

## **2022-09-26 ORDINARY MEETING OF COUNCIL - OPEN COUNCIL ATTACHMENTS**

<b>6.1 COUNCIL COMMITTEES - CONFIRMATION OF MINUTES.....</b>	<b>4</b>
6.1.1 2022-07-27 - Cressy Local District Committee.....	4
6.1.2 2022-08-09 - Liffey Hall Management Committee.....	7
6.1.3 2022-08-09 Liffey Hall Management Committee AGM.....	9
6.1.4 8 - LLDC Minutes 2022-08-03.....	13
6.1.5 2022-8-30 Local Recycling Committee Minutes.....	17
6.1.6 2022-09-06 CTDF Minutes.....	20
6.1.7 9 - 2022-09-06 RLDC Minutes.....	24
6.1.8 9 - LLDC Minutes 2022-09-07.....	31
6.1.9 2022-09-06 PLDC Minutes.....	35
<b>9.1 DISPOSAL OF LAND: EVANDALE, CAMPBELL TOWN AND LONGFORD.....</b>	<b>38</b>
9.1.1 Objection - Kim Peart.....	38
9.1.2 Objection - Yvette Poshoglian.....	49
9.1.3 Objection - Campbell Town Museum & Information Centre.....	51
9.1.4 Objection - Roelof Methorst.....	52
9.1.5 Objection - Jennifer Bolton.....	53
9.1.6 Objection - Barbara Halloran.....	54
9.1.7 Sale Of Public Land Information Sheet_ - _21 April 2020 (6).....	55
<b>9.2 PROPOSED FOOTPATH TRADING BY-LAW: REVIEW OF REPRESENTATIONS.....</b>	<b>59</b>
9.2.1 Draft Proposed Footpath Trading By- Law No. 1 Of 2022.....	59
9.2.2 Spark Property - Footpath Trading By- Law Proposal - Submission.....	68
9.2.3 PLDC Response To By Law.....	70

<b>9.2.4 DSG Response To NMC Proposed Footpath Trading By-Law.....</b>	<b>71</b>
<b>9.2.5 Response To NMC Proposed Footpath Trading By-Law - Additional Information.....</b>	<b>73</b>
<b>9.2.6 Arthur Thorpe - Footpath Trading Submission.....</b>	<b>74</b>
<b>12.2 SAFETY CONCERNS AT BARTON ROAD INTERSECTION.....</b>	<b>77</b>
<b>12.2.1 Traffic Impact Assessment For 13790 Midland Hwy, Epping Forest.....</b>	<b>77</b>
<b>12.2.2 Endorsed Plans For Planning Permit PL N-20-0286.....</b>	<b>109</b>
<b>15.1 PLN22-0171: 41-43 WELLINGTON STREET LONGFORD.....</b>	<b>144</b>
<b>15.1.1 Application Documents.....</b>	<b>144</b>
<b>15.1.2 Application Queries And Response.....</b>	<b>157</b>
<b>15.1.3 DSG Response.....</b>	<b>160</b>
<b>15.1.4 Heritage Referral PL N-22-0171 - 41-43 Wellington Street Longford.....</b>	<b>162</b>
<b>15.1.5 Notice Of Heritage Decision W A 7951.....</b>	<b>174</b>
<b>15.1.6 1. Representation - P Bosch.....</b>	<b>176</b>
<b>15.1.7 2. Representation - G Howlett.....</b>	<b>178</b>
<b>15.1.8 3. Representation - J J's Bakery.....</b>	<b>179</b>
<b>15.1.9 4. Representation - J Izzard (1).....</b>	<b>180</b>
<b>15.1.10 5. Representation - R &amp; A Aldersea.....</b>	<b>181</b>
<b>15.1.11 6. Representation - B Lindsay.....</b>	<b>182</b>
<b>15.1.12 7. Representation R Van Der Woude.....</b>	<b>183</b>
<b>15.1.13 8. Representation - J Izzard (2).....</b>	<b>184</b>
<b>15.1.14 9. Representation - A Colvin.....</b>	<b>185</b>
<b>15.1.15 10. Representation - S Gibson.....</b>	<b>186</b>

<b>15.1.16 Applicant Response To Representations.....</b>	<b>187</b>
<b>15.2 PLN22-0169: PART CHANGE OF USE TO BUSINESS &amp; PROFESSIONAL SERVICES</b>	
<b>500 &amp; 502 HOBART ROAD YOUNGTOWN.....</b>	<b>188</b>
<b>15.2.1 Proposal Page.....</b>	<b>188</b>
<b>15.2.2 Proposal Plans 22.010 22-08-25.....</b>	<b>189</b>
<b>15.2.3 Peaceful Paws Sign.....</b>	<b>198</b>
<b>15.2.4 Folio Plan-141258-1.....</b>	<b>199</b>
<b>15.2.5 Folio Plan-178406-1.....</b>	<b>200</b>
<b>15.2.6 Additional Information Request 2 August 2022 - PL N-22-0169 - 500 Hobart Road, Youngtown.....</b>	<b>201</b>
<b>15.2.7 Email 25.08.2022.....</b>	<b>204</b>
<b>15.2.8 Email 01.09.2022.....</b>	<b>206</b>
<b>15.2.9 Representation - B Grubb.....</b>	<b>207</b>

## MINUTES

### MEETING OF THE CRESSY LOCAL DISTRICT COMMITTEE HELD AT THE CRESSY TOWN HALL ON WEDNESDAY, 27 JULY 2022 COMMENCING AT 7:00 PM

#### **1 PRESENT**

Mr Daniel Rowbottom (Chairperson), Mrs Maurita Taylor, Mrs Katie Lamprey, Mrs Helen Williams, Mrs Angela Jenkins, Mrs Ann Green and Mr Peter Goss

#### **2 IN ATTENDANCE**

Councillor Richard Goss

#### **3 APOLOGIES**

Mr Andrew Byard and Mrs Helen Howard

#### **4 DECLARATION OF ANY PECUNIARY INTEREST BY A MEMBER OF A SPECIAL COMMITTEE OF COUNCIL**

In accordance with the provisions of the *Local Government Act 1993*, Part 5, S48A – S56, a member of a Special Committee must not participate in any discussion or vote on any matter in respect to which the member:

- a) has an interest; or
- b) is aware or ought to be aware that a close associate has an interest.

A member has an interest in a matter if the matter was decided in a particular manner, receive or have an expectation of receiving or likely to receive a pecuniary benefit or pecuniary detriment.

*\*It should be noted that any person declaring an interest is required to notify the general manager, in writing, of the details of any interest declared within 7 days of the declaration.*

#### **5 CONFIRMATION OF MINUTES**

***Mrs Ann Green / Mrs Helen Williams***

*That the minutes of the Cressy Local District Committee meeting held on 25 May 2022 be confirmed as a true and correct record of proceedings.*

*Carried unanimously*



## **6 BUSINESS ARISING FROM THE MINUTES**

### **6.1 Cressy Recreation Ground development**

Stage 2 to be completed in conjunction with Stage 2 of the pool works. Both projects being completed by Council building staff. – [All going well.](#)

### **6.2 Cressy Swimming Pool**

Stage 2 pool works have commenced. Request for heated pool signs was presented to Council at its May meeting and a review requested. [All going well.](#)

### **6.3 Bartholomew Park Name Sign and Explanation Plinth**

Sign to be resized and reinstalled when Building Officer available. - [Ongoing](#)

### **6.4 Acquire land at Macquarie Street for recreation area**

Concept plan and survey provided to planner to progress rezone and subdivision. – [Continuing in the process.](#)

### **6.5 Minutes**

Cressy District High School have agreed to provide two senior students for purpose of minutes. Council staff finalising details.

### **6.6 Netball / Basketball hoops**

Council agreed to investigate installation of netball / basketball hoops in Cressy. Has been referred to Project Officer for investigation as part of the Cressy Recreation Ground redevelopment. – [Committee requested consultation before final location and installation.](#)

## **7 NEW BUSINESS**

### **7.1 Intention to sell public land**

Committee to review attached information about decisions to sell Council land within the municipality. Decision will be publicly advertised on 30 July 2022.

- [Chairman explained this to the committee.](#)

**7.2 Dog Waste Bags**

Can these be placed at both ends of the bus shelters on the main street?

**7.3 Rubbish Bins**

Request for Rubbish bins to be placed at either end of the stock route for the disposal of Dog waste bags.

**7.4 Park Upgrade**

The swings have been removed from the park. Committee wondered why?

Committee requested a review on equipment for upgrade. Is fencing to be placed along the main road for the safety of children using the park? It was noted that parents have been seen chasing their children to stop them exiting onto the main road.

**7.5 Stock route fencing**

This is not necessary to do all the way along. Suggestion Murfett Street end and reconsider doing sections along the stock route. A sealed walkway would be a great asset to this area.

**8 CLOSURE & NEXT MEETING**

The Chairperson closed the meeting at 7:35 pm.

The next meeting to be held on **28 September 2022 at 7:00pm.**



## LIFFEY HALL MANAGEMENT COMMITTEE

Tuesday, 9<sup>th</sup> August

Commenced 7:10 pm

Finished 8.15 pm

Next Meeting **7.00 pm Tuesday 18<sup>th</sup> October 2022; Note change of regular date.**

### Present

Christine Higgs, Herbert Staubmann, Sally Staubmann, Lindsay Jordan, Quenton Higgs, Len Weiss, Maria Saldana, Susan Hanslow, David Hanslow, Denis Lisson.

### Apologies

Ludo Vilbert, Gabby Stannus, Richard Chin, Carol Viney

### Minutes

The minutes of the previous meeting on July 12<sup>th</sup> were read by the secretary and approved with the following amendments, which were omitted from the previous minutes:

1. No works, except cleaning are to be carried out on-site without the approval of the committee.
2. A new list of hall- hire fees for 2022 were tabled for immediate implementation.

M: Sally S: Susan Approved

### Treasurers Report

Sally read the report and submitted it for approval.

M: Lindsay S: Susan Approved

### Correspondence

1. The Food Licence Certificate for 2022-2023 was received and is now on display in the hall. A visit is to be expected from the Council rep. in due course to check conformance of market operators to health requirements as specified in the Licence.
2. Council have acknowledged the need for the chimney repair, but have not yet completed this job. This issue is considered urgent so that the fire can be lit on market days.
3. Sally has notified the Council regarding the fees for hall hire, but they have not yet actioned these on their web-site.
4. Dakota Wolf emailed a copy of the plan for a shelter on-site as discussed at the previous meeting, and Sally has forwarded this to Quenton.

Acceptance of correspondence M: Quenton S: Lindsay

### Matters Arising

- Herbert has installed outside solar lights.
- Chimney repair is still pending.
- Herbert has purchased a replacement tree from Allan's, and will plant it.

### General Business

1. Len raised the issue of members of the Motor-home Club who wish to hire the hall for their meetings. Sally agreed to email Len a copy of the new schedule of fees for hire.
2. The issue of outside fires on-site was briefly discussed, but was not fully resolved at the time.

### Market News

Quenton remarked that several new stalls were expected for the new season, one making a range of soaps.

Working Bee: It was agreed to hold a working bee one week prior to our first Market Day. This will be on Sunday September 4<sup>th</sup> at 10.00 am and include a morning tea.



**Liffey Hall Management Committee.**

The Liffey Hall Management Committee A.G.M and general meeting was held on Tuesday 9<sup>th</sup> August 2022

The meeting commenced at 7.10pm.

**Present:**

Sally Staubmann, Herbert Staubmann, Lindsay Jordan, Quenton Higgs, Christine Higgs, Maria Saldana, Susan Hanslow, David Hanslow, Len Weiss, Dennis Lisson

**Apologies:**

Maree Chugg, Dennis Chilcott,

Minutes of the previous AGM were read by Chair Quenton Higgs.

**Chairperson's Annual Report.**

Chairperson Quenton Higgs gave an annual report in regard to activities for the previous year.

**Sat 11 Sept 21 Market \$563.50!!**

Wow, what a great market we enjoyed yesterday, totally surprising as the weather forecast seemed threatening! Despite that we had an array of interesting stalls plus sausage sizzle and Devonshire tea that sold out. Visitors raved about our wonderful wild berry jam and wanted to buy some. At times a car park was hard to find. We had visitors from Launceston, Weetah, Longford, Perth and all the way from Nubeena and Dodges Ferry. Well done all!

Total market earned revenue since 2015 is an amazing \$18,953.00. We have seen an increase with each year with a high of \$3428 in 2021. Due to market cancellations in 2022 revenue dropped to \$816.00.

### **Working bees**

Volunteers participated in several throughout the year in maintenance jobs including crown lifting of WW1 trees, poisoning of gawze, grass cutting, gardening, toilet and hall cleaning.

### **Projects**

We received quotes to remove, manufacture and install new curtains for all hall windows. Decorama Launceston won the job that has seen burgundy curtains fitted for a cost of \$2176.00. Market revenue has made this possible.

### **Hall storm damage**

The big blow on 3 July collapsed our brick chimney, broke kitchen window and tore some large branches from large fir trees. NMC have repairs in hand.

### **Bush fire awareness**

Further to last years distribution of fire safety packs to valley residents we are encouraged to register all domestic/fuel load burns; this is simply a call on 1800 000699 and by doing so it keeps everyone in the loop with smoke sightings. The service have provided us with warning signs that will be displayed at the hall during fire season.

### **Volunteers**

Our band of merry volunteers deserve huge thanks for turning out for working bees, baking gourmet treats, market days, sausage sizzles, regular committee meetings and generally making visitors feel really special when they decide to visit our "Cute little Community Hall" (this is what the 10Days bods called it)

A BIG PAT ON THE BACK ALL ROUND!!!

### **Quenton Higgs**

**Chair – Liffey Hall Committee**

The chairperson's report was accepted by Sally Staubmann, second Maria Saldana.

**Presentation of financials**

Treasurer Sally Staubmann presented the finance report. Accepted. Moved by Lindsay Jordan, seconded Christine Higgs.

**Elections**

Quenton Higgs temporarily occupied the chair for the purpose of office bearer nominations for the AGM.

**Chairperson:**

With no nominations for the position Quenton Higgs was returned unopposed.

**Other office bearer nomination.**

**The Vice Chair:**

With no nominations for the position Lindsay Jordan was returned unopposed.

**Treasurer:**

Incumbent Sally Staubmann was nominated for position and elected unopposed. It is acknowledged that Sally intends to resign by December 2022 so we will be seeking a new nomination over the next few months. Sally has done an outstanding job in this roll.

**Secretary:**

Dennis Lissen was nominated for position of secretary by Quenton Higgs and second by Lindsay Jordan. Steve Broadbent was congratulated for a job well done.

All office bearers were declared elected.

Herbert Staubmann resigned from the committee. David Hanslow was nominated onto the committee by Quenton and second by Lindsay. Other

4

previous committee members , Maree Chugg, Jilli Spencer, Denis Chilcott, Len Weiss, Richard Chin, were also welcomed back in their roles.

This brought a close to the A.G.M. 7.40 pm.

Financials on separate email to Amanda Bond



**MINUTES FOR THE MEETING OF THE LLDC HELD AT THE LONGFORD RSL MEMORIAL CLUB  
ON WEDNESDAY 3 AUGUST 2022, COMMENCING AT 5.30PM**

**MINUTES**

**1 OPENING**

The Returning Officer announced the procedure for conducting the election of the Chairperson

**2 ATTENDANCE**

**PRESENT**

Neil Tubb	Member
Simon Bower	Member
Jo Clarke	Member
Tim Flanagan	Member
Bronwyn Baker	Member
Peter Munro	Member
Dennis Pettyfor	Member

**IN ATTENDANCE**

Dick Adams	Councillor
Mathew Brooks	Councillor
Gail Eacher	Executive Assistant/Returning Officer

**APOLOGIES**

Doug Bester	Member
Lorraine Wyatt	Executive & Communications Officer

**RESIGNATION:**

Megan Mackinnon

**3 DECLARATION OF ANY PECUNIARY INTEREST BY A MEMBER OF A SPECIAL COMMITTEE OF COUNCIL**

*In accordance with the provisions of the Local Government Act 1993, a member of a Special Committee must not participate in any discussion or vote on any matter in respect to which the member:*

- a) has an interest; or*
- b) is aware or ought to be aware that a close associate has an interest.*

*A member has an interest in a matter if the matter was decided in a particular manner, receive, or have an expectation of receiving or likely to receive a pecuniary benefit or pecuniary detriment.*

Nil declarations were received.

**5 CONFIRMATION OF MINUTES**

Moved Jo Clarke, seconded Tim Flanagan

That the minutes of the meeting of the Longford Local District Committee held on 6 July 2022 confirmed as a true and correct record of proceedings.

CARRIED

**6 BUSINESS ARISING FROM THE MINUTES**

**6.1 Election of Office Bearer due to the resignation of the LLDC Chair.**

Chair Neil stood aside while Gail Eachar acted as Returning Officer and called for nominations for the position of Chairman of the LLDC.

Tim Flanagan was nominated by Neil Tubb, seconded by Dennis Pettyfor.  
There being no further nominations, Tim Flanagan was elected unopposed.

Gail Eachar called for nominations for the role of Deputy Chair.  
Dennis Pettyfor was nominated by Jo Clark, seconded by Neil Tubb.  
There being no further nominations, Dennis Pettyfor was elected unopposed.

Secretary - Simon Bower nominated by Tim Flanagan and seconded by Neil Tubb,  
elected unopposed.

Tim Flanagan assumed the Chair.

Neil Tubb was thanked by all present for the excellent work he did in the role

**6.2 Signage for Longford Roundabout – Has been noted in NMC minutes 22/223**

The LLDC at our previous meeting suggested a sign the same as at Perth in the Roundabout., 'LONGFORD established 1813'

**6.3 Parking in Wellington Street – Lyttleton Street to the Town Hall.**

The offending vehicle went, NMC has now painted in a parking spot.

**7 NEW BUSINESS**

**7.1 Footpath Trading –**

Neil Tubb spoke re new by-law circulated to all by Lorraine Wyatt. Dick Adams said there were some problems which the new by-law has hopefully resolved. Discussed and noticed.

**7.2 Artist Recognition in the Northern Midlands Community –**

Neil Tubb said at our last Rotary meeting Simon Bower spoke re the famous artists Tom Roberts & John Glover.

**7.3 Poatina Road**

The issue of pullover spot to take a photo on Poatina Road was raised. Discuss further at our next meeting.

**7.4 Longford Entrance Sign**

Neil Tubb put up a 'mock-up' free standing version, apparent and promotes the history of Longford.

Dennis Pettyfor spoke re the signage at Oatlands.

## **8 REPORTS FROM SUB COMMITTEES**

### **8.1 Railway Committee**

Dick Adams said funding has been done well, Tas Rail will fund rest of money, some outstanding technical issues have been overcome.

### **8.2 Longford Legends**

Vandalism is a big risk, but overall, very good.

### **8.3 Town Hall**

Lease for Longford Town Hall Arts Committee has been established, currently hosting an Art Exhibition.

## **9 PENDING BUSINESS ITEMS**

- Illawarra Road Response from State Growth – awaiting completion of current works at Illawarra Road, then the bridge over South Esk
- Wellington Street Crossing (Traffic Refuges) – Protest yesterday by landowners re access for tractors and trucks.
- Memorial Hall – Village Green Development – Some issues are still being sorted through.
- Wellington & Marlborough Streets Intersection (Sticky Beaks) – waiting on State Government, NMC will put some bollards in on land where they can.
- Lange Designs – Signage for Longford Roundabout. Members have previously advised of their solution.
- Danger to cyclists & pedestrians on South Esk River vehicular bridges.

## **10 OTHER BUSINESS**

### **10.1 NMC budget**

- spoke re improving footpaths in southern end of town
- \$5000 for Legends
- Tree planting to hide JBS - to put it in their tree planting policy; Gardening Club recently had a cleanup there.
- Irrigation at football ground- pop up sprinklers are under way.
- Area where there are cricket nets next to the main oval – Hopefully 2 smaller grounds to be considered for development.
- Traffic through Longford – NMC have said they will investigate and carry out Infrastructure Study to justify by-pass around Longford within the next five years.

Dick Adams mentioned: Bypass Longford for trucks.

### **10.2 Traffic Study - Wellington and Marlborough Streets**

The committee is concerned about the safety and amenity of the people who use, cross, and live along Wellington and Marlborough Streets.

Moved Peter Munro, seconded Neil Tubb

That NMC to consider a study on vehicle numbers and speed of vehicles through Wellington and Marlborough Streets.

CARRIED

**10.3 Waste station**

*Foggo* bins, which are for green waste, to roll out in January 2023, for \$60.00 on your rates.  
Enhanced recycling at the Waste Station.

**10.4 Mens Shed**

Dennis Pettyfor asked what is happening with the Men's Shed?

**10.5 Toilets at Mill Dam**

Jo Clarke asked for the toilets at Mill Dam, to discuss at next meeting

**10.6 Disability Access and Inclusion**

Moved Peter Munro, seconded Neil Tubb

NMC to investigate and replace the poorly adherent vision impaired dots placed in some of our footpaths'

CARRIED

**10.7 Induction**

Neil Tubb- Asked why committee members have to go through the induction again, having done in face to face, writing on paper, only a couple of years ago? Dick Adams will ask re email of July 06, 2022, and where is what we wrote at our previous induction?

**11 NEXT MEETING:**

September 07, at 5.30 pm, at Longford RSL Club.

**12.CLOSURE**

The meeting closed at 6.45pm.

Minutes of the Northern Midlands Recycling Committee meeting held Tuesday 30 August 2022 commencing at 4.00pm

## Minutes

### 1 ATTENDANCE

**Present:** Cr. Ian Goninon (IG) Mayor Mary Knowles (MK)  
Rodrick Heathcote (RH) Owen Diefenbach (OD)  
Lisa Banfield (LB) Jonathan Galbraith (JG)  
Daniel Stearnes (DS)

**In Attendance:**

**Apologies:**

**Absent:**

Sarah Benson (SB)

### 2 DECLARATION OF ANY PECUNIARY INTEREST BY A MEMBER OF A SPECIAL COMMITTEE OF COUNCIL

*In accordance with the provisions of the Local Government Act 1993, a member of a Special Committee must not participate in any discussion or vote on any matter in respect to which the member:*

- a) has an interest; or*
- b) is aware or ought to be aware that a close associate has an interest.*

*A member has an interest in a matter if the matter was decided in a particular manner, receive, or have an expectation of receiving or likely to receive a pecuniary benefit or pecuniary detriment.*

### 3 CONFIRMATION OF MINUTES

#### Recommendation

The minutes of the meeting of the Local Recycling Committee held on Tuesday 26 July 2022 be confirmed as a true and correct record of proceedings. Proposed RH seconded RC that the minutes be accepted

#### **4 BUSINESS ARISING FROM THE MINUTES**

##### **4.1 Develop program for use of recycling trailer**

Has there been any progress in developing a program for the trailer?

Suggested locations:

- Longford, Perth, Evandale schools
- Is Owen able to organise a schedule for Campbell Town, Ross and possibly Avoca?
- Evandale Market
- Functions where the trailer can be supervised or locked away.
- IGA, Nutrien, Southern Farming systems (Longford)
- Out front of Council Chambers

*Action: IG to organise special meeting to discuss/develop program*

It was agreed that an education campaign was required to communicate the existence of the trailer and increase usage.

*Action: JG / DS to draft letter for local businesses and schools who may be interested to host the trailer. JG to provide letter to Ian.*

##### **4.2 Single use plastics policy**

Policy to be considered by Council. To be taken to a future workshop.

*Action JG to discuss with Gail / Des*

*JG contact Jess for insight into Launceston City Council's (LCC) policy*

##### **4.3 Volunteer induction – LS has not done an induction.**

Some members have not completed the online induction before participation at the next meeting.

*Action: DS/JG to provide link for committee members (Lisa, Owen & Mayor Mary Knowles)*

##### **4.4 Canvas Bin Covers**

Investigations of a possible supply of canvas bin covers. These covers will be used at events to label bins as either waste or recycling.

*Action: JG / DS to investigate covers for bins. May need to purchase online.*

#### **5 NEW BUSINESS**

##### **5.1 Welcome new committee member**

Council has appointed Lisa Banfield to fill a vacancy on the committee.

*Action: JG contact Lorraine Wyatt about advertisement of further members*

## **6 IDEAS**

### **6.1 - Priority Ideas**

#### **Recycling Fridge Magnet**

Launceston Council have a good fridge magnet which shows how products can be recycled. Possible outlook of incorporating our magnets into the same stock as Launceston Council for a possible cheaper option. Look into whether this can be sent out with the next rates notices. – committee noted information, perhaps to be considered with next year's rates mail out.

The committee was advised there are several resources available and that it is just a matter of deciding what is required and what the budget allocation is for promotional materials.

*Action: JG/DS find cost of magnets*

### **6.2 - Future Ideas**

1. Updates to recycling information sent out with rates (see 9.2)
2. Recycling at sports clubs – *Action: on hold*
3. Recycling bins at Council Park & Reserves – *JG talk to Leigh McCallugh (Works Manager) about recycling collection vehicle/compartment*
4. Labelling of clothing for businesses – *Action: on hold*
5. Using tyres in asphalt
6. Compostable Doggie Bags - *Require FOGO collection*
7. Plasrock advancements in Queensland – *Action: On hold*
8. *Consider education/community workshop prior to the introduction of FOGO collection*
9. *Improve Councils internal waste & recycling habits:*
  - i. *Replace plastic bottles*
10. *Recycling Apps – Action: LM investigate further into 'recycle mate' & possibly 'recycle coach' apps to discuss its potential at next meeting.*

## **7 CLOSURE**

Chairperson closed meeting at: 4:52pm 30<sup>th</sup> August

Next meeting: 4:00pm Tuesday 27<sup>th</sup> September

Minutes for the Campbell Town District Forum Meeting held 6 September 2022

# MINUTES

## **1 OPENING**

The Chairperson welcomed everyone and declared the meeting open at 9.37am.

## **2 ATTENDANCE**

Jillian Clarke	Chairperson
Jill Davis	Member
Sally Hills	Member
Owen Diefenbach	Member
Danny Saunders	Member
Tracy Spencer-Lloyd (at 9.45am)	Member
Jo Taylor (at 10.10am)	Member
Christopher Beach	Member

## **IN ATTENDANCE**

Lorraine Wyatt	Minutes
Leisa Gordon	Local Government Election Candidate

## **APOLOGIES**

Cr Andrew Calvert	Council Representative
Cr Michael Polley	Councillor

## **ABSENT**

## **3 DECLARATION OF ANY PECUNIARY INTEREST BY A MEMBER OF A SPECIAL COMMITTEE OF COUNCIL**

*In accordance with the provisions of the Local Government Act 1993, a member of a Special Committee must not participate in any discussion or vote on any matter in respect to which the member:*

- a) has an interest; or*
- b) is aware or ought to be aware that a close associate has an interest.*

*A member has an interest in a matter if the matter was decided in a particular manner, receive or have an expectation of receiving or likely to receive a pecuniary benefit or pecuniary detriment.*

Nil declarations were made.

## **4 CONFIRMATION OF MINUTES**

### **Recommendation**

The minutes of the meeting of the Campbell Town District Forum held on **Tuesday, 2 August 2022** be confirmed as a true and correct record of proceedings.



**Committee Recommendation**

*Moved Sally Hills, seconded Jill Davis*

*The minutes of the meeting of the Campbell Town District Forum held on Tuesday, 2 August 2022 be confirmed as a true and correct record of proceedings.*

**CARRIED**

**5 BUSINESS ARISING FROM THE MINUTES**

**5.1 Outcome of recommendations made to Council discussed at the Council meeting held 15 August 2022.**

**Invitation to Works Supervisor**

*At the ordinary meeting of the Campbell Town District Forum held on 2 August 2022 the following motion/s were recorded for Council's consideration:*

**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 Motion*

**Officer Comment:**

*To date, the Works Manager has not been available to attend due to day-to-day operational commitments.*

*The Forum can raise queries with the Administration Officer in attendance who will seek advice and provide same to the committee.*

**Officer Recommendation:**

*That Council Officers endeavor to attend meetings when available.*

**MINUTE NO. 22/262**

**DECISION**

*Cr Adams/Cr Brooks*

*That Council Officers endeavour to attend meetings when available.*

*Carried Unanimously*

Members noted the decision.

**5.2 Actions from the Previous Minutes**

**5.2.1 - High Street**

*Jill Davis asked Cr Polly if there was any further movement on the redeployment of High Street and that Forum were concerned that more planning was needed to be done?*

*Cr Polley advised he would follow up on this matter and provide a response to the Forum.*

The Forum was advised that updated plans were not available at this time as State Growth had requested additional surveys be undertaken prior to issuing approvals.

### 5.2.2 - King Street

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

A need for a Community Centre in Campbell Town was identified was after enquiries 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.

This site 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.

### Committee Recommendation

*Moved Jill Davis, seconded Jo Taylor*

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

**CARRIED**

### 5.2.3 - Swimming Pool

*Jill Davis reported that the committee had not yet received information requested four (4) months ago about the attendance at the pool and the operating revenue and expenditure for the 21/22 season and enquired if Council is:*

*1 still holding the funds that was transferred from the Pool Bank Account, and*

*2 if the Pool Committee still hold an account at the Commonwealth Bank at Campbell Town.*

*When this information is supplied it is hoped that a Local Committee could be formed to discuss and negotiate with Council about running the swimming pool for the 2022/2023 swimming season.*

*Cr Polley advised he will follow up on this matter.*

In the absence of Councillor Polley, members were provided a copy of item 9.8 – "Swimming Pool Operations: 2021-2022 Full Season Update", from the 15 August 2022 Council meeting minutes, which is also available via the Council website. This item outlines the utilisation of the pools throughout the municipality and discusses the difficulty in recruiting Lifeguards.

Jill Davis will discuss with the interested parties now that this information is to hand however it was noted, that should a Pool Committee be able to be formed, they may need financial assistance to commence operations.

Jo Taylor entered the meeting at 10.10am

---

#### **5.2.4 - Sale Land in Glenelg Street**

Members reported that the proposed disposal of land in Glenelg Street had attracted within the community.

The Council Officer present informed the Forum members, they should be encouraging individuals to make a written submission to Council and raise their concerns accordingly.

Sally Hills advised that a meeting had been arranged to take place (within the week following this meeting) between the Harold Gatty Memorial Representatives and Council officers to discuss conceptual ideas prior to a development plan being composed.

### **5 NEW BUSINESS**

#### **5.1 - Community Safety – Police Presence in Campbell Town**

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.

#### **Committee Recommendation**

*Moved Jill Clarke, seconded Christopher Beach*

*That Council lobby Tas Police to increase their presence within the Campbell Town community.*

**CARRIED**

#### **5.2 – Rubbish in the Car park**

The car park adjacent to the public toilets in Valentines Park is untidy. There is no bin in the car park and so people simply drop their rubbish, especially cigarette butts. There are leaves everywhere and the area needs to be cleaned up.

Works request to be submitted.

#### **5.3 – Campbell Town Main Street**

Members reported an accident had occurred outside of Zeps and discussion commenced regarding the number of near misses that occurs due to the angle of the parking. Members are aware that the upgrade of the main street will change the angle of the parking however, are concerned for vehicle/pedestrian safety.

### **6 CLOSURE**

The Chairperson closed meeting at 10.50am.

### **7 NEXT MEETING**

Next meeting to be held on **4 October 2022 commencing at 9.30am** at the Town Hall, upstairs meeting room.

## **MINUTES**

### **THE ROSS LOCAL DISTRICT COMMITTEE MEETING HELD AT THE READING ROOM, ROSS, ON TUESDAY 6<sup>th</sup> SEPTEMBER 2022, COMMENCING AT 11.15AM.**

#### **1 PRESENT**

Arthur Thorpe (Chairperson), Christine Robinson, Michael Smith, Jill Bennett, Marcus Rodrigues, Sally Langridge, Candy Hurren, Helen Davies, Ann Thorpe (Hon Secretary).

#### **2 IN ATTENDANCE**

Lorraine Wyatt, Leisa Gordon, Margaret Papa, Phil Brown, Robyn Barnet, Ella Boas.

#### **3 APOLOGIES**

Councillor Andrew Calvert, Councillor Michael Polley AM.

#### **4 DECLARATION OF ANY PECUNIARY INTEREST BY A MEMBER OF A SPECIAL COMMITTEE OF COUNCIL**

In accordance with the provisions of the *Local Government Act 1993*, Part 5, S48A – S56, a member of a Special Committee must not participate in any discussion or vote on any matter in respect to which the member:

- a) has an interest; or
- b) is aware or ought to be aware that a close associate has an interest.

A member has an interest in a matter if the matter was decided in a particular manner, receive or have an expectation of receiving or likely to receive a pecuniary benefit or pecuniary detriment.

*\*It should be noted that any person declaring an interest is required to notify the General Manager, in writing, of the details of any interest declared within 7 days of the declaration.\**

***Nil Declared***

#### **5 CONFIRMATION OF MINUTES**

***That the minutes of the meeting of the Ross Local District Committee held on **Tuesday 2<sup>nd</sup> August, 2022** be confirmed as a true and correct record of proceedings.***

***Michael Smith / Christine Robinson***

**6 BUSINESS ARISING FROM THE MINUTES**

**6.1 Clearing The Macquarie River**

The issues of concern are infestations of Cumbungi weeds and debris from previous floods needing removal.

Correspondence with various Government Departments regarding weed management and debris removal have been forwarded to Council, who advise that they are in discussions with NRET (previously DPIPWE) and will advise when spraying is scheduled. A low river level is necessary for debris clearance.

Probably summer before the river is low enough to commence work.

No further update. Matter ongoing.

**6.2 Condition Of Trees in Ross**

Council's Works Manager, Mr Leigh McCullagh, has advised that the Victorian tree inspection company ENSPEC have inspected the Elms in Church Street, and will be returning to Ross in April to inspect the trees in other streets.

The August inspection was conducted and NMMC are awaiting a final report. ENSPEC conducted inspections for a number of Tasmanian Council areas, therefore the report may not be available for some time.

Matter ongoing.

**6.3 Weather Damage to Ross Reading Room**

The cornerstones and the bottom course of sandstone bricks at the entrance of the reading room are weathering away and in need of attention.

NMC has carried out cleaning and rectification of the southern gutters of the building, which should now route rainwater directly to the stormwater drains. It is still to be determined if a drain does in fact run along the eastern base of the building.

Inspection revealed no drain has been found. The fine fill currently in the trench will be removed and coarser aggregate will be inserted to aid drainage. The sandstone is actually in quite good condition and remediation work to the damaged sandstone will be carried out by a stonemason once the weather warms up.

No further update. Matter ongoing.

**6.4 Ownership of Original Ross Burial Ground and Public Notice Board**

Despite numerous enquiries, the ownership of this notice board has been unable to be determined. Best guess is that it was erected in the old Ross Council days. It should probably now come under NMC's wing, as it is standing on Council's nature strip. The RLDC is prepared to provide the labour to refurbish the notice board, Council's Works Manager has confirmed

that Council will supply the paint subject to the colour being approved by Council's Heritage Consultant. Chair has been in contact with Paul Godier who is endeavouring to obtain a colour chart of the approved colours, so that the RLDC can make a selection and have the colour approved by Council.

It was stated at the meeting, that the Notice Board is actually the property of the Ross Post Office.

Chair approached the Ross Post Master, who gave an undertaking that he will refurbish the notice board as time and resources permit.

Committee discussed and is happy to leave the project with Ross Post Master.

No further action.

#### **6.5 Missing (Stolen) Street Sign Nivelles Street**

Customer request 61740 has been lodged with Council requesting the missing (stolen) sign be reinstalled. Sign apparently not installed at 2<sup>nd</sup> August – Chair to follow up.

No update. Matter ongoing.

#### **6.6 Damaged Wall South End Of Church Street**

Wall at the top (south end) of Church Street has top stones missing and looks very disordered. Customer request 61699 has been raised requesting rectification. Council's Works Manager has advised that repairs to this wall will be a major undertaking; it almost needs rebuilding.

Part of the issue is sourcing the appropriate sandstone as a large amount required.

No update. Matter ongoing.

#### **6.7 Not For Profit Organisations In Ross.**

Council has advised the RCSC of the requirement to seek Council's permission for camping events in excess of two nights stay, but it would appear that the requirement to seek Council's permission for smaller vans to also stay, has not been communicated to the RCSC.

Chair followed up this matter with Council, who advised that discussions were being held directly between Council and the RCSC.

No further action required.

#### **6.8 Official Opening Of The Ross Village Green.**

The Ross Village Green was officially opened on Tuesday 23<sup>rd</sup> August 2022.

- Thanks to NMC by the committee for the opening and the opportunity to meet afterwards in the Town Hall.

- NMC advised with all government funded projects, the proponents must acknowledge the input of the government / department. As Brian Mitchell MP, is the representative for Lyons and was instrumental in obtaining grants, he was invited to open the Village Green, and a date that was suitable to him was selected. Unfortunately, there were no weekend dates available.
- A brass plaque has been ordered by NMC to commemorate the opening. Council Works Manager felt it would be a good idea to place it on a piece of sandstone, similar to the Lone Pine stone. A decision on where to site the plaque has not been made yet, however if you have an idea you wish to submit, please send to Chair to forward to NMC. Please think about it, and hopefully a decision can be made before next meeting.

#### **6.9 Damaged Sandstone Kerbing.**

Kerbing in the centre car parking area opposite the Town Hall has been damaged by a truck, needs to be repaired.

Chair has asked Council to repair the kerbing in conjunction with the sandstone wall at the southern end of Church Street, refer Customer request 61699.

No further update. Matter ongoing.

#### **6.10 Warning Sign High Street Pedestrian Rail Crossing**

The warning sign on the village side of the High Street pedestrian railway crossing is dilapidated and requires upgrading. Chair advised that Council has been instructed by State Rail that the pedestrian crossing is dangerous and must be closed off.

Councils Works Manager advised that they will not be replacing the signs if the crossing is to be closed. Chair mentioned to the Works Manager that it would be pertinent to close the crossing before any houses are built on the new subdivision adjacent to the rail crossing, before residents came to expect an open pedestrian railway crossing.

Chair to follow up with Mr McCullough.

### **7 NEW BUSINESS**

#### **7.1 Ross Tin Can Sculpture Show**

The 2022 Ross Tin Can Sculpture Show will be held in Ross from Friday 22 October to Sunday 5 November 2022, in the Thistle Inn Stable Gallery and The Ross Hotel Gardens. Gallery viewing times are from Wednesday to Sunday from 10.30am to 3.00pm.

*Robyn Barnet*

Robyn spoke to the committee and thanked them for their time. This will be the third time the exhibition is to be held in Ross. Unfortunately the first two were held during Covid upheavals, and only the exhibition itself could be arranged. This time, the event will be more open and more oriented around local residents.

The idea for the event started 4 years ago, when the UTAS Sculpture unit closed down. As preparation was during Covid and more people were housebound and limited in activities, more cooking was conducted at home and so the idea of using household items such as saucepans and cans came into being. Sculpture gives people a different understanding of art as opposed to what can hang on a wall.

Now the restrictions with Covid have been lifted, the event is taking a slightly different direction this year. Ella Boas will be working with children and pre-schoolers to involve a wider group. The whole idea this year, is just to get people involved and have a go.

The organisers have added some extra items to the program to encourage people into Ross and a "Walk and Seek". Robyn has been in contact with local businesses to show the art in Ross shops and to help bring people and hold them here to enjoy the display and Ross.

Artists not only from Tasmania have been invited to participate, but also from around Australia. Sculpture Tasmania will host the exhibition in two spaces in our historic town. Indoors will be at the Scotch Thistle Inn, and outdoor in the gardens of the Ross Hotel.

The exhibition will begin with the Opening Celebrations at the Ross Hotel on 21 October; 22 October will be the Long Lunch with Conversations; 29 October, Walk and Seek Experiences and Ephemeral Workshop and run from 22 October to 5 November.

Robyn thanked both Debra from the Thistle Gallery and Martin from the Man-O-Ross Hotel for their kind assistance with this event.

#### *Ella Boas*

Ella studied Architecture and her introduction to Ross was her involvement with the *Species hotel introduction and building* on the outskirts of Ross. Sculpture Tasmania have already received entries, mainly Tasmanian entries from various ages, but will be open for entries from Australia wide.

There will be no charge to view the exhibition and will be held mainly at the Man-O-Ross and The Thistle Gallery. A grant from NMC has helped the event to be staged and has been advertised in a wide variety of mediums e.g.; NMC, Art Groups, talkback radio shows, and social media.

Chair asked if RLDC could help in any way. Volunteers could be used in the gallery and wouldn't be onerous, just sitting and conversing with visitors. 22/10 – 5/11 final at the hotel with "evening under the stars".

## **7.2 Bus Parking Sign for School Bus Area**

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

Committee does not support the installation of a "buses only between 7:00 – 7:30am" sign being installed outside the historic Ross Post Office. There are no other parking advisory signs in the main heritage block in Ross. NMC staff were understanding of this fact, however State Growth were harder to convince.



A number of suggestions were made as to where the bus could stop and collect the children, however it was felt that attendance from a State Growth representative and Jonathan Galbraith of NMC at the next RLDC meeting in October would be appreciated to further this discussion. State Growth is urged to consider alternative arrangements.

The committee discussed and passed a motion to be presented to NMC.

#### **MOTION**

*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.*

*Motion passed unanimously.*

### **7.3 Round Table Discussion**

#### ***A Thorpe***

- Would like to place on record the committee's thanks to Herbie Johnson for his many years as a valued member of the committee, and acknowledge his support to the Ross community. A thank you card has already been sent.
- Also, the committee understands Ray Webb has finally retired and would like to thank him for his wonderful help with maintaining the cleanliness and tidiness of the Ross Township.

#### ***C Robinson***

- Fun Run due to be held in Ross in September was cancelled as to a running organisation from NSW held another fun run without checking with local groups as to the availability of dates. Kingston also had to postpone their event. The Fun Run will still go ahead and will be held on the 23<sup>rd</sup> April 2023.
- A sign at the Town Hall pointing to the Sports Ground appears to be misleading. Chair to check and send photos to NMC.

#### ***Ann Thorpe***

- Advised The Campbell Town and Ross District Garden Club will be holding an Open Garden Day in Ross on Saturday, 26<sup>th</sup> November. Hopefully will attract lots of visitors to the gardens and to Ross businesses.

#### ***Leisa Gordon***

- Leisa Gordon introduced herself as a candidate in the upcoming Council Elections. She served as a councillor on the NMC from 2014-2018, and at the last election missed out on re-election by 10 votes. Leisa is standing again as she feels the south of the council area needs representation. Her aim is to advocate for local areas, as we haven't recently had any local representation. If elected, Leisa will be coming to RLDC meetings and make sure our views are put forward to council. Leisa mentioned that it has always been great to see such passion in Ross for the town. There are apparently quite a number of candidates choosing to stand for the 9 positions. Voting is compulsory and all ballot papers must be received by the 25<sup>th</sup> October.  
Chair mentioned that any candidate for the upcoming NMC elections, is welcome to come along to the meeting and introduce themselves, however the RLDC can't endorse any one particular candidate.

***S Langridge***

- Cnr Bond Street / Boulevards, Tas Networks have left a pile of rubbish after completing work. Chair to follow up.

***M Rodrigues***

- Also mentioned the Open Garden Day in November. Garden Clubs around Tasmania have been invited and hopefully will bring quite a few visitors to Ross for the day. This will be of benefit to the businesses and the town as a whole.

***M Smith***

- Is there a regimen for replacement of footpath gravel in places where the rain has washed it out? Chair advised there is an amount in the NMC budget for maintenance of footpaths, however the amount covers the whole of the council area. ....

**8     NEXT MEETING/CLOSURE**

The Chair closed the meeting at 12:15 pm.

**Next meeting – Tuesday 4<sup>th</sup> October 2022 commencing 11.15am in the Ross Reading Room.**

**MINUTES FOR THE MEETING OF THE LLDC HELD AT THE LONGFORD RSL MEMORIAL CLUB ON WEDNESDAY 7 SEPTEMBER 2022, COMMENCING AT 5 .30PM**

**1. OPENING**

Chairman Tim Flanagan welcomed Lady Mayoress Mary Knowles and new member Annette Aldersea

**2. ATTENDANCE**

**PRESENT**

Neil Tubb	Member
Simon Bower	Secretary
Tim Flanagan	Chairman
Bronwyn Baker	Member
Peter Munro	Member
Annette Aldersea	Member
Doug Bester	Member

**IN ATTENDANCE**

Dick Adams	Council Representative
Lorraine Wyatt	Executive & Communications Officer
Mary Knowles	Mayor

**APOLOGI ES**

Dennis Pettyfor	Member
Matthew Brooks	Council Representative

**3. DECLARATION OF ANY PECUNIARY INTEREST BY A MEMBER OF A SPECIAL COMMITTEE OF COUNCIL**

*In accordance with the provisions of the Local Government Act 1993, a member of a Special Committee must not participate in any discussion or vote on any matter in re-spect to which the member:*

- a) has an interest; or*
- b) is aware or ought to be aware that a close associate has an interest.*

*A member has an interest in a matter if the matter was decided in a particular manner, receive, or have an expectation of receiving or likely to receive a pecuniary benefit or pecuniary detriment.*

Nil declarations were received.

**4. CONFIRMATION OF MINUTES**

Moved Neil Tubb, seconded Bronwyn Baker

That the minutes of the meeting of the Longford Local District Committee held on 3 August 2022 confirmed as a true and correct record of proceedings.

Dick Adams asked that under last meetings pending items the following change be made.

“Wellington and Marlborough Streets Intersection (Sticky Beaks)- waiting on State Government, NMC will possibly put some bollards in on land where they can

**5. BUSINESS ARISING FROM THE MINUTES**

**5.1. Signage for Longford Roundabout**

Has been noted in NMC minutes 22/23 The LLDC at our previous meeting suggested a sign the same as at Perth in the Roundabout LONGFORD established 1813. Dick Adams suggested that the Aboriginal clan of Longford be placed under the name Longford.

**5.2. Parking in Wellington Street - Lyttleton Street to the Town Hall.**

The offending vehicle went, NMC has now painted in a parking spot.

**5.3. Footpath trading**

Dick Adams commented it was about getting legislation right.

Mayoress Mary Knowles said 3 bylaws were now one, insurance has been settled, and the issue is now off the agenda.

**5.4 Traffic Study of Main Street.**

Peter Munro reiterated his concerns about early morning speeding. (See later)

**5.5 Men's Shed.**

Nothing further

**5.6 Toilets at Mill Dam.**

Chairman Tim Flanagan reminded the committee of the offensive graffiti

He and Secretary Bower had inspected the removable toilets at Lions South Esk Hadspen Park that morning. These are situated on the South Esk Riverbank where they are also prone to flooding.

Councillor Dick Adams reminded the committee that council must comply with health regulations for waste to be pumped out to a truck.

**COMMITTEE RECOMENDATION**

Moved Neil Tubb, seconded Annette Aldersea

"That NMC consider replacing current toilets at Mill Dam in future budget"

**Carried**

**5.7 Disability Access**

NMC to investigate and replace the poorly adherent dots for the visually impaired in Marlborough Street opposite the newsagency.

**6 NEW BUSINESS**

**6.1 Artist recognition in the Northern Midlands Community.**

Neil Tubb suggested recognition of current artists in Town Hall, eg Michael McWilliams and Philip Wolfhagen. Mary Knowles said NMC's focus on upgrading sports grounds was being redirected to artistic creativity for the health of the community and that the committee's interest would be noted by council.

**6.2 Longford Entrance sign**

Already addressed in business arising from minutes.

**6.3 Pull over spot(s) to take a photo on Pateena Rd.**

Bronwyn Baker provided photos of vistas from Linden Farm, Jessiefield, Bowthorpe.  
Pullover spots on Illawarra Rd would be problematic given the M1 upgrade.  
Committee is to work towards a motion on Pateena Rd.

**7 REPORTS FROM SUBCOMMITTEES**

**7.1 Railway Committee**

Dick Adams reported that plans were underway by Tas rail to install four replica columns for the historic Longford Bridge.

Mayor Mary Knowles spoke on long term plans for a heritage train to travel east from Don to the Fingal Valley Festival, once a year, which would no doubt appeal to “gunzels”, but would be expensive.

**7.2 Longford Legends**

Meeting next week to discuss commemorating Piping Lane’s Melbourne Cup win 50 years ago.

**7.3 Longford Town Hall Arts Committee**

Nothing further

**8 PENDING BUSINESS ITEMS**

**8.1 Illawarra Road Response State Growth**

State growth agreement to fund a cyclist and walking bridge over South Esk River and Back Creek noted.

**8.2 Wellington Street Crossing (Traffic Refuges)**

Discussion around speed limits in Marlborough St.  
Committee of the view another 24-hour traffic study required.

**8.3 Memorial Hall - Village Green Development**

Annette Aldersea (new member) to meet architect and heritage officer to discuss colours and landscaping

**8.4 Wellington & Marlborough Streets Intersection (Sticky Beaks)-waiting on Council.**

**COMMITTEE RECOMMENDATION**

Motion moved Annette Aldersea, seconded Neil Tubb

“That LLDC request NMC to place a stop sign at William & Wellington Streets where they join Marlborough St, instead of current give way sign”

**Carried**

**8.5 Lange Designs - Signage for Longford Roundabout.**

Already discussed.

**8.6 Danger to cyclists & pedestrians on South Esk river vehicular bridges.**

Already discussed. Notional State Growth support.

**9 OTHER BUSINESS**

**9.1 Noxious Weeds – Website Information**

Annette Aldersea asked if NMC had a plan for control of noxious weeds.  
Councillor Dick Adams and Mayor Knowles said NMC no longer had a dedicated weed officer.  
Lorraine Wyatt advised the committee that website management was her responsibility, and all website matters should be directed to her.

**9.2 Verge Gardens**

Bronwyn Baker asked if NMC had a policy on verge gardens.  
Lorraine Wyatt replied they are currently not allowed, but will undertake further research into other council's management & report back to our committee.

**9.3 Online Inductions**

Lorraine Wyatt requested all committee members complete their induction process online, even if previously submitted manually.

Meeting closed at 6.54 pm

Next meeting October 5 at 5.30 pm

**Minutes of PLDC held on September 6th 2022 and held at Perth Community Hall**  
commencing at 5.32pm

**In Attendance:** Russell MacKenzie, Tony Purse, Jo Saunderson, Don Smith, Sam Beattie Councillor Jan Davis Councillor Janet Lambert

**1. Apologies:** Jon Targett, Michelle Elgersma

Russell conducted The Acknowledgement of Country with new wording which may need to be re-worded upon advice from local indigenous elder.

**2. DECLARATION OF ANY PECUNIARY INTEREST BY A MEMBER OF A SPECIAL COMMITTEE OF COUNCIL**

In accordance with the provisions of the Local Government Act 1993, Part 5, S48A- 556, a member of a Special Committee must not participate in any discussion or vote on any matter

To which the member

A) has an interest or

B) Is aware or ought to be aware that a close associate has an interest.

A member has an interest in a matter if the matter was decided in a particular manner, receive or have an expectation of receiving or likely to receive a pecuniary benefit or pecuniary detriment.

It should be noted that any person declaring an interest is required to notify the general man

Noted that Mr Tony Purse is consulting and/or has an. Involvement in the following projects currently being undertaken by Council

- \* Perth Community Centre Master plan
- \* Perth Recreation Master plan
- \* South Esk River Parkland Proposal, including owner/developer of adjacent property
- \* Perth Streetscape improvements which, was passed at the July meeting of the NMC

**1 Discussion arising from information from council re August motions**

**Regarding shade in playgrounds**

No shade sails or structures planned. Tree planting was considered adequate .  
Committee decided on motion

**MOTON**

**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 St Playground as trees take years to provide sufficient shade. We request that this matter be reconsidered.**

**Proposes: Sam Beattie**

**Seconded: Tony Purse**

## **2 Volunteer Induction**

The Council has changed it's software and has asked committee members to redo their induction online.

## **3 Bridge works**

It was noted that the bridge at the end of George Street was partially finished. Still awaiting the centre spans. This was a question to be put to works manager.  
The Council noted the request in the previous minutes that John Stagg's contribution to the PLDC be acknowledged.

## **4 Invitation to Leigh McCullagh.**

Russell has arranged a time and a date for committee members to meet with the works manager for information and updates for works around Perth,. Don and Jo to meet with him on September 7th at Perth Train Park

## **5 Old Servo site Drummond St.**

Information from Council that the owners had been asked to rehabilitate site but no answer has been received back.

## **6 Budget Information**

There was discussion at length about how the budget information was provided from Council. It was unclear on some items as to what had been spent and what money had been carried forward.

## **7 Heritage and significant sites.**

It was felt that the "dial before you dig" did not resolve the issue of aboriginal sites that had not been investigated and recorded. The land and especially the river in the area now known as Perth was a traditional aboriginal meeting place so there may be many sites of interest that may be impacted by development.

## **New Business**

Discussion was also held regarding Labor's pre election promise of eight million dollars for streetscape upgrades for Perth and Campbell Town .Has this money been forthcoming and if so when would it be allocated?

## **Reconciliation Plan**

It is noted that Sam Beattie will take questions to the next council meeting as a community member.

## **Flood Drainage and Storm water plans**

Councillor Jan Davis reported that Council had released storm water and flood drainage plans and queried why they had not been sent to the PLDC.



The committee requests either a council officer or consultant to brief the committee on these these plans.

Tas Water has been asked to speak to the committee re development in Perth and have indicated they will attend the October meeting

The meeting closed at 6.37p.m.

**The next meeting will be held at the Community Hall on October 4th commencing at 4.30p.m.**

---

**From:** Northern Midlands Council  
**Sent:** Monday, 1 August 2022 4:52 PM  
**To:**  
**Subject:** FW: Representation: Proposed sale of 17 Glenelg Street, Campbell Town ..... Bicentennial Park

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

---

**From:**  
**Sent:** Monday, 1 August 2022 4:32 PM  
**To:** Northern Midlands Council <council@nmc.tas.gov.au>  
**Cc:**

**Subject:** Representation: Proposed sale of 17 Glenelg Street, Campbell Town ..... Bicentennial Park



Flew around the World ..... Ticker tape parade ..... Remembered in Campbell Town ..... What could happen next?

Representation: Proposed sale of 17 Glenelg Street, Campbell Town ..... Bicentennial Park

I believe that this land, Bicentennial Park, should remain public land.

I suggest that Bicentennial Park could be a logical extension of the Harold Gatty Memorial.

Any consideration of this happening will not be possible if Bicentennial Park is sold.

In only 9 years time it will be the centenary of the famous flight around the World, in which Harold Gatty was the navigator for the pilot, Wiley Post.

The flight was big news in their day, and is great history now.

Would the Council like to engage in preparations for the centennial events?

Funds could be raised for a statue of Harold Gatty in the Harold Gatty Memorial Park, even beside Wiley Post, as seen in the photo below.

Funds could also be raised for a statue in Bicentennial Park, celebrating aviation history in Tasmania, which now extends into space with communication satellites, and farmers in Tasmania using satellites to monitor soil moisture to make their farming more efficient.

Around the inside of the quarry at Bicentennial Park could be a series of information boards, or brass plaques, telling the story of aviation in Tasmania.

A website can be created to provide accounts of the history and progress reports.

As the years march toward 2031, support could be given to a new book on the stories of the two aviators and their flight.

Support could also be directed toward the making of a documentary film of their stories and the flight.

The Council could consider how they could engage in the outreach process to find all interested supporters, and the winning of grants to make the projects happen.

If the Council decides not to sell Bicentennial Park, hands-on work could begin immediately to prepare the way for a new community role for the old quarry.

Considering the International significance of their 1931 flight around the World, we could look to support and funding from many places around the World, as well as anyone interested in Tasmania and across Australasia.

Even the Fiji Government may be interested, as Harold Gatty launched an aviation company there, and served two terms in their Legislative Council.

As Wiley Post was born in Grand Salt, Texas, it may be possible to establish sister town connections with Campbell Town.

There is a statue for Wiley Post in Oklahoma, where he is remembered in their Hall of Fame.

How many Tasmanians have been honoured with a ticker-tape parade through the streets of New York?

Improving how we remember Harold Gatty, and the history of aviation in Tasmania is a necessity, not a luxury.

We can also look toward the future of aviation in Tasmania, which could include airships, as the airship is now back, and going into commercial service with a fleet of ten in Spain.

As we remember history, we make the future, and Bicentennial Park can play a vital role in our journey.

Yours sincerely,

#### TAKING TO THE SKIES .....

1800s ..... Investigations can be made as to when the first hot air balloon flight happened in Tasmania, which would probably have been in the 1800s.

1907 ..... There was a flight in Penguin in 1907, with a peddle powered plane, which may have been more of a glide along the beach, until crashing, and never flew again. There is a photo of that event, but no known written report, or news story from the time. That photo served to inspire a later peddle power plane to be built in Tasmania, and successfully flown in 1991 .....

<http://www.ihpva.org/projects/tstrike/skycycle/aeromode.htm>

1914 ..... The first powered flight in Tasmania was by Delfosse Badgery in 1914 from the Elwick Show Grounds, as a fund-raising event for the war.

1919 ..... First flight across Bass Strait

1921 ..... Formation of the RAAF

1921 ..... First flight from Sydney to Launceston with a sea plane

1928 ..... Solo flight from England to Australia by Bert Hinkler

1928 ..... Charles Kingsford Smith flies across the Pacific Ocean, from the United States to Australia in the Southern Cross

[https://www.youtube.com/watch?v=7Z\\_vyFomnnE](https://www.youtube.com/watch?v=7Z_vyFomnnE)

1929 ..... In 1929 The Graf Zeppelin, a German airship, flew around the world in 21 days. On board was the Australian explorer Hubert Wilkins, who lived an amazing life.

1930 ..... First commercial flight between Melbourne and Launceston, with the aerodrome at Western Junction ready for use

1931 ..... Wiley Post flies around the World, with Harold Gatty as his navigator

1934 ..... First flight from Australia to the United States by Charles Kingsford Smith

<https://www.youtube.com/watch?v=MV63cCzE6d8>

1942 ..... During World War II there was an RAAF fuel depot south of Ross, and two military air strips in the area, north and south of Ross, as if the region would be a last-ditch defence during the war, when Tasmania bristled with coastal defences. There was also an HQ and ammunition stores at Mona Vale, a military hospital in Campbell Town, and a military prison at Conara.

1969 ..... When Neil Armstrong stepped onto the Moon in 1969, it seemed that all of Tasmania was watching, and listening, when we heard ..... "That's one small step for man: one giant leap for mankind."

2020 ..... Farmers in Tasmania use satellite services to monitor soil moisture levels, to help with their farming. Space development will play an increasing role in farming, as it does with communications.

2022 ..... A Spanish aviation company has ordered a fleet of ten airships for freight and travel. The airship is back, and we can wonder what the future will look like when airships become the main form of transport in Tasmania, for freight and travel. Along with electric engines on roads and farms, the future looks quieter, with minimal greenhouse gas emissions .....

<https://abc17news.com/entertainment/cnn-style/2022/06/16/this-european-airline-just-ordered-a-fleet-of-airships/>

FUTURE ..... Venus is far too passionate for life, with a heat that makes the rocks glow in a temperature that can melt lead, but, 50 to 70 kilometres above the surface temperatures at Venus are more like those on Earth. The future exploration of Venus, and maybe human settlement and industry, could be located in large airships floating among the clouds, with smaller airships used to travel around, work and explore. Both the former Soviet Union and the United States have worked on designs for airships in the clouds of Venus .....

<https://www.youtube.com/watch?v=-oG7aclzD3o>

The Examiner, 30 July 2022

## NOTICE OF INTENTION TO SELL PUBLIC LAND



### SECTION 178(4)(a) LOCAL GOVERNMENT ACT 1993

Notice is hereby given of the intention of the Northern Midlands Council to sell the following parcels of public land:

- Certificate of Title Volume 131225 Folio 6, Nile Road, Evandale
- Certificate of Title Volume 11088 Folio 25, Bruce Place, Longford
- Certificate of Title Volume 120413 Folio 1, 17 Glenelg Street, Campbell Town

Objections to the proposed sale/s may be made to the General Manager within 21 days of 30 July 2022 (section 178(4)(b) *Local Government Act 1993*).

Objections may be posted to PO Box 156, Longford 7301, hand delivered to 13 Smith Street, Longford or emailed to: [council@nmc.tas.gov.au](mailto:council@nmc.tas.gov.au)

Council will consider any objections received in accordance with section 178(6) of the *Local Government Act 1993* and notify a person who lodged an objection of Council's decision, and any right of appeal against the decision of Council in accordance with section 178A *Local Government Act 1993*.

Further information, including a map/plan of the land and details of the sale process, including a timeframe can be obtained by contacting 03 6397 7303 or [council@nmc.tas.gov.au](mailto:council@nmc.tas.gov.au)



**Bicentennial  
Park**







Bicentennial Park, 17 Glenelg Street, Campbell Town





Harold Gatty Memorial Park, Campbell Town



Wiley Post and Harold Gatty after their flight around the World in 1931.





A ticker-tape parade through the streets of New York after the flight in 1931.

Have any other Tasmanians ever been honoured with a ticker-tape parade in New York?

Attn: General Manager  
Northern Midlands Council  
PO Box 156, Longford 7301

12 August 2022

**Re: OPPOSITION TO THE SALE OF PUBLIC LAND AT 17 GLENELG STREET, CAMPBELL TOWN**

To whom it may concern:

I write to register my strong opposition to the sale of public land at 17 Glenelg Street, Campbell Town.

The site and location of 17 Glenelg Street holds historical significance for Campbell Town and the northern midlands region of lutruwita / Tasmania or *waylata*. Its known colonial history as a quarry for significant structures in the town is only just beginning to be understood and needs further investigation. It cannot run the risk of being destroyed, damaged or built upon.

The quarry at the site of 17 Glenelg Street was used to build structures and buildings in the town that are of importance to the cultural and architectural significance of not just our state, but Australia - including the building of the Red Bridge, the Wesleyan Church and a significant number of homes in the area built by convicts. This includes my home Gage's Row at 30 Pedder Street. It is estimated that 1.5 million bricks were fired locally from materials in Campbell Town, including the quarry, identifying it a site of importance.

Campbell Town has just been highlighted in an exhaustive new reference book *Australian Architecture: A History* by Dr Davina Jackson (pp 54-55, Allen and Unwin; 2022) as a site of historical significance for our country.

Further, there is potentially untold significance of the site to First Nations tyerrernotepanner people of waylata who I expect will be consulted in this process. The site needs to remain public so that future generations may study it, understand it and interpret its meaning and document how the site has evolved over time. Selling the land puts its history and story, as well as putting its unique geographic and topographic features in peril.

I was drawn to live in Campbell Town because of its history and its colonial significance. As an educator and the bestselling author of nearly fifty books, including historical fiction for young people, I have already begun investigation into this site for a book exploring the history of Campbell Town. Public sale



of this site puts its cultural importance at risk. I hope to be able to continue with authentic research of the site and will continue to advocate for its preservation.

The sale of this land impacts precariously on the stories of Campbell Town to come and how our future students and generations may study the land – after all it is only just over the road from Campbell Town District High School – our next generation of leaders in our community. For the sake of this future generation, the untold impact of such a loss for the students and young people of our town cannot be ignored.

The story of my own residence at 30 Pedder Street, and its notable construction by convict Henry William Gage is deeply intertwined with the site of 17 Glenelg St and to lose this significant place in the history of our town could be calamitous. If my house (and others on Pedder Street and Glenelg Street) is a Tasmanian heritage listed home, then in turn the quarry should be as well. If the town has celebrated its history and sees fit to erect plaques outside our homes, I would argue that far from the public sale of this land - it should indeed be preserved, with its own historical plaque announcing its importance for the many visitors through Campbell Town.

At what price does the Northern Midlands Council sell off this land for such short-term gain, when the true value of its existence is yet to be researched, documented and celebrated?

I strongly oppose the sale of this land. I look forward to hearing from Council and I will continue to oppose this sale.

Yours faithfully,

A large white rectangular box redacting the signature of Yvette Poshoglian.

General Manager  
Northern Midlands Council  
PO BOX LONGFORD  
TAS 7301

Dear Sir,

RE: Sale of 17 Glenelg Street, Campbell Town.

The Campbell Town Museum and Information Centre (CTM&IC) would like to put our objection forward to the sale of 17 Glenelg Street, Campbell Town.

We CTM&IC are working closely with The Tasmanian Aviation Historical Society (TAHS) based at the Launceston Airport, with a concept plan to landscape and redevelop the Gatty memorial, including an information board in reference to Harold Gatty and his achievements. NO 17 Glenelg Street is included in the timeline and is expected to be part of the plan

We have included a copy of the concept plan and timeline to show reason why the sale of 17 Glenelg Street should not proceed in the immediate future

It is expected that further information will be forward to council as our plans progress.

Yours sincerely,  
Danny Saunders (Chair person)  
Sally Hills  
Jill Davis  
The Campbell Town Museum and Information Centre

Northern Midlands Council  
13 Smith Street  
Longford  
Tasmania

NORTHERN MIDLANDS COUNCIL	
NORTHERN MIDLANDS COUNCIL	
File No.	
Property	
Property	
Attachments	
Attachments	
REC'D	15 AUG 2022
REC'D	15 AUG 2022
GM	PLN
GM&DM	PLD
PRODM	PLD
CSM	PLD
WTH	EA
HFLT	EA
HLT	EA

Reference; Proposed sale of public land at 17 Glenelg Street Campbell Town

To whom it may concern.

I do not agree with the proposed sale of the public land because, I believe that it appears that the site used to be a small quarry that assisted in the construction in the early days of Campbell Town. The excuse that the park is run down does not wash, as that the council is responsible for park maintenance, which has been sadly lacking, in this case. I believe the park should be up graded, along with the memorial on the other side of the street so the complement each other and provide a short history of the site.

Once the site has been sold, it will be out of the public's hands for ever.

For your information

10.08.2022



---

**From:** Northern Midlands Council  
**Sent:** Monday, 22 August 2022 9:09 AM  
**To:**  
**Subject:** FW: Proposed Sale of 17 Glenelg Street, Campbell Town  
  
**Follow Up Flag:** Follow up  
**Flag Status:** Completed

---

**From:**  
**Sent:** Friday, 19 August 2022 5:05 PM  
**To:** Northern Midlands Council <council@nmc.tas.gov.au>  
**Subject:** Proposed Sale of 17 Glenelg Street, Campbell Town

Dear Sir/Madam,

I wish to object to the sale of 17 Glenelg Street, Campbell Town.

This property is a recreational space known as Bicentennial Park. It is located in close proximity to the Harold Gatty Memorial Park. A barbecue and table and seats were once present but have been removed unfortunately downgrading the amenity of the site. The land is zoned Open Space and I would expect that in the first instance Council should be looking at ways to enhance this space so it can continue to be used for the purpose it was intended, public recreation. Rather than moving to sell this property Council could explore a new future for the site that may involve connecting with the nearby Harold Gatty memorial.

I notice that an extra motion was passed by Council specifically stating that the sale of this site would be subject to community consultation. The implication of this motion is that there will be an extra consultation process in addition to the usual legal process associated with the sale of public land. This specific community consultation should have occurred prior to advertising the property for sale. If the Council does not intend to proactively engage with the community about the future possible uses for Bicentennial Park then this second motion is meaningless.

In conclusion, I object to the sale of 17 Glenelg Street, Campbell Town as it is a public park and should remain available for public recreation potentially as an extension of the Harold Gatty memorial.

Sent from [Mail](#) for Windows

---

**From:**  
**Sent:** Wednesday, 31 August 2022 9:37 AM  
**To:** NMC Planning  
**Subject:** FW: Sale of Bicentennial Park Campbell Town

---

**From:**  
**Sent:** Saturday, 27 August 2022 12:11 PM  
**To:** Northern Midlands Council <[council@nmc.tas.gov.au](mailto:council@nmc.tas.gov.au)>  
**Cc:**  
**Subject:** Sale of Bicentennial Park Campbell Town

Please be advised that I am strongly against the proposed sale of Bicentennial Park, Campbell Town.

There is always a need for more, not less, open space which both residents and passers by may enjoy. I often walk in the park to the top of the hill both to enjoy the view and to use one of the few steep hills in Campbell Town to promote my personal fitness.

When it is so difficult for Councils and Government to obtain land for public use, why would the Council even consider selling this area. It is not really suitable for development and the Council would probably knock back any plans that were submitted by the new owner should they choose to develop it.

I would suggest that seating and a table be constructed in the area so that I and other likeminded people could actually sit in the park and enjoy fresh air and sunshine. Councils and government are always encouraging the population to exercise and to remove this valuable asset from general access is detrimental to the welfare of the community and the little critters which also enjoy the area. Sometimes a short rest in an open area such as Bicentennial Park enables the elderly and/or disabled members of our community to do a walk around the block.

Please see sense and reconsider your decision to sell the Bicentennial Park and put some funds into beautifying the area – a seat near the rock wall where it is sheltered from the westerly winds would be so nice and encourage more use of the park.

Thank you, in anticipation of a reversal of the Council to decision to sell.

Kind regards,

# SALE OF PUBLIC LAND

Information Sheet  
21 April 2020

## Introduction

The purpose of this information sheet is to provide guidance to councils on the process that must be followed when selling, exchanging or disposing of council owned public land.

As a general principle, decisions to sell, exchange or dispose of public land should be made in the best interests of the council and the community.

This information sheet does not cover the legislative requirements relating to the sale and disposal of land that is not public land, which is covered under section 177 of the *Local Government Act 1993* (the Act).

## Power to deal with property

Under subsection 20(5) of the Act, a council is able to acquire, hold, dispose of and otherwise deal with property.

Furthermore, section 175 provides that a council may purchase or lease land for any purpose which it considers to be of benefit to the council or the community.

## Legislative requirements

Section 178 of the Act requires a council to do certain things before selling, exchanging or disposing of public land owned by it.

In essence, the Act requires councils to notify the community regarding any proposal to sell public land and provide the community with an opportunity to have their views heard.

## What is public land?

Section 177A of the Act provides that the following land owned by a council is public land:

- a public pier or public jetty;
- any land that provides health, recreation, amusement or sporting facilities for public use;
- any public park or garden;
- any land acquired under section 176 of the Act (land acquired by a council for prescribed purposes in accordance with the *Land Acquisition Act 1993*) for the purpose of establishing or extending public land;
- any land shown on a subdivision plan as public open space that is acquired by a council under the *Local Government (Building and Miscellaneous Provisions) Act 1993*;
- any other land that the council determines is public land; and
- any other prescribed land or class of land.

Under subsection 178(2), public land that is leased for any period by a council remains public land during that period.

Department of Premier and Cabinet  
Local Government Division



### **Lease of public land for less than five years**

Under section 179 of the Act, a council does not have to comply with the requirements of section 178 (sale, exchange and disposal of public land) if leasing public land for a period of up to five years.

### **Maintaining a public land register**

Under subsection 177A(2) of the Act, the general manager of a council is to keep lists or maps of all public land within the municipal area and ensure that the lists/maps are available for public inspection at any time during normal business hours.

### **Deciding to sell public land – Open meeting and by absolute majority**

Under subregulation 15(3)(c) of the *Local Government (Meeting Procedures) Regulations 2015* (the Regulations), a council must not close a meeting when it is considering proposals for the council to deal with public land under section 178 of the Act.

It is important that a council considers proposals relating to public land in open session so that the community has access to the relevant details associated with any proposal, including the decisions made by the council and the reasons behind those decisions.

As per subregulation 15(4) of the Regulations, the only instance in which a council may consider proposals to deal with public land in closed session is when it is considering a matter relating to actual or possible legal action taken by, or involving, the council.

Under subsection 178(3) of the Act, a resolution of a council to sell, lease, donate, exchange or otherwise dispose of public land is to be passed by an absolute majority<sup>1</sup>.

### **Public notification of intent to sell public land and the public's right to object**

Subsection 178(4) of the Act requires the general manager to notify the public of the council's intention to sell, lease, donate, exchange or otherwise dispose of public land.

In particular, the general manager is to:

- publish that intention on at least two separate occasions in a daily newspaper circulating in the municipal area;
- display a copy of the notice on any boundary of the public land that abuts a highway; and
- notify the public that objection to the proposed sale, lease, donation, exchange or disposal may be made to the general manager within 21 days of the date of the first publication.

### **Leading practice - Public notice of intent to sell public land**

As leading practice, the public notice should be informative and enable the community to:

- clearly identify the land proposed for sale/exchange/disposal;
- understand the proposed sale/exchange/disposal process; and
- understand their right to object to the proposal and that any such objections will be duly considered by the council.

Furthermore, the public notice should include the following information:

- references to the relevant sections of the Act that the council is acting under (eg section 178 (sale, exchange and disposal of public land) and 178A (appeal);
- the specific location of the land (for example the street/property address and title details);
- a map/plan of the land;
- how the land/property is proposed to be sold, exchanged or disposed of;

1. 'absolute majority' – more than half the elected councillors, whether or not any of them are present at a council meeting'

- the timeframe for proposed sale/exchange/disposal of land;
- the timeframe for public objections and how such objections can be made; and
- how to contact the council for further information.

### **Considering public objections to proposed sale of public land**

Subsection 178(4)(b) of the Act provides that a person may object to a council's intent to sell, lease, donate, exchange or otherwise dispose of public land.

Under subsection 178(6), a council must consider any such objections received and decide whether or not to take any action regarding the objection.

Furthermore, under subsection 178(6), within seven days of making a decision regarding an objection, a council must write to the objector to notify them of the council's decision as to whether any action will be taken.

This written notification must advise the person of the right to appeal against the council's decision under section 178A.

### **A person's right to appeal a council decision regarding an objection**

Under section 178A of the Act, a person who lodged an objection regarding a council's intention to sell or exchange public land (under section 178) may appeal to the Resource Management and Planning Appeal Tribunal (RMPAT) against the council's decision regarding the objection made under subsection 178(6).

Such appeals must be made to RMPAT within 14 days after receiving written notification of the council's decision and must be in accordance with the *Resource Management and Planning Appeal Tribunal Act 1993* (RMPAT Act).

Furthermore, an appeal under section 178A may only be made on the ground that the decision of the council is not in the public interest in that:

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

### **Possible outcomes of RMPAT appeal**

Under section 178B of the Act, upon hearing an appeal against a decision of a council regarding a public objection to a council's intent to sell/dispose of public land, RMPAT may:

- confirm the council's decision; or
- set aside the council's decision; or
- set aside the council's decision and
  - substitute it for another decision; or
  - remit the matter to the council for reconsideration.

As per subsection 178A(5), a decision of RMPAT on hearing an appeal is final and section 25 of the RMPAT Act, which provides that a party to an appeal before RMPAT may appeal to the Supreme Court on a question of law, does not apply.

### **What if no public objections are made?**

Under subsection 178(5) of the Act, if the general manager does not receive any public objections under subsection 178(4) and an appeal under section 178A is not made, then the council may sell, lease, donate, exchange or otherwise dispose of public land in accordance with its public notification of intent under subsection 178(4).

**Instances in which a council must not  
decide to take action to sell,  
exchange and dispose of public land**

Under subsection 178(7) of the Act, a council must not decide to take any action under section 178 if:

- any public objection regarding the sale of public land is being considered by the council;
- an appeal under section 178A has not yet been determined by RMPAT; or
- RMPAT has made a determination regarding an appeal under subsection 178B(b) or (c).

Disclaimer: Information on legislation contained in this document is intended for information and general guidance only. Such information is not professional legal opinion.

Local Government Division  
GPO Box 123 Hobart, TAS 7001 Australia  
Ph (03) 6232 7022 Fax (03) 6233 5685  
Email: [lgd@dpac.tas.gov.au](mailto:lgd@dpac.tas.gov.au) Web [www.dpac.tas.gov.au](http://www.dpac.tas.gov.au)





## **Footpath Trading By-Law**

### **By-Law No.1 of 2022**

A by-law of Northern Midlands Council made under Section 145 of the *Local Government Act 1993* for the purpose of regulating and licensing footpath trading in the Northern Midlands municipal area.

#### **PART 1 – PRELIMINARY**

**1. Short title**

This By-law may be cited as the Footpath Trading By-Law Number 1 of 2022.

**2. Commencement**

This By-law commences on the day that this By-law is published in the Tasmanian Government Gazette.

**3. Application**

This By-law applies to footpath trading anywhere in the Northern Midlands municipal area.

#### **PART 2 – DEFINED TERMS**

**4. Definitions**

In this By-law unless the contrary intention appears:

<b>‘Act’</b>	means the <i>Local Government Act 1993</i> (Tas);
<b>‘Authorised Officer’</b>	a person appointed as an authorised officer by the General Manager for the purposes of this By-law;
<b>‘By-law’</b>	is a reference to this Footpath Trading By-law No. 1 of 2022;
<b>‘Council’</b>	means Northern Midlands Council (ABN 70 695 934 223) constituted pursuant to the Act;
<b>‘display of goods’</b>	means the offer, display or exposure for sale of, any goods, services, merchandise, wares, commodity, article or thing;
<b>‘footpath’</b>	means that part of the road reservation between the formed road and the property boundary and includes areas of nature strip;

<b>‘footpath trading’</b>	means the use of a footpath for commercial purposes, including but not limited to: display of goods, display of freestanding signs and on street dining;
<b>‘freestanding sign’</b>	means a freestanding, portable advertising device, including but not limited to: <ul style="list-style-type: none"> <li>(a) a sandwich board sign or an A frame sign; and</li> <li>(b) a flag or banner, including in a teardrop or feather shape;</li> </ul>
<b>‘General Manager’</b>	means the person appointed by Council from time to time to the position of General Manager in accordance with section 61 of the Act;
<b>‘highway’</b>	means a local highway within the meaning of the <i>Local Government (Highways) Act 1982</i> ;
<b>‘infringement notice’</b>	means an infringement notice within the meaning of the <i>Monetary Penalties Enforcement Act 2005</i> ;
<b>‘licence’</b>	means a licence issued under this By-law;
<b>‘main road’</b>	means Marlborough & Wellington Streets, Longford; Russell & High Streets, Evandale; Main Road, Perth; Main Street, Cressy; Falmouth Street, Avoca; High Street, Campbell Town; and Church & Bridge Streets, Ross;
<b>‘municipal area’</b>	means the municipal area of the Northern Midlands Council as defined in section 16 of the Act;
<b>‘on street dining’</b>	means the consumption of food or beverages or both by persons seated in an area that is part of a highway;
<b>‘penalty unit’</b>	means the sum as prescribed under the provisions of the <i>Penalty Units and Other Penalties Act 1987</i> ;
<b>‘person’</b>	includes an individual and a body corporate;
<b>‘premises’</b>	means a house or building, together with its land and outbuildings, occupied by a business or considered in an official context; and
<b>‘specified offence’</b>	means an offence against the clause specified in Column 1 of Schedule 1 to this By-law.

### **PART 3 – FOOTPATH TRADING**

#### **5. Requirements for Footpath Trading**

No person shall carry on footpath trading on a footpath unless that person:

- a) is the holder of a valid licence; and
- b) is acting in compliance with this By-law.

**PENALTY:** A fine not exceeding 4 penalty units and in the case of a continuing offence, a further fine not exceeding 2 penalty units for each day that the offence continues.



## **6. Structures**

- 1) All structures and objects used for footpath trading must:
  - a) be located and set back far enough from the kerb to allow people to readily enter and exit cars;
  - b) be located to retain an unobstructed 1.5m wide pedestrian pathway along the footpath;
  - c) be adequately weighted so as to be secure;
  - d) be brought in if weather renders them unstable;
  - e) not encroach beyond the side boundaries of the property;
  - f) be of a design that prevents damage to footpath paving;
  - g) be removed from the road reserve when the business is closed, and any footpath sockets plugged; and
  - h) be strongly designed and constructed for a public environment.
- 2) Umbrellas used for footpath trading must comply with the following:
  - a) the edge of umbrellas must be set back far enough from the kerb that they don't cause a hazard to people entering and exiting cars;
  - b) there must be a minimum clearance of 2.1m between the underside of umbrellas and the footpath; and
  - c) umbrellas must not extend into the pedestrian pathway so as to cause a hazard to people moving past the site.

## **7. Amenity**

The licence holder must:

- a) maintain the area for on street dining in a clean and sanitary manner including, but not limited to, emptying waste bins, washing pavements, and promptly cleaning and washing away any liquid, food, debris, broken glass, or waste from the area;
- b) not use the existing street rubbish bins for disposal of table waste;
- c) not sweep rubbish into the street gutter or adjacent footpath areas;
- d) be responsible for the conduct of patrons at tables and chairs;
- e) ensure patrons do not obstruct the footpath by rearranging the tables and chairs;
- f) not place or use sound amplification equipment, juke boxes, or loudspeakers in the outdoor dining area for the purpose of announcements, broadcasts, playing of music, or similar purposes;
- g) not allow live entertainment in the outdoor dining area; and
- h) ensure that freestanding heaters comply with Australian Standard AS1596 (Storage and Handling) and are certified by the Australian Gas Association.

**8. Requirements for Freestanding Signs**

- 1) This clause applies to freestanding signs placed on a footpath.
- 2) The number of freestanding signs must be no more than two per premises.
- 3) For premises not located on a main road, one of the signs may be located at the intersection of the main road.
- 4) Freestanding signs must be no higher than 1m and no wider than 60cm, except that flag/banner signs may be 2.5m high x 90cm wide.
- 5) Freestanding signs must not be rotating, animated, or illuminated.

**PART 4 – LICENCE REQUIREMENTS**

**9. Licence requirements and procedures**

- 1) A person seeking to do anything for which a licence is required under this By-law is to apply to Council for the relevant licence using the form approved by the General Manager.
- 2) In order to be valid, an application for a licence must:
  - a) include the full name and postal address of the person making the application;
  - b) specify the location for which the licence is sought;
  - c) be accompanied by an accurate plan to scale showing the location of the activity;
  - d) be accompanied by a copy of a Certificate of Currency of Insurance for \$20 million Public and Products Liability Cover which covers the proposed footpath trading area; and
  - e) be accompanied by any applicable fee.
- 3) Council or an Authorised Officer may request further information from an applicant within 14 days of receipt of a valid application.
- 4) If further information requested by Council is not provided within 14 days of a request made under sub-clause 9(3) of this By-law, Council may reject the application or consider it on the basis of the information that has been provided.
- 5) A licence granted by Council expires on the 30<sup>th</sup> of June following the date on which the licence was issued unless earlier cancelled.
- 6) Prior to the expiration of a licence, the holder may apply to renew it by making application to Council in the form approved by the General Manager and accompanied by any application fee prescribed by Council.
- 7) The General Manager is to keep a register of all licences issued and is to note any amendments, corrections or cancellations to that register.
- 8) The holder of a licence must comply with all of the conditions attaching to that licence.

**PENALTY:** A fine not exceeding 4 penalty units.

- 9) Any Person applying for a licence, or variation or renewal of a licence under this By-law must not wilfully make or cause to be made any false representation or declaration as part of their application.

**PENALTY:** A fine not exceeding 4 penalty units.

**10. Council may approve, refuse or cancel a licence**

- 1) After considering an application, Council or an Authorised Officer has the discretion to:
  - a) grant a licence, with or without conditions determined by Council or an Authorised Officer; and
  - b) in the case of an existing licence, grant a renewal and add or vary the conditions of that licence.
- 2) At any time, Council or an Authorised Officer may:
  - a) amend or vary the conditions of any licence by giving one month's written notice to the holder of the relevant licence; and
  - b) correct any accidental slip, omission or evident mistake or error in any licence by giving seven days written notification to the holder of the relevant licence.
- 3) Council or an Authorised Officer may cancel a licence by giving 21 days' written notice of cancellation of the holder of the relevant licence. Cancellation takes effect 21 days after the date of the written notice of cancellation.
- 4) Before cancelling any licence, Council or an Authorised Officer must:
  - a) give one month's written notice to the holder of the relevant licence and ask that they show cause within 21 days of the date of the notice why the relevant licence should not be cancelled; and
  - b) give consideration to any representation made by the holder of the relevant licence in response to a notice given.
- 5) Clause 10(4) does not apply, and a licence may be cancelled immediately if:
  - a) any licence fee has been outstanding for 28 days or more; or
  - b) there has been a serious breach of any licence conditions or this By-law, including but not limited to a failure to obtain or maintain the required public and products liability insurance cover.

**11. Council may refuse to issue a licence**

The Council may refuse to issue a licence if:

- a) the applicant has committed a breach of this By-law;
- b) 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;
- c) Council has not been provided with a Certificate of Currency for a policy of public and products liability insurance which includes a principal's indemnity extension to the Northern Midlands Council with a minimum cover of \$20 million; or

- d) the application does not comply with the requirements of this By-Law.

## **12. Requirements for licence**

A licence shall specify:

- a) the name and address of the place to which the licence applies;
- b) the receipt number of payment;
- c) the applicant's full name;
- d) the dates of issue and expiration of the licence; and
- e) the particulars of what the licence is issued for.

## **13. Insurance**

It is a condition of all licences issued under this By-law that the licence holder must hold public and products liability insurance cover that extends to cover the licensed activity and provides a clear statement that acknowledges that the insurer is aware of the extension to the business to cover the freestanding sign(s) / on street dining / display of goods. The cover must provide a 'principals indemnity extension' to the Northern Midlands Council with a minimum cover of \$20 million.

## **PART 5 – BY-LAW COMPLIANCE**

### **14. Costs**

In addition to a penalty imposed in relation to a failure to comply with or a contravention of this By-law, any expense incurred by Council in consequence of that failure or contravention is recoverable by Council as a debt payable by the person so failing to comply.

### **15. Notices**

- 1) Where an Authorised Officer reasonably believes that footpath trading is occurring in contravention of this By-law, that Authorised Officer may serve a notice on the Person (or Persons) who own the premises and/or is conducting the footpath trading which requires the Person (or Persons) named in the notice to:

- a) cease footpath trading; or
- b) obtain a licence with respect to the footpath trading;

within 14 days of the date of service of the notice, or such other period of time as may be specified in the notice.

- 2) A person served with a notice under sub-clause 15(1) of this By-law must comply with the requirements of that notice.

**PENALTY:** A fine not exceeding 4 penalty units.

- 3) A person served with a notice under sub-clause 15(1) of this By-law may apply to the General Manager within 14 days of the date of service of the notice seeking:

- a) withdrawal of the notice; or

- b) additional time in which to comply with the requirements of the notice.

**16. Removal and sale of items**

- 1) Where an Authorised Officer reasonably believes that footpath trading is occurring in contravention of this By-law, that Authorised Officer may do the following, with the assistance of another person who is employed by or engaged by Council:
  - (a) remove any freestanding signs, street furniture (including but not limited to tables, chairs, umbrellas, display stands) or any other items which may be used for footpath trading (collectively referred to in this clause as “seized items”); and
  - (b) take the seized items to a place of safety and hold the seized items until:
    - (i) any penalty required to be paid pursuant to this By-law has been paid to Council; and
    - (ii) any cost incurred by Council for the removal and detention of a seized item has been paid to Council.
- 2) Within two business days of the seizure, Council must provide notice to the person who is, or appears to the Authorised Officer to be, the owner of the seized items that they have been seized and may be recovered from Council, subject to the requirements of this clause.
- 3) If the seized items have not been collected pursuant to clause 16(1)(b) for a period of 28 days, the seized items may be sold or destroyed by Council at its discretion.
- 4) If a seized item is sold pursuant to clause 16(3), Council may retain the following from the sale proceeds:
  - (a) any amounts outstanding pursuant to clause 16(1)(b); and
  - (b) any expenses associated with the sale of the seized item, including any auctioneer’s fees.
- 5) If a seized item is destroyed pursuant to this clause or if the sale proceeds are less than the total of the amounts specified in clause 16(1)(b), the balance must be paid by the owner of the seized items and are recoverable by the Council as a debt due to it.
- 6) Council is not required to take any steps pursuant to this clause and may take other steps to prevent footpath trading, such as placing bollards on the footpath.

**17. Offences**

- 1) A person who breaches any other provision of this By-law is guilty of an offence under this By-law.
- 2) The penalty for an offence under this By-law shall not exceed 4 penalty units and in the case of a continuing offence a daily fine not exceeding 2 penalty units.
- 3) A person who breaches this By-law or any condition imposed hereunder may in addition to any other penalty be required to pay any expenses incurred by Council in consequence of the breach of this By-law.

## **PART 6 – MISCELLANEOUS PROVISIONS**

### **18. Obstruction of an Authorised Officer**

A Person must not obstruct, assault, threaten, harass or intimidate an Authorised Officer engaged in the performance on any function or the exercise of any power under this By-law.

**PENALTY:** A fine not exceeding 4 penalty units.

## **PART 7 – INFRINGEMENT NOTICES**

### **19. Infringement Notices**

- 1) An infringement notice may be issued in respect of a specified offence and the monetary penalty set out adjacent to the offence in Column 3 of Schedule 1 is the penalty payable under the infringement notice for that specified offence.
- 2) An Authorised Officer may:
  - a) issue an infringement notice to a person whom the Authorised Officer has reason to believe is guilty of a specified offence;
  - b) issue one infringement notice in respect of more than one specified offence; and
  - c) impose a monetary penalty for the specified offence in respect of which the infringement notice is issued.
- 3) Payment of an infringement notice issued under this By-law must be made to the General Manager within 28 days of the issue of the infringement notice to avoid the infringement notice being referred to the Director, Monetary Penalties Enforcement Service.
- 4) The *Monetary Penalties Enforcement Act 2005* (Tas) applies to an infringement notice issued under this By-law.

**SCHEDULE 1****INFRINGEMENT NOTICES – OFFENCES AND PENALTIES**

<b>Column 1 CLAUSE</b>	<b>Column 2 DESCRIPTION OF OFFENCE</b>	<b>Column 3 PENALTY (Penalty Units)</b>
5(1)	Footpath trading without licence	2
5(1)	Daily offence for footpath trading without a licence.	1
9(8)	Fail to comply with conditions of licence	2
9(9)	Make false representation or declaration	2
15(2)	Fail to comply with requirements of notice	2
18(1)	Obstruction of Authorised Officer	2

**Gail Eacher**

---

**From:** Northern Midlands Council  
**Subject:** FW: Footpath Trading By-Law Proposal - Submission

---

**From:** Caitlin Horder  
**Sent:** Thursday, 4 August 2022 8:21 PM  
**To:** Northern Midlands Council <[council@nmc.tas.gov.au](mailto:council@nmc.tas.gov.au)>  
**Subject:** Footpath Trading By-Law Proposal - Submission

**Attn: Northern Midlands Council - Footpath Trading By-Law Proposal**

I am writing to submit feedback surrounding the proposed Footpath Trading By-Law. We decided to open our Property Management office in Evandale, rather than setting up in the City, as we love the village community and could see a need for our services in the area. We currently have two of the largest sized, freestanding A-Frame sign boards registered with the Council, which we place appropriately on the footpath on either side of our building in line with the council requirements.

I am not opposed to there being standards set for this type of signage, as we know that if left uncontrolled, it can be a hazard and limit accessibility. I do note that the need for uniformity was noted as something that has been listed for review and the scope of this hasn't been defined.

As with many other buildings in the region, our building is heritage listed, which has meant that we have been extremely limited in what we can do in terms of signage. We have only been able to have one small sign put up over our door. The Council requested was done in a more muted palette, which we have accommodated. This leaves us with the only our footpath signs, to catch the eye of foot traffic and to communicate our brand.

I am not opposed to tighter regulations; however, I do hope that these regulations will still allow businesses to exercise their own creativity in what is being marketed on their signs and that business applications are assessed with the guidelines, but also the individual business need in mind.

Thank you for your time.

Warmly,  
Caitlin

**How was our service today?** We would really appreciate a 5\*Star review on [Google Reviews](#) if we have served you well. As a new business, this is a huge help for others when making a decision on the management of their property or deciding who to rent through. Please feel welcome to contact me directly if you have any feedback on how we can improve our service delivery.





DISCLAIMER: This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you are not the intended recipient you are notified that disclosing, copying, distributing, or taking any action in reliance on the contents of this information is prohibited. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail from your system. Spark Property Management does not represent, warrant and/or guarantee that the integrity of this communication has been maintained nor that the communication is free of errors, virus, interception, or interference.

**From:** Northern Midlands Council  
**Subject:** FW: PLDC response to footpath trading bylaw

---

**From:** Gail Eacher  
**Sent:** Thursday, 11 August 2022 10:06 AM  
**To:** Amanda Bond  
**Subject:** PLDC response to footpath trading bylaw

- **Footpath Trading:**

- The committee felt the new footpath trading legislation needs to be addressed to the business community as this was not the purview of the District Committee.

## Department of State Growth

Salamanca Building, Parliament Square  
4 Salamanca Place, Hobart TAS 7000  
GPO Box 536, Hobart TAS 7001 Australia  
Phone 1800 030 688 Fax (03) 6233 5800  
Email [info@stategrowth.tas.gov.au](mailto:info@stategrowth.tas.gov.au) Web [www.stategrowth.tas.gov.au](http://www.stategrowth.tas.gov.au)  
Your Ref: / Our Ref: [REDACTED]



Northern Midlands Council  
Attention: General Manager  
[council@nmc.tas.gov.au](mailto:council@nmc.tas.gov.au)

Dear Des

Thank you for your letter of 27 July 2022 to Gordon Mathers regarding Northern Midlands Council's proposed Footpath Trading By-Law. I understand the impact that footpath trading can have on the community and appreciate the objectives that Council has developed in trying to regulate this.

In reviewing the proposed by-law a number of points are raised for Council's consideration:

- The Department of State Growth notes that the by-law defines 'highway' as a local highway within the meaning of the Local Government (Highways) Act 1982 but it appears that the majority of the 'main roads' listed are actually State roads. Therefore, consent to erect 'structures' such as signs and banners ("whether fixed or movable") in the State road reservation may also be required under s.16 of the Roads and Jetties Act 1935. This would be the case even if the structures were placed on a footpath, provided the footpath was within the State road boundary. The Department suggests this should be made clear within the by-law. It is not clear whether it is Council's intention that the by-law applies to both State and local roads.
- There may also be occasions where businesses are given license to place items, such as freestanding banners or signs, on the side of a State road but not within the State road boundaries. In these instances, the Department would prefer additional requirements that any such items must not obscure regulatory traffic signs or wayfinding signs.
- It would also be helpful if Council could clarify whether the proposed by-law is intended to only regulate temporary infrastructure that is placed during trading hours and then removed or whether it also relates to permanent infrastructure such as fixed commercial advertising signs or permanent awnings.

It would be useful for the Department to understand how many instances of footpath trading are currently occurring on State Roads or anticipated as likely to occur, as we may need to develop a position around types of footpath trading where a formal consent is necessary.

Please contact Fiona McLeod, Director Asset Management by email at [REDACTED] or telephone on [REDACTED] if you would like to discuss this further.

Yours sincerely

A handwritten signature in black ink, appearing to read 'A Paine', with a stylized flourish at the end.

Adrian Paine  
**Acting General Manager State Roads**

18 August 2022

## Department of State Growth

Salamanca Building, Parliament Square  
4 Salamanca Place, Hobart TAS 7000  
GPO Box 536, Hobart TAS 7001 Australia  
Phone 1800 030 688 Fax (03) 6233 5800  
Email [info@stategrowth.tas.gov.au](mailto:info@stategrowth.tas.gov.au) Web [www.stategrowth.tas.gov.au](http://www.stategrowth.tas.gov.au)  
Your Ref: / Our Ref: D22/213630



Mr Des Jennings  
General Manager  
Northern Midlands Council  
Via email: [council@nmc.tas.gov.au](mailto:council@nmc.tas.gov.au)

Dear Des

I refer to Amanda Bond's recent email in response to the Department of State Growth's submission to the Northern Midlands Council's proposed Footpath Trading By-law.

Thank you for your consideration of the Department's submission.

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.

I apologise if officers from the Department had already been consulted on this previously, however we have no record of correspondence being received by the General Manager, State Roads, and Council wrote to the Department on 27 July 2022 inviting submissions. The Department is seeking to provide information to ensure that Council is aware of any issues prior to finalizing the by-law, as well as to understand its operation and how it might interact with the provisions of the *Roads and Jetties Act 1935*.

I appreciate that Council is working to manage issues relating to footpath trading for the benefit of the community. Please get in touch if you would like to discuss this further on [REDACTED] or ph [REDACTED].

Yours sincerely

A handwritten signature in cursive script, appearing to read "Fiona McLeod".

Fiona McLeod  
**Acting General Manager State Roads**  
9 September 2022

Mr D Jennings,  
General Manager,  
Northern Midlands Council,  
P.O.Box 156,  
Longford,  
TAS 7301

**BY EMAIL**

Dear Des,

**Re: Proposed Footpath Trading By-Law No. 1 of 2022**

As a member of the public, thank you for the opportunity to make a submission in relation to the above proposed By-Law.

I fully support Council's endeavours to create one regulatory document to regulate footpath trading in the municipal area of the Northern Midlands, with the intention of consolidating three previously expired By-Laws which individually dealt with this matter. I also fully support the concept of footpath trading as a means of adding atmosphere, ambiance and an "open for business" positivity, to the Villages and Towns throughout our very attractive municipality.

My only concern with the draft By-Law as it now stands, is in relation to the possibility of footpath trading being permitted within the General Residential Zone in the Village of Ross.

Part 1, Section 3, Application - states that this By-Law applies to footpath trading anywhere in the Northern Midlands municipal area.

Part 2, Section 4, Definitions –"main road" - lists Church & Bridge Streets, Ross.

Given that Church and Bridge Streets Ross, contain both General Residential and Local Business zones, (see attached Council Zoning Map), is it Council's intention that Footpath Trading will be permitted in both these zones, or restricted purely to the Local Business zone?

My concern is exacerbated by the Part 2, Section 4 definition of "premises" viz; "means a house or building, together with its land and outbuildings, occupied by a business or considered in an official context" - when read in conjunction with the Northern Midlands Interim Planning Scheme 2013 Part D, General Residential Zone, 10.2 Use Table – under Permitted Use Class Residential – which states "if a caretakers dwelling or home-based business"

Does this mean that a home-based business within the General Residential Zone will be able to conduct footpath trading?

It's not my intention here for one minute, to suggest that Council should consider restricting the odd garage sale or the occasional sale of honey/eggs or the like, in the General Residential Zone. What I'm concerned about is the likelihood of 24/7 footpath trading infiltrating the General Residential Zone and adversely affecting residential amenity.

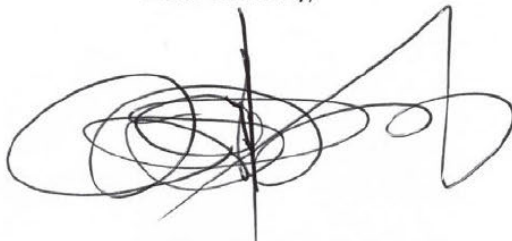
Could I respectfully suggest that Council give consideration to prohibiting footpath trading in the Ross Village General Residential Zone, by amending Part 1- Preliminary, Section 3, Application – as per my yellow highlighting, to read:-

"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."

If this is not the appropriate place to add such an additional suggested clause, then perhaps it could be added under Part 2, Section 4, Definitions, under the "footpath trading" definition, or another suitable place within the draft document?

Thanks again Des for the kind opportunity to make a submission in relation to Footpath Trading. As always, if I can be of any further assistance in this matter to Council then please don't hesitate to contact me.

Yours faithfully,

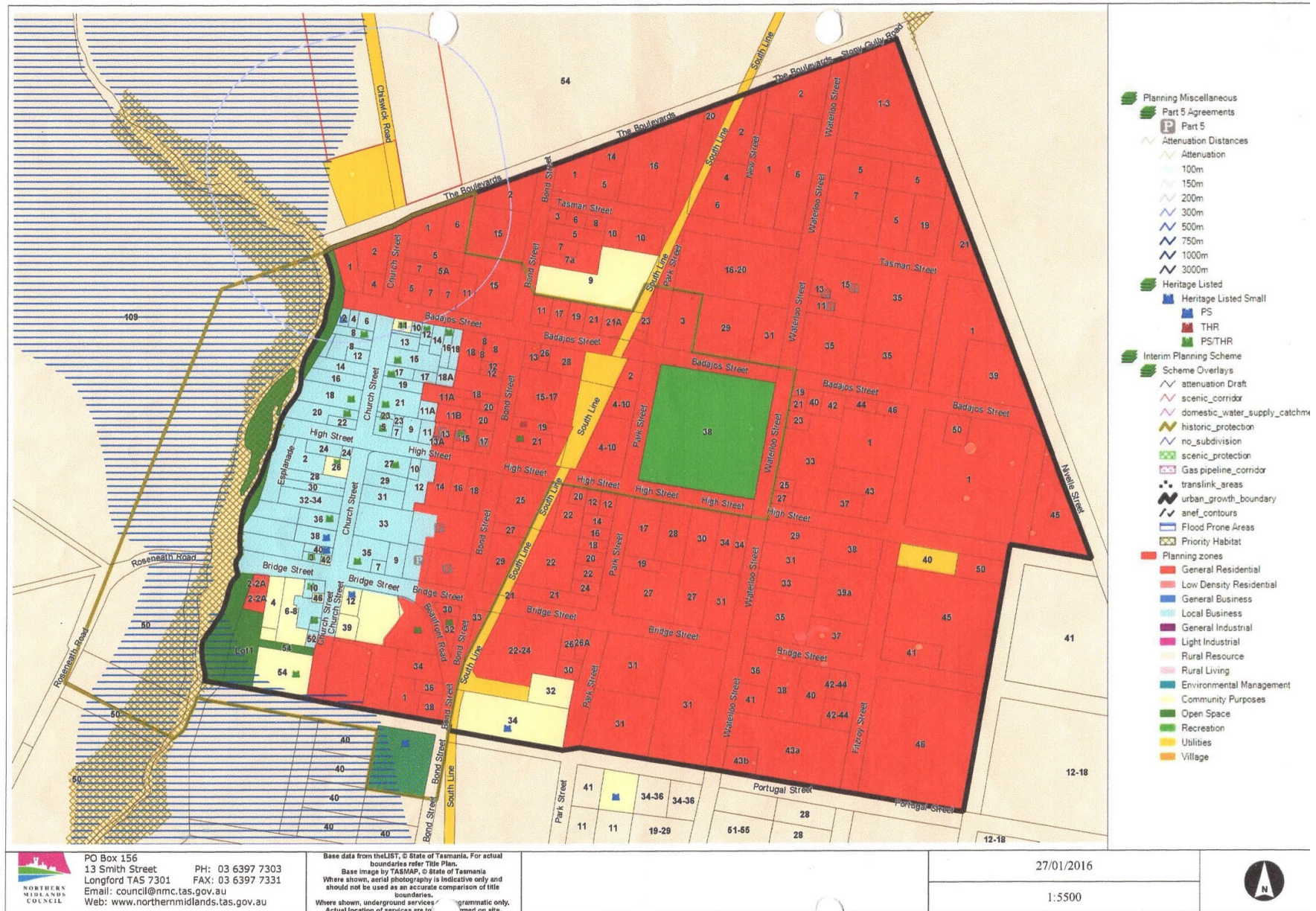
A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

Arthur Thorpe,

[REDACTED]  
Ross,  
[REDACTED]

19<sup>th</sup> August 2022









## TRAFFIC IMPACT ASSESSMENT REPORT

Report prepared for:

13790 Midland Highway  
Epping Forest TAS 7211

Title Ref: 177934/1

### **CONTACT**

RJK CONSULTING ENGINEERS

Phone:  
0400 642 462

Address:  
Po Box 128  
Prospect TAS 7250

Email:  
[mail@rjkconsultants.com.au](mailto:mail@rjkconsultants.com.au)

## Document Contact

### RJK Consulting Engineers

ABN: 71 162 701 528

### Risden Knightley

BE (Civil), Ass Dip Civil Eng, FIEAust, CC 2539X

Telephone: 0400 642 462

## Document Information

Client:	D & L Routley
Project Reference:	20/21 TAS 081
Date:	5 November 2020
Version Number:	V1
Effective Date	5 November2020
Date Approved:	5 November2020

## Document History

Version	Effective Date	Description of Revision	Prepared by:	Reviewed by:

© RJK Consulting Engineers. Copyright in the whole and every part of this document belongs to RJK Consulting Engineers and may not be used, sold, transferred, copied or reproduced in whole or in part in any manner or form or in or on any media to any person other than by agreement with RJK Consulting Engineers.

This document is produced by RJK Consulting Engineers solely for the benefit and use by the client in accordance with the terms of the engagement. RJK Consulting Engineers does not and shall not assume any responsibility or liability whatsoever to any third party arising out of any use or reliance by any third party on the content of this document.

iii

## TABLE OF CONTENTS

---

CONTACT	i
Table of Contents	iii
<b>1. Introduction</b>	<b>1</b>
1.1 Overview	1
1.2 Scope of Works	1
1.3 Report Objectives	1
1.4 Reference Documents & Data Sources	2
<b>2. Site Description</b>	<b>3</b>
2.1 Site Location & Description	3
<b>3. Proposed Development &amp; Planning Scheme</b>	<b>4</b>
3.1 Development Details	4
3.2 Council Planning Scheme	4
<b>4. Existing Conditions</b>	<b>5</b>
4.1 General Transport Network	5
4.3 Traffic Activity & Generation	10
4.4 Crash History	10
4.5 Road Safety Review	11
<b>5. Traffic Impacts</b>	<b>12</b>
5.1 General	12
5.2 Trip Generation & Distribution	12
5.3 Trip Generation	12
5.4 Surrounding Road Impacts	12
<b>6. Impact on Road Network</b>	<b>13</b>
6.1 Impact on Liveability, Safety & Amenity of the Local Area	13
6.2 Parking Assessment	13
6.3 Sight Distances	13
6.4 Pedestrian and Bicycle Movements	13
6.5 Road Safety & Traffic Service	13
6.6 Intersection Sight Distance	13
6.7 Delivery Vehicles	14
6.8 Public Transport	14
6.9 Summary of Assessment against Planning Scheme	14
<b>7. Parking Assessment</b>	<b>15</b>
7.1 System Design	15
7.1.1 Bicycle Parking	15
7.1.2 Parking for People with Disabilities	15
7.1.3 Access	15

7.1.4	Internal Design	15
7.2	Development Parking Requirements	15
<b>8.</b>	<b>Planning Scheme Response</b>	<b>16</b>
E4	Road and Railway Assets Code	16
E4.6.1	Use and road or rail infrastructure	16
E4.7.1	Development on and adjacent to Existing and Future Arterial Roads and Railways	16
E4.7.2	Management of Road Accesses and Junctions	17
E 4.7.3	Management of Rail Level Crossings	17
E 4.7.4	Sight Distance at Accesses, Junctions and Level Crossings	17
E6	Car Parking and Sustainable Transport Code	18
E6.6.1	Car Parking Numbers	18
E6.6.2	Bicycle Parking Numbers	19
E6.6.3	Taxi Drop-off and Pick up	19
E6.6.4	Motorbike Parking Provision	19
E6.7.1	Construction of Car Parking Spaces and Access Strips	20
E6.7.2	Design and Layout of Car Parking	20
E6.7.3	Car Parking Access, Safety and Security	21
E6.7.4	Parking for Persons with a Disability	21
E6.7.6	Loading and Unloading of Vehicles, Drop-off and Pickup	22
E6.8.2	Bicycle Parking Access, Safety and Security	22
E6.8.5	Pedestrian Walkways	23
<b>9.</b>	<b>Other Impacts</b>	<b>24</b>
9.1	Environmental	24
9.2	Street Lighting and Furniture	24
9.3	Internal Layout	24
9.4	Footpaths and Access Ramps	24
<b>10.</b>	<b>Summary</b>	<b>25</b>
<b>11.</b>	<b>Regulatory Feedback</b>	<b>26</b>
11.1	Council Feedback	26
11.2	DSG Feedback	26
<b>12.</b>	<b>Conclusion</b>	<b>27</b>

## Table of Figures & Tables

Figure 1 – Subject site	3
Figure 2 – Site layout	4
Figure 3 – Local Road Network	5
Figure 4 – Looking South along Midland Hwy w/- Barton Rd on right	6
Figure 5 – Looking North along Midland Hwy w/- Barton Rd on left	6
Figure 6 – Looking towards Barton Road from Midland Hwy	7
Figure 7 – Access Location	7
Figure 8 – Looking left from proposed entry location	8
Figure 9 – Looking right from proposed entry location	8
Figure 10 – Looking left from proposed exit location	9
Figure 11 - Looking right from proposed exit location	9
Figure 12 - Crash Locations	11
Table 1 - Crash History	10
Table 2 - Unique trip generation - Coffee shop	12

## 1. Introduction

---

### 1.1 Overview

RJK Consulting Engineers has been commissioned by D & L Routley to undertake a Traffic Impact Assessment (TIA) relating to proposed development of a coffee van/container, parklands and parking provision at 13790 Midland Highway, Epping Forest. Specifically, this TIA addresses the access and parking provisions of the proposed development in addressing Code E4 & E6.

The proposed development is located within the Northern Midlands Council Local Government Area (LGA) and is subject to their relevant planning controls. This TIA will form part of the Development Application and be submitted for proposal to Northern Midlands Council. It has been prepared in accordance with the Department of State Growth (DSG) guidelines.

### 1.2 Scope of Works

This assessment will consider the impact of the proposed development on Barton Road as this is the primary access, along with local intersections. It will also demonstrate:

- Review of the existing road environment in the vicinity of the site and the traffic conditions on the road network.
- Provision of information on the proposed development with regards to traffic movements and activity.
- Impact on all road users including on-road public transport, pedestrians, cyclists and heavy vehicles.
- Identification of the traffic generation potential of the proposal with respect to the surrounding road network in terms of road network capacity.
- Review of the parking requirements of the proposed development. Assessment of this parking supply with Planning Scheme requirements.
- Traffic implications of the proposal with respect to the external road network in terms of traffic efficiency and road safety.

### 1.3 Report Objectives

The objective of this report is to evaluate the impact of traffic generated by the project. It will also aid in the planning and design of sustainable development proposals by taking into consideration:

- Safety and capacity;
- Equity and social justice;
- Efficiency and the environment and;

RJK's objectives for this study include:

- Review and collate background documents in relation to the development;
- Assessing access performance in accordance with Code E4;
- Assessing parking in accordance with Code E6;
- Identify any mitigating measures required as a result of the proposal.

#### 1.4 Reference Documents & Data Sources

RJK Consulting Engineers have been provided by NMC and the client relevant information on the development. These detail an outline of the work and that the development generally proposes no significant change to the existing traffic arrangements.

The following documents have been referenced as part of this study:

- [www.THELIST.tas.gov.au](http://www.THELIST.tas.gov.au);
- DSG “Traffic Impact Assessment (TIA) Guidelines”;
- DSG Tasmanian State Road Hierarchy;
- Northern Midlands Council Interim Planning Scheme (2013);
- Transport and Main Roads Road Planning and Design Manual – Edition 2; Vol 3;
- Various Austroads publications.

## 2. Site Description

---

This chapter reviews the existing road network and transport conditions surrounding the proposed development site.

### 2.1 Site Location & Description

The site is located on Lot 177934/1 and is zoned as Rural Resource. The site is currently vacant land as shown in **Figure 1**.

The proposed development site is on the western side of the Midland Highway and northern side of Barton Road. The total site is approx. 3.57 ha and has direct access to Barton Road. There are 2 entry points to the property, one located on the Midland Highway and one on Barton Road near the boundary with the Fire Station.

The access for this development will be located on the Barton Road boundary accessing Barton Road only.

**Figure 1 – Subject site**





### 3. Proposed Development & Planning Scheme

#### 3.1 Development Details

The development as proposed provides for a coffee van/container in a parkland setting with truck and car parking. The operating hours will be 7 days a week 5am to 3pm.

The proposal will utilise the entire boundary on Barton Road for the driveway access. As there is no current driveway access for the development the new access will need to meet the Austroads Standards in terms of construction. These proposed accesses will also need to be constructed in accordance with IPWEA LGAT municipal standard drawings in terms of dimensions, etc. and will need to be a level sealed junction of suitable material in keeping with the rural road profile. These standard drawings can be found on the LGAT website as reference.

The interface at the roadside edge appears ideal for the proposed development and alignments can easily be matched in.

It is noted that Barton Road can easily accommodate additional vehicle movements arising from this development, based on likely low vehicle numbers existing and generated additional (with satisfactory manoeuvre of existing arrangements during site visits).

**Figure 2 - Proposed Layout**



#### 3.2 Council Planning Scheme

The proposed development involves land currently zoned Local Business in accordance with the Northern Midlands Council Interim Planning Scheme 2013. Refer to Section 8 for response to Codes 4 and 6.

## 4. Existing Conditions

### 4.1 General Transport Network

The local transport system consists of Barton Road and Midland Highway. Barton Road connects with Midland Hwy at a give way T intersection approx. 57.7 metres to the west of the development.

#### Barton Road

Barton Road is rural in nature, single lane each way and has swale drains on both sides of the road. The road surface is in good condition, with an asphalt sealed width of approximately 5.1 metres at the proposed access to site. The road is built to an urban standard in keeping with Table 1 - TSD R06 V1. The road alignment is undulating, with the proposed driveway located within a stretch of road that is relatively flat.

Barton Road is speed limited 60km/hr in the vicinity of the site. It is a local connector road that serves as access to rural properties, residences and fire station. It connects with Midland Highway to the east and intersects with Valleyfield Road approx. 8 kilometres to the south-west and then Macquarie Road some distance further to the south-west.

Barton Road carries approx. 125 vehicles per day in the vicinity of the site. Barton Road is the only vehicle access to the development.

#### Midland Highway

Connecting Launceston and Hobart Midland Highway is the main transport and freight link between the two cities. The Midland Highway in the vicinity of Barton Road is single lane each way and has swale drains on the western side. It has a speed limit of 80km/hr in the vicinity of the junction with Barton Road. The road surface is in good condition, with an asphalt sealed width of approximately 11 metres in the vicinity of the junction.

Opposite the junction with Barton Road sits a prominent and busy service station on the eastern side of the Highway. Midland Highway in the vicinity of the Barton Road junction carries between 5600 and 8300 vehicles per day, based on the DSG traffic data from May 2017.

**Figure 3 - Local Road Network**



***Figure 4 - Looking south along Midland Hwy w/- Barton Rd junction on the right***



***Figure 5 - Looking north along the Midland Hwy w/- Barton Road junction on the left***





**Figure 6 - Looking towards Barton Road from Midland Hwy**



**Figure 7 – Proposed site access location**





***Figure 8 – Looking left from the proposed entry point on Barton Rd***



***Figure 9 – Looking right from proposed entry point on Barton Rd***





***Figure 10 – Looking left from proposed exit point on Barton Rd***



***Figure 11 – Looking right from proposed exit point on Barton Rd***



### 4.3 Traffic Activity & Generation

Northern Midlands Council have provided traffic count data and speed statistics for Barton Road taken in 2017, 1 km east of Valley field Road. This identified traffic volumes as 865 vehicles per week.

The development proposes to generate a relatively small amount of additional traffic beyond current levels. It is proposed that the development site will be accessed on the southern end of the property fronting Barton Road.

Based on traffic count and speed data and the small volume of additional traffic generated by the new development, along with an inspection of the road and surrounding areas, it is identified that the general operations of the street, as currently operating, will not have any noticeable level of service loss.

### 4.4 Crash History

DSG advised no crashes reported in Barton Road in the vicinity of the subject site in the last 5 years, however there were crashes reported in the vicinity of the junction with Midland Highway. These isolated incidents imply that the current traffic volumes and general arrangements for the surrounding area and the site, are currently operating satisfactory. (See Figure 12 for Crash details & Figure 13 for Crash Locations)

**Table 1 - Crash history details**

Crash No.	Crash Date	Severity	Description	Location	Light Cond.	Surface	Units	Unit Types
1219888	18-Dec-2015	Property Damage Only	Property Damage Only	Intersection of Barton Rd and Midland Hwy. Epping Forest	Daylight	Sealed	2	2 x Light vehicles
1886302	31-Jul-2016	Minor	Minor	Midland Highway, Epping Forest	Dawn / Dusk	Sealed	2	2 x Light vehicles
1892770	17-Aug-2016	Minor	Minor	Midland Highway, Epping Forest	Daylight	Sealed	1	1 x Heavy vehicle
1897520	29-Aug-2016	Serious	Serious	Midland Highway, Epping Forest	Daylight	Sealed	1	1 x Light vehicle
1999069	20-Jan-2017	Property Damage Only	Property Damage Only	Midland Highway, Epping Forest	Daylight	Sealed	3	3 x Light vehicles
2068018	11-Jul-2017	Property Damage Only	Property Damage Only	Midland Highway, Epping Forest	Daylight	Sealed	2	2 x Light vehicles
2115751	10-Nov-2017	Property Damage Only	Property Damage Only	Midland Highway, Epping Forest	Daylight	Sealed	2	2 x Light vehicles
49858055	04-Feb-2019	Property Damage Only	Property Damage Only	Midland Highway, Epping Forest	Daylight	Sealed	2	1 x Light vehicle 1 x Heavy vehicle
50001620	01-Mar-2019	Minor	Minor	Midland Highway, Epping Forest	Daylight	Unsealed		1 x Light vehicle
50232802	02-Sep-2019	First Aid	First Aid	Intersection of Barton Rd and Midland Hwy, Epping Forest	Daylight	Sealed	2	2 x Light vehicles 1 x heavy vehicle
50358173	28-Nov-2019	Minor	Minor	Midland Highway, Epping Forest	Daylight	Sealed		1 x Light vehicle 1 x heavy vehicle

Figure 13 - Crash Locations



4.5 Road Safety Review

Based on sight observations and the information regarding crash history, the road network in this area appears to function satisfactorily, and provides appropriate width and manoeuvrability based on the TSD-R09-V1, road hierarchy and the limited traffic numbers.

Due to the development not being seen as a major contributor resulting in a dramatic increase in traffic volumes being generated, further off-site impacts are not considered.



## 5. Traffic Impacts

### 5.1 General

This section of the report describes how traffic generated by the proposal is distributed within the adjacent road network.

### 5.2 Trip Generation & Distribution

In order to analyse the impact of the development on the existing transport infrastructure, it is necessary to assess the number of trips likely to be generated to and from the site and where they are likely to travel. In relation to the drive-thru coffee outlet, cases studies undertaken by Bitzios Consulting of 10 drive-thru coffee outlets in New South Wales (various locations including rural for the RTA) revealed an average peak queue of 6 vehicles which occurs in the morning peak hour. At all other times, queues of no more than 3 vehicles were recorded. The development plans show that 6 vehicles can comfortably queue within the drive through lane without impacting on the circulation of the overall site.

### 5.3 Trip Generation

As the proposed development does not include a large-scale McDonalds or similar, rather a small take away style tenancy, it is not expected that the tenancy will generate this level of traffic.

Therefore, for the purposes of this assessment, it will be assumed that during peak periods, based on the Bitzios study, trip generation is considered on the maximum level. This being 130 movements anticipated during the peak hour. Due to the nature of the business however, the coffee shop will peak in the AM, with half the morning peak volumes expected in the afternoon peak. Movements will be equally split between inbound and outbound.

The anticipated traffic volumes are outlined in the Table below.

**Table 2 - Unique Trips Traffic Generation - Coffee Shop**

Direction	Weekday Am Peak	Weekday PM Peak
Inbound	65	33
Outbound	65	33
Total	130	66

Traffic generated from the site is likely to provide a minor increase in vehicle movements along Barton Road, Midland Hwy and the wider network.

The existing Barton Road can easily accommodate this small increase in traffic, based on site inspections and authors understanding and local knowledge of the area and site.

Due to the development not being seen as a major contributor resulting in a dramatic increase in traffic volumes being generated, further off-site impacts are not considered.

### 5.4 Surrounding Road Impacts

The assessment of the impact of the proposed development on the road network has been undertaken. Due to the limited additional traffic being generated from the development, volumes are not considered material and would have limited impact on the wider road network. As such an assessment of additional road network parameters beyond the site are outside the formal responsibility of this report.

## 6. Impact on Road Network

### 6.1 Impact on Liveability, Safety & Amenity of the Local Area

The additional traffic introduced by the proposal (130 vph) is minimal and can be easily absorbed by the road at peak times with gaps in the traffic flow. The proposal has negligible impact on the operation of Barton Road or the Midland Highway.

Impact on road users is minimal including public transport, pedestrians, cyclists and motorists. Traffic generated by the proposal will not impact above ground services nor will increase environmental impacts such as noise, visual and pedestrian amenity. Barton Road has street lighting and does not require additional roadside furniture such as directional signs and fencing.

### 6.2 Parking Assessment

Refer section 7.

### 6.3 Sight Distances

A sight specific assessment on the site was undertaken to review sight distance with consideration of the NMC Planning Scheme requirements and in accordance with Clause 3.4 of *Austroads Guide to Road Design Part 3: Geometric Design*. Sight distance is measured along the carriageway from the approaching vehicle to the conflict point.

The posted speed limit on Barton Road is 60km/h in the vicinity. Sight distance requirements are summarised in Table E4.7.4 of the NMC Interim Planning Scheme and indicate a SISD of 105m for 60Km/Hr.

As noted from photos and measured on site for the proposed site access, SISD is achieved in looking right toward the west, whilst to the right looking towards the east, sight distance is limited due to the intersection with Midland Hwy and is deemed suitable.

Acceptable Solution A1 for E4.7.4 is considered to be met for the proposed access.

### 6.4 Pedestrian and Bicycle Movements

The proposed development is not likely to generate a pedestrian movements outside of the site, therefore no consideration has been given for the external pedestrian and bicycle movement areas.

### 6.5 Road Safety & Traffic Service

Due to the sight distance deemed to be met with regards to the Planning Scheme, road safety appears not to be compromised by the establishment of the entrance and exit points.

Traffic service is believed to be adequate with the existing infrastructure based on the low traffic volumes. There is sufficient spare capacity in the surrounding road network to absorb the small predicted increase in peak hour traffic generated from the proposed development.

### 6.6 Intersection Sight Distance

Sight measurements were taken to evaluate the proposed Safe Intersection Sight Distance. These indicated:

Driveway	SISD Right	SISD Left
Entry (western side of boundary)	In excess of 105m	59.7m (limited by intersection)
Exit (eastern side of boundary)	In excess of 105m	94m (limited by intersection)

Under the Planning Scheme 105m is required each way however noting the intersection interface with the midland highway this is deemed satisfactory.

#### 6.7 Delivery Vehicles

Refer section 7.

#### 6.8 Public Transport

Not required to be addressed.

#### 6.9 Summary of Assessment against Planning Scheme

The Northern Midlands Council Interim Scheme 2013, Codes E4 and E6 is covered in Section 8.

## 7. Parking Assessment

---

### 7.1 System Design

The Northern Midlands Council Parking Code incorporates different parking rates for specific land use components. As the development relates to an improvement in facilities, the assessment needs to have regard that a certain number of car spaces be provided for each development type based on a set of criteria, e.g. number of bedrooms per unit in a residential area.

Particular provisions are also included for car parking in areas and for those uses that require pick-up, set-down, loading areas, lighting, landscaping and provision for manoeuvring of vehicles on the site. Each use may therefore have a certain number of car parking spaces as well as access requirements for the use.

The proposal has allowance for 30 car park spaces and 4 truck parking spaces within the development.

#### 7.1.1 Bicycle Parking

Nil required due to type of operation.

#### 7.1.2 Parking for People with Disabilities

Performance Solution P1, of Schedule E6.7.4 of the Planning Scheme requires that the relevant provisions of the Building Code of Australia are satisfied.

#### 7.1.3 Access

Access to the site from Barton Road is proposed via a dedicated driveway for entry and exit. Safe Intersection Sight Distance (SISD) has been accessed as suitable.

#### 7.1.4 Internal Design

The internal design complies with the requirements of AS2890.1 and incorporates the following key components:

- Parking spaces are generally 2.5 metres in width with a minimum aisle width of 5.5 metres;
- Circulation within the site and access to parking spaces can be readily accommodated.

In summary, the internal design is considered satisfactory and will provide a level of amenity.

### 7.2 Development Parking Requirements

The Northern Midlands Council Interim Scheme 2013, Code E6 requires 1 space per 30m<sup>2</sup> of net floor area parking for development. The net floor area being 300m<sup>2</sup> (ALLOWANCE FOR SEATING AREA OUTSIDE). Therefore 10 parking spaces required for the coffee outlet. As such the net parking spaces are 30.

Based on the above assessment, the proposed development meets the requirements of the Performance Criteria, P1, of E6.6.1 of the Planning Scheme.

Based on the above, the response to the code is covered in Section 8.

## 8. Planning Scheme Response

The Northern Midlands Council Interim Scheme 2013, Codes E4 and E6 requires addressing for the development. Based on the above the following response is offered to Codes E4 & E6.1-:

### E4 Road and Railway Assets Code

#### 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	Response
<b>A1</b> Sensitive use on or within 50m of a category 1 or 2 road, in an area subject to a speed limit of more than 60km/h, a railway or future road or railway must not result in an increase to the annual average daily traffic (AADT) movements to or from the site by more than 10%.	<b>P1</b> Sensitive use on or within 50m of a category 1 or 2 road, in an area subject to a speed limit of more than 60km/h, a railway or future road or railway must demonstrate that the safe and efficient operation of the infrastructure will not be detrimentally affected. A2	Access point is 59.7m therefore complies A1.
<b>A2</b> For roads with a speed limit of 60km/h or less the use must not generate more than a total of 40 vehicle entry and exit movements per day	<b>P2</b> For roads with a speed limit of 60km/h or less, the level of use, number, location, layout and design of accesses and junctions must maintain an acceptable level of safety for all road users, including pedestrians and cyclists.	Not Applicable

#### 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:

- ensure the safe and efficient operation of roads and railways; and
- allow for future road and rail widening, realignment and upgrading; and
- avoid undesirable interaction between roads and railways and other use or development.

Acceptable Solutions	Performance Criteria	Response
<b>A1</b> 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: <ol style="list-style-type: none"> <li>new road works, buildings, additions and extensions, earthworks and landscaping works; and</li> <li>building areas on new lots; and</li> <li>outdoor sitting, entertainment and children's play areas</li> </ol>	<b>P1</b> 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: <ol style="list-style-type: none"> <li>maintain or improve the safety and efficiency of the road or railway or future road or railway, including line of sight from trains; and</li> <li>mitigate significant transport-related environmental impacts, including noise,</li> </ol>	Complies with A1 & A2 as development is in excess of 80m from the railway crossing and in excess of 50m of Category 1 road.

	<p>air pollution and vibrations in accordance with a report from a suitably qualified person; and</p> <p>c) ensure that additions or extensions of buildings will not reduce the existing setback to the road, railway or future road or railway; and</p> <p>d) ensure that temporary buildings and works are removed at the applicant's expense within three years or as otherwise agreed by the road or rail authority.</p>	
--	---	--

#### 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	Response
<b>A1</b> For roads with a speed limit of 60km/h or less the development must include only one access providing both entry and exit, or two accesses providing separate entry and exit.	<b>P1</b> For roads with a speed limit of 60km/h or less, the number, location, layout and design of accesses and junctions must maintain an acceptable level of safety for all road users, including pedestrians and cyclists.	Complies A1.

#### E 4.7.3 Management of Rail Level Crossings

Not applicable

#### E 4.7.4 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	Response
<b>A1</b> Sight distances at <ul style="list-style-type: none"> <li>a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.7.4; and</li> <li>b) rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia; or</li> <li>c) If the access is a temporary access, the written consent of the relevant authority has been obtained.</li> </ul>	<b>P1</b> The design, layout and location of an access, junction or rail level crossing must provide adequate sight distances to ensure the safe movement of vehicles.	Complies A1.

**E6 Car Parking and Sustainable Transport Code****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	Response
<b>A1</b> The number of car parking spaces must not be less than the requirements of: <ul style="list-style-type: none"> <li>a) Table E6.1; or</li> <li>b) a parking precinct plan contained in Table E6.6: Precinct Parking Plans (except for dwellings in the General Residential Zone).</li> </ul>	<b>P1</b> The number of car parking spaces V provided must have regard to: <ul style="list-style-type: none"> <li>a) the provisions of any relevant location specific car parking plan; and</li> <li>b) the availability of public car parking spaces within reasonable walking distance; and</li> <li>c) any reduction in demand due to sharing of spaces by multiple uses either because of variations in peak demand or by efficiencies gained by consolidation; and</li> <li>d) the availability and frequency of public transport within reasonable walking distance of the site; and</li> <li>e) site constraints such as existing buildings, slope, drainage, vegetation and landscaping; and</li> <li>f) the availability, accessibility and safety of on-road parking, having regard to the nature of the roads, traffic management and other uses in the vicinity; and</li> <li>g) an empirical assessment of the car parking demand; and</li> <li>h) the effect on streetscape, amenity and vehicle, pedestrian and cycle safety and convenience; and</li> <li>i) the recommendations of a traffic impact assessment prepared for the proposal; and</li> <li>j) any heritage values of the site; and</li> <li>k) for residential buildings and multiple dwellings, whether parking is adequate to meet the needs of the residents having regard to:               <ul style="list-style-type: none"> <li>i) the size of the dwelling and the number of bedrooms; and</li> <li>ii) the pattern of parking in the locality; and</li> <li>iii) any existing structure on the land.</li> </ul> </li> </ul>	Complies as provision for 10 car park spaces and 4 truck parking spaces

### 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	Response
<p><b>A1.1</b> 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><b>A1.2</b> The number of spaces must be in accordance with a parking precinct plan contained in Table E6.6: Precinct Parking Plans.</p>	<p><b>P1</b> Permanently accessible bicycle parking or storage spaces must be provided having regard to the:</p> <ul style="list-style-type: none"> <li>a) likely number and type of users of the site and their opportunities and likely preference for bicycle travel; and</li> <li>b) location of the site and the distance a cyclist would need to travel to reach the site; and</li> <li>c) availability and accessibility of existing and planned parking facilities for bicycles in the vicinity.</li> </ul>	N/A due to nature

### E6.6.3 Taxi Drop-off and Pick up

#### Objective

To ensure that taxis can adequately access developments.

Acceptable Solutions	Performance Criteria	Response
<p><b>A1</b> 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).</p>	<p><b>P1</b> No performance criteria.</p>	Not applicable.

### E6.6.4 Motorbike Parking Provision

#### Objective

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

Acceptable Solutions	Performance Criteria	Response
<p><b>A1</b> One motorbike parking space must be provided for each 20 car spaces required by Table E6.1 or part thereof.</p>	<p><b>P1</b> No performance criteria.</p>	Not applicable.