



**NORTHERN  
MIDLANDS  
COUNCIL**

# **AGENDA**

**ORDINARY MEETING OF COUNCIL**

**MONDAY, 15 MARCH 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.

## MEETING CONDUCT

- People attending Council Meetings are expected to behave in an appropriate manner.
- The following is not acceptable:
  - Offensive or inappropriate behaviour
  - Personal insults
  - Verbal abuse.
- In the case of any inappropriate outburst or derogatory behaviour, an apology from the offending party or parties will be requested. Anyone at the meeting, if they feel offended in any way by any such behaviour specified above, should immediately bring the behaviour to the notice of the Chairperson by the way of a point of order.
- The Chairperson has the right to evict from a meeting any person who is not behaving to an appropriate standard.

## 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;

A member of the public may only use an audio recorder, or any other recording and/or transmitting device, to record the proceedings of a meeting of Council with the written permission of the General Manager for the express purpose proposed. The Northern Midlands Council reserves the right to revoke such permission at any time.

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 ATTENDANCE DURING THE COVID-19 DISEASE EMERGENCY DECLARATION

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 determined that limited public access to Council meetings would 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.

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.

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.

### PUBLIC QUESTIONS AND STATEMENTS

Regulation 31 of the *Local Government (Meeting Procedures) Regulations 2015* makes provision for Public Question Time during a Council meeting.

Public question time is to commence immediately after the meal break at approximately 6:45pm and is to be conducted in accordance with the following guidelines:

- At each Council Meeting up to 20 minutes, or such longer period as Council may determine by resolution at that meeting, is to be provided for persons at the meeting to ask questions.
- A person seeking to ask a question must firstly identify himself or herself by stating their name and the town they reside in.
- If more than one person wishes to ask a question, the Mayor is to determine the order in which those questions are asked.
- Questions must be directed to the Mayor who shall answer or direct the question to the appropriate Councillor or Council Officer. A question will be answered if the information is known otherwise taken on notice and responded to in writing within 10 working days.
- Questions should preferably be in writing and provided to the General Manager 7 days prior to the Council Meeting.
- A person is entitled to ask no more than 2 questions on any specific subject. If a person has up to two questions on several subjects, the Mayor may defer those questions until other questions have been asked and refer back to that person only if time permits.
- Each submission speaker is limited to a maximum of 3 minutes.

### 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. After the representation has been made, Councillors are permitted to ask questions of the party who made the representation.

Each speaker is limited to a maximum of 3 minutes.

### 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 15 MARCH 2021

NOTICE IS HEREBY GIVEN THAT THE NEXT MEETING OF THE NORTHERN MIDLANDS COUNCIL WILL BE HELD ON MONDAY 15 MARCH 2021 IMMEDIATELY FOLLOWING THE ANNUAL GENERAL MEETING TO BE HELD AT 5.00PM. THE MEETING IS TO BE HELD 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

10 MARCH 2021

4.00pm Councillor Workshop – closed to the public

## GOV 1 ATTENDANCE

### 1 PRESENT

In Attendance:

### 2 APOLOGIES

## GOV 2 TABLE OF CONTENTS

<b>GOV 1</b>	<b>ATTENDANCE</b>	<b>2</b>
1	PRESENT	2
2	APOLOGIES	2
<b>GOV 2</b>	<b>TABLE OF CONTENTS</b>	<b>2</b>
<b>GOV 3</b>	<b>ACKNOWLEDGEMENT OF COUNTRY</b>	<b>5</b>
<b>GOV 4</b>	<b>DECLARATIONS OF ANY PECUNIARY INTEREST OF A COUNCILLOR OR CLOSE ASSOCIATE</b>	<b>6</b>
<b>GOV 5</b>	<b>CONFIRMATION OF MINUTES: OPEN COUNCIL ORDINARY COUNCIL MEETING MINUTES</b>	<b>6</b>
<b>GOV 6</b>	<b>MOTIONS ON NOTICE</b>	<b>6</b>
1	NOTICE OF MOTION: COUNCILLOR BROOKS: REMOVAL OF THE CONCRETE TREE SURROUNDS AT NORFOLK STREET, PERTH	6
	<i>Attachments: Section 1 – Page 1</i>	
<b>GOV 7</b>	<b>COMMITTEE MINUTES</b>	<b>7</b>
1	CONFIRMATION OF MINUTES OF COMMITTEES	7
	<i>Attachments: Section 1 – Page 51</i>	
2	RECOMMENDATIONS OF SUB COMMITTEES	8





# NORTHERN MIDLANDS COUNCIL

## AGENDA – ORDINARY MEETING

### 15 MARCH 2021

<b>GOV 8</b>	<b>DATE OF NEXT COUNCIL MEETING: MONDAY, 26 APRIL 2021</b>	<b>8</b>
<b>INFO</b>	<b>INFORMATION ITEMS</b>	<b>9</b>
1	COUNCIL WORKSHOPS/MEETINGS HELD SINCE THE LAST ORDINARY MEETING	9
2	MAYOR'S ACTIVITIES ATTENDED & PLANNED	9
3	GENERAL MANAGER'S ACTIVITIES	10
4	PETITIONS	10
	<i>Attachments: Section 1 – Page 81</i>	
5	CONFERENCES & SEMINARS: REPORT ON ATTENDANCE BY COUNCIL DELEGATES	11
6	132 & 337 CERTIFICATES ISSUED	17
7	ANIMAL CONTROL	17
8	ENVIRONMENTAL HEALTH SERVICES	18
9	CUSTOMER REQUEST RECEIPTS	18
10	GIFTS & DONATIONS (UNDER SECTION 77 OF THE LGA)	19
11	ACTION ITEMS: COUNCIL MINUTES	19
12	RESOURCE SHARING SUMMARY: 01 JULY 2020 TO 30 JUNE 2021	22
13	VANDALISM	22
14	YOUTH PROGRAM UPDATE	22
15	STRATEGIC PLANS UPDATE	23
16	BICENTENARY PLANNING UPDATES	26
<b>GOV 9</b>	<b>ABORIGINAL AND DUAL NAMING POLICY: INCLUSION OF PALAWA KANI NAME ON CAMPBELL TOWN ENTRANCE SIGNS</b>	<b>28</b>
	<i>Attachments: Section 1 – Page 137</i>	
<b>GOV 10</b>	<b>AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION (ALGA): 2021 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT CALL FOR MOTIONS</b>	<b>31</b>
	<i>Attachments: Section 1 – Page 147</i>	
<b>GOV 11</b>	<b>LOCAL GOVERNMENT ASSOCIATION OF TASMANIA (LGAT) – MOTIONS FOR THE GENERAL MEETING: 5 AUGUST 2021</b>	<b>34</b>
	<i>Attachments: Section 1 – Page 164</i>	
<b>GOV 12</b>	<b>AVOCA PRIMARY SCHOOL</b>	<b>36</b>
<b>GOV 13</b>	<b>POLICY REVIEW: WORK HEALTH &amp; SAFETY</b>	<b>40</b>
	<i>Attachments: Section 1 – Page 168</i>	
<b>GOV 14</b>	<b>NORTHERN TASMANIA DEVELOPMENT CORPORATION LTD (NTDC): REGIONAL COLLABORATION FRAMEWORK ENDORSEMENT</b>	<b>42</b>
	<i>Attachments: Section 1 – Page 179</i>	
<b>GOV 15</b>	<b>COUNCILLOR ATTENDANCE AT ANZAC DAY SERVICES</b>	<b>46</b>
<b>GOV 16</b>	<b>PUBLIC INTEREST DISCLOSURE PROCEDURES</b>	<b>48</b>
	<i>Attachments: Section 1 – Page 197</i>	



# NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 15 MARCH 2021

<b>C&amp;D 1</b>	<b>MONTHLY REPORT: DEVELOPMENT SERVICES</b>	<b>50</b>
<b>CORP 1</b>	<b>MONTHLY FINANCIAL STATEMENT</b>	<b>57</b>
	<i>Attachments: Section 1 – Page 238</i>	
<b>CORP 2</b>	<b>2021/2022 MUNICIPAL BUDGET</b>	<b>62</b>
<b>CORP 3</b>	<b>POLICY REVIEW</b>	<b>66</b>
	<i>Attachments: Section 1 – Page 248</i>	
<b>CORP 4</b>	<b>POLICY REVIEW: CODE OF TENDERING &amp; PROCUREMENT</b>	<b>69</b>
	<i>Attachments: Section 1 – Page 260</i>	
<b>CORP 5</b>	<b>CORPORATE INFORMATION TECHNOLOGY (ENTERPRISE SUITE) SOLUTION UPGRADE</b>	<b>72</b>
	<i>Attachments: Section 1 – Page 284</i>	
<b>WORKS 1</b>	<b>WILDLIFE SIGNAGE ON DEDDINGTON ROAD</b>	<b>76</b>
	<i>Attachments: Section 1 – Page 346</i>	
<b>PUBLIC QUESTIONS &amp; STATEMENTS</b>		<b>78</b>
1	PUBLIC QUESTIONS	79
<b>COUNCIL ACTING AS A PLANNING AUTHORITY</b>		<b>80</b>
2	STATEMENTS	80
<b>PLAN 1</b>	<b>DRAFT PLANNING SCHEME AMENDMENT &amp; PLANNING APPLICATION PLN-21-0029: 13 RICHARD STREET, WESTERN JUNCTION</b>	<b>81</b>
	<i>Attachments: Section 1 – Page 349</i>	
<b>PLAN 2</b>	<b>PLANNING APPLICATION PLN-20-0286 FAIRFIELD, 13790 MIDLAND HIGHWAY, EPPING FOREST</b>	<b>108</b>
	<i>Attachments: Section 1 – Page 427</i>	
<b>PLAN 3</b>	<b>PLANNING APPLICATION PLN-21-0002: CNR WEST ST &amp; HIGH STREET, CAMPBELL TOWN</b>	<b>128</b>
	<i>Attachments: Section 1 – Page 472</i>	
<b>PLAN 4</b>	<b>PLANNING APPLICATION PLN-21-0003: CNR TORLESSE ST &amp; HIGH ST, CAMPBELL TOWN</b>	<b>142</b>
	<i>Attachments: Section 1 – Page 481</i>	
<b>PLAN 5</b>	<b>PLANNING APPLICATION PLN-21-0028: 17 SUMMIT DRIVE, DEVON HILLS</b>	<b>153</b>
	<i>Attachments: Section 1 – Page 491</i>	
<b>PLAN 6</b>	<b>PLANNING APPLICATION PLN-20-0310: 46 ANSTEY STREET, LONGFORD</b>	<b>166</b>
	<i>Attachments: Section 1 – Page 501</i>	
<b>PLAN 7</b>	<b>PLANNING APPLICATION PLN-21-0006: 7 CHURCH STREET, CRESSY</b>	<b>184</b>
	<i>Attachments: Section 1 – Page 533</i>	



# NORTHERN MIDLANDS COUNCIL

## AGENDA – ORDINARY MEETING

### 15 MARCH 2021

COUNCIL ACTING AS A PLANNING AUTHORITY: CESSATION		207
CON	ITEMS FOR THE CLOSED MEETING	208
CON 1	INFORMATION OF A PERSONAL AND CONFIDENTIAL NATURE OR INFORMATION PROVIDED TO THE COUNCIL ON THE CONDITION IT IS KEPT CONFIDENTIAL	208
CON 2	CONFIRMATION OF CLOSED COUNCIL MINUTES: ORDINARY & SPECIAL COUNCIL MEETINGS	208
CON 3	APPLICATIONS BY COUNCILLORS FOR LEAVE OF ABSENCE	208
CON 4(1)	PERSONNEL MATTERS	208
CON 4(2)	INFORMATION OF A PERSONAL AND CONFIDENTIAL NATURE OR INFORMATION PROVIDED TO THE COUNCIL ON THE CONDITION IT IS KEPT CONFIDENTIAL	208
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	208
CON 4(4)	INFORMATION OF A PERSONAL AND CONFIDENTIAL NATURE OR INFORMATION PROVIDED TO THE COUNCIL ON THE CONDITION IT IS KEPT CONFIDENTIAL	208
CON 4(5)	PROPOSALS FOR THE COUNCIL TO ACQUIRE LAND OR AN INTEREST IN LAND OR FOR THE DISPOSAL OF LAND	208
CON 4(6)	INFORMATION OF A PERSONAL AND CONFIDENTIAL NATURE OR INFORMATION PROVIDED TO THE COUNCIL ON THE CONDITION IT IS KEPT CONFIDENTIAL	208
CON 5	INFORMATION OF A PERSONAL AND CONFIDENTIAL NATURE OR INFORMATION PROVIDED TO THE COUNCIL ON THE CONDITION IT IS KEPT CONFIDENTIAL	209
CON 6	PERSONNEL MATTERS	209
CON 7	PROPOSALS FOR THE COUNCIL TO ACQUIRE LAND OR AN INTEREST IN LAND OR FOR THE DISPOSAL OF LAND	209
CON 8	PROPOSALS FOR THE COUNCIL TO ACQUIRE LAND OR AN INTEREST IN LAND OR FOR THE DISPOSAL OF LAND	209
CON 9	INFORMATION OF A PERSONAL AND CONFIDENTIAL NATURE OR INFORMATION PROVIDED TO THE COUNCIL ON THE CONDITION IT IS KEPT CONFIDENTIAL	209
CON 10	INFORMATION OF A PERSONAL AND CONFIDENTIAL NATURE OR INFORMATION PROVIDED TO THE COUNCIL ON THE CONDITION IT IS KEPT CONFIDENTIAL	209
CON 11	INFORMATION OF A PERSONAL AND CONFIDENTIAL NATURE OR INFORMATION PROVIDED TO THE COUNCIL ON THE CONDITION IT IS KEPT CONFIDENTIAL	209

## 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.



# NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 15 MARCH 2021

## 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, 15 February 2021, be confirmed as a true record of proceedings.

## GOV 6 MOTIONS ON NOTICE

### 1 NOTICE OF MOTION: COUNCILLOR BROOKS: REMOVAL OF THE CONCRETE TREE SURROUNDS AT NORFOLK STREET, PERTH

*Attachments: Section 1 – Page 1*

*Responsible Officer: Des Jennings – General Manager*

*Report prepared by: Amanda Bond – Executive Officer*

#### 1 NOTICE OF MOTION

Councillor Matthew Brooks has requested the below Notice of Motion be tabled at the 15 March 2021 Council meeting:

*That Council remove the concrete tree surrounds in Norfolk Street, Perth due to making the street too narrow and dangerous, as well as not practical for the residents that live in the street.*

#### 2 BACKGROUND

On 17 February 2020 the Northern Midlands Council assessed Development Application PLN-19-0218 for an 8 lot subdivision at 10 Norfolk Street, Perth. Part of the subdivisional works included street beautification of the western side of Norfolk Street, including the provision of a footpath extending from Drummond Street to Frederick Street, new kerb and channel into the existing western side of Norfolk Street adjacent to the subdivision and street plantings. A copy of the report to Council and decision is provided as **Attachment 1**. Council approved the application on 17 February 2020 and a planning permit was issued.

The road was designed by Moses Van Den Berg, a qualified Civil Engineer. A Traffic Impact Assessment was provided as part of the development application. A copy of the Traffic Impact Assessment is provided as **Attachment 2**, however, attention is drawn to the following extract:

##### **3.1 Site Development**

*... It is noted barrier Kerb is proposed outside the residential lots, with street trees, and width for a nominal parking lane. This kerb will transition to mountable kerb South of the final residential lot, to allow off street access and*



# NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 15 MARCH 2021

*parking at the existing park frontage area, for further off street parking – this zone currently exists for informal parking (gravel parking area) and no specific changes are currently proposed.*

The Traffic Impact Assessment did not raise any concerns about the proposed trees or the road width.

Norfolk Street is a through road and under the municipal standard would be classified as a type 3 collector road. The standard requires a width of 8.9m from face of kerb to face of kerb. Norfolk Street meets this standard.

Where the trees have been planted there is 6.2m from face of kerb to face kerb for a distance of just over 2m. This is sufficient room for a truck and a bus to pass or vehicles may choose to pull to the side and wait as often happens on streets with low traffic volumes.

There is nothing in the municipal standard to say that trees or traffic calming cannot be installed on an 8.9m wide road.

Tree surrounds were installed by the contractor in accordance with the approved plans on February 17 – 18. Several days later Council removed the tree surround closest to the intersection with Frederick Street. This surround was positioned correctly in accordance with the plans and was considered in the Traffic Impact Assessment but was removed as a result of complaints from residents of the street and the subsequent review by Council Officers. Officers took the view, due to the change to the road environment, that at this time the tree surround closer to the intersection be removed and reinstalled at Council's discretion.

As stated the tree surrounds were considered within the Traffic Impact Assessment, the TIA did not raise any concerns about the proposed trees or the road width.

The following documents are also held as **attachments**:

- Endorsed Planning Permit PLN-19-0218: 10 Norfolk Street prepared by 6ty°
- Explanation – 'nom 2.0m wide parking lane'
- Extract from AS2890.5 Parking Arrangements and Bay Dimensions
- Extract from Municipal Standard – Urban Roads: Typical Section and Pavement Widths

## GOV 7 COMMITTEE MINUTES

### 1 CONFIRMATION OF MINUTES OF COMMITTEES

*Attachments: Section 1 – Page 51*

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

	Date	Committee	Meeting
i)	09/02/2021	Evandale Community Centre and Memorial Hall Management Committee	Ordinary
ii)	14/02/2021	Devon Hills Neighbourhood Watch & Residents Committee	Ordinary
iii)	02/03/2021	Campbell Town District Forum	Ordinary
iv)	02/03/2021	Ross Local District Committee	Ordinary
v)	02/03/2021	Perth Local District Committee	Ordinary
vi)	02/03/2021	Evandale Advisory Committee	Ordinary
vii)	03/02/2021	Longford Local District Committee	Ordinary

### DECISION

Cr

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



# NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 15 MARCH 2021

## 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.*

### Longford Local District Committee

At the ordinary meeting of the Longford Local District Committee held on 3 March 2021 the following motion/s were recorded for Council's consideration:

**6.2 Safety Issues Woolmers Lane/Panshangar Road intersection** - there was some discussion on this, but there was still a request in consider the safety of the intersection. The following motion might help to improve the safety of the intersection.

*That this Committee ask Council to recommend to State Growth a speed limit of 80 km between Point Road and Longford*

#### Officer Recommendation

That Council Officer's investigate the recommendation and provide a response to the Committee.

#### DECISION

Cr

**7.2 Herb Boxes** - similar to the ones outside the Cressy Bakery, be considered by Council to plant pots in the town

*That Council be asked to place flower boxes outside JJ's and/or Sticky Beaks with their permission.*

#### Officer Recommendation

That Council Officer's investigate the recommendation and provide a response to the Committee.

#### DECISION

Cr

**10.4 Water Trough at Heritage Corner** -The Committee are concerned about the state of the water trough outside the Queens Arms Hotel – there is rust in the bottom of the trough that needs urgent attention.

*The Committee requests Council have the Water Trough assessed and attended to.*

#### Officer Recommendation

That Council Officer's investigate the recommendation.

#### DECISION

Cr

**GOV 8 DATE OF NEXT COUNCIL MEETING: MONDAY, 26 APRIL 2021**

Mayor Knowles advised that the next Ordinary Council Meeting of the Northern Midlands Council would be held at 5.00pm on Monday, 26 April 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 15 MARCH 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
01/03/2021	<b>Council Workshop</b> Discussion included: <ul style="list-style-type: none"> <li>Audit Committee Presentation</li> <li>Creative Cities Presentation</li> <li>Flood Plain Mapping at Ross &amp; Campbell Town Presentation</li> <li>Public Relations Presentation</li> <li>Discussion Compliance matter</li> </ul>
15/03/2021	<b>Council Workshop</b> Discussion: <ul style="list-style-type: none"> <li>Council Meeting Agenda items</li> </ul>
12/04/2021	<b>Presentations planned to be received at next workshop:</b> <ul style="list-style-type: none"> <li>Ideas Banq</li> <li>Longford Expansion Strategy</li> </ul>

### 2 MAYOR'S ACTIVITIES ATTENDED & PLANNED

Mayor's Activities Attended & Planned for the period 16 February to 15 March 2021 are as follows:

Date	Activity
16 February 2021	Attended Grants Commission virtual meeting, Longford
17 February 2021	Attended Tourism Tasmania Winter Campaign launch, Launceston
18 February 2021	Attended Statewide EV Fast Charge Launch, Launceston
18 February 2021	Attended Heritage Highway Association meeting, Ross
19 February 2021	Attended Northern Tasmania Development Corporation meeting, Launceston
19 February 2021	Attended introduction of Examiner journalist with Rossarden residents
20-21 February 2021	Attended Elected Members Weekend, Launceston
22 February 2021	Attended interview with Mike O'Lachlan, Tasmania Talks, Gipps Creek
22 February 2021	Attended Zoom meeting, Longford
23 February 2021	Attended Austrade/ Business Tasmania breakfast, Longford
23 February 2021	Attended Launceston Gastronomy Zoom meeting, Longford
25 February 2021	Attended Campervan and Motorhome Club of Australia event, Campbell Town
26 February 2021	Attended Fingal Valley Neighbourhood House event, Fingal
27 February 2021	Attended War Animal Remembrance Day, Campbell Town
28 February 2021	Attended Launceston Airport 90 <sup>th</sup> birthday celebration, Western Junction
1 March 2021	Attended Council Workshop, Longford
2 March 2021	Attended Climate Change (State Action Plan) meeting via zoom, Gipps Creek
3 March 2021	Attended Mayoral Croquet Challenge, Launceston
4 March 2021	Attended International Women's Day breakfast, Launceston
4 March 2021	Attended TasCoss Awards online, Longford
4 March 2021	Attended Eden Foods, TRANSLink, Western Junction
4 March 2021	Attended International Women's Day event, Launceston
7 March 2021	Attended Motorama event, Longford
9 March 2021	Attended NTDC Quarterly meeting, Launceston
10 March 2021	Attended Zonta International Women's Day event, Launceston



# NORTHERN MIDLANDS COUNCIL

## AGENDA – ORDINARY MEETING

### 15 MARCH 2021

11-12 March 2021	Attended LGAT Mayor's Professional Development and General Meeting, Devonport
14 March 2021	Attended 10 Days on the Island <i>If these Halls could Talk</i> event, Ross
14 March 2021	Attended Tasmanian Truck Owners & Operators Association Truck Run
15 March 2021	Attended NTDC Aspire Circular Economy event
15 March 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 Ben Marquis, Department of State Growth
- Met with Perth Ratepayer
- Met with Gavin Grace, Plasrok
- Attended State Grants Commission 2021 Hearing
- Met with Cressy Ratepayer
- Attended Northern Tasmania Development Corporation breakfast meeting
- Attended meeting re proposed Longford Village Green development
- Met with Mark Baker, Northern Tasmania Development Corporation
- Attended meeting re Launceston Gastronomy
- Met with Public Relations Consultant
- Met with Mat Clark, JMG, re Longford Expansion Strategy
- Attended Regional General Manager's meeting
- Attended Northern Tasmania Development Corporation meeting
- Met with Cr Lambert

### 4 PETITIONS

*Attachments: Section 1 – Page 81*

#### 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;





# NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 15 MARCH 2021

**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: RESCINDING THE REZONING OF THE LAND AROUND LONGFORD RACE COURSE

A **compliant** petition initiated by Neil Tubb of 54 Marlborough Street Longford and Dennis Pettyfor of 510 Marlborough Street Longford was received by Council on 5 March 2021.

The petition stated:

*This petition of certain citizens of Longford draws to the attention of the Council that The Longford Races have been held continuously since 1845 and Longford is still home to many horse-training facilities. Development in the area before the 2013 scheme has been related to horse racing and the broader industry. It has come to the notice to some in the industry and community members that the Northern Midlands Council has changed the zoning to allow residences to be built close to stables and yards that will put pressure on the trainers to relocate from Longford, removing the economic development opportunities in the future and therefore threaten the survival of the Longford racecourse.*

The petition requests the following action:

*We, the undersigned, therefore request the Northern Midlands Council to rescind the rezoning of any recent planning motion that puts the economic and historic value of the Longford racecourse in jeopardy because of encroaching housing development. We hereby request that the area around Longford racecourse be returned to its original zoning of "particular purposes, horse training and stables" or similar zoning under the current State Planning Scheme that will continue to allow horse training, stables and related activities exclusively and excludes unrelated subdivisions for housing.*

In support of this petition to the Northern Midlands Council, it is noted that a total of 1,018 signatures have been collected.

## 4 ATTACHMENT

- Petition

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

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

### 2.1 Tourism Tasmania Winter Campaign: 17 February 2021

Report provided by: Mayor Mary Knowles OAM

#### John Fitzgerald: Overview of 'Come Down for Air' campaign

- impact of Covid and changing border arrangements
- into NZ market – digital videos included penny farthings in Evandale, Maria Is
- great opportunity as 31% growth in NZ market in 4yrs pre-Covid; 1.6M Kiwis saw promotion
- Hobart international airport – flights will depart when NZ on board
- Road tripping in Aus (+ Tas) growing, so important strategy now
- 5 Drive Journeys – time to build content (images included Jacob's Ladder at night)
- Island of 1000 detours / create a program with longevity not reliant on events + festivals
- Talk to businesses about being open
- "Tasmania is the antidote to the straightjacket of modern life"

#### Thomasine from Sydney: Overview of Winter Campaign

- Work in progress
- How your business might take part
- Winter from a tourism perspective is challenging
- We need to 'own' winter; associated with Tassie already
- Create cultural association between a certain time of year and a product (as done in the 'eat lamb on Australia Day' campaign – lamb brings warring states together with meaning/relevance/consistency and embeds that association in your memory), being consistent year on year
- THINKING - Australia is a summer country – outdoors, beaches + June, July, Aug on the mainland = time of year when its 'just not summer'. With the exception of skiing travellers go north / endure or avoid winter / impossible to enjoy so don't try



# NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 15 MARCH 2021

- Opportunity to affect a cultural change for the rest of Australia – a season to embrace rather than escape
- The truth about winter in Tassie – winter is when we are the most different, we are built for winter – food, knitwear, festivals packed full of stimulating experiences
- = the most different and interesting. Tassie is the defibrillator from the winter coma, the electric shock therapy for the brain ie. Dark Mofo, food, wine, whiskey, intensity of feeling
- “Wake up this Winter” with bodily sensations, amazing experiences, “Winter is our best kept secret – The Off Season”
- Bringing it to life – nothing is warmer than freezing cold
- POSTERS busting through holidays we are used to seeing
- Day 2 of galvanizing – bringing all Tasmanians together / needs a team effort
- Launch in April – The Off Season applies to all regions, earning media coverage
- Businesses can get involved: Create an ‘Off Season’ experience / stimulation / a brand about ‘being’, a positive idea / experiment / collaborate with other businesses / not about being shut or bad puns / quirky rather than weird
- A symbol is being designed – we are all a part of the Off Season
- Keep exposing people to the Off Season
- Create curiosity and connection between the advertising and what they see
- Draw them to your business by offering a different alternative, create a shift in what mainlanders culturally do in winter
- Build it up over time
- WHAT IS THE OFF SEASON EXPERIENCE
- “People forget what you said but never how you made them feel” (Maya Angelou)
- Does it pass the WOW test? - reaction to art, culture, food
- 3 degrees of separation in Tasmania
- 1) sensory eg. hot tub bikini with a beanie, visual, temp, taste
- 2) create an extension that can only be experienced in winter, not normally available eg. picnic lunch with Tassie produce, chocolates, rich soup, truffle flakes
- 3) push out of comfort zone eg. paranormal investigation experience, not something you do every day
- Design your own experience eg 3 local cafes for 3 courses, how did it make your visitors feel?
- instead of 2 nights for the cost of one (so worth \$150+) offer \$100 gift eg. voucher for Still Water (support other businesses / collaborate), one business ordered 1,000 ‘Tassie’ earring sets from craft person = best order received = win, win
- instead of discount, value-add eg. basket of Tassie picnic food during winter
- don’t sell yourselves short / who we are as an island
- NEXT STEPS – TT website, Winter 2021, put in EOI to participate
- Lets TT know who is open, keep ATDW up-to-date, lets TT know opening hours
- Opportunity to tell your stories, interesting and quirky ideas, what is unique
- Off Season Offerings - Collaborate – make sure there is always somewhere to go
- Covid-safe Plan / Cancellation Policy is important now
- 1st Round due Sunday 7th March
- Use the symbol on your own website, in own marketing
- Sooner in the better / Launch 26th April
- How could your business leverage the Off Season?
- Anti-ordinary experience / pass the WOW test
- We are a creative bunch in Tassie with limited resources, limited time
- 2020 has been an insanely tough year for tourism businesses

## 2.2 Local Government Association of Tasmania (LGAT) Elected Members Professional Development Weekend: 20-21 February 2021

Report provided by: Mayor Mary Knowles OAM

### Local Government Division Update: Michael Healey, Director Policy and Sector Performance

- Enormous task to rewrite an entire Act
- Consultation on 51 proposed reforms
- Principles-based Legislation – good governance / community engagement / financial management
- Act encourages collaboration between councils / workshops vs meetings / PD for Councillors
- Need to understand how this applies to big vs small regional councils



## NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 15 MARCH 2021

- Discussion: disincentives to amalgamation (less in assistance grants), templates for Long-term Financial Plan, GM reviews, political donations, Caretaker Provisions, Code of Conduct
- LGAT will focus on sections of the Act over the next 12 months

### **Community Engagement: Richard Gerathy**

- Identify the issues, stakeholders, key messages, strategies
- Identify characteristics – how they like to be communicated with, key influencers
- 10% don't worry about much, 10% engage and are leaders, 80% are busy with sport, fishing, jobs, kids, interested in their lives....hard to engage
- Full public consultation vs limited consultation vs post-decision communication
- Push info out, appropriate language, understand and respect audience, brevity is a virtue
- Keep good records – social media (usually the same groups) can put you off course, erodes brand equity, can build perception of failure and paint that corruption is involved. In a vacuum (lack of communication) these can spring up
- Start early in process, understand issues, focus on the 80%, be open, honest, respond to requests
- Find early 'wins' for the community – "new design is based on feedback"
- The ones that complain are the ones that help you learn, get the process right and it is easier to argue against objectors
- At the end of the day you have to make a decision

### **Resource Sharing: Gerald Monson, GM Latrobe and Kentish Councils**

- Will always be short of expertise in Planning etc. so need to consider sharing services
- In 1993 49 councils became 29 councils
- Gerald outlined the history and process of Latrobe and Kentish Councils lead up to sharing a GM, sharing services and holding joint Council Meetings while remaining as separate Councils each with own Mayor, better equipment and substantial savings, particularly in Outdoor Services. Need correct IT services to manage separate finances, use skill-sets at the right level and have a 'buddy' system (someone else who can do the job)

### **Digital Innovation opportunities: Peter Carr, Hobart City Council**

- About culture rather than technology
- Austerity and constraint vs innovation and growth – just a new way of doing things
- Employee experience vs Customer experience – usually think customer's experience is main, but no, employee's experience is just as important.
- Hobart Pillars: cost control / congestion / last mile / new normal / energy transition / public and cyber safety
- Cost control: eg. street lighting: cost \$1M/yr. Hobart wanted to look at TasNetworks' asset database. Not permitted, so Hobart built their own database (Covid re-deployment of parking officers). Then TasNetworks shared theirs and it was found that no one was managing this, and Hobart was being incorrectly charged. Process has shortened maintenance responses and now Hobart pays a fixed maintenance cost. Want to move to a metered service so lights can be turned off at night reducing light pollution and increasing wildlife amenity.
- Congestion: Davey and Macquarie streets now State Govt assets
- Hobart has lowest public transport use, not many bus shelters (poles in the middle of nowhere) and digital timetables currently unpredictable
- No funds for a Brief or Consultant, so \$25,000 to ask community via a competition – received 123 submissions, lots of designs and energised people
- Last Mile problem: Hobart is a hub for employment and schools, 3 entry points cause congestion. Buses don't care, just drop people off.
- Consider tender with Launceston for scooters. State Govt has no dedicated Transport Dept, so invited other councils to Trial Analysis of traffic flows using 'tom-toms'
- Most North Hobart traffic starts in North Hobart mostly due to weather + car culture, so now need to convince people they can walk 800 metres
- New normal has changed complaints – more dobbing, don't want to pay metre if someone touched it, so have moved to ticketless App with residential permits (harder to get than passports), elderly can't use Apps – can have both
- Public and Cyber Safety: Hobart not in marginal electorate so no grants; time and effort to not get money. Consultant = 7% Success fee but this is less than officer time cost. Narrative created with 60 slide power-point, Safer Communities Grant applied for (used religious vilification darkweb stories, real issues facing Hobart's unseen) Salamanca is open to high velocity vehicle attack, so need to secure public safety = successful \$1M grant; now have beautiful safe precinct with \$100,000 camera network
- Staff are the biggest threat to cyber security – get 11 to 15,000 bad emails per day



## NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 15 MARCH 2021

- Growth and Reform: Hobart City Deal includes 4 councils. 3D representations of Hobart will allow the 4 councils to make decisions with 'real time' info. DA – info for developers eg. retail vacancies, parking, waste collection, underground utility services. Can be used for climate adaptation in full discussion with State Govt. Drone survey of Government House included 600 pics/250 metres – overlay gives 'real time' data instantly vs council staff time cost

**Dion Lester: Digital Advisory Group will include Hobart, Launceston and Devonport. Will save everyone starting from scratch. All great ideas don't get up, must show benefits**

### **Councils' role in health and wellbeing: Professor Roger Hughes, Utas School of Medicine**

- Councils are the front line of the public health system
- If council services are not run well the public end up in the hospital system
- It is a shared responsibility although the capacity for action is limited
- Need vision and leadership to build capacity and evidence to justify funding
- Environmental workforce development in local government is critically needed
- Public health = the science of the art of preventing disease, prolonging life and informed choices of society, organisations, public and private, community and individuals
- Social determinants and equity = fairness (equality = sameness)
- Most significant achievements in the 20th Century – vaccination, tobacco control, motor vehicle safety, safer work places, control of infectious diseases, clean water and sewerage, antibiotics, fewer deaths from CVD + strokes, safer and healthier food, healthy mothers and babies, family planning and contraception, fluoridation of water
- Protection (keeping healthy – difficult because success is invisible)
- Prevention (unfortunately, harmful behaviours have been normalized)
- Promotion (empowering people to take control of their own lives)
- Under the Public Health Act – Councils have responsibility
- Youth Officers, Recreation Officers, Health and Wellbeing Officers, walkways, parks and recreation facilities, lighting, community facilities
- 60% of Environmental Health Officers are female, working with people, working well if we don't know about them, under resourced
- Risk of sewerage in water much higher in rural areas
- Health and wellbeing space = health promotion = local action addressing local needs
- Community gardens build community capacity, civic pride, less vandalism, platform for community interaction old and young, knowledge and skills transfer, improved nutrition, physical activity, improved mental health. Low cost – council has the land
- Capacity at the moment is limited and needs to change
- Utas is offering Graduate Certificate in Health Protection, Graduate Diploma of Environmental Health, Master of Public Health
- Health has to be on everyone's agenda, make it an expectation, resource sharing
- Every council must have a Health and Wellbeing Plan
- Council supporting community groups – 'make healthy choices easy choices'
- Equity is so important

### **Community Resilience: Mike Lollback, LGAQ**

- 77 councils in QLD incl 17 indigenous with 15 new Mayors in that 17
- Disaster space costs \$39.3B every year, reduces capacity to work, businesses going broke, domestic violence through the roof, social infrastructure is a mess.
- No one accepts responsibility but it is always in a local government area.
- Total persons affected 1987 – 2016 was 9 million Queenslanders.
- Creates uncertainty, have perpetual drought broken by occasional rainfall.
- Under the QLD Disaster Management Act local government is responsible for coordinating and managing the affects as they are an independent arbitrator – can keep fire fighters fighting fires eg. coordinate groups to feed them, set up evacuation centres etc. The Chair of the local Disaster Management Group must be the CEO of local government, the local Mayor
- QLD is the most disaster prone state – drought = no water for fires
- In Tasmania the disaster costs \$.6B/yr
- Can't just go on 'fixing the damage', must be better prepared



## NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 15 MARCH 2021

- After cyclone hit Darwin the government ‘fixed’ the problem but didn’t involve the community. Most people were evacuated out of Darwin but 50% didn’t go back.
- After the 2019/20 QLD fires 36 of the recommendations are repeat recommendations from previous fires, years apart.
- Motherhood statements must change to achievable outcomes.
- Disaster Resilience = the ability of the community and individuals to survive, adapt and thrive in face of turbulent change or acute distress.
- Resilience Strategy: understand the risk, working together, reduce disaster risk, being prepared for disaster; make resilience a strategic objective.
- Councils are more than roads rates and rubbish – add resilience as it underpins all values.
- We become complacent, lessons will be forgotten, complacency of Governments to look back at Royal Commissions and implement recommendations of previous Governments.
- Catalyst for change is often adversity vs anticipating what the needs are and preparing.
- 2011 Stradbroke Island fire took 90% of the island, no water so lost sacred indigenous sites, declared that salt water could not be used as it destroys foliage, but subsequent study showed such an area which homed platypus was saltier than the sea.
- 2016 Russell Island fire enquiry showed nil preparedness - where/how to evacuate vulnerable people. Fire trucks got stuck on mud.
- Redlands City Council established Community Champions 2017 – communities working together, gave them info re setting up and managing evacuation centres, Red Cross mental health first aid regarding evacuation centres, SES practical exercises in how to get people across mudflats.
- Disaster Management approach = quiet town people trained, low cost to keep training alive, all now members of Red Cross and Volunteer Queensland and may be deployed as a statewide resource for isolated areas
- Recognition that people can do more – now 65 groups established.
- Know where are the fire points, understand the needs benefits and assists communities during and following disasters. All have full evacuation kits including 15 beds, keys to halls
- Mayors prepared to say, ‘We were not ready, we will do better next time.’
- Cyclones, fires, floods – communities have developed programs ‘Make sure you are disaster ready’, not just about info sharing but capturing peoples’ hearts and minds with simple messages, school programs (all yr5 students must prepare Family Safety Plan)
- Disaster IT platform in most councils – brilliant system now
- Most people lost their lives without information regarding safe routes to take
- C2C – Council to Council Support Program includes indigenous burning strategies
- 56% of the state flooded in 2019 - \$5.68B, in far north 300,000 cattle lost, mostly stuck in mud, 39 councils affected (bigger than Tas + Vic combined), couldn’t move by road, airports closed, a train fell over.
- Under the banner of C2C the SE helped with water testing, council front staff needed to release local staff, 4 days into the rain realised was more than expected, farmers reluctant to admit that lost breeding stock, consigned cattle on way to Darwin ‘don’t tell the bank’
- What Now: Tasmanian Disaster Recovery Plan
- Invest in resilience – what can you afford to integrate into programs, get engineers into same room will yield dividends.
- Roads, rates, rubbish and resilience – will go beyond your term, keep it simple.
- Closest to the community, elected members know what is best so get the message out, don’t ask people to do what you are not prepared to do, represent the people that did and did not vote for you.
- When the bushfire starts, be in the best position possible to be in
- Climate Change is here, cyclones more than before
- Always tell community what your capacity is, know what you can afford – budget of ....
- Show community what can be achieved, train, get them to do exercises, identify groups that can deliver ‘We are here to help you do, not to do it for you.’ When finished, go back and do it all again, has to be a living program. Covid changed the world – now how do we evacuate?
- Need National Parks to burn by aboriginal culture ‘Operation Cool Burn’.
- Some Departments don’t ‘play well’ with others, political realities – parochial, live in litigative world of privacy.
- Involve Neighbourhood Houses, tourist groups, town progress groups, hall committees.
- Lobby state to do better re roadside vegetation.

**Bushfire Resilience and Resilient Hobart Projects: Sophie Calac**

# NORTHERN MIDLANDS COUNCIL

## AGENDA – ORDINARY MEETING

### 15 MARCH 2021

- 2018 May flooding recovery process established the Regional Affected Area Committee included Red Cross workshops, communication in recovery, included church groups.
- Applied for 6 projects in grant round – all successful (5 resilient Hobart projects and 1 community self-assessment pilot)
- Afloat: Everything Changes: 2 artists to include children and families, exploring sense of space and language of change, celebrated one year after event
- Rain Coming: public art submission, whole community engagement – cards, images, films, local shop billboards, created ‘cockatoo’ sculptures and sandstone sayings – public launch
- Stories of Resilience: flood affected community members, 21 interviews, 12 podcasts, images and films on website. Key themes: speed of flood, only so much you can do, surprised by long-term effects, physical and mental impacts, could have been worse
- Communities assessing their own resilience: National Strategy for Disaster Resilience Work together, communities take ownership of own resilience, builds social capital, included New Town, Sth Hobart, Lenah Valley and Sandy Bay, each different generating ideas for action to address gaps; things in direct control of that group. ‘We’ vs ‘Council’ was turned around, sharing information and communication, community focused activities still going. Cost one year staff time plus facilitators. Surveys 3 and 6 mths after workshops to find the most significant change. Stories collated and available.

#### **John Fisher, Manager Bushlands, Hobart**

- Spoke about tsunamis in Yapoon, oil spills, 17 days flood from Fitzroy River gave preparation time but impacted 3,000 lives as extent not realised.
- Local government has a single point of contact, so valuable
- 1967 Hobart fires, the worst loss of life in a single day – Mt Nelson area only one way in and out. Fire spread from Glenorchy to Taroona in 8 hrs, cut off escape routes in 2.5 hrs with no warnings as didn’t know potential. No reason why wouldn’t happen again.
- Responsibility is driven by understanding the likelihood – need to say ‘When fire comes again’ and not call it a 1 in 100 yr event.
- Empower residents – develop realistic expectations – don’t be there, do not stay and defend
- Measure success by no one losing their lives, consider risk, understand the consequences.
- Extreme or catastrophic will destroy houses, has the capacity to kill people
- Plan what you really want to take with you, before it happens / does this stuff really matter?
- Currently clearing properties next to Hobart’s bush and reserves, extended fire breaks onto private land and clearing all escape routes so not compromised. Removing any trees that might be compromised, actively enforcing ‘bush fire risk’ on private land to stop fire spread
- Enforcement orders, if not complied, are hideously expensive – don’t get bitten twice
- City of Hobart has bush brigade + 32 trained volunteers, runs community forums with climate change experts. Several locals have sold up and moved when real risk is realised.
- Hotter, more extreme weather = higher risk = less suitable days for fire reduction burns
- Predicted ember attack on city, to people never exposed before, modelled on actual conditions. People don’t understand the consequences.
- Most people don’t make or practise survival plans.
- ½ staff won’t turn up to work in serious event / plans based on everyone being at work.
- Local government can provide support: evacuation centres, pet care, inter-agency training, full-day exercise (cracks in plan show up)
- Potential for fire, flood, Covid outbreak – councils must support each other
- Re-write Emergency Management Plans
- LGAT – community perception of risk – surveys 30% return in 4 Hobart suburbs

#### **Dion Lester outlined LGAT and State Government focus this year:**

- Waste Container Recovery Scheme, Waste Levy (consulting on now), funding, education and plans. Deon outlined the Split Governance Scheme and why it is the most suitable for Tasmania and how it compares to other states. The Waste Levy is planned to start 1st Nov 2021 but likely LGAT submission to request 1st July 2022 as councils fees and charges set in budget this year. Tight window as needs to pass both Houses, likely only a 5 week consulting period. Government committed to 100% spend on waste recovery activities, no council or regional levies to remain. Concerns re illegal dumping and other issues including FOGO discussed.
- Planning
- Review of Local Government Act





# NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 15 MARCH 2021

## 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.

	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	52	51					<b>677</b>	<b>915</b>
<b>337</b>	34	41	36	44	59	66	29	26					<b>335</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 February		Income/Issues 2020/2021	
	No.	\$	No.	\$	No.	\$
Dogs Registered	4,278	101,937	21	537	4,082	97,166
Dogs Impounded	44	4,089	2	191	13	1,198
Euthanized	1	-	-	-	-	-
Re-claimed	39	-	2	-	12	-
Re-homed/Dogs Home *	4	-	-	-	1	-
New Kennel Licences	15	1,080	2	144	10	720
Renewed Kennel Licences	70	3,080			72	3,168
Infringement Notices (paid in full)	42	12,149	1	172	21	4,307
Legal Action	-	-	-	-	-	-
Livestock Impounded	-	-	-	-	1	65
<b>TOTAL</b>		<b>122,335</b>		<b>1,044</b>		<b>106,625</b>

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



# NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 15 MARCH 2021

## Registration Audit of the Municipality:

on going

## Kennel Licences

2 kennel licences applied for

## Microchips:

0 dogs microchipped

## Infringements:

3 infringement issued.

## Attacks:

0 attacks

## Impounded Dogs:

2 dogs impounded – 2 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.

Ensure safe standards of food offered for sale are maintained.

Investigations/ Inspections/ Licences Issued	2017/2018	2018/2019	2019/2020	2020/2021	Number -- this month	Current No. of Premises Registered
Notifiable Diseases	4	5	1	0		
Inspection of Food Premises	77	127	111	67	12	125
Place of Assembly Licences					-	

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	1					
Building & Planning	-	-	-	1	1	1	1					
Community Services	-	-	-	-	1	11	6					
Corporate Services	-	3	1	-	1	2	-					
Governance	-	-	-	-	-	1	-					
Waste	1	-	-	-	-	-	-					
Works	31	27	28	34	13	35	41					





# NORTHERN MIDLANDS COUNCIL

## AGENDA – ORDINARY MEETING

### 15 MARCH 2021

#### 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>Planning/Building Applications Remitted</b>			
20-Jan-21	Relay for Life Fundraiser Longford Goat Show	Temporary Food Permit	33.00
20-Jan-21	Nth Tas Light Horse Troop War Animals Remembrance Day	Temporary Food Permit	33.00
20-Jan-21	Campbell Town Auxiliary Market Stall	Temporary Food Permit	186.00
20-Jan-21	Longford Rotary Club	Temporary Food Permit	186.00
<b>School &amp; Bursary Programs</b>			
11-Nov-20	Chanelle Woods	Bursary Program 2019 - instalment 2	1,000.00
18-Jan-21	Jonty Webb	Bursary Program 2020 - instalment 1	1,000.00
18-Jan-21	Charlotte Layton	Bursary Program 2019 - instalment 2	1,000.00
19-Jan-21	Connor Perri	Bursary Program 2020 - instalment 1	1,000.00
10-Feb-21	Ellie-Mae Evans	Bursary Program 2020 - instalment 1	1,000.00
3-Feb-21	Samantha Airey	Bursary Program 2019 - instalment 2	1,000.00
<b>Sporting Achievements</b>			
3-Feb-21	Katie Campbell	NTJSA U/13 Girls Representation Team	100.00
		<b>TOTAL DONATIONS</b>	<b>\$26,310.73</b>

#### 11 ACTION ITEMS: COUNCIL MINUTES

Date	Min. Ref.	Details	Action Required	Officer	Current Status
27/01/2021	010/21	Campbell Town Swimming Pool	That: ... 9) the matter be reviewed after the season closes.	General Manager	
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.
27/01/2021	021/21	Just Cats Proposal: User Pay Basis	That the matter be referred to the neighbouring Council's by the General Manager to consider a consolidated approach, which may include meeting with Just Cats as well as other service providers to consider all aspects of cat management, including: education programmes, State government funding/ support that may be available. Discussions to not only relate to the rehoming of cats.	General Manager	Report to future Council meeting.
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.
15/02/2021	040/21	Recommendations of Sub Committees - Perth Local District Committee - Train Park play equipment	Request Council to include upgrades to the Train Park in the Perth Main Street Masterplan - report back to Council and consider in the budget process	General Manager	Matters to be listed for inclusion in the 2021-22 budget deliberations.
15/02/2021	048/21	Assisting Tourism in the	That Council accept the report on the proposed way forward to	Tourism Officer	



# NORTHERN MIDLANDS COUNCIL

## AGENDA – ORDINARY MEETING

### 15 MARCH 2021

Date	Min. Ref.	Details	Action Required	Officer	Current Status
		Northern Midlands to recover from COVID-19	assisting tourism in the Northern Midlands to recover from COVID-19 and request a report be tabled at the March 2021 Council Meeting on the outcome of the request for quotes for the production of the promotional videos and accompanying marketing plan.		
15/02/2021	046/21	ALGA 2021 NGA - Attendance	That Council authorise the attendance in person of the Mayor, Deputy Mayor and General Manager at the 2021 National General Assembly of Local Government to be held in Canberra from 20 to 23 June 2021.	Exec. Assistant	
15/02/2021	040/21	Recommendations of Sub Committees - Longford Local District Committee - Racecourse Signage	LLDC request the Council to add a sign for the racecourse on the existing sign on Cressy Road at the corner of Cracroft Street. - consideration be given to the corner of Brickendon and Marlborough streets as a suitable location for the Racecourse signage	Engineering Officer	
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.
15/02/2021	040/21	Recommendations of Sub Committees - Perth Local District Committee - Train Park play equipment	request Council to consider urgent maintenance to the timber sculptures; play equipment and facilities as part of the 'Special COVID-19 Funding' to ensure appropriate and safe condition for the 2021 sesquicentenary of trains. - report back to Council and consider in the budget process	Works Manager	Site inspection, maintenance to be undertaken as necessary and matters to be listed for inclusion in the 2021-22 budget deliberations.
15/02/2021	059/21	Traffic Concerns: Wellington & Marlborough Streets Intersection At Longford	That Council vigorously pursue Option 4 and the possibility of raised intersection treatment or roundabout with the Department of State Growth; and that barrier protection be installed as required to protect pedestrians and the adjacent heritage properties (on both sides of the road).	Works Manager	
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 - 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	Works Manager to meet with Committee to discuss.
15/02/2021	040/21	Recommendations of Sub Committees - Longford Local District Committee - Local Heritage Code & Heritage Precincts	LLDC requests Council to accept the recommendations presented at the Council workshop on Monday February 1, 2021 by putting in place an addendum to the current Local Historic Heritage Code (E13) and the Heritage Precincts Area Plan (F2) which will be specific to all new buildings that are erected. This area includes from the Country Club Hotel (Union Street) to where Malcombe Street crosses Marlborough Street. - Committee meet with Council's Planners to discuss further, including the outcomes to be achieved from the suggested amendment prior to further report/discussion at a Council workshop	Executive & Comms Officer	Committee to meet with Planners.
15/02/2021	040/21	Recommendations of Sub Committees - Longford Local District Committee - Tear Off Street Maps	Ask Council to use their resources to revise and reprint maps. & Council garner support from business sponsors to use their resources to place their business names on the back of maps. - Council Officers to seek quotes and survey Longford businesses through the Northern Midlands Courier to ascertain business support for the production of tear-off maps, prior to a report to Council.	Executive & Comms Officer	Matter being progressed.
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	That Council, acting as the Planning Authority, pursuant to section 34 of the former provisions of the Land Use Planning and Approvals	Senior Planner	A flood map is to be incorporated by an amendment to the Planning Scheme.



# NORTHERN MIDLANDS COUNCIL

## AGENDA – ORDINARY MEETING

### 15 MARCH 2021

Date	Min. Ref.	Details	Action Required	Officer	Current Status
		04/2018 include Flood Risk Mapping in the Planning Scheme for land along Sheepwash Creek from Arthur Street to Cemetery Road, Perth	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.		Aerial survey to be undertaken prior to seeking quotes for amendment. Aerial Survey complete, Land Survey Modelling can now commence, due mid-March.
15/02/2021	044/21	Footpath Trading by law	That Council, i) in accordance with s.156 of the Local Government Act 1993 intends to make the proposed Footpath Trading By-Law No. 1 of 2021 to regulate Footpath Trading within the Northern Midlands municipality. ii) upon gazettal of the Footpath Trading By-Law No. 1 of 2021, revokes the Footpath Trading Policy.	Compliance Officer	Process to be commenced.

#### 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 photographs; Production of a photo book of historic photographs for display.	Exec Assistant	Photographs of full NMC Council, for each term since inception, received. Some photos still to be sourced.
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
15/02/2021	040/21	Recommendations of Sub Committees - Campbell Town District Forum - Dual naming	dual naming policy to be developed.	Exec. Officer	Report to Council.
15/02/2021	045/21	LGAT Motions for the general meeting 12 March 2021	That Council vote as follows i) Planning Authorities - Vote for the Motion; ii) Future Gaming Legislation Exposure Draft - Vote for the Motion iii) LGAT Motion: Deferral of Draft Future Gaming Bill - Vote for the Motion	General Manager	Mayor to represent Council at 12 March meeting.
15/02/2021	049/21	Petition: Council Owned Property at 32 Norfolk Street, Perth	That Council does not implement the actions numbered 1-4 of the petition and continue with the sale of the land (lots 1 & 2 – house and vacant lot).	General Manager	No further action necessary.
15/02/2021	051/21	Consultation On Private Planning Consultant – No Planning Approval Required Certificates	That Council provides a submission to the Department of Justice that it supports Option 3: Status Quo, on the following grounds ...	Development Supervisor	Submission sent as per Council decision.
15/02/2021	043/21	AGM & Annual Report	That the 2020 Annual General Meeting for the Northern Midlands Council be held at the Longford Council Offices on Monday, 15 March 2021, commencing at 5pm.	Exec. Assistant	Complete.
15/02/2021	040/21	Recommendations of Sub Committees - Campbell Town District Forum - CTWMO	The name of the sports precinct remains unchanged and is the "Campbell Town War Memorial Oval".	Executive & Comms Officer	Committee advised. Matter complete.
15/02/2021	040/21	Recommendations of Sub Committees - Campbell Town District Forum - Dual naming	The sign layout to make provision for future inclusion of the name, whilst approval is sought. - request to be progressed.	Executive & Comms Officer	Committee advised of process/timeframes. Matter complete.
15/02/2021	040/21	Recommendations of Sub Committees - Campbell Town District Forum - Invitation to State Growth	Invitation to State Growth to attend meeting re underpass and main street upgrade - The Forum's Secretary contact the Department of State Growth on behalf of the Committee and invite representatives to a future meeting.	Executive & Comms Officer	Invitation sent.
15/02/2021	040/21	Recommendations of Sub Committees - Longford Local District Committee - Safety issue, trucks entering Woolmers Lane from	Request Council to review this situation to make recommendations to improve the safety aspects at this intersection. - Further information is to be sought from the Committee regarding specific safety concerns.	Executive & Comms Officer	Further motion to Council.



# NORTHERN MIDLANDS COUNCIL

## AGENDA – ORDINARY MEETING

### 15 MARCH 2021

Date	Min. Ref.	Details	Action Required	Officer	Current Status
15/02/2021	040/21	Panshanger Road Recommendations of Sub Committees - Perth Local District Committee - Perth Bicentenary Committee	Request Council approach the Examiner and Country Courier to feature a story on Northern Midlands ALL towns celebrating their bicentenaries in 2021 and events planned for the communities to participate in the celebrations - Council Officers to investigate and liaise with the Committee	Executive & Comms Officer	Details provided, Committee to contact media direct.
15/02/2021	047/21	Perth Park Naming, Norfolk Street	That Council ... endorse the name Sheepwash Park.	Corporate Services Manager	Advice sent.

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

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

Resource Sharing Summary 1/7/20 to 30/6/21 As at 28/02/21	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	184.50	9,905.08
Street Sweeper - Plant Hire Hours	187.75	16,526.56
<b>Total Services Provided by NMC to Meander Valley Council</b>		<u>26,431.64</u>
<b>Service Provided by Meander Valley Council to NMC</b>		
<b>Wages and Oncosts</b>		
Plumbing Inspector Services	434.50	32,445.31
Engineering Services	2.00	129.00
<b>Total Service Provided by MVC to NMC</b>		<u>32,445.31</u>
<b>Net Income Flow</b>		<u>- 6,013.67</u>
<b>Total Net</b>		<u><u>- 6,013.67</u></u>
<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>	176	
	<u>179.83</u>	

## 13 VANDALISM

Prepared by: Jonathan Galbraith; Engineering Officer

Incident	Location	Estimated Cost of Damages		
		February 2021	Total 2020/21	February 2020
Graffiti and Victoria Square toilets	Longford	\$ 200		
<b>TOTAL COST VANDALISM</b>		<b>\$ 200</b>	<b>\$ 5,500</b>	<b>\$ 350</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 February as follows:

Session Venue	Date of Session	Attendance
Perth	11/2	5
	18/2	9



# NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 15 MARCH 2021

Session Venue	Date of Session	Attendance
	25/2	12
Campbell Town	12/2	2
	18/2	Nil attendance
	25/2	4

## 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 February as follows:

Session Venue	Date of Session	Attendance
Campbell Town	10/2	10
	17/2	13
	24/12	Not held due to public holiday
Longford	3/12	11
	10/12	12
	17/12	12
	25/12	Not held due to illness

## Northern Midlands Active Youth Program

The program is funded by Healthy Tasmania and has commenced in Campbell Town and Cressy. The Cressy program has had no attendees despite promotion by the school and Council. Campbell Town has also had low attendance numbers. The program will now be conducted during school lunch time rather than after school for the remainder of 2021. Attendance for the month of February as follows:

Session Venue	Date of Session	Attendance
Campbell Town	9/2	3
	16/2	5
	23/2	No attendance due to School Swimming Carnival

## Longford Skate Park League event

On 28 February the Skate Park League Competition was held at the Longford Skate Park. The event was a huge success with over 100 people attending and 27 competitors. The former Longford Skate Park Association donated prizes, giveaways, snacks and drinks to competitors and their families. Skate Park League received a number of thank you messages from local parents highlighting the importance and success of this event in regional areas.

## 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 2 MARCH 2021

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</b>			



# NORTHERN MIDLANDS COUNCIL

## AGENDA – ORDINARY MEETING

### 15 MARCH 2021

Strategic Plans By Location & Consultant	Start Date	Implementation Date	Current Status
Tennis/Multi-purpose courts			<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. Advised Jan 2021 application unsuccessful.</li> <li>Feb 2021: quotes being reviewed for the work.</li> </ul>
<b>CBD Urban Design and Traffic Management Strategy</b> (GHD) (Lange Design and Rare Innovation)	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>			
<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 with reviewed scope and cost accepted Feb 2021 – 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 with reviewed scope and cost accepted Feb 2021.</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>Changeroom upgrade and expansion completed Feb 2021.</li> <li>October 2020: Application submitted to Improving the Playing Field Grant Program for ground drainage works. Outcome unsuccessful.</li> </ul>





# NORTHERN MIDLANDS COUNCIL

## AGENDA – ORDINARY MEETING

### 15 MARCH 2021

Strategic Plans By Location & Consultant	Start Date	Implementation Date	Current Status
<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 for completion mid-2021</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> <li>DA submitted Feb 2021</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>
<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</li> </ul>



# NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 15 MARCH 2021

Strategic Plans By Location & Consultant	Start Date	Implementation Date	Current Status
			\$1,215,780). Application unsuccessful. • Application submitted December 2017 for Round Two Building Better Regions Fund: notified July 2018 unsuccessful. • Purchase of parcel of land for stormwater detention purpose.
<b>Municipal wide</b>			
<b>Integrated Priority Projects Plan</b> (Jacobs, Evergreen Lab)	Apr-20		• Consultancy Agreement signed June 2020. Draft report on agenda for Council Workshop in first quarter 2021.

## COMPLETED ACTION ITEMS FOR DELETION

Nil this month.

## 16 BICENTENARY PLANNING UPDATES

Prepared by: *Fiona Dewar, Tourism Officer*

### Ross

The Ross Bicentenary Committee are planning a series of events throughout the year.

- Feb – June: Education exhibition at the Tasmanian Wool Centre Museum called: It Takes a Village.
- 21 Feb: Bike Ride with Picnic Lunch
- 12-14 March: If These Halls Could Talk – Ten Days on the Island.
- 18 April: Bicentenary Ramble
- 8 May: Bush Feast
- 27 May – 10 June: Dressing the Trees Installation
- 2 June: formal ceremony at the Town Hall. Quilt unveiling. Visitors Book.
- June – Dec: Exhibition at the Tasmanian Wool Centre Museum, called: 20 Objects
- 14 August: A Night at the Pub. Pub talk with previous publicans
- 12 Sept: Ross Running Festival.
- Sept. Ross Village Green Official Opening.
- 29 – 31 Oct: Set In Stone | David Bleakley Art Exhibition and Auction
- 13 Nov: Remembrance Day Dance.
- 27 Nov: Open Gardens
- 4 – 5 Dec: Bicentenary Cricket Invitational.
- 31 Dec: New Year's Eve on the Green Village Fair

### Campbell Town

The Campbell Town Bicentenary Committee are planning a series of events throughout the year:

- Completed: 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 caroling.

### Perth





## NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 15 MARCH 2021

The Perth Bicentenary Committee are planning a series of events throughout the year:

- 25 Feb: Primary School Bicentenary Picnic
- 18 April: History Scavenger Hunt
- 29 May: Bonfire and Barbecue
- 21 Sept: Seniors High Tea
- 23 Oct: Perth Bicentenary Memorial Celebration.

### DECISION

Cr

That the information items be received.



# NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 15 MARCH 2021

## GOV 9 ABORIGINAL AND DUAL NAMING POLICY: INCLUSION OF PALAWA KANI NAME ON CAMPBELL TOWN ENTRANCE SIGNS

*Attachments: Section 1 – Page 137*

*Responsible Officer: Des Jennings, General Manager*

*Report prepared by: Amanda Bond, Executive Officer*

### 1 PURPOSE OF REPORT

The purpose of this report is to present to Council a policy for Aboriginal and dual naming for geographic features and places in the Northern Midlands.

### 2 INTRODUCTION/BACKGROUND

From time to time Council receives requests to make application for dual naming, to reflect the Aboriginal name for a feature or place within the municipality.

For example, the Ross Local District Committee have requested the dual naming of the Macquarie River to tinamirakuna / Macquarie River. This application has been submitted to the Place Names Advisory Panel.

The Campbell Town Bicentenary Indigenous Naming Sub Committee have written to Council requesting the *palawa kani* name *pantukina* be placed on the entrance signs to Campbell Town. They are not requesting dual naming of the town on accordance with the *Place Names Act 2020*.

### 3 STRATEGIC PLAN 2017-2027

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

- Place –
  - History – Preserve & Protect our Built Heritage for Tomorrow

### 4 POLICY IMPLICATIONS

The Tasmanian Government Department of Communities adopted an Aboriginal and Dual Naming Policy in 2012.

### 5 STATUTORY REQUIREMENTS

In Tasmania, the official naming of places is primarily the responsibility of the Place Names Advisory Panel which is regulated under the *Place Names Act 2020*.

Section 186 of the *Local Government Act 1993* states (emphasis added):

**186. Towns**

**(1) The Minister, at the request of a council and by order, may –**

- (a) create a town and establish its boundaries; and**
- (b) abolish a town; and**
- (c) adjust the boundaries of a town.**

**(2) The Minister, at the request of a council and on the recommendation of the Place Names Advisory Panel established by the Place Names Act 2020 and by order, may –**

- (a) assign a name to a town; or**
- (b) alter the name of a town.**



## NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 15 MARCH 2021

### 6 FINANCIAL IMPLICATIONS

There are no financial implications involved in the development of this policy.

If dual naming of a place occurred, replacement signage would be updated incrementally as maintenance budgets for signage allowed.

### 7 RISK ISSUES

It is recommended Council follow the policy developed by the Department of Communities to ensure there is no conflict in processes regarding dual naming, and to ensure that all of the requirements of that policy are met.

### 8 CONSULTATION WITH STATE GOVERNMENT

Dual naming of a place must be approved by the Place Names Advisory Panel which falls under the auspice of the Department of Primary Industries, Water and Environment.

### 9 COMMUNITY CONSULTATION

The Place Names Advisory Panel is required to advertise any proposed new or altered name for a period to enable public comment.

A proposal lodged with the Place Name Advisory Panel may be rejected if it does not show:

- Evidence that local Aboriginal communities have been consulted;
- Evidence that the affected landowners and relevant statutory entities have been consulted;
- If the proposal is to replace an existing official name, a description of the support, or lack of support, for the existing name.

### 10 OPTIONS FOR COUNCIL TO CONSIDER

To accept the Aboriginal and Dual Naming Policy, or not.

To consider the request of Campbell Town Bicentenary Indigenous Naming Sub Committee to have the name *pantukina* included on the entrance signs to Campbell Town.

### 11 OFFICER'S COMMENTS/CONCLUSION

In accordance with the Preamble in the Aboriginal and Dual Naming Policy:

*The names, which formed part of the multiple Aboriginal language groups that existed in Tasmania, signified the complex interlinked relationship between Tasmanian Aboriginal peoples and the land they lived on and cared for. The names were not arbitrary: they were integral to the places to which they were attached. They represented the deep practical and spiritual connection between people and place, and helped to communicate important cultural information between difference groups and across generations.*

It is not recommended Council pursue a policy to dual name towns or streets within the municipality as this is contrary to the foundation of Aboriginal place naming. Prior to agreeing to update signage with a *palawa kani* name, it is recommended Council write to the Tasmanian Aboriginal Centre seeking its approval of the suggestion.



## NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 15 MARCH 2021

### 12 ATTACHMENTS

- 12.1 Draft Aboriginal and Dual Naming Policy
- 12.2 Department of Communities Tasmania, Aboriginal and Dual Naming Policy
- 12.3 Request from Campbell Town Bicentenary Indigenous Naming Sub Committee

### RECOMMENDATION

That Council

- i) adopt the Aboriginal and Dual Naming Policy.

And

- ii) writes to the Tasmanian Aboriginal Centre seeking comment on amending the entrance signs to Campbell Town to display the *palawa kani* name *pantukina*.

### DECISION

Cr



# NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 15 MARCH 2021

## **GOV 10 AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION (ALGA): 2021 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT CALL FOR MOTIONS**

*Attachments: Section 1 – Page 147*

*Responsible Officer: Des Jennings, General Manager  
Report prepared by: Amanda Bond, Executive Officer*

### **1 PURPOSE OF REPORT**

The purpose of this report is to determine any notices of motion to be submitted at the 2021 National General Assembly of Local Government held in Canberra on 20-23 June. The theme of the 2021 conference is 'Working Together for our Communities'.

### **2 INTRODUCTION/BACKGROUND**

Convened annually by the Australian Local Government Association (ALGA), the National General Assembly (NGA) of Local Government is the peak annual event for Local Government. The event provides a unique opportunity for Local Government to engage directly with the Federal Government, to develop national policy and to influence the future direction of councils and our communities.

Each year, the Australian Local Government Association (ALGA) writes to Councils inviting them to participate in that year's National General Assembly (NGA) by submitting a notice of motion.

To be eligible for inclusion in the NGA Business Papers, and subsequent debate on the floor of the NGA, motions must meet the following criteria:

- be relevant to the work of local government nationally
- be consistent with the themes of the NGA
- complement or build on the policy objectives of your state and territory local government association
- be submitted by a council which is a financial member of their state or territory local government association
- propose a clear action and outcome
- not be advanced on behalf of external third parties that may seek to use the NGA to apply pressure to Board members or to gain national political exposure for positions that are not directly relevant to the work of, or in the national interests of, local government.

Motions should generally be in a form that seeks the NGA's support for a particular action or policy change at the Federal level which will assist local governments to meet local community needs. For example: That this National General Assembly call on the Federal Government to restore funding for local government financial assistance grants to a level equal to at least 1% of Commonwealth taxation revenue.

All motions require, among other things, a contact officer, a clear national objective, a summary of the key arguments in support of the motion, and endorsement of council. Motions should be lodged electronically to be received no later than 11:59pm on Friday 26 March 2021.

It should be noted: *All motions submitted will be reviewed by the ALGA Board's NGA Sub-Committee as well as by state and territory local government associations to determine their eligibility for inclusion in the NGA Business Papers. When reviewing motions, the Sub-Committee considers the importance and relevance of the issue to local government. Please note that motions should not be prescriptive in directing how the matter should be pursued. With the agreement of the relevant council, motions may be edited before inclusion in the NGA Business Papers to ensure consistency. If there are any questions about the substance or intent of a motion, ALGA will raise these with the nominated contact officer. Any motion*



# NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 15 MARCH 2021

*deemed to be primarily concerned with local or state issues will be referred to the relevant state or territory local government association, and will not be included in the NGA Business Papers.*

The attached discussion paper provides guidance to councils developing Motions for Debate at the 2021 National General Assembly.

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

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

- Lead –
  - Leaders with ImpactCore Strategies:
  - ♦ Lead – Councillors represent honestly with integrity
- People –
  - Sense of Place – Sustain, Protect, Progress
  - Lifestyle – Strong, Vibrant, Safe and Connected Communities
- Place –
  - Environment – Cherish & Sustain our Landscapes

## **4 POLICY IMPLICATIONS**

No policy implications have been identified.

## **5 STATUTORY REQUIREMENTS**

No statutory requirements apply.

## **6 FINANCIAL IMPLICATIONS**

There is no fee to submit a motion.

## **7 RISK ISSUES**

Motions submitted should be in accordance with the criteria set by the Australian Local Government Association to avoid being refused.

## **8 CONSULTATION WITH STATE GOVERNMENT**

Not applicable.

## **9 COMMUNITY CONSULTATION**

Not applicable.

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

To determine, if any, the motion/motions to be submitted to the Australian Local Government Association National General Assembly 2021.

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

The attached discussion paper fully details requirements for submission of a motion to the National General Assembly.



## NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 15 MARCH 2021

It is suggested by the General Manager that consideration be given to seeking the expansion of Regional Deals in the country. A pilot program to develop Regional Deals has been established on the back of the success of the federal government's City Deals program. To date three Regional Deals have been established and scope has not been identified for future Regional Deals. It is suggested the National General Assembly lobby the Federal Government to expand the scope for future Regional Deals. Further background information is provided in the attached draft Notice of Motion and City Deals information sheet.

It was requested by Councillor Polley that consideration be given to a motion restricting international access to Australia to one or two entry points for the entire country. Further information is provided in the attached draft Notice of Motion.

### **12 ATTACHMENTS**

- 12.1 Discussion Paper – Working Together For Our Communities NGA21
- 12.2 Draft Notice of Motion – Regional Deals
- 12.3 City Deals Information Sheet
- 12.4 Draft Notice of Motion – Entry Points from Overseas

### **RECOMMENDATION**

That Council submit the following notices of motion to the Australian Local Government Association National General Assembly 2021:

- i) This National General Assembly calls on the Australian Government to consider the implementation of additional Regional Deals throughout the country.

And

- ii) This National General Assembly calls on the Australian Government to restrict entry points into Australia from overseas to two locations to help stop the spread of COVID-19.

### **DECISION**

Cr



# NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 15 MARCH 2021

## GOV 11 LOCAL GOVERNMENT ASSOCIATION OF TASMANIA (LGAT) – MOTIONS FOR THE GENERAL MEETING: 5 AUGUST 2021

*Attachments: Section 1 – Page 164*

*Responsible Officer: Des Jennings, General Manager*

*Report prepared by: Gail Eacher, Executive Assistant*

### 1 PURPOSE OF REPORT

The purpose of this report is to advise that Council has received formal notice from the Local Government Association of Tasmania (LGAT) of

- the Annual General Meeting to be held on Wednesday, 30 June 2021 via Zoom; and
- the General Meeting to be held at Wrest Point Casino in Hobart on Thursday, 5 August 2021, prior to the LGAT Conference scheduled for 5 and 6 August.

### 2 INTRODUCTION/BACKGROUND

Council has received formal notice that the Annual General Meeting of the Local Government Association of Tasmania (LGAT) to be held on Wednesday, 30 June 2021 via Zoom; and the General Meeting to be held at Wrest Point Casino in Hobart on Thursday, 5 August 2021, prior to the LGAT Conference scheduled for 5 and 6 August.

Councils are invited to submit motions on matters connected with the objectives of the Association or of common concern to members for inclusion in the General Meeting Agenda.

It is planned to distribute the agenda on Thursday, 8 July 2021 and motions will need to be received at the Association's offices by no later than close of business, Friday, 7 May 2021. This lead time will ensure relevant matters can be forwarded to the State Government for comment in accordance with past practice. The responses from State Government will then be included with the agenda to provide councils with a full briefing of the issues to be considered.

Councils are reminded that opportunities are available at every General Meeting of the Association to submit motions for deliberation but note that State Government comment is not sought in advance for other meetings. Additionally, for any meeting, Members may submit items for Topical Discussion.

It should be noted that detailed background comments are important in terms of ensuring there is an understanding by the reader of what is being sought. If possible, the motion should make clear either the action being asked of the Association or the policy position that the mover would like the sector to take. There should be consideration of how the motion aligns with the Association's strategic plan.

The Rules of the Association do not provide for the preparation of a Supplementary Agenda.

### 3 STRATEGIC PLAN

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

- Lead –
  - Leaders with Impact
- Core Strategies:
  - ♦ Lead – Councillors represent honestly with integrity
  - Represent the concerns of the community.





## NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 15 MARCH 2021

### **4 POLICY IMPLICATIONS**

N/a

### **5 STATUTORY REQUIREMENTS**

There is no requirement to submit a motion/s.

### **6 FINANCIAL IMPLICATIONS**

N/a

### **7 RISK ISSUES**

N/a

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

Councils are reminded that opportunities are available at every General Meeting of the Association to submit motions for deliberation but note that State Government comment is not sought in advance for other meetings.

### **9 COMMUNITY CONSULTATION**

N/a

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

Council may wish to consider motions to be submitted for inclusion in the Agenda of the General Meeting.

### **11 OFFICER'S COMMENTS**

A list of motions tabled at LGAT General Meetings by Northern Midlands Council in the past is attached for reference.

### **12 ATTACHMENTS**

12.1 List of motions tabled at previous LGAT general meetings

### **RECOMMENDATION**

That Council

- A) receive the report, and
- B) list the following matters for consideration at the LGAT General Meeting to be held on 5 August 2021:
  - i) ...
  - ii) ...

### DECISION

Cr



# NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 15 MARCH 2021

## GOV 12 AVOCA PRIMARY SCHOOL

Responsible Officer: Des Jennings, General Manager

Report prepared by: Des Jennings, General Manager

### 1 PURPOSE OF REPORT

The purpose of the report is for Council to consider whether it is interested in accepting ownership of the vacant Avoca Primary School property for ongoing community purposes.

### 2 INTRODUCTION/BACKGROUND

The Avoca Primary School closed in late 2019. The Education Department has approached Council advising of two options available regarding its disposal. These options include:

- Sale on the open market; or
- Transfer to Council for ongoing community purposes.

Initially, the YMCA Launceston informally approached Council's Mayor and the Education Department seeking access to the site for community purposes. A formal submission in this regard has been received by Council.

On 27 April 2020 (min. ref. 109/20) a report was tabled in open Council to consider the formal submission received. The following was the decision of Council at that time:

*That Council defer a decision on this matter subject to further information being available, with a further report to Council.*

A report was tabled in Closed Council on 29 June 2020, which provided details relating to the condition and ongoing maintenance requirements of the property. At which time the following was the decision of Council:

*That Council*

- A) *request a Business Plan from the YMCA;*
- B) *Officers hold further discussions with the YMCA Launceston to confirm their intent for the property and request a presentation be made to a Council workshop;*
- C) *Officers report back to Council; and*
- D) *in relation to this matter:*
  - i) *considered whether any discussion, decision, report or document is kept confidential or released to the public;*
  - and*
  - ii) *determined to release the decision to the public.*

Following further discussion with the YMCA, Council received a copy of a letter dated 20 August 2020 from Jodie Johnson, CEO (addressed to the Department of Education). The content of the letter is as follows:

*The YMCA of Launceston remains interested in engaging with the Northern Midlands community with the proposal for Avoca Primary School. I have also been considering activities in Campbell Town after we have received numerous positive feedback from the surveys recently mailed out.*

*However, in light of COVID and the factors arising from this we will not be able to provide the Northern Midlands Council with the business case for our proposal by the end of August 2020 as requested.*

*During our recent Board meeting Avoca was discussed at length and it was resolved that we need to postpone this project for a minimum of six months. We understand that this may cause the Education Department and Northern Midlands Council to reconsider your options, but please know we are still very keen and enthused to continue with our intended proposal and hope you can see fit for us to do so and allow us the extended time we need.*

Council officers consequently contacted Ms Johnson re the proposed attendance of the YMCA and presentation at a



## NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 15 MARCH 2021

Council workshop. Ms Johnson advised that a business case would not be able to be completed in the short term, and the earliest possible date likely to present would be at the workshop in February 2021.

In early 2021 the YMCA advised Council that the matter had been included on the Agenda for their Board Meeting to be held on 15 February 2021, and that advice would be provided following that meeting.

On 16 February 2021, the YMCA sent the following letter to Todd Williams (Director, Facility Services Department of Education), Council's Mayor and Council:

*Firstly I would like to thank you all for your continue support and patience regarding our proposal for Avoca Primary School.*

*At the Board of Directors meeting held last night it was resolved that we are not in a good position at this time to continue. With COVID and other matters arising the need to rebuild our current operations and growth is requiring our full attention at this time. Therefore, it is with much regret we decline the offer to commence further with the Avoca Primary School project.*

*It is the YMCA's intention to provide programming for the Northern Midlands residents later this year, especially in Campbell Town; Longford, Cressy & Avoca which a need has been identified. In December 2020 we wrote to the many residents indicating this who took part in our initial survey.*

*I believe the Avoca Primary School holds many opportunities for the right group to develop and I wish all well with this. If a sale does not go ahead and further down the track the opportunity arise, please consider the Y as a continued interested party.*

*Once again on behalf of the Y, I thank you for the opportunity.*

### 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
  - Money Matters  
Core Strategies:
    - ♦ Budgets are responsible yet innovative
  - Best Business Practice & Compliance  
Core Strategies:
    - ♦ Effective and efficient marketing, communications & IT
  - Workforce Standards  
Core Strategies:
    - ♦ People & Culture Framework generates professionalism
    - ♦ Workplace Health & Safety is fully compliant
    - ♦ Emergency Management & Safety Plans work well
- Progress –
  - Strategic Project Delivery – Build Capacity for a Healthy Wealthy Future  
Core Strategies:
    - ♦ Proactive engagement drives new enterprise
    - ♦ Collaborative partnerships attract key industries
    - ♦ Attract healthy, wealth-producing business & industry
  - Economic Development – Supporting Growth & Changes
    - ♦ Towns are enviable places to visit, live & work
    - ♦ Minimise industrial environment impact on amenity
- Place –
  - Environment – Cherish & Sustain our Landscapes  
Core Strategies:



## NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 15 MARCH 2021

- ♦ Meet environmental challenges

### 4 POLICY IMPLICATIONS

Creating a precedent where Council accepts significant State-owned assets that present a cost burden on the community.

### 5 STATUTORY REQUIREMENTS

N/a.

### 6 FINANCIAL IMPLICATIONS

Annual cost estimates:

- Building maintenance estimate say \$10,000 - \$15,000  
(with additional capital works undertaken every 5 years, i.e. painting, etc.)
- Grounds maintenance estimate say \$20,000

In addition, scheduled periodic maintenance of the weather board cladding would be required.

### 7 RISK ISSUES

A number of risks have been identified and include:

- Council accepting the cost of maintaining and renewal costs relating to a significant asset.
- The loss of services to the community that would be provided by YMCA Launceston if Council were not to accept ownership of the property.
- The risk that the Business Plan of the YMCA Launceston fails; and Council has no other identified opportunities for the utilisation of the site.

### 8 CONSULTATION WITH STATE GOVERNMENT

N/a.

### 9 COMMUNITY CONSULTATION

N/a.

### 10 OPTIONS FOR COUNCIL TO CONSIDER

Options include:

- agree or not agree to accept ownership of the property
- investigate the location of a Council owned /operated site for the Avoca Waste Transfer Station on a portion of this site.

### 11 OFFICER'S COMMENTS/CONCLUSION

As confirmed earlier in the report Launceston YMCS have advised that they have withdrawn their interest in the site.

Due to the ongoing maintenance costs associated with the site and no known use at this time, it is recommended that Council advise the education Department that Council does not wish to pursue the transfer of the former Avoca Primary School property.



# NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 15 MARCH 2021

## 12 ATTACHMENTS

N/a.

## RECOMMENDATION

That Council advise the Education Department that they do not wish to pursue the transfer of the former Avoca Primary School property to Council's ownership.

## DECISION

Cr



# NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 15 MARCH 2021

## GOV 13 POLICY REVIEW: WORK HEALTH & SAFETY

*Attachments: Section 1 – Page 168*

Responsible Officer: Des Jennings, General Manager  
Report prepared by: Sam Dhillon, People & Culture Business Partner

### 1 PURPOSE OF REPORT

The purpose of this report is to seek Council approval of the updates to the following policies:

- Work Health & Safety

### 2 INTRODUCTION/BACKGROUND

A recent review of the policy has resulted in the following amendments

- Inserted: Red Font, Highlighted in Yellow
- Deleted: Red Font, Strikethrough, Highlighted in Yellow

Minor amendments made are listed below:

- **Councillors Allowances, Travelling and Other Expenses**
  - Amended Date:  
Reviewed 15 March 2021 – Min. No. ....
  - Applicable Legislation:  
Inclusion of:  
Emergency Management Act 2006 (TAS)  
Emergency Management Amendment Act 2018 (TAS)
  - Review Cycle/Date:  
Next review 2020 2023.
  - 1) Authority & Application  
Inclusion of:  
Hygiene Policy

### 3 STRATEGIC PLAN 2007/2017

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
  - Best Business Practice & Compliance  
Core Strategies:
    - ♦ Council complies with all Government legislation
    - ♦ Continuous improvement is embedded in staff culture
  - Workforce Standards  
Core Strategies:
    - ♦ People & Culture Framework generates professionalism



# NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 15 MARCH 2021

- ♦ Workplace Health & Safety is fully compliant
- ♦ Emergency Management & Safety Plans work well

## **4 POLICY IMPLICATIONS**

Regular review of Policies is important to ensure they remain current and correspond with any legislative changes.

## **5 STATUTORY REQUIREMENTS**

N/A

## **6 FINANCIAL IMPLICATIONS**

As per policy provisions.

## **7 RISK ISSUES**

It is important for Council to set out its guidelines for the provision of services within the municipality.

## **8 CONSULTATION WITH STATE GOVERNMENT**

N/A

## **9 COMMUNITY CONSULTATION**

N/A

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

Council can accept/reject the amended policies as circulated.

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

That Council consider the amendments to the policies.

## **12 ATTACHMENTS**

12.1 Work Health & Safety Policy

12.2 Work Health & Safety Policy (Human Resources Policies & Procedures)

## **RECOMMENDATION**

That Council endorse the amendments to the Work Health and Safety Policy

## DECISION

Cr



# NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 15 MARCH 2021

## **GOV 14 NORTHERN TASMANIA DEVELOPMENT CORPORATION LTD (NTDC): REGIONAL COLLABORATION FRAMEWORK ENDORSEMENT**

*Attachments: Section 1 – Page 179*

*Responsible Officer: Des Jennings, General Manager*

*Report prepared by: Des Jennings, General Manager*

### **1 PURPOSE OF REPORT**

To seek Council's endorsement of the proposed Regional Collaboration Framework and participate in any formation of a regional position.

### **2 INTRODUCTION/BACKGROUND**

The collaboration framework aims for Northern Tasmanian stakeholders and civic leaders to work together and with one voice for the greater good of the region and to put forward projects and policy suggestions it sees as integral for its future.

The collaboration framework will provide the mechanism for Northern Tasmanian stakeholders and the community to bring ideas forward for debate and to provide an understanding of regional priorities ahead of crucial junctures such as State and Federal elections.

The CEO of Northern Tasmania Development Corporation Ltd (NTDC) presented to Council at the 19 October 2020 Council Workshop prior to the Council Meeting held on that day.

### **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
  - Money Matters  
Core Strategies:
    - ♦ Budgets are responsible yet innovative
    - ♦ Efficiency in resource sharing and Council reform
    - ♦ Improve community assets responsibly and sustainably
  - Best Business Practice & Compliance  
Core Strategies:
    - ♦ Council complies with all Government legislation
    - ♦ Continuous improvement is embedded in staff culture
    - ♦ Effective and efficient marketing, communications & IT
    - ♦ Excellent standards of customer service
- Progress –
  - Strategic Project Delivery – Build Capacity for a Healthy Wealthy Future  
Core Strategies:
    - ♦ Strategic, sustainable, infrastructure is progressive
    - ♦ Proactive engagement drives new enterprise
    - ♦ Collaborative partnerships attract key industries





# NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 15 MARCH 2021

- ♦ Attract healthy, wealth-producing business & industry
- Economic Development – Supporting Growth & Changes
  - ♦ New & expanded small business is valued
  - ♦ Support new businesses to grow capacity & service
  - ♦ Towns are enviable places to visit, live & work
  - ♦ Minimise industrial environment impact on amenity
  - ♦ Developers address climate change challenges
  - ♦ Maximise external funding opportunity
- 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:
    - ♦ Planning benchmarks achieve desirable development
    - ♦ 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

## 4 POLICY IMPLICATIONS

N/a

## 5 STATUTORY REQUIREMENTS

N/a

## 6 FINANCIAL IMPLICATIONS

N/a

## 7 RISK ISSUES

If Council does not participate it risks not contributing to the one voice that represents the greater good of the region and to support projects and policy that are integral to its future.

## 8 CONSULTATION WITH STATE GOVERNMENT

N/a

## 9 COMMUNITY CONSULTATION

N/a



## NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 15 MARCH 2021

### 10 OPTIONS FOR COUNCIL TO CONSIDER

That Council agree or not agree to endorse the proposed Regional Collaboration Framework.

### 11 OFFICER'S COMMENTS/CONCLUSION

The concept of a Regional Collaboration Framework began to be discussed after the 2018 State Election and started to solidify after the 2019 Federal Election. It was based on feedback from political parties that what Northern Tasmania wanted as a region was unclear; that different voices, stakeholders and interest groups were arguing for different projects and policies without a unified voice, making it hard for political parties to pick winners.

The RCF concept came from the Launceston Chamber of Commerce and was worked into a draft form by Regional Development Australia - Tasmania before being passed to Northern Tasmania Development Corporation to pursue. A working group of representatives from local government Mayors and management, Northern Tasmania Development Corporation, Regional Development Australia - Tasmania, Launceston Chamber of Commerce and the not-for-profit sector have been developing the collaboration framework for the past few months.

It is at the stage where the working group feels it is ready to be shared with political and community leaders before it seeks to socialise it further with Northern Tasmanian stakeholders and the broader community .

The CEO of NTDC has provided the following as the case for a Regional Collaboration Framework:

*Councils and other stakeholders have known for a long time that economic development is only achievable through alliance and collaboration. At its heart, the collaboration framework aims for Northern Tasmanian stakeholders and civic leaders to work together and with one voice for the greater good of the region and put forward projects and policy suggestions it sees as integral for its future.*

*Northern Tasmania has a cohesive civic leadership, but we need to leverage that goodwill and good leadership into long-term, sustainable economic development energy. This alignment is only achievable through organised collaboration.*

*The collaboration framework will provide the mechanism for Northern Tasmanian stakeholders and the community to bring ideas forward for debate and to provide an understanding of regional priorities ahead of crucial junctures such as state and federal elections.*

*A regional collaboration framework will formalise and organize a process that in the past has been informal and ad hoc. A Regional Collaboration Framework will provide the mechanism for Northern Tasmanian stakeholders to bring ideas forward for debate and decide on regional priorities ahead of crucial junctures.*

*The window of opportunity is wide open before us with both a Federal and State election due in 2022.*

- *State election about March 2022 {Can go anytime or as late as May}*
- *Federal election about May 2022 {Can go anytime or as late as September}*
- *Senator from each party up - Wendy Askew (Lib) Peter Whish-Wilson (Green), Helen Polley (ALP), Eric Abetz (Lib), Anne Urquhart (ALP) and Jonathan Duniam (Lib)*
- *3 of those 6 in the current government in Eric Abetz, Wendy Askew and Jonathan Duniam*
- *Three out of 6 senators from our region in Wendy Askew, Peter Whish-Wilson and Helen Polley*
- *Upper House elections in Rosevears in 2020, Windermere in 2021, McIntyre in 2022 and Launceston in 2023.*

*That is an immense opportunity and make no mistake, both levels of government are already well into their planning and asking interest groups what the region needs and wants.*

*The deep and wide-ranging impacts of COV/0-19 have given accelerated impetus to a Regional Collaboration Framework - if we cannot come together now, in the midst of the biggest economic disaster of our time, when will we ever?*

*If the Regional Collaboration Framework succeeds, and it must, it will be both a roadmap and beacon for our future prosperity.*

*Proposed timeline*



## NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 15 MARCH 2021

- **June-August 2020:** Establish Regional Collaboration Framework and identify stakeholders.
- **October-December 2020:** Stakeholders provide feedback and endorse Regional Collaboration Framework.
- **January-March 2021:** Stakeholders identify their strategic priorities and share with wider collaboration.
- **April-June 2021:** Symposium for sharing and agreeing to regional priorities.
- **July- September 2021:** Socialising and lobbying for those regional priorities.
- **October-December 2021:** Review progress and traction of Regional Collaboration Framework.
- **January-March 2022:** Regional Collaboration forum with Premier candidates ahead of state election.
- **April-June 2022:** Community forum with Premier candidates ahead of state election .
- **January-March 2022:** Regional Collaboration forum with major party Bass and Lyons candidates ahead of federal election.
- **April-June 2022:** Community forum with major party Bass and Lyons candidates ahead of federal election.
- **October-December 2022:** Review progress and celebrate wins.

The Regional Collaboration Framework provides a mechanism which facilitates a united voice for the northern region on matters of regional importance.

### 12 ATTACHMENTS

#### 12.1 NTDC Regional Collaboration Framework presentation

### RECOMMENDATION

That Council endorse the proposed Regional Collaboration Framework and participates in any formation of a regional position.

### DECISION

Cr



# NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 15 MARCH 2021

## GOV 15 COUNCILLOR ATTENDANCE AT ANZAC DAY SERVICES

Responsible Officer: Des Jennings, General Manager

Report prepared by: Gail Eacher, Executive Assistant

### 1 PURPOSE OF REPORT

The purpose of this report is to determine Councillor representation for each township for the 2021 ANZAC Day schedule of services in the event that they are held.

### 2 INTRODUCTION/BACKGROUND

Observed on the 25 April each year, ANZAC Day is a national day of remembrance which honors the members of the Australian and New Zealand Army Corps who fought at Gallipoli in World War One, and broadly commemorates all Australians and New Zealanders who served and died in all wars, conflicts, and peacekeeping operations.

In 2020 the majority of ANZAC Day commemoration events were cancelled due to COVID-19.

Confirmation is yet to be provided that the following ANZAC Day services will be held Sunday, 25 April 2021:

Location	Organising Committee	Service time/s	
Campbell Town Cenotaph	Campbell Town ANZAC Committee	6:00am	*11:00am
Evandale Cenotaph	Evandale History Society	6:00am	*11:00am
Longford Cenotaph	Longford RSL	6:00am	*11:00am
Ross Cenotaph	Ross RSL	6:00am	*11:00am
Cressy Cenotaph	Northern Midlands RSL	*9:00am	
Perth Cenotaph	Northern Midlands RSL	*9:00am	
Bishopsbourne Cenotaph	Bishopsbourne Community Centre	*9:00am	
Avoca Cenotaph	Northern Midlands RSL	*11:00am	

*\*Denotes ceremony where wreath is laid by Council.*

The Northern Midlands Council will again provide traffic management for each ceremony should they be held.

### 3 STRATEGIC PLAN 2007/2017

The Strategic Plan 2007/2017 provides the guidelines within which Council operates. The following goals have relevance to this issue:

- Lead –
  - Leaders with Impact
- Core Strategies:
  - ♦ Communicate – Connect with the community

### 4 POLICY IMPLICATIONS

N/A

### 5 STATUTORY REQUIREMENTS

Road closures must be completed in accordance with legislative and Australian standard requirements.

### 6 FINANCIAL IMPLICATIONS

Each year, the Northern Midlands Council fund the traffic management for the ANZAC Day Services across the municipality.



## NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 15 MARCH 2021

Council's Engineering Officer and Tourism Officer are currently making enquiries as to the traffic management requirements for the services.

In 2019 the ANZAC Day traffic management cost \$15,890 (GST inclusive).

### **7 RISK ISSUES**

A risk is presented when implementing a road closure. Engagement of qualified traffic management operators to implement traffic management is required to mitigate the risk.

Tasmania Police have not as yet been in contact with Council for details of all ceremonies and parades in 2021 for their records.

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

N/A

### **9 COMMUNITY CONSULTATION**

N/A

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

Council to consider which ceremonies will be attended, ensuring each township has Councillor representation.

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

N/A

### **12 ATTACHMENTS**

N/A

### **RECOMMENDATION**

That

- i) Council receive the report.
- ii) Councillors to nominate which ceremony they will attend:

Councillor	Attendance
Mayor Mary Knowles	
Deputy Mayor Richard Goss	
Cr Janet Lambert	
Cr Andrew Calvert	
Cr Dick Adams	
Cr Ian Goninon	
Cr Michael Polley	
Cr Matthew Brooks	
Cr Jan Davis	

### **DECISION**

Cr



# NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 15 MARCH 2021

## GOV 16 PUBLIC INTEREST DISCLOSURE PROCEDURES

*Attachments: Section 1 – Page 197*

Responsible Officer: Des Jennings, General Manager  
Report prepared by: Amanda Bond, Executive Officer

### 1 PURPOSE OF REPORT

The purpose of this report is for Council to endorse updated procedures for reporting disclosures of improper conduct or detrimental action in accordance with the *Public Interest Disclosures Act 2002*.

### 2 INTRODUCTION/BACKGROUND

The purpose of the *Public Interest Disclosures Act 2002* is to:

- encourage and facilitate disclosures of improper conduct by public officers and public bodies;
- protect persons making those disclosures, and others, from detrimental action;
- provide for the matters disclosed to be properly investigated and dealt with; and
- provide all parties involved in the disclosures with natural justice.

Pursuant to section 60 of the *Public Interest Disclosures Act 2002* Council is required to develop a set of procedures to establish a system for reporting disclosures. The procedures must be approved by the Ombudsman and must be reviewed every three years. A review of Council's current procedures was due in 2020, however, this was not progressed as the Ombudsman was also updating his model procedures and advice was for Council to wait until the model procedures were finalised prior to progressing a review.

The Ombudsman has developed a set of model Public Interest Disclosure Procedures. The Ombudsman updated those procedures in November 2020, and Council was required to submit its revised draft procedures by 26 February 2021. Contact has been made with the office of the Ombudsman to advise a report is being presented to the March 2021 Council meeting and the draft procedures will be submitted to the Ombudsman as soon as possible following the meeting.

The revised Northern Midlands Council Procedures attached to this report have been adopted directly from the revised Model Procedures developed by the Ombudsman, current as at November 2021.

### 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
    - ♦ Continuous improvement is embedded in staff culture
    - ♦ Effective and efficient marketing, communications & IT
    - ♦ Excellent standards of customer service
  - Workforce Standards  
Core Strategies:
    - ♦ People & Culture Framework generates professionalism
    - ♦ Workplace Health & Safety is fully compliant
    - ♦ Emergency Management & Safety Plans work well
- Progress –
  - Strategic Project Delivery – Build Capacity for a Healthy Wealthy Future  
Core Strategies:



# NORTHERN MIDLANDS COUNCIL

## AGENDA – ORDINARY MEETING

### 15 MARCH 2021

- ♦ Strategic, sustainable, infrastructure is progressive
- ♦ Proactive engagement drives new enterprise
- ♦ Collaborative partnerships attract key industries
- ♦ Attract healthy, wealth-producing business & industry
- Economic Development – Supporting Growth & Changes
  - ♦ New & expanded small business is valued
  - ♦ Support new businesses to grow capacity & service
  - ♦ Towns are enviable places to visit, live & work

#### 4 POLICY IMPLICATIONS

The attached email from the Ombudsman recommends Council adopt a whistleblowing policy. Officers are currently investigating the development of such policy.

#### 5 STATUTORY REQUIREMENTS

It is a legislative requirement that Council adopt Public Interest Disclosure Procedures. The governing legislation is the *Public Interest Disclosures Act 2002*.

#### 6 FINANCIAL IMPLICATIONS

There are no financial implications identified with adopting the model procedures.

#### 7 RISK ISSUES

If Council does not review its procedures and submit to the Ombudsman it will be in breach of the *Public Interest Disclosures Act 2002*.

#### 8 CONSULTATION WITH STATE GOVERNMENT

The Public Interest Disclosure Procedures have been adopted from the Model Procedures prepared by the Ombudsman.

#### 9 COMMUNITY CONSULTATION

Feedback was obtained by the Ombudsman from public bodies during the 2020 review and amendment of the Model Procedures.

#### 10 OPTIONS FOR COUNCIL TO CONSIDER

To adopt the revised Public Interest Disclosure Procedures or not.

#### 11 OFFICER'S COMMENTS/CONCLUSION

Council has been using the model Public Interest Disclosure Procedures prepared by the Ombudsman, since 2014.

#### 12 ATTACHMENTS

- 12.1 Email from the Ombudsman dated 27 November 2020
- 12.2 Draft Public Interest Disclosure Procedures

#### RECOMMENDATION

That Council adopt the Public Interest Disclosure Procedures as drafted and submit to the Ombudsman for approval.

#### DECISION

Cr



# NORTHERN MIDLANDS COUNCIL

## AGENDA – ORDINARY MEETING

### 15 MARCH 2021

## C&D 1 MONTHLY REPORT: DEVELOPMENT SERVICES

Responsible Officer: Des Jennings, General Manager

### 1 PURPOSE OF REPORT

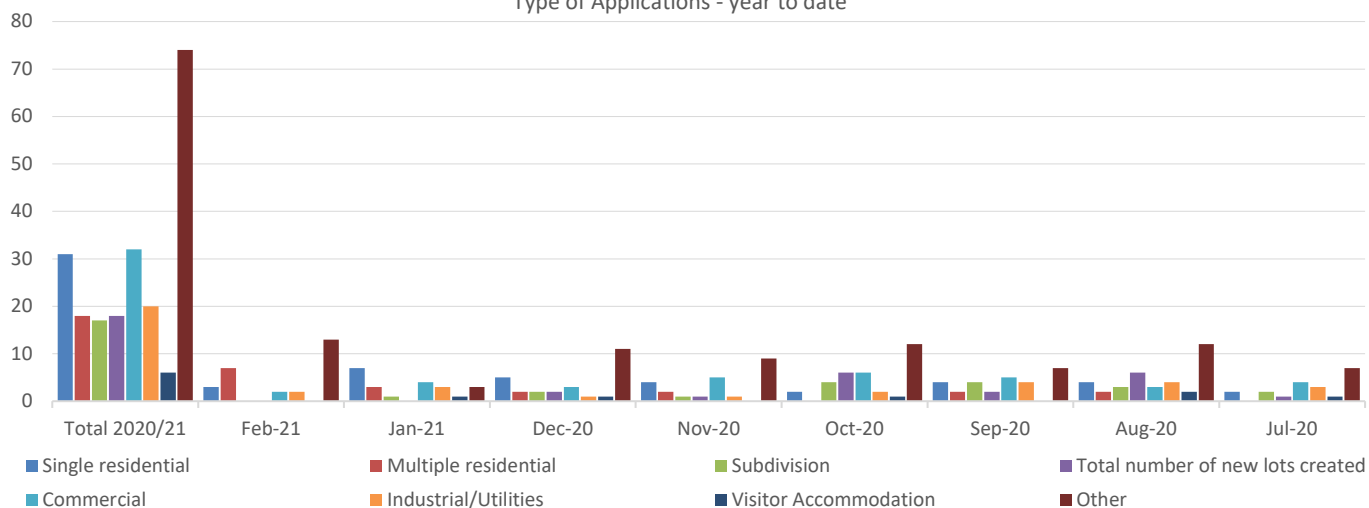
The purpose of this report is to present the Development Services activities as at the month end.

### 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	147	21	11	19	18	7	18	27	26				
Single residential	31	2	4	4	2	4	5	7	3				
Multiple residential	18	0	2	2	0	2	2	3	7				
Subdivision	17	2	3	4	4	1	2	1	0				
Total number of new lots created	18	1	6	2	6	1	2	0	0				
Commercial	32	4	3	5	6	5	3	4	2				
Industrial/Utilities	20	3	4	4	2	1	1	3	2				
Visitor Accommodation	6	1	2	0	1	0	1	1	0				
Total permitted	0	0	0	0	0	0	0	0	0				
Total discretionary	6	1	2	0	1	0	1	1	0				
Other	74	7	12	7	12	9	11	3	13				
Total number of applications approved	190	19	29	25	26	22	26	21	22				
Total Permitted	20	3	6	5	0	2	1	2	1				
Average Days for Permitted	25	25	26	29	-	24	17	29	29				
Days allowed for approval by LUPAA	28	28	28	28	28	28	28	28	28	28	28	28	28
Total Exempt under IPS	62	8	5	4	8	17	13	4	3				
Total Refused	4	0	0	3	1	0	0	0	0				
Total Discretionary	170	16	23	20	26	20	25	19	21				
Average Days for Discretionary	40	38	42	40	39	42	35	42	40				
Days allowed for approval under LUPAA	42	42	42	42	42	42	42	42	42	42	42	42	42
Total Withdrawn	11	0	0	4	1	3	0	1	2				
Council Decisions	24	2	0	7	4	3	3	3	2				
Appeals lodged by the Applicant	4	0	0	0	1	1	1	1	0				
Appeals lodged by third party	0	0	0	0	0	0	0	0	26				

Type of Applications - year to date

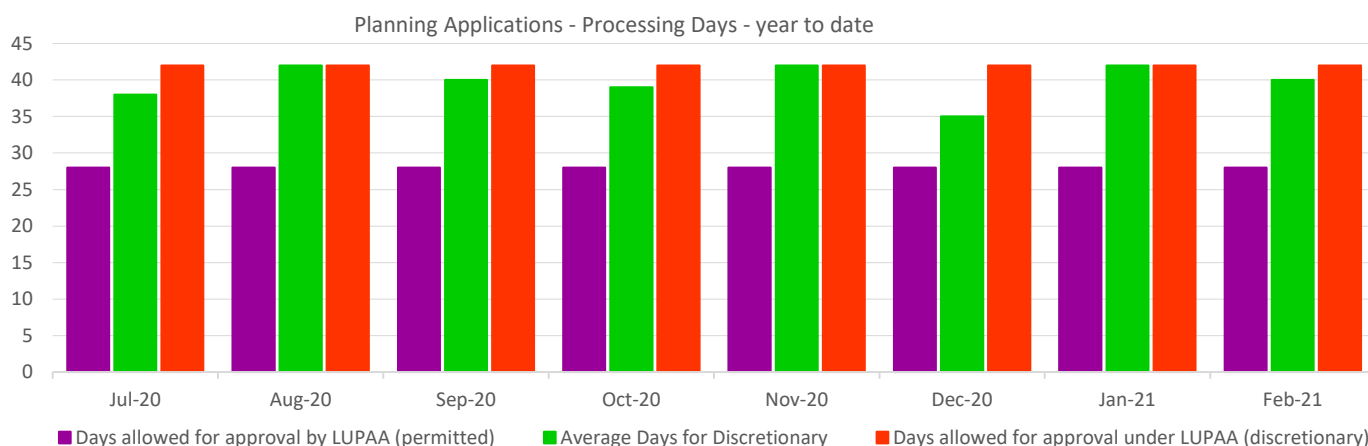
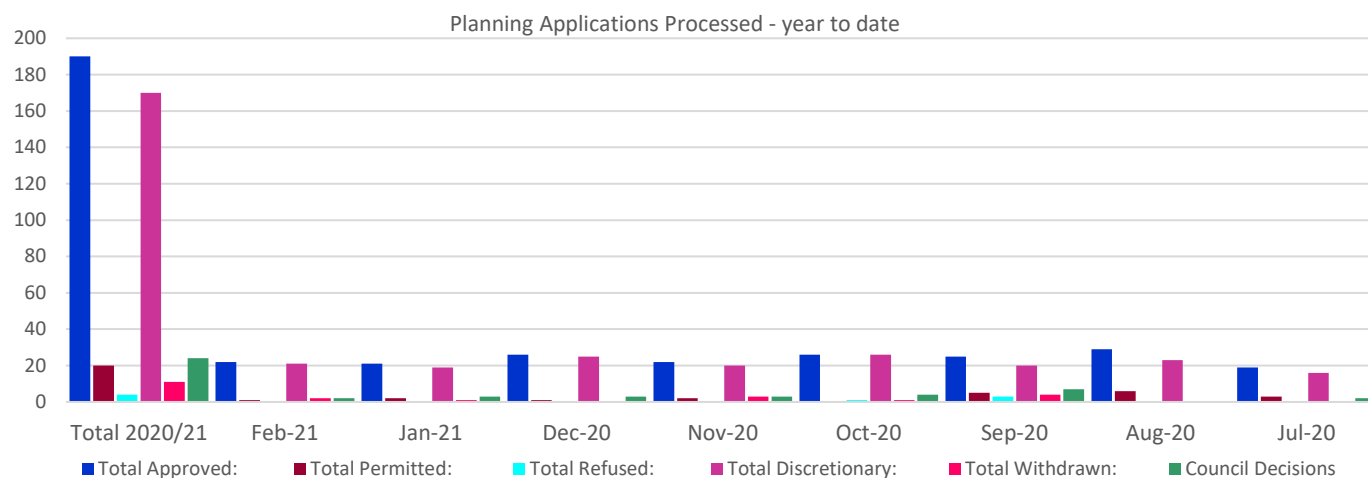




# NORTHERN MIDLANDS COUNCIL

## AGENDA – ORDINARY MEETING

### 15 MARCH 2021



February 2021					
Project	Details	Address	Applicant	No of LUPAA days	Perm / Disc / Exempt
<b>DELEGATED DECISIONS</b>					
PLN-20-0298	Sunroom	162 Norwich Drive, Longford TAS 7301	Blake Sherriff	29	P
PLN-20-0285	Dwelling (vary western setback)	1-45 Bridge Street, Campbell Town TAS 7210	Engineering Plus	47	D
PLN-20-0293	Summer house (Heritage Listed Place within Heritage Precinct)	27 High Street, Evandale TAS 7212	Tony Powell	56	D
PLN-20-0295	Addition to dwelling (vary setbacks in rural zone, within Airport ANEF contours and Attenuation Area)	772 Hobart Road, Breadalbane TAS 7258	Ms Alice Storey	47	D
PLN-20-0299	Demolish amenity block, construct new amenity block (Heritage precinct)	29 Talisker Street, Perth TAS 7300	Apogee Design	48	D
PLN-20-0303	Painting of Exterior of building (heritage listed property within heritage precinct)	2 High Street, Evandale TAS 7212	Jane Louise Moisey	50	D
PLN-20-0304	Carport (vary Side setback)	U 2/2 Longford Close, Longford TAS 7301	Mr Alan Power	48	D
PLN-20-0305	Shed (vary side [E] setback)	1058 Bishopsbourne Road, Bishopsbourne TAS 7301	Blake Sherriff	42	D
PLN-20-0306	Multiple Dwellings (4 new, 1 existing) (vary side and rear setback and visitor parking)	13 Phillip Street, Perth TAS 7300	Prime Design	45	D
PLN-20-0307	Dog kennels and day yards	825 White Hills Road, Evandale TAS 7212	Sally Tonks	40	D
PLN-20-0312	Multiple Dwellings (2) & retaining walls (vary rear & side setbacks; impervious site coverage & private open space - U2)	3 Zircon Place, Perth TAS 7300	Design To Live	30	D
PLN-20-0315	Dwelling additions/alterations (vary front setback; Landslip Code)	Glenard, 232 Egerton Road, White Hills TAS 7258	JAWSARCHITECTS	38	D



# NORTHERN MIDLANDS COUNCIL

## AGENDA – ORDINARY MEETING

### 15 MARCH 2021

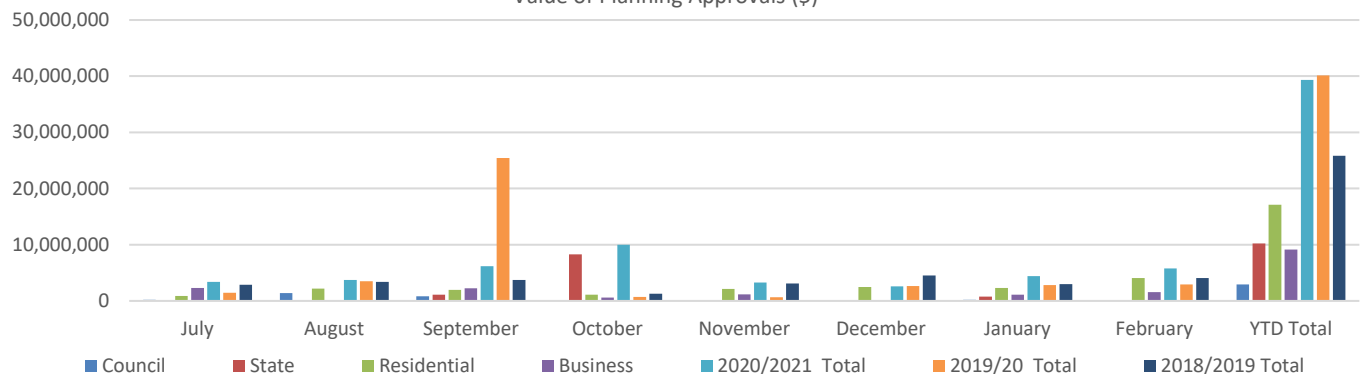
February 2021

Project	Details	Address	Applicant	No of LUPAA days	Perm / Disc / Exempt
<b>DELEGATED DECISIONS</b>					
PLN-21-0001	Poultry sheds x 2 (Intensive Animal Husbandry; vary setbacks; Environmental Impacts and Attenuation Code), detention basin works & 2-lot re-subdivision (Bushfire Prone Area, Scenic Corridor)	437 & 537 Woolmers Lane, Longford TAS 7301	Rare Innovations Pty Ltd	44	D
PLN-21-0011	Dwelling addition (verandah) & shed (vary side setback)	61 Arthur Street, Perth TAS 7300	Steve Jordan	35	D
PLN-21-0012	Retrospective Solar Panel Installation (Heritage Precinct)	51 Wellington Street, Longford TAS 7301	Mr William McEwan	38	D
PLN-21-0013	Amenity Block (vary side setback)	57 Secombe Street, Perth TAS 7300	Apogee Design	35	D
PLN-21-0014	Removal of native vegetation (2 trees) (Biodiversity Code)	18 Range Road, Western Junction TAS 7212	Jade Martin	27	D
PLN-21-0015	Shed (vary [E] side and rear building envelope)	55 Secombe Street, Perth TAS 7300	Nathan & Melanie Cullen	31	D
PLN-21-0030	Shed (vary setbacks)	23 William Street, Longford TAS 7301	Design To Live	22	D
PLN-21-0032	Dwelling, shed & access (vary setbacks in Rural Resource Zone)	7 Clare Street, Campbell Town TAS 7210	Engineering Plus	22	D
<b>COUNCIL DECISIONS</b>					
PLN-20-0324	Demolish part of garage, construct second access (Heritage Precinct)	34 Drummond Street, Perth TAS 7300	Jaffa International	42	C
PLN-21-0008	Dwelling (vary internal front setback to 1m)	20 Zircon Place, Perth TAS 7300	Engineering Plus	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
January	220,000	766,000	2,322,100	1,105,000	4,413,100	2,830,700	2,965,400
February	160,000	0	4,083,780	1,545,000	5,788,780	2,916,000	4,090,500
<b>YTD Total</b>	<b>2,912,500</b>	<b>10,213,500</b>	<b>17,108,620</b>	<b>9,128,726</b>	<b>39,363,346</b>	<b>40,138,650</b>	<b>25,854,100</b>
<b>Annual Total</b>						<b>55,891,900</b>	<b>36,482,950</b>

Value of Planning Approvals (\$)





# NORTHERN MIDLANDS COUNCIL

## AGENDA – ORDINARY MEETING

### 15 MARCH 2021

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

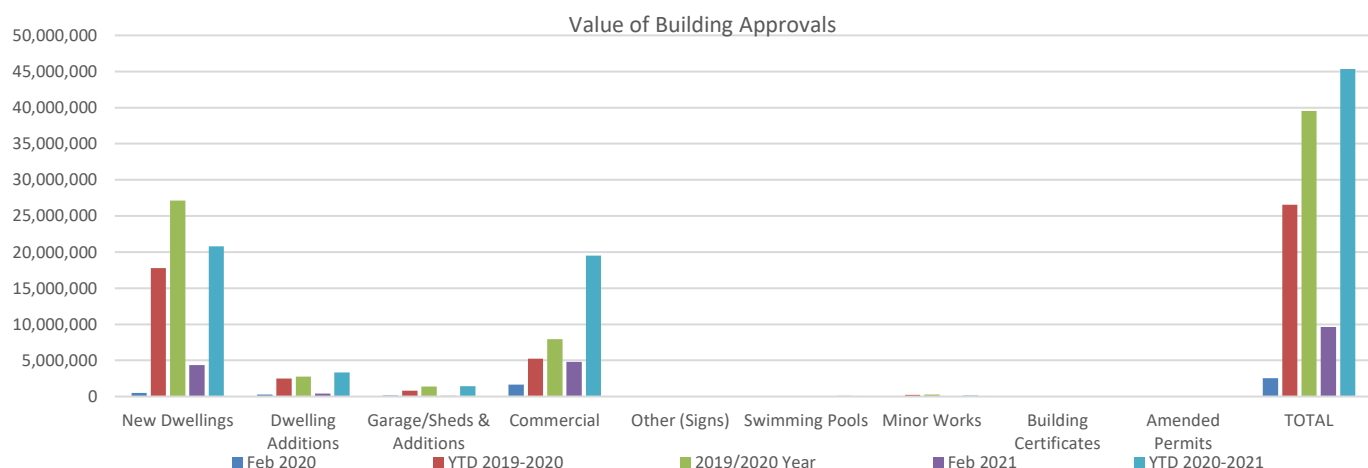
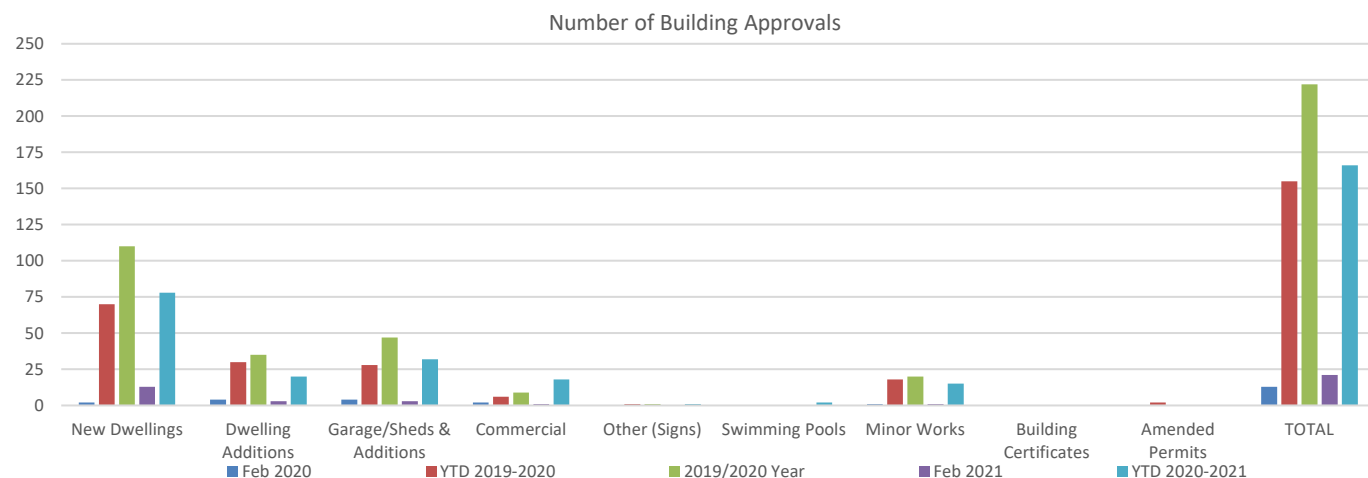
TPC	TASMANIAN PLANNING COMMISSION
TPS	Tasmanian Planning Scheme. The State Planning Provisions (SPPs) came into effect on 2/3/2017. They will have no practical effect until the Local Provisions Schedule (LPS) is in effect in a municipal area. Northern Midlands Council's Draft Local Provisions Schedule 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. Response provided to TPC 12/2/2021.
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 held 9/2/2021. Legal advice regarding flooding provided to TPC 19/2/2021 as requested.
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 held 22/1/2021. Response to TPC's questions of 25/1/2021 provided 16/2/2021.
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. Section 39 report on representation sent to TPC.
RMPAT	RESOURCE MANAGEMENT AND PLANNING APPEAL TRIBUNAL
23/21P	Sheepwash Creek realignment between Phillip and Edward Street. Appeal against Council's permit. Preliminary conference held 23/2/2021.
Decisions received	
TPC	
-	
RMPAT	
92/20P	11 Gay Street Longford, appeal against Council's refusal of an application for storage units. Consent decision received. Permit issued.
114/20P	12 Oakmount Street, Perth, appeal against Council's condition requiring a contribution for roadworks. Consent decision received. Permit issued..

#### 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			
	Feb 2020		YTD 2019-2020		July 2019 - June 2020		Feb 2021		YTD 2020-2021			
	No.	Total Value \$	No.	Total Value \$	No.	Total Value \$	No.	Total Value \$	No.	Total Value \$	No.	Total Value \$
New Dwellings	2	483,000	70	17,775,051	110	27,131,594	13	4,369,391	78	20,801,834		
Dwelling Additions	4	275,000	30	2,509,001	35	2,757,001	3	390,000	20	3,318,970		
Garage/Sheds & Additions	4	130,000	28	825,142	47	1,394,142	3	81,500	32	1,431,200		
Commercial	2	1,650,000	6	5,220,000	9	7,952,000	1	4,800,000	18	19,515,650		
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	2	104,000		
Minor Works	1	2,000	18	214,657	20	287,983	1	1,200	15	157,258		
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>13</b>	<b>2,540,000</b>	<b>155</b>	<b>26,548,851</b>	<b>222</b>	<b>39,527,720</b>	<b>21</b>	<b>9,642,091</b>	<b>166</b>	<b>45,340,912</b>		
<b>Inspections</b>												
Building	0		1		58		0		27			
Plumbing	28		243		282		36		202			

# NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 15 MARCH 2021



## 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		17	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		3	17
Notice of Intention to Issue Enforcement Notice			
Enforcement Notices issued			
Enforcement Orders issued			
Infringement Notice			
No Further Action Required		5	4



# NORTHERN MIDLANDS COUNCIL

## AGENDA – ORDINARY MEETING

### 15 MARCH 2021

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

Illegal Works - Building	This Month	2020/21	Total 2019/2020
Number of Inspections	3	13	26
Commitment provided to submit required documentation	1	4	1
Re-inspection required	2	6	6
Building Notices issued		3	4
Building Orders issued		3	4
Emergency Order		2	
No Further Action Required		3	12

Illegal Works - Planning	This Month	2020/21	Total 2019/2020
Number of Inspections	7	51	77
Commitment provided to submit required documentation	2	5	7
Re-inspection required	5	36	42
Enforcement Notices issued		1	
Enforcement Orders Issued			
Notice of Intention to Issue Enforcement Notice issued		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



## NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 15 MARCH 2021

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.

### **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 18 commercial building approvals valued at \$19,515,650 for 2020/21 (year to date), compared to 6 commercial building approval valued at \$5,220,000 (year to date) for 2019/2020.

In total, there were 166 building approvals valued at \$45,340,912 (year to date) for 2020/2021, compared to 155 building approvals valued at \$26,548,851 (year to date) for 2019/20.

### **RECOMMENDATION**

That the report be noted.

### **DECISION**

Cr



# NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 15 MARCH 2021

## CORP 1 MONTHLY FINANCIAL STATEMENT

*Attachments: Section 1 – Page 238*

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 28 February 2021.

### 2 INTRODUCTION/BACKGROUND

The Monthly Financial Summary for the period ended 28 February 2021 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: 28-Feb-21 8

A. Operating Income and Expenditure						
	Budget	Year to Date Budget	Actual	(\$,000)	Target 100%	Comments
Rate Revenue	-\$11,636,820	-\$11,636,820	-\$11,661,046	\$24	100.2%	
Recurrent Grant Revenue	-\$4,420,090	-\$2,946,727	-\$1,814,993	-\$1,132	61.6%	
Fees and Charges Revenue	-\$2,082,551	-\$1,388,367	-\$1,566,972	\$179	112.9%	
Interest Revenue	-\$685,507	-\$457,006	-\$367,310	-\$90	80.4%	
Reimbursements Revenue	-\$88,945	-\$59,297	-\$81,871	\$23	138.1%	
Other Revenue	-\$1,023,018	-\$682,012	-\$677,289	-\$5	99.3%	
	-\$19,936,931	-\$17,170,228	-\$16,169,481	-\$1,001	94.2%	
Employee costs	\$5,602,482	\$3,734,988	\$3,559,832	\$175	95.3%	
Material & Services Expenditure	\$5,412,895	\$3,608,597	\$2,975,179	\$633	82.4%	
Depreciation Expenditure	\$6,283,369	\$4,188,913	\$3,821,449	\$367	91.2%	
Government Levies & Charges	\$861,522	\$574,348	\$529,136	\$45	92.1%	
Councillors Expenditure	\$199,210	\$132,807	\$108,773	\$24	81.9%	
Interest on Borrowings	\$272,007	\$181,338	\$223,220	-\$42	123.1%	
Other Expenditure	\$1,730,801	\$1,153,867	\$810,782	\$343	70.3%	Pension rebates for full year
Plant Expenditure Paid	\$524,700	\$349,800	\$348,742	\$1	99.7%	
	\$20,886,986	\$13,924,657	\$12,377,113	\$1,548	88.9%	
	\$950,055	-\$3,245,571	-\$3,792,368			
Gain on sale of Fixed Assets	\$0	\$0	\$0	\$0	0.0%	
Loss on Sale of Fixed Assets	\$602,390	\$401,593	\$0	\$402	0.0%	
Underlying (Surplus) / Deficit	\$1,552,445	-\$2,843,978	-\$3,792,368			1*
	-		-			
Capital Grant Revenue	-\$11,742,987	-\$7,828,658	-\$1,193,469	-\$6,635	15.2%	
Subdivider Contributions	-\$524,114	-\$349,409	0	-\$349	0.0%	
Capital Revenue	-\$12,267,101	-\$8,178,067	-\$1,193,469			
	-		-			



# NORTHERN MIDLANDS COUNCIL

## AGENDA – ORDINARY MEETING

### 15 MARCH 2021

#### Budget Alteration Requests

- For Council authorisation by absolute majority

**Budget  
Operating**

**Budget  
Capital**

**Actuals**

Feb

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

Jan

Dec

See Mid Year Budget Review

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
<b>Cash &amp; Cash Equivalents Balance</b>				
- Opening Cash balance	\$16,912,089	\$18,562,107		
- Cash Inflow	\$15,665,792	\$1,790,698		
- Cash Payments	-\$13,619,816	-\$1,394,739		
- Closing Cash balance	\$18,958,065	\$18,958,065		
Account Breakdown				
- Trading Accounts	\$508,596			
- Investments	\$18,449,470			
	\$18,958,065			

#### Summary of Investments

	Investment Date	Maturity Date	Interest Rate%	Purchase Price	Maturity Value
Tasmanian Public Finance Corporation Call Account	1/02/2021	28/02/2021	0.10	\$5,393	\$5,394
CBA Call Account	1/02/2021	28/02/2021	0.01	\$1,574	\$1,574
CBA Business Online Saver	23/02/2021	28/02/2021	0.21	\$595,097	\$595,114
Westpac Corporate Regulated Interest Account	28/02/2021	28/02/2021	0.35	\$5,463,014	\$5,463,014
My State Financial	25/05/2020	25/05/2021	1.20	\$3,303,434	\$3,343,076
Bank of Us	29/01/2021	29/08/2021	0.45	\$530,957	\$532,345
Westpac - Green Deposit	25/11/2020	28/09/2021	0.45	\$2,000,000	\$2,007,570
Westpac	4/01/2021	4/07/2022	3.37	\$5,500,000	\$5,777,263
Westpac	29/12/2020	29/06/2023	3.30	\$1,050,000	\$1,136,578
Total Investments				\$18,449,470	\$18,861,927

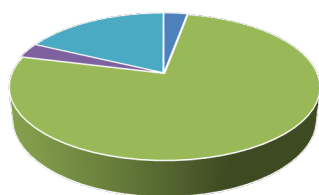


# NORTHERN MIDLANDS COUNCIL

## AGENDA – ORDINARY MEETING

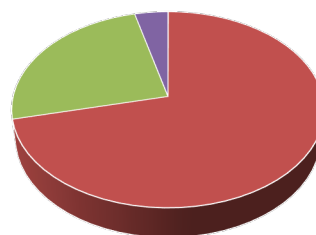
### 15 MARCH 2021

Investments by Institution



Bank of Us (B&E) Tascorp Westpac CBA MyState

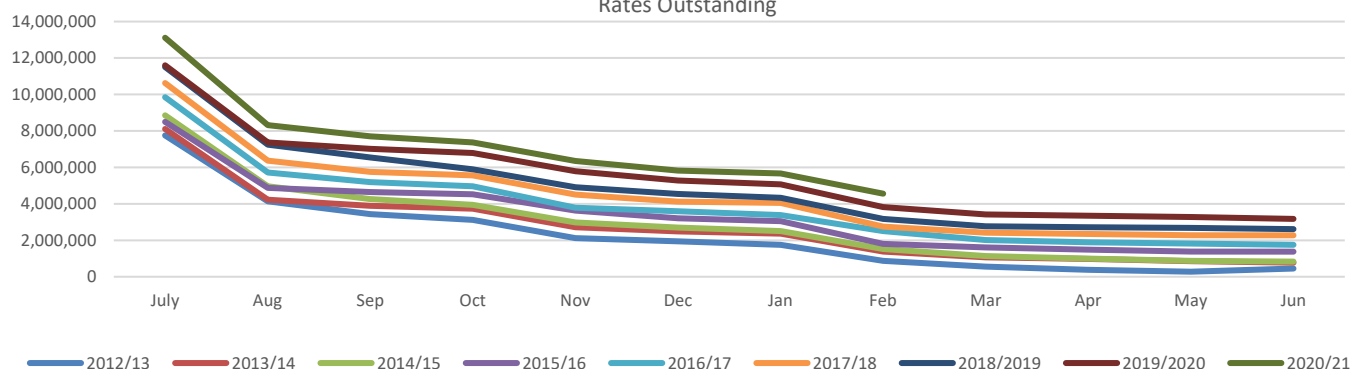
Total Investments by Rating (Standard & Poor's)



AA+ AA- BBB Unrated

Rate Debtors	2020/21	% to Raised	Same Time Last Year	% to Raised
Balance b/fwd	\$2,808,852		\$2,275,315	
Rates Raised	\$11,752,594		\$11,482,051	
	\$14,561,446		\$13,757,366	
Rates collected	\$9,707,399	82.6%	\$9,656,324	84.1%
Pension Rebates	\$484,702	4.1%	\$457,179	4.0%
Discount & Remissions	\$59,147	0.5%	\$41,674	0.4%
	\$10,251,248		\$10,155,177	
Rates Outstanding	\$4,557,741	38.8%	\$3,826,973	33.3%
Advance Payments received	-\$247,542	2.1%	-\$224,783	2.0%

Rates Outstanding



<b>Trade Debtors</b>				
Current balance	\$116,488			
- 30 Days	\$56,607			
- 60 Days	\$6,986			
- 90 Days	\$2,896			
- More than 90 days	\$49,998			
Summary of Accounts more than 90 days:				
- Norfolk Plains Book sales		171		
- Hire/lease of facilities		16,858		
- Removal of fire hazards		7,499		
- Dog Registrations & Fines		40,519		
- Private Works		10,671		
- Regulatory Fees		396		
- Govt Reimbursements		7,600		
		-		





# NORTHERN MIDLANDS COUNCIL

## AGENDA – ORDINARY MEETING

### 15 MARCH 2021

#### C. Capital Program

	Budget	Actual (\$,000)	Target 67%	Comments
Renewal	\$12,769,060	\$4,479,114	35%	
New assets	\$11,536,909	\$3,623,734	31%	
Total	\$24,305,968	\$8,102,848	33%	

Major projects:

- Longford Sports Centre stage 2 & carpark	\$940,000	\$503,581	54%	In progress
- Campbell Town Rec Ground Site Works	\$166,500	\$44,962	27%	
- Evandale Rec Ground Amenities	\$929,473	\$882,383	95%	Substantially complete
- Cressy Rec Ground Amenities	\$945,426	\$96,432	10%	Commenced
- Cressy Pool Improvements	\$700,000	\$64,565	9%	Commenced
- Ross Caravan Park units	\$220,000	\$218,603	99%	Complete
- Ross Village Green	\$400,000	\$200,481	50%	In progress
- Sheepwash Creek development	\$1,040,044	\$788,660	76%	In progress
- Green Rises Road reconstruction	\$535,000	\$68,654	13%	In progress
- Macquarie Road reconstruction	\$310,000	\$329,313	106%	Complete
- Bridge 1469 Storys Creek Road	208,000	\$203,683	98%	Complete
- Bridge 1813 Hop Valley Road	192,000	\$192,406	100%	Complete
- Bridge 1940 Cressy Road	200,000	\$7,803	4%	
- Bridge 4519 Verwood Road	112,035	\$121,300	108%	Complete

\* Full year to date capital expenditure for 2020/21 provided as an attachment.

#### D. Financial Health Indicators

	Target	Actual	Variance	Trend	
Financial Ratios					
- Rate Revenue / Total Revenue	58.4%	72.1%	-13.7%	↘	
- Own Source Revenue / Total Revenue	78%	89%	-10.9%	↘	
Sustainability Ratio					
- Operating Surplus / Operating Revenue	-7.8%	23.5%	-31.2%	↘	
- Debt / Own Source Revenue	47.8%	51.7%	-3.9%	↔	
Efficiency Ratios					
- Receivables / Own Source Revenue	30.1%	26.7%	3.5%	↘	
- Employee costs / Revenue	28.1%	22.0%	6.1%	↗	
- Renewal / Depreciation	203.2%	117.2%	86.0%	↗	
Unit Costs					
- Waste Collection per bin	\$10.53	\$3.61		↔	
- Employee costs per hour	\$46.69	\$38.79		↗	
- Rate Revenue per property	\$1,638.07	\$1,641.48		↔	
- IT per employee hour	\$3.30	\$1.86		↘	

#### E. Employee & WHS scorecard

	YTD	This Month	
Number of Employees	103	103	
New Employees	22	4	
Resignations	10	0	
Total hours worked	91,773	10,784	
Lost Time Injuries	2	0	
Lost Time Days	2	0	
Safety Incidents Reported	15	4	
Hazards Reported	73	11	
Risk Incidents Reported	6	0	
Insurance claims - Public Liability	1	0	



# NORTHERN MIDLANDS COUNCIL

## AGENDA – ORDINARY MEETING

### 15 MARCH 2021

Insurance claims - Industrial	1	0	
Insurance claims - Motor Vehicle	3	0	
IT - Unplanned lost time	2	0	
Open W/Comp claims	8	0	

#### F. Waste Management

Waste Transfer Station	2018/19	2019/20	2020/21 Budget	2020/21
			Year to Date	

##### Takings

- Refuse	\$93,411	\$92,611	\$61,187	\$80,747
- Green Waste	\$52,960	\$50,996	\$32,184	\$54,411
- Concrete	\$2,376	\$1,551	\$1,007	\$1,501
			\$0	\$470

##### Total Takings

\$152,877	\$142,782	\$94,379	\$137,129
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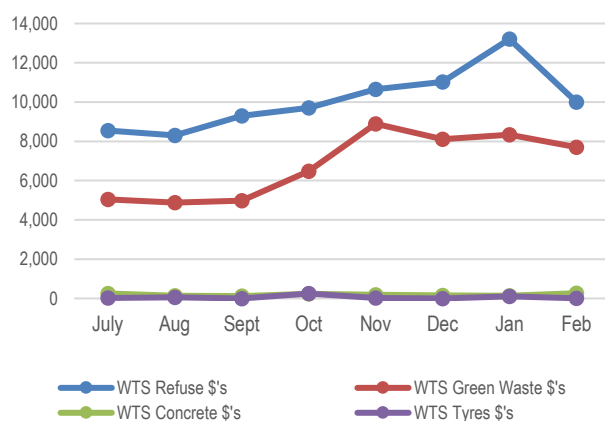
##### Tonnes Disposed

WTS Refuse Disposed Tonnes	1,325	1388	1954	984
WTS Green Waste Disposed Tonnes	5200	5400	6015	1400
WTS Concrete Disposed Tonnes	0	0	0	0
Kerbside Refuse Disposed Tonnes	2217	2326	1806	1614
Kerbside Recycling Disposed Tonnes	1051	1036	869	703

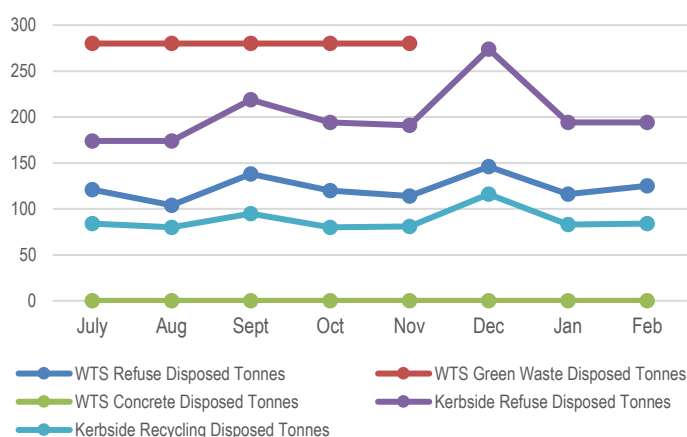
##### Total Waste Tonnes Disposed

\$9,793	10150	10644	4701
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Waste Transfer Station Fees \$'s 2020/21



Tonnes Waste Disposed 2020/21



#### 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 February 2021.
- 5.2 Capital Works Report to end February 2021.

#### RECOMMENDATION

That Council

- i) receive and note the Monthly Financial Report for the period ending 31 January 2021, and
- ii) authorise Budget 2020/21 alterations as listed in item 3.

#### DECISION

Cr



# NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 15 MARCH 2021

## CORP 2 2021/2022 MUNICIPAL BUDGET

*File:* Subject 24/029  
*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 for Council to set the parameters for the 2021-2022 Municipal Budget.

### 2 INTRODUCTION/BACKGROUND

The 2021-2022 Budget process is conducted mostly in accordance with Council's previously adopted procedure in an endeavour to finalise the process during June 2021:

- Issue a memo in early March to Councillors and staff to list projects/ capital works for consideration and costing
- Place the Budget on Local District Committee agendas
- Conduct a Councillor Bus Tour during March (scheduled on Wednesday 31<sup>st</sup> March)
- List all major or new works/projects that have been considered by Council for consideration in the Budget process
- Set Budget parameters prior to drafting Budget
- Draft Budget having regard to:
  - i) Strategic Plan
  - ii) Budget parameters
  - iii) Local District Committee requests
  - iv) Long Term Capital Works programs
  - v) Departmental management and operational requirements
- Hold Council workshop/s to consider and review draft budget and review rating methodology
- Present a revised draft Budget to Council meeting for adoption
- Levy rates and charges in July.

With the Audit legislation requiring Annual Financial Statements to be completed by 15<sup>th</sup> August, it is suggested that Council move through the budget process with an aim to finalise/ adopt at the June meeting, this will allow financial staff to prepare and meet timelines for the end of year financial statements.

It is common practice each year for Council to undertake a Municipal Bus Tour to inspect projects that have been identified for inclusion in the forthcoming budget, and to meet with Local District Committee representatives to discuss their issues of priority. It was resolved that the Bus Tour be held on Wednesday 31<sup>st</sup> March 2021. An itinerary for the proposed Council Bus Tour will be prepared and circulated prior to the tour.

Proposed budget timetable is as follows:

15 March 2021	Council Meeting	Set budget parameters
31 March 2021	Bus Tour	
12 April 2021	Workshop	Capital Works Budget
3 May 2021	Workshop	Draft Budget 1
7 June 2021	Workshop	Draft Budget 2
15 June 2021	Workshop (Optional)	Draft Budget 3
28 June 2021	Council Meeting	Adopt Budget



# NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 15 MARCH 2021

Mid-July 2021		Issue Annual Plan
Mid-July 2021		Issue Rates

## 3 STRATEGIC PLAN 2017/2027

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

- Lead –
  - Money Matters
  - Core Strategies:
    - ♦ Budgets are responsible yet innovative
    - ♦ Efficiency in resource sharing and Council reform
    - ♦ Improve community assets responsibly and sustainably

## 4 POLICY IMPLICATIONS

Rating methods and financial policies will be considered during the Budget deliberations.

## 5 STATUTORY REQUIREMENTS

Council must adopt a Budget by absolute majority in accordance with section 82 of the *Local Government Act 1993*, prior to 31 August and not more than one month before the start of the financial year.

## 6 FINANCIAL IMPLICATIONS

Careful consideration must be taken to enable Council to have sufficient funds to maintain assets and meet commitments for the 2021-2022 financial period.

Some outside influences this year that need to also be considered include:

- Federal government external funding for projects under consideration
- Continuation of Roads to Recovery grant funding program
- EBA wage growth
- Very Low Bank Interest rates
- Development trends in area
- Community Stimulus Projects in design/construction process
- Perth Bypass land/road transfers and maintenance responsibilities
- TasWater dividend distributions
- Debtors ability to pay.

## 7 RISK ISSUES

Council must adopt its budget to enable annual planning to commence and rates and charges to be levied for the 2021-2022 financial period.

## 8 CONSULTATION WITH STATE GOVERNMENT

A submission to the State Grants Commission papers was put forward for consideration during the Government Grant funding distribution process.



## NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 15 MARCH 2021

### 9 COMMUNITY CONSULTATION

Council meet with Local District Committees to discuss priority budget projects listed by the committees. There is also direct input into the formation of the Budget from ratepayers, and indirect input via councillors and departmental managers.

### 10 OPTIONS FOR COUNCIL TO CONSIDER

The following budget parameters are suggested for the 2021-22 Budget for Council consideration, review and endorsement - note Hobart's December 2021 annual movement of CPI was 0.8 percent (National 0.9 percent).

- a) Ongoing operational expenditure to be funded by annual rate income where possible.
- b) Government grants to be expended in the specific areas for which the grants are received (i.e. untied road grants spent on roads) for capital or special projects. Untied Financial Assistance grants to be expended on capital or special projects if possible.
- c) New services to be funded from new rates raised.
- d) User pays principle to be used where possible.
- e) Cash reserves to be quarantined or committed to specific planned projects. Stimulus loan repayments to be allocated on an annual basis.
- f) Wages to be indexed with Enterprise Bargaining Agreement, and other General Operating expenses be indexed by the LGAT calculated Local Government cost index for 2021 of 2.75% (2.65% last year).
- g) Contract payments increased as per agreement provisions.
- h) Interest on investments calculated at 0.30 percent.
- i) 1% percent increase in financial assistance grant funding.
- j) State stimulus loan funding, at nil interest rate, being only borrowings from external sources for capital or operating expenditure, unless funded from new rates raised for new assets.
- k) Minimise any Annual Asset Renewal shortfall.
- l) General rate increases be modelled on a relationship to the LGAT calculated Local Government cost index if available, plus
  - o any percentage determined in the LTFP for long term sustainability, and
  - o for Asset Management renewal funding if required.
- m) Budget operating surplus of at least 5% of rate revenue.
- n) Emergency Management allocation equal to 10 year average actual expenditure (excluding grant reimbursements)
- o) Allowance for 2020/21 pandemic policy implications to be considered.

### RECOMMENDATION

That Council adhere to its previously adopted Budget process as detailed above, and endorse the following 2020-21 Draft Budget parameters

The following budget parameters are suggested for the 2021-22 Budget for Council consideration, review and endorsement - note Hobart's December 2021 annual movement of CPI was 0.8 percent (National 0.9 percent).

- a) Ongoing operational expenditure to be funded by annual rate income where possible.
- b) Government grants to be expended in the specific areas for which the grants are received (i.e. untied road grants spent on roads) for capital or special projects. Untied Financial Assistance grants to be expended on capital or special projects if possible.
- c) New services to be funded from new rates raised.
- d) User pays principle to be used where possible.
- e) Cash reserves to be quarantined or committed to specific planned projects. Stimulus loan repayments to be



## NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 15 MARCH 2021

allocated on an annual basis.

- f) Wages to be indexed with Enterprise Bargaining Agreement, and other General Operating expenses be indexed by the LGAT calculated Local Government cost index for 2021 of 2.75% (2.65% last year).
- g) Contract payments increased as per agreement provisions.
- h) Interest on investments calculated at 0.30 percent.
- i) 1% percent increase in financial assistance grant funding.
- j) State stimulus loan funding, at nil interest rate, being only borrowings from external sources for capital or operating expenditure, unless funded from new rates raised for new assets.
- k) Minimise any Annual Asset Renewal shortfall.
- l) General rate increases be modelled on a relationship to the LGAT calculated Local Government cost index if available, plus
  - o any percentage determined in the LTFP for long term sustainability, and
  - o for Asset Management renewal funding if required.
- m) Budget operating surplus of at least 5% of rate revenue.
- n) Emergency Management allocation equal to 10 year average actual expenditure (excluding grant reimbursements)
- o) Allowance for pandemic policy implications to be considered.

### DECISION

Cr



# NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 15 MARCH 2021

## CORP 3 POLICY REVIEW

Attachments: Section 1 – Page 248

Responsible Officer: Maree Bricknell, Corporate Services Manager  
Report prepared by: Maree Bricknell, Corporate Services Manager and Gail Eacher, Executive Assistant

### 1 PURPOSE OF REPORT

The purpose of this report is to seek Council approval of the updates to the following policies:

- Councillors Allowances, Travelling and Other Expenses
- Privacy
- Fencing Reserves: Contribution

### 2 INTRODUCTION/BACKGROUND

A recent review of the listed policies has resulted in the following amendments

- Inserted: Red Font, Highlighted in Yellow
- Deleted: Red Font, Strikethrough, Highlighted in Yellow

Amendments made listed below:

- **Councillors Allowances, Travelling and Other Expenses**

- Amended Date:

- Reviewed 15 March 2021 – Min. No. ....

- Review cycle:

- Next review 2019 2023.

- 1) Councillor's Travelling Expenses

- 1.3(ii) Travelling outside the circumstances of (i) above, either generally or specifically up to 2,000 kms or 10,000 kms for the Mayor per annum in excess of which Council to consider claims submitted.

- 1.3(v) Travelling to be paid at the rates prescribed for the Tasmanian Public Service by the Australian Tax Office.

- 2) Communication Equipment

- 2i)(a) a capital cost allowance up to a maximum of \$3,440 \$3,600 for purchase of a mobile phone, an ipad / printer/ scanner, a computer (loaded with an appropriate operating system and Microsoft Office suite) and a filing cabinet to assist them in performing his/her duties,

- 2ii)(a) an annual lease allowance up to \$860 \$900 per annum to offset the usage of existing personal communication equipment as listed above

- b) the annual lease allowance will be paid on the following pro-rata basis:

\$430	per annum for computer usage
\$120	per annum for printer/scanner/ipad
\$ 90	per annum for mobile phone
\$ 80	per annum for filing cabinet
\$140	per annum for support
\$80	um

Should a Councillor resign or the term of office be terminated prior to the normal four year term, then a pro-rata refund of the capital cost allowance may be payable by that Councillor (this shall be in the form of a cash refund or an equivalent deduction from any allowance payable to the Councillor under Section 7).

The capital cost allowance/ annual lease allowance to be indexed annually on 1 November based on Hobart CPI at the end of the preceding financial year.

- 5) Insurance





# NORTHERN MIDLANDS COUNCIL

## AGENDA – ORDINARY MEETING

### 15 MARCH 2021

Council will provide personal accident insurance on the lives of Councillors and their accompanying partners/spouses for the time being whilst travelling to and from and attending Council meetings or on Council business, whether authorised or not and shall include the attendance at Council Functions which a Councillor is expected to attend.

#### Schedule of Benefits

- Capital Benefit	<del>\$200,000</del> \$500,000
- Weekly Benefit – Injury	Up to <del>\$2,000</del> \$3,000
- Weekly Benefit – Illness	Not insured
- Weekly Benefit Period	Up to <del>104</del> 156 weeks
<del>Age Limit</del>	<del>Up to 75 years</del>

Excluded period of claim – Weekly Benefit for ~~7~~ 14 days.

Aggregate limit of liability for all claims ~~\$2,000,000~~ \$20,000,000.

#### • **Privacy**

##### ▪ Amended Date:

~~Reviewed 15 March 2021~~ – Min. No. ....

##### ▪ Review cycle:

Every ~~2~~ 3 years. Next review ~~2019~~ 2023..

##### ▪ 9. Notifiable Data Breaches Scheme

As an addition to the Privacy Act, Council will comply with the Notifiable Data Breaches Scheme. The scheme requires that an entity, subject to the Privacy Act, which experiences a data breach of personal information which poses a likely risk of serious harm to affected individuals to notify the office of the Australian Information Commissioner.

##### ▪ 10. Review

This policy will be reviewed every ~~3~~ 2-years.

#### • **Fencing Reserves: Contribution**

##### ▪ Amended Date:

~~Revised 15 March 2021~~ – Min. No. ....

##### ▪ Review cycle:

Next review ~~2019~~ 2023.

##### ▪ Amendment

3. The owner of the land is to obtain three (3) quotes from recognised fencing contractors. The rate of contribution by Council shall be:
  - ♦ 50% of the accepted quotation with a maximum contribution of between \$45 per metre (based on a 1.8m height fence constructed using “C” section posts 3 75mm x 50mm rails, overlapped 150mm palings and using galvanised nails) for a paling fence, or
  - ♦ Up to ~~\$7.50~~ \$9.00 per metre for a post and wire fence.

### 3 STRATEGIC PLAN 2007/2017

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

##### ▪ Best Business Practice & Compliance

###### Core Strategies:

- ♦ Council complies with all Government legislation
- ♦ Continuous improvement is embedded in staff culture



# NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 15 MARCH 2021

- Workforce Standards  
Core Strategies:
  - ♦ Emergency Management & Safety Plans work well

## **4 POLICY IMPLICATIONS**

Regular review of Policies is important to ensure they remain current and correspond with any legislative changes.

## **5 STATUTORY REQUIREMENTS**

N/A

## **6 FINANCIAL IMPLICATIONS**

As per policy provisions.

## **7 RISK ISSUES**

It is important for Council to set out its guidelines for the provision of services within the municipality.

## **8 CONSULTATION WITH STATE GOVERNMENT**

N/A

## **9 COMMUNITY CONSULTATION**

N/A

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

Council can accept/reject the amended policies as circulated.

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

That Council consider the amendments to the policies.

## **12 ATTACHMENTS**

- 12.1 Councillors allowances, Travelling and Other Expenses
- 12.2 Privacy
- 12.3 Fencing Reserves: Contribution

## **RECOMMENDATION**

That Council endorse the amendments to the following policies:

- Councillors Allowances, Travelling and Other Expenses
- Privacy
- Fencing Reserves: Contribution

## **DECISION**

Cr



# NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 15 MARCH 2021

## CORP 4 POLICY REVIEW: CODE OF TENDERING & PROCUREMENT

Attachments: Section 1 – Page 260

File: 44/001/001  
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 seek Council approval of the amended Code of Tendering & Procurement Policy.

### 2 INTRODUCTION/BACKGROUND

The Northern Midlands Council Code of Tendering & Procurement has recently been reviewed and amended in relation to 'buy local' principle ensuring that where possible expenditure by Council on goods and services benefit the Tasmanian community.

Attached to this report is a copy of the amended Code of Tendering & Procurement.

Amendments have been made to the schedule below, red typeface and highlighted yellow:

#### 4. PROCUREMENT METHODS

Procurement Value	Minimum Requirement
Under \$1,000	Council purchasing order to be used wherever possible. Payment to be made by petty cash, credit card or cheque.
\$1,001 to \$5,000	Verbal quotation required. Council purchasing order required. Payment to be made by credit card, <del>cheque or</del> electronic funds transfer.
\$5,001 to \$20,000	2 written quotations <del>is</del> required. Council Purchase order is required. Payment to be made by credit card, cheque or electronic funds transfer.
Between \$20,001 and \$249,999	Written quotations Where possible, at least three written quotations will be obtained, of which at least <del>one</del> two will be sought from a local business <del>(if available)</del> where Tasmanian capability exists. Council Purchasing order is required. Payment to be made by <del>cheque or</del> electronic funds transfer.
\$250,000 and greater	Public Tender Council will advertise each tender at a minimum in the Examiner newspaper. Other advertising may be utilised as required. Each tender will be advertised on Council website. Council will seek at least <del>one</del> two tenders from a local business, <del>i.e. within the municipal area, if available,</del> where Tasmanian capability exists. Payment to be made by <del>cheque or</del> electronic funds transfer

### 3 STRATEGIC PLAN 2007/2017

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

- Lead –
  - Leaders with Impact
- Core Strategies:
  - Communicate – Connect with the community



# NORTHERN MIDLANDS COUNCIL

## AGENDA – ORDINARY MEETING

### 15 MARCH 2021

- ♦ Manage – Management is efficient and responsive
- Money Matters  
Core Strategies:
  - ♦ Budgets are responsible yet innovative
  - ♦ Improve community assets responsibly and sustainably
- Best Business Practice & Compliance  
Core Strategies:
  - ♦ Council complies with all Government legislation

#### 4 POLICY IMPLICATIONS

It is a statutory requirement that Council have a Code of Tendering & Procurement.

#### 5 STATUTORY REQUIREMENTS

##### 5.1 Local Government (General) Regulations 2015

Regulation 28 of the Local Government (General) Regulations 2015 stipulates:

28. Code for tenders and contracts  
The code adopted under section 333B of the Act is to –
- (a) promote the following principles:
    - (i) open and effective competition;
    - (ii) value for money;
    - (iii) enhancement of the capabilities of local business and industry;
    - (iv) ethical behaviour and fair dealing; and
  - (b) establish and maintain procedures to ensure that all potential suppliers are provided with the same information relating to the requirements of a tender or contract and are given equal opportunity to meet the requirements; and
  - (c) establish and maintain procedures to ensure that fair and equal consideration is given to all tenders or quotations received; and
  - (d) establish and maintain procedures to deal honestly with, and be equitable in the treatment of, all potential or existing suppliers; and
  - (e) establish and maintain procedures to ensure a prompt and courteous response to all reasonable requests for advice and information from potential or existing suppliers; and
  - (f) seek to minimise the cost to suppliers of participating in the tendering process; and
  - (g) protect commercial-in-confidence information; and
  - (h) for contracts valued at under \$250 000 (excluding GST), specify when 3 written quotations are required; and
  - (i) establish and maintain procedures for the use of multiple-use registers for contracts valued at under \$250 000 (excluding GST); and
  - (j) establish and maintain procedures for reporting by the general manager to the council in relation to the purchase of goods or services in circumstances where a public tender or quotation process is not used; and
  - (k) establish and maintain procedures for the review of each tender process to ensure that it is in accordance with these regulations and the code; and
  - (l) establish and maintain procedures for the following:
    - (i) amending or extending a tender once it has been released;
    - (ii) opening tenders;
    - (iii) the consideration of tenders that do not fully conform with the tender requirements;
    - (iv) the debriefing of unsuccessful tenderers;
    - (v) handling complaints regarding processes related to the supply of goods or services.

#### 6 FINANCIAL IMPLICATIONS

It is imperative that Council has in place procedures for purchasing goods and services, of any value.

#### 7 RISK ISSUES

Without a Code of Tendering & Procurement, Council will be in breach of its statutory obligations and is also at risk of not being able to control purchases made with Council funds.



## NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 15 MARCH 2021

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

Not required at this stage.

### **9 COMMUNITY CONSULTATION**

Not needed for this review.

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

There are two options for Council to consider:

- 1) Adopt the amended Code of Tendering & Procurement; or
- 2) Refuse the amended Code of Tendering & Procurement.

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

The Code of Tendering & Procurement is based on the model template provided to Council by the Local Government Association of Tasmania. The changes to the Code of Conduct are minimal.

### **12 ATTACHMENTS**

- 12.1 Marked up version of amended Code of Tendering & Procurement
- 12.2 Department of Treasury and Finance – Buy Local Policy

### **RECOMMENDATION**

That Council adopt the amended Code of Tendering & Procurement Policy.

### DECISION

Cr



# NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 15 MARCH 2021

## **CORP 5 CORPORATE INFORMATION TECHNOLOGY (ENTERPRISE SUITE) SOLUTION UPGRADE**

*Attachments: Section 1 – Page 284*

*Responsible Officer: Des Jennings, General Manager  
Report prepared by: Maree Bricknell, Corporate Services Manager*

### **1 PURPOSE OF REPORT**

The northern region benchmarking and shared services investigation was completed by KPMG on behalf of the eight (8) Councils in the northern region during 2017. One of the opportunities identified was a common Corporate Information Technology solution, and this report provides a status of the progress to date and options for this Council to move forward.

### **2 INTRODUCTION/BACKGROUND**

The common Corporate Information Technology Solution idea has been in the background for many years, but after receipt of the KPMG benchmarking report the Northern General Manager's Group decided to commission a feasibility study to pursue the idea further.

A preliminary presentation and proposal for a 'single instance' or a 'separate instances' option was provided by IT corporate service provider 'Technology One' in December 2019.

In early 2020 Council staff participated in the 'Common Corporate Applications Software Feasibility Study' undertaken by Mr Andrew Gall.

The study's findings were presented to Council at a workshop in December 2020 by Mr Gall with two options as follows:

#### 1. Single Shared Instance Option

- A pre-dependency for the single instance option to be practically feasible and advantageous to Councils is that they implement common and shared processes in a range of their functional areas.
- Products that fall within the 'Enterprise Suite (including Financials, Supply Chain, Assets, HR and Payroll) and Electronic Content Management (ECM) product are generally able to support the segregation of data and processes for each Council.
- The Property product set does not offer the same capability as the Enterprise Suite and ECM product sets in terms of the multi-organisation concept.
- It is not proposed to support a common spatial viewer/enquiry tool for all councils that is integrated with the other Technology One products.
- The product modules / functionality that are included in the proposal exceeds what the Councils (excl Launceston) currently have available to them.
- Cost – software subscription per annum \$1.6m and implementation estimate \$2m.

#### 2. Separate, Independent Instance Option

- Whilst operationally Councils would continue to act independently with the Technology One proposal suggests and is based upon co-operation and collaboration between the Councils to design and establish common processes.
- This also implies that there would be a common implementation team that would work across all Councils and post implementation that there would be a Centre of Excellence style team charged with preserving the commonality of configuration and processes.



## NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 15 MARCH 2021

- There would be also a strong case to establish a shared service to undertake system level administration activities eg security, configuration and parameter changes etc.
- Cost – software subscription per annum \$1.74m and implementation estimate \$2.1m.

### In regard to both options

- Data conversion and end user training is the responsibility of the Councils.
- The proposal suggests that Councils would assume responsibility for some implementation activities after the initial new site is implemented.
- A very high level, conceptual estimate suggests that a 5 year timeframe will be required to fully complete the implementation and transition of systems to a shared service.

Technology One currently proposes that the single/shared instance service contract would be between Technology One and the City of Launceston, with Launceston having the rights to provide the software to the other Councils.

The next step is for each Council to consider and advise whether they wish to continue to participate in the assessment of the shared service concept.

Should Council not wish to participate, or defer participation in the regional solution for a 5 year period until Launceston and other Councils set up and implement the Technology One Enterprise solution, the current Open Office Enterprise Suite could be upgraded with

- an increased subscription per annum of \$18,000 plus
- implementation, configuration, data migration, training (60 days) of \$74,000.
- The Asset Module would be an additional cost.

The Open Office solution is a natural progression to Council's current systems, and is currently used by in Tasmania by Hobart City Council, Kingborough City Council, Huon Council, and Central Coast Council.

Implementation of the Open Office upgrade would be done in three stages namely Payroll/HR immediately, Finance, Procure, Debtors etc later in 2021, and Assets during 2022.

Upgrading the current Open Office system provides the direction for continuous improvement in Councils information and communication technology in the immediate future, plus a roadmap to implement key elements and improvements to align with Councils strategic and annual plans, whilst retaining the flexibility and adaptability to respond to changing situations on a regional basis, if necessary.

### **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
  - Money Matters  
Core Strategies:
    - ♦ Efficiency in resource sharing and Council reform
  - Best Business Practice & Compliance  
Core Strategies:
    - ♦ Council complies with all Government legislation
    - ♦ Continuous improvement is embedded in staff culture
- People –



# NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 15 MARCH 2021

- Lifestyle – Strong, Vibrant, Safe and Connected Communities

Core Strategies:

- ♦ Communicate – Communities speak & leaders listen
- ♦ Participate – Communities engage in future planning

## 4 POLICY IMPLICATIONS

N/a

## 5 STATUTORY REQUIREMENTS

*Local Government Act 1993.*

## 6 FINANCIAL IMPLICATIONS

Northern Midlands Council currently owns and operates its own independent information technology hardware and engages third party software solutions tailored to local government via subscriptions with a total cost of approximately \$0.3m per annum (detailed in report to Council July 2020).

Councils current Enterprise Suite (Finance excl Assets), and Planning & Building System is from Open Office Solutions, and its Records Management and Geographic Information System from Technology One.

## 7 RISK ISSUES

Advantages of participating in the Northern Tasmanian Councils IT Shared Business Application Platform project:

- Ongoing collaboration with our Local Government partners and the State Government;
- Showing leadership for a shared IT platform;
- Possible opportunities to realise regional efficiencies.

Disadvantages of participating in the Northern Tasmanian Council IT Shared Business Application Platform project:

- Upgrades delayed awaiting agreements and discussions with regional neighbour councils;
- State Government funding to assist with implementation may not eventuate;
- Shared platform restricted to only northern councils within the state;
- Possible opportunities forgone from alternative system options;
- Large amount of human and financial resources required to implement.

Advantages of upgrading Open Office (existing Enterprise Suite);

- Shorter timeframe to implement and system setup assisted by supplier in contract;
- Lower cost due to supplier wanting Council to migrate to current software supported level;
- Low risk as staff has background knowledge of systems;
- Implementation can be staged to suit council resources.

Disadvantages of upgrading Open Office

- Not a shared platform with other northern councils, but does have other council users throughout the state.

## 8 CONSULTATION WITH STATE GOVERNMENT

As the Premier, the Hon. Peter Gutwein MP, initiated the discussion on local government reform, it is important that the councils keep both him and the Minister for Local Government, the Hon. Mark Shelton MP, informed on the progress of





## NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 15 MARCH 2021

the Shared Services Project.

### **9 COMMUNITY CONSULTATION**

Local government faces increasingly demanding and complex community expectations with limited resources and competing demands, it is critical that councils find ways to plan and deliver services so that local government is sustainable and able to flourish. Strategic collaboration and partnerships are ways that councils can respond to these challenges, but they must remain mindful of the cost and commitment of the investment.

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

Options available to Council:

- Participate in the Northern Tasmanian Councils IT Shared Business Application Platform project
- Take no further part in the Northern Tasmanian Councils IT Shared Business Application Platform project
- Update current Open Office system in immediate future, but be an interested bystander of the Northern Tasmanian Councils IT Shared Business Application Platform project, and reconsider implementation in 4-5 years
- Reconsider Council involvement in the Northern Tasmanian Council's IT Shared Business Application Platform project if significant external funding is sourced to implement the project.

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

Further major development of Council's current corporate information technology system has been held in abeyance for a long time awaiting the outcome of the Shared Services Information Technology deliberations. The planned 5 year implementation period for the Regional model is very long and the implementation process very resource dependent and costly.

The Open Office Solution on the other hand can be implemented quickly within 12 – 18 months at a much lower cost and with a medium amount of internal resources.

### **12 ATTACHMENTS**

- 12.1 Common Corporate Application Software Feasibility Study
- 12.2 Technology One Presentation – December 2019 (Closed Council Attachment)

### **RECOMMENDATION**

That Council

- i) make provision in the 2021/22 Budget to update the Open Office Enterprise Suite in the immediate future, and be an interested bystander of the Northern Tasmanian Councils IT Shared Business Application Platform project and reconsider implementation in 4-5 years;
- ii) participation in the Shared Services project be reconsidered if significant external funding is sourced to implement the project.

DECISION  
Cr



# NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 15 MARCH 2021

## WORKS 1 WILDLIFE SIGNAGE ON DEDDINGTON ROAD

*Attachments: Section 1 – Page 346*

Responsible Officer: Leigh McCullagh (Works Manager)  
Report Prepared by: Jonathan Galbraith (Engineering Officer)

### 1 PURPOSE OF REPORT

The purpose of this report is to provide Council with information relating to concerns raised by a resident regarding the large numbers of wombats that have been hit on Deddington.

### 2 INTRODUCTION/BACKGROUND

On January 15 an email was received from Rod Irvin a resident in the Deddington area raising concerns about the number of wombats that have been hit by vehicles over recent years. He suggested the installation of “slow down dusk to dawn signage.”

Council officers have noted over recent years that there have been large numbers of wombats that have been hit by vehicles on Deddington Rd. Standard signage warning motorists of kangaroos has already been installed in the Deddington area but there is no signage to specially warn about wombats.

### 3 STRATEGIC PLAN 2017-2027

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

- Place –
  - Environment – Cherish & Sustain our Landscapes  
Core Strategies:
    - ♦ Cherish & sustain our landscapes
    - ♦ Meet environmental challenges
    - ♦ Eco-tourism strongly showcases our natural beauties
  - History – Preserve & Protect our Built Heritage for Tomorrow  
Core Strategies:
    - ♦ Our heritage villages and towns are high value assets

### 4 POLICY IMPLICATIONS

If signage is installed on Deddington Rd Council are likely to receive requests for similar signs in other areas. It is important that signage is only put in areas where there are known problems because over-use of signage means that the travelling public takes less notice of the signs.

### 5 STATUTORY REQUIREMENTS

The AS1742.2 – Manual of uniform traffic control sets out the requirements for roadside signage.

### 6 FINANCIAL IMPLICATIONS

The cost of four signs including installation is estimated at \$1400.

### 7 RISK ISSUES

N/A



## NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 15 MARCH 2021

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

Advice has been sought from officers at the Department of State Growth regarding the installation of wildlife signage.

### **9 COMMUNITY CONSULTATION**

These concerns were raised with Council by a property owner.

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

Council can choose to install signage or not.

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

It is recommended that four signs “slow down dusk to dawn” signs be installed on Deddington Rd as a trial at the following locations:

- East of Deddington Township
- West of Uplands Road intersection
- East of Uplands Road intersection
- At the boundary with Launceston City Council (for westbound traffic)

The standard size for signage on a State Growth road is 1800 x 1100. Due to the narrow road verges in the area it is recommended that a 1350 x 600m sign is used. This sign is considered appropriate for a Council road and larger signs could be a hazard to passing vehicles.

### **12 ATTACHMENTS**

- 12.1 Letter regarding Wildlife Protection from Rod Irvin.
- 12.2 Signage proof from sign manufacturer.

### **RECOMMENDATION**

That Council install four “slow down dusk to dawn” signs on Deddington Road as a trial.

### **DECISION**

Cr



# NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 15 MARCH 2021

## PUBLIC QUESTIONS & STATEMENTS

### PUBLIC ATTENDANCE DURING THE COVID-19 DISEASE EMERGENCY DECLARATION

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 determined that limited public access to Council meetings would 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.

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.

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.

### PUBLIC QUESTIONS AND STATEMENTS

Regulation 31 of the *Local Government (Meeting Procedures) Regulations 2015* makes provision for Public Question Time during a Council meeting.

Public question time is to commence immediately after the meal break at approximately 6:45pm and is to be conducted in accordance with the following guidelines:

- At each Council Meeting up to 20 minutes, or such longer period as Council may determine by resolution at that meeting, is to be provided for persons at the meeting to ask questions.



## NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 15 MARCH 2021

- A person seeking to ask a question must firstly identify himself or herself by stating their name and the town they reside in.
- If more than one person wishes to ask a question, the Mayor is to determine the order in which those questions are asked.
- Questions must be directed to the Mayor who shall answer or direct the question to the appropriate Councillor or Council Officer. A question will be answered if the information is known otherwise taken on notice and responded to in writing within 10 working days.
- Questions should preferably be in writing and provided to the General Manager 7 days prior to the Council Meeting.
- A person is entitled to ask no more than 2 questions on any specific subject. If a person has up to two questions on several subjects, the Mayor may defer those questions until other questions have been asked and refer back to that person only if time permits.
- Each submission speaker is limited to a maximum of 3 minutes.

### 1 PUBLIC QUESTIONS



# NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 15 MARCH 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 7.

## 2 STATEMENTS

### 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. After the representation has been made, Councillors are permitted to ask questions of the party who made the representation.

Each speaker is limited to a maximum of 3 minutes.

- |        |   |
|--------|---|
| PLAN 1 | DRAFT PLANNING SCHEME AMENDMENT & PLANNING APPLICATION PLN-21-0029: 13 RICHARD STREET, WESTERN JUNCTION |
| PLAN 2 | PLANNING APPLICATION PLN-20-0286<br>FAIRFIELD, 13790 MIDLAND HIGHWAY, EPPING FOREST                     |
| PLAN 3 | PLANNING APPLICATION PLN-21-0002<br>CNR WEST ST & HIGH STREET, CAMPBELL TOWN                            |
| PLAN 4 | PLANNING APPLICATION PLN-21-0003: CNR TORLESSE ST & HIGH ST, CAMPBELL TOWN                              |
| PLAN 5 | PLANNING APPLICATION PLN-21-0028: 17 SUMMIT DRIVE, DEVON HILLS  |
| PLAN 6 | PLANNING APPLICATION PLN-20-0310: 46 ANSTEY STREET, LONGFORD  |
| PLAN 7 | PLANNING APPLICATION PLN-21-0006: 7 CHURCH STREET, CRESSY   |

**PLAN 1 DRAFT PLANNING SCHEME AMENDMENT & PLANNING APPLICATION  
PLN-21-0029: 13 RICHARD STREET, WESTERN JUNCTION**

*Attachments: Section 1 – Page 349*

*File:* 204100.04  
*Responsible Officer:* Erin Miles Development Supervisor  
*Report prepared by:* Chloe Lyne, Consultant Planner

## 1 INTRODUCTION

This report recommends that Council:

- Initiate and certify a draft amendment to introduce the 'resource processing' use class as a discretionary use within Area 2 of the Translink Specific Area Plan as comprised in Certificate of Title Volume 129904 Folio 5; and
- Approve a planning permit for a change of use of the site from Storage to Resource Processing to enable Forager Foods to undertake freeze drying food production from the existing warehouse on site and associated signage.



**Image 1: View of front of existing building on site**

## 2 SUMMARY INFORMATION

**Applicant:**  
GHD obo Forager Foods Pty Ltd

**Owner:**  
Richard St Developments

**Zone:**  
General Industrial  
Translink Specific Area Plan Area 2

**Codes:**  
Car Parking and Sustainable Transport Code  
Airports Impact Management Code  
Signs Code





# NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 15 MARCH 2021

## Translink Specific Area Plan

**Proposal:**

Site specific amendment to allow Resource Processing as a discretionary use on CT 129904/5 in conjunction with a s43 development application for a food freeze drying enterprise.

**Existing Use:**

Storage

**Critical Date:**

Decision whether or not to initiate and certify the draft amendment must be made by 16 March 2021.

**Recommendation:**

That Council initiate and certify the draft amendment and approve the planning permit

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

### 3 STATUTORY REQUIREMENTS

The *Land Use Planning & Approvals Act 1993* contains the following provisions:

*Section 33 (1) – A person may request planning authority to initiate an amendment of a planning scheme administered by it.*

*Section 43A (1) - A person who requests a planning authority to amend a planning scheme may also request the planning authority to consider an application for a permit which would not be allowed if the planning scheme were not amended as requested.*

*Section 33 (2B) - Before making a decision as to whether or not to initiate an amendment of the planning scheme, the planning authority must consider –*

- (a) whether the requested amendment is consistent with the requirements of [section 32](#); and*
- (ab) any representation made under [section 30I](#), and any statements in any report under [section 30I](#) as to the merit of a representation, that may be relevant to the amendment; and*
- (b) any advice referred to in [section 65 of the Local Government Act 1993](#) received by it.*

**Comment:**

Part 7 of this report finds that the draft amendment is consistent with section 32 of the Act.

(ab) There are no representations under section 30I relevant to the draft amendment.

(b) This report provides advice in relation to section 65 of the Local Government Act 1993 (advice of qualified persons).

### 4 PROPOSAL

It is proposed to:

- Introduce the Resource Processing Use Class as a Discretionary Use in Table F1.3.2 (the table of uses for Area 2 in the Translink Specific Area Plan) on land comprised in Certificate of Title Volume 129904 Folio 5; and
- Change the use of the property to Resource Processing for the purposes of freeze drying food and associated signage.

#### 4.1 Zoning

The land is zoned General Industrial and is subject to the Translink Specific Area Plan. It is proposed that the application of the General Industrial Zone and Translink Specific Area Plan remain.





**Image 2: Zoning and Overlay Plan**

#### **4.2 Subject site and locality**

The author of this report carried out a site visit on the 26/02/21. The site is rectangular in shape and has a total area of 2.395ha and is relatively flat. The site has frontage to Richard Street and access via an existing 12m wide crossover.

The site is developed with a large warehouse of approximately 7 690m<sup>2</sup> which comprises freezer area, chiller, annex, plant room, battery charging room and offices. The warehouse was previously used as a cold store.

There is vehicle parking along the frontage of the site and a heavy vehicle loading zone and maneuvering area along the northern side of the warehouse. To the rear of the site is a truck parking and wash bay. The layout of the site is shown in Image 3 as taken from application report whilst the Images 4 and 5 show the internal and external layout of the site.



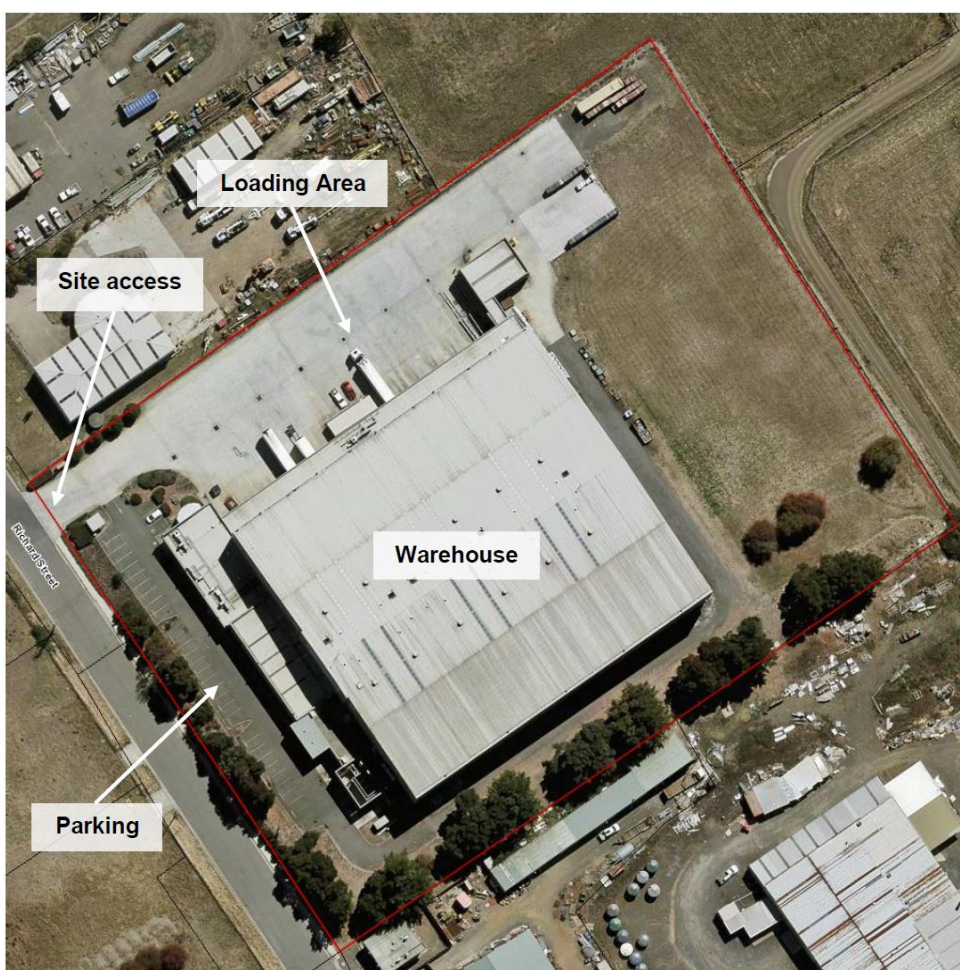


Image 3: Site Layout

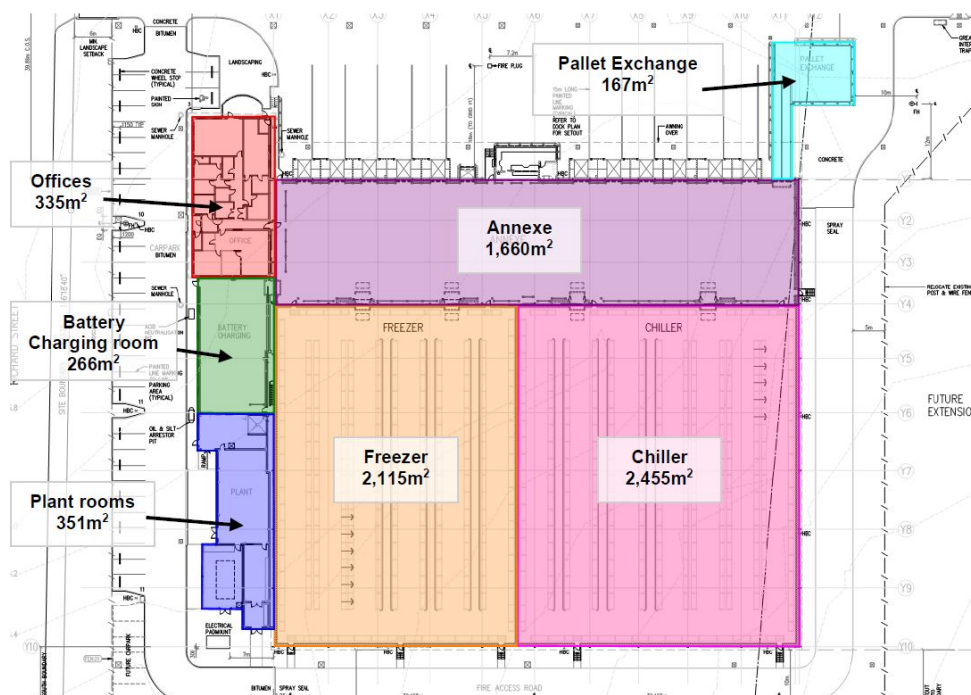
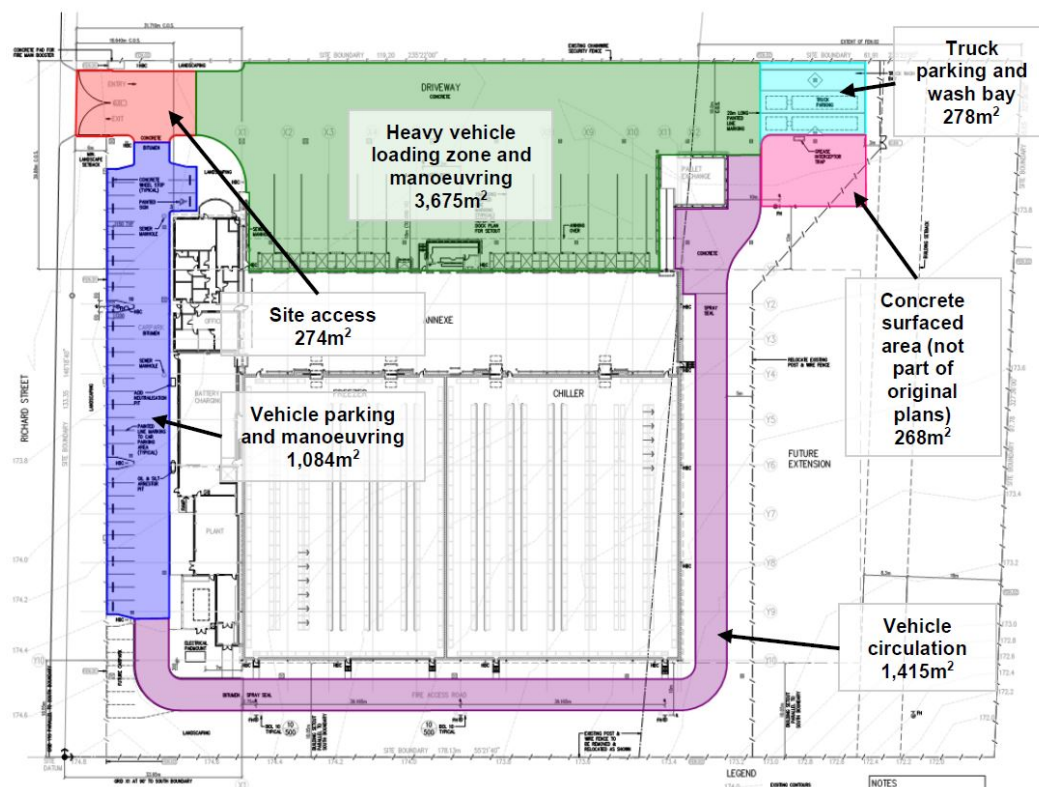


Image 4: Internal Building Layout



**Image 5: Site Layout**

The site is connected to full reticulated services.

**Photographs of subject site**



**Image 6: View of northern side of existing building incl vehicle maneuvering area looking towards the rear of the site**





*Image 7: View of northern side of building from rear of site looking towards front of site*



*Image 8: View of rear of building*

#### 4.3 Permit/site history

- 67/97 Distribution centre
- 25/98 Cool store
- 06/273 Cool store addition

#### 4.4 Reason for Proposed Amendment

The proposed site specific amendment is sought to allow an existing vacant frozen foods distribution centre to be



# NORTHERN MIDLANDS COUNCIL

## AGENDA – ORDINARY MEETING

### 15 MARCH 2021

repurposed and utilised as a fruit, vegetable, dairy and meat freeze drying enterprise. The proposed use fits within the Resource Processing Use Class which is defined in Clause 8.2 as:

*‘use of land for treating, processing or packing plant or animal resources. Examples include an abattoir, animal saleyard, cheese factory, fish processing, milk processing, winery and sawmilling.’*

Whilst Resource Processing is permitted in the General Industrial Zone, the site is subject to the Translink Specific Area Plan, Area 2 and the use is prohibited under those provisions which take precedence over the zone provisions.

Given the proposal is for an industrial style use within an industrial precinct utilising an existing facility it is appropriate to consider a site specific amendment to the SAP provisions to allow Resource Processing on the site. It is noted that Resource Processing is discretionary in Areas 1, 3 and 7 of the Translink SAP so it is not a use entirely prohibited from the area.

The site is ideally located to provide for the freeze drying operation given its proximity to key road and air freight networks and proximity to population centres of the Northern Midlands and Launceston for sourcing of employees.

#### 4.5 Public Exhibition

Public Exhibition of the draft amendment and permit occurs after it has been certified, as per section 38 of the *Land Use Planning and Approvals Act 1993*:

- (1) After giving to the Commission a copy of a draft amendment of a planning scheme and the instrument certifying that the amendment meets the requirements specified in [section 32](#), the planning authority must –
  - (a) cause a copy of the draft amendment to be placed on public exhibition for a period of 28 days or a longer period agreed to by the planning authority and the Commission; and
  - (b) advertise, as prescribed, the exhibition of the draft amendment.

#### 5 FINANCIAL IMPLICATIONS TO COUNCIL

Assessment of the application is within budget allocations.

#### 6 OPTIONS

##### Initiation of draft amendment

Council can:

- Initiate the draft amendment; or
- Not initiate the draft amendment

##### Certification of draft amendment

If Council initiates the draft amendment, Council can:

- Certify the draft amendment as meeting the requirements of section 32; or
- Modify the draft amendment until meets the requirements of section 32, and then certify it.

##### Permit

Council can:

- Issue the permit with the recommended conditions;
- Issue the permit with different conditions; or
- Refuse the permit.

#### 7 DISCUSSION

##### 7.1 ASSESSMENT FOR CONSISTENCY WITH SECTION 32 OF THE LAND USE PLANNING & APPROVALS ACT 1993

Section 32 of the Land Use Planning & Approvals Act 1993 requires that an amendment of a planning scheme–



# NORTHERN MIDLANDS COUNCIL

## AGENDA – ORDINARY MEETING

### 15 MARCH 2021

***Must, as far as practicable, avoid the potential for land use conflicts with use and development permissible under the planning scheme applying to the adjacent area.***

**Comment:** The draft amendment proposes to keep the land within the General Industrial Zone and Area 2 of the Translink Specific Area Plan. The amendment only allows the consideration of the Resource Processing Use Class as Discretionary on the subject site and does not create potential for conflict. The Resource Processing Use Class is a permitted use class in the underlying zoning and discretionary in Areas 1, 3 and 7 of the Translink Specific Area Plan.

Whilst the Resource Processing use class includes uses that are likely to cause emissions such as an abattoir, it is considered that the provisions under the Environmental Impacts and Attenuation Code as well as Clause 25.3.1 (General Industrial Zone Use Standards - Emissions) would adequately address any potential conflicts with the range of uses that can occur under the Resource Processing use class.

In practical terms, the level of investment in the existing built infrastructure on site coupled with the relatively small site area and location means it is unlikely that the warehouse would be demolished to enable construction of an abattoir.

***Must be consistent with the Regional Land Use Strategy and any mandatory provisions ([section 300](#)).***

**Comment:**

The Northern Regional Land Use Strategy (NRLUS) provides overall direction on future use and development for the Northern Region. As required through Section 32(1)(ea) the proposed amendment must as far as practicable be consistent with the Regional Land Use Strategy. The Strategy was updated in 2018 to incorporate some of the directions, strategies and principles encompassed in the Greater Launceston Plan.

The Northern Tasmania Regional Land Use Strategy (NRLUS) is a key policy framework that has been established to guide land use, development, and infrastructure investment decisions across the region. A primary objective of the RLUS is to guide land use, development and infrastructure decisions made by State and local government, and key infrastructure providers.

There are four key goals under the Framework based on Economic Development, Liveability, Sustainability, and strong Governance. The conformance of the proposed amendment with the goals is outlined.

The RLUS defines three key land use categories to direct the allocation of all land in the region as Urban Growth Areas, Rural Areas or Natural Environment Areas to assist in zoning allocation. The site is located within the established Translink Industrial area.

<i>C.4.1 Goal 1: Economic Development</i> <i>To facilitate economic development and productivity through integrated land use and infrastructure planning.</i>	
<b>Strategic Direction</b>	<b>Conformance of Amendment</b>
<i>G1.1 Capitalise on the region's sources of competitiveness by identifying future opportunities for sustainable competitive advantage.</i>	The amendment has been proposed to enable a development application for a freeze drying processing and packaging plant to be established within an existing warehouse at the site. The amendment furthers specific strategies under G1.1 by allowing value adding to agricultural products – particularly those that may otherwise go to waste on a site that is within an established industrial area.
<i>G1.2 Adopt an integrated and coordinated approach to government infrastructure, transport and land use planning.</i>	The amendment to allow resource processing as a discretionary use on the site which is strategically located near air and road freight transport hubs allows furthers G1.2.
<i>G 1.3 Develop a thorough understanding of key industry needs, including future demand and location requirements</i>	A key strategy to attaining the objective is to support industrial development by identifying growth and infrastructure needs at the Launceston Airport Precinct. The amendment effectively allows growth within the existing Launceston Airport Precinct by

enabling an additional use class to be considered which will result in existing established infrastructure being utilised.

#### C.4.3 Goal 3: Sustainability

To promote greater sustainability in new development and develop stronger community resilience to social and environmental change.

Strategic Direction	Conformance of Amendment
G3.1 Promote the Region's unique environmental assets and values	The subject site is within an existing industrial precinct and therefore is ideally located to provide for a new resource processing facilities without impact to the environment.
G3.2 Establish planning policies to support sustainable development, address the impacts of climate change, improve energy efficiency and reduce environmental emissions and pollutants.	The proposed amendment will allow an existing vacant warehouse building to be utilised for a purpose other than storage into the future and therefore promotes sustainable growth of industry.

### Regional Planning Policies

The Translink site is included within the Launceston Airport /Translink Specialist Centre under the NRLUS.

Table E.2 ➤ Northern Tasmania Regional Activity Centre Hierarchy

Specialist Centres ➤	Launceston Airport / Translink, UTAS City Campus
<b>Role</b>	To provide for activity of a specialist nature as defined through specific local area or precinct structure plans.  Specialist nature maybe of a major infrastructure, educational, health or research or other institutional style facility of regional significance that provides a strong employment and economic development role.
<b>Employment</b>	Dependent upon specialist characteristics.

The proposed amendment to introduce one new use class as discretionary within Area 2 of the Translink SAP will not impact the status of the TransLink Specialist Centre in the Regional Activity Centre Hierarchy.

Key policies and actions identified in the regional infrastructure network policy include the following relevant to the proposed amendment:

### 7.3.2 E.4 Regional Infrastructure Network Policy

Policy ▼	Actions ▼
<b>RIN-P3</b> Direct new development towards settlement areas that have been identified as having spare infrastructure capacity.	<b>RIN-A3</b> Direct growth to areas where existing infrastructure capacity is underutilised and give preference to urban expansion that is near existing transport corridors and higher order Activity Centres.
<b>RIN-P5</b> Recognise the region's port, airport and other intermodal facilities (existing and planned), including operations, and protect from development that will preclude or have an adverse impact on existing and future operations.	<b>RIN-A4</b> Recognise the operation and future expansion potential of key intermodal facilities, particularly the three major seaports and the Launceston Airport and protect from surrounding incompatible uses by applying appropriate zoning and buffers in planning schemes.  <b>RIN-A6</b> Provide for use and development nearby Launceston Airport that supports and complements the airport's role and does not adversely impact on its current or future operation. .  Note: The area immediately surrounding some airports is subject to Commonwealth legislation, which overrides State legislation.
<b>RIN-P6</b> Facilitate and encourage active modes of transport through land use planning.	<b>RIN-A17</b> Planning schemes are to require that use and development proposals which attract high numbers of people include provision for bicycle parking facilities in parking requirements, where appropriate.





## NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 15 MARCH 2021

The proposed amendment clearly furthers the three policies by enabling an existing site within an identified industrial area to be used to its full potential and enable a business to establish that will benefit from being situated in close proximity to key air and road freight networks.

The proposal is consistent with mandatory provisions under section 30(O) of the former provisions of the *Land Use Planning & Approvals Act 1993*.

***Must have regard to the impact that the use and development permissible under the amendment will have on the use and development of the region as an entity in environmental, economic and social terms.***

**Comment:** The proposed amendment to allow one additional use class on the subject site, being Resource Processing which is a permitted use class within the underlying zoning and discretionary in other Areas of the Translink SAP considers the impact on the Region in environmental, economic and social terms.

The amendment allows utilisation of an existing vacant warehouse for the purposes of Resource Processing. There are appropriate provisions under the Planning Scheme namely the Environmental Impacts and Attenuation Code and Clause 25.3.1 (General Industrial Zone Use Standards - Emissions) which would ensure that the environmental impacts of any future alternate use other than that being applied for (freeze drying of food) would be properly assessed.

The amendment will have a positive economic impact in that it enables reuse of an existing cold store facility for a new operation which will generate employment for the regional as well as enable a local business to value add on local produce.

***Must be consistent with the overarching requirements for planning schemes [sections 20(2), (3), (4), (5), (6), (7), (8), and (9)]:***

**(2)** A planning scheme may–

**(aa)** make any provision which relates to the use, development, protection or conservation of any land in the area; and

**(a)** set out policies and specific objectives; and

**(b)** regulate or prohibit the use or development of any land; and

**(c)** designate land as being reserved for public purposes; and

**(d)** . . . . .

**(e)** set out requirements for the provision of public utility services to land; and

**(f)** require specified things to be done to the satisfaction of the Commission, relevant agency or planning authority; and

**(g)** apply, adopt or incorporate any document which relates to the use, development or protection of land; and

**(h)** provide that any use or development of land is conditional on an agreement being entered into under Part 5; and

**(ha)** set out provisions relating to the implementation in stages of uses or developments; and

**(i)** provide for any other matter which this Act refers to as being included in a planning scheme; and

**(j)** provide for an application to be made to a planning authority to bring an existing use of land that does not conform to the scheme into conformity, or greater conformity, with the scheme.

**Comment:** The draft amendment does not conflict with the requirements in section (2)(aa-j) above.

**(3)** Subject to subsections (4), (5) and (6), nothing in any planning scheme is to be taken (including by virtue of requiring a permit to be obtained) to–

**(a)** prevent the continuance of the use of any land, upon which buildings or works are not erected, for the purposes for which it was being lawfully used before the coming into operation of the scheme; or

**(b)** prevent the use of any building which was erected before that coming into operation for any purpose for which it was lawfully being used immediately before that coming into operation, or the maintenance or repair of such a building; or

**(c)** prevent the use of any works constructed before that coming into operation for any purpose for which they were being lawfully used immediately before that coming into operation; or

**(d)** prevent the use of any building or works for any purpose for which it was being lawfully erected or carried out immediately before that coming into operation; or

**(e)** require the removal or alteration of any lawfully constructed buildings or works; or

**(f)** prevent a development, which was lawfully commenced but not completed before the coming into operation of the scheme, from being completed within–





## NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 15 MARCH 2021

- (i) 3 years of that coming into operation; or*
- (ii) any lesser or greater period specified in respect of the completion of that development under the terms of a permit or special permit granted before the coming into operation of the scheme.*

**Comment:** The draft amendment does not conflict with these requirements.

**(4)** Subsections (3) and (3A) do not apply to a use of land—

- (a) which has stopped for a continuous period of 2 years; or*
- (b) which has stopped for 2 or more periods which together total 2 years in any period of 3 years; or*
- (c) in the case of a use which is seasonal in nature, if the use does not take place for 2 years in succession.*

**Comment:** The draft amendment does not conflict with these requirements.

**(5)** Subsection (3) does not apply to the extension or transfer from one part of a parcel of land to another of a use previously confined to the first-mentioned part of that parcel of land.

**Comment:** The draft amendment does not conflict with these requirements.

**(6)** Subsections (3) and (3A) do not apply where a use of any land, building or work is substantially intensified.

**Comment:** The draft amendment does not conflict with these requirements.

**(7)** Nothing in any planning scheme or special planning order affects –

- (a) forestry operations conducted on land declared as a private timber reserve under the Forest Practices Act 1985; or*
- (b) the undertaking of mineral exploration in accordance with a mining lease, an exploration licence, or retention licence, issued under the Mineral Resources Development Act 1995, provided that any mineral exploration carried out is consistent with the standards specified in the Mineral Exploration Code of Practice; or*
- (c) fishing; or*
- (d) marine farming in State waters.*

**Comment:** The draft amendment does not conflict with these requirements.

**(8)** The coming into operation of a planning scheme or a special planning order does not legitimize a use or development which was illegal under a planning scheme or a special planning order in force immediately before that coming into operation.

**Comment:** The draft amendment does not conflict with these requirements.

**(9)** A planning scheme may require a use to which subsection (3) applies to comply with a code of practice approved or ratified by Parliament under an Act.

**Comment:** The draft amendment does not conflict with these requirements.

### ***Must seek to further the objectives in Schedule 1 of the Act***

Part 1 – The objectives of the resource management and planning system of Tasmania are –

- (a) to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity.*

**Comment:** The draft amendment is consistent with this objective. The amendment applies to the subject site being CT 129904/5 only and the site is already developed for industrial style purposes with a large warehouse and associated facilities. The amendment to allow one additional use class to be considered on the site as discretionary will not impact on any natural or physical resources.

- (b) to provide for the fair, orderly and sustainable use and development of air, land and water.*

**Comment:** The amendment enables reuse of an existing warehouse building for an alternate purpose that is consistent with the underlying zoning as well as the Translink SAP objectives and provisions.

- (c) to encourage public involvement in resource management and planning.*



## NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 15 MARCH 2021

Comment: If initiated, the draft amendment will be placed on public exhibition, providing an opportunity for public involvement.

(d) *to facilitate economic development in accordance with the objectives set out in [paragraphs \(a\), \(b\) and \(c\)](#).*

Comment: The draft amendment is consistent with this objective. The draft amendment allows one additional use class to be considered on the site and the application includes a permit application for use of the site for a freeze drying operation. The opportunity for the new business to utilise existing resources on site whilst creating employment opportunities will have a positive economic impact on the region.

(e) *to promote the sharing of responsibility for resource management and planning between the different spheres of Government, the community and industry in the State.*

Comment: The application was referred to TasWater. It will be decided on by the Tasmanian Planning Commission, consistent with this objective.

Part 2 – The objectives of the planning process established by the Act are, in support of the objectives set out in Part 1 of the Schedule –

(a) *to require sound strategic planning and co-ordinated action by State and local government.*

Comment: The proposed site specific amendment to allow one additional use class to be considered on the site is consistent with the underlying zoning and also with other 'Areas' within the Translink SAP.

The amendment is consistent with the directions in the Northern Regional Land Use Strategy which identifies Translink as a specialist centre and a key industrial estate particularly for industries that benefit from being strategically located in proximity to air and road freight linkages such as the proposed resource processing use – Forager Foods.

The Translink SAP is proposed to be a transitioning provision in the new LPS so there are no proposed changes to consider in respect of the draft amendment.

The proposal is consistent with this objective.

(b) *to establish a system of planning instruments to be the principal way of setting objectives, policies and controls for the use, development and protection of land.*

Comment: The Northern Midlands Interim Planning Scheme 2013 is the planning instrument that applies to the subject land.

(c) *to ensure that the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land.*

Comment: The draft amendment is consistent with this objective. The amendment applies to the subject site being CT 129904/5 only and the site is already developed for industrial style purposes with a large warehouse and associated facilities. The amendment to allow one additional use class to be considered on the site as discretionary will not impact on any natural or physical resources.

The applicant has provided

(d) *to require land use and development planning and policy to be easily integrated with environmental, social, economic, conservation and resource management policies at State, regional and municipal levels.*

Comment: The draft amendment is consistent with this objective.

(e) *to provide for the consolidation of approvals for land use or development and related matters, and to co-ordinate planning approvals with related approvals.*

Comment: The consideration of the amendment and permit application as a combined S43A furthers this objective.



## NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 15 MARCH 2021

(f) *to secure a pleasant, efficient and safe working, living and recreational environment for all Tasmanians and visitors to Tasmania.*

Comment: The draft amendment is consistent with this objective.

(g) *to conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value.*

Comment: The subject site is not identified within a heritage precinct or on the Tasmanian Heritage Register. The proposed site specific planning scheme amendment does not impact attainment of this objective.

(h) *to protect public infrastructure and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community.*

Comment: No adverse impact on public infrastructure has been identified through the referral process. It is considered that the draft amendment is consistent with this objective.

(i) *to provide a planning framework which fully considers land capability.*

Comment: The draft amendment does not impact on agricultural land capability.

### ***Must be in accordance with State Policies.***

State Policy for the Protection of Agricultural Land – The subject site is within an existing urban zoned area. The addition of one use class as discretionary will not impact on the productivity of adjoining agricultural land.

Water Quality Management State Policy – the site is connected to the reticulated stormwater system.

State Coastal Policy - There is no coastal land within the municipal area of the Northern Midlands.

National Environmental Protection Measures – There are none relevant to the application.

## **7.2 ASSESSMENT OF PLANNING APPLICATION**

In accordance with section 43A (former provisions) of the *Land Use Planning & Approvals Act 1993*, where a planning authority has decided to initiate an amendment under section 33(3), it may consider the application for a permit concurrently with the preparation of the requested amendment to the planning scheme.

### **PROPOSAL**

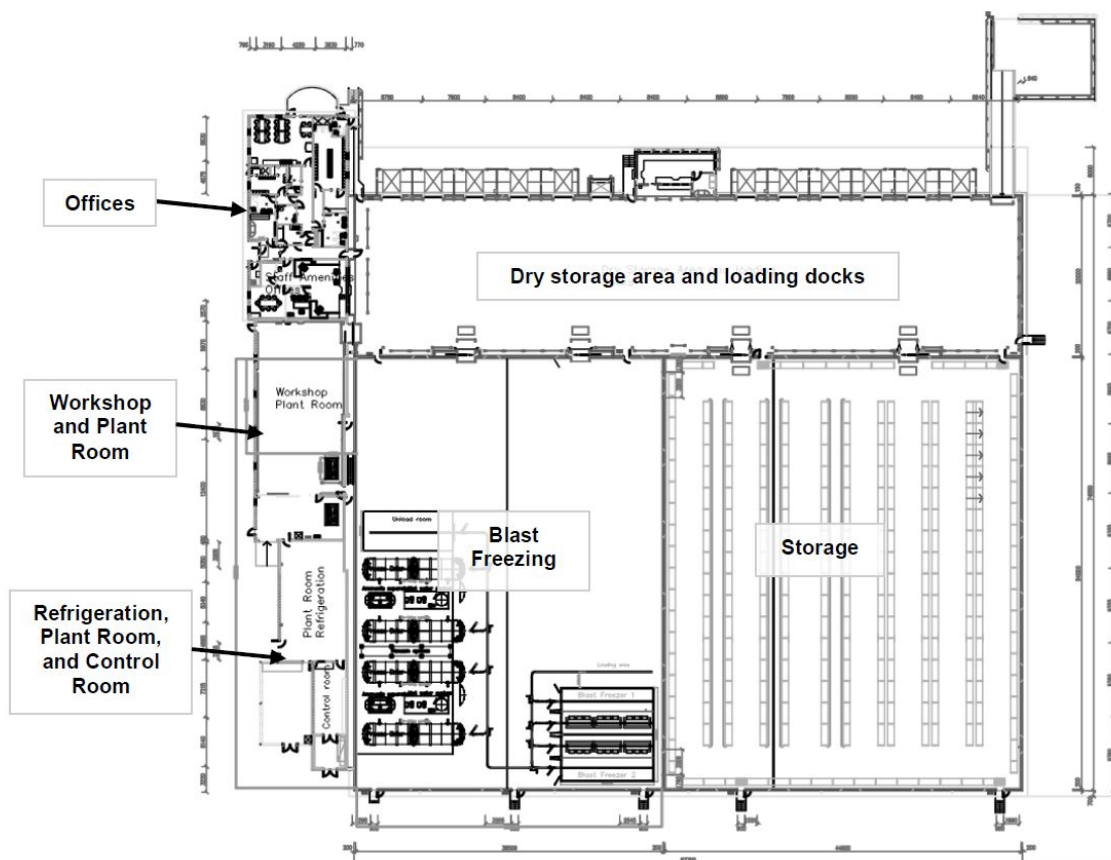
It is proposed to change the use of the site to Resource Processing and adapt the existing building for use for a freeze drying and packaging operation. The proponent's Forager Foods freeze dry and package fruit, vegetable, dairy and meat products. The freeze drying process involves fruit, vegetables, dairy and meat being washed and sliced into portions that are frozen to over -20°C before being placed into pressurised chambers to remove water vapour. The product is then packaged for distribution.

The process can utilise produce that would otherwise go to waste as it is not of a quality or aesthetic appearance to be accepted by supermarkets. The business is therefore contributing in a positive way to reducing waste in the community.

The proposed use does not generate any waste products other than water derived from the water vapour through the freeze drying process and detergent used in general washing and maintenance of the facility. These liquid wastes will be disposed of through the existing reticulated sewerage system.

Vehicle movements will include 3 daily heavy vehicle movements to and from the site resulting from either delivery of the fresh produce or transport of the finished product. Additional light vehicle movements will be created by the 15 employees expected and visitors to the site.

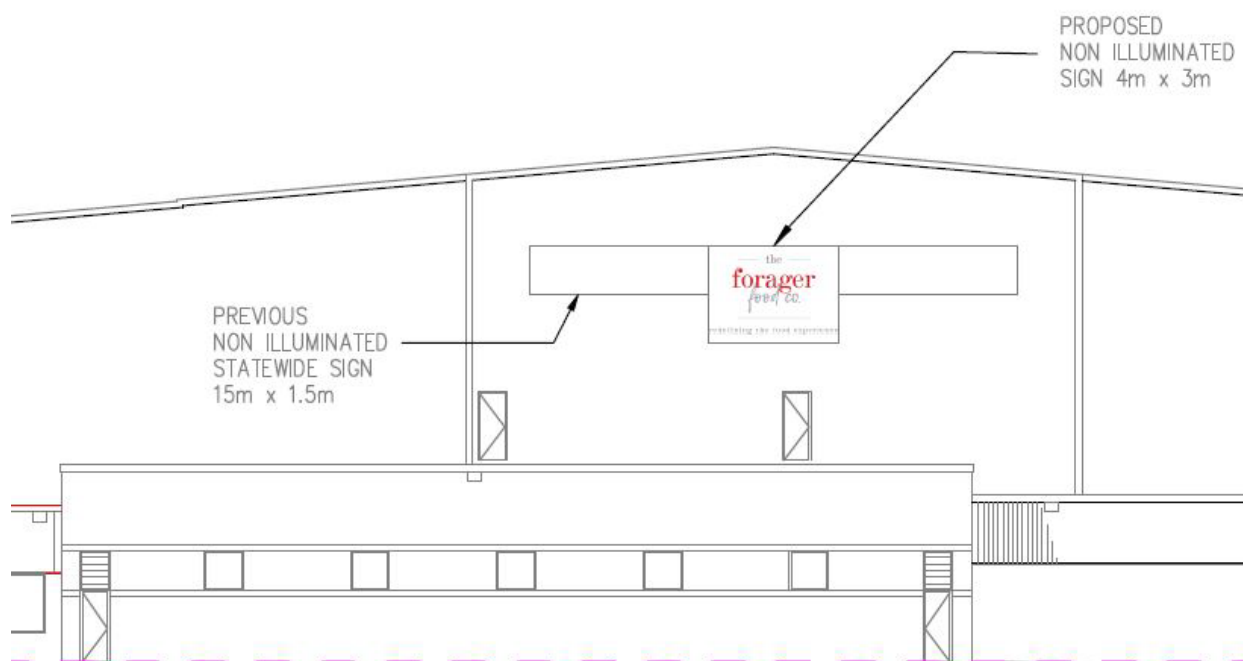
All proposed works are internal building modifications as per Image 9 and do not fundamentally alter the existing layout of the building.



**Image 9- Proposed internal building layout**

### **SIGNAGE**

A 12m<sup>2</sup> sign displaying the new business name is proposed on the frontage of the existing building.



**Image 10 – Proposed Sign**



# NORTHERN MIDLANDS COUNCIL

## AGENDA – ORDINARY MEETING

### 15 MARCH 2021

#### **PLANNING SCHEME PROVISIONS**

#### **8.2 Categorising Use or Development**

- 8.2.1 Each proposed use or development must be categorised into one of the use classes in Table 8.2.
- 8.2.2 A use or development that is directly associated with and a subservient part of another use on the same site must be categorised into the same use class as that other use.
- 8.2.3 If a use or development fits a description of more than one use class, the use class most specifically describing the use applies.
- 8.2.4 If a use or development does not readily fit any use class, it must be categorised into the most similar use class.
- 8.2.5 If more than one use or development is proposed, each use that is not directly associated with and subservient to another use on the same site must be individually categorised into a use class.

Table 8.2 includes the following use classes:

Use Class	Description
Resource Processing	<i>'use of land for treating, processing or packing plant or animal resources. Examples include an abattoir, animal saleyard, cheese factory, fish processing, milk processing, winery and sawmilling.'</i>

#### **ASSESSMENT AGAINST ZONE PROVISIONS**

In accordance with Clause 7.4.2, Where there is a conflict between a provision in a specific area plan and a provision in a zone or a code, the specific area plan provision prevails. Therefore, not all the provisions of the General Industrial Zone are relevant to this application as some relate to matters dealt with in the Translink SAP.

#### **25 General Industrial Zone**

##### **25.1 Zone Purpose**

##### **25.1.1 Zone Purpose Statements**

25.1.1.1 To provide for manufacturing, processing, repair, storage and distribution of goods and materials where there may be impacts on neighbouring uses.

25.1.1.2 To focus industrial use and development into appropriate areas suitable for its needs.

25.1.1.3 To provide for 'non-industrial' uses that either support, supply or facilitate industrial development.

##### **25.1.2 Local Area Objectives**

There are no desired local area objectives

##### **25.1.3 Desired Future Character Statements**

There are no desired future character statements

##### **25.2 Use Table**

No Permit Required	
Use Class	Qualification
Natural and cultural values management	If by an agency, or a corporation all the shares of which are held by Councils
Passive recreation	If by an agency, or a corporation all the shares of which are held by Councils
Permitted	
Use Class	Qualification
Bulky goods sales	
Equipment and machinery sales and hire	
Recycling and waste disposal	
Resource processing	If not for animal saleyards or abattoir
Service industry	
Storage	
Manufacturing and processing	
Research and development	
Transport depot and distribution	
Utilities	If for minor utilities
Vehicle fuel sales and service	



# NORTHERN MIDLANDS COUNCIL

## AGENDA – ORDINARY MEETING

### 15 MARCH 2021

Vehicle parking	
<b>Discretionary</b>	
<b>Use Class</b>	<b>Qualification</b>
Crematoria and cemeteries	If for crematoria
Emergency services	
Food services	If for café or takeaway food premises
Motor racing facility	
Resource processing	If for animal saleyards or abattoir
Utilities	If not for minor utilities
<b>Prohibited</b>	
All other uses	

#### 25.3 Use Standards

##### 25.3.1 Emissions

<b>Objective</b> To ensure that emissions to air, land and water are reduced to the greatest extent practicable in consideration of proximity to sensitive uses.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
A1 Use not listed in Table E11.1 Attenuation Distances or E11.2 Attenuation Distances for Sewerage Treatment Plants must be set back from sensitive uses a minimum distance of 100 metres.	P1 The use must not cause or be likely to cause an adverse impact to the amenity of sensitive uses through emissions including noise, smoke, odour, dust and illumination.
A2 All solid waste produced through processing or manufacturing operations on the site must be removed and disposed of:  (a) by a licensed waste removal operator; or (b) in accordance with a management plan approved by the Environment Protection Authority.	P2 No performance criteria.
<b>Complies with A1 and A2</b> With respect to A1, the processing of dairy products is an activity that will require a 100 m separation distance from sensitive uses. The boundary of the site is separated by 360m to the dwelling on the property at 81 Evandale Road, Western Junction, being the closest sensitive use to the site. With respect to A2, the proposed operation will have solid waste removed by a licensed removal operator.	

#### 25.4 Development Standards

##### 25.4.1 Building Design and Siting

<b>Objective</b> To ensure that the site and layout, building design and form is visually compatible with surrounding development.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
A1 Building height must not exceed: a) 10.0m; or b) the average of the heights of buildings on immediately adjoining lots.	P1 Building height must: a) be complementary to the streetscape immediately surrounding the site; and b) avoid unreasonable levels of shading to the road, public places or adjoining properties.
A2 Buildings must be set back a minimum distance of 15m from a frontage.	P2 The proposal must be: a) in keeping with or enhances the streetscape character; and b) consistent with the local area objectives, if any.
A3 Buildings must be set back from side and rear boundaries a minimum distance of 3m.	P3 The setback to the side and rear boundary must: a) provide adequate access to the site; and b) not result in unreasonable loss of amenity to the occupiers of adjoining uses having regard to the:



# NORTHERN MIDLANDS COUNCIL

## AGENDA – ORDINARY MEETING

### 15 MARCH 2021

	<ul style="list-style-type: none"> <li>a) bulk and form of the building; and</li> <li>b) impact on the solar access of habitable room windows and private open space; and</li> <li>c) size and proportions of the lot; and</li> <li>d) extent to which the slope, retaining walls, fences or existing vegetation screening reduce or increase the impact of the proposed variation.</li> </ul>
<b>Not applicable</b> No change to the existing building is proposed.	

#### ASSESSMENT AGAINST CODE PROVISIONS

#### E4 ROAD AND RAILWAY ASSETS CODE

##### **E4.1 Purpose of Code**

*E4.1.1 The purpose of this provision is to:*

- a) ensure that use or development on or adjacent to a road or railway will not compromise the safety and efficiency of the road or rail network; and*
- b) maintain opportunities for future development of road and rail infrastructure; and*
- c) reduce amenity conflicts between roads and railways and other use or development.*

##### **E4.2 Application of Code**

*E4.2.1 This code applies to use or development of land that:*

- a) requires a new access, junction or level crossing; or*
- b) intensifies the use of an existing access, junction or level crossing; or*
- c) involves a sensitive use, a building, works or subdivision on or within 50 metres of a railway or land shown in this planning scheme as:
 
  - i) a future road or railway; or*
  - ii) a category 1 or 2 road where such road is subject to a speed limit of more than 60 kilometres per hour.**

##### **E4.3. Definition of Terms**

*E4.3.1 In this code, unless the contrary intention appears:*

<i>Category 1 – Trunk Road</i>	<i>means as defined in Tasmania State Road Hierarchy (DIER, 2007)</i>
<i>Category 2 – Regional Freight Route</i>	<i>means as defined in Tasmania State Road Hierarchy (DIER, 2007)</i>
<i>Category 3 – Regional Access Road</i>	<i>means as defined in Tasmania State Road Hierarchy (DIER, 2007)</i>
<i>Category 4 – Feeder Road</i>	<i>means as defined in Tasmania State Road Hierarchy (DIER, 2007)</i>
<i>Category 5 – Other Road</i>	<i>means as defined in Tasmania State Road Hierarchy (DIER, 2007)</i>

*Future road or railway means a future road or railway shown on the plans of this planning scheme.*

*Junction means an intersection of two or more roads at a common level, including intersections of on and off ramps and grade-separated roads.*

*Limited access road means a road proclaimed as limited access under Section 52A of the Roads and Jetties Act 1935.*

##### **E4.4 Use or development exempt from this Code**

*E4.4.1 There are no exemptions from this Code.*

##### **E4.5 Requirements for a Traffic Impact Assessment (TIA)**

*E4.5.1 A TIA is required to demonstrate compliance with performance criteria.*

*E4.5.2 A TIA for roads must be undertaken in accordance with Traffic Impact Assessment Guidelines, Department of Infrastructure, Energy and Resources September 2007. Australian Guidelines and Australian Standards are to be used as the basis for any required road or junction design.*

*E4.5.3 A TIA must be accompanied by written advice as to the adequacy of the TIA from the:*

- a) road authority in respect of a road; and*
- b) rail authority in respect of a railway.*





# NORTHERN MIDLANDS COUNCIL

## AGENDA – ORDINARY MEETING

### 15 MARCH 2021

**E4.5.4** The Council must consider the written advice of the relevant authority when assessing an application which relies on performance criteria to meet an applicable standard.

#### **E4.6 Use Standards**

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

<b>Objective</b> <i>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.</i>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b> 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%.	<b>P1</b> 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.
<b>A2</b> 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	<b>P2</b> 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.
<b>A3</b> 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%.	<b>P3</b> 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 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 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.
<b>A1 and A2 Not applicable</b> <b>Complies with A3</b> Given the site was previously utilised as a frozen goods warehouse, it can be reasonably expected that there would have been at least 3 heavy vehicle movements to and from the site each day which is the number proposed under the proposed use. There are 12 heavy vehicle loading bays at the site so it is reasonable to assume that there would have been a higher turnover of heavy vehicles to the site each day than the 3 proposed. There are 34 car parking spaces at the site so again given there will be 15 employees at the new plant, it is unlikely that traffic generation will be higher than under the previous use.	

#### **E4.7 Development Standards**

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

<b>Objective</b> <i>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:</i> a) ensure the safe and efficient operation of roads and railways; and b) allow for future road and rail widening, realignment and upgrading; and c) avoid undesirable interaction between roads and railways and other use or development.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b> The following must be at least 50m from a railway, a future road or railway, and a category 1 or 2	<b>P1</b> Development including buildings, road works, earthworks, landscaping works and level crossings on or within 50m of a





# NORTHERN MIDLANDS COUNCIL

## AGENDA – ORDINARY MEETING

### 15 MARCH 2021

<p>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>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>
<p><b>Not applicable</b></p> <p>With the exception of signage, no new development is proposed.</p>	

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

<p><b>Objective</b></p> <p>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>
<p>A2 For roads with a speed limit of more than 60km/h the development must not include a new access or junction.</p>	<p>P2 For limited access roads and roads with a speed limit of more than 60km/h:</p> <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>
<p><b>Not applicable</b></p> <p>No new accesses or junctions are proposed.</p>	

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

<p><b>Objective</b></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</p>



# NORTHERN MIDLANDS COUNCIL

## AGENDA – ORDINARY MEETING

### 15 MARCH 2021

	<p><i>will have social and economic benefits that are of State or regional significance; or</i></p> <p>c) <i>it is uneconomic to relocate an existing use to a site that does not require a level crossing; and</i></p> <p>d) <i>an alternative access or junction is not practicable.</i></p>
<b>Not applicable</b>	

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

<p><b>Objective</b></p> <p><i>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.</i></p>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p>A1 <i>Sight distances at</i></p> <p>a) <i>an access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.7.4; and</i></p> <p>b) <i>rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia; or</i></p> <p>c) <i>If the access is a temporary access, the written consent of the relevant authority has been obtained.</i></p>	<p>P1 <i>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.</i></p>
<p><b>Not applicable</b></p> <p>No new intersections or accesses are proposed.</p>	

#### E6 Parking and Sustainable Transport Code

##### E6.6 Use Standards

##### E6.6.1 Car Parking Numbers

<p><b>Objective</b></p> <p><i>To ensure that an appropriate level of car parking is provided to service use.</i></p>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p>A1 <i>The number of car parking spaces must not be less than the requirements of:</i></p> <p>a) <i>Table E6.1; or</i></p> <p>b) <i>a parking precinct plan contained in Table E6.6: Precinct Parking Plans (except for dwellings in the General Residential Zone).</i></p>	<p>P1 <i>The number of car parking spaces provided must have regard to:</i></p> <p>a) <i>the provisions of any relevant location specific car parking plan; and</i></p> <p>b) <i>the availability of public car parking spaces within reasonable walking distance; and</i></p> <p>c) <i>any reduction in demand due to sharing of spaces by multiple uses either because of variations in peak demand or by efficiencies gained by consolidation; and</i></p> <p>d) <i>the availability and frequency of public transport within reasonable walking distance of the site; and</i></p> <p>e) <i>site constraints such as existing buildings, slope, drainage, vegetation and landscaping; and</i></p> <p>f) <i>the availability, accessibility and safety of on-road parking, having regard to the nature of the roads, traffic management and other uses in the vicinity; and</i></p> <p>g) <i>an empirical assessment of the car parking demand; and</i></p> <p>h) <i>the effect on streetscape, amenity and vehicle, pedestrian and cycle safety and convenience; and</i></p> <p>i) <i>the recommendations of a traffic impact assessment prepared for the proposal; and</i></p> <p>j) <i>any heritage values of the site; and</i></p> <p>k) <i>for residential buildings and multiple dwellings, whether parking is adequate to meet the needs of the residents having regard to:</i></p> <p>i) <i>the size of the dwelling and the number of bedrooms; and</i></p> <p>ii) <i>the pattern of parking in the locality; and</i></p>



# NORTHERN MIDLANDS COUNCIL

## AGENDA – ORDINARY MEETING

### 15 MARCH 2021

iii) any existing structure on the land.

**Comment: Complies with A1**

The site has a total of 35 parking spaces. It is anticipated that the business will employ 15 people therefore the car parking provision is well above what is required for resource processing being 2 spaces per 3 employees.

**Table E6.1: Parking Space Requirements**

Use Resource Processing	Parking Requirement	
	Vehicle	Bicycle
	2 vehicle spaces per 3 employees	1 space per 5 employees

**E6.6.2 Bicycle Parking Numbers**

Objective: To encourage cycling as a mode of transport within areas subject to urban speed zones by ensuring safe, secure and convenient parking for bicycles.

Acceptable Solutions		Performance Criteria	
A1.1	Permanently accessible bicycle parking or storage spaces must be provided either on the site or within 50m of the site in accordance with the requirements of Table E6.1; or	P1	Permanently accessible bicycle parking or storage spaces must be provided having regard to the:
A1.2	The number of spaces must be in accordance with a parking precinct plan contained in Table E6.6: Precinct Parking Plans.	a)	likely number and type of users of the site and their opportunities and likely preference for bicycle travel; and
		b)	location of the site and the distance a cyclist would need to travel to reach the site; and
		c)	availability and accessibility of existing and planned parking facilities for bicycles in the vicinity.

**Complies with A1**

3 bicycle parking spaces are required and there is a rack for 4 spaces adjacent to the main building entrance and parking lot.

**E6.6.3 Taxi Drop-off and Pickup**

Objective: To ensure that taxis can adequately access developments.

Acceptable Solutions		Performance Criteria	
A1	One dedicated taxi drop-off and pickup space must be provided for every 50 car spaces required by Table E6.1 or part thereof (except for dwellings in the General Residential Zone).	P1	No performance criteria.
Not applicable. The proposed shed does not generate a requirement for provision of more than 50 parking spaces.			

**E6.6.4 Motorbike Parking Provisions**

Objective: To ensure that motorbikes are adequately provided for in parking considerations.

Acceptable Solutions		Performance Criteria	
A1	One motorbike parking space must be provided for each 20 car spaces required by Table E6.1 or part thereof.	P1	No performance criteria.
Not applicable. The proposed shed does not generate a requirement for provision of more than 20 parking spaces.			

**DEVELOPMENT STANDARDS**

Not applicable as no changes are proposed to current parking arrangements on site.

**E12 Airports Impact Management Code**

**E12.1 Purpose of the Code**

**E12.1.1 The purpose of this provision is to:**

- (a) ensure that use or development within identified areas surrounding airports does not unduly restrict the ongoing security, development and use of airport infrastructure; and
- (b) provide for management of the land use implications of those areas relevant to use and development under the scheme.

**E12.2 Application of this Code**

**E12.2.1 This code applies to use or development of land:**

- (a) within Australian noise exposure forecast contours on the maps; and
- (b) within prescribed air space.



# NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 15 MARCH 2021

## E12.3 Definition of Terms

ANEF Australian noise exposure forecast (ANEF) contours are the official forecasts of future noise exposure patterns around an airport that have been endorsed by Air Services Australia.

Prescribed air space means any airspace above Obstacle Limitation Surfaces (OLS) or Procedure for Air Navigational Services – Aircraft Operation (PANS-OPS) as established by the airport operator.

## E12.4 Use or Development Exempt from this Code

E12.4.1 There are no exemptions to this code.

## E12.5 Use Standards

### E12.5.1 Noise Impacts

Objective To ensure that noise impacts on use within the ANEF contours from aircraft and airports are appropriately managed.	
Acceptable Solutions	Performance Criteria
A1 No acceptable solution.	P1 All new buildings must comply with the <i>Australian Standard 2021-2000Acoustics - Aircraft Noise Intrusion - Building Siting and Construction</i> .
A2 Sensitive use (whether ancillary to other use or development or not) must not occur within the 25 ANEF contour.	P2 No performance criteria.
<b>Not applicable</b> The proposal is not for a new building or a sensitive use.	

## E12.6 Development Standards

### E12.6.1 Obstacles to Aircraft

Objective To ensure that development does not impact on the safety of prescribed airspace.	
Acceptable Solutions	Performance Criteria
A1 Development must be approved pursuant to the <i>Airports Act 1996</i> and the <i>Airport (Protection of Airspace) Regulations 1996</i> and the Manual of Standards.	P1 No performance criteria.
<b>Not applicable</b> No new buildings are proposed.	

## E15 SIGNS CODE

### E15.1 Purpose of the Signs Code

E15.1.1 The purpose of this Code is to regulate the construction or putting up for display of a sign or hoarding.

### E15.2 Application of this Code

E15.2.1 This Code applies to all signs and hoardings within the Planning Scheme area.

### E15.5 Standards for Use or Development

#### E15.5.1 Third Party Signage

Objective: To ensure that signs relate to the site on which they are located.	
Acceptable Solutions	Performance Criteria
A1 Must only advertise goods and services available from the site.	P1 Shall be a Billboard Sign and consistent with the desired future character statements, if any.
<b>Complies with A1.</b> The proposed sign will be a business identification sign for the Forager Foods business.	

#### E15.5.2 Heritage Precincts

Objective
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# NORTHERN MIDLANDS COUNCIL

## AGENDA – ORDINARY MEETING

### 15 MARCH 2021

To ensure that the design and siting of signs complement or enhance the streetscape of Heritage Precincts.	
<b>Above Awning Sign</b>	
Acceptable Solutions	Performance Criteria
A1 No acceptable solution	P1 If within the Heritage Precincts Specific Area Plan, shall be consistent with the Character Statements.
<b>Not applicable</b>	
The site is not within the Heritage Precincts Specific Area Plan.	

#### E15.5.3 Design and siting of signage

<b>Objective</b>	
To ensure that the design and siting of signs complement or enhance the characteristics of the natural and built environment in which they are located.	
<b>Building Fascia Sign</b>	
Acceptable Solutions	Performance Criteria
A15 A building fascia sign must be located in the following zones: <ul style="list-style-type: none"> <li>• Community Purpose; or</li> <li>• General Business (no permit required); or</li> <li>• General Industrial; or</li> <li>• Light Industrial; or</li> <li>• Local Business (no permit required); or</li> <li>• Village.</li> </ul>	P15 No performance criteria
<b>Complies with A15.</b>	
The proposed building fascia sign is to be located on the site which is within the General Industrial Zone.	
A16 A building fascia sign, if contained wholly within the building fascia must: <ol style="list-style-type: none"> <li>a) not project above or below the fascia of the building; and</li> <li>b) not exceed two-thirds the depth of the fascia band; and</li> <li>c) not exceed 950mm; and</li> <li>d) not project more than 200mm from the vertical face of the fascia;</li> <li>e) only be illuminated through the use of internal lighting, neon, or external spot-lighting sensitively designed to minimize glare and overspill of light; and</li> <li>f) not be flashing; and</li> <li>g) not extend over a window or significant architectural feature; and</li> <li>h) be in keeping with the design of the building.</li> </ol>	P16 No performance criteria
<b>Complies with A16.</b>	
The proposed sign will not be contained within the building fascia.	
A17 A building fascia sign, if not contained within the building fascia must: <ol style="list-style-type: none"> <li>a) be limited to two signs on the front of the building; and</li> <li>b) together with any other signage, not cover more than 25% of the front of the building.</li> </ol>	P17 No performance criteria
<b>Complies with A17.</b>	
Only one sign is proposed for the front of the building and with an area of 12m <sup>2</sup> will not cover more than 25% of the front of the building.	
A18 A building fascia sign, if not contained within the building fascia, must:	P18 A building fascia sign, if not contained within the building fascia:



# NORTHERN MIDLANDS COUNCIL

## AGENDA – ORDINARY MEETING

### 15 MARCH 2021

<p>a) have a maximum area of 15m<sup>2</sup>; and</p> <p>b) not be illuminated.</p>	<p>a) if larger than 15m<sup>2</sup>; and/or</p> <p>b) being illuminated (not flashing or rotating) must demonstrate that:</p> <p>a) it is sympathetic to the architectural character and detailing of the building; and</p> <p>b) it is of appropriate dimensions so as not to dominate the streetscape or premises on which it is located; and</p> <p>c) it will not result in loss of amenity to neighbouring properties; and</p> <p>d) it will not contribute to or exacerbate visual clutter; and</p> <p>e) it will not distract motorists as a result of size illumination or movement; and</p> <p>f) Illumination is sensitively designed to minimize glare and overspill of light, through the use of neon, internal lighting or by sympathetically designed external spot-lighting.</p>
	<p>overspill of light, through the use of neon, internal lighting or by sympathetically designed external spot-lighting.</p>
<p><b>Complies with A18.</b></p> <p>The proposed sign has a maximum area of 12m<sup>2</sup> and will not be illuminated</p>	

#### **SPECIFIC AREA PLANS**

##### **F1 TRANSLINK SPECIFIC AREA PLAN**

#### **33.7 F1.1 Purpose of Specific Area Plan**

##### **F1.1.1 The purpose of this specific area plan is to:**

- a) Provide for industrial and commercial uses and developments which serve the strategic needs of the Launceston and Northern Midlands region and the State, and which would derive a particular benefit from a location having proximity to Launceston Airport, access to the State's road and rail network or links to the port of Bell Bay.
- b) Cater primarily for storage, transport and industrial uses.
- c) Provide for a limited range of retail or other activity, which supports storage, transport and industrial uses.
- d) Provide for a limited range of retail or other activity, which can demonstrate that the location offers a particular strategic advantage.
- e) Provide an area within which business-support facilities for the Translink Industrial Zone and Airport operations can locate.
- f) Provide opportunities for the development of accommodation adjacent to and serving the Airport.
- g) Provide detailed guidance on use and development within the General Industrial Zone at Translink, particular to the unique characteristics of the area.

#### **F1.2 Application of Specific Area Plan**

##### **F1.2.1 The specific area plan applies to the area of land designated as Translink Specific Area Plan on the Planning Scheme maps and shown in this Plan as Figure F1.1**

##### **F1.4.1 Subdivision**

Not applicable as no subdivision is proposed.

##### **F1.4.2 Height of Buildings**

Not applicable as there are no changes to the height of the building proposed.

##### **F1.4.3 Materials and Presentation**

Not applicable as there are no changes to the external presentation of the building other than signage.

##### **F1.4.4 Site coverage**

Not applicable -as there are no external building works proposed there is no change to site coverage.



# NORTHERN MIDLANDS COUNCIL

## AGENDA – ORDINARY MEETING

### 15 MARCH 2021

#### **F1.4.5 Stormwater**

Not applicable as the site is connected to existing reticulated system and as no development will occur external to the building there is no change in impervious surfaces.

#### **F1.4.6 Building Setbacks**

Not applicable as there is no new external development proposed.

#### **F1.4.7 Open Space and Landscaping**

Not applicable as there is no change to open space and landscaping areas provided at the site.

#### **F1.4.8 Outdoor Storage Areas**

Objective: To ensure that the siting and design of buildings and other works contributes to the development of an industrial estate set in a landscaped park-like setting.	
Acceptable Solutions	Performance Criteria
A1 Storage areas must be at the rear of buildings and/or where they are not visible from any public road. Where site constraints or other circumstances exist, Council may require additional landscaping and/or mounding to screen outside storage areas	P1 Where outside storage areas require screening from adjacent roads, suggested methods of screening include a wall, landscaped earth mound or dense screen planting
<b>Complies with A1.</b> An existing 277m <sup>2</sup> outdoor storage area located to the rear of the Pallet Exchange building will continue to be used for storage purposes. The storage area is not visible from the street.	

#### **F1.4.9 Fencing**

Not applicable as there will be no change to existing fencing at the site.

#### **F1.4.10 Parking and Internal Circulation**

Objective: To provide adequate on-site parking, loading/unloading areas and traffic circulation space for the expected demand generated by development.	
Acceptable Solutions	Performance Criteria
A1 Access and parking must be in accordance with the Car parking and Sustainable Transport Code.	P1 Within Area 5, the car parking requirement may be reduced where the discretion involves the protection of the heritage item or the recycling of heritage buildings for new uses and where Council deems that the car parking generated by the use and development can be effectively accommodated in some other way.
A2 Vehicles must be able to enter and exit the site in a forward direction.	P2 No performance criteria
A3 Access drives must have a minimum width of 3.6 metres for one-way traffic and 7 metres for two-way traffic.	P3 No performance criteria
A4 Access drives, parking, manoeuvring, loading and unloading areas must be sealed and drained.	P4 Access drives, parking, manoeuvring, loading and unloading areas may be of compacted gravel providing that stormwater is discharged from the site in a manner that will not cause an environmental nuisance, and that prevents erosion, siltation or pollution of any stormwater detention or retention basins, waterways, coastal lagoons, coastal estuaries, wetlands or inshore marine areas, having regard to: <ul style="list-style-type: none"> <li>a) the intensity of runoff that already occurs on the site before any development has occurred for a storm event of 1% Annual Exceedance Probability (pre-development levels); and</li> <li>b) how the additional runoff and intensity of runoff that will be created by the subdivision for a storm event of 1% Annual Exceedance</li> </ul>

# NORTHERN MIDLANDS COUNCIL

## AGENDA – ORDINARY MEETING

### 15 MARCH 2021

	<p>Probability, will be released at levels that are the same as those identified at the pre- development levels of the subdivision; and</p> <p>c) whether any on-site storage devices, retention basins or other Water Sensitive Urban Design (WSUD) techniques are required within the subdivision and the appropriateness of their location; and</p> <p>d) overland flow paths for overflows during extreme events both internally and externally for the subdivision, so as to not cause a nuisance.</p>
A5 Outside storage areas must be sealed and drained; or	P5 No performance criteria
A6 Outside storage areas must be of compacted gravel and drained so that stormwater is discharged from the site in a manner that will not cause siltation or pollution of any stormwater detention or retention basins.	
<p><b>Complies with A1.</b> Access and parking accords with the Car Parking and Sustainable Transport Code.</p> <p><b>Complies with A2.</b> The vehicle loading and maneuvering area is of sufficient size to enable all vehicles to enter and exit the site in a forward direction.</p> <p><b>Complies with A3.</b> There will be no change to the existing access drive which has a width of 12m.</p> <p><b>Complies with A4.</b> There will be no change to the sealed and drained access drives, parking and maneuvering areas.</p> <p><b>Complies with A5.</b> There will be no change to outside storage areas which are drained and sealed.</p> <p><b>Complies with A6.</b> There will be no change to outside storage areas which are drained and sealed.</p>	

#### F1.4.11 External Lighting

Not applicable as there will be no change to external lighting at the site.

#### F1.4.12 Environmental Quality

Objective:	
(a) To ensure that development does not result in environmental harm to the local area.	
(b) To ensure that development does not impact on the operational safety of the Launceston Airport.	
Acceptable solution	Performance Criteria
A1 Emissions must not cause a hazard to the safe operation of Launceston Airport.	P1 No performance criteria
A2 Emissions must not cause a hazard to the residents in the Devon Hills Low Density Residential Zone.	P2 No performance criteria
<p><b>Complies with A1.</b> The only emissions from the site will be wastewater which will not cause a hazard to the safe operation of Launceston Airport.</p> <p><b>Complies with A2.</b> The wastewater will be directed into the reticulated sewerage system and not cause a hazard to residents of Devon Hills.</p>	

#### F1.4.13 Heritage

Not applicable as the site is not within a Heritage Precinct.

#### F1.4.14 Buffer Areas

Not applicable as the site is not adjacent to the Devon Hills residential area.

#### F1.4.15 Residential use and development

Not applicable as the proposed use does not constitute residential development.

#### F1.4.16 Liquid and Solid Fuel Depot

Not applicable as no Liquid and Solid Fuel Depot is proposed.

#### F1.5.17 General retail and hire

Not applicable as General Retail and Hire is not proposed. The site is to be used for Resource Processing and not sales.



# NORTHERN MIDLANDS COUNCIL

## AGENDA – ORDINARY MEETING

### 15 MARCH 2021

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 & Railway Assets Code	See assessment
E.5.0	Flood Prone Areas Code	N/A
E6.0	Car Parking & Sustainable Transport Code	See assessment
E7.0	Scenic Management Code	N/A
E8.0	Biodiversity Code	N/A
E9.0	Water Quality Code	N/A
E10.0	Recreation & Open Space Code	N/A
E11.0	Environmental Impacts & Attenuation Code	N/A
E12.0	Airports Impact Management Code	See assessment
E13.0	Local Historic Heritage Code	N/A
E14.0	Coastal Code	N/A
E15.0	Signs Code	See assessment

SPECIFIC AREA PLANS		
F1.0	Translink Specific Area Plan	See assessment
F2.0	Heritage Precincts Specific Area Plan	N/A

## 8 ATTACHMENTS

- Application
- TasWater response

## RECOMMENDATION

- A** That Council, under section 34 (1) (former provisions) of the Land Use Planning and Approvals Act 1993, initiate Draft Scheme Amendment 01/2021 to:
- Insert 'Resource Processing if on land contained within Certificate of Title Volume 129904/5' as a discretionary use within the table at F1.3.2 of the Translink Specific Area Plan.
- B** That Council, under section 35 (1) (former provisions) of the Land Use Planning and Approvals Act 1993, certify Draft Amendment 01/2021 as meeting the requirements of section 32 of the Act, and place it on Public Exhibition for 28 days, in accordance with section 38 of the Act.

And, if B is approved;

- C** That Council, under section 43(F) (former provisions) of the Land Use Planning & Approvals Act 1993 resolves: That land at 13 Richard Street, Western Junction be approved to be developed and used for the purposes of a Resource Processing Facility (freeze drying and packing of produce) and associated signage.

### 1 Layout not altered

The use and development shall be in accordance with the endorsed plan numbered **P1**.

## DECISION

Cr

**PLAN 2 PLANNING APPLICATION PLN-20-0286  
FAIRFIELD, 13790 MIDLAND HIGHWAY, EPPING FOREST**

*Attachments: Section 1 – Page 427*

**File Number:** 303600.02; CT 177934/1  
**Responsible Officer:** Des Jennings, General Manager  
**Report prepared by:** Erin Miles, Development Supervisor

## 1 INTRODUCTION

This report assesses an application at Fairfield, 13790 Midland Highway, Epping Forest to construct a take away coffee shop, amenities, landscaping, carpark and access.

## 2 BACKGROUND

**Applicant:**

Lindell Percival

**Owner:**

Taits Riverlea Holdings Pty Ltd

**Zone:**

Rural Resource Zone

**Codes:**

Car Parking and Sustainable Transport Code  
Road & Railway Assets Code

**Classification under the Scheme:**

Discretionary

**Existing Use:**

Resource development

**Deemed Approval Date:**

20 March 2021

**Recommendation:**

Approve

### Discretionary Aspects of the Application

- Discretionary use
- Variation to zone use and development standards (irrigation district, setbacks to roads)
- Reliance on the performance criteria of the Car Parking and Sustainable Transport Code (clause 6.6.2 – bicycle parking, clause 6.7.1 – gravel access and parking & clause 6.7.6 – loading bay).
- Reliance on the performance criteria of the Road and Railway Assets Code (clause E4.6.1 – vehicle movements and clause E4.7.1 – works within 50m of category 1 road).

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

### Preliminary Discussion

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

### 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

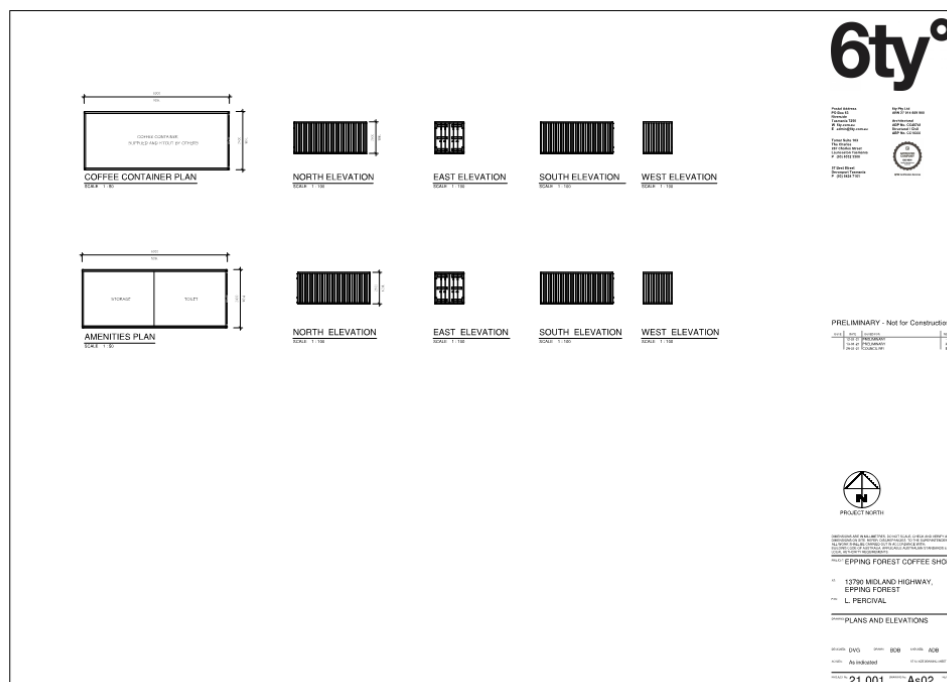
It is proposed to:

- Install a take away coffee shop within shipping container
- Amenities block within separate shipping container
- Landscaping
- Carpark
- New access to Barton Road.

#### Site Plan

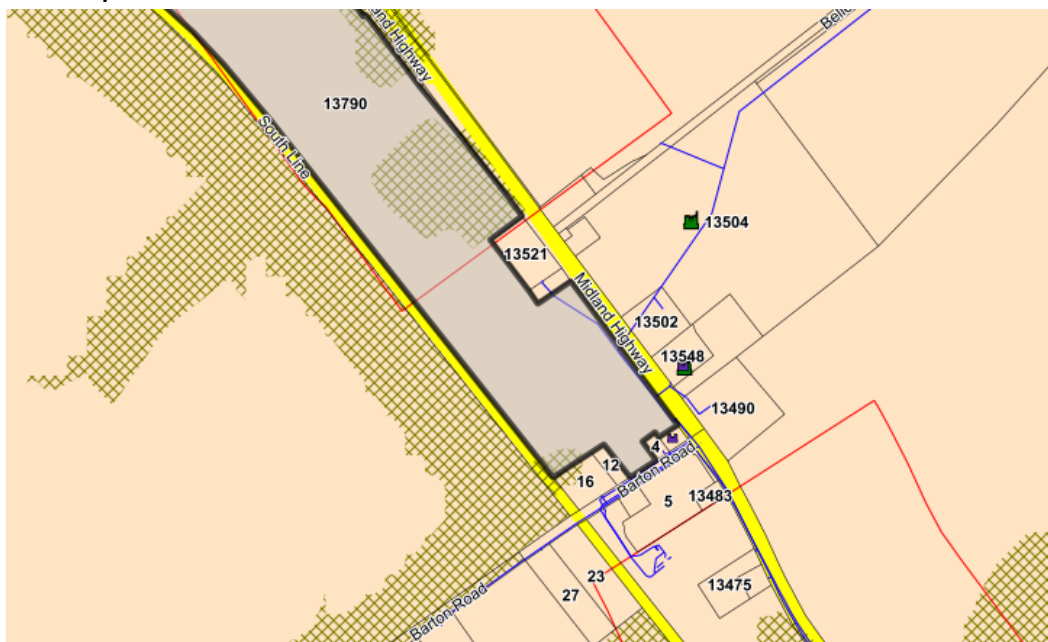


## Elevations



## 4.2 Zone and land use

### Zone Map – Rural Resource Zone



The land is zoned Rural Resource, is within an irrigation district and is subject to the Road and Railway Assets Code and Car Parking and Sustainable Transport Code.

The relevant Planning Scheme definition is:

<i>Food services</i>	<i>use of land for preparing or selling food or drink for consumption on or off the premises. Examples include a cafe, restaurant and take-away food premises.</i>
<i>take away food premises</i>	<i>means use of land to prepare and sell food and drink primarily for immediate consumption off the premises.</i>

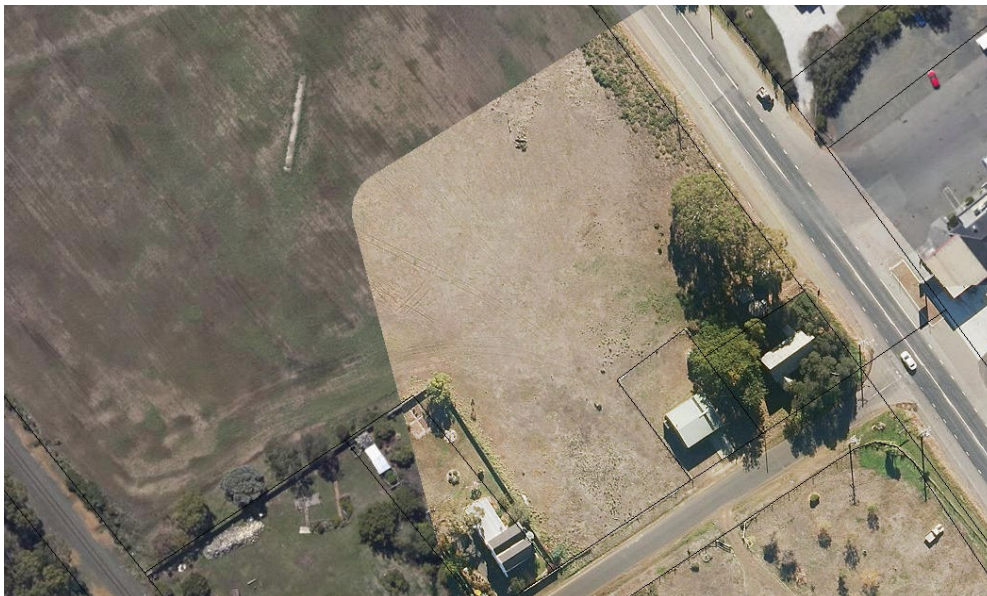


Food Services is Discretionary in the zone, for a new use.

#### 4.3 Subject site and locality

The author of this report carried out a site visit on 05 February 2021. The subject site is a small portion of a larger (approx. 370ha) mixed farming property, opposite the Epping Forest Roadhouse. Adjacent to the site is a fire station, old church and residences. The site has frontage to both Barton Road and the Midland Highway. The site area proposed for development has been cleared of vegetation and gravelled. The access has also been constructed prior to any approvals being issued.

##### *Aerial photograph of area*



##### *Photographs of subject site*











#### 4.4 Permit/site history

- There is no relevant permit or site history.

#### 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:

- Rose Enniss, 5 Barton Rd Epping Forest
- Christian and Lynette Ellery, 12 Barton Rd Epping Forest
- Michael Geeves and Denise Walker, 13490 Midland Highway Epping Forest

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

***Aerial photograph of the area – 2019 - showing location of representors properties (blue) in relation to subject site (red)***



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

**Issue 1**

- Inadequacy of Barton Road intersection and illegal stopping of heavy vehicles adjacent to Barton Road intersection making road use dangerous.

**Planner's comment:**

The proposal includes a proposed access to Barton Road. The adequacy of the Barton Road/Midland Highway intersection is relevant for all users of Barton Road, not just users of the proposed development. The Department of State Growth have provided comment on this matter. Additional signage/bollards on the Midland Highway may assist in reducing the instances of illegal parking on the road verge adjacent to the intersection.

**Issue 2**

- Light intrusion from vehicle headlights

**Planner's comment:**

The proposed development seeks to operate from 5am to 3pm daily. Light intrusion will therefore be limited to the early morning period (not of an evening). While the concerns of the adjoining property owners are noted, the planning scheme does not regulate the location of accesses in relation to adjoining residences.

**Issue 3**

- Necessity of the proposed development given nearby road house.

**Planner's comment:**

As the planning application has been lodged to Council, assessment must be undertaken in accordance with the requirements of the Land Use Planning and Approvals Act. The Planning Scheme does not regulate the necessity of proposed use and development.

**Issue 4**

- Commercial development in residential area

**Planner's comment:**

The site is zoned Rural Resource. Food services is a discretionary use in the zone. Assessment against the use standards of the zone is available at part 4.7 of this report.

**Issue 5**

- Use of shipping containers for buildings.

**Planner's comment:**

The site is zoned Rural Resource and is not subject to any overlays that regulate the form and style of proposed buildings.

**Issue 6**

- Toilet for staff only – may use Caltex Epping Forest facilities.

**Planner's comment:**

The requirement for customer toilets are regulated by the building approval process (not at planning stage).

**4.6 Referrals**

The only referrals required were as follows:

<p><b>Council's Works Department</b></p> <p>Summary: Council's Works &amp; Infrastructure Department (Jonathan Galbraith) noted the following:</p> <ul style="list-style-type: none"> <li>• DSG have indicated that the road layout is suitable for the right turn movement.</li> <li>• DSG have recommended widening the Barton Rd intersection – while ideal, may not be justifiable.</li> <li>• Provided recommended conditions if permit issued.</li> </ul>
<p><b>TasWater</b></p>



TasWater determined that no submission was required.

#### Department of State Growth

**Precis:** The Department of State Growth provided a referral response on the 8<sup>th</sup> February 2021. A copy of the response is included as an attachment to this report. While most matters can be conditioned by permit conditions if a permit is issued, DSG have also stated the following:

*Although there are suitable passing facilities for right turning traffic at the Midland Highway / Barton Road junction, the TIA fails to address turning requirement at the junction. The TIA also fails to address the narrow width of the junction in relation to business related trucks turning in and out of the junction. The junction must be widened to suit the turning trucks to and from the proposed development.*

**Comment:** The application is for a takeaway coffee shop, operating out of shipping container structure. The majority of customers will access the site via regular passenger vehicles. Supplies for the coffee shop are also anticipated to be delivered by passenger size vehicles or medium rigid size trucks. The Barton Road intersection is an existing intersection that already accommodates heavy vehicles servicing quarrying and agricultural uses. Upgrade of the Barton Road intersection to service any heavy vehicles accessing the the coffee shop is not considered to be a justifiable condition. The proposed new access to Barton Road will be conditioned meet local government standards.

#### 4.7 Planning Scheme Assessment

RURAL RESOURCE ZONE	
ZONE PURPOSE	
<i>To provide for the sustainable use or development of resources for agriculture, aquaculture, forestry, mining and other primary industries, including opportunities for resource processing.</i>	
<i>To provide for other use or development that does not constrain or conflict with resource development uses.</i>	
<i>To provide for economic development that is compatible with primary industry, environmental and landscape values.</i>	
<i>To provide for tourism-related use and development where the sustainable development of rural resources will not be compromised.</i>	
<b>Assessment:</b> The proposal meets the zone purpose.	
LOCAL AREA OBJECTIVES	
<b>Primary Industries:</b> Resources for primary industries make a significant contribution to the rural economy and primary industry uses are to be protected for long-term sustainability.	
<i>The prime and non-prime agricultural land resource provides for variable and diverse agricultural and primary industry production which will be protected through individual consideration of the local context.</i>	
<i>Processing and services can augment the productivity of primary industries in a locality and are supported where they are related to primary industry uses and the long-term sustainability of the resource is not unduly compromised.</i>	
<b>Tourism:</b> Tourism is an important contributor to the rural economy and can make a significant contribution to the value adding of primary industries through visitor facilities and the downstream processing of produce. The continued enhancement of tourism facilities with a relationship to primary production is supported where the long-term sustainability of the resource is not unduly compromised.	
<i>The rural zone provides for important regional and local tourist routes and destinations such as through the promotion of environmental features and values, cultural heritage and landscape. The continued enhancement of tourism facilities that capitalise on these attributes is supported where the long-term sustainability of primary industry resources is not unduly compromised.</i>	
<b>Rural Communities:</b> Services to the rural locality through provision for home-based business can enhance the sustainability of rural communities. Professional and other business services that meet the needs of rural populations are supported where they accompany a residential or other established use and are located appropriately in relation to settlement activity centres and surrounding primary industries such that the integrity of the activity centre is not undermined and primary industries are not unreasonably confined or restrained.	
<b>Assessment:</b> The proposal meets the local area objectives.	
USE STANDARDS	
26.3.1 Discretionary Uses if not a single dwelling	
Objective	
a)	To provide for an appropriate mix of uses that support the Local Area Objectives and the location of discretionary uses in the rural resources zone does not unnecessarily compromise the consolidation of commercial and industrial uses to identified nodes of settlement or purpose built precincts.
b)	To protect the long term productive capacity of prime agricultural land by minimising conversion of the land to non-agricultural uses or uses not dependent on the soil as a growth medium, unless an overriding benefit to the region can be demonstrated.
c)	To minimise the conversion of non-prime land to a non-primary industry use except where that land cannot be practically utilised for primary industry purposes.
d)	Uses are located such that they do not unreasonably confine or restrain the operation of primary industry uses.

# NORTHERN MIDLANDS COUNCIL

## AGENDA – ORDINARY MEETING

### 15 MARCH 2021

e)	Uses are suitable within the context of the locality and do not create an unreasonable adverse impact on existing sensitive uses or local infrastructure.
f)	The visual impacts of use are appropriately managed to integrate with the surrounding rural landscape.
Acceptable Solutions	Performance Criteria
A1 If for permitted or no permit required uses.	<p>P1.1 It must be demonstrated that the use is consistent with local area objectives for the provision of non-primary industry uses in the zone, if applicable; and</p> <p>P1.2 Business and professional services and general retail and hire must not exceed a combined gross floor area of 250m<sup>2</sup> over the site.</p>
N/a	<p>Relies on P1.1 – the site use is consistent with local area objectives for the provision of non-primary industry uses in the zone, by encouraging services to support tourism and local communities.</p> <p>P1.2 – N/a</p>
A2 If for permitted or no permit required uses.	<p>P2.1 Utilities, extractive industries and controlled environment agriculture located on prime agricultural land must demonstrate that the:</p> <ul style="list-style-type: none"> <li>i) amount of land alienated/converted is minimised; and</li> <li>ii) location is reasonably required for operational efficiency; and</li> </ul> <p>P2.2 Uses other than utilities, extractive industries or controlled environment agriculture located on prime agricultural land, must demonstrate that the conversion of prime agricultural land to that use will result in a significant benefit to the region having regard to the economic, social and environmental costs and benefits.</p>
N/a	<p>P1.1 – N/a</p> <p>P1.2 – N/a – not located on prime agricultural (class 1-3) land.</p>
A3 If for permitted or no permit required uses.	<p>P3 The conversion of non-prime agricultural to non-agricultural use must demonstrate that:</p> <ul style="list-style-type: none"> <li>a) the amount of land converted is minimised having regard to: <ul style="list-style-type: none"> <li>i) existing use and development on the land; and</li> <li>ii) surrounding use and development; and</li> <li>iii) topographical constraints; or</li> </ul> </li> <li>b) the site is practically incapable of supporting an agricultural use or being included with other land for agricultural or other primary industry use, due to factors such as: <ul style="list-style-type: none"> <li>i) limitations created by any existing use and/or development surrounding the site; and</li> <li>ii) topographical features; and</li> <li>iii) poor capability of the land for primary industry; or</li> </ul> </li> <li>c) the location of the use on the site is reasonably required for operational efficiency.</li> </ul>
N/a	<p>Relies on P3, as follows:</p> <p>a) The subject site consists of a small portion (less than 1ha) of the overall lot (approx. 370ha), in an area already highly constrained by existing land uses, such as dwellings and community buildings (fire station and hall). The development is on the very edge of the property, within the township area, and the farming operation will continue to operate on the remainder of the property to the north of the subject site.</p> <p>(b) &amp; (c) – N/a</p>
A4 If for permitted or no permit required uses.	<p>P4 It must be demonstrated that:</p> <ul style="list-style-type: none"> <li>a) emissions are not likely to cause an environmental nuisance; and</li> <li>b) primary industry uses will not be unreasonably confined or restrained from conducting normal operations; and</li> <li>c) the capacity of the local road network can accommodate the traffic generated by the use.</li> </ul>
N/a	<p>Relies on P4 as follows:</p> <ul style="list-style-type: none"> <li>a) Complies – no emissions from the proposal are likely to cause an environmental nuisance.</li> <li>b) The subject site is owned and leased out by the adjacent property owner that is most at risk of being impacted, which provides assurance that primary industry uses will not be unreasonably confined or restrained from conducting normal operations.</li> <li>c) Barton Road is a sealed, Council maintained road, which already services the local rural area, including nearby quarry operations. It is concluded by the supplied Traffic Impact Assessment that the road has sufficient capacity to accommodate the additional vehicle movements generated by the proposed development, with the majority of vehicles accessing the area via a category 1 state road.</li> </ul>

# NORTHERN MIDLANDS COUNCIL

## AGENDA – ORDINARY MEETING

### 15 MARCH 2021

A5 The use must: a) be permitted or no permit required; or b) be located in an existing building.	P5 It must be demonstrated that the visual appearance of the use is consistent with the local area having regard to: a) the impacts on skylines and b) ridgelines; and b) visibility from public roads; and c) the visual impacts of storage of materials or equipment; and d) the visual impacts of vegetation clearance or retention; and e) the desired future character statements.
Relies on P5.	Complies with P5 – the development is proposed to be located in the township area of Epping Forest, which contains a mixture of uses and built structures (rather than a rural setting). The visual impact of the use will therefore be consistent with the surrounding area.

#### 26.3.3 Irrigation Districts

Objective To ensure that land within irrigation districts proclaimed under Part 9 of the <i>Water Management Act 1999</i> is not converted to uses that will compromise the utilisation of water resources.	
Acceptable Solutions	Performance Criteria
A1 Non-agricultural uses are not located within an irrigation district proclaimed under Part 9 of the <i>Water Management Act 1999</i> .	P1 Non-agricultural uses within an irrigation district proclaimed under Part 9 of the <i>Water Management Act 1999</i> must demonstrate that the current and future irrigation potential of the land is not unreasonably reduced having regard to: a) the location and amount of land to be used; and b) the operational practicalities of irrigation systems as they relate to the land; and c) any management or conservation plans for the land.
Relies on P1.	Complies with P1. The area proposed to be used for the Coffee Shop and parking area is a small portion (less than 1ha) of the overall property, and has existing constraints on irrigation potential due to adjacent residential uses and width of the lot. The development area is not currently under irrigation.

#### DEVELOPMENT STANDARDS

26.4.1 Building Location and Appearance	
Objective To ensure that the: a) ability to conduct extractive industries and resource development will not be constrained by conflict with sensitive uses; and b) development of buildings is unobtrusive and complements the character of the landscape.	
Acceptable Solutions	Performance Criteria
A1 Building height must not exceed: a) 8m for dwellings; or b) 12m for other purposes.	P1 Building height must: a) be unobtrusive and complement the character of the surrounding landscape; and b) protect the amenity of adjoining uses from adverse impacts as a result of the proposal.
Complies with A1.	N/a
A2 Buildings must be set back a minimum of: a) 50m where a non-sensitive use or extension to existing sensitive use buildings is proposed; or b) 200m where a sensitive use is proposed; or c) the same as existing for replacement of an existing dwelling.	P2 Buildings must be setback so that the use is not likely to constrain adjoining primary industry operations having regard to: a) the topography of the land; and b) buffers created by natural or other features; and c) the location of development on adjoining lots; and d) the nature of existing and potential adjoining uses; and e) the ability to accommodate a lesser setback to the road having regard to: i) the design of the development and landscaping; and ii) the potential for future upgrading of the road; and iii) potential traffic safety hazards; and iv) appropriate noise attenuation.
Relies on P2.	Complies with P2 – the variations are proposed to the two road frontages (Midland Highway and Barton Road) and are therefore not likely to constrain adjoining primary industry operations. The subject site is owned and leased out by the property owner that is most at risk of being impacted, which also provides assurance that primary industry uses will not be

# NORTHERN MIDLANDS COUNCIL

## AGENDA – ORDINARY MEETING

### 15 MARCH 2021

	unreasonably constrained.
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	Applies, see code assessment below
E5.0 FLOOD PRONE AREAS CODE	N/a
E6.0 CAR PARKING AND SUSTAINABLE TRANSPORT CODE	Complies – See code assessment below
E7.0 SCENIC MANAGEMENT CODE	N/a
E8.0 BIODIVERSITY CODE	N/a
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 – applicant confirmed that no signage is proposed as part of development.

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

#### E4.6 Use Standards

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

<b>Objective</b> 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 – no sensitive use proposed.	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.
Relies on P2 – refer Traffic Impact Assessment for anticipated vehicle movements.	Barton Road, to which the new access proposed, is capable of accommodating the additional vehicle movements anticipated by the proposed use. The proposed crossover will need to be constructed in accordance with the relevant local government standard, and achieves the required site distances to the west, and through to the intersection to the east. Given the rural nature of the area, there are minimal pedestrian movements (no footpath) and cyclist movements in the area.
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

	<p>access or junction to a limited 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 – No access to the Midland Highway for vehicles or pedestrians are proposed. To be enforced by permit condition if permit issued.	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></p> <p>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 for compliance.	<p>Complies with P1 (a) and (b) as follows:</p> <p>The Midland Highway (category 1 road) is located within 50m of the development site; however, no access to this road is proposed. The works and access are greater than 50m from the railway. A Traffic Impact Assessment, prepared by RJK Consulting Engineers, was submitted with the proposal, addressing the constraints of the site and made the following statements:</p> <p><i>The assessment has reviewed the adjacent accesses directly affected, the immediate road network serving the area, road conditions and crash history. No significant traffic safety issues were apparent;</i></p> <p><i>Within the site there is adequate parking;</i></p> <p><i>The relative increase in traffic associated with the proposal will be minimal and is acceptable noting adequate SISD is achieved and does not compromise safety;</i></p> <p><i>The proposed development network is generally in accordance with Northern Midlands Council Interim Planning Scheme;</i></p> <p><i>The increased traffic experienced by Barton Road is assessed as within the acceptable range in terms of impact on local amenity. The local road network is assessed as being able to</i></p>

	<p><i>cope with the increased traffic activity;</i></p> <p><i>The access and internal design aspects of the proposal be designed to satisfy the requirements of AS 2890.</i></p> <p>(c) and (d) are not applicable.</p>
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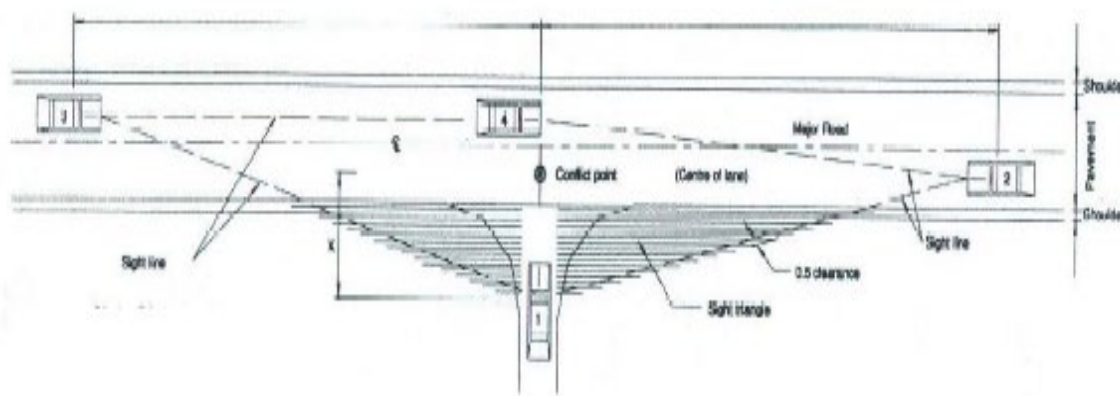
#### E4.7.2 Management of Road Accesses and Junctions

<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.	
Acceptable Solutions	Performance Criteria
<b>A1</b> 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.	<b>P1</b> 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.
Complies with A1 – only one access proposed.	N/a
<b>A2</b> For roads with a speed limit of more than 60km/h the development must not include a new access or junction.	<b>P2</b> For limited access roads and roads with a speed limit of more than 60km/h: <ul style="list-style-type: none"> <li>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</li> <li>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</li> <li>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.</li> </ul>
Complies – the only access proposed is to a 60km/h section of road (Barton Road).	N/a

#### E4.7.3 Management of Rail Level Crossings – N/a

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

<b>Objective</b> 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.	
Acceptable Solutions	Performance Criteria
<b>A1</b> Sight distances at <ul style="list-style-type: none"> <li>a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.7.4; and</li> <li>b) rail level crossings must comply with <i>AS1742.7 Manual of uniform traffic control devices - Railway crossings</i>, Standards Association of Australia; or</li> <li>c) If the access is a temporary access, the written consent of the relevant authority has been obtained.</li> </ul>	<b>P1</b> 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.
Complies with A1 (a) – refer Traffic Impact Assessment for assessment of site distances.	N/a



**Figure E4.7.4 Sight Lines for Accesses and Junctions**

X is the distance of the driver from the conflict point.

For category 1, 2 and 3 roads X = 7m minimum and for other roads X = 5m minimum.

**Table E4.7.4 Safe Intersection Sight Distance (SISD)**

Vehicle Speed	Safe Intersection Sight Distance (SISD) metres, for speed limit of:	
km/h	60 km/h or less	Greater than 60 km/h
50	80	90
60	105	115
70	130	140
80	165	175
90		210
100		250
110		290

**Notes:**

- (a) Vehicle speed is the actual or recorded speed of traffic passing along the road and is the speed at or below which 85% of passing vehicles travel.
- (b) For safe intersection sight distance (SISD):
  - (i) All sight lines (driver to object vehicle) are to be between points 1.2 metres above the road and access surface at the respective vehicle positions with a clearance to any sight obstruction of 0.5 metres to the side and below, and 2.0 metres above all sight lines;
  - (ii) These sight line requirements are to be maintained over the full sight triangle for vehicles at any point between positions 1, 2 and 3 in Figure E4.7.4 and the access junction;
  - (iii) A driver at position 1 must have sight lines to see cars at any point between the access and positions 3 and 2 in Figure E4.7.4;
  - (iv) A driver at any point between position 3 and the access must have sight lines to see a car at position 4; and
  - (v) A driver at position 4 must have sight lines to see a car at any point between position 2 and the access.

**ASSESSMENT AGAINST E6.0  
CAR PARKING & SUSTAINABLE TRANSPORT CODE**

**E6.6 Use Standards**

**E6.6.1 Car Parking Numbers**

Objective: To ensure that an appropriate level of car parking is provided to service use.

Acceptable Solutions		Performance Criteria	
A1	The number of car parking spaces must not be less than the requirements of:	P1	The number of car parking spaces provided must have regard to:
a)	Table E6.1; or	a)	the provisions of any relevant location specific car parking plan; and
b)	a parking precinct plan contained in Table E6.6: Precinct Parking Plans (except for dwellings in the General Residential Zone).	b)	the availability of public car parking spaces within reasonable walking distance; and
		c)	any reduction in demand due to sharing of spaces by multiple uses either because of variations in peak demand or by efficiencies gained by consolidation; and
		d)	the availability and frequency of public transport within reasonable walking



	<p>distance of the site; and</p> <p>e) site constraints such as existing buildings, slope, drainage, vegetation and landscaping; and</p> <p>f) the availability, accessibility and safety of on-road parking, having regard to the nature of the roads, traffic management and other uses in the vicinity; and</p> <p>g) an empirical assessment of the car parking demand; and</p> <p>h) the effect on streetscape, amenity and vehicle, pedestrian and cycle safety and convenience; and</p> <p>i) the recommendations of a traffic impact assessment prepared for the proposal; and</p> <p>j) any heritage values of the site; and</p> <p>k) for residential buildings and multiple dwellings, whether parking is adequate to meet the needs of the residents having regard to:</p> <p>i) the size of the dwelling and the number of bedrooms; and</p> <p>ii) the pattern of parking in the locality; and</p> <p>iii) any existing structure on the land.</p>
<p>Comment:</p> <p>Complies with A1 – 1 space required. 28 spaces + 1 access space proposed.</p>	

**Table E6.1: Parking Space Requirements**

Use	Parking Requirement	
	Vehicle	Bicycle
<b>Food services</b> (restaurant, cafe, take-away)	1 space per 15m <sup>2</sup> net floor area + 6 queuing spaces for drive-through	1 space per 75m <sup>2</sup> net floor area

#### E6.6.2 Bicycle Parking Numbers

Objective: To encourage cycling as a mode of transport within areas subject to urban speed zones by ensuring safe, secure and convenient parking for bicycles.			
Acceptable Solutions		Performance Criteria	
A1.1	Permanently accessible bicycle parking or storage spaces must be provided either on the site or within 50m of the site in accordance with the requirements of Table E6.1; or	P1	Permanently accessible bicycle parking or storage spaces must be provided having regard to the:
A1.2	The number of spaces must be in accordance with a parking precinct plan contained in Table E6.6: Precinct Parking Plans.	a)	likely number and type of users of the site and their opportunities and likely preference for bicycle travel; and
		b)	location of the site and the distance a cyclist would need to travel to reach the site; and
		c)	availability and accessibility of existing and planned parking facilities for bicycles in the vicinity.
<p>Comment:</p> <p>Complies with P1 – not proposed, due to rural area and distance from nearby townships. Sufficient area on site to accommodate informal bicycle parking if required.</p>			

#### E6.6.3 Taxi Drop-off and Pickup

Objective: To ensure that taxis can adequately access developments.			
Acceptable Solutions		Performance Criteria	
A1	One dedicated taxi drop-off and pickup space must be provided for every 50 car spaces required by Table E6.1 or part thereof (except for dwellings in the General Residential Zone).	P1	No performance criteria.
<p>Comment:</p> <p>N/a - Sufficient area on site to accommodate taxi parking within additional car spaces if required.</p>			

#### E6.6.4 Motorbike Parking Provisions

Objective: To ensure that motorbikes are adequately provided for in parking considerations.			
Acceptable Solutions		Performance Criteria	
A1	One motorbike parking space must be provided for each 20 car spaces required by Table E6.1 or part thereof.	P1	No performance criteria.
<p>Comment:</p>			

N/a - Sufficient area on site to accommodate motorbike parking within additional car spaces if required.

#### E6.7 Development Standards

##### E6.7.1 Construction of Car Parking Spaces and Access Strips

Objective: To ensure that car parking spaces and access strips are constructed to an appropriate standard.

Acceptable Solutions		Performance Criteria	
A1	All car parking, access strips manoeuvring and circulation spaces must be:	P1	All car parking, access strips manoeuvring and circulation spaces must be readily identifiable and constructed to ensure that they are useable in all weather conditions.
a)	formed to an adequate level and drained; and		
b)	except for a single dwelling, provided with an impervious all weather seal; and		
c)	except for a single dwelling, line marked or provided with other clear physical means to delineate car spaces.		
Comment: Relies on P1 - Condition required to ensure all car parking, access strips manoeuvring and circulation spaces are readily identifiable and constructed to ensure that they are useable in all weather conditions.			

##### E6.7.2 Design and Layout of Car Parking

Objective: To ensure that car parking and manoeuvring space are designed and laid out to an appropriate standard.

Acceptable Solutions		Performance Criteria	
A1.1	Where providing for 4 or more spaces, parking areas (other than for parking located in garages and carports for dwellings in the General Residential Zone) must be located behind the building line; and	P1	The location of car parking and manoeuvring spaces must not be detrimental to the streetscape or the amenity of the surrounding areas, having regard to:
A1.2	Within the General residential zone, provision for turning must not be located within the front setback for residential buildings or multiple dwellings.	a)	the layout of the site and the location of existing buildings; and
		b)	views into the site from the road and adjoining public spaces; and
		c)	the ability to access the site and the rear of buildings; and
		d)	the layout of car parking in the vicinity; and
		e)	the level of landscaping proposed for the car parking.
Comment: A1.1 – Complies. A1.2 – N/a			
A2.1	Car parking and manoeuvring space must:	P2	Car parking and manoeuvring space must:
a)	have a gradient of 10% or less; and	a)	be convenient, safe and efficient to use having regard to matters such as slope, dimensions, layout and the expected number and type of vehicles; and
b)	where providing for more than 4 cars, provide for vehicles to enter and exit the site in a forward direction; and	b)	provide adequate space to turn within the site unless reversing from the site would not adversely affect the safety and convenience of users and passing traffic.
c)	have a width of vehicular access no less than prescribed in Table E6.2 and Table E6.3, and		
A2.2	The layout of car spaces and access ways must be designed in accordance with <i>Australian Standards AS 2890.1 - 2004 Parking Facilities, Part 1: Off Road Car Parking</i> .		
Comment: Complies with A2.1 and A2.2 – condition required to ensure compliance.			

**Table E6.2: Access Widths for Vehicles**

Number of parking spaces served	Access width (see note 1)	Passing bay (2.0m wide by 5.0m long plus entry and exit tapers) (see note 2)
1 to 5	3.0m	Every 30m

##### E6.7.3 Car Parking Access, Safety and Security

Objective: To ensure adequate access, safety and security for car parking and for deliveries.

Acceptable Solutions		Performance Criteria	
A1	Car parking areas with greater than 20 parking spaces	P1	Car parking areas with greater than 20 parking spaces

# NORTHERN MIDLANDS COUNCIL

## AGENDA – ORDINARY MEETING

### 15 MARCH 2021

<p>must be:</p> <p>a) secured and lit so that unauthorised persons cannot enter or;</p> <p>b) visible from buildings on or adjacent to the site during the times when parking occurs.</p>	<p>must provide for adequate security and safety for users of the site, having regard to the:</p> <p>a) levels of activity within the vicinity; and</p> <p>b) opportunities for passive surveillance for users of adjacent building and public spaces adjoining the site.</p>
<p>Comment:</p> <p>Complies with A1 (b).</p>	

#### E6.7.4 Parking for Persons with a Disability

Objective: To ensure adequate parking for persons with a disability.	
Acceptable Solutions	Performance Criteria
A1 All spaces designated for use by persons with a disability must be located closest to the main entry point to the building.	<p>P1 The location and design of parking spaces considers the needs of disabled persons, having regard to:</p> <p>a) the topography of the site;</p> <p>b) the location and type of relevant facilities on the site or in the vicinity;</p> <p>c) the suitability of access pathways from parking spaces, and</p> <p>d) applicable Australian Standards.</p>
A2 Accessible car parking spaces for use by persons with disabilities must be designed and constructed in accordance with AS/NZ2890.6 – 2009 Parking facilities – Off-street parking for people with disabilities.	P2 No performance criteria.
<p>Comment:</p> <p>Complies with A1 &amp; A2. Condition required to ensure compliance.</p>	

#### E6.7.6 Loading and Unloading of Vehicles, Drop-off and Pickup

Objective: To ensure adequate access for people and goods delivery and collection and to prevent loss of amenity and adverse impacts on traffic flows.	
Acceptable Solutions	Performance Criteria
<p>A1 For retail, commercial, industrial, service industry or warehouse or storage uses:</p> <p>a) at least one loading bay must be provided in accordance with Table E6.4; and</p> <p>b) loading and bus bays and access strips must be designed in accordance with <i>Australian Standard AS/NZS 2890.3 2002</i> for the type of vehicles that will use the site.</p>	<p>P1 For retail, commercial, industrial, service industry or warehouse or storage uses adequate space must be provided for loading and unloading the type of vehicles associated with delivering and collecting people and goods where these are expected on a regular basis.</p>
<p>Comment:</p> <p>Complies with P1 – although informal, sufficient space is available on site for loading and unloading the type of vehicles associated with delivering and collecting people and goods.</p>	

#### E6.8 Provisions for Sustainable Transport

##### E6.8.1 Bicycle End of Trip Facilities

Not used in this planning scheme

##### E6.8.2 Bicycle Parking Access, Safety and Security

Objective:	
To ensure that parking and storage facilities for bicycles are safe, secure and convenient.	
Acceptable Solutions	Performance Criteria
<p>A1.1 Bicycle parking spaces for customers and visitors must:</p> <p>a) be accessible from a road, footpath or cycle track; and</p> <p>b) include a rail or hoop to lock a bicycle to that meets <i>Australian Standard AS 2890.3 1993</i>; and</p> <p>c) be located within 50m of and visible or signposted from the entrance to the activity they serve; and</p> <p>d) be available and adequately lit in accordance with <i>Australian Standard AS/NZS 1158 2005 Lighting Category C2</i> during the times they will be used; and</p>	<p>P1 Bicycle parking spaces must be safe, secure, convenient and located where they will encourage use.</p>

# NORTHERN MIDLANDS COUNCIL

## AGENDA – ORDINARY MEETING

### 15 MARCH 2021

A1.2	Parking space for residents' and employees' bicycles must be under cover and capable of being secured by lock or bicycle lock.	
A2	Bicycle parking spaces must have: a) minimum dimensions of: i) 1.7m in length; and ii) 1.2m in height; and iii) 0.7m in width at the handlebars; and b) unobstructed access with a width of at least 2m and a gradient of no more 5% from a public area where cycling is allowed.	P2 Bicycle parking spaces and access must be of dimensions that provide for their convenient, safe and efficient use.
Comment: N/a – not proposed.		

#### E6.8.5 Pedestrian Walkways

Objective: To ensure pedestrian safety is considered in development		
<b>Acceptable Solution</b>		<b>Performance Criteria</b>
A1	Pedestrian access must be provided for in accordance with Table E6.5.	P1 Safe pedestrian access must be provided within car park and between the entrances to buildings and the road.
Comment: Complies with A1 – condition required to ensure appropriate separation.		

**Table E6.5: Pedestrian Access**

Number of Parking Spaces Required	Pedestrian Facility
1–10	No separate access required (i.e. pedestrians may share the driveway). [Note (a) applies].
11 or more	A 1m wide footpath separated from the driveway and parking aisles except at crossing points. [Notes (a) and (b) apply].

**Notes**

- a) In parking areas containing spaces allocated for disabled persons, a footpath having a minimum width of 1.5m and a gradient not exceeding 1 in 14 is required from those spaces to the principal building.
- b) Separation is deemed to be achieved by:
  - i) a horizontal distance of 2.5m between the edge of the driveway and the footpath; or
  - ii) protective devices such as bollards, guard rails or planters between the driveway and the footpath; and
  - iii) signs and line marking at points where pedestrians are intended to cross driveways or parking aisles.

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
- Variation to zone use and development standards (irrigation district, setbacks to roads)
- Reliance on the performance criteria of the Car Parking and Sustainable Transport Code (clause 6.6.2 – bicycle parking, clause 6.7.1 – gravel access and parking & clause 6.7.6 – loading bay).
- Reliance on the performance criteria of the Road and Railway Assets Code (clause E4.6.1 – vehicle movements and clause E4.7.1 – works within 50m of category 1 road).

The proposal received three representations, which are addressed at part 4.5 of this report. The representations raised concerns regarding traffic movements, loss of privacy/light intrusion, necessity of the development, building form/design and lack of customer toilets (staff only).

The proposal was referred to the relevant referral bodies (Department of State Growth and Council's Works and Infrastructure Department), who provided comment on the proposal.

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, correspondence with applicant
- B. Responses from referral agencies
- C. Representations

## RECOMMENDATION

That land at Fairfield, 13790 Midland Highway, Epping Forest be approved to be developed and used for a Take away coffee shop, amenities, landscaping, carpark and access (irrigation district) in accordance with application PLN-20-0286, and subject to the following conditions:

### 1 Layout not altered

The use and development shall be in accordance with the endorsed plans numbered **P1 – P3** (*Drawing No: 21.001, Sheet No's: As00-As02, Dated: 29.01.2021*) & **D1** (*Traffic Impact Assessment, prepared by RJK Consulting Engineers, dated 5.11.2020*).

### 2 Council's Works Department conditions

#### 2.1 Access (Rural)

- a) A driveway crossover and apron must be constructed from the edge of Barton Road to the property boundary in accordance with Council standard *TSD-R03*. The access must be constructed from suitable road building gravel.
- b) Access works must not commence until an application for vehicular crossing has been approved by Council.

### 3 Department of State Growth requirements

- a) No vehicle or pedestrian access is permitted from the Midland Highway boundary. The site shall be permanently fenced to restrict access.
- b) The Midland Highway road reservation must not be utilised for business related parking.

- c) No advertisement of the business will be permitted within the Midland Highway reservation, either permanent or temporary.

**4 Access and Parking**

- 4.1 All car parking, access strips and manoeuvring and circulation spaces must be readily identifiable (either via line marking or raised pavement markers) and constructed to ensure that they are useable in all weather conditions, prior to the commencement of use.
- 4.2 The layout of car spaces and access ways must be designed in accordance with Australian Standards AS 2890.1 - 2004 Parking Facilities, Part 1: Off Road Car Parking.
- 4.3 A 1m wide footpath separated from the driveway and parking aisles except at crossing points, must be provided prior to the commencement of use. Separation is deemed to be achieved by:
- i) a horizontal distance of 2.5m between the edge of the driveway and the footpath; or
  - ii) protective devices such as bollards, guard rails or planters between the driveway and the footpath; and
  - iii) signs and line marking at points where pedestrians are intended to cross driveways or parking aisles.
- 4.4 In parking areas containing spaces allocated for disabled persons, a footpath having a minimum width of 1.5m and a gradient not exceeding 1 in 14 is required from those spaces to the principal building.
- 4.5 All spaces designated for use by persons with a disability must be located closest to the main entry point to the building.
- 4.6 Accessible car parking spaces for use by persons with disabilities must be designed and constructed in accordance with AS/NZ2890.6 – 2009 Parking facilities – Off-street parking for people with disabilities.

DECISION

Cr

**PLAN 3 PLANNING APPLICATION PLN-21-0002: CNR WEST ST & HIGH STREET, CAMPBELL TOWN**

*Attachments: Section 1 – Page 472*

**File Number:** R30500  
**Responsible Officer:** Des Jennings, General Manager  
**Report prepared by:** Rebecca Green, Planning Consultant

## 1 INTRODUCTION

This report assesses an application for Cnr West St & High Street, Campbell Town to construct Campbell Town Entrance Sign - northern (other sign).

## 2 BACKGROUND

**Applicant:**  
Northern Midlands Council

**Owner:**  
Northern Midlands Council

**Zone:**  
Rural Resource Zone

**Codes:**  
Road & Railway Assets Code  
Scenic Management Code  
Signs Code

**Classification under the Scheme:**  
Other sign

**Existing Use:**  
Utilities

**Deemed Approval Date:**  
03-Mar-21 (EOT 19-Mar-21)

**Recommendation:**  
Approve

### Discretionary Aspects of the Application

- Variation to development standards – setbacks
- Erection of Entrance Sign within 50m of category 1 road.
- Sign within Scenic Corridor.
- Other Signage discretionary in Signs Code.

**Planning Instrument:** Northern Midlands Interim Planning Scheme 2013, Version 32, Effective from 19<sup>th</sup> October 2021.

### 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.

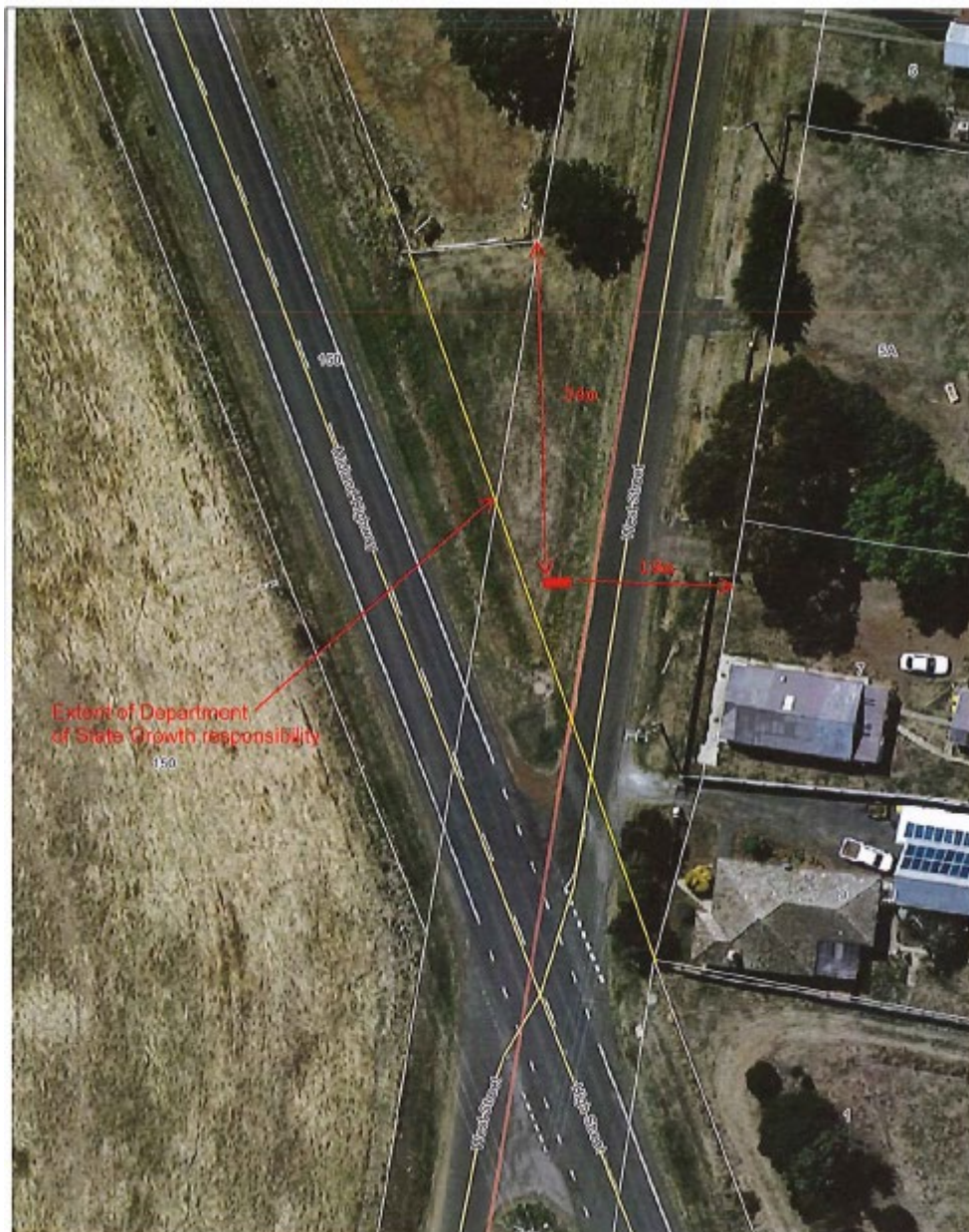
### 4 ASSESSMENT

#### 4.1 Proposal

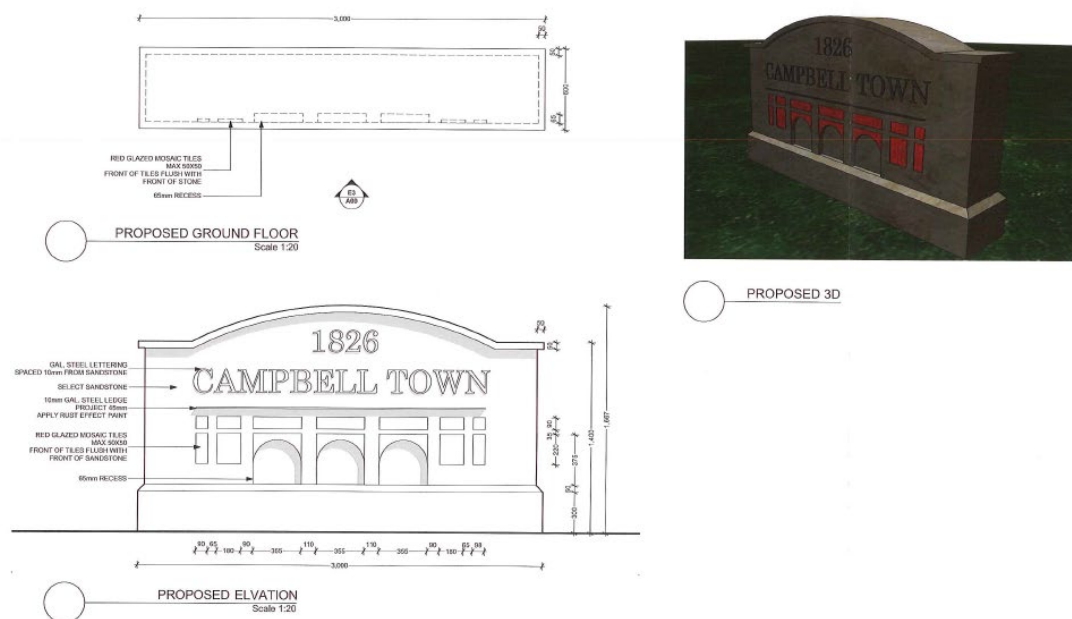
It is proposed to:

- Construct Campbell Town Entrance Sign - northern (other sign).

#### *Subject site*

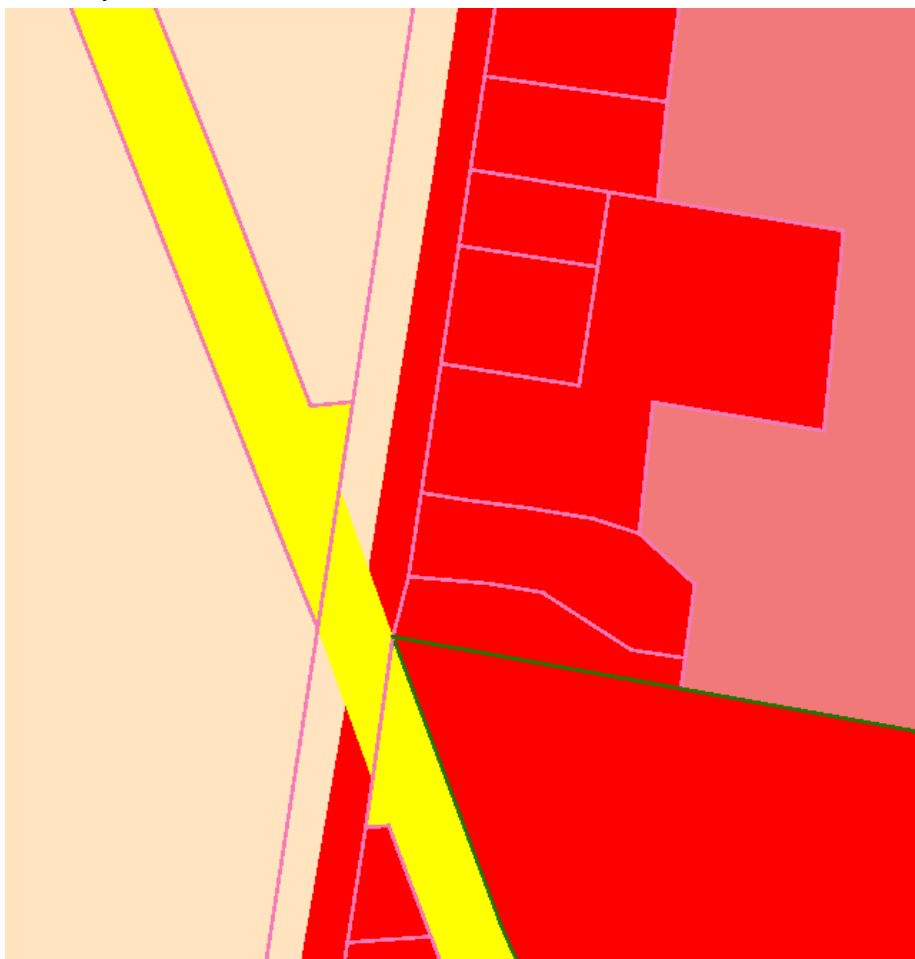


## Elevations



## 4.2 Zone and land use

### Zone Map – Rural Zone



The land is zoned Rural Resource, and is subject to the *Scenic Management Code & Signs Code*.

The relevant Planning Scheme definition is:

<i>sign</i>	<i>means a device that is intended to give information, advertise or attract attention to a place, product, service or event.</i>
<i>Other sign</i>	<i>Any sign not listed.</i>

Other sign (ground based sign) is Discretionary (Permit Required) in the zone.

#### 4.3 Subject site and locality

A site inspection was carried out by Council's Development Supervisor, Erin Miles on 5<sup>th</sup> February 2021. The proposed sign is to be located 34m south of CT 152742/3 and 19m to the west of CT 141615/1.

##### *Aerial photograph of area*



##### *Photographs of subject site*









#### 4.4 Permit/site history

No record of previous permit or site history relevant to the subject application.

#### 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:

- Kim Peart, email address supplied
- Sally Hills, 20 Church Street, Campbell Town

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

##### Issue 1

- Incorrect date 1826 identified as founding year of Campbell Town. It appears that a date of 1821 is accurate.

##### Planner's comment:

Final design to be submitted for approval prior to construction, an appropriate condition can be placed upon an approval requiring such design.



## **Issue 2**

- The design of the Red Bridge insert on the entrance sign that will be displayed does not represent any view of the bridge. The drawing on each side appear to be hanging in mid air and do not appear to be part of the design.

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

The design is an Artist's impression of the Red Bridge, it is acknowledged that the design may not be to everyone's liking, but the sign must be considered on its own merit based upon the provision of the planning scheme.

## **4.6 Referrals**

The only referrals required were as follows:

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

Summary: Council's Works & Infrastructure Department (Jonathan Galbraith) reported on 10/2/21 that the department has no comment in relation to this application.

### **Department of State Growth**

Precis: The application was referred to Department of State Growth who advised 8 February 2021, that the Department has no comment regarding this application to make.

### **General Manager**

Precis: Application signed by the General Manager.

## **4.7 Planning Scheme Assessment**

RURAL RESOURCE ZONE	
ZONE PURPOSE	
26.1.1.1	<i>To provide for the sustainable use or development of resources for agriculture, aquaculture, forestry, mining and other primary industries, including opportunities for resource processing.</i>
26.1.1.2	<i>To provide for other use or development that does not constrain or conflict with resource development uses.</i>
26.1.1.3	<i>To provide for economic development that is compatible with primary industry, environmental and landscape values.</i>
26.1.1.4	<i>To provide for tourism-related use and development where the sustainable development of rural resources will not be compromised.</i>
<b>Assessment:</b> The proposal complies with the zone purpose.	

LOCAL AREA OBJECTIVES	
a)	<p><b>Primary Industries:</b></p> <p><i>Resources for primary industries make a significant contribution to the rural economy and primary industry uses are to be protected for long-term sustainability.</i></p> <p><i>The prime and non-prime agricultural land resource provides for variable and diverse agricultural and primary industry production which will be protected through individual consideration of the local context.</i></p> <p><i>Processing and services can augment the productivity of primary industries in a locality and are supported where they are related to primary industry uses and the long-term sustainability of the resource is not unduly compromised.</i></p>
b)	<p><b>Tourism</b></p> <p><i>Tourism is an important contributor to the rural economy and can make a significant contribution to the value adding of primary industries through visitor facilities and the downstream processing of produce. The continued enhancement of tourism facilities with a relationship to primary production is supported where the long-term sustainability of the resource is not unduly compromised.</i></p> <p><i>The rural zone provides for important regional and local tourist routes and destinations such as through the promotion of environmental features and values, cultural heritage and landscape. The continued enhancement of tourism facilities that capitalise on these attributes is supported where the long-term sustainability of primary industry resources is not unduly compromised.</i></p>
c)	<p><b>Rural Communities</b></p> <p><i>Services to the rural locality through provision for home-based business can enhance the sustainability of rural communities. Professional and other business services that meet the needs of rural populations are supported where they accompany a residential or other established use and are located appropriately in relation to settlement activity centres and surrounding primary industries such that the integrity of the activity centre is not undermined and primary industries are not unreasonably confined or restrained.</i></p>

**Assessment:** The proposal does not conflict with the local area objectives.

#### DESIRED FUTURE CHARACTER STATEMENTS

*The visual impacts of use and development within the rural landscape are to be minimised such that the effect is not obtrusive.*

**Assessment:** The proposal complies with the Desired Future Character Statements.

#### DEVELOPMENT STANDARDS

#### 26.3 Use Standards

**26.3.1 Discretionary Uses if not a single dwelling** – Complies with A1-A5, Utilities – if for existing use, is a no permit required use within the Rural Resource Zone.

**26.3.2 Dwellings** – Not applicable.

#### 26.3.3 Irrigation Districts

Objective:

To ensure that land within irrigation districts proclaimed under Part 9 of the *Water Management Act 1999* is not converted to uses that will compromise the utilisation of water resources.

Acceptable Solutions	Performance Criteria
A1 Non-agricultural uses are not located within an irrigation district proclaimed under Part 9 of the <i>Water Management Act 1999</i> .	P1 Non-agricultural uses within an irrigation district proclaimed under Part 9 of the <i>Water Management Act 1999</i> must demonstrate that the current and future irrigation potential of the land is not unreasonably reduced having regard to: <ul style="list-style-type: none"> <li>a) the location and amount of land to be used; and</li> <li>b) the operational practicalities of irrigation systems as they relate to the land; and</li> <li>c) any management or conservation plans for the land.</li> </ul>
Complies with A1 – the site is not within an irrigation district.	N/a

#### 26.4 Development Standards

#### 26.4.1 Building Location and Appearance

Objective: To ensure that the:

- a) ability to conduct extractive industries and resource development will not be constrained by conflict with sensitive uses; and
- b) development of buildings is unobtrusive and complements the character of the landscape.

Acceptable Solutions	Performance Criteria
A1 Building height must not exceed: <ul style="list-style-type: none"> <li>a) 8m for dwellings; or</li> <li>b) 12m for other purposes.</li> </ul>	P1 Building height must: <ul style="list-style-type: none"> <li>a) be unobtrusive and complement the character of the surrounding landscape; and</li> <li>b) protect the amenity of adjoining uses from adverse impacts as a result of the proposal.</li> </ul>
Comment: The proposal complies with the acceptable solution, the proposed height of the sign is 1.667m.	N/a
A2 Buildings must be set back a minimum of: <ul style="list-style-type: none"> <li>a) 50m where a non-sensitive use or extension to existing sensitive use buildings is proposed; or</li> <li>b) 200m where a sensitive use is proposed; or</li> <li>c) the same as existing for replacement of an existing dwelling.</li> </ul>	P2 Buildings must be setback so that the use is not likely to constrain adjoining primary industry operations having regard to: <ul style="list-style-type: none"> <li>a) the topography of the land; and</li> <li>b) buffers created by natural or other features; and</li> <li>c) the location of development on adjoining lots; and</li> <li>d) the nature of existing and potential adjoining uses; and</li> <li>e) the ability to accommodate a lesser setback to the road having regard to: <ul style="list-style-type: none"> <li>i) the design of the development and landscaping; and</li> <li>ii) the potential for future upgrading of the road; and</li> <li>iii) potential traffic safety hazards; and</li> <li>iv) appropriate noise attenuation.</li> </ul> </li> </ul>
Does not comply with A2 – Relies on	Reduced setbacks are proposed for the signage. This is considered acceptable as



performance criteria P2.	<p>follows:</p> <p>a) <i>the topography of the land.</i> The site is relatively flat and does not influence the reduced setbacks.</p> <p>b) <i>buffers created by natural or other features.</i> The road reserve and physical separation provides buffering to adjacent agricultural pursuits.</p> <p>c) <i>the location of development on adjoining lots.</i> The land to the north is used for grazing purposes, the proposed sign will not impact on the adjacent agricultural operations.</p> <p>d) <i>the nature of existing and potential adjoining uses.</i> The land to the north is used for grazing purposes, the proposed sign will not impact on the adjacent agricultural operations.</p> <p>e) <i>the ability to accommodate a lesser setback to the road having regard to:</i></p> <ul style="list-style-type: none"> <li>i) <i>the design of the development and landscaping; and</i></li> <li>ii) <i>the potential for future upgrading of the road; and</i></li> <li>iii) <i>potential traffic safety hazards; and</i></li> <li>iv) <i>appropriate noise attenuation.</i></li> </ul> <p>The lesser setback to the boundaries is considered acceptable in terms of these matters, the proposed signage has adequate setback to the adjacent land uses as well as road pavement to ensure traffic safety is protected.</p> <p>The proposal is considered compliant with the performance criteria.</p>
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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
E.5.0	FLOOD PRONE AREAS CODE	N/a
E6.0	CAR PARKING AND SUSTAINABLE TRANSPORT CODE	Complies – no change
E7.0	SCENIC MANAGEMENT CODE	Complies - See code assessment below
E8.0	BIODIVERSITY CODE	N/a
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	Complies See code assessment below

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

#### E4.6 Use Standards

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

<p>Objective</p> <p>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.</p>	
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	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

# NORTHERN MIDLANDS COUNCIL

## AGENDA – ORDINARY MEETING

### 15 MARCH 2021

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%.	or railway must demonstrate that the safe and efficient operation of the infrastructure will not be detrimentally affected.
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.
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%.	<p>P3 — For limited access roads and roads with a speed limit of more than 60km/h:</p> <p>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</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 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>
<p>Comment:</p> <p>N/a</p>	

#### E4.7 Development Standards

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

<p>Objective</p> <p>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> <ol style="list-style-type: none"> <li>Ensure the safe and efficient operation of roads and railways; and</li> <li>Allow for future road and rail widening, realignment and upgrading; and</li> <li>Avoid undesirable interaction between roads and railways and other use or development.</li> </ol>	
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> <ol style="list-style-type: none"> <li>new road works, buildings, additions and extensions, earthworks and landscaping works; and</li> <li>building envelopes on new lots; and</li> <li>outdoor sitting, entertainment and children's play areas</li> </ol>	<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> <ol style="list-style-type: none"> <li>maintain or improve the safety and efficiency of the road or railway or future road or railway, including line of sight from trains; and</li> <li>mitigate significant transport-related environmental impacts, including noise, air pollution and vibrations in accordance with a report from a suitably qualified person; and</li> <li>ensure that additions or extensions of buildings will not reduce the existing setback to the road, railway or future road or railway; and</li> <li>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.</li> </ol>
<p>Comment:</p> <p>The proposed sign will be installed away from edge of seal of Midland Highway and the edge of seal from West Street, therefore not having any impact on sight distance for users of the access or Midland Highway.</p>	

The proposal is compliant with the performance criteria.

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

<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.	
Acceptable Solutions	Performance Criteria
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.	P1 <del>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.</del>
A2 For roads with a speed limit of more than 60km/h the development must not include a new access or junction.	P2 <del>For limited access roads and roads with a speed limit of more than 60km/h:</del> a) <del>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</del> b) <del>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</del> c) <del>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.</del>
<b>Comment:</b> Proposal complies. No new access or junction is proposed.	

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

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

### ASSESSMENT AGAINST E7.0 SCENIC MANAGEMENT CODE

#### E7.6 Development Standards

##### E7.6.1 Scenic Management – Tourist Road Corridor

<b>Objective</b> (a) To enhance the visual amenity of the identified tourist road corridors through appropriate: <ul style="list-style-type: none"> <li>i) setbacks of development to the road to provide for views that are significant to the traveller experience and to mitigate the bulk of development; and</li> <li>ii) location of development to avoid obtrusive visual impacts on skylines, ridgelines and prominent locations within the corridor; and</li> <li>iii) design and/or treatment of the form of buildings and earthworks to minimise the visual impact of development in its surroundings; and</li> <li>iv) retention or establishment of vegetation (native or exotic) that mitigates the bulk or form of use or development; and</li> <li>v) retention of vegetation (native or exotic) that provides amenity value to the road corridor due to being in a natural condition, such as native forest, or of cultural landscape interest such as hedgerows and significant, exotic feature trees; and</li> </ul> (b) To ensure subdivision provides for a pattern of development that is consistent with the visual amenity objectives described in (a).	
Acceptable Solutions	Performance Criteria
A1 <del>Development (not including subdivision) must be fully screened by existing vegetation or other features when viewed from the road within the tourist road corridor.</del>	P1 Development (not including subdivision) must be screened when viewed from the road within the tourist road corridor having regard to: <ul style="list-style-type: none"> <li>a) the impact on skylines, ridgelines and prominent locations; and</li> <li>b) the proximity to the road and the impact on views from the road; and</li> <li>c) the need for the development to be prominent to the road; and</li> <li>d) the specific requirements of a resource development use; and</li> </ul>

	<ul style="list-style-type: none"> <li>e) the retention or establishment of vegetation to provide screening in combination with other requirements for hazard management; and</li> <li>f) whether existing native or significant exotic vegetation within the tourist road corridor is managed to retain the visual values of a touring route; and</li> <li>g) whether development for forestry or plantation forestry is in accordance with the 'Conservation of Natural and Cultural Values – Landscape' section of the <i>Forest Practices Code</i>; and</li> <li>h) the design and/or treatment of development including: <ul style="list-style-type: none"> <li>i) the bulk and form of buildings including materials and finishes;</li> <li>ii) earthworks for cut or fill;</li> </ul> </li> <li>iii) complementing the physical (built or natural) characteristics of the site.</li> </ul>
A2 <del>Subdivision must not alter any boundaries within the areas designated as scenic management – tourist road corridor.</del>	P2 <del>Subdivision that alters any boundaries within the areas designated as scenic management – tourist road corridor must have regard to:</del> <ul style="list-style-type: none"> <li>a) <del>site size; and</del></li> <li>b) <del>density of potential development on sites created; and</del></li> <li>c) <del>the clearance or retention of vegetation in combination with requirements for hazard management; and</del></li> <li>d) <del>the extent of works required for roads or to gain access to sites including cut and fill; and</del></li> <li>e) <del>the physical characteristics of the site and locality; and</del></li> <li>f) <del>the scenic qualities of the land that require management.</del></li> </ul>
<p>Comment:</p> <p>In this case, the development does not provide for any additional use. The works visible will be an entrance sign to the township Campbell Town, on the approach from the north. The development is necessary as a streetscape element and attraction for the township. Signage is meant to be visible. No vegetation is to be removed to allow the erection of the sign. The proposal is considered to be compliant with the performance criteria.</p>	

#### ASSESSMENT AGAINST E15.0

##### SIGNS CODE

##### CODE PURPOSE

The purpose of this Code is to regulate the construction or putting up for display of a sign or hoarding.

Other sign	Any sign not listed.
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#### E15.5 Standards for Use or Development

##### E15.5.1 Third Party Signage - NA

##### E15.5.3 Design and siting of signage

Objective: To ensure that the design and siting of signs complement or enhance the characteristics of the natural and built environment in which they are located.	
<b>Other Sign</b>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
A34 <del>No acceptable solution.</del>	P34 Other signs can be located in any zone except the General Residential Zone and the Low Density Residential Zone, provided it can be shown that: <ul style="list-style-type: none"> <li>a) no other form of permitted signage will meet the needs of the proprietor; and</li> <li>b) the sign does not dominate the streetscape and reflects the prevailing character of the area, in terms of shape, proportions and colours; and</li> <li>c) it does not conflict with the Zone Purpose as outlined in Part D of this planning scheme.</li> <li>d) be sympathetic to the architectural character and detailing of the building; and</li> </ul>

# NORTHERN MIDLANDS COUNCIL

## AGENDA – ORDINARY MEETING

### 15 MARCH 2021

	<ul style="list-style-type: none"> <li>e) be of appropriate dimensions so as not to dominate the streetscape or premises on which it is located; and</li> <li>f) not result in loss of amenity to neighbouring properties; and</li> <li>g) not involve the unnecessary repetition of messages or information on the same street frontage; and</li> <li>h) not contribute to or exacerbate visual clutter; and</li> <li>i) not cause a safety hazard or obstruct movement of anyone inside or outside the associated building; and</li> <li>j) not distract motorists as a result of size, illumination or movement.</li> </ul>
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**Comment:** The application complies with the performance criteria for an 'other sign' in the rural resource zone. The signage proposed will be 1667mm high by 3000mm long, and 600mm wide. The signage is a selected sandstone structure with galvanised steel lettering and ledge with recessed and tiled bridge feature. The Department of State Growth do not raise any objection to the proposal.

Complies with P34 as follows:

- a) The signage is similar to a community information sign, but does not represent an institution; therefore, an "other sign" is the most appropriate definition.
- b) the signage is setback from the street does not dominate the streetscape, but rather forming a part of this.
- c) The signage is consistent with the zone purpose.
- d) The signage is located on a site with no heritage values.
- e) the signage is of similar size to others within the subject site and streetscape and will not impact on the streetscape due to the setback from the road.
- f) The location of the sign internally within the site and a road network on two sides of the lot ensures that neighbouring properties will not be impacted by the sign.
- g) A single sign only is being applied for.
- h) The sign will no contribute to or exacerbate visual clutter.
- i) The sign is located within a large open area and will not cause a safety hazard or obstruct movement of anyone.
- j) The sign is static, and not illuminated. It will therefore not distract motorists as a result of size, illumination or movement.

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 the signage being within 50m of category 1 road, variation to development standards – setbacks, 'Other Sign' signage in Rural Resource zone and sign within Scenic Corridor.

The sign will add an attractive feature to the entry of the township of Campbell Town, and also provide for entry identification. The design is in keeping with the setting for which it is proposed, will be unobtrusive and with the recommended conditions will contain correct graphics and details. The sign will not pose any safety risk to passing vehicles and will not cause any detriment to neighbouring dwellings and /or properties.

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, correspondence with applicant
- B. Responses from referral agencies
- C. Representations

## RECOMMENDATION

That land at Cnr West St & High Street, Campbell Town be approved to be developed and used for a Campbell Town Entrance Sign - northern (other sign) in accordance with application PLN-21-0002, and subject to the following conditions:

### 1 Layout not altered

The use and development shall be in accordance with the endorsed plans numbered **P1** (*Campbell Town Sign, Northern Entrance Site Plan, Dated: 16/12/2020*) and **P2** (*Proposed Campbell Town Sign – Ground Floor, Elevation and 3D, David Denman Architects + Heritage Consultants, Drawing No.: A00\_REVA, Dated: 17/12/2020*).

### 2 Final Signage Information

Prior to works commencing on site, the proponent must submit for approval of Council's General Manager, the finalised text and design details to be contained within the Panel component of the works.

## DECISION

Cr



## PLAN 4 PLANNING APPLICATION PLN-21-0003: CNR TORLESSE ST & HIGH ST, CAMPBELL TOWN

*Attachments: Section 1 – Page 481*

**File Number:** R30450  
**Responsible Officer:** Des Jennings, General Manager  
**Report prepared by:** Rebecca Green, Planning Consultant

### 1 INTRODUCTION

This report assesses an application for Cnr Torlesse St & High St, Campbell Town to construct a Campbell Town Entrance Sign - southern (other sign).

### 2 BACKGROUND

**Applicant:**  
Northern Midlands Council

**Owner:**  
Northern Midlands Council

**Zone:**  
Recreation Zone

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

**Classification under the Scheme:**  
Other sign

**Existing Use:**  
Utilities (road)

**Deemed Approval Date:**  
03-Mar-21 (EOT 19-Mar-21)

**Recommendation:**  
Approve

#### Discretionary Aspects of the Application

- Discretionary use - utilities
- Reliance on the performance criteria of the zone – Clause 18.4.1 (setbacks) & 18.4.2 (landscaping)
- Erection of Entrance Sign within 50m of category 1 road – Clause E4.7.1.
- Other Signage discretionary in Signs Code – Clause E15.5.3.

**Planning Instrument:** Northern Midlands Interim Planning Scheme 2013, Version 32, Effective from 19<sup>th</sup> October 2021.

#### 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

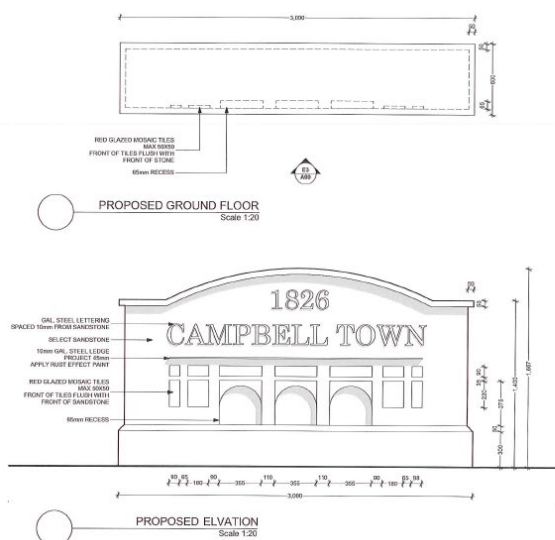
It is proposed to:

- Construct Campbell Town Entrance Sign - southern (other sign).

#### Site Plan



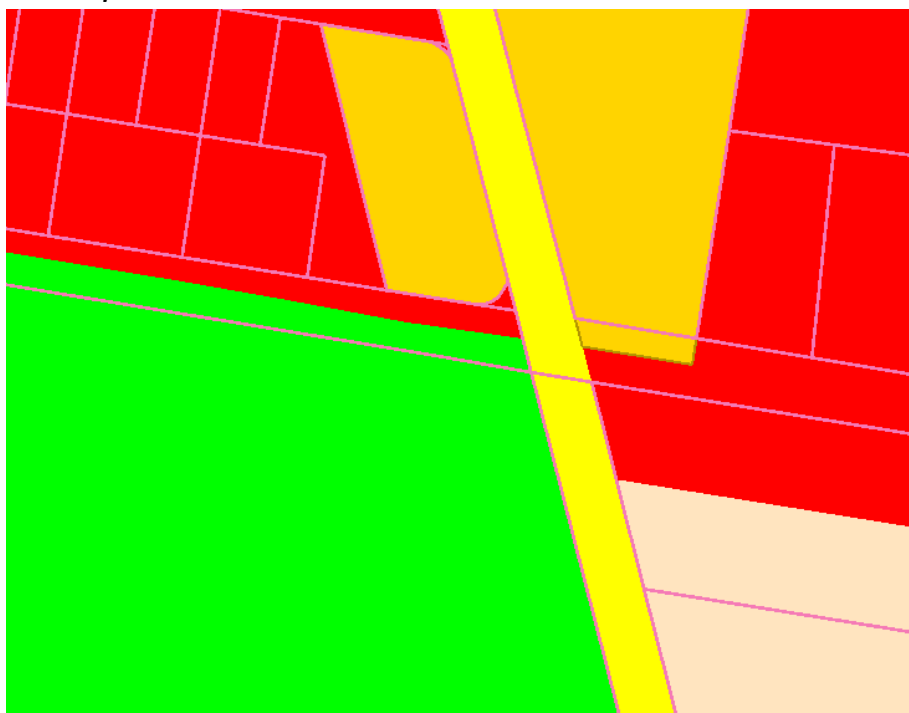
#### Elevations



PROPOSED 3D

#### 4.2 Zone and land use

##### *Zone Map – Recreation Zone*



The land is zoned Recreation.

The relevant Planning Scheme definition is:

<i>sign</i>	<i>means a device that is intended to give information, advertise or attract attention to a place, product, service or event.</i>
<i>Other sign</i>	<i>Any sign not listed.</i>

Other sign (ground based sign) is Discretionary (Permit Required) in the zone.

#### 4.3 Subject site and locality

A site inspection was carried out by Council's Development Supervisor, Erin Miles on 5<sup>th</sup> February 2021. The proposed sign is to be located 5m north of CT 128730/1 and 2m to the west of High Street road reserve.

##### *Aerial photograph of area*





*Photographs of subject site*





#### 4.4 Permit/site history

No record of previous permit or site history relevant to the subject application.

#### 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:

- Kim Peart, email address supplied
- Sally Hills, 20 Church Street, Campbell Town

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

##### Issue 1

- Incorrect date 1826 identified as founding year of Campbell Town. It appears that a date of 1821 is accurate.

##### Planner's comment:

Final design to be submitted for approval prior to construction, an appropriate condition can be placed upon an approval requiring such design.

##### Issue 2

- The design of the Red Bridge insert on the entrance sign that will be displayed does not represent any view of the bridge. The drawing on each side appear to be hanging in mid air and do not appear to be part of the design.

##### Planner's comment:

The design is an Artist's impression of the Red Bridge, it is acknowledged that the design may not be to everyone's liking, but the sign must be considered on its own merit based upon the provision of the planning scheme.

#### 4.6 Referrals

The only referrals required were as follows:

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

Summary: Council's Works & Infrastructure Department (Jonathan Galbraith) reported on 5/2/21 that the department has no comment in relation to this application.

##### **Department of State Growth**

Precis: The application was referred to Department of State Growth who advised 8 February 2021, that the Department has no comment regarding this application to make.

#### General Manager

Precis: Application signed by the General Manager.

#### 4.7 Planning Scheme Assessment

##### RECREATION ZONE

#### 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 – existing use	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 boundaries of the site.	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 site.
Comment: Complies with A2.1 and A2.2, no lighting is proposed.	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.
Comment: Complies with A3.	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.
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.
Comment:	N/a



# NORTHERN MIDLANDS COUNCIL

## AGENDA – ORDINARY MEETING

### 15 MARCH 2021

The proposal complies with the acceptable solution, the proposed height of the sign is 1.667m.	
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.
Does not comply with A2 – Relies on performance criteria P2.	Reduced setbacks are proposed for the signage. The road reserve and physical separation provides protection of the amenity of adjoining dwellings. The lesser setback to the boundaries is considered acceptable in terms of these matters, the proposed signage has adequate setback to the adjacent land uses as well as road pavement to ensure traffic safety is protected. The proposal is considered compliant with the performance criteria.

#### 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 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.
Comment: Does not comply with A1, Utilities is discretionary within the zone.	Comment: The proposed signage is only a very small built element to be erected within the road reserve within this zone. The landscaped areas surrounding the location of the sign, including grassed verges and vegetation will provide for a setting in keeping with the surrounds and will not be out of context with other statutory signage in the area. No vegetation is to be removed. There are no retaining walls, fencing or any additional vegetation planting proposed. No footpaths are located in the signage vicinity. The proposed sign will not impact on any existing buildings in the area, driveways, car parking and other utilities. The sign will not provide for a conglomeration of signage or visual clutter due to the singular nature of the sign. No changes are proposed to the ongoing treatment of the lot. The proposal is considered compliant with the performance criteria.

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
E.5.0 FLOOD PRONE AREAS CODE	N/a
E6.0 CAR PARKING AND SUSTAINABLE TRANSPORT CODE	Complies – no change
E7.0 SCENIC MANAGEMENT CODE	N/a
E8.0 BIODIVERSITY CODE	N/a

# NORTHERN MIDLANDS COUNCIL

## AGENDA – ORDINARY MEETING

### 15 MARCH 2021

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	Complies See code assessment below

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

#### E4.6 Use Standards

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

<b>Objective</b> 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.
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.
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 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 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.
<b>Comment:</b> N/a	

#### E4.7 Development Standards

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

<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: <ul style="list-style-type: none"> <li>d) Ensure the safe and efficient operation of roads and railways; and</li> <li>e) Allow for future road and rail widening, realignment and upgrading; and</li> <li>f) Avoid undesirable interaction between roads and railways and other use or development.</li> </ul>	
Acceptable Solutions	Performance Criteria
A1 The following must be at least 50m from a railway, a future road or railway, and a	P1 Development including buildings, road works, earthworks, landscaping works and level crossings on or within 50m of a category 1 or 2 road,

# NORTHERN MIDLANDS COUNCIL

## AGENDA – ORDINARY MEETING

### 15 MARCH 2021

<p>category 1 or 2 road in an area subject to a speed limit of more than 60km/h:</p> <p>a) <del>new road works, buildings, additions and extensions, earthworks and landscaping works; and</del></p> <p>b) <del>building envelopes on new lots; and</del></p> <p>c) <del>outdoor sitting, entertainment and children's play areas</del></p>	<p>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>
<p>Comment:</p> <p>The proposed sign will be installed away from edge of seal of Midland Highway and the edge of seal from Torlesse Street, therefore not having any impact on sight distance for users of the access or Midland Highway.</p> <p>The proposal is compliant with the performance criteria.</p>	

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

<p>Objective</p> <p>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 <del>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.</del></p>
<p>A2 For roads with a speed limit of more than 60km/h the development must not include a new access or junction.</p>	<p>P2 <del>For limited access roads and roads with a speed limit of more than 60km/h:</del></p> <p>a) <del>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</del></p> <p>b) <del>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</del></p> <p>c) <del>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.</del></p>
<p>Comment:</p> <p>Proposal complies. No new access or junction is proposed.</p>	

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

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

ASSESSMENT AGAINST E15.0	
SIGNS CODE	
Code purpose	
The purpose of this Code is to regulate the construction or putting up for display of a sign or hoarding.	
Other sign	Any sign not listed.

#### E15.5 Standards for Use or Development

##### E15.5.1 Third Party Signage - NA

##### E15.5.3 Design and siting of signage

Objective: To ensure that the design and siting of signs complement or enhance the characteristics of the natural and built environment
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# NORTHERN MIDLANDS COUNCIL

## AGENDA – ORDINARY MEETING

### 15 MARCH 2021

in which they are located.	
<b>Other Sign</b>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<del>A34 – No acceptable solution.</del>	<p>P34 Other signs can be located in any zone except the General Residential Zone and the Low Density Residential Zone, provided it can be shown that:</p> <ul style="list-style-type: none"> <li>a) no other form of permitted signage will meet the needs of the proprietor; and</li> <li>b) the sign does not dominate the streetscape and reflects the prevailing character of the area, in terms of shape, proportions and colours; and</li> <li>c) it does not conflict with the Zone Purpose as outlined in Part D of this planning scheme.</li> <li>d) be sympathetic to the architectural character and detailing of the building; and</li> <li>e) be of appropriate dimensions so as not to dominate the streetscape or premises on which it is located; and</li> <li>f) not result in loss of amenity to neighbouring properties; and</li> <li>g) not involve the unnecessary repetition of messages or information on the same street frontage; and</li> <li>h) not contribute to or exacerbate visual clutter; and</li> <li>i) not cause a safety hazard or obstruct movement of anyone inside or outside the associated building; and</li> <li>j) not distract motorists as a result of size, illumination or movement.</li> </ul>
<p><b>Comment:</b></p> <p>The application complies with the performance criteria for an ‘other sign’ in the recreation zone. The signage proposed will be 1667mm high by 3000mm long, and 600mm wide. The signage is a selected sandstone structure with galvanised steel lettering and ledge with recessed and tiled bridge feature. The Department of State Growth do not raise any objection to the proposal.</p> <p>Complies with P34 as follows:</p> <ul style="list-style-type: none"> <li>a) The signage is similar to a community information sign, but does not represent an institution; therefore, an “other sign” is the most appropriate definition.</li> <li>b) the signage is setback from the street does not dominate the streetscape, but rather forming a part of this.</li> <li>c) The signage is consistent with the zone purpose.</li> <li>d) The signage is located on a site with no heritage values.</li> <li>e) the signage is of similar size to others within the subject site and streetscape and will not impact on the streetscape due to the setback from the road.</li> <li>f) The location of the sign internally within the site and a road network on two sides of the lot ensures that neighbouring properties will not be impacted by the sign.</li> <li>g) A single sign only is being applied for.</li> <li>h) The sign will no contribute to or exacerbate visual clutter.</li> <li>i) The sign is located within a large open area and will not cause a safety hazard or obstruct movement of anyone.</li> <li>j) The sign is static, and not illuminated. It will therefore not distract motorists as a result of size, illumination or movement.</li> </ul>	
<b>SPECIFIC AREA PLANS</b>	
F1.0 TRANSLINK SPECIFIC AREA PLAN	N/a
F2.0 HERITAGE PRECINCTS SPECIFIC AREA PLAN	N/a
<b>SPECIAL PROVISIONS</b>	
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
<b>STATE POLICIES</b>	
The proposal is consistent with all State Policies.	



# NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 15 MARCH 2021

## OBJECTIVES OF LAND USE PLANNING & APPROVALS ACT 1993

The proposal is consistent with the objectives of the *Land Use Planning & Approvals Act 1993*.

## STRATEGIC PLAN/ANNUAL PLAN/COUNCIL POLICIES

### *Strategic Plan 2017-2027*

- *Statutory Planning*

## 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 the signage being within 50m of category 1 road, 'Other Sign' signage in Recreation zone.

The sign will add an attractive feature to the entry of the township of Campbell Town, and also provide for entry identification. The design is in keeping with the setting for which it is proposed, will be unobtrusive and with the recommended conditions will contain correct graphics and details. The sign will not pose any safety risk to passing vehicles and will not cause any detriment to neighbouring dwellings and /or properties.

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, correspondence with applicant
- B. Responses from referral agencies
- C. Representations

## RECOMMENDATION

That land at Cnr Torlesse St & High St, Campbell Town be approved to be developed and used for a Campbell Town Entrance Sign - southern (other sign) in accordance with application PLN-21-0003, and subject to the following conditions:

### 1 Layout not altered

The use and development shall be in accordance with the endorsed plans numbered **P1** (*Campbell Town Sign, Southern Entrance Site Plan, Dated: 16/12/2020*) and **P2** (*Proposed Campbell Town Sign – Ground Floor, Elevation and 3D, David Denman Architects + Heritage Consultants, Drawing No.: A00\_REVA, Dated: 17/12/2020*).

### 2 Final Signage Information

Prior to works commencing on site, the proponent must submit for approval of Council's General Manager, the finalised text and design details to be contained within the Panel component of the works.

## DECISION

Cr

**PLAN 5 PLANNING APPLICATION PLN-21-0028: 17 SUMMIT DRIVE, DEVON HILLS**

*Attachments: Section 1 – Page 491*

**File Number:** 204800.37; CT 17129/129  
**Responsible Officer:** Des Jennings, General Manager  
**Report prepared by:** Erin Miles, Development Supervisor

## 1 INTRODUCTION

This report assesses an application for 17 Summit Drive, Devon Hills for a change of use to Visitor Accommodation (non-impervious access and parking).

## 2 BACKGROUND

**Applicant:**  
Mrs Dianne Hamilton

**Owner:**  
Dianne Hilda Hamilton

**Zone:**  
Low Density Residential Zone

**Codes:**  
Car Parking and Sustainable Transport Code

**Classification under the Scheme:**  
Discretionary

**Existing Use:**  
Residential

**Deemed Approval Date:**  
20 March 2021

**Recommendation:**  
Approve

### Discretionary Aspects of the Application

- Reliance on the performance criteria of the Car Parking and Sustainable Transport Code – clause 6.7.1 - non-impervious access and parking.

**Planning Instrument:** Northern Midlands Interim Planning Scheme 2013, Version 33 Effective from 22 February 2021.

### 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:

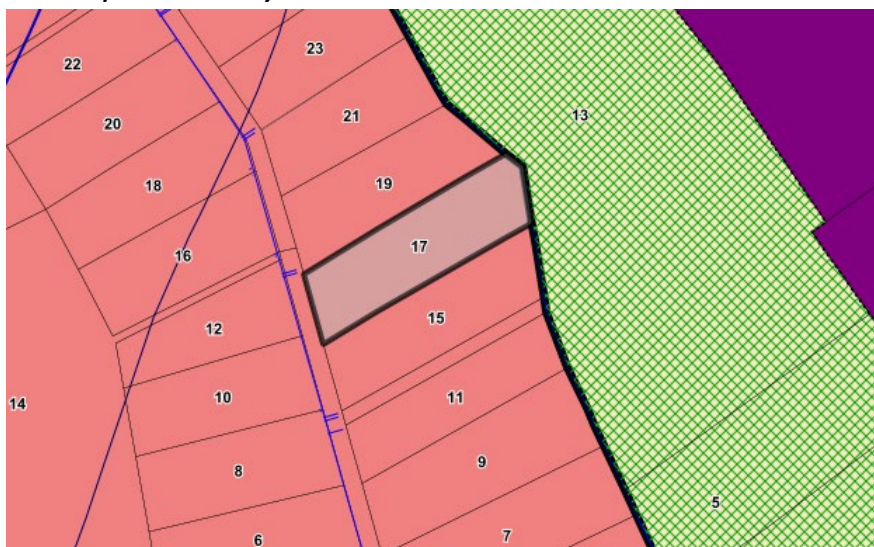
- Change the use of a single dwelling to Visitor Accommodation (non-impervious access and parking).

#### Site Plan



## 4.2 Zone and land use

### *Zone Map – Low Density Residential Zone*



The land is zoned low density residential and is subject to the Car Parking and Sustainable Transport Code.

The relevant Planning Scheme definition is:

<i>Visitor accommodation</i>	<i>use of land for providing short or medium term accommodation for persons away from their normal place of residence. Examples include a backpackers hostel, bed and breakfast establishment, camping and caravan park, holiday cabin, holiday unit, motel, overnight camping area, residential hotel and serviced apartment.</i>
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Visitor accommodation is Discretionary in the zone.

## 4.3 Subject site and locality

A site visit by Council's Planning Department was undertaken on the 05 February 2021. The subject site is a 1.952ha site, located within the Devon Hills area. The current dwelling is located to the western side of the block and is located approximately 60m from the closest adjoining dwelling. Established garden are located on the site. Access to the dwelling is via a compacted gravel and blue metal driveway.

### *Aerial photograph of area*





*Photographs of subject site*



#### 4.4 Permit/site history

Relevant permit history includes:

DA111/94 - H Trevena - Dwelling Extension 204800.37 - 17 SUMMIT DR - DEVON HILLS - HAMILTON DIANNE HILDA	➔
DA12/85 - A K & L Parish - Dwelling 204800.37 - 17 SUMMIT DR - DEVON HILLS - HAMILTON DIANNE HILDA	➔
DA24/88 - H & P Trevena - Garage 204800.37 - 17 SUMMIT DR - DEVON HILLS - HAMILTON DIANNE HILDA	➔
PLN20-0089 - D Hamilton - Tree Removal 204800.37 - 17 SUMMIT DR - DEVON HILLS - HAMILTON DIANNE HILDA	➔

#### 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:

- Adele Gliddon, 21 Summit Dr, Devon Hills
- Paul Luttrell 14 Summit Dr, Devon Hills

**Map showing location of representors properties in relation to subject site (highlighted red is subject site, outline in red is representors location)**



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

##### Issue 1

- No supervision on site

##### Planner's comment:

Neither the Planning Scheme, nor Planning Directive 6 contain any provisions requiring personal attendance of the operator on site.

##### Issue 2

- Potential for excessive noise, property damage and exploring neighborhood for potential robberies.

##### Planner's comment:

There are no relevant provisions within the Planning Scheme or Planning Directive 6, that deals with these issues. These concerns should be directed to Tasmania Police if the issues raised are founded.

##### Issue 3

- Increased dust emissions

##### Planner's comment:

The existing driveway on site is approximately 50m long from the front property boundary to the garage area, is constructed from compacted gravel with a blue metal overlay. Given the short distance and low speed environment, it is highly unlikely that the proposed use will generate any more dust than the existing residential use of the site. The relevant provision in the Planning Scheme related to an impervious access and parking area is that *car parking*,



*access strips, manoeuvring and circulation spaces must be readily identifiable and constructed to ensure that they are useable in all weather conditions.*

#### **Issue 4**

- Covenant on title

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

Covenants on a title are not a matter for consideration by the planning application process and are privately enforced.

#### **Issue 5**

- Inadequate documentation included with application – no copy of the title, no site management plan and a number of irrelevant subdivisional plans.

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

A copy of the title was submitted with the application, and the title plans (presumably these are the “irrelevant subdivisional plans” referred to in the representation) were advertised as part of the standard suite of documentation placed on public exhibition. A site management plan is not required to form a valid application.

### **4.6 Referrals**

The application did not require any referrals.

### **4.7 Planning Scheme Assessment**

LOW DENSITY RESIDENTIAL ZONE
ZONE PURPOSE
<p><i>Zone Purpose Statements</i></p> <p><i>To provide for residential use or development on larger lots in residential areas where there are infrastructure or environmental constraints that limit development.</i></p> <p><i>To provide for non-residential uses that are compatible with residential amenity.</i></p> <p><i>To ensure that development respects the natural and conservation values of the land and is designed to mitigate any visual impacts of development on public views</i></p>
<p><b>Assessment:</b> The proposal meets the zone purpose.</p>

LOCAL AREA OBJECTIVES
<p><i>To make provision for any additional future needs in low-density residential development at Avoca, Campbell Town, Cressy, Devon Hills and Longford by the incremental expansion of those areas already established for the purpose.</i></p>
<p><b>Assessment:</b> The proposal does not conflict with the local area objectives.</p>

### **12.3 Use Standards**

#### **12.3.1 Amenity**

<p><b>Objective</b></p> <p>To ensure that non-residential uses do not cause an unreasonable loss of amenity to adjoining and nearby residential uses.</p>	
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 movement, smoke, odour, dust and illumination.
Complies – the use is permitted under the provisions of Planning Directive 6.	N/a
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.	P2 Commercial vehicle movements for discretionary uses must not unreasonably impact on the amenity of occupants of adjoining and nearby dwellings.
N/a – no commercial vehicle movements proposed.	N/a
A3 If for permitted or no permit required uses.	P3 External lighting must demonstrate that:

# NORTHERN MIDLANDS COUNCIL

## AGENDA – ORDINARY MEETING

### 15 MARCH 2021

	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 site.
Complies – the use is permitted under the provisions of Planning Directive 6.	N/a

#### 12.3.2 Low Density Residential Character

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

#### 12.4 Development Standards – not applicable, change of use only.

##### Visitor Accommodation (Planning Directive No. 6)

Objective That Visitor Accommodation: (a) Is compatible with the character and use of the area; (b) Does not cause an unreasonable loss of residential amenity; and (c) Does not impact the safety and efficiency of local roads or rights of way.	
Acceptable Solutions	Performance Criteria
A1 Visitor Accommodation must: (a) Accommodate guests in existing habitable buildings; and (b) Have a gross floor area of not more than 200m <sup>2</sup> per lot.	P1 Visitor Accommodation must be compatible with the character and use of the area and not cause an unreasonable loss of residential amenity, having regard to: (a) The privacy of adjoining properties; (b) Any likely increase in noise to adjoining properties; (c) The scale of the use and its compatibility with the surrounding character and uses within the area; (d) Retaining the primary residential function of an area; (e) The impact on the safety and efficiency of the local road network; and (f) Any impact on the owners and users rights of way.
Complies with A1 (b). The floor area of the proposed visitor accommodation is less than 200m <sup>2</sup> and is an existing habitable building.	N/a
A2 Visitor Accommodation is not for a lot, as defined in the <i>Strata Titles Act 1998</i> , that is part of a strata scheme where another lot within that strata scheme is used for a residential use.	P2 Visitor Accommodation within a strata scheme must not cause an unreasonable loss of residential amenity to long term residents occupying other lots within the strata scheme, having regard to: (a) The privacy of residents; (b) Any likely increase in noise; (c) The residential function of the strata scheme; (d) The location and layout of the lots; (e) The extent and nature of any other non-residential uses; and (f) Any impact on shared access and common property.



# NORTHERN MIDLANDS COUNCIL

## AGENDA – ORDINARY MEETING

### 15 MARCH 2021

Proposal complies with A2.	N/a
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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
E.5.0	FLOOD PRONE AREAS CODE	N/a
E6.0	CAR PARKING AND SUSTAINABLE TRANSPORT CODE	Complies – See code assessment below
E7.0	SCENIC MANAGEMENT CODE	N/a
E8.0	BIODIVERSITY CODE	N/a
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 E6.0 CAR PARKING & SUSTAINABLE TRANSPORT CODE

#### E6.6 Use Standards

##### E6.6.1 Car Parking Numbers

Objective: To ensure that an appropriate level of car parking is provided to service use.	
Acceptable Solutions	Performance Criteria
<p>A1 The number of car parking spaces must not be less than the requirements of:</p> <ul style="list-style-type: none"> <li>a) Table E6.1; or</li> <li>b) a parking precinct plan contained in Table E6.6: Precinct Parking Plans (except for dwellings in the General Residential Zone).</li> </ul>	<p>P1 The number of car parking spaces provided must have regard to:</p> <ul style="list-style-type: none"> <li>a) the provisions of any relevant location specific car parking plan; and</li> <li>b) the availability of public car parking spaces within reasonable walking distance; and</li> <li>c) any reduction in demand due to sharing of spaces by multiple uses either because of variations in peak demand or by efficiencies gained by consolidation; and</li> <li>d) the availability and frequency of public transport within reasonable walking distance of the site; and</li> <li>e) site constraints such as existing buildings, slope, drainage, vegetation and landscaping; and</li> <li>f) the availability, accessibility and safety of on-road parking, having regard to the nature of the roads, traffic management and other uses in the vicinity; and</li> <li>g) an empirical assessment of the car parking demand; and</li> <li>h) the effect on streetscape, amenity and vehicle, pedestrian and cycle safety and convenience; and</li> <li>i) the recommendations of a traffic impact assessment prepared for the proposal; and</li> <li>j) any heritage values of the site; and</li> <li>k) for residential buildings and multiple dwellings, whether parking is adequate to meet the needs of the residents having regard to:               <ul style="list-style-type: none"> <li>i) the size of the dwelling and the number of bedrooms; and</li> <li>ii) the pattern of parking in the locality; and</li> <li>iii) any existing structure on the land.</li> </ul> </li> </ul>
<p>Comment:</p> <p>Complies, 1 space as required by Table E6.1 is provided.</p>	

**Table E6.1: Parking Space Requirements**

Use	Parking Requirement	
	Vehicle	Bicycle
<b>Visitor accommodation</b> (bed and breakfast, camping, caravan park, unit/cabin, backpacker hostel, motel, serviced apartments)	1 space per unit or 1 space per 4 beds whichever is greater	1 space per 10 beds

#### E6.6.2 Bicycle Parking Numbers

Objective: To encourage cycling as a mode of transport within areas subject to urban speed zones by ensuring safe, secure and convenient parking for bicycles.

Acceptable Solutions	Performance Criteria
<p>A1.1 Permanently accessible bicycle parking or storage spaces must be provided either on the site or within 50m of the site in accordance with the requirements of Table E6.1; or</p> <p>A1.2 The number of spaces must be in accordance with a parking precinct plan contained in Table E6.6: Precinct Parking Plans.</p>	<p>P1 Permanently accessible bicycle parking or storage spaces must be provided having regard to the:</p> <p>a) likely number and type of users of the site and their opportunities and likely preference for bicycle travel; and</p> <p>b) location of the site and the distance a cyclist would need to travel to reach the site; and</p> <p>c) availability and accessibility of existing and planned parking facilities for bicycles in the vicinity.</p>

Comment:  
Complies with A1.1 – sufficient space on site to accommodate 1 bicycle parking space.

#### E6.6.3 Taxi Drop-off and Pickup

Objective: To ensure that taxis can adequately access developments.

Acceptable Solutions	Performance Criteria
A1 One dedicated taxi drop-off and pickup space must be provided for every 50 car spaces required by Table E6.1 or part thereof (except for dwellings in the General Residential Zone).	P1 No performance criteria.

Comment:  
N/a

#### E6.6.4 Motorbike Parking Provisions

Objective: To ensure that motorbikes are adequately provided for in parking considerations.

Acceptable Solutions	Performance Criteria
A1 One motorbike parking space must be provided for each 20 car spaces required by Table E6.1 or part thereof.	P1 No performance criteria.

Comment:  
N/a

#### E6.7 Development Standards

##### E6.7.1 Construction of Car Parking Spaces and Access Strips

Objective: To ensure that car parking spaces and access strips are constructed to an appropriate standard.

Acceptable Solutions	Performance Criteria
<p>A1 All car parking, access strips manoeuvring and circulation spaces must be:</p> <p>a) formed to an adequate level and drained; and</p> <p>b) except for a single dwelling, provided with an impervious all weather seal; and</p> <p>c) except for a single dwelling, line marked or provided with other clear physical means to delineate car spaces.</p>	<p>P1 All car parking, access strips manoeuvring and circulation spaces must be readily identifiable and constructed to ensure that they are useable in all weather conditions.</p>

Comment:  
Relies on P1 - The existing driveway on site is approximately 50m long from the front property boundary to the garage area, is constructed from compacted gravel with a blue metal overlay. It is therefore readily identifiable and constructed to ensure that they are useable in all weather conditions. This has been also been ensured through a permit condition – Complies.

#### E6.7.2 Design and Layout of Car Parking

Objective: To ensure that car parking and manoeuvring space are designed and laid out to an appropriate standard.			
Acceptable Solutions		Performance Criteria	
A1.1	Where providing for 4 or more spaces, parking areas (other than for parking located in garages and carports for dwellings in the General Residential Zone) must be located behind the building line; and	P1	The location of car parking and manoeuvring spaces must not be detrimental to the streetscape or the amenity of the surrounding areas, having regard to:
A1.2	Within the General residential zone, provision for turning must not be located within the front setback for residential buildings or multiple dwellings.	a)	the layout of the site and the location of existing buildings; and
		b)	views into the site from the road and adjoining public spaces; and
		c)	the ability to access the site and the rear of buildings; and
		d)	the layout of car parking in the vicinity; and
		e)	the level of landscaping proposed for the car parking.
Comment:			
A1.1 – N/a			
A1.2 – N/a			
A2.1	Car parking and manoeuvring space must:	P2	Car parking and manoeuvring space must:
a)	have a gradient of 10% or less; and	a)	be convenient, safe and efficient to use having regard to matters such as slope, dimensions, layout and the expected number and type of vehicles; and
b)	where providing for more than 4 cars, provide for vehicles to enter and exit the site in a forward direction; and	b)	provide adequate space to turn within the site unless reversing from the site would not adversely affect the safety and convenience of users and passing traffic.
c)	have a width of vehicular access no less than prescribed in Table E6.2 and Table E6.3, and		
A2.2	The layout of car spaces and access ways must be designed in accordance with <i>Australian Standards AS 2890.1 - 2004 Parking Facilities, Part 1: Off Road Car Parking</i> .		
Comment:			
A2.1 a) Complies b) N/a c) Complies			
A2.2 Complies.			

**Table E6.2: Access Widths for Vehicles**

Number of parking spaces served	Access width (see note 1)	Passing bay (2.0m wide by 5.0m long plus entry and exit tapers) (see note 2)
1 to 5	3.0m	Every 30m

#### E6.7.3 Car Parking Access, Safety and Security

Objective: To ensure adequate access, safety and security for car parking and for deliveries.			
Acceptable Solutions		Performance Criteria	
A1	Car parking areas with greater than 20 parking spaces must be:	P1	Car parking areas with greater than 20 parking spaces must provide for adequate security and safety for users of the site, having regard to the:
a)	secured and lit so that unauthorised persons cannot enter or;	a)	levels of activity within the vicinity; and
b)	visible from buildings on or adjacent to the site during the times when parking occurs.	b)	opportunities for passive surveillance for users of adjacent building and public spaces adjoining the site.
Comment:			
N/a			

#### E6.7.4 Parking for Persons with a Disability

Objective: To ensure adequate parking for persons with a disability.			
Acceptable Solutions		Performance Criteria	
A1	All spaces designated for use by persons with a disability must be located closest to the main entry point to the building.	P1	The location and design of parking spaces considers the needs of disabled persons, having regard to:
		a)	the topography of the site;

# NORTHERN MIDLANDS COUNCIL

## AGENDA – ORDINARY MEETING

### 15 MARCH 2021

	b) the location and type of relevant facilities on the site or in the vicinity; c) the suitability of access pathways from parking spaces, and d) applicable Australian Standards.
A2 Accessible car parking spaces for use by persons with disabilities must be designed and constructed in accordance with AS/NZ2890.6 – 2009 Parking facilities – Off-street parking for people with disabilities.	P2. No performance criteria.
Comment: N/a – Disability parking not proposed.	

#### E6.7.6 Loading and Unloading of Vehicles, Drop-off and Pickup

Objective: To ensure adequate access for people and goods delivery and collection and to prevent loss of amenity and adverse impacts on traffic flows.	
Acceptable Solutions	Performance Criteria
A1 For retail, commercial, industrial, service industry or warehouse or storage uses: a) at least one loading bay must be provided in accordance with Table E6.4; and b) loading and bus bays and access strips must be designed in accordance with <i>Australian Standard AS/NZS 2890.3 2002</i> for the type of vehicles that will use the site.	P1 For retail, commercial, industrial, service industry or warehouse or storage uses adequate space must be provided for loading and unloading the type of vehicles associated with delivering and collecting people and goods where these are expected on a regular basis.
Comment: N/a	

#### E6.8 Provisions for Sustainable Transport

##### E6.8.1 Bicycle End of Trip Facilities

Not used in this planning scheme

##### E6.8.2 Bicycle Parking Access, Safety and Security

Objective: To ensure that parking and storage facilities for bicycles are safe, secure and convenient.	
Acceptable Solutions	Performance Criteria
A1.1 Bicycle parking spaces for customers and visitors must: a) be accessible from a road, footpath or cycle track; and b) include a rail or hoop to lock a bicycle to that meets <i>Australian Standard AS 2890.3 1993</i> ; and c) be located within 50m of and visible or signposted from the entrance to the activity they serve; and d) be available and adequately lit in accordance with <i>Australian Standard AS/NZS 1158 2005 Lighting Category C2</i> during the times they will be used; and A1.2 Parking space for residents' and employees' bicycles must be under cover and capable of being secured by lock or bicycle lock.	P1 Bicycle parking spaces must be safe, secure, convenient and located where they will encourage use.
A2 Bicycle parking spaces must have: a) minimum dimensions of: i) 1.7m in length; and ii) 1.2m in height; and iii) 0.7m in width at the handlebars; and b) unobstructed access with a width of at least 2m and a gradient of no more 5% from a public area where cycling is allowed.	P2 Bicycle parking spaces and access must be of dimensions that provide for their convenient, safe and efficient use.
Comment: Complies with A1.2 and A2.	

##### E6.8.5 Pedestrian Walkways

Objective: To ensure pedestrian safety is considered in development	
Acceptable Solution	Performance Criteria



# NORTHERN MIDLANDS COUNCIL

## AGENDA – ORDINARY MEETING

### 15 MARCH 2021

A1 Pedestrian access must be provided for in accordance with Table E6.5.	P1 Safe pedestrian access must be provided within car park and between the entrances to buildings and the road.
Comment: Complies with A1 – no separate access required.	

**Table E6.5: Pedestrian Access**

Number of Parking Spaces Required	Pedestrian Facility
1–10	No separate access required (i.e. pedestrians may share the driveway). [Note (a) applies].
11 or more	A 1m wide footpath separated from the driveway and parking aisles except at crossing points. [Notes (a) and (b) apply].

**Notes**

- a) In parking areas containing spaces allocated for disabled persons, a footpath having a minimum width of 1.5m and a gradient not exceeding 1 in 14 is required from those spaces to the principal building.
- b) Separation is deemed to be achieved by:
- i) a horizontal distance of 2.5m between the edge of the driveway and the footpath; or
  - ii) protective devices such as bollards, guard rails or planters between the driveway and the footpath; and
  - iii) signs and line marking at points where pedestrians are intended to cross driveways or parking aisles.

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:

- Reliance on the performance criteria of the Car Parking and Sustainable Transport Code – clause 6.7.1 - non-impervious access and parking.

The proposal is for the change of use of a single dwelling to visitor accommodation, which is a permitted use in the zone under the provisions of Planning Directive 6. The only discretion relates to the non-impervious access and parking. The proposal adequately demonstrates compliance with the performance criteria, as the driveway and parking area is readily identifiable and constructed to ensure that they are useable in all weather conditions. This has been also been ensure through a permit condition.

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, correspondence with applicant
- B. Responses from referral agencies
- C. Representations & applicant's response

## RECOMMENDATION

That land at 17 Summit Drive, Devon Hills be approved to be developed and used for a Change of use to Visitor Accommodation (non-impervious access and parking) in accordance with application PLN-21-0028, 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** (P1 - Site plan, P2 – Floor plan)

### 2 Car Parking

One (1) dedicated car parking space must be made available for the visitor accommodation use. The car parking space must be readily identifiable and constructed to ensure it is useable in all weather conditions, prior to the commencement of the use.

## DECISION

Cr



**PLAN 6 PLANNING APPLICATION PLN-20-0310: 46 ANSTEY STREET,  
LONGFORD**

*Attachments: Section 1 – Page 501*

**File Number:** 100400.13; CT 173280/1  
**Responsible Officer:** Des Jennings, General Manager  
**Report prepared by:** Erin Miles, Development Supervisor

## 1 INTRODUCTION

This report assesses an application for 46 Anstey Street, Longford to construct Multiple Dwellings (x2, 1 existing) - vary impervious access.

## 2 BACKGROUND

**Applicant:**

Marlborough St Holdings Pty Lrd

**Owner:**

Marlborough Street Holdings Pty Ltd

**Zone:**

General Residential Zone

**Codes:**

Road and Railway Assets Code  
Car Parking and Sustainable Transport Code

**Classification under the Scheme:**

Discretionary

**Existing Use:**

Residential

**Deemed Approval Date:**

16 March 2021

**Recommendation:**

Approve

### Discretionary Aspects of the Application

- Reliance on the performance criteria of the Car Parking and Sustainable Transport Code (clause E6.7.1 - Construction of Car Parking Spaces and Access Strips).

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

### Preliminary Discussion

There was no preliminary discussion regarding this application.

### 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.

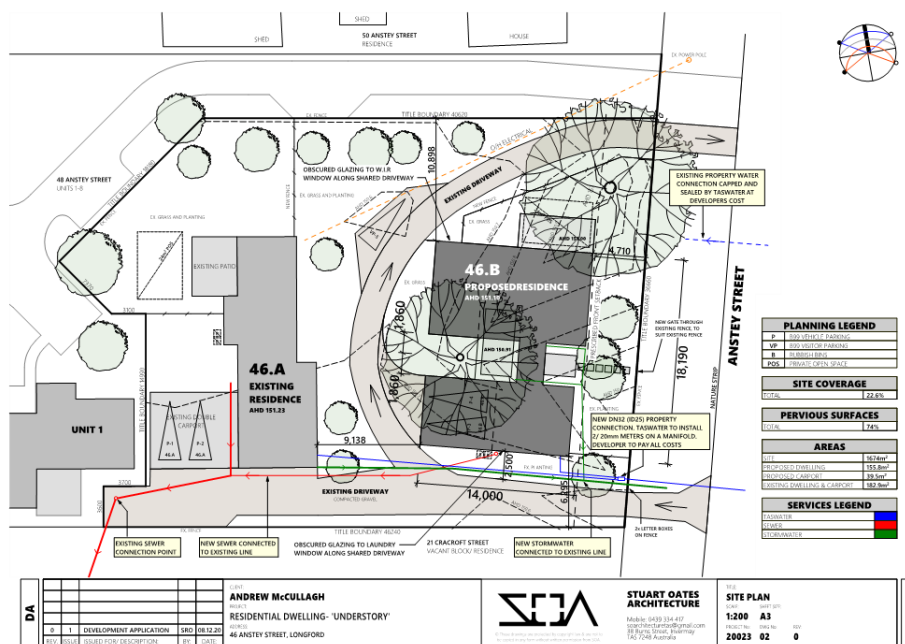
## 4 ASSESSMENT

### 4.1 Proposal

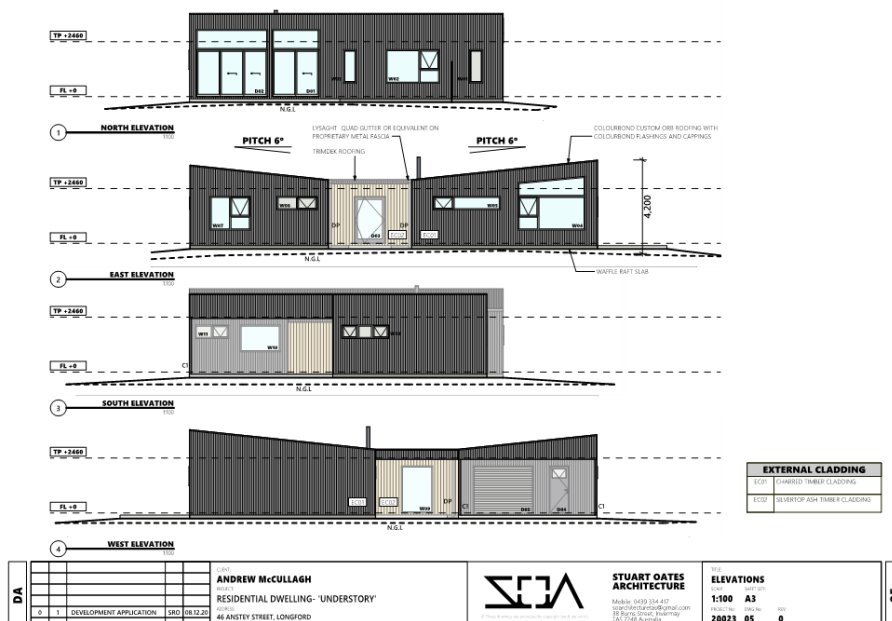
It is proposed to:

- Construct 2 multiple dwellings (1 new, 1 existing) - vary impervious access.

#### Site Plan

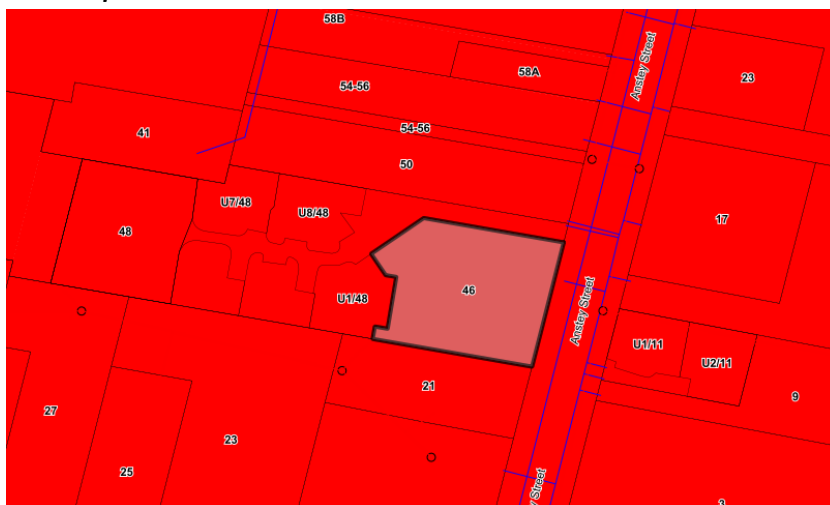


#### Elevations



## 4.2 Zone and land use

### *Zone Map – General Residential Zone*



The land is zoned General Residential and is subject to the Road and Railway Assets Code and Car Parking and Sustainable Transport Code.

The relevant Planning Scheme definition is:

<i>multiple dwellings</i>	<i>means 2 or more dwellings on a site.</i>
---------------------------	---

Residential (multiple dwellings) is a permitted (with permit) use in the zone, under Use Table 10.2.

## 4.3 Subject site and locality

The author of this report carried out a site visit on 5<sup>th</sup> March 2021. The subject site is a 1674m<sup>2</sup>, and currently contains a single dwelling. The proposal is to add an additional dwelling at the front of the lot, in an area currently forming part of the garden. The site is surrounded by a mixture of single and multiple dwelling uses.

### *Aerial photograph of area*





*Photographs of subject site*



**4.4 Permit/site history**

Relevant permit history includes:

<p>1952 - GL Hudson - Dwelling 100400.13 - 46 ANSTEY ST - LONGFORD - MARLBOROUGH STREET HOLDINGS PTY LTD</p>	➡
<p>BLD19-034_PMB19-035 - MSR Property Investments - Dwelling - Unit 7 And Unit 8 100400.13 - 46 ANSTEY ST - LONGFORD - MARLBOROUGH STREET HOLDINGS PTY LTD</p>	➡
<p>P16-152 - A McCullagh - 8 Units &amp; Subdivision 100400.13 - 46 ANSTEY ST - LONGFORD - MARLBOROUGH STREET HOLDINGS PTY LTD</p>	➡



#### 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:

- Robin & Linda Camilleri 15C Cracroft St, Longford
- Ian Twemlow 2/11 Anstey St, Longford
- Cher Downton 19A Cracroft St Longford
- Rosalie & Ian Thompson (3 Anstey St, Longford
- M Baxter Anstey St Longford
- Kitana Kelly 58 a Anstey St Longford
- PM & RE Barnes U1/11 Anstey St Longford
- Bradley McKay & Chommakorn Kaweekeaw 17 Anstey St Longford
- Pat Jones 70 Anstey St Longford
- Donald Sweatman & Elizabeth Gray 50 Anstey St Longford
- Tom Cloudsdale, via email only
- Graham Franklin 23 Anstey St Longford
- Dee Alty, via email only
- Harry & Sharon Galea 21 Cracroft St Longford
- Kevin Headlam 60 Anstey St Longford

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



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

##### Issue 1

- Potential removal or damage to the existing vegetation (trees) on site.

Planner's comment:

Although the applicant has indicated that they wish to retain the existing trees on site, their removal would not trigger the requirement for a development application, as it would be exempt under part 6.3.1 of the Planning Scheme (clause 5.4.3 under the provisions of Planning Directive 4, effective 22<sup>nd</sup> February 2021). Vegetation removal is therefore unable to be considered as part of the assessment of this proposal.

**Issue 2**

- Density/increase in number of multiple dwellings in the area.

Planner's comment:

The subject site has a total area of 1674m<sup>2</sup>, making the proposed site area density for each dwelling 837m<sup>2</sup>. The minimum lot size for subdivision in the zone is 450m<sup>2</sup>, and minimum site area for multiple dwellings is 325m<sup>2</sup>. The site could therefore accommodate five multiple dwellings. Only two (total) are proposed.

**Issue 3**

- Design of building out of character with the area

Planner's comment:

Although it is appreciated that the proposed design may not be to everyone's taste, the General Residential Zone provisions do not regulate building style. The subject site is not within any overlays that regulate building form and design.

**Issue 4**

- Capacity of infrastructure (water and traffic)

Planner's comment:

The subject site is within an area serviced by reticulated water. As Taswater is the water authority, the application has been referred to Taswater, noting an increased demand for water service. Taswater have issued a Submission to Planning Authority Notice (consent) for attachment to a permit, if issued. Wider issues relating to water pressure should be directed to Taswater as the water authority.

The land has frontage and access to a Council maintained road, which is of sufficient capacity to accommodate a new dwelling.

**Issue 5**

- Issue of rubbish collection in the street

Planner's comment:

The pick-up and putting away of rubbish bins associated with the development on an adjoining lot is not relevant to this proposal. The subject site has a street frontage of 36.66m, which is capable of accommodating 4 rubbish/recycling bins associated with 2 multiple dwellings. There are no relevant planning provisions that allow for consideration of this matter in the assessment of the proposal.

**Issue 6**

- Solar access to dwelling

Planner's comment:

The proposed multiple dwelling achieves the solar access requirements of the General Residential Zone, by providing two north facing windows to habitable rooms (living and dining areas). Refer clause 10.4.4 A1 for assessment.

**Issue 7**

- Privacy fencing between dwellings

Planner's comment:

Each dwelling is proposed to have a fenced area of private open space of an area that is compliant with clause 10.4.3 A2 (a-g). The planning scheme provisions do not prohibit a driveway between the two dwellings, and this is a





# NORTHERN MIDLANDS COUNCIL

## AGENDA – ORDINARY MEETING

### 15 MARCH 2021

common feature of multiple dwellings.

#### 4.6 Referrals

The only referrals required were as follows:

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

Summary: Council's Works & Infrastructure Department (Jonathan Galbraith) reported that there was no comment required for this application.

##### **TasWater**

Summary: A Taswater Submission to Planning Authority Notice was issued on 18 February 2021 (Taswater Ref: TWDA 2021/00204-NMC).

#### 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.		
10.4.1 Residential density for multiple dwellings		
	A1	Site area per dwelling of not less than
P	(a)	325m <sup>2</sup>
10.4.2 Setback and building envelopes for dwellings		
	A1	Unless within a building area, then
P	(a)	4.5m from primary frontage; or not less than existing dwelling on site; OR
N/a	(b)	3m to secondary frontage; or not less than existing dwelling on site; OR
N/a	(b)	if vacant lot, setback which is not more or less than dwellings on immediately adjoining lots; OR
N/a	(c)	not less than the existing dwelling setback if less than 4.5m; OR
N/a	(d)	as per road setback specified in Planning Scheme
	A2	Garage or carport to be set back:
P	(a)	5.5m from primary frontage or 1m behind the façade, OR
N/a	(b)	The same as the dwelling façade if under dwelling
N/a	(c)	1m if gradient > 1:5 for 10m from frontage
	A3	Dwellings (excluding minor protrusions extending to 1.5m)
P	(a)	to be within building envelope (i) frontage setback (as above), or 4.5m from rear boundary of adjoining frontage lot for internal lot (ii) 45 degrees from the horizontal at a height of 3m above natural ground level, 4m rear setback, and max height 8.5m AND
P	(b)	1.5m side setback or built to the boundary (existing boundary wall within .2m of boundary or; 9m or ½ of the side boundary, whichever is lesser)
10.4.3 Site coverage and private open space for dwellings		
P	A1	(a) max. site coverage of 50% (excluding eaves)

# NORTHERN MIDLANDS COUNCIL

## AGENDA – ORDINARY MEETING

### 15 MARCH 2021

	P	(b)	for multiple dwellings, a total area of private open space of not less than 60m <sup>2</sup> , unless floor level is entirely over 1.8m above ground level (excl garage, carport or foyer)
	P	(c)	at least 25% free from impervious surfaces
	P	A2 (a) (i)	POS of 24m <sup>2</sup> in one location in one location, or
		(ii)	POS of 12m <sup>2</sup> in one location if a multiple dwelling with floor level over 1.8m high (as per A1b)
	P	(b) (i)	horizontal dimension of 4m; or
		(ii)	horizontal dimension of 2m if a multiple dwelling with floor level over 1.8m high (as per A1b); AND
	P	(c)	directly accessible from, & adjacent to, a habitable room (other than bedroom); AND
	P	(d)	not located to the S, SE or SW of dwelling, unless receives at least 3 hours of sunlight to 50% of area between 9am and 3pm on 21June; AND
	N/a	(e)	between dwelling and frontage only if frontage is orientated between 30 degrees west of north and 30 degrees east of north; AND
	P	(f)	not steeper than 1:10, AND
	P	(g)	not used for vehicle parking
<b>10.4.4 Sunlight and overshadowing</b>			
	P	A1	1 habitable room (other than bedroom) with window facing between 30 degrees west of north and 30 degrees east of north
	N/a	A2	A multiple dwelling that is to the north of a window of a habitable room (other than a bedroom) of another dwelling on the same site, which window faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A), must be in accordance with (a) or (b), unless excluded by (c): (a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4B): (i) at a distance of 3 m from the window; and (ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal. (b) The multiple dwelling does not cause the habitable room to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June. (c) That part, of a multiple dwelling, consisting of: (i) an outbuilding with a building height no more than 2.4 m; or (ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling.
		A3	A multiple dwelling, that is to the north of the private open space, of another dwelling on the same site, required in accordance with A2 or P2 of sub clause 10.4.3, must be in accordance with (a) or (b), unless excluded by (c): (a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4C): (i) at a distance of 3 m from the northern edge of the private open space; and (ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal. (b) The multiple dwelling does not cause 50% of the private open space to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June. (c) That part, of a multiple dwelling, consisting of: (i) an outbuilding with a building height no more than 2.4 m; or (ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling
<b>10.4.5 Width of openings for garages and carports</b>			
	P	A1	Garage or carport within 12m of a primary frontage (whether free-standing or not), total width of openings facing frontage of < 6m or half the width of the frontage (whichever is lesser).
<b>10.4.6 Privacy</b>			
	N/a	A1	Balconies, decks, carports etc OR windows/glazed doors to a habitable room, more than 1m above natural ground level must have a permanently fixed screen to a height of at least 1.7m above the finished surface or floor level, with a uniform transparency of no more than 25%, along the sides facing a: (a) side boundary – 3m (b) rear boundary – 4m

# NORTHERN MIDLANDS COUNCIL

## AGENDA – ORDINARY MEETING

### 15 MARCH 2021

		(c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is at least 6m: (i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or (ii) from a balcony, deck, roof terrace or the private open space, of the other dwelling on the same site.
	N/a	A2 Window or glazed door to habitable room with floor level over 1m must (a) (i) 3m setback from side boundary; and (ii) 4m setback from rear boundary; and (iii) if a multiple dwelling, at least 6m from glazing of adjacent dwelling on same site (iv) if a multiple dwelling, at least 6m from private open space of adjacent dwelling on same site
	N/a	(b) (i) offset horizontally 1.5m from glazing of habitable room of another dwelling; or (ii) sill height or fixed obscure glazing 1.7m above floor level, or (iii) permanently fixed external screen for the full length of the glazing, to 1.7 m above floor level, with a uniform transparency of not more than 25%.
	P	A3 A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of at least: (a) 2.5m; or (b) 1m if: (i) it is separated by a screen of at least 1.7m in height; or (ii) the glazing, to a habitable room has a sill height of at least 1.7m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level.
<b>10.4.7 Frontage fences for single dwellings</b>		
	N/a	A1 Applies to maximum building height of fences on and within 4.5m of a frontage
	N/a	(a) 1.2m if solid; OR
	N/a	(b) 1.8m if above 1.2m has openings which provide a minimum 50% transparency
<b>See Planning Scheme for the following provisions for multiple dwellings</b>		
<b>10.4.8 Waste storage for multiple dwellings- Complies (in garage)</b>		
<b>10.4.9 Storage for multiple dwellings - Complies</b>		
<b>10.4.10 Common Property for multiple dwellings - Complies</b>		
<b>10.4.11 Outbuildings and Ancillary Structures for the Residential Use Class other than a single dwelling – N/a</b>		
<b>10.4.12 Site Services for multiple dwellings - Complies</b>		
<b>Easements</b>		
	P	No construction over an easement

The application meets the acceptable solutions of the General Residential zone.

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.
E.5.0 FLOOD PRONE AREAS CODE	N/a
E6.0 CAR PARKING AND SUSTAINABLE TRANSPORT CODE	Complies – See code assessment below
E7.0 SCENIC MANAGEMENT CODE	N/a
E8.0 BIODIVERSITY CODE	N/a
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



# NORTHERN MIDLANDS COUNCIL

## AGENDA – ORDINARY MEETING

### 15 MARCH 2021

E15.0 SIGNS CODE	N/a
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#### ASSESSMENT AGAINST E4.0 ROAD AND RAILWAY ASSETS CODE

#### E4.6 Use Standards

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

<b>Objective</b> 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 A2. Two dwellings will result in approximately 12-20 movements per day.	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 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 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.
N/a	N/a

#### E4.7 Development Standards

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

<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: a) ensure the safe and efficient operation of roads and railways; and b) allow for future road and rail widening, realignment and upgrading; and c) avoid undesirable interaction between roads and railways and other use or development.	
Acceptable Solutions	Performance Criteria
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: a) new road works, buildings, additions and extensions,	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

<p>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>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>
Complies with A1.	N/a

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

<p>Objective</p> <p>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>
Complies with A1 – existing accesses with separate entry and exit.	N/a
<p>A2 For roads with a speed limit of more than 60km/h the development must not include a new access or junction.</p>	<p>P2 For limited access roads and roads with a speed limit of more than 60km/h:</p> <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

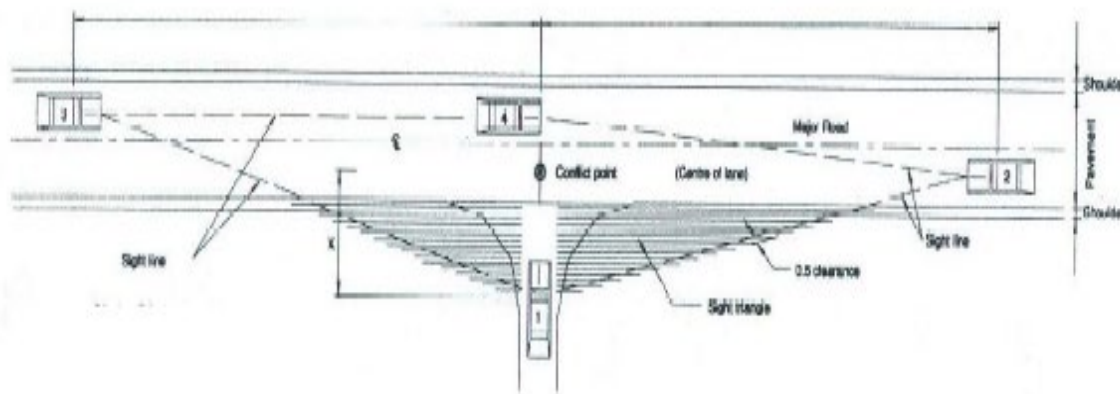
#### E4.7.3 Management of Rail Level Crossings – N/a

#### 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>

Complies with A1 (a).

N/a



**Figure E4.7.4 Sight Lines for Accesses and Junctions**

X is the distance of the driver from the conflict point.

For category 1, 2 and 3 roads X = 7m minimum and for other roads X = 5m minimum.

**Table E4.7.4 Safe Intersection Sight Distance (SISD)**

Vehicle Speed	Safe Intersection Sight Distance (SISD) metres, for speed limit of:	
km/h	60 km/h or less	Greater than 60 km/h
50	80	90
60	105	115
70	130	140
80	165	175
90		210
100		250
110		290

**Notes:**

- (a) Vehicle speed is the actual or recorded speed of traffic passing along the road and is the speed at or below which 85% of passing vehicles travel.
- (b) For safe intersection sight distance (SISD):
  - (i) All sight lines (driver to object vehicle) are to be between points 1.2 metres above the road and access surface at the respective vehicle positions with a clearance to any sight obstruction of 0.5 metres to the side and below, and 2.0 metres above all sight lines;
  - (ii) These sight line requirements are to be maintained over the full sight triangle for vehicles at any point between positions 1, 2 and 3 in Figure E4.7.4 and the access junction;
  - (iii) A driver at position 1 must have sight lines to see cars at any point between the access and positions 3 and 2 in Figure E4.7.4;
  - (iv) A driver at any point between position 3 and the access must have sight lines to see a car at position 4; and
  - (v) A driver at position 4 must have sight lines to see a car at any point between position 2 and the access.

**ASSESSMENT AGAINST E6.0  
CAR PARKING & SUSTAINABLE TRANSPORT CODE**

**E6.6 Use Standards**

**E6.6.1 Car Parking Numbers**

Objective: To ensure that an appropriate level of car parking is provided to service use.			
Acceptable Solutions		Performance Criteria	
A1	The number of car parking spaces must not be less than the requirements of:	P1	The number of car parking spaces provided must have regard to:
a)	Table E6.1; or	a)	the provisions of any relevant location specific car parking plan; and
b)	a parking precinct plan contained in Table E6.6: Precinct Parking Plans (except for dwellings in the General Residential Zone).	b)	the availability of public car parking spaces within reasonable walking distance; and
		c)	any reduction in demand due to sharing of spaces by multiple uses either because of variations in peak demand or by efficiencies gained by consolidation; and
		d)	the availability and frequency of public transport within reasonable walking



	<p>distance of the site; and</p> <p>e) site constraints such as existing buildings, slope, drainage, vegetation and landscaping; and</p> <p>f) the availability, accessibility and safety of on-road parking, having regard to the nature of the roads, traffic management and other uses in the vicinity; and</p> <p>g) an empirical assessment of the car parking demand; and</p> <p>h) the effect on streetscape, amenity and vehicle, pedestrian and cycle safety and convenience; and</p> <p>i) the recommendations of a traffic impact assessment prepared for the proposal; and</p> <p>j) any heritage values of the site; and</p> <p>k) for residential buildings and multiple dwellings, whether parking is adequate to meet the needs of the residents having regard to:</p> <p>i) the size of the dwelling and the number of bedrooms; and</p> <p>ii) the pattern of parking in the locality; and</p> <p>iii) any existing structure on the land.</p>
Comment: Complies with A1. Two spaces per dwelling plus one visitor park available.	

**Table E6.1: Parking Space Requirements**

Use	Parking Requirement	
	Vehicle	Bicycle
<b>Residential:</b>		
If a 1 bedroom or studio dwelling in the General Residential Zone (including all rooms capable of being used as a bedroom)	1 space per dwelling	1 space per unit or 1 spaces per 5 bedrooms in other forms of accommodation.
If a 2 or more bedroom dwelling in the General Residential Zone (including all rooms capable of being used as a bedroom)	2 spaces per dwelling	

**E6.6.2 Bicycle Parking Numbers**

Objective: To encourage cycling as a mode of transport within areas subject to urban speed zones by ensuring safe, secure and convenient parking for bicycles.			
Acceptable Solutions		Performance Criteria	
A1.1	Permanently accessible bicycle parking or storage spaces must be provided either on the site or within 50m of the site in accordance with the requirements of Table E6.1; or	P1	Permanently accessible bicycle parking or storage spaces must be provided having regard to the:
A1.2	The number of spaces must be in accordance with a parking precinct plan contained in Table E6.6: Precinct Parking Plans.	a)	likely number and type of users of the site and their opportunities and likely preference for bicycle travel; and
		b)	location of the site and the distance a cyclist would need to travel to reach the site; and
		c)	availability and accessibility of existing and planned parking facilities for bicycles in the vicinity.
Comment: Complies			

**E6.6.3 Taxi Drop-off and Pickup**

Objective: To ensure that taxis can adequately access developments.			
Acceptable Solutions		Performance Criteria	
A1	One dedicated taxi drop-off and pickup space must be provided for every 50 car spaces required by Table E6.1 or part thereof (except for dwellings in the General Residential Zone).	P1	No performance criteria.
Comment: N/a			

**E6.6.4 Motorbike Parking Provisions**

Objective: To ensure that motorbikes are adequately provided for in parking considerations.			
Acceptable Solutions		Performance Criteria	
A1	One motorbike parking space must be provided for each 20 car spaces required by Table E6.1 or part thereof.	P1	No performance criteria.
Comment: N/a			

#### E6.7 Development Standards

##### E6.7.1 Construction of Car Parking Spaces and Access Strips

Objective: To ensure that car parking spaces and access strips are constructed to an appropriate standard.			
Acceptable Solutions		Performance Criteria	
A1	All car parking, access strips manoeuvring and circulation spaces must be:	P1	All car parking, access strips manoeuvring and circulation spaces must be readily identifiable and constructed to ensure that they are useable in all weather conditions.
a)	formed to an adequate level and drained; and		
b)	except for a single dwelling, provided with an impervious all weather seal; and		
c)	except for a single dwelling, line marked or provided with other clear physical means to delineate car spaces.		
<p>Comment: The proposal complies with P1.</p> <p>The existing driveway on site is approximately 65m long from the front entry to exit and is constructed from compacted gravel. It currently serves the existing dwelling on site. It is therefore readily identifiable and constructed to be useable in all weather conditions. This has been also been ensured through a permit condition for the visitor parking space – Complies</p>			

##### E6.7.2 Design and Layout of Car Parking

Objective: To ensure that car parking and manoeuvring space are designed and laid out to an appropriate standard.			
Acceptable Solutions		Performance Criteria	
A1.1	Where providing for 4 or more spaces, parking areas (other than for parking located in garages and carports for dwellings in the General Residential Zone) must be located behind the building line; and	P1	The location of car parking and manoeuvring spaces must not be detrimental to the streetscape or the amenity of the surrounding areas, having regard to:
A1.2	Within the General residential zone, provision for turning must not be located within the front setback for residential buildings or multiple dwellings.	a)	the layout of the site and the location of existing buildings; and
		b)	views into the site from the road and adjoining public spaces; and
		c)	the ability to access the site and the rear of buildings; and
		d)	the layout of car parking in the vicinity; and
		e)	the level of landscaping proposed for the car parking.
Comment: Complies with A1.1 and A1.2.			
A2.1	Car parking and manoeuvring space must:	P2	Car parking and manoeuvring space must:
a)	have a gradient of 10% or less; and	a)	be convenient, safe and efficient to use having regard to matters such as slope, dimensions, layout and the expected number and type of vehicles; and
b)	where providing for more than 4 cars, provide for vehicles to enter and exit the site in a forward direction; and	b)	provide adequate space to turn within the site unless reversing from the site would not adversely affect the safety and convenience of users and passing traffic.
c)	have a width of vehicular access no less than prescribed in Table E6.2 and Table E6.3, and		
A2.2	The layout of car spaces and access ways must be designed in accordance with <i>Australian Standards AS 2890.1 - 2004 Parking Facilities, Part 1: Off Road Car Parking</i> .		
Comment: Complies with A2.1 and A2.2.			

**Table E6.2: Access Widths for Vehicles**

Number of parking spaces served	Access width (see note 1)	Passing bay (2.0m wide by 5.0m long plus entry and exit tapers) (see note 2)
1 to 5	3.0m	Every 30m

##### E6.7.3 Car Parking Access, Safety and Security

Objective: To ensure adequate access, safety and security for car parking and for deliveries.			
Acceptable Solutions		Performance Criteria	
A1	Car parking areas with greater than 20 parking spaces must be:	P1	Car parking areas with greater than 20 parking spaces must provide for adequate security and safety for users of the site, having regard to the:
a)	secured and lit so that unauthorised persons cannot enter or;	a)	levels of activity within the vicinity; and

b) visible from buildings on or adjacent to the site during the times when parking occurs.	b) opportunities for passive surveillance for users of adjacent building and public spaces adjoining the site.
Comment: N/a	

#### E6.7.4 Parking for Persons with a Disability

Objective: To ensure adequate parking for persons with a disability.	
Acceptable Solutions	Performance Criteria
A1 All spaces designated for use by persons with a disability must be located closest to the main entry point to the building.	P1 The location and design of parking spaces considers the needs of disabled persons, having regard to: <ul style="list-style-type: none"> <li>e) the topography of the site;</li> <li>f) the location and type of relevant facilities on the site or in the vicinity;</li> <li>g) the suitability of access pathways from parking spaces, and</li> <li>h) applicable Australian Standards.</li> </ul>
A2 Accessible car parking spaces for use by persons with disabilities must be designed and constructed in accordance with AS/NZ2890.6 – 2009 Parking facilities – Off-street parking for people with disabilities.	P2. No performance criteria.
Comment: N/a	

#### E6.7.6 Loading and Unloading of Vehicles, Drop-off and Pickup

Objective: To ensure adequate access for people and goods delivery and collection and to prevent loss of amenity and adverse impacts on traffic flows.	
Acceptable Solutions	Performance Criteria
A1 For retail, commercial, industrial, service industry or warehouse or storage uses: <ul style="list-style-type: none"> <li>a) at least one loading bay must be provided in accordance with Table E6.4; and</li> <li>b) loading and bus bays and access strips must be designed in accordance with <i>Australian Standard AS/NZS 2890.3 2002</i> for the type of vehicles that will use the site.</li> </ul>	P1 For retail, commercial, industrial, service industry or warehouse or storage uses adequate space must be provided for loading and unloading the type of vehicles associated with delivering and collecting people and goods where these are expected on a regular basis.
Comment: N/a	

#### E6.8 Provisions for Sustainable Transport

##### E6.8.1 Bicycle End of Trip Facilities

Not used in this planning scheme

##### E6.8.2 Bicycle Parking Access, Safety and Security

Objective: To ensure that parking and storage facilities for bicycles are safe, secure and convenient.	
Acceptable Solutions	Performance Criteria
A1.1 Bicycle parking spaces for customers and visitors must: <ul style="list-style-type: none"> <li>a) be accessible from a road, footpath or cycle track; and</li> <li>b) include a rail or hoop to lock a bicycle to that meets <i>Australian Standard AS 2890.3 1993</i>; and</li> <li>c) be located within 50m of and visible or signposted from the entrance to the activity they serve; and</li> <li>d) be available and adequately lit in accordance with <i>Australian Standard AS/NZS 1158 2005 Lighting Category C2</i> during the times they will be used; and</li> </ul> A1.2 Parking space for residents' and employees' bicycles must be under cover and capable of being secured by lock or bicycle lock.	P1 Bicycle parking spaces must be safe, secure, convenient and located where they will encourage use.
A2 Bicycle parking spaces must have: <ul style="list-style-type: none"> <li>a) minimum dimensions of: <ul style="list-style-type: none"> <li>i) 1.7m in length; and</li> <li>ii) 1.2m in height; and</li> </ul> </li> </ul>	P2 Bicycle parking spaces and access must be of dimensions that provide for their convenient, safe and efficient use.

# NORTHERN MIDLANDS COUNCIL

## AGENDA – ORDINARY MEETING

### 15 MARCH 2021

iii) 0.7m in width at the handlebars; and b) unobstructed access with a width of at least 2m and a gradient of no more 5% from a public area where cycling is allowed.	
Comment: Complies with A1.2 and A2 – available within garage and carport.	

#### E6.8.5 Pedestrian Walkways

Objective: To ensure pedestrian safety is considered in development	
Acceptable Solution	Performance Criteria
A1 Pedestrian access must be provided for in accordance with Table E6.5.	P1 Safe pedestrian access must be provided within car park and between the entrances to buildings and the road.
Comment: Complies with A1 - No separate access required	

**Table E6.5: Pedestrian Access**

Number of Parking Spaces Required	Pedestrian Facility
1–10	No separate access required (i.e. pedestrians may share the driveway). [Note (a) applies].
11 or more	A 1m wide footpath separated from the driveway and parking aisles except at crossing points. [Notes (a) and (b) apply].

#### Notes

- a) In parking areas containing spaces allocated for disabled persons, a footpath having a minimum width of 1.5m and a gradient not exceeding 1 in 14 is required from those spaces to the principal building.
- b) Separation is deemed to be achieved by:
- i) a horizontal distance of 2.5m between the edge of the driveway and the footpath; or
- ii) protective devices such as bollards, guard rails or planters between the driveway and the footpath; and
- iii) signs and line marking at points where pedestrians are intended to cross driveways or parking aisles.

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:

- Reliance on the performance criteria of the Car Parking and Sustainable Transport Code – clause 6.7.1 - non-impervious access and parking.

The only discretion relates to the non-impervious access and parking. The proposal adequately demonstrates compliance with the performance criteria, as the driveway and parking area is readily identifiable and constructed to ensure that it is useable in all weather conditions. This has also been ensured through a permit condition for the visitor parking space.

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, correspondence with applicant
- B. Responses from referral agencies
- C. Representations & applicant's response

## RECOMMENDATION

That land at 46 Anstey Street, Longford be approved to be developed and used for a Multiple Dwellings (2, 1 existing) - vary impervious access in accordance with application PLN-20-0310, and subject to the following conditions:

### 1 Layout not altered

The use and development shall be in accordance with the endorsed plans numbered **P1 – P5** (*Drawing No: 20023, Sheet No's: 01-05, Dated: 08.12.2020*).

### 2 TasWater conditions

Sewer and water services shall be provided in accordance with TasWater's Planning Authority Notice (reference number TWDA 2021/00204-NMC, dated 18.02.2021).

### 3 Privacy Screening Fences

The private open space screening fence associated with the new dwelling must be no greater than 1.8m above ground level. Should the fence be above 1.2m, where it is located within 4.5m of the frontage, the screen must have openings which provide a minimum 30% transparency between 1.2m and 1.8m in height.

### 4 Landscaping

- a) Landscaping works shall be in accordance with the endorsed plans, and landscaping works for each unit shall be completed prior to the commencement of use of that unit and then maintained for the duration of the use.
- b) Each unit shall be provided with a garden shed of at least 6 cubic metres prior to the commencement of use of that unit.
- c) A bond of \$500 per unit shall be provided prior to the commencement of development of that unit authorised by this permit – the bond will be refunded if the landscape works are completed within the timeframe mentioned in this permit.

### 5 Driveways and Parking Areas

- a) Driveways and parking areas for each unit, including the visitor parking space, shall be constructed to ensure it is useable in all weather conditions prior to the commencement of use of the unit.
- b) Each parking space (unless contained within a garage/carport) shall be clearly and permanently labelled with the unit number it is allocated to or as a visitor parking space, prior to the commencement of use of the unit.

### 6 Nature Strips

Any new nature strips, or areas of nature strip that are disturbed during construction, must be topped with 100mm of good quality topsoil and sown with grass. Grass must be established and free of weeds prior to Council accepting the development.



## NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 15 MARCH 2021

### **7 Required prior to the application for a building permit**

Prior to the issue of a building permit, or the commencement of development authorised by this permit, the applicant shall:

- a) Pay a \$500 per unit landscape bond (as per condition 4 c)).

### **8 Prior to commencement of use**

Prior to the commencement of the use of each unit, the following must be completed:

- a) Landscaping works for each unit - mail and newspaper receptacles, clothes-drying facilities, private open space screening and garden shed (as per condition 4 – landscaping);
- b) Driveways and parking areas around each unit constructed (as per condition 5).

### DECISION

Cr



**PLAN 7 PLANNING APPLICATION PLN-21-0006: 7 CHURCH STREET, CRESSY**

*Attachments: Section 1 – Page 533*

*File Number:* 102900.04  
*Responsible Officer:* Erin Miles, Development Supervisor  
*Report prepared by:* Paul Godier, Senior Planner

## 1 INTRODUCTION

This report assesses an application for 7 Church Street, Cressy to demolish existing buildings and construct three dwellings,

## 2 BACKGROUND

**Applicant:**  
Wilkin Design & Drafting Pty Ltd

**Owner:**  
JID Constructions Pty Ltd

**Zone:**  
General Residential Zone

**Codes:**  
Carparking and Sustainable Transport Code

**Classification under the Scheme:**  
Residential (multiple dwellings)

**Existing Use:**  
Unused

**Deemed Approval Date:**  
20 March 2021

**Recommendation:**  
Approve

### Discretionary Aspects of the Application

- Vary rear setback
- Vary parking provisions

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

### *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).

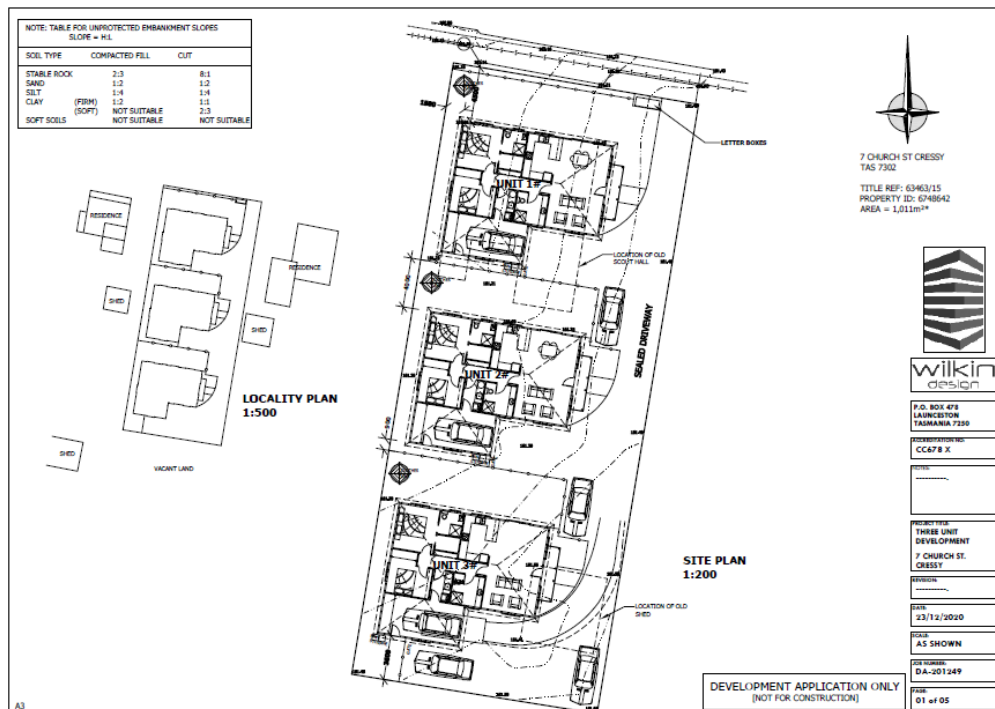
Section 48 of the *Land Use Planning & Approvals Act 1993* requires the Planning Authority to observe and enforce the observance of the Planning Scheme. Section 51 of the *Land Use Planning & Approvals Act 1993* states that a person must not commence any use or development where a permit is required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

## 4 ASSESSMENT

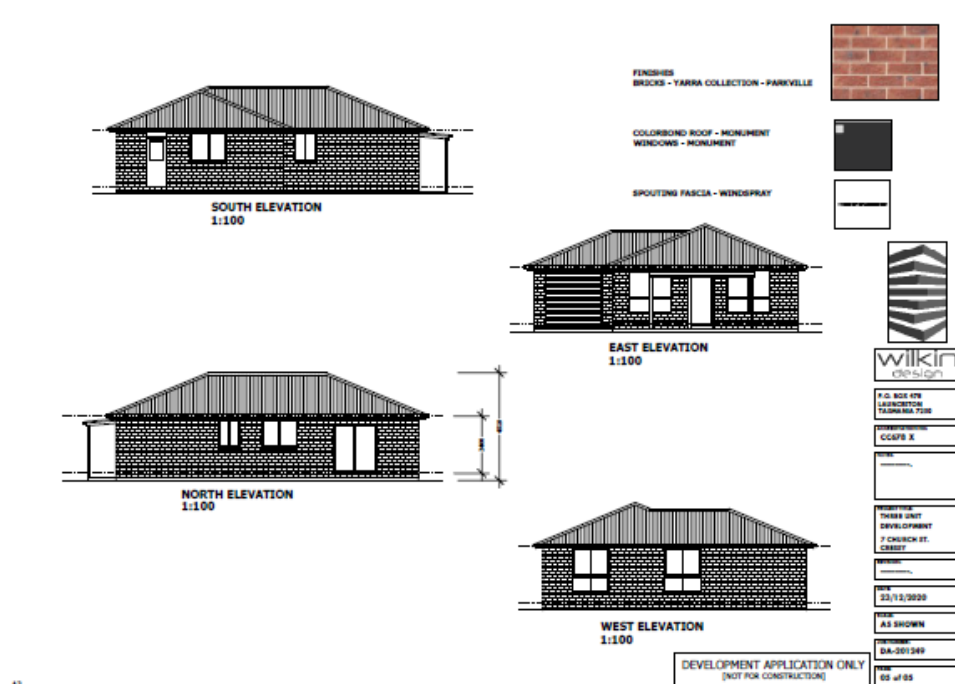
### 4.1 Proposal

It is proposed to demolish existing buildings and construct 3 dwellings.

#### Site Plan

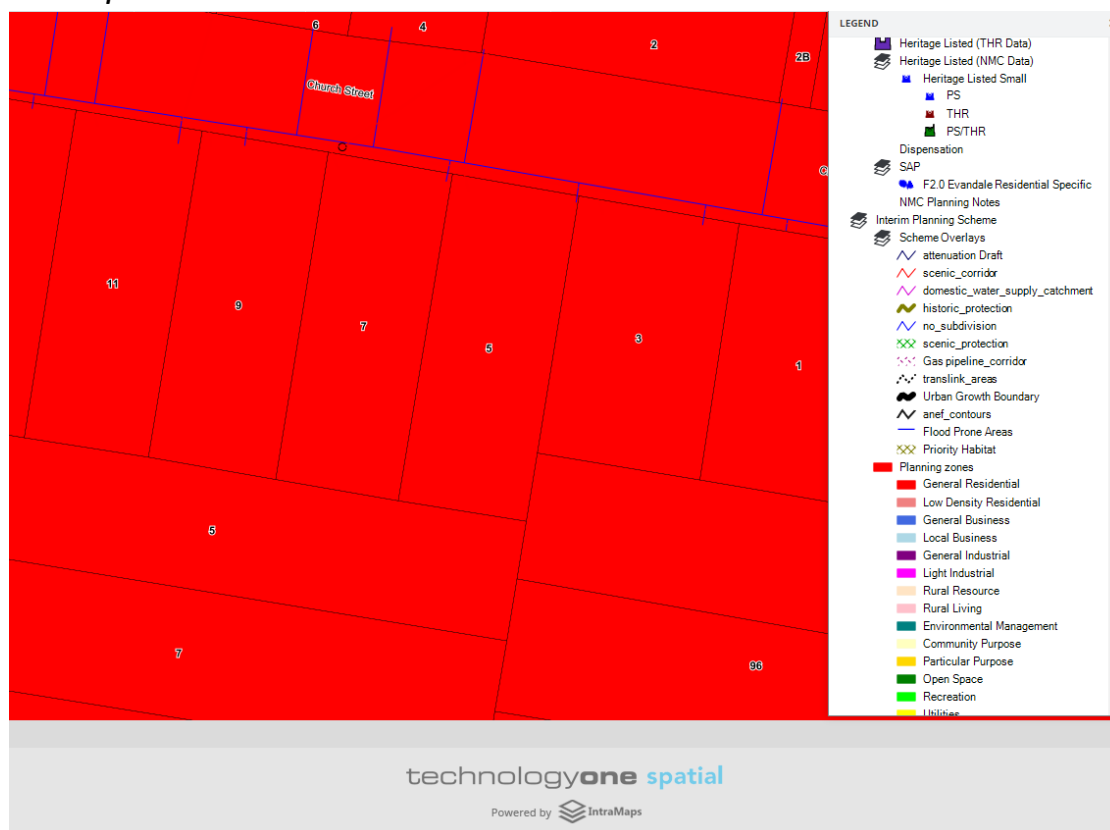


#### Elevations



#### 4.2 Zone and land use

##### *Zone Map – General Residential*



The land is zoned General Residential. The relevant Planning Scheme definition is:

<i>multiple dwellings</i>	<i>means 2 or more dwellings on a site.</i>
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Residential (multiple dwellings) is Permitted (with permit) in the zone.

#### 4.3 Subject site and locality

The author of this report carried out a site visit on 5<sup>th</sup> March 2021. The site contains the former Scout hall and a shed. It adjoins single dwellings.

##### *Aerial photograph showing services.*





*Photograph of subject site*



*Photograph of subject site*



#### 4.4 Permit/site history

Relevant permit history includes:

<b>P</b>	102900.04 - 7 Church St - Cressy - JID Constructions Pty Ltd
<b>P</b>	138/78 - Cressy Guides & Scouts - Clubroom Extension 102900.04 - 7 Church St - Cressy - JID Constructions Pty Ltd
<b>P</b>	22/70 - Scout & Guide Association - Toilets 102900.04 - 7 Church St - Cressy - JID Constructions Pty Ltd
<b>P</b>	BLD21-21 - RPM - Demolition Scout hall & Shed 102900.04 - 7 Church St - Cressy - JID Constructions Pty Ltd
<b>P</b>	P11-269 - Cressy Scout Group - Garage 102900.04 - 7 Church St - Cressy - JID Constructions Pty Ltd
<b>P</b>	PLN21-0006 - Wilkin Design & Drafting - Multiple dwellings & demolition 102900.04 - 7 Church St - Cressy - JID Constructions Pty Ltd

#### 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 a representation (attached) was received from:

- Mark Rhodes, no address provided.

The questions raised in the representations in italics below followed by the planner's comments.

*1. Are the overall dimensions of the units (excluding verandah) on the floor plan drawing correct given the different internal layout shown on the site plan?*

The applicant advises that the overall dimensions are correct.

The plans have been revised so that the floor plan drawing matches the internal layout on the site plan.

*a. If the overall dimensions shown on the floor plan are correct, is the rear setback 3609mm as shown on the dimensioning plan?*

Yes, the rear setback is 3609mm as shown on the dimensioning plan.

*b. If the overall dimensions shown on the floor plan are correct, are the side setbacks 1500mm and 6237/6238mm respectively as shown on the dimensioning plan?*

Yes, the side setbacks are 1500mm, 6237/6238mm respectively as shown on the dimensioning plan.

*c. Is the verandah extent intended as shown on the floor plan drawing or the lesser extent shown on all other drawings?*

The verandah is the lesser extent, which is now shown on the revised plans.

*2. Are site coverage calculations on the landscaping plan correct and if not, do they comply with requirements of the Northern Midlands Interim Planning Scheme?*

The applicant advises that the site coverage calculations are correct.

The site has an area of 1011.71411m<sup>2</sup>. Pervious surfaces are 252m<sup>2</sup> which is 24.9% of the site. The scheme requires at least 25%.

The proposal is assessed as satisfying the relevant performance criteria:

10.4.3 P1 - Dwellings must have:

- (a) *private open space that is of a size and dimensions that are appropriate for the size of the dwelling and is able to accommodate:*
  - (i) *outdoor recreational space consistent with the projected requirements of the occupants and, for multiple dwellings, take into account any communal open space provided for this purpose within the development; and*
  - (ii) *operational needs, such as clothes drying and storage; and*
- (b) *reasonable space for the planting of gardens and landscaping.*

*3. Does the proposal comply with the requirements stipulated in Table E6.2 and Table E6.3 of the Scheme regarding driveway access widths and car parking spaces?*

The proposal has been revised to comply with the requirements of Table E6.2, that is, 4.5m wide for the initial 7m from the road carriageway and 3.0m thereafter.

The parking spaces east of unit 2 and unit 3 are 3.24m wide and 4.795m long. This does not comply with Table E6.3 and is assessed as satisfying the relevant performance criteria:

E6.7.2 P2 - Car parking and manoeuvring space must:

- a) *be convenient, safe and efficient to use having regard to matters such as slope, dimensions, layout and the expected number and type of vehicles; and*
- b) *provide adequate space to turn within the site unless reversing from the site would not adversely affect the safety and convenience of users and passing traffic*

4. Does AS2890.1 – 2004 recommend additional clearances to obstructions such as fences, walls and the like and if so, does the proposal satisfy these recommendations?

The Australian Standard requires a car park length of 5.4m where parking is to a wall. The parking spaces are 4.795m long and does not comply with the Standard.

The parking spaces are assessed as satisfying the relevant performance criteria E6.7.2 P2 (above).

#### 4.6 Referrals

##### Council's Works Department

Summary: Council's Engineering Officer, Jonathan Galbraith, advised:

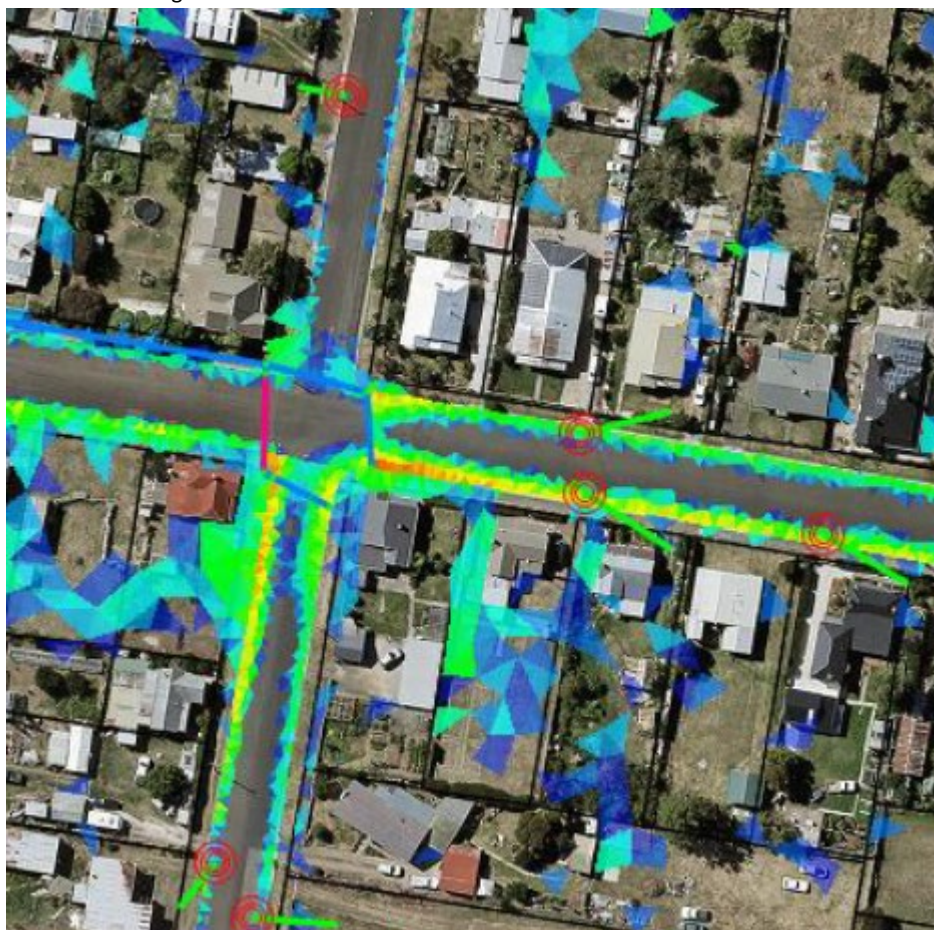
Request the developer install a new stormwater main. The block is almost flat, if a connection to the main is not installed and the water is instead discharged to the kerb it is going to be difficult to provide a drainage solution that will drain all areas of the property, and there is the risk that the development may lead to some ponding of stormwater on neighbouring properties. A connection to the main is a better outcome.

There are known flooding issues in the area, these have been identified both from modelling and the Works Manager's observations during a rainfall event in the town several years ago. The screenshot from the modelling below suggests that in the 100 year event there is a property that is likely to be flooded and water will completely cross the road at the intersection. The depth at the edge of the road could be 400mm. It is better to get the additional water from the new development into a pipe rather than increasing the amount that will flow down the road.

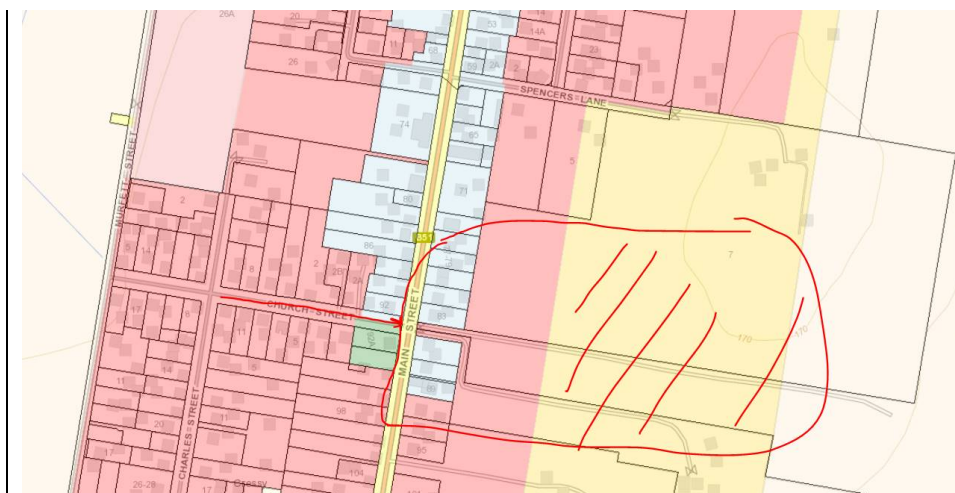
Based on the reasoning that this development is for three dwellings and there are two existing dwellings that Council would connect into the main, the developer could contribute 60% and Council 40%.

Length of main extension – Approximately 60.5m

Size of pipe – 300mm diameter is adequate for this development. As there is a likelihood the particular purpose zoning at the top of the catchment (in yellow below) will be rezoned as residential it would preferable to make it 375mm diameter, which is the size of the pipe it will be connecting at the Charles Street intersection.







#### TasWater

A Taswater Submission to Planning Authority Notice was issued on 4/2/2021. (Taswater Ref: TWDA 2021/00126-NMC).

### 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 complies with 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 complies with the local area objectives.

### 10.3 Use Standards

#### 10.3.1 Amenity

<b>Objective</b>	
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 movement, smoke, odour, dust and illumination.
Complies. Permitted use.	N/a
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.	P2 Commercial vehicle movements for discretionary uses must not unreasonably impact on the amenity of occupants of adjoining and nearby dwellings.
N/a	N/a
A3 If for permitted or no permit required uses.	P3 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 site.
Complies. Permitted use.	N/a

#### 10.3.2 Residential Character – Discretionary Uses

N/a – a permitted use.

#### 10.4 Development Standards

##### 10.4.1 Residential density for multiple dwellings

Objective: To provide for suburban densities for multiple dwellings that:	
(a) make efficient use of suburban land for housing; and	
(b) optimise the use of infrastructure and community services.	
Acceptable Solutions	Performance Criteria
A1 Multiple dwellings must have a site area per dwelling of not less than:	P1 Multiple dwellings must only have a site area per dwelling that is less than 325m <sup>2</sup> , or that specified for the applicable density area in Table 10.4.1, if the development will not exceed the capacity of infrastructure services and:
(a) 325m <sup>2</sup> ; or	(a) is compatible with the density of the surrounding area; or
(b) if within a density area specified in Table 10.4.1 below and shown on the planning scheme maps, that specified for the density area (not specified).	(b) provides for a significant social or community housing benefit and is in accordance with at least one of the following:
	(i) the site is wholly or partially within 400m walking distance of a public transport stop;
	(ii) the site is wholly or partially within 400m walking distance of a business, commercial, urban mixed use, village or inner residential zone.
The title shows an area of 1 rood, which is 1011.7141056m <sup>2</sup> . 1011.7m <sup>2</sup> / 3 dwellings = a site area per dwelling of 337.2m <sup>2</sup> . Complies.	N/a

##### 10.4.2 Setbacks and building envelope for all dwellings

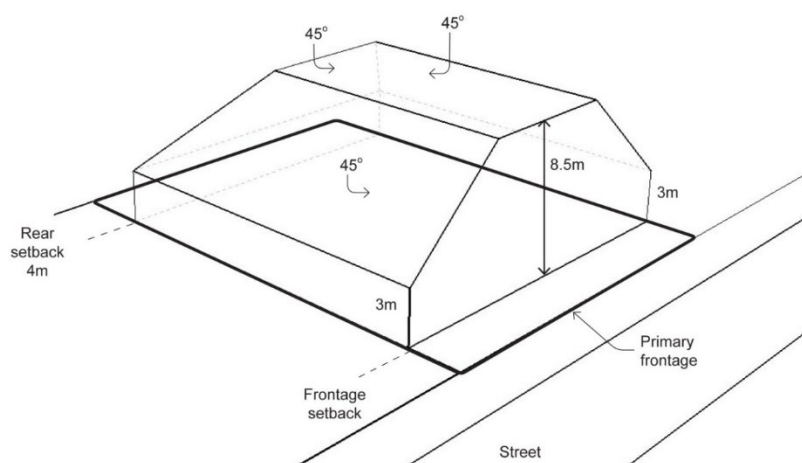
Objective: To control the siting and scale of dwellings to:	
(a) provide reasonably consistent separation between dwellings on adjacent sites and a dwelling and its frontage; and	
(b) assist in the attenuation of traffic noise or any other detrimental impacts from roads with high traffic volumes; and	
(c) provide consistency in the apparent scale, bulk, massing and proportion of dwellings; and	
(d) provide separation between dwellings on adjacent sites to provide reasonable opportunity for daylight and sunlight to enter habitable rooms and private open space.	
Acceptable Solutions	Performance Criteria
A1 Unless within a building area, a dwelling, excluding protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6m into the frontage setback, must have a setback from a frontage that is:	P1 A dwelling must:
(a) if the frontage is a primary frontage, at least 4.5m, or, if the setback from the primary frontage is less than 4.5 m, not less than the setback, from the primary frontage, of any existing dwelling on the site; or	(a) have a setback from a frontage that is compatible with the existing dwellings in the street, taking into account any topographical constraints; and
(b) if the frontage is not a primary frontage, at least 3m, or, if the setback from the frontage is less than 3 m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site; or	(b) if abutting a road identified in Table 10.4.2, include additional design elements that assist in attenuating traffic noise or any other detrimental impacts associated with proximity to the road.
(c) if for a vacant site with existing dwellings on adjoining sites on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street; or	

# NORTHERN MIDLANDS COUNCIL

## AGENDA – ORDINARY MEETING

### 15 MARCH 2021

	(d) if the development is on land that abuts a road specified in Table 10.4.2, at least that specified for the road.	
	Setback of 4.5m. Complies with A1 (a).	N/a
A2	<p>A garage or carport must have a setback from a primary frontage of at least:</p> <p>(a) 5.5m, or alternatively 1m behind the façade of the dwelling; or</p> <p>(b) the same as the dwelling façade, if a portion of the dwelling gross floor area is located above the garage or carport; or</p> <p>(c) 1m, if the natural ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage.</p>	P2 A garage or carport must have a setback from a primary frontage that is compatible with the existing garages or carports in the street, taking into account any topographical constraints.
	Garage setback more than 5.5m. Complies with A2 (a).	N/a
A3	<p>A dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6m horizontally beyond the building envelope, must:</p> <p>(a) be contained within a building envelope (refer to Diagrams 10.4.2A, 10.4.2B, 10.4.2C and 10.4.2D) determined by:</p> <p>(i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a lot with an adjoining frontage; and</p> <p>(ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above natural ground level at the side boundaries and a distance of 4m from the rear boundary to a building height of not more than 8.5m above natural ground level; and</p> <p>(b) only have a setback within 1.5m of a side boundary if the dwelling:</p> <p>(i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining lot; or</p> <p>(ii) does not exceed a total length of 9m or one-third the length of the side boundary (whichever is the lesser).</p>	<p>P3 The siting and scale of a dwelling must:</p> <p>(a) not cause unreasonable loss of amenity by:</p> <p>(i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot; or</p> <p>(ii) overshadowing the private open space of a dwelling on an adjoining lot; or</p> <p>(iii) overshadowing of an adjoining vacant lot; or</p> <p>(iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot; and</p> <p>(b) provide separation between dwellings on adjoining lots that is compatible with that prevailing in the surrounding area.</p>
	The rear setback is 3.609m - does not comply.	<p>The aerial photograph shows that the siting and scale of the dwelling will not cause an unreasonable loss of amenity to the property to the south by a reduction in sunlight to a habitable room (other than a bedroom) or overshadowing the private open space of a dwelling on an adjoining lot.</p> <p>The rear dwelling will be far enough from dwellings that it will not cause an unreasonable loss of amenity caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot.</p> <p>The location of the rear dwelling provide separation between dwellings on adjoining lots that is compatible with that prevailing in the surrounding area.</p> <p>The performance criteria is complied with.</p>



**Diagram 10.4.2A.**

Building envelope as required by subclause 10.4.2A3(a).

**10.4.3 Site coverage and private open space for all dwellings**

Objective:	<p>To provide:</p> <ul style="list-style-type: none"> <li>(a) for outdoor recreation and the operational needs of the residents; and</li> <li>(b) opportunities for the planting of gardens and landscaping; and</li> <li>(c) private open space that is integrated with the living areas of the dwelling; and</li> <li>(d) private open space that has access to sunlight.</li> </ul>
Acceptable Solutions	Performance Criteria
<p>A1 Dwellings must have:</p> <ul style="list-style-type: none"> <li>(a) a site coverage of not more than 50% (excluding eaves up to 0.6m); and</li> <li>(b) for multiple dwellings, a total area of private open space of not less than 60m<sup>2</sup> associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); and</li> <li>(c) a site area of which at least 25% of the site area is free from impervious surfaces.</li> </ul>	<p>P1 Dwellings must have:</p> <ul style="list-style-type: none"> <li>(a) private open space that is of a size and dimensions that are appropriate for the size of the dwelling and is able to accommodate: <ul style="list-style-type: none"> <li>(i) outdoor recreational space consistent with the projected requirements of the occupants and, for multiple dwellings, take into account any communal open space provided for this purpose</li> </ul> </li> </ul>

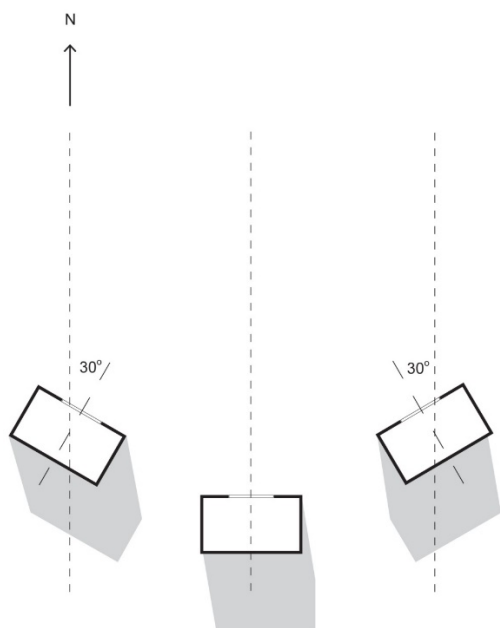
		<p>within the development; and</p> <p>(ii) operational needs, such as clothes drying and storage; and</p> <p>(b) reasonable space for the planting of gardens and landscaping.</p>
	<p>(a) The site area is 1011.7m<sup>2</sup>. Buildings cover: 119.46m<sup>2</sup> (each dwelling) 9.66m<sup>2</sup> (each verandah) 129.12 x 3 = 387.36m<sup>2</sup> (38.3%) Complies.</p> <p>(b) Each multiple dwelling has a total area of private open space of not less than 60m<sup>2</sup>.</p> <p>(c) The site has an area of 1011.71411 square metres. Pervious surfaces are 252m<sup>2</sup> which is 24.9% of the site. The scheme requires at least 25%. This could be rounded up to 25%. Even if it not, it satisfies the relevant performance criteria at P1.</p>	Satisfies the performance criteria with regard to A1 (c).
A2	<p>A dwelling must have an area of private open space that:</p> <p>(a) is in one location and is at least:</p> <p>(i) 24m<sup>2</sup>; or</p> <p>(ii) 12m<sup>2</sup>, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level(excluding a garage, carport or entry foyer); and</p> <p>(b) has a minimum horizontal dimension of:</p> <p>(i) 4m; or</p> <p>(ii) 2m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level(excluding a garage, carport or entry foyer); and</p> <p>(c) is directly accessible from, and adjacent to, a habitable room (other than a bedroom); and</p> <p>(d) is not located to the south, south-east or south-west of the dwelling, unless the area receives at least 3 hours of sunlight to 50% of the area between 9.00am and 3.00pm on the 21<sup>st</sup> June; and</p> <p>(e) is located between the dwelling and the frontage, only if the frontage is orientated between 30 degrees west of north and 30 degrees east of north, excluding any dwelling located behind another on the same site; and</p> <p>(f) has a gradient not steeper than 1 in 10; and</p> <p>(g) is not used for vehicle access or parking.</p>	<p>P2 A dwelling must have private open space that:</p> <p>(a) includes an area that is capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children's play and that is:</p> <p>(i) conveniently located in relation to a living area of the dwelling; and</p> <p>(ii) orientated to take advantage of sunlight.</p>
	The proposal complies.	N/a

#### 10.4.4 Sunlight and overshadowing for all dwellings

Objective:	To provide:
	<p>(a) the opportunity for sunlight to enter habitable rooms (other than bedrooms) of dwellings; and</p> <p>(b) separation between dwellings on the same site to provide reasonable opportunity for daylight and sunlight to enter habitable rooms and private open space.</p>
Acceptable Solutions	Performance Criteria
A1 A dwelling must have at least one habitable room (other than a bedroom) in which there is a window that faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A).	P1 A dwelling must be sited and designed so as to allow sunlight to enter at least one habitable room (other than a bedroom).

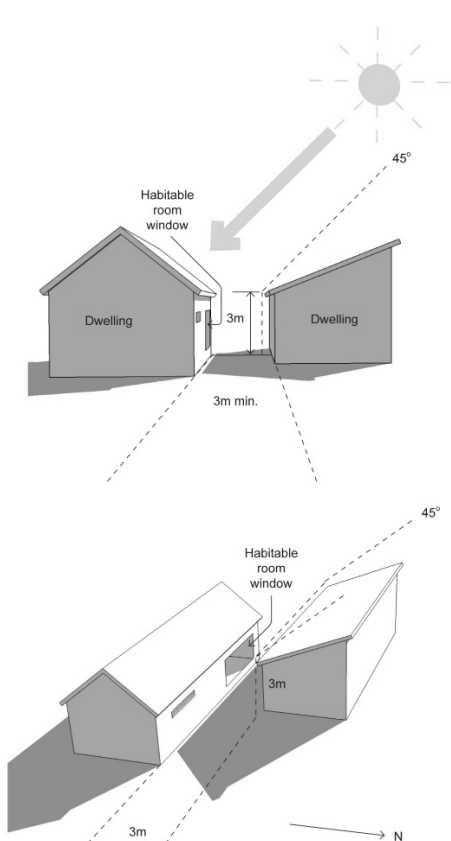
	Complies.	N/a
A2	<p>A multiple dwelling that is to the north of a window of a habitable room (other than a bedroom) of another dwelling on the same site, which window faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A), must be in accordance with (a) or (b), unless excluded by (c):</p> <p>(a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4B):</p> <ul style="list-style-type: none"> <li>(i) at a distance of 3 m from the window; and</li> <li>(ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal.</li> </ul> <p>(b) The multiple dwelling does not cause the habitable room to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21<sup>st</sup> June.</p> <p>(c) That part, of a multiple dwelling, consisting of:</p> <ul style="list-style-type: none"> <li>(i) an outbuilding with a building height no more than 2.4 m; or</li> <li>(ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling.</li> </ul>	<p>P2 A multiple dwelling must be designed and sited to not cause unreasonable loss of amenity by overshadowing a window of a habitable room (other than a bedroom), of another dwelling on the same site, that faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A).</p>
	Complies. More than 3m between dwellings.	N/a
A3	<p>A multiple dwelling, that is to the north of the private open space, of another dwelling on the same site, required in accordance with A2 or P2 of subclause 10.4.3, must be in accordance with (a) or (b), unless excluded by (c):</p> <p>(a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4C):</p> <ul style="list-style-type: none"> <li>(i) at a distance of 3 m from the northern edge of the private open space; and</li> <li>(ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal.</li> </ul> <p>(b) The multiple dwelling does not cause 50% of the private open space to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21<sup>st</sup> June.</p> <p>(c) That part, of a multiple dwelling, consisting of:</p> <ul style="list-style-type: none"> <li>(i) an outbuilding with a building height no more than 2.4 m; or</li> <li>(ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling.</li> </ul>	<p>P3 A multiple dwelling must be designed and sited to not cause unreasonable loss of amenity by overshadowing the private open space, of another dwelling on the same site, required in accordance with A2 or P2 of subclause 10.4.3.</p>
	Complies.	N/a





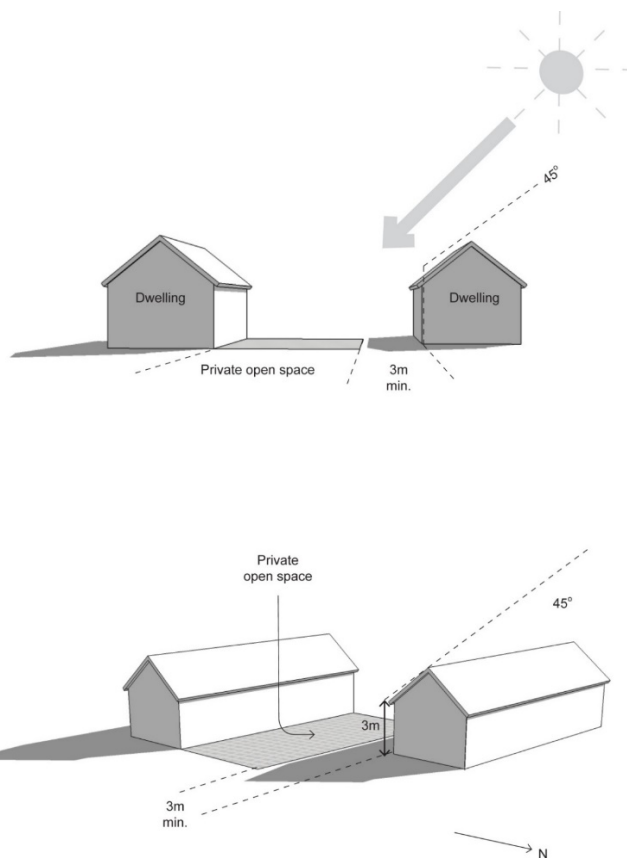
**Diagram 10.4.4A.**

Orientation of a window of a habitable room as specified in subclause 10.4.4 A1, A2 and P2.



**Diagram 10.4.4B.**

Separation from a north-facing window of a habitable room, of another dwelling on the same site, as required by subclause 10.4.4A2(a).



**Diagram 10.4.4C.**

Separation from the private open space of another dwelling on the same site as required by subclause 10.4.4A3(a).

#### 10.4.5 Width of openings for garages and carports for all dwellings

<b>Objective:</b> To reduce the potential for garage or carport openings to dominate the primary frontage.	
Acceptable Solutions	Performance Criteria
A1 A garage or carport within 12m of a primary frontage (whether the garage or carport is free-standing or part of the dwelling) must have a total width of openings facing the primary frontage of not more than 6m or half the width of the frontage (whichever is the lesser).	P1 A garage or carport must be designed to minimise the width of its openings that are visible from the street, so as to reduce the potential for the openings of a garage or carport to dominate the primary frontage.
Complies.	N/a

#### 10.4.6 Privacy for all dwellings

<b>Objective:</b> To provide reasonable opportunity for privacy for dwellings.	
Acceptable Solutions	Performance Criteria
A1 A balcony, deck, roof terrace, parking space, or carport (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1m above natural ground level must have a permanently fixed screen to a height of at least 1.7m above the finished surface or floor level, with a uniform transparency of no more than 25%, along the sides facing a: <ul style="list-style-type: none"> <li>(a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 3m from the side boundary; and</li> <li>(b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 4m from the rear boundary; and</li> <li>(c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is at least 6m: <ul style="list-style-type: none"> <li>(i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or</li> <li>(ii) from a balcony, deck, roof terrace or the private open space, of the other dwelling on the same site.</li> </ul> </li> </ul>	P1 A balcony, deck, roof terrace, parking space or carport (whether freestanding or part of the dwelling) that has a finished surface or floor level more than 1m above natural ground level, must be screened, or otherwise designed, to minimise overlooking of: <ul style="list-style-type: none"> <li>(a) a dwelling on an adjoining lot or its private open space; or</li> <li>(b) another dwelling on the same site or its private open space; or</li> <li>(c) an adjoining vacant residential lot.</li> </ul>
N/a	N/a
A2 A window or glazed door, to a habitable room, of a dwelling, that has a floor level more than 1 m above the natural ground level, must be in accordance with (a), unless it is in accordance with (b): <ul style="list-style-type: none"> <li>(a) The window or glazed door: <ul style="list-style-type: none"> <li>(i) is to have a setback of at least 3 m from a side boundary; and</li> <li>(ii) is to have a setback of at least 4m from a rear boundary; and</li> <li>(iii) if the dwelling is a multiple dwelling, is to be at least 6m from a window or glazed door, to a habitable room, of another dwelling on the same site; and</li> <li>(iv) if the dwelling is a multiple dwelling, is to be at least 6m from the private open space of another dwelling on the same site.</li> </ul> </li> <li>(b) The window or glazed door: <ul style="list-style-type: none"> <li>(i) is to be offset, in the horizontal plane, at least 1.5 m from the edge of a window or glazed door, to a habitable room of another dwelling; or</li> <li>(ii) is to have a sill height of at least 1.7 m above the floor level or has fixed obscure glazing extending to a height of at least 1.7m above the floor level; or</li> <li>(iii) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of at least</li> </ul> </li> </ul>	P2 A window or glazed door, to a habitable room of dwelling, that has a floor level more than 1 m above the natural ground level, must be screened, or otherwise located or designed, to minimise direct views to: <ul style="list-style-type: none"> <li>(a) window or glazed door, to a habitable room of another dwelling; and</li> <li>(b) the private open space of another dwelling; and</li> <li>(c) an adjoining vacant residential lot.</li> </ul>

	1.7 m above floor level, with a uniform transparency of not more than 25%.	
	N/a	N/a
A3	A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of at least: <ul style="list-style-type: none"> <li>(a) 2.5m; or</li> <li>(b) 1m if:               <ul style="list-style-type: none"> <li>(i) it is separated by a screen of at least 1.7m in height; or</li> <li>(ii) the window, or glazed door, to a habitable room has a sill height of at least 1.7m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level.</li> </ul> </li> </ul>	P3 A shared driveway or parking space (excluding a parking space allocated to that dwelling), must be screened, or otherwise located or designed, to minimise detrimental impacts of vehicle noise or vehicle light intrusion to a habitable room of a multiple dwelling.
	N/a	N/a

#### 10.4.7 Frontage fences for all dwellings

Objective: To control the height and transparency of frontage fences to: <ul style="list-style-type: none"> <li>(a) provide adequate privacy and security for residents; and</li> <li>(b) allow the potential for mutual passive surveillance between the road and the dwelling; and</li> <li>(c) provide reasonably consistent height and transparency.</li> </ul>	
Acceptable Solutions	Performance Criteria
A1 A fence (including a free-standing wall) within 4.5m of a frontage must have a height above natural ground level of not more than: <ul style="list-style-type: none"> <li>(a) 1.2m if the fence is solid; or</li> <li>(b) 1.8m, if any part of the fence that is within 4.5m of a primary frontage has openings above a height of 1.2m which provide a uniform transparency of not less than 30% (excluding any posts or uprights).</li> </ul>	P1 A fence (including a free-standing wall) within 4.5m of a frontage must: <ul style="list-style-type: none"> <li>(a) provide for the security and privacy of residents, while allowing for mutual passive surveillance between the road and the dwelling; and</li> <li>(b) be compatible with the height and transparency of fences in the street, taking into account the:               <ul style="list-style-type: none"> <li>(i) topography of the site; and</li> <li>(ii) traffic volumes on the adjoining road.</li> </ul> </li> </ul>
1.5m high colorbond front fence proposed.	A 1.5m high colorbond front fence will provide security and privacy of residents, while allowing for mutual passive surveillance between the road and the dwelling and is compatible with fences in the street. Complies with the performance criteria.

#### 10.4.8 Waste storage for multiple dwellings

Objective: To provide for the storage of waste and recycling bins for multiple dwellings.	
Acceptable Solutions	Performance Criteria
A1 A multiple dwelling must have a storage area, for waste and recycling bins, that is an area of at least 1.5m <sup>2</sup> per dwelling and is within one of the following locations: <ul style="list-style-type: none"> <li>(a) in an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or</li> <li>(b) in a communal storage area with an impervious surface that:               <ul style="list-style-type: none"> <li>(i) has a setback of at least 4.5m from a frontage; and</li> <li>(ii) is at least 5.5m from any dwelling; and</li> <li>(iii) is screened from the frontage and any dwelling by a wall to a height of at least 1.2m above the finished surface level of the storage area.</li> </ul> </li> </ul>	P1 A multiple dwelling development must provide storage, for waste and recycling bins, that is: <ul style="list-style-type: none"> <li>(a) capable of storing the number of bins required for the site; and</li> <li>(b) screened from the frontage and dwellings; and</li> <li>(c) if the storage area is a communal storage area, separated from dwellings on the site to minimise impacts caused by odours and noise.</li> </ul>
Complies.	N/a

#### 10.4.9 Storage for multiple dwellings

Objective
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# NORTHERN MIDLANDS COUNCIL

## AGENDA – ORDINARY MEETING

### 15 MARCH 2021

To provide adequate storage facilities for each multiple dwelling.	
Acceptable Solutions	Performance Criteria
A1 Each multiple dwelling must have access to at least 6 cubic metres of secure storage space.	P1 Each multiple dwelling must provide storage suitable to the reasonable needs of residents.
Provided in garage.	N/a

#### 10.4.10 Common Property for multiple dwellings

Objective To ensure that communal open space, car parking, access areas and site facilities for multiple dwellings are easily identified.	
Acceptable Solutions	Performance Criteria
A1 Development for multiple dwellings must clearly delineate public, communal and private areas such as: a) driveways; and b) site services and any waste collection points.	P1 No performance criteria.
Complies.	N/a

#### 10.4.11 Outbuildings and Ancillary Structures for the Residential Use Class other than a single dwelling

Objective To ensure: a) that outbuildings do not detract from the amenity or established neighbourhood character; and b) that dwellings remain the dominant built form within an area; and c) earthworks and the construction or installation of swimming pools are appropriate to the site and respect the amenity of neighbouring properties.	
Acceptable Solutions	Performance Criteria
A1 Outbuildings for each multiple dwelling must have a combined gross floor area not exceeding 45m <sup>2</sup> .	P1 Outbuildings for each multiple dwelling must be designed and located having regard to: a) visual impact on the streetscape; and b) compatibility with the size and location of outbuildings in the neighbourhood.
Complies.	N/a
A2 A swimming pool for private use must be located: a) behind the setback from a primary frontage; or b) in the rear yard.	P2 A swimming pool for private use must be designed and located to: a) minimise any visual impact on the streetscape; and b) not unreasonably overlook or overshadow adjoining properties; and c) be compatible with the size and location of approved outbuildings in the neighbourhood.
N/a	N/a

#### 10.4.12 Site Services for multiple dwellings

Objective To ensure that: a) site services for multiple dwellings can be installed and easily maintained; and b) site facilities for multiple dwellings are accessible, adequate and attractive.	
Acceptable Solutions	Performance Criteria
A1.1 Provision for mailboxes must be made at the frontage.	P1 Sufficient space (including easements where required) for mail services must be provided for each multiple dwelling.
Complies.	N/a

#### 10.4.13 Clauses 10.4.13.1 – 10.4.13.9 only apply to development within the Residential Use Class which is not a dwelling.

N/a

#### 10.4.15 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

# NORTHERN MIDLANDS COUNCIL

## AGENDA – ORDINARY MEETING

### 15 MARCH 2021

E4.0	ROAD AND RAILWAY ASSETS CODE	N/a
E5.0	FLOOD PRONE AREAS CODE	N/a
E6.0	CAR PARKING AND SUSTAINABLE TRANSPORT CODE	Complies with the performance criteria – see code assessment below
E7.0	SCENIC MANAGEMENT CODE	N/a
E8.0	BIODIVERSITY CODE	N/a
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 E6.0 CAR PARKING & SUSTAINABLE TRANSPORT CODE

#### E6.6 Use Standards

##### E6.6.1 Car Parking Numbers

Objective: To ensure that an appropriate level of car parking is provided to service use.			
Acceptable Solutions		Performance Criteria	
A1	The number of car parking spaces must not be less than the requirements of:	P1	The number of car parking spaces provided must have regard to:
a)	Table E6.1; or	a)	the provisions of any relevant location specific car parking plan; and
b)	a parking precinct plan contained in Table E6.6: Precinct Parking Plans (except for dwellings in the General Residential Zone).	b)	the availability of public car parking spaces within reasonable walking distance; and
		c)	any reduction in demand due to sharing of spaces by multiple uses either because of variations in peak demand or by efficiencies gained by consolidation; and
		d)	the availability and frequency of public transport within reasonable walking distance of the site; and
		e)	site constraints such as existing buildings, slope, drainage, vegetation and landscaping; and
		f)	the availability, accessibility and safety of on-road parking, having regard to the nature of the roads, traffic management and other uses in the vicinity; and
		g)	an empirical assessment of the car parking demand; and
		h)	the effect on streetscape, amenity and vehicle, pedestrian and cycle safety and convenience; and
		i)	the recommendations of a traffic impact assessment prepared for the proposal; and
		j)	any heritage values of the site; and
		k)	for residential buildings and multiple dwellings, whether parking is adequate to meet the needs of the residents having regard to:
		i)	the size of the dwelling and the number of bedrooms; and
		ii)	the pattern of parking in the locality; and
		iii)	any existing structure on the land.
Table E6.1 requires 7 spaces. 7 spaces are proposed. Complies.		N/a	

**Table E6.1: Parking Space Requirements**

Use	Parking Requirement	
	Vehicle	Bicycle
<b>Residential:</b>		
If a 1 bedroom or studio dwelling in the General Residential Zone (including all rooms capable of being used as a bedroom)	1 space per dwelling	1 space per unit or 1 spaces per 5 bedrooms in other forms of accommodation.
If a 2 or more bedroom dwelling in the General Residential Zone (including all rooms capable of being used as a bedroom)	2 spaces per dwelling	
Visitor parking for multiple dwellings in the General Residential zone	1 dedicated space per 4 dwellings (rounded up to the nearest whole number).	

#### E6.6.2 Bicycle Parking Numbers

Objective: To encourage cycling as a mode of transport within areas subject to urban speed zones by ensuring safe, secure and convenient parking for bicycles.			
Acceptable Solutions		Performance Criteria	
A1.1	Permanently accessible bicycle parking or storage spaces must be provided either on the site or within 50m of the site in accordance with the requirements of Table E6.1; or	P1	Permanently accessible bicycle parking or storage spaces must be provided having regard to the:
A1.2	The number of spaces must be in accordance with a parking precinct plan contained in Table E6.6: Precinct Parking Plans.	a)	likely number and type of users of the site and their opportunities and likely preference for bicycle travel; and
		b)	location of the site and the distance a cyclist would need to travel to reach the site; and
		c)	availability and accessibility of existing and planned parking facilities for bicycles in the vicinity.
Table E6.1 requires 1 space per unit. 1 space per unit is available in the garage. Complies.		-	

#### E6.6.3 Taxi Drop-off and Pickup

Objective: To ensure that taxis can adequately access developments.			
Acceptable Solutions		Performance Criteria	
A1	One dedicated taxi drop-off and pickup space must be provided for every 50 car spaces required by Table E6.1 or part thereof (except for dwellings in the General Residential Zone).	P1	No performance criteria.
Comment: Not required for dwellings.		N/a	

#### E6.6.4 Motorbike Parking Provisions

Objective: To ensure that motorbikes are adequately provided for in parking considerations.			
Acceptable Solutions		Performance Criteria	
A1	One motorbike parking space must be provided for each 20 car spaces required by Table E6.1 or part thereof.	P1	No performance criteria.
There is enough area for one motorbike parking space.		N/a	

#### E6.7 Development Standards

##### E6.7.1 Construction of Car Parking Spaces and Access Strips

Objective: To ensure that car parking spaces and access strips are constructed to an appropriate standard.			
Acceptable Solutions		Performance Criteria	
A1	All car parking, access strips manoeuvring and circulation spaces must be:	P1	All car parking, access strips manoeuvring and circulation spaces must be readily identifiable and constructed to ensure that they are useable in all weather conditions.
a)	formed to an adequate level and drained; and		
b)	except for a single dwelling, provided with an impervious all weather seal; and		
c)	except for a single dwelling, line marked or provided with other clear physical means to delineate car spaces.		
Complies.		N/a	

##### E6.7.2 Design and Layout of Car Parking

Objective: To ensure that car parking and manoeuvring space are designed and laid out to an appropriate standard.			
Acceptable Solutions		Performance Criteria	
A1.1	Where providing for 4 or more spaces, parking areas (other than for parking located in garages and carports for dwellings in the General Residential Zone) must be located behind the building line; and	P1	The location of car parking and manoeuvring spaces must not be detrimental to the streetscape or the amenity of the surrounding areas, having regard to:
A1.2	Within the General residential zone, provision for turning must not be located within the front setback for residential buildings or multiple dwellings.	a)	the layout of the site and the location of existing buildings; and
		b)	views into the site from the road and adjoining public spaces; and
		c)	the ability to access the site and the rear of buildings; and
		d)	the layout of car parking in the vicinity; and
		e)	the level of landscaping proposed for the car parking.
Complies.		N/a	



# NORTHERN MIDLANDS COUNCIL

## AGENDA – ORDINARY MEETING

### 15 MARCH 2021

<p>A2.1 Car parking and manoeuvring space must:</p> <p>a) have a gradient of 10% or less; and</p> <p>b) where providing for more than 4 cars, provide for vehicles to enter and exit the site in a forward direction; and</p> <p>c) have a width of vehicular access no less than prescribed in Table E6.2 and Table E6.3, and</p> <p>A2.2 The layout of car spaces and access ways must be designed in accordance with <i>Australian Standards AS 2890.1 - 2004 Parking Facilities, Part 1: Off Road Car Parking</i>.</p>	<p>P2 Car parking and manoeuvring space must:</p> <p>a) be convenient, safe and efficient to use having regard to matters such as slope, dimensions, layout and the expected number and type of vehicles; and</p> <p>b) provide adequate space to turn within the site unless reversing from the site would not adversely affect the safety and convenience of users and passing traffic.</p>
Does not comply. 5.4m long car spaces required. 4.79m long spaces provided east of units 1 and 2. Cars will be able to manoeuvre on site to exit in a forward direction.	The site plan shows that there is adequate space to turn within the site. The spaces that are shorter than the standard do not prevent turning on site. The proposal satisfies the performance criteria.

**Table E6.2: Access Widths for Vehicles**

Number of parking spaces served	Access width (see note 1)	Passing bay (2.0m wide by 5.0m long plus entry and exit tapers) (see note 2)
1 to 5	3.0m	Every 30m

#### E6.7.3 Car Parking Access, Safety and Security

Objective: To ensure adequate access, safety and security for car parking and for deliveries.			
Acceptable Solutions		Performance Criteria	
A1	Car parking areas with greater than 20 parking spaces must be:	P1	Car parking areas with greater than 20 parking spaces must provide for adequate security and safety for users of the site, having regard to the:
a)	secured and lit so that unauthorised persons cannot enter or;	a)	levels of activity within the vicinity; and
b)	visible from buildings on or adjacent to the site during the times when parking occurs.	b)	opportunities for passive surveillance for users of adjacent building and public spaces adjoining the site.
N/a		N/a	

#### E6.7.4 Parking for Persons with a Disability

Objective: To ensure adequate parking for persons with a disability.			
Acceptable Solutions		Performance Criteria	
A1	All spaces designated for use by persons with a disability must be located closest to the main entry point to the building.	P1	The location and design of parking spaces considers the needs of disabled persons, having regard to:
		i)	the topography of the site;
		j)	the location and type of relevant facilities on the site or in the vicinity;
		k)	the suitability of access pathways from parking spaces, and
		l)	applicable Australian Standards.
Not required for dwellings.		N/a	
A2	Accessible parking spaces for use by persons with disabilities must be designed and constructed in accordance with AS/NZ 2890.6 2009 – Off-street parking for people with disabilities.	P2	No performance criteria.
Not required for dwellings.		N/a	

#### E6.7.6 Loading and Unloading of Vehicles, Drop-off and Pickup

Objective: To ensure adequate access for people and goods delivery and collection and to prevent loss of amenity and adverse impacts on traffic flows.			
Acceptable Solutions		Performance Criteria	
A1	For retail, commercial, industrial, service industry or warehouse or storage uses:	P1	For retail, commercial, industrial, service industry or warehouse or storage uses adequate space must be provided for loading and unloading the type of vehicles associated with delivering and
a)	at least one loading bay must be provided in accordance with Table E6.4; and		

b) loading and bus bays and access strips must be designed in accordance with <i>Australian Standard AS/NZS 2890.3 2002</i> for the type of vehicles that will use the site.	collecting people and goods where these are expected on a regular basis.
Comment: Not applicable.	

## E6.8 Provisions for Sustainable Transport

### E6.8.1 Bicycle End of Trip Facilities

Not used in this planning scheme

### E6.8.2 Bicycle Parking Access, Safety and Security

Objective: To ensure that parking and storage facilities for bicycles are safe, secure and convenient.	
Acceptable Solutions	Performance Criteria
A1.1 Bicycle parking spaces for customers and visitors must: a) be accessible from a road, footpath or cycle track; and b) include a rail or hoop to lock a bicycle to that meets <i>Australian Standard AS 2890.3 1993</i> ; and c) be located within 50m of and visible or signposted from the entrance to the activity they serve; and d) be available and adequately lit in accordance with <i>Australian Standard AS/NZS 1158 2005 Lighting Category C2</i> during the times they will be used; and A1.2 Parking space for residents' and employees' bicycles must be under cover and capable of being secured by lock or bicycle lock.	P1 Bicycle parking spaces must be safe, secure, convenient and located where they will encourage use.
A1.1 – not applicable. A1.2 – complies.	
A2 Bicycle parking spaces must have: a) minimum dimensions of: i) 1.7m in length; and ii) 1.2m in height; and iii) 0.7m in width at the handlebars; and b) unobstructed access with a width of at least 2m and a gradient of no more 5% from a public area where cycling is allowed.	P2 Bicycle parking spaces and access must be of dimensions that provide for their convenient, safe and efficient use.
Complies.	N/a

### E6.8.5 Pedestrian Walkways

Objective: To ensure pedestrian safety is considered in development	
Acceptable Solution	Performance Criteria
A1 Pedestrian access must be provided for in accordance with Table E6.5.	P1 Safe pedestrian access must be provided within car park and between the entrances to buildings and the road.
Not required by Table E6.5.	N/a

Table E6.5: Pedestrian Access

Number of Parking Spaces Required	Pedestrian Facility
1–10	No separate access required (i.e. pedestrians may share the driveway). [Note (a) applies].
11 or more	A 1m wide footpath separated from the driveway and parking aisles except at crossing points. [Notes (a) and (b) apply].

#### Notes

- a) In parking areas containing spaces allocated for disabled persons, a footpath having a minimum width of 1.5m and a gradient not exceeding 1 in 14 is required from those spaces to the principal building.
- b) Separation is deemed to be achieved by:
- i) a horizontal distance of 2.5m between the edge of the driveway and the footpath; or
  - ii) protective devices such as bollards, guard rails or planters between the driveway and the footpath; and
  - iii) signs and line marking at points where pedestrians are intended to cross driveways or parking aisles.

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



# NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 15 MARCH 2021

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	Complies – approved as part of the multiple dwelling application.
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:

### Variation to rear setback

The reduction of the rear setback from 4m to 3.6m complies with the performance criteria:

*The siting and scale of a dwelling must:*

- (a) not cause unreasonable loss of amenity by:
  - (i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot; or
  - (ii) overshadowing the private open space of a dwelling on an adjoining lot; or
  - (iii) overshadowing of an adjoining vacant lot; or
  - (iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot; and
- (b) provide separation between dwellings on adjoining lots that is compatible with that prevailing in the surrounding area.

### Variation to parking provisions

The reduction in parking space length east of units 1 and 2 from 5.4m to 4.79m complies with the performance criteria:

*E6.7.2 P2 - Car parking and manoeuvring space must:*

- a) be convenient, safe and efficient to use having regard to matters such as slope, dimensions, layout and the expected number and type of vehicles; and
- b) provide adequate space to turn within the site unless reversing from the site would not adversely affect the safety and convenience of users and passing traffic

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

It is recommended that the application be approved with the conditions below.

## 8 ATTACHMENTS

- Application & plans

- Referral responses
- Representation & applicant's response

## RECOMMENDATION

That land at 7 Church Street, Cressy be approved to be developed and used for multiple dwellings (three) (vary rear setback), and demolish existing buildings, in accordance with application PLN-21-0006, and subject to the following conditions:

### 1 Layout not altered

The use and development must be in accordance with the endorsed documents (Wilkin Design Job Number DA-201249):

- P0 Cover Page
- P1 Locality Plan and Site Plan (Revision 01-03-21);
- P2 Landscaping Plan (Revision 01-03-21);
- P3 Dimensioning Plan (Revision 01-03-21);
- P4 Floor Plan (Revision 01-03-21);
- P5 Elevations (Revision 01-03-21).

### 2 TasWater conditions

Sewer and water services must be provided in accordance with TasWater's Submission to Planning Authority Notice (TasWater Reference No. TWDA 2021/00126-NMC).

### 3 Council's Works Department conditions

#### 3.1 Stormwater

- A new stormwater main must be constructed to connect the property to the existing stormwater system in accordance with Council standards. Manholes must be installed at any changes in direction and also the end of the line.
- The stormwater main shall be 375mm diameter from the main adjacent to 13 Church Street for a distance of 60.5m towards 7 Church Street.
- Northern Midlands Council will contribute 40% of the cost of the works and the cost additional to the cost of a 300mm diameter pipe.
- Prior to the issue of a building permit the applicant shall provide design plans for the stormwater main, designed by a suitably qualified person.
- Concentrated stormwater must not be discharged into neighbouring properties
- Landscaping and hardstand areas must not interfere with natural stormwater run-off from neighbouring properties.
- All driveways and hardstand areas must be designed to allow stormwater run-off to be adequately drained to the Council stormwater system.
- Prior to the issue of a building permit, the applicant must design and provide plans for internal stormwater drainage to collect stormwater from the driveways and roofed area of buildings. The system must connect through properly-jointed pipes to the stormwater main, inter-allotment drainage or other lawful point of discharge to the satisfaction of the Plumbing Inspector.
- A plumbing permit is required prior to commencing any plumbing or civil works within the property.

#### 3.2 Access (Urban)

- A 3.6m wide concrete driveway crossover must be constructed from the edge of Church Street to the property boundary in accordance with Council standard drawing TSD R09 and all other relevant standards and the existing footpath reshaped as necessary to match the new access.
- The access to the existing building on site shall be removed and reinstated in accordance with Council Standards.
- Access works must not commence until an application for vehicular crossing has been approved by Council.

#### W.3 As constructed information

As Constructed Plans and Asset Management Information must be provided in accordance with Council's standard requirements.

#### W.4 Municipal standards & certification of works

Unless otherwise specified within a condition, all works must comply with the Municipal Standards including specifications and standard drawings. Any design must be completed in accordance with Council's subdivision design guidelines to the satisfaction of the Works & Infrastructure Department. Any construction, including maintenance periods, must also be completed to the approval of the Works & Infrastructure Department.

#### 3.3 Works in Council road reserve

- a) Works must not be undertaken within the public road reserve, including crossovers, driveways or kerb and guttering, without prior approval for the works by the Works Manager.
- b) Twenty-four (24) hours notice must be given to the Works & Infrastructure Department to inspect works within road reserve, and before placement of concrete or seal. Failure to do so may result in rejection of the vehicular access or other works and its reconstruction.

#### 3.4 Separation of hydraulic services

- a) All existing pipes and connections must be located.
- b) Where required, pipes are to be rerouted to provide an independent system for each lot.
- c) Certification must be provided that services have been separated between the lots.

#### 3.5 Pollutants

- a) The developer/property owner must ensure that pollutants such as mud, silt or chemicals are not released from the site.
- b) Prior to the commencement of the development authorised by this permit the developer/property owner must install all necessary silt fences and cut-off drains to prevent soil, gravel and other debris from escaping the site. Material or debris must not be transported onto the road reserve (including the nature strip, footpath and road pavement). Any material that is deposited on the road reserve must be removed by the developer/property owner. Should Council be required to clean or carry out works on any of their infrastructure as a result of pollutants being released from the site the cost of these works may be charged to the developer/property owner.

#### 3.6 Nature strips

Any new nature strips, or areas of nature strip that are disturbed during construction, must be topped with 100mm of good quality topsoil and sown with grass. Grass must be established and free of weeds prior to Council accepting the development.

#### 3.7 Bonds

- a) Prior to the issue of a building permit, or the commencement of development authorised by this permit, a \$2500 bond must be provided to Council, this bond will be held for a period of 12 months and shall be refunded following a satisfactory final completion inspection of all works in the road reserve including the new stormwater main.
- b) This bond is not taken in place of the Building Department's construction compliance bond.
- c) The nature strip, crossover, apron and kerb and gutter infrastructure must be reinstated to Council's standards if damaged and any repairs required to the stormwater main during the bond period are the responsibility of the developer.

### **4 Landscaping**

- a) Landscaping works shall be in accordance with the endorsed plans, and landscaping works for each unit shall be completed prior to the commencement of use of that unit and then maintained for the duration of the use.
- b) A bond of \$500 per unit shall be provided prior to the commencement of development of that unit authorised by this permit – the bond will be refunded if the landscape works are completed within the timeframe mentioned in this permit.

### **5 Driveways and Parking Areas**

- a) Driveways and parking areas around each unit shall be sealed with an impervious asphalt or concrete pavement prior to the commencement of use of the unit.

### **6 Required prior to the application for a building permit**

Prior to the issue of a building permit, or the commencement of development authorised by this permit, the applicant shall:



## NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 15 MARCH 2021

- a) Pay a \$500 per unit landscape bond (as per condition 4).

### **7 Prior to commencement of use**

Prior to the commencement of the use of each unit, the following must be completed:

- a) Landscaping works for each (as per condition 4 – landscaping);
- b) Driveways and parking areas around each unit sealed (as per condition 5).

### DECISION

Cr

## 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 15 MARCH 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*.

*Table of Contents*

### 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) PROPOSALS FOR THE COUNCIL TO ACQUIRE LAND OR AN INTEREST IN LAND OR FOR THE DISPOSAL OF LAND

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

*Property Matter*

### 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*.

*Corporate Information Technology (Enterprise Suite) Solution Upgrade – confidential information provided*



# NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 15 MARCH 2021

## CON 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*.  
*Perth Streetscape Redevelopment Concept Plan*

## CON 6 PERSONNEL MATTERS

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

## CON 7 PROPOSALS FOR THE COUNCIL TO ACQUIRE LAND OR AN INTEREST IN LAND OR FOR THE DISPOSAL OF LAND

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

## CON 8 PROPOSALS FOR THE COUNCIL TO ACQUIRE LAND OR AN INTEREST IN LAND OR FOR THE DISPOSAL OF LAND

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

## CON 9 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*.  
*Local Government Association of Tasmania – General Management Committee Elections*

## CON 10 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*.  
*Northern Midlands Council Local Recycling Committee: Membership Application*

## CON 11 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*.  
*Local District Committee: Membership Application*

## DECISION

Cr

That Council move out of the closed meeting.

*Mayor Knowles closed the meeting at ...*