



**NORTHERN  
MIDLANDS  
COUNCIL**

# **AGENDA**

**ORDINARY MEETING OF COUNCIL**

**WEDNESDAY, 27 JANUARY 2021**

**IN PERSON &  
VIA ZOOM VIDEO CONFERENCING  
PLATFORM**

## QUALIFIED PERSONS ADVICE

The *Local Government Act 1993* Section 65 provides as follows:

- (1) *A general manager must ensure that any advice, information or recommendation given to the council or a council committee is given by a person who has the qualifications or experience necessary to give such advice, information or recommendation.*
- (2) *A council or council committee is not to decide on any matter which requires the advice of a qualified person without considering such advice unless –*
  - (a) *the general manager certifies, in writing –*
    - (i) *that such advice was obtained; and*
    - (ii) *that the general manager took the advice into account in providing general advice to the council or council committee; and*
  - (b) *a copy of that advice or, if the advice was given orally, a written transcript or summary of that advice is provided to the council or council committee with the general manager's certificate.*

I therefore certify that with respect to all advice, information or recommendation provided to the Council in or with this Agenda:

- i) the advice, information or recommendation is given by a person who has the qualifications or experience necessary to give such advice, information or recommendation; and
- ii) where any advice is directly given by a person who does not have the required qualifications or experience, that person has obtained and taken into account in that person's general advice, the advice from an appropriately qualified or experienced person.

## RECORDING OF COUNCIL MEETINGS

**COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020 – Regulation 18** makes provision for councils to hold meetings via video conferencing platforms.

A copy of the recording of the meeting will be placed on Council's website as soon as practicable after the meeting, the Closed Council session of the meeting will be redacted.

**Regulation 33** of the **Local Government (Meeting Procedures) Regulations 2015** provides for the audio recording of Council meetings.

The purpose of recording meetings of Council is to assist Council officers in the preparation of minutes of proceedings.

Council's Policy includes the following provisions:

- ♦ only applies to formal Council meetings (ordinary meetings, special meetings and Annual General meetings);
- ♦ does not apply to closed sessions of Council;
- ♦ does not apply to Committees of Council;
- ♦ The recording will not replace written minutes and a transcript of the recording will not be prepared;
- ♦ The recording may be used by Council staff to assist with the preparation of the minutes and by Council during a subsequent meeting within the period that the recording is retained;
- ♦ The official copy of the recording of a Council meeting is to be retained by Council for at least a period of 6 months from the date of a meeting and deleted after that period has expired;
- ♦ If requested, a recording of a Council meeting to be available to Councillors at no cost within 24 hours of the meeting.

Unless expressly stated otherwise, Northern Midlands Council claims copyright ownership of the content of recordings of Council meetings ("the Recordings").



Des Jennings  
GENERAL MANAGER

## GUIDELINES FOR COUNCIL MEETINGS

### PUBLIC QUESTIONS AND STATEMENTS

Public Attendance Meeting Guidelines during the COVID-19 Disease Emergency

The conduct of Council Meetings is currently being undertaken in accordance with the *COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020*. This has necessarily meant that public attendance at meetings has been restricted. Under these arrangements Council meetings have been undertaken remotely via online platforms.

While COVID-19 restrictions remain in place, Council is mindful of the need to ensure community safety and compliance with regard to social distancing and limitations on the number of persons who may gather. This obligation is balanced with the need to minimise disruption to the business of Council.

Council has determined that limited public access to Council meetings will be permitted from the Council Meeting scheduled for 14 December 2020.

Attendance of the public will be restricted to those who wish to make representation or present a statement in person at the meeting, preference is to be given to individuals

1. making representations to planning applications which are subject to statutory timeframes (limit of 4 persons per item),
- and
2. those making statements or representations on items listed in the Agenda for discussion (limited to 2 persons).

To ensure compliance with Council's COVID-19 Safety Plan, any person wishing to attend will be required to register their interest to attend, which is to be received by Council before 12noon 4 days (i.e. usually the Friday) preceding the meeting by emailing [council@nmc.tas.gov.au](mailto:council@nmc.tas.gov.au) or phoning Council on 6397 7303. **In the case of this meeting where the meeting is being held on Wednesday, 27 January, registrations must be received prior to 12noon on Monday, 25 January 2021.**

On arrival attendees will:

- be required to complete the health declaration section of their registration form to support COVID-19 tracing (in the event that it is necessary); and
- receive direction from council officers (or Council's delegate) in relation to their access to the meeting room.

Access to the Municipal Building will only be permitted until 6.45pm, at which time Public Question Time will commence.

Members of the public who would prefer not to attend the meeting, but would like to ask a question or make a representation to the Council that would normally be heard during Public Question Time, may forward their question/representation to [council@nmc.tas.gov.au](mailto:council@nmc.tas.gov.au) which is to be received by Council before 12noon 4 days (i.e. usually the Friday) preceding the meeting. **In the case of this meeting where the meeting is being held on Wednesday, 27 January, questions/representations must be received prior to 12noon on Monday, 25 January 2021.**

Any questions/representations received will be circulated to Councillors prior to the meeting, tabled at the meeting and recorded in the minutes of the meeting.

These arrangements are subject to review based on any change in circumstance relating to the COVID-19 Disease Emergency.

Council will continue to ensure minutes and audio recordings of Council meetings are available on Council's website.

### REPRESENTATIONS ON PLANNING ITEMS

A maximum of 4 persons per item (2 for and 2 against) will be permitted to address Council on a planning item.

### PETITIONS

In relation to the receipt of petitions, the provisions of the *Local Government Act 1993*, Part 6 - Petitions, polls and public meetings, S57 and S58, should be noted.



# NORTHERN MIDLANDS COUNCIL

## AGENDA – ORDINARY MEETING

### 27 JANUARY 2021

NOTICE IS HEREBY GIVEN THAT THE NEXT MEETING OF THE NORTHERN MIDLANDS COUNCIL WILL BE HELD ON WEDNESDAY 27 JANUARY 2021 AT 5.00PM IN PERSON AND VIA ZOOM VIDEO CONFERENCING PLATFORM IN ACCORDANCE WITH THE *COVID-19 DISEASE EMERGENCY (MISCELLANEOUS PROVISIONS) ACT 2020, SECTION 18* (AUTHORISATION FOR MEETINGS NOT TO BE HELD IN PERSON)

  
DES JENNINGS  
GENERAL MANAGER

22 JANUARY 2021

4.00pm Councillor Workshop – closed to the public

#### GOV 1 ATTENDANCE

##### 1 PRESENT

In Attendance:

##### 2 APOLOGIES

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### GOV 3 ACKNOWLEDGEMENT OF COUNTRY

We acknowledge and pay our respects to the Tasmanian Aboriginal Community as the traditional and original owners, and continuing custodians of this land on which we gather today and acknowledge Elders – past, present and emerging.

### GOV 4 DECLARATIONS OF ANY PECUNIARY INTEREST OF A COUNCILLOR OR CLOSE ASSOCIATE

Section 8 sub clause (7) of the *Local Government (Meeting Procedures) 2005* require that the Chairperson is to request Councillors to indicate whether they have, or are likely to have, a pecuniary interest in any item on the Agenda.

### GOV 5 CONFIRMATION OF MINUTES: OPEN COUNCIL ORDINARY COUNCIL MEETING MINUTES

#### DECISION

Cr

That the Open Council Minutes of the Ordinary Meeting of the Northern Midlands Council held at the Council Chambers, Longford on Monday, 14 December 2020, be confirmed as a true record of proceedings.

### GOV 6 MOTIONS ON NOTICE

No notices of motion were received.



# NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 27 JANUARY 2021

## GOV 7 COMMITTEE MINUTES

### 1 CONFIRMATION OF MINUTES OF COMMITTEES

*Attachments: Section 1 – Page 1*

Minutes of meetings of the following Committees were circulated in the Attachments:

	Date	Committee	Meeting
i)	29/11/2020	Epping Forest Hall Committee	Ordinary
ii)	01/12/2020	Evandale Advisory Committee	Ordinary
iii)	05/01/2021	Avoca Museum and Information Centre – Australia Day meeting	Ordinary
iv)	05/01/2021	Avoca Museum and Information Centre	Ordinary
v)	13/01/2021	Ross Community Sports Club Inc.	Ordinary
vi)	19/01/2021	Northern Midlands Local Recycling Committee	Ordinary

#### DECISION

Cr

*That the Minutes of the Meetings of the above Council Committees be received.*

### 2 RECOMMENDATIONS OF SUB COMMITTEES

In the attached minutes of sub committees, no new recommendations have been noted as being for Council's consideration.

**NOTE:** *Matters already considered by Council at previous meetings have been incorporated into INFO 10: Officer's Action Items.*

## GOV 8 DATE OF NEXT COUNCIL MEETING: MONDAY, 15 FEBRUARY 2021

Mayor Knowles advised that the next Ordinary Council Meeting of the Northern Midlands Council would be held at 5.00pm on Monday, 15 February 2021 in person and via the Zoom video conferencing platform in accordance with the *COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020*, Section 18 (authorisation for meetings not to be held in person).



# NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 27 JANUARY 2021

## INFO INFORMATION ITEMS

### 1 COUNCIL WORKSHOPS/MEETINGS HELD SINCE THE LAST ORDINARY MEETING

Responsible Officer: Des Jennings, General Manager

The General Manager advised that the following workshops/ meetings had been held.

Date Held	Purpose of Workshop
27/01/2021	<b>Council Workshop</b> Discussion: <ul style="list-style-type: none"><li>Council Meeting Agenda items</li></ul>
	<b>Presentations planned to be received at next workshop:</b> <ul style="list-style-type: none"><li>Care Beyond Cure Inc</li><li>Longford Heritage Precinct</li></ul>

### 2 MAYOR'S ACTIVITIES ATTENDED & PLANNED

Mayor's Activities Attended & Planned for the period 15 December 2020 to 27 January 2021 are as follows:

Date	Activity
15 December 2020	Attended Campbell Town district Highs School Leavers Event, Campbell Town
16 December 2020	Attended Visit Northern Tasmania event, airport
17 December 2020	Attended Northern Tasmania Green Hydrogen Hub breakfast, Launceston
21 December 2020	Attended Campbell Town Pool meeting, Campbell Town
5 January 2021	Attended Avoca Museum and Information Centre Australia Day meeting, Avoca
11 January 2021	Attended ABC 'Drive' interview, Gipps Creek
16 January 2021	Attended Veterans Cricket Tasmania gala day, Ross
20 January 2021	Attended meeting with Rural Alive and Well (RAW) CEO, Perth
20 January 2021	Attended meeting with Trish Males, Our Watch
20 January 2021	Attended meeting with General Manager, Longford
21 January 2021	Attended Northern Midland Business Association (NMBA) Mobile Black Spot Action meeting, Launceston
26 January 2021	Attended Australia Day celebrations, Avoca
27 January 2021	Attended Council Workshop and Meeting, Longford

### 3 GENERAL MANAGER'S ACTIVITIES

General Manager's activities for the prior month are as follows:

Meetings were attended either in-person, or via electronic means (on-line or via conference call)

- Met with Neil Kearney re Longford Motor Racing book
- Met with proponents re Longford Motor Racing museum
- Attended Perth Local District Committee meeting
- Attended Premier's Local Government Committee meeting
- Attended Northern Tasmania Development Corporation board strategy meetings
- Attended Local Government Association of Tasmania (LGAT) Annual Conference, AGM and General Meeting
- Met with Paul Eriksson, TasRacing and Councillors re Longford Racecourse
- Attended Regional General Manager's meeting
- Met with Longford Local District Committee re Longford Streetscape Plan and Longford Racecourse
- Met with Tim Chugg
- Attended Tamar Estuary and Esk Rivers (TEER) Strategy and Partnerships Committee meeting
- Attended Northern Tasmania Waste Management Group (NTWMG) Steering Committee meeting
- Met with Campbell Town Swimming Pool Management Committee
- Attended Northern Tasmania Development Corporation Regional Land Use Strategy meeting
- Attended LGAT's Public Health briefing
- Attended Premier's Local Government Committee meeting and end of year function
- Attended meeting re Northern Council's Legal Services agreement

- Attended Northern Council General Manager's Tasplan Fund update

## 4 PETITIONS

*Attachments: Section 1 – Page 13*

### 1 PURPOSE OF REPORT

In accordance with the Vision, Mission and Values of Council as identified in the *Council's Strategic Plan 2007-2017* and the *Local Government Act 1993, S57 – S60*, provision is made for Council to receive petitions tabled at the Council Meeting.

### 2 OFFICER'S COMMENT

In relation to the receipt of petitions, the following provisions of the *Local Government Act 1993*, Part 6 - Petitions, polls and public meetings, S57 and S58, should be noted:

#### Section 57. Petitions

[Section 57 Substituted by No. 8 of 2005, s. 46, Applied: 01 Jul 2005]

- (1) A person may lodge a petition with a council by presenting it to a councillor or the general manager.
- (2) A person lodging a petition is to ensure that the petition contains –
  - (a) a clear and concise statement identifying the subject matter and the action requested; and
  - (b) in the case of a paper petition, a heading on each page indicating the subject matter; and
  - (c) in the case of a paper petition, a brief statement on each page of the subject matter and the action requested; and
  - (d) a statement specifying the number of signatories; and
  - (e) at the end of the petition –
    - (i) in the case of a paper petition, the full name, address and signature of the person lodging the petition; and
    - (ii) in the case of an electronic petition, the full name and address of the person lodging the petition and a statement by that person certifying that the statement of the subject matter and the action requested, as set out at the beginning of the petition, has not been changed.
- (3) In this section –
 

**electronic petition** means a petition where the petition is created and circulated electronically and the signatories have added their details by electronic means;

**paper petition** means a petition where the petition is created on paper which is then circulated and to which the signatories have added their details directly onto the paper;

**petition** means a paper petition or electronic petition;

**signatory** means –

  - (a) in the case of a paper petition, a person who has added his or her details to the paper petition and signed the petition; and
  - (b) in the case of an electronic petition, a person who has added his or her details to the electronic petition.

### 3 PETITIONS RECEIVED: SUBDIVISION OF 32 NORFOLK STREET, PERTH

A petition initiated by Barbara Rees of 15 Thyne Avenue, Newstead was received by Council on 14 December 2020.

The petition requests the following action:

- 1) *Rescind the decision (PLN-18-0296) to subdivide 32 Norfolk Street, Perth.*
- 2) *Rehabilitate the historic well at 32 Norfolk Street making it part of the public open space.*
- 3) *Rezone 32 Norfolk Street, Perth to a Heritage Precinct under the Northern Midlands Interim Planning Scheme 2013, Local Historic Heritage Code E13.*
- 4) *Prohibit building on or between the historic structures at 32 Norfolk Street, Perth.*

In support of this petition to the Northern Midlands Council, it is noted that a total of 233 signatures were collected at that time.

The initial petition, which was compliant and met the requirements of S57 was formally received by Council at the 14 December 2020 Council meeting.

A total of 233 signatures were collected at that time, analysed as follows: Perth – 178, Northern Midlands (not Perth) 48, other municipal areas 7.

A further list of 157 signatories was provided to the General Manager on 21 January 2021, it appears that these signatures were solicited following the tabling of the initial petition.

The validity of the additional pages of the petition is questionable as there are a number of names listed within the petition which have not been signatories to the petition.

In regard to this matter, Council at its meeting of 14 December 2020 considered a Notice of Motion put forward by Councillor Brooks

# NORTHERN MIDLANDS COUNCIL

## AGENDA – ORDINARY MEETING

### 27 JANUARY 2021

seeking a report to overturn the approval for the subdivision at 32 Norfolk Street, this motion was lost (minute reference 414/20).

#### DECISION

*Cr Brooks/Cr Goninon*

*That the Council agrees to consider a motion at its next meeting that, if resolved in the affirmative, would have the effect of overturning previous decision made by the Council such that an approved subdivision at 32 Norfolk Street, (titles of which are close to issuing), the configuration of public open space and all works associated with that subdivision will be set aside and discontinued.*

*Lost*

*Voting for the motion:*

*Cr Brooks, Cr Goninon, Cr Lambert*

*Voting against the motion:*

*Mayor Knowles, Cr Adams, Cr Davis, Cr Goss, Cr Polley*

Council has been provided with a copy of the previous report on numerous occasions and considered the matter a number of times.

All works at the site are nearing finalisation and the properties will be listed for sale in the near future.

No further action is required on this matter.

#### **4 ATTACHMENT**

Additional petition pages

### 5 CONFERENCES & SEMINARS: REPORT ON ATTENDANCE BY COUNCIL DELEGATES

No reports relating to attendance at conferences and seminars have been received.

### 6 132 & 337 CERTIFICATES ISSUED

In relation to the issue of 132 and 337 certificates, the following provisions of the *Local Government Act 1993*, Section 132 and Section 337, should be noted:

#### **S132. Certificate of liabilities**

- (1) A person referred to in [subsection \(2\)](#) may apply to the general manager for a certificate stating–
  - (a) the amount of any liability for rates, whether due or not on the land and outstanding interest or penalty payable in relation to the land;
  - (b) any amount received on account of rates that is held in credit against future liabilities for rates in relation to the land; and
  - (c) the amount of any charge on the land recoverable by the council.

#### **S337. Council land information certificate**

- (1) A person may apply in writing to the general manager for a certificate in respect of information relating to land specified and clearly identified in the application.
- (2) The general manager, on receipt of an application made in accordance with [subsection \(1\)](#), is to issue a certificate in the prescribed form with answers to prescribed questions that are attached to the certificate.
- (3) A certificate under [subsection \(2\)](#) relates only to information that the council has on record as at the date of issue of the certificate.
- (4) A prescribed fee is payable in respect of the issue of a certificate.
- (5) The general manager, on request, may provide in or with the certificate any other information or document relating to the land that the general manager considers relevant.
- (6) A council does not incur any liability in respect of any information provided in good faith from sources external to the council.
- (7) A person, with the consent of the occupier or owner of specified land, may request in writing to the general manager that an inspection be carried out of that land to obtain supplementary information relevant to that land.
- (8) If the general manager agrees to a request under [subsection \(5\)](#) or [\(7\)](#), the general manager may impose any reasonable charges and costs incurred.
- (9) In this section –
 

**land** includes –

  - (a) any buildings and other structures permanently fixed to land; and
  - (b) land covered with water; and
  - (c) water covering land; and
  - (d) any estate, interest, easement, privilege or right in or over land.

# NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 27 JANUARY 2021

No. of Certificates Issued 2020/2021 year													Total 2020/2021 YTD	Total 2019/2020
	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June		
<b>132</b>	136	71	95	98	105	69							<b>574</b>	<b>915</b>
<b>337</b>	34	41	36	44	59	66							<b>280</b>	<b>515</b>

## 7 ANIMAL CONTROL

Prepared by: *Martin Maddox, Accountant and  
Tammi Axton, Animal Control Officer*

Item	Income/Issues 2019/2020		Income/Issues for December		Income/Issues 2020/2021	
	No.	\$	No.	\$	No.	\$
Dogs Registered	4,278	101,937	22	615	4,036	96,023
Dogs Impounded	44	4,089	3	65	9	479
Euthanized	1	-	-	-	-	-
Re-claimed	39	-	1	-	7	-
Re-homed/Dogs Home *	4	-	-	-	-	-
New Kennel Licences	15	1,080	2	144	8	576
Renewed Kennel Licences	70	3,080			72	3,168
Infringement Notices (paid in full)	42	12,149	1	163	16	3,500
Legal Action	-	-	-	-	-	-
Livestock Impounded	-	-	-	-	1	65
<b>TOTAL</b>		<b>122,335</b>		<b>987</b>		<b>103,811</b>

\* previously sent to RSPCA (and subsequently Launceston City Council shelter) to 30 January 2019; commenced with utilising the Dogs Home April 2019.

### Registration Audit of the Municipality:

2 weeks each year

### Kennel Licences

2 new kennel licence applied for in December

### Microchips:

0 dogs microchipped

### Infringements:

0 infringement issued.

### Attacks:

1 minor attack – dog – no injuries – under investigation as dog has not been identified and owner unknown.

### Impounded Dogs:

3 dogs impounded – 1 reclaimed by owner.

## 8 ENVIRONMENTAL HEALTH SERVICES

Prepared by: *Graeme Hillyard, Environmental Health Officer*

Determine acceptable and achievable levels of environmental and public health by ongoing monitoring, inspection, education and, where necessary, by applying corrective measures by mutual consent or application of legislation.





# NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 27 JANUARY 2021

Ensure safe standards of food offered for sale are maintained.

Investigations/Inspections	2017/2018	2018/2019	2019/2020	2020/2021	No. of premises inspected this month	Current No. of Premises Registered
Notifiable Diseases	4	5	1	0		
Inspection of Food Premises	77	127	111	55	24	125

Notifiable Disease investigations are carried out by Council's Environmental Health Officer at the request of the Department of Health. Investigations typically relate to cases of food borne illness. While some investigations are inconclusive others can be linked to other cases and outbreaks within Tasmania and across Australia. Under the Public Health Act 1997, investigations are confidential.

Food premises are due for inspection from 1 July each year. The number of inspections in the table above is the total number carried out since 1 July in each financial year.

Inspections are conducted according to a risk-based assessment and cover all aspects of food storage, handling and preparation. A total of 35 criteria are assessed for either compliance, non-compliance or serious non-compliance. Actions, including follow-up inspections, are taken according to the outcome of inspections.

## 9 CUSTOMER REQUEST RECEIPTS

Operational Area	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
Animal Control	4	5	6	2	1	1						
Building & Planning	-	-	-	1	1	1						
Community Services	-	-	-	-	1	11						
Corporate Services	-	3	1	-	1	2						
Governance	-	-	-	-	-	1						
Waste	1	-	-	-	-	-						
Works	31	27	28	34	13	35						

## 10 GIFTS & DONATIONS (UNDER SECTION 77 OF THE LGA)

Date	Recipient	Purpose	Amount \$
15-Sep-20	Campbell Town District High School	Inspiring Positive Futures Program	7,272.73
15-Sep-20	Campbell Town District High School	Chaplaincy	1,363.64
27-Oct-20	Campbell Town District High School	Donation - School Achievement Awards	150.00
27-Oct-20	Perth Primary School	Donation - School Achievement Awards	50.00
27-Oct-20	Evandale Primary School	Donation - School Achievement Awards	50.00
27-Oct-20	Longford Primary School	Donation - School Achievement Awards	50.00
27-Oct-20	Cressy District High School	Donation - School Achievement Awards	136.36
27-Oct-20	Longford Fire Brigade	Donation	100.00
27-Oct-20	Perth Fire Brigade	Donation	100.00
18-Nov-20	Longford Care-a-car Committee	Donation	1,000.00
25-Nov-20	Helping Hand Association	Donation	1,500.00
22-Dec-20	Cressy District High School	Inspiring Positive Futures Program	8,000.00
<b>School &amp; Bursary Programs</b>			
11-Nov-20	Chanelle Woods	Bursary Program 2019 - instalment 2	1,000.00
		<b>TOTAL DONATIONS</b>	<b>\$20,772.73</b>

## 11 ACTION ITEMS: COUNCIL MINUTES

Date	Min. Ref.	Details	Action Required	Officer	Current Status
29/06/2020	208/20	Footpath Trading By-Law	That the matter be deferred to a Council Workshop for discussion.	General Manager	Listed for workshop discussion.



# NORTHERN MIDLANDS COUNCIL

## AGENDA – ORDINARY MEETING

### 27 JANUARY 2021

Date	Min. Ref.	Details	Action Required	Officer	Current Status
16/03/2020	Deferred item	GOV8 Overhanging Trees/Hedges: Evandale	Deferred to provide opportunity for the community to attend	General Manager	No further action to be taken at this time. To be workshopped and report to be relisted.
19/08/2019	238/19	Local District Committees: Review of Memorandum of Understanding	That the matter be deferred to a workshop	General Manager	Advice formally provided to Committees for comment. Report to Council workshop.
20/07/2020	241/20	Traffic Concerns: Intersection of Marlborough & Wellington streets Longford	That Council i) conduct a vehicle movement survey on the - Wellington/Marlborough street and Wellington/Lyttleton Street - intersections to ascertain the data on vehicle movements through those intersections; and ii) investigate current heavy vehicle movements and routes through Longford and identify possible solutions and alternate routes; and iii) present the data and options for discussion at a Council Workshop prior to a report being tabled at a future Council meeting.	Engineering Officer	<b>Traffic Engineers report received. Report to Council following Workshop discussion.</b>
17/02/2020	039/20	Recommendations of Sub Committees - Cressy Local District Committee	Bartholomew Park Sign - That Council officers investigate and design a new park sign and explanation plinth (providing background on the park name) to be located at the corner of Main and Church streets, Cressy near the trout sculpture, and it be brought back to the Committee for comment	Works Manager	Design drawing to be provided by Committee. CLDC Secretary to follow up with Committee.
21/10/2019	313/19	Confirmation of Minutes - Ross Local District Committee - 7.1 Macquarie River	The Ross Local District Committee requests that the Northern Midlands Council progress the dual naming of the Macquarie River to Tinamirakuna which includes community consultation and investigation. - That Council support the proposal and progress the request	Executive & Comms Officer	Contacted DPIPW and Tasmanian Aboriginal Centre, awaiting response. Application to be lodged in March for consideration in April.
14/12/2020	415/20(3)	Recommendation of sub committees - Longford LDC - 7.2 Longford Racecourse and the Longford Show Ground as part of Brickendon and Woolmers Heritage Link.	That while considering the changes to the Longford planning scheme the heritage values of the town are given priority so that historic zones are linked to include Brickendon and Woolmers - That the Chair of the Committee meet with officers of Council's Planning Department to discuss their proposal.	Executive & Comms Officer	<b>Local District Committee to request meeting with Planners.</b>
14/12/2020	415/20(3)	Recommendation of sub committees - Longford LDC - 7.3 General Residential Zone.	a) That Council reinstate the zoning of Longford Racecourse area back to rural, stipulating the uses as stables, horse training and horse agistment in the area bounded by Wellington, Anstey, Cracroft and Brickenfon streets; b) That this Committee recommends that Council change the description of general residential zone from "urban" to "rural" and include this in local area objectives and adjust the zone purposes to include "desired future characteristics" in the explanation. That the Chair of the Committee meet with officers of Council's Planning Department to discuss their proposed changes.	Executive & Comms Officer	<b>Local District Committee to request meeting with Planners.</b>
14/12/2020	415/20(3)	Recommendation of sub committees - Ross LDC - Road Markings	As an urgent matter of Public Safety, the Ross Local District Committee requests the Northern Midlands Council repaint the white traffic dividing lines on the Northern (Chiswick Rd), and Southern (Roseneath Road), entrances to Ross. The bend on Roseneath Road approaching the Ross Bridge is of particular concern where the white dividing line is heavily worn and is barely visible. - That Council note the information, investigate the matter and action accordingly.	Executive & Comms Officer	<b>Works Manager to meet with Committee to discuss.</b>
16/11/2020	382/20	Recommendations of Sub Committees - Campbell Town District Forum - Tourist Signage	Tourist symbol information to be placed at road entries to Campbell Town. - That Council Officers investigate the matter.	Executive & Comms Officer	Matter being investigated by Tourism and Executive & Comms Officers.
17/09/2018	258/18	Initiation of Draft Planning Scheme Amendment 04/2018 include Flood Risk Mapping in the Planning Scheme for land along Sheepwash Creek from Arthur Street to Cemetery Road, Perth	That Council, acting as the Planning Authority, pursuant to section 34 of the former provisions of the Land Use Planning and Approvals Act 1993 resolve to initiate draft Planning Scheme Amendment 04/2018 to the Northern Midlands Interim Planning Scheme 2013 to include the flood risk mapping for land zoned General Residential and Future Residential, based on the mapping shown in the attachment, in the planning scheme maps.	Senior Planner	A flood map is to be incorporated by an amendment to the Planning Scheme. Aerial survey to be undertaken prior to seeking quotes for amendment. Aerial Survey complete, <b>Land Survey Modelling</b> can now commence, <b>due mid-March.</b>

#### LONG TERM ACTIONS

Date	Min. Ref.	Details	Action Required	Officer	Current Status
18/09/2017	279/17	Historical Records and Recognition: Service of Councillors	That Council, ...and ii) progress the following when the glass enclosed area at the front of the Council Chambers is nearing completion: Photograph/photographs of current Councillors – professional printing and framing; Archiving of historic	Exec Assistant	Photographs of full NMC Council, for each term since inception, received. Some photos still to be sourced.



# NORTHERN MIDLANDS COUNCIL

## AGENDA – ORDINARY MEETING

### 27 JANUARY 2021

Date	Min. Ref.	Details	Action Required	Officer	Current Status
			photographs; Production of a photo book of historic photographs for display.		
18/05/2020	146/20	Northern Midlands Youth Voice Forum	That Council endorse the progression of the Northern Midlands Youth Voice Forum	Youth Officer	Postponed to 2021.
19/11/2018	323/18	Tom Roberts Interpretation at Longford	That Council approve the proposal to develop a Tom Roberts interpretation panel for erection in the grounds of Christ Church Longford and a short Tom Roberts' video, and consider funding these items in the mid-year budget review process.	Project Officer	Interpretation panel installed. Video production being negotiated. To be finalised in 2021.

#### COMPLETED ACTION ITEMS FOR DELETION

Date	Min. Ref.	Details	Action Required	Officer	Current Status
19/10/2020	343/20	Climate Change: Declaration of A Climate Emergency	That Council: i) declare a Climate Change Emergency; and ii) prepare a Climate Emergency Strategy and Action Plan, inclusive of an audit of initiatives taken by Council over the last 5 years and additional opportunities for improvement; and iii) an allocation for the preparation of the Strategy and Action Plan be included in the 2020/2021 mid-term budget review; and iv) write to the Prime Minister, Tasmanian Premier and Local Government Association of Tasmania (LGAT), urging them to acknowledge and take action to address the climate change crisis.	General Manager	Fee offers to be sought and listed for consideration at the half yearly budget review.
14/12/2020	417/20	INFO - Petitions - Subdivision of 32 Norfolk St Perth	A petition initiated by Barbara Rees of 15 Thyne Avenue, Newstead was received by Council on 14 December 2020. The petition requests the following action: 1) Rescind the decision (PLN-18-0296) to subdivide 32 Norfolk Street, Perth. 2) Rehabilitate the historic well at 32 Norfolk Street making it part of the public open space. 3) Rezone 32 Norfolk Street, Perth to a Heritage Precinct under the Northern Midlands Interim Planning Scheme 2013, Local Historic Heritage Code E13. 4) Prohibit building on or between the historic structures at 32 Norfolk Street, Perth.	General Manager	INFO report to Council meeting, further signatures lodged. Formal advice sent to petitioner.
14/12/2020	422/20	Longford Motor Racing Book	Motion to fund Mr Kearney's book lost	General Manager	Mr Kearney advised.
14/12/2020	419/20	Membership Of Reconciliation Collective And Reconciliation Action Plan	That Council, i) defer consideration of the matter subject to it being properly costed and actions outlined; ii) in the interim, make contact with Reconciliation Tasmania to ascertain further information; and iii) consider funding in the 2021/2022 budget.	General Manager	
14/12/2020	426/20	Northern Regional Cat Management Strategy 2020-2030	That Council endorse the Northern Regional Cat Management Strategy (2020-2030) and consider an allocation in the 2021/2022 budget for future cat management activities.	General Manager	NRM advised.
14/12/2020	418/20	Proposed Blue Tree Project	Motion to fund Blue Tree Project lost	General Manager	email sent
14/12/2020	424/20	Rural Alive & Well RAW Funding Agreement	That Council endorse the execution of the Rural Alive and Well (RAW) Funding Agreement by the General Manager.	General Manager	Document signed. Complete.
14/12/2020	420/20	Perth Bicentenary Committee Calendar Funding Request	That Council support the project and provide \$1,826 in funding to produce the calendars or for other appropriate purpose, to be funded from the secretarial services allocation for 2020/2021.	Tourism/Events Officer	Committee advised.
14/12/2020	423/20	Policy Reviews	That Council endorse the amendments to the policies:	Executive Assistant	Complete.
29/06/2020	193/20	Pandemic Recovery Proposal: Incentives to entice Intrastate Visitors to Northern Midlands to Stay, Play and Spend	That Council support the proposed course of action to entice intrastate visitors to Northern Midlands to stay, play and spend, and allocate a budget of \$2,000 towards the project commencing in Longford, and a further recommendations be made to the next Council meeting in relation to the other towns across the Northern Midlands.	Project Officer	Report to Council.
14/12/2020	415/20(3)	Recommendation of sub committees - Longford LDC - 7. 4 COVID Sewerage Testing	TasWater have advised: The decision to undertake wastewater surveillance for COVID-19 is being investigated by DoH to ensure that meaningful and timely results can be generated that assists in the overall public health response to the pandemic. ... - The request be noted and the committee be advised of TasWater's response.	Executive & Comms Officer	Committee advised 11/12/2020.
19/10/2020	349/20	Nomenclature: Naming of New Park Created In Norfolk Street Perth	That a decision on the matter be deferred to the December Council meeting to allow time to canvass the Perth Local District Committee, residents of Perth and other interested parties, on a preferred name for the park.	Corporate Services Manager	Report to Council.
10/04/2017	120/17	Perth Structure Plan	Draft amendments to the planning scheme to be prepared.	Senior Planner	Received application to amend. Further information requested.

*Matters that are grey shaded have been finalised and will be deleted from these schedules*



# NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 27 JANUARY 2021

## 12 RESOURCE SHARING SUMMARY: 01 JULY 2020 TO 30 JUNE 2021

Resource Sharing Summary 1/7/20 to 30/6/21 As at 31/12/20	Units Billed	Amount Billed GST Exclusive \$
<b>Meander Valley Council</b>		
<b>Service Provided by NMC to MVC</b>		
Street Sweeping Plant Operator Wages and Oncosts	164.00	8,857.09
Street Sweeper - Plant Hire Hours	167.25	14,722.06
<b>Total Services Provided by NMC to Meander Valley Council</b>		<b>23,579.15</b>
<b>Service Provided by Meander Valley Council to NMC</b>		
<b>Wages and Oncosts</b>		
Plumbing Inspector Services	371.30	27,725.99
Engineering Services	2.00	129.00
<b>Total Service Provided by MVC to NMC</b>		<b>27,725.99</b>
<b>Net Income Flow</b>		<b>- 4,146.84</b>
<b>Total Net</b>		<b>- 4,146.84</b>
<b>Private Works and Council Funded Works for External Organisations</b>	<b>Hours</b>	
<b>Economic &amp; Community Development Department</b>		
<b>Northern Midlands Business Association</b>		
Promotion Centre Expenditure		Not Charged to Association Funded
- Tourism Officer		4.00 from Council Budget A/c 519035
<b>Works Department Private Works Carried Out</b>	134.00	
	<u>138.00</u>	

## 13 VANDALISM

Prepared by: Jonathan Galbraith; Engineering Officer

Incident	Location	Estimated Cost of Damages		
		December 2020	Total 2020/21	December 2019
Street signs damaged	Perth	\$ 300		
<b>TOTAL COST VANDALISM</b>		<b>\$ 300</b>	<b>\$ 5,300</b>	<b>\$ 0</b>

## 14 YOUTH PROGRAM UPDATE

Prepared by: Billie-Jo Lowe, Youth Officer

### PCYC program

Council fund PCYC activities in Perth and Campbell Town. Participation for the month of December as follows:

Session Venue	Date of Session	Attendance
Perth	3/12	7
	10/12	9
	17/12	19
Campbell Town	4/12	5
	11/12	5

### Free2B girls program

The Free2B girls program is funded by Tasmania Community Fund and has commenced in Longford and Campbell Town. Attendance for the month of December as follows:



# NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 27 JANUARY 2021

Session Venue	Date of Session	Attendance
Campbell Town	2/12	9
	9/12	8
	16/12	10
Longford	3/12	7
	10/12	9
	17/12	8

Additional volunteers are needed for both programs and this has been promoted in school newsletters and social media.

## Northern Midlands Active Youth Program

The program is funded by Healthy Tasmania and has been facilitated in Campbell Town in term 4. The program is scheduled to be rolled out in Cressy in Term 1, 2021. Attendance for the month of December as follows:

Session Venue	Date of Session	Attendance
Campbell Town	1/12	3
	8/12	3
	15/12	6

## Meetings

Billie-Jo represents Council on the Northern Youth Coordinating Committee and the Northern Midlands Interagency Group.

## 15 STRATEGIC PLANS UPDATE

Prepared by: Lorraine Green, Project Officer

### CURRENT AS OF 23 DECEMBER 2020

Strategic Plans By Location & Consultant	Start Date	Implementation Date	Current Status
<b>Blessington</b>			•
<b>Feasibility Study: Investment in Ben Lomond Ski field Northern Tasmania (TRC Tourism)</b>	Jun-15		<ul style="list-style-type: none"> <li>Ongoing collaboration with Parks and Wildlife Services and other key stakeholders to progress implementation of report recommendations.</li> <li>State Government budget included commitment of \$400,000 to upgrade the shuttle bus carpark below Jacob's Ladder. Project completed June 2019</li> <li>January 2019: Nomination submitted for Ben Lomond to be the state's next iconic walk. Nomination unsuccessful.</li> </ul>
<b>Campbell Town</b>			
<b>War Memorial Oval Precinct Tennis/Multi-purpose courts</b>			<ul style="list-style-type: none"> <li>September 2017: Funding application submitted to TCF for \$55,000 towards the courts development: application successful. Grant deed executed and funds received. Request submitted March 2020 for extension to deadline to enable completion of court surrounds work – anticipated September/October 2020..</li> <li>November 2017: Funding application submitted to Sport &amp; Recreation Tas for \$80,000 towards the project: application successful. Acquittal report submitted December 2019.</li> <li>October 2020: Tennis Club submitted Improving the Playing Field Grant application for a tennis pavilion. Outcome awaited.</li> <li>November 2020: Tennis Club secured funds for a practice 'hit-up' wall.</li> </ul>
Oval Irrigation System and Public Toilets			<ul style="list-style-type: none"> <li>October 2020: application submitted to Improving the Playing Field grant program for oval irrigation system and new public toilet facility. Outcome awaited.</li> </ul>
<b>CBD Urban Design and Traffic Management Strategy (GHD) (Lange Design and Rare Innovation)</b>	May-16		<ul style="list-style-type: none"> <li>GHD contracted to prepare the strategy: final report accepted at November 2017 Council Meeting.</li> <li>Council secured \$1 million loan through the Northern Economic Stimulus package towards the implementation of the main street component of the strategy.</li> <li>November 2017: Lange Design and Rare Innovations Design contracted to prepare the design and construction tenders. Stage 1 concept plan received April 2018.</li> <li>June 2019: Landscape Works Technical Specification received.</li> <li>Request for funding through the Local Government Land Transport Infrastructure Program submitted April 2020.</li> </ul>
<b>Cressy</b>			

# NORTHERN MIDLANDS COUNCIL

## AGENDA – ORDINARY MEETING

### 27 JANUARY 2021

Strategic Plans By Location & Consultant	Start Date	Implementation Date	Current Status
<b>Swimming Pool Master Plan</b> (Loop Architecture)	Dec 15		<ul style="list-style-type: none"> <li>Master Plan accepted at October 2017 Council meeting.</li> <li>Liberal election commitment of \$100,000 to upgrade the complex. Acquittal report due November 2020 – extension requested.</li> <li>Nationals in Government funding commitment of \$400,000 made March 2019. Funding agreement signed January 2020. Design Consultant engaged, tender under review December 2020 – late 2021 completion date anticipated.</li> </ul>
<b>Recreation Ground Master Plan</b> (Lange Design & Loop Architecture)	Feb-17		<ul style="list-style-type: none"> <li>January 2017: confirmation that the state govt has approved \$220,000 for the ground upgrade through the Northern Economic Stimulus Package.</li> <li>February 2017: Lange Design and Loop Architecture contracted to develop the master plan. Master Plan accepted at April 2018 Council Meeting.</li> <li>Levelling the Playing Field grant for inclusive changerooms (\$354,076) secured October 2019 (to be matched by Council funding). First report due 30.6.20.</li> <li>October 2019: assisted Cressy Cricket Club with funding application to Stronger Communities Program for clubrooms upgrade: funding secured.</li> <li>Facility upgrade design brief completed. Design work completed. Tender awarded December 2020.</li> </ul>
<b>Evandale</b>			
<b>Honeysuckle Banks</b>			<ul style="list-style-type: none"> <li>At May 2017 Council meeting, Council i) accepted in principle the Honeysuckle Banks Plan; ii) consider funding the minor works components of the plan in future Council budgets, and iii) request Council Officers to seek to secure external grants to assist with the implementation of the full plan.</li> </ul>
<b>Morven Park Master Plan</b> (Lange Design)	Nov-16  April 18		<ul style="list-style-type: none"> <li>November 2016 Lange Design contracted to develop master plan. Council accepted 2030 Master Plan at April 2018 Council Meeting.</li> <li>State Liberal election commitment of \$158,000 towards facilities' upgrades. Progress reports submitted Dec 2018, March 2019 and Sept 2019.</li> <li>February 2019: funding of 50% matching grant by Council (\$430,300) secured under Levelling the Playing Field State Government Grant Program. First progress report submitted 7 October 2019. Final report due 30 June 2020. Extension of completion date requested (to end December 2020)</li> <li>AFL Tas funding commitment of \$60,000 secured – to be paid upon project completion.</li> <li>Anticipated completion in late 2020/early 2021.</li> <li>October 2020: Application submitted to Improving the Playing Field Grant Program for ground drainage works. Outcome awaited.</li> </ul>
<b>Longford</b>			
<b>Community Sports Centre Master Plan</b> (RT & NJ Construction Services)	Feb-15		<ul style="list-style-type: none"> <li>January 2017: Council advised State Govt has approved \$1,000,000 for the upgrade through the Northern Economic Stimulus Package</li> <li>Work progressing.</li> </ul>
<b>CBD Urban Design Strategy</b> (Lange Design and Loop Architecture)	May-16		<ul style="list-style-type: none"> <li>December 2016: Draft Urban Design Strategy received.</li> <li>Strategy and Guidelines manual accepted at the October 2017 Council Meeting.</li> <li>Negotiations underway February 2018 with State Growth towards development of a deed regarding the future maintenance of the Illawarra Road roundabout.</li> <li>Nationals in Government funding commitment of \$4 million made in March 2019. Documentation to secure funds submitted October 2019. Deed of Agreement signed June 2020.</li> </ul>
<b>Memorial Hall &amp; Village Green Infrastructure</b>			<ul style="list-style-type: none"> <li>September 2017: Philp Lighton Architects contracted to undertake the study of the Council Offices, Memorial Hall, Town Hall and Library facilities. Report received.</li> <li>March 2019: Nationals in Govt commitment of \$4m to Longford Urban Design Project memorial hall redevelopment and village green infrastructure upgrade are components of the project. Application to secure the funding commitment submitted 3 October 2019. Agreement signed June 2020. Tender being prepared.</li> </ul>
<b>Perth</b>			
<b>Perth Early Learning Centre Redevelopment</b> (Loop Architecture)	Oct-15		<ul style="list-style-type: none"> <li>March 2019: Nationals in Government funding commitment of \$2.6million for the redevelopment of the Early Learning Centre. Documentation to secure funds submitted 4 October 2019. Deed of Agreement signed</li> <li>November 2020: Project in schematic design phase.</li> </ul>
<b>CBD Precinct Concept Master Plan</b> (Lange Design and Loop Architecture)	Apr-20		<ul style="list-style-type: none"> <li>Consultancy Agreement signed. Draft concept plans prepared.</li> </ul>



# NORTHERN MIDLANDS COUNCIL

## AGENDA – ORDINARY MEETING

### 27 JANUARY 2021

Strategic Plans By Location & Consultant	Start Date	Implementation Date	Current Status
<b>Ross</b>			
<b>Swimming Pool Master Plan</b> (Loop Architecture)	Dec-15		<ul style="list-style-type: none"> <li>Draft Master Plan received May 2016: structural assessment approved August 2016</li> <li>Final plan received June 2017</li> <li>Council resolved at October 2017 Meeting to undertake a survey of the use of the pool across the 2017-2018 swimming season. Pool usage data received May 2018.</li> <li>Council resolved at June 2020 Meeting to develop a Swimming Pool Strategy. Strategy development underway.</li> </ul>
<b>Village Green Master Plan</b> (Lange Design, Loop Architecture)	Jun-16		<ul style="list-style-type: none"> <li>Master Plan accepted in principle at Council December 2016 Meeting.</li> <li>January 2017: cost estimate for design and documentation, tender process and project management received from JMG.</li> <li>January 2017: Council advised State Government has approved \$300,000 loan through the Northern Economic Stimulus Package for the implementation of the Master Plan.</li> <li>February 2017: Application lodged with Building Better Regions Fund for \$237,660 to enable the Master Plan to be implemented in its entirety. Application unsuccessful.</li> <li>February 2017: Lange Design and Loop Architecture contracted to manage the implementation of the master plan. Concept design presented to Council workshop on 8 May. Planning approval with conditions to be met passed at January 2018 Council Meeting.</li> <li>March 2018: Lange Design submitted full project package for Village Green, ready for planning application to be prepared by Council Officers.</li> <li>Current: Stage 2 work progressing with Local Road and Community Infrastructure Program funding.</li> </ul>
<b>Western Junction</b>			
<b>Launceston Gateway Precinct Master Plan</b> Freight Demand Analysis Report (SGS) Master Plan	Oct-15		<ul style="list-style-type: none"> <li>Council approved the preparation of a brief for the precinct master plan at the Sept 2016 Council Meeting.</li> <li>Liberal election commitment of \$5.5million upgrade of Evandale Main Road between the Breadalbane roundabout and the airport, and \$1million for edge-widening and other works to improve safety along Evandale Main Road from the airport to Evandale.</li> </ul>
<b>TRANSLink Stormwater Upgrade Project</b>			<ul style="list-style-type: none"> <li>Applications lodged with National Stronger Regions Fund 2015/ 2016: unsuccessful.</li> <li>Application submitted February 2017 to the Building Better Regions Fund for \$2,741,402 (total project cost is \$5,482,805: council's contribution is \$1,525,623 and private investors \$1,215,780). Application unsuccessful.</li> <li>Application submitted December 2017 for Round Two Building Better Regions Fund: notified July 2018 unsuccessful.</li> <li>Purchase of parcel of land for stormwater detention purpose.</li> </ul>
<b>Municipal wide</b>			
<b>Integrated Priority Projects Plan</b> (Jacobs, Evergreen Lab)	Apr-20		<ul style="list-style-type: none"> <li>Consultancy Agreement signed June 2020. Draft report on agenda for Council Workshop early 2021.</li> </ul>

#### COMPLETED ACTION ITEMS FOR DELETION

Nil this month.

## 16 HERITAGE HIGHWAY TOURISM REGION ASSOCIATION (HHTRA)

Prepared by: *Fiona Dewar, Tourism Officer*

The Heritage Highway Tourism Region Association held their final meeting for 2020 at Ross on 26th November 2020.

Current marketing activities continue and include website blog posts and social media.

Ross Revealed, the augmented reality project, is nearing completion, and expected to go live before Christmas. Augmented Reality (AR) is another layer of storytelling in the historic town of Ross, using AR experiences to showcase the town to a new audience by connecting with tech savvy visitors. Utilising GPS technology, Ross Revealed is accessed via a free App, UIST, and leads the user from one experience to another while giving them the option to enjoy as many of the 29 story stops as they like. The Augmented Reality experience provides unobtrusive visitor engagement. With no physical evidence AR does not impact on the visual beauty of the town's rural and historic landscape and streetscape. Ross Revealed AR project was generously supported by funding from the Tasmanian Community Fund, Department of State Growth Destination Action Plan program, the Northern Midlands Council, and the extensive and generous knowledge and time sharing from the team at the Tasmanian Wool Centre. The HHTRA worked with developer



# NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 27 JANUARY 2021

Handbuilt Creative to create a unique user experience with innovative industry leading technology. A soft launch is planned before 24th December 2020 with a media release and on the Heritage Highway social media.

The HHTRA is making Skulduggery available to schools to encourage the learning and enjoyment of Tasmania's convict history.

Stefan Apostol from Longford joined the HHTRA board, as one of the 5 representatives from the Northern Midlands region.

Around the Table discussion revealed local businesses and towns in the Northern Midlands region reported a drop in visitor numbers and business this year due to the COVID-19 pandemic.

## 17 NORTHERN MIDLANDS BUSINESS ASSOCIATION (NMBA) UPDATE – PREMIER'S ECONOMIC AND SOCIAL RECOVERY ADVISORY COUNCIL REGIONAL WORKSHOP SUMMARY

### *Attachments: Section 1 – Page 21*

Prepared by: Billie-Jo Lowe, Youth Officer/ NMBA Liaison

#### **1 PURPOSE OF REPORT**

To provide Council with the Premier's Economic and Social Recovery Advisory Council (PESRAC) Regional Workshop Summary

#### **2 INTRODUCTION/BACKGROUND**

The PESRAC Regional roundtable workshops have been held in response to COVID-19 recovery across Tasmania. The Northern Midlands Business Association attended the workshop held on 1 December 2020 and shared this document.

#### **3 SUMMARY OF KEY ISSUES/ OUTCOMES**

##### *3.1 Digital Connectivity*

Need to address mobile black spots, low digital literacy levels and IT support in regional communities.

##### *3.2 Mental Health*

Increase community connectedness (e.g. Community Hubs) to increase the level of local support available.

Mental health training for existing services such as Service Tas and local businesses to respond to customers presenting with mental health issues.

##### *3.3 Community Connectivity*

More 'community hubs' that enable concentration of services and support.

Increased support to volunteers and opportunity for youth to become involved in volunteering.

##### *3.4 Housing*

Need to address public and affordable housing shortages

##### *3.5 Transport*

Need to address lack of transport available for communities to access jobs and services, young people access to a vehicle and driving lessons

##### *3.6 Food*

Educate community to grow their own food

#### **4 ATTACHMENT**

Premier's Economic and Social Recovery Advisory Council Regional Workshop Summary.

## 18 BICENTENARY PLANNING UPDATES

Prepared by: Fiona Dewar, Tourism Officer

#### **Ross**

The Ross Bicentenary Committee are planning a series of events throughout the year, and have confirmed the following events:

- Confirmed: If These Halls Could Talk – Ten Days on the Island.
- Confirmed: an exhibition at the museum, in June.



#### **Campbell Town**

The Campbell Town Bicentenary Committee are planning a series of events throughout the year, and are considering the following ideas:

- Confirmed: January. Picnic in the Park, with food, music, entertainment, vintage car display.
- February. Senior Citizens lunch at bowling Club.
- March. Lake Leake trout fishing competition.
- April. Historical guided walking tours.
- May. Official naming day at Town hall with TSO choir.
- June. Bicentenary golf day.
- July. St Luke's organ recital.
- August. Historical house/farm tour weekend.
- September. School sports day (colonial games and costumes).
- October. Campbell Town garden tours.
- November. Bush dance at Wool Pavilion at Showgrounds, with old skills, hand shearing, wood chopping displays.
- December. School children costumed Christmas carolling.

#### **Perth**

The Perth Bicentenary Committee are planning a series of events throughout the year, and are considering the following ideas:

- Developing a walking tour with hard copy or an app. Combining with a gardens of Perth walk.
- Back to Perth car display proposed by Perth Lions.
- Thanksgiving church service in May, to be organised by the Baptist Tabernacle.
- Adams Distillery Bonfire event/music and bush dance/cocktail party, in May. Includes tours of distillery, food truck catering, possible bonfire and fireworks, historical characters to roam and interact with patrons, horse and cart rides, kids activities.
- School picnic.
- History scavenger hunt BBQ.
- Anzac Day Anzac Bikkie bake off.
- Erection of cairn and BC plaque, burying a time capsule/planning a bicentenary tree.
- Seniors' afternoon teas in August/September.
- Duck Race in October/November on the river.
- Trivia night.
- Carols by Candlelight.
- Easter Egg Hunt at The Jolly Farmer Inn.
- Under-age disco
- Ploughing competition.
- Make contact with other Perth Towns in the world (17) and erecting a fingerpoint sign.

## 19 TASMANIAN CIVIL AND ADMINISTRATIVE TRIBUNAL AMENDMENT BILL CONSULTATION

*Prepared by: Paul Godier, Senior Planner*

On 18<sup>th</sup> March 2020, the Government announced that a Tasmanian Civil and Administrative Tribunal (TasCAT) will be established to streamline services and improve access to justice in Tasmania.

As a first step towards the establishment of TasCAT, the following Tribunals and Boards co-located at new tribunal premises at Barrack Street, Hobart in July 2020:

- The Anti-Discrimination Tribunal;
- The Asbestos Compensation Tribunal;
- The Forest Practices Tribunal;
- The Guardianship and Administration Board;
- The Health Practitioners Tribunal;
- The Mental Health Tribunal;
- The Motor Accident Compensation Tribunal;
- The Resource Management and Planning Appeal Tribunal; and

- The Workers Rehabilitation and Compensation Tribunal.

The Department of Justice advises that Tasmanian Civil and Administrative Tribunal Amendment Bill:

- Sets out how the Tribunal is to be constituted in a particular matter;
- Establishes the original jurisdiction of TasCAT and the review jurisdiction of TasCAT;
- Provides for further powers and procedures for TasCAT (e.g. costs, appeals, ADR);
- Provides for referral of matters from TasCAT to the Magistrates Court Civil Division for matters that involve Federal diversity jurisdiction; and
- Sets out the transitional arrangements allowing current Tribunal/Board members to be transferred to TasCAT from the commencement date of TasCat.

Comments are to be provided to the Local Government Association of Tasmania by 29<sup>th</sup> January 2021 for a combined response from councils, or submissions can be made to the Department of Justice by 5pm on 8<sup>th</sup> February 2021.

More information is available at <https://www.justice.tas.gov.au/community-consultation/consultations/tascac-amendment-bill-2020>

#### DECISION

Cr

That Council note the additional signatories to the petition received at the 14 December 2020 Council meeting related to the subdivision of 32 Norfolk Street, Perth.

Cr

That the information items be received.



# NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 27 JANUARY 2021

## GOV 9 PERTH PARK NAMING SURVEY (NORFOLK STREET)

Responsible Officer: Des Jennings, General Manager  
Report prepared by: Lucie Copas, Executive & Communications officer

### 1 PURPOSE OF REPORT

The purpose of this report is to ascertain and ratify a name for the new park to be located at Norfolk Street, in Perth.

### 2 INTRODUCTION/BACKGROUND

At the 19 October 2020 Council Meeting Council considered a proposal to name the park 'Dolly Dalrymple Reserve'. After investigation and consultation with Aboriginal Heritage Tasmania and Heritage Tasmania it was resolved that the proposed site did not hold enough significance to be named directly after Dolly Dalrymple.

Council Officers investigated the history of Perth and came up with several alternative naming suggestions, they are as follows:

- Houghton Park (derived from the original land grant)
- Caler Park (old Perth family name)
- Lowen Park (old Perth family name)
- Peachy Park (old Perth family name)
- Stancombe Park (old Perth family name)
- Stackhouse Park (old Perth family name)
- Galer Park (old Perth family name)
- Sheepwash Park (adjacent to Sheepwash Creek)
- Tay Park (Perth township in Scotland, which Perth was named by Governor Macquarie, is located on the River Tay)

The following decision was made at the 19 October 2020 Council Meeting:

*Cr Polley/Cr Goninon*

*That a decision on the matter be deferred to the December Council meeting to allow time to canvass the Perth Local District Committee, residents of Perth and other interested parties, on a preferred name for the park.*

*Carried unanimously*

Council Officers prepared a survey for community consultation. The survey was first advertised on Councils Facebook page, website, and in the Northern Midlands courier from 27 November 2020 onwards. The survey closed 21 December 2020.

We received **98** responses in total, with **9** invalid responses as the respondents did not live in Perth. It was a condition of the survey that you must be a resident of Perth for your response to be considered.

The following are alternative naming suggestions that were received from survey respondents (respondents have been left anonymous):

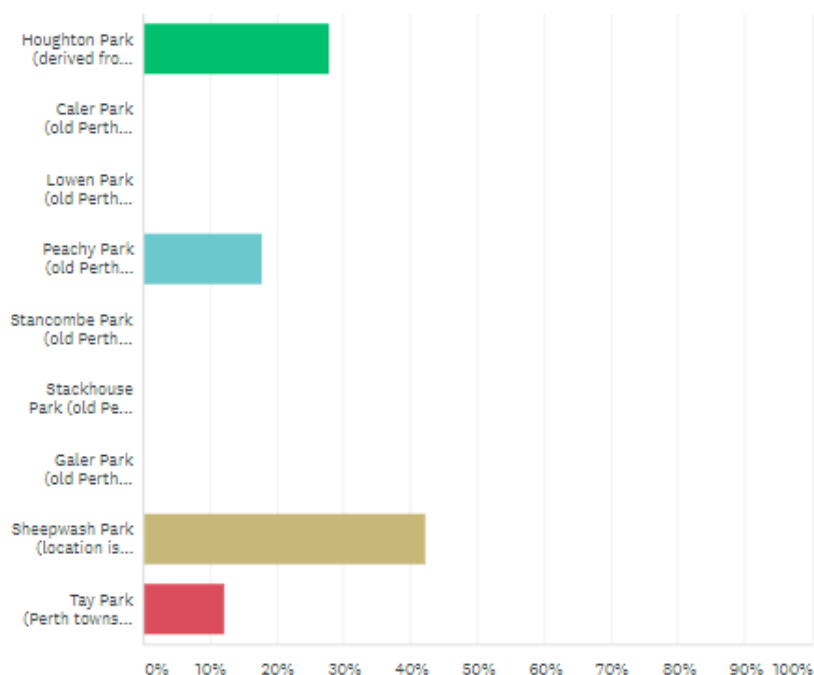
- Lama Corner Park
- Norfolk Park x4
- Poets Park x2
- Norma Davis Park
- Littlejohn Park
- Birds Park x2
- Harry Bean Park
- Panninher Park x2

- Village Green
- Locomotive Park
- Dennis Park x2

The collated results of the survey (including electronic and physical responses) are as follows, not including alternative suggestions:

We are seeking input from residents of Perth to help us name our new park in Norfolk Street, Perth. After investigating the incredible history of Perth, we have the following naming suggestions:

Answered: 90 Skipped: 8



ANSWER CHOICES	RESPONSES
▼ Houghton Park (derived from the original land grant)	27.78% 25
▼ Caler Park (old Perth family name)	0.00% 0
▼ Lowen Park (old Perth family name)	0.00% 0
▼ Peachy Park (old Perth family name)	17.78% 16
▼ Stancombe Park (old Perth family name)	0.00% 0
▼ Stackhouse Park (old Perth family name)	0.00% 0
▼ Galer Park (old Perth family name)	0.00% 0
▼ Sheepwash Park (location is adjacent to Sheepwash Creek)	42.22% 38
▼ Tay Park (Perth township in Scotland, which Perth was named by Governor Macquarie, is located on the River Tay)	12.22% 11
<b>TOTAL</b>	<b>90</b>

[Comments \(28\)](#)

The 9 invalid responses are as follows:

- Tay Park (Longford address)

- Peachy Park (Longford address)
- Peachy Park (Longford address)
- Houghton Park (Nile address)
- Tay Park (Railton address)
- Houghton Park (Devon Hills address)
- Dalrymple Commons (Victoria address)
- Dalrymple Jonson or Norma Davis Park (Western Junction address)
- Rob Roy Park (Longford address)

### 3 STRATEGIC PLAN 2017-2027

The Strategic Plan 2017-2027 provides the guidelines within which Council operates.

- Progress –
  - Economic Development – Supporting Growth & Changes
    - ♦ Towns are enviable places to visit, live & work
  - Tourism Marketing & Communication
    - ♦ Tourism thrives under a recognised regional brand
    - ♦ Tourism partnerships build sense of place identity
- People –
  - Sense of Place – Sustain, Protect, Progress  
Core Strategies:
    - ♦ Council nurtures and respects historical culture
    - ♦ Developments enhance existing cultural amenity
    - ♦ Public assets meet future lifestyle challenges
  - Lifestyle – Strong, Vibrant, Safe and Connected Communities  
Core Strategies:
    - ♦ Living well – Valued lifestyles in vibrant, eclectic towns
    - ♦ Communicate – Communities speak & leaders listen
    - ♦ Participate – Communities engage in future planning
    - ♦ Connect – Improve sense of community ownership
    - ♦ Caring, Healthy, Safe Communities – Awareness, education & service
- Place –
  - Environment – Cherish & Sustain our Landscapes  
Core Strategies:
    - ♦ Cherish & sustain our landscapes
  - History – Preserve & Protect our Built Heritage for Tomorrow  
Core Strategies:
    - ♦ Our heritage villages and towns are high value assets

### 4 POLICY IMPLICATIONS

N/a

### 5 STATUTORY REQUIREMENTS

As this proposed park is within a Town Boundary under section 8.1 of the nomenclature guidelines, “Names for other reserves and parks are to be selected and proposed in accordance with the principles in these guidelines by the managing authority” in this case being Council.

### 6 FINANCIAL IMPLICATIONS

N/a



# NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 27 JANUARY 2021

## **7 RISK ISSUES**

There are several risks associated with naming a public reserve directly after an individual or family name. These can include criminal or felonious investigations, reputational, and historical inaccuracy.

Council received several comments via the survey and Facebook page requesting that the park is not named after an individual or family. The comments are as follows:

- “please no family names, gone and forgotten”
- “Sheep wash Park, that way not favouring any family”
- “Why does it have to be named after a family?”

The Nomenclature Board advised that while Norfolk Park may be considered because the park is located on Norfolk Street, it was advised against as to not confuse the Perth park with several similarly named parks already existing in Southern Tasmania.

## **8 CONSULTATION WITH STATE GOVERNMENT**

Council Officers consulted with the Nomenclature Board to ensure appropriate names were considered.

## **9 COMMUNITY CONSULTATION**

There was a great response to Councils survey with a total of 98 responses.

## **10 OPTIONS FOR COUNCIL TO CONSIDER**

Council must now consider the most appropriate and suitable name while taking into consideration the community’s response.

## **11 OFFICER’S COMMENTS/CONCLUSION**

The overwhelming results of the survey suggest that the most suitable name is Sheepwash Park. The surveys contain information which is subject to privacy and are included in the Closed Council agenda attachments.

## **12 ATTACHMENTS**

12.1 Summary and Survey responses (separate closed council attachment)

## **RECOMMENDATION**

That Council consider the results of the survey, the community response and endorse the name Sheepwash Park.

## **DECISION**

Cr

## **DECISION**

Cr



# NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 27 JANUARY 2021

## GOV 10 CAMPBELL TOWN SWIMMING POOL

*File:* 15/013; 2/03/01/01  
*Responsible Officer:* Des Jennings, General Manager  
*Report prepared by:* Samantha Dhillon, People & Culture Business Partner

### 1 PURPOSE OF REPORT

The purpose of this report is to seek directions from Council with regards to a number of suggestions from the Campbell Town Swimming Pool Committee, a Special Committee of Council to improve accessibility matters for the site.

### 2 INTRODUCTION/BACKGROUND

The Mayor and Council Officers met with the Campbell Town Swimming Pool Committee on the 21 December 2020.

The matters raised at the meeting related to:

- Increased supervision through the building and the need for an additional staff member
- The burden of tasks placed upon the volunteers:
  - Being present onsite during pool opening times (gate takings, kiosk, assist with COVID-19 directives and general supervision)
  - Maintenance of the grassed areas and hedges around the pool area
  - Liaising with Lifeguards if the pool is not opening due to bad weather
- Improved accessibility to toilets and change room facilities
- Screening blinds to be installed to the small meeting room

It was confirmed by the Mayor and Council Officers at the meeting that the preferred utilisation of the new facility would be for the building to be effectively used as designed i.e. entry to the pool to be through the front door and to utilise the internal kiosk. The Campbell Town Swimming Pool Committee acknowledged that this would be a possibility particularly if the additional employee is engaged, which would allow for increased supervision throughout the building.

### 3 STRATEGIC PLAN 2017-2027

The Strategic Plan 2017-2027 provides the guidelines within which Council operates.

- People
    - Sense of Place – Sustain, Protect, Progress
- Core Strategies:
- ♦ Public assets meet future lifestyle challenges
- Lifestyle – Strong, Vibrant, Safe and Connected Communities
- Core Strategies:
- ♦ Living well – Valued lifestyles in vibrant, eclectic towns
  - ♦ Caring, Healthy, Safe Communities – Awareness, education and service

### 4 POLICY IMPLICATIONS

As per the Lease Agreement that Council asks the Campbell Town Swimming Pool Committee to sign at the beginning of the season, the Committees responsibilities are as follows:

- Support the People & Culture Business Partner to ensure compliance with the Northern Midlands Council Pool Lifeguard and Pool Operations Manual and Emergency Action Plan.
- Reimburse Council for any Pool Lifeguard wages incurred in excess of the allocated 550 hours per season.
- Manage the kiosk and gate takings.

- Ensure all volunteers working at the Pool complete (prior to commencement) and return to Council, a Council Volunteer Registration Form.
- Make the call if the pool is not going to open due to poor weather and advise the Pool Lifeguard rostered for that day, no later than two hours before commencement, that they will not be required.
- Provide consumables required for the operation of the Pool (e.g. cleaning agents, electricity, pool chemicals, rubbish bags, toilet rolls etc.).
- Ensure the Pool is kept in good repair to the satisfaction of Council – this includes cleaning of the Pool (complying with the relevant Standards), including maintaining any trees/hedges on the premises, keeping the lawns mowed and generally keeping the open area neat and tidy.
- Provide all materials associated with minor maintenance of the Pool.
- Be responsible to pay excess of \$1,000 on any insurance claim in respect of the contents owned by Council. The Committee is responsible for insurance of the contents which it owns.
- Be responsible to replace internal breakages (including glass) and repair internal doors etc. damaged due to foreseeable misuse.
- Manage the funds collected from patrons (individual users) and the kiosk.
- Apply any accumulated funds (after ongoing operational costs are met, including the cost of additional Pool Lifeguard hours if the allocated 550 hours are exceeded) to improvements to the Pool and volunteer staff training.
- Provide Council in April of each year with an up-to-date inventory of the Council-owned contents of the Pool.
- Not make any alterations or additions to the Pool without prior written approval from Council.
- Apply for funds from Council and other sources to make improvements to the Pool.
- Submit to Council in February of each year a list of recommended capital works for Council to consider during the budget process for the forthcoming year.
- Ensure the pool season and applicable stakeholders operate in accordance with the COVID-19 Safety Plan prepared for the Campbell Town Swimming Pool and dated 1 October 2020.
- Ensure quotes are as per Council's Code of Tendering and Procurement Policy. Where the Committee is seeking Council contribution to the cost, they must receive formal approval from the Building & Maintenance Supervisor before proceeding.

## 5 STATUTORY REQUIREMENTS

The following legislation is applicable with regards to accessibility:

- *Building Act 2016*
- *Disability Discrimination Act 1992*

## 6 FINANCIAL IMPLICATIONS

The requested improvements include:

- 6.1 The blinds to the small meeting room have been agreed by Council, which will also improve the privacy of the hirer of the room. The approximate cost of these is \$6,000.
- 6.2 An additional staff member to operate the kiosk, increased supervision with the position funded by the Campbell Town Swimming Pool Committee through fund raising, and income from the kiosk. The approximate cost of this



would be \$7,420.63 from mid-January through till mid-March 2021. This has been worked out on the pool opening hours, multiplied by the adult lifeguard rate for the remainder of the season.

- 6.3 Toilet to be installed in the Family Change Room, with the Campbell Town Swimming Pool Committee considering financial contribution. The approximate cost would be \$5,500

A suggested option is the utilisation of the toilet facilities at the entrance of the building, once the entry to the swimming pool is via the front building entrance.

The Campbell Town Swimming Pool Committee have expressed a preparedness to fund the increased operational costs which would also include the maintenance of the grassed areas around the pool area.

The Campbell Town Swimming Pool Committee is keen to fund raise, but not have a direct responsibility with regards to the management of the site on a day-to-day basis.

## **7 RISK ISSUES**

N/A

## **8 CONSULTATION WITH STATE GOVERNMENT**

N/A

## **9 COMMUNITY CONSULTATION**

Currently, the actual access to the swimming pool during opening times is by way of the side gate and not through the new facility. This was at the request of the previous Campbell Town Swimming Pool Committee, along with the request to utilise the external kiosk.

As identified earlier in the report, the Campbell Town Swimming Pool Committee have raised a number of matters for Council consideration, during a meeting with the Mayor and Council Officers.

## **10 OPTIONS FOR COUNCIL TO CONSIDER**

Council may either agree with the requests or amend as appropriate.

## **11 OFFICER'S COMMENTS/CONCLUSION**

The meeting with the Campbell Town Swimming Pool Committee was a positive and constructive meeting.

Accordingly, the Officers recommendations are that:

- 1) The access to the swimming pool be via the front entrance to the new facility.
- 2) The kiosk within the new building be utilised.
- 3) An additional casual pool employee be engaged to operate the kiosk and assist with the supervision of the site.
- 4) Council accept responsibility for the maintenance of the grassed areas and hedges.
- 5) The amenities at the entrance to the facility be utilised as the family change room facility.
- 6) Council Officers list for the 2021/2022 draft budget for consideration, the installation of a toilet to the family change room.
- 7) The cost of items 2, 3, 4 and 6 be met by the Campbell Town Swimming Pool Committee, by way of annual fund raising.
- 8) The blinds to the small meeting room be installed this financial year and funded by Council.

**12 ATTACHMENTS**

N/A

**13 RECOMMENDATIONS**

That:

- 1) The access to the swimming pool be via the front entrance to the new facility.
- 2) The kiosk within the new building be utilised.
- 3) An additional casual pool employee be engaged to operate the kiosk and assist with the supervision of the site.
- 4) Council accept responsibility for the maintenance of the grassed areas and hedges.
- 5) The amenities at the entrance to the facility be utilised as the family change room facility.
- 6) Council Officers list for the 2021/2022 draft budget for consideration, the installation of a toilet to the family change room.
- 7) The cost of items 2, 3, 4 and 6 be met by the Campbell Town Swimming Pool Committee, by way of annual fund raising.
- 8) The blinds to the small meeting room be installed this financial year and funded by Council.

DECISION

Cr

## C&D 1 MONTHLY REPORT: DEVELOPMENT SERVICES

Responsible Officer: Des Jennings, General Manager

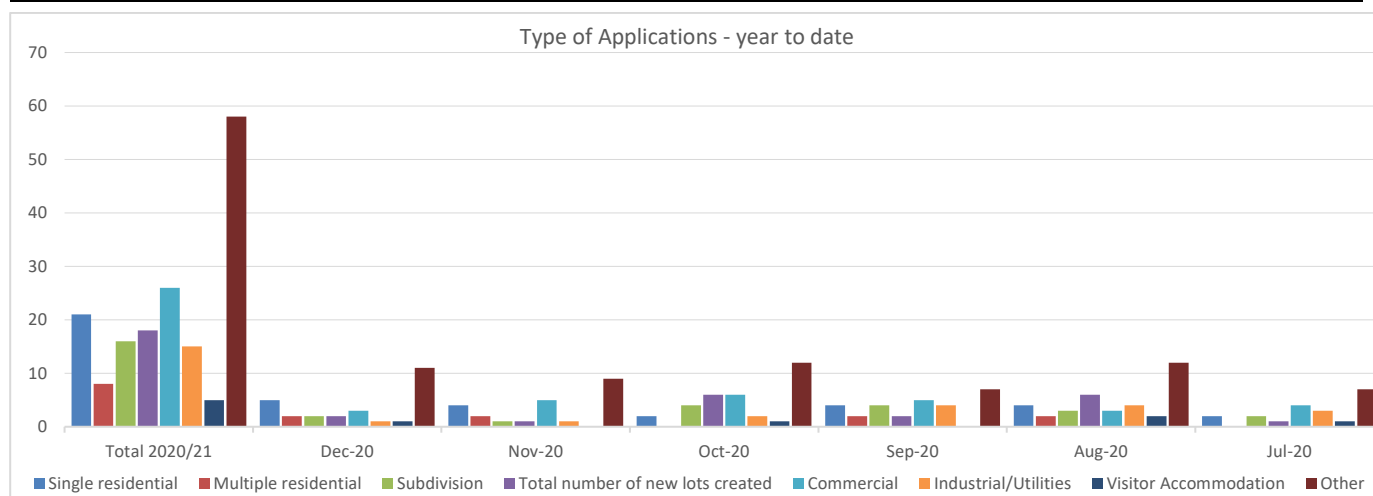
### 1 PURPOSE OF REPORT

The purpose of this report is to present the Development Services activities as at the month end.

### 2 DEVELOPMENT SERVICES REPORTING

#### 2.1 Planning Decisions

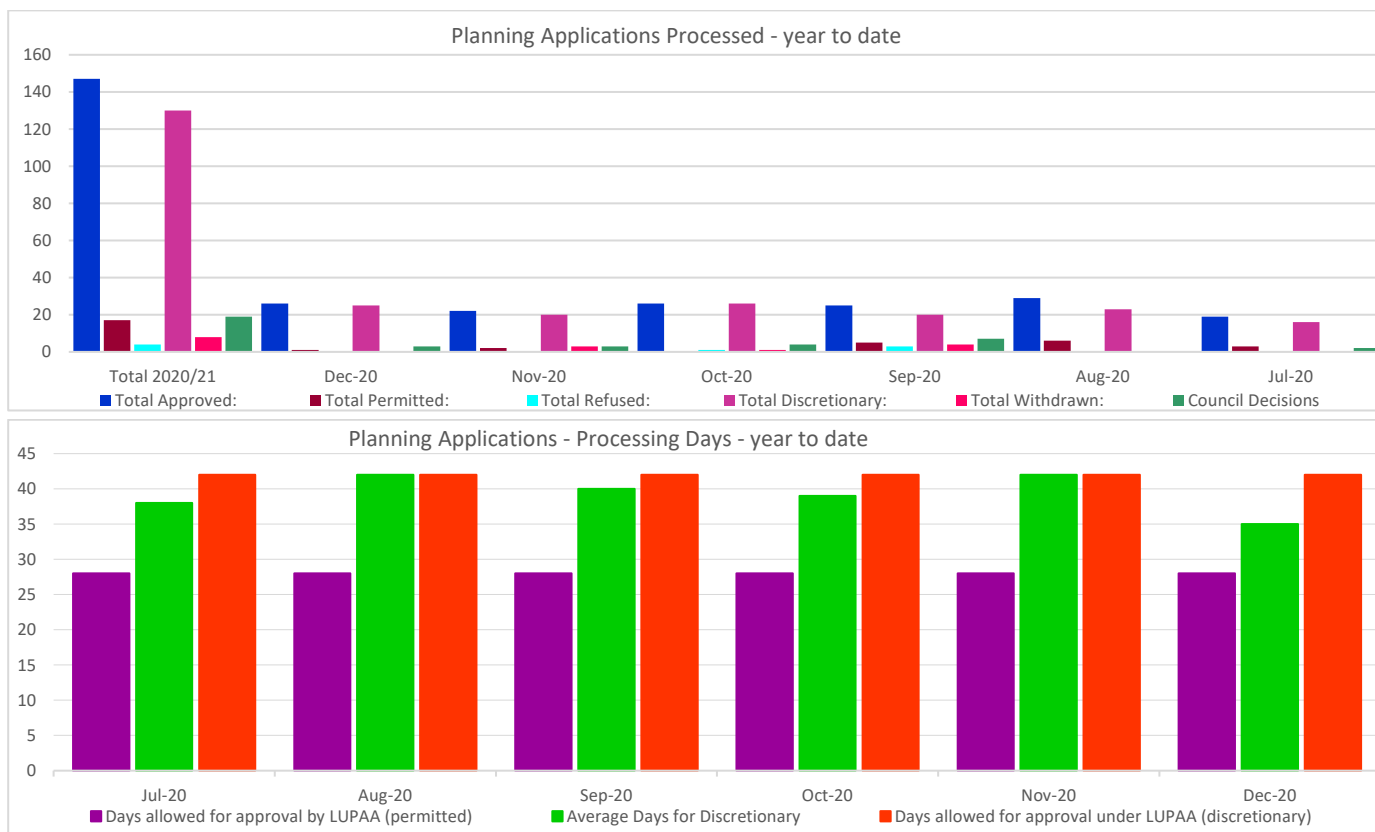
	Total YTD	Jul-20	Aug-20	Sep-20	Oct-20	Nov-20	Dec-20	Jan-21	Feb-21	Mar-21	Apr-21	May-21	Jun-21
Number of valid applications	94	21	11	19	18	7	18						
Single residential	21	2	4	4	2	4	5						
Multiple residential	8	0	2	2	0	2	2						
Subdivision	16	2	3	4	4	1	2						
Total number of new lots created	18	1	6	2	6	1	2						
Commercial	26	4	3	5	6	5	3						
Industrial/Utilities	15	3	4	4	2	1	1						
Visitor Accommodation	5	1	2	0	1	0	1						
Total permitted	0	0	0	0	0	0	0						
Total discretionary	5	1	2	0	1	0	1						
Other	58	7	12	7	12	9	11						
Total number of applications approved	147	19	29	25	26	22	26						
Total Permitted	17	3	6	5	0	2	1						
Average Days for Permitted		25	26	29	-	24	17						
Days allowed for approval by LUPAA		28	28	28	28	28	28	28	28	28	28	28	28
Total Exempt under IPS	55	8	5	4	8	17	13						
Total Refused	4	0	0	3	1	0	0						
Total Discretionary	130	16	23	20	26	20	25						
Average Days for Discretionary		38	42	40	39	42	35						
Days allowed for approval under LUPAA		42	42	42	42	42	42	42	42	42	42	42	42
Total Withdrawn	8	0	0	4	1	3	0						
Council Decisions	19	2	0	7	4	3	3						
Appeals lodged by the Applicant	3	0	0	0	1	1	1						
Appeals lodged by third party	0	0	0	0	0	0	0						



# NORTHERN MIDLANDS COUNCIL

## AGENDA – ORDINARY MEETING

### 27 JANUARY 2021



December 2020						
Project	Details	Address	Applicant	No of LUPAA days	Perm / Disc	/ Exempt
<b>DELEGATED DECISIONS</b>						
PLN-20-0052	2 Lot Subdivision, demolish carport (heritage-listed place, heritage precinct)	16 High Street, Evandale TAS 7212	Cohen & Associates	42	D	
PLN-20-0179	Removal of 3 trees (native vegetation)	66 Devon Hills Road, Devon Hills TAS 7300	Mr Ron Coghlan	27	D	
PLN-20-0206	Multiple Dwellings (2) (vary garage setback to primary frontage(unit 2), vary visitor parking and 2 x new accesses)	9 Acacia Court, Perth TAS 7300	Mr Joshua Frankcombe	42	D	
PLN-20-0210	Dwelling and outbuilding (vary setbacks in rural zone, gas pipeline corridor)	130 Brickendon Street, Longford TAS 7301	Darren & Courtney Harback	35	D	
PLN-20-0218	Upgrade to Queen St/High St Intersection & footpath (heritage precinct)	Road reserve adjacent to and including, 100 High Street and 98 High St, Campbell Town TAS 7210	Rebecca Green & Associates	42	D	
PLN-20-0222	Dwelling and shed (vary private open space width, solar orientation and 2nd crossover) - re-advertised	89 Main Road, Perth TAS 7300	Vincent & Fleur Walker	28	D	
PLN-20-0225	Dwelling, shed & retaining wall (vary setbacks)	8 Zircon Pl, Perth TAS 7300	Dean and Shannon Hodgetts	32	D	
PLN-20-0226	Shipping Container for storage & window signs (Heritage Precinct)	10a Marlborough Street, Longford TAS 7301	Rotary Club of Longford	42	D	
PLN-20-0240	Dwelling (very rear setback)	46B Barclay Street, Evandale TAS 7212	Wilson Homes	39	D	
PLN-20-0243	Shed (vary rear setback) & demolish outbuildings	121 Marlborough Street, Longford TAS 7301	Jake Hodge	32	D	
PLN-20-0251	2-lot subdivision (Bushfire Prone Area)	Huntlywood, 528 Cressy Road, Longford TAS 7301	Michell Hodgetts Surveyors	40	D	
PLN-20-0254	2 shipping containers (vary side setback) and use existing shed as dwelling	237 Pateena Road, Longford TAS 7301	Ben Stebbeings	24	D	
PLN-20-0257	Below awning sign (internally illuminated) (Heritage Precinct)	U 1/119 High Street, Campbell Town TAS 7210	Signcraft	46	D	
PLN-20-0259	Repaint building (heritage listed building, heritage precinct)	2 High Street, Evandale TAS 7212	Jane Louise Moisey	29	D	
PLN-20-0261	Carport addition (vary front setback)	32 Cracraft Street, Longford TAS 7301	Optimo Awnings	36	D	
PLN-20-0262	Partial change of use to visitor accommodation, install	2 High Street, Evandale TAS 7212	Jane Louise Moisey	39	D	

# NORTHERN MIDLANDS COUNCIL

## AGENDA – ORDINARY MEETING

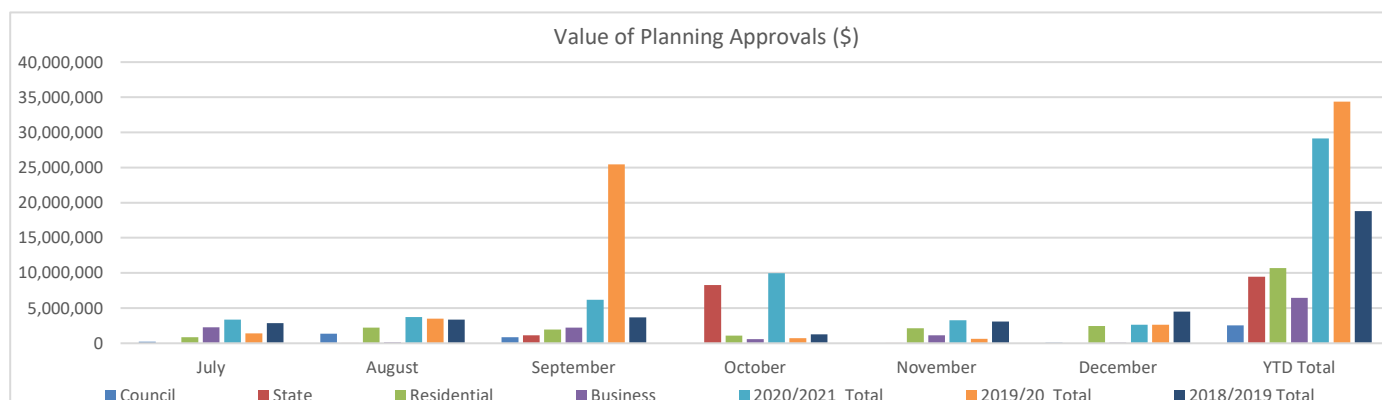
### 27 JANUARY 2021

December 2020

Project	Details	Address	Applicant	No of LUPAA days	Perm / Disc / Exempt
<b>DELEGATED DECISIONS</b>					
	grills over external windows, awning over door, sign on wall. (heritage listed building, heritage precinct)				
PLN-20-0263	Shed (vary rear setback)	6 Thames Court, Perth TAS 7300	Kimberly Courto & Dion Denis	36	D
PLN-20-0270	Alterations & additions to dwelling, demolish carport (Heritage Precinct)	14 High Street, Ross TAS 7209	Mr Kel Clark	38	D
PLN-20-0274	Carport with storage (Heritage Precinct; locally listed place)	60 Marlborough Street, Longford TAS 7301	Ms Jenny Booth	34	D
PLN-20-0276	Replacement of existing garage door with self opening sectional lift door (heritage precinct)	50 Wellington Street, Longford TAS 7301	Rex Heathcote & Alison Andrews	33	D
PLN-20-0280	Dwelling	1-45 Bridge Street, Campbell Town TAS 7210	Engineering Plus	13	D
PLN-20-0281	Outbuilding (vary side and rear setbacks)	735 Elphinstone Road, Cressy TAS 7302	Stephen & Sharmane Jones	26	D
PLN-20-0284	Swimming Pool	18 Devon Hills Road, Devon Hills TAS 7300	Prime Design	17	P
<b>COUNCIL DECISIONS</b>					
PLN-20-0127	26 lot subdivision including shared stormwater detention/Public Open Space, cul-de-sac (creation of 7 lots less than 1 hectare) (Road & Railway Assets Code, Flood Prone Areas Code) and water main (utilities) in Devon Hills Road & Haggerston Road	16338 Midland Highway, Perth, Haggerston Road, Perth and Devon Hills & Devon Hills Road, Devon Hills, Perth TAS 7300	6ty °	42	C
PLN-20-0139	3-lot subdivision, water main extension, shed demolition & vegetation removal (Road and Railway Assets Code)	12 Oakmount Street, Perth TAS 7300	Mr Peter Jones	42	C
PLN-20-0232	Distillery, food services & signage	Royal George Road, Royal George TAS 7213	Michelle Baker	42	C
<b>COUNCIL DECISIONS - REFUSAL</b>					
<b>RMPAT DECISIONS</b>					
<b>TPC DECISIONS</b>					

## 2.2 Value of Planning Approvals

	Council	State	2020/2021 Residential	Business	Total	2019/20 Total	2018/2019 Total
July	217,500	0	877,000	2,283,000	3,377,500	1,429,000	2,863,500
August	1,370,000	10,000	2,208,500	121,000	3,709,500	3,503,000	3,369,300
September	850,000	1,120,000	1,971,000	2,248,000	6,189,000	25,457,550	3,704,400
October	0	8,302,500	1,083,000	601,500	9,987,000	717,900	1,282,500
November	0	15,000	2,113,000	1,153,226	3,281,226	648,500	3,079,000
December	95,000	0	2,450,240	72,000	2,617,240	2,636,000	4,499,500
<b>YTD Total</b>	<b>2,532,500</b>	<b>9,447,500</b>	<b>10,702,740</b>	<b>6,478,726</b>	<b>29,161,466</b>	<b>34,391,950</b>	<b>18,798,200</b>
<b>Annual Total</b>						<b>55,891,900</b>	<b>36,482,950</b>





# NORTHERN MIDLANDS COUNCIL

## AGENDA – ORDINARY MEETING

### 27 JANUARY 2021

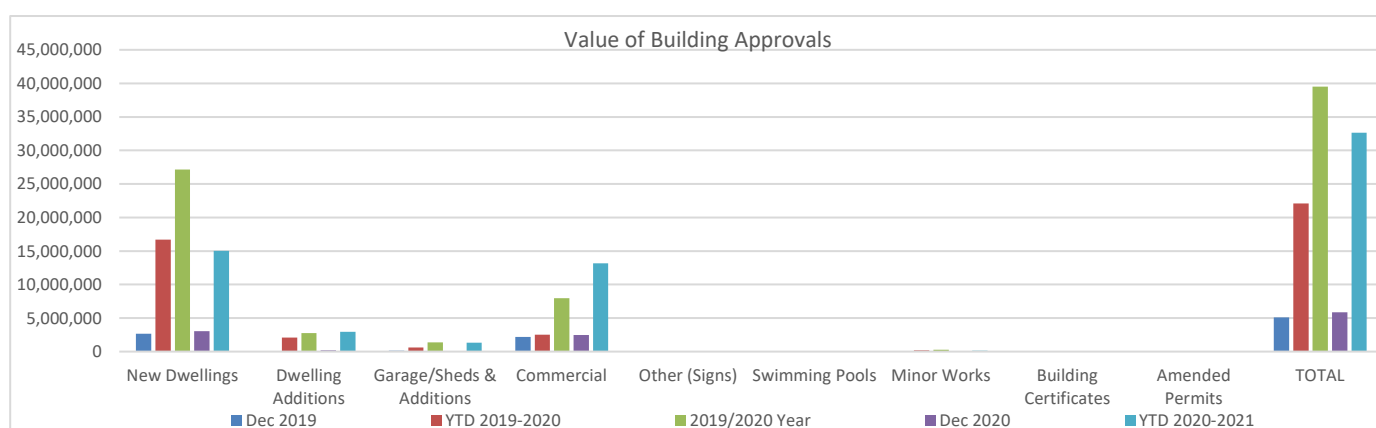
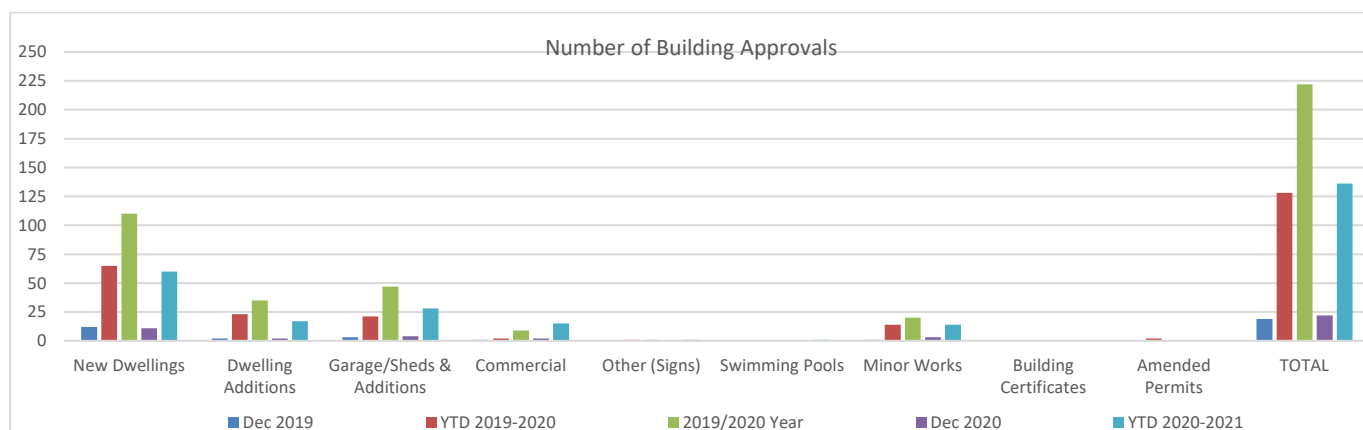
#### 2.3 Matters Awaiting Decision by TPC & RMPAT

TPC		TASMANIAN PLANNING COMMISSION
TPS		Tasmanian Planning Scheme. The State Planning Provisions (SPPs) came into effect on 2/3/2017. They will have no practical effect until the Local Provisions Schedule (LPS) is in effect in a municipal area. Northern Midlands Council's Draft Local Provisions Schedule submitted to the Commission 19/12/2019. Post lodgement meeting held 5/5/2020. Matters raised by the Commission and recommended response tabled at the 29/6/2020 Council meeting. Remaining responses to post lodgement enquiries provided 28/08/2020. Submission of response to post lodgement enquiries made by TPC due 5/2/2021. Meeting held between Council and Commission staff to discuss these matters held 20/1/2021.
02/2019		PLN-19-0070, 86 Burghley St Longford, rezone to General Residential and s43A application for 7 Lot Subdivision. Hearing held 13/12/2019. Additional information provided to the Commission on 21/1/2020. The Commission had flood report reviewed. The Commission has advised that it considers it would be difficult to approve the amendment and permit in the absence of further site specific flood modelling being submitted and gave the proponent (Woolcott Surveys) until 4/8/2020 to provide further flood modelling, noting that the invitation to submit further flood modelling is not intended to indicate that the application will be approved if the modelling work is completed. The Commission gave Woolcott Surveys an extension to submit further flood modelling work which they did on 29/10/2020. The Commission provided a peer review of Woolcott Surveys submission on 9/12/2020. Reconvened hearing scheduled for 9/2/2021.
01/2020		PLN-20-0001, 41-43 Wellington St Longford, rezone to General Residential and s43A application for 3 lot subdivision. S39 Report sent to the Commission 3/7/2020. Hearing held 14/10/2020. Reconvened hearing scheduled for 22/1/2021.
04/2020		PLN-20-0230 - Low Density Residential Land at the south of Longford. Report on representation to be considered at Council meeting of 27/1/2021.
RMPAT		RESOURCE MANAGEMENT AND PLANNING APPEAL TRIBUNAL
92/20P		11 Gay Street Longford, appeal against Council's refusal of an application for storage units. Preliminary conference held 13/11/2020. Mediation undertaken, partially successful. Hearing set for 22/2/2021.
114/20P		12 Oakmount Street, Perth, appeal against Council's condition requiring a contribution for roadworks. Preliminary conference held 18/1/2021. Mediation listed for 1/2/2021. Hearing listed for 19/3/2021.
Decisions received		
TPC		
03/2020		PLN20-0071, 2A Saundridge Rd Cressy Site specific amendment to allow for subdivision, in conjunction with s43A for 2 lot subdivision. Hearing held 25/11/2020. Decision received 18/12/2020 – draft amendment rejected and permit refused.
RMPAT		
-		-

#### 2.4 Building Approvals

The following table provides a comparison of the number and total value of building works for 2019/2020 – 2020/2021 (figures do not include Building Approvals processed under Resource Sharing Agreements).

	YEAR: 2019-2020				YEAR		YEAR: 2020-2021			
	Dec 2019		YTD 2019-2020		July 2019 - June 2020		Dec 2020		YTD 2020-2021	
	No.	Total Value	No.	Total Value	No.	Total Value	No.	Total Value	No.	Total Value
		\$		\$		\$		\$		\$
New Dwellings	12	2,664,046	65	16,680,051	110	27,131,594	11	3,046,735	60	15,003,168
Dwelling Additions	2	84,000	23	2,084,001	35	2,757,001	2	185,000	17	2,928,970
Garage/Sheds & Additions	3	132,142	21	625,942	47	1,394,142	4	81,000	28	1,331,700
Commercial	1	2,200,000	2	2,520,000	9	7,952,000	2	2,490,000	15	13,165,650
Other (Signs)	0	0	1	5,000	1	5,000	0	0	1	12,000
Swimming Pools	0	0	0	0	0	0	0	0	1	49,000
Minor Works	1	30,000	14	190,705	20	287,983	3	40,970	14	156,058
Building Certificates	0	0	0	0	0	0	0	0	0	0
Amended Permits	0	0	2	0	0	0	0	0	0	0
<b>TOTAL</b>	<b>19</b>	<b>5,110,188</b>	<b>128</b>	<b>22,105,699</b>	<b>222</b>	<b>39,527,720</b>	<b>22</b>	<b>5,843,705</b>	<b>136</b>	<b>32,646,546</b>
<b>Inspections</b>										
Building	0		1		58		12		27	
Plumbing	23		178		282		14		161	



## 2.5 Planning and Building Compliance – Permit Review

There has been a spike in compliance issues this month. Generally, the response to complaints raised is positive with property owners working with Council to remedy the issue, whether it be by removing the works or applying for the appropriate permits.

Below are tables of inspections and action taken for the financial year.

Planning Permit Reviews	This Month	2020/2021	Total 2019/2020
Number of Inspections	2	16	43
Property owner not home or only recently started			1
Complying with all conditions / signed off		9	21
Not complying with all conditions			
Re-inspection required	1	2	17
Notice of Intention to Issue Enforcement Notice			
Enforcement Notices issued			
Enforcement Orders issued			
Infringement Notice			
No Further Action Required	1	5	4

Building Permit Reviews	This Month	2020/2021	Total 2019/2020
Number of Inspections	4	10	25
Property owner not home or only recently started			
Complying with all conditions / signed off	1	2	5
Not complying with all conditions			1
Re-inspection required		1	6
Building Notices issued			
Building Orders issued			
No Further Action Required	3	7	12

Illegal Works - Building	This Month	2020/21	Total 2019/2020
Number of Inspections	2	10	26
Commitment provided to submit required documentation	1	3	1
Re-inspection required	1	4	6
Building Notices issued	2	3	4
Building Orders issued	1	3	4
Emergency Order		2	
No Further Action Required		3	12

Illegal Works - Planning	This Month	2020/21	Total 2019/2020
Number of Inspections	1	43	77
Commitment provided to submit required documentation		3	7
Re-inspection required	1	30	42
Enforcement Notices issued		1	
Enforcement Orders Issued			
Notice of Intention to Issue Enforcement Notice issued	1	3	5
No Further Action Required		10	20

### 3 STRATEGIC PLAN 2017-2027

The Strategic Plan 2017-2027 provides the guidelines within which Council operates.

- Progress – Economic Health and Wealth – Grow and Prosper
  - Strategic Project Delivery – Build Capacity for a Healthy Wealthy Future  
Core Strategies:
    - ♦ Strategic, sustainable, infrastructure is progressive
  - Economic Development – Supporting Growth and Change  
Core Strategies:
    - ♦ Towns are enviable places to visit, live and work
- People – Culture and Society – A Vibrant Future that Respects the Past
  - Sense of Place – Sustain, Protect, Progress  
Core Strategies:
    - ♦ Planning benchmarks achieve desirable development
    - ♦ Council nurtures and respects historical culture
    - ♦ Developments enhance existing cultural amenity
- Place – Nurture our Heritage Environment
  - Environment – Cherish and Sustain our Landscapes  
Core Strategies:
    - ♦ Meet environmental challenges
  - History – Preserve and Protect our Built Heritage for Tomorrow
    - ♦ Our heritage villages and towns are high value assets

### 4 STATUTORY REQUIREMENTS

#### 4.1 Land Use Planning & Approvals Act 1993

The planning process is regulated by the *Land Use Planning & Approvals Act 1993*, section 43 of which requires Council to observe and enforce the observance of its planning scheme.

#### 4.2 Building Act 2016

The *Building Act 2016* requires Council to enforce compliance with the Act.

### 5 RISK ISSUES

Lack of public awareness is a risk to Council. If people are not aware of requirements for planning, building and plumbing approvals, this may result in work without approval. Council continues to promote requirements to ensure the public is aware of its responsibility when conducting development.





## NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 27 JANUARY 2021

### **6 COMMUNITY CONSULTATION**

Discretionary applications are placed on public notification in accordance with Section 57 of the *Land Use Planning & Approvals Act 1993*.

From time to time articles are placed in the Northern Midlands Courier and on Council's Facebook page, reminding the public of certain requirements.

### **7 OFFICER'S COMMENTS/CONCLUSION**

There have been 15 commercial building approvals valued at \$13,165,650 for 2020/21 (year to date), compared to 2 commercial building approval valued at \$2,520,000 (year to date) for 2019/2020.

In total, there were 136 building approvals valued at \$32,646,546 (year to date) for 2020/2021, compared to 128 building approvals valued at \$22,105,699 (year to date) for 2019/20.

### **RECOMMENDATION**

That the report be noted.

### DECISION

Cr



# NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 27 JANUARY 2021

## **C&D 2      CONSULTATION ON DRAFT LAND USE PLANNING AND APPROVALS AMENDMENT (TASMANIAN PLANNING SCHEME MODIFICATION) BILL 2020 AND HOUSING LAND SUPPLY AMENDMENT BILL 2020**

*Attachments: Section 1 – Page 43*

*File:* 02/031  
*Responsible Officer:* Erin Miles, Community Supervisor  
*Report prepared by:* Paul Godier, Senior Planner

### **1      PURPOSE OF REPORT**

This report advises Council of consultation being undertaken by the Department of Justice on the draft *Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme Modification) Bill 2020* and *Housing Land Supply Amendment Bill 2020*.

### **2      INTRODUCTION/BACKGROUND**

The Department of Justice summarises the amendments to the two Acts as:

1. Improved processes for amending the State Planning Provisions.
2. Improved processes for finalising the Local Provisions Schedules.
3. Fairer process for determining planning applications during the transition to the Tasmanian Planning Scheme.
4. Implementation of certain State Planning Provisions through interim planning schemes.
5. Broader scope for making Housing Land Supply Orders under the Housing Land Supply Act.

The Department invites submissions on the two draft bills until Friday, 5 February 2021.

### **3      STRATEGIC PLAN 2017-2027**

The Strategic Plan 2017-2027 provides the guidelines within which Council operates.

- Lead –
  - Leaders with Impact
  - Core Strategies:
    - ♦ Communicate – Connect with the community
    - ♦ Lead – Councillors represent honestly with integrity
    - ♦ Manage – Management is efficient and responsive
- People –
  - Sense of Place – Sustain, Protect, Progress
  - Core Strategies:
    - ♦ Planning benchmarks achieve desirable development

### **4      POLICY IMPLICATIONS**

There are no policy implications.

### **5      STATUTORY REQUIREMENTS**

Amendments are proposed to the *Land Use Planning and Approvals Act 1993* and the *Housing Land Supply Act 2018*.

### **6      FINANCIAL IMPLICATIONS**

There are no financial implications to Council.

## 7 RISK ISSUES

No risk issues are identified.

## 8 CONSULTATION WITH STATE GOVERNMENT

The State Government is undertaking the consultation on this matter.

## 9 COMMUNITY CONSULTATION

The State Government is undertaking community consultation on this matter. All written submissions must be received by close of business on 5 February 2021.

## 10 OPTIONS FOR COUNCIL TO CONSIDER

Council can:

- Provide the submission as recommended;
- Provide an alternative submission; or
- Not provide a submission.

## 11 OFFICER'S COMMENTS/CONCLUSION

The Information Package on Amendments to the *Land Use Planning and Approvals Act 1993* and the *Housing Land Supply Act 2018* provides the following summaries of the proposed amendments to the Acts.

### Summary of proposed amendments to the Land Use Planning and Approvals Act

<b>Subject of change</b>	<b>Proposed change and purpose of change</b>
State Planning Provisions (SPPs)	<i>Changes to the process for making minor amendments to the SPPs to clarify and simplify procedures and maintain an appropriate separation of responsibilities.</i>
	<i>Enabling some amendments to the SPPs to have interim effect, which allows quick adaptation of policy in response to urgent or significant planning issues.</i>
Local Provisions Schedules (LPSs)	<i>Flexibility and an extended time period for Councils to prepare for exhibition of a draft LPS.</i>
	<i>Enabling an LPS to be approved with any substantial modifications to be treated as an amendment of the approved LPS to simplify the process, and make the outcomes of exhibition and hearing processes on the LPS available sooner.</i>
	<i>Enabling approved Interim Planning Scheme amendments to be included in a LPS without re-assessment.</i>
Development applications	<i>Providing a fairer and simpler process for determining development applications during the transition to the Tasmanian Planning Scheme and for current planning scheme and LPS amendments, by requiring that decisions on development applications are based on the planning scheme in place at the time of lodgement, rather than the time of decision.</i>
Planning Directives	<i>Removing the need for an assessment of a planning directive that brings parts of the SPPs into effect through interim planning schemes to prevent a duplication of the assessment that occurred in 2016.</i>

### Summary of proposed amendments to Housing Land Supply Act

<b>Subject of change</b>	<b>Proposed change and purpose of change</b>
Government land	<i>Expanding the definition of available Government land to include land owned by Tasmania Development and Resources, which was unintentionally excluded from the original HLS Act.</i>
Location criteria	<i>Enabling a Housing Land Supply Order to be made for land on Flinders Island acknowledging its unique characteristics.</i>
Rezoning criteria	<i>Making the decision criteria in relation to the relevant regional land use strategy for Housing Land Supply Orders consistent with the criteria of the Land Use Planning and Approvals Act 1993.</i>

Of most relevance to Council, which is currently working with the Tasmanian Planning Commission to finalise its draft Local Provisions Schedule for public exhibition, are the following improved processes for finalising the Local Provisions Schedules.

#### **Directions to publicly exhibit draft Local Provisions Schedules**

Currently, after determining that a draft Local Provisions Schedule is suitable, the Tasmanian Planning Commission may specify a date within 14 days for public exhibition to begin. The Bill proposes to be less rigid about the exhibition start date and require Councils to exhibit their draft Local Provisions Schedule within 21 days.

#### **New process for considering ‘substantial modifications’ to a draft Local Provisions Schedule**

Before a Local Provisions Schedule can be approved, the Tasmanian Planning Commission must consider whether any modifications are required in response to the Council’s recommendations on the representations, information obtained at the public hearings, or to satisfy the Local Provisions Schedule criteria in the LUPA Act. Modifications which are deemed ‘substantial’ may need to be made, such as changing the zoning of specific areas of land.

Currently, any substantially modified parts of a draft Local Provisions Schedule are subject to the same assessment and public exhibition process as a newly prepared draft Local Provisions Schedule, including 60 days of exhibition. This process must be completed before any non-substantial modifications can be made and the Local Provisions Schedule approved. The current process almost doubles the assessment time and can unnecessarily delay the approval of the Local Provisions Schedule.

The proposed process provides for the Tasmanian Planning Commission to approve a draft Local Provisions Schedule, with or without any modifications considered to be non-substantial, and to direct the Council to prepare and submit any ‘substantial modifications’ as a draft amendment to the approved Local Provisions Schedule.

## **12 ATTACHMENTS**

Information Package on amendments to the *Land Use Planning and Approvals Act 1993* and the *Housing Land Supply Act 2018*.

### **RECOMMENDATION**

That Council advises the Department of Justice that it supports the amendments to the *Land Use Planning and Approvals Act 1993* for improved processes for finalising the Local Provisions Schedules.

### **DECISION**

Cr



# NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 27 JANUARY 2021

## C&D 3 JUST CATS PROPOSAL: USER PAY BASIS

*Attachments: Section 1 – Page 69*

Responsible Officer: Des Jennings, General Manager  
Report prepared by: Tammi Axton, Animal Control Officer

### 1 PURPOSE OF REPORT

The purpose of this report is to provide Council with the opportunity to consider Just Cats proposal to partner up with local councils, on a user pays basis, which will be based on actual cat numbers from the municipality when ratepayers' hand in stray or feral cats.

### 2 INTRODUCTION/BACKGROUND

Just Cats is an organisation that commenced in November 2012 when Rachel Beech (Founder) saw the need to assist the general public with responsible rehoming of unplanned and unwanted kittens. Rachel saw the need for an additional dedicated feline organisation in the north of Tasmania and registered Just Cats as a not for profit in March 2013.

The organisation originally ran from Rachel's privately owned property in Longford.

Due to the continued growth of the organisation, a purpose-built adoption facility was opened in 2017 at Longford with assistance from a grant received from Tasmanian Community Fund. In the same year Just Cats became only the third registered cat management facility in Tasmania. In December 2018, Just Cats was awarded the cat management contract by Launceston City Council and commenced operation from a second facility at Mowbray.

Whilst being at the Mowbray facility, Just Cats has doubled its feline intakes per year, with approximately 3000 cats arriving in care during a 12-month period in which most will find homes.

*The Tasmanian Cat Management Act 2009* will have several amendments coming into effect shortly.

The amendments to the *Cat Management Act 2009* will permit members of the public to trap, seize, or detain cats regardless of the proximity to other residences, provided that the cat is taken to a cat management facility if the owner of the cat cannot be identified.

It is expected that Just Cats will be needed more than ever before due to these changes.

Just Cats primary aim is to partner up with local councils, on a user pays basis. This would allow Just Cats to take on the full role of a cat management facility for the north and enable councils to refer local rate payers to Just Cats when needed. This proposal will allow council to provide a solution to ratepayers without having to directly operate a cat management facility or tie up internal resources – which in turn will save council funds.

Just Cats propose a financial contribution from councils based on actual cat numbers from when ratepayers' hand in stray or feral cats. Any member of the public surrendering their own felines would continue to pay for the service, as the pet is their responsibility. This would then ensure that the services provided were truly users pay and would ensure that council are not subsidising other municipalities or other parts of Just Cats operation.

In 2020 Just Cats took in 47 stray cats from the Northern Midlands Area, with 7 of these deemed as feral cats (un-handleable).

Just Cats have calculated an average cost per cat based on variable costs and fixed overheads as:

Costs for stray cat arrival, vet work and holding for required 3 days \$550.00

If deemed un-handleable - euthanasia by veterinarian (this includes the cost of holding the cat until a decision is made)  
\$120.00

Average adoption fee per cat is \$250.00

**Loss on stray cat \$270.00**

**Loss on feral cat \$120.00.**

### 3 STRATEGIC PLAN 2017-2027

The Strategic Plan 2017-2027 provides the guidelines within which Council operates.

- Lead –
  - Best Business Practice & Compliance  
Core Strategies:
    - ♦ Council complies with all Government legislation
- Progress –
  - Economic Development – Supporting Growth & Changes
    - ♦ Towns are enviable places to visit, live & work
    - ♦ Maximise external funding opportunity
- People –
  - Sense of Place – Sustain, Protect, Progress  
Core Strategies:
    - ♦ Council nurtures and respects historical culture
    - ♦ Developments enhance existing cultural amenity
    - ♦ Public assets meet future lifestyle challenges
  - Lifestyle – Strong, Vibrant, Safe and Connected Communities  
Core Strategies:
    - ♦ Living well – Valued lifestyles in vibrant, eclectic towns
    - ♦ Communicate – Communities speak & leaders listen
    - ♦ Participate – Communities engage in future planning
    - ♦ Connect – Improve sense of community ownership
    - ♦ Caring, Healthy, Safe Communities – Awareness, education & service
- Place –
  - Environment – Cherish & Sustain our Landscapes  
Core Strategies:
    - ♦ Cherish & sustain our landscapes
    - ♦ Meet environmental challenges

### 4 POLICY IMPLICATIONS

N/A

### 5 STATUTORY REQUIREMENTS

Council is not currently enforcing the *Cat Management Act 2009*

### 6 FINANCIAL IMPLICATIONS

Just Cats anticipate offering two models to councils:

#### **Model 1. Charge on a per cat basis:**

When stray or feral cats are brought into Just Cats, an invoice will be sent to council on a monthly basis with an

agreed fee depending on whether the cat is deemed stray or feral. Given that we do have other sources of income, we propose that 60% of our costs associated with strays and feral cats be costed as:

**Stray \$270 per cat (excluding GST)**

**Feral \$ 70 per cat (excluding GST)**

The above fees would also cover councils' continued referral of ratepayers' to Just Cats for advice and assistance.  
**Just Cats are open to negotiation regarding this amount.**

#### **Model 2. Annual Agreed Retainer**

An annual agreed retainer could be negotiated each year, based on the previous year's intake from The Northern Midlands Council Municipal area. This would be reviewed each year and would be negotiated annually with the council.

### **7 RISK ISSUES**

Council will need to consider the following risks:

- With the changes to the *Cat Management Act 2009*, there will most likely be a large increase of cat trapping, therefore the cost to Council paying per cat will far exceed the current \$10,000 annual donation that Council currently makes to Just Cats.
- Without a Cat Management Facility such as Just Cats, there will be an expectation from members of the public that Council run their own Cat Management facility.

### **8 CONSULTATION WITH STATE GOVERNMENT**

N/A

### **9 COMMUNITY CONSULTATION**

N/A

### **10 OPTIONS FOR COUNCIL TO CONSIDER**

That

- 1) Council agree to pay \$270 per Stray cat (excluding GST) and \$70 Feral per cat (excluding GST); or
- 2) Council negotiate an agreed amount per cat; or
- 3) an annual agreed retainer be negotiated each year, initially based on the 2020 year intake of cats from The Northern Midlands Municipal area;  
e.g. That Council pay a base contribution of say \$10,000 per annum, with payment per cat over say 40 cats at an agreed cost.

### **11 OFFICER'S COMMENTS/CONCLUSION**

Based on 2020 figures the cost to council would have been \$11,290, if based on a pay per cat fee of \$270 per Stray and \$70 per feral.

Council currently makes an annual donation to Just Cats of \$10,000.

The Cost to Council may be more than the \$10,000 that Council currently donate to Just Cats, but without Council being able to direct ratepayers' to Just Cats, there would be an expectation that Council would manage stray and feral cats.



# NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 27 JANUARY 2021

## 12 ATTACHMENTS

- Just Cats Business Case for the Provision of Regional Cat Management Facilities for Northern Tasmania.
- Breakdown of costs Involved in taking stray cats.

## RECOMMENDATION

That Council approve Just Cats proposal to partner up with Council, and that Council negotiate with Just Cats an agreed amount to be paid per cat that is handed in by ratepayers from the Northern Midlands area based on option 3.

## DECISION

Cr





# NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 27 JANUARY 2021

## CORP 1 MONTHLY FINANCIAL STATEMENT

*Attachments: Section 1 – Page 80*

File: Subject 24/023  
Responsible Officer: Maree Bricknell, Corporate Services Manager  
Report Prepared by: Maree Bricknell, Corporate Services Manager

### 1 PURPOSE OF REPORT

The purpose of this report is to present the monthly financial reports as at 31 December 2020.

### 2 INTRODUCTION/BACKGROUND

The Monthly Financial Summary for the period ended 31 December 2020 is circulated for information.

### 3 ALTERATIONS TO 2020-21 BUDGET

Following a budget review of income and expenditure items the following alterations/variances are highlighted and explained:

#### SUMMARY FINANCIAL REPORT

For Month Ending: 31-Dec-20 6

A. Operating Income and Expenditure						
	Budget	Year to Date Budget	Actual	(\$,000)	Target 100%	Comments
Rate Revenue	-\$11,236,820	-\$11,236,820	-\$11,660,372	\$424	103.8%	
Recurrent Grant Revenue	-\$4,293,307	-\$2,146,654	-\$1,835,200	-\$311	85.5%	
Fees and Charges Revenue	-\$1,872,572	-\$936,286	-\$1,245,098	\$309	133.0%	
Interest Revenue	-\$675,507	-\$337,755	-\$253,998	-\$84	75.2%	
Reimbursements Revenue	-\$63,880	-\$31,940	-\$63,508	\$32	198.8%	
Other Revenue	-\$992,590	-\$496,295	-\$460,765	-\$36	92.8%	
	-\$19,134,676	-\$15,185,749	-\$15,518,941	\$333	102.2%	
Employee costs	\$5,536,773	\$2,768,387	\$2,732,803	\$36	98.7%	
Material & Services Expenditure	\$5,248,743	\$2,624,372	\$2,283,273	\$341	87.0%	
Depreciation Expenditure	\$5,732,369	\$2,866,185	\$2,865,989	\$0	100.0%	
Government Levies & Charges	\$861,522	\$430,761	\$462,771	-\$32	107.4%	
Councillors Expenditure	\$199,210	\$99,605	\$83,973	\$16	84.3%	
Interest on Borrowings	\$272,007	\$136,004	\$223,220	-\$87	164.1%	
Other Expenditure	\$1,712,984	\$856,492	\$768,029	\$88	89.7%	Pension rebates for full year
Plant Expenditure Paid	\$524,700	\$262,350	\$286,496	-\$24	109.2%	
	\$20,088,308	\$10,044,154	\$9,706,554	\$338	96.6%	
	\$953,632	-\$5,141,595	-\$5,812,387			
Gain on sale of Fixed Assets	\$0	\$0	\$0	\$0	0.0%	
Loss on Sale of Fixed Assets	\$602,390	\$301,195	\$0	\$301	0.0%	
Underlying (Surplus) / Deficit	\$1,556,022	-\$4,840,400	-\$5,812,387			1*
Capital Grant Revenue	-\$10,749,146	-\$5,374,573	-\$713,000	-\$4,662	13.3%	
Subdivider Contributions	-\$524,114	-\$262,057	0	-\$262	0.0%	
Capital Revenue	-\$11,273,260	-\$5,636,630	-\$713,000			
<b>Budget Alteration Requests</b>						
- For Council authorisation by absolute majority		Budget Operating	Budget Capital	Actuals		
Dec						

# NORTHERN MIDLANDS COUNCIL

## AGENDA – ORDINARY MEETING

### 27 JANUARY 2021

Capital works budget variances above 10% or \$10,000 are highlighted

Original Budget Operating Deficit		\$1,556,022		1*
- Interest on Investments	100300	-\$10,000		1 Additional revenue
- Perth Main Street Plan	101010.047	\$3,444		2 Budget reallocation
- Staff Support & Special Projects	101010	-\$3,444		2 Budget reallocation
- Remissions	101070	\$0		3 Note
- AMAC membership	102610	\$3,112		4 Adjustment
- Historic Photos, pictures & portraits	102950	\$10,000		5 Adjustment
- Media / Community Consultation	103700	\$49,000		6 Consultancy
- General Rates	100200	-\$300,000		7 Covid bad debts not allocated
- Supplementary Rates	100200	-\$100,000		7 Additional development
- General Financial Assistance Grant Revenue		-\$6,717		8 Additional grants
- Rate Certificate revenue	202050	-\$15,000		9 Additional revenue
- Property Transfer	202200	-\$25,065		10 Sale for unpaid rates
- NMBA	505090	\$7,000		11 Budget reallocation
- Nth Midlands towns video project		\$13,000		New promotion project
- Ec Dev Covid Support Program	523580	-\$20,000		12 Budget reallocation
- Special Events cancelled reallocated to Round 3		0		13 Note
- Animal Control	504200	-\$10,000		14 Budget reallocation
- Compliance	504470	\$10,000		15 Budget reallocation
- Planning fees	323150	-\$110,000		16 Additional revenue
- Planning operating expenses	323250	\$45,000		17 Additional resources
- Planning consultancy Land Use Strategy	323409	-\$150,000		18 Budget reallocation
- NM Land Use & Dev Strategy		\$12,592		18 Budget reallocation
- South Longford Zoning review		\$35,000		18 Budget reallocation
- Longford Racecourse area review		\$12,000		18 Budget reallocation
- Sheepwash Creek revised flood modeling		\$12,000		18 Budget reallocation
- North Perth minimum lot size provisions review		\$17,000		18 Budget reallocation
- Specific Area Plan 5 Esklegh Road Amendment		\$2,000		18 Budget reallocation
- Evandale Density overlay		\$5,000		18 Budget reallocation
- Natural Assets Code database		\$4,500		18 Budget reallocation
- Building Fees	323590	-\$25,000		19 Additional revenue
- Building Assessment resources	323800	\$20,000		20 Additional resources
- Plumbing Fees	323650	-\$40,000		21 Additional revenue
- Engineering Civil	324440	\$29,500		22 Consultancy
- Public Open Space revenue	517000	-\$60,000		23 Additional revenue
- Lease revenue	508000	-\$12,500		24 Additional revenue
- Library leases	510450 / 513050	-\$7,279		25 Additional revenue
- Depreciation		\$551,000		Based on actual 30/6
New Items				
- Additional Donation to Just Cats Assoc.		\$5,000		- Making annual donation of \$10,000
- Evandale Anzac Mural maintenance		\$5,000		-
- Evandale hall ground power points		\$2,000		-
- Trainees, building officer		\$30,281	Allocation \$270,776 - full year 2021/22	
- Climate Change Emergency Strategy - stage 1		\$8,000		
- Climate Change Emergency Strategy - stage 2		\$0	Allocation \$20,000 stage 2 - 2021/22	
- Longford Cycling Master Plan				
<b>New Operating Deficit</b>		<b>\$1,552,446</b>		1*
Change in Deficit		-\$3,576		
<b>Capital</b>				
- Pth Rec Ground Top Dressing	707876	-\$20,000		C1 Budget reallocation
- Falls Park Entrance & Gate	707977	\$8,500		C2 Budget reallocation
- Pth Rec Ground Design consultancy	708029	-\$35,000		C3 Budget reallocation
- Ross Caravan Park design/preliminaries	707860	\$27,600		C4 Budget reallocation
- Ross Town Hall painting	707873	-\$15,850		C5 Budget reallocation
- Public Building Improvements unallocated	715350	-\$47,000		C6 Budget reallocation
- Pth Rec Clubroom Floor replacement	720138	\$42,000		C7 Budget reallocation
- Pth Dog Park fencing	720139	\$25,000		C8 New budget allocation
- Macquarie Road reconstruction	750778	-\$60,000		C9 Budget reallocation
- Valleyfield Road verges	751316	\$35,000		C10 Budget reallocation
- High Street, Evandale verges	707805.44	\$25,000		C11 Budget reallocation
- Blackspot Road Grant		-\$120,066		New grant allocation
- Macquarie Road Blackspot project north		\$89,650		New project
- Macquarie Road Blackspot project south		\$90,000		New project
- Maint. Road widening	405800	-\$59,585		C9 Budget reallocation
- Pth Sheepwash Creek vegetation & drainage	788609.22	\$15,000		C12 Budget reallocation
- Lfd Paton Street Basin Batters	788624	-\$15,000		C13 Budget reallocation
New Capital Items				
- Ctown Rec Ground Intersection Upgrade		\$150,000	**** highlighted but may not need funding until 2021/22	

# NORTHERN MIDLANDS COUNCIL

## AGENDA – ORDINARY MEETING

### 27 JANUARY 2021

(in conjunction with State Growth works)		
- Pth Rec Ground clubrooms heating	\$10,000	Funded from reallocations above
(replacement of wood heater with air conditioner)		
- Lfd Caravan Park house	\$5,000	Funded from reallocations above
(replacement of wood heater with air conditioner)		
	<b>\$150,250</b>	

#### Local Roads & Community Grant Program (Phase 2)

- Local Roads & Community Infrastructure Program (Phase 2)	<b>-\$993,841</b>	
- Cry Pool upgrade additional allocation to upgrade	\$200,000	
- Cry Recreation Ground additional allocation to upgrade	\$107,571	
- Translink Gatty Street detention basin 50% matching funding	\$126,270	Already committed
- Lfd Waste Transfer Station upgrade 50% matching funding	\$100,000	Already committed
- Lfd Sports Centre Squash Court refurbishment	\$50,000	
- Pth Seccombe St Reserve Toilet	\$60,000	
- Pth Talisker Street carpark Toilet	\$100,000	
- Pth Recreation Ground Electronic Scoreboard	\$90,000	
- Ctown Recreation Ground Irrigation (stage 1)	\$160,000	

Note: Grant Projects required to be physically completed by 31 December 2021

#### Perth By-pass State Growth Allocation

- Roundabouts / Tree Corridors	<b>-\$924,000</b>	
Tree Corridors	\$424,000	Already committed
Roundabout landscaping	\$500,000	Already committed
- Road and Reserve Transfers	<b>-\$1,485,000</b>	
Main Street Beautification	\$301,500	
Youl Road k&c, footpaths	\$518,500	
Seccombe Street, construction & footpaths	\$290,000	Already committed
Drummond St	\$75,000	
Lfd Entrance Roundabout	\$200,000	Already committed
Maintenance contribution year 1	\$100,000	Already committed
William Street footbridge, footpaths	\$0	\$320,000 Supplementary project
William Street / Train Park BBQ shelters	\$0	\$140,000 Supplementary projects

Nov			
Oct			
Barton Road Reconstruction - deferred	751586	-\$535,000	Awaiting removal of trees and land acquisition
Green Rises Road - Supplementary	Asset 524	\$535,000	2.29 km - chainage 8.3 to 10.59
Sept			
Aug			
July			

#### B. Balance Sheet Items

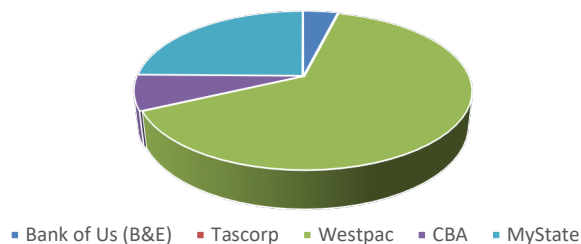
	Year to Date Actual		Monthly Change		Same time last year	Comments
Cash & Cash Equivalents Balance						
- Opening Cash balance	\$16,905,670		\$20,893,898			
- Cash Inflow	\$13,297,961		\$1,289,125			
- Cash Payments	-\$11,012,187		-\$2,991,577			
- Closing Cash balance	\$19,191,445		\$19,191,445			
	-		-			
Account Breakdown						
- Trading Accounts	\$104,297					
- Investments	\$19,087,148					
	\$19,191,445					
	-					
Summary of Investments	Investment Date	Maturity Date	Interest Rate%	Purchase Price	Maturity Value	
Tasmanian Public Finance Corporation Call						
Account	1/12/2020	31/12/2020	0.10	\$5,393	\$5,393	
CBA Call Account	1/12/2020	31/12/2020	0.01	\$1,574	\$1,574	
CBA Business Online Saver	23/12/2020	31/12/2020	0.20	\$956,682	\$956,723	
Westpac Corporate Regulated Interest Account	31/12/2020	31/12/2020	0.35	\$5,747,836	\$5,747,836	
Bank of Us	30/03/2020	29/01/2021	2.00	\$522,229	\$530,957	
My State Financial	25/05/2020	25/05/2021	1.20	\$3,303,434	\$3,343,076	
Westpac - Green Deposit	25/11/2020	28/09/2021	0.45	\$2,000,000	\$2,007,570	
Westpac	6/10/2020	4/07/2022	3.37	\$5,500,000	\$5,822,966	
Westpac	29/09/2020	29/06/2023	3.30	\$1,050,000	\$1,145,216	
Total Investments	0/01/1900	0/01/1900	0.00	\$19,087,148	\$19,561,311	

# NORTHERN MIDLANDS COUNCIL

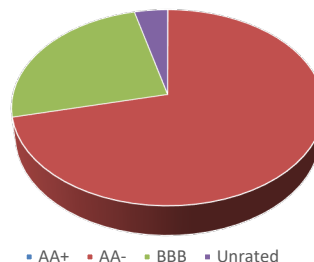
## AGENDA – ORDINARY MEETING

### 27 JANUARY 2021

Investments by Institution

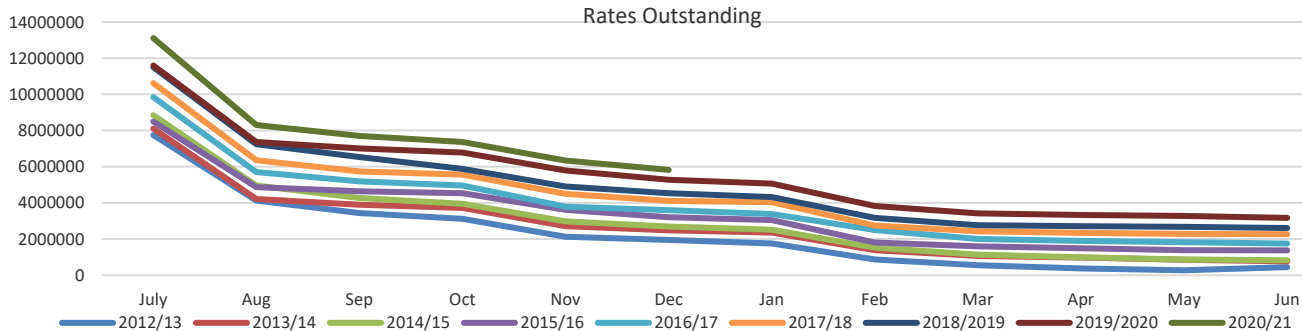


Total Investments by Rating (Standard & Poor's)



Rate Debtors	2020/21	% to Raised	Same Time Last Year	% to Raised
Balance b/fwd	\$2,808,852		\$2,275,315	
Rates Raised	\$11,710,248		\$11,415,361	
	\$14,519,100		\$13,690,676	
Rates collected	\$8,339,237	71.2%	\$8,088,034	70.9%
Pension Rebates	\$483,187	4.1%	\$455,634	4.0%
Discount & Remissions	\$56,734	0.5%	\$42,591	0.4%
	\$8,879,158		\$8,586,259	
Rates Outstanding	\$5,827,453	49.8%	\$5,272,636	46.2%
Advance Payments received	-\$187,511	1.6%	-\$168,220	1.5%

Rates Outstanding



<b>Trade Debtors</b>				
Current balance	\$147,858			
- 30 Days	\$86,438			
- 60 Days	\$15,197			
- 90 Days	-\$2,204			
- More than 90 days	\$48,426			
Summary of Accounts more than 90 days:				
- Norfolk Plains Book sales		171		Paid by outlet as sold
- Hire/lease of facilities		83		
- Removal of fire hazards		6,867		
- Dog Registrations & Fines		18,510		Send to Fines Enforcement
- Private Works		10,671		
- Regulatory Fees		726		
- Govt Reimbursements		11,400		

#### C. Capital Program

	Budget	Actual (\$,000)	Target 50%	Comments
Renewal	\$11,293,402	\$3,958,279	35%	
New assets	\$9,542,194	\$3,009,623	32%	
Total	\$20,835,595	\$6,967,902	33%	
Major projects:				
- Longford Sports Centre stage 2 & carpark	\$890,000	\$406,741	46%	In progress
- Campbell Town Rec Ground Site Works	\$166,500	\$42,581	26%	
- Evandale Rec Ground Amenities	\$866,205	\$795,750	92%	Substantially complete
- Cressy Rec Ground Amenities	\$837,855	\$96,432	12%	Tender stage
- Cressy Pool Improvements	\$516,000	\$64,165	12%	Tender stage
- Ross Caravan Park units	\$220,000	\$218,603	99%	Complete



# NORTHERN MIDLANDS COUNCIL

## AGENDA – ORDINARY MEETING

### 27 JANUARY 2021

- Ross Village Green	\$400,000	\$166,167	42%	In progress
- Sheepwash Creek development	\$715,000	\$352,119 (less c/fwds)	49%	In progress
- Green Rises Road reconstruction	\$535,000	\$0	0%	
- Macquarie Road reconstruction	\$370,000	\$111,864	30%	In progress
- Bridge 1469 Storrs Creek Road	208,000	\$203,450	98%	Complete
- Bridge 1813 Hop Valley Road	192,000	\$192,406	100%	Complete
- Bridge 1940 Cressy Road	200,000	\$7,316	4%	
- Bridge 4519 Verwood Road	112,035	\$121,175	108%	Complete

\* Full year to date capital expenditure for 2019/20 provided as an attachment.

#### D. Financial Health Indicators

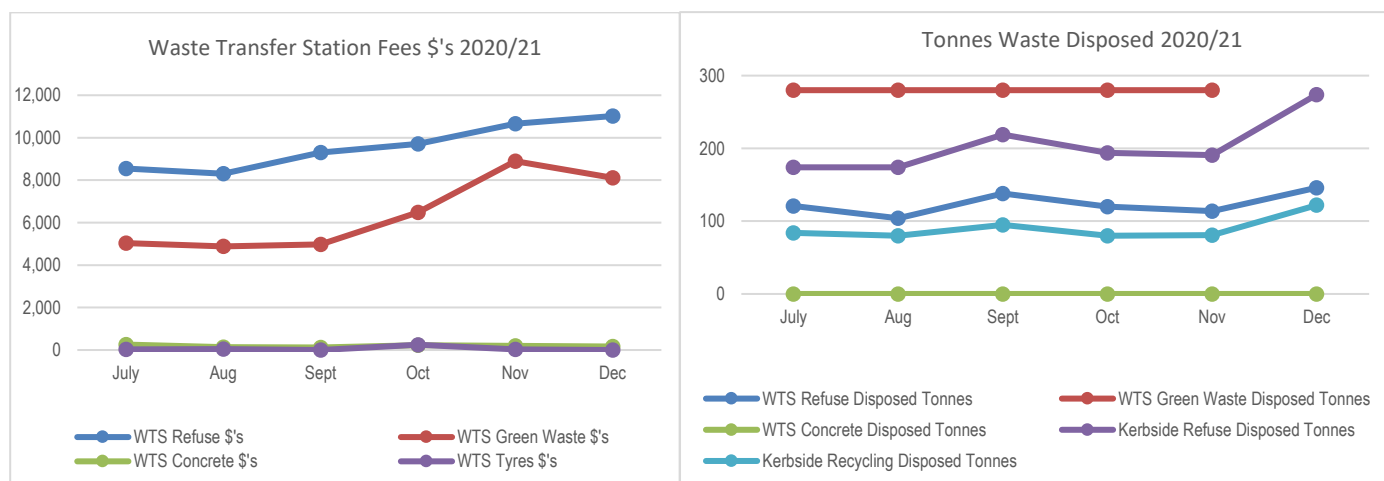
	Target	Actual	Variance	Trend	
Financial Ratios					
- Rate Revenue / Total Revenue	58.7%	75.1%	-16.4%	↘	
- Own Source Revenue / Total Revenue	78%	88%	-10.6%	↘	
Sustainability Ratio					
- Operating Surplus / Operating Revenue	-8.1%	37.5%	-45.6%	↘	
- Debt / Own Source Revenue	50.0%	54.2%	-4.2%	↔	
Efficiency Ratios					
- Receivables / Own Source Revenue	40.3%	38.5%	1.7%	↘	
- Employee costs / Revenue	28.9%	17.6%	11.3%	↗	
- Renewal / Depreciation	197.0%	138.1%	58.9%	↗	
Unit Costs					
- Waste Collection per bin	\$10.53	\$5.06		↔	
- Employee costs per hour	\$46.14	\$38.75		↗	
- Rate Revenue per property	\$1,581.76	\$1,641.38		↔	
- IT per employee hour	\$3.30	\$2.42		↘	

#### E. Employee & WHS scorecard

	YTD	This Month	
Number of Employees	97	97	
New Employees	16	4	
Resignations	10	3	
Total hours worked	70,517	10,514	
Lost Time Injuries	1	0	
Lost Time Days	0	0	
Safety Incidents Reported	8	4	
Hazards Reported	52	7	
Risk Incidents Reported	4	0	
Insurance claims - Public Liability	1	0	
Insurance claims - Industrial	1	0	
Insurance claims - Motor Vehicle	3	0	
IT - Unplanned lost time	2	1	
Open W/Comp claims	7	2	

#### F. Waste Management

Waste Transfer Station	2018/19	2019/20	2020/21 Budget	2020/21	
			Year to Date		
Takings					
- Refuse	\$93,411	\$92,611	\$45,891	\$57,539	
- Green Waste	\$52,960	\$50,996	\$24,138	\$38,384	
- Concrete	\$2,376	\$1,551	\$756	\$1,100	
			\$0	\$353	
Total Takings	\$152,877	\$142,782	\$70,784	\$97,376	
Tonnes Disposed					
WTS Refuse Disposed Tonnes	1,325	1388	1954	743	
WTS Green Waste Disposed Tonnes	5200	5400	6015	1400	
WTS Concrete Disposed Tonnes	0	0	0	0	
Kerbside Refuse Disposed Tonnes	2217	2326	1806	1226	
Kerbside Recycling Disposed Tonnes	1051	1036	869	542	
Total Waste Tonnes Disposed	\$9,793	10150	10644	3911	



## 4 OFFICER COMMENTS

Copies of the financial reports are also made available at the Council office.

## 5 ATTACHMENTS

- 5.1 Income & Expenditure Summary for period ending December 2020 (inclusive of Budget Review).
- 5.2 Capital Works Report to end December 2020.

## RECOMMENDATION

That Council

- i) receive and note the Monthly Financial Report for the period ending 31 December 2020, and
- ii) authorise Budget 2020/21 alterations as listed in item 3.

## DECISION

Cr



# NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 27 JANUARY 2021

## WORKS 1 NOMENCLATURE: RE-NAMING OF TRANSLINK INDUSTRIAL PARK

*Responsible Officer:* Leigh McCullagh, Works Manager  
*Report prepared by:* Jonathan Galbraith, Engineering Officer

### 1 PURPOSE OF REPORT

This report considers designating the TRANSlink area as a locality so that place name and directional signage can be installed.

### 2 INTRODUCTION/BACKGROUND

Evandale Main Road is owned by the Department of State Growth and Council have requested their permission on a number of occasions to install place name signage at the entrance to TRANSlink Industrial Precinct.

The Department of State Growth has advised that they will not give permission for signage to be installed because TRANSlink is not an official place name.

In recent correspondence with Placenames Tasmania (formerly the Nomenclature Board) they have advised that the area can be named as an “unbounded locality”. They have suggested using the name “Translink Park”.

The name “Translink Park” would be acceptable; however, Council Officers believe that “Translink Industrial Park” would be more appropriate as “park” is normally associated with public recreation activities, therefore “Translink Industrial Park” would be more descriptive of the area.

### 3 STRATEGIC PLAN 2017-2027

The Strategic Plan 2017-2027 provides the guidelines within which Council operates.

- Lead –
  - Leaders with Impact  
Core Strategies:
    - ♦ Manage – Management is efficient and responsive
  - Best Business Practice & Compliance  
Core Strategies:
    - ♦ Council complies with all Government legislation
    - ♦ Excellent standards of customer service

### 4 POLICY IMPLICATIONS

N/A.

### 5 STATUTORY REQUIREMENTS

The following Acts and guidelines have relevance to this matter.

- *Survey Coordination Act 1944*
- *Place Names Act 2020*
- Tasmanian Place naming guidelines

### 6 FINANCIAL IMPLICATIONS

There is no cost to Council to apply for a place name to be registered.

### 7 RISK ISSUES

N/A



## 8 CONSULTATION WITH STATE GOVERNMENT

If Council agrees to assign the name 'Translink Industrial Park' to the industrial precinct then Council is to submit the name to Placenames Tasmania.

## 9 COMMUNITY CONSULTATION

N/A

## 10 OPTIONS FOR COUNCIL TO CONSIDER

Council can agree / not agree to assign the name as requested.

## 11 OFFICER'S COMMENTS/CONCLUSION

Naming Translink Industrial Park as an unbounded locality may not guarantee Department of State Growth's approval for signs to be installed as there are also other issues that the Department considers before granting approval; however, it will make it easier for Council to request approval to install signage in the future and may also allow for the area to be added into existing Department of State Growth Directional Signage.

### TRANSLINK INDUSTRIAL PARK UNBOUNDED LOCALITY



## 12 ATTACHMENTS

Nil.





# NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 27 JANUARY 2021

## **RECOMMENDATION**

That Council submit an application to Placenames Tasmania for the “Translink Industrial Park” to be recognised as an unbounded locality.

## DECISION

Cr



# NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 27 JANUARY 2021

## PUBLIC QUESTIONS & STATEMENTS

Regulation 31 of the *Local Government (Meeting Procedures) Regulations 2015* relates to the provision of Public Question Time during a Council meeting. Regulation 31(7) of the Regulations stipulates that “a Council is to determine any other procedures to be followed in respect of public question time at an ordinary council meeting.”

### ***Public Attendance Meeting Guidelines during the COVID-19 Disease Emergency***

The conduct of Council Meetings is currently being undertaken in accordance with the *COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020*. This has necessarily meant that public attendance at meetings has been restricted. Under these arrangements Council meetings have been undertaken remotely via online platforms.

While COVID-19 restrictions remain in place, Council is mindful of the need to ensure community safety and compliance with regard to social distancing and limitations on the number of persons who may gather. This obligation is balanced with the need to minimise disruption to the business of Council.

Council has determined that limited public access to Council meetings will be permitted from the 14 December 2020 Council Meeting.

Attendance of the public will be restricted to those who wish to make representation or present a statement in person at the meeting, preference is to be given to individuals

1. making representations to planning applications which are subject to statutory timeframes (limit of 4 persons per item),

and

2. those making statements or representations on items listed in the Agenda for discussion (limited to 2 persons).

To ensure compliance with Council’s COVID-19 Safety Plan, any person wishing to attend will be required to register their interest to attend, which is to be received by Council before 12noon 4 days (i.e. usually the Friday) preceding the meeting by emailing [council@nmc.tas.gov.au](mailto:council@nmc.tas.gov.au) or phoning Council on 6397 7303. **In the case of this meeting where the meeting is being held on Wednesday, 27 January, registrations must be received prior to 12noon on Monday, 25 January 2021.**

On arrival attendees will:

- be required to complete the health declaration section of their registration form to support COVID-19 tracing (in the event that it is necessary); and
- receive direction from council officers (or Council’s delegate) in relation to their access to the meeting room.

Access to the Municipal Building will only be permitted until 6.45pm, at which time Public Question Time will commence.

Members of the public who would prefer not to attend the meeting, but would like to ask a question or make a representation to the Council that would normally be heard during Public Question Time, may forward their question/representation to [council@nmc.tas.gov.au](mailto:council@nmc.tas.gov.au) which is to be received by Council before 12noon 4 days (i.e. usually the Friday) preceding the meeting. **In the case of this meeting where the meeting is being held on Wednesday, 27 January, questions/representations must be received prior to 12noon on Monday, 25 January 2021.**

Any questions/representations received will be circulated to Councillors prior to the meeting, tabled at the meeting and recorded in the minutes of the meeting.

These arrangements are subject to review based on any change in circumstance relating to the COVID-19 Disease Emergency.

Council will continue to ensure minutes and audio recordings of Council meetings are available on Council’s website.

### ***Representations on Planning Items***

A maximum of 4 persons per item (2 for and 2 against) will be permitted to address Council on a planning item.

## 1 PUBLIC QUESTIONS



# NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 27 JANUARY 2021

## COUNCIL ACTING AS A PLANNING AUTHORITY

Section 25 (1) of the Local Government (meeting procedures) Regulations require that if a Council intends to act at a meeting as a Planning Authority under the *Land Use Planning and Approvals Act 1993*, the Chairperson is to advise the meeting accordingly.

### DECISION

Cr

That the Council intends to act as a Planning Authority under the *Land Use Planning and Approvals Act 1993* for Agenda item/s PLAN 1 – PLAN 4.

## 2 STATEMENTS

- |        |   |
|--------|---|
| PLAN 1 | DRAFT AMENDMENT 04/2020: LOW DENSITY RESIDENTIAL LAND AT THE SOUTH OF LONGFORD  |
| PLAN 2 | PLANNING APPLICATION PLN-20-0260: 39 CHURCH STREET, ROSS  |
| PLAN 3 | PLANNING APPLICATION PLN-20-0290: MULGRAVE STREET (CT45677/1-PARK BETWEEN MULGRAVE AND ARTHUR STS), PERTH   |
| PLAN 4 | PLANNING APPLICATION PLN-20-0287: SHEEPWASH CREEK BETWEEN PHILLIP AND EDWARD STS, PROPERTIES BORDERING PHILLIP STREET, YOUL ROAD & EDWARD STREET, PERTH |



# NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 27 JANUARY 2021

## PLAN 1 DRAFT AMENDMENT 04/2020: LOW DENSITY RESIDENTIAL LAND AT THE SOUTH OF LONGFORD

*Attachments: Section 1 – Page 113*

**Responsible Officer:** Erin Miles, Development Supervisor  
**Report prepared by:** Paul Godier, Senior Planner  
**File Number:** PLN-20-0230

### 1 INTRODUCTION

At its September 2020 meeting, Council resolved to initiate and certify an amendment to make Domestic Animal Breeding, Boarding or Training (if not animal pound, cattery or kennel) and Veterinary Centre ‘permitted’ in the Low Density Residential Zone in southern Longford.

The draft amendment was placed on public notification and one representation was received.

The representation was presented to the December 2020 meeting, where Council resolved to seek advice on withdrawing the amendment, with a further report to be presented to the 27 January 2021 meeting.

### 2 BACKGROUND

**Applicant:**

Northern Midlands Council

**Proposal:**

Amend the planning scheme to make Domestic Animal Breeding, Boarding or Training (if not animal pound, cattery or kennel) and Veterinary Centre ‘permitted’ in the Low Density Residential Zone in southern Longford

**Critical Date:**

Report on representations to be sent to  
Planning Commission by 5 February 2021

**Recommendation:**

Endorse statement of opinion as to the merit of the representation

**Planning Instrument:**

*Northern Midlands Interim Planning Scheme  
2013*

**Planning Authority:**

Northern Midlands Council

### 3 STATUTORY REQUIREMENTS

In accordance with Schedule 6 (3) (2) (b) of the *Land Use Planning & Approvals Act 1993*, Council is required under Section 39 (2) to forward to the Planning Commission a report comprising –

- (a) *a copy of each representation received by the authority in relation to the draft amendment; and*
- (b) *a statement of its opinion as to the merit of each such representation, including, in particular, its views as to–*
  - (i) *the need for modification of the draft amendment in the light of that representation; and*
  - (ii) *the impact of that representation on the draft amendment as a whole; and*
- (c) *such recommendations in relation to the draft amendment as the authority considers necessary.*

These matters are discussed below.

In accordance with section 34 of the *Land Use Planning & Approvals Act 1993*:

- (3) *A planning authority may at any time determine to withdraw an amendment, of a planning scheme administered by it, that it has initiated of its own motion.*
- (4) *The withdrawal of an amendment of a planning scheme comes into effect 7 days after the date on which the planning authority determines to withdraw the amendment.*

- (5) The planning authority is to –
- (a) notify the Commission of the withdrawal of the amendment; and
- (b) give notice, in a daily newspaper circulating generally in the area, that the amendment has been withdrawn and of the date on which the withdrawal takes effect.

References to provisions of the *Land Use Planning and Approvals Act 1993* are references to the former provisions of the Act as defined in Schedule 6 – Savings and transitional provisions of the *Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme Act) 2015*. The former provisions apply to an interim planning scheme that was in force prior to the commencement day of the *Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme Act) 2015*. The commencement day was 17 December 2015.

#### 4 REPRESENTATION

Notice of the draft amendment was given in accordance with Section 57 of the *Land Use Planning & Approvals Act 1993* from 3 October 2020 to 30 October 2020. No representations were received during the notification period.

On 10 November 2020, Council received an email from Mr. Michael Morris of the Longford Equine Clinic, Anstey Street, Longford. Mr. Morris advised:

*I've just become aware of this proposed amendment to the Northern Midlands Planning Scheme 2013. I'm aware the date for comment (30<sup>th</sup> Oct 2020) or objections has passed but am writing to request an extension of this date.*

*It appears the major purpose of the amendment is to permit a general purpose veterinary practice to operate within the low residential area. Given I run the only other veterinary practice in town and I am already in the area it is pretty obvious I would be concerned about this amendment, since it will allow another practice to operate in very close proximity in direct competition.*

*I would have thought I should have been made aware of this proposed amendment and given the opportunity to comment, given I am the one person with the most at stake. For Council not to inform me of this is highly concerning and suggests a desire on their part to push the amendment through unopposed.*

*I await your response.*

The Tasmanian Planning Commission advised that it is Council's decision whether it considers a representation lodged after the notification period.

Council's Planning Department advised Mr. Morris that:

It sent notice of the draft amendment to all properties affected by it including:

Ballymore Stables & Michael Austin Morris  
Cnr Anstey & Brickendon Streets  
Longford Tas 7301

The Occupier  
97 Brickendon St  
Longford Tas 7301

However, as he did not receive the notification, Mr. Morris was advised that he could lodge a submission to be considered by the Council.

#### Consideration of the Representation

# NORTHERN MIDLANDS COUNCIL

## AGENDA – ORDINARY MEETING

### 27 JANUARY 2021

The representation lodged by Mr Morris is attached. The matters raised in the representation are outlined below followed by the planner's comments.

*The land was initially set aside for uses that aid and support the adjacent Longford training centre. Approval of the draft amendment will allow residential and commercial interests unconnected with racing to threaten racings viability.*

Planner's comment:

The previous zone – Particular Purposes (Horse Training and Stables) allowed for:

1	2	3	4
PERMITTED (NO PERMIT REQUIRED)	PERMITTED (WITH PERMIT)	DISCRETIONARY (WITH PERMIT)	PROHIBITED
Utility Services - minor	Equestrian Facility Home Business Passive Recreation Recreation Active Veterinary Establishment	House House & Ancillary Apartment Car Park Subdivision Use or development in accordance with Clause 2.6.1(iii)	All other uses not listed.

The draft amendment is to make Domestic Animal Breeding, Boarding or Training (if not animal pound, cattery or kennel) and Veterinary Centre 'Permitted' in the Low Density Zone south of Longford.

This is consistent with the previous zone, as shown above.

#### Impact of the Representation on the Draft Amendment and Need for Modification of the Draft Amendment

The representation does not impact on the draft amendment and the draft amendment does not require modification as a result of the representation.

#### 5 OPTIONS

- Move the recommendation; or
- Move alterations to the recommendation;
- Withdraw the amendment pursuant to section 34(3) of the *Land Use Planning & Approvals Act 1993*.

#### 6 ATTACHMENTS

- Draft amendment
- Representation

#### RECOMMENDATION

That Council, in accordance with section 39 (2) (b) (former provisions) of the *Land Use Planning & Approvals Act 1993*, forward to the Tasmanian Planning Commission the following regarding the representation:

#### ISSUE:

*The land was initially set aside for uses that aid and support the adjacent Longford training centre. Approval of the draft amendment will allow residential and commercial interests unconnected with racing to threaten racings viability.*

Planner's comment:

The previous zone – Particular Purposes (Horse Training and Stables) allowed for:

1	2	3	4
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# NORTHERN MIDLANDS COUNCIL

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PERMITTED (NO PERMIT REQUIRED)	PERMITTED (WITH PERMIT)	DISCRETIONARY (WITH PERMIT)	PROHIBITED
Utility Services - minor	Equestrian Facility Home Business Passive Recreation Recreation Active Veterinary Establishment	House House & Ancillary Apartment Car Park Subdivision Use or development in accordance with Clause 2.6.1(iii)	All other uses not listed.

The draft amendment is to make Domestic Animal Breeding, Boarding or Training (if not animal pound, cattery or kennel) and Veterinary Centre 'Permitted' in the Low Density Zone south of Longford.

This is consistent with the previous zone, as shown above.

#### **Impact of the Representation on the Draft Amendment and Need for Modification of the Draft Amendment**

The representation does not impact on the draft amendment and the draft amendment does not require modification as a result of the representation.

#### DECISION

Cr

**PLAN 2 PLANNING APPLICATION PLN-20-0260: 39 CHURCH STREET, ROSS**

*Attachments: Section 1 – Page 117*

*File Number:* 400500.171  
*Responsible Officer:* Erin Miles, Development Supervisor  
*Report prepared by:* Paul Godier, Senior Planner

## 1 INTRODUCTION

This report assesses an application for 39 Church Street, Ross to construct a shed in the heritage precinct.

## 2 BACKGROUND

<b>Applicant:</b> Brian and Candyce Hurren	<b>Owner:</b> Brian and Candyce Hurren
<b>Zone:</b> Local Business	<b>Codes:</b> Carparking and Sustainable Transport Code, Local Historic Heritage Code, Heritage Precincts Specific Area Plan
<b>Classification under the Scheme:</b> Outbuilding	<b>Existing Use:</b> Residential (single dwelling)
<b>Deemed Approval Date:</b> 3 February 2021	<b>Recommendation:</b> Approve with conditions

### Discretionary Aspects of the Application

- Development subject to the Local Historic Heritage Code.
- Development subject to the Heritage Precincts Specific Area Plan.

**Planning Instrument:** *Northern Midlands Interim Planning Scheme 2013, Version 32, Effective from 19 October 2020*

### Preliminary Discussion

Prior to the application being placed on public exhibition, further information was requested from the applicant – copy of outgoing correspondence attached.

**Image 1 - Subject site from Church Street**





### 3 STATUTORY REQUIREMENTS

The proposal is an application pursuant to section 57 of the *Land Use Planning & Approvals Act 1993* (i.e. a discretionary application).

Section 48 of the *Land Use Planning & Approvals Act 1993* requires the Planning Authority to observe and enforce the observance of the Planning Scheme. Section 51 of the *Land Use Planning & Approvals Act 1993* states that a person must not commence any use or development where a permit is required without such permit.

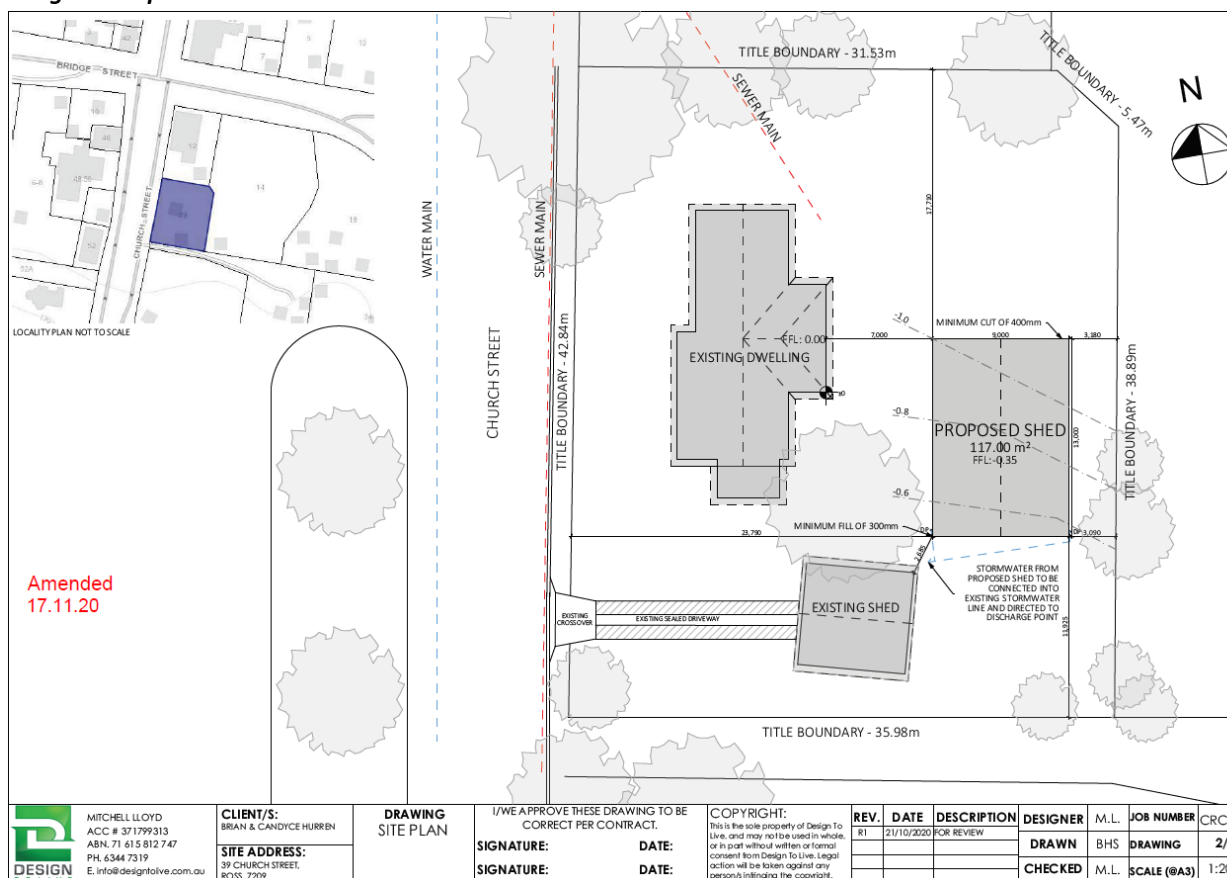
### 4 ASSESSMENT

#### 4.1 Proposal

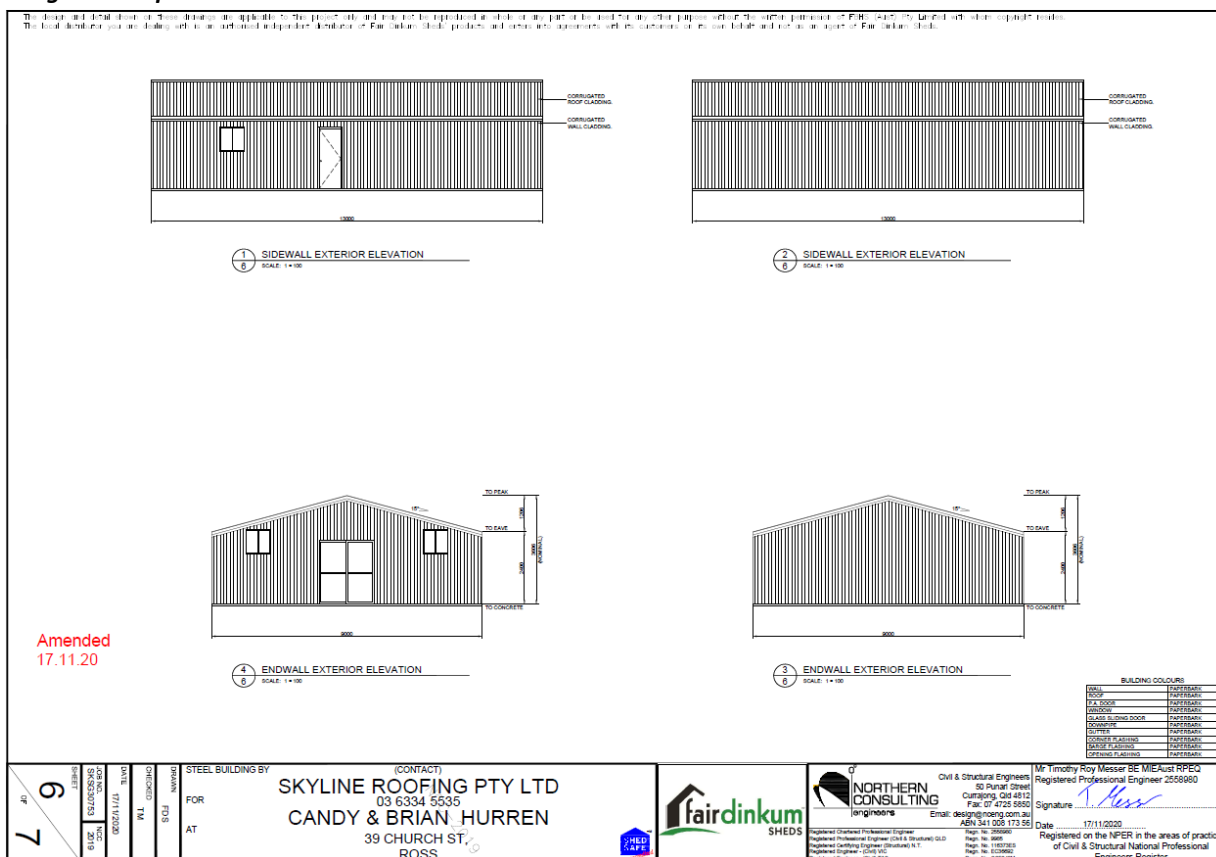
It is proposed to:

- construct a shed measuring 9m x 13m (117m<sup>2</sup>) with a wall height of 2.4m and an apex height of 3.6m;
- set the shed 23m from the Church Street boundary, 17m from the northern boundary, 3m from the eastern boundary and 11m from the southern boundary;
- Use Colorbond custom orb (corrugated) wall and roof cladding in Paperbark colour.

**Image 2- Proposed Site Plan**

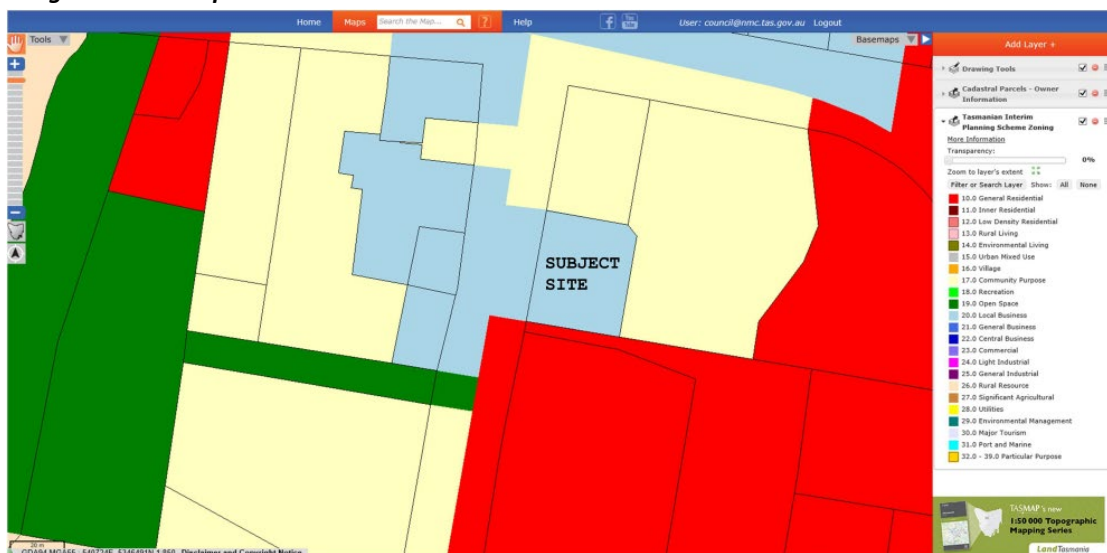


**Image 3 – Proposed Elevations**



## 4.2 Zone and land use

**Image 4 - Zone Map – Local Business Zone**



The land is zoned Local Business and is within the Heritage Precinct.

The relevant Planning Scheme definition is:

<i>single dwelling</i>	<i>means a dwelling on a lot on which no other dwelling is situated; or a dwelling and an ancillary dwelling on a lot on which no other dwelling is situated.</i>
<i>outbuilding</i>	<i>means a non-habitable detached building of Class 10a of the Building Code of Australia and includes a garage, carport or shed.</i>

Residential is Discretionary in the zone.

#### 4.3 Subject site and locality

The author of this report carried out a site visit on 12<sup>th</sup> January 2021. The site contains a house, garden, and outbuildings. It adjoins the Ross Town Hall and amenities block to the north, old school oval to the east, single dwellings to the south and is opposite shops.

***Image 5 - Subject site – proposed location of shed – looking towards Bridge Street***



***Image 6 - Subject site from Church Street***





**Image 7 - Subject site from Church Street**



**Image 8 - Subject site from Bridge Street, looking across the old school oval.**



#### **4.4 Permit/site history**

- Amendment 02/2016 – rezone from Community Purpose to Local Business

#### **4.5 Representations**

Notice of the application was given in accordance with Section 57 of the *Land Use Planning & Approvals Act 1993*. A review of Council's records management system after completion of the public notification period revealed that a representation (attached) was received from:

- Stephen Robinson, 7 Bridge Street, Ross

The location of the representor's property in relation to the subject site is shown in Image 9. The matters raised in the representations are outlined below followed by the planner's comment.



**Image 9 - Aerial photograph of area – 2019 – subject property highlighted, representor's property outlined**



**Issue** - Concern that a Colorbond clad shed of this size and height will be visible from many points in the vicinity and will be a distraction to the historical ambience and architecture in the area.

Planner's comment:

The Heritage Precincts Specific Area Plan requires outbuildings to be designed, in both scale and appearance, to be subservient to the primary buildings on the site.

According to the LIST Property Information Report, the dwelling has a floor area of 132m<sup>2</sup>. The shed is proposed to be 117m<sup>2</sup>. According to the site plan, the shed site will be cut and filled so that the floor level of the shed is 0.3m below the floor level of the house. The proposed wall height is 2.4m and apex height is 3.6m. It is considered that the scale and appearance of the outbuilding is subservient to the primary building on site.

Some changes to the design are required to comply with the heritage provisions:

- Move the glass sliding door to the Church Street frontage, where it will be obscured from street view by the house;
- Change the roof from paperbark to light grey;
- Lower the window heads to 300mm below the eave line.

Correspondence objecting to the proposal (attached) was received from Tru Dowling on 7<sup>th</sup> January 2021 and Keith Jolly, 9 Bridge Street, Ross on 8<sup>th</sup> January 2021, and after the close of the public notification period. The objections raise similar concerns to the representation regarding the negative visual impact of the shed on the heritage area.

#### 4.6 Referrals

##### Heritage Adviser

Council's Heritage Adviser, David Denman, provided the following response:

*I have no objections to the proposal.*

*The shed will be screened from street view by the existing house and garage.*

*The trees surrounding the site, and on the lot, will also mitigate the visual impact of the shed.*

*I recommend the external colour of the walls and roof be dark to medium grey.*

*I would prefer grey walls but have no objections to paperbark.*

#### 4.7 Planning Scheme Assessment

##### LOCAL BUSINESS ZONE

##### 20.1 Zone Purpose

##### 20.1.1 Zone Purpose Statements

20.1.1.1 To provide for business, professional and retail services which meet the convenience needs of a local area.

20.1.1.2 To limit use and development that would have the effect of elevating a centre to a higher level in the retail and business hierarchy. Limits are imposed on the sizes of premises to ensure that the established hierarchy is not distorted.

20.1.1.3 To maintain or improve the function, character, appearance and distinctive qualities of each of the identified local business centres of Avoca, Cressy, Evandale and Ross and to ensure that the design of development is sympathetic to the setting and compatible with the character of each of the local business centres in terms of building scale, height and density.

20.1.1.4 To minimise conflict between adjoining commercial and residential activities.

20.1.1.5 To ensure that vehicular access and parking is designed so that the environmental quality of the local area is protected and enhanced.

20.1.1.6 To provide for community interaction by encouraging developments such as cafes, restaurants, parks and community meeting places.

**Comment:** The proposal complies with purpose statements 20.1.1.3, 20.1.1.4, 20.1.1.5. The other zone purpose statements are not relevant to this application for a shed associated with a residence.

##### 20.1.2 Local Area Objectives

To consolidate growth within the existing urban land use framework of Avoca, Cressy, Evandale, and Ross.

In Evandale and Ross to manage development in the Local business zone so as to conserve and enhance the quality of the Heritage Precincts in these villages.

To ensure developments within street reservations contribute positively to the Heritage Precincts.

**Comment:** Taking into consideration the assessment against the heritage provisions of the scheme, the proposal is consistent with the Local Area Objectives.

##### 20.1.3 Desired Future Character Statements

There are no desired future character statements

##### 20.2 Use Table (extract)

Discretionary	
Use Class	Qualification
Residential	

##### 20.3 Use Standards

##### 20.3.1 Amenity

Objective To ensure that the use of land is not detrimental to the amenity of the surrounding area in terms of noise, emissions, operating hours or transport.	
Acceptable Solutions	Performance Criteria
A1 Commercial vehicles (except for visitor accommodation and recreation) must only operate between 6.00am and 10.00pm Monday to Sunday.	P1 Commercial vehicles (except for visitor accommodation and recreation) must not unreasonably impact on the amenity of any adjoining General Residential and Urban Mixed Use zones, having regard to: a) traffic, the hours of delivery and despatch of goods and materials; and b) hours of operation; and c) light spill.
Complies – does not propose to use commercial vehicles.	Not applicable
A2.1 Noise levels at the boundary of the site with any adjoining land must not exceed: a) 50dB(A) daytime; and b) 40dB(A) night time; and	P2 Noise must not cause unreasonable loss of amenity to nearby sensitive uses.

A2.2 Noise levels in habitable rooms of nearby sensitive uses must not exceed 5dB(A) above background.	
Condition required.	Not applicable

## 20.4 Development Standards

### 20.4.1 Siting, Design and Built Form

Objective To ensure that development is visually compatible with surrounding area.	
Acceptable Solutions	Performance Criteria
A1 The entrance of a building must: a) be clearly visible from the road or publically accessible areas on the site; and b) provide a safe access for pedestrians.	P1 No performance criteria.
Complies.	Not applicable
A2 Building height must not exceed: a) 8m; or b) 1m greater than the average of the heights of buildings on immediately adjoining lots.	P2 Building height must: a) be consistent with the local area objectives if any, and b) have regard to the streetscape and the desirability of a greater setback for upper floors from the frontage; and c) avoid unreasonable levels of overshadowing to public places or adjoining properties.
Complies.	Not applicable
A3.1 Buildings must be: the same as or less than the setback of an immediately adjoining building. A3.2 Extensions or alterations to existing buildings must not reduce the existing setback.	P3 Building setbacks must: a) provide for enhanced levels of public interaction or public activity; and b) ensure the efficient use of the site; and c) be consistent with the established setbacks within the immediate area and the same zone; and d) be consistent with the local area objectives, if any; and e) provide for emergency vehicle access.
A3.1 The proposed southern and eastern setbacks are less than the setbacks of the immediately adjoining building (house) and comply. The proposed front and northern side setbacks are greater than the immediately adjoining building (house) and do not comply - must address the performance criteria. A3.2 Not applicable	The proposed shed setbacks are 23m from the Church Street boundary, 17m from the northern boundary, 3m from the eastern boundary and 11m from the southern boundary. These setbacks satisfy the performance criteria.

### 20.4.2 Subdivision

Not applicable

CODES	
E1.0 BUSHFIRE PRONE AREAS CODE	Not applicable
E2.0 POTENTIALLY CONTAMINATED LAND	Not applicable
E3.0 LANDSLIP CODE	Not applicable
E4.0 ROAD AND RAILWAY ASSETS CODE	Not applicable
E5.0 FLOOD PRONE AREAS CODE	Not applicable
E6.0 CAR PARKING AND SUSTAINABLE TRANSPORT CODE	Complies. Does not remove parking and does not increase the parking demand.
E7.0 SCENIC MANAGEMENT CODE	Not applicable
E8.0 BIODIVERSITY CODE	Not applicable
E9.0 WATER QUALITY CODE	Not applicable
E10.0 RECREATION AND OPEN SPACE CODE	Not applicable
E11.0 ENVIRONMENTAL IMPACTS & ATTENUATION CODE	Not applicable



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E12.0 AIRPORTS IMPACT MANAGEMENT CODE	Not applicable
E13.0 LOCAL HISTORIC HERITAGE CODE	Complies - see assessment below
E14.0 COASTAL CODE	Not applicable
E15.0 SIGNS CODE	Not applicable

#### **E13.5 USE STANDARDS**

##### **E13.5.1 Alternative Use of heritage buildings**

Not applicable.

#### **E13.6 DEVELOPMENT STANDARDS**

##### **E13.6.1 Demolition**

Not applicable.

##### **E13.6.2 Subdivision and development density**

Not applicable.

##### **E13.6.3 Site Cover**

Objective: To ensure that site coverage is consistent with historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts, if any.	
Acceptable Solutions	Performance Criteria
A1 Site coverage must be in accordance with the acceptable development criterion for site coverage within a precinct identified in Table E13.1: Heritage Precincts, if any.	P1 The site coverage must: <ul style="list-style-type: none"> <li>a) be appropriate to maintaining the character and appearance of the building or place, and the appearance of adjacent buildings and the area; and</li> <li>b) not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.</li> </ul>
Council's Heritage Adviser advises that the proposal satisfies the performance criteria.	

##### **E13.6.4 Height and Bulk of Buildings**

Objective: To ensure that the height and bulk of buildings are consistent with historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts.	
Acceptable Solutions	Performance Criteria
A1 New building must be in accordance with the acceptable development criteria for heights of buildings or structures within a precinct identified in Table E13.1: Heritage Precincts, if any.	P1.1 The height and bulk of any proposed buildings must not adversely affect the importance, character and appearance of the building or place, and the appearance of adjacent buildings; and P1.2 Extensions proposed to the front or sides of an existing building must not detract from the historic heritage significance of the building; and P1.3 The height and bulk of any proposed buildings must not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.
Council's Heritage Adviser advises that the proposal satisfies the performance criteria.	

##### **E13.6.5 Fences**

Not applicable.

##### **E13.6.6 Roof Form and Materials**

Objective: To ensure that roof form and materials are designed to be sympathetic to, and not detract from the historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts.	
Acceptable Solutions	Performance Criteria
A1 Roof form and materials must be in accordance with the acceptable development criteria for roof form and materials within a precinct identified in Table E13.1: Heritage Precincts, if any.	P1 Roof form and materials for new buildings and structures must: <ul style="list-style-type: none"> <li>a) be sympathetic to the historic heritage significance, design and period of construction of the dominant existing buildings on the site; and</li> <li>b) not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.</li> </ul>
Council's Heritage Adviser advises that the proposal satisfies the performance criteria.	



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#### E13.6.7 Wall materials

Objective: To ensure that wall materials are designed to be sympathetic to, and not detract from the historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts.	
Acceptable Solutions	Performance Criteria
A1 Wall materials must be in accordance with the acceptable development criteria for wall materials within a precinct identified in Table E13.1: Heritage Precincts, if any.	P1 Wall material for new buildings and structures must: a) be complementary to wall materials of the dominant buildings on the site or in the precinct; and b) not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.
Council's Heritage Adviser advises that the proposal satisfies the performance criteria.	

#### E13.6.8 Siting of Buildings and Structures

Objective: To ensure that the siting of buildings, does not detract from the historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts.	
Acceptable Solutions	Performance Criteria
A1 New buildings and structures must be in accordance with the acceptable development criteria for setbacks of buildings and structures to the road within a precinct identified in Table E13.1: Heritage Precincts, if any.	P1 The front setback for new buildings or structure must: a) be consistent with the setback of surrounding buildings; and b) be set at a distance that does not detract from the historic heritage significance of the place; and c) not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.
Council's Heritage Adviser advises that the proposal satisfies the performance criteria.	

#### E13.6.9 Outbuildings and Structures

Objective: To ensure that the siting of outbuildings and structures does not detract from the historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts.	
Acceptable Solutions	Performance Criteria
A1 Outbuildings and structures must be: a) set back an equal or greater distance from the principal frontage than the principal buildings on the site; and b) in accordance with the acceptable development criteria for roof form, wall material and site coverage within a precinct identified in Table E13.1: Heritage Precincts, if any.	P1 New outbuildings and structures must be designed and located; a) to be subservient to the primary buildings on the site; and b) to not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.
The shed complies with A1 a). Does not comply with A1 b). Council's Heritage Adviser advises that the proposal satisfies the performance criteria.	

#### E13.6.10 Access Strips and Parking

Not applicable.

#### E13.6.11 Places of Archaeological Significance

Not applicable.

#### E13.6.12 Tree and Vegetation Removal

Not applicable

#### E13.6.13 Signage

Not applicable.

#### E13.6.14 Maintenance and Repair

Not applicable.

#### Table E13.1: Local Heritage Precincts

For the purpose of this table, Heritage Precincts refers to those areas listed, and shown on the Planning Scheme maps as Heritage Precincts.

Existing Character Statement - Description and Significance
<b>ROSS HERITAGE PRECINCT CHARACTER STATEMENT</b> The Ross Heritage Precinct is unique because it is the intact core of a nineteenth century townscape, with its rich and significant built fabric and the village atmosphere. Its historic charm, wide tree lined streets and quiet rural environment all contribute to its

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unique character. Its traditional buildings comprise simple colonial forms that are predominantly one storey, while the prominent elements are its significant trees and Church spires. Most commercial activities are located in Church Street as the main axis of the village, which directs attention to the War Memorial and the Uniting Church on the hill. The existing and original street pattern creates linear views out to the surrounding countryside. The quiet rural feel of the township is complemented by a mix of businesses serving local needs, tourism and historic interpretation. Ross' heritage ambience has been acknowledged, embraced and built on by many of those who live in or visit the village.

#### Management Objectives

To ensure that new buildings, additions to existing buildings, and other developments which are within the Heritage Precincts do not adversely impact on the heritage qualities of the streetscape, but contribute positively to the Precinct.

To ensure developments within street reservations in the towns and villages having Heritage Precincts do not to adversely impact on the character of the streetscape but contribute positively to the Heritage Precincts in each settlement.

#### SPECIFIC AREA PLANS

F1.0	TRANSLINK SPECIFIC AREA PLAN	Not applicable
F2.0	HERITAGE PRECINCTS SPECIFIC AREA PLAN	Complies – see assessment below

#### ASSESSMENT AGAINST F2 HERITAGE PRECINCTS SPECIFIC AREA PLAN

##### F2.5.1 Setbacks

<b>Objective</b> To ensure that the predominant front setback of the existing buildings in the streetscape is maintained, and to ensure that the impact of garages and carports on the streetscape is minimised.	
Acceptable Solutions	Performance Criteria
A1 The predominant front setback as identified in the design statement must be maintained for all new buildings, extensions, alterations or additions.	P1 The front setback must be compatible with the historic cultural heritage significance of a local heritage place or precinct, having regard to: <ul style="list-style-type: none"> <li>a) the cultural heritage values of the local heritage place, its setting and the precinct;</li> <li>b) the topography of the site;</li> <li>c) the size, shape, and orientation of the lot;</li> <li>d) the setbacks of other buildings in the surrounding area;</li> <li>e) the historic cultural heritage significance of adjacent places; and</li> <li>f) the streetscape.</li> </ul>
Complies – the shed is proposed to be behind the existing house.	Not applicable
A2 New carports and garages, whether attached or detached, must be set back a minimum of 3 metres behind the line of the front wall of the house which it adjoins.	P2 The setback of new carports and garages from the line of the front wall of the house which it adjoins must be compatible with the historic cultural heritage significance of a local heritage place or precinct, having regard to: <ul style="list-style-type: none"> <li>a) the cultural heritage values of the local heritage place, its setting and the precinct;</li> <li>b) the topography of the site;</li> <li>c) the size, shape, and orientation of the lot;</li> <li>d) the setbacks of other buildings in the surrounding area;</li> <li>e) the historic cultural heritage significance of adjacent places; and</li> <li>f) the streetscape.</li> </ul>
Not applicable (although not a carport or garage, the shed is proposed to be more than 3m behind the line of the front wall of the house).	Not applicable
A3 Side setback reductions must be to one boundary only, in order to maintain the appearance of the original streetscape spacing.	P3 Side setbacks must be compatible with the historic cultural heritage significance of a local heritage place or precinct, having regard to: <ul style="list-style-type: none"> <li>a) the cultural heritage values of the local heritage place, its setting and the precinct;</li> <li>b) the topography of the site;</li> <li>c) the size, shape, and orientation of the lot;</li> <li>d) the setbacks of other buildings in the surrounding area;</li> </ul>

	e) the historic cultural heritage significance of adjacent places; and f) the streetscape.
Complies – no side setback reductions are proposed.	Not applicable

#### F2.5.2 Orientation

<b>Objective</b> To ensure that new buildings, extensions, alterations and additions respect the established predominant orientation within the streetscape.	
Acceptable Solutions	Performance Criteria
A1 All new buildings, extensions, alterations or additions must be orientated: a) perpendicular to the street frontage; or b) Where the design statement identifies that the predominant orientation of buildings within the street is other than perpendicular to the street, to conform to the established pattern in the street; and c) A new building must not be on an angle to an adjoining heritage-listed building.	P1 Orientation of all new buildings, extensions, alteration or additions must be compatible with the historic cultural heritage significance of a local heritage place or precinct, having regard to: a) the cultural heritage values of the local heritage place, its setting and the precinct; b) the topography of the site; c) the size, shape, and orientation of the lot; d) the setbacks of other buildings in the surrounding area; e) the historic cultural heritage significance of adjacent places; and f) the streetscape.
Complies – perpendicular to the street frontage.	Not applicable

#### F2.5.3 Scale

<b>Objective</b> To ensure that all new buildings respect the established scale of buildings in the streetscape, adhere to a similar scale, are proportional to their lot size and allow an existing original main building form to dominate when viewed from public spaces.	
Acceptable Solutions	Performance Criteria
A1 Single storey developments must have a maximum height from floor level to eaves of 3 metres.	P1 No performance criteria
Complies – height of floor level to eaves is 2.4m.	Not applicable

#### F2.5.4 Roof Forms

<b>Objective</b> To ensure that the roof form and elements respect those of the existing main building and the streetscape.	
Acceptable Solutions	Performance Criteria
A1.1 <b>The roof form for new buildings, extensions, alterations, and additions must, if visible from the street, be in the form of hip or gable, with a pitch between 25 – 40 degrees, or match the existing building, and</b> A1.2 Eaves overhang must be a maximum of 300mm excluding guttering, or match the existing building.	P1 The roof form of all new buildings, extensions, alteration or additions must be compatible with the historic cultural heritage significance of a local heritage place or precinct, having regard to: a) the cultural heritage values of the local heritage place, its setting and the precinct; b) the design, period of construction and materials of the dominant building on site; c) the dominant roofing style and materials in the setting; and d) the streetscape.
Complies. A gable roof with a pitch of 15 degrees to match the existing house is proposed, no eaves overhang is proposed.	Not applicable

#### F2.5.5 Plan Form

<b>Objective</b> To ensure that new buildings, alterations, additions and extensions respect the setting, original plan form, shape and scale of the existing main building on the site or of adjoining heritage-listed buildings.	
Acceptable Solutions	Performance Criteria
A1.1 Alterations and additions to pre-1940 buildings must retain the original plan form of the existing main building; or	P1 Original main buildings must remain visually dominant over any additions when viewed from public spaces.

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A1.2 The plan form of additions must be rectilinear or consistent with the existing house design and dimensions.	
Not applicable.	Not applicable.
A2 The plan form of new buildings must be rectilinear.	P2 No performance criteria
Complies.	Not applicable.

#### F2.5.6 External Walls

<b>Objective</b> To ensure that wall materials used are compatible with the streetscape.	
Acceptable Solutions	Performance Criteria
A1.1 Materials used in additions must match those of the existing construction, except in additions to stone or brick buildings; and A1.2 External walls must be clad in: a) traditional bull-nosed timber weatherboards; if treated pine boards are used to replace damaged weatherboards they must be painted; thin profile compressed board weatherboards must not be used; or b) brickwork, with mortar of a natural colour and struck flush with the brickwork (must not be deeply raked), including: <ul style="list-style-type: none"> <li>• painted standard size bricks; or</li> <li>• standard size natural clay bricks that blend with the colour and size of the traditional local bricks; or</li> <li>• standard brickwork rendered in traditional style; or</li> <li>• if a heritage-listed building, second-hand traditional local bricks.</li> </ul> Heavily-tumbled clinker bricks must not be used; or c) concrete blocks specifically chosen to blend with local dressed stone, or rendered and painted; d) concrete blocks in natural concrete finish must not be used. A1.3 Cladding materials designed to imitate traditional materials such as brick, stone and weatherboards must not be used.	P1 Wall materials must be compatible with the historic cultural heritage significance of a local heritage place or precinct, having regard to: <ol style="list-style-type: none"> <li>the cultural heritage values of the local heritage place, its setting and the precinct;</li> <li>the design, period of construction and materials of the dominant building on site;</li> <li>the dominant wall materials in the setting; and</li> <li>the streetscape.</li> </ol>
Does not comply. Must be assessed against the performance criteria.	Colorbond custom orb (corrugated) wall cladding is proposed. Council's heritage adviser is of the opinion that this is complementary to the wall materials of the residence on the site and does not detract from meeting the management objectives of the precinct, that new buildings within the Heritage Precincts do not adversely impact on the heritage qualities of the streetscape, but contribute positively to the Precinct.

#### F2.5.7 Entrances and Doors

<b>Objective</b> To ensure that the form and detail of the front entry is consistent with the streetscape.	
Acceptable Solutions	Performance Criteria
A1.1 The position, shape and size of original door and window openings must be retained where they are prominent from public spaces; and A1.2 The front entrance location must be in the front wall facing the street, and be located within the central third of the front wall of the house; and A1.3 Modern front doors with horizontal glazing or similar styles must not be used.	P1 Entrances and doors must be compatible with the historic cultural heritage significance of a local heritage place or precinct, having regard to: <ol style="list-style-type: none"> <li>the cultural heritage values of the local heritage place, its setting and the precinct;</li> <li>the design, period of construction and materials of the dominant building on site; and</li> <li>the streetscape.</li> </ol>
Does not comply. The application proposes the front entrance (glass sliding door) to the shed to be in the wall facing the side boundary. Must be assessed against the	It is recommended that the front entrance (glass sliding door) be moved to the central third of the wall facing Church Street, in accordance with A1.2 The door will then not be readily visible from a

performance criteria.	street.
-----------------------	---------

#### F2.5.8 Windows

Objective To ensure that window form and details are consistent with the streetscape.	
Acceptable Solutions	Performance Criteria
A1 Window heads must be a minimum of 300mm below the eaves line or match the existing.	P1 No performance criteria.
A condition for window heads to be a minimum of 300mm below the eaves line is required.	-
<b>Solid-void ratio</b>	
A2 Front façade windows must conform to the solid/void ratio (less than 30% windows to wall area).	P2 For commercial buildings, the solid/void ratio of front façade windows must be compatible with that of heritage-listed commercial buildings in the precinct.
Complies.	
<b>Window sashes</b>	
A3 Window sashes must be double hung, casement, awning or fixed appropriate to the period and style of the building.	P3 No performance criteria
Condition required that window sashes must be double hung, casement, awning or fixed.	-
A4 Traditional style multi-pane sashes, when used, must conform to the traditional pattern of six or eight vertical panes per sash with traditional size and profile glazing bars.	P4 No performance criteria.
Not applicable – multi-pane sashes are not used.	-
A5 Horizontally sliding sashes must not be used.	P5 No performance criteria.
Condition required that window sashes must be double hung, casement, awning or fixed.	
A6 Corner windows to front facades must not be used.	P6 No performance criteria.
Complies.	-
<b>Window Construction Materials</b>	
A7 Clear glass must be used.	P7 No performance criteria.
Condition required.	-
A8 Reflective and tinted glass and coatings must not be used where visible from public places.	P8 No performance criteria.
Condition required.	-
A9 Additions to heritage-listed buildings must have timber window frames, where visible from public spaces.	P9 No performance criteria.
Not applicable.	-
A10 Painted aluminium must only be used where it cannot be seen from the street and in new buildings, or where used in existing buildings	P10 Window frames must be compatible with the historic cultural heritage significance of a local heritage place or precinct, having regard to the cultural heritage values of the local heritage place, its setting and the precinct.
Complies. Aluminium window frames can be used in new buildings.	Not applicable.
A11 Glazing bars must be of a size and profile appropriate for the period of the building	P11 No performance criteria.
Not applicable - no glazing bars proposed.	-
A12 Stick-on aluminium glazing-bars must not be used	P12 No performance criteria.
Complies - no glazing bars proposed.	-
A13 All windows in brick or masonry buildings must have projecting brick or stone sills, or match the existing	P13 No performance criteria.
Not applicable – not a brick or masonry building	-
<b>French Doors, Bay Windows and Glass Panelling</b>	
A14 French doors and bay windows must be appropriate for the original building style and must be of a design reflected in	P14 No performance criteria

buildings of a similar period.	
Not applicable.	-
A15 Where two bay windows are required, they must be symmetrically placed.	P15 No performance criteria
Not applicable.	-
A16 Large areas of glass panelling must: a) Be divided by large vertical mullions to suggest a vertical orientation; and b) Be necessary to enhance the utility of the property or protect the historic fabric; and c) Not detract from the historic values of the original building.	P16 No performance criteria
Complies – the glass sliding doors are divided to give a vertical orientation.	

#### F2.5.9 Roof Covering

Objective To ensure that roof materials are compatible with the streetscape.	
Acceptable Solutions	Performance Criteria
A1.1 Roofing of additions, alterations and extensions must match that of the existing building; and A1.2 Roof coverings must be: a) corrugated iron sheeting in grey tones, brown tones, dark red, or galvanized iron or b) slate or modern equivalents, shingle and low profile tiles, where compatible with the style and period of the main building on the site and the setting. Tile colours must be: • dark gray; or • light grey; or • brown tones; or • dark red; or c) traditional metal tray tiles where compatible with the style and period of the main building on the site d) for additions, alterations and extensions, match that of the existing building.	P1 No performance criteria
Complies. The roof is proposed to be Colorbond custom orb (corrugated) in Paperbark colour. In accordance with F2.5.15 it is recommended that the roof be a light grey.	-
A2 Must not be klip-lock steel deck and similar high rib tray sheeting.	P2 No performance criteria
Complies.	-

#### F2.5.10 Roof Plumbing

Objective To ensure that roof plumbing and fittings are compatible with the streetscape.	
Acceptable Solutions	Performance Criteria
A1.1 Gutters must be OG, D mould, or Half Round profiles, or match the existing guttering; and A1.2 Downpipes must be zincalume natural, colorbond round, or PVC round painted.	P1 No performance criteria
A2 Downpipes must not be square-line gutter profile or rectangular downpipes or match the existing downpipes.	P2 No performance criteria
Condition required.	-

#### F2.5.11 Verandahs

Not applicable.

#### F2.5.12 Architectural Details

Objective To ensure that the architectural details are consistent with the historic period and style of the main building on the site, and the streetscape.	
Acceptable Solutions	Performance Criteria
<b>Original Detailing</b>	
A1 Original details and ornaments, such as architraves, fascias and mouldings, are an essential part of the building's character and must not be removed beyond the extent of any alteration, addition or extension.	P1 No performance criteria
Complies.	-
<b>Non-original Detailing</b>	
A2.1 Non-original elements must be consistent with the original architectural style of the dominant existing building on the site or, for vacant sites, be consistent with the existing streetscape; and A2.1 Non-original elements must not detract from or dominate the original qualities of the building, nor should they suggest a past use which is not historically accurate.	P2 No performance criteria
Complies.	-

#### F2.5.13 Outbuildings

Objective To ensure that outbuildings do not reduce the dominance of the original building or distract from its period character.	
Acceptable Solutions	Performance Criteria
A1 The roof form of outbuildings must, if visible from the street, be in the form of hip or gable, with a maximum span of 6.5m and a pitch between 22.5 – 40 degrees.	P1 The roof form of outbuildings, if visible from the street, must be compatible with the historic cultural heritage significance of a local heritage place or precinct, having regard to: a) the cultural heritage values of the local heritage place, its setting and the precinct; b) the design, period of construction and materials of the dominant building on site; c) the dominant roofing style and materials in the setting; and d) the streetscape.
Does not comply. Must address the performance criteria.	It is proposed that the shed have a span of 9m and gable roof with 15 degree pitch to match the house on site. Council's heritage adviser is of the opinion that this is sympathetic to the design and period of construction of the dwelling on site and does not detract from meeting the management objectives of the precinct, that new buildings within the Heritage Precincts do not adversely impact on the heritage qualities of the streetscape, but contribute positively to the Precinct
A2 Outbuildings must be designed, in both scale and appearance, to be subservient to the primary buildings on the site.	P2 No performance criteria
According to the LIST, the dwelling has a floor area of 132m <sup>2</sup> . The shed is proposed to be 117m <sup>2</sup> . According to the site plan, the shed site will be cut and filled so that the floor level of the shed is 0.3m below the floor level of the house. The proposed wall height is 2.4m and apex height is 3.6m. It is considered that the scale and appearance of the outbuilding is subservient to the primary building on site.	-
A3 Outbuildings must not be located in front of existing heritage-listed buildings, and must be setback a minimum of 3 metres behind the line of the front wall of the house that is set	P3 No performance criteria

	furthest back from the street.	
	Complies.	-
A4	Any garage, including those conjoined to the main building, must be designed in the form of an outbuilding, with an independent roof form.	P4 No performance criteria
	Not applicable.	-
A5	Those parts of Outbuildings visible from the street must be consistent, in both materials and style, with those of any existing heritage-listed building on-site.	P5 No performance criteria
	Not applicable – there is not a heritage listed building on site.	-
A6	Where visible from the street, the eaves height of outbuildings must not exceed 3m and the roof form and pitch must be the same as that of the main house.	P6 No performance criteria
	Complies. Eave height is 2.4m and the gable roof with 15 degree pitch matches the house.	-


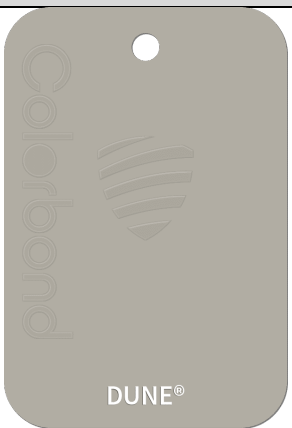

#### F2.5.14 Conservatories

Not applicable.

#### F2.5.15 Fences and Gates

Not applicable.

#### F2.5.16 Paint Colours

Objective To ensure that new colour schemes maintain a sense of harmony with the street or area in which they are located.		
Acceptable Solutions	Performance Criteria	
<p>A1.1 Colour schemes must be drawn from heritage-listed buildings within the precinct; or</p> <p>A1.2 Colour schemes must be drawn from the following:</p> <p>a) Walls – Off white, creams, beige, tans, fawn and ochre.</p> <p>b) Window &amp; Door frames – white, off white, Indian red, light browns, tans, olive green and deep Brunswick green.</p> <p>c) Fascia &amp; Barge Boards - white, off white Indian red, light browns, tans, olive green and deep Brunswick green</p> <p>d) Roof &amp; Gutters – deep Indian red, light and dark grey.</p>	<p>P1 Colour schemes must be compatible with the local historic heritage significance of the local heritage place or precinct having regard to the character and appearance of the existing place or precinct.</p>	
<p>Walls – Paperbark (beige) – complies.</p> <p>Window and door frames – condition to be light grey (off-white) - Dune or Shale Grey to match the roof.</p> <p>Fascia and Barge boards – condition to be light grey (off-white) – dune or Shale Grey to match the roof.</p> <p>Roof &amp; Gutters – condition to be light grey (Dune or Shale Grey)</p>	Not applicable.	
		
A2	There must be a contrast between the wall colour and trim colours.	
	P2	No performance criteria





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Condition required for the wall and door trims to contrast with the wall colour.	-
A3 Previously unpainted brickwork must not be painted, except in the case of post-1960 buildings.	P3 No performance criteria
Not applicable.	-

#### F2.5.17 Lighting

Objective To ensure that modern domestic equipment and wiring do not intrude on the character of the streetscape	
Acceptable Solutions	Performance Criteria
A1 Wiring or conduit to new lighting is not located on the front face of a building.	P1 No performance criteria
Condition required.	-

#### F2.5.18 Maintenance and Repair

Not applicable.

#### F2.6 Use Standards

##### F2.6.1 Alternative Use of heritage buildings

Not applicable.

SPECIAL PROVISIONS	
9.1 Changes to an Existing Non-conforming Use	Not applicable
9.2 Development for Existing Discretionary Uses	Not applicable
9.3 Adjustment of a Boundary	Not applicable
9.4 Demolition	Not applicable

STATE POLICIES
The proposal is consistent with all State Policies.

OBJECTIVES OF LAND USE PLANNING & APPROVALS ACT 1993
The proposal is consistent with the objectives of the <i>Land Use Planning &amp; Approvals Act 1993</i> .

STRATEGIC PLAN/ANNUAL PLAN/COUNCIL POLICIES
<b>Strategic Plan 2017-2027</b>
<ul style="list-style-type: none"> <li>Statutory Planning</li> </ul>

## 5 FINANCIAL IMPLICATIONS TO COUNCIL

Not applicable to this application.

## 6 OPTIONS

Council can:

- A Approve the application as proposed:
  - corrugated wall cladding in paperbark colour;
  - corrugated roof in paperbark colour.
- B. Approve the application with modifications recommended by the heritage adviser:
  - corrugated wall cladding in medium to dark grey;
  - corrugated roof in medium to dark grey.
- C. Approve the application with modifications accepted by the heritage adviser:
  - corrugated wall cladding in paperbark;
  - corrugated roof in light to dark grey.

D. Approve the application with different modifications.

E. Refuse the application.

## 7 DISCUSSION

Discretion to refuse the application is limited to:

- Development subject to the Local Historic Heritage Code.
- Development subject to the Heritage Precincts Specific Area Plan.

Conditions that relate to any aspect of the application can be placed on a permit.

Council's heritage adviser recommends that the walls and roof be medium to dark grey.

Medium to dark grey walls are discretionary and as this was not advertised should not be conditioned on a permit.

The proposed Paperbark colour for the walls complies with the acceptable solution of the Heritage Precincts Specific Area Plan, so is recommended for approval.

The proposed Paperbark colour for the roof does not comply with the acceptable solution for the Heritage Precincts Specific Area Plan, so is not recommended for approval.

A light or dark grey roof would comply with the acceptable solution for the Heritage Precincts Specific Area Plan, so could be conditioned on a permit.

It is considered that a light grey roof would be more in keeping with the colour of roofs in the area.

It is therefore recommended that the application be approved with walls of Colorbond Paperbark and a roof of light grey, specifically Colorbond Dune or Shale Grey.

## 8 ATTACHMENTS

- Application & plans, correspondence with applicant
- Referral response
- Representation and objections

## RECOMMENDATION

That land at 39 Church Street, Ross be approved to be developed and used for a shed (heritage precinct) in accordance with application PLN-20-0260, and subject to the following conditions:

### 1 LAYOUT NOT ALTERED

Except as required by condition 2, the use and development must be in accordance with the endorsed documents:

- P1** Cover Page (Design to Live, Job No. CRCH39, Drawing 1/2, Rev. R1, 21/10/2020, Amended 17.11.20);
- P2** Site Plan (Design to Live, Job No. CRCH39, Drawing 2/2, Rev. R1, 21/10/2020, Amended 17.11.20);
- D1** Foundation Plan and Member Layout (Fairdinkum Sheds, Job No. SKSG30753, Sheet 1 of 7, 17/11/2020);
- D2** Fairdinkum Sheds, Job No. SKSG30753, Sheet 2 of 7, 17/11/2020;
- D3** Fairdinkum Sheds, Job No. SKSG30753, Sheet 3 of 7, 17/11/2020;
- D4** Fairdinkum Sheds, Job No. SKSG30753, Sheet 4 of 7, 17/11/2020;
- D5** Fairdinkum Sheds, Job No. SKSG30753, Sheet 5 of 7, 17/11/2020;
- D6** Exterior Elevations (Fairdinkum Sheds, Job No. SKSG30753, Sheet 6 of 7, 17/11/2020);
- D7** Fairdinkum Sheds, Job No. SKSG30753, Sheet 7 of 7, 17/11/2020.

## 2 REVISED PLANS REQUIRED

Before the building permit is issued, revised plans must be submitted. When approved, the plans will be endorsed and will then form part of the permit. The plans must be substantially in accordance with the endorsed plans but revised to show:

- (a) Roof of Colorbond Dune or Shale Grey (*Reason: Dune and Shale Grey are light greys that comply with the Heritage Precincts Specific Area Plan*).
- (b) Fascia in Dune or Shale Grey colour (*Reason: These gutter colours comply with the Heritage Precincts Specific Area Plan*).
- (c) Gutters in Dune or Shale Grey colour, with a profile of OG, D mould (quad), or half hound (*Reason: These gutter colours and profiles comply with the Heritage Precincts Specific Area Plan*).
- (d) Downpipes of round zincalume natural, round colorbond paperbark, or round PVC painted paperbark (*Reason: These downpipe colours and profiles comply with the Heritage Precincts Specific Area Plan*).
- (e) Window heads at least 300mm below the eave (gutter) line (*Reason: This window head distance complies with the Heritage Precincts Specific Area Plan*).
- (f) Window and door frames of Dune or Shale Grey colour (*Reason: These colours provide a contrast to the wall colour in accordance with the Heritage Precincts Specific Area Plan*).
- (g) Windows double hung, casement, awning or fixed (*Reason: These comply with the Heritage Precincts Specific Area Plan*).

## 3 WINDOWS

- Windows must have clear glass.
- Windows must not use reflective or tinted glass or coatings.

## 4 WIRING AND CONDUIT

Wiring or conduit to new lighting must not be located on the external walls.

## 5 DOWNPIPES

Downpipes must not be square-line gutter profile or rectangular.

## 6 NOISE LEVELS

- 6.1 Noise levels, at the boundary of the site with any adjoining land, from use of the shed must not exceed:
  - 50dB(A) day time; and
  - 40dB(A) night time.
- 6.2 Noise levels from use of the shed must not exceed 5dB(A) above background in habitable rooms of nearby sensitive uses.

## DECISION

Cr

**PLAN 3 PLANNING APPLICATION PLN-20-0290: MULGRAVE STREET  
(CT45677/1-PARK BETWEEN MULGRAVE AND ARTHUR STS), PERTH**

*Attachments: Section 1 – Page 152*

**File Number:** 109900.08; CT 45677/1  
**Responsible Officer:** Des Jennings, General Manager  
**Report prepared by:** Erin Miles, Development Supervisor

## 1 INTRODUCTION

This report assesses an application for Mulgrave Street (CT45677/1 - park between Mulgrave St and Arthur St), Perth to undertake vegetation removal and construct a new fence (Road & Railway Assets Code).

## 2 BACKGROUND

**Applicant:**  
Northern Midlands Council

**Owner:**  
Northern Midlands Council

**Zone:**  
Recreation Zone

**Codes:**  
Road & Railway Assets Code  
Biodiversity Code

**Classification under the Scheme:**  
Discretionary

**Existing Use:**  
Passive recreation

**Deemed Approval Date:**  
2/02/2020

**Recommendation:**  
Approve

### Discretionary Aspects of the Application

- Reliance on the performance criteria of the Road and Railway Assets Code (clause E4.7.1).
- Reliance on the performance criteria of the Biodiversity Code (clause E8.6.1).

**Planning Instrument:** *Northern Midlands Interim Planning Scheme 2013, Version 32, Effective from 19<sup>th</sup> October 2020.*

### Subject site



## 3 STATUTORY REQUIREMENTS

The proposal is an application pursuant to section 57 of the *Land Use Planning & Approvals Act 1993* (i.e. a discretionary application). Section 48 of the *Land Use Planning & Approvals Act 1993* requires the Planning Authority to observe and

enforce the observance of the Planning Scheme. Section 51 of the *Land Use Planning & Approvals Act 1993* states that a person must not commence any use or development where a permit is required without such permit.

#### 4 ASSESSMENT

##### 4.1 Proposal

It is proposed to:

- Undertake vegetation removal to allow for the construction of a new farm style fence, which will ensure the dog park is a secure environment.

##### *Site Plan*



##### *Examples of trees to be removed*













#### 4.2 Zone and land use

**Zone Map – Recreation Zone**



The land is zoned Recreation and is subject to the Road & Railway Assets Code and Biodiversity Code.

The relevant Planning Scheme definition is:

Passive recreation	use of land for informal leisure and recreation activities principally conducted in the open. Examples include public parks, gardens and playgrounds, and foreshore and riparian reserves.
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Passive recreation is a 'no permit required' use in the zone. The application became discretionary due to reliance on the performance criteria of the Biodiversity Code.

#### 4.3 Subject site and locality

The author of this report carried out a site visit on 15.01.2021. The subject site is located centrally within the Perth township and provides pedestrian connection alongside the railway from Arthur to Mulgrave Streets. The area consists of grassed open space, walkway and existing vegetation.



**Aerial photograph of area**



**Photographs of subject site**









#### 4.4 Permit/site history

Relevant permit history includes:

- A review of the site history indicates that damage to the park fencing has been an issue since 2012.

#### 4.5 Representations

Notice of the application was given in accordance with Section 57 of the *Land Use Planning & Approvals Act 1993*. A review of Council's Records management system after completion of the public exhibition period revealed that representations (attached) were received from:

- Alice Loone, via email.
- Alison Reynolds, via email.

The matters raised in the representations are outlined below followed by the planner's comments.

##### Issue 1

- Removal of wildlife habitat (birds). Trees should be retained unless cannot be avoided by fence, dead trees or gorse. Anything not within 1m of the fence should be retained.



Planner's comment:

It is noted that the trees provide habitat for a range of local bird species and are well occupied by these species. Removal of native vegetation requires assessment against the Biodiversity Code of the Planning Scheme, which can be viewed at part 4.7 of this report. Existing established native vegetation on the southern side of the railway is not proposed to be removed as part of this proposal and will provide alternative habitat options also.

Issue 2

- Delay in neighbour notifications/advertising over the Christmas period.

Planner's comment:

Neighbour notifications were posted prior to the start of the public exhibition period, and delays in the postal service are beyond Council's control. It is for this reason, that a range of mechanisms are used to advertise the proposal, including site notices on each street frontage and advertising in the newspaper and on Council's website. The advertising period is extended by the number of business days the Council Office is closed for public holidays etc over the Christmas period to account for viewing of applications at the Council Office also. Council must continue to meet statutory timeframes for assessment, regardless of Christmas closures.

Issue 3

- Ring lock style fence will continue to be damaged. Fence should be replaced with timber or Colorbond style fence, which would also provide noise mitigation from the railway.

Planner's comment:

The planning scheme does not require any particular style of fencing. The removal of the vegetation will have little impact on the noise experienced by passing trains, although it does provide a good visual barrier.

#### 4.6 Referrals

The application did not require any referrals.

#### 4.7 Planning Scheme Assessment

RECREATION ZONE	
ZONE PURPOSE	
18.1.1.1	<i>To provide for a range of active and organised recreational use or development and complementary uses that do not impact adversely on the recreational use of the land.</i>
<b>Assessment:</b> The proposal meets the zone purpose.	

LOCAL AREA OBJECTIVES	
<i>There are no desired local area objectives.</i>	
<b>Assessment:</b> The proposal meets the local area objectives.	

#### 18.3 Use Standards

##### 18.3.1 Amenity

Objective To ensure that uses do not adversely impact upon the occupiers of adjoining and nearby residential uses.	
Acceptable Solutions	Performance Criteria
A1 Operating hours must be between: a) 8.00 am and 10.00 pm where adjoining residential use; and b) 6.00 am and 12.00 am midnight where not adjoining residential use.	P1 The amenity of residential uses within the surrounding area must not be unduly impacted upon by operating hours and vehicle movements.
N/a – no relevant operating hours.	N/a
A2.1 The proposal must not include flood lighting where it adjoins the General residential, Low density residential, Rural living or Village zone; and A2.2 External security lighting must be contained within the	P2 External lighting must demonstrate that: a) floodlighting or security lights used on the site will not unreasonably impact on the amenity of adjoining land; and b) all direct light will be contained within the boundaries of the

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boundaries of the site.	site.
Complies with A2.1 – no flood lighting proposed. A2.2 – N/a	N/a
A3 If for permitted or no permit required uses.	P3 Discretionary uses must not cause or be likely to cause an environmental nuisance through emissions including noise, smoke, odour and dust.
Complies with A3 – permitted use.	N/a

#### 18.3.2 Recreation Zone Character

Objective To ensure that discretionary uses are of an appropriate scale and type for the zone, and to support the local area objectives, if any.	
Acceptable Solutions	Performance Criteria
A1 Commercial vehicles for discretionary uses must be parked within the boundary of the property in locations that are not visible from the road or public land.	P1 No performance criteria.
N/a	N/a
A2 Goods or materials storage for discretionary uses must not be outside in locations visible from adjacent properties, the road or public land.	P2 Storage of materials or equipment is consistent with the local area objectives for visual character, if any.
N/a	N/a

#### 18.4 Development Standards

##### 18.4.1 Building Design and Siting

Objective To ensure that the design and siting of buildings: a) conserves the recreation character of the area: and b) minimise disturbance to adjoining uses.	
Acceptable Solutions	Performance Criteria
A1 Building height must not exceed 7m.	P1 Building height must: a) not be a dominant feature in the streetscape or landscape when viewed from a road; and b) protect the amenity of adjoining dwellings from unreasonable impacts of overshadowing and overlooking.
N/a	N/a
A2 Buildings must be set back 10m from all boundaries.	P2 Building setbacks must: a) protect the amenity of adjoining dwellings from unreasonable impacts of overshadowing and overlooking; and b) conserve the recreation values of the area, having regard to existing uses and developments on the site and in the area.
N/a	N/a

##### 18.4.2 Landscaping

Objective To ensure that the recreation values of the site are retained in a manner that contributes to the broader landscape of the area.	
Acceptable Solutions	Performance Criteria
A1 If for permitted or no permit required uses.	P1 Applications must demonstrate how the recreation and landscape values of the site and area will be managed by a landscape and site management plan that sets out: a) any retaining walls; and b) retention of any existing native vegetation where it is feasible to do so or required to be retained by another provision of this scheme; and c) the locations of any proposed buildings, driveways, car parking, storage areas, signage and utility services; and d) any fencing; and e) vegetation plantings to be used and where; and

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	f) any pedestrian movement paths; and g) ongoing treatment of the balance of the lot, if any, including maintenance of plantings, weed management and soil and water management.
Complies – Passive recreation is a 'no permit required' use in the zone.	N/a

#### 18.4.3 Subdivision – N/a

CODES	
E1.0 BUSHFIRE PRONE AREAS CODE	N/a
E2.0 POTENTIALLY CONTAMINATED LAND	N/a
E3.0 LANDSLIP CODE	N/a
E4.0 ROAD AND RAILWAY ASSETS CODE	Complies – see code assessment below.
E5.0 FLOOD PRONE AREAS CODE	N/a
E6.0 CAR PARKING AND SUSTAINABLE TRANSPORT CODE	Complies – no requirement set for 'Passive Recreation' and no increase or decrease in parking requirements.
E7.0 SCENIC MANAGEMENT CODE	N/a
E8.0 BIODIVERSITY CODE	Complies – see code assessment below.
E9.0 WATER QUALITY CODE	N/a
E10.0 RECREATION AND OPEN SPACE CODE	N/a
E11.0 ENVIRONMENTAL IMPACTS & ATTENUATION CODE	N/a
E12.0 AIRPORTS IMPACT MANAGEMENT CODE	N/a
E13.0 LOCAL HISTORIC HERITAGE CODE	N/a
E14.0 COASTAL CODE	N/a
E15.0 SIGNS CODE	N/a

#### ASSESSMENT AGAINST E4.0 ROAD AND RAILWAY ASSETS CODE

#### E4.6 Use Standards

##### E4.6.1 Use and road or rail infrastructure

Objective To ensure that the safety and efficiency of road and rail infrastructure is not reduced by the creation of new accesses and junctions or increased use of existing accesses and junctions.	
Acceptable Solutions	Performance Criteria
A1 Sensitive use on or within 50m of a category 1 or 2 road, in an area subject to a speed limit of more than 60km/h, a railway or future road or railway must not result in an increase to the annual average daily traffic (AADT) movements to or from the site by more than 10%.	P1 Sensitive use on or within 50m of a category 1 or 2 road, in an area subject to a speed limit of more than 60km/h, a railway or future road or railway must demonstrate that the safe and efficient operation of the infrastructure will not be detrimentally affected.
N/a	N/a
A2 For roads with a speed limit of 60km/h or less the use must not generate more than a total of 40 vehicle entry and exit movements per day	P2 For roads with a speed limit of 60km/h or less, the level of use, number, location, layout and design of accesses and junctions must maintain an acceptable level of safety for all road users, including pedestrians and cyclists.
Complies with A1.	N/a
A3 For roads with a speed limit of more than 60km/h the use must not increase the annual average daily traffic (AADT) movements at the existing access or junction by more than 10%.	P3 For limited access roads and roads with a speed limit of more than 60km/h: a) access to a category 1 road or limited access road must only be via an existing access or junction or the use or development must provide a significant social and economic benefit to the State or region; and b) any increase in use of an existing access or junction or development of a new access or junction to a limited

	<p>access road or a category 1, 2 or 3 road must be for a use that is dependent on the site for its unique resources, characteristics or locational attributes and an alternate site or access to a category 4 or 5 road is not practicable; and</p> <p>c) an access or junction which is increased in use or is a new access or junction must be designed and located to maintain an adequate level of safety and efficiency for all road users.</p>
N/a	N/a

#### E4.7 Development Standards

##### E4.7.1 Development on and adjacent to Existing and Future Arterial Roads and Railways

<p><b>Objective</b> To ensure that development on or adjacent to category 1 or 2 roads (outside 60km/h), railways and future roads and railways is managed to:</p> <p>a) ensure the safe and efficient operation of roads and railways; and</p> <p>b) allow for future road and rail widening, realignment and upgrading; and</p> <p>c) avoid undesirable interaction between roads and railways and other use or development.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 The following must be at least 50m from a railway, a future road or railway, and a category 1 or 2 road in an area subject to a speed limit of more than 60km/h:</p> <p>a) new road works, buildings, additions and extensions, earthworks and landscaping works; and</p> <p>b) building areas on new lots; and</p> <p>c) outdoor sitting, entertainment and children's play areas</p>	<p>P1 Development including buildings, road works, earthworks, landscaping works and level crossings on or within 50m of a category 1 or 2 road, in an area subject to a speed limit of more than 60km/h, a railway or future road or railway must be sited, designed and landscaped to:</p> <p>a) maintain or improve the safety and efficiency of the road or railway or future road or railway, including line of sight from trains; and</p> <p>b) mitigate significant transport-related environmental impacts, including noise, air pollution and vibrations in accordance with a report from a suitably qualified person; and</p> <p>c) ensure that additions or extensions of buildings will not reduce the existing setback to the road, railway or future road or railway; and</p> <p>d) ensure that temporary buildings and works are removed at the applicant's expense within three years or as otherwise agreed by the road or rail authority.</p>
Relies on P1.	<p>Complies with P1 (a). The proposed works are for vegetation removal and re-fencing only. There is no sensitive use component to the development and the works will be undertaken in accordance with Tasrail requirements to ensure the safety of the railway during works being undertaken. There will be no impact on the rail corridor once works are completed.</p> <p>b) N/a – no sensitive use or structure is proposed that will be impacted by noise, air pollution or vibrations.</p> <p>c) N/a</p> <p>d) N/a</p>

##### E4.7.2 Management of Road Accesses and Junctions

<p><b>Objective</b> To ensure that the safety and efficiency of roads is not reduced by the creation of new accesses and junctions or increased use of existing accesses and junctions.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 For roads with a speed limit of 60km/h or less the development must include only one access providing both entry and exit, or two accesses providing separate entry and exit.</p>	<p>P1 For roads with a speed limit of 60km/h or less, the number, location, layout and design of accesses and junctions must maintain an acceptable level of safety for all road users, including pedestrians and cyclists.</p>
N/a	N/a
<p>A2 For roads with a speed limit of more</p>	<p>P2 For limited access roads and roads with a speed limit of more than 60km/h:</p>

than 60km/h the development must not include a new access or junction.	<p>a) access to a category 1 road or limited access road must only be via an existing access or junction or the development must provide a significant social and economic benefit to the State or region; and</p> <p>b) any increase in use of an existing access or junction or development of a new access or junction to a limited access road or a category 1, 2 or 3 road must be dependent on the site for its unique resources, characteristics or locational attributes and an alternate site or access to a category 4 or 5 road is not practicable; and</p> <p>c) an access or junction which is increased in use or is a new access or junction must be designed and located to maintain an adequate level of safety and efficiency for all road users.</p>
N/a	N/a

#### E4.7.3 Management of Rail Level Crossings

<p>Objective</p> <p>To ensure that the safety and the efficiency of a railway is not unreasonably reduced by access across the railway.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 Where land has access across a railway:</p> <p>a) development does not include a level crossing; or</p> <p>b) development does not result in a material change onto an existing level crossing.</p>	<p>P1 Where land has access across a railway:</p> <p>a) the number, location, layout and design of level crossings maintain or improve the safety and efficiency of the railway; and</p> <p>b) the proposal is dependent upon the site due to unique resources, characteristics or location attributes and the use or development will have social and economic benefits that are of State or regional significance; or</p> <p>c) it is uneconomic to relocate an existing use to a site that does not require a level crossing; and</p> <p>d) an alternative access or junction is not practicable.</p>
N/a	N/a

#### E4.7.4 Sight Distance at Accesses, Junctions and Level Crossings

<p>Objective</p> <p>To ensure that use and development involving or adjacent to accesses, junctions and level crossings allows sufficient sight distance between vehicles and between vehicles and trains to enable safe movement of traffic.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 Sight distances at</p> <p>a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.7.4; and</p> <p>b) rail level crossings must comply with <i>AS1742.7 Manual of uniform traffic control devices - Railway crossings</i>, Standards Association of Australia; or</p> <p>c) If the access is a temporary access, the written consent of the relevant authority has been obtained.</p>	<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.</p>
N/a – no access proposed.	N/a

### ASSESSMENT AGAINST E8.0 BIODIVERSITY CODE

#### E8.6 Development Standards

##### E8.6.1 Habitat and Vegetation Management

<p>Objective</p> <p>To ensure that:</p> <p>a) vegetation identified as having conservation value as habitat has priority for protection and is appropriately managed to protect those values; and</p> <p>b) the representation and connectivity of vegetation communities is given appropriate protection when considering the impacts of use and development.</p>
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# NORTHERN MIDLANDS COUNCIL

## AGENDA – ORDINARY MEETING

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Acceptable Solutions	Performance Criteria
<p>A1.1 Clearance or disturbance of priority habitat is in accordance with a certified Forest Practices Plan or;</p> <p>A1.2 Development does not clear or disturb native vegetation within areas identified as priority habitat.</p>	<p>P1 Clearance or disturbance of native vegetation within priority habitat may be allowed where a flora and fauna report prepared by a suitably qualified person demonstrates that development does not unduly compromise the representation of species or vegetation communities in the bioregion having regard to the:</p> <ul style="list-style-type: none"> <li>a) quality and extent of the vegetation or habitat affected by the proposal, including the maintenance of species diversity and its value as a wildlife corridor; and</li> <li>b) means of removal; and</li> <li>c) value of riparian vegetation in protecting habitat values; and</li> <li>d) impacts of siting of development (including effluent disposal) and vegetation clearance or excavations, in proximity to habitat or vegetation; and</li> <li>e) need for and adequacy of proposed vegetation or habitat management; and</li> <li>f) conservation outcomes and long-term security of any offset in accordance with the <i>General Offset Principles</i> for the RMPS, Department of Primary Industries, Parks, Water and Environment.</li> </ul>
<p>A1.1 – N/a</p> <p>A1.2 – N/a – the site is not identified as priority habitat.</p>	N/a
<p>A2 Clearance or disturbance of native vegetation is in accordance with a certified Forest Practices Plan.</p>	<p>P2 Clearance or disturbance of native vegetation must be consistent with the purpose of this Code and not unduly compromise the representation of species or vegetation communities of significance in the bioregion having regard to the:</p> <ul style="list-style-type: none"> <li>a) quality and extent of the vegetation or habitat affected by the proposal, including the maintenance of species diversity and its value as a wildlife corridor; and</li> <li>b) means of removal; and</li> <li>c) value of riparian vegetation in protecting habitat values; and</li> <li>d) impacts of siting of development (including effluent disposal) and vegetation clearance or excavations, in proximity to habitat or vegetation; and</li> <li>e) need for and adequacy of proposed vegetation or habitat management; and</li> <li>f) conservation outcomes and long-term security of any offset in accordance with the <i>General Offset Principles</i> for the RMPS, Department of Primary Industries, Parks, Water and Environment.</li> </ul>
<p>Relies on P2 for compliance.</p>	<p>Complies with P2 as follows:</p> <p>The purpose of the code has been incorporated into the performance criteria provisions and therefore, compliance with the performance criteria will ensure consistency with the purpose of the code. Assessment of this provision is relevant to the removal of established native vegetation consisting of wattles and eucalypts on or within the immediate vicinity of the existing fence line adjacent to the railway. The trees are located within a highly developed area; surrounded by maintained grassland, and residential/recreation zoned land. The removal of the trees does not compromise the representation of species or vegetation communities of significance in the bioregion, having regard to the following:</p> <ul style="list-style-type: none"> <li>a) The extent of the vegetation is minimal, given the highly developed area and lack of surrounding vegetation to maintain significant habitat or wildlife corridors.</li> <li>b) The vegetation will be removed on an individual basis, with minimal disturbance of surrounding vegetation. Established and healthy vegetation</li> </ul>

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	will be retained where possible.
c)	No riparian vegetation is present.
d)	The proposed loss of vegetation to provide space for the new fence line will have a minor impact on representation of the species and significance of the bioregion, given the segregated location of the trees which do not link with other areas of priority habitat or native vegetation. Replanting of vegetation will occur in more appropriate locations within the park to ensure accessibility and maintenance can occur.
e)	A habitat management plan is not considered necessary in this instance, although replanting of trees to maintain the amenity of the area is proposed as part of Council's works program.
f)	The impact on natural values is not considered to be of sufficient scale to warrant an offset.

SPECIFIC AREA PLANS	
F1.0	TRANSLINK SPECIFIC AREA PLAN
F2.0	HERITAGE PRECINCTS SPECIFIC AREA PLAN

SPECIAL PROVISIONS	
9.1	Changes to an Existing Non-conforming Use
9.2	Development for Existing Discretionary Uses
9.3	Adjustment of a Boundary
9.4	Demolition

STATE POLICIES
The proposal is consistent with all State Policies.

OBJECTIVES OF LAND USE PLANNING & APPROVALS ACT 1993
The proposal is consistent with the objectives of the <i>Land Use Planning &amp; Approvals Act 1993</i> .

STRATEGIC PLAN/ANNUAL PLAN/COUNCIL POLICIES
<b>Strategic Plan 2017-2027</b>
<ul style="list-style-type: none"> <li>Statutory Planning</li> </ul>

## 5 FINANCIAL IMPLICATIONS TO COUNCIL

Not applicable to this application.

## 6 OPTIONS

Approve subject to conditions, or refuse and state reasons for refusal.

## 7 DISCUSSION

Discretion to refuse the application is limited to:

- Reliance on the performance criteria of the Road and Railway Assets Code (clause E4.7.1).
- Reliance on the performance criteria of the Biodiversity Code (clause E8.6.1).

Two representation were received opposing the proposed works, noting concerns about wildlife habitat, vandalism and noise from the railway.

The proposal requires assessment against the Road and Railway Assets Code and Biodiversity Code, which are relevant to the concerns raised in the representations. The proposal has been assessed as compliant with the relevant performance criteria of these codes.

Conditions that relate to any aspect of the application can be placed on a permit. The proposal will be conditioned to be used and developed in accordance with the proposal plans.

## 8 ATTACHMENTS

- A. Application & plans
- B. Responses from referral agencies - Tasrail
- C. Representations

## RECOMMENDATION

That land at Mulgrave Street (CT45677/1 - park between Mulgrave St and Arthur St), Perth be approved to be developed and used for vegetation removal and new fence (Road & Railway Assets Code) in accordance with application PLN-20-0290, and subject to the following conditions:

### 1 Layout not altered

The use and development shall be in accordance with the endorsed plans numbered **P1 – P2** (*Site plan and description of tree removal; photos x 2 of example trees to be removed*).

### 2 Tasrail

- a) A TasRail Permit is required for any/all access to State Rail Network land – please apply to [property@tasrail.com.au](mailto:property@tasrail.com.au)
- b) A Track Protection Officer will be required when trees bordering the rail corridor are proposed to be removed and including where there is potential for trees/limbs, equipment or people have potential to foul the track and/or the rail danger zone.
- c) TasRail to be notified immediately if it is identified that removal of tree roots has potential to destabilise or impact the rail formation.

NOTE: Care must be taken when selecting trees for removal that only those tree's necessary for the removal of the fence, diseased or damaged trees are to be removed. Every attempt shall be made to retain mature and healthy native vegetation.

## DECISION

Cr



# NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 27 JANUARY 2021

## **PLAN 4 PLANNING APPLICATION PLN-20-0287: SHEEPWASH CREEK BETWEEN PHILLIP AND EDWARD STS, PROPERTIES BORDERING PHILLIP STREET, YOUL ROAD & EDWARD STREET, PERTH**

*Attachments: Section 1 – Page 165*

*File Number: 108500.0; CT 179011/1;179586/2;1788883-5;179011/6;168369/104; 164089/100*  
*Responsible Officer: Erin Miles, Development Supervisor*  
*Report prepared by: Rebecca Green, Planning Consultant*

### **1 INTRODUCTION**

This report assesses an application for Sheepwash Creek between Phillip and Edward Streets, Properties bordering Phillip Street, Youl Road & Edward Street, Perth to construct Creek widening, realignment works & vegetation removal.

### **2 BACKGROUND**

**Applicant:**  
Northern Midlands Council

**Zone:**  
General Residential Zone

**Classification under the Scheme:**  
Discretionary

**Deemed Approval Date:**  
14 January 2021 (Extension of Time granted until 2 February 2021)

**Owner:**  
Northern Midlands Council

**Codes:**  
Flood Prone Areas Code  
Biodiversity Code  
Water Quality Code

**Existing Use:**  
Utilities

**Recommendation:**  
Approve

#### **Discretionary Aspects of the Application**

- Discretionary Use
- Reliance upon performance criteria in the General Residential Zone
- Works within a flood hazard area
- Works within 50m of a watercourse

**Planning Instrument:** *Northern Midlands Interim Planning Scheme 2013, Version 32, Effective from 19<sup>th</sup> October 2020.*

### **3 STATUTORY REQUIREMENTS**

The proposal is an application pursuant to section 57 of the *Land Use Planning & Approvals Act 1993* (i.e. a discretionary application).

Section 48 of the *Land Use Planning & Approvals Act 1993* requires the Planning Authority to observe and enforce the observance of the Planning Scheme. Section 51 of the *Land Use Planning & Approvals Act 1993* states that a person must not commence any use or development where a permit is required without such permit.

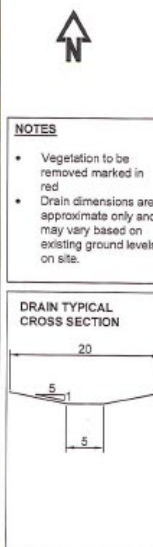
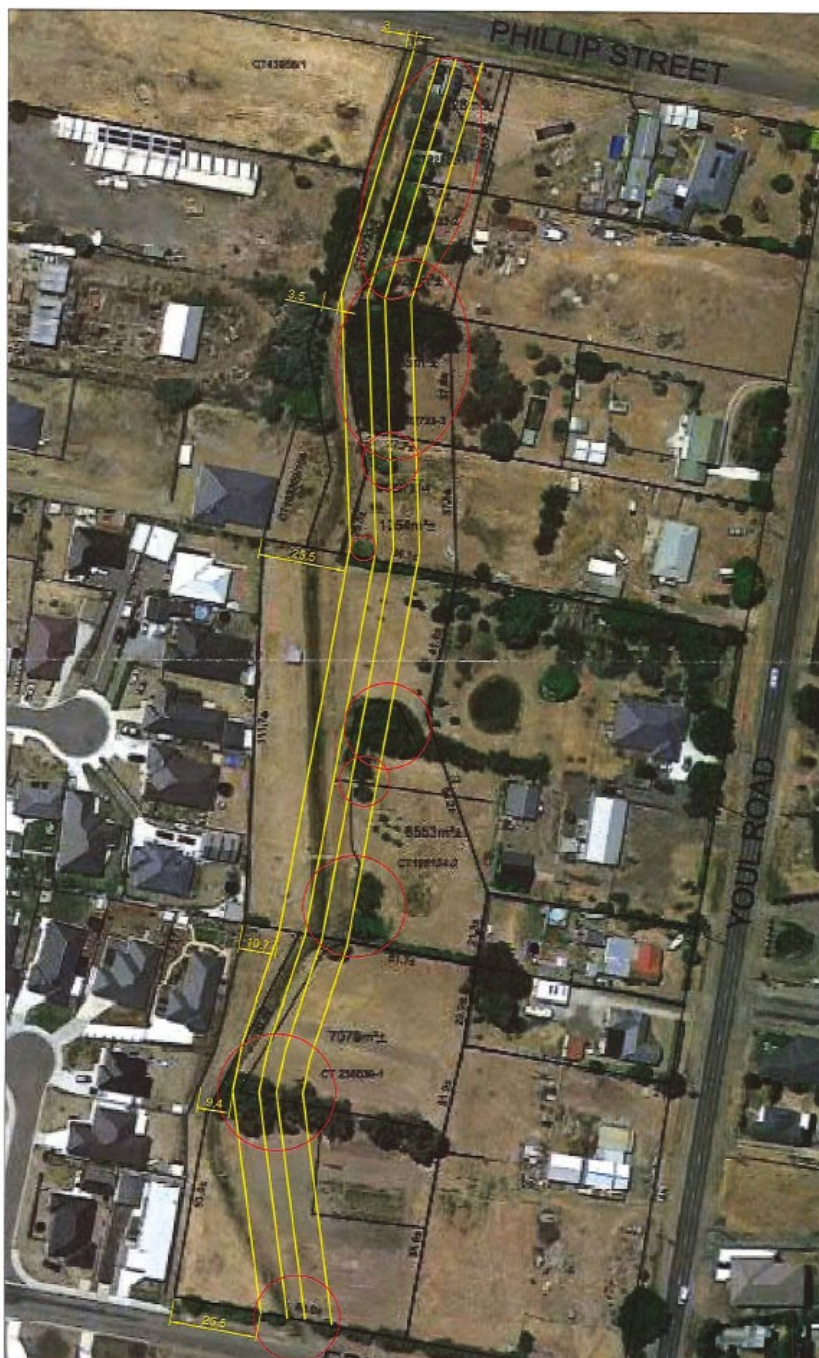
#### 4 ASSESSMENT

##### 4.1 Proposal

It is proposed to widen and re-align the creek and remove weeds and trees to reduce the risk of flooding and erosion. The works will allow the area to be easily accessed for ongoing maintenance. The typical drain cross section encompasses a 20-metre wide corridor, which may vary slightly, based on existing ground levels on site.

##### *Site Plan*

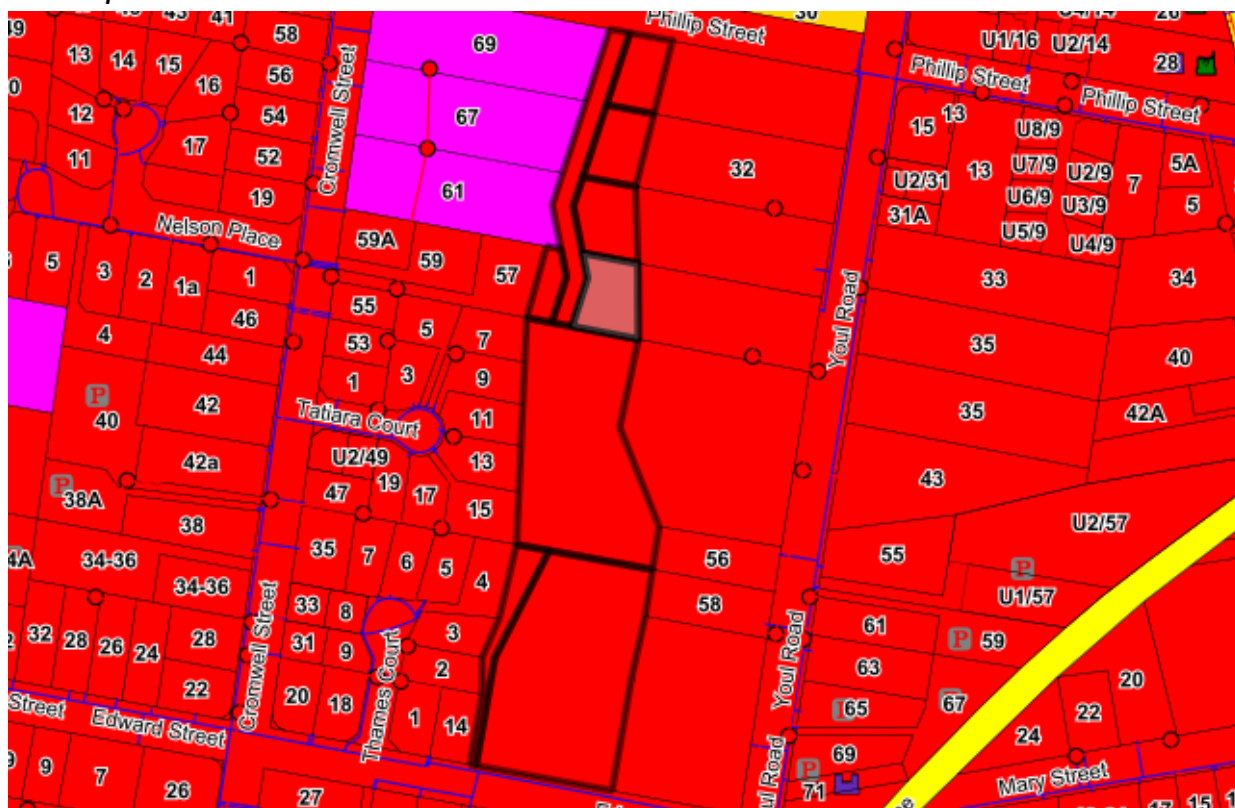
**SHEEPWASH CREEK PROPOSED DRAIN WIDENING AND REALIGNMENT WORKS.**  
Scale 1:1000





## 4.2 Zone and land use

### Zone Map – General Residential Zone



The land is zoned General Residential.

The relevant Planning Scheme definition is:

utilities	<p>Use of land for utilities and infrastructure including:</p> <ul style="list-style-type: none"> <li>(a) Telecommunications;</li> <li>(b) Electricity generation;</li> <li>(c) Transmitting or distributing gas, oil, or power;</li> <li>(d) Transport networks</li> <li>(e) Collecting, treating, transmitting, storing or distributing water; or</li> <li>(f) Collecting, treating, or disposing of storm or floodwater, sewage, or sullage.</li> </ul> <p>Examples include an electrical sub-station or powerline, gas, water or sewerage main, optic fibre main or distribution hub, pumping station, railway line, retarding basin, road, sewage treatment plant, storm or flood water drain, water storage dam and weir.</p>
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Utilities is Discretionary in the General Residential zone.

## 4.3 Subject site and locality

A site inspection was undertaken by Council's Development Supervisor, Erin Miles on 1<sup>st</sup> October 2020. The site is adjacent to a number of residential properties and located between Phillip Street and Edward Street running north-south. The land has recently been acquired by and transferred or in the process of transferring to Northern Midlands Council as part of the Sheepwash Creek flood mitigation and open space projects for west Perth.



**Aerial photograph of area**



**Photographs of subject site**



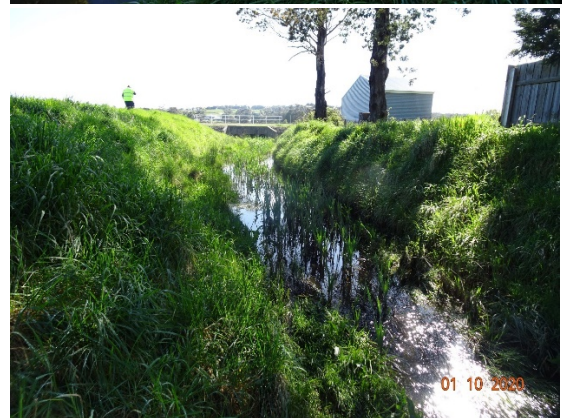
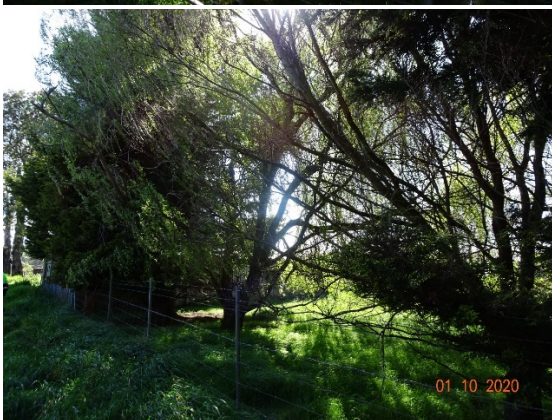
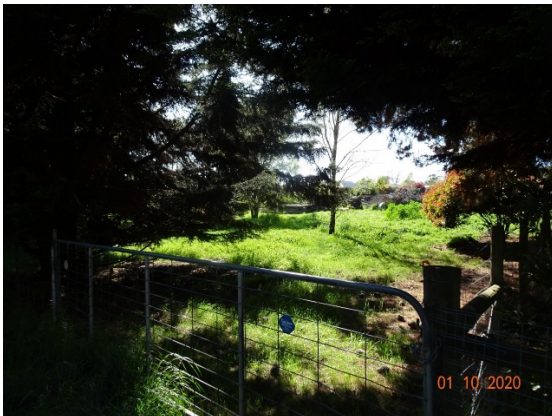
















## 4.4 Permit/site history

Relevant permit history includes:

- No relevant permit history available.

## 4.5 Representations

Notice of the application was given in accordance with Section 57 of the *Land Use Planning & Approvals Act 1993*. A review of Council's Records management system after completion of the public exhibition period revealed that representations (attached) were received from:

- Andrew McCullagh, via email (noting not adjacent land owner)
- Peter Dennis, 62 Youl Road, Perth

***Map showing location of representor properties in relation to subject site (subject site outlined in red, representors property highlighted in red)***



The matters raised in the representations are outlined below followed by the planner's comments.

**Issue 1**

- Please provide the name of the Proponent, and if the NMC who is the responsible person.

**Planner's comment:**

This matter is noted but is not a relevant consideration of the Planning Scheme provisions.

It is detailed within this report that the proponent is the Northern Midlands Council.

**Issue 2**

- The application contains no working drawings or engineering reports.

**Planner's comment:**

The application contains a plan relating to the works proposed to this permit. Council have an obligation and right to undertake works as the Drainage Authority on its own stormwater system. The Sheepwash Creek flood study report(s) (undertaken previously) detail the works to be undertaken.

**Issue 3**

- The Application contains no flooding, stormwater, water quality control or anything associated with such. The increased speed, flow and quality of water is of a significant impact given the bottle neck at Drummond St. In a recent application, we had to provide all of the above and have it re-certified at the request of the council despite having no impact on the water systems. The Council would need to clearly demonstrate this information per any other application.

**Planner's comment:**

The purpose of the widening is to alleviate flooding. The Sheepwash Creek flood study report(s) (undertaken previously) detail the works to be undertaken and show how the overall works, of which this work is a part of, will benefit the township. Hydrodynamica have provided the following response to this concern:

"Increase in speed will initially be nominal, as these works do not include any culvert upgrade works. As such flows will remain constrained at road and rail crossings, as will therefore the velocity of peak flooding. Velocity is generally relatively low as the topography is so flat and there will be negligible effect on the Drummond Street."

There is therefore to be no material change in terms of flow and velocity by the proposed works other than a re-alignment to the path as shown.

**Issue 4**

- Given the proponent is likely the NMC, the estimate of \$60k should be fully itemised and provided as part of the report given cost overruns previously on Council projects.

**Planner's comment:**

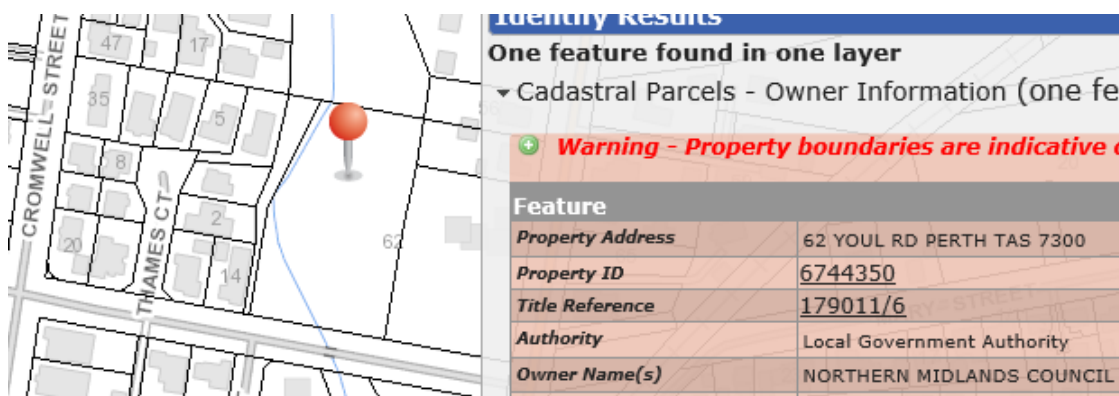
This matter is noted but is not a relevant consideration of the Planning Scheme provisions.

**Issue 5**

- How can this work on Sheepwash Creek be done when the land has not been paid for yet? I feel that your workers will be trespassing on my property.

**Planner's comment:**

Council have an obligation and right to undertake works as the Drainage Authority on its own stormwater system. The portion of CT 179011/6 referred to has been transferred to the Northern Midlands Council, as shown in the LISTmap screenshot below:



#### **Issue 6**

- Why are so many trees being taken out when it is supposed to be parkland?

#### **Planner's comment:**

An email provided by Council's Engineering Officer and exhibited with the application details that the proponent will save as many trees as possible when the drain upgrade works are carried out. The plan shows the areas where trees may have to be removed, but when works are carried out the proponent will be able to make a decision (based on site conditions) which trees can be saved. The proponent also intends to plant a larger number of trees than that which will need to be removed.

#### **4.6 Referrals**

The only referral required was as follows:

##### **Council's Works Department**

Summary: Council's Works & Infrastructure Department (Jonathan Galbraith) reported on the 9<sup>th</sup> December 2020, that the Department has no comment to make on this application.

##### **General Manager**

Precis: Application signed by the General Manager.

#### **4.7 Planning Scheme Assessment**

GENERAL RESIDENTIAL ZONE	
ZONE PURPOSE	
<i>To provide for residential use or development that accommodates a range of dwelling types at suburban densities, where full infrastructure services are available or can be provided.</i>	
<i>To provide for compatible non-residential uses that primarily serve the local community.</i>	
<i>Non-residential uses are not to be at a level that distorts the primacy of residential uses within the zones, or adversely affect residential amenity through noise, activity outside of business hours traffic generation and movement or other off site impacts.</i>	
<i>To encourage residential development that respects the neighbourhood character and provides a high standard of residential amenity.</i>	
<b>Assessment:</b> The proposal meets the zone purpose.	
LOCAL AREA OBJECTIVES	
<i>To consolidate growth within the existing urban land use framework of the towns and villages.</i>	
<i>To manage development in the General residential zone as part of or context to the Heritage Precincts in the towns and villages.</i>	
<i>To ensure developments within street reservations contribute positively to the Heritage Precincts in each settlement.</i>	
<b>Assessment:</b> The proposal meets the local area objectives.	

#### **10.3 Use Standards**

##### **10.3.1 Amenity**

Objective: To ensure that non-residential uses do not cause an unreasonable loss of amenity to adjoining and nearby residential uses.	
Acceptable Solutions	Performance Criteria
A1 If for permitted or no permit required uses.	P1 The use must not cause or be likely to cause an environmental nuisance through emissions including noise and traffic

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	movement, smoke, odour, dust and illumination.
<p>Comment:</p> <p>Complies with Performance Criteria P1. The use of the site will remain. The Utilities works proposed are required in association with extensive hydraulic and hydrological modelling work undertaken on Sheepwash Creek. The works are unlikely to cause an environmental nuisance through emissions including noise and traffic movement, smoke, odour, dust and illumination.</p>	
<del>A2 Commercial vehicles for discretionary uses must only operate between 7.00am and 7.00pm Monday to Friday and 8.00am to 6.00pm Saturday and Sunday.</del>	<del>P2 Commercial vehicle movements for discretionary uses must not unreasonably impact on the amenity of occupants of adjoining and nearby dwellings.</del>
<p>Comment:</p> <p>Not applicable.</p>	
<del>A3 If for permitted or no permit required uses.</del>	<p>P3 External lighting must demonstrate that:</p> <p>a) floodlighting or security lights used on the site will not unreasonably impact on the amenity of adjoining land; and</p> <p>b) all direct light will be contained within the boundaries of the site.</p>
<p>Comment:</p> <p>No changes to external lighting are proposed.</p>	

#### 10.3.2 Residential Character – Discretionary Uses

<p>Objective: To ensure that discretionary uses support:</p> <p>a) the visual character of the area; and</p> <p>b) the local area objectives, if any.</p>	
Acceptable Solutions	Performance Criteria
A1 Commercial vehicles for discretionary uses must be parked within the boundary of the property.	<del>P1 No performance criteria.</del>
<p>Comment:</p> <p>No changes proposed.</p>	
A2 Goods or material storage for discretionary uses must not be stored outside in locations visible from adjacent properties, the road or public land.	<del>P2 No performance criteria.</del>
<p>Comment:</p> <p>No changes proposed.</p>	
A3 Waste material storage for discretionary uses must:	<del>P3 No performance criteria.</del>
<p>a) not be visible from the road to which the lot has frontage; and</p> <p>b) use self-contained receptacles designed to ensure waste does not escape to the environment.</p>	
<p>Comment:</p> <p>No changes proposed.</p>	

#### 10.4 Development Standards

##### 10.4.14 Non-Residential Development

<p>Objective: To ensure that all non-residential development undertaken in the Residential Zone is sympathetic to the form and scale of residential development and does not affect the amenity of nearby residential properties.</p>	
Acceptable Solutions	Performance Criteria
<del>A1 If for permitted or no permit required uses.</del>	<p>P1 Development must be designed to protect the amenity of surrounding residential uses and must have regard to:</p> <p>a) the setback of the building to the boundaries to prevent unreasonable impacts on the amenity, solar access and privacy of habitable room windows and private open space of adjoining dwellings; and</p> <p>b) the setback of the building to a road frontage and if the distance is appropriate to the location and the character of the area, the efficient use of the site, the safe and efficient use of the road and the amenity of residents; and</p> <p>c) the height of development having regard to:</p> <p>i) the effect of the slope of the site on the height of the building; and</p> <p>ii) the relationship between the proposed building height and the height of existing adjacent and buildings; and</p>



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	<ul style="list-style-type: none"> <li>iii) the visual impact of the building when viewed from the road and from adjoining properties; and</li> <li>iv) the degree of overshadowing and overlooking of adjoining properties; and</li> <li>d) the level and effectiveness of physical screening by fences or vegetation; and</li> <li>e) the location and impacts of traffic circulation and parking and the need to locate parking away from residential boundaries; and</li> <li>f) the location and impacts of illumination of the site; and</li> <li>g) passive surveillance of the site; and</li> <li>h) landscaping to integrate development with the streetscape.</li> </ul>
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**Comment:**

The provisions of Performance Criteria P1 (a-c, e and f) are not applicable. The works are required as Sheepwash Creek is of importance in terms of flood plain management due to its proximity to dwellings and roads in west Perth. Trees are proposed to be removed to ensure that debris accumulation is mitigated and to allow site works, but will only occur where absolutely necessary including pine tree removal and a number of wattles. Passive surveillance of the site will improve due to vegetation removal, and visual sighting throughout the site will be enhanced. The proponent will save as many trees as possible when the drain upgrade works are carried out. The planting of a number of trees that do not pose a risk to the watercourse or cause flooding implications will also be undertaken and will blend with similar other open spaces around Sheepwash Creek in west Perth. Complies with Performance Criteria P1.

CODES		
E1.0	BUSHFIRE PRONE AREAS CODE	N/a
E2.0	POTENTIALLY CONTAMINATED LAND	N/a
E3.0	LANDSLIP CODE	N/a
E4.0	ROAD AND RAILWAY ASSETS CODE	N/a
E5.0	FLOOD PRONE AREAS CODE	Complies – See code assessment below
E6.0	CAR PARKING AND SUSTAINABLE TRANSPORT CODE	Complies – no changes proposed.
E7.0	SCENIC MANAGEMENT CODE	N/a
E8.0	BIODIVERSITY CODE	Complies – See code assessment below
E9.0	WATER QUALITY CODE	Complies – See code assessment below
E10.0	RECREATION AND OPEN SPACE CODE	N/a
E11.0	ENVIRONMENTAL IMPACTS & ATTENUATION CODE	N/a
E12.0	AIRPORTS IMPACT MANAGEMENT CODE	N/a
E13.0	LOCAL HISTORIC HERITAGE CODE	N/a
E14.0	COASTAL CODE	N/a
E15.0	SIGNS CODE	N/a

#### ASSESSMENT AGAINST E5 FLOOD PRONE AREAS CODE

**E5.5 Use Standards**

**E5.5.1 Use and flooding**

Objective	
To ensure that use does not compromise risk to human life, and that property and environmental risks are responsibly managed.	
Acceptable Solutions	Performance Criteria
A1 The use must not include habitable rooms.	<del>P1 Use including habitable rooms subject to flooding must demonstrate that the risk to life and property is mitigated to a low risk level in accordance with the risk assessment in E5.7.</del>
Comment:	
Complies with A1.	

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A2 Use must not be located in an area subject to a medium or high risk in accordance with the risk assessment in E5.7.	P2 Use must demonstrate that the risk to life, property and the environment will be mitigated to a low risk level in accordance with the risk assessment in E5.7.
Comment: Complies with A2.	

#### E5.6 Development Standards

##### E5.6.1 Flooding and Coastal Inundation

Objective To protect human life, property and the environment by avoiding areas subject to flooding where practicable or mitigating the adverse impacts of inundation such that risk is reduced to a low level.	
Acceptable Solutions	Performance Criteria
A1 <del>No acceptable solution.</del>	<p>P1.1 It must be demonstrated that development:</p> <p>a) where direct access to the water is not necessary to the function of the use, is located where it is subject to a low risk, in accordance with the risk assessment in E5.7 a); or</p> <p>b) where direct access to the water is necessary to the function of the use, that the risk to life, property and the environment is mitigated to a medium risk level in accordance with the risk assessment in E5.7.</p> <p>P1.2 Development subject to medium risk in accordance with the risk assessment in E5.7 must demonstrate that the risk to life, property and the environment is mitigated through structural methods or site works to a low risk level in accordance with the risk assessment in E5.7.</p> <p>P1.3 Where mitigation of flood impacts is proposed or required, the application must demonstrate that:</p> <p>a) the works will not unduly interfere with natural coastal or water course processes through restriction or changes to flow; and</p> <p>b) the works will not result in an increase in the extent of flooding on other land or increase the risk to other structures;</p> <p>c) inundation will not result in pollution of the watercourse or coast through appropriate location of effluent disposal or the storage of materials; and</p> <p>d) where mitigation works are proposed to be carried out outside the boundaries of the site, such works are part of an approved hazard reduction plan covering the area in which the works are proposed.</p>
Comment: Complies with P1.1 (b). P1.2 – N/a. P1.3 – Complies with a-d. <ul style="list-style-type: none"> <li>a) The works will not unduly interfere with water course processes as changes to flow will be minimal and vegetation will be removed to alleviate any changes to flow;</li> <li>b) The works will alleviate flooding and therefore will not result in an increase in the extent of flooding on other land or increase the risk to other structures;</li> <li>c) The works will benefit the township and not result in pollution of the watercourse;</li> <li>d) The only works to be undertaken outside the subject site would be the relocation of the culvert on Phillip Street to line up with the proposed works. No approval is required for that to occur.</li> </ul>	

#### E5.7 Risk Assessment

- (a) Where an assessment of risk under the risk assessment table for a use or development is required, it is to be classified through the determination of consequence contained in the criteria in b) together with the likelihood of flood occurrence contained in c).

**Table E5.1 AS/NZS 4360:2004 Risk Consequence and Likelihood Matrix Table**

Likelihood	Consequences				
	Catastrophic	Major	Moderate	Minor	Insignificant
Moderate	High	High	High	Medium	Low
Unlikely	High	Medium	Medium	Low	Low
Rare	High	Medium	Medium	Low	Low

**b) Consequence Criteria**

*Catastrophic* Loss of life, loss of significant environmental values due to a pollution event where there is not likely to be recovery in the foreseeable future.

*Major* Extensive injuries, complete structural failure of development, destruction of significant property and infrastructure, significant environmental damage requiring remediation with a long-term recovery time.

*Moderate* Treatment required, significant building or infrastructure damage i.e. loss of minor outbuildings such as car ports, public park shelters and the like. Replacement of significant property components such as cladding, flooring, linings, hard paved surfaces. Moderate environmental damage with a short-term natural or remedial recovery time.

*Minor* Medium loss – seepage, replacement of floor/window coverings, some furniture, repair of building components of outbuildings and repair and minor replacement of building components of buildings where direct access to the water is required. Minor environmental damage easily remediated.

*Insignificant* No injury, low loss – cleaning but no replacement of habitable building components, some repair of garden beds, gravel driveways etc. Environment can naturally withstand and recover without remediation.

*Inundation of the site, but ground based access is still readily available and habitable buildings are not inundated, including incorporated garages.*

**c) Likelihood – Annual Exceedance Probability**

1:25 (4%) Moderate

1:50 (2%) Unlikely

1:100 (1%) Rare

**ASSESSMENT AGAINST E8  
BIODIVERSITY CODE**

**E8.6 Development Standards**

**E8.6.1 Habitat and Vegetation Management**

Objective To ensure that:	
a) vegetation identified as having conservation value as habitat has priority for protection and is appropriately managed to protect those values; and	
b) the representation and connectivity of vegetation communities is given appropriate protection when considering the impacts of use and development.	
Acceptable Solutions	Performance Criteria
A1.1 Clearance or disturbance of priority habitat is in accordance with a certified Forest Practices Plan or;	P1 Clearance or disturbance of native vegetation within priority habitat may be allowed where a flora and fauna report prepared by a suitably qualified person demonstrates that development does not unduly compromise the representation of species or vegetation communities in the bioregion having regard to the:
A1.2 Development does not clear or disturb native vegetation within areas identified as priority habitat.	a) quality and extent of the vegetation or habitat affected by the proposal, including the maintenance of species diversity and its value as a wildlife corridor; and
	b) means of removal; and
	c) value of riparian vegetation in protecting habitat values; and
	d) impacts of siting of development (including effluent disposal) and vegetation clearance or excavations, in proximity to habitat or vegetation; and
	e) need for and adequacy of proposed vegetation or habitat management; and
	f) conservation outcomes and long-term security of any offset in accordance with the <i>General Offset Principles</i> for the RMPS, Department of Primary Industries, Parks, Water and Environment.
Comment: Not applicable. The study area is not shown as containing Priority Habitat on the overlay maps.	
A2 Clearance or disturbance of native vegetation is in accordance with a certified Forest	P2 Clearance or disturbance of native vegetation must be consistent with the purpose of this Code and not unduly compromise the representation of

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Practices Plan.	<p>species or vegetation communities of significance in the bioregion having regard to the:</p> <ul style="list-style-type: none"> <li>a) quality and extent of the vegetation or habitat affected by the proposal, including the maintenance of species diversity and its value as a wildlife corridor; and</li> <li>b) means of removal; and</li> <li>c) value of riparian vegetation in protecting habitat values; and</li> <li>d) impacts of siting of development (including effluent disposal) and vegetation clearance or excavations, in proximity to habitat or vegetation; and</li> <li>e) need for and adequacy of proposed vegetation or habitat management; and</li> <li>f) conservation outcomes and long-term security of any offset in accordance with the <i>General Offset Principles</i> for the RMPS, Department of Primary Industries, Parks, Water and Environment.</li> </ul>
<p><b>Comment:</b></p> <p>The proposal complies with P2. The plan shows the areas where trees may have to be removed noting that when the works are carried out a decision will be made based on site conditions which trees can be saved by the proponent. Limbs and branches from this vegetation cause debris accumulation at the culverts and contribute to the trapping of debris carried from upstream as well as physically being in the route of the works. There is the additional risk of falling large branches or even a tree fall during a flood which would cause an immediate barrier to flows and allow additional debris to be trapped, and for these reasons trees from the subject site are to be removed. The loss of trees will be more than offset by recent plantings in the area and proposed future planting of additional trees in the vicinity of Sheepwash Creek that will be implemented.</p>	

#### ASSESSMENT AGAINST E9 WATER QUALITY CODE

#### E9.6 Development Standards

##### E9.6.1 Development and Construction Practices and Riparian Vegetation

<p><b>Objective</b></p> <p>To protect the hydrological and biological roles of wetlands and watercourses from the effects of development.</p>	
<p><b>Acceptable Solutions</b></p> <p>A1 <del>Native vegetation is retained within:</del></p> <ul style="list-style-type: none"> <li>a) <del>40m of a wetland, watercourse or mean high water mark; and</del></li> <li>b) <del>a Ben Lomond Water catchment area inner buffer.</del></li> </ul>	<p><b>Performance Criteria</b></p> <p>P1 Native vegetation removal must submit a soil and water management plan to demonstrate:</p> <ul style="list-style-type: none"> <li>a) revegetation and weed control of areas of bare soil; and</li> <li>b) the management of runoff so that impacts from storm events up to at least the 1 in 5 year storm are not increased; and</li> <li>c) that disturbance to vegetation and the ecological values of riparian vegetation will not detrimentally affect hydrological features and functions.</li> </ul>
<p><b>Comment:</b></p> <p>Complies with performance criteria P1. It is recommended that a Construction Environmental Management Plan (CEMP) is prepared to consider water quality protection from erosion and sediment planning during the works. The works are important to manage flood events and infrastructure into the future.</p>	
<p>A2 A wetland must not be filled, drained, piped or channelled.</p>	<p><del>P2 No performance criteria.</del></p>
<p><b>Comment:</b> Complies with A2.</p>	
<p>A3 A watercourse must not be filled, piped or channelled except to provide a culvert for access purposes.</p>	<p><del>P3 A watercourse may be filled, piped, or channelled:</del></p> <ul style="list-style-type: none"> <li>a) <del>within an urban environment for the extension of an existing reticulated stormwater network; or</del></li> <li>b) <del>for the construction of a new road where retention of the watercourse is not feasible.</del></li> </ul>
<p><b>Comment:</b> Complies with A3.</p>	

#### E9.6.2 Water Quality Management

<b>Objective</b> To maintain water quality at a level which will not affect aquatic habitats, recreational assets, or sources of supply for domestic, industrial and agricultural uses.	
<b>Acceptable Solutions</b> A1 <del>All stormwater must be:</del> a) <del>connected to a reticulated stormwater system; or</del> b) <del>where ground surface runoff is collected, diverted through a sediment and grease trap or artificial wetlands prior to being discharged into a natural wetland or watercourse; or</del> c) <del>diverted to an on-site system that contains stormwater within the site.</del>	<b>Performance Criteria</b> P1 <del>No performance criteria.</del>
<b>Comment:</b> N/a – Ground surface runoff is not collected, therefore, no diversions through a sediment or grease trap is required.	
A2.1 No new point source discharge directly into a wetland or watercourse. A2.2 For existing point source discharges into a wetland or watercourse there is to be no more than 10% increase over the discharge which existed at the effective date.	P2.1 <del>New and existing point source discharges to wetlands or watercourses must implement appropriate methods of treatment or management to ensure point sources of discharge:</del> a) <del>do not give rise to pollution as defined under the <i>Environmental Management and Pollution Control Act 1994</i>; and</del> b) <del>are reduced to the maximum extent that is reasonable and practical having regard to:</del> i) <del>best practice environmental management; and</del> ii) <del>accepted modern technology; and</del> c) <del>meet emission limit guidelines from the Board of Environmental Management and Pollution Control in accordance with the <i>State Policy for Water Quality Management 1997</i>.</del> P2.2 <del>Where it is proposed to discharge pollutants into a wetland or watercourse, the application must demonstrate that it is not practicable to recycle or reuse the material.</del>
<b>Comment:</b> Complies with A2.1.	
A3 <del>No acceptable solution.</del>	P3 <del>Quarries and borrow pits must not have a detrimental effect on water quality or natural processes.</del>
<b>Comment:</b> N/a	

#### E9.6.3 Construction of Roads

<b>Objective</b> To ensure that roads, private roads or private tracks do not result in erosion, siltation or affect water quality.	
<b>Acceptable Solutions</b> A1 <del>No acceptable solution.</del>	<b>Performance Criteria</b> P1 <del>Road and private tracks constructed within 50m of a wetland or watercourse must comply with the requirements of the <i>Wetlands and Waterways Works Manual</i>, particularly the guidelines for siting and designing stream crossings.</del>
<b>Comments:</b> Not applicable.	

#### E9.6.4 Access

<b>Objective</b> To facilitate appropriate access at suitable locations whilst maintaining the ecological, scenic and hydrological values of watercourses and wetlands.	
<b>Acceptable Solutions</b> A1 <del>No acceptable solution.</del>	<b>Performance Criteria</b> P1 <del>New access points to wetlands and watercourses are provided in a way that minimises:</del>



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	a) <del>their occurrence; and</del> b) <del>the disturbance to vegetation and hydrological features from use or development.</del>
Comment: Not applicable.	
A2 <del>No acceptable solution.</del>	P2 <del>Accesses and pathways are constructed to prevent erosion, sedimentation and siltation as a result of runoff or degradation of path materials.</del>
Comment: Not applicable.	

#### E9.6.5 Sediment and Erosion Control

Objective To minimise the environmental effects of erosion and sedimentation associated with the subdivision of land.	
Acceptable Solutions	Performance Criteria
A1 <del>The subdivision does not involve any works.</del>	P1 <del>For subdivision involving works, a soil and water management plan must demonstrate the:</del> a) <del>minimisation of dust generation from susceptible areas on site; and</del> b) <del>management of areas of exposed earth to reduce erosion and sediment loss from the site.</del>
Comment: N/a – no subdivision proposed.	

#### E9.6.6 Ben Lomond Water Catchment Areas

Comment: N/a – not used in this planning scheme.

SPECIFIC AREA PLANS	
F1.0 TRANSLINK SPECIFIC AREA PLAN	N/a
F2.0 HERITAGE PRECINCTS SPECIFIC AREA PLAN	N/a

SPECIAL PROVISIONS	
9.1 Changes to an Existing Non-conforming Use	N/a
9.2 Development for Existing Discretionary Uses	N/a
9.3 Adjustment of a Boundary	N/a
9.4 Demolition	N/a

STATE POLICIES
The proposal is consistent with all State Policies.

OBJECTIVES OF LAND USE PLANNING & APPROVALS ACT 1993
The proposal is consistent with the objectives of the <i>Land Use Planning &amp; Approvals Act 1993</i> .

STRATEGIC PLAN/ANNUAL PLAN/COUNCIL POLICIES
<b>Strategic Plan 2017-2027</b> <ul style="list-style-type: none"> <li>Statutory Planning</li> </ul>

## 5 FINANCIAL IMPLICATIONS TO COUNCIL

Not applicable to this application.

## 6 OPTIONS

Approve subject to conditions, or refuse and state reasons for refusal.



## 7 DISCUSSION

Discretion to refuse the application is limited to:

- Discretionary Use
- Reliance upon performance criteria in the General Residential Zone
- Works within a flood hazard area
- Works within 50m of a watercourse

The concerns raised by the representors are addressed at part 4.5 in this report, and all relevant performance criteria are met.

Conditions that relate to any aspect of the application can be placed on a permit. The proposal will be conditioned to be used and developed in accordance with the proposal plans.

## 8 ATTACHMENTS

- a. Application & plans
- b. Responses from referral agencies
- c. Representations & Response from Hydrodynamica

## RECOMMENDATION

That land at Sheepwash Creek between Phillip and Edward Sts, Properties bordering Phillip Street, Youl Road & Edward Street, Perth be approved to be developed and used for a Creek widening, realignment works & vegetation removal in accordance with application PLN-20-0287, and subject to the following conditions:

### 1 Layout not altered

The use and development shall be in accordance with the endorsed plans numbered **P1** (*Sheepwash Creek Proposed Drain Widening and Realignment Works, Site Plan, Scale 1:1000*), and **D1** (*Email – Sheepwash Creek Vegetation Removal, Jonathan Galbraith, dated: 7 December 2020*).

### 2 Contractor's Plans

The applicant shall provide Council with approved copies of the Stormwater Management Plan (SWMP), Construction Environmental Management Plan (CEMP), Rehabilitation Plan and Weed Management Plan. The CEMP must be prepared to consider water quality protection from erosion and sediment planning.

### 3 Works adjacent to wetlands and Waterways

All works within 50m of a wetland or watercourse must comply with the requirements of the *Waterways & Wetlands Works Manual 2003*, particularly the guidelines for Construction Practices in Waterways and Wetlands and Excavating in Waterways.

### 4 Copy of permits on-site

A copy of the Planning Permit and endorsed documents shall be made available on-site during the period of construction and associated works. All contractors and employees working on the site shall be made aware of the requirements of this permit, prior to the commencement of on-site work.

## DECISION

Cr



# NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 27 JANUARY 2021

## COUNCIL ACTING AS A PLANNING AUTHORITY: CESSATION

### RECOMMENDATION

That the Council cease to act as a Planning Authority under the *Land Use Planning and Approvals Act 1993*, for the remainder of the meeting.

### DECISION

Cr

That the Council cease to act as a Planning Authority under the *Land Use Planning and Approvals Act 1993*, for the remainder of the meeting.



# NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 27 JANUARY 2021

## CON ITEMS FOR THE CLOSED MEETING

### DECISION

Cr

That Council move into the “Closed Meeting” with the General Manager, Corporate Services Manager, Works Manager, Development Supervisor, Senior Planner and Executive Assistant.

### CON 1 INFORMATION OF A PERSONAL AND CONFIDENTIAL NATURE OR INFORMATION PROVIDED TO THE COUNCIL ON THE CONDITION IT IS KEPT CONFIDENTIAL

As per provisions of Section 15(2)(g) of the *Local Government (Meeting Procedures) Regulations 2015*.

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### CON 2 CONFIRMATION OF CLOSED COUNCIL MINUTES: ORDINARY & SPECIAL COUNCIL MEETINGS

Confirmation of the Closed Council Minutes of Ordinary and Special Council Meetings, as per the provisions of Section 34(6) of the *Local Government (Meeting Procedures) Regulations 2015*.

### CON 3 APPLICATIONS BY COUNCILLORS FOR LEAVE OF ABSENCE

As per provisions of Section 15(2)(h) of the *Local Government (Meeting Procedures) Regulations 2015*.

### CON 4(1) PERSONNEL MATTERS

As per provisions of Section 15(2)(a) of the *Local Government (Meeting Procedures) Regulations 2015*.

### CON 4(2) INFORMATION OF A PERSONAL AND CONFIDENTIAL NATURE OR INFORMATION PROVIDED TO THE COUNCIL ON THE CONDITION IT IS KEPT CONFIDENTIAL

As per provisions of Section 15(2)(g) of the *Local Government (Meeting Procedures) Regulations 2015*.

*Management Meetings*

### CON 4(3) MATTERS RELATING TO ACTUAL OR POSSIBLE LITIGATION TAKEN, OR TO BE TAKEN, BY OR INVOLVING THE COUNCIL OR AN EMPLOYEE OF THE COUNCIL

As per provisions of Section 15(2)(i) of the *Local Government (Meeting Procedures) Regulations 2015*.

*Correspondence Received*

### CON 4(4) INFORMATION OF A PERSONAL AND CONFIDENTIAL NATURE OR INFORMATION PROVIDED TO THE COUNCIL ON THE CONDITION IT IS KEPT CONFIDENTIAL

As per provisions of Section 15(2)(g) of the *Local Government (Meeting Procedures) Regulations 2015*.

*Action Items – Status Report*

### CON 4(5) INFORMATION OF A PERSONAL AND CONFIDENTIAL NATURE OR INFORMATION PROVIDED TO THE COUNCIL ON THE CONDITION IT IS KEPT CONFIDENTIAL

As per provisions of Section 15(2)(g) of the *Local Government (Meeting Procedures) Regulations 2015*.

*Information Requested*

### CON 4(6) INFORMATION OF A PERSONAL AND CONFIDENTIAL NATURE OR INFORMATION PROVIDED TO THE COUNCIL ON THE CONDITION IT IS KEPT CONFIDENTIAL

As per provisions of Section 15(2)(g) of the *Local Government (Meeting Procedures) Regulations 2015*.

*Perth Park Naming Survey – personal information*



# NORTHERN MIDLANDS COUNCIL

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#### CON 5 MATTERS RELATING TO ACTUAL OR POSSIBLE LITIGATION TAKEN, OR TO BE TAKEN, BY OR INVOLVING THE COUNCIL OR AN EMPLOYEE OF THE COUNCIL

As per provisions of Section 15(2)(i) of the *Local Government (Meeting Procedures) Regulations 2015*.

*Compliance matter*

#### CON 6 INFORMATION OF A PERSONAL AND CONFIDENTIAL NATURE OR INFORMATION PROVIDED TO THE COUNCIL ON THE CONDITION IT IS KEPT CONFIDENTIAL

As per provisions of Section 15(2)(g) of the *Local Government (Meeting Procedures) Regulations 2015*.

*Deed of Agreement*

#### CON 7 INFORMATION OF A PERSONAL AND CONFIDENTIAL NATURE OR INFORMATION PROVIDED TO THE COUNCIL ON THE CONDITION IT IS KEPT CONFIDENTIAL

As per provisions of Section 15(2)(g) of the *Local Government (Meeting Procedures) Regulations 2015*.

*Evandale Doctor's Surgery*

#### CON 8 INFORMATION OF A PERSONAL AND CONFIDENTIAL NATURE OR INFORMATION PROVIDED TO THE COUNCIL ON THE CONDITION IT IS KEPT CONFIDENTIAL

As per provisions of Section 15(2)(g) of the *Local Government (Meeting Procedures) Regulations 2015*.

*Longford Racecourse*

#### CON 9 LATE ITEM: INFORMATION OF A PERSONAL AND CONFIDENTIAL NATURE OR INFORMATION PROVIDED TO THE COUNCIL ON THE CONDITION IT IS KEPT CONFIDENTIAL

As per provisions of Section 15(2)(g) of the *Local Government (Meeting Procedures) Regulations 2015*.

*Appeal*

#### DECISION

Cr

That Council move out of the closed meeting.

*Mayor Knowles closed the meeting at ...*