



**NORTHERN  
MIDLANDS  
COUNCIL**

# **AGENDA**

**ORDINARY MEETING OF COUNCIL**

**MONDAY, 15 NOVEMBER 2021**

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

Des Jennings  
GENERAL MANAGER



### 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; and
  - 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;
- Notices advising that:

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

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

Des Jennings  
GENERAL MANAGER



## GUIDELINES FOR COUNCIL MEETINGS

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

Public Attendance Meeting Guidelines during the COVID-19 Disease Emergency

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

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

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

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

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

To ensure compliance with Council's COVID-19 Safety Plan, any person wishing to attend will be required to register their interest to attend, which is to be received by Council before 12noon 4 days (i.e. usually the Friday) preceding the meeting by emailing [council@nmc.tas.gov.au](mailto:council@nmc.tas.gov.au) or phoning Council on 6397 7303.

On arrival attendees will:

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

Access to the Municipal Building will only be permitted prior to 5.00pm and between 6.30pm to 6.40pm. Public Question Time commences at 6.45pm.

Members of the public who would prefer not to attend the meeting, but would like to ask a question or make a representation to the Council that would normally be heard during Public Question Time, may forward their question/representation to [council@nmc.tas.gov.au](mailto:council@nmc.tas.gov.au) which is to be received by Council before 12noon 4 days (i.e. usually the Friday) preceding the meeting.

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

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

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

### PUBLIC QUESTIONS AND STATEMENTS

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

Public question time is to commence immediately after the meal break at approximately 6.45pm and is to be conducted in accordance with the following guidelines:

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

### REPRESENTATIONS ON PLANNING ITEMS

A maximum of 4 persons per item (2 for and 2 against) will be permitted to address Council on a planning item. After the representation has been made, Councillors are permitted to ask questions of the party who made the representation.

Each speaker is limited to a maximum of 3 minutes.

### PETITIONS

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



NOTICE IS HEREBY GIVEN THAT THE NEXT MEETING OF THE NORTHERN MIDLANDS COUNCIL WILL BE HELD ON MONDAY, 15 NOVEMBER 2021 AT 5.00 PM AT THE COUNCIL CHAMBERS, 13 SMITH STREET, LONGFORD AND VIA ZOOM VIDEO CONFERENCING PLATFORM IN ACCORDANCE WITH THE *COVID-19 DISEASE EMERGENCY (MISCELLANEOUS PROVISIONS) ACT 2020, SECTION 18* (AUTHORISATION FOR MEETINGS NOT TO BE HELD IN PERSON)

DES JENNINGS  
GENERAL MANAGER  
10 NOVEMBER 2021

4.00pm	Councillor Workshop – closed to the public
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## 1 ATTENDANCE

### PRESENT

In Attendance:

### APOLOGIES



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INFORMATION ITEM 8.18:

That the White Ribbon Oath be taken after the meal break, prior to the commencement of Public Question Time.



### 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.

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

As per the *Local Government Act 1993, Part 5 - Pecuniary Interests, section 48*:

- (1) *A councillor must not participate at any meeting of a council, council committee, special committee, controlling authority, single authority or joint authority in any discussion, nor vote on any matter, in respect of which the councillor–*
    - (a) *has an interest; or*
    - (b) *is aware or ought to be aware that a close associate has an interest.*
  - (2) *A councillor must declare any interest that the councillor has in a matter before any discussion on that matter commences.*
- 

### 5 PROCEDURAL

#### 5.1 CONFIRMATION OF COUNCIL MEETING MINUTES

##### 5.1.1 Confirmation Of Minutes: Ordinary Council Meeting

#### RECOMMENDATION

That the Open Council Minutes of the Ordinary Meeting of the Northern Midlands Council held at the Council Chambers, Longford on Monday, 18 October 2021, be confirmed as a true record of proceedings.

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#### 5.2 DATE OF NEXT COUNCIL MEETING

Mayor Knowles advised that the next Ordinary Council Meeting of the Northern Midlands Council would be held at 5.00pm on Monday, 13 December 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).

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## 5.3 MOTIONS ON NOTICE

### 5.3.1 Motions On Notice - Cr Davis: Subdivision Applications

Responsible Officer: Des Jennings, General Manager  
Report prepared by: Councillor Jan Davis

#### NOTICE OF MOTION

Councillor Davis has requested the below Notice of Motion be tabled at the 15 November 2021 Council Meeting:

*That any application for a subdivision in a residential zone which would result in blocks below the minimum lot size for the zone (i.e. 450m<sup>2</sup>) be referred for consideration to Council and not be dealt with under delegated authority.*

#### BACKGROUND

The following notice of Motion was received from Cr Jan Davis:

The current planning scheme sets a minimum lot size for houses of 450m<sup>2</sup> in the residential zone.

Most blocks in many of the older townships of our municipality would be significantly larger than this minimum - and this is one of the attractions of the village nature of these township areas.

Over recent times, there has been significant concern about infill developments in these older areas which are seen to detract from the existing character of the neighbourhood. In some recent instances, residents have been upset that smaller lots have been approved without complying with the minimum lot size requirements. In some cases, they believe that the proposed lots are not capable of meeting the relevant performance criteria set out in the planning scheme.

While the need for more housing is recognised, there is a strong view that these small-lot developments compromise the character of our established township areas. Furthermore, there is no demonstrated or pressing need for this type of development, as other options such as villas and duplexes can address the needs of people looking for small-lot lifestyles.

On that basis, I would like to propose the following motion: that any application for a subdivision in a residential zone which would result in blocks below the minimum lot size for the zone (i.e. 450m<sup>2</sup>) be referred for consideration to Council and not be dealt with under delegated authority.

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### **5.3.2 Motion On Notice - Mayor Knowles: Refugee Advocacy**

*Responsible Officer:* Des Jennings, General Manager

*Report prepared by:* Mayor Mary Knowles

#### **NOTICE OF MOTION**

Councillor Knowles has requested the below Notice of Motion be tabled at the 15 November 2021 Council Meeting:

*That Council submit the following motion for consideration at the Local Government Association of Tasmania General Meeting to be held on 11 March 2022:*

*That LGAT request the State Government lobby the Federal Government to consider a special intake of 20,000 refugees into Australia from Afghanistan.*

#### **BACKGROUND**

The excellent work of Australian Government and Australian Defence Force personnel in evacuating more than 4000 people out of Afghanistan in the final two weeks of August is noted. However, this life-saving work could continue through a significant commitment to the resettlement of Afghan nationals over the coming two or three years. There is an overwhelming number of Australians offering to support the resettlement of Afghan refugees through offers of employment, housing and donations of goods and also offering to be involved in welcoming refugees to their local communities.

There has been a significant reduction in the Refugee and Humanitarian Program which have taken place since early last year – the shortfall of 5,579 visas issued in 2019-20 due to the COVID-19 pandemic, an expected shortfall of more than 6,000 visas in 2020-21 and the annual cut to the program of 5,000 places announced last October.

Australia should continue to respond generously to the situations of refugees in other parts of the world, as happened during the height of our response to the crises in Syria and Iraq. Australia's role in refugee resettlement is highly valued nationally and internationally, as is our capacity to respond flexibly at times of even greater need.

The Federal Government needs to be urged to consider this request for a special intake of 20,000 refugees from Afghanistan, looking at this in the light of the shortfalls in the issuing of visas in 2019-20 and 2020-21 and last year's reduction to the annual Refugee and Humanitarian Program.

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## 6 COUNCIL COMMITTEES - CONFIRMATION OF MINUTES

Minutes of meetings of the following Committees are attached:

	Date	Committee	Meeting
i)	5/10/2021	Perth Local District Committee (notes – no quorum)	Ordinary
ii)	14/10/2021	Evandale Community Centre & Memorial Hall Management Committee	Ordinary
iii)	26/10/2021	Northern Midlands Local Recycling Committee	Ordinary
iv)	3/11/2021	Longford Local District Committee	Ordinary
v)	2/11/2021	Campbell Town District Forum	Ordinary
vi)	2/11/2021	Ross Local District Committee Minutes	Ordinary

Matters already considered by Council at previous meetings have been incorporated into **Information Item: Officer's Actions**.

In the attached minutes of Council Committees, recommendations of Committees are listed for Council's consideration in the Agenda Item 7 below.

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## 7 COUNCIL COMMITTEES - RECOMMENDATIONS

### 7.1 LONGFORD LOCAL DISTRICT COMMITTEE

#### 7.1.1 Longford Local District Committee: 3 November 2021

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

**7.1 Wellington Street Pedestrian Crossing:** *. That Council respect the outcome of the new traffic survey to be conducted in the main street of Longford by State Growth and not take any decision on development plans within the main thoroughfare from Union St through to Malcombe St until more relevant data is available to accurately determine the impacts of the traffic flow.*

**Officer Comment:**

The Committee have provided the following background to their request:

Further to our last meeting we now understand that a Traffic Survey will be carried out by State Growth as requested. Request that Council officers ensure that this takes place on Wednesday (discount day Hill St) Thursday (pension day) and Friday in school term to gauge volume.

It should be noted that Council officer's are progressing the 6 October 2021 recommendation of the Committee in regard to Wellington street Safety Concerns.

**Officer Recommendation:**

That Council Officer's note the additional information provided for consideration as part of the new traffic survey.



## 8 INFORMATION ITEMS

### 8.1 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
2021-11-02	<b>Council Workshop</b> Presentations <ul style="list-style-type: none"><li>Longford Racecourse Masterplan</li><li>Ross Recreation Ground</li><li>Mona Foma 22</li></ul> Discussion included: <ul style="list-style-type: none"><li>Request For Lease Fee Reduction</li><li>Relocation Of Waste Dump Point</li><li>Stormwater System Flood &amp; Risk Studies</li><li>Evandale - Street Car Parking</li><li>Councillor Email Address &amp; Calendar Arrangements</li></ul>
2021-11-15	<b>Council Workshop</b> Discussion: <ul style="list-style-type: none"><li>Council Meeting Agenda items</li></ul>
2021-11-15	<b>Council Meeting</b>

### 8.2 MAYOR'S ACTIVITIES ATTENDED & PLANNED

Mayor's Activities Attended & Planned for the period 19 October 2021 to 15 November 2021 are as follows:

Date	Activity
19 October 2021	Attended meeting with Don River Railway, Devonport re annual passenger rail service to Fingal
20 October 2021	Attended meeting with Salvation Army, Longford
20 October 2021	Attended meeting with Ross Local District Committee reps, Ross
24 October 2021	Attended Volunteer Ambulance Officer promotional film interview, Longford
25 October 2021	Attended emergency housing zoom meeting, Gipps Creek
26 October 2021	Attended Melbourne Cup Barrier Sweep meeting with Helping Hand rep, Longford
26 October 2021	Attended Recycling meeting, Longford
26 October 2021	Attended Visit Northern Tasmania AGM, Launceston
27 October 2021	Attended Tasmania Community Fund 21 <sup>st</sup> Birthday celebration, Launceston
28 October 2021	Attended AMIC Special General Meeting, Avoca
29 October 2021	Attended Northern COVID-19 Regional Recovery Committee meeting, Launceston
2 November 2021	Attended Rossarden Xmas Group AGM, Avoca, final meeting
2 November 2021	Attended JAG group Wheel-a-thon, Evandale
2 November 2021	Attended Council Workshop, Longford
3 November 2021	Attended Tasmania Talks radio interview, Gipps Creek
4 November 2021	Attended LGAT Special General Meeting, Devonport
5 November 2021	Attended Family Violence Crisis Accommodation zoom meeting, Gipps Creek
5 November 2021	Attended Set in Stone Exhibition launch, Ross
8 November 2021	Attended Red Cross Games Day, Longford
9 November 2021	Attended TasFire Pre-season Briefing, Launceston



10 November 2021	Attended TasWater meeting, Launceston
11 November 2021	Attended Remembrance Day Service, Longford
13 November 2021	Attended Volunteer Ambulance Officers Association function, Penguin
14 November 2021	Attended AMIC volunteer promotion morning tea, Avoca
15 November 2021	Attended Council Workshop and Meeting, Longford

### 8.3 GENERAL MANAGER'S ACTIVITIES

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

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

- Met with Tasmanian Labor Leader, Rebecca White
- Met with Consultant on site at King Street, Campbell Town
- Met with business proprietor re compliance matter
- Attended Campbell Town District Forum meeting
- Attended Inaugural Strategic Property Committee meeting
- Attended Northern Tasmania Development Corporation meeting
- Met with representative from the Department of Employment Skills and Education re Seasonal Workers
- Attended Official Opening of the refurbished Longford Recreation Ground facilities
- Attended Citizenship Ceremony
- Met with representative from St Vincent De Paul
- Met with Councillors
  - Jan Davis
  - Andrew Calvert

### 8.4 PETITIONS

#### PURPOSE OF REPORT

In accordance with the Vision, Mission and Values of Council as identified in the *Council's Strategic Plan 2021-2027* and the *Local Government Act 1993, S57-S60*, provision is made for Council to receive petitions tabled at the Council Meeting.

#### 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 lodgement.

**PETITIONS**

No petitions received.

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**8.5 CONFERENCES & SEMINARS: REPORT ON ATTENDANCE BY COUNCIL DELEGATES**

No reports relating to attendance at Conferences and Seminars have been received.

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**8.6 132 & 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 2021/2022 year												Total 2021/2022 YTD	Total 2020/2021
	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June		
132	95	74	98	111									378	1,004
337	34	54	29	59									176	499

## 8.7 ANIMAL CONTROL

Prepared by: Martin Maddox, Accountant and  
Maria Ortiz Rodriguez, Animal Control Officer

Item	Income/Issues 2020/2021		Income/Issues for October 2021		Income/Issues 2021/2022	
	No.	\$	No.	\$	No.	\$
Dogs Registered	4,240	100,776	126	3,834	4,009	101,333
Dogs Impounded	27	2,212	5	262	10	2,989
Euthanised	-	-			1	
Re-claimed	24	-	5		10	
Re-homed/Dogs Home	2	-				
New Kennel Licences	16	1,152			4	288
Renewed Kennel Licences	72	3,168			83	3,652
Infringement Notices (paid in full)	36	6,785	3	152	16	3,181
Legal Action	-	-				
Livestock Impounded	1	65				
<b>TOTAL</b>		<b>114,159</b>		<b>4,248</b>		<b>111,443</b>

### Analysis of kennel licences issued:

Number of licences issued - Year to date	Number of Dogs							
	3	4	5	6	7	8	9	10 or more
83	23	13	12	9	6	4	0	20

### Registration Audit of the Municipality:

Ongoing

### Microchips:

0 dogs microchipped.

### Attacks:

0 attacks

0 dogs euthanised.

## 8.8 ENVIRONMENTAL HEALTH SERVICES

Prepared by: Michael Gray, Environmental Health Officer

Achieve improved levels of environmental and public health by ongoing monitoring, inspection, education and, where necessary, by applying corrective measures to comply with legislation.

Ensure safe standards of food offered for sale are maintained.



Investigations/ Inspections/ Licences Issued	Prior Years		
	2018/2019	2019/2020	2020/2021
Notifiable Diseases	5	1	0
Inspection of Food Premises	127	111	69 / 203
Place of Assembly Approvals			1

Actions	2021/2022											
	YTD	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
Routine Fixed Food Inspections	69 / 206	3	32	34								
Routine Mobile/Market stall Food Inspections	0	0	0	0								
Preliminary Site Visits – Licensed Premises	8	4	4	2								
On-site wastewater Assessments	7	3	4	2								
Complaints/Enquiries – All Types	16	8	8	4								
Place of Assembly approvals	1	0	1	0								
Notifiable Diseases	0	0	0	0								

\* Commencement of new Full Time EHO September 2021

All Food premises are due for at least one inspection from 1 July of 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*.

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.

For those enquiring about opening a food business i.e. Home based food business, officers inspect the premises and after a risk assessment determine whether a food licence is to be issued.

The following is applicable regarding food business registrations:

- A Food Business Application is to be completed and lodged with Council each year (Financial) Sections 84 or 87 or 89 of the *Food Act*.
- Council conducts a desk top assessment of the application in accordance with the Food Business Risk Classification System issued by Tasmanian Department of Health. The assessment is based on the information provided by the applicant.
- Based on the Risk assessed an invoice is issued to the applicant.
- Upon receipt of payment Council issues a Certificate of Registration.
- Council conducts an inspection of the premises during their operation to ensure compliance with the *Food Act* and Regulations and the Food Standards Code. The business is also assessed in line with their Risk Classification.
- Further inspections may be required to ensure any non-compliance issued have been addressed.

On-site Wastewater Assessments are completed after receiving a system design report from a consultant which basically determines what type of sewage system is required (septic or AWTs) and the method of distributing the sewage effluent on site based on AS1547.

A place of assembly is required for any mass outdoor public event. This means an event with over 1000 people for 2 hours or more. It may be any performance, exhibition, circus, festival, food festival, pageant, regatta, sports event, dance or publicly advertised lecture.

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.

## 8.9 CUSTOMER REQUEST RECEIPTS





Operational Area	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Animal Control	7	-	4	3								
Building & Planning	16	17	4	18								
Community Services	4	7	5	5								
Corporate Services	28	4	6	6								
Governance	9	-	-	-								
Waste	-	3	-	4								
Works	38	39	43	41								

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

Date	Recipient	Purpose	Amount \$
21-Jul-21	Reptile Rescue	Donation to service	\$1,000.00
28-Jul-21	Campbell Town District High School	Inspiring Positive Futures Program	\$7,272.73
28-Jul-21	Campbell Town District High School	Chaplaincy	\$1,363.64
28-Jul-21	Evandale Primary School	Chaplaincy	\$800.00
8-Sep-21	Cressy District High School	Inspiring Positive Futures Program	\$8,000.00
12-Oct-21	C'Town, Cressy, Evandale, Longford	End of Year School Presentations 2021	\$450.00
20-Oct-21	Longford & Perth Fire Brigades	Christmas Lolly runs 2021	\$200.00
20-Oct-21	Campbell Town SES Highway Rescue	Wages and Plant hire	\$181.95
21-Oct-21	Celeste Nicholson (returned donation)	U12 Nth Tas Junior Soccer Assoc Oceania Cup NSW	-\$100.00
29-Sep-21	Connor Perri	Bursary Program 2020 - Instalment 2	\$1,000.00
18-Oct-21	Jemma Walters	Bursary Program 2020 - Instalment 2	\$1,000.00
		TOTAL	\$21,168.32

## 8.11 ACTION ITEMS: COUNCIL MINUTES

Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
18/10/2021	5.3.1	Naming of the Perth Dog Park	In progress	Please action as per resolution. That the Perth Dog Park be named the Perth Bicentenary Dog Park.	Natalie Horne	8/11/2021 Administration / Records Management Officer - Submitted request to Place names Tasmania, waiting on confirmation
18/10/2021	7.3.2	Perth Bicentenary Sub Committee	In progress	Please action as per resolution. That Council officer's progress the request and seek comment from the Committee. - That Council officer's progress the Committee's request and identify a suitable location to erect/relocate the plaques, with comment to be sought from the Committee on design and location.	Gail Eachar	8/11/2021 Executive Assistant - Request sent to PLDC for details re wording and the placement of the proposed plaque to celebrate the 200 years anniversary of Perth
18/10/2021	9.1	Proposed Sale of Campbell Town Hall	In progress	Please action as per resolution. That Council: a) Notes the objections received from Mr Peart, Mr McCullagh and Dr Bolton; b) Determines not to take any action regarding the objections and proceed with the sale of the Town Hall in Campbell Town; and c) Directs the General Manager to give notice to the three objectors of this decision, and the right to appeal this decision, within 7 days of the date of this decision.	Amanda Bond	9/11/2021 Executive Officer - Appeal to decision has been lodged with RMPAT. Preliminary conference on 17 November 2021 at 10am.
18/10/2021	7.1.2	Recreation area -	In progress	That Council officers progress a survey of	Amanda	9/11/2021 Executive Officer -



Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
		Macquarie Street, Cressy		the land in question and bring a report back to Council.	Bond, Jonathan Galbraith	Council Engineering Officer undertaking survey of area
18/10/2021	12.1	Relocation of Waste Dump Point to TRANSLink, Western Junction	In progress	Please action as per resolution. That Council progress plans to relocate the Morven Park dump site to the TRANSLink precinct at Western Junction and undertake consultation with the landowner/s as appropriate. That Council close the Morven Park dump site in 1 months' time due to safety reasons, and for appropriate signage to be installed.	Leigh McCullagh	8/11/2021 Executive Assistant - Morven Park dump site to be decommissioned 15 November. Suitable site for new dump site being sought at TRANSLink.
	1.1	17/02/2020 - 039/20 - Bartholomew Park Sign	In progress	Committee Recommendation That the Bartholomew Park sign be removed from the top of the history board and a new sign (redesign) be installed at the corner of the park facing Main and Church Streets. RESOLUTION 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.	Amanda Bond	8/10/2021 System Support - Committee has chosen sign design. Seeking advice on planning approval requirements. Once advice received will progress. 9/11/2021 Executive Assistant - Planning application submitted.
	1.1	15/03/2021 - 088/21 - Planter - Herb Boxes	In progress	Committee Recommendation 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.) RESOLUTION That the matter be referred to the 2021/2022 Budget process.	Leigh McCullagh	8/10/2021 System Support - Garden bed in Victoria Square space to be allocated, Committee to contact Works Manager. 8/11/2021 Executive Assistant - Awaiting contact from Local District Committee.
	1.2	17/05/2021 - 172/21 - Horse Trough Interpretation Panel	In progress	Committee Recommendation 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. RESOLUTION That Council note the information.	Amanda Bond, Gail Eachar	8/10/2021 System Support - Committee has provided information requested. A report will be prepared for the November meeting. 8/11/2021 Executive & Communications Officer - Info Item to be considered within November agenda.
	1.4	26/04/2021 - 135/21 - Planter Boxes	In progress	Committee Recommendation 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. RESOLUTION That Council note the recommendation.	Amanda Bond, Gail Eachar	8/10/2021 System Support - Garden bed in Victoria Square - space to be allocated, Committee to contact Works Manager. 8/11/2021 Executive & Communications Officer - Works Manager awaiting contact from Committee.
	1.7	15/02/2021 - 059/21 - Traffic Concerns: Wellington & Marlborough Streets Intersection at Longford	In progress	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).	Leigh McCullagh	29/09/2021 System Support - Discussed at Workshop. Further options to be investigated. 8/10/2021 Executive Assistant - Further report from Traffic Engineer re alternate solutions awaited. 8/11/2021 Executive Assistant - Traffic Engineer scheduled to attend 29 November Councillor workshop.
	1.3	16/03/2020 - Deferred Item - GOV8	In progress	Deferred to provide opportunity for the community to attend.	Des Jennings, Gail	29/09/2021 System Support - No further action to be taken at this time. To be workshopped and report



Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
		Overhanging Trees/Hedges: Evandale			Eacher	to be relisted. Discussion held with property owner, formal advice requested. Correspondence to be forwarded to property owner.
	1.6	17/05/2021 - 190/21 - Bridge Across Liffey River to Former Baptist Church Grounds	In progress	That a decision be deferred to the next meeting to establish Council's responsibilities and alternative solutions (including timber).	Leigh McCullagh	29/09/2021 System Support - Discussed at Workshop. Report to future Council Meeting. 8/10/2021 Executive Assistant - Letter sent to landowner. Comment being sought from Emergency/Government Services and Bush Heritage. 8/11/2021 Executive Assistant - Further report to December Council Meeting.
	1.11	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	In progress	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.	Paul Godier	29/09/2021 System Support - Consultant is validating the modelling.
	1.4	17/09/2021 - 289/21 - LGAT Motions	In progress	That Council A) submit two motions to the next LGAT General Meeting on the lack of response provided by the following government agencies: Environment Protection Agency, and Department of State Growth.	Des Jennings, Gail Eacher	29/09/2021 System Support - Motions to be prepared and workshopped.
	1.15	18/05/2020 - 146/20 - Northern Midlands Youth Voice Forum	In progress	That Council endorse the progression of the Northern Midlands Youth Voice Forum.	Holly Preece	29/09/2021 System Support - To be investigated and progressed.
	1.14	18/09/2017 - 279/17 - Historical Records and Recognition: Service of Councillors	In progress	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.	Gail Eacher	29/09/2021 System Support - Historic photos to be catalogued and collated. 5/10/2021 Executive Assistant - Framed photographs installed - action complete. Resources not available to undertake archiving of historic photographs and production of photo book. Additional resource to be sought.
	1.1	21/10/2019 - 313/19 - Macquarie River	In progress	Committee Recommendation 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. RESOLUTION That Council support the proposal and progress the request.	Amanda Bond, Gail Eacher	8/10/2021 System Support - Information provided to DPIPW, awaiting decision.
	1.3	28/06/2021 - 207/21 - Rail Crossing	In progress	Committee Recommendation The Ross Local District Committee requests that NMC contact TasRail to determine the extent of Tas Rail ownership of the	Jonathan Galbraith	8/10/2021 System Support - Email sent to TasRail on 9 August 2021. 8/11/2021 Executive & Communications Officer - TasRail



Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
				Badajos Street rail crossing, for the purpose of future widening of the road to ensure the safety of road users. RESOLUTION That Council note the information and request Council Officers action the request.		provided advice, advised that Jonathan Gailbraith is TasRail's key contact at NMC for matters associated with rail crossings, as per the Safety Interface Agreement between NMC and TasRail. Jonathan to further investigate. 8/11/2021 Engineering Officer - For any major works within the rail corridor (between the two property boundaries) we would need to talk to Tasrail first and get their permission. At this location it is about 9m either side of the rail line. We can do minor works (usually only maintenance) up to 3m from the rail line but once we get past that we need to have Tasrail staff on site while we're working and this can be a fairly difficult and expensive process to coordinate.
18/10/2021	12.2	Review of Wildlife Signage on Deddington Rd	Not yet started	Please action as per resolution. That this information be noted and that Council consider installing further signage on other parts of Deddington Rd or Bryants Lane at a future date if data is available on Wombat deaths on those roads. That Council review the need to install signage on other roads within the municipal area based on survey data that identifies risk of deaths of protected animal species.	Jonathan Galbraith	To be progressed.
18/10/2021	17.2.3	Safety issues at Woolmers Lane/Panshangar Road intersection	Not yet started	Please action as per resolution. That Council officer's progress the Committee's request and pass on the information to the Department of State Growth, regarding Woolmer's Lane.	Jonathan Galbraith	8/11/2021 Executive & Communications Officer - Advice provided to DSG for consideration.
18/10/2021	17.2.2	Wellington Street Safety Concerns	Not yet started	Please action as per resolution. That Council officer's provide the information and request to conduct a new traffic survey to the Department of State Growth for their consideration.	Jonathan Galbraith	8/11/2021 Executive & Communications Officer - Advice provided to DSG for consideration.
	1.1	17/05/2021 - 180/21 - Restrictions on Keeping Roosters	On hold	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.	Maria Ortiz Rodriguez	29/09/2021 System Support - Report to future Council Meeting. 8/11/2021 Executive Assistant - Matter to be referred to future Council workshop for further advice.

COMPLETED:

Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken	Date Completed
20/09/2021	19.2	Asset Management Plans	Completed	Please action as per resolution. MINUTE NO. 21/366 DECISION Deputy Mayor Goss / Cr Davis That Council adopt the revised Transport Asset Management Plan. Carried Unanimously	Maree Bricknell	8/10/2021 Corporate Services Manager - Adopted plans now available for reference.	8/10/2021
20/09/2021	19.2	Asset Management Plans	Completed	Please action as per resolution. MINUTE NO. 21/367 DECISION Cr Adams/Cr Davis That Council adopt the revised Building Asset Management	Maree Bricknell	8/10/2021 Corporate Services Manager - Plans adopted and available for reference.	8/10/2021



Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken	Date Completed
				Plan. Carried Unanimously			
20/09/2021	17.2	Authority to sign under common seal	Completed	Please action as per resolution. MINUTE NO. 21/361 DECISION Cr Goninon / Deputy Mayor Goss 1. That Council determines the execution of a document sealed by Council is to be attested by the Mayor and General Manager; or 2. If the Mayor is absent, the Acting Mayor; or 3. If the General Manager is absent, the Acting General Manager. Carried Unanimously	Amanda Bond	9/11/2021 Executive Assistant - Noted.	7/10/2021
20/09/2021	17.1	Community Action Plan	Completed	Please action as per resolution. MINUTE NO. 21/360 DECISION Cr Goninon / Cr Adams That Council requests a further report with additional information to be brought to a future Council meeting. Carried Unanimously	Amanda Bond	7/10/2021 Executive Officer - Officer email RAW seeking feedback, awaiting response. 9/11/2021 Executive Assistant - Report to 15 November 2021 Council meeting.	7/10/2021
20/09/2021	19.3	Dog Registration Fee for Labradoodles	Completed	Please action as per resolution. MINUTE NO. 21/368 DECISION Cr Goninon / Cr Davis That Council determine the dog registration fee applicable to Tasmanian Labradoodles to be \$54 per dog. Carried Unanimously	Maree Bricknell	8/10/2021 Corporate Services Manager - Dog owners advised of applicable dog registration fee - fees have been now paid.	8/10/2021
20/09/2021	17.4	Junior Action Group Establishment as Special Committee of Council	Completed	Please action as per resolution. MINUTE NO. 21/363 DECISION Cr Davis / Cr Adams A) That Council endorses the Junior Action Group as a special committee of Council in accordance with section 24 of the Local Government Act 1993 and adopts the attached Terms of Reference; and B) Council appoints Councillor Janet Lambert as the Council representative to JAG. Carried Unanimously	Amanda Bond	7/10/2021 Executive Officer - JAG representative notified of decision, first meeting to be scheduled to sign Terms of Reference and induct volunteers.	7/10/2021
20/09/2021	15.3.2	Recommendations of Sub Committees	Completed	Please action as per resolution. Evandale Advisory Committee 8(ii) Dump Point: That the Committee recommend to Council that the dump point not be moved and be retained in its current location. MINUTE NO. 21/348 DECISION Cr Goninon/Cr Goss That Council note the recommendation of the Committee. Carried Unanimously	Gail Eacher	5/10/2021 Executive Assistant - Committee advised of Council's decision.	5/10/2021
18/10/2021	17.3.3	Highway Maintenance	Completed	Please action as per resolution. That Council Officer's contact the Department of State Growth and request maintenance, including the removal of waste/debris, be undertaken at the entrances to Perth.	Jonathan Galbraith	5/11/2021 Engineering Officer - Judd Bentley (DSG) advised 4/11/21 that they will do clean-up works in this area	5/11/2021
18/10/2021	15.3.2	Longford Cup Day Sub-committee Representative	Completed	Please action as per resolution. That Council consider the request to nominate Cr Goninon as Council's representative to join the 2022 Jim Osborne Cressy Chaff Cutters Longford Cup New Years Day Sub-committee for the preparation of the 2022 event.	Gail Eacher	8/11/2021 Executive Assistant - Longford Cup Day Sub-committee advised of Cr Ian Goninon's appointment.	8/11/2021
18/10/2021	17.3.4	Old United Service Station	Completed	Please action as per resolution. That the NMC Property Management	Gail Eacher	8/11/2021 Executive Assistant - Request	8/11/2021



Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken	Date Completed
		Site		Committee consider the Committee's request and report to Council.		referred to NMC Property Committee for investigation and future report to Council.	
18/10/2021	19.5	Request for funding - Morven Park Cricket Net Relocation	Completed	Please action as per resolution. That Council funds the \$4,258.30 shortfall form its maintenance and operating accounts to construct three operational cricket nets, subject to Council planning approval.	Maree Bricknell	8/11/2021 Corporate Services Manager - Budget allocated.	8/11/2021
18/10/2021	11.2	Round 2 Assistance - Events	Completed	Please action as per resolution. That Council allocate Round 2 Event Funding	Maree Bricknell	8/11/2021 Corporate Services Manager - Budget allocation updated.	8/11/2021
18/10/2021	17.4.2	Security Quote	Completed	Please action as per resolution.	Gail Eachar	8/11/2021 Executive Assistant - Purchase order completed.	8/11/2021
	1.5	16/08/2021 - 305/21 - Safety Issues Woolmers Lane/Panshangar Road Intersection	Completed	Committee Recommendation That Council approach State Growth to arrange signage to be placed advising of trucks entering and put in place an 80kph speed limit. The Committee has previously requested a review into the speed limit reduction along this road, Council Officers have been liaising with the Department of State Growth, application submitted to the Transport Commissioner for the speed limit to be changed. RESOLUTION That Council note the actions taken.	Lucie Copas Fowler	8/10/2021 System Support - Awaiting DSG approval to erect signage. 8/11/2021 Executive & Communications Officer - Sign installed.	8/11/2021
	1.3	17/05/2021 - 172/21 - Longford Entrance Improvements	Completed	Committee Recommendation 7.1 Longford Entrance Improvements: That this committee refer the entrance question be incorporated into the planning for the roundabout upgrade. RESOLUTION That Council note the information.	Lucie Copas Fowler	8/10/2021 System Support - To be considered together with Illawarra Road upgrade.	8/11/2021
	1.12	16/08/2021 - 317/21 - Road Widening: King Street, Perth	Completed	That Council, A) pursuant to sections 85 and 108 of the Local Government (Buildings and Miscellaneous Provisions) Act 1993 require the plan of subdivision for 50 King Street, Perth be altered to include: - A 1m wide strip of land along King Street to be dedicated for road widening; and - A 3m (Main Road) x 3.5m (King Street) splay of land to be dedicated for road widening; AND B) receive a further report in this regard.	Paul Godier	29/09/2021 System Support - Report to Council. 4/10/2021 Senior Planner - Report tabled at 20 September 2021 Council meeting.	4/10/2021
	1.1	16/08/2021 - 319/21 - Policy Review: Customer Service Charter	Completed	That Council: ---- consider the introduction of a customer survey to go out to customers on a random basis.	Maree Bricknell	29/09/2021 System Support - Survey to be developed and introduced. 8/10/2021 Corporate Services Manager - Implementation under consideration.	11/10/2021
	1.13	19/07/2021 - 267/21 - Perth Streetscape Redevelopment Concept Plan: Survey Responses	Completed	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	Trent Atkinson	29/09/2021 System Support - Lange Design notified and costing for park requested. Costing received, Officers to review. 8/11/2021 Development Supervisor - Main street to Train Park	8/11/2021





Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken	Date Completed
				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.		Included in design, finalising consultants.	
	1.2	28/06/2021 - 207/21 - Clearing the Macquarie River	Completed	Committee Recommendation 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. RESOLUTION That Council Officers contact the Department of State Growth and pass on the request.	Lucie Copas Fowler	8/10/2021 System Support - To be investigated. 8/11/2021 Executive & Communications Officer - Advice provided by the Local Government Division, after difficulty collating. To be forwarded to the RLDC for information.	8/11/2021
	1.6	16/08/2021 - 305/21 - Concerns Regarding the Danger of Crossing Wellington Street	Completed	Committee Recommendation That a pedestrian crossing be installed on Wellington Street from the Anglican Church grounds to the library. The road in question is owned is a State Road, it has been identified within the Main Street upgrades which already include several traffic calming measures aimed at providing further safe crossings for pedestrians. RESOLUTION That Council note the recommendations of the Committee.	Lucie Copas Fowler	8/10/2021 System Support - Committee advised that road is Department of State Growth responsibility. Pedestrian crossings are not installed on DSG roads.	8/11/2021
18/10/2021	19.4	Perth Mural Project	In progress	Please action as per resolution. That Council does endorse the attached implementation plan to complete the Perth Mural Project.	Amanda Bond	9/11/2021 Executive Officer - Planning application submitted	9/11/2021
18/10/2021	19.3	Draft Whistleblower Policy	Not yet started	Please action as per resolution. That Council adopts the attached Whistleblower Policy, and applies it to all Council key stakeholders.	Amanda Bond, Gail Eachar	9/11/2021 Executive Officer - Policy manual to be updated	9/11/2021
18/10/2021	19.2	Ross Swimming Pool: Safety Assessment	Not yet started	Please action as per resolution. That Council: a) notes this report; b) completes a full risk assessment of the Ross Pool prior to the opening of the pool for the 2021/2022 season, and remedies access and trip hazards prior to opening; c) complete annual risk assessment of the Ross Pool prior to the opening of the pool.	Samantha Dhillon	Risk Assessment completed.	9/11/2021

## 8.12 RESOURCE SHARING SUMMARY: 01 JULY 2021 TO 30 JUNE 2022

Resource Sharing Summary 1/7/21 to 30/6/22 As at 30/06/21	Units Billed	Amount Billed GST Exclusive \$
<b>Meander Valley Council</b>		
<b>Service Provided by NMC to MVC</b>		
Street Sweeping Plant Operator Wages and Oncosts	51.00	2,744.58
Street Sweeper - Plant Hire Hours	51.00	4,623.91
<b>Total Services Provided by NMC to Meander Valley Council</b>		<b>7,368.49</b>



**Service Provided by Meander Valley Council to NMC**

**Wages and Oncosts**

Plumbing Inspector Services	225.10	17,064.57
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Engineering Services	-	-
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<b>Total Service Provided by MVC to NMC</b>		<b>17,064.57</b>
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<b>Net Income Flow</b>		<b>- 9,696.08</b>
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<b>Total Net</b>		<b>- 9,696.08</b>
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**Private Works and Council Funded Works for External Organisations**

**Hours**

<b>Works Department Private Works Carried Out</b>	117
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	117
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## 8.13 VANDALISM

Prepared by: Jonathan Galbraith, Engineering Officer

Incident	Location	Estimated Cost of Damages			
		October 2021	Total 2021/22	October 2020	Total 2020/21
None to report	-				
<b>TOTAL COST VANDALISM</b>		<b>\$ 0</b>	<b>\$ 3,100</b>	<b>\$ 3,000</b>	<b>\$ 10,200</b>

## 8.14 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 October as follows:

	Date of Session	Attendance
Sessions not held during school holidays		
Perth		
	14/10	10
	21/10	9
	28/10	10

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 October as follows:

Session Venue	Date of Session	Attendance
Sessions not held during school holidays		
Campbell Town		
	13/10	5
	20/10	4
	27/10	6
Longford		





Session Venue	Date of Session	Attendance
	14/10	8
	21/10	9
	28/10	9

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 October as follows:

Session Venue	Date of Session	Attendance
Sessions not held during school holidays		
Campbell Town		
	PCYC is unable to run in CT in term 4	
Cressy		
	14/10	55
	21/10	25
	28/10	27

Meetings

Holly Preece represents Council on the Northern Youth Coordinating Committee and the Northern Midlands Interagency Meetings.

## 8.15 STRATEGIC PLANS UPDATE

Prepared by: Lorraine Green, Project Officer

**CURRENT AS OF 2 NOVEMBER 2021**

Progress Report:

Not Started (obstacles)
  On Hold
  On Track
  Completed

Strategic Plans	Dept.	Status	Current Status
<b>Lead:</b> <i>Serve with honesty, integrity, innovation and pride</i>			
Annual Budget and Quarterly Reviews	Corp		Long Term Financial Plan updated, and annual budget adopted at 28 June 2021 Council meeting.
Asset Management Plan – Annual Review	Corp		Review of Asset Management Plans currently in progress.
Best Business Practice, Governance & Compliance	Gov		Legislative Audit, Delegations Review and Policy Manual update ongoing.
Customer Service Standards/ Charter	Corp		Review ongoing.
Elected Members Development & Annual Plans	Gov		Policy and Annual Plan to be prepared.
Emergency Management Plan (includes Social Recovery Plan)	Corp		Municipal emergency meetings held and regularly attend regional meetings.
Information Technology Upgrade Program	Corp		Council decided to upgrade Open Office Enterprise Suite during 2021/22 and keep a watching brief on northern shared services project.
Local Government Reform	Gov		Workshops on 5 priority Council functions: IT, Regulatory Services (Planning/Building Compliance), Payroll/Rates, Risk Management/WH&S. Completed, report reviewed by GMs. Legal Services shared services project commenced. Joint IT platform under review.
People & Culture Plan	Gov		Framework utilised for recruitment is best practice. General human



Strategic Plans	Dept.	Status	Current Status
			resource matters; Performance management and disciplinary matters; Employee Satisfaction Survey; Vaccination Staff Survey; Employee learning and development; Development and implementation of Human Resources Policies and Procedures; Employee Survey 2021 initiated.
Workplace Health & Safety Action Plan – Annual Review	Corp		WHS audit assessment review ongoing. Policy review/updates ongoing.
<b>Progress:</b>			
<i>Economic health and wealth – grow and prosper</i>			
<i>Ben Lomond – Ski Field Redevelopment &amp; 12-month Tourism Development</i>	Gov		Study being driven by external stakeholders, Council support provided when requested. Included in NMC Priority Projects 2021 document. Government has committed to infrastructure expenditure and development of a master plan.
<i>Campbell Town CBD Urban Design &amp; Traffic Management Strategy</i>	Gov		November 2017: Lange Design and Rare Innovations Design contracted to prepare the design and construction tenders. Stage 1 concept plan received April 2018. Funding allocation included in Council's 2021-22 Budget.
Campbell Town (King Street) Short Term Accommodation Master Plan & Business Case	Gov		Project underway.
<i>Campbell Town – Town Hall Sale/Lease</i>	Gov		Sale/lease to be advertised.
Economic Development Framework/Master Plan (including Tourism)	Gov		Economic development framework adopted by Council at May 2020 council meeting. Implementation underway. Second report to Council's August 2021 meeting. Next report due December 2021 Tourism: Augmented Reality Project – Draft version of Ross Augmented Reality released for review.
Lake Leake Amenities Upgrade Project			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.
<i>Longford Motor Sport Museum</i>			Proposal discussed at Council workshop. Traffic Impact Assessment to be prepared.
Longford Racecourse Master Plan & Area Review			April 2021: Consultancy Agreement signed. Draft master plan being progressed.
<i>Longford Urban Design Strategy (incorporating Heritage Corner Intersection Redevelopment, Main Streetscape Redevelopment, Memorial Hall Redevelopment, Village Green Infrastructure Upgrade)</i>	Gov		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. Agreement signed June 2020. Tender awarded to Loop Architecture for supply of consultancy services. Community consultation session to be held 16 November.
Municipal Stormwater Management Plans	Works		Model build for all Towns in progress, nearing completion. Completion by 31 December 2021.
<i>Municipal Subdivisions Infrastructure Upgrade Program (including Ridgeside Lane)</i>			Council to identify opportunities to provide infrastructure and secure funding.
Nile Road Upgrade	Works		Included in Roads 5-year Capital Works program. Included in NMC Priority Projects document
Northern Midlands Rural Processing Centre	C&D		Combined with Launceston Gateway Precinct component of the Municipal Land Use & Development Strategy.
Perth Community & Recreation Centre and Primary School Integrated Master Plan	Gov		Concept plan prepared, long-term strategy.
Perth Early Learning/Child Care Centre Redevelopment	Gov		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. Tender awarded September 2021. Onsite works to commence March 2022.
<i>Perth Main Street Upgrade</i>	Gov		April 2021 Consultancy Agreement signed. Community survey responses tabled at July 2021 Council Meeting. Decision to incorporate Train Park upgrade in the Master Plan.



Strategic Plans	Dept.	Status	Current Status
<i>Perth Sports Precinct &amp; Community Centre Concept Master Plan</i>	Gov		Draft master plan developed October 2020 included in NMC Priority Projects document.
Perth Structure Plan	C&D		Council has endorsed the plan and draft amendments to planning scheme to be prepared.
Re-Assign Project			Project management team established. Tenders assessed and tender awarded to Roar Film in October 2021. Sites' audits underway.
<i>TRANSLink Precinct</i>	Gov		Seeking grant assistance to fund planned works. Included in NMC Priority Projects document. 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. On site work to commence early 2022.
<i>Underground Power – Evandale, Longford &amp; Perth</i>			Identified as an election opportunity and awaiting funding streams to come available.
<b>People:</b>			
<i>Cultural and society – a vibrant future that respects the past</i>			
Cohesive Communities & Communities at Risk Plan	Gov		Not yet commenced.
Discrimination Strategy	Gov		Officers investigating development of strategy
Family Violence Strategy	Gov		Council continues to support <i>End Men's Violence Against Women</i> campaign. Officers investigating development of strategy
Longford Road Safety Park	Works		Funding agreement being finalised.
<i>Municipal Shared Pathways Program (including pathways within &amp; between towns)</i>	Gov		Committee established and program to be prepared.
Northern Midlands Community House	Gov		Possible site identified. Seeking State and Federal Election funding support.
Positive Ageing Strategy	Gov		Not yet commenced.
Ross Recreation Ground Master Plan			July 2021: Lange Design contracted to prepare master plan. September 2021: Work underway. October 2021: application submitted for Improving the Playing Field Grant to assist with the cost of constructing inclusive changerooms.
Supporting Employment Programs	Gov		Participate in LGAT special interest groups on a quarterly basis. Support Inspiring Futures program. Participate in work experience and University placements.
Supporting Health & Education Programs	Gov		Participating in the Northern Health Providers Networks meetings. Further Education Bursary Program underway for 2021.
Supporting Sport & Recreation Programs	Gov		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.
<i>Swimming Pool Strategy – Covering of Campbell Town &amp; Cressy Swimming Pools</i>	Gov		Included in NMC Priority Projects document. <i>Ross Swimming Pool:</i> Council resolved at August 2021 meeting to continue to fund operation of the pool as long as the pool is structurally/operationally safe to do so; and requested a health & safety report (existing or newly commissioned) to ascertain whether the pool is safe to be used.
Youth Strategy	Gov		Report held in Agenda Information Items section.
<b>Implementation of Final Stages</b>			
• <i>Campbell Town War Memorial Oval Precinct Development Plan</i>	Gov		March 2021: Local Roads and Community Infrastructure grant of \$160,000 secured for installation of stage one of the oval irrigation system. Work commenced July 2021 June 2021: new toilet facility design completed, engineering and certification underway. September 2021: Tennis Courts and Shade Structure/Pavilion completed. TCF acquittal report submitted. Hit-up wall project commenced. October 2021: application submitted to AFL Tas for funds towards the oval irrigation upgrade.
• <i>Cressy Recreation Ground Master Plan</i>	Gov		Council accepted Cressy Recreation Ground 2030 Master Plan at April 2018 Council meeting. Levelling the Playing Field funding received.



Strategic Plans	Dept.	Status	Current Status
			Tender awarded December 2020. Work nearing completion. Final report and acquittal to be prepared November 2021.
• <a href="#">Cressy Swimming Pool Master Plan</a>	Gov		State election funding grant of \$100,000 received. \$400,000 commitment from National Party prior to federal election. Funding agreements signed. March 2021: Local Roads and Community Infrastructure grant of \$200,000 secured towards the upgrade. November 2021: work nearing completion.
• <a href="#">Evandale Morven Park Master Plan</a>	Gov		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. November 2021: Final report and acquittal being prepared.
• <a href="#">Longford Recreation Ground Master Plan</a>	Gov		Stages 1 & 2 completed. Launch held.
<b>Place:</b>			
<b>Nurture our heritage environment</b>			
Climate Change Emergency Strategy & Action Plan			Consultants to be engaged to undertake Climate Strategy and Plan.
<a href="#">Conara Park Upgrade</a>	Gov		Concept prepared, awaiting funding opportunities.
<a href="#">Cressy Park Redevelopment</a>	Gov		Liaising with Local District Committee to establish/prepare plans for upgrade.
Honeysuckle Banks, Evandale, Master Plan	Works		Masterplan complete. Only minor works being undertaken. Included in NMC Priority Projects document.
Land Use & Development Strategy (including Launceston Gateway Precinct Master Planning)	C&D		Endorsed 21 October 2019. To be released for public consultation (awaiting timelines for LPS to consolidate the release). 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
Longford Expansion Strategy	C&D		Underway, awaiting final report.
Longford Levee Walkway & Viewing Platform	Gov		Matter on hold, immediate funds reallocated. Further negotiation with DSG and Federal election funding sources. Reallocation of funds to Longford Streetscape approved.
<a href="#">Municipal Tree Planting Program</a>			Annual program being implemented.
Natural Resource Management Program Collaboration	Gov		Collaborating with NRM North on the WSUD Master Plan for Sheepwash Creek.
North Perth Low Density Land Strategy			Consultants engaged to undertake study. Preparing background documents.
Sense of Place Planning – All Villages & Towns	Gov		Master planning for townships underway. Ross Village Green – work due for completion late 2021.
<a href="#">Sheepwash Creek WSUD Open Space Corridor &amp; Associated Open Space Plan</a>	Gov		July 2018: WSUD space corridor concept plan and concepts – Phillip to Drummond streets – received from consultants. Land acquired. Stormwater works underway. Stage 2 in progress
<a href="#">South Esk River Parklands Master Plan</a>	Gov		March 2021: Application submitted to Building Better Regions Fund for grant to extend the walkway and installation of footbridge. Funding secured October 2021: Grant deed awaited.
Tasmanian Planning Scheme Integration	C&D		Endorsed 21 October 2019 with some amendments required. Submitted to Tasmanian Planning Commission December 2019. Awaiting contact for post-lodgement meeting.
Waste Management Plan Review	Works		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.
Weed Managements Strategy & Action Plan – Council Assets	Works		2021/22 Budget allocation provided for weed officer/strategy.

*\*Items included in Integrated Priority Projects Plan*



**Completed:**

Strategic Plans	Dept	Implementation Date	Status	Current Status
<b>Lead:</b> <i>Serve with honesty, integrity, innovation and pride</i>				
<i>Integrated Priority Projects Plan</i>		June 2021		Consultancy Agreement signed June 2020. Plan accepted at June 2021 Council Meeting.
Media & Marketing	Gov			Communications Strategy and Framework developed. Expanding Council's communications through social media and other publications. Marketing Plan prepared.
<b>Progress:</b> <i>Economic health and wealth – grow and prosper</i>				
<b>People:</b> <i>Cultural and society – a vibrant future that respects the past</i>				
Disability Action Plan	Gov			Review complete
<b>Place:</b> <i>Nurture our heritage environment</i>				

## 8.16 TOURISM & EVENTS AND HERITAGE HIGHWAY TOURISM REGION ASSOCIATION (HHTRA) UPDATE

Prepared by: *Fiona Dewar, Tourism Officer*

**Tourism update:**

- Assisted with itinerary for tourism famil organised by the Northern Midlands Business Association. Attended famil on 26 October 2021. 24 participants consisting of local accommodation providers and volunteers from Evandale Visitor entre travelled on a bus to Cressy, Longford, Evandale, Campbell Town, and Ross. The tour included an accommodation in each town, all quite different, and some other places of interest. The tour was an excellent opportunity for networking, with all participants making connections and many planning follow up discussions. All participants said they found the tour informative and useful, and expressed an interest in participating in future famils.
- Assisted local event organisers to fulfil Council compliance requirements.
- Keep event list updated and distribute. Update NMC website calendar.
- Liaise with Recycling Committee re participating at events with the Recycling set up.
- Progress replacement signs project for Evandale.

**HHTRA update:**

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

## 8.17 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.
- Completed: 17 July: Bicentenary Dinner at the Ross Sports Club
- Completed: 3 – 26 Sept: Ross Tin Can Sculpture Show at the Thistle Inn.
- Completed: 26 Sept: Ross Running Festival.
- Completed: 10 Oct: Bicentenary Concert Camerata Obscura, at the Ross Town Hall.
- Completed: 17 Oct: Ross Remembered at the Ross Community Sports Club.
- Current: Education exhibition at the Tasmanian Wool Centre Museum called: It Takes a Village.
- 6 Nov – 5 Dec: Set In Stone | The Daniel Herbert Sculpture Prize.
- 13 Nov: Remembrance Day Dance. 50s Swing Band and Period Dress.
- 27 Nov: Open Houses and Gardens
- 5 Dec: Bicentenary Gala Day of Cricket.
- TBA. Ross Village Green Official Opening.
- 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.
- Completed: July. St Luke's organ recital.
- Completed: August. Historical house/farm tour weekend.
- Completed: September. School sports day (colonial games and costumes).
- Completed: 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.
- Completed: 21 Sept: Seniors High Tea
- Completed: 23 Oct: Perth Bicentenary Memorial Celebration.

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## **8.18 WHITE RIBBON OATH: NORTHERN MIDLANDS COUNCIL FAMILY VIOLENCE STRATEGY ACTIONS**

*Report prepared by Mayor Knowles OAM*

### **Purpose of Report**

The purpose of this report is to inform Councillors of actions taken towards the preparation of a LGAT led Statewide Family Violence Strategy and so inform a Northern Midlands Council Family Violence Strategy.

Further, this report outlines attendance at webinars and actions towards the preparation of resources for women needing to escape family violence.





### Introduction/Background

At the Council meeting on 12 December 2016 Council approved the Strategic Plan 2017-2027 which listed the preparation of a Family Violence Strategy as a future Action.

In Australia, violence against women is called many different things, including domestic violence, family violence, intimate partner violence, sexual harassment and sexual assault.

Family violence is a serious issue; on average one woman each week is killed by a present or former partner – 69 women were murdered in 2018. Every 2 minutes police are called – 657 times a day! In November 2020 three recorded violent deaths in a single day were not enough to make front page news. The single biggest risk is being female.

These statistics are horrendous and women in Tasmania suffer this same risk of family violence. In 2019 there was an increase of 3.08% in reporting in Tasmania and a 5.67% increase in Family Violence Orders. 1,564 assaults and 117 sexual assaults were reported against women (Tasmania Police Annual Report 2019-20). During 2020 Tasmania Police attended more than 6,200 family arguments and family violence incidents, although the number of incidents classed as high risk decreased markedly - down 34% over the past three years. This may reflect a greater willingness for victims and the public to contact police before the violence has escalated (Media Release 23 March 2021).

Family violence is a leading driver of homelessness for women. Most women leaving a violent relationship move out of their home. Statistics show that domestic violence has a negative impact on a woman's health, including mental health.

Since 2015 I have represented LGAT on the Family and Sexual Violence Consultative Group. (2019-20 Report attached)

In July 2019 Cllr Julie Triffitt, Derwent Valley Council, Alina Thomas, Engender Equality, and I met with Minister Jaensch, then with Rebecca White, Labor Leader, and Jen Butler MP, and then Jane Howlett MP to discuss the lack of a Women's Shelter in rural Tasmania. At the Family Violence Consultative Briefing in Hobart Monday 1st July 2019, I had raised this concern with the Premier and he agreed the best way to address the matter was via a Motion to LGAT. I also spoke with Karinya Young Women's Shelter workers in Launceston and Mike Gillies, Police Longford.

At the 6 December 2019 LGAT general meeting the Northern Midlands Council successfully moved the Motion:

*'That LGAT advocate for the State Government to investigate the need for a Women's Shelter/s to be located in and to service regional Tasmania and other rural areas, to service the population across the greater part of rural Tasmania'.*

In July 2020 I presented a Submission to the Inquiry into Family, Domestic and Sexual Violence on behalf of the Northern Midlands Council (attached)

In September 2020, after writing to the Premier, I met with the Safe at Home Coordination Unit, Department of Justice, in regards to the Flexible Support Packages available for women to apply for if they felt in danger and needed to request assistance. My concern was that women do not have their heads around 'applying for a Flexible Support Package' if their family life has descended into violence. They need safety for themselves and their children, be it in their own home or at a shelter. Then, support to apply for such packages could be what is needed.

During 2020 I collaborated with Glenorchy City Council to develop up-to-date content for a resource list of state-wide services that can help women fleeing violence. My task was to contact all north and north-west services to update their details.

A further Motion presented to the December 2020 LGAT meeting by George Town Council requesting a State-wide Family Violence Strategy was lost.

In September I attended the 2021 National Summit on Women's Safety plus the online Roundtable discussions leading up to the Summit.

Several other Family Violence Webinars have also been attended during the past two years.

On 10th October 2021 LGAT and Our Watch met with Councillors and General Managers from 13 Councils to discuss current local government activities and priorities around family violence, the resources Our Watch can offer and the



need to move a Motion at a future LGAT meeting to establish a Family Violence State-wide Strategy for all Tasmanian Councils. I intend supporting the Our Watch meeting with Ministers in Hobart on 30th November.

Also, on 30th November the Hobart Women's shelter is holding a Mentors in Violence Prevention Workshop at Longford. All Councillors are invited to attend. (Invitation attached)

Friday 19th November is White Ribbon Day. I ask Councillors to stand with me at the November Council Meeting to say the White Ribbon Pledge:

***"I will stand up,  
speak out and act  
to prevent men's violence against women",***

#### Attachments

{attachment-list}

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### **8.19 NORTHERN TASMANIA DEVELOPMENT CORPORATION: QUARTERLY PROGRESS REPORT (JULY TO SEPTEMBER 2021)**

Prepared by: Gail Eacher, Executive Assistant

Attached is a copy of NTDC's Quarterly Report and associated appendix for the July-September 2021 period.

In his editorial, CEO Mark Baker points out that the report provides updates on the Regional Visioning Workshop, Economy id presentations, population support work as well as projects and strategies.

#### Attachments

{attachment-list}

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## **9 GOVERNANCE REPORTS**

### **9.1 COUNCIL CALENDAR: 2022 SCHEDULE OF COUNCIL MEETING & WORKSHOP DATES**

File: {custom-field-file}  
Responsible Officer: Des Jennings, General Manager  
Report prepared by: Gail Eacher, Executive Assistant

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

The purpose of this report is to set up a calendar of dates for the holding of Ordinary Council Meetings and workshops for the 2022 year and other scheduled meetings/ functions.

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

In accordance with the provisions of the *Local Government (Meeting Procedures) Regulations 2015*, an Ordinary Meeting of a Council is to be held at least once in each month and the schedule as shown hereunder fulfils this requirement.

#### **3 STRATEGIC PLAN 2021-2027**

The Strategic Plan 2021-2027 provides the guidelines within which Council operates.





**Lead: Serve with honesty, integrity, innovation and pride**

**Leaders with Impact**

**Strategic outcomes:**

1.3 Management is efficient, proactive and responsible

#### **4 POLICY IMPLICATIONS**

N/a

#### **5 STATUTORY REQUIREMENTS**

*Local Government (Meeting Procedures) Regulations 2015.*

*4. Convening council meetings*

*(1) The mayor of a council may convene –*

*(a) an ordinary meeting of the council; and*

*(b) a special meeting of the council.*

*(2) The general manager of an existing council is to convene the first ordinary meeting of the council following an ordinary election.*

*(3) The Minister is to convene the first ordinary meeting of a newly established council on a date determined by the Minister.*

*(4) An ordinary meeting of a council is to be held at least once in each month.*

*(5) The general manager is to convene an ordinary meeting of a council if the mayor has not convened such a meeting in the previous calendar month.*

*(6) The mayor of a council, or the general manager if the mayor has not done so, must convene a special meeting of the council at the request of a majority of councillors or if the council so determines.*

*(7) A request for a special meeting of a council must –*

*(a) be in writing and signed by the councillors making the request; and*

*(b) include details of the subject matter and any motion to be dealt with by the meeting; and*

*(c) be lodged with the mayor.*

*6. Times of meetings*

*(1) A meeting is not to start before 5:00 p.m. unless otherwise determined by the council by absolute majority or by the council committee by simple majority.*

*(2) After each ordinary election, a council and a council committee are to review the times of commencement of their meetings.*

#### **6 FINANCIAL IMPLICATIONS**

N/a

#### **7 RISK ISSUES**

N/a

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

N/a

#### **9 COMMUNITY CONSULTATION**

N/a

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

Council can agree or not agree to the dates proposed.

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



Generally, with the exception of January and December, Council meetings are held on the third Monday of each month thereby providing Council staff adequate time to finalise data from the previous month and enabling the inclusion of accurate and complete information in the agenda.

The following meeting dates are recommended for 2022:

COUNCIL MEETING SCHEDULE 2022			
Council Meetings commencing at 5.00pm		Council Workshops commencing at 5.15pm	
Monday	31 January		
Monday	21 February	Monday	7 February
Monday	21 March	Monday	7 March
Monday	<sup>1</sup> 11 April	Monday	4 April
Monday	16 May	Monday	2 May
Monday	<sup>1 &amp; 2</sup> 27 June	Monday	6 June
Monday	18 July	Monday	4 July
Monday	15 August	Monday	1 August
Monday	19 September	Monday	5 September
Monday	17 October	Monday	3 October
Monday	21 November	Tuesday	<sup>3</sup> 1 November
Monday	<sup>1</sup> 12 December	Monday	<sup>3</sup> 28 November

<sup>1</sup> Not third Monday in the month

<sup>2</sup> ALGA NGA (June - dates to be confirmed)

<sup>3</sup> Not first Monday in the month

The following key dates should be noted:

- LGAT Elected Members' Professional Development Weekend (February, dates to be confirmed)
- ALGA National General Assembly (NGA) of Local Government – (to be confirmed usually Sunday to Wednesday 3<sup>rd</sup> week of June)
- LGAT AGM – (date to be confirmed)
- LGAT Local Government Conference (date to be confirmed).

The dates for the Annual National Local Roads and Transport Congress 2021 (postponed from November 2021) and the 2022 Congress have not as yet been set (conference is usually held in November).

It is common practice each year for Council to undertake a Municipal Bus Tour to inspect projects that have been identified for inclusion in the forthcoming budget and also to meet with Local District Committee representatives to discuss their issues of priority. It is suggested that a date for the Bus Tour be identified and included in the 2022 Council Meeting Schedule. An itinerary for the proposed Council Bus Tour is prepared and circulated prior to the tour. It is proposed to take photographs of capital works items listed which could be provided to Councillors who are unable to attend. Consideration should be given to the following dates for the bus tour:

- Thursday, 24 March
- Tuesday, 29 March
- Wednesday, 30 March
- Thursday, 31 March
- Tuesday, 5 April
- Wednesday, 6 April
- Thursday, 7 April
- Thursday 21 April\*
- Wednesday, 27 April \*
- Thursday, 28 April \*

\* Falls within school holiday period

The following key dates should be taken into consideration in determining the date for the 2022 bus tour:

- Easter weekend 15 April to 19 April



- School holidays 15 April to 1 May

In considering the Calendar for 2022 it may also be prudent to identify the date that the Councillor Christmas function be held, the following dates are suggested:

- Thursday, 24 November or
- Thursday, 1 December.

## 12 ATTACHMENTS

1. Public Holidays 2022 [9.1.1 - 2 pages]
2. School Terms 2022 [9.1.2 - 3 pages]

## RECOMMENDATION

That

- i) Ordinary Council Meetings and Workshops for the period January to December 2022 be held in accordance with the following schedule:

COUNCIL MEETING SCHEDULE 2022			
Council Meetings commencing at 5.00pm		Council Workshops commencing at 5.15pm	
Monday	31 January		
Monday	21 February	Monday	7 February
Monday	21 March	Monday	7 March
Monday	<sup>1</sup> 11 April	Monday	4 April
Monday	16 May	Monday	2 May
Monday	<sup>1 &amp; 2</sup> 27 June	Monday	6 June
Monday	18 July	Monday	4 July
Monday	15 August	Monday	1 August
Monday	19 September	Monday	5 September
Monday	17 October	Monday	3 October
Monday	21 November	Tuesday	<sup>3</sup> 1 November
Monday	<sup>1</sup> 12 December	Monday	<sup>3</sup> 28 November

<sup>1</sup> Not third Monday in the month

<sup>2</sup> ALGA NGA (June – dates to be confirmed)

<sup>3</sup> Not first Monday in the month

- ii) a Council Workshop be scheduled for 4pm, prior to each Ordinary Council Meeting for the period January to December.
- iii) the Council bus tour be conducted on .....2022.
- iv) the Councillors Christmas function be held on **24 November or 1 December 2022.**
- v) Council consider other dates for inclusion in the Annual Council Calendar.



## 9.2 ROSS RECREATION GROUND CLUBHOUSE UPGRADE

*Responsible Officer:* Des Jennings, General Manager

*Report prepared by:* Lorraine Green, Project Officer

### 1 PURPOSE OF REPORT

To:

- i) advise Council of the application made to the 2021-2022 Improving the Playing Field Grant Program for the development of inclusive player and umpire changerooms at the Ross Recreation Ground Clubhouse;
- ii) seek Council's approval for the inclusion of funding in the 2022/2023 and 2023/2024 Council budget deliberations for the Ross Recreation Ground Clubhouse Changeroom Upgrade Project.

### 2 INTRODUCTION/BACKGROUND

The Ross Recreation Ground was formerly the home base for Ross Football and Cricket Clubs, both of which disbanded a number of years ago. The grounds and associated clubhouse are managed by the Ross Community Sports Club Committee, a Special Committee of Council pursuant to Section 24 of the *Local Government Act 1993*. The clubhouse is well utilised as a venue for local, regional and statewide meetings and functions (public and private).

In the late 2010s, Veterans Cricket Tasmania expressed interest in developing a turf wicket in the Midlands, with that ground to then become the headquarters for veterans cricket in Tasmania. This project came to fruition in January 2021, when the first Veterans Cricket Tasmania match was played on the recently completed turf wicket at the Ross Recreation Ground. Both male and female Veterans Cricket Tasmania teams played at the ground across the 2020-2021 cricket season. It rapidly became apparent that the outdated traditional male-centric, 'blokey' sports club infrastructure (open showers and changerooms) needed to be upgraded as a matter of urgency to meet the current day player needs and expectations. Changeroom provision was also required for umpires.

From this cricket season onwards, Veterans Cricket Tasmania anticipates playing matches at the recreation ground at least one day, if not both, each weekend. There are also plans to host national championships at the ground. Given that turf wickets are in high demand in the state, it is anticipated the Ross Recreation Ground will be utilised by local and junior teams for competition matches, as well as state under-age trial matches for males and females.

Currently the male and female changerooms comprise an open change area, three communal showers, and a cubicle with a toilet. This project will upgrade/expand the clubhouse's facilities to create two inclusive changerooms with adjoining separate shower cubicles (three) and separate toilet cubicles (three). The clubhouse will be extended to enable the addition of two separate umpire changerooms with shower and toilet cubicles.

The application to the 2020-2021 Improving the Playing Field Grants Program was submitted on 25 October 2021. The outcome of the application will be advised in February 2022. If the funding is secured, the onsite works will commence at the end of the 2022-2023 cricket season, and be completed by December 2023.

### 3 STRATEGIC PLAN 2021-2027

The Strategic Plan 2021-2027 provides the guidelines within which Council operates.

**Lead: Serve with honesty, integrity, innovation and pride**

**Leaders with Impact**

**Strategic outcomes:**

- 1.1 Council is connected to the community
- 1.2 Councillors serve with integrity and honesty



- 1.3 Management is efficient, proactive and responsible
- 1.4 Improve community assets responsibly and sustainably

**Progress: Economic health and wealth - grow and prosper**

**Strategic Project Delivery - Build Capacity for a Healthy Wealthy Future**

**Strategic outcomes:**

- 2.1 Strategic, sustainable, infrastructure is progressive

**People: Culture and society - a vibrant future that respects the past**

**Sense of Place - Sustain, Protect, Progress**

**Strategic outcomes:**

- 3.2 Developments enhance existing cultural amenity
- 3.4 Towns are enviable places to visit, live and work

**4 POLICY IMPLICATIONS**

N/A

**5 STATUTORY REQUIREMENTS**

**5.1 Sub-heading**

N/A

**6 FINANCIAL IMPLICATIONS**

The plans for the clubhouse upgrade are held as an Attachment.

A Quantity Surveyor has estimated the Amenities One and Two, and Umpire One and Two, components of the upgrade will cost \$940,030.

Council has applied for the maximum grant of \$500,000 through the Levelling the Playing Field Grants Program.

It is proposed that Council commit to including the remaining \$440,030 in Council's 2022/2023 and 2023/2024 budget deliberations.

**7 RISK ISSUES**

Failure to upgrade the changeroom facilities at the Ross Recreation Ground will significantly limit the future use of the facility by Veterans Cricket Tasmania and Northern Tasmanian Cricket Association, and in particular by female and junior teams.

The provision of inclusive facilities will respect the privacy and comfort of female players, provide a sense of equal footing with male players, and will markedly assist with the retention of current female players, and the attraction of new players.

**8 CONSULTATION WITH STATE GOVERNMENT**

This project was discussed with a Department of Communities Sport and Recreation Consultant and it was deemed to be compliant with the grant program guidelines and objectives.



## **9 COMMUNITY CONSULTATION**

The Ross community has welcomed Veterans Cricket Tasmania's establishment of Ross as the organisation's state headquarters. Ross residents contributed many volunteer hours to work with Veterans Cricket Tasmania members to rejuvenate the oval and develop the turf wicket. Ross community volunteers are assisting with the ongoing upkeep of the ground and turf wicket.

The request to Council to upgrade the clubhouse changerooms has come from the local community and Veterans Cricket Tasmania.

Extensive consultation with the recreation ground's user groups, sporting bodies, Council officers, and community members is also underpinning the development of the Ross Recreation Ground Master Plan which is currently underway.

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

Council can either approve/not approve the inclusion of \$440,030 in the 2022/2023 and 2023/2024 budget deliberations for the Ross Recreation Ground Clubhouse Changeroom Upgrade Project; and/or seek funding support from the Ross Recreation Ground Committee and the Veterans Cricket Association.

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

This project will provide an improved sport and recreation facility to not only support the health and well-being of local residents and visiting teams, but to also support the economic sustainability and growth of local businesses through a greater visitor spend in the town.

## **12 ATTACHMENTS**

1. Ross Rec Gd business case 2021 [9.2.1 - 14 pages]
2. Ross Rec Gd upgrade plans 20 October 2021 [9.2.2 - 3 pages]

## **RECOMMENDATION**

That Council

- A) approve the inclusion of \$440,030 in the 2022/2023 and 2023/2024 budget deliberations for the Ross Recreation Ground Clubhouse Changeroom Upgrade Project.

AND/OR

- B) seek funding through other sources to support the upgrade and report to back to Council.



### 9.3 OPPORTUNITIES FOR RV PARKING - EVANDALE

*Responsible Officer:* Des Jennings, General Manager

*Report prepared by:* Amanda Bond, Executive Officer

#### 1 PURPOSE OF REPORT

The purpose of this report is to seek a decision from Council regarding Recreational Vehicle (RV) Parking in Evandale.

#### 2 INTRODUCTION/BACKGROUND

Contact by representatives of the Evandale Information Centre was made with Council officers earlier this year about the lack of RV Parking within the township of Evandale over the weekend.

Presently, Council offers free parking for fully self contained recreation vehicles from Monday to Friday at Falls Park. Falls Park is not available over the weekend due to the Evandale Market.

Free parking is also available at Honeysuckle Banks during the summer months. Council closes the site in the winter months due to flooding. Council officers have investigated and are content to leave Honeysuckle Banks open all year round, and close the site during flood events, as is the case at the free parking site at Blackburn Park in Campbell Town.

The Evandale Information Centre representatives have suggested Council explore allowing fully self-contained RVs to park at the following locations as a short-term solution over the spring and summer months.

- Right hand side entrance to Morven Park
- Evandale Market car park
- Evandale Community and Information Centre car park
- Evandale Memorial Hall car park
- Murray Street, gravelled parking area.

Attached to this report is a summary of comments and / or requirements for each of these suggested locations. It is noted, all of these sites will require planning approval.

#### 3 STRATEGIC PLAN 2021-2027

The Strategic Plan 2021-2027 provides the guidelines within which Council operates.

**People: Culture and society - a vibrant future that respects the past**

**Sense of Place - Sustain, Protect, Progress**

**Strategic outcomes:**

3.4 Towns are enviable places to visit, live and work

**Place: Nurture our heritage environment**

**Environment - Cherish, Sustain our Landscapes and Preserve, Protect Our Built Heritage for Tomorrow**

**Strategic outcomes:**

4.3 Eco-tourism strongly showcases our natural beauties

4.4 Our heritage villages and towns are high value assets

#### 4 POLICY IMPLICATIONS



Evandale is currently listed as an RV Friendly Town which is an initiative of the Campervan and Motorhome Club of Australia Limited (CMCA).

To qualify, a town must meet the following essential criteria:

- Provision of appropriate parking within the town centre, with access to a general shopping area for groceries and fresh produce.
- Provision of short term, low cost overnight parking (24/48 hours) for self-contained recreational vehicles, as close as possible to the CBD.
- Access to potable water.
- Access to a free dump point in an appropriate location.

Council at its meeting of 18 October 2021 (Minute reference 21/411) determined to close the Dump Point currently located at Morven Park. Council officers are exploring an alternative suitable location for a dump point at Western Junction. Contact has been made with the CMCA who have advised, without a free dump point in the town, Evandale will not meet the essential criteria of being an RV Friendly town.

Council's Recreation Vehicle: Development and Management of Facilities (Overnight Camping – Self Contained Vehicles) Policy applies.

## **5 STATUTORY REQUIREMENTS**

Planning approvals would need to be obtained for a new overnight parking site for RV vehicles in the township of Evandale.

## **6 FINANCIAL IMPLICATIONS**

The current sites at Falls Park and Honeysuckle Banks are free of charge.

## **7 RISK ISSUES**

There is a risk Evandale will lose its status as an RV friendly town without 7 day access to parking within the town. Contact has been made with the CMCA who have advised that the sites available at Falls Park and Honeysuckle Banks meet the essential criteria to qualify as an RV Friendly Town.

Advice has been received from the CMCA that RV Friendly status will be lost when the dump point at Evandale is closed. A dump point must be available in the town for the town to qualify as RV Friendly.

## **8 CONSULTATION WITH STATE GOVERNMENT**

Not applicable.

## **9 COMMUNITY CONSULTATION**

This is an issue which has been raised by members of the Evandale community. A new site for overnight parking would require community consultation.

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

To extend Honeysuckle Banks as a site for RV parking all year round (to be closed during flood events), and update Council's Recreation Vehicle: Development and Management of Facilities Policy accordingly.





To progress an alternative overnight parking location within the township of Evandale for this spring / summer. It is noted that all of the suggested locations in this report require planning approval which will take at least 2 months from the date of this meeting.

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

The Evandale Community and Information Centre representatives who have contacted Council with concern about overnight parking for RVs in Evandale are seeking a short term solution for this summer season. The volunteers at the Information Centre would like to have clear advice they can provide RV drivers on where they can park. All of the sites suggested by the Evandale Community and Information Centre representatives require planning approval which mean, even if approved, they would not be available this calendar year.

#### **12 ATTACHMENTS**

1. Evandale proposed RV Parking [9.3.1 - 1 page]

#### **RECOMMENDATION**

That Council expand the opening times for parking of fully self-contained recreational vehicles at Honeysuckle Banks, Evandale to all year round, except during flood events and update the Recreation Vehicle: Development and Management of Facilities Policy accordingly.



## 9.4 COMMUNITY ACTION PLAN

*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 additional information regarding an opportunity to develop a Community Action Plan for Suicide Prevention for the Northern Midlands.

### 2 INTRODUCTION/BACKGROUND

The Local Government Association of Tasmania in conjunction with Relationships Australia, Tasmania are currently offering local government areas \$5,000 grants to develop and implement a Community Action Plan on Suicide Prevention.

The Action Plan must be commenced by December 2021 to be eligible to receive the funding. Funding will not be released until the plan has been implemented.

The Action Plan is developed by a committee of interested parties and representatives from Relationships Australia, Tasmania.

Council considered the opportunity at its meeting of 20 September 2021, Minute Reference 21/360 and requested a further report with additional information to be brought to a future Council meeting.

Subsequently, officers have contacted Rural Alive and Well (RAW) to seek their input on what they see as an opportunity for the Northern Midlands Council to adequately utilise these funds in a way that will be most beneficial to the community.

The recommendation from RAW is that Council utilises the funding to conduct Mental Health First Aid training in the municipality, both for Council staff and also for community members. Mental Health First Aid training enables participants to gain the skills needed to provide initial support to other adults who may be experiencing a mental health problem or mental health crisis.

### 3 STRATEGIC PLAN 2021-2027

The Strategic Plan 2021-2027 provides the guidelines within which Council operates.

**Lead: Serve with honesty, integrity, innovation and pride**

**Leaders with Impact**

**Strategic outcomes:**

1.1 Council is connected to the community

**People: Culture and society - a vibrant future that respects the past**

**Sense of Place - Sustain, Protect, Progress**

**Strategic outcomes:**

3.4 Towns are enviable places to visit, live and work

### 4 POLICY IMPLICATIONS

Not applicable.



**5 STATUTORY REQUIREMENTS**

Not applicable.

**6 FINANCIAL IMPLICATIONS**

Council is eligible to received \$5,000 toward the development and implementation of the Community Action Plan.

**7 RISK ISSUES**

The plan must be commenced prior to December 2021 to be eligible to receive the funding.

**8 CONSULTATION WITH STATE GOVERNMENT**

Not applicable.

**9 COMMUNITY CONSULTATION**

Community consultation will be required to offer community members an opportunity to participate in the Mental Health First Aid training.

**10 OPTIONS FOR COUNCIL TO CONSIDER**

To progress the development of a Community Action Plan on Suicide Prevention, by using the funds to provide Mental Health First Aid training to members of the Northern Midlands municipality, or not.

**11 OFFICER'S COMMENTS/CONCLUSION**

This opportunity could have significant benefit to the Northern Midlands community.

**12 ATTACHMENTS**

Nil

**RECOMMENDATION**

That Council accepts / does not accept the opportunity to receive a \$5,000 grant and develop a Community Action Plan on Suicide Prevention for the Northern Midlands with the focus of the plan to be to offer Mental Health First Aid training to members of Council staff and members of the Northern Midlands municipality.



## 9.5 THE MISSING MIDLANDS HIGHWAY PROJECT

*Responsible Officer:* Des Jennings, General Manager

*Report prepared by:* Lorraine Green, Project Officer

### 1 PURPOSE OF REPORT

The purpose of the report is for Council to consider supporting the Mona Foma 2022 Festival Missing Midlands Project.

### 2 INTRODUCTION/BACKGROUND

Mona Foma 2022 Festival Curator, Ms Trudi Brinckman is working with artist Julie Gough on a project that will see the installation of four black metal silhouettes along the Midland Highway. The silhouettes are to be installed in December 2021 (prior to the commencement of the Mona Foma festival in January 2022) and will stay in-situ after the festival for at least two years.

The project is building on the group of colonial-themed silhouettes already in place along the highway. The four new silhouettes of Aboriginal figures will expand the current storyline to include a realistic representation of cross cultural interaction in the region during the 1820s and early 1830s. The silhouettes are predominantly images extracted from the Colonial Government commissioned panels (1830): "Governor Arthur's Proclamation to the Aborigines".

Consistent with the current silhouettes, these new silhouettes will be located on private properties adjacent to the highway. Four property owners have agreed to the installation of the silhouettes: two in the northern midlands and two in the southern midlands.

### 3 STRATEGIC PLAN 2021-2027

The Strategic Plan 2021-2027 provides the guidelines within which Council operates.

**Lead: Serve with honesty, integrity, innovation and pride**

**Leaders with Impact**

**Strategic outcomes:**

1.1 Council is connected to the community

**People: Culture and society - a vibrant future that respects the past**

**Sense of Place - Sustain, Protect, Progress**

**Strategic outcomes:**

3.1 Sympathetic design respects historical architecture

3.2 Developments enhance existing cultural amenity

**Place: Nurture our heritage environment**

**Environment - Cherish, Sustain our Landscapes and Preserve, Protect Our Built Heritage for Tomorrow**

**Strategic outcomes:**

4.1 Cherish and sustain our landscape

### 4 POLICY IMPLICATIONS

N/A



## **5 STATUTORY REQUIREMENTS**

Council Planners advise the project would be classified as Public Art which can be exempt from requiring a planning permit if it is: "...by, or on behalf of, the Crown, a Council or a State Authority."

## **6 FINANCIAL IMPLICATIONS**

Council's Works Manager estimates a cost of close to \$5,000 to install each silhouette, with the cost subject to variation dependent on the size of the silhouettes and nature of the footings. It is understood all the project materials will be provided by Mona Foma.

## **7 RISK ISSUES**

Mona Foma organisers have committed to ensuring the silhouettes' fabrication and delivery to site will be undertaken by industry professionals, inclusive of engineering sign-off for their on-site safety.

## **8 CONSULTATION WITH STATE GOVERNMENT**

A Southern Midlands Council officer has discussed the project with Department of State Growth engineers who advised "... if the silhouettes are in private property, say twenty or more metres from the road edge and do not restrict sight distance at junctions or driveways I do not expect the Department would have any concerns."

## **9 COMMUNITY CONSULTATION**

Mona Foma organisers have not requested Council undertake any consultation with regard to this festival project.

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

Council can either support/not support the Mona Foma 2022 Festival The Missing Midlands Project by committing/not committing to undertake and fund the installation and ongoing maintenance of the project's two northern midlands based silhouettes.

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

This project provides the opportunity for Mona Foma, Northern and Southern Midlands Councils and farmers to confidently lead, by example, processes of supportive truth telling in the Missing Midlands compelling, mindful and progressive project.

## **12 ATTACHMENTS**

1. Midlands Highway Project Images November 2021 [9.5.1 - 1 page]

## **RECOMMENDATION**

That Council support the Mona Foma 2022 Festival The Missing Midlands Project by committing to undertake and fund the installation and ongoing maintenance of the project's two northern midlands based silhouettes



## 9.6 RECREATIONAL FISHING AND CAMPING FACILITIES GRANTS PROGRAM FUNDING APPLICATION

*Responsible Officer:* Des Jennings, General Manager

*Report prepared by:* Lorraine Green, Project Officer

### 1 PURPOSE OF REPORT

The purpose of the report is to brief Council on the funding application being prepared for the 2021 Recreational Fishing and Camping Facilities Grants Program and to seek Council's consideration of committing funding towards the application.

### 2 INTRODUCTION/BACKGROUND

The Recreational Fishing and Camping Facilities Grants Program is a competitive grants program that provides funding to Tasmanian Councils for new or renewed infrastructure for fishing, boating and camping. The Australian Government provides funds to the Tasmanian Government for the administration of the program through the Department of Premier and Cabinet.

All of Tasmania's 29 Councils are eligible to make one application to each round of the Program.

The Program Guidelines state that submitted projects are evaluated on the basis of:

- Evidence of estimated usage of proposed new or renewed recreational fishing, boating or camping infrastructure (quantitative) and expected public benefit (qualitative) 50% weighting;
- Evidence of Council capacity to deliver the infrastructure within 18 months of funding receipt – 30% weighting;
- Financial co-contributions to proposed projects, if any – 20% weighting.

Grants of between \$50,000 and \$200,000 are available to individual Councils. Up to approximately \$800,000 is available in this funding round.

Applications close 5pm on 19 November 2021.

Two potential projects were identified:

- upgrade of the Kalangadoo boat ramp and camping area at Lake Leake
- Upgrade of the camping area at Tooms Lake.

These projects were discussed with Neil Morrow, Manager Anglers Access, Tasmanian Inland Fisheries Service and he stated from their perspective, the Kalangadoo site was a lower priority as the boat ramp is flat and would be very difficult to raise, and the site is better suited as a day use area – with camping focussed at the main camping and boat ramp areas in the village. It was also noted that the Lake Leake village camp site had received recent funding for both the shower and toilets amenities upgrade and also the construction of a pontoon.

Mr Morrow offered to assist with the preparation of an application to upgrade the Tooms Lake camping area. He has met onsite with Council's Works Manager to discuss the nature and extent of the upgrade required, and has provided quantitative and qualitative data to assist with meeting the first evaluative criteria. He also indicated that if the extent of upgrade works discussed was undertaken, Inland Fisheries Service would commit \$20,000 in cash towards the project, and an inkind contribution of drawings and specifications for the new toilet facility.

The funding application to the Recreational Fishing and Camping Facilities Grants Program is currently being prepared.



### 3 STRATEGIC PLAN 2021-2027

The Strategic Plan 2021-2027 provides the guidelines within which Council operates.

**Lead: Serve with honesty, integrity, innovation and pride**

**Leaders with Impact**

**Strategic outcomes:**

- 1.1 Council is connected to the community
- 1.4 Improve community assets responsibly and sustainably

**People: Culture and society - a vibrant future that respects the past**

**Sense of Place - Sustain, Protect, Progress**

**Strategic outcomes:**

- 3.3 Public assets meet future lifestyle challenges

**Place: Nurture our heritage environment**

**Environment - Cherish, Sustain our Landscapes and Preserve, Protect Our Built Heritage for Tomorrow**

**Strategic outcomes:**

- 4.1 Cherish and sustain our landscape
- 4.2 Meet environmental challenges

### 4 POLICY IMPLICATIONS

N/A

### 5 STATUTORY REQUIREMENTS

N/A

### 6 FINANCIAL IMPLICATIONS

Council's Works Manager Leigh McCullagh, and Mr Morrow met at the Tooms Lake camping area to discuss the nature and extent of the works to be included in the funding application. The project components proposed and the cost estimates follow:

• Additional pump-out toilet facility	\$ 50,000
• Arborist assessment, removal of danger limbs and trees	\$ 20,000
• Levelling and hardening of the camping area: gravel and machinery	\$ 15,000
• Parking improvements: boat ramp and culvert	\$ 10,000
• Removal of large barrier rocks	\$ 10,000
• Upgrade walking track boat ramp to camping area	\$ 5,000
• Upgrade public signage	\$ 2,000
• Contingency	\$ 8,000
Total:	\$ 120,000

The Program Guidelines state 20% of the evaluative weighting for the projects will be associated with the extent of contributions for the project. The Inland Fisheries Service has committed \$20,000. It is proposed that Council also make a cash contribution to the project.



**7 RISK ISSUES**

The Program Guidelines state “in recommending a quantum of funding, the selection panel will have regard to enabling the delivery of the project and the co-funding proposed, if any.”

**8 CONSULTATION WITH STATE GOVERNMENT**

Inland Fisheries Manager Anglers Access is working with Council on the development of the funding application.

**9 COMMUNITY CONSULTATION**

The Tasmanian Inland Fisheries Service regularly conducts surveys and receives feedback that assists with identifying projects of priority to anglers.

**10 OPTIONS FOR COUNCIL TO CONSIDER**

Council can either approve/not approve the allocation of funding towards the application to the 2021 Recreational Fishing and Camping Facilities Grant Program application for the upgrade of the Tooms Lake camping area.

**11 OFFICER’S COMMENTS/CONCLUSION**

The Grant Program selection panel will consider the extent of co-contributions being made when evaluating the funding applications.

**12 ATTACHMENTS**

Nil

**RECOMMENDATION**

The Council approve/not approve the allocation of \$X towards the 2021 Recreational Fishing and Camping Facilities Grant Program application for the upgrade of the Tooms Lake camping area.





## 10 COMMUNITY & DEVELOPMENT REPORTS

### 10.1 MONTHLY REPORT: DEVELOPMENT SERVICES

Responsible Officer: Des Jennings, General Manager

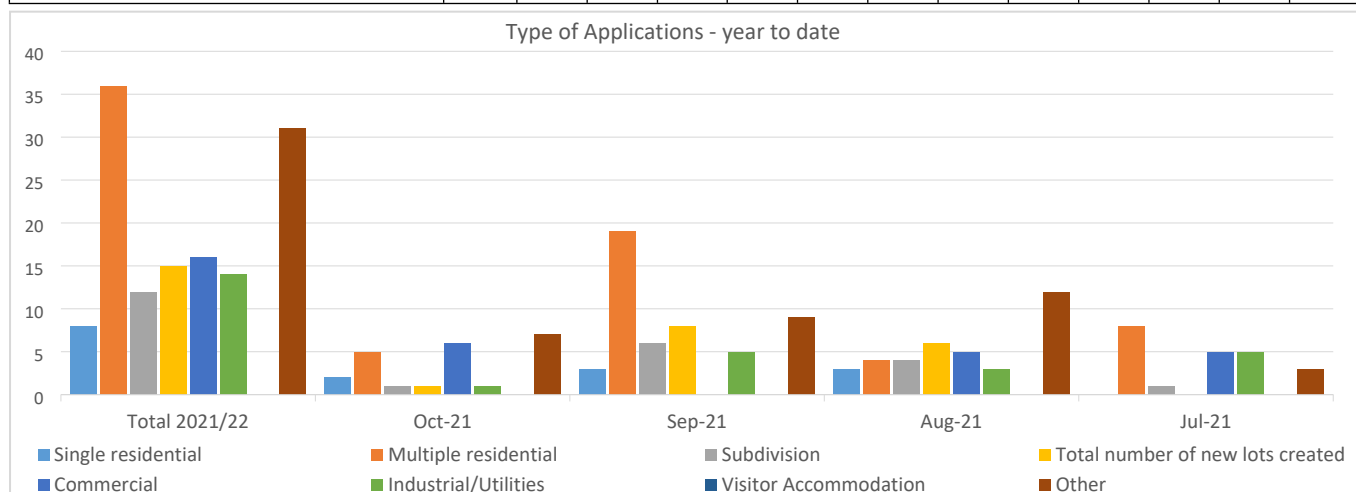
#### 1 PURPOSE OF REPORT

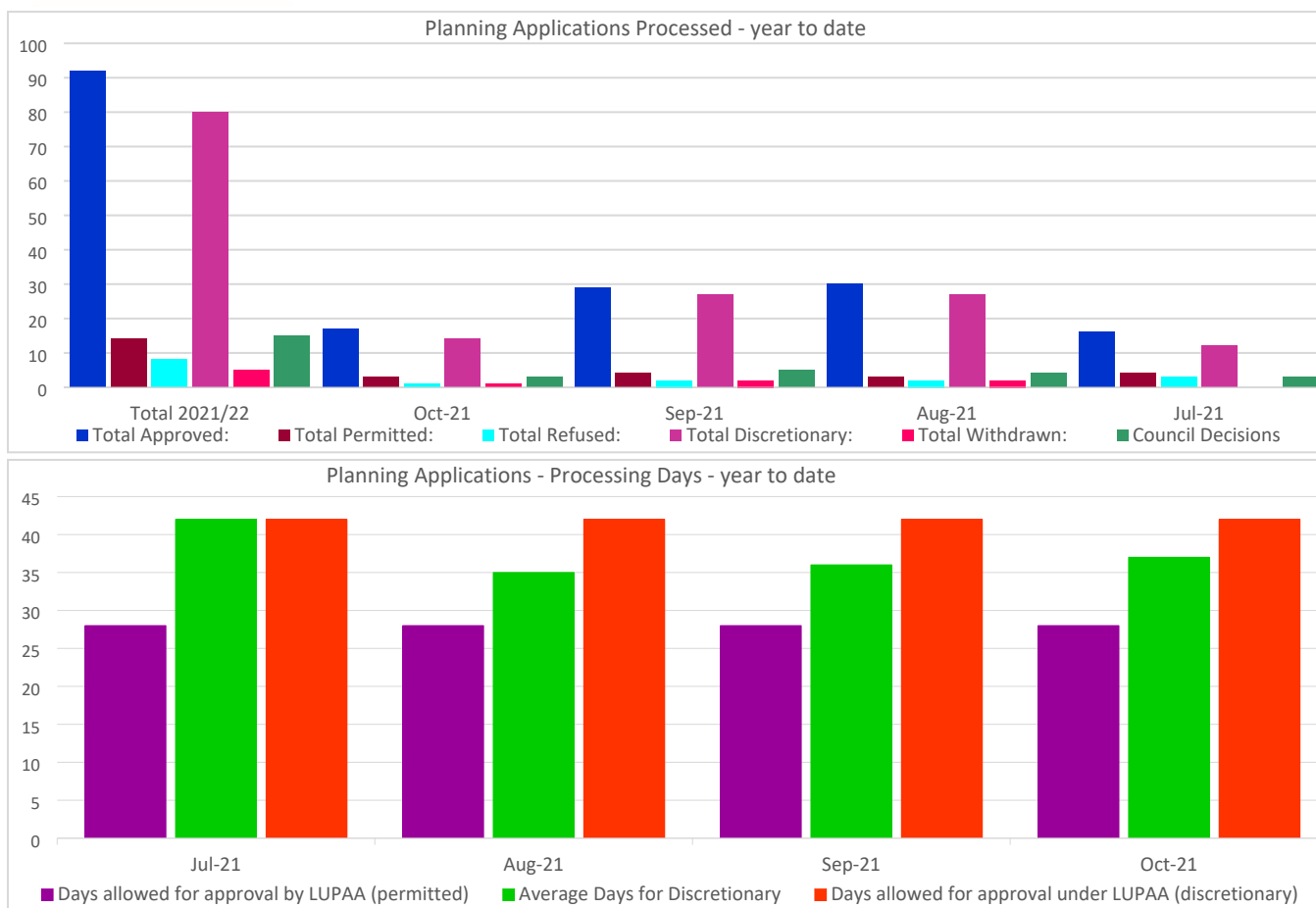
The purpose of this report is to present the Development Services activities as at the month end.

#### 2 DEVELOPMENT SERVICES REPORTING

##### 2.1 Planning Decisions

	Total YTD	July	Aug1	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
Number of valid applications	104	14	34	35	21								
Single residential	8	0	3	3	2								
Multiple residential	36	8	4	19	5								
Subdivision	12	1	4	6	1								
Total number of new lots created	15	0	6	8	1								
Commercial	16	5	5	0	6								
Industrial/Utilities	14	5	3	5	1								
Visitor Accommodation	0	0	0	0	0								
Total permitted	0	0	0	0	0								
Total discretionary	0	0	0	0	0								
Other (includes all residential development on existing dwellings [alterations/additions, sheds, solar, fences, pools etc])	31	3	12	9	7								
Total No. Applications Approved:	92	16	30	29	17								
Total Permitted:	14	4	3	4	3								
Average Days for Permitted	17	23	14	18	13								
Days allowed for approval by LUPAA	28	28	28	28	28								
Total Exempt under IPS:	26	8	9	5	4								
Total Refused:	8	3	2	2	1								
Total Discretionary:	80	12	27	27	14								
Average Days for Discretionary:	37.5	42	35	36	37								
Days allowed for approval under LUPAA:	42	42	42	42	42								
Total Withdrawn:	5	0	2	2	1								
Council Decisions	15	3	4	5	3								
Appeals lodged by the Applicant	5	1	1	3	0								
Appeals lodged by third party	1	1	0	0	0								





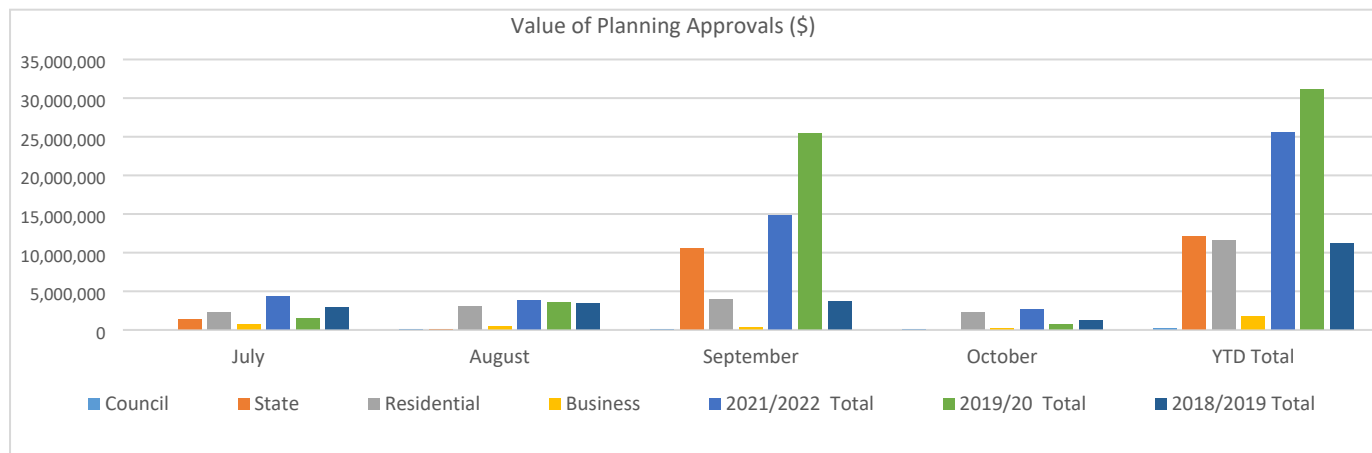
October 2021					
Project	Details	Address	Applicant	No of LUPAA days	Perm / Disc / Exempt
<b>DELEGATED DECISIONS</b>					
PLN-21-0158	Dwelling (vary setbacks in Rural Resource zone)	8 Baker Street, Rossarden TAS 7213	Stuart Barons	39	D
PLN-21-0212	2 Lot Subdivision (Vary Lot Sizes, Passing Bay Provisions and Solar Orientation)	5 Monastery Court, Longford TAS 7301	Abode Designer Homes	38	D
PLN-21-0219	Detention basin and hardstand area with roof over shipping containers (retrospective) and extension of landscape mound	59 Raeburn Road, Breadalbane TAS 7258	Hazel Bros	42	D
PLN-21-0228	Use of Licensed land (CT37139/1) as car parking area (53.71m x 6.6m)	4A Union Street, Longford TAS 7301	Paul Smith	42	D
PLN-21-0232	Demolish existing extension at rear of dwelling and construct new extension, construct new carport (Heritage Listed, Heritage Precinct)	98 Main Road, Perth TAS 7300	Hendrik Mr Hoekstra	44	D
PLN-21-0239	Signage x 4 (Signs Code)	12 Boral Road, Western Junction TAS 7212	Albert Smith Signs P/L	42	D
PLN-21-0240	Alterations & additions to dwelling	Kenilworth, 830 Valleyfield Road, Campbell Town TAS 7210	WOODBURYCO DESIGN	15	P
PLN-21-0243	Shipping Container (Heritage Precinct, Heritage Listed)	12 Marlborough Street, Longford TAS 7301	Mr Carlton Dixon	30	D
PLN-21-0244	Dwelling (Vary Front Setback)	12 St Pauls Place, Avoca TAS 7213	Design To Live	35	D
PLN-21-0251	New Carport (vary side boundary setback)	12 Banksia Grove, Perth TAS 7300	Melissa Stansbie	42	D
PLN-21-0252	Extension to dwelling	74 Devon Hills Road, Devon Hills TAS 7300	Brendan McMahon	16	P
PLN-21-0267	Building Fascia Sign	4 Munro Street, Western Junction TAS 7212	Mr Richard Talbot	9	P
PLN-21-0270	Extension to building for freeze drying (Airport Impacts Management Code)	13 Richard Street, Western Junction TAS 7212	Forager Foods	27	D
PLN-21-0197	Stable (gross floor area of outbuildings greater than	24 Summit Drive, Devon Hills	Wilkin Design & Drafting	30	D



October 2021					
Project	Details	Address	Applicant	No of LUPAA days	Perm / Disc / Exempt
<b>DELEGATED DECISIONS</b>					
	80m2)	TAS 7300			
PLN-21-0269	Shed (vary rear setback)	19 Zircon Place, Perth TAS 7300	Mr Tyler Tiffin & Ms Erryn Cartledge	25	D
<b>COUNCIL DECISIONS</b>					
PLN-21-0181	Alterations and extension to dwelling (Heritage Listed Place, Heritage Precinct, vary car parking provision)	13-15 Russell Street, Evandale TAS 7212	Lydia Nettlefold	40	C
PLN-21-0215	Proposed Cricket Nets, Landscaping incl. vegetation removal & Demolition of Existing Cricket Nets (Vary Setback, Scenic Management Area, Heritage Precinct, Heritage Listed)	Morven Park, 1-3 Barclay St & 2a Cambock Lane, Evandale TAS 7212	Northern Midlands Council	42	C
<b>COUNCIL DECISIONS - REFUSAL</b>					
PLN-21-0217	Alterations & Additions to Longford Memorial Hall including Upgraded BBQ Facilities & New Amenities (Heritage Listed, Heritage Precinct, Vary Setbacks and Car Parking)	Longford Memorial Hall, 53 Wellington Street, Longford TAS 7301	Loop Architecture	42	CR
<b>DELEGATED DECISIONS - REFUSAL</b>					
<b>RMPAT DECISIONS</b>					
PLN21-0085	Multiple Dwellings	24 Main St Perth	Design to Live		
<b>TPC DECISIONS</b>					

## 2.2 Value of Planning Approvals

	Council	State	2021/2022 Residential	Business	Total	2020/21 Total	2019/20 Total	2018/2019 Total
July	0	1,327,500	2,310,000	743,247	4,380,747	3,377,500	1,429,000	2,863,500
August	106,000	120,000	3,070,274	485,000	3,781,274	3,709,500	3,503,000	3,369,300
September	27,000	10,605,000	3,910,000	275,000	14,817,000	6,189,000	25,457,550	3,704,400
October	86,000	0	2,322,500	230,295	2,638,795	9,987,000	717,900	1,282,500
<b>YTD Total</b>	<b>219,000</b>	<b>12,052,500</b>	<b>11,612,774</b>	<b>1,733,542</b>	<b>25,617,816</b>	<b>23,263,000</b>	<b>31,107,450</b>	<b>11,219,700</b>
<b>Annual Total</b>						<b>59,101,247</b>	<b>55,891,900</b>	<b>36,482,950</b>



## 2.3 Matters Awaiting Decision by TPC & RMPAT

TPC	TASMANIAN PLANNING COMMISSION
LPS-NOR-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 made map changes required by the Minister. Provided to TPC 19/7/2021. 6/10/2021, received direction to publicly exhibit draft Local Provisions Schedule. Draft Local Provisions Schedule on public exhibition from 22 October to 21 December 2021.
PLN21-0189	Draft Amendment 02/2021 to insert:

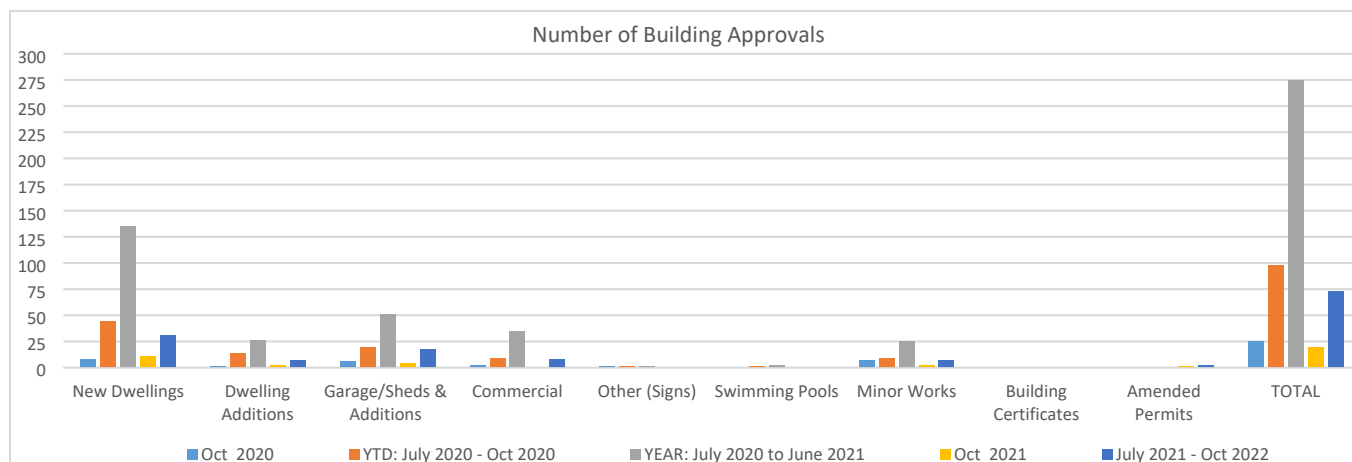


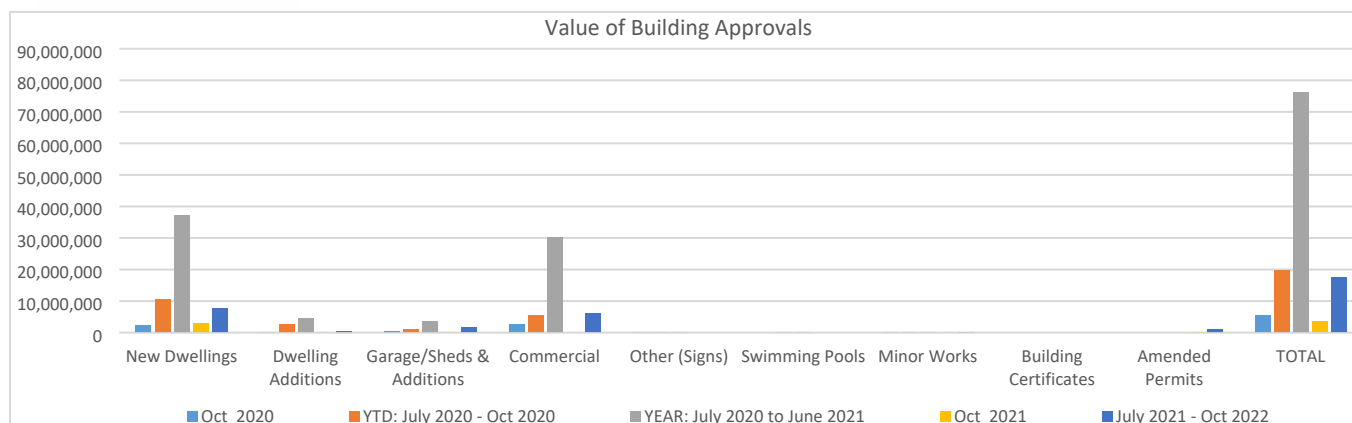
TPC	TASMANIAN PLANNING COMMISSION
	In Clause F1.3.6 the 'storage' use class with the qualification 'If not a liquid fuel depot or solid fuel depot, and, If only on Certificate of Title Volume 150770 Folio 1, Volume 150770 Folio 2, and Volume 150770 Folio 3'. A new clause F1.4.3 A6 & P6; and A new clause F1.4.7 A9 & P9. Report on representations considered at October 2021 Council meeting and sent to TPC.
<b>Decisions received</b>	
-	-
RMPAT	RESOURCE MANAGEMENT AND PLANNING APPEAL TRIBUNAL
PLN21-0183	Appeal 118/21P. Illawarra Road upgrades. Appeal against conditions of the permit approved by Council. RMPAT held preliminary conference 08/10/2021. Mediation being undertaken. Hearing set for 2 & 3 December 2021.
PLN21-0125	Appeal 119/21S. 2 Sinclair Street, Perth. Appeal against Council's refusal of permit for 3 lot subdivision. RMPAT held preliminary conference on 12/10/2021. Hearing set for 8 December 2021.
PLN21-0199	Appeal 126/21P. 7 Bedford Street, Campbell Town. Appeal against conditions of the permit approved by Council. RMPAT held preliminary conference 13/10/2021. Mediation being undertaken. Hearing set for 28 January 2021.
<b>Decisions received</b>	
PLN21-0085	Appeal 95-21P. 24 Main Road, Perth. Appeal against refusal under delegation of 5 multiple dwellings. RMPAT held a preliminary conference 11/8/2021. Mediation over the conditions of approval undertaken. Permit issued in accordance with consent decision.

## 2.4 Building Approvals

The following table provides a comparison of the number and total value of building works for 2020/2021 – 2021/2022 (figures do not include Building Approvals processed under Resource Sharing Agreements).

	YEAR: 2020-2021				YEAR		YEAR: 2021-2022			
	Oct 2020		YTD 2020-2021		July 2020 - June 2021		Oct 2021		YTD 2021-2022	
	No.	Total Value \$	No.	Total Value \$	No.	Total Value \$	No.	Total Value \$	No.	Total Value \$
New Dwellings	8	2,321,145	44	10,464,433	135	37,308,797	11	3,132,840	31	7,825,710
Dwelling Additions	1	50,000	14	2,608,970	26	4,678,970	2	70,000	7	500,000
Garage/Sheds & Additions	6	481,000	20	1,023,700	51	3,494,830	4	244,000	18	1,816,370
Commercial	2	2,650,000	9	5,661,150	35	30,391,057	0	0	8	6,300,000
Other (Signs)	1	12,000	1	12,000	1	12,000	0	0	0	0
Swimming Pools	0	0	1	49,000	2	104,000	0	0	0	0
Minor Works	7	70,888	9	105,888	25	266,844	2	27,266	7	96,626
Building Certificates	0	0	0	0	0	0	0	0	0	0
Amended Permits	0	0	0	0	0	0	1	60,000	2	1,035,000
<b>TOTAL</b>	<b>25</b>	<b>5,585,033</b>	<b>98</b>	<b>19,925,141</b>	<b>275</b>	<b>76,256,498</b>	<b>20</b>	<b>3,534,106</b>	<b>73</b>	<b>17,573,706</b>
<b>Inspections</b>										
Building	15		15		30		0		2	
Plumbing	37		110		299		31		156	





## 2.5 Planning and Building Compliance – Permit Review

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

Planning Permit Reviews	This Month	2021/2022	Total 2020/2021
Number of Inspections	13	25	31
Property owner not home or only recently started			
Complying with all conditions / signed off		2	11
Not complying with all conditions			1
Re-inspection required	12	22	9
Notice of Intention to Issue Enforcement Notice			
Enforcement Notices issued			
Enforcement Orders issued			
Infringement Notice			
No Further Action Required	1	1	10

Building Permit Reviews	This Month	2021/2022	Total 2020/2021
Number of Inspections			14
Property owner not home or only recently started			
Complying with all conditions / signed off			2
Not complying with all conditions			
Re-inspection required			2
Building Notices issued			
Building Orders issued			
No Further Action Required			10

Illegal Works - Building	This Month	2021/2022	Total 2020/2021
Number of Inspections	9	19	35
Commitment provided to submit required documentation	1	1	11
Re-inspection required	2	10	11
Building Notices issued			5
Building Orders issued			5
Emergency Order	2	2	3
No Further Action Required	6	8	13

Illegal Works - Planning	This Month	2021/2022	Total 2020/2021
Number of Inspections	20	48	81
Commitment provided to submit required documentation	2	5	9
Re-inspection required	7	27	48
Enforcement Notices issued	1	1	1
Enforcement Orders Issued			
Notice of Intention to Issue Enforcement Notice issued	3	3	6
No Further Action Required	11	16	24

## 3 STRATEGIC PLAN 2021-2027

The Strategic Plan 2021-2027 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**



**Strategic outcomes:**

2.1 Strategic, sustainable, infrastructure is progressive

**People: Culture and society - a vibrant future that respects the past**

**Sense of Place - Sustain, Protect, Progress**

**Strategic outcomes:**

3.1 Sympathetic design respects historical architecture

3.2 Developments enhance existing cultural amenity

3.4 Towns are enviable places to visit, live and work

**Place: Nurture our heritage environment**

**Environment - Cherish, Sustain our Landscapes and Preserve, Protect Our Built Heritage for Tomorrow**

**Strategic outcomes:**

4.1 Cherish and sustain our landscape

4.2 Meet environmental challenges

4.4 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.

**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 8 commercial building approvals valued at \$6,300,000 for 2021/22 (year to date), compared to 9 commercial building approval valued at \$5,661,150 (year to date) for 2020/2021.

In total, there were 73 building approvals valued at \$17,573,706 (year to date) for 2021/2022, compared to 98 building approvals valued at \$19,925,141 (year to date) for 2020/21.

**RECOMMENDATION**

That the report be noted.



## 11 CORPORATE SERVICES REPORTS

### 11.1 MONTHLY REPORT: FINANCIAL STATEMENT

Responsible Officer: Maree Bricknell, Corporate Services Manager

Report prepared by: Maree Bricknell, Corporate Services Manager

#### 1 PURPOSE OF REPORT

The purpose of this report is to present the monthly financial reports as at 31 October 2021.

#### 2 INTRODUCTION/BACKGROUND

The Monthly Financial Summary for the period ended 31 October 2021 is circulated for information.

#### 3 STRATEGIC PLAN 2021-2027

The Strategic Plan 2021-2027 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**

**Strategic outcomes:**

2.1 Strategic, sustainable, infrastructure is progressive

#### 4 ALTERATIONS TO 2021-22 BUDGET

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

##### SUMMARY FINANCIAL REPORT

For Month Ending: 31-Oct-21 4

##### A. Operating Income and Expenditure

	Budget	Year to Date Budget	Actual	(\$,000)	Target 100%	Comments
Rate Revenue	-\$12,271,834	-\$12,271,834	-\$12,250,652	-\$21	99.8%	
Recurrent Grant Revenue	-\$4,723,956	-\$1,574,652	-\$1,037,851	-\$537	65.9%	* Advanced Grants
Fees and Charges Revenue	-\$2,387,167	-\$795,722	-\$1,035,759	\$240	130.2%	
Interest Revenue	-\$741,548	-\$247,184	-\$256,953	\$10	104.0%	
Reimbursements Revenue	-\$53,978	-\$17,993	-\$12,391	-\$6	68.9%	
Other Revenue	-\$1,786,968	-\$595,656	-\$282,633	-\$313	47.4%	
	-\$21,965,451	-\$15,503,041	-\$14,876,239	-\$627	96.0%	
Employee costs	\$6,028,712	\$2,009,571	\$1,724,241	\$285	85.8%	
Material & Services Expenditure	\$5,612,165	\$1,870,722	\$1,792,773	\$78	95.8%	
Depreciation Expenditure	\$6,519,158	\$2,173,053	\$2,172,998	\$0	100.0%	
Government Levies & Charges	\$961,484	\$320,495	\$238,092	\$82	74.3%	
Councillors Expenditure	\$205,180	\$68,393	\$54,023	\$14	79.0%	
Interest on Borrowings	\$272,007	\$90,669	\$117,996	-\$27	130.1%	
Other Expenditure	\$1,315,204	\$438,401	\$702,798	-\$264	160.3%	Pension rebates for full year
Plant Expenditure Paid	\$538,650	\$179,550	\$234,139	-\$55	130.4%	
	\$21,452,560	\$7,150,853	\$7,037,060	\$114	98.4%	
	-\$512,891	-\$8,352,187	-\$7,839,179			
Gain on sale of Fixed Assets	\$0	\$0	\$0	\$0	0.0%	





Loss on Sale of Fixed Assets	\$505,860	\$168,620	\$292	\$168	0.2%
Underlying (Surplus) / Deficit	-\$7,031	-\$8,183,567	-\$7,838,887		1
	\$0		-		
Capital Grant Revenue	-\$8,697,948	-\$2,899,316	-\$247,135	-\$2,652	8.5%
Subdivider Contributions	-\$330,765	-\$110,255	0	-\$110	0.0%
Capital Revenue	-\$9,028,713	-\$3,009,571	-\$247,135		

#### Budget Alteration Requests

- For Council authorisation by absolute majority

**Budget  
Operating**

**Budget  
Capital**

**Actuals**

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

#### October

<i>Fees &amp; Charges - Impounding Fee Initial</i>	From \$ 72Increased to \$75	Increased in line with fees from pound operator increases
<i>Fees &amp; Charges - Impounding Fee Subsequent</i>	From \$ 95Increased to \$98	Increased in line with fees from pound operator increases
<i>Fees &amp; Charges - Pound Fee after 1st day</i>	From \$ 22Increased to \$25	Increased in line with fees from pound operator increases

#### September

D2018010 R Preece	101.10	Bad Debt - Deemed uncollectable by EMPRS
D201908 P Groves	326.00	Bad Debt - Deemed uncollectable by EMPRS
D2019019 P Groves	163.00	Bad Debt - Deemed uncollectable by EMPRS
D2019021 P Groves	168.00	Bad Debt - Deemed uncollectable by EMPRS
D2019023 P Groves	168.00	Bad Debt - Deemed uncollectable by EMPRS
D2019024 P Groves	168.00	Bad Debt - Deemed uncollectable by EMPRS
D2019025 P Groves	168.00	Bad Debt - Deemed uncollectable by EMPRS
D2019027 P Groves	168.00	Bad Debt - Deemed uncollectable by EMPRS
D2020036 P Groves	168.00	Bad Debt - Deemed uncollectable by EMPRS

#### August

Footpath - Main Street Cressy	750796.6	-\$67,000	Tfr allocation to different
Footpath - Church Street (Main to Charles) at Cressy		\$67,000	location in Cressy
Footpath - Park St (High to Bridge) Ross	750986.6	-\$30,000	Completed 2020/21 reallocate
Footpath & ramp - to old Lfd Gym access	707752.96	\$30,000	

#### July

No adjustments for July.

#### B. Balance Sheet Items

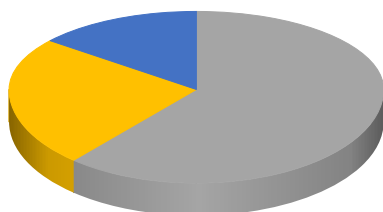
	Year to Date		Monthly		Same time	
	Actual		Change		last year	Comments
Cash & Cash Equivalents Balance						
- Opening Cash balance	\$19,432,295		\$22,951,454			
- Cash Inflow	\$10,521,512		\$1,043,944			
- Cash Payments	-\$7,659,203		-\$1,700,793			
- Closing Cash balance	\$22,294,604		\$22,294,604			
	-		-			
Account Breakdown						
- Trading Accounts	\$298,266					
- Investments	\$21,996,339					
	\$22,294,604					
	-					
Summary of Investments	Investment	Maturity	Interest	Purchase	Maturity	
	Date	Date	Rate%	Price	Value	



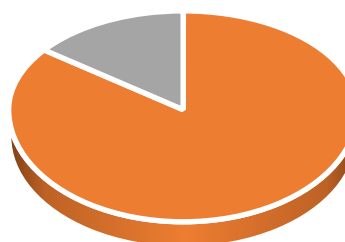


Tasmanian Public Finance Corporation Call Account	1/10/2021	31/10/2021	0.10	\$5,397	\$5,397
CBA Call Account	1/10/2021	31/10/2021	0.01	\$1,574	\$1,574
CBA Business Online Saver	20/10/2021	31/10/2021	0.20	\$5,317,621	\$5,317,942
Westpac Corporate Regulated Interest Account	31/10/2021	31/10/2021	0.35	\$6,778,736	\$6,778,736
My State Financial	25/05/2021	25/05/2022	0.85	\$3,343,010	\$3,371,425
Westpac	5/10/2021	4/07/2022	3.37	\$5,500,000	\$5,638,124
Westpac	29/09/2021	29/06/2023	3.30	\$1,050,000	\$1,110,566
<b>Total Investments</b>				<b>\$21,996,339</b>	<b>\$22,223,765</b>

Investments by Institution



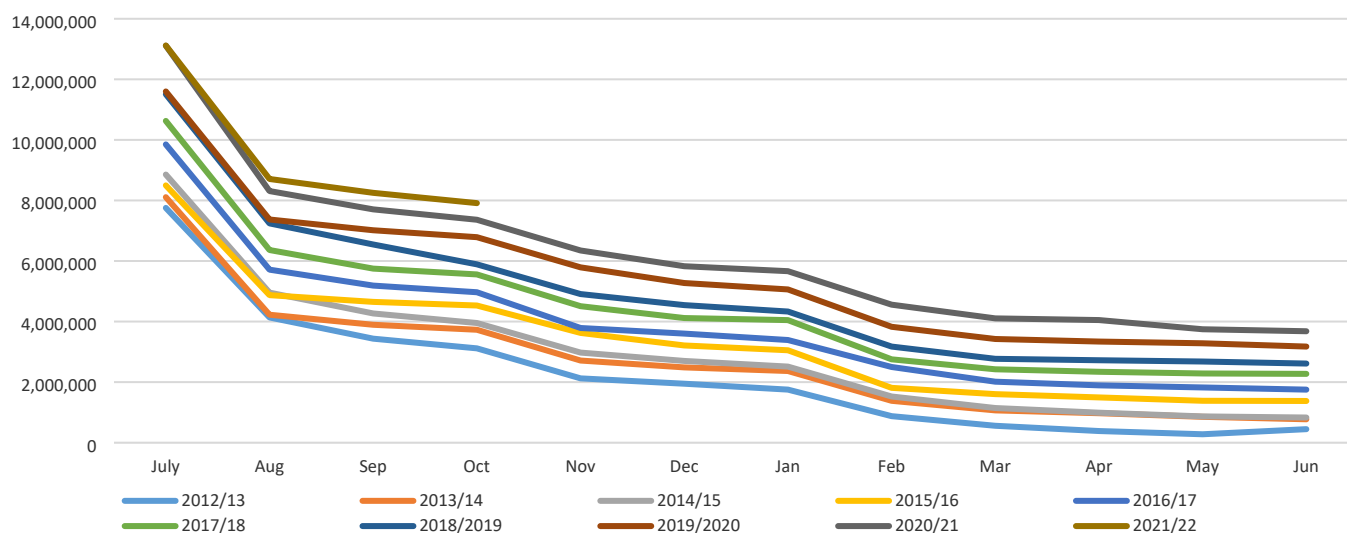
Total Investments by Rating (Standard & Poor's)



Bank of Us (B&E) Tascorp Westpac CBA MyState AA+ AA- BBB Unrated

Rate Debtors	2020/21	% to Raised	Same Time Last Year	% to Raised
Balance b/fwd	\$3,205,341		\$2,808,852	
Rates Raised	\$12,324,409		\$11,655,576	
	\$15,529,751		\$14,464,428	
Rates collected	\$7,098,094	57.6%	\$6,685,732	57.4%
Pension Rebates	\$495,198	4.0%	\$480,337	4.1%
Discount & Remissions	\$24,987	0.2%	\$54,921	0.5%
	\$7,618,279		\$7,220,990	
Rates Outstanding	\$7,911,471	64.2%	\$7,362,349	63.2%
Advance Payments received	-\$206,052	1.7%	-\$118,912	1.0%

Outstanding Rates



<b>Trade Debtors</b>	
Current balance	\$415,379
- 30 Days	\$42,552
- 60 Days	-\$5,537
- 90 Days	\$17,712
- More than 90 days	\$360,652



Summary of Accounts more than 90 days:

- Norfolk Plains Book sales	171	Paid by outlet as sold
- Hire/lease of facilities	7,053	
- Removal of fire hazards	6,042	
- Dog Registrations & Fines	17,353	Send to Fines Enforcement
- Private Works	278	
- Regulatory Fees	310	
- Govt Reimbursements	330,000	

**C. Capital Program**

	Budget	Actual (\$,000)	Target 33%	Comments
Renewal	\$11,921,744	\$2,548,275	21%	
New assets	\$11,399,505	\$1,943,916	17%	
Total	\$23,321,249	\$4,492,191	19%	

Major projects:

- Longford Sports Centre lift & level 1	\$270,000	\$165,489	61%	
- Cressy Rec Ground Amenities	\$1,013,866	\$961,264	95%	
- Cressy Pool Improvements	\$800,000	\$603,776	75%	
- Ross Village Green	\$558,000	\$502,339	90%	
- Longford Victoria Square Hall	\$1,501,141	\$22,498	1%	
- Longford Victoria Square Amenities	\$333,236	\$1,179	0%	
- Perth Childcare Centre	\$3,550,607	\$153,128	4%	
- Lake Leake Amenities	\$145,256	\$0	0%	
- Translink Detention Basin	\$252,540	\$25,410	10%	
- Footpath Program	\$738,000	\$59,856	8%	
- Bryants Lane Bridge	201,777	\$167	0%	
- William Street Footbridge	270,000	\$12,030	4%	
- Glen Esk Road Reconstruction	411,400	\$34,187	8%	

\* Full year to date capital expenditure for 2021/22 provided as an attachment.

**D. Financial Health Indicators**

	Target	Actual	Variance	Trend	
Financial Ratios					
- Rate Revenue / Total Revenue	55.9%	82.4%	-26.5%	↘	
- Own Source Revenue / Total Revenue	78%	93%	-14.5%	↘	
Sustainability Ratio					
- Operating Surplus / Operating Revenue	0.0%	52.7%	-52.7%	↘	
- Debt / Own Source Revenue	43.0%	53.6%	-10.6%	↔	
Efficiency Ratios					
- Receivables / Own Source Revenue	48.3%	53.2%	-4.9%	↘	
- Employee costs / Revenue	27.4%	11.6%	15.9%	↗	
- Renewal / Depreciation	182.9%	117.3%	65.6%	↗	
Unit Costs					
- Waste Collection per bin	\$10.53	\$12.31		↔	
- Employee costs per hour	\$50.24	\$39.34		↗	
- Rate Revenue per property	\$1,727.45	\$1,724.47		↔	
- IT per employee hour	\$3.30	\$7.10		↘	

**E. Employee & WHS scorecard**

	YTD	This Month	
Number of Employees	92	92	
New Employees	10	1	

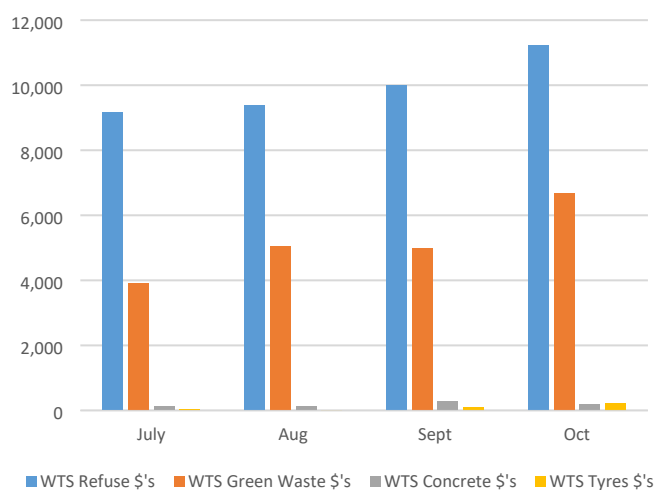


Resignations	6	1	
Total hours worked	43,830	11,172	
Lost Time Injuries	0	0	
Lost Time Days	1	0	
Safety Incidents Reported	8	1	
Hazards Reported	17	0	
Risk Incidents Reported	5	0	
Insurance claims - Public Liability	0	0	
Insurance claims - Industrial	0	0	
Insurance claims - Motor Vehicle	4	0	
IT - Unplanned lost time	0	0	
Open W/Comp claims	5	2	

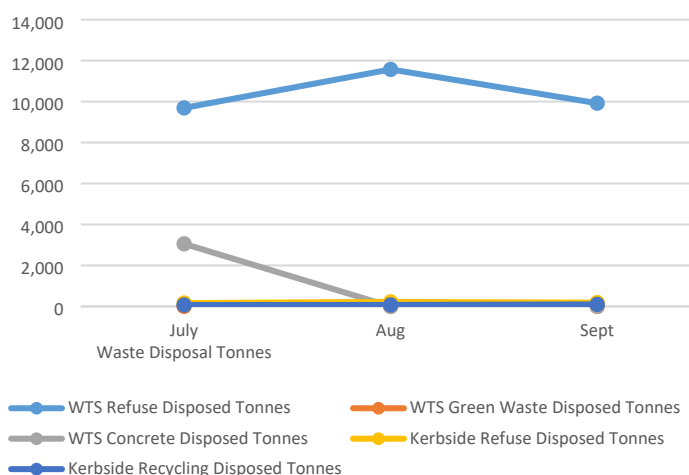
#### F. Waste Management

Waste Transfer Station	2019/20	2020/21	2021/22 Budget	2021/22 Year to Date
<b>Takings</b>				
- Refuse	\$92,611	\$119,842	\$128,043	\$39,802
- Green Waste	\$50,996	\$80,904	\$83,844	\$20,661
- Concrete	\$1,551	\$2,293	\$2,140	\$741
- Tyres		727	\$700	\$393
Total Takings	\$142,782	\$203,767	\$214,727	\$61,597
<b>Tonnes Disposed</b>				
WTS Refuse Disposed Tonnes	1388	1432	1532	31182
WTS Green Waste Disposed Tonnes	5400	4670	4894	0
WTS Concrete Disposed Tonnes	0	0		3056
Kerbside Refuse Disposed Tonnes	2326	2435	2239	571
Kerbside Recycling Disposed Tonnes	1036	1051	1194	241
Total Waste Tonnes Disposed	10150	9588	9859	35050

Waste Transfer Station Fees 2021-22



Waste Disposal Tonnes 2021-22



## 5 OFFICER COMMENTS

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

## 6 ATTACHMENTS

Nil

## RECOMMENDATION

That Council:



- i) receive and note the Monthly Financial Report for the period ending 31 October 2021, and
- ii) authorise Budget 2021/22 alterations as listed in Item 4.



## 11.2 ANNUAL GENERAL MEETING 2021

File: {custom-field-file}  
Responsible Officer: Des Jennings, General Manager  
Report prepared by: Maree Bricknell, Corporate Services Manager

### 1 PURPOSE OF REPORT

The purpose of this report is to determine a time and date for Council's General Meeting for 2021.

### 2 INTRODUCTION/BACKGROUND

Section 72A of the *Local Government Act (LGA)* requires Council to hold an Annual General meeting no later than 15 December 2021.

### 3 STRATEGIC PLAN 2021-2027

The Strategic Plan 2021-2027 provides the guidelines within which Council operates.

**Lead: Serve with honesty, integrity, innovation and pride**

**Leaders with Impact**

**Strategic outcomes:**

- 1.1 Council is connected to the community
- 1.2 Councillors serve with integrity and honesty
- 1.3 Management is efficient, proactive and responsible

**Progress: Economic health and wealth - grow and prosper**

**Strategic Project Delivery - Build Capacity for a Healthy Wealthy Future**

**Strategic outcomes:**

- 2.1 Strategic, sustainable, infrastructure is progressive

### 4 POLICY IMPLICATIONS

No policy implications.

### 5 STATUTORY REQUIREMENTS

The *Local Government Act 1993* requires Council to prepare an Annual Plan for the municipal area for each financial year. The Council is also required to prepare an Annual Report which provides a summary of the Annual Plan for the preceding financial year. The Act sets out the details of what must be provided in the Annual Report which includes a copy of the Audit opinion for the preceding financial year.

The *Local Government Act 1993* requires:

**Section 72. Annual Report**

(2) The General Manager is to

(d) advertise in a daily newspaper circulating in the municipal area the availability of the report, together with an invitation to electors to lodge submissions on the report with the council for discussion at its annual general meeting.

**Section 72B Annual General Meeting**

(1) A council must hold an Annual General Meeting on a date that

(b) is not before 14 days after the date of the first publication of a notice under subsection (2).



*(2) a Council must publish a notice in a daily newspaper circulating in the municipal area or other prescribed newspaper specifying the date, time and place of the Annual General Meeting.*

## **6 FINANCIAL IMPLICATIONS**

Council prepares the Annual Report externally and distributes the report by electronic means.

## **7 RISK ISSUES**

Council has a responsibility under the *Local Government Act 1993* to hold an Annual General Meeting.

## **8 CONSULTATION WITH STATE GOVERNMENT**

Not required process is set out under the Local Government Act. No extension of time has been provided due to pandemic situation.

## **9 COMMUNITY CONSULTATION**

The Annual General Meeting provides an opportunity for Council to inform and engage with the community on current issues within the community. The meeting provides an opportunity for the public to gauge the success of the Council over the twelve-month period taking into account the initiatives that were set in the preceding Annual Plan.

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

Council can set the Annual General Meeting any time sooner than 15<sup>th</sup> December.

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

The Annual Report is currently being prepared and will be advertised for public comment on Saturday, 27 November and Wednesday, 1 December.

It is recommended that the Annual General Meeting be held at the Longford Council Office on Monday, 13 December 2021 at 5pm, in conjunction with the Council Meeting planned for that date.

## **12 ATTACHMENTS**

Nil

## **RECOMMENDATION**

That the Annual General Meeting for the Northern Midlands Council be held at the Longford Council Offices on Monday, 13 December 2021, commencing at 5pm.



## 12 PUBLIC QUESTIONS AND STATEMENTS

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

Public Attendance Meeting Guidelines during the COVID-19 Disease Emergency

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

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

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

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

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

To ensure compliance with Council's COVID-19 Safety Plan, any person wishing to attend will be required to register their interest to attend, which is to be received by Council before 12noon 4 days (i.e. usually the Friday) preceding the meeting by emailing [council@nmc.tas.gov.au](mailto:council@nmc.tas.gov.au) or phoning Council on 6397 7303.

On arrival attendees will:

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

Access to the Municipal Building will only be permitted prior to 5.00pm and between 6.30pm to 6.40pm. Public Question Time commences at 6.45pm.

Members of the public who would prefer not to attend the meeting, but would like to ask a question or make a representation to the Council that would normally be heard during Public Question Time, may forward their question/representation to [council@nmc.tas.gov.au](mailto:council@nmc.tas.gov.au) which is to be received by Council before 12noon 4 days (i.e. usually the Friday) preceding the meeting.

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

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

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

### PUBLIC QUESTIONS AND STATEMENTS

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

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

- At each Council Meeting up to 20 minutes, or such longer period as Council may determine by resolution at that meeting, is to be provided for persons at the meeting to ask questions.
- A person seeking to ask a question must firstly identify himself or herself by stating their name and the town they reside in.



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

#### **PUBLIC QUESTIONS**





### 13 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.

#### 13.1 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.

- 14.1 PLN-21-0206: 9 Falmouth Street, Avoca
- 14.2 PLN21-0229: 71-73 High Street, Campbell Town
- 14.3 PLN21-0062: 145-173 Marlborough Street, Longford
- 14.4 PLN21-0248: 6 Muirton Way, Perth



## 14 PLANNING REPORTS

### 14.1 PLN-21-0206: 9 FALMOUTH STREET, AVOCA

*File:* 501000.23; PLN-21-0206  
*Responsible Officer:* Des Jennings, General Manager  
*Report prepared by:* Ryan Robinson, Planner

#### 1 INTRODUCTION

This report assesses an application for fencing at St Thomas Anglican Church, 9 Falmouth Street, Avoca (Heritage Listed Property)

#### 2 BACKGROUND

**Applicant:**

Nicolas & Alice Fischer

**Zone:**

Community Purpose

**Classification under the Scheme:**

Discretionary

**Deemed Approval Date:**

19/11/2021

**Owner:**

Nicolas & Alice Fischer

**Codes:**

E6 Car Parking and Sustainable Transport Code, E13 Local Historic Heritage Code

**Existing Use:**

Community Meeting and Entertainment

**Recommendation:**

Approve

**Discretionary Aspects of the Application:**

- Reliance on performance criteria for:
  - Clause 13.6.5 Fences

**Planning Instrument:**

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

#### Preliminary Discussion

The proposal is for the construction of a boundary fence for all of the southern (frontage) boundary, and part of the eastern (secondary frontage) boundary at 9 Falmouth Street, Avoca.

When initially lodged the application was intended to be consistent with details provided in an Exemption Certificate Application made to the Tasmanian Heritage Council, which was granted a Certificate of Exemption under the *Historical Cultural Heritage Act 1995* on 19/07/2021. That proposal was for a fence along the entire length of the southern (frontage) and eastern (secondary frontage) boundaries of the subject site (the Blenheim and Falmouth Street boundaries), which included land within 50m of the Fingal Line Railway, and land subject to the Primary Habitat Overlay.

A single representation to the application was received during the public exhibition period.

Following public exhibition, the proposed length of the fence along the eastern (secondary frontage) boundary to Blenheim Street was revised, with written approval of the applicant. The proposed fence will apply to approximately 70m of the eastern (secondary frontage) boundary, extending north from the south-eastern corner of the lot, and it will connect with the existing post and wire fence located north of the church. As such, the proposed fence will not be within 50m of the Fingal Line Railway, and will not be on land subject to a Priority Habitat Overlay.

An assessment of the proposed development against the relevant provisions of the Planning Scheme is provided in Section 4.7 of this report.

**Subject Site (neighbourhood context)**



### 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 1.2m high post, star picket, and wire fence along the entire length of the southern (frontage) boundary, and approximately 70m of the eastern (secondary frontage) boundary, which will connect with the existing post and wire fence located north of the church;
- Install black galvanised steel and cast iron gates at the property access points;
- Plant a hedgerow along the inside boundary of the fence, which will grow to encompass the fence, and will be maintained at a height of no more than 1.5m to limit the obstruction of views to the church from the adjoining streets;
- Construct timber gates to be located at vehicle access points, which will replace the aforementioned black galvanised steel and cast iron gates.



- All fencing and gates will be constructed, and landscaping will be planted in accordance with the details granted exemption under the *Historical Cultural Heritage Act 1995* in Exemption No. 3501 dated 19/07/2021.

**Site Plan (extract)**



**4.2 Zone and Land Use**

The land is zoned Community Purpose

The relevant Planning Scheme definition is:

Use Class	Definition
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Community Meeting and Entertainment	Use of land for social, religious and cultural activities, entertainment and meetings. Examples include and art and craft centre, church, cinema, civic centre, function centre, library, museum, public art gallery, public hall and theatre.
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#### 4.3 Subject Site and Locality

The author of this report carried out a site visit on the 01/10/2021. The site has an area of 2 acres, 1 rood, and 11 perches (approximately 9,383.9m<sup>2</sup>) located at the north-western corner of Falmouth Street and Blenheim Street, Avoca. The site contains an existing church, and is bounded to the west by vacant residential land and a war memorial hall; to the east by residential uses; to the north by the Final Line Railway; and to the south a public playground and police station.

##### *Aerial photograph of area*



##### *Photographs of subject site*





#### 4.4 Permit/Site History

Relevant permit history includes:

- Not applicable

#### 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 (1) representation was received from:

- J Connell, 6 Bevan Court, Legana 7277

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

##### Issue 1

- The description of the proposed fence provided in the application is vague and potentially misleading as it gives the impression that a fence similar in style to the one pictured would be constructed instead of the post, star picket, and wire fence actually being proposed.

##### Planner's comment:

Whilst the application includes a low-resolution historic image of the church, which depicts a fence different to that being proposed, the assessment of the application is based on the description referenced in the application form, and included in the application and publicly exhibited materials. The description references the relevant image in relation to the proposed timber gates only.

As such, it is considered that the description of the proposed development is sufficiently detailed.

##### Issue 2

- The proposed post, star picket, and wire fence is not in keeping with the character of the heritage church at the property.

##### Planner's comment:

Whilst the proposal is for a post, star picket, and wire fence, the proposal includes the planting of a hedgerow inside the boundary of the new fence, which will be maintained to grow to encompass the fence and limited to 1.5m in height in order to limit obstruction of views towards the church from the adjacent roads.

The application was referred to Northern Midlands Council's Heritage Advisor, who stated that "...the proposal will have a positive impact on the historic streetscape of Avoca."

As such, it is considered that the proposal will be in keeping with the character of the church and streetscape.

#### 4.6 Referrals

The following referrals were required:

##### **TasRail**

Summary: The application should have been referred to TasRail as the proposed fence was initially located within 50m of the Fingal Line Railway, and because TasRail is a neighbour to the subject site. However, due to a clerical error, TasRail was not notified. TasRail nonetheless became aware of the application on the 24th of September and contacted Council to:

- a) request clarification of the location of the fence so they could better understand any interface between the development and TasRail land;
- b) to request that conditions be placed on a potential permit to the application that prevents development on land, which due to an anomaly with lot titles, showed part of the subject title within the Fingal Line Railway; and





c) to request that TasRail Standard Notes be included with any potential planning permit.

The applicant was asked to provide clarification of the location of the fence, and confirmed that the portion of the fence along the eastern boundary of the property would extend approximately 70m from the south-eastern corner of the property. As such, the fence will not be within 50m of the Fingal Line Railway, and TasRail's request to have a permit conditioned, or that Standard Notes be included with a permit were retracted.

#### 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 Advisor

Summary:

Council's Heritage Advisor reviewed the application on 15/09/2021, and advised that the proposal will have a positive impact on the streetscape of Avoca; that he does not object to the works; and that he notes the Tasmanian Heritage Council have issued an exemption certificate for the works.

#### 4.7 Planning Scheme Assessment

COMMUNITY PURPOSE ZONE
ZONE PURPOSE
<p><i>17.1 Zone Purpose</i></p> <p><i>17.1.1 Zone Purpose Statements</i></p> <p><i>17.1.1.1 To provide for key community facilities and services where those facilities and services are not appropriate for inclusion as an associated activity within another zone.</i></p> <p><i>17.1.1.2 To provide for a range of health, educational, government, cultural and social facilities to serve the function of settlements and local communities.</i></p> <p><i>17.1.2 Local Area Objectives</i></p> <p><i>To manage development in the Community purpose zone as part of or context to the Heritage Precincts in the towns and villages.</i></p> <p><i>To ensure developments within street reservations contribute positively to the context of the Heritage Precincts in each settlement.</i></p> <p><i>17.1.3 Desired Future Character Statements</i></p> <p><i>There are no desired future character statements</i></p> <p>Assessment: The proposal meets the zone purpose.</p>

#### 17.3 Use Standards

##### 17.3.1 Zone Character

Not applicable

##### 17.3.2 Amenity

Not applicable

#### 17.4 Development Standards

##### 17.4.1 Building Design and Siting

Not applicable

##### 17.4.2 Subdivision

Not applicable





CODES		
E1.0	BUSHFIRE PRONE AREAS CODE	N/a
E2.0	POTENTIALLY CONTAMINATED LAND	N/a
E3.0	LANDSLIP CODE	N/a
E4.0	ROAD AND RAILWAY ASSETS CODE	N/a
E.5.0	FLOOD PRONE AREAS CODE	N/a
E6.0	CAR PARKING AND SUSTAINABLE TRANSPORT CODE	Complies – See Code assessment below
E7.0	SCENIC MANAGEMENT CODE	N/a
E8.0	BIODIVERSITY CODE	N/a
E9.0	WATER QUALITY CODE	N/a
E10.0	RECREATION AND OPEN SPACE CODE	N/a
E11.0	ENVIRONMENTAL IMPACTS & ATTENUATION CODE	N/a
E12.0	AIRPORTS IMPACT MANAGEMENT CODE	N/a
E13.0	LOCAL HISTORIC HERITAGE CODE	Complies – See Code assessment below
E14.0	COASTAL CODE	N/a
E15.0	SIGNS CODE	N/a

**ASSESSMENT AGAINST E6  
(CAR PARKING & SUSTAINABLE TRANSPORT CODE)**

Whilst the Car Parking & Sustainable Transport Code applies to all use and development, as the proposal is for the construction of a boundary fence, gates, and landscaping only, and because there will be no intensification of the use of the site as a result of the development, it is considered that no provision of the Code will apply to the proposed development.

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

***E13.5 Use Standards***

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

Not applicable

***E13.6 Development Standards***

***E13.6.1 Demolition***

Not applicable

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

Not applicable

***E13.6.3 Site Cover***

Not applicable

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

Not applicable

***E13.6.5 Fences***

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

Acceptable Solutions	Comment
A1	P1



New fences must be in accordance with the acceptable development criteria for fence type and materials within a precinct identified in Table E13.1: Heritage Precincts, if any.	<p>New fences must:</p> <ul style="list-style-type: none"> <li>a) Be designed to be complementary to the architectural style of the dominant buildings on the site or</li> <li>b) Be consistent with the dominant fencing style in the heritage precinct;</li> <li>c) And not detract from meeting the management objectives of the precinct identified in Table E13.1: Heritage Precincts, if any.</li> </ul>
N/A	<p>Complies</p> <p>The proposed fence will consist of post, star picket, and wire, and will have a height of 1.2m. A hedge will be planted along the inside boundary of the fence, which is intended to grow to encompass the fence. The fence will be managed to a height of 1.5m.</p> <p>Black galvanised steel and cast iron gates will be at the property access points, and will be replaced at a later date with timber gates to be located at vehicle access points, which will be constructed in accordance with the details granted exemption under the Historical Cultural Heritage Act 1995 in Exemption No. 3501 dated 19/07/2021.</p> <p>The proposal has been referred to Council's Heritage Advisor, who advised that the proposal will have a positive impact on the streetscape of Avoca; that he does not object to the works; and that he notes the Tasmanian Heritage Council have issued an exemption certificate for the works.</p> <p>It is considered that the proposal complies with provision a) of the Performance Criteria.</p> <p>Provisions b) and c) do not apply.</p>

**E13.6.6 Roof Form and Materials**

Not applicable

**E13.6.7 Wall materials**

Not applicable

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

Not applicable

**E13.6.9 Outbuildings and Structures**

Not applicable

**E13.6.10 Access Strips and Parking**

Not applicable

**E13.6.11 Places of Archaeological Significance**

Not applicable

**E13.6.12 Tree and Vegetation Removal**

Not applicable

**E13.6.13 Signage**

Not applicable

**E13.6.14 Maintenance and Repair**



Not applicable

**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
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

**OBJECTIVES OF LAND USE PLANNING & APPROVALS ACT 1993**

The proposal is consistent with the objectives of the *Land Use Planning & Approvals Act 1993*.

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

Consistency with Performance Criteria a) of Clause E13.6.5 Fences.

The planning assessment concludes that the proposed fence is consistent with the provision a) of the Clause, and refers to the advice received from Council's Heritage Advisor.

**8 ATTACHMENTS**

- Application & plans
- Responses from referral agencies
- Representations

**RECOMMENDATION**

That the proposed construction of a fence and gates, and landscaping at 9 Falmouth Street, Avoca be approved in accordance with application PLN-21-0206 and subject to the following conditions:

- 1) Materials, style, and layout not altered



The use and development shall be in accordance with the details provided in the Exemption Certificate Application made to the Tasmanian Heritage Council, which was granted a Certificate of Exemption (Exemption no. 3501) from the *Historical Cultural Heritage Act 1995* on 19/07/2021, including details of the materials, dimensions, and proposed landscaping; and

The location of fencing shall be as depicted in the figures included in an email sent to the applicant on the 5<sup>th</sup> of October 2021, and confirmed by the applicant in an email dated 6<sup>th</sup> of October 2021. The fence will be located along the southern (frontage) boundary, and along the eastern (secondary frontage) boundary for a length of approximately 70m, where it will meet with the existing post and wire fence located north/north-east of the church.



## 14.2 PLN21-0229: 71-73 HIGH STREET, CAMPBELL TOWN

*File:* 302300.82; PLN21-0229  
*Responsible Officer:* Des Jennings, General Manager  
*Report prepared by:* Paul Godier, Senior Planner

### 1 INTRODUCTION

This report assesses an application for 71-73 High Street, Campbell Town to construct a new building containing formal and informal meeting areas, food preparation and service facilities, a multi-purpose room, church administration offices and amenities, and alterations to existing church building, and provision for vehicle access and parking.

### 2 BACKGROUND

**Applicant:**

1+2 Architecture Pty Ltd

**Zone:**

Community Purpose Zone

**Classification under the Scheme:**

Community meeting & entertainment

**Deemed Approval Date:**

19 November 2021

**Owner:**

The Trustees of the Diocese of Tasmania

**Codes:**

Road and Railway Assets Code

Car Parking and Sustainable Transport Code

Local Historic Heritage Code

**Existing Use:**

Community meeting & entertainment

**Recommendation:**

Approve

**Discretionary Aspects of the Application:**

- Reliance on the performance criteria of the Road and Railway Assets Code.
- Reliance on the performance criteria of the Car Parking and Sustainable Transport Code.
- Reliance on performance criteria of the Local Historic Heritage Code.
- Reliance on performance criteria of the Heritage Precincts Specific Area Plan.

**Planning Instrument:**

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

**Preliminary Discussion**

Prior to the application being placed on public exhibition, further information was requested from the applicant in relation to location, capacity and connection points of existing and proposed water, sewer and stormwater services.

***Subject site from High Street***



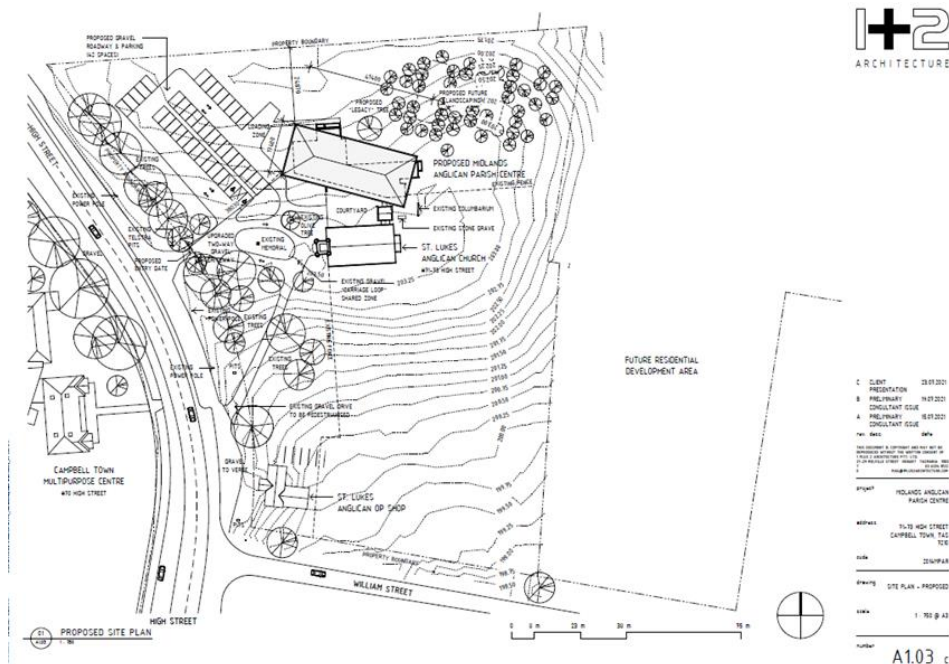
### 3 STATUTORY REQUIREMENTS

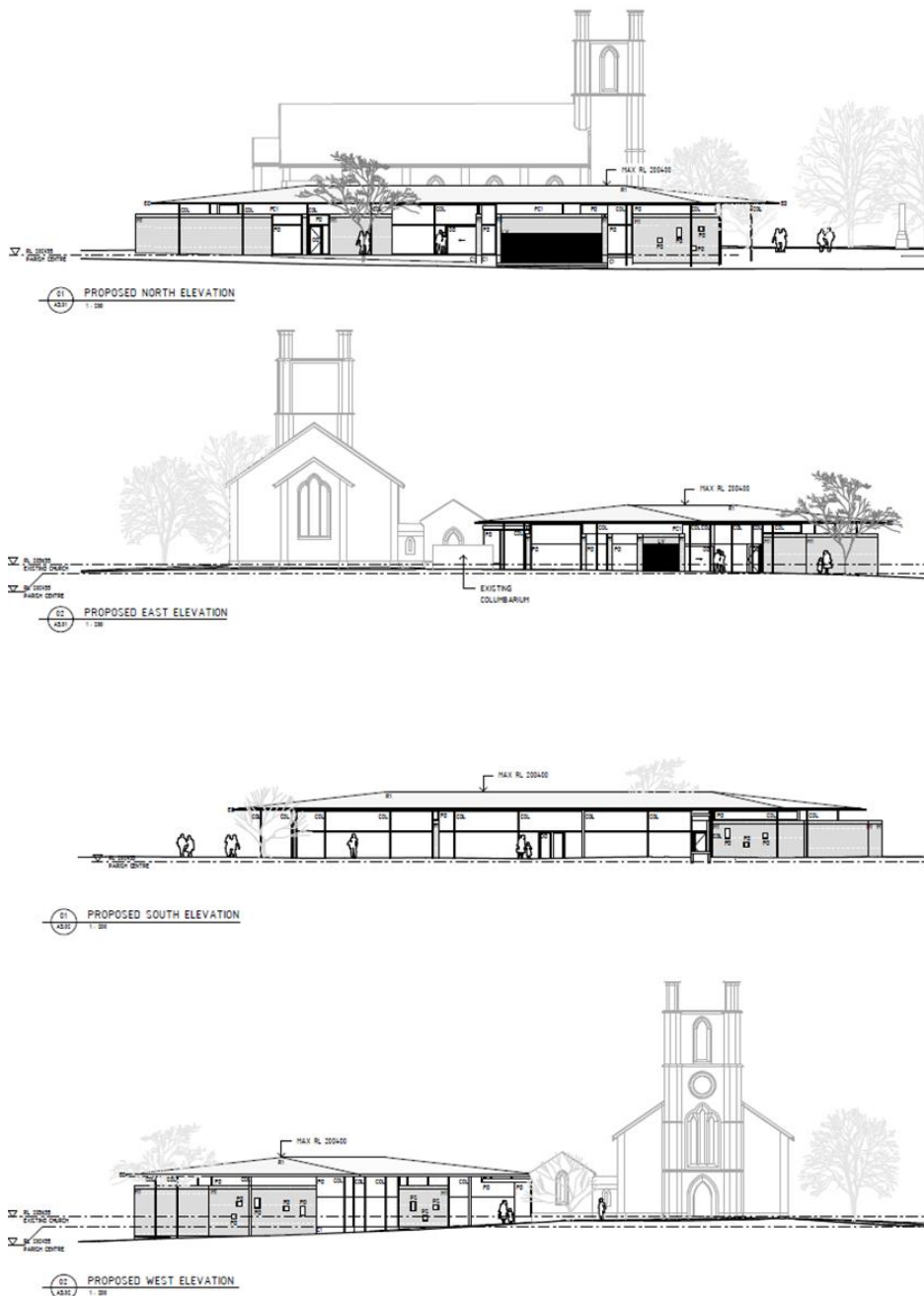
The proposal is an application pursuant to section 57 of the *Land Use Planning & Approvals Act 1993* (i.e. a discretionary application). Section 48 of the *Land Use Planning & Approvals Act 1993* requires the Planning Authority to observe and enforce the observance of the Planning Scheme. Section 51 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 new building a new building containing formal and informal meeting areas, food preparation and service facilities, a multi-purpose room, church administration offices and amenities, and alterations to existing church building, and provision for vehicle access and parking.





#### 4.2 Zone and Land Use

Zone Map – Community Purpose Zone, Heritage Precinct, Heritage Listed Property.





The land is zoned Community Purpose Zone, and is a heritage listed place within the Heritage Precinct of Campbell Town.

The relevant Planning Scheme definition is:

<i>Community meeting and entertainment</i>	<i>use of land for social, religious and cultural activities, entertainment and meetings. Examples include an art and craft centre, church, cinema, civic centre, function centre, library, museum, public art gallery, public hall and theatre.</i>
--	--

Community meeting & entertainment is Permitted (with permit) in the zone, however as the proposal relies upon assessment against performance criteria the application is Discretionary.

#### 4.3 Subject Site and Locality

The author of this report carried out a site visit on 8 November 2021. The site contains a church building, cemetery and op shop. It adjoins a recreation ground to the north and is opposite houses to the south. The Campbell Town Health and Community Service is over High Street and the Town Hall is over William Street.





**Aerial photograph of area - subject title outlined in red, representors' property highlighted in red**



^ Subject site from High Street



^Subject site from East Street



^Subject site from Pedder Street



^Subject site from William Street



#### 4.4 Permit/Site History

Relevant permit history includes:

- Unknown 1961 (C/Town 28) – alteration/addition (toilet block)
- PLN18-0320 – crossover and sign
- PLN21-0246 – 2 lot subdivision (current application)
- PLN21-0247 – multiple dwellings (21) (current application)

#### 4.5 Referrals

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

Council's Engineering Officer, Jonathan Galbraith, advised of no Works Department conditions on this proposal.

##### **TasWater**

Taswater issued a Submission to Planning Authority Notice on 30/09/2021 (Taswater Ref: TWDA 2021/01636-NMC).

##### **Heritage Advisor**

Council's Heritage Advisor, David Denman, reviewed the application on the 8 October 2021. Mr Denman noted that he had no objections to the proposal and his comments form the Heritage Code assessment of this report. Mr Denman further states the following:

*The proposed new development has been guided by a detailed Conservation Management Plan and carefully considered commensurate with the high heritage value of the existing church building and site.*

*The development is a respectful response to the existing historic buildings and landscape and will make a positive contribution to the long-term use and maintenance of the place.*

##### **Tasmanian Heritage Council**

A Notice of Heritage Decision was issued on 2 November 2021 (Ref: 15-00-25THC) and includes conditions regarding new openings into the heritage masonry and landscaping plans. The Planning Permit will condition the development to be in accordance with the Notice of Heritage Decision.

##### **Department of State Growth**

Summary:

The Department advised they accepted the recommendations of the supplied Traffic Impact Assessment and did not object to the proposal however wished to impose conditions on the permit. Their response has formed conditions in the recommendation.

##### **TasRail**

The application was referred to TasRail as part of the title is within 50m of the railway corridor. TasRail advised the following on 4 October 2021:

*We have received the available documentation and make the following comments:*

*TasRail is concerned by the absence of information related to stormwater discharge/other run-off. TasRail suspects the intent is for stormwater run-off to discharge into the existing open swale drain and although not shown in full on the plans submitted, we suspect this is the existing open drain that runs under the road, through an existing culvert and discharging into TasRail's open drain.*

*TasRail draws NMC Planning to the attached email trail between Gandy & Roberts which confirms TasRail's view that the existing culvert is undersized for the current water loading. It should be noted that standing water represents a significant risk to the railway formation and track assets with high potential to cause a derailment.*

*TasRail is therefore requesting more details about intentions for stormwater to support this application as well as for the planned future development of the site as shown on the submitted documents. The existing open railway drain was not designed to take residential urban run-off and therefore TasRail is concerned to ensure the current situation is not exacerbated. TasRail strongly recommends that future development of this land be subject to the 3<sup>rd</sup> party or Council funding upgrade of the existing culvert given the cost to design, procure and construct such works will be substantial.*

**Planner's comment:** Stormwater will discharge into the existing system which flows to East Street and then to the railway culvert. The development is at least 150m from the culvert. A separate application for dwellings closer to the culvert is being assessed for its impact on the culvert.

*TasRail also requests that a copy of the attached TasRail Standard Notes be provided to the applicant to inform about matters relevant to developing/residing/operating on land adjoining an operational rail corridor.*

**Planner's comment:** The standard notes are not applicable to this application and should not be included in the permit





#### 4.6 Planning Scheme Assessment

COMMUNITY PURPOSE ZONE
ZONE PURPOSE
<p><i>17.1.1 Zone Purpose Statements</i></p> <p><i>17.1.1.1 To provide for key community facilities and services where those facilities and services are not appropriate for inclusion as an associated activity within another zone.</i></p> <p><i>17.1.1.2 To provide for a range of health, educational, government, cultural and social facilities to serve the function of settlements and local communities.</i></p>
<p><b>Assessment:</b> The proposal complies with the zone purpose.</p>

LOCAL AREA OBJECTIVES
<p><i>To manage development in the Community purpose zone as part of or context to the Heritage Precincts in the towns and villages.</i></p> <p><i>To ensure developments within street reservations contribute positively to the context of the Heritage Precincts in each settlement.</i></p>
<p><b>Assessment:</b> The proposal complies with the local area objectives.</p>

USE AND DEVELOPMENT STANDARDS
-------------------------------

#### 17.3 Use Standards

##### 17.3.1 Zone Character

Objective To ensure that all uses accord with the objectives for the zone or a community facility.	
Acceptable Solutions	Performance Criteria
A1 Storage of materials or equipment external to a building must not be visible from the road to which the lot has frontage.	P1 Storage of materials or equipment does not visually detract from the character of the area.
The proposal complies. Any storage of material or equipment will be within the building.	N/a
A2 Commercial vehicles for discretionary uses must be parked within the boundary of the property.	P2 No performance criteria.
N/a	N/a

##### 17.3.2 Amenity

Objective To ensure that the use of land is not detrimental to the amenity of surrounding residential areas in terms of noise, emissions, operating hours or transport/traffic.	
Acceptable Solutions	Performance Criteria
A1 For development within 20m of a residential zone, the operating hours of the use must be between 7.00am and 7.00pm Monday to Friday and 8.00am to 6pm Saturday and Sunday.	P1 The operating hours must not cause or be likely to cause an environmental nuisance through emissions including noise and traffic movement and illumination.



The part of the development that is within 20m of a residential zone are buffer plantings along the cemetery and a proposed orchard.	It is considered that the proposed development within 20m of a residential zone - buffer plantings along the cemetery and a proposed orchard – is not likely to cause an environmental nuisance.
--	--

#### 17.4 Development Standards

##### 17.4.1 Building Design and Siting

<p>Objective</p> <p>To ensure that the siting and design of development;</p> <p>a) protects the amenity of surrounding uses; and</p> <p>b) furthers the local area objectives and desired future character statements, if any.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 Building height must not exceed 8m.</p>	<p>P1.1 Building height must:</p> <p>a) be unobtrusive and must not dominate the character of the surrounding landscape and streetscape; or</p> <p>b) respond to the site context and the local area objectives, if any, for the provision of community uses; and</p> <p>P1.2 Building height must protect the amenity of adjoining sensitive uses from the impacts of unreasonable overshadowing and overlooking by providing separation that is appropriate for the use, having regard to:</p> <p>i) the form of the building; and</p> <p>ii) the contours or slope of the land; and</p> <p>iii) existing screening or the ability to implement/establish screening.</p>
Complies with A1. The proposed development is a maximum of 5.5m in height.	N/a
<p>A2 Buildings must be set back from the frontage a minimum distance of 5m or for infill lots, within the range of the front setbacks of buildings on adjoining lots, indicated by the hatched section in Figure 17.4.1 below.</p> <p><b>Figure 17.4.1 – Front Setback for Infill Lots</b></p>	<p>P2 Building frontage setbacks must:</p> <p>a) be unobtrusive and must not dominate the character of the surrounding landscape and streetscape; or</p> <p>b) respond to the site context and the local area objectives, if any, for the provision of community uses.</p>
Complies with A2. The proposed development is to be located at least 38m from the frontage with High Street.	N/a
<p>A3 Buildings must be set back from the side and rear boundaries a minimum distance of 3m.</p>	<p>P3 Side and rear building setbacks must:</p> <p>a) protect the amenity of adjoining sensitive uses from the impacts of unreasonable overshadowing and overlooking by providing separation that is appropriate for the use; and</p> <p>b) have regard to:</p> <p>i) the form of the building; and</p>



	ii) the contours or slope of the land; and iii) existing screening or the ability to implement/establish screening.
Complies with A3. The development is to be located at least 24.8m from the closest boundary.	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	N/a
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 – no signage is proposed with this application.

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

##### E4.6 Use Standards

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

<b>Objective</b> To ensure that the safety and efficiency of road and rail infrastructure is not reduced by the creation of new accesses and junctions or increased use of existing accesses and junctions.	
Acceptable Solutions	Performance Criteria
A1 Sensitive use on or within 50m of a category 1 or 2 road, in an area subject to a speed limit of more than 60km/h, a railway or future road or railway must not result in an increase to the annual average daily traffic (AADT) movements to or from the site by more than 10%.	P1 Sensitive use on or within 50m of a category 1 or 2 road, in an area subject to a speed limit of more than 60km/h, a railway or future road or railway must demonstrate that the safe and efficient operation of the infrastructure will not be detrimentally affected.
N/a	N/a
A2 For roads with a speed limit of 60km/h or less the use must not generate more than a total of 40 vehicle entry and exit movements per day	P2 For roads with a speed limit of 60km/h or less, the level of use, number, location, layout and design of accesses and junctions must maintain an acceptable level of safety for all road users, including pedestrians and cyclists.
Relies on the performance criteria.	The supplied Traffic Impact Assessment, prepared by Howarth Fisher and Associates, 22 <sup>nd</sup> August 2021 finds that: The development will generate an estimated 45 additional trips. These will typically occur outside the peak hour, given the hall will most likely be used for community functions and community groups which would meet during the interpeak period or during the evenings. No new access is proposed as part of the proposal, however there will be a rationalisation of access use at the site.



	Complies with P2.
A3 For roads with a speed limit of more than 60km/h the use must not increase the annual average daily traffic (AADT) movements at the existing access or junction by more than 10%.	P3 For limited access roads and roads with a speed limit of more than 60km/h: a) access to a category 1 road or limited access road must only be via an existing access or junction or the use or development must provide a significant social and economic benefit to the State or region; and b) any increase in use of an existing access or junction or development of a new access or junction to a limited access road or a category 1, 2 or 3 road must be for a use that is dependent on the site for its unique resources, characteristics or locational attributes and an alternate site or access to a category 4 or 5 road is not practicable; and c) an access or junction which is increased in use or is a new access or junction must be designed and located to maintain an adequate level of safety and efficiency for all road users.
N/a	N/a

#### E4.7 Development Standards

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

<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
A1 The following must be at least 50m from a railway, a future road or railway, and a category 1 or 2 road in an area subject to a speed limit of more than 60km/h: a) new road works, buildings, additions and extensions, earthworks and landscaping works; and b) building areas on new lots; and c) outdoor sitting, entertainment and children's play areas	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: 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.
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



A1 For roads with a speed limit of 60km/h or less the development must include only one access providing both entry and exit, or two accesses providing separate entry and exit.	P1 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.
N/a. No new access proposed as part of this application. Two accesses will remain.	N/a
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

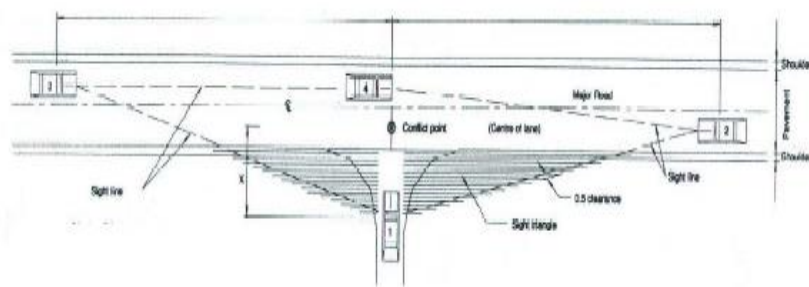
Objective To ensure that the safety and the efficiency of a railway is not unreasonably reduced by access across the railway.	
Acceptable Solutions	Performance Criteria
A1 Where land has access across a railway: a) development does not include a level crossing; or b) development does not result in a 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



<p>A1 Sight distances at</p> <p>a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.7.4; and</p> <p>b) rail level crossings must comply with <i>AS1742.7 Manual of uniform traffic control devices - Railway crossings</i>, Standards Association of Australia; or</p> <p>c) If the access is a temporary access, the written consent of the relevant authority has been obtained.</p>	<p>P1 The design, layout and location of an access, junction or rail level crossing must provide adequate sight distances to ensure the safe movement of vehicles.</p>
<p>Complies with A1 – the supplied traffic impact assessment, prepared by Howarth Fisher and Associates, 22<sup>nd</sup> August 2021, notes sight distances at the northern access to the site to be 200+ metres to the north and 125 metres to the south.</p> <p>At the southern access to the site the sight distances greater than 200 metres to the north exists and a distance greater than 200 metres to the south exists.</p>	<p>N/a</p>



**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)	
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: <ul style="list-style-type: none"> <li>a) Table E6.1; or</li> <li>b) a parking precinct plan contained in Table E6.6: Precinct Parking Plans (except for dwellings in the General Residential Zone).</li> </ul>	P1 The number of car parking spaces provided must have regard to: <ul style="list-style-type: none"> <li>a) the provisions of any relevant location specific car parking plan; and</li> <li>b) the availability of public car parking spaces within reasonable walking distance; and</li> <li>c) any reduction in demand due to sharing of spaces by multiple uses either because of variations in peak demand or by efficiencies gained by consolidation; and</li> <li>d) the availability and frequency of public transport within reasonable walking distance of the site; and</li> <li>e) site constraints such as existing buildings, slope, drainage, vegetation and landscaping; and</li> <li>f) the availability, accessibility and safety of on-road parking, having regard to the nature of the roads, traffic management and other uses in the vicinity; and</li> <li>g) an empirical assessment of the car parking demand; and</li> <li>h) the effect on streetscape, amenity and vehicle, pedestrian and cycle safety and convenience; and</li> <li>i) the recommendations of a traffic impact assessment prepared for the proposal; and</li> <li>j) any heritage values of the site; and</li> <li>k) for residential buildings and multiple dwellings, whether parking is adequate to meet the needs of the residents having regard to: <ul style="list-style-type: none"> <li>i) the size of the dwelling and the number of bedrooms; and</li> <li>ii) the pattern of parking in the locality; and</li> <li>iii) any existing structure on the land.</li> </ul> </li> </ul>	
55 spaces required for the site, 42 proposed.	The applicant's traffic impact assessment considers these matters and finds that the performance criteria is satisfied.	

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

Use	Parking Requirement	
	Vehicle	Bicycle
<b>Residential:</b>		



<b>Community meeting and entertainment:</b> (art gallery, church, conference centre, dancing school, exhibition centre, library, cinema, theatre, function centre, hall, indoor recreation, gymnasium, cemetery, crematorium)	1 space per 20m <sup>2</sup> of public area or 1 space per 4 seats whichever is greater	1 space per 50m <sup>2</sup> net floor area or 1 space per 40 seats whichever is greater
<b>Spaces required</b>	55 spaces required for the site, 42 proposed.	5 spaces required for the proposed use and development.

#### 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 A1.2 The number of spaces must be in accordance with a parking precinct plan contained in Table E6.6: Precinct Parking Plans.	P1 Permanently accessible bicycle parking or storage spaces must be provided having regard to the: 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.	
5 spaces required.	N/a	

#### 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.	
One taxi space proposed at the front door to the church within the turning circle.	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.	
Two spaces proposed.	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: a) formed to an adequate level and drained; and	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	



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.	conditions.
Does not comply.	It is proposed to use compacted crushed gravel, water permeable surface for paths and accessible bays. Geo web has been proposed for the remainder of the car park and service bay. The proposal complies with the performance criteria.

#### 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.
Does not comply with A1.1.	Satisfies the performance criteria – given screening provided by vegetation, car parking and manoeuvring spaces will not be detrimental to the streetscape or the amenity of the surrounding areas.
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 AS 2890.1 - 2004 Parking Facilities, Part 1: Off Road Car Parking</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.
Complies. Complies.	N/a

**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)
21 and over	5.5m	Not applicable

#### 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: a) secured and lit so that unauthorised	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:



persons cannot enter or; b) visible from buildings on or adjacent to the site during the times when parking occurs.	a) levels of activity within the vicinity; and b) opportunities for passive surveillance for users of adjacent building and public spaces adjoining the site.
Does not comply.	The location of the car parking is such that it satisfies the performance criteria.

#### 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.
Complies with A1 – located adjacent to Café.	N/a
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: Condition required.	

#### E6.7.6 Loading and Unloading of Vehicles, Drop-off and Pickup

Objective: To ensure adequate access for people and goods delivery and collection and to prevent loss of amenity and adverse impacts on traffic flows.	
Acceptable Solutions	Performance Criteria
A1 For retail, commercial, industrial, service industry or warehouse or storage uses: a) at least one loading bay must be provided in accordance with Table E6.4; and b) loading and bus bays and access strips must be designed in accordance with <i>Australian Standard AS/NZS 2890.3 2002</i> for the type of vehicles that will use the site.	P1 For retail, commercial, industrial, service industry or warehouse or storage uses adequate space must be provided for loading and unloading the type of vehicles associated with delivering and collecting people and goods where these are expected on a regular basis.
Comment: Complies – loading bay proposed.	N/a

#### E6.8 Provisions for Sustainable Transport

##### E6.8.1 Bicycle End of Trip Facilities

Not used in this planning scheme

##### E6.8.2 Bicycle Parking Access, Safety and Security

Objective: To ensure that parking and storage facilities for bicycles are safe, secure and convenient.	
Acceptable Solutions	Performance Criteria
A1.1 Bicycle parking spaces for customers and visitors must: a) be accessible from a road, footpath or cycle track; and b) include a rail or hoop to lock a bicycle to that meets <i>Australian Standard AS 2890.3 1993</i> ; and c) be located within 50m of and visible or signposted from the	P1 Bicycle parking spaces must be safe, secure, convenient and located where they will encourage use.



entrance to the activity they serve; and d) be available and adequately lit in accordance with <i>Australian Standard AS/NZS 1158 2005 Lighting Category C2</i> during the times they will be used; and A1.2 Parking space for residents' and employees' bicycles must be under cover and capable of being secured by lock or bicycle lock.	
Condition required.	N/a
A2 Bicycle parking spaces must have: a) minimum dimensions of: i) 1.7m in length; and ii) 1.2m in height; and iii) 0.7m in width at the handlebars; and b) unobstructed access with a width of at least 2m and a gradient of no more 5% from a public area where cycling is allowed.	P2 Bicycle parking spaces and access must be of dimensions that provide for their convenient, safe and efficient use.
Condition required.	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.
Comment: Complies with P1. Pedestrian path provided between the two central parking spaces.	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.

#### Assessment by Council's Heritage Adviser against E13.0 Local Historic Heritage Code

##### E13.1 Purpose

E13.1.1 The purpose of this provision is to:

- a) protect and enhance the historic cultural heritage significance of local heritage places and heritage precincts; and
- b) encourage and facilitate the continued use of these items for beneficial purposes; and
- c) discourage the deterioration, demolition or removal of buildings and items of assessed heritage significance; and
- d) ensure that new use and development is undertaken in a manner that is sympathetic to, and does not detract from, the cultural significance of the land, buildings and items and their settings; and



- e) conserve specifically identified heritage places by allowing a use that otherwise may be prohibited if this will demonstratively assist in conserving that place

### **E13.2 Application of the Code**

E13.2.1 This code applies to use or development of land that is:

- a) within a Heritage Precinct;
- b) a local heritage place;
- c) a place of identified archaeological significance.

### **E13.3 Use or Development Exempt from this Code**

E13.3.1 The following use or development is exempt from this code:

- a) works required to comply with an Emergency Order issued under Section 162 of the Building Act 2000;
- b) electricity, optic fibre and telecommunication cables and gas lines to individual buildings;
- c) internal alterations to buildings if the interior is not included in the historic heritage significance of the place or precinct;
- d) maintenance and repairs that do not involve removal, replacement or concealment of any external building fabric;
- e) repainting of an exterior surface that has been previously painted, in a colour similar to that existing;
- f) the planting, clearing or modification of vegetation for safety reasons where the work is required for the removal of dead, or treatment of disease, or required to remove unacceptable risk to the public or private safety, or where vegetation is causing or threatening to cause damage to a building or structure; and
- g) the maintenance of gardens, unless there is a specific listing for the garden in Table E13.1 or Table E13.2.

Comment: The subject site is within a Heritage Precinct. The subject place is heritage listed.

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

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

*Objective: To ensure that the use of heritage buildings provides for their conservation.*

<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
A1 No acceptable solution.	P1 Notwithstanding Clause 8.9, a permit may be granted for any use of a locally listed heritage place where: <ul style="list-style-type: none"><li>a) it can be demonstrated that the proposed use will not adversely impact on the significance of a heritage place; and</li><li>b) the amenity impacts of both the proposed use on the surrounding areas and from the surrounding area on the proposed use are considered acceptable; and</li><li>c) a report by heritage professional states that it is necessary for conservation purposes or the continued maintenance of the building or where there is an overriding public benefit.</li></ul>

Comment: Satisfies the performance criteria.

### **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.*

<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
A1 Removal of non-original cladding to expose original cladding.	P1.1 Existing buildings, parts of buildings and structures must be retained except: <ul style="list-style-type: none"><li>a) where the physical condition of place makes restoration inconsistent with maintaining the cultural significance of a place in the long term; or</li><li>b) the demolition is necessary to secure the long-term future of a building or structure through renovation, reconstruction or rebuilding; or</li><li>c) there are overriding environmental, economic considerations in terms of the building or practical considerations for its removal, either wholly or in part; or</li></ul>





	<p>d) the building is identified as non-contributory within a precinct identified in Table E13.1: Heritage Precincts, if any; and</p> <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>
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Comment: There is only two small areas of demolition to a later addition to the church building. The fabric affected has moderate heritage value and is therefore considered acceptable.

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

**Objective:** 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.

<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
A1 No acceptable solution.	<p>P1 Subdivision must:</p> <p>a) be consistent with and reflect the historic development pattern of the precinct or area; and</p> <p>b) not facilitate buildings or a building pattern unsympathetic to the character or layout of buildings and lots in the area; and</p> <p>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</p> <p>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</p> <p>e) not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.</p>

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.

<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
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> <p>a) be appropriate to maintaining the character and appearance of the building or place, and the appearance of adjacent buildings and the area; and</p> <p>b) not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.</p>

Comment: The thorough site analysis based on the Conservation Management Plan has determined the site cover and location of the new additions, to ensure the existing character and appearance of the heritage buildings are maintained.

#### **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.

<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
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:</p>





*Heritage Precincts, if any.*

Comment: The height and bulk of the proposed additions have been designed to ensure the importance, character and appearance of the existing heritage buildings are not adversely impacted.

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

*Objective: To ensure that fences 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.*

<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
A1 New fences must be in accordance with the acceptable development criteria for fence type and materials within a precinct identified in Table E13.1: Heritage Precincts, if any.	<p>P1 New fences must:</p> <p>a) be designed to be complementary to the architectural style of the dominant buildings on the site or</p> <p>b) be consistent with the dominant fencing style in the heritage precinct; and</p> <p>c) 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.

#### **E13.6.6 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.*

<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
A1 Roof form and materials must be in accordance with the acceptable development criteria for roof form and materials within a precinct identified in Table E13.1: Heritage Precincts, if any.	<p>P1 Roof form and materials for new buildings and structures must:</p> <p>a) be sympathetic to the historic heritage significance, design and period of construction of the dominant existing buildings on the site; and</p> <p>b) not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.</p>

Comment: The simple hipped roof form is a low-pitched contemporary design that will respect the historic heritage significance, design and period of construction of the existing church.

#### **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.*

<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
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.	<p>P1 Wall material for new buildings and structures must:</p> <p>a) be complementary to wall materials of the dominant buildings on the site or in the precinct; and</p> <p>b) not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.</p>

Comment: The red brick walls will complement the existing church.

#### **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.*

<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
A1 New buildings and structures must be in accordance with the acceptable development criteria for setbacks of buildings	<p>P1 The front setback for new buildings or structure must:</p> <p>a) be consistent with the setback of surrounding buildings; and</p> <p>b) be set at a distance that does not detract from the historic heritage</p>



<i>and structures to the road within a precinct identified in Table E13.1: Heritage Precincts, if any.</i>	<i>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.</i>
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Comment: The thorough site analysis based on the Conservation Management Plan has determined the siting of the proposed additions and car park. They are set at a distance that does not detract from the historic heritage significance of the place.

#### **E13.6.9 Outbuildings and Structures**

<i>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.</i>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p>A1 Outbuildings and structures must be:</p> <p>a) set back an equal or greater distance from the principal frontage than the principal buildings on the site; and</p> <p>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.</p>	<p>P1 New outbuildings and structures must be designed and located;</p> <p>a) to be subservient to the primary buildings on the site; and</p> <p>b) to not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.</p>

Comment: N/a

#### **E13.6.10 Access Strips and Parking**

<i>Objective: To ensure that access and parking does not detract from the historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts.</i>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p>A1 Car parking areas for non-residential purposes must be:</p> <p>a) located behind the primary buildings on the site; or</p> <p>b) in accordance with the acceptable development criteria for access and parking as within a precinct identified in Table 1: Heritage Precincts, if any.</p>	<p>P1 Car parking areas for non-residential purposes must not:</p> <p>a) result in the loss of building fabric or the removal of gardens or vegetated areas where this would be detrimental to the setting of a building or its historic heritage significance; and</p> <p>b) detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.</p>

Comment: The thorough site analysis based on the Conservation Management Plan has determined the location of the proposed car park and will not be detrimental to the setting of the building or its historic heritage significance.

#### **E13.6.11 Places of Archaeological Significance**

<i>Objective: To ensure that places identified in Table E13.3 as having archaeological significance are appropriately managed.</i>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p>A1 No acceptable solution.</p>	<p>P1 For works impacting on places listed in Table E13.3:</p> <p>a) it must be demonstrated that all identified archaeological remains will be identified, recorded and conserved; and</p> <p>b) details of survey, sampling and recording techniques technique be provided; and</p> <p>c) that places of identified historic heritage significance will not be destroyed unless there is no prudent and feasible alternative.</p>

Comment: The proposal allows for the possibility of encountering archaeological remains.

#### **E13.6.12 Tree and Vegetation Removal**

<i>Objective: To ensure that the removal, destruction or lopping of trees or the removal of vegetation does not detract from the</i>
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historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts.

Acceptable Solutions	Performance Criteria
A1 No acceptable solution.	<p>P1 The removal of vegetation must not:</p> <p>a) unreasonably impact on the historic cultural significance of the place; and</p> <p>b) detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.</p>

Comment: Satisfies the performance criteria.

#### E13.6.13 Signage

*Objective:* To ensure that signage is appropriate to conserve the historic heritage significance of local heritage places and precincts.

Acceptable Solutions	Performance Criteria
A1 Must be a sign identifying the number, use, heritage significance, name or occupation of the owners of the property not greater than 0.2m <sup>2</sup> .	<p>P1 New signs must be of a size and location to ensure that:</p> <p>a) period details, windows, doors and other architectural details are not covered or removed; and</p> <p>b) heritage fabric is not removed or destroyed through attaching signage; and</p> <p>c) the signage does not detract from the setting of a heritage place or does not unreasonably impact on the view of the place from public viewpoints; and</p> <p>d) signage does not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.</p>

Comment: N/a

#### E13.6.14 Maintenance and Repair

*Objective*

To ensure that maintenance and repair of buildings is undertaken to be sympathetic to, and not detract from the [historic cultural heritage significance](#) of local heritage places and precincts.

##### Acceptable Solution

New materials and finishes used in the maintenance and repair of buildings match the materials and finishes that are being replaced.

Comment: This proposal will guarantee the on-going maintenance of the buildings and site.

#### 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><b>CAMPBELL TOWN HERITAGE PRECINCT CHARACTER STATEMENT</b></p> <p>The Campbell Town Heritage Precinct is unique because it is the core of a substantially intact nineteenth century townscape, with its significant built fabric, and its atmosphere of a traditional resting place on the main road between the north and south. Its wide main street, historic buildings and resting places for travellers all contribute to its unique character. High Street has remained as the main commercial focus for the town, continuing to serve the needs of residents, visitors and the agricultural community. The War Memorial to the north marks the approach to the business area which terminates at the historic bridge over the Elizabeth River; a significant landscape feature. Traditional buildings in the Precinct include impressive examples of colonial architecture. The historic Valentine's Park is the original foreground for 'The Grange' and provides a public outdoor resting place for visitors and locals at the heart of the town. Campbell Town'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>



*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.*

**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	Complies – See Specific Area Plan assessment below

#### Assessment by Council's Heritage Adviser against F2.0 Heritage Precincts Specific Area Plan

##### **F2.1 Purpose of Specific Area Plan**

**F2.1.1** In addition to, and consistent with, the purpose of E13.0 Local Historic Heritage Code, the purpose of this Specific Area Plan is to ensure that development makes a **positive contribution to the streetscape** within the Heritage Precincts.

##### **F2.2 Application of Specific Area Plan**

**F2.2.1** This Specific Area Plan applies to those areas of land designated as Heritage Precincts on the Planning Scheme maps.

**F2.2.2** The following development is exempt from this Specific Area Plan:

- a) works required to comply with an Emergency Order issued under section 162 of the Building Act 2000;
- b) electricity, optic fibre and telecommunications cables, and water, sewerage, drainage connections and gas lines to individual buildings;
- c) maintenance and repairs that do not involve removal, replacement or concealment of any external building fabric;
- d) repainting of an exterior surface that has been previously painted, in a colour similar to that existing;
- e) the planting, clearing or modification of vegetation for safety reasons where the work is required for the removal of dead wood, or treatment of disease, or required to remove unacceptable risk to the public or private safety, or where vegetation is causing or threatening to cause damage to a building or structure; and
- f) the maintenance of gardens, unless there is a specific listing for the garden in Table E13.1 or Table E13.2.

##### **F2.3 Definitions**

###### **F2.3.1 Streetscape**

For the purpose of this specific area plan 'streetscape' refers to the street reservation and all design elements within it, and that area of a private property from the street reservation; including the whole of the frontage, front setback, building façade, porch or verandah, roof form, and side fences; and includes the front elevation of a garage, carport or outbuilding visible from the street (refer Figure F2.1 and F2.2).

###### **F2.3.2 Heritage-Listed Building**

For the purpose of this Plan 'heritage-listed building' refers to a building listed in Table F2.1 or listed on the Tasmanian Heritage Register.

##### **F2.4 Requirements for Design Statement**

**F2.4.1** In addition to the requirements of clause 8.1.3, a design statement is required in support of the application for any new building, extension, alteration or addition, to ensure that development achieves consistency with the existing streetscape and common built forms that create the character of the streetscape.

**F2.4.2** The design statement must identify and describe, as relevant to the application, setbacks, orientation, scale, roof forms, plan form, verandah styles, conservatories, architectural details, entrances and doors, windows, roof covering, roof plumbing, external wall materials, paint colours, outbuildings, fences and gates within the streetscape. The elements described must be shown to be the basis for the design of any new development.

**F2.4.3** The design statement must address the subject site and the two properties on both sides, the property opposite the subject site and the two properties both sides of that.

##### **F2.5 STANDARDS FOR DEVELOPMENT**

###### **F2.5.1 Setbacks**

**Objective:** To ensure that the predominant front setback of the existing buildings in the streetscape is maintained, and to ensure that the impact of garages and carports on the streetscape is minimised.



<b>Acceptable Solutions &amp; performance criteria</b>	
A1 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>P1 The front setback must be compatible with the historic cultural heritage significance of a local heritage place or precinct, having regard to:</p> <ul style="list-style-type: none"> <li>a) the cultural heritage values of the local heritage place, its setting and the precinct;</li> <li>b) the topography of the site;</li> <li>c) the size, shape, and orientation of the lot;</li> <li>d) the setbacks of other buildings in the surrounding area;</li> <li>e) the historic cultural heritage significance of adjacent places; and</li> <li>f) the streetscape.</li> </ul>
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).	<p>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:</p> <ul style="list-style-type: none"> <li>a) the cultural heritage values of the local heritage place, its setting and the precinct;</li> <li>b) the topography of the site;</li> <li>c) the size, shape, and orientation of the lot;</li> <li>d) the setbacks of other buildings in the surrounding area;</li> <li>e) the historic cultural heritage significance of adjacent places; and</li> <li>f) the streetscape.</li> </ul>
A3 Side setback reductions must be to one boundary only, in order to maintain the appearance of the original streetscape spacing.	<p>P3 Side setbacks must be compatible with the historic cultural heritage significance of a local heritage place or precinct, having regard to:</p> <ul style="list-style-type: none"> <li>a) the cultural heritage values of the local heritage place, its setting and the precinct;</li> <li>b) the topography of the site;</li> <li>c) the size, shape, and orientation of the lot;</li> <li>d) the setbacks of other buildings in the surrounding area;</li> <li>e) the historic cultural heritage significance of adjacent places; and</li> <li>f) the streetscape.</li> </ul>

Comment: The thorough site analysis based on the Conservation Management Plan has determined the siting and setbacks of the proposed additions and car park. They are set at a distance that does not detract from the historic heritage significance of the place.

#### **F2.5.2 Orientation**

*Objective: To ensure that new buildings, extensions, alterations and additions respect the established predominant orientation within the streetscape.*

<b>Acceptable Solutions &amp; performance criteria</b>	
<p>A1 All new buildings, extensions, alterations or additions must be orientated:</p> <ul style="list-style-type: none"> <li>a) perpendicular to the street frontage (refer Figure F2.5, F2.6, &amp; F2.8); or</li> <li>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</li> <li>c) A new building must not be on an angle to an adjoining heritage-listed building (refer Figure F2.5).</li> </ul>	<p>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:</p> <ul style="list-style-type: none"> <li>a) the cultural heritage values of the local heritage place, its setting and the precinct;</li> <li>b) the topography of the site;</li> <li>c) the size, shape, and orientation of the lot;</li> <li>d) the setbacks of other buildings in the surrounding area;</li> <li>e) the historic cultural heritage significance of adjacent places; and</li> <li>f) the streetscape.</li> </ul>

Comment: The orientation of the proposed addition has been guided by the Conservation Management Plan and therefore meets the performance criteria.





### 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 (no performance criteria)

- A1 Single storey developments must have a maximum height from floor level to eaves of 3 metres (refer Figure F2.14).
- 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).
- 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.

**Comment:** The scale of the proposed additions has been guided by the Conservation Management Plan and meets the Acceptable Solutions.

### 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

- |   |  |
|---|--|
| <p>A1.1 The roof form for new buildings, extensions, alterations, and additions must, if visible from the street, be in the form of hip or gable, with a pitch between 25 – 40 degrees (refer Figure F2.14 &amp; F2.18), or match the existing building, and</p> <p>A1.2 Eaves overhang must be a maximum of 300mm excluding guttering, or match the existing building.</p> | <p>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:</p> <ul style="list-style-type: none"> <li>a) the cultural heritage values of the local heritage place, its setting and the precinct;</li> <li>b) the design, period of construction and materials of the dominant building on site;</li> <li>c) the dominant roofing style and materials in the setting; and</li> <li>d) the streetscape.</li> </ul> |
|---|--|
- 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).
- 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.
- A4 Metal cowls must not be used where they will be seen from the street.

**Comment:** The simple hipped roof form is a low-pitched contemporary design that will respect the historic heritage significance, design and period of construction of the existing church.

### F2.5.5 Plan Form

**Objective:** To ensure that new buildings, alterations, additions and extensions respect the setting, original plan form, shape and scale of the existing main building on the site or of adjoining heritage-listed buildings.

#### Acceptable Solutions

- 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.
- A2 The plan form of new buildings must be rectilinear (refer Figure F2.9).

#### Performance Criteria

- Original main buildings must remain visually dominant over any additions when viewed from public spaces.
- P2 No performance criteria

**Comment:** The plan form of the proposed additions has been guided by the Conservation Management Plan and meets the Performance Criteria.



#### F2.5.6 External Walls

**Objective:** To ensure that wall materials used are compatible with the streetscape.

Acceptable Solutions	Performance Criteria
<p>A1.1 Materials used in additions must match those of the existing construction, except in additions to <b>stone or brick</b> buildings; and</p> <p>A1.2 External walls must be clad in:</p> <p>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</p> <p>b) brickwork, with mortar of a natural colour and struck flush with the brickwork (must not be deeply raked), including:</p> <ul style="list-style-type: none"> <li>• painted standard size bricks; or</li> <li>• standard size natural clay bricks that blend with the colour and size of the traditional local bricks; or</li> <li>• standard brickwork rendered in traditional style; or</li> <li>• if a heritage-listed building, second-hand traditional local bricks. Heavily-tumbled clinker bricks must not be used; or</li> </ul> <p>c) concrete blocks specifically chosen to blend with local dressed stone, or rendered and painted;</p> <p>d) concrete blocks in natural concrete finish must not be used.</p> <p>A1.3 Cladding materials designed to imitate traditional materials such as brick, stone and weatherboards must not be used.</p>	<p>Wall materials must be compatible with the historic cultural heritage significance of a local heritage place or precinct, having regard to:</p> <p>the cultural heritage values of the local heritage place, its setting and the precinct;</p> <p>the design, period of construction and materials of the dominant building on site;</p> <p>the dominant wall materials in the setting; and</p> <p>the streetscape.</p>

**Comment:** The red brick walls will complement the existing church, therefore, meets the Performance Criteria.

#### F2.5.7 Entrances and Doors

**Objective:** To ensure that the form and detail of the front entry is consistent with the streetscape.

Acceptable Solutions & performance criteria	
<p>A1.1 The position, shape and size of original door and window openings must be retained where they are prominent from public spaces; and</p> <p>A1.2 The front entrance location must be in the front wall facing the street, and be located within the central third of the front wall of the house; and</p> <p>A1.3 Modern front doors with horizontal glazing or similar styles must not be used (refer Figure F2.21).</p>	<p>P1 Entrances and doors 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 design, period of construction and materials of the dominant building on site; and</p> <p>c) the streetscape.</p>

**Comment:** Meets the Performance Criteria

#### F2.5.8 Windows

**Objective:** To ensure that window form and details are consistent with the streetscape.

Acceptable Solutions & performance criteria	
A1 Window heads must be a minimum of 300mm below the eaves line, or match the existing.	
Solid-void ratio	
A2 Front façade windows must conform to the solid/void ratio (refer Figure F2.24 & F2.25).	P2 For commercial buildings, the solid/void ratio of front façade windows must be compatible with that of heritage-listed commercial buildings in the precinct.
Window sashes	
A3 Window sashes must be double hung, casement, awning or fixed appropriate to the period and style of the building	





<i>(refer Figure F2.22 &amp; F2.23).</i>	
A4 <i>Traditional style multi-pane sashes, when used, must conform to the traditional pattern of six or eight vertical panes per sash with traditional size and profile glazing bars.</i>	
A5 <i>Horizontally sliding sashes must not be used.</i>	
A6 <i>Corner windows to front facades must not be used.</i>	
<b>Window Construction Materials</b>	
A7 <i>Clear glass must be used.</i>	
A8 <i>Reflective and tinted glass and coatings must not be used where visible from public places.</i>	
A9 <i>Additions to heritage-listed buildings must have timber window frames, where visible from public spaces.</i>	
A10 <i>Painted aluminium must only be used where it cannot be seen from the street and in new buildings, or where used in existing buildings</i>	P10 <i>Window frames must be compatible with the historic cultural heritage significance of a local heritage place or precinct, having regard to the cultural heritage values of the local heritage place, its setting and the precinct.</i>
A11 <i>Glazing bars must be of a size and profile appropriate for the period of the building</i>	
A12 <i>Stick-on aluminium glazing-bars must not be used</i>	
A13 <i>All windows in brick or masonry buildings must have projecting brick or stone sills, or match the existing.</i>	
<b>French Doors, Bay Windows and Glass Panelling</b>	
A14 <i>French doors and bay windows must be appropriate for the original building style and must be of a design reflected in buildings of a similar period.</i>	
A15 <i>Where two bay windows are required, they must be symmetrically placed.</i>	
A16 <i>Large areas of glass panelling must:</i>	
a) <i>Be divided by large vertical mullions to suggest a vertical orientation; and</i>	
b) <i>Be necessary to enhance the utility of the property or protect the historic fabric; and</i>	
c) <i>Not detract from the historic values of the original building.</i>	

Comment: Meets the Performance Criteria

#### **F2.5.9 Roof Covering**

<i>Objective: To ensure that roof materials are compatible with the streetscape.</i>	
<b>Acceptable Solutions (no performance criteria)</b>	
A1.1 <i>Roofing of additions, alterations and extensions must match that of the existing building; and</i>	
A1.2 <i>Roof coverings must be:</i>	
a) <i>corrugated iron sheeting in grey tones, brown tones, dark red, or galvanized iron</i>	
or	
b) <i>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:</i>	
• <i>dark gray; or</i>	
• <i>light grey; or</i>	
• <i>brown tones; or</i>	
• <i>dark red;</i>	
or	
c) <i>traditional metal tray tiles where compatible with the style and period of the main building on the site.</i>	
d) <i>for additions, alterations and extensions, match that of the existing building.</i>	
A2 <i>Must not be klip-lock steel deck and similar high rib tray sheeting.</i>	

Comment: Meets the Performance Criteria

#### **F2.5.10 Roof Plumbing**

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



A2 Downpipes must not be square-line gutter profile or rectangular downpipes (refer Figure F2.27), or match the existing downpipes.

Comment: Acceptable for the architectural style.

#### **F2.5.11 Verandahs**

*Objective: To ensure that traditional forms of sun and weather protection are used, consistent with the streetscape.*

##### **Acceptable Solutions & performance criteria**

##### **Original Verandahs**

A1 Original verandahs must be retained.

##### **Replacement of Missing Verandahs**

A2.1 The replacement of a missing verandah must be consistent with the form and detail of the original verandah; or

A2.2 If details of the original verandah are not available:

- a) The verandah roof must join the wall line below the eaves line of the building (refer Figure F2.19); and
- b) Verandah posts and roof profile must be consistent with that in use by the surrounding buildings of a similar period.

P2 Verandahs 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; and
- c) the streetscape.

##### **New Verandahs**

A3 A new verandah, where one has not previously existed, must be consistent with the design and period of construction of the dominant existing building on the site or, for vacant sites, those of the dominant design and period within the precinct.

Comment: No verandah proposed

#### **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 (no performance criteria)**

##### **Original Detailing**

A1 Original details and ornaments, such as architraves, fascia's 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.

##### **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

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.

Comment: Acceptable for the contemporary architectural style.

#### **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

P1 The roof form of outbuildings, if visible from the street, must be compatible with the historic cultural heritage significance of a local heritage place or precinct, having regard to:

- a) the cultural heritage values of the local heritage place,



22.5 – 40 degrees.	<p>its setting and the precinct;</p> <p>b) the design, period of construction and materials of the dominant building on site;</p> <p>c) the dominant roofing style and materials in the setting; and</p> <p>d) the streetscape.</p>
A2 Outbuildings must be designed, in both scale and appearance, to be subservient to the primary buildings on the site.	
A3 Outbuildings must not be located in front of existing heritage-listed buildings, and must be setback a minimum of 3 metres behind the line of the front wall of the house that is set furthest back from the street (refer Figure F2.1 & F2.3).	
A4 Any garage, including those conjoined to the main building, must be designed in the form of an outbuilding, with an independent roof form.	
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.	
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.	

Comment: N/A

#### **F2.5.14 Conservatories**

Objective: To ensure new conservatories respect traditional location, form and construction.	
<b>Acceptable Solutions (no performance criteria)</b>	
A1 Conservatories must not be located at the front of a building.	
A2 The scale, form, materials, and colours of a conservatory addition must respect the established style and period of the existing building.	

Comment: N/A

#### **F2.5.15 Fences and Gates**

Objective: To ensure that original fences are retained and restored where possible and that the design and materials of any replacement complement the setting and the architectural style of the main building on the site.	
<b>Acceptable Solutions &amp; performance criteria</b>	
<p>A1.1 Replacement of front fence must be in the same design, materials and scale; or</p> <p>A1.2</p> <p>a) Front fence must be a timber vertical picket, masonry to match the house, heritage style woven wire, galvanized tubular fencing, other than looped, or iron palisade fence with a maximum height of 1500mm.</p> <p>b) Side and rear fences must be vertical timber palings to a maximum height of 1800mm.</p>	<p>P1 Fences 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 architectural style of the dominant building on the site;</p> <p>c) the dominant fencing style in the setting; and</p> <p>d) the original or previous fences on the site.</p>
A2 Gates must match the fence, both in materials and design.	
A3 Screen fences used to separate the front garden from the rear of the house must be of timber or lattice.	
<p>A4 Fences must not be:</p> <p>a) horizontal or diagonal timber slat fences; or</p> <p>b) plastic covered wire mesh; or</p> <p>c) flat metal sheet or corrugated sheets; or</p> <p>d) plywood and cement sheet.</p>	

Comment: Meets the Performance Criteria

#### **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
--



<i>located.</i>	
<b>Acceptable Solutions &amp; performance criteria</b>	
<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"> <li>a) Walls – Off white, creams, beige, tans, fawn and ochre.</li> <li>b) Window &amp; Door frames – white, off white, Indian red, light browns, tans, olive green and deep Brunswick green.</li> <li>c) Fascia &amp; Barge Boards - white, off white Indian red, light browns, tans, olive green and deep Brunswick green</li> <li>d) Roof &amp; Gutters – deep Indian red, light and dark grey.</li> </ul>	<p>P1 Colour schemes must be compatible with the local historic heritage significance of the local heritage place or precinct having regard to the character and appearance of the existing place or precinct.</p>
A2 There must be a contrast between the wall colour and trim colours.	
A3 Previously unpainted brickwork must not be painted, except in the case of post-1960 buildings.	

Comment: Meets the Performance Criteria

#### **F2.5.17 Lighting**

<i>Objective: To ensure that modern domestic equipment and wiring do not intrude on the character of the streetscape</i>
<b>Acceptable Solutions (no performance criteria)</b>
A1 Wiring or conduit to new lighting is not located on the front face of a building.

Comment: Meets the Performance Criteria

#### **F2.5.18 Maintenance and Repair**

<i>Objective: To ensure that maintenance and repair of buildings is undertaken to be sympathetic to, and not detract from the historic cultural heritage significance of heritage precincts.</i>
<b>Acceptable Solution (no performance criteria)</b>
New materials and finishes used in the maintenance and repair of buildings match the materials and finishes that are being replaced.

Comment: This proposal will guarantee the on-going maintenance of the buildings and site

### **F2.6 USE STANDARDS**

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

<i>Objective: To ensure that the use of heritage buildings provides for their conservation.</i>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
A1 No acceptable solution.	<p>P1 Notwithstanding Clause 8.9, a permit may be granted for any use of a building listed in table F2.1 where:</p> <ul style="list-style-type: none"> <li>a) it can be demonstrated that the proposed use will not adversely impact on the significance of a heritage place; and</li> <li>b) the amenity impacts of both the proposed use on the surrounding areas and from the surrounding area on the proposed use are considered acceptable; and</li> <li>c) a report by heritage professional states that it is necessary for conservation purposes or the continued maintenance of the building or where there is an overriding public benefit.</li> </ul>

Comment: 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

#### 4.7 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 (attached) was received from Brett and Michaela Wright, The Grange Estate, 7 William Street, Campbell Town

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

- The plan was prepared with limited research due to time and budgetary constraints.
- Limited finding did NOT allow for extensive historical research into phases of development of the site.
- The research that was done was based on secondary information and NOT primary material.
- A site investigation was undertaken for built and landscape heritage elements, however, the opinions and recommendations within the report were IGNORED.
- In the words of the Northern Midlands Council in their Interim Planning Scheme 2013, they stated *The Campbell Town Heritage Precinct is unique because it is the core of a substantially intact nineteenth century townscape, with its significant built fabric ..... Traditional buildings in the Precinct include impressive examples of colonial architecture..... Campbell Town's heritage ambience has been acknowledged ....* As such, any development that covers an entire side of an historic building cannot be allowed.
- Section 4.3 of the application states that the site is included on the State Heritage Register and the local council Heritage Schedule. Consequently, there was a Significance Assessment completed to ensure that the proposed site retains said significance. Despite the assessment confirming that the site meets ALL of the criteria deeming it of major significance, the application does NOT specify how it will maintain the importance of the site, nor how it will mitigate the constraints that the significance will impose.
- The application states that the development in the proposed location is unlikely to be visible from town. This is in direct contradiction to the drawing plans that shows the proposed building protruding in front of the Church.
- The curtilage includes the Church, the old school hall, the cemetery, and surrounding land. Should development occur on this setting, it will significantly impact the following:
  - a. The important elements of the place and the relationship between these components;
  - b. The look of the immediate and broader settings;
  - c. Views to and from the Church; and
  - d. The historical and visual relationship between the Church and its surroundings.
- It is stated in the planning application that the requirement of the proposed development is to seek the facilities to ensure that the Church has future use AS A CHURCH, specifically: office facilities, toilets and a kitchen. This contradicts the planning request for an entirely new building which incorporates those facilities, in addition to other amenities NOT essential to religious/church requirements.
- The Client requirement also states that it is seeking this development to take the pressure the Church to undergo sometimes quite radical change. Yet ANOTHER contradiction within the planning application.

#### Planner's comment:

The Conservation Management Plan (CMP) notes that it is not intended to be an exhaustive history of the site. The proposal including the CMP was reviewed by the Tasmanian Heritage Council and the Northern Midlands Council's Heritage Adviser. The Tasmanian Heritage Council has issued a Notice of Heritage Decision approving the proposal. The advice of Council's Heritage Adviser is included in the Heritage Code and Heritage Precincts Specific Area plan sections of this report and finds that the proposal satisfied the requirements of the planning scheme with regard to Heritage.



**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 *Land Use Planning & Approvals Act 1993*.

**STRATEGIC PLAN/ANNUAL PLAN/COUNCIL POLICIES**

***Strategic Plan 2021-2027***

*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 Road and Railway Assets Code.
- Reliance on the performance criteria of the Car Parking and Sustainable Transport Code.
- Reliance on performance criteria of the Local Historic Heritage Code.
- Reliance on performance criteria of the Heritage Precincts Specific Area Plan.

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

It is recommended that the application be approved to be developed and used in accordance with the proposal.

**8 ATTACHMENTS**

1. NMC Development Application 71-73 High St Campbell Town 24.08.2021 [**14.2.1** - 127 pages]
2. PL N 21-0229 - Additional Information Request [**14.2.2** - 1 page]
3. 210922 21 E 29-9 HYD A DA Issue [**14.2.3** - 5 pages]
4. Notice of Heritage Decision W A 6677 [**14.2.4** - 2 pages]
5. Heritage referral PLN 21 0229 71 73 High Street Campbell Town [**14.2.5** - 22 pages]
6. Tas Water Submission to Planning Authority Notice [**14.2.6** - 2 pages]
7. DSG Response to Referral [**14.2.7** - 2 pages]
8. W I referral PLN 21 0229 71 73 High Street Campbell Town [**14.2.8** - 6 pages]
9. Tas Rail [**14.2.9** - 8 pages]
10. Representation [**14.2.10** - 2 pages]
11. Midland Anglican Church response to representation 03.11.2021 [**14.2.11** - 3 pages]

**RECOMMENDATION**

That land at 71-73 High Street, Campbell Town be approved to be developed and used for a new building (formal and informal meeting areas, food preparation and service facilities, multi-purpose room, church administration offices, amenities), alterations to existing church building, provision for vehicle access and parking (Community meeting & entertainment use class) (Heritage Listed, Heritage Precinct, Road & Railway Assets Code) in accordance with application PLN-21-0229, and subject to the following conditions:

- 1 Layout not altered

The use and development must be in accordance with the endorsed documents:





P1-P12 1+2 Architecture Plans numbered A0.00; A0.01; A0.02; A1.01; A1.02; A1.03 Rev. C, 23.07.2021; A1.04; A1.05; A2.01 Rev. C, 23.07.2021; A2.02 Rev. A 23.07.2021; A3.01 Rev. C, 23.07.2021; A3.02 Rev. C, 23.07.2021;  
P13 LearyCox&Cripps Plan 12099, 20-04-21;  
P14-P17 Hydraulic Services Drawings H0.01 – H01.05, Rev. A.  
D1 Conservation Management Plan August 2021  
D2 Traffic Impact Assessment, Howarth Fisher and Associates, August 2021.  
D3 Landscape Master Plan

2 TasWater conditions

Sewer and water services shall be provided in accordance with TasWater's Planning Authority Notice (reference number TWDA 2021/01636-NMC) – attached as Appendix A.

3 Tasmanian Heritage Council Requirements

The proposed development must comply with the requirements of the Tasmanian Heritage Council Notice of Heritage Decision (Reference #6677, File No. 15-00-25THC, 2 November 2021) – attached as Appendix B.

4 Access and Parking

4.1 General

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.

4.2 Accessible car parking spaces

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.

4.3 Bicycle Parking

Prior to the commencement of use, a minimum of one (1) bicycle space shall be provided.

The bicycle space must:

- a) Be in the form of a rail or hoop to lock a bicycle to that meets Australian Standard AS 2890.3 1993;
- b) Be accessible from a road or footpath;
- c) Be located within 50m of and visible or signposted from the building's entrance;
- d) Have minimum dimensions of:
  - i) 1.7m in length; and
  - ii) 1.2m in height; and
  - iii) 0.7m in width at the handlebars; and
- e) Have unobstructed access with a width of at least 2m and a gradient of no more 5% from a public area where cycling is allowed.

5 Access – Department of State Growth

Upgrade of the existing accesses shall be undertaken to meet current Department of State Growth specifications. Namely, sealing of the accesses between the road seal edge and the property boundary. The main northern site access shall be a minimum of 6 m wide at the property boundary to allow for two-way entry and exit by light vehicles. The existing southern 'op shop' access shall be realigned so it is perpendicular to High Street and is a minimum of 4 m in width at the property boundary. Basic engineering drawings showing the extent of the accesses and associated works must be provided to the Department of State Growth for review and acceptance as part of a works permit application per the details noted below.

NOTE: A valid works permit is required for all works undertaken in the State Road (Tasman Highway) reservation. Details of the permit process and application forms can be found at:

[www.transport.tas.gov.au/roads\\_and\\_traffic\\_management/permits\\_and\\_bookings/new\\_or\\_altered\\_access\\_onto\\_a\\_road\\_driveways](http://www.transport.tas.gov.au/roads_and_traffic_management/permits_and_bookings/new_or_altered_access_onto_a_road_driveways). Applications must be received by the Department of State Growth a minimum of twenty (20) business days prior to the expected commencement date for works in order to allow sufficient time for the application to be assessed. No works are to be undertaken until a written permit has been issued.







### 14.3 PLN21-0062: 145-173 MARLBOROUGH STREET, LONGFORD

*File:* 109300.658; PLN21-0062  
*Responsible Officer:* Des Jennings, General Manager  
*Report prepared by:* Danielle Gray, Planning Consultant

#### 1 INTRODUCTION

This report assesses an application for a 44-lot subdivision, 3 x new roads and associated services, building demolition (vary lot size, Bushfire Prone Area, Road & Railway Assets Code, Attenuation Area) at 145 Marlborough Street (CT-157278/2), 153 Marlborough Street (CT-173613/1), 173 Marlborough Street (CT-173613/2), 10 Anstey Street (CT-173613/6), Cracroft Street road reserve (no CT reference), Catherine Street Road Reserve (no CT reference), 119 Catherine Street (CT-104455/3), 344 Cressy Road (CT-104455/4), Cressy Road road reservation (no CT reference), unnamed road reserve (no CT reference), Marlborough Street road reservation (no CT reference) and Brickendon Street road reserve (no CT reference).

#### 2 BACKGROUND

**Applicant:**  
Carlton Dixon

**Zone:**  
Low Density Residential

**Classification under the Scheme:**  
Discretionary

**Deemed Approval Date:**  
20 November 2021

**Owner:**  
Zeekap (No 102) Pty Ltd & New Norfolk Hotels Pty Ltd, Twisted Hotels Pty Ltd, Anna Hayward

**Codes:**  
Bushfire Prone Areas Code, Road and Railway Assets Code, Recreation and Open Space Code and Attenuation Code

**Existing Use:**  
Vacant, horse agistment and horse stables and outbuildings (proposed to be demolished)

**Recommendation:**  
Approve

#### Discretionary Aspects of the Application:

- Reliance on the performance criteria of the Low Density Residential Zone.
- Reliance on the performance criteria of the Road and Railway Assets Code.
- Reliance on the performance criteria of the Attenuation Code.
- Reliance on the performance criteria of the Recreation and Open Space Code.
- Reliance on the performance criteria of the Bushfire Prone Areas Code.

#### 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 proposal.

#### 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

The proposed development seeks approval for demolition of existing structures (horse stables and outbuildings) and a proposed subdivision of 44 lots as well as associated services.

The proposed development where subdivision is proposed to create new lots involves three properties. These are 145 Marlborough Street (CT-157278/2), 153 Marlborough Street (CT- 173613/1) and 173 Marlborough Street (CT-173613/2). Collectively, these lots combined provide a total site area of 6.254 hectares.

To ensure the proposed subdivision is fully serviced, the proposal also seeks approval for the extension of services through the following titles in an updated services proposal plan from 6ty dated 2 August 2021: 10 Anstey Street (CT-173613/6), Cracroft Street road reserve (no CT reference), Catherine Street Road Reserve (no CT reference), 119 Catherine Street (CT-104455/3), 344 Cressy Road (CT-104455/4), Cressy Road road reservation (no CT reference), unnamed road reserve (no CT reference), Marlborough Street road reservation (no CT reference) and Brickendon Street road reserve (no CT reference).

Of the three affected properties where the proposed new lots are to be subdivided, only 145 Marlborough Street contains development while 153 and 173 Marlborough Street are both vacant.

145 Marlborough Street contains horse racing stables and horse shelters as well as fenced paddocks. These are proposed to be demolished as part of the application

The proposed subdivision seeks approval for a total of 44 lots that range in size from 1200sqm to marginally over 1500sq. Most lots are an average size of approximately 1200sqm.

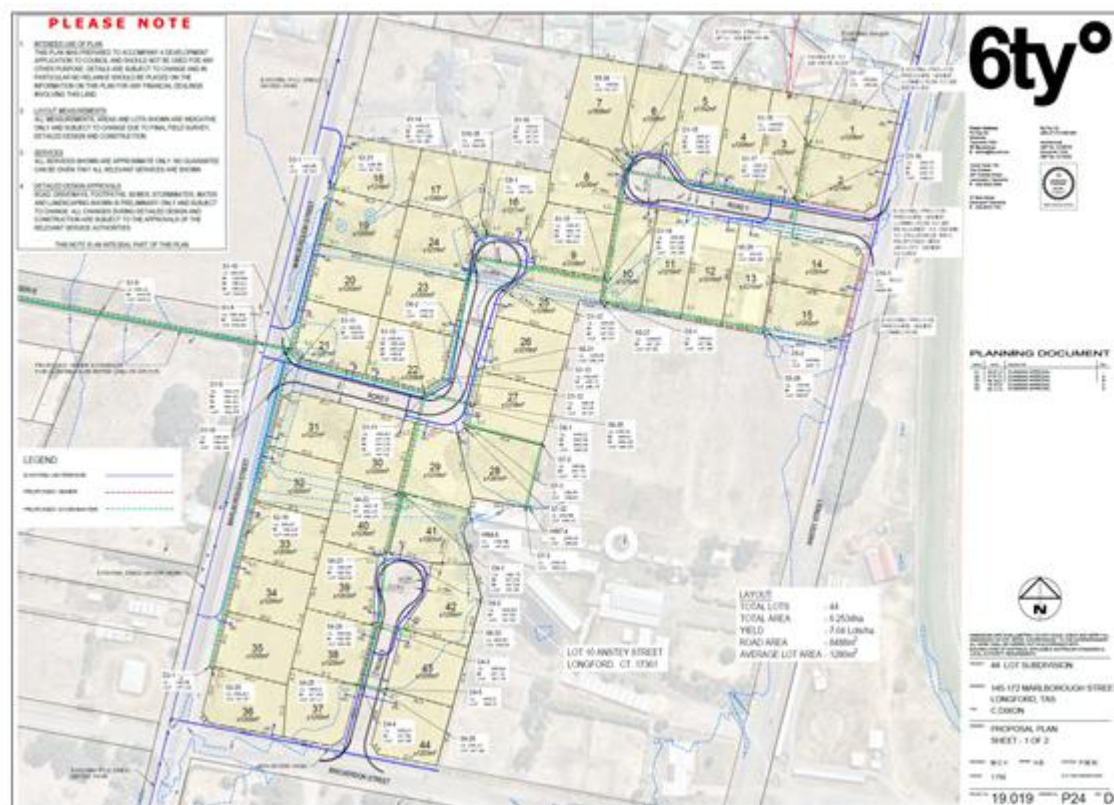
The subject site comprising three properties to be subdivided is wholly located within the Low Density Residential zone.

The proposal also seeks to create three internal roads including a total of three cul-de-sacs to provide access to legal access and frontage some of the proposed lots. Some of the proposed lots will gain their access from Anstey Street, Marlborough Street or Brickendon Street.

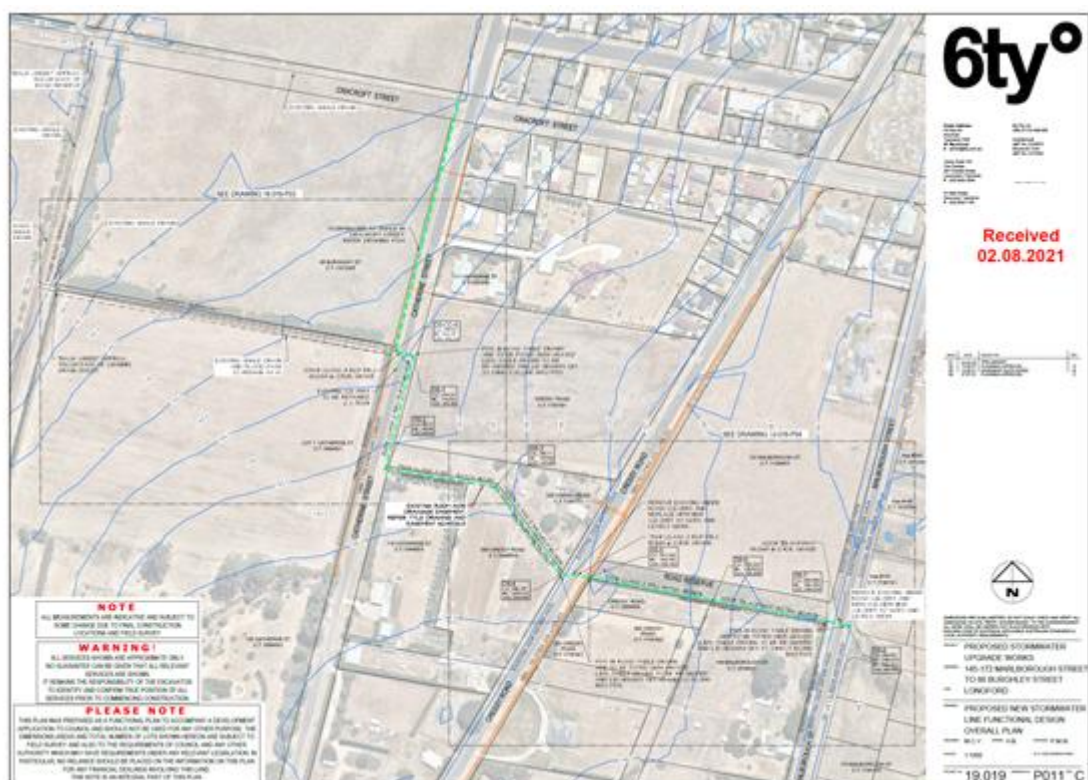
In addition to the proposal plan prepared by 6ty (dated 3 November 2021) and servicing plans for the proposal (dated 2 August 2021), the planning application accompanying the proposed development includes the following consultant reports submitted to Council:

- Planning report prepared by Ms Chloe Lyne of CPD and dated: 4 March 2021;
- Bushfire assessment (version 2) prepared by Mr Scott Livingston and dated 3 November 2021; and
- Noise and Dust Assessment prepared by Pitt and Sherry and dated 20 September 2021; and
- Traffic Impact Assessment prepared by GHD and dated March 2021.

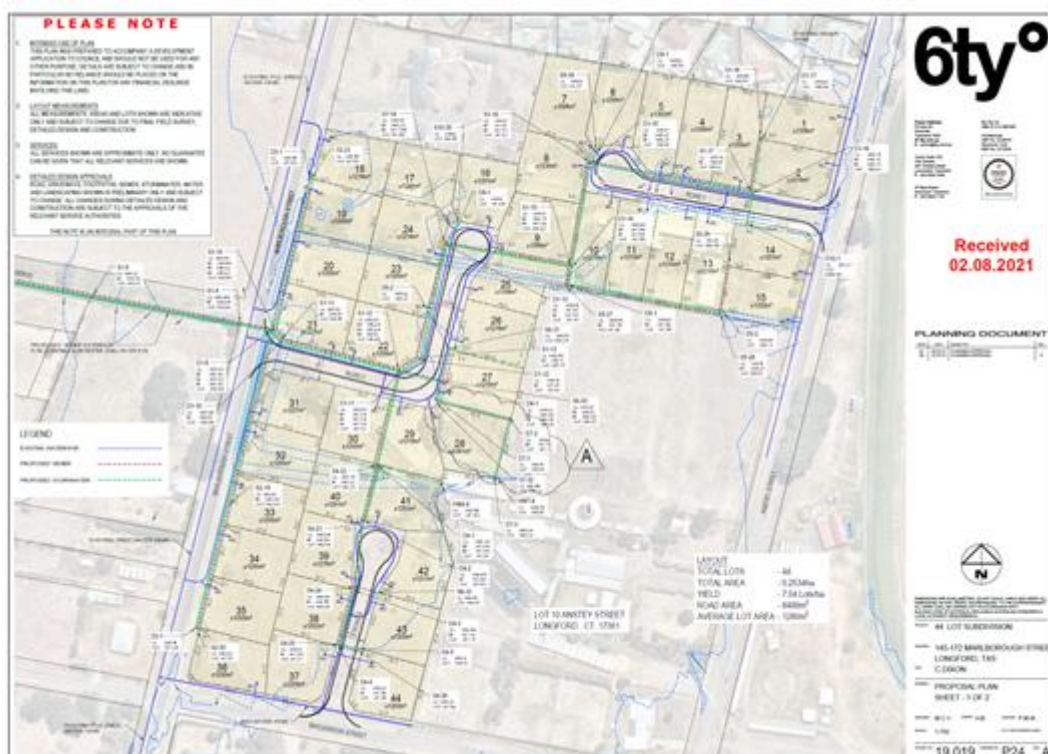
***Subdivision Plan (received 03 November 2021)***



Servicing plans (dated 2 August 2021)









#### 4.2 Zone and Land Use

Zone Map – General Residential Zone (red) to the north of the subject sites, Low Density Residential zone (pink) which includes the subject site, General Industrial zone (purple) to the south west of the subject site, Recreation zone (Green) to the east of the subject site.



The land where the proposed new lots are to be subdivided is zoned wholly Low Density Residential Zone and due to the presence of a single overlay, is also subject to the Bushfire Prone Areas Code.





Owing to the presence of operating Brickworks in the surrounding area, the proposal is also subject to the Attenuation Code.

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>
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#### **4.3 Subject Site and Locality**

The subject site comprising three lots, is in an area south in the Longford township and in an area best described as a primarily residential area on the edge of the urban fringe with higher density residential development to the north and a variety of residential lot sizes south and west of the subject site.

The subject site is currently used for agistment for horses as well as stables located opposite the race course in Anstey Street.

Development to the north of the subject site comprises predominantly single dwellings on lots typically in the range of 600sqm to 800sqm in area.

There is no characteristic lot size or clearly characteristic pattern of development for lots zoned Low Density Residential with lots ranging from 1000sqm in area to well over 2 hectares in area.

There are other uses in the area including the Longford Racecourse which is located immediately east of the subject site. The Racecourse is the oldest continuously operating racecourse in Australia.

There is also the Austral Brickworks operating southwest of the subject site at Cressy Road.

***Aerial photograph of area with the subject sites to be subdivided being outlined:***



#### ***Photographs of subject site***

The subject site was inspected by the consultant planner undertaking the assessment and recommendation of the proposed development on 24 September 2021. The following photographs were taken at that inspection.





**Above:** The corner of the subject site (right and centre) at the corner of Brickendon and Marlborough Streets. Source: Gray Planning, September 2021.



**Above:** Looking west toward the subject site (centre) in Anstey Street, opposite the Longford racetrack. The outbuildings shown are not on the subject site but are located on the immediate neighbour at 10 Anstey Street. Source: Gray Planning, September 2021



**Above:** The subject site looking east from Marlborough Street. Source: Gray Planning, September 2021



**Above:** The subject site looking east from Marlborough Street. Source: Gray Planning, September 2021.



**Above:** The subject site looking northeast from Marlborough Street. Source: Gray Planning, September 2021



**Above:** The subject site (right) looking north east from Marlborough Street. Neighbouring residential development can be seen (centre) while residential development to the north of the site can be also seen (left). Source: Gray Planning, September 2021



**Above:** The subject site looking east from Marlborough Street. Source: Gray Planning, September 2021.



**Above:** Looking north along Catherine Street where services are proposed to be located to service the proposed subdivision. Source: Gray Planning, September 2021



**Above:** Residential development north of the subject site looking north east from Marlborough Street. Source: Gray Planning, September 2021.





**Above:** Residential development opposite the racetrack in Anstey Street. Source: Gray Planning, September 2021.



**Above:** Residential development north subject site in Cracraft Street. Source: Gray Planning, September 2021.



**Above:** The Longford racetrack in Anstey Street, opposite the subject site. Source: Gray Planning, September 2021.

#### 4.4 Permit/Site History

The subject site has a history of planning applications proposing subdivision and these are summarised below.



The planning permit history includes:

- PLN19-0093: 29 lot subdivision at 153 Marlborough Street (application withdrawn);
- PLN20-0174: 5 lot subdivision at 173 Marlborough Street (application placed on hold by the applicant).

#### 4.5 Representations

Notice of the application was given in accordance with Section 57 of the *Land Use Planning & Approvals Act 1993*.

After legal advice was received by Council from their solicitor that readvertising was required to ensure all affected land including Council road reservations and land proposed to contain new services was included as part of the notice, the application was readvertised from 18 September 2021 until 1 October 2021.

A review of Council's ECM system after completion of the public exhibition period revealed that twelve (12) representations (attached) were received from:

- Ed Spiden (no address provided)
- Tasmania Fire Service (withdrawn 1 November 2021)
- Austral Bricks (Cressy Road, Longford)
- Tanya Hanson (34B Anstey Street, Longford)
- Alana Fulton (74 Brumby Street, Longford)
- Neil Tubb (54 Marlborough Street, Longford)
- Ron Baker (77 Catherine Street, Longford)
- Mark Rhodes (no address provided)
- Richard Archer (Brickendon, Longford)
- Harry Galea, 21 Cracroft Street, Longford
- Sam Chugg (no address provided)
- Michael Morris, 97 Brickendon Street, Longford
- Dee Alty, Longford (no address provided)
- Rickie and Sarah Rudling, 143 Marlborough Street
- Thomas Baird (no address provided)

Map showing location of representor properties (containing circles and arrowed) in relation to subject site where new lots are proposed (outlined)





Above: The location of representor's addresses (where known) are indicated with a blue circle (and arrowed due to scale of map) while the subject site where proposed lots will occur are outlined.

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

**Issue 1**

- The GHD report submitted as part of the application makes reference to rural road with no kerb and gutter. Appropriate LGAT subdivision standards are urban roads in terms of this proposal.

**Planner's comment:**

The Council engineering assessment has made the assessment under the appropriate LGAT subdivision standards as has the submitted servicing drawings.

**Issue 2**

- The development seeks to bypass the strategic intent of the Low Density Residential zone which was to provide a buffer between residential use and development and the horse racing sector and other heavy industry.

**Planner's comment:**

Regardless of the strategic intent at the time of determining zones for the Longford area prior to the introduction of the current Interim Planning Scheme, the proposal can only be determined under the applicable development standards for subdivision and any triggered Codes with consideration of the objectives of the Low Density Residential zone. None of these make any mention of avoiding conflict of uses unless they are uses specifically mentioned in the Attenuation Code.

The Low Density Residential zone makes no mention of avoidance of land use conflict in either the Zone Purpose Statements or the Local Area Objectives for the zone.

There is no specific mention of horse racing use in the Planning Scheme and furthermore, no specific mention of this existing use being required to be considered in terms of avoidance of land use conflict when it comes to the use and development of adjacent residential zoned land.

**Issue 3**

- The 1200sqm minimum lot size fails to comply with the minimum 1ha lot size and the historic treatment of low density residential classification in Longford.

**Planner's comment:**

The proposed 1200sqm lot size as proposed for the subdivision does not comply with the Acceptable Solution of clause 12.4.3.1.A1.1 and therefore the proposal has been assessed under the associated P1.1 Performance Criteria. These Performance Criteria make no mention of a minimum lot size and focusses on the ability of proposed lots to cater for future residential development so that it is 'conveniently located' as well as not being out of character with surrounding development and streetscape as well as consideration of amenity.

There is no specific reference to compliance with development standards being required or inferred in the P1.1 Performance Criteria.

**Issue 4**

- The smaller lot sizes will preclude most non residential uses in the surrounding area.

**Planner's comment:**

The zoning of the land provides for consideration and assessment of specific land use. Where land is zoned residential (General Residential and Low Density Residential), the Use Table of allowable uses is what determines what uses can be considered, rather than lot sizes per se.

**Issue 5**

- The proposed development will have a negative impact on the horse racing industry in Longford both directly through the conversion of stables to residential lots and indirectly through reduction of suitable land for the industry.

**Planner's comment:**

There unfortunately is no ability to consider the impact on the horse racing industry as the Low Density Residential zone fails to make mention of consideration of any non residential use or development and horse racing is not a use specifically mentioned in the Attenuation Code. The Planning Scheme is entirely silent on the protection of non residential uses in the surrounding area except where they are a use mentioned in the Attenuation Code.





**Issue 6**

- Development standards for building lots in the zone will not be able to be met on the lots proposed due to the larger setbacks required for the Low Density Residential zone.

**Planner's comment:**

The compliance or otherwise with development standards for the Low Density Residential zone is not specifically noted or required in the triggered Performance Criteria, only that future dwellings are able to be erected in a 'convenient and hazard free location'. The subject site has no known or mapped hazards and it is considered that a minimum lot size of 1200sqm would be able to provide adequate room for a dwelling to be located in a 'convenient' location so as to provide for the needs and amenity of future occupants.

**Issue 7**

- The proposed development will result in poor infrastructure outcomes for Longford (for example roads with not enough width for off street parking and no footpaths etc).

**Planner's comment:**

The documentation submitted with the application includes engineering drawings to upgrade infrastructure as part of the proposed development. The assessment of whether these proposed upgrades are appropriate has been considered by Council's Development Engineer as part of their assessment of the proposed development.

**Issue 8**

- It is unclear if the proposed 44 lots will be able to be catered for in terms of stormwater without significant upgrades.

**Planner's comment:**

The documentation submitted with the application includes engineering drawings to upgrade infrastructure as part of the proposed development. The assessment of whether these proposed upgrades are appropriate has been considered by Council's Development Engineer as part of their assessment of the proposed development.

**Issue 9**

- The development application fails most of the acceptable solutions in the Planning Scheme and fails to provide any strong evidence for the creation of a 'medium' density residential zone.

**Planner's comment:**

Any proposed development not complying with Acceptable Solutions requires assessment against Performance Criteria. Failure to comply with Acceptable Solutions does not in itself justify refusal of a proposal. Refusal of a proposal can occur where it is satisfied that a proposal fails to meet relevant triggered Performance Criteria.

**Issue 10**

- The request for cash in lieu instead of public open space provision results in higher densities and further exacerbates poor land use outcomes.

**Planner's comment:**

Typically, where public open space is proposed as part of a subdivision, it is in the form of a pocket park of a comparable lot size to lots proposed and to a minimum of 5% of the total unimproved area of the overall subdivision or may comprise walkways connecting to existing walkways and pedestrian networks. Council has the ability to require public open space where it is considered by Council as public open space they are prepared to take over and then maintain. There is no relationship between proposed lot sizes and whether public open space is proposed as part of a development. Council can only ask for a maximum of public open space equivalent to 5% under the *Local Government (Building and Miscellaneous Provisions) Act 1993*, Section 116. The issue of public open space has been considered in more detail later in this report.

**Issue 11**

- There is a high degree of reputation risk expose to Council associated with an approval if it is perceived that the planning rules have changed as it is well understood in the broader community that the developer has preemptively purchased much of the low density residential zoned land at prices reflective of the understood zoning restrictions.

**Planner's comment:**

The application has been assessed by an independent planning consultant and has been assessed under current Planning Scheme requirements for subdivision in the applicable zone that applies to the sites where lots are proposed.



**Issue 12**

- The proposal will push out the racing industry and make it hard to survive and future residences may not support the existing racing activity and use. The proposal will result in land use conflict and is not in accordance with Section 32 of the Act.

**Planner's comment:**

It is unclear what Act is being referred to as Section 32 of the Land Use planning and Approvals Act 1993 relates to LPS (Local Provisions Schedules). As the draft LPS for Northern Midlands is not yet approved and in operation, the draft LPS cannot be applied to the assessment of this application.

The application of the Low Density Residential directly adjacent to land zoned Recreation and used for the racing industry may be considered has been noted by multiple representations as not being ideal. However, it should be noted that other major racing tracks in Tasmania are located directly adjacent to established residential use and development such as Elwick in Hobart, Devonport Racing Club at Spreyton and the Mowbray Racecourse at Mowbray.

**Issue 13**

- Any subdivided land must be in accordance with the interim planning scheme which means it must have a use associated with the racing industry.

**Planner's comment:**

This is incorrect. The use and development standards for the Low Density Residential zone under the Interim Planning Scheme does not make any reference at all with any uses associated with the racing industry.

**Issue 14**

- The proposed density is excessive and out of character with the surrounding area.

**Planner's comment:**

The character of the area zoned Low Density Residential is not characterized by a typical and dominant lot size. As previously noted, lot sizes in the surrounding low density zoned area range in size from 1000sqm to well over 1 hectare while lots to the immediate north zoned General Residential are characteristically 600 to 800sqm in area and have a consistent character and pattern of development.

**Issue 15**

- The proposal is in conflict with the decision of the Tasmanian Planning Commission which recently refused Draft amendment 04-2020 with these refusal reasons pertinent to the proposal.

**Planner's comment:**

This matter relates to a proposed Planning Scheme amendment which sought to reinstate specific uses in the use table for the Low Density Residential zone. The Tasmanian Planning Scheme determined this was not appropriate. This decision and the issues associated with this proposal confirmed what uses are considered to be appropriate in residential zones according to the Tasmanian Planning Commission. This decision from the Tasmanian Planning Commission and the issues considered are considered to be a related issue but not a decision which has any application in this development application for subdivision.

**Issue 16**

- If the subdivision were allowed, it would result in uses that have been existing since 1845 being compromised. There needs to be a buffer between residential development and racing uses.

**Planner's comment:**

The matter of a buffer being applied between residential use and development and racing uses is an issue which is recommended to be considered by Council for the draft Local Provisions Schedule for Northern Midlands Council.

As it stands, the current application can only be assessed under current zone use and development standards which are for the Low Density Residential zone.

As already noted, other major racing tracks in Tasmania are located directly adjacent to established residential use and development such as Elwick in Hobart, Devonport Racing Club at Spreyton and the Mowbray Racecourse at Mowbray.

**Issue 17**

- The proposal requests a lot of discretions which leads to the question: why is the proposal being entertained at this time.

**Planner's comment:**

The number of discretions being proposed is irrelevant of Council's legal requirement to assess and make a decision on a valid Development Application.



**Issue 18**

- We are concerned with future traffic increases.

**Planner's comment:**

The developer has submitted a Traffic Impact Assessment which has been considered by Council's Development Engineer as part of the assessment of the proposal. It is considered that existing and proposed street networks and new works will cater for expected traffic volumes as the existing street network caters for higher density residential use and development immediately north of the proposed development.

**Issue 19**

- We are concerned with how stormwater will be effectively managed.

**Planner's comment:**

The developer has submitted engineering drawings to upgrade stormwater services and to enable the proposed development to be serviced. The assessment of these proposed engineering drawings has been considered by Council's Development Engineer as part of the assessment of the proposal.

**Issue 20**

- We are concerned that future construction on the proposed lots will impact our amenity and years of construction noise right next to us after years of having no neighbours.

**Planner's comment:**

Future construction of the proposed lots is not a relevant consideration as part of the assessment of these lots. The development of any such lots would be assessed and considered under applicable Planning Scheme standards at the time. Where a future development for which planning approval is sought does not comply with Acceptable Solutions, such a proposal would be advertised and afford a neighbour the right to make representation.

**Issue 21**

- I do not support these overly small lots on the fringe area of Longford.

**Planner's comment:**

The size of the proposed lots has been assessed under the applicable Performance Criteria which make no mention of a minimum lot size under the Performance Criteria and concern themselves only with the ability of proposed lots to 'conveniently' locate and cater for future residential development as well as not being out of character with surrounding development and streetscape as well as consideration of amenity. This southern part of Longford does not have a distinct pattern of residential development in the Low Density Residential zone where lots vary from 1000sqm to over 2 hectares.

**Issue 22**

- The proposed development fails to comply with the E1.0 Bushfire Prone Areas Code. The Tasmania Fire Service has no issue with the approval of the proposed subdivision provided it complies with this Code. The TFS raised these issues with the Bushfire Hazard Practitioner in early August when the application was advertised and recommended the issues be addressed. It appears the practitioner has made no effort to address these concerns and amend the documentation to achieve compliance.

**Planner's comment:**

This matter has been discussed under the Bushfire Code assessment of the report.

**Issue 23**

- Austral Bricks has been operating at its current site in Longford for 45 years and is concerned about the encroachment of residential development which may in turn impact upon the long term viability of the brickworks.

**Planner's comment:**

The proposed development is in an area already zoned for residential use and development. The brickworks is effectively protected and considered as part of the planning assessment by application of the Attenuation Code. The developer has submitted a Noise and Dust Assessment that confirms the brickwork operations are unlikely to be affected by the proposed development and further, that the future residences on such lots will not be unreasonably affected by any environmental impact including dust or dust emissions.

**Issue 24**

- It is our understanding that the proposed development will be directed to Back Creek. Has appropriate modelling been undertaken by the developer to ensure that appropriate stormwater management will be provided as part of the development?



Planner's comment:

The proposed development (including the location of all services) is not located as being mapped in a Flood Prone Area. Stormwater management has been addressed in detailed engineering designs submitted as part of the development.

**Issue 25**

- We are concerned about road traffic and the impact of traffic on the racecourse, particularly the Anstey Street access. There is also concern about the cul-de-sac off Brickendon Street and the impact on racing participant traffic.

Planner's comment:

The developer has submitted a Traffic Impact Assessment for the proposed development which demonstrates compliance with all traffic and access standards in the Planning Scheme including sight distances for new accesses.

**Issue 26**

- We are concerned about the addition of 44 more houses and that children may play at the racecourse.

Planner's comment:

The lack of public open space in the surrounding area has been considered and if approved, the proposed development should include a condition requiring public open space to be provided as part of the development.

**Issue 27**

- How does the Longford Racecourse Master Plan accord with the proposed development along with proposed time schedules.

Planner's comment:

The Longford Racecourse Master Plan is not a planning document included as part of the Planning Scheme or a plan that currently must be considered as part of strategic planning. Assessment has been provided in this report of the proximity of residential development to other major racecourses in the state.

**Issue 28**

- Land quality – we question the suitability of the land for residential development given it has been used for horses and disposal of horse manure.

Planner's comment:

Land used for horse stables and agistment is not considered to be 'contaminated' land under the Planning Scheme in the Potentially Contaminated Land Code (Code E2). Table E2.1 does not include horse agistment as being a Potentially Contaminating Activity.

**Issue 29**

- Approving this plan would contradict the direction Tasracing are proposing for the racetrack by way of their infrastructure program.

Planner's comment:

Tasracing were made aware of the proposed development by Council staff and provided no feedback, informal or formal.

**Issue 30**

- The current zoning is unsuitable.

Planner's comment:

Council are required to assess the proposed development against the applicable zone standards for subdivision that apply to the site. In this case the land is currently zoned Low Density Residential and Council cannot apply alternative zoning standards to the development.

**Issue 31**

- The zoning in this area allows Council to reject the application as there is a discretionary factor in the Low Density Residential zone.

Planner's comment:

The proposal has triggered multiple Performance Criteria and these have been discussed in detail in this assessment. The recommendation at the end of this report has been based on this assessment and non-compliance under applicable standards.



#### 4.6 Referrals

The following referrals were required:

##### **Council's Works and Infrastructure Department**

Council's Works & Infrastructure Department (Leigh McCullagh/Jonathan Galbraith) reported that approval of the proposed development can be supported from an engineering perspective and their recommended conditions are included in the conditions of approval.

##### **TasWater**

The application was referred to Taswater on 27 July 2021, and a revised Submission to Planning Authority Notice was issued on 26 October 2021 (Taswater Ref: TWDA 2021/01573-NMC). This Submission from Taswater outlined conditions of approval.

##### **Department of State Growth**

The application was referred to State Growth on 6 August 2021, and a response to referral was issued on 10 August 2021. This Submission from State Growth outlined a condition of approval with respect to all works proposed in Cressy Road which is a State Road.

##### **TasRacing**

While Tasracing are not a statutory authority, Council planning staff alerted Tasracing to the application prior to advertising, to provide any feedback regarding the creation of new lots adjacent to the Longford Racecourse. No Submission was received from Tasracing.

#### 4.7 Planning Scheme Assessment

##### **LOW DENSITY RESIDENTIAL ZONE**

###### **ZONE PURPOSE**

*To provide for residential use or development on larger lots in residential areas where there are infrastructure or environmental constraints that limit development.*

*To provide for non-residential uses that compatible with residential amenity.*

*To ensure that development respects the natural and conservation values of the land and is designed to mitigate any visual impacts on public views.*

Assessment: The subject site is not considered to have any natural or conservation values and the proposal is considered to meet the zone purpose.

###### **LOCAL AREA OBJECTIVES**

*To make provision for any additional future needs in low-density residential development at Avoca, Campbell Town, Cressy, Devon Hills and Longford by the incremental expansion of those areas already established for the purpose.*

Assessment: The proposal meets the local area objectives as the proposed subdivision will result in three lots being subdivided to provide lower density residential development opportunities.

##### **Development Standards For Subdivisions In Low density Residential Zone**

###### 12.4.3 SUBDIVISION

###### 10.4.4.1 Lot Area, Building Envelopes and Frontage

###### **Objective**

*To ensure:*

- a) the area and dimensions of lots are appropriate for the zone; and*
- b) the conservation of natural values, vegetation and faunal habitats; and*
- c) the design of subdivision protects adjoining subdivision from adverse impacts; and*
- d) each lot has road, access, and utility services appropriate for the zone.*

###### **Acceptable Solutions**

###### A1.1

*Each lot must:*

- a) have a minimum area of 1ha; and*
- b) have new boundaries aligned from buildings that satisfy*

###### **Performance Criteria**

*P1.1 Each lot for residential use must provide sufficient useable area and dimensions to allow for:*

- a) a dwelling to be erected in a convenient and hazard free location; and*



<p><i>the relevant acceptable solutions for setbacks; or</i></p> <p><i>c) be required for public use by the Crown, a an agency, or a corporation all the shares of which are held by Councils or a municipality; or</i></p> <p><i>d) be for the provision of public utilities; or</i></p> <p><i>e) for the consolidation of a lot with another lot with no additional titles created; or</i></p> <p><i>f) to align existing titles with zone boundaries and no additional lots are created.</i></p> <p><i>A1.2 Subdivision at Devon Hills will not result in any new lots.</i></p>	<p><i>b) on-site parking and manoeuvrability; and</i></p> <p><i>c) adequate private open space; and</i></p> <p><i>d) reasonable vehicular access from the carriageway of the road to a building area on the lot, if any; and e) development that would not adversely affect the amenity of, or be out of character with, surrounding development and the streetscape.</i></p> <p><i>P1.2 Land in Devon Hills must not be further subdivided.</i></p>
<p>Comment: The proposal does not comply with the A1 Acceptable Solution as the proposed lots are all less than 1 hectare.</p> <p>A1.2 is not relevant as the subject site is not at Devon Hills. Assessment is therefore required under the P1 Performance Criteria.</p>	<p>Comment:</p> <p>The subject site does not have any known or mapped hazards.</p> <p>On this basis, future development will not be situated in a location containing hazards.</p> <p>The P1.1 Performance Criteria are not helpful when it comes to determining an appropriate alternative lot size where lots do not comply with the 1 hectare Permitted minimum. No guidance is given or implied to an alternative Discretionary minimum lot size. Instead, the Criteria require consideration of the ability to 'conveniently' locate future development (which will be single dwellings given that multiple dwellings are prohibited in the zone) and consideration of existing patterns of character and development in the surrounding area.</p> <p>It is also noted that the minimum Discretionary lot size for new lots in a serviced area in the Low Density Residential zone under the upcoming Tasmanian Planning Scheme is 1200sqm. None of the proposed lots are below this.</p> <p>It is also considered that minimum Discretionary lot sizes throughout Tasmania under existing Interim Planning Schemes vary considerably with many Schemes having no definitive minimum Discretionary size stated while others state minimum Discretionary lot sizes ranging from 1000sqm to 5000sqm. Some such as the <i>Derwent Valley Interim Planning Scheme 2015</i> place a maximum Acceptable Solution Permitted lot size of 2500sqm for the Low Density Residential zone.</p> <p>Where minimum Discretionary lot sizes are stated in Interim Planning Scheme still in operation, lots in serviced areas are generally between 1000sqm and 2500sqm in area.</p> <p>Comments are provided against each of the criteria as follows:</p> <p>(a) Future development must be located in a 'convenient' location. 'Convenient' is defined as fitting in well with activities, plans or needs as well as being easy to get to or use. It is considered that each of the lots being at least 1200sqm in area and up to 1500sqm will be able to reasonably able to locate a future dwelling (multiple dwellings being prohibited</p>





	<p>in the Low Density Residential zone) that would afford appropriate residential amenity for occupants and neighbours. Compliance with the Acceptable Solution for development standards in the zone is not a requirement or consideration specifically mentioned or alluded to in the Performance Criteria nor is there any direct reference to development standards to the zone.</p> <p>(b) Future development for the proposed lots will be a single dwelling per lot. The Planning Scheme requires 2 spaces for dwelling. It is considered that the proposed lots are of sufficient areas and dimensions and should reasonably be able to accommodate a single dwelling and 2 spaces, noting manoeuvring is not required under the Parking Code where a development has less than 5 spaces.</p> <p>(c) Future development must be able to provide adequate private open space. Again, it is considered that owing to the proposed lot sizes and dimensions, reasonable north facing private open space should reasonably be able to be provided in future development.</p> <p>(d) Reasonable vehicular access is proposed to be provided as part of the development with the creation of new roads to service lot. Other lots front onto existing Council maintained roads. All lots are easily able to provide a 6m (or more) frontage to either existing or new road networks.</p> <p>(e) The subject site is located in an area where the primary use and development is residential. Lot sizes to the west and south of the subject site vary considerably. To the north, lot sizes are around 600 to 800 sqm in area. It is considered that the proposed lot sizes are a transition between higher residential lots to the north and lower density residential lots and development to the west and south. The proposed lots are not considered to be out of character with such existing residential development. The amenity of the area is primarily residential and further residential development will still be subject to assessment in terms of amenity and development standards. Further comments are provided below about the proximity of the proposed subdivision to the Longford race course.</p>
<p>A2 <i>Each lot must have a frontage of at least 6m.</i></p>	<p>P2 <i>No Performance Criteria.</i></p>
<p>Comment: The proposal complies with the A2 Acceptable Solution as the proposed lots have a minimum 6m frontage to either existing roads or to new roads and cul-de-sacs proposed as part of the development.</p>	<p>N/A</p>
<p>A3</p>	<p>P3</p>



<p><i>Each lot must be connected to a reticulated:</i></p> <p><i>a) water supply; and</i></p> <p><i>b) sewerage system</i></p>	<p><i>Lots that are not provided with reticulated water and sewerage services must be:</i></p> <p><i>a) in a locality for which reticulated services are not available or capable of being connected; and</i></p> <p><i>b) capable of accommodating an on-site wastewater management system.</i></p>
<p>Comment: The proposal complies with the A3 Acceptable Solution as engineering and servicing plans have been provided that demonstrate all proposed lots will be fully serviced with a water supply and sewerage system as part of the proposed development.</p>	<p>N/A</p>
<p><b>A4</b></p> <p><i>Each lot must be connected to a reticulated stormwater system.</i></p>	<p><b>P4</b></p> <p><i>Stormwater may only be discharged from the site in a manner that will not cause an environmental nuisance, and that prevents erosion, siltation or pollution of any watercourses, coastal lagoons, coastal estuaries, wetlands or inshore marine areas, having regard to:</i></p> <p><i>a) the intensity of runoff that already occurs on the site before any development has occurred for a storm event of 1% Annual Exceedance Probability (pre-development levels); and</i></p> <p><i>b) how the additional runoff and intensity of runoff that will be created by the subdivision for a storm event of 1% Annual Exceedance Probability, will be released at levels that are the same as those identified at the pre-development levels of the subdivision; and</i></p> <p><i>c) whether any on-site storage devices, retention basins or other Water Sensitive Urban Design (WSUD) techniques are required within the subdivision and the appropriateness of their location; and d) overland flow paths for overflows during extreme events both internally and externally for the subdivision, so as to not cause a nuisance.</i></p>
<p>Comment: The proposal complies with the A4 Acceptable Solution as engineering and servicing plans have been provided that demonstrate all proposed lots will be fully serviced with stormwater infrastructure as part of the proposed development.</p>	<p>N/A</p>

#### **4.8 Proximity of the proposed subdivision to the Longford racecourse**

It is noted that multiple representations have raised the issue of the proximity of the proposed development comprising a total of 44 new residential lots to be located in close proximity to the Longford Racecourse in Anstey Street.

Some of the proposed lots (lots 1, 2, 14 and 15) are proposed to have frontage directly onto Anstey Street and will be located directly opposite the racecourse.

Horse racing and horse stables are not uses, development or activities specifically mentioned in the Attenuation Code in the Planning Scheme.

On that basis, other major racecourses in Tasmania were considered as part of the assessment of this proposal.

In addition to the Longford Racecourse, there are three other primary racecourses in the state.

These are:



- Elwick Racecourse, located at Goodwood Road, Glenorchy, which has operated from this site since 1874; and
- Launceston Racecourse, located at Mowbray in Launceston; and
- Devonport Racecourse (also known as Spreyton Racecourse) located at Racecourse Road in Devonport.

All of these racecourses are located in residential areas where directly adjacent land is zoned General Residential, and in some cases, have residential properties directly abutting the racetrack.

On this basis, it is difficult to mount an argument that the proposed new subdivision to be located in close proximity to the Longford Racecourse will, without fail, result in racing activities at the Racecourse having a likelihood of being detrimentally affected, given that all other major racecourses in the state are located in primarily residential localities.

In the case of Elwick in Hobart, the racecourse was in existence well before the area was subdivided and developed for residential properties in the mid-20<sup>th</sup> century.

There would appear to be no conflict of land uses that impacts upon the viability of Elwick to continue as a major horse racing venue, despite residential properties being located directly adjacent to the racetrack with no buffer such as a road, landscaping, other buildings or development or topography.



Above: Elwick Racecourse at Goodwood in the northern Hobart suburbs with residential development located to the west, south and northeast of the site. The red overlay is land zoned General Residential (NE and South of the track) while dark red is land zoned Inner Residential zone (west of the track). Source: TheList, sourced October 2021.





Above: Devonport Racecourse at Spreyton with residential development located to the north and east of the site. The red overlay is land zoned General Residential (North and East of the track). Source: TheList, sourced October 2021.



Above: Launceston Racecourse at Mowbray with residential development located to the north, west and south of the site. The red overlay is land zoned General Residential (North and South of the track) while dark red is land zoned Inner Residential zone (west of the track). Source: TheList, sourced October 2021.

#### **4.9 Public Open Space for the proposed development**

The proposed development does not seek approval for any public open space with a total of 44 lots provided. All of these are intended to be private residential lots for future residential development.



Under Section 116 and 117 of the *Building and Miscellaneous Provisions Act 1993*, Council is able to require public open space in a proposed subdivision amounting to a maximum of 5% in total.

In the event that Council makes a decision to approve the proposed development, consideration should be given to the application of a condition requiring that 5% of the overall subject site is provided to Council as public open space in the form of a single lot that has frontage onto an existing road, instead of a 5% cash in lieu contribution.

Given the overall site area is 6.254 hectares, 5% of the site area would be 3127sqm. Such private open space should front onto an existing street so that it is readily identifiable and accessible to residents and residential properties in the surrounding area, not just the lots proposed.

Public Open Space is also dealt with under Code E10.0 of the Planning Scheme, specifically clause E10.6.1 and compliance of the proposed development has been further assessed under the Codes section of this report.

CODES		
E1.0	BUSHFIRE PRONE AREAS CODE	See assessment below.
E2.0	POTENTIALLY CONTAMINATED LAND	N/A
E3.0	LANDSLIP CODE	N/A
E4.0	ROAD AND RAILWAY ASSETS CODE	Complies
E.5.0	FLOOD PRONE AREAS CODE	N/A
E6.0	CAR PARKING AND SUSTAINABLE TRANSPORT CODE	N/A
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 subject to application of a condition on a permit of approval
E11.0	ENVIRONMENTAL IMPACTS & ATTENUATION CODE	Complies
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 E1.0  
(BUSHFIRE-PRONE AREAS CODE)**

E1.6 Development Standards

E1.6.1 Subdivision: Provision of hazard management areas

*Objective:*

*Subdivision provides for hazard management areas that:*

- (a) facilitate an integrated approach between subdivision and subsequent building on a lot;*
- (b) provide for sufficient separation of building areas from bushfire-prone vegetation to reduce the radiant heat levels, direct flame attack and ember attack at the building area; and*
- (c) provide protection for lots at any stage of a staged subdivision.*

Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p><i>(a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant the provision of hazard management areas as part of a subdivision; or</i></p> <p><i>(b) The proposed plan of subdivision:</i></p> <ul style="list-style-type: none"> <li><i>(i) shows all lots that are within or partly within a bushfire-prone area, including those developed at each stage of a staged subdivision;</i></li> <li><i>(ii) shows the building area for each lot;</i></li> </ul>	<p><b>P1</b></p> <p><i>A proposed plan of subdivision shows adequate hazard management areas in relation to the building areas shown on lots within a bushfire prone area, having regard to:</i></p> <ul style="list-style-type: none"> <li><i>(a) the dimensions of hazard management areas;</i></li> <li><i>(b) a bushfire risk assessment of each lot at any stage of staged subdivision;</i></li> <li><i>(c) the nature of the bushfire-prone vegetation including the type, fuel load, structure and flammability;</i></li> <li><i>(d) the topography, including site slope;</i></li> </ul>



<p>(iii) shows hazard management areas between bushfire-prone vegetation and each building area that have dimensions equal to, or greater than, the separation distances required for BAL 19 in Table 2.4.4 of Australian Standard AS 3959 – 2009 Construction of buildings in bushfire prone areas; and</p> <p>(iv) is accompanied by a bushfire hazard management plan that addresses all the individual lots and that is certified by the TFS or accredited person, showing hazard management areas equal to, or greater than, the separation distances required for BAL 19 in Table 2.4.4 of Australian Standard AS 3959 – 2009 Construction of buildings in bushfire prone areas; and</p> <p>(c) If hazard management areas are to be located on land external to the proposed subdivision the application is accompanied by the written consent of the owner of that land to enter into an agreement under section 71 of the Act that will be registered on the title of the neighbouring property providing for the affected land to be managed in accordance with the bushfire hazard management plan.</p>	<p>(e) any other potential forms of fuel and ignition sources;</p> <p>(f) separation distances from the bushfire-prone vegetation not unreasonably restricting subsequent development;</p> <p>(g) an instrument that will facilitate management of fuels located on land external to the subdivision; and</p> <p>(h) any advice from the TFS</p>
<p>Comment: The bushfire assessment indicates that the subject site will be subject to risk and a bushfire hazard management plan has been provided as part of the practitioner's assessment and report.</p> <p>Therefore the proposal does not comply with A1(a).</p> <p>The Tasmania Fire Service have submitted a representation opposing the approval of the proposed development on the basis it fails to comply with the Bushfire Code.</p> <p>On the basis of concerns about non compliance, the applicant has submitted an amended bushfire hazard management plan as well as an amended plan of subdivision on 3 November 2021.</p> <p>The amended submitted bushfire report does not provide sufficient information to address (b) or (c) and therefore the proposal has been assessed under the P1 Performance Criteria.</p>	<p>Comment: The planning report submitted with the documentation states that the proposal complies with the A1 Acceptable Solution (b).</p> <p>The amended Bushfire Hazard Assessment submitted to Council on 3 November 2021 by the developer's bushfire practitioner makes a more detailed assessment against Performance Criteria clause requirements in the Code than the previously submitted assessment and plan. Additionally as a result of more information and an amended plan of subdivision being submitted, the Tasmania Fire Service notified Council on 1 November 2021 that they withdrew their objection subject to a condition approval being made.</p> <p>Additionally, clause E1.6.1.P1 is now considered to be sufficiently addressed in the bushfire practitioner's amended report,</p> <p>Owing to the Tasmania Fire Service's representation received during the public notification period which now has been withdrawn owing to changes made by the developer providing a conditional support of the proposed development it is considered the proposal sufficiently complies subject to conditions being placed on a permit of approval. On this basis, the proposal is considered to demonstrate compliance with E1.6.1.P1.</p>

#### **E1.6.2 Subdivision: Public and fire fighting access**

##### *Objective:*

*Access roads to, and the layout of roads, tracks and trails, in a subdivision:*

*(a) allow safe access and egress for residents, fire fighters and emergency service personnel; (b) provide access to the bushfire-prone vegetation that enables both property to be defended when under bushfire attack and for hazard management works to be undertaken;*





- (c) are designed and constructed to allow for fire appliances to be manoeuvred;  
(d) provide access to water supplies for fire appliances; and  
(e) are designed to allow connectivity, and where needed, offering multiple evacuation points.

Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>(a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant specific measures for public access in the subdivision for the purposes of fire fighting; or</p> <p>(b) A proposed plan of subdivision showing the layout of roads, fire trails, and the location of property access to building areas is included in a bushfire hazard management plan that:</p> <ul style="list-style-type: none"> <li>(i) demonstrates proposed roads will comply with Table E1, proposed private accesses will comply with Table E2 and proposed fire trails will comply with Table E3; and</li> <li>(ii) is certified by the TFS or accredited person.</li> </ul>	<p><b>P1</b></p> <p>A proposed plan of subdivision shows access and egress for residents, fire-fighting vehicles and emergency service personnel to enable protection from bushfires, having regard to:</p> <p>(a) appropriate design measures, including: (i) two way traffic;</p> <ul style="list-style-type: none"> <li>(ii) all weather surfaces;</li> <li>(iii) height and width of any vegetation clearances;</li> <li>(iv) load capacity;</li> <li>(v) provision of passing bays;</li> <li>(vi) traffic control devices;</li> <li>(vii) geometry, alignment and slope of roads, tracks and trails;</li> <li>(viii) use of through roads to provide for connectivity;</li> <li>(ix) limits on the length of cul-de-sacs and dead-end roads;</li> <li>(x) provision of turning areas;</li> <li>(xi) provision for parking areas; (xii) perimeter access; and</li> <li>(xiii) fire trails;</li> </ul> <p>(b) the provision of access to:</p> <ul style="list-style-type: none"> <li>(i) bushfire-prone vegetation to permit the undertaking of hazard management works; and</li> <li>(ii) fire fighting water supplies; and</li> </ul> <p>(c) any advice from the TFS.</p>
<p>Comment: The bushfire hazard management plan confirms risk and therefore A1(a) is not met. Part of (b) requires endorsement from the Tasmania Fire Service.</p> <p>That endorsement has not been provided and therefore the proposal must be assessed under the P1 Performance Criteria.</p>	<p>Comment:</p> <p>The Tasmania Fire Service submitted a representation during the public notification period that provided the following comment about the compliance of the proposed development:</p> <p><i>The application fails to demonstrate compliance with E1.6.2 A1 of the Planning Scheme. Despite the Bushfire Risk Assessment Report stating that roads must comply with Table E1, neither the Bushfire Hazard Management Plan by Livingston Natural Resources nor the subdivision plan by 6tyo demonstrate that the proposed cul-de-sacs provide a turning circle with a minimum 12m outer radius in accordance with Table E1. In its conclusion the report refers to 18m diameter turning circles requiring trafficable turning provisions. The TFS is of the view that even with trafficable turning provisions such as mountable kerbs and trafficable footpaths the proposed 18m diameter (9m radius) cul-de-sacs may not achieve the DTS 12m outer radius required.</i></p> <p>The Tasmania Fire Service's representation dated 24 September 2021 also provided the following further observation:</p> <p><i>The BHMP shows 16 lots with a BAL-LOW/BAL 12.5 mix, but only 5 of those could realistically accommodate BAL-LOW. The TFS is concerned that the lots which are part BAL-12.5/part BAL-LOW may cause difficulties at the building stage because AS3959 Part 3.5 does not allow construction requirements for an elevation not exposed to the source of bushfire attack to be reduced to below BAL-12.5.</i></p>



	<p>When clarification was sought from the Tasmania Fire Service as part of the assessment of the proposed development, the following additional comments were made:</p> <p><i>Dot point 1 states that compliance with clause E1.6.2.A1 has not been met and additionally, sufficient information has not been given to demonstrate compliance with P1.</i></p> <p>As a result of the above feedback from the Tasmania Fire Service about the compliance or otherwise of the proposed development under the Bushfire Code, on 3 November 2021 the developer submitted an amended bushfire hazard management plan and an amended plan of subdivision with respect to turning circles and dimensions for access to address the concerns of the Tasmania Fire Service.</p> <p>These amended plans and hazard management assessment was referred to the Tasmania Fire Service who provided the following comments on 1 November 2021:</p> <p><i>I can confirm that the revised document resolves the issues TFS detected and we would like to withdraw our representation.</i></p> <p><i>The report identifies the cul-de-sac heads and interim turning heads have a 9m radius and rely on mountable kerbs and trafficable footpaths to achieve a 12m outer radius. TFS is concerned that the turning provisions may be overlooked and we advise Council that the detailed civil design must include the necessary measures to ensure the cul-de-sac are trafficable, including no parking signs, mountable kerbs, 20t load capacity for footpaths, 2m horizontal clearance etc. We are hoping Council will address this matter as a condition on the permit.</i></p> <p>It is considered that owing to the amended Bushfire hazard management plan and assessment as well as an amended plan of subdivision prepared by 6ty and accredited bushfire practitioner Scott Livingston dated 3 November 2021 now providing sufficient information to substantially address P1 of clause E1.6.2 as well as the Tasmania Fire Service's conditional approval of the ;proposal in their advice to withdraw their representation, it is considered the proposal satisfies this clause subject to a condition of approval on a planning permit.</p>
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**E1.6.3 Subdivision: Provision of water supply for fire fighting purposes**

<p><i>Objective:</i></p> <p><i>Adequate, accessible and reliable water supply for the purposes of fire fighting can be demonstrated at the subdivision stage and allow for the protection of life and property associated with the subsequent use and development of bushfire-prone areas.</i></p>	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p><i>In areas serviced with reticulated water by the water corporation:</i></p> <p><i>(a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant the provision of a water supply for fire fighting purposes;</i></p> <p><i>(b) A proposed plan of subdivision showing the</i></p>	<p><i>No Performance Criteria</i></p>



<p><i>layout of fire hydrants, and building areas, is included in a bushfire hazard management plan approved by the TFS or accredited person as being compliant with Table E4; or</i></p> <p><i>(c) A bushfire hazard management plan certified by the TFS or an accredited person demonstrates that the provision of water supply for fire fighting purposes is sufficient to manage the risks to property and lives in the event of a bushfire.</i></p>	
<p>Comment: The planning report submitted with the application states that the proposal complies with the A1 Acceptable Solution (b) and (c). However, the report confirms risk and also fails to provide a TFS endorsement. In the amended bushfire hazard management plan submitted 3 November 2021, fire hydrants are now specifically noted in the submitted plan in terms of their location with reference to the available water supply for fire fighting purposes. On this basis, it is considered that sufficient information has now been provided to demonstrate compliance with the A1 Acceptable Solution of clause E1.6.3.</p>	N/A
<p>A2</p> <p><i>In areas that are not serviced by reticulated water by the water corporation:</i></p> <p><i>(a) The TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant provision of a water supply for fire fighting purposes;</i></p> <p><i>(b) The TFS or an accredited person certifies that a proposed plan of subdivision demonstrates that a static water supply, dedicated to fire fighting, will be provided and located compliant with Table E5; or</i></p> <p><i>(c) A bushfire hazard management plan certified by the TFS or an accredited person demonstrates that the provision of water supply for fire fighting purposes is sufficient to manage the risks to property and lives in the event of a bushfire.</i></p>	Not relevant as the subject site is in an area serviced by reticulated water services.

#### Assessment against E4.0

#### (Road and Railway Assets Code)

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

<p><i>Objective:</i></p> <p><i>To ensure that the safety and efficiency of road and rail infrastructure is not reduced by the creation of new accesses and junctions or increased use of existing accesses and junctions.</i></p>	
Acceptable Solutions	Performance Criteria
<p>A2</p> <p><i>For roads with a speed limit of 60km/h or less the</i></p>	<p>P2</p> <p><i>For roads with a speed limit of 60km/h or less, the level of use,</i></p>



<i>use must not generate more than a total of 40 vehicle entry and exit movements per day.</i>	<i>number, location, layout and design of accesses and junctions must maintain an acceptable level of safety for all road users, including pedestrians and cyclists.</i>
Comment: The proposal does not comply with the A1 Acceptable Solution as the proposed lots will generate more than 40 traffic movements per day. Assessment is therefore required under the P1 Performance Criteria.	The documentation submitted to Council includes a Traffic Impact Assessment prepared by GHD and dated March 2021 that confirms compliance with the P2 Performance Criteria.

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

<b>Objective:</b> <i>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.</i>	
Acceptable Solutions	Performance Criteria
<b>A1</b> <i>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.</i>	<b>P2</b> <i>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.</i>
Comment: The proposal complies with the A1 Acceptable Solution as the proposed development seeks approval for lots which propose a single access point.	N/A

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

<b>Objective:</b> <i>To ensure that use and development involving or adjacent to accesses, junctions and level crossings allows sufficient sight distance between vehicles and between vehicles and trains to enable safe movement of traffic.</i>	
Acceptable Solutions	Performance Criteria
<b>A1</b> <i>Sight distances at</i> <i>a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.7.4; and</i> <i>b) rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia; or</i> <i>c) If the access is a temporary access, the written consent of the relevant authority has been obtained.</i>	<b>P2</b> <i>The design, layout and location of an access, junction or rail level crossing must provide adequate sight distances to ensure the safe movement of vehicles.</i>
Comment: The proposal complies with the A1 Acceptable Solution. All roads surrounding and fronting the proposed new lots are 50kmph roads. Each new access has a sight distance of no less than 80m in any direction as confirmed by the submitted TIA. Likewise, the new cul-de-sac access also exceed 80m. Compliance is therefore achieved.	N/A

#### Assessment against E10.0 (Recreation and Open Space Code)



**E10.6.1 Provision of Public Open Space**

*Objective:*

*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><b>A1</b></p> <p><i>a) Include consent in writing from the General Manager that no land is required for public open space but instead there is to be a cash payment in lieu.</i></p>	<p><b>P2</b></p> <p><i>Provision of public open space, unless in accordance with Table E10.1, must:</i></p> <p><i>a) not pose a risk to health due to contamination; and</i></p> <p><i>b) not unreasonably restrict public use of the land as a result of:</i></p> <ul style="list-style-type: none"> <li><i>i) services, easements or utilities; and</i></li> <li><i>ii) stormwater detention basins; and</i></li> <li><i>iii) drainage or wetland areas; and</i></li> <li><i>iv) vehicular access; and</i></li> </ul> <p><i>c) be designed to:</i></p> <ul style="list-style-type: none"> <li><i>i) provide a range of recreational settings and accommodate adequate facilities to meet the needs of the community, including car parking; and</i></li> <li><i>ii) reasonably contribute to the pedestrian connectivity of the broader area; and</i></li> <li><i>iii) be cost effective to maintain; and</i></li> <li><i>iv) respond to the opportunities and constraints presented by the physical characteristics of the land to provide practically useable open space; and</i></li> <li><i>v) provide for public safety through Crime Prevention Through Environmental Design principles; and</i></li> <li><i>vi) provide for the reasonable amenity of adjoining land users in the design of facilities and associated works; and</i></li> <li><i>vii) have a clear relationship with adjoining land uses through treatment such as alignment, fencing and landscaping; and</i></li> <li><i>ix) create attractive environments and focal points that contribute to the existing or desired future character statements, if any.</i></li> </ul>
<p>Comment: The proposal does not comply with the A1 Acceptable Solution as while the General Manager signed their consent for the application to be submitted in a letter of consent provided to the developer and dated 3 August 2021, this consent specifically stated that the consent was given only for the purposes of making the application.</p> <p>Assessment is therefore required under the P1 Performance Criteria.</p>	<p>No public open space has been proposed as part of the application and no consent has been provided by the General Manager for a cash in lieu contribution.</p> <p>The area was inspected for existing public open space in the form of parks and public gardens able to be used for recreational purposes for residents and none were cited within at least 1km of the subject site. The surrounding area is predominantly used for residential use and development and the General Residential and Low Density Residential zones are applied extensively throughout the surrounding area. It would therefore appear that the surrounding area is demonstrably deficient in public open space for the use of residents and locals as well as future residents of proposed lots.</p> <p>Therefore, in order for the proposed development to comply with</p>



	<p>the P1 Performance Criteria, it is recommended that a condition of approval be applied to any permit of approval that requires an area of land to be used for the purposes of public open space be provided as part of the development, equivalent to 5% of the area of the overall subject site.</p> <p>In order to comply with (a), (b) and (c) of the above Performance Criteria for any approval of the proposed development, it is further recommended that the public open space front onto Anstey Street, comprise a single lot in a rectangular configuration and comprise an area no less than 5% of the overall area to be subdivided.</p> <p>Final plans submitted for sealing must show this designated public open space and be to the satisfaction of the General Manager.</p>
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#### Assessment against E11.0

#### (Environmental Impacts and Attenuation Code)

#### E11.6.1 Attenuation Distances

<p><i>Objective:</i></p> <p><i>To ensure that potentially incompatible use or development is separated by a distance sufficient to ameliorate any adverse effects.</i></p>	
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>No Acceptable Solution.</p>	<p>P2</p> <p><i>Sensitive use or subdivision for sensitive use within an attenuation area to an existing activity listed in Tables E11.1 and E11.2 must demonstrate by means of a site specific study that there will not be an environmental nuisance or environmental harm, having regard to the:</i></p> <p><i>a) degree of encroachment; and</i></p> <p><i>b) nature of the emitting operation being protected by the attenuation area; and</i></p> <p><i>c) degree of hazard or pollution that may emanate from the emitting operation; and</i></p> <p><i>d) the measures within the proposal to mitigate impacts of the emitting activity to the sensitive use.</i></p>
<p>Comment: The proposal is required to be assessed under the P1 Performance Criteria.</p>	<p>The proposed development involving the creation of new lots for a sensitive use (sensitive being residential use as defined by the Planning Scheme) is located within the attenuation of the nearby Brickworks located at 15 Weston Street Longford. On this basis, the application has provided a Noise and Dust Assessment prepared by Pitt and Sherry dated 20 September 2021.</p> <p>This assessment concluded that there is unlikely to be any adverse impact on the ongoing operation of the Brickworks as a result of the proposed development.</p> <p>Likewise, the recommendation in this report also states that the Brickworks will not result in any adverse environmental impacts with respect to noise and dust on future residential development of the proposed lots.</p> <p>On this basis, it is considered the proposed development complies with the P1 Performance Criteria.</p>





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	Demolition proposed with this 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

State Policies
The proposal is consistent with all State Policies.

Objectives of Land Use Planning & Approvals Act 1993
The proposal is consistent with the objectives of the <i>Land Use Planning &amp; Approvals Act 1993</i> .

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

## 5 SERVICES

### Sewer & Water

The application was referred to TasWater regarding water and sewer infrastructure. Their certificate of consent dated 12 August 2021 is included as to this report and will be included as an attachment if a permit is issued.

### Stormwater & Access

The application was referred internally to the Council's Works Department, who advised that the subdivision can be serviced by Council infrastructure. Their recommended conditions of approval will be included if a permit is issued.

### Provision of Services

Prior to the sealing of the final plan of subdivision, the applicant would be required to provide water services, sewer and stormwater services to the property boundaries of all lots (as required by TasWater and Council's Works Department Section's conditions).

### Public Open Space



In addition, it is considered appropriate to apply the public open space requirement as specified in the *Local Government (Building & Miscellaneous Provisions) Act 1993* as this subdivision is in a township area, in accordance with Council's Policy.

If the development is approved, a condition has been recommended that public open space be taken to be transferred to Council in accordance with Section 117 of the *Local Government (Building and Miscellaneous Provisions) Act 1993* and be equivalent to 5% of the overall area of the subject site.

## 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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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"?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 <a href="#">Water and Sewerage Industry Act 2008</a> , that the entity cannot or will not –		
83(7)(a)	provide a supply of water to the block?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
83(7) (b)	provide means of sewerage for all or some specified kind of effluent from the block?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Section 84</b>	<b>Council not to approve subdivision</b>	<b>Yes</b>	<b>No</b>
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 <a href="#">Roads and Jetties Act 1935</a> has first not approved so much of the application as affects the drainage?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	<b>If 'yes', refuse the subdivision.</b>		
<b>Section 85</b>	<b>Refusal of application for subdivision</b>		
	<b>Council may refuse the application for subdivision if it is of the opinion:</b>		
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;	<input type="checkbox"/>	<input checked="" type="checkbox"/>
85(b)	that the drainage both of roads and of other land will not be satisfactorily carried off and disposed of;	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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;	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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;	<input type="checkbox"/>	<input checked="" type="checkbox"/>
85(d)	that the layout should be altered to include or omit –		
85(d)(i)	blind roads;	<input type="checkbox"/>	<input checked="" type="checkbox"/>
85(d)(ii)	alleys or rights of way to give access to the rear of lots;	<input type="checkbox"/>	<input checked="" type="checkbox"/>
85(d)(iii)	public open space;	<input checked="" type="checkbox"/>	<input type="checkbox"/>



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;		R
85(d)(v)	private roads, ways or open spaces;	R	
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;		R
85(d)(vii)	licences to embank highways under the <a href="#">Highways Act 1951</a> ;		R
85(d)(viii)	provision for widening or deviating ways on or adjoining land comprised in the subdivision;		R
85(d)(ix)	provision for the preservation of trees and shrubs;		R
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;		R
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;		R
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;		R
85(g)(ii)	party-wall easements;		R
85(g)(iii)	the state of a party-wall on its boundary.		R
<b>Section 86</b>	<b>Security for payment</b>	<b>Yes</b>	<b>No</b>
	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 storm water system in accordance with the by-laws of the council and to the satisfaction of its engineer;	R	
86(2)(d)	the works required for the discharge of the owner's obligations under <a href="#">section 10 of the Local Government (Highways) Act 1982</a> in respect of the highways opened or to be opened on the subdivision;		R
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;		R
86(2)(f)	the filling in of ponds and gullies;		R
86(2)(g)	the piping of watercourses.		R
	<b>If 'yes':</b>		
	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.		
<b>Section 107</b>	<b>Access orders</b>	<b>Yes</b>	<b>No</b>
107 (2)	Is work of a substantial nature needed to provide access for vehicles from a highway onto the block?		R
	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.		
<b>Section 108</b>	<b>Road widening</b>	<b>Yes</b>	<b>No</b>
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)		R



108 (1) (b)	Does council, in respect of an existing highway, require to obtain a licence to embank?		R
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**7 FINANCIAL IMPLICATIONS TO COUNCIL**

Not applicable to this application.

**8 OPTIONS**

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

**9 DISCUSSION**

Council has discretion to refuse the application.

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

**10 CONCLUSION**

The proposal for a 44 lot subdivision is generally considered to meet the applicable development standards for subdivision in the Low Density Residential zone.

The proposed development fails to meet the minimum Acceptable lot size of 1 hectare stated for the zone and therefore is required to be assessed under the applicable P1.1 Performance Criteria, which fail to provide a minimum Discretionary lot size and also a requirement that specifically states that proposed lots must meet development standards (Acceptable Solutions or Performance Criteria) for the zone.

Instead, the test for a lot size less than 1 hectare is that it should be able to 'conveniently' locate a dwelling as well as be in character with the surrounding area.

Given that all of the lots are at least 1200sqm it is considered feasible that a future standard sized single dwelling would be able to be located to as to serve the needs of future occupants.

The subject site is located on the fringe of the urban area of Longford where there is an established pattern of 600-800sqm residential lots to the immediate north.

Land zoned Low Density Residential adjacent to, and surrounding the subject site has a variety of lot sizes with lots varying from 1000sqm in area to in excess of 2 hectares.

On this basis, the lots are considered not to be out of keeping in an area where there are comparable sized lots.

Many of the representations stated a concern for the impact of the proposed development on the directly adjacent Longford Racecourse which has been in continued operations since the early Georgian Colonial era (1840's) and is therefore considered to be an important asset to the local community.

Unfortunately, the Planning Scheme currently fails to provide any protection of, or consideration of the equine industry as racing and agistment are uses and activities not specifically mentioned in either the applicable zone standards or in any Code.

Consideration was given to the location of other main racecourses in the state and all of the major racetracks are located in areas where residential development is directly adjacent to tracks, and accordingly zoned residential zones such as General Residential or Inner Residential.



Of the dozen representations received, one of those was from the Tasmania Fire Service who stated their non support of the proposal owing to the failure of the proposed development to sufficiently address or demonstrate compliance with the E1.0 Bushfire Prone Areas Code. In their representation, while the Tasmania Fire Service stated no objection to the proposal itself, it stated that the proposal plan and associated bushfire assessment did not sufficiently address or comply with the Code. Those concerns were raised to the practitioner and the planner acting for the developer concerned and as a result, an amended bushfire hazard management assessment and plan of subdivision were submitted to Council on 3 November 2021. Council staff were in active discussions with the Tasmania Fire Service who stated they were happy to withdraw their representation based on amended information being provided and a conditional approval being issued with respect to the Bushfire Code. On that basis, the proposal has been recommended for approval subject to conditions.

## RECOMMENDATION

That land at 145 Marlborough Street (CT-157278/2), 153 Marlborough Street (CT- 173613/1), 173 Marlborough Street (CT-173613/2), 10 Anstey Street (CT-173613/6), Cracroft Street road reserve (no CT reference), Catherine Street Road Reserve (no CT reference), 119 Catherine Street (CT-104455/3), 344 Cressy Road (CT-104455/4), Cressy Road road reservation (no CT reference), un-named road reserve (no CT reference), Marlborough Street road reservation (no CT reference) and Brickendon Street road reserve (no CT reference) be approved to be developed and used for a 44-lot subdivision, 3 x new roads and associated services, building demolition in accordance with application PLN-21-0062, and subject to the following conditions:

### 1 LAYOUT NOT ALTERED

The use and development must be in accordance with the endorsed documents:

- **P0** Project 19.019, Drawing P010, Issue 02, 13.04.21, Rev. A
- **P1** Project 19.019, Drawing P011, Issue 04, 27.07.21, Rev. C
- **P2** Project 19.019, Drawing P012, Issue 03, 27.07.21, Rev. B
- **P3** Project 19.019, Drawing P013, Issue 02, 13.04.21, Rev. A
- **P4** Project 19.019, Drawing P014, Issue 01, 27.07.21, Rev. A
- **P5** Project 19.019, Drawing P24, Issue 05, 02.11.21, Rev. D
- **P6** Project 19.019, Drawing P25, Issue 02, 27.07.21, Rev. A
- **P7** Project 19.019, Drawing P26, Issue 01, 05.07.21, Rev. -
- **P8** Project 19.019, Drawing P27, Issue 01, 05.07.21, Rev. -
- **P9** Project 19.019, Drawing P28, Issue 02, 27.07.21, Rev. A
- **P10** Project 19.019, Drawing P29, Issue 01, 05.07.21, Rev. -
- **P11** Project 19.019, Drawing P30, Issue 01, 05.07.21, Rev. -
- **P12** Project 19.019, Drawing P31, Issue 01, 05.07.21, Rev. -
- **P13** Project 19.019, Drawing P32, Issue 01, 05.07.21, Rev. -
- **P14** Bushfire Hazard Management Report Stamped Revised V7, Received 27/10/2021.

### 2 TASWATER CONDITIONS

Water and sewerage services must be provided in accordance with TasWater's Submission to Planning Authority Notice (reference number TWDA 2021/00573-NMC, amended date 12/08/2021).

### 3 COUNCIL'S WORKS & INFRASTRUCTURE CONDITIONS

#### 3.1 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.
- A stormwater design plan detailing a piped stormwater network (designed for the 10% Annual Exceedance Probability storm) and overland flow paths for the 1% Annual Exceedance Probability storm must be provided to the approval of the General Manager prior to the commencement of any works on site.

#### 3.2 Access

- A concrete driveway crossover and concrete apron must be constructed for each lot from the edge of the street to the property boundary in accordance with Council standards.



### 3.3 Detailed engineering plans required

Before the commencement of any works for the subdivision, detailed engineering plans by a certified engineer, to the approval of Council's General Manager, must be lodged with Council.

The plans must include:

- An engineering design of the road including pavement long sections and cross sections;
- An engineering design of the drainage system including calculations; and
- Design details confirming compliance with the E1.0 Bushfire-Prone Areas Code as outlined further in condition 9 of this permit.

### 3.4 Roadworks

- All road works must be carried out in accordance with the Tasmanian Standard Drawings (Institute of Public Works Engineering Australia & Local Government Association of Tasmania).
- All seal works must be asphalt.
- A 1.8m wide concrete footpath to be constructed outside the frontage of all lots.

### 3.5 Planting of Street Trees

Before the Final Plan is sealed, the applicant must submit a landscape plan showing at least one street tree outside each frontage of each non-internal lot including the public open space lot.

The landscape plan must be to the satisfaction of and approved by Council's General Manager.

When approved, the landscape plan will be endorsed and will form part of this permit.

Before the Final Plan is sealed, the developer must provide Council with a bond or bank guarantee of \$250 per tree shown on the endorsed landscape plan.

The developer must plant the street trees in accordance with the endorsed landscape plan at the end of the 12 month maintenance period. If the trees are not planted in this timeframe, Council may use the bond/bank guarantee to ensure the plantings occur.

Each tree must be provided with a means of irrigation, a root guard to prevent damage to adjoining infrastructure and an anti-vandalism tie down to prevent removal and be coordinated with the construction plans of underground services and pavement works to provide sufficient clearances around each tree.

### 3.6 As constructed information

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

### 3.7 Municipal standards & certification of works

Unless otherwise specified within a condition, all works must comply with the Municipal Standards including specifications and standard drawings. Any design must be completed in accordance with Council's subdivision design guidelines to the satisfaction of the Works & Infrastructure Department. Any construction, including maintenance periods, must also be completed to the approval of the Works & Infrastructure Department.

### 3.8 Works in road reserve

No works shall be undertaken within the public road reserve, including crossovers, driveways or kerb and guttering, without prior approval for the works by the Works & Infrastructure Manager. Twenty-four hours (24) notice shall be given to the Works & Infrastructure Department to inspect works within road reserve and before placement of concrete or seal. Failure to do so may result in rejection of the vehicular access or other works and its reconstruction.

### 3.9 Hydraulic separation

- Any existing pipes and stormwater 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 separation between all lots has been achieved.

### 3.10 Easements to be created

Easements must be created over all Council-owned services in favour of the Northern Midlands Council. Such easements shall be created on the final plan to the satisfaction of the Planning & Development Manager.

### 3.11 Pollutants

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





- Prior to the commencement of the development works 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. No material or debris is to be transported onto the road reserve (including the naturestrip footpath and road pavement). Any material that is deposited on the road reserve must be removed by the applicant. Should Council be required to clean or carry out works on any of their infrastructure because of pollutants being released from the site the cost of these works may be charged to the developer/property owner.

### 3.12 Bonds

The subdivision shall be subject to a maintenance period and a bond shall be held by Council until the completion of the maintenance period. The bond shall be calculated based on 5% of the total cost of works based on Council's standard road construction rates.

### 3.13 Naturestrips

Any new naturestrips, or areas of naturestrip 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.

## **4. SATISFACTORY COMPLETION OF INFRASTRUCTURE UPGRADES PRIOR TO SEALING OF TITLES**

Prior to the sealing by Council of the final plan of subdivision, the proposed upgrades to the infrastructure to service the proposed subdivision must be fully completed to the satisfaction of the General Manager and in accordance with the plans that accompany the Development Application and form part of this approval.

## **5. LAND TO BE SET ASIDE FOR PUBLIC OPEN SPACE**

In accordance with Section 117 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*, when the Final Plan is submitted for sealing, lots 14, 15 and part of lot 13, totaling 3,127m<sup>2</sup> (5% of the area of 145, 153 and 173 Marlborough Street) must be shown as a single lot and dedicated as Public Open Space. Lots 10 - 13 may be reconfigured as a result.

## **6. CONVEYANCE OF PUBLIC OPEN SPACE**

The Public Open Space lot must be conveyed to the Council upon the issue of titles. All costs involved in this procedure must be met by the Developer.

## **7. PUBLIC OPEN SPACE LANDSCAPING**

The public open space lot must be levelled, topped with 100mm of good quality topsoil and sown with grass. Grass must be established and free of weeds prior to the final plan being sealed. All costs involved must be met by the Developer and works must be completed to the satisfaction of the General Manager.

## **8. 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.

## **9. BUSHFIRE HAZARD MANAGEMENT**

### **Final plan to show building area**

The final plan of subdivision must show the building area for each lot and the hazard management area for each lot, in accordance with the endorsed document D1 – Bushfire Hazard Management Plan and Bushfire assessment prepared by Mr Scott Livingston and dated 3 November 2021. Prior to sealing of the Final Plan, a Certificate from a Bushfire Hazard Practitioner under Section 51(2)(d) of the Act endorsed and signed by the Tasmanian Fire Service must be submitted to Council to the satisfaction of the General Manager.

### **Detailed civil design plans required prior to sealing of plans**



Detailed civil design must include the necessary measures to ensure the proposed cul-de-sacs are trafficable, include no parking signs, mountable kerbs, 20t load capacity for footpaths and 2m horizontal clearance in order to demonstrate compliance with the E1.0 Bushfire-Prone Areas Code, to the satisfaction of the General Manager.

**10. DEMOLITION**

The developer must obtain relevant building approvals for all demolition work for which approval is sought prior to undertaking any works and prior to the sealing of the final plans, to the satisfaction of the General Manager.

**11. STATE GROWTH AND WORKS IN A STATE ROAD**

Prior to sealing of the Final Plans, detailed engineering drawings showing the extent of the proposed stormwater main, in particular the road crossing of Cressy Road, and all associated works must be provided to the Department of State Growth for review and acceptance as part of a works permit application, see Note.

NOTE: A valid works permit is required for all works undertaken in the State road (Cressy Road) reservation. Details of the permit process and application forms can be found at: [www.transport.tas.gov.au/roads\\_and\\_traffic\\_management/permits\\_and\\_bookings/service\\_works\\_gas\\_water\\_electricity](http://www.transport.tas.gov.au/roads_and_traffic_management/permits_and_bookings/service_works_gas_water_electricity). Applications must be received by the Department of State Growth a minimum of twenty (20) business days prior to the expected commencement date for works in order to allow sufficient time for the application to be assessed. No works are to be undertaken until a written permit has been issued.



## 14.4 PLN21-0248: 6 MUIRTON WAY, PERTH

*File:* PLN21-0248; 108370.38  
*Responsible Officer:* Des Jennings, General Manager  
*Report prepared by:* Paul Godier, Senior Planner

### 1 INTRODUCTION

This report assesses an application for a 6m x 6m shed in front of an existing garage at 6 Muirton Way, Perth.

It is proposed to construct a 6m x 6m x 3m to 3.525m high skillion garage, in front of an existing 6m x 9m x 3.6m high (to eaves) and 4.129m high (to apex) garage on the property.

### 2 BACKGROUND

**Applicant:**

Evonne Van Veen

**Zone:**

General Residential

**Classification under the Scheme:**

Outbuilding

**Deemed Approval Date:**

20 November 2021

**Owner:**

Evonne Van Veen and Director of Housing

**Codes:**

Car Parking and Sustainable Transport Code

**Existing Use:**

Residential (single dwelling)

**Recommendation:**

Approve with conditions

**Discretionary Aspects of the Application:**

- More than 9m of walls within 1.5m of southern side boundary.

**Planning Instrument:**

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

### Preliminary Discussion

The applicant did not hold preliminary discussions with council officers.

The application was included in the agenda for the October meeting with a recommendation of refusal. The applicant asked for the application to be withdrawn from that agenda to enable discussions with council officers and the representor.

Contact was unable to be made with the representor. The author of this report met with the applicant on site on 8<sup>th</sup> November 2021. The applicant advised that:

- The highest part of the skillion garage would be below the top of the existing roller door, and would be 3m to 3.2m high, and that the lowest part of the skillion garage would be 2.4 to 2.6m high.
- The would be willing to install timber screening on their property for the length of the garage.
- The garage would be used to park their ute out of the weather.

Image 1 – 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

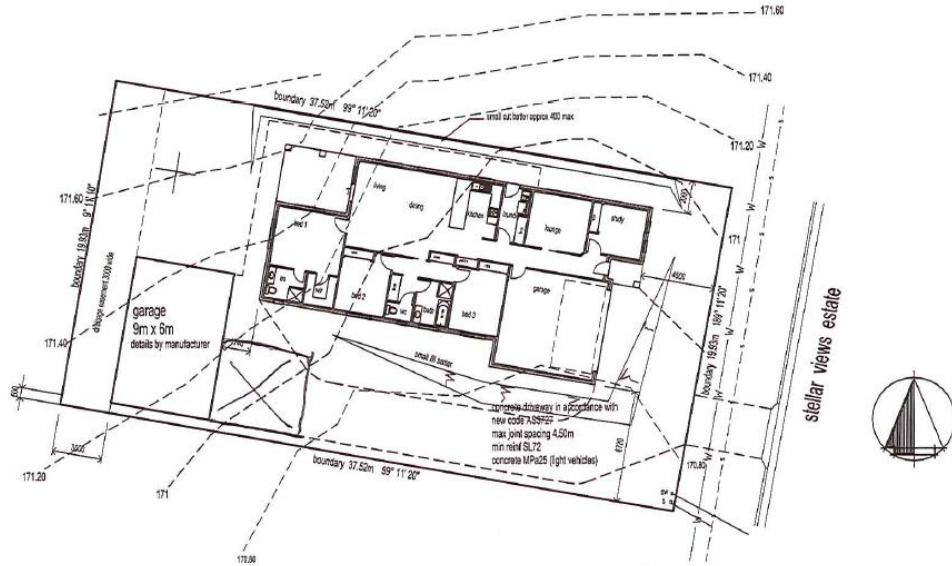
It is proposed to construct a 6m x 6m x 3m to 3.525m high skillion garage, in front of an existing 6m x 9m x 3.6m high (to eaves) and 4.129m high (to apex) garage on the property.

The applicant advised on 8 November 2021 that the actual height of the skillion garage is proposed to be ...

- 3m to 3.2m high (highest part of the skillion); and
- 2.4 to 2.6m high (lowest part of the skillion).

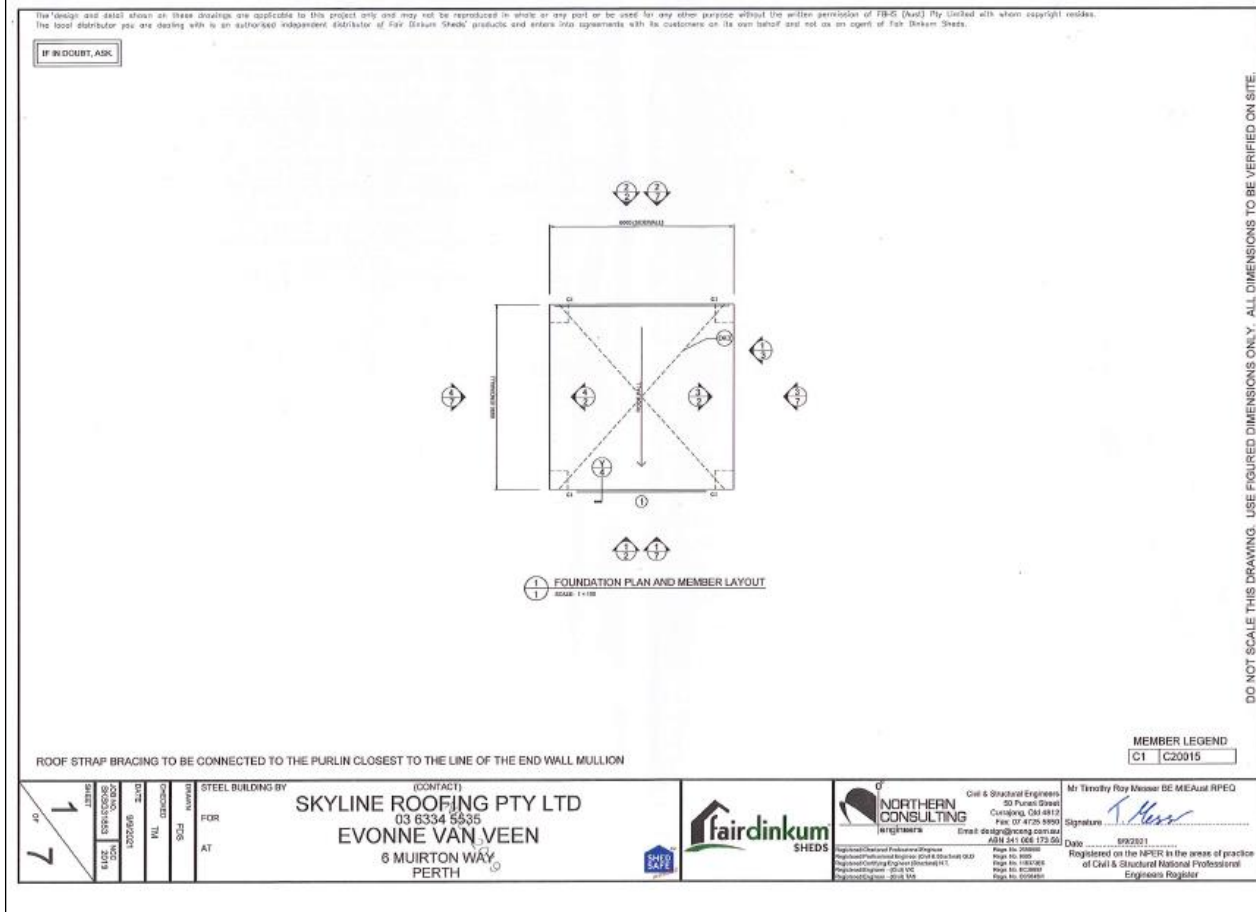


Image 2 - site plan



site plan

Image 3 - floor plan



*Image 4 – elevations of proposed garage*

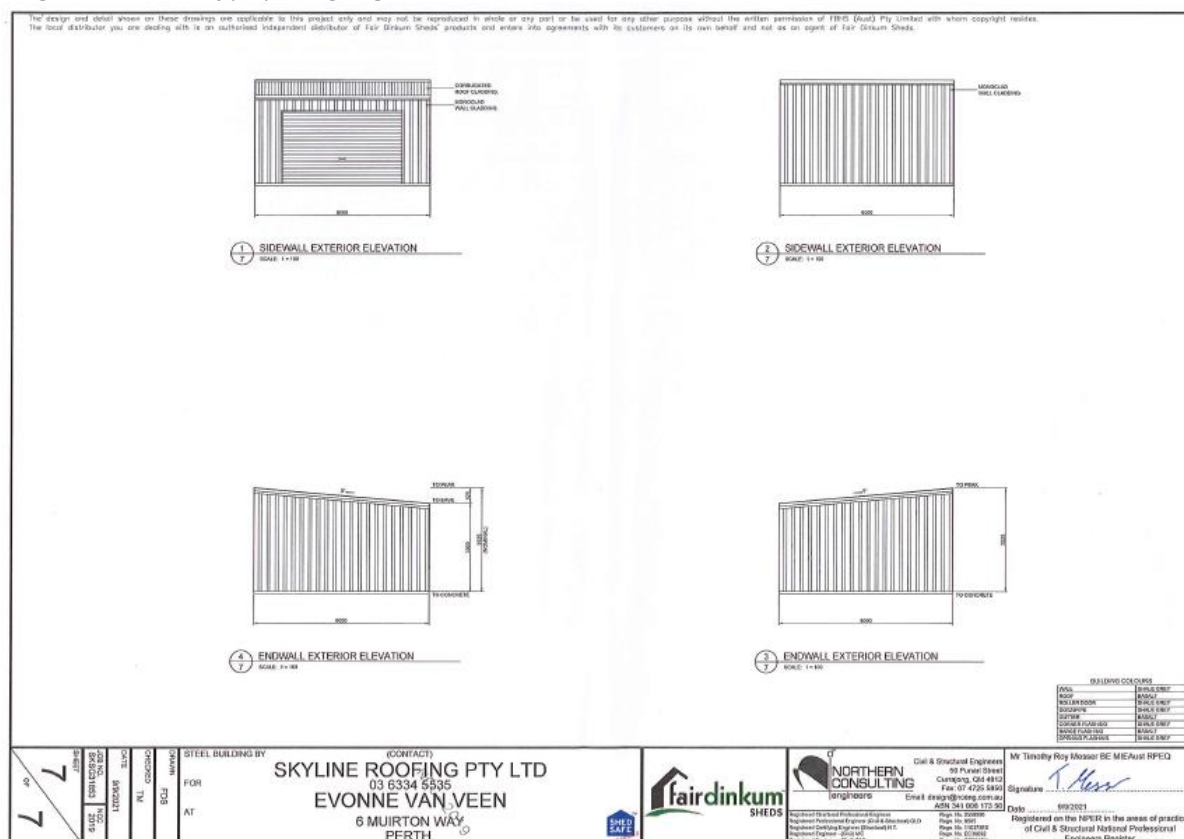
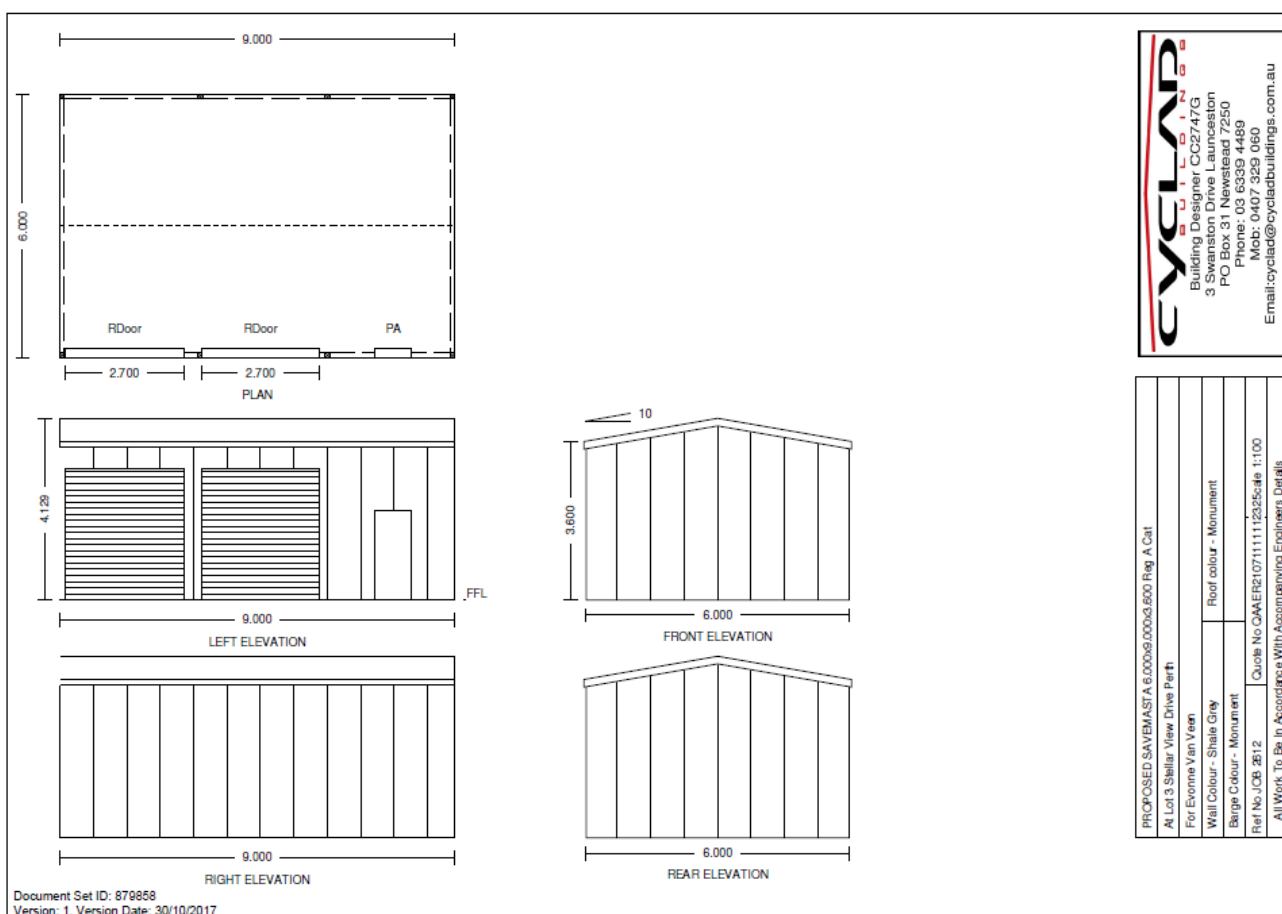


Image 5 – elevations of existing garage







#### 4.2 Zone and Land Use

The land is zoned General Residential. The relevant Planning Scheme definition is Residential (single dwelling) (outbuilding).

#### 4.3 Subject Site and Locality

The author of this report carried out a site visit on the 11<sup>th</sup> October and 8<sup>th</sup> November 2021. The site contains a dwelling and outbuildings. Surrounding land is similarly developed.

*Image 6 - subject site*



*Image 7 - existing shed on 6 Muirton Way, taken from 4 Muirton Way*



*Image 8 - existing shed on 6 Muirton Way, taken from 4 Muirton Way*



Image 9 - existing shed on 6 Muirton Way, taken from 4 Muirton Way



#### 4.4 Permit/Site History

- P17-270 – dwelling and garage

#### 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:

- S McCafferty, 4 Muirton Way, Perth

Image 10 - Aerial photograph showing location of representor's property (outlined in red) in relation to subject site (highlighted)



The matter raised in the representation are outlined below followed by the planner's comments.

- Has already lost a section of sunlight to yard due to the existing shed and does not want to lose more sunlight due to the proposed shed.



**Planner's comment:** The relevant clause of the planning scheme is that buildings within 1.5m of the side boundary do not exceed a total length of 9m. The existing garage has a 6m wall 0.6m from the side boundary, and the proposed shed is to have a 6m wall 0.6m from the side boundary, resulting in 12m of walls within 1.5m of the side boundary. The relevant performance criteria to consider this variation against is:

*The siting and scale of a dwelling must:*

(a) *not cause an unreasonable loss of amenity to adjoining properties, having regard to:*

(i) *reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining property;*

**Comment:** The dwelling to the south is 5m from the side boundary. Given that distance it is considered that the shed will not cause an unreasonable loss of amenity by reduction in sunlight to a habitable room of that dwelling.

(ii) *overshadowing the private open space of a dwelling on an adjoining property;*

**Comment:** The aerial photograph shows that the dwelling to the south has an area of private open space that is of sufficient distance from the garage that it is considered that the shed will not cause an unreasonable loss of amenity through overshadowing the private open space of that dwelling.

(iii) *overshadowing of an adjoining vacant property.*

**Comment:** N/a, there is not an adjoining vacant property.

(iv) *visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining property;*

**Comment:** The proposal plans show the skillion shed with a wall height ranging between 3m to 3.525m with a length of 6m. This will be in front of an existing 6m long garage with a wall height ranging between 3.6m to 4.129m. This would place it just below the gutter of the existing shed.

The applicant has since advised that the highest part of the skillion shed would be below the top of the existing roller door, and would be 3m to 3.2m high, and that the lowest part of the skillion shed would be 2.4 to 2.6m high.

The site photographs show that such a reduced height breaks up the form of the walls such that it is considered not to have an adverse visual impact caused by the apparent scale, bulk and proportions when viewed from 4 Muirton Way. The applicant has also advised they are willing to install timber screening for the length of the shed. This will further reduce the visual impact.

(b) *provide separation between dwellings on adjoining properties that is consistent with that existing on established properties in the area; and*

**Comment:** The shed is to be 0.6m from the side boundary. The adjoining house is 5m from the boundary. It is considered that the shed provides separation between dwellings consistent with that established in the area.

(c) *not cause an unreasonable reduction in sunlight to an existing solar energy installation on:*

(i) *an adjoining property; or*

**Comment:** Complies.

(ii) *another dwelling on the same site.*

**Comment:** Complies.

#### 4.6 Referrals

No referrals were required.



#### 4.7 Planning Scheme Assessment

##### Assessment Against Development Standards for Dwellings

##### 10.4.1 Residential density for multiple dwellings

Not applicable, not a multiple dwelling.

##### 10.4.2 Setbacks and building envelope for all dwellings

Objective:	<p><i>The siting and scale of dwellings:</i></p> <p><i>provides reasonably consistent separation between dwellings and their frontage within a street;</i></p> <p><i>provides consistency in the apparent scale, bulk, massing and proportion of dwellings;</i></p> <p><i>provides separation between dwellings on adjoining properties to allow reasonable opportunity for daylight and sunlight to enter habitable rooms and private open space; and</i></p> <p><i>provides reasonable access to sunlight for existing solar energy installations.</i></p>
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p><i>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:</i></p> <p><i>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;</i></p> <p><i>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;</i></p> <p><i>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;</i></p> <p><i>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</i></p> <p><i>if the development is on land that abuts a road specified in Table 10.4.2, at least that specified for the road.</i></p>	<p><b>P1</b></p> <p><i>A dwelling must:</i></p> <p><i>(a) have a setback from a frontage that is compatible with the streetscape, having regard to any topographical constraints; and</i></p> <p><i>(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.</i></p>
<b>Comment:</b> Complies.	N/a
<p><b>A2</b></p> <p><i>A garage or carport for a dwelling must have a setback from a primary frontage of not less than: 5.5m, or alternatively 1m behind the building line; the same as the building line, if a portion of the dwelling gross floor area is located above the</i></p>	<p><b>P2</b></p> <p><i>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.</i></p>





<p>garage or carport; or 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.</p>	
<p><b>Comment:</b> Complies. The shed is proposed to be 22.5m from the primary frontage.</p>	<p>N/a</p>
<p><b>A3</b> 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:</p> <p>(a) be contained within a building envelope (refer to Figures 10.1, 10.2 and 10.3) determined by:</p> <p>(i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a property with an adjoining frontage; and</p> <p>(ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above 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> <p>(b) only have a setback of less than 1.5m from a side or rear boundary if the dwelling:</p> <p>(i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining property; or</p> <p>(ii) does not exceed a total length of 9m or one third the length of the side boundary (whichever is the lesser).</p>	<p><b>P3</b> The siting and scale of a dwelling must:</p> <p>(a) not cause an unreasonable loss of amenity to adjoining properties, having regard to:</p> <p>(i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining property;</p> <p>(ii) overshadowing the private open space of a dwelling on an adjoining property;</p> <p>(iii) overshadowing of an adjoining vacant property; or</p> <p>(iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining property;</p> <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> <p>(i) an adjoining property; or</p> <p>(ii) another dwelling on the same site.</p>
<p><b>Comment:</b> Does not comply with A3 (b) (iii). The total length of walls, including the existing garage and proposed shed, within 1.5m of the side boundary would be 12m. This is longer than the acceptable solution of 9m. The application must be assessed against the performance criteria.</p>	<p>The siting and scale of a dwelling must:</p> <p>(a) not cause an unreasonable loss of amenity to adjoining properties, having regard to:</p> <p>(i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining property;</p> <p><b>Comment:</b> The dwelling to the south is 5m from the side boundary. It is considered that the shed will not cause an unreasonable loss of amenity by reduction in sunlight to a habitable room of that dwelling.</p> <p>(ii) overshadowing the private open space of a dwelling on an adjoining property;</p> <p><b>Comment:</b> The aerial photograph shows that the dwelling to the south has an area of private open space that is of sufficient distance from the shed that it is considered that the shed will not cause an unreasonable loss of amenity through overshadowing the private open space of that dwelling.</p> <p>(iii) overshadowing of an adjoining vacant property.</p> <p><b>Comment:</b> N/a, there is not an adjoining vacant property.</p> <p>(iv) visual impacts caused by the apparent scale, bulk or</p>



	<p><i>proportions of the dwelling when viewed from an adjoining property;</i></p> <p><b>Comment:</b> The proposal plans show the skillion shed with a wall height ranging between 3m to 3.525m with a length of 6m. This will be in front of an existing 6m long garage with a wall height ranging between 3.6m to 4.129m. This would place it just below the gutter of the existing shed.</p> <p>The applicant has since advised that the highest part of the skillion shed would be below the top of the existing roller door, and would be 3m to 3.2m high, and that the lowest part of the skillion shed would be 2.4 to 2.6m high.</p> <p>The site photographs show that such a reduced height breaks up the form of the walls such that it is considered not to have an adverse visual impact caused by the apparent scale, bulk and proportions when viewed from 4 Muirton Way. The applicant has also advised they are willing to install timber screening for the length of the shed. This will further reduce the visual impact. The revised proposal satisfies the performance criteria.</p> <p><i>(b) provide separation between dwellings on adjoining properties that is consistent with that existing on established properties in the area; and</i></p> <p><b>Comment:</b> The shed is to be 0.6m from the side boundary. The adjoining house is 5m from the boundary. It is considered that the shed provides separation between dwellings consistent with that established in the area.</p> <p><i>(c) not cause an unreasonable reduction in sunlight to an existing solar energy installation on:</i></p> <p><i>(i) an adjoining property; or</i></p> <p><b>Comment:</b> Complies.</p> <p><i>(ii) another dwelling on the same site.</i></p> <p><b>Comment:</b> Complies.</p>
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Table 10.4.2

Road	Setback (m)



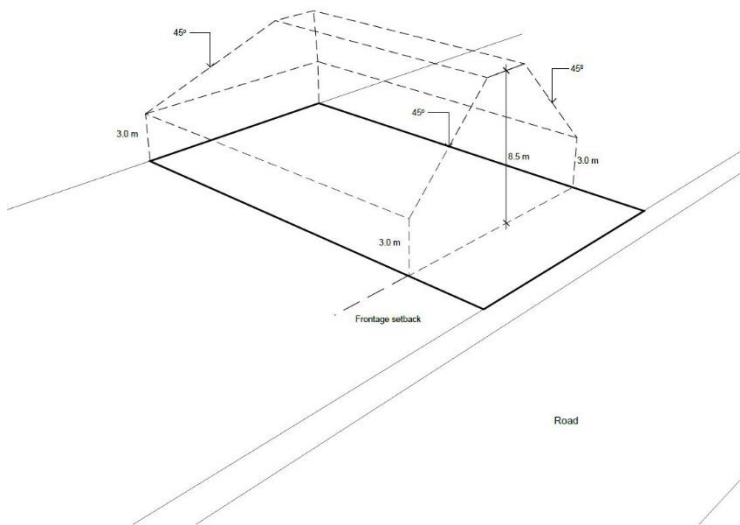


Figure 10.1 Building envelope as required by clause 10.4.2 A3(a)

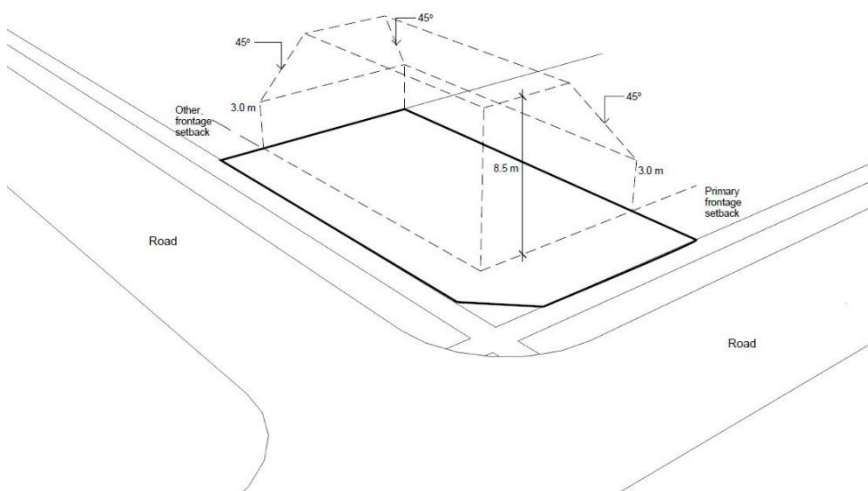


Figure 10.2 Building envelope for corner lots as required by clause 10.4.2 A3(a)

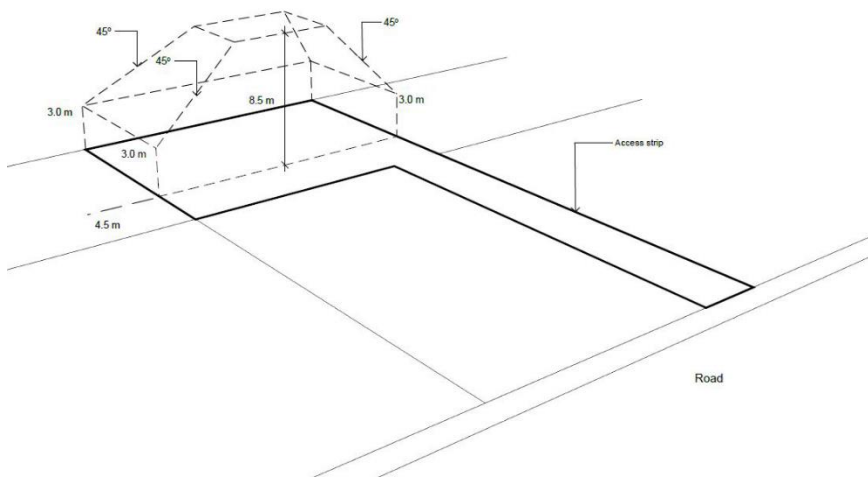


Figure 10.3 Building envelope for internal lots as required by clause 10.4.2 A3(a)



**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: for outdoor recreation and the operational needs of the residents; opportunities for the planting of gardens and landscaping; and private open space that is conveniently located and has access to sunlight.
Acceptable Solutions	Performance Criteria
<p><b>A1</b> Dwellings must have: a site coverage of not more than 50% (excluding eaves up to 0.6m wide); and for multiple dwellings, a total area of private open space of not less than 60m<sup>2</sup> associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer).</p>	<p><b>P1</b> Dwellings must have: (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: (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 reasonable space for the planting of gardens and landscaping.</p>
<p><b>Comment:</b> Complies. Dwelling, alfresco, porch = 217.42m<sup>2</sup> Existing garage = 54 m<sup>2</sup> Proposed shed = 36 m<sup>2</sup> Total = 307.54 m<sup>2</sup> Site = 748 m<sup>2</sup> <b>Coverage = 41%.</b></p>	N/a
<p><b>A2</b> A dwelling must have private open space that: (a) is in one location and is not less than: (i) 24m<sup>2</sup>; or (ii) 12m<sup>2</sup>, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); (b) has a minimum horizontal dimension of not less than: (i) 4m; or (ii) 2m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); (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.</p>	<p><b>P2</b> 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: conveniently located in relation to a living area of the dwelling; and orientated to take advantage of sunlight.</p>
<p><b>Comment:</b> Complies. The proposed location of the shed does not reduce the area of private open space for the dwelling.</p>	N/a

#### 10.4.4 Sunlight to private open space of multiple dwellings

<b>Objective:</b>	<i>That the separation between multiple dwellings provides reasonable opportunity for sunlight to private open space for dwellings on the same site.</i>
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A1</b> 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):</p> <p>(a) the multiple dwelling is contained within a line projecting (see Figure 10.4):</p> <p>(i) at a distance of 3m from the northern edge of the private open space; and</p> <p>(ii) vertically to a height of 3m above existing ground level and then at an angle of 45 degrees from the horizontal;</p> <p>(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</p> <p>(c) this Acceptable Solution excludes that part of a multiple dwelling consisting of:</p> <p>(i) an outbuilding with a building height not more than 2.4m; or</p> <p>(ii) protrusions that extend not more than 0.9m horizontally from the multiple dwelling.</p>	<p><b>P1</b> 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.</p>
<b>Comment:</b> Not applicable, not a multiple dwelling.	N/a

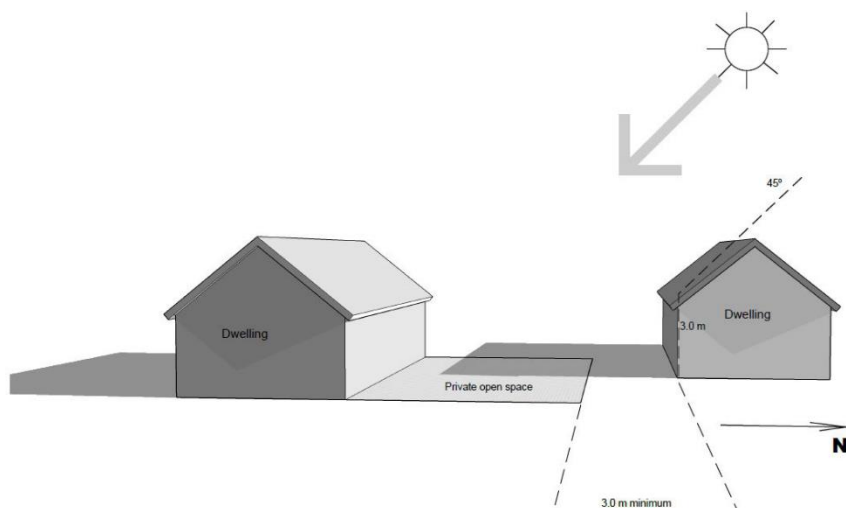


Figure 10.4 Separation from the private open space of another dwelling on the same site as required by clause 10.4.4 A1(a)

#### 10.4.5 Width of openings for garages and carports for all dwellings

<b>Objective:</b>	<i>To reduce the potential for garage or carport openings to dominate the primary frontage.</i>
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A1</b> A garage or carport for a dwelling within 12m of a primary frontage, whether the garage or carport is free-standing or</p>	<p><b>P1</b> A garage or carport for a dwelling must be designed to minimise the width of its openings that are visible</p>



<i>part of the dwelling, must have a total width of openings facing the primary frontage of not more than 6m or half the width of the frontage (whichever is the lesser).</i>	<i>from the street, so as to reduce the potential for the openings of a garage or carport to dominate the primary frontage.</i>
<b>Comment:</b> Not applicable. The shed is proposed to be 22.5m from the primary frontage.	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	N/a
E.5.0 Flood Prone Areas Code	N/a
E6.0 Car Parking And Sustainable Transport Code	Complies. Two spaces required; two spaces provided.
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
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
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 &amp; Approvals Act 1993</i> .	

## 5 FINANCIAL IMPLICATIONS TO COUNCIL

There are no financial implications to Council.

## 6 OPTIONS

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



## 7 DISCUSSION

Discretion to refuse the application is limited to the proposal resulting in more than 9m of walls within 1.5m of the side boundary. Conditions that relate to any aspect of the application can be placed on a permit.

The performance criteria requires that the siting and scale of the shed must not cause an unreasonable loss of amenity to adjoining properties having regard to visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining property.

The proposal plans show the skillion shed with a wall height ranging between 3m to 3.525m with a length of 6m. This will be in front of an existing 6m long garage with a wall height ranging between 3.6m to 4.129m. This would place it just below the gutter of the existing shed.

The applicant has since advised that the highest part of the skillion shed would be below the top of the existing roller door, and would be 3m to 3.2m high, and that the lowest part of the skillion shed would be 2.4 to 2.6m high.

The site photographs show that such a reduced height breaks up the form of the walls such that it is considered not to have an adverse visual impact caused by the apparent scale, bulk and proportions when viewed from 4 Muirton Way. The applicant has also advised they are willing to install timber screening for the length of the shed. This will further reduce the visual impact. The revised proposal satisfies the performance criteria.

It is recommended that the application be approved, and be conditioned to be in accordance with the revised proposal.

## 8 ATTACHMENTS

1. Application [14.4.1 - 10 pages]
2. Representation [14.4.2 - 1 page]

## RECOMMENDATION

That land at 6 Muirton Way, Perth be approved to be developed and used for an outbuilding in accordance with application PLN21-0248 and subject to the following conditions:

### 1 Layout not altered

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

### 2 Amended Plans Required

Before the development commences, amended plans must be submitted showing:

- 3.2m as the maximum height of the shed.
- 2.4m as the minimum height of the shed.

When approved, the plans will be endorsed and will form part of this permit.

### 3 Screening required

- Before the use commences, timber screening stained or painted in a muted colour must be installed on 6 Muirton Way.
- The screen must be for the length of the shed to a height of 2.1m above ground level.
- The screen must be maintained for the duration of the use.



## 15 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.





## 16 ITEMS FOR THE CLOSED MEETING

### RECOMMENDATION

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

Item	Local Government (Meeting Procedures) Regulations 2015 Reference
1.1 Table of Contents	15(2)(g)
2.1 Confirmation of Closed Council Minutes	15(2)(g)
2.2 Councillors' Leave	15(2)(h)
3.1 Personnel Matters	15(2)(a)
3.2 Management Meetings	15(2)(g)
3.3 Correspondence Received	15(2)(i)
3.4 Action Items: Status Report	15(2)(g)
4.1 Legal Matter	15(2)(i)
4.2 Land Purchase: Perth	15(2)(f)
4.3 Contract/Tender: Footbridge Tender – William Street Perth	15(2)(d)
4.4 Contract/Tender: Bridge Tender – Bryants Lane	15(2)(d)
4.5 Land Purchase: Longford	15(2)(f)
4.6 Local District Committee Membership	15(2)(g)
4.7 Stormwater Management	15(2)(i)
4.8 Personnel Matters	15(2)(a)

#### *Local Government (Meeting Procedures) Regulations 2015 - Part 2 - Meetings*

- (a) *personnel matters, including complaints against an employee of the council and industrial relations matters;*
- (b) *information that, if disclosed, is likely to confer a commercial advantage or impose a commercial disadvantage on a person with whom the council is conducting, or proposes to conduct, business;*
- (c) *commercial information of a confidential nature that, if disclosed, is likely to -*
  - (i) *prejudice the commercial position of the person who supplied it; or*
  - (ii) *confer a commercial advantage on a competitor of the council; or*
  - (iii) *reveal a trade secret.*
- (d) *contracts, and tenders, for the supply of goods and services and their terms, conditions, approval and renewal;*
- (e) *the security of -*
  - (i) *the council, councillors and council staff; or*
  - (ii) *the property of the council.*
- (f) *proposals for the council to acquire land or an interest in land or for the disposal of land;*
- (g) *information of a personal and confidential nature or information provided to the council on the condition it is kept confidential;*
- (h) *applications by councillors for a leave of absence;*
- (i) *matters relating to actual or possible litigation taken, or to be taken, by or involving the council or an employee of the council;*
- (j) *the personal hardship of any person who is a resident in, or is a ratepayer in, the relevant municipal area.*

## 17 CLOSURE

