



**MINUTES OF THE PLANNING COMMITTEE MEETING  
OF THE CENTRAL HIGHLANDS COUNCIL HELD  
AT THE BOHTWELL COUNCIL CHAMBERS,  
AT 9.00AM ON TUESDAY 12<sup>TH</sup> JULY 2022**

**1.0 PRESENT**

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

**IN ATTENDANCE**

Clr Honner, Clr Campbell, Clr Archer (Attended at 9.05am), Mrs L Eyles (General Manager), Mrs L Brown (Planning Officer), Mr D Mackey (Planning Consultant), Mr G Rogers (Manager DES), & Mrs K Bradburn (Minutes Secretary)

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**2.0 APOLOGIES**

Nil

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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 **Mayor Triffitt**

**THAT** the Draft Minutes of the Planning Committee Meeting of Council held on Tuesday 14<sup>th</sup> June 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**

**Item 6.2** – Jason Lynch from Pinion

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**6.0 DA2022/32 : SUBDIVISION (3 LOTS) : 1160 ELLENDALE ROAD, ELLENDALE**

**Report by**

Jacqui Tyson (Senior Planning Officer)

## **Applicant**

Michael Walsh (Peter Binny Surveys)

## **Owner**

T & K Rayner

## **Discretions**

Rural Living Zone - 13.5 Subdivision

## **Proposal**

The proposal is for subdivision of an existing title at 1160 Ellendale Road, Ellendale into three (3) lots.

The land is currently undeveloped other than farming improvements as it has been used for grazing and hay production in the past.

The property has frontage to Ellendale Road at the western side and adjoins Jones River at the eastern side.

Under the proposal three lots will be created as follows:

- Lot 1 – 1.368ha with over 50m frontage to Ellendale Road;
- Lot 2 – 1.169ha with 75m frontage to Ellendale Road: and
- Lot 3 – 2.271ha with 20m frontage via an access strip between Lots 1 and 2

Lot 2 will be accessed using an existing crossover at the southern end of the frontage to Ellendale Road. Lots 1 and 3 will be provided with a new access from Ellendale Road, co-located at the shared boundary.

The area is serviced by water infrastructure and all lots will be connected in accordance with Taswater requirements.

Subdivision is a Discretionary use and development in the Rural Living Zone.

## **Options**

The Planning Authority must determine the Development Application DA2020/13 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 DA2022/32 for subdivision (3 lots) at 1160 Ellendale Road, Ellendale, 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 DA2022/32 for subdivision (3 lots) at 1160 Ellendale Road, Ellendale, 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 DA2022/32 for subdivision (3 lots) at 1160 Ellendale Road, Ellendale, 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 :-

Council's Planning Officer advised there was a clerical error in the lots numbers in the report and recommendation which will be corrected.

### **RECOMMENDATION**

**Moved:** Clr Cassidy

**Seconded:** Clr Bailey

**THAT** it be recommended to Council that:

**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 DA2022/32 for subdivision (3 lots) at 1160 Ellendale Road, Ellendale, subject to conditions in accordance with the Recommendation.

### **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 (Notre Dame Priory Bushfire Hazard Report. dated 11 May 2022, prepared by ERA Planning & Environment).

#### *Services*

- 6) 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.
- 7) 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.

#### *Access*

- 8) A sealed vehicle access must be provided from the road carriageway to each lot. The accesses 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.
- 9) The access strips to the internal lot (Lot 3) is to be sealed from Ellendale Road to the lot proper and must incorporate stormwater drainage, to the satisfaction of Council's Manager Infrastructure and Works.

*Note: This is required by Clause 13.5.1 P4 (i).*

#### *Easements*

- 10) 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*

- 11) 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.

#### *TasWater*

- 12) Pursuant to the Water and Sewerage Industry Act 2008 (TAS) Section 56P (2) (b) TasWater impose conditions on the permit as per Form PL05P (attached).

#### *Final plan*

- 13) 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.
- 14) A fee of \$205.00, 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.
- 15) 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.
- 16) 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.

**Carried**

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

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## **6.1 PROPOSED BOTHWELL, OUSE, HAMILTON, GREтна & MIENA STRUCTURE PLANNING PROJECTS**

### **Report By**

Council Planning Consultant (SMC) Damian Mackey

### **Attachment**

Project Plan – Draft 4, 6 July 2022

### **Purpose**

The purpose of this report is to progress the initiative to develop 'structure plans' for the townships of Bothwell, Ouse, Hamilton and possibly Miena, Gretna and Ellendale.

It is now the appropriate time to appoint the Project Steering Committee. It is envisaged this will be made up of Council elected members and officers. It will be subject to overall direction from Council and will report back to Council at key points. The first task of the Project Steering Committee will be to finalise the Project Brief.

A second purpose of this report is to consider a recent proposal from the State Planning Office that Council undertaking the first stage of the project collectively with other rural councils in Southern Tasmania. This would be a departure from the early drafts of the Project Brief previously considered by Council.

The Planning Committee's recommendations on the above issues will form a report to the next Council meeting.

## **Background**

The feedback received during last year's public notification of the Central Highlands Draft Local Provisions Schedule brought into focus a need to undertake strategic land use planning exercises for the townships of Bothwell and Ouse.

It is now standard practice for the Tasmanian Planning Commission to require that proposed planning scheme amendments within towns are supported by wholistic strategic planning. In other words: 'structure plans. With this in mind, the project scope has been expanded to include other towns in the municipality.

To pursue the above, a submission and draft project plan was prepared and forwarded to the State Planning Office (SPO) within the Department of Premier and Cabinet. The SPO subsequently advised it has funds available to assist Councils with this work. A total budget of \$240,000 was foreshadowed by Council over two years and the SPO confirmed it will provide up to \$140,000, with the first financial year's allocation of \$70,000 confirmed.

Through the recent budgeting workshop process, Council has allocated the necessary funds for the coming financial year.

## **The Structure Planning Process**

The development of a structure plan is generally undertaken by suitable qualified and experienced independent consultants appointed by Council and working under the direction of a Council-appointed Project Steering Committee.

Prior to seeking proposals from potential consultants, the Steering Committee would finalise the Project Brief which would set out the key parts of the project, such as timeframes, community consultation components, any specific matters that need to be addressed, specific and general outputs and the project budget.

Substantial community involvement is essential to ensure the vision developed for a town is the best it can be, and the local community ultimately have a level of ownership of it. There are usually two phases of community involvement. The first phase is a structured process run by the consultants calling for all manner of ideas, issues, problems, risks, opportunities, etc, from the community. This usually involves a community workshop and a submission process for those unable to attend. The second phase of community consultation is undertaken after the consultants (with Council endorsement) have developed a draft of the structure plan which is then put out to the community for comment.

Other inputs besides that from the community include research on population growth forecasts, residential land demand & supply analysis, demographic trends, gaps in social services, key infrastructure issues and system capacities (water, sewer, roads, etc.), employment trends including existing and future industry sectors and a range of other issues.

All inputs contribute to a collective 'visioning' phase of the process

## **Benefits**

The final structure plans would set out an agreed vision for each town. Desirable zone changes will be highlighted and the strategic planning rationale underpinning these changes explained. Recommendations may also go to community infrastructure and/or facilities that may be missing or inadequate and where there is a demonstrated need. Where such facilities are within Council's purview, these recommendations can inform Council's future works program and budgeting and/or support grant applications to State or Federal Government. Where such facilities are State-level responsibilities, then the structure plan can be used to form the basis of Council's lobbying efforts.

## **Governance**

Full Council will always provide high level governance and make/endorse key decisions. The Steering Committee will provide regular direction and governance, and report back to full Council at key decision points, which will be specified in the Project Brief.

The Steering Committee would oversee the process to seek proposals from interested consultants, interview those on a short-listed and make a recommendation to Council for the appoint of the successful consultant.

Day-to-day liaison with the project consultants will be through a Project Manager, who will report to the Project Steering Committee.

## **Budget Considerations**

It is proposed that the project be split into Part 1 and Part 2 with each part occurring in each of the two coming financial years. The total cost of the project is anticipated to be \$240,000, with the State providing \$140,000 and Council providing \$100,000, across the two financial years.

The State Planning Office has advised that it is prepared to provide \$70,000 this coming financial year, to assist with Part 1 of the project. This represents half of the \$140,000 requested by Council. The remainder would be provided in the following financial year for Part 2, and would be up to the remaining \$70,000, depending on the scope and breadth of the Part 2.

## **Draft Project Brief**

Draft 4 of the Project Brief is attached for information. Once the Project Steering Committee is appointed, it will then finalise the Project Brief and forward it to full Council for endorsement.

As mentioned above, it is proposed that the project be split into two parts.

- Part 1 – conducted across the municipality:
  - The background research: population growth forecasts, residential land demand & supply analysis, demographic trends, gaps in social services, key infrastructure issues and system capacities (water, sewer, roads, etc.), employment trends including existing and future industry sectors and a range of other issues., and
  - Identifying the issues and opportunities for each of the settlements. This would include the first phase of the public consultation for each town.
- Part 2 – The creation of the individual town structure plans.
  - The Part 1 would inform the scope and breadth of Part 2.
  - For example, it may be determined that one or more of the towns do not need a full structure planning process – but something less. (Noting that Bothwell, Hamilton and Ouse would almost certainly be identified as needing the full process).

## **Discussion by Planning Committee**

The process was discussed in detail and it was identified that the looming local government elections in October will occur at a crucial time and resolved that the appointment of the Steering Committee be deferred until after the October Council elections.

## **State Planning Office Proposed Change**

The State Planning Office has recently suggested that Council consider undertaking Part 1 collectively with other rural councils in the Southern Region. This idea has arisen because the SPO has received requests from many of the rural councils for funding to assist in township structure planning. The reasoning is provided in the following excerpt from the SPO's recent email:

- *The State Planning Office is currently funding a number of regional and local strategic planning studies to inform the review of the three regional land use strategies in Tasmania.*
- *Last year's State Budget delivered \$3.45 million over 3 years for the regional land use strategy reviews.*
- *A number of projects are currently underway to inform the review of the Southern Tasmania*



### *Regional Land Use Strategy (STRLUS).*

- *For the metropolitan area, the Greater Hobart Plan has examined residential demand and supply for the four metropolitan councils in Greater Hobart (Hobart, Clarence, Glenorchy and Kingborough) specifically in relation to the current urban growth boundary. The Greater Hobart Plan has been managed through the Hobart City Deal under the Greater Hobart Act 2018.*
- *Complementary work has also recently commenced for the Outer Hobart Residential Demand and Supply Study to examine the urban areas of Greater Hobart outside the scope Greater Hobart Plan (Brighton and Sorell and the remaining areas Clarence (e.g. Lauderdale) and Margate and Snug in Kingborough) along with the settlements within a 45 minute commute from the Hobart CBD (e.g. Huonville, New Norfolk, Richmond, Bagdad, Campania).*
- *On the back of a number of requests for local strategic planning funding for the rural council areas in the Southern Region, the State Planning Office is currently considering options for funding a further complementary demand and supply study to be managed as sub-regional project for the remaining settlements in the Southern Region – the Outlying Settlements.*
- *Running this as a coordinated project provides value in terms of resourcing, time and cost savings and greater consistency in the collection and analysis of data.*
- *There is the potential to consider demand and supply in the context of the three different sub-regional segments in the Southern Region – for example an East Coast Sub-Region, a Huon Valley/Channel Sub-Region, Midlands/Highlands/Derwent Valley Sub-region.*
- *The completion of the residential demand and supply studies will inform the review of the STRLUS and local strategic planning work (e.g. the preparation of structure plans).*
- *The studies will also complement those underway and proposed in the Northern and Cradle Coast regions and create a full picture of residential demand and supply in the State, providing a baseline for the ongoing monitoring and implementation of the regional land use strategies.*

### **Discussion by Planning Committee**

The State Planning Offices proposal was discussed with the following questions were raised:

- Will joining with a combined project delay our project? Central Highlands is close to commencing and reaching agreement with all other rural Councils in the Southern Region to undertake a collective project may take some time.
- Within a combined project, the importance of the Central Highlands' towns and the issues they face may get lost, or diminished in importance. How can we insure against this?
- Our 'Part 1' also includes other components, such as the initial community consultation work. How would this mesh with a combined approach?
- If Council does not participate in the combined approach, would this put the promised funding from the SPO at risk?
- Is the proposed combined project purely a residential supply and demand analysis?
- Would there be opportunity for Council to have input into the project, for example regarding the unique current and envisaged population growth drivers for our area?
- Would there be opportunity for the community to similarly have input?

Council's Planning Consultant, Damian Mackey, to follow up with the State Planning Office prior to the Council Meeting.

### **RESOLVED THAT:**

It be recommended to Council that:

- A. The Project Steering Committee be appointed after the October Council elections; and
- B. Prior to October, full Council develop the Project Brief to a penultimate stage, to be finalised under the new Council after the elections.

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*Broke for Morning Tea at 9.47am  
Meeting Resumed at 10.15am  
Jason Lynch attended Meeting at 10.15am*

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## 6.2 CENTRAL HIGHLANDS DRAFT LOCAL PROVISIONS SCHEDULE : RURAL-AGRICULTURE ZONE REVIEW

### Report By

Council Planning Consultant (SMC) Damian Mackey

### Attachment

Draft Report - Pinion Advisory (to be provided)

### Purpose

The purpose of this report is to consider the draft report from Pinion Advisory reviewing Council's methodology in allocating the Rural and Agriculture Zones in the Central Highlands Draft Local Provisions Schedule.

### Background

In March the Tasmanian Planning Commission directed Council to engage a suitably qualified independent consultant to review its methodology in allocating the Rural and Agriculture Zones in the Central Highlands Draft Local Provisions Schedule.

Council sought proposals, including timeframes and costs estimates, from two companies considered capable of undertaking this kind of work, and appointed Pinion Advisory Services.

### Discussion

Jason Lynch from Pinion presented the draft report to the Council Planning Committee. A number of minor modifications and additions were identified and agreed including historical irrigation data for properties.

Pinion Advisory will amend the document accordingly and provide the final version prior to the July Council Meeting.

### RECOMMENDATION

**Moved:** Mayor Triffitt

**Seconded:** Clr Cassidy

**THAT** it be recommended to Council that it accept the Rural Land Zoning Review from Pinion Advisory, dated July 2022, which reviews Council's allocation of the Rural and Agriculture Zones in the Central Highlands Draft Local Provisions Schedule, subject to the amendments and additions discussed at the Planning Committee meeting, and forward the report to the Tasmanian Planning Commission.

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

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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 11.20am.