



Central Highlands Council

AGENDA

PLANNING COMMITTEE MEETING – 9TH MAY 2023

Council Representatives:

Deputy Mayor J Allwright (Chairperson); Mayor L Triffitt, Cr R Cassidy & Cr J Hall
(Cr A Bailey – Proxy)

Agenda of a **Planning Committee Meeting** (Special Committee of Central Highlands Council) scheduled to be held in the Council Chamber, **Bothwell** on **Tuesday 9th May 2023**, commencing at **9.00am**.

I certify under Section 65 of the *Local Government Act 1993*, that the matters to be discussed under this Agenda have been, where necessary, subject of advice from a suitably qualified person and that such advice has been taken into account in providing advice to the Council.

Dated at Hamilton this **4th day of May 2023**.

Kim Hossack
General Manager

1.0 PRESENT

2.0 APOLOGIES

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.

4.0 PERCEIVED INTEREST DECLARATIONS

Under the **Model Code of Conduct** made by Order of the Minister responsible for Local Government the following will apply to a Councillor –

PART 2 – Conflict of Interest that are not Pecuniary

(6) A Councillor who has an actual, potential or perceived conflict of interest in a matter before the Council must –

- (a) Declare the conflict of interest and the nature of the interest before discussion on the matter begins; and
 - (b) Act in good faith and exercise reasonable judgement to determine whether a reasonable person would consider that the conflict of interest requires the Councillor to remove himself or herself physically from any Council discussion and remain out of the room until the matter is decided by the Council.
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5.0 CONFIRMATION OF DRAFT MINUTES OF THE PLANNING COMMITTEE MEETING HELD 14 FEBRUARY 2023

RECOMMENDATION 01/05.2023/PC

Moved: Cr

Seconded: Cr

THAT the Draft Minutes of the Planning Committee Meeting of Council held on Tuesday 14th February 2023 to be confirmed.

6.0 PUBLIC QUESTION TIME

In accordance with the *Local Government (Meeting Procedures) Regulations 2015*, the Council conducts a Public Question Time Forum to enable members of the public to ask question on Council related matters.

A period of 15 minutes, if required, will be set aside at the beginning of each Ordinary Council Meeting to conduct Public Question Time. If a response to a question cannot be provided at the meeting a written response will be provided as soon as practicable.

A member of the public may give written notice to the General Manager, 7 days before a meeting of a question to be put to the Meeting.

The Chairman may invite any member of the public present at a meeting to ask questions, without notice, relating to activities of the Council, subject to the provisions of Clause 2 below.

1. Once Question Time commences the Chairman will determine the order in which questions are heard.
2. Questions may relate to any business of the Council capable of being discussed in the open portion of the meeting, and which is not listed as an item for consideration on the Agenda for the Council Meeting.
3. Members of the public proposing a question are required to be present at the Council Meeting at which their question is to be read. Where a person submits a question for Public Question Time but fails to attend the meeting, the question will be treated as general correspondence and a written response will be provided at the earliest opportunity.
4. A person asking a question, when called upon by the Chairman is requested to:
 - Stand
 - State their name and address
 - Read out their question
5. The Chairman retains the right to accept or decline questions and to determine if the question is to be answered at the meeting by the appropriate Councillor or employee or written down and taken on notice. The decision to take the question on notice may also be taken by the Councillor or employee to whom the question is directed. Questions taken on notice will be answered at a later meeting.
6. The Chairman may rule a question inappropriate, and thus inadmissible if in his or her opinion it has already been asked, is unclear, irrelevant, insulting, improper or relates to any matter which would normally be discussed in the closed portion of the meeting as defined in the *Local Government (Meeting Procedures) Regulations 2015*.
7. Public Question Time forum will be limited to a maximum of 15 minutes in duration and will be declared closed following the expiration of the allocated time period, or where all valid questions have been dealt with, whichever is the sooner.
8. Each question is to be asked by the proponent who will be allowed a maximum of three minutes in which to put the question.
9. The Chairman will **not allow** any discussion or debate on either the question or the response.
10. Where a person proposes more than one question at any one forum, and there are a number of persons wishing to lodge questions, the Chairman may take the questions in such order so as to hear as many members of the public as practical during the time allocated.
11. The minutes of the Council Meeting will contain a summary of each question asked by members of the public and the response given.
12. Public Statements (as opposed to questions) **will not** be accepted for the reason that statements could be considered a form of participation.

Pertaining to any Planning Authority agenda item within this agenda, Council will do so in accordance with Council's Policy 2017-49.

Both the Public Question Time Procedure above and Council's Policy 2017-49 'Public Comment on Planning Agenda Items' will be available for the public to view at the meeting.

7.0 PLANNING REPORTS

7.1 DA2023/01: SUBDIVISION ONE LOT & BALANCE - 24 PONSONBY STREET, HAMILTON

Report by

Louisa Brown (Planning Officer)

Applicant

PDA Surveyors

Owner

A W Bailey

Discretions

Village Zone -16.5 Subdivision

Historic Heritage Code – E13.8.3 Subdivision

Proposal

The proposal is for a one lot subdivision, plus balance at 24 Ponsonby Street, Hamilton. The lot is currently 5576m² and contains two outbuildings. Vehicular access is via an existing point of access from Ponsonby Street.

The proposal seeks to create:

Lot1: accessed from Franklin Place, lot size 1000m²; and

Balance lot: accessed from Ponsonby Street, balance lot size 4576m².

24 Ponsonby Street is within the Heritage Precinct and subject to the Historic Heritage Code.

Subdivision is a Discretionary use and development in the Village Zone in the Central Highlands Interim Planning Scheme 2015.

Subject site and Locality

The property is located towards the eastern side of the Hamilton Township, Franklin Place runs parallel to Ponsonby Street and forms the western site boundary.

The existing property, CT42551/1 is irregular in shape and contains two outbuildings, one is located towards eastern property boundary and the other towards the northern boundary. Access is currently from Ponsonby Street. The land is characterised by grassland/paddock.



Fig 1. Location and zoning of the subject land in the Village zone (orange) and the Heritage Code Overlay. (Source: LISTmap 2/5/23)



Fig 2. Aerial photo of the subject land and surrounding area (Source: LISTmap 2/5/23)

Exemptions

Nil

Special Provisions

Nil

Village Zone - Development standards for subdivision

The subject land is located in the Village Zone of the Central Highlands Interim Planning Scheme 2015. The proposal must satisfy the requirements of the following development standards, relevant to subdivisions:

16.5.1 Lot design

To provide for new lots that:

- (a) have appropriate area and dimensions to accommodate development consistent with the Zone Purpose and any relevant Local Area Objectives or Desired Future Character Statements;
- (b) contain building areas which are suitable for development, consistent with the Zone Purpose, located to avoid hazards and values;
- (c) are capable of providing for a high level of residential amenity including privacy, good solar access; and passive surveillance of public spaces;
- (d) are not internal lots, except if the only reasonable way to provide for efficient use of land;
- (e) are provided in a manner that provides for the efficient and ordered provision of infrastructure.

Acceptable Solutions	Performance Criteria	OFFICER COMMENT
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<p>A1 The size of each lot must be no less than as specified below, except if for public open space, a riparian or littoral reserve or utilities:</p> <p>(a) no less than 1,000 m2.</p>	<p>P1 No Performance Criteria.</p>	<p>Lot 1 will have an area of 1000m², and the balance lot 4576m² complying with the Acceptable Solution.</p>
<p>A2 The design of each lot must provide a minimum building area that is rectangular in shape and complies with all of the following, except if for public open space, a riparian or littoral reserve or utilities:</p> <p>(a) clear of the frontage, side and rear boundary setbacks;</p> <p>(b) not subject to any codes in this planning scheme;</p> <p>(c) clear of title restrictions such as easements and restrictive covenants;</p> <p>(d) has an average slope of no more than 1 in 5;</p> <p>(e) has the long axis of the developable area facing north or within 20 degrees west or 30 degrees east of north;</p> <p>(f) is a minimum of 10 m x 15 m in size.</p>	<p>P2 The design of each lot must contain a building area able to satisfy all of the following:</p> <p>(a) be reasonably capable of accommodating residential use and development;</p> <p>(b) meets any applicable standards in codes in this planning scheme;</p> <p>(c) enables future development to achieve maximum solar access, given the slope and aspect of the land;</p> <p>(d) minimises the need for earth works, retaining walls, and fill and excavation associated with future development;</p> <p>(e) provides for sufficient useable area on the lot for both of the following:</p> <p>(i) on-site parking and manoeuvring;</p> <p>(ii) adequate private open space.</p>	<p>The property is within the Heritage Code and must therefore be assessed against the Performance Criteria.</p> <p>The Balance Lot and Lot 1 both contain a minimum building area, rectangular in shape and is capable of accommodating residential use and development, meets the standards of the Bushfire Code and Historic heritage Code and enables development to achieve solar access.</p> <p>Earthworks, cut and fill will not be required for the future development and sufficient space can be accommodated on site for car parking and open space.</p> <p>The proposal meets the Performance Criteria P2.</p>
<p>A3 The frontage for each lot must be no less than 15 m, except if for public open space, a riparian or littoral reserve or utilities or if an internal lot.</p>	<p>P3 The frontage of each lot must satisfy all of the following:</p> <p>(a) provides opportunity for practical and safe vehicular and pedestrian access;</p> <p>(b) provides opportunity for passive surveillance between residential development on the lot and the public road,</p> <p>(c) is no less than 6m.</p>	<p>The Performance Criteria P3 is met as both the Balanced lot and Lot 1 have frontages of no less than 6m.</p> <p>Lot 1 frontage will be 12.6m and Balanced Lot frontage will be 74.2m</p>
<p>A4 No lot is an internal lot.</p>	<p>P4 An internal lot must satisfy all of the following:</p> <p>(a) the lot gains access from a road existing prior to the</p>	<p>There are no internal lots proposed, therefore Acceptable Solution A4 is met.</p>

	<p>planning scheme coming into effect, unless site constraints make an internal lot configuration the only reasonable option to efficiently utilise land;</p> <p>(b) it is not reasonably possible to provide a new road to create a standard frontage lot;</p> <p>(c) the lot constitutes the only reasonable way to subdivide the rear of an existing lot;</p> <p>(d) the lot will contribute to the more efficient utilisation of residential land and infrastructure;</p> <p>(e) the amenity of neighbouring land is unlikely to be unreasonably affected by subsequent development and use;</p> <p>(f) the lot has access to a road via an access strip, which is part of the lot, or a right-of-way, with a width of no less than 3.6m;</p> <p>(g) passing bays are provided at appropriate distances to service the likely future use of the lot;</p> <p>(h) the access strip is adjacent to or combined with no more than three other internal lot access strips and it is not appropriate to provide access via a public road;</p> <p>(i) a sealed driveway is provided on the access strip prior to the sealing of the final plan.</p> <p>(j) the lot addresses and provides for passive surveillance of public open space and public rights of way if it fronts such public spaces.</p>	
<p>A5 Setback from a new boundary for an existing building must comply with the relevant Acceptable Solution for setback.</p>	<p>P5 Setback from a new boundary for an existing building must satisfy the relevant Performance Criteria for setback.</p>	<p>New boundaries to the existing outbuildings, comply with the relevant development standard for setback. Acceptable Solution A5 is met.</p>

16.5.2 Roads

To ensure that the arrangement of new roads within a subdivision provides for all of the following:

<p>(a) the provision of safe, convenient and efficient connections to assist accessibility and mobility of the community;</p> <p>(b) the adequate accommodation of vehicular, pedestrian, cycling and public transport traffic;</p> <p>(c) the efficient ultimate subdivision of the entirety of the land and of neighbouring land.</p>		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1</p> <p>The subdivision includes no new road.</p>	<p>P1</p> <p>The arrangement and construction of roads within a subdivision must satisfy all of the following:</p> <p>(a) the route and standard of roads accords with any relevant road network plan adopted by the Planning Authority;</p> <p>(b) the appropriate and reasonable future subdivision of the entirety of any balance lot is not compromised;</p> <p>(c) the future subdivision of any neighbouring or nearby land with subdivision potential is facilitated through the provision of connector roads and pedestrian lanes where appropriate, to common boundaries;</p> <p>(d) an acceptable level of access, safety, convenience and legibility is provided through a consistent road function hierarchy;</p> <p>(e) cul-de-sac and other terminated roads are not created, or their use in road layout design is kept to an absolute minimum;</p> <p>(f) connectivity with the neighbourhood road network is maximised;</p> <p>(g) the travel distance between key destinations such as shops and services is minimised;</p> <p>(h) walking, cycling and the efficient movement of public transport is facilitated;</p>	<p>The Acceptable Solution A1 is met, no new roads are proposed.</p>

	<ul style="list-style-type: none"> (i) provision is made for bicycle infrastructure on new arterial and collector roads in accordance with Austroads Guide to Road Design Part 6A; (j) any adjacent existing grid pattern of streets is extended, where there are no significant topographical constraints. 	
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16.5.3 Ways & Public Open Space

To ensure that the arrangement of ways and public open space provides for all of the following:

(a) the provision of safe, convenient and efficient connections to assist accessibility and mobility of the community;

(b) the adequate accommodation of pedestrian and cycling traffic.

Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1</p> <p>No Acceptable Solution.</p>	<p>P1</p> <p>The arrangement of ways and public open space within a subdivision must satisfy all of the following:</p> <ul style="list-style-type: none"> (a) connections with any adjoining ways are provided through the provision of ways to the common boundary, as appropriate; (b) connections with any neighbouring land with subdivision potential is provided through the provision of ways to the common boundary, as appropriate; (c) connections with the neighbourhood road network are provided through the provision of ways to those roads, as appropriate; (d) convenient access to local shops, community facilities, public open space and public transport routes is provided; (e) new ways are designed so that adequate passive surveillance will be provided from development on neighbouring land and 	<p>The Performance Criteria P1 is met as the proposed new lot 1 and balanced lot will connect to existing streets.</p> <p>Public Open Space must be provided as land or cash in lieu, in accordance with the relevant Council Policy. Cash in lieu will form part of the conditions of any permit.</p>

	<p>public roads as appropriate;</p> <p>(f) provides for a legible movement network;</p> <p>(g) the route of new ways has regard to any pedestrian & cycle way or public open space plan adopted by the Planning Authority;</p> <p>(h) Public Open Space must be provided as land or cash in lieu, in accordance with the relevant Council policy.</p> <p>(i) new ways or extensions to existing ways must be designed to minimise opportunities for entrapment or other criminal behaviour including, but not limited to, having regard to the following:</p> <p>(i) the width of the way;</p> <p>(ii) the length of the way;</p> <p>(iii) landscaping within the way;</p> <p>(iv) lighting;</p> <p>(v) provision of opportunities for 'loitering';</p> <p>(vi) the shape of the way (avoiding bends, corners or other opportunities for concealment).</p>	
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16.5.4 Services To ensure that the subdivision of land provides adequate services to meet the projected needs of future development.		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1 Each lot must be connected to a reticulated potable water supply.	P1 No Performance Criteria.	The new Lot 1 will be provided with a water connection to the existing infrastructure on Franklin Place. The Balanced Lot has existing connections. The proposal complies with the Acceptable Solution A1.
A2 Each lot must be connected to a reticulated sewerage	P2 No Performance Criteria.	Both Lots will be provided with a connection to a reticulated sewerage system. The

system.		Acceptable Solution A2 is met.
A3 Each lot must be connected to a stormwater system able to service the building area by gravity.	P3 If connection to a stormwater system is unavailable, each lot must be provided with an on-site stormwater management system adequate for the future use and development of the land.	The proposal complies with the Acceptable Solution, stormwater will be conditioned as a part of the Planning Permit.

Codes

E1.0 Bushfire Prone Area Code

The Code applies to the development as the land is identified as a Bushfire Prone Area in the Planning Scheme.

A Bushfire Hazard Assessment Report, prepared by GES GEO Environmental solutions J8054v1.0, dated November 2022 has been provided with the Development Application documents.

The recommendations of this report form part of the Planning Permit Conditions.

E5.0 Road and Railway Assets Code

The purpose of this provision is to:

- (a) protect the safety and efficiency of the road and railway networks; and
- (b) reduce conflicts between sensitive uses and major roads and the rail network.

The applicable standards of the Code are addressed in the following tables:

E5.6.2 Road accesses and junctions		
To ensure that the safety and efficiency of roads is not reduced by the creation of new accesses and junctions.		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1 No new access or junction to roads in an area subject to a speed limit of more than 60km/h.	P1 For roads in an area subject to a speed limit of more than 60km/h, accesses and junctions must be safe and not unreasonably impact on the efficiency of the road, having regard to: (a) the nature and frequency of the traffic generated by the use; (b) the nature of the road; (c) the speed limit and traffic flow of the road; (d) any alternative access; (e) the need for the access or junction; (f) any traffic impact assessment; and (g) any written advice received from the road authority.	Acceptable Solution A1 is met, the speed limit of Franklin Place for the new access is 60km.
A2 No more than one access providing both entry and exit, or two accesses providing separate entry and exit, to roads in an area subject to a	P2 For roads in an area subject to a speed limit of 60km/h or less, accesses and junctions must be safe and not unreasonably impact on the	Acceptable Solution A2 is met, each lot will have one point of vehicular entry/exit.

speed limit of 60km/h or less.	efficiency of the road, having regard to: (a) the nature and frequency of the traffic generated by the use; (b) the nature of the road; (c) the speed limit and traffic flow of the road; (d) any alternative access to a road; (e) the need for the access or junction; (f) any traffic impact assessment; and (g) any written advice received from the road authority.	
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E5.6.4 Sight distance at accesses, junctions and level crossings		
To ensure that accesses, junctions and level crossings provide sufficient sight distance between vehicles and between vehicles and trains to enable safe movement of traffic.		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1 Sight distances at: a. an access or junction must comply with the Safe Intersection Sight Distance shown in Table E5.1; and b. rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia.	P1 The design, layout and location of an access, junction or rail level crossing must provide adequate sight distances to ensure the safe movement of vehicles, having regard to: (a) the nature and frequency of the traffic generated by the use; (b) the frequency of use of the road or rail network; (c) any alternative access; (d) the need for the access, junction or level crossing; (e) any traffic impact assessment; (f) any measures to improve or maintain sight distance; and (g) any written advice received from the road or rail authority.	The Acceptable solution is met, new access to Franklin Place will meet the requirements for sight distances and will be conditioned as a part of a planning permit.

E6.0 Parking and Access Code

The Parking and Access Code applies to all use and development.

The location and design of the new access onto Franklin Place will comply with the Acceptable Solutions, in so much as only one access point is proposed for each lot, and the access is designed to meet the current standards, as conditioned in a Planning Permit.

Internal parking and access is relevant to future Development Applications for dwellings and will be assessed as these applications come forward individually.

E13.0 Historic Heritage Code

The purpose of this code is to ensure that subdivision within a Heritage Precinct is consistent with historic patterns of development and does not create potential for future incompatible development.

A Heritage Impact Assessment has been provided and forms part of the supporting Development Application documents. The assessment was prepared by G Corney, Architect & Heritage Consultant. In conclusion, the report states that when assessed against the Interim Planning Scheme 2015, the proposed subdivision meets the Performance Criteria of E13.8.3 Subdivision.

Representations

The proposal was advertised from 31st March until 19th April 2023 for the statutory 14 days period, plus extra to allow for Easter Public holidays.

No representations were received.

Conclusion

The proposal is for a 1 lot and balance subdivision. The proposal is assessed to comply with the applicable standards of the Village Zone, and the relevant codes of the *Central Highlands Interim Planning Scheme 2015* as outlined in the body of this report.

The proposal was advertised for public comment and no representations were received.

It is recommended that the application be approved, subject to conditions.

Legislative Context

The purpose of the report is to enable the Planning Authority to determine the Development Application DA2023/01 in accordance with the requirements of the *Land Use Planning and Approvals Act 1993* (LUPAA). The provisions of LUPAA require a Planning Authority to take all reasonable steps to ensure compliance with the Planning Scheme.

This report details the reasons for the officers Recommendation. The Planning Authority must consider the report but is not bound to adopt the Recommendation. Broadly, the Planning Authority can either: (1) adopt the Recommendation, (2) vary the Recommendation by adding, modifying or removing recommended conditions or (3) replacing an approval with a refusal.

Any decision that is an alternative to the Recommendation requires a full statement of reasons to ensure compliance with the *Judicial Review Act 2000* and the *Local Government (Meeting Procedures) Regulations 2015*. Section 25 (2) of the *Local Government (Meeting Procedures) Regulations 2015* states:

25 (2): *The general manager is to ensure that the reasons for a decision by a council or council committee acting as a planning authority are recorded in the minutes of the meeting.*

Options

The Planning Authority must determine the Development Application DA2023/01 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 DA2023/01 Subdivision One Lot & Balance at 24 Ponsonby Street, Hamilton, 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 DA2023/01 Subdivision One Lot & Balance at 24 Ponsonby Street, Hamilton, 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:

Alteration to Conditions:-

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 DA2023/01 Subdivision One Lot & Balance at 24 Ponsonby Street, Hamilton, 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 :-

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.
- 2) This permit shall not take effect and must not be acted on until 15 days after the date of receipt of this permit unless, as the applicant and the only person with a right of appeal, you notify Council in writing that you propose to commence the use or development before this date, in accordance with Section 53 of the Land Use Planning and Approvals Act 1993.

Public Open Space Contribution

- 3) Council requires that an amount equal to five percent (5%) of the unimproved value of the land be provided as cash-in-lieu of public open space in accordance with the provisions of Section 117 of the Local Government (Building & Miscellaneous Provisions) Act 1993. The subdivider must obtain a valuation for the unimproved value of the subdivision from a registered Valuer.
- 4) The cash-in-lieu of public open space must be in the form of a direct payment made before the sealing of the final plan of survey.

Bushfire Hazard Management

- 5) The development and works must be carried out in accordance with the approved Bushfire Hazard Report prepared by GEO Environmental Solutions, November 2022, J8054v1.0.
- 6) Prior to Council sealing the final plan of survey the developer must provide certification from a suitably qualified person that all works required by the Bushfire Hazard Report have been complied with.

Services

- 7) 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.
- 8) Electrical and telecommunications services must be provided to each lot in accordance with the requirements of the responsible authority and the satisfaction of Council's General Manager.
- 9) Each lot must be connected to a reticulated potable water supply.
- 10) Each lot must be connected to a reticulated sewerage system.

Access to State Road (Franklin Place)

- 11) Prior to undertaking any access (or other) works in the state road reserve an Access Permit is required from the Department of State Growth in accordance with section 16 of the *Roads and Jetties Act 1935*.

- 12) Applications for Permits can be found at https://www.transport.tas.gov.au/roads_and_traffic_management/permits_and_bookings

Applications must be received by the Department of State Growth at least 20 business days before the expected start date for works, to allow enough time to assess the application.

Access

- 13) A sealed vehicle access must be provided from the road carriageway to Lot 1. The access must be located and constructed in accordance with the standards shown on standard drawings TSD-R09-v2 and the satisfaction of Council's Works Manager.
- 14) The access strip to the Balance Lot is to be sealed from Ponsonby Road to the lot proper.

Easements

- 15) 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.

Endorsements

- 16) The final plan of survey must be noted that Council cannot or will not provide a means of drainage to all lots shown on the plan of survey.

Final plan

- 17) 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.
- 18) A fee of \$250.00, 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.
- 19) 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.
- 20) 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.

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.
- b) If you notify Council that you intend to commence the use or development before the date specified above, you forfeit your right of appeal in relation to this permit.

RECOMMENDATION 02/05.2023/PC

Moved: Cr

Seconded: Cr

THAT the Planning Committee make the following recommendation to the Planning Authority:

7.2 DA2022/48: BOUNDARY ADJUSTMENT - 6371 LYELL HIGHWAY, OUSE

Report by

Louisa Brown (Planning Officer)

Applicant

Rogerson & Birch Surveyors

Owner

CT197864/1 Lawrenny Proprietary Limited
CT122993/4, CT122993/2 Lawrenny Water Trust

Discretions

26.5.2 Reorganisation of Boundaries

Proposal

Council is in receipt of a development application for the Boundary Reorganisation of land described as CT 122993/2, CT 122993/4 and CT197864/1. The reorganisation of the boundary seeks to separate the existing dwelling and outbuildings on CT122993/4 form a 1ha Lot (referred to as Lot 1 on the plans).

CT122993/4 includes the former Water Operators Cottage, which is in a poor state of repair and has not been lived in for many years. The property is accessed via a Right Of Way from an access at the junction with the Lyell Highway.

The existing pipeline easement and water channels will form part of the balance lot, which are shown on the proposed plan as Lot 3 and Lot 4 and Lot 2 (CT122993/2). No Water Trust infrastructure will be contained on the proposed Lot 1, as the pump station at the end of the channel which then pumps the water up into CT 122993/2 will be contained on the proposed Lot 2.

The proposal is Discretionary and is assessed against the relevant 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 sites are located 5km southeast of the township of Ouse and sits on the edge of Lake Meadowbank. The properties are used for Agricultural purposes, including paddocks and water infrastructure such as channels.

The proposed Lot 1 contains the existing dwelling, and several outbuildings are located on the current lot CT197864/1.

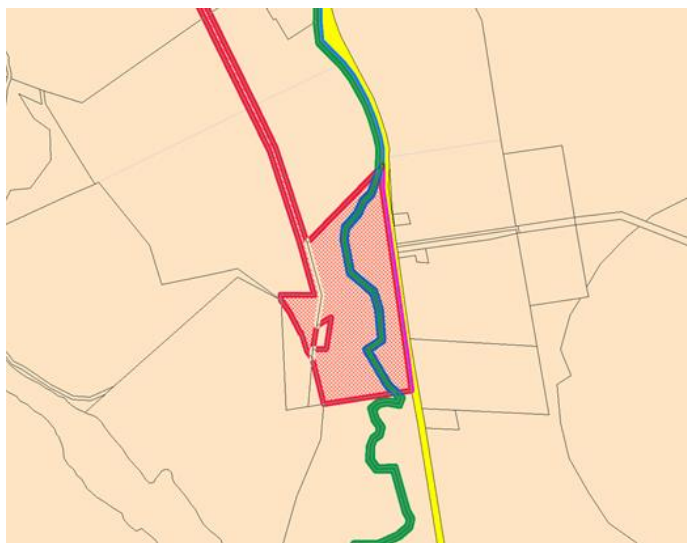


Fig 1. Location and zoning of the subject land in the Rural Resource zone. (Source: Exponare)



Fig 2. Aerial photo of the subject land and surrounding area (Source: LISTmap 02/05/23)

Exemptions

Nil

Special Provisions

Nil

Use Standards

There are no applicable use standards for the Reorganisation of Boundaries.

Development Standards for Reorganisation of Boundaries

The subject land is in the Rural Resource Zone of the Central Highlands Interim Planning Scheme 2015. 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 utilities .	P1 The reorganisation of boundaries must satisfy all of the following: (a) all existing lots are adjoining or separated only by a road; (b) no existing lot was formally a	The proposal does not comply with the Acceptable Solution and must be assessed against the Performance Criteria. (a) Complies – both lots are adjoining.

	<p>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) 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</p>	<p>(b) Complies – no lot was formerly a crown reserved road or reserved land.</p> <p>(c) Complies – the proposed Lot 1 at 1 ha includes the dwelling in one lot. This is an existing non-agricultural lot. The Lawrenny Water Trust channels and easements will be contained in separate lots 2,3 and 4.</p> <p>(d) Complies – existing dwelling complies with setbacks of 26.4.2.</p> <p>(e) Complies – existing dwelling is the primary dwelling.</p> <p>(f) No new vacant lot created.</p> <p>(g) Complies – lots are over 1ha, lots have frontages via an existing Right of Way greater than 6m and all lots are currently serviced by existing access.</p> <p>(h) There are no Local Area Objectives or Desired Future Character Statements in the Rural Resource zone.</p>
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	vehicular access arrangements;	
	(h) be consistent with any Local Area Objectives or Desired Future Character Statements provided for the area.	

Specific Area Plan – Lake Meadowbank

A very small section of lot 1 is within the Lake Meadowbank SAP, because of this an Aboriginal Heritage Search record has been provided to meet the requirements of the SAP. An Unanticipated Discovery Plan will be added to the advice section of any Planning Permit granted.

Codes

E1 Bushfire-Prone Areas Code

The Bushfire-Prone Code applies to the Reorganisation of Boundaries of land that is located within a bushfire-prone area. The properties are both identified as Bushfire Prone Areas in the Code Overlays.

A Bushfire Hazard Report has been submitted as a part of the application, by Rogerson & Birch Surveyors and dated 15/02/2023 Version – 1.0. The report makes several recommendations which must be achieved in order to meet the standards of the code and these form a part of the conditions should a planning permit be granted.

E5.0 Road and Railway Assets Code

The purpose of this provision is to:

- (a) protect the safety and efficiency of the road and railway networks; and
- (b) reduce conflicts between sensitive uses and major roads and the rail network.

The applicable standards of the Code are addressed in the following tables:

E5.6.2 Road accesses and junctions		
To ensure that the safety and efficiency of roads is not reduced by the creation of new accesses and junctions.		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1 No new access or junction to roads in an area subject to a speed limit of more than 60km/h.	P1 For roads in an area subject to a speed limit of more than 60km/h, accesses and junctions must be safe and not unreasonably impact on the efficiency of the road, having regard to: (h) the nature and frequency of the traffic generated by the use; (i) the nature of the road; (j) the speed limit and traffic flow of the road; (k) any alternative access; (l) the need for the access or junction; (m) any traffic impact assessment; and (n) any written advice received from the road authority.	Acceptable Solution A1 is met, the proposal does not include any new access or junctions.
A2	P2	

No more than one access providing both entry and exit, or two accesses providing separate entry and exit, to roads in an area subject to a speed limit of 60km/h or less.	<p>For roads in an area subject to a speed limit of 60km/h or less, accesses and junctions must be safe and not unreasonably impact on the efficiency of the road, having regard to:</p> <ul style="list-style-type: none"> (h) the nature and frequency of the traffic generated by the use; (i) the nature of the road; (j) the speed limit and traffic flow of the road; (k) any alternative access to a road; (l) the need for the access or junction; (m) any traffic impact assessment; and (n) any written advice received from the road authority. 	Acceptable Solution A2 is met, one point of vehicular entry/exit exists to the existing Right of Way for the lots.
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E5.6.4 Sight distance at accesses, junctions and level crossings		
To ensure that accesses, junctions and level crossings provide sufficient sight distance between vehicles and between vehicles and trains to enable safe movement of traffic.		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1 Sight distances at:</p> <ul style="list-style-type: none"> c. an access or junction must comply with the Safe Intersection Sight Distance shown in Table E5.1; and d. rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia. 	<p>P1 The design, layout and location of an access, junction or rail level crossing must provide adequate sight distances to ensure the safe movement of vehicles, having regard to:</p> <ul style="list-style-type: none"> (h) the nature and frequency of the traffic generated by the use; (i) the frequency of use of the road or rail network; (j) any alternative access; (k) the need for the access, junction or level crossing; (l) any traffic impact assessment; (m) any measures to improve or maintain sight distance; and (n) any written advice received from the road or rail authority. 	The Acceptable solution is met, there are no new access proposed.

E6.0 Parking and Access Code

The Parking and Access Code applies to all use and development.

Internal parking and access is relevant to future Development Applications and will be assessed as these applications come forward individually.

The location and design of the new access to the balanced Lot 3 will comply with the Acceptable Solutions, in so much as only one access point is proposed and the access is designed to meet the current standards, as conditioned in a Planning Permit if granted.

E11.0 Waterway and Coastal Protection Code

The purpose of this provision is to manage vegetation and soil disturbance in the vicinity of wetlands, watercourses and the coastline in order to:

- (a) minimise impact on water quality, natural values including native riparian vegetation, river condition and the natural ecological function of watercourses, wetlands and lakes;
- (b) minimise impact on coastal and foreshore values, native littoral vegetation, natural coastal processes and the natural ecological function of the coast;
- (c) protect vulnerable coastal areas to enable natural processes to continue to occur, including the landward transgression of sand dunes, wetlands, saltmarshes and other sensitive coastal habitats due to sea-level rise.

E11.8 Subdivision Standards

To ensure that:

- (a) works associated with subdivision in proximity to a waterway, the coast, identified climate change refugia and potable water supply areas will not have an unnecessary or unacceptable impact on natural values;
- (b) future development likely to be facilitated by subdivision is unlikely to lead to an unnecessary or unacceptable impact on natural values.

Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1 Subdivision of a lot, all or part of which is within a Waterway and Coastal Protection Area, Future Coastal Refugia Area or Potable Water Supply Area must comply with one or more of the following:</p> <p>(a) be for the purpose of separation of existing dwellings;</p> <p>(b) be for the creation of a lot for public open space, public reserve or utility;</p> <p>(c) no works, other than boundary fencing works, are within a Waterway and Coastal Protection Area, Future Coastal Refugia Area or Potable Water Supply Area;</p> <p>(d) the building area, bushfire hazard management area, services and vehicular access driveway are outside the Waterway and Coastal Protection Area, Future Coastal Refugia Area or Potable Water Supply Area.</p>	<p>P1 Subdivision of a lot, all or part of which is within a Waterway and Coastal Protection Area, Future Coastal Refugia Area or Potable Water Supply Area, must satisfy all of the following:</p> <p>(a) minimise impact on natural values;</p> <p>(b) provide for any building area and any associated bushfire hazard management area to be either:</p> <p>(i) outside the Waterway and Coastal Protection Area, Future Coastal Refugia Area or Potable Water Supply Area; or</p> <p>(ii) able to accommodate development capable of satisfying this code.</p> <p>(c) if within a Potable Water Supply Area, be in accordance with the requirements of the water and sewer authority.</p>	<p>The Acceptable solution (a) is met, the boundary reorganisation will separate an existing dwelling from the title.</p>

Representations

The proposal was advertised for the statutory 14 days period plus 1 day to allow for the public holiday. No representations were received.

Conclusion

The proposal for the Boundary Reorganisation of CT 122993/2, CT 122993/4 and CT197864/1 and 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.

The proposal was advertised for public comment and no representation were received.

It is recommended that the application be approved, subject to conditions.

Legislative Context

The purpose of the report is to enable the Planning Authority to determine the Development Application DA2022/48 in accordance with the requirements of the *Land Use Planning and Approvals Act 1993* (LUPAA). The provisions of LUPAA require a Planning Authority to take all reasonable steps to ensure compliance with the Planning Scheme.

This report details the reasons for the officers Recommendation. The Planning Authority must consider the report but is not bound to adopt the Recommendation. Broadly, the Planning Authority can either: (1) adopt the Recommendation, (2) vary the Recommendation by adding, modifying or removing recommended conditions or (3) replacing an approval with a refusal.

This determination has to be made no later than 19th May 2023, which has been extended beyond the usual 42 day statutory time frame with the consent of the application.

Any decision that is an alternative to the Recommendation requires a full statement of reasons to ensure compliance with the *Judicial Review Act 2000* and the *Local Government (Meeting Procedures) Regulations 2015*. Section 25 (2) of the *Local Government (Meeting Procedures) Regulations 2015* states:

25 (2): *The general manager is to ensure that the reasons for a decision by a council or council committee acting as a planning authority are recorded in the minutes of the meeting.*

Options

The Planning Authority must determine the Development Application DA2022/48 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 DA2022/48 Boundary Reorganisation to land described as CT 122993/2, CT 122993/4 & CT197864/1, 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 DA2022/48 Boundary Reorganisation to land described as CT 122993/2, CT 122993/4 & CT197864/1, 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:

Alteration to Conditions:-

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 DA2022/48 Boundary Reorganisation to land described as CT 122993/2, CT 122993/4 & CT197864/1, 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 :-

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.
2. This permit shall not take effect and must not be acted on until 15 days after the date of receipt of this permit unless, as the applicant and the only person with a right of appeal, you notify Council in writing that you propose to commence the use or development before this date, in accordance with Section 53 of the *Land Use Planning and Approvals Act 1993*.

Easements

3. 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.

Endorsements

4. The final plan of survey must be noted that Council cannot or will not provide a means of drainage to all lots shown on the plan of survey.

Covenants

5. Covenants or other similar restrictive controls that conflict with any provisions or seek to prohibit any use provided within the planning scheme must not be included or otherwise imposed on the titles to the lots created by this permit, either by transfer, inclusion of such covenants in a Schedule of Easements or registration of any instrument creating such covenants with the Recorder of Titles, unless such covenants or controls are expressly authorised by the terms of this permit or the consent in writing of the Council's Manager Environment and Development Services.

Bushfire

6. The development and works must be carried out in accordance with the Bushfire Assessment Report Version – 1.0, prepared by Rogerson & Birch Surveyors dated 15/02/2023.
7. Prior to Council sealing the final plan of survey for any stage the developer must provide certification from a suitably qualified person that all works required by the approved Bushfire Hazard Management Plan has been complied with.

Agreements

8. Agreements made pursuant to Part 5 of the *Land Use Planning and Approvals Act 1993* must be prepared by the applicant on a blank instrument form to the satisfaction of the Council and registered with the Recorder of Titles. The subdivider must meet all costs associated with the preparation and registration of the Part 5 Agreement.

Final Plan

9. A final approved plan of survey and schedule of easements as necessary, together with two (2) copies, must be submitted to Council for sealing for each stage. The final approved plan of survey must be substantially the same as the endorsed plan of subdivision and must be prepared in accordance with the requirements of the Recorder of Titles.
10. A fee of \$250.00, 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 for each stage.
11. Prior to Council sealing the final plan of survey for each stage, security for an amount clearly in excess of the value of all outstanding works and maintenance required by this permit must be lodged with the Central Highlands Council. The security must be in accordance with section 86(3) of the *Local Government (Building & Miscellaneous Provisions) Council 1993*. The amount of the security shall be determined by the Council's Municipal Engineer.
12. All conditions of this permit, including either the completion of all works and maintenance or payment of security in accordance with this permit, must be satisfied before the Council seals the final plan of

survey for each stage. It is the subdivider's responsibility to notify Council in writing that the conditions of the permit have been satisfied and to arrange any required inspections.

13. The subdivider must pay any Titles Office lodgment fees direct to the Recorder of Titles.

Weed Management

14. Prior to the carrying out of any works approved or required by this approval, the subdivider must provide a weed management plan detailing measures to be adopted to limit the spread of weeds listed in the *Weed Management Act 1999* through imported soil or land disturbance by appropriate water management and machinery and vehicular hygiene to the satisfaction of Council's Municipal Engineer and of the Regional Weed Management Officer, Department of Primary Industries Water and Environment.

Water Quality

15. Where a development exceeds a total of 250 square metres of ground disturbance a soil and water management plan (SWMP) prepared in accordance with the guidelines *Soil and Water Management on Building and Construction Sites*, by the Derwent Estuary Programme and NRM South, must be approved by Council's Municipal Engineer before development of the land commences.
16. Temporary run-off, erosion and sediment controls must be installed in accordance with the approved SWMP and must be maintained at full operational capacity to the satisfaction of Council's Municipal Engineer until the land is effectively rehabilitated and stabilised after completion of the development.
17. The topsoil on any areas required to be disturbed must be stripped and stockpiled in an approved location shown on the detailed soil and water management plan for reuse in the rehabilitation of the site. Topsoil must not be removed from the site until the completion of all works unless approved otherwise by the Council's Municipal Engineer.
18. All disturbed surfaces on the land, except those set aside for roadways, footways and driveways, must be covered with top soil and, where appropriate, re-vegetated and stabilised to the satisfaction of the Council's Municipal Engineer.

Property Services

19. Property services must be contained wholly within each lots served or an easement to the satisfaction of the Council's Municipal Engineer or responsible authority.

Existing Services

20. 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.

Rural Access

21. A separate vehicle access must be provided from the right of way to the balanced lot 3. Accesses must be located and constructed in accordance with the standards shown on standard drawings SD-1009 *Rural Roads - Typical Standard Access* and SD-1012 *Intersection and Domestic Access Sight Distance Requirements* prepared by the IPWE Aust. (Tasmania Division) (attached) or as otherwise stated in the Bushfire Assessment and to the satisfaction of Council's Municipal Engineer.

Construction Amenity

22. The development must only be carried out between the following hours unless otherwise approved by the Council's Manager Environment and Development Services:

Monday to Friday	7:00 AM to 6:00 PM
Saturday	8:00 AM to 6:00 PM
Sunday and State-wide public holidays	10:00 AM to 6:00 PM

23. All subdivision works associated with the development of the land must be carried out in such a manner so as not to unreasonably cause injury to, or unreasonably 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 from activities or equipment related to the use or development, including noise and vibration, which can be detected by a person at the boundary with another property.
 - (b) Transport of materials, goods or commodities to or from the land.
 - (c) Appearance of any building, works or materials.
24. 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 Municipal Engineer.
25. 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.

THE FOLLOWING ADVICE APPLIES TO THIS PERMIT: -

- A. This permit does not imply that any other approval required under any other legislation or by-law has been granted.
- B. This permit does not take effect until all other approvals required for the use or development to which the permit relates have been granted.
- C. The issue of this permit does not ensure compliance with the provisions of the *Aboriginal Relics Act 1975*. If any aboriginal sites or relics are discovered on the land, stop work and immediately contact the Tasmanian Aboriginal Land Council and Aboriginal Heritage Unit of the Department of Tourism, Arts and the Environment. Further work may not be permitted until a permit is issued in accordance with the *Aboriginal Relics Act 1975*.
- D. This planning approval shall lapse at the expiration of two (2) years from the date of the commencement of planning approval unless the development for which the approval was given has been substantially commenced or extension of time has been granted. Where a planning approval for a development has lapsed, an application for renewal of a planning approval for that development may be treated as a new application.
- E. Approval of this boundary reorganisation does not imply approval for any residential use on the lots. Note that the relevant standards from the Tasmanian Planning Scheme – Central Highlands for the Rural Zone and/or Agriculture Zone will apply, and that residential use is listed as a Discretionary Use in these Zones.

RECOMMENDATION 03/05.2023/PC

Moved: Cr

Seconded: Cr

THAT the Planning Committee make the following recommendation to the Planning Authority:

7.3 POLICY 2013-08 – PUBLIC OPEN SPACE

Background

A review of the Policy 2013-08 Public Open Space was postponed so a review and updated could be carried out in line with the Local Provision Schedule once the Tasmanian Planning Scheme was adopted. Council's Planning Officer has now carried out this review.

Providing and maintaining quality public open spaces for the community is an important role of Councils. Public open spaces include parks, reserves, gardens, sports/recreation fields and pedestrian or cycle paths and trails.

When land is subdivided to create new lots suitable for housing it will increase the local population and therefore increase the demand for public open spaces in that area. As towns and cities grow it is necessary for Councils to provide for new public open spaces and make improvements to the existing ones for the benefit of the community.

In Tasmania, the *Division 8 of the Local Government (Building and Miscellaneous Provisions) Act 1993* (LGBMP Act) gives Councils the power to require a subdivision developer to contribute to the provision of public open space commensurate with the increase in public open space demand likely to be created by their subdivision.

The LGBMP Act provides that Council may take up to 5% of the subdivision land area for public open space, or a cash in lieu payment equivalent to the value of 5% of the unimproved land value at the time of subdivision (or a combination of the two up to 5%).

Since the adoption of the Tasmanian planning Scheme, the question has been asked, does Council need to update the Public Open Space Policy in line with the new Planning Scheme?

In short, the answer is no. This is because there are no Public Open Space standards in the Tasmanian Planning Scheme and the only amendments required are to the zone names. Therefore, Council can continue to rely upon LGBMP for the determination of POS Contributions and apply the Central Highlands Council Policy 2013-08 Public Open Space Policy, with the minor amendments.

Action to Consider

Council may wish to explore if there is any merit in changing the Public Open Space Policy to accommodate improved values within the terminology, rather than unimproved. However, there may not be much economic benefit and the majority of Councils use the unimproved value.

A copy of the Public Open Space Policy from Brighton Council has been included in the attachments for your information.

For discussion and recommendation to Council.

RECOMMENDATION 04/05.2023/PC

Moved: Cr

Seconded: Cr

THAT the Planning Committee recommends Council approve the reviewed Policy 2013-08 Public Open Space.

7.4 RIVER CLYDE FLOOD MAPPING STUDY – FINAL REPORT

Background

The River Clyde Flood Mapping Study – Final Report has now been completed. A final presentation by GHD Consultants will be held at the Council Workshop later today before being tabled on the 16 May 2023 Ordinary Council Meeting agenda. Councillors need to be aware that once this document is formally endorsed by Council, it will need to be considered when assessing developments under the relevant Central Highlands Planning Scheme and any future Town Structure Plans that may come into place.

FOR INFORMATION & NOTING

8.0 OTHER BUSINESS

9.0 CLOSURE

The Chairperson thanked everyone for their contribution and declared the meeting closed at _____.