



**NORTHERN
MIDLANDS
COUNCIL**

AGENDA

ORDINARY MEETING OF COUNCIL

MONDAY, 26 SEPTEMBER 2022

IN PERSON ONLY

Des Jennings
GENERAL MANAGER



QUALIFIED PERSONS ADVICE

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

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

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

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

MEETING CONDUCT

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

RECORDING OF COUNCIL MEETINGS

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

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

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

Council's Policy includes the following provisions:

- only applies to formal Council meetings (ordinary meetings, special meetings and Annual General meetings);
- does not apply to closed sessions of Council;
- does not apply to Committees of Council;
- the recording will not replace written minutes and a transcript of the recording will not be prepared;
- the recording may be used by Council staff to assist with the preparation of the minutes and by Council during a subsequent meeting within the period that the recording is retained;
- the minutes of a meeting, once confirmed, prevail over the audio recording of the meeting;
- the recording of a Council meeting published on the Council website will be removed from the website after a period of 6 months;
- the official copy of the recording of a Council meeting is to be retained by Council for at least a period of 6 months from the date of a meeting and deleted after that period has expired;
- if requested, a recording of a Council meeting to be available to Councillors at no cost within 24 hours of the meeting;
- notices advising that
 - the proceedings of the meeting are to be audio recorded; and
 - the detail relating to the recording of meetings by members of the public;are to be on display at each meeting.

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

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

The Recordings may not be uploaded, displayed, transcribed and/or reproduced without the written permission of the General Manager for the express purpose proposed.

The Northern Midlands Council reserves the right to revoke such permission at any time. Apart from uses permitted under the Copyright Act 1968, all other rights are reserved.

Requests for authorisations, including authorisations for the use of recordings, should be directed to the General Manager, 13 Smith Street, Longford TAS 7301.

Des Jennings
GENERAL MANAGER



GUIDELINES FOR COUNCIL MEETINGS

PUBLIC ATTENDANCE DURING THE COVID-19 DISEASE EMERGENCY DECLARATION

Public Attendance Meeting Guidelines during the COVID-19 Disease Emergency

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

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 prior to 5.00pm and between 6.30pm to 6.40pm. Public Question Time commences at 6.45pm.

Members of the public who would prefer not to attend the meeting, but would like to ask a question or make a representation to the Council that would normally be heard during Public Question Time, may forward their question/representation to council@nmc.tas.gov.au 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 (in accordance with Council's Meeting Procedures Policy).

PUBLIC QUESTIONS AND STATEMENTS

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

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

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

REPRESENTATIONS ON PLANNING ITEMS

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

Each speaker is limited to a maximum of 3 minutes.

PETITIONS

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



NOTICE IS HEREBY GIVEN THAT THE NEXT MEETING OF THE NORTHERN MIDLANDS COUNCIL WILL BE HELD ON MONDAY, 26 SEPTEMBER 2022 AT 5.00 PM AT THE COUNCIL CHAMBERS, 13 SMITH STREET, LONGFORD


DES JENNINGS
GENERAL MANAGER
14 SEPTEMBER 2022

4.00pm	Councillor Workshop – closed to the public
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1.1 ATTENDANCE

PRESENT

In Attendance:

APOLOGIES



1.2 COMMEMORATION OF HER MAJESTY QUEEN ELIZABETH II

Councillors, staff and attendees invited to stand for a minute of silence to respect and mark the demise of Her Majesty Queen Elizabeth II.

Attendees then to be invited to sign the condolence book.

A rendition of 'God Save the Queen' to be played in the Council Chambers.

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3 ACKNOWLEDGEMENT OF COUNTRY

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

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

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

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

RECOMMENDATION

Council resolved to accept the following Declarations of Interest:

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

5 PROCEDURAL

5.1 CONFIRMATION OF COUNCIL MEETING MINUTES

5.1.1 Confirmation Of Minutes: Ordinary Council Meeting

RECOMMENDATION

That the Open Council Minutes of the Ordinary Meeting of the Northern Midlands Council held at the Council Chambers, Longford on Monday, 15 August 2022, be confirmed as a true record of proceedings.

5.2 DATE OF NEXT COUNCIL MEETING

Mayor Knowles advised that the next Ordinary Council Meeting of the Northern Midlands Council would be held at 5.00pm on Monday, 17 October 2022 in person only.



6 COUNCIL COMMITTEES - CONFIRMATION OF MINUTES

Minutes of meetings of the following Committees are attached:

Date	Committee	Meeting
27 July 2022	Cressy Local District Committee	Ordinary
9 August 2022	Liffey Hall Management Committee	Ordinary
9 August 2022	Liffey Hall Management Committee	AGM
3 August 2022	Longford Local District Committee	Ordinary
30 August 2022	Local Recycling Committee	Ordinary
6 September 2022	Campbell Town District Forum	Ordinary
6 September 2022	Ross Local District Committee	Ordinary
7 September 2022	Longford Local District Committee	Ordinary
6 September 2022	Perth Local District Committee	Ordinary

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

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

DECISION

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



7 COUNCIL COMMITTEES - RECOMMENDATIONS

7.1 CAMPBELL TOWN DISTRICT FORUM

At the ordinary meeting of the Campbell Town District Forum held on 6 September 2022 the following motion/s were recorded for Council's consideration:

King Street Reserve: *That representatives from the Campbell Town District Forum be invited by Council to participate in discussions regarding the King Street Oval Development.*

Officer Comment:

Members had previously requested an update regarding the King Street Reserve and there was agreement that this reserve was underutilised.

The need for a Community Centre in Campbell Town was identified after enquiries were made to Forum Members from NGO's who were looking for a suitable, safe space, to offer services to the community such as legal/financial advice and community advocacy services and the like.

King Street Reserve includes the Guides Hall and a large open space (oval), and Forum members advised that the community would benefit greatly from this site becoming a Community Centre, offering children's activities (particularly before and after school and during school holidays), a pump track, water activities such as kayaking, outdoor fitness and other community wellness related activities.

This site also offers options for family interactions and activities such as picnicking which is community focused as opposed to visitor focused such as Valentines Park.

Officer Recommendation:

That Council engages with Campbell Town District Forum at the appropriate stage regarding any proposed development of the King Street Reserve.



Community Safety – Police Presence in Campbell Town: *That Council lobby Tas Police to increase their presence within the Campbell Town community.*

Officer Comment:

Forum members described vehicles conducting burnouts in residential streets during the day and reported concern for community safety particularly the elderly and children. One elderly community member expressed concern that a vehicle may crash into her residence after one was behaving erratically and swerved close to her fence.

Members advised that reports have been made to police however residents are seldom able to provide the information required such as vehicle registration, make and/or model. Campbell Town does not have a 24-hour Police Station and community members have expressed concern that these activities are escalating as the police presence is limited and are requesting assistance from Council to lobby for an increased presence in the Campbell Town Community.

Officer Recommendation:

That Council officers contact Tasmania Police to discuss the Campbell Town community concerns before formally lobbying for an increased police presence.

7.2 LONGFORD LOCAL DISTRICT COMMITTEE

At the ordinary meeting of the Longford Local District Committee held on 7 September 2022 the following motion/s were recorded for Council's consideration:

Traffic Study - Wellington and Marlborough Streets: *That NMC to consider a study on vehicle numbers and speed of vehicles through Wellington and Marlborough Streets Motion*

Officer Comment:

Longford has experienced significant growth in recent years as demonstrated by the 2021 Census data which showed a population increase of 413 people and 291 additional private dwellings to 2148, now located in the Longford area. Further, the data indicates that each dwelling has on average 2 motor vehicles. It is suggested that there are potentially up to 4296 private motor vehicles traversing the streets of Longford on any given day and the census data supports this. What is does not show is the volume of other vehicles such as heavy haulage and visitor transport.

Marlborough Street is a State Growth roads and as such, permission would need to be obtained before Council could undertake a traffic count.

State Growth regularly monitors its roads for traffic volume, to understand current travel patterns allowing planning and management of future changes in traffic volumes and travel routes. This information is also available for the Council to utilise.

Officer Recommendation:

That Council note the request and continue to monitor the traffic flow when required.



Disability Access and Inclusion: *NMC to investigate and replace the poorly adherent vision impaired dots placed in some of our footpaths' Motion.*

Officer Comment:

Tactile Ground Surface Indicators (TGSIs) assist persons with a temporary, permanent, full or partial vision-impairment to negotiate a built environment.

According to Australian & New Zealand Standard AS/NZS 1428.2009 Design for Access and Mobility Part 4.1 – Means to Assist the Orientation of People with Vision Impairment – TGSIs, TGSIs should be used at a 'minimum' in the following situations (7):

- Stairs and Stair landings
- Escalators & Travellators
- Pedestrian Ramps (not premises threshold ramps)
- Overhead Hazards (including potential obstructions wall protruding fixtures)
- Carriageways without kerbs – (i.e, that intersect at the same grade)
- Railway, Tramway and Light Rail Pedestrian –
- (Waiting platforms and level crossings)
- Waterbodies - (wharves, lakes, and ponds accessible by pedestrians)

TSGI's like any other built for, become worn with time and require maintenance/replacement, particularly when exposed to the elements.

Officer Recommendation:

That Council Officers investigate the condition of Tactile Ground Surface Indicators (TGSIs) installed throughout the municipality and schedule required maintenance or replacement accordingly.

Toilets at Mill Dam: *That NMC consider replacing current toilets at Mill Dam in future budget.*

Officer Comment:

Public toilets are recognised as essential public infrastructure for everyday living and support people's movement, social and physical activities. They support recreational activities, tourism, the local economy, and overall economic growth. They are often combined with other facilities such as information booths, showers, and cafes, and are usually equitably distributed.

Mill Dam recreation area is open at 8.00am to 6.00pm daily from November to April, where visitors will find composting toilets. Accessible via a walkway near the Boat Ramp at the end of Union Street, some picnic tables are also located on the site.

The Mill Dam area is subject to flooding, especially during the winter months so this is the period when the area is closed (typically from April to November) however, this is also subject to weather, ground conditions and health regulations.

The public expects the Northern Midlands Council to provide and deliver public toilets that are clean and well maintained. Aging infrastructure can give rise to the impression of being poorly maintained.

Officer Recommendation:

That Council investigate the replacement of the Mill Dam toilets with a view to making provision in future budgets.

Wellington & Marlborough Streets Intersection (Sticky Beaks)-waiting on Council: *That LLDC request NMC to place a stop sign at William & Wellington Streets where they join Marlborough St, instead of current give way sign.*



Officer Comment:

The intersection of Wellington and Marlborough Streets, commonly known as Sticky Beaks corner, is an area where congestion can occur and committee members felt that by replacing the give way sign with a stop sign, this may alleviate issues such as hesitation, providing clarity to drivers to stop, before proceeding through the intersection.

Given both that Wellington and Marlborough Streets are both State Growth Roads, permission will need to be sought before this can occur.

Officer Recommendation:

That that Council approach State Growth regarding the benefits of installing a stop sign and install the sign if State Growth are agreeable.

7.3 ROSS LOCAL DISTRICT COMMITTEE

At the ordinary meeting of the Ross Local District Committee held on 6 September 2022 the following motion/s were recorded for Council's consideration:

Bus Parking Sign for School Bus Area: *The Ross Local District Committee has discussed the State Growth proposal to establish a Bus Parking Zone outside the Ross Post Office.*

Apart from the Bus Zone outside the Town Hall, Ross currently doesn't have poles with parking restriction signs, and the proposal to erect two poles and install road marking outside one of the most iconic, photogenic, heritage buildings in the Ross Heritage Precinct is not supported.

Officer Comment:

Discussion was held regarding the correspondence received from State Growth and Northern Midlands Council regarding signage for the morning pick up area for the Redline school bus.

The Ross Local District Committee does not support the installation of a "buses only between 7:00 – 7:30am" sign being installed outside the historic Ross Post Office. It was noted that there are no other parking advisory signs in the main heritage precinct in Ross.

Committee members considered alternative locations however, it was felt that attendance from a State Growth representative and the Engineering Officer at the next RLDC meeting in October would be beneficial to progress this discussion and encourage State Growth to consider an alternative arrangement.

Officer Recommendation:

That Council the bus parking sign for the school bus installed outside the Ross Post Office be investigated and a report provided back to Council.



7.4 PERTH LOCAL DISTRICT COMMITTEE

At the ordinary meeting of the Perth Local District Committee held on 6 September 2022 the following motion/s were recorded for Council's consideration:

Shade at Playgrounds: *The committee requested shade be provided in Perth playgrounds commensurate with sun smart policies. The policy of "trees only" to provide shade is not adequate especially in new playgrounds i.e. Seccombe Street Playground as trees take years to provide sufficient shade. We request that this matter be reconsidered.*

Officer Comment:

In regard to this motion, the PLDC submitted the following motion in August 2022:

Committee Motions to Council re Operational Matters:

- 1) *For clarification of the definition of shade and shade structures/sails in Seccombe St playground and Train Park.*
- 2) *...*

The following was the decision of Council at that time:

[That Council note the requests and action taken; and provide a response to the Committee.](#)

Subsequently Council officer's provided the following advice to the Chair:

No shade or shade structures are planned. Trees were planted at Seccombe Street for shade, may need more to be planted.

Train Park - the new play area will have a fair bit of shade in itself.

Officer Recommendation:

That Council review the adequacy of shade provision at each of the playgrounds within the municipality; and consideration be given in future budgets to remedy any deficiencies identified.



8 INFORMATION ITEMS

8.1 COUNCIL WORKSHOPS/MEETINGS HELD SINCE THE LAST ORDINARY MEETING

Responsible Officer: Des Jennings, General Manager

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

Date Held	Purpose of Workshop
5 September 2022	Council Workshop Presentations <ul style="list-style-type: none"> IT Solutions: DocAssembler & Docs On Tap @ 5:15PM 4 Stormwater System Management Plan Flood Modelling / Mapping Discussion included: <ul style="list-style-type: none"> Compliance & legal matters Crown Land Licence TRANSlink
26 September 2022	Council Workshop Discussion: <ul style="list-style-type: none"> Council Meeting Agenda items
26 September 2022	Council Meeting

8.2 MAYOR'S ACTIVITIES ATTENDED & PLANNED

Mayor's Activities Attended & Planned for the period 16th August to 19th September 2022 are as follows:

Date	Activity
16 August 2022	Attended Greater Launceston Plan Review Project meeting, Longford
16 August 2022	Attended ALGWA Australian Local Government Womens Association Candidate Information Session, Longford
22 August 2022	ABC Radio Monday Mayor interview, Gipps Creek
23 August 2022	Officiated Ross Village Green Official Opening
23 August 2022	Officiated Longford Sports Centre Official Opening
24 August 2022	Attended Official AGFEST Opening, Carrick
27 August 2022	Attended Longford Grand Prix media event, Entally House, Hadspen
29 August 2022	Attended Helping Hand AGM, Riverlands, Longford
30 August 2022	Attended Recycling meeting, Longford
31 Aug – 2 Sept	Attended SEGRA Sustainable Economic Growth for Regional Australia Conference, Devonport
5 Sept 2022	Attended NMC Workshop, Longford
8 Sept 2022	Attended Queen's Birthday Investiture, Government House, Hobart
9 Sept 2022	Attended ALGWA AGM online, Gipps Creek
10 Sept 2022	Attended NTFA Grand Final President's Luncheon, Aurora Stadium, Launceston
11 Sept 2022	Attended Joey Scout State Event, Campbell Town
12 Sept 2022	Attended Red Cross meeting. Longford
14 Sept 2022	Attended Cressy District High School Inspiring Futures Charter Signing, Cressy
15 Sept 2022	Attended LGAT Dinner function, Devonport
16 Sept 2022	Attended LGAT General Meeting, Devonport
19 Sept 2022	Attended NMC Workshop and Council Meeting
	Attended to email, phone, and mail enquiries.



8.3 GENERAL MANAGER'S ACTIVITIES

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

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

- Met with Local Government Minister, Nic Street
- Met with Ross resident re concerns
- Met with Perth Local District Committee Chair
- Met with project coordinators re the Greater Launceston Plan Review Project
- Met with representatives of Evandale Light Rail and Steam Society Inc.
- Met with Pitt & Sherry re TRANSLink Intermodal Facility
- Attended the Official Opening of the Ross Village Green
- Attended the Official Opening of the extension to the Northern Midlands Sports Centre at Longford
- Met with Cr Adams and TasRail representative re Longford Bridge replica column project
- Met with proponent re development proposals
- Met with Agents appointed to market and sell the Campbell Town town hall

8.4 PETITIONS

PURPOSE OF REPORT

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

OFFICER'S COMMENT

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

Section 57. Petitions

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

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

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

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

(3) In this section –

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

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

petition means a paper petition or electronic petition;

signatory means –

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

58. Tabling petition

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

(a)

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

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

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

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

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



PETITIONS

No petitions received.

ATTACHMENTS

Nil

8.5 CONFERENCES & SEMINARS: REPORT ON ATTENDANCE BY COUNCIL DELEGATES

The following report was filed by Mayor Mary Knowles OAM.

SEGRA (Sustainable Economic Growth for Regional Australia) Conference

The Conference was held in Devonport 31 August to 2 September 2022.

On Wednesday evening I attended Todd Babiak's presentation 'Storytelling your Brand' outlining questions that can be asked as to why your region, your place, your story is unique and special, different to anywhere else.

Thursday morning was opened by Mayor Rockliff before Sheree Vertigan, Cradle Coast Authority, spoke about the multi-million-dollar upgrade of Devonport City and the social, emotional well-being, environmental and economic benefits already achieved.

Minister Felix Ellis MP, Minister for Police, Fire and Emergency Management, Resources, and Skills, Training and Workforce Growth, spoke of broader challenges regarding interaction with the private sector as we all need to work together.

Matthew Atkins, Devonport City Council spoke of the Living City Initiative and Todd Babiak gave another inspiring presentation about what it means to be Tasmanian.

FRRR's (Foundation for Rural and Regional Renewal) Natalie Egleton spoke about the impacts of disasters and how communities can contribute to sustained adaptation, particularly volunteers who are the lifeblood of rural communities. FRRR funding has supported well-being activities during lock-down, drought, fire and flood with an aim to reinvigorate volunteering into the future.

Ian Aitkin, Growth Endeavours Blockchain, encouraged putting people in control of regional infrastructure, the use of crypto currency and the possible future in technology as it advances.

Ashley Brand, Constructive Energy, talked about how regions prepare for and respond to disasters both in an ecological and engineering sense. We need to redefine critical infrastructure in an engineering, natural and social sense as climate change has already risen the temperature by 1 degree since 2000. Is one in 100 enough? The ability to ensure clean water, fresh air, sustain healthy organisms, provide shelter and fibre, energy and more resilient, functional infrastructure is critical. 'What if you can no longer get concrete, steel etc? Stop polluting, purchasing what you don't need, excess packaging, wasting food. Well-being Budgets are essential for all level of government and business.

Dr Peter Ghin, University of Melbourne, explored the benefits of metro-regional migration for regional communities as more highly qualified younger people take their jobs with them, establish new businesses and create jobs growth and a high degree of satisfaction.

Dr Hazel MacTavish-West, Seedlab Tasmania, outlined how her company helped start-up agri-business to become export ready.

The concurrent sessions I attended included:

Jenny Donovan, Cradle Coast Authority, spoke of post disaster planning and urban design to cultivate recovery once communities lose what they once took for granted. The higher cost of living and rebuilding while dealing with personal and communal loss and loss of a lifetime of achievements will echo through lives, even generations. The stakes are high, and experts can get it wrong. Communities are built of the sum of lives and generations of work. Designing to heal needs to include hope and a sense of cooperation, a shared direction for the future while respecting the emotional journey.

James McKee, City of Launceston, summarized the Launceston City Deal creating a destiny for Launceston and surrounds.

Deanna Hutchinson, Cradle Coast Authority outlined how the Cradle Coast (9 councils, 112,765 people, 6.6% unemployment, loss of manufacturing) is paving the way to new economic futures, the relationship between innovation and development and using rural algorithms, as not all places are equal. Think differently about assets, 'get on the bus' with wind farm renewable energy projects and exploit the opportunities.

Owen Tilbury, Great Regional City Challenge, asked 'Can we do this differently?' CLIP (Community Led Impact Partnerships) enabled the Ravenswood community to propose 22 projects with 7 Action Groups, successful funding of \$1M for better walkways, buses, Policing and community gardens. 35 sponsor supporters and the Greater Launceston Plan overarching the Award-winning project.



A facilitated discussion between the presenters completed the concurrent session.

Rebecca White MP, Tasmanian Labor Leader, told of her experience in the Nugent / Dunalley bushfires in 2013 (25,520ht, 431 properties impacted, 193 dwellings lost, 10,000 / \$42M sheep and livestock losses), supporting locals to move animals and then accepting hay and feed donations onto her property on behalf of the community. Her main message was not to remove support too early, healing takes time, emotional and mental-health recovery takes a long time.

Rear Admiral Steve Gilmore AM, CSC, Dept State Growth, spoke about helping industry to contribute to defence, investing more in capability so we can do more and do it better. Let's cooperate, no time for competition. Across the north the Navy, Ambulance Tasmania, Jayben Group in Cooe, Forager Foods in Scottsdale, the Maritime College are cooperating with Defence Tasmania and State Growth.

Taz and Em, Future Isle, facilitated the SEGRA Challenge, dividing the audience into teams with presentations the next day. Dinner involved a Heritage Rail ride at the Don River Railway

Day 3: Kate Charters, National Steering Committee for Regional Australia, outlined reports which included closure of regional banks, removal of services, social and political unrest and Enquiries by the Productivity Commission. Deregulation was a primary driver for the establishment of SEGRA. Innovation can be long-term and risky. Uni degrees create jobs for those without qualifications in rural areas, social capital improves organisational capital, safe and secure water includes off-grid town water, which is often below standard, 19 minerals are extracted from 350 mines which must be targeted to make less emissions. Eco-tourism and geo-tourism assist recognition of diversity as no two places are the same. Great projects can be stopped by infighting – collaborative partnerships are essential. Telehealth should not mean current other services are removed.

Jim Cavaye, Utas, spoke about the impact of regional universities in regions, the barriers to attending and snackable, stackable learning which is flexible and attractive for all learners.

Natalie Browning, Cooperative Bulk Handling, WA, one of the most inspiring speakers at the conference, talked of sustaining vibrant regional communities and her involvement as a negotiator and driver. People in regional communities are at the heart of regional development which must be value driven, not compliance driven. Natalie spoke of the co-op she assisted in developing, now the biggest in Australia, owning a rail fleet and 4 ports – Geraldton, Kannana, Albany and Esperance with an export value of \$8B. Accommodation is the biggest challenge. 213 organisations are investing \$1.7M in joint ventures in regional WA communities.

Hon Bruce Billson, Australian Small business, and Enterprise Ombudsman, explained his role to advocate, assist, inform and communicate. The frequency of natural disasters is increasing, and they are becoming worse; for every dollar spent on recovery, 97c is after the event. Investing in the success of others vs competing, leads to more resilient, unified communities that work together. Local government is the enabler of small business connectiveness. We need to include disaster planning relationships with the local business community feeding into preparedness. Join the Small Business-Friendly Council Initiative. Mandatory evacuation voids Workers Comp. Factor in pre-deployment of defence services. Look after your mental health.

Dean Cracknell, Town Team Movement, encouraged enabling the 'Doers', the volunteers and community builders when attracting and rethinking people in regions. Now have 108 Teams, n-f-p social enterprises working with local government and business. Don't sit back and winge or be beaten down by the nay-sayers. It's not what you do but how you do it, be inclusive, everyone can do something e.g. picking up the rubbish. The Book of Doing helps people be the best version of themselves.

Sean McGoldrick, TasNetworks, explained Tasmania's role in the energy transition, the NW transmission development covering 400 landowners and creating huge opportunities for regional economic development, 1500 full-time jobs over 30 years and potentially 44,517 flow-on jobs (4% direct, 12% indirect, 84% induced). Skills and training pathways to be transferable, community initiatives can be funded. He spoke about a Youth Panel and broader community involvement. Currently in the middle of the procurement process of this massive engineering project. Please register your business interest in being involved. Additionally, the Marinus Link project is in the middle of the development phase (Dec 2024, then construction).

SEGRA Challenge: My team 'Rezone to Rehome' came second.

Ashley Bland, Constructive Energy, interviewed Ian Ugarte, Australia Housing Initiative. Ian spoke passionately about using existing housing stock to create good housing outcomes – thought provoking interview.

Dr Amanda Cahill, The Next Economy, outlined what regions need on the path to net zero and the changes from fossil fuel to decarbonisation, the role of gas in economic futures. The new Federal Government has encouraged confidence and massive changes in investment already, opportunities are becoming real for green hydrogen, different kinds of mining and processing in Australia, building capacity to build things here and use things here.

Stuart Mitchell, Virtual Tas, delivering a digital future investment data industry project measuring carbon sequestration, carbon storage, high definition arial imagery with TasNetworks / Enzed across the whole state, so that there is a consistent set of data with



the highest degree of accuracy for disaster smart communities. Again, it was stated that 4% of the Federal Budget is focused on disaster management; of that – 96% is spent on recovery and only 4% on preparedness.

Dr Millie Rooney, Australia ReMADE, reimagining the public good for our regions, spoke of neighbourhood sharing, why we do what we do, why we prioritise one thing over another in regard to housing, health care, access to nature, culturally safe spaces, action on climate change. People want to contribute so we need to invest in enabling infrastructure and an invitation to be involved.

Sara Hales, Advanced Air Mobility, spoke about a multi-copter project which combines drone and helicopter augmented lift capabilities able to do emergency services, disaster recovery, passenger transport etc. and will be in Australia by 2026. Currently transport is fossil-fuel powered; this will be electric + possibly hydrogen powered, potentially one fifth the cost - 22 manufacturers involved.

Concurrent Sessions included: Technology in the Regions with Chris Cusack and Sam Marshall, NBN Co, discussing challenges in rural and remote areas, fixed wireless and satellite services, in-home optimisation, indigenous communities, responding to emergencies and the improved connection and investment due to lock-down.

Anna Barwick, PharmOnline, spoke of her business offering online pharmaceutical advice.

Ian Aitken, Growth Endeavours, and his wife are developing communication aids they hope will assist vulnerable people in emergencies. Currently American based, if successful hope to aid Australians.

Again, a facilitated discussion between the presenters completed the concurrent session.

Closing remarks were made by Caroline Robinson, Conference Convenor.

8.6 132 & 337 CERTIFICATES ISSUED

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

S132. Certificate of liabilities

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

S337. Council land information certificate

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

land includes –

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

	No. of Certificates Issued 2022/2023 year												Total 2022/2023 YTD	Total 2021/2022
	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June		
132	77	77											154	995
337	47	35											82	530



8.7 ANIMAL CONTROL

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

Item	Income/Issues 2021/2022		Income/Issues for Aug 2022		Income/Issues 2022/2023	
	No.	\$	No.	\$	No.	\$
Dogs Registered	4,272	109,997	2,170	56,550	3,024	70,967
Dogs Impounded	30	4,302	2	182	3	250
Euthanised	1		-		-	
Re-claimed	25		2		3	
Re-homed/Dogs Home	4		-		-	
New Kennel Applications	19	1,368	1	75	3	225
Renewed Kennel Licences	83	3,652	1	46	82	3,772
Infringement Notices (paid in full)	28	5,142			2	
Legal Action	-		-		-	
Livestock Impounded	-		-		-	
TOTAL		124,461		56,853		75,214

Registration Audit of the Municipality:

Ongoing

Microchips:

0 dogs microchipped.

Attacks:

0 attack

8.8 ENVIRONMENTAL HEALTH SERVICES

Prepared by: Patricia Stanwell, Environmental Health Officer

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

Ensure safe standards of food offered for sale are maintained.

Investigations/ Inspections/ Licences Issued	Prior Years	
	2019/2020	2020/2021
Notifiable Diseases	1	0
Inspection of Food Premises	111	67
Place of Assembly Approvals		1

Actions	2022/2023											
	YTD	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May
Routine Fixed Food Inspections	20 / 208	5	15									
Routine Mobile/Market stall Food Inspections	1	1	1									
Preliminary Site Visits – Licensed Premises	8	8	3									
On-site wastewater Assessments	0	0	0									
Complaints/Enquiries – All Types	10	10	11									
Place of Assembly approvals	0	0	0									
Notifiable Diseases	0	0	0									

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

Inspections are conducted according to a risk-based assessment and cover all aspects of food storage, handling and preparation.

A total of 35 criteria are assessed for either compliance, non-compliance or serious non-compliance.



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

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

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

The following is applicable regarding food business registrations:

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

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

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

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

8.9 CUSTOMER REQUEST RECEIPTS

Operational Area	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Animal Control												
Building & Planning	6	1										
Community Services	4	1										
Corporate Services	3	3										
Governance												
Waste												
Works	29	18										

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

Date	Recipient	Purpose	Amount \$
3-Aug-22	Reptile Rescue	Donation to service	\$1,000.00
3-Aug-22	Campbell Town District High School	Inspiring Positive Futures Program	\$7,272.73
3-Aug-22	Andrew G Upton	Donation - State Rep for Darts Tas Senior Mens Team	\$100.00
17-Aug-22	Lucy Johnston	Aust Inter-schools Championships Equestrian 2022	\$100.00
17-Aug-22	Debbie Mahar	Aust Multi Disability Bowls Champions 2022	\$100.00
		TOTAL	\$8,572.73

8.11 ACTION ITEMS: COUNCIL MINUTES

Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
27/06/2022	9.8	Commonwealth Bank Customer Advocate Visit to the Northern	Awaiting external response	That Council a)...; and b) write to the Commonwealth Bank to ask what their intentions are in relation to the provision of banking services in the Northern	Lorraine Green	04/07/2022 Lorraine Green Letter forwarded to the Commonwealth Bank Customer Advocate on 4 July 2022, seeking advice as to how the information collected during the



Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
		Midlands		Midlands; and c) revisit the conversation relating to the provision of banking services by Bendigo Bank.		Advocate's visit in April 2022 had been applied, and an indication of what the intentions of the Commonwealth Bank are in relation to the future provision of banking services in the Northern Midlands. The issue of revisiting the conversation relating to the provision of banking services by the Bendigo Bank has been referred to the agenda of a forthcoming Council Workshop. 20/07/2022 Lorraine Green A survey of Commonwealth customers is being progressed.
31/01/2022	10.2	Municipal Boundary Adjustment: 101 Pateena Road	Awaiting external response	That Council resolve to request the Director of Local Government in accordance with Section 16 (4A) of the Local Government Act 1993 to initiate a minor municipal boundary adjustment for 101 Pateena Road to be entirely in the Municipality of Meander Valley.	Paul Godier	08/02/2022 Paul Godier Have requested the Spatial Information Specialist at the Department of Natural Resources and Environment to prepare the required maps. 03/03/2022 Paul Godier Spatial Information Specialist provided map on 17 February 2022. Meander Valley Council to consider the request for municipal boundary adjustment at its meeting of 8 March 2022. 25/03/2022 Gail Eacher 8/3/2022 Meander Valley Council agreed to adjustment. Request sent to LG Division 18/3/2022. 04/04/2022 Paul Godier 31 March 2022, the Local Government Division requested consent of new landowner and provision of Municipal Map. Being provided in conjunction with Meander Valley Council. 03/05/2022 Paul Godier Meander Valley Council advised on 1 April 2022 that they will follow up the new ownership and consent. 10/07/2022 Paul Godier Meander Valley Council advised that they have requested the contact details for the new owner from the purchaser's solicitor and followed up. As soon as they have the contact details for the new owner, MVC will make contact to see if they are willing to provide consent for the minor municipal boundary adjustment.
	1.11	17/09/2018 - 258/18 - Initiation of Draft Planning Scheme Amendment 04/2018 include Flood Risk Mapping in the Planning Scheme for Land along Sheepwash Creek from Arthur Street to Cemetery Road, Perth	Completed	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.	Erin Miles	29/09/2021 Harbour Software Support Consultant is validating the modelling. 24/01/2022 Paul Godier Consultant provided updated modelling on 10 January 2022. 03/03/2022 Paul Godier Given that the draft Local Provisions Schedule hearing are expected to be held in July 2022, it is recommended that quotes be sought to prepare a scheme amendment to include the flood mapping once the Local Provisions Schedules are in effect. It is noted that the Flood Prone Areas Code currently applies to land mapped as flood risk on the planning scheme maps, or even if not mapped, if it is potentially subject to flooding at 1% annual exceedance probability. 09/05/2022 Paul Godier Quotes to be sought. 07/06/2022 Paul Godier Quote sought. 10/07/2022 Paul Godier Quote received. Project to be initiated. 09/09/2022 Paul Godier Project initiated.
15/08/2022	7 1.2	CTDF Invitation to Council Works Representative	Completed	Motion: Council Works: That the Council Works Supervisor be asked that, if possible, to attend the next forum meeting on the 2 September 2022 at 9.30am Decision: That Council	Lorraine Wyatt	19/08/2022 Lorraine Wyatt CTDF advised by email and included in the 6 September 2022 Agenda.



Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
				Officers endeavour to attend meetings when available.		
15/08/2022	9.4	Heated Swimming Pool Sign: Cressy	Completed	That Council install large and more prominent "heated pool" signage at each end of the Cressy Swimming Pool.	Amanda Bond, Trent Atkinson	23/08/2022 Amanda Bond Project Officer notified on 23 August 2022 to action as part of redevelopment works at the Pool. 09/09/2022 Trent Atkinson Signage to be designed and installed when Stage 2 works are nearing completion
27/06/2022	7 4.2	Historic Interpretive Panels	Completed	That the committees request be noted.	Fiona Dewar, Gail Eachar	05/07/2022 Fiona Dewar noted 08/07/2022 Gail Eachar Noted.
21/02/2022	10.4	Inadequate Provision in the Planning Scheme to Cater for Itinerant Worker Accommodation with Appropriate Amenities and in Accordance with Federal Government Requirements	Completed	That Council 1) identify seasonal worker accommodation as an issue for the review of the State Planning Provisions; and 2) submit a Proposal for Change to the National Construction Code to require appropriate living conditions in accordance with modern expectations.	Paul Godier	03/03/2022 Paul Godier Planning Issues - Awaiting advice of review of State Planning Provisions. Building Issues - Preparing a Proposal for Change to the National Construction Code. Identifying who can undertake queuing modelling to support a recommended number of toilets and showers per person. 04/04/2022 Paul Godier Tasmanian State Planning Office advised of Local Government Engagement Timeline. 21/06/2022 Paul Godier Recommended submission to review of State Planning Provisions to include standards for seasonal worker accommodation to be presented to Council meeting of 27 June 2022. 10/07/2022 Paul Godier Submission to review of State Planning Provisions to be made by 29 July 2022 in accordance with Minutes of June meeting.
18/07/2022	9.3	Kennel Licence Application: 310 Perth Mill Road, Perth	Completed	That the matter be deferred to a workshop for discussion; and a decision on the kennel licence application be deferred to a future Council meeting.	Maria Ortiz Rodriguez	25/07/2022 Maria Ortiz Rodriguez Listed for Council workshop discussion 1/08/2022 09/08/2022 Gail Eachar Report to August Council meeting.
15/08/2022	9.1	Kennel Licence Application: 310 Perth Mill Road, Perth	Completed	That Council i) issue a kennel licence to keep no more than 12 Labradoodles at 310 Perth Mill Road, Perth, and ii) place an expiry date of 30 June 2023 upon the licence with the specific conditions ...	Maria Ortiz Rodriguez	14/09/2022 Gail Eachar Letters sent to applicant and residents that made representations.
15/08/2022	9.3	Launceston City Council's Homelessness Advisory Committee	Completed	That Council nominate Councillor Janet Lambert as the Northern Midlands Council representative on the Launceston City Council's Homelessness Advisory Committee.	Des Jennings, Gail Eachar	19/08/2022 Gail Eachar Advice sent.
27/06/2022	9.9	Laycock Street Park, Longford	Completed	That Council in-principle adopt the Laycock Street Park Landscape Concept Plan and pursue external funding opportunities to enable the staged implementation of the plan.	Des Jennings, Lorraine Green	04/07/2022 Lorraine Green Opportunities for securing external funding for the Laycock Street Park Playground to be identified and pursued as appropriate. 20/07/2022 Lorraine Green Funding source yet to be identified. 09/08/2022 Gail Eachar Ongoing action to be progressed when funding source identified.
15/08/2022	9.7	Local Government Amendment (Code of Conduct) Bill 2022: Dispute Resolution Policy	Completed	That the Local Government (Code of Conduct) Bill 2022 provide clarity in the following areas: legal representation; appeal rights; additional sanctions for serious and/or repeated code of conduct breaches; frivolous, vexatious and trivial complaints.	Gail Eachar	23/08/2022 Gail Eachar Correspondence sent.
15/08/2022	9.6	Local Government Reform	Completed	That Council has considered the Local Government Review Stage 1 Interim Report and provide the following comments as basis for a submission: 1) Recognition of climate	Gail Eachar	23/08/2022 Gail Eachar Submission provided.



Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
				change/emergency, together with an acceptable level of consideration in regard to planning requirements being at the least more than 1:100 plus climate change; 2) Management of stormwater; 3) Skills training, staff sharing and resourcing; 4) Consideration of local knowledge and concerns by the planning commission in relation to planning matters and recognition of those concerns; 5) Review of heritage precincts; 6) Design of buildings to be in-keeping with existing heritage buildings (within and outside of the heritage precincts); 7) Cooperation, definition and protocols between the three tiers of government.		
13/12/2021	7 1.3	Marlborough Street Traffic Islands	Completed	Please action as per resolution. 7.4 Marlborough Street Traffic Islands: Traffic islands along Marlborough St need be made more visible for safety reasons, as there is fading of the edges around them. Maybe more visible with a coat of paint. (Please see attached photos). Officer Comment: Customer request to be generated and request forwarded to Dept of State Growth. Officer Recommendation: That Council note the recommendation.	Lorraine Wyatt	14/02/2022 Lorraine Wyatt Request sent to DSG on 25/1/22. Response awaited.
15/08/2022	9.9	Membership: Multicultural Council of Tasmania	Completed	That Council 1) Agree to become a member of the Multicultural Council of Tasmania, and 2) Develop a Memberships and Subscriptions policy to provide guidance to Council Officers in their operational decision making.	Lorraine Wyatt	14/09/2022 Lorraine Wyatt Membership has been paid. Council is now a full member.
15/08/2022	7 3.1	Morven Park Management Committee	Completed	Motion: Macrocarpa trees causing safety concerns: That Council look at removal of Macrocarpa trees in a timely manner due to safety concerns of patrons and infrastructure with the view to using the stumps / trunks for carvings as at Campbell Town. Decision: That Council note the request and the action to be taken.	Leigh McCullagh	14/09/2022 Gail Eacher Contractor engaged to assess and make safe.
27/06/2022	7 2.3	Netball/basketball hoops	Completed	That the request be noted and officers investigate installation of netball / basketball hoops at the Cressy Recreation Ground.	Amanda Bond, Trent Atkinson	12/07/2022 Amanda Bond Project officer notified to include in Cressy Recreation Ground upgrade project. 09/09/2022 Trent Atkinson Preparing costs for future budget Item
15/08/2022	9.2	Northern Tasmanian Waste Management Group	Completed	That the Council agrees to transition the hosting, administration and secretariat of the Northern Tasmanian Waste Management Group from City of Launceston to NRM North consistent with the approach outlined in the attached paper entitled: Northern Tasmanian Waste Management Group Revised Government Model.	Des Jennings, Gail Eacher	19/08/2022 Gail Eacher Advice sent.
15/08/2022	7 2.4	Operational Matters	Completed	Committee Motions to Council re Operational Matters: 1) For clarification of the definition of shade and shade structures/sails in Secombe St playground and Train Park. 2) To ask Council in it's budgetary information to the Committee to provide information regarding ongoing projects as to what	Gail Eacher	22/08/2022 Gail Eacher Updated budget list (incl. carried forward information) provided to the PLDC Chair.



Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
				has already been previously funded and what money has been carried forward or extended in relation to the 22/23 budget items. Decision: That Council note the requests and action taken; and provide a response to the Committee.		
27/06/2022	7 3.2	Parking in Wellington Street	Completed	That Council notes the request and communicates outcomes of the parking strategy in the Longford business district with the Longford Local District Committee.	Leigh McCullagh, Lorraine Wyatt	30/06/2022 Lorraine Wyatt Council decision communicated to LLDC via email 1 July 2022.
15/08/2022	9.1	Policy Review: Management of Donated Goods After a Disaster	Completed	That Council adopt the revised Management of Donated Goods After a Disaster policy.	Gail Eacher	22/08/2022 Gail Eacher Policy manual and website updated.
27/06/2022	7 1.2	Reduced Speed Limit on High Street	Completed	That Council investigate options to determine what benefits can be achieved by reducing the speed limit in conjunction with the Campbell Town Urban Design and Traffic Management Strategy.	Leigh McCullagh, Lorraine Wyatt	30/06/2022 Lorraine Wyatt Council decision communicated to the 5 July 2022 CTDF meeting.
27/06/2022	10.2	Review of the State Planning Provisions	Completed	That Council provide a submission to the review of the State Planning Provisions addressing the following issues: - Seasonal Worker Accommodation - Reinstatement of provisions removed with Planning Directive 8 - Flood-Prone Areas Hazard Code - minimum residential lot size of 450m ² to be increased to 600m ² in accordance with the Specific Area Plans in the Local Provisions Schedule; adequate performance criteria to require dual access and sufficient width for multiple dwelling developments; provisions for adequate separation between multiple dwelling pedestrian access to units and vehicle pathways; and adequate provisions for waste/rubbish removal facilities for multiple dwelling developments.	Paul Godier	10/07/2022 Paul Godier Submission to be provided by 29 July in accordance with Council's resolution. 27/07/2022 Paul Godier Submission to be provided in accordance with Council's resolution by revised closing date for submissions of 12 August 2022.
15/08/2022	12.1	Safety at Intersection: Barton Road, Epping Forest	Completed	That the matter be deferred to the next Council meeting, pending provision of the original Traffic Impact Assessment included in the coffee shop development application, and additional information relating to the removal or remediation relative to the Midland Highway gated access to the property.	Jonathan Galbraith	12/09/2022 Jonathan Galbraith Report prepared for September Council meeting
16/05/2022	7 3.2	Signage at United Pie & Petroleum	Completed	Request: Signage coming in and out of the United Service Station in Wellington Street needs to be realigned because it is unsafe, and Council need to review and have this addressed. Decision: That Council a) note the advice provided; and b) review previous traffic management reports and reported incidents/accidents.	Jonathan Galbraith, Lorraine Wyatt	18/05/2022 Lorraine Wyatt Outcome reported to the Committee by email on 18/5/2022 29/07/2022 Jonathan Galbraith Paul Godier engaged Keith Midson of Midson Traffic to review the location of the sign. Mr. Midson advised that the sign complies and the owner cannot be required to move it. Following receipt of the report Paul wrote the owner, United Petroleum and advised them that there had been a number of concerns raised by members of the public about the location of the sign and difficulties seeing approaching traffic when exiting the supermarket driveway. United Petroleum have not responded and based on the advice from Midson Traffic Council cannot require the owner to move the sign.



Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
18/07/2022	7 1.2	State Growth and Road Safety Concerns	Completed	That Council notes the Committee recommendation and feedback is provided to the Campbell Town District Forum.	Lorraine Wyatt	09/08/2022 Gail Eacher Advice forwarded to CTDF.
27/06/2022	7 1.4	Stormwater Management - Centrecare Housing Development	Completed	That Council provide an overview of Stormwater Management to the Campbell Town District Forum.	Jonathan Galbraith, Leigh McCullagh, Lorraine Wyatt	30/06/2022 Lorraine Wyatt Council decision communicated at the 5 July CTDF meeting. 22/07/2022 Jonathan Galbraith Stormwater report has been provided for Lorraine Wyatt to pass on to committee if required. A Council Officer to be available to speak at the next meeting of the Campbell Town District Forum.
15/08/2022	9.8	Swimming Pool Operations: 2021-2022 Full Season Update	Completed	That Council provide funds for the training of Lifeguards (including volunteers, subject to insurance cover) to minimise the financial barriers to prospective recruits to the Lifeguard roles at our community swimming pools.	Leslie Hall, Maree Bricknell	09/09/2022 Leslie Hall Noted.
21/02/2022	9.5	Swimming Pool Operations: 2021-2022 Season	Completed	That Council receive this report and that at the conclusion of the season a report be presented to Council, inclusive of the full data from the season, as well as information relating to finances, visitation and volunteer hours; feasibility of Council provision of and paying for training, multi-skilling/diversification of Council staff roles to take on lifeguarding duties during the season.	Des Jennings, Leslie Hall	15/03/2022 Gail Eacher Report to be prepared. 09/08/2022 Gail Eacher Report to August Council meeting.
18/07/2022	9.2	Unused Service Station: Corner Drummond Street and Main Road, Perth	Completed	That Council immediately proceed with serving a nuisance declaration under section 200 of the Local Government Act on the owners of the ex-Service Station on the corner of Drummond Street and Main Street at Perth. This should require the removal of the temporary fencing and restoration of the pavement and surrounding areas to a safe and presentable condition.	Paul Godier	25/07/2022 Paul Godier Instructed Council's lawyer to prepare an abatement notice. 12/09/2022 Paul Godier Reminder to Council's lawyer to provide the abatement notice. 14/09/2022 Paul Godier Information item to Closed Council.
16/05/2022	7 1.5	Waste and Recycling	Completed	Request: That Council address the issue of excess waste and contamination. Decision: That Council note the request; and receive a report on the processing of recyclables at Waste Transfer Stations (excluding Longford).	Jonathan Galbraith, Lorraine Wyatt	18/05/2022 Lorraine Wyatt Outcome reported to the Committee 18/5/2022 22/07/2022 Jonathan Galbraith Jonathan preparing report / information for Council 08/09/2022 Jonathan Galbraith Report prepared for September Council meeting
	1.3	16/03/2020 - Deferred Item - GOV8 Overhanging Trees/Hedges: Evandale	In progress	Deferred to provide opportunity for the community to attend.	Des Jennings, Gail Eacher	29/09/2021 Harbour Software Support No further action to be taken at this time. To be workshopped and report to be relisted. Discussion held with property owner, formal advice requested. Correspondence to be forwarded to property owner. 25/01/2022 Gail Eacher Correspondence forwarded to property owner, awaiting response. 14/02/2022 Gail Eacher Letter received from property owner. Draft response to queries raised prepared. 01/04/2022 Gail Eacher Letter sent to property owner, response awaited. 08/07/2022 Gail Eacher Further information being sought prior to workshop discussion.
	1.4	17/09/2021 - 289/21 - LGAT Motions	In progress	That Council A) submit two motions to the next LGAT General Meeting on the lack of response provided by the following government agencies: Environment Protection Agency, and Department of State Growth.	Des Jennings, Gail Eacher	29/09/2021 Harbour Software Support Motions to be prepared and workshopped. 25/01/2022 Gail Eacher Advice sought.
	1.14	18/09/2017 -	In	That Council, ...and ii) progress the	Gail	29/09/2021 Harbour Software Support



Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
		279/17 - Historical Records and Recognition: Service of Councillors	progress	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.	Eacher	Historic photos to be catalogued and collated. 05/10/2021 Gail Eacher Framed photographs installed - action complete. Resources not available to undertake archiving of historic photographs and production of photo book. Additional resource to be sought. 06/12/2021 Gail Eacher Cataloguing and collation of historical photographs has commenced. 29/07/2022 Gail Eacher Cataloguing and collation of historical photographs continues to be undertaken subject to staff workloads.
15/08/2022	7 3.2	Bicycle Advisory Committee	In progress	Motion: PLN22-0040: Road & Streetscape Works - Wellington Stret, Longford: That the kerb outstands (pinch points) incorporate rideable/ mountable kerbing or, designated bike lane within the kerb outstands, this can be in the same line as the outstand or bend in towards the existing kerb line. Pavement or kerbing to be marked green with the appropriate signage. Decision: That Council considers conditioning PLN22-0040 to include the Bicycle Advisory Committees motion.	Paul Godier, Trent Atkinson	09/09/2022 Trent Atkinson Further information being sourced for presentation at future workshop
15/11/2021	9.4	Community Action Plan	In progress	Please action as per resolution. That Council accepts the opportunity to receive a \$5,000 grant and develop a Community Action Plan on Suicide Prevention for the Northern Midlands with the focus of the plan to be to offer Mental Health First Aid training to members of Council staff and members of the Northern Midlands municipality.	Amanda Bond	07/12/2021 Amanda Bond Meeting with Relationships Australia representative on 9/12/2021 13/01/2022 Amanda Bond Officers to compile list of relevant community members / groups to work on the plan. 08/03/2022 Amanda Bond Relationships Australia, Tasmania representative to present to Northern Midlands Interagency Meeting (meeting of local service providers, particularly in the health space) and seek input for development of plan. 03/05/2022 Amanda Bond Awaiting report from Relationships Australia on how to proceed. 23/08/2022 Amanda Bond Follow up email sent 23 August 2022 seeking update. Contact no longer employed with Relationships Australia, Tasmania. Awaiting response advising who new contact is.
15/08/2022	7 2.2	Naming of the William Street Bridge	In progress	Motion: Naming of the William Street Bridge: That Council publicly acknowledge the contribution of John Stagg, who was a member of the PLDC for a considerable length of time and an invaluable source of local history. We request the Council to consider naming the new William St Bridge in his honour. Decision: That Council note the recommendation of the Committee and give consideration to the request.	Gail Eacher	22/08/2022 Gail Eacher Advice provided to the Perth LDC. 14/09/2022 Gail Eacher Report to be tabled at future Council meeting.
27/06/2022	9.4	Sale of Land at Bruce Place Longford	In progress	That Council determines; a) to subdivide Certificate of Title Volume 11088 Folio 25, as shown in the attached plan; and b) sell the proposed new lot as shown in the attached plan, and c) retain the balance lot for walkway; and d) directs the General Manager to commence the sale process in accordance with Part 12, Division 1 of the Local Government Act 1993 ; and e) funds realised from the sale be directed toward the Laycock Street Park	Amanda Bond, Leigh McCullagh	12/07/2022 Amanda Bond Advertisement to be prepared. 19/07/2022 Amanda Bond Advertised 30 July 2022. 21 days from advertised date for objection to be lodged. Report to September Council meeting.



Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
				development.		
15/08/2022	7 2.3	Signage	In progress	Motion: Road Signage at Playgrounds: That the Train Park and Seccombe Street playgrounds have Children at Play signage erected. The Committee considers this is a safety issue and should be considered necessary and urgent. With the new development at the end of Little Mulgrave Street we consider signage on both sides of the Train Park playground to be necessary. Decision: That Council officers investigate this request and give consideration to other locations; and advise the Committee of the outcome of the investigation.	Jonathan Galbraith	14/09/2022 Gail Eacher Investigation underway.
15/08/2022	9.8	Swimming Pool Operations: 2021-2022 Full Season Update	In progress	That Council receives a further report with matters clarified and that templates be created so that the information received from the facilities is consistent.	Leslie Hall, Maree Bricknell	09/09/2022 Leslie Hall New process being put in place for 2022/23 season. Currently reviewing process, and looking to utilise new WHS inspection reporting. Report will be prepared once review is complete. New reporting will address inconsistencies with reporting accuracy. Corporate services are liaising with Committees to look to align financial reporting from committees with the pool season, as opposed to current Calendar Year reporting periods.
13/12/2021	12.1	Traffic Concerns: Intersection - Wellington and Marlborough Streets, Longford	In progress	That Council i) receive JMG Engineers and Planners report titled Wellington - Marlborough Street Longford Intersection Options dated 29 November 2021; and ii) endorse the 29 November 2021 JMG Engineers and Planners proposal Appendix B, concept design 1, to install Outstands and Concrete Planters to protect pedestrians and building from damage; and iii) continue to seek other measures to remediate the dangers posed by the intersection.	Jonathan Galbraith, Leigh McCullagh	20/01/2022 Jonathan Galbraith Revised design plan has been sent to DSG for approval. Contractor to be engaged to carry out works once approval is received 14/02/2022 Jonathan Galbraith Design proposing installation of concrete bollards has been submitted to DSG for approval awaiting response 08/03/2022 Jonathan Galbraith Currently seeking prices to carry out works 01/04/2022 Jonathan Galbraith Planning Application has been submitted for these works. Contractor has been engaged to carry out works once planning approval is received. 06/05/2022 Jonathan Galbraith Finalizing heritage requirements for planning application 22/07/2022 Jonathan Galbraith Application to revise planning application has been submitted 09/08/2022 Gail Eacher Revised planning application has been submitted. 08/09/2022 Jonathan Galbraith Planning application has been approved seeking contractor to carry out these works
27/06/2022	7 3.3	Wellington Street - Traffic Calming	In progress	That Council investigate the feasibility of installing an LED Smart Speed Display, or similar.	Jonathan Galbraith, Lorraine Wyatt	30/06/2022 Lorraine Wyatt Council decision communicated to LLDC via email 1 July 2022. 22/07/2022 Jonathan Galbraith These signs are very expensive (indicatively \$25,000+), need to consider if the cost is justified. Jonathan has emailed DSG to see if they are using these signs or can provide further information.
15/08/2022	9.5	Youth Advisory Group	In progress	That Council endorse the progression of the Northern Midlands Youth Advisory Group.	Natalie Dell	14/09/2022 Natalie Dell Terms of Reference being prepared. Commencement plan: recruit young people for YAG during Term 4, commence group in Term 1.
	1.1	17/05/2021 - 180/21 - Restrictions on Keeping Roosters	On hold	That Council consider restricting the keeping of roosters in urban areas, and consider the need for a by-law with penalties for offences and non-compliance.	Maria Ortiz Rodriguez	29/09/2021 Harbour Software Support Report to future Council Meeting. 08/11/2021 Gail Eacher Matter to be referred to future Council workshop for further advice.



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

Resource Sharing Summary 1/7/22 to 30/6/23	Units Billed	Amount Billed GST Exclusive \$
Meander Valley Council		
Service Provided by NMC to MVC		
Street Sweeping Plant Operator Wages and Oncosts	-	-
Street Sweeper - Plant Hire Hours	-	-
Total Services Provided by NMC to Meander Valley Council		-
Service Provided by Meander Valley Council to NMC		
Wages and Oncosts		
Plumbing Inspector Services	110.6	8,398.57
Engineering Services	-	-
Total Service Provided by MVC to NMC		8,398.57
Net Income Flow		- 8,398.57
Total Net		- 8,398.57
Private Works and Council Funded Works for External Organisations		
Works Department Private Works Carried Out	Hours	
	Not available	
	Not available	

8.13 VANDALISM

Prepared by: Jonathan Galbraith, Engineering Officer

Incident	Location	Estimated Cost of Damages		
		Aug 2022	Total 2022/23	Total 2021/22
Graffiti outside community centre and in toilets	Campbell Town	\$ 500		
Vandalism at Train Park toilets	Perth	\$ 500		
TOTAL COST VANDALISM		\$1,000	\$3,200	\$10,200

8.14 YOUTH PROGRAM UPDATE

Prepared by: Natalie Dell, 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 August as follows:

	Date of Session	Attendance	Comment
Perth			
	4-8	9	
	11-8	7	
	18-8	11	
	25-8	0	Cancelled

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 August as follows:

Session Venue	Date of Session	Attendance	Comment
Campbell Town			
	3-8	12	



Session Venue	Date of Session	Attendance	Comment
	17-8	7	
	24-8	0	Instructor Illness
	31-8	8	
Longford			
	2-8	9	
	9-8	8	
	16-8	11	
	23-8	0	Instructor Illness
	30-8	10	

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 August as follows:

Session Venue	Date of Session	Attendance	Comment
Campbell Town			
	2-8	16	
	9-8	17	
	16-8	22	
	23-8	18	
	30-8	14	
Cressy			
	4-8	12	
	11-8	10	
	18-8	16	
	25-8	0	Adverse weather

Meetings

Natalie Dell represents Council on the Northern Youth Coordinating Committee and the Northern Midlands Interagency Meetings.

Mental Health Week event- Campbell Town District High School. The Youth Officer is helping the school Nurse co-ordinate a Mental Health Week event at the school. A range of service providers have been invited to attend to 'bring the services to the students. Educating students about the support, information, services, and help is available to them living in Campbell Town. Organisations currently include: RFDS, Relationships Aus, RAW and Lifeline.

Youth Newsletter: The Youth Officer has commenced producing a free monthly 'Community Youth Newsletter', with the aim to help share Youth focused activities/program/news/updates/resources within the Northern Midlands Region.

Breakfast Club- Cressy: The Cressy Breakfast program has been further developed liaising with the School Chaplain and Youth Officer, to provide freely available Breakfast items for students. The school has identified several young people who will benefit from participating in the program. The program will help address students' health, well-being, and food security.

SPARK Program: To help foster leadership and support youth focused initiatives in Schools. School Representative Councils (SRC (School Representative Councils)) can apply for funding of projects (up to \$300/year) to be held in their schools. Supporting education and employment opportunities for young people.

8.15 INTEGRATED PRIORITY PROJECTS PLAN UPDATE



Prepared by: Maree Bricknell, Corporate Services Manager & Lorraine Green, Project Officer

CURRENT AS OF 7 SEPTEMBER 2022

Progress Report:

Not Started (obstacles)
 On Hold
 On Track
 Completed

INTEGRATED PRIORITY PROJECTS PLAN:

	Project		Status	Budget 2022-23	\$	Scheduled
1	Progress: Economic health and wealth - grow and prosper					
	Foundation Projects					
4.1	Main Street Upgrades: Campbell Town, Longford & Perth	Gov	Campbell Town Construction of Midland Highway underpass at Campbell Town progressing. Building Better Regions Fund application submitted for funding towards implementation of Stage 1 of the Urban Design Strategy. Outcome awaited. Main Street upgrade included on 2022 Federal Election wish list.	Budget allocation 2022-23 plus contribution from \$8m Federal Govt Election Commitment.	1,450,000	Commence Dec-Oct 23
		Gov	Longford Commitment of \$4m from National Party prior to 2019 Federal Election. Consultation completed for memorial hall upgrade.	Budget allocation 2022-23. Designed and at DA	1,293,000	Future Workshop
		C&D	Perth Council has endorsed the plan and draft amendments to planning scheme to be prepared. Main Street upgrade included on 2022 Federal Election wish list.	Budget allocation 2022-23 plus contribution from \$8m Federal Govt Election Commitment.	1,141,000	Finalising Documentation for DA
4.4	TRANSLink Intermodal Facility	Gov	Including precinct renewal – stormwater & gas pipeline. Seeking grant assistance to fund planned works. Included in NMC Priority Projects document.	Federal Election commitment of \$5m for planning stage. No Council funded Budget allocation 2022-23. Further \$30m commitment subject to planning stage.	5,000,000	Preliminary discussions commence immediately
	Enabling Projects					
5.1	Perth Sports Precinct & Community Centre	Gov	Concept master plan developed October 2020. Included in NMC Priority Projects document.	Valuation for land provided to property owner for consideration. No budget allocation 2022-23 staff resources only.	-	Not scheduled at this stage
5.1	Ben Lomond Public Shelter Development	Gov	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 document. Government has committed to infrastructure expenditure and development of a master plan.	No allocation 2022-23 staff resources only.	-	Not scheduled at this stage
5.3	Campbell Town – Town Hall Sale or Lease	Gov	Expressions of interest for selling the hall advertised closed 20 May 2022. Agent appointed.	Small gain/loss in Budget 2022-23 expected if sold.	884,000	To be offered for sale Oct 22
5.3	Longford Library & exhibition Building on the Village Green	Gov	Longford Motor Sport Museum Alternative sites for museum being sought by proponents.	No allocation 2022-23 staff resources only.	-	Not scheduled at this stage
5.3	Power Undergrounding in Evandale, Longford & Perth	Works	Awaiting funding streams to come available.	No allocation 2022-23 staff resources only.	-	Not scheduled at this stage
5.4	Subdivisions (several – Cressy, Evandale, Longford & Perth)	C&D	Council to identify opportunities to provide infrastructure and secure funding.	Evandale Drainage Easement secured. Awaiting DA from subdivider. No allocation 2022-23.	-	Not scheduled at this stage



	Project		Status	Budget 2022-23	\$	Scheduled
2	People: Cultural and society – a vibrant future that respects the past					
	Enabling Projects					
5.1	<i>Oval Upgrades (several)</i>	Gov	Campbell Town War Memorial Oval Precinct Implementation of Final Stages.	Irrigation system adjacent to tennis area \$45,000, building acoustics and minor improvements \$41,500, and carpark sealing \$126,000 included in 2022-23 Budget.	212,500	Commence Nov 22
		Gov	Cressy Recreation Ground Implementation of Final Stages Levelling the Playing Field funding received – building work completed. Final report and acquittal being prepared. BBQ facility & landscaping to be funded through Local Roads and Community Infrastructure grant. Application submitted to Cricket Australia for funding to upgrade the practice facility – outcome awaited.	Budget allocation in 2022-23 Budget - BBQ shelter completion.	128,000	Commence Nov 22
5.1	<i>Morven Park Master Plan</i>	Gov	Implementation of Final Stages Works substantially completed: grant acquittal report submitted. Relocation of cricket nets underway funded through State Government election commitment.	Budget commitment 2022-23 towards future drainage improvements \$26,582. Budget allocation for removal of old cricket nets and surrounds \$10,000.	10,000	Drainage when balance funding sought. Cricket net removal Dec 22
5.1	<i>Swimming Pool Upgrades (several)</i>	Gov	Covering of Campbell Town & Cressy Swimming Pools Included in NMC Priority Projects document.	No allocation 2022-23 staff resources only.	-	Not scheduled at this stage
		Gov	Cressy Implementation of Final Stages State election funding grant of \$100,000 received. \$400,000 commitment from National Party prior to 2019 federal election. Grant acquittals submitted Works substantially completed. Concourse, carpark and landscaping to be completed 2021/2022 - 2022/2023.	Budget allocation 2022-23 for renewal of concourse and fencing. LRCI grant allocated to the project.	600,000	Completion Oct 22
		Gov	Ross Pool operation to continue (as per the current funding model) whilst structurally/operationally safe to do so.	Budget allocation 2022-23 towards WHS issues.	10,000	Oct-22
5.2	<i>Shared Pathways</i>	Gov	Committee established and program to be prepared.	State Vulnerable User Grant funding 2022-23.	250,000	Design stage
4	Place: Nurture our heritage environment					
	Foundation Projects					
4.2	<i>Perth South Esk River Parklands</i>	Gov	Building Better Regions Fund grant secured towards the extension of the walkway and installation of footbridge. Grant Agreement executed Feb 2022.	Budget allocation for footbridge construction and footpath connection.	310,000	Underway.
4.3	<i>Sheepwash Creek Corridor & Open Space</i>	Gov	Grants to be sought for major new/improved infrastructure.	Supplementary Budget project 2022-23.	200,000	Not scheduled at this stage
4.5	<i>Municipal Tree Planting Program</i>		Annual program being implemented.	Budget allocation 2022-23.	100,000	Ongoing
	Enabling Projects					
5.1	<i>Conara Park Upgrade</i>	Gov	Concept prepared: awaiting funding opportunities.	No allocation 2022-23 staff resources only.	-	Not scheduled at this stage
5.3	<i>Redevelop Cressy Park</i>	Gov	Liaising with Local District Committee to establish/prepare plans for upgrade.	No allocation 2022-23 staff resources only.	-	Not scheduled at this stage
				Total 2022-23 Budget Allocation	11,588,500	

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

Prepared by: Fiona Dewar, Tourism Officer



Tourism update:

- Events:
 - o Assist various local event organisers to fulfil Council compliance requirements.
 - o Assist event organisers seeking funding support.
 - o Keep event list updated and distribute.
 - o Update NMC website calendar.
 - o Liaise with event organisers re planning and information as required.
- Progress Lychgate interpretation design elements.
- Progress Town Promotion Video project.
- Progress Evandale Time Traveller Park panel.
- Progress Community Volunteer Expo for May 2023.
- Progress development of Joan Davies bronze plaque.

HHTRA update:

- Ongoing marketing activities include website blog posts and social media.

8.17 CONSULTATION ON TASMANIAN HOUSING STRATEGY

Prepared by: Paul Godier, Senior Planner

The Tasmanian Government is developing a 20-year housing strategy. Further information and a discussion paper are available at tashousingstrategy.communities.tas.gov.au. Consultation opened on Thursday, 8 September and closes at 11.59 pm (AEST) on Friday, 21 October 2022.

8.18 MOTIONS TO ALGA (AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION): UPDATE

Prepared by: Des Jennings, General Manager

On 15 September 2022, Council received the following update from ALGA on the two motions submitted by Council and considered at the 2022 National General Assembly (NGA) of Local Government, held in Canberra from 19-22 June 2022.

- ***Motion 6 - This National General Assembly calls on the Australian Government to investigate a nationwide database of benchmarking projects for local government, where information can be stored and shared among local government organisations.***

Motion 6 was carried by delegates at this year's NGA. This motion was also considered at our Board meeting on 28 July, where the Board noted the need to improve data and benchmarking for local government across the country.

The ALGA secretariat is currently investigating opportunities to improve the consistency of local government data nationally and will discuss funding opportunities with the government as this work progresses.

- ***Motion 43.4 - This National General Assembly calls on the Australian Government to consider the provision of an annual budget allocation to local government to contribute to modelling and mitigation works to reduce the risk of flood or other natural disasters.***

Motion 43.4 was included in the NGA Business Papers as a sub-motion of motion 43 (submitted by Newcastle City Council). Motion 43 was debated and passed by delegates at this year's NGA.

The Board has considered motion 43.4 at its meeting and resolved to include it in the correspondence that will be sent to Senator the Hon Murray Watt, Minister for Emergency Management, regarding this issue.

Further, ALGA has advised:

Unfortunately, despite allocating almost three hours to debate on motions at this year's NGA, we were unable to consider and debate all motions submitted by councils within the time allocated.

We have learned from this experience, and the ALGA Board has directed the secretariat to review the debating



rules and processes ahead of next year's event and to allocate more time to the debate on motions in 2023.

I will write again to provide an update once we have received responses from the Ministers concerned.

RECOMMENDATION

That the Open Council Information items be received.



9 GOVERNANCE REPORTS

9.1 DISPOSAL OF LAND: EVANDALE, CAMPBELL TOWN AND LONGFORD

Responsible Officer: Des Jennings, General Manager

Report prepared by: Amanda Bond, Executive Officer

RECOMMENDATION

That Council:

- a) notes there were no objections received and confirms its decision Minute Number 22/191 to sell or dispose of Certificate of Title 131225/6, Nile Road, Evandale;
- b)
 - i) notes the objections received and determines to / not to proceed with the sale of 17 Glenelg Street, Campbell Town, and
 - ii) directs the General Manager to give notice to the objectors of this decision, and the right to appeal this decision, within 7 days of the date of this decision.
- c) notes there were no objections received and confirms its decision Minute Number 22/196 to sell or dispose of part of Certificate of Title 11088 Folio 25, Bruce Place, Longford.

1 PURPOSE OF REPORT

The purpose of this report is for Council to consider objections received to the proposed sale of three properties owned by the Northern Midlands Council:

- Certificate of Title 131225/6 - Nile Road, Evandale
- 17 Glenelg Street, Campbell Town
- Part of Certificate of Title 11088 Folio 25 - Bruce Place, Longford

2 INTRODUCTION/BACKGROUND

The following decisions have been made by Council:

MINUTE NO. 22/191

DECISION

That Council:

- a) *does sell or dispose of Certificate of Title 131225/6, Nile Road, Evandale;*
- b) *commences the disposal process in accordance with section 178 of the Local Government Act 1993.*

Carried Unanimously

MINUTE NO. 22/193

DECISION

That Council:

- a) *does sell or dispose of 17 Glenelg Street, Campbell Town,*
- b) *commences the disposal process in accordance with section 178 of the Local Government Act 1993.*

Carried

MINUTE NO. 22/194

DECISION

That Council considers the sale or disposal of 17 Glenelg Street, Campbell Town subject to community consultation and a further report to be brought to Council for consideration.

Carried Unanimously



MINUTE NO. 22/196

DECISION

That Council determines;

- a) to subdivide Certificate of Title Volume 11088 Folio 25, as shown in the attached plan; and*
- b) sell the proposed new lot as shown in the attached plan, and*
- c) retain the balance lot for walkway; and*
- d) directs the General Manager to commence the sale process in accordance with Part 12, Division 1 of the Local Government Act 1993; and*
- e) funds realised from the sale be directed toward the Laycock Street Park development.*

Carried Unanimously

In accordance with Section 178(4)(a) of the *Local Government Act 1993* an advertisement was published in the Examiner Newspaper on 30 July and 3 August. In accordance with section 178(4)(ab) of the *Local Government Act 1993* copies of the notice were displayed on the boundaries of the three properties on 29 July 2022.

The decisions were also circulated to the Local District Committees in Campbell Town, Evandale and Longford.

The community had until 20 August 2022 to lodge an objection to the decisions.

The following objections have been received:

- **Certificate of Title 131225/6 - Nile Road, Evandale**

Nil objections received.

- **17 Glenelg Street, Campbell Town**

Mr Kim Peart – 1 August 2022

Ms Yvette Poshoglian – 12 August 2022

Campbell Town Museum & Information Centre

Roelof Methorst – 10 August 2022

Jennifer Bolton – 19 August 2022

Barbara Halloran – 27 August 2022 - ***Note this objection was received after the closing date of 20 August 2022.**

- **Part of Certificate of Title 11088 Folio 25 - Bruce Place, Longford**

Nil objections received.

Copies of the objections for 17 Glenelg Street, Campbell Town are attached to this report and a summary of the issues raised provided below:

- Mr Kim Peart – 1 August 2022
 - Suggestion that 17 Glenelg Street be a logical extension of the Harold Gatty Memorial.
 - Suggestion for information boards or brass plaques around the inside of the quarry telling the story of aviation in Tasmania.
 - New community role for the quarry.
- Ms Yvette Poshoglian – 12 August 2022
 - The site holds historical significance for Campbell Town as a quarry for significant structures in the town.
 - The quarry was used to build significant structures including the Red Bridge, Wesleyan Church and a number of homes.
 - Potential untold significance of the site to First Nations tyerrernotepanner people of waylata.
- Campbell Town Museum & Information Centre
 - The Campbell Town Museum & Information Centre are working with the Tasmanian Aviation Historical Society with a concept plan to landscape and redevelop the Harold Gatty Memorial. 17 Glenelg Street is



included in the timeline and is expected to be part of the plan. The Committee are hoping to meet with Council shortly to discuss the draft plans.

- Roelof Methorst – 10 August 2022
 - The site used to be an old quarry that assisted in the construction in the early days of Campbell Town.
 - Council maintenance of the park has been sadly lacking.
 - The park should be upgraded in conjunction with the Harold Gatty Memorial adjacent.
- Jennifer Bolton – 19 August 2022
 - Council should investigate ways to enhance the site that may involve connecting with the Harold Gatty memorial.
 - Additional community consultation should occur in line with Council's decisions.
- Barbara Halloran – 27 August 2022 - *Note this objection was received after the closing date of 20 August 2022.
 - There is a need for more, not less, open space, particularly when it is so difficult for Councils and Governments to obtain land for public use.
 - The land is not suitable for development.
 - Install seating and a table and allocate funds to beautify the area.

3 STRATEGIC PLAN 2021-2027

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

Lead: Serve with honesty, integrity, innovation and pride

Leaders with Impact

Strategic outcomes:

1.4 Improve community assets responsibly and sustainably

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

Sense of Place - Sustain, Protect, Progress

Strategic outcomes:

3.3 Public assets meet future lifestyle challenges

3.4 Towns are enviable places to visit, live and work

4 POLICY IMPLICATIONS

There may be community push back against a proposal to dispose of public open space areas.

5 STATUTORY REQUIREMENTS

The parcels of land identified in this report are public land in accordance with section 177A of the *Local Government Act* 1993. As such, Council is required to meet the provisions of section 178 of the *Local Government Act* 1993 prior to disposing of the land. A fact sheet detailing these requirements is attached to this report.

With regard to the objections received Council must (section 178(6) *Local Government Act* 1993):

- Consider any objection lodged;
- By notice in writing within 7 days after making a decision to take or not take any action under this section advise any person who lodged an objection of:
 - That decision; and
 - The right to appeal against the decision under section 178A.



6 FINANCIAL IMPLICATIONS

Prior to selling a property Council must seek a valuation 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.

7 RISK ISSUES

Certificate of Title 131225/6 – Nile Road, Evandale

There are limited risks identified with the disposal of this property. The most significant risk is that the fees and costs associated with disposal are likely to outweigh the value of the land, given the small size of the parcel.

17 Glenelg Street, Campbell Town

This parcel of land is a public recreation area in Campbell Town and there is a risk the community will be disappointed to lose this recreation space. The reserve is adjacent to the Harold Gatty Memorial which Council has recently received requests to upgrade. Funds from the sale of this land, could be applied to improvements of the Harold Gatty memorial reserve area. Anecdotally, 17 Glenelg Street is seldom used and Council facilities such as the barbecue have been disconnected due to vandalism.

Part of Certificate of Title 11088 Folio 25 - Bruce Place, Longford

There is a risk that the decision to sell would meet opposition due to the reduction of open space in the immediate area. There are alternative public open space options nearby and plans to develop a new park within 350m of the site.

8 CONSULTATION WITH STATE GOVERNMENT

Not applicable.

9 COMMUNITY CONSULTATION

Community consultation is required in accordance with section 178 of the *Local Government Act 1993*. The purpose of advertising the decisions of Council were to invite community consultation. Comments from the community have been received by way of objections.

10 OPTIONS FOR COUNCIL TO CONSIDER

To dispose of the parcels of land or not.

11 OFFICER'S COMMENTS/CONCLUSION

It is noted the Campbell Town Museum and Information Centre are working on a master plan to upgrade the Harold Gatty Memorial adjacent to 17 Glenelg Street, which includes 17 Glenelg Street as part of this plan. The Committee have indicated they would like to meet with Council to discuss these plans.

12 ATTACHMENTS

1. Objection - Kim Peart [9.1.1 - 11 pages]
2. Objection - Yvette Poshoglian [9.1.2 - 2 pages]
3. Objection - Campbell Town Museum & Information Centre [9.1.3 - 1 page]
4. Objection - Roelof Methorst [9.1.4 - 1 page]
5. Objection - Jennifer Bolton [9.1.5 - 1 page]
6. Objection - Barbara Halloran [9.1.6 - 1 page]
7. Sale of Public Land Information Sheet_-_21 April 2020 (6) [9.1.7 - 4 pages]



9.2 PROPOSED FOOTPATH TRADING BY-LAW: REVIEW OF REPRESENTATIONS

Responsible Officer: Des Jennings, General Manager

Report prepared by: Amanda Bond, Executive Officer

RECOMMENDATION

- a) That Council notes the representations received and makes the Footpath Trading By-Law No. 1 of 2022 with the following minor amendments:
 - Additional wording in the by-law Clauses 6 and 8 stating *structures and freestanding signs must not obstruct regulatory and wayfinding signage.*
- b) The General Manager notifies the parties who made submissions in relation to the by-law of this decision.
- c) The General Manager proceeds with:
 - i) having the by-law certified (section 162 Local Government Act 1993);
 - ii) having the by-law sealed (section 161 Local Government Act 1993);
 - iii) published in the Gazette (section 163 Local Government Act 1993);
 - iv) notifying the Director of Local Government (section 164 Local Government Act 1993).

1 PURPOSE OF REPORT

The purpose of this report is for Council to review submissions received in respect to its proposed Footpath Trading By-law.

2 INTRODUCTION/BACKGROUND

The making of this By-Law was initiated on 15 February 2021 (min ref 044/21), at which time the following was the decision of Council:

DECISION

Cr Adams/Cr Davis

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.

Carried unanimously

Following this decision, the process of the making of the by-law was commenced and a report tabled at the 19 July 2021 detailed the steps in the process and actions taken at that time:

- 1) Consider the need for regulation, in the context of existing regulation, and with regard to the alternatives to making a by-law.

This by-law was considered necessary to consolidate the three existing by-laws applicable to footpath trading, as well as Council's Footpath Trading Policy. Council considered this and decided unanimously on 15 February 2021 (Minute Reference: 044/21) to progress with the by-law.



- 2) Prepare a draft by-law.

Council engaged Simmons Wolfhagen (??) lawyers to draft the by-law which was presented to Council at its meeting on 15 February 2021.

- 3) Undertake initial consultation on the by-law with key stakeholders. This may include inviting comments or submissions and holding meetings or workshops;

Initial consultation with key stakeholders has occurred. The purpose of this report is to review this feedback.

- 4) Adjust the by-law to reflect comments received during the initial consultation process.

Officers have adjusted the by-law in response to the feedback received from key stakeholders.

- 5) Council passes a formal resolution (by an absolute majority) of its intention to make a by-law. This can occur at any stage in the process up to this point. However, at this point the by-law consultation draft should be finalized and the council may wish to see it.

Council passed a unanimous decision on 15 February 2021 (Minute Reference 044/21) to make the Footpath Trading By-Law.

- 6) Council prepares a draft Regulatory Impact Statement (RIS) if required.

This has been completed.

- 7) The RIS and by-law are referred to the Director of Local Government for consideration.

If the changes are accepted by Council, the draft by-law and regulatory impact statement now need to be formally provided to the Director for consideration.

The following was the decision of Council at the 19 July 2021 Council (min ref 266/21)

DECISION

Cr Davis/Cr Adams

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

Carried unanimously

The following steps in the process have now been completed and resulted in this report to Council:

- 8) If satisfied that the RIS meets all statutory requirements, the Director will issue a certificate of approval to the council.
- 9) Council gives notice of the proposed by-law and carries out its public consultation.
- 10) Notice of the proposed by-law is advertised in print media.
- 11) Copies of the RIS and by-law are to be made available for public inspection/purchase, and displayed on the council's website, as required under Section 158 of the Act.
- 12) Submissions are invited from the community and key stakeholders. Section 159 of the Act requires that all submissions are to be considered by the council.

The General Manager gave notice of the proposed Footpath Trading By-law in the Examiner newspaper on 30 July 2022. Council also issued a media release about the proposed by-law, advertised the by-law on the Council Facebook page and wrote to key stakeholders (listed in the Regulatory Impact Statement) and businesses impacted by the proposed by-law.

Submissions in response to the proposed by-law closed at 5:00pm on 22 August 2022.

The following submissions have been received and are attached to this report. A summary of the issues raised by each entity have been listed.



- Spark Property
 - The need for uniformity was noted as something that has been listed for review and the scope of this hasn't been defined.
 - Hope that the by-law will allow businesses to exercise their creativity.
 - **Officer comment:** signage must be no higher than 1m and no wider than 60cm, except that flag / banner signs may be 2.5m high x 90cm wide. It is noted that this does not conflict with the requirements of the Tasmanian Planning Scheme.
- Perth Local District Committee
 - Business owners should be consulted.
 - **Officer comment:** correspondence was sent to all current footpath trading licence holders and the Northern Midlands Business Association regarding the proposed by-law.
- Department of State Growth
 - Queries around Council regulating State Growth land (noting the footpaths are owned by State Growth but anything outside of 7.6m of the width of the roadway is controlled and maintained by Council).
 - Request for additional requirements for freestanding signs not on State Growth land, but near its boundary to ensure directional and wayfinding signage is not obscured.
 - Query as to whether the by-law only regulates temporary infrastructure.
 - **Officer comment:** an email was sent back to the Department seeking clarification as to what it is they are hoping to achieve and suggesting some additional wording in the by-law to address their concerns, including:
 - Advice on licences issued by Council that Department of State Growth approval may also be required in certain locations.
 - Additional wording in the by-law Clauses 6 and 8 stating structures and freestanding signs must not obstruct regulatory and wayfinding signage.
 - Confirming that the by-law only relates to temporary infrastructure and that permanent infrastructure would need to go through the formal approval process with the Department of State Growth and most like, planning approval process too.
 - A response was provided by the Department, advising:
 - The Department is not seeking to require a formal permit process for the display of signs or sandwich boards on the footpath, just to understand the intent of the by-law.
 - It would be appreciated if, as you suggest, an additional clause could be inserted to indicate that structures and freestanding signs must not obstruct regulatory and wayfinding signage.
- Arthur Thorpe
 - Concern that the by-law allows trading within the General Residential Zone of Ross. Suggest that the by-law be amended to read "This by-law applies to footpath trading anywhere in the Northern Midlands municipal area. Footpath trading is not permitted in the General Residential Zone throughout the Northern Midlands municipal area".
 - **Officer comment:** Outdoor dining facilities, roadside vendors and stalls on a road that is managed by a council are exempt from requiring a planning permit under clause 5.6.1 of the Northern Midlands Interim Planning Scheme 2013. This exemption is also at clause 4.6.2 of the Tasmanian Planning Scheme. In accordance with section 150 of the Local Government Act, a council must not



make a by-law which is in conflict with any planning scheme in the municipal area. This means that council cannot use the by-law to restrict outdoor dining facilities, roadside vendors and stalls in the General Residential Zone throughout the Northern Midlands municipal area. It is noted that section 11 of the by-law states that the Council may refuse to issue a licence if the proposed freestanding sign, display of goods or on street dining is in the opinion of Council unsuitable in any respect to the location for which the licence is sought.

3 STRATEGIC PLAN 2021-2027

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

Lead: Serve with honesty, integrity, innovation and pride

Leaders with Impact

Strategic outcomes:

1.1 Council is connected to the community

Progress: Economic health and wealth - grow and prosper

Strategic Project Delivery - Build Capacity for a Healthy Wealthy Future

Strategic outcomes:

2.4 Support and attract wealth-producing business and industry

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

Sense of Place - Sustain, Protect, Progress

Strategic outcomes:

3.3 Public assets meet future lifestyle challenges

3.4 Towns are enviable places to visit, live and work

4 POLICY IMPLICATIONS

4.1 Footpath Trading Policy

Council has in place a Footpath Trading Policy.

4.2 Local Government Election Caretaker Period Policy

Council recently endorsed its *Local Government Election Caretaker Period* policy. This policy has no impact on Council's decision making withing the caretaker period in relation to this By-Law. The policy is clear in its intent in relation to the making of by-laws, and reads as follows:

5.3 By-Laws: Council will not initiate a new By-Law during the Caretaker Period.

5 STATUTORY REQUIREMENTS

Part 11, Sections 145 – 174 of the *Local Government Act* 1993 apply. In particular section 160 of the *Local Government Act* 1993 applies which states:

160. Alterations to proposed by-law

If a council decides to alter a by-law it proposes to make—

(a) it may do so by absolute majority; and

(b) does not need to give public notice unless the alteration substantially changes the purpose, or the effect on the public, of the proposed by-law.



6 FINANCIAL IMPLICATIONS

No financial implications have been identified. The purpose of this by-law is to consolidate three former footpath trading by-laws into one document to ensure ease of regulation.

7 RISK ISSUES

The review of this by-law has taken several years. There is a risk the community may think Council is implementing an additional regulatory control given the delay that has occurred, rather than consolidating three existing by-laws.

8 CONSULTATION WITH STATE GOVERNMENT

Consultation with the Department of State Growth has occurred throughout this process and the response received included in this report.

9 COMMUNITY CONSULTATION

Consultation with the community has occurred throughout this process and the responses received included in this report.

10 OPTIONS FOR COUNCIL TO CONSIDER

To keep the by-law as drafted.

To make changes to the by-law.

Not to proceed with the by-law.

11 OFFICER'S COMMENTS/CONCLUSION

The General Manager gave notice of the proposed Footpath Trading By-law in the Examiner newspaper on 30 July 2022, and advertised on social media. A media release was issued and correspondence was sent to key stakeholders and businesses impacted by the proposed by-law.

Submissions in response to the proposed by-law closed at 5:00pm on 22 August 2022, four submissions were received. A summary of the issues raised by each entity have been listed in the introduction to this report.

It should be noted that **if required, alterations to the draft by-law are to be made only by an absolute majority**. If the alteration substantially changes the purpose of the proposed by-law, or its effect on the public, the council will provide public notice.

The *Local Government Election Caretaker Period* policy has no impact on Council's decision making within the caretaker period in relation to this By-Law as the Policy is clear in its intent in relation to the making of by-laws, and stipulates that Council will not initiate a new By-Law during the Caretaker Period.

12 ATTACHMENTS

1. Draft Proposed Footpath Trading By- Law No. 1 of 2022 [9.2.1 - 9 pages]
2. Spark Property - Footpath Trading By- Law Proposal - Submission [9.2.2 - 2 pages]
3. PLDC Response to By Law [9.2.3 - 1 page]
4. DSG Response to NMC Proposed Footpath Trading By-law [9.2.4 - 2 pages]
5. Response to NMC Proposed Footpath trading by-law - additional information [9.2.5 - 1 page]
6. Arthur Thorpe - Footpath Trading Submission [9.2.6 - 3 pages]





10 COMMUNITY & DEVELOPMENT REPORTS

10.1 MONTHLY REPORT: DEVELOPMENT SERVICES

Responsible Officer: Des Jennings, General Manager

RECOMMENDATION

That the report be noted.

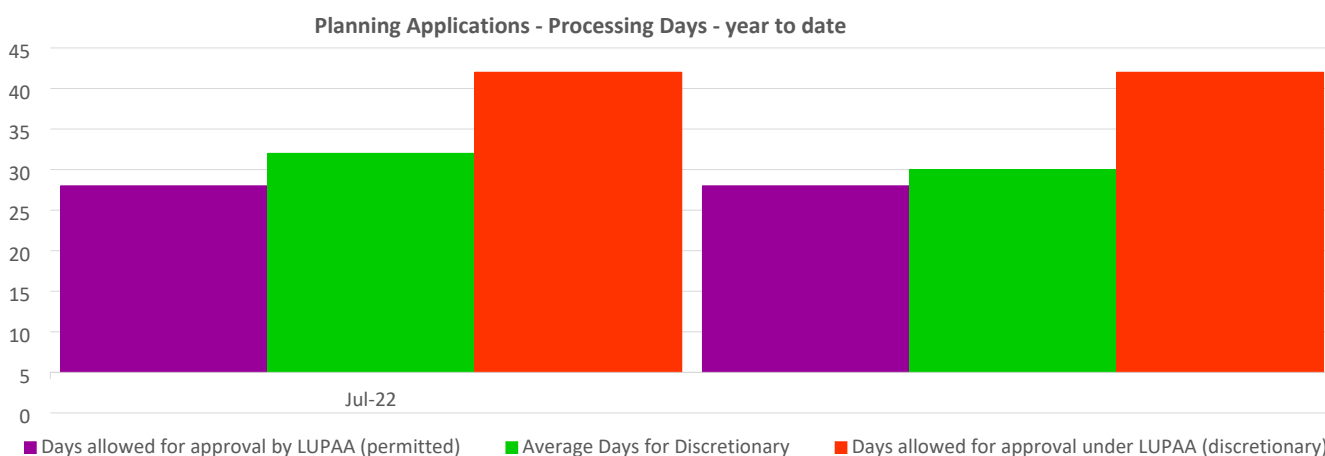
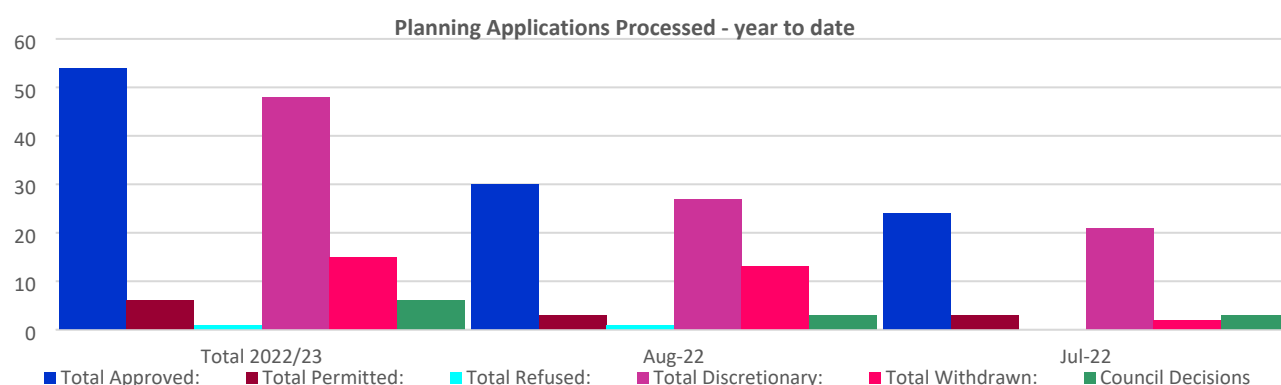
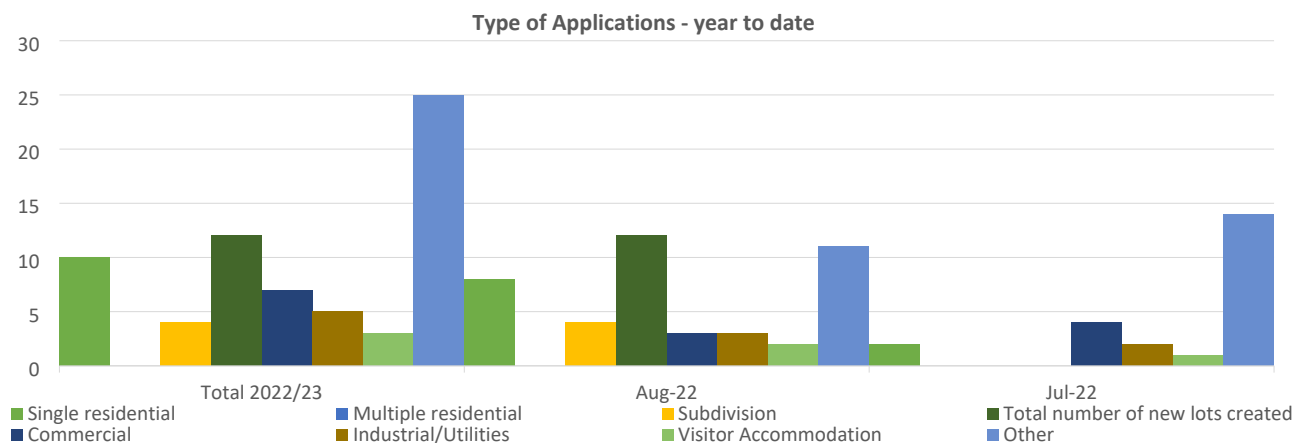
1 PURPOSE OF REPORT

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

2 DEVELOPMENT SERVICES REPORTING

2.1 Planning Decisions

	Total YTD	July	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
Number of valid applications	31	15	16										
Applications on STOP for further information		47	51										
Single residential	10	2	8										
Multiple residential	0	0	0										
Subdivision	4	0	4										
Total number of new lots created	12	0	12										
Commercial	7	4	3										
Industrial/Utilities	5	2	3										
Visitor Accommodation	3	1	2										
Total permitted	0	0	0										
Total discretionary	3	1	2										
Other (includes all residential development on existing dwellings [alterations/ additions, sheds, solar, fences, pools etc])	25	14	11										
Total No. Applications Approved:	54	24	30										
Total Permitted:	6	3	3										
Average Days for Permitted	13	11	15										
Days allowed for approval by LUPAA		28	28										
Total Exempt under IPS:	17	12	5										
Total Refused:	1	0	1										
Total Discretionary:	48	21	27										
Average Days for Discretionary:	31	32	30										
Days allowed for approval under LUPAA:		42	42										
Total Withdrawn:	15	2	13										
Council Decisions	6	3	3										
Appeals lodged by the Applicant	1	0	1										
Appeals lodged by third party	0	0	0										



Project	Details	Address	Applicant	No of LUPAA days	Perm / Disc / Amended
DELEGATED DECISIONS					
PLN-22-0054-1	Kerb realignment and installation of bollard and vehicle safety barriers	Corner of Wellington St & Marlborough St (adjacent to 1-3 Marlborough St), Longford	Northern Midlands Council	28	A
PLN-22-0076-1	Dwelling & Garage	3 Brewis Place, Lake Leake	K Robinson	28	A
PLN-21-0242	Dwelling (discretionary use, vary setbacks in Rural Resource zone, within irrigation district)	25 Leake Street, Cleveland	Design to Live	37	D
PLN-21-0283	Outbuilding & Slab (Vary Side [N] Setback, Road and Railway Assets Code)	6 Partington Place, Perth	The Shed Company	42	D
PLN-22-0060	Alts & Additions to Shearer's Quarters & Change of Use to Visitor Accommodation for Shearer's Quarters and Worker's Cottage	1212 Valleyfield Road, Campbell Town	GA & AK Taylor	42	D



Project	Details	Address	Applicant	No of LUPAA days	Perm / Disc / Amended
PLN-22-0078	Change of Use to General Retail	23 Marlborough Street, Longford	P Green	33	D
PLN-22-0099	Alterations & Additions to Existing Dwelling (Heritage Listed, vary setbacks)	Palmerston, 1393 Saundridge Road, Cressy	C Adams & L Miller	42	D
PLN-22-0107	Dwelling & outbuilding (vary internal front setback and rear setback)	14A Macquarie Street, Evandale	Lez Penzes	42	D
PLN-22-0115	Upgrade to Midland Highway	50 Roseneath Road (folio of the register 121207/1), Ross	Jacobs Group (Australia)	42	D
PLN-22-0119	Dwelling (Attenuation)	2 Goderich St (CT 183036-2), Longford	J Sulzberger & K Humphries	22	D
PLN-22-0123	Shed (16m x 8m) (Vary front and side setbacks)	72-86 Clare Street, Campbell Town	Wilkin Design & Drafting	42	D
PLN-22-0125	Dwelling (Very Internal Lot Frontage, Vary access width)	60 Burghley Street, Longford (access over CT182998/4)	Abode Designer Homes	25	D
PLN-22-0126	Dwelling (Vary Internal Lot Frontage, Vary Access Width)	58 Burghley Street, Longford	Abode Designer Homes	26	D
PLN-22-0127	Dwelling (Vary passing bay; Water Quality Code)	66B Burghley Street, Longford	Abode Designer Homes	29	D
PLN-22-0128	Dwelling (Vary passing bay; Water Quality Code)	66A Burghley Street, Longford	Abode Designer Homes	26	D
PLN-22-0130	8 Lot Subdivision (Vary Frontage Lots 6 & 7, Vary Lot 2 Building Envelope) and works in Catherine Street and Pultney Street road reserves	30 Catherine St (CT63220/4) & 43-47 Pultney St (CT63220/1, CT63220/2 & CT5391/1) & Catherine St & Pultney St road reserves, Longford	C Dixon	28	D
PLN-22-0135	Carport (14m x 6m)(Vary Side Setback, Heritage Precinct)	7A Scone Street, Perth	J Fidler	29	D
PLN-22-0137	Re-subdivision Between 2 Lots (Heritage Precinct, Listed)	29 Macquarie St & 6 Rodgers Lane, Evandale	A Curtis-Godillon	31	D
PLN-22-0138	32 x Additional storage units (staged development)	7 Hudson Fysh Drive, Western Junction	OD40 Pty Ltd AFT The Peregrine Trust	28	D
PLN-22-0139	Alts & Additions to Existing Building (Vary Front Setback)	21 Macquarie Street, Cressy	Ms T Hatton	30	D
PLN-22-0152	Salvage, Relocation & Restoration of Glasshouse	16087 Midland Highway, Perth	R Creese	35	D
PLN-22-0159	Extension to Existing Dwelling & Carport (Heritage Precinct)	147 Bridge Street, Campbell Town	Design To Live	33	D
PLN-22-0161	Shed 8m x 9m (Vary rear (S) setback)	13 Paton St Longford	C&M Ennis	22	D
PLN-22-0162	Replace garage door with window & door. Carport (Heritage Precinct)	27 Murray Street, Evandale	N & K Thomas	28	D
PLN-22-0163	Proposed shed (vary n [side] setback)	27 Main Street, Cressy	Wilkin Design & Drafting	34	D
PLN-22-0167	Outbuilding (Vary e [side] setback, combined gross floor area of outbuildings)	1 Devon Hills Road, Devon Hills	J&M Dodson	30	D
PLN-22-0179	Farm Shed (vary NW setback)	216 Woodburn Lane, Cressy	L & S Cole t/as Elansco Pty Ltd	19	D
PLN-22-0165	Dwelling	17 Little Spit Road, Lake Leake	Engineering Plus	7	P
PLN-22-0166	Shed to store network equipment	126 Bridge Street, Campbell Town	TasNetworks	13	P
PLN-22-0173	Public History Board	1111 Bishopsbourne Road, Bishopsbourne	A & I Badcock	24	P
COUNCIL DECISIONS					
PLN-22-0096	8 Lot Subdivision and works in Cracroft Street road reserve	7 Cracroft Street (CT141401/2) and Cracroft Street road reserve, Longford	Jaffa International Pty Ltd	42	C

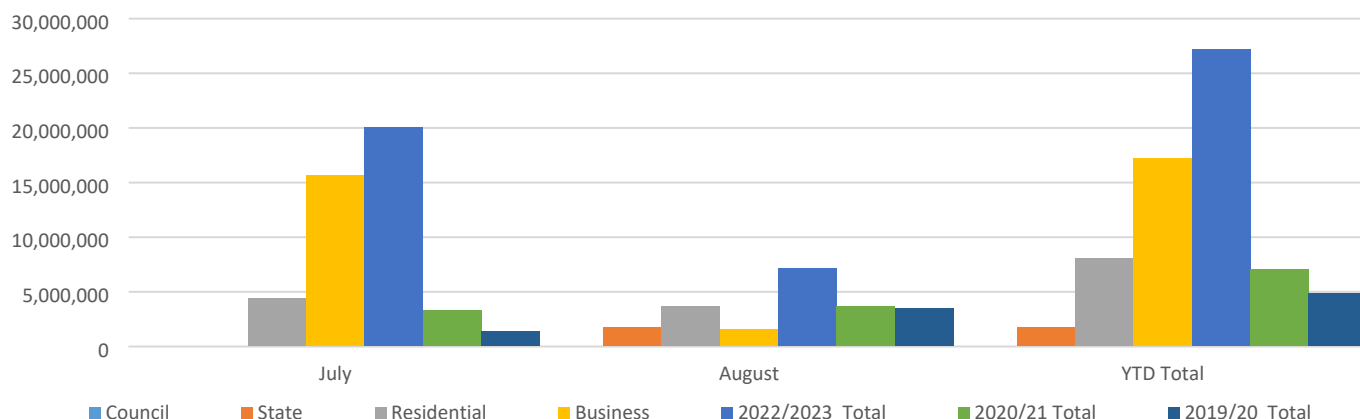


Project	Details	Address	Applicant	No of LUPAA days	Perm / Disc / Amended
PLN-22-0147	2 Lot Subdivision (Heritage Precinct)	1 Collins Street, Evandale	C Dixon	40	C
COUNCIL DECISIONS - REFUSAL					
PLN-21-0073	2 Lot Subdivision in Rural Resource Zone	5 Eskleigh Road, Perth	Drummond Street Developments Pty Ltd	42	CR
DELEGATED DECISIONS - REFUSAL					

2.2 Value of Planning Approvals

	Current Year				2022/2023	2021/2022	2020/2021	2019/2020
	Council	State	Residential	Business	Total	Total	Total	Total
July	50,000	0	4,399,020	15,650,000	20,099,020	4,380,747	3,377,500	1,429,000
August	0	1,820,000	3,710,844	1,625,000	7,155,844	3,781,274	3,709,500	3,503,000
YTD Total	50,000	1,820,000	8,109,864	17,275,000	27,254,864	8,162,021	7,087,000	4,932,000
Annual Total						91,715,427	59,101,247	55,891,900

Value of Planning Approvals (\$)



2.3 Matters Awaiting Decision by TASCAT & TPC

TASCAT	TASMANIAN CIVIL AND ADMINISTRATIVE TRIBUNAL
PLN-21-0223	Appeal 152/215. 102 & 104 Marlborough Street, Longford. Appeal against Council's refusal of 7 multiple dwellings. Preliminary conference held 17 January 2022. Mediation being undertaken.
PLN-21-0195	Appeal P/2022/77. 47Marlborough Street, Longford. Appeal against Council's refusal of 21 multiple dwellings. Preliminary conference held 9 May 2022. Council agreed at its July 2022 meeting to resolve the appeal by replacing its refusal with a permit subject to conditions. Conditions are being mediated with the appellant.
PLN-21-0073	Appeal P/2022/136. 5 Eskleigh Road, Perth. Appeal against Council's refusal of a 2 lot subdivision. Hearing set for 22 November 2022.
PLN-22-0045	Appeal P/2022/120. 21 Drummond Crescent, Perth. Appeal against Council's refusal of 16 multiple dwellings. Mediation being undertaken.
Decisions received	
PLN-21-0339	Appeal P2022/122. 26-28 Charles St, Cressy. Appeal against Council's refusal of seasonal worker accommodation. Preliminary conference held 27 July 2022. Hearing set for 26 & 27 October 2022. Appeal withdrawn by applicant.
TPC	TASMANIAN PLANNING COMMISSION
LPS-NOR-TPS	Tasmanian Planning Scheme. The State Planning Provisions (SPPs) came into effect on 2/3/2017. They will have no practical effect until the Local Provisions Schedule (LPS) is in effect in a municipal area. Northern Midlands Council's Draft Local Provisions Schedule submitted to the Commission 19/12/2019. Post lodgement meeting held 5/5/2020. Matters raised by the Commission and recommended response tabled at the 29/6/2020 Council meeting. Remaining responses to post lodgement enquiries provided 28/08/2020. Submission of response to post lodgement enquiries made by TPC due 5/2/2021. Meeting held between Council and Commission staff to discuss these matters held 20/1/2021. Response provided to TPC 12/2/2021. TPC requested further clarifications 16/3/2021. Response provided 8/4/2021. Section 32(4) responses to final TPC queries provided 6/5/2021. Minister's declarations issued 31 May 2021 were included in 28 June

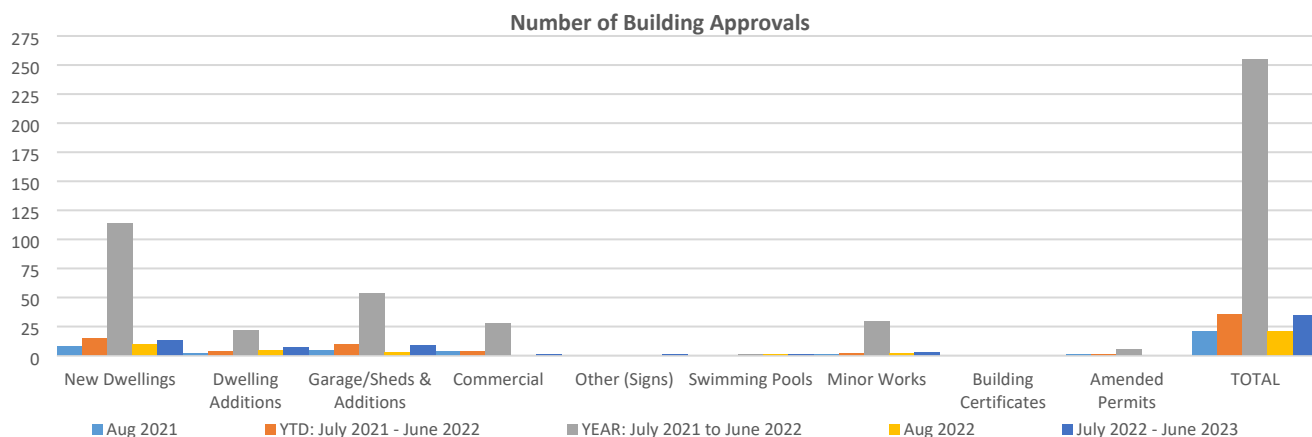


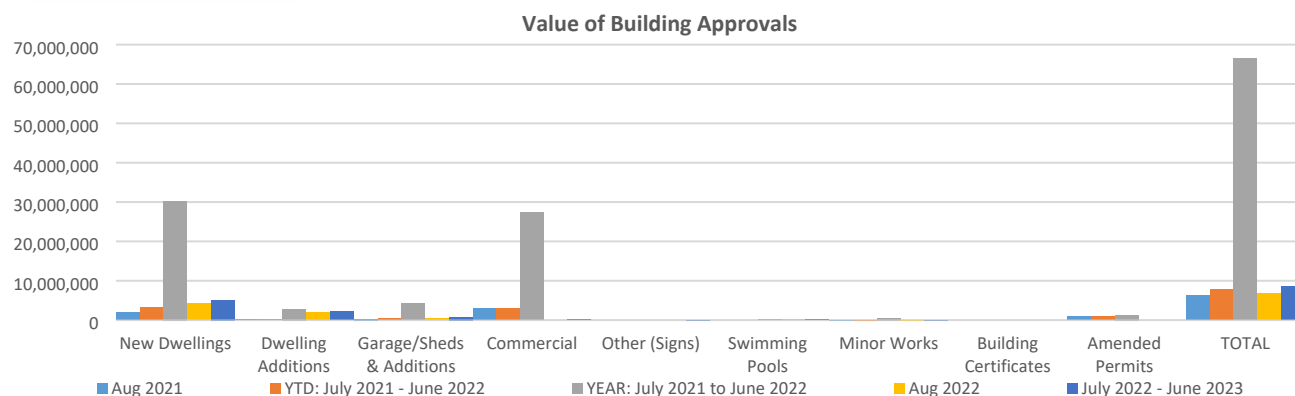
TPC		TASMANIAN PLANNING COMMISSION
		Council agenda. GIS consultant made map changes required by the Minister. Provided to TPC 19/7/2021. TPC advised 13/8/2021 of final mapping changes needed for exhibition. GIS consultant made map changes required by the Minister. Provided to TPC 19/7/2021. 6/10/2021, received direction to publicly exhibit draft Local Provisions Schedule. Draft Local Provisions Schedule on public exhibition from 22 October to 21 December 2021. Section 35F report on representations to be presented to Council meeting of 21 February 2022. Deferred until 21 March meeting to get information on the process if Council supports any of the representations. Section 35F report on representations considered at Council meeting of 21 March 2022. Report sent to Tasmanian Planning Commission 28 March 2022. Hearings held 8-10 June 2022. Awaiting decision.
PLN-22-0065		Draft Amendment 04-2022 to rezone part of 7 Wellington St, Longford, extend urban growth boundary and insert site specific qualification. Public notification until 29 July 2022. No representations. TPC advised. Awaiting decision.
PLN-22-0056		Draft Amendment 03/2022 to rezone part of folio of the Register 173776/1 to General Residential in conjunction with an s43A application for a 3 Lot subdivision.
DECISIONS RECEIVED		
PLN-21-0301		Draft Amendment 04-2021 for new collocated Emergency Services Facility for the Tasmania Fire Service and State Emergency Service at 17 Church Street, Campbell Town. Report to initiate the draft amendment and decide on permit considered at 22 March 2022 meeting. Initiated and approved. On public exhibition until 29 April 2022. Report on representations considered at Council meeting of 16 May 2022. Report on representations sent to Tasmanian Planning Commission. Hearing held 2 August 2022. Decision received 8 September 2022 approving the amendment and permit.

2.4 Building Approvals

The following table provides a comparison of the number and total value of building works for 2021/2022 – 2022/2023.

	YEAR: 2021-2022				YEAR		YEAR: 2022-2023			
	Aug 2021		YTD 2021-2022		July 2021 - June 2022		Aug-2022		YTD 2022-2023	
	No.	Total Value	No.	Total Value	No.	Total Value	No.	Total Value	No.	Total Value
	\$			\$	\$		\$		\$	
New Dwellings	8	1,957,670	15	3,113,171	114	30,244,148	10	4,299,384	13	5,086,070
Dwelling Additions	2	105,000	4	230,000	22	2,848,500	5	1,935,160	7	2,285,160
Garage/Sheds & Additions	5	281,000	10	469,000	54	4,236,238	3	475,000	9	778,000
Commercial	4	2,930,000	4	2,930,000	28	27,270,305	0	0	1	200,000
Other (Signs)	0	0	0	0	0	0	0	0	1	27,945
Swimming Pools	0	0	0	0	1	70,000	1	69,000	1	69,000
Minor Works	1	2,360	2	22,360	30	525,174	2	19,374	3	37,374
Building Certificates	0	0	0	0	0	0	0	0	0	0
Amended Permits	1	975,000	1	975,000	6	1,295,000	0	0	0	0
TOTAL	21	6,251,030	36	7,739,531	255	66,489,365	21	6,797,918	35	8,483,549
Inspections										
Building	0		1		38		0		0	
Plumbing	21		64		316		11		49	





2.5 Planning and Building Compliance – Permit Review

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

	This Month	2022/2023	Total 2021/2022
Number of Inspections	6	11	18
Property owner not home or only recently started			
Complying with all conditions / signed off			2
Not complying with all conditions			
Re-inspection required	4	9	12
Notice of Intention to Issue Enforcement Notice	3	3	
Enforcement Notices issued			
Enforcement Orders issued			
Infringement Notice			
No Further Action Required	2	2	4
	This Month	2022/2023	Total 2021/2022
Number of Inspections	1	4	
Property owner not home or only recently started			
Complying with all conditions / signed off			
Not complying with all conditions			
Re-inspection required		1	
Building Notices issued			
Building Orders issued			
No Further Action Required	1	3	
	This Month	2022/2023	Total 2021/2022
Number of Inspections	5	7	11
Commitment provided to submit required documentation	1	1	
Re-inspection required	3	3	8
Building Notices issued	2	2	
Building Orders issued	1	1	
Emergency Order			
No Further Action Required	1	3	3
	This Month	2022/2023	Total 2021/2022
Number of Inspections		1	29
Commitment provided to submit required documentation			3
Re-inspection required		1	21
Enforcement Notices issued			
Enforcement Orders Issued			
Notice of Intention to Issue Enforcement Notice issued			

3 STRATEGIC PLAN 2021-2027

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

Progress: Economic health and wealth - grow and prosper

Strategic Project Delivery - Build Capacity for a Healthy Wealthy Future

Strategic outcomes:

2.1 Strategic, sustainable, infrastructure is progressive



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

Sense of Place - Sustain, Protect, Progress

Strategic outcomes:

- 3.1 Sympathetic design respects historical architecture
- 3.2 Developments enhance existing cultural amenity
- 3.4 Towns are enviable places to visit, live and work

Place: Nurture our heritage environment

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

Strategic outcomes:

- 4.1 Cherish and sustain our landscape
- 4.2 Meet environmental challenges
- 4.4 Our heritage villages and towns are high value assets

4 STATUTORY REQUIREMENTS

4.1 Land Use Planning & Approvals Act 1993

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

4.2 Building Act 2016

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

5 RISK ISSUES

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

6 COMMUNITY CONSULTATION

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

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

7 OFFICER'S COMMENTS/CONCLUSION

There has been 1 commercial building approval valued at \$200,000 for 2022/2023 (year to date), compared to 4 commercial building approvals valued at \$2,930,000 (year to date) for 2021/2022.

In total, there have been 35 building approvals valued at \$8,483,549 for 2022/2023 (year to date), compared to 36 building approvals valued at \$7,739,531 (year to date) for 2021/2022.



10.2 ROLE OF THE TASMANIAN PLANNING COMMISSION, COUNCIL, AND THE TASMANIAN CIVIL AND ADMINISTRATIVE TRIBUNAL IN PLANNING DECISIONS

File: 17/014
Responsible Officer: Des Jennings, General Manager
Report prepared by: Paul Godier, Senior Planner

RECOMMENDATION

That the report be noted.

1 PURPOSE OF REPORT

This report provides information on the role of the Tasmanian Planning Commission, Council, and the Tasmanian Civil and Administrative Tribunal in planning decisions.

2 INTRODUCTION/BACKGROUND

Council is required, as planning authority, to make planning decisions under the *Land Use Planning and Approvals Act 1993*. Other decision makers in the planning process include the Tasmanian Planning Commission and the Tasmanian Civil and Administrative Tribunal. This report outlines the different roles of these decision makers.

3 STRATEGIC PLAN & INTEGRATED PRIORITY PROJECTS PLAN

3.1 Strategic Plan 2021-2027

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

Lead: Serve with honesty, integrity, innovation and pride

Leaders with Impact

Strategic outcomes:

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

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

Sense of Place - Sustain, Protect, Progress

Strategic outcomes:

- 3.2 Developments enhance existing cultural amenity

Place: Nurture our heritage environment

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

Strategic outcomes:

- 4.4 Our heritage villages and towns are high value assets

3.2 Integrated Priority Projects Plan 2021

Not applicable.



4 POLICY IMPLICATIONS

There are no policy implications.

5 STATUTORY REQUIREMENTS

5.1 *Land Use Planning and Approvals Act 1993*

5.2 *Tasmanian Planning Commission Act 1997*

5.3 *Tasmanian Civil and Administrative Tribunal Act 2020*

6 FINANCIAL IMPLICATIONS

There are no financial implications.

7 RISK ISSUES

No risk issues are identified.

8 CONSULTATION WITH STATE GOVERNMENT

Not required for this matter.

9 COMMUNITY CONSULTATION

Not required for this matter.

10 OPTIONS FOR COUNCIL TO CONSIDER

Council can note the report.

11 OFFICER'S COMMENTS/CONCLUSION

The Land Use Planning and Approvals Act sets out the legal framework for the Tasmanian land use planning system, which allows for:

- planning schemes (regulate the use, development and protection of land)
- enforcement of planning control through the issuing of permits and taking action when breaches occur.

The Land Use Planning and Approvals Act is the overarching piece of legislation which guides planning decisions in Tasmania and sets out the technical and legal requirements for the establishment of the statewide planning scheme (the Tasmanian Planning Scheme).

The *Tasmanian Planning Scheme* (consisting of State Planning Provisions and Local Provisions Schedules) is being rolled out across the State and replaces currently operating local council interim planning schemes.

The Role of the Tasmanian Planning Commission

The Tasmanian Planning Commission is an independent statutory authority established under the Tasmanian Planning Commission Act. Its roles include:

- considering and approving draft planning scheme amendments and combined permits
- reporting on draft State Policies and Tasmanian Planning Policies
- advising on amendments to the State Planning Provisions



- considering and approving Local Provisions Schedules
- advising on draft planning directives.

Planning directives are issued by the Minister for Planning to give direction on a range of planning matters. They have been used to require standard provisions in interim planning schemes.

The Tasmanian Planning Commission is involved in the assessment and consultation of draft Planning Directives and provides advice to the Minister on the issue of Planning Directives.

The following planning directives have been issued by the Minister for Planning under s.13(1) of the Land Use Planning and Approvals Act and apply to all interim planning schemes:

- *Planning Directive No. 1 - The Format and Structure of Planning Schemes* (effective from 17 February 2016).
- *Planning Directive No. 4.1 - Standards for Residential Development in the General Residential Zone* (effective from 18 June 2014).
- *Planning Directive No. 5.1 - Bushfire-Prone Areas Code* (effective from 20 July 2022).
- *Planning Directive No. 6 - Exemption and Standards for Visitor Accommodation in Planning Schemes* (effective from 1 August 2018).
- *Planning Directive No. 7 - Permits for Temporary Housing* (effective from 16 September 2020).
- *Planning Directive No. 8 - Exemptions, Application Requirements, Special Provisions and Zone Provisions* (effective from 20 July 2022).

The Role of Council

Council is required, as planning authority, to make planning decisions under the Land Use Planning and Approvals Act. Council is given this responsibility under section 3 of the Act.

In accordance with section 51 (1AB) and (3) of the Act a planning authority must not refuse to accept a valid application for a planning permit, and a planning authority is required to determine applications for planning permits in accordance with the provisions of the planning scheme that was in effect on the day on which the application was validly made. Clause 8.10.1 of Planning Directive No. 1 - incorporated into all interim planning schemes - requires the planning authority to take into consideration:

- *all applicable standards and requirements in the planning scheme; and*
- *any representations received,*

but in the case of the exercise of discretion, only insofar as each such matter is relevant to the particular discretion being exercised.

In accordance with section 61 (4) and (5) of the Land Use Planning and Approvals Act:

- If a planning authority refuses to grant a permit or grants a permit subject to conditions or restrictions, the applicant for the permit may appeal to the Tasmanian Civil and Administrative Tribunal against the decision of the planning authority; and
- If a planning authority grants a permit, any person who has made a representation may appeal to the Tasmanian Civil and Administrative Tribunal against the grant of the permit.

The Role of the Tasmanian Civil and Administrative Tribunal



The Tasmanian Civil and Administrative Tribunal resolves appeals through dispute resolution processes such as mediations, or through conducting hearings that provide a final decision about the appeal. Decisions made by the Tribunal may only be appealed to the Supreme Court on a question of law in accordance section 136 of the Tasmanian Civil and Administrative Tribunal Act.

12 ATTACHMENTS

Nil



11 CORPORATE SERVICES REPORTS

11.1 MONTHLY REPORT: FINANCIAL STATEMENT

31 Responsible Officer: Maree Bricknell, Corporate Services Manager

Report prepared by: Maree Bricknell, Corporate Services Manager

RECOMMENDATION

That Council:

- i) receive and note the Monthly Financial Report for the period ending 31 August 2022, and
- ii) authorise Budget 2022/23 alterations as listed in Item 4.

1 PURPOSE OF REPORT

The purpose of this report is to present the monthly financial reports as at 31 August 2022.

2 INTRODUCTION/BACKGROUND

The Monthly Financial Summary for the period ended 31 August 2022 is circulated for information.

3 STRATEGIC PLAN 2021-2027

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

Progress: Economic health and wealth - grow and prosper

Strategic Project Delivery - Build Capacity for a Healthy Wealthy Future

Strategic outcomes:

2.1 Strategic, sustainable, infrastructure is progressive

4 ALTERATIONS TO 2022-23 BUDGET

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

SUMMARY FINANCIAL REPORT

For Month Ending:	31-Aug-22	2	
Budget Alteration Requests			
- For Council authorisation by absolute majority	<i>Budget</i>	<i>Budget</i>	<i>Actuals</i>
	<i>Operating</i>	<i>Capital</i>	
Capital works budget variances above 10% or \$10,000 are highlighted			
August			
No adjustments for July & August.			



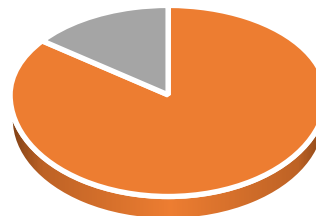
A. Balance Sheet Items					
	Year to Date Actual		Monthly Change		Same time last year
Comments					
Cash & Cash Equivalents Balance					
- Opening Cash balance	\$25,974,971		\$20,517,760		
- Cash Inflow	\$8,077,034		\$5,988,204		
- Cash Payments	-\$9,465,488		-\$1,919,447		
- Closing Cash balance	\$24,586,516		\$24,586,516		
	-		-		
Account Breakdown					
- Trading Accounts	\$875,191				
- Investments	\$23,711,325				
	\$24,586,516				
	-				
Summary of Investments	Investment Date	Maturity Date	Interest Rate%	Purchase Price	Maturity Value
Tasmanian Public Finance Corporation Call Account	3/08/2022	31/08/2022	1.87	\$5,411	\$5,418
CBA Business Online Saver	31/08/2022	31/08/2022	0.95	\$4,286,821	\$4,286,821
Westpac Corporate Regulated Interest Account	31/08/2022	31/08/2022	2.10	\$492,257	\$492,257
CBA	14/06/2022	12/12/2022	2.94	\$1,000,000	\$1,014,579
CBA	14/06/2022	13/03/2023	3.70	\$1,000,000	\$1,027,573
Westpac	13/04/2022	13/04/2023	1.91	\$4,500,000	\$4,585,950
CBA	14/06/2022	10/05/2023	3.94	\$5,000,000	\$5,178,110
My State Financial	25/05/2022	25/05/2023	2.70	\$3,371,425	\$3,462,454
Westpac - Stimulus	29/06/2022	29/06/2023	3.30	\$1,050,000	\$1,084,650
Westpac - Stimulus	16/06/2022	16/12/2024	1.60	\$3,000,000	\$3,120,197
Total Investments				\$23,705,914	\$24,258,009

Investments by Institution



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

Total Investments by Rating (Standard & Poor's)

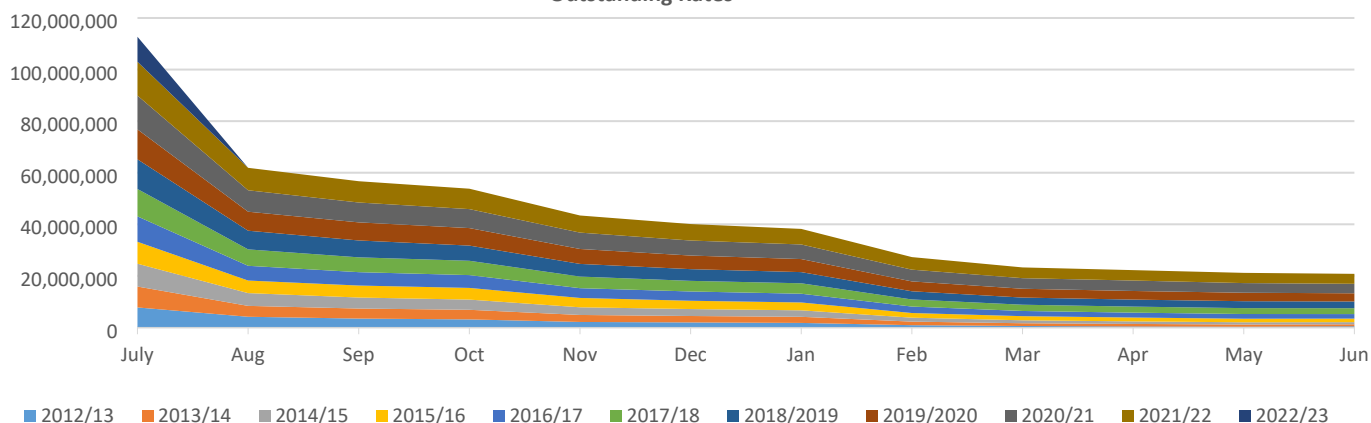


■ AA+ ■ AA- ■ BBB ■ Unrated

Rate Debtors	2022/23	% to Raised	Same Time Last Year	% to Raised	
Balance b/fwd	\$3,863,134		\$3,205,341		
Rates Raised	\$12,977,751		\$12,239,129		
	\$16,840,884		\$15,444,470		
Rates collected	\$6,603,221	50.9%	\$6,221,295	50.8%	
Pension Rebates	\$519,465	4.0%	\$489,688	4.0%	
Discount & Remissions	\$26,041	0.2%	\$24,830	0.2%	
	\$7,148,727		\$6,735,812		
Rates Outstanding	\$9,692,157	74.7%	\$8,708,658	71.2%	
Advance Payments received	-\$273,558	2.1%	-\$166,831	1.4%	



Outstanding Rates



Trade Debtors

Current balance	\$1,121,829		
- 30 Days	\$474,729		
- 60 Days	\$95,776		
- 90 Days	\$8,440		
- More than 90 days	\$542,884		
Summary of Accounts more than 90 days:			
- Norfolk Plains Book sales	171		Paid by outlet as sold
- Hire/lease of facilities	10,152		
- Removal of fire hazards	6,985		
- Dog Registrations & Fines	19,194		Send to Fines Enforcement
- Private Works	36,131		
- Regulatory Fees	3,851		
- Govt Reimbursements	466,400		
	-		

B. Employee & WHS scorecard

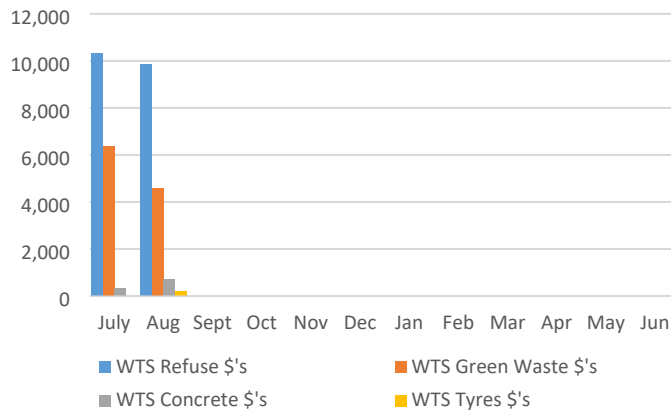
	YTD	This Month	
Number of Employees	86	86	
New Employees	1	0	
Resignations	4	2	
Total hours worked	24,268	12,377	
Lost Time Injuries	0	0	
Lost Time Days	0	0	
Safety Incidents Reported	0	0	
Hazards Reported	3	3	
Risk Incidents Reported	1	1	
Insurance claims - Public Liability	0	0	
Insurance claims - Industrial	0	0	
Insurance claims - Motor Vehicle	0	0	
IT - Unplanned lost time	0	0	
Open W/Comp claims	2	1	

C. Waste Management

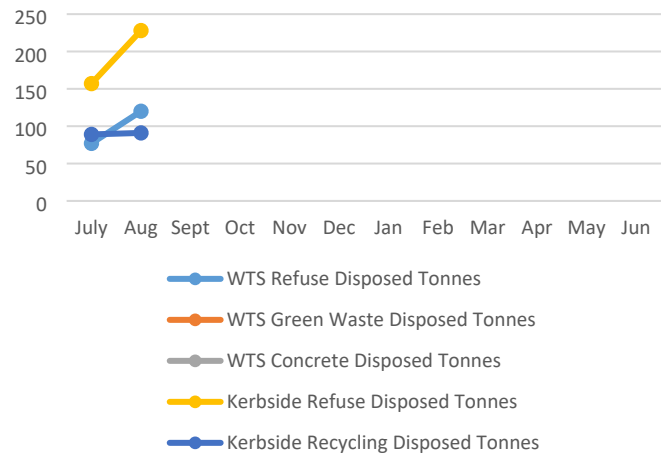
Waste Transfer Station	2020/21	2021/22	2022/23 Budget Year to Date	2021/22	
Takings					
- Refuse	\$119,842	\$135,285	\$11,074	\$20,173	
- Green Waste	\$80,904	\$82,450	\$6,931	\$10,939	
- Concrete	\$2,293	\$2,980	\$214	\$998	
- Tyres	727	694	\$54	\$186	
Total Takings	\$203,767	\$221,409	\$18,273	\$32,296	
Tonnes Disposed					
WTS Refuse Disposed Tonnes	1432	1349	133	197	
WTS Green Waste Disposed Tonnes	4670	2760	424	0	Mulch quarterly
WTS Concrete Disposed Tonnes	3056	3056	0	0	Crush periodically
Kerbside Refuse Disposed Tonnes	2435	2430	203	385	
Kerbside Recycling Disposed Tonnes	1051	1048	108	180	
Total Waste Tonnes Disposed	12644	10643	867	762	



Waste Transfer Station Fees 2022-23



Waste Disposal Tonnes 2022-23



5 OFFICER COMMENTS

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

6 ATTACHMENTS

Nil



12 WORKS REPORTS

12.1 RECYCLING AT EVANDALE, CAMPBELL TOWN AND AVOCA WASTE TRANSFER STATIONS

Responsible Officer: Leigh McCullagh, Works Manager

Report prepared by: Jonathan Galbraith, Engineering Officer

RECOMMENDATION

That

- a) Council note the report; and
- b) the matter be further investigated by the Local Recycling Committee for consideration at the completion of the current contract for the management of the waste transfer stations.

1 PURPOSE OF REPORT

The purpose of this report is to make Council aware of opportunities for recycling at the Evandale, Campbell Town and Avoca Waste Transfer Stations.

2 INTRODUCTION/BACKGROUND

At the Council meeting held 16 May 2022, Council considered a request from Campbell Town District Forum to “address the issue of excess waste and contamination”, at the Campbell Town Transfer Station. Campbell Town District Forum members had expressed concerns regarding stockpiling of recyclables and green waste. Council resolved to note the request and receive a report on the processing of recyclables at Waste Transfer Stations (Minute no. 22/145).

2.1 Recycling services currently provided at Waste Transfer Stations

The Longford Waste Transfer Station is the main centre for the collection of recyclable materials in the Northern Midlands Council. Recycling services offered at Longford include: Cardboard, plastics, glass, paint, fluorescent tubes and e-waste.

Greenwaste, scrap timber, scrap steel, waste oil and tyre recycling is offered at all sites with all sites (except Avoca) having a Tip Shop to encourage reuse. The tip shops have been very successful in diverting many items away from landfill.

The contractor who is responsible for the management of the sites also collects high value recyclables such as batteries and e-waste at all sites and transports them to Longford for collection by contractors. Although this is not a requirement of their contract the sale price of these items makes it economically viable to do this.

2.2 Stockpiling of recyclables on site

The high cost of transport requires that recyclables are stockpiled on site at the smaller transfer stations and transported in larger quantities. Greenwaste mulching is particularly difficult at Campbell Town and Avoca due to the costs involved in transporting equipment to the site to process a small amount of material. There are only a small number of contractors in Tasmania who mulch green waste and they will not come on site until there is sufficient material to make the trip to site viable. There is also a higher cost to Council per cubic metre if they only process a small amount of material whilst on site.



3 STRATEGIC PLAN & INTEGRATED PRIORITY PROJECTS PLAN

3.1 Strategic Plan 2021-2027

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

Place: Nurture our heritage environment

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

Strategic outcomes:

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

3.2 Integrated Priority Projects Plan 2021

This plan has been developed with a coordinated perspective to align with local, regional, state and federal plans. Rather than grouping projects by town or assembling a long list of 'nice to have' projects, this plan takes a Council-wide view of needs and opportunities in relation to the strategic investment drivers in the region. This matter has relevance to:

Not applicable.

4 POLICY IMPLICATIONS

If Council wishes to provide additional recycling services at the Evandale, Campbell Town and Avoca Waste Transfer Stations this will require Council to review the tender documents for the operation of these sites. The most appropriate time to do this is at the completion of the current contract in June 2023.

5 STATUTORY REQUIREMENTS

The Tasmanian Waste and Resource Recovery Act and Regulations 2022

6 FINANCIAL IMPLICATIONS

If Council chooses to offer recycling services at the Evandale, Campbell Town and Avoca Waste Transfer Stations, there will be an additional cost to Council to cover the recycling of materials at these sites. The cost involved would depend on the materials to be recycled.

7 RISK ISSUES

If certain types of recyclables cannot be collected at the smaller transfer stations these materials will continue to be disposed of as general waste. Disposing of recyclable materials as general waste impacts on the environment and has cost implications for Council.

The cost to Council for disposing of material to landfill has now further increased due to the introduction of the Statewide Waste Levee, but due to the costs associated with transporting small amounts of recyclables there will also be costs associated with offering recycling services at the smaller waste transfer stations.

8 CONSULTATION WITH STATE GOVERNMENT

N/A

9 COMMUNITY CONSULTATION

These matters were raised with Council by the Campbell Town District Forum



10 OPTIONS FOR COUNCIL TO CONSIDER

Council can choose to either:

1. Update the tender documents for the management of the Waste Transfer Station at the completion of the current tender in June 2023 to require recycling services to be provided at all sites or;
2. Continue to monitor prices and opportunities but not offer recycling services at Evandale, Campbell Town and Avoca at this time.

11 OFFICER'S COMMENTS/CONCLUSION

There would be a significant additional cost to accept materials such as plastics at the smaller sites and if the contractor was required to accept these materials this would be reflected in their price to manage the sites. It is likely that the contractor would need to purchase an additional vehicle and pay their staff for additional time to transport the material to Longford.

Most other Councils in Tasmania offer limited recycling services at their smaller sites and encourage members of the public to dispose of their recyclables when they at the larger waste transfer stations that are better equipment to store these materials.

12 ATTACHMENTS

Nil



12.2 SAFETY CONCERNS AT BARTON ROAD INTERSECTION

Responsible Officer: Leigh McCullagh, Works Manager

Report prepared by: Jonathan Galbraith, Engineering Officer

RECOMMENDATION

That Council continue to lobby the Department of State Growth seeking funding opportunities and the Minister be invited to inspect the site with Council.

1 PURPOSE OF REPORT

The purpose of this report is for Council to consider safety concerns that have been raised regarding the intersection of Barton Road and the Midland Highway.

2 INTRODUCTION/BACKGROUND

A report was presented to the Council meeting on the 15th of August 2022 regarding safety concerns that have been raised by members of the public. There has been a significant increase in traffic turning at this intersection because of the new Confessional Coffee shop and there have been several reports of near misses.

Council's General Manager wrote to the Department of State Growth raising concerns about the intersection on 25 of March 2022 and a response was received on 18 of July 2022 from Mr. Gary Hills from the Department of State Growth. Mr Hills advised that these works were not considered a priority by the Department of State Growth, but Council could choose to construct a left-hand turning lane (deceleration lane) for north bound traffic at their expense. It was noted by Council officers that this would likely involve Council carrying out some works within the Department of State Growth Road Corridor.

At that meeting it was resolved,

"That the matter be deferred to the next Council meeting, pending provision of the original Traffic Impact Assessment included in the coffee shop development application, and additional information relating to the removal or remediation relative to the Midland Highway gated access to the property."

3 STRATEGIC PLAN & INTEGRATED PRIORITY PROJECTS PLAN

3.1 Strategic Plan 2021-2027

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

Lead: Serve with honesty, integrity, innovation and pride

Leaders with Impact

Strategic outcomes:

1.4 Improve community assets responsibly and sustainably

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

Sense of Place - Sustain, Protect, Progress

Strategic outcomes:

3.3 Public assets meet future lifestyle challenges



3.2 Integrated Priority Projects Plan 2021

This plan has been developed with a coordinated perspective to align with local, regional, state, and federal plans. Rather than grouping projects by town or assembling a long list of 'nice to have' projects, this plan takes a Council-wide view of needs and opportunities in relation to the strategic investment drivers in the region. This matter has relevance to:

Not applicable.

4 POLICY IMPLICATIONS

Council must consider if these works are a Council responsibility as it would involve construction works within the road reserve which is owned by the Department of State Growth.

5 STATUTORY REQUIREMENTS

- *Roads and Jetties Act 1935*
- *Local Government Highways Act 1982*

6 FINANCIAL IMPLICATIONS

Should Council choose to proceed with upgrade works at the Barton Road intersection Council would be required to engage a designer to prepare a design for a deceleration zone in accordance with the Department of State Growth requirements.

The cost of having a design prepared by a consultant is estimated at \$7,000 – \$10,000.

Should Council proceed to carry out works the cost cannot be estimated until a design has been received but is likely to be well in excess of \$100,000.

7 RISK ISSUES

There would be a significant cost associated with these works and this cost would not be known until design works have been completed.

There have been reports of near misses at this intersection.

8 CONSULTATION WITH STATE GOVERNMENT

The Department of State Growth have been contacted about this matter.

9 COMMUNITY CONSULTATION

Council has raised this matter with the Department of State Growth because of complaints from members of the public.

10 OPTIONS FOR COUNCIL TO CONSIDER

1. Engage a consultant to prepare a design for a deceleration lane.
2. Continue to monitor the situation and take no further action at this time.
3. Continue to lobby the Department of State Growth seeking funding opportunities and the minister be invited to inspect the site with Council.

11 OFFICER'S COMMENTS/CONCLUSION

11.1 Turning movements into Barton Road



The Traffic Impact Assessment prepared by RJK Engineering states that *“The increased traffic experienced by Barton Road is assessed as within the acceptable range in terms of impact on local amenity. The local road network is assessed as being able to cope with the increased traffic activity;”*

The traffic impact assessment estimates a trip duration of 199 vehicles movements per day and traffic counts done by Council indicate that vehicle usage of the site is within that range.

11.2 Direct access from the Midland Highway

The following condition was placed on planning permit PLN-20-0286 at the request of the Department of State Growth:

3 Department of State Growth requirements

- a) *No vehicle or pedestrian access is permitted from the Midland Highway boundary. The site shall be permanently fenced to restrict access.*
- b) *The Midland Highway road reservation must not be utilised for business related parking.*
- c) *No advertisement of the business will be permitted within the Midland Highway reservation, either permanent or temporary.*

Council officers have observed that this condition is not being complied with. A gate is often open to the highway providing pedestrian access from the highway and a mobile sign is often displayed on the side of the highway. The permit operator has been requested to keep the gate closed, stop placing the sign on the side of the highway, and to replace the gate with fencing.

12 ATTACHMENTS

- 1. Traffic Impact Assessment for 13790 Midland Hwy, Epping Forest [12.2.1 - 32 pages]
- 2. Endorsed plans for Planning Permit PL N-20-0286 [12.2.2 - 35 pages]



13 PUBLIC QUESTIONS AND STATEMENTS

PUBLIC ATTENDANCE DURING THE COVID-19 DISEASE EMERGENCY DECLARATION

Public Attendance Meeting Guidelines during the COVID-19 Disease Emergency

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

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 prior to 5.00pm and between 6.30pm to 6.40pm. Public Question Time commences at 6.45pm.

Members of the public who would prefer not to attend the meeting, but would like to ask a question or make a representation to the Council that would normally be heard during Public Question Time, may forward their question/representation to council@nmc.tas.gov.au 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 (in accordance with Council's Meeting Procedures Policy).

PUBLIC QUESTIONS AND STATEMENTS

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

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

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



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

PUBLIC QUESTIONS



14 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.

RECOMMENDATION

That the Council intends to act as a Planning Authority under the *Land Use Planning and Approvals Act 1993* for Agenda Item/s 15.1 and 15.2.

14.1 STATEMENTS

REPRESENTATIONS ON PLANNING ITEMS

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

Each speaker is limited to a maximum of 3 minutes.

PLAN 15.1: PLN22-0171, 41-43 Wellington Street, Longford

PLN22-0169: Part Change of Use to Business & Professional Services 500 & 502 Hobart Road Youngtown



15 PLANNING REPORTS

15.1 PLN22-0171: 41-43 WELLINGTON STREET LONGFORD

File: 113600.15; PLN22-0171
Responsible Officer: Des Jennings, General Manager
Report prepared by: Rebecca Green Planning Consultant

RECOMMENDATION

That, in accordance with sections 51 and 57 of the *Land Use Planning and Approvals Act 1993*, a permit be granted for application PLN-22-0171 to develop and use the land at 41-43 Wellington Street, Longford for partial demolition, alterations and additions to building, and new carpark (Heritage Listed Place, Heritage Precinct) subject to the following conditions:

1 Endorsed Documents

The use and development must be in accordance with the endorsed plans numbered **P1 – P6** (*Plans prepared by circa morris-nunn chua architects, Drawing No: 2203, Sheet No's: DA01-DA06, Rev: 00, Dated: 29/7/22*); and **D1** (*An Architectural Report, circa morris-nunn chua architects, dated: July 22*); and **D2** (*Email from Fraser Miller Re: Questions regarding Planning Application 41-43 Wellington Street, Longford, Dated: 4 August 2022*), except as varied by Conditions 2 and 3 below.

2 Landscaping

- Prior to the issue of a Building Approval or the commencement of the development, a detailed landscaping plan to the approval of the General Manager must be submitted. The plan must show retention of existing trees and bushes along the southern boundary, except for any dead or dangerous trees, and supplemented with new plants and incorporating the establishment of low shrubbery to the western edge of the Wellington Street car parking area that will have the effect of screening cars parked. When approved, the plans will be endorsed and will then form part of the permit.
- The landscaping shown on the endorsed plans must be established before the commencement of use, and maintained including the replacement of any dead, diseased or damaged plants for the duration of the use.

3 Tasmanian Heritage Council Requirements

The proposed development must comply with the requirements of the Tasmanian Heritage Council Notice of Heritage Decision (Reference #7951, File No. 10-47-81THC, 7 September 2022) attached as Appendix A.

4 Access and Parking

4.1 General

- Prior to commencement of the use, areas set aside for parked vehicles and access lanes must be constructed in accordance with the endorsed plans.



- All parking, access strips, manoeuvring, and circulation spaces must be readily identifiable and constructed with an impervious all weather seal with the layout of car spaces and access ways designed in accordance with *Australian Standards AS 2890.1 - 2004 Parking Facilities, Part 1: Off Road Car Parking*.
- Each parking space must be delineated by line-marking or provided with other clear physical means to delineate car spaces.

4.2 Accessible car parking spaces

Accessible car parking spaces for use by persons with disabilities must be designed and constructed in accordance with AS/NZ2890.6 – 2009 Parking facilities – Off-street parking for people with disabilities.

4.3 Bicycle Parking

Prior to the commencement of use, a minimum of one (1) bicycle parking space must be provided. The bicycle parking space must:

- a) Be in the form of a rail or hoop to lock a bicycle to that meets *Australian Standard AS 2890.3 1993*;
- b) Have minimum dimensions of:
 - i) 1.7m in length; and
 - ii) 1.2m in height; and
 - iii) 0.7m in width at the handlebars.

4.4 Motorbike Parking

Before the use commences, a minimum of two (2) motorbike parking spaces must be provide, each measuring 2.5m long by 1.2m wide in accordance with *Australian Standards AS 2890.1 - 2004 Parking Facilities, Part 1: Off Road Car Parking*.

Advice:

The setback of the main car parking area (away from Wellington Street) should be further increased if possible, and should the proponent wish the carpark to be altered, updated details may form part of the landscaping plan required as per condition 2 in terms of the new setback to be proposed, together with details of any fencing removal and/or replacement.



1 INTRODUCTION

This report assesses an application for 41-43 Wellington Street, Longford, for partial demolition, alterations and additions and new carpark (Heritage Listed Place, Heritage Precinct).

2 BACKGROUND

Applicant:

Circa Architecture

Zone:

General Residential Zone

Classification under the Scheme:

Business and professional services

Deemed Approval Date:

24 September 2022

Owner:

Philip Grant & Elizabeth Anne Lethborg

Codes:

Road & Railway Assets Code;
Carparking & Sustainable Transport Code;
Heritage Code;
Heritage Precincts Specific Area Plan

Existing Use:

Business and professional services

Recommendation:

Approve

Discretionary Aspects of the Application:

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

Planning Instrument:

- *Northern Midlands Interim Planning Scheme 2013, Version 39, Effective from 20th July 2022.*

Subject Site



3 STATUTORY REQUIREMENTS

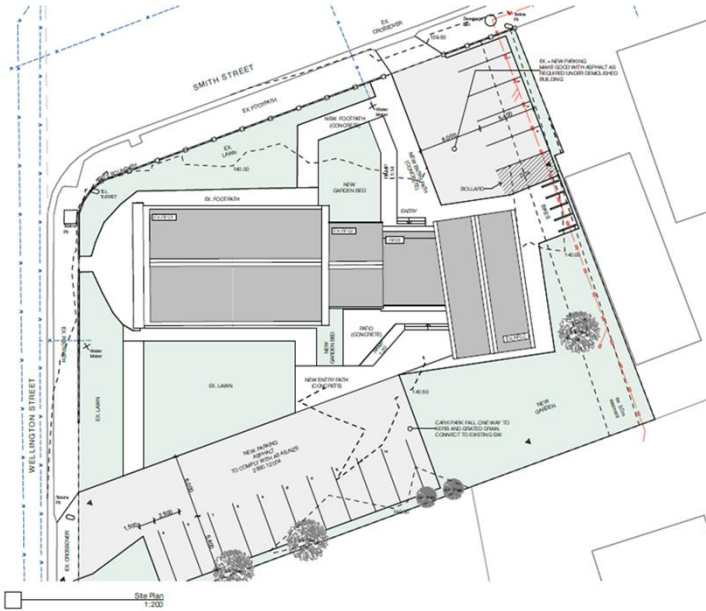
The proposal is an application pursuant to section 57 of the *Land Use Planning & Approvals Act 1993* (i.e., a discretionary application). Section 48 of the *Land Use Planning & Approvals Act 1993* requires the Planning Authority to observe and enforce the observance of the Planning Scheme. Section 51 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

Partial demolition, alterations and additions and new carpark (Heritage Listed Place, Heritage Precinct).

Site Plan (extract)



Elevations



4.2 Zone and Land Use

Zone Map – General Residential Zone



The land is zoned General Residential, is Heritage Listed and is within the Heritage Precinct.

The relevant Planning Scheme definition is:

<i>Business and professional services</i>	<i>use of land for administration, clerical, technical, professional or similar activities. Examples include a bank, call centre, consulting room, funeral parlour, medical centre, office, post office, real estate agency, travel agency and veterinary centre.</i>
<i>office</i>	<i>means use of land for administration, or clerical, technical, professional or other similar business activities.</i>

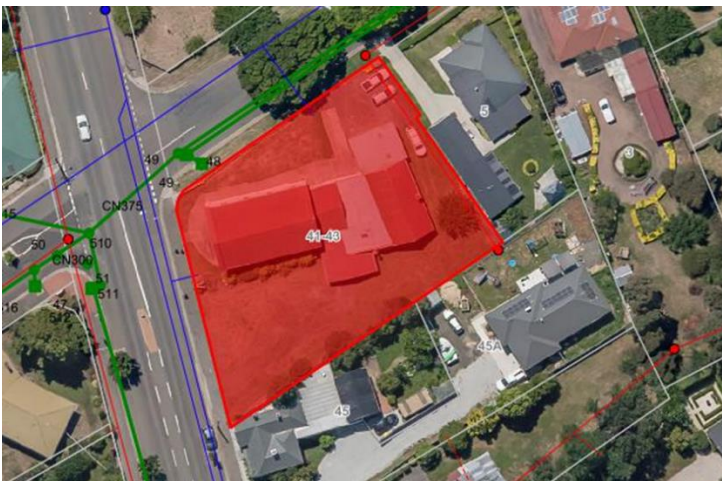
The proposal for the site to be used as an office is within the same use class (business and professional services) as the previous use as a funeral parlour, and so clause 9.2.1 applies and the use has a permitted status.

9.2.1 - Proposals for development associated with a use class specified in an applicable Use Table, as a discretionary use, must be considered as if that use class had permitted status in that Use Table, where the proposal for development does not establish a new use, or substantially intensify the use.

4.3 Subject Site and Locality

A site inspection was undertaken by the author of this report. The site is located on the south- eastern corner of the Wellington Street and Smith Street intersection. The lot comprises an area of 1,998m² and contains the heritage listed property, the former Longford Baptist Tabernacle which had previously been used as a funeral parlour.

Aerial photograph of area





Photographs of subject site



4.4 Permit/Site History

Relevant permit history includes:

- 8/75 – Hall addition
- DA45/99 – Funeral Establishment
- P00-7 – Funeral Parlour renovations/additions
- P09/160 – 2 Lot Boundary Adjustment
- PLN20-0001 – rezoning to General Residential and permit for a 3 lot subdivision

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 10 representations (attached) were received from:

- Pieter Bosch, 45 Wellington Street, Longford
- Gregory Howlett, email address supplied
- Cheree Madden obo JJ's Bakery, email address supplied
- John Izzard, 44 Wellington Street, Longford
- Annette & Rob Aldersea, 14 Lyttleton Street, Longford
- Bruce Lindsay, email address supplied



- Rienk van der Woude, 1/27 Goderich Street, Longford
- Andrew Colvin, "Nosswick," Blackwood Creek
- Sandy Gibson, "Native Point," Perth

Whilst no representation received was against the proposal, and all representations received fully supported the proposal and were positive, one representation by the adjoining landowners to the south, although supportive of the proposal requested three minor alterations and a second raised a couple of minor concerns.

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

Issue 1

- A request by the adjoining landowner that the areas indicated on the plan as "NEW GARDENS" on the south eastern side and along the fence to the larger area next to Wellington Street (i.e. on the sides and front of the proposed parking areas) will be established as a priority to ensure the parking area will not negatively affect the aesthetics of the long front along the fence line of the adjoining property and will provide necessary privacy to the occupants of the adjoining dwelling at 45 Wellington Street.

Planner's comment:

A condition on any approval would require that a detailed landscaping plan be submitted to Council for approval which would ensure that the existing trees and bushes along the southern boundary be retained, except for any dead or dangerous trees, and supplemented with new plants and incorporate the establishment of low shrubbery to the western edge of the Wellington Street car parking area that will have the effect of screening cars parked.

Issue 2

- A request by the adjoining landowner that the existing trees 1, 2, and 4 as shown on a figure attached to the representation and to the south of the new parking area be retained. Tree 3 is dead and its removal will be necessary.

Planner's comment:

A detailed landscaping plan will be required as a condition on any approval to be submitted and approved prior to any works commencing on site.

Issue 3

- A request by the adjoining landowner that the southern car parking area be moved slightly to the east by approximately 2 car parking space widths to provide more privacy to the house adjacent and improve the aesthetics from the street and somewhat "hide" the parking area from the street. This also would aid in visitors to the area potentially using this as a perceived public car park.

Planner's comment:

Whilst there is no planning provision that would require the car parking area to the west and south of the site to be altered to increase the setback further away from Wellington Street as this is already behind the established building line, advice could be placed on any permit for this to be considered and should the proponent wish the carpark to be altered, this could form part of the required landscaping plan in terms of the new setback. It is noted that the proponent has advised that they will explore the realignment of two parking spaces.

Issue 4

- A request that the existing fence be either removed or should a fence be needed a more appropriate style of fencing i.e., picket be considered.

Planner's comment:

The existing fence removal was not shown on the submitted plans, it is noted that the proponent has passed this request on to their client for future consideration subject to budget constraints. There is no further consideration of this matter in relation to the planning provisions within the planning scheme, should the client/proponent wish to consider this as



part of this project, without the possible need for further planning approval, it may be considered as part of inclusion in the required landscaping plan.

Issue 5

- A request is made that a garden bed be provided to the right hand side of the driveway to the Wellington Street car parking area to soften the appearance from the street.

Planner's comment:

A detailed landscaping plan will be required as a condition on any approval to be submitted and approved prior to issue of a building approval.

Issue 6

- There is an inappropriate light over the original Wellington Street front door and it is requested that this be removed, and if necessary, replaced with a more appropriate fixture.

Planner's comment:

Advice has been placed on the Tasmanian Heritage Council's decision that the opportunity be taken to remove the light that is mounted above the Wellington Street entry doors, possibly replacing it with a more discreet fitting. The requirement of such cannot be placed on a permit as a condition, however the proponent has advised as a response to the representations that removal will be undertaken of the existing light.

4.6 Referrals

The following referrals were required:

Council's Works Department

Council's Engineering Officer, Jonathan Galbraith, reported on 12/8/2022 that the Department has no comment to make in relation to this application.

Taswater

TasWater advised Council on 19 August 2022 that the proposed development does not require a submission from TasWater.

Heritage Advisor

Council's Heritage Advisor, David Denman, noted that he has no objections to the proposal and advised that "This proposal will restore the historic cultural integrity of the original buildings by removing the more recent unsympathetic additions and replacing the connection between the original church building and the rear hall with a discreet glass structure. It will also restore the main front entrance. This will enhance the building's historic presentation within the streetscape. The new use will ensure this significant historic building that makes a significant contribution to Longford's historic cultural heritage is used and maintained into the future." Mr Denman's assessment against the Heritage Code is included in this report.

Tasmanian Heritage Council

As the property is on the Register of the Tasmanian Heritage Council, the proposal was subject to a Notice of Heritage Decision. A Notice of Heritage Decision was issued on 7 September 2022 (Ref: 10-47-81 THC) and includes conditions regarding a detailed schedule of proposed works to be prepared, flooring and hard surfaces, the design of the new glass link, new service installations, and the proposed front entry doors replacement. The Planning Permit will condition the development to be in accordance with the Notice of Heritage Decision.

Department of State Growth

The Department advised Council on 12th August 2022 that they have no comment to make regarding this application.

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</i>



impacts.

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

Assessment: The proposal meets the zone purpose.

LOCAL AREA OBJECTIVES

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

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

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

Assessment: The proposal meets the local area objectives.

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. Clause 9.2.1 applies, the use is permitted.	N/a
A2 Commercial vehicles for discretionary uses must only operate between 7.00am and 7.00pm Monday to Friday and 8.00am to 6.00pm Saturday and Sunday.	P2 Commercial vehicle movements for discretionary uses must not unreasonably impact on the amenity of occupants of adjoining and nearby dwellings.
N/a	N/a
A3 If for permitted or no permit required uses.	P3 External lighting must demonstrate that: a) floodlighting or security lights used on the site will not unreasonably impact on the amenity of adjoining land; and b) all direct light will be contained within the boundaries of the site.
Complies. Clause 9.2.1 applies, the use is permitted.	N/a

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 c) 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 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 d) the level and effectiveness of physical screening by fences or vegetation; and e) the location and impacts of traffic circulation and parking and the need to locate parking away from residential boundaries; and f) the location and impacts of illumination of the site; and



	g) passive surveillance of the site; and h) landscaping to integrate development with the streetscape.
Complies. Clause 9.2.1 applies, the use is permitted.	N/a

CODES		
E1.0	BUSHFIRE PRONE AREAS CODE	N/a
E2.0	POTENTIALLY CONTAMINATED LAND	N/a
E3.0	LANDSLIP CODE	N/a
E4.0	ROAD AND RAILWAY ASSETS CODE	Complies – See code assessment below
E5.0	FLOOD PRONE AREAS CODE	N/a
E6.0	CAR PARKING AND SUSTAINABLE TRANSPORT CODE	Complies – 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 - no sensitive use proposed.
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. The proponent has advised that vehicle movements is expected to be less 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 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.
N/a. No new access proposed as part of this application.	N/a



Two accesses will remain, once to each frontage.	
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 with A1 - existing.	N/a

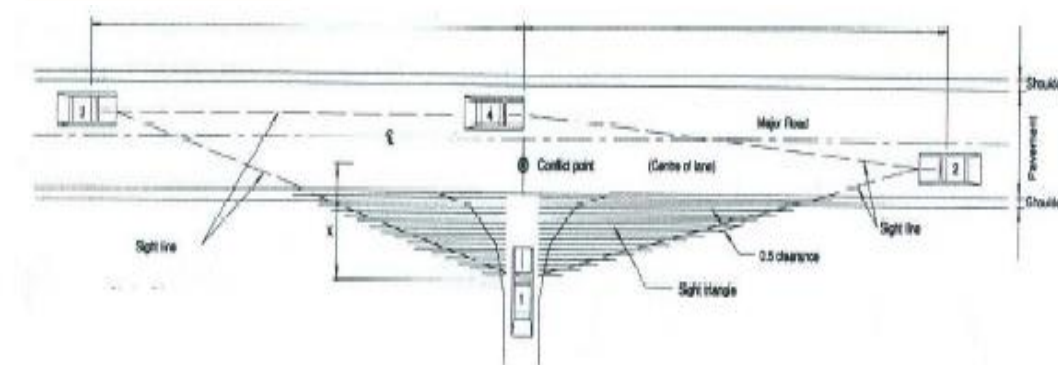


Figure E4.7.4 Sight Lines for Accesses and Junctions

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 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:

- 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
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



	<p>landscaping; and</p> <p>f) the availability, accessibility and safety of on-road parking, having regard to the nature of the roads, traffic management and other uses in the vicinity; and</p> <p>g) an empirical assessment of the car parking demand; and</p> <p>h) the effect on streetscape, amenity and vehicle, pedestrian and cycle safety and convenience; and</p> <p>i) the recommendations of a traffic impact assessment prepared for the proposal; and</p> <p>j) any heritage values of the site; and</p> <p>k) for residential buildings and multiple dwellings, whether parking is adequate to meet the needs of the residents having regard to:</p> <p>i) the size of the dwelling and the number of bedrooms; and</p> <p>ii) the pattern of parking in the locality; and</p> <p>iii) any existing structure on the land.</p>
22 spaces required for the site, 14 proposed.	The proponent has advised that the design allows for 14 employees, with 10 open plan workstations and 4 individual offices. Whilst the proposal allows for 14 car parking spaces, as this caters for the maximum number of employees, the 14 employees are not full time equivalent, so it is expected that the onsite parking spaces would also cater for the limited visitor numbers. The site is also located on the corner of two street providing for on street parking. The proposal is considered consistent with the performance criteria.

Table E6.1: Parking Space Requirements

Use	Parking Requirement	
	Vehicle	Bicycle
Business and professional services: Bank, office, real estate agency, travel agent	1 space per employee + 1 space per 50m ² net floor area	1 space + 1 space per 500m ² net floor area
Spaces required	22 spaces required (14 employees and 359m ² floor area) for the site, 14 proposed.	1 space required for the proposed use and development.

E6.6.2 Bicycle Parking Numbers

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

Acceptable Solutions	Performance Criteria
<p>A1.1 Permanently accessible bicycle parking or storage spaces must be provided either on the site or within 50m of the site in accordance with the requirements of Table E6.1; or</p> <p>A1.2 The number of spaces must be in accordance with a parking precinct plan contained in Table E6.6: Precinct Parking Plans.</p>	<p>P1 Permanently accessible bicycle parking or storage spaces must be provided having regard to the:</p> <p>a) likely number and type of users of the site and their opportunities and likely preference for bicycle travel; and</p> <p>b) location of the site and the distance a cyclist would need to travel to reach the site; and</p> <p>c) availability and accessibility of existing and planned parking facilities for bicycles in the vicinity.</p>
1 space required. The plans submitted provide for dedicated bicycle parking for 4 bicycles. Proposal complies.	N/a

E6.6.3 Taxi Drop-off and Pickup

Objective: To ensure that taxis can adequately access developments.

Acceptable Solutions	Performance Criteria
A1 One dedicated taxi drop-off and pickup space must be provided for every 50 car spaces required by Table E6.1 or part thereof (except for dwellings in the General Residential Zone).	P1 No performance criteria.
N/a	N/a

E6.6.4 Motorbike Parking Provisions

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

Acceptable Solutions	Performance Criteria
A1 One motorbike parking space must be provided for each 20 car spaces required by	P1 No performance



Table E6.1 or part thereof.	criteria.
Four bike spaces proposed.	N/a

E6.7 Development Standards

E6.7.1 Construction of Car Parking Spaces and Access Strips

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

Acceptable Solutions	Performance Criteria
A1 All car parking, access strips manoeuvring and circulation spaces must be: a) formed to an adequate level and drained; and 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.
Complies, both car parking areas to be asphalted.	N/a

E6.7.2 Design and Layout of Car Parking

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

Acceptable Solutions	Performance Criteria
A1.1 Where providing for 4 or more spaces, parking areas (other than for parking located in garages and carports for dwellings in the General Residential Zone) must be located behind the building line; and A1.2 Within the General residential zone, provision for turning must not be located within the front setback for residential buildings or multiple dwellings.	P1 The location of car parking and manoeuvring spaces must not be detrimental to the streetscape or the amenity of the surrounding areas, having regard to: a) the layout of the site and the location of existing buildings; and b) views into the site from the road and adjoining public spaces; and c) the ability to access the site and the rear of buildings; and d) the layout of car parking in the vicinity; and e) the level of landscaping proposed for the car parking.
Does not comply with A1.1 for the Smith Street car parking area. The Wellington Street car parking area is located behind the building line that is established parallel to this front boundary.	Satisfies the performance criteria – the four car parking spaces is generally replacing existing car parking arrangements in this location and provides for vehicles to enter and exit from this access to Smith Street in a forward direction. The primary building on site is apparent from Wellington Street with Smith Street being the secondary frontage The car parking and manoeuvring spaces will not be detrimental to the streetscape or the amenity of the surrounding areas.
A2.1 Car parking and manoeuvring space must: a) have a gradient of 10% or less; and b) where providing for more than 4 cars, provide for vehicles to enter and exit the site in a forward direction; and c) have a width of vehicular access no less than prescribed in Table E6.2 and Table E6.3, and A2.2 The layout of car spaces and access ways must be designed in accordance with <i>Australian Standards AS 2890.1 - 2004 Parking Facilities, Part 1: Off Road Car Parking</i> .	P2 Car parking and manoeuvring space must: a) be convenient, safe and efficient to use having regard to matters such as slope, dimensions, layout and the expected number and type of vehicles; and b) provide adequate space to turn within the site unless reversing from the site would not adversely affect the safety and convenience of users and passing traffic.
Complies.	N/a

Table E6.2: Access Widths for Vehicles

Number of parking spaces served	Access width (see note 1)	Passing bay (2.0m wide by 5.0m long plus entry and exit tapers) (see note 2)
21 and over	5.5m	Not applicable

E6.7.3 Car Parking Access, Safety and Security

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



Acceptable Solutions	Performance Criteria
<p>A1 Car parking areas with greater than 20 parking spaces must be:</p> <p>a) secured and lit so that unauthorised persons cannot enter or;</p> <p>b) visible from buildings on or adjacent to the site during the times when parking occurs.</p>	<p>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:</p> <p>a) levels of activity within the vicinity; and</p> <p>b) opportunities for passive surveillance for users of adjacent building and public spaces adjoining the site.</p>
Complies, 14 car parking spaces provided split over two locations.	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
<p>A1 All spaces designated for use by persons with a disability must be located closest to the main entry point to the building.</p>	<p>P1 The location and design of parking spaces considers the needs of disabled persons, having regard to:</p> <p>a) the topography of the site;</p> <p>b) the location and type of relevant facilities on the site or in the vicinity;</p> <p>c) the suitability of access pathways from parking spaces, and</p> <p>d) applicable Australian Standards.</p>
Complies with A1 – located adjacent to the entry and accessed off Smith Street.	N/a
<p>A2 Accessible car parking spaces for use by persons with disabilities must be designed and constructed in accordance with AS/NZ2890.6 – 2009 Parking facilities – Off-street parking for people with disabilities.</p>	P2. No performance criteria.
Comment: Condition required.	

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

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

Acceptable Solutions	Performance Criteria
<p>A1 For retail, commercial, industrial, service industry or warehouse or storage uses:</p> <p>a) at least one loading bay must be provided in accordance with Table E6.4; and</p> <p>b) loading and bus bays and access strips must be designed in accordance with <i>Australian Standard AS/NZS 2890.3 2002</i> for the type of vehicles that will use the site.</p>	<p>P1 For retail, commercial, industrial, service industry or warehouse or storage uses adequate space must be provided for loading and unloading the type of vehicles associated with delivering and collecting people and goods where these are expected on a regular basis.</p>
Comment: N/a	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
<p>A1.1 Bicycle parking spaces for customers and visitors must:</p> <p>a) be accessible from a road, footpath or cycle track; and</p> <p>b) include a rail or hoop to lock a bicycle to that meets <i>Australian Standard AS 2890.3 1993</i>; and</p> <p>c) be located within 50m of and visible or signposted from the entrance to the activity they serve; and</p>	<p>P1 Bicycle parking spaces must be safe, secure, convenient and located where they will encourage use.</p>



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

E6.8.5 Pedestrian Walkways

Objective: To ensure pedestrian safety is considered in development	
Acceptable Solution	Performance Criteria
A1 Pedestrian access must be provided for in accordance with Table E6.5.	P1 Safe pedestrian access must be provided within car park and between the entrances to buildings and the road.
Comment: Complies. The maximum number of car parking spaces in any one location is 10.	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

E13.1 Purpose

E13.1.1 The purpose of this provision is to:

- a) protect and enhance the historic cultural heritage significance of local heritage places and heritage precincts; and
- b) encourage and facilitate the continued use of these items for beneficial purposes; and
- c) discourage the deterioration, demolition or removal of buildings and items of assessed heritage significance; and
- d) ensure that new use and development is undertaken in a manner that is sympathetic to, and does not detract from, the cultural significance of the land, buildings and items and their settings; and
- e) conserve specifically identified heritage places by allowing a use that otherwise may be prohibited if this will demonstratively assist in conserving that place

E13.2 Application of the Code

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

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



E13.3 Use or Development Exempt from this Code

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

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

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

E13.5 USE STANDARDS

E13.5.1 Alternative Use of heritage buildings

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

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

Comment: N/a

E13.6 DEVELOPMENT STANDARDS

E13.6.1 Demolition

Objective: To ensure that the demolition or removal of buildings and structures does not impact on the historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts.

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

Comment: No original fabric is to be removed in this proposal.

- a) The demolition is necessary to restore the original forms of the buildings and facilitate the new use.

E13.6.2 Subdivision and development density

Objective: To ensure that subdivision and development density does not impact on the historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts.

Acceptable Solutions	Performance Criteria
A1 No acceptable	<p>P1 Subdivision must:</p> <ul style="list-style-type: none"> a) be consistent with and reflect the historic development pattern of the precinct or area; and



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

E13.6.3 Site Cover

Objective: To ensure that site coverage is consistent with historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts, if any.	
Acceptable Solutions	Performance Criteria
A1 Site coverage must be in accordance with the acceptable development criterion for site coverage within a precinct identified in Table E13.1: Heritage Precincts, if any.	<p>P1 The site coverage must:</p> <p>a) be appropriate to maintaining the character and appearance of the building or place, and the appearance of adjacent buildings and the area; and</p> <p>b) not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.</p>

Comment: This proposal will reduce the site cover and enhance the original historic buildings.

E13.6.4 Height and Bulk of Buildings

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

Comment: The bulk of the buildings will be reduced and there is no increase to the height of the historic buildings.

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.	<p>P1 New fences must:</p> <p>a) be designed to be complementary to the architectural style of the dominant buildings on the site or</p> <p>b) be consistent with the dominant fencing style in the heritage precinct; and</p> <p>c) not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.</p>

Comment: N/a

E13.6.6 Roof Form and Materials

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

Comment: Satisfies the performance criteria.

E13.6.7 Wall materials

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

Comment: Satisfies the performance criteria.

E13.6.8 Siting of Buildings and Structures

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

Comment: Satisfies the performance criteria.

E13.6.9 Outbuildings and Structures

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

Comment: N/a

E13.6.10 Access Strips and Parking

<i>Objective: To ensure that access and parking does not detract from the historic heritage significance of local heritage places</i>



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

Comment: The car park has good separation from the main historic building and will therefore not detract from its historic heritage significance.

E13.6.11 Places of Archaeological Significance

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

Comment: N/a

E13.6.12 Tree and Vegetation Removal

<i>Objective: To ensure that the removal, destruction or lopping of trees or the removal of vegetation does not detract from the historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts.</i>	
Acceptable Solutions	Performance Criteria
<p>A1 No acceptable solution.</p>	<p>P1 The removal of vegetation must not:</p> <p>a) unreasonably impact on the historic cultural significance of the place; and</p> <p>b) detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.</p>

Comment: N/a

E13.6.13 Signage

<i>Objective: To ensure that signage is appropriate to conserve the historic heritage significance of local heritage places and precincts.</i>	
Acceptable Solutions	Performance Criteria
<p>A1 Must be a sign identifying the number, use, heritage significance, name or occupation of the owners of the property not greater than 0.2m².</p>	<p>P1 New signs must be of a size and location to ensure that:</p> <p>a) period details, windows, doors and other architectural details are not covered or removed; and</p> <p>b) heritage fabric is not removed or destroyed through attaching signage; and</p> <p>c) the signage does not detract from the setting of a heritage place or does not unreasonably impact on the view of the place from public viewpoints; and</p> <p>d) signage does not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.</p>

Comment: Satisfies the performance criteria.

E13.6.14 Maintenance and Repair

<i>Objective</i>
<i>To ensure that maintenance and repair of buildings is undertaken to be sympathetic to, and not detract from the <u>historic</u></i>



cultural heritage significance of local heritage places and precincts.

Acceptable Solution

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

Comment: Satisfies the performance criteria.

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

LONGFORD HERITAGE PRECINCT CHARACTER STATEMENT

The Longford Heritage Precinct is unique because it is the core of an intact nineteenth century townscape, rich with significant structures and the atmosphere of a centre of trade and commerce for the district. Traditional commercial buildings line the main street, flanked by two large public areas containing the Christ Church grounds and the War Memorial. The street then curves gently at Heritage Corner towards Cressy, and links Longford to the surrounding rural farmland, creating views to the surrounding countryside and a gateway to the World Heritage listed Woolmers and Brickendon estates. Heritage residential buildings are tucked behind the main street comprising traditional styles from the mid nineteenth century to the early twentieth century, including significant street trees, picket fences and cottage gardens. The rural township feel is complemented by a mix of businesses serving local needs, tourism and historic interpretation. Longford's heritage ambience has been acknowledged, embraced and built on by many of those who live in or visit the town.

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.

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

SPECIFIC AREA PLANS

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

ASSESSMENT AGAINST F2.0 HERITAGE PRECINCTS SPECIFIC AREA PLAN

F2.1 Purpose of Specific Area Plan

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

F2.2 Application of Specific Area Plan

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

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

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



F2.3 Definitions

F2.3.1 Streetscape

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

F2.3.2 Heritage-Listed Building

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

F2.4 Requirements for Design Statement

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

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

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

Comment: Although the subject site is within the Heritage Precincts Specific Area Plan, the proposal will have a positive impact on the streetscape and a design statement was provided.

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

STATE POLICIES
The proposal is consistent with all State Policies.

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

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

5 FINANCIAL IMPLICATIONS TO COUNCIL

Not applicable to this application.

6 OPTIONS

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



7 DISCUSSION

Discretion to refuse the application is limited to:

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

The car parking numbers proposed sufficiently provide for the anticipated employees of the business proposing to utilise the site as well as provision for limited visitor car parking where required. The site is located on the corner of two streets which provide for on-street car parking, there is sufficient parking both on the site and in the vicinity for the use.

The four car parking spaces proposed to be accessed from Smith Street provide for safe and efficient parking and manoeuvring of vehicles.

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

8 ATTACHMENTS

1. Application documents [15.1.1 - 13 pages]
2. application queries and response [15.1.2 - 3 pages]
3. DSG response [15.1.3 - 2 pages]
4. Heritage referral PL N-22-0171 - 41-43 Wellington Street Longford [15.1.4 - 12 pages]
5. Notice of Heritage Decision W A 7951 [15.1.5 - 2 pages]
6. 1. Representation - P Bosch [15.1.6 - 2 pages]
7. 2. Representation - G Howlett [15.1.7 - 1 page]
8. 3. Representation - J J's Bakery [15.1.8 - 1 page]
9. 4. Representation - J Izzard (1) [15.1.9 - 1 page]
10. 5. Representation - R & A Aldersea [15.1.10 - 1 page]
11. 6. Representation - B Lindsay [15.1.11 - 1 page]
12. 7. Representation R van der Woude [15.1.12 - 1 page]
13. 8. Representation - J Izzard (2) [15.1.13 - 1 page]
14. 9. Representation - A Colvin [15.1.14 - 1 page]
15. 10. Representation - S Gibson [15.1.15 - 1 page]
16. applicant response to representations [15.1.16 - 1 page]



15.2 PLN22-0169: PART CHANGE OF USE TO BUSINESS & PROFESSIONAL SERVICES 500 & 502 HOBART ROAD YOUNGTOWN

File: 203300.005; PLN22-0169
Responsible Officer: Des Jennings, General Manager
Report prepared by: Rebecca Green, Planning Consultant

RECOMMENDATION

That land at 500 & 502 Hobart Road, Youngtown be approved to be developed and used for a partial change of use to Business and Professional Services, extension to building, and signage (vary side setback, car parking and sustainable transport code, scenic corridor) in accordance with application PLN-22-0169, and subject to the following conditions:

1 Layout not altered

The use and development must be in accordance with the endorsed documents **P1 – P9** (*Plans prepared by TMK Design Solutions, Drawing No: 22.010, Sheet No's: cover page, Ad01-Ad08, Dated: 25.08.22*); **D1** (*Email received from Tony Keegan dated: 25 August 2022*); **D2** (*Email received from Tony Keegan dated: 1 September 2022*); and **D3** (*Peaceful Paws Pet Crematorium signage image*).

2 Car Parking

- a) Prior to the commencement of use, areas set aside for parked vehicles and access road must be constructed in accordance with the endorsed plans.
- b) Parking spaces for use by persons with disabilities must be constructed and designated in accordance with Australian Standards AS/NZ 2890.6 2009 and located closest to the main entry point to the building.

3 Site Entry

Entry to the site for the purposes of the Business and Professional Services use is only permitted via 502 Hobart Road without the further approval of Council.

1 INTRODUCTION

This report assesses an application for 500 & 502 Hobart Road, Youngtown to for a partial change of use to Business and Professional Services, extension to building, and signage (vary side setback, vary car parking and sustainable transport code requirements, development within scenic corridor).

2 BACKGROUND

Applicant:
TMK Design Solutions

Zone:
Rural Resource Zone

Owner:
Phoenix Ridge (TAS) Pty Ltd
PMMA Pty Ltd

Codes:
Car Parking and Sustainable Transport Code
Scenic Management Code
Water Quality Code



Classification under the Scheme:

Business and Professional Services

Deemed Approval Date:

13 October 2022

Signs Code

Existing Use:

Residential

Recommendation:

Approve

Discretionary Aspects of the Application:

- Discretionary use in the zone;
- Variation to setbacks;
- Reliance on performance criteria of Car Parking and Sustainable Transport Code – access width and parking and access surface;
- Reliance on performance criteria of Scenic Management Code; and
- Reliance on performance criteria of Signs Code.

Planning Instrument:

- *Northern Midlands Interim Planning Scheme 2013, Version 39, Effective from 20th July 2022.*

Preliminary Discussion:

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

Subject Site



3 STATUTORY REQUIREMENTS

The proposal is an application pursuant to section 57 of the *Land Use Planning & Approvals Act 1993* (i.e. a discretionary application). Section 48 of the *Land Use Planning & Approvals Act 1993* requires the Planning Authority to observe and enforce the observance of the Planning Scheme. Section 51 of the *Land Use Planning & Approvals Act 1993* states that a person must not commence any use or development where a permit is required without such permit.

4 ASSESSMENT

4.1 Proposal

The proposal is for a partial change of use to Business and Professional Services, extension to building, and signage (vary side setback, vary car parking and sustainable transport code requirements, development within scenic corridor).



Site Plan (extract)



Elevations

LEGEND:
FL Finished Floor Level
SL Siding Level
GL Gravel Level
PL Plant Level

Received
01.09.2022



North-East Elevation



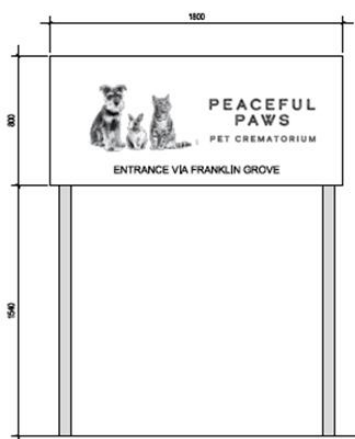
South-East Elevation



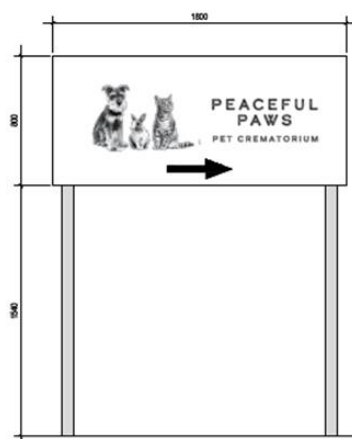
South-West Elevation



North-West Elevation



Sign 1

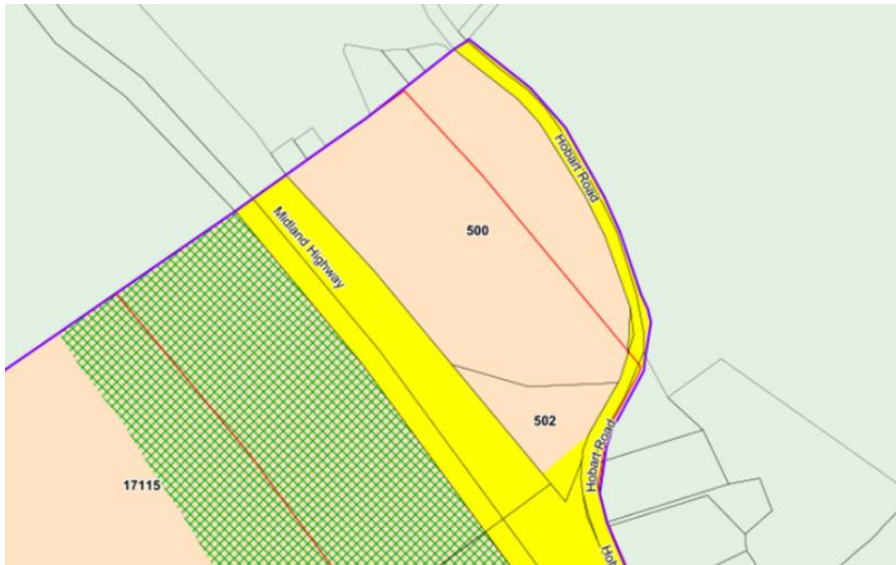


Sign 2 & 3



4.2 Zone and Land Use

Zone Map – Rural Resource Zone



The land is zoned Rural Resource, and is subject to the Scenic Management Code, Car Parking and Sustainable Transport Code and Signs Code.

The relevant Planning Scheme definitions are:

<i>Business and professional services</i>	<i>use of land for administration, clerical, technical, professional or similar activities. Examples include a bank, call centre, consulting room, funeral parlour, medical centre, office, post office, real estate agency, travel agency and veterinary centre.</i>
<i>funeral parlour</i>	<i>means use of land to organise and conduct funerals, memorial services, or the like. It includes the storage and preparation of bodies for burial or cremation.</i>

Business and professional services (if not for a veterinary centre or similar specialist animal breeding or car services) is Discretionary in the zone.

4.3 Subject Site and Locality

A site inspection was undertaken on 2 September 2022. The site at 500 Hobart Road has a total area of 12.96ha and contains an existing dwelling and stable. Access for this proposed use is via the adjoining property only at 502 Hobart Road which currently contains the existing crematorium, funeral chapel, and parking facilities. Although the sites have frontage to the Midland Highway, access is to Hobart Road. The existing access to Hobart Road will only be used from 500 Hobart Road for residential purposes.

The site consists of class 4 land, and of class 5 land on the eastern side of the lot



Aerial photograph of area



Photographs of subject site





4.4 Permit/Site History

Relevant permit history includes:

500 Hobart Road

- DA221/95 – Stone veneer dwelling
- DA243/94 – Garage
- DA56/95 – Cottage & House Tourist accommodation
- DA57/95 – Craft timber mill
- DA57/99 – Signage

502 Hobart Road

- DA57/1999 – Sign
- P03-114 – Amendment 05/03 & crematorium
- P08-106 – Shelter at crematorium (expired)
- P09-214 – Crematorium extension
- P15-260 – Funeral chapel additions
- P16-034 – Funeral chapel additions
- PLN19-0195 – Pet cremator
- PLN20-0313 – Storage shed

4.5 Representations

Notice of the application was given in accordance with Section 57 of the Land Use Planning & Approvals Act 1993. A review of Council's Records management system after completion of the public exhibition period revealed that one (1) representation (attached) was received from:

- Ben Grubb, 17115 Midland Highway, Breadalbane

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

Issue 1

- Concerns in relation to the impact on the water supply to the representor's property, including reliability.

Planner's comment:

Water supply, including quantity and quality is within TasWater's jurisdiction. The proposal is within an existing building with a water connection existing to the subject site. The proposed use is infrequent with a single employee, as only used on a "by appointment" basis, with a small powder room and sink within the upgraded facility. The facility is not to be staffed full time, so the use of amenities is not on a regular basis. There are no



provisions within the Planning Scheme nor a requirement to refer the proposal to TasWater, and as such this is not a matter the Planning Authority can consider any further.

Council officers have contacted the representor to suggest that the representor and proponent as a consolidated party may want to approach TasWater about water supply issues if they are being experienced by other users on the water main in the area. There is no further action that is required under the Act or the Planning Scheme.

4.6 Referrals

The application did not require any referrals.

4.7 Planning Scheme Assessment

RURAL RESOURCE ZONE
ZONE PURPOSE
To provide for the sustainable use or development of resources for agriculture, aquaculture, forestry, mining and other primary industries, including opportunities for resource processing.
To provide for other use or development that does not constrain or conflict with resource development uses.
To provide for economic development that is compatible with primary industry, environmental and landscape values.
To provide for tourism-related use and development where the sustainable development of rural resources will not be compromised.
Assessment: The proposal meets the zone purpose.
LOCAL AREA OBJECTIVES
Resources for primary industries make a significant contribution to the rural economy and primary industry uses are to be protected for long-term sustainability.
The prime and non-prime agricultural land resource provides for variable and diverse agricultural and primary industry production which will be protected through individual consideration of the local context.
Processing and services can augment the productivity of primary industries in a locality and are supported where they are related to primary industry uses and the long-term sustainability of the resource is not unduly compromised.
Assessment: The proposal meets the local area objectives.

RURAL RESOURCE ZONE	
26.3 Use Standards	
26.3.1 Discretionary Uses if not a single dwelling	
Objective	
a)	To provide for an appropriate mix of uses that support the Local Area Objectives and the location of discretionary uses in the rural resources zone does not unnecessarily compromise the consolidation of commercial and industrial uses to identified nodes of settlement or purpose built precincts.
b)	To protect the long term productive capacity of prime agricultural land by minimising conversion of the land to non-agricultural uses or uses not dependent on the soil as a growth medium, unless an overriding benefit to the region can be demonstrated.
c)	To minimise the conversion of non-prime land to a non-primary industry use except where that land cannot be practically utilised for primary industry purposes.
d)	Uses are located such that they do not unreasonably confine or restrain the operation of primary industry uses.
e)	Uses are suitable within the context of the locality and do not create an unreasonable adverse impact on existing sensitive uses or local infrastructure.
f)	The visual impacts of use are appropriately managed to integrate with the surrounding rural landscape.
Acceptable Solutions	Performance Criteria



A1	If for permitted or no permit required uses.	<p>P1.1 It must be demonstrated that the use is consistent with local area objectives for the provision of non-primary industry uses in the zone, if applicable; and</p> <p>P1.2 Business and professional services and general retail and hire must not exceed a combined gross floor area of 250m²over the site.</p>
Relies on performance criteria.		<p>P1.1 The proposal is consistent with local area objectives by providing a service that meets the needs of rural population and is accompanied by a residence. The site is adjacent to a funeral home and pet cremator and therefore is located appropriately in relation to the surrounding area. Performance criteria met.</p> <p>P1.2 Complies, the floor area of the building including additions is 62.7m². Performance criteria met.</p>
A2	If for permitted or no permit required uses.	<p>P2.1 Utilities, extractive industries and controlled environment agriculture located on prime agricultural land must demonstrate that the:</p> <ul style="list-style-type: none">i) amount of land alienated/converted is minimised; andii) location is reasonably required for operational efficiency; and <p>P2.2 Uses other than utilities, extractive industries or controlled environment agriculture located on prime agricultural land, must demonstrate that the conversion of prime agricultural land to that use will result in a significant benefit to the region having regard to the economic, social and environmental costs and benefits.</p>
Relies on performance criteria.		<p>P2.1 Not applicable, the proposal does not involve utilities, extractive industries or controlled environment agriculture.</p> <p>P2.2 The proposal will provide a significant benefit to the region by providing a service to pet owners within the community. There will be no economic, social or environmental cost to the region as the works required are minimal and the remaining land available for resource development use or other.</p> <p>Performance criteria met.</p>
A3	If for permitted or no permit required uses.	<p>P3 The conversion of non-prime agricultural to non-agricultural use must demonstrate that:</p> <ul style="list-style-type: none">a) the amount of land converted is minimised having regard to:<ul style="list-style-type: none">i) existing use and development on the land; andii) surrounding use and development; andiii) topographical constraints; orb) the site is practically incapable of supporting an agricultural use or being included with other land for agricultural or other primary industry use, due to factors such as:<ul style="list-style-type: none">i) limitations created by any existing use and/or development surrounding the site; andii) topographical features; andiii) poor capability of the land for primary industry; orc) the location of the use on the site is reasonably required for operational efficiency.
Relies on performance criteria.		<p>The amount of land converted is very minimal given that the building and driveway are existing and the deck and the parking area are small. The remainder of the land is still available for the residential use and resource development uses.</p> <p>Performance criteria met.</p>
A4	If for permitted or no permit	<p>P4 It must demonstrated that:</p> <ul style="list-style-type: none">a) emissions are not likely to cause an environmental nuisance; andb) primary industry uses will not be unreasonably confined or restrained from conducting normal operations; andc) the capacity of the local road network can accommodate the traffic generated by the use.



t requi red uses.	
Relies on performance criteria.	<p>a) Emissions are not likely to cause an environmental nuisance as the building will be used only as a drop off point for deceased pets which will then be transported to 502 Hobart Road for cremation; and</p> <p>b) Primary industry uses will not be unreasonably confined or restrained from conducting normal operations due to the size of the proposal due to the minimal size of the proposal and the business will be by appointment only; and</p> <p>c) The capacity of the local road network can accommodate the traffic generated by the use given that the access will be internally from 502 Hobart Road and the business by appointment only with an average of less than 4 traffic movements per day expected.</p> <p>Performance criteria met.</p>
<p>A5 The use must:</p> <p>a) be permitted or no permit required;</p> <p>b) or be located in an existing building.</p>	<p>P5 It must be demonstrated that the visual appearance of the use is consistent with the local area having regard to:</p> <p>a) the impacts on skylines and ridgelines; and</p> <p>b) visibility from public roads; and</p> <p>c) the visual impacts of storage of materials or equipment; and</p> <p>d) the visual impacts of vegetation clearance or retention; and</p> <p>e) the desired future character statements.</p>
Relies on performance criteria.	<p>The use will have no impact on skylines, ridgelines, visibility from public roads and the desired future character statement as the building is existing and is predominantly screened from the roads by existing established vegetation. There will be no storage of materials or equipment outside and the only vegetation clearance will be of grass for the deck and parking area.</p> <p>Performance criteria met.</p>

26.3.2 Dwellings - NA

26.3.3 Irrigation Districts

<p>Objective</p> <p>To ensure that land within irrigation districts proclaimed under Part 9 of the <i>Water Management Act 1999</i> is not converted to uses that will compromise the utilisation of water resources.</p>	
Acceptable Solutions	Performance Criteria
A1 Non-agricultural uses are not located within an irrigation district proclaimed under Part 9 of the <i>Water Management Act 1999</i> .	P1 Non-agricultural uses within an irrigation district proclaimed under Part 9 of the <i>Water Management Act 1999</i> must demonstrate that the current and future irrigation potential of the land is not unreasonably



	<p>reduced having regard to:</p> <ul style="list-style-type: none"> a) the location and amount of land to be used; and b) the operational practicalities of irrigation systems as they relate to the land; and c) any management or conservation plans for the land.
Complies – not in an irrigation district.	Not applicable.

26.4 Development Standards

26.4.1 Building Location and Appearance

Objective

To ensure that the:

- a) ability to conduct extractive industries and resource development will not be constrained by conflict with sensitive uses; and
- b) development of buildings is unobtrusive and complements the character of the landscape.

Acceptable Solutions

A1 Building height must not exceed:

- a) 8m for dwellings; or
- b) 12m for other purposes.

Complies, building height is maximum 4.5m.

Performance Criteria

P1 Building height must:

- a) be unobtrusive and complement the character of the surrounding landscape; and
- b) protect the amenity of adjoining uses from adverse impacts as a result of the proposal.

N/a

A2 Buildings must be set back a minimum of:

- a) 50m where a non-sensitive use or extension to existing sensitive use buildings is proposed; or
- b) 200m where a sensitive use is proposed; or
- c) the same as existing for replacement of an existing dwelling.

P2 Buildings must be setback so that the use is not likely to constrain adjoining primary industry operations having regard to:

- a) the topography of the land; and
- b) buffers created by natural or other features; and
- c) the location of development on adjoining lots; and
- d) the nature of existing and potential adjoining uses; and
- e) the ability to accommodate a lesser setback to the road having regard to:
 - i) the design of the development and landscaping; and
 - ii) the potential for future upgrading of the road; and
 - iii) potential traffic safety hazards; and
 - iv) appropriate noise attenuation.

Comment: The proposal relies on, and complies with Performance Criteria P2 as follows:

- a) The subject site is undulating with the topography assisting to conceal the building from Hobart Road.
- b) The surrounding roads and tree belts create natural and artificial buffers for the site.
- c) The site has two frontages to the east and to the west, with a funeral parlour and crematorium to the south. Beyond this is a combination of industrial and agricultural land.
- d) It is likely that the area surrounding the site will continue to be developed as the site is located close to an existing industrial area within City of Launceston. The surrounding agricultural land is used for grazing and is likely to stay that way due to a lack of irrigation potential.
- e) The setback variation to the Midland Highway on the western side is buffered by an existing tree belt and the setback to the north is to an industrial precinct. The retention of the existing building setback, results in the proposed development having minimal impact on the existing and potential road infrastructure.



Performance criteria met.

26.4.2 Subdivision - NA

26.4.3 Strata Division – NA

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 - existing access point via 502 Hobart Road to be utilised for the use so that the % AADT is not over the acceptable solution A3 E4.6.1.
E.5.0	FLOOD PRONE AREAS CODE	N/a
E6.0	CAR PARKING AND SUSTAINABLE TRANSPORT CODE	Complies – See code assessment below
E7.0	SCENIC MANAGEMENT CODE	Complies – See code assessment below
E8.0	BIODIVERSITY CODE	N/a
E9.0	WATER QUALITY CODE	Complies – See code assessment below
E10.0	RECREATION AND OPEN SPACE CODE	N/a
E11.0	ENVIRONMENTAL IMPACTS & ATTENUATION CODE	N/a
E12.0	AIRPORTS IMPACT MANAGEMENT CODE	N/a
E13.0	LOCAL HISTORIC HERITAGE CODE	N/a
E14.0	COASTAL CODE	N/a
E15.0	SIGNS CODE	Complies – See code assessment below

**ASSESSMENT AGAINST E6.0
CAR PARKING & SUSTAINABLE TRANSPORT CODE**

E6.6 Use Standards

E6.6.1 Car Parking Numbers

Objective: To ensure that an appropriate level of car parking is provided to service use.			
Acceptable Solutions		Performance Criteria	
A1	The number of car parking spaces must not be less than the requirements of:	P1	The number of car parking spaces provided must have regard to:
a)	Table E6.1; or	a)	the provisions of any relevant location specific car parking plan; and
b)	a parking precinct plan contained in Table E6.6: Precinct Parking Plans (except for dwellings in the General Residential Zone).	b)	the availability of public car parking spaces within reasonable walking distance; and
		c)	any reduction in demand due to sharing of spaces by multiple uses either because of variations in peak demand or by efficiencies gained by consolidation; and
		d)	the availability and frequency of public transport within reasonable walking distance of the site; and
		e)	site constraints such as existing buildings, slope, drainage, vegetation and landscaping; and
		f)	the availability, accessibility and safety of on-road parking, having regard to the nature of the roads, traffic management and other uses in the vicinity; and
		g)	an empirical assessment of the car parking demand; and



	<p>h) the effect on streetscape, amenity and vehicle, pedestrian and cycle safety and convenience; and</p> <p>i) the recommendations of a traffic impact assessment prepared for the proposal; and</p> <p>j) any heritage values of the site; and</p> <p>k) for residential buildings and multiple dwellings, whether parking is adequate to meet the needs of the residents having regard to:</p> <p>i) the size of the dwelling and the number of bedrooms; and</p> <p>ii) the pattern of parking in the locality; and</p> <p>iii) any existing structure on the land.</p>
Comment: Complies with A1. 2 spaces and provided.	

Table E6.1: Parking Space Requirements

Use	Parking Requirement	
	Vehicle	Bicycle
Funeral parlour	1 space per employee + 1 space + 1 space per 4 chapel seats	1 space per 50 chapel seats
	2 spaces required	N/a

E6.6.2 Bicycle Parking Numbers – n/a

E6.6.3 Taxi Drop-off and Pickup

Objective: To ensure that taxis can adequately access developments.

Acceptable Solutions		Performance Criteria	
A1	One dedicated taxi drop-off and pickup space must be provided for every 50 car spaces required by Table E6.1 or part thereof (except for dwellings in the General Residential Zone).	P1	No performance criteria.
Comment: Not applicable, 2 spaces required by Table E6.1.			

E6.6.4 Motorbike Parking Provisions

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

Acceptable Solutions		Performance Criteria	
A1	One motorbike parking space must be provided for each 20 car spaces required by Table E6.1 or part thereof.	P1	No performance criteria.
Comment: Not applicable, 2 spaces required by Table E6.1.			

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		



c) weather seal; and except for a single dwelling, line marked or provided with other clear physical means to delineate car spaces.	
Comment: Car parking, access strips, manoeuvring and circulation spaces will be readily identifiable and constructed of compacted gravel to ensure that they are useable in all weather conditions. Performance criteria met.	

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 not applicable. A1.2 not applicable.			
A2.1	Car parking and manoeuvring space must:	P2	Car parking and manoeuvring space must:
a)	have a gradient of 10% or less; and	a)	be convenient, safe and efficient to use having regard to matters such as slope, dimensions, layout and the expected number and type of vehicles; and
b)	where providing for more than 4 cars, provide for vehicles to enter and exit the site in a forward direction; and	b)	provide adequate space to turn within the site unless reversing from the site would not adversely affect the safety and convenience of users and passing traffic.
c)	have a width of vehicular access no less than prescribed in Table E6.2 and Table E6.3, and		
A2.2	The layout of car spaces and access ways must be designed in accordance with <i>Australian Standards AS 2890.1 - 2004 Parking Facilities, Part 1: Off Road Car Parking</i> .		
Comment: Vehicles will be able to enter and exit in a forward direction with car spaces and access ways designed in accordance with Australian Standards AS 2890.1 - 2004 Parking Facilities, Part 1: Off Road Car Parking. The proposal does not provide the required passing bays, however due to the little expected daily traffic movement and the operation of the business by appointment only, there is not likely to require the passing of vehicles within the site. Performance criteria met.			



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
<p>A1 Car parking areas with greater than 20 parking spaces must be:</p> <p>a) secured and lit so that unauthorised persons cannot enter or;</p> <p>b) visible from buildings on or adjacent to the site during the times when parking occurs.</p>	<p>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:</p> <p>a) levels of activity within the vicinity; and</p> <p>b) opportunities for passive surveillance for users of adjacent building and public spaces adjoining the site.</p>
Comment: Not applicable.	

E6.7.4 Parking for Persons with a Disability

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

Acceptable Solutions	Performance Criteria
<p>A1 All spaces designated for use by persons with a disability must be located closest to the main entry point to the building.</p>	<p>P1 The location and design of parking spaces considers the needs of disabled persons, having regard to:</p> <p>(a) the topography of the site;</p> <p>(b) the location and type of relevant facilities on the site or in the vicinity;</p> <p>(c) the suitability of access pathways from parking spaces, and</p> <p>(d) applicable Australian Standards.</p>
<p>A2 Accessible car parking spaces for use by persons with disabilities must be designed and constructed in accordance with AS/NZ2890.6 – 2009 Parking facilities – Off-street parking for people with disabilities.</p>	<p>P2. No performance criteria.</p>
Comment: Complies with A1 and A2.	

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

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

Acceptable Solutions	Performance Criteria
<p>A1 For retail, commercial, industrial, service industry or warehouse or storage uses:</p>	<p>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</p>



a)	at least one loading bay must be provided in accordance with Table E6.4; and	associated with delivering and collecting people and goods where these are expected on a regular basis.
b)	loading and bus bays and access strips must be designed in accordance with <i>Australian Standard AS/NZS 2890.3 2002</i> for the type of vehicles that will use the site.	
Comment: Not applicable.		

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 – N/a

E6.8.5 Pedestrian Walkways

Objective: To ensure pedestrian safety is considered in development	
Acceptable Solution	Performance Criteria
A1 Pedestrian access must be provided for in accordance with Table E6.5.	P1 Safe pedestrian access must be provided within car park and between the entrances to buildings and the road.
Comment: Complies with A1.	

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 E7.0 SCENIC MANAGEMENT CODE

E7.6 Development Standards

E7.6.1 Scenic Management – Tourist Road Corridor

Objective	
(a)	To enhance the visual amenity of the identified tourist road corridors through appropriate:
i)	setbacks of development to the road to provide for views that are significant to the traveller experience and to mitigate the bulk of development; and
ii)	location of development to avoid obtrusive visual impacts on skylines, ridgelines and prominent locations within the corridor; and
iii)	design and/or treatment of the form of buildings and earthworks to minimise the visual impact of development in its surroundings; and
iv)	retention or establishment of vegetation (native or exotic) that mitigates the bulk or form of use or



<p>development; and</p> <p>v) retention of vegetation (native or exotic) that provides amenity value to the road corridor due to being in a natural condition, such as native forest, or of cultural landscape interest such as hedgerows and significant, exotic feature trees; and</p> <p>(b) To ensure subdivision provides for a pattern of development that is consistent with the visual amenity objectives described in (a).</p>	
Acceptable Solutions	Performance Criteria
<p>A1 Development (not including subdivision) must be fully screened by existing vegetation or other features when viewed from the road within the tourist road corridor.</p>	<p>P1 Development (not including subdivision) must be screened when viewed from the road within the tourist road corridor having regard to:</p> <ul style="list-style-type: none"> a) the impact on skylines, ridgelines and prominent locations; and b) the proximity to the road and the impact on views from the road; and c) the need for the development to be prominent to the road; and d) the specific requirements of a resource development use; and e) the retention or establishment of vegetation to provide screening in combination with other requirements for hazard management; and f) whether existing native or significant exotic vegetation within the tourist road corridor is managed to retain the visual values of a touring route; and g) whether development for forestry or plantation forestry is in accordance with the 'Conservation of Natural and Cultural Values – Landscape' section of the <i>Forest Practices Code</i>; and h) the design and/or treatment of development including: i) the bulk and form of buildings including materials and finishes; ii) earthworks for cut or fill; iii) complementing the physical (built or natural) characteristics of the site.
<p>Relies on Performance Criteria – partially visible from road.</p>	<p>The proposed development will be mostly screened by an existing tree belt and will be setback approximately 75m from Midland Highway road reserve.</p> <p>The building is existing with proposed extension to the east, away from the Midland Highway road reserve and is unlikely to have any greater impact on skylines, ridgelines and prominent location than the current situation.</p> <p>The development will be located 50m+ from the road behind an existing tree belt and is not a prominent feature when viewed from the road.</p> <p>The development is not, and is not required to be, prominent from the road.</p> <p>N/a.</p> <p>The existing tree belt and other established vegetation will be retained, providing good screening from public viewpoints.</p> <p>See above.</p> <p>N/a</p>



	The deck extension and parking area is small in area and the bulk and form is primarily existing with no change to the view experienced from Midland Highway. In addition the natural screening will minimise the visual impact of the development. Performance criteria met.
A2 Subdivision must not alter any boundaries within the areas designated as scenic management – tourist road corridor.	P2 Subdivision that alters any boundaries within the areas designated as ‘scenic management – tourist road corridor’ must be consistent with the scenic management objectives of the particular area set out in Table E7.1 – local scenic management areas, having regard to: a) site size; and b) density of potential development on sites created; and c) the clearance or retention of vegetation in combination with requirements for hazard management; and d) the extent of works required for roads or to gain access to sites including cut and fill; and e) the physical characteristics of the site and locality; and f) the scenic qualities of the land that require management.
N/a	N/a

**ASSESSMENT AGAINST E9.0
WATER QUALITY CODE**

E9.5 Use Standards

Not used in this Scheme.

E9.6 Development Standards

E9.6.1 Development and Construction Practices and Riparian Vegetation

Objective

To protect the hydrological and biological roles of wetlands and watercourses from the effects of development.

Acceptable Solutions	Performance Criteria
A1 Native vegetation is retained within: a) 40m of a wetland, watercourse or mean high water mark; and b) a Ben Lomond Water catchment area - inner buffer.	P1 Native vegetation removal must submit a soil and water management plan to demonstrate: a) revegetation and weed control of areas of bare soil; and b) the management of runoff so that impacts from storm events up to at least the 1 in 5 year storm are not increased; and c) that disturbance to vegetation and the ecological values of riparian vegetation will not detrimentally affect hydrological features and functions.
A2 A wetland must not be filled, drained, piped or channelled.	P2 Disturbance of wetlands must minimise loss of hydrological and biological values, having regard to: (i) natural flow regimes, water quality and biological diversity of any waterway or wetland; (ii) design and operation of any buildings, works or structures on or near the wetland or waterway; (iii) opportunities to establish or retain native riparian vegetation; (iv) sources and types of potential contamination of the wetland or waterway.



A3 A watercourse must not be filled, piped or channelled except to provide a culvert for access purposes.	P3 A watercourse may be filled, piped, or channelled: a) within an urban environment for the extension of an existing reticulated stormwater network; or b) for the construction of a new road where retention of the watercourse is not feasible.
Complies with A1, A2 and A3	N/A

E9.6.2 Water Quality Management

<p>Objective To maintain water quality at a level which will not affect aquatic habitats, recreational assets, or sources of supply for domestic, industrial and agricultural uses.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 All stormwater must be:</p> <p>a) connected to a reticulated stormwater system; or</p> <p>b) where ground surface runoff is collected, diverted through a sediment and grease trap or artificial wetlands prior to being discharged into a natural wetland or watercourse; or</p> <p>c) meet emission limit guidelines from the Board of the Environment Protection Authority in accordance with the <i>State Policy for Water Quality Management 1997</i>.</p>	<p>P1 Stormwater discharges to watercourses and wetlands must minimise loss of hydrological and biological values, having regard to:</p> <p>(i) natural flow regimes, water quality and biological diversity of any waterway or wetland;</p> <p>(ii) design and operation of any buildings, works or structures, on or near the wetland or waterway;</p> <p>(iii) sources and types of potential contamination of the wetland or waterway;</p> <p>(iv) devices or works to intercept and treat waterborne contaminants;</p> <p>(v) opportunities to establish or retain native riparian vegetation or continuity of aquatic habitat.</p>
Complies.	N/A
<p>A2.1 No new point source discharge directly into a wetland or watercourse.</p> <p>A2.2 For existing point source discharges into a wetland or watercourse there is to be no more than 10% increase over the discharge which existed at the effective date.</p>	<p>P2.1 New and existing point source discharges to wetlands or watercourses must implement appropriate methods of treatment or management to ensure point sources of discharge:</p> <p>a) do not give rise to pollution as defined under the <i>Environmental Management and Pollution Control Act 1994</i>; and</p> <p>b) are reduced to the maximum extent that is reasonable and practical having regard to:</p> <p>i) best practice environmental management; and</p> <p>ii) accepted modern technology; and</p> <p>c) meet emission limit guidelines from the Board of Environmental Management and Pollution Control in accordance with the <i>State Policy for Water Quality Management 1997</i>.</p> <p>P2.2 Where it is proposed to discharge pollutants into a wetland or watercourse, the application must demonstrate that it is not practicable to recycle or reuse the material.</p>
Complies	N/A
A3 No acceptable solution.	P3 Quarries and borrow pits must not have a detrimental effect on water quality or natural processes.



N/A	N/A
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E9.6.3 Construction of Roads

Objective

To ensure that roads, private roads or private tracks do not result in erosion, siltation or affect water quality.

Acceptable Solutions	Performance Criteria
A1 A road or track does not cross, enter or drain to a watercourse or wetland.	P1 Road and private tracks constructed within 50m of a wetland or watercourse must comply with the requirements of the <i>Wetlands and Waterways Works Manual</i> , particularly the guidelines for siting and designing stream crossings.
Complies.	N/A

E9.6.4 Access

Objective

To facilitate appropriate access at suitable locations whilst maintaining the ecological, scenic and hydrological values of watercourses and wetlands.

Acceptable Solutions	Performance Criteria
A1 No acceptable solution.	P1 New access points to wetlands and watercourses are provided in a way that minimises: a) their occurrence; and b) the disturbance to vegetation and hydrological features from use or development.
A2 No acceptable solution.	P2 Accesses and pathways are constructed to prevent erosion, sedimentation and siltation as a result of runoff or degradation of path materials.
N/A	N/A

E9.6.5 Sediment and Erosion Control

Objective

To minimise the environmental effects of erosion and sedimentation associated with the subdivision of land.

Acceptable Solutions	Performance Criteria
A1 The subdivision does not involve any works.	P1 For subdivision involving works, a soil and water management plan must demonstrate the: a) minimisation of dust generation from susceptible areas on site; and b) management of areas of exposed earth to reduce erosion and sediment loss from the site.
N/A	N/A

E9.6.6 Ben Lomond Water Catchment Areas

Objective

To address the effects of use and development within defined buffer areas for water catchments.

Acceptable Solutions	Performance Criteria
A1 Development located within a Ben Lomond Water catchment area - outer buffer must be developed and managed in accordance with a soil and water management plan approved by Ben Lomond Water.	P1 No performance criteria.
N/A	N/A



A2 Development located within a Ben Lomond Water catchment area - inner buffer must not involve disturbance of the ground surface.	P2 Development located within a Ben Lomond Water catchment area - inner buffer that involves disturbance of the ground surface must not have a detrimental effect on water quality for the reticulated water intakes.
N/A	N/A

**ASSESSMENT AGAINST E15.0
SIGNS CODE**

Other Sign	
Acceptable Solutions	Performance Criteria
A34 N o acceptable solution.	<p>P34 Other signs can be located in any zone except the General Residential Zone and the Low Density Residential Zone, provided it can be shown that:</p> <ul style="list-style-type: none"> a) no other form of permitted signage will meet the needs of the proprietor; and b) the sign does not dominate the streetscape and reflects the prevailing character of the area, in terms of shape, proportions and colours; and c) it does not conflict with the Zone Purpose as outlined in Part D of this planning scheme. d) be sympathetic to the architectural character and detailing of the building; and e) be of appropriate dimensions so as not to dominate the streetscape or premises on which it is located; and f) not result in loss of amenity to neighbouring properties; and g) not involve the unnecessary repetition of messages or information on the same street frontage; and h) not contribute to or exacerbate visual clutter; and i) not cause a safety hazard or obstruct movement of anyone inside or outside the associated building; and j) not distract motorists as a result of size, illumination or movement.
N/a	<p>The proposed signage is the same height and dimensions as the sign on the neighbouring property (502 Hobart Road) and is black in white in colour. The signage is proposed behind the fence line and will not dominate the streetscape or premises. The signage is quite simplistic and sympathetic to the architectural character of the building. The signage will not contribute to any visual clutter, and does not cause a safety hazard and will not cause a distraction to motorists and is not illuminated.</p> <p>Performance criteria met.</p>

SPECIFIC AREA PLANS

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

SPECIAL PROVISIONS

9.1 Changes to an Existing Non-conforming Use	N/a
9.2 Development for Existing Discretionary Uses	N/a
9.3 Adjustment of a Boundary	N/a
9.4 Demolition	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 *Land Use Planning & Approvals Act 1993*.

STRATEGIC PLAN/ANNUAL PLAN/COUNCIL POLICIES

Strategic Plan 2017-2027

- *Statutory Planning*

5 FINANCIAL IMPLICATIONS TO COUNCIL

Not applicable to this application.

6 OPTIONS

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

7 DISCUSSION

Discretion to refuse the application is limited to:

- Discretionary use in the zone.
- Variation to setbacks.
- Reliance on performance criteria of Car Parking and Sustainable Transport Code – access width and parking and access surface.
- Reliance on performance criteria of Scenic Management Code; and
- Reliance on performance criteria of Signs Code.

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

The issue raised in the representation do not relate to any provision that is of consideration within the planning scheme and is not within the jurisdiction of the planning authority but rather a matter with water supply with TasWater being the relevant authority.

It is recommended that the proposal be conditioned to be developed and used in accordance with the proposal plans.

8 ATTACHMENTS

1. Proposal Page [15.2.1 - 1 page]
2. Proposal Plans 22.010 22-08-25 [15.2.2 - 9 pages]
3. Peaceful Paws Sign [15.2.3 - 1 page]
4. Folio Plan-141258-1 [15.2.4 - 1 page]
5. Folio Plan-178406-1 [15.2.5 - 1 page]
6. Additional Information Request 2 August 2022 - PL N-22-0169 - 500 Hobart Road, Youngtown [15.2.6 - 3 pages]
7. Email 25.08.2022 [15.2.7 - 2 pages]
8. Email 01.09.2022 [15.2.8 - 1 page]
9. Representation - B Grubb [15.2.9 - 1 page]



16 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.

17 ITEMS FOR THE CLOSED MEETING

Item	Local Government (Meeting Procedures) Regulations 2015 Reference
Confirmation of Closed Council Minutes	15(2)(g)
Councillors' Leave	15(2)(h)
Personnel Matters	15(2)(a)
Management Meetings	15(2)(g)
Correspondence Received	15(2)(i)
Action Items: Status Report	15(2)(g)
Personnel Matters	15(2)(a)
Compliance Matter	15(2)(g)
Contract/Tender	15(2)(d)
Land Acquisition/Purchase	15(2)(f)
Contract/Tender	15(2)(d)
Stormwater Management	15(2)(g)
Flood Modelling	15(2)(g)
Legal Matter	15(2)(g) & (i)
Legal Matter	15(2)(g) & (i)
Legal Matter	15(2)(i)
Membership Application	15(2)(g)

Local Government (Meeting Procedures) Regulations 2015 - Part 2 - Meetings

- (a) *personnel matters, including complaints against an employee of the council and industrial relations matters;*
- (b) *information that, if disclosed, is likely to confer a commercial advantage or impose a commercial disadvantage on a person with whom the council is conducting, or proposes to conduct, business;*
- (c) *commercial information of a confidential nature that, if disclosed, is likely to -*
 - (i) *prejudice the commercial position of the person who supplied it; or*
 - (ii) *confer a commercial advantage on a competitor of the council; or*
 - (iii) *reveal a trade secret.*
- (d) *contracts, and tenders, for the supply of goods and services and their terms, conditions, approval and renewal;*
- (e) *the security of -*
 - (i) *the council, councillors and council staff; or*



- (ii) *the property of the council.*
- (f) *proposals for the council to acquire land or an interest in land or for the disposal of land;*
- (g) *information of a personal and confidential nature or information provided to the council on the condition it is kept confidential;*
- (h) *applications by councillors for a leave of absence;*
- (i) *matters relating to actual or possible litigation taken, or to be taken, by or involving the council or an employee of the council;*
- (j) *the personal hardship of any person who is a resident in, or is a ratepayer in, the relevant municipal area.*

RECOMMENDATION

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

18 CLOSURE

RECOMMENDATION

That Council move out of the “Closed Meeting”.

Mayor Knowles closed the meeting at