



**NORTHERN
MIDLANDS
COUNCIL**

MINUTES

ORDINARY MEETING OF COUNCIL

MONDAY, 17 MAY 2021



NORTHERN MIDLANDS COUNCIL

MINUTES – ORDINARY MEETING

17 MAY 2021

MINUTES OF THE ORDINARY MEETING OF THE NORTHERN MIDLANDS COUNCIL HELD ON MONDAY 17 MAY 2021 AT 5.04PM IN PERSON AND VIA ZOOM VIDEO CONFERENCING PLATFORM IN ACCORDANCE WITH THE *COVID-19 DISEASE EMERGENCY (MISCELLANEOUS PROVISIONS) ACT 2020*, SECTION 18 (AUTHORISATION FOR MEETINGS NOT TO BE HELD IN PERSON)

166/21 ATTENDANCE

1 PRESENT

Mayor Mary Knowles OAM, Deputy Mayor Richard Goss (via Zoom), Cr Dick Adams OAM, Cr Matthew Brooks, Cr Andrew Calvert, Cr Jan Davis, Cr Ian Goninon, Cr Janet Lambert, Cr Michael Polley AM (to 8.02pm)

In Attendance:

Miss Maree Bricknell – Acting General Manager, Mr Leigh McCullagh – Works Manager, Mrs Erin Miles – Development Supervisor, Mr Paul Godier – Senior Planner (to 7.52pm), Mrs Gail Eacher – Executive Assistant

2 APOLOGIES

Mr Des Jennings – General Manager

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200/21 INFORMATION OF A PERSONAL AND CONFIDENTIAL NATURE OR
INFORMATION PROVIDED TO THE COUNCIL ON THE CONDITION
IT IS KEPT CONFIDENTIAL

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Council **RESOLVED** to consider agenda item C&D 4 after Public Question Time.

168/21 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.

169/21 DECLARATIONS OF ANY PECUNIARY INTEREST OF A COUNCILLOR OR CLOSE ASSOCIATE

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

Council **RESOLVED** to accept the following declarations of interest:

Mayor Mary Knowles

CON 8

Cr Ian Goninon

GOV 10 and CON 5

170/21 CONFIRMATION OF MINUTES: OPEN COUNCIL ORDINARY COUNCIL MEETING MINUTES

DECISION

Cr Polley/Cr Adams

That the Open Council Minutes of the Ordinary Meeting of the Northern Midlands Council held at the Council Chambers, Longford on Monday, 26 April 2021, be confirmed as a true record of proceedings.

Carried unanimously

171/21 MOTIONS ON NOTICE

No motions were received.

172/21 COMMITTEE MINUTES

1 CONFIRMATION OF MINUTES OF COMMITTEES

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

	Date	Committee	Meeting
i)	27/10/2020	Local Recycling Committee	Ordinary
ii)	24/11/2020	Local Recycling Committee	Ordinary
iii)	17/12/2020	Local Recycling Committee	Ordinary
iv)	19/01/2021	Local Recycling Committee	Ordinary
v)	15/02/2021	Local Recycling Committee	Ordinary
vi)	30/03/2021	Local Recycling Committee	Ordinary
vii)	13/04/2021	Perth Local District Committee	Ordinary

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	Date	Committee	Meeting
viii)	27/04/2021	Local Recycling Committee	Ordinary
ix)	04/05/2021	Campbell Town District Forum	Ordinary
x)	04/05/2021	Ross Local District Committee	Ordinary
xi)	04/05/2021	Perth Local District Committee	Ordinary
xii)	05/05/2021	Longford Local District Committee	Ordinary
xiii)	07/05/2021	Campbell Town Swimming Pool Committee	Ordinary
xiv)	31/03/2021	Cressy Local District Committee	Ordinary

DECISION

Cr Lambert/Cr Calvert

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

Carried unanimously

2 RECOMMENDATIONS OF SUB COMMITTEES

NOTE: *Matters already considered by Council at previous meetings have been incorporated into INFO 11: Officer's Action Items.*

Perth Local District Committee

At the ordinary meeting of the Perth Local District Committee held on 13 April 2021 the following motion/s were recorded for Council's consideration:

Perth Train Park: *request Council consider the list of upgrades to the Train Park as a matter of urgency to make the park safe and attractive for the community and to coincide with the celebration of the arrival of trains in the town.*

Officer Comment:

Councillors visited the site as part of the annual bus tour of the municipal area, upgrades referred to the Main Street Upgrade Program budget deliberations.

Officer Recommendation:

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

DECISION

Cr Adams/Cr Davis

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

Carried unanimously

Budget 2021/2022: *request Council advise the committee of the 2021/22 Budget Priorities relevant to the Perth Township following approval of the budget by council.*

Officer Comment:

All Local District Committees to be advised of 2021/2022 budget priorities relevant to their area following budget approval.

Officer Recommendation:

That the recommendation be noted.

DECISION

Cr Adams/Cr Davis

That the recommendation be noted.

Carried unanimously

Banner Poles: *add the bicentenary dates 1821 to 2021 to the banners listed below. Committee agreed these banners would be suitable to use ongoing in future years with the bi-centenary dates.*

Officer Comment:

Once suitable images for the banners have been finalised production is to be progressed. The Committee agreed at their 4 May meeting that the dates i.e. '1821-2021' be displayed together with the photos on each banner.



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Officer Recommendation:

That the recommendation be noted.

DECISION

Cr Adams/Cr Davis

That the recommendation be noted.

Carried unanimously

Perth Local District Committee

At the ordinary meeting of the Perth Local District Committee held on 4 May 2021 the following motion/s were recorded for Council's consideration:

Mulgrave Street Dog Park: *That Council, in consultation with the Perth Lions Club, progress with the planting of appropriate tree species at the Mulgrave Street dog park to replace the vegetation removed.*

Officer Comment:

Appropriate tree species have already been ordered, Council officers will contact Perth Lions.

Officer Recommendation:

That the recommendation be noted.

DECISION

Cr Adams/Cr Davis

That the recommendation be noted.

Carried unanimously

Campbell Town District Forum

At the ordinary meeting of the Campbell Town District Forum held on 4 May 2021 the following motion/s were recorded for Council's consideration:

6.10 Smoke Free Zone High Street: That Council contact business owners along the Main Street reminding them of the regulations.

Officer Comment

Concerns have been raised from community members regarding the possibility of declaring High Street a smoke free zone, in particular the areas outside of shops serving food and drinks. Council Officers have investigated this, and under the *Public Health Act 1997* smoking is prohibited in areas where food is served.

At the 26 April Council meeting, Councillors considered the following motion of the Committee:

That Council investigate the possibility of declaring the footpath between 80 High Street and Queen Street to be a 'SMOKE FREE' zone and notify owners of all premises in the area to make sure the outside eating areas are kept CLEAN & free from garbage at all times.

At that time, the decision of Council was as follows:

Smoke Free Zone: That Council Officers investigate and provide a report to Council prior to response.

Officer Recommendation:

That Council Officers send a letter to business owners along High Street reminding them of the regulations and their responsibility to ensure a smoke free zone for customers.

DECISION

Cr Calvert/Cr Adams

That Council Officers send a letter to business owners along High Street reminding them of the regulations and their responsibility to ensure a smoke free zone for customers.

Carried unanimously

7.2 Upgrades to skate park: That Council consider an upgrade or extension to the Campbell Town Skate Park in the 2021/2022 budget.

Officer Comment

A representative from the school advised that several students had asked of the possibility of upgrading the existing skate park. The school representative advised that several of the students were excited about getting involved in the process and would be happy to present their ideas to Council. The school representative advised that she would assist them by seeking quotes and costings.



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Officer Recommendation:

That Council note the information and consider an upgrade to the existing skate park in the 2021/2022 budget.

DECISION

Cr Calvert/Cr Adams

That Council note the information and consider an upgrade to the existing skate park in the 2021/2022 budget.

Carried unanimously

Longford Local District Committee

At the ordinary meeting of the Longford Local District Committee held on 5 May 2021 the following motion/s were recorded for Council's consideration:

7.1 Longford Entrance Improvements: That this committee refer the entrance question be incorporated into the planning for the roundabout upgrade.

Officer Comment

Mrs Copas Fowler has referred the request to the Department of State Growth and Council's Planning Department for consideration.

Officer Recommendation:

That Council note the information.

DECISION

Cr Adams/Cr Polley

That Council note the information.

Carried unanimously

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.

Officer Comment

The Committee has advised that Mr Langan will investigate the history.

Officer Recommendation:

That Council note the information.

DECISION

Cr Adams/Cr Polley

That Council note the information.

Carried unanimously

173/21 DATE OF NEXT COUNCIL MEETING: MONDAY, 28 JUNE 2021

Mayor Knowles advised that the next Ordinary Council Meeting of the Northern Midlands Council would be held at 5.00pm on Monday, 28 June 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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174/21 INFORMATION ITEMS

1 COUNCIL WORKSHOPS/MEETINGS HELD SINCE THE LAST ORDINARY MEETING

Responsible Officer: Des Jennings, General Manager

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

Date Held	Purpose of Workshop
03/05/2021	Council Workshop Presentations - Northern Midlands Business Association (NMBA) - Integrated Priority Projects Discussion included: - Northern Midlands Further Education Bursary Program - Car Parking Review: Evandale And The Requirements To Establish A Car Park Fund - Panshanger/Woolmers Lane Intersection
17/05/2021	Council Workshop Discussion: Council Meeting Agenda items
17/05/2021	Council Meeting

2 MAYOR'S ACTIVITIES ATTENDED & PLANNED

Mayor's Activities Attended & Planned for the period 27 April 2021 to 17 May 2021 are as follows:

Date	Activity
27 April 2021	Attended Recycling Committee meeting, Longford
28 April 2021	Attended Northern Tasmanian Development Corporation Regional Collaboration forum, Launceston
28 April 2021	Attended Our Watch Family Violence Online Northern Tasmanian Development Corporation forum, Longford
29 April 2021	Attended Avoca, Royal George and Rossarden Local District Committee meeting, Avoca
30 April 2021	Attended Scouts Annual General Meeting, Longford
3 May 2021	Attended Northern Tasmanian Development Corporation .id workshop, Launceston
3 May 2021	Attended Northern Tasmanian Development Corporation afternoon tea, Longford
3 May 2021	Attended Council Workshop, Longford
6 May 2021	Attended LAFM Mayoral Moments radio interview, Gipps Creek
7 May 2021	Attended World Red Cross Day luncheon, Longford
10 May 2021	Attended 2021 Australia Day Meritorious Awards ceremony, Hobart
11 May 2021	Attended Northern Midlands Visitor Centre meeting, Evandale
11 May 2021	Attended Ross Community Sports Club meeting, Ross
13 May 2021	Attended International Women's Day Awards luncheon, Oatlands
17 May 2021	Attended meeting with resident, Longford
17 May 2021	Attended Council Workshop and Meeting, Longford

3 GENERAL MANAGER'S ACTIVITIES

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

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

- Attended General Manager's regional meetings
- Met with Minister Shelton
- Met with service provider
- Met with Campbell Town Hall Committee and Museum Volunteers
- Met with Stephanie Cameron, state election candidate

- Met with Service Tasmania
- Met with Councillor Goninon

4 PETITIONS – SAVE THE CAMPBELL TOWN TOWN HALL

1 PURPOSE OF REPORT

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

2 OFFICER'S COMMENT

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

Section 57. Petitions

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

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

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

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

petition means a paper petition or electronic petition;

signatory means –

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

3 PETITIONS RECEIVED

A *non-compliant petition* initiated by Nicole Graham was received by Council on 3 May 2021.

The petition is not compliant due to provisions not being met, which include the following:

- Does not comply with Section 57(2)(d)
- Does not comply with Section 57(2)(e)(i) and (ii)

It is noted that there are a total of 344 signatories to the *petitions*.

5 CONFERENCES & SEMINARS: REPORT ON ATTENDANCE BY COUNCIL DELEGATES

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

2.1 NOTES FROM THE TASWATER WASTE WATER TESTING BRIEFING 21 APRIL

Report provided by: Mayor Mary Knowles OAM

Julie Graham, Public Health (Mayors, GMs + stakeholders)

- Started testing week of April 19th, 22 areas – focus on priority areas, weekly testing, ease of testing, entry points into the state – airports and Spirit.
- Joining other states in testing – picks up viral fragments shed into water via toilet, hand washing, coughing. Sampling to SA – results back Friday/Saturday – setting up to test on island.
- Don't know how long virus lasts in waste-water possibly 2-3 weeks. Don't know how long people shed the virus for could be up to 3-4 weeks, may be those who have had virus months after infection.

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Results: Australia – no common transmission evidence, so it is true at the moment that it is highly unlikely to be an active case/infectious person.

- Establish waste-water testing now so it is in place when needed.
- If we have a positive case then can get resources to where needed

This will set Tasmania up for future outbreaks – need to be vigilant, remind people COVID is still around, COVID safe behaviours and get tested. Ramp up vaccinations.

- No matter the area or region will TasWater will involve Local Government early on, keep EHO's in the loop (keeping councils in the loop vs specific roles for EHO. May have role if introduce testing program).
- Response team set up, includes communications people, will get in touch, will walk 'hand in hand'

Septic systems – surveillance system only.

LGAT liaising closely.

6 132 & 337 CERTIFICATES ISSUED

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

S132. Certificate of liabilities

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

S337. Council land information certificate

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

	No. of Certificates Issued 2020/2021 year												Total 2020/2021 YTD	Total 2019/2020
	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June		
132	136	71	95	98	105	69	52	51	102	96			875	915
337	34	41	36	44	59	66	29	26	42	42			419	515



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7 ANIMAL CONTROL

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

Item	Income/Issues 2019/2020		Income/Issues for March		Income/Issues 2020/2021	
	No.	\$	No.	\$	No.	\$
Dogs Registered	4,278	101,937	34	915	4,116	98,081
Dogs Impounded	44	4,089	2	170	15	1,368
Euthanized	1	-	-	-	-	-
Re-claimed	39	-	2	-	14	-
Re-homed/Dogs Home *	4	-	-	-	1	-
New Kennel Licences	15	1,080	4	288	14	1,008
Renewed Kennel Licences	70	3,080	-	-	72	3,168
Infringement Notices (paid in full)	42	12,149	2	344	23	4,651
Legal Action	-	-	-	-	-	-
Livestock Impounded	-	-	-	-	1	65
TOTAL		122,335		1,717		108,342

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

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

Kennel Licences

4 kennel licences applied for

Microchips:

0 dogs microchipped

Infringements:

2 infringement issued.

Attacks:

1 attack on dog causing non- serious injury – infringement issued

Impounded Dogs:

2 dogs impounded – 2 reclaimed by owner.

8 ENVIRONMENTAL HEALTH SERVICES

Prepared by: Graeme Hillyard, Environmental Health Officer

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

Ensure safe standards of food offered for sale are maintained.

Investigations/ Inspections/ Licences Issued	2017/2018	2018/2019	2019/2020	2020/2021	Number -- this month	Current No. of Premises Registered
Notifiable Diseases	4	5	1	0		
Inspection of Food Premises	77	127	111	69	2	136
Place of Assembly Licences					-	

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

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

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

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

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

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

9 CUSTOMER REQUEST RECEIPTS

Operational Area	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
Animal Control	4	5	6	2	1	1	1	4	4	4		
Building & Planning	-	-	-	1	1	1	1	4	4	1		
Community Services	-	-	-	-	1	11	6	3	4	1		
Corporate Services	-	3	1	-	1	2	-	1	3	1		
Governance	-	-	-	-	-	1	-	-	-	-		
Waste	1	-	-	-	-	-	-	-	-	-		
Works	31	27	28	34	13	35	41	28	31	21		

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

Date	Recipient	Purpose	Amount \$
	Council wages and plant	Assistance to Campbell Town SES	121.79
15-Sep-20	Campbell Town District High School	Inspiring Positive Futures Program	7,272.73
15-Sep-20	Campbell Town District High School	Chaplaincy	1,363.64
27-Oct-20	Campbell Town District High School	Donation - School Achievement Awards	150.00
27-Oct-20	Perth Primary School	Donation - School Achievement Awards	50.00
27-Oct-20	Evandale Primary School	Donation - School Achievement Awards	50.00
27-Oct-20	Longford Primary School	Donation - School Achievement Awards	50.00
27-Oct-20	Cressy District High School	Donation - School Achievement Awards	136.36
27-Oct-20	Longford Fire Brigade	Donation	100.00
27-Oct-20	Perth Fire Brigade	Donation	100.00
18-Nov-20	Longford Care-a-car Committee	Donation	1,000.00
25-Nov-20	Helping Hand Association	Donation	1,500.00
22-Dec-20	Cressy District High School	Inspiring Positive Futures Program	8,000.00
19-Apr-21	Woolmers Foundation Inc	Donation - Second hand laptops	500.00
Planning/Building Applications Remitted			
20-Jan-21	Relay for Life Fundraiser Longford Goat Show	Temporary Food Permit	33.00
20-Jan-21	Nth Tas Light Horse Troop War Animals Remembrance Day	Temporary Food Permit	33.00
20-Jan-21	Campbell Town Auxiliary Market Stall	Temporary Food Permit	186.00
20-Jan-21	Longford Rotary Club	Temporary Food Permit	186.00
School & Bursary Programs			
11-Nov-20	Chanelle Woods	Bursary Program 2019 - instalment 2	1,000.00
18-Jan-21	Jonty Webb	Bursary Program 2020 - instalment 1	1,000.00

NORTHERN MIDLANDS COUNCIL

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Date	Recipient	Purpose	Amount \$
18-Jan-21	Charlotte Layton	Bursary Program 2019 - instalment 2	1,000.00
19-Jan-21	Connor Perri	Bursary Program 2020 - instalment 1	1,000.00
3-Feb-21	Samantha Airey	Bursary Program 2019 - instalment 2	1,000.00
10-Feb-21	Ellie-Mae Evans	Bursary Program 2019 - instalment 2	1,000.00
17-Mar-21	Jemma Walters	Bursary Program 2019 - instalment 1	1,000.00
17-Mar-21	Piper Bunton	Bursary Program 2019 - instalment 2	1,000.00
24-Mar-21	Hayden Smith	Bursary Program 2019 - instalment 2	1,000.00
Sporting Achievements			
3-Feb-21	Katie Campbell	NTJSA U/13 Girls Representation Team	100.00
31-Mar-21	Henry Tennant	Northern Tasmanian Soccer Rep Team	100.00
14-Apr-21	Jock Johnston	Tasmanian Polocross Covid Cup 2021	100.00
14-Apr-21	Alex Miller	Tasmanian Polocross Covid Cup 2021	100.00
		TOTAL	\$30,232.52

11 ACTION ITEMS: COUNCIL MINUTES

Date	Min. Ref.	Details	Action Required	Officer	Current Status
15/03/2021	091/21	Aboriginal and Dual Naming Policy: Inclusion of Palawa Kani Name on Campbell Town Entrance Signs	writes to the Tasmanian Aboriginal Centre seeking comment on amending the entrance signs to Campbell Town to display the palawa kani name pantukina	Exec. Officer	Letter sent to Tasmanian Aboriginal Centre 18/3/2021 Campbell Town Bicentenary Committee updated 18/3/2021 Response received from Tasmanian Aboriginal Centre supporting inclusion of palawa kani name on Campbell Town entrance statement Awaiting revised design to be sent to Tasmanian Aboriginal Centre for approval
15/03/2021	098/21	Public Interest Disclosure Procedures	That Council adopt the Public Interest Disclosure Procedures as drafted and submit to the Ombudsman for approval.	Exec. Officer	Procedures submitted 18/3/2021. Awaiting response from Ombudsman.
16/03/2020	Deferred item	GOV8 Overhanging Trees/Hedges: Evandale	Deferred to provide opportunity for the community to attend	General Manager	No further action to be taken at this time. To be workshopped and report to be relisted.
27/01/2021	021/21	Just Cats Proposal: User Pay Basis	That the matter be referred to the neighbouring Council's by the General Manager to consider a consolidated approach, which may include meeting with Just Cats as well as other service providers to consider all aspects of cat management, including: education programmes, State government funding/ support that may be available. Discussions to not only relate to the rehoming of cats.	General Manager	Report to future Council meeting.
15/02/2021	046/21	ALGA 2021 NGA - Attendance	That Council authorise the attendance in person of the Mayor, Deputy Mayor and General Manager at the 2021 National General Assembly of Local Government to be held in Canberra from 20 to 23 June 2021.	Exec. Assistant	ALGA NGA reservations complete. Flight bookings to be finalised.
15/02/2021	059/21	Traffic Concerns: Wellington & Marlborough Streets Intersection at Longford	That Council vigorously pursue Option 4 and the possibility of raised intersection treatment or roundabout with the Department of State Growth; and that barrier protection be installed as required to protect pedestrians and the adjacent heritage properties (on both sides of the road).	Works Manager	Ongoing
15/03/2021	091/21	Aboriginal and Dual Naming Policy: Inclusion of Palawa Kani Name on Campbell Town Entrance Signs	adopt the Aboriginal and Dual Naming Policy	Executive & Comms Officer	Further information sought by Placenames Tasmania, information requested being collated.
15/03/2021	112/21	2021/22 Municipal Budget	as per recommendation	Corporate Services Manager	Report to June Council meeting.
15/03/2021	115/21	Corporate Information Technology (Enterprise Suite) Solution Upgrade	That Council i) make provision in the 2021/22 Budget to update the Open Office Enterprise Suite in the immediate future; and ii) continue to participate in discussion relating to the Northern	Corporate Services Manager	In progress

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Date	Min. Ref.	Details	Action Required	Officer	Current Status
			Tasmanian Councils IT Shared Business Application Platform project.		
26/04/2021	144/21	Policy Review: Code of Tendering & Procurement	That Council adopt the amended Code of Tendering & Procurement Policy (include paper trail in purchases under \$5,000).	Corporate Services Manager	Policy manual to be updated.
26/04/2021	141/21	Town Promotion Videos	That Council defer the funding of promotional advertisements for consideration in the 2021/2022 budget process.	Corporate Services Manager	to be considered in 2021/22 budget deliberations.
17/09/2018	258/18	Initiation of Draft Planning Scheme Amendment 04/2018 include Flood Risk Mapping in the Planning Scheme for land along Sheepwash Creek from Arthur Street to Cemetery Road, Perth	That Council, acting as the Planning Authority, pursuant to section 34 of the former provisions of the Land Use Planning and Approvals Act 1993 resolve to initiate draft Planning Scheme Amendment 04/2018 to the Northern Midlands Interim Planning Scheme 2013 to include the flood risk mapping for land zoned General Residential and Future Residential, based on the mapping shown in the attachment, in the planning scheme maps.	Senior Planner	A flood map is to be incorporated by an amendment to the Planning Scheme. Aerial Survey complete, Land Survey Modelling can now commence, due mid-March. Consultant advised on 18 March 2021 Council modelling now due end of April. Consultant advised 5/5/21 modelling due end May due to software upgrades required.
15/02/2021	044/21	Footpath Trading by law	That Council, i) in accordance with s.156 of the Local Government Act 1993 intends to make the proposed Footpath Trading By-Law No. 1 of 2021 to regulate Footpath Trading within the Northern Midlands municipality. ii) upon gazettal of the Footpath Trading By-Law No. 1 of 2021, revokes the Footpath Trading Policy.	Compliance Officer	Process commenced. Letters sent to stakeholders. Period for comment still open.

LOCAL DISTRICT COMMITTEE ACTIONS

Council Minute Origin Date	Min. Ref.	Details	Action Required	Officer	Council Meeting dated	Current Status
CAMPBELL TOWN						
15/03/2021	091/21	Aboriginal and Dual Naming Policy: Inclusion of Palawa Kani Name on Campbell Town Entrance Signs	Adopt the Aboriginal and Dual Naming Policy	Executive & Comms Officer	26/04/2021	Further information sought by Placenames Tasmania, information requested being collated.
15/02/2021	040/21	Recommendations of Sub Committees - Campbell Town District Forum - CTWMO	The name of the sports precinct remains unchanged and is the "Campbell Town War Memorial Oval".	Executive & Comms Officer	15/02/2021	Committee advised. Matter complete.
15/02/2021	040/21	Recommendations of Sub Committees - Campbell Town District Forum - Dual naming	dual naming policy to be developed.	Exec. Officer	15/02/2021	Report to Council.
15/02/2021	040/21	Recommendations of Sub Committees - Campbell Town District Forum - Dual naming	The sign layout to make provision for future inclusion of the name, whilst approval is sought. - request to be progressed.	Executive & Comms Officer	15/02/2021	Committee advised of process/timeframes. Matter complete.
15/02/2021	040/21	Recommendations of Sub Committees - Campbell Town District Forum - Invitation to State Growth	Invitation to State Growth to attend meeting re underpass and main street upgrade - The Forum's Secretary contact the Department of State Growth on behalf of the Committee and invite representatives to a future meeting.	Executive & Comms Officer	15/02/2021	Invitation sent.
26/04/2021	135/21	Recommendations of Sub Committees - Campbell Town District Forum - Rubbish Bins in High Street	Rubbish Bins in High Street: That council consider larger & maybe a better style of garbage bin be placed in High Street in the area of Zepps & Banjo's. Decision That Council Officers investigate and provide a response.	Works Manager	26/04/2021	New bins are to be considered within the Campbell Town Main Street Upgrades. The current bins are emptied by Council staff twice daily, 7 days a week.
26/04/2021	135/21	Recommendations of Sub Committees - Campbell Town District Forum - School Representation	School representation: Jo Taylor to contact the school to how best can the school be represented or how it can interact with Forum on a regular basis. Decision: That Council note the information	Executive & Comms Officer	26/04/2021 17/05/2021	The Committee has previously considered how the school can be involved on a regular basis and has resolved that a Committee member will make contact directly. No further action required.
26/04/2021	135/21	Recommendations of Sub Committees - Campbell	Smoke Free Zone: That Council investigate the possibility of declaring the footpath between 80 High Street and Queen Street to be a 'SMOKE FREE'	Executive & Comms Officer	26/04/2021	

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Council Minute Origin Date	Min. Ref.	Details	Action Required	Officer	Council Meeting dated	Current Status
		Town District Forum - Smoke Free Zone	zone and notify owners of all premises in the area to make sure the outside eating areas are kept CLEAN & free from garbage at all times. Decision: That Council Officers investigate and provide a report to Council prior to response.		17/05/2021	Matter discussed at May meeting. Further motion to Council.
16/11/2020	382/20	Recommendations of Sub Committees -Campbell Town District Forum - 7.2 South Entrance Signage	The draft design for the southern entrance to Campbell Town is an acceptable style, but the position needs to be reviewed when the Midlands highway design is notified. - That Council note the Committee's comments.	Executive & Comms Officer	16/11/2020	Comments noted.
16/11/2020	382/20	Recommendations of Sub Committees -Campbell Town District Forum - Old pump house repair	The repair work on the Old Pump House be carried out as per the original planned design some years ago. - That Council note the request	Executive & Comms Officer	16/11/2020	Comments noted. No further action.
16/11/2020	382/20	Recommendations of Sub Committees -Campbell Town District Forum - The Campbell Town District High School school crossing be repainted	The CTDHS school crossing be repainted - That Council note the request	Executive & Comms Officer	16/11/2020	Included in works schedule for mid-2021.
16/11/2020	382/20	Recommendations of Sub Committees -Campbell Town District Forum - Tourist Signage	Tourist symbol information to be placed at road entries to Campbell Town. - That Council Officers investigate the matter.	Executive & Comms Officer	16/11/2020 17/05/2021	Matter being investigated by Tourism and Executive & Comms Officers. Matter being investigated. To be considered in conjunction with Main Street Upgrade.
CRESSY						
17/02/2020	039/20	Recommendations of Sub Committees - Cressy Local District Committee	Bartholomew Park Sign - That Council officers investigate and design a new park sign and explanation plinth (providing background on the park name) to be located at the corner of Main and Church streets, Cressy near the trout sculpture, and it be brought back to the Committee for comment	Works Manager	21/09/2020 17/05/2021	Design drawing to be provided by Committee. Design drawing to be provided by Committee. Follow up with Committee.
LONGFORD						
14/12/2020	415/20(3)	Recommendation of sub committees - Longford LDC 7.4 COVID Sewerage Testing	TasWater have advised: The decision to undertake wastewater surveillance for COVID-19 is being investigated by DoH to ensure that meaningful and timely results can be generated that assists in the overall public health response to the pandemic. ... - The request be noted and the committee be advised of TasWater's response.	Executive & Comms Officer	14/12/2020	Committee advised 11/12/2020.
14/12/2020	415/20(3)	Recommendation of sub committees - Longford LDC 7.2 Longford Racecourse and the Longford Show Ground as part of Brickendon and Woolmers Heritage Link.	That while considering the changes to the Longford planning scheme the heritage values of the town are given priority so that historic zones are linked to include Brickendon and Woolmers - That the Chair of the Committee meet with officers of Council's Planning Department to discuss their proposal.	Executive & Comms Officer	14/12/2020 27/01/2021	Local District Committee to request meeting with Planners. LLDC met with Planners.
14/12/2020	415/20(3)	Recommendation of sub committees - Longford LDC 7.3 General Residential Zone.	a) That Council reinstate the zoning of Longford Racecourse area back to rural, stipulating the uses as stables, horse training and horse agistment in the area bounded by Wellington, Anstey, Cracroft and Brickenfon streets; b) That this Committee recommends that Council change the description of general residential zone from "urban" to "rural" and include this in local area objectives and adjust the zone purposes to include "desired future characteristics" in the explanation. That the Chair of the Committee meet with officers of Council's Planning Department to discuss their proposed changes.	Executive & Comms Officer	14/12/2020 27/01/2021	Local District Committee to request meeting with Planners. LLDC met with Planners.

NORTHERN MIDLANDS COUNCIL

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Council Minute Origin Date	Min. Ref.	Details	Action Required	Officer	Council Meeting dated	Current Status
16/11/2020	382/20	Recommendations of Sub Committees - Longford Local District Committee - 7.2 Streetscape Wellington & Marlborough Sts with the Heritage Precincts	The Longford Local district committee request the Northern Midlands Council convenes a workshop meeting to allow the LLDC to outline a Longford Streetscape Plan for the main thoroughfares through Longford within the Heritage Precinct. - That Council note the request of the Committee.	Executive & Comms Officer	16/11/2020	Meeting scheduled with the General Manager.
16/11/2020	382/20	Recommendations of Sub Committees - Longford Local District Committee - 9 Memorial Hall and village green proposals	9 (1) That the BBQ and shed be cleaned up and upgraded but left in its current form. 9 (2) That additional toilets can be achieved by upgrading and securing the ones on the bicycle track 9 (3) When the decision is made on the Memorial Hall that public toilets be included in the design but inside the structure's envelope. - That Council note the request of the Committee.	Executive & Comms Officer	16/11/2020	Suggestions noted.
20/07/2020	227/20	Recommendations of Sub Committees - Longford Local District Committee - Erection of signs	Council officers investigate the request - Can Council approach State Growth to have some signs erected to prevent cyclists and pedestrians using off roads (off-ramps) that have speeds greater than 80 kmh and can Council please erect "Beware of Cyclists" signs in Pateena Road	Engineering Officer	21/09/2020	Request for pedestrian/cyclist signs on highway not supported by Dept of State Growth. Committee advised. Cyclists are permitted to use highways in accordance with the Act, as bicycles are classified as vehicles. Signage for Pateena Road under investigation.
15/03/2021	088/21	Recommendations of Sub Committees - Longford Local District Committee - Herb Boxes	7.2 Herb Boxes (similar to the ones outside the Cressy Bakery, be considered by Council to plant pots in the town -That Council be asked to place flower boxes outside JJ's and/or Sticky Beaks with their permission.) That the matter be referred to the 2021/2022 Budget process.	Corporate Services Manager	15/03/2021 17/5/2021	Refer budget for consideration Garden bed in Victoria square being investigated.
26/04/2021	135/21	Recommendations of Sub Committees - Longford Local District Committee - Letter of thanks	Letter of thanks - Gary Catchlove-Owen: That a letter of thanks be sent to Gary acknowledging his time with the LLDC. Decision: That Council note the information.	Executive & Comms Officer	26/04/2021 26/04/2021	Officer Comment: A letter of thanks has been sent to Mr Cathlove-Owen thanking him for his contribution and time on the committee. Complete.
15/02/2021	040/21	Recommendations of Sub Committees - Longford Local District Committee - Local Heritage Code & Heritage Precincts	LLDC requests Council to accept the recommendations presented at the Council workshop on Monday February 1, 2021 by putting in place an addendum to the current Local Historic Heritage Code (E13) and the Heritage Precincts Area Plan (F2) which will be specific to all new buildings that are erected. This area includes from the Country Club Hotel (Union Street) to where Malcombe Street crosses Marlborough Street. - Committee meet with Council's Planners to discuss further, including the outcomes to be achieved from the suggested amendment prior to further report/discussion at a Council workshop	Executive & Comms Officer	15/02/2021 17/05/2021	Committee to meet with Planners. Council Officers met with Committee 10/5/21. Complete.
20/07/2020	227/20	Recommendations of Sub Committees - Longford Local District Committee - Longford Racecourse	That Council ... formally approach Tas Racing and seek the status of future planning for the site.	General Manager	21/09/2020	Meeting held with TasRacing CEO, awaiting further advice.
26/04/2021	135/21	Recommendations of Sub Committees - Longford Local District Committee - Planter Boxes	Planter Boxes: That the Committee seeks permission to replant some of the planters in Longford with herbs and that they seek volunteers in the garden community to tend them." Decision: That Council note the recommendation	Executive & Comms Officer	26/04/2021 17/05/2021	Council Officers will liaise with the committee to identify the exact locations of the planter boxes. Committee to provide details of volunteers. Garden bed in Victoria square being investigated.
15/02/2021	040/21	Recommendations of Sub Committees - Longford Local District Committee - Racecourse Signage	LLDC request the Council to add a sign for the racecourse on the existing sign on Cressy Road at the corner of Cracroft Street. - consideration be given to the corner of Brickendon and Marlborough streets as a suitable location for the Racecourse signage	Engineering Officer	15/02/2021 15/03/2021 17/05/2021	To be investigated further. New signs need to match existing signage. Requires further investigation. New signs need to match existing signage.

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Council Minute Origin Date	Min. Ref.	Details	Action Required	Officer	Council Meeting dated	Current Status
15/02/2021	040/21	Recommendations of Sub Committees - Longford Local District Committee - Safety issue, trucks entering Woolmers Lane from Panshanger Road	Request Council to review this situation to make recommendations to improve the safety aspects at this intersection. - Further information is to be sought from the Committee regarding specific safety concerns.	Executive & Comms Officer	15/02/2021	Further motion to Council.
15/03/2021	088/21	Recommendations of Sub Committees - Longford Local District Committee - Safety Issues Woolmers Lane/Panshanger Road intersection	6.2 Safety Issues Woolmers Lane/Panshanger Road intersection (Committee ask Council to recommend to State Growth a speed limit of 80 km between Point Road and Longford) That Council Officer's investigate the recommendation and provide a response to the Committee	Engineering Officer	15/03/2021 17/05/2021	Report to be prepared for next Council meeting. Report to Council. Complete
15/02/2021	040/21	Recommendations of Sub Committees - Longford Local District Committee - Tear Off Street Maps	Ask Council to use their resources to revise and reprint maps. & Council garner support from business sponsors to use their resources to place their business names on the back of maps. - Council Officers to seek quotes and survey Longford businesses through the Northern Midlands Courier to ascertain business support for the production of tear-off maps, prior to a report to Council.	Executive & Comms Officer	15/02/2021 15/03/2021 17/05/2021	Matter being progressed. Matter being progressed through the LLDC. Being progressed by Tourism Officer together with Committee.
26/04/2021	135/21	Recommendations of Sub Committees - Longford Local District Committee - The 'New One Size Fits All Planning Scheme' is not working	The 'New One Size Fits All Planning Scheme' is not working. The Planning Scheme is causing huge headaches for both the staff and the community. There needs to be revisions and it can only be done through the LGAT. There is an election in a month. Councillors should explain to LGAT how difficult it is to hear from the community and make changes to the scheme that takes into account, the development and heritage principles of the Northern Midlands Council." Decision: That Council note the recommendation and Councils Planners meet with the Local District Committee.	Development Supervisor	26/04/2021 17/05/2021	That Council officers meet with the LDC to discuss the particular areas of concern. The LDC should prepare by providing examples of where they feel the Planning Scheme has not fulfilled community expectations. Council Officers met with Committee 10/5/21. Complete.
15/03/2021	088/21	Recommendations of Sub Committees - Longford Local District Committee - Water trough at Heritage Corner	10.4 Water Trough at Heritage Corner – (The Committee are concerned about the state of the water trough outside the Queens Arms Hotel – there is rust in the bottom of the trough that needs urgent attention. The Committee requests Council have the Water Trough assessed and attended to.) That Council Officer's investigate the recommendation.	Works Manager	15/03/2021	Complete.
PERTH						
20/07/2020	227/20	Recommendations of Sub Committees - Longford Local District Committee - Tree: Perth Bypass	That Council note the request - That the Committee approach Council to see how the tree on the bypass can be solar lit as a natural artistic feature.	Project Officer	21/09/2020 19/10/2020 16/11/2020	Discussed at September workshop. Awaiting further advice. Discussed at September workshop. Awaiting further advice re donations and in-kind support. Report to Council.
15/02/2021	040/21	Recommendations of Sub Committees - Perth Local District Committee - Perth Bicentenary Committee	Request Council approach the Examiner and Country Courier to feature a story on Northern Midlands ALL towns celebrating their bicentenaries in 2021 and events planned for the communities to participate in the celebrations - Council Officers to investigate and liaise with the Committee	Executive & Comms Officer	15/02/2021	Details provided, Committee to contact media direct.
15/02/2021	040/21	Recommendations of Sub Committees - Perth Local District Committee - Train Park play equipment	Request Council to include upgrades to the Train Park in the Perth Main Street Masterplan - report back to Council and consider in the budget process	General Manager	15/02/2021	Matters to be listed for inclusion in the 2021-22 budget deliberations.
15/02/2021	040/21	Recommendations of Sub Committees - Perth Local District Committee - Train Park play equipment	request Council to consider urgent maintenance to the timber sculptures; play equipment and facilities as part of the 'Special COVID-19 Funding' to ensure appropriate and safe condition for the 2021	Works Manager	15/02/2021	Site inspection, maintenance to be undertaken as necessary and matters to be listed for inclusion in the 2021-22 budget deliberations.

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MINUTES – ORDINARY MEETING

17 MAY 2021

Council Minute Origin Date	Min. Ref.	Details	Action Required	Officer	Council Meeting dated	Current Status
			sesquicentenary of trains. - report back to Council and consider in the budget process		26/04/2021	Site inspection, maintenance to be undertaken as necessary and matters to be listed for inclusion in the 2021-22 budget deliberations.
ROSS						
21/10/2019	313/19	Confirmation of Minutes - Ross Local District Committee - 7.1 Macquarie River	The Ross Local District Committee requests that the Northern Midlands Council progress the dual naming of the Macquarie River to Tinamirakuna which includes community consultation and investigation. - That Council support the proposal and progress the request	Executive & Comms Officer	15/03/2021 17/05/2021	Contacted DPIPWE and Tasmanian Aboriginal Centre, awaiting response. Application to be lodged in March for consideration in April. Further info sought by DPIPWE, requested info being collated.
14/12/2020	415/20(3)	Recommendation of sub committees - Ross LDC - Road Markings	As an urgent matter of Public Safety, the Ross Local District Committee requests the Northern Midlands Council repaint the white traffic dividing lines on the Northern (Chiswick Rd), and Southern (Roseneath Road), entrances to Ross. The bend on Roseneath Road approaching the Ross Bridge is of particular concern where the white dividing line is heavily worn and is barely visible. - That Council note the information, investigate the matter and action accordingly.	Executive & Comms Officer	14/12/2020 17/05/2021	Works Manager to meet with Committee to discuss. Works Manager to attend next meeting.
26/04/2021	135/21	Recommendations of Sub Committees - Ross Local District Committee - Rabbits	Rabbits: The RLDC requests NMC approach DPIPWE regarding the release of the Calicivirus virus in Ross to ameliorate the increasing rabbit population in Ross Township and districts. Decision: That Council note the information.	Engineering Officer	26/04/2021 17/05/2021	Mrs Copas Fowler contacted DPIPWE to pass on the committees concerns. No response has been received yet. DPIPWE advised virus not released this year. Proposal to release in 2022.
26/04/2021	135/21	Recommendations of Sub Committees - Ross Local District Committee - Speeding Vehicles on Roseneath Road Southern Bridge Approaches:	Speeding Vehicles on Roseneath Road Southern Bridge Approaches: The RLDC requests that NMC consider relocating the 50 kph speed sign a further 150 metres (approx) south towards Roseneath gates, in an effort to slow vehicles approaching the Ross Bridge and to protect the safety of the many pedestrians that use the Ross Bridge. DECISION: That Council note the information.	Engineering Officer	26/04/2021 17/05/2021	The request has been passed onto Councils Engineering Officer for comment and investigation. Signs have been received from manufacturer, awaiting installation.

LONG TERM ACTIONS

Date	Min. Ref.	Details	Action Required	Officer	Current Status
18/09/2017	279/17	Historical Records and Recognition: Service of Councillors	That Council, ...and ii) progress the following when the glass enclosed area at the front of the Council Chambers is nearing completion: Photograph/photographs of current Councillors – professional printing and framing; Archiving of historic photographs; Production of a photo book of historic photographs for display.	Exec Assistant	Historic photos to be catalogued and collated.
18/05/2020	146/20	Northern Midlands Youth Voice Forum	That Council endorse the progression of the Northern Midlands Youth Voice Forum	Youth Officer	Postponed to 2021.
19/11/2018	323/18	Tom Roberts Interpretation at Longford	That Council approve the proposal to develop a Tom Roberts interpretation panel for erection in the grounds of Christ Church Longford and a short Tom Roberts' video, and consider funding these items in the mid-year budget review process.	Project Officer	Interpretation panel installed. Video production being negotiated. To be finalised in 2021.

COMPLETED ACTION ITEMS FOR DELETION

Date	Min. Ref.	Details	Action Required	Officer	Current Status
26/04/2021	140/21	Garage Sale Trail Participation	That Council does not purchase an annual membership fee to participate in the Garage Sale Trail.	Exec. Officer	No action required. Complete.
26/04/2021	139/21	Avoca Primary School	That the report be noted.	General Manager	Advice provided to DOE March 2021. Advice confirmed 27/4/2021.
26/04/2021	138/21	Launceston Gastronomy – Creative Cities of Gastronomy Proposal	That Council does not support the bid by Launceston Gastronomy for Greater Launceston to be designated as a UNESCO Creative City of Gastronomy in 2021.	General Manager	No action required. Complete.



NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 17 MAY 2021

Date	Min. Ref.	Details	Action Required	Officer	Current Status
19/08/2019	238/19	Local District Committees: Review of Memorandum of Understanding	That the matter be deferred to a workshop	General Manager	Report to Council meeting May 2021.
15/03/2021	114/21	Policy Review: Code Of Tendering & Procurement	That Council further consider and review the Policy amendments at a future workshop, the policy to include a provision that where possible quotes to be obtained from Northern Midlands businesses.	Corporate Services Manager	Report to Council

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

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

Resource Sharing Summary 1/7/20 to 30/6/21 As at 30/04/21	Units Billed	Amount Billed GST Exclusive \$
Meander Valley Council		
Service Provided by NMC to MVC		
Street Sweeping Plant Operator Wages and Oncosts	239.00	12,780.69
Street Sweeper - Plant Hire Hours	242.25	21,323.88
Total Services Provided by NMC to Meander Valley Council		34,104.57
Service Provided by Meander Valley Council to NMC		
Wages and Oncosts		
Plumbing Inspector Services	592.50	44,243.60
Engineering Services	2.00	129.00
Total Service Provided by MVC to NMC		44,243.60
Net Income Flow		- 10,139.03
Total Net		- 10,139.03
Private Works and Council Funded Works for External Organisations	Hours	
Economic & Community Development Department		
Northern Midlands Business Association		
Promotion Centre Expenditure		Not Charged to Association Funded
- Tourism Officer	4	from Council Budget A/c 519035
Works Department Private Works Carried Out	220	
	224	

13 VANDALISM

Prepared by: Jonathan Galbraith; Engineering Officer

Incident	Location	Estimated Cost of Damages		
		April 2021	Total 2020/21	April 2020
Nil to report		\$ 0		
TOTAL COST VANDALISM		\$ 0	\$ 5,700	\$ 0

14 YOUTH PROGRAM UPDATE

Prepared by: Billie-Jo Lowe, 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 April as follows:

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Session Venue	Date of Session	Attendance
Sessions not held during school holidays		
Perth	22/4	8
	29/4	7

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 April as follows:

Session Venue	Date of Session	Attendance
Sessions not held during school holidays		
Campbell Town	28/4	10
Longford	29/4	8

The Free2b Girls program volunteers have been selected as finalists in the 2021 Tasmanian Volunteer Awards, the winners will be announced at the award ceremony on 21 May 2021.

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 April as follows:

Session Venue	Date of Session	Attendance
Sessions not held during school holidays		
Campbell Town	27/4	21
Cressy	22/4	18
	29/4	20

Meetings

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

15 STRATEGIC PLANS UPDATE

Prepared by: Lorraine Green, Project Officer

CURRENT AS OF 3 MAY 2021

Strategic Plans By Location & Consultant	Start Date	Implementation Date	Current Status
Blessington			
Feasibility Study: Investment in Ben Lomond Ski field Northern Tasmania (TRC Tourism)	Jun-15		- Ongoing collaboration with Parks and Wildlife Services and other key stakeholders to progress implementation of report recommendations. - State Government budget included commitment of \$400,000 to upgrade the shuttle bus carpark below Jacob's Ladder. Project completed June 2019 - January 2019: Nomination submitted for Ben Lomond to be the state's next iconic walk. Nomination unsuccessful. - April 2021: Liberal party commitment of \$2.8M for infrastructure upgrade and a new Ben Lomond Master Plan
Campbell Town			
War Memorial Oval Precinct Tennis/Multi-purpose courts			- September 2017: Funding application submitted to TCF for \$55,000 towards the courts development: application successful. Grant deed executed and funds received. Request submitted March 2021 for extension to deadline to enable completion of court surrounds work including shade structure – extension grants to 31 August 2021 - November 2017: Funding application submitted to Sport & Recreation Tas for \$80,000 towards the project: application successful. Acquittal report submitted December 2019. - October 2020: Tennis Club submitted Improving the Playing Field Grant application for a tennis pavilion. Outcome unsuccessful. - November 2020: Tennis Club secured funds for a practice 'hit-up' wall.
Oval Irrigation System and Public Toilets			October 2020: application submitted to Improving the Playing Field grant program for oval irrigation system and new public toilet facility. Advised Jan 2021 application unsuccessful.

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Strategic Plans By Location & Consultant	Start Date	Implementation Date	Current Status
			- Feb 2021: quotes being reviewed for the work. - March 2021: Local Roads and Community Infrastructure grant of \$160,000 secured for installation of stage one of the oval irrigation system. Work planned to commence July 2021
CBD Urban Design and Traffic Management Strategy (GHD) (Lange Design and Rare Innovation)	May-16		- GHD contracted to prepare the strategy: final report accepted at Nov 2017 Council Meeting. - Council secured \$1 million loan through the Northern Economic Stimulus package towards the implementation of the main street component of the strategy. - November 2017: Lange Design and Rare Innovations Design contracted to prepare the design and construction tenders. Stage 1 concept plan received April 2018. - June 2019: Landscape Works Technical Specification received. - Request for funding through the Local Government Land Transport Infrastructure Program submitted April 2020.
Lake Leake Amenities Upgrade	April-21		Recreational Fishing and Camping Facilities Program grant of \$72,628 secured towards the upgrading of the toilet and shower facilities at the Lake Leake campground.
Cressy			
Swimming Pool Master Plan (Loop Architecture)	Dec-15		- Master Plan accepted at October 2017 Council meeting. - Liberal election commitment of \$100,000 to upgrade the complex. Acquittal report due November 2020 – extension requested. - Nationals in Government funding commitment of \$400,000 made March 2019. Funding agreement signed January 2020. Design Consultant engaged, tender with reviewed scope and cost accepted Feb 2021. - March 2021: Local Roads and Community Infrastructure grant of \$200,000 secured towards the upgrade. - April 2021: work commenced. Late 2021 completion anticipated.
Recreation Ground Master Plan (Lange Design & Loop Architecture)	Feb-17		- January 2017: confirmation that the state govt has approved \$220,000 for the ground upgrade through the Northern Economic Stimulus Package. - February 2017: Lange Design and Loop Architecture contracted to develop the master plan. Master Plan accepted at April 2018 Council Meeting. - Levelling the Playing Field grant for inclusive changerooms (\$354,076) secured October 2019 (to be matched by Council funding). First report due 30.6.20. - October 2019: assisted Cressy Cricket Club with funding application to Stronger Communities Program for clubrooms upgrade: funding secured. - Facility upgrade design brief completed. Design work completed. Tender with reviewed scope and cost accepted Feb 2021. - March 2021: Local Roads and Community Infrastructure grant of \$107,571 secured towards the redevelopment of the changerooms. Work commenced April 2021 – late 2021 completion anticipated.
Evandale			
Honeysuckle Banks			At May 2017 Council meeting, Council i) accepted in principle the Honeysuckle Banks Plan; ii) consider funding the minor works components of the plan in future Council budgets, and iii) request Council Officers to seek to secure external grants to assist with the implementation of the full plan.
Morven Park Master Plan (Lange Design)	Nov-16 April 18		- November 2016 Lange Design contracted to develop master plan. Council accepted 2030 Master Plan at April 2018 Council Meeting. - State Liberal election commitment of \$158,000 towards facilities' upgrades. Progress reports submitted Dec 2018, March 2019 and Sept 2019. - February 2019: funding of 50% matching grant by Council (\$430,300) secured under Levelling the Playing Field State Government Grant Program. First progress report submitted 7 October 2019. Final report due 30 June 2020. Extension of completion date requested (to end December 2020) - AFL Tas funding commitment of \$60,000 secured – to be paid upon project completion. - Changeroom upgrade and expansion completed Feb 2021. Acquittal report to be prepared.
Longford			
Community Sports Centre Master Plan (RT & NJ Construction Services)	Feb-15		- January 2017: Council advised State Govt has approved \$1,000,000 for the upgrade through the Northern Economic Stimulus Package - March 2021: Local Roads and Community Infrastructure grant of \$50,000 secured for the refurbishment of the squash courts. - Work due for completion mid-2021
CBD Urban Design Strategy	May-16		December 2016: Draft Urban Design Strategy received.

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(Lange Design and Loop Architecture)			- Strategy and Guidelines manual accepted at the October 2017 Council Meeting. - Negotiations underway February 2018 with State Growth towards development of a deed regarding the future maintenance of the Illawarra Road roundabout. - Nationals in Government funding commitment of \$4 million made in March 2019. Documentation to secure funds submitted October 2019. Deed of Agreement signed June 2020.
Memorial Hall & Village Green Infrastructure			- September 2017: Philp Lighton Architects contracted to undertake the study of the Council Offices, Memorial Hall, Town Hall and Library facilities. Report received. - March 2019: Nationals in Govt commitment of \$4m to Longford Urban Design Project memorial hall redevelopment and village green infrastructure upgrade are components of the project. Application to secure the funding commitment submitted 3 October 2019. Agreement signed June 2020. User group consultation underway.
Racecourse Master Plan (Lange Design and Loop Architecture)	April-21		April 2021: Consultancy Agreement signed.
Perth			
Perth Early Learning Centre Redevelopment (Loop Architecture)	Oct-15		- 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 to be advertised mid-May 2021.
CBD Precinct Concept Master Plan (Lange Design and Loop Architecture)	Apr-20		- Consultancy Agreement signed. - Community consultation re draft concept plans close to commencement.
South Esk River Parklands Concept Plan (Lange Design)	Nov-18		March 2021: Application submitted to Building better Regions Fund for grant to extend the walkway and installation of footbridge. Outcome anticipated mid- 2021.
Ross			
Swimming Pool Master Plan (Loop Architecture)	Dec-15		- Draft Master Plan received May 2016: structural assessment approved August 2016 - Final plan received June 2017 - Council resolved at October 2017 Meeting to undertake a survey of the use of the pool across the 2017-2018 swimming season. Pool usage data received May 2018. - Council resolved at June 2020 Meeting to develop a Swimming Pool Strategy. On agenda of May 2021 Council Meeting.
Village Green Master Plan (Lange Design, Loop Architecture)	Jun-16		- Master Plan accepted in principle at Council December 2016 Meeting. - January 2017: cost estimate for design and documentation, tender process and project management received from JMG. - January 2017: Council advised State Government has approved \$300,000 loan through the Northern Economic Stimulus Package for the implementation of the Master Plan. - February 2017: Application lodged with Building Better Regions Fund for \$237,660 to enable the Master Plan to be implemented in its entirety. Application unsuccessful. - February 2017: Lange Design and Loop Architecture contracted to manage the implementation of the master plan. Concept design presented to Council workshop on 8 May. Planning approval with conditions to be met passed at January 2018 Council Meeting. - March 2018: Lange Design submitted full project package for Village Green, ready for planning application to be prepared by Council Officers. - Current: Stage 2 work progressing with Local Road and Community Infrastructure Program funding. Completion anticipated mid-2021.
Western Junction			
Launceston Gateway Precinct Master Plan Freight Demand Analysis Report (SGS) Master Plan	Oct-15		- Council approved the preparation of a brief for the precinct master plan at the Sept 2016 Council Meeting. - Liberal election commitment of \$5.5million upgrade of Evandale Main Road between the Breadalbane roundabout and the airport, and \$1million for edge-widening and other works to improve safety along Evandale Main Road from the airport to Evandale.
TRANSlink Stormwater Upgrade Project			- Applications lodged with National Stronger Regions Fund 2015/ 2016: unsuccessful. - Application submitted February 2017 to the Building Better Regions Fund for \$2,741,402 (total project cost is \$5,482,805: council's contribution is \$1,525,623 and private investors \$1,215,780). Application unsuccessful. - Application submitted December 2017 for Round Two Building Better Regions Fund: notified

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Strategic Plans By Location & Consultant	Start Date	Implementation Date	Current Status
			July 2018 unsuccessful. • March 2021: Local Roads and Community Infrastructure grant of \$126,270 secured towards Gatty Street stormwater detention basin.
Municipal wide			
Integrated Priority Projects Plan (Jacobs, Evergreen Lab)	Apr-20		• Consultancy Agreement signed June 2020. • Presentation on the finalised plan to be made at May 2021 Council Workshop.

COMPLETED ACTION ITEMS FOR DELETION

Nil this month.

16 STRATEGIC PROJECTS OUTCOMES AND DELIVERY 2017-2027

Prepared by: Departmental Managers

Progress Report:

Not Started (obstacles)
On Hold
On Track
Completed

Status	Comments
GOVERNANCE	
Local Government Reform	Minister Gutwein advised that Council has received the study. GM to report to Council on progress. Expressions of Interest sought for the role of Project Manager, Shared Services Implementation Project. NOA Group engaged. Workshops arranged with Senior Managers of participating councils. NOA Group report finalised, GM's meeting to be arranged to finalise. Legal Services tender submissions being considered. NOA workshops on 5 priority Council functions: IT, Regulatory Services (Planning/Building Compliance), Payroll/Rates, Risk Management/WH&S. Completed, report being reviewed by GMs. Legal Services project considered by GMs, contract finalised. Joint IT platform to be investigated.
Elected Members Development and Annual Plans	Policy and Annual Plan to be prepared.
People and Culture Plan	Framework utilised for recruitment is best practice - Environmental Health Officer – Interviewing 11/5/2021 - On-Call Animal Control Officer – reference and medical stage - Caretaker Lake Leake – Interviewing 12/5/2021 - Facilities Officer – applications close on 16/5/2021 Wage Subsidy for Apprentice Wages (50% of wages paid up to a maximum of \$7000 per apprentice, per quarter). Have applied for Jan to March 2021 quarter. WHS Training for all staff – Dates confirmed for 5/5/2021 and 13/5/2021 Employee Satisfaction Survey – Questions complete. Need to populate Survey Monkey. Will implement to staff mid-2021 Family and Domestic Violence Policy – complete and implemented to staff Developing a Contractor Agreement for use in the Projects Team Developing a Leave Policy General human resource matters - ongoing Performance management and disciplinary matters – ongoing (as required) Employee learning and development - ongoing Development and implementation of Human Resources Policies and Procedures – ongoing.
Best Business Practice, Governance and Compliance	Legislative Audit, Delegations Review and Policy Manual update ongoing.
Media and Marketing	Communications Strategy and Framework to be developed. Expanding Council's communications through social media and other publications. Marketing Plan prepared.
CORPORATE SERVICES	
Asset Management Plan Annual Review	Road and Building revaluation adopted 2019/20, review of Asset Plans in progress.
Annual Budget and Quarterly Review	Long Term Financial Plan updated, and annual budget adopted by Council at 29 June 2020 meeting.
Information Technology	Open Office and Technology One upgrade path options for Local Government enterprise software under

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Status		Comments
Upgrade Program		consideration, including resource sharing option. Council decided to upgrade Open Office Enterprise Suite and keep watching brief on northern shared services project.
Emergency Management		Municipal emergency meeting held and regular regional meetings attended during Covid19 via zoom. Updated Emergency Recovery Plan adopted May 2017 by Council, revision of Emergency Management Plan tabled at 16 November 2020 Council meeting.
Workplace Health and Safety Action Plan Annual Review		WHS audit assessment reviewed ongoing basis. Risk Register review November 2020.
Customer Service Standards		Participated in LGAT state-wide community satisfaction annual survey. Attending the National Local Government Customer Service Network state meetings on regular basis. Implemented Live-Pro customer service system early 2019. Covid19 recovery and care package developed.
COMMUNITY & DEVELOPMENT		
Land Use and Development Strategy		Endorsed 21 October 2019. To be released for public consultation (awaiting timelines for LPS to consolidate the release)
Tasmanian Planning Scheme Integration		Endorsed 21 October 2019 with some amendments required. Submitted to Tasmanian Planning Commission December 2019. Awaiting contact for post-lodgement meeting.
Strategic Projects Team		
Economic Development Master Plan - Prepare, Prioritise, Implement		1) Council and NMBA collaborated on a small-scale project to identify opportunities to grow the number of businesses in the TRANSlink precinct. Council accepted in principle the TRANSlink Pilot Project: Consultation, Analysis and Recommendations for Growing and Enhancing the TRANSlink Business Precinct in Northern Tasmania Report, August 2018. NMBA contracted April 2019 to implement the TRANSlink Engagement Project. Project completed 2) Economic development framework adopted by Council at May 2020 council meeting. Implementation underway. December 2020 first progress report submitted to Council. Second report due June 2021.
Strategic Infrastructure Projects		
Launceston Gateway Precinct Master Planning		Listed as a component of the Municipal Land Use & Development Strategy. Options for southern expansion prepared.
Northern Midlands Rural Processing Centre		Combined with Launceston Gateway Precinct component of the Municipal Land Use & Development Strategy.
Perth Town Structure Plan		Council has endorsed the plan and draft amendments to planning scheme to be prepared.
Perth Community & Recreation Centre & Primary School Integrated Master Plan		Perth Early Learning Centre: Funding committed from Federal Government toward expansion of Perth Childcare Centre. Funding Agreement signed June 2020. Tenders being called mid-May 2021.
Sense of Place Planning - all villages and towns		Master planning for townships underway.
Longford CBD Urban Design Strategy		Commitment of \$4million from National Party prior to federal election. Funding Agreement signed June 2020. Tender for memorial hall upgrade, and BBQ and toilet facility being prepared
Longford Place Activation Plan		Complete.
Campbell Town CBD Urban Design and Traffic Management Strategy		Allocation in 2018/2019 budget to commence works. Tender prepared. State Liberal election commitment of \$1.9 million for underpass between War Memorial Oval and School/Multipurpose Centre
Ross Village Green Master Plan		Planning approval received. Work due for completion mid-2021.
Ross Swimming Pool Master Plan		Plan complete. Community consultation on future of the pool commenced September 2020. Final report to June 2021 Council meeting.
Cressy Recreation Ground Master Plan		Council accepted Cressy Recreation Ground 2030 Master Plan at April 2018 Council meeting. Levelling the Playing Field funding received. Tender awarded December 2020. Work underway.
Cressy Swimming Pool Master Plan		State election funding grant of \$100,000 received. \$400,000 commitment from National Party prior to federal election. Funding signed. Work underway.
Evandale Morven Park Master Plan		Council accepted Morven Recreation Ground 2030 Master Plan at April 2018 Council meeting. State Government levelling the Playing Field grant: \$430,300 secured towards development of inclusive changerooms. Work completed.
Feasibility Study: Investment in Ben Lomond Ski Field Northern Tasmania		Study being driven by external stakeholders, Council support provided when requested. Included in NMC Priority Projects 2019 document. Government has committed to infrastructure expenditure and development of a master plan.
Sheepwash Creek WSUD Open Space Corridor		July 2018: WSUD space corridor concept plan and concepts – Phillip to Drummond streets – received from consultants. Land acquired. Stormwater works underway.
Economic Development		
Economic Development Master Plan Strategy Delivery		Economic development framework adopted by Council at May 2020 meeting. Implementation underway. See <i>Strategic Projects Team</i> above.

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	Status	Comments
Economic Development (incl. Tourism) Strategy Delivery		Covered in the Economic Development Framework.
Tourism Strategy Implementation		Augmented Reality Project - For the northern part of the Heritage Highway, Ross is the first town to come on board. Draft version has been released. Northern Midlands Business and Volunteer Expo – postponed due to pandemic.
Youth and Ageing Strategy		Youth programs and services being pursued. Grant funding received for 2020 programs. On hold due to pandemic. Recommencing October 2020.
Discrimination Strategy		Officers investigating development of strategy
Family Violence Strategy		Council continues to support <i>End Men's Violence Against Women</i> campaign. Officers investigating development of strategy
Supporting Health and Education Programs		Participating in the Northern Health Providers Networks meetings. Further Education Bursary Program finalised for 2020.
Supporting Employment Programs		Participate in LGAT special interest groups on a quarterly basis. Support Work for the Dole program. Participate in work experience and University placements.
Supporting Sport and Recreation Programs		Participation in quarterly northern Sport & Recreation meetings. Planning and implementation of upgrade to Council owned sporting facilities underway. Support provided to participants in sporting activities on a state and national level.
Social Recovery Plan		Review complete
Disability Action Plan		Review complete
Cohesive Communities and Communities at Risk		Not yet commenced.
Legislative Audit		Review of legislation ongoing.
Delegations Reviews		Review as new staff commence and legislation changes. Regulatory software purchased to assist.
Council Policy Manual Review		Policies due for review, relevant managers and officers notified, schedule for review in place. Ongoing.
Land Use and Development Strategy		Endorsed 21 October 2019. To be released for public consultation (awaiting timelines for LPS to consolidate the release)
Tasmanian Planning Scheme Integration		Endorsed 21 October 2019 with some amendments required. Submitted to Tasmanian Planning Commission December 2019. Awaiting contact for post-lodgement meeting.
WORKS & INFRASTRUCTURE		
TRANSlink Precinct Renewal - Stormwater		Seeking grant assistance to fund planned works. Included in NMC Priority Projects 2019 document.
Campbell Town War Memorial Oval		External landscaping works, tennis court shade structure and irrigation works outstanding.
Longford NM Sport and Fitness Centre		Stage 3 works in progress, incl: foyer, landscaping and car park.
Evandale Honeysuckle Banks		Masterplan complete. Only minor works being undertaken. Included in NMC Priority Projects 2019 document. Table and bench seating replaced.
Nile Road Upgrade		Included in Roads 5-year Capital Works program. Included in NMC Priority Projects 2019 document.
Stormwater Management Plans		Model build for all Towns in progress.
Waste Management 2017 - 2020		Member of the Northern Waste Management Committee. WTS disposal and supervision contracts tendered for long term provision of services. Concrete material being collected, to be crushed at a later date.
NRM Program Collaboration		Collaborating with NRM North on the WSUD Master Plan for Sheepwash Creek.
Longford Recreation Ground Master Plan		Complete.
Sheepwash Creek		Stage 2 in progress.

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

Prepared by: Fiona Dewar, Tourism Officer

HHTRA update:

- The Heritage Highway Tourism Region Association meet physically every three months and utilise zoom and email for discussions if required in between.
- Current marketing activities continue and include website blog posts and social media.
- The HHTRA website project status: a temporary 'watch this space' landing page has been set up.

- It continues to be important to remind tourism operators to list their business on the ATDW.
- Ross Revealed, augmented reality experience: currently working with the developer to iron out some teething issues and this is in progress.

Tourism update:

- Assisted local event organisers to fulfil Council compliance requirements.
- Followed up enquiries from event organisers re signage, banners, use of and collection of event equipment, logo use.
- Assisted various ANZAC Day groups with compliance requirements.
- Meet with NMC insurance broker to discuss event insurance.
- Met with NMBA representative to discuss marketing activities for NM businesses including tear off maps.
- Keep event list updated and distribute. Update NMC website calendar.
- Attended City Gateway Project workshop.
- Attended Visit Northern Tasmania Destination Action Plan workshop.
- Attended Brand Tasmania workshop.
- Review covid safety compliance updates.
- Updates to accommodation list of Northern Midlands. Distribute.

Ten Days on the Island wrap up: Ten Days organisers provided a summary for the events 'If These Halls Could Talk' that were held at Ross and Liffey Halls. Both events were considered successful considering the limited numbers permitted at the events due to Covid.

Ross Town Hall: Fugitive History numbers: 243 over 4 days.

Liffey Hall: A Weekend Poetical numbers: 102 over 4 days.

18 BICENTENARY PLANNING UPDATES

Prepared by: Fiona Dewar, Tourism Officer

Ross

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

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

Campbell Town

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

- Completed: January. Picnic in the Park, with food, music, entertainment, vintage car display.
- February. Senior Citizens lunch at bowling Club.
- March. Lake Leake trout fishing competition
- April. Historical guided walking tours.
- 31 May. Official naming day at Town hall with TSO choir.
- 13 June. Bicentenary golf day.
- July. St Luke's organ recital.

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- August. Historical house/farm tour weekend.
- September. School sports day (colonial games and costumes).
- October. Campbell Town garden tours.
- November. Bush dance at Wool Pavilion at Showgrounds, with old skills, hand shearing, wood chopping displays.
- December. School children costumed Christmas caroling.

Perth

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

- 25 Feb: Primary School Bicentenary Picnic
- 18 April: History Scavenger Hunt (postponed)
- 29 May: Bonfire and Barbecue. The bonfire event will be run by Adams Distillery.
- 30 May: Perth Bicentenary history presentation and official commemoration.
- 21 Sept: Seniors High Tea
- 23 Oct: Perth Bicentenary Memorial Celebration.

19 TASMANIAN GOVERNMENT'S REGIONAL RECOVERY COMMITTEE

Prepared by: Gail Eacher, Executive Assistant

Council received correspondence from the Local Government Association of Tasmania on 4 May 2021 seeking expressions of interest for nominees (one regional Mayor and one urban Mayor) to the Tasmanian Government's Regional Recovery Committee. The correspondence noted:

One of the PESRAC recommendations was for the establishment of Regional Recovery Committees (RRCs) in each of the 3 regions to recommend regional recovery measures to government.

Today the State Recovery Advisory has requested that LGAT nominate "one urban Mayor and one regional Mayor" from each region to Co-Chair the RRCs. The timeframe provided is extremely short.

Could anyone who wishes to nominate please send an expression of interest (by return email) to me by midday on Tuesday 11th May. We will utilise the LGAT voting categories for the purposes of determining urban (councils with a population over 20,000) versus rural (less than 20,000).

The GMC is meeting on Wednesday 12th May and will make a recommendation to the State Recovery Advisory for each Co-Chair.

Mayor Knowles has expressed an interest in nominating as the Regional Mayoral LGAT representative, consequently given the timeframe, Council officers submitted an EOI on behalf of Mayor Knowles.

ATTACHMENT

Terms of Reference

20 2021 STATE ELECTION PROMISES BY LIBERAL PARTY

Prepared by: Lorraine Green, Project Officer

This information item has been prepared following the request by Councillor Davis for a consolidated list of the election promises for the Northern Midlands Council.

The Liberals promised the following commitments to the Northern Midlands Council if re-elected as a majority government:

- \$100,000 towards the development of a children's road safety park at Longford
- \$50,000 towards installation of pillars at the Longford Railway Bridge
- \$24,200 for equipment to transition between football and cricket seasons at various Northern Midlands Ovals
- \$20,000 to towards a range of dog exercise and training equipment for the Perth Dog Park
- \$15,000 for a new goal post net system at Perth Recreation Ground
- \$15,000 to the Longford Legends Avenue Project which is to build and install a Lyche Gate at the entrance of the Longford Legends Avenue.

Other commitments within the Northern Midlands region made by the Liberals if re-elected as a majority government included:

- \$23.7 million to supersize irrigation schemes to meet increased demand for the Don, Tamar, Sassafras, Northern Midlands & Fingal areas

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- \$2.8 million investment towards turning Ben Lomond into a year-round destination
- \$2 million to Campbell Town District High School to upgrade and consolidate agricultural facilities
- \$100,000 to Longford Golf Course to replace their ageing fairway mower and undertake upgrades to their change rooms
- \$88,388 to Evandale Panthers Cricket Club towards the replacement and installation of three new cricket nets at Morven Park Recreation Ground
- \$30,000 to assist the Tasmanian Working Sheepdog Association in hosting a major national and international working sheep dog event in Campbell Town this October
- \$25,000 to Longford Bowls & Community Club to refurbish their kitchen and upgrade kitchen appliances
- \$18,000 for upgrades to amenities at Longford Showgrounds
- \$18,000 for Longford Art Group, upgrades to Longford town hall (arts and exhibition equipment)
- \$13,000 to Toosey Aged & Community Care to construct and install shade sails
- \$10,000 for the Longford RSL Memorial Club to install carpet to sound proof their hall
- \$6,000 to Evandale Football Club towards the purchase of new IT equipment
- Commissioning a feasibility study for a new Safe Emergency Accommodation facility in the Northern Midlands to better support women from rural areas

21 LOCAL GOVERNMENT ASSOCIATION OF TASMANIA (LGAT): MOTIONS TO THE GENERAL MEETING

Prepared by: Maree Bricknell, Acting General Manager

On 11 May 2021, Council received an email request from the LGAT requesting that Council endorse the minor changes to the motion submitted for consideration at the LGAT General Meeting.

The motions relate to

- Cat Management and Weed Control
- Statewide Planning Scheme.

The motions are included as attachments with the proposed changes noted.

DECISION

Cr Davis/Cr Brooks

- INFO 4: That Council acknowledge receipt of the non-compliant petition detailed at INFO 4 above.
- INFO 21: That Council endorse the minor changes to the motions to be submitted and tabled at the LGAT General Meeting.
- That the information items be received.

Carried unanimously

175/21 LOCAL DISTRICT COMMITTEES: REVIEW OF MEMORANDUM OF UNDERSTANDING

Responsible Officer: Des Jennings, General Manager

Report prepared by: Gail Eachar, Executive Assistant

1 PURPOSE OF REPORT

The purpose of this report is for Council to review the Memorandum of Understanding between it and its seven local district committees.

2 INTRODUCTION/BACKGROUND

The Northern Midlands Council has a local district committee for each major township in the municipality. They are:

- Avoca, Royal George & Rossarden Local District Committee (meeting bi-monthly);
- Campbell Town District Forum (meeting monthly);
- Cressy Local District Committee (meeting bi-monthly);
- Evandale Advisory Committee (meeting monthly);
- Longford Local District Committee (meeting monthly);
- Perth Local District Committee (meeting monthly); and
- Ross Local District Committee (meeting monthly).

Each committee is a special committee of Council created pursuant to section 24 of the *Local Government Act 1993*.

The purpose of the committees is to act as a communication channel between Council and the community, identifying local concern and opportunities; and providing feedback to Council.

The Committees are all of varying ages. Some have been in place since 1994, others have been formed in more recent years.

The relationship between the Northern Midlands Council and each committee is governed pursuant to a Memorandum of Understanding (MOU). The purpose of the MOU is to:

- set the purpose, roles and responsibilities of the committee; and
- provide guidelines in respect to membership and meeting procedures.

In April 2016 Council resolved to standardise the MOU's for the Local District Committees, and coordinate the terms of the committees so they all expire at the same time. The purpose behind this was to reduce the time and cost associated with advertising positions, holding AGMs and reporting to Council on membership.

The Memorandum of Understanding was reviewed in April 2018, Minute Reference 104/18, just prior to the commencement of the 2018-2020 term of office of members.

At the 20 July 2020 meeting (min. ref. 231/20) Council endorsed the extension of the membership terms of the Northern Midlands Council Local District Committees for the 2018-2020 term to 30 June 2021.

A review of the Memorandum of Understanding is considered necessary to clarify the role of the committees, assess suggested changes and address concerns raised, including:

- The role of the Committee surrounding receipt of and commenting on planning applications;
- The role of the Committee surrounding commenting on other strategic matters, for example, proposed amendments to the Northern Regional Land Use Strategy;

- The provision of secretarial support; and
- Member attendance at meetings.

On 15 May 2020 Council wrote to the Chairs of all the Committees (and copied to the membership) advising as follows:

Councillors have over a period of time informally discussed the content of the current Memorandum of Understanding (MOU) that is to be endorsed by Local District Committees (LDC) at the commencement of each 2-year term.

The matters which have been raised, include the following:

- *The LDC's should be considered as consultative committees not advisory committees.*
- *The content in relation to the scope should be amended; and the roles and responsibilities be clearly identified.*
- *Concerns about absence without leave and the termination of membership due to absence in relation to the suggestion that terminated members be excluded from further appointment for a period of 6 months.*
- *Councillor representatives attend meetings to provide clarity on matters and are not in attendance as guests, but have no voting rights. The MOU needs to clarify that the Chair is not able to refuse the right of a Councillor to speak.*
- *Secretarial support only being provided for bi-monthly meetings held during office hours.*
In discussions, it was mentioned that place and time of meetings should be determined by the LDC and that membership should not be subject to the requirement that meetings be held during office hours.

Committees were requested to consider:

- *The provision of the \$2,500 in lieu of secretarial support. Currently the monies are provided for projects subject to Council approval; and whether the funds are a reasonable incentive.*
- *Timing and frequency of meetings.*
- *Whether it is considered necessary to include a conflict resolution provision within the MOU.*

Included in correspondence sent to the Chairs of the Committees (copies sent to the membership) on 23 July 2020 Council's General Manager, reiterated the content of previous correspondence regarding the review and sought comment by 30 August.

Comment/feedback was received from the Chairs of the Longford Local District Committee, Perth Local District Committee and Ross Local District Committee; comment in relation to Conflict Resolution provisions was received from 2 members of the Avoca, Royal George and Rossarden Local District Committee.

3 STRATEGIC PLAN 2017-2027

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

- Lead –
 - Leaders with Impact
 - Core Strategies:
 - ♦ Communicate – Connect with the community
 - ♦ Lead – Councillors represent honestly with integrity
 - ♦ Manage – Management is efficient and responsive
- Progress –
 - Economic Development – Supporting Growth & Changes
 - ♦ Towns are enviable places to visit, live & work
- People –
 - Sense of Place – Sustain, Protect, Progress
 - Core Strategies:
 - ♦ Council nurtures and respects historical culture
 - ♦ Developments enhance existing cultural amenity
 - ♦ Public assets meet future lifestyle challenges
 - Lifestyle – Strong, Vibrant, Safe and Connected Communities
 - Core Strategies:
 - ♦ Living well – Valued lifestyles in vibrant, eclectic towns

- ♦ Communicate – Communities speak & leaders listen
- ♦ Participate – Communities engage in future planning
- ♦ Connect – Improve sense of community ownership
- ♦ Caring, Healthy, Safe Communities – Awareness, education & service
- Place –
 - History – Preserve & Protect our Built Heritage for Tomorrow
 Core Strategies:
 - ♦ Our heritage villages and towns are high value assets

4 POLICY IMPLICATIONS

No policy implications have been identified.

5 STATUTORY REQUIREMENTS

Each committee is formed as a special committee of Council pursuant to section 24 of the *Local Government Act 1993*. Pursuant to section 24(3) of the *Local Government Act 1993* the Council is to determine the procedures relating to meetings of a special committee.

6 FINANCIAL IMPLICATIONS

No financial implications have been identified in relation to this report.

7 RISK ISSUES

If the Memorandum of Understanding between Council and its special committees is not clear, there is a risk of

- confusion for committee members,
- members acting outside the scope of their role,
- not acting on matters referred for comment by Council.

8 CONSULTATION WITH STATE GOVERNMENT

Not applicable.

9 COMMUNITY CONSULTATION

Comment was sought from Local District Committees with a closing date of 30 August 2020.

A schedule of comments received from Committees and representative, as well as a suggested amended Longford Local District Committee Memorandum of Understanding is included in the attachments to this report.

Once determined, the proposed changes to the Memorandum of Understanding will be circulated to the local district committees for further review and comment.

10 OPTIONS FOR COUNCIL TO CONSIDER

10.1 To receive and consider the feedback from the Local District Committees;

and

10.2 (a) To accept the proposed changes to the Memorandum of Understanding and refer the document to the local district committees for comment,

or

- (b) Consider/suggest alternative changes to the Memorandum of Understanding and refer the document to the local district committee for comment,

or

- (c) Make no changes to the Memorandum of Understanding.

11 OFFICER'S COMMENTS/CONCLUSION

11.1 Matters to be addressed

The purpose of this report and the proposed amendments to the Memorandum of Understanding is to clarify

- a) The purpose and terms, including:
- Identification of LDC's as consultative committees not advisory committees.
 - Clarify the term "absence without leave" and the termination of membership due to absence in relation to the suggestion that terminated members be excluded from further appointment for a period of 6 months.
 - Timing and frequency of meetings.
 - Whether it is considered necessary to include a conflict resolution provision within the MOU.
- b) The committee's role, including:
- Comment on planning applications;
 - Comment on strategic matters, for example, proposed amendments to the Northern Regional Land Use Strategy;
- c) Council's role, including
- Provision of secretarial support
 - on a monthly basis, during office hours (subject to officer availability); or
 - on a bi-monthly basis, for meetings out of office hours (subject to officer availability, commencing by 6.30pm), or
 - \$2,500 in lieu of secretarial support. (Currently the monies are provided for projects subject to Council approval; and whether the funds are a reasonable incentive).
 - The role of Councillor representatives at meetings (Chair is not able to refuse the right of a Councillor to speak, Councillor has no voting rights but is not a guest).
- d) The Current MOU makes the following provision in regard to vacancies:

Where applications for membership exceed the number of vacancies	<u>Council's executive will determine the successful applicants</u>
Where insufficient applications are received to fill the number of vacancies	<u>Council will, periodically, re-advertise the positions in the Northern Midlands Courier Newspaper, the Examiner Newspaper (Northern Midlands page) and via social media.</u>
Membership vacancies on committees during the membership term	Applications to Committees with less than 10 members can be made at any time; however, applications will not be accepted for ratification within the final 3 months of a two-year term.

Concerns have been raised in regard to the appointment of members during the term of office without advertising having occurred. As detailed above, there is provision for applications for membership to be made and received at any time, without a requirement for vacancies to be advertised during a term.

To address this concern, Councillors may wish to include in the MOU a provision for the advertising of vacancies and membership appointments on a quarterly or bi-annual basis. However, the introduction of such a provision may unintentionally adversely affect committees as a minimum number of 5 members must

be maintained. If membership numbers fall below the required 5 members, the committee is to go into recess until such time as minimum membership numbers are met.

- e) The Current MOU makes the following provision in regard to termination of membership:

Members of the Committee will be deemed to vacate their position if they are absent without leave from three (3) consecutive meetings of the Committee.

Concerns have been raised in this regard. The following amendment is suggested:

The office of a member becomes vacant if the member is absent from 3 consecutive ordinary meetings of the Committee.

Council will give consideration to an application for an extended leave of absence which has been endorsed by the Committee on a case by case basis.

11.2 Feedback/Comments Received

Comment/feedback was received from the Chairs of the Perth Local District Committee and Ross Local District Committee; comment in relation to Conflict Resolution provisions was received from 2 members of the Avoca, Royal George and Rossarden Local District Committee.

Longford Local District Committee provided feedback/comment in the form of an amended MOU (attached).

Feedback provided is summarised as follows; a detailed feedback/comments schedule is included in the attachments.

- 1) *The LDC's should be considered as consultative committees not advisory committees.*

Preference is to maintain status as advisory committee.

- 2) *The content in relation to the scope should be amended; and the roles and responsibilities be clearly identified.*

MOU lacks detail of reciprocal responsibility of Council and Council's "Duty of Care" to its volunteers

Responsibility as per Council's Volunteer Handbook to:

- Ensure volunteers are covered by adequate insurances;
- Provide orientation and necessary training;
- Establish clear lines of communication about complaints and conflict resolution procedures;
- Provide safe and healthy working conditions;
- Include volunteers in relevant decision making processes;
- Provide supervision and support;
- Provide emergency procedure guidelines;
- Provide required documentation relating to the volunteer work to be undertaken.

- 3) *Concerns about absence without leave and the termination of membership due to absence in relation to the suggestion that terminated members be excluded from further appointment for a period of 6 months.*

Voluntary committee rely heavily upon the interest (and availability) of keen individuals

Clarification of the term 'absent without leave' to clarify and/or spell out the significance of regular attendance.

Do not support the exclusion of a terminated member for a period of six months.

- 4) *Councillor representatives attend meetings to provide clarity on matters and are not in attendance as guests, but have no voting rights. The MOU needs to clarify that the Chair is not able to refuse the right of a Councillor to speak.*

Support of Councillor participation in discussion and should not be refused the right to speak at LDC meetings.

- 5) *Secretarial support only being provided for bi-monthly meetings held during office hours, including: The provision of the \$2,500 in lieu of secretarial support. Currently the monies are provided for projects subject to Council approval; and whether the funds are a reasonable incentive. Timing and frequency of meetings.*

Bi-monthly meeting proposal not supported, with a mixed response regarding meeting times.

- 6) *Whether it is considered necessary to include a conflict resolution provision within the MOU.*

Policies already state that they apply to volunteers

Clarification is probably warranted for internal and external disputes & appropriate resolution processes

Simple code of conduct overlay the conflict resolution process. To deal with internal disputes between Committee members, and external disputes arising between Committee members and Councillors, Council Staff, and the general public

Additional concerns raised:

Appointment of Members

Clarify the selection and appointment process, i.e. the criteria used for selecting individual applicants; if applicants exceed vacancies is the full list provided to Councillors to approve at a Council meeting.

Meeting Conduct

Retain provisions in Section 6 in relation to the attendance of guests and presentations.

11.3 Proposed Amendments to Address the Concerns

As per the attached marked up Memorandum of Understanding.

12 ATTACHMENTS

- 12.1 Revised marked up Memorandum of Understanding.
- 12.2 Schedule of Local District Committee / Officer comments.
- 12.3 Correspondence received from Ross Local District Committee
- 12.4 Correspondence received from Perth Local District Committee
- 12.5 Suggested amended Longford Local District Committee MOU
- 12.6 Volunteer Handbook
- 12.7 Human Resources Policy – Employee Code of Conduct Policy

RECOMMENDATION

That Council

- A) endorse the draft changes to the Memorandum of Understanding and refer the document to the local district committees for comment.

OR

- B) endorse the draft changes to the Memorandum of Understanding and refer the document to the local district committees for comment, with the inclusion of the following additional amendments to the draft:

- i) 4. MEMBERSHIP

...

Members are to comprise of residents of XXXX and representatives of organisations based within those communities, with invitations to be extended to local business owners to join the Committees membership.

ii) 4. MEMBERSHIP

...

Membership will be subject to the current registration as a Council Volunteer and as such the contract with Council as a Volunteer extends to membership of the Committee; with Volunteer registration and induction to be completed prior to the commencement of membership.

iii) 6. MEETING PROCEDURES

...

A calendar of meeting dates is to be determined and published prior to the commencement of each calendar year.

iv) 7. COMMUNICATION, INFORMATION SHARING AND CONSULTATION

...

Any incoming (or outgoing) official correspondence received (or sent) by the Chair, or the membership on behalf of the Chair, in relation to the XXX Local District Committee, which has not been referred to the Committee by Council or generated by Council, is to be provided to Council within 14 days of receipt thereof. Correspondence will be recorded by Council and a formal response provided by Council. Approval of any correspondence to be sent by the XXX Local District Committee is to be sought from Council's General Manager.

DECISION

Cr Polley/Cr Calvert

That Council endorse the draft changes to the Memorandum of Understanding and refer the document to the local district committees for comment, with the inclusion of the following additional amendments to the draft:

i) 4. MEMBERSHIP

...

Members are to comprise of residents of XXXX and representatives of organisations based within those communities, with invitations to be extended to local business owners to join the Committees membership.

ii) 4. MEMBERSHIP

...

Membership will be subject to the current registration as a Council Volunteer and as such the contract with Council as a Volunteer extends to membership of the Committee; with Volunteer registration and induction to be completed prior to the commencement of membership.

iii) 6. MEETING PROCEDURES

...

A calendar of meeting dates is to be determined and published prior to the commencement of each calendar year.

iv) 7. COMMUNICATION, INFORMATION SHARING AND CONSULTATION

...

Any incoming (or outgoing) official correspondence received (or sent) by the Chair, or the membership on behalf of the Chair, in relation to the XXX Local District Committee, which has not been referred to the Committee by Council or generated by Council, is to be provided to Council within 14 days of receipt thereof. Correspondence will be recorded by Council and a formal response provided by Council. Approval of any correspondence to be sent by the XXX Local District Committee is to be sought from Council's General Manager.

v) 8. REVIEW AND EVALUATION

*Reinstate the following wording which had been marked for deletion:
...suggest amendments to its content.*

Carried unanimously



NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 17 MAY 2021

Cr Goninon declared an interest in item GOV 10, signed the register and left the meeting at 5.24pm.

176/21 SALE OF TOWN HALL, CAMPBELL TOWN

Responsible Officer: Des Jennings, General Manager

Report prepared by: Amanda Bond, Executive Officer

1 PURPOSE OF REPORT

The purpose of this report is for Council to consider any objections received against its decision to sell the Town Hall in Campbell Town.

2 INTRODUCTION/BACKGROUND

On 15 March 2021 (Minute Reference 122/21) Council unanimously decided to sell the Town Hall in Campbell Town and initiated the sale process in accordance with sections 177 and 178 of the *Local Government Act 1993*.

On 30 March 2021 letters were sent to Service Tasmania, the Campbell Town Museum and Information Centre, and the Campbell Town Local District Committee advising them of the decision, explaining the process to them, confirming that Council will ensure the current tenants of the facility have a suitable alternative option available to them, prior to progressing the sale.

On the 14th, 17th and 21st of April 2021 notices were published in the Examiner newspaper, in accordance with section 178(4) of the *Local Government Act 1993*. Copies of the notices are attached.

On the 13th of April 2021 a site notice was placed on the front of the Campbell Town Hall in accordance with section 178(4)(ab) of the *Local Government Act 1993*. Copies of photos of the notices are attached.

Notifications of the proposed sale were also published on Council's Facebook page on 22nd April, 29th April and 2nd of May 2021.

On 5 April 2021 Council received a letter from Mr Andrew McCullagh regarding the sale. Mr McCullagh was advised the formal process had been commenced and that his correspondence would be treated as an objection to the proposed sale and responded to in accordance with the process outlined in the *Local Government Act 1993*.

Two further objections were received, one on 29th of April 2021 from Mr Kim Peart, and one on 4th May 2021 from Dr Jennifer Bolton.

On 3rd of May a petition was received objecting to the sale. A copy of the petition is attached.

Each objection and the petition have been attached and the issues raised addressed below.

Objection 1: Mr Andrew McCullagh

Mr McCullagh has not raised a specific objection to the proposed sale, however, he has declared Council has no mandate to sell the Hall. Council has power to sell the Hall provided it complies with the relevant sections of the *Local Government Act 1993* as detailed in this report.

In his correspondence Mr McCullagh asks a series of questions. These have been addressed in turn below.

1. Who provided the land for the Hall to be constructed. Was it gifted land or Council owned land?

It is understood the land was gifted to the Campbell Town municipality by a Campbell Town resident Miss Leake

(extract from the Mercury (Hobart) 28 October 1939).

2. Did any major local person or persons providing gifts for the construction of the Hall?

The Hall was constructed by W Lockett & Sons (Campbell Town). It is unknown if gifts were provided for the construction of the Hall, requires historic research.

3. What (if any) of the construction of the Hall was funded by the community when built?

Unknown at time of writing report. Requires historic research.

4. What ongoing uses does the Hall currently host.

The Hall has two permanent tenants; Service Tasmania and the Campbell Town Museum and Information Centre. The Campbell Town District Forum uses the Hall as its monthly meeting venue. There is a monthly market held at the Hall.

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

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

Vaughan Room – 24.5 hours

Supper Room - 10.5 hours

5. What events (ongoing and individual) has the Hall hosted in the last ten years?

The Hall has been hired for a range of different uses over the past ten years including: markets, meetings, election polling station, sporting functions, public displays, private functions and events.

6. What is the total return to the community over the past five years in dollar value?

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

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

7. What have the running costs of the Hall been for the last five years?

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

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

8. What would the intended purposes be of any sale proceeds?

This is a decision of Council. An opportunity for the sale proceeds is to invest in the Campbell Town Main Street redevelopment.

9. What are the three main reasons councillors have chosen to want to sell the property?

- Rationalisation of assets
- Reduction of ongoing maintenance expenses
- Avoiding duplication of spaces available to the public
- Opportunity for commercial investment in Campbell Town

10. Please provide how many Councillors are actually in favour of the sale, and numbers against.

It was a unanimous decision of Council (Minute Reference 122/21) to sell the Hall.

11. What actions and initiatives have the Council taken over the past 5 years to orchestrate a business plan for Hall? What have they done to improve community usage and create opportunities for ongoing use of the Hall?

In September 2020 (Minute Reference 331/20) Council agreed to contract Watershed Solutions to undertake the

review of the Campbell Town Hall to identify possible future usage and opportunities for the building, noting that it is the intent of Council to sell the building.

The final report gave Council the options to sell or retain the Hall and identified the short and long term risks associated with both decisions.

Objection 2: Mr Kim Peart

Mr Peart provided a lengthy submission and two questions of relevance to the proposed sale of the Hall have been asked. Both of these questions are addressed below.

1. Have all possible uses of the Town Hall been explored?

In September 2020 (Minute Reference 331/20) Council agreed to contract Watershed Solutions to undertake the review of the Campbell Town Hall to identify possible future usage and opportunities for the building, noting that it is the intent of Council to sell the building.

The final report gave Council the options to sell or retain the Hall and identified the short and long term risks associated with both decisions.

2. Has the Council looked into whether the Town Hall is worthy of heritage listing?

Council records do not show the Hall has been investigated for heritage listing.

Objection 3: Dr Jennifer Bolton

Dr Bolton objects to the sale on 5 specific grounds. Each of these are addressed below:

1. Service Tasmania

Council has written to Service Tasmania advising them of the decision to sell the Hall and confirming that no action to progress the sale would occur without current tenants having a suitable location to relocate to.

2. Campbell Town Museum and Visitor Information Centre

Council has written to and met with the members of the Campbell Town Museum and Information Centre advising them of the decision to sell the Hall and confirming that no action to progress the sale would occur without current tenants having a suitable location to relocate to.

3. Monthly community markets

Council has not discussed relocation of the monthly market with the committee.

4. Other uses of the Town Hall

Campbell Town has a range of public spaces available for hire. Venues such as the Campbell Town War Memorial Oval complex, the Campbell Town Guide Hall and various other privately owned venues are available for public hire.

5. Heritage concerns

Council records show the Hall has not been investigated for heritage listing. The Hall is located within the Campbell Town Heritage Precinct; therefore, any future development of the site must be in accordance with the 13.0 Local Historic Heritage Code and the F2.0 Heritage Precinct Specific Area Plan of the *Northern Midlands Interim Planning Scheme 1993*.

Petition

Part 6 of the *Local Government Act 1993* ("the Act") regulates the receipt of petitions.

The requirements of a petition are detailed in **bold** below, with officer comments in *italic* beneath.

(a) a clear and concise statement identifying the subject matter and the action requested; and

The petition states: Greetings, SAVE the Campbell Town Hall.

The petition does not detail the action requested, therefore does not comply with section 57(2)(a) of the Act.

- (b) in the case of a paper petition, a heading on each page indicating the subject matter; and

The paper petition states: We the undersigned hereby petition Northern Midlands Council as we OBJECT to the sale of the Campbell Town TOWN HALL.

The petition does comply with section 57(2)(b) of the Act.

- (c) in the case of a paper petition, a brief statement on each page of the subject matter and the action requested; and

The paper petition states objection to the sale but does not detail the action requested, therefore does not comply with section 57(2)(c) of the Act.

- (d) a statement specifying the number of signatories; and

The petition does not provide a statement as required by section 57(2)(d) of the Act. The petition provides a tally of signatures totalling 349. Officer counting of the signatures provided a total of 344.

- (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

This has not been provided, therefore the petition does not comply with section 57(2)(e)(i) of the Act.

- (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.

This has not been provided, therefore the petition does not comply with section 57(2)(e)(ii) of the Act.

As the petition does not comply with all of the requirements of section 57 of the *Local Government Act 1993* it has been treated as a non-conforming petition and as such, has been included in this report for consideration as an objection to the sale of the Hall.

3 STRATEGIC PLAN 2017-2027

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

- Lead –
 - Money Matters
 - Core Strategies:
 - ♦ Improve community assets responsibly and sustainably
- Progress –
 - Strategic Project Delivery – Build Capacity for a Healthy Wealthy Future
 - Core Strategies:
 - ♦ Strategic, sustainable, infrastructure is progressive
 - ♦ Proactive engagement drives new enterprise
 - ♦ Collaborative partnerships attract key industries
 - ♦ Attract healthy, wealth-producing business & industry
 - Economic Development – Supporting Growth & Changes
 - ♦ New & expanded small business is valued
 - ♦ Support new businesses to grow capacity & service
 - ♦ Towns are enviable places to visit, live & work
 - ♦ Minimise industrial environment impact on amenity
- People –
 - Sense of Place – Sustain, Protect, Progress
 - Core Strategies:
 - ♦ Planning benchmarks achieve desirable development
 - ♦ Council nurtures and respects historical culture
 - ♦ Developments enhance existing cultural amenity
 - ♦ Public assets meet future lifestyle challenges

- Place –
 - History – Preserve & Protect our Built Heritage for Tomorrow
- Core Strategies:
- ♦ Our heritage villages and towns are high value assets

4 POLICY IMPLICATIONS

Nil policy implications have been identified.

5 STATUTORY REQUIREMENTS

The Town Hall at Campbell Town is classified as public land. Therefore, its sale would be subject to adherence to sections 177 and 178 of the *Local Government Act 1993*.

177. Sale and disposal of land

- (1) A council may sell, lease, donate, exchange or otherwise dispose of land owned by it, other than public land, in accordance with this section.
- (2) Before a council sells, leases, donates, exchanges or otherwise disposes of any land, it is to obtain a valuation of the land from the Valuer-General or a person who is qualified to practise as a land valuer under [section 4 of the Land Valuers Act 2001](#).
- (3) A council may sell –
 - (a) any land by auction or tender; or
 - (b) any specific land by any other method it approves.
- (4) A council may exchange land for other land –
 - (a) if the valuations of each land are comparable in value; or
 - (b) in any other case, as it considers appropriate.
- (5) A contract pursuant to this section for the sale, lease, donation, exchange or other disposal of land which is public land is of no effect.
- (6) A decision by a council under this section must be made by absolute majority.

178. Sale, exchange and disposal of public land

- (1) A council may sell, lease, donate, exchange or otherwise dispose of public land owned by it in accordance with this section.
- (2) Public land that is leased for any period by a council remains public land during that period.
- (3) A resolution of the council to sell, lease, donate, exchange or otherwise dispose of public land is to be passed by an absolute majority.
- (4) If a council intends to sell, lease, donate, exchange or otherwise dispose of public land, the general manager is to–
 - (a) publish that intention on at least 2 separate occasions in a daily newspaper circulating in the municipal area; and
 - (ab) display a copy of the notice on any boundary of the public land that abuts a highway; and
 - (b) notify the public that objection to the proposed sale, lease, donation, exchange or disposal may be made to the general manager within 21 days of the date of the first publication.
- (5) If the general manager does not receive any objection under [subsection \(4\)](#) and an appeal is not made under [section 178A](#), the council may sell, lease, donate, exchange or otherwise dispose of public land in accordance with its intention as published under [subsection \(4\)](#).
- (6) The council must –
 - (a) consider any objection lodged; and
 - (b) by notice in writing within 7 days after making a decision to take or not to take any action under this section, advise any person who lodged an objection of –
 - (i) that decision; and
 - (ii) the right to appeal against that decision under [section 178A](#).
- (7) The council must not decide to take any action under this section if –
 - (a) any objection lodged under this section is being considered; or
 - (b) an appeal made under [section 178A](#) has not yet been determined; or
 - (c) the Appeal Tribunal has made a determination under [section 178B\(b\)](#) or [\(c\)](#).

(8)

178A. Appeal

- (1) Any person who lodged an objection under [section 178](#) may appeal to the Appeal Tribunal against the decision of a council under [section 178\(6\)](#) within 14 days after receipt of notice of that decision under [section 178\(6\)\(b\)](#).
- (2) An appeal must be made in accordance with the [Resource Management and Planning Appeal Tribunal Act 1993](#).
- (3) An appeal may only be made on the ground that the decision of the council is not in the public interest in that –
 - (a) the community may suffer undue hardship due to the loss of access to, and the use of, the public land; or
 - (b) there is no similar facility available to the users of that facility.
- (4) The Appeal Tribunal is to hear and determine an appeal in accordance with the [Resource Management and Planning Appeal Tribunal Act 1993](#).
- (5) The decision of the Appeal Tribunal on hearing an appeal is final and [section 25 of the Resource Management and Planning Appeal Tribunal Act 1993](#) does not apply.

178B. Determination of appeal

In hearing an appeal against a decision of a council, the Appeal Tribunal may –

- (a) confirm that decision; or
- (b) set aside that decision; or
- (c) set aside that decision and –
 - (i) substitute another decision; or
 - (ii) remit the matter to the council for reconsideration.

6 FINANCIAL IMPLICATIONS

Council will need to consider obtaining a valuation of the Hall prior to sale.

7 RISK ISSUES

No risks have been identified regarding this report.

8 CONSULTATION WITH STATE GOVERNMENT

Not applicable.

9 COMMUNITY CONSULTATION

Community consultation is required in accordance with sections 177 and 178 of the *Local Government Act 1993*, as identified in Part 5 of this report. The objections being considered in this report are as a result of community consultation.

10 OPTIONS FOR COUNCIL TO CONSIDER

In accordance with section 178(6) of the *Local Government Act 1993* Council must:

- a) consider any objection lodged; and
- b) by notice in writing within 7 days after making a decision to take or not to take any action under this section, advise any person who lodged an objection of –
 - i) that decision; and
 - ii) the right to appeal against that decision under section 178A

11 OFFICER'S COMMENTS/CONCLUSION

Nil.

12 ATTACHMENTS

12.1 Notice

- 12.2 Photos of notice
- 12.3 A McCullagh
- 12.4 K Peart
- 12.5 J Bolton
- 12.6 Petition

RECOMMENDATION

That Council:

- i) notes the objections received; and
- ii) determines to **sell / retain** the Town Hall in Campbell Town; and
- iii) notifies parties who lodged the objections within 7 days of this decision.

DECISION

Cr Polley/Cr Davis

That Council:

- i) notes the objections received; and
- ii) determines to **sell** the Town Hall in Campbell Town; and
- iii) notifies parties who lodged the objections within 7 days of this decision.

Carried

Voting for the motion:

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

Voting against the motion:

Cr Brooks, Cr Lambert

Cr Goninon returned to the meeting at 5.34pm.

NORTHERN MIDLANDS COUNCIL

MINUTES – ORDINARY MEETING

17 MAY 2021

177/21 MONTHLY REPORT: DEVELOPMENT SERVICES

Responsible Officer: Des Jennings, General Manager

1 PURPOSE OF REPORT

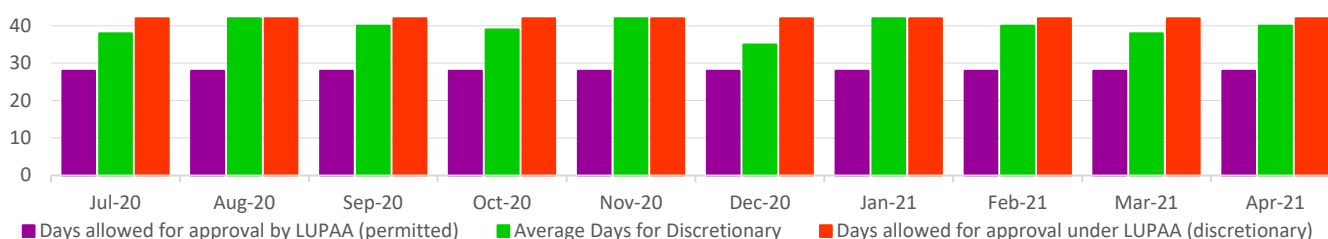
The purpose of this report is to present the Development Services activities as at the month end.

2 DEVELOPMENT SERVICES REPORTING

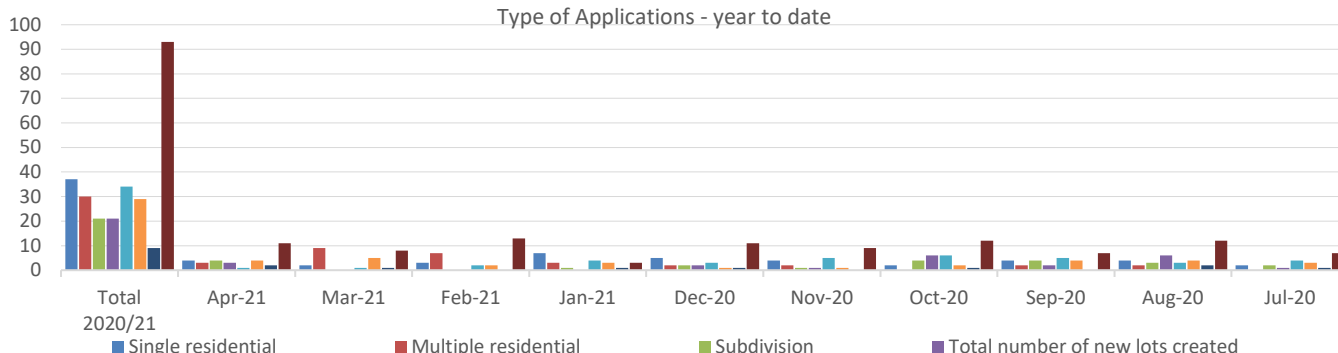
2.1 Planning Decisions

	Total YTD	Jul-20	Aug-20	Sep-20	Oct-20	Nov-20	Dec-20	Jan-21	Feb-21	Mar-21	Apr-21	May-21	Jun-21
Number of valid applications	194	21	11	19	18	7	18	27	26	19	28		
Single residential	37	2	4	4	2	4	5	7	3	2	4		
Multiple residential	30	0	2	2	0	2	2	3	7	9	3		
Subdivision	21	2	3	4	4	1	2	1	0	0	4		
Total number of new lots created	21	1	6	2	6	1	2	0	0	0	3		
Commercial	34	4	3	5	6	5	3	4	2	1	1		
Industrial/Utilities	29	3	4	4	2	1	1	3	2	5	4		
Visitor Accommodation	9	1	2	0	1	0	1	1	0	1	2		
Total permitted	0	0	0	0	0	0	0	0	0	0	0		
Total discretionary	9	1	2	0	1	0	1	1	0	1	2		
Other	93	7	12	7	12	9	11	3	13	8	11		
Total number of applications approved	239	19	29	25	26	22	26	21	22	21	28		
Total Permitted	22	3	6	5	0	2	1	2	1	0	2		
Average Days for Permitted		25	26	29	-	24	17	29	29	-	25		
Days allowed for approval by LUPAA		28	28	28	28	28	28	28	28	28	28	28	28
Total Exempt under IPS	84	8	5	4	8	17	13	4	3	9	13		
Total Refused	5	0	0	3	1	0	0	0	0	0	1		
Total Discretionary	216	16	23	20	26	20	25	19	21	21	25		
Average Days for Discretionary		38	42	40	39	42	35	42	40	38	40		
Days allowed for approval under LUPAA		42	42	42	42	42	42	42	42	42	42	42	42
Total Withdrawn	17	0	0	4	1	3	0	1	2	1	5		
Council Decisions	34	2	0	7	4	3	3	3	2	6	4		
Appeals lodged by the Applicant	5	0	0	0	1	1	1	1	0	1	0		
Appeals lodged by third party	0	0	0	0	0	0	0	0	0	0	0		

Planning Applications - Processing Days - year to date



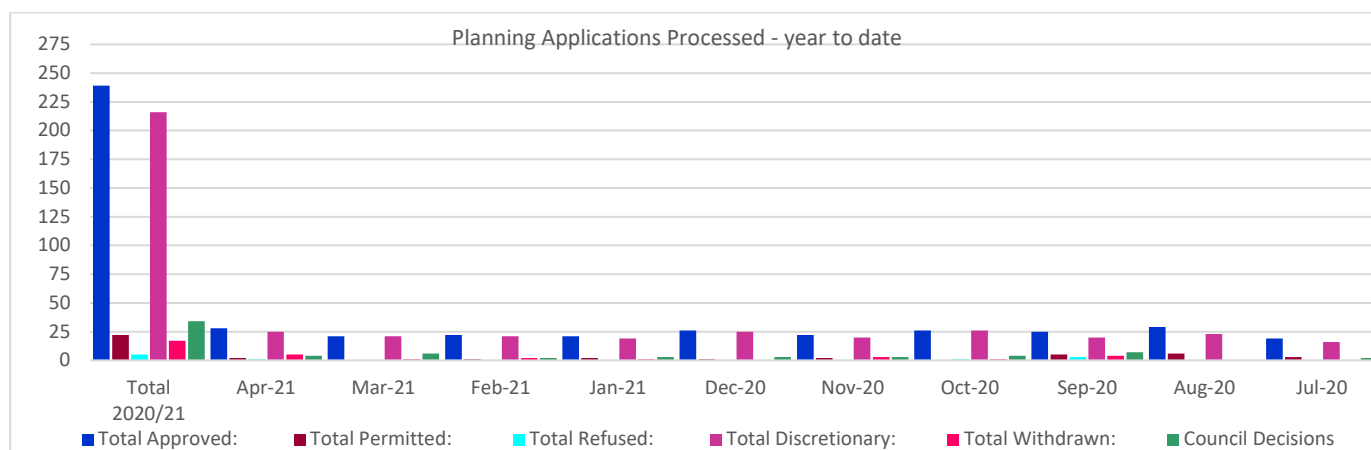
Type of Applications - year to date



NORTHERN MIDLANDS COUNCIL

MINUTES – ORDINARY MEETING

17 MAY 2021



April 2021

Project	Details	Address	Applicant	No of LUPAA days	Perm / Disc / Exempt
DELEGATED DECISIONS					
PLN-21-0059	Shed	1/15 Mulgrave Street, Perth TAS 7300	Nic Davidson	21	P
PLN-21-0070	Mural	Perth Primary School, 181 Fairtlough Street, Perth TAS 7300	Northern Midlands Council	28	P
PLN-20-0117	re-subdivision between 2 lots (heritage precinct)	10 & 12 High Street, Ross TAS 7209	Robert Doe	36	D
PLN-20-0203	2 lot subdivision for tree corridor (not connected to reticulated sewer or stormwater), Scenic Management Code	CT 174678/1, Drummond Street, Perth TAS 7300	Northern Midlands Council	40	D
PLN-20-0288	2 Lot subdivision (vary passing bay requirement), demolish shed	8 Herberts Road, Longford TAS 7301	D J McCulloch Surveying	42	D
PLN-21-0022	Additions/alterations to L.A. Burbury Pavillion (Community Meeting and Entertainment)	11 Church Street, Campbell Town TAS 7210	6ty° Pty Ltd	43	D
PLN-21-0035	Dwelling & shed (vary setbacks)	321 Cressy Road, Longford TAS 7301	Nicholas Fitsialos	42	D
PLN-21-0038	Outbuildings x 2 (Vary Front Internal & Side Setback and Vary Rear & Side Setback)	6 Country Field Court, Longford TAS 7301	Woolcott Surveys	42	D
PLN-21-0040	Multiple Dwellings x 3 (vary private open space and parking provisions)	7 Youl Road, Perth TAS 7300	6ty° Pty Ltd	42	D
PLN-21-0041	Morven Park Football Goal Post Netting (vary height, Heritage Precinct)	1-3 Barclay Street, Evandale TAS 7212	Northern Midlands Council	38	D
PLN-21-0042	Proposed Memorial/Display Panels - Fred Davies Memorial (vary setbacks; Other Sign)	Longford Football Ground entrance, Smith St, LONGFORD TAS 7301	Northern Midlands Council	38	D
PLN-21-0043	Fence and vegetation removal (partially retrospective) (Heritage Listed Place)	Cnr Barton Rd & Midland Highway, Epping Forest TAS 7211	Lindell Percival	38	D
PLN-21-0044	6M x 6M Shed (vary setbacks in rural zone, irrigation district & within ANEF Contours)	413 Evandale Road, Western Junction TAS 7212	Mr Dion Paget	42	D
PLN-21-0046	Combined dwelling and shed (vary rear setback & privacy provisions)	14 (lot 2) Cromwell St, PERTH TAS 7300	Wilkin Design & Drafting	42	D
PLN-21-0048	Shed (vary [S] setback in rural zone)	460 Lake Road (Shack Site C29), Lake Leake TAS 7210	Richard Hipsley	45	D
PLN-21-0049	7ft Wooden Paling Fence to highway frontage (works within 50m of cat 1 road)	12884 Midland Highway, Cleveland TAS 7211	Patricia Tolond	45	D
PLN-21-0050	Stormwater Detention Basin	4A Gatty Street, Western Junction TAS 7212	Northern Midlands Council	42	D
PLN-21-0052	Change of Use to Visitor Accommodation (non-impervious access and parking)	31 Park Street, Ross TAS 7209	Helen Kelly	44	D
PLN-21-0054	Carport (vary side [S] setback)	2 Banksia Grove, Perth TAS 7300	Bradley Pearton	42	D

NORTHERN MIDLANDS COUNCIL

MINUTES – ORDINARY MEETING

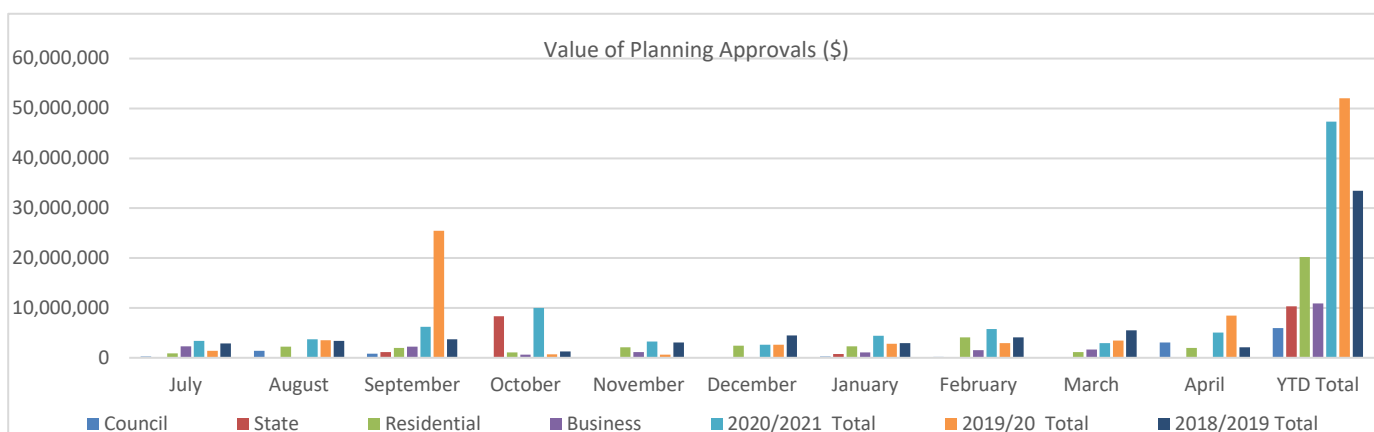
17 MAY 2021

April 2021

Project	Details	Address	Applicant	No of LUPAA days	Perm / Disc / Exempt
DELEGATED DECISIONS					
PLN-21-0055	Garden shed (works within 50m of railway)	386 Perth Mill Road, Perth TAS 7300	Robert Arthur & Pauline Mary Kettle	42	D
PLN-21-0056	Dwelling (vary setbacks)	Cressy Road, Longford TAS 7301	Prime Design	28	D
PLN-21-0058	Shed (vary NW side setback)	545 Nile Road, Evandale TAS 7212	Emily Ruffo	31	D
PLN-21-0061	20ft Shipping Container (extension to existing non-conforming use) (ANEF Contours, Road & Railway Assets Code)	385 Evandale Road, Western Junction TAS 7212	Cameron Smith	43	D
PLN-21-0067	Dwelling, outbuilding (vary N side setback)	46 Secombe Street, Perth TAS 7300	Kian Van Der Pols	34	D
COUNCIL DECISIONS					
PLN-20-0322	2 Lot Subdivision (vary lot size, no reticulated services, Scenic Management area)	40 Fairtlough Street, Perth TAS 7300	Commercial Project Delivery	42	C
PLN-21-0020	Visitor Accommodation, 2 lot subdivision, demolish shed (Potentially Contaminated Land Code)	77-79 Main Street, Cressy TAS 7302	Mr Carlton Dixon	42	C
PLN-21-0053	Perth Early Learning Centre	2A Fore St & 48 Clarence St, Perth TAS 7300	N2SH Design Studio - Hobart	42	C
COUNCIL DECISIONS - REFUSAL					
PLN-21-0060	Shed (ancillary to residential use at 61 Mulgrave St, Perth; vary side [S] setback)	6 Zircon Place, Perth TAS 7300	Aaron Barnett	54	C
RMPAT DECISIONS					
TPC DECISIONS					
PLN19-0070	Rezoned to Gen Res and 7 Lot subdivision	86 Burghley St Longford	Woolcott Surveys		

2.2 Value of Planning Approvals

	Council	State	2020/2021			2019/20	2018/2019
			Residential	Business	Total	Total	Total
July	217,500	0	877,000	2,283,000	3,377,500	1,429,000	2,863,500
August	1,370,000	10,000	2,208,500	121,000	3,709,500	3,503,000	3,369,300
September	850,000	1,120,000	1,971,000	2,248,000	6,189,000	25,457,550	3,704,400
October	0	8,302,500	1,083,000	601,500	9,987,000	717,900	1,282,500
November	0	15,000	2,113,000	1,153,226	3,281,226	648,500	3,079,000
December	95,000	0	2,450,240	72,000	2,617,240	2,636,000	4,499,500
January	220,000	766,000	2,322,100	1,105,000	4,413,100	2,830,700	2,965,400
February	160,000	0	4,083,780	1,545,000	5,788,780	2,916,000	4,090,500
March	15,000	92,442	1,117,154	1,690,000	2,914,596	3,425,000	5,537,000
April	3,053,000	1,500	1,963,500	50,500	5,068,500	8,452,750	2,110,350
YTD Total	5,980,500	10,307,442	20,189,274	10,869,226	47,346,442	52,016,400	33,501,450
Annual Total						55,891,900	36,482,950



NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 17 MAY 2021

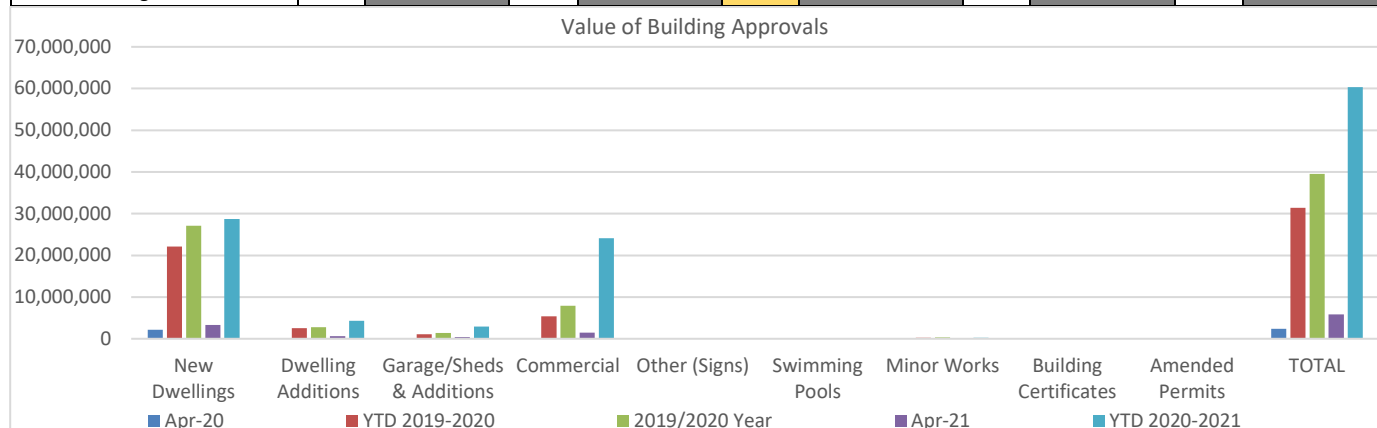
2.3 Matters Awaiting Decision by TPC & RMPAT

TPC		TASMANIAN PLANNING COMMISSION
TPS		Tasmanian Planning Scheme. The State Planning Provisions (SPPs) came into effect on 2/3/2017. They will have no practical effect until the Local Provisions Schedule (LPS) is in effect in a municipal area. Northern Midlands Council's Draft Local Provisions Schedule submitted to the Commission 19/12/2019. Post lodgement meeting held 5/5/2020. Matters raised by the Commission and recommended response tabled at the 29/6/2020 Council meeting. Remaining responses to post lodgement enquiries provided 28/08/2020. Submission of response to post lodgement enquiries made by TPC due 5/2/2021. Meeting held between Council and Commission staff to discuss these matters held 20/1/2021. Response provided to TPC 12/2/2021. TPC requested further clarifications 16/3/2021. Response provided 8/4/2021. Section 32(4) responses to final TPC queries provided 6/5/2021.
04/2020		PLN-20-0230 - Low Density Residential Land at the south of Longford. Report on representation considered at Council meeting of 27/1/2021. Section 39 report on representation sent to TPC 12/2/2021. Hearing set for 20 May 2021.
01/2021		PLN-21-0029 - site specific amendment to allow Resource Processing as a permitted use on at 13 Richard Street, in conjunction with a s43 development application for a food freeze drying enterprise. Advertised until 26/4/2021. Commission noted that the advertisement referred to a permitted development rather than a discretionary development. Being re-advertised until 7 June 2021.
RMPAT		RESOURCE MANAGEMENT AND PLANNING APPEAL TRIBUNAL
42/21P		PLN-21-0006 - 7 Church Street, Cressy, 3 Multiple Dwellings. Appeal against permit condition. Preliminary Conference held 16 April 2021. Mediation being undertaken.
Decisions received		
TPC		
02/2019		PLN-19-0070, 86 Burghley St Longford, rezone to General Residential and s43A application for 7 Lot Subdivision. Amendment and permit approved. Permit issued.
RMPAT		
-		-

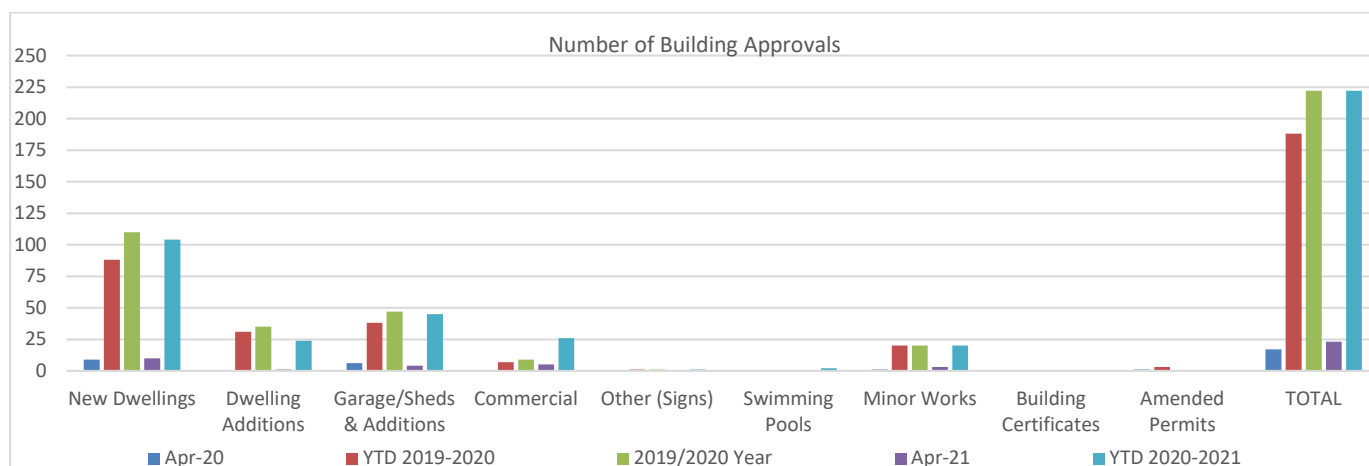
2.4 Building Approvals

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

	YEAR: 2019-2020				YEAR		YEAR: 2020-2021			
	Apr-20		YTD 2019-2020		July 2019 - June 2020		Apr-21		YTD 2020-2021	
	No.	Total Value \$	No.	Total Value \$	No.	Total Value \$	No.	Total Value \$	No.	Total Value \$
New Dwellings	9	2,200,181	88	22,079,468	110	27,131,594	10	3,315,959	104	28,685,125
Dwelling Additions	0	0	31	2,547,001	35	2,757,001	1	650,000	24	4,308,970
Garage/Sheds & Additions	6	150,000	38	1,091,142	47	1,394,142	4	368,000	45	2,905,830
Commercial	0	0	7	5,420,000	9	7,952,000	5	1,460,000	26	24,144,650
Other (Signs)	0	0	1	5,000	1	5,000	0	0	1	12,000
Swimming Pools	0	0	0	0	0	0	0	0	2	104,000
Minor Works	1	5,800	20	225,457	20	287,983	3	35,685	20	208,711
Building Certificates	0	0	0	0	0	0	0	0	0	0
Amended Permits	1	0	3	0	0	0	0	0	0	0
TOTAL	17	2,355,981	188	31,368,068	222	39,527,720	23	5,829,644	222	60,369,286
Inspections										
Building	0		1		58		0		30	
Plumbing	25		294		282		18		238	



NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 17 MAY 2021



2.5 Planning and Building Compliance – Permit Review

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

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

Planning Permit Reviews	This Month	2020/2021	Total 2019/2020
Number of Inspections	3	22	43
Property owner not home or only recently started			1
Complying with all conditions / signed off	1	10	21
Not complying with all conditions			
Re-inspection required	2	6	17
Notice of Intention to Issue Enforcement Notice			
Enforcement Notices issued			
Enforcement Orders issued			
Infringement Notice			
No Further Action Required		6	4
Building Permit Reviews	This Month	2020/2021	Total 2019/2020
Number of Inspections		12	25
Property owner not home or only recently started			
Complying with all conditions / signed off		2	5
Not complying with all conditions			1
Re-inspection required		2	6
Building Notices issued			
Building Orders issued			
No Further Action Required		8	12
Illegal Works - Building	This Month	2020/21	Total 2019/2020
Number of Inspections	1	21	26
Commitment provided to submit required documentation	1	8	1
Re-inspection required		10	6
Building Notices issued		5	4
Building Orders issued		4	4
Emergency Order		2	
No Further Action Required		3	12
Illegal Works - Planning	This Month	2020/21	Total 2019/2020
Number of Inspections	5	66	77
Commitment provided to submit required documentation	1	8	7
Re-inspection required	2	45	42
Enforcement Notices issued		1	
Enforcement Orders Issued			
Notice of Intention to Issue Enforcement Notice issued	1	6	5
No Further Action Required	2	13	20

3 STRATEGIC PLAN 2017-2027

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

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

4 STATUTORY REQUIREMENTS

4.1 *Land Use Planning & Approvals Act 1993*

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

4.2 *Building Act 2016*

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

5 RISK ISSUES

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

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 26 commercial building approvals valued at \$24,144,650 for 2020/21 (year to date), compared to 7 commercial building approval valued at \$5,420,000 (year to date) for 2019/2020.

In total, there were 222 building approvals valued at \$60,369,286 (year to date) for 2020/2021, compared to 188 building approvals valued at \$31,368,068 (year to date) for 2019/20.



NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 17 MAY 2021

RECOMMENDATION

That the report be noted.

DECISION

Cr Davis/Cr Goninon

That the report be noted.

Carried unanimously

**178/21 CONSULTATION ON DRAFT PLANNING DIRECTIVE 8 – STATE
PLANNING PROVISIONS EXEMPTIONS, APPLICATION REQUIREMENTS,
SPECIAL PROVISIONS AND ZONE PROVISIONS**

File: 13/006/008
Responsible Officer: Erin Miles, Community Supervisor
Report prepared by: Paul Godier, Senior Planner

1 PURPOSE OF REPORT

This report advises Council of consultation being undertaken by the Tasmanian Planning Commission on draft Planning Directive 8 – State Planning Provisions Exemptions, Application Requirements, Special Provisions and Zone Provisions.

2 INTRODUCTION/BACKGROUND

<https://www.planningreform.tas.gov.au/> advises that:

The Minister for Planning has issued Interim Planning Directive No. 4 – Exemptions, Application Requirements, Special Provisions and Zone Provisions in accordance with the recommendations of the Tasmanian Planning Commission. The interim planning directive comes into effect on 22 February 2021 and applies to all interim planning schemes.

An interim planning directive (IPD) provides for a draft planning directive to have interim effect while it is being formally assessed by the Commission.

IPDs may be issued by the Minister for Planning after considering a recommendation from the Commission regarding a related draft planning directive and if the Minister is satisfied that the provisions are:

- *necessary or desirable to address a critical or significant planning issue in the immediate term; and*
- *in the public interest in the immediate term.*

Interim Planning Directive 4 (IPD4) implements a limited range of exemptions, application requirements, general provisions, and zone provisions from the State Planning Provisions (SPPs) into current interim planning schemes.

The SPPs were approved in 2017, after formal consultation and assessment processes. The SPPs do not have effect until a council's Local Provisions Schedule is approved, replacing the current interim planning scheme. With the SPPs currently only implemented in a small number of councils, the improvements they deliver are largely 'on hold'.

Early implementation of some SPPs will support the recovery from the effects of Covid-19 by:

- *supporting more efficient delivery of housing, public infrastructure, and road works; and*
- *clarifying application requirements to assist councils with accepting and determining development applications.*

The Commission advises that it has been directed by the Minister for Planning under section 11 of the former provisions of the *Land Use Planning and Approvals Act 1993* to undertake an assessment of draft Planning Directive 8 – State Planning Provisions Exemptions, Application Requirements, Special Provisions and Zone Provisions.

The Commission invites representations for consideration in the assessment until 5pm on 17 May 2021. The Commission has given Council an extension of time until 5pm of 18 May to allow the matter to be considered at its meeting of 17 May.

3 STRATEGIC PLAN 2017-2027

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

- Lead –

- Leaders with Impact
Core Strategies:
 - ♦ Communicate – Connect with the community
- Best Business Practice & Compliance
Core Strategies:
 - ♦ Council complies with all Government legislation
- People –
 - Sense of Place – Sustain, Protect, Progress
Core Strategies:
 - ♦ Planning benchmarks achieve desirable development
 - ♦ Council nurtures and respects historical culture
 - ♦ Developments enhance existing cultural amenity
- Place –
 - History – Preserve & Protect our Built Heritage for Tomorrow
Core Strategies:
 - ♦ Our heritage villages and towns are high value assets

4 POLICY IMPLICATIONS

There are no policy implications.

5 STATUTORY REQUIREMENTS

The Commission gives Council notice under section 12(2) of former provisions of the *Land Use Planning and Approvals Act 1993* of its intention to undertake an assessment of PD8.

6 FINANCIAL IMPLICATIONS

There are no financial implications to Council.

7 RISK ISSUES

As currently written, draft Planning Directive 8 poses a risk to the conservation of places and precincts of heritage value and to the protection of native vegetation.

8 CONSULTATION WITH STATE GOVERNMENT

The Tasmanian Planning Commission is undertaking the consultation on this matter.

9 COMMUNITY CONSULTATION

The State Government is undertaking community consultation on this matter. All written submissions must be received by close of business on 17 May 2021.

10 OPTIONS FOR COUNCIL TO CONSIDER

Council can:

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

11 OFFICER'S COMMENTS/CONCLUSION

Maintenance and repair of buildings (heritage buildings and precincts)

Previous provision (common to northern regional councils)		
5.0.1 Use or development described in subclause 5.3.2 is exempt from requiring a planning permit under this planning scheme.		
5.5.1	maintenance and repair of buildings	Maintenance and repair of buildings including repainting, re-cladding and re-roofing whether using similar or different materials provided this does not: (a) contravene a condition of an existing permit which applies to a site; or (b) involve a place or precinct listed in a heritage code that is part of this planning scheme.
Current Provision (Interim Planning Directive 4)		
5.0.1 Use or development described in subclause 5.3.2 is exempt from requiring a planning permit under this planning scheme.		
5.3.2	maintenance and repair of buildings	Maintenance and repair of buildings including repainting, re-cladding and re-roofing whether using similar or different materials provided this does: (a) not contravene a condition of an existing permit which applies to a site; and (b) involve a place or precinct listed in a heritage code that is part of this scheme*.
		*This appears to be a typographical error and is thought it should read, as per the previous provision: <u>not</u> involve a place or precinct listed in a heritage code that is part of this scheme.
Draft Planning Directive 8		
5.0.1 Use or development described in subclause 5.3.2 is exempt from requiring a planning permit under this planning scheme provided it meets the corresponding requirements.		
5.3.2	maintenance and repair of buildings	Maintenance and repair of buildings including repainting, re-cladding and re-roofing whether using similar or different materials provided this does not contravene a condition of an existing permit which applies to a site.

Draft Planning Directive 8 would allow the maintenance and repair of buildings that are heritage listed or in a heritage precinct to:

- have roof material changed without planning approval;
- have wall material changed without planning approval; or
- have external paint colours changed beyond colours like existing, without planning approval.

If repairing a roof, a corrugated or tile roof could be replaced with a profile such as trimdek.

If repairing a wall, a weatherboard wall could be replaced with a profile such as corrugated or trimdek.

Figure 1 – Trimdek profile (Source: <https://www.lysaght.com/products/trimdek#> accessed 10/5/2021)



As these are not traditional profiles for heritage buildings or precincts, it is considered that the provision does not further the Schedule 1 Objective (Part 2 (g)) of the *Land Use Planning and Approvals Act 1993* to 'conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value' and should read:

5.0.1 Use or development described in subclause 5.3.2 is exempt from requiring a planning permit under this planning scheme.

5.3.2 Maintenance and repair of buildings including repainting, re-cladding and re-roofing whether using similar or different materials provided this does:

- *not contravene a condition of an existing permit which applies to a site; and*
- *not involve a place or precinct listed in a heritage code that is part of this scheme.*

Storage for multiple dwellings

Previous provision (common to northern regional councils); and	
Current provision (Interim Planning Directive 4)	
10.4.9 Storage for multiple dwellings	
Objective To provide adequate storage facilities for each multiple dwelling.	
Acceptable Solutions	Performance Criteria
A1 Each multiple dwelling must have access to at least 6 cubic metres of secure storage space.	P1 Each multiple dwelling must provide storage suitable to the reasonable needs of residents.
Draft Planning Directive – removed	
Comment: If a development does not provide enough storage space, the new owner or tenant can have a storage shed built to suit their needs. No concern is raised with removal of this provision.	

Common Property for multiple dwellings

Previous provision (common to northern regional councils); and	
Current provision (Interim Planning Directive 4)	
10.4.10 Common Property for multiple dwellings	
Objective To ensure that communal open space, car parking, access areas and site facilities for multiple dwellings are easily identified.	
Acceptable Solutions	Performance Criteria
A1 Development for multiple dwellings must clearly delineate public, communal and private areas such as: a) driveways; and b) site services and any waste collection points.	P1 No performance criteria.
Draft Planning Directive – removed	
Comment: Common property can be managed by the body corporate. No concern is raised with the removal of this provision.	

Outbuildings and Ancillary Structures for the Residential Use Class other than a single dwelling

Previous provision (common to northern regional councils); and	
Current provision (Interim Planning Directive 4)	
10.4.11 Outbuildings and Ancillary Structures for the Residential Use Class other than a single dwelling	
Objective To ensure: a) that outbuildings do not detract from the amenity or established neighbourhood character; and b) that dwellings remain the dominant built form within an area; and c) earthworks and the construction or installation of swimming pools are appropriate to the site and respect the amenity of neighbouring properties.	
Acceptable Solutions	Performance Criteria
A1 Outbuildings for each multiple dwelling must have a combined gross floor area not exceeding 45m ² .	P1 Outbuildings for each multiple dwelling must be designed and located having regard to: (a) visual impact on the streetscape; and (b) compatibility with the size and location of outbuildings in the

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		<i>neighbourhood.</i>	
Draft Planning Directive – removed			
Comment: The site coverage provision of not more than 50% remains. No concern is raised with removal of this provision.			
A2	<i>A swimming pool for private use must be located:</i> <i>(a) behind the setback from a primary frontage; or</i> <i>(b) in the rear yard.</i>	P2	<i>A swimming pool for private use must designed and located to:</i> <i>(a) minimise any visual impact on the streetscape; and</i> <i>(b) not unreasonably overlook or overshadow adjoining properties; and</i> <i>(c) be compatible with the size and location of approved outbuildings in the neighbourhood.</i>
Draft Planning Directive – removed			
Comment: This would allow swimming pools to be located forward of the front of a building. No concern is raised with removal of this provision.			

Site services for multiple dwellings

Previous provision (common to northern regional councils); and	
Current provision (Interim Planning Directive 4)	
10.4.12 <i>Site services for multiple dwellings</i>	
Objective <i>To ensure that:</i> <i>a) site services for multiple dwellings can be installed and easily maintained; and</i> <i>b) site facilities for multiple dwellings are accessible, adequate and attractive.</i>	
Acceptable Solutions	Performance Criteria
A1 <i>Provision for mailboxes must be made at the frontage.</i>	P1 <i>Sufficient space (including easements where required) for mail services must be provided for each multiple dwelling.</i>
Draft Planning Directive: Removed	
Comment: If a development does not provide mailboxes, it would be a reasonably simple matter for the new owners to have them installed. No concern is raised over the removal of this provision.	

VEGETATION REMOVAL EXEMPTIONS

Prior to Interim Planning Directive 4, vegetation removal exemptions for:

- fire hazard management in accordance with a bushfire hazard management plan approved as part of subdivision or development;
- fire hazard management in accordance with a bushfire hazard management plan endorsed by the Tasmanian Fire Service, Forestry Tasmania or the Parks and Wildlife Service; and
- safety reasons where the work is required for the removal of dead wood, or treatment of disease, or required to remove an unacceptable risk to public or private safety, or where the vegetation is causing or threatening to cause damage to a substantial structure or building.

did not apply if:

- (a) a heritage, scenic/landscape or biodiversity values code applied.
- (d) more than 1m² of land was affected by a potentially contaminating activity;
- (e) excavation or fill of more than 0.5m depth occurred in a salinity hazard area or landslip hazard area;
- (f) threatened vegetation was removed; or
- (g) the land was located within 30m of a wetland or watercourse.

Interim Planning Directive 4 removes these qualifications, as does draft Planning Directive 8.

Before the introduction of Interim Planning Directive 4, removal of native vegetation for safety reasons was not exempt and required a permit. This gave Council the opportunity to assess if its removal was actually required for safety reasons.

Under Interim Planning Directive 4 the removal of vegetation, including native vegetation, is exempt.

It has been found that the exemption allows native vegetation to be removed with no onus to demonstrate that it was

causing an unacceptable risk. The exemption also allows trees to be removed on the basis that they are rotten and threatening to cause damage, or tree roots are causing damage.

However, trees do not suddenly become rotten, and damage from tree roots is not a cause for immediate action.

If trees are removed without any prior discussion with Council, it cannot be demonstrated that they were not causing an unacceptable risk or threatening to cause damage, and enforcement action becomes difficult due to lack of evidence.

It is considered that the provision does not further the Schedule 1 Objective (Part 2 (c)) of the *Land Use Planning and Approvals Act 1993* to 'to ensure that the effects on the environment are considered ... when decisions are made about the use and development of land'.

It is therefore suggested that this provision should read:

safety reasons where the work is required for the removal of dead wood, or treatment of disease, or required to remove an unacceptable risk immediate threat to public or private safety, or where the vegetation is causing or threatening to cause immediate damage to a substantial structure or building.

GENERAL RESIDENTIAL ZONE PROVISIONS

Draft Planning Directive 8 removes the following provisions:

- 10.4.3 A1 (c) *Dwellings must have a site area of which at least 25% of the site area is free from impervious surfaces.*
- 10.4.3 A2 (c) *A dwelling must have an area of private open space that is directly accessible from, and adjacent to, a habitable room (other than a bedroom).*
- 10.4.4 A1 *A dwelling must have at least one habitable room (other than a bedroom) in which there is a window that faces between 30 degrees west of north and 30 degrees east of north.*
- 10.4.4 A2 *A multiple dwelling that is to the north of a window of a habitable room (other than a bedroom) of another dwelling on the same site, which window faces between 30 degrees west of north and 30 degrees east of north, must be in accordance with (a) or (b), unless excluded by (c):*
 - (a) *The multiple dwelling is contained within a line projecting:*
 - (i) *at a distance of 3 m from the window; and*
 - (ii) *vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal.*
 - (b) *The multiple dwelling does not cause the habitable room to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June.*

It is understood that these provisions are not in the State Planning Provisions, the draft planning directive proposes to provide for early implementation of some elements of the State Planning Provisions through interim planning schemes, and that these provisions (including the removal of those mentioned above) have already been subject to a formal consultation and assessment process in the making of the State Planning Provisions.

However, the Northern Midlands Council retains its view that the removal of these provisions does not further the Schedule 1 Objectives (Part 2 (f) and (h) of the *Land Use Planning and Approvals Act 1993*:

- to promote the health and wellbeing of all Tasmanians by ensuring a pleasant and efficient environment for living and recreation; and
- to protect public infrastructure and other assets for the benefit of the community.

12 ATTACHMENTS

- Letter from Tasmanian Planning Commission, 15 April 2021
- Background Report, Draft Planning Directive No. 8 Exemptions, Application Requirements, Special Provisions and Zone Provisions

- Draft Planning Directive No. 8 Exemptions, Application Requirements, Special Provisions and Zone Provisions

RECOMMENDATION

That Council submit a representation to the Tasmanian Planning Commission stating:

Maintenance and repair of buildings (heritage buildings and precincts)

Clause 5.3.2 of draft Planning Directive 8 would allow the maintenance and repair of buildings that are heritage listed or in a heritage precinct to:

- have roof material changed without planning approval.
- have wall material changed without planning approval.
- have external paint colours changed beyond colours like existing, without planning approval.

If repairing a roof, a corrugated or tile roof could be replaced with a profile such as trimdek.

If repairing a wall, a weatherboard wall could be replaced with a profile such as corrugated or trimdek.

As these are not traditional profiles for heritage buildings or precincts, it is considered that the provision does not further the Schedule 1 Objective (Part 2 (g)) of the *Land Use Planning and Approvals Act 1993* to 'conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value' and should read:

- 5.0.1 *Use or development described in subclause 5.3.2 is exempt from requiring a planning permit under this planning scheme.*
- 5.3.2 *Maintenance and repair of buildings including repainting, re-cladding and re-roofing whether using similar or different materials provided this does:*
 - *not contravene a condition of an existing permit which applies to a site; and*
 - *not involve a place or precinct listed in a heritage code that is part of this scheme.*

Vegetation Removal Exemptions

Clause 5.4.1 of draft Planning Directive 8 would exempt the removal of native vegetation for *safety reasons where the work is required for the removal of dead wood, or treatment of disease, or required to remove an unacceptable risk to public or private safety, or where the vegetation is causing or threatening to cause damage to a substantial structure or building.*

This exemption is currently in force through Interim Planning Directive 4. It has been found that the exemption allows native vegetation to be removed with no onus to demonstrate that it was causing an unacceptable risk.

The exemption also allows trees to be removed on the basis that they are rotten and threatening to cause damage, or tree roots are causing damage.

However, trees do not suddenly become rotten, and damage from tree roots is not a cause for immediate action.

If trees are removed without any prior discussion with Council, it cannot be demonstrated that they were not causing an unacceptable risk or threatening to cause damage, and enforcement action becomes difficult due to lack of evidence.

It is considered that the provision does not further the Schedule 1 Objective (Part 2 (c)) of the *Land Use Planning and Approvals Act 1993* to 'to ensure that the effects on the environment are considered ... when decisions are made about the use and development of land'.

It is recommended that the exemption be amended as follows:

safety reasons where the work is required for the removal of dead wood, or treatment of disease, or required to remove an unacceptable risk immediate threat to public or private safety, or where the vegetation is causing or threatening to cause immediate damage to a substantial structure or building.

General Residential Zone Provisions

Draft Planning Directive 8 removes the following provisions:

- 10.4.3 A1 (c) *Dwellings must have a site area of which at least 25% of the site area is free from impervious surfaces.*
- 10.4.3 A2 (c) *A dwelling must have an area of private open space that is directly accessible from, and adjacent to, a habitable room (other than a bedroom).*
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 - (a) *The multiple dwelling is contained within a line projecting:*
 - (i) *at a distance of 3 m from the window; and*
 - (ii) *vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal.*
 - (b) *The multiple dwelling does not cause the habitable room to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June.*

It is understood that these provisions are not in the State Planning Provisions, the draft planning directive proposes to provide for early implementation of some elements of the State Planning Provisions through interim planning schemes, and that these provisions (including the removal of those mentioned above) have already been subject to a formal consultation and assessment process in the making of the State Planning Provisions.

However, the Northern Midlands Council retains its view that the removal of these provisions does not further the Schedule 1 Objectives (Part 2 (f) and (h) of the *Land Use Planning and Approvals Act 1993*:

- to promote the health and wellbeing of all Tasmanians by ensuring a pleasant and efficient environment for living and recreation; and
- to protect public infrastructure and other assets for the benefit of the community.

DECISION

Cr Davis/Cr Goninon

That Council submit a representation to the Tasmanian Planning Commission stating:

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Clause 5.3.2 of draft Planning Directive 8 would allow the maintenance and repair of buildings that are heritage listed or in a heritage precinct to:

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to remove an unacceptable risk to public or private safety, or where the vegetation is causing or threatening to cause damage to a substantial structure or building.

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It is considered that the provision does not further the Schedule 1 Objective (Part 2 (c)) of the *Land Use Planning and Approvals Act 1993* to 'to ensure that the effects on the environment are considered ... when decisions are made about the use and development of land'.

It is recommended that the exemption be amended as follows:

safety reasons where the work is required for the removal of dead wood, or treatment of disease, or required to remove an unacceptable risk immediate threat to public or private safety, or where the vegetation is causing or threatening to cause immediate damage to a substantial structure or building.

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- 10.4.4 A1 *A dwelling must have at least one habitable room (other than a bedroom) in which there is a window that faces between 30 degrees west of north and 30 degrees east of north.*
- 10.4.4 A2 *A multiple dwelling that is to the north of a window of a habitable room (other than a bedroom) of another dwelling on the same site, which window faces between 30 degrees west of north and 30 degrees east of north, must be in accordance with (a) or (b), unless excluded by (c):*
 - (a) *The multiple dwelling is contained within a line projecting:*
 - (i) *at a distance of 3 m from the window; and*
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 - (b) *The multiple dwelling does not cause the habitable room to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June.*

It is understood that these provisions are not in the State Planning Provisions, the draft planning directive proposes to provide for early implementation of some elements of the State Planning Provisions through interim planning schemes, and that these provisions (including the removal of those mentioned above) have already been subject to a formal consultation and assessment process in the making of the State Planning Provisions.

However, the Northern Midlands Council retains its view that the removal of these provisions does not further the Schedule 1 Objectives (Part 2 (f) and (h) of the *Land Use Planning and Approvals Act 1993*:

- to promote the health and wellbeing of all Tasmanians by ensuring a pleasant and efficient environment for living and recreation; and
- to protect public infrastructure and other assets for the benefit of the community.

Carried unanimously



NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 17 MAY 2021

179/21 KENNEL LICENCE APPLICATION FOR 8 DOGS AT 102 MAIN STREET CRESSY

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

1 PURPOSE OF REPORT

The purpose of this report is to assess and consider a kennel licence to house 1 Springer Spaniel, 5 Staghounds and 2 Hounds at 102 Main Street Cressy.

2 INTRODUCTION/BACKGROUND

In accordance with Section 51 of the *Dog Control Act 2000*, Steven Button applied for a kennel licence at 102 Main Street Cressy to house 1 Springer Spaniel, 5 Staghounds and 2 hounds.

The intention to apply was advertised in The Examiner on 30th December 2021.

The notice that was placed in the Examiner had an error in the number of dogs that Mr Button intended to apply for, the notice said Mr Button intended to apply for a licence to house 38 dogs, when it in fact should have said 8 dogs.

14 objections were received for housing 38 dogs, from neighbouring property owners within 200metres of the property,

When Mr Button lodged his application with Council to house 8 dogs, letters were sent to neighbouring property owners within 200metres of the property, advising of the proposed kennel licence for 8 dogs and inviting objections.

17 objections to house 8 dogs were received from neighbours within 200metres.

Mr Button currently has 2 x staghounds, 1 x Springer Spaniel and 1 x hound puppy housed at 102 Main Street Cressy.

The 2 staghounds are housed in dog runs behind the house on the 3700m² property.

The Springer Spaniel and the Hound puppy live inside the house and have access to the house yard.

The Staghound is not a recognised breed with the Canine Association in Australia. To become a recognised breed, you need to establish a breeding program of 3 generations. Mr Buttons intention is to breed 3 generations of staghounds and then apply to the Canine Association for the breed to become a recognised and registered breed in Australia.

Mr Button also has plans to build kennels which will require planning approvals.

3 STRATEGIC PLAN 2017-2027

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

- Lead –
 - Best Business Practice & ComplianceCore Strategies:
 - ♦ Council complies with all Government legislation
- People –
 - Lifestyle – Strong, Vibrant, Safe and Connected CommunitiesCore Strategies:
 - ♦ Caring, Healthy, Safe Communities – Awareness, education & service

4 POLICY IMPLICATIONS

Council has in place its Dog Management Policy, which is a legislative requirement in accordance with section 7 of the *Dog Control Act 2000*.

5 STATUTORY REQUIREMENTS

Dog Control Act 2000

Section 50 of the *Dog Control Act 2000* states that a person without a licence must not keep more than 2 dogs over the age of 6 months, or more than 4 working dogs. Under Section 55 (3) of the *Dog Control Act 2000*, 'A person must not keep or permit to be kept any dog over the age of 6 months of a breed or kind to which a licence applies otherwise than in accordance with the licence'. Therefore, the maximum number of dogs over the age of six months is restricted to the number listed on the licence.

6 FINANCIAL IMPLICATIONS

N/A

7 RISK ISSUES

That if the licence is rejected that Council will be seen as being unfair in their decisions, as there are currently 23 approved kennel licences for more than 3 dogs in residential zones within the Northern Midlands Municipal area.

That If the kennel licence is approved objectors are going to feel that council have not considered their concerns raised in the objections.

8 CONSULTATION WITH STATE GOVERNMENT

N/A

9 COMMUNITY CONSULTATION

The intention to apply for a kennel with the error in numbers (38 dogs) was advertised in The Examiner on 30 December 2021.

Letters advising if the intention to apply for a kennel licence for the correct amount of 8 dogs, was sent to neighbouring property owners within 200metres of the property.

10 OPTIONS FOR COUNCIL TO CONSIDER

There are four options for Council to consider:

- Approve a kennel licence to house 8 dogs at the property; or
- Approve a kennel licence to house 8 dogs at the property with specific conditions attached to the kennel licence, or
- Approve a kennel licence for a smaller number of dogs than has been applied for on the application, or
- Not approve the kennel licence.

11 OFFICER'S COMMENTS/CONCLUSION

A property inspection was conducted at 102 Main Street Cressy at 1pm on 14th April 2021.

The two staghounds were contained in a fully enclosed dog yard with cement flooring, a shade cloth to provide shelter

from the heat, and a large plastic IBT as a kennel.

Mr Button has plans for new kennels and yards to be built, which he intends to submit a planning application for in the near future

The dog yard was freshly cleaned, and the dogs had clean water.

The large paddock/backyard had free range chickens and sheep roaming around, and the two staghounds were not bothered by the other animals.

The fencing around the property is not sufficient to contain the two staghounds if they were to roam free.

Mr Buttons wife Tania advised that the staghounds are taken to the dog park at Longford or walked on the stock route daily. If they are out in the back paddock/yard they are on lead or are supervised.

The Springer Spaniel and the hound were contained to the house yard and live in the house with Mr and Ms Button.

Council have not received any complaints about Mr Buttons dogs and were unaware of the alleged incidents raised in the Kennel licence objections.

12 ATTACHMENTS

Additional information provided which is of a confidential nature (separate closed council attachment)

RECOMMENDATION

That Council

- i) issue a kennel licence for housing no more than 4 dogs at the property
- ii) place an expiry date of 30 June 2022 upon the licence with the following specific conditions:
 - Every kennel & associated exercise area must be maintained in a clean and sanitary condition at all times to the satisfaction of the Animal Control Officer.
 - Animal waste must be disposed of to the satisfaction of the Animal Control Officer and no faecal matter or other offensive or putrescibles matter must enter any watercourse.
 - Wash-down water, wastewater or water which has been in contact with faecal or putrescible matter must not directly or indirectly enter any watercourse and must receive treatment to the satisfaction of the Animal Control Officer/Environmental Health Officer adequate for the method of effluent disposal used. Where treatment is by land absorption or transpiration bed, sufficient land must be set aside and kept available for that purpose. The standard of wastewater treatment must be maintained to the satisfaction of the Animal Control Officer/Environmental Health Officer.
 - All available means must be used to prevent the barking of dogs so as to prevent the keeping of dogs becoming a nuisance to nearby residents by reason of the emission of noise.
 - That part of the subject land where dogs are to be exercised must be enclosed with an adequate dog-proof fence. Such fencing must be provided prior to the commencement of the use and must be maintained to the satisfaction of the Animal Control Officer.

DECISION

Cr Davis/Cr Goninon

That Council

- i) issue a kennel licence for housing no more than 4 dogs at the property
- ii) place an expiry date of 30 June 2022 upon the licence with the following specific conditions:

NORTHERN MIDLANDS COUNCIL

MINUTES – ORDINARY MEETING

17 MAY 2021

- Every kennel & associated exercise area must be maintained in a clean and sanitary condition at all times to the satisfaction of the Animal Control Officer.
- Animal waste must be disposed of to the satisfaction of the Animal Control Officer and no faecal matter or other offensive or putrescibles matter must enter any watercourse.
- Wash-down water, wastewater or water which has been in contact with faecal or putrescible matter must not directly or indirectly enter any watercourse and must receive treatment to the satisfaction of the Animal Control Officer/Environmental Health Officer adequate for the method of effluent disposal used. Where treatment is by land absorption or transpiration bed, sufficient land must be set aside and kept available for that purpose. The standard of wastewater treatment must be maintained to the satisfaction of the Animal Control Officer/Environmental Health Officer.
- All available means must be used to prevent the barking of dogs so as to prevent the keeping of dogs becoming a nuisance to nearby residents by reason of the emission of noise.
- That part of the subject land where dogs are to be exercised must be enclosed with an adequate dog-proof fence. Such fencing must be provided prior to the commencement of the use and must be maintained to the satisfaction of the Animal Control Officer.

Lost

Voting for the motion:

Cr Adams, Cr Davis, Cr Goninon, Cr Lambert

Voting against the motion:

Mayor Knowles, Cr Brooks, Cr Calvert, Cr Goss, Cr Polley

180/21 RESTRICTIONS ON KEEPING OF ROOSTERS

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

1 PURPOSE OF REPORT

The purpose of this report is to discuss the need for restrictions on keeping roosters within the municipal area of the Northern Midlands.

2 INTRODUCTION/BACKGROUND

Each year council receive many complaints from the community which relate to noise from roosters crowing. This takes up considerable time and resources to investigate each complaint, and quiet often the matter is ongoing and unresolved for many months, with the complainant becoming very frustrated that the issue can not be resolved immediately.

Roosters are generally not suited to an urban environment due to early morning crowing disturbing neighboring property owners. Many methods can be used to try to stop the crowing, for example, a crow collar and placing the rooster in a box at night. More often than not these methods do not work.

Consideration should be given on restricting the keeping of roosters in residential zones.

3 STRATEGIC PLAN 2017-2027

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

- Lead –
 - Best Business Practice & ComplianceCore Strategies:
 - ♦ Council complies with all Government legislation
- Progress –
 - Economic Development – Supporting Growth & Changes
 - ♦ Towns are enviable places to visit, live & work
 - ♦ Maximise external funding opportunity
- People –
 - Lifestyle – Strong, Vibrant, Safe and Connected CommunitiesCore Strategies:
 - ♦ Caring, Healthy, Safe Communities – Awareness, education & service

4 POLICY IMPLICATIONS

Council does not currently have a formal policy dealing with the keeping of roosters in urban areas.

5 STATUTORY REQUIREMENTS

Local Government Act 1993.

The Environmental Management and Pollution Control Act (EMPCA)

6 FINANCIAL IMPLICATIONS

Restrictions on keeping roosters will not incur extra financial implications for council. Officers currently spend many hours dealing with rooster noise complaints.

To restrict the keeping of roosters will reduce the time and resources spent on investigating rooster noise complaints.

7 RISK ISSUES

Council receives many complaints regarding rooster noise. There is a risk if council does not take action it will result in community backlash.

The Northern Midlands is a rural municipality. There is a risk that by restricting the keeping of roosters in urban areas, it will be considered as too onerous on residents where the keeping of roosters is a common practice in all Northern Midlands towns.

There is a risk Council is creating a regulation for issues which can be controlled through other means and legislation, for example: The *Environmental Management and Pollution Control Act (EMPCA) 1994* is the primary piece of legislation, in Tasmania, dealing with nuisance noise. The *Environmental Management and Pollution Control Act (EMPCA), 1994 s.53* specifies that an environmental nuisance by the emission of noise is an offence if it is taken to unreasonably interfere with a person's enjoyment of the environment, having regard to its volume, intensity, duration, time and place in which it is emitted.

8 CONSULTATION WITH STATE GOVERNMENT

Not applicable at this time.

9 COMMUNITY CONSULTATION

Not applicable at this time.

10 OPTIONS FOR COUNCIL TO CONSIDER

Council may:

- Consider placing restrictions on the keeping of roosters in urban areas and pursue the introduction of a by law with penalties for offences and non-compliance.
- Consider creating a policy on the keeping of roosters in urban areas.
- Elect not to consider placing restrictions on the keeping of roosters in urban areas.

11 OFFICER'S COMMENTS/CONCLUSION

Council should have regard to the number of complaints received regarding roosters in urban areas, and the impact the keeping of roosters and the noise from their crowing has on neighbours.

Currently noise issues are dealt with through The *Environmental Management and Pollution Control Act (EMPCA) 1994*. *This can take some time to achieve an outcome as a full investigation needs to take place, and council officers are not able to attend a property at 5am when the day is breaking, and the roosters are crowing. Therefore, it is extremely difficult to prove that there is an offence. If it is proven that there is an offence an abatement notice can be issued giving the Rooster owner 28 days to abate the nuisance. If after 28days the nuisance still exists, the general manager can take what ever action is needed to abate the nuisance and issue infringements for failing to abate the nuisance.*

This process takes considerable time and resources.

It is noted that other councils have *Other Animal* by-laws, but not specific to roosters.

In considering the restrictions on keeping roosters, Council should consider the following:



NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 17 MAY 2021

- The number of complaints received each year.
- Restricting the keeping of roosters in urban areas throughout the Northern Midlands but exempt farmland and larger low density areas;
- Establish penalties for offences.

ATTACHMENTS

N/A

RECOMMENDATION

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.

DECISION

Cr Davis/Cr Goninon

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.

Carried unanimously



NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 17 MAY 2021

181/21 MONTHLY FINANCIAL STATEMENT

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

1 PURPOSE OF REPORT

The purpose of this report is to present the monthly financial reports as at 30 April 2021.

2 INTRODUCTION/BACKGROUND

The Monthly Financial Summary for the period ended 30 April 2021 is circulated for information.

3 ALTERATIONS TO 2020-21 BUDGET

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

SUMMARY FINANCIAL REPORT

For Month Ending: 30-Apr-21 10

A. Operating Income and Expenditure						
	Budget	Year to Date Budget	Actual	(\$,000)	Target 100%	Comments
Rate Revenue	-\$11,636,820	-\$11,636,820	-\$11,674,967	\$38	100.3%	
Recurrent Grant Revenue	-\$4,420,090	-\$3,683,408	-\$2,289,768	-\$1,394	62.2%	* Advanced Grants
Fees and Charges Revenue	-\$2,082,551	-\$1,735,459	-\$2,064,320	\$329	118.9%	
Interest Revenue	-\$685,507	-\$571,257	-\$552,549	-\$19	96.7%	
Reimbursements Revenue	-\$88,945	-\$74,121	-\$96,798	\$23	130.6%	
Other Revenue	-\$1,023,018	-\$852,515	-\$831,950	-\$21	97.6%	
	-\$19,936,931	-\$18,553,580	-\$17,510,352	-\$1,043	94.4%	
Employee costs	\$5,602,482	\$4,668,735	\$4,407,030	\$262	94.4%	
Material & Services Expenditure	\$5,412,895	\$4,510,746	\$3,840,740	\$670	85.1%	
Depreciation Expenditure	\$6,283,369	\$5,236,141	\$4,781,149	\$455	91.3%	
Government Levies & Charges	\$861,522	\$717,935	\$759,744	-\$42	105.8%	
Councillors Expenditure	\$199,210	\$166,008	\$152,983	\$13	92.2%	
Interest on Borrowings	\$272,007	\$226,673	\$254,000	-\$27	112.1%	
Other Expenditure	\$1,730,801	\$1,442,334	\$849,580	\$593	58.9%	Pension rebates for full year
Plant Expenditure Paid	\$524,700	\$437,250	\$422,382	\$15	96.6%	
	\$20,886,986	\$17,405,822	\$15,467,608	\$1,938	88.9%	
	\$950,055	-\$1,147,759	-\$2,042,744			
Gain on sale of Fixed Assets	\$0	\$0	\$0	\$0	0.0%	
Loss on Sale of Fixed Assets	\$602,390	\$501,992	\$0	\$502	0.0%	
Underlying (Surplus) / Deficit	\$1,552,445	-\$645,767	-\$2,042,744			1*
	\$0		-			
Capital Grant Revenue	-\$11,742,987	-\$9,785,823	-\$1,875,331	-\$7,910	19.2%	
Subdivider Contributions	-\$524,114	-\$436,762	0	-\$437	0.0%	
Capital Revenue	-\$12,267,101	-\$10,222,584	-\$1,875,331			

NORTHERN MIDLANDS COUNCIL

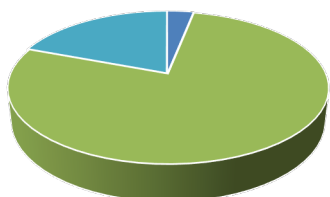
MINUTES – ORDINARY MEETING

17 MAY 2021

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						
Apr						
Pth - Cromwell St Culvert Replacement	788622		\$4,500	Additional allocation		
Lfd - Paton St Detention Batters	788624		\$10,000	Deleted in mid-year review		
Pth - Sheepwash Creek fencing reserve	788609.21		\$36,000	New allocation		
Pth - Sheepwash Creek drain maintenance	788609.22		\$50,000	Additional allocation		
Stormwater Unallocated projects	788575		-\$30,000	Transfer		
Stormwater Side Entry Pit Program	788633		-\$70,500	Transfer		
Mar						
Grant Income Recycling Trailer NTWMG	451071		-\$9,250			
Fleet F135 Recycling Trailer Exp NTWMG	700135		\$9,250			
Feb						
Jan						
Dec						
See Mid Year Budget Review						
Nov						
Oct						
Barton Road Reconstruction - deferred	751586	-\$535,000		Awaiting removal of trees and land acquisition		
Green Rises Road - Supplementary	Asset 524	\$535,000		2.29 km - chainage 8.3 to 10.59		
Sept						
Aug						
July						
B. Balance Sheet Items						
	Year to Date Actual		Monthly Change		Same time last year	Comments
Cash & Cash Equivalents Balance						
- Opening Cash balance	\$16,912,089		\$18,385,786			
- Cash Inflow	\$18,242,498		\$1,095,381			
- Cash Payments	-\$17,269,911		-\$1,596,491			
- Closing Cash balance	\$17,884,676		\$17,884,676			
Account Breakdown						
- Trading Accounts	\$763,790					
- Investments	\$17,120,886					
	\$17,884,676					
Summary of Investments						
	Investment Date	Maturity Date	Interest Rate%	Purchase Price	Maturity Value	
Tasmanian Public Finance Corporation Call Account	1/04/2021	30/04/2021	0.10	\$5,394	\$5,395	
CBA Call Account	1/04/2021	30/04/2021	0.01	\$1,574	\$1,574	
CBA Business Online Saver	14/04/2021	30/04/2021	0.00	\$271	\$271	
Westpac Corporate Regulated Interest Account	30/04/2021	30/04/2021	0.35	\$4,729,255	\$4,729,255	
My State Financial	25/05/2020	25/05/2021	1.20	\$3,303,434	\$3,343,076	
Bank of Us	29/01/2021	29/08/2021	0.45	\$530,957	\$532,345	
Westpac - Green Deposit	25/11/2020	28/09/2021	0.45	\$2,000,000	\$2,007,570	
Westpac	6/04/2021	4/07/2022	3.37	\$5,500,000	\$5,730,545	
Westpac	29/03/2021	29/06/2023	3.30	\$1,050,000	\$1,128,034	
Total Investments				\$17,120,886	\$17,478,064	

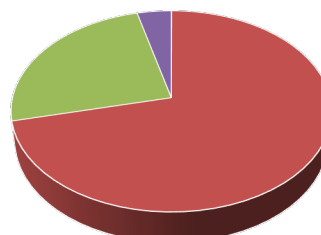
NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 17 MAY 2021

Investments by Institution



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

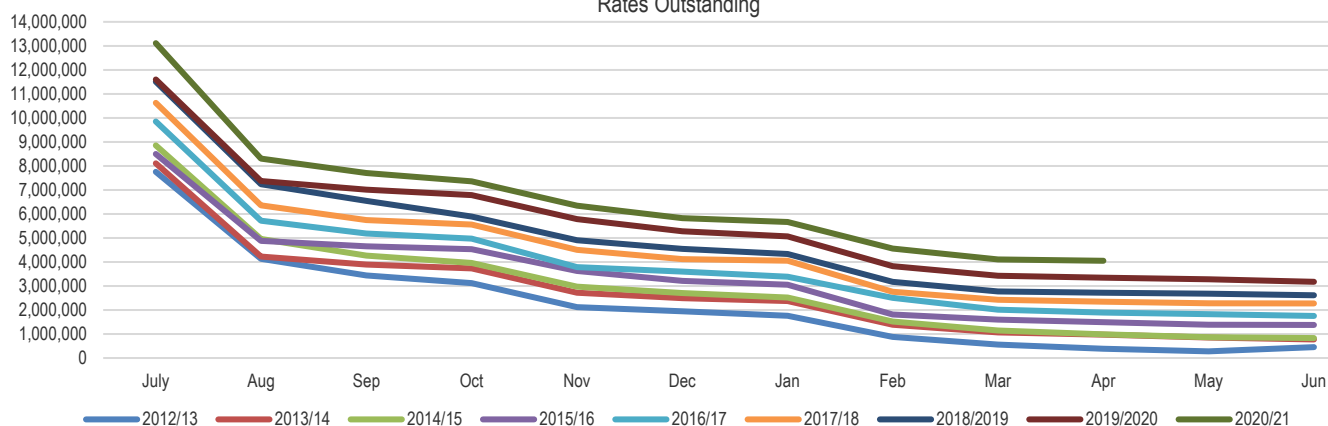
Total Investments by Rating (Standard & Poor's)



■ AA+ ■ AA- ■ BBB ■ Unrated

Rate Debtors	2020/21	% to Raised	Same Time Last Year	% to Raised
Balance b/fwd	\$2,808,852		\$2,275,315	
Rates Raised	\$11,862,030		\$11,550,492	
	\$14,670,882		\$13,825,808	
Rates collected	\$10,416,605	87.8%	\$10,287,309	89.1%
Pension Rebates	\$486,451	4.1%	\$457,503	4.0%
Discount & Remissions	\$58,695	0.5%	\$40,930	0.4%
	\$10,961,751		\$10,785,742	
Rates Outstanding	\$4,049,537	34.1%	\$3,330,213	28.8%
Advance Payments received	-\$340,406	2.9%	-\$290,147	2.5%

Rates Outstanding



Trade Debtors			
Current balance	\$368,535		
- 30 Days	\$277,201		
- 60 Days	\$38,117		
- 90 Days	\$6,022		
- More than 90 days	\$47,195		
Summary of Accounts more than 90 days:			
- Norfolk Plains Book sales	171		Paid by outlet as sold
- Hire/lease of facilities	10,666		
- Removal of fire hazards	7,097		
- Dog Registrations & Fines	17,554		Send to Fines Enforcement
- Private Works	7,402		
- Regulatory Fees	506		
- Govt Reimbursements	3,800		
	-		

C. Capital Program

	Budget	Actual (\$,000)	Target 83%	Comments
Renewal	\$12,769,060	\$5,348,787	42%	
New assets	\$11,536,909	\$4,237,559	37%	
Total	\$24,305,968	\$9,586,346	39%	

NORTHERN MIDLANDS COUNCIL

MINUTES – ORDINARY MEETING

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Major projects:

- Longford Sports Centre stage 2 & carpark	\$940,000	\$742,468	79%	In progress
- Campbell Town Rec Ground Site Works	\$166,500	\$51,382	31%	In progress
- Evandale Rec Ground Amenities	\$929,473	\$892,810	96%	Substantially complete
- Cressy Rec Ground Amenities	\$945,426	\$171,648	18%	Commenced
- Cressy Pool Improvements	\$700,000	\$75,339	11%	Commenced
- Ross Caravan Park units	\$220,000	\$218,603	99%	Complete
- Ross Village Green	\$400,000	\$279,304	70%	In progress
- Sheepwash Creek development	\$1,040,044	\$983,153	95%	In progress
- Green Rises Road reconstruction	\$535,000	\$333,203	62%	Substantially complete
- Macquarie Road reconstruction	\$310,000	\$329,313	106%	Complete
- Bridge 1469 Storys Creek Road	208,000	\$203,683	98%	Complete
- Bridge 1813 Hop Valley Road	192,000	\$192,406	100%	Complete
- Bridge 1940 Cressy Road	200,000	\$22,246	11%	Commenced
- Bridge 4519 Verwood Road	112,035	\$121,300	108%	Complete

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

D. Financial Health Indicators

	Target	Actual	Variance	Trend	
Financial Ratios					
- Rate Revenue / Total Revenue	58.4%	66.7%	-8.3%	↓	
- Own Source Revenue / Total Revenue	78%	87%	-9.1%	↓	
Sustainability Ratio					
- Operating Surplus / Operating Revenue	-7.8%	11.7%	-19.5%	↓	
- Debt / Own Source Revenue	47.8%	48.7%	-0.9%	↔	
Efficiency Ratios					
- Receivables / Own Source Revenue	28.5%	21.9%	6.6%	↓	
- Employee costs / Revenue	28.1%	25.2%	2.9%	↓	
- Renewal / Depreciation	203.2%	111.9%	91.3%	↓	
Unit Costs					
- Waste Collection per bin	\$10.53	\$12.57		↔	
- Employee costs per hour	\$46.69	\$38.92		↓	
- Rate Revenue per property	\$1,638.07	\$1,643.44		↔	
- IT per employee hour	\$3.30	\$3.06		↓	

E. Employee & WHS scorecard

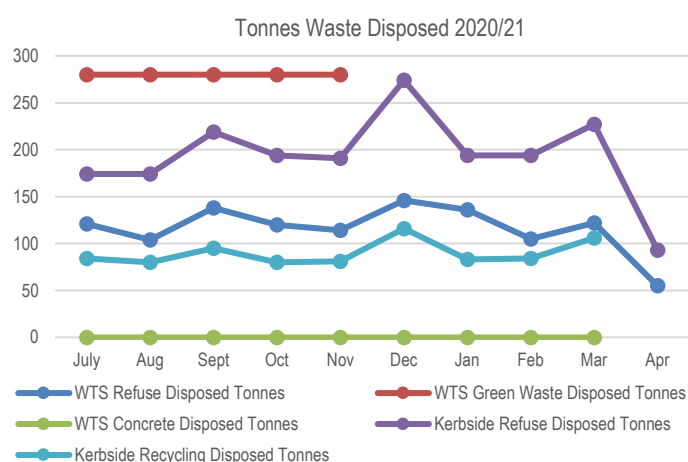
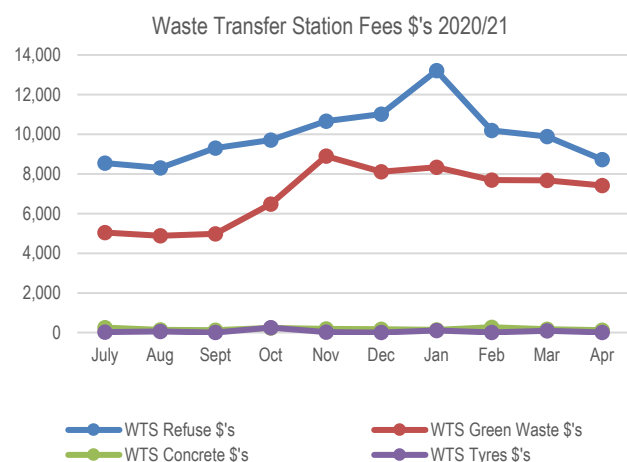
	YTD	This Month	
Number of Employees	97	97	
New Employees	23	0	
Resignations	17	1	
Total hours worked	113,235	10,569	
Lost Time Injuries	2	0	
Lost Time Days	2	0	
Safety Incidents Reported	15	0	
Hazards Reported	88	6	
Risk Incidents Reported	7	0	
Insurance claims - Public Liability	1	0	
Insurance claims - Industrial	1	0	
Insurance claims - Motor Vehicle	3	0	
IT - Unplanned lost time	2	0	
Open W/Comp claims	8	0	

F. Waste Management

Waste Transfer Station	2018/19	2019/20	2020/21 Budget	2020/21 Year to Date	
Takings					
- Refuse	\$93,411	\$92,611	\$76,484	\$99,551	
- Green Waste	\$52,960	\$50,996	\$40,230	\$69,502	
- Concrete	\$2,376	\$1,551	\$1,259	\$1,786	
			\$0	\$573	
Total Takings	\$152,877	\$142,782	\$117,973	\$171,412	
Tonnes Disposed					
WTS Refuse Disposed Tonnes	1,325	1388	1954	1161	
WTS Green Waste Disposed Tonnes	5200	5400	6015	1400	
WTS Concrete Disposed Tonnes	0	0	0	0	

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Kerbside Refuse Disposed Tonnes	2217	2326	1806	1934	
Kerbside Recycling Disposed Tonnes	1051	1036	869	809	
Total Waste Tonnes Disposed	\$9,793	10150	10644	5304	



4 OFFICER COMMENTS

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

5 ATTACHMENTS

- 5.1 Income & Expenditure Summary for period ending April 2021.
- 5.2 Capital Works Report to end April 2021.

RECOMMENDATION

That Council

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

DECISION

Cr Davis/Cr Adams

That Council

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

Carried unanimously

**182/21 SAFETY CONCERNS: WOOLMERS LANE AND PANSHANGER ROAD
JUNCTION, LONGFORD**

Responsible Officer: Leigh McCullagh, Works Manager

Report Prepared by: Jonathan Galbraith, Engineering Officer

1 PURPOSE OF REPORT

The purpose of this report is for Council to consider safety improvements at the junction of Woolmers Lane and Panshanger Road and concerns with heavy vehicles travelling into Longford via Woolmers Lane and Wellington Street.

2 INTRODUCTION/BACKGROUND

At the 20 January 2021 meeting of the Longford District Committee a motion was passed requesting Council to consider the safety aspects of the Woolmers Lane and Panshanger Road intersection and concerns relating to heavy vehicle use of the intersection.

As a result of these concerns Council engaged Mr Andrew Howell, an engineer with significant experience in traffic management to review the safety of the intersection.

Mr Howell advised that sight distance to the east is unsatisfactory. He suggested that lowering the speed limit may improve safety but that sight distance is unlikely to comply with the relevant standards even if the speed limit is lowered to 50kmh. He also suggested a review of signage and renewing the linemarking. The linemarking has been repainted in recent weeks by the Department of State Growth.

The matter was discussed at the Council workshop of 3 May 2021 at which time it was suggested that Council consider reducing the speed limit to 80 kmh from Point Road to Longford, noting that this may have the added benefit of heavy vehicles re-routing to the Midland Highway. Councillor consensus is that it is desirable to restrict and deter heavy vehicles from transiting through Longford.

2.1 Heavy vehicle usage on Woolmers Lane

Woolmers Lane does not have a load limit meaning that there are no restrictions on vehicles under 44t using the road. Vehicles over 44t must apply for a permit through the National Heavy Vehicle Regulator (NHVR) and as part of this process Council Officers review all applications. Vehicles over 44t are encouraged to head east from the Panshanger Road intersection; only applications where the operator can demonstrate a reason for needing to travel through Longford are approved. As a condition of approval, vehicles are also required not to exceed 60kmh on Woolmers Lane. It is possible that some vehicles over 44t may be entering Longford without a permit, these breaches have previously been raised with NHVR enforcement officers.

3 STRATEGIC PLAN 2017-2027

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

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

- Workforce Standards
Core Strategies:
 - ♦ Workplace Health & Safety is fully compliant
- Progress –
 - Economic Development – Supporting Growth & Changes
 - ♦ Minimise industrial environment impact on amenity

4 POLICY IMPLICATIONS

The recently replaced Woolmers Bridge has been constructed to a suitable standard for heavy vehicles and as part of the funding application Council was required to demonstrate that the bridge would improve heavy vehicle access and productivity.

5 STATUTORY REQUIREMENTS

The following Acts and standards have reference to this matter

- Austroads Guidelines
- National Heavy Vehicle Law

6 FINANCIAL IMPLICATIONS

Should the Department of State Growth approve a change in speed limit the cost of installing signs is estimated at \$1,500.

7 RISK ISSUES

Due to the limited sight distance there is a risk of collision at the Woolmers Lane and Panshanger Road intersection; however, the Department of State Growth does not have any record of accidents at this intersection in their data.

8 CONSULTATION WITH STATE GOVERNMENT

If Council believe that the speed limit should be lowered a request must be made to the Department of State Growth for them to review the speed limit on Woolmers Lane.

9 COMMUNITY CONSULTATION

These concerns have been discussed at recent meetings of the Longford Local District Committee and several residents in Wellington Street have raised concerns with Council officers about heavy vehicle numbers on Wellington Street. In response to these concerns Council have carried out traffic counts on Wellington Street and heavy vehicle numbers have been found to be similar to most roads in the Northern Midlands area.

10 OPTIONS FOR COUNCIL TO CONSIDER

Council can choose to request the Department of State Growth to carry out a review of the speed limit on Woolmers Lane or not.

11 OFFICER'S COMMENTS/CONCLUSION

Lowering the speed limit to 80kmh may improve safety at the intersection as vehicles would approach at a slower speed, but advice from Mr Andrew Howell is that the intersection will still not comply with the relevant standards. Council officers have also looked at whether sight distance can be improved by negotiating with property owners to trim or remove some vegetation but this will also not significantly improve sight distance.

Lowering the speed limit may discourage some heavy vehicle operators under 44t from heading west into Longford but it is not likely to reduce the number of vehicles over 44t from taking this route because they are already subject to a permit condition limiting their speed to 60kmh.

The Department of State Growth generally do not approve changes in speed based on road conditions or the safety of intersections in rural areas, instead they advise that appropriate warning signage is put in place so that drivers can drive according to the conditions. However, in this area there may be a case for lowering the speed limit based this section of the road providing access to two world heritage listed sites and being used by tourists.

Should Council choose to request that the speed limit be lowered to 80kmh a formal request must be put to the Department of State Growth outlining the reasons for the request and details of community consultation that has taken place.

12 ATTACHMENTS

Traffic comment from Andrew Howell

RECOMMENDATION

That Council request the Department of State Growth to carry out a review of speed limits on Woolmers Lane and recommend that the limit be lowered to 80kmh from Point Road through to Longford.

DECISION

Cr Adams/Cr Brooks

That Council request the Department of State Growth to carry out a review of speed limits on Woolmers Lane and recommend that the limit be lowered to 80kmh from Point Road through to Longford.

Carried unanimously

Mayor Knowles adjourned the meeting for the meal break at 5.58pm.

Mayor Knowles reconvened the meeting after the meal break at 6.46pm.

183/21 PUBLIC QUESTIONS & STATEMENTS

PUBLIC ATTENDANCE DURING THE COVID-19 DISEASE EMERGENCY DECLARATION

Public Attendance Meeting Guidelines during the COVID-19 Disease Emergency

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

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

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

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

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

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

On arrival attendees will:

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

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

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

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

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

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

PUBLIC QUESTIONS AND STATEMENTS

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

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

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

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

1 PUBLIC QUESTIONS

C&D 4 *Kennel Licence Application for 8 Dogs at 49 Phillip Street Perth*

Lisa Bartlett, Perth

Ms Bartlett spoke in support of her kennel licence application, noting the following:

- *The application is for 8 dogs at Perth, currently a kennel licence for 3 dogs is held*
- *Small home-based business breeding labradoodles*
- *The business is not connected to the Tasmanian Labradoodles business*
- *Dogs don't sleep outside and are housed inside overnight*
- *Dogs wear bark collars as required*

184/21 COUNCIL ACTING AS A PLANNING AUTHORITY

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

DECISION

Cr Lambert/Cr Gonion

That the Council intends to act as a Planning Authority under the *Land Use Planning and Approvals Act 1993* for Agenda item/s PLAN 1 – PLAN 3.

Carried unanimously

2 STATEMENTS

REPRESENTATIONS ON PLANNING ITEMS

A maximum of 4 persons per item (2 for and 2 against) will be permitted to address Council on a planning item. After the representation has been made, Councillors are permitted to ask questions of the party who made the representation. Each speaker is limited to a maximum of 3 minutes.

PLAN 1 PLN-21-0060: 6 Zircon Place, Perth

Gary Grant, Evandale

Mr Grant provided the following statement from which he read:

...

As the owners of the property, we have an established visitor accommodation business operating from the site. The purpose of this application is to provide an alternate type of accommodation that is appropriate to the historic on-site water tower as well as the historic nature of the town. We have a passion for the maintenance of such listed properties.

While the receipt of the representation against our application was initially a disappointment, it is now viewed positively as a means by which we can further emphasize our passion for this project. We believe the construction and placement of the Shepherd's Hut on Certificate of Title 236838 Folio 1 will enable our guests to enjoy and appreciate our beautiful Water Tower, and better understand the significance of this to many other historical buildings in Evandale.

On page 7 of the Northern Midlands Council Strategic Plan 2017 – 2027 one of the core strategies listed is the attraction of tourism to support and sustain historical assets. It is our belief the establishment of the Shepherd's Hut will provide alternate accommodation that assists with enhancing the existing value of the Northern Midlands tourism and use the ambience created by being in proximity to the Water Tower to further develop an additional tourism experience based upon an important Evandale heritage asset.

If Evandale is to retain the heritage character, amenity and ambience of a rural village, the Council has recognized in its settlement strategy listed in Section 3.6 of the Planning Scheme that the growth of housing is nearing capacity. We believe the establishment of additional short-term visitor accommodation on an existing property will assist with attracting more tourists to the town. These people take the time to visit the local shops, markets, food outlets and art galleries; it is their dollars that assist with keeping the businesses open and the families in the town.

As owners of this property. We are just as motivated and supportive of retaining a heritage item that is an important part of the cultural landscape and tourist project as we were when we first moved here. We are just as focused on retaining the aspects of this wonderful village that first attracted us to Evandale.

...



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185/21 PLANNING APPLICATION PLN-20-0323: 13-15 RUSSELL STREET, EVANDALE

File Number: 204300.26
Responsible Officer: Erin Miles, Development Supervisor
Report prepared by: Paul Godier, Senior Planner

1 INTRODUCTION

This report assesses an application for 13-15 Russell Street, Evandale to replace a front fence, replace and extend the height of the rear fence/wall, install a vehicle gate and access off Rogers Lane, and temporary erection and use of marquee for function centre when events are booked.

2 BACKGROUND

Applicant:

Lydia Nettlefold

Zone:

Local Business Zone

Owner:

Lydia Olga Nettlefold

Codes:

Road and Railway Assets Code
Car Parking and Sustainable Transport Code
Heritage Code
Heritage Precincts Specific Area Plan

Classification under the Scheme:

Discretionary

Existing Use:

Residential

Deemed Approval Date:

22 May 2021

Recommendation:

Approve with conditions

Discretionary Aspects of the Application

- Works to fence on heritage listed place.
- Works to fence in heritage precinct.
- Installation of new vehicle access.
- Reduction in parking spaces.

Planning Instrument:

Northern Midlands Interim Planning Scheme 2013

Preliminary Discussion

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

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 following is proposed:

- Replace front fence (retrospective);

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MINUTES – ORDINARY MEETING
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- Replace and extend height of rear fence/wall;
- Install gate for vehicle access onto Rogers Lane (retrospective)
- Temporary erection of marquee and use for function centre when events are booked.

Image 1 - Site Plan

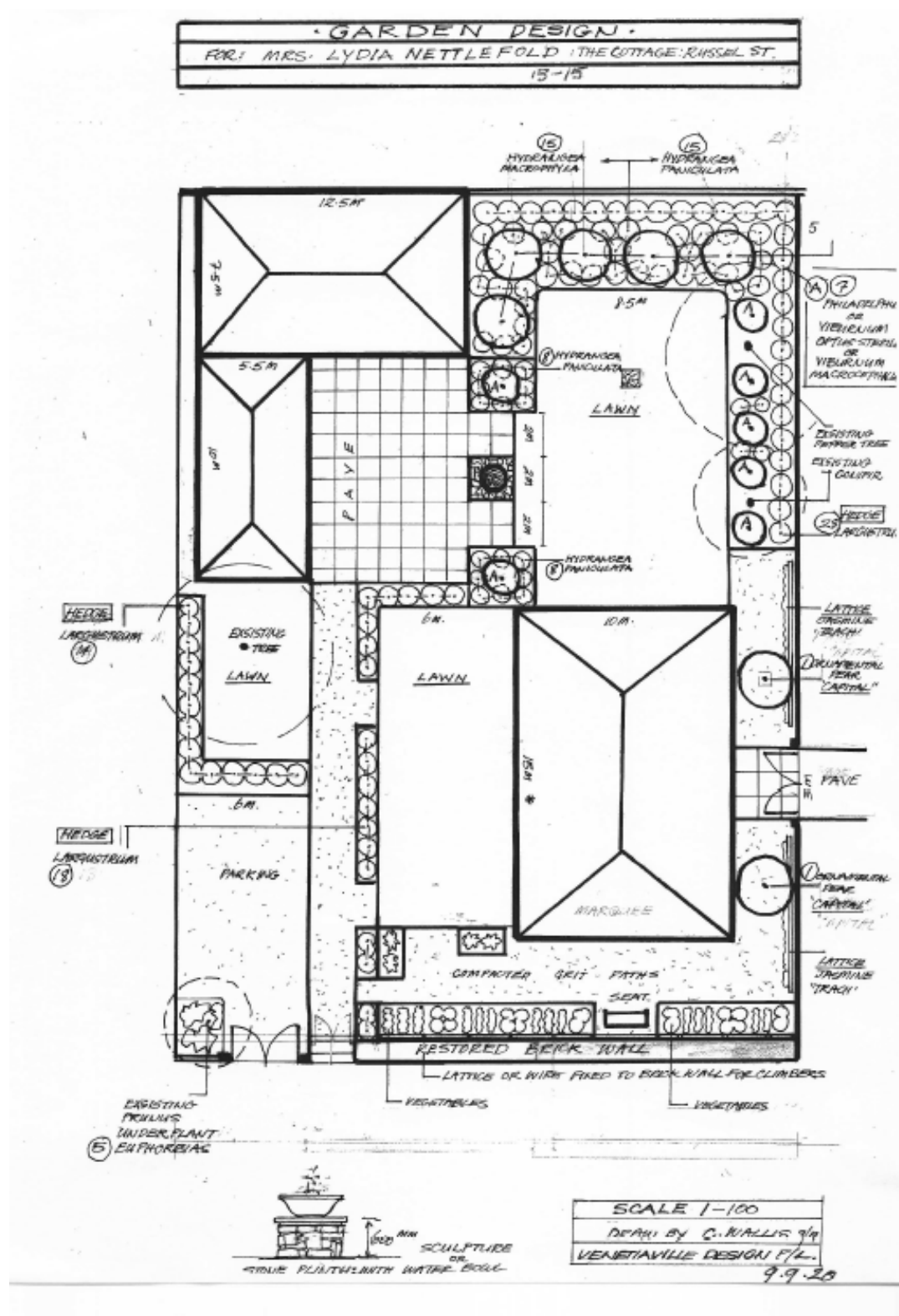


Image 2 - Proposed rear fence

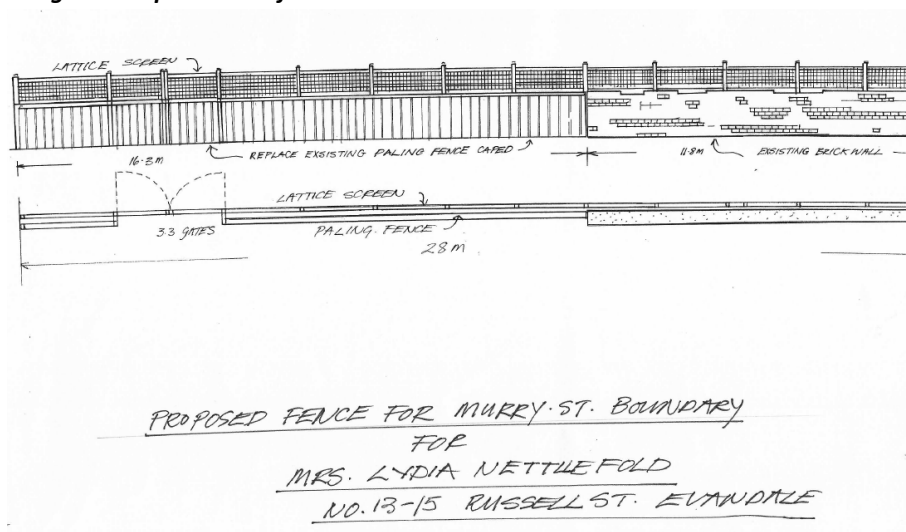


Image 3 - Front fence as replaced

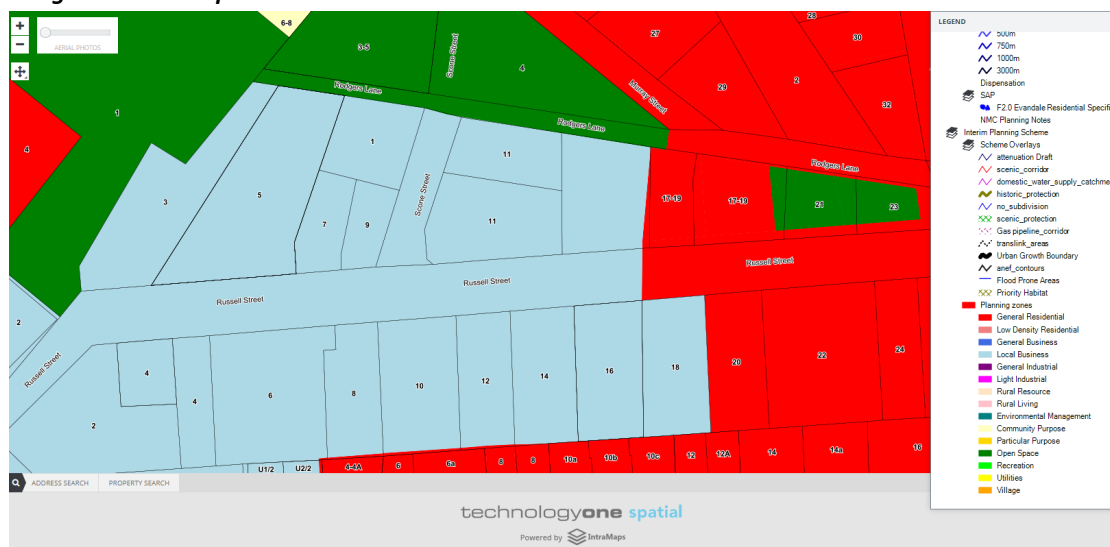


Image 4 - Front fence before replacement



4.2 Zone and land use

Image 5 - Zone Map – Local Business Zone



The land is zoned Local Business. It is within the Heritage Precinct and is a heritage listed place.

The relevant Planning Scheme definitions are:

Community meeting & entertainment	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.
function centre	means use of land, by arrangement, to cater for private functions, and in which food and drink may be served. It may include entertainment and dancing.

Use Table

No Permit Required	
Use Class	Qualification
Natural and cultural values management	
Passive recreation	
Permitted	
Use Class	Qualification
Business and professional services	
Community meeting & entertainment	
Food services	
General retail and hire	
Hotel industry	
Research and development	
Utilities	If for minor utilities
Visitor accommodation	
Vehicle fuel sales and service	
Discretionary	
Use Class	Qualification
Bulky goods sales	
Educational and occasional care	
Emergency services	
Manufacturing and processing	
Recycling and waste disposal	If not for refuse disposal site, scrap yard, vehicle wrecking yard
Residential	
Service industry	

Sport and Recreation	
Storage	
Tourist operation	
Transport depot and distribution	
Utilities	If not for minor utilities
Vehicle parking	
Prohibited	
All other uses	

Community meeting and entertainment (function centre) is Permitted (with permit) in the zone.

4.3 Subject site and locality

The author of this report carried out a site visit on 24/11/2020. The site contains a single dwelling and garden. The site adjoins Rodgers Lane and a park to the north, the Clarendon Arms Hotel to the west, a single dwelling to the east with shops and dwellings over Russell Street.

Image 6 - Aerial photograph of area – subject site highlighted, representor properties outlined in red.



Image 7 - Photograph of subject site off Rogers Land (Google Maps, image capture date January 2010, accessed 16/4/2021)



Image 8 - Photograph of subject site, off Rogers Lane



Image 9 - Photograph of subject site, off Rogers Lane, unapproved access



4.4 Permit/site history

Relevant permit history includes:

- PLN-19-0203 New bedroom and ensuite to heritage cottage.

4.5 Representations

Notice of the application was given in accordance with Section 57 of the *Land Use Planning & Approvals Act 1993*. A review of Council's Records management system after completion of the public exhibition period revealed that no representations were received.

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

- Mrs A & Dr AGS Woodberry, 17-19 Russell Street, Evandale
- RJ & W Wittholz, 12 Russell Street, Evandale

Image 10 - Map showing location of representor property outlined in red in relation to subject site



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

- *Noise concerns*

Planner's comment:

The planning scheme requires:

A2.1 Noise levels at the boundary of the site with any adjoining land must not exceed: a) 50dB(A) day time; and b) 40dB(A) night time; and A2.2 Noise levels in habitable rooms of nearby sensitive uses must not exceed 5dB(A) above background.	P2 Noise must not cause unreasonable loss of amenity to nearby sensitive uses.
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This has been discussed with Council's Environmental Health Officer and the following condition is recommended if a permit is issued:

Noise must not cause unreasonable loss of amenity to nearby sensitive uses.

Each time the use operates, noise monitoring equipment that records noise levels and times must be set up on the boundary between 13-15 Russell Street and 17-19 Russell Street at the point nearest to the residential dwelling at 17-19 Russell Street. A record of the noise recordings including noise levels and times must be provided to Council on request.

- *Safety concerns over the vehicle access being moved from Russell Street to Rogers Lane.*

Planner's comment: The planning scheme requires the number of parking spaces to have regard to vehicle, pedestrian and cycle safety and convenience.

It is proposed that cars will reverse from the parking space, which has the potential to have a negative effect on pedestrian safety.

It is recommended that revised plans be submitted showing that cars can turn on site to enter and exit in a forward direction. Using the fencing exemption at clause 5.6.3 as an indication for adequate sight distances, it is also recommended that the rear gate and fence have a solid height of 1.2m with lattice to 1.8m between the gate and 17-19 Russell Street and 4.5m west of the gate.

- *Will the number be capped for people attending functions?*

Applicant's response: The numbers will be capped for people attending such functions at 100 pax (persons).

- *Where will the bathroom provisions be situated for such functions?*

Applicant's response: The bathroom provisions will be situated at the Clarendon Arms.

- *Will there be a time limit on the live music at such functions?*

Applicant's response: The time limit at such functions is 12am midnight.

- *Where will parking provisions be made for such functions?*

Applicant's response: We require that our patrons use buses for their guests, to make sure that guests after a function depart the village in a timely manner.

4.6 Referrals

Council's Works Department

In discussion, Council's Works Manager and Engineering Officer advised that they do not support the loss of car parking for Buffalo Park, that would result from moving the access from Russell Street to Rogers Lane.

It is therefore recommended that the applicant reinstate kerb and channel over the unused crossover in Russell Street, providing one additional parking space, and that parking spaces east of Buffalo Park be marked, to minimize the loss of parking.

Heritage Adviser

Council's Heritage Adviser, David Denman, advised that he has no objection to the proposal noting that the proposal will enhance the landscape and make a positive contribution to the historic character of the place, the height, style and materials of the proposed fences are acceptable.

Tasmanian Heritage Council

The Tasmanian Heritage Council issued a Notice of Heritage Decision stating:

Attachment of the new lattice or wire trellis to the northern brick boundary wall must be with fixings of non-corrosive materials set into mortar joints; or alternatively, the lattice or wire trellis be supported by a free-standing structure.

4.7 Planning Scheme Assessment

ASSESSMENT AGAINST LOCAL BUSINESS ZONE

Use Standards

Amenity

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

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a) 50dB(A) day time; and b) 40dB(A) night time; and A2.2 Noise levels in habitable rooms of nearby sensitive uses must not exceed 5dB(A) above background.	
The planning scheme requires: <i>Noise levels at the boundary of the site with any adjoining land must not exceed:</i> a) 50dB(A) day time; and b) 40dB(A) night time; and <i>Noise levels in habitable rooms of nearby sensitive uses must not exceed 5dB(A) above background.</i> Following discussion with Council's Environmental Health Officer, the following condition is recommended: <i>Noise monitoring by a suitably qualified person is to be undertaken each time the use operates. The noise monitoring is to be undertaken at the boundary between 13-15 Russell Street and 17-19 Russell Street at the point nearest to the residential dwelling at 17-19 Russell Street. A report from the suitably qualified person verifying the noise levels must be submitted to Council within 14 days of undertaking the noise monitoring. Measurements are to be in accordance with the methods in the Noise Measurement Procedures Manual issued by the Director of Environmental Management.</i>	N/a

Development Standards

Siting, Design and Built Form

Objective To ensure that development is visually compatible with surrounding area.	
Acceptable Solutions	Performance Criteria
A1 The entrance of a building must: a) be clearly visible from the road or publicly accessible areas on the site; and b) provide a safe access for pedestrians.	P1 No performance criteria.
N/a – no building proposed.	N/a
A2 Building height must not exceed: a) 8m; or b) 1m greater than the average of the heights of buildings on immediately adjoining lots.	P2 Building height must: a) be consistent with the local area objectives if any, and b) have regard to the streetscape and the desirability of a greater setback for upper floors from the frontage; and c) avoid unreasonable levels of overshadowing to public places or adjoining properties.
N/a – no building proposed.	N/a
A3.1 Buildings must be: the same as or less than the setback of an immediately adjoining building. A3.2 Extensions or alterations to existing buildings must not reduce the existing setback.	P3 Building setbacks must: a) provide for enhanced levels of public interaction or public activity; and b) ensure the efficient use of the site; and c) be consistent with the established setbacks within the immediate area and the same zone; and d) be consistent with the local area objectives, if any; and e) provide for emergency vehicle access.
N/a – no building proposed.	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	See code assessment below

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E.5.0	FLOOD PRONE AREAS CODE	N/a
E6.0	CAR PARKING AND SUSTAINABLE TRANSPORT CODE	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	See code assessment below
E14.0	COASTAL CODE	N/a
E15.0	SIGNS CODE	N/a

ASSESSMENT AGAINST E4.0 ROAD AND RAILWAY ASSETS CODE

E4.6 Use Standards

E4.6.1 Use and road or rail infrastructure

Objective To ensure that the safety and efficiency of road and rail infrastructure is not reduced by the creation of new accesses and junctions or increased use of existing accesses and junctions.	
Acceptable Solutions	Performance Criteria
A1 Sensitive use on or within 50m of a category 1 or 2 road, in an area subject to a speed limit of more than 60km/h, a railway or future road or railway must not result in an increase to the annual average daily traffic (AADT) movements to or from the site by more than 10%.	P1 Sensitive use on or within 50m of a category 1 or 2 road, in an area subject to a speed limit of more than 60km/h, a railway or future road or railway must demonstrate that the safe and efficient operation of the infrastructure will not be detrimentally affected.
N/a	N/a
A2 For roads with a speed limit of 60km/h or less the use must not generate more than a total of 40 vehicle entry and exit movements per day	P2 For roads with a speed limit of 60km/h or less, the level of use, number, location, layout and design of accesses and junctions must maintain an acceptable level of safety for all road users, including pedestrians and cyclists.
Complies. The access is for the single dwelling, which will not generate more than 40 vehicle entry and exit movements per day.	N/a
A3 For roads with a speed limit of more than 60km/h the use must not increase the annual average daily traffic (AADT) movements at the existing access or junction by more than 10%.	P3 For limited access roads and roads with a speed limit of more than 60km/h: a) access to a category 1 road or limited access road must only be via an existing access or junction or the use or development must provide a significant social and economic benefit to the State or region; and b) any increase in use of an existing access or junction or development of a new access or junction to a limited access road or a category 1, 2 or 3 road must be for a use that is dependent on the site for its unique resources, characteristics or locational attributes and an alternate site or access to a category 4 or 5 road is not practicable; and c) an access or junction which is increased in use or is a new access or junction must be designed and located to maintain an adequate level of safety and efficiency for all road users.
N/a	N/a

E4.7 Development Standards

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

Objective To ensure that development on or adjacent to category 1 or 2 roads (outside 60km/h), railways and future roads and railways is managed to:	
a) ensure the safe and efficient operation of roads and railways; and b) allow for future road and rail widening, realignment and upgrading; and c) avoid undesirable interaction between roads and railways and other use or development.	
Acceptable Solutions	Performance Criteria
A1 The following must be at least 50m from a railway, a future road or railway, and a category 1 or 2 road in an area subject to a speed limit of more than 60km/h: a) new road works, buildings, additions and extensions, 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.	N/a

E4.7.2 Management of Road Accesses and Junctions

Objective To ensure that the safety and efficiency of roads is not reduced by the creation of new accesses and junctions or increased use of existing accesses and junctions.	
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.
Complies, proposes only one access providing both entry and exit.	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

Not applicable.

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

Objective To ensure that use and development involving or adjacent to accesses, junctions and level crossings allows sufficient sight distance between vehicles and between vehicles and trains to enable safe movement of traffic.	
Acceptable Solutions	Performance Criteria
A1 Sight distances at a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.7.4; and b) rail level crossings must comply with <i>AS1742.7 Manual of uniform traffic control devices - Railway crossings</i> , Standards Association of Australia; or c) If the access is a temporary access, the written consent of the relevant authority has been obtained.	P1 The design, layout and location of an access, junction or rail level crossing must provide adequate sight distances to ensure the safe movement of vehicles.
Comment: The sight distance of 80m in each direction is not achieved.	Comment: It is proposed that cars will reverse from the parking space, which has the potential to have a negative effect on pedestrian safety. Council's Works Manager advises of safety concerns with vehicles exiting from the proposed access off Rogers Lane. It is recommended that revised plans be submitted showing that cars can turn on site to enter and exit in a forward direction. Using the fencing exemption at clause 5.6.3 as an indication for adequate sight distances, it is also recommended that the rear gate and fence have a solid height of 1.2m with lattice to 1.8m between the gate and 17-19 Russell Street and 4.5m west of the gate.

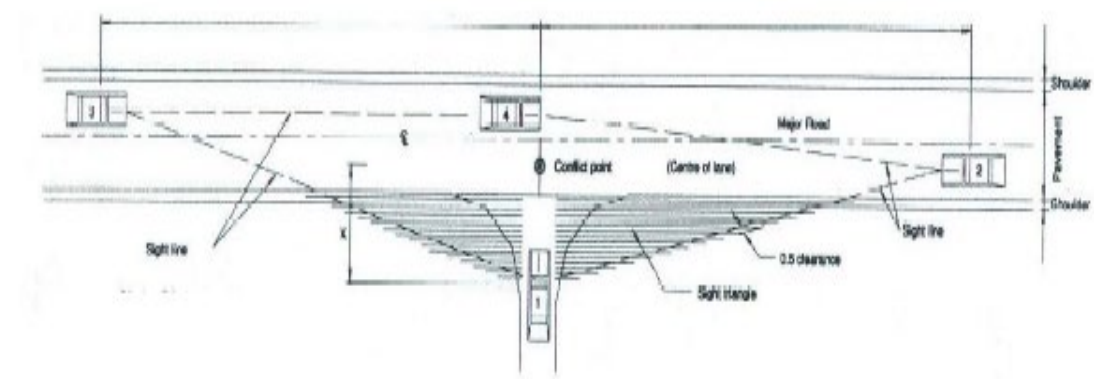


Figure E4.7.4 Sight Lines for Accesses and Junctions

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

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

Table E4.7.4 Safe Intersection Sight Distance (SISD)

Vehicle Speed km/h	Safe Intersection Sight Distance (SISD) metres, for speed limit of:	
	60 km/h or less	Greater than 60 km/h
50	80	90
60	105	115
70	130	140
80	165	175
90		210
100		250
110		290

Notes:

(a) Vehicle speed is the actual or recorded speed of traffic passing along the road and is the speed at or below which 85% of passing vehicles travel.

- (b) For safe intersection sight distance (SISD):
- (i) All sight lines (driver to object vehicle) are to be between points 1.2 metres above the road and access surface at the respective vehicle positions with a clearance to any sight obstruction of 0.5 metres to the side and below, and 2.0 metres above all sight lines;
- (ii) These sight line requirements are to be maintained over the full sight triangle for vehicles at any point between positions 1, 2 and 3 in Figure E4.7.4 and the access junction;
- (iii) A driver at position 1 must have sight lines to see cars at any point between the access and positions 3 and 2 in Figure E4.7.4;
- (iv) A driver at any point between position 3 and the access must have sight lines to see a car at position 4; and
- (v) A driver at position 4 must have sight lines to see a car at any point between position 2 and the access.

ASSESSMENT AGAINST E6.0

CAR PARKING & SUSTAINABLE TRANSPORT CODE

E6.6 Use Standards

E6.6.1 Car Parking Numbers

Objective: To ensure that an appropriate level of car parking is provided to service use.	
Acceptable Solutions	Performance Criteria
A1 The number of car parking spaces must not be less than the requirements of: a) Table E6.1; or b) a parking precinct plan contained in Table E6.6: Precinct Parking Plans (except for dwellings in the General Residential Zone).	P1 The number of car parking spaces provided must have regard to: a) the provisions of any relevant location specific car parking plan; and b) the availability of public car parking spaces within reasonable walking distance; and c) any reduction in demand due to sharing of spaces by multiple uses either because of variations in peak demand or by efficiencies gained by consolidation; and d) the availability and frequency of public transport within reasonable walking distance of the site; and e) site constraints such as existing buildings, slope, drainage, vegetation and landscaping; and f) the availability, accessibility and safety of on-road parking, having regard to the nature of the roads, traffic management and other uses in the vicinity; and g) an empirical assessment of the car parking demand; and h) the effect on streetscape, amenity and vehicle, pedestrian and cycle safety and convenience; and i) the recommendations of a traffic impact assessment prepared for the proposal; and j) any heritage values of the site; and k) for residential buildings and multiple dwellings, whether parking is adequate to meet the needs of the residents having regard to: i) the size of the dwelling and the number of bedrooms; and ii) the pattern of parking in the locality; and iii) any existing structure on the land.
Existing two-bedroom dwelling – 2 spaces required, 1 proposed. The marquee has a floor area of 150m². This requires 7.5 car parking spaces. The applicant advises that the function will be capped at 100 persons. This requires 25 parking spaces.	<i>The number of car parking spaces provided must have regard to:</i> a) <i>the provisions of any relevant location specific car parking plan.</i> <u>Comment:</u> There is no relevant location specific car parking plan. b) <i>the availability of public car parking spaces within reasonable walking distance.</i> <u>Comment:</u> On street public car parking is available within reasonable walking distance, see Image 11 below. 25 spaces are available nearby in Murray Street. c) <i>any reduction in demand due to sharing of spaces by multiple uses either because of variations in peak demand or by efficiencies gained by consolidation.</i> <u>Comment:</u> There is no reduction in demand due to sharing of spaces between the dwelling and the function centre use. d) <i>the availability and frequency of public transport within reasonable walking distance of the site.</i> <u>Comment:</u> The Evandale stop at Scone Street is within reasonable walking distance. Weekdays from Launceston it has 4 services and 3 services to Launceston. Weekends it has 2 services each way. e) <i>site constraints such as existing buildings, slope, drainage, vegetation and landscaping.</i> <u>Comment:</u> There are no site constraints to providing the 2 spaces required for the dwelling. The proposed marquee allows only one space for the dwelling and prevents the 25 spaces required for the function centre use.

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.*

Comment: Uses in the vicinity include single dwellings, a park, a hotel, and a retail shop.

g) *an empirical assessment of the car parking demand.*

Comment: An empirical assessment of the car parking demand has not been undertaken.

h) *the effect on streetscape, amenity and vehicle, pedestrian and cycle safety and convenience.*

Comment: The one car parking space proposed on site is not considered to have a negative impact on the streetscape. It is proposed that cars will reverse from the parking space, which has the potential to have a negative effect on pedestrian safety. It is recommended that two spaces be provided with spaces so that they can turn to enter and leave in a forward direction.

i) *the recommendations of a traffic impact assessment prepared for the proposal.*

Comment: A traffic impact assessment was not required by the planning scheme and was not provided.

j) *any heritage values of the site.*

Comment: Council's Heritage Adviser does not object to the proposal. It is considered that the one car parking space proposed does not impact on the heritage values of the site.

k) *for residential buildings and multiple dwellings, whether parking is adequate to meet the needs of the residents having regard to:*

i) *the size of the dwelling and the number of bedrooms; and*

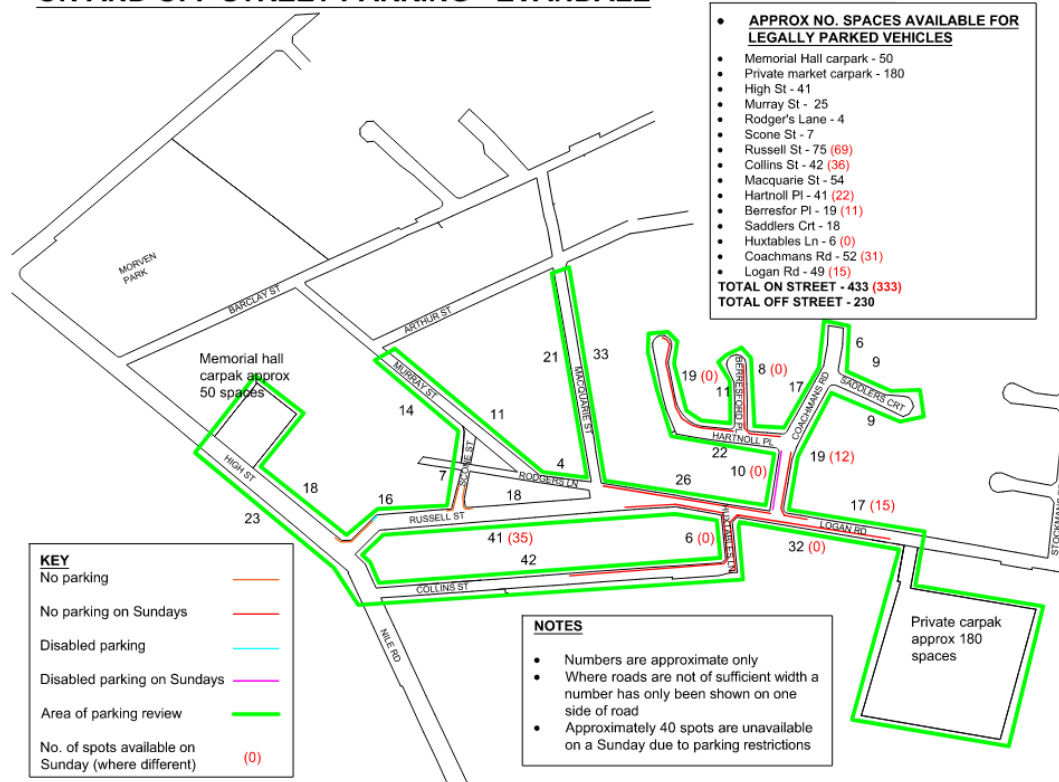
ii) *the pattern of parking in the locality; and*

iii) *any existing structure on the land.*

Comment: N/a – not a residential building or multiple dwelling.

Image 11 – Parking - Evandale

ON AND OFF STREET PARKING - EVANDALE



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Table E6.1: Parking Space Requirements

Use	Parking Requirement	
	Vehicle	Bicycle
Community meeting and entertainment (Function Centre)	1 space per 20m ² of public area or 1 space per 4 seats, whichever is greater.	1 space per 50m ² net floor area or 1 space per 40 seats, whichever is greater.
Residential use in any zone other than General Residential	1 space per bedroom.	1 space per unit.

E6.6.2 Bicycle Parking Numbers

Objective: To encourage cycling as a mode of transport within areas subject to urban speed zones by ensuring safe, secure and convenient parking for bicycles.			
Acceptable Solutions		Performance Criteria	
A1.1	Permanently accessible bicycle parking or storage spaces must be provided either on the site or within 50m of the site in accordance with the requirements of Table E6.1; or	P1	Permanently accessible bicycle parking or storage spaces must be provided having regard to the:
		a)	likely number and type of users of the site and their opportunities and likely preference for bicycle travel; and
A1.2	The number of spaces must be in accordance with a parking precinct plan contained in Table E6.6: Precinct Parking Plans.	b)	location of the site and the distance a cyclist would need to travel to reach the site; and
		c)	availability and accessibility of existing and planned parking facilities for bicycles in the vicinity.
Does not comply.		No bicycle parking is considered necessary for the function centre.	

E6.6.3 Taxi Drop-off and Pickup

Objective: To ensure that taxis can adequately access developments.			
Acceptable Solutions		Performance Criteria	
A1	One dedicated taxi drop-off and pickup space must be provided for every 50 car spaces required by Table E6.1 or part thereof (except for dwellings in the General Residential Zone).	P1	No performance criteria.
N/a - less than 50 spaces required		-	

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.
1 space required, not provided, does not comply.		-	

E6.7 Development Standards

E6.7.1 Construction of Car Parking Spaces and Access Strips

Objective: To ensure that car parking spaces and access strips are constructed to an appropriate standard.			
Acceptable Solutions		Performance Criteria	
A1	All car parking, access strips manoeuvring and circulation spaces must be:	P1	All car parking, access strips manoeuvring and circulation spaces must be readily identifiable and constructed to ensure that they are useable in all weather conditions.
a)	formed to an adequate level and drained; and		
b)	except for a single dwelling, provided with an impervious all weather seal; and		
c)	except for a single dwelling, line marked or provided with other clear physical means to delineate car spaces.		
Does not comply.		The proposed parking space 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	P1	The location of car parking and manoeuvring spaces must not be detrimental to the streetscape or the amenity of

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A1.2	dwelling in the General Residential Zone) must be located behind the building line; and Within the General residential zone, provision for turning must not be located within the front setback for residential buildings or multiple dwellings.	a) the surrounding areas, having regard to: b) the layout of the site and the location of existing buildings; and c) views into the site from the road and adjoining public spaces; and d) the ability to access the site and the rear of buildings; and e) the layout of car parking in the vicinity; and f) the level of landscaping proposed for the car parking.
	N/a – providing less than 4 spaces.	N/a
A2.1	Car parking and manoeuvring space must:	P2
a)	have a gradient of 10% or less; and	a)
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	b)
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> .	
	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)
1 to 5	3.0m	Every 30m

E6.7.3 Car Parking Access, Safety and Security

Objective: To ensure adequate access, safety and security for car parking and for deliveries.			
Acceptable Solutions		Performance Criteria	
A1	Car parking areas with greater than 20 parking spaces must be:	P1	Car parking areas with greater than 20 parking spaces must provide for adequate security and safety for users of the site, having regard to the:
a)	secured and lit so that unauthorised persons cannot enter or;	a)	levels of activity within the vicinity; and
b)	visible from buildings on or adjacent to the site during the times when parking occurs.	b)	opportunities for passive surveillance for users of adjacent building and public spaces adjoining the site.
	N/a – less than 20 spaces.		N/a

E6.7.4 Parking for Persons with a Disability

Objective: To ensure adequate parking for persons with a disability.			
Acceptable Solutions		Performance Criteria	
A1	All spaces designated for use by persons with a disability must be located closest to the main entry point to the building.	P1	The location and design of parking spaces considers the needs of disabled persons, having regard to:
		a)	the topography of the site;
		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.
	Does not propose parking for persons with a disability, and the planning scheme does not require such parking.		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	The number of parking spaces provided is appropriate for the needs of disabled persons, having regard to:
		a)	characteristics of the populations to be served;
		b)	their means of transport to and from the site; and
		c)	applicable Australian Standards.

Does not propose parking for persons with a disability, and the planning scheme does not require such parking.	N/a
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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.
N/a – not a retail, commercial, industrial, service industry or warehouse or storage use.	N/a

E6.8 Provisions for Sustainable Transport

E6.8.1 Bicycle End of Trip Facilities

Not used in this planning scheme

E6.8.2 Bicycle Parking Access, Safety and Security

Objective: To ensure that parking and storage facilities for bicycles are safe, secure and convenient.	
Acceptable Solutions	Performance Criteria
A1.1 Bicycle parking spaces for customers and visitors must: a) be accessible from a road, footpath or cycle track; and b) include a rail or hoop to lock a bicycle to that meets <i>Australian Standard AS 2890.3 1993</i>; and c) be located within 50m of and visible or signposted from the entrance to the activity they serve; and d) be available and adequately lit in accordance with <i>Australian Standard AS/NZS 1158 2005 Lighting Category C2</i> during the times they will be used; and A1.2 Parking space for residents' and employees' bicycles must be under cover and capable of being secured by lock or bicycle lock.	P1 Bicycle parking spaces must be safe, secure, convenient and located where they will encourage use.
The application does not propose bicycle parking.	The application does not propose bicycle parking.
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.
The application does not propose bicycle parking.	The application does not propose bicycle parking.

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.
Complies – less than 10 spaces provided – no separate access required for pedestrians.	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 AGAINST E13.0 LOCAL HISTORIC HERITAGE CODE

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.	
Acceptable Solutions	Performance Criteria
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.	P1 New fences must: a) be designed to be complementary to the architectural style of the dominant buildings on the site or b) be consistent with the dominant fencing style in the heritage precinct; and c) not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.
There are no acceptable development criteria for fence type and materials – must address the performance criteria.	Council's Heritage Adviser states that the proposal satisfies the performance criteria.

Management Objectives <i>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.</i> <i>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.</i>
--

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

ASSESSMENT AGAINST F2.0 HERITAGE PRECINCTS SPECIFIC AREA PLAN

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.	
Acceptable Solutions	Performance Criteria
A1.1 Replacement of front fence must be in the same design, materials and scale; or A1.2 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. b) Side and rear fences must be vertical timber palings to a maximum height of 1800mm.	P1 Fences 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 architectural style of the dominant building on the site;

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	c) the dominant fencing style in the setting; and d) the original or previous fences on the site.
Does not comply.	Council's Heritage Adviser and the Tasmanian Heritage Council have not objected to the front or rear fences. It is concluded that the proposal complies with the performance criteria.
A2 Gates must match the fence, both in materials and design.	P2 No performance criteria
Complies.	-
A3 Screen fences used to separate the front garden from the rear of the house must be of timber or lattice.	P3 No performance criteria
Not applied for.	-
A4 Fences must not be:	P4 No performance criteria
a) horizontal or diagonal timber slat fences; or b) plastic covered wire mesh; or c) flat metal sheet or corrugated sheets; or d) plywood and cement sheet.	
Complies.	-

SPECIAL PROVISIONS	
9.1 Changes to an Existing Non-conforming Use	N/a
9.2 Development for Existing Discretionary Uses	N/a
9.3 Adjustment of a Boundary	N/a
9.4 Demolition	N/a
9.5 Change of Use of a Place listed on the Tasmanian Heritage Register or a heritage place	N/a
9.6 Change of Use	N/a
9.7 Access and Provision of Infrastructure Across Land in Another Zone	N/a
9.8 Buildings Projecting onto Land in a Different Zone	N/a
9.9 Port and Shipping in Proclaimed Wharf Areas	N/a

STATE POLICIES
The proposal is consistent with all State Policies.

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

STRATEGIC PLAN/ANNUAL PLAN/COUNCIL POLICIES
Strategic Plan 2017-2027 Statutory Planning

5 FINANCIAL IMPLICATIONS TO COUNCIL

Not applicable to this application.

6 OPTIONS

Approve with or without conditions or refuse and state reasons for refusal.

7 DISCUSSION

Discretion to refuse the application is limited to:

- Works to fence on heritage listed place.
- Works to fence in heritage precinct.
- Installation of new vehicle access.

- Reduction in parking spaces.

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

Works to fence

The works to the front and rear fences are supported by Council's Heritage Adviser and the Tasmanian Heritage Council and are therefore found to comply with the heritage provisions of the planning scheme.

New vehicle access

Council's Works Department has raised safety concerns with the proposed access off Rogers Lane, and the loss of on street parking resulting from the access off Rogers Lane.

It is recommended that the height of the fence be reduced to improve visibility, that cars turn on site to enter and exit in a forward direction, and that car parking spaces be marked off Rogers Lane.

Reduction in parking

The planning scheme requires car parking for the function centre use of 1 space per 20m² of public area or 1 space per 4 seats, whichever is greater, and 1 space per bedroom for the dwelling.

- The marquee has a floor area of 150m². This requires 7.5 car parking spaces.
- The applicant advises that the function will be capped at 100 persons. This requires 25 parking spaces.
- The two bedroom dwelling on site requires 2 spaces.
- One space is proposed.

The applicant advises that they require that their patrons use buses for their guests, to make sure that guests after a function depart the village in a timely manner. Neither car parking nor bus parking for the function centre use is proposed on site. Image 11 shows on street parking in the area. 25 spaces are available nearby in Murray Street.

It is recommended that revised plans be submitted showing that cars can turn on site to enter and exit in a forward direction. Using the fencing exemption at clause 5.6.3 as an indication for adequate sight distances, it is also recommended that the rear gate and fence have a solid height of 1.2m with lattice to 1.8m between the gate and 17-19 Russell Street and 4.5m west of the gate.

8 ATTACHMENTS

- Application & plans
- Referral responses
- Representations & applicant's response

RECOMMENDATION

That land at 13-15 Russell Street, Evandale be approved to be developed and used for to replace front fence, replace and extend height of rear fence/wall, install gate on rear access, and temporary erection of marquee and use for function centre when events are booked (Heritage Listed Place, Heritage Precinct) in accordance with application PLN-20-0323, and subject to the following conditions:

1 Layout not altered

Except as required by this permit, the use and development must be generally in accordance with the endorsed documents **P1** (site plan) and **P2** (rear fence elevation) and **P3** (front fence elevation)

2 Revised plans required

Before the use commences, revised plans to the approval of the General Manager must be submitted. When approved, the plans will be endorsed and will then form part of the permit. The plans must be generally in accordance with the endorsed plans but revised to show:

- Two car parking spaces on site for the dwelling.
- Car parking, access and manoeuvring spaces so that cars can enter and leave the site in a forward direction.
- Car parking, access and manoeuvring spaces fenced off from the marquee area with a timber fence.
- Car parking, access and manoeuvring spaces of crushed rock or gravel
- The rear gate and fence with a solid height of 1.2m with lattice to a height of 1.8m above ground level, between the gate and 17-19 Russell Street and 4.5m west of the gate.

3 Noise emissions

- Noise must not cause unreasonable loss of amenity to nearby sensitive uses.
- Each time the use operates, noise monitoring equipment, approved of by the General Manager, that records noise levels and times must be set up on the boundary between 13-15 Russell Street and 17-19 Russell Street at the point nearest to the residential dwelling at 17-19 Russell Street. The noise recordings must be provided to Council on request.

4 Reinstatement of kerb and channel

- Before the use commences, the existing crossover off Russell Street must be reinstated with kerb and channel to Council's standards.
- Works must not commence until approved by the Works Manager.

5 Marking of car parking spaces

- Before the use commences, car parking adjacent to the east of Buffalo Park must be marked in consultation with Council's Works Manager.
- Works must not commence until approved by the Works Manager.

6 Commercial vehicles

Commercial vehicles must only operate between 6.00am and 10.00pm Monday to Sunday.

DECISION

Cr Calvert/Cr Brooks

That land at 13-15 Russell Street, Evandale be approved to be developed and used for to replace front fence, replace and extend height of rear fence/wall, install gate on rear access, and temporary erection of marquee and use for function centre when events are booked (Heritage Listed Place, Heritage Precinct) in accordance with application PLN-20-0323, and subject to the following conditions:

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Commercial vehicles must only operate between 6.00am and 10.00pm Monday to Sunday.

Lost

Voting for the motion:

Mayor Knowles, Cr Brooks, Cr Calvert, Cr Polley

Voting against the motion:

Cr Adams, Cr Davis, Cr Goninon, Cr Goss, Cr Lambert

Cr Polley/Cr Davis

That land at 13-15 Russell Street, Evandale be approved to be developed and used for to replace front fence, replace and extend height of rear fence/wall, install gate on rear access, and temporary erection of marquee and use for function centre when events are booked (Heritage Listed Place, Heritage Precinct) in accordance with application PLN-20-0323, and subject to the following conditions:

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- Works must not commence until approved by the Works Manager.

6 Commercial vehicles

Commercial vehicles must only operate between 6.00am and 10.00pm Monday to Sunday.

7 Cash contribution in lieu of parking

A cash contribution shall be paid towards the cost of providing parking.

Carried unanimously



NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 17 MAY 2021

186/21 PLANNING APPLICATION PLN-21-0005: 28-30 HIGH STREET, EVANDALE

File Number: 202100.21; CT 236838/1
Responsible Officer: Maree Bricknell, Acting General Manager
Report prepared by: Erin Miles, Development Supervisor

1 INTRODUCTION

This report assesses an application for 28-30 High Street, Evandale to use Caravan as Visitor Accommodation (Heritage Listed Place, Heritage Precinct).

2 BACKGROUND

Applicant:

Julie & Gary Grant

Owner:

Gary Hamish & Julie Jay Grant

Zone:

General Residential Zone

Codes:

Car Parking and Sustainable Transport Code
Local Historic Heritage Code

Classification under the Scheme:

Discretionary

Existing Use:

Residential

Deemed Approval Date:

21.05.2021

Recommendation:

Approve

Discretionary Aspects of the Application:

- Reliance on the performance criteria of Planning Directive 6 standards.
- Reliance on the performance criteria of the Car Parking and Sustainable Transport Code and Local Historic Heritage Code.

Planning Instrument:

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

Preliminary Discussion:

Prior to the application becoming valid / being placed on public exhibition, further information was requested from the applicant, regarding the deletion of a prohibited component of the application (gift shop). The application was amended and revised plans supplied.

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.

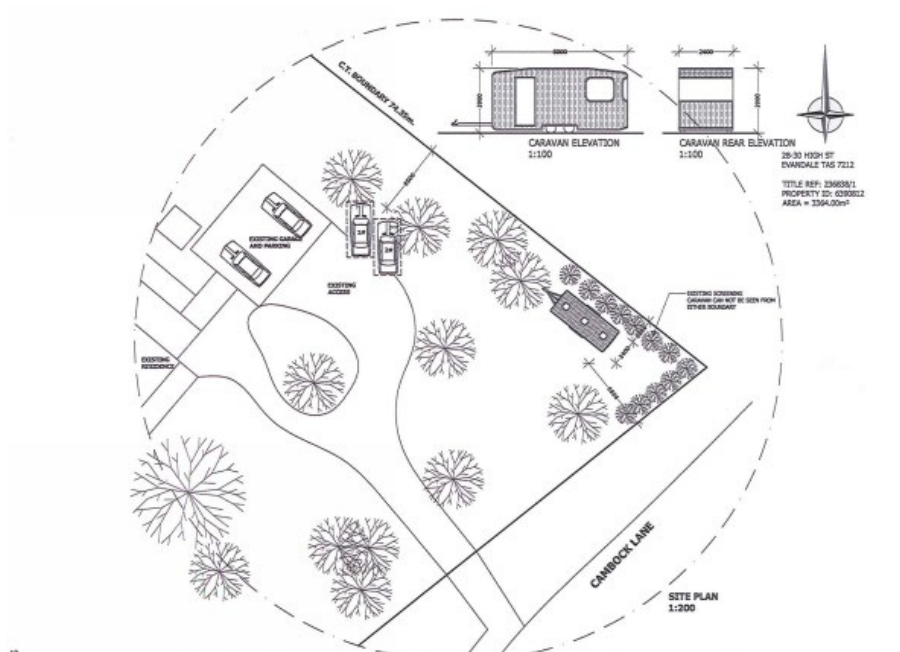
4 ASSESSMENT

4.1 Proposal

It is proposed to:

- Use Caravan as Visitor Accommodation (Heritage Listed Place, Heritage Precinct).

Site Plan & Elevations



4.2 Zone and land use

Zone Map – General Residential Zone



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

The relevant Planning Scheme definition is:

<i>Visitor accommodation</i>	<i>use of land for providing short or medium term accommodation for persons away from their normal place of residence. Examples include a backpackers hostel, bed and breakfast establishment, camping and caravan park, holiday cabin, holiday unit, motel, overnight camping area, residential hotel and serviced apartment.</i>
------------------------------	--

Definition under Planning Directive 6:

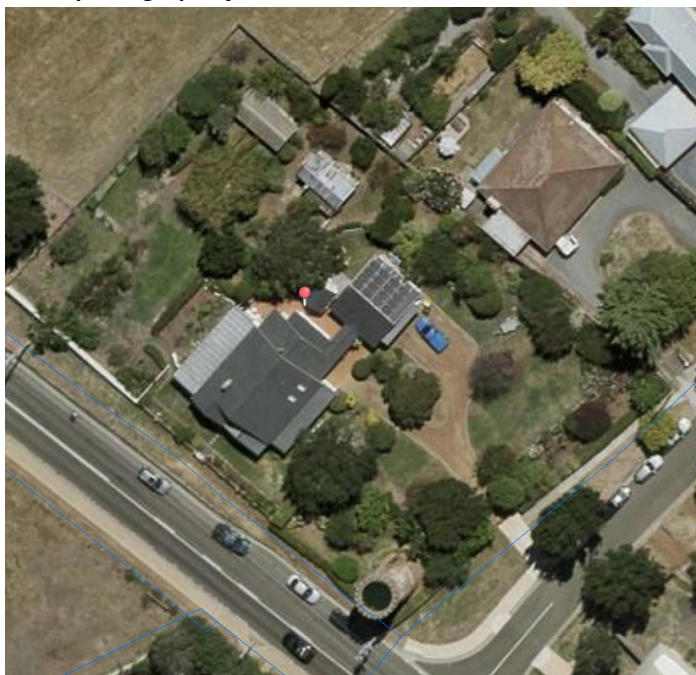
Use of land for providing short or medium term accommodation, for persons away from their normal place of residence, on a commercial basis or otherwise available to the general public at no cost. Examples include a backpackers hostel, bed and breakfast establishment, camping and caravan park, holiday cabin, holiday unit, motel, overnight camping area, residential hotel and serviced apartment.

Visitor Accommodation is permitted in the zone under clause 3.0 - Effect of the planning directive (Mandatory provisions), under Planning Directive 6.

4.3 Subject site and locality

An inspection of the site was carried out on the 1st April 2021. The subject site is a 3364m² lot, and currently contains an existing dwelling, water tower and visitor accommodation cottage. The site is situated near the northern entrance to the township, with the water tower forming a prominent heritage feature of the town.

Aerial photograph of area



Photographs of subject site







4.4 Permit/site history

Relevant permit history includes:

- | | |
|----------|--|
| P | 14/95 - L Wotherspoon - Additions to dwelling
202100.21 - 28-30 High St - Evandale - GRANT Gary Hamish |
| P | 17/51 - TL Cheek - Dwelling Alteration (Verandah extension)
202100.21 - 28-30 High St - Evandale - GRANT Gary Hamish |
| P | 6/53 - TL Cheek - Dwelling Addition (Sunroom)
202100.21 - 28-30 High St - Evandale - GRANT Gary Hamish |
| P | BLD20-155 - Gary & Julie Gant - Deck -partly covered (see PLN20-0103)
202100.21 - 28-30 High St - Evandale - GRANT Gary Hamish |
| P | DA79/00 - L & L WOTHERSPOON - NEW FENCE
202100.21 - 28-30 High St - Evandale - GRANT Gary Hamish |
| P | P95-128 - -
202100.21 - 28-30 High St - Evandale - GRANT Gary Hamish |
| P | PLN19-0168 - J & G Grant - Visitor Accommodation
202100.21 - 28-30 High St - Evandale - GRANT Gary Hamish |
| P | PLN19-0210 - J&G Grant - Signage for Visitor accomm
202100.21 - 28-30 High St - Evandale - GRANT Gary Hamish |
| P | PLN20-0103 - J&G Grant - Deck
202100.21 - 28-30 High St - Evandale - GRANT Gary Hamish |

4.5 Representations

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

- Michael Stokell, U2/42 Cambock Lane East, Evandale

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



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

Issue 1

- Visual impact of the use of a caravan for visitor accommodation on property with significant heritage feature (water tower). Inadequate screening provided by existing vegetation.

Planner's comment:

Council's Heritage Advisor, David Denman, has provided the following comments with regard to the proposal:

The caravan will not be a permanent structure and is located on the site where there is existing established landscaping. There is adequate separation from the historic water tower.

Further screen planting is possible to further reduce the visual impact from the Cambock Lane.

Therefore, the impact on the historic heritage values of the site and streetscape are considered acceptable.

The visual impact of the use of the caravan will not be significantly different to caravans parked on private property.

Issue 2

- Detraction of aesthetics of a historic village

Planner's comment:

Council's Heritage Advisor has noted that there is adequate separation between the proposed caravan and the water tower on site. Heritage Tasmania have issued a Notice of (No) Interest. The proposed caravan is not a permanent structure and will not be readily visible beyond the immediate area surrounding the subject site. The proposal may be conditioned that the permit expires upon the use ceasing.

4.6 Referrals

The following referrals were required:

Heritage Adviser

Summary:

Council's Heritage Advisor, David Denman, reviewed the application on the 27.04.2021. Mr Denman noted that he had no objections, but made the following comments:

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The caravan will not be a permanent structure and is located on the site where there is existing established landscaping. There is adequate separation from the historic water tower.

Further screen planting is possible to further reduce the visual impact from the Cambock Lane.

Therefore, the impact on the historic heritage values of the site and streetscape are considered acceptable.

Tasmanian Heritage Council

Precis: As the property is on the Register of the Tasmanian Heritage Council, the proposal was also subject to the requirements of the Historic Cultural Heritage Act 1995. A Notice of (No) Interest was issued on 1st April 2021 (Ref: 10-47-55THC).

4.7 Planning Scheme Assessment

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

10.3 Use Standards

10.3.1 Amenity

Objective To ensure that non-residential uses do not cause an unreasonable loss of amenity to adjoining and nearby residential uses.	
Acceptable Solutions	Performance Criteria
A1 If for permitted or no permit required uses.	P1 The use must not cause or be likely to cause an environmental nuisance through emissions including noise and traffic movement, smoke, odour, dust and illumination.
Complies with A1 – permitted use under Planning Directive 6.	N/a
A2 Commercial vehicles for discretionary uses must only operate between 7.00am and 7.00pm Monday to Friday and 8.00am to 6.00pm Saturday and Sunday.	P2 Commercial vehicle movements for discretionary uses must not unreasonably impact on the amenity of occupants of adjoining and nearby dwellings.
N/a – no commercial vehicle movements associated with use.	N/a
A3 If for permitted or no permit required uses.	P3 External lighting must demonstrate that: a) floodlighting or security lights used on the site will not unreasonably impact on the amenity of adjoining land; and b) all direct light will be contained within the boundaries of the site.
Complies with A1 – permitted use under Planning Directive 6.	N/a

10.3.2 Residential Character – Discretionary Uses

Objective To ensure that discretionary uses support: a) the visual character of the area; and b) the local area objectives, if any.	
Acceptable Solutions	Performance Criteria
A1 Commercial vehicles for discretionary uses must be parked within the boundary of the property.	P1 No performance criteria.

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N/a	N/a
A2 Goods or material storage for discretionary uses must not be stored outside in locations visible from adjacent properties, the road or public land.	P2 No performance criteria.
N/a	N/a
A3 Waste material storage for discretionary uses must: a) not be visible from the road to which the lot has frontage; and b) use self-contained receptacles designed to ensure waste does not escape to the environment.	P3 No performance criteria.
N/a	N/a

Visitor Accommodation (Planning Directive No. 6)

Objective That Visitor Accommodation: (a) Is compatible with the character and use of the area; (b) Does not cause an unreasonable loss of residential amenity; and (c) Does not impact the safety and efficiency of local roads or rights of way.	
Acceptable Solutions	Performance Criteria
A1 Visitor Accommodation must: (a) Accommodate guests in existing habitable buildings; and (b) Have a gross floor area of not more than 200m² per lot.	P1 Visitor Accommodation must be compatible with the character and use of the area and not cause an unreasonable loss of residential amenity, having regard to: (a) The privacy of adjoining properties; (b) Any likely increase in noise to adjoining properties; (c) The scale of the use and its compatibility with the surrounding character and uses within the area; (d) Retaining the primary residential function of an area; (e) The impact on the safety and efficiency of the local road network; and (f) Any impact on the owners and users rights of way.
Relies on P1 – Visitor accommodation to be located within caravan positioned on site.	The proposal is deemed to comply with P1 as follows: a) The subject site is a large corner block, with agricultural land to the north and a single residential property to the east. A Visitor Accommodation use already operates from the site and has not resulted in amenity concerns to date. b) A visitor accommodation use is unlikely to generate significantly more noise than a residential use. c) the subject site has an area of 3364m² which results in a low density of development across the site. The overall scale and density of development on the site is consistent with the surrounding area. d) The main structure on the site is a dwelling, which provides for a residential use and is occupied by the operator of the visitor accommodation use. e) The existing road network has ample capacity to accommodate the minimal daily vehicle movements associated with a visitor accommodation use. Parking associated with the use will be located on-site. f) N/a – no right of way is proposed to be utilised.
A2 Visitor Accommodation is not for a lot, as defined in the <i>Strata Titles Act 1998</i>, that is part of a strata scheme where another lot within that strata scheme is used for a residential use.	P2 Visitor Accommodation within a strata scheme must not cause an unreasonable loss of residential amenity to long term residents occupying other lots within the strata scheme, having regard to: (a) The privacy of residents; (b) Any likely increase in noise; (c) The residential function of the strata scheme; (d) The location and layout of the lots; (e) The extent and nature of any other non-residential uses; and (f) Any impact on shared access and common property.
Proposal complies with A2.	N/a

10.4 Development Standards

Comment: Based on the below definitions, development is limited to the works associated with the car parking.

Development is defined under the *Land Use Planning and Approvals Act 1993* as:

development includes –

- (a) the construction, exterior alteration or exterior decoration of a building; and
- (b) the demolition or removal of a building or works; and
- (c) the construction or carrying out of works; and
- (d) the subdivision or consolidation of land, including buildings or airspace; and
- (e) the placing or relocation of a building or works on land; and
- (f) the construction or putting up for display of signs or hoardings –

but does not include any development of a class or description, including a class or description mentioned in [paragraphs \(a\) to \(f\)](#), prescribed by the regulations for the purposes of this definition;

building includes –

- (a) a structure and part of a building or structure; and
- (b) fences, walls, out-buildings, service installations and other appurtenances of a building; and
- (c) a boat or a pontoon which is permanently moored or fixed to land;

The Consumer, Building and Occupational Services (CBOS) further clarifies buildings v's caravans:

If a structure is built with wheels (e.g. a caravan or trailer) and is capable of being registered as a vehicle by the Tasmanian Motor Vehicle Registry (Department of State Growth) then it is not a building and it does not need building approval for erection or installation.

- "Building work" includes the erection, re-erection, alteration or removal of an unregistrable relocatable building.
- Therefore, if it cannot be registered as a vehicle, then it is a building and the Building Act applies.

10.4.14 Non Residential Development

Objective To ensure that all non-residential development undertaken in the Residential Zone is sympathetic to the form and scale of residential development and does not affect the amenity of nearby residential properties.	
Acceptable Solutions	Performance Criteria
A1 If for permitted or no permit required uses.	P1 Development must be designed to protect the amenity of surrounding residential uses and must have regard to: a) the setback of the building to the boundaries to prevent unreasonable impacts on the amenity, solar access and privacy of habitable room windows and private open space of adjoining dwellings; and b) the setback of the building to a road frontage and if the distance is appropriate to the location and the character of the area, the efficient use of the site, the safe and efficient use of the road and the amenity of residents; and: the height of development having regard to: i) the effect of the slope of the site on the height of the building; and ii) the relationship between the proposed building height and the height of existing adjacent and buildings; and iii) the visual impact of the building when viewed from the road and from adjoining properties; and iv) the degree of overshadowing and overlooking of adjoining properties; and c) the level and effectiveness of physical screening by fences or vegetation; and d) the location and impacts of traffic circulation and parking and the need to locate parking away from residential boundaries; and e) the location and impacts of illumination of the site; and f) passive surveillance of the site; and g) landscaping to integrate development with the streetscape.
Complies with A1 – permitted use under Planning Directive 6.	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

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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 E4.0 ROAD AND RAILWAY ASSETS CODE

E4.6 Use Standards

E4.6.1 Use and road or rail infrastructure

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

Objective To ensure that development on or adjacent to category 1 or 2 roads (outside 60km/h), railways and future roads and railways is managed to:	
a) ensure the safe and efficient operation of roads and railways; and b) allow for future road and rail widening, realignment and upgrading; and c) avoid undesirable interaction between roads and railways and other use or development.	
Acceptable Solutions	Performance Criteria

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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

Objective To ensure that the safety and efficiency of roads is not reduced by the creation of new accesses and junctions or increased use of existing accesses and junctions.	
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.
Complies with A1.	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
A1 Sight distances at a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.7.4; and b) rail level crossings must comply with <i>AS1742.7 Manual of uniform traffic control devices - Railway crossings</i>, Standards Association of Australia; or c) If the access is a temporary access, the written consent of the relevant authority has been obtained.	P1 The design, layout and location of an access, junction or rail level crossing must provide adequate sight distances to ensure the safe movement of vehicles.
Complies – no changes to existing access proposed.	N/a

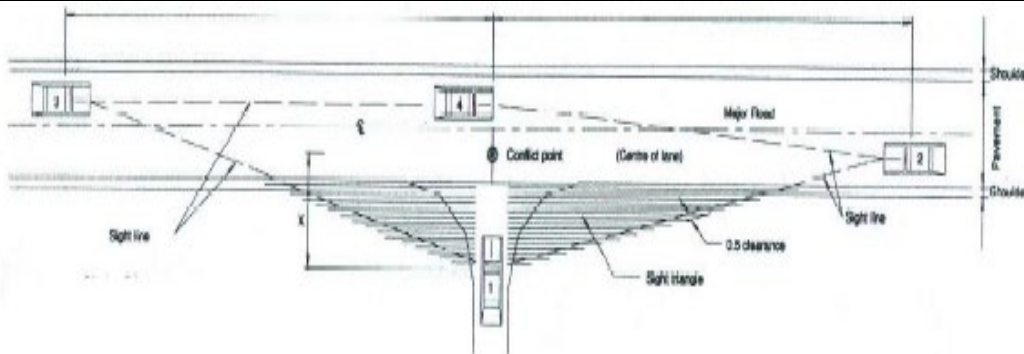


Figure E4.7.4 Sight Lines for Accesses and Junctions

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

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

Table E4.7.4 Safe Intersection Sight Distance (SISD)

Vehicle Speed	Safe Intersection Sight Distance (SISD) metres, for speed limit of:	
km/h	60 km/h or less	Greater than 60 km/h
50	80	90
60	105	115
70	130	140
80	165	175
90		210
100		250
110		290

Notes:

- 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.
- For safe intersection sight distance (SISD):
 - 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;
 - 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;
 - 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;
 - A driver at any point between position 3 and the access must have sight lines to see a car at position 4; and
 - 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

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

Table E6.1: Parking Space Requirements

Use	Parking Requirement	
	Vehicle	Bicycle
Visitor accommodation (bed and breakfast, camping, caravan park, unit/cabin, backpacker hostel, motel, serviced apartments)	1 space per unit or 1 space per 4 beds whichever is greater	1 space per 10 beds

E6.6.2 Bicycle Parking Numbers

Objective: To encourage cycling as a mode of transport within areas subject to urban speed zones by ensuring safe, secure and convenient parking for bicycles.	
Acceptable Solutions	Performance Criteria
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.
Comment: Complies with A1.1 – sufficient space on site to accommodate 1 bicycle parking space.	

E6.6.3 Taxi Drop-off and Pickup

Objective: To ensure that taxis can adequately access developments.	
Acceptable Solutions	Performance Criteria
A1 One dedicated taxi drop-off and pickup space must be provided for every 50 car spaces required by Table E6.1 or part thereof (except for dwellings in the General Residential Zone).	P1 No performance criteria.

Comment:

N/a

E6.6.4 Motorbike Parking Provisions

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

Acceptable Solutions		Performance Criteria	
A1	One motorbike parking space must be provided for each 20 car spaces required by Table E6.1 or part thereof.	P1	No performance criteria.
Comment:			
N/a			

E6.7 Development Standards

E6.7.1 Construction of Car Parking Spaces and Access Strips

Objective: To ensure that car parking spaces and access strips are constructed to an appropriate standard.

Acceptable Solutions		Performance Criteria	
A1	All car parking, access strips manoeuvring and circulation spaces must be: a) formed to an adequate level and drained; and b) except for a single dwelling, provided with an impervious all weather seal; and c) except for a single dwelling, line marked or provided with other clear physical means to delineate car spaces.	P1	All car parking, access strips manoeuvring and circulation spaces must be readily identifiable and constructed to ensure that they are useable in all weather conditions.

Comment:

Relies on P1 - The existing driveway on site is approximately 30m long from the front property boundary to the garage area, is constructed from compacted gravel. It is therefore readily identifiable and constructed to ensure that they are useable in all weather conditions. The establishment of the new parking bays to accommodation the use is proposed to be conditioned by the permit, to ensure it is in place prior to the commencement of use.

E6.7.2 Design and Layout of Car Parking

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

Acceptable Solutions		Performance Criteria	
A1.1	Where providing for 4 or more spaces, parking areas (other than for parking located in garages and carports for dwellings in the General Residential Zone) must be located behind the building line; and	P1	The location of car parking and manoeuvring spaces must not be detrimental to the streetscape or the amenity of the surrounding areas, having regard to:
A1.2	Within the General residential zone, provision for turning must not be located within the front setback for residential buildings or multiple dwellings.	a)	the layout of the site and the location of existing buildings; and
		b)	views into the site from the road and adjoining public spaces; and
		c)	the ability to access the site and the rear of buildings; and
		d)	the layout of car parking in the vicinity; and
		e)	the level of landscaping proposed for the car parking.

Comment:

A1.1 – Relies on P1.

A1.2 - Relies on P1.

Complies with P1 as follows:

The proposed parking utilises an area which is predominantly already formed to service the existing dwelling. The area is well landscaped and located within the curtilage of existing outbuildings.

A2.1	Car parking and manoeuvring space must: a) have a gradient of 10% or less; and b) where providing for more than 4 cars, provide for vehicles to enter and exit the site in a forward direction; and c) have a width of vehicular access no less than prescribed in Table E6.2 and Table E6.3, and	P2	Car parking and manoeuvring space must: a) be convenient, safe and efficient to use having regard to matters such as slope, dimensions, layout and the expected number and type of vehicles; and b) provide adequate space to turn within the site unless reversing from the site would not adversely affect the safety and convenience of users and passing traffic.
A2.2	The layout of car spaces and access ways must be designed in accordance with <i>Australian Standards AS</i>		

2890.1 - 2004 Parking Facilities, Part 1: Off Road Car Parking.

Comment:

A2.1 a) Complies b) N/a c) Complies

A2.2 Complies.

Table E6.2: Access Widths for Vehicles

Number of parking spaces served	Access width (see note 1)	Passing bay (2.0m wide by 5.0m long plus entry and exit tapers) (see note 2)
1 to 5	3.0m	Every 30m

E6.7.3 Car Parking Access, Safety and Security

Objective: To ensure adequate access, safety and security for car parking and for deliveries.

Acceptable Solutions		Performance Criteria	
A1	Car parking areas with greater than 20 parking spaces must be:	P1	Car parking areas with greater than 20 parking spaces must provide for adequate security and safety for users of the site, having regard to the:
a)	secured and lit so that unauthorised persons cannot enter or;	a)	levels of activity within the vicinity; and
b)	visible from buildings on or adjacent to the site during the times when parking occurs.	b)	opportunities for passive surveillance for users of adjacent building and public spaces adjoining the site.
Comment:			
N/a			

E6.7.4 Parking for Persons with a Disability

Objective: To ensure adequate parking for persons with a disability.

Acceptable Solutions		Performance Criteria	
A1	All spaces designated for use by persons with a disability must be located closest to the main entry point to the building.	P1	The location and design of parking spaces considers the needs of disabled persons, having regard to:
		e)	the topography of the site;
		f)	the location and type of relevant facilities on the site or in the vicinity;
		g)	the suitability of access pathways from parking spaces, and
		h)	applicable Australian Standards.
A2	Accessible car parking spaces for use by persons with disabilities must be designed and constructed in accordance with AS/NZ2890.6 – 2009 Parking facilities – Off-street parking for people with disabilities.	P2.	No performance criteria.
Comment:			
N/a – Disability parking not proposed.			

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

Objective: To ensure adequate access for people and goods delivery and collection and to prevent loss of amenity and adverse impacts on traffic flows.

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

E6.8 Provisions for Sustainable Transport

E6.8.1 Bicycle End of Trip Facilities

Not used in this planning scheme

E6.8.2 Bicycle Parking Access, Safety and Security

Objective: To ensure that parking and storage facilities for bicycles are safe, secure and convenient.	
Acceptable Solutions	Performance Criteria
A1.1 Bicycle parking spaces for customers and visitors must: a) be accessible from a road, footpath or cycle track; and b) include a rail or hoop to lock a bicycle to that meets <i>Australian Standard AS 2890.3 1993</i>; and c) be located within 50m of and visible or signposted from the entrance to the activity they serve; and d) be available and adequately lit in accordance with <i>Australian Standard AS/NZS 1158 2005 Lighting Category C2</i> during the times they will be used; and A1.2 Parking space for residents' and employees' bicycles must be under cover and capable of being secured by lock or bicycle lock.	P1 Bicycle parking spaces must be safe, secure, convenient and located where they will encourage use.
A2 Bicycle parking spaces must have: a) minimum dimensions of: i) 1.7m in length; and ii) 1.2m in height; and iii) 0.7m in width at the handlebars; and b) unobstructed access with a width of at least 2m and a gradient of no more 5% from a public area where cycling is allowed.	P2 Bicycle parking spaces and access must be of dimensions that provide for their convenient, safe and efficient use.
Comment: Complies with A1.2 and A2.	

E6.8.5 Pedestrian Walkways

Objective: To ensure pedestrian safety is considered in development	
Acceptable Solution	Performance Criteria
A1 Pedestrian access must be provided for in accordance with Table E6.5.	P1 Safe pedestrian access must be provided within car park and between the entrances to buildings and the road.
Comment: Complies with A1 – no separate access required.	

Table E6.5: Pedestrian Access

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

Notes

- a) In parking areas containing spaces allocated for disabled persons, a footpath having a minimum width of 1.5m and a gradient not exceeding 1 in 14 is required from those spaces to the principal building.
- b) Separation is deemed to be achieved by:
 - i) a horizontal distance of 2.5m between the edge of the driveway and the footpath; or
 - ii) protective devices such as bollards, guard rails or planters between the driveway and the footpath; and
 - iii) signs and line marking at points where pedestrians are intended to cross driveways or parking aisles.

ASSESSMENT 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; however, Heritage Tasmania have issued a Notice of (No) Interest.

E13.5 USE STANDARDS

E13.5.1 Alternative Use of heritage buildings

Comment: N/a

E13.6 DEVELOPMENT STANDARDS

E13.6.1 Demolition

Comment: N/a

E13.6.2 Subdivision and development density

Comment: N/a

E13.6.3 Site Cover

Comment: N/a

E13.6.4 Height and Bulk of Buildings

Comment: N/a

E13.6.5 Fences

Comment: N/a

E13.6.6 Roof Form and Materials

Comment: N/a

E13.6.7 Wall materials

Comment: N/a

E13.6.8 Siting of Buildings and Structures

Comment: N/a

E13.6.9 Outbuildings and Structures

Comment: N/a

E13.6.10 Access Strips and Parking

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.	
Acceptable Solutions	Performance Criteria
A1 Car parking areas for non-residential purposes must be: a) located behind the primary buildings on the site; or b) in accordance with the acceptable development criteria for access and parking as within a precinct identified in Table 1: Heritage Precincts, if any.	P1 Car parking areas for non-residential purposes must not: 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 b) detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.
Relies on P1.	Complies with P1 as the proposed parking utilises an area which is predominantly already formed to service the existing dwelling. The area is well landscaped and located within the curtilage of existing outbuildings. No vegetation removal is required to facilitate the proposed parking.

E13.6.11 Places of Archaeological Significance

Comment: N/a

E13.6.12 Tree and Vegetation Removal

Comment: N/a

E13.6.13 Signage

Comment: N/a

E13.6.14 Maintenance and Repair

Comment: N/a

Table E13.1: Local Heritage Precincts

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

Existing Character Statement - Description and Significance
EVANDALE HERITAGE PRECINCT CHARACTER STATEMENT The Evandale Heritage Precinct is unique because it is the core of an intact nineteenth century townscape, with its rich and significant built fabric and village atmosphere. Its historic charm, tree lined streets and quiet rural setting all contribute to its unique character. Its traditional buildings are an impressive mix of nineteenth and early twentieth century architectural styles while its prominent elements are its significant trees, the Water Tower and the Church spires. The original street pattern is an important setting for the Precinct, with views along traditional streetscapes, creating an historic village atmosphere that is still largely intact. Period residential buildings, significant trees, picket fences, hedgerows and cottage gardens are all complementary, contributing to the ambience of a nineteenth century village. The main roads into and out of Evandale create elevated views to the surrounding countryside which give context to the town and the Precinct, and contribute to its character. The quiet village feel of the town is complemented by a mix of businesses meeting local needs, tourism and historic interpretation. Evandale's heritage ambience has been acknowledged, embraced and built on by many of those who live in or visit the village.
Management Objectives
To ensure that new buildings, additions to existing buildings, and other developments which are within the Heritage Precincts do not adversely impact on the heritage qualities of the streetscape, but contribute positively to the Precinct. To ensure developments within street reservations in the towns and villages having Heritage Precincts do not to adversely impact on the character of the streetscape but contribute positively to the Heritage Precincts in each settlement.

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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	N/a – The Specific Area Plan (SAP) does not contain use standards. No development is proposed, other than the parking area. There are no relevant development standards.

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

STATE POLICIES
The proposal is consistent with all State Policies.

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

STRATEGIC PLAN/ANNUAL PLAN/COUNCIL POLICIES
Strategic Plan 2017-2027 Statutory Planning

5 FINANCIAL IMPLICATIONS TO COUNCIL

Not applicable to this application.

6 OPTIONS

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

7 DISCUSSION

Discretion to refuse the application is limited to:

- Reliance on the performance criteria of Planning Directive 6 standards.
- Reliance on the performance criteria of the Car Parking and Sustainable Transport Code and Local Historic Heritage Code.

One representation was received in opposition to the proposal, which cited concerns regarding the visual impact and loss of aesthetics in a historic town. These concerns are dealt with in greater detail through the assessment of relevant provisions of the Planning Scheme and Planning Directive 6.

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

8 ATTACHMENTS

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

RECOMMENDATION

That land at 28-30 High Street, Evandale be approved to be developed and used for a Use Caravan as Visitor Accommodation (Heritage Listed Place, Heritage Precinct) in accordance with application PLN-21-0005, and subject to the following conditions:

1 Layout not altered

The use and development shall be in accordance with the endorsed plans numbered **P1 – P3** (*Site/Parking Plan - undated and 2 x street view photographs provided by applicant*).

2 Car Parking

Prior to the commencement of the use authorised by this permit, the parking spaces as shown on the endorsed plans must be constructed to ensure that they are useable in all weather conditions, to the satisfaction of the General Manager. The layout of car spaces and access ways must be designed in accordance with *Australian Standards AS 2890.1 - 2004 Parking Facilities, Part 1: Off Road Car Parking*.

3 Expiry of use

The use of the caravan approved by this permit will expire if the uses ceases for a period of more than six (6) continuous months. The caravan must remain capable of being registered as a vehicle by the Tasmanian Motor Vehicle Registry (Department of State Growth) for the duration of the use.

DECISION

Cr Davis/Cr Goninon

That land at 28-30 High Street, Evandale be approved to be developed and used for a Use Caravan as Visitor Accommodation (Heritage Listed Place, Heritage Precinct) in accordance with application PLN-21-0005, and subject to the following conditions:

1 Layout not altered

The use and development shall be in accordance with the endorsed plans numbered **P1 – P3** (*Site/Parking Plan – undated and 2 x street view photographs provided by applicant*).

2 Car Parking

Prior to the commencement of the use authorised by this permit, the parking spaces as shown on the endorsed plans must be constructed to ensure that they are useable in all weather conditions, to the satisfaction of the General Manager. The layout of car spaces and access ways must be designed in accordance with *Australian Standards AS 2890.1 – 2004 Parking Facilities, Part 1: Off Road Car Parking*.

3 Expiry of use

The use of the caravan approved by this permit will expire if the uses ceases for a period of more than six (6) continuous months. The caravan must remain capable of being registered as a vehicle by the Tasmanian Motor Vehicle Registry (Department of State Growth) for the duration of the use.

Carried

Voting for the motion:

Mayor Knowles, Cr Adams, Cr Brooks, Cr Calvert, Cr Davis, Cr Goninon, Cr Lambert, Cr Polley

Voting against the motion:

Cr Goss



NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 17 MAY 2021

187/21 REQUEST FOR PLANNING EXEMPTION FOR CAMPBELL TOWN UNDERPASS

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

1 PURPOSE OF REPORT

This report presents Council with a request from Pitt&Sherry for a proposed underpass at Campbell Town to be considered exempt from the planning scheme.

2 INTRODUCTION/BACKGROUND

Pitt&Sherry advises that the Department of State Growth intend to carry out upgrades to the road networks in Campbell Town which include a new pedestrian underpass in High Street (adjacent to the sports club) and a new footpath on the eastern side of Bridge Street. The proposed plans for the upgrade are attached.

Pitt&Sherry asks Council to consider the proposal exempt from requiring a planning permit under clause 5.2.4 of the planning scheme.

3 STRATEGIC PLAN 2017-2027

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

- Lead –
 - Leaders with Impact
Core Strategies:
 - ♦ Communicate – Connect with the community
 - ♦ Lead – Councillors represent honestly with integrity
- People –
 - Sense of Place – Sustain, Protect, Progress
Core Strategies:
 - ♦ Planning benchmarks achieve desirable development
 - ♦ Public assets meet future lifestyle challenges
 - Lifestyle – Strong, Vibrant, Safe and Connected Communities
Core Strategies:
 - ♦ Living well – Valued lifestyles in vibrant, eclectic towns
 - ♦ Communicate – Communities speak & leaders listen
 - ♦ Participate – Communities engage in future planning
 - ♦ Connect – Improve sense of community ownership
 - ♦ Caring, Healthy, Safe Communities – Awareness, education & service

4 POLICY IMPLICATIONS

There are no policy implications.

5 STATUTORY REQUIREMENTS

The request is for the works to be considered exempt under clause 5.2.4 of the planning scheme.

Section 48 of the *Land Use Planning & Approvals Act 1993* requires the Planning Authority to observe and enforce the observance of the Planning Scheme. Section 51 of the *Land Use Planning & Approvals Act 1993* states that a person must

not commence any use or development where a permit is required without such permit.

6 FINANCIAL IMPLICATIONS

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

7 RISK ISSUES

There is a risk that not all interested members of the public have been consulted.

8 CONSULTATION WITH STATE GOVERNMENT

Pitt&Sherry/Department of State Growth have asked Council if the works are exempt from a planning permit.

9 COMMUNITY CONSULTATION

Pitt&Sherry advises that community consultation has been undertaken.

10 OPTIONS FOR COUNCIL TO CONSIDER

Council can:

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

11 OFFICER'S COMMENTS/CONCLUSION

Council officers advised in 2019 that a planning permit is required for the underpass.

Interim Planning Directive 4 came into effect on 22 February 2021 and provides at clause 5.2.4 an exemption for the following road works:

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

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

Draft Planning Directive 8 contains the same exemption. The Background Paper on Draft Planning Directive 8 (attached to C&D2) states on pages 2-3 that early implementation of the road works exemptions in the SPPs would assist in delivering key elements of the State Government's COVID-19 recovery strategy, specifically the \$3.1 billion 'Construction Blitz' announced on 4 June 2020, which includes a number of State road infrastructure projects, including Midland Highway pedestrian facilities at Campbell Town.

A pedestrian underpass is not specifically mentioned. It is therefore open for Council to decide whether the exemption applies to the underpass. Based on the Background Paper to draft Planning Directive 8, it is recommended that the underpass be considered exempt under clause 5.2.4.

12 ATTACHMENTS

- Letter from Pitt&Sherry, 6 May 2021
- Proposed underpass plans

RECOMMENDATION

That Council advise Pitt&Sherry that the proposed underpass is considered exempt under clause 5.2.4 of the planning scheme.

DECISION

Cr Goninon/Cr Davis

That

- i) a decision on this matter be deferred; and
- ii) the General Manager request the attendance of the Department of State Growth at a workshop to
 - a) discuss the suitability of the development of the underpass and the vastly increased costs related thereto; and
 - b) in addition, the community opposition to the project; and
 - c) request the Department of State Growth give consideration to alternatives to the underpass.

Carried

Voting for the motion:

Mayor Knowles, Cr Adams, Cr Brooks, Cr Calvert, Cr Davis, Cr Goninon, Cr Goss, Cr Lambert

Voting against the motion:

Cr Polley

188/21 COUNCIL ACTING AS A PLANNING AUTHORITY: CESSATION

RECOMMENDATION

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

DECISION

Cr Goninon/Cr Davis

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.

Carried unanimously

Cr Goss left the meeting at 7.11pm.

**189/21 KENNEL LICENCE APPLICATION FOR 8 DOGS AT 49 PHILLIP STREET
PERTH**

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

1 PURPOSE OF REPORT

The purpose of this report is to assess and consider a kennel licence to house 8 medium sized Labradoodles at 49 Phillip Street Perth.

2 INTRODUCTION/BACKGROUND

Lisa Bartlett is the owner of Tassie Devil Labradoodles which is a small breeding kennel that is run on a 1318m² property 49 Phillip Street Perth.

She is currently housing 3 adult labradoodles and 3 puppies that were purchased in January and March 2021.

Ms Bartlett has held a kennel licence to house 3 Labradoodles since 2013.

In accordance with Section 51 of the *Dog Control Act 2000*, Lisa Bartlett applied to increase her kennel licence at 49 Phillip Street Perth from 3 Labradoodles to 8 Labradoodles. The application was advertised in The Examiner on 31 March 2021.

Letters were sent to neighbouring property owners within 200metres of the property, advising of the proposed kennel licence and inviting objections. 2 objections were received from neighbours within 200 metres.

Council also received 5 supporting letters from neighbours within 200 metres of the site, 7 references from others, and the applicant provided comments from 50 residents from the door knocked she conducted within 200 metres of the proposed site.

Council have received complaints about the dogs barking, but no official nuisance complaints have been received in accordance with section 47 of the *Dog Control Act 2000*.

Letters and information sheets were sent to Ms Bartlett and no further action was taken. Since the complaints Ms Bartlett ensures the dogs wear barking collars and has installed surveillance cameras and she is now working from home.

3 STRATEGIC PLAN 2017-2027

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

- Lead –
 - Best Business Practice & ComplianceCore Strategies:
 - ♦ Council complies with all Government legislation
- People –
 - Lifestyle – Strong, Vibrant, Safe and Connected CommunitiesCore Strategies:
 - ♦ Caring, Healthy, Safe Communities – Awareness, education & service

4 POLICY IMPLICATIONS

Council has in place its Dog Management Policy, which is a legislative requirement in accordance with section 7 of the *Dog Control Act 2000*.

5 STATUTORY REQUIREMENTS

Dog Control Act 2000

Section 50 of the *Dog Control Act 2000* states that a person without a licence must not keep more than 2 dogs over the age of 6 months, or more than 4 working dogs. Under Section 55 (3) of the *Dog Control Act 2000*, 'A person must not keep or permit to be kept any dog over the age of 6 months of a breed or kind to which a licence applies otherwise than in accordance with the licence'. Therefore, the maximum number of dogs over the age of six months is restricted to the number listed on the licence.

6 FINANCIAL IMPLICATIONS

N/A

7 RISK ISSUES

That if the licence is rejected that Council will be seen as being unfair in their decisions, as there are currently 23 approved kennel licences for more than 3 dogs in residential zones within the Northern Midlands Municipal area.

That If the kennel licence is approved objectors are going to feel that council have not considered their concerns raised in the objections.

8 CONSULTATION WITH STATE GOVERNMENT

N/A

9 COMMUNITY CONSULTATION

The application was advertised in The Examiner on 31 March 2021 and letters were sent to neighbouring property owners within 200 metres of the property.

10 OPTIONS FOR COUNCIL TO CONSIDER

There are four options for Council to consider:

- Approve a kennel licence to house 8 dogs at the property; or
- Approve a kennel licence to house 8 dogs at the property with specific conditions attached to the kennel licence, or
- Approve a kennel licence for a smaller number of dogs than has been applied for on the application, or
- Do not approve the kennel licence.

11 OFFICER'S COMMENTS/CONCLUSION

A property inspection was conducted at 49 Phillip St Perth at 2.30pm on 19 April 2021.

The property was immaculate, and dogs were all cheerful and of a happy nature, and very well groomed.

There were 8-Week-old puppies in an outdoor play pen which Lisa explained that they spend the day outside and are then taken inside at night and crated.

The adult dogs were outside in a yard, and they are crated in the garage at night in large crates.

The yards were clean and there was no odour.

The crates in the house and garage had clean bedding in them and were a sufficient size for the dogs.

The dogs that have been identified as the ones that bark, were wearing barking collars and the dogs are being monitored on a security camera that is facing the dog run.

Ms Bartlett started working from home in March 2021 so is able to monitor the dogs and can check the dogs when away from home by opening up the app on her phone that is connected to the security camera.

Ms Bartlett is a very knowledgeable dog owner, and her dogs are a great example of the Labradoodle breed.

12 ATTACHMENTS

Additional information provided which is of a confidential nature (separate closed council attachment)

RECOMMENDATION

That Council

- i) issue a kennel licence for housing 8 Medium Labradoodles; and
- ii) place an expiry date of 30 June 2022 upon the licence with the following specific conditions:
 - That the shed/kennel is moved 1 metre away from the boundary fence.
 - Every kennel & associated exercise area must be maintained in a clean and sanitary condition at all times to the satisfaction of the Animal Control Officer.
 - Animal waste must be disposed of to the satisfaction of the Animal Control Officer and no faecal matter or other offensive or putrescibles matter must enter any watercourse.
 - Wash-down water, wastewater or water which has been in contact with faecal or putrescible matter must not directly or indirectly enter any watercourse and must receive treatment to the satisfaction of the Animal Control Officer/Environmental Health Officer adequate for the method of effluent disposal used. Where treatment is by land absorption or transpiration bed, sufficient land must be set aside and kept available for that purpose. The standard of waste water treatment must be maintained to the satisfaction of the Animal Control Officer/Environmental Health Officer.
 - All available means must be used to prevent the barking of dogs so as to avoid the keeping of dogs becoming a nuisance to nearby residents by reason of the emission of noise.

DECISION

Cr Adams/Cr Calvert

That Council

- i) issue a kennel licence for housing 8 Medium Labradoodles; and
- ii) place an expiry date of 30 June 2022 upon the licence with the following specific conditions:
 - That the shed/kennel is moved 1 metre away from the boundary fence.
 - Every kennel & associated exercise area must be maintained in a clean and sanitary condition at all times to the satisfaction of the Animal Control Officer.
 - Animal waste must be disposed of to the satisfaction of the Animal Control Officer and no faecal matter or other offensive or putrescibles matter must enter any watercourse.
 - Wash-down water, wastewater or water which has been in contact with faecal or putrescible matter must not directly or indirectly enter any watercourse and must receive treatment to the satisfaction of the Animal Control Officer/Environmental Health Officer adequate for the

method of effluent disposal used. Where treatment is by land absorption or transpiration bed, sufficient land must be set aside and kept available for that purpose. The standard of waste water treatment must be maintained to the satisfaction of the Animal Control Officer/ Environmental Health Officer.

- All available means must be used to prevent the barking of dogs so as to avoid the keeping of dogs becoming a nuisance to nearby residents by reason of the emission of noise.

AMENDMENT (1)

Cr Davis/Cr Polley

That Council

- i) issue a kennel licence for housing 4 Medium Labradoodles; and
- ii) place an expiry date of 30 June 2022 upon the licence with the following specific conditions:
 - That the shed/kennel is moved 1 metre away from the boundary fence.
 - Every kennel & associated exercise area must be maintained in a clean and sanitary condition at all times to the satisfaction of the Animal Control Officer.
 - Animal waste must be disposed of to the satisfaction of the Animal Control Officer and no faecal matter or other offensive or putrescible matter must enter any watercourse.
 - Wash-down water, wastewater or water which has been in contact with faecal or putrescible matter must not directly or indirectly enter any watercourse and must receive treatment to the satisfaction of the Animal Control Officer/Environmental Health Officer adequate for the method of effluent disposal used. Where treatment is by land absorption or transpiration bed, sufficient land must be set aside and kept available for that purpose. The standard of waste water treatment must be maintained to the satisfaction of the Animal Control Officer/ Environmental Health Officer.
 - All available means must be used to prevent the barking of dogs so as to avoid the keeping of dogs becoming a nuisance to nearby residents by reason of the emission of noise.

Lost

Voting for the amendment (1):

Cr Brooks, Cr Davis, Cr Goninon, Cr Polley

Voting against the amendment (1):

Mayor Knowles, Cr Adams, Cr Calvert, Cr Lambert

AMENDMENT (2)

Cr Polley/Cr Goninon

That further information be provided and the matter be deferred to the next meeting.

Carried unanimously

The Amendment (2) became the motion and was put and

Carried unanimously



NORTHERN MIDLANDS COUNCIL MINUTES – ORDINARY MEETING 17 MAY 2021

190/21 BRIDGE ACROSS LIFFEY RIVER TO FORMER BAPTIST CHURCH GROUNDS

Responsible Officer: Leigh McCullagh, Works Manager

Report prepared by: Leigh McCullagh, Works Manager

1 PURPOSE OF REPORT

Councillor Goninon has requested that the matter of Council's maintenance of the bridge across the Liffey River which services the privately owned former Baptist Church grounds be investigated.

2 INTRODUCTION/BACKGROUND

2.1 Transfer of Bridges from the Department of Main Roads

In 1993 the responsibility for bridges was transferred to Local Government from the State Government. Prior to this time, bridges were maintained by the Department of Main Roads (DMR). The majority of the bridges which were transferred to Local Government were of timber construction and nearing the end of their expected life.

In general, all bridges on council owned roads became the responsibility of the relevant council and the council was provided with a list of bridges which had been maintained by the DMR. As part of this process it was recognised that the State Government would still be responsible for significant bridges, i.e. Spikey Bridge, Hobart Road and Heritage Bridge, Pateena Road.

The list of bridges provided to councils was not exhaustive as the list did not always include bridges not located on Council roads. Councils were however afforded the opportunity to include/exclude such bridges which were constructed, and at that time maintained by the DMR, and which were not located on council roads subject to set criteria.

As the boundary between Meander Valley Council and Northern Midlands Council falls on the Northern Midlands side of the Liffey River all bridges, on Council maintained roads, which traverse the Liffey River are the responsibility of Meander Valley Council. Meander Valley Council's policy is to be responsible for and to maintain the bridges, on Council maintained roads, which traverse the Liffey River which form a link for the travelling public from one municipal area to another, i.e. all bridges on Council maintained roads which service properties on the Meander Valley side of the river; for example the bridge across the Liffey River on Bennett's Road. Bennett's Road is a 135m long "no-through" road to the Liffey River in the Northern Midlands Council municipal area. Council maintains the road to the river; however, Meander Valley Council have accepted responsibility for the bridge as it services a property on the Meander Valley side of the river.

2.2 Bridge No. 9997, providing access to the privately owned former Baptist Church grounds

In approximately 1972 the DMR constructed Bridge No. 9997 (formerly known as Bridge No. 4520) across the Liffey River on the private access to the Baptist Church grounds. Access to the Baptist Church grounds is off the section of Gulf Road which is maintained by the Meander Valley Council and is situated approximately 3.060km's from the Gulf Road/Liffey River Bridge. The continuation of the Gulf Road, on the Northern Midlands Council side of the Liffey River becomes known as Liffey Road.

The bridge is a 13m long x 3.750m wide timber construction on concrete abutments with an invert height of 2m. The concrete abutments would be suitable to construct another timber bridge (having a life-span of 24 years), however, the abutments would not be suitable for the construction of a concrete bridge which is significantly heavier, with an estimated lifespan of 80 years.

2.3 Bridge Users

Council has previously been advised that the bridge is used to service:

- Crown land bush;
- Forestry Tasmania;
- Tasmanian Fire Service;
- access to Dry's Bluff;
- access to bush heritage block; and
- privately owned land.

2.4 Other bridges located in close proximity which traverse the Liffey River

Other bridges in close proximity to the one which services the Baptist Church grounds, which the Meander Valley Council *may choose* to or *choose not to* maintain, are:

- Bennett's Road bridge (which is in the Northern Midlands Council area), timber bridge No. 4905, first constructed by the DMR, renewed and maintained by Meander Valley Council;
- Gulf Road bridge, timber bridge No. 3095, first constructed by the DMR renewed and maintained by Meander Valley Council;
- Off Gulf Road, timber bridge, Bridge No. 4290, servicing 2-storey colourbond cottage and forestry land, first constructed by DMR not maintained by Meander Valley Council;
- Off Gulf Road, access to Forestry and privately owned property, constructed by property owner and no maintenance carried out – considered to be the responsibility of the owner;
- Off Gulf Road, lower track to Liffey Falls, Bridge No. 3041, first constructed by DMR, renewed and maintained by Meander Valley Council

Bridge 9997, which provides access to private land (being the former Baptist Church grounds), is one of those that was considered as being situated in neutral territory and the Meander Valley Council and, at the time of transfer of bridges in 1993, were not provided with funds by the State Government. The bridge was not listed in the bridge transfers to Local Government in 1993.

The maintenance of this bridge was last considered by the Northern Midlands Council on 15 December 2008 (minute reference 302/08), at which time the following was the decision of Council:

That Council provide a contribution of \$10,000, as requested, towards the replacement of Bridge No. 4520 across the Liffey River on the private access to the Baptist Church grounds, subject to the Northern Midlands Council assuming responsibility for the maintenance of the new structure on completion and on the condition that it is added to the list of bridges for which Council receives grants.

Consequently, since that time Council has maintained and received grant monies for the maintenance of the bridge.

It is proposed that the existing timber bridge deck be replaced with a concrete bridge deck. The concrete bridge deck removed from the Pisa Bridge on Macquarie Road has been placed on site at Gulf Road and can be reused to form the 'new' concrete deck of this bridge, the abutments will also require replacement.

3 STRATEGIC PLAN 2017-2027

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

- Lead –
 - Leaders with Impact
- Core Strategies:
 - ♦ Communicate – Connect with the community
 - ♦ Lead – Councillors represent honestly with integrity

- ♦ Manage – Management is efficient and responsive
- Money Matters
 - Core Strategies:
 - ♦ Budgets are responsible yet innovative
 - ♦ Efficiency in resource sharing and Council reform
 - ♦ Improve community assets responsibly and sustainably
- Progress –
 - Economic Development – Supporting Growth & Changes
 - ♦ Maximise external funding opportunity
- People –
 - Sense of Place – Sustain, Protect, Progress
 - Core Strategies:
 - ♦ Council nurtures and respects historical culture
 - ♦ Developments enhance existing cultural amenity

4 POLICY IMPLICATIONS

Council policy over the last 25 years is to replace timber bridges, where possible, with longer lasting concrete structures.

5 STATUTORY REQUIREMENTS

N/a.

6 FINANCIAL IMPLICATIONS

The State Government provides Council with funds to maintain and replace bridges. Council receives \$32.53/m² per annum in grants for the maintenance and construction of timber bridges. Council's grant allocation for 2020/2021 totals \$156,043 in respect of bridges. The grant monies received per annum relating to Bridge 9997 is \$1,649.

The cost to place the bridge deck on new abutments is estimated to be \$132,440, equating to approximately \$2,380/m².

7 RISK ISSUES

Council has taken responsibility for the bridge since 2008 and places itself at risk if it does not maintain the structure an acceptable standard.

8 CONSULTATION WITH STATE GOVERNMENT

N/a

9 COMMUNITY CONSULTATION

N/a

10 OPTIONS FOR COUNCIL TO CONSIDER

Council can continue to maintain the bridge and receive grant funding or cease responsibility for the bridge and relinquish the grant funding.

11 OFFICER'S COMMENTS/CONCLUSION

The bridge to the former Longford Baptist Church camping grounds was constructed on a private access, and not a Council maintained road, by the DMR in 1972. At the time of transfer it was not considered to be the responsibility of Meander

Valley Council.

There are a number of regular users of the bridge, i.e. Forestry, Fire Brigade, Wilderness Society, Parks and Wildlife, the private landowner, as well as users of the walking track.

In accordance with Council's 2008 decision, the Northern Midlands Council provided a contribution of \$10,000 toward the maintenance of the bridge across the Liffey River on the private access to the then Baptist Church grounds and assumed responsibility for the maintenance of the new structure, the bridge was subsequently added to the list of bridges for which Council receives grant funding.

It is proposed that the concrete bridge deck removed from the Pisa Bridge on Macquarie Road be repurposed to replace the existing timber deck and form the 'new' concrete deck of this bridge. The deck has already been relocated from Macquarie Road and has been placed on site at Gulf Road.

12 ATTACHMENTS

N/a

RECOMMENDATION

That Council

- i) receive the report;
- ii) replace the existing abutments, remove the timber bridge deck and replace with the concrete bridge deck removed from the Pisa Bridge; and
- iii) continue to receive funds and maintain Bridge No. 9997 over the Liffey River providing access to the privately owned property (formerly the Longford Baptist Church grounds).

DECISION

Cr Goninon/Cr Brooks

That a decision be deferred to the next meeting to establish Council's responsibilities and alternative solutions (including timber).

Carried unanimously

191/21 TASNETWORKS – PRUNING OR REMOVAL OF TREES: HIGH STREET CAMPBELL TOWN

Responsible Officer: Leigh McCullagh, Works Manager

Report prepared by: Leigh McCullagh, Works Manager

1 PURPOSE OF REPORT

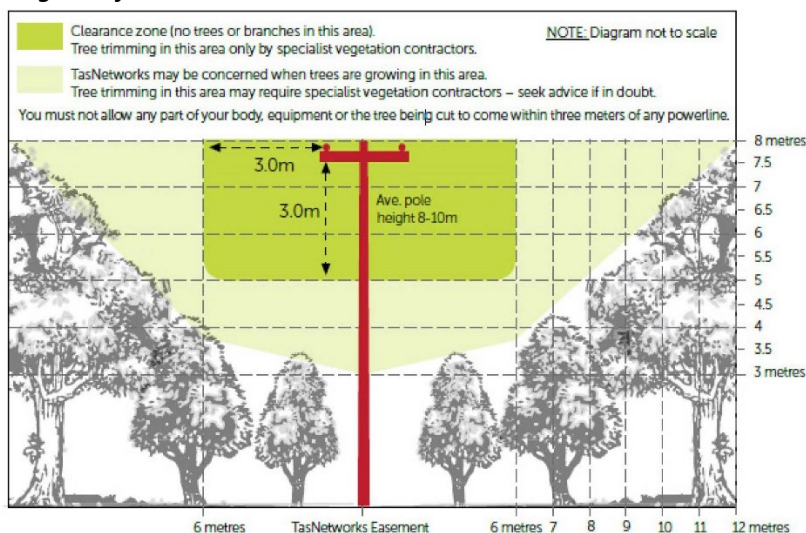
The purpose of this report is to seek Councils direction in relation to the proposal to removal or pruning of the elm and plane trees in High Street Campbell Town to comply with TasNetworks requirements.

2 INTRODUCTION/BACKGROUND

TasNetworks has again commenced with pruning operations in Campbell Town to maintain the growth of vegetation within clearance zones. Council has no jurisdiction over the works undertaken by TasNetworks to maintain these clearance zones.

TasNetworks and the Department of State Growth require trees to be pruned to prevent limbs encroaching on the road pavement running lane and entering the TasNetworks powerlines clearance zones.

Diagram of TasNetworks Clearance Zones



Trees impeding traffic movement



The following are examples of trees pruned previously by TasNetworks:



Tree recently pruned by TasNetworks

Trees proposed to be removed



Examples of trees that have been pollarded



Council has a choice to have the trees pollarded or have them totally removed, should Council opt to have them totally removed Council will incur the cost of removal of the trunks and stumps from the site.

It is proposed that Council remove the trees and replace them with garden beds similar to the garden beds photographed below.



In addition, to compensate for the loss of these trees, Council could place an avenue of trees in the Blackburn Park south area (overnight camping site), this would provide shade trees for campers.

It should be noted

- tree clearances are looked at differently from urban to rural and from state to state.
- urban areas have a risk assessment, look at hard areas under trees (e.g. concrete, asphalt) areas of no or little vegetation, etc.
- every state looks at trees differently, in some states the councils/shires have agreements with power utilities and councils/shires maintain their own trees at the cost of the council/shire.
- there is flexibility in Tasmania for councils to manage the trees, this is at the cost of the council.
- councils can also request and fund the redesign of the network, again at the cost of council.
- Tas Networks has spent \$50,000 on trimming trees in the Ross and Campbell Town area this year.
- Campbell Town is classified as rural and thus vegetation is cut to a greater distance than that of trees in urban areas, with pruning occurring biennially.
- Pruning occurs in urban areas more often, on an annual basis.

3 STRATEGIC PLAN 2007/2017

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

- Lead –
 - Leaders with Impact
Core Strategies:
 - ♦ Communicate – Connect with the community
 - Money Matters
Core Strategies:
 - ♦ Improve community assets responsibly and sustainably
 - Workforce Standards
Core Strategies:
 - ♦ Workplace Health & Safety is fully compliant
- Progress –
 - Strategic Project Delivery – Build Capacity for a Healthy Wealthy Future
Core Strategies:
 - ♦ Strategic, sustainable, infrastructure is progressive
 - Economic Development – Supporting Growth & Changes
 - ♦ Towns are enviable places to visit, live & work
- People –
 - Sense of Place – Sustain, Protect, Progress
Core Strategies:

- ♦ Public assets meet future lifestyle challenges
- Lifestyle – Strong, Vibrant, Safe and Connected Communities
Core Strategies:
 - ♦ Participate – Communities engage in future planning
- Place –
 - Environment – Cherish & Sustain our Landscapes
Core Strategies:
 - ♦ Cherish & sustain our landscapes
 - ♦ Meet environmental challenges

4 POLICY IMPLICATIONS

N/A

5 STATUTORY REQUIREMENTS

No permit is required for TasNetworks to undertake maintenance.

6 FINANCIAL IMPLICATIONS

Council has a choice to have the trees pollarded or have them totally removed.

Should Council opt to have them totally removed and replaced with garden beds:

- TasNetworks will remove the bulk of the tree, with the removal of stumps being Council's responsibility – cost to Council –
cost estimate is \$2,500.
- replacement garden beds x3 – estimate \$2,400 per garden bed
cost estimate \$7,200.

In addition, to compensate for the loss of these trees, Council could plant an avenue of trees in the Blackburn Park south area (overnight camping site), this would provide shade trees for campers –

Cost estimate 20 advanced trees at approximately \$11,000 (funds could be expended from the street tree budget).

It should be noted that TasNetworks has spent \$50,000 on trimming trees in the Ross and Campbell Town area this year.

7 RISK ISSUES

The following risk factors should be noted:

- heavy pruning and pollarding of trees results in poor tree condition
- the trees would not reflect the true habit of this species as the canopy is compromised by the pruning.
- the installation of TasWater infrastructure is likely to disturb existing tree roots and may lessen the structural stability of the trees.
- Campbell Town is considered to be a dry, windy area during summer therefore high risk.

In urban areas a risk assessment includes consideration of the hard areas under trees (e.g., concrete, asphalt) areas of no or little vegetation. Campbell Town is classified as rural and thus vegetation is cut biennially to a greater distance than that of trees in urban areas, trees in urban areas are pruned annually.

8 CONSULTATION WITH STATE GOVERNMENT

On this occasion, consultation has not been undertaken with the State Government.

9 COMMUNITY CONSULTATION

This matter was raised at the 4 May 2021 meeting of the Campbell Town District Forum.

Council officers held discussions and have explored options with TasNetworks.

10 OPTIONS FOR COUNCIL TO CONSIDER

Council can **support or not support** the proposals to:

- have the trees totally removed, including removal of the trunks and stumps from the site;
- install garden beds;
- plant an avenue of approximately 20 trees in the Blackburn Park south area (overnight camping site).

11 OFFICER'S COMMENTS/CONCLUSION

The heavy pruning and pollarding of trees is not desirable as trees in general do not maintain good condition and do not reflect the true habit of the tree species as the canopy is compromised.

Council has a choice to have the trees pollarded or have them totally removed, should Council opt to have them totally removed the cost of removal of the trunks and stumps from the site will be incurred by Council.

It is recommended that Council:

- agree to the removal of the elm and plane trees on High Street (between Montagu and Edgar streets) Campbell Town and replace them with garden beds similar to the garden beds at Perth.
- plant additional trees in the Blackburn Park south area (overnight camping site).

12 ATTACHMENTS

Powerpoint Presentation

Plan of Blackburn Park south

RECOMMENDATION

That Council supports/ does not support the proposal

- i) for TasNetworks to remove the elm and plane trees beneath the powerlines in High Street (between Montagu and Edgar streets) Campbell Town; and
- ii) to install garden beds in the area where trees have been removed; and
- ii) to plant additional trees in the Blackburn Park south area (overnight camping site).

DECISION

Cr Adams/Cr Davis

That Council support the proposal

- i) for TasNetworks to remove the elm and plane trees beneath the powerlines in High Street (between Montagu and Edgar streets) Campbell Town; and
- ii) to install garden beds in the area where trees have been removed; and
- iii) to plant additional trees in the Blackburn Park south area (overnight camping site); and
- iv) enter into discussion with the Minister to seek clarification on the new policy; and to place on the agenda the installation of underground power in historic villages and towns.

Carried unanimously



NORTHERN MIDLANDS COUNCIL
MINUTES – ORDINARY MEETING
17 MAY 2021

192/21 ITEMS FOR THE CLOSED MEETING

DECISION

Cr Goninon/Cr Lambert

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

Carried unanimously

**193/21 INFORMATION OF A PERSONAL AND CONFIDENTIAL NATURE OR
INFORMATION PROVIDED TO THE COUNCIL ON THE CONDITION
IT IS KEPT CONFIDENTIAL**

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

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**194/21 CONFIRMATION OF CLOSED COUNCIL MINUTES:
ORDINARY & SPECIAL COUNCIL MEETINGS**

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

195/21 APPLICATIONS BY COUNCILLORS FOR LEAVE OF ABSENCE

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

196/21(1) PERSONNEL MATTERS

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

**196/21(2) INFORMATION OF A PERSONAL AND CONFIDENTIAL NATURE OR
INFORMATION PROVIDED TO THE COUNCIL ON THE CONDITION
IT IS KEPT CONFIDENTIAL**

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

Management Meetings

**196/21(3) MATTERS RELATING TO ACTUAL OR POSSIBLE LITIGATION TAKEN,
OR TO BE TAKEN, BY OR INVOLVING THE COUNCIL OR AN EMPLOYEE
OF THE COUNCIL**

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

Correspondence Received

**196/21(4) INFORMATION OF A PERSONAL AND CONFIDENTIAL NATURE OR
INFORMATION PROVIDED TO THE COUNCIL ON THE CONDITION
IT IS KEPT CONFIDENTIAL**

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

Action Items – Status Report



NORTHERN MIDLANDS COUNCIL

MINUTES – ORDINARY MEETING

17 MAY 2021

196/21(5) MATTERS RELATING TO ACTUAL OR POSSIBLE LITIGATION TAKEN, OR TO BE TAKEN, BY OR INVOLVING THE COUNCIL OR AN EMPLOYEE OF THE COUNCIL

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

Compliance matter

196/21(6) LAND ISSUES / PROPERTY REVIEW

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

DECISION

Cr Davis/Cr Goninon

That Council, in relation to ITEM CON 4 (6),

- A) receive the information and add to the "Register of Public Land" under section 177A of the *Local Government Act 1993*
- i) Lot 3, 36 Norfolk Street, Perth; SP180498 dated 21/10/2020 being 3,702m²
 - ii) Lot 9, 10 Norfolk Street, Perth; SP (not yet registered) dated 3/5/2021 being 2.523ha
 - iii) note that Lots 1 and 2 (32-34) Norfolk Street and Lots 1 to 8 of 10 Norfolk Street, Perth are not included on the "Register of Public Land" under section 177A of the *Local Government Act 1993*;
- and
- B) i) considered whether any discussion, decision, report or document is kept confidential or released to the public.
- ii) determined **only to release** the decision in relation to ITEM CON 4 (6) to the public.

Carried unanimously

196/21(7) INFORMATION OF A PERSONAL AND CONFIDENTIAL NATURE OR INFORMATION PROVIDED TO THE COUNCIL ON THE CONDITION IT IS KEPT CONFIDENTIAL

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

Complaint

196/21(8) INFORMATION OF A PERSONAL AND CONFIDENTIAL NATURE OR INFORMATION PROVIDED TO THE COUNCIL ON THE CONDITION IT IS KEPT CONFIDENTIAL

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

Additional Information - Kennel Licence Application

196/21(9) INFORMATION OF A PERSONAL AND CONFIDENTIAL NATURE OR INFORMATION PROVIDED TO THE COUNCIL ON THE CONDITION IT IS KEPT CONFIDENTIAL

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

Additional Information - Kennel Licence Application

196/21(10) INFORMATION OF A PERSONAL AND CONFIDENTIAL NATURE OR INFORMATION PROVIDED TO THE COUNCIL ON THE CONDITION IT IS KEPT CONFIDENTIAL

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

Compliance matter



NORTHERN MIDLANDS COUNCIL
MINUTES – ORDINARY MEETING
17 MAY 2021

**197/21 RELEASE OF CRESSY STORMWATER SYSTEM FLOOD AND RISK STUDY FOR
PLANNING APPEAL 42-21P – 7 CHURCH STREET, CRESSY**

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

DECISION

Cr Davis/Cr Adams

That Council

- A) i) adopt; and
- ii) release the Cressy Stormwater System Flood & Risk Study, Hydrodynamica, 24/4/2020
- B) in relation to this matter:
 - i) considered whether any discussion, decision, report or document is kept confidential or released to the public; and
 - ii) determined **to release** the decision (and the document referred to in the decision) to the public.

Carried unanimously

**198/21 PROPOSALS FOR THE COUNCIL TO ACQUIRE LAND OR AN INTEREST IN LAND
OR FOR THE DISPOSAL OF LAND**

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

Road Reserve

**199/21 INFORMATION OF A PERSONAL AND CONFIDENTIAL NATURE OR
INFORMATION PROVIDED TO THE COUNCIL ON THE CONDITION
IT IS KEPT CONFIDENTIAL**

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

Lease Agreement

**200/21 INFORMATION OF A PERSONAL AND CONFIDENTIAL NATURE OR
INFORMATION PROVIDED TO THE COUNCIL ON THE CONDITION
IT IS KEPT CONFIDENTIAL**

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

LGAT General Management Committee Election

DECISION

Cr Goninon/Cr Adams

That Council move out of the closed meeting.

Carried unanimously

Mayor Knowles closed the meeting at 8.03pm.

MAYOR _____

DATE _____