

Central Highlands Council

AGENDA - ORDINARY MEETING - 18th October 2016

Agenda of an Ordinary Meeting of Central Highlands Council scheduled to be held at Bothwell Council Chambers, on Tuesday 18th October 2016, commencing at 9am.

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 (7) of the Local Government (Meeting Procedures) Regulations 2015, 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 TABLING OF CERTIFICATE OF BY-ELECTION

The General Manager will table the Certificate of Election from the By-election for Councillor and Mayor and the signed Declarations.

6.0 MOTION INTO CLOSED MEETING

<u>Moved</u>: <u>Seconded</u>:

THAT pursuant to Regulation 15 (1) of the Local Government (Meeting Procedures) Regulations 2015, Council close the meeting to the public.

Items for Closed Session:

- Confirmation of Confidential Minutes of Council's Ordinary Meeting held on 20th September 2016 Regulation 15 (2) (g)
- Tenders Regulation 15 (2) (d)
- Confidential Information Regulation 15 (2) (g)

MOTION OUT OF CLOSED MEETING 6.1

Moved: Seconded:

THAT Council move out of Closed Meeting and resume the Ordinary Meeting

OPEN MEETING TO PUBLIC

The meeting opened to the public at 10.00am

7.0 IN ATTENDANCE

Constable Paul Cooper (Tasmanian Police) 9.45 a.m.

Ms Eve Lazarus (Derwent Catchment NRM Committee) 10.30 a.m. 11.00 a.m. Ms Juliette Smith (International Highland Spin-In)

Mrs Katrina Brazendale (Minutes Sectary), Miss Michaela Gray (Minutes Sectary)

7.1 **PUBLIC QUESTION TIME**

8.0 **MAYORAL COMMITMENTS**

Mayor L M Triffitt

12th October **Destination Southern Tasmania Workshop**

15th October Ouse Highlands Festival 17th October STCA Meeting- Hobart 20th October Council Meeting- Hamilton

10th October Swimming Pool Committee meeting- Bothwell

Acting Mayor L Benson

20th September Council Meeting- Hamilton

22nd September Independent Living Unit Inspection

Meeting with CIr Bowden re River Clyde WMP

AGM Corumbene

23rd September 26th September 28th September Westerway Bushwatch Meeting- Gretna 29th September Meeting with Const. Paul Cooper Inspection of Bothwell Cemetery

River Clyde Water Management Plan Consultative Meeting- Bothwell

Meeting with Hamilton Show Committee

4th October Meeting Health Consultative Committee- Hamilton

5th October Meeting with Huon Regional Care

Meeting with Southern Midlands Council re GP

6th October TasWater Meeting- Launceston 10th October Plant Committee Meeting- Hamilton 11th October Planning Committee Meeting- Bothwell 12th October **Destination Southern Tasmania Workshop**

8.1 **COUNCILLORS COMMITMENTS**

Nil

8.2 **GENERAL MANAGER'S COMMITMENTS**

20th September 22nd September Council Meeting

Local Government Shared Services Meeting

Sub-Regional Councils Meeting (South Central Sub-Region)

26th September 29th September Meeting Hamilton Show Committee 5th October Meeting re Medical Services Bothwell 6th October **TasWater Meeting Launceston** 10th October Plant Committee Meeting

12th October Workshop Draft Destination Action Plan

17th October STCA Meeting

NOTIFICATION OF COUNCIL WORKSHOPS HELD 9.0

Nil

9.1 **FUTURE WORKSHOPS**

Nil

10.0 **MAYORAL ANNOUNCEMENTS**

Nil

11.0 **MINUTES**

CONFIRMATION OF MINUTES OF ORDINARY MEETING 11.1

Moved: Seconded:

THAT the Minutes of the Ordinary Meeting of Council held on Tuesday 16th August 2016 be confirmed with the inclusion of agenda item 17.1.

11.2 RECEIVAL DRAFT MINUTES ORDINARY MEETING

Moved: Seconded:

THAT the Draft Minutes of the Ordinary Meeting of Council held on Tuesday 20th September 2016 be received

CONFIRMATION OF MINUTES ORDINARY MEETING

Moved: Seconded: THAT the Minutes of the Ordinary Meeting of Council held on Tuesday 20th September 2016 be confirmed

11.4	RECEIVAL	OF DRAFT MINUTES	S FROM PLANT	COMMITTEE MEETING
11.7	NECLIVAL			

Moved: Seconded:

THAT the draft minutes of the Plant Committee Meeting held on Monday 10th of October 2016 be received

12.0 BUSINESS ARISING

13.0 NRM REPORT

Moved: Seconded:

THAT the NRM Report be received



5349 Lyell Highway, Hamilton TAS 7140 PO Box 22, Hamilton TAS 7140 Office phone: 6286 3211

www.derwentcatchment.org

ABN: 53230571121

NRM Report for Central Highlands Council 15 September - 13 October 2016

General Business:

The majority of our time this month has gone to completing the Central Highlands Weed Management Plan 2016-2021, which Eve will present at the Council meeting on the 18th October.

Central Highlands Weed Management Program

We organised and ran a stakeholder meeting on the 29th September at the Town Hall in Campbelltown which was very well attended with key representatives from State Growth, Hydro Tasmania, Parks & Wildlife, Crown Land Services, TasNetworks, NRM South and Norske Skog. Barry Harback represented Central Highlands Council's works crew and had valuable input to the meeting. Forestry Tasmania's Southern Regional Manager, Dave White, also attended the meeting.

We were pleased to receive positive feedback about the plan's strategic approach and have support from all stakeholders to proceed with the recommendations outlined in the plan. There were several helpful suggestions provided and have been working to incorporate the feedback we gained from the meeting into the final plan.

Pasture Hub

The Pasture Hub has been continuing to gather momentum with several farms visited and measurements collated. This project will run continuously for 20 months with one day a week of Eve's time dedicated to working on this project. We hope to be able to secure further funding down the track to continue this project into the future as it would provide valuable pastoral data for the Derwent Catchment.

Nursery

Seedlings have been potted up and we are continuing to undertake improvements to the nursery. We have ordered benches to store tube stock that has been pricked out from the hot house. This new infrastructure will accommodate up to 3500 tube stock. Works are underway to grow grasses and sedges for the revegetation at Platypus Walk as part of the successful Tas Community Fund Grant.

Community Grants Fund – Rejuvenating Hamilton's Platypus Walk

The deed paperwork has been finalised and we have been in conversation with Caron Ellis, a Work for the Dole team leader to see if we could use local job seekers to provide labor as part of this project.

Floods

The Conservation Volunteers Australia (CVA) team have undertaken 2 days' work including revegetation and weed control along the Derwent River at the Grimley's property at Gretna. We have provided advice on plantings and facilitated the CVA's involvement. Grass seed has been the primary recommendation in areas with bare soil to provide stabilisation. As the water continues to fluctuate we have recommended any further works be undertaken in late Summer, Autumn.



Yours Sincerely,
Josie Kelman, Facilitator, Derwent Catchment NRM Committee 0427 044 700
Eve Lazarus, Projects Officer, Derwent Catchment NRM Committee 0429 170 048

14.0 FINANCE REPORT

<u>Moved</u>: <u>Seconded</u>:

THAT the Finance Report be received

15.0 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: Seconded:

THAT the Development & Environmental Services Report be received.

15.1 SUBDIVISION AND REORGANISATION OF BOUNDARIES AT RA 3119 INTERLAKEN ROAD INTERLAKEN, CT43771/4 AND CT125860/2

Report by

Peter Coney Contract Planner

Applicant

PDA surveyors

Owner

Tasberry Holdings

Discretions

26.5.1 (A1) New Lots

26.5.2 (A1) Reorganisation of boundaries

E1.6.1.1 (A1) Subdivision: Provision of Hazard Management Areas (Bushfire prone areas code)

E1.6.1.2 (A1) Subdivision: Public and Firefighting Access (Bushfire Prone Areas Code)

E1.6.1.3 (A2) Subdivision: Provision of water supply for fire fighting purposes (bushfire prone areas code)

E13.7.3 Subdivision (Historic Heritage Code)

Proposal

The proposal is to reorganise lots at 3119 Interlaken road, as well as subdivide one of those lots to create another six. This includes one riparian reserve to be transferred to the Crown. The reorganisation of boundaries involves moving CT43771/4, which is currently 1.2ha lot, to surround a portion of the existing homestead, so as to provide a delineated homestead lot, and to excise the farm buildings to a usable agricultural lot. Subdivision of the larger lot CT125860/2, is proposed to create Lots 3, 4, 5 and 6 as indicated on Figure 1. These lots will conform with topographical features and roads so as to contribute to their logical organisation. This is anticipated to assist in farm management, as well as

provide lots of a usable size for any future agricultural use. The proposed road (lot 8) is to be transferred to the Council for management of access and parking, and the riparian reserve lot (lot 7), is to be surrendered to the crown with a lease proposed to be arranged for inland fisheries to manage that land. There is no further contribution to public open space for the proposal as may be required after assessment by the Council.

The proposal is discretionary owing to being a subdivision and is assessed against the subdivision standards for the rural resource zone pursuant to section 26.0 of the Central Highlands Interim Planning Scheme 2015 as well as the standards of the applicable codes.

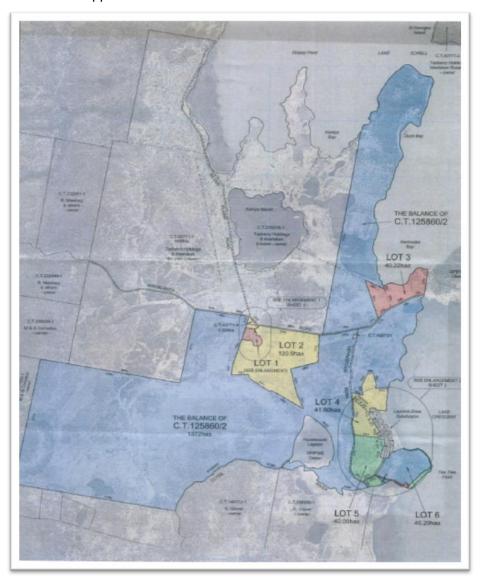


Fig 1. Proposed Subdivision and Reorganisation of boundaries.

Subject site and Locality

Subject site is located predominately on the southern side of Interlaken Road, bound to the south by adjoining rural lots and the east by Lake Crescent. There is a portion of the subject site which extends to the north bound by Lake Sorell. The entire site surrounds what is known as the Laycock Drive Subdivision. The locality is defined by the shorelines of the lakes, vegetated rural lots and shacks within the Laycock Drive Subdivision.

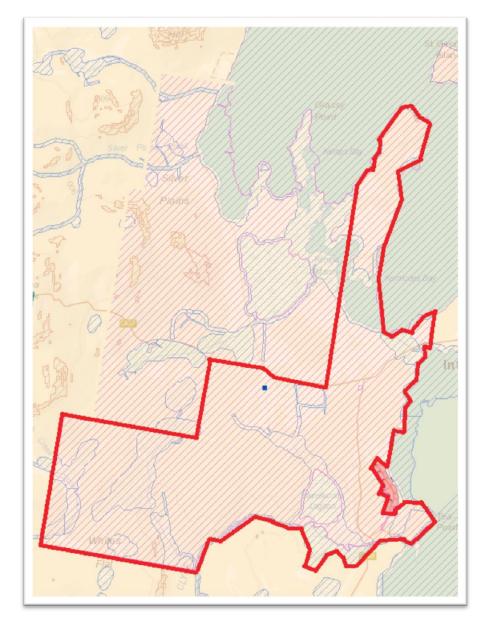


Fig 2. Location of existing two titles marked in red, indicating the Rural Resource zone (Bisque) and the Low Density Residential zone (Pink) the as well as the extent of the Heritage Overlay (Brown hatched) and the Waterway Coastal Protection Area (Blue hatched).

Planning Scheme

Exemptions

Nil

9.0 Special Provisions

Pursuant to 9.7 Subdivision in the Special provisions of the Central Highlands Interim Planning Scheme 2015, 9.7.1 A permit is required for development involving a plan of subdivision.

9.7.2 A permit for development involving a plan of subdivision is discretionary unless:

- (a) for adjustment of a boundary in accordance with clause 9.3.1;
- (b) the subdivision is prohibited in accordance with clause 8.9; or
- (c) the plan of subdivision must not be approved under section 84 Local Government (Building and Miscellaneous Provisions) Act 1993.

The proposal does not meet the criteria for a boundary adjustment (a) and so must be assessed as a discretionary application.

Zoning

Subject site is zoned Rural Resource pursuant to section 26 of the Central Highlands Interim Planning Scheme 2015.

The following Zone Purpose statements apply

To provide for the sustainable use or development of resources for agriculture, aquaculture, forestry, mining and other primary industries, including opportunities for resource processing. To provide for other use or development that does not constrain or conflict with resource development uses. To provide for non-agricultural use or development, such as recreation, conservation, tourism and retailing, where it supports existing agriculture, aquaculture, forestry, mining and other primary industries. To allow for residential and other uses not necessary to support agriculture, aquaculture and other primary industries provided that such uses do not:

- (a) fetter existing or potential rural resource use and development on other land;
- (b) add to the need to provide services or infrastructure or to upgrade existing infrastructure;
- (c) contribute to the incremental loss of productive rural resources.

To provide for protection of rural land so future resource development opportunities are no lost.

26.3 Use standards

There are no applicable use standards for subdivision.

26.5 Development standards for subdivision

The proposal is for a subdivision of Lot 1 (CT125860/1) and the reorganisation of the boundaries of lot CT43771/1. The proposal meets all of the acceptable solutions for the development standards for the Rural Resource zone except where it relies on the performance criteria for 26.5.1 New Lots and 26.5.2 Reorganisation of boundaries.

26.5.1 New Lots

The proposal for the subdivision does not meet the acceptable solutions of 26.5.1 (A1) and so is reliant on the performance criteria which require that,

A lot must satisfy all of the following:

- (a) be no less than 40ha;
- (b) have a frontage of no less than 6m;
- (c) not be an internal lot unless the site contains existing internal lots or creation of an internal lot is necessary to facilitate rural resource use;
- (d) be provided with safe vehicular access from a road;
- (e) provide for the sustainable commercial operation of the land by either:
 - (i) encompassing sufficient agricultural land and key agricultural infrastructure, as demonstrated by a whole farm management plan;
 - (ii) encompassing an existing or proposed non-agricultural rural resource use;

- (f) if containing a dwelling, setbacks to new boundaries satisfy clause 26.4.2;
- (g) if containing a dwelling, other than the primary dwelling, the dwelling is surplus to rural resource requirements of the lot containing the primary dwelling;
- (h) if vacant, must:
 - (i) contain a building area capable of accommodating residential development satisfying clauses 26.4.2 and 26.4.3;
 - (ii) not result in a significant increase in demand for public infrastructure or services;
- (i) be consistent with any Local Area Objectives or Desired Future Character Statements provided for the area.

Comment

The proposed lot 2 is, as a recommended condition of this permit, required to demonstrate an access strip providing frontage of 6m to Interlaken Road to satisfy (b), prior to the sealing of the final plan. For (a), (c), (d), (e), (f), and (i), it is considered that as the lot size is in excess of 40ha, is not an internal lot, is provided with a right of way, creates a lot which encompasses the usable farm infrastructure and is of sufficient size to satisfy the performance criteria for setbacks (26.4.2), the proposal complies. As well, with regard to (i), there are no desired future character statements.

The proposed lots 3,4,5,6 all satisfy (a) through to (d) where they are in excess of 40ha, abut roads, are not internal lots and have existing access to the roads which they abut. Furthermore, lots 3,4,5 and 6 encompass land for a use which at present is agricultural and is of sufficient size for further agricultural use. For (h), the proposed lots have enough area clear of any applicable codes to accommodate a building area. As well, with regard to (i), there are no desired future character statements.

Proposed Lot 7 meets the acceptable solutions for subdivision 26.5.1 where the lot is a riparian reserve created on behalf of the Crown.

Proposed Lot 8 is a road lot which is defined as utilities and so meets the acceptable solutions for new lots in the rural resource zone. 26.5.1

26.5.2 Reorganisation of Boundaries

For the proposed Reorganisation of the boundaries of CT43771/4 and CT 125860/2 identifiable as Lot 1 on the plan of subdivision, the reorganisation of boundaries does not meet the acceptable solutions 26.5.1 (A1) which require,

A lot is for public open space, a riparian or littoral reserve or utilities.

The proposal therefore relies on the performance criteria which require that,

The reorganisation of boundaries must satisfy all of the following:

- (a) all existing lots are adjoining or separated only by a road;
- (b) no existing lot was formally a crown reserved road or other reserved land;
- (c) provide for the sustainable commercial operation of the land by either:
 - (i) encompassing all or most of the agricultural land and key agricultural infrastructure (including the primary dwelling) in one lot, the 'primary agricultural lot', as demonstrated by a whole farm management plan.
 - (ii) encompassing an existing or proposed non-agricultural rural resource use in one lot;
- (d) if a lot contains an existing dwelling, setbacks to new boundaries satisfy clause 26.4.2
- (e) if containing a dwelling, other than the primary dwelling, the dwelling is surplus to rural resource requirements of the primary agricultural lot.

- (f) a new vacant lot must:
 - (i) contain land surplus to rural resource requirements of the primary agricultural lot.
 - (ii) contain a building area capable of accommodating residential development satisfying clauses 26.4.2 and 26.4.3.
 - (iii) not result in a significant increase in demand for public infrastructure or services;
- (g) all new lots must comply the following
 - (i) be no less than 1ha in size;
 - (ii) have a frontage of no less than 6m;
 - (iii) be serviced by safe vehicular access arrangements;
- (h) be consistent with any Local Area Objectives or Desired Future Character Statements provided for the area.

Comment

The proposal is assessed to meet the performance criteria where for (a) and (c) the proposed lot layout (figure 2) indicates that the adjoining lots are being reorganised, so that the majority of the agricultural land will be on the one lot (Lot 2), and the existing homestead will be on another lot (Lot 1). This constitutes an excising of the non-agricultural use meeting (c)(ii). This is considered to be a sustainable development of the agricultural land. (b) is not applicable. For (d) the existing dwelling is to be on a lot which satisfies the setback requirements of 26.4.2 and 26.4.3. the proposed lot layout results in the side and rear setbacks of existing buildings from the boundaries being in excess of 20m from the frontage and 50m as well as lesser which require the performance criteria to be met. The proposal is considered to satisfactorily meet these performance criteria owing to the existing setbacks of the buildings on other lots and the visual impact when viewed from the road.

Part (e) of the performance criteria for the reorganisation of boundaries is considered not applicable, as it is the primary dwelling. For (f), The larger agricultural lot (lot 2) is capable of containing a building area meeting (f)(ii) and is of a size capable of wastewater, stormwater and potable water arrangements to not demand for the provision of public infrastructure, thus meeting (f)(iii).

For (g) Lot 1 is in excess of 1ha in size and is serviced by a proposed right of way. In order to satisfy (g) (ii), it is a recommended condition fo the granting of approval that the final plan when lodged for sealing indicates that lot 1 will have an access strip providing a frontage of a minimum 6m.

Codes

E1 Bushfire Prone Areas Code.

The bushfire prone areas code is an applicable code. It is a recommended condition of the granting of approval that a bushfire hazard management plan certified by the TFS or an accredited person is developed to demonstrate that hazard management areas are able to be provided for each of the proposed lots, that there is adequate provision of roads to satisfy the acceptable solutions and that the provision of water supply for fire fighting purposes is sufficient to manage the risks to property and lives in the event of a bushfire. This must be provided prior to the sealing of the final plan unless a TFS accredited person certifies that there is an insufficient increase in risk from bushfire to warrant the provision of hazard management areas as part of a subdivision.

E11 Waterway Coastal Area Protection Code:

The site is subject to the waterway coastal protection areas code. The proposal meets the acceptable solutions of the code owing to there being no works proposed within the Waterway Coastal protection Area and the building area, potential bushfire hazard management areas, services and vehicular access driveways are all able to be provided for outside the Waterway and Coastal Protection Area.

E13.0 Heritage Code:

The proposal was referred to the Tasmanian Heritage Council outside of the statutory 35 day period. However, the Tasmanian Heritage Council's heritage planner advises that,

The subdivision does not affect the curtilage around the main farmstead or heritage building, which is part of the site that the heritage council has previously expressed the most immediate interest in for this property.

It is therefore considered that the subdivision is consistent with the performance criteria which require that.

Subdivision must not result in any of the following:

- (a) detriment to the historic cultural heritage significance of the precinct, as listed in Table E13.2;
- (b) a pattern of subdivision unsympathetic to the historic cultural heritage significance of the precinct.
- (c) potential for a confused understanding of the development of the precinct;
- (d) an increased likelihood of future development that is incompatible with the historic cultural heritage significance of the precinct.

Representations

The proposal was advertised for the statutory 14 days period with Two (2) representations having been received,

Representation 1

Inland Fisheries sought the following clarifications and offered to make recommendations on the proposal.

- 1. We seek confirmation that the area marked 'riparian reserve' around the eastern boundary of lot 6 will be a public reserve vested in the crown.
- 2. Recommend creation of a riparian reserve on Lot 3 around the lakeshore of kermodes bay to provide public access to the lakeshore.
- 3. Lot 3 has a pedestrian access endorsed by previous land owners from Interlaken road to Kermodes Bay. This access should be defined by a creation of a Public Right of Way to preserve pedestrian access to the bay from Interlaken Road.
- 4. Recommend creation of a riparian reserve around the lake shore on the balance lot from kermodes bay to kemps bay to provide public access. This reserve should include all of Kemps/Kermodes Marsh that is contained within that lot.

These reserves can be required by Council under the Provisions of the Local Government (Building and Miscellaneous Provisions).

Comment

With regard to point 1, in order to meet the acceptable solutions, it has been established that lot 7 will be surrendered to the Crown. Subsequently, a lease will be arranged with inland fisheries to manage that land. With regard to point 2 and 4, Council has as yet, not indicated any desire to manage any reserves in the area. It is pursuant to the Planning scheme, not necessary for the proposal (as applied for), that further reserves be created in order to meet the Applicable Standards. However, as part of the recommendation of this report, it is intended to remind the council acting as the planning authority that it may under the Local Government (Building and Miscellaneous Provisions) Act 1993, refuse a plan of subdivision pursuant to section 85 (d). With regard to point 3, any existing right of ways must be carried forward, the provision of a right of way for public access over private land is not a requirement of the

subdivision standards for the rural resource zone under the Central Highlands Interim planning Scheme 2015. However, and similar to points 2 and 4, pursuant to section 85 (d) of the Local Government Building and Miscellaneous Provisions Act,

The council may refuse to approve a plan of subdivision if it is of the opinion –

- (d) that the layout should be altered to include or omit
 - (iii) public open space; or
 - (iv) littoral or riparian reserves of up to 30 metres in from the shore of the sea or the bank of a river, rivulet or lake; or
 - (v) private roads, ways or open spaces; or
 - (viii) provision for widening or deviating ways on or adjoining land comprised in the subdivision;

Council currently has a policy for public open space, which extends to rural areas after assessment of the merit of a proposal. Owing to this policy the proposal could be refused based on the opinion that the layout should be altered to include further public open space or reserves. There is as part of the proposal provision for a portion of the land to be made available for public access already, which includes the riparian reserve and the parking area as part of the road lot. This does not equate to 5% of the total lot sizes pursuant to the Local Government (Building and Miscellaneous Provisions) Act 1993, which would be Approximately 14ha.

Representation 2

- 1. As a shack owner in the Laycock Drive Sub-division, I consider that the advertising of this proposal to be somewhat misleading. Because the Development Application notice refers to a proposal for sub-division and boundary re-organisation at 3119 Interlaken Road, I had no initial interest in the proposal. However, it was only late last week that I became aware that the proposal included changes to land that is immediately connected to the Laycock Drive Sub-division. I am aware that there are other shack owners who were also of the same thinking. I consider that given Lot numbers 4,5,6 and 8 are no where near Interlaken Road, this should have been reflected more clearly in the DA notice.
- 2. Some shack owners only received their formal notice of the proposal from Council in the mail last week. I myself am yet to receive any notice from Council via Australia Post. Given that Australia Post letter deliveries now take much longer than in the past unless prioritised, perhaps this aspect needs to be built into response timelines.

Comment

With regard to points 1 and 2. Though not quite related to the proposed development, it is important to note here that Planning Services for Central Highlands Council are reviewing mailing procedures in response to changes in mail carriage by Australia post, and persons may nominate for electronic notification of any development applications of which they are an adjoining property owner.

3. Lot 6 shows a 15m riparian reserve which runs from the Crown Reserve in front of the shack sub-division, around the edge of the lake to Tea Tree Point and then along the canal to the boat ramp. Am I correct in assuming this reserve will be public access? Given that Lake Crescent is now one of the State's top performing fisheries, a lot of shore based angling occurs in and around Tea Tree Point. Fishing in the canal is also popular,

particularly with juniors and from the side marked riparian reserve because of the lower height of the bank and its proximity to the water.

Additionally, there is a navigation light at the end of the canal along with other infrastructure associated with periodic de-watering of the canal which requires access for maintenance etc. I consider it important that shore based angling access to this section of the lake is available.

Comment

With regard to point 3, shore based access is provided by the transfer of Lake Crescent Road to the Council and the creation of the riparian reserve, surrendered to the crown and to be managed by Inland Fisheries.

4. Lot 5 – Some time ago, Council relocated the waste transfer bins from outside of the sub-division to a location just before the first shack on the western side of Laycock Drive. With the agreement of Council and the current landowner a community notice board has also been established in proximity to the waste transfer bins. This is also well used by shack owners. The relocation of the bins to this area has been a great success with a significant reduction in the dumping of non-compliant rubbish from what previously occurred. It is now rare for non-compliant rubbish to be left at the bins.

If an eventual outcome of the sub-division of this Lot is sale, and the new owner decides to fence the Lot, what will be Council's position re the location of the waste transfer bins which are well used by shack owners and landowners within the Interlaken region?

Comment

With regard to point 4, Council's position regarding the placement of waste bins is not a part of the assessment of this application.

5. Lot 3 – Angling access (foot) from Interlaken Road to the corner of Kermodes Bay has been traditionally given by past and present owners of Interlaken Estate. Prior to the closure of Lake Sorell in 2009 because of the European Carp situation, shore based angling in Kermodes Bay and the shorelines north and east of Kermodes Bay was highly popular, with a great many anglers accessing this section of the lake from Interlaken Road. Given that Inland Fisheries have indicated that Lake Sorell may again be opened for angling in the 2017/18 season, I am concerned that the proposed sub-division may impede what has been a traditional angling access point for over 50 years. Furthermore, the proposed lot provides no public access along its shoreline so it is possible that a future owner could exclude anglers from this shoreline of the lake. If this was to occur, because the proposed Lot sits between the Dago Point/Ramsar Reserve and the Interlaken Estate, shore based anglers would be completely shut out from accessing the Kermodes to Duck Bay section of the lake.

I consider that this aspect raises a much wider matter in that I believe provisions of the Local Govt. Building and Miscellaneous Provisions Act 1993 provided councils with the discretion to take up to 5% of sub-divided land for public open space. Whilst I am not aware as why the Central Highlands Council has a policy of not adopting this measure, the downside for angling is that it is possible for the new owners of land to deny access to anglers to areas which traditionally have been available to them. In this regard, I cite the recent sale of land at the northern end of Lake Crescent which provided ownership to the high water mark and which effectively now shuts out shore based angling along the land's boundary with the lake.

Given the value of recreational angling to the Central Highlands Municipality, I consider that Council should be taking steps wherever possible to maximise public access to traditional fishing areas. I believe that this proposal provides an opportunity to do this.

Comment

With regard to point 5 and the subsequent "wider matter", Council has a public open space policy which at its discretion, pursuant to section 85 of the Local Government (Building and Miscellaneous Provisions) Act 1993, may refuse an application for subdivision if it is of the opinion –

- (d) that the layout should be altered to include or omit -
 - (iii) public open space; or
 - (iv) littoral or riparian reserves of up to 30 metres in from the shore of the sea or the bank of a river, rivulet or lake; or
 - (v) private roads, ways or open spaces; or
 - (viii) provision for widening or deviating ways on or adjoining land comprised in the subdivision; or

Council currently has a policy for public open space, which extends to Rural areas if Council, after a merits based assessment (pursuant to section 6.2.4 of the Public Open Space Policy) deems it appropriate. The public open space policy states,

- 6.2 Assessment for the provision of a land contribution
 - 6.2.1 Public open space contributions shall be required for all land subdivided within the following zones;
 - (a) Village, Holiday Residential, Rural Residential;
 - (b) Rural (in cases defined under 6.2.3).
 - 6.2.2 5% of the titled area of land to be subdivided is to be allocated for Public Open Space Contribution dedicated to the Council.
 - 6.2.3 For subdivision occurring on Rural Zone land (adjoining or only separated by a road) a Village, Holiday Residential or Rural Residential Zone, or where Council is of the view that the subdivision is primarily for lifestyle purposes and the nature of the lots is such that they may not fully accommodate recreational and open space needs of future residents.
 - 6.2.4 A land contribution in the Rural Zone may be requested on a merits based assessment by the Council to obtain land for the purposes of a riparian, foreshore or littoral reserve to assist in preservation of the environmental values attributed to these areas through improved land management.

Owing to this policy the proposal could be refused based on the opinion that the layout should be altered to include further public open space or reserves totalling approximately 14ha (5%). There is however a provision already part of the proposal for a portion of the land to be made available for public access, which includes the riparian reserve and the parking area as part of the road lot.

Conclusion

The subdivision proposal is assessed to comply with the applicable standards of the Rural Resource zone pursuant to section 26.0 of the Central Highlands Interim Planning Scheme 2015, as outlined in the body of this report. Councils public open space policy allows for a land contribution in the Rural Zone (now Rural Resource Zone) to be requested on a merits based assessment by the Council to obtain land for the purposes of a riparian, foreshore or littoral reserve to assist in preservation of the environmental values attributed to these areas through improved land management or/as well as, where Council is of the view that the subdivision is primarily for lifestyle purposes and the nature of the lots is such that they may not fully accommodate recreational and open space needs of future residents. Otherwise, Council may request, as provided by Section 117(2) of the Act, a 5% cash-in-lieu contribution to be accepted for subdivisions occurring within the Village, Holiday Residential, Rural Residential and Rural (adjoining or only separated by a road) Zones.

Recommendation

Moved: Seconded:

The proposal is assessed to substantially comply with the requirements of the Central Highlands Interim Planning Scheme 2015 and so in accordance with section 57 of the *Land Use Planning and Approvals Act 1993,* The planning authority is recommended to approve the application for a reorganisation of the boundaries of CT 43771/4 and subdivision of CT125860/2 known as RA 3119 Interlaken Road Interlaken, 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.
- (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.

Riparian Reserve

- (3) All lots fronting Lake Crescent and Lake Sorell, including the "Balance Lot", must include a riparian reserve lot no less than 15m and no more than 30m in from the existing boundary with the lake. The final lot design must be to the satisfaction of the General Manager. The riparian reserve lot must be marked "reserve" on the final plan of survey
- (4) The proposed reserve (described as Lot 9) running the length of north western side of the "Constructed canal inlet to weir" must be no less than 15m in from the bank of the canal. This land, dedicated as riparian reserve, must be included as part of the lot marked "reserve" on the final plan of survey.
- (5) The existing waterway known as "Kermodes Drain" located on "Lot 3" must be included within a lot marked "reserve" on the final plan of survey to be surrendered to the Crown. The final lot size and shape must be to the satisfaction of the General Manager. The reserve lot must include any land necessary to allow pedestrian access from Interlaken Road to Kermodes Bay.

Road Lot and Road Construction

(6) The construction of Lake Crescent Road, within "Lot 8" must be to the satisfaction of Council's Manager of Works and Services prior to the sealing of the final plan of survey.

(7) The Lake Crescent "User Road" marked on the Plan of Subdivision must be shown as "Road" on the final plan of survey and transferred to the Central Highlands Council by Memorandum of Transfer submitted with the final plan.

Easements

(8) 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

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

Covenants

(10) 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 Senior Planner.

Final plan

- (11) A final approved plan of survey, memorandum of transfer and schedule of easements as necessary, together with two (2) copies, must be submitted to Council for sealing for each stage. The final approved plan of survey must be substantially the same as the endorsed plan of subdivision and must be prepared in accordance with the requirements of the Recorder of Titles.
- (12) A fee, as determined in accordance with Council's adopted fee schedule, must be paid to Council for the sealing of the final approved plan of survey for each stage.
- (13) All conditions of this permit, including either the completion of all works and maintenance or payment of security in accordance with this permit, must be satisfied before the Council seals the final plan of survey for each stage. It is the subdivider's responsibility to notify Council in writing that the conditions of the permit have been satisfied and to arrange any required inspections.
- (14) The subdivider must pay any Titles Office lodgement fees direct to the Recorder of Titles.

Bushfire Management

- (15) Prior to the sealing of the final plan of survey a Bushfire Hazard Management Plan prepared by the Tasmanian Fire Service or a person accredited by the Tasmanian Fire Service in accordance with the provisions of Planning Directive No. 5 Bushfire-Prone Areas Code must be submitted to and approved by Council's General Manager unless certified as exempt by TasFire or an accredited person. The Bushfire Hazard Management Plan shall form part of this permit when approved.
- (16) Prior to the sealing of the final plan the land must be developed and completed in accordance with the approved Bushfire Hazard Management Plan and must continue to be maintained to the satisfaction of the Council's General Manager, unless certified as exempt by TasFire or an accredited person.

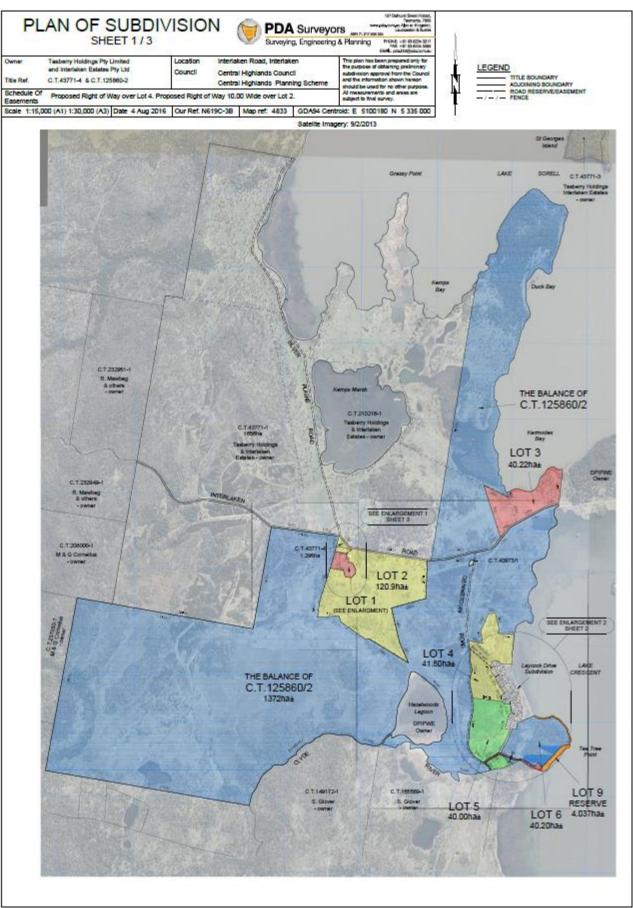
Existing services

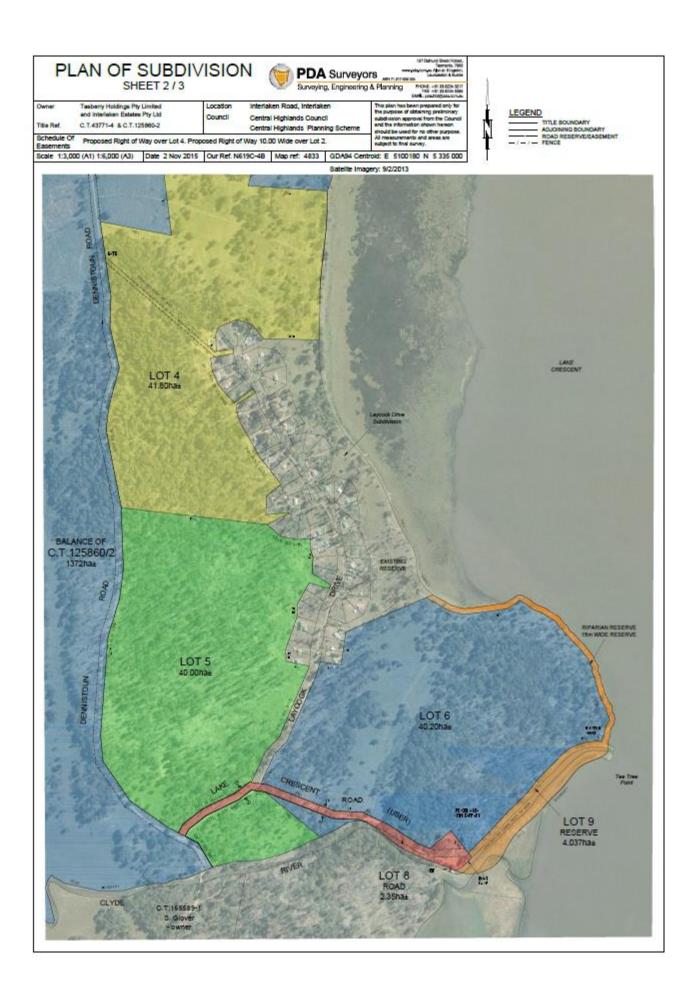
(17) The Subdivider must pay the cost of any alterations and/or reinstatement to existing services, Council infrastructure or private property incurred as a result of the proposed subdivision works. Any work required is to be specified or undertaken by the authority concerned.

Lot Layout

(18) Final plan must show that "Lot 1" is to be provided with a fee simple access strip to Interlaken Road, so as to provide frontage for that lot of a dimension no less than 6m. A Right of carriageway must be provided over the access strip in favour of "lot 2".

Carried





15.2 CONSIDERATION OF HERITAGE LISTED PLACES IN THE CENTRAL HIGHLANDS INTERIM PLANNING SCHEME 2015 – RESPONSE TO DIRECTIONS HEARING

AUTHOR CONTRACT PLANNER, (David Cundall)

ATTACHMENTS 1 Central Highlands Interim Planning Scheme 2015 Directions from Hearing dated 27th

May 2016

2 List of heritage listed properties in Central Highlands for consideration

Purpose of Report

The Planning Committee to consider a submission on heritage listed places in the *Central Highlands Planning Scheme 2015* and a Council request to Heritage Tasmania to progress with the Rural Exclusion Agreements with landowners in the Central Highlands.

Introduction

On the 26th May 2016, a directions hearing was held at the office of the Tasmanian Planning Commission ("TPC") into representations on the *Central Highlands Planning Scheme 2015* ("the Scheme"). Council was represented at the hearing by the former Contract Planner Damian Mackey.

The hearing primarily considered those matters addressed in the "30J report", endorsed by the Planning Authority in February 2016. The report contained a copy of each representation, a statement by Council (acting as the Planning Authority) on the merit of each representation and whether the interim planning scheme ought to be modified as a result.

Further to the hearing, the Tasmanian Planning Commission provided Council with a directions letter requesting that Council undertake a number of tasks and prepare response submissions. Per the attachment 2 of this report, the TPC required a submission on five (5) matters regarding changes to the Planning Scheme.

Council Officers have prepared and submitted submissions on Scheme amendments for the following matters:

- Department of State Growth urgently amend scheme to allow extractive industry in the significant agriculture zone.
- Hydro Tasmania urgently rezone particular parcels of Hydro land to Utilities Zone.
- Bothwell Recreation Ground urgently amend scheme to change zoning from significant agriculture zone to recreation zone.
- Setback Provisions in the Low Density Residential Zone provide submission on how the scheme provisions should be written to reflect previous zoning of land.

The only outstanding matter is item 3 in the directions letter on "historic heritage places on large lots". This is a representation submitted by Mr Richard Bowden which is also supported by Council.

Basically Council must prepare a submission that assesses all heritage listed places on large lots and identify the specific extent of the heritage listing by way of delineating an area on a map or description in the Heritage Code.

The reason for identifying the specific extent of a heritage listing on a large lot (or farm) is that without such delineation the whole of title or multiple titles (that make up the farm) is currently heritage listed. This may well include significant tracts of land that does not contain any heritage values. Effectively new development that may not

Issue – Rural Exclusion Agreements project

In order to progress with the submission on the specific extent of heritage listed places in the scheme the following matters need to be considered:

- A. Heritage Tasmania, under the Rural Exclusion Agreements project, are already undertaking a state wide process to delineate the specific extent of heritage listed places on large rural properties. This is basically in line with the State government's policy to reduce "red tape" in Tasmania.
 - This project commenced in 2014 to review rural entries on the Heritage Register and delineate the specific extent of the listing. Many places have undergone the assessment in the Southern Midlands and Northern Midlands. Statistics show that some 23,000 hectares of land has already been removed from the Heritage Register via this process.
- B. There are 43 heritage listed places identified on large rural lots in the Central Highlands. All of these properties are listed on the State Heritage Register managed by Heritage Tasmania under the *Historic Cultural Heritage Act 1995*.
- C. Changes to the Heritage Code by Council Officers will not correspond with the detailed entry on the state register. There would be likely differing descriptions and inconsistency between the planning scheme and the state heritage register. This will cause confusion to landowners and developers.
 - In other words, any alteration to the description in the Planning Scheme would be superfluous given all land would still be listed under the state register and subject to those provisions of the *Historic Cultural Heritage Act 1995*.
- D. To delineate the specific extent of each of these properties it will require consultation with each landowner to ensure:
 - a. Procedural fairness; and
 - b. Transparency of process; and to
 - c. Obtain information from landowners on the significance of listed features
 - d. Entry to the land where necessary and discussions of process and rationale for the alterations.

Per the above dot points, the conclusion can be quickly drawn that if Council were to undertake an exercise similar to the Rural Exclusion Agreement project, prior to Heritage Tasmania also undertaking the exercise, it will lead to differing data on the property and ultimately unnecessary duplication of dealings with landowners.

Solution

Council Officers have held discussions with both Heritage Tasmania and the TPC on this matter.

Heritage Tasmania Officers have indicated that the Rural Exclusion Agreements project is still continuing and that Central Highlands is on the agenda. However a timeframe to undertake and complete this task is not yet known.

The TPC have indicated that, as the amendment to the scheme is primarily driven by the Council, then Council should provide a submission to the TPC and raise the issue and inform the TPC that the matter will be resolved as part of the

Rural Exclusion Agreements undertaken by Heritage Tasmania. This will lead to a streamlining of the planning scheme and ensure a single and consistent process is undertaken with landowners.

With the issue further highlighted by Council, the TPC and representations into the Interim Planning Scheme, Council should now write to the Tasmanian Heritage Council and request that the Rural Exclusion Agreement project is undertaken as a high priority in the Central Highlands.

Recommendation

Seconded: Moved:

THAT

- The report be received; and
- Council's Contract Planner prepare a letter on behalf of Council to the Tasmanian Heritage Council seeking the Rural Exclusion Agreement project be undertaken in the Central Highlands for those properties listed in Attachment 2 of this report; and
- C. Council seek that the Rural Exclusion Agreement project is undertaken by Heritage Tasmania in the Central Highlands within a timeframe agreed by the Planning Authority; and
- D. Council's Contract Planner provide a written submission to the Tasmanian Planning Commission outlining the steps taken by Council to comply with the directions of the Hearing per the Rural Exclusion Agreement process.

Carried

Your ref:

Our ref: DOC/16/59479
Officer: Mitchell Clark
Phone: (03) 6165 6822

Email: tpc@planning.tas.gov.au

27 May 2016

Mrs L Eyles General Manager Central Highlands Council

By e-mail: council@centralhighlands.tas.gov.au

Attention Mr Damien Mackey

Dear Mrs Eyles

CENTRAL HIGHLANDS INTERIM PLANNING SCHEME 2015 DIRECTIONS FROM HEARING

Reference is made to the hearing into the representations on the Central Highlands Interim Planning Scheme 2015, held at the office of the Tasmanian Planning Commission on 26 May 2016.

The hearing was adjourned and the following directions were given by the Commission's delegates:

Representation 1, Dept. State Growth

Council is to resolve the Department's issues jointly with other regional councils and the Commission through the Technical Reference Group (TRG).

2. Representation 2, Hydro Tasmania

Council and Hydro Tasmania are to consult on how partial areas of lots used for dams and other significant infrastructure assets can be mapped to allow rezoning to Utilities. Council is to provide details for an urgent amendment under former section 30K(4)(a) to rezone the land used for dams and other significant infrastructure assets from Rural Resource and Environmental Management to Utilities.

The submission is to be received within 28 days of the hearing, excluding public holidays.

Representation 3, R Bowden

Council is to provide details for an urgent amendment under former section 30K(4)(a) to amend the descriptions of the extent of historic heritage places on large lots in Table E13.1 of E13.0 Historic Heritage Code.

The submission is to be received within 28 days of the hearing, excluding public holidays.

4. Central Highlands Council - Bothwell Recreation Ground

Council is to provide details for an urgent amendment under former section 30K(4)(a) to amend the zoning of land at 26 Hollow Tree Road, Bothwell (folio of the Register volume 161435 folio 1), from Significant Agricultural to Recreation.

The submission is to be received within 14 days of the hearing, excluding public holidays.

Central Highlands Council - Setback provisions in the Low Density Residential zone

Council is to provide a written submission on how the setback standards for outbuildings in the Low Density Residential zone should be amended.

The submission is to be received within 21 days of the hearing, excluding public holidays.

Any response submissions are to be received within 7 days of the receipt of Council's submissions.

All submissions must be lodged in writing with the Tasmanian Planning Commission by email enquiry@planning.tas.gov.au or GPO Box 1691, Hobart, 7000. All submissions will be made available on the Commission's iPlan website at http://www.iplan.tas.gov.au/Pages/XC.Track.Assessment/SearchAssessment.aspx?id=218.

The hearing will be reconvened, if required, at least 7 days after the receipt of the

submissions, on a date to be set.

If you wish to discuss this matter further, please do not hesitate to contact the Commission's Acting Senior Planning Adviser, Mitchell Cark, on the above number and quoting the above reference.

Yours sincerely

Pamela Scott

Senior Planning Consultant CHAIR OF DELEGATED PANEL

12th September 2016

Central Highlands Interim Planning Scheme 2015

Directions for Tasmanian Planning Commission Hearing – Direction 3: Specific Extent of Heritage Listed Places on Large Lots

Forward: Below is a list of heritage listed places on large lots under consideration by Council for the purposes of identifying and refining the specific extent of the heritage listing. The "Ref. No" is a reference number from the Heritage Code.

Notes: Many of these properties have a "Statement of Heritage Interest" but Council does not have a record of these statements.

Ref. No. (from Heritage Code)	Name, Location and/or Address	C.T.	General Description	Specific Extent	Particular Exclusions from Listing	Particular Exempt Development
18	Grantham 44 Dennistoun Road, Bothwell	CT164767/1		Tasmanian Heritage Register ID 28		
42	Rockford 16 Schaw Street, Bothwell	CT228850/2		Tasmanian Heritage Register ID 61		
47	Former Thorpe Mill 189 Dennistoun Road, Bothwell	CT106748/1 & 2 CT223675/1		Tasmanian Heritage Register ID 66		
48	Nant Nant Lane, Bothwell	CT151816/1		Tasmanian Heritage Register ID 67		

49	Berriedale 357 Humbie Lane, Bothwell	CT47282/1	Tasmanian Heritage Register ID 69	
50	Ratho Highland Lakes Road, Bothwell	CT164109/1	Tasmanian Heritage Register ID 70	
51	Dungrove 3287-3289 Highland Lakes Road, Bothwell	CT140434/1	Tasmanian Heritage Register ID 72	
52	Selma Meadsfield Road, Bothwell	CT113357/1	Tasmanian Heritage Register ID 75	
53	Strathbarton Lower Marshes Road, Apsley	CT126903/1	Tasmanian Heritage Register ID 808	
55	Bella Vista 3417 Lyell Highway, Gretna	CT42062/1	Tasmanian Heritage Register ID 811	
56	Clarendon House 205 Clarendon Road, Gretna	CT104284/1 CT110519/1 CT110520/3	Tasmanian Heritage Register ID 813	
57	Gretna Green Hotel Lyell Highway, Gretna	CT146672/1 CT212581/1	Tasmanian Heritage Register ID 817	
59	Glenelg 4325 Lyell Highway, Gretna	CT125330/1	Tasmanian Heritage Register ID 826	

60	Norton Mandeville 4079 Lyell Highway, Gretna	CT150406/1	Tasmanian Heritage Register ID 827
61	Norton Mandeville4079 Lyell Highway, Gretna	CT30801/7 CT52803/1 CT53766/1 CT229717/1 CT232919/1 CT244462/1 CT249917/1	Tasmanian Heritage Register ID 829
62	Allanvale 268 Marked Tree <u>Road</u> , Gretna	CT113368/1- 3 CT206786/1	Tasmanian Heritage Register ID 830
63	Rathlyn 430 Thousand Acre Lane, Hamilton	CT248197/1	Tasmanian Heritage Register ID 831
65	Former Langdon Store 64 Lyell Highway, Hamilton	CT51797/8 CT134520/1- 3	Tasmanian Heritage Register ID 833
68	Former Warder's Cottage 75 Tarleton Street, Hamilton	CT132127/1	Tasmanian Heritage Register ID 836
75	Hamilton Hotel and stables 10 Tarleton Street, Hamilton	CT32051/1	Tasmanian Heritage Register ID 845

86	Council Chambers and Cottage 75 Tarleton Street, Hamilton	CT132127/1	Tasmanian Heritage Register ID 859	
87	Katrine Vale 440 Green Valley <u>Road</u> , Hollow Tree	CT48784/3 CT126276/1 CT133276/2	Tasmanian Heritage Register ID 860	
88	Rathmore 2158 Hollow Tree <u>Road</u> , Hollow Tree	CT16133/1 CT100113/10 CT102256/1 CT137206/1 CT137289/1 CT229753/1	Tasmanian Heritage Register ID 861	
89	Strathborough Hollow Tree <u>Road</u> , Hollow Tree	CT32470/1	Tasmanian Heritage Register ID 862	
90	Sherwood 1290 Hollow Tree <u>Road</u> , Hollow Tree	CT147677/1 CT42/5367	Tasmanian Heritage Register ID 864	
91	St James Church & Cemetery 1288 Hollow Tree <u>Road</u> , Hollow Tree	CT54485/4	Tasmanian Heritage Register ID 865	
92	Interlaken 3119 Interlaken <u>Road</u> , Interlaken	CT43771/1,3 & 4 CT125860/2	Tasmanian Heritage Register ID 866	
97	Cleveland 7619 Lyell Highway, Ouse	CT252369/1 CT147625/4	Tasmanian Heritage Register ID 872	

98	Cluny Dawson <u>Road</u> , Ouse	CT157797/1	Tasmanian Heritage Register ID	
99	Hunter's Hill Barn 167 Tor Hill Road, Ouse	CT76964/1 CT106428/1 CT106429/1 CT106430/1 CT252167/1	873 Tasmanian Heritage Register ID 875	
100	Lawrenny Lyell Highway, Ouse	CT197864/1 CT224539/1	Tasmanian Heritage Register ID 877	
102	Ousedale Butlers <u>Road</u> , Ouse	CT114643/1	Tasmanian Heritage Register ID 879	
103	Dunrobin Ellendale <u>Road</u> , Ouse	CT137999/1	Tasmanian Heritage Register ID 881	
104	Lientwardine Lyell Highway, Ouse	CT131870/1	Tasmanian Heritage Register ID 882	
105	Kenmere 261 Lanes Tier Road, Ouse	CT125731/1 & 2 CT226148/1	Tasmanian Heritage Register ID 883	
106	Cawood 167 Tor Hill Road, Ouse	CT76964/1 CT106428/1 CT106429/1 CT106430/1 CT252167/1 & 2	Tasmanian Heritage Register ID 884	
107	Ashton	CT113370/1,	Tasmanian	

108	978 Victoria Valley <u>Road</u> , Ouse	2 & 11 CT113371/3- 7 CT113372/8 & 10 CT113373/9 CT202844/1 CT138312/1	Heritage Register ID 885	
100	342 Victoria Valley <u>Road</u> , Ouse	CT138323/1	Heritage Register ID 886	
109	Millbrook Water Mill, (now Rosecot) 82 Victoria Valley <u>Road</u> , Ouse	CT145157/1 & 2 CT145158/1 & 2 CT145159/1 CT145163/1 CT45914/1	Tasmanian Heritage Register ID 887	
114	Pump House Point Lake St Clair Road, Lake St Clair	CT124358/1	Tasmanian Heritage Register ID 9924	
115	Montacute 1288 Hollow Tree <u>Road</u> , Hollow Tree	CT121056/1	Tasmanian Heritage Register ID 10038	
120	Mitchel's Cottage Nant Lane, Bothwell	CT137337/1 CT137338/1	Tasmanian Heritage Register ID 10801	
121	O'Meagher's Cottage <u>Site</u> Tunbridge Tier <u>Road</u> , Interlaken	CT149692/1	Tasmanian Heritage Register ID 11002	

15.3 PROPOSED DEVELOPMENT 3411 LYELL HIGHWAY, GRETNA

A copy of an email forwarded to the Minister for Local Government and the Minister for Tourism, Hospitality & Events has been received by Council from the owners of 3411 Lyell Highway, Gretna raising concerns about the assessment process of their planning application for visitor accommodation (camping) at 3411 Lyell Highway, Gretna.

Recommendation

Moved: Seconded:

THAT the General Manager and Mayor acknowledge receipt of the emails received; and

THAT the Manager DES & Planning Officer draft a letter, outlining what has occurred with the application, to be signed by the Mayor.

Carried

15.4 DES BRIEFING REPORT

PLANNING PERMITS ISSUED UNDER DELEGATION

The following planning permits have been issued under delegation during the past month.

PERMITTED USE

DA NO.	APPLICANT	LOCATION	PROPOSAL
2016 / 00047	J R Watters	RA 2412 Victoria Valley Road, Victoria Valley	Outbuilding (Farm Shed)
2016 / 00052	W J Yarwood	(Part Of) 34 Dolerite Crescent, Flintstone & 36 Dolerite Crescent, Flintstone	Boundary Adjustment

DISCRETIONARY USE

DA NO.	APPLICANT	LOCATION	PROPOSAL
2016 / 00010 - Disc	S G O'Brien	442 Jones River Road, Ellendale	Holiday Cabin (Visitor Accommodation)
2016 / 00045 - Disc	Vodafone	150 Oldina Drive, Tarraleah	Telecommunications Facility

NO PERMIT REQUIRED

DA NO.	APPLICANT	LOCATION	PROPOSAL
2016 / 00051 - NPR	Wilkin Design & Drafting	10 Allison Road, Breona	Dwelling Addition & Renovations

IMPOUNDED DOGS

Following a request by Council to be advised of all dogs impounded at Council's Bothwell and Hamilton pounds and the outcome of the impoundment, please be advised as follows:

Female Black & White Hound / Spaniel – Dog at Large Killing Chooks – Dog relinquished to Council by the owner on 19 September 2016 and taken to the Dogs Home

Male Brindle Staffy - Dog At Large - Dog impounded 11 October 2016 & remained impounded at time of preparing report

16.0 WORKS & SERVICES

Recommendation

Moved: Seconded:

THAT the Works & Services Report be received

WORKS & SERVICES REPORT

15th September 2016 - 11th October 2016

Grading & Sheeting

Lanes Tier Road Rose Hill Road Southern Field Road Hamilton Plains Road

Maintenance Grading

Pine Tier Road McGuires Marsh Road Strickland Road

Potholing / shouldering

Pelham Road Mark Tree Road
Thousand Acre Lane Dennistoun Road
Meadsfield Road

Spraying

Hamilton Township Gorse Old Man's Head

Culverts / Drainage:

Weatheron Road
Cleaning culverts
Dennistoun Rd
Meadsfield Road
Strickland Rd
Victoria Valley Rd
Lanes Tier Rd
Mark Tree Rd
Bronte Heights
Bronte Estate

Drainage Belchers Road

Install new culvert Lanes Tier Road

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
- 59.5hrs Annual Leave taken
- 42.5hrs Sick Leave taken
- 0 Long Service Leave

Bridges:

Refuse / recycling sites:

Cover Hamilton Tip twice weekly

Other:

Remove trees from Hollow Tree Road
Remove trees from Dennistoun Road
Remove trees Victoria Valley Road
Remove tree Pelham Road
Remove tree Gully Road
Remove Tree Woodwards Road
Dig 1 X grave
Install sign Barren Plains Road
Install sign Cramps Bay Road
Start to install power upgrade Bothwell Rec

FLOOD Damage Repair

Repair Bridge Clyde River Green Valley Road Repairs to bridges at Lower Marshes

All the road repairs require grading sheeting of gravel and culvert cleaning.

Repairs to Lanes Tier Road Repairs to Mark Tree Road Repairs to Victoria Valley Road Repairs to Rose Hill road Repairs to Woodsprings Road Repairs to Rotherwood Road Repairs to Dennistoun Road Repairs to Meadsfield Road

Slashing

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

Buildings:

Plant:

PM724 Nissan ute (B) timing chains PM687 Western Star (B) serviced and repairs PM750 Ranger ute (H) new tyres PM759 Hilux (WM) serviced and new tyres PM748 Hino truck (B) new windscreen

Private Works:

Gayl Mansell gravel delivery Stornoway gravel State Wide Earthworks gravel Justin Townsend mower hire Gravel delivery shack at Cramps Bay Andrew Jones truck hire Gradco gravel Gayleene MaCatherty mowing Ken Orr Delivery of concrete mix Nant Estate Gravel delivery Tas Water gravel delivery

Casuals

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

Program for next 4 weeks

Repair Boomer Bridge from flood damage
Continue repairing flood damage roads
Repair seal at Arthur Crescent (Weather Permitting)
Spraying of towns
Road side spraying
Potholes on Municipal roads
Bush fest power up grade
Preparation of Netball Court and Cricket nets Tenders
Install dirt and level site for Gretna War memorial
Drainage for Capital Road Projects
Finalize new grader purchase

16.1 CRICKET NETS AND NETBALL/TENNIS COURT BOTHWELL RECREATION GROUND

That works Manger take Council for a site visit to the Bothwell Recreation Ground for decisions on the locations of the new cricket nets and netball/tennis court.

For Discussion

16.2 CUSTOMER SERVICE COMPLAINTS - STORMWATER FLOODING BOTHWELL

Council is in receipt of two customer services complaints with regards to stormwater flooding at 14 High Street and 1-3 Franklin Street, Bothwell. This flooding occurred during the recent flooding event which affected much of the Bothwell Township.

An initial inspection has been undertaken by the Works Manager who is unsure of what drainage work, if any, can be undertaken to rectify the issues. It is unclear if this was a one off flood event or if the infrastructure is not capable of taking the water.

Council's Works Manager has had a brief discussion with Pitt and Sherry with regards to the capacity of the stormwater infrastructure and to obtain an estimate cost to provide a report on the following:

Agenda 18th October 2016

Risk and likelihood of flood events: and

Capacity of the stormwater infrastructure. 2.

The likely cost for Pitt and Sherry to investigate and provide a report on the stormwater infrastructure for the township of Bothwell is \$10,000 to \$15,000.

It is suggested that this report be undertaken to ensure that the stormwater is of an acceptable standard.

Recommendation

1.

Seconded: Moved:

THAT Council engage Pitt and Sherry to undertake an assessment of the stormwater infrastructure in and around Bothwell.

16.3 THE URBAN DRAINAGE ACT 2013

The Urban Drainage Act 2013 ("the Act") requires that all Tasmanian Councils develop Stormwater System Management Plans (SSMPs) for the urban areas within their municipalities. Tasmanian councils have to complete the task by 19th Dec 2019 to satisfy the requirements of the Act.

The primary aim of an urban stormwater management system is to minimise economic, environmental and social impacts of flooding and water quality degradation caused by stormwater runoff in our communities.

For Discussion/Decision

16.4 FLOOD DAMAGE

After getting on top of the recent flood events from June we have once again received heavy rains resulting in flood throughout the municipality with flooding and damage affecting the following infrastructure:

Nant Lane

Nant Lane Bridge (scouring around abutment)

High Street Footpath

Dennistoun Road

Woodspring Road

Seal over Andrews Bridge on Logan Street (approx. 200m²)

Rotherwood Road

Merrievale Road

Lower Marshes Road Bridge (souring of abutments)

Little Den Creek Culvert Pipes on Lower Marshes Road

Green Valley Bridge (structural damage and washout and damage to ends of bridge)

Rosehill Road

Wetheron Road

Marked Tree Road

Lanes Tier Road

Victoria Valley Road

Thousand Acre Lane

Most of the roads listed above require re-sheeting of gravel and therefore require truck and trailers, grader and in some cases the backhoe to clean the culverts where the gravel has been washed into them. Bridges require rock armour and gravel to repair washouts and abutment scouring. It is expected that the rectification works will put Council behind 2-3 weeks.

Other damage includes:

Culvert pipes at Boomer have been washed out along with the road. The estimated cost to repair is \$23,000.

Agenda 18th October 2016

Hamilton Recreation Ground has flooding around the outside of buildings, toilets and rear of the grandstand.
 There is a lot of debris to be removed from around the ground once water resides which will require a clean-up by Council staff.

Total estimate of cost for flood damage works \$112,000

Work is currently being prioritised to ensure that Council's roads are trafficable and safe for use.

The Works Manager has been collating data for the Tasmania Flood Recovery Task Force. This data will also be given to State Growth to be used to generate a report for State Government to try to secure federal funding.

For Discussion

17.0 ADMINISTRATION

17.1 ROTARY CLUB "TOUR DE NORFY" CYCLE CHALLENGE

The Rotary Club of Claremont is in the process of organising an annual public riding event called the 'PMM Tour de Norfy Cycle Challenge' for Sunday the 6th November. This event is in its ninth year. Tasmania Police have asked the Rotary Club to obtain formal approval from Central Highlands Council.

The ride begins in New Norfolk, travelling along the Eastern side of the Derwent as far as Ellendale road just West of Hamilton, returning via Ellendale and Bushy Park to New Norfolk. As riders travel on roads that are in our municipality the Rotary Club seek Council written permission to hold the event.

In addition the Rotary Club would also like Council to check Ellendale Road from the Lyell Highway intersection through to the boundary with Derwent Valley Council. The Rotary Club understand that Council have been extremely helpful over the past eight years in ensuring the safety of the riders by fixing damaged sections prior to the event and for this the Rotary Club are extremely grateful.

Attached for Councils information is a letter from the Rotary Club, traffic management plans, course maps, risk assessment, mitigation strategies and insurance certificate.

For Discussion

17.2 LONE PINE SEEDLING

Minister Guy Barnett had offered a Lone Pine seedling to Council which the previous Mayor had accepted.

Minister Barnett is seeking Council's advice on when we would like the seedling delivered and whether Council will be holding an official planting.

Acting Mayor Lana Benson and the Works Manager have identified a site in the Bothwell Cemetery which they believe would be appropriate. It suggested that an appropriate day for planting would be Remembrance Day, and that an afternoon tea be provided for invited attendees.

Recommendation:

That Council:

- (a) plant the Lone Pine Seedling in the Bothwell Cemetery on Remembrance Day;
- (b) Invite Minister Barnett to attend;
- (c) Authorise the Mayor to issue invitations;
- (d) Ask the Works & Services Manager to arrange for delivery and care of the seedling; and
- (e) Hold an afternoon tea following the planting

PROPOSED WEBSITE - FRUIT GROWERS TASMANIA

The Business Development Manager, Fruit Growers Tasmania has advised of funding received to attract seasonal itinerant labour as well as encouraging locals to apply for work in the horticultural sector.

Fruit Growers Tasmania is inviting Councils with fruit, vegetable or wine production areas within their municipality to come on board as a co-sponsor for a one off payment of \$400.00. Following is the email received:

Dear Acting Mayor

With the recent news around the backpacker tax, you may have heard the State Govt have given Fruit Growers Tasmania funding to get the wheels rolling on attracting the workforce to the State.

As the issue is more than fruit world, we are intending to open this up to all of agriculture in the context of attracting seasonal itinerant labour as well as encouraging locals to apply.

Here is a link to an example of what I seek to put in place which a QLD strawberry grower Ray Daniels directed me to http://www.thesweetestjob.com.au/

They built the website to draw locals in to fill the gap left from the low numbers of backpackers and it worked well. The concept of the website would couple with the work of Primary Employers Tasmania who are looking at sponsored Facebook pages to demonstrate Tasmania is "open for business" with jobs.

I am inviting the Councils with fruit, vegetable or wine production areas within their respective municipality to come on board as a co-sponsor - with their logo front page for \$400.00 (one off payment). We have industry support on board as well including job services partners and freight companies.

The web concept would be as follows:

- Simple design and use;
 - Targeting backpackers but also locals wishing to find employment;
 - Standards required of particularly locals to work in the sector:
 - Open to all production horticulture sector to post positions etc including nursery and flower production:
 - Growers can advertise direct on site or via employment services companies:
 - Small admin fee to manage grower inquiries/advertisements through FGT \$20:
 - Area of news to post current articles;
 - Use of website to be ongoing into future seasons;
 - Ultimately will target locals.

Quotes being obtained from web designers now. This is a quick fix too but one which will have longevity for future seasons as it will allow industry to "hub" jobs.

I hope to hear from you soon.

Regards Phil Pyke **Business Development Manager** Fruit Growers Tasmania 262 Argyle St Hobart, Tasmania, 7000 Ph: +61 3 6231 1944

Mobile: 0407 203 318

For Discussion/Decision

17.4 TEN DAYS ON THE ISLAND

The Ten days on the Island Festival is being held in March 2017, and plan to bring one of their feature international performances, FREEZE! to Lake St Clair on Thursday 23 march 2017.

Ten Days has requested an amount of \$3,000 from Central Highlands Council towards the costs of developing this project in the central Highlands. This would enable the performance to be free of charge to residents and visitors to the Central Highlands.

The following information was provided:

The program for the Ten Days on the Island biennial, statewide, multi-arts Festival 2017 is coming together and I am delighted to report that, in March 2017, Ten Days will present performances and exhibitions, many of them free of charge, in 24-26 of the 29 local government municipalities in Tasmania – a pretty impressive feat that demonstrates our commitment to bringing quality arts experiences to Tasmanians wherever they live!

It gives me much pleasure to tell you that we plan to bring one of our feature international performances, FREEZE!, to the Central Highlands Council area.

In the words of the Edinburgh Fringe FREEZE! is "absolutely and compellingly beautiful".

If concentration is an artform, Dutch artist, Nick Steur is a master. With his hands, will, skill and focus, he achieves the improbable by balancing odd shaped rocks on top of one another. This is not trickery or illusion, but the culmination of one man pushing the limits of possibility.

Steur uses location to underscore his work and will perform in some of Tasmania's most beautiful places, including Lake St Clair, on Thursday 23 March 2017.

Without showmanship or bluster, he gives pause to the daily thoughts and rushes of his audience and places them gently in the present. With variations in materials, place and potential distractions, each performance is unique in its own astonishing way.

Ten Days requests an amount of \$3,000 from the Central Highlands Council towards the costs of developing and presenting this exciting, engaging contemporary arts project in the Central Highlands. With your support we will be able to offer the performance free of charge to residents of and visitors to Central Highlands.

I'm sure that you would appreciate that with the size and scope of the Ten Days on the Island Festival program, every contribution makes a difference – not only to the bottom line but also to the manifestation of the relationship between Ten Days and the Council which provides the opportunity to build the cultural and economic strengths of the community through partnerships.

For Discussion/Decision

17.5 THE RIGHT PLACE

Information has been provided by Janet Monks, Health & Wellbeing Coordinator at Corrumbene on the Right Place Initiative with an invitation for Council to support the Imitative by the signing of a Memorandum of Understanding.

The Right Place is an initiative about connecting people with health and community services. It is based on the philosophy that no door is the wrong door, and people seeking services are always in "the right place". It is an initiative that helps people find out what services are available, gives them easy-to-understand information, offers choices, and helps them get to the right services.

Members receive information, training and resources to support their involvement in The Right Place.

For Discussion/Decision

17.6 LGAT STATE BUDGET SUBMISSION

In order to allow plenty of time for input as well as engagement with other peaks and stakeholders, LGAT is seeking early feedback on priorities.

LGA advises that the Key Points in last year's submissions by LGAT were:

- Our top priorities were fully resourcing Planning Schemes Online and the Feasibility Studies.
- The Government has already committed to the feasibility studies.
- We anticipate the cost for Planning Schemes Online to be \$3-\$4M
- Other critical priorities identified included:
 - o Land Use Planning funding a **planning policy unit, the development of State Policies** and implementation of the Tasmanian Planning Scheme (including communications, tools, training).
 - Clarifying who would own and maintain former Forestry Roads as discussed at PLGC this will likely be overseen by Infrastructure Tasmania
 - Support in our applications for Federal funding for Bridge Renewals
- We also thought the following were significant:
 - A commitment to fund future transactional and transformational costs of voluntary mergers
 - o Further legislative review aimed at improving planning outcomes
 - Funding of State Road maintenance maintained
 - Community infrastructure such as waste tyre disposal, TasWater.
 - Progression of Role of LG Project initiatives
- Beyond Local Government the following were deemed important:
 - Changes to TasWater regulatory framework
 - Support for Federal funding applications for TasWater
 - Investment in education
 - o Collaboration regarding tourism and Age Friendly Cities
 - o Preventative Health Plan

There has been a commitment to fund iplan/planning schemes online out of last year's budget process and a planning policy unit has been established (see items in bold).

LGAT is requesting feedback on the following by COB 24th October 2016.

- 1) Which of last year's priorities should be maintained (top three) as well as identify which of the above would not be a priority for our council (bottom three)?
- 2) Any key additional priorities from the perspective of our council (top three)

For Discussion

17.7 REVIEW OF COMMITTEE STRUCTURE

The current Committee Structure as determined at the August Council needs to be updated following the results of the By-election for Councillor and Mayor.

Bothwell Swimming Pool Committee

CIr E M McRae CIr L M Triffitt CIr R L Cassidy - proxy

Bothwell Cemetery Committee

CIr L M Triffitt (Chair)
Mayor D E Flint OAM- Proxy
CIr R L Cassidy

Plant Committee

Mayor Deirdre Flint OAM (Chair) Acting Deputy Mayor (proxy) Clr R G Bowden Clr A W Bailey

Independent Living Units Committee

Mayor D E Flint OAM (Chair) Clr E M McRae Clr L M Triffitt

Audit Panel

Clr J R Allwright Acting Deputy Mayor

Strategic Planning Sub-Committee

CIr E M McRae CIr A W Bailey CIr L Benson

Planning Committee From 19 July 2016

CIr J R Allwright (Chair)
CIr R G Bowden
CIr R L Cassidy
CIr A W Bailey
CIr L Benson (proxy)

Highlands Tasmania Tourism Committee

Clr L M Triffitt (Chair)
Mayor D E Flint OAM (proxy)
Clr R L Cassidy
Clr A W Bailey

Australia Day Committee

Deputy Mayor A J Downie (Chair) Clr A W Bailey Clr L M Triffitt

Waste Committee

CIr A J Downie (Chair) CIr R G Bowden CIr J R Allwright

OTHER COMMITTEE REPRESENTATION

Bothwell Spin-In Committee

Mayor D E Flint OAM (proxy) Clr L Benson (proxy)

Australasian Golf Museum

Mayor D E Flint Clr E M McRae Clr R L Cassidy (proxy)

Southern Waste Strategy Authority (Now under STCA and called Waste Strategy South)

Acting Deputy Mayor Clr L Benson (proxy)

Derwent Catchment NRM Committee

Clr J R Allwright

The Central Highlands Men's Shed Steering Committee

Clr Anthony Bailey
Clr J R Allwright (Proxy)

CIr L M Triffitt

Central Highlands Health Service Community Consultation Committee

Mayor Deirdre Flint OAM Clr E M McRae Clr L Benson (proxy)

TasWater Owners Representative

Clr L Benson (Acting Mayor) Acting Deputy Mayor (proxy)

Edmund Rice Foundation

Clr E McRae

17.8 BOTHWELL SPININ

The Secretary of the Bothwell SpinIN has forwarded an email that was sent to our previous Mayor, "Deirdre Flint and is as follows:

Dear Mayor Flint and Fellow Councillors

I am writing with reference to your suggestion that perhaps it would be to our advantage to have the Town Hall as part of our SpinIN venue.

Committee has discussed the use of the Town Hall to hold evening meals. The majority of members felt that it would not be big enough to hold all registrants, committee members and other visitors, who wish to stay on for the evening's proceedings. Currently, our canvas hire quote is dear and we would like to consider reducing the total amount of the bill. In order to do this, we should give thought to using the Town Hall and dispense with the large marquee, which carries a high charge. The matter does need further committee discussion and it shall be tabled at the next general meeting on 16 August 2016.

If committee is in agreement to use the Town Hall for evening meals and performances, committee respectfully asks that consideration be given to us using the facility at no charge. Our funds are limited and as you fully understand, to run any event is an expensive exercise. If we are in need of man power to convey some trestles and chairs from the High School to the Town Hall for the evening meals, would the Council employees be able to do this on our behalf.?

Another point I wish to raise is that of tent hire. I understand that the Central Highlands Council does have two or three tents similiar in size to the ones we will hire for traders. Again, we ask is there a possibility that we may have the use of them. If it was at all possible, perhaps we could have the use of the equipment free of charge. As they are Council equipment, I would presume that they would be erected and dismantled by Council employees. If a structural certificate is necessary, I assume that this would be organized from your end.

With regards to the gymnasium, will Council give approval for the Council employees to lay the tarpaulin on the gymnasium floor, as has been done in the past. This works would need to be started on Tuesday morning. It has come to our notice that the hessian, which has been in store, is probably in poor condition.

We would ask that the hessian be checked over by a Council employee/s as to whether it will be

in good condition to reuse, or not. If it is beyond use, could Council advise us, as it will the be neccessary to purchase new material. I will need to advise you where the hessian is stored.

The SpinIN has always been an integral part of Bothwell and will continue to be for many years to come. I understand that it is one of the major fund raisers as well as the Hamilton Show. Past SpinIN monies have been returned to the community for the betterment of residents of the Central Highlands.

Committee respectfully asks that due consideration be given to our requests.

"Thank you Mayor Flint for your continued support of the Bothwell SpinIN."

Juliet Smith will be attending Council's meeting at 11.00am to discuss their requests.

For Decision

Mrs Ann Jones and Mr Charles Downie attended Council's July Council Meeting to discuss items that required attention at the Hamilton Recreation Ground.

At this meeting, the Hamilton Agricultural Show Committee advised that they would like a Memorandum of Understanding regarding the use of the Hamilton Showgrounds.

The Committee has submitted, as requested, a Memorandum of Understanding for Council's review and endorsement.

For Discussion

17.10 NOTICE BOARD AT BOTHWELL MEDICAL CENTRE

At the August Council meeting, Council considered a request to erect a Community Notice Board at the Bothwell Medical Centre. It was resolved that the Manager Development and Environmental Services follow this up with a design/construct and installation costs associated with the notice board and provide a report to Council. Rural Primary Health Service are happy to maintain the notice board but cannot commit past the end of this calendar year at this stage due to not knowing if funding is available for their services to continue.

The quote to supply and install a display cabinet wrapped in tin with sliding glass doors is \$2,145.00 GST inclusive.

For Discussion

17.11 MINISTER FOR INFRASTRUCTURE – ROAD TRADE PERIOD

As part of the State Roads Audit, it was proposed that a road trade period be instigated where State and Local Government could enter into discussions regarding sensible road ownership arrangements within their portfolios.

The Trade Period opened on 1 October, 2016 and closes 31 March 2017.

Attached is a list of State Roads proposed for handover (none in the Central Highlands).

Also attached is the State and Local Government Trade Period Principles covering:

- Cost neutrality
- Ownership should align with functional hierarchy
- Multiple ownership should be minimised
- Road trades proposed must be evidence based
- Trades cannot be conditional
- Process

For Discussion

18.0 SUPPLEMENTARY AGENDA ITEMS

Moved: Seconded:

THAT Council consider the matters on the Supplementary Agenda

19.0 CLOSURE