

Central Highlands Council

Agenda – ORDINARY MEETING – 20th February 2018

Agenda of an Ordinary Meeting of Central Highlands Council scheduled to be held at Bothwell Council Chambers, on Tuesday 20th February 2018, 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 CLOSED SESSION OF THE MEETING

Moved:

Seconded:

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 Closed Session Minutes of Council's Ordinary Meeting held on 5 December, 2017 – Regulation 15 (2)(g)
 - Sale of land – Regulation 15 (2) (f)
 - Personal matter – Regulation 15 (2)(a)
-

5.1 MOTION OUT OF CLOSED SESSION

Moved:

Seconded:

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

OPEN MEETING TO PUBLIC

Meeting opens to the public at 10.00am.

6.0 IN ATTENDANCE

10.00am	Inspector George Cretu, Sgt Chris Hey, Sgt Robert Cooke
10.30am	Tracey Turale – Presentation Highlands Food Connect Program
11.00am	Cameron Walker – Uniting Church Clock Tower Access

6.1 PUBLIC QUESTION TIME

7.0 MAYORAL COMMITMENTS

16 th January 2018	Ordinary Council Meeting - Hamilton
17 th January 2018	Onsite Meeting at the Bothwell Swimming Pool regarding Australia Day
18 th January 2018	Business of Council with the General Manager
19 th January 2018	Business of Council with the General Manager
23 rd January 2018	Meeting with Election Candidate - Bothwell
26 th January 2018	Australia Day Awards – Bothwell Swimming Pool
31 st January 2018	Business of Council
2 nd February 2018	Business of Council and Meeting with a Minister
5 th February 2018	Mayors Round Table Meeting - Hobart STCA Meeting at the Lord Mayors office
6 th February 2018	Plant Committee Meeting - Bothwell
7 th February 2018	Performance Review with the General Manager
10 th February 2018	CWA Show Opening
13 th February 2018	Planning Committee Meeting- Bothwell Meeting with Deputy Mayor
14 th February 2018	State Government Election Forum

7.1 COUNCILLORS COMMITMENTS

Clr J A Honner

16 th January 2018	Ordinary Council Meeting
30 th January 2018	Central Highlands Visitor Centre Management Committee Meeting

7.2 GENERAL MANAGER'S COMMITMENTS

16 th January 2018	Ordinary Council Meeting
23 rd January 2018	Meeting Melinda Anderson DST
29 th January 2018	Local Government Shared Services Meeting
30 th January 2018	Central Highlands Visitor Centre Management Committee Meeting
6 th February 2018	Plant Committee Meeting
7 th February 2018	TFS Debrief – pool incident
13 th February 2018	Planning Committee Meeting
14 th February 2018	State Government Election Forum
15 th February 2018	State Grants Commission Visit Staff Debrief – pool incident

7.3 DEPUTY GENERAL MANAGER'S COMMITMENTS

30 th January 2018	Meeting with Mrs Turale regarding role of the Health Promotion Coordinator South with Highlands Food Connect Program Central Highlands Visitor Centre Meeting
6 th February 2018	Plant Committee Meeting Meeting with WorkSafe regarding Bothwell Pool
9 th February 2018	Taswater visit the Hydramet facility
15 th February 2018	State Grants Commission - 2018 Visit

8.0 NOTIFICATION OF COUNCIL WORKSHOPS HELD

NIL

8.1 FUTURE WORKSHOPS

NIL

9.0 MAYORAL ANNOUNCEMENTS

10.0 MINUTES

10.1 RECEIVAL DRAFT MINUTES ORDINARY MEETING

Moved:

Seconded:

THAT the Draft Minutes of the Ordinary Meeting of Council held on Tuesday 16th January 2018 be received.

10.2 CONFIRMATION OF MINUTES ORDINARY MEETING

Moved:

Seconded:

THAT the Minutes of the Ordinary Meeting of Council held on Tuesday 16th January 2018 be confirmed.

10.3 RECEIVAL DRAFT MINUTES CENTRAL HIGHLANDS VISITOR CENTRE MANAGEMENT COMMITTEE

Moved:

Seconded:

THAT the Draft Minutes of Central Highlands Visitor Centre Management Committee Meeting held on Tuesday 30th January 2018 be received.

10.4 RECEIVAL DRAFT MINUTES PLANT COMMITTEE MEETING

Moved:

Seconded:

THAT the Draft Minutes of Plant Committee Meeting held on Tuesday 6th February 2018 be received.

10.5 RECEIVAL DRAFT MINUTES PLANNING COMMITTEE MEETING

Moved:

Seconded:

THAT the Draft Minutes of Plant Committee Meeting held on Tuesday 13th February 2018 be received.

11.0 BUSINESS ARISING

- 14.1 Submission of name "Penstock Road" through Placenames Tasmania for approval - DES
 - 14.2 Letter to TasWater re Ellendale Sewerage on future works - DES
 - 16.2 Applicant advised application not successful
 - 16.5 W & S Manager to obtain costings for budget consideration. Letter sent to ratepayer
 - 16.6 Letter and Community Grant application forms sent
 - 16.7 Remissions processed
 - 16.8 Letter sent advising Council's decision
 - 16.9 Committee meeting held on 30 January 2018
 - 16.12 Mayor & Cllr McRae registered for Elected Members Professional Development Weekend
 - 16.13 Letter sent
 - 16.14 Ratepayer advised of Council's decision
 - 17.1 Letter and cheque sent
-

12.0 DERWENT CATCHMENT PROJECT REPORT

Moved:

Seconded:

THAT the Derwent Catchment Project Report be received.



The Derwent Catchment Project

Increasing Productivity. Restoring Landscapes

Derwent Catchment Project Report for Central Highlands Council

January 10th – February 14th, 2018

General business

This last month has been busy with reporting for two major grants, the Pasture Hub (Australian Government) and the Rejuvenation of Platypus Walk (Tas Community Fund). These reports have been submitted and accepted by both organisations.

We are currently developing a Catchment Investment Proposal and have set up meetings in order to seek investment from corporate/industry organisations including Norske Skog; Hydro Tasmania; Tassal; Huon Aquaculture; Parks & Wildlife; Hops Products Australia and Taswater. Through this process we hope to secure funding to replace NRM South's annual contribution and continue to build momentum delivering practical projects across the region.

Agricultural best practice program



Pasture Hub: Our Project officer, Trish Clements, continues to gather data across the catchment to feed into the Pasture Hub website. Eve has prepared an investment proposal that was requested by Meat and Livestock Australia for up to \$250,000 which if successful will allow us to develop the Pasture Hub into a practical forum for discussion and advice for all things pasture.

Central Highlands Weed Management Program



Poatina weed control

The Poatina fire weed control team are out on the job again for the 3rd year in a row. Works will be undertaken until early March and we will provide a final report then.

Interlaken

We have had a weed contractor working at the Dago Point site to control all the outliers of gorse. This work represents the initial phase of recommendations from the Dago Point Weed Management Plan that was developed in 2017.

Cut/paste gorse control at Dago Point

Conservation and Restoration

Ouse River Recovery Project

The Ouse River project continues to gather momentum and all landholder management agreements have been signed. We have a new team member, Magali Wright, who previously worked for NRM South. Magali is a fantastic operator and we are excited to have her on board. Magali will be managing the Ouse project with support from Josie. They have been busy organising insurance for landholders to undertake willow control works and the Council have been very helpful in ensuring all the right boxes are ticked before works start. Magali is meeting with the willow contractor, Greg Jordan from Woodlands Land Management on Monday to finalise details for a March commencement date.

Platypus Walk

Signs

We have printed four large signs for the Platypus Walk track: the first is a welcome to Platypus Walk sign and the others are interpretation signs that offer a bit of history about Hamilton, the Old Mill Race and the River Clyde. Thanks to Council and the works crew for all their support with this project so far.

Weed control request for funding

The Platypus Walk project has had some great outcomes however we are unable to deal with the weed burden, despite 100s of hours of volunteer time and support from the Council works crew. We feel it is important to ensure that the \$100,000 of investment to the site is reflected by its condition. To this end we are seeking funding to undertake specialist weed work to control Cumbungi that is growing in the river and Californian thistles, blackberries, re-emerging willows and other woody weeds on the islands and river banks. As with all investments, maintenance is crucial so if we can get onto the weed issue over the next couple of years, increasingly smaller amounts of follow up will be required down the track.

Funding proposal: total cost \$3,070

- \$2,800 for weed control – 5 days at \$70 p/hr contractor
- \$270 for pine bark mulch and delivery

Grants roundup

- Agri-best Practice in the Derwent – Smart Farming small grants round - \$61,000 - pending
- Dairy Cares for the Derwent: Open Gates - Smart Farming small grants round - \$100,000 – pending
- Stockwise Tasmania – Smart Farming Partnerships – Statewide bid for \$3.8 million with a focus on action in the Derwent - pending

Yours Sincerely,

Josie Kelman, Facilitator, The Derwent Catchment Project 0427 044 700

Eve Lazarus, Projects Officer, The Derwent Catchment Project 0429 170 048

13.0 FINANCE REPORT

Moved:

Seconded:

THAT the Finance Report be received.

14.0 DEVELOPMENT & ENVIRONMENTAL SERVICES

In accordance with Regulation 25(1) of the Local Government (Meeting Procedures) Regulations 2015, 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.

14.1 DEVELOPMENT APPLICATION DA2017/51 – VISITOR ACCOMMODATION (HOSTEL): UNIT 101, 378 MARLBOROUGH ROAD, BRONTE PARK

Report by

Jacqui Tyson (Contract Planner)

Applicant

Bronte Park Pty Ltd

Owner

Bronte Park Pty Ltd

Discretions

16.2 Use table

Visitor accommodation other than a bed and breakfast establishment, holiday cabin or unit is a Discretionary use.

16.3.2 Visitor accommodation

Assessment required against Performance Criteria P1.

Proposal

The proposal is to change the use of an existing building in Bronte Park Village so it can be used as hostel style Visitor accommodation.

The building will be used for self-catering, hostel style accommodation for up to 24 guests. There will be a shared open plan kitchen and living space at the eastern end of the building, with bedrooms and shared bathrooms in the remainder of the building. The proposal includes some minor internal alterations are proposed to divide an existing room into two bedrooms and a storage closet and to build an accessible bathroom.

The building is located on a strata title. Vehicle access to the site is via a driveway off Marlborough Road, which is shared by the strata lots that make up Bronte Park Village. Parking is to be provided at the front (northern side) of the building, with overflow parking if required at the rear.

The application includes an assessment by a planning consultant and a Fire Protection Report by an accredited practitioner, although the proposal does not require assessment against the Bushfire Code of the Planning Scheme as it is not classified as a vulnerable or hazardous use and does not involve subdivision.

The proposal is a discretionary use and is assessed against the use and development standards for the Village Zone pursuant to section 16.0 of the Central Highlands Interim Planning Scheme 2015.

Background

The building is an original part of the HEC village at Bronte Park.

It has been used for accommodation purposes in the past, although there is no Council approval recorded for this. The use has ceased for more than two years so any existing use rights that may have existed have lapsed.

The building has recently been partially renovated, including removal of asbestos.

Subject site and Locality.

The subject land is located on the western side of Bronte Park, beside Marlborough Road.

The building is located on a strata title that forms part of the Bronte Park Village, which is a visitor complex that includes accommodation in former HEC cottages, a caravan park and campground and restaurant/bar. The strata lot has an area of 2690m².

Bronte Park is a former HEC village that is now privately owned, with a mix of visitor accommodation and homes or shacks. The main part of Bronte Park is in the Village Zone; with some land zoned Low Density Residential. The township is surrounded by land zoned Rural Resource.

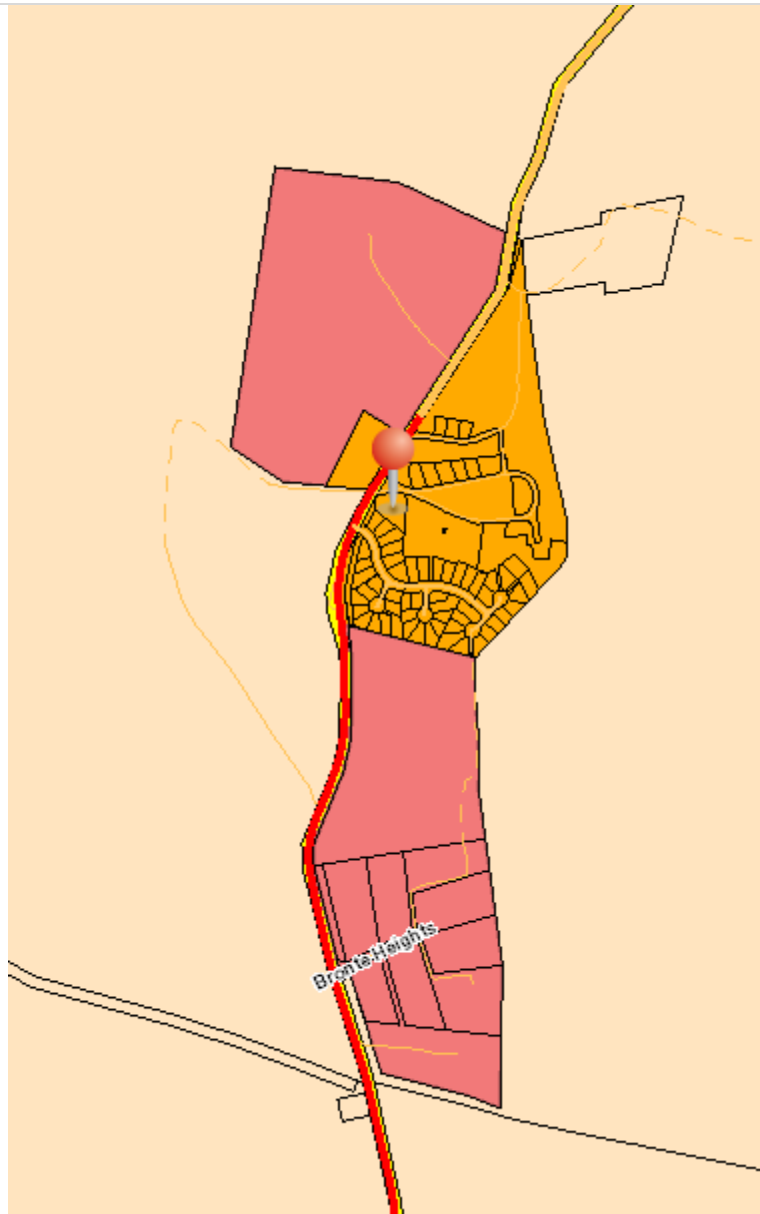


Fig 1. Location of the subject land (shown with marker) in the Village Zone, with nearby Low Density Residential Zone (pink) and surrounding Rural Resource Zone (Cream). (Source: LISTmap)



Fig 2. Aerial photo of the subject land and surrounding area, subject land marked with a red star (Source: LISTmap)

Use/Development Status

The proposal is within the *Visitor accommodation* use class as defined under the Planning Scheme.

Visitor accommodation in the form of a hostel is a discretionary use in the Village Zone and must be considered at the discretion of the Council.

As a discretionary proposal, the application was advertised in accordance with Section 57 of the *Land Use Planning and Approvals Act 1993* and Council has the discretion to grant a permit or refuse to grant a permit.

Assessment – Central Highlands Interim Planning Scheme 2015

Exemptions and Special Provisions

None applicable to this application.

Local Area Objectives and Desired Future Character Statements

The following provisions are relevant to consideration of this proposal:

Local Area Objectives	Implementation Strategy
Bronte Park, Derwent Bridge, Tarraleah, Waddamana and Wayatinah	
Within the capacity of the infrastructure, support and develop the tourism potential of these settlements that leverage off the hydro industrial heritage and proximity to the World Heritage Area.	Allow for appropriate use classes and implement use and development standards suitable to the area.
Desired Future Character Statements	Implementation Strategy
Bronte Park, Derwent Bridge, Tarraleah, Waddamana and Wayatinah	
(a) Development is to consolidate and reinforce the village character of the settlements, ensure efficient use of infrastructure and minimise visual impact by careful siting and design.	Use and development standards.
(b) To provide for economic opportunity through mixed uses; particularly the re-use of the existing buildings.	

Use standards

The proposal must satisfy the requirements of the following relevant use standards of the Village Zone:

16.3.1 Non-Residential Use		
To ensure that non-residential use does not unreasonably impact residential amenity.		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1 Hours of operation must be within: <ul style="list-style-type: none"> (a) 7.00 am to 9.00 pm Mondays to Fridays inclusive; (b) 8.00 am to 6.00 pm Saturdays; (c) 9.00 am to 5.00 pm Sundays and Public Holidays; except for office and administrative tasks or visitor accommodation. 	P1 Hours of operation must not have an unreasonable impact upon the residential amenity through commercial vehicle movements, noise or other emissions that are unreasonable in their timing, duration or extent.	The proposal is for Visitor accommodation, so this standard does not apply.

<p>A2 Noise emissions measured at the boundary of the site must not exceed the following:</p> <p>(a) 55 dB(A) (LAeq) between the hours of 8.00 am to 6.00 pm;</p> <p>(b) 5dB(A) above the background (LA90) level or 40dB(A) (LAeq), whichever is the lower, between the hours of 6.00 pm to 8.00 am;</p> <p>(c) 65dB(A) (LAmx) at any time.</p> <p>Measurement of noise levels must be in accordance with the methods in the Tasmanian Noise Measurement Procedures Manual, issued by the Director of Environmental Management, including adjustment of noise levels for tonality and impulsiveness.</p> <p>Noise levels are to be averaged over a 15 minute time interval.</p>	<p>P2 Noise emissions measured at the boundary of the site must not cause environmental harm.</p>	<p>Noise emissions from the site are expected to comply with A2.</p>
<p>A3 External lighting must comply with all of the following:</p> <p>(a) be turned off between 9:00 pm and 6:00 am, except for security lighting;</p> <p>(b) security lighting must be baffled to ensure they do not cause emission of light into adjoining private land.</p>	<p>P3 External lighting must not adversely affect existing or future residential amenity, having regard to all of the following:</p> <p>(a) level of illumination and duration of lighting;</p> <p>(b) distance to habitable rooms in an adjacent dwelling.</p>	<p>External lighting will comply with A3.</p>
<p>A4 Commercial vehicle movements, (including loading and unloading and garbage removal) to or from a site must be limited to 40 vehicle movements per day and be within the hours of:</p> <p>(a) 7.00 am to 9.00 pm Mondays to Fridays inclusive;</p> <p>(b) 8.00 am to 6.00 pm Saturdays;</p>	<p>P4 Commercial vehicle movements, (including loading and unloading and garbage removal) must not result in unreasonable adverse impact upon residential amenity having regard to all of the following:</p> <p>(a) the time and duration of commercial vehicle movements;</p>	<p>Any commercial vehicle movements will occur within the times allowed under A4.</p>

(c) 9.00 am to 5.00 pm on Sundays and Public Holidays.	<p>(b) the number and frequency of commercial vehicle movements;</p> <p>(c) the size of commercial vehicles involved;</p> <p>(d) the ability of the site to accommodate commercial vehicle turning movements, including the amount of reversing (including associated warning noise);</p> <p>(e) noise reducing structures between vehicle movement areas and dwellings;</p> <p>(f) the level of traffic on the road;</p> <p>(g) the potential for conflicts with other traffic.</p>	
<p>A5</p> <p>The gross floor area of a non-residential use must be no more than: 200 m2.</p>	<p>P5</p> <p>The size and location of a non-residential use must satisfy all of the following:</p> <p>(a) does not dominate residential areas of the settlement;</p> <p>(b) be consistent with surrounding use and development;</p> <p>(c) be consistent with any Local Area Objectives or Desired Future Character Statements.</p>	<p>The proposed Visitor accommodation will utilise an existing building that is part of a broader visitor and accommodation complex.</p> <p>The proposal is not expected to dominate residential areas and is consistent with the surrounding use and development pattern.</p> <p>The Local Area Objectives and Desired Future Character Statements encourage tourism uses and re-use of existing buildings.</p>

16.3.2 Visitor accommodation

To ensure visitor accommodation is of a scale that accords with the [residential](#) character and use of the area.

Acceptable Solutions	Performance Criteria	OFFICER COMMENT
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<p>A1 Visitor accommodation must comply with all of the following:</p> <ul style="list-style-type: none"> (a) is accommodated in existing buildings; (b) provides for any parking and manoeuvring spaces required pursuant to the Parking and Access Code on-site; (c) has a floor area of no more than 160m². 	<p>P1 Visitor accommodation must satisfy all of the following:</p> <ul style="list-style-type: none"> (a) not adversely impact residential amenity and privacy of adjoining properties; (b) provide for any parking and manoeuvring spaces required pursuant to the Parking and Access Code on-site; (c) be of an intensity that respects the character of use of the area; (d) not adversely impact the safety and efficiency of the local road network or disadvantage owners and users of private rights of way. 	<p>The proposed Visitor accommodation is located in an existing building and can be provided with parking to comply with the Code, in accordance with A1 (a) and (b).</p> <p>However, the building floor area exceeds 160m² as required by A1 (c), so assessment against P1 is necessary.</p> <p>The proposal will utilise an existing building to provide another accommodation option within the established Bronte Park Village complex. It is expected that the proposal can be managed to avoid adverse impacts to residents and the use is of an intensity and character that is suitable for the area.</p> <p>Car parking and access can be accommodated safely and in accordance with the required standards.</p>
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Development standards

The proposal is for a change of use with only minor internal changes to the building. As such, there are no applicable development standards in the Village Zone.

Codes

E4 Road and Railway Assets Code

The Code applies to increased use of existing road accesses and junctions. The following standard is applicable to consideration of the proposal.

E5.5.1 Existing road accesses and junctions

To ensure that the safety and efficiency of roads is not reduced by increased use of existing accesses and junctions.

Acceptable Solutions	Performance Criteria	OFFICER COMMENT
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<p>A1</p> <p>The annual average daily traffic (AADT) of vehicle movements, to and from a site, onto a category 1 or category 2 road, in an area subject to a speed limit of more than 60km/h, must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater.</p>	<p>P1</p> <p>Any increase in vehicle traffic to a category 1 or category 2 road in an area subject to a speed limit of more than 60km/h must be safe and minimise any adverse impact on the efficiency of the road, having regard to:</p> <p>(a) the increase in traffic caused by the use;</p> <p>(b) the nature of the traffic generated by the use;</p> <p>(c) the nature of the road;</p> <p>(d) the speed limit and traffic flow of the road;</p> <p>(e) any alternative access to a road;</p> <p>(f) the need for the use;</p> <p>(g) any traffic impact assessment; and</p> <p>(h) any written advice received from the road authority.</p>	<p>The site is accessed off Marlborough Road, via the private road shared by the strata lots that make up Bronte Park Village.</p> <p>The maximum occupancy of the facility will be 24 people and the applicant expects that the majority of visitors will arrive by minibus.</p> <p>The access is already used by the rest of the complex including a caravan park, camping ground and multiple accommodation cottages.</p> <p>The increase in traffic is not expected to exceed 10% of the existing or 10 vehicle movements in compliance with A1.</p>
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E6 Parking and Access Code

The Code applies to the provision of parking and access on the site.

<p>E6.6.1 Number of Car Parking Spaces</p> <p>To ensure that:</p> <p>(a) there is enough car parking to meet the reasonable needs of all users of a use or development, taking into account the level of parking available on or outside of the land and the access afforded by other modes of transport.</p> <p>(b) a use or development does not detract from the amenity of users or the locality by:</p> <p>(i) preventing regular parking overspill;</p> <p>(ii) minimising the impact of car parking on heritage and local character.</p>		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1</p> <p>The number of on-site car parking spaces must be:</p> <p>(a) no less than the number specified in Table E6.1;</p>	<p>P1</p> <p>The number of on-site car parking spaces must be sufficient to meet the reasonable needs of users, having regard to all of the following:</p> <p>(a) car parking demand;</p> <p>(b) the availability of on-street and public car parking in the locality;</p> <p>(c) the availability and frequency of public transport within a 400m walking distance</p>	<p>Table E6.1 requires 1 parking space to be provided for every 4 beds for hostel accommodation.</p> <p>The proposal includes 24 beds, so 6 dedicated parking spaces area required.</p> <p>The application indicates there is space for 6 cars to park at the front of the building, complying with this standard.</p>

	<p>of the site;</p> <p>(d) the availability and likely use of other modes of transport;</p> <p>(e) the availability and suitability of alternative arrangements for car parking provision;</p> <p>(f) any reduction in car parking demand due to the sharing of car parking spaces by multiple uses, either because of variation of car parking demand over time or because of efficiencies gained from the consolidation of shared car parking spaces;</p> <p>(g) any car parking deficiency or surplus associated with the existing use of the land;</p> <p>(h) any credit which should be allowed for a car parking demand deemed to have been provided in association with a use which existed before the change of parking requirement, except in the case of substantial redevelopment of a site;</p> <p>(i) the appropriateness of a financial contribution in lieu of parking towards the cost of parking facilities or other transport facilities, where such facilities exist or are planned in the vicinity;</p> <p>(j) any verified prior payment of a financial contribution in lieu of parking for the land;</p> <p>(k) any relevant parking plan for the area adopted by Council;</p> <p>(l) the impact on the historic cultural heritage significance of the site if subject to the Local Heritage Code;</p>	
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The designated parking area is not set out as a formal car park. In order to comply with all of the standards of the Code including layout, onsite turning, lighting and surface materials it will be necessary to design and construct a formal car parking area. Conditions to this effect are included in the recommendation.

Representations

The proposal was advertised for the statutory 14 days period from 12th December 2017 until 8th January 2018. One (1) representation was received.

The issues raised in the representation are presented in the table below.

Issue	OFFICER COMMENT
Who will be responsible to monitor this project and further usage?	The hostel will require an occupancy certificate to be issued under the Building Act 2016 prior to first use.
Who will manage visitors coming, going and security?	It is assumed the owner and/or staff will manage the premises.
In the past the owner has not maintained any of the Village, how will he manage extra accommodation?	If buildings become unsafe it may be possible for Council to act, otherwise maintenance is generally the concern of the property owner.
The owner has not taken any responsibility for hoons or unruly visitors in the past. Who do locals call for assistance with this matter?	This is a police matter.
If emergency vehicles are needed time for help is a factor.	This is not a planning consideration.
The local folk have in the past been driven to distraction by unruly visitors.	This is not a planning consideration.
The land around the Hostel must be maintained and made fire safe.	A bushfire management report has been prepared to accompany the Building permit application.
Who will be responsible for speeding vehicles around the village?	Speeding vehicles are a police matter.

Conclusion

The proposal is for use of an existing building at 378 Marlborough Road, Bronte Park for Visitor accommodation in the form of a hostel.

Re-use of existing buildings for tourism purposes is encouraged in this area and the addition of a hostel will broaden the range of accommodation options available in Bronte Park.

The concerns raised in the representation are largely matters outside of the planning system. It is noted that the proposal will require further approval under the Building Act 2016 before the use commences.

Conditions have been recommended to require suitable parking and access to be provided to serve the proposed use.

Overall, the proposal has been found to comply with the applicable standards of the Village Zone and the relevant Codes of the *Central Highlands Planning Scheme 2015* as discussed in this report.

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

THAT 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 Visitor accommodation (hostel) at 378 Marlborough Road, Bronte Park.

Recommended 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.

Approved Use

- 3) The site is approved for Visitor accommodation (hostel) use only with maximum occupancy of 24 people. It must not be used for any other purpose or be extended or intensified without prior Council approval.

Parking & Access

- 4) At least six (6) parking spaces must be provided on the land at all times for the use of the occupiers in accordance with Standards Australia (2004): Australian Standard AS 2890.1 - 2004 – Parking Facilities Part 1: Off Street Car Parking; Standards Australia, Sydney.
- 5) Car parking spaces must be a minimum of 2.60 metres wide and 5.50 metres long, unless otherwise approved by the Council's General Manager.
- 6) The areas set-aside for parking and associated access and turning must have: -
 - a. A driveway access with a minimum 3 metres internal width and an average maximum longitudinal grade of 1 in 5 (20%) or, if the topography makes this impractical, an absolute maximum longitudinal grade of 1 in 4 (25%).
 - b. Space on site to allow that vehicles enter and leave the parking space in a single manoeuvre and enter and leave the site in a forward direction.
 - c. An all weather pavement constructed, surfaced and drained to the satisfaction of the Council's General Manager.
 - d. Line-marking or some other means to show the parking spaces to the satisfaction of Council.
- 7) All areas set-aside for parking and associated turning, loading and unloading areas and access must be completed before the use commences or the building is occupied and must continue to be maintained to the satisfaction of the Council's General Manager.

Services

- 8) 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.

Stormwater

- 9) Drainage from the proposed development must drain to a legal discharge point to the satisfaction of Councils General Manager.

Construction Amenity

- 10) 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.
- 11) 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.
 - e. 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.
- 12) 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.
- 13) 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 Planning Permit does not imply that any other approval required under any other legislation has been granted.
- B. This Planning Permit does not grant approval for any signs. Separate approval must be sought prior to placing any signs on the land.
- C. This Planning Permit is in addition to the requirements of the Building Act 2016. Approval in accordance with the Building Act 2016 is required to be obtained prior to any works or first use of the building.
- D. The issue of this permit does not ensure compliance with the provisions of the Commonwealth Disability Discrimination Act 1992 in relation to access to or use of premises that the public can enter or use. Building access issues may also arise under other Disability Discrimination Act 1992 provisions relating to employment, access to services and accommodation provisions. The operator may be liable to complaints in relation to any non-compliance with the Disability Discrimination Act 1992.

Carried

14.2 DA2017/54 : SUBDIVISION – REORGANISATION OF BOUNDARIES : ‘MERRIVALE’ 44 MERRIVALE ROAD, LOWER MARSHES

Report by

Jacqui Tyson (Contract Planner)

Applicant

Rogerson & Birch Surveyors

Owner

D F & B S Fish

Discretions**26.5.2 (A1) Reorganisation of boundaries****Proposal**

The proposal is to reorganise the boundaries of two existing lots under the same ownership.

The existing titles have areas of 323.7ha (CT111420/1) and 268.3ha (CT111420/2). Under the proposal, most of the farm land will be consolidated into one lot with an area of 588.2ha (Lot 2). The proposed Lot 1 will be 3.8ha in area and contain an existing house, cottage and farm buildings.

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.

Subject site and Locality.

The subject land is a farming property known as 'Merrivale' that is located at Lower Marshes, around 10km west of Oatlands and 18km north east of Bothwell. The land is contained in two titles with a total area of around 590ha and is bounded by the Exe Rivulet on the eastern side.

The property is developed with a house, cottage and farm buildings that are clustered in the southern corner of the land and accessed from Merrivale Road. Rotherwood Road crosses the western part of the property.

The locality is characterised by medium to large lots, typically containing a mix of farm land and forested hills. The site and surrounding land is zoned Rural Resource, other than a nearby reserve managed by Parks and Wildlife Service which is zoned Environmental Management.

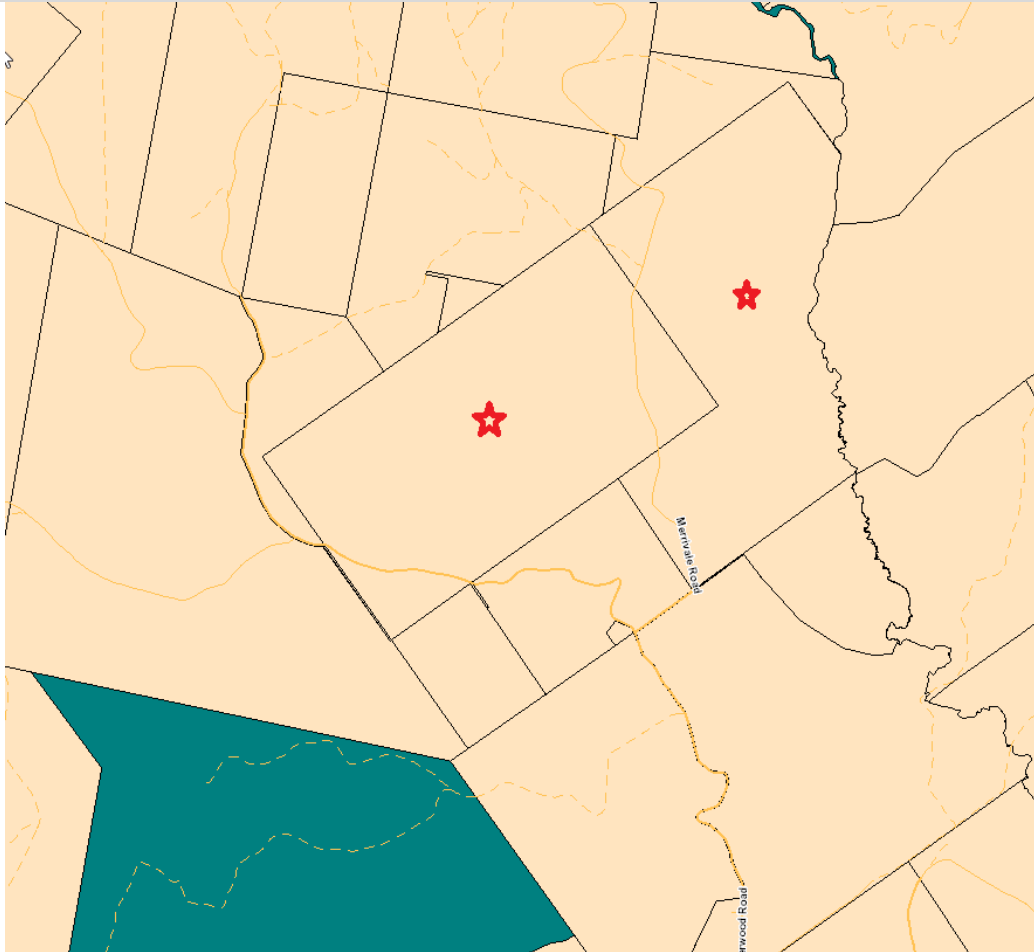


Fig 1. Location and zoning of the existing two titles (marked by red stars) in the Rural Resource zone (Cream) and enarby Environmental Management zone (Dark green). (Source: LISTmap)

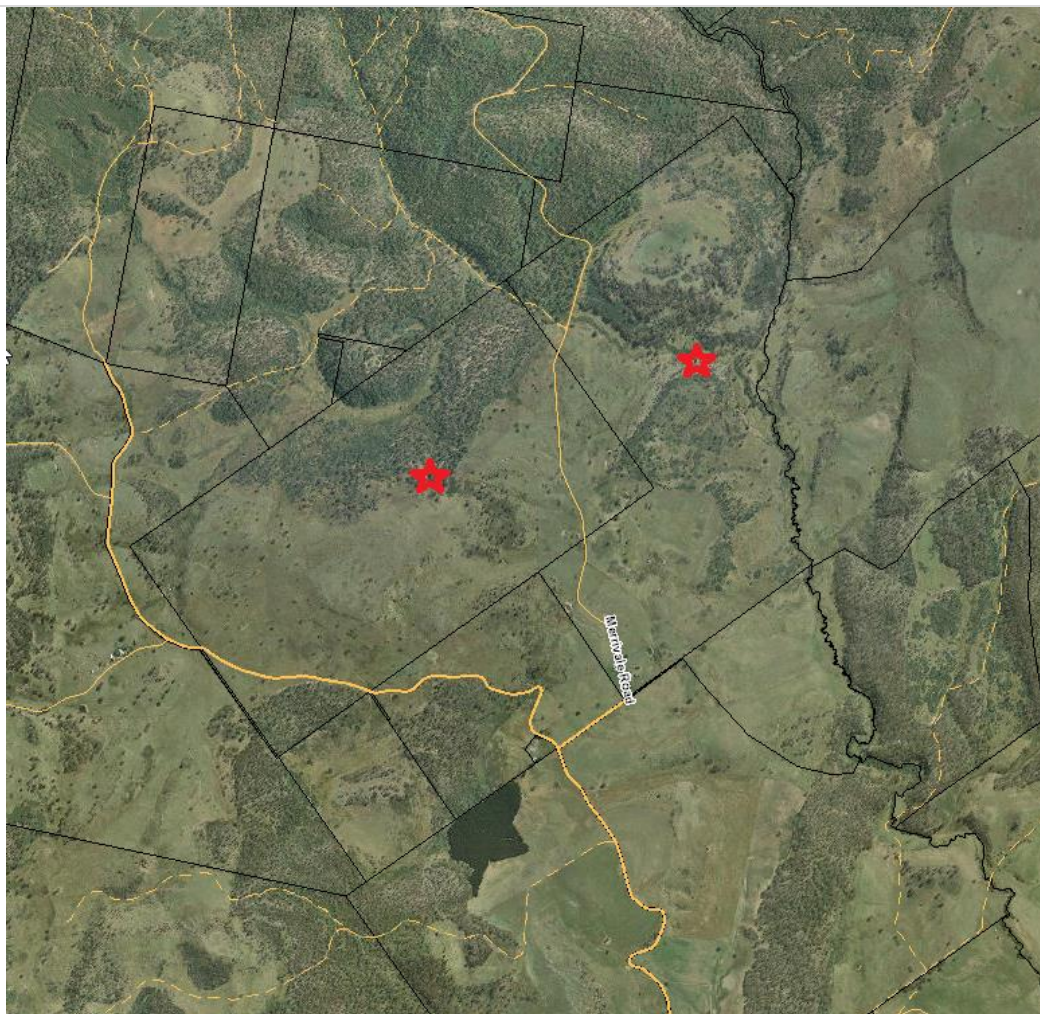


Fig 2. Aerial photo of the subject land and surrounding area, titles marked with red stars (Source: LISTmap)

Exemptions

Nil

Special Provisions

Nil

Use standards

There are no applicable use standards for subdivision.

Development standards for subdivision

The subject land is in the Rural Resource Zone. The proposal must satisfy the requirements of the following development standards, relevant to subdivisions:

26.5.2 Reorganisation of Boundaries

To promote the consolidation of rural resource land and to allow for the rearrangement of existing titles, where appropriate, to provide for a better division of land.

Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1 A lot is for public open space, a riparian or littoral reserve or	P1 The reorganisation of boundaries must satisfy all of	The proposal must be assessed against the Performance Criteria P1, as the proposal does not meet the

utilities.	<p>the following:</p> <p>(a) all existing lots are adjoining or separated only by a road;</p> <p>(b) no existing lot was formally a crown reserved road or other reserved land;</p> <p>(c) provide for the sustainable commercial operation of the land by either:</p> <p>(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,</p> <p>(ii) encompassing an existing or proposed non-agricultural rural resource use in one lot;</p> <p>(d) if a lot contains an existing dwelling, setbacks to new boundaries satisfy clause 26.4.2;</p> <p>(e)</p>	<p>requirements of the Acceptable Solution.</p> <p>(a) Complies – the existing lots are adjoining.</p> <p>(b) Complies – none of the lots were a crown reserved road or other reserved land.</p> <p>(c) Complies Under the proposal all of the existing buildings will be contained in Lot 1 with an area of 3.8ha and the farm land would be consolidated into one large title in Lot 2.</p> <p>The owners of the subject property also own an adjoining property, where they live and have farm buildings such as shearing and machinery sheds that are large enough to serve both properties. The owners have advised that the houses at Merrivale are surplus to their requirements and renting and maintaining them has become unsustainable. Similarly, the farm buildings at Merrivale are in disrepair and are not currently used and would require significant investment to be suitable for use.</p> <p>Sale of Lot 1 with all the existing buildings will allow for investment to maintain the houses and the current owner to consolidate the farming land. It is considered that the proposal is generally in accordance with the intent of (c).</p> <p>(d) Setbacks to the existing dwellings will be at least 50m in accordance with the requirements of 26.4.2.</p> <p>(e)</p>
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	<p>if containing a dwelling, other than the primary dwelling, the dwelling is surplus to rural resource requirements of the primary agricultural lot;</p> <p>(f) a new vacant lot must:</p> <p>(i) contain land surplus to rural resource requirements of the primary agricultural lot;</p> <p>(ii) contain a building area capable of accommodating residential development satisfying clauses 26.4.2 and 26.4.3.</p> <p>(iii) not result in a significant increase in demand for public infrastructure or services;</p> <p>(g) all new lots must comply the following:</p> <p>(i) be no less than 1ha in size;</p> <p>(ii) have a frontage of no less than 6m;</p> <p>(iii) be serviced by safe vehicular access arrangements;</p> <p>(h) be consistent with any Local Area Objectives or Desired Future Character Statements provided for the area.</p>	<p>The applicant has advised that the existing dwellings are surplus to the rural resource requirements of the agricultural lot.</p> <p>(f) Lot 2 is capable of containing a dwelling is required in future.</p> <p>(g) (i) Complies - The smaller lot will be 3.8ha.</p> <p>(ii) Lot 1 will have over 10m frontage to Merrivale Road and Lot 2 will have extensive frontage to Rotherwood Road.</p> <p>(iii) The proposed lots are each serviced by existing vehicular accesses in safe locations.</p> <p>(h) There are no Local Area Objectives or Desired Future Character Statements in the Rural Resource zone.</p>
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Codes

E3.0 Landslide Code

Some parts of the subject land are identified as Low Landslide Risk Areas. As the areas are small and no works will be required for the subdivision further assessment is not required.

E11.0 Waterway and Coastal Protection Code:

Parts of the site along the Glen Exe Rivulet and other minor creeks/drainage lines are covered by Waterway Protection Areas under the Waterway and Coastal Protection Code.

The Code applies to all development including subdivision, however this proposal meets the exemptions of the code owing to there being no works required within a Waterway Protection Area.

E6 Parking and Access Code

All of the proposed lots have access to the Lyell and parking as required for the existing use and development. No access or other works are proposed.

Representations

The proposal was advertised for the statutory 14 days period from 2nd January 2018 until 16 January 2018. One (1) representation was received. The issues raised in the representation are presented in the table below, with comments from the Planning Officer.

Representation	Officer Comment
<p>We wish to make representation in regards to the proposed property boundary adjustment/subdivision DA 2017/54 - 44 Merrivale Road, Lower Marshes. As adjoining land owners at 1175 Bowhill Road, Oatlands, we strongly oppose the application of property boundary adjustment /subdivision of 2 lots for the following stated reasons;</p> <p>1. "The intent of the application is to reorganise the existing titles into proposed Lots 1 and 2 as shown....."</p> <p>We are of the knowledge that the intended objective of the application is to expedite the process for eventual removal of all agricultural land from the Merrivale property and to then on-sell the reorganised Lot 1 existing dwellings/ homestead on 3.8ha. Further its motivations are an attempt to void any future representations from adjoining land owners against the implicit amalgamation of the residual agricultural land belonging to Merrivale, with the applicants adjoining agricultural land at Rotherwood Road identified as 'Glen Ex'.</p> <p>The Merrivale property was purchased by the applicants in 2011 with a reported 3000 DSE carry capacity. The property provides two private dwellings (including one primary) and a moderate shearing shed along with other superficial buildings. This application if successful would condense all property infrastructure to a 3.8 ha allotment. We consider that the proposed lot sizes are</p>	<p>A response to the representation has been provided by the applicant, as follows;</p> <p><i>"I would like to put my case forward for the boundary adjustment at Merrivale, Rotherwood Rd , Lower Marshes.</i></p> <p><i>We purchased Merrivale around six years ago and in that time we have not used the existing shearing shed and yards as they have being let go and run down over a lot of years , the shearing shed would not pass the standards that workplace safe expect us to have our shearing sheds to ensure our employees and shearers can go about there daily work it would need major works to make it workable and safe.</i></p> <p><i>So to reply to someone that thinks we are selling off important infrastructure it would be easier and cheaper to build a new shearing shed and yards on the remaining title that is the Merrivale farm also we own the property next to Merrivale, Glen Exe which has a shearing shed which can service both farms. Merrivale on its own would not be considered big enough to be viable and would be more then likely be bought a larger property and like my situation it would be not be needed. If I was to sell it would make sense to sell both together and it would then be serviced by the Glen Exe shearing shed.</i></p>

<p>inefficient and non-productive in maintaining the economic value of the Merrivale homestead. Nor does it enhance or guarantee future options for the property as it decreases the production and capacity for agriculture as well as removing future primary industry opportunities.</p> <p>Section 26.1.1.5 of the Rural Resource Zoning purposes states:</p> <p>“To provide for protection of rural land so future resource development opportunities are not lost”.</p> <p>We stand firmly opposed to the permanent fragmentation of any rural homestead, particularly a neighbouring property of almost 100 years that our family has subsisted at Bowhill.</p>	<p><i>Now onto the houses I have tried to rent and have had arrangements with different people over the six years but to be honest it hasn't worked as I'm a farmer and trying to manage rentals is hard the houses have gone backwards over that time with them not keeping them tidy they are becoming a fire hazard as they don't maintain around the houses.</i></p> <p><i>I have being approached by someone that owns land in the area that wants to buy the houses and sheds he has a child that goes to the local school and wants to stay in the area and unlike being a rental he would be responsible for the infrastructure and they would properly maintained. I have another house which is not on the Glen Exe title but sits just outside its boundary that is where my employees live I have another two houses on the main farm at Rosehill so being able to sell these two houses won't affect my ability to farm, once sold I intend to invest the proceeds to finish our irrigation development which in turn will grow our business and put money back into local businesses and future local employment.”</i></p> <p>The proposal will consolidate the farming land while also allowing the dwellings and other buildings to be sold and maintained into the future. It is considered that this is a reasonable outcome in line with the intent of the zone and the planning scheme.</p>
<p>2. Rural Resource Zoning -Application Contradictories:</p> <p>A. If “in order to prevent further fragmentation and fettering of rural resource land” a new lot by subdivision can be no less than 40ha under section 26.5.1 New Lots. It is not pragmatic to conduce the size of an existing lot to less than that of the minimum requirements for a new lot under both the Tasmanian Planning Scheme –State Planning Provisions and the Central Highlands Interim Planning Scheme 2015.</p> <p>B. 26.5.2 Reorganisation of Boundaries as referred to in the application is “to promote the consolidation of rural resource land and to allow for the rearrangement of existing titles,</p>	<p>A – Clause 26.5.1 relates to new lots and is not applicable to this Development Application, which is a boundary reorganisation.</p> <p>B. The proposed lots comply with the numeric lot size and frontage requirements of Clause 26.5.2.</p> <p>In regard to whether it is a better division of the</p>

where appropriate, to provide for a better division of land.” Based on the proposed division of new lot sizes it is highly questionable as to whether the application is either appropriate or a better division of land, considering all infrastructure including the primary dwelling will be confined to a small portion of the overall land. A reduction of Lot 1 from 268.3ha to just 3.8ha and an increase of Lot 2 from 323.7ha to 588.2ha is not a better division of land. It appears to be an illogical attempt at the destruction of an established and economically sound rural property and under the Rural Resource zoning objective should not be allowed as the object is to prevent fragmentation.

Currently Lot 1 has approximately 4kms of permanent river frontage to the Ex- Rivulet which provides opportunities for stock water. This proposal not only seeks the removal of agricultural land but also the water access from the primary agricultural lot. We advertently question the Farm Management Plan that considers this proposal as a better division of land and resources.

Further, the location of the proposed application is quiet isolated being so far away from any community centre. The appropriateness of reducing Lot 1 to such a non- productive lot size will limit future options for the homes situated on it. Shifting the use of land on Lot 1 from primary production to solely rural residential land size increases the risk of land use conflicts and the alienation of agricultural resources on the property.

Further as adjoining land owners we have significant concerns with regards to any future owners of the homestead and present that owners of such a small land lot may potentially cause disputes in relation to our on-going farming practices.

C. Performance criteria for section 26.5.2.C is that a boundary reorganisation must “provide for the sustainable commercial operation of the land by either:

1. 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,

2 . encompassing an existing or proposed non-agricultural rural resource use in one lot;

land, the officer accepts the information provided by the applicant above. The majority of the land will continue to be farmed, while transfer of the houses will allow them to be used and maintained into the future.

C. The applicant has advised that the dwellings are not required for continued operation of the farm business as workers are housed elsewhere nearby.

<p>The proposed application does not meet either requirement for this criteria as the proposed Lots do not include all or most of the land and key infrastructure including the primary dwelling in one “primary agricultural lot”. Clause 2 is irrelevant as there is no non-agricultural resource pertinent to this property other than a second dwelling that could be considered as additional to the needs of the property, however this application does not seek to separate it.</p> <p>Based on the requirement 1 the land size of Lot 1 can increase to a greater size than Lot 2 but it cannot reduce to less than what it is already as the Primary Lot must include the primary dwelling.</p> <p>D. 26.5.2.h states: “be consistent with any Local Area Objectives or Desired Future Character Statements provided for the area.” Whist section 3.0.5 L does not specify any additional local objective, 30.5.0 R certainly does and should be considered as a Desired Future Character Statement. The Regional Objective for the Central Highland area under this section is to “To support the region’s productive resources.” Having the desired outcome of:</p> <p>(b) “The value of non-significant agricultural land is managed and protected in a manner that recognises sub-regional diversity in land and production characteristics.”</p> <p>By:</p> <p>(h) “Providing subdivision standards in the Rural Resource Zone that are consistent with the optimum size for the predominating agricultural enterprise.”</p> <p>It is evident that this proposal does not meet the individual zoning requirements for Rural Resources nor the Regional Objectives of the Central Highlands Council Planning Scheme based on the proposed reorganisation of the Lot sizes.</p>	<p>D. There are no Local Area Objectives or Desired Future Character Statements in the Rural Resource Zone.</p> <p>The purpose and objective statements in section 3 of the planning scheme are not designed to be applied directly to the assessment of Development Applications.</p>
<p>3. Current Court Action:</p> <p>Council may not be aware of the ongoing civil litigation between the applicant and us as adjoining landowners. The matter is before the Supreme Court of Tasmania as at 2016. We are plaintiffs in the litigation and damages are being sort in relation to a previous development undertaken by this proposals applicant. We</p>	<p>This matter is not relevant to the assessment of this Development Application.</p>

request that if council is not in a position to reject this application on the grounds of it not meeting the planning scheme requirements, then they consider indefinitely suspending their approval until the court has had the opportunity to make a ruling. Due to this development application having the potential to compromise damages being sort. Further the Merrivale property is fundamental and heavily associated with the court case.

In conclusions, if this application is to be decided by councillors, please take this as notice that we would like to speak at the meeting of the committee at which this application is expected to be decided. Please let us know as soon as possible the date of the meeting.

Finally, please note that our representation is in respect of the proposed development. While we have taken every effort to present accurate information for your consideration, as we are not a decision maker or statutory consultant, we cannot accept any responsibility for unintentional errors or omissions and you should satisfy yourselves on any facts noted before reaching your decision.

Conclusion

The proposal for the subdivision (boundary reorganisation) of CT111420/1 and CT111420/2 is assessed to comply with the applicable standards of the Rural Resource Zone and the relevant codes of the *Central Highlands Interim Planning Scheme 2015* as outlined in the body of this report.

One representation was received and a comment has been provided in the body of this report for the Council to consider. It is the view of Council Officers that the subdivision proposal does not require any alteration in response the representation.

Recommendation

Moved:

Seconded:

THAT 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 CT111420/1 and CT111420/2 known as 'Merrivale' 44 Merrivale Road, Lower Marshes.

Recommended 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.

Easements

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

Services

- 3) 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.

Final plan

- 4) A final approved plan of survey and schedule of easements as necessary, together with one copy, must be submitted to Council for sealing. 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.
- 5) A fee of \$160.00, or as otherwise determined in accordance with Council's adopted fee schedule, must be paid to Council for the sealing of the final approved plan of survey.
- 6) 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.
- 7) 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.

Construction Amenity

- 8) The development must only be carried out between the following hours unless otherwise approved by the Council's Manager of Development and Environmental Services:
 - 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.
- 9) 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 roadway or highway.
 - d. Appearance of any building, works or materials.
 - e. 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 Manager of Development and Environmental Services.
- 10) The developer must make good and/or clean any road surface or other element damaged or soiled by the development to the satisfaction of the Council's Manager of Works and Technical Services.

The following advice applies to this permit:

- a) This permit does not imply that any other approval required under any other legislation has been granted.

Carried

14.3 BOTHWELL CEMETERY – HEADSTONE REQUEST

Background

Council had been contacted by Mrs Elaine Goodyer trying to ascertain the location of the grave site for her cousin, Roderick O'Connor Swindells so that arrangements can be for a headstone to be placed on the grave. A search of Council's records indicates that Roderick Swindells was buried in the Bothwell Cemetery in 1929 but the information recorded at that time is insufficient to determine the location. The listing in the old register refers to page reference 941 but it is unknown what this reference is. Therefore from the information available we are unable to determine the location of the burial, which is the case for many burials in the old part of the cemetery.

Current Situation

Mrs Goodyer has contacted Council again providing some further information that she has been able to find through the Archives Office. Below is a copy of the email received from Mrs Goodyer.

From: Elaine Goodyer [<mailto:formelaine@gmail.com>]

Sent: Thursday, 18 January 2018 7:56 PM

To: Lyn Eyles

Subject: Roderick O'Connor Swindells headstone.

Dear Lyn.

You will probably remember I have spoken to you before re erecting a headstone for my cousin Roderick O'Connor Swindells who was a member of the 40th., Batallion during WW1. When I was living at Bothwell from approx. 1978-1988. I was researching my ancestors on my fathers side (Roy Swindells) and found several including my Great Grandparents George and Sarah Swindells, my Great Uncle James Swindells and his wife Mary,,these were just a few that I found. I then wanted to find their gravesites which was really difficult as there were no headstones for them

At that time the rows of graves were marked in alphabetical order with the letters on the posts. I found all those graves by listing all the names in rows matching the letters on the post and even though there were no markers for my ancestors by measuring grave spaces I found roughly where they were. James was buried in Section M in grave number 124. I became really interested in the family of James and Sarah Swindells and their sons Norman (Paddy) and Roderick. I found that Roderick is deserving of a headstone through the WW1 Headstone Project, but for that to be done I had to find his grave. This proved really difficult as I couldn't find a grave number or burial site for him anywhere.. It took a long time but a search at the Hobart Archives finally gave me the answer. I found a copy of the receipt for his burial..which shows he was buried in compartment M (Row M) The cost of his burial was one pound two and sixpence.. +certificate of right of burial..10 shillings and sinking 6ft or reopening fee ..1 pound..= total of 2 pound..12 shillings and sixpence..The assistant and myself agreed that it appears the reopening fee and Section M meant he was most likely buried in the same grave as his father James. I spoke to another very well known historian who agreed that it was the most likely scenario. I am so happy that I have found his burial site because now he can have a headstone, and I can finally give him the recognition that he deserves because he wasn't just an ordinary soldier, he was a hero and deserves so much more than to just in an unmarked grave. I went to Bothwell a couple of months ago and placed a marker on James grave and rang the Bothwell office to let them know about it. The receptionist (I think it was Kathy) and gave her all the details of where the grave is (it was confusing to start with because now the fence with the letters has gone and the rows and now numbered). She told me she would look up the register and go to the cemetery and compare the information. She later rang me and told me that according to the burial records and grave sites she had I was spot on with the spot I had worked out for James grave..and now also Roderick's. I know this has to go before Council and it may take a while but it would be really great if council could give permission soon as I would like to have his headstone done by Anzac Day this year. I am also including some details of his War Service which was of a great surprise to me as no-one in the family had ever spoken of it. I feel that all through these years I have come to know him and some of my other ancestors.

RODREICK O'CONNOR SWINDELLS..labourer..20 yoa..enlisted on 25th September 1916 at Claremont Tasmania ..Rank Private..His Unit was the 40th Battalion..4th Reinforcement. His unit embarked from Melbourne on 21st October 1916. During his service in France he was wounded twice ..1st time shot in the leg..2nd time shot in leg and buttock..he recuperated in England both times and returned to active service. During his service he was awarded the..Military Medal..British War Medal..and Victory Medal..

The following is the reason he was awarded the Military medal....."Near Warneton, during a raid on the enemy on the night 30th., November?1st., December 1917, this man showed conspicuous courage as No. 1 Bayonet man, and with his bayonet overcame all opposition in the trench in front of him. On one occasion, he was seen to bayonet five of the enemy as they came out of a dugout. Throughout his dash was a fine example and did much to encourage the rest of his party.."

So you can see why he deserves to be recognised as so many others who are lying in unmarked graves do. It's really sad that they weren't recognised all those years ago as they should have been.

I would also like to place headstones for other ancestors, George and Sarah Swindells, (I know where their unmarked graves are as well) and Norman (son of Mary and James). I know I have to have them approved but I think a slab of nice freestone with a plaque with their details on would look nice and would be fitting in that area.

Thanks for your assistance,

Elaine Goodyer..

From the information obtained from the Archives Office Mrs Goodyer has assumed that Roderick has been buried with his father James, who is buried in the section previously known as "M", and would like Council's approval to have a headstone erected on the site.

Conclusion

Roderick O'Connor Swindells has an unmarked grave in the Bothwell Cemetery and from the information available the location of the grave site is unknown. Mrs Goodyer has provided some further information from the Archives Office but this information is still not sufficient for Council to be able to positively make a determination on the location of the grave site.

For discussion & decision

14.4 DES BRIEFING REPORT

PLANNING PERMITS ISSUED UNDER DELEGATION

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

DISCRETIONARY USE

DA NO.	APPLICANT	LOCATION	PROPOSAL
2017 / 00052	P Krause	5 Holmes Road, Ellendale (CT22576/1)	Dwelling
2017 / 00038	D W & R A Siggins	RA 3421 Lyell Highway, Gretna	Dwelling (Transportable Cabin)
2017 / 00050	R D Temple, S A Whelan	3420 Lyell Highway, Gretna (CT 168685/1)	Dwelling and Outbuilding

2017 / 00055	G G Wilson	2462 Marlborough Road, Little Pine Lagoon	Dwelling
2017 / 00057	Wild Cattle Hill Pty Ltd	(Part Of) 197 Macclesfield Road, Waddamana & 1839 Bashan Road, Waddamana	Utilities (6 Meteorological Masts)
2017 / 00056	Wild Cattle Hill Pty Ltd	(Part Of) 197 Macclesfield Road, Waddamana & 1839 Bashan Road, Waddamana	Utilities (IdentiFlight Bird Detection System (16 units))

NO PERMIT REQUIRED

DA NO.	APPLICANT	LOCATION	PROPOSAL
2018 / 00007	Another Perspective	19 Jones Road, Miena	Dwelling

ANIMAL CONTROL

Two dogs were impounded from Dalrymple Street, Bothwell on 30 January 2018 after attacking sheep. After a full investigation by Council's Animal Control Officer it was recommended that the General Manager Declare the Dogs Dangerous. Declarations and Infringement Notices served on owner of the dogs on 13 February 2018 at which time the owner decided to relinquish the dogs to Council.

15.0 WORKS & SERVICES**Moved:****Seconded:**

THAT the Works & Services Report be received.

WORKS & SERVICES REPORT

9th January 2017- 14th February 2018

Grading & Sheetting

Repair hill on Rotherwood Road put course gravel in to hill

Maintenance Grading

NIL

Potholing / shouldering

Edging Hollow Tree Road
Interlaken Road

Tunbridge Tier
Boomer Road

Spraying

Ouse
Hamilton
Ellendale
Westerway

Culverts / Drainage:

Fill in deep wash outs Interlaken road
Drainage Ellendale road
Drainage Belchers road
Culverts extended Marked Tree Road
Clean culverts:
Ellendale Road
Flemming Drive
Robertson Road
Johnson Road
Anglers Court

Trout Court
Theissen Crescent
Berry Drive

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
- 177.5 hours Annual Leave taken
- 25.5 hours Sick Leave taken
- 0hrs Long Service Leave

Bridges:

NIL

Refuse / recycling sites:

Cover Hamilton Tip twice weekly

Other:

Drum muster
Commence works on new entrance to Bothwell waste Transfer Station
Commence carting gravel to capital road works Wilburville
Replace helipad sign Bradys Lake
Install sign in the Bothwell information centre
Clean Hamilton tennis court
Replace condemned power pole Hamilton Show Grounds (power underground)
Re-plumb water Ouse toilets
Repair water leak Hamilton showgrounds
Replace taps Hamilton toilets
Remove tress Ellendale shop
Guide posts Tor Hill Road
Guide posts Hollow Tree Road
Replace bollard Hamilton Park
Repair Ouse Park Gate

Slashing

Dry Poles Road
Dillions Road
Marriots Road
Gully Road

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:

NIL

Plant:

PM756 Western Star (B) service, wheel alignment, new steer tyres
PM757 JCB Backhoe (H) Window seal repair and hydraulic hoses repaired
PM676 Kobelco excavator new fitting

Private Works:

James McShane grader hire
 Judy Turner truck hire
 Betty Branch mower hire
 Shayne Jones concrete premix
 Christine Turner concrete premix
 Phillip Nye gravel delivery
 Peter Ricketts gravel delivery
 Edward Sonners premix and truck hire
 Justin Townsend excavator hire

Casuals

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

Program for next 4 weeks

Capital road contracts with Andrew Walter Constructions to start
 New entrance to Bothwell WTS
 Capital drainage Ellendale Road (continue)

15.1 PLANT REPLACEMENT

On the 6th of February at the plant meeting the committee resolved that Council accept the tender from JF Machinery for a JCB 5CX backhoe including a new set of buckets.

Moved Clr A W Bailey

Seconded Clr R G Bowden

THAT this Committee recommended to Council that Council accept the tender from J F Machinery for a JCB5CX backhoe including a new set of buckets.

Carried

For the Motion: Mayor L M Triffitt, Clr A W Bailey, Clr R G Bowden

RECOMMENDATION:

THAT Council purchase the JCB 5CX backhoe with a new set of buckets from JF Machinery.

16.0 ADMINISTRATION**16.1 UNITING CHURCH BOTHWELL - CLOCK TOWER ACCESS**

Mr Cameron Walker, Safety Officer, Uniting Church is attending Council's meeting to discuss access to the Bothwell Uniting Church clock tower and has supplied details on two proposed systems and their requirements.

For Discussion**16.2 ANZAC DAY**

The Mayor would like to finalise arrangements for Anzac Day. A dawn service is held at Gretna with services at both Hamilton and Bothwell commencing at 11.00 am.

For Discussion

16.3 NORTHERN TASMANIAN CARAVAN CLUB INC.

The Northern Tasmanian Caravan Club Inc. has written to Council regarding the local government decision to close council campgrounds around Tasmania. The Secretary, David Broughton, states that the proposed closure of council parks will certainly have an effect on travellers from the mainland who would normally spend substantial amounts of their holiday funds in Tasmania's local areas. He states that it will have a deleterious effect on local businesses if the "Grey Nomads" from interstate decide not to come down to our State because the number of free or cheaper RV parking is reduced.

He refers to an article published in the Examiner on 21 November 2017.

LGAT has advised that at the last PLGC Meeting of 2017, the issue of free/RV camping was discussed and it was agreed that a working group would be established to consider the range of issues and identify a way of dealing with ongoing uncertainty about the application of National Competition Policy principles to council-provided camping/RV facilities.

The Local Government Division are progressing this and anticipate the working/reference group will be chaired by DPAC and comprise membership from Treasury, Tourism (State Growth), LGAT (including two council representatives) and industry (RV campers and caravan park operator sides).

Scope and Terms of Reference are under development.

For Noting

16.4 LGAT MARCH BREAKFAST SERIES 2018

LGAT will be holding its first round of regional breakfasts for 2018. In this series, the north and north-western breakfasts are focussing on innovation, productivity and how councils can prepare to maximise opportunities for their councils and communities,

For the South, to celebrate International Women's Day, LGAT will be running a special breakfast.

All sessions commence at 7.30am and conclude at 9.00am.

North Western Session – Burnie Friday 2 March

North Session – Launceston 7 March

South – Hobart 8 March

Cost is \$55.00 per attendee and registration closes one week prior to the event.

For Information

16.5 BOTHWELL INTERNATIONAL HIGHLAND SPININ & FIBRE FESTIVAL

The SpinIN committee addressed Council late last year regarding the SpinOUT on 3 March 2018 and the next SpinIN on 1st and 2nd March 2019.

The Committee is seeking formal written permission from Council for the use of the Market Street Park site, Town Hall and adjacent roadway for pedestrian access for the 40th birthday SpinIN in 2019.

The Committee is also formally requesting that Central Highlands Council and or individual Councillors, consider possible financial support to their pursuit for the rights of the Bothwell/Tasmanian Tartan.

For Discussion and Decision



Bothwell International Highland SpinIN & Fibre Festival
12 Montgomery Avenue
Seven Mile Beach Tasmania 7170

ph +61 3 6248 6568 | mb +61 439 485 984
bothwellspinin.com.au | bothwellspinin70@gmail.com
facebook.com/bothwellspininandfibrefestival | twitter.com/bothwellspinin

January 29th 2018.

Mayor Louen Triffitt,
Central Highlands Council Chambers,
19 Alexander Street,
Bothwell. TAS 7030.

Dear Mayor Triffitt,

I write to thank you, on behalf of the Bothwell SpinIN Committee for your hospitality and for the opportunity to address Central Highlands Council late last year at the Council's meeting in Bothwell.

Our presentation made to Council, related to following matters;

To inform C H Council of plans and dates for the Bothwell SpinOUT (March 3rd 2018)

To request for the use of the Market Street park site and the Town Hall as venues to showcase the SpinIN at it's place of origin in Bothwell.

To notify Council of the intention of the SpinIN Committee to run a Crowd Funding campaign in an attempt to raise \$10,000.00 to purchase the rights to the Bothwell/Tasmanian Tartan, currently privately owned.

To inform Council of the significance of the Tartan to the history of the SpinIN and Bothwell.

To seek Council's and or individual Councillor's financial support for this project.

Developments since our presentation include the gaining of permission for the use of St Luke's Uniting Church and of St Michael's Anglican Church as venues for activities for the SpinIN program. We are excited and grateful that these two beautiful buildings can be enjoyed by the SpinIN's patrons.

The Crowd Funding Campaign for ownership of the Tasmanian Tartan was launched in December and has drawn considerable interest. We are pleased that it is underway, albeit a slow start around Christmas. Our Marketing Committee member has additional strategies in place to promote the second prong of our efforts which will commence soon.

I am writing today to seek formal written permission from Central Highlands Council for the use of the Market Street Park site, Town Hall and adjacent roadway for pedestrian access for the 40th birthday SpinIN March 1st and 2nd 2019.

I also write to formally request that Central Highlands Council and or individual Councillors, consider possible financial support to our pursuit for the rights to the Bothwell/Tasmanian Tartan.

We have a "vision" for the use of the rights to the Tartan and it's Online shop to create truly Tasmanian items, using, fleece and woven textiles, made by creative Tasmanian artisans.

There is such potential to promote Bothwell, the SpinIN, the SpinOut and the highlands as a unique part of Tasmania by owning the rights to the Tartan, we feel the opportunity must not be lost. It would be an absolute tragedy should it be sold to a non -Tasmanian interest and find it's way back to this state from an offshore manufacturer, for whom its significance will only be monetary.

My Committee is committed to the effort it will take to keep the Tartan in it's place of origin, in Tasmania.

Yours sincerely,



Juliet Smith.

President.

BHSIFF Committee.

16.6 REMISSION UNDER DELEGATION

The following remission under Delegation has been made:

03-0212-00392	\$18.10	Penalty applied after S132 certificate issued.
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For Noting

16.7 SES CENTRAL HIGHLANDS VEHICLE

The new SES vehicle was delivered to the emergency service facility at Brady's Lake on Tuesday the 6th February. This vehicle will aid volunteer response capability for severe storms and floods, road crash rescue, search and rescue/recovery and a range of other general rescue and community support roles. Each of the SES Volunteer Units provides a 24/7 response capability to their local communities. This service would be beyond the resources of the State if it were not for the volunteers and for plant & equipment





Recommendation:

THAT the report be noted.

16.8 HIGHLANDS FOOD CONNECT PROJECT

The project aims to improve access and supply of healthy affordable food, and increase community participation, skill development and social connectedness through flexible food innovations.

Our Health Promotion Coordinator, Mrs Tracey Turale states the project will specifically target people most at risk of food insecurity including:

- People on low incomes;
- Older people, especially those who are isolated or living alone; and
- People in isolated places where food is difficult to access.

The project will also develop and implement realistic, local solutions to improve long term food security by:

- Improving access to and supply of healthy affordable food;
- Enhancing social inclusion & increase community interaction;
- Increasing community participation through volunteering;
- Increasing skills & knowledge around healthy lifestyle choices;
- Improving food & health literacy; and
- Incorporating food security into a Council Healthy Communities Plan (new initiative).

The project team have identified the following as possible ideas to trial:

- Home delivered meals;
- Fruit & vegetable boxes;
- Shared meals ('Eating with Friends');
- Cooking classes;
- Healthy eating information sessions (food safety, label reading, budgeting);
- Gardening workshops; and
- Evidence based training programs (FoodREDI Program).

The project has been running for a couple of weeks and the Health Promotion Coordinator stated the project is starting to gain momentum, especially the meal delivery.

Recommendation:

THAT the report be noted.

16.9 COMMUNITY BUS

At the Council meeting in September 2017 Council agreed to take over the ownership of the Community Bus (Toyota Tarago) however as at the 14th February, UnitingCare have not transferred the vehicle or any funding for the vehicle to Council.

Council Officers are continuing to contact UnitingCare to achieve an outcome; the Mayor has spoken with members of the community and a couple in Bothwell have agreed to house the vehicle once ownership is transferred to Council for the vehicle.

16.10 WATER TREATMENT PLANT FOR WAYATINAH

Wayatinah is set to receive the first newly constructed water treatment plant from TasWater. The following photo shows the Wayatinah water treatment plant on the factory floor in Launceston.



TasWater contractor Trility with partner company Hydramet have been building the water treatment plants over the past six months.

TasWater stated that the Wayatinah plant will be transported by truck to the site this month where it will then be installed and tested. The source water will undergo membrane ultrafiltration to remove potential microbial pathogens and sediment. This process is followed by carbon filtration to improve aesthetic quality for safe reliable drinking water, with improved taste and odour.

Once the plant begins operation, it will produce up to 50 kilolitres of water every day. Currently construction is underway on a new treated water storage reservoir for the Wayatinah Township.

Taswater stated once the system is operating in Wayatinah, an extensive program of testing will be undertaken to ensure the drinking water is safe and meets the Australian Drinking Water Guidelines. The boil water alert will be lifted by the Department of Health and Human Services after this testing is complete.

The Bronte Park treatment plant is still to be fitted out, however Taswater stated that this larger capacity water treatment plant, including the upgrade to the reticulation system should be completed by the end of August 2018.



Recommendation:

THAT the report be noted.

16.11 AUDIO RECORDING OF COUNCIL MEETINGS

Council adopted the Audio recording of Council Meetings Policy at its meeting held on 5 December, 2017, with the January meeting being audio recorded.

Clr Poore has raised some questions regarding the audio recordings; specifically who is able to decide to release the recordings and to who can they be made available. He is seeking some clarification around these matters.

For Discussion

17.0 SUPPLEMENTARY AGENDA ITEMS

Moved:

Seconded:

THAT Council consider the matters on the Supplementary Agenda.

18.0 CLOSURE