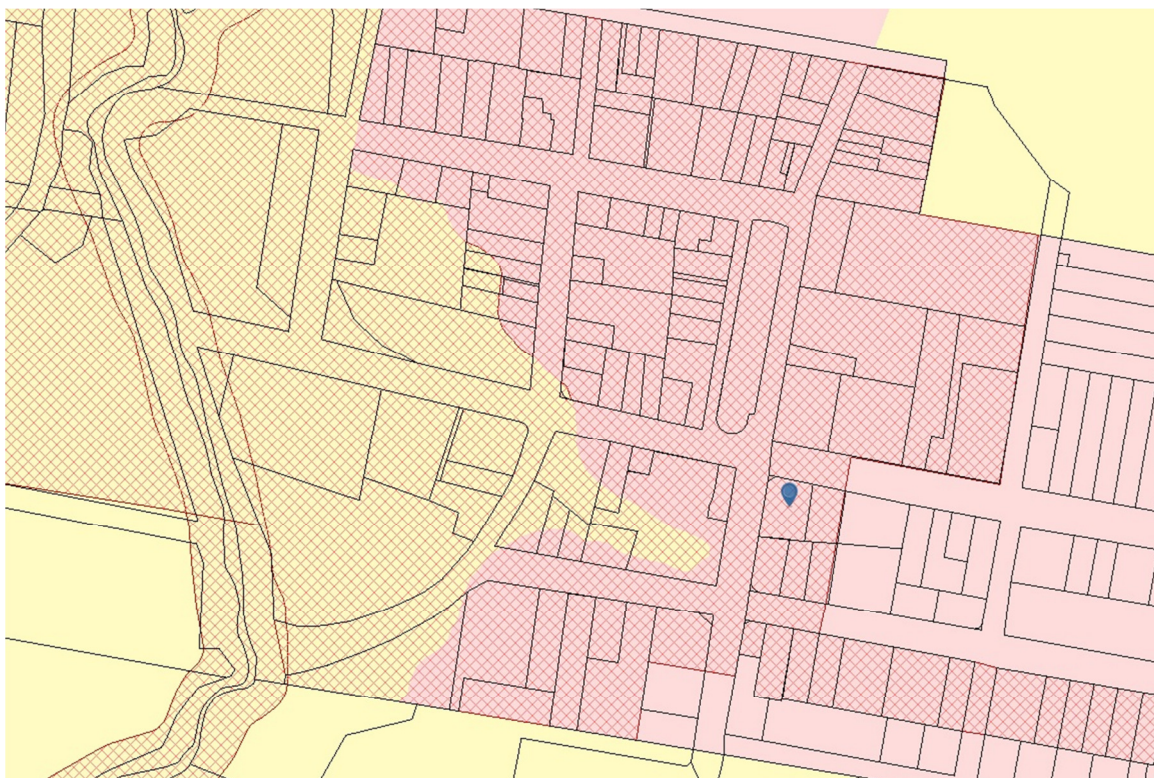


Plate 1: Zoning map showing the subject site with blue marker. The pink area is the Village Zone and the hatched area the Heritage Conservation Area. (Source: *The List Tas*, 2013)



Plate 2: An aerial image of the area depicts the nature of the environment. (Source: *The List Tas*, 2013)

Statutory Status:

The land impacted by the proposed subdivision is zoned Village and is covered by the Heritage Conservation Area under the *Central Highlands Planning Scheme 1998*. Any development within a Heritage Conservation Area is a Discretionary development type pursuant to Part 5.3 of the Scheme.

In addition, the signage exceeds the size of an 'exempt' sign and therefore is a Discretionary development pursuant to Part 4.4 of the Scheme.

Advertising:

The application was subject to a 14 day statutory notification procedure in accordance with section 57 of the Act. The application was advertised from the 23 October 2013 through to the 7 November 2013. Five (5) representations were received within the public consultation timeframe.

Representations

The concerns raised in the representations from the initial advertising period are detailed as follows:

<i>Issues raised</i>	<i>Planning response</i>
<i>Representor 1</i>	
Wants to know whether this is a new independent business being run from the residential part of the business, or is it incorporated within the existing business.	The business "Halls Ammo" will be occupying one room at the Bothwell Super Store that was previously used as part of the existing shop. As the business is defined under the Scheme as a 'shop', there is no intensification of use and a change of use is not necessary as part of this application.
Parking and traffic is always an increasing concern, will council recommend that parking be constructed in accordance with Australian Standards.	As noted above, 'Halls Ammo' is defined as a 'shop' under the Scheme and will not constitute a change of use or intensification of the use on the site. As such there is no requirement to assess the number of parking spaces. However, the informal parking in the area has potential safety issues and as such, a condition requiring a parking plan is recommended.
<i>Representor 2</i>	
Has a concern about increase in traffic and the ad-hoc nature of the existing parking, particularly because the footpath coming down Patrick St runs into an unorganised scramble of cars which is unsafe for pedestrians.	See comment above recommending a parking plan for the site.
<i>Representor 3</i>	

Parking is a problem on the site and the new business will increase the problem.	See above.
There is an illegal incinerator on the site and there could be a potential disaster if the if dangerous goods are stored in the container.	<p>The alleged illegal incinerator does not factor into this application.</p> <p>However, it should be inspected by a Council officer and enforcement actions be taken if necessary.</p>
<i>Representor 4</i>	
<p>The representor is a local business owner who recently upgraded their food licence and upgraded/renovated their premises. A condition of their permit was to provide a "Traffic Impact Assessment" (TIA). This proposal is a new business, and will no doubt create an increase in traffic, will Council require the same for this applicant, or reimburse me the cost of the TIA.</p>	<p>There is no reference to the specific DA that the representor is referring to. However, each application is assessed on its merits and it can only be assumed that a TIA was required due to an intensification or change of use at that business.</p> <p>Given that there is no intensification or change of use occurring as part of this application, a TIA is not required. As noted above, a condition requiring a parking plan is recommended.</p> <p>Any request for reimbursement should be taken up with Council's General Manager and is not a planning matter.</p>
<i>Representor 5</i>	
Have concerns that the new business will increase parking congestion and contribute to more traffic hazards.	As noted above, the "Halls Ammo" is not an intensification of the use, however a condition requiring a parking plan is recommended to formalise parking on the site.

Planning Evaluation

General Objectives:

The General Objectives of the Planning Scheme relevant to this proposal are:

- (a) To promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity.*
- (b) To provide for the fair, orderly and sustainable use and development of air, land and water;*

- (d) *To encourage economic development in accordance with the objectives listed above.*
- (e) *To give effect to relevant objectives of the Central Plateau, midlands and Southern Midlands Strategic plan and the Central Highlands Council Strategic Plan which are as follows:-*
 - (ii) *To strengthen the commercial and tourist roles of the existing townships and create an appropriate network of settlements to meet the needs of residents and visitors.*
 - (vi) *To protect places of cultural significance.*

The application for a shipping container and signage has a small development footprint within a built up residential and commercial area and therefore is a sustainable development within an appropriate area. The signage is for a business that is to be used that will provide additional options and competition in the local area and is consistent with objective (d) above.

It could be argued that the signage and shipping container have the potential to detract from the Heritage values of the property and immediate area and due to its prominent position on the main street, detract from the heritage values of the town which is a key part of attracting tourists to Bothwell.

On the other hand, the heritage values of the subject site have already been greatly compromised by the existing additions and further development, if done respectfully, would not have any significant impact on the heritage values of the site. Additionally, the signage promotes a part of the business that is likely to be of interest to some tourists and will strengthen the commercial and tourist roles of the town.

Special Objectives

The Special Objectives of the Planning Scheme relevant to this proposal are:

- (a) *To consolidate urban development and promote as main urban centres - Bothwell, Hamilton, Miena, Ouse and Wayatinah and to provide for their growth through the orderly provision of urban services.*
- (b) *To encourage diverse uses and to foster the broadening of the economy of the Council area and of the region.*
- (c) *To identify, protect and enhance the historic heritage of Bothwell and Hamilton.*

The application is in accordance with objectives (a) and (b) above as the development is located in the urban centre of Bothwell and provides signage for a business that fosters the broadening of the economy.

It could be reasonably argued that a shipping container to be located so that it can be viewed in a Heritage streetscape does not protect and enhance the historic heritage of Bothwell, particularly given the prominent location of the site in the centre of the town. However, the site is not on the Tasmanian Heritage Register and has been largely altered over time. The overall amenity of the site could be improved with appropriate permit conditions in relation to the requirement for screening of the shipping container through landscaping and a formalised parking layout.

Village Zone Objectives:

The Objectives of the Village Zone are reproduced as follows:

- (a) *To recognise Arthurs Lake Road, Bothwell, Derwent Bridge, Gretna, Hamilton, Miena, Ouse and Wayatinah as having local or specialist service roles.*
- (b) *To facilitate the efficient and effective provision of services by the Council, other authorities and the private sector.*

(c) To ensure that development is consistent with the character of existing streetscape and townscapes, and with the protection and enhancement of sites of heritage significance.

(d) To enhance the role and appearance of Derwent Bridge as a gateway to the World Heritage Area and to encourage the provision of visitor facilities there.

The proposed signage promotes Bothwell as having a specialist service role by advertising goods that are particularly relevant to the area. The applicant has also indicated that the shipping container is to provide a storage area for feed that is protected from vermin. This is also a specialist service that you would expect to find in a town that services a rural area.

The proposed signage will be located flat on the face of an existing awning and have minimal impact on the streetscape. The proposed shipping container potentially has a visual impact on the heritage streetscape and townscape as it is a bulky industrial looking structure. However, as mentioned above, with appropriate conditions, the amenity of the area could be improved through the application.

Development Standards

Part 3, Village Zone, Clause 1.6 of the Scheme prescribes the development standards for the Village Zone relevant to this application as follows:

Maximum plot ratio - 45%.

Maximum building height - 8.0 metres.

The plot ratio for the site has not been given for the application, however it is clear from the aerial photography that the proposed 2.4m x 6m shipping container will not result in the Maximum plot ratio of 45% being exceeded.

The proposed height of the shipping container is 2.6m and the sign is to be located on an existing building face. The application meets the above requirements.

*Front setback - no less than the prevailing building setback or six metres - whichever is the greater.
Except at Derwent Bridge where the setback north of the Lyell Highway shall be one third of lot depth or south of the highway be 50 metres.*

The proposed front setback from the shipping container is 5.2m and appears to be level with the prevailing building setback. Given its visual bulk and the fact that it will open into a parking area, it is appropriate to condition that the shipping container be setback far enough so that the door(s) can be opened so that they do not encroach on the parking area.

Side and rear setbacks - one metre for walls of a height of up to three metres, plus 300 mm for each extra metre of wall height over three metres.

The proposed shipping container is to be setback from the eastern boundary by 4.2m which meets the above standard.

Appearance - all development is to be sited and designed to enhance the character and appearance of the village and its streetscape, and is not to detract from any heritage item or heritage conservation area.

The proposed signage will not detract from the village and its streetscape given that there are a number of existing signs on the site and the location is on the face of the existing awning.

The proposed shipping container on its own is unlikely to enhance the character and appearance of the village and its streetscape. As mentioned previously, conditions requiring the shipping container be setback behind the building line and screened by vegetation and painted in muted heritage colours will ensure that the character of

the streetscape is not significantly impacted. Additionally a parking plan will be required given the current ad hoc nature of the parking on the site, the location on a major road and the number of objections relating to the parking. With appropriate conditions, the completed development may improve the amenity of the site.

Part 4 – Signage

The purpose of this Part is to assist residents, travellers and visitors to the Council Area by providing for appropriate signage which does not cause undue adverse visual or other impacts.

This part sets standards for signs and classes them as 'Exempt', 'Discretionary' or 'Prohibited'. The proposed sign is 3.6m x 500mm and has a surface area of 1.8 sqm. The sign is Discretionary as it exceeds the minimum dimension of 1.2m x 0.6m for Exempt signs. Discretionary signs must comply with the development standards set out in Clause 4.5 for Prohibited signs as follows:

- (a) create hazardous or unsafe conditions or resemble the lights of emergency vehicles,*
- (b) in all zones except Village and Industrial are unrelated to the use of the lot on which they are proposed - unless they have the specific purpose of directing the travelling public to buildings or places of tourist interest, and:*
 - (i) relate to a specific building or place, and*
 - (ii) have as their principal purpose the direction of the public to that building or place, and*
 - (iii) have dimensions, overall size, content, visual appearance and impact no greater than reasonably required to so direct the travelling public.*
- (c) in any heritage conservation area are larger than two square metres in area, or are of a height more than 3.5 metres above ground.*
- (d) signs must not unreasonably obstruct or reflect sunlight or daylight to any building, or cause a reduction in visual amenity in the neighbourhood by virtue of size, colour, content, movement, illumination, position, shape, standard of design or construction, or diminish the visibility of other signs or neighbouring property.*

The proposed sign has a total area of 1.8 sqm so it is of an appropriate size for the Heritage Conservation Area. The sign will not be illuminated and is to be black and white so it will not have any significant impact on the amenity. The location of the sign is on the face of an existing awning and will not create unsafe conditions.

The proposed signage complies with the development standards of Part 4 of the Scheme.

Part 5 – Heritage Provisions

The aims and objectives of the Heritage provisions are:

- (a) To conserve the historic, natural and indigenous heritage of land covered by this Scheme,*
- (b) To integrate heritage conservation into the planning and development control processes,*
- (c) To provide for public involvement in conservation issues, and*
- (d) To ensure that development is undertaken in a manner sympathetic to, and does not detract from the heritage significance of the items and their settings, as well as streetscapes and landscapes and the distinctive character that they impart to the Council Area.*

As mentioned elsewhere in this report, the subject site is not on the Heritage Register nor is it on the Municipal Register and its heritage values have been reduced through a number of additions adjoining the sandstone cottage.

The key planning concern is whether the proposed shipping container is sympathetic to the heritage streetscape.

The shipping container on its own would not be sympathetic, however with appropriate landscaping, setbacks and improved parking layout, the amenity of the subject site can be improved through appropriate permit conditions and enhance the streetscape. Additionally, a shipping container is not a permanent structure and can be removed with ease should the properties heritage values be restored in the future.

Schedule 5 – Matters to be Taken into Consideration in Making Decisions on Applications for a Permit:

Schedule 5 provides additional matters that must be taking into consideration when deciding on any application for a permit and are addressed in the following.

S.5.1 – The provisions of any State Policy or interim State Policy.

Comments in relation to relevant State Policies are discussed below.

S.5.3 – The objectives and other provisions of the Scheme.

These have been addressed previously.

S.5.5 – The effect of the proposed use or development on the landscape, scenic quality or biological diversity of the locality.

The proposed shipping container and signage will have minimal effect on the landscape if appropriate permit conditions are enforced.

S.5.7 – The social effect and the economic effect of the proposed use or development in the locality.

The proposal would have negligible social or economic impacts upon the locality.

S.5.12 – The relation of the proposed use or development to the use or development on adjoining land or on other land in the locality.

Adjoining lots to the subject site are vacant.

S.5.13 – The provisions of Schedule 3 or any code or policy adopted by Council relating to car parking, and whether the proposed means of access is adequate and whether adequate provision has been made for loading, unloading, manoeuvring and parking of vehicles within the proposed use or development or on that land.

Access to the site will not change as a result of the development. Given that the “Halls Ammo” business is to be contained within the existing shop floor space, there is no intensification for the use. However, the proposed shipping container will open directly on to the parking area, so it is recommended that a permit condition require that it be setback far enough for the doors not to encroach on the parking area. To ensure that there is adequate parking area, a permit condition requiring a parking plan is recommended.

S.5.15 – The amount of traffic likely to be generated by the proposed use or development, particularly in relation to the capacity of the road system in the locality and the probable effect of that traffic on the movement of traffic and the safety of pedestrians.

The proposal is not expected to generate any additional traffic as no intensification of the use is proposed.

S.5.17 – Whether the proposed use or development is likely to cause land degradation.

No land degradation is expected to result from the proposal.

S.5.18 – The existing and likely future amenity of the neighbourhood.

It is considered that the proposed development could have a positive impact on the streetscape if appropriate conditions relating to landscaping, setbacks and improved parking layout are included on the planning permit and enforced.

S.5.19 – The effect on the natural, cultural or built heritage.

The impact on the built heritage is covered elsewhere in this report.

S.5.20 – any objection or submission lodged in respect of an application.

Five representations were been received in relation to this development and have been addressed in the sections above.

State Policy Implications

- **State Policy of Water Quality Management**

Subject to appropriate conditions, the proposal is considered to be able to demonstrate compliance with this Policy with regard to ensuring sediment transport into surface waters does not occur.

- **State Policy on the Protection of Agricultural Land 2009**

The State Policy on the Protection of Agricultural Land protects Prime Agricultural Land (Land Capability Classes 1, 2, and 3) and conversion to non-agricultural uses is subject to the principles of the Policy.

The policy is not relevant to this application given that the area is developed residential/commercial land and has no agricultural value.

Technical Matters

Water: The proposal will not utilise the reticulated water services

Sewer: The proposal will not utilise the reticulated sewerage services

Stormwater: Reticulated stormwater services are available to the land.

Access: Access is existing.

No other issues of concern have been raised.

Environmental Implications

There are no environmental implications of the development.

CONCLUSION

Application has been made for a shipping container and signage at a property currently used for a dwelling and a 'shop' at 18 Patrick Street Bothwell. The signage is for "Halls Ammo" which is a new business which will exist within the existing shop floor area. The business is not part of this application considering the 'shop' use exists and no additional floor place is being occupied – effectively it is just providing different stock.

The proposed shipping container is to be located to the east of the existing weatherboard garage and is to be used for providing a vermin proof storage area for stock.

The subject site is within the Village Zone and is also in a Heritage Conservation Area. The existing heritage sandstone structure has a number of additions to it and is not listed on the State or Municipal heritage registers.

The key planning concern for the application is whether the proposed shipping container is respectful of the heritage streetscape. The report argues that on its own the shipping container does not respect the streetscape. However, with appropriate planning conditions the amenity of the site can be improved and enhance the

streetscape. Conditions addressing the following issues are required:

- The shipping container is to be setback behind the building line to ensure that the door of the container to not encroach on the parking area when open.
- The shipping container is painted with a non-reflective paint in a heritage colour.
- A Landscape Plan is required prior to the installation of the container showing how the shipping container is attractively screened with suitable plants.

It is also worth noting that a shipping container is a structure of temporary nature and can be easily removed from the site if the property's heritage values were to be restored at a later date.

Five representations were received as part of the application mainly raising concerns about the increase in traffic and parking. A condition requiring a parking plan is recommended to alleviate the concerns of the representors and wider community and to improve parking at the site.

Satisfying the above, the proposal complies with the development standards prescribed under the Scheme and is therefore justified on this basis.

Subject to conditions, the application can be approved.

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 Signage and Shipping container *in the Village Zone* at 18 Patrick St, Bothwell to the following conditions:

General

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

Shipping Container Conditions

- (3) The shipping container is not permitted to be used for any habitable purposes
- (4) All existing advertising material located on the container must be removed prior to being located on the site.
- (5) The shipping container must be setback further from the front boundary so that it does not encroach on the parking area when its doors are fully open.
- (6) Before the shipping container is installed 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 finished colours that complement the surrounding heritage character. The schedule shall form part of this permit when approved.
- (7) Before the shipping container is installed on the site a landscape plan prepared by a landscape architect or other person approved by Council's General Manager must be submitted to and approved by Council's General Manager. The Landscape Plan must show how the permitter of the container will be landscaped

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 or unsuitable for fire prone areas. Landscaping should be concentrated near the siting of the container. The Landscape Plan will form part of the permit once approved.

- (8) The landscaping works must be completed in accordance with the endorsed landscape plan and to the satisfaction of Council's General Manager within one (1) month of the shipping container being installed on the site. All landscaping must continue to be maintained to the satisfaction of Council.

Parking & Access

- (9) 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:

- pavement details,
- design surface levels and drainage,
- turning paths,
- dimensions

and shall form part of the permit when approved.

- (10) All parking and associated access must be constructed in accordance with the approved parking plan.
- (11) 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.
- (12) 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.

Services

- (13) 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.
- (14) The approved structure(s) must be sited clear of any easement and located at least 1.00 metre measured horizontally from any Council service mains.

Stormwater

- (15) Drainage from the proposed development must be retained on site or drain to a legal discharge point to the satisfaction of Council's General Manager and in accordance with a Plumbing permit issued by the Permit Authority in accordance with the *Building Act 2000*.
- (16) Before any work commences install temporary run-off, erosion and sediment controls (refer to advice below) and maintain these at full operational capacity until the land is effectively rehabilitated and stabilised after completion of the development in accordance with the guidelines *Soil and Water Management on Building and Construction Sites*, by the Derwent Estuary Programme and NRM South and to the satisfaction of Council's General Manager.

Construction Amenity

- (17) The development must only be carried out between the following hours unless otherwise approved by the 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.

- (18) All works associated with the development of the land shall be carried out in such a manner so as not to unreasonably cause injury to, or prejudice or affect the amenity, function and safety of any adjoining or adjacent land, and of any person therein or in the vicinity thereof, by reason of:
- (a) Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, ash, dust, waste water, waste products, grit or otherwise.
 - (b) The transportation of materials, goods and commodities to and from the land.
 - (c) Obstruction of any public footway or highway.
 - (d) Appearance of any building, works or materials.
- (19) Any accumulation of vegetation, building debris or other unwanted material must be disposed of by removal from the site in an approved manner. No burning of such materials on site will be permitted unless approved in writing by the Council's General Manager.
- (20) Public roadways or footpaths must not be used for the storage of any construction materials or wastes, for the loading/unloading of any vehicle or equipment; or for the carrying out of any work, process or tasks associated with the project during the construction period.
- (21) The developer must make good and/or clean any footpath, road surface or other element damaged or soiled by the development to the satisfaction of the Council's General Manager.

THE FOLLOWING ADVICE APPLIES TO THIS PERMIT:

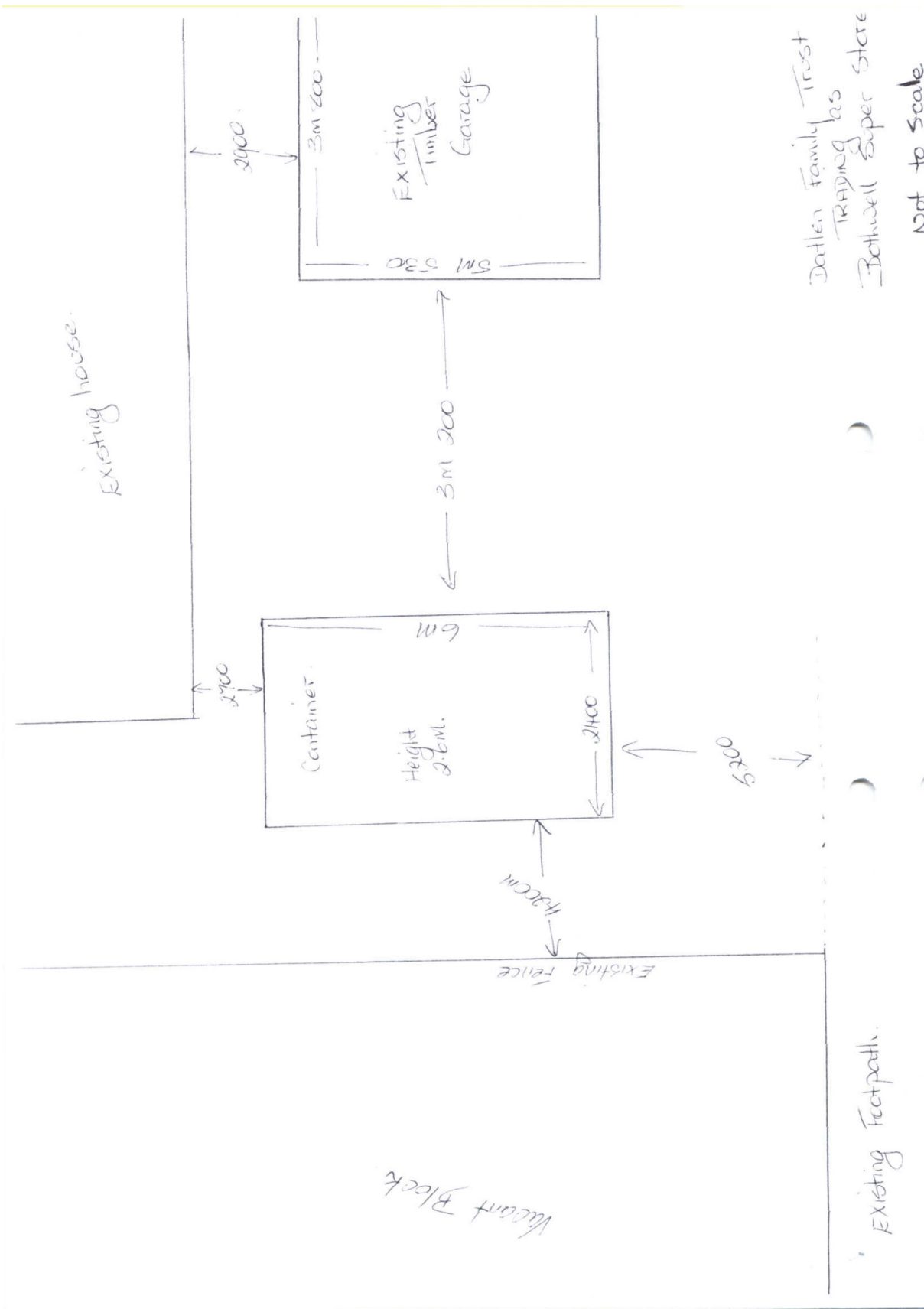
- A. This permit does not imply that any other approval required under any other legislation or by-law has been granted.
- B. Appropriate temporary erosion and sedimentation control measures include, but are not limited to, the following -
- Minimise site disturbance and vegetation removal;
 - Diversion 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;
 - Gutters spouting and downpipes installed and connected to the approved stormwater system before the roofing is installed; and

- Rehabilitation of all disturbed areas as soon as possible.
- 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 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



SIZE OF SIGN
3600 x 500mm



Existing house.

Vacant Block

Existing

Datten Family Trust
TRADING AS
Bethwell Super Store
NOT to scale

26 to scale





14.2 DA 2013/31: CENTRAL HIGHLANDS COUNCIL: RA 26 HOLLOW TREE ROAD, BOTHWELL: FLOOD LIGHTING – BOTHWELL RECREATION GROUND

Report By:

Contract Planner (J Tyson)

Approved:

Senior Contract Planner (J Dryburgh)

Applicant:

Central Highlands Council

Owner:

Central Highlands Council

Discretions

Use: 'Recreation Facility'

Proposal:

Application is made to construct two new floodlights at the Bothwell Recreation Ground on Hollow Tree Road.

The proposed light poles would be 20 metres high and constructed from steel. The floodlights would be placed on the eastern side of the oval close to Hollow Tree Road and would be approximately 70 metres apart. The new floodlights would mainly be used during training for the Bothwell Rabbits Football Club which currently occurs on Tuesday and Thursday evenings in winter. Initially it is proposed to install re-used lamps from the Hamilton showground. The lamps may be upgraded in the future when resources permit.

The application includes a light modelling assessment, which has been conducted by an engineer to establish if the new floodlights would create amenity issues for surrounding properties as a result of obtrusive lighting. The accepted standard (AS/NZS 4282-1997 Control of Obtrusive Effect of Outdoor Lighting) allows for a maximum light level of 10 LUX before 10pm and 1 LUX after 10pm at the boundary or window of the closest residence. The modelling for this proposal shows that the highest average light level at a boundary of the site will be 0.14 LUX, which will occur on the northern side of the site. This is significantly less than the Australian Standard allows.

It should be noted that the light study has been conducted using data for new lamps, so the impact will in fact be less than this until such time as the lamps are replaced.

Site Description:

The subject land is a 3.082 hectare title located on the southern side of Bothwell. The site is developed with a football ground, grandstand, kiosk building, access and parking areas. There are two existing floodlights located on the western side of the oval which are 8 metres high. There are mature trees along the southern and western boundaries, providing separation from the adjoining rural property.

The site is adjoined by other Rural zoned properties to the west and south and to the east across Hollow Tree Road. These properties are used for grazing, cropping and residential purposes. To the north of the site properties are zoned Village and principally used for residential purposes.

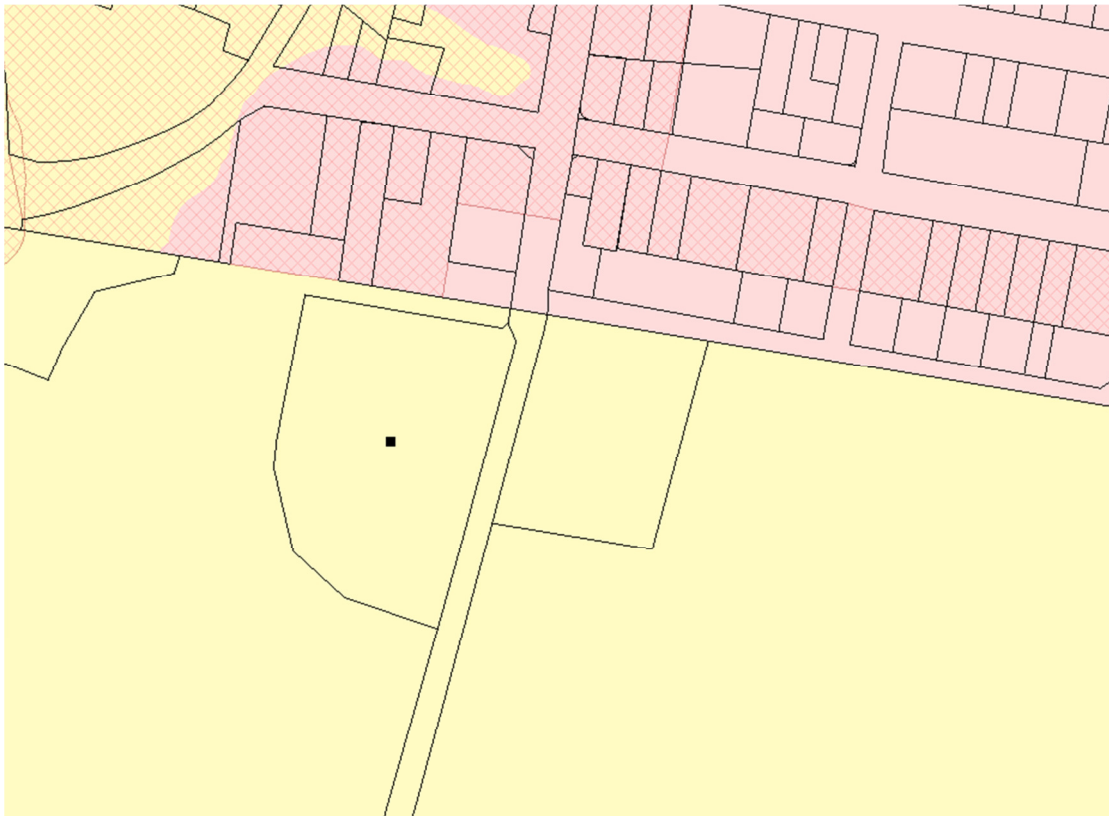


Plate 1: The subject site highlighted is located within the Rural Zone.
(Source: *The List Tas*, 2012)



Plate 2: An aerial image of the subject area. (Source: *The List Tas*, 2012)

Background

There is no planning related information located on Council files directly relevant to the assessment of this Development Application.

Statutory Status:

The land is located within the Rural Zone under the *Central Highlands Planning Scheme 1998*. The proposed floodlights are ancillary to the 'Recreation Facility' use as defined under Schedule 1 of the Scheme. This use class is Discretionary within the Rural Zone.

Advertising:

The application was subject to a 14 day statutory notification procedure in accordance with section 57 of the Act from the 31 October 2013 through to the 14 November 2013. Two (2) representations were received within the public consultation timeframe. The concerns raised by the representors are summarized below:

<i>Issues raised</i>	<i>Planning response</i>
<i>Representor 1:</i>	
Don't object outright to the development, but	Noted.

have a few concerns.	
How many times a week will the lights be turned on? We feel that 2-3 times per week is more than adequate.	The lights are primarily to be used for football training, which currently occurs twice per week during the season.
As the lights will shine directly at our home what time will they be turned off? We would object to them being on after 9:30pm.	The lights will be angled down towards the ground, not towards neighbouring properties. The light study shows that the amount of light that will reach the boundaries of the site is far below that allowed by the relevant Australian Standard at any time, including at night. Given the main purpose of the lights it is unlikely that they will be used late at night in any case.
Who pays the power bill to run the lights?	This is not a planning consideration.
If the lights are installed and then prove to be a major problem to the neighbouring properties what would happen?	The information submitted with the application demonstrates that the lights will have very minor impacts on neighbouring properties. If a neighbour has an issue in the future relating to the lights it would be investigated by Council officers.
We object to the lights being used for any reason other than sport or sensible community events.	As stated previously it is expected that the lights will mostly be used for football training. There may be other occasional events that would warrant their use.
<i>Representor 2:</i>	
We request confirmation that the lights will not affect the properties adjacent to the ground.	The light study shows that the amount of light that will reach the boundaries of the site is far below that allowed by the relevant Australian Standard.
Confirmation that if the lights prove ineffective, any future replacement lights will be subject to a further development application.	Replacement of the lamps with ones more powerful than covered by the light study submitted with the application would require further approval. A permit condition addressing this point is

	recommended.
The undertaking made by Council, on the compulsory acquisition of the ground, to plant replacement trees along the drive into the Rotham property be effected with trees that will be tall and dense enough to protect the rear of properties along High Street from William Street. (Unfortunately the delay in planting such trees results in no protection from light or noise at this stage).	The author is not aware of the nature or status of the agreement referred to. It is considered that this matter is outside the scope of this development application.
Advice as to the curfew time for the use of the facility and the policing of same.	The use of the facility must be in accordance with Council Policy No. 2013-17 – Use of Council Sporting Facilities.

Notification

The proposal did not require referral to any State Agencies or other authorities.

Planning Evaluation

General Objectives:

The General Objectives of the Planning Scheme relevant to this proposal are:

- (a) To promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity;*
- (b) To provide for the fair, orderly and sustainable use and development of air, land and water;*
- (c) To encourage public involvement in resource management and planning;*
- (d) To encourage economic development in accordance with the objectives listed above;*
- (e) (ii) To strengthen the commercial and tourist roles of the existing townships and create an appropriate network of settlements to meet the needs of residents and visitors.*
- (e) (v) To maintain recreational values, including the wild fishery, and to expand opportunities for resource-related tourism.*

The application accords with the above General Objectives in relation to fair, orderly and sustainable land use as the development will not result in any harm to the natural environment and will have negligible impact on residential amenity. The proposal represents an ancillary development associated with the existing recreational facility use of the property and is considered to be an appropriate development for the site. The proposed lights will strengthen the recreational value of the Bothwell Recreation Ground and supports then needs of an important local organisation.

Rural Zone Objectives:

The Objectives of the Rural Zone are reproduced as follows:

- (a) To encourage and facilitate the development of rural land for sustainable long-term agriculture or pastoral activities, and other uses.*
- (b) To protect rural resources from conversion to other uses.*

(c) To allow for non-agricultural activities in locations which will not constrain agricultural or pastoral activities or resources.

The proposal is for two additional flood lights at the Bothwell Recreation Ground. The proposal will not convert an existing rural resource to another use or impact the sustainable agriculture or pastoral activities in the vicinity.

The application is an appropriate development for the site and it does not conflict with the objectives of the Rural zone.

Development Standards

The Rural zone does not contain any Development Standards that are applicable to this application.

Schedules

Schedule 3 – Road Hierarchy, Access and Setback Requirements:

Schedule 3 of the Scheme establishes a hierarchy of roads and the access, location and setback requirements in respect to any section of road not restricted to a 60km/h speed limit shall conform to the relevant requirements of this schedule.

With regard to site distances, Clause S.3.2 prescribes that:

Access to a road whether subject to a 60km/h speed limit or not, shall have adequate sight distances as set out in Figure 1.

The proposal does not include any new access or change to the existing access. The existing access is sited appropriately, is adequate for the site and is in compliance with Schedule 3.

Schedule 5 – Matters to be Taken into Consideration in Making Decisions on Applications for a Permit:

Schedule 5 provides additional matters that must be taking into consideration when deciding on any application for a permit and are addressed in the following.

S.5.1 – The provisions of any State Policy or interim State Policy.

Comments in relation to relevant State Policies are discussed below.

S.5.3 – The objectives and other provisions of the Scheme.

These have been addressed previously.

S.5.5 – The effect of the proposed use or development on the landscape, scenic quality or biological diversity of the locality.

The proposed flood lights will be visible from the road. The impact on landscape and scenic quality will be minor as the floodlights will complement the existing use and development on the site. The proposal is not expected to have any impact on biological diversity of the locality.

S.5.7 – The social effect and the economic effect of the proposed use or development in the locality.

The proposal would have minimal impact on economics of the locality.

S.5.12 – The relation of the proposed use or development to the use or development on adjoining land or on other land in the locality.

The proposal will not affect adjoining agricultural use. There is some potential for the flood lights to impact adjoining residential properties through light pollution, but this has been demonstrated to be within the relevant standards.

S.5.13 – The provisions of Schedule 3 or any code or policy adopted by Council relating to car parking, and whether the proposed means of access is adequate and whether adequate provision has been made for loading, unloading, manoeuvring and parking of vehicles within the proposed use or development or on that land.

No new access is required.

S.5.15 – The amount of traffic likely to be generated by the proposed use or development, particularly in relation to the capacity of the road system in the locality and the probable effect of that traffic on the movement of traffic and the safety of pedestrians.

No additional traffic will be generated as a result of this development.

S.5.17 – Whether the proposed use or development is likely to cause land degradation.

No vegetation will be cleared for the development and site disturbance will be limited. Land degradation is not likely to occur as a result of this development.

S.5.18 – The existing and likely future amenity of the neighbourhood.

The proposed floodlights have the potential to cause amenity issues through light pollution of neighbouring properties. However the study submitted with the application demonstrates that the proposed lights will result in a very low level of light reaching the site boundaries. The light at the boundaries will be nearly 10 times less than is allowed in the relevant Australian Standard and it is therefore concluded that the proposal is acceptable.

S.5.19 – The effect on the natural, cultural or built heritage.

No impacts on heritage values are anticipated as a result of this development.

S.5.20 – any objection or submission lodged in respect of an application.

The representations have been considered above.

State Policy Implications

- **State Policy of Water Quality Management**

Subject to appropriate conditions, the proposal is considered to be able to demonstrate compliance with this Policy with regard to ensuring sediment transport into surface waters does not occur.

- **State Policy on the Protection of Agricultural Land 2009**

The State Policy on the Protection of Agricultural Land protects Prime Agricultural Land (Land Capability Classes 1, 2, and 3) and conversion to non-agricultural uses of any Agricultural land is subject to the principles of the Policy.

The proposal does not affect agricultural land and the Policy therefore does not apply.

Technical Matters

Water: No reticulated water serves are available to the land.

Sewer: No reticulated sewer services are available to the land.

Stormwater: No reticulated stormwater serviced are available to the land.

Access: Refer to the body of this report for comments relating to access.

No other issues of concern have been raised.

CONCLUSION

Approval is sought for the construction of two new floodlights at the Bothwell Recreation Ground on Hollow Tree Road. The proposed light poles would be 20 metres high and located on the eastern side of the oval close to Hollow Tree Road.

A 'Recreation Facility' is a discretionary use and development category in the zone. Two representations were received in relation to the proposal, which have been considered above.

A light modelling assessment submitted with the application shows that the flood lights will not result in an obtrusive level of light reaching the boundaries of the property and any impacts on residential amenity in the vicinity are expected to be minor.

On balance, the proposal is considered consistent with the *Central Highlands Planning Scheme 1998* and accordingly, approval is recommended subject to conditions and advice.

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 Flood lights (2) at Bothwell Recreation Ground, RA 26 Hollow Tree Road, Bothwell; Certificate of Title Volume 161435 Folio 1, subject to the following conditions:

General

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

Amenity

2. Approval is given for lamps meeting the specifications assessed in the light modelling assessment by Matt von Bertouch from Engineering Solutions Tasmania dated 16.10.13 only. Any replacement lamps exceeding these specifications would require further approval.
3. The operation of the flood lights must meet *AS/NZS 4282-1997 Control of Obtrusive Effect of Outdoor Lighting* at all times.

Construction Amenity

4. The development must only be carried out between the following hours unless otherwise approved by the Council's General Manager:

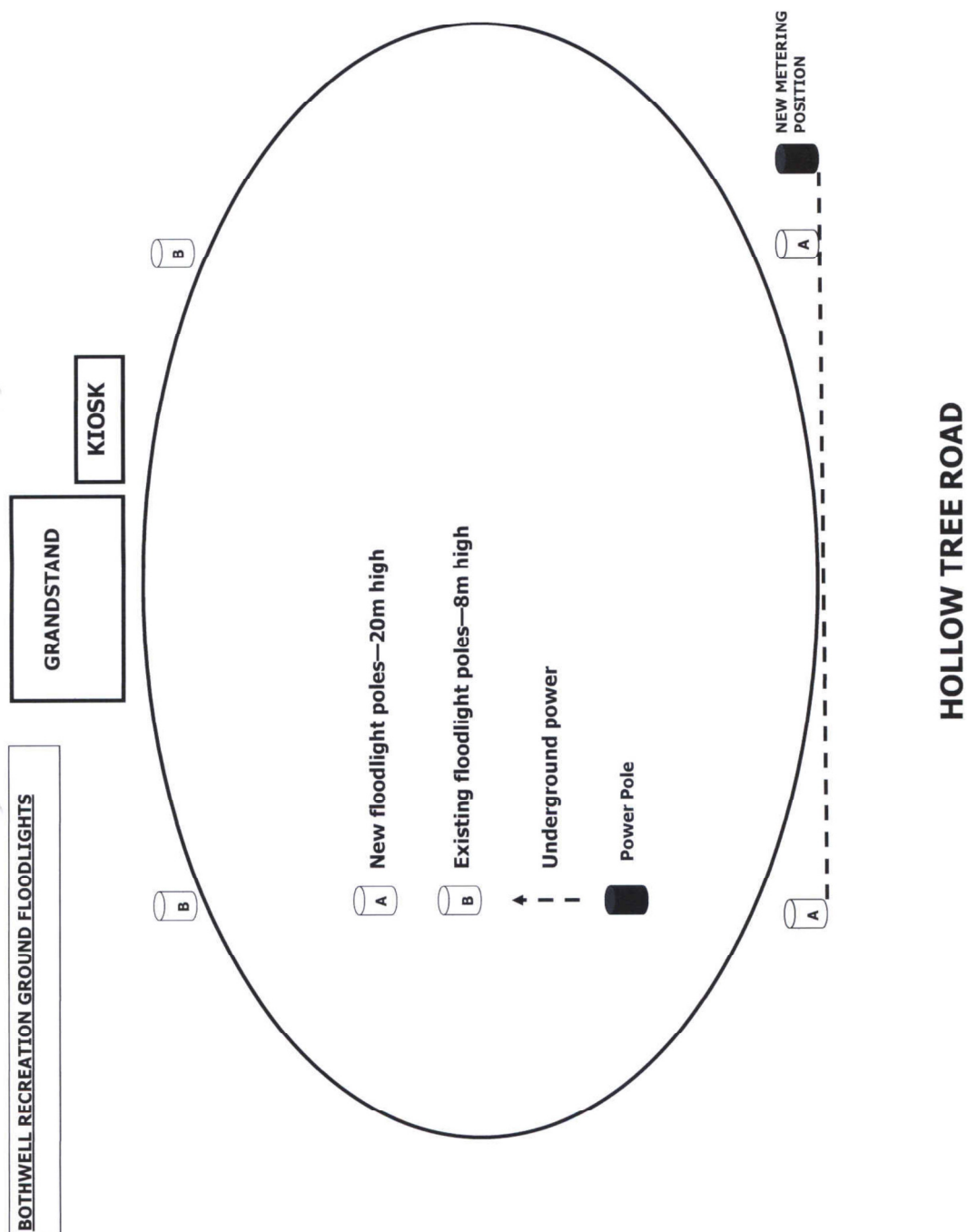
• Monday to Friday	7:00 a.m. to 6:00 p.m.
• Saturday	8:00 a.m. to 6:00 p.m.
• Sunday and State-wide public holidays	10:00 a.m. to 6:00 p.m.
5. All works associated with the development of the land shall be carried out in such a manner so as not to unreasonably cause injury to, or prejudice or affect the amenity, function and safety of any adjoining or adjacent land, and of any person therein or in the vicinity thereof, by reason of:
 - (a) Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, ash, dust, waste water, waste products, grit or otherwise.
 - (b) The transportation of materials, goods and commodities to and from the land.

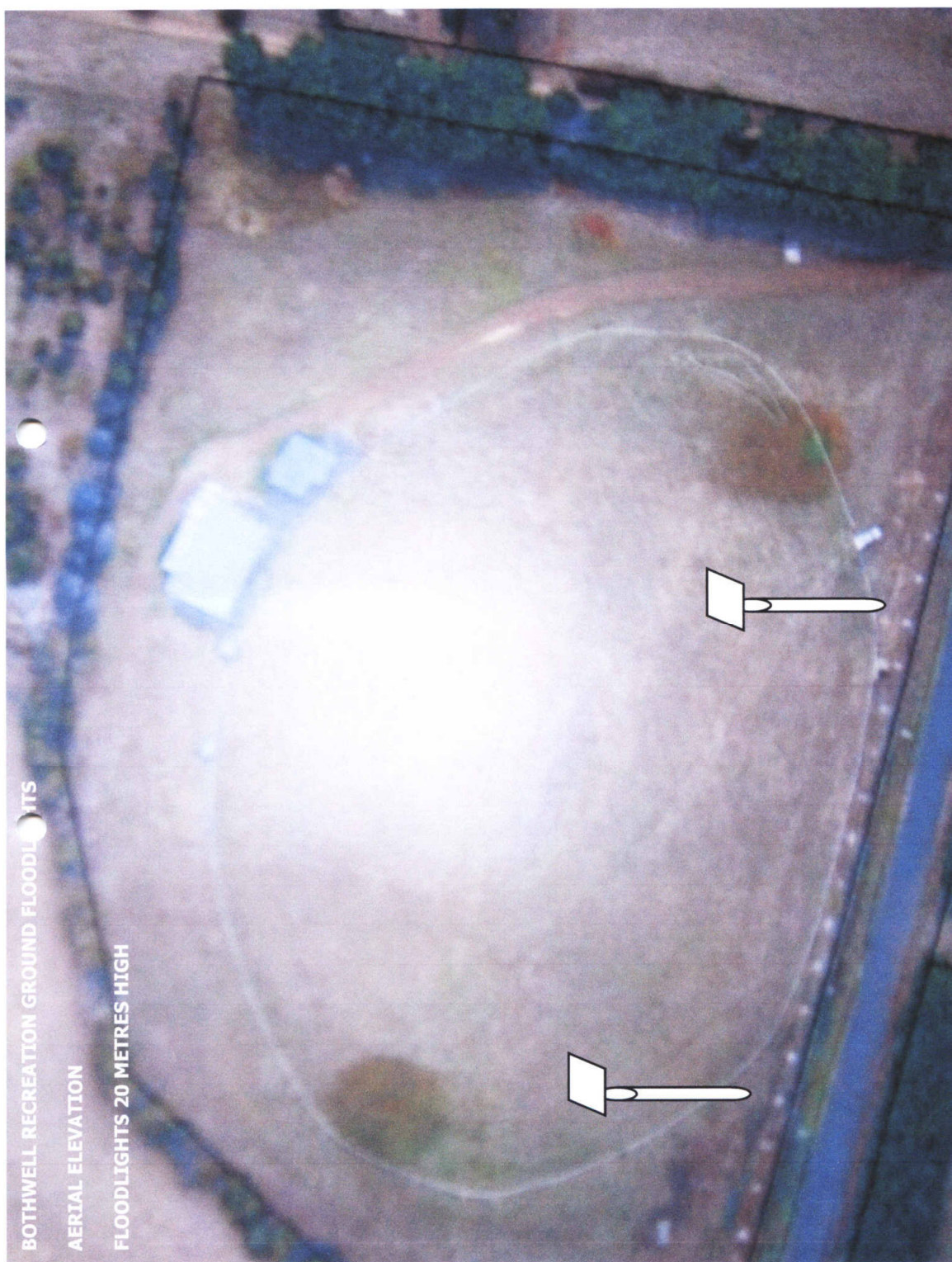
- (c) Obstruction of any public footway or highway.
 - (d) Appearance of any building, works or materials.
6. Any accumulation of vegetation, building debris or other unwanted material must be disposed of by removal from the site in an approved manner. No burning of such materials on site will be permitted unless approved in writing by the Council's General Manager.

THE FOLLOWING ADVICE APPLIES TO THIS PERMIT:

- A. This permit does not imply that any other approval required under any other legislation or by-law has been granted.
- B. **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





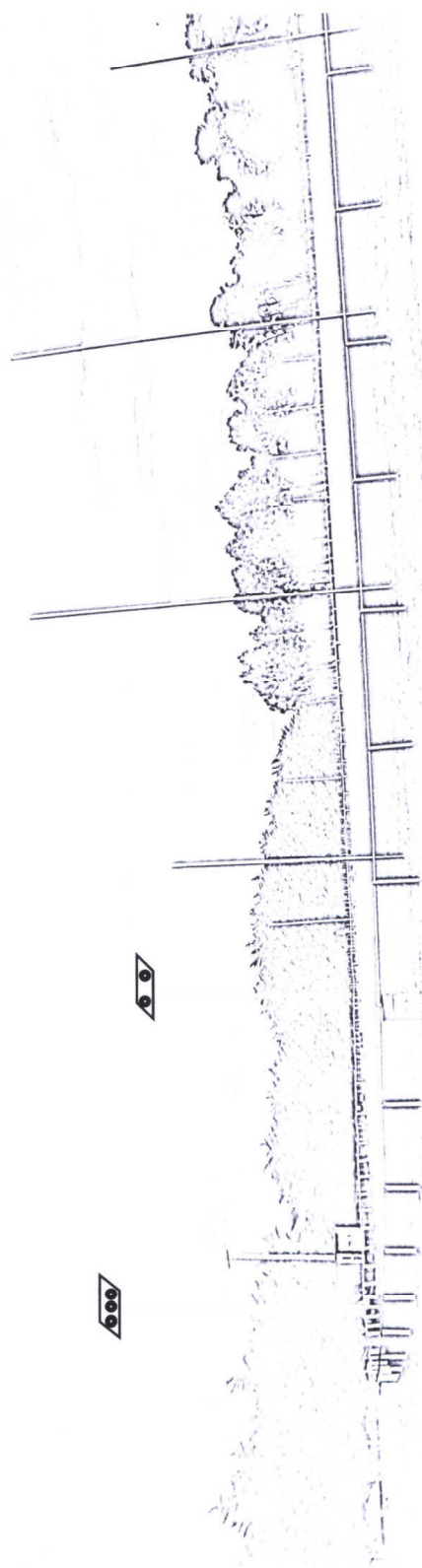
BOTHWELL RECREATION GROUND FLOODLIGHTS

AERIAL ELEVATION

FLOODLIGHTS 20 METRES HIGH

**BOTHWELL RECREATION GROUND FLOODLIGHTS
SOUTH EAST ELEVATION**

FLOODLIGHTS 20 METRES HIGH



14.3 DA 2012/58: LARK & CREESE SURVEYORS: RA 2780 DENNISTOUN ROAD, INTERLAKEN: SUBDIVISION – THIRTEEN LOTS & BALANCE IN THE RURAL ZONE

Report By:

Contract Planner (J Tyson/D Allingham)

Approved:

Senior Contract Planner (J Dryburgh)

Applicant:

Lark & Creese Surveyors

Owner

Duckhole Pty Ltd

Discretions

Use: 'Subdivision'

Proposal:

This report will consider an application made to Council for the subdivision of an existing large rural property into 13 lots and balance at 2780 Dennistoun Road. The site was recently subject of a boundary adjustment approved by Council in November 2012, although the new titles have not yet been issued. The affected land is around 515ha in total and is located east of Dennistoun Road and bordered to the west by Lake Crescent.

The proposed subdivision would result in twelve lots with areas between 20.0ha and 21.0 ha, one lot of 81.0 ha and a balance lot of 148.0ha. Each of the proposed lots has a building envelope that is sited at least 100m from the lake frontage and designed to allow for fire protection and safe wastewater disposal for a future dwelling.

The owners of the site operate a eucalypt plantation on the proposed balance lot and the purpose of this application is to divest themselves of the non viable portions of the property. There are existing plantations on the balance lot and parts of Lots 2, 3, 4 and 8.

Lots 2, 3, 4 and 15 will have substantial frontage to, and access directly from, Dennistoun Road. Access and frontage for the remaining lots is proposed to be via individual fee simple strips with reciprocal rights of way to permit shared access to each lot via a single private access road. The road will need to be built to Council and Tasmanian Fire Service (TFS) Standards. The proposed access road will pass through the balance lot and then split into two shared driveways built along existing tracks in order to achieve access all of the lots.

A Natural Values Assessment has been provided to support the application. It identifies eight vegetation communities on the land, one of which (Highland *Poa* Grassland) is considered to be of high conservation value. The report recommends that a vegetation management plan be developed for this area and that it is protected using a Part 5 agreement. No individual species of conservation significance were identified during the survey, although a number of threatened plants are found nearby in the wetland associated with Lake Crescent. A raptors nest has been previously recorded on the site but was not identified during this survey. In any case the recorded site is near the south western corner of the site and is located over 500m from the nearest proposed building envelope on lot 13, which complies with relevant guidelines. The building envelopes have been sited to avoid direct impacts on the main conservation values of the site. The access roads will be constructed over existing tracks to limit the environmental impact and clearing required. The road works and building envelopes will all be located over 100 metres from Lake Crescent to ensure that there are no impacts on the flora and fauna or water quality of the lake.

The report identified one weed (Slender Thistles) that is listed as a declared weed under the *Weed Management*

Act 1999. A condition requiring a weed management plan is recommended.

The subdivision would be occurring within the Rural Zone under the *Central Highlands Planning Scheme 1998*, which is a 'Discretionary' use within the zone.

Site Description:

The subject property is a substantial land holding located on the western shores of Lake Crescent.

The land is partly used for a eucalypt plantation, with remaining portions either existing as pasture or native forest. The property generally has an east to North West aspect with gradients between 1:10 and 1:4. The land is bounded by Dennistoun Road to the west, Lake Crescent to the east and private land to the south.

The land is zoned 'Rural' under the *Central Highlands Planning Scheme 1998*.

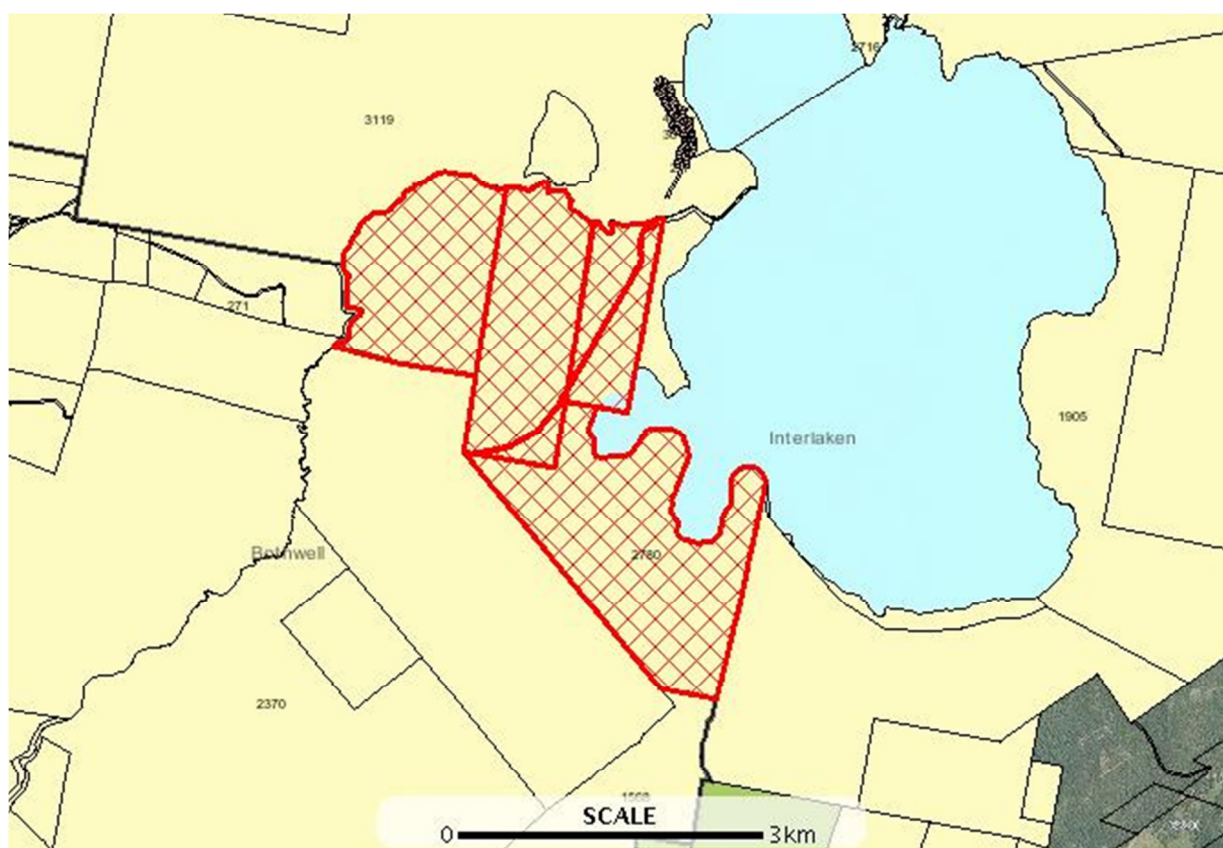


Plate 1: The subject site highlighted is located within the Rural Zone.

(Source: *The List Tas*, 2012)

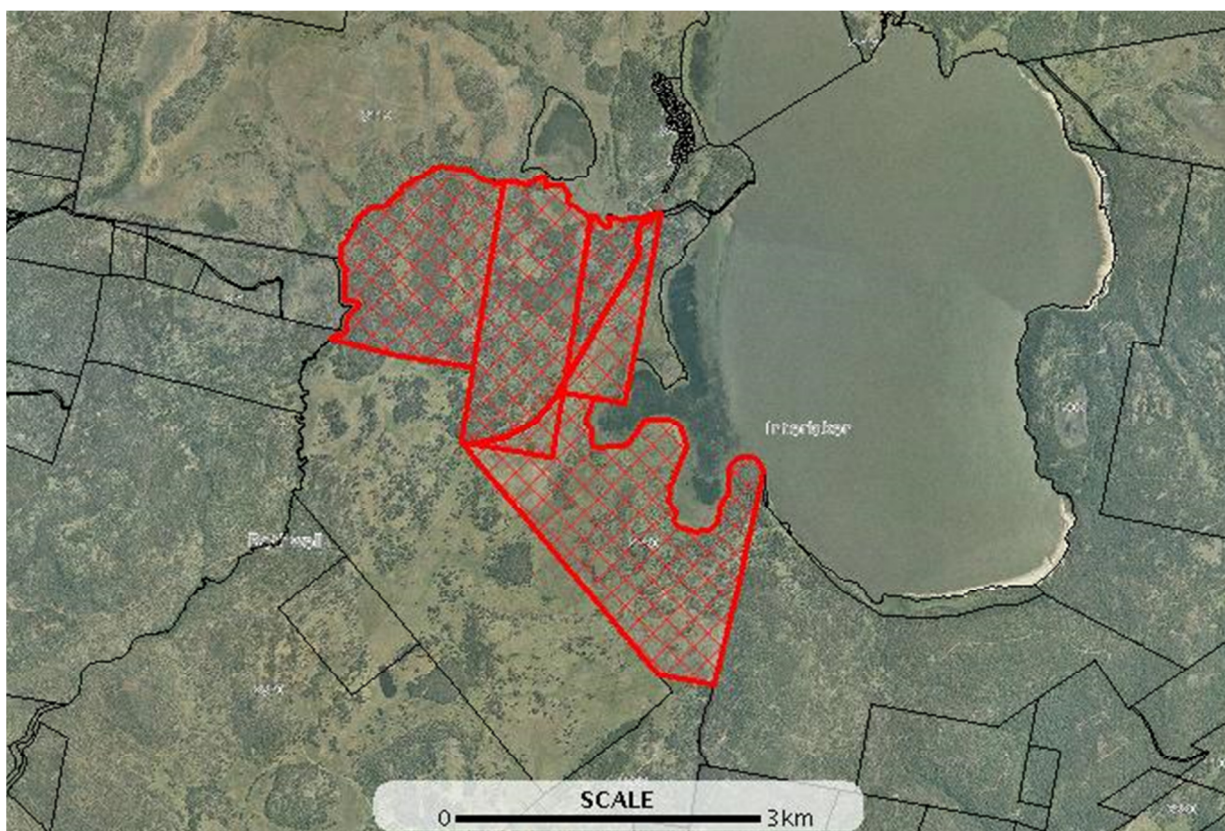


Plate 2: An aerial image of the subject site depicts the nature of the environment. (Source: *The List Tas*, 2012)

Background

Council approved a boundary adjustment (SA2012/47) for the land and adjoining titles in November 2012. The new titles have not yet been issued.

The application was deferred from the October Council Meeting to resolve some issues that were raised at the Planning Committee Meeting on 10 September 2013. These issues included the management of the Clyde Marsh wetland, the status of the proposed access road and provision of legal frontage for the lots and the need to have building envelopes above the 2m High Water Mark.

The applicant chose to amend the plans so that proposed lots 2, 3 and 4 no longer encroach on the Clyde Marsh wetland and instead align with the High Water Mark. The plans were also amended so that frontage to the lots is achieved via 6m wide fee simple strips and access to the lots 5-14 will be via reciprocal Rights of Way (ROW). The road will be private.

Statutory Status:

The land is zoned Rural under the *Central Highlands Planning Scheme 1998*. The use category 'Subdivision' is a Discretionary development type pursuant to Part 1.4 of the Scheme.

Permissible uses in the Rural Zone include 'feedlot', 'forestry', 'house', 'rural industry', 'saleyard', 'utility minor' and 'visitor accommodation'. These are all potential likely uses that could occur on any of the newly created lots if the subdivision were to proceed.

Clause 1.6 under the Rural Zone in the *Central Highlands Planning Scheme 1998* states that all new subdivision lots shall contain an area of at least 20 hectares. However, the Scheme does not specify the requirements in terms of frontage.

Given the Planning Scheme is silent on a frontage requirement for subdivision occurring within the Rural Zone, the applicant put forward that s109(3)(i) of the *Local Government (Building and Miscellaneous Provisions) Act 1993* applies.

Section 109 (3)(i)(i) states if, being in any building area and having all the qualities of a minimum lot except in respect of frontage it has access to a road by a right of way at least 3.6 metres wide over land not required as the sole or principal means of access to any other land and not required to give the lot, if any, of which it is part of the qualities of a minimum lot.

Section 109(3)(i)(ii) requires that the Commission approves the qualities of the minimum lot in respect to frontage. The application was referred to the Commission on 28th March 2013.

The Commission responded on 18th April 2013 and found that lots 5 to 14 of the subdivision do not meet the requirements of s109(3)(i) of the *Local Government (Building and Miscellaneous Provisions) Act 1993*. As an alternative, the Commission recommended that reasonable vehicular access must be provided from the carriage-way road of a road to a boundary in accordance with s.109(1)(f) of the *Local Government (Building and Miscellaneous Provisions) Act 1993*.

Put simply, this means that for lots 5 to 14 to have legal frontage and access to a public road, a new road will need to be constructed in accordance with Council's requirements and be maintainable by Council. The applicant submitted an amended plan on 2 July 2013 showing a new road providing access to Lots 5 to 14 in accordance with the Commission's recommendation.

However, the applicant amended the plans further so that frontage to lots 5-14 will be achieved via 6m wide fee simple strips and access to the lots will be via reciprocal Rights of Way (ROW) and a single access road will be constructed to Council and TFS Standards and will remain a private road. As such Council will not be responsible for maintaining the road. The proposal is in accordance with s.109 (1)(d) and (f) of the *Local Government (Building and Miscellaneous Provisions) Act 1993*.

Advertising:

The application was subject to a 14 day statutory notification procedure in accordance with section 57 of the Act. The application was first advertised from the 8 March 2013 through to the 25 March 2013 while Council were waiting on a response from the Commission in regards to frontage. Three (3) representations were received within the public consultation timeframe.

The amended plans received on 2 July 2013, which reflected the Commission's recommendations in regards to frontage, was re-advertised from the 5 August 2013 to 19 August 2013 and no further representations were received.

Further amendments to the plans were submitted on 5 November 2013, which reflected the changes to the frontage and access for lots 5-14 and the realignment of lots 2-4 adjoining Clyde Marsh. The plans were re-advertised on the 11 November 2013 to 25 November 2013 and no further representations were received.

Notification

The proposal was referred to the Tasmanian Planning Commission in regard to frontage and the Tasmanian Fire Service for comments and advice in regards to bushfire.

Representations

The concerns raised in the representations from the initial advertising period are detailed as follows:

<i>Issues raised</i>	<i>Planning response</i>
<i>Representor 1: Inland Fisheries Council</i>	
The proposed subdivision adjoins the Clyde Marsh wetland which is listed in Directory of Important Wetlands – Tasmania. Lots 2, 3 and 4 have boundaries actually extending	The applicant has amended the plans so that none of the proposed lots encroach on Clyde Marsh. However, this does not prevent access to livestock to the wetland and as such, a requirement to

into the wetland. The Inland Fisheries Services (IFS) principal concern is the potential for livestock to wander off private land on the wetland and requests Council to require measures such as fencing to be installed to prevent livestock from entering the wetland.	fence the properties adjacent to Clyde Marsh as a Part 5 agreement is recommended as a condition.
Exotic weeds are also of concern and measures to restrict the use of four wheel drives, quad bikes etc. below the high water mark would assist in preventing the introduction of exotic weeds.	The presence of weeds was identified in the Natural Values Assessment. A condition requiring a Weed Management Plan is recommended.
<i>Representor 2: Crown Land Services, DPIPWE</i>	
Clyde marsh is located adjacent to the proposed subdivision and is home to a number of significant flora and fauna communities. Recommend that livestock be removed from Crown land wetlands and fencing of property boundaries adjoining Clyde Marsh.	See above.
Consider partnership agreements and negotiate management options for grazing livestock on private wetlands.	A requirement to this effect is included in the Part 5 agreement in the recommended conditions.
Reserve the Crown land wetlands as Conservation Areas under the <i>National Parks and Wildlife Act 1970</i> .	This is beyond the power of Council.
The wetlands are required to be inundated to a level of 300mm (803.3m AHD) in Lake Crescent at least once every 5 years.	The proposed subdivision in no way impacts or influences how the wetlands are inundated.
<i>Representor 3</i>	
The subdivision will result in an increased risk of bushfire due the location of the proposed building envelopes which are surrounded by eucalyptus plantation.	The proposed subdivision will not increase the risk of fire. Any fire risks that may be a result of future development will be assessed as part of the subsequent Development Application. The applicant has provided Indicative Bushfire Management Areas and noted that any new development will be required to comply with the provision of AS3959-2009 and TFS publication "Guidelines for Development in Bushfire Prone Areas" and any new dwelling to be constructed to Bushfire Attack Level

	<p>19.</p> <p>A requirement to this effect is included in the Part 5 agreement in the recommended conditions.</p>
The runoff of sewage and chemical usage is a major concern as it could pose a serious threat to the health of the surrounding waterways and the township of Bothwell.	Any new development will be required to have an adequate wastewater treatment system on-site which will be assessed by future Building/Plumbing Applications.
<p>The adjoining land requires regular culling by the use of high power firearms to maintain a balance of native wildlife and grazing land.</p> <p>The proposed subdivision will impact on the requirement to maintain culling due to its close proximity and will result in reduce holding rates of stock.</p>	How native wildlife is managed on an adjoining property cannot be considered as part of this application.
<p>The land has and always should be used for farming in one form or another.</p> <p>The Lake Crescent area already has an established subdivision at the lake and facilities to support fisherman and visitors should be contained there.</p>	<p>All the proposed lots in the subdivision meet the minimum lot size requirement of the Central Highland Planning Scheme, which suggests that the lot size is suitable for future agricultural use.</p> <p>No future uses for the lots have been proposed at this stage. These will be assessed as part of future development applications.</p>

Planning Evaluation

General Objectives:

The General Objectives of the Planning Scheme relevant to this proposal are:

- (a) *To promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity.*
- (b) *To provide for the fair, orderly and sustainable use and development of air, land and water;*
- (e) *To give effect to relevant objectives of the Central Plateau, midlands and Southern Midlands Strategic plan and the Central Highlands Council Strategic Plan which are as follows:-*
 - (i) *To encourage sustainable long term use of appropriate areas for agricultural, pastoral and forestry activities.*
 - (iii) *To conserve significant vegetation, habitat and scenic resources;*
 - (iv) *To encourage land use and development to occur in consideration of land capability;*
 - (v) *To maintain recreational values including the wild fishery, and to expand opportunities for resource-related tourism.*

The application would accord with the above general objectives relation to sustainable land use as the proposed lot sizes and configuration are generous and the protection of the threatened native vegetation communities located on the Lots will act to further guarantee the sustained protection of conservation values attributed to the site. The proposal would not reduce the agricultural viability of the land as the land capability is low and is predominately used for grazing and wood harvesting.

Any future development of the lots will be need to be setback 100m from the HWM which will ensure recreational values are maintained in relation to wild-fishery. The proposed subdivision will improve access to the area and could potentially be developed by small scale resource-related tourism.

Rural Zone Objectives:

The Objectives of the Rural Zone are reproduced as follows:

- a) To encourage and facilitate the development of rural land for sustainable long-term agriculture or pastoral activities, and other uses.*
- b) To protect rural resources from conversion to other uses.*
- c) To allow for non-agricultural activities in locations which will not constrain agricultural or pastoral activities or resources.*

Previous and current land uses have predominately been grazing and wood harvesting and it is expected that these activities would be able to continue following the proposed subdivision.

The proposal would assist in protecting the values of the land into the future by providing marketable lots with conservation and recreational values. It is envisaged that the lots would be conducive to residential development in the future. This would be unlikely to constrain agricultural activities due to the occurrence of shallow relatively unproductive soils reducing agricultural potential. In some instances, the improved access to the area may increase productivity.

The proposal is considered to be consistent with the objectives and development standards of the Rural Zone.

Development Standards

Part 3, Rural Zone, Clause 1.6 of the Scheme prescribes the development standards relating to subdivision of land.

Lot size

With regard to lot size, Clause 1.6(a) states that all new lots shall contain an area of at least 20 hectares. The following lot sizes are proposed

Lot 1:	Subject to new titles being issued as per DA2012/47
Lot 2:	36 ha
Lot 3:	20 ha
Lot 4:	20 ha
Lot 5:	21 ha
Lot 6:	21 ha
Lot 7:	21 ha
Lot 8:	21 ha
Lot 9:	21 ha
Lot 10:	21 ha
Lot 11:	21 ha
Lot 12:	20 ha
Lot 13:	20 ha
Lot 14:	81 ha
Lot 15:	148 ha

As demonstrated from the proposed lot sizes, they are compliant with the minimum lot size requirements applied to the Rural Zone.

Setbacks

The development Standards state that the setback of new buildings used or to be used for habitable purposes must have a setback of 30m to the boundary of any Road Zone and 100m to any other boundary. It should be noted that it does not seem that this development standard was taken into consideration as part of this assessment, as the proposed building envelopes on a number of lots appear to have a setback of less than 100m from one or more boundaries. In particular, Lots 6, 7, 9 and 13. As such, any future development of these lots will be discretionary.

A Natural Values Assessment was undertaken to determine suitable locations for building envelopes for the proposed subdivision. As such it is recommended that a permit condition requires that any future buildings are constrained to the building envelopes as indicated on the proposed subdivision plan.

Schedule 3 – Road Hierarchy, Access and Setback Requirements:

Schedule 3 of the Scheme establishes a hierarchy of roads and the access, location and setback requirements in respect to any section of road not restricted to a 60km/h speed limit shall conform to the relevant requirements of this schedule.

With regard to site distances, Clause S.3.2 prescribes that:

Access to a road whether subject to a 60km/h speed limit or not, shall have adequate sight distances as set out in Figure 1.

Clause S.3.4 further states that:

The proposed location for a Minor or Major Access shall comply with the sight distance requirements set out in Figure 1 to this Schedule and the access location requirements of S.3.7 and/or S.3.9.

All access locations to the proposed lots are required to comply with sight distance requirements based on either the design or approach speed (85th percentile) of traffic. This is regardless of whether the applicant intends on using existing access points.

Access to Lots 2, 3, 4 and 15 are to be directly from Dennistoun Road, which is a Category 4 Road. It is proposed that access to Lots 5-14 will be via a private Council standard road over an existing track.

Schedule 5 – Matters to be Taken into Consideration in Making Decisions on Applications for a Permit:

Schedule 5 provides additional matters that must be taking into consideration when deciding on any application for a permit and are addressed in the following.

S.5.1 – The provisions of any State Policy or interim State Policy.

Comments in relation to relevant State Policies are discussed below.

S.5.3 – The objectives and other provisions of the Scheme.

These have been addressed previously.

S.5.5 – The effect of the proposed use or development on the landscape, scenic quality or biological diversity of the locality.

The works generated by the proposed subdivision would be the construction of two new access points for lots two and three and upgrading the access for lot 15 and the upgrading of the existing gravel roadway to a Council standard private road. The proposed subdivision may necessitate the removal of vegetation in the future for

development sites however this will be addressed at the development stage in accordance with designated building envelopes which ensure future development would not impact upon the conservation significance of the site.

S.5.7 – The social effect and the economic effect of the proposed use or development in the locality.

The subdivision would have negligible social or economic impacts upon the locality.

S.5.12 – The relation of the proposed use or development to the use or development on adjoining land or on other land in the locality.

The subdivision is unlikely to have any negative impact upon adjoining land uses due to the generous lot sizes, vegetated nature of each lot and general remoteness of the property from adjoining properties. The subdivision and imminent future development would be highly unlikely to impact upon the existing level of amenity afforded to surrounding properties by way of diminution of landscape qualities or general loss of residential amenity. The primary operation occurring on many surrounding lots includes forestry plantation and harvesting. The proposed subdivision is likely to have some impact on the scale and productivity of these operations.

S.5.13 – The provisions of Schedule 3 or any code or policy adopted by Council relating to car parking, and whether the proposed means of access is adequate and whether adequate provision has been made for loading, unloading, manoeuvring and parking of vehicles within the proposed use or development or on that land.

It is considered that standard conditions of approval will adequately address access to the lots.

S.5.15 – The amount of traffic likely to be generated by the proposed use or development, particularly in relation to the capacity of the road system in the locality and the probable effect of that traffic on the movement of traffic and the safety of pedestrians.

It is considered that the likely future use of the proposed lots will not result in traffic generation rates that would exceed the capacity of the road system in the locality given the minor increase in lots. Any future development on either of the lots would be dependent upon the suitability and capability of vehicular access, which would be assessed with any subsequent Development Application.

S.5.17 – Whether the proposed use or development is likely to cause land degradation.

No land degradation is expected to result from this subdivision.

S.5.18 – The existing and likely future amenity of the neighbourhood.

It is considered that the proposed subdivision will not have any negative impacts on the amenity of the locality and would sustain the visual qualities of the area attributed to the bush clad landscape and general lack of development.

S.5.19 – The effect on the natural, cultural or built heritage.

No known aboriginal or historic cultural heritage sites exist on the property.

S.5.20 – any objection or submission lodged in respect of an application.

Three representations have been received in relation to this development and have been addressed in the sections above.

State Policy Implications

- State Policy of Water Quality Management

Subject to appropriate conditions, the proposal is considered to be able to demonstrate compliance with this Policy with regard to ensuring sediment transport into surface waters does not occur. A Soil and Water Management Plan will be required for construction of the road and any future development over 250 square metres.

- State Policy on the Protection of Agricultural Land 2009

The State Policy on the Protection of Agricultural Land protects Prime Agricultural Land (Land Capability Classes 1, 2, and 3) and conversion to non-agricultural uses is subject to the principles of the Policy.

There are seven principles to guide outcomes that give effect to the Policy. Principles 1 to 4 deal with Prime Agricultural Land and are not relevant to the consideration of this application, given that the land is predominantly Class 6. Principles 5 to 7 state:

5. All agricultural land is a valuable resource for Tasmania. The protection of other than prime agricultural land from conversion to non-agricultural use will be determined through planning schemes.
6. Adjoining non-agricultural use and development should not unreasonably fetter agricultural uses.
7. Planning schemes will make provisions for the appropriate protection of the range of non-prime agricultural lands within a specified irrigation scheme.

Principle 5 is relevant to this application and the proposal can be considered to remain consistent with the Policy in that the proposed lots meet the Minimum Lot Size set out in the Scheme suggesting that agricultural used could continue on the land.

The property holds low land capability for agricultural purposes and the proposed subdivision would not undermine the land capability of the site.

Technical Matters

Water: No reticulated water serves are available to the land.

Sewer: No reticulated sewer services are available to the land.

Stormwater: No reticulated stormwater services are available to the land.

Access: Access to the majority of the lots, being lots 5 to 14, is via a private road covered by 10 x 6 metre wide access strips with reciprocal rights of way. This may result in ambiguity and uncertainty regarding the level of maintenance and financial contribution required from each property owner for the repair and maintenance of the private road. It would be preferable for this to be constructed as a Council maintained road.

Should the proposal proceed as submitted a Part 5 Agreement covering the details of the management and maintenance obligations of each lot affected by the private road(s) should be placed on each lot.

No other issues of concern have been raised.

Environmental Implications

The environmental implications of the development have been discussed throughout this report and the conservation values of the site would be further protected through implementation of appropriate permit conditions.

CONCLUSION

Application has been made for a 13 lot subdivision and balance at 2780 Dennistoun Road, Interlaken. The owners of the site operate a eucalypt plantation on the proposed balance lot and the purpose of this application is to divest themselves of the non-viable portions of the property. The subdivision will produce 11 lots ranging from 20 to 21 hectares (lots 3-13) and three larger lots of 37 ha (Lot 2), 81 ha (Lot 14) and a 148 hectare balance lot. A new private road over an existing track is proposed to access lots 5–14. The proposed private road will be over fee simple strips with reciprocal rights for shared access to these lots, which will also provide legal frontage.

The proposed subdivision complies with the subdivision standards prescribed under the Scheme and is therefore justified on this basis.

The Natural Values Assessment undertaken as part of the application recommends that a Vegetation Management Plan be prepared to protect the high biodiversity values on the property and it is recommended that this be adopted through a Part 5 Agreement and this be specified as a permit condition.

Three representations were received during the public consultation period and their concerns have been addressed in this report. It was noted that there was some concern about grazing on Crown Land within the Clyde Marsh wetland which adjoins the proposal. It is recommended that fencing be required on lots adjoining the wetland to prevent livestock and vehicles entering the wetland and this be specified in a Part 5 Agreement.

Additional planning issues for consideration including bushfire management, protection of environmental values of significance, weed management, access and servicing that have all been addressed adequately through permit conditions.

Subject to standard conditions, the application can be approved.

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 2780 Dennistoun Road, Interlaken, Certificate of Title Volume 230881, Folio 1, and Certificate of Title Volume 149173, Folios 2 & 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 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 Lark & Creese Land & Engineering Surveyors and dated 2nd July 2013. 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 removal or clearing of vegetation is to occur outside of the designated building envelopes 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.

Environmental Management

11. 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:
 - Fencing of property boundaries adjoining Clyde Marsh to prevent livestock and vehicles from entering the wetland.
 - A private conservation covenant must be created for lots 5, 6, and 7, to the satisfaction of Council's General Manager to protect the existing endangered vegetation community – Highland Poa Grassland. The location of the conservation reserves must be shown on the final plan of survey.

Agreements

12. 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

13. 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 address the Slender Thistle found on the site and 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.

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.

Engineering

15. The subdivision must be carried out in accordance with the *Central Highlands Council Subdivision Guidelines 2012 (attached)*.
16. Engineering design drawings, to the satisfaction of the Council's General Manager or Municipal Engineer, must be submitted to and approved by Council before any works associated with development of the land commence.
17. Engineering design drawings are to be prepared by a qualified and experienced civil engineer, or other person approved by Council's General Manager or Municipal Engineer, in accordance with the *Central Highlands Council Subdivision Guidelines 2012*.
18. Approved engineering design drawings will remain valid for a period of 2 years from the date of approval of the engineering drawings.
19. The developer shall appoint a qualified and experienced Supervising Engineer (or company registered to provide civil engineering consultancy services) who will be required to certify completion of subdivision construction works. The appointed Supervising Engineer shall be the primary contact person on matters concerning the subdivision.
20. A Part 5 Agreement must be placed on lots 5 to 14 detailing the future management and maintenance obligation of each lot in relation to the Private Road and shared accesses, to the satisfaction of Council's General Manager.

Existing services

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

Telecommunications and electrical reticulation

22. Electrical and telecommunications services are to be provided to each lot in accordance with the requirements of the responsible authority and the satisfaction of Council's General Manager.

Roadwork's

23. Roadwork's must include -
 - (a) Dennistoun Road
 - Minimum road reservation width of 18.00 metres (being 9.0 metres from the centreline of the existing road).
 - Fully paved and drained road widening, as required, to achieve a total minimum pavement width of 6.0m across the full frontage of the subdivision.
 - Road drainage.
 - (b) Private subdivision road(s)
 - Fully paved and drained gravel carriageway with a minimum pavement width (inc shoulders) of 6.00m
 - 19 metres diameter (inc. shoulders) cul-de-sac at the south eastern boundary of lot 15 (where the access splits).
 - Road drainage.
24. A vehicle access must be provided from the road carriageway to each lot. Accesses must be located and constructed in accordance with the IPWE Aust. (Tasmania Division) standard drawings and to the satisfaction of Council's Municipal Engineer.
25. All driveway carriageways providing shared access to more than one lot must be constructed in accordance with Section 107 of the *Local Government (Buildings and Miscellaneous Provisions) Act 1993* and municipal standard drawings. Shared access must include a:
 - maximum grade of 1 in 5 (20%) onto the lot;
 - minimum trafficable width of 4.00 metres for up to 90 metres, with additional minimum 2.0 metre wide by 20 metre long passing bays at the boundary and every 90 metres along the access otherwise;
 - all weather pavement;
 - stormwater drainage, as required.

Survey pegs

- 26. Survey pegs are to be stamped with lot numbers and marked for ease of identification.
- 27. Prior to the works being taken over by Council, evidence must be provided from a registered surveyor that the subdivision has been re-pegged following completion of substantial subdivision construction work. The cost of the re-peg survey must be included in the value of any security.

Defects Liability Period

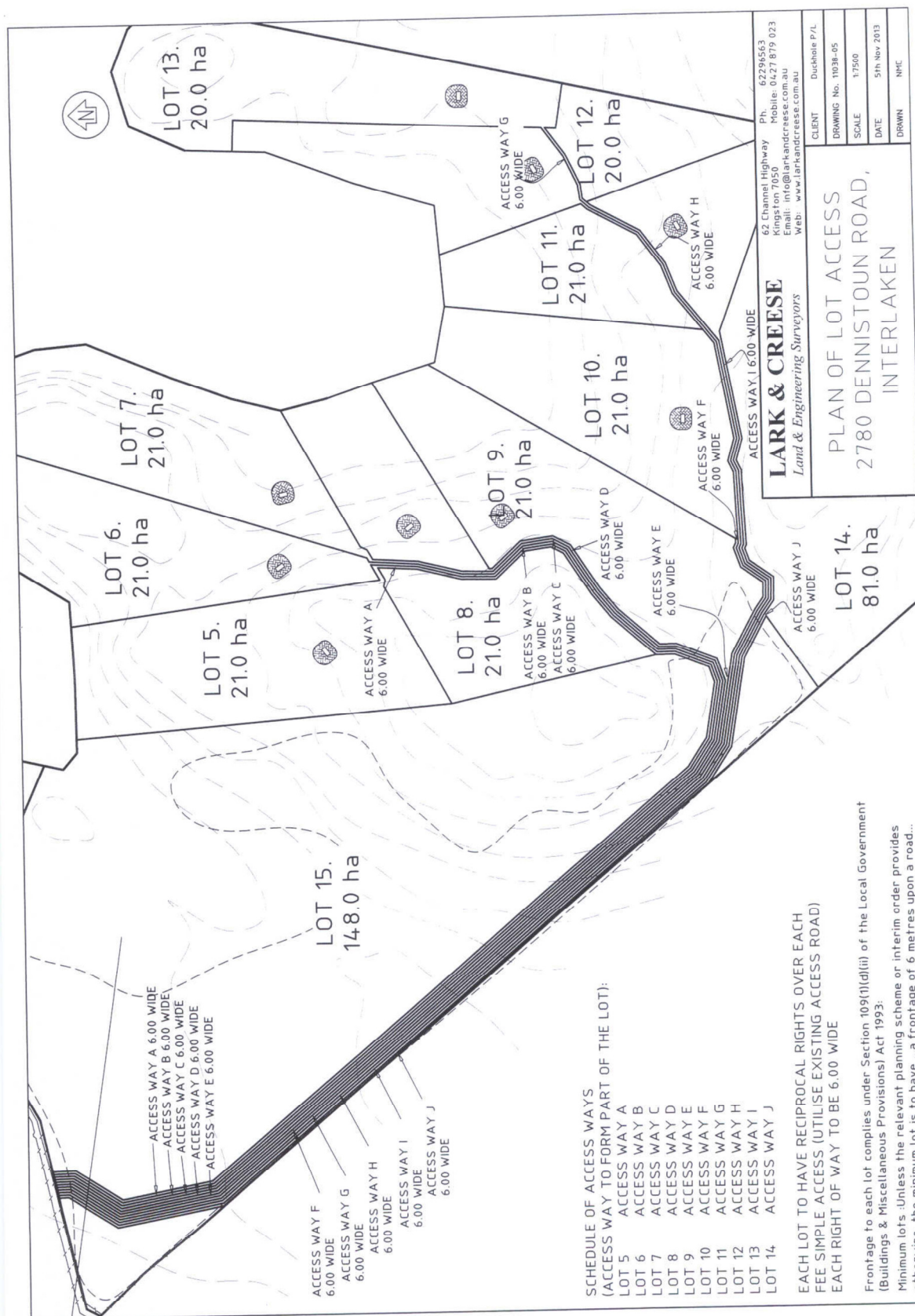
- 28. The subdivision must be placed onto a 12 month maintenance and defects liability period following the completion of the works in accordance with the approved engineering plans and permit conditions.

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. 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 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





14.4 DA 2013/32: LARK & L C MACKENZIE & ASSOCIATES PTY LTD: 'FOREST MARSH'- 5814 HIGHLAND LAKES ROAD, STEPPES (CT33300/1 & CT33300/2): SUBDIVISION – BOUNDARY ADJUSTMENT, FOUR LOTS & BALANCE IN THE HOLIDAY RESIDENTIAL ZONE

Report By:

Contract Planner (D Allingham)

Approved:

Senior Contract Planner (J Tyson)

Applicant:

L C Mackenzie Pty Ltd

Owner

T J Davis

Discretions

Use: 'Subdivision'

Proposal:

This report will consider an application made to Council for the subdivision of four lots and balance and a boundary adjustment affecting two properties at Wilburville.

The proposed boundary adjustment involves adhering a small vacant lot (1,207 sqm) in the Holiday Residential Zone (that is part of a larger Rural parent title, CT33300/2) to the adjoining property, which is the subject to the proposed subdivision. This lot is currently described as CT33300/1.

The proposed subdivision of CT33300/1 will result in the creation of three residential lots with areas of 3,816 sqm, 2,552 sqm and 1,282 sqm, and a 1,133 sqm road lot. The road lot will formalise an existing section of Wilburville Road which is already constructed and maintained by Council. The smaller of the residential lots contains an existing dwelling.

CT33300/1 also has dual zoning, however the subdivision is only proposed for the Holiday Residential portion of the land and the balance would remain entirely within the Rural Zone.

The subdivision would be occurring entirely within the Holiday Residential Zone under the *Central Highlands Planning Scheme 1998*, however both affected lots are partly zoned Rural as well.

Subdivision is a 'Discretionary' use within the Holiday Residential zone.

Site Description:

The subject sites are located within the Highland Lakes shack community of Wilburville. Wilburville sits to the south of Arthurs Lake on Arthurs Lake Road. Wilburville is mainly surrounded by bushland with some grazing land to the south.

The proposed subdivision is located in the centre of Wilburville and will be accessed from Wilburville Road. The subject sites are surrounded by residential dwellings and holiday homes. The north-east boundary adjoins a lot that contains an open drainage line.

The portion of CT33300/2 that is to be adhered as part of the boundary adjustment is a small part of a larger rural lot that appears to have been separated from the rest of the land on the parent title through past subdivisions. Oddly, the vacant residential lot shares no boundary with the rest of the land on the title. The lot currently has no frontage and contains a scattering of trees and shrubs on the southern boundary.

Adjoining the eastern boundary of CT33300/2 is the portion of CT33300/1 that is subject to the subdivision. The land contains an existing dwelling and is generally grassed with some denser vegetation on the western boundary to the north of Wilburville Road. No road lot currently exists for the portion of Wilburville Road that runs through the subject site, however the road is maintained by Council. The road also provides a boundary between the areas of the subject site that are zoned Holiday Residential and Rural.

The portion of the subject land to be subdivided is zoned 'Holiday Residential' under the *Central Highlands Planning Scheme 1998*, however other parts of the subject sites are zoned Rural.

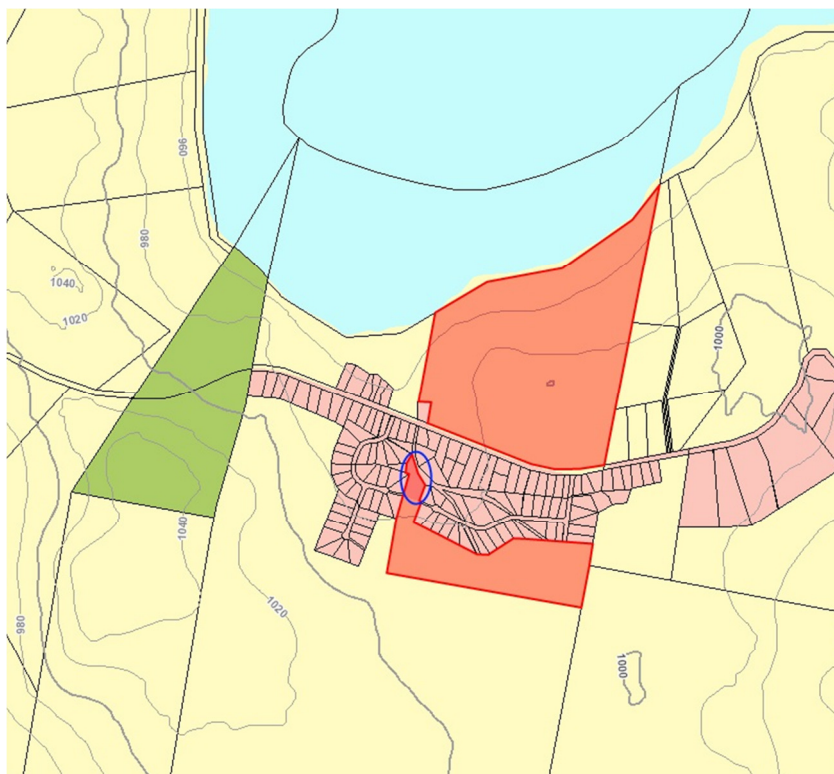


Plate 1: CT33300/1 is highlighted in red and the area within the blue circle is zoned Holiday Residential and subject to the subdivision, whereas the rest of the land is zoned Rural (Source: *The List Tas*, 2013)

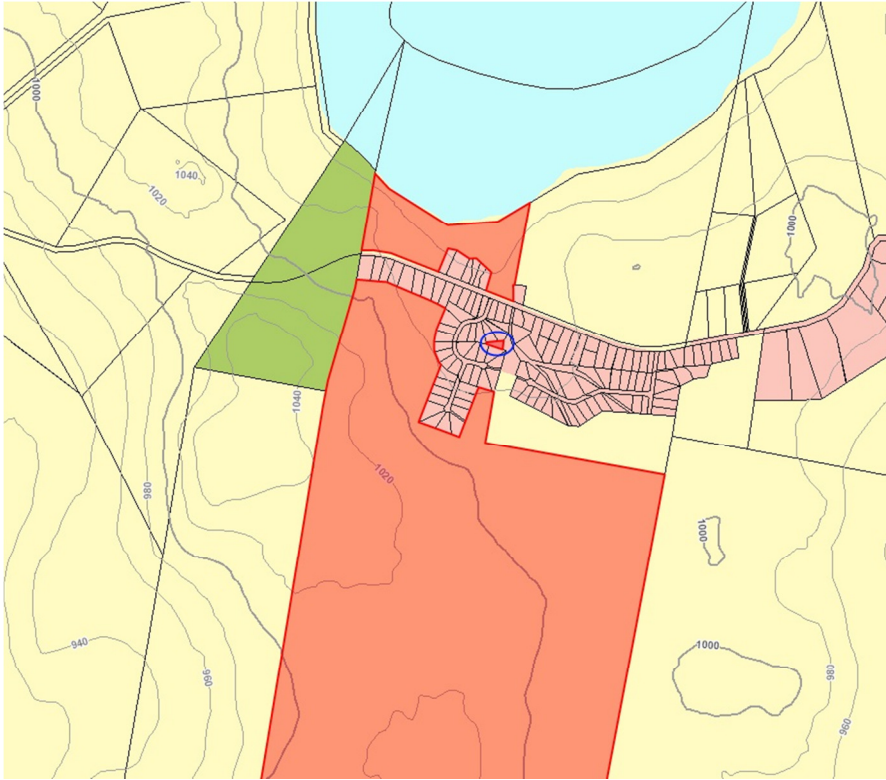


Plate 2: CT33300/2 is highlighted in red and the area within the blue circle is zoned Holiday Residential and will be adhered to CT33300/1 as part of the boundary adjustment, whereas the rest of the land is zoned Rural (Source: *The List Tas*, 2013)



Plate 3: An aerial image of the of the area impacted by the subdivision and boundary adjustment (outlined in blue) depicts the nature of the environment. The balance lot adjoins the southern boundary. (Source: *The List Tas*, 2012)

Statutory Status:

The land impacted by the proposed subdivision is zoned Holiday Residential under the *Central Highlands Planning Scheme 1998*. The use category 'Subdivision' is a Discretionary development type pursuant to Part 1.4 of the Scheme.

Permissible uses in the Holiday Residential Zone include 'home industry', 'house', and 'visitor accommodation (1 unit only)'. These are all potential likely uses that could occur on any of the newly created lots if the subdivision were to proceed.

Advertising:

The application was subject to a 14 day statutory notification procedure in accordance with section 57 of the Act. The application was advertised from the 23 October 2013 through to the 7 November 2013. One (1) representation was received within the public consultation timeframe.

Representations

The concerns raised in the representations from the initial advertising period are detailed as follows:

Issues raised	Planning response
<i>Representor 1</i>	
When Wilburville was initially subdivided all blocks were a minimum of 2,000 sqm. Proposed Lot 3 is for a block for 1,282 sqm, does this not set a precedent for subdivision of smaller lots?	<p>There is no numeric minimum lot size standard in the Holiday Residential Zone of the Scheme. The only requirement in the Scheme is that subdivision should not result in a change of use without Council approval.</p> <p>As such, the lots must meet the requirements of a minimum lot in accordance with s.109 of the <i>Local Government (Building and Miscellaneous Provisions) Act 1993</i>. Under s109 (d) a minimum lot in a country building area is to have –</p> <p><i>(i) an area of not less than 1 000 square metres; and</i></p> <p><i>(ii) a frontage of 6 metres upon a road;</i></p> <p>Lot 3 meets these requirements and can therefore be considered an appropriate lot size.</p> <p>In saying that, there is no reticulated sewerage available in Wilburville and therefore lots must be of an adequate size to be able to treat wastewater on-site.</p> <p>While the applicant has indicated that this is the case it is recommended that conditions of the planning permit require this to be demonstrated by way of a geotechnical report prior to works commencing.</p>
The subdivision has enough land to divide into 3 blocks of 2,000 sqm so there is no reason to have lot of less than 2,000sqm.	As there is no requirement for the lots to be a minimum size of 2,000sqm there is no need to require each lot to be at least 2,000sqm.
If the developer is concerned that by enlarging lot 3 it will make lot 1 a shape that is unsaleable, I suggest the subdivision be reduced to 2 lots.	See above.

Planning Evaluation

General Objectives:

The General Objectives of the Planning Scheme relevant to this proposal are:

- (a) To promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity.*
- (b) To provide for the fair, orderly and sustainable use and development of air, land and water;*
- (e) To give effect to relevant objectives of the Central Plateau, midlands and Southern Midlands*

Strategic plan and the Central Highlands Council Strategic Plan which are as follows:-

- (ii) To strengthen the commercial and tourist roles of the existing townships and create an appropriate network of settlements to meet the needs of residents and visitors.*
- (iii) To conserve significant vegetation, habitat and scenic resources;*
- (iv) To encourage land use and development to occur in consideration of land capability;*
- (v) To maintain recreational values including the wild fishery, and to expand opportunities for resource-related tourism.*

The application provides for in-fill residential subdivision on appropriately zoned land with surrounding properties of similar size. The application accords with the above objectives in that it is sustainable development of land which is already disturbed, thus having a minimal environmental impact.

The proposed subdivision is within an existing settlement and located within close proximity to Arthurs Lake and is in an appropriate location for resource-related tourism.

Special Objectives

The Special Objectives of the Planning Scheme relevant to this proposal are:

- (e) To encourage infilling and consolidation of development at Barren Tier, Bronte Park, Cramps Bay, Flintstone Drive, Gin Point, Headlam Road, Laycock Drive, London Lakes, Miena, Morass Bay, Shannon, Tarraleah, Tods Corner, Waddamana and Wilburville in accordance with the Holiday Residential zoning.*

The application is in accordance with the above objective as it is an infill subdivision which will provide consolidation of development within the Holiday Residential zone in Wilburville.

Holiday Residential Zone Objectives:

The Objectives of the Holiday Residential Zone are reproduced as follows:

- (a) To recognise the special requirements of holiday residential development in Alanvale, Allisons Road, Barren Tier, Bradys Lake, Brandum Bay, Bronte Lagoon, Bronte Park, Brownie Bay, Cramps Bay, Doctors Point, Dee Lagoon, Flintstone Drive, Gin Point, Haulage Hill, Headlam Road, Interlaken, Jillet Road, Johnstones Road, Laycock Drive, Little Pine Lagoon, London Lakes, Miena, Morass Bay, Rainbow Road, Reynolds Neck, Shannon, South Breona, Tarraleah, Tods Corner, Tods Corner (Gin Point), Waddamana, Warners Road and Wilburville where the demand is primarily for holiday, recreational or specialist educational activities.*
- (b) To consolidate housing development for holiday and recreational purposes in appropriate areas.*
- (c) To facilitate the effective and efficient provision of services by Council and other authorities.*
- (d) To ensure that development is consistent with the character, requirements and natural environment of holiday recreation areas.*
- (e) To control adverse impacts and to restrict interference from incompatible activities.*

The proposed subdivision will provide additional lots in the Holiday Residential zone in the settlement of Wilburville. The subdivision is infill development and will consolidate housing development for holiday and recreational purposes as per the above objectives. The character for the area is housing for holiday and recreational purposes on larger lots.

The majority of Wilburville was subdivided as part of one large subdivision plan which resulted in lots being of a consistent size and shape. The two subject sites are some of the few Holiday Residential zoned lots that were not part of the original subdivision and therefore do not necessarily conform to the rest of the subdivision layout of the rest of Wilburville.

Development Standards

Part 3, Holiday Residential Zone, Clause 1.6 of the Scheme prescribes the development standards relating to

subdivision of land.

Subdivision must not result in a change of use without the approval of Council (if required) and must not provide for additional direct access to any road of Category 2 or 3 listed in Schedule 3.

Council shall consult with the Tasmanian Fire Service regarding subdivisions and new buildings on existing lots, and may impose any conditions arising therefrom.

The proposed subdivision and boundary adjustment will not result in a change of use, as it is increasing the size of one vacant residential lot and creating another vacant residential lot and a lot with an existing dwelling on it. The proposed road lot is over an existing Council maintained road which will provide access to the lots. There is no access to Category 2 or 3 roads.

Wilburville is in a bushfire prone area and it is recommended that a Part 5 agreement requiring Bushfire Management Plans for future development be a condition of a planning permit.

Lot size

As mentioned in the response to the representations, there is no minimum lot size in the Scheme for the Holiday Residential Zone and therefore the lots must meet the requirements of a minimum lot in accordance with s.109 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*. Under s109 (d) a minimum lot in a country building area is to have –

(i) an area of not less than 1 000 square metres; and

(ii) a frontage of 6 metres upon a road;

All lots meet these requirements and can therefore be considered an appropriate lot size.

It is recommended that a condition of the planning permit require that it be demonstrated that the lots are suitable for the on-site disposal of wastewater prior to works commencing.

Schedule 3 – Road Hierarchy, Access and Setback Requirements:

Schedule 3 of the Scheme establishes a hierarchy of roads and the access, location and setback requirements in respect to any section of road not restricted to a 60km/h speed limit shall conform to the relevant requirements of this schedule.

With regard to site distances, Clause S.3.2 prescribes that:

Access to a road whether subject to a 60km/h speed limit or not, shall have adequate sight distances as set out in Figure 1.

Clause S.3.4 further states that:

The proposed location for a Minor or Major Access shall comply with the sight distance requirements set out in Figure 1 to this Schedule and the access location requirements of S.3.7 and/or S.3.9.

All access locations to the proposed lots are required to comply with sight distance requirements based on either the design or approach speed (85th percentile) of traffic. This is regardless of whether the applicant intends on using existing access points.

The proposed 3 lots and balance will have access to the new road lot which formalises this section of Wilburville Road. Sight distances are adequate.

Schedule 5 – Matters to be Taken into Consideration in Making Decisions on Applications for a Permit:

Schedule 5 provides additional matters that must be taking into consideration when deciding on any application for a permit and are addressed in the following.

S.5.1 – The provisions of any State Policy or interim State Policy.

Comments in relation to relevant State Policies are discussed below.

S.5.3 – The objectives and other provisions of the Scheme.

These have been addressed previously.

S.5.5 – The effect of the proposed use or development on the landscape, scenic quality or biological diversity of the locality.

The works generated by the proposed subdivision would be the construction of two new access points for lots 1 and 2. The proposed subdivision may necessitate the removal of vegetation in the future for development sites however this will be addressed at the development stage.

S.5.7 – The social effect and the economic effect of the proposed use or development in the locality.

The subdivision would have negligible social or economic impacts upon the locality.

S.5.12 – The relation of the proposed use or development to the use or development on adjoining land or on other land in the locality.

The proposed subdivision is infill residential development in an appropriately zoned area.

S.5.13 – The provisions of Schedule 3 or any code or policy adopted by Council relating to car parking, and whether the proposed means of access is adequate and whether adequate provision has been made for loading, unloading, manoeuvring and parking of vehicles within the proposed use or development or on that land.

It is considered that standard conditions of approval will adequately address access to the lots.

S.5.15 – The amount of traffic likely to be generated by the proposed use or development, particularly in relation to the capacity of the road system in the locality and the probable effect of that traffic on the movement of traffic and the safety of pedestrians.

It is considered that the likely future use of the proposed lots will not result in traffic generation rates that would exceed the capacity of the road system in the locality given the minor increase in lots. Any future development on either of the lots would be dependent upon the suitability and capability of vehicular access, which would be assessed with any subsequent Development Application.

S.5.17 – Whether the proposed use or development is likely to cause land degradation.

No land degradation is expected to result from this subdivision.

S.5.18 – The existing and likely future amenity of the neighbourhood.

It is considered that the proposed subdivision will not have any negative impacts on the amenity of the locality and will provide additional lots that are consistent with what exists in the area.

S.5.19 – The effect on the natural, cultural or built heritage.

No known aboriginal or historic cultural heritage sites exist on the property.

S.5.20 – any objection or submission lodged in respect of an application.

One representation has been received in relation to this development and has been addressed in the sections above.

State Policy Implications

▪ State Policy of Water Quality Management

Subject to appropriate conditions, the proposal is considered to be able to demonstrate compliance with this Policy with regard to ensuring sediment transport into surface waters does not occur. A Soil and Water Management Plan will be required for construction of the road and any future development over 250 square metres.

- State Policy on the Protection of Agricultural Land 2009

The State Policy on the Protection of Agricultural Land protects Prime Agricultural Land (Land Capability Classes 1, 2, and 3) and conversion to non-agricultural uses is subject to the principles of the Policy.

There are seven principles to guide outcomes that give effect to the Policy. Principles 1 to 4 deal with Prime Agricultural Land and are not relevant to the consideration of this application, given that the land is predominantly Class 6. Principles 5 to 7 state:

5. All agricultural land is a valuable resource for Tasmania. The protection of other than prime agricultural land from conversion to non-agricultural use will be determined through planning schemes.
6. Adjoining non-agricultural use and development should not unreasonably fetter agricultural uses.
7. Planning schemes will make provisions for the appropriate protection of the range of non-prime agricultural lands within a specified irrigation scheme.

The subject sites are currently vacant and are not used or zoned for agricultural purposes. The balance lot will continue to be used for agricultural purposes and will not be impacted by the proposed subdivision or future development on those lots.

Technical Matters

Water:	No reticulated water services are available to the land.
Sewer:	No reticulated sewer services are available to the land.
Stormwater:	An existing open drain runs alongside the north eastern boundaries of lots 1 and 3. A condition requiring an easement in the benefit of lot 2 connecting to the drain is recommended. Whilst lot 2 may be able to dispose of stormwater on site the easement will allow a legal means of connection to the open drain in the future if required.
Access:	An existing Council maintained road currently connects the 2 Wilburville Road cul de sacs through private property. This road is currently within 6 metres wide reserves on either side of the private property. The developer proposes a 15m wide road reservation to connect the existing road reserves, thus formalising the road as a Public Road.

There is little scope to widen or improve the existing road where it is contained within the 6 metre wide road reserve however the section within the proposed new Road Lot should be upgraded to Council's minimum standard, being a gravel pavement with a total trafficable width of 6 metres, including shoulders. This will allow for a passing opportunity between the narrower sections.

No other issues of concern have been raised.

Environmental Implications

The environmental implications of the development have been discussed throughout this report and there are no significant environmental issues as a result of the proposal.

CONCLUSION

Application has been made for a boundary adjustment and subdivision in the shack settlement of Wilburville. The boundary adjustment will create a frontage for a "land-locked" residential lot belonging to a larger parent title. The subdivision will provide two new residential lots, one of which has an existing house, and a new road lot over the existing constructed Wilburville Road which Council already maintains. The proposed road is the boundary between the Rural zoned balance lot and the Holiday Residential zone.

The key planning concern is the capacity of lot 3, which contains the existing house, to have adequate area for onsite wastewater disposals. This will be addressed through a permit condition requiring the developer to provide a wastewater report demonstrating that wastewater can be adequately disposed on-site for lots 1-3 before any work commences.

Satisfying the above, the proposed subdivision complies with the subdivision standards prescribed under the Scheme and is therefore justified on this basis.

Additional planning issues for consideration including bushfire management, access and servicing that have all been addressed adequately through permit conditions.

Subject to standard conditions, the application can be approved.

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 and boundary adjustment in the Holiday Residential Zone* at 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.

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.
6. A drainage easement, in the benefit of lot 2, is to be created to provide for future connection of lot 2 to the open drain to the north west.

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.

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.

Environmental Health

9. Prior to any works commencing a wastewater report prepared by a suitably qualified person must be submitted to and approved by Council's General Manager. The report must demonstrate that wastewater can be adequately disposed of on-site for lots 1, 2 and 3.
10. 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.

Bushfire Management

- 11.** 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

- 12.** 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.

Engineering

- 13.** The subdivision must be carried out in accordance with the *Central Highlands Council Subdivision Guidelines 2012 (attached)*.
- 14.** The developer shall appoint a qualified and experienced Supervising Engineer (or company registered to provide civil engineering consultancy services) who will be required to certify completion of subdivision construction works. The appointed Supervising Engineer shall be the primary contact person on matters concerning the subdivision.

Existing services

- 15.** The Subdivider must pay the cost of any alterations and/or reinstatement to existing services, Council infrastructure or private property incurred as a result of the proposed subdivision works. Any work required is to be specified or undertaken by the authority concerned.

Telecommunications and electrical reticulation

- 16.** Electrical and telecommunications services are to be provided to each lot in accordance with the requirements of the responsible authority and the satisfaction of Council's General Manager.

Roadwork's

- 17.** The developer is to upgrade the section of Wilburville Road contained within the proposed Road Lot 100 to the following: -
- Fully paved and drained gravel carriageway with a total pavement width (inc shoulders) of 6.00m
 - Road drainage.
- 18.** A vehicle access must be provided from the road carriageway to each lot. Accesses must be located and constructed in accordance with the IPWE Aust. (Tasmania Division) standard drawings and to the satisfaction of Council's Municipal Engineer.
- 19.** All driveway carriageways providing shared access to more than one lot must be constructed in accordance with Section 107 of the *Local Government (Buildings and Miscellaneous Provisions) Act 1993* and municipal standard drawings. Shared access must include a:
- maximum grade of 1 in 5 (20%) onto the lot;
 - minimum trafficable width of 4.00 metres for up to 90 metres, with additional minimum 2.0 metre wide by 20 metre long passing bays at the boundary and every 90 metres along the access otherwise;
 - all weather pavement;
 - stormwater drainage, as required.

Survey pegs

- 20.** Survey pegs are to be stamped with lot numbers and marked for ease of identification.
- 21.** Prior to the works being taken over by Council, evidence must be provided from a registered surveyor that the subdivision has been re-pegged following completion of substantial subdivision construction work. The cost of the re-peg survey must be included in the value of any security.

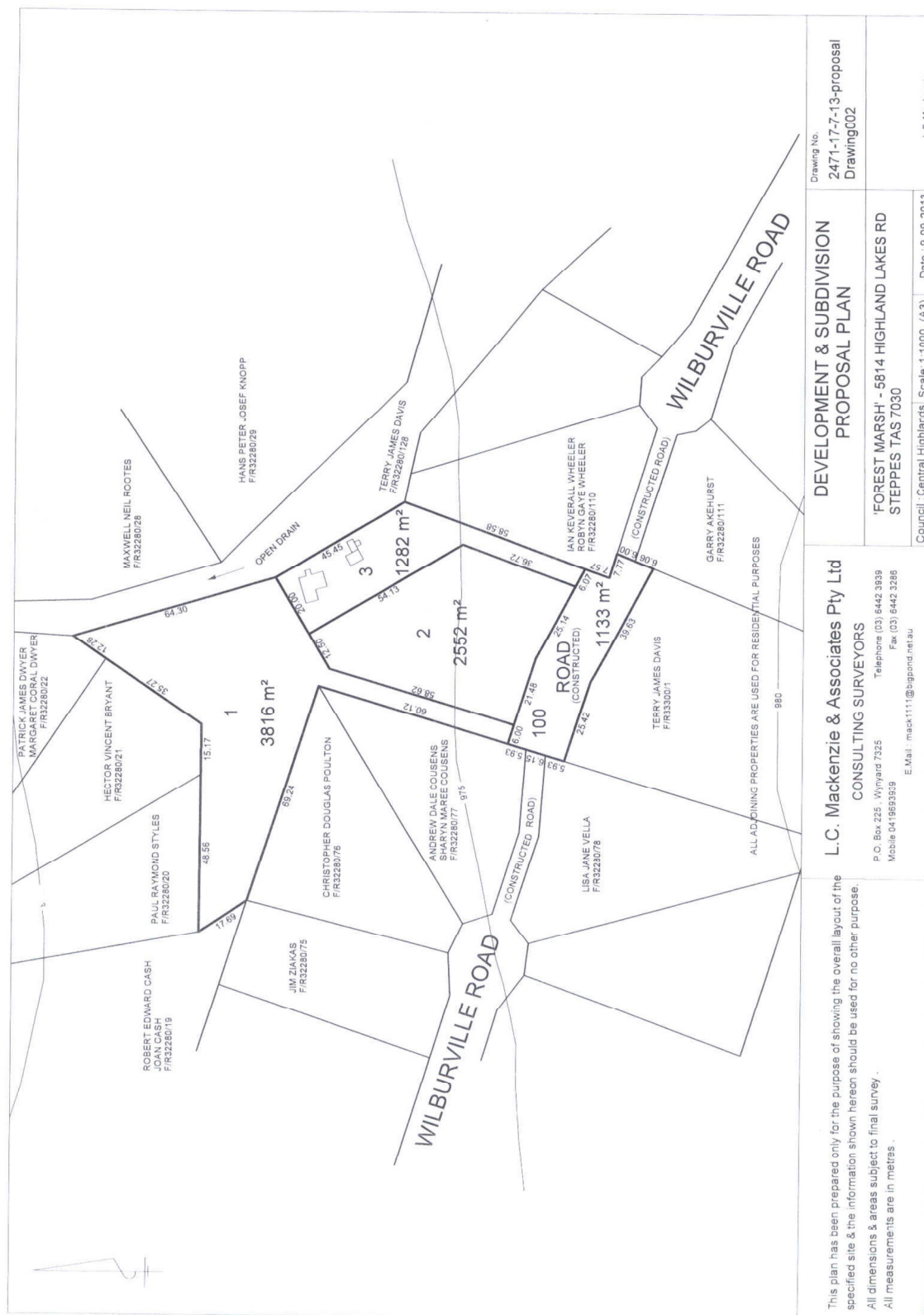
Defects Liability Period

- 22.** The subdivision must be placed onto a 12 month maintenance and defects liability period 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.** 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



14.5 CROWN LAND ACCESS OVER RESERVED ROADS : LOCAL GOVERNMENT CONSULTATION PAPER (SEPARATE ATTACHMENT)

From: Melanie Brown [mailto:melanie.brown@lgat.tas.gov.au]

Sent: Friday, 29 November 2013 12:06 PM

Subject: Att: Planners/Road Managers - Planning issues re legal access to private land over Crown land reserved roads

Dear Planners and Road Managers,

(General Managers Cc'd)

In September/October this year the Association was approached by Stenning and Associates, on behalf of Crown Lands within DPIPWE, in relation to current problems that are being experienced in relation to access to private land over Crown Land reserved roads.

Following on from a webinar held in October with a number of councils from across the State, Stenning & Associates have, on behalf of DPIPWE, produced a Draft Paper (attached) which gives a brief overview of the problem and its background, along with outlining possible solutions to the problem.

DPIPWE is now seeking feedback from the Local Government sector on the solutions proposed.

There are two options for providing feedback:

- 1) Providing written feedback to the consultation paper by **responding through LGAT by 23 December 2013**
- 2) Providing feedback through a formal consultation session – either a webinar or a face-to-face meeting centrally located. This option is dependent on there being sufficient demand – if a consultation session is held, it would be in mid-January.

Could you please indicate to me by 13 December 2013 which of the above feedback options you would prefer (particularly if you would prefer Option 2). If the second option is your preference, could you please indicate if you would prefer a webinar or a face-to-face meeting.

If you have any questions or would like further background information, please let me know as I would be happy to discuss.

Cheers,

Mel

Melanie Brown | [Senior Policy Officer](#)

Local Government Association of Tasmania

GPO Box 1521 Hobart, Tas, 7001

P: 03 6233 5961 | **F:** 03 6233 5986 | **M:** 0419 567 245 | **E:** melanie.brown@lgat.tas.gov.au

This email message is intended only for the addressee(s) and contains information which may be confidential. If you are not the intended recipient please do not read, save, forward, disclose, or copy the contents of this email. If this has been sent to you in error, please delete this email and any copies or links to this email completely and immediately from your system.

14.6 DES STATUS REPORT

- **310 - 17/2/09**

Sale of Council Land Wayatinah, responsibility of: DES Manager

A revised plan has been received taking into account Southern Waters requirements. As the lot sizes have now changed the application will need to be re-advertised. Amended Plan approved by Southern Water. Tenders to be called for Stage 1 (5 Lots)

- **323 - 16/11/2010**

Caravans – Meadow Bank Lake, responsibility of: DES Manager & Planning Consultant

Council endorsed the public exhibition and consultation process for the draft Lake Meadowbank Planning Project Background Report on the 17th September 2013 subject to the boundary being amended to include the entire Lake curtilage.

The plan has been on public exhibition for three (3) weeks and the comments are now being assessed.

- **331 - 16/7/13**

Vehicle body removal in Municipality, responsibility of: DES Manager

15.0 COMMUNITY & ECONOMIC DEVELOPMENT REPORT

Moved C/r

Seconded C/r

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

Carried

COMMUNITY & ECONOMIC DEVELOPMENT OFFICER'S REPORT DECEMBER 2013

KEEP AUSTRALIA BEAUTIFUL SUSTAINABLE COMMUNITIES AWARDS 2014

The entire Central Highlands region earned this award for the population category 2001 – 5,000.

Judge Barrie Muir said he was impressed with the Highlands Tasmania Branding and the promotion of the region.

“Central Highlands ticks all the boxes and there has been great work done to bring its widespread communities to work together,” he said, at the presentation in the Tasmanian Axemen’s Hall of Fame’, Latrobe.

HIGHLANDS BUSHFEST - EVENTS TASMANIA GRANT

A New Event grant of \$10,000 towards the power upgrade at Bothwell Recreation Ground has been awarded by Events Tasmania. The power upgrade will facilitate food and beverage and other exhibitors.

A meeting of the Highlands Bushfest sub-committee will take place on Tuesday, February 7, in Hamilton.

AGFEST 2014

Council will be informed about its application for a site at AGFEST 2014 by the end of January.

The Highlands Tasmania Tourism Committee believes a larger site might be required if probable ‘cornerstone’ exhibitors take up space in the Council marquee.

The AGFEST working group has met to begin planning the site and will meet again on Thursday, December 12, prior to invitations for Expressions of Interest from prospective exhibitors.

It is anticipated a clearer indication of exhibitors and activities will be known prior to January’s Council meeting.

HIGHLANDS TASMANIA – TOURISM TASMANIA FAMILIARISATION TOUR

Tourism Tasmania CEO John Fitzgerald and southern region co-ordinator Rita Warrenner visited the Central Highlands, accompanied by Ben Targett, CEO of DST to discuss the Highlands Tasmania Brand and meet operators.

The group, which also included Mayor Flint, Cllr Jacka and myself, visited Miena; Highland Cabins, Bronte Park; The Wall in the Wilderness, Derwent Bridge Chalets & Studios; Derwent Bridge Wilderness Hotel and Tarraleah. The tour concluded with a function for Derwent Valley tourism operators at Curringa Farm, Hamilton, at which Mr Fitzgerald outlined his vision for Tasmanian tourism.

HIGHLANDS TASMANIA - DVD FILMING

External filming for the Waddamana musical DVD has been concluded and a second draft has been received. Titles and credits will be added once the director returns from a filming assignment in Ireland and it is hoped it will be in the retail market prior to Christmas. Filming of Central Highlands' sights and attractions has been continually delayed by poor weather. It is hoped to achieve this as soon as possible. Additional film material is being sourced from tourism operators and the ABC.

HIGHLANDS TASMANIA TOURING MAP AND INFORMATION CENTRE BRIEFINGS

A3 maps on composite material have been delivered to: Gretna Green Hotel; Hamilton Inn; Castle Hotel, Bothwell; Australasian Golf Museum; Jackson's Emporium; Glen Clyde House Tearooms; information centres at Exeter, Latrobe, Deloraine and Launceston and the Department of Economic Development, Hobart. Ouse Online Access Centre has requested a touring map to assist in explaining the region's attractions to visitors who consistently call in for information.

HIGHLANDS TASMANIA BROCHURE

Meetings with tour operators will be conducted over the next seven days to finalise content of the brochure. A mock-up has been produced and will be distributed at the meetings for observation and comment.

HIGHLANDS TASMANIA – COACH TOUR OPERATOR BRIEFINGS

I met the marketing manager of McDermott Coaches to outline Central Highlands' attractions and coach friendly food and beverage facilities at the request of the coach captain who had carried the pipe band to Waddamana. McDermotts is one of the state's premier tour companies and carries a large volume of inter-state visitors and drivers will now receive an internal briefing from management.

HIGHLANDS TASMANIA – BAR COASTERS

Bar coasters artwork has been finalised and the first series of Highlands Tasmania locations submitted for printing.

HAMILTON MAP

A meeting of Hamilton operators on Thursday, November 20, identified the items to be included in the legend for the map. It is hoped a final draft will be presented to business owners in the next 10 days and that the combined Hamilton and Highlands Tasmania map can be installed in the information bay before Christmas.

HAMILTON TOURISM INITIATIVES

A vision for Hamilton tourism was discussed at the same meeting.

Suggestions included:

- Promoting the Central Highlands as "Melbourne's best week away"
- A tear off map for the town, featuring walking routes
- Food tourism
- Open gardens
- The promotion of the town to photographers and artists.

ANZAC DAY CENTENARY GRANT APPLICATION – HAMILTON CENOTAPH

An application for a grant of \$5,000 has been submitted to the State Government. Council also has allocated \$5,000 towards the sandstone memorial.

Public consultation will determine the location. Two options are being offered – opposite the Hamilton Council Chambers and at the western side of the information bay car park.

DUMP POINTS AT MIENA AND ARTHURS LAKE

Great Lake Hotel operator Kaylee Hattinger has requested Council provides a dump point for caravans and motorhomes at Miena and has offered a vacant area suitable for larger vehicles on the property.

Inconsiderate 'nomads' are currently disposing of waste into the public toilets and the hotel's system regularly becomes overloaded and requires frequent pumping during the summer months.

The request coincides with a similar request from Hydro Tasmania and the Inland Fisheries Service for dump points at Miena and Arthurs Lake. Hydro Tasmania is prepared to provide land at Arthurs Lake.

I have received information of a scheme to provide subsidised dump points from the Campervans and Motorhomes Association of Australia and have discussions with Graham Rogers and Jamie Wood about their suitability for the Miena and Arthurs Lake sites.

The units are valued at \$1,350 each. Council would be responsible for installation and disposal of waste.

A further option is a pay-as-you-go system that would cover the cost of waste removal, though these can be liable to the theft of cashboxes in remote locations.

15.1 SPORT AND RECREATION MINOR GRANT

Council has been successful in obtaining a grant of \$10,000 from Sport and Recreation Tasmania to replace existing floodlights at the Bothwell Recreation Ground.

Recommendation:

Moved **Clr**

Seconded **Clr**

THAT the general Manager be authorised to sign the Acceptance of Grant Assistance Form

Carried

16.0 WORKS & SERVICES

Moved **Clr**

Seconded **Clr**

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

Carried

WORKS & SERVICES REPORT

20th November 2013 – 6th December 2013

Grading & sheeting

Arthurs Lake Rd

Maintenance Grading

Potholing / shouldering

Victoria Valley Rd

Bluff Rd

Dennistoun Rd

Meadowbank Rd

Woolpack Rd

Interlaken Rd

Meadsfield Rd	Woodsprings Rd
Lower Marshes Rd	Great Lake Subdivision Roads

Culverts / Drainage

Strickland Rd	Tor Hill Rd
---------------	-------------

Occupational Health and Safety

- Monthly Toolbox Meetings
- Day to day JSA and daily pre start check lists completed
- Monthly work place inspections completed
- Playground inspections
- A total of 76 Hrs Annual Leave
- A total of 76hrs Long Service Leave

Bridge Maintenance:**Bridges:****Refuse / recycling sites:**

Cover Hamilton Tip twice weekly

Other:**Municipal Town Maintenance:**

- Collection of town rubbish twice weekly
- Maintenance of parks, cemetery, recreation ground and Caravan Park.
- Cleaning of public toilets, gutters, drains and footpaths.
- Collection of rubbish twice weekly
- Cleaning of toilets and public facilities
- General maintenance
- Mowing of towns and parks
- Town Drainage

Weed control:

General weed spraying Bothwell, Hollow Tree Rd, Ellendale Rd, Ouse, Ellendale

Buildings:**Plant: (Repairs and Maintenance**

Repairs to Dogs Trailers
 Purchase new JCB Backhoe for Hamilton
 Purchase new Triton Grader Ute for Bothwell

Private Works:

John Marshall – Pre Mix Deliveries
 Maxine Browning – Mowing
 Jeff Purdy – Pre Mix Deliveries
 Wally Triffett – Gravel Supplies

Casuals

- Toilets, rubbish and Hobart
- Bothwell general duties
- Hamilton general duties

- Mowing and brush cutting

Slashing

Marked Tree Rd
Hollow Tree Rd
Hamilton Plains Rd

Program for next 4 weeks:

Mowing Municipal Roads & Towns
Potholing assorted roads
Town Spraying

Grading & sheeting

Arthurs Lake Rd

Maintenance Grading

Potholing / shouldering

Victoria Valley Rd	Meadowbank Rd
Bluff Rd	Woolpack Rd
Dennistoun Rd	Interlaken Rd
Meadsfield Rd	Woodsprings Rd
Lower Marshes Rd	Great Lake Subdivision Roads

Culverts / Drainage

Strickland Rd	Tor Hill Rd
---------------	-------------

Occupational Health and Safety

- Monthly Toolbox Meetings
- Day to day JSA and daily pre start check lists completed
- Monthly work place inspections completed
- Playground inspections
- A total of 76hrs Annual Leave
- A total of 76hrs Long Service Leave

Bridge Maintenance

Bridges:

Refuse / recycling sites:

Cover Hamilton Tip twice weekly

Other:

Municipal Town Maintenance:

- Collection of town rubbish twice weekly
- Maintenance of parks, cemetery, recreation ground and Caravan Park.
- Cleaning of public toilets, gutters, drains and footpaths.
- Collection of rubbish twice weekly
- Cleaning of toilets and public facilities
- General maintenance
- Mowing of towns and parks
- Town Drainage

Weed control:

General weed spraying Bothwell, Hollow Tree Rd, Ellendale Rd, Ouse, Ellendale

Buildings:**Plant: (Repairs and Maintenance)**

Repairs to Dogs Trailers
Purchase new JCB Backhoe for Hamilton
Purchase new Triton Grader Ute for Bothwell

Private Works:

John Marshall – Pre Mix Deliveries
Maxine Browning – Mowing
Jeff Purdy – Pre Mix Deliveries
Wally Triffett – Gravel Supplies

Casuals

- Toilets, rubbish and Hobart
- Bothwell general duties
- Hamilton general duties
- Mowing and brush cutting
-

Slashing

Marked Tree Rd Hollow Tree Rd
Hamilton Plains Rd

Program for next 4 weeks:

Mowing Municipal Roads & Towns
Potholing assorted roads
Town Spraying

16.1 PONTOONS – ARTHURS LAKE AND GREAT LAKE

At the October 2012 Council Meeting, Council's Community & Economic Development Officer advised of the installation of two pontoons at these lakes. It was recommended by the CEDO Officer that Council agree in principle to provide maintenance services (monitoring Lake levels and moving pontoons as required) on a cost recovery basis.

Council subsequently moved the following motion:

***"THAT** Council agree in principle to provide this service subject to further discussion. A draft be prepared for approval and to be on a cost recovery basis and final agreements on cost-recovery. The final agreements to come back to Council for a final decision."*

I attended and onsite meeting together with Garrie Eyles on 27 November, 2013 to meet with Neil Morrow and Jim Caulfield, MAST representative. They proposed that Council monitor the lake levels and move the pontoons in and out as required by the lake levels.

From my observations, it will take three to four men to move the pontoons. One man will be required to dive up to a depth of 1.6 metres to unbuckle the cables that secure the pontoon. The pontoon would then be pushed manually in or out by the other men and then be reattached.

They agreed to provide a wet suit and any equipment we needed apart from breathing equipment. The MAST representative (Jim Caulfield) was prepared to attend a Council meeting to discuss. MAST did agree that vandalism and damage would be covered by them.

There is a possibility of another 2 or 3 pontoons being installed in the near future.

I believe that this request is beyond Council's expertise and I am concerned with health and safety issues associated with employees being in the water (chill factor and temperature, depth, underwater experience etc.). Council would be required to monitor the lakes and move pontoons accordingly.

For Discussion

16.2 GOWAN BRAE ROAD

For Discussion

16.3 THE AVENUE, ELLENDALE

For Discussion

16.4 TYRE ROLLER

An offer of \$200 has been received from Geoff Herbert for the purchase of an old tyre roller that is at the Bothwell Recreation Ground.

Recommendation

Moved **Clr** Seconded **Clr**

THAT Council sell the tyre roller to Geoff Herbert for \$200.

Carried

16.5 STATUS REPORT

- **328 - 20/4/2012**

Gorse at Christian Marsh, Responsible Officer: NRM

This item was asked to be placed on the Status Report at the March 2012 Meeting.

- **329 - 18/8/2012**

Platypus Walk, Responsible Officer: Works Manager

Regular Maintenance

- **332 - 17/9/2013**

Blackberry Removal, Responsible Officer: Works Manager / NRM

Clr Bowden requested that this item be placed on the Status Report

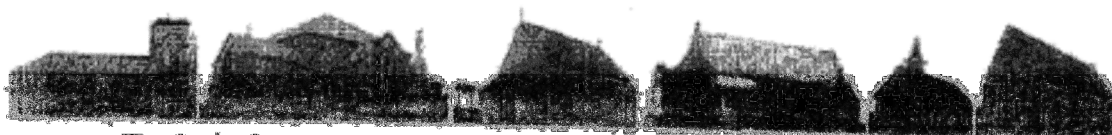
17.0 ADMINISTRATION

17.1 CHURCH FUNDING

Council has allocated \$500 per church in the Central Highlands to assist with maintenance. Nichola Ball, Secretary of the Parish of Hamilton, has submitted a request for the following:

St Peter's, Hamilton	Refurbishment of front doors
St. John the Baptist, Ouse	Water/Plumbing
St Mary's, Gretna	Gutters
St. Andrew's, Ellendale	Drainage
St. James, Osterley	Locks

The Anglican Parish of Hamilton
Ministry in the communities of
Hamilton, Ouse, Osterley, Ellendale, Margaret River, Gretna & Mayden
and surrounding areas



The General Manager
 Mrs. Lyn Hyles
 Central Highlands Council
 Hamilton

25th November 2013

Dear Lyn,

Received	<u>25/11/13</u>
Mail <input type="checkbox"/> Fax <input type="checkbox"/> Email <input type="checkbox"/> DES <input type="checkbox"/>	
Forwarded to	
one <input type="checkbox"/> two <input type="checkbox"/> via <input type="checkbox"/> DES <input type="checkbox"/>	
Cost	
Entered By:	
Ref:	

CHURCH FUNDING

I am writing on behalf of the Parish of Hamilton with reference to the very generous maintenance funding of \$500.00 per church that the Council is again providing. The Mayor attended our AGM and informed us that the funding was available and that we should request from you that the money be forwarded to the Parish, detailing its use.

St. Peter's, Hamilton	Refurbishment of front doors
St. John the Baptist, Ouse	Water/Plumbing
St. Mary's, Gretna	Gutters
St. Andrew's, Ellendale	Drainage
St. James, Osterley	Locks

The Parish is extremely grateful for this help, in these difficult times.

Yours sincerely,

Nicky

Nichola Hall, Secretary

Recommendation:Moved **Clr**Seconded **Clr**

THAT Council provide maintenance funding of \$2,500 to the Parish of Hamilton for maintenance works for the following churches:

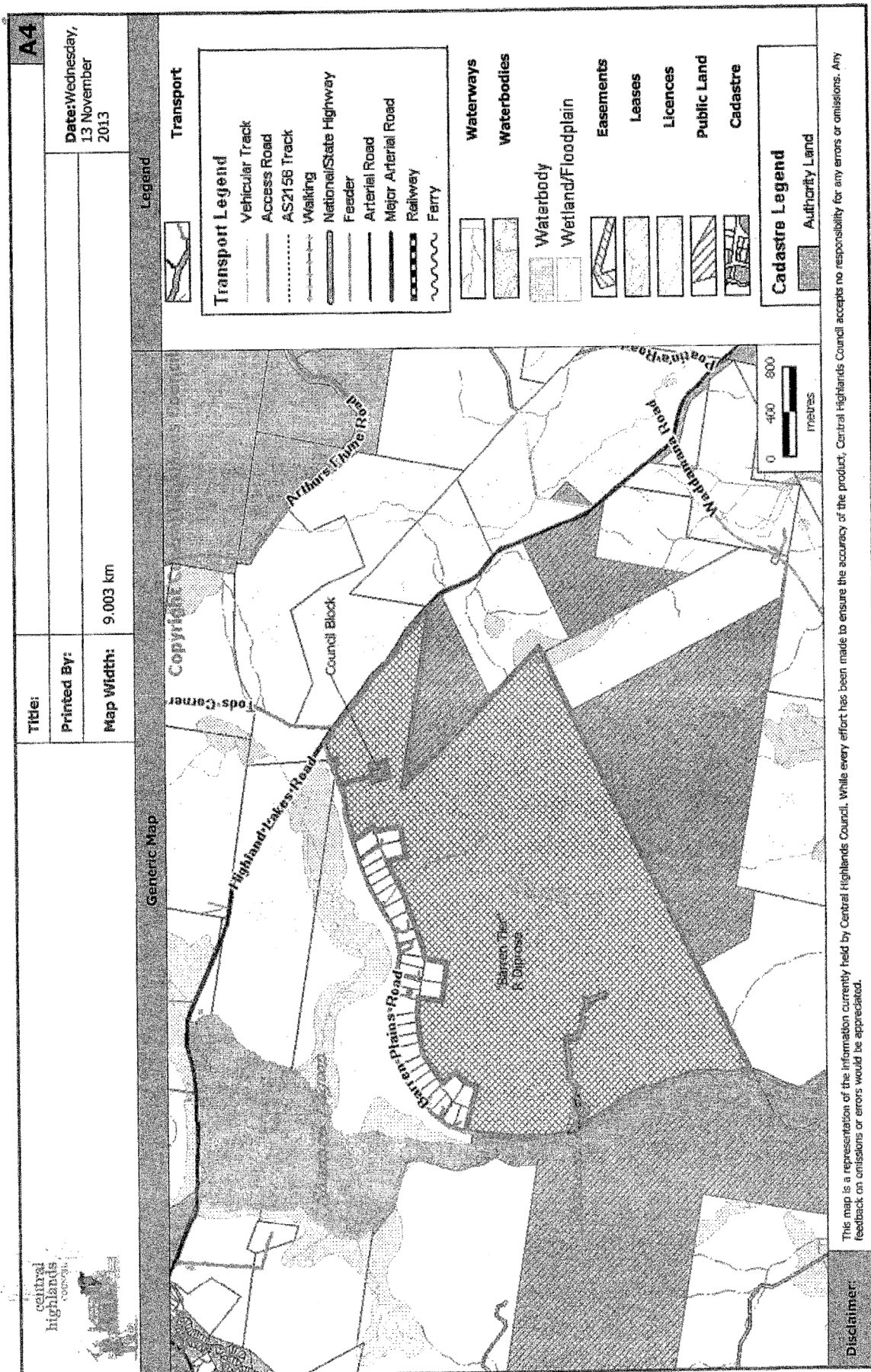
St Peter's, Hamilton	Refurbishment of front doors
St. John the Baptist, Ouse	Water/Plumbing
St Mary's, Gretna	Gutters
St. Andrew's, Ellendale	Drainage
St. James, Osterley	Locks

Carried

17.2 COUNCIL OWNED BLOCK – OFF BARREN PLAINS ROAD

Mr Diprose and Mr Archer own a property called "Barren Tier" comprising approx. 897Ha off Barren Plains Road. Located within their property is a block owned by Council (2.83Ha) which they believe was a disused gravel pit. Mr Diprose and Mr Archer would like to acquire this block as they believe that it would be a good access point for their northern boundary (see attached map).

Graham Rogers, Council's DES Manager, visited the site, which is predominately bush. Although the block is not currently used by Council, Graham believes that it may have a possible future use if Miena develops further.



Recommendation:Moved **Clr**Seconded **Clr**

THAT Mr Diprose and Mr Archer be advised that Council are not prepared to sell the block.

Carried

17.3 AUSTRALIA DAY AWARDS (SEPARATE ATTACHMENT IN DROPBOX)

Nominations have closed for the 2014 Central Highlands Australia Day Awards. The nominations for the following awards have been provided to Councillors for their consideration:

Citizen of the Year

Young Citizen of the Year

Community Event of the Year

For Decision

17.4 REQUEST FOR A MEMORIAL PLAQUE IN RECOGNITION OF GROTE REBER

Mr Robert Cassidy has written to the Mayor and requested a memorial plaque to be mounted on a stone column, in keeping with Bothwell's visual appearance and appeal, be placed within the park at the north end, between Queen Street and Market Place. Mr Cassidy has also provided a suggested plaque. Mr Cassidy has also provided articles on Mr Reber's achievements.

In August, Council's Community & Economic Development Officer in his report advised:

"The Bothwell Historical Society is hoping to install a Stephen Walker sculpture in commemoration of astronomer Grote Reber and is seeking permission from Council for the location to be the corner of Market Place and Alexander Street, Bothwell, inside the perimeter fence of the park.

Council noted the report.

Lyn Eyles

From: Casey Bryant
Sent: Monday, 2 December 2013 8:05 AM
To: Deirdre Flint
Cc: Lyn Eyles
Subject: FW: Memorial plaque request
Attachments: Letter to Mayor Flint.pdf; Grote Reber.pdf

From: R. Cassidy [<mailto:rlc747capt@yahoo.com>]
Sent: Sunday, 1 December 2013 11:13 AM
To: Council; karen.bradford@utas.edu.au
Subject: Memorial plaque request

Dear Honourable Mayor Deirdre Flint,

Your attention is invited to the attachments.

Though deemed eccentric, reclusive, and a "Yank" according to local gossip, I feel Grote Reber, a long time resident of Bothwell (Dennistoun) and, a pioneer of radio astronomy deserves better recognition for his contribution to the understanding of our universe and radio astronomy.

Respectfully, I request a memorial plaque to be mounted on a stone column, in keeping with Bothwell's visual appearance and appeal, be placed within the park at the north end, between Queen Street and Market Place.

Though an unusual man and unexpected for Bothwell, he lived in our community, nearly 40 years, and I believe deserves better recognition. He is Bothwell's link with a world of possibilities to be explored beyond Tasmania.

Thank you, for your attention and time. I look forward to your reply.

Sincerely,
Robert L. Cassidy
6259 5769

No virus found in this message.

Checked by AVG - www.avg.com

Version: 2014.0.4259 / Virus Database: 3629/6882 - Release Date: 12/01/13

Robert L. Cassidy
1 William Street
Bothwell, TAS 7030
Telephone: 6259 5769
Mobile: 0458 737 747
Email: rlc747capt@yahoo.com

1 December 2013

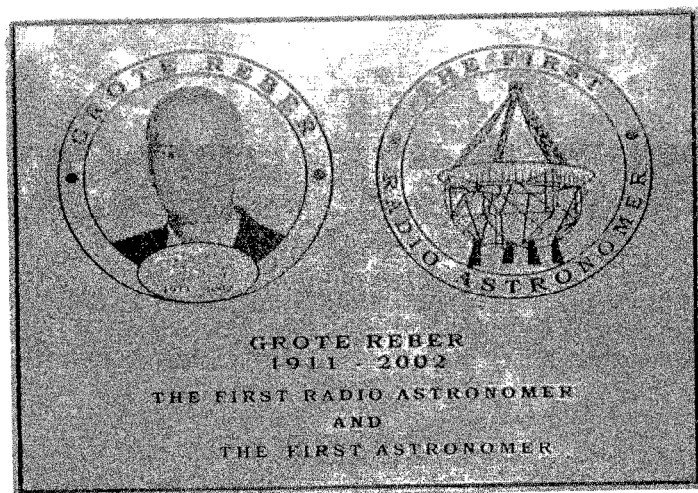
Re: Request for a memorial plaque in recognition of Grote Reber

Honourable Mayor Deidre Flint,
Central Highlands Council
Post Office Box 20
Hamilton, TAS 7140

Dear Honourable Mayor Deidre Flint:

Though deemed eccentric, reclusive, and a "Yank" according to *local gossip*, I feel Grote Reber, a long time resident of Bothwell and, a pioneer of radio astronomy deserves better recognition for his contribution to the understanding of our universe and radio astronomy.

Respectfully, I request a memorial plaque to be mounted on a stone column, in keeping with Bothwell's visual appearance and appeal, be placed within the park at the north end, between Queen Street and Market Place, thus:

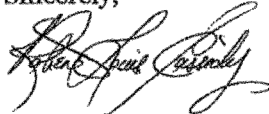


Though an unusual man and unexpected for Bothwell, he lived in our community, nearly 40 years, and I believe deserves better recognition. He is

Bothwell's link with a world of possibilities to be explored beyond Tasmania.

Thank you, for your attention and time. I look forward to your reply.

Sincerely,

A handwritten signature in black ink, appearing to read 'Robert L. Cassidy', written in a cursive style.

Robert L. Cassidy

Grote Reber: Yesterday and Today

Paul A. Feldman, Herzberg Institute of Astrophysics, Ottawa, Canada

THE LIVING LEGEND of Grote Reber is summed up by John Kraus of Ohio State University: "He was the right person doing the right thing in the right place at the right time." For nearly a decade Reber was the world's only radio astronomer.

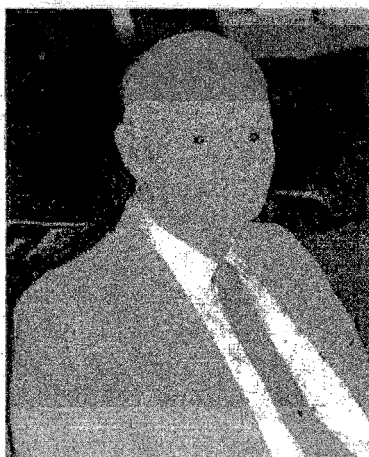
HISTORICAL VIGNETTES

As Reber tells it, before deciding to build his 31-foot telescope (see preceding article) he wrote to all the "top astronomers in America." He suggested that they do the job and said he would deal with the necessary instrumentation. But nobody was interested. "They all turned me down," says Reber, "so I did it myself."

Why did Reber alone follow up Karl Jansky's seminal work — and why didn't professional astronomers take up the challenge? As Reber puts it, radio astronomy was so unfashionable in the 1930's and 1940's that the field was left to people like himself with little or no astronomical training, and later to scientific iconoclasts outside the mainstream. Reber had taken only a couple of courses in astronomy but, as he jokes, "I knew *immensely* more about astronomy than the astronomers knew about electrical engineering."

Why hadn't Jansky followed up his own work, especially after he learned of Reber's success? Reber recalls a dinner in Washington, D. C., just after World War II. Jansky told him of a proposal for a 100-foot dish for work at a wavelength of 5 meters. He sent the proposal "up the line" at Bell Laboratories, but it got "lost." In Reber's opinion there was no good reason why that profit-oriented company should have wanted to construct such an instrument; Jansky seems to have agreed.

And why didn't Reber detect the Sun before 1943, since his equipment was capable of doing so as early as 1940? One answer is that he worked at the Stewart-Warner radio factory during the day — when the Sun is up! Another is that the Sun was widely believed to have a brightness temperature of only 6,000° Kelvin and thus to be a weak radio source. That caused Reber to think that interference from automobile ignitions would prevent him from making good observations. (Because of his unfamiliarity with the astronomical literature, Reber was unaware of



Grote Reber was honored at a symposium held on his 76th birthday, December 22, 1987. This photograph © 1988 Paul A. Feldman.

a 1939 paper by Walter Grotrian that made a strong case for a much hotter solar atmosphere.)

Reber believes that one reason why radio astronomy lagged in the United States after World War II is that money, prestige, and glamour attended other fields such as nuclear physics. Radio astronomy flourished in countries like Great Britain and Australia because they were not rich enough to compete in nuclear physics and thus opted to pursue cheaper alternatives.

CONTEMPORARY REBER

Since 1954 Reber has worked mainly in Tasmania, which is close to the south magnetic pole. There he has made observations of cosmic radio emission at an extraordinarily long wavelength through occasional "holes" that develop in the Earth's ionosphere. The "antenna farm" he designed for these observations at 144 meters consists of 192 dipoles mounted 70 feet above the ground. The array is 3,520 feet in diameter and covers 223 acres; thus it is one of the world's largest radio telescopes.

Using this antenna during minimum

solar activity in the mid-1960's, Reber mapped the southern radio sky and found that its appearance is the inverse of that at shorter wavelengths. The galactic poles are "brighter" than the Milky Way, due to the latter's high electron content.

On August 4, 1985, the Space Shuttle *Challenger* provided an opportunity for Reber to test his ideas about observing cosmic radio waves at still longer wavelengths. When the shuttle flew over his array near Hobart more than 200 kilograms of fuel were intentionally fired through the maneuvering engines. For a few hours the exhaust gases reduced the ionosphere's charged-particle density, and through this hole Reber detected cosmic radiation at a wavelength of 176 meters. This was the first time such emission had been recorded from the ground.

During the 1986-87 solar minimum Reber planned to extend his 144-meter survey to the northern sky. For this he needed an antenna near the north magnetic pole. He learned of a several-acre square array at Ashton, Canada, that had been lying abandoned. For two winters, as a visiting scientist at the National Research Council of Canada, Reber tried to get usable results. But it was not to be: the wires had been badly corroded and many were destroyed by storms. Reber is now considering building an expanded version of his Tasmanian array in Canada, to be ready for the solar minimum that will occur about 1996. (He will then be 84!)

This year Reber gave a series of lectures, including one at the Joint Institute for Laboratory Astrophysics entitled "The Big Bang is Bunk." He remarked in a letter: "It seems the Big-Bang Creationists have far overplayed their hand and made themselves look like fools, which they are. A lot of people are looking for something else and were right behind me. A few young punks from the University of Colorado tried to make interjections. They were booed down by the audience. I poured on the ridicule and sarcasm. Everyone had a wonderful time." Reber is indeed 76 years young!

Paul A. Feldman earned his Ph.D. at Stanford University and works as a radio astronomer. In 1981 he co-discovered HC_3N , which is still the heaviest molecule known in space.

The First True Radio Telescope

Joseph L. Spradley, Wheaton College, Illinois

THE BEGINNING of deliberate radio astronomy came 50 years ago, just 50 years after Heinrich Hertz first produced radio waves, and just 5 years after Karl G. Jansky reported his accidental discovery of natural radio waves from space. The opening of this new window on the universe eventually led to such epochal discoveries as quasars, pulsars, and the cosmic background radiation.

In 1930 Jansky was asked to study the atmospheric static that interferes with radio communications. To do so he built a rotating dipole-array antenna sensitive to radiation with a wavelength of about 15 meters. In addition to the usual terrestrial noise, he found a weak, steady hiss of unknown origin. Since this interference appeared four minutes earlier each day

(corresponding to the 23-hour 56-minute period of the stars), it was evident that its origin lay outside the solar system.

Jansky established that the most intense emission came from near the center of our galaxy, with weaker signals from other places along the Milky Way. He concluded that the source of the cosmic static was from interstellar material.

Starting in 1932 Jansky's work was published in a series of scientific papers. His results made the front page of the *New York Times*, and 10 seconds of "radio hiss from the depths of space" were broadcast on a national radio network. Yet, despite this publicity, no professional scientist followed up Jansky's investigations. This job was left to Grote Reber, a 25-year-old radio engineer who

pursued research at his own expense and in his spare time. In 1937 he built a parabolic antenna in his side yard at Wheaton, Illinois. It was the only existing radio telescope until after World War II.

A PIONEERING PROJECT

Reber was a member of one of the early families to settle in Wheaton, a small town about 25 miles west of Chicago. Coincidentally, he graduated from the same high school as Edwin P. Hubble, famous for the measurement of the distances to galaxies and the concept of an expanding universe. Hubble's 7th- and 8th-grade teacher was Harriet Grote, eventually Reber's mother, who later interested her son in astronomy by giving him a book by the well-known scientist.

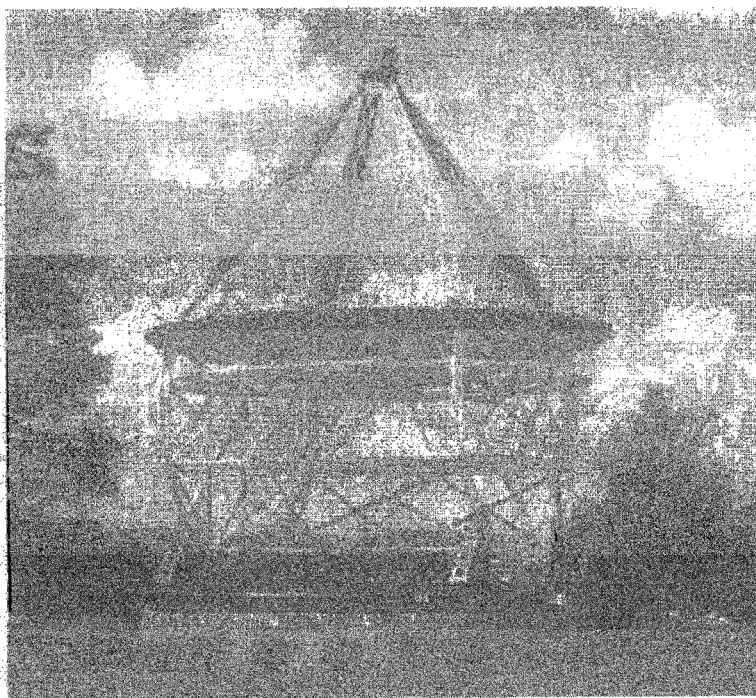
At age 15 Reber built a transceiver and began to communicate with radio amateurs around the world. In 1933 he completed a B.S. degree in electrical engineering at what is now the Illinois Institute of Technology. Later, while working for the Stewart-Warner Co., he read Jansky's papers and was inspired to try listening beyond the range of normal ham radios.

In Reber's words,

It was obvious that K. G. Jansky had made a fundamental and very important discovery. Furthermore, he had exploited it to the limit of his equipment facilities. If greater progress were to be made, it would be necessary to construct new and different equipment especially designed to measure the cosmic static.

Thus Reber began planning how he could measure the detailed distribution of the radiation intensity throughout the sky at different wavelengths.

Although Reber had no outside support, he decided to build as large a reflector as he could, one that would provide a relatively narrow beam and the capability of tuning to different wavelengths by changing the feed at the focus. He settled on a 20-foot focal length and a diameter of 31 feet, being limited by the length of the longest 2-by-4's available locally. From June to September, 1937, Reber built his radio telescope at a cost of \$1,300. For 10 years the instrument remained in his side yard at 212 West Seminary Avenue. This property is now owned by the Illinois Bell Telephone Co. and is used as a parking lot.



Grote Reber's radio telescope as it appeared in 1985 at Green Bank, West Virginia, on the grounds of the National Radio Astronomy Observatory. The antenna is mounted on a circular track and thus is no longer a simple meridian transit instrument. Courtesy NRAO and Associated Universities, Inc.

The First True Radio Telescope

Joseph L. Spradley, Wheaton College, Illinois

THE BEGINNING of deliberate radio astronomy came 50 years ago, just 50 years after Heinrich Hertz first produced radio waves, and just 5 years after Karl G. Jansky reported his accidental discovery of natural radio waves from space. The opening of this new window on the universe eventually led to such epochal discoveries as quasars, pulsars, and the cosmic background radiation.

In 1930 Jansky was asked to study the atmospheric static that interferes with radio communications. To do so he built a rotating dipole-array antenna sensitive to radiation with a wavelength of about 15 meters. In addition to the usual terrestrial noise, he found a weak, steady hiss of unknown origin. Since this interference appeared four minutes earlier each day

(corresponding to the 23-hour 56-minute period of the stars), it was evident that its origin lay outside the solar system.

Jansky established that the most intense emission came from near the center of our galaxy, with weaker signals from other places along the Milky Way. He concluded that the source of the cosmic static was from interstellar material.

Starting in 1932 Jansky's work was published in a series of scientific papers. His results made the front page of the *New York Times*, and 10 seconds of "radio hiss from the depths of space" were broadcast on a national radio network. Yet, despite this publicity, no professional scientist followed up Jansky's investigations. This job was left to Grote Reber, a 25-year-old radio engineer who

pursued research at his own expense and in his spare time. In 1937 he built a parabolic antenna in his side yard at Wheaton, Illinois. It was the only existing radio telescope until after World War II.

A PIONEERING PROJECT

Reber was a member of one of the early families to settle in Wheaton, a small town about 25 miles west of Chicago. Coincidentally, he graduated from the same high school as Edwin P. Hubble, famous for the measurement of the distances to galaxies and the concept of an expanding universe. Hubble's 7th- and 8th-grade teacher was Harriet Grote, eventually Reber's mother, who later interested her son in astronomy by giving him a book by the well-known scientist.

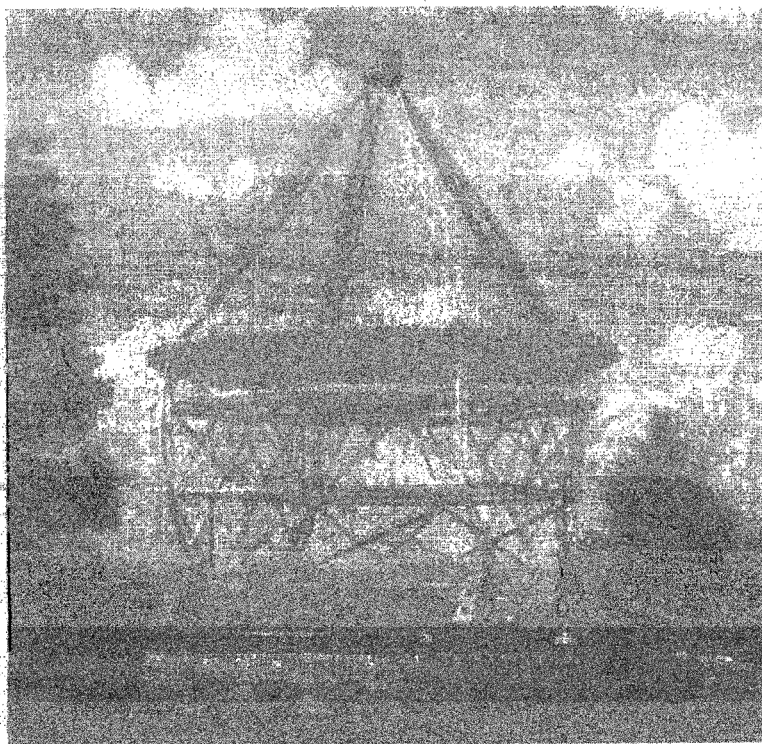
At age 15 Reber built a transceiver and began to communicate with radio amateurs around the world. In 1933 he completed a B.S. degree in electrical engineering at what is now the Illinois Institute of Technology. Later, while working for the Stewart-Warner Co., he read Jansky's papers and was inspired to try listening beyond the range of normal ham radios.

In Reber's words,

It was obvious that K. G. Jansky had made a fundamental and very important discovery. Furthermore, he had exploited it to the limit of his equipment facilities. If greater progress were to be made, it would be necessary to construct new and different equipment especially designed to measure the cosmic static.

Thus Reber began planning how he could measure the detailed distribution of the radiation intensity throughout the sky at different wavelengths.

Although Reber had no outside support, he decided to build as large a reflector as he could, one that would provide a relatively narrow beam and the capability of tuning to different wavelengths by changing the feed at the focus. He settled on a 20-foot focal length and a diameter of 31 feet, being limited by the length of the longest 2-by-4's available locally. From June to September, 1937, Reber built his radio telescope at a cost of \$1,300. For 10 years the instrument remained in his side yard at 212 West Seminary Avenue. This property is now owned by the Illinois Bell Telephone Co. and is used as a parking lot.



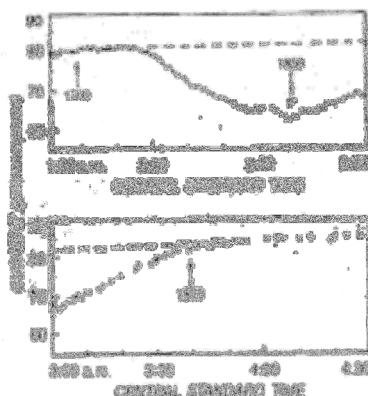
Grote Reber's radio telescope as it appeared in 1985 at Green Bank, West Virginia, on the grounds of the National Radio Astronomy Observatory. The antenna is mounted on a circular track and thus is no longer a simple meridian transit instrument. Courtesy NRAO and Associated Universities, Inc.

possibly reveal our galaxy's spiral structure. Essentially this test was accomplished at the 21-cm wavelength emitted by neutral atomic hydrogen.

Reber tried unsuccessfully to detect planets, moons, and satellites. In September, 1942, he finally found his jobstop, however, for this was the way that radiation from the interstellar gas was shown to be much more active and produced many intense transient signals. Reber reported this "discovery" of the solar background radiation in a 1944 paper. Transient outbursts of solar radio waves had been detected accidentally in 1942 as noise that jammed British radars. However, this finding had been kept secret and was not published until after World War II.

The last observations in Wheaton were made from 1945 to 1947 at a wavelength of 62.5 cm. Reber easily detected the Milky Way and the Sun, but now our star was much more active and produced many intense transient signals. These were the same phenomena discovered at meter wavelengths in England. With the narrower bandwidth provided by the shorter wavelength, he found much more detail in the Milky Way, as illustrated at right below.

The Cygnus region was now revealed to contain two major peaks. One identified as the Cygnus A radio galaxy and the



Reber's earliest data confirmed the existence of radio noise from the Milky Way at a wavelength of 1.87 meters. In these graphs meter readings in microamperes are plotted against Central standard time. A cosmic signal is indicated by dots that lie below the dashed line, which represents no radiation. During these observations the antenna was fixed in place and pointed at the meridian toward declination -20° , and the Reber's antenna swept a band of sky through the magnetic hour. The noise was labeled with bands of right ascension, and P denoted when the plane of the Milky Way crossed the meridian. Each dot is a separate chart under reading by Reber — he did not use a chart recorder from Reber's first article in the *Proceedings of the Institute of Radio Engineers*.

Cygnus X sources associated with a spiral arm in the Milky Way. Later, a maximum in Taurus was matched to the Crab nebula, while one in Cassiopeia was the remnant of a 7th-century supernova.

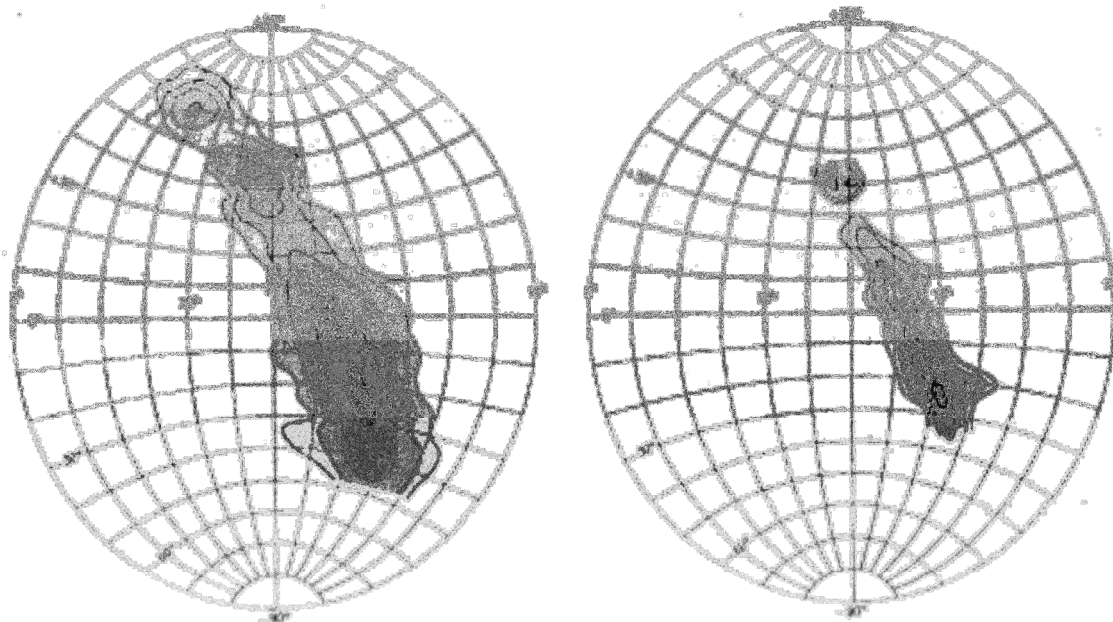
AFTER WHEATON

Operation at Wheaton ended in 1948, and the radio observatory was moved to the U. S. Bureau of Standards. In 1950 the instrument was relocated at the National Radio Astronomy Observatory at Green Bank, West Virginia, and it remains there on public view.

In 1954 Reber moved to Tannanville, where he constructed a large wire-antenna instrument to measure radiation at a wavelength of 150 meters. He has since worked on projects ranging from Tannanville archaeology to developing an electric car to torturing bean vines by twisting them in reverse direction.

Reber recently came to the attention of the Wheaton city fathers, and in 1956 he was inducted into the Duffage (county) Heritage Gallery, where he joins such notables as football star Harold "Red" George and Sen. Billy Clifton.

Joseph A. Sparrow is a professor of physics and teaches courses in the history of science and astronomy. He received a Ph.D. in experimental physics by studying microwave antenna arrays.



Left: The first radio map of the Milky Way resulted from some 200 hours made at a wavelength of 1.87 meters with an effective beamwidth of about 12° . Contours of equal intensity reveal the center of our galaxy at declination -33° , as well as peaks in Cygnus ($+40^\circ$) and Cassiopeia ($+50^\circ$). Adopted from Reber's November, 1942, article in the *Proceedings of the Institute of Radio Engineers*. Right: This radio map has greater resolution because it was made at a wavelength of only 51.5 centimeters, resulting in a beamwidth of about 4° . Note that two peaks are now resolved in Cygnus at declination $+40^\circ$. The small circle in Cassiopeia ($+50^\circ$) is a supernova remnant. Adopted from an article by Reber in the October, 1948, *Proceedings of the Institute of Radio Engineers*.

17.5 DEVELOPER CHARGES INVESTIGATION – FRONTIER ECONOMICS

Frontier Economics has been engaged by TasWater to undertake an independent review of the headworks component of developer charges in the water and sewerage sector in Tasmania. Headwork charges are charges levied on developers as a condition of connection to a water business' water or sewerage network infrastructure, and are one of three components known as developer charges

Cash payments to the utility for defined costs of new or existing assets deemed to be attributable to the new development are often known as "headwork charges". As part of their review, Frontier Economics is seeking to obtain Councils' views on the appropriateness of headworks charges and alternative cost recovery mechanisms.

Mr Mike Brewster and Mr Miles Hampton attended Council's November meeting to discuss headworks charges.

Frontier Economics is seeking feedback by 24 December, 2013.

Lyn Eyles

From: Casey Bryant
Sent: Friday, 29 November 2013 4:35 PM
To: Deirdre Flint
Cc: Lyn Eyles
Subject: FW: Re TasWater letter to Stakeholders

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

From: Michael Woolston [mailto:michael.woolston@frontier-economics.com.au]
Sent: Friday, 29 November 2013 4:35 PM
To: Casey Bryant
Subject: Re TasWater letter to Stakeholders

Deirdre Flint

Further to my recent mail, I have had several requests to extend the timing of your response. Frontier is working to finalise its advice to TasWater by the end of January. However, TasWater and Frontier acknowledge the importance of gaining your input on these issues and to the extent that your council processes can be accommodated, we can accept your feedback through to December 24.

Kind regards,

Michael Woolston
 Frontier Economics

 No virus found in this message.

Checked by MFI - 2013/12/03

Version: 2013.0.4250 / Virus Database: 2013/09/11 - Release Date: 11/07/13

Mayor Deirdre Flint
Central Highlands Council
PO Box 20
HAMILTON TAS 7140



Date: 25.11.13

Dear Mayor Flint

Developer Charges Investigation

Purpose and background

As you may be aware Frontier Economics has been engaged by TasWater to undertake an independent review of the headworks component of developer charges in the water and sewerage sector in Tasmania.

Headworks charges are charges levied on developers as a condition of connection to a water 'system' water or sewerage network infrastructure. They are one of three components known as developer charges, which typically encompass:

- reticulation assets within a development
- extensions to connect to a network put in by the developer and gifted to the utility; and
- cash payments to the utility for defined costs of new or existing assets deemed to be attributable to the new development. (Our review will focus on this component often known as "headworks charges").

Whilst headworks charges are applied broadly across the country, there are regions where they are not. Where they are applied, a range of methodologies is adopted. This review will first seek to answer the fundamental question – are headworks charges appropriate in TasWater's circumstances. If they are found to be justified, the review will also seek to the formulation of a consistent approach for implementation across the State.

As a part of this project, Frontier Economics is seeking to obtain your views on the appropriateness of headworks charges and alternative cost recovery mechanisms. Given the timing constraints associated with the project we have elected to provide you with an opportunity to inform our review through response to this letter. To aid this process we have attached to this letter:

1. The role and status of developer charges: this is an overview of the potential roles of developer charges generally and more specifically, TasWater's current headworks charge arrangements; and

2. Feedback Questions: a series of questions to which we invite your council/organisation to respond.

We are happy to receive additional feedback if there are any other matters you believe should be taken into account in our review.

We ask that you respond to our questions by 6 December 2013 to info@frontier-economics.com.au.

Any queries about this request or issues regarding the timing of a response should be directed to me (via the e-mail address above or telephone 03 9620 4488).

Yours sincerely,



Michael Woolston

Leader, Water Practice

FRONTIER ECONOMICS | MELBOURNE | SYDNEY

Frontier Economics Pty Ltd 395 Collins Street Melbourne Victoria 3000

Tel: +61 (0)3 9620 4488 Fax: +61 (0)3 9620 4489 www.frontier-economics.com

ACN: 087 553 124 ABN: 13 087 553 124

ATTACHMENT 1

The role and status of Developer Charges

In common with many water businesses across Australia, TasWater currently levies charges on developers as a condition of connection to its water and sewerage network infrastructure. Developer charges are imposed for a variety of reasons, including:

- **Cost recovery** – to assist water businesses to recover their total cost of water and sewerage infrastructure, and in particular the cost of servicing new developments;
- **Financing** – as a source of funds for new investments, reducing the need for utilities to borrow;
- **Promoting efficiency** – optimal signalling to developers (and ultimately households) regarding the water infrastructure cost implications of the location and timing aspects of their investment/purchasing decisions, particularly where postage stamp pricing for recurrent charges applies; and
- **Risk-sharing** – by allocating a proportion of the risk of a development not proceeding on the responsible developer, rather than on the utility's customers more generally.

Headworks charges are one component of the charges levied by water businesses to fulfil these various roles. Other key components include fixed and variable recurrent charges for water and sewerage services levied on end customers. At present, the headworks component of developer charges account for just over 1% of TasWater's overall revenue.

The extent and nature of headworks charges - particularly the nature of costs/assets they seek to recover and the methodology used to calculate the charges - varies considerably between jurisdictions and water businesses.

In Tasmania, different approaches to headworks charges were adopted by the various councils, and some did not apply headworks charges at all. In its first price determination the Tasmanian Economic Regulator approved a Developer Charges Pricing Policy designed to ensure a more consistent application of headworks charges. The policy defines Developer Charges in the Tasmanian Water and Sewerage sector as comprising the following components:

- a **Works internal to the development** This is the cost of infrastructure installed by the developer to provide services to the development and is typically water and sewer reticulation mains, but may include other more complex assets such as reservoirs and pump stations.

- **Waste returned to the development:** This is the cost of infrastructure installed/landed by the developer in order to connect the development to existing TasWater infrastructure. Waste is typically returned to existing water and sewer networks to provide services only for the proposed development.
- **Headworks charges:** In Tasmania, 'headworks' refers to major works like dams, reservoirs, treatment plants, main sewers and distribution assets like supply mains, distribution mains and associated pump system, but excludes reticulation pipework that connects properties to the headworks.

The Policy provides that from 1 July 2012:

- Water businesses (i.e. TasWater) will honour any permits issued, or agreements made, in respect of developer charges prior to 1 July 2009.
- All internal or subdivision water infrastructure and/or sewerage infrastructure is to be provided by the developer at their cost and transferred to TasWater. In lieu of providing the internal or reticulating infrastructure, a developer may make a cash payment to TasWater.
- All water infrastructure and/or sewerage infrastructure that is required to the development and is required solely to service the development is to be provided at the developer's cost.
- TasWater will determine headworks charges for each headworks zone using the net present value methodology consistent with this policy.

The policy reflects the view, as expressed by the Tasmanian Economic Regulator, that developer charges are a cost recovery measure to cover the cost of expanding water and/or sewerage infrastructure to support the development or the consumption of water infrastructure capacity.

TasWater is required to submit a Price and Service Plan to the Economic Regulator by August 2014 for the next three year pricing period commencing 1 July 2015 and which must include a developer charges policy that covers arrangements for developers getting assets or paying cash for the construction of new reticulation works and for setting headworks charges.

While the Economic Regulator does not prescribe any particular methodology to be adopted for determining the headworks component of the charges in draft Price and Service Plan Guidelines notes that, should TasWater propose a different methodology to that approved in its last determination it must justify how the different methodology better satisfies the pricing principles in the *Water and Sewerage Industry Act 2008 (Tas)* and the Economic Regulator's priority price reform objectives.

The Guidelines also states that if TasWater proposes to apply an NPV methodology for headworks charges it must include an assessment of alternative approaches. The Economic

Regulator also stated that it considered it important that the developer charges policy promotes transparency and provides certainty for investors.

ATTACHMENT 2

Questions

1. Does your council/organisation believe that headworks charges are an appropriate mechanism to recover the costs of installed capacity or infrastructure expansion?
2. To the extent that your council/organisation is familiar with TasWater's approach to headworks charges, can you identify any advantages or disadvantages with the approach by responding to the following questions:
 - 2.1. Do headworks charges provide appropriate locational pricing signals?
 - 2.2. Are there any issues with consistency in the application of headworks charges? Please provide specific examples.
 - 2.3. Do the current arrangements provide for fair or equitable outcomes or are there any instances where the current arrangements may favour particular stakeholder groups?
 - 2.4. What features would aid in the understanding of the current headworks approach?
 - 2.5. Is the risk sharing arrangement implicit in the current approach appropriate?
3. Do you have any input on what the current framework or approach to headworks charges has done well at or potential development? Please provide specific examples.
4. Does your council/organisation have any view on what, if any, alternative approaches should be adopted?
 - 4.1. Is it predominantly residential or non-residential?
 - 4.2. Is it predominantly brownfield or greenfield?
5. Any other comment your council/organisation would like make in regard to headworks charges?

For Discussion

17. 6 REMISSIONS UNDER DELEGATION

The General Manager has remitted the following under delegation:

03-0224-03831	\$18.68	Penalty – incorrect address on system
---------------	---------	---------------------------------------

For Noting

17.7 INDEPENDENT LIVING UNIT COMMITTEE

ILU Committee will make a recommendation to Council regarding occupancy of Unit 1 at Bothwell.

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
