



**NORTHERN
MIDLANDS
COUNCIL**

AGENDA

ORDINARY MEETING OF COUNCIL

MONDAY, 19 JULY 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 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 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 19 JULY 2021

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


DES JENNINGS
GENERAL MANAGER

14 JULY 2021

4.00pm Councillor Workshop – closed to the public

GOV 1 ATTENDANCE

1 PRESENT

In Attendance:

2 APOLOGIES

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NORTHERN MIDLANDS COUNCIL

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GOV 3 ACKNOWLEDGEMENT OF COUNTRY

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

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

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



NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 19 JULY 2021

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, 28 June 2021, be confirmed as a true record of proceedings.

GOV 6 MOTIONS ON NOTICE

1 NOTICE OF MOTION

No notices of motion were received.

GOV 7 COMMITTEE MINUTES

1 CONFIRMATION OF MINUTES OF COMMITTEES

Attachments: Section 1 – Page 1

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

	Date	Committee	Meeting
i)	29/06/2021	Local Recycling Committee	Ordinary
ii)	06/07/2021	Campbell Town District Forum	BGM
iii)	06/07/2021	Campbell Town District Forum	Ordinary
iv)	06/07/2021	Ross Local District Committee	BGM
v)	06/07/2021	Ross Local District Committee	Ordinary
vi)	07/07/2021	Longford Local District Committee	BGM
vii)	07/07/2021	Longford Local District Committee	Ordinary
viii)	08/06/2021	Liffey Hall Committee	Ordinary
ix)	08/06/2021	Evandale Community Centre & Memorial Hall Committee	Ordinary

DECISION

Cr

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

2 RECOMMENDATIONS OF SUB COMMITTEES

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 7 July 2021 motions were recorded. The motions were received after the closure for submission of items for the Council Agenda, and it has been agreed with the Chair of the Committee that the motions be held over for consideration at the 16 August 2021 Council meeting.



NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 19 JULY 2021

GOV 8 DATE OF NEXT COUNCIL MEETING: MONDAY, 16 AUGUST 2021

Mayor Knowles advised that the next Ordinary Council Meeting of the Northern Midlands Council would be held at 5.00pm on Monday, 16 August 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 19 JULY 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
05/07/2021	Council Workshop Presentations <ul style="list-style-type: none">Tas Irrigation Discussion included: <ul style="list-style-type: none">Information Technology – software upgradesPerth Early Learning CentreNorthern Midlands Strategic Plan
16/08/2021	Council Workshop Discussion: <ul style="list-style-type: none">Council Meeting Agenda items
16/08/2021	Council Meeting

2 MAYOR'S ACTIVITIES ATTENDED & PLANNED

Mayor's Activities Attended & Planned for the period 28 June 2021 to 19 July 2021 are as follows:

Date	Activity
29 June 2021	Attended Recycling Trailer Launch, Longford
29 June 2021	Attended Northern Tasmania Development Corporation Pacific Labour Mobility Consultation via Zoom, Longford
30 June 2021	Attended LGAT Annual General Meeting via Zoom, Longford
30 June 2021	Attended meeting with Jacqui Lambie, Longford
30 June 2021	Attended meeting with General Manager, Longford
1 July 2021	Attended Tasmania Talks radio interview, Gipps Creek
4 July 2021	Attended Bicentenary Church Service and Organ Recital, Campbell Town
5 July 2021	Attended Council Workshop, Longford
9 July 2021	Attended Order of Australia Afternoon Tea Event, Longford
13 July 2021	Attended ABC Radio interview, Gipps Creek
14 July 2021	Attended Avoca Museum and Information Centre event, Avoca
14 July 2021	Attended Special Council Meeting, Longford
16 July 2021	Attended Citizenship Ceremony, Longford
17 July 2021	Attended Ross Bicentenary dinner event, Ross
19 July 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)

- Attended Northern Tasmania Development Corporation Director's meeting
- Attended meeting with Department of State Growth re Illawarra Road upgrades
- Met with Federal Labor Member for Lyons, Brian Mitchell to discuss Council's Priority Projects
- Met with proponents re development at TRANSlink
- Attended 2021 National General Assembly (Australian Local Government Association annual conference) in Canberra
- Met with Senator Claire Chandler to discuss Council's Priority Projects
- Attended Recycling Trailer launch
- Met with Senator Jacqui Lambie to discuss Council's Priority Projects

4 PETITIONS

1 PURPOSE OF REPORT

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

2 OFFICER'S COMMENT

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

Section 57. Petitions

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

(1) A person may lodge a petition with a council by presenting it to a councillor or the general manager.

(2) A person lodging a petition is to ensure that the petition contains –

- (a) a clear and concise statement identifying the subject matter and the action requested; and
- (b) in the case of a paper petition, a heading on each page indicating the subject matter; and
- (c) in the case of a paper petition, a brief statement on each page of the subject matter and the action requested; and
- (d) a statement specifying the number of signatories; and
- (e) at the end of the petition –
 - (i) in the case of a paper petition, the full name, address and signature of the person lodging the petition; and
 - (ii) in the case of an electronic petition, the full name and address of the person lodging the petition and a statement by that person certifying that the statement of the subject matter and the action requested, as set out at the beginning of the petition, has not been changed.

(3) In this section –

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

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

petition means a paper petition or electronic petition;

signatory means –

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

58. Tabling petition

(1) A councillor who has been presented with a petition is to –

- (a)
- (b) forward it to the general manager within 7 days after receiving it.

(2) A general manager who has been presented with a petition or receives a petition under subsection (1)(b) is to table the petition at the next ordinary meeting of the council.

(3) A petition is not to be tabled if –

- (a) it does not comply with section 57 ; or
- (b) it is defamatory; or
- (c) any action it proposes is unlawful.

(4) The general manager is to advise the lodger of a petition that is not tabled the reason for not tabling it within 21 days after lodgment.

3 PETITIONS

No petitions received.

5 CONFERENCES & SEMINARS: REPORT ON ATTENDANCE BY COUNCIL DELEGATES

The following report was filed by Mayor Mary Knowles OAM.

27th National General Assembly Canberra 20-23 June 2021

ALGWA Breakfast: Carol Wasp, former Mayor of Melbourne, outlined Gender Equity mentoring programs in three states (not Tasmania) and tools available, particularly to support women in election campaigns.

ALGA Conference: The then Deputy Prime Minister Michael McCormack MP addressed the Assembly and President Linda Scott welcomed delegates and stressed the need for Local Government to be a part of the National Cabinet. Debate on Motions commenced.

Three Professors spoke on the issues surrounding Covid-19.



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Motions were debated in the afternoon prior to the Hon Jason Clare MP, Shadow Minister for Regional Services, Territories and Local Government stating that under a Labor Govt. Local Government would be included on the National Cabinet.

A Networking Dinner at the National Arboretum was well attended.

Day 2: Danielle Wood, CEO Grattan Institute highlighted current online consumption, increasing house prices and the need to improve the circular economy.

A Panel of Mayors spoke about local employment and economic stimulus impacts, stressing that students and migrants were needed, and business support must continue. They noted programs in their municipalities where communities work together and share stories so everyone benefits and mental health is addressed.

Similar views were given by Marlene Krasnovitsky, Director EveryAGE Counts 'Strengthening Social Capital' and Romilly Madew AO, CEO Infrastructure Australia 'Strengthening Economic Capital' before a simulcast of the ALGA President's Address to the National Press Club.

I attended the Actions on Climate – At Home and Around the World Concurrent Session presented by Jamie Isbister, Federal Ambassador for the Environment, Maya Stuart-Fox and Dr Portia Odell, Director of Cities Power Partnership, a program of the Climate Council. The current 'state of play' was recognised by Local Government with regions and city networks accelerating climate change actions in Australia. We need to advocate and let the media know what Local Government is doing which will inspire other Councils and communities to act; highlight projects, partnerships and programs and create new ways to drive innovation and employment potential. The cost of climate change disasters is felt most by local communities. Councils have a duty of care to not let people build on flood plains, in bushfire prone areas or on vulnerable coastlines and a national buy back scheme for vulnerable land needs to be in place. 1 in 100 is past historical data, we need future, up-to-date useable data.

Mark Coulton MP, Minister for Regional Health, Regional Communications and Local Government spoke about the NSW amalgamation process, the \$110B Infrastructure fund, the inland rail link between Melbourne and Brisbane where travel is planned to take 24hrs and the unlikely occurrence of a 1% increase in the FAGS grants or a place on the National Cabinet.

The Keynote Address: Indigenous Voice was presented by Professor Tom Calma AO, Co-Chair Senior Advisory Group and Co-Chair Reconciliation Australia emphasising the importance of speaking not 'to us' but 'with us'.

Donnella Mills, National Aboriginal Community Controlled Health Organisation and Joint Council on Closing the Gap, outlined the history of Government interventions and stressed that Aboriginal organisations were not advisory bodies but were equals at all levels of Government and must jointly decide in partnership what data is important to capture, so that informed decisions about Policies were made and what actions were taken, both by Councils and individually.

The General Assembly Dinner was held at Exhibition Park in Canberra.

Day 3: Shane Fitzsimmons AFSM, Recovery and Resilience Commissioner, spoke about the hottest, driest summer on record following the drought causing 50 government areas across NSW to experience horrific fires, then floods in 73 areas creating landslides and erosion, and then Covid hit. He talked about the resilience of communities and the need to invest in ourselves and each other and never overlook signs of the emotional toll; resilience is about healing. Men are often the worst offenders – don't share and ask for help. Fragility is real, even 12 to 18 months after. The more investment up-front the better we can respond, so investing in partnerships up-front is paramount. Locals often don't realise that they are in a high flood/fire risk area, they don't personalise that risk and prepare. We need to raise awareness, map and deal with making sure our communities are prepared.

Shane Stone AC QC, Coordinator-General, National Recovery and Resilience Agency and Chair of the Order of Australia Committee, spoke about breaking the cycle of building, repairing and replacing after disasters and instead invest in building back stronger and better by giving grants directly to Councils for Council initiated projects eg. flood mapping for the future.

A Q&A Session with Anthony Albanese MP, Leader of the Opposition, supported Local Government having a say on the National Cabinet.

A Panel Discussion with Mayor Finlay – Ulladulla recovery from fires created 70,000 tonnes of waste of which 93% was recycled.

Mayor Reynolds – outlined the need for a Hobart mass evacuation traffic plan in preparation for a future fire emergency and stressed the need for people to 'own their own risk'. A community led Resilience Plan must recognise that telecommunications are difficult to non-existent in many areas.

Mayor Milligan – Lockier Valley 2011 and 2013 floods impacted 1,120 homes to the extent that one whole town has been moved to safer ground. Disaster management is core business of Councils, locals must be listened to, and communities must be kept informed. Councils must evaluate the funding cost of being properly prepared vs the cost of recovery.

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Resilience in a Digital World, presented by Thomas Fikentscher, ANZ Regional Director, CyberArk, raised the attention span of the audience as he made it clear “Your entire life is online and it might be used against you.” This is the world we live in, a 500% increase in ransomware demands costing businesses an average of \$250,000, giving the example of JBS paying \$14M to recover their systems. There are 100 attacks per week on hospitals (\$7M cost per attack), in Ireland the whole health care system was taken down, costing \$100M euros. Audits have found we are not prepared, more records online creates a bigger field for hackers, access needs to be protected and focus on rapid risk mitigation.

Craig Foster AM, Human Rights and Refugee Ambassador, promoted lifting up everyone’s culture and creating social trust in local communities, giving the example of connecting local sporting teams with vulnerable communities. During Covid one team could not train so they donated that time (7hrs x 60 players) to make a difference by volunteering in a local food distribution shed, with whom they would not normally have had contact.

Post Conference: NTDC CEO and Board Chair, Mayor Keiser and myself met with Federal Minister Nola Marino, Assistant Minister for Regional Development and Territories to lobby for Northern Tasmanian Priority Projects including the Hydrogen Project and the TRANSLink Intermodal Hub.

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		
132	136	71	95	98	105	69	52	51	102	96	67	62	1,004	915
337	34	41	36	44	59	66	29	26	42	42	46	34	499	515



NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 19 JULY 2021

7 ANIMAL CONTROL

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

Item	Income/Issues 2019/2020		Income/Issues for June		Income/Issues 2020/2021	
	No.	\$	No.	\$	No.	\$
Dogs Registered	4,278	101,937	42	738	4,240	100,776
Dogs Impounded	44	4,089	6	478	27	2,212
Euthanized	1	-	-	-	-	-
Re-claimed	39	-	5	-	24	-
Re-homed/Dogs Home *	4	-	1	-	2	-
New Kennel Licences	15	1,080	-	-	16	1,152
Renewed Kennel Licences	70	3,080	-	-	72	3,168
Infringement Notices (paid in full)	42	12,149	7	1,144	36	6,785
Legal Action	-	-	-	-	-	-
Livestock Impounded	-	-	-	-	1	65
TOTAL		122,335		2,260		114,159

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

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	69	1	196
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.

The Tasmanian Department of Health has produced a legal framework, the Food Business Risk-Classification System (RCS), to classify food premises for registration and notification purposes under the *Food Act 2003*.

Food premises are categorised based on their potential risk to the health of the consumer. Higher risk premises are inspected at least once each financial year.

Actions, including follow-up inspections, are taken according to the outcome of inspections, the RCS can be used to prioritise the inspection of food businesses, with inspection frequency being increased for high risk classified food premises. In addition, poorly performing food premises would be inspected more frequently.

NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 19 JULY 2021

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	4	4	5	2	-
Building & Planning	-	-	-	1	1	1	1	4	4	2	1	2
Community Services	-	-	-	-	1	11	6	3	4	1	-	-
Corporate Services	-	3	1	-	1	2	-	1	3	2	-	-
Governance	-	-	-	-	-	1	-	-	-	1	3	1
Waste	1	-	-	-	-	-	-	-	-	-	-	-
Works	31	27	28	34	13	35	41	28	31	26	25	33

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

Date	Recipient	Purpose	Amount \$
	Council wages and plant	Assistance to Campbell Town SES	121.79
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
19-Apr-21	Woolmers Foundation Inc	Donation - Second hand laptops	500.00
Planning/Building Applications Remitted			
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
School & Bursary Programs			
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
3-Feb-21	Samantha Airey	Bursary Program 2019 - instalment 2	1,000.00
10-Feb-21	Ellie-Mae Evans	Bursary Program 2019 - instalment 2	1,000.00
17-Mar-21	Jemma Walters	Bursary Program 2019 - instalment 1	1,000.00
17-Mar-21	Piper Bunton	Bursary Program 2019 - instalment 2	1,000.00
24-Mar-21	Hayden Smith	Bursary Program 2019 - instalment 2	1,000.00
Sporting Achievements			
3-Feb-21	Katie Campbell	NTJSA U/13 Girls Representation Team	100.00
31-Mar-21	Henry Tennant	Northern Tasmanian Soccer Rep Team	100.00
14-Apr-21	Jock Johnston	Tasmanian Polocross Covid Cup 2021	100.00
14-Apr-21	Alex Miller	Tasmanian Polocross Covid Cup 2021	100.00
2-Jun-21	Ms Celeste Nicholson	NTJSA U/13 Girls Representation Team	100.00
29-Jun-21	Ms Lucy Johnston	Interscholar Nationals & Pony Club Nationals Comp 2021	100.00
		TOTAL	\$30,432.52

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11 ACTION ITEMS: COUNCIL MINUTES

Date	Min. Ref.	Details	Action Required	Officer	Current Status
17/05/2021	176/21	Sale of Town Hall, Campbell Town	That Council: i) notes the objections received; and ii) determines to sell the Town Hall in Campbell Town; and iii) notifies parties who lodged the objections within 7 days of this decision.	Exec. Officer	Letters to objectors sent 20/5/2021. Appeal lodged, mediation set for 22/6/21. Application lodged with tribunal to set aside decision on 12/7/2021. Awaiting Tribunal decision.
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. Discussion held with property owner, formal advice requested. Correspondence to be forwarded to property owner.
28/06/2021	212/21	Northern Midlands Council Bicycle Advisory Committee	That Council i) endorse the Terms of Reference of the Northern Midlands Council Bicycle Advisory Committee; and ii) appoint Councillors Lambert and Adams as Councillor members of the Committee.	General Manager	Council to advertise for expressions of interest in the membership of the committee.
28/06/2021	213/21	Northern Midlands Council Strategic Property Committee	That Council i) endorse the Terms of Reference for the Northern Midlands Council Strategic Property Committee; and ii) appoint Councillors Goninon and Davis as Councillor members of the Committee.	General Manager	Meeting to be arranged.
17/05/2021	182/21	Safety Concerns: Woolmers Lane and Panshanger Road Junction, Longford	That Council request the Department of State Growth to carry out a review of speed limits on Woolmers Lane and recommend that the limit be lowered to 80kmh from Point Road through to Longford.	Engineering Officer	Council officers liaising with the Department of State Growth. Traffic counts have been taken and Council officers are liaising further with DSG.
17/05/2021	190/21	Bridge Across Liffey River To Former Baptist Church Grounds	That a decision be deferred to the next meeting to establish Council's responsibilities and alternative solutions (including timber).	Works Manager	Report to future Council meeting.
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	Matter listed for workshop for discussion.
28/06/2021	220/21	National Summit On Women's Safety: Attendance By Mayor Knowles	That Council cover the reasonable costs of Mayor Knowles attendance as the Tasmanian delegate at the National Summit on Women's Safety in Canberra on 29-30 July 2021.	Executive & Comms Officer	To be confirmed.
15/03/2021	115/21	Corporate Information Technology (Enterprise Suite) Solution Upgrade	That Council i) make provision in the 2021/22 Budget to update the Open Office Enterprise Suite in the immediate future; and ii) continue to participate in discussion relating to the Northern Tasmanian Councils IT Shared Business Application Platform project.	Corporate Services Manager	In progress
17/09/2018	258/18	Initiation of Draft Planning Scheme Amendment 04/2018 include Flood Risk Mapping in the Planning Scheme for land along Sheepwash Creek from Arthur Street to Cemetery Road, Perth	That Council, acting as the Planning Authority, pursuant to section 34 of the former provisions of the Land Use Planning and Approvals Act 1993 resolve to initiate draft Planning Scheme Amendment 04/2018 to the Northern Midlands Interim Planning Scheme 2013 to include the flood risk mapping for land zoned General Residential and Future Residential, based on the mapping shown in the attachment, in the planning scheme maps.	Senior Planner	A flood map is to be incorporated by an amendment to the Planning Scheme. Aerial Survey complete, Land Survey Modelling can now commence, due mid-March. Consultant advised on 18 March 2021 Council modelling now due end of April. Consultant advised 5/5/21 modelling due end May due to software upgrades required. Consultant is validating the modelling.
17/05/2021	180/21	Restrictions on Keeping of Roosters	That Council consider restricting the keeping of roosters in urban areas, and consider the need for a by-law with penalties for offences and non-compliance.	Animal Control Officer	Report to August Council meeting.

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	Historic photos to be catalogued and collated.
18/05/2020	146/20	Northern Midlands	That Council endorse the progression of the Northern Midlands	Youth Officer	Postponed to 2021.

NORTHERN MIDLANDS COUNCIL

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Date	Min. Ref.	Details	Action Required	Officer	Current Status
19/11/2018	323/18	Youth Voice Forum Tom Roberts Interpretation at Longford	Youth Voice Forum 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
15/03/2021	091/21	Aboriginal and Dual Naming Policy: Inclusion of Palawa Kani Name on Campbell Town Entrance Signs	writes to the Tasmanian Aboriginal Centre seeking comment on amending the entrance signs to Campbell Town to display the palawa kani name pantukina	Exec. Officer	Letter sent to Tasmanian Aboriginal Centre 18/3/2021. Campbell Town Bicentenary Committee updated 18/3/2021. Response received from Tasmanian Aboriginal Centre supporting inclusion of palawa kani name on Campbell Town entrance statement. Design sent to TAC for approval 20/5/21, TAC not agreeable to size of writing, seeking redesign. Agreed with TAC "pantukina" as large as possible but not as big as "Campbell Town".
15/03/2021	098/21	Public Interest Disclosure Procedures	That Council adopt the Public Interest Disclosure Procedures as drafted and submit to the Ombudsman for approval.	Exec. Officer	Procedures submitted 18/3/2021. Approved by Ombudsman. New procedures uploaded to website. Updates to be communicated to staff.
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	Matter raised at the General Manager's meeting with the current arrangements to be retained.
28/06/2021	215/21	Local Government Association Of Tasmania (LGAT):Motions For The Annual General Meeting To Be Held On 30 June 2021	That Council A) note/receive the items listed in the LGAT AGM Agenda for the meeting to be held on Wednesday, 30 June 2021:	Mayor	Mayor attended and voted as per the decision.
28/06/2021	215/21	Local Government Association Of Tasmania (LGAT):Motions For The Annual General Meeting To Be Held On 30 June 2021	That Council B) vote on for the motions listed in the LGAT AGM Agenda for the meeting to be held on Wednesday, 30 June 2021:	Mayor	Mayor attended and voted as per the decision.
28/06/2021	210/21	Local District Committees: Memorandum Of Understanding	That Council receive the additional comment from the Local District Committees relating to the endorsed Memorandum of Understanding, endorse the inclusion of the following: The Mayor is the official spokesperson of Council, any media or comment sought from the Committee must be referred to Council. Approval of any correspondence to be sent by the ... Local District Committee is to be sought from Council's General Manager.	Exec Assistant	MOU's updated, circulated together with BGM agendas.
28/06/2021	211/21	Local Government Association Of Tasmania (LGAT): 2021 Local Government Conference	authorise the attendance of Mayor Mary Knowles; Cr Janet Lambert & Cr Michael Polley at the Local Government Association of Tasmania's General Meeting and Annual Conference to be held in Hobart on 5 and 6 August 2021.	Exec Assistant	Bookings Complete.
28/06/2021	211/21	Local Government Association Of Tasmania (Lgat): 2021 Local Government Conference	authorise the attendance of Mayor Mary Knowles; Cr Janet Lambert at the Women in Local Government Networking Event sponsored by Spirit Super to be held on 5 August 2021, prior to the conference dinner.	Exec Assistant	Bookings Complete.
28/06/2021	209/21(4)	Petitions	INFO 4: That Council acknowledge receipt of the following petitions: i) Opposition to proposal to plant trees in Smith Street, Longford (2 petitions) ii) Heritage Listing of the Town Hall in Campbell Town	Exec Assistant	Advice sent.
28/06/2021	219/21	Policy Update: Heavy Vehicles Using Council Bridges	That Council endorses the updated Heavy Vehicles Using Council Bridges Policy.	Exec Assistant	Policy and Policy Manual updated.
28/06/2021	214/21	Policy Update: Meeting Procedures	That Council endorses the updated Meeting Procedures Policy.	Exec Assistant	Policy and Policy Manual updated.



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Date	Min. Ref.	Details	Action Required	Officer	Current Status
17/05/2021	178/21	Consultation on Draft Planning Directive 8 – State Planning Provisions Exemptions, Application Requirements, Special Provisions and Zone Provisions	That Council submit a representation to the Tasmanian Planning Commission (as per the Council resolution): - Maintenance and repair of buildings (heritage buildings and precincts) ... - Vegetation Removal Exemptions ... - General Residential Zone Provisions ...	Senior Planner	Representation on PD8 sent to TPC 18/5/2021.
28/06/2021	230/21	Kennel Licence Application For 8 Dogs At 49 Phillip Street Perth	That Council i) issue a kennel licence for housing 8 Medium Labradoodles at 49 Phillip Street Perth; And ii) place an expiry date of 30 June 2022 upon the licence with listed specific conditions And iii) place the additional conditions on the kennel licence:	Animal Control Officer	Complete.
15/03/2021	091/21	Aboriginal and Dual Naming Policy: Inclusion of Palawa Kani Name on Campbell Town Entrance Signs	adopt the Aboriginal and Dual Naming Policy	Executive & Comms Officer	Agreed with TAC "pantukina" as large as possible on the Campbell Town entrance statement but not as big as "Campbell Town".

LOCAL DISTRICT COMMITTEE ACTIONS

Council Minute Origin Date	Min. Ref.	Details	Action Required	Officer	Council Meeting dated	Current Status
CAMPBELL TOWN						
15/03/2021	091/21	Aboriginal and Dual Naming Policy: Inclusion of Palawa Kani Name on Campbell Town Entrance Signs	Adopt the Aboriginal and Dual Naming Policy	Executive & Comms Officer	26/04/2021	Agreed with TAC "pantukina" as large as possible on the Campbell Town entrance statement but not as big as "Campbell Town".
26/04/2021	135/21	Rubbish Bins in High Street	Rubbish Bins in High Street: That council consider larger & maybe a better style of garbage bin be placed in High Street in the area of Zepps & Banjo's. Decision That Council Officers investigate and provide a response.	Works Manager	26/04/2021	New bins are to be considered within the Campbell Town Main Street Upgrades. The current bins are emptied by Council staff twice daily, 7 days a week.
17/05/2021	172/21	Smoke Free Zone High Street	6.10 Smoke Free Zone High Street: That Council contact business owners along the Main Street reminding them of the regulations. - That Council Officers send a letter to business owners along High Street reminding them of the regulations and their responsibility to ensure a smoke free zone for customers.	Executive & Comms Officer		Letter to be drafted. In progress, to be sent out end of July.
16/11/2020	382/20	Tourist Signage	Tourist symbol information to be placed at road entries to Campbell Town. - That Council Officers investigate the matter.	Executive & Comms Officer	17/05/2021	Matter being investigated. To be considered in conjunction with Main Street Upgrade.
17/05/2021	172/21	Upgrades to skate park	7.2 Upgrades to skate park: That Council consider an upgrade or extension to the Campbell Town Skate Park in the 2021/2022 budget. - That Council note the information and consider an upgrade to the existing skate park in the 2021/2022 budget.	Corporate Services Manager		Investigate upgrade for future budget.
CRESSY						
17/02/2020	039/20	Bartholomew Park Sign	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	17/05/2021	Quote sought. Design to be discussed with new Committee at July 2021 meeting.
LONGFORD						
15/03/2021	088/21	Herb Boxes	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.) That the matter be referred to the 2021/2022 Budget process.	Corporate Services Manager	17/5/2021	Garden bed in Victoria square being investigated.
17/05/2021	172/21	Horse Trough Interpretation Panel	10.2 Horse Trough Interpretation Panel: That the committee investigate developing an appropriate plaque with full interpretation of its history and that it be attached to the statue. That Len Langan be asked to investigate. - That Council note the information	Executive & Comms Officer		Committee progressing.
17/05/2021	172/21	Longford Entrance Improvements	7.1 Longford Entrance Improvements: That this committee refer the entrance question be	Executive & Comms Officer		On hold.

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Council Minute Origin Date	Min. Ref.	Details	Action Required	Officer	Council Meeting dated	Current Status
			incorporated into the planning for the roundabout upgrade. - That Council note the information.			
26/04/2021	135/21	Planter Boxes	Planter Boxes: That the Committee seeks permission to replant some of the planters in Longford with herbs and that they seek volunteers in the garden community to tend them." Decision: That Council note the recommendation	Executive & Comms Officer	17/05/2021	Garden bed in Victoria square being investigated.
15/02/2021	040/21	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	17/05/2021	Requires further investigation. New signs need to match existing signage. Under investigation.
15/02/2021	040/21	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	17/05/2021	Being progressed by Tourism Officer together with Committee. No further action required.
28/06/2021	207/21	Apologies	Dennis Pettyfor has been in hospital at different times over the last two months and is there again today, therefore this committee gives him leave of absence for this meeting - That Council note the information and grant the member a leave of absence.	Executive & Comms Officer		Noted.
PERTH						
17/05/2021	172/21	Budget 2021/2022:	Budget 2021/2022: request Council advise the committee of the 2021/22 Budget Priorities relevant to the Perth Township following approval of the budget by council. - That the recommendation be noted	Corporate Services Manager		Committee to be advised.
17/05/2021	172/21	Perth Train Park	Perth Train Park: request Council consider the list of upgrades to the Train Park as a matter of urgency to make the park safe and attractive for the community and to coincide with the celebration of the arrival of trains in the town. - The matter be considered further as part of the Perth Main Street Upgrade Program.	General Manager		Number of items considered in 2021/2022 Budget, including: BBQ shelter, tree sculpture maintenance and toilet amenities & play equipment refurbishment/upgrade.
ROSS						
21/10/2019	313/19	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	15/03/2021	Place Names preparing a report to the Aboriginal & dual Naming Reference Group. No further information received, will follow up.
21/10/2019	313/19	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	17/05/2021	Further info sought by DPIPWE, requested info being collated.
28/06/2021	207/21	Clearing the Macquarie River	The Ross Local District Committee request that the NMC contact the relevant Tasmanian Government Minister, requesting clarification as to which Government Department is responsible for maintaining the Macquarie River. - That Council Officers contact the Department of State Growth and pass on the request	Executive & Comms Officer		To be progressed.
28/06/2021	207/21	Rail Crossing	The Ross Local District Committee requests that NMC contact Tas Rail to determine the extent of Tas Rail ownership of the Badajos Street rail crossing, for the purpose of future widening of the road to ensure the safety of road users. - That Council note the information and request Council Officers action the request	Executive & Comms Officer		To be progressed.

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



NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 19 JULY 2021

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

Resource Sharing Summary 1/7/20 to 30/6/21 As at 30/06/21	Units Billed	Amount Billed GST Exclusive \$
Meander Valley Council		
Service Provided by NMC to MVC		
Street Sweeping Plant Operator Wages and Oncosts	265.00	14,122.63
Street Sweeper - Plant Hire Hours	268.25	23,612.51
Total Services Provided by NMC to Meander Valley Council		37,735.14
Service Provided by Meander Valley Council to NMC		
Wages and Oncosts		
Plumbing Inspector Services	750.50	56,041.89
Engineering Services	2.00	129.00
Total Service Provided by MVC to NMC		56,041.89
Net Income Flow		- 18,306.75
Total Net		- 18,306.75
Private Works and Council Funded Works for External Organisations		
	Hours	
Economic & Community Development Department		
Northern Midlands Business Association		
Promotion Centre Expenditure		Not Charged to Association Funded
- Tourism Officer		4 from Council Budget A/c 519035
Works Department Private Works Carried Out	261	
	265	

13 VANDALISM

Prepared by: Jonathan Galbraith; Engineering Officer

Incident	Location	Estimated Cost of Damages		
		June 2021	Total 2020/21	June 2020
Vandalism at toilets in village green	Longford	\$ 500		
TOTAL COST VANDALISM		\$ 500	\$ 10,200	\$ 100

14 YOUTH PROGRAM UPDATE

Prepared by: Holly Preece, Youth Officer

PCYC program

Council fund PCYC activities in the Northern Midlands. The program is currently being facilitated in Perth on Thursdays during school terms. Attendance numbers for the Perth program in May and June as follows:

Session Venue	Date of Session	Attendance
Sessions not held during school holidays		
Perth	06/5	9
	13/5	6
	20/5	7
	27/5	11



NORTHERN MIDLANDS COUNCIL

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Session Venue	Date of Session	Attendance
	3/6	8
	10/6	11
	17/6	12
	24/6	8

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 May and June as follows:

Session Venue	Date of Session	Attendance
Sessions not held during school holidays		
Campbell Town	05/5	9
	12/5	6
	19/5	11
	26/5	6
	02/6	7
	09/6	5
	16/6	9
	23/6	8
	30/6	6
Longford	06/5	
	13/5	
	20/5	
	27/5	
	03/6	
	19/6	
	17/6	9
	24/6	10

The Free2b Girls program volunteers have won in the 2021 Tasmanian Volunteer Awards

Northern Midlands Active Youth Program

The program is funded by Healthy Tasmania and has commenced in Campbell Town and Cressy. The program is conducted during school lunch time and is meeting with great success. Attendance for the month of May & June as follows:

Session Venue	Date of Session	Attendance
Sessions not held during school holidays		
Campbell Town	04/5	
	11/5	
	18/5	
	25/5	
	01/6	
	08/6	
	15/6	
	22/6	
	29/6	
Cressy	06/5	
	13/5	
	20/5	
	27/5	
	03/6	
	10/6	
	17/6	



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Session Venue	Date of Session	Attendance
	24/6	

Meetings 17/5

Holly Preece 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 7 JULY 2021

Strategic Plans By Location & Consultant	Start Date	Implementation Date	Current Status
Blessington			
Feasibility Study: Investment in Ben Lomond Ski field Northern Tasmania (TRC Tourism)	Jun-15		<ul style="list-style-type: none"> Ongoing collaboration with Parks and Wildlife Services and other key stakeholders to progress implementation of report recommendations. State Government budget included commitment of \$400,000 to upgrade the shuttle bus carpark below Jacob's Ladder. Project completed June 2019 January 2019: Nomination submitted for Ben Lomond to be the state's next iconic walk. Nomination unsuccessful. April 2021: Liberal party commitment of \$2.8M for infrastructure upgrade and a new Ben Lomond Master Plan
Campbell Town			
War Memorial Oval Precinct Tennis/Multi-purpose courts			<ul style="list-style-type: none"> 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 2021 for extension to deadline to enable completion of court surrounds work including shade structure – extension granted to 31 August 2021 November 2017: Funding application submitted to Sport & Recreation Tas for \$80,000 towards the project: application successful. Acquittal report submitted December 2019. November 2020: Tennis Club secured funds for a practice 'hit-up' wall. June 2021: Shade structure slab due to commence 22/7. Hit-up wall construction to follow.
Oval Irrigation System and Public Toilets			<ul style="list-style-type: none"> 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. Feb 2021: quotes being reviewed for the work. March 2021: Local Roads and Community Infrastructure grant of \$160,000 secured for installation of stage one of the oval irrigation system. Work planned to commence July 2021 June 2021: new toilet facility design completed, engineering and certification underway.
CBD Urban Design and Traffic Management Strategy (GHD) (Lange Design and Rare Innovation)	May-16		<ul style="list-style-type: none"> GHD contracted to prepare the strategy: final report accepted at Nov 2017 Council Meeting. Council secured \$1 million loan through the Northern Economic Stimulus package towards the implementation of the main street component of the strategy. November 2017: Lange Design and Rare Innovations Design contracted to prepare the design and construction tenders. Stage 1 concept plan received April 2018. June 2019: Landscape Works Technical Specification received. Request for funding through the Local Government Land Transport Infrastructure Program submitted April 2020.
King Street Reserve Master Plan (Lange Design)	July-21		<ul style="list-style-type: none"> Project brief being developed.
Lake Leake Amenities Upgrade	April-21		<ul style="list-style-type: none"> Recreational Fishing and Camping Facilities Program grant of \$72,628 secured towards the upgrading of the toilet and shower facilities at the Lake Leake campground.
Cressy			
Swimming Pool Master Plan (Loop Architecture)	Dec 15		<ul style="list-style-type: none"> Master Plan accepted at October 2017 Council meeting. Liberal election commitment of \$100,000 to upgrade the complex. Acquittal report due 30 November 2021. Nationals in Government funding commitment of \$400,000 made March 2019. Funding agreement signed January 2020. Tender with reviewed scope and cost accepted Feb 2021. Onsite work commenced 29 March 2021. Progress report submitted 6 July 2021. Project variation request being prepared (to extend completion period and reduce project scope). March 2021: Local Roads and Community Infrastructure grant of \$200,000 secured towards the



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Strategic Plans By Location & Consultant	Start Date	Implementation Date	Current Status
			upgrade.
Recreation Ground Master Plan (Lange Design & Loop Architecture)	Feb-17		<ul style="list-style-type: none"> January 2017: confirmation that the state govt has approved \$220,000 for the ground upgrade through the Northern Economic Stimulus Package. February 2017: Lange Design and Loop Architecture contracted to develop the master plan. Master Plan accepted at April 2018 Council Meeting. Levelling the Playing Field grant for inclusive changerooms (\$354,076) secured October 2019 (to be matched by Council funding). Final report due 31.7.21. October 2019: assisted Cressy Cricket Club with funding application to Stronger Communities Program for clubrooms upgrade: funding secured. Facility upgrade design brief completed. Design work completed. Tender with reviewed scope and cost accepted Feb 2021. March 2021: Local Roads and Community Infrastructure grant of \$107,571 secured towards the redevelopment of the changerooms. Work commenced April 2021.
Evandale			
Honeysuckle Banks			<ul style="list-style-type: none"> 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.
Morven Park Master Plan (Lange Design)	Nov-16 April 18		<ul style="list-style-type: none"> November 2016 Lange Design contracted to develop master plan. Council accepted 2030 Master Plan at April 2018 Council Meeting. State Liberal election commitment of \$158,000 towards facilities' upgrades. Progress reports submitted Dec 2018, March 2019 and Sept 2019. Acquittal submitted Jan 2021. 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 31 July 2021. AFL Tas funding commitment of \$60,000 secured – to be paid upon project completion. .
Longford			
Community Sports Centre Master Plan (RT & NJ Construction Services)	Feb-15		<ul style="list-style-type: none"> January 2017: Council advised State Govt has approved \$1,000,000 for the upgrade through the Northern Economic Stimulus Package March 2021: Local Roads and Community Infrastructure grant of \$50,000 secured for the refurbishment of the squash courts. Work due for completion mid-2021 (final stage is installation of the lift).
CBD Urban Design Strategy (Lange Design and Loop Architecture)	May-16		<ul style="list-style-type: none"> December 2016: Draft Urban Design Strategy received. Strategy and Guidelines manual accepted at the October 2017 Council Meeting. Negotiations underway February 2018 with State Growth towards development of a deed regarding the future maintenance of the Illawarra Road roundabout. 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. Variation request to extend completion date submitted May 2021.
Memorial Hall & Village Green Infrastructure			<ul style="list-style-type: none"> September 2017: Philp Lighton Architects contracted to undertake the study of the Council Offices, Memorial Hall, Town Hall and Library facilities. Report received. 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. User group consultation underway. Tender awarded to Loop Architecture for supply of consultancy services. June 2021: Motor museum concept design being progressed.
Racecourse Master Plan (Lange Design and Loop Architecture)	April-21		<ul style="list-style-type: none"> April 2021: Consultancy Agreement signed. Juyne 2021: Drafting of master plan underway
Perth			
Perth Early Learning Centre Redevelopment (Loop Architecture)	Oct-15		<ul style="list-style-type: none"> 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 Development approved at April 2021 Council meeting. June 2021: Tenders being assessed: to go to August Council Meeting.
CBD Precinct Concept Master Plan (Lange Design and Loop Architecture)	Apr-20		<ul style="list-style-type: none"> Consultancy Agreement signed. Community consultation re draft concept plans underway.



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Architecture)			
South Esk River Parklands Concept Plan (Lange Design)	Nov-18		<ul style="list-style-type: none"> March 2021: Application submitted to Building Better Regions Fund for grant to extend the walkway and installation of footbridge. Outcome anticipated mid- 2021.
Ross			
Recreation Ground Master Plan (Lange Design)	July-21		<ul style="list-style-type: none"> Project brief being developed.
Swimming Pool Master Plan (Loop Architecture)	Dec-15		<ul style="list-style-type: none"> Draft Master Plan received May 2016: structural assessment approved August 2016 Final plan received June 2017 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. Council resolved at June 2020 Meeting to develop a Swimming Pool Strategy. Item to be on forthcoming Council Meeting Agenda.
Village Green Master Plan (Lange Design, Loop Architecture)	Jun-16		<ul style="list-style-type: none"> Master Plan accepted in principle at Council December 2016 Meeting. January 2017: cost estimate for design and documentation, tender process and project management received from JMG. January 2017: Council advised State Government has approved \$300,000 loan through the Northern Economic Stimulus Package for the implementation of the Master Plan. 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. 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. March 2018: Lange Design submitted full project package for Village Green, ready for planning application to be prepared by Council Officers. June 2021: Stage 2 work progressing with Local Road and Community Infrastructure Program funding. Concrete footpaths and nature playground works underway.
Western Junction			
Launceston Gateway Precinct Master Plan Freight Demand Analysis Report (SGS) Master Plan	Oct-15		<ul style="list-style-type: none"> Council approved the preparation of a brief for the precinct master plan at the Sept 2016 Council Meeting. 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. June 2021: Roadworks underway.
TRANSlink Stormwater Upgrade Project			<ul style="list-style-type: none"> Applications lodged with National Stronger Regions Fund 2015/ 2016: unsuccessful. Application submitted February 2017 to the Building Better Regions Fund for \$2,741,402 (total project cost is \$5,482,805: council's contribution is \$1,525,623 and private investors \$1,215,780). Application unsuccessful. Application submitted December 2017 for Round Two Building Better Regions Fund: notified July 2018 unsuccessful. March 2021: Local Roads and Community Infrastructure grant of \$126,270 secured towards Gatty Street stormwater detention basin. Preferred tender accepted at June 2021 Council Meeting.

COMPLETED ACTION ITEMS FOR DELETION

Strategic Plans By Location & Consultant	Start Date	Implementation Date	Current Status
Municipal wide			
Integrated Priority Projects Plan (Jacobs, Evergreen Lab)	Apr-20	June 2021	<ul style="list-style-type: none"> Consultancy Agreement signed June 2020. Plan accepted at June 2021 Council Meeting.



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16 STRATEGIC PROJECTS OUTCOMES AND DELIVERY 2017-2027

Prepared by: Departmental Managers

Progress Report:

Not Started (obstacles)
 On Hold
 On Track
 Completed

Status	Comments
GOVERNANCE	
Local Government Reform	<p>Minister Gutwein advised that Council has received the study. GM to report to Council on progress. Expressions of Interest sought for the role of Project Manager, Shared Services Implementation Project. NOA Group engaged. Workshops arranged with Senior Managers of participating councils. NOA Group report finalised, GM's meeting to be arranged to finalise. Legal Services tender submissions being considered. NOA workshops on 5 priority Council functions: IT, Regulatory Services (Planning/Building Compliance), Payroll/Rates, Risk Management/WH&S. Completed, report being reviewed by GMs.</p> <p>Legal Services project considered by GMs, contract finalised.</p> <p>Joint IT platform to be investigated.</p>
Elected Members Development and Annual Plans	Policy and Annual Plan to be prepared.
People and Culture Plan	<p>Framework utilised for recruitment is best practice</p> <ul style="list-style-type: none"> ▪ Environmental Health Officer – Interstate candidate commencing on 9/8/21 ▪ On-Call Animal Control Officer – appointed ▪ Caretaker Lake Leake – appointed ▪ Facilities Officer – appointed ▪ Admin Trainee (Corp Services) – offer stage ▪ Planner/Planning Supervisor (parental leave cover) – interview stage ▪ Civil Construction Apprenticeship – applications close 11/7/21 <p>Wage Subsidy for Apprentice Wages (50% of wages paid up to a maximum of \$7000 per apprentice, per quarter). Continuing to claim at the completion of each quarter.</p> <p>WHS Training for all staff – completed in May 2021 for all staff.</p> <p>Employee Satisfaction Survey – Questions complete. Need to populate Survey Monkey for staff to complete late 2021.</p> <p>Performance appraisals for all permanent staff. Governance and Corporate Services to be completed before end of July 2021, due to unexpected absence of GM for 5 weeks and Corporate Services Manager, stepping into Acting GM role during this time.</p> <p>Developing a Contractor Agreement for use in the Projects Team</p> <p>Developing a Leave Policy</p> <p>General human resource matters - ongoing</p> <p>Performance management and disciplinary matters – ongoing (as required)</p> <p>Employee learning and development - ongoing</p> <p>Development and implementation of Human Resources Policies and Procedures – ongoing.</p>
Best Business Practice, Governance and Compliance	Legislative Audit, Delegations Review and Policy Manual update ongoing.
Media and Marketing	Communications Strategy and Framework developed. Expanding Council's communications through social media and other publications. Marketing Plan prepared.
CORPORATE SERVICES	
Asset Management Plan Annual Review	Road and Building revaluation adopted 2019/20, review of Asset Plans currently in progress.
Annual Budget and Quarterly Review	Long Term Financial Plan updated, and annual budget adopted by Council at 28 June 2021 meeting.
Information Technology Upgrade Program	Open Office and Technology One upgrade path options for Local Government enterprise software under consideration, including resource sharing option. Council decided to upgrade Open Office Enterprise Suite during 2021/22 and keep a watching brief on northern shared services project.
Emergency Management	Municipal emergency meeting held and regular regional meetings attended during Covid19 via zoom. Updated Emergency Recovery Plan adopted May 2017 by Council, revision of Emergency Management Plan tabled at 16 November 2020 Council meeting.
Workplace Health and Safety Action Plan Annual Review	WHS audit assessment reviewed ongoing basis.
Customer Service Standards	Risk Management Policy review July 2021 and Risk Register review scheduled November 2021.
	Participated in LGAT state-wide community satisfaction annual survey. Attending the National Local Government



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Status	Comments
	Customer Service Network state meetings on regular basis. Implemented Live-Pro customer service system. Covid19 recovery and care package administered.
COMMUNITY & DEVELOPMENT	
Land Use and Development Strategy	Endorsed 21 October 2019. To be released for public consultation (awaiting timelines for LPS to consolidate the release)
Tasmanian Planning Scheme Integration	Endorsed 21 October 2019 with some amendments required. Submitted to Tasmanian Planning Commission December 2019. Awaiting contact for post-lodgement meeting.
Strategic Projects Team	
Economic Development Master Plan - Prepare, Prioritise, Implement	<ol style="list-style-type: none"> 1) Council and NMBA collaborated on a small-scale project to identify opportunities to grow the number of businesses in the TRANSLink precinct. Council accepted in principle the TRANSLink Pilot Project: Consultation, Analysis and Recommendations for Growing and Enhancing the TRANSLink Business Precinct in Northern Tasmania Report, August 2018. NMBA contracted April 2019 to implement the TRANSLink Engagement Project. Project completed 2) Economic development framework adopted by Council at May 2020 council meeting. Implementation underway. December 2020 first progress report submitted to Council. Second report to Council's July 2021 meeting.
Strategic Infrastructure Projects	
Launceston Gateway Precinct Master Planning	Listed as a component of the Municipal Land Use & Development Strategy. Options for southern expansion prepared.
Northern Midlands Rural Processing Centre	Combined with Launceston Gateway Precinct component of the Municipal Land Use & Development Strategy.
Perth Town Structure Plan	Council has endorsed the plan and draft amendments to planning scheme to be prepared.
Perth Community & Recreation Centre & Primary School Integrated Master Plan	Perth Early Learning Centre: Funding committed from Federal Government toward expansion of Perth Childcare Centre. Funding Agreement signed June 2020. Tenders being assessed July 2021.
Sense of Place Planning - all villages and towns	Master planning for townships underway.
Longford CBD Urban Design Strategy	Commitment of \$4million from National Party prior to federal election. Funding Agreement signed June 2020. Tender for memorial hall upgrade, and BBQ and toilet facility being prepared
Longford Place Activation Plan	Complete.
Campbell Town CBD Urban Design and Traffic Management Strategy	Allocation in 2018/2019 budget to commence works. Tender prepared. State Liberal election commitment of \$1.9 million for underpass between War Memorial Oval and School/Multipurpose Centre
Ross Village Green Master Plan	Planning approval received. Work due for completion mid-2021.
Ross Swimming Pool Master Plan	Plan complete. Community consultation on future of the pool commenced September 2020. Final report to forthcoming Council meeting.
Cressy Recreation Ground Master Plan	Council accepted Cressy Recreation Ground 2030 Master Plan at April 2018 Council meeting. Levelling the Playing Field funding received. Tender awarded December 2020. Work underway.
Cressy Swimming Pool Master Plan	State election funding grant of \$100,000 received. \$400,000 commitment from National Party prior to federal election. Funding signed. Work underway.
Evandale Morven Park Master Plan	Council accepted Morven Recreation Ground 2030 Master Plan at April 2018 Council meeting. State Government levelling the Playing Field grant: \$430,300 secured towards development of inclusive changerooms. Work completed. Acquittal being prepared
Feasibility Study: Investment in Ben Lomond Ski Field Northern Tasmania	Study being driven by external stakeholders, Council support provided when requested. Included in NMC Priority Projects 2019 document. Government has committed to infrastructure expenditure and development of a master plan.
Sheepwash Creek WSUD Open Space Corridor	July 2018: WSUD space corridor concept plan and concepts – Phillip to Drummond streets – received from consultants. Land acquired. Stormwater works underway.
Economic Development	
Economic Development Master Plan Strategy Delivery	Economic development framework adopted by Council at May 2020 meeting. Implementation underway. See <i>Strategic Projects Team</i> above.
Economic Development (incl. Tourism) Strategy Delivery	Covered in the Economic Development Framework.
Tourism Strategy Implementation	Augmented Reality Project - For the northern part of the Heritage Highway, Ross is the first town to come on board. Draft version has been released. Northern Midlands Business and Volunteer Expo – postponed due to pandemic.
Youth and Ageing Strategy	Youth programs and services being pursued. Grant funding received for 2020 programs. On hold due to pandemic. Recommended October 2020.

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	Status	Comments
Discrimination Strategy		Officers investigating development of strategy
Family Violence Strategy		Council continues to support <i>End Men's Violence Against Women</i> campaign. Officers investigating development of strategy
Supporting Health and Education Programs		Participating in the Northern Health Providers Networks meetings. Further Education Bursary Program finalised for 2020.
Supporting Employment Programs		Participate in LGAT special interest groups on a quarterly basis. Support Inspiring Futures program. Participate in work experience and University placements.
Supporting Sport and Recreation Programs		Participation in quarterly northern Sport & Recreation meetings. Planning and implementation of upgrade to Council owned sporting facilities underway. Support provided to participants in sporting activities on a state and national level.
Social Recovery Plan		Review complete
Disability Action Plan		Review complete
Cohesive Communities and Communities at Risk		Not yet commenced.
Legislative Audit		Review of legislation ongoing.
Delegations Reviews		Review as new staff commence and legislation changes. Regulatory software purchased to assist.
Council Policy Manual Review		Policies due for review, relevant managers and officers notified, schedule for review in place. Ongoing.
Land Use and Development Strategy		Endorsed 21 October 2019. To be released for public consultation (awaiting timelines for LPS to consolidate the release)
Tasmanian Planning Scheme Integration		Endorsed 21 October 2019 with some amendments required. Submitted to Tasmanian Planning Commission December 2019. Awaiting contact for post-lodgement meeting.
WORKS & INFRASTRUCTURE		
TRANSlink Precinct Renewal - Stormwater		Seeking grant assistance to fund planned works. Included in NMC Priority Projects document.
Campbell Town War Memorial Oval		External landscaping works, tennis court shade structure and irrigation works underway.
Longford NM Sport and Fitness Centre		Stage 3 works in progress. Landscaping and car park complete.
Evandale Honeysuckle Banks		Masterplan complete. Only minor works being undertaken. Included in NMC Priority Projects document. Table and bench seating replaced.
Nile Road Upgrade		Included in Roads 5-year Capital Works program. Included in NMC Priority Projects document.
Stormwater Management Plans		Model build for all Towns in progress, nearing completion. Completion by 31 December 2021.
Waste Management		Member of the Northern Waste Management Committee. WTS disposal and supervision contracts tendered for long term provision of services. Concrete material being collected, to be crushed at a later date.
NRM Program Collaboration		Collaborating with NRM North on the WSUD Master Plan for Sheepwash Creek.
Longford Recreation Ground Master Plan		Complete.
Sheepwash Creek		Stage 2 in progress.

17 TOURISM & EVENTS, & HERITAGE HIGHWAY TOURISM REGION ASSOCIATION (HHTRA) UPDATE

Prepared by: *Fiona Dewar, Tourism Officer*

Tourism update:

- Assisted local event organisers to fulfil Council compliance requirements.
- Met with NMBA representative to discuss marketing activities for NM businesses including tear off maps. Investigate creating a map that we can amend design inhouse to update as required.
- Keep event list updated and distribute. Update NMC website calendar.
- Working with Brand Tasmania on the Town Video project to put together a comprehensive brief and seek further quotes.
- Working with the Northern Midlands Visitor Centres to draft a communication strategy to increase connection between visitor centres and tourism providers.
- Added Recycling package to the Event Management Guide. Offering recycling opportunity to event organisers. Liaising with secretary of Recycling Committee re arranging Committee volunteers to participate at events.
- Minor amendments to the Event Management Guide.

- Attend NMBA meeting on 9 June, supporting a representative of the Northern Midlands Visitor Centres to discuss how to increase connection between visitor centres, tourism providers and the NMBA.
- 5 June: Attended official opening of the new Campbell Town museum Military Hospital exhibition
- 8 June: Attended City of Launceston City Gateway Project workshop.
- 17 June: Attended informal meeting of accommodation providers and NMBA rep to discuss networking, tourism issues.
- 22 June: Attended Visit Northern Tasmania DAP workshop.
- 30 June: Attended Visit Northern Tasmania quarterly leaders forum.

HHTRA update:

- Current marketing activities continue and include website blog posts and social media.
- The HHTRA website project status: a temporary 'watch this space' landing page has been set up. Await DST to rebuild their new site of which HHTRA will have a comprehensive landing page with links to Heritage Highway images, articles, blogs, tourism product.
- Ross Revealed, augmented reality experience: project is complete. Await final invoice. Final acquittal/reports are drafted.
- Skulduggery initiative to supply to local school. Meetings with board member and local teacher to progress.
- Planning continues for AGM on 9 September 2021.

18 BICENTENARY PLANNING UPDATES

Prepared by: *Fiona Dewar, Tourism Officer*

Ross

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

- Completed: 21 Feb: Bike Ride with Picnic Lunch
- Completed: 13 March: If These Halls Could Talk – Ten Days on the Island.
- Completed: 18 April: Bicentenary Ramble
- Completed: 8 May: Bush Feast
- Completed: 27 May – 10 June: Dressing the Trees Installation
- Completed: 2 June: formal ceremony at the Town Hall. Quilt unveiling. Visitors Book.
- Completed: 3 June: Ross Bridge presentation by Dr Jennie Jackson.
- Completed: 4 June: Bicentenary Quilt exhibition open to public.
- Current: Education exhibition at the Tasmanian Wool Centre Museum called: It Takes a Village.
- 17 July: Bicentenary Dinner at the Ross Sports Club.
- 3 – 26 Sept: Sculpture Tasmania Tin Can Exhibition at the Thistle Inn.
- 26 Sept: Ross Running Festival.
- Sept. Ross Village Green Official Opening.
- 10 Oct: Bicentenary Concert Camerata Obscura, at the Ross Town Hall.
- 17 Oct: Ross Remembered at the Ross Community Sports Club.
- 29 – 31 Oct: Set In Stone | David Bleakley Art Exhibition and Auction / Arts Festival.
- 13 Nov: Remembrance Day Dance. 50s Swing Band and Period Dress.
- 27 Nov: Open Gardens
- 4 – 5 Dec: Bicentenary Gala Day of Cricket.
- 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.
- Completed: February. Senior Citizens lunch at bowling Club.
- Completed: March. Lake Leake trout fishing competition.
- Completed: April. Historical guided walking tours.
- Completed: 31 May. Official naming day at Town Hall.
- Completed: 13 June. Bicentenary golf day.
- July. St Luke's organ recital.
- August. Historical house/farm tour weekend.



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- 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

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

- Completed: 25 Feb: Primary School Bicentenary Picnic
- Completed: 18 April: History Scavenger Hunt (postponed)
- Completed: 29 May: Bonfire and music celebration.
- Completed: 30 May: Perth Bicentenary history presentation and official commemoration.
- 21 Sept: Seniors High Tea
- 23 Oct: Perth Bicentenary Memorial Celebration.

DECISION

Cr

That the information items be received.



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GOV 9 MORVEN PARK RECREATION GROUND 2025 MASTER PLAN: AMENDMENT – CRICKET TRAINING NETS LOCATION

Attachments: Section 1 – Page 34

Responsible Officer: Des Jennings, General Manager
Report prepared by: Trent Atkinson, Project Manager

1 PURPOSE OF REPORT

The purpose of this report is for Council to determine a suitable location for the cricket training nets at the Morven Park Recreation Ground and amend the Master Plan accordingly.

2 INTRODUCTION/BACKGROUND

At the 16th October 2017 Council Meeting the Morven Park Recreation 2025 Master Plan was tabled, Minute No. 313/17 refers, at that time, the following decision of Council:

Cr Goss/Cr Knowles

That Council:

- i) Accept and release the Morven Park Recreation Ground 2025 Master Plan for public comment;*
- ii) Consider funding the components of the Master Plan in forthcoming Council budgets, and request Council Officers to seek to secure external grants to assist with the implementation of the Master Plan.*

Carried unanimously

The recently completed changeroom extension at Morven Park has significantly reduced the return crease/bowler run ups to the existing Cricket nets. The nets currently do not meet Cricket Australia's Community Cricket Guidelines for this reason.

Council Officers were working in accordance with the Master Plans location for the nets.

As part of Council's due diligence, an arborist report was prepared by Craig Hallam of ENSPEC (see attachments) to determine the placement of the proposed nets would not affect the trees health as per the Master Plan. Upon receipt of the arborists report, it was recommended not to place the tree as per the Master Plan but to move it outside of the Tree Protection zone (TPZ) and the structural root zone (SRZ)

The Arborist report was tabled at the Morven Park Ground Committee meeting for discussion. The Committee agreed to explore other areas within the precinct to determine the best suitable location that all stake holders were happy with.

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:
 - ♦ Improve community assets responsibly and sustainably
 - Best Business Practice & Compliance
Core Strategies: Excellent standards of customer service
- Progress –



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- Strategic Project Delivery – Build Capacity for a Healthy Wealthy Future
Core Strategies:
 - ♦ Strategic, sustainable, infrastructure is progressive
- Economic Development – Supporting Growth & Changes
 - ♦ Towns are enviable places to visit, live & work
 - ♦ Maximise external funding opportunity
- People –
 - Sense of Place – Sustain, Protect, Progress
Core Strategies:
 - ♦ 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

The new cricket training nets are funded by the Tasmanian Liberal Party, Securing Tasmania's Future election promise, \$88,388.00.

7 RISK ISSUES

The following risks must be considered:

- Community's expectations of Morven Park Recreation Ground
- Orientation of Cricket Training Nets with best practice
- Neighboring property owners

8 CONSULTATION WITH STATE GOVERNMENT

NIL

9 COMMUNITY CONSULTATION

Consultation with Morven Park Recreation Ground Committee. Further detailed discussion were held with the Evandale Panthers Cricket Club.

A Development Application will be required for the cricket training nets.

10 OPTIONS FOR COUNCIL TO CONSIDER

The options for Council to consider include:

- Option 1 – Cambock Lane area
- Option 2 – Adjacent to the tennis courts
- Option 3 – Existing position rotated 27 degrees (approx.)
- Option 4 – Existing position rotated 90 degrees

11 OFFICER'S COMMENTS/CONCLUSION

The four options for Council to consider have been assessed against the below criteria from Community Cricket Facility Guidelines by Cricket Australia - *Guidelines Section 2 Guidance Note 02 Outdoor Training Facilities*.

Location	Off field run ups	Net position should not be positioned behind bowlers' arm	Orientated North-South	Positioned in a location that limits injury to people and property damage	Positioned as close to the Pavilion as possible	Oriented maximum 30 degrees East or West
Option 1	Yes	No	Yes	No	No	Yes, 20 degrees west
Option 2	No	Yes	No	Yes	Yes	No, 139 degrees west
Option 3	No	Yes	No	Yes	Yes	No, 112 degrees west
Option 4	Yes	Yes	No	Yes	Yes	No, 51 degrees west
Existing (for reference only)	Yes	Yes	No	Yes	Yes	No, 139 degrees west

The above table demonstrates the complexities when choosing the best location around existing infrastructure.

I have further broken down each option for consideration

Option 1

- Preferred location of the Evandale Panthers Cricket Club
- Only option that complies with North-West orientation
- A removable safety net behind bowlers run up could be installed to limit injury to people and property damage
- Distance from ground is far enough away that distraction behind bowlers arm would be minimal
- Leaves a large open area next to the new changerooms for warm up and off field training drills for both Cricket and football. This would elevate pressure on the ground during the wetter months and reduce relocating training to other locations.
- Location from Clubrooms do not pose any issues with the Evandale Panthers Cricket Club
- Morven Park Recreation Ground Committee endorsed location
- Proximity to neighboring properties are 6m to the side and 10m to Cambock Lane West
- Small to medium trees to be removed
- Reconfiguration of Irrigation system required

Option 2

- Evandale Panthers Cricket Club endorsed location
- Bowler run up to encroach playing field, Cricket Club have no issue with this as long bowler run ups and games will not be happening simultaneously
- Orientation is the same as existing, Cricket club do not have any issues with this orientation as training is late afternoon and sun position does not affect batter or bowler
- Arborist report (refer to attachment 12.4) does not recommend this location due to the impact on the underlying root system, the extensive tree pruning to accommodate the 3 meter high nets under the canopy and the significance of such a large mature tree within the area.

- Would leave a decreased Training area as mentioned in Option one after existing nets are demolished
- Additional construction cost to strengthen concrete pitch due leaving topsoil in place to limit impact on root system
- Close to Clubrooms and storage facility

Option 3

- 27 degree rotation from existing Location
- Bowler would look directly into the sun when sun is setting during cricket season
- Not a preferred option of the Evandale Panthers Cricket Club due to the above
- Would take up entire area as it will run diagonally across existing grassed area
- Bowler run up to encroach playing field, Cricket Club have no issue with this as long bowler run ups and games will not be happening simultaneously
- Close to Clubrooms and storage facility
- Demolition of old nets prior to new being installed

Option 4

- May limit extended Bowler run up
- Would take up entire area as it will run parallel with existing grassed area in the middle
- Bowlers would be looking into the sun early and late in the cricket season
- Existing tennis court fence would act as a safety barrier to people and limit property damage
- Close to Clubrooms and storage facility
- Demolition of old nets prior to new being installed

After reviewing all the information, site visits and consultation with the Ground Committee/Evandale Panthers Cricket Club, Option 1 has the most benefits in my opinion to all users of the Morven Park Recreation ground. This will free up a medium size area to be utilised by all clubs/users and will decrease demand on the playing service in the wetter months. The orientation is the only one that complies with the guidelines, this was a very important issue with the Evandale Panthers Cricket Club.

A development application will be required for all options, Community interest has been expressed on where the location will be, Council Officers have informed the Community that that the cricket nets will require development application and representation can be made during that process.

12 ATTACHMENTS

- 12.1 Site Plans (Options)
- 12.3 Morven Park Recreation Ground 2025 Master Plan
- 12.2 Detailed Site Master plans
- 12.3 Community Cricket Guidelines (Cricket Australia)
- 12.4 Arborist Report (Visual Tree Assessment & Impact Assessment Report)

RECOMMENDATION 1

That Council:

- i) Amends the Morven Park Recreation Ground 2025 Master Plan in accordance with Option 1 as per the officers comments; and
- ii) Make development application for the proposed development.

DECISION

Cr

GOV 10 FOOTPATH TRADING BY-LAW

Attachments: Section 1 – Page 158

Responsible Officer: Des Jennings, General Manager

Report prepared by: Tammi Axton, Compliance Officer

1 PURPOSE OF REPORT

The purpose of this report is for Council to consider key stakeholder feedback to its proposed Footpath Trading By-Law.

2 INTRODUCTION/BACKGROUND

The Northern Midlands Council previously had three by-laws regulating Footpath Trading and associated activities:

- Display of Goods on Highway By-Law
- On Street Dining By-Law
- Freestanding Sign By-Law

The three by-laws expired on 26th January 2020.

To date, Council has taken the following action in accordance with Guideline 2 of the Good Practice Guidelines of Making a By-law:

- 1) Consider the need for regulation, in the context of existing regulation, and with regard to the alternatives to making a by-law.
This by-law was considered necessary to consolidate the three existing by-laws applicable to footpath trading, as well as Council's Footpath Trading Policy. Council considered this and decided unanimously on 15 February 2021 (Minute Reference: 044/21) to progress with the by-law.
- 2) Prepare a draft by-law.
Council engaged Simmons Wolfhagen (??) lawyers to draft the by-law which was presented to Council at its meeting on 15 February 2021.
- 3) Undertake initial consultation on the by-law with key stakeholders. This may include inviting comments or submissions and holding meetings or workshops;
Initial consultation with key stakeholders has occurred. The purpose of this report is to review this feedback.
- 4) Adjust the by-law to reflect comments received during the initial consultation process.
Officers have adjusted the by-law in response to the feedback received from key stakeholders.
- 5) Council passes a formal resolution (by an absolute majority) of its intention to make a by-law. This can occur at any stage in the process up to this point. However, at this point the by-law consultation draft should be finalized and the council may wish to see it.
Council passed a unanimous decision on 15 February 2021 (Minute Reference 044/21) to make the Footpath Trading By-Law.
- 6) Council prepares a draft Regulatory Impact Statement (RIS) if required.
This has been completed.
- 7) The RIS and by-law are referred to the Director of Local Government for consideration.
If the changes are accepted by Council, the draft by-law and regulatory impact statement now need to be formally provided to the Director for consideration.
- 8) If satisfied that the RIS meets all statutory requirements, the Director will issue a certificate of approval to the council.
- 9) Council gives notice of the proposed by-law and carries out its public consultation.
- 10) Notice of the proposed by-law is advertised in print media.
- 11) Copies of the RIS and by-law are to be made available for public inspection/purchase, and displayed on the council's website, as required under Section 158 of the Act.
- 12) Submissions are invited from the community and key stakeholders. Section 159 of the Act requires that all submissions are to be considered by the council.
- 13) If required, alterations to the draft by-law are to be made only by an absolute majority. If the alteration substantially changes the purpose of the proposed by-law, or its effect on the public, the council will provide public notice.
- 14) Council makes the by-law under its common seal.
- 15) The by-law is certified by a legal practitioner and the general manager of the council.
- 16) The by-law must be published in the *Tasmanian Government Gazette* within 21 days of being made by the council and be titled with reference to the municipal area, subject matter and the year in which it is made.
- 17) The general manager of the council is to make the by-law available and should put it on the council's website.
- 18) The by-law is submitted to the Subordinate Legislation Committee as required within seven working days of publication

in the Gazette.

- 19) The by-law is tabled in parliament within 10 sitting days of publication in the Gazette, as required under Section 47 of the *Acts Interpretation Act 1931*.
- 20) Council sends the Director of Local Government a sealed copy of the by-law, the certifications under Section 162 of the Act and a statement explaining:
 - The purpose and effect of the by-law
 - The outcomes of public consultations in respect of the by-law

Initial consultation on the by-law with key stakeholders has been undertaken and the time for submissions has now closed with only 3 submissions received. All Businesses in towns and Local District Committees were invited to make comment: The draft By-law and a letter inviting submissions was sent via email for those where an email address was provided, and others were sent via Australia post.

The feedback received, and officer comments are provided below:

- 1) There is no need for a by-law as businesses already have public liability insurance and the cost of compliance would not cover administrative costs.

The purpose of the by-law is not to ensure businesses hold public liability insurance, it is to regulate signs and other obstructions being placed on footpaths outside of businesses. The purpose is to prevent excessive usage of signage by a business on footpaths, prevent danger/hazards to the community when utilising footpaths, ensure fairness to all businesses and protect both Council and the public against damage and loss by setting the basic level of Public Liability Insurance to be held by the business.

- 2) Council may wish to include a requirement for the demarcation of the licensed area for on- street dining, as in the case of Launceston.

It is not necessary for the demarcation of a licenced area for on-street dining as scale plans are provide with each application and officers visit the sight to ensure that the area is suitable. Northern Midlands Municipal area also does not have malls and arcades where on- street dining can be restricted to certain areas only.

- 3) The *General Manager* being listed as an authorised officer, and

The *General Manager* has been removed from the definition of an Authorised Officer in the by-law. This looks to have been a typographical error.

- 4) 'Events' had not been catered for in the by-law.

The by-law is applicable to business owners who have signage or on street dining as part of their business. An *event* is not a business that is trading on the footpath. It is unnecessary to make event organisers apply for a footpath trading licence for one or two days a year. Council ensures that event holders have the correct insurances and safety measures in place.

3 STRATEGIC PLAN 2017-2027

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

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

- Lead –
 - Leaders with Impact
Core Strategies:
 - ♦ Manage – Management is efficient and responsive
 - Best Business Practice & Compliance
Core Strategies:
 - ♦ Council complies with all Government legislation
 - ♦ Continuous improvement is embedded in staff culture
- Progress –

- 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
 - People –
 - Lifestyle – Strong, Vibrant, Safe and Connected Communities
- Core Strategies:
- ♦ Caring, Healthy, Safe Communities – Awareness, education & service

4 POLICY IMPLICATIONS

With the making of this by-law Council will no longer need the current Footpath Trading Policy, as the draft by-law has combined both the by-law and the current Footpath Trading Policy in the one document.

5 STATUTORY REQUIREMENTS

The introduction of a by-law is regulated by the *Local Government Act 1993*.

6 FINANCIAL IMPLICATIONS

Council will continue to use existing staff to enforce the by-law. Administrative costs of the licence system will be covered by the licence fee.

7 RISK ISSUES

Council have had in place 3 by-laws regulating footpath trading for the last 10 years. If Council does not proceed with this by-law it is altering the position it has held for the last 10 years, the risk being that Council is showing inconsistency in its position regarding footpath trading.

8 CONSULTATION WITH STATE GOVERNMENT

The draft by-law and draft Regulatory Impact Statement have been informally reviewed by the Director of Local Government. Council is now required to formally submit the documents to the Director for consideration.

9 COMMUNITY CONSULTATION

The Act recommends early consultation with stakeholder groups which has been completed and requires formal consultation once certified by the Director of Local Government.

10 OPTIONS FOR COUNCIL TO CONSIDER

Council may:

- Approve of the proposed draft by-law as attached; or
- adjust the by-law to reflect Stakeholder comments.

11 OFFICER'S COMMENTS/CONCLUSION

Officer comments have been provided in Part 2 of this report in response to the stakeholder feedback. The only recommended change to the by-law is in response to the feedback is the removal of the *General Manager* in the definition of authorised officer which appears to be a typographical error.

12 ATTACHMENTS

- 12.1 Draft Footpath Trading By-law.
- 12.2 Draft Regulatory Impact Statement



NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 19 JULY 2021

12.3 Stakeholders comments

RECOMMENDATION

That Council note the stakeholder feedback regarding the Footpath Trading By-law and proceed to refer to the By-Law and Regulatory Impact Statement to the Director of Local Government for consideration.

DECISION

Cr

**GOV 11 PERTH STREETScape REDEVELOPMENT CONCEPT PLAN: SURVEY
RESPONSES**

Attachments: Section 1 – Page 176

Responsible Officer: Des Jennings, General Manager

Report prepared by: Amanda Bond, Executive Officer

1 PURPOSE OF REPORT

The purpose of this report is to provide Council with the community feedback regarding the Perth Streetscape Redevelopment Concept Plan.

2 INTRODUCTION/BACKGROUND

On 15 March 2021 (Minute Reference 121/21) the Northern Midlands Council considered the draft Perth Streetscape Redevelopment Concept Plan.

Council decided at that meeting to release the plans to the public and consult with the community on the Plan, with a report back to Council.

A survey was prepared and uploaded to Council's website and on Council's Facebook page. The survey was advertised on Council's website, via Council's Facebook page and in the Northern Midlands Courier from 22 May 2021. Copies of the plans were available on Council's website. Hard copies of the concept plans were displayed at the Perth Community Centre and the Council Chambers.

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
 - Money Matters
Core Strategies:
 - ♦ Improve community assets responsibly and sustainably
- 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
 - ♦ Attract healthy, wealth-producing business & industry
 - Tourism Marketing & Communication
 - ♦ Tourism thrives under a recognised regional brand
 - ♦ Tourism partnerships build sense of place identity
- People –
 - Sense of Place – Sustain, Protect, Progress
Core Strategies:
 - ♦ Council nurtures and respects historical culture
 - ♦ Public assets meet future lifestyle challenges
 - Lifestyle – Strong, Vibrant, Safe and Connected Communities
Core Strategies:

- ♦ Living well – Valued lifestyles in vibrant, eclectic towns
- ♦ Communicate – Communities speak & leaders listen
- ♦ Participate – Communities engage in future planning
- ♦ Connect – Improve sense of community ownership
- ♦ Caring, Healthy, Safe Communities – Awareness, education & service
- Place –
 - Environment – Cherish & Sustain our Landscapes
Core Strategies:
 - ♦ Cherish & sustain our landscapes
 - ♦ Meet environmental challenges
 - ♦ 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

No policy implications have been identified.

5 STATUTORY REQUIREMENTS

No statutory requirements have been identified.

6 FINANCIAL IMPLICATIONS

The concept plan has a cost of \$19,602 inclusive of GST.

The public consultation costs are associated with advertising and officer resources.

Council has allocated \$691,000 in the 2021/22 financial year budget to progress the project.

7 RISK ISSUES

Risks identified include:

- Council is not in a position to progress improvements, particularly if an external funding stream becomes available.
- Council is slow to implement streetscape revitalisation works to Perth's central business precinct.

8 CONSULTATION WITH STATE GOVERNMENT

Council has agreed with the State Government to take ownership of the Perth Main Street and is presently waiting for the formal process to be finalised.

9 COMMUNITY CONSULTATION

97 responses to the survey were received, summarised below:

- Are you a resident of Perth – 75.51% of responses said yes
- Would you like to see more streetscape plantings in Perth – 58.16% of responses said yes
- Would you like to see traffic calming measures in the main street of Perth to slow cars – 51.02% of responses said yes
- Would you like to see more public open space (parks / lawn) in the main street of Perth – 72.45% of responses said yes
- Do you support more street trees to provide shade, greenery and traffic calming in the streetscape – 54.08% of

responses said yes

- Would you like to see a more defined entrance to Perth's central shopping district, for example with prominent tree plantings – 54.08% of responses said yes

Comments were also provided to the survey questions. Comments are held as an attachment to this report.

In addition to the survey responses, two emails were received from the Tamar Bicycle Users Group, and a resident of Perth met with officers and provided concerns. These comments are held as an attachment to this report.

The Perth Local District Committee discussed the plan and the following comments were extracted from the minutes of the Perth Local District Committee meeting of 1 June 2021:

Clarification be sought from council that the Train Park is to be included in the extended Perth Streetscape Masterplan.

- *Committee request to commence works in Bicentenary year, with preference being proposed upgrade of Main, Drummond, Clarence streets and Old Punt Road intersection*
- *Need for upgrade of the main street to be staged over a number of years, \$300,000 set aside in the 2020/2021*
- *Roundabouts included in master plan*
- *Request for inclusion of overnight parking for motorhomes*
- *Perth Streetscape Redevelopment Concept Plan survey in progress, prior to further report to Council*
- *Lions Club plough silhouettes at town entrances giving consideration to design and location prior to discussion with Council.*

Council has previously considered the request to incorporate the Train Park into the Main Street Program and made the following decision (Minute Reference 172/21):

The matter be considered further as part of the Perth Main Street Upgrade Program.

Carried unanimously

10 OPTIONS FOR COUNCIL TO CONSIDER

Council is to consider the feedback provided from the community surveys and determine the next stages of the project.

11 OFFICER'S COMMENTS/CONCLUSION

The survey and email comments have been provided to Lange Design who prepared the plan. Lange Design's responses are provided in the attachment.

12 ATTACHMENTS

12.1 Survey comments and feedback with LANGE Design response

RECOMMENDATION

That Council:

- a) note the survey responses and community feedback received regarding the Perth Streetscape Redevelopment Concept Plan; and
- b) make the following changes to the Perth Streetscape Redevelopment Concept Plan;
 - a. incorporation of upgrades to the train park subject to additional costs being approved;
- c) Adopt the Perth Streetscape Redevelopment Plan and progress the project in accordance with budget allocations; and
- d) Continue to pursue external funding streams to complete the project.

DECISION

Cr



NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 19 JULY 2021

GOV 12 COUNCIL'S ECONOMIC DEVELOPMENT FRAMEWORK: PROGRESS REPORT

Attachments: Section 1 – Page 187

Responsible Officer: Des Jennings, General Manager

Report prepared by: Lorraine Green, Project Officer

1 PURPOSE OF REPORT

To provide Council with the second six monthly report on progress with the implementation of Council's Economic Development Framework.

2 INTRODUCTION/BACKGROUND

Council's Economic Development Framework was developed to articulate Council's role in ensuring sustainable economic growth in the Northern Midlands.

Council adopted the framework at the 18 May 2020 Council Meeting and resolved

Cr Polley/Cr Calvert

That Council adopt the Northern Midlands Council Economic Development Framework and request six monthly reports on progress with implementation of the Framework.

Carried unanimously

The first six monthly report was accepted by Council in December 2020. The second six monthly report is held as an Attachment.

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
 - ♦ Improve community assets responsibly and sustainably
 - Best Business Practice & Compliance
Core Strategies:
 - ♦ Council complies with all Government legislation
 - ♦ 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
 - ♦ Attract healthy, wealth-producing business & industry
 - Economic Development – Supporting Growth & Changes
 - ♦ New & expanded small business is valued



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- ♦ Support new businesses to grow capacity & service
- ♦ Towns are enviable places to visit, live & work
- ♦ Maximise external funding opportunity
- Tourism Marketing & Communication
 - ♦ Tourism thrives under a recognised regional brand
 - ♦ Tourism partnerships build sense of place identity
- Lifestyle – Strong, Vibrant, Safe and Connected Communities
 - Core Strategies:
 - ♦ Living well – Valued lifestyles in vibrant, eclectic towns
 - ♦ Communicate – Communities speak & leaders listen
 - ♦ Participate – Communities engage in future planning
 - ♦ Connect – Improve sense of community ownership
 - ♦ Caring, Healthy, Safe Communities – Awareness, education & service
- Place –
 - Environment – Cherish & Sustain our Landscapes
 - Core Strategies:
 - ♦ Cherish & sustain our landscapes
 - ♦ Meet environmental challenges

4 POLICY IMPLICATIONS

N/A

5 STATUTORY REQUIREMENTS

N/A

6 FINANCIAL IMPLICATIONS

A number of the framework's strategies are being implemented within current budgetary allocations. Many require the securing of external funding and/or consideration in future Council budget deliberations.

7 RISK ISSUES

The implementation of Council's Economic Development Framework assists with minimising the risk of Council failing to effectively foster economic growth in the Northern Midlands.

8 CONSULTATION WITH STATE GOVERNMENT

N/A

9 COMMUNITY CONSULTATION

Extensive community and business consultation underpinned the development of the framework and its strategies.

10 OPTIONS FOR COUNCIL TO CONSIDER

Council can either accept or not accept the economic development framework progress report.

11 OFFICER'S COMMENTS/CONCLUSION

The report documents the progress being made with the implementation of Council's Economic Development Framework.



NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 19 JULY 2021

12 ATTACHMENTS

12.1 Economic Development Framework Progress Report - June 2021

RECOMMENDATION

That Council accept the Northern Midlands Council Economic Development Framework progress report - June 2021.

DECISION

Cr



NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 19 JULY 2021

GOV 13 PROPOSAL TO SELL LAND: 75-77 HIGH STREET, CAMPBELL TOWN – CAMPBELL TOWN HALL

Attachments: Section 1 – Page 193

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 consider a proposal to sell the Town Hall in Campbell Town situated at 75-77 High Street, Campbell Town.

The Town Hall is public land in accordance with section 177A of the *Local Government Act 1993*.

2 INTRODUCTION/BACKGROUND

The Northern Midlands Council is continuously reviewing its assets, in particular its buildings and the use and ongoing cost to maintain its facilities.

In 2019 Council completed the redevelopment of the Campbell Town War Memorial Oval Multifunction Centre which provides modern meeting and catering facilities as well as football clubrooms and male and female changeroom facilities. The use of the Multifunction Centre since its completion has been overwhelming with regular bookings occurring at the facility. The facility is particularly popular for meetings. This led Council to consider its other similar facilities in Campbell Town and whether or not consolidation of these assets is required.

Council engaged Watershed Solutions to undertake a review of the Campbell Town Town Hall to identify possible future usage and opportunities for the building. A copy of the Watershed Solutions report is attached to this report.

The report summary states the hall is a valuable community asset, however since the opening of the Campbell Town War Memorial Oval complex, the hall has been underutilised.

A range of possible future usages for the hall were identified in the report including as an agritourism centre, regional arts centre, heritage museum and/or business hub, as well as the sale of the building to enable a private operator to develop the asset into the future. Other future management options were proposed in the report including a community management body independent of Council.

The report highlights a number of issues that need to be addressed if the hall is to play a sustainable role in the area's economic future. These include the need for capital investment to refurbish/redevelop the facility and identifying a viable commercial/community use for the hall that generates sufficient income to meet ongoing costs.

Council has accepted the report however has also expressed the need to take the following matters into consideration when making any decision in relation to the Town Hall:

- The need to minimise the duplication of Council owned assets in the town;
- The commercial opportunities associated with selling the hall;
- The return on investment of the hall;
- The impact of the sale of the hall on the current tenants.

The Campbell Town Hall has two permanent tenants: Service Tasmania and the Campbell Town Museum and Information Centre. The Hall is used for a monthly market and is the regular meeting place of the Campbell Town District Forum.

From January to May 2021 the following use was recorded at the Hall (including Forum meetings and markets):

Campbell Town Hall – 102.5 hours (it is noted 46 of these hours was a booking for the purpose of polling booth for the May State election).

Vaughan Room – 24.5 hours

Supper Room – 10.5 hours

The Campbell Town Hall is primarily hired as a meeting space. The Campbell Town War Memorial Oval facility could easily accommodate these bookings with the facilities and IT equipment available being of a greater standard than that available at the Hall.

Sale of the Hall could result in commercial benefit to the town. Opportunity exists to convert the Hall into a private enterprise in accordance with current planning scheme requirements.

The Hall is in need of external painting and other ongoing maintenance. The estimated cost to paint the exterior of the Hall is \$150,000.

An opportunity for the use of sale proceeds may be to invest them in the Campbell Town Main Street Redevelopment project.

Council officers have written to Service Tasmania and met with the Campbell Town Museum and Information Centre advising them that action would not be taken without ensuring they have a suitable alternative available to them.

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
 - Money Matters
Core Strategies:
 - ♦ Improve community assets responsibly and sustainably
 - Best Business Practice & Compliance
Core Strategies:
 - ♦ Council complies with all Government legislation
- 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
 - ♦ 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:
 - ♦ Council nurtures and respects historical culture
 - ♦ Developments enhance existing cultural amenity

- ♦ Public assets meet future lifestyle challenges
- Lifestyle – Strong, Vibrant, Safe and Connected Communities
Core Strategies:
 - ♦ Living well – Valued lifestyles in vibrant, eclectic towns
 - ♦ Communicate – Communities speak & leaders listen
 - ♦ Participate – Communities engage in future planning
 - ♦ Connect – Improve sense of community ownership
 - ♦ Caring, Healthy, Safe Communities – Awareness, education & service
- Place –
 - History – Preserve & Protect our Built Heritage for Tomorrow
Core Strategies:
 - ♦ Our heritage villages and towns are high value assets

4 POLICY IMPLICATIONS

No policy implications have been identified.

5 STATUTORY REQUIREMENTS

Part 12, Division 1 of the *Local Government Act 1993* applies (attached).

Regulation 15(3)(c) of the *Local Government (Meeting Procedures) Regulations 2015* applies (attached).

A decision to sell the Hall must be unanimous.

6 FINANCIAL IMPLICATIONS

In accordance with section 177(2) of the *Local Government Act 1993* before a council sells, leases, donates, exchanges or otherwise disposes of any land, it is to obtain a valuation of the land from the Valuer-General or a person who is qualified to practise as a land valuer under section 4 of the *Land Valuers Act 2001*.

Total expenditure at the Hall for the past five years is:

2016/17	2017/18	2018/19	2019/20	2020/21 (1/3/21)
\$24,125	\$24,915	\$31,177	\$26,538	\$19,052

The Hall has operated at a loss over the past five years.

2016/17	2017/18	2018/19	2019/20	2020/21 (1/3/21)
(8,668)	(8,670)	(7,905)	(5,309)	(4,013)

7 RISK ISSUES

The most significant risk identified with the sale of the Town Hall in Campbell Town is community unrest at the disposal of a community asset. The provisions of the *Local Government Act 1993* allow the community to object to a decision to sell the Hall and Council must consider those objections (refer section 9 of this report).

8 CONSULTATION WITH STATE GOVERNMENT

Not applicable.

9 COMMUNITY CONSULTATION

In accordance with section 178(4) of the *Local Government Act 1993* the following must occur if the Council decides to sell the Campbell Town, Town Hall:

- (4) If a council intends to sell, lease, donate, exchange or otherwise dispose of public land, the general manager is to–
- (a) publish that intention on at least 2 separate occasions in a daily newspaper circulating in the municipal area; and
 - (ab) display a copy of the notice on any boundary of the public land that abuts a highway; and
 - (b) notify the public that objection to the proposed sale, lease, donation, exchange or disposal may be made to the general manager within 21 days of the date of the first publication.

Council must consider any objections received in respect to the decision to sell the property.

A person who has lodged an objection under section 178 of the *Local Government Act 1993* has the right to appeal the decision of Council.

In accordance with section 178A(3) of the *Local Government Act 1993* an appeal may only be made on the ground that the decision of the council is not in the public interest in that –

- (a) the community may suffer undue hardship due to the loss of access to, and the use of, the public land; or
- (b) there is no similar facility available to the users of that facility.

10 OPTIONS FOR COUNCIL TO CONSIDER

To decide to sell the Campbell Town Hall, or not.

11 OFFICER'S COMMENTS/CONCLUSION

A decision to sell the Hall can be appealed if the decision is not in the public interest in that:

- a) the community may suffer undue hardship due to the loss of access to, and the use of, the public land; and
- b) there is no similar facility available to the users of that facility.

The Campbell Town Hall is not frequently used by the community, therefore it is not considered the community would suffer undue hardship due to the disposal of the Hall. The Hall currently houses Service Tasmania, the Campbell Town Market and the Campbell Town Museum and Information Centre. The locations for these three groups should be considered through this process.

The Northern Midlands Council owns both the Campbell Town Guide Hall and the Campbell Town War Memorial Oval Multifunction Centre, both of which provide facilities similar to those provided by the Campbell Town, Town Hall.

12 ATTACHMENTS

- 12.1 Watershed Solutions Report
- 12.2 Part 12, Division 1 of the *Local Government Act 1993*
- 12.3 Regulation 15 of the *Local Government (Meeting Procedures) Regulations 2015*

RECOMMENDATION

That Council determines to sell the Town Hall situated at 75-77 High Street, Campbell Town and directs the General Manager to commence the sale process in accordance with Part 12, Division 1 of the *Local Government Act 1993*.

DECISION

Cr



NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 19 JULY 2021

GOV 14 LOCAL GOVERNMENT ASSOCIATION OF TASMANIA (LGAT): MOTIONS FOR THE GENERAL MEETING TO BE HELD ON 5 AUGUST 2021

Attachments: Section 1 – Page 210

Responsible Officer: Des Jennings, General Manager

Report prepared by: Gail Eacher, Executive Assistant

1 PURPOSE OF REPORT

This report considers the Local Government Association of Tasmania (LGAT) agenda for the General Meeting to be held on 5 August 2021 at Wrest Point, Hobart.

2 INTRODUCTION/BACKGROUND

The Local Government Association of Tasmania (LGAT) will hold the General Meeting on 5 August 2021 commencing at 9.30am. Mayor Knowles, Cr Lambert and Cr Polley will be in attendance at the General Meeting and Conference which is to be held after the General Meeting and commencing at 2pm.

The decisions of Council regarding this report will determine how the Northern Midlands Council voting delegate should vote on each of the items listed in the Local Government Association of Tasmania (LGAT) Agenda for the General Meeting.

3 STRATEGIC PLAN

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
 - Money Matters
Core Strategies:
 - ♦ Improve community assets responsibly and sustainably
 - Best Business Practice & Compliance
Core Strategies:
 - ♦ Council complies with all Government legislation
- 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
 - ♦ Attract healthy, wealth-producing business & industry
 - Economic Development – Supporting Growth & Changes
 - ♦ Towns are enviable places to visit, live & work
 - ♦ Maximise external funding opportunity
- People –
 - Sense of Place – Sustain, Protect, Progress
Core Strategies:
 - ♦ Planning benchmarks achieve desirable development
 - ♦ Council nurtures and respects historical culture
 - ♦ Developments enhance existing cultural amenity

- ♦ Public assets meet future lifestyle challenges
- Place –
 - Environment – Cherish & Sustain our Landscapes
Core Strategies:
 - History – Preserve & Protect our Built Heritage for Tomorrow
Core Strategies:
 - ♦ Our heritage villages and towns are high value assets

4 FINANCIAL IMPLICATIONS

N/a.

5 OPTIONS FOR COUNCIL TO CONSIDER

Consideration needs to be given to each agenda item listed, Council is then to determine how the voting delegate is to vote on each item at the Annual General to be held on 30 June 2021.

* Denotes attachments.

The following are the motions listed in the Agenda:

- 1 **MINUTES ***
Decision Sought
That the Minutes of the General Meeting held on 12 March 2021, as circulated, be confirmed.
- 2 **CONFIRMATION OF AGENDA & ORDER OF BUSINESS**
Decision Sought
That the Agenda and order of business be confirmed.
- 3 **PRESIDENT'S REPORT**
Decision Sought
That the Meeting note the report on the President's activity from 26 February to 2 July 2021.
- 4 **CEO'S REPORT**
Decision Sought
That Members note the report on the CEO's activity from 26 February to 2 July, 2021
- 5 **BUSINESS ARISING ***
Decision Sought
That Members note the following information on business arising.
- 6 **FOLLOW UP OF MOTIONS ***
Contact Officer: Dion Lester
Decision Sought
That the Meeting note the report detailing progress of motions passed at previous meetings and not covered in Business Arising.
- 7 **COUNCIL ROUND UPS**
Decision Sought
That Members determine who will present briefings at the next Meeting.
- 8 **ITEMS FOR DECISION**
There are no Items for Decision.
- 9 **ITEMS FOR NOTING**
- 9.1 **Local Government Reform**
Contact Officer – Dion Lester

Decision Sought

That Members note LGAT's advocacy work on the proposed Local Government reform agenda.

9.2 *Independent Living Units (ILUs)/Charitable Rates*

Contact Officer – Dion Lester

Decision Sought

That Members note the update on the rating of Independent Living Units.

9.3 *Waste and Resource Recovery*

Contact Officer – Dion Lester

Decision Sought

That Members note the report on waste and resource recovery.

9.4 *TasWater Expert Advisory Group **

Contact Officer – Ben Morris

Decision Sought

That Members note the update on TasWater Expert Advisory Group.

9.5 *Land Use Planning*

Contact Officer – Michael Edrich

Decision Sought

That Members note the following report on planning advocacy and related activities.

9.6 *Climate Change*

Contact Officer – Ben Morris

Decision Sought

That Members note the update on climate change.

9.7 *COVID-19 Update*

Contact Officer – Georgia Palmer

Decision Sought

That Members note the ongoing activity undertaken by LGAT in supporting councils to navigate the COVID-19 pandemic.

9.8 *Infrastructure Contributions*

Contact Officer – Michael Edrich

Decision Sought

That Members note the following report.

9.9 *State Election Advocacy*

Contact Officer – Dion Lester

Decision Sought

That Members note the report of LGAT's State Election Advocacy.

9.10 *LGAT Performance and Improvement 2021*

Contact Officer – Katelyn Cragg

Decision Sought

That Members note the update on LGAT's performance and improvement work and take the opportunity to participate in the survey.

9.11 *Health and Wellbeing Project*

Contact Officer – Lynden Leppard

Decision Sought

That Members note the progress of the LGAT Health and Wellbeing Project.

9.12 *LGAT Procurement*

Contact Officer – Georgia Palmer

Decision Sought

That Members note the following update on procurement support for councils.

9.13 *LGAT Communications Update*

Contact Officer – Kate Hiscock

Decision Sought

That Members note the update on LGAT communications.

9.14 LGAT Events Update

Contact Officer – Kate Hiscock

Decision Sought

That Members note the report on LGAT events.

9.15 Policy Update

Contact Officer – Ben Morris

Decision Sought

That Members note the following updates on various policy matters.

9.16 LGAT Annual Plan *

Contact Officer – Ben Morris

Decision Sought

That Members note the report against the Annual Plan.

Motions For Which Notice Has Been Received

10 ROADS AND INFRASTRUCTURE

10.1 Stronger Penalties for Malicious Vandalism of Public Facilities

Council – Circular Head

Decision Sought

That LGAT lobby the State Government on behalf of all Local Councils for significantly stronger penalties for malicious damage and vandalism to public facilities and infrastructure.

10.2 Heavy Motor Vehicle Road Tax Distribution

Council – Circular Head

Decision Sought

That LGAT continue to lobby the State Government to implement funding change by-

- a. A 3 year, phased in reinstatement of the equitable distribution of the heavy motor vehicle road tax distribution to the percentage of funds collected; and
- b. A one off additional annual payment allocation of the heavy motor vehicle road tax distribution as compensation for 25 years of no indexation of the funding allocation and to support enhanced road infrastructure development in all local government areas.

11 SECTOR PROFILE AND REFORM

11.1 Code of Conduct Training Costs

Council – Kingborough

Decision Sought

That LGAT lobby the State Government to change S 28ZNA (2) of the Local Government Act 1993 to require that 'if, as a result of a determination report, a Councillor is required to undergo training, the costs associated with that training are to be borne by the relevant Councillor, and not the rate payer'.

12 SECTOR CAPACITY

12.1 Renewable Energy Project Developments on Crown Land

Council – Circular Head

Decision Sought

That LGAT lobby the State Government on behalf of all Local Councils for the implementation of a state development policy to make suitable crown land made available for all types of renewable energy project developments to support social and economic benefit to Tasmania.

12.2 Workplace Health and Safety Review for Elected Members

Council – City of Hobart

Decision Sought

That LGAT calls on the State Government to commission Equal Opportunity Tasmania to undertake a review of the workplace health and safety of the Local Government sector for elected representatives.

13 FINANCIAL SUSTAINABILITY

No Motions Received

14 LAND USE PLANNING & ENVIRONMENT

14.1 Statewide Planning Scheme Provisions

Council – Northern Midlands

Decision Sought

That LGAT lobby the State Government to urgently review recent Resource Management and Planning Appeal Tribunal and Supreme Court planning decisions with a view to amending the statewide planning scheme provisions to take account of any recent issues and to ensure loopholes are not exploited resulting in development contrary to the intention of the provision of the scheme.

14.2 Integrated Regional Housing Supply Strategy

Council – Circular Head

Decision Sought

That LGAT Lobby the State Government to develop an integrated regional housing supply strategy in partnership with the federal government and the private sector to deliver a diversified housing supply to all the areas of housing undersupply across the state.

14.3 Review of State Regional Land Use Strategies

Council – Circular Head

Decision Sought

That LGAT Lobby the State Government to activate a comprehensive review of all state regional land use strategies given the expanding development growth demands and statewide housing shortages being experienced in most local government areas.

14.4 Coastal Hazards Management

Council – Circular Head

Decision Sought

That LGAT lobby the State Government on behalf of all Local Councils for the early completion of Coastal Hazards Management for Existing Settlements and Values project, with a final report and recommendations being made publicly available.

14.5 Community Based Engagement Strategy

Council – Circular Head

Decision Sought

That LGAT lobby the State Government on behalf of all Local Councils for the implementation of a local community based engagement strategy to inform and empower local communities to have better understanding of the policy contents and opportunities for social and economic wellbeing through enhancing a strong and growing renewables industry across Tasmania.

14.6 Parks and Wildlife Service Maintenance of Infrastructure

Council – Circular Head

Decision Sought

That LGAT lobby the State Government on behalf of all Local Councils for the implementation of a coordinated long term 10 Year strategic asset management plan to be implemented by the Tasmanian Parks and Wildlife Service for all their customer facing public use assets and infrastructure services.

14.7 Environment Protection Authority Role in Planning Assessment

Council – Circular Head

Decision Sought

That LGAT lobby the State Government on behalf of all Local Councils for improved & mandated Environment Protection Authority (EPA) transparency, community facing participation and engagement processes in the assessment of development proposals for which the Environment Protection Authority have levels of responsibility in determining recommendations and approvals.

14.8 Cost Shifting

Council – Northern Midlands

Decision Sought

That LGAT lobby the State Government to increase the resourcing for cat management and control of weeds.

15 **COMMUNITY HEALTH**

No Motions Received

16 **PUBLIC POLICY GENERAL**

16.1 **Introduction of Referendums**

Council – Burnie City

Decision Sought

That the LGAT investigate the option of the introduction of “propositions” (referendums) for local and state elections, and that a mechanism for this change be initiated.

16.2 **Recognition of Assistance Dogs**

Council – Circular Head

Decision Sought

That LGAT lobby the State Government on behalf of all Local Councils for the inclusion of assistance animals into the Dog Control Act 2000 section 28(2) as they provide a valuable community wellbeing service.

6 **ATTACHMENTS**

6.1 General Meeting Agenda & Attachments 5 August 2021

RECOMMENDATION

That Council

A) note/receive the following items listed in the LGAT GM Agenda for the meeting to be held on Thursday, 5 August 2021:

2 **CONFIRMATION OF AGENDA & ORDER OF BUSINESS**

That the Agenda and order of business be confirmed.

3 **PRESIDENT’S REPORT**

That the Meeting note the report on the President’s activity from 26 February to 2 July 2021.

4 **CEO’S REPORT**

That Members note the report on the CEO’s activity from 26 February to 2 July, 2021

5 **BUSINESS ARISING ***

That Members note the following information on business arising.

6 **FOLLOW UP OF MOTIONS ***

That the Meeting note the report detailing progress of motions passed at previous meetings and not covered in Business Arising.

9.1 **Local Government Reform**

That Members note LGAT’s advocacy work on the proposed Local Government reform agenda.

9.2 **Independent Living Units (ILUs)/Charitable Rates**

That Members note the update on the rating of Independent Living Units.

9.3 **Waste and Resource Recovery**

That Members note the report on waste and resource recovery.

9.4 **TasWater Expert Advisory Group ***

That Members note the update on TasWater Expert Advisory Group.

9.5 **Land Use Planning**

That Members note the following report on planning advocacy and related activities.

9.6 **Climate Change**

That Members note the update on climate change.

9.7 COVID-19 Update

That Members note the ongoing activity undertaken by LGAT in supporting councils to navigate the COVID-19 pandemic.

9.8 Infrastructure Contributions

That Members note the following report.

9.9 State Election Advocacy

That Members note the report of LGAT's State Election Advocacy.

9.10 LGAT Performance and Improvement 2021

That Members note the update on LGAT's performance and improvement work and take the opportunity to participate in the survey.

9.11 Health and Wellbeing Project

That Members note the progress of the LGAT Health and Wellbeing Project.

9.12 LGAT Procurement

That Members note the following update on procurement support for councils.

9.13 LGAT Communications Update

That Members note the update on LGAT communications.

9.14 LGAT Events Update

That Members note the report on LGAT events.

9.15 Policy Update

That Members note the following updates on various policy matters.

9.16 LGAT Annual Plan *

That Members note the report against the Annual Plan.

B) vote as follows in relation to the following items listed in the LGAT GM Agenda for the meeting to be held on Thursday, 5 August 2021:

1 MINUTES *

That the Minutes of the General Meeting held on 12 March 2021, as circulated, be confirmed.

Vote for / against the Motion

7 COUNCIL ROUND UPS

That Members determine who will present briefings at the next Meeting.

Vote for / against the Motion

10.1 Stronger Penalties for Malicious Vandalism of Public Facilities

That LGAT lobby the State Government on behalf of all Local Councils for significantly stronger penalties for malicious damage and vandalism to public facilities and infrastructure.

Vote for / against the Motion

10.2 Heavy Motor Vehicle Road Tax Distribution

That LGAT continue to lobby the State Government to implement funding change by-

- a. A 3 year, phased in reinstatement of the equitable distribution of the heavy motor vehicle road tax distribution to the percentage of funds collected; and
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Vote for / against the Motion

11.1 Code of Conduct Training Costs

That LGAT lobby the State Government to change S 28ZNA (2) of the Local Government Act 1993 to require that 'if, as a result of a determination report, a Councillor is required to undergo training, the costs associated with that training are to be borne by the relevant Councillor, and not the rate payer'.

NORTHERN MIDLANDS COUNCIL

AGENDA – ORDINARY MEETING

19 JULY 2021

Vote for / against the Motion

12.1 Renewable Energy Project Developments on Crown Land

That LGAT lobby the State Government on behalf of all Local Councils for the implementation of a state development policy to make suitable crown land made available for all types of renewable energy project developments to support social and economic benefit to Tasmania.

Vote for / against the Motion

12.2 Workplace Health and Safety Review for Elected Members

That LGAT calls on the State Government to commission Equal Opportunity Tasmania to undertake a review of the workplace health and safety of the Local Government sector for elected representatives.

Vote for / against the Motion

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That LGAT lobby the State Government to urgently review recent Resource Management and Planning Appeal Tribunal and Supreme Court planning decisions with a view to amending the statewide planning scheme provisions to take account of any recent issues and to ensure loopholes are not exploited resulting in development contrary to the intention of the provision of the scheme.

Vote for / against the Motion

14.2 Integrated Regional Housing Supply Strategy

That LGAT Lobby the State Government to develop an integrated regional housing supply strategy in partnership with the federal government and the private sector to deliver a diversified housing supply to all the areas of housing undersupply across the state.

Vote for / against the Motion

14.3 Review of State Regional Land Use Strategies

That LGAT Lobby the State Government to activate a comprehensive review of all state regional land use strategies given the expanding development growth demands and statewide housing shortages being experienced in most local government areas.

Vote for / against the Motion

14.4 Coastal Hazards Management

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Vote for / against the Motion

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Vote for / against the Motion

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Vote for / against the Motion

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That LGAT lobby the State Government on behalf of all Local Councils for improved & mandated Environment Protection Authority (EPA) transparency, community facing participation and engagement processes in the assessment of development proposals for which the Environment Protection Authority have levels of responsibility in determining recommendations and approvals.

Vote for / against the Motion

14.8 Cost Shifting

That LGAT lobby the State Government to increase the resourcing for cat management and control of weeds.

Vote for / against the Motion

16.1 Introduction of Referendums

That the LGAT investigate the option of the introduction of “propositions” (referendums) for local and state elections, and that a mechanism for this change be initiated.

Vote for / against the Motion

16.2 Recognition of Assistance Dogs

That LGAT lobby the State Government on behalf of all Local Councils for the inclusion of assistance animals into the Dog Control Act 2000 section 28(2) as they provide a valuable community wellbeing service.

Vote for / against the Motion

DECISION

Cr

NORTHERN MIDLANDS COUNCIL

AGENDA – ORDINARY MEETING

19 JULY 2021

C&D 1 MONTHLY REPORT: DEVELOPMENT SERVICES

Responsible Officer: Des Jennings, General Manager

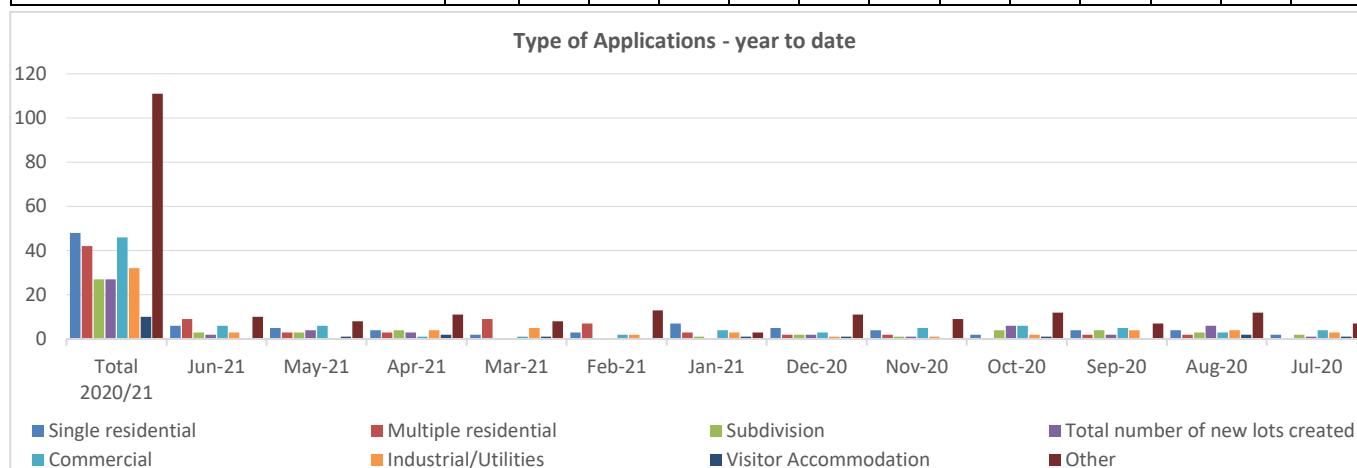
1 PURPOSE OF REPORT

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

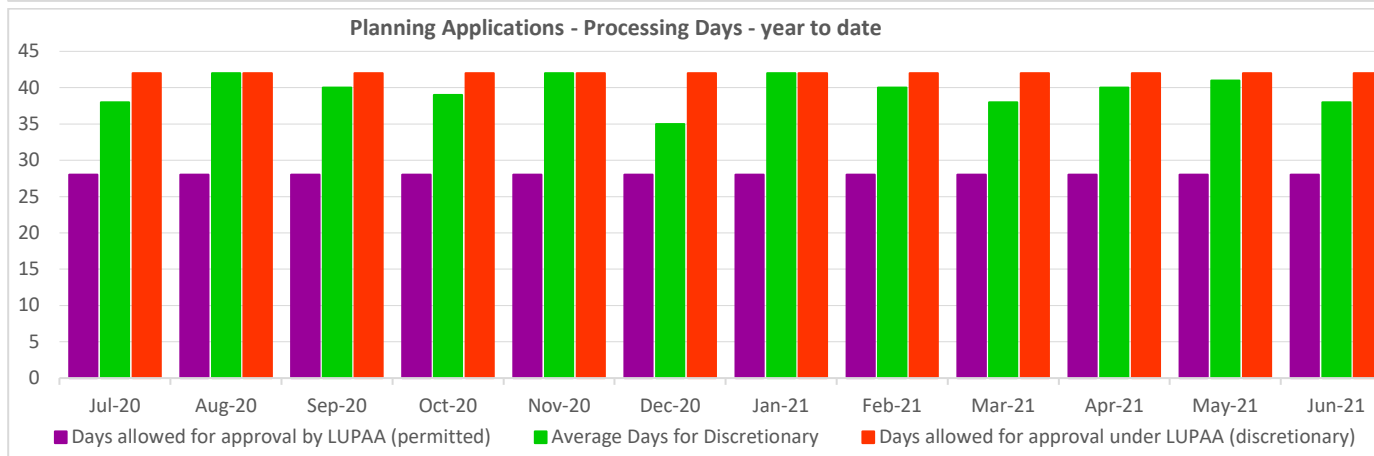
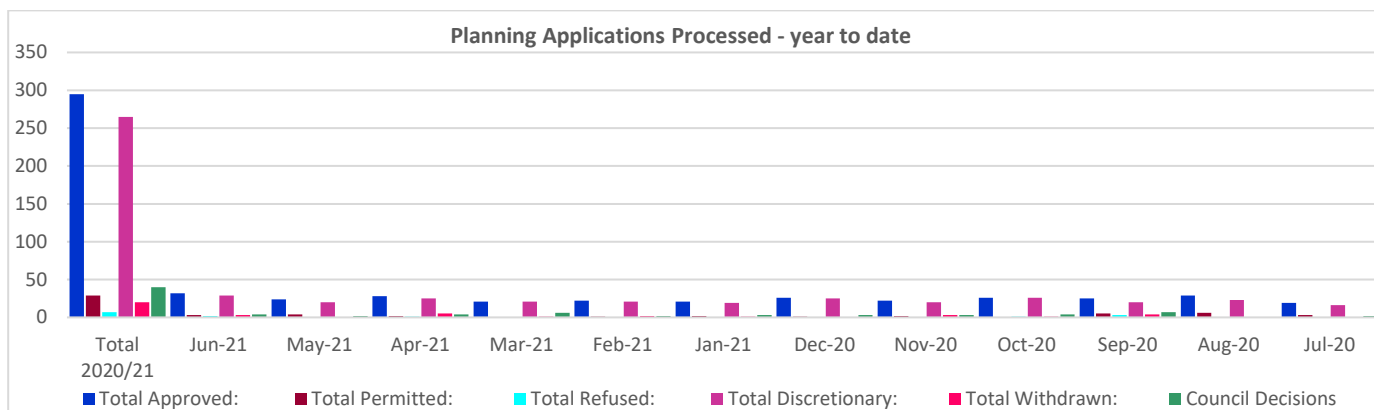
	Total YTD	Jul-20	Aug-20	Sep-20	Oct-20	Nov-20	Dec-20	Jan-21	Feb-21	Mar-21	Apr-21	May-21	Jun-21
Number of valid applications	248	21	11	19	18	7	18	27	26	19	28	28	26
Single residential	48	2	4	4	2	4	5	7	3	2	4	5	6
Multiple residential	42	0	2	2	0	2	2	3	7	9	3	3	9
Subdivision	27	2	3	4	4	1	2	1	0	0	4	3	3
Total number of new lots created	27	1	6	2	6	1	2	0	0	0	3	4	2
Commercial	46	4	3	5	6	5	3	4	2	1	1	6	6
Industrial/Utilities	32	3	4	4	2	1	1	3	2	5	4	0	3
Visitor Accommodation	10	1	2	0	1	0	1	1	0	1	2	1	0
Total permitted	0	0	0	0	0	0	0	0	0	0	0	0	0
Total discretionary	10	1	2	0	1	0	1	1	0	1	2	1	0
Other	111	7	12	7	12	9	11	3	13	8	11	8	10
Total number of applications approved	295	19	29	25	26	22	26	21	22	21	28	24	32
Total Permitted	29	3	6	5	0	2	1	2	1	0	2	4	3
Average Days for Permitted		25	26	29	-	24	17	29	29	-	25	14	23
Days allowed for approval by LUPAA		28	28	28	28	28	28	28	28	28	28	28	28
Total Exempt under IPS	107	8	5	4	8	17	13	4	3	9	13	13	10
Total Refused	7	0	0	3	1	0	0	0	0	0	1	0	2
Total Discretionary	265	16	23	20	26	20	25	19	21	21	25	20	29
Average Days for Discretionary		38	42	40	39	42	35	42	40	38	40	41	38
Days allowed for approval under LUPAA		42	42	42	42	42	42	42	42	42	42	42	42
Total Withdrawn	20	0	0	4	1	3	0	1	2	1	5	0	3
Council Decisions	40	2	0	7	4	3	3	3	2	6	4	2	4
Appeals lodged by the Applicant	5	0	0	0	1	1	1	1	0	1	0	0	0
Appeals lodged by third party	0	0	0	0	0	0	0	0	0	0	0	0	0



NORTHERN MIDLANDS COUNCIL

AGENDA – ORDINARY MEETING

19 JULY 2021



June 2021					
Project	Details	Address	Applicant	No of LUPAA days	Perm / Disc / Exempt
DELEGATED DECISIONS					
PLN-21-0115	Sewerage infrastructure installation (Heritage Precinct)	Bridge Street, CAMPBELL TOWN TAS 7210	Era Planning and Environment	20	P
PLN-21-0130	Minor boundary adjustment	869 Bishopsbourne Road, Bishopsbourne TAS 7301	PDA Surveyors	42	P
PLN-21-0148	Awning (Residential, Multiple Dwellings)	U 2/3B Edward Street, Perth TAS 7300	Mr BJ Saunders	7	P
PLN-20-0234	Shed and coolroom (transport depot) (vary front setback)	7 Translink Avenue, Western Junction TAS 7212	Mr Todd Wilkin	50	D
PLN-21-0065	Dwelling (vary setbacks and height in rural zone, Irrigation District, Potentially Contaminated Land Code; within attenuation distance)	587 Relbia Road, Relbia TAS 7258	Woolcott Surveys	38	D
PLN-21-0066	Multiple dwellings x 2 (vary side (E) and rear (N) setback & visitor parking)	10 Zircon Place, Perth TAS 7300	Wim van der Pols	29	D
PLN-21-0077	Change of Use to Food Services and sign (Heritage Precinct)	10 Russell Street, Evandale TAS 7212	HM Dickenson & LJ Enright	37	D
PLN-21-0086	Signage for Dr Surgery (Heritage Listed Property within Heritage Precinct)	70 High Street, Campbell Town TAS 7210	Northern Midlands Medical Service	38	D
PLN-21-0092	4-lot subdivision (from 2 Lots) (staged)	310 and, 320 Perth Mill Road, Perth TAS 7300	Woolcott Surveys	49	D
PLN-21-0093	Multiple dwelling x4 (vary side setback, private open space within frontage)	10 Main Road, Perth TAS 7300	Mr Stephen Lawes	22	D
PLN-21-0098	Shed (15x10m) (vary floor area, heritage listed place)	Green Hythe, 81 Fairtlough Street, Perth TAS 7300	Nicholas Wallace	44	D
PLN-21-0102	Multiple Dwellings x 2 (vary private open space width & shared parking separation to habitable rooms)	9 Youl Road, Perth TAS 7300	Design to Live	37	D
PLN-21-0105	Alterations & Additions to Existing Building for Dwelling, Garage & Retail Store (Heritage Precinct; vary parking)	60A Wellington Street, Longford TAS 7301	Timothy Rogers	31	D
PLN-21-0106	Carport, pool, deck and fencing	64 Mulgrave Street, Perth TAS 7300	Steve Jordan	35	D
PLN-21-0110	Dwelling Additions/Alterations and garage conversion (vary side (N) setback)	10 Nile Road, Evandale TAS 7212	Emil Fadel & Marilyn Barker	24	D



NORTHERN MIDLANDS COUNCIL

AGENDA – ORDINARY MEETING

19 JULY 2021

June 2021

Project	Details	Address	Applicant	No of LUPAA days	Perm / Disc / Exempt
DELEGATED DECISIONS					
PLN-21-0111	Extend garage	34 George Street, Perth TAS 7300	Michael Green & Vicki Eberhardt	36	D
PLN-21-0113	Dwelling (vary setbacks, within attenuation distance)	351 Cressy Rd, Longford TAS 7301	Abode Designer Homes	38	D
PLN-21-0114	Shed (vary side (w) setback)	137 Caledonia Drive, Relbia TAS 7258	Blake Sherriff	31	D
PLN-21-0116	Replace Garage (Heritage Precinct)	10 Latour Street, Longford TAS 7301	Derk & Jane Hanssen	39	D
PLN-21-0117	Shed (gross combined floor area of outbuildings greater than 80m2)	11 Summit Drive, Devon Hills TAS 7300	Mr Craig Waldron	48	D
PLN-21-0118	Dwelling (Local Business zone)	49A Main Street, Cressy TAS 7302	Wilson Homes	36	D
PLN-21-0119	Boundary adjustment between two lots	19 Church Street & 7 Murfett Street, Cressy TAS 7302	Faye s Cox	23	D
PLN-21-0123	Shed (vary setbacks)	648 Cressy Road, Longford TAS 7301	Michael Mr Morris	51	D
PLN-21-0124	Addition to tourist operation (farm building re-establishment) & shearing shed (52.5m x 30m x 5m) (Heritage Listed; Heritage Precinct; Scenic Corridor)	Brickendon, 236 Wellington Street, Longford TAS 7301	Will Archer	44	D
PLN-21-0127	Upgrade to existing telecommunications infrastructure (vary height)	10567 Midland Highway, Ross TAS 7209	Telstra Corporation Ltd	40	D
PLN-21-0131	Dwelling (Heritage Listed Property within Heritage Precinct, vary setbacks)	19A Pultney Street, Longford TAS 7301	Abode Designer Homes	42	D
PLN-21-0133	Verandah Roof Extension	23 William Street, Longford TAS 7301	Phil Ackerley	42	D
PLN-21-0134	Fire Station addition (vary setbacks; irrigation district)	405 Relbia Road, Relbia TAS 7258	Mr Todd Wilkin	36	D
PLN-21-0136	Building Extension (vary setbacks)	6 Union Street, Longford TAS 7301	6ty° Pty Ltd	30	D
PLN-21-0142	Shed (vary rear setback)	117 Marlborough Street, Longford TAS 7301	Blake Sherriff	33	D

COUNCIL DECISIONS

PLN-21-0047	Multiple dwellings (1 new, 1 existing) (vary southern side setback) and shed (vary northern side setback)	1 King Street, Cressy TAS 7302	Mr Stephen Lawes	34	C
PLN-21-0071	Dwelling, garage and shed (within attenuation distance of Evandale Sewage Treatment Plant, removal of vegetation) at 35 Collins Street, Evandale (access over 18 Logan Road)	35 Collins Street (access over 18 Logan Road), Evandale TAS 7212	Peter Woof	42	C

COUNCIL DECISIONS - REFUSAL

PLN-20-0269	Multiple Dwellings (15), title consolidation & extension to Little Mulgrave St (Road & Railway Assets Code)	49 George Street, Perth TAS 7300	Design to Live	42	C
PLN-21-0101	Planting of Street Trees in road centre (partially within Heritage Precinct)	Roadway adjacent to: 28-40 Smith Street, Longford TAS 7301	Northern Midlands Council	18	C

RMPAT DECISIONS

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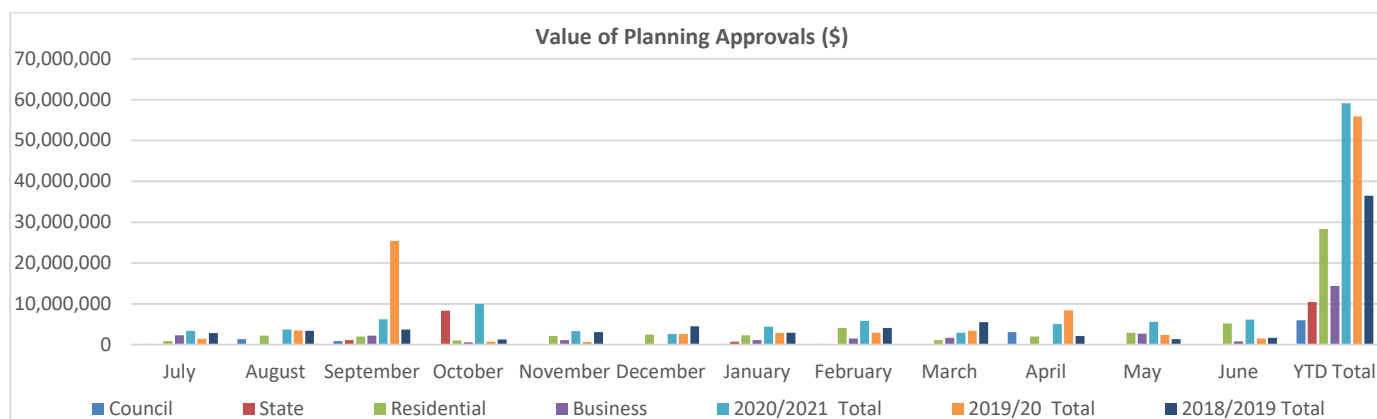
TPC DECISIONS

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2.2 Value of Planning Approvals

	2020/2021			2019/20		2018/2019	
	Council	State	Residential	Business	Total	Total	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
March	15,000	92,442	1,117,154	1,690,000	2,914,596	3,425,000	5,537,000
April	3,053,000	1,500	1,963,500	50,500	5,068,500	8,452,750	2,110,350
May	0	0	2,923,688	2,701,500	5,625,188	2,345,000	1,335,500
	0	132,000	5,201,767	795,850	6,129,617	1,530,500	1,646,000
YTD Total	5,980,500	10,439,442	28,314,729	14,366,576	59,101,247	55,891,900	36,482,950
Annual Total						55,891,900	36,482,950

NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 19 JULY 2021



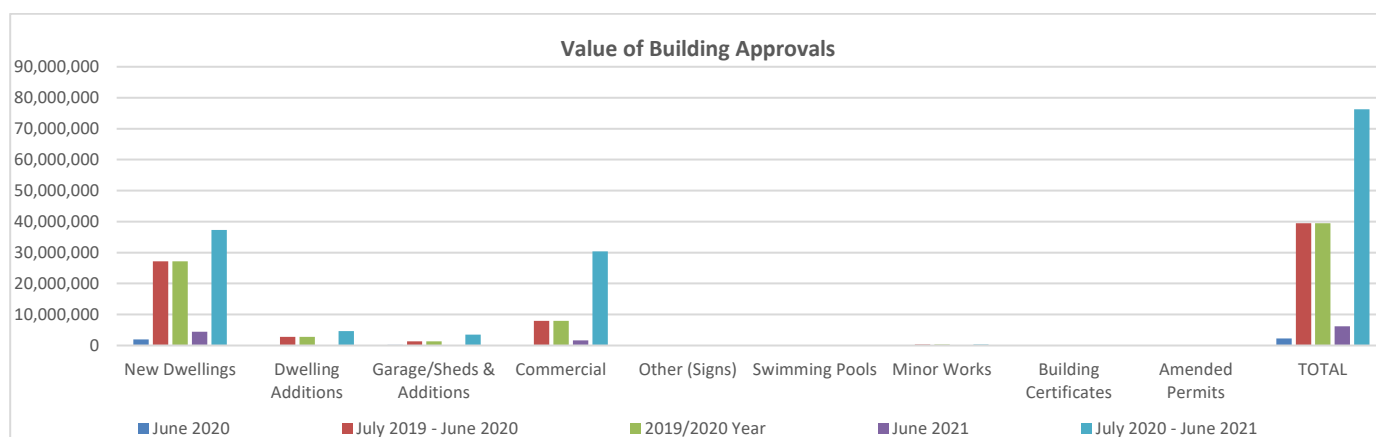
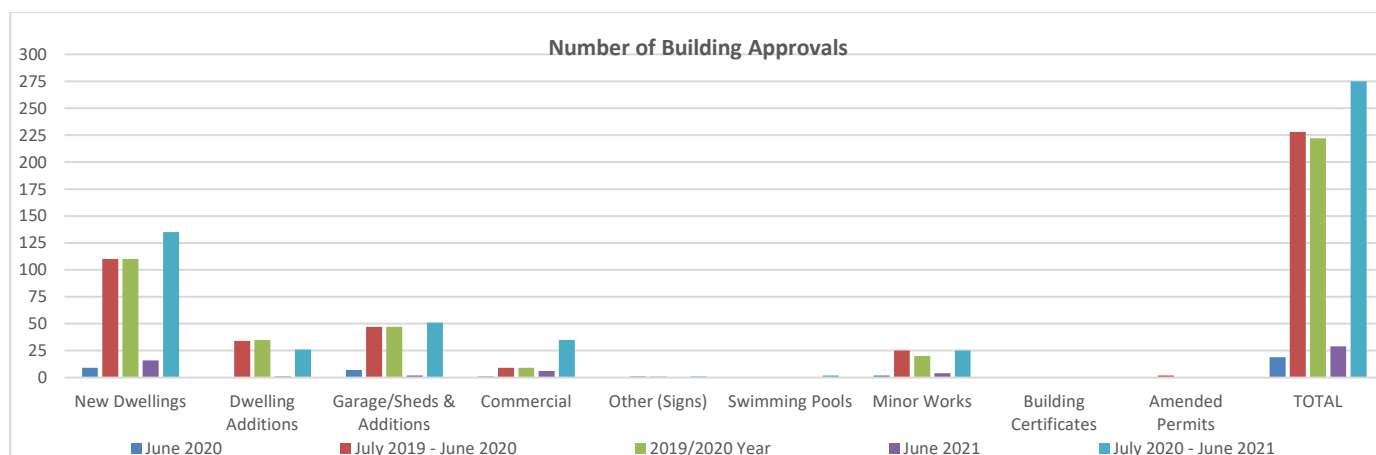
2.3 Matters Awaiting Decision by TPC & RMPAT

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. TPC requested further clarifications 16/3/2021. Response provided 8/4/2021. Section 32(4) responses to final TPC queries provided 6/5/2021. Minister's declarations issued 31 May 2021 – included in 28 June Council agenda. GIS consultant making maps changes required by the Minister.
04/2020	PLN-20-0230 - Low Density Residential Land at the south of Longford. Report on representation considered at Council meeting of 27/1/2021. Section 39 report on representation sent to TPC 12/2/2021. Hearing held 20 May 2021. 27 May 2021 - Commission asked for a submission on the draft amendment – being considered at Council meeting of 28 June 2021. Response sent to Commission.
01/2021	PLN-21-0029 - site specific amendment to allow Resource Processing as a permitted use on at 13 Richard Street, in conjunction with a s43 development application for a food freeze drying enterprise. Advertised until 26/4/2021. Commission noted that the advertisement referred to a permitted development rather than a discretionary development. Re-advertised until 7 June 2021. Section 39 report, advising of no representations, sent to the Commission.
RMPAT	RESOURCE MANAGEMENT AND PLANNING APPEAL TRIBUNAL
42/21P	PLN-21-0006 - 7 Church Street, Cressy, 3 Multiple Dwellings. Appeal against permit condition. Preliminary Conference held 16 April 2021. Mediation being undertaken. Consent agreement with Tribunal for decision.
Decisions received	
TPC	-
RMPAT	-

2.4 Building Approvals

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

	YEAR: 2019-2020				YEAR: 2020-2021			
	June 2020		YTD 2019-2020		July 2019 - June 2020		June-2021	
	No.	Total Value \$	No.	Total Value \$	No.	Total Value \$	No.	Total Value \$
New Dwellings	9	1,956,037	110	27,131,594	110	27,131,594	16	4,393,672
Dwelling Additions	0	0	34	2,757,001	35	2,757,001	1	75,000
Garage/Sheds & Additions	7	231,000	47	1,394,142	47	1,394,142	2	48,000
Commercial	1	32,000	9	7,952,000	9	7,952,000	6	1,675,407
Other (Signs)	0	0	1	5,000	1	5,000	0	0
Swimming Pools	0	0	0	0	0	0	0	0
Minor Works	2	34,500	25	287,983	20	287,983	4	38,133
Building Certificates	0	0	0	0	0	0	0	0
Amended Permits	0	0	2	0	0	0	0	0
TOTAL	19	2,253,537	228	39,527,720	222	39,527,720	29	6,230,212
Inspections								
Building	52		53		58		0	
Plumbing	24		336		282		21	



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	4	31	43
Property owner not home or only recently started			1
Complying with all conditions / signed off	1	11	21
Not complying with all conditions		1	
Re-inspection required		9	17
Notice of Intention to Issue Enforcement Notice			
Enforcement Notices issued			
Enforcement Orders issued			
Infringement Notice			
No Further Action Required	3	10	4

Building Permit Reviews	This Month	2020/2021	Total 2019/2020
Number of Inspections	2	14	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		2	6
Building Notices issued			
Building Orders issued			
No Further Action Required	2	10	12

Illegal Works - Building	This Month	2020/21	Total 2019/2020
Number of Inspections	2	35	26
Commitment provided to submit required documentation		11	1
Re-inspection required		11	6
Building Notices issued		5	4
Building Orders issued		5	4
Emergency Order		3	
No Further Action Required	2	13	12

Illegal Works - Planning	This Month	2020/21	Total 2019/2020
Number of Inspections	4	81	77
Commitment provided to submit required documentation		9	7
Re-inspection required	1	48	42
Enforcement Notices issued		1	
Enforcement Orders Issued			
Notice of Intention to Issue Enforcement Notice issued		6	5
No Further Action Required	3	24	20

3 STRATEGIC PLAN 2017-2027

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

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

4 STATUTORY REQUIREMENTS

4.1 Land Use Planning & Approvals Act 1993

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

4.2 Building Act 2016

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

5 RISK ISSUES

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



NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 19 JULY 2021

6 COMMUNITY CONSULTATION

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

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

7 OFFICER'S COMMENTS/CONCLUSION

There have been 35 commercial building approvals valued at \$30,391,057 for 2020/21 (year to date), compared to 9 commercial building approval valued at \$7,952,000 (year to date) for 2019/2020.

In total, there were 275 building approvals valued at \$76,256,498 (year to date) for 2020/2021, compared to 228 building approvals valued at \$39,527,720 (year to date) for 2019/20.

RECOMMENDATION

That the report be noted.

DECISION

Cr



NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 19 JULY 2021

CORP 1 MONTHLY FINANCIAL STATEMENT

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 30 June 2021.

2 INTRODUCTION/BACKGROUND

The Monthly Financial Summary for the period ended 30 June 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: 30-Jun-21 12

A. Operating Income and Expenditure

End of Financial Year Report to be completed by 15th August 2021

Budget Alteration Requests

- For Council authorisation by absolute majority

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

June

May

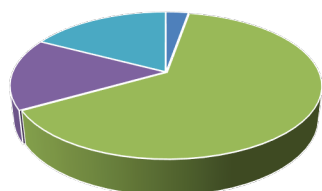
Lfd - Streetscape Project	707987.1	\$3,967,878	C/fwd to 2021/22
Pth - Childcare Centre	791110	\$2,547,335	C/fwd to 2021/22
Cry - Rec Ground Dump Point & Carpark & Lighting	707913 708028	\$114,829	C/fwd to 2021/22
Cry - Rec Ground Building Redevelopment	707923	\$657,667	C/fwd to 2021/22
Ctown - Rec Ground Entry Improvements	708030	\$43,150	C/fwd to 2021/22
Ctown - Rec. Ground Irrigation	708035	\$160,000	C/fwd to 2021/22
Ctown - Rec. Ground Tennis Shade Shelter	707805.51	\$27,840	C/fwd to 2021/22
Ctown - Rec Ground Public Toilet	707805.65	\$78,472	C/fwd to 2021/22
Lfd - Sports Centre - Level 1 user ready Lift	707990.4	\$192,273	C/fwd to 2021/22
Cry - Pool Improvements	707869	\$622,761	C/fwd to 2021/22
Avoca - Public Toilet Septic Improvements	715366	\$74,000	C/fwd to 2021/22
Lfd - Cemetery Toilet upgrade	720132	\$5,000	C/fwd to 2021/22
Pth - Talisker Street Toilet Replacement	720133	\$88,935	C/fwd to 2021/22
Pth - Seccombe Street Reserve Toilet	720134	\$58,557	C/fwd to 2021/22
Evan - Pioneer Park Toilet upgrade	720135	\$20,000	C/fwd to 2021/22
Lfd - Council office external painting	720136	\$9,847	C/fwd to 2021/22
Pth - Rec Ground Electronic Scoreboard	720143	\$90,000	C/fwd to 2021/22
Cry - Gatenby Street No1 to 9 K&G seal	750460	\$32,000	C/fwd to 2021/22
Cry - Green Rises Road guardrail	750524.92	\$70,000	C/fwd to 2021/22
Pth - Bypass and assoc works		\$2,098,216	C/fwd to 2021/22
Evan - Footpath Arthur St, Murray to Macq (Hedge)	750030.6	\$18,800	C/fwd to 2021/22
Pth - Drummond St No.58 to Cresc	751498.6	\$65,000	C/fwd to 2021/22
Pth - Williama St Reserve	751613.6	\$40,000	C/fwd to 2021/22
Pth - George St Clarence to end K&G verge	750474	\$50,000	C/fwd to 2021/22
Lfd - Hobhouse St Cath to Burghley Recon	750579	\$121,000	C/fwd to 2021/22
Ctown - Queen Street parking upgrade	751043	\$150,000	C/fwd to 2021/22

NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 19 JULY 2021

B. Balance Sheet Items

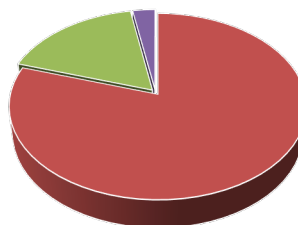
	Year to Date Actual		Monthly Change		Same time last year	Comments
Cash & Cash Equivalents Balance						
- Opening Cash balance	\$16,912,089		\$18,313,784			
- Cash Inflow	\$24,657,053		\$4,203,857			
- Cash Payments	-\$22,136,847		-\$3,085,347			
- Closing Cash balance	\$19,432,295		\$19,432,295			
	-		-			
Account Breakdown						
- Trading Accounts	\$173,489					
- Investments	\$19,258,806					
	\$19,432,295					
	-					
Summary of Investments						
	Investment Date	Maturity Date	Interest Rate%	Purchase Price	Maturity Value	
Tasmanian Public Finance Corporation Call Account	1/06/2021	30/06/2021	0.10	\$5,395	\$5,396	
CBA Call Account	1/04/2021	30/06/2021	0.01	\$1,574	\$1,574	
CBA Business Online Saver	29/06/2021	30/06/2021	0.21	\$3,050,287	\$3,050,304	
Westpac Corporate Regulated Interest Account	30/06/2021	30/06/2021	0.35	\$3,777,583	\$3,777,583	
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	
My State Financial	25/05/2021	25/05/2022	0.85	\$3,343,010	\$3,371,425	
Westpac	6/04/2021	4/07/2022	3.37	\$5,500,000	\$5,730,545	
Westpac	29/06/2021	29/06/2023	3.30	\$1,050,000	\$1,119,300	
Total Investments				\$19,258,806	\$19,596,042	
					-	

Investments by Institution



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

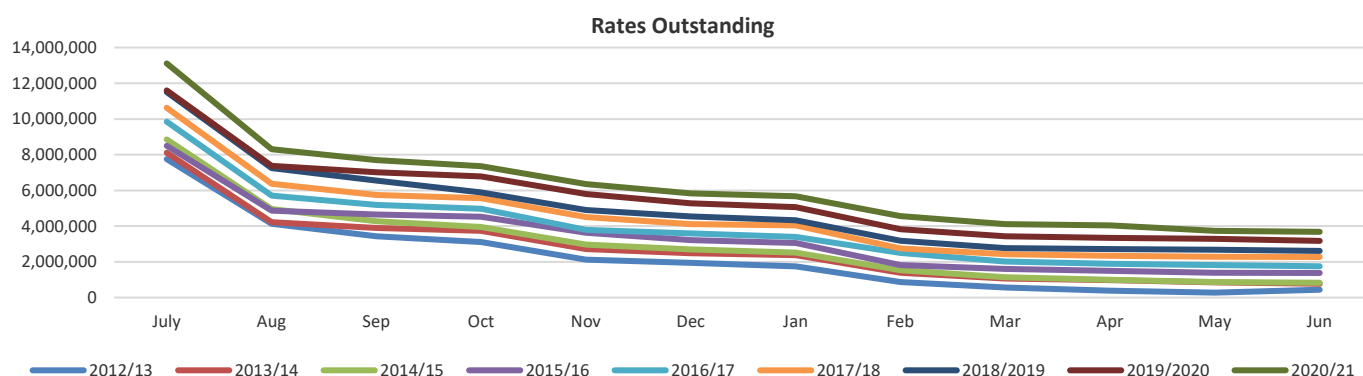
Total Investments by Rating (Standard & Poor's)



■ 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	\$11,906,149		\$11,564,884		
	\$14,715,001		\$13,840,200		
Rates collected	\$10,976,615	92.2%	\$10,532,286	91.1%	
Pension Rebates	\$486,451	4.1%	\$457,514	4.0%	
Discount & Remissions	\$46,594	0.5%	\$40,875	0.4%	
	\$11,509,660		\$11,030,674		
Rates Outstanding	\$3,680,130	30.9%	\$3,173,986	27.4%	
Advance Payments received	-\$474,789	4.0%	-\$364,461	3.2%	

NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 19 JULY 2021



Trade Debtors				
Current balance	\$595,970			
- 30 Days	\$556,398			
- 60 Days	\$7,883			
- 90 Days	\$2,601			
- More than 90 days	\$29,087			
Summary of Accounts more than 90 days:				
- Norfolk Plains Book sales		171		Paid by outlet as sold
- Hire/lease of facilities		2,604		
- Removal of fire hazards		6,043		
- Dog Registrations & Fines		17,483		Send to Fines Enforcement
- Private Works		2,526		
- Regulatory Fees		260		
- Govt Reimbursements		-		
		-		

C. Capital Program				
	Budget	Actual (\$,000)	Target 100%	Comments
Full Report of Financial Indicators with End of Financial Year Report				

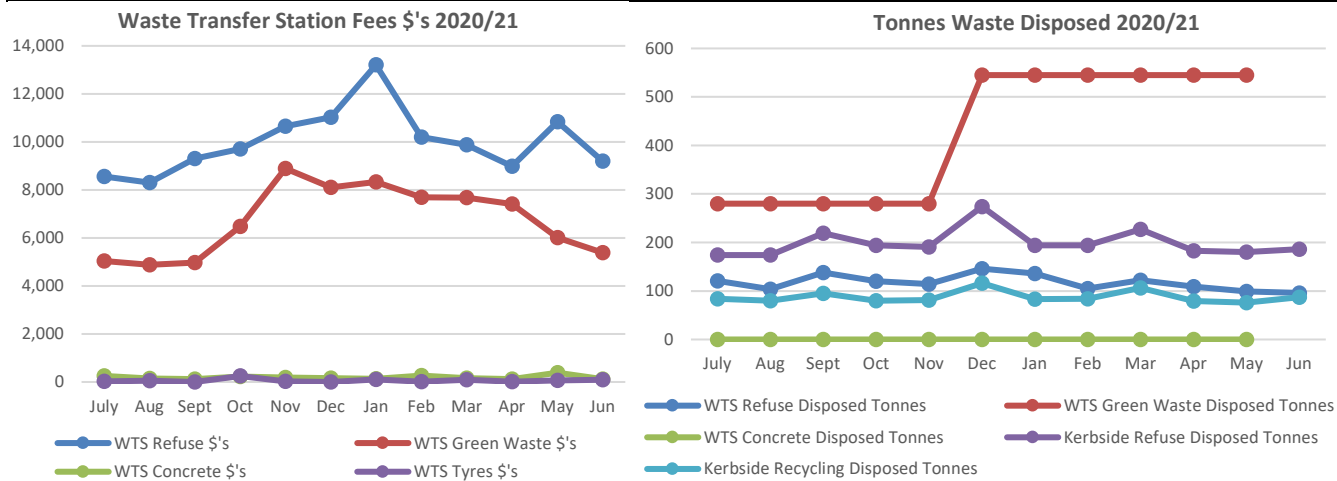
D. Financial Health Indicators				
	Target	Actual	Variance	Trend
Full Report of Financial Indicators with End of Financial Year Report				

E. Employee & WHS scorecard				
	YTD	This Month		
Number of Employees	94	94		
New Employees	26	2		
Resignations	23	2		
Total hours worked	139,834	15,877		
Lost Time Injuries	2	0		
Lost Time Days	2	0		
Safety Incidents Reported	15	0		
Hazards Reported	100	4		
Risk Incidents Reported	8	1		
Insurance claims - Public Liability	1	0		
Insurance claims - Industrial	1	0		
Insurance claims - Motor Vehicle	4	1		
IT - Unplanned lost time	2	0		
Open W/Comp claims	9	1		

NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 19 JULY 2021

F. Waste Management

Waste Transfer Station	2018/19	2019/20	2020/21 Budget Year to Date	2020/21
Takings				
- Refuse	\$93,411	\$92,611	\$91,781	\$119,840
- Green Waste	\$52,960	\$50,996	\$48,276	\$80,904
- Concrete	\$2,376	\$1,551	\$1,511	\$2,294
			\$0	\$727
Total Takings	\$152,877	\$142,782	\$141,568	\$203,765
Tonnes Disposed				
WTS Refuse Disposed Tonnes	1,325	1388	1954	1410
WTS Green Waste Disposed Tonnes	5200	5400	6015	4670
WTS Concrete Disposed Tonnes	0	0	0	0
Kerbside Refuse Disposed Tonnes	2217	2326	1806	2390
Kerbside Recycling Disposed Tonnes	1051	1036	869	1051
Total Waste Tonnes Disposed	\$9,793	10150	10644	9521



4 OFFICER COMMENTS

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

5 ATTACHMENTS

N/a

RECOMMENDATION

That Council

- receive and note the Monthly Financial Report for the period ending 30 June 2021, and
- authorise Budget 2020/21 alterations as listed in item 3.

DECISION

Cr



NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 19 JULY 2021

CORP 2 POLICY REVIEW: ASSET MANAGEMENT

Attachments: Section 1 – Page 341

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

1 PURPOSE OF REPORT

The purpose of this report is for Council to endorse updates to the Asset Management Policy.

2 INTRODUCTION/BACKGROUND

This policy sets out guidelines to provide the highest level of service for current and future generations which is a balance between responsible management of assets, meeting the community's expectations and affordability.

To achieve this, assets must be acquired, operated, maintained, renewed and disposed of in a way that continues to meet this objective.

The policy only covers physical or infrastructure assets with an economic life of greater than 12 months including roads, footpaths, kerb and channel, bridges, buildings, stormwater drainage, flood levees, plant and equipment.

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
 - Best Business Practice & Compliance
Core Strategies:
 - ♦ Council complies with all Government legislation

4 POLICY IMPLICATIONS

The purpose of this report is to update the existing Asset Management Policy last reviewed in April 2016..

5 STATUTORY REQUIREMENTS

Provisions under the Local Government Act 1993 & Regulations under the Act.

6 FINANCIAL IMPLICATIONS

There are no financial implications identified with this policy update.

7 RISK ISSUES

The attached policy has only been changed with updated working, tracked changes are highlighted in red.

There are no risk issues identified with this policy update.



NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 19 JULY 2021

8 CONSULTATION WITH STATE GOVERNMENT

Not applicable.

9 COMMUNITY CONSULTATION

Not applicable.

10 OPTIONS FOR COUNCIL TO CONSIDER

To endorse the Asset Management Policy updates, or not.

11 OFFICER'S COMMENTS/CONCLUSION

The policy is to be reviewed every 4 years.

12 ATTACHMENTS

12.1 Asset Management Policy with tracked changes.

RECOMMENDATION

That Council endorse the updated Asset Management Policy.

DECISION

Cr



NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 19 JULY 2021

CORP 3 POLICY REVIEW: RISK MANAGEMENT POLICY & FRAMEWORK

Attachments: Section 1 – Page 345

Responsible Officer: Des Jennings, General Manager

Report prepared by: Merel Richardson, Work Health and Safety Officer

1 PURPOSE OF REPORT

The purpose of this report is for Council to endorse review updates to the Risk Management Policy & Framework.

2 INTRODUCTION/BACKGROUND

A recent review of the policy and framework has resulted in the following amendments.

- Inserted: Red Font / green Font / purple font, Highlighted in Yellow
- Deleted: Red Font / green Font / purple, strikethrough, highlighted in Yellow

Minor amendments are listed below:

- Applicable legislation update throughout document. An update to ISO 31000 was added in early 2018. The update is different in that "ISO 31000:2018 provides more strategic guidance than ISO 31000:2009 and places more emphasis on both the involvement of senior management and the integration of risk management into the organization.
- Removal of reference to Customer Request System under section 3.3 Business Unit Manager Responsibilities. Reasoning - Not all hazards or incidents are reported through the Customer request system – particularly employee ones, yet they still requiring action
- Note to include Risk Management Policy and Strategy review in EMT meetings.

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



NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 19 JULY 2021

6 FINANCIAL IMPLICATIONS

There are no financial implications identified with this policy update.

7 RISK ISSUES

There are no risk issues identified with this policy update.

8 CONSULTATION WITH STATE GOVERNMENT

N/A

9 COMMUNITY CONSULTATION

Not applicable.

10 OPTIONS FOR COUNCIL TO CONSIDER

To endorse the Risk Management Policy and Framework, or not.

11 OFFICER'S COMMENTS/CONCLUSION

That Council consider the amendments to the policy.

12 ATTACHMENTS

12.1 Risk Management Policy and Framework

RECOMMENDATION

That Council endorse the updated Risk Management Policy and Framework.

DECISION

Cr



NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 19 JULY 2021

CORP 4 POLICY REVIEW: ACCOUNTING

Attachments: Section 1 – Page 359

Responsible Officer: Maree Bricknell, Corporate Services Manager

Report prepared by: Maree Bricknell, Corporate Services Manager & Gail Eacher, Executive Assistant

1 PURPOSE OF REPORT

The purpose of this report is for Council to endorse updates to the Accounting Policy.

2 INTRODUCTION/BACKGROUND

Council last amended its Accounting Policy in December 2016.

In summary the Accounting Policy sets out the parameters for the preparation of the general purpose financial report which is prepared in accordance with Australian Accounting Standards, other authoritative pronouncements of the Australian Accounting Standards Board and the Local Government Act 1993 (as amended).

Council's Audit Committee has requested the that the Accounting Policy be updated.

The updated Policy is attached to this report with the suggested inclusions **highlighted** and deletions marked with a **strikethrough**.

3 STRATEGIC PLAN 2017-2027

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

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

4 POLICY IMPLICATIONS

The purpose of this report is to update the existing Accounting Policy. The policy implementation has financial and reputation effects on Council.

5 STATUTORY REQUIREMENTS

The Local Government Act and Accounting Standards regulate the majority of the annual financial report and therefore this policy review.

6 FINANCIAL IMPLICATIONS

The accurate disclosure of Council's financial situation is of high importance to all stakeholders.

7 RISK ISSUES

The risk issues are minimised by the Tasmanian Audit Office providing an independent audit opinion on its implementation.



NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 19 JULY 2021

8 CONSULTATION WITH STATE GOVERNMENT

The financial report is audited by the Tasmanian Audit Office.

9 COMMUNITY CONSULTATION

There are provisions under the Local Government Act for Council to hold an Annual General Meeting to present the financial report to all stakeholders.

10 OPTIONS FOR COUNCIL TO CONSIDER

To endorse the Accounting Policy updates, or not.

11 OFFICER'S COMMENTS/CONCLUSION

The policy reflects the notes to the annual financial statements for 2019/2020.

12 ATTACHMENTS

12.1 Accounting Policy

RECOMMENDATION

That Council endorses the amended Accounting Policy.

DECISION

Cr



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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 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 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.



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- 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



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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 6.

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	PLN-21-0129: 51 WELLINGTON STREET, LONGFORD
PLAN 2	PLN-20-0297: 50 MAIN ROAD, PERTH
PLAN 3	PLN-20-0296: 50 MAIN ROAD, PERTH
PLAN 4	PLN-21-0137: 3 BANKSIA GROVE, PERTH
PLAN 5	PLN-21-0139: 1 WELLINGTON STREET, LONGFORD
PLAN 6	REQUEST FOR PLANNING EXEMPTION FOR MIDLAND HIGHWAY ROADWORKS, MONA VALE ROAD TO CAMPBELL TOWN



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PLAN 1 PLANNING APPLICATION PLN-21-0129: 51 WELLINGTON STREET, LONGFORD

Attachments: Section 1 – Page 371

File Number: 113600.19; CT225808/1
Responsible Officer: Des Jennings, General Manager
Report prepared by: Erin Miles, Development Supervisor

1 INTRODUCTION

This report assesses an application for 51 Wellington Street, Longford to demolish outbuilding and construct garage (vary secondary frontage; Heritage Precinct).

2 BACKGROUND

Applicant:

The Shed Company

Owner:

Richard Donald Mack & Rosalie Phyllis Young

Zone:

General Residential Zone

Codes:

Car Parking and Sustainable Transport Code
Local Historic Heritage Code
Heritage Precinct Specific Area Plan

Classification under the Scheme:

Discretionary

Existing Use:

Residential

Deemed Approval Date:

23.07.2021

Recommendation:

Refuse

Discretionary Aspects of the Application:

- Reliance on the Performance Criteria of the General Residential Zone (vary secondary frontage)
- Reliance on the Performance Criteria of the Local Historic Heritage Code and Heritage Precinct Specific Area Plan

Planning Instrument:

Northern Midlands Interim Planning Scheme 2013, Version 35, Effective from 26th April 2021.

Preliminary Discussion

Upon submission of the application, Council officers held discussions with the applicant regarding the appropriateness of the façade materials and setback from the road. Council's Senior Planner, Paul Godier, met with the property owners in response to a further information request (refer attachments), which provided the opportunity to provide amended plans. The property owners declined this opportunity, instead relying on the performance criteria to form a valid application. An assessment against the relevant provisions is provided within this report.

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.

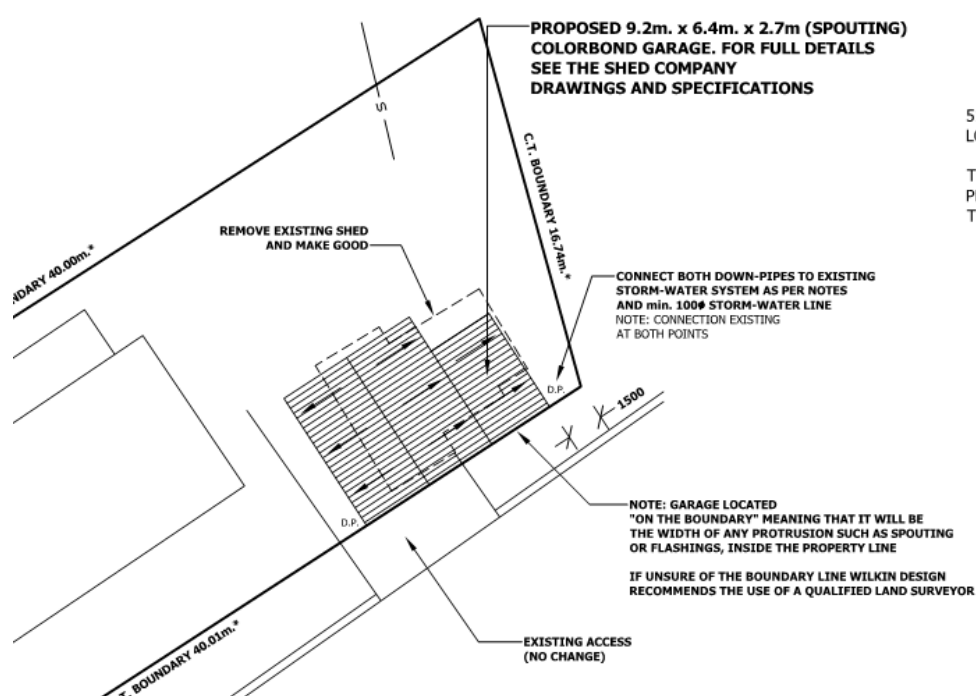
4 ASSESSMENT

4.1 Proposal

It is proposed to:

- Demolish existing outbuilding and construct a new two bay Colorbond garage with skillion storage area in a similar position.

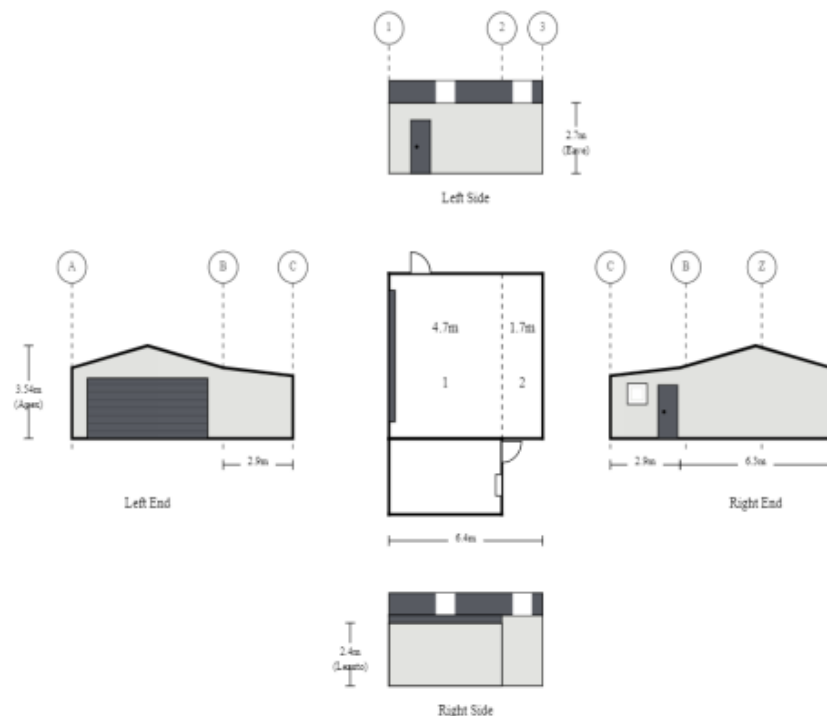
Site Plan (extract)



51
LC

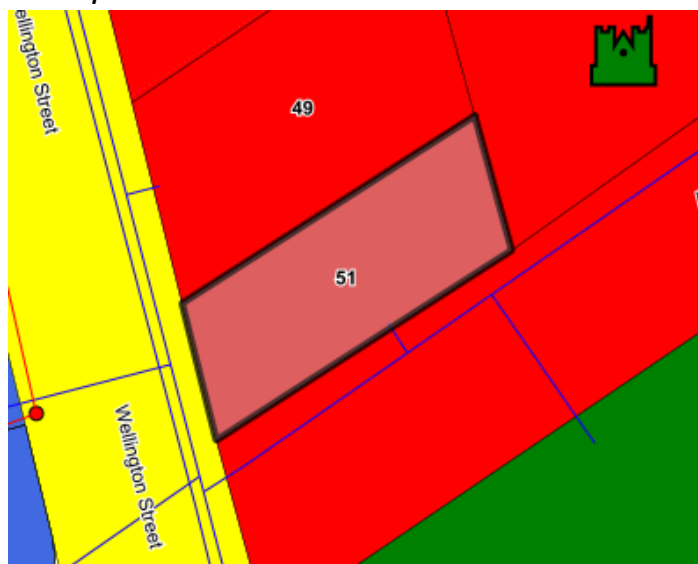
TJ
PF
TJ

Elevations



4.2 Zone and land use

Zone Map – General Residential Zone



The land is zoned General Residential Zone, is within the Heritage Precinct and is subject to the Local Historic Heritage Code and Heritage Precinct Specific Area Plan.

The relevant Planning Scheme definition is:

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

Residential (single dwelling) is a no permit required use in the zone.

4.3 Subject site and locality

The author of this report carried out a site visit on the 9/7/2021. The site is a 630m² site located on the corner of Wellington Street and Archer Street. The site contains an existing single dwelling and outbuilding. Residential uses and businesses surround the subject site.

Aerial photograph of area



Photographs of subject site





4.4 Permit/site history

Relevant permit history includes:



BLD21-114 - EF & CA Dingemanse - Underpinning

113600.19 - 51 Wellington St - Longford - MACK Richard Donald



P14-354 - W McEwan & P Whinney - Dwelling extension (sunroom)

113600.19 - 51 Wellington St - Longford - MACK Richard Donald



PLN21-0012 - W & P McEwan - Solar Panels (retrospective)

113600.19 - 51 Wellington St - Longford - MACK Richard Donald

A review of historical photography of the site indicates that a secondary garage door and parapet was established between 2011 and 2013 (no application on file). The current property owners purchased the site in March 2021.



Garage pre 2011



Garage post 2013

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 no representations were received.

4.6 Referrals

The following referrals were required:

Department of State Growth

Summary: The application was referred to the Department of State Growth (DSG) on the 10.06.2021. DSG responded on the 22.06.2021 advising they have no comment to make on the proposal.

Heritage Adviser

Summary:

Council's Heritage Advisor, David Denman, reviewed the application on the 10.06.2021. Mr Denman noted that he did have objections to the proposal and made the following comments:

Due to the prominent location of the site, the following recommendations are suggested for the proposal to comply with the Heritage Precinct Management Objectives.

1. The street facing walls be lined with bullnose profile weatherboards.
2. The roof pitch be increased to match the existing dwelling on site.
3. The front wall be setback 1.2M from the Archer Street boundary, to help reduce the visual impact on the streetscape.

Council's Senior Planner, Paul Godier, met with the property owners in response to a further information request (refer attachments), which provided the opportunity to provide amended plans in response to the Heritage Advisor's comments. The property owners declined this opportunity, instead relying on the performance criteria to form a valid application. An assessment against the relevant provisions is provided within this report.

4.7 Planning Scheme Assessment

GENERAL RESIDENTIAL ZONE

ZONE PURPOSE

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.

To provide for compatible non-residential uses that primarily serve the local community.

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.

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To encourage residential development that respects the neighbourhood character and provides a high standard of residential amenity.

Assessment: The proposal meets the zone purpose.

LOCAL AREA OBJECTIVES

To consolidate growth within the existing urban land use framework of the towns and villages.

To manage development in the General residential zone as part of or context to the Heritage Precincts in the towns and villages.

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

Assessment: The proposal meets the local area objectives.

PRECIS OF DEVELOPMENT STANDARDS FOR SINGLE DWELLINGS

10.4.2 Setback and building envelopes for dwellings

	A1	Unless within a building area, then
✓	(a)	4.5m from primary frontage; or not less than existing dwelling on site; OR
x	(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:
✓	(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)
x	(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, and max height 8.5m AND
✓	(b)	1.5m side and rear setback or built to the boundary (existing boundary wall within .2m of boundary or; 9m or 1/3 of the side boundary, whichever is lesser)

10.4.3 Site coverage and private open space for dwellings

✓	A1	(a)	max. site coverage of 50% (excluding eaves)
✓	A2	(a)	(i) POS of 24m ² in one location in one location
✓		(b)	(i) horizontal dimension of 4m; AND
✓		(c)	between dwelling and frontage only if frontage is orientated between 30 degrees west of north and 30 degrees east of north; AND
✓		(d)	not steeper than 1:10, AND

10.4.4 Sunlight and overshadowing

10.4.5 Width of openings for garages and carports

N/a	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).
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10.4.6 Privacy

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
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;
	(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%.

10.4.7 Frontage fences for single dwellings - N/a

Easements

✓	No construction over an easement
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The application meets the acceptable solutions of the General Residential zone, except for the variation to the secondary street frontage setback and associated building envelope. Accordingly, the development relies on the following performance criteria:

Clause 10.4.2

P1	<p>A dwelling must:</p> <ul style="list-style-type: none"> (a) have a setback from a frontage that is compatible with the streetscape, having regard to any topographical constraints; and (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.
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Complies with P1 – Although there will be a slight reduction in setback closer to the property boundary, the proposed setback is generally in keeping with the setback of the existing garage and is also consistent with a garage setback on the adjoining property at #4 Archer Street, Longford.

P3	<p>The siting and scale of a dwelling must:</p> <ul style="list-style-type: none"> (a) not cause unreasonable loss of amenity by: <ul style="list-style-type: none"> (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. (c) not cause an unreasonable reduction in sunlight to an existing solar energy installation on: <ul style="list-style-type: none"> (i) an adjoining property; or (ii) another dwelling on the same site.
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Complies with P3 – As the garage is located to the southern side of the property, fronting a road, it will not cause an unreasonable loss of amenity due to reduction in sunlight or overshadowing. The visual impact of the development, when viewed from adjoining lots is also minimal, due to the site being a corner lot, with a 2000m²+ lot adjacent and open space across the road. Separation distances between dwellings will remain consistent and there will be no impact on existing solar energy installations.

CODES	
E1.0	BUSHFIRE PRONE AREAS CODE
E2.0	POTENTIALLY CONTAMINATED LAND
E3.0	LANDSLIP CODE
E4.0	ROAD AND RAILWAY ASSETS CODE
E5.0	FLOOD PRONE AREAS CODE
E6.0	CAR PARKING AND SUSTAINABLE TRANSPORT CODE
E7.0	SCENIC MANAGEMENT CODE
E8.0	BIODIVERSITY CODE
E9.0	WATER QUALITY CODE
E10.0	RECREATION AND OPEN SPACE CODE
E11.0	ENVIRONMENTAL IMPACTS & ATTENUATION CODE
E12.0	AIRPORTS IMPACT MANAGEMENT CODE
E13.0	LOCAL HISTORIC HERITAGE CODE
E14.0	COASTAL CODE
E15.0	SIGNS CODE

ASSESSMENT AGAINST E13.0 LOCAL HISTORIC HERITAGE CODE

E13.5 USE STANDARDS

E13.5.1 Alternative Use of heritage buildings

Comment: N/a

E13.6 DEVELOPMENT STANDARDS

E13.6.1 Demolition

Objective: To ensure that the demolition or removal of buildings and structures does not impact on the historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts.	
Acceptable Solutions	Performance Criteria
A1 Removal of non-original cladding to expose original cladding.	<p>P1.1 Existing buildings, parts of buildings and structures must be retained except:</p> <ul style="list-style-type: none"> a) where the physical condition of place makes restoration inconsistent with maintaining the cultural significance of a place in the long term; or b) the demolition is necessary to secure the long-term future of a building or structure through renovation, reconstruction or rebuilding; or c) there are overriding environmental, economic considerations in terms of the building or practical considerations for its removal, either wholly or in part; or d) the building is identified as non-contributory within a precinct identified in Table E13.1: Heritage Precincts, if any; and <p>P1.2 Demolition must not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.</p>

Comment: Satisfies the performance criteria.

E13.6.2 Subdivision and development density

Comment: N/a

E13.6.3 Site Cover

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

Comment: Satisfies the performance criteria.

E13.6.4 Height and Bulk of Buildings

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

Comment: Satisfies the performance criteria.

E13.6.5 Fences

Comment: N/a

E13.6.6 Roof Form and Materials

Objective: To ensure that roof form and materials are designed to be sympathetic to, and not detract from the historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts.	
Acceptable Solutions	Performance Criteria
A1 Roof form and materials must be in accordance with the acceptable development criteria for roof form and	<p>P1 Roof form and materials for new buildings and structures must:</p> <ul style="list-style-type: none"> a) be sympathetic to the historic heritage significance, design and period of construction of the dominant existing buildings on the site; and

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materials within a precinct identified in Table E13.1: Heritage Precincts, if any.	b) not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.
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Comment: Council's Heritage Advisor commented that: "It is recommended that the roof pitch be increased to match the existing dwelling." The roof pitch is currently proposed to be 15 degrees. The roof pitch of the dwelling is estimated from photos to be 22.5 degrees (standard Australian dwelling roof pitch).

E13.6.7 Wall materials

Objective: To ensure that wall materials are designed to be sympathetic to, and not detract from the historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts.

Acceptable Solutions	Performance Criteria
A1 Wall materials must be in accordance with the acceptable development criteria for wall materials within a precinct identified in Table E13.1: Heritage Precincts, if any.	P1 Wall material for new buildings and structures must: <ul style="list-style-type: none"> a) be complementary to wall materials of the dominant buildings on the site or in the precinct; and b) not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.

Comment: Council's Heritage Advisor commented that: "It is recommended that the walls facing Archer Street be clad with bullnose weatherboards (these can be fibre cement with the profile to match timber bullnose boards for ease of maintenance)." The walls are currently proposed to be 'Trimclad' finish.



Image: Metroll Trimclad

E13.6.8 Siting of Buildings and Structures

Objective: To ensure that the siting of buildings, does not detract from the historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts.

Acceptable Solutions	Performance Criteria
A1 New buildings and structures must be in accordance with the acceptable development criteria for setbacks of buildings and structures to the road within a precinct identified in Table E13.1: Heritage Precincts, if any.	P1 The front setback for new buildings or structure must: <ul style="list-style-type: none"> a) be consistent with the setback of surrounding buildings; and b) be set at a distance that does not detract from the historic heritage significance of the place; and c) not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.

Comment: Council's Heritage Advisor commented that: "It is recommended that the street setback be a minimum of 1.2M to reduce the visual impact of the garage within the historic streetscape" in order to not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts.

E13.6.9 Outbuildings and Structures

Objective: To ensure that the siting of outbuildings and structures does not detract from the historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts.

Acceptable Solutions	Performance Criteria
A1 Outbuildings and structures must be: <ul style="list-style-type: none"> a) set back an equal or greater distance from the principal frontage than the principal buildings on the site; and b) in accordance with the acceptable development criteria for roof form, wall material and site coverage within a precinct identified in Table E13.1: Heritage Precincts, if any. 	P1 New outbuildings and structures must be designed and located; <ul style="list-style-type: none"> a) to be subservient to the primary buildings on the site; and b) to not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.

Comment: Complies with A1 (a) – the principal frontage is taken to be the primary frontage (Wellington St) and the proposed outbuildings is greater distance from the principal frontage than the principal building (dwelling) on the site.



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E13.6.10 Access Strips and Parking

Comment: N/a

E13.6.11 Places of Archaeological Significance

Comment: N/a

E13.6.12 Tree and Vegetation Removal

Comment: N/a

E13.6.13 Signage

Comment: N/a

E13.6.14 Maintenance and Repair

Comment: N/a

Table E13.1: Local Heritage Precincts

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

Existing Character Statement - Description and Significance
<p>LONGFORD HERITAGE PRECINCT CHARACTER STATEMENT</p> <p>The Longford Heritage Precinct is unique because it is the core of an intact nineteenth century townscape, rich with significant structures and the atmosphere of a centre of trade and commerce for the district. Traditional commercial buildings line the main street, flanked by two large public areas containing the Christ Church grounds and the War Memorial. The street then curves gently at Heritage Corner towards Cressy, and links Longford to the surrounding rural farmland, creating views to the surrounding countryside and a gateway to the World Heritage listed Woolmers and Brickendon estates. Heritage residential buildings are tucked behind the main street comprising traditional styles from the mid nineteenth century to the early twentieth century, including significant street trees, picket fences and cottage gardens. The rural township feel is complemented by a mix of businesses serving local needs, tourism and historic interpretation. Longford's heritage ambience has been acknowledged, embraced and built on by many of those who live in or visit the town.</p>
Management Objectives
<p>To ensure that new buildings, additions to existing buildings, and other developments which are within the Heritage Precincts do not adversely impact on the heritage qualities of the streetscape, but contribute positively to the Precinct.</p> <p>To ensure developments within street reservations in the towns and villages having Heritage Precincts do not to adversely impact on the character of the streetscape but contribute positively to the Heritage Precincts in each settlement.</p>

Comment: The proposal is consistent with the Heritage Precinct Character Statement and satisfies the Management Objectives.

SPECIFIC AREA PLANS	
F1.0 TRANSLINK SPECIFIC AREA PLAN	N/a
F2.0 HERITAGE PRECINCTS SPECIFIC AREA PLAN	See Specific Area Plan assessment below

ASSESSMENT AGAINST F20 HERITAGE PRECINCT SPECIFIC AREA PLAN
--

F2.5 Standards for Development

F2.5.1 Setbacks and siting

<p>Objective</p> <p>To ensure that:</p> <p>(a) the predominant front setback of the existing buildings in the streetscape is maintained;</p> <p>(b) the impact of garages and carports on the streetscape is minimised; and</p> <p>(c) the visual prominence of the Baptist Church building in Longford is maintained.</p>	
Acceptable Solutions	Performance Criteria
<p>A1.1 The predominant front setback as identified in the design statement must be maintained for all new buildings, extensions, alterations or additions (refer Figure F2.4 & F2.8).</p>	<p>P1.1 The front setback must be compatible with the historic cultural heritage significance of a local heritage place or precinct, having regard to:</p> <p>a) the cultural heritage values of the local heritage place, its setting and the precinct;</p> <p>b) the topography of the site;</p> <p>c) the size, shape, and orientation of the lot;</p>

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A1.2 For Heritage Place ID 279 – ‘Baptist Church’ 41-43 Wellington Street, Longford in Table F2.1, the front setback to Wellington Street must be a minimum of 8m.	d) the setbacks of other buildings in the surrounding area; e) the historic cultural heritage significance of adjacent places; and f) the streetscape. P1.2 No Performance Criterion.
Complies with A1.1 – Similar to existing and consistent with building on adjacent lot. A1.2 – N/a	N/a
A2 New carports and garages, whether attached or detached, must be set back a minimum of 3 metres behind the line of the front wall of the house which it adjoins (refer Figure F2.3, & F2.7).	P2 The setback of new carports and garages from the line of the front wall of the house which it adjoins must be compatible with the historic cultural heritage significance of a local heritage place or precinct, having regard to: a) the cultural heritage values of the local heritage place, its setting and the precinct; b) the topography of the site; c) the size, shape, and orientation of the lot; d) the setbacks of other buildings in the surrounding area; e) the historic cultural heritage significance of adjacent places; and f) the streetscape.
Relies on performance criteria.	The outbuilding is proposed to have a similar setback to the existing garage. Council’s Heritage Advisor has commented that “It is recommended that the street setback be a minimum of 1.2M to reduce the visual impact of the garage within the historic streetscape.” The materials and roof form of the proposed shed does not match the previous shed.
A3 Side setback reductions must be to one boundary only, in order to maintain the appearance of the original streetscape spacing.	P3 Side setbacks must be compatible with the historic cultural heritage significance of a local heritage place or precinct, having regard to: a) the cultural heritage values of the local heritage place, its setting and the precinct; b) the topography of the site; c) the size, shape, and orientation of the lot; d) the setbacks of other buildings in the surrounding area; e) the historic cultural heritage significance of adjacent places; and f) the streetscape.
N/a	N/a
A4 For Heritage Place ID 279 – ‘Baptist Church’ 41-43 Wellington Street, Longford identified in Table F2.1, new development must be located a minimum distance of 6m from the southern wall of the Tabernacle building.	P4 No Performance Criterion.
N/a	N/a

F2.5.2 Orientation

Objective To ensure that new buildings, extensions, alterations and additions respect the established predominant orientation within the streetscape.	
Acceptable Solutions	Performance Criteria
A1 All new buildings, extensions, alterations or additions must be orientated: a) perpendicular to the street frontage (refer Figure F2.5, F2.6, & F2.8); or b) Where the design statement identifies that the predominant orientation of buildings within the street is other than perpendicular to the street, to conform to the established pattern in the street; and c) A new building must not be on an angle to an adjoining heritage-listed building (refer Figure F2.5).	P1 Orientation of all new buildings, extensions, alteration or additions must be compatible with the historic cultural heritage significance of a local heritage place or precinct, having regard to: a) the cultural heritage values of the local heritage place, its setting and the precinct; b) the topography of the site; c) the size, shape, and orientation of the lot; d) the setbacks of other buildings in the surrounding area; e) the historic cultural heritage significance of adjacent places; and

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	f) the streetscape.
Complies with A1.	N/a

F2.5.3 Scale

Objective To ensure that all new buildings respect the established scale of buildings in the streetscape, adhere to a similar scale, are proportional to their lot size and allow an existing original main building form to dominate when viewed from public spaces.	
Acceptable Solutions	Performance Criteria
A1 Single storey developments must have a maximum height from floor level to eaves of 3 metres (refer Figure F2.14).	P1 No performance criteria
Complies with A1.	N/a
A2 Where a second storey is proposed it must be incorporated into the roof space using dormer windows, or roof windows, or gable end windows, so as not to detract from original two storey heritage-listed buildings (refer Figure F2.13 & F2.15).	P2 No performance criteria.
N/a	N/a
A3 Ground floor additions located in the area between the rear and front walls of the existing house must not exceed 50% of the floor area of the original main house.	P3 No performance criteria.
N/a	N/a

F2.5.4 Roof Forms

Objective To ensure that the roof form and elements respect those of the existing main building and the streetscape.	
Acceptable Solutions	Performance Criteria
A1.1 The roof form ¹ for new buildings, extensions, alterations, and additions must, if visible from the street, be in the form of hip or gable, with a pitch between 25 – 40 degrees (refer Figure F2.14 & F2.18), or match the existing building, and A1.2 Eaves overhang must be a maximum of 300mm excluding guttering, or match the existing building.	P1 The roof form of all new buildings, extensions, alteration or additions must be compatible with the historic cultural heritage significance of a local heritage place or precinct, having regard to: a) the cultural heritage values of the local heritage place, its setting and the precinct; b) the design, period of construction and materials of the dominant building on site; c) the dominant roofing style and materials in the setting; and d) the streetscape.
Does not meet A1.1 - Relies on P1. A1.2 – Complies.	Council's Heritage Advisor commented that: "It is recommended that the roof pitch be increased to match the existing dwelling." The roof pitch is currently proposed to be 15 degrees. The roof pitch of the dwelling is estimated from photos to be 22.5 degrees (standard Australian dwelling roof pitch). The proposed shed is therefore not consistent with the design, period of construction and materials of the dominant building on site.
A2 Where there is a need to use the roof space, dormer windows are acceptable and must be in a style that reflects the period setting of the existing main building on the site, or the setting if the site is vacant (refer Figure F2.15).	P2 No performance criteria
N/a	N/a
A3 Where used, chimneys must be in a style that reflects the period setting of the existing main building on the site, or the setting if the site is vacant.	P3 No performance criteria

¹ Roofs are often the most crucial aspect of the design of new buildings in historic areas. Although many other elements of a new building can be disguised or screened by planting, roofs remain dominant. Roofscape is an important visual element of historic villages, where the roofs of some buildings may be seen as prominently as the front walls.

Massive roof forms are not acceptable. A multi-hipped roof was a traditional technique to reduce the height of hipped roofs and maintain a uniform ridge line, reducing roof mass. Traditional elements such as dormer windows and chimneys help to punctuate the expanse of a roof.

Most buildings constructed prior to 1900 have simple small roof forms, with hips or gables spanning about 6.5m. If the building was wider or longer, another hip, gable or skillion was added rather than raising the ridge line and trying to span a greater distance under one roof.

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N/a	N/a
A4 Metal cowls must not be used where they will be seen from the street.	P4 No performance criteria
N/a	N/a

F2.5.5 Plan Form

Objective To ensure that new buildings, alterations, additions and extensions respect the setting, original plan form ² , shape and scale of the existing main building on the site or of adjoining heritage-listed buildings.	
Acceptable Solutions	Performance Criteria
A1.1 Alterations and additions to pre-1940 buildings must retain the original plan form of the existing main building; or A1.2 The plan form of additions must be rectilinear or consistent with the existing house design and dimensions.	P1 Original main buildings must remain visually dominant over any additions when viewed from public spaces.
N/a	N/a
A2 The plan form of new buildings must be rectilinear (refer Figure F2.9).	P2 No performance criteria
Complies with A2.	N/a

F2.5.6 External Walls

Objective To ensure that wall materials used are compatible with the streetscape.	
Acceptable Solutions	Performance Criteria
A1.1 Materials used in additions must match those of the existing construction, except in additions to stone or brick buildings; and A1.2 External walls must be clad in: a) traditional bull-nosed timber weatherboards; if treated pine boards are used to replace damaged weatherboards they must be painted; thin profile compressed board weatherboards must not be used; or b) brickwork, with mortar of a natural colour and struck flush with the brickwork (must not be deeply raked), including: <ul style="list-style-type: none"> • painted standard size bricks; or • standard size natural clay bricks that blend with the colour and size of the traditional local bricks; or • standard brickwork rendered in traditional style; or • if a heritage-listed building, second-hand traditional local bricks. Heavily-tumbled clinker bricks must not be used; or c) concrete blocks specifically chosen to blend with local dressed stone, or rendered and painted; d) concrete blocks in natural concrete finish must not be used. A1.3 Cladding materials designed to imitate traditional materials such as brick, stone and weatherboards must not be used ³ .	P1 Wall materials must be compatible with the historic cultural heritage significance of a local heritage place or precinct, having regard to: a) the cultural heritage values of the local heritage place, its setting and the precinct; b) the design, period of construction and materials of the dominant building on site; c) the dominant wall materials in the setting; and d) the streetscape.
Relies on P1.	Council's Heritage Advisor commented that: "It is recommended that the walls facing Archer Street be clad with bullnose weatherboards (these can be fibre cement

² Heritage houses normally present a simple front wall to the street. Where there is a variation it is usually filled in by a verandah, thereby producing basic rectangular or square plan forms. The main entry is usually located in the centre of the house with front rooms both sides.

The choice of plan form directly affects the roof shape. Complex plan forms usually result in multiple ridge lines of varying heights and are unsympathetic with the simple roof form common to most heritage buildings. Equal squares and rectangles in the plan can achieve this satisfactorily. Use of modern materials and construction methods can result in stress on the original fabric and finishes, and may contribute to accelerated deterioration.

The siting and orientation of additions will be influenced by the existing structure. The use of traditional proportions for walls and openings will produce the most successful results.

³ Acrylic paints reduce the period required for repainting weatherboards when applied properly. Second-hand bricks may be acceptable in some circumstances, although the use of early bricks in short supply should be restricted to alterations and additions to historic buildings.

with the profile to match timber bullnose boards for ease of maintenance).” The walls are currently proposed to be ‘Trimclad’ finish.





Image: Metroll Trimclad

This is not compatible with the materials of the dominant building on site.

F2.5.7 Entrances and Doors – N/a

F2.5.8 Windows – N/a

F2.5.9 Roof Covering

Objective To ensure that roof materials are compatible with the streetscape.	
Acceptable Solutions	Performance Criteria
<p>A1.1 Roofing of additions, alterations and extensions must match that of the existing building; and</p> <p>A1.2 Roof coverings must be:</p> <p>a) corrugated iron sheeting in grey tones, brown tones, dark red, or galvanized iron or</p> <p>b) slate or modern equivalents, shingle and low profile tiles, where compatible with the style and period of the main building on the site and the setting. Tile colours must be:</p> <ul style="list-style-type: none"> • dark gray; or • light grey; or • brown tones; or • dark red; <p>or</p> <p>c) traditional metal tray tiles where compatible with the style and period of the main building on the site</p> <p>d) for additions, alterations and extensions, match that of the existing building.</p>	P1 No performance criteria
<p>Plans/supplied documents indicate compliance with A1.2 (a) for the sheet profile and colour – Ironstone (grey tone).</p> <div>   </div>	N/a
A2 Must not be klip-lock steel deck and similar high rib tray sheeting.	P2 No performance criteria
A condition would be required to ensure correct profile of sheeting.	N/a

F2.5.10 Roof Plumbing

Objective To ensure that roof plumbing and fittings are compatible with the streetscape.	
Acceptable Solutions	Performance Criteria
A1.1 Gutters must be OG, D mould, or Half Round profiles (refer Figure F2.26), or match the existing guttering; and	P1 No performance criteria
A1.2 Downpipes must be zincalume natural, colorbond round, or PVC round	

Painted.	
A1.1 – A condition would be required if permit issued to ensure compliance with gutter profile.	N/a
A1.2 – complies – painting required.	
A2 Downpipes must not be square-line gutter profile or rectangular downpipes (refer Figure F2.27), or match the existing downpipes.	P2 No performance criteria
Complies.	N/a

F2.5.11 Verandahs – N/a

F2.5.12 Architectural Details

Objective To ensure that the architectural details are consistent with the historic period and style of the main building on the site, and the streetscape.	
Acceptable Solutions	Performance Criteria
Original Detailing	
A1 Original details ⁴ and ornaments, such as architraves, fascias and mouldings, are an essential part of the building's character and must not be removed beyond the extent of any alteration, addition or extension.	P1 No performance criteria
N/a	N/a
Non-original Detailing	
A2.1 Non-original elements must be consistent with the original architectural style of the dominant existing building on the site or, for vacant sites, be consistent with the existing streetscape; and	P2 No performance criteria
A2.1 Non-original elements must not detract from or dominate the original qualities of the building, nor should they suggest a past use which is not historically accurate.	
Complies with A2.1 – detailing not proposed.	N/a

F2.5.13 Outbuildings

Objective To ensure that outbuildings do not reduce the dominance of the original building or distract from its period character.	
Acceptable Solutions	Performance Criteria
A1 The roof form of outbuildings must, if visible from the street, be in the form of hip or gable, with a maximum span of 6.5m and a pitch between 22.5 – 40 degrees.	P1 The roof form of outbuildings, if visible from the street, must be compatible with the historic cultural heritage significance of a local heritage place or precinct, having regard to: <ul style="list-style-type: none"> a) the cultural heritage values of the local heritage place, its setting and the precinct; b) the design, period of construction and materials of the dominant building on site; c) the dominant roofing style and materials in the setting; and d) the streetscape.
Relies on P1.	Council's Heritage Advisor commented that: "It is recommended that the roof pitch be increased to match the existing dwelling." The roof pitch is currently proposed to be 15 degrees. The roof pitch of the dwelling is estimated from photos to be 22.5 degrees (standard Australian dwelling roof pitch). The proposed shed is therefore not consistent with the design, period of construction and materials of the dominant building on site.

⁴ When restoring or altering buildings, original materials should be retained wherever possible. Repair is preferred to replacement. If it is necessary to replace missing or irretrievably deteriorated material, duplicate the size, shape, texture and finish of the original material as closely as possible.

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A2	Outbuildings must be designed, in both scale and appearance, to be subservient to the primary buildings on the site.	P2	No performance criteria
Council's Heritage Advisor commented that the proposal would comply with recommended changes (ie. Roof pitch, setback and revised cladding). The changes were stipulated in a request for further information; however, no changes to meet the Heritage Advisors recommendations have been made.		N/a	
A3	Outbuildings must not be located in front of existing heritage-listed buildings and must be setback a minimum of 3 metres behind the line of the front wall of the house that is set furthest back from the street (refer Figure F2.1 & F2.3).	P3	No performance criteria
Complies with A3 – the front wall is considered to be adjacent to the primary frontage (Wellington St). The site does not contain a heritage listed place.		N/a	
A4	Any garage, including those conjoined to the main building, must be designed in the form of an outbuilding, with an independent roof form.	P4	No performance criteria
Complies with A4.		N/a	
A5	Those parts of Outbuildings visible from the street must be consistent, in both materials and style, with those of any existing heritage-listed building on-site.	P5	No performance criteria
N/a – no heritage listed buildings locate on-site.		N/a	
A6	Where visible from the street, the eaves height of outbuildings must not exceed 3m and the roof form and pitch must be the same as that of the main house.	P6	No performance criteria
Complies with A6 for the eaves height. Council's Heritage Advisor commented that: "It is recommended that the roof pitch be increased to match the existing dwelling." The roof pitch is currently proposed to be 15 degrees. The roof pitch of the dwelling is estimated from photos to be 22.5 degrees (standard Australian dwelling roof pitch). The proposed shed is therefore not consistent with the design, period of construction and materials of the dominant building on site.		N/a	

F2.5.14 Conservatories – N/a

F2.5.15 Fences and Gates – N/a

F2.5.16 Paint Colours

Objective To ensure that new colour schemes maintain a sense of harmony with the street or area in which they are located.	
Acceptable Solutions	Performance Criteria
<p>A1.1 Colour schemes must be drawn from heritage-listed buildings within the precinct; or</p> <p>A1.2 Colour schemes must be drawn from the following:</p> <ul style="list-style-type: none"> a) Walls – Off white, creams, beige, tans, fawn and ochre. b) Window & Door frames – white, off white, Indian red, light browns, tans, olive green and deep Brunswick green. c) Fascia & Barge Boards - white, off white Indian red, light browns, tans, olive green and deep Brunswick green d) Roof & Gutters – deep Indian red, light and dark grey. 	P1 Colour schemes must be compatible with the local historic heritage significance of the local heritage place or precinct having regard to the character and appearance of the existing place or precinct.
Colour scheme proposed is: Walls – Surfmist	N/a

 SURFMIST® Roof/doors/gutters/end cap/flashings/windows – Ironstone			
 IRONSTONE® Personal Access door – Monument			
 MONUMENT® No windows/doors are visible from the street. If a permit were issued, it would need to require compliance for fascia/barge boards colours.			
A2	There must be a contrast between the wall colour and trim colours.		
Complies with A2.			
A3	Previously unpainted brickwork must not be painted, except in the case of post-1960 buildings.	P2	No performance criteria
		N/a	
A3	Previously unpainted brickwork must not be painted, except in the case of post-1960 buildings.	P3	No performance criteria
N/a		N/a	

F2.5.17 Lighting

Objective	
To ensure that modern domestic equipment and wiring do not intrude on the character of the streetscape	
Acceptable Solutions	Performance Criteria
A1 Wiring or conduit to new lighting is not located on the front face of a building.	P1 No performance criteria
A condition would be required to ensure compliance if permit issued.	N/a

F2.5.18 Maintenance and Repair – N/a

F2.6 Use Standards

F2.6.1 Alternative Use of heritage building - 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
9.5 Change of Use of a Place listed on the Tasmanian Heritage Register or a heritage place	N/a
9.6 Change of Use	N/a
9.7 Access and Provision of Infrastructure Across Land in Another Zone	N/a
9.8 Buildings Projecting onto Land in a Different Zone	N/a
9.9 Port and Shipping in Proclaimed Wharf Areas	N/a
STATE POLICIES	
The proposal is consistent with all State Policies.	



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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:

- Reliance on the Performance Criteria of the General Residential Zone (vary secondary frontage)
- Reliance on the Performance Criteria of the Local Historic Heritage Code and Heritage Precinct Specific Area Plan

Upon submission of the application, Council officers held discussions with the applicant regarding the appropriateness of the façade materials and setback from the road. Council's Senior Planner, Paul Godier, met with the property owners in response to a further information request (refer attachments), which provided the opportunity to provide amended plans. The property owners declined this opportunity, instead relying on the performance criteria to form a valid application. An assessment against the relevant provisions is provided within this report and determines that the proposal is not in compliance with the relevant clauses of the Historic Heritage Code and Heritage Precinct Specific Area Plan.

8 ATTACHMENTS

A. Application & plans, correspondence with applicant

B. Responses from referral agencies

RECOMMENDATION

That application PLN-21-0129 to Demolish outbuilding, construct garage (vary secondary frontage; Heritage Precinct) at 51 Wellington Street, Longford be refused on the following grounds:

- 1) The proposal does not comply with clauses E13.6.6 P1 (a & b) - Roof Form and Materials of the Local Historic Heritage Code and Clause F2.5.4 P1- Roof Forms, Clause F2.5.9 A1.1 – Roof Covering, and Clause F2.5.13 P1 and A6 – Outbuildings of the Heritage Precinct Specific Area Plan.
The roof pitch is currently proposed to be 15 degrees. The roof pitch of the dwelling is estimated from photos to be 22.5 degrees (standard Australian dwelling roof pitch). The proposed shed is therefore not consistent with the design and materials of the dominant building on site.
- 2) The proposal does not comply with clause E13.6.7 - Wall materials of the Local Historic Heritage Code and Clause F2.5.6 P1 - External Walls of the Heritage Precinct Specific Area Plan
The walls are currently proposed to be 'Trimclad' finish. This is not compatible or complementary with the materials of the dominant building on site or within the precinct and detracts from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts.
- 3) The proposal does not comply with clause E13.6.8 P1 (c) - Siting of Buildings and Structures of the Local Historic Heritage Code, F2.5.1 P2 - Setbacks and siting and F2.5.13 A2 - Outbuildings of the Heritage Precinct Specific Area Plan.



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The setback, when combined with inappropriate roof pitch and cladding materials detracts from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, is not compatible with the historic cultural heritage significance of the precinct and is not setback a minimum of 3 metres behind the line of the front wall of the house that is set furthest back from the street.

DECISION

Cr



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PLAN 2 PLANNING APPLICATION PLN-20-0297: 50 MAIN ROAD, PERTH

Attachments: Section 1 – Page 394

File Number: 108900.83
Responsible Officer: Erin Miles, Development Supervisor
Report prepared by: Paul Godier, Senior Planner

1 INTRODUCTION

This report assesses an application for a 2 lot subdivision at 50 Main Road, Perth.

2 BACKGROUND

Applicant:

Abode Designer Homes

Owner:

Matthew Kempnich

Zone:

General Residential Zone

Codes:

Road and Railway Assets Code, Carparking and Sustainable Transport Code, Local Historic Heritage Code.

Classification under the Scheme:

Subdivision

Existing Use:

Residential (single dwelling)

Deemed Approval Date:

24 July 2021

Recommendation:

Approve with conditions

Discretionary Aspects of the Application

- Lot 1 less than 450m2.
- Variation to solar orientation provision.
- Variation of sight distance to east.
- Subdivision of heritage listed property.

Planning Instrument:

Northern Midlands Interim Planning Scheme 2013, Version 32, Effective from 19 October 2021.

Preliminary Discussion

Prior to the application being placed on public exhibition, further information was requested from the applicant (attached), following which the applicant held a meeting with the Tasmanian Heritage Council's Works Manager, and the Northern Midlands Council's Heritage Adviser and Senior Planner.

Subject site from Main Road



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.

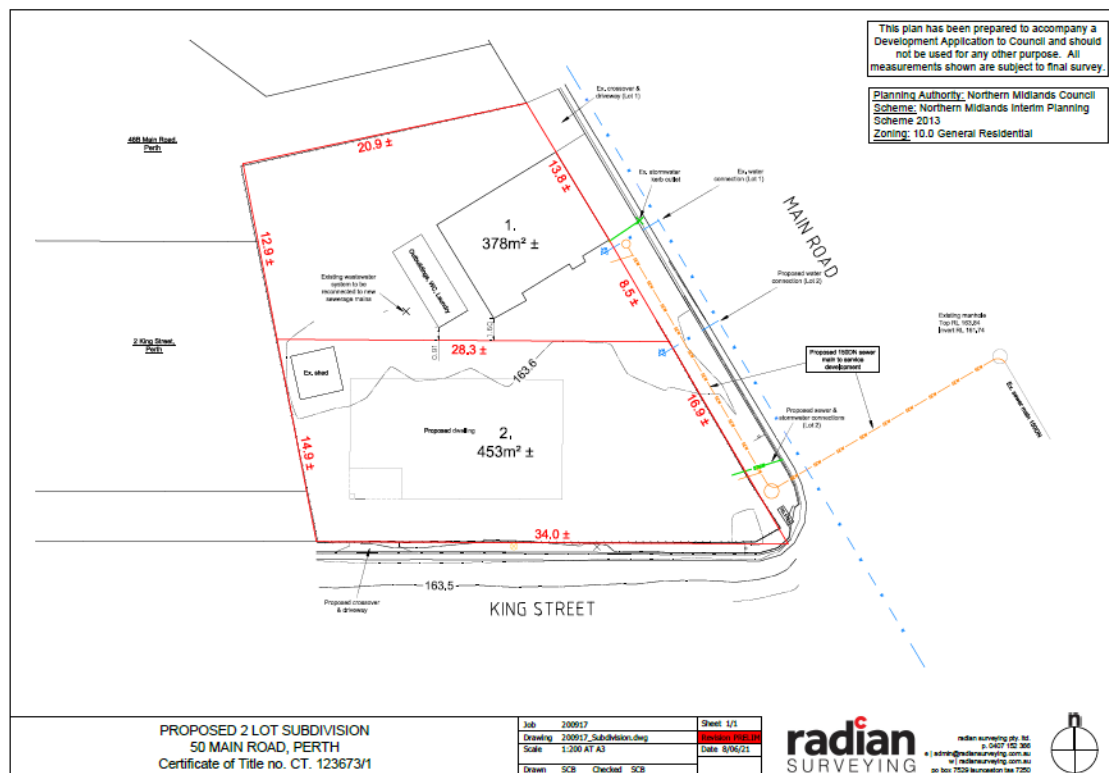
4 ASSESSMENT

4.1 Proposal

It is proposed to create a two-lot subdivision:

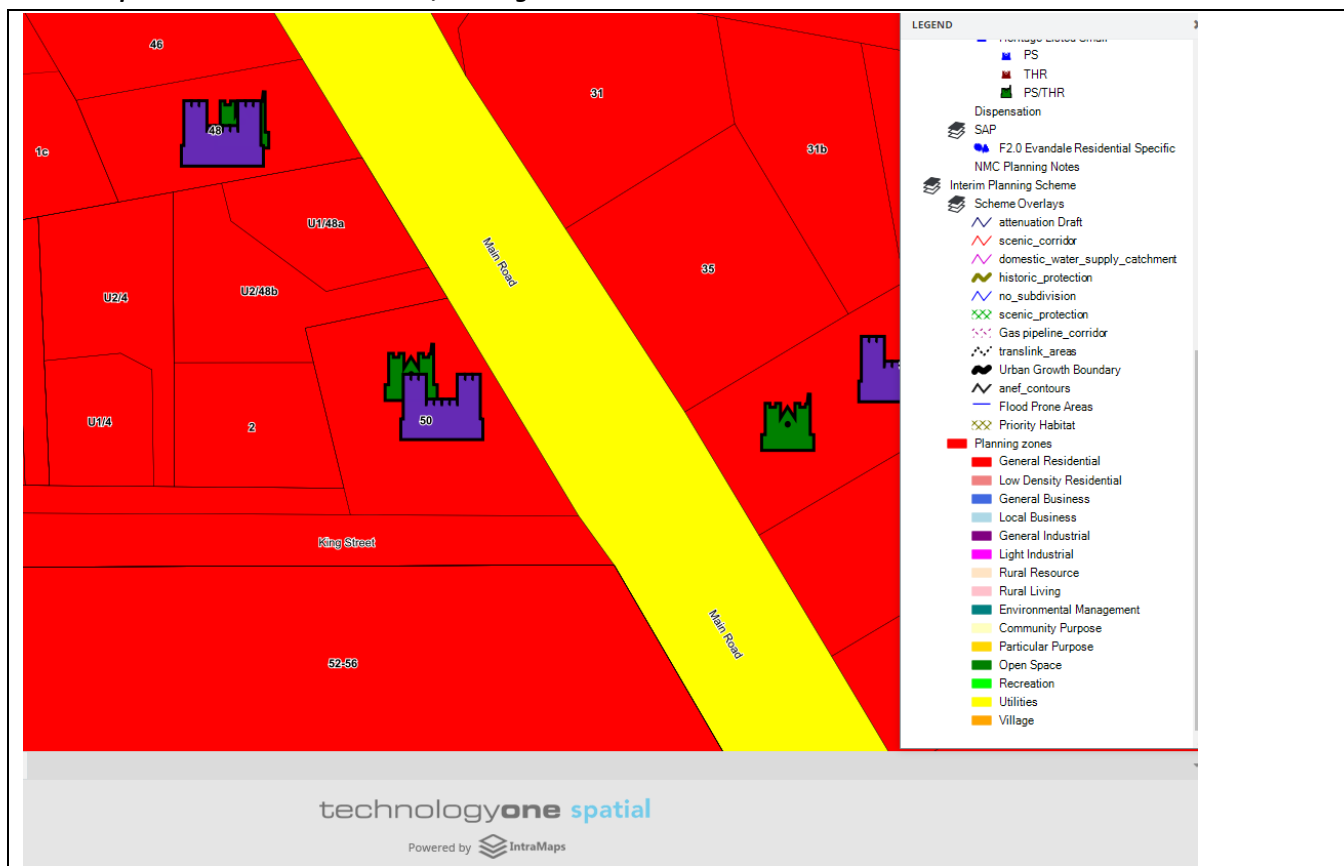
- Lot 1: existing house, 378m².
- Lot 2: vacant (proposed house) 453m².

Proposed subdivision plan



4.2 Zone and land use

Zone Map – General Residential zone, Heritage Listed



The land is zoned General Residential and is in the Heritage Listed.

The relevant Planning Scheme definition is:

<i>subdivision</i>	<i>means the act of subdividing or the lot subject to an act of subdividing.</i>
--------------------	--

4.3 Subject site and locality

The author of this report carried out a site visit on 7 July 2021. The site contains a heritage listed house. It is surrounded by a mix of single and multiple dwellings.

Aerial photograph of area showing subject site in highlighted in red and LGA subdivision roads outlined in red. Note also approximate 3m setback of fence on property opposite subject site.



Aerial photograph showing approximate 3m setback of fence opposite the subject site



Subject site looking down King Street



King Street, subject site on right with paling fence



4.4 Permit/site history

Relevant permit history includes:

P **PLN20-0296 - Abode Designer Homes - Multiple Dwellings (1 original, 1 new)**
108900.83 - 50 Main Rd - Perth - KEMPNIICH Matthew James

P **PLN20-0297 - Abode Designer Homes - 2 Lot subdivision**
108900.83 - 50 Main Rd - Perth - KEMPNIICH Matthew James

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 no representations were received to PLN-20-0297 (2-lot subdivision).

One representation, from M Cleland, 2 Talisker St, Perth, concerned about the subdivision, was received to PLN-20-0296 (multiple dwelling). The concern is considered here.

The proposed subdivision will detract from the character of the small Victorian wooden cottage such that its significance in the streetscape may be lost.

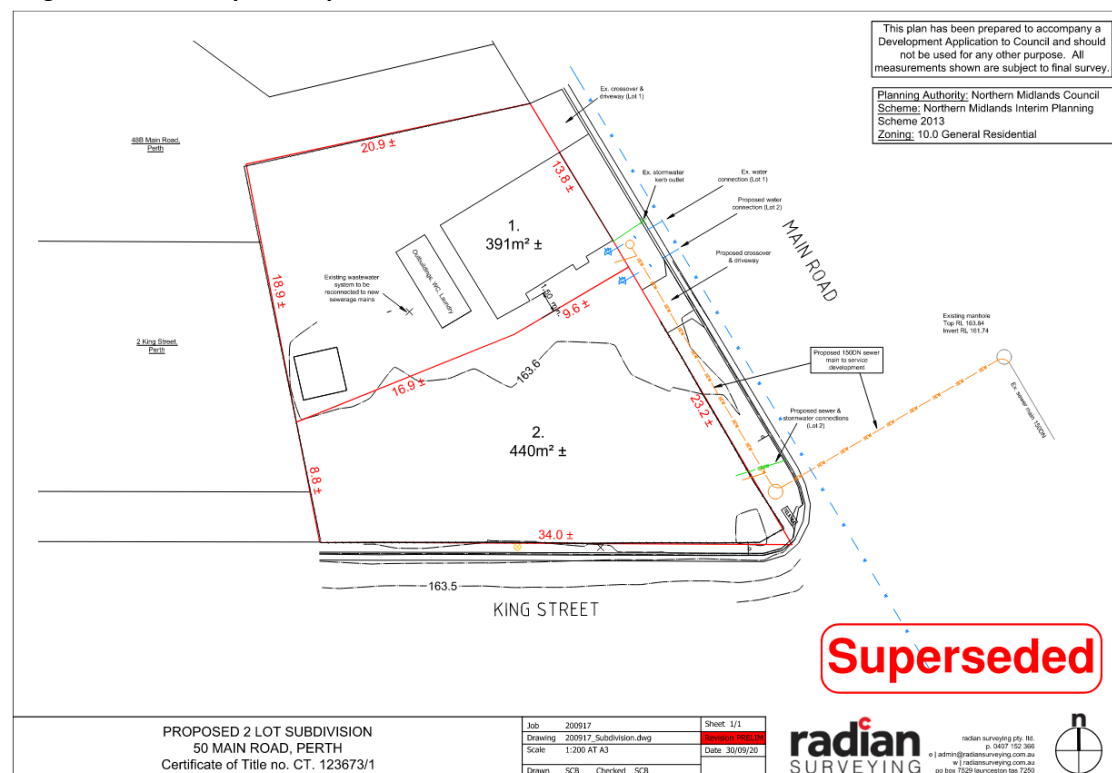
The proposed new fence will come within 1.591m of the dwelling and less than a meter from the laundry block will obstruct and spoil the view of the house from the road and footpath and the adjoining house is not designed to complement the existing cottage but will clash aesthetically with it.

The proposed subdivision fails to give the cottage sufficient space to the south such that the south facing door and small paned window group will be unable to serve their purpose and current use.

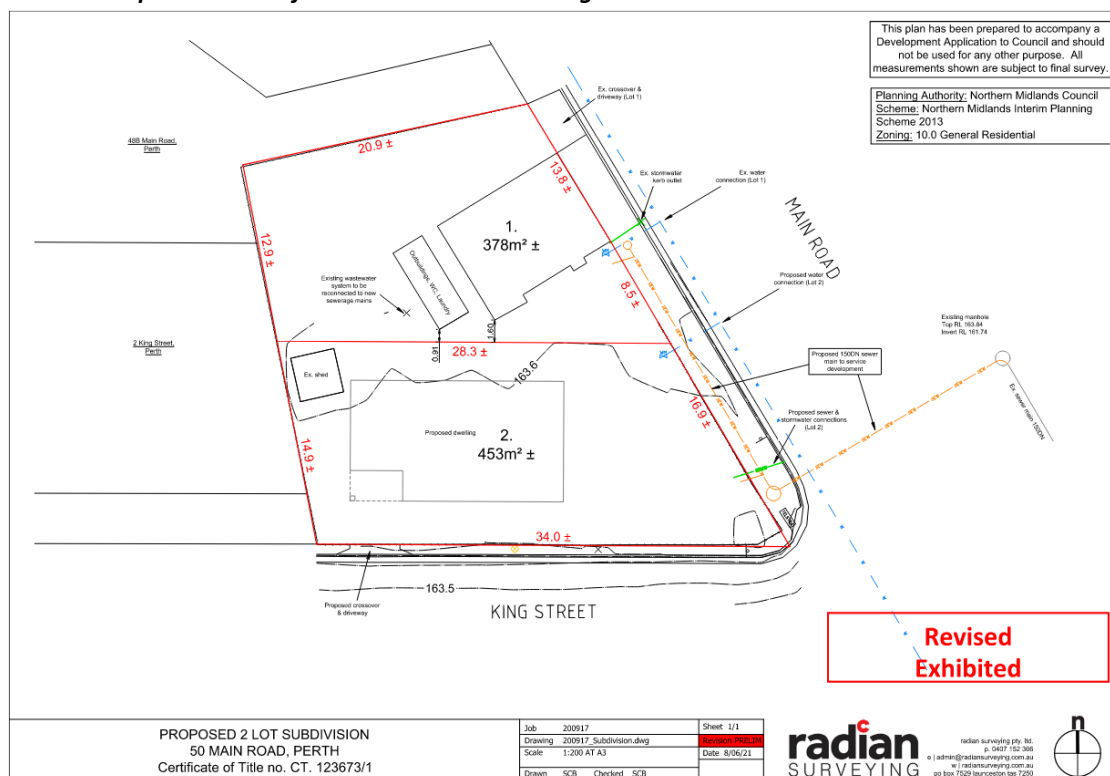
Planner's comment:

Before the application was placed on public exhibition, the applicant met with the Tasmanian Heritage Council's Works Manager, and the Northern Midlands Council's Heritage Adviser and Senior Planner. As a result, the proposed dwelling and subdivision layout were revised such that they would relate positively to the heritage building.

Original subdivision plan - superseded



Subdivision plan revised after discussion with heritage advisers



4.6 Referrals

Council's Works & Infrastructure Department

Council's Engineering Officer, Jonathan Galbraith, provided the attached advice. The recommended conditions are included in the conditions of approval.

TasWater

TasWater provided a Submission to Planning Authority Notice (Taswater Ref: TWDA 2021/00022-NMC, Dated 16/06/2021).

Heritage Adviser

Council's Heritage Adviser, David Denman advised that the proposed subdivision will have an acceptable impact on the existing heritage listed dwelling and he has no objections to the proposal.

Tasmanian Heritage Council

The Tasmanian Heritage Council provided a Notice of Heritage Decision (Ref 6454), consenting to the permit for subdivision being granted. It notes that all areas affected by the subdivision will remain entered into the Tasmanian Heritage Register as part of the original entry for the site.

4.7 Planning Scheme Assessment

GENERAL RESIDENTIAL ZONE

ZONE PURPOSE

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.

To provide for compatible non-residential uses that primarily serve the local community.

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.

To encourage residential development that respects the neighbourhood character and provides a high standard of residential amenity.

Assessment: The proposal meets the zone purpose.

LOCAL AREA OBJECTIVES

To consolidate growth within the existing urban land use framework of the towns and villages.

To manage development in the General residential zone as part of or context to the Heritage Precincts in the towns and villages.

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

Assessment: The proposal meets the local area objectives.

DEVELOPMENT STANDARDS FOR SUBDIVISIONS IN GENERAL RESIDENTIAL ZONE

10.4.4 SUBDIVISION

10.4.4.1 Lot Area, Building Envelopes and Frontage

Objective:

To provide lots with areas and dimensions that enable the appropriate siting and construction of a dwelling, private open space, vehicle access and parking, easements and site features.

Acceptable Solutions	Performance Criteria
<p>A1 Lots must:</p> <p>a) have a minimum area of at least 450m² which:</p> <p>i) is capable of containing a rectangle measuring 10m by 15m; and</p> <p>ii) has new boundaries aligned from buildings that satisfy the relevant acceptable solutions for setbacks; or</p> <p>b) required for public use by the Crown, an agency, or a corporation all the shares of which are held by Councils or a municipality; or</p> <p>c) for the provision of utilities; or</p> <p>d) for the consolidation of a lot with another lot with no additional titles created; or</p> <p>e) to align existing titles with zone boundaries and no additional lots are created.</p>	<p>P1 Each lot for residential use must provide sufficient useable area and dimensions to allow for:</p> <p>a) a dwelling to be erected in a convenient and hazard-free location; and</p> <p>b) on-site parking and manoeuvrability; and</p> <p>c) adequate private open space.</p>
Lot 2 (453m ²) complies.	The proposed plan of subdivision shows that lot 1 (378m ²) with the existing house provides for on-site parking and manoeuvrability and adequate private open space. The proposal complies.
A2 Each lot must have a frontage of at least 3.6m.	P2 Each lot must have appropriate, permanent access by a Right of Carriageway registered over all relevant titles.
Complies.	N/a

10.4.4.2 Provision of Services

Objective: To provide lots with appropriate levels of utility services.

Acceptable Solutions	Performance Criteria
<p>A1 Each lot must be connected to a reticulated:</p> <p>a) water supply; and</p> <p>b) sewerage system.</p>	<p>P1 Each lot created must be:</p> <p>a) in a locality for which reticulated services are not available or capable of being connected; and</p> <p>b) capable of accommodating an on-site wastewater management system.</p>
Comment: Complies.	N/a
A2 Each lot must be connected to a reticulated stormwater system.	P2 Each lot created must be capable of disposal of stormwater to a legal discharge point.
Comment: Complies.	N/a

10.4.4.3 Solar Orientation of Lots

Objective: To provide for solar orientation of lots and solar access for future dwellings.

Acceptable Solutions	Performance Criteria
<p>A1 At least 50% of lots must have a long axis within the range of:</p> <p>a) north 20 degrees west to north 30 degrees east; or</p> <p>b) east 20 degrees north to east 30 degrees south.</p>	<p>P1 Dimensions of lots must provide adequate solar access, having regard to the likely dwelling size and the relationship of each lot to the road.</p>
Complies.	N/a
A2 The long axis of residential lots less than 500m ² , must be within 30 degrees east and 20 degrees west of north.	<p>P2 Lots less than 500 m² must provide adequate solar access to future dwellings, having regard to the:</p> <p>a) size and shape of the development of the subject site; and</p>

	<p>b) topography; and</p> <p>c) location of access way(s) and roads.</p>
Does not comply.	<p>Lot 1 (378m²) – existing dwelling – complies.</p> <p>The plans demonstrate that lot 2 (453m²) will provide adequate solar access to a future dwelling.</p> <p>The proposal complies.</p>

10.4.4.5 Integrated Urban Landscape

<p>Objective: To provide attractive and continuous landscaping in roads and public open spaces that contribute to the:</p> <p>a) character and identity of new neighbourhoods and urban places; or</p> <p>b) to existing or preferred neighbourhood character, if any.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 The subdivision must not create any new road, public open space or other reserves.</p>	<p>P1 For subdivision that creates roads, public open space or other reserves, the design must demonstrate that:</p> <p>a) it has regard to existing, significant features; and</p> <p>b) accessibility and mobility through public spaces and roads are protected or enhanced; and</p> <p>c) connectivity through the urban environment is protected or enhanced; and</p> <p>d) the visual amenity and attractiveness of the urban environment is enhanced; and</p> <p>e) it furthers the local area objectives, if any.</p>
Complies.	N/a

10.4.4.6 Walking and Cycling Network

<p>Objective:</p> <p>a) To provide safe, convenient and efficient movement through and between neighbourhoods by pedestrians and cyclists; and</p> <p>b) To design footpaths, shared path and cycle path networks that are safe, comfortable, well constructed and accessible.</p> <p>c) To provide adequate provision to accommodate wheelchairs, prams, scooters and other footpath bound vehicles.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 The subdivision must not create any new road, footpath or public open space.</p>	<p>P1 Subdivision that creates new roads, footpaths, or public open spaces must demonstrate that the walking and cycling network is designed to:</p> <p>a) link to any existing pedestrian and cycling networks; and</p> <p>b) provide the most practicable direct access for cycling and walking to activity centres, community facilities, public transport stops and public open spaces; and</p> <p>c) provide an interconnected and continuous network of safe, efficient and convenient footpaths, shared paths, cycle paths and cycle lanes based primarily on the network of arterial roads, neighbourhood roads and regional public open spaces; and</p> <p>d) promote surveillance along roads and from abutting dwellings.</p>
Complies.	N/a

10.4.4.7 Neighbourhood Road Network

<p>Objective:</p> <p>a) To provide for convenient, safe and efficient movement through and between neighbourhoods for pedestrians, cyclists, public transport and other motor vehicles using the neighbourhood road network; and</p> <p>b) To design and construct road carriageways and verges so that the road geometry and traffic speeds provide an accessible and safe neighbourhood road system for all users.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 The subdivision must not create any new road.</p>	<p>P1 The neighbourhood road network must:</p> <p>a) take account of the existing mobility network of arterial roads, neighbourhood roads, cycle paths, shared paths, footpaths and public transport routes; and</p> <p>b) provide clear hierarchy of roads and physical distinctions between arterial roads and neighbourhood road types; and</p>

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	<p>c) provide an appropriate speed environment and movement priority for the safe and easy movement of pedestrians and cyclists and for accessing public transport; and</p> <p>d) provide safe and efficient access to activity centres for commercial and freight vehicles; and</p> <p>e) ensure connector roads align between neighbourhoods for safe, direct and efficient movement of pedestrians, cyclists, public transport and other motor vehicles; and</p> <p>f) provide an interconnected and continuous network of roads within and between neighbourhoods for use by pedestrians, cyclists, public transport and other vehicles and minimise the provision of cul-de-sacs; and</p> <p>g) provide for service and emergency vehicles to safely turn at the end of a dead-end road; and</p> <p>h) take into account of any identified significant features.</p>
Complies.	N/a

CODES		
E1.0	BUSHFIRE PRONE AREAS CODE	N/a
E2.0	POTENTIALLY CONTAMINATED LAND	N/a
E3.0	LANDSLIP CODE	N/a
E4.0	ROAD AND RAILWAY ASSETS CODE	Complies. See code assessment below.
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	Complies. See code assessment below.
E11.0	ENVIRONMENTAL IMPACTS & ATTENUATION CODE	N/a
E12.0	AIRPORTS IMPACT MANAGEMENT CODE	N/a
E13.0	LOCAL HISTORIC HERITAGE CODE	Complies. See code assessment below.
E14.0	COASTAL CODE	N/a
E15.0	SIGNS CODE	N/A

ASSESSMENT AGAINST E4.0 (ROAD AND RAILWAY ASSETS CODE)

E4.6 Use Standards

E4.6.1 Use and road or rail infrastructure

<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 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.		N/a	

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<p>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>	<p>P3 For limited access roads and roads with a speed limit of more than 60km/h:</p> <ul style="list-style-type: none"> 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.
<p>N/a</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 <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></p> <ul style="list-style-type: none"> <i>a) ensure the safe and efficient operation of roads and railways; and</i> <i>b) allow for future road and rail widening, realignment and upgrading; and</i> <i>c) avoid undesirable interaction between roads and railways and other use or development.</i> 	
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> <ul style="list-style-type: none"> a) new road works, buildings, additions and extensions, earthworks and landscaping works; and b) building areas on new lots; and c) outdoor sitting, entertainment and children's play areas 	<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> <ul style="list-style-type: none"> 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 b) mitigate significant transport-related environmental impacts, including noise, air pollution and vibrations in accordance with a report from a suitably qualified person; and c) ensure that additions or extensions of buildings will not reduce the existing setback to the road, railway or future road or railway; and 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.</p>	<p>N/a</p>

E4.7.2 Management of Road Accesses and Junctions

<p>Objective 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>Complies.</p>	<p>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.	P2	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 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 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	

E4.7.3 Management of Rail Level Crossings

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

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

Objective 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	
A1	Sight distances at a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.7.4; and b) rail level crossings must comply with <i>AS1742.7 Manual of uniform traffic control devices - Railway crossings</i> , Standards Association of Australia; or c) If the access is a temporary access, the written consent of the relevant authority has been obtained.	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.
Complies to west. Does not comply to east.		Complies with the performance criteria (see attached traffic assessment) and photo below.	

Sight distance to east towards Main Road – approximately 32m.

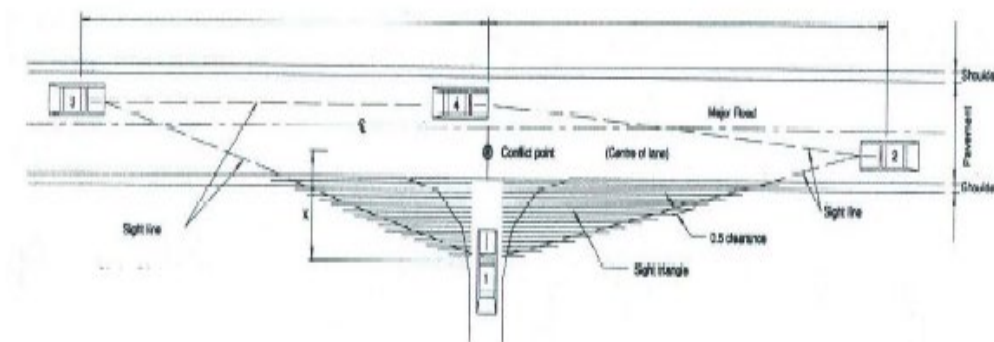


Figure E4.7.4 Sight Lines for Accesses and Junctions

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 km/h	Safe Intersection Sight Distance (SISD) metres, for speed limit of:	
	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 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.
Comment: Complies. Each lot has enough space for two car parking spaces.		Comment: Not applicable.	

Table E6.1: Parking Space Requirements

Use	Parking Requirement	
	Vehicle	Bicycle
Residential:		
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	1 space per unit.

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	a)	likely number and type of users of the site and their opportunities and likely preference for bicycle travel; and

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parking precinct plan contained in Table E6.6: Precinct Parking Plans.	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. Each lot has enough space for bicycle parking.	Comment: Not applicable.

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 applicable.	Comment: Not applicable.

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: Not applicable.	Comment: Not applicable.

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: 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.	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.
Comment: To be assessed when lot 2 is developed.	Comment: Not applicable.

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 A1.2 Within the General residential zone, provision for turning must not be located within the front setback for residential buildings or multiple dwellings.	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: 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: To be assessed when lot 2 is developed.	Comment: Not applicable.
A2.1 Car parking and manoeuvring space must: a) have a gradient of 10% or less; and b) where providing for more than 4 cars, provide for vehicles to enter and exit the site in a forward direction; and 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</i>	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.

AS 2890.1 - 2004 Parking Facilities, Part 1: Off Road Car Parking.	
Comment: To be assessed when lot 2 is developed.	Comment: Not applicable.

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
6 to 20	4.5m for initial 7m from road carriageway and 3.0m thereafter.	

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: Not applicable.		Comment: Not applicable.	

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;
		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.
Comment: Not applicable. Dwellings do not require parking for persons with a disability.		Comment: Not applicable.	
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: Not applicable.		Comment: Not applicable.	

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 collecting people and goods where these are expected on a regular basis.
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 Australian Standard AS/NZS 2890.3 2002 for the type of vehicles that will use the site.		
Comment: Not applicable.		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
<p>A1.1 Bicycle parking spaces for customers and visitors must:</p> <ul style="list-style-type: none"> 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 <p>A1.2 Parking space for residents' and employees' bicycles must be under cover and capable of being secured by lock or bicycle lock.</p>	<p>P1 Bicycle parking spaces must be safe, secure, convenient and located where they will encourage use.</p>
Comment: To be assessed when lot 2 is developed.	Comment: Not applicable.
<p>A2 Bicycle parking spaces must have:</p> <ul style="list-style-type: none"> a) minimum dimensions of: <ul style="list-style-type: none"> 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. 	<p>P2 Bicycle parking spaces and access must be of dimensions that provide for their convenient, safe and efficient use.</p>
Comment: To be assessed when lot 2 is developed.	Comment: Not applicable.

E6.8.5 *Pedestrian Walkways*

Objective: To ensure pedestrian safety is considered in development	
Acceptable Solution	Performance Criteria
<p>A1 Pedestrian access must be provided for in accordance with Table E6.5.</p>	<p>P1 Safe pedestrian access must be provided within car park and between the entrances to buildings and the road.</p>
Comment: To be assessed when lot 2 is developed.	Comment: Not applicable.

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.

ASSESSMENT AGAINST E10.0 (RECREATION AND OPEN SPACE CODE)

E10.6.1 *Provision of Public Open Space*

Objective	
<ul style="list-style-type: none"> a) To provide public open space which meets user requirements, including those with disabilities, for outdoor recreational and social activities and for landscaping which contributes to the identity, visual amenity and health of the community; and b) To ensure that the design of public open space delivers environments of a high quality and safety for a range of users, together with appropriate maintenance obligations for the short, medium and long term. 	
Acceptable Solutions	Performance Criteria
<p>A1 The application must:</p> <ul style="list-style-type: none"> a) include consent in writing from the 	<p>P1 Provision of public open space, unless in accordance with Table E10.1, must:</p> <ul style="list-style-type: none"> a) not pose a risk to health due to contamination; and

General Manager that no land is required for public open space but instead there is to be a cash payment in lieu.	<ul style="list-style-type: none"> b) not unreasonably restrict public use of the land as a result of: <ul style="list-style-type: none"> i) services, easements or utilities; and ii) stormwater detention basins; and iii) drainage or wetland areas; and iv) vehicular access; and c) be designed to: <ul style="list-style-type: none"> i) provide a range of recreational settings and accommodate adequate facilities to meet the needs of the community, including car parking; and ii) reasonably contribute to the pedestrian connectivity of the broader area; and iii) be cost effective to maintain; and iv) respond to the opportunities and constraints presented by the physical characteristics of the land to provide practically useable open space; and v) provide for public safety through <i>Crime Prevention Through Environmental Design</i> principles; and vi) provide for the reasonable amenity of adjoining land users in the design of facilities and associated works; and vii) have a clear relationship with adjoining land uses through treatment such as alignment, fencing and landscaping; and ix) create attractive environments and focal points that contribute to the existing or desired future character statements, if any.
<p>Complies. Council's policy is: <u>The Public Open Space Rate</u></p> <p>1 The Public Open Space Rate shall be \$1,400 per additional lot created.</p> <p>OR</p> <p>2 The applicant may, at his or her discretion, obtain a current (not less than one-month old) valuation, by a registered land valuer, of the subject land, less one of the proposed lots (or strata units). The Public Open Space Rate shall total 5% of that value.</p>	N/a

**ASSESSMENT AGAINST E13.0
(LOCAL HISTORIC HERITAGE CODE)**

E13.6.2 Subdivision and development density

<p>Objective</p> <p>To ensure that subdivision and development density does not impact on the historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts.</p>	
Acceptable Solutions	Performance Criteria
A1 No acceptable solution.	<p>P1 Subdivision must:</p> <ul style="list-style-type: none"> a) be consistent with and reflect the historic development pattern of the precinct or area; and b) not facilitate buildings or a building pattern unsympathetic to the character or layout of buildings and lots in the area; and c) not result in the separation of building or structures from their original context where this leads to a loss of historic heritage significance; and d) not require the removal of vegetation, significant trees or garden settings where this is assessed as detrimental to conserving the historic heritage significance of a place or heritage precinct; and e) not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.

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-	<p>One representation, from M Cleland, 2 Talisker St, Perth, concerned about the subdivision, was received to PLN-20-0296 (multiple dwelling):</p> <p>The proposed subdivision will detract from the character of the small Victorian wooden cottage such that its significance in the streetscape may be lost.</p> <p>The proposed new fence will come within 1.591m of the dwelling and less than a meter from the laundry block will obstruct and spoil the view of the house from the road and footpath and the adjoining house is not designed to complement the existing cottage but will clash aesthetically with it.</p> <p>The proposed subdivision fails to give the cottage sufficient space to the south such that the south facing door and small paned window group will be unable to serve their purpose and current use.</p> <p><u>Planner's comment:</u></p> <p>Before the application was placed on public exhibition, the applicant met with the Tasmanian Heritage Council's Works Manager, and the Northern Midlands Council's Heritage Adviser and Senior Planner. As a result, the proposed dwelling and subdivision layout were revised such that they would relate positively to the heritage building. Council's Heritage Adviser advises that the proposal satisfies the performance criteria.</p>
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SPECIFIC AREA PLANS	
F1.0 TRANSLINK SPECIFIC AREA PLAN	N/a
F2.0 HERITAGE PRECINCTS SPECIFIC AREA PLAN	N/a - not in a heritage precinct.
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
9.5 Change of Use of a Place listed on the Tasmanian Heritage Register or a heritage place	N/a
9.6 Change of Use	N/a
9.7 Access and Provision of Infrastructure Across Land in Another Zone	N/a
9.8 Buildings Projecting onto Land in a Different Zone	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 & Approvals Act 1993</i> .	
STRATEGIC PLAN/ANNUAL PLAN/COUNCIL POLICIES	
Strategic Plan 2017-2027	
<ul style="list-style-type: none"> Statutory Planning 	

6 LOCAL GOVERNMENT (BUILDINGS AND MISCELLANEOUS PROVISIONS) ACT 1993

Section 83	Approval of plan of subdivision	Yes	No
83 (1)(a)	Does the council require the owner to sell to it for a nominal consideration any land shown on the plan as set apart for a public open space or for drainage purposes?		✓
83(1)(b)	Does the council require the owner to mark on the plan in respect of any proposed way, the words "to be acquired by the highway authority"?		✓
83(5)(a)(ii)	Does the council require the final plan of subdivision to note, in respect of a block, that the council cannot or will not provide means of drainage for all or some specified kind of effluent from the block?		✓
83(5)(a)(iii)	Does the council require the final plan of subdivision to note, in respect of a block, that the council cannot or will not permit a septic tank?		✓
83(5)(b)(i)	Does the council require the final plan of subdivision to note, in respect of a block, that the council may permit a septic tank?		✓

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83(5)(b)(ii)	Does the council require the final plan of subdivision to note, in respect of a block, that the council may permit a specific form of on-site sewerage treatment?		✓
83(7)	Does the council require the final plan of subdivision to note, in respect of a block, that the council has been advised by a regulated entity, within the meaning of the <i>Water and Sewerage Industry Act 2008</i> , that the entity cannot or will not –		
83(7)(a)	provide a supply of water to the block?		✓
83(7) (b)	provide means of sewerage for all or some specified kind of effluent from the block?		✓
Section 84	Council not to approve subdivision	Yes	No
84(1)(c)	Does the subdivision include any road or other works whereby drainage will be concentrated and discharged into any drain or culvert on or under any State highway, and the Minister administering the <i>Roads and Jetties Act 1935</i> has first not approved so much of the application as affects the drainage?		✓
	If 'yes', refuse the subdivision.		
Section 85	Refusal of application for subdivision	Yes	No
	Council may refuse the application for subdivision if it is of the opinion:		
85(a)	that the roads will not suit the public convenience, or will not give satisfactory inter-communication to the inhabitants both of the subdivision and the municipal area in which it is;		✓
85(b)	that the drainage both of roads and of other land will not be satisfactorily carried off and disposed of;		✓
85(ba)	that the land is not suitable for an on-site effluent disposal system for all or specified kinds of effluent from each block;		✓
85(c)	that the site or layout will make unduly expensive the arrangements for supply of water and electricity, connection to drains and sewers and the construction or maintenance of streets;		✓
85(d)	that the layout should be altered to include or omit –		
85(d)(i)	blind roads;		✓
85(d)(ii)	alleys or rights of way to give access to the rear of lots;		✓
85(d)(iii)	public open space;		✓
85(d)(iv)	littoral or riparian reserves of up to 30 metres in from the shore of the sea or the bank of a river, rivulet or lake;		✓
85(d)(v)	private roads, ways or open spaces;		✓
85(d)(vi)	where the ground on one side is higher than on the other, wider roads in order to give reasonable access to both sides;		✓
85(d)(vii)	licences to embank highways under the <i>Highways Act 1951</i> ;		✓
85(d)(viii)	provision for widening or deviating ways on or adjoining land comprised in the subdivision;		✓
85(d)(ix)	provision for the preservation of trees and shrubs;		✓
85(e)	that adjacent land of the owner, including land in which the owner has any estate or interest, ought to be included in the subdivision;		✓
85(f)	that one or more of the lots is by reason of its shape in relation to its size or its contours unsuitable for building on;		✓
85(g)	that one or more of the lots ought not to be sold because of –		
85(g)(i)	easements to which it is subject;		✓
85(g)(ii)	party-wall easements;		✓
85(g)(iii)	the state of a party-wall on its boundary.		✓
Section 86	Security for payment	Yes	No
	Does council require security for payments and the execution of works for –		
86(2)(c)	if the land is not located within 30 metres of the existing public storm water system as shown on the map made available under section 12 of the <i>Urban Drainage Act 2013</i> , payment for a public storm water system by, from, or from within, the land as determined by the council so that all lots may have connecting drains and the concentrated natural water may be lawfully disposed of and for the laying of storm water connections from a place on the boundary of each lot to the public		✓

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	storm water system in accordance with the by-laws of the council and to the satisfaction of its engineer;		
86(2)(d)	the works required for the discharge of the owner's obligations under <u>section 10 of the Local Government (Highways) Act 1982</u> in respect of the highways opened or to be opened on the subdivision;		✓
86(2)(e)	the making and draining of footways that are not part of a road and of private roads and similar footways serving 3 lots or more;		✓
86(2)(f)	the filling in of ponds and gullies;		✓
86(2)(g)	the piping of watercourses.		✓
	If 'yes':		
	council may refuse to approve the application until such security is given.		
	See section 86 (3) for the form of the security.		
	See section 86 (4) for when the works are to be executed.		
Section 107	Access orders	Yes	No
107 (2)	Is work of a substantial nature needed to provide access for vehicles from a highway onto the block?		✓
	If 'yes', council may refuse to seal the final plan under which the block is created until the owner has carried out the work specified in the order within the specified period or given the council security for carrying out that work if called upon by it to do so.		
Section 108	Road widening	Yes	No
108 (1) (a)	Does council, in respect of an existing highway, require to obtain a dedication of land for widening or diverting? (compensation is not payable for the dedication of land which lies within 9 metres of the middle line of the highway of a parcel into which the land is subdivided and on which no building stands)	Council to decide.	Council to decide.
108 (1) (b)	Does council, in respect of an existing highway, require to obtain a licence to embank?		✓

83. Approval of plan of subdivision

(1) Subject to section 116, the council, before it approves a plan of subdivision, may–

- (a) require the owner to sell to it for a nominal consideration any land shown on the plan as set apart for a public open space or for drainage purposes; or
- (b) require the owner to mark on the plan in respect of any proposed way, the words "to be acquired by the highway authority".

85. Refusal of application for subdivision

The council may refuse to approve a plan of subdivision if it is of the opinion –

- (a) that the roads will not suit the public convenience, or will not give satisfactory inter-communication to the inhabitants both of the subdivision and the municipal area in which it is; or
- (b) that the drainage both of roads and of other land will not be satisfactorily carried off and disposed of; or
- (ba) that the land is not suitable for an on-site effluent disposal system for all or specified kinds of effluent from each block; or
- (c) that the site or layout will make unduly expensive the arrangements for supply of water and electricity, connection to drains and sewers and the construction or maintenance of streets; or
- (d) that the layout should be altered to include or omit –
 - (i) blind roads; or
 - (ii) alleys or rights of way to give access to the rear of lots; or
 - (iii) public open space; or
 - (iv) littoral or riparian reserves of up to 30 metres in from the shore of the sea or the bank of a river, rivulet or lake; or
 - (v) private roads, ways or open spaces; or
 - (vi) where the ground on one side is higher than on the other, wider roads in order to give reasonable access to both sides; or
 - (vii) licences to embank highways under the Highways Act 1951; or
 - (viii) provision for widening or deviating ways on or adjoining land comprised in the subdivision; or
 - (ix) provision for the preservation of trees and shrubs; or
- (e) that adjacent land of the owner, including land in which the owner has any estate or interest, ought to be included in the subdivision; or
- (f) that one or more of the lots is by reason of its shape in relation to its size or its contours unsuitable for building on; or
- (g) that one or more of the lots ought not to be sold because of –

- (i) easements to which it is subject; or
- (ii) party-wall easements; or
- (iii) the state of a party-wall on its boundary.

108. Road widening

- (1) If a council does not approve a plan for a subdivision because of any matter referred to in section 85, a council, in respect of an existing highway, may obtain –
 - (a) a dedication of land for widening or diverting; or
 - (b) a licence to embank.
- (2) Subject to subsection (4), when the sealed plan takes effect the owner is entitled to compensation as if the dedication or licence were an estate in land that had been acquired by compulsory process under the Land Acquisition Act 1993.
- (3) The land dedicated or subject to the licence is to be valued as at the date of lodgment of the plan of subdivision.
- (4) Compensation is not payable for the dedication of land which lies within 9 metres of the middle line of the highway of a parcel into which the land is subdivided and on which no building stands.
- (5) If the highway varies in width because in parts land has already been acquired or dedications made for the purpose of widening it, its middle line is to be determined as if no such acquisitions or dedications have been made.

116. Limitation on requirement for public open space

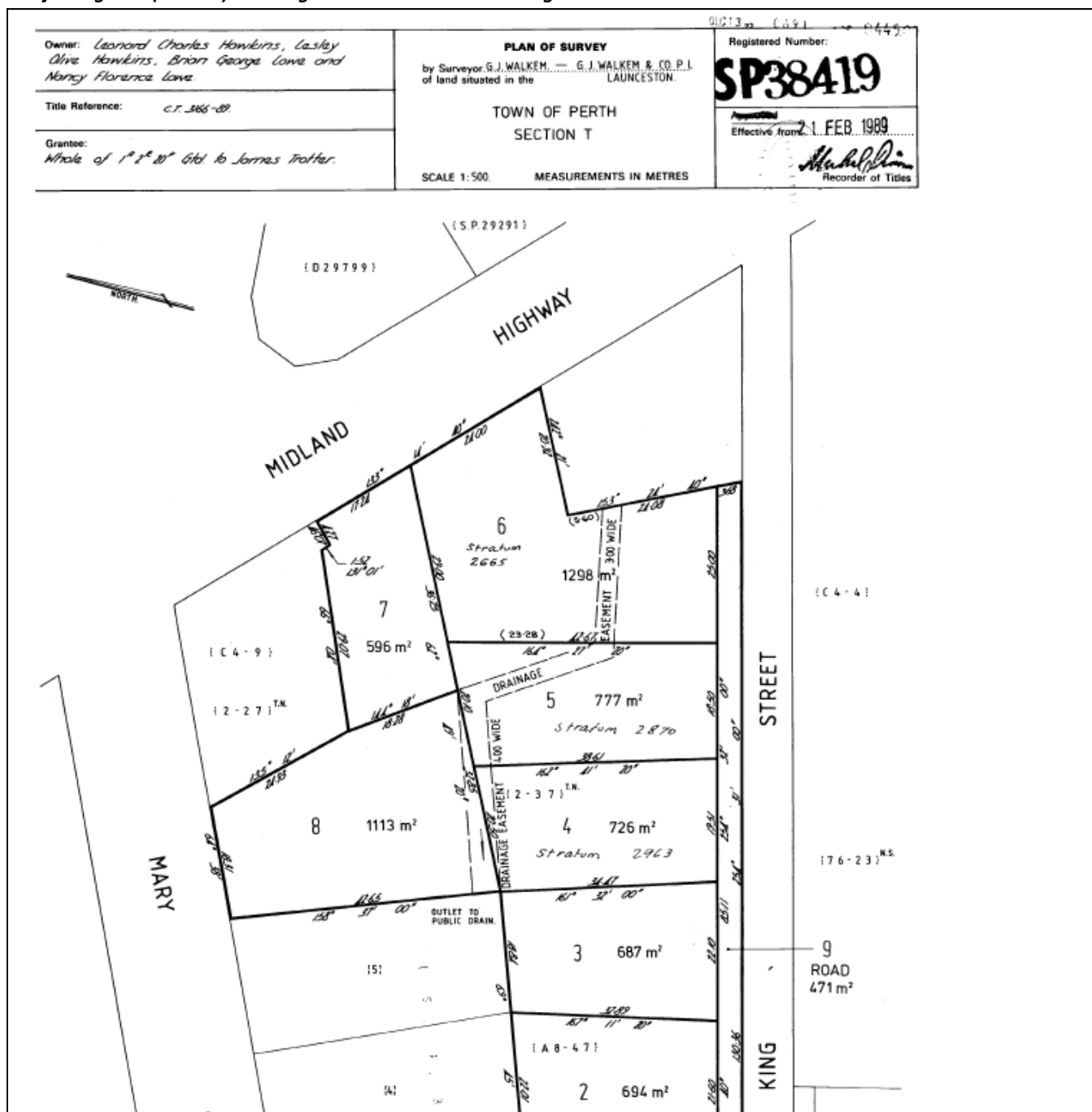
- (1) If the council –
 - (a) requires an owner to increase the area for public open space so that the value of the total area approved for open space in the final plan exceeds the value of the area provided for open space in the plan of subdivision; or
 - (b) having failed to approve a plan for subdivision on a ground that the layout should be altered to include or omit public open space, subsequently approves a fresh plan in which the value of the total area of land reserved for public open space exceeds the value of all such land in the original plan –
 and the value of the area reserved for open space in the plan also exceeds the value of one-twentieth of the whole area comprised in the plan of subdivision, the council must purchase the excess as provided in this section.
- (2) The purchase price of the excess is a sum bearing the same ratio to the value of the total area approved in the final plan as the excess bears to that area.
- (3) If the owner and the council are unable to agree on the purchase price within 30 days of its demand, it is to be determined as if it were a disputed claim for compensation under the Land Acquisition Act 1993.
- (4) The purchase price is due –
 - (a) after the final plan takes effect as provided; and
 - (b) upon demand by the owner accompanied by a conveyance of transfer executed by the owner of the total area mentioned in subsection (1).
- (5) The purchase price bears interest at 5% a year from the day 2 months after that on which it is agreed upon or determined until payment.
- (6) Land is to be valued as at the date of lodgment of the plan of subdivision.
- (7) The council is required to purchase only so much of the excess land as is required for public open spaces on the basis that the excess is divided between the public open spaces and littoral or riparian reserves in the same proportion as the total area is divided between them.
- (8) The council is to pay a purchase price as if it were purchasing the whole excess and is entitled to be reimbursed by the Treasurer the difference between the purchase price paid by it and so much of the purchase price as is attributable to the land purchased.
- (9) If an amount is not agreed, the amount is to be determined as if it were a disputed claim for compensation under the Land Acquisition Act 1993.

Comment: The aerial photograph shows that road widening has previously been taken along King Street, but King Street has not been widened. There are current concerns about the lack of on street parking in King Street.

Council's Works Department advises that widening King Street by approximately 3m adjacent to the proposed subdivision, would allow for on street parking.

Officers have not indicated to the applicant that road widening would be required – due to the existing land dedicated for widening, provided in 1989, not having been utilised in the last roadworks in King Street in 2010.

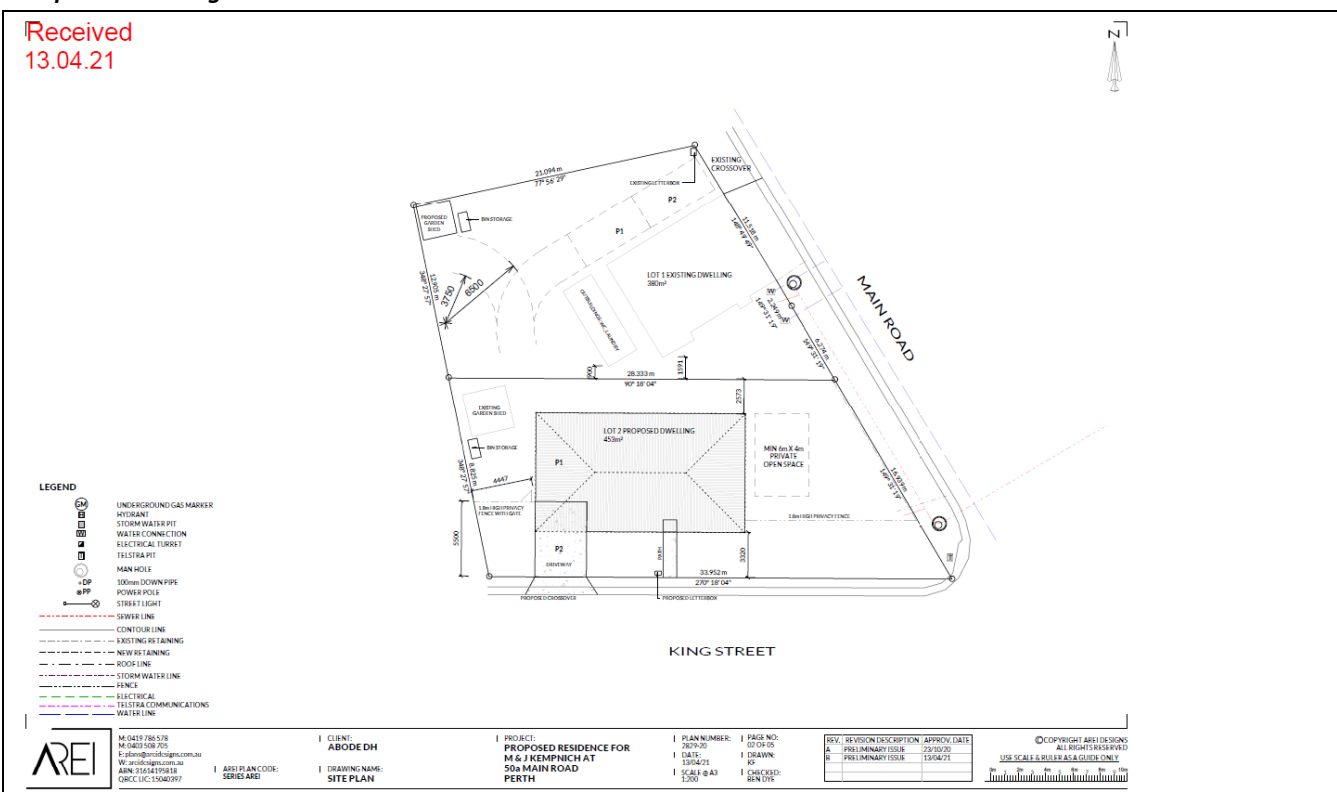
Adjoining title (extract) showing 3.68m wide road widening



It should be noted that there is an application for a second dwelling on the subject site, which would be placed on the proposed lot 1, 3.332m from the current King Street boundary.

Proposed dwelling on Lot 2

Received
13.04.21



7 FINANCIAL IMPLICATIONS TO COUNCIL

There are no financial implications to Council.

8 OPTIONS

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

9 DISCUSSION

Discretion to refuse the planning application under the *Land Use Planning and Approvals Act 1993* is limited to:

- Lot 1 less than 450m².

This complies with the performance criteria as proposed plan of subdivision shows that lot 1 (378m²) with the existing house provides for on-site parking and manoeuvrability and adequate private open space.

- Variation to solar orientation provision.

This complies with the performance criteria as Lot 1 contains an existing dwelling and lot 2 is able to provide adequate solar access to a future dwelling.

- Variation of sight distance to the east

The sight distance of approximately 32m to the east complies with the performance criteria that the design, layout and location of an access must provide adequate sight distances to ensure the safe movement of vehicles.

- Subdivision of heritage listed property.

One representation, from M Cleland, 2 Talisker St, Perth, concerned about the subdivision, was received to PLN-20-0296 (multiple dwelling):

The proposed subdivision will detract from the character of the small Victorian wooden cottage such that its significance in the streetscape may be lost.

The proposed new fence will come within 1.591m of the dwelling and less than a meter from the laundry block will obstruct and spoil the view of the house from the road and footpath and the adjoining house is not designed to complement the existing cottage but will clash aesthetically with it.

The proposed subdivision fails to give the cottage sufficient space to the south such that the south facing door and small paned window group will be unable to serve their purpose and current use.

Before the application was placed on public exhibition, the applicant met with the Tasmanian Heritage Council's Works Manager, and the Northern Midlands Council's Heritage Adviser and Senior Planner. As a result, the proposed dwelling and subdivision layout were revised such that they would relate positively to the heritage building.

Council's Heritage Adviser advises that the proposal satisfies the performance criteria:

Subdivision must:

- a) *be consistent with and reflect the historic development pattern of the precinct or area; and*
- b) *not facilitate buildings or a building pattern unsympathetic to the character or layout of buildings and lots in the area; and*
- c) *not result in the separation of building or structures from their original context where this leads to a loss of historic heritage significance; and*
- d) *not require the removal of vegetation, significant trees of garden settings where this is assessed as detrimental to conserving the historic heritage significance of a place or heritage precinct; and*
- e) *not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.*

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

Under section 85 (d) (viii) of the *Local Government (Building and Miscellaneous Provisions Act) 1993*, Council may refuse to approve the plan of subdivision if it is of the opinion that the layout should be altered to include provision for widening ways adjoining land comprised in the subdivision.

Officers have not indicated to the applicant that road widening would be required – due to the existing land dedicated for widening, provided in 1989, not having been utilised in the last roadworks in King Street in 2010.

The proposal complies with the requirements of the planning scheme.

It is recommended that the application be approved under the *Land Use Planning and Approvals Act 1993* with the conditions below.

If Council is of the opinion that the layout should be altered to include provision for widening of King Street by approximately 3m, it may refuse to approve the plan of subdivision under section 85 (d) (viii) of the *Local Government (Building and Miscellaneous Provisions Act) 1993*, however this is not the recommendation of this report.

10 ATTACHMENTS

- Application & plans, correspondence with applicant
- Responses from referral agencies

RECOMMENDATION

- A. That land at 50 Main Road, Perth, be approved to be developed and used for a two-lot subdivision in accordance with application PLN-20-0297, and subject to the following conditions:



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1 LAYOUT NOT ALTERED

The use and development must be in accordance with the endorsed plan **P1** (*radian surveying plan, Job 200917, Date 8/06/21*).

2 TASMANIAN HERITAGE COUNCIL

The proposed development must comply with the requirements of the Tasmanian Heritage Council's Notice of Heritage Decision (Reference 6454, 30 June 2021) – attached as **Appendix A**.

3 TASWATER CONDITIONS

Sewer and water services must be provided in accordance with TasWater's Submission to Planning Authority Notice (Taswater Ref: TWDA 2021/00022-NMC, Dated 16/06/2021).

4 COUNCIL'S WORKS DEPARTMENT CONDITIONS

4.1 Stormwater

Each lot must be provided with a connection to the Council's stormwater system, constructed in accordance with Council standards and to the satisfaction of Council's Works & Infrastructure Department.

4.2 Access (Urban)

- A concrete driveway crossover and apron must be constructed from the edge of King Street to the property boundary of Lot 2 in accordance with Council standards.
- Access works must not commence until an application for vehicular crossing has been approved by Council.

4.3 As constructed information

As Constructed Plans and Asset Management Information must be provided in accordance with Council's standard requirements.

4.4 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.

4.5 Works in Council road reserve

- 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.
- 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.

4.6 Separation of hydraulic services

- All existing pipes and connections must be located.
- Where required, pipes are to be rerouted to provide an independent system for each lot.
- Certification must be provided that services have been separated between the lots.

4.7 Pollutants

- The developer/property owner must ensure that pollutants such as mud, silt or chemicals are not released from the site.
- 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.



NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 19 JULY 2021

5 PUBLIC OPEN SPACE CONTRIBUTION

A contribution must be paid towards the cost of providing public open space infrastructure in accordance with Council policy:

- *The Public Open Space Rate shall be \$1,400 per additional lot created.*

OR

- *The applicant may, at his or her discretion, obtain a current (not less than one-month old) valuation, by a registered land valuer, of the subject land, less one of the proposed lots. The Public Open Space Rate shall total 5% of that value.*

6 SEALING OF PLANS

All conditions must be complied with prior to sealing of the final plan of survey. Council may, at the developer's request, accept a bond or bank guarantee, for particular works or maintenance, to enable early seal and release of the final plan of survey.

AND

- B.** That as road widening is not required, Council not refuse to approve the plan of subdivision under section 85 (d) (viii) of the *Local Government (Building and Miscellaneous Provisions Act) 1993*.

DECISION

Cr

PLAN 3 PLANNING APPLICATION PLN-20-0296: 50 MAIN ROAD, PERTH

Attachments: Section 1 – Page 430

File Number: 108900.83
Responsible Officer: Erin Miles, Development Supervisor
Report prepared by: Paul Godier, Senior Planner

1 INTRODUCTION

This report assesses an application for 50 Main Road, Perth to construct a second dwelling on the property.

2 BACKGROUND

Applicant:

Abode Designer Homes

Owner:

Matthew James Kempnich

Zone:

General Residential

Codes:

Road and Railway Assets Code, Carparking and Sustainable Transport Code, Local Historic Heritage Code.

Classification under the Scheme:

Residential (multiple dwelling)

Existing Use:

Residential (single dwelling)

Deemed Approval Date:

24 July 2021

Recommendation:

Approve

Discretionary Aspects of the Application

- Variation to King Street setback.
- Development of heritage listed property.
- Lack of one visitor car parking space.

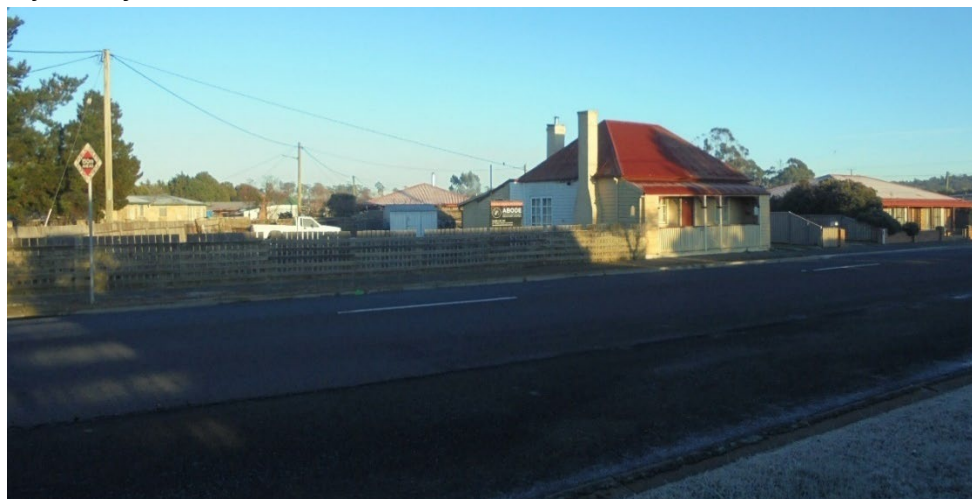
Planning Instrument:

Northern Midlands Interim Planning Scheme 2013, Version 32, Effective from 19 October 2021.

Preliminary Discussion

Prior to the application being placed on public exhibition, further information was requested from the applicant (attached), following which the applicant held a meeting with the Tasmanian Heritage Council's Works Manager, and the Northern Midlands Council's Heritage Adviser and Senior Planner.

Subject site from Main Road



3 STATUTORY REQUIREMENTS

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

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

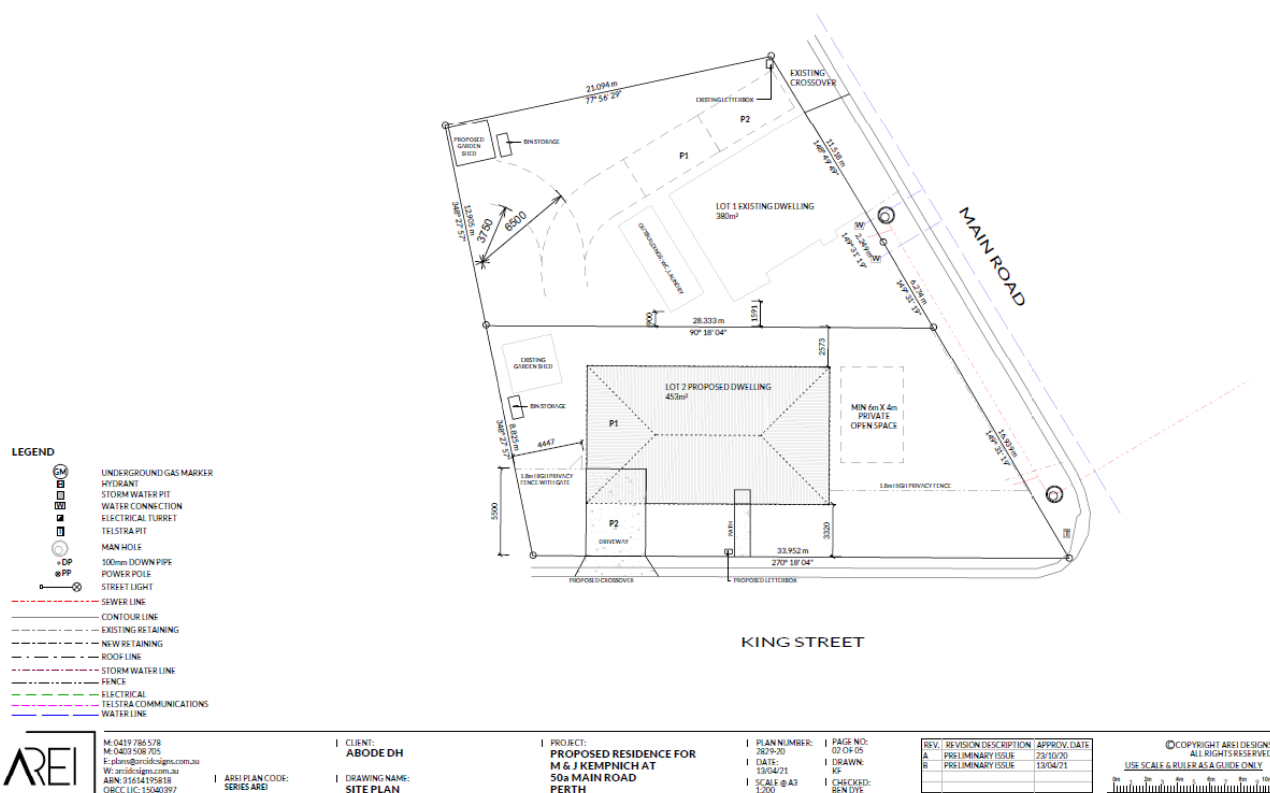
4 ASSESSMENT

4.1 Proposal

It is proposed to construct a second dwelling on the property.

Site Plan

Received
13.04.21



Floor plan

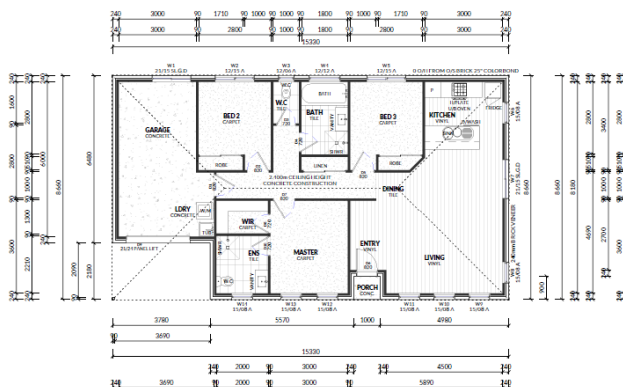
FLOOR AREAS

GARAGE	72.9 m ²
LIVING	106.7 m ²
PATIO	5.0 m ²
PORCH	0.9 m ²
TOTAL	185.5 m ²

Received
13.04.21

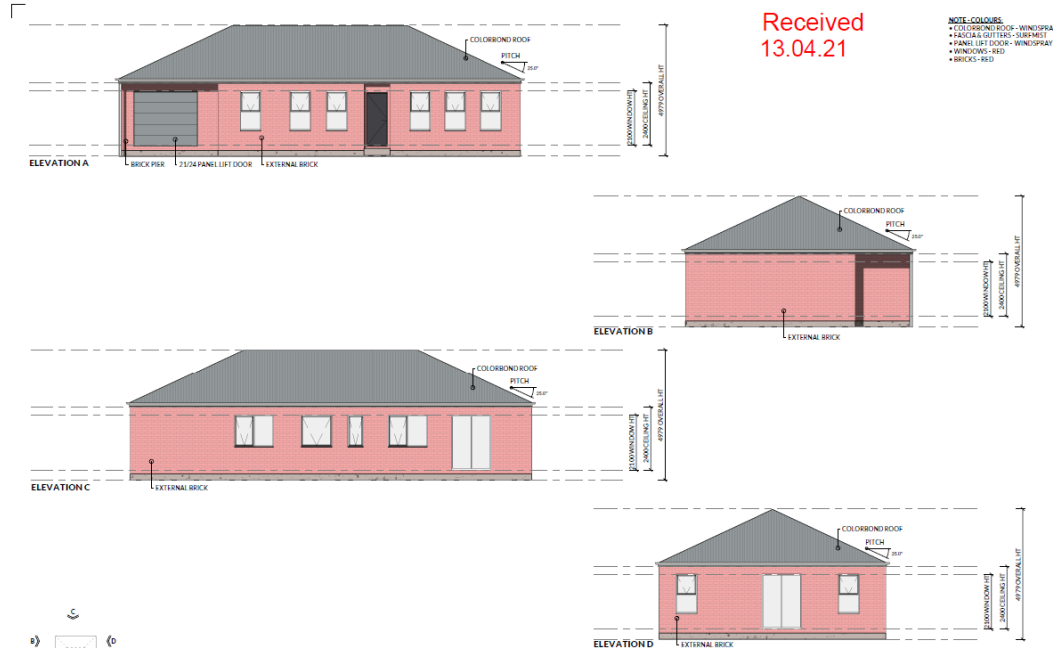
WINDOW SCHEDULE		
MARK	SIZE	DESCRIPTION
W1	1500 x 1500	ALUM FRAMED SLEEPING GLASS DOOR
W2	1500 x 1500	ALUM FRAMED LIVING
W3	1500 x 1500	ALUM FRAMED LIVING
W4	1500 x 1500	ALUM FRAMED LIVING
W5	1500 x 1500	ALUM FRAMED LIVING
W6	1500 x 1500	ALUM FRAMED LIVING
W7	1500 x 1500	ALUM FRAMED SLEEPING GLASS DOOR
W8	1500 x 1500	ALUM FRAMED LIVING
W9	1500 x 1500	ALUM FRAMED LIVING
W10	1500 x 1500	ALUM FRAMED LIVING
W11	1500 x 1500	ALUM FRAMED LIVING
W12	1500 x 1500	ALUM FRAMED LIVING
W13	1500 x 1500	ALUM FRAMED LIVING
W14	1500 x 1500	ALUM FRAMED LIVING

DOOR SCHEDULE		
MARK	SIZE	DOOR TYPE
D1	2040 x 800	HOLLOW CORE SWING
D2	2040 x 800	HOLLOW CORE SWING
D3	2040 x 780	HOLLOW CORE SWING
D4	2040 x 780	HOLLOW CORE SWING
D5	2040 x 800	HOLLOW CORE SWING
D6	2040 x 800	HOLLOW CORE SWING
D7	2040 x 800	HOLLOW CORE SWING
D8	2040 x 800	HOLLOW CORE SWING
D9	2040 x 800	HOLLOW CORE SWING
D10	2040 x 780	HOLLOW CORE SWING



ARE	M 0417 786 578 M 0417 508 705 E: are@midreg.com.au W: www.midreg.com.au AIN: 3154419518 QBCC LIC: 15040977	CLIENT: ABODE DH	PROJECT: PROPOSED RESIDENCE FOR M & J KEMPNIICH AT 50a MAIN ROAD PERTH	PLAN NUMBER: 2679-30 DATE: 13/04/21 SCALE: @ A3 1:500	PAGE NO: 05 OF 05 DRAWN: KS CHECKED: BEN DYE	REV. REVISION DESCRIPTION APPROX. DATE	COPYRIGHT ARE DESIGNS ALL RIGHTS RESERVED USE SCALE & RULE AS A GUIDE ONLY
	A PRELIMINARY COLOR 23/03/20						

Elevations



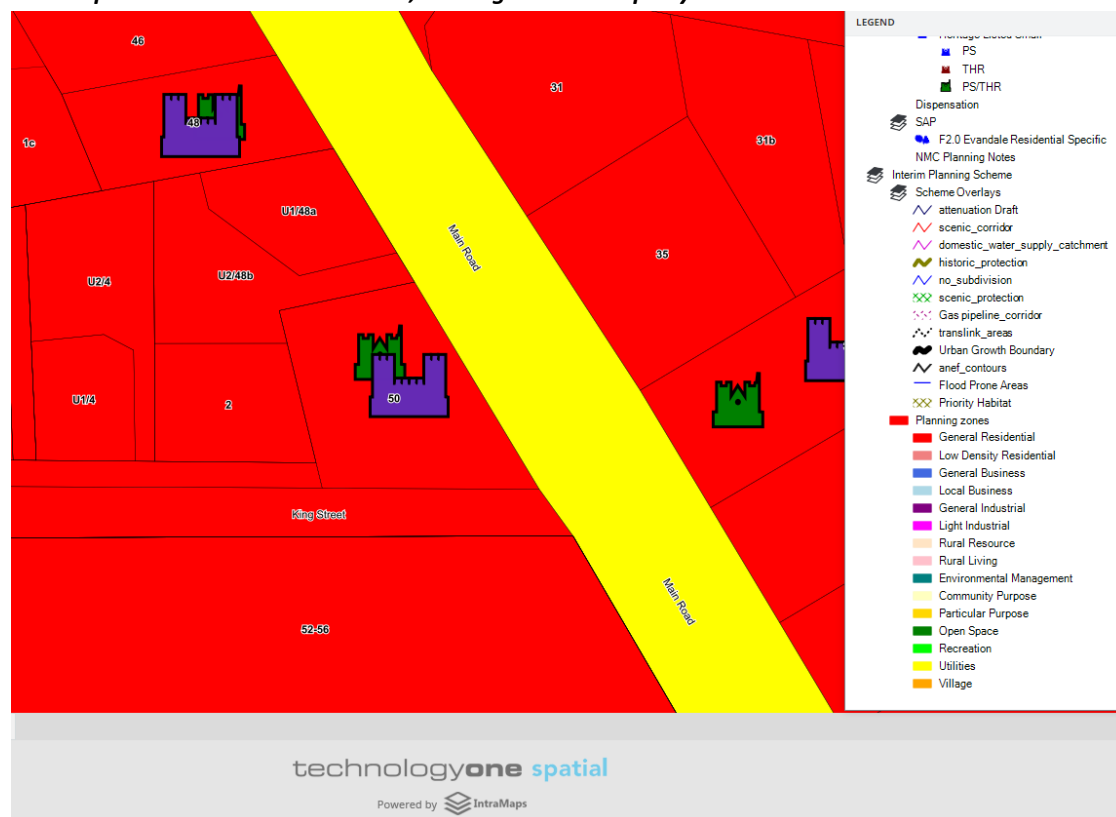
Received
13.04.21

NOTE: COLORS
• COLORBOND ROOF - WINDSPRAY
• FACED & OUTSIDE - WARMEST
• PANEL LIFT DOOR - WINDSPRAY
• WINDOWS - RED
• BRICKS - RED

ARE	M 0417 786 578 M 0417 508 705 E: are@midreg.com.au W: www.midreg.com.au AIN: 3154419518 QBCC LIC: 15040977	CLIENT: ABODE DH	PROJECT: PROPOSED RESIDENCE FOR M & J KEMPNIICH AT 50a MAIN ROAD PERTH	PLAN NUMBER: 2679-30 DATE: 13/04/21 SCALE: @ A3 1:500	PAGE NO: 05 OF 05 DRAWN: KS CHECKED: BEN DYE	REV. REVISION DESCRIPTION APPROX. DATE	COPYRIGHT ARE DESIGNS ALL RIGHTS RESERVED USE SCALE & RULE AS A GUIDE ONLY
	A PRELIMINARY COLOR 23/03/20						

4.2 Zone and land use

Zone Map – General Residential Zone, Heritage Listed Property



The land is zoned General Residential. The relevant Planning Scheme definitions are:

<i>dwelling</i>	<i>means a building, or part of a building, used as a self-contained residence and which includes food preparation facilities, a bath or shower, laundry facilities, a toilet and sink, and any outbuilding and works normally forming part of a dwelling.</i>
<i>single dwelling</i>	<i>means a dwelling on a lot on which no other dwelling is situated; or a dwelling and an ancillary dwelling on a lot on which no other dwelling is situated.</i>
<i>multiple dwellings</i>	<i>means 2 or more dwellings on a site.</i>

Clause 10.2 General Residential zone Use Table (extract)

No Permit Required	
Use Class	Qualification
Residential	If a single dwelling
Permitted	
Use Class	Qualification
Residential	If a caretakers dwelling or home-based business If for multiple dwellings

Residential (multiple dwellings) is a Permitted (with permit) use and development in the zone.

4.3 Subject site and locality

The author of this report carried out a site visit on 7 July 2021. The site contains a heritage listed house. It is surrounded by a mix of single and multiple dwellings.

Subject site looking down King Street



King Street, subject site on right with paling fence



4.4 Permit/site history

Relevant permit history includes:



PLN20-0296 - Abode Designer Homes - Multiple Dwellings (1 original, 1 new)
108900.83 - 50 Main Rd - Perth - KEMP NICH Matthew James



PLN20-0297 - Abode Designer Homes - 2 Lot subdivision
108900.83 - 50 Main Rd - Perth - KEMP NICH Matthew James

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 one representation, from M Cleland, 2 Talisker St, Perth, was received. The concern is considered here.

The proposed subdivision will detract from the character of the small Victorian wooden cottage such that its significance in the streetscape may be lost.

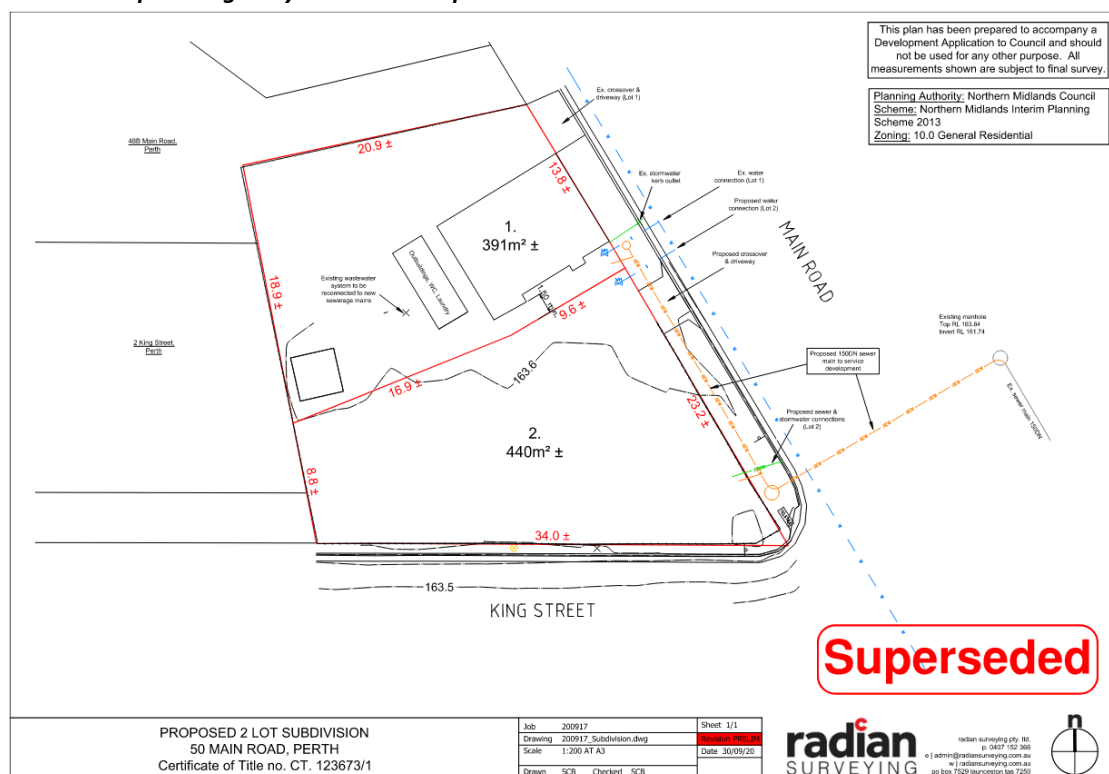
The proposed new fence will come within 1.591m of the dwelling and less than a meter from the laundry block will obstruct and spoil the view of the house from the road and footpath and the adjoining house is not designed to complement the existing cottage but will clash aesthetically with it.

The proposed subdivision fails to give the cottage sufficient space to the south such that the south facing door and small paned window group will be unable to serve their purpose and current use.

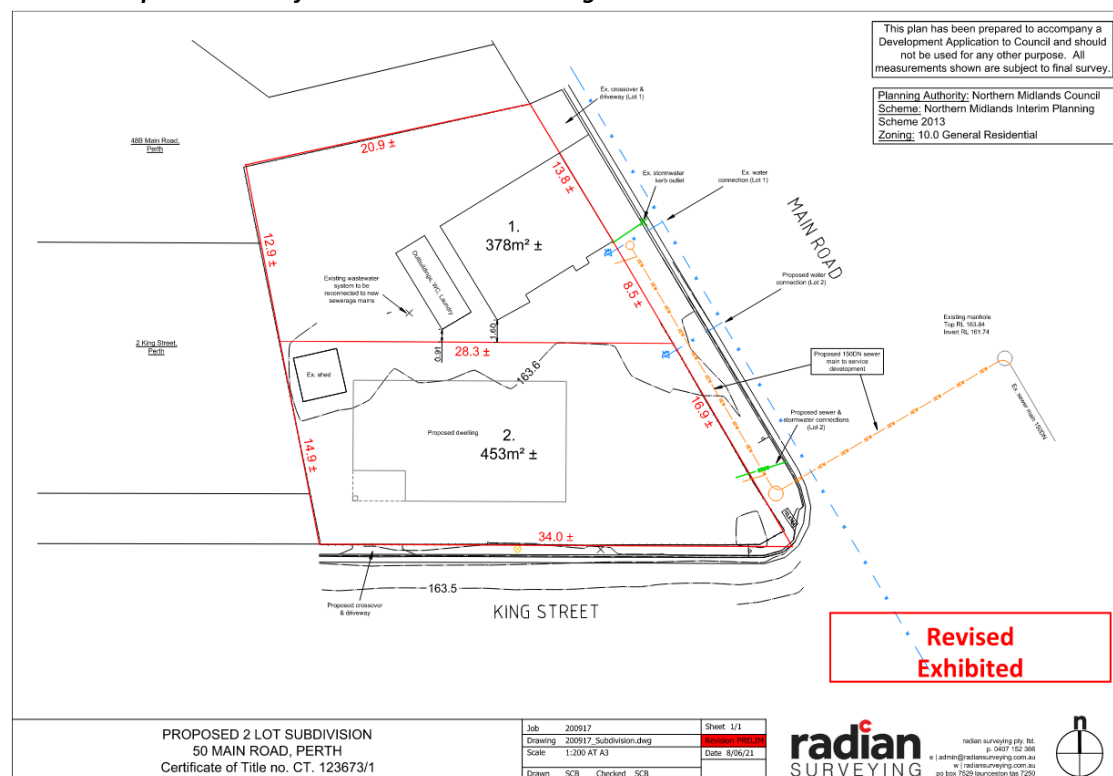
Planner's comment:

Before the application was placed on public exhibition, the applicant met with the Tasmanian Heritage Council's Works Manager, and the Northern Midlands Council's Heritage Adviser and Senior Planner. As a result, the proposed dwelling and subdivision layout were revised such that they would relate positively to the heritage building.

Subdivision plan originally submitted - superseded



Subdivision plan revised after discussion with heritage advisers



4.6 Referrals

Council's Works Department

Council's Engineering Officer, Jonathan Galbraith, provided the attached advice. The recommended conditions are included in the conditions of approval.

TasWater

TasWater provided a Submission to Planning Authority Notice (Taswater Ref: TWDA 2021/00021-NMC, Dated 16/06/2021).

Heritage Adviser

Council's Heritage Advisor, David Denman, advised that he has no objection to the proposal and that proposed dwelling is in accordance with the Heritage Standards for Development.

Tasmanian Heritage Council

The Tasmanian Heritage Council issued a Notice of Heritage Decision (Ref. 6455), and an advisory note, subject to the following conditions which will be included on a planning permit if approved:

The design of the house is to be refined to more positively respond to the heritage building, specifically:

- (i) *The roof over the garage / laundry area must be a skillion; or a secondary hip confined to the depth of the new garage, with skillion over the garage entry; and,*
- (ii) *The window openings in the south and east elevations must have expressed lintels and sills, and the door openings including porch recess are to have expressed lintels; and*
- (iii) *The windows and doorway in the east elevation must be evenly spaced and arranged symmetrically; and,*
- (iv) *The main roof must have eaves of the same overhang as those of the main roof of the heritage building.*

Source: Heritage Tasmania advisory note relating to Works Application #6455



Figure 2. Proposed elevations facing King Street (LHS) and Main Road (RHS), as per application.



Figure 3. Elevations facing King Street (LHS) and Main Road (RHS) adjusted to reflect conditions.

Source: Heritage Tasmania advisory note relating to Works Application #6455

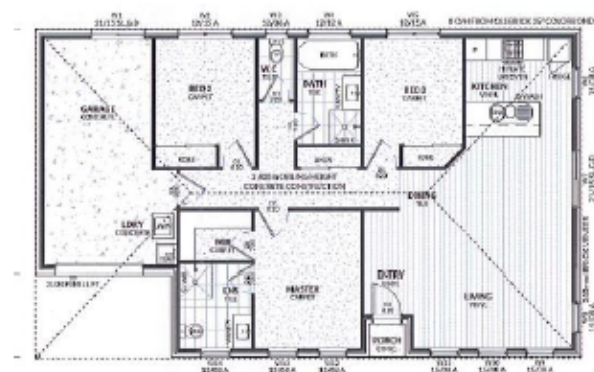


Figure 4. Proposed floor plan with roof shown dotted, as per application.



Figure 5. Roof plans amended to reflect Condition 1(i), either as a skillion over the garage/laundry, or a secondary hip.

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>
Assessment: 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>
Assessment: The proposal meets the local area objectives.

Use Standards

10.3.1 Amenity

Objective To ensure that non-residential uses do not cause an unreasonable loss of amenity to adjoining and nearby residential uses.	
Acceptable Solutions	Performance Criteria
A1 If for permitted or no permit required uses.	P1 The use must not cause or be likely to cause an environmental nuisance through emissions including noise and traffic movement, smoke, odour, dust and illumination.
Comment: Complies. The proposal is for a permitted use.	Comment: Not applicable.
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.
Comment: Not applicable. The proposal is not for a discretionary use.	Comment: Not applicable.
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.
Comment: Complies. The proposal is for a permitted use.	Comment: Not applicable.

10.3.2 Residential Character – Discretionary Uses

Comment: Not applicable. The proposal is for a permitted use.

Development Standards for Dwellings

10.4.1 Residential density for multiple dwellings

Objective:	That the density of multiple dwellings: (a) makes efficient use of land for housing; and (b) optimises 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 325m ² .	P1 Multiple dwellings must only have a site area per dwelling that is less than 325m ² , if the development will not exceed the capacity of infrastructure services and: (a) is compatible with the density of existing development on established properties in the area; or (b) provides for a significant social or community benefit and is: (i) wholly or partly within 400m walking distance of a public transport stop; or

	(ii) wholly or partly within 400m walking distance of an Inner Residential Zone, Village Zone, Urban Mixed Use Zone, Local Business Zone, General Business Zone, Central Business Zone or Commercial Zone.
Comment: Complies. The title has an area around 831m ² . 831m ² / 2 dwellings gives a site area per dwelling of 415m ² .	Comment: Not applicable.

10.4.2 Setbacks and building envelope for all dwellings

Objective:	The siting and scale of dwellings: (a) provides reasonably consistent separation between dwellings and their frontage within a street; (b) provides consistency in the apparent scale, bulk, massing and proportion of dwellings; (c) provides separation between dwellings on adjoining properties to allow reasonable opportunity for daylight and sunlight to enter habitable rooms and private open space; and (d) provides reasonable access to sunlight for existing solar energy installations.	
Acceptable Solutions	Performance Criteria	
A1 Unless within a building area on a sealed plan, a dwelling, excluding garages, carports and protrusions that extend not more than 0.9m into the frontage setback, must have a setback from a frontage that is: (a) if the frontage is a primary frontage, not less than 4.5m, or, if the setback from the primary frontage is less than 4.5m, not less than the setback, from the primary frontage, of any existing dwelling on the site; (b) if the frontage is not a primary frontage, not less than 3m, or, if the setback from the frontage is less than 3m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site; (c) if for a vacant site and there are existing dwellings on adjoining properties 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; (d) if located above a non-residential use at ground floor level, not less than the setback from the frontage of the ground floor level; or (e) if the development is on land that abuts a road specified in Table 10.4.2, at least that specified for the road.	P1 A dwelling must: (a) have a setback from a frontage that is compatible with the streetscape, having regard to any topographical constraints; and (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.	
Comment: Does not comply. The new dwelling is proposed to be 3.32m from the primary frontage (King Street) and 7m from the secondary frontage (Main Road)	Comment: The setback of 3.32 from King Street is compatible with dwellings in King Street and allows a greater setback from Main Road, leaving more of a view to the heritage building.	
A2 A garage or carport for a dwelling must have a setback from a primary frontage of not less than: (a) 5.5m, or alternatively 1m behind the building line; (b) the same as the building line, if a portion of the dwelling gross floor area is located above the garage or carport; or (c) 1m, if the existing ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage.	P2 A garage or carport for a dwelling must have a setback from a primary frontage that is compatible with the setbacks of existing garages or carports in the street, having regard to any topographical constraints.	
Comment: Complies. The garage is proposed to be 5.5m from the primary frontage (King Street).	Comment: Not applicable.	
A3 A dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions that extend not more than 0.9m horizontally beyond the building envelope, must: (a) be contained within a building envelope (refer to Figures 10.1, 10.2 and 10.3) determined by:	P3 The siting and scale of a dwelling must: (a) not cause an unreasonable loss of amenity to adjoining properties, having regard to:	

<ul style="list-style-type: none"> (i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a property with an adjoining frontage; and (ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above existing ground level at the side and rear boundaries to a building height of not more than 8.5m above existing ground level; and <p>(b) only have a setback of less than 1.5m from a side or rear boundary if the dwelling:</p> <ul style="list-style-type: none"> (i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining property; or (ii) does not exceed a total length of 9m or one third the length of the side boundary (whichever is the lesser). 	<ul style="list-style-type: none"> (i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining property; (ii) overshadowing the private open space of a dwelling on an adjoining property; (iii) overshadowing of an adjoining vacant property; or (iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining property; <p>(b) provide separation between dwellings on adjoining properties that is consistent with that existing on established properties in the area; and</p> <p>(c) not cause an unreasonable reduction in sunlight to an existing solar energy installation on:</p> <ul style="list-style-type: none"> (i) an adjoining property; or (ii) another dwelling on the same site.
<p>Comment: The proposal complies with Figure 10.2.</p>	<p>Comment: Not applicable.</p>

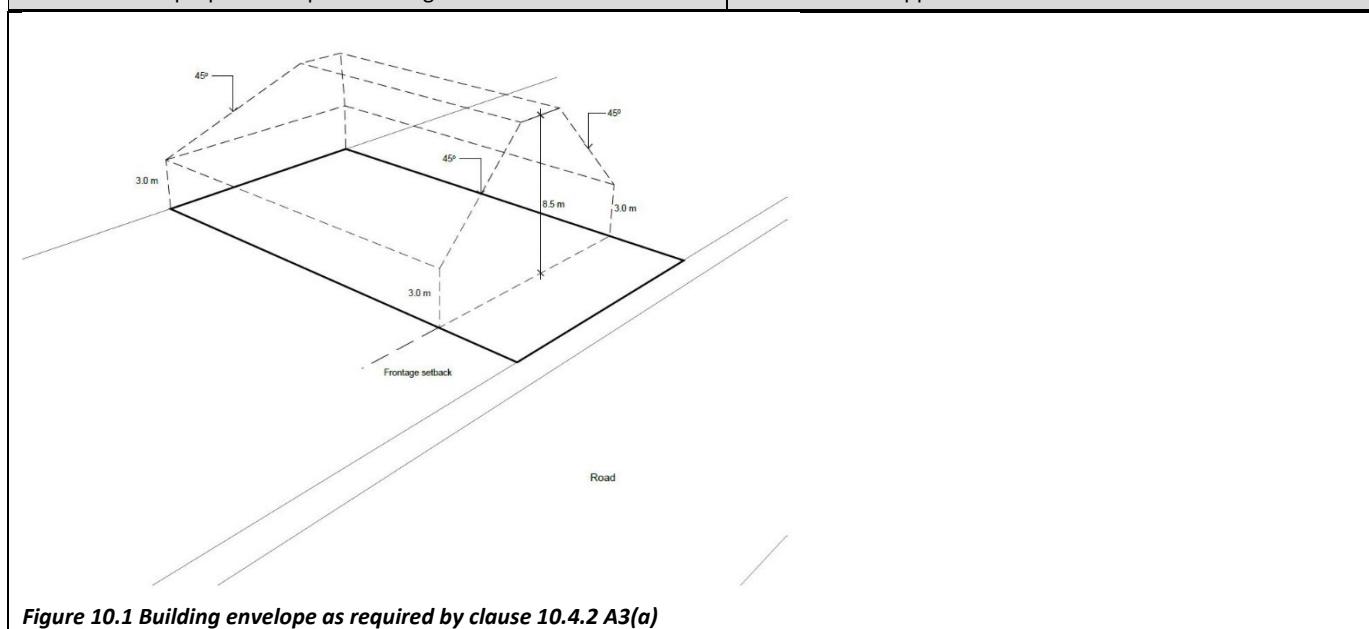


Figure 10.1 Building envelope as required by clause 10.4.2 A3(a)

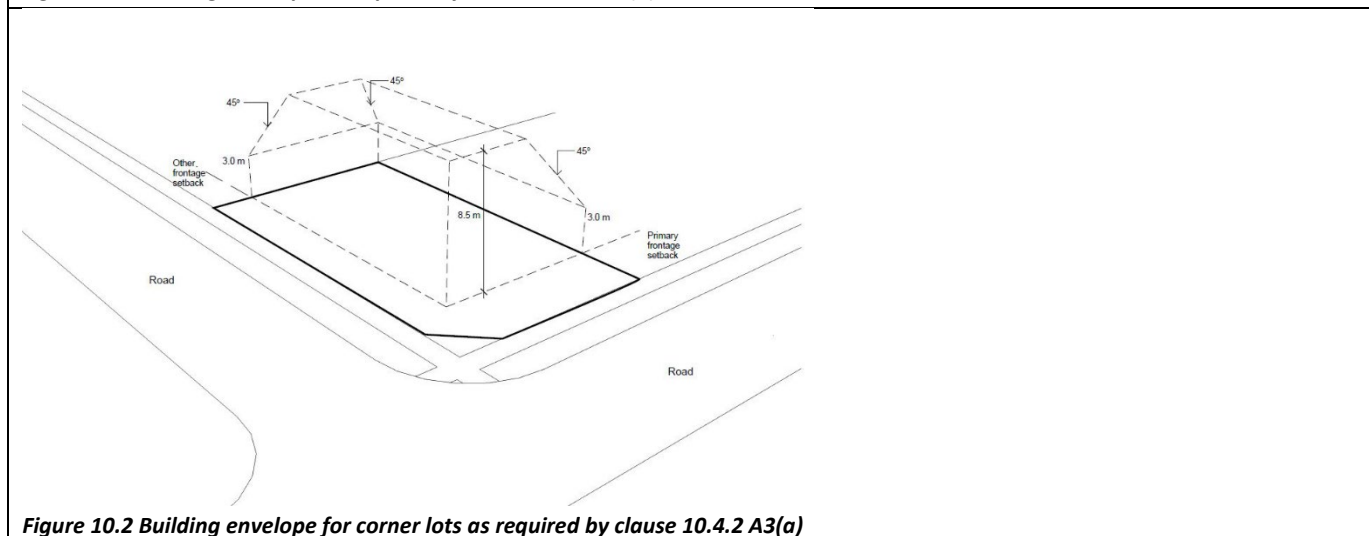


Figure 10.2 Building envelope for corner lots as required by clause 10.4.2 A3(a)

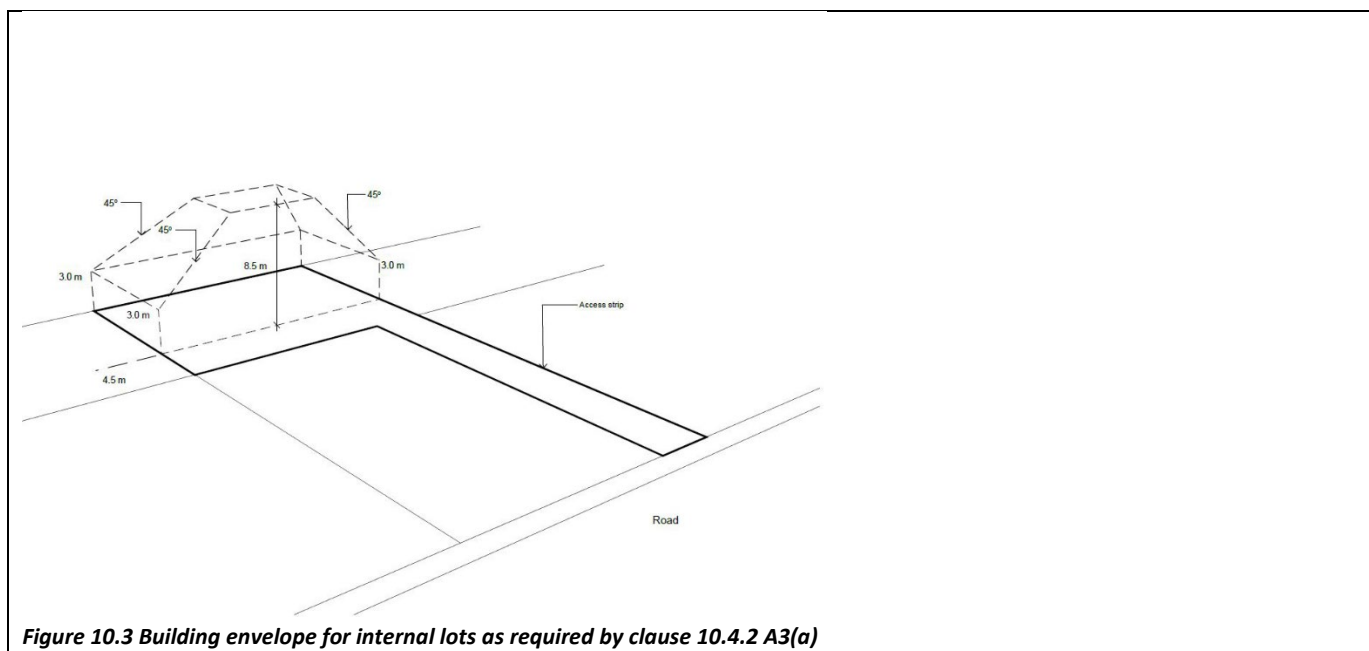


Figure 10.3 Building envelope for internal lots as required by clause 10.4.2 A3(a)

10.4.3 Site coverage and private open space for all dwellings

Objective:	That dwellings are compatible with the amenity and character of the area and provide: <ul style="list-style-type: none"> (a) for outdoor recreation and the operational needs of the residents; (b) opportunities for the planting of gardens and landscaping; and (c) private open space that is conveniently located and has access to sunlight.
Acceptable Solutions	Performance Criteria
A1 Dwellings must have: <ul style="list-style-type: none"> (a) a site coverage of not more than 50% (excluding eaves up to 0.6m wide); and (b) for multiple dwellings, a total area of private open space of not less than 60m² 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). 	P1 Dwellings must have: <ul style="list-style-type: none"> (a) site coverage consistent with that existing on established properties in the area; (b) private open space that is of a size and with dimensions that are appropriate for the size of the dwelling and is able to accommodate: <ul style="list-style-type: none"> (i) outdoor recreational space consistent with the projected requirements of the occupants and, for multiple dwellings, take into account any common open space provided for this purpose within the development; and (ii) operational needs, such as clothes drying and storage; and (c) reasonable space for the planting of gardens and landscaping.
Comment: Complies. The site has an area of 831m ² . Site coverage is proposed to be 110m ² (existing dwelling) and 125m ² (proposed dwelling) = 28%. Each dwelling has private open space of at least 60m ² .	Comment: Not applicable.
A2 A dwelling must have private open space that: <ul style="list-style-type: none"> (a) is in one location and is not less than: <ul style="list-style-type: none"> (i) 24m²; or (ii) 12m², 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); (b) has a minimum horizontal dimension of not less than: <ul style="list-style-type: none"> (i) 4m; or (ii) 2m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m 	P2 A dwelling must have private open space that includes an area capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children's play and is: <ul style="list-style-type: none"> (a) conveniently located in relation to a living area of the dwelling; and (b) orientated to take advantage of sunlight.

above the finished ground level (excluding a garage, carport or entry foyer);	
(c) is located between the dwelling and the frontage only if the frontage is orientated between 30 degrees west of true north and 30 degrees east of true north; and	
(d) has a gradient not steeper than 1 in 10.	
Comment: Complies.	Comment: Not applicable.

10.4.4 Sunlight to private open space of multiple dwellings

Objective:	That the separation between multiple dwellings provides reasonable opportunity for sunlight to private open space for dwellings on the same site.	
Acceptable Solutions	Performance Criteria	
A1 A multiple dwelling, that is to the north of the private open space of another dwelling on the same site, required to satisfy A2 or P2 of clause 10.4.3, must satisfy (a) or (b), unless excluded by (c): <ul style="list-style-type: none"> (a) the multiple dwelling is contained within a line projecting (see Figure 10.4): <ul style="list-style-type: none"> (i) at a distance of 3m from the northern edge of the private open space; and (ii) vertically to a height of 3m above existing 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 9.00am and 3.00pm on 21st June; and (c) this Acceptable Solution excludes that part of a multiple dwelling consisting of: <ul style="list-style-type: none"> (i) an outbuilding with a building height not more than 2.4m; or (ii) protrusions that extend not more than 0.9m horizontally from the multiple dwelling. 	P1 A multiple dwelling must be designed and sited to not cause an unreasonable loss of amenity by overshadowing the private open space, of another dwelling on the same site, which is required to satisfy A2 or P2 of clause 10.4.3 of this planning scheme.	
Comment: Complies.	Comment: Not applicable.	

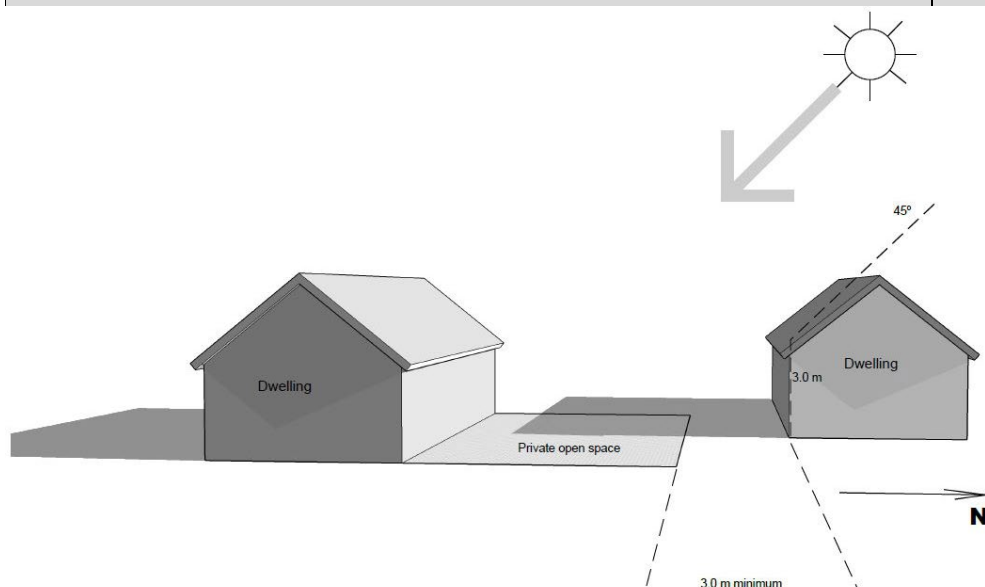


Figure 10.4 Separation from the private open space of another dwelling on the same site as required by clause 10.4.4 A1(a)

10.4.5 Width of openings for garages and carports for all dwellings

Objective:	To reduce the potential for garage or carport openings to dominate the primary frontage.	
Acceptable Solutions	Performance Criteria	
A1 A garage or carport for a dwelling 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	P1 A garage or carport for a dwelling must be designed to minimise the width of its openings that are visible from the street, so as to reduce	

primary frontage of not more than 6m or half the width of the frontage (whichever is the lesser).	the potential for the openings of a garage or carport to dominate the primary frontage.
Comment: Complies.	Comment: Not applicable.

10.4.6 Privacy for all dwellings

Objective:	To provide a reasonable opportunity for privacy for dwellings.	
Acceptable Solutions		Performance Criteria
A1 A balcony, deck, roof terrace, parking space, or carport for a dwelling (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1m above existing ground level must have a permanently fixed screen to a height of not less than 1.7m above the finished surface or floor level, with a uniform transparency of not more than 25%, along the sides facing a: <ul style="list-style-type: none"> (a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of not less than 3m from the side boundary; (b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of not less than 4m from the rear boundary; and (c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is not less than 6m: <ul style="list-style-type: none"> (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. 		P1 A balcony, deck, roof terrace, parking space or carport for a dwelling (whether freestanding or part of the dwelling) that has a finished surface or floor level more than 1m above existing ground level, must be screened, or otherwise designed, to minimise overlooking of: <ul style="list-style-type: none"> (a) a dwelling on an adjoining property or its private open space; or (b) another dwelling on the same site or its private open space.
Comment: Not applicable.		Comment: Not applicable.
A2 A window or glazed door to a habitable room of a dwelling, that has a floor level more than 1m above existing ground level, must satisfy (a), unless it satisfies (b): <ul style="list-style-type: none"> (a) the window or glazed door: <ul style="list-style-type: none"> (i) is to have a setback of not less than 3m from a side boundary; (ii) is to have a setback of not less than 4m from a rear boundary; (iii) if the dwelling is a multiple dwelling, is to be not less than 6m from a window or glazed door, to a habitable room, of another dwelling on the same site; and (iv) if the dwelling is a multiple dwelling, is to be not less than 6m from the private open space of another dwelling on the same site. (b) the window or glazed door: <ul style="list-style-type: none"> (i) is to be offset, in the horizontal plane, not less than 1.5m from the edge of a window or glazed door, to a habitable room of another dwelling; (ii) is to have a sill height of not less than 1.7m above the floor level or have fixed obscure glazing extending to a height of not less than 1.7m above the floor level; or (iii) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of not less than 1.7m above floor level, with a uniform transparency of not more than 25%. 		P2 A window or glazed door to a habitable room of a dwelling that has a floor level more than 1m above existing ground level, must be screened, or otherwise located or designed, to minimise direct views to: <ul style="list-style-type: none"> (a) a window or glazed door, to a habitable room of another dwelling; and (b) the private open space of another dwelling.
Comment: Not applicable.		Comment: Not applicable.
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 not less than: <ul style="list-style-type: none"> (a) 2.5m; or (b) 1m if: <ul style="list-style-type: none"> (i) it is separated by a screen of not less than 1.7m in height; or (ii) the window, or glazed door, to a habitable room has a sill height of not less than 1.7m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of not less than 1.7m above the floor level. 		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 unreasonable impact of vehicle noise or vehicle light intrusion to a habitable room of a multiple dwelling.
Comment: Not applicable.		Comment: Not applicable.

10.4.7 Frontage fences for all dwellings

Objective:	The height and transparency of frontage fences: (a) provides adequate privacy and security for residents; (b) allows the potential for mutual passive surveillance between the road and the dwelling; and (c) is reasonably consistent with that on adjoining properties.
Acceptable Solutions	Performance Criteria
A1 No Acceptable Solution.	P1 A fence (including a free-standing wall) for a dwelling within 4.5m of a frontage must: (a) provide for security and privacy while allowing for passive surveillance of the road; and (b) be compatible with the height and transparency of fences in the street, having regard to: (i) the topography of the site; and (ii) traffic volumes on the adjoining road.
Comment: Not applicable. The application does not propose a frontage fence.	Comment: Not applicable. The application does not propose a frontage fence.

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 not less than 1.5m ² per dwelling and is within one of the following locations: (a) an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or (b) a common storage area with an impervious surface that: (i) has a setback of not less than 4.5m from a frontage; (ii) is not less than 5.5m from any dwelling; and (iii) is screened from the frontage and any dwelling by a wall to a height not less than 1.2m above the finished surface level of the storage area.	P1 A multiple dwelling must have storage for waste and recycling bins that is: (a) capable of storing the number of bins required for the site; (b) screened from the frontage and dwellings; and (c) if the storage area is a common storage area, separated from dwellings on the site to minimise impacts caused by odours and noise.
Comment: Complies.	Comment: Not applicable.

10.4.9 Storage for multiple dwellings

Objective	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.
Comment: Complies.	Comment: Not applicable.

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.
Comment: Complies.	Comment: Not applicable.

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
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NORTHERN MIDLANDS COUNCIL

AGENDA – ORDINARY MEETING

19 JULY 2021

- 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 ² .	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.
Comment: Complies.	Comment: Not applicable.
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 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.
Comment: Not applicable.	Comment: Not applicable.

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 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.
Comment: Complies.	Comment: Not applicable.

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.

Comment: Not applicable. The proposal is for a dwelling.

10.4.14 Non Residential Development

Comment: Not applicable. The proposal is for residential development.

10.4.15 Subdivision

Comment: Not applicable. The proposal is not for subdivision.

CODES	
E1.0 BUSHFIRE PRONE AREAS CODE	N/a
E2.0 POTENTIALLY CONTAMINATED LAND	N/a
E3.0 LANDSLIP CODE	N/a
E4.0 ROAD AND RAILWAY ASSETS CODE	N/a
E5.0 FLOOD PRONE AREAS CODE	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 Complies – See code assessment below
E14.0 COASTAL CODE	N/a
E15.0 SIGNS CODE	N/a

NORTHERN MIDLANDS COUNCIL

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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> <p>a) Table E6.1; or</p> <p>b) a parking precinct plan contained in Table E6.6: Precinct Parking Plans (except for dwellings in the General Residential Zone).</p>	<p>P1 The number of car parking spaces provided must have regard to:</p> <p>a) the provisions of any relevant location specific car parking plan; and</p> <p>b) the availability of public car parking spaces within reasonable walking distance; and</p> <p>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</p> <p>d) the availability and frequency of public transport within reasonable walking 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: Does not comply. The proposal would result in two dwellings, each with more than two bedrooms. Two car parking spaces are required for each dwelling plus a total of one visitor space. Two spaces are proposed for each dwelling. No visitor parking is proposed.	Comment: There is adequate on street parking in Main Road for visitor parking – complies.

Table E6.1: Parking Space Requirements

Use	Parking Requirement	
	Vehicle	Bicycle
Residential:		
<i>If a 2 or more bedroom dwelling in the General Residential Zone (including all rooms capable of being used as a bedroom)</i>	<i>2 spaces per dwelling</i>	<i>1 space per unit.</i>
<i>Visitor parking for multiple dwellings in the General Residential zone.</i>	<i>1 dedicated space per 4 dwellings (rounded up to the nearest whole number.)</i>	

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>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>

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A1.2 The number of spaces must be in accordance with a parking precinct plan contained in Table E6.6: Precinct Parking Plans.	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. Each dwelling would have a garage or outbuilding, providing for bicycle parking.	Comment: Not applicable.

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 applicable.	Comment: Not applicable.

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: Not applicable.	Comment: Not applicable.

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: 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.	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.
Comment: Proposed dwelling to be sealed. Condition required.	Comment: Existing dwelling unsealed – 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 A1.2 Within the General residential zone, provision for turning must not be located within the front setback for residential buildings or multiple dwellings.	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: 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: Not applicable.	Comment: Not applicable.
A2.1 Car parking and manoeuvring space must: a) have a gradient of 10% or less; and b) where providing for more than 4 cars, provide for vehicles to enter and exit the site in a forward direction; and c) have a width of vehicular access no less than prescribed in Table E6.2 and Table E6.3, and	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.

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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.		Comment: Not applicable.

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: Not applicable.		Comment: Not applicable.	

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:
		e)	the topography of the site;
		f)	the location and type of relevant facilities on the site or in the vicinity;
		g)	the suitability of access pathways from parking spaces, and
		h)	applicable Australian Standards.
Comment: Not applicable. Being for a dwelling, the proposal does not require, and does not propose, parking for persons with a disability.		Comment: Not applicable.	
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: Not applicable.		Comment: Not applicable.	

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 collecting people and goods where these are expected on a regular basis.
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.		
Comment: Not applicable.		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
<p>A1.1 Bicycle parking spaces for customers and visitors must:</p> <ul style="list-style-type: none"> 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 <p>A1.2 Parking space for residents' and employees' bicycles must be under cover and capable of being secured by lock or bicycle lock.</p>	<p>P1 Bicycle parking spaces must be safe, secure, convenient and located where they will encourage use.</p>
Comment: Does not comply. Must address the performance criteria.	Comment: Each dwelling would have an outbuilding that would provide for safe, secure and convenient bicycle parking.
<p>A2 Bicycle parking spaces must have:</p> <ul style="list-style-type: none"> a) minimum dimensions of: <ul style="list-style-type: none"> 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. 	<p>P2 Bicycle parking spaces and access must be of dimensions that provide for their convenient, safe and efficient use.</p>
Comment: Does not comply. Must address the performance criteria.	Comment: Each dwelling would have an outbuilding that would provide for bicycle parking spaces and access of dimensions that provide for their safe, secure and convenient use.

E6.8.5 Pedestrian Walkways

Objective: To ensure pedestrian safety is considered in development	
Acceptable Solution	Performance Criteria
<p>A1 Pedestrian access must be provided for in accordance with Table E6.5.</p>	<p>P1 Safe pedestrian access must be provided within car park and between the entrances to buildings and the road.</p>
Comment: Complies. The application requires 5 and proposes 4 car parking spaces. No separate pedestrian access is required.	Comment: Not applicable.

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.



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SPECIFIC AREA PLANS	
F1.0 TRANSLINK SPECIFIC AREA PLAN	N/a
F2.0 HERITAGE PRECINCTS SPECIFIC AREA PLAN	N/a – not in a heritage precinct.
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
9.5 Change of Use of a Place listed on the Tasmanian Heritage Register or a heritage place	N/a
9.6 Change of Use	N/a
9.7 Access and Provision of Infrastructure Across Land in Another Zone	N/a
9.8 Buildings Projecting onto Land in a Different Zone	N/a
9.9 Port and Shipping in Proclaimed Wharf Areas	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 & Approvals Act 1993</i> .	
STRATEGIC PLAN/ANNUAL PLAN/COUNCIL POLICIES	
Strategic Plan 2017-2027 <ul style="list-style-type: none"> 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:

- Variation to King Street setback.
- Development of heritage listed property.
- Lack of one visitor car parking space.

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

The proposal is found to comply with the provisions of the planning scheme and is recommended for approval.

8 ATTACHMENTS

- Application & plans, correspondence with applicant
- Responses from referral agencies
- Representation

RECOMMENDATION

That land at 50 Main Road, Perth be approved to be developed and used for multiple dwellings (1 existing, 1 proposed) (vary King Street setback, heritage listed property) in accordance with application PLN-20-0296, and subject to the following conditions:

1 Layout not altered

Except as required by this permit, the use and development must be substantially in accordance with the endorsed plans **P1 – P5** (AREI Plans Pages 01 to 05, Rev. B 13/4/2021).

2 Privacy fences

The 1.8m high privacy fences shown on the plans must be timber paling.

3 Tasmanian Heritage Council

The proposed development must comply with the requirements of the Tasmanian Heritage Council's Notice of Heritage Decision (Reference 6455, 30 June 2021) – attached as **Appendix A**.

4 Revised Plans Required

Before the development commences, the applicant must submit revised plans in accordance with the Tasmanian Heritage Council's Notice of Heritage Decision. When approved the plans will be endorsed and form part of this permit.

5 TasWater conditions

Sewer and water services must be provided in accordance with TasWater's Submission to Planning Authority Notice (Taswater Ref: TWDA 2021/00021-NMC, Dated 16/06/2021).

6 Parking and Access

Before the commencement of the use, the proposed dwelling must have sealed parking and access areas.

7 Council's Works Department conditions

7.1 Stormwater

- Each dwelling must be provided with a connection to the Council's stormwater system, constructed in accordance with Council standards and to the satisfaction of Council's Works & Infrastructure Department.
- 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, or the commencement of development authorised by this permit, the applicant must design and provide plans for underground 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.

7.2 Access (Urban)

- An "open wedge" style concrete driveway crossover and hotmix sealed apron must be constructed from the edge of the road to the property boundary of Lot 2 in accordance with Council standard drawings TSD R09 and TSD R14.
- Access works must not commence until an application for vehicular crossing has been approved by Council.

7.3 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.

7.4 Works in Council road reserve (if the road is owned by Council when works commence)

- 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.
- 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.

7.5 Works in State road reserve (the main street is currently owned by the Department of State Growth, but this will change at some time)

- The developer must obtain a permit from the Department State Growth for any works to be undertaken within the State Road reservation, including any works necessary in relation to access construction, stormwater drainage and/or traffic management control and devices from the proposal.
- Application requirements and forms can be found at transport.tas.gov.au/road/permits, applications must be submitted at least twenty-eight (28) days prior to any scheduled works. In accordance with the Roads and Jetties Act 1935, works must not be commenced within the State Road reservation until a permit has been issued.

7.6 Separation of hydraulic services

- All existing pipes and connections must be located.
- Where required, pipes are to be rerouted to provide an independent system for each lot.
- Certification must be provided that hydraulic services have been separated between the lots.

7.7 Pollutants

- The developer/property owner must ensure that pollutants such as mud, silt or chemicals are not released from the site.
- 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.

DECISION

Cr

PLAN 4 PLANNING APPLICATION PLN-21-0137: 3 BANKSIA GROVE, PERTH

Attachments: Section 1 – Page 476

File Number: 100900.02; CT33084/4
Responsible Officer: Des Jennings, General Manager
Report prepared by: Erin Miles, Development Supervisor

1 INTRODUCTION

This report assesses an application for 3 Banksia Grove, Perth to construct two multiple dwellings.

2 BACKGROUND

Applicant:

Wilson Homes

Owner:

Housing Services

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:

23.07.2021

Recommendation:

Approve

Discretionary Aspects of the Application:

- Reliance on the performance criteria of the Car Parking and Sustainable Transport Code.

Planning Instrument:

Northern Midlands Interim Planning Scheme 2013, Version 35, Effective from 26th April 2021.

Preliminary Discussion

While on public exhibition, further information was requested from Taswater regarding the location of infrastructure and revised plans. The relevant information was provided and Taswater subsequently issued a Submission to Planning Authority Notice.

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.

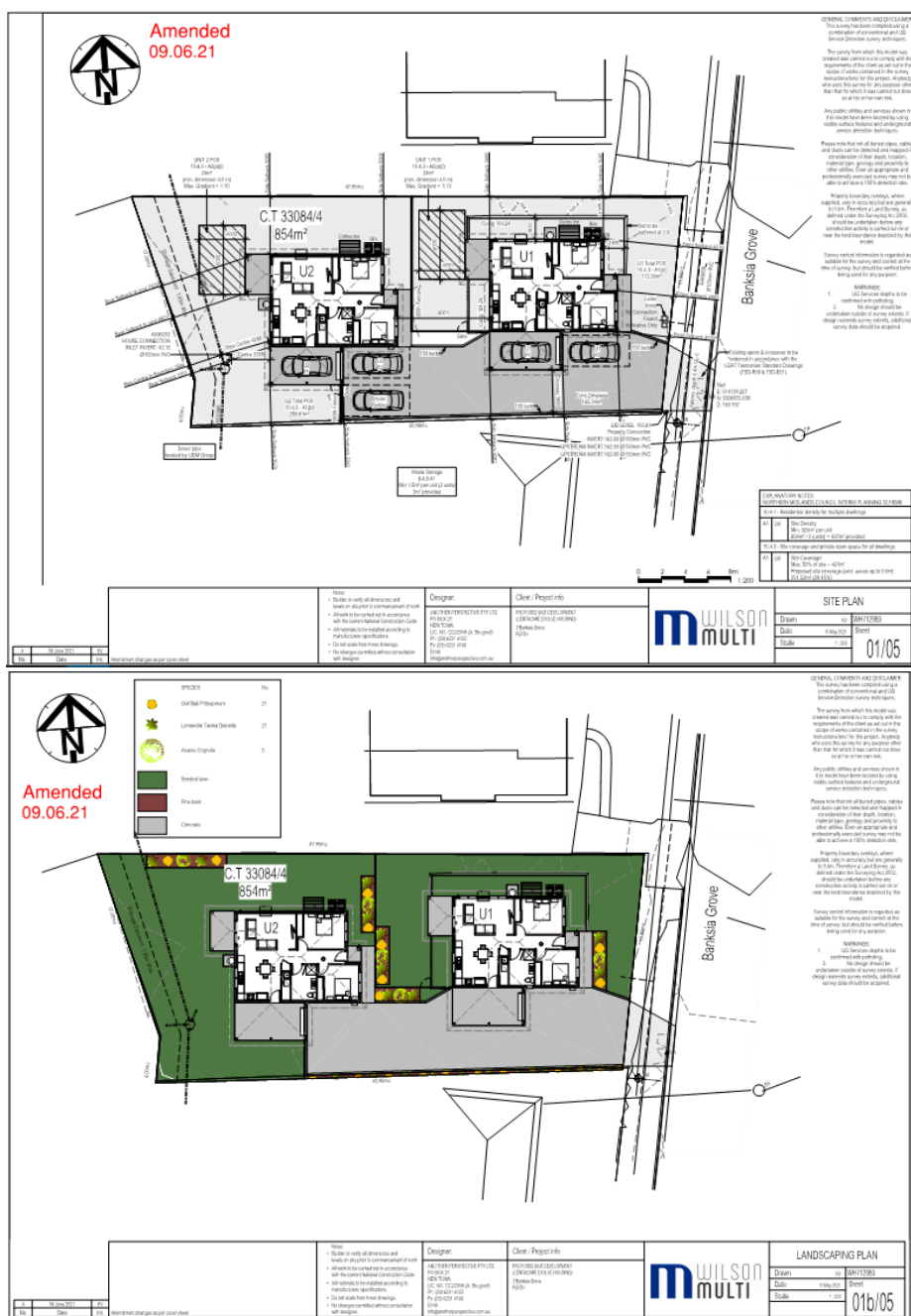
4 ASSESSMENT

4.1 Proposal

It is proposed to:

- Construct 2 x 2 bedroom units (multiple dwellings) and associated access and parking.

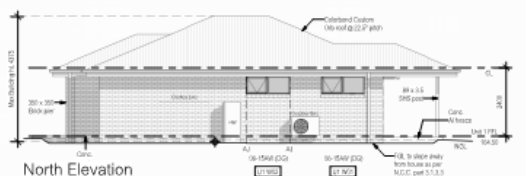
Site Plan



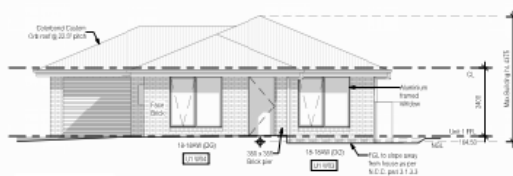
Elevations

Amended
09.06.21

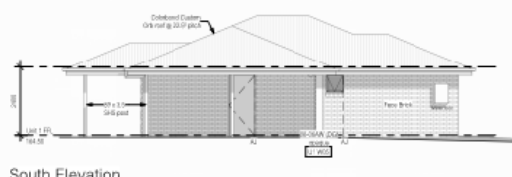
Model	Class
Control Test	Yes
FaceGroup	Yes
PC (Shen)	Yes



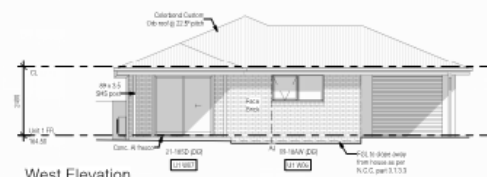
North Elevation



East Elevation



South Elevation

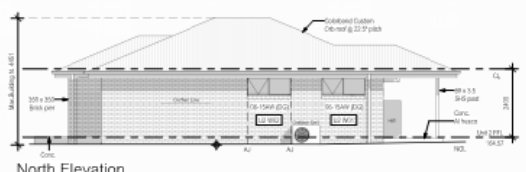


West Elevation

<div>All services to be provided and confirmed on site prior to building start date.</div>			<div>Notes<ul style="list-style-type: none">• Reader to verify all dimensions and levels on site prior to commencement of work.• All work to be carried out in accordance with the current National Construction Code.• All work to be installed according to manufacturers specifications.• Do not scale from these drawings.• The designer permits other contractors with the designer.</div>	<div>Designer: ANDREW PERSPECTIVE PTY LTD PT 10/25, ST NEWTON VIC 3070 (VIC, MC, C220984 (A), Reg No) Ph: 03 9471 4152 Fax: 03 9471 4156 Email: andrew@perspective.co.au</div>	<div>Client / Project Info PROCEED BUILDERS PTY LTD 1/100-1/102, ST 1/100-1/102, ST 1/100-1/102, ST 1/100-1/102, ST</div>	<div></div>	<div>UNIT 1 ELEVATIONS</div> <div>Drawn: [Signature] 1/100-1/102, ST Date: 1/100-1/102, ST Scale: 1:100 Copyright ©</div>	<div>03/05</div>
<div>Date: [] Date: [] Date: []</div>	<div>Drawn: [Signature] Date: [] Scale: 1:100 Copyright ©</div>	<div>03/05</div>						

Amended
09.06.21

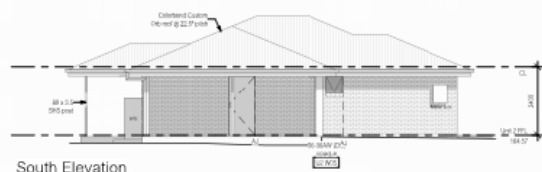
Material	Color
Corobond®	ltc
Fast-900	ltc
PG Steel	ltc



North Elevation



East Elevation



South Elevation

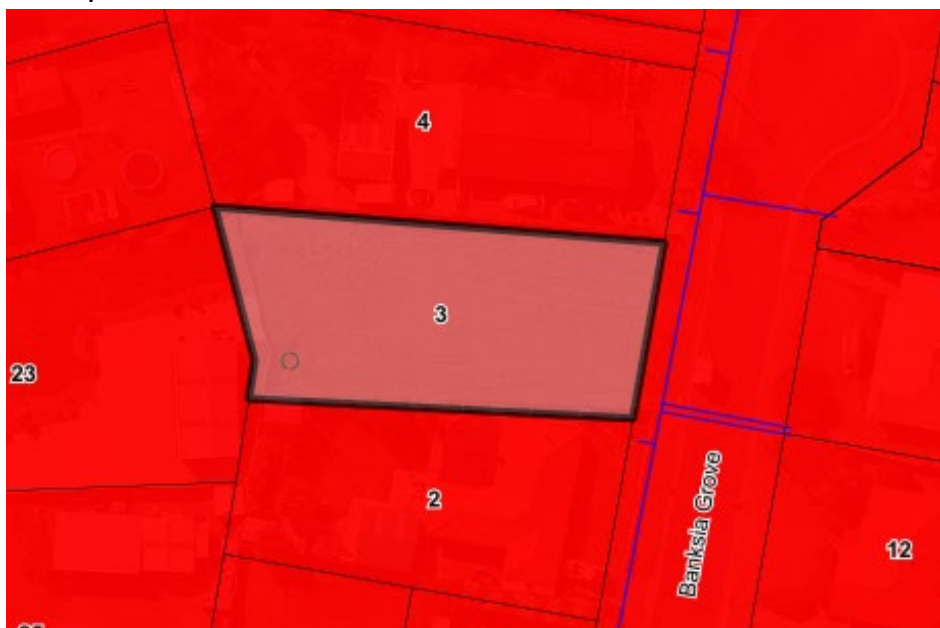


West Elevation

				<div style="border: 1px solid black; padding: 5px; width: fit-content;">All window types to be checked and confirmed on site prior to installing glazing units.</div>		<div style="border: 1px solid black; padding: 5px;"><p>Notes:</p><ul style="list-style-type: none">• Double to verify all dimensions and levels on slugs prior to commencement of work.• All work to be carried out in accordance with the current National Construction Code (NCC).• All slugs to be installed according to manufacturer's specifications.• Do not scale from floor drawings.• No slugs provided without correct seal with adhesive.</div>		<div style="border: 1px solid black; padding: 5px;"><p>Designer:</p><p>AW PROJECTS PVTY LTD PO BOX 7 NEW TOWN VIC 3008 (AUSTRALIA) P: (03) 427 4160 F: (03) 427 4166 G: info@awprojectspvt.com.au</p></div>		<div style="border: 1px solid black; padding: 5px;"><p>Client / Project info</p><p>PROVIDED BUILDING PLAN 1 WINDOW (SLUG) TO BE FIXED 1 Window Drive R/301</p></div>		<div style="border: 1px solid black; padding: 5px;"><div style="display: flex; align-items: center;"><div style="margin-left: 10px;"><p>UNIT 2 ELEVATIONS</p><div style="display: flex; justify-content: space-between;"><div><p>Drawn by: AW/12980</p><p>Date 10 May 2021</p><p>Scale 1:100</p></div><div style="text-align: right;"><p>Sheet</p><p style="font-size: 2em; font-weight: bold;">05/05</p></div></div><p style="text-align: right; font-size: 0.8em;">Copyright ©</p></div></div></div>			
No.	Date	By	Description	Revision changes as per client brief		Revision change for slugs to suit customer									

4.2 Zone and land use

Zone Map – General Residential Zone



The land is zoned General Residential Zone and is subject to the Road and Railway Assets Code and Car Parking and Sustainable Transport Code.

The relevant Planning Scheme definition is:

<i>Residential</i>	<i>use of land for self-contained or shared living accommodation. Examples include an ancillary dwelling, boarding house, communal residence, home-based business, hostel, residential aged care home, residential college, respite centre, retirement village and single or multiple dwellings.</i>
<i>multiple dwellings</i>	<i>means 2 or more dwellings on a site.</i>
<i>outbuilding</i>	<i>means a non-habitable detached building of Class 10a of the Building Code of Australia and includes a garage, carport or shed.</i>

Residential (multiple dwellings) is a permitted use in the zone. The application became discretionary due to reliance on the performance criteria of the Car Parking and Sustainable Transport Code.

4.3 Subject site and locality

The author of this report carried out a site visit on 1st June 2021. The subject site is an 854m² level rectangular lot, located in an established residential environment. The site is fully serviced and has frontage to cul-de-sac.

Aerial photograph of area



Photographs of subject site





4.4 Permit/site history

Relevant permit history includes:

- Nil (vacant site)

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:

- Bob Scholz and Lesley Walker, 4 Banksia Grove, Perth

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



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

Issue 1

- Error on plans re location of existing crossover.

Planner's comment:

Refer response from Wilson Homes – drafting error. The crossover shown on the plans is a proposed crossover (not existing) and has been assessed as such. The existing crossover is currently located on the northern side of the lot and is proposed to be conditioned by the permit for removal. The Road and Railway Assets Code of the Planning Scheme allows for a single access only, in order to meet the acceptable solution of the relevant clause.

Issue 1

- Location of proposed crossover and room to exit into street, given location of crossovers/vehicles frequently parked on the other side of the road.

Planner's comment:

There is adequate room for a vehicle to reverse from the site, regardless of whether a vehicle is parked on the other side of the road or not (8m road width).

Issue 2

- Accessibility with caravan via existing crossover



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Planner's comment:

Council's Works and Infrastructure Department have advised that it is standard policy to remove unused driveways (refer condition). The property owner at #4 could widen their crossover and apron into their own frontage, should they require extra width for accessing with a caravan etc. Council would allow the wing of #4's crossover to be in front of #3 to allow as much room as possible, but the apron edge must align with the property boundary.

4.6 Referrals

The following referrals were required:

Council's Works Department

Summary: Council's Works & Infrastructure Department (Jonathan Galbraith) reviewed the application on the 1-2/6/2021 and their recommended conditions are included in the conditions of approval.

TasWater

Summary: A Taswater Submission to Planning Authority Notice was issued on 10.06.2021 (Taswater Ref: TWDA 2021/00904-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>	
Assessment: 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>	
Assessment: The proposal meets the local area objectives.	

ASSESSMENT AGAINST DEVELOPMENT STANDARDS

10.4.1 Residential density for multiple dwellings

A1 Site area per dwelling of not less than

✓ (a) 325m² – Complies 427m² per unit

10.4.2 Setback and building envelopes for dwellings

A1 Unless within a building area, then

✓ (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:

✓ (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)

✓ (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

✓ (b) 1.5m side setback or built to the boundary (existing boundary wall within .2m of boundary or; 9m or ¼ of the side boundary, whichever is lesser)

10.4.3 Site coverage and private open space for dwellings

✓	A1	(a)	max. site coverage of 50% (excluding eaves)
✓		(b)	for multiple dwellings, a total area of private open space of not less than 60m ² , unless floor level is entirely over 1.8m above ground level (excl garage, carport or foyer)
✓	A2	(a)	(i) POS of 24m ² in one location in one location, or
		(ii)	POS of 12m ² in one location if a multiple dwelling with floor level over 1.8m high (as per A1b)
✓		(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
N/a		(c)	between dwelling and frontage only if frontage is orientated between 30 degrees west of north and 30 degrees east of north; AND
✓		(d)	not steeper than 1:10, AND

10.4.4 Sunlight and overshadowing

N/a	A1	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

10.4.5 Width of openings for garages and carports

✓	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).
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10.4.6 Privacy

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
		(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
		(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%.
✓	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

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- (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.

10.4.7 Frontage fences for single dwellings – N/a

See Planning Scheme for the following provisions for multiple dwellings

10.4.8 Waste storage for multiple dwellings- Complies (within site area of each dwelling – outside frontage)

10.4.9 Storage for multiple dwellings – Complies – condition required.

10.4.10 Common Property for multiple dwellings – Complies.

10.4.11 Outbuildings and Ancillary Structures for the Residential Use Class other than a single dwelling – N/a

10.4.12 Site Services for multiple dwellings – Complies – condition required to ensure location within common area.

Easements

✓ No construction over an easement

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
E15.0	SIGNS CODE	N/a

ASSESSMENT AGAINST E4.0 ROAD AND RAILWAY ASSETS CODE

E4.6 Use Standards

E4.6.1 Use and road or rail infrastructure

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

	<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>
N/a	N/a

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> <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>
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>
<p>Complies with A1 – single access proposed. Existing crossover to be removed, as per Works and Infrastructure recommended condition.</p>	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>

	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

E4.7.3 Management of Rail Level Crossings

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

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

Objective 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
A1 Sight distances at a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.7.4; and b) rail level crossings must comply with <i>AS1742.7 Manual of uniform traffic control devices - Railway crossings</i> , Standards Association of Australia; or c) If the access is a temporary access, the written consent of the relevant authority has been obtained.	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.
Complies with A1 – The visibility available for the entire length of the road (cul-de-sac) is available from the point of intersection through to the head of the cul-de-sac (road length 100m in total).	N/a

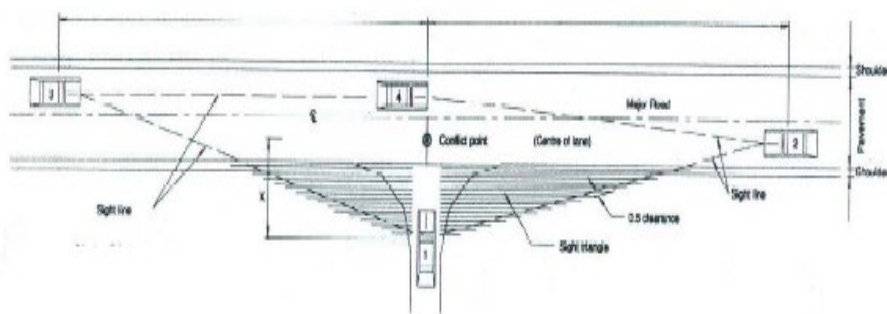


Figure E4.7.4 Sight Lines for Accesses and Junctions

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 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.
Comment:			
Complies with A1 – 2 parking spaces allocated per unit and 1 visitor space (5 spaces total).			

Table E6.1: Parking Space Requirements

Use	Parking Requirement	
	Vehicle	Bicycle
Residential:		
<i>If a 1 bedroom or studio dwelling in the General Residential Zone (including all rooms capable of being used as a bedroom)</i>	1 space per dwelling	1 space per unit or 1 spaces per 5 bedrooms in other forms of accommodation.
<i>If a 2 or more bedroom dwelling in the General Residential Zone (including all rooms capable of being used as a bedroom)</i>	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 – available within carport for each unit.			

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 – private dwellings.			

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 – private dwellings.			

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:			
Complies with A1 (a-c). Condition permit if issued to ensure compliance.			

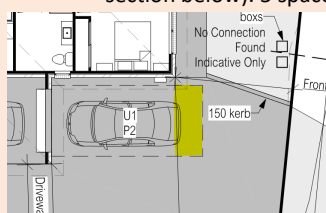
E6.7.2 Design and Layout of Car Parking

Objective: To ensure that car parking and manoeuvring space are designed and laid out to an appropriate standard.

Acceptable Solutions	Performance Criteria
<p>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</p> <p>A1.2 Within the General residential zone, provision for turning must not be located within the front setback for residential buildings or multiple dwellings.</p>	<p>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:</p> <ul style="list-style-type: none"> 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 – Relies on Performance Criteria – approx. 1/5 of unit 1's 2nd parking space is located forward of the building line (refer highlighted section below). 5 spaces provided overall.



A1.2 – Complies.

Complies with P1 – given the small proportion of parking area forward of the building line, the location of car parking and manoeuvring spaces will not be detrimental to the streetscape or the amenity of the surrounding area, as it will barely be discernible when viewed from the street.

<p>A2.1 Car parking and manoeuvring space must:</p> <ul style="list-style-type: none"> a) have a gradient of 10% or less; and b) where providing for more than 4 cars, provide for vehicles to enter and exit the site in a forward direction; and c) have a width of vehicular access no less than prescribed in Table E6.2 and Table E6.3, and <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> <ul style="list-style-type: none"> 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.
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Comment:

A2.1 a) Complies.

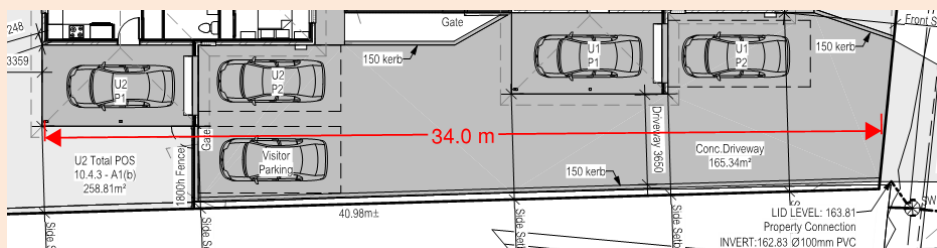
b) Relies on performance criteria.

c) Complies.

A2.2 - Complies.

P2 a) Complies – The distance from the front of the lot to the front of the most internal parking space is approximately 34m. Visitor parking is independently accessible within the development, while the remaining car spaces are within the carport for each unit or tandem parked to the front of each respective carport. The site is flat, with clear line of sight for the entire access strip.

b) Reversing from the site will be required for all spaces. As noted, this is for a maximum distance of 34m. Banksia Grove is a residential cul-de-sac, servicing 15 dwellings including the proposed 2 x units. Given low speed residential environment, limited to local traffic, it does not appear that reversing from the site would adversely affect the safety and convenience of users and passing traffic.



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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:
		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.
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 – private residential dwellings.			

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 collecting people and goods where these are expected on a regular basis.
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.		
Comment: N/a – Residential use.			

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

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<p>A1.1 Bicycle parking spaces for customers and visitors must:</p> <ul style="list-style-type: none"> 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 <p>A1.2 Parking space for residents' and employees' bicycles must be under cover and capable of being secured by lock or bicycle lock.</p>	<p>P1 Bicycle parking spaces must be safe, secure, convenient and located where they will encourage use.</p>
<p>A2 Bicycle parking spaces must have:</p> <ul style="list-style-type: none"> a) minimum dimensions of: <ul style="list-style-type: none"> 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. 	<p>P2 Bicycle parking spaces and access must be of dimensions that provide for their convenient, safe and efficient use.</p>
<p>Comment:</p> <p>Complies with A1.2 and A2 – available within carport for each use.</p>	

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.
<p>Comment:</p> <p>Complies with A1 – no separate access required.</p>	

Table E6.5: Pedestrian Access

Number of Parking Spaces Required	Pedestrian Facility
1–10	<i>No separate access required (i.e. pedestrians may share the driveway). [Note (a) applies].</i>
11 or more	<i>A 1m wide footpath separated from the driveway and parking aisles except at crossing points. [Notes (a) and (b) apply].</i>

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 & Approvals Act 1993</i> .	



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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:

- Reliance on the performance criteria of the Car Parking and Sustainable Transport Code

The proposal complies on all relevant requirements of the zone for multiple dwellings, but requires discretion for a small portion of 1 parking space forward of the building line and the requirement for vehicles to reverse from the site.

A representation was received noting concerns around the location/use of the existing and proposed crossovers. This matters are addressed at part 4.5 of this report.

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

8 ATTACHMENTS

- A. Application & plans
- B. Responses from referral agencies
- C. Representations & applicant's response

RECOMMENDATION

That land at 3 Banksia Grove, Perth be approved to be developed and used for Multiple dwellings (2) (cars reversing from property) in accordance with application PLN-21-0137, and subject to the following condition:

1 Layout not altered

The use and development shall be in accordance with the endorsed plans numbered **P1 – P10** (*Drawing No: WH712980, Sheet No's: 00, 01, 01a, 01b, 01c, 01d, 02, 03, 04 & 05, Dated: 11.05.2021 – Sheet 00 & 10.05.2021 – remaining sheets*).

2 Council's Works Department conditions

2.1 Stormwater

- a) Each dwelling must be provided with a connection to the Council's stormwater system, constructed in accordance with Council standards and to the satisfaction of Council's Works & Infrastructure Department.
- b) Concentrated stormwater must not be discharged into neighbouring properties
- c) Landscaping and hardstand areas must not interfere with natural stormwater run-off from neighbouring properties.
- d) All driveways and hardstand areas must be designed to allow stormwater run-off to be adequately drained to the Council stormwater system.
- e) Prior to the issue of a building permit, or the commencement of development authorised by this permit, the applicant must design and provide plans for underground 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.

- f) A plumbing permit is required prior to commencing any plumbing or civil works within the property.

2.2 Access

- a) A concrete driveway crossover and apron must be constructed from the edge of the road to the property boundary in accordance with Council standards.
- b) Access works must not commence until an application for vehicular crossing has been approved by Council.
- c) All works must be done in accordance with Council Standard Drawing TSD-R09 and to the satisfaction of the Works Manager.
- d) The existing crossover and apron on the northern side of the property must be removed and reinstated with nature strip.

2.3 Municipal standards & approvals

Unless otherwise specified within a condition, all works must comply with the Municipal Standards including specifications and standard drawings. All works must be constructed to the satisfaction of Council. Where works are required to be designed prior to construction, such designs and specifications must be approved by Council prior to commencement of any *in situ* works.

2.4 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.

2.5 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 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.

2.6 Works damage bond

- a) Prior to the issue of a building permit, or the commencement of development authorised by this permit, a \$1000 bond must be provided to Council, which will be refunded if Council's infrastructure is not damaged.
- 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 and stormwater infrastructure must be reinstated to Council's standards if damaged.
- d) The bond will be returned after building completion if no damage has been done to Council's infrastructure and all engineering works are done to the satisfaction of the Works & Infrastructure Department.

2.7 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 TasWater conditions

Sewer and water services shall be provided in accordance with TasWater's Planning Authority Notice (reference number TWDA 2021/00904-NMC, dated 10.06.2021).

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 around each unit shall be sealed with an impervious asphalt or concrete pavement 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 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 works damage bond of \$1000 (as per condition 2.6);
- b) 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 unit - mail and newspaper receptacles in common area, clothes-drying facilities, private open space screening and garden shed (as per condition 4 – landscaping);
- b) Driveways and parking areas around each unit sealed (as per condition 5).

DECISION

Cr

**PLAN 5 PLANNING APPLICATION PLN-21-0139: 1 WELLINGTON STREET,
LONGFORD**

Attachments: Section 1 – Page 497

File Number: 113600.01
Responsible Officer: Erin Miles, Development Supervisor
Report prepared by: Paul Godier, Senior Planner

1 INTRODUCTION

This report assesses an application for 1 Wellington Street, Longford for a dog wash facility & associated parking.

2 BACKGROUND

Applicant:
Colin Cook

Owner:
Perry Green Pty Ltd

Zone:
General Business

Codes:
Carparking and Sustainable Transport Code, Road and
Railway Assets Code

Classification under the Scheme:
General Retail and Hire

Existing Use:
Storage

Deemed Approval Date:
24 July 2021

Recommendation:
Approve

Discretionary Aspects of the Application:

- Development within 50m of a railway.
- Car Parking and Sustainable Transport Code (vary bicycle parking and loading bay requirements).

Planning Instrument:

Northern Midlands Interim Planning Scheme 2013, Version 35, Effective from 26 April 2021.

Preliminary Discussion

Prior to submission of the application, the applicant held discussions with Council officers regarding the application.

Subject site from Wellington 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).

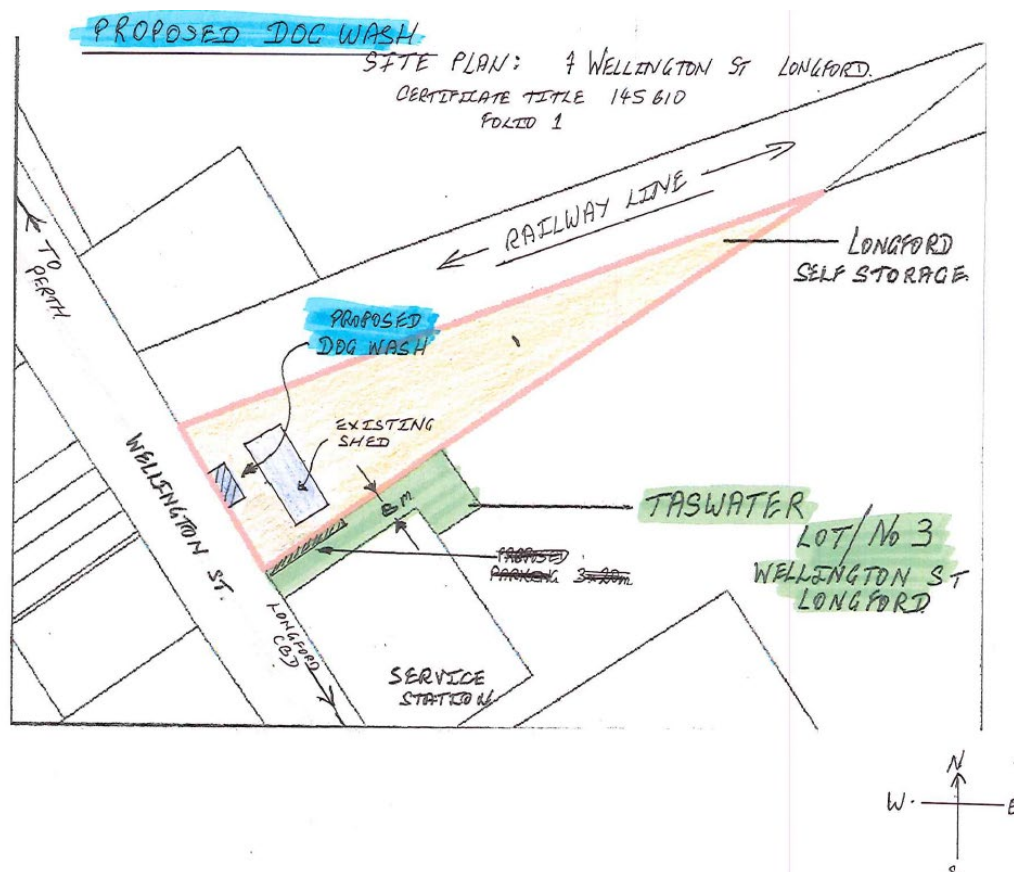
Section 48 of the *Land Use Planning & Approvals Act 1993* requires the Planning Authority to observe and enforce the observance of the Planning Scheme. Section 51 of the *Land Use Planning & Approvals Act 1993* states that a person must not commence any use or development where a permit is required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

4 ASSESSMENT

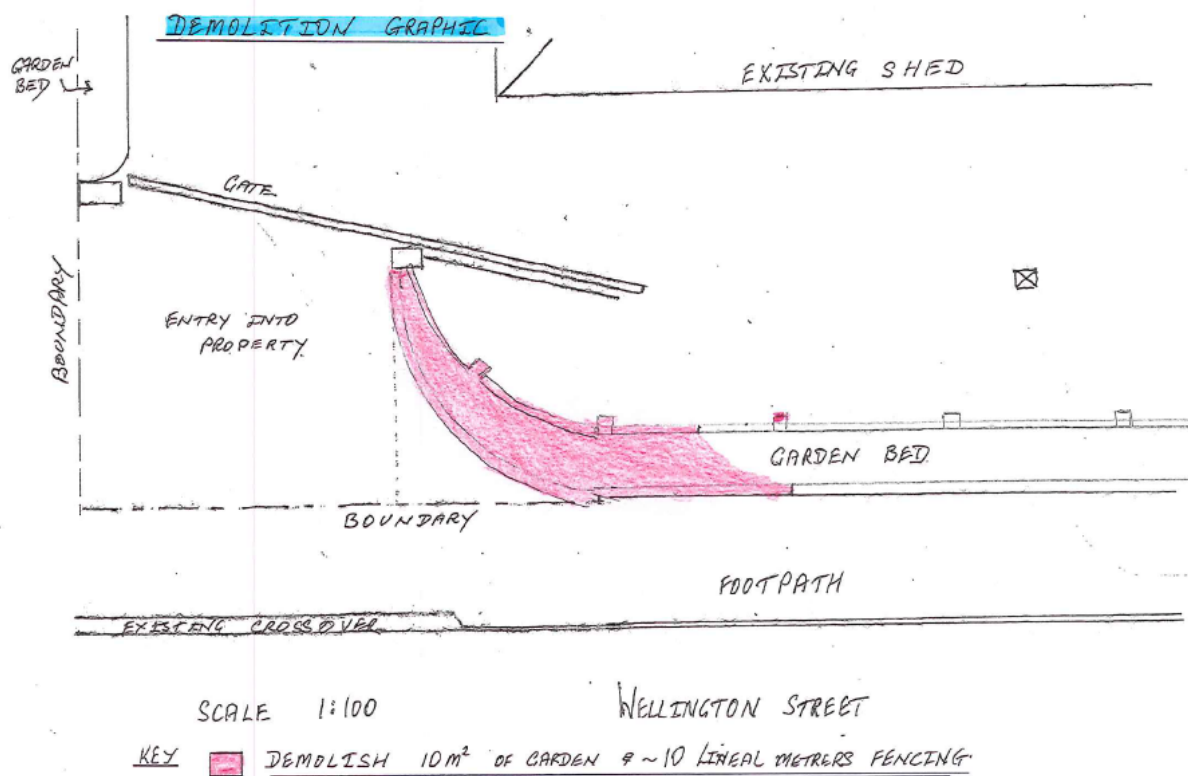
4.1 Proposal

It is proposed to develop and use a dog washing facility. This will include the removal of around 10m² of the front garden bed, the removal of around 10m of the front fencing, and moving the entrance gate to allow for car parking and turning on site.

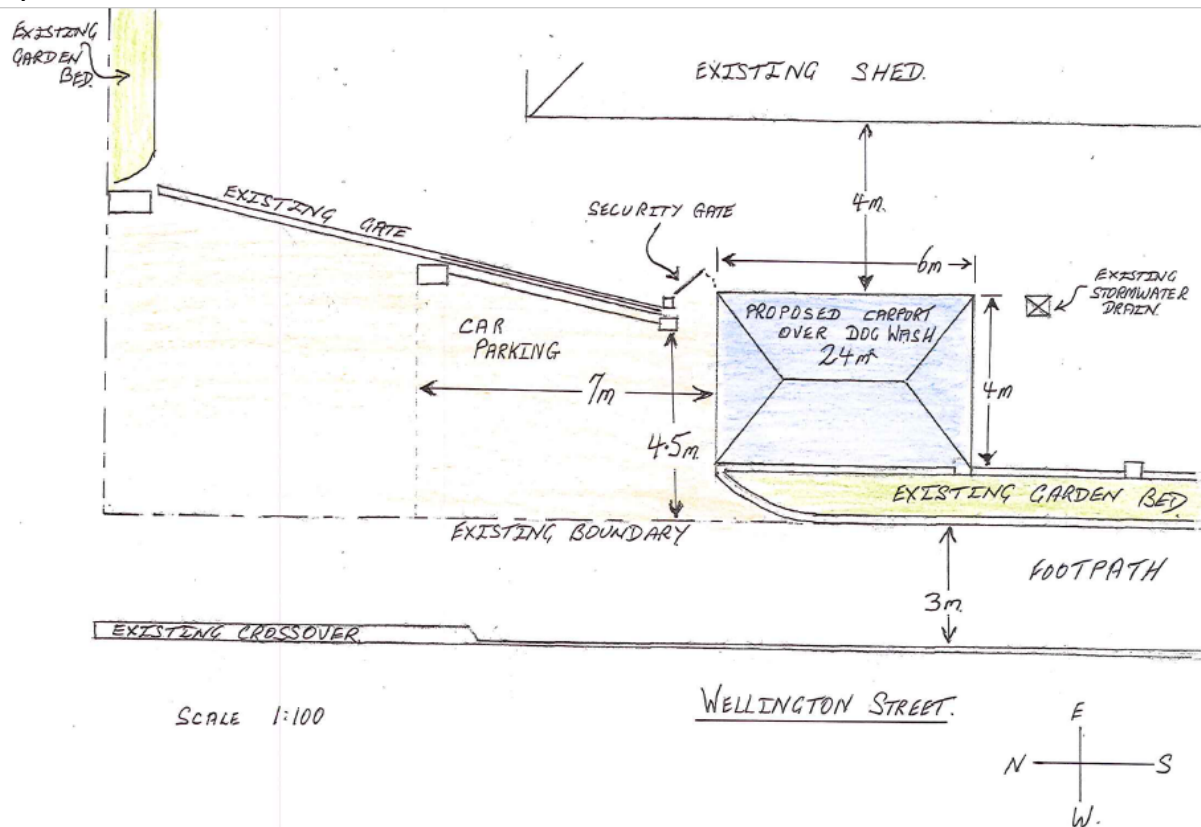
Site Plan



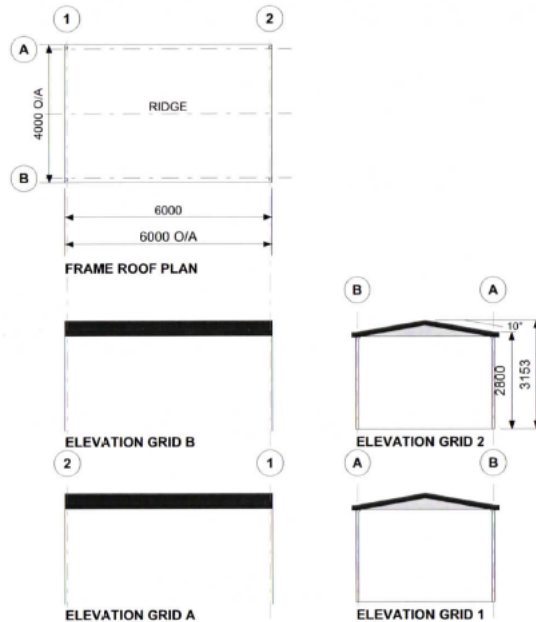
Proposed demolition



Site plan - detail



Elevations



Copyright 2018
Lynsight Build
Solutions Pty
trading as RANBUILD

Better sheds. Bigger choice.

CLADDING		
ITEM	PROFILE (mm)	FINISH
ROOF	CUSTOM CRB 0.42 BMT	CB
WALLS	-	-
CORNERS	-	ZL
BARGE	-	CB
GUTTER	HI-QUAD	CB

0.350mt=0.40tct; 0.42bmt=0.47tct; 0.48bmt=0.53tct

ACCESSORY SCHEDULE & LEGEND		
QTY	MARK	DESCRIPTION

ARCHITECTURAL DRAWING ONLY, NOT FOR CONSTRUCTION USE

WIND DESIGN		
IMPORTANCE LEVEL	REGION	TERRAIN
2	A	2

CLIENT
Colin Cook

SITE
**1 Wellington St
LONGFORD TAS 7301**

BUILDING
**GABLE CARPORT
4000 SPAN x 2800 EAVE x 6000 LONG**

TITLE
GENERAL ARRANGEMENT

LICENSE NO: CC2747G

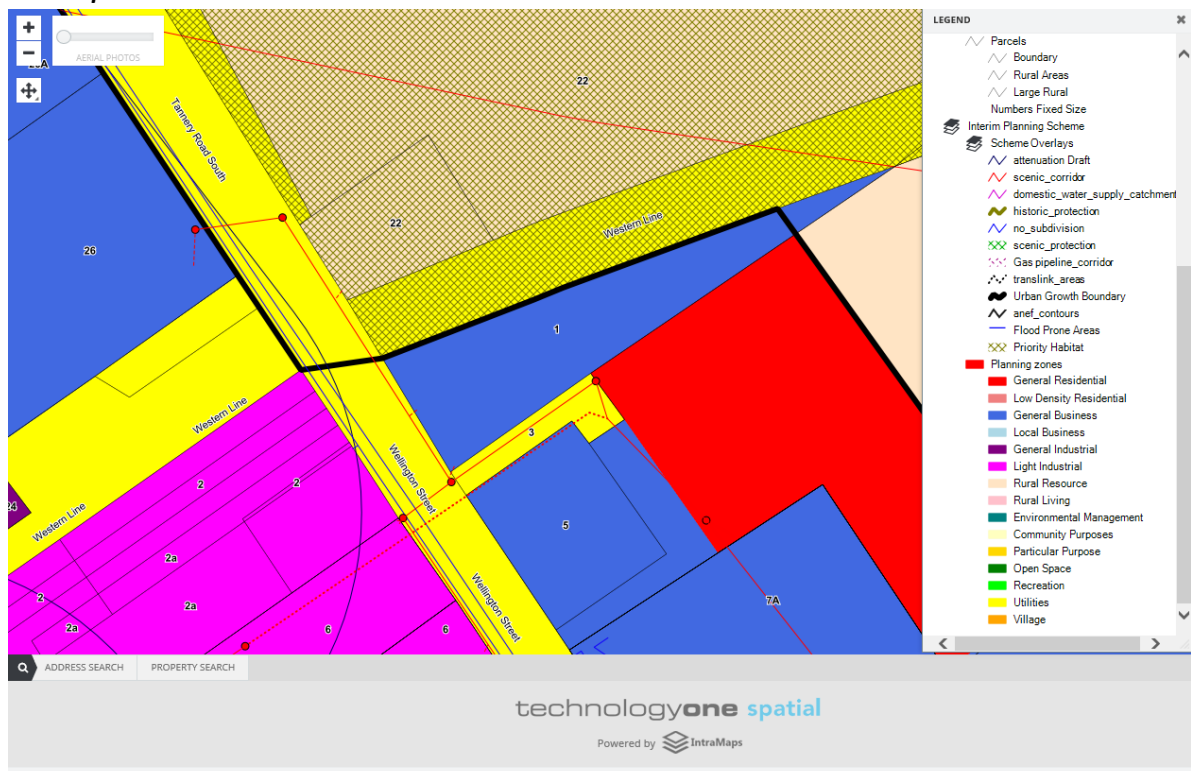
SCALE
A4 SHEET 1:125

DRAWING NUMBER
LAUNC2-7935

REV
A

4.2 Zone and land use

Zone Map – General Business Zone



The land is zoned General Business. The relevant Planning Scheme definition is:

<i>General retail and hire</i>	use of land for selling goods or services, or hiring goods.
--------------------------------	---

‘General retail and hire’ is Permitted (with permit) in the zone.

4.3 Subject site and locality

The author of this report carried out a site visit on 7th July 2021. The site contains storage units. It adjoins a railway to the north, Wellington Street to the west, and TasWater land and supermarket carparking to the south.

4.4 Permit/site history

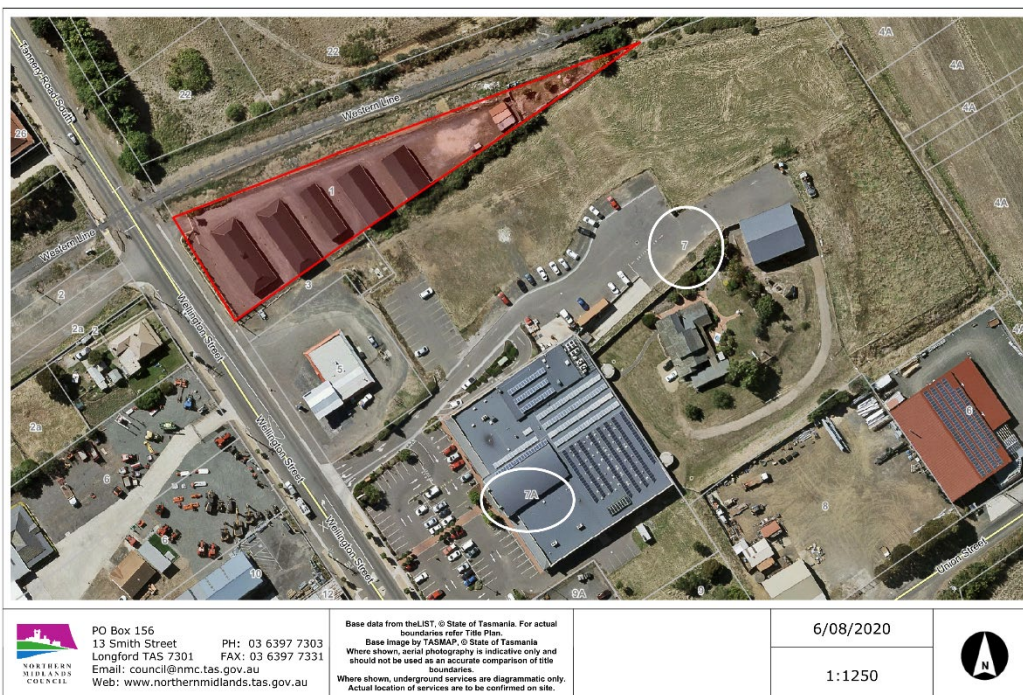
Relevant permit history includes:

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 representation was received from:

- Frazer Read obo Hill Street North Property Group Pty Ltd, 7 & 7a Wellington Street, Longford

Map showing location of representor’s properties in relation to subject site



The matters raised in the representation are outlined below followed by the planner’s comments.

Issue 1

- Ensure parking is provided in accordance with relevant Australian Standards and requirements of the Planning Scheme.

Planner’s comment:

The proposal is compliant with the requirements of the Car Parking and Sustainable Transport Code of the *Northern Midlands Interim Planning Scheme 2013*, as parking has now been proposed on site (was omitted from previous application that was refused by Council). As noted in the code assessment, the proposed parking complies with Table E6.3. According to the plans there will be 6m between the front boundary and



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the security gate i.e. access strip width of 6m. Therefore, the car park width is to be 2.8m (4.5m proposed) and the car park length is to be 5.4m (7m proposed).

4.6 Referrals

Council's Works Department

Advised of no comment to make – checked onsite and noted that there is now one parking spot.

TasWater

Issued a Submission to Planning Authority Notice (Taswater Ref: TWDA 2021/00964-NMC).

Department of State Growth

Advised of no comment to make on this application.

TasRail

No objection. Requests conditions and standard notes be included in the permit.

4.7 Planning Scheme Assessment

GENERAL BUSINESS ZONE

21.3 Use Standards

21.3.1 Amenity

Objective To ensure that the use of land is not detrimental to the amenity of the surrounding area in terms of noise, emissions, operating hours or transport.	
Acceptable Solutions	Performance Criteria
A1 Commercial vehicles (except for visitor accommodation and recreation) must only operate between 6.00am and 10.00pm Monday to Sunday.	P1 Commercial vehicles (except for visitor accommodation and recreation) must not cause or be likely to cause an environmental nuisance through emissions including noise and traffic movement, odour, dust and illumination.
Complies.	N/a
A2 Noise levels at the boundary of the site with any adjoining land must not exceed: a) 50dB(A) day time; and b) 40dB(A) night time; and c) 5dB(A) above background for intrusive noise.	P2 Noise must not cause unreasonable loss of amenity to nearby sensitive uses.
Condition required.	N/a

21.4 Development Standards

21.4.1 Siting, Design and Built Form

Objective To ensure that buildings are visually compatible with surrounding development.	
Acceptable Solutions	Performance Criteria
A1 The entrance of a building must be: a) clearly visible from the road or publicly accessible areas on the site; and b) provide a safe access for pedestrians.	P1 No performance criteria.
Complies.	N/a
A2 Building height must not exceed: a) 8m; or b) 1m greater than the average of the heights of buildings on immediately adjoining lots.	P2 Building height must: a) be consistent with the local area objectives if any, and b) have regard to the streetscape and the desirability of a greater setback for upper floors from the frontage; and c) avoid unreasonable levels of overshadowing to public places or adjoining properties.
Complies.	N/a



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A3.1 Buildings must be set back the same as or less than the setback of an immediately adjoining building.	P3 Building setbacks must:
A3.2 Extensions or alterations to existing buildings must not reduce the existing setback.	a) provide for enhanced levels of public interaction or public activity; and
	b) ensure the efficient use of the site; and
	c) be consistent with the established setbacks within the immediate area and the same zone; and
	d) be consistent with the local area objectives, if any; and
	e) provide for emergency vehicle access.
Complies.	N/a

21.4.2 Subdivision

N/a

CODES	
E1.0 BUSHFIRE PRONE AREAS CODE	N/a
E2.0 POTENTIALLY CONTAMINATED LAND	N/a
E3.0 LANDSLIP CODE	N/a
E4.0 ROAD AND RAILWAY ASSETS CODE	Complies.
E5.0 FLOOD PRONE AREAS CODE	N/a
E6.0 CAR PARKING AND SUSTAINABLE TRANSPORT CODE	Complies.
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 E4.0 ROAD AND RAILWAY ASSETS CODE

E4.6 Use Standards

E4.6.1 Use and road or rail infrastructure

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

junction by more than 10%.	<p>b) significant social and economic benefit to the State or region; and 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>
N/a	N/a

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> <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>
Does not comply. Within 50m of a railway.	Complies. TasRail has advised of no objection.

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.	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,</p>

	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

E4.7.3 Management of Rail Level Crossings

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

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

Objective 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
A1 Sight distances at a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.7.4; and b) rail level crossings must comply with <i>AS1742.7 Manual of uniform traffic control devices - Railway crossings</i> , Standards Association of Australia; or c) If the access is a temporary access, the written consent of the relevant authority has been obtained.	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.
Complies with A1 (a).	N/a

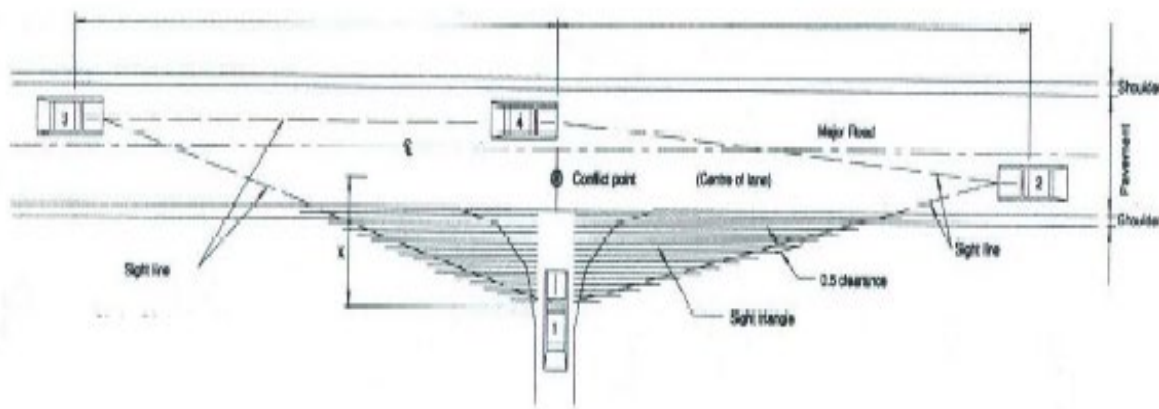


Figure E4.7.4 Sight Lines for Accesses and Junctions

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 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.
Complies. Floor area of 24m ² . One car parking space required. One car parking space provided.		N/a	

Table E6.1: Parking Space Requirements

Use	Parking Requirement	
	Vehicle	Bicycle
General Retail and Hire	1 space per 30m ² net floor area.	1 space per 100m ² 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.
Bicycle parking is not proposed.		Complies. Bicycle parking for a dog wash is considered unnecessary.	

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.
N/a		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.
N/a		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.		
Condition required.		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:
		a)	the layout of the site and the location of existing buildings; and

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A1.2	Within the General residential zone, provision for turning must not be located within the front setback for residential buildings or multiple dwellings.	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.
N/a		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> .		
A2.1 a)	Complies.	N/a	
A2.1 b)	N/a		
A2.1 c)	Complies with Table E6.2. The access is wider than 5.5m. Complies with Table E6.3. According to the plans there will be 6m between the front boundary and the security gate i.e. access strip width of 6m. Therefore, the car park width is to be 2.8m (4.5m proposed) and the car park length is to be 5.4m (7m proposed).		
A2.2	Complies with the Australian Standard which requires an aisle width of 5.8m (6m proposed), car park width of 2.6m (4.5m proposed) and car park length of 5.4m (7m proposed).		

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
6 to 20	4.5m for the initial 7m from the road carriageway and 3.0m thereafter.	Every 30m
21 and over	5.5m	Not applicable.

Table E6.3: Width of Access and Manoeuvring Space adjacent to Parking Spaces

Angle of Car Spaces to Access Strip	Access Strips Widths	Car Park Widths	Car parking length
Parallel	3.6m	2.3m	6.7m
45 degrees	3.5m	2.6m	5.4m
60 degrees	4.9m	2.6m	5.4m
90 degrees	6.4m	2.6m	5.4m
	5.8m	2.8m	5.4m
	5.2m	3.0m	5.4m
	4.8m	3.2m	5.4m

Notes:

1. A building may project into a parking space provided it is at least 2.1 metres above the parking surface level.
2. If entry to the car space is from a road then the width of the access strips may include the road

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



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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: <ul style="list-style-type: none"> a) the topography of the site; 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.
The planning scheme does not require parking for persons with a disability and the application does not propose parking for persons with a disability.	N/a
A2 Accessible car parking spaces for use by persons with disabilities must be designed and constructed in accordance with <i>AS/NZ 2890.6 2009</i> .	P2 The number of parking spaces provided is appropriate for the needs of disabled persons, having regard to: <ul style="list-style-type: none"> a) characteristics of the populations to be served; b) their means of transport to and from the site; and c) applicable Australian Standards.
The planning scheme does not require parking for persons with a disability and the application does not propose parking for persons with a disability.	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"> 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.
Does not propose a loading bay.	The proposed parking area complies with the performance criteria for loading and unloading. It is expected that good will be delivered in a standard sized vehicle, which the assessment at clause E6.7.2 for vehicle access parking and turning shows is complied with.

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"> 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 	P1 Bicycle parking spaces must be safe, secure, convenient and located where they will encourage use.

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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.	
Does not propose bicycle parking.		N/a
A2	Bicycle parking spaces must have:	P2
a)	minimum dimensions of:	Bicycle parking spaces and access must be of dimensions that provide for their convenient, safe and efficient use.
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.	
Does not propose bicycle parking.		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 in accordance with 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
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. The demolition is approved as part of the current application.
9.5 Change of Use of a Place listed on the Tasmanian Heritage Register or a heritage place	N/a
9.6 Change of Use	N/a
9.7 Access and Provision of Infrastructure Across Land in Another Zone	N/a
9.8 Buildings Projecting onto Land in a Different Zone	N/a
9.9 Port and Shipping in Proclaimed Wharf Areas	N/a
9.1 Changes to an Existing Non-conforming Use	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 & Approvals Act 1993</i> .	



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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:

- Development within 50m of a railway.
- Car parking and sustainable transport code (vary bicycle parking and loading bay requirements).

TasRail has raised no objection to the development being within 50m of the railway. The assessment as Clause E6.6.2 and E6.7.2 shows that bicycle parking is not required and that the carparking area is adequate to use for loading and unloading of vehicles.

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
- Responses from referral agencies
- Representations & applicant's response

RECOMMENDATION

That land at 1 Wellington Street, Longford be approved to be developed and used for a Dog Washing Facility in accordance with application PLN-21-0139, and subject to the following conditions:

1 Layout not altered

The use and development must be in accordance with the endorsed documents **P1** (site plan), **P2** (demolition plan), **P3** (site plan detail) and **P4** (Ranbuild Carport plans).

2 TasWater conditions

Sewer and water services must be provided in accordance with TasWater's Submission to Planning Authority Notice (Taswater Ref: TWDA 2021/00964-NMC).

3 Car parking and access

All car parking, access strips, manoeuvring and circulation spaces must be:

- provided with an impervious all weather seal; and
- line marked or provided with other clear physical means to delineate car space/s.

4 Noise levels

Noise levels at the boundary of the site with any adjoining land must not exceed:

- a) 50dB(A) day time; and
- b) 40dB(A) night time; and

- c) 5dB(A) above background for intrusive noise.

5 Proximity to Railway

Prior to the commencement of works, the operator of this permit must provide advice from an engineer that the footings of the carport are designed to mitigate the impact of vibrations from the railway, to the satisfaction of the General Manager. Once approved, the advice will be endorsed and form part of the endorsed documents of the permit.

6 Tasrail Condition

Discharge of stormwater or any other run-off to the rail corridor or rail drainage system is not permitted.

Notes:

TASRAIL STANDARD NOTES (as at 24 October 2019):

- *Where a building or other development is proposed to be located at a setback distance less than 50 metres from the boundary of the rail corridor, the occupants are likely to be exposed to train horn noise and vibration, noting that TasRail Freight Rail Services operate 24/7 and the configuration, frequency and time of these services is subject to change at any time. Landowners and prospective landowners should undertake appropriate due diligence to ensure they are aware of train noise and vibration, particularly train horn noise.*
- *The train horn is a safety device that is required to be sounded twice per level crossing being on approach and on entry. The minimum duration of each train horn blow is one second. The train driver also has the discretion to sound the horn at any time he/she perceives a risk.*
- *Stormwater or effluent is not permitted to be discharged onto rail land or into the rail drainage system. Should there be a requirement for a service or asset to be installed on rail land in order to connect into an authorised stormwater or other outlet, a separate TasRail Permit is required and will only be approved subject to terms and conditions (costs apply). A Permit Application Form is available by contacting property@tasrail.com.au*
- *No obstruction, installation or works of any kind are permitted inside railway land for any purpose including for structures, unauthorised vehicles, drainage, water pipes, stormwater discharge, electrical or service infrastructure, storage of materials, vegetation clearing, inspections etc.*
- *No persons should enter rail land without formal authorisation.*
- *Rail land is not for private use and should not be encroached for any purpose including for gardens, storage, keeping of animals etc. Dumping of rubbish including green waste into the rail corridor is not permitted.*
- *As per the Rail Infrastructure Act 2007, the Rail Infrastructure Manager (TasRail) may remove and dispose of unauthorised or unlawful service infrastructure and take such other action as it sees fit. Where this occurs, TasRail may recover its costs of doing so as a debt due to TasRail from that person and retain if applicable any proceeds of disposal. No action lies against TasRail for removing or disposing of the unauthorised or unlawful service infrastructure.*
- *Using or creating an unauthorised railway crossing or stock crossing is unsafe and strictly prohibited.*
- *All access and rail land enquiries should be directed to property@tasrail.com.au*
- *As railway land is Crown Land, the Rail Infrastructure Manager is not required to contribute to the cost of boundary fencing.*

DECISION

Cr



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PLAN 6 REQUEST FOR PLANNING EXEMPTION FOR MIDLAND HIGHWAY ROADWORKS, MONA VALE ROAD TO CAMPBELL TOWN

Attachments: Section 1 – Page 521

File: 17/014
Responsible Officer: Erin Miles, Development Supervisor
Report prepared by: Paul Godier, Senior Planner

1 PURPOSE OF REPORT

This report presents Council with a request from the Department of State Growth for roadworks on the Midland Highway between Mona Vale Road and Campbell Town to be considered exempt from requiring a planning permit.

2 INTRODUCTION/BACKGROUND

The Department of State Growth is planning to undertake the final stages of the Midland Highway 10-year Action Plan which includes the project referred to as Ross (Mona Vale Road and Campbell Town). The proposed plans for the upgrade are attached.

The Department asks Council to consider the proposal exempt from requiring a planning permit under clauses 5.2.4, 5.2.5 and 5.2.8 of the planning scheme.

3 STRATEGIC PLAN 2017-2027

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

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

4 POLICY IMPLICATIONS

There are no policy implications.

5 STATUTORY REQUIREMENTS

The request is for the works to be considered exempt under clauses 5.2.4, 5.2.5 and 5.2.8 of the planning scheme.

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.

6 FINANCIAL IMPLICATIONS

If the works are exempt, Council will not receive planning application fees.

7 RISK ISSUES

There is a risk that not all interested members of the public have been consulted, or that their concerns have not been satisfactorily addressed.

8 CONSULTATION WITH STATE GOVERNMENT

The Department of State Growth has asked if the works are exempt under the planning scheme.

9 COMMUNITY CONSULTATION

The Department of State Growth has undertaken community consultation.

10 OPTIONS FOR COUNCIL TO CONSIDER

Council can:

- Advise that the works are exempt under clauses 5.2.4, 5.2.5 and 5.2.8 of the planning scheme; or
- Advise that the works are not exempt and require a planning permit.

11 OFFICER'S COMMENTS/CONCLUSION

Interim Planning Directive 4 came into effect on 22 February 2021 and provides the following exemptions:

5.2.4 – road works

Maintenance and repair of roads and upgrading by or on behalf of the road authority which may extend up to 3m outside the road reserve including:

- a) *widening or narrowing of existing carriageways;*
- b) *making, placing or upgrading kerbs, gutters, footpaths, shoulders, roadsides, traffic control devices, line markings, street lighting, safety barriers, signs, fencing and landscaping, unless a code relating to historic heritage values or significant trees applies and requires a permit for the use or development; or*
- c) *repair of bridges, or replacement of bridges of similar size in the same or adjacent location.*

5.2.5 – vehicle crossings, junctions and level crossings if:

- (a) *development of a vehicle crossing, junction or level crossing:*
 - (i) *by the road or rail authority; or*
 - (ii) *in accordance with the written consent of the relevant road or rail authority; or*
- (b) *use of a vehicle crossing, junction or level crossing by a road or railway authority.*

5.2.8 – upgrades of linear and minor utilities and infrastructure

If minor upgrades by or on behalf of the State government, a Council, or a statutory authority or a corporation all the shares of which are held by or on behalf of the State or by a statutory authority, of infrastructure (excluding stormwater infrastructure under subclause 5.2.2 and road works under subclause 5.2.3) such as roads, rail lines, footpaths, cycle paths, drains, sewers, power lines and pipelines including:

- (a) *minor widening or narrowing of existing carriageways; or*
- (b) *making, placing or upgrading kerbs, gutters, footpaths, roadsides, traffic control devices and markings, street lighting and landscaping,*

unless the following apply:

- (c) *a code in this planning scheme which lists a heritage place or precinct and requires a permit for the use or development that is to be undertaken; or*
- (d) *the removal of any threatened vegetation.*

Under the Planning Scheme, threatened vegetation is defined as a threatened native vegetation community that is listed the Nature Conservation Act 2002 or a threatened ecological community that is listed under the Environment Protection and Biodiversity Conservation Act 1999. The Department of State Growth has provided advice that a Natural Values Assessment was undertaken by Jacobs' ecology division to inform detailed design, finding that no mapped threatened



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vegetation intersects the assessment area (construction footprint and 20m buffer). A field survey confirmed that no threatened vegetation communities will be impacted by the works.

The planning scheme limits a heritage place to the part of the title defined on the Tasmanian Heritage Council's Central Plan Register. The works are proposed on part of two heritage listed places – Somercotes and Roseneath.

The Department of State Growth has provided Certificates of Exemption from the Tasmanian Heritage Council for the works on Somercotes and Roseneath, and the proposed works are outside the heritage precincts of the Tasmanian Heritage Council's Exclusion Agreement for Rural Property Owners.

The exclusion agreements for rural property owners are not formally recorded in the Central Plan Register. It is therefore considered that the exemption does not apply to Somercotes and Roseneath.

12 ATTACHMENTS

- Letter from the Department of State Growth, 24 June 2021.
- Proposal plans.

RECOMMENDATION

That Council advise the Department of State Growth that the proposed works are exempt under clauses 5.2.4, 5.2.5 and 5.2.8 of the planning scheme, except for the works on heritage listed places, Somercotes (CT 170447/1 and 170448/1) and Roseneath (121207/1).

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.



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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 Regulation 15(2)(g) of the *Local Government (Meeting Procedures) Regulations 2015*.

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

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

CON 3 APPLICATIONS BY COUNCILLORS FOR LEAVE OF ABSENCE

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

CON 4(1) PERSONNEL MATTERS

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

Action Items – Status Report

CON 4(5) MATTERS RELATING TO ACTUAL OR POSSIBLE LITIGATION TAKEN, OR TO BE TAKEN, BY OR INVOLVING THE COUNCIL OR AN EMPLOYEE OF THE COUNCIL

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

Compliance matter



NORTHERN MIDLANDS COUNCIL AGENDA – ORDINARY MEETING 19 JULY 2021

CON 5 PROPOSALS FOR THE COUNCIL TO ACQUIRE LAND OR AN INTEREST IN LAND OR FOR THE DISPOSAL OF LAND

As per Regulation 15(2)(f) of the Local Government (Meeting Procedures) Regulations 2015.

Property review

CON 6 CONTRACTS, AND TENDERS, FOR THE SUPPLY OF GOODS AND SERVICES AND THEIR TERMS CONDITIONS, APPROVAL AND RENEWAL

As per Regulation 15(2)(d) of the Local Government (Meeting Procedures) Regulations 2015.

Biennial tender

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

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

Licence Agreement

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

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

Lease Agreement

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

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

Licence Agreement

CON 10 INFORMATION OF A PERSONAL AND CONFIDENTIAL NATURE OR INFORMATION PROVIDED TO THE COUNCIL ON THE CONDITION IT IS KEPT CONFIDENTIAL

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

Local District Committee membership

CON 11 INFORMATION OF A PERSONAL AND CONFIDENTIAL NATURE OR INFORMATION PROVIDED TO THE COUNCIL ON THE CONDITION IT IS KEPT CONFIDENTIAL

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

Stormwater plans

DECISION

Cr

[That Council move out of the closed meeting.](#)

Mayor Knowles closed the meeting at ...