



# Central Highlands Council

## MINUTES – PLANNING COMMITTEE MEETING 11th October 2022

Minutes of the Planning Committee Meeting of the Central Highlands Council held in the Council Chambers, 19 Alexander Street, Bothwell on Tuesday 11<sup>th</sup> October 2022, commencing at 9am.

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### 1.0 PRESENT

Deputy Mayor Allwright (Chairperson), Mayor Triffitt, Clr Bailey & Clr Cassidy

#### IN ATTENDANCE

Clr Honner, Mrs L Eyles (General Manager), Mrs L Brown (Planning Officer) & Mrs K Bradburn (Minutes Secretary)

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### 2.0 APOLOGIES

Mr G Rogers (Manager DES)

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### 3.0 PECUNIARY INTEREST DECLARATIONS

In accordance with Regulation 8 (7) of the Local Government (Meeting Procedures) Regulations 2015, the Chairman 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.

Nil

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### 4.0 CONFIRMATION OF MINUTES

Moved **Clr Cassidy**

Seconded **Clr Bailey**

**THAT** the Draft Minutes of the Planning Committee Meeting of Council held on Tuesday 13<sup>th</sup> September 2022 to be confirmed.

*Carried*

**For the Motion:** Deputy Mayor Allwright, Mayor Triffitt, Clr Bailey & Clr Cassidy

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### 5.0 QUESTION TIME & DEPUTATIONS

Nil

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### 6.0 DA2022/71: GREENHOUSE & MAKERS SHED, at GREAT LAKE COMMUNITY CENTRE, 55-57 CIDER GUM ROAD, MIENA

## **Proposal**

An application for a Greenhouse and Makers Shed for use by the community has been made to Council at the property 55-57 Cider Gum Road, Miena. Members of the Great Lake Community Centre were successful in receiving grant funding for the proposal.

The Greenhouse will be used by the community to grow and produce vegetables. The Makers Shed is proposed to be used as a community meeting place, for members of the community to make and restore things, for artisans to apply their skills and a place for members of the community to share skills and mentor others. Activities may include, woodwork, metal work, pottery and other crafts.

The two new buildings (Greenhouse and Makers Shed) will be located on an area of the property adjacent to the existing Community Centre, behind the building line of the existing building. This will require the relocation of the existing water tanks. The Greenhouse and the Makers Shed will be accessed by vehicles from the existing point of access into the Community Centre Car Park from Cider Gum Road. Additional car parking will be provided in the existing Car Park.

The Greenhouse will have a building area of 131.8m<sup>2</sup> and the Makers Shed a building area of 162.6m<sup>2</sup>.

Greenhouse - Building height of 8.72m, dimensions of 13m x 10m  
Makers Shed - Building height of 4.3m, dimensions of 12m x 13.9m

The property is zoned Local Business in the Central Highlands Interim Planning Scheme 2015, Community Meeting & Entertainment is a Permitted use within this zone.

The Development Application was advertised for the statutory 14 days, during which time one (1) representation was received.

An assessment of the Development Application against the relevant standards of the Planning Scheme has been made and is detailed in this report.

It is recommended that the Development Application for a Greenhouse and Makers Shed be approved, subject to Conditions contained within this report.

## **Options**

The Planning Authority must determine the Development Application DA2022/71: Greenhouse & Makers Shed at Great Lake Community Centre, 55-57 Cider Gum Road, Miena in accordance with one of the following options:

### **1. Approve in accordance with the Recommendation:-**

In accordance with section 57 of the Land Use Planning and Approvals Act 1993 the Planning Authority **Approve** the Development Application DA2022/71: Greenhouse & Makers Shed at Great Lake Community Centre, 55-57 Cider Gum Road, Miena, subject to conditions in accordance with the Recommendation.

### **2. Approve with altered conditions:-**

In accordance with section 57 of the Land Use Planning and Approvals Act 1993 the Planning Authority **Approve** the Development Application DA2022/71: Greenhouse & Makers Shed at Great Lake Community Centre, 55-57 Cider Gum Road, Miena, subject to conditions as specified below.

*Should Council opt to approve the Development Application subject to conditions that are different to the Recommendation the modifications should be recorded below, as required by Section 25(2) of the Local Government (Meeting Procedures) Regulations 2015:*

**3. Refuse to grant a permit:-**

In accordance with section 57 of the Land Use Planning and Approvals Act 1993 the Planning Authority **Refuse** the Development Application DA2022/71: Greenhouse & Makers Shed at Great Lake Community Centre, 55-57 Cider Gum Road, Miena, for the reasons detailed below.

*Should the Planning Authority opt to refuse to grant a permit contrary to the officers Recommendation, the reasons for the decision should be recorded below, as required by Section 25(2) of the Local Government (Meeting Procedures) Regulations 2015:*

Reasons :-

**RECOMMENDATION**

Moved **Clr Cassidy**

Seconded **Clr Bailey**

**THAT** the following recommendation be made to Council:

**1. Approve in accordance with the Recommendation:-**

In accordance with section 57 of the Land Use Planning and Approvals Act 1993 the Planning Authority **Approve** the Development Application DA2022/71: Greenhouse & Makers Shed at Great Lake Community Centre, 55-57 Cider Gum Road, Miena, subject to conditions in accordance with the Recommendation.

**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, which ever is later, in accordance with section 53 of the *Land Use Planning and Approvals Act 1993*.

**Approved Use**

- 3) The Greenhouse and Makers Shed are approved as Community Meeting & Entertainment Use only and must not be used for any other purpose without the prior written consent of Council or unless in accordance with a permit issued by Council or as otherwise permitted by Council's Planning Scheme.

**Hours of Operation**

- 4) The use or development must only operate between the following hours unless otherwise approved by Council's Manager of Development and Environmental Services:

Monday to Saturday	7:00 a.m. to 9:00 p.m.
Sunday and State-wide public holidays	9:00 a.m. to 5:00 p.m.

**Amenity**

- 5) All external metal building surfaces must be clad in non-reflective pre-coated metal sheeting, and coloured using colours with a Light Reflectance Value not greater than 40% or painted to the satisfaction of the Council's Manager of Development and Environmental Services.

- 6) All external building materials associated with the development are to be of types and colours that are sympathetic to the existing buildings on the property.
- 7) Any security lighting required adjacent to residential areas must be baffled.

### **Landscaping**

- 8) Before any work commences submit a Landscape Plan for approval by Council's Manager of Development and Environmental Services. The landscape plan must include:
  - a) Existing vegetation to be retained and/or removed.
  - b) The areas to be landscaped.
  - c) A planting schedule of all proposed trees, shrubs and ground covers including botanical names, common names, sizes at maturity and quantities of each plant.
- 9) Planting must bear a suitable relationship to the proposed height of the buildings and must not use species listed as noxious weeds within Tasmania, displaying invasive characteristics or unsuitable for fire prone areas. If considered satisfactory, the Landscape Plan will be endorsed and will form part of this permit.
- 10) Prior to commencement of use, all trees and landscaping must be planted and installed in accordance with the approved Landscaping Plan to the satisfaction of the Council's Manager of Development and Environmental Services.

### **Parking & Access**

- 11) At least fifty (50) 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.
- 12) Car parking spaces, other than those designed and marked out for use by the disabled, must be a minimum of 2.60 metres wide and 5.50 metres long, unless otherwise approved by the Council's Manager of Works.
- 13) The internal driveway and areas set-aside for parking and associated access and turning must be provided in accordance with Standards Australia (2004): *Australian Standard AS 2890.1 - 2004 – Parking Facilities Part 1: Off Street Car Parking*; Standards Australia, Sydney and to the satisfaction of Council's Municipal Engineer, and must include all of the following;
  - a) Constructed with a durable all weather pavement;
  - b) The driveway access must be located over existing tracks or along natural contours to reduce visual impact through excavation and filling and erosion from water run-off.
  - c) Drained to an approved stormwater system; and
  - d) Minimum carriageway width of 4 metres.  
or as otherwise required by an approved Bushfire Plan.
- 14) Adequate manoeuvring space must be provided in accordance with Standards Australia (2002): *Australian Standard AS 2890.2 – 2002, Parking facilities - Part 2: Off-Street, Commercial vehicle facilities*, Standards Australia, Sydney and the requirements of the Council's Manager of Works and Technical Services. All vehicles including heavy trucks or articulated vehicles may leave the site in a forward direction.
- 15) 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 Development Assessment Committee.
- 16) Any damage to the cross-over accessing the property, from the property boundary to the formation of Cider Gum Road, resulting from activities associated with the development is to be repaired to the

satisfaction of the Manager, Works & Technical Services following completion of the works. Associated costs are the responsibility of the developer.

### **Services**

- 17) 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**

- 18) Drainage from the proposed development must be retained on site or must drain to a legal discharge point to the satisfaction of Councils Manager Development & Environmental Services and in accordance with a Plumbing permit issued by the Permit Authority in accordance with the *Building Act 2016*.

### **Wastewater**

- 19) Wastewater from the development must discharge to an on-site waste disposal system in accordance with a Plumbing permit issued by the Permit Authority in accordance with the *Building Act 2016*.

### **Soil and Water Management**

- 20) Before any work commences install temporary run-off, erosion and sediment controls and maintain these at full operational capacity until the land is effectively rehabilitated and stabilised after completion of the development in accordance with the guidelines Soil and Water Management on Building and Construction Sites, by the Derwent Estuary Programme and NRM South and to the satisfaction of Council's Manager of Development and Environmental Services.

### **Noise**

- 21) Noise emissions from the use or development must not exceed a time average acoustic environmental quality objective weighted sound pressure level (LAeq,T) of 5 dB(A) above the background level, adjusted in accordance with Standards Australia: AS 1055, Acoustics – Description and measurement of environmental noise, Standards Association of Australia, Sydney, 1997 when measured at the boundary with another property. All methods of measurement must be in accordance with relevant Australian Standards and DPIWE (2003): Draft Noise Measurement Procedures Manual, Department of Primary Industries, Parks, Water and Environment.

### **Construction Amenity**

- 22) 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.
- 23) 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 Manager of Development and Environmental Services.

- 24) 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.
- 25) 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 Manager of Works and Technical Services.

**The following advice applies to this permit:**

- a) This permit does not ensure compliance with the *Aboriginal Heritage Act 1975*. It is recommended that you conduct a property search with Aboriginal Heritage Tasmania prior to commencing works – see this website for further details: <https://www.aboriginalheritage.tas.gov.au/assessment-process>
- b) This Planning Permit does not imply that any other approval required under any other legislation has been granted.
- c) This Planning Permit is in addition to the requirements of the Building Act 2016. It is necessary to seek approval prior to any new building work, work being carried out in accordance with the Building Act 2016. A copy of the Directors Determination – categories of Building Work and Demolition Work is available via the CBOS website: [Director's Determination - Categories of Building and Demolition Work \(PDF, 504.4 KB\)](#)

If an owner undertakes any Low Risk Building Work as allowed by the Directors determination, they are responsible for ensuring that any proposed work complies with this Determination, in particular to ensure that they:

- Review and comply with any relevant Standard Limitations,
- That permitted size limits are not exceeded;
- That Boundary setbacks are complied with.

Types of Low Risk structure of sizes greater than permitted for this Category are to be considered against the next relevant Category being either Low Risk Work (Category 2), Notifiable Work (Category 3) or Permit Work (Category 4).

- d) This planning approval shall lapse at the expiration of two (2) years from the date of the commencement of planning approval if the development for which the approval was given has not been substantially commenced. Where a planning approval for a development has lapsed, an application for renewal of a planning approval for that development shall be treated as a new application.
- e) The proposed works are located within a mapped bushfire prone area and as such a bushfire assessment and BAL must be provided by a suitably qualified person and form part of the certified documents for the building approval.
- f) A separate permit is required for any signs unless otherwise exempt under Council's planning scheme.
- g) Appropriate temporary erosion and sedimentation control measures include, but are not limited to, the following -
  - a. Minimise site disturbance and vegetation removal;
  - b. Diversion of up-slope run-off around cleared and/or disturbed areas, or areas to be cleared and/or disturbed, provided that such diverted water will not cause erosion and is directed to a legal discharge point (eg. temporarily connected to Council's storm water system, a watercourse or road drain);

- c. Sediment retention traps (e.g. sediment fences, straw bales, grass turf filter strips, etc.) at the down slope perimeter of the disturbed area to prevent unwanted sediment and other debris escaping from the land;
  - d. Sediment retention traps (e.g. sediment fences, straw bales, etc.) around the inlets to the stormwater system to prevent unwanted sediment and other debris blocking the drains; and
  - e. Rehabilitation of all disturbed areas as soon as possible.
- h) Fencing must comply with the standards of the zone, as follows:
- a. fences, walls and gates of greater height than 1.5 m must not be erected within 4.5 m of the frontage;
  - b. fences along a frontage must be at least 50% transparent above a height of 1.2 m;
  - c. height of fences along a common boundary with land in a residential zone must be no more than 2.1 m and must not contain barbed wire.

***Carried***

**For the Motion:** Deputy Mayor Allwright, Mayor Triffitt, Clr Bailey & Clr Cassidy

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## **6.1 INVITATION TO COMMENT ON THE DRAFT TASMANIAN PLANNING POLICIES (TPP'S)**

The Tasmania Government has prepared the suite of draft TPPs and are seeking feedback on the matters addressed, the policy content and their effectiveness in delivering desired land use planning outcomes.

The draft TPPs and Supporting Report can be viewed under the 'Have Your Say' tab on the Planning in Tasmania website: <https://planningreform.tas.gov.au/>

The closing date for the consultation is Tuesday 1<sup>st</sup> November. LGAT have raised this with the state Planning Office, as the timing is not good as far as getting an Elected Representative perspective and formal council endorsement. The State Planning Office have agreed that for those councils that wish to get Elective Representative input and / or formal council endorsement they can submit their submission directly following the November meeting.

Council's Planning Consultant (SMC), Damian Mackey, will be reviewing the documentation in consultation with Council's Planning Officer, Louisa Brown, and will prepare a submission for consideration at the November Planning Committee and Council Meetings.

In addition, the State Planning Office will be conducting an online presentation on the draft TPPs on Wednesday 19<sup>th</sup> October, 2022, at 2.00pm.

To register, please email the State Planning Office at [stateplanning@dpac.tas.gov.au](mailto:stateplanning@dpac.tas.gov.au) who will, closer to the date, forward you a web link and teams invitation where you can access the presentation.

## **NOTED**

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## **7.0 OTHER BUSINESS**

**Nil**

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## **8.0 CLOSURE**

There being no further business the Chairperson thanked everyone for attending and closed the meeting at 9.12am.

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