



Central Highlands Council

MINUTES – ORDINARY MEETING – 9th DECEMBER 2013

Minutes of an Ordinary Meeting of Central Highlands Council held at Bothwell Council Chambers, on Monday 9th December 2013, commenced at 9am.

1.0 OPENING

Mayor D E Flint opened the meeting at 9am

2.0 PRESENT

Mayor D E Flint, Deputy, Cllr A W Bailey, Cllr R G Bowden, Cllr G L Herbert, Cllr T H Jacka, Cllr I V McMichael, Cllr L M Triffitt

3.0 APOLOGIES

Moved **Cllr L M Triffitt**

Seconded **Cllr A W Bailey**

THAT an apology be accepted for Cllr A J Downie and Cllr J R Allwright

Carried

For the motion: Mayor D E Flint, Cllr A W Bailey, Cllr R G Bowden, Cllr G L Herbert, Cllr T H Jacka, Cllr I V McMichael, Cllr L M Triffitt

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.



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Clr G L Herbert – 14.1 DA 2013/34 & 16.4 TYRE ROLLER

Clr I V McMichael – 14.3 DA 2012/58

5.1 MOTION INTO COMMITTEE

Moved **Clr T H Jacka**

Seconded **Clr A W Bailey**

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

Carried

For the motion: Mayor D E Flint, Clr A W Bailey, Clr R G Bowden, Clr G L Herbert, Clr T H Jacka, Clr I V McMichael, Clr L M Triffitt

5.2 MATTERS DISCUSSED IN COMMITTEE

Staff Matters
Confidential Proposal
Occupancy Independent Living Units
Tender – Pelham Deviation
Play Centre Building Wayatinah
Asbestos Issue
Ellendale Wastewater

5.3 MOTION OUT OF COMMITTEE

Moved **Clr A W Bailey**

Seconded **Clr T H Jacka**

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

Carried

For the motion: Mayor D E Flint, Clr A W Bailey, Clr R G Bowden, Clr G L Herbert, Clr T H Jacka, Clr I V McMichael, Clr L M Triffitt

OPEN MEETING TO PUBLIC

Mayor D E Flint opened the meeting to the public at 10.23am

6.0 IN ATTENDANCE

Mrs Lyn Eyles (General Manager), Mrs Tania Whelan (Minute Secretary), Mrs Leanne Dalten, Mr Andre Dalten, Michaela Gray, Mrs Julie Herbert, Mr Peter Hogan



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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 Vinnie's 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



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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 MANAGERS 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

8.0 NOTIFICATION OF COUNCIL WORKSHOPS

Planning Workshop - Biodiversity Code Overlay Map

8.1 FUTURE WORKSHOPS

Moved **Clr R G Bowden**

Seconded **Clr I V McMichael**

THAT Council invite Mr Michael Ball to the Planning Workshop - Biodiversity Code Overlay Map on the 14th January at 9am

Carried

For the motion: Mayor D E Flint, Clr A W Bailey, Clr R G Bowden, Clr G L Herbert, Clr T H Jacka, Clr I V McMichael, Clr L M Triffitt

9.0 MAYORAL ANNOUNCEMENTS

10.0 MINUTES



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10.1 RECEIVAL DRAFT MINUTES ORDINARY MEETING

Moved **Clr G L Herbert**

Seconded **Clr T H Jacka**

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

Carried

For the motion: Mayor D E Flint, Clr A W Bailey, Clr R G Bowden, Clr G L Herbert, Clr T H Jacka, Clr I V McMichael, Clr L M Triffitt

10.2 CONFIRMATION OF DRAFT MINUTES ORDINARY MEETING

Moved **Clr L M Triffitt**

Seconded **Clr I V McMichael**

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

Carried

For the motion: Mayor D E Flint, Clr A W Bailey, Clr R G Bowden, Clr G L Herbert, Clr T H Jacka, Clr I V McMichael, Clr L M Triffitt

10.3 RECEIVAL DRAFT MINUTES INDEPENDENT LIVING UNITS COMMITTEE MEETING

Moved **Clr I V McMichael**

Seconded **Clr L M Triffitt**

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

Carried

For the motion: Mayor D E Flint, Clr A W Bailey, Clr R G Bowden, Clr G L Herbert, Clr T H Jacka, Clr I V McMichael, Clr L M Triffitt

10.4 RECEIVAL DRAFT MINUTES INDEPENDENT LIVING UNITS COMMITTEE MEETING

Moved **Clr A W Bailey**

Seconded **Clr L M Triffitt**

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

Carried

For the motion: Mayor D E Flint, Clr A W Bailey, Clr R G Bowden, Clr G L Herbert, Clr T H Jacka, Clr I V McMichael, Clr L M Triffitt



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10.4 RECEIVAL DRAFT MINUTES TOURISM COMMITTEE MEETING

Moved **Clr T H Jacka**

Seconded **Clr G L Herbert**

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

Carried

For the motion: Mayor D E Flint, Clr A W Bailey, Clr R G Bowden, Clr G L Herbert, Clr T H Jacka, Clr I V McMichael, Clr L M Triffitt

11.0 BUSINESS ARISING

12.0 NRM REPORT

Moved **Clr G L Herbert**

Seconded **Clr L M Triffitt**

THAT the **NRM Report** be received.

Carried

For the motion: Mayor D E Flint, Clr A W Bailey, Clr R G Bowden, Clr G L Herbert, Clr T H Jacka, Clr I V McMichael, Clr L M Triffitt

Moved **Clr LM Triffitt**

Seconded **Clr G L Herbert**

THAT Council move to Agenda Item **14.0 DEVELOPMENT & ENVIRONMENTAL SERVICES**

Carried

For the motion: Mayor D E Flint, Clr A W Bailey, Clr R G Bowden, Clr G L Herbert, Clr T H Jacka, Clr I V McMichael, Clr L M Triffitt

Graham Rogers (DES Manager) and Ms Jacqui Tyson (Consultant Planner) attended the meeting at 10.30am.



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14.0 DEVELOPMENT & ENVIRONMENTAL SERVICES

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

Moved **Clr G L Herbert**

Seconded **Clr L M Triffitt**

THAT the Development & Environmental Services Report be received.

Carried

For the motion: Mayor D E Flint, Clr A W Bailey, Clr R G Bowden, Clr G L Herbert, Clr T H Jacka, Clr I V McMichael, Clr L M Triffitt

Clr G L Herbert left the meeting 10.31am

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

Moved **Clr L M Triffitt**

Seconded **Clr A W Bailey**

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.



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- (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,
 - dimensionsand 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



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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.



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- (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**



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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 5/1

Against: Clr I V McMichael

For the motion: Mayor D E Flint, Clr A W Bailey, Clr R G Bowden, Clr T H Jacka, Clr L M Triffitt

All members of the gallery left the meeting at 10.45am

Clr Herbert returned to the meeting at 10.47am

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

Moved **Clr T H Jacka**

Seconded **Clr I V McMichael**

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



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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

For the motion: Mayor D E Flint, Clr A W Bailey, Clr R G Bowden, Clr G L Herbert, Clr T H Jacka, Clr I V McMichael, Clr L M Triffitt

Clr McMichael left the meeting at 10.50am



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

Moved **Clr G L Herbert**

Seconded **Clr A W Bailey**

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



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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:
- The removal or trimming of trees for reasons of safety and protection of the property;
 - The removal of environmental weeds;
 - 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.



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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.



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- (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**



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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

For the motion: Mayor D E Flint, Clr A W Bailey, Clr R G Bowden, Clr G L Herbert, Clr T H Jacka, Clr L M Triffitt

Clr McMichael returned to the meeting at 10.56am

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

Moved **Clr G L Herbert**

Seconded **Clr A W Bailey**

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



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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)*.



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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



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- 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

Clr Bowden – Abstained

For the motion: Mayor D E Flint, Clr A W Bailey, Clr G L Herbert, Clr T H Jacka, Clr I V McMichael, Clr L M Triffitt

**14.5 CROWN LAND
ACCESS OVER
RESERVED ROADS :
LOCAL
GOVERNMENT
CONSULTATION
PAPER**

Noted

**LAKE MEADOWBANK
SPECIFIC AREA PLAN**

Moved Clr L M Triffitt

Seconded Clr G L Herbert

THAT Council defer this item until the January Meeting.

Carried

For the motion: Mayor D E Flint, Clr A W Bailey, Clr G L Herbert, Clr T H Jacka, Clr I V McMichael, Clr L M Triffitt



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14.6 DES STATUS REPORT

Graham and Jacqui left the meeting at 11.07am

Chris Absolom (Finance Manager) entered the meeting at 11.07am

Moved **Clr G L Herbert**

Seconded **Clr A W Bailey**

THAT Council move to Agenda Item **13.0 FINANCE**

Carried

For the motion: Mayor D E Flint, Clr A W Bailey, Clr R G Bowden, Clr G L Herbert, Clr T H Jacka, Clr I V McMichael, Clr L M Triffitt

13.0 FINANCE REPORT

Moved **Clr I V McMichael**

Seconded **Clr L M Triffitt**

THAT the **Finance Report** be received.

Carried

For the motion: Mayor D E Flint, Clr A W Bailey, Clr R G Bowden, Clr G L Herbert, Clr T H Jacka, Clr I V McMichael, Clr L M Triffitt

Chris Absolom left the meeting at 11.13am

Philip Ridyard (Community and Economic Development Officer) attended the meeting at 11.15am

15.0 COMMUNITY & ECONOMIC DEVELOPMENT REPORT

Moved **Clr T H Jacka**

Seconded **Clr A W Bailey**

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

Carried

For the motion: Mayor D E Flint, Clr A W Bailey, Clr R G Bowden, Clr G L Herbert, Clr T H Jacka, Clr I V McMichael, Clr L M Triffitt



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Lyn Eyles left the meeting at 11.32am

Lyn Eyles returned the meeting at 11.33am

Barry Harback entered the meeting at 11.33am

15.1 SPORT AND RECREATION MINOR GRANT

Moved **Clr L M Triffitt**

Seconded **Clr G L Herbert**

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

Carried

For the motion: Mayor D E Flint, Clr A W Bailey, Clr R G Bowden, Clr G L Herbert, Clr T H Jacka, Clr I V McMichael, Clr L M Triffitt

15.2 DUMP POINTS AT MIENA AND ARTHURS LAKE

Defer to next meeting with costs to be presented

15.3 BUSHFEST

Detailed plan with associated costs to be presented to January meeting

Clr A W Bailey left the meeting at 11.53am

15.4 STEPPES SIGNAGE

Moved **Clr G L Herbert**

Seconded **Clr L M Triffitt**

THAT Philip Ridyard negotiates with the relevant Government bodies for upgraded signage at Steppes and drafts a letter for the Mayor to sign.

Carried

For the motion: Mayor D E Flint, Clr A W Bailey, Clr R G Bowden, Clr G L Herbert, Clr T H Jacka, Clr I V McMichael, Clr L M Triffitt

Philip Ridyard left the meeting at 11.55am

Clr A W Bailey returned to the meeting at 11.55am



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16.0 WORKS & SERVICES

Moved **Clr G L Herbert**

Seconded **Clr L M Triffitt**

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

Carried

For the motion: Mayor D E Flint, Clr A W Bailey, Clr R G Bowden, Clr G L Herbert, Clr T H Jacka, Clr I V McMichael, Clr L M Triffitt

16.1 PONTOONS – ARTHURS LAKE AND GREAT LAKE

Moved **Clr G L Herbert**

Seconded **Clr I V McMichael**

THAT Council do not provide maintenance services of the Arthurs Lake and Great Lake Pontoons.

Carried

For the motion: Mayor D E Flint, Clr A W Bailey, Clr R G Bowden, Clr G L Herbert, Clr T H Jacka, Clr I V McMichael, Clr L M Triffitt

Clr I V McMichael declared an Interest and sat back from the table.

16.2 GOWAN BRAE ROAD

It is resolved that Barry Harback will present costs for repairs of Gowan Brae Road at the February Meeting.

16.3 THE AVENUE, ELLENDALE

Moved **Clr Herbert**

Seconded **Clr McMichael**

THAT Council allocate funds from reserves to stabilise and reseal 500 metres of The Avenue, Ellendale for approximately \$66,000.

Carried

For the motion: Mayor D E Flint, Clr A W Bailey, Clr R G Bowden, Clr G L Herbert, Clr T H Jacka, Clr I V McMichael, Clr L M Triffitt

Clr Herbert left the meeting at 12.10pm



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16.4 TYRE ROLLER

Moved **Clr T H Jacka**

Seconded **Clr I V McMichael**

THAT Council advertise the tyre roller for sale in the January edition of the Highland Digest.

Carried

For the motion: Mayor D E Flint, Clr A W Bailey, Clr R G Bowden, Clr T H Jacka, Clr I V McMichael, Clr L M Triffitt

Clr G L Herbert returned to the meeting 12.12pm

Clr R G Bowden left the meeting at 12.22pm

16.5 RECEIVAL OF STATUS REPORT

Moved **Clr L M Triffitt**

Seconded **Clr I V McMichael**

THAT the **Status Report** be received.

Carried

For the motion: Mayor D E Flint, Clr A W Bailey, Clr R G Bowden, Clr G L Herbert, Clr T H Jacka, Clr I V McMichael, Clr L M Triffitt

Barry Harback left the meeting at 12.18pm

Clr Bowden returned to the meeting at 12.28pm

17.0 ADMINISTRATION

17.1 CHURCH FUNDING

Moved **Clr I V McMichael**

Seconded **Clr L M Triffitt**

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



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St. James, Osterley Locks

Carried

For the motion: Mayor D E Flint, Clr A W Bailey, Clr R G Bowden, Clr G L Herbert, Clr T H Jacka, Clr I V McMichael, Clr L M Triffitt

17.2 COUNCIL OWNED BLOCK – OFF BARREN PLAINS ROAD

It was resolved that Council advise Mr Diprose and Mr Archer that Council are not prepared to sell the block.

17.3 AUSTRALIA DAY AWARDS

Moved **Clr R G Bowden** Seconded **Clr I V McMichael**

THAT Raymond Edwards receive the Citizen of the Year Australia Day Award.

Carried

For the motion: Mayor D E Flint, Clr A W Bailey, Clr R G Bowden, Clr G L Herbert, Clr T H Jacka, Clr I V McMichael, Clr L M Triffitt

Moved **Clr I V McMichael** Seconded **Clr T H Jacka**

THAT The Ouse and Highlands Regional Craft Fair receive the Community Event of the Year Australia Day Award.

Carried

For the motion: Mayor D E Flint, Clr A W Bailey, Clr R G Bowden, Clr G L Herbert, Clr T H Jacka, Clr I V McMichael, Clr L M Triffitt

Moved **Clr L M Triffitt** Seconded **Clr A W Bailey**

THAT Bella Davey, Emma Mayne, Kayla Edwards and Holly Hack of the Westerway Junior Fire Brigade receive the Young Citizen of the Year Australia Day Award.

Carried

For the motion: Mayor D E Flint, Clr A W Bailey, Clr R G Bowden, Clr G L Herbert, Clr T H Jacka, Clr I V McMichael, Clr L M Triffitt



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**17.4 REQUEST FOR A
MEMORIAL PLAQUE
IN RECOGNITION OF
GROTE REBER**

It was resolved that Council advise Mr Cassidy by letter that the Bothwell Historical society has proposed the placement of a commemorative sculpture.

**17.5 DEVELOPER
CHARGES
INVESTIGATION –
FRONTIER
ECONOMICS**

Noted

**17. 6 REMISSIONS
UNDER DELEGATION**

Noted

**17.7 INDEPENDENT
LIVING UNIT
COMMITTEE**

Noted

**18.0
SUPPLEMENTARY
AGENDA ITEMS**

**19.0 COMMITTEE
REPORTS**

20.0 CLOSURE

Mayor D E Flint closed the meeting at 12.45pm
