



**NORTHERN
MIDLANDS
COUNCIL**

AGENDA

ORDINARY MEETING OF COUNCIL

MONDAY, 11 APRIL 2022

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

Des Jennings
GENERAL MANAGER



QUALIFIED PERSONS ADVICE

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

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

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

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

MEETING CONDUCT

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

RECORDING OF COUNCIL MEETINGS

COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020 – Regulation 18 makes provision for councils to hold meetings via video conferencing platforms.

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

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

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

Council's Policy includes the following provisions:

- only applies to formal Council meetings (ordinary meetings, special meetings and Annual General meetings);
- does not apply to closed sessions of Council;
- does not apply to Committees of Council;
- The recording will not replace written minutes and a transcript of the recording will not be prepared;
- The recording may be used by Council staff to assist with the preparation of the minutes and by Council during a subsequent meeting within the period that the recording is retained;
- The official copy of the recording of a Council meeting is to be retained by Council for at least a period of 6 months from the date of a meeting and deleted after that period has expired;
- Notices advising that:
 - the proceedings of the meeting are to be audio recorded; and
 - the detail relating to the recording of meetings by members of the public;are to be on display at each meeting.

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

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

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

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

Any request for authorisation, including authorisation for the use of recordings, should be directed to the General Manager, 13 Smith Street, Longford TAS 7301


Des Jennings
GENERAL MANAGER



GUIDELINES FOR COUNCIL MEETINGS

PUBLIC ATTENDANCE DURING THE COVID-19 DISEASE EMERGENCY DECLARATION

Public Attendance Meeting Guidelines during the COVID-19 Disease Emergency

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

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

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

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

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

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

On arrival attendees will:

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

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

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

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

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

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

PUBLIC QUESTIONS AND STATEMENTS

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

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

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

REPRESENTATIONS ON PLANNING ITEMS

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

Each speaker is limited to a maximum of 3 minutes.

PETITIONS

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



NOTICE IS HEREBY GIVEN THAT THE NEXT MEETING OF THE NORTHERN MIDLANDS COUNCIL WILL BE HELD ON MONDAY, 11 APRIL 2022 AT 5.00 PM AT THE COUNCIL CHAMBERS, 13 SMITH STREET, LONGFORD AND VIA ZOOM VIDEO CONFERENCING PLATFORM IN ACCORDANCE WITH THE *COVID-19 DISEASE EMERGENCY (MISCELLANEOUS PROVISIONS) ACT 2020, SECTION 18* (AUTHORISATION FOR MEETINGS NOT TO BE HELD IN PERSON)

DES JENNINGS
GENERAL MANAGER
6 APRIL 2022

4.00pm	Councillor Workshop – closed to the public
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1 ATTENDANCE

PRESENT

In Attendance:

APOLOGIES



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3 ACKNOWLEDGEMENT OF COUNTRY

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

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

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

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

5 PROCEDURAL

5.1 CONFIRMATION OF COUNCIL MEETING MINUTES

5.1.1 Confirmation Of Minutes: Ordinary Council Meeting

RECOMMENDATION

That the Open Council Minutes of the Ordinary Meeting of the Northern Midlands Council held at the Council Chambers, Longford on Monday, 21 March 2022, be confirmed as a true record of proceedings.

5.2 DATE OF NEXT COUNCIL MEETING

Mayor Knowles advised that the next Ordinary Council Meeting of the Northern Midlands Council would be held at 5.00pm on Monday, 16 May 2022 in person and via the Zoom video conferencing platform in accordance with the *COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020*, Section 18 (authorisation for meetings not to be held in person).



6 COUNCIL COMMITTEES - CONFIRMATION OF MINUTES

Minutes of meetings of the following Committees are attached:

	Date	Committee	Meeting
1)	08/03/2022	Perth Local District Committee	Ordinary
2)	24/08/2021	Avoca Museum & Information Centre	Ordinary
3)	28/10/2021	Avoca Museum & Information Centre	Special
4)	14/12/2021	Liffey Hall Management Committee	Ordinary
6)	31/03/2022	Avoca, Royal George & Rossarden Local District Committee	Ordinary
7)	16/03/2022	Campbell Town District Forum	Ordinary

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

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

DECISION

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



7 COUNCIL COMMITTEES - RECOMMENDATIONS

7.1 AVOCA, ROYAL GEORGE & ROSSARDEN LOCAL DISTRICT COMMITTEE

At the ordinary meeting of the Avoca, Royal George & Rossarden Local District Committee held on 31 March 2022 following motion/s were recorded for Council's consideration:

MOU Amendment: That Council consider an amendment to the Avoca, Royal George & Rossarden Local District Committee MOU, to provide for the Committee to meet on a quarterly basis.

Officer Comment:

The Committee currently meets bimonthly and has requested that the MOU be amended to make provision for quarterly meetings to be held, with the minimum number of meetings to be held to reflect 3 per annum. The MOU, including the suggested amendments is held as an attachment.

Attachment

{attachment-list}

Officer Recommendation:

That Council approve the amendments to the Avoca, Royal George & Rossarden Local District Committee Memorandum of Understanding.

7.2 CAMPBELL TOWN DISTRICT FORUM

At the ordinary meeting of the Campbell Town District Forum held on 16 March 2022 the following motion/s were recorded for Council's consideration:

8.3 Town Appearance (Generally): *That Council investigate the cleaning of the footpath on High Street.*

Officer Comment:

Investigations with the Works Department have revealed that the footpath on High Street is constructed from bitumen making cleaning, very difficult.

Officer Recommendation:

That Council note the recommendation.



7.3 PERTH LOCAL DISTRICT COMMITTEE

At the ordinary meeting of the Perth Local District Committee held on 8 March 2022 the following motion/s were recorded for Council's consideration:

ANZAC Memorial Park: *That the Anzac Memorial Park be made more welcoming and inviting for both the residents and visitors to this park. This could be achieved by the daily opening of the large gates and installation of table and bench seating.*

The Committee provided the following comments: the park is an extremely under-utilised community asset; having an even surface it is the only park accessible to people who are frail or have mobility issues. It was noted that the William Street Reserve and Charles Berryman Picnic ground are both steep and/or very uneven underfoot; and the Train Park and Secombe Street playground are children's playgrounds which are quite some distance from the few food outlets in town and are not areas of quiet contemplation which some people would find enjoyable.

Officer Comment:

The Memorial Reserve (Cenotaph) is open to the public on a daily basis. The nature of the reserve lends itself quite reflection and dedication remembering those who have served in Australia's armed forces and continue to serve and those who have lost their lives.

The installation of seating within the confines of reserve would be an appropriate addition to the reserve.

Officer Recommendation:

That the Perth Local District Committee, in regard to the 2022/2023 Budget submissions include a request for the installation of seating within the Memorial Reserve at Perth.



8 INFORMATION ITEMS

8.1 COUNCIL WORKSHOPS/MEETINGS HELD SINCE THE LAST ORDINARY MEETING

Responsible Officer: Des Jennings, General Manager

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

Date Held	Purpose of Workshop
04/04/2022	Council Workshop Presentations <ul style="list-style-type: none">Campbell Town War Memorial Oval: Pump Track ProposalGreat Lakes Adventure TrailRural Alive & Well Discussion included: <ul style="list-style-type: none">Special Workshop: April 2022Sightlines Assessment for New SignageLongford Recreation GroundRecreational Vehicle Dump Site - EvandaleLocal Government ReformKennel Licences: Action Plan/RenewalsMidland Highway TreesCressy Memorial Pool
11/04/2022	Council Workshop Discussion: <ul style="list-style-type: none">Council Meeting Agenda items
11/04/2022	Council Meeting

8.2 MAYOR'S ACTIVITIES ATTENDED & PLANNED

Mayor's Activities Attended & Planned for the period 21 March 2022 to 11 April 2022 are as follows:

Date	Activity
22 March 2022	Attended meeting with Brian Mitchell, Perth
23 March 2022	ABC TV Interview, Longford
23 March 2022	Attended site inspection at the Perth Early Learning Centre
23 March 2022	Attended NTDC Ross Planning - Sporting Facilities Tours
24 March 2022	Attended Heritage Highway Meeting via zoom, Gipps Creek
28 March 2022	Attended Emergency Housing update via Teams, Gipps Creek
28 March 2022	Attended Family and Sexual Violence Action Plan via Teams, Gipps Creek
29 March 2022	Attended tourism meeting with Fiona, Campbell Town
29 March 2022	Attended meeting with resident, Campbell Town
30 March 2022	Attended meeting with council officer, Longford
30 March 2022	Attended Local Government Review Workshop, Tramsheds Launceston
31 March 2022	Attended Avoca Museum and Information Centre AGM, Avoca
31 March 2022	Attended Avoca, Royal George, Rossarden Local District Committee meeting, Avoca
31 March 2022	Attended NTDC Review interview via phone, Avoca
1 April 2022	Guest speaker at Migrant Resource Centre event, Mowbray, Launceston
4 April 2022	Attended Thank You morning tea – The Missing Mona Aboriginal silhouette project, Oatlands
4 April 2022	Attended Council Workshop
5 April 2022	Attended Local Government Our Watch Community of Practice Workshop, Campbell Town
6 April 2022	Attended Meeting with Evandale Information Centre



6 April 2022	Attended LGAT Youth webinar, Longford
7 April 2022	Attended emergency housing meeting via zoom, Gipps Creek
7 April 2022	Mayoral Moments radio interview with 7LA
8 April 2022	Attended 'Dancing in Fetters' Official Opening, Ross
8 April 2022	Guest speaker at Tasmanian Leaders 'Governance in Tasmania' event, Launceston
11 April 2022	Delivered opening remarks for 'Hearing Lived Experience' Regional and Remote presentation, via Teams
11 April 2022	Officiated Citizenship ceremony, Longford
11 April 2022	Attended Council Meeting and Workshop, Longford
	Attended to email, phone and mail enquiries.

8.3 GENERAL MANAGER'S ACTIVITIES

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

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

- Attended Northern Tasmania Development Corporation board meeting
- Met with property owner re acquisition of property
- Attended Council Workshop
- Attended Works Department tool box meeting
- Met with NBN representative re update on works
- Attended Regional General Manager's meeting
- Attended the opening of the new Longford Police Station
- Met with State Grants Commission
- Attended the opening of the Ross Village Green
- Attended Local Government Association of Tasmania general meeting, Launceston
- Attended Ordinary Council meeting

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

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

- Met with SES re Longford flood risks and mitigation

8.4 PETITIONS

PURPOSE OF REPORT

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

OFFICER'S COMMENT

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

Section 57. Petitions

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

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

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

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

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

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

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

(e) at the end of the petition –

(i) in the case of a paper petition, the full name, address and signature of the person lodging the petition; and

(ii) in the case of an electronic petition, the full name and address of the person lodging the petition and a statement by that person certifying that the statement of the subject matter and the action requested, as set out at the beginning of the petition, has not been changed.

(3) In this section –



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

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

petition means a paper petition or electronic petition;

signatory means –

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

58. Tabling petition

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

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

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

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

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

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

PETITIONS

Itinerant Worker Accommodation: Cressy

A 'petition' presented by Ms Toni Burton was received by Council on 28 March 2022, the petition is relative to a the exhibition of Planning Application PLN 21-0339 - 26-28 Charles Street, Cressy: (CT 132715/1) - Change of use to communal residence (accommodation for 20 seasonal workers).

The 'petition' does not comply with all requirements of S57 of the *Local Government Act 1993*, and is therefore non-compliant.

In particular, the following highlighted provisions have not been met.

- (2) A person lodging a petition is to ensure that the petition contains –
 - (a) a clear and concise statement identifying the subject matter and the action requested; and
 - (b) in the case of a paper petition, a heading on each page indicating the subject matter; and
 - (c) in the case of a paper petition, a brief statement on each page of the subject matter and the action requested; and
 - (d) a statement specifying the number of signatories;

It is noted that there are a total of 237 signatories to the 'petition'.

ATTACHMENTS

Non-compliant petition included in the attachments relative to Item 15.2 PLN21-0339: 26-28 Charles Street, Cressy - Change of Use to Communal Residence

8.5 CONFERENCES & SEMINARS: REPORT ON ATTENDANCE BY COUNCIL DELEGATES

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

8.6 132 & 337 CERTIFICATES ISSUED

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

S132. Certificate of liabilities

(1) A person referred to in [subsection \(2\)](#) may apply to the general manager for a certificate stating–

- (a) the amount of any liability for rates, whether due or not on the land and outstanding interest or penalty payable in relation to the land;
- (b) any amount received on account of rates that is held in credit against future liabilities for rates in relation to the land; and
- (c) the amount of any charge on the land recoverable by the council.

S337. Council land information certificate

- (1) A person may apply in writing to the general manager for a certificate in respect of information relating to land specified and clearly identified in the application.
- (2) The general manager, on receipt of an application made in accordance with [subsection \(1\)](#), is to issue a certificate in the prescribed form with answers to prescribed questions that are attached to the certificate.
- (3) A certificate under [subsection \(2\)](#) relates only to information that the council has on record as at the date of issue of the certificate.



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

	No. of Certificates Issued 2021/2022 year												Total 2021/2022 YTD	Total 2020/2021
	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June		
132	95	74	98	111	75	95	58	73	74				753	1,004
337	34	54	29	59	63	30	35	37	52				393	499

8.7 ANIMAL CONTROL

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

Item	Income/Issues 2020/2021		Income/Issues for March 2022		Income/Issues 2021/2022	
	No.	\$	No.	\$	No.	\$
Dogs Registered	4,240	100,776	27	894	4,216	108,096
Dogs Impounded	27	2,212	-	-	19	3,507
Euthanised	-	-	-	-	1	-
Re-claimed	24	-	-	-	17	-
Re-homed/Dogs Home	2	-	-	-	2	-
New Kennel Licences	16	1,152	2	144	12	864
Renewed Kennel Licences	72	3,168	-	-	83	3,652
Infringement Notices (paid in full)	36	6,785	-	-	20	3,792
Legal Action	-	-	-	-	-	-
Livestock Impounded	1	65	-	-	-	-
TOTAL		114,159		1,038		119,912

Analysis of kennel licences issued:

Number of licences issued - Year to date	Number of Dogs							
	3	4	5	6	7	8	9	10 or more
95	23	13	18	6	7	6	4	18

Registration Audit of the Municipality:

Ongoing.

Kennel Licences

2 kennel licences applied for.

Microchips:

0 dogs microchipped.

Infringements:

0 infringements issued.

Attacks:

0 attacks.

Impounded Dogs:

0 dog impounded: 0 reclaimed by owner, 0 surrendered.



8.8 ENVIRONMENTAL HEALTH SERVICES

Prepared by: Patricia Stanwell, Environmental Health Officer

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

Ensure safe standards of food offered for sale are maintained.

Investigations/ Inspections/ Licences Issued	2018/2019	Prior Years 2019/2020	2020/2021
Notifiable Diseases	5	1	0
Inspection of Food Premises	127	111	67
Place of Assembly Approvals			1

Actions	2021/2022											
	YTD	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
Routine Fixed Food Inspections	147/ 163	3	32	34	34	27	3	3	11			
Routine Mobile/Market stall Food Inspections	22	0	0	0	0	0	0	0	22			
Preliminary Site Visits – Licensed Premises	27	4	4	2	3	0	0	2	12			
On-site wastewater Assessments	12	3	4	2	2	0	0	0	1			
Complaints/Enquiries – All Types	98	8	8	4	6	3	4	40	25			
Place of Assembly approvals	7	0	1	0	2	1	0	0	3			
Notifiable Diseases	0	0	0	0	0	0	0	0	0			

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

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

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

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

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

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

The following is applicable regarding food business registrations:

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

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

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

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



8.9 CUSTOMER REQUEST RECEIPTS

Operational Area	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Animal Control	7	-	4	3	3	2	1	1	1			
Building & Planning	16	17	4	18	2	1	5	1	4			
Community Services	4	7	5	5	5	5	2	10	1			
Corporate Services	28	4	6	6	3	-	-		-			
Governance	9	-	-	-	1	1	-		-			
Waste	-	3	-	4	1	-	-	2	-			
Works	38	39	43	41	33	30	11	18	36			

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

Date	Recipient	Purpose	Amount \$
21-Jul-21	Reptile Rescue	Donation to service	\$1,000.00
28-Jul-21	Campbell Town District High School	Inspiring Positive Futures Program	\$7,272.73
28-Jul-21	Campbell Town District High School	Chaplaincy	\$1,363.64
28-Jul-21	Evandale Primary School	Chaplaincy	\$800.00
8-Sep-21	Cressy District High School	Inspiring Positive Futures Program	\$8,000.00
12-Oct-21	C'Town, Cressy, Evandale, Longford	End of Year School Prewsaentations 2021	\$450.00
20-Oct-21	Longford & Perth Fire Brigades	Christmas Lolly runs 2021	\$200.00
20-Oct-21	Campbell Town SES Highway Rescue	Wages and Plant hire	\$181.95
21-Oct-21	Celeste Nicholson (returned donation)	U12 Nth Tas Junior Soccer Assoc Oceania Cup NSW	-\$100.00
29-Sep-21	Connor Perri	Bursary Program 2020 - Instalment 2	\$1,000.00
18-Oct-21	Jemma Walters	Bursary Program 2020 - Instalment 2	\$1,000.00
27-Jan-22	Jonty Nicolson	Bursary Program 2021 - Instalment 1	\$1,000.00
11-Feb-22	Perth Little Athletics Club	Donation to trophy presentations	\$50.00
16-Feb-22	Kalani C Brain	Bursary Program 2022 - Instalment 1	\$1,000.00
22-Feb-22	Ellie-Mae Evans	Bursary Program 2020 - Instalment 2	\$1,000.00
2-Mar-22	Bree Lavelle	Bursary Program 2022 - Instalment 1	\$1,000.00
16-Feb-22	Helping Hand Association	Donation	\$1,500.00
16-Feb-22	Longford Care-a-car Committee	Donation	\$1,000.00
25-Mar-22	Lachlan Oliver	Junior Track Championships Brisbane 2022	\$100.00
		TOTAL	\$27,818.32

8.11 ACTION ITEMS: COUNCIL MINUTES

Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
21/02/2022	10.3	Inadequate Provisions in the Planning Scheme to Prevent the Creation of Lots Less than 450 Square Metres	Awaiting external response	That Council seek legal advice regarding: a) The strength of the performance criteria under the State Planning Provisions for preventing the approval of lots less than 450m ² . b) The strength of the proposed performance criteria in the draft Northern Midlands Local Provisions Schedule for preventing approval of lots less than 600m ² .	Paul Godier	3/03/2022 Senior Planner - Legal advice requested on 3 March 2022. 4/04/2022 Senior Planner - Lawyer advised 10 March 2022 had received request and working on response.
13/12/2021	9.1	Local Roads and Community Infrastructure Program Phase Three Funding	Awaiting internal response	i) Council nominates the following projects for funding through Phase Three of the Local Roads and Community Infrastructure Program: - Perth Early Learning Centre: \$931,333 - - Cressy Pool concourse and carpark: \$400,000 - Cressy Recreation Ground BBQ and carpark: \$100,000 - Pioneer Park, Evandale, playground upgrade: \$100,000 ii) considers alternative projects to nominate for funding through Phase Three of the Local Roads and Community Infrastructure Program.	Lorraine Green	21/12/2021 Project Officer - The four projects to date submitted by Council have been approved and placed on the Work Schedule. Further project(s) will be submitted once Council has selected such.
	1.1	17/02/2020 - 039/20 -	In progress	Committee Recommendation That the Bartholomew Park sign be removed from the	Amanda Bond	8/10/2021 System Support - Committee has chosen sign design. Seeking advice



Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
		Bartholomew Park Sign		top of the history board and a new sign (redesign) be installed at the corner of the park facing Main and Church Streets. RESOLUTION That Council officers investigate and design a new park sign and explanation plinth (providing background on the park name) to be located at the corner of Main and Church Streets, Cressy near the trout sculpture, and it be brought back to the Committee for comment.		on planning approval requirements. Once advice received will progress. 9/11/2021 Executive Assistant - Planning application submitted. 3/12/2021 Executive Officer - Awaiting planning approval 12/01/2022 Executive Officer - Planning approval received, awaiting production. 8/02/2022 Executive Officer - Signs produced, to be collected and installed. 23/03/2022 Executive Officer - Signs collected awaiting installation.
	1.4	17/09/2021 - 289/21 - LGAT Motions	In progress	That Council A) submit two motions to the next LGAT General Meeting on the lack of response provided by the following government agencies: Environment Protection Agency, and Department of State Growth.	Amanda Bond	29/09/2021 System Support - Motions to be prepared and workshopped. 25/01/2022 Executive Assistant - Advice sought.
15/11/2021	9.4	Community Action Plan	In progress	Please action as per resolution. That Council accepts the opportunity to receive a \$5,000 grant and develop a Community Action Plan on Suicide Prevention for the Northern Midlands with the focus of the plan to be to offer Mental Health First Aid training to members of Council staff and members of the Northern Midlands municipality.	Amanda Bond	7/12/2021 Executive Officer - Meeting with Relationships Australia representative on 9/12/2021 13/01/2022 Executive Officer - Officers to compile list of relevant community members / groups to work on the plan. 8/03/2022 Executive Officer - Relationships Australia, Tasmania representative to present to Northern Midlands Interagency Meeting (meeting of local service providers, particularly in the health space) and seek input for development of plan.
21/02/2022	9.1	Proposed Acquisition of Land: Macquarie Street, Cressy	In progress	That Council accepts the offer and progress the acquisition of the land in question.	Amanda Bond	8/03/2022 Executive Officer - Property owner notified. Council staff preparing layout plan for Development Application.
	1.1	21/10/2019 - 313/19 - Macquarie River	In progress	Committee Recommendation The Ross Local District Committee requests that the Northern Midlands Council progress the dual naming of the Macquarie River to Tinamirakuna which includes community consultation and investigation. RESOLUTION That Council support the proposal and progress the request.	Amanda Bond, Gail Eacher	8/10/2021 System Support - Information provided to DPIPW, awaiting decision. 7/12/2021 Executive Assistant - The proposals went to the Place Names Advisory Panel on 2/12/21, recommendations are being prepared for the Minister.
21/02/2022	9.5	Swimming Pool Operations: 2021-2022 Season	In progress	That Council receive this report and that at the conclusion of the season a report be presented to Council, inclusive of the full data from the season, as well as information relating to finances, visitation and volunteer hours; feasibility of Council provision of and paying for training, multi-skilling/diversification of Council staff roles to take on lifeguarding duties during the season.	Des Jennings	15/03/2022 Executive Assistant - Report to be prepared.
	1.3	16/03/2020 - Deferred Item - GOV8 Overhanging Trees/Hedges: Evandale	In progress	Deferred to provide opportunity for the community to attend.	Des Jennings, Gail Eacher	29/09/2021 System Support - No further action to be taken at this time. To be workshopped and report to be relisted. Discussion held with property owner, formal advice requested. Correspondence to be forwarded to property owner. 25/01/2022 Executive Assistant - Correspondence forwarded to property owner, awaiting response. 14/02/2022 Executive Assistant - Letter received from property owner. Draft response to queries raised prepared. 1/04/2022 Executive Assistant - Letter sent to property owner, response awaited.
	1.14	18/09/2017 -	In progress	That Council, ...and ii) progress the following	Gail	29/09/2021 System Support - Historic



Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
		279/17 - Historical Records and Recognition: Service of Councillors		when the glass enclosed area at the front of the Council Chambers is nearing completion: Photograph/photographs of current Councillors - professional printing and framing; Archiving of historic photographs; Production of a photo book of historic photographs for display.	Eacher	photos to be catalogued and collated. 5/10/2021 Executive Assistant - Framed photographs installed - action complete. Resources not available to undertake archiving of historic photographs and production of photo book. Additional resource to be sought. 6/12/2021 Executive Assistant - Cataloguing and collation of historical photographs has commenced.
13/12/2021	12.1	Traffic Concerns: Intersection - Wellington and Marlborough Streets, Longford	In progress	That Council i) receive JMG Engineers and Planners report titled Wellington - Marlborough Street Longford Intersection Options dated 29 November 2021; and ii) endorse the 29 November 2021 JMG Engineers and Planners proposal Appendix B, concept design 1, to install Outstands and Concrete Planters to protect pedestrians and building from damage; and iii) continue to seek other measures to remediate the dangers posed by the intersection.	Jonathan Galbraith, Leigh McCullagh	20/01/2022 Engineering Officer - Revised design plan has been sent to DSG for approval. Contractor to be engaged to carry out works once approval is received 14/02/2022 Engineering Officer - Design proposing installation of concrete bollards has been submitted to DSG for approval awaiting response 8/03/2022 Engineering Officer - Currently seeking prices to carry out works 1/04/2022 Engineering Officer - Planning Application has been submitted for these works. Contractor has been engaged to carry out works once planning approval is received.
13/12/2021	7.1.3	Marlborough Street Traffic Islands	In progress	Please action as per resolution. 7.4 Marlborough Street Traffic Islands: Traffic islands along Marlborough St need be made more visible for safety reasons, as there is fading of the edges around them. Maybe more visible with a coat of paint. (Please see attached photos). Officer Comment: Customer request to be generated and request forwarded to Dept of State Growth. Officer Recommendation: That Council note the recommendation.	Lorraine Wyatt	14/02/2022 Executive & Communications Officer - Request sent to DSG on 25/1/22. Response awaited.
21/02/2022	12.1	Bridge Across Liffey River to former Baptist Church Grounds	In progress	That Council ... b) notify the State Government that the maintenance grant for Bridge 9997 is no longer required; ...	Maree Bricknell	15/03/2022 Executive Assistant - Awaiting agreement from property owner prior to action.
	1.15	18/05/2020 - 146/20 - Northern Midlands Youth Voice Forum	In progress	That Council endorse the progression of the Northern Midlands Youth Voice Forum.	Natalie Dell	29/09/2021 System Support - To be investigated and progressed.
18/10/2021	5.3.1	Naming of the Perth Dog Park	In progress	Please action as per resolution. That the Perth Dog Park be named the Perth Bicentenary Dog Park.	Natalie Horne	8/11/2021 Administration / Records Management Officer - Submitted request to Place names Tasmania, waiting on confirmation 2/12/2021 Administration / Records Management Officer - Request has been advertised, waiting on any objections then approval from nomenclature board
	1.11	17/09/2018 - 258/18 - Initiation of Draft Planning Scheme Amendment 04/2018 include Flood Risk Mapping in the Planning Scheme for Land along Sheepwash Creek from Arthur Street to Cemetery Road, Perth	In progress	That Council, acting as the Planning Authority, pursuant to section 34 of the former provisions of the Land Use Planning and Approvals Act 1993 resolve to initiate draft Planning Scheme Amendment 04/2018 to the Northern Midlands Interim Planning Scheme 2013 to include the flood risk mapping for land zoned General Residential and Future Residential, based on the mapping shown in the attachment, in the planning scheme maps.	Paul Godier	29/09/2021 System Support - Consultant is validating the modelling. 24/01/2022 Senior Planner - Consultant provided updated modelling on 10 January 2022. 3/03/2022 Senior Planner - Given that the draft Local Provisions Schedule hearing are expected to be held in July 2022, it is recommended that quotes be sought to prepare a scheme amendment to include the flood mapping once the Local Provisions Schedules are in effect. It is noted that the Flood Prone Areas Code currently applies to land mapped



Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
						as flood risk on the planning scheme maps, or even if not mapped, if it is potentially subject to flooding at 1% annual exceedance probability.
21/02/2022	10.4	Inadequate Provision in the Planning Scheme to Cater for Itinerant Worker Accommodation with Appropriate Amenities and in Accordance with Federal Government Requirements	In progress	That Council 1) identify seasonal worker accommodation as an issue for the review of the State Planning Provisions; and 2) submit a Proposal for Change to the National Construction Code to require appropriate living conditions in accordance with modern expectations.	Paul Godier	3/03/2022 Senior Planner - 1. Awaiting advice of review of State Planning Provisions. 2. Preparing a Proposal for Change to the National Construction Code. Identifying who can undertake queuing modelling to support a recommended number of toilets and showers per person. 4/04/2022 Senior Planner - Tasmanian State Planning Office advised on 4 April 2022 of Local Government Engagement Timeline.
31/01/2022	10.2	Municipal Boundary Adjustment: 101 Pateena Road	In progress	That Council resolve to request the Director of Local Government in accordance with Section 16 (4A) of the Local Government Act 1993 to initiate a minor municipal boundary adjustment for 101 Pateena Road to be entirely in the Municipality of Meander Valley.	Paul Godier	8/02/2022 Senior Planner - Have requested the Spatial Information Specialist at the Department of Natural Resources and Environment to prepare the required maps. 3/03/2022 Senior Planner - Spatial Information Specialist provided map on 17 February 2022. Meander Valley Council to consider the request for municipal boundary adjustment at its meeting of 8 March 2022. 25/03/2022 Executive Assistant - 8/3/2022 Meander Valley Council agreed to adjustment. Request sent to LG Division 18/3/2022.
	1.1	17/05/2021 - 180/21 - Restrictions on Keeping Roosters	On hold	That Council consider restricting the keeping of roosters in urban areas, and consider the need for a by-law with penalties for offences and non-compliance.	Maria Ortiz Rodriguez	29/09/2021 System Support - Report to future Council Meeting. 8/11/2021 Executive Assistant - Matter to be referred to future Council workshop for further advice.

COMPLETED

Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
21/03/2022	9.4	Australian Local Government Association (ALGA): Submission of Motions	Completed	Council endorses the following motions to be presented to the Australian Local Government Association National General Assembly in June 2022: A) This National General Assembly calls on the Australian Government to consider the provision of an annual budget allocation to Local Government to contribute to modelling and mitigation works to reduce the risk of flood or other natural disasters. AND B) This National General Assembly calls on the Australian Government to investigate a nationwide database of benchmarking projects for local government, where information can be stored and shared among local government organisations.	Amanda Bond	23/03/2022 Executive Officer - Motions submitted 22/03/2022
21/03/2022	12.1	Public Questions	Completed	Written response to be provided to Dr Bolton.	Amanda Bond	30/03/2022 Executive Officer - Written response provided on 23 March 2022.
21/02/2022	9.2	Proposal to Establish Longford Town Hall Management Committee: Special Committee of Council	Completed	That Council establishes the Longford Town Hall Management Committee as a special committee of Council in accordance with section 24 of the Local Government Act 1993, in accordance with the attached Management Agreement; and appoints Cr Goss as Council's Representative to the Committee.	Amanda Bond, Gail Eachus	2/03/2022 Executive Officer - Letter sent to Ms Alty confirming requirements of Committee and enclosing Agreement for signing. Ms Alty to schedule first meeting to appoint committee and office bearers. 25/03/2022 Executive Assistant - Special Committee appointed.



Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
	1.5	16/08/2021 - 328/21 - Ross Swimming Pool	Completed	That Council procure a health and safety report (existing or newly commissioned report) to ascertain whether the Ross pool is safe to be used.	Des Jennings, Gail Eachner	29/09/2021 System Support - Report to be presented to October Council Meeting. 8/10/2021 Executive Assistant - Report to 18 October 2021 Council meeting.
31/01/2022	9.7	Mobile Blackspot Project - Funding Request	Completed	That Council agree to provide funding to Telstra for the Northern Midlands Business Association (NMBA) Mobile Black Spot Project to an amount no greater than 5% (to a maximum of \$200,000) for the 3 sites.	Des Jennings, Maree Bricknell	11/02/2022 Corporate Services Manager - Letter sent advising Council's agreed contribution of 5% up to \$200,000 incl GST 25/03/2022 Executive Assistant - Advice sent.
21/02/2022	11.3	Town Promotion Videos	Completed	That Council do not provide the additional funding at this time.	Fiona Dewar, Maree Bricknell	3/03/2022 Tourism & Events Officer - Decision noted
21/02/2022	7.2.5	6 New Business - Acknowledgement of Country & Reconciliation Plan	Completed	6 New Business - Acknowledgement of Country & Reconciliation Plan: ... That PLDC ask Council if the NMC has a Reconciliation Plan. ... 2. the advice in relation to the Reconciliation Plan be provided to the Committee .	Gail Eachner	3/03/2022 Executive Assistant - Advice included in 1/3/2022 Committee agenda.
21/03/2022	9.1	Policy Review - Welcome to Country and Acknowledgement of Country	Completed	That Council adopts the updated Welcome to Country and Acknowledgement of Country Policy.	Gail Eachner	1/04/2022 Executive Assistant - Policy update completed 28 March 2022.
	1.3	28/06/2021 - 207/21 - Rail Crossing	Completed	Committee Recommendation The Ross Local District Committee requests that NMC contact TasRail to determine the extent of Tas Rail ownership of the Badajos Street rail crossing, for the purpose of future widening of the road to ensure the safety of road users. RESOLUTION That Council note the information and request Council Officers action the request.	Jonathan Galbraith	8/10/2021 System Support - Email sent to Tas Rail on 9 August 2021. 8/11/2021 Executive & Communications Officer - TasRail provided advice, advised that Jonathan Galbraith is TasRail's key contact at NMC for matters associated with rail crossings, as per the Safety Interface Agreement between NMC and TasRail. Jonathan to further investigate. 8/11/2021 Engineering Officer - For any major works within the rail corridor (between the two property boundaries) we would need to talk to Tasrail first and get their permission. At this location it is about 9m either side of the rail line. We can do minor works (usually only maintenance) up to 3m from the rail line but once we get past that we need to have Tasrail staff on site while we're working and this can be a fairly difficult and expensive process to coordinate. 6/12/2021 Executive Assistant - Early in 2022 Council Officer to arrange site meeting with TasRail and RLDC representative. 20/01/2022 Engineering Officer - Council Officer met with representative of Ross Local District Committee, agreed that this issue can be addressed with signage. Sign has been ordered and will be installed once received. 14/02/2022 Engineering Officer - Sign has been ordered and delivered to Council to be installed when staff availability permits 1/04/2022 Engineering Officer - Signs have now been installed by Council staff
21/02/2022	12.2	Kerbside Organics Collection	Completed	That the matter be deferred subject to a further report, provision of a business case and limited town survey.	Jonathan Galbraith	8/03/2022 Engineering Officer - To be considered at a future Council meeting following a further review of the business case 1/04/2022 Engineering Officer - A further report has been prepared for the April Council meeting.



Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
21/02/2022	12.3	Request from the Department of State Growth: Speed Limit Reduction - High Street Evandale	Completed	That Council advise the Department of State Growth that they give in-principle support for this speed limit change subject to them doing further community consultation including with the Evandale Advisory Committee.	Jonathan Galbraith	8/03/2022 Engineering Officer - State Growth has been advised of Council's decision and the Evandale District Committee has been requested to provide feedback 1/04/2022 Engineering Officer - The Department of State Growth has been advised that Council agree to the speed limit change. The Evandale District committee have been contacted and asked to provide comment but no comments have been received.
	1.7	15/02/2021 - 059/21 - Traffic Concerns: Wellington & Marlborough Streets Intersection at Longford	Completed	That Council vigorously pursue Option 4 and the possibility of raised intersection treatment or roundabout with the Department of State Growth; and that barrier protection be installed as required to protect pedestrians and the adjacent heritage properties (on both sides of the road).	Leigh McCullagh	29/09/2021 System Support - Discussed at Workshop. Further options to be investigated. 8/10/2021 Executive Assistant - Further report from Traffic Engineer re alternate solutions awaited. 8/11/2021 Executive Assistant - Traffic Engineer scheduled to attend 29 November Councillor workshop. 6/12/2021 Executive Assistant - Report to December Council meeting.
21/03/2022	9.2	Grant Funding: Queen's Jubilee Tree Planting	Completed	That Council apply for funding through the Planting Trees for the Queen's Jubilee Grants Program to plant commemorative trees at Longford Village Green, Pioneer Park Evandale, Cressy Park, Perth Train Park, Valentine Park Campbell Town, Ross Village Green and Boucher Park Avoca.	Lorraine Green	28/03/2022 Project Officer - Grant application could not be lodged as the link on the MPs website was not active. Contact with the MPs office found that the closing date for applications stated on the website (25 March 2022) was incorrect, and the applications had closed the previous week (18 March 2022). Advised it wasn't possible to submit a 'late' application.
13/12/2021	9.3	Morven Park Ground Drainage Project: Grant Application	Completed	Please action as per resolution. MINUTE NO. 21/483 DECISION Deputy Mayor Goss/Cr Goninon That i) Council approve the allocation of \$29,240.10 (GST inclusive) in the 2022-2023 Council budget towards the Morven Park Ground Drainage Project, and ii) if the Improving the Playing Field funding is approved, Council requests a comprehensive review of the project costs before the grant agreement is signed, in order to ensure the project can be achieved within the budgeted \$274,934. Carried Unanimously	Lorraine Green	20/12/2021 Project Officer - Grant application submitted and outcome awaited 25/03/2022 Executive Assistant - Grant application unsuccessful.
21/03/2022	7.1.3	Danger to Cyclists & Pedestrians on South Esk River Vehicular Bridges	Completed	Longford LDC - Danger to Cyclists & Pedestrians on South Esk River Vehicular Bridges: LLDC requests NMC seek funding in next election for a joint pathway over the South Esk river. This means cyclists will not have to use the current road bridge which has no dedicated bike line and is inherently dangerous. Pedestrians would also be able to access any such bridge. DECISION That Council note the request.	Lorraine Wyatt	24/03/2022 Executive & Communications Officer - Committee advised by email 23 March 2022
31/01/2022	7.1.2	Signage	Completed	Campbell Town District Forum -Signage, Entrance Statement & Banners That ii) status update on these matters be provided to the Committee.	Lorraine Wyatt	14/02/2022 Executive & Communications Officer - Chair to be advised prior to next meeting. 4/03/2022 Executive Assistant - Construction in progress. 24/03/2022 Executive & Communications Officer - Full Committee advised of construction status at meeting held 16 March 2022.
21/02/2022	11.2	2022/2023 Municipal Budget	Completed	That Council adhere to its previously adopted Budget process as detailed above, and endorse the 2022/2023 Draft Budget parameters.	Maree Bricknell	15/03/2022 Executive Assistant - Draft budget to be prepared in line with approved parameters.



Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
21/02/2022	11.4	Audit Committee	Completed	That Council 1) endorse the changes to the Audit Committee Policy 2) re-appoint the following members to the Northern Midlands Council Audit Committee for a term until the next Council election: Synectic Accounting Ben Coull (Independent Chair), Ms Carol Scholes-Robinson (Independent member), and Councillors Adams and Goninon.	Maree Bricknell	3/03/2022 Executive Assistant - Policy manual updated. 4/04/2022 Executive Assistant - Committee reappointed.
21/02/2022	15.5	Report on Representations to Draft Local Provisions Schedule	Completed	That the matter be deferred to the next Council meeting to seek clarification on the process if Council agrees with a representation - will Council be directed to re-exhibit the whole draft LPS, part of the draft LPS relevant to the representation, or to prepare an amendment once the scheme is in force.	Paul Godier	3/03/2022 Senior Planner - Draft Local Provisions Schedule and advice on process to be presented to Council meeting of 21 March 2022. 25/03/2022 Executive Assistant - Report presented.
21/03/2022	7.1.2	Vulnerable People's Register	Completed	Longford LDC - Vulnerable People Register - That NMC ask the State government to establish a vulnerable people's register. DECISION: That the matter be investigated prior to a further report to Council.	Lorraine Wyatt	31/03/2022 Executive & Communications Officer - Research being undertaken before being returning item to Council. 5/04/2022 Report to Council.
21/03/2022	9.5	Consultation on New Aboriginal Cultural Heritage Legislation	Completed	That Council note this report and prepare a submission.	Lorraine Wyatt	24/03/2022 Executive & Communications Officer - Commenced research in preparation of compiling an Agenda item for presentation to Council. 31/03/2022 Executive & Communications Officer - Documentation prepared and submitted.
21/03/2022	9.3	Northern Midlands Council Local Recycling Committee: extension of 2020-2022 term to 30 June 2023	Completed	That Council endorse the extension of the 2020-2022 term of membership of Northern Midlands Council Local Recycling Committee by 12 months to 30 June 2023.	Jonathan Galbraith	1/04/2022 Engineering Officer - Committee members to be informed at the April meeting that their term has been extended for a further 12 months.
13/12/2021	9.2	Longford Memorial Hall Community Consultation	Completed	That Council progresses with option 1, reviews the external building materials and makes development application upon redesign.	Lorraine Green, Trent Atkinson	20/12/2021 Project Officer - Council's Project Manager to submit the development application once the design is revised as requested.

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

Resource Sharing Summary 1/7/21 to 30/6/22 As at 31/03/22	Units Billed	Amount Billed GST Exclusive \$
Meander Valley Council		
Service Provided by NMC to MVC		
Street Sweeping Plant Operator Wages and Oncosts	186.00	9,954.00
Street Sweeper - Plant Hire Hours	186.00	16,863.70
Total Services Provided by NMC to Meander Valley Council		26,817.70
Service Provided by Meander Valley Council to NMC		
Wages and Oncosts		
Plumbing Inspector Services	457.20	34,689.45
Engineering Services	-	-
Total Service Provided by MVC to NMC		34,689.45
Net Income Flow		- 7,871.75
Total Net		- 7,871.75
Private Works and Council Funded Works for External Organisations	Hours	



Works Department Private Works Carried Out

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8.13 VANDALISM

Prepared by: Jonathan Galbraith, Engineering Officer

Incident	Location	Estimated Cost of Damages			
		March 2022	Total 2021/22	March 2021	Total 2020/21
Graffiti at new toilet, War Memorial Oval	Campbell Town	\$1500			
Planks removed from tables at skate park	Longford	\$500			
TOTAL COST VANDALISM		\$2000	\$9400	\$200	\$10,200

8.14 YOUTH PROGRAM UPDATE

Prepared by: Natalie Dell, Youth Officer

PCYC Program

Council fund PCYC activities in the Northern Midlands. The program is currently being facilitated in Perth on Thursdays during school terms. 31 March. Attendance numbers for the Perth program in March as follows:

	Date of Session	Attendance	Comment
Perth			
	3-Mar	8	
	10-Mar	7	
	17-Mar	11	
	24-Mar	11	
	31-Mar	0	Session cancelled, an instructor wasn't available

Free2B Girls Program

The Free2B Girls program is funded by Tasmania Community Fund and is held Longford and Campbell Town, the program is set to recommence in Term 2.

Northern Midlands Active Youth Program

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

Session Venue	Date of Session	Attendance	Comment
Campbell Town			
	1-Mar	13	
	8-Mar	14	
	15-Mar	0	Session cancelled, instructor ill
	22-Mar	0	Rain
	29-Mar	25	
Cressy			
	3-Mar	27	
	10-Mar	25	
	17-Mar	29	
	24-Mar	17	Swimming carnival affected numbers
	31-Mar	TBA	

Meetings

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



8.15 STRATEGIC PLANS UPDATE

Prepared by: Lorraine Green, Project Officer

CURRENT AS OF 28 MARCH 2022

Progress Report:

Not Started (obstacles)

On Hold

On Track

Completed

Strategic Plans	Dept.	Status	Current Status
Lead: Serve with honesty, integrity, innovation and pride			
Annual Budget and Quarterly Reviews	Corp		Long Term Financial Plan updated and annual budget adopted at 28 June 2021 meeting.
Asset Management Plan Annual Review	Corp		Road and Building revaluation adopted 2019/2020. Asset Management Plan review complete for Roads and Buildings adopted by Council, September 2021. Land and Stormwater revaluations adopted 2020/2021.
Best Business Practice, Governance & Compliance	Gov		Legislative Audit, Delegations Review and Policy Manual update ongoing.
Customer Service Standards	Corp		Risk Management Policy reviewed July 2021 and Risk Register review scheduled December 2022.
Elected Members Development & Annual Plans	Gov		Policy and Annual Plan to be prepared.
Emergency Management	Corp		Municipal emergency meetings held and regularly attended regional meetings during COVID-19 via zoom. Updated Emergency Recovery Plan adopted May 2017 by Council. Revision of Emergency Management Plan adopted by Council 16 November 2020.
Information Technology Upgrade Program	Corp		Council decided to upgrade Open Office Enterprise Suite during 2021/2022 and keep a watching brief on northern shared services project.
Local Government Reform	Gov		Completed – Legal Services project. In progress – Joint IT platform review. Future of Local Government in Tasmania – in preparation for the review (commencing January 2022) the Government will work with LGAT and relevant experts to: develop detailed Terms of Reference for review; identify and appoint the Local Government Board in accordance with the Act; and develop an engagement and communications plan to ensure that key stakeholders and the community are kept informed about and participate in the review. Position paper to be developed for public consultancy process.
People & Culture Plan	Gov		Framework utilised for recruitment is best practice. Employee Satisfaction Survey – department summaries to be distributed during March. COVID-19 Vaccination Mandate – consultation process commenced on 22/2/22 and concludes on 11/3/22 for staff and 18/3/22 for volunteers. Wage subsidy for apprentice wages claimed quarterly.
Workplace Health & Safety Action Plan Annual Review	Corp		WHS audit assessment reviewed ongoing basis.
Progress: Economic health and wealth – grow and prosper			
Feasibility Study: Investment in Ben Lomond Ski Field Northern Tasmania	Gov		Study being driven by external stakeholders, Council support provided when requested. Included in NMC Priority Projects document. Government has committed to infrastructure expenditure and development of a master plan.
Campbell Town CBD Urban Design & Traffic Management Strategy	Gov		Construction of midland highway underpass at Campbell Town commenced. Building Better Regions Fund application submitted for funding towards implementation of Stage 1 of the Urban Design Strategy. Outcome awaited.
Campbell Town (King Street) Short Term Accommodation Master Plan & Business Case	Gov		Business plan to be developed.
Campbell Town – Town Hall Sale/Lease	Gov		Sale/lease to be advertised.
Economic Development Master Plan Strategy Delivery	Gov		Economic development framework adopted by Council at May 2020 meeting. Implementation underway.
Tourism Strategy Implementation	Corp		Augmented Reality Project – Ross experience being trialled. Northern Midlands Business and Volunteer Expo – postponed due to pandemic. REASSIGN project – site work plans being finalised. Development of stage 1 implementation plan underway.
Lake Leake Amenities Upgrade Project	Gov		Recreational Fishing and Camping Facilities Program grant secured towards the upgrading of the toilet and shower facilities. Plans prepared.
Tooms Lake Camping Area Infrastructure Upgrade Project	Gov		Funding secured through the Recreational Fishing and Camping Facilities Program for the upgrade of camping area infrastructure. Planning underway.
Longford Motor Sport Museum	Gov		Alternative sites for museum being sought.
Longford Racecourse Master Plan & Area Review	Gov		Draft master plan being progressed. Community and industry consultation phase completed.
Longford CBD Urban Design Strategy	Gov		Commitment of \$4m from National Party prior to federal election. Consultation



Strategic Plans	Dept.	Status	Current Status
			completed for memorial hall upgrade.
Stormwater Management Plans	Works		Model build for all Towns in progress, nearing completion.
<i>Municipal Subdivisions Infrastructure Upgrade Program (including Ridgeside Lane)</i>	C&D		Council to identify opportunities to provide infrastructure and secure funding.
Nile Road Upgrade	Works		Included in NMC Priority Projects document.
<i>Perth Early Learning Centre</i>	Gov		On site works commenced week of Feb 23rd 2022.
<i>Perth Sports Precinct Concept Master Plan</i>	Gov		Concept master plan developed October 2020. Included in NMC Priority Projects document.
Perth Town Structure Plan	C&D		Council has endorsed the plan and draft amendments to planning scheme to be prepared.
<i>TRANSLink Precinct Renewal - Stormwater</i>	Gov		Seeking grant assistance to fund planned works. Included in NMC Priority Projects document.
<i>Underground Power – Evandale, Longford & Perth</i>	Works		Identified as an election opportunity and awaiting funding streams to come available.
People: Cultural and society – a vibrant future that respects the past			
Cohesive Communities & Communities at Risk Plan	Gov		Not yet commenced.
Discrimination Strategy	Gov		Officers investigating development of strategy.
Family Violence Strategy	Gov		Council continues to support <i>End Men's Violence Against Women</i> campaign. Officers investigating development of strategy.
Longford Road Safety Park	Works		Funding agreement finalised and design completed. Community consultation planned.
<i>Municipal Shared Pathways Program (including pathways within & between towns)</i>	Gov		Committee established and program to be prepared.
Northern Midlands Community House	Gov		Possible site identified. Seeking State and Federal Election funding support.
Ross Recreation Ground Master Plan	Gov		Development of Master Plan underway. October 2021: application submitted for Improving the Playing Field Grant to assist with the cost of constructing inclusive changerooms – outcome unsuccessful.
Supporting Employment Programs	Gov		Participating in LGAT special interest groups on a quarterly basis. Support Inspiring Futures program. Host work experience and UTAS placements.
Supporting Health & Education Programs	Gov		Participating in the Northern Health Providers Networks meetings. Further Education Bursary Program finalised for 2021.
Supporting Sport & Recreation Programs	Gov		Quarterly meeting held with Sport and Recreation Dept consultant. Planning and implementation of upgrade to Council owned sporting facilities underway. Support provided to participants in sporting activities on a state and national level. Development of Northern Tasmania Sports Facility Plan underway.
<i>Covering of Campbell Town & Cressy Swimming Pools</i>	Gov		Included in NMC Priority Projects document.
<i>Ross Swimming Pool</i>	Gov		Pool operation continued (as per the current funding model) whilst structurally/operationally safe to do so.
Youth and Ageing Strategy	Gov		Youth programs and services being pursued. Grant funding received for 2020 programs. Programs recommenced October 2020. New Youth Officer commenced 1 March 2022.
Implementation of Final Stages			
• <i>Campbell Town War Memorial Oval Precinct Development Plan</i>	Gov		New public toilet facility, irrigation system and tennis hit-up walls completed. November 2021: AFL Tas funding (\$20,000) secured towards the oval irrigation upgrade.
• <i>Cressy Recreation Ground Master Plan</i>	Gov		Council accepted Cressy Recreation Ground 2030 Master Plan at April 2018 Council meeting. Levelling the Playing Field funding received – building work completed – final report and acquittal being prepared. BBQ facility & landscaping to be funded through Local Roads and Community Infrastructure grant. .
• <i>Cressy Swimming Pool Master Plan</i>	Gov		State election funding grant of \$100,000 received. \$400,000 commitment from National Party prior to federal election. Grant acquittals submitted Works substantially completed, concourse and carpark to be completed 2021/2022 - 2022/2023.
• <i>Evandale Morven Park Master Plan</i>	Gov		Works substantially completed: grant acquittal report submitted. Relocation of cricket nets underway.
• <i>Northern Midlands Community Sports Centre</i>	Gov		First floor fit-out to be progressed in 2021/2022. Internal and external stairs completed.
Place: Nurture our heritage environment			
<i>Conara Park Upgrade</i>	Gov		Concept prepared: awaiting funding opportunities.
<i>Cressy Park Redevelopment</i>	Gov		Liaising with Local District Committee to establish/prepare plans for upgrade.
Honeysuckle Banks, Evandale, Master Plan	Works		Included in NMC Priority Projects document. To be progressed as RV site all year round.
Land Use & Development Strategy (includes Rural Processing Centre)	C&D		Endorsed 21 October 2019.
Launceston Gateway Precinct Master Planning	Gov		Listed as a component of the Municipal Land Use and Development Strategy.
Longford Expansion Strategy	C&D		Underway: consultation currently being undertaken.
<i>Municipal Tree Planting Program</i>			Annual program being implemented.
Natural Resource Management Program	Gov		Collaborating with NRM North on the WSUD Master Plan for Sheepwash Creek and



Strategic Plans	Dept.	Status	Current Status
Collaboration			Climate Change Strategy/Action Plan.
North Perth Low Density Land Strategy	C&D		Superseded by Local Provisions Schedule. Representation in support of LPS provided by consultant.
Sense of Place Planning – All Villages & Towns	Gov		Master planning for townships underway.
Sheepwash Creek WSUD Open Space Corridor & Associated Open Space Plan	Gov		Grants to be sought for major new/improved infrastructure.
South Esk River Parklands Master Plan	Gov		Building Better Regions Fund grant secured towards the extension of the walkway and installation of footbridge. Grant Agreement executed Feb 2022.
Tasmanian Planning Scheme Integration	C&D		Local Provisions Schedule to TPS exhibited to December 2021. Report on representations to February 2022 Council meeting before being provided to TPC.
Waste Management	Works		Member of the Northern Waste Management Committee. WTS improvements to be programmed for 2021/2022.
Weed Managements Strategy & Action Plan – Council Assets	Works		2021/22 Budget allocation provided for weed officer/strategy.

**Items included in Integrated Priority Projects Plan*

Completed:

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

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

Prepared by: Fiona Dewar, Tourism Officer

Tourism update:

- Events:
 - o Assist local event organisers to fulfil Council compliance requirements.
 - o Coordinate event equipment for event organisers.
 - o Keep event list updated and distribute. Update NMC website calendar.
 - o Liaise with event organisers re planning and funding.
- Source brochures for the local Northern Midlands visitor centres.
- Liaise with representatives of signage projects: Avoca, Bishopsbourne, Evandale.
- Facilitate meeting of the Northern Midlands Visitor Information Centres on 29 March 2022.
- Longford Legends round of inductions completed and launched with a function on 14 March 2022.
- Represent Council with attendance at Exhibition Launch at Ross.

HHTRA update:

- Meeting held via zoom on 24 March 2022.
- Current marketing activities continue and include website blog posts and social media.



RECOMMENDATION

That Council acknowledge receipt of the non-compliant petition presented to Council by Ms Toni Burton on 28 March 2022, the petition is relative to a the exhibition of Planning Application PLN 21-0339 - 26-28 Charles Street, Cressy: (CT 132715/1) - Change of use to communal residence (accommodation for 20 seasonal workers)

RECOMMENDATION

That the Open Council Information items be received.



9 GOVERNANCE REPORTS

9.1 LOCAL ROADS AND COMMUNITY INFRASTRUCTURE PROGRAM PHASE THREE PROJECTS

Responsible Officer: Des Jennings, General Manager

Report prepared by: Lorraine Green, Project Officer

1 PURPOSE OF REPORT

The purpose of this report is to seek a decision from Council with regard to nomination of projects for funding via the remaining unallocated funding Council received through Phase Three of the Local Roads and Community Infrastructure Program.

2 INTRODUCTION/BACKGROUND

The objective of the Local Roads and Community Infrastructure (LRCI) Program is to maintain and create jobs by stimulating additional infrastructure activity in communities across Australia. The intended outcomes of the LRCI Program are to:

- Provide stimulus to protect and create local short-term employment opportunities through funding construction projects to help communities bounce back from the COVID-19 pandemic; and
- Deliver benefits to communities through projects that involve the construction, maintenance and/or improvements to council-owned assets (including natural assets) that are generally accessible to the public.

It is expected councils will use local businesses and workforces to deliver projects wherever possible to ensure stimulus funding flows into local communities.

Council received an allocation of \$1,921,874 through Phase Three of the LRCI Program. Council has to nominate projects for approval by the Department of Infrastructure, Transport, Regional Development and Communications prior to being able to commence the construction period. All approved projects must be completed by 30 June 2023.

Council resolved at the 13 December 2021 Council Meeting to nominate an initial four projects for approval:

- | | |
|---|------------|
| • Perth Early Learning Centre: | \$ 931,333 |
| • Cressy Pool concourse and carpark: | \$ 400,000 |
| • Cressy Recreation Ground BBQ and carpark: | \$ 100,000 |
| • Pioneer Park, Evandale, playground upgrade: | \$ 100,000 |

Council resolved to consider further projects to nominate for the remaining \$390,541 of the Phase Three LRCI Program funding allocation.

Council's Project Manager has been reviewing the costings for the Perth Early Learning Centre and Cressy Pool Upgrade Projects and recommends that Council seek to increase the allocation to these two projects to \$1,121,874 and \$600,000 respectively.

3 STRATEGIC PLAN 2021-2027

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

Lead: Serve with honesty, integrity, innovation and pride

Leaders with Impact

Strategic outcomes:

1.3 Management is efficient, proactive and responsible

1.4 Improve community assets responsibly and sustainably



Progress: Economic health and wealth - grow and prosper

Strategic Project Delivery - Build Capacity for a Healthy Wealthy Future

Strategic outcomes:

2.1 Strategic, sustainable, infrastructure is progressive

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

Sense of Place - Sustain, Protect, Progress

Strategic outcomes:

3.2 Developments enhance existing cultural amenity

3.4 Towns are enviable places to visit, live and work

Place: Nurture our heritage environment

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

Strategic outcomes:

4.4 Our heritage villages and towns are high value assets

4 POLICY IMPLICATIONS

N/A

5 STATUTORY REQUIREMENTS

N/A

6 FINANCIAL IMPLICATIONS

Council received an allocation of \$1,921,874 through Phase Three of the LRCI Program. Council has to date received approval for the funding of four projects:

• Perth Early Learning Centre	\$ 931,333
• Cressy Pool Concourse and Carpark	\$ 400,000
• Cressy Recreation Ground BBQ and Carpark	\$ 100,000
• Pioneer Park, Evandale, Playground Upgrade	\$ 100,000

It is proposed Council seek to increase the allocation to the Perth Early Learning Centre from \$931,333 to \$1,121,874, and the allocation to the Cressy Pool Upgrade Project from \$400,000 to \$600,000.

7 RISK ISSUES

To avoid losing the currently unallocated funding Council must apply and receive approval for the full amount of its allocation through Phase Three of the LRCI Program by 30 June 2022.

8 CONSULTATION WITH STATE GOVERNMENT

N/A

9 COMMUNITY CONSULTATION

The nominated projects have been identified through previous priority projects documentation or via community feedback since the preparation of the priority projects documents.



10 OPTIONS FOR COUNCIL TO CONSIDER

Council can either support or not support the nomination of the Perth Early Learning Centre and Cressy Pool Upgrade projects for the unallocated portion of Council's Phase Three LRCI Program funding.

11 OFFICER'S COMMENTS/CONCLUSION

In order to secure Council's entire component of the \$1,921,874 allocation through Phase Three of the LRCI Program, Council needs to have received approval for the allocation of the remaining \$390,541 by 30 June 2022.

12 ATTACHMENTS

Nil

RECOMMENDATION

That Council nominate Perth Early Learning Centre and Cressy Pool Upgrade projects for \$1,121,874 and \$600,000 respectively through Council's Phase Three Local Roads and Community Infrastructure Program funding.



9.2 TASMANIAN COMMUNITY SPORT AND ACTIVE RECREATION INFRASTRUCTURE STRATEGY

Responsible Officer: Des Jennings, General Manager

Report prepared by: Lorraine Green, Project Officer

1 PURPOSE OF REPORT

The purpose of the report is to provide Council with an overview of the draft Tasmanian Community Sport and Active Recreation Infrastructure Strategy which is currently open until 22 April for community feedback.

2 INTRODUCTION/BACKGROUND

The Department of Communities Tasmania was assigned responsibility to develop a statewide Sports Facility Strategy for community sports and active recreation infrastructure as part of the 2019-2020 Budget.

The resulting Tasmanian Community Sport and Active Recreation Infrastructure Strategy – draft (the draft Strategy) has been prepared to support the Government in making considered and informed decisions about future investment in community sports and active recreation infrastructure in Tasmania.

The draft Strategy outlines five key principles to guide communication and other supports led by Communities Tasmania:

1. Pro-active ongoing engagement: The Tasmanian Government engages pro-actively with the Tasmanian community to ensure infrastructure supply meets the needs of the community and to ensure community use of high quality, safe, inclusive and fit-for-purpose community sport and active recreation infrastructure is maximised.
2. Accessible information and tools: The Tasmanian Government supports Tasmanians, including facility providers, by obtaining and presenting reliable information and tools to assist the community in the development of high quality, safe, inclusive, and fit-for-purpose community sport and active recreation infrastructure.
3. Infrastructure – the big picture: The Tasmanian Government interest is to ensure appropriate supply of high quality, safe, inclusive, and fit-for-purpose community sport and active recreation infrastructure is maintained to enable all Tasmanians to participate in physical activities.
4. Well-planned infrastructure: The Tasmanian Government promotes and directs support toward community sport and active recreation infrastructure that is well-planned to benefit all Tasmanians.
5. Continuous improvement: The Tasmanian Government promotes a culture of continuous improvement to ensure the full potential of all community sport and active recreation infrastructure is actively managed to benefit all Tasmanians.

The draft Strategy is supported by an investment decision-making matrix that aligns with the key principles. The prioritisation criteria applied are:

1. Demonstrated community need
2. Demonstrated benefits to the community
3. Demonstrated implications on the sustainability of the facility
4. Leveraging Government priorities
5. Value for money.

The draft Strategy details an Investment Prioritisation Framework consisting of criteria, a scoring framework and weighting framework to guide the Government's assessment of each proposed infrastructure project.



3 STRATEGIC PLAN 2021-2027

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

Lead: Serve with honesty, integrity, innovation and pride

Leaders with Impact

Strategic outcomes:

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

Progress: Economic health and wealth - grow and prosper

Strategic Project Delivery - Build Capacity for a Healthy Wealthy Future

Strategic outcomes:

- 2.1 Strategic, sustainable, infrastructure is progressive

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

Sense of Place - Sustain, Protect, Progress

Strategic outcomes:

- 3.3 Public assets meet future lifestyle challenges
- 3.4 Towns are enviable places to visit, live and work

4 POLICY IMPLICATIONS

N/A

5 STATUTORY REQUIREMENTS

N/A

6 FINANCIAL IMPLICATIONS

The draft Strategy's Investment Prioritisation Framework will guide the Government's assessment of proposed community sport and active recreation projects submitted by Council to State Government competitive grant programs.

7 RISK ISSUES

N/A

8 CONSULTATION WITH STATE GOVERNMENT

The State Government is inviting community feedback on the draft Strategy.

9 COMMUNITY CONSULTATION

Community sport and active recreation organisations and general community members are welcome to provide feedback on the draft Strategy.

10 OPTIONS FOR COUNCIL TO CONSIDER

Council can either note or not note the draft Strategy.

Council can either provide or not provide feedback on the draft Strategy.



11 OFFICER'S COMMENTS/CONCLUSION

The draft Strategy articulates best practice in assessment of competing priorities for community sport and active recreation infrastructure funding, and demonstrates the State Government's recognition of the increasing community participation in active recreation (further fuelled by the COVID-19 lockdowns) versus traditional team based organised sport.

12 ATTACHMENTS

1. Tasmanian- Community- Sport-and- Active- Recreation- Strategy- Draft- March-2022 (2) [9.2.1 - 26 pages]

RECOMMENDATION

That Council note the draft Tasmanian Community Sport and Active Recreation Infrastructure Strategy.



9.3 ADOPTION OF ARMS

Responsible Officer: Des Jennings, General Manager

Report prepared by: Amanda Bond, Executive Officer

1 PURPOSE OF REPORT

For Council to adopt arms pursuant to section 336 of the *Local Government Act 1993*.

2 INTRODUCTION/BACKGROUND

Shortly after amalgamation, at a meeting held on 11 October 1993 (Minute Reference 499/93), Council formally adopted a bespoke symbol as its logo ('the NMC logo').

The form and design of the NMC logo is depicted in Council's "Use of the Northern Midlands Council Logo Policy" dated 19 March 2012 (Minute Reference 75/12), as amended ('the NMC logo policy').

For clarity, the NMC logo as identified and depicted in the NMC logo policy is inserted below:



Since adoption, the NMC logo has been used as the distinctive mark for identifying Council. Its design has remained the same and is unique to Council.

Despite longstanding use, Council is yet to adopt the NMC logo or any other mark, badge or symbol as its official arms.

Under section 336 of the *Local Government Act 1993*, Council may adopt arms in the form of a badge, crest or flag or a combination of these.

Pursuant to a resolution passed by Council at a general meeting held 31 January 2022, Council:

1. adopted or purported to adopt the NMC logo as its arms; and
2. endorsed amendments to the NMC logo policy to reflect its adoption or purported adoption.

Since then, concerns have been raised as to whether Council's resolution identified with sufficient clarity what had been adopted as Council arms.

To avoid any uncertainty, Council is desirous of the arms it adopts being identified with clarity.



3 STRATEGIC PLAN 2021-2027

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

Lead: Serve with honesty, integrity, innovation and pride

Leaders with Impact

Strategic outcomes:

- 1.2 Councillors serve with integrity and honesty
- 1.3 Management is efficient, proactive and responsible

4 POLICY IMPLICATIONS

Adopting the NMC logo as Council's arms will impact the NMC logo policy. An update to the NMC logo policy reflecting adoption of arms was endorsed by Council at its meeting held 31 January 2022. A draft revised NMC logo policy with consequential amendments to reflect clarification of the arms adopted is attached to this report.

5 STATUTORY REQUIREMENTS

336. Council arms

- (1) A council may adopt arms in the form of a badge, crest or flag or a combination of these.
- (2) A council may display and use the arms in any manner it thinks fit.
- (3) A person must not use or display the arms of a council without its approval.

Penalty: Fine not exceeding 10 penalty units.

6 FINANCIAL IMPLICATIONS

There are no financial implications for adopting Council arms.

7 RISK ISSUES

No risks have been identified for Council adopting its logo as its Council arms.

8 CONSULTATION WITH STATE GOVERNMENT

Not applicable.

9 COMMUNITY CONSULTATION

Not applicable.

10 OPTIONS FOR COUNCIL TO CONSIDER

Whether or not to adopt the NMC logo as Council's arms.

11 OFFICER'S COMMENTS/CONCLUSION

The Macquarie Dictionary (revised 3rd ed.) relevantly provides the following definitions:

Badge

- 1. a mark, token, or device worn as a sign of allegiance membership, authority, achievement, etc.
- 2. Any emblem, token or distinctive mark.



Crest

8 b. the distinguishing device, similar to a coat of arms, used by schools, universities etc.

Coat of arms

2. The heraldic bearings of a person, corporation, city, etc.

By adopting the NMC logo as its arms, Council can rely upon provisions in the *Local Government Act 1993* concerning the use and display of Council arms.

12 ATTACHMENTS

1. Draft Revised Use of Northern Midlands Council Logo Policy [9.3.1 - 5 pages]

RECOMMENDATION

- a. Pursuant to s336(1) of the *Local Government Act 1993*, Council adopts as its arms the Northern Midlands Council logo identified by and as depicted in Council's "Use of Northern Midlands Council Logo" policy dated 19 March 2012 as amended; and
- b. That Council endorses the consequential amendments to its "Use of the Northern Midlands Council Logo" policy dated 19 March 2012 identified as amendments in the attachment to this report.



9.4 SALE OF TOWN HALL, CAMPBELL TOWN

Responsible Officer: Des Jennings, General Manager

Report prepared by: Amanda Bond, Executive Officer

1 PURPOSE OF REPORT

The purpose of this report is for Council to endorse a way forward to advertise the sale of the Town Hall in Campbell Town.

2 INTRODUCTION/BACKGROUND

Council decided to sell the Town Hall in Campbell Town at its meeting on 19 July 2021 (Minute Reference 284/21). Council confirmed its decision to sell the Town Hall after considering objections to the decision at its meeting on 18 October 2021 (Minute Reference 21/401). The decision to sell the Town Hall in Campbell Town was appealed by Mr Andrew McCullagh. The Tasmanian Civil and Administrative Tribunal determined the appeal and confirmed Council's decision to sell the Town Hall. A copy of the decision is attached.

The purpose of this report is for Council to determine a way forward to advertise the sale of the Town Hall in Campbell Town.

3 STRATEGIC PLAN 2021-2027

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

Lead: Serve with honesty, integrity, innovation and pride

Leaders with Impact

Strategic outcomes:

1.4 Improve community assets responsibly and sustainably

Progress: Economic health and wealth - grow and prosper

Strategic Project Delivery - Build Capacity for a Healthy Wealthy Future

Strategic outcomes:

2.4 Support and attract wealth-producing business and industry

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

Sense of Place - Sustain, Protect, Progress

Strategic outcomes:

3.4 Towns are enviable places to visit, live and work

4 POLICY IMPLICATIONS

Not applicable.

5 STATUTORY REQUIREMENTS

Section 177 of the *Local Government Act 1993* applies:

177. *Sale and disposal of land*

(1) *A council may sell, lease, donate, exchange or otherwise dispose of land owned by it, other than public land, in accordance with this section.*

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

(3) *A council may sell –*



- (a) any land by auction or tender; or
- (b) any specific land by any other method it approves.
- (4) A council may exchange land for other land –
 - (a) if the valuations of each land are comparable in value; or
 - (b) in any other case, as it considers appropriate.
- (5) A contract pursuant to this section for the sale, lease, donation, exchange or other disposal of land which is public land is of no effect.
- (6) A decision by a council under this section must be made by absolute majority.

6 FINANCIAL IMPLICATIONS

Council officers have sought a valuation in accordance with section 177(2) of the *Local Government Act 1993*. An inspection of the property has occurred. A copy of the valuation is yet to be received.

7 RISK ISSUES

No risk issues have been identified.

8 CONSULTATION WITH STATE GOVERNMENT

Not applicable.

9 COMMUNITY CONSULTATION

Not applicable.

10 OPTIONS FOR COUNCIL TO CONSIDER

Council has three options to advertise the sale of the Town Hall in Campbell Town:

- a) advertise privately;
- b) approach local real estate agents operating within the Northern Midlands municipality seeking a quote to advertise and sell the Town Hall in Campbell Town on behalf of Council; or
- c) call for expressions of interest from real estate agents operating within the Northern Midlands municipality to advertise and sell the Town Hall in Campbell Town on behalf of Council.

11 OFFICER'S COMMENTS/CONCLUSION

In the interests of fairness Council may wish to call for expressions of interest from real estate agents operating within the Northern Midlands municipality to ensure all operators receive an equal opportunity to sell the Hall.

12 ATTACHMENTS

- 1. J 24-2022 - decision - 140-21 SOL [9.4.1 - 11 pages]

RECOMMENDATION

That Council calls for expressions of interest from commercial real estate agents operating in the Northern Midlands municipality to advertise and sell the Town Hall in Campbell Town.



9.5 VULNERABLE PEOPLES REGISTER

Responsible Officer: Des Jennings, General Manager

Report prepared by: Lorraine Wyatt, Executive & Communications Officer

1 PURPOSE OF REPORT

The purpose of this report is to inform Council of the back ground of the City of Launceston decision

2 INTRODUCTION/BACKGROUND

The Longford District Committee recommended that the Northern Midlands Council support the City of Launceston Council decision of 27 January 2022 being:

RECOMMENDATION:

That the Council acknowledges:

1. *that all lives are valuable and any death during a pandemic is a tragedy.*
2. *that within our community there are a wide range of vulnerable people that are concerned for their welfare, or the welfare of someone they care for because of age, health or disability concerns.*
3. *and consequently agrees to write to the Premier to:*
 - a) *seek an extension of community services currently offered to those isolating because of close contact or COVID-19 infection, to those most vulnerable people or carers of our most vulnerable people who are isolating in order to avoid COVID19 infection.*
 - b) *ask the State Government to investigate the creation of a permanent vulnerable peoples register, to enable the timely provision of direct government assistance, or referral to organisations that can assist with individual needs*

At the Council meeting held 21 March 2022, the Northern Midlands Council unanimously decided that the matter should be investigated prior to a further report to Council.

3 STRATEGIC PLAN 2021-2027

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

Lead: Serve with honesty, integrity, innovation and pride

Leaders with Impact

Strategic outcomes:

- 1.1 Council is connected to the community

4 POLICY IMPLICATIONS

N/a

5 STATUTORY REQUIREMENTS

N/a

6 FINANCIAL IMPLICATIONS

N/a

7 RISK ISSUES

N/a



8 CONSULTATION WITH STATE GOVERNMENT

N/a

9 COMMUNITY CONSULTATION

N/a

10 OPTIONS FOR COUNCIL TO CONSIDER

Council can choose to support all, part, or none of the City of Launceston's decision of 27 January 2022.

11 OFFICER'S COMMENTS/CONCLUSION

COVID-19 is the disease caused by a new coronavirus called SARS-CoV-2. The World Health Organisation (WHO) maintains that people aged 60 years and over, and those with underlying medical problems like high blood pressure, heart and lung problems, diabetes, obesity or cancer, are at higher risk of developing serious illness. However, anyone can get sick with COVID-19 and become seriously ill or die at any age.

COVID@home Program

According to the "Fact sheet for the COVID@home program" produced and ran by the Tasmanian Government, individuals enrolled in the COVID@home program will be supported by a team of qualified staff from the Department of Health including doctors, nurses, and allied health professionals.

The COVID@home team (the team) will work with COVID-positive individuals to ensure they have the health, social and wellbeing support they need. The team is available for advice and support to anyone who has tested positive to COVID-19. In addition, anyone who has tested positive can call the team on 1800 737 363, 24 hours a day, seven days a week.

With the individual's consent, the care team work with other healthcare providers such as general practitioners (GPs), disability support providers, carers or other support providers to ensure the right support is provided.

If the individual would like to be enrolled in the program, the care team will assess the individual's situation and needs. An individual's level of care will be influenced by risk factors such as:

- age
- vaccination status
- symptoms severity
- if the individual has a suppressed immune system
- if the individual is pregnant
- if the individual identifies as Aboriginal and/or Torres Strait Islander.

Each individual will be assessed and placed in either low, moderate, or high-risk category. If an individual becomes more unwell, the team are available to provide additional support and implement processes to escalate care.

Vulnerable Person Definition

The most widely accepted definition of a Vulnerable person is: *A child (an individual under the age of 18), or an adult (18 years and above) who may be unable to safeguard themselves against harm or exploitation by reason of illness, trauma, disability, or for any other reason. A vulnerable adult is unable, rather than unwilling, to learn or properly maintain some aspects of basic living skills and self-protective behaviours.*



Physical, economic, social and political factors determine a person's level of vulnerability and the extent of their capacity to resist, cope with, and recover from hazards. Factors that contribute to vulnerability include:

- being a child or young person
- lived experience of trauma
- living with a disability
- being Aboriginal or Torres Strait Islander
- poor physical or mental health
- people with low levels of literacy and education
- being culturally and/or linguistically diverse
- socio-economic disadvantage
- being an immigrant or refugee
- dependence on others
- being aged, frail or lacking competence
- people subject to modern slavery, which involves human exploitation and control, such as forced labour, debt bondage, human trafficking, and child labour

This list is not exhaustive and other factors, or a combination of factors, may affect an individual's capacity to participate in everyday life.

State Government COVID Recovery Response

In March 2021 the Premier's Economic and Social Recovery Advisory Council final report (the Report) was released. The purpose of the report was to provide advice to the Government on long-term recovery from the COVID-19 pandemic with 3500 Tasmanians being involved in the consultation processes.

The social consequences have been widespread and continue. The report identified social impacts which include drug and alcohol misuse, family, and community violence, increased situational distress, and widened socio-economic disadvantage through job losses and decreased community connection.

COVID-19 has left an indelible mark on Tasmania and its people, and the longer-term ramifications are still to be worked through. The additional income support provided by the Commonwealth was life-changing and returning to how things were pre-COVID-19 created new hardships.

The report identified four main themes:

- creating new economic opportunities and linking people with them;
- making sure the health system remains ready to deal with COVID-19, and
- addressing mental health, food, and housing needs;
- building community connection and engagement; and
- increasing the focus on the environment and sustainability.

While jobs and income were identified as highly important, community consultations identified health as the number one priority, for general well-being and for recovery. Situational distress has been exacerbated by COVID-19. The mental health system is complex, and for people that are experiencing distress for the first time, it is difficult to find the most appropriate service and help.

Community connectedness and engagement was another strong theme which arose during the consultation period. The use of online approaches for many aspects of our everyday lives was valuable however Tasmania's digital divide was well known prior to COVID-19, and the report confirms the gap between the 'haves' and the 'have nots' has only been widened by it.



A further report titled, “The Tasmania Project Wellbeing Survey” was also commissioned by the Premier's Economic and Social Recovery Advisory Council. It involved 40 researchers across the University of Tasmania providing their expertise. This report confirmed the outcomes of the Report with most responses related to health responding to fears around, and impacts of, COVID-19. Mental health featured heavily as a cause of concern for many respondents who either experienced a decline in their own mental health or were concerned about the mental health of loved ones and members of their community.

Department of Communities

Communities Tasmania collaborates with a range of partners, including government and non-government organisations, to support and empower individuals and families throughout Tasmania. Communities Tasmania contains three client service delivery divisions. These are:

- Children, Youth and Families
- Communities, Sport and Recreation
- Housing, Disability and Community Services.

According to the Living in a Covid Vaccinated Community – Case and Outbreak Management Framework for Tasmanian Settings, item 7.5 Multi-agency Responsibilities, the Department of Communities Tasmania is responsible for providing:

- emergency financial support and food relief
- contracting non-government organisations to provide mental health and support services to people in isolation and quarantine.

The Community Services Industry Plan 2021-2031 (the Plan) also identified there are communities in Tasmania where individuals are feeling isolated, powerless and disregarded and are experiencing complex, multi-layered and entrenched disadvantage which is often intergenerational. It further identifies that the community services industry is having to adapt to an increasingly complex environment and that a person-centred, place-based approach is required in communities across Australia. Other countries have used this approach and delivered long-term outcomes including improved health and wellbeing for individuals, families and the community.

Tasmania’s community services industry belongs to the broader ‘care economy’ which “consists of all those services that provide care in one way or another to people of various ages and abilities and fall into the following categories:

- Aboriginal and Torres Strait Islander support
- Aged care
- Alcohol, tobacco and other drugs/addiction support
- Child and youth wellbeing
- Community development
- Crisis and emergency support
- Disability support
- Domestic, family and sexual violence support
- Education and care (childcare)
- Family and relationship support
- Financial support
- Health and wellbeing
- Housing and homelessness support
- Issue-based advocacy support
- Legal support
- LGBTIQ+ support
- Mental health support
- Multicultural support
- Transport assistance



- Women's/men's support

The Plan also predicts that an additional 4,000 new jobs will be needed to be filled by 2024 to deliver a stronger community services industry into the future.

The Department of Communities portfolio includes:

- Children, Youth and Families
- Housing
- Community and Disability Service
- Communities, Sport and Recreation

Privacy Implications

The *Privacy Act 1988* (Privacy Act) was introduced to promote and protect the privacy of individuals and to regulate how Australian Government agencies. Australian Government agencies have responsibilities under the Privacy Act in relation to the standard of personal information management. Entities must take active measures to protect personal information they hold from misuse, interference, and loss, as well as unauthorised modification or disclosure. The community trust you to look after their valuable personal information.

A privacy impact assessment (PIA) is a systematic assessment of a project that identifies potential privacy impacts and recommendations to manage, minimise or eliminate them. PIAs are an important component in the protection of privacy and should be part of the overall risk management and planning processes.

A data breach happens when personal information is accessed or disclosed without authorisation or is lost or subjected to unauthorised access or disclosure. For example, when:

- a device with a customer's personal information is lost or stolen
- a database with personal information is hacked
- personal information is mistakenly given to the wrong person

Agencies must notify affected individuals and the Office of the Australian Information Commissioner when a data breach involving personal information is likely to result in serious harm.

Safeguarding vulnerable people is everybody's responsibility and while all people must be protected from harm, there are additional legislative and ethical considerations for protecting vulnerable people.

Council must understand that individual agencies maintain private information for specific purposes in accordance with the requirements of the Privacy Act 1988 and the relevant risk assessments required.

Given all the above considerations, Council can choose to support all, part, or none of the City of Launceston's decision of 27 January 2022.

Elements of the City of Launceston's decision of 27 January 2022	Officer Recommendation
1. <i>that all lives are valuable and any death during a pandemic is a tragedy</i>	Agree and support
2. <i>that within our community there are a wide range of vulnerable people that are concerned for their welfare, or the welfare of someone they care for because of age, health or disability concerns.</i>	Agree and support
3. <i>and consequently agrees to write to the Premier to:</i> a) <i>seek an extension of community services currently offered to those isolating because of close contact or COVID-19 infection, to those most vulnerable people or carers of our most vulnerable people who are isolating in order to avoid COVID19 infection.</i>	Not support. Research demonstrates that through Premier's Economic and Social Recovery Advisory Council final report (the Report), the need for additional support for vulnerable community members has already been identified.
b) <i>ask the State Government to investigate the creation of a permanent vulnerable peoples register, to enable the timely provision of direct government assistance, or referral to organisations that can assist with</i>	Not support. Vulnerable people who wish to be registered are currently and continually being, registered. Barriers to accessing service delivery are



<i>Elements of the City of Launceston's decision of 27 January 2022</i>	<i>Officer Recommendation</i>
<i>individual needs.</i>	<i>varied and include inadequate human resources within the sector to meet demand for services.</i>

12 ATTACHMENTS

1. Extract from City of Launceston Council- Minutes-27- January-2022 [9.5.1 - 2 pages]

RECOMMENDATION

That Council support elements of the City Launceston decision as follows:

- 1 Agree and support
- 2 Agree and support
- 3 (a) *Not support. Research demonstrates that through Premier's Economic and Social Recovery Advisory Council final report (the Report), the need for additional support for vulnerable community members has already been identified.*
- 3 (b) *Not support. Vulnerable people who wish to be registered are currently and continually being, registered. Barriers to accessing service delivery are varied and include inadequate human resources within the sector to meet demand for services*



10 COMMUNITY & DEVELOPMENT REPORTS

10.1 MONTHLY REPORT: DEVELOPMENT SERVICES

Responsible Officer: Des Jennings, General Manager

1 PURPOSE OF REPORT

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

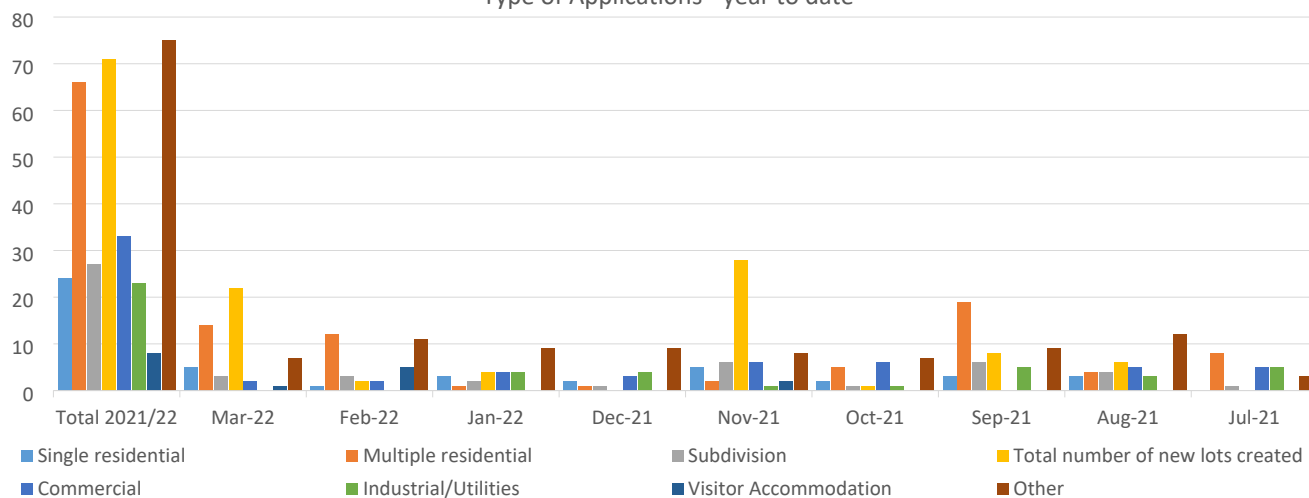
2 DEVELOPMENT SERVICES REPORTING

2.1 Planning Decisions

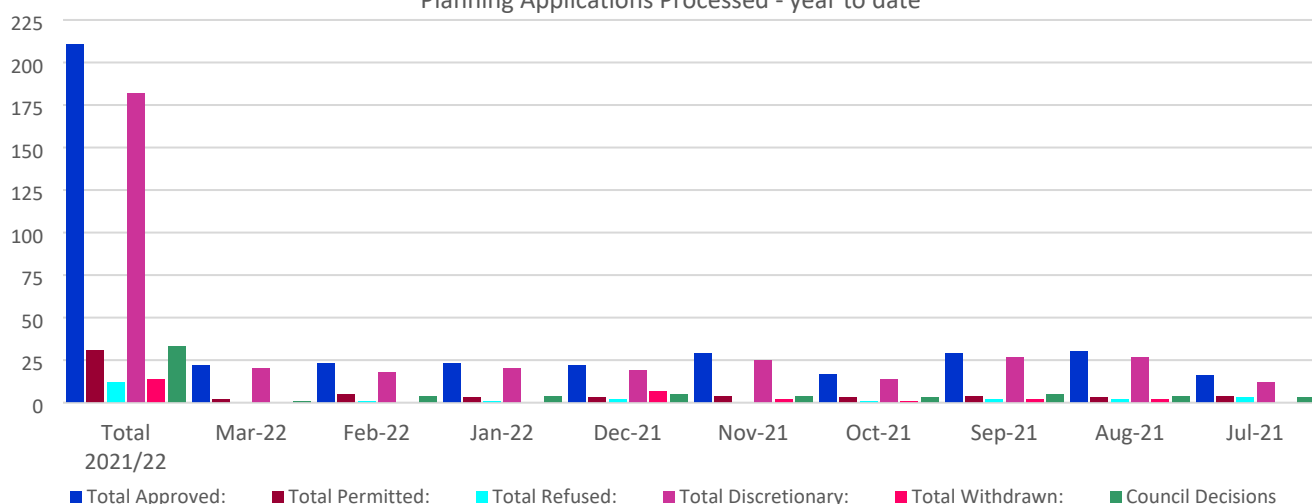
	Total YTD	July	Aug1	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
Number of valid applications	208	14	34	35	21	37	20	15	15	17			
Applications on STOP for further information							50	43	47	43			
Single residential	24	0	3	3	2	5	2	3	1	5			
Multiple residential	66	8	4	19	5	2	1	1	12	14			
Subdivision	27	1	4	6	1	6	1	2	3	3			
Total number of new lots created	71	0	6	8	1	28	0	4	2	22			
Commercial	33	5	5	0	6	6	3	4	2	2			
Industrial/Utilities	23	5	3	5	1	1	4	4	0	0			
Visitor Accommodation	8	0	0	0	0	2	0	0	5	1			
Total permitted	0	0	0	0	0	0	0	0	0	0			
Total discretionary	8	0	0	0	0	2	0	0	5	1			
Other (includes all residential development on existing dwellings [alterations/ additions, sheds, solar, fences, pools etc])	75	3	12	9	7	8	9	9	11	7			
Total No. Applications Approved:	211	16	30	29	17	29	22	23	23	22			
Total Permitted:	31	4	3	4	3	4	3	3	5	2			
Average Days for Permitted	17.33	23	14	18	13	16	16	18	20	18			
Days allowed for approval by LUPAA	28	28	28	28	28	28	28	28	28	28			
Total Exempt under IPS:	61	8	9	5	4	14	10	2	3	6			
Total Refused:	12	3	2	2	1	0	2	1	1	0			
Total Discretionary:	182	12	27	27	14	25	19	20	18	20			
Average Days for Discretionary:	37.67	42	35	36	37	38	33	41	37	40			
Days allowed for approval under LUPAA:	42	42	42	42	42	42	42	42	42	42			
Total Withdrawn:	14	0	2	2	1	2	7	0	0	0			
Council Decisions	33	3	4	5	3	4	5	4	4	1			
Appeals lodged by the Applicant	8	1	1	3	0	0	2	0	1	0			
Appeals lodged by third party	1	1	0	0	0	0	0	0	0	0			



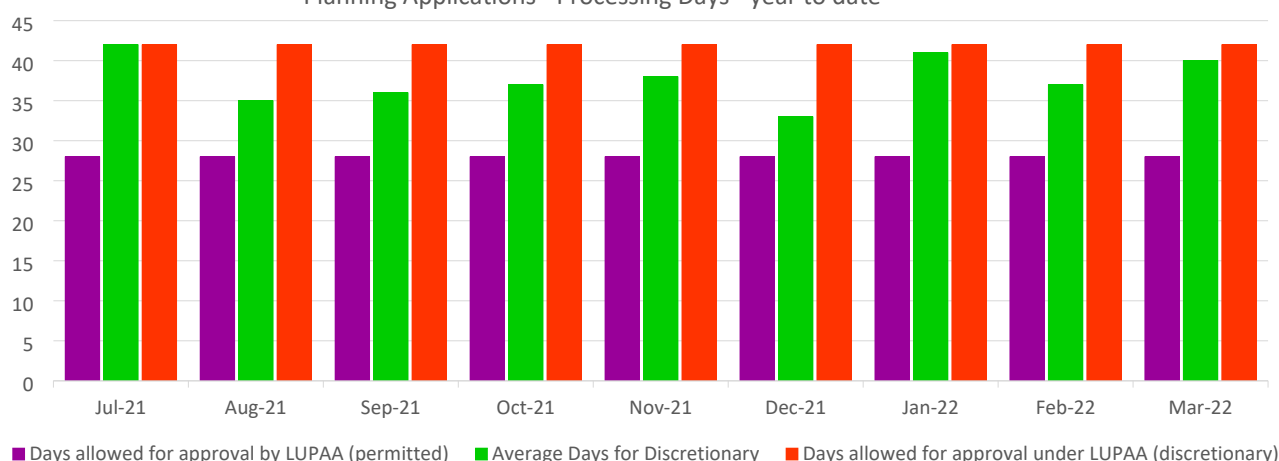
Type of Applications - year to date



Planning Applications Processed - year to date



Planning Applications - Processing Days - year to date



Project	Details	Address	Applicant	No of LUPAA days	Perm / Disc / Exempt
DELEGATED DECISIONS					
PLN-21-0281	2 Lot Subdivision, Demolition of Outbuilding, New Outbuilding, 2 x Solar Arrays (Vary Provisions for Subdivision)	20 Marlborough Street, Longford TAS 7301	Carlton Dixon	42	D
PLN-21-0288	Shed & carport (Vary western side setback)	48 Secombe Street, Perth	The Shed Company	40	D



Project	Details	Address	Applicant	No of LUPAA days	Perm / Disc / Exempt
		TAS 7300			
PLN-21-0300	Multiple Dwelling (1 Existing, 1 New) (Vary Car Parking Provisions, Heritage Precinct)	34A Drummond Street, Perth TAS 7300	Abode Designer Homes	43	D
PLN-21-0307	Dwelling (vary side building envelope, within 50m railway corridor)	34 Norfolk Street, Perth TAS 7300	Lillian Cox obo Wilson Homes	35	D
PLN-21-0327	Collection of glass for transport to off-site recycling (Recycling and waste disposal) (Reception of up to 1,890 tonnes of waste container glass per year)	59 Raeburn Road & access over 827, 831 & 833 Hobart Road, Breadalbane TAS 7258	Peter Bennett	42	D
PLN-21-0331	5 multiple dwellings (1 existing, 4 new) (variation to clause E6.7.2 Design and Layout of Car Parking for existing house) (demolish shed, remove vegetation) and 2 lot subdivision	9 Burghley Street, Longford TAS 7301	Woolcott Surveys	42	D
PLN-21-0335	Dwelling (Vary use class provisions; Vary boundary setbacks, Vary design and layout of site access)	CT34989/2, 13 Arrandale Road, Longford TAS 7301	Angus Hughes	41	D
PLN-21-0338	Change of Use to Visitor Accommodation (Discretionary Use; Amenity; Non-impervious access & parking)	57 Logan Road, Evandale TAS 7212	Emma Pettet	42	D
PLN-21-0340	Dwelling (Vary Privacy Provisions - Deck & Bedroom1)	11 Muirton Way, Perth TAS 7300	BVZ Designs	42	D
PLN-21-0347	Multiple Dwellings x 5 (1 Existing, 4 New) (vary side setbacks, private open space - unit 3, shared driveway separation and variation to visitor car parking).	35 Pakenham Street, Longford TAS 7301	Cataract Designs	39	D
PLN-21-0351	Outbuilding for Commercial Kitchen/Storage (Vary side setbacks)	250 Norwich Drive, Longford TAS 7301	Leigh Adams	42	D
PLN-22-0002	Carport (Building location and appearance; Road and railway assets; Scenic management)	41-43 High Street, Evandale TAS 7212	Engineering Plus	41	D
PLN-22-0003	Re-Subdivision Between 2 Lots	880 Hobart Road (CT125509/1 & 129126/1), Breadalbane TAS 7258	D J McCulloch Surveying	41	D
PLN-22-0008	Shed & Dwelling Alterations & Addition (gross floor area of outbuildings greater than 80m2, attenuation)	24 Devon Hills Road, Devon Hills TAS 7300	BVZ Designs	32	D
PLN-22-0015	Multiple Dwellings x 2 (car parking and turning forward of the building line)	20 Hartnoll Place, Evandale TAS 7212	Wilson Homes	36	D
PLN-22-0016	Alts & Additions to Existing Dwelling including Water, Stormwater & Sewerage (Vary Front Setback)	156 Wellington Street, Longford TAS 7301	Jason & Lisa Sutton	39	D
PLN-22-0017	Shed & carport (vary side setback)	5 Equus Court, Longford TAS 7301	Engineering Plus	35	D
PLN-22-0018	Demolition of Existing Outbuilding, New Outbuilding & Removal of Shipping Container (gross floor area of outbuildings in excess of 80m2)	9 Christine Avenue, Devon Hills TAS 7300	Wilkin Design	34	D
PLN-22-0027	Solar Panel Installation (Heritage Precinct, <50m from railway corridor)	11 Forster Street, Campbell Town TAS 7210	Enlightened Energy Tas	36	D
PLN-22-0019	Dwelling & Ancillary Dwelling	28 Minerva Drive, Perth TAS 7300	Engineering Plus	14	P
PLN-22-0033	Change of Use to Residential (Road & Railway Assets Code)	Lot 2/320 Perth Mill Rd, Perth 7300	Mr Stephen Lawes	21	P
COUNCIL DECISIONS					
PLN-21-0323	22 lot subdivision, new road, associated services (Bushfire Prone Area Code: cul-de-sac turning circle 9m outer radius, carriageway less than 7m) & (Road & Railway Assets Code)	87 Bulwer St (was 86 Burghley St) & Bulwer St, Catherine St, Lewis St & Burghley St road reserves, Longford TAS 7301	Woolcott Surveys	42	C
COUNCIL DECISIONS - REFUSAL					
DELEGATED DECISIONS - REFUSAL					

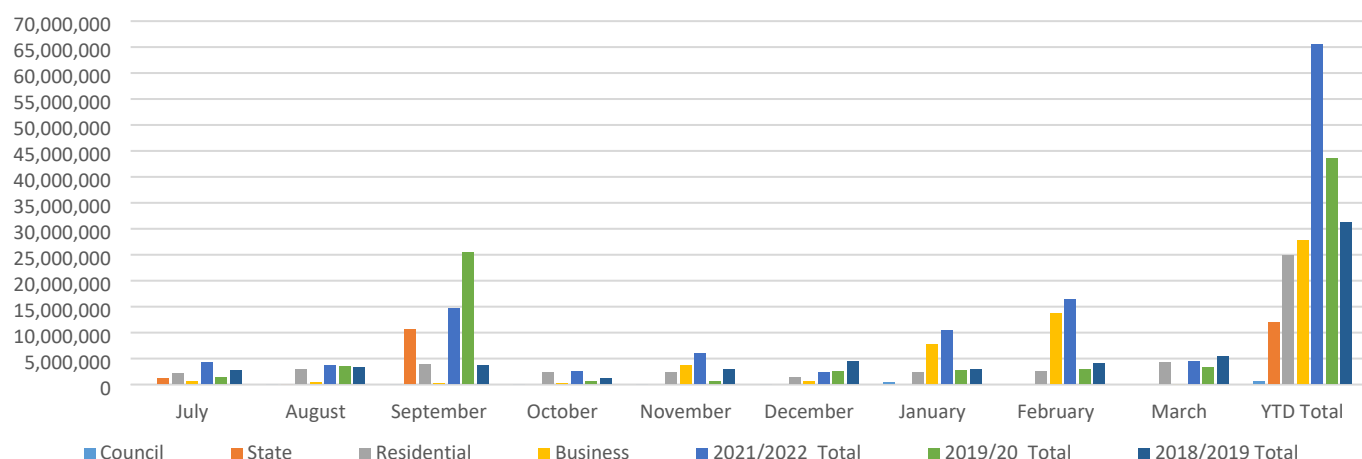


Project	Details	Address	Applicant	No of LUPAA days	Perm / Disc / Exempt

2.2 Value of Planning Approvals

	2021/2022					2020/21	2019/20	2018/2019
	Council	State	Residential	Business	Total	Total	Total	Total
July	0	1,327,500	2,310,000	743,247	4,380,747	3,377,500	1,429,000	2,863,500
August	106,000	120,000	3,070,274	485,000	3,781,274	3,709,500	3,503,000	3,369,300
September	27,000	10,605,000	3,910,000	275,000	14,817,000	6,189,000	25,457,550	3,704,400
October	86,000	0	2,322,500	230,295	2,638,795	9,987,000	717,900	1,282,500
November	1,800	0	2,365,619	3,684,800	6,052,219	3,281,226	648,500	3,079,000
December	30,000	0	1,534,458	755,000	2,319,458	2,617,240	2,636,000	4,499,500
January	403,871	0	2,419,000	7,725,575	10,548,446	4,413,100	2,830,700	2,965,400
February	0	0	2,680,550	13,861,000	16,541,550	5,788,780	2,916,000	4,090,500
March	0	0	4,409,000	50,000	4,459,000	2,914,596	3,425,000	5,537,000
YTD Total	654,671	12,052,500	25,021,401	27,809,917	65,538,489	42,277,942	43,563,650	31,391,100
Annual Total						59,101,247	55,891,900	36,482,950

Value of Planning Approvals (\$)



2.3 Matters Awaiting Decision by TASCAT & TPC

TASCAT	TASMANIAN CIVIL AND ADMINISTRATIVE TRIBUNAL
PLN-21-0223	Appeal 152/21S. 102 & 104 Marlborough Street, Longford. Preliminary conference held 17 January 2022. Mediation being undertaken.
PLN21-0292	<p>Appeal 13/22P. 74 Marlborough Street, Longford. Appeal against Council's refusal of communal residence for seasonal workers. The grounds of refusal were: Inadequate vehicle parking and access; Inadequate private open space; and Inadequate provision of laundry facilities.</p> <p>Inadequate vehicle parking and access: There simply is adequate car parking of 1 space per bedroom as required by the scheme (4 bedrooms, 5 spaces provided). The ground of inadequate vehicle parking could not be maintained. The appellant has provided amended plans widening the access from 4m to the required 4.5m.</p> <p>Inadequate private open space: The private open space complies with the planning scheme requirement of at least 24m² measuring 6m x 4m. Council had no evidence to support this ground of refusal.</p> <p>Inadequate provision of laundry facilities: The planning scheme does not require laundry facilities. We have no evidence to support this ground for refusal. However, the applicant has provided revised plans showing one washer and one dryer with no loss of showers or toilets.</p> <p>Given that Council had no evidence to support the grounds of refusal, the General Manager agreed to replacing the refusal with a permit and advised Councillors of this.</p>



TASCAT TASMANIAN CIVIL AND ADMINISTRATIVE TRIBUNAL	
Decisions received	
PLN21-0062	Appeal 150/21P. Marlborough Street 44 lot subdivision. Preliminary conference held 14 January 2022. Hearing held 2 March 2022. Decision received 29 March 2022, That the decision of the Northern Midlands Council to grant a permit for application PLN21-0062 subject to conditions is affirmed.
PLN21-0271	Appeal 156/21P. 42-48 Fairtlough Street, Perth. Preliminary conference held 17 January 2022. Mediation being undertaken. Consent agreement sent to Tribunal. Decision received. Permit issued 25 March 2022
TPC TASMANIAN PLANNING COMMISSION	
LPS-NOR-TPS	Tasmanian Planning Scheme. The State Planning Provisions (SPPs) came into effect on 2/3/2017. They will have no practical effect until the Local Provisions Schedule (LPS) is in effect in a municipal area. Northern Midlands Council's Draft Local Provisions Schedule submitted to the Commission 19/12/2019. Post lodgement meeting held 5/5/2020. Matters raised by the Commission and recommended response tabled at the 29/6/2020 Council meeting. Remaining responses to post lodgement enquiries provided 28/08/2020. Submission of response to post lodgement enquiries made by TPC due 5/2/2021. Meeting held between Council and Commission staff to discuss these matters held 20/1/2021. Response provided to TPC 12/2/2021. TPC requested further clarifications 16/3/2021. Response provided 8/4/2021. Section 32(4) responses to final TPC queries provided 6/5/2021. Minister's declarations issued 31 May 2021 were included in 28 June Council agenda. GIS consultant made map changes required by the Minister. Provided to TPC 19/7/2021. TPC advised 13/8/2021 of final mapping changes needed for exhibition. GIS consultant made map changes required by the Minister. Provided to TPC 19/7/2021. 6/10/2021, received direction to publicly exhibit draft Local Provisions Schedule. Draft Local Provisions Schedule on public exhibition from 22 October to 21 December 2021. Section 35F report on representations to be presented to Council meeting of 21 February 2022. Deferred until 21 March meeting to get information on the process if Council supports any of the representations. Section 35F report on representations considered at Council meeting of 21 March 2022. Report sent to Tasmanian Planning Commission 28 March 2022.
PLN21-0301	Draft Amendment 04-2021 for new collocated Emergency Services Facility for the Tasmania Fire Service and State Emergency Service at 17 Church Street, Campbell Town. Report to initiate the draft amendment and decide on permit considered at 22 March 2022 meeting. Initiated and approved. On public exhibition until 29 April 2022.
Decisions received	
PLN-21-0276	Draft Amendment 03-2021. Site specific amendment to insert 'Storage' (if a contractors yard) as a Discretionary use in the Rural Resource zone, if only on Folios of the Register 54261/7, 54260/6 and 137103/3, in conjunction with a Section 43A application for a permit for part change of use to Storage, extension to existing shed and container and domes. To be reconsidered by the planning authority as directed by the Tasmanian Planning Commission on 23 March 2022.

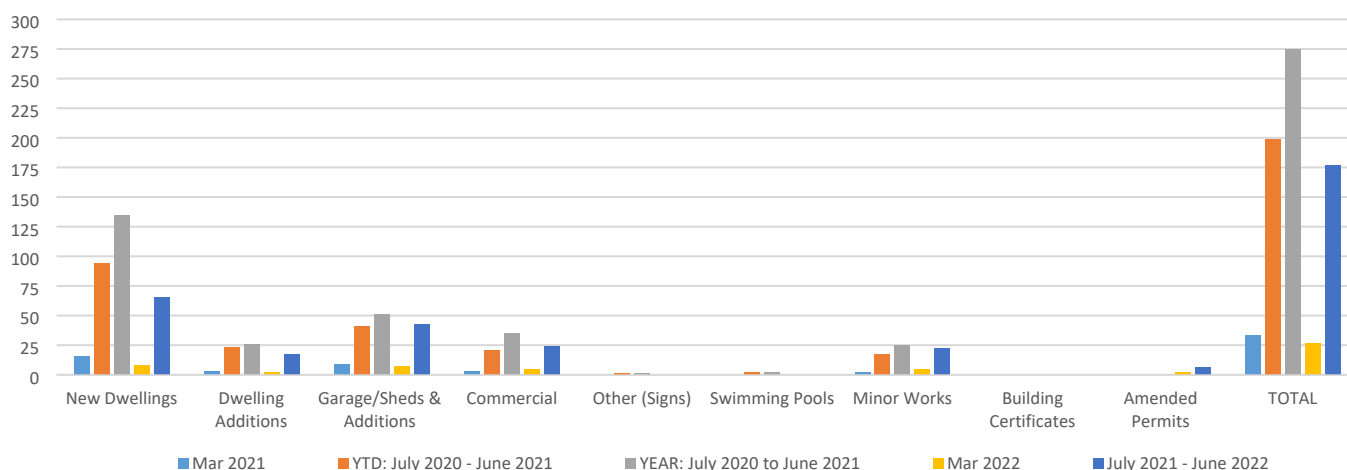
2.4 Building Approvals

The following table provides a comparison of the number and total value of building works for 2020/2021 – 2021/2022.

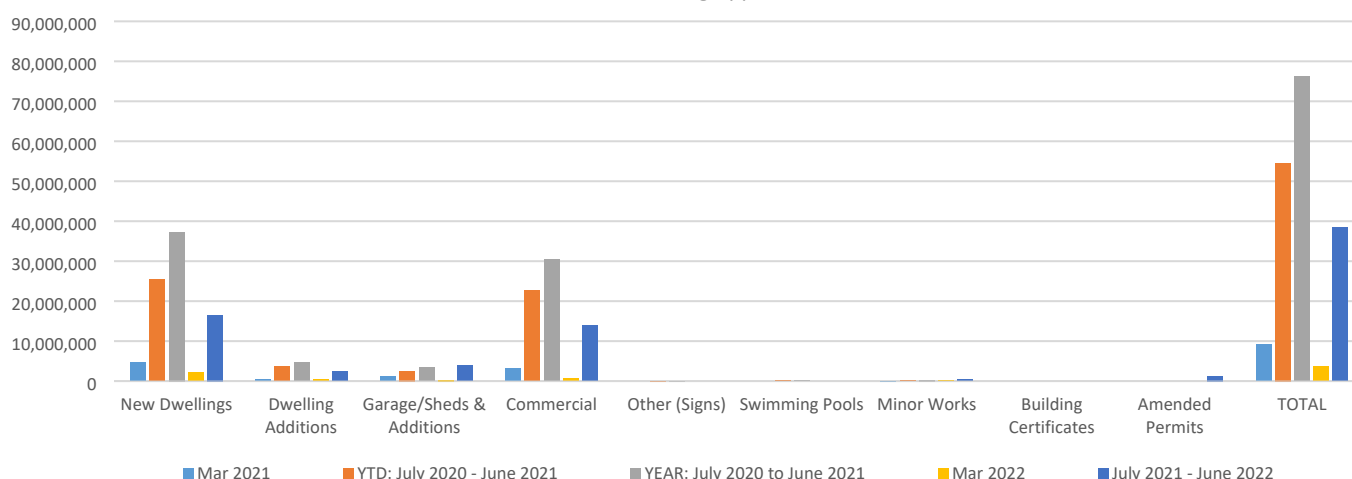
	YEAR: 2020-2021				YEAR: 2021-2022			
	March 2021		YTD 2020-2021		July 2020 - June 2021		March-2022	
	No.	Total Value \$	No.	Total Value \$	No.	Total Value \$	No.	Total Value \$
New Dwellings	16	4,567,332	94	25,369,166	135	37,308,797	8	2,152,372
Dwelling Additions	3	340,000	23	3,658,970	26	4,678,970	2	385,000
Garage/Sheds & Additions	9	1,106,630	41	2,537,830	51	3,494,830	7	298,048
Commercial	3	3,169,000	21	22,684,650	35	30,391,057	5	704,375
Other (Signs)	0	0	1	12,000	1	12,000	0	0
Swimming Pools	0	0	2	104,000	2	104,000	0	0
Minor Works	2	15,768	17	173,026	25	266,844	5	71,399
Building Certificates	0	0	0	0	0	0	0	0
Amended Permits	0	0	0	0	0	0	2	0
TOTAL	33	9,198,730	199	54,539,642	275	76,256,498	27	3,611,194
Inspections								
Building	3		30		30		5	
Plumbing	18		220		299		14	



Number of Building Approvals



Value of Building Approvals



2.5 Planning and Building Compliance – Permit Review

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

	This Month	2021/2022	Total 2020/2021
Number of Inspections	2	15	31
Property owner not home or only recently started			
Complying with all conditions / signed off		2	11
Not complying with all conditions			1
Re-inspection required	1	12	9
Notice of Intention to Issue Enforcement Notice			
Enforcement Notices issued			
Enforcement Orders issued			
Infringement Notice			
No Further Action Required	1	1	10
	This Month	2021/2022	Total 2020/2021
Number of Inspections			14
Property owner not home or only recently started			
Complying with all conditions / signed off			2
Not complying with all conditions			
Re-inspection required			2
Building Notices issued			
Building Orders issued			
No Further Action Required			10



	This Month	2021/2022	Total 2020/2021
Number of Inspections		10	35
Commitment provided to submit required documentation			11
Re-inspection required		8	11
Building Notices issued			5
Building Orders issued			5
Emergency Order			3
No Further Action Required		2	13
	This Month	2021/2022	Total 2020/2021
Number of Inspections		29	81
Commitment provided to submit required documentation		3	9
Re-inspection required		21	48
Enforcement Notices issued			1
Enforcement Orders Issued			
Notice of Intention to Issue Enforcement Notice issued			6

3 STRATEGIC PLAN 2021-2027

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

Progress: Economic health and wealth - grow and prosper

Strategic Project Delivery - Build Capacity for a Healthy Wealthy Future

Strategic outcomes:

2.1 Strategic, sustainable, infrastructure is progressive

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

Sense of Place - Sustain, Protect, Progress

Strategic outcomes:

3.1 Sympathetic design respects historical architecture

3.2 Developments enhance existing cultural amenity

3.4 Towns are enviable places to visit, live and work

Place: Nurture our heritage environment

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

Strategic outcomes:

4.1 Cherish and sustain our landscape

4.2 Meet environmental challenges

4.4 Our heritage villages and towns are high value assets

4 STATUTORY REQUIREMENTS

4.1 Land Use Planning & Approvals Act 1993

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

4.2 Building Act 2016

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

5 RISK ISSUES

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



6 COMMUNITY CONSULTATION

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

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

7 OFFICER'S COMMENTS/CONCLUSION

There have been 24 commercial building approvals valued at \$38,472,623 for 2021/22 (year to date), compared to 21 commercial building approval valued at \$22,684,650 (year to date) for 2020/2021.

In total, there were 177 building approvals valued at \$38,472,623 (year to date) for 2021/2022, compared to 199 building approvals valued at \$54,539,642 (year to date) for 2020/21.

RECOMMENDATION

That the report be noted.



11 CORPORATE SERVICES REPORTS

11.1 MONTHLY REPORT: FINANCIAL STATEMENT

Responsible Officer: Maree Bricknell, Corporate Services Manager

Report prepared by: Maree Bricknell, Corporate Services Manager

1 PURPOSE OF REPORT

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

2 INTRODUCTION/BACKGROUND

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

3 STRATEGIC PLAN 2021-2027

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

Progress: Economic health and wealth - grow and prosper

Strategic Project Delivery - Build Capacity for a Healthy Wealthy Future

Strategic outcomes:

2.1 Strategic, sustainable, infrastructure is progressive

4 ALTERATIONS TO 2021-22 BUDGET

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

SUMMARY FINANCIAL REPORT

For Month Ending:

31-Mar-22

9

A. Operating Income and Expenditure						
	Budget	Year to Date Budget 42%	Actual	(\$,000)	Target 100%	Comments
Rate Revenue	-\$12,271,834	-\$12,271,834	-\$12,283,404	\$12	100.1%	
Recurrent Grant Revenue	-\$5,100,223	-\$3,825,167	-\$2,447,566	-\$1,378	64.0%	* Advanced grants paid 30/6
Fees and Charges Revenue	-\$2,552,948	-\$1,914,711	-\$2,043,190	\$128	106.7%	* Fee income above budget
Interest Revenue	-\$751,548	-\$563,662	-\$453,671	-\$110	80.5%	* Interest penalty on rates raised Apr'22
Reimbursements Revenue	-\$51,918	-\$38,939	-\$66,095	\$27	169.7%	
Other Revenue	-\$1,814,414	-\$1,360,811	-\$815,439	-\$545	59.9%	
	-\$22,542,885	-\$19,975,123	-\$18,109,365	-\$1,866	90.7%	
Employee costs	\$6,048,712	\$4,536,534	\$4,310,248	\$226	95.0%	
Material & Services Expenditure	\$6,111,983	\$4,583,987	\$4,282,156	\$302	93.4%	
Depreciation Expenditure	\$6,519,158	\$4,889,369	\$4,889,348	\$0	100.0%	
Government Levies & Charges	\$961,484	\$721,113	\$536,646	\$184	74.4%	
Councillors Expenditure	\$205,180	\$153,885	\$129,912	\$24	84.4%	
Interest on Borrowings	\$272,007	\$204,005	\$254,000	-\$50	124.5%	* Timing full years interest paid on 1 loan
Other Expenditure	\$1,370,769	\$1,028,077	\$872,643	\$155	84.9%	
Plant Expenditure Paid	\$538,650	\$403,988	\$480,473	-\$76	118.9%	
	\$22,027,943	\$16,520,957	\$15,755,426	\$766	95.4%	
	-\$514,942	-\$3,454,166	-\$2,353,939			
Gain on sale of Fixed Assets	\$0	\$0	-\$3,836	\$4	0.0%	
Loss on Sale of Fixed Assets	\$505,860	\$379,395	\$19,375	\$360	5.1%	* Asset recognition not yet
Underlying (Surplus) / Deficit	-\$9,082	-\$3,074,771	-\$2,338,400		1*	
	\$0		-			



Capital Grant Revenue	-\$8,697,948	-\$6,523,461	-\$1,533,998	-\$4,989	23.5%	* Not paid until milestones met
Subdivider Contributions	-\$330,765	-\$248,074	0	-\$248	0.0%	* Not recognised until EOY
Capital Revenue	-\$9,028,713	-\$6,771,535	-\$1,533,998			

Budget Alteration Requests

- For Council authorisation by absolute majority

Operating

Budget
Capital

Budget

Actuals

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

March

February

January

Note - December budget changes not yet reflected in accounts

No changes identified in January

December

Note

Original Budget Operating Surplus		-\$9,082	1*
- Interest on Investments	100300	-\$10,000	1 Additional revenue
- Governance General Expenditure	101000 / 101010	\$60,000	2 Increased consultancy
- Receptions/Presentations	102300	\$1,201	3 Additional expenditure
- NTD - Nth Tas Residential Demand & Supply Study	102604	\$5,549	4 Additional funding requirement
- Other Council Expenditure	102950	\$20,000	5 Increased consultancy
- Corporate General Consultancy	202300	\$3,000	6 Increased consultancy
- Computer Operations	205300	\$27,000	7 E-cloud hosting
- Tourism - Re-assign Project Grant	507439	-\$353,050	8 Grant funding
- Tourism - Re-assign Project Expenditure	507260	\$353,050	9 Grant expenditure
- Health Food Licences	323950	-\$5,000	10 Additional revenue
- Grants Employee Training P&D	300555	-\$5,000	11 Additional revenue
- Planning Fees	323150	-\$203,928	12 One off Fee additional revenue
- Planning Consultancy	323350	\$70,000	13 Additional budget
- Building Permit Authority	323590	\$30,000	14 Reduce budget revenue
- Asset Management	324470	\$33,000	15 Increased consultancy
- Works Traineeship grants	404075	-\$11,500	16 Additional revenue
- Works Road Revenue Other	325200	-\$12,800	17 Increased revenue
- Works Stormwater maintenance C'Town	420066	\$8,000	18 Increased expenditure budget
- Water Trust income	438950	\$2,060	19 Delete budget
- Water Trust Expenditure	439200	-\$2,060	20 Delete budget
- Works Public Amenities cleaning	503650	\$30,000	21 Increase budget expenditure
- Pool Ctown Committee closure	517530	-\$24,646	22 Additional revenue
- Special Community Projects	517210	-\$23,357	23 Reduce budget expenditure
- FAGS Grant adjustment 21/22		-\$6,717	Additional revenue

New Operating Surplus

Change = Surplus Increase

-\$24,280

-\$15,198

Capital

- Office Furniture	780006	\$6,000	C1 New budget allocation
- Cry - Childcare Centre Painting	791105	-\$10,000	C2 Budget not required maint only
- Avoca Boucher Park	708025	\$7,400	C3 Additional Budget
- Ctown Topdress ground after irrigation	708035	\$25,815	C4 Additional Budget
- Ross Topdress Rec Ground	708037	-\$14,000	C5 Tfr to Ross Pool Fibre Glassing
- Ross Pool Fibre Glass lining	708052	\$15,000	C6 Reallocation
- Perth Roundabouts signage	752015.1	\$5,603	C7 Reallocation from 752017
- Perth Roundabouts Landscaping	752017	-\$5,603	C8 Reallocation
- Perth Cromwell Street section reconstruction	750329	\$5,587	C9 New budget allocation
- Midlands Silhouettes	New	\$10,000	Min 21/444 C10 New budget allocation
- Tooms Lake Improvements	New	\$20,000	Min 21/445 C11 Commitment with \$80,000 grant
- Stormwater Projects	New		C12 New additional budget
- Oakmount Street extension	New	\$30,000	New budget allocation
- Translink Avenue detention basin extension		\$50,000	New budget allocation
- Lfd Flood Levee Penstock Valve	New	\$45,570	Matching grant of \$45,750
- Pth Little Mulgrave Street	New	\$10,000	New budget allocation
- Pth Sheepwash Creek widening for detention	New	\$40,000	New budget allocation
- Avoca St Pauls Place	New	\$20,000	New budget allocation
- Other stormwater projects	New	\$30,000	New budget allocation
		\$291,372**	

**Additional Capital budget allocation to be funded from projects deferred in 2021/22 or infrastructure reserves and funded in 2022/23

November



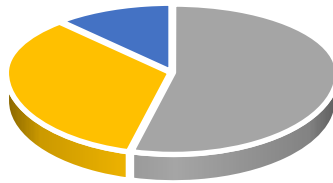
Ctown - Tennis Court Shade Shelter	707805.51	\$16,000	Additional allocation
Ctown - Rec Entrance Improvements	707805.97	-\$16,000	
Pth - Edward Street Footpath & Driveways	750395.6	\$18,664	Required after subdivision
Lfd - Paton Street Footpath south side	750999.6	\$2,817	Additional allocation
Cry - Main Street Saundridge south	750795	\$11,315	Unbudgeted project
Footpath Replacements unallocated	750000	-\$32,796	
Ctown - Stormwater High St (Edgar to Mason)	788637	\$10,000	Unbudgeted project
Cry - Stormwater Church Street	788638	\$30,000	Unbudgeted project
Stormwater - Unallocated Projects	788575	-\$40,000	
October			
Fees & Charges - Impounding Fee Initial	From \$ 72	Increased to \$75	Increased in line with fees from pound operator increases
Fees & Charges - Impounding Fee Subsequent	From \$ 95	Increased to \$98	Increased in line with fees from pound operator increases
Fees & Charges - Pound Fee after 1st day	From \$ 22	Increased to \$25	Increased in line with fees from pound operator increases
September			
D2018010 R Preece	101.10		Bad Debt - Deemed uncollectable by EMPRS
D201908 P Groves	326.00		Bad Debt - Deemed uncollectable by EMPRS
D2019019 P Groves	163.00		Bad Debt - Deemed uncollectable by EMPRS
D2019021 P Groves	168.00		Bad Debt - Deemed uncollectable by EMPRS
D2019023 P Groves	168.00		Bad Debt - Deemed uncollectable by EMPRS
D2019024 P Groves	168.00		Bad Debt - Deemed uncollectable by EMPRS
D2019025 P Groves	168.00		Bad Debt - Deemed uncollectable by EMPRS
D2019027 P Groves	168.00		Bad Debt - Deemed uncollectable by EMPRS
D2020036 P Groves	168.00		Bad Debt - Deemed uncollectable by EMPRS
August			
Footpath - Main Street Cressy	750796.6	-\$67,000	Trf allocation to different
Footpath - Church Street (Main to Charles) at Cressy		\$67,000	location in Cressy
Footpath - Park St (High to Bridge) Ross	750986.6	-\$30,000	Completed 2020/21 reallocate
Footpath & ramp - to old Lfd Gym access	707752.96	\$30,000	
July			
No adjustments for July.			

B. Balance Sheet Items

	Year to Date Actual	Monthly Change	Same time last year	Comments	
Cash & Cash Equivalents Balance					
- Opening Cash balance	\$19,432,295	\$24,980,669			
- Cash Inflow	\$21,369,704	\$2,558,279			
- Cash Payments	-\$14,730,075	-\$1,467,023			
- Closing Cash balance	\$26,071,924	\$26,071,924			
Account Breakdown					
- Trading Accounts	\$643,272				
- Investments	\$25,428,653				
	\$26,071,924				
Summary of Investments					
	Investment Date	Maturity Date	Interest Rate%	Purchase Price	Maturity Value
Tasmanian Public Finance Corporation Call Account	1/03/2022	31/03/2022	0.10	\$5,399	\$5,400
CBA Call Account	1/03/2022	31/03/2022	0.01	\$1,574	\$1,574
CBA Business Online Saver	1/03/2022	31/03/2022	0.20	\$8,003,102	\$8,004,418
Westpac Corporate Regulated Interest Account	31/03/2022	31/03/2022	0.35	\$4,525,568	\$4,525,568
My State Financial	25/05/2021	25/05/2022	0.85	\$3,343,010	\$3,371,425
Westpac	4/01/2022	4/07/2022	3.37	\$5,500,000	\$5,591,913
Westpac	29/12/2021	29/06/2023	3.30	\$1,050,000	\$1,101,928
Westpac	16/12/2021	16/12/2024	1.60	\$3,000,000	\$3,144,132
Total Investments				\$25,428,653	\$25,746,357

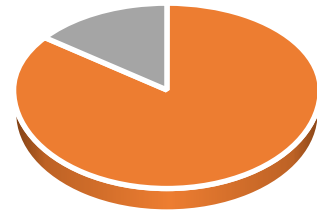


Investments by Institution



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

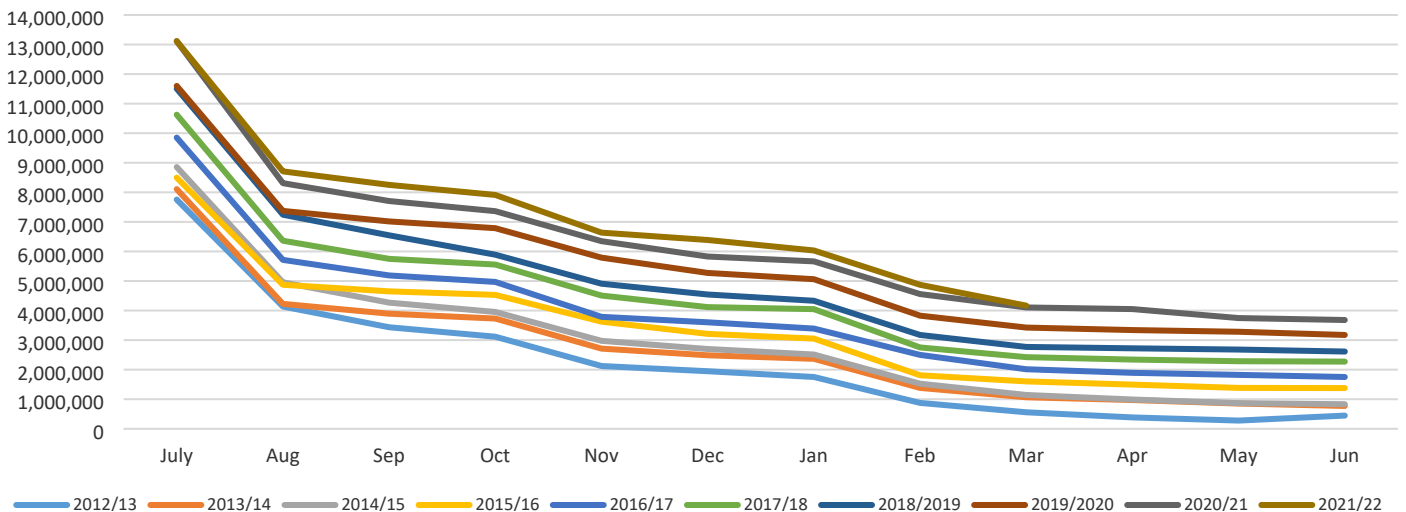
Total Investments by Rating (Standard & Poor's)



■ AA+ ■ AA- ■ BBB ■ Unrated

Rate Debtors	2020/21	% to Raised	Same Time Last Year	% to Raised	
Balance b/fwd	\$3,205,341		\$2,808,852		
Rates Raised	\$12,486,943		\$11,842,844		
	\$15,692,285		\$14,651,696		
Rates collected	\$11,004,084	88.1%	\$10,312,096	87.1%	
Pension Rebates	\$496,798	4.0%	\$486,428	4.1%	
Discount & Remissions	\$25,052	0.2%	\$58,689	0.5%	
	\$11,525,934		\$10,857,214		
Rates Outstanding	\$4,166,351	33.4%	\$4,104,808	34.7%	
Advance Payments received	-\$434,563	3.5%	-\$310,326	2.6%	

Outstanding Rates



Trade Debtors			
Current balance	\$438,264		
- 30 Days	\$157,976		
- 60 Days	\$83,558		
- 90 Days	\$3,140		
- More than 90 days	\$193,590		
Summary of Accounts more than 90 days:			
- Norfolk Plains Book sales	171		
- Hire/lease of facilities	10,709		
- Removal of fire hazards	5,984		
- Dog Registrations & Fines	16,289		
- Private Works	14,792		
- Regulatory Fees	3,987		
- Govt Reimbursements	141,658		



C. Capital Program

	Budget	Actual (\$,000)	Target 75%		Comments
Renewal	\$12,012,371	\$4,419,237	37%		
New assets	\$11,734,242	\$3,267,838	28%		
Total	\$23,746,613	\$7,687,075	32%		
Major projects:					
- Longford Sports Centre lift & level 1	\$270,000	\$195,026	72%		Substantially complete
- Cressy Rec Ground Amenities	\$1,028,566	\$1,029,011	100%		Substantially complete
- Cressy Pool Improvements	\$800,000	\$764,278	96%		Substantially complete
- Ross Village Green	\$558,000	\$614,376	110%		Substantially complete
- Longford Victoria Square Hall	\$1,518,272	\$29,298	2%		Consultation stage
- Perth Childcare Centre	\$3,550,607	\$217,517	6%		Commence Feb 2022
- Lake Leake Amenities	\$145,256	\$268	0%		Preliminaries
- Translink Detention Basin	\$252,540	\$25,410	10%		Ready to construct
- Footpath Program	\$816,685	\$196,632	24%		In progress
- Bryants Lane Bridge	201,777	\$167	0%		Tender accepted
- William Street Footbridge	270,000	\$12,433	5%		Tender accepted
- Glen Esk Road Reconstruction	411,400	\$376,817	92%		Complete

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

D. Financial Health Indicators

	Target	Actual	Variance	Trend	
Financial Ratios					
- Rate Revenue / Total Revenue	54.4%	67.8%	-13.4%	↘	
- Own Source Revenue / Total Revenue	77%	86%	-9.1%	↘	
Sustainability Ratio					
- Operating Surplus / Operating Revenue	0.0%	12.9%	-12.9%	↘	
- Debt / Own Source Revenue	42.5%	47.4%	-4.8%	↔	
Efficiency Ratios					
- Receivables / Own Source Revenue	26.4%	26.2%	0.2%	↘	
- Employee costs / Revenue	26.8%	23.8%	3.0%	↗	
- Renewal / Depreciation	184.3%	90.4%	93.9%	↗	
Unit Costs					
- Waste Collection per bin	\$10.12	\$12.63		↔	
- Employee costs per hour	\$50.41	\$40.82		↗	
- Rate Revenue per property	\$1,727.45	\$1,729.08		↔	
- IT per employee hour	\$3.30	\$4.73		↘	

E. Employee & WHS scorecard

	YTD	This Month	
Number of Employees	97	97	
New Employees	28	6	
Resignations	19	2	
Total hours worked	105,599	11,083	
Lost Time Injuries	0	0	
Lost Time Days	1	0	
Safety Incidents Reported	16	0	
Hazards Reported	17	0	
Risk Incidents Reported	5	0	
Insurance claims - Public Liability	0	0	
Insurance claims - Industrial	0	0	
Insurance claims - Motor Vehicle	14	5	
IT - Unplanned lost time	1	0	
Open W/Comp claims	15	2	

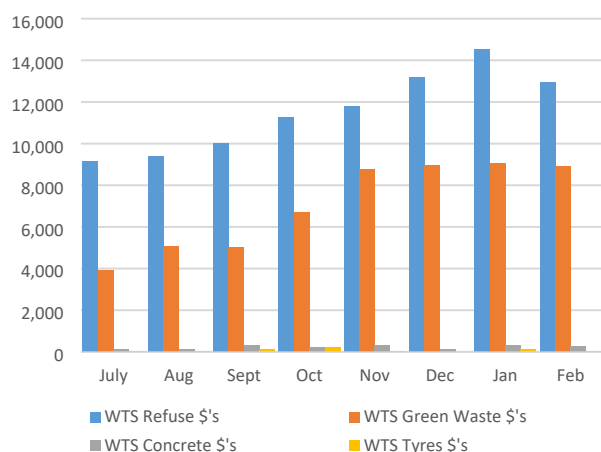
F. Waste Management

Waste Transfer Station	2019/20	2020/21	2021/22 Budget	2021/22 Year to Date
Takings				
- Refuse	\$92,611	\$119,842	\$85,362	\$92,233
- Green Waste	\$50,996	\$80,904	\$55,896	\$56,364
- Concrete	\$1,551	\$2,293	\$1,427	\$1,761

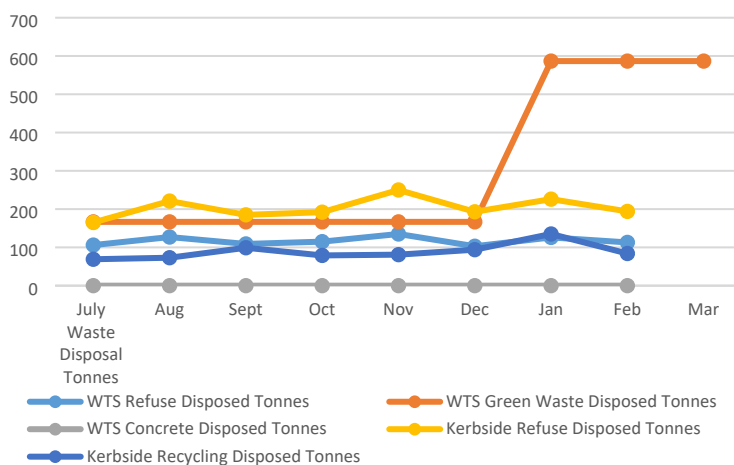


- Tyres	727	\$467	\$578	
Total Takings	\$142,782	\$203,767	\$143,151	\$150,936
Tonnes Disposed				
WTS Refuse Disposed Tonnes	1388	1432	1021	934
WTS Green Waste Disposed Tonnes	5400	4670	3263	2760
WTS Concrete Disposed Tonnes	0	3056	0	0
Kerbside Refuse Disposed Tonnes	2326	2435	1493	1626
Kerbside Recycling Disposed Tonnes	1036	1051	796	714
Total Waste Tonnes Disposed	10150	12644	6573	6034

Waste Transfer Station Fees 2021-22



Waste Disposal Tonnes 2021-22



5 OFFICER COMMENTS

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

6 ATTACHMENTS

1. Monthly Financial Report to Council - March 2022 [**11.1.1** - 1 page]
2. Monthly Works Infrastructure Capital Report 2021-2022 (March) [**11.1.2** - 7 pages]

RECOMMENDATION

That Council:

- i) receive and note the Monthly Financial Report for the period ending 31 March 2022, and
- ii) authorise Budget 2021/22 alterations as listed in Item 4.



12 WORKS REPORTS

12.1 PROPOSAL FOR KERBSIDE ORGANICS COLLECTION

Responsible Officer: Leigh McCullagh, Works Manager

Report prepared by: Jonathan Galbraith, Engineering Officer

1 PURPOSE OF REPORT

The purpose of this report is to provide further information regarding a kerbside organics collection.

2 INTRODUCTION/BACKGROUND

A report was submitted to the Council meeting on 31 January 2022 regarding kerbside organics collection. The report outlined the cost increases that Council will incur as a result to Statewide Waste Levy that will be introduced in July 2022 and the opportunities this presents for Council to introduce a kerbside organics collection to reduce the amount of waste that will be sent to landfill and incur the State Government levy.

A second report was submitted to Council on the 21st of February 2022 to provide more information about cost, bins and collection options but was further deferred.

3 STRATEGIC PLAN 2021-2027

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

Progress: Economic health and wealth - grow and prosper

Strategic Project Delivery - Build Capacity for a Healthy Wealthy Future

Strategic outcomes:

2.1 Strategic, sustainable, infrastructure is progressive

Place: Nurture our heritage environment

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

Strategic outcomes:

4.1 Cherish and sustain our landscape

4.2 Meet environmental challenges

4 POLICY IMPLICATIONS

Not applicable

5 STATUTORY REQUIREMENTS

The Waste and Recovery Resource Bill, Tasmania 2021



6 FINANCIAL IMPLICATIONS

The following information is provided regarding costs and cost offsets with the implementation of the FOGO service:

	Council Upfront Cost	Council Annual Cost	Increase in Annual Rates
Upfront cost of FOGO bins depreciable over 10 year period	\$406,980.00		\$8.00
Kerbside Collection of FOGO bins to be increased annually by CPI		\$253,422.00	\$44.50
Disposal Charges at LCC Waste Disposal Site		\$17,099.94	\$3.00
	\$406,980.00	\$270,521.94	\$55.50
Possible Reduction in Council WTS Greenwaste processing		-\$10,000.00	-\$1.75
Possible Reduction in Statewide Waste Levy 2023 (for volume diverted from Waste)		-\$40,740.00	-\$7.15
	\$406,980.00	\$219,781.94	\$46.60
Possible Reduction in Statewide Waste Levy 2026		-\$81,480.00	-\$14.29
	\$406,980.00	\$179,041.94	\$39.45
Approximate implementation Cost per annum per ratepayer			\$20 to \$28
Savings from State levies over 6 years	-\$40,740.00		
equivalent to upfront cost of bins	-\$54,184.20		
	-\$67,628.40		
	-\$81,480.00		
	-\$81,480.00		
	-\$81,480.00		
	-\$406,992.60		

It is recommended that Council incrementally increase the waste rate commencing with say a \$25 increase in the 2022 – 2023 financial year to cover the cost of an organics collection for possible commencement of the service in January 2023.

7 RISK ISSUES

Should Council choose to call tenders for a kerbside organics service there are likely to be delays before a contractor can

start due to availability of staff and equipment as a result of the Covid Pandemic. Several contractors have indicated that waiting times for new trucks are currently around 12 – 18 months. Once a decision is made to commence the service tenders should be called as soon as possible because waiting times for vehicles are continue to increase due to the ongoing pandemic and the war in Ukraine.

8 CONSULTATION WITH STATE GOVERNMENT

The Northern Regional Waste Management Group has been involved in consultation with the State Government on behalf of all Councils in the region. Council officers have also attended a number of workshops run by the State Government regarding the state-wide levy and opportunities for organics recycling in the state.

9 COMMUNITY CONSULTATION

Council conducted a survey of residents in December 2017 regarding their views on organics recycling. The survey found a high level of interest in recycling but a reluctance amongst some to pay an additional cost for the service. Since 2017 there have been ongoing requests from community members for a organics recycling service.

10 OPTIONS FOR COUNCIL TO CONSIDER

1. That Council provide a kerbside organics recycling service to all residents in the urban areas who currently have a kerbside waste bin, and waste collection costs be incrementally increased for all residents;
2. That Council do not offer an organics recycling service at this time but continue to monitor prices and opportunities.

11 OFFICER'S COMMENTS/CONCLUSION

The image below shows the contents of a typical kerbside waste bin in the Northern Midlands Council



59% Organics and green waste

With the introduction of the Statewide waste levee this will cost Council \$81,480 per year

41% General waste

Contents of three bins if a third bin for organics is introduced.



59% of bin contents diverted to organics bin

Additional space available for garden waste etc.

41% full of general waste (goes to land fill)

59% Organics

Recycling

12 ATTACHMENTS

Nil

RECOMMENDATION

1. That Council call tenders for a kerbside organics collection services commencing in 2023
2. That the service be provided to all residences in the urban areas of the municipality with an option for residents of multi-dwellings to "opt out" having or sharing physical bins.



12.2 SALE OF LAND AT BRUCE PLACE LONGFORD

Responsible Officer: Leigh McCullagh, Works Manager

Report prepared by: Jonathan Galbraith, Engineering Officer

1 PURPOSE OF REPORT

The purpose of this report is for Council to consider the sale of land At 7 Bruce Place in Longford.

2 INTRODUCTION/BACKGROUND

Council owns approximately 1817sq. m of land between Bruce Place and George Hudson Place in Longford. The area is public open space and does not have any seating or playground equipment. The area only has a limited amount of use.

It is approximately 700m from the park and playground in Lewis Street West and 350m from the proposed new park in Laycock Street.

Selling some the areas of public open space that are not regularly used by the public will allow Council to focus on further developing other nearby parks and reserves as assets for the community.

It is proposed to sell the land as a lot with frontage onto Bruce Place and retain an area on the western boundary as a walkway between George Hudson Place and Bruce Place. The area of the proposed lot would be approximately 1260 sq.

3 STRATEGIC PLAN 2021-2027

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

Progress: Economic health and wealth - grow and prosper

Strategic Project Delivery - Build Capacity for a Healthy Wealthy Future

Strategic outcomes:

2.1 Strategic, sustainable, infrastructure is progressive

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

Sense of Place - Sustain, Protect, Progress

Strategic outcomes:

3.3 Public assets meet future lifestyle challenges

4 POLICY IMPLICATIONS

Council is also considering selling other properties or areas of public open space in other towns.

5 STATUTORY REQUIREMENTS

Council must follow the provisions under the LGA to sell public land.

6 FINANCIAL IMPLICATIONS

Council has not had the land valued but this is a larger lot and the value of the land would be significant.

7 RISK ISSUES

There is a risk that the decision to sell would meet opposition due to the reduction of open space in the immediate area.



8 CONSULTATION WITH STATE GOVERNMENT

N/A

9 COMMUNITY CONSULTATION

Community consultation on the sale of this property has not yet been carried out but Council's strategy for upgrading their parks and reserves has been widely discussed with the Longford district committee and the local community. There will have an opportunity for public comment when Council declares their intention to sell the land public.

10 OPTIONS FOR COUNCIL TO CONSIDER

1. That Council proceed with the sale of the land
- Or
2. That Council retain the land as public open space.

11 OFFICER'S COMMENTS/CONCLUSION

The land is not used by members of the public on a regular basis and is close to other existing proposed parks and reserves. It is recommended that the land be sold to allow Council to focus on developing other areas of public open space.

The subdivision of the proposed lot to be offered for sale was considered by the Property Committee and option 2 was favoured.

12 ATTACHMENTS

1. Bruce Place Reserve Subdivision Longford [**12.2.1** - 1 page]
2. Bruce Pl reserve proposed sale of Council land [**12.2.2** - 1 page]
3. Bruce Place Longford - plan [**12.2.3** - 1 page]

RECOMMENDATION

That Council determines to sell 7 Bruce Place at Longford and directs the General Manager to commence the subdivision and sale process in accordance with Part 12, Division 1 of the *Local Government Act 1993*.



13 PUBLIC QUESTIONS AND STATEMENTS

PUBLIC ATTENDANCE DURING THE COVID-19 DISEASE EMERGENCY DECLARATION

Public Attendance Meeting Guidelines during the COVID-19 Disease Emergency

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

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

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

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

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

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

On arrival attendees will:

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

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

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

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

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

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

PUBLIC QUESTIONS AND STATEMENTS

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

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

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



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

PUBLIC QUESTIONS



14 COUNCIL ACTING AS A PLANNING AUTHORITY

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

RECOMMENDATION

That the Council intends to act as a Planning Authority under the *Land Use Planning and Approvals Act 1993* for Agenda Item/s 15.1-15.5.

14.1 STATEMENTS

REPRESENTATIONS ON PLANNING ITEMS

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

Each speaker is limited to a maximum of 3 minutes.

- 15.1 PLN21-0195: 47 Marlborough Street, Longford
- 15.2 PLN21-0339: 26-28 Charles Street, Cressy - Change of Use to Communal Residence
- 15.3 PLN21-0278: 38 Fairtlough Street, Perth – Dwelling
- 15.4 PLN22-0039: 35 Waterloo Street, Ross - 6 Lot Subdivision
- 15.5 PLN21-0023: 12-20 Franklin Street, Campbell Town - 6 Lot subdivision



15 PLANNING REPORTS

15.1 PLN21-0195: 47 MARLBOROUGH STREET, LONGFORD

File: 109300.24; PLN-21-0195
Responsible Officer: Des Jennings, General Manager
Report prepared by: Paul Godier, Senior Planner

1 INTRODUCTION

This report assesses an application for 47 Marlborough Street, Longford and Marlborough Street road reservation (no CT reference) to develop and use 21 dwellings, demolish outbuildings, remove vegetation and extend stormwater main in Marlborough Street to service the development.

2 BACKGROUND

Applicant:

Abode Designer Homes

Owner:

Jaffa International Pty Ltd

Zone:

General Residential Zone

Codes:

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

Classification under the Scheme:

Residential (Multiple Dwellings)

Existing Use:

Unused/Vacant

Deemed Approval Date:

15 April 2022

Recommendation:

Approve subject to conditions

Discretionary Aspects of the Application:

- Reliance on the performance criteria of the General Residential Zone.
- Reliance on the performance criteria of the E4.0 Road and Railway Assets Code.
- Reliance on the E6.0 Carparking and Sustainable Transport Code
- Reliance on the Heritage Code.
- Reliance on the F2 Heritage Precincts Specific Area Plan

Planning Instrument:

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

Preliminary Discussion

Prior to the application becoming valid Council officers held discussions with the applicant regarding private on-site waste collection, and on-site stormwater detention.

Abode Designer Homes held a discussion with David Denman and Associates who recommended front unit to be perpendicular to street frontage, entry in central third of wall facing street, picket front fence to match streetscape

3 STATUTORY REQUIREMENTS

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



4 ASSESSMENT

4.1 Proposal

The proposed development seeks approval for demolition of existing structures (old vacant horse stables and a large outbuilding) and a proposed development of 21 multiple dwellings as well as associated services.

The proposed development involves a single property. This is 47 Marlborough Street (CT-176779/3). The development site provides a total site area of 7572sqm.

To ensure the proposed development is fully serviced, the proposal also seeks approval for the extension of services through Marlborough Street road reservation (no CT reference).

The subject site 47 Marlborough Street contains a dilapidated pair of buildings including old stables and a partially open large outbuilding that may have been used as an old motor vehicle garage. Both are proposed to be demolished as part of the development.

The subject site is wholly located within the General Density Residential zone.

The proposal seeks approval for a total of 21 multiple dwellings that are made up of 8 different designs. 14 of the multiple dwellings will be two bedroom units while 7 will be three bedroom units.

The latest set of plans the proposal is assessed in this report against are dated 1 March 2022.

The applicant has also submitted the following new and additional information:

- Revised Traffic Impact Assessment dated February 2022; and
- Arborist report dated 2nd February 2022 from Adam's Tree Services; and
- Design Statement against the Historic Heritage Code dated 2 March 2022 from Arei Designs.

An outline of the proposed units is as follows:

- Unit Type A1 (Units 10 and 12) have three bedrooms (main with ensuite) bathroom and separate powder room, laundry, combined kitchen and living area, and attached carport. External building materials include face brickwork and colorbond roofing.
- Unit Type A2 (Units 11 and 13) is a mirror image of Unit Type A1 and have three bedrooms (main with ensuite) bathroom and separate powder room, laundry, combined kitchen and living area, and attached carport. External building materials include face brickwork and colorbond roofing.
- Unit Type B1 (Unit 14) have three bedrooms (main with ensuite) bathroom and separate powder room, laundry, combined kitchen and living area, and attached carport. External building materials include face brickwork and colorbond roofing.
- Unit Type B2 (Unit 9) have three bedrooms (main with ensuite) bathroom and separate powder room, laundry, combined kitchen and living area, and attached carport. External building materials include face brickwork and colorbond roofing.
- Unit Type C1 (Units 3, 5, 16 & 18) have two bedrooms (main with ensuite) bathroom and separate powder room, laundry, combined kitchen and living area, and attached carport. External building materials include face brickwork and colorbond roofing.
- Unit Type C2 (Units 2, 4, 6, 15, 17, 19 & 20) have two bedrooms (main with ensuite) bathroom and separate powder room, laundry, combined kitchen and living area, and attached carport. External building materials include face brickwork and colorbond roofing.
- Unit Type D1 (Units 7 & 8) have two bedrooms (main with ensuite) bathroom and separate powder room, laundry, combined kitchen and living area, and attached carport. External building materials include face brickwork and colorbond roofing.
- Unit Type D2 (Unit 1) have two bedrooms (main with ensuite) bathroom and separate powder room, laundry, combined kitchen and living area, and attached carport. External building materials include face brickwork and colorbond roofing. The front verandah extends across the entire street facing front façade.



- Unit Type E1 (Unit 21) have two bedrooms (main with ensuite) bathroom and separate powder room, laundry, combined kitchen and living area, and attached carport. External building materials include face brickwork and colorbond roofing.

Floor areas provided on the proposal plans for each unit type includes:

Unit Type A1:	137.9sqm (includes a single car carport measuring 16.5sqm
Unit Type A2:	137.9sqm (includes a single car carport measuring 16.5sqm
Unit Type B1:	137.9sqm (includes a single car carport measuring 16.5sqm
Unit Type B2:	137.9sqm (includes a single car carport measuring 16.5sqm
Unit Type C1:	126sqm (includes a single car carport measuring 16.5sqm
Unit Type C2:	126sqm (includes a single car carport measuring 16.5sqm
Unit Type D1:	126sqm (includes a single car carport measuring 16.5sqm
Unit Type D2:	126sqm (includes a single car carport measuring 16.5sqm
Unit Type E2:	126sqm (includes a single car carport measuring 16.5sqm

In addition to the proposal plans prepared by ARE1 (dated 1 March 2022), the planning application accompanying the proposed development includes the following consultant reports submitted to Council:

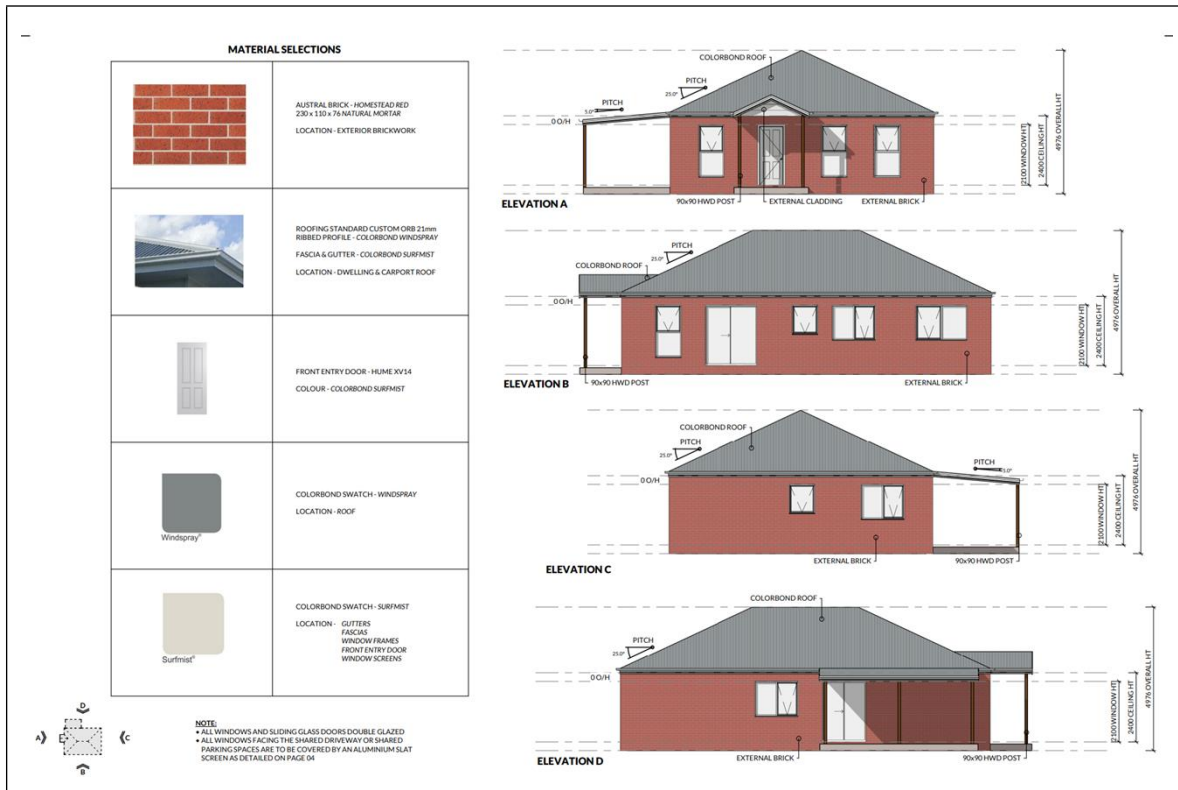
- Planning report prepared by Rebecca Green & Associates and dated: 13 July 2021; and
- As previously noted, an updated Version 3 Traffic Impact Assessment prepared by Traffic and Civil Services and dated February 2022.

Site Plan (dated 1 March 2022):

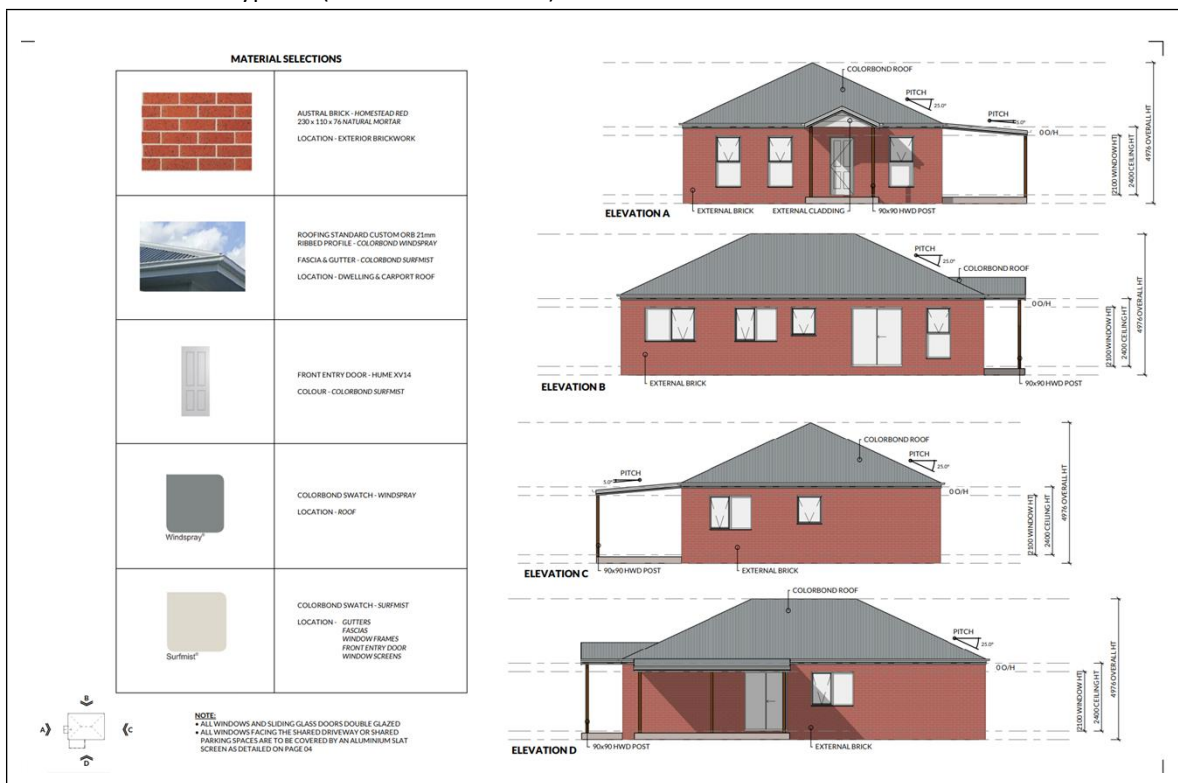




Elevations for Unit Type A1 (dated 1 March 2022):

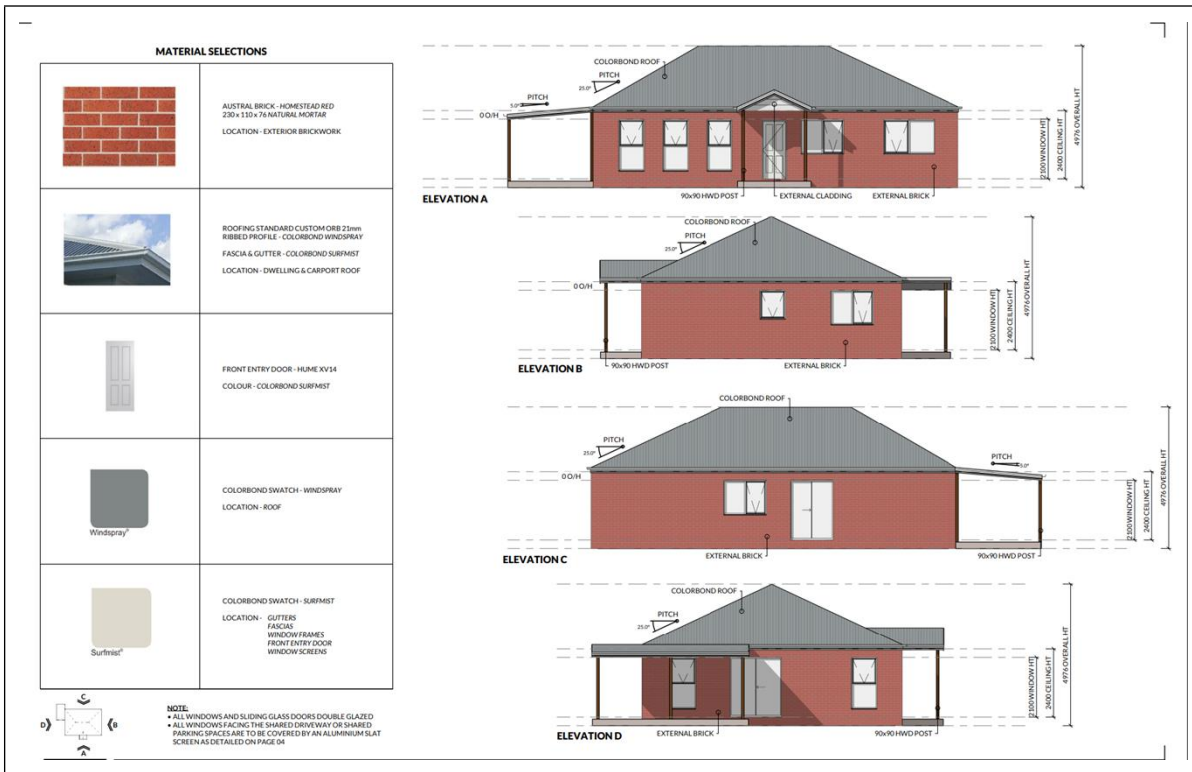


Elevations for Unit Type A2 (dated 1 March 2022):

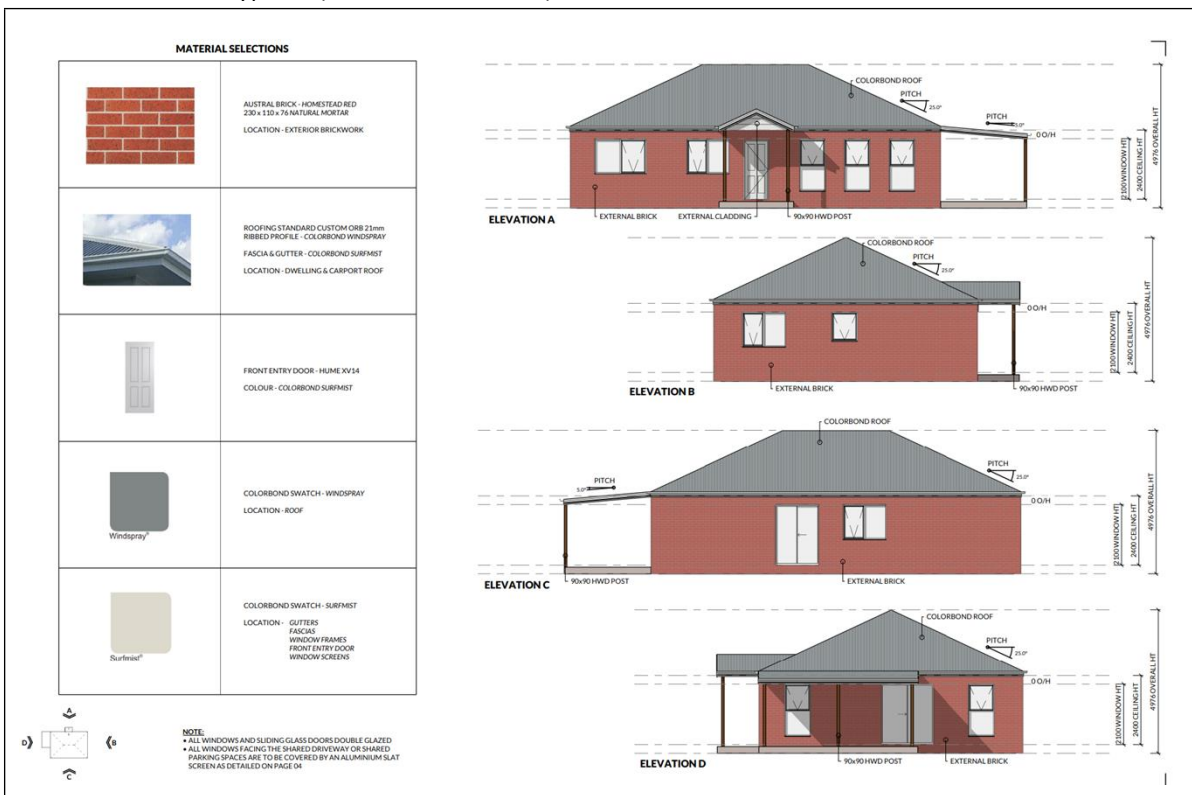




Elevations for Unit Type B1 (dated 1 March 2022):

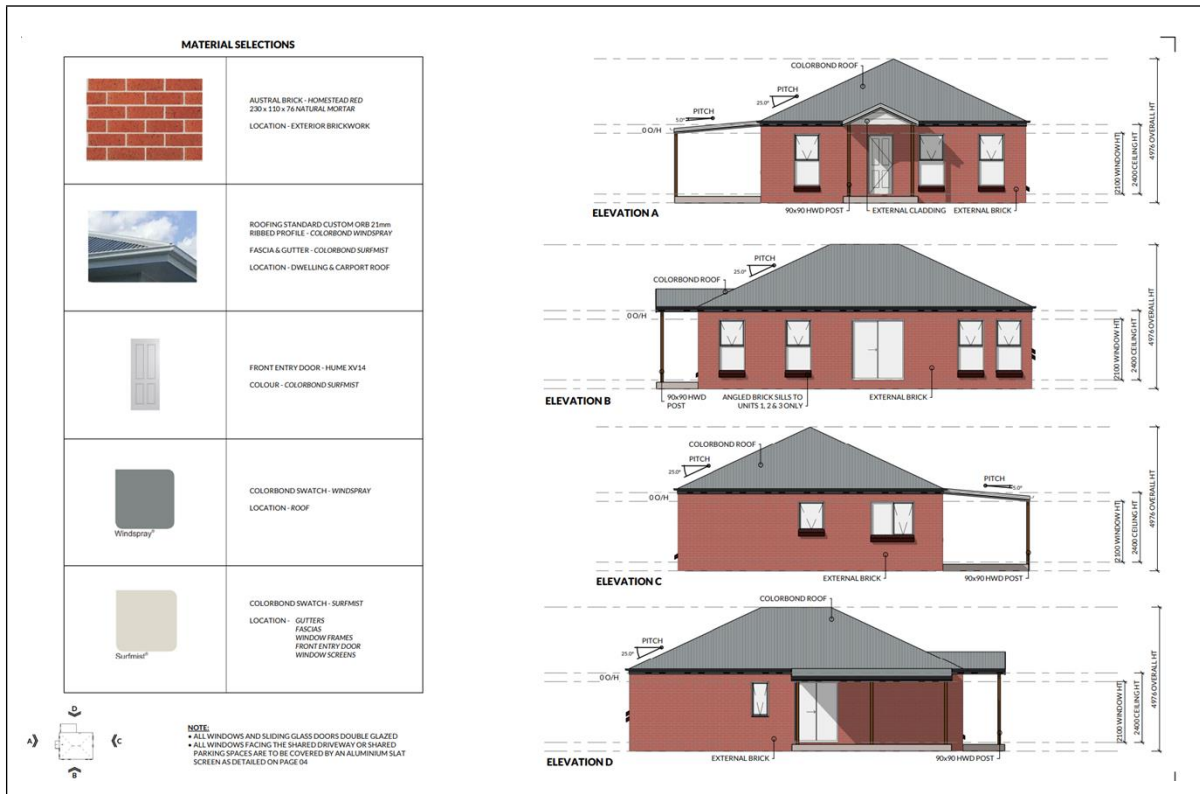


Elevations for Unit Type B2 (dated 1 March 2022):

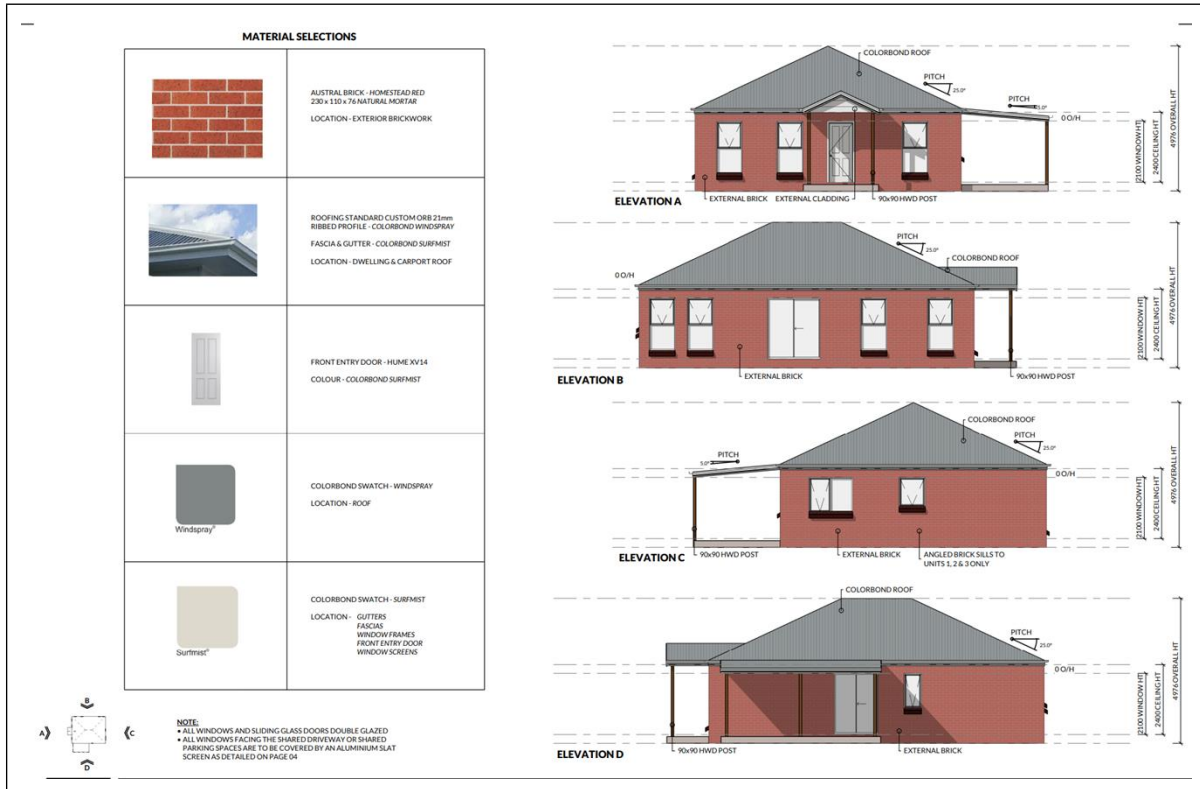




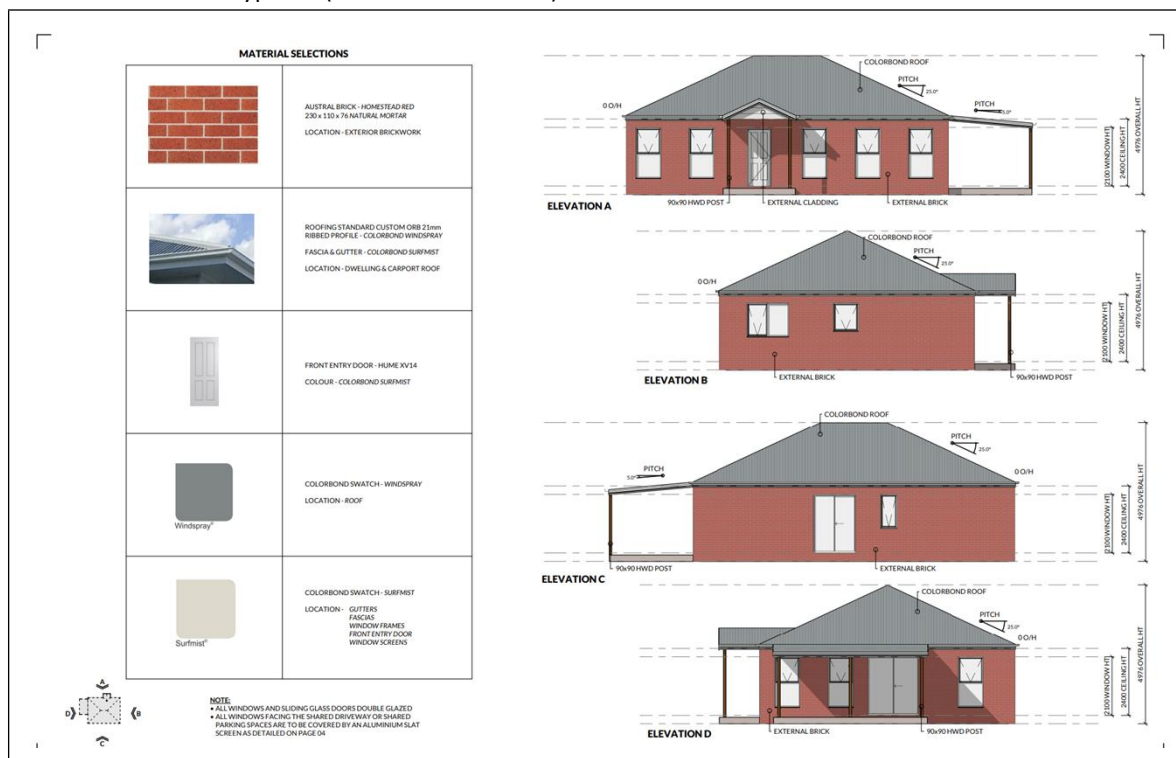
Elevations for Unit Type C1 (dated 1 March 2022):



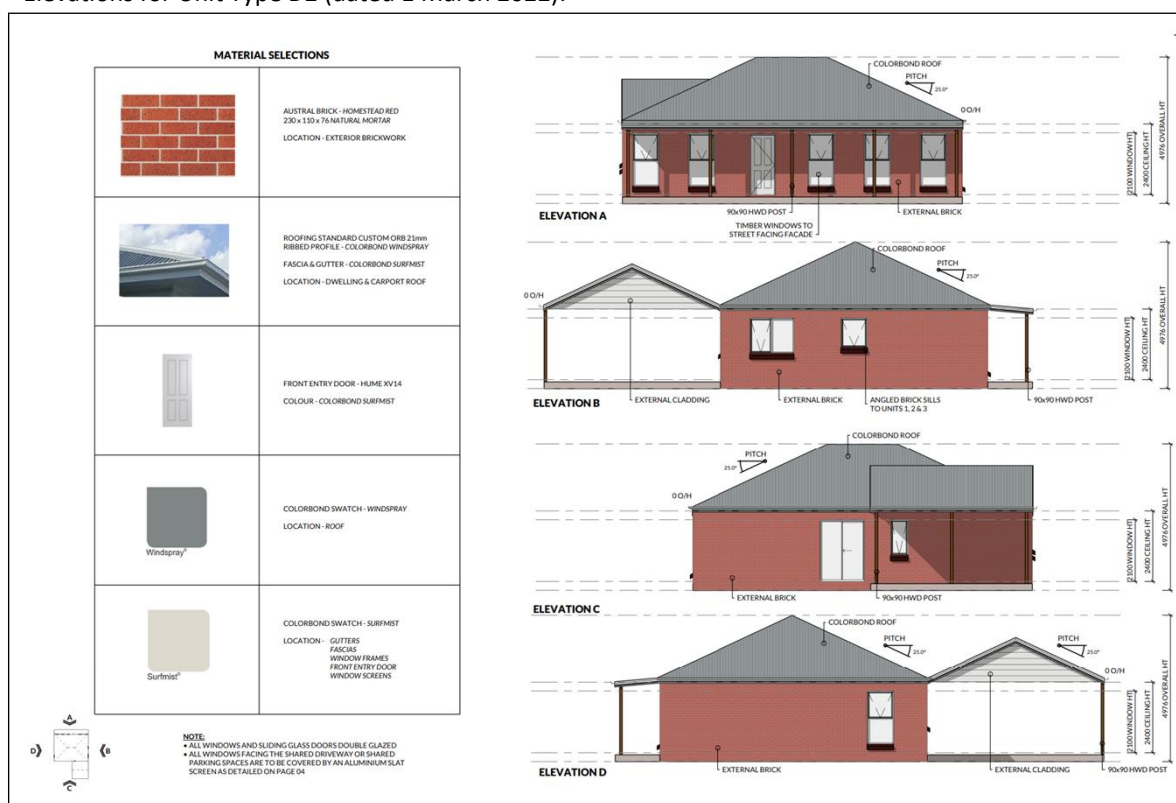
Elevations for Unit Type C2 (dated 1 March 2022):



Elevations for Unit Type D1 (dated 1 March 2022):

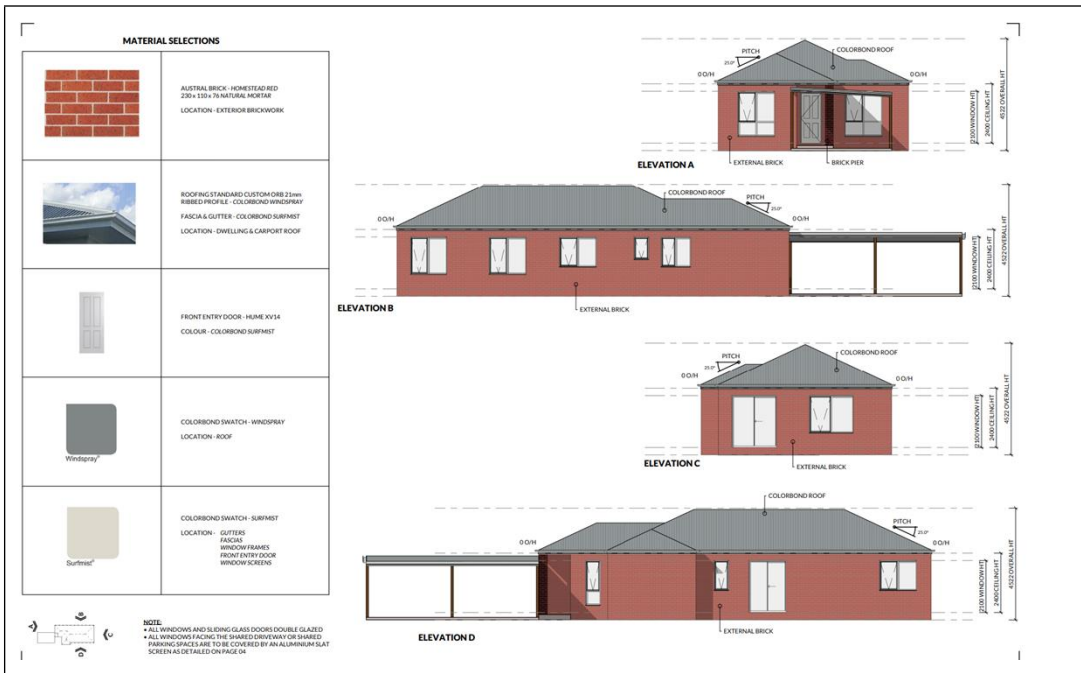


Elevations for Unit Type D2 (dated 1 March 2022):





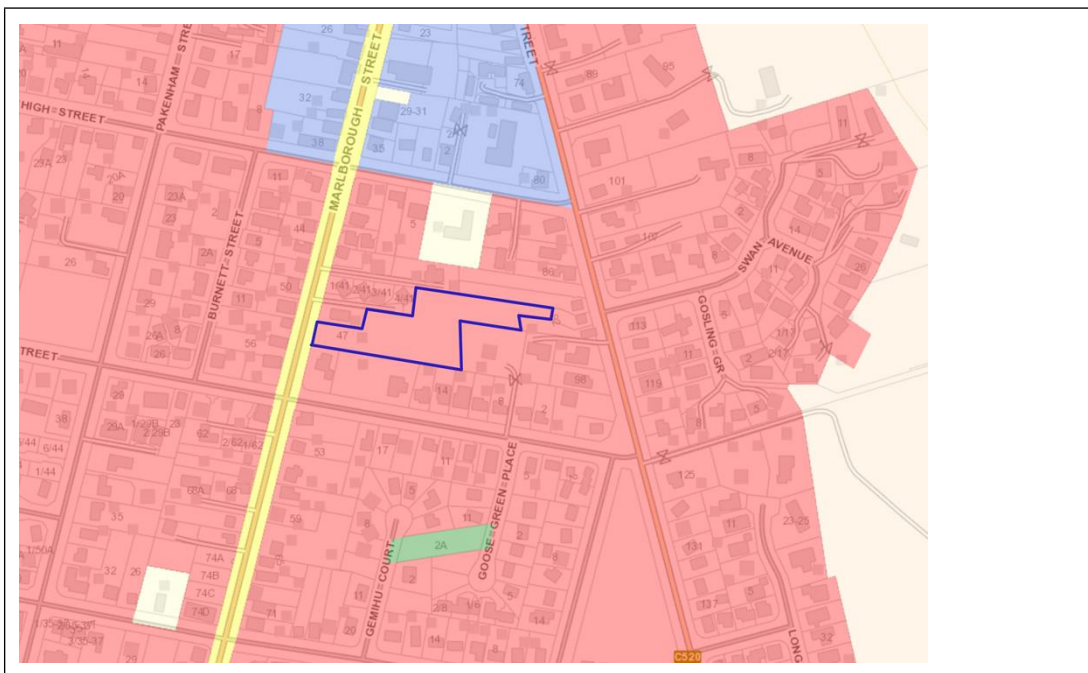
Elevations for Unit Type E1 (dated 1 March 2022):



4.2 Zone and Land Use

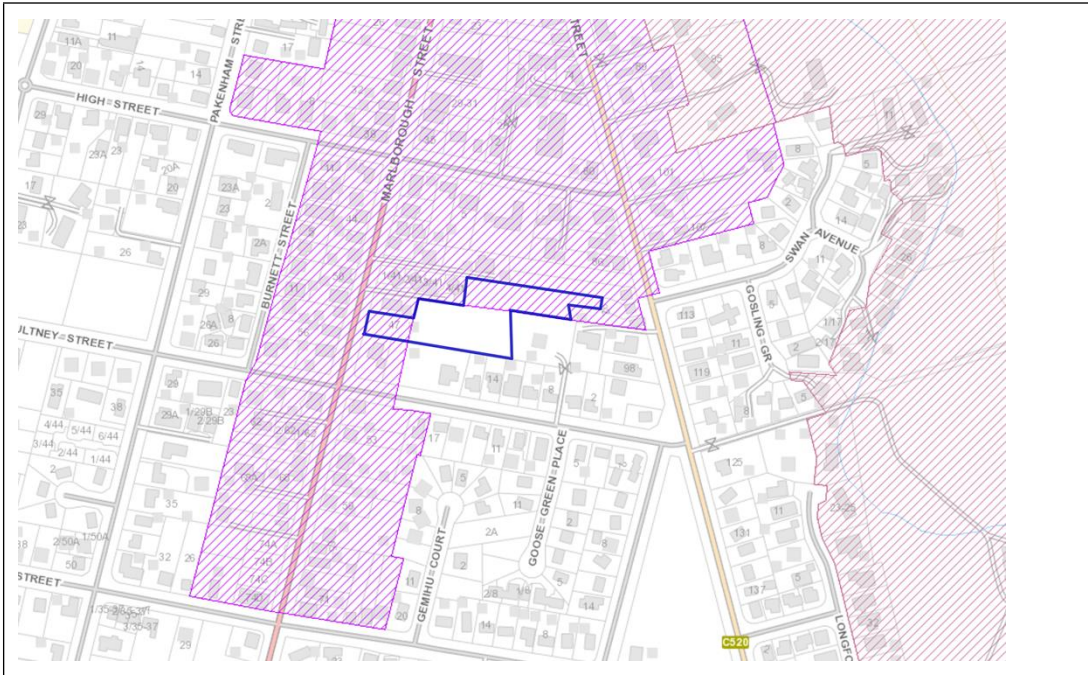
The below Zone Map shows the extent of the General Residential Zone being shaded red. The subject site shown outlined is zoned entirely General Residential under the Interim Planning Scheme. Other zones nearby include General Business (shaded blue) and Community Purpose (shaded pale yellow). Roads are Utilities zone.

Zone Map – General Residential Zone (red) with the subject site shown outlined:



The land is zoned wholly GENERAL RESIDENTIAL and is partly within the Heritage Precinct of Longford.

Overlay Map – Extent of the Heritage Precinct overlay (purple diagonal lines) with the subject site shown outlined:



The relevant Planning Scheme definition is:

<i>multiple dwellings</i>	<i>means 2 or more dwellings on a site.</i>
<i>outbuilding</i>	<i>means a non-habitable detached building of Class 10a of the Building Code of Australia and includes a garage, carport or shed.</i>

Residential (multiple dwellings) is Permitted (with permit) in the zone.

4.3 Subject Site and Locality

The author of this report carried out a site visit on 23 September 2021 and again on 11 November 2021.

The subject site comprising a single lot, is in an area south in the central retail area of the Longford township and in an area best described as a primarily residential area located within well established and primarily residential use and development comprising a mix of multiple dwelling units and single dwellings on lots. The majority of dwellings are single storey and are of various architectural style from the Georgian era to recently constructed dwellings.

Lot sizes vary as do dwelling sizes.

The subject site is currently vacant, has a virtually level gradient and contains mown and overgrown pasture as well as exotic shrubs including hawthorn. Facing Marlborough Street are old timber framed and corrugated metal clad stables and an immediately adjacent large outbuilding that is open on the Marlborough Street facing façade.

The buildings are in dilapidated condition and while an estimate of their age is difficult to undertake given their lack of associated development and dilapidated condition, it is estimated they were constructed pre 1900 and are likely to date from the late 19th century.

There are no adjoining buildings that are obviously associated with these outbuildings.

Development surrounding the subject site comprises predominantly single dwellings on lots typically in the range of 500sqm to 1000sqm in area, with most around 600 to 700sqm.

Multiple dwellings typically comprise infill development located to the rear of an existing earlier dwelling.

There is no characteristic density, style of dwelling or characteristic pattern of development in the surrounding area.

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



The subject site was inspected by the consultant planner undertaking the assessment and recommendation of the proposed development on 24 September 2021 and again on 11 November 2021. The following photographs were taken at that inspection.



Above: The existing timber framed and sheet metal clad old stables building at the subject site that is proposed to be demolished as part of this proposal. Source: Gray Planning, September 2021.



Above: The existing timber framed and sheet metal clad old outbuilding (that may have been once used as a garage) at the subject site that is proposed to be demolished as part of this proposal. Source: Gray Planning, September 2021.



Above: The existing timber framed old outbuilding (that may have been once used as a poultry, garden shed, feed house etc) at the subject site that is proposed to be demolished as part of this proposal. Source: Gray Planning, September 2021.



Above: The east facing rear of the existing timber framed and sheet metal clad old stables building at the subject site that is proposed to be demolished as part of this proposal. Source: Gray Planning, November 2021.



Above: Looking north east within the subject site toward existing neighbouring residences. Source: Gray Planning, November 2021.



Above: Looking east within the subject site toward existing neighbouring residences that are screened by extensive hawthorn hedgerow planting on boundaries of the subject site. Source: Gray Planning, November 2021.



Above: Looking south west within the subject site toward the road frontage and dwellings in Marlborough Street. Source: Gray Planning, November 2021.



Above: Looking south east from the entrance of subject site toward the road frontage and along Marlborough Street. The existing hawthorn hedge is evident in this image. Source: Gray Planning, November 2021.



Above: Looking north west from the entrance of subject site along Marlborough Street. Source: Gray Planning, November 2021.



Above: Looking east from the entrance of subject site in Marlborough Street toward the existing buildings within the subject site. The large green outbuilding on the right in the above image is an outbuilding on a neighbouring property. The hawthorn hedge is also evident in the centre and right of the image. Source: Gray Planning, November 2021.

4.4 Permit History

The subject site has a minor history of planning applications and the sole application on Council records is summarised below.

The planning permit history includes:

- PLN18-0292: re-subdivision of 3 lot subdivision at 45-47 Marlborough Street and 92 Wellington Street.

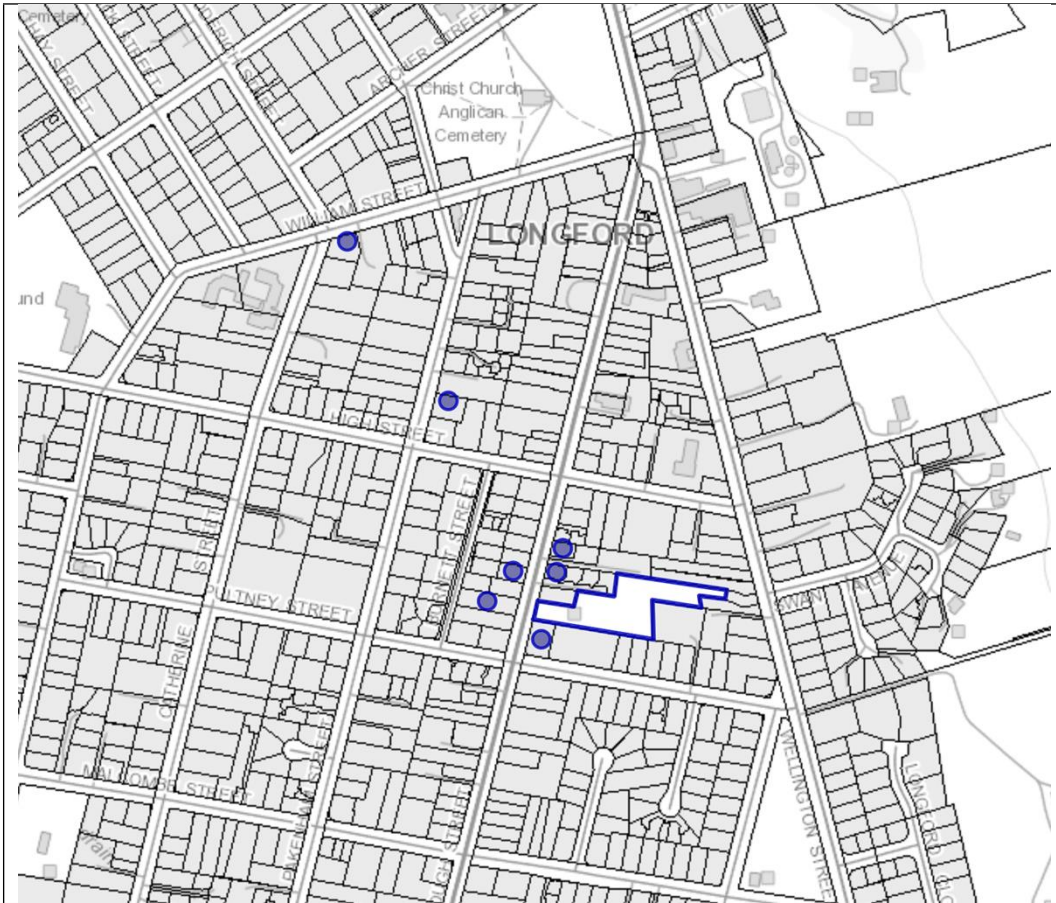
4.5 Representations

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

A review of Council's Records management system after completion of the public exhibition period revealed that a total of eight (8) representations (attached) were received from:

- Cameron and Amanda Stevenson, 49 Marlborough Street, Longford
- Vivien Tan, 39 Marlborough Street, Longford
- Tim Flanagan, 21 William Street, Longford
- Dee Alty, 19 Pakenham Street, Longford
- Robyn Stingel, 1/41 Marlborough Street, Longford
- Neill Tubb, 54 Marlborough Street, Longford
- Peter and Carol Munro, 50 Marlborough Street, Longford
- Mark Rhodes (no address provided)

Map showing location of representor's properties (marked with a blue circle) in relation to subject site (subject site shown outlined):



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

Issue 1

- We request confirmation if the Hawthorn hedge on boundaries of the subject site will remain.

Planner's comment:

The proposal plans indicate that all on site vegetation will be removed. The issue of the Hawthorn hedge is considered in more detail in the heritage assessments within this report.

Issue 2

- The proposal will destroy the heritage significance of the streetscape.

Planner's comment:

This issue is considered in more detail in the heritage assessments within this report.

Issue 3

- The development should have a Recreation and Open Space assigned area and Council should not accept cash in lieu.

Planner's comment:

Open space is dealt with in Code E1.0 of the Planning Scheme. Under clause E10.2.1, this Code only applies to subdivision not multiple dwelling unit developments. On that basis, public open space cannot be requested by Council.

Issue 4

- The density and tightness of the proposed development will lead to problems including fighting over parking.

Planner's comment:

The proposed development complies with multiple dwelling unit density and site coverage development standards applicable in the General Residential zone. Council has no ability to refuse the proposal on density grounds.



Issue 5

- The proposal complicates access to Marlborough Street which will result in safety issues.

Planner's comment:

The proposal complies with access and sight distance issues under the E4.0 Road and Railway Assets Code.

Issue 6

- The proposal does nothing to support already stretch infrastructure in the area.

Planner's comment:

The proposed development is located in a fully serviced area and the submitted documentation shows that the proposal can be connected to existing infrastructure.

Issue 7

- The development shows nowhere for children to play.

Planner's comment:

Private open space has been indicated on the proposal plans. The compliance of this private open space has been discussed in detail under the development standards assessment for the General Residential zone.

Issue 8

- The proposal fails to provide emergency access for ambulances and fire trucks.

Planner's comment:

The Planning Scheme E4.0 Road and Railway Assets Code does not specifically require access for ambulances and fire trucks. Fire truck access is required in areas that are confirmed as being bushfire prone.

Issue 9

- It is unclear how the proposed development will be serviced by garbage trucks.

Planner's comment:

The compliance with respect to waste matters has been discussed in detail under the development standards assessment for the General Residential zone.

Issue 10

- The proposal lacks privacy.

Planner's comment:

The proposed development complies with all privacy related development standards for the General Residential zone.

Issue 11

- The proposed density is out of keeping with the Heritage Precinct.

Planner's comment:

This issue is considered in more detail in the heritage assessments within this report.

Issue 12

- The proposed development does not consider the needs for residents with respect to climate change.

Planner's comment:

There are no design focused development standards in the Planning Scheme that focus on addressing climate change concerns such as excessive temperatures and design responses.

Issue 13

- The traffic generation will create safety issues.

Planner's comment:

The consideration of traffic safety and generation has been considered in detail under the E4.0 Road and Railway Assets Code.

Issue 14

- The proposed development does not provide compliant private open space.

Planner's comment:

Private open space has been indicated on the proposal plans. The compliance of this private open space has been discussed in detail under the development standards assessment for the General Residential zone.



Issue 15

- There are design issues that are not appropriate for the Heritage Precinct. For example dwellings do not face the street, windows are not multi paned and the siting of buildings is not compatible.

Planner's comment:

These issues are considered in more detail in the heritage assessments within this report although it is noted that the unit nearest to the Marlborough Street frontage does face the road frontage.

Issue 16

- Visitor parking opposite units 1 and 2 will impede traffic flow. There are not enough visitor parking spaces and not enough motorcycle spaces as required by State Growth.

Planner's comment:

Car parking requirements are outlined under the applicable Planning Scheme Code and are not requirements from State Growth. The compliance of the proposal has been discussed under Codes in this report.

Issue 17

- The proposed development is not conducive to good mental health.

Planner's comment:

Mental health is linked to amenity which in turn is linked to design attributes that take into account solar access, privacy and open space. The Planning Scheme has requirements with respect to each of these and the compliance of the proposed development is assessed under the General Residential zone development standards in this report.

Issue 18

- The outbuildings proposed to be demolished are significant landmarks.

Planner's comment:

The outbuildings proposed to be demolished are partially located within the Heritage Precinct overlay. Given their internal location within the subject site, dilapidated condition and design qualities, it is not considered that they are either landmarks or significant structures within the Heritage Precinct.

The issue of their demolition is covered in more detail in the heritage assessment of this report, against applicable development standards with respect to demolition.

Issue 19

- The proposal will result in significant on street parking.

Planner's comment:

The proposed development is required to have a minimum number of parking spaces (resident and visitor spaces). The compliance of the proposed development is considered in detail in the Code assessments of this report.

Issue 20

- The proposal has widespread non compliance with parking and access standards (including Australian Standards).

Planner's comment:

All applicable carparking and other parking and access standards have been discussed in the Codes assessment of this report.

4.6 Referrals

The following referrals were required:

Council's Works and Infrastructure Department

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

TasWater

The application was referred to Taswater on 2 August 2021, and a Submission to Planning Authority Notice was issued on 9 November 2021 (Taswater Ref: TWDA 2021/01287-NMC). This Submission from Taswater outlined conditions of approval.

Heritage Advisor

Council's Consultant Heritage Advisor, Danielle Gray, reviewed the application on the 24 September. Ms Gray noted that she had no objections to the proposal and his comments form the Heritage Code and Heritage Precincts Specific Area Plan assessment of this report.



4.6 Planning Scheme Assessment

GENERAL RESIDENTIAL ZONE
ZONE PURPOSE
<p><i>To provide for residential use or development that accommodates a range of dwelling types at suburban densities, where full infrastructure services are available or can be provided.</i></p> <p><i>To provide for compatible non-residential uses that primarily serve the local community.</i></p> <p><i>Non-residential uses are not to be at a level that distorts the primacy of residential uses within the zones, or adversely affect residential amenity through noise, activity outside of business hours traffic generation and movement or other off-site impacts.</i></p> <p><i>To encourage residential development that respects the neighbourhood character and provides a high standard of residential amenity.</i></p>
<p>Assessment: The proposal is considered to meet the zone purpose as the proposed development seeks approval for multiple dwelling development that substantially complies with General residential zone use and development standards.</p>
LOCAL AREA OBJECTIVES
<p><i>To consolidate growth within the existing urban land use framework of the towns and villages.</i></p> <p><i>To manage development in the General Residential zone as part of or context to the Heritage Precincts in the towns and villages.</i></p> <p><i>To ensure developments within street reservations contribute positively to the Heritage Precincts in each settlement.</i></p>
<p>Comment: The proposal meets the local area objectives as the proposed development seeks approval for infill residential development in a residential zoned area. The assessment under the Heritage Code and Specific Area Plan has been discussed on detail later in this report.</p>

Use Standards

10.3.1 Amenity

<p>Objective To ensure that non-residential uses do not cause an unreasonable loss of amenity to adjoining and nearby residential uses.</p>	
Acceptable Solutions	Performance Criteria
A1 If for permitted or no permit required uses.	P1 The use must not cause or be likely to cause an environmental nuisance through emissions including noise and traffic movement, smoke, odour, dust and illumination.
Comment: Complies. The proposal is for a permitted use and therefore complies with the A1 Acceptable Solution.	Comment: Not applicable.
A2 Commercial vehicles for discretionary uses must only operate between 7.00am and 7.00pm Monday to Friday and 8.00am to 6.00pm Saturday and Sunday.	P2 Commercial vehicle movements for discretionary uses must not unreasonably impact on the amenity of occupants of adjoining and nearby dwellings.
Comment: Not applicable. The proposal is not for a discretionary use. Multiple dwellings are a Permitted use in the General Residential zone.	Comment: Not applicable.
A3 If for permitted or no permit required uses.	P3 External lighting must demonstrate that: a) floodlighting or security lights used on the site will not unreasonably impact on the amenity of adjoining land; and b) all direct light will be contained within the boundaries of the site.
Comment: Complies. The proposal is for a permitted use. The proposal is not for a discretionary use. Multiple dwellings are a Permitted use in the General Residential	Comment: Not applicable.



zone.	
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10.3.2 Residential Character – Discretionary Uses

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

Development Standards for Dwellings

10.4.1 Residential density for multiple dwellings

Objective:	That the density of multiple dwellings: (a) makes efficient use of land for housing; and (b) optimises the use of infrastructure and community services.
Acceptable Solutions	Performance Criteria
A1 Multiple dwellings must have a site area per dwelling of not less than 325m ² .	P1 Multiple dwellings must only have a site area per dwelling that is less than 325m ² , if the development will not exceed the capacity of infrastructure services and: (a) is compatible with the density of existing development on established properties in the area; or (b) provides for a significant social or community benefit and is: (i) wholly or partly within 400m walking distance of a public transport stop; or (ii) wholly or partly within 400m walking distance of an Inner Residential Zone, Village Zone, Urban Mixed Use Zone, Local Business Zone, General Business Zone, Central Business Zone or Commercial Zone.
Comment: Complies. The title for the subject development site has an overall area of 7572m ² . A calculation of the overall site area 7575m ² against a total of 21 proposed dwellings gives a site area per dwelling of 360m ² . This complies with the A1 Acceptable Solution for density in the General Residential zone.	Comment: Not applicable.

10.4.2 Setbacks and building envelope for all dwellings

Objective:	The siting and scale of dwellings: (a) provides reasonably consistent separation between dwellings and their frontage within a street; (b) provides consistency in the apparent scale, bulk, massing and proportion of dwellings; (c) provides separation between dwellings on adjoining properties to allow reasonable opportunity for daylight and sunlight to enter habitable rooms and private open space; and (d) provides reasonable access to sunlight for existing solar energy installations.
Acceptable Solutions	Performance Criteria
A1 Unless within a building area on a sealed plan, a dwelling, excluding garages, carports and protrusions that extend not more than 0.9m into the frontage setback, must have a setback from a	P1 A dwelling must: (a) have a setback from a frontage that is compatible with the streetscape, having regard to any topographical constraints; and



<p>frontage that is:</p> <ul style="list-style-type: none"> (a) if the frontage is a primary frontage, not less than 4.5m, or, if the setback from the primary frontage is less than 4.5m, not less than the setback, from the primary frontage, of any existing dwelling on the site; (b) if the frontage is not a primary frontage, not less than 3m, or, if the setback from the frontage is less than 3m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site; (c) if for a vacant site and there are existing dwellings on adjoining properties on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street; (d) if located above a non-residential use at ground floor level, not less than the setback from the frontage of the ground floor level; or (e) if the development is on land that abuts a road specified in Table 10.4.2, at least that specified for the road. 	<ul style="list-style-type: none"> (b) if abutting a road identified in Table 10.4.2, include additional design elements that assist in attenuating traffic noise or any other detrimental impacts associated with proximity to the road.
<p>Comment: Front dwelling wall for the proposed unit 1 that is the unit closest to the Marlborough Street frontage is to be located 4.5m from the front boundary. However, the front verandah that extends over the front door extends 1.4m into frontage. Therefore, the proposal requires assessment under the applicable P1 Performance Criteria.</p>	<p>Comment: Marlborough Street is not noted under Table 10.4.2. It is also considered that the subject site does not have any topographical constraints to justify the encroachment of the porch into the frontage setback. Whether this encroachment is justified is down an assessment of the streetscape characteristics. It is considered the surrounding streetscape has many mid 19th century to early 20th century cottages that have frontage verandahs across the front façade that are located less than 4.5m setback to road frontages. In fact this pattern of front verandahs close to street frontages is a characteristic pattern of development prevalent in the surrounding area. On this basis, it is considered the proposed development is acceptable under the Performance Criteria</p>
<p>A2 A garage or carport for a dwelling must have a setback from a primary frontage of not less than:</p> <ul style="list-style-type: none"> (a) 5.5m, or alternatively 1m behind the building line; (b) the same as the building line, if a portion of the dwelling gross floor area is located above the garage or carport; or (c) 1m, if the existing ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage. 	<p>P2 A garage or carport for a dwelling must have a setback from a primary frontage that is compatible with the setbacks of existing garages or carports in the street, having regard to any topographical constraints.</p>
<p>Comment: Complies. The single car carports proposed for each multiple dwelling are proposed</p>	<p>Comment: Not applicable.</p>



<p>to be more than 5.5m from the frontage. On this basis, the proposal complies with the A1 Acceptable Solution.</p>	
<p>A3 A dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions that extend not more than 0.9m horizontally beyond the building envelope, must:</p> <p>(a) be contained within a building envelope (refer to Figures 10.1, 10.2 and 10.3) determined by:</p> <ul style="list-style-type: none"> (i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a property with an adjoining frontage; and (ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above existing ground level at the side and rear boundaries to a building height of not more than 8.5m above existing ground level; and <p>(b) only have a setback of less than 1.5m from a side or rear boundary if the dwelling:</p> <ul style="list-style-type: none"> (i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining property; or (ii) does not exceed a total length of 9m or one third the length of the side boundary (whichever is the lesser). 	<p>P3 The siting and scale of a dwelling must:</p> <p>(a) not cause an unreasonable loss of amenity to adjoining properties, having regard to:</p> <ul style="list-style-type: none"> (i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining property; (ii) overshadowing the private open space of a dwelling on an adjoining property; (iii) overshadowing of an adjoining vacant property; or (iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining property; <p>(b) provide separation between dwellings on adjoining properties that is consistent with that existing on established properties in the area; and</p> <p>(c) not cause an unreasonable reduction in sunlight to an existing solar energy installation on:</p> <ul style="list-style-type: none"> (i) an adjoining property; or (ii) another dwelling on the same site.
<p>Comment: All but units 14 and 21 comply. The carport for Unit 14 is proposed to be located within 4.5m of internal rear setback. Unit 21 is 9.08m long, 900mm from side boundary..</p>	<p>Comment: It is considered that overshadowing considerations can only be applied to units 14 and 21 which fail to comply with the prescribed building envelope. There are no adjacent neighbouring properties located south of these units.</p> <p>It is considered that the proposed development will not result in an adverse visual impacts given the low height and single storey roof forms of the proposed units with respect to units 14 and 21 which seek discretion. There are no neighbouring residences directly adjacent to these two units and it is considered that they will not result in an unreasonable loss of amenity to neighbouring properties as a result of their scale and location stemming from visual impacts.</p> <p>In terms of (b), there is not considered to be any prevailing and consistent pattern of development in the surrounding area with dwellings separated varying distances to each other. On that basis, the proposed locations of units 14 and 21 is not considered to be out of character with separations prevailing in the surrounding area.</p> <p>In terms of (c), no solar energy installations were sighted</p>

during the two inspections of the subject site and surrounding area.

Given the single storey nature of the proposed development, it is considered that any future installation of solar energy installations would be unaffected by the proposed units 14 and 21.

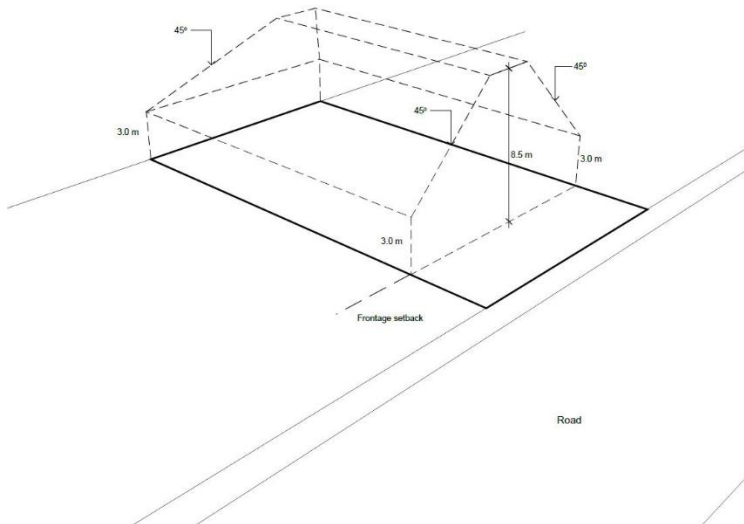


Figure 10.1 Building envelope as required by clause 10.4.2 A3(a)

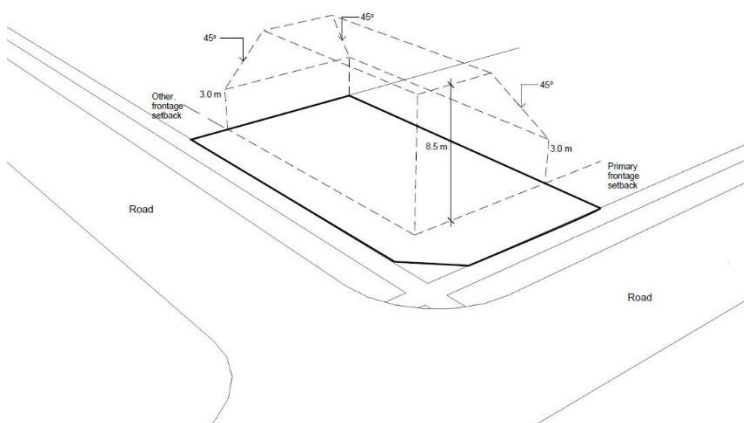


Figure 10.2 Building envelope for corner lots as required by clause 10.4.2 A3(a)

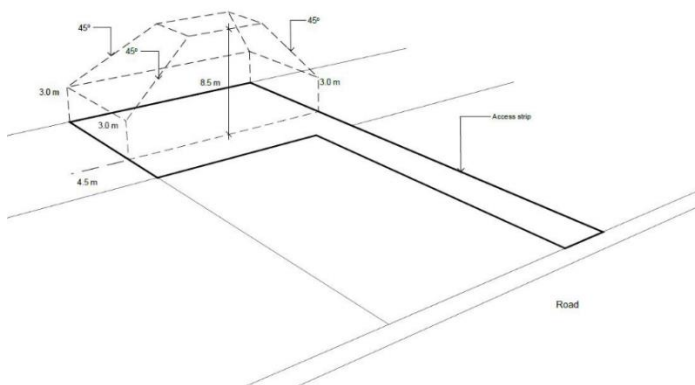


Figure 10.3 Building envelope for internal lots as required by clause 10.4.2 A3(a)



10.4.3 Site coverage and private open space for all dwellings

Objective:	That dwellings are compatible with the amenity and character of the area and provide: <ul style="list-style-type: none"> (a) for outdoor recreation and the operational needs of the residents; (b) opportunities for the planting of gardens and landscaping; and (c) private open space that is conveniently located and has access to sunlight.
Acceptable Solutions	Performance Criteria
A1 Dwellings must have: <ul style="list-style-type: none"> (a) a site coverage of not more than 50% (excluding eaves up to 0.6m wide); and (b) for multiple dwellings, a total area of private open space of not less than 60m² associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer). 	P1 Dwellings must have: <ul style="list-style-type: none"> (a) site coverage consistent with that existing on established properties in the area; (b) private open space that is of a size and with dimensions that are appropriate for the size of the dwelling and is able to accommodate: <ul style="list-style-type: none"> (i) outdoor recreational space consistent with the projected requirements of the occupants and, for multiple dwellings, take into account any common open space provided for this purpose within the development; and (ii) operational needs, such as clothes drying and storage; and (c) reasonable space for the planting of gardens and landscaping.
Comment: <ul style="list-style-type: none"> a) Complies. The proposed site coverage when roofed areas are measured across the overall site area is 35.64%. b) Complies. – see plan which confirms that 60sqm overall per unit for private open space is proposed. The A1 Acceptable Solution is therefore complied with.	Comment: Not applicable.
A2 A dwelling must have private open space that: <ul style="list-style-type: none"> (a) is in one location and is not less than: <ul style="list-style-type: none"> (i) 24m²; or (ii) 12m², if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); (b) has a minimum horizontal dimension of not less than: <ul style="list-style-type: none"> (i) 4m; or (ii) 2m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); (c) is located between the dwelling and the frontage only if the frontage is orientated between 30 degrees west of true north and 30 degrees east of true north; and 	P2 A dwelling must have private open space that includes an area capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children's play and is: <ul style="list-style-type: none"> (a) conveniently located in relation to a living area of the dwelling; and (b) orientated to take advantage of sunlight.

(d) has a gradient not steeper than 1 in 10.	
Comment: The nominated private open space for each unit complies with each of the above requirements in terms of areas, location, dimensions and gradient (noting the site is virtually level). It is therefore considered that the proposal complies with the A2 Acceptable Solution.	Comment: Not applicable.

10.4.4 Sunlight to private open space of multiple dwellings

Objective:	That the separation between multiple dwellings provides reasonable opportunity for sunlight to private open space for dwellings on the same site.	
Acceptable Solutions		Performance Criteria
A1 A multiple dwelling, that is to the north of the private open space of another dwelling on the same site, required to satisfy A2 or P2 of clause 10.4.3, must satisfy (a) or (b), unless excluded by (c): (a) the multiple dwelling is contained within a line projecting (see Figure 10.4): (i) at a distance of 3m from the northern edge of the private open space; and (ii) vertically to a height of 3m above existing ground level and then at an angle of 45 degrees from the horizontal; (b) the multiple dwelling does not cause 50% of the private open space to receive less than 3 hours of sunlight between 9.00am and 3.00pm on 21st June; and (c) this Acceptable Solution excludes that part of a multiple dwelling consisting of: (i) an outbuilding with a building height not more than 2.4m; or (ii) protrusions that extend not more than 0.9m horizontally from the multiple dwelling.		P1 A multiple dwelling must be designed and sited to not cause an unreasonable loss of amenity by overshadowing the private open space, of another dwelling on the same site, which is required to satisfy A2 or P2 of clause 10.4.3 of this planning scheme.
Comment: The proposed unit 14 is located to the north of units 10 and 11 POS and does not comply with (a)(i) and (ii). No shadow diagrams are provided and therefore it is unclear if compliance is achieved with (b). (c) is not applicable.		Comment: As already noted, the proposal complies with A2 of clause 10.4.3.

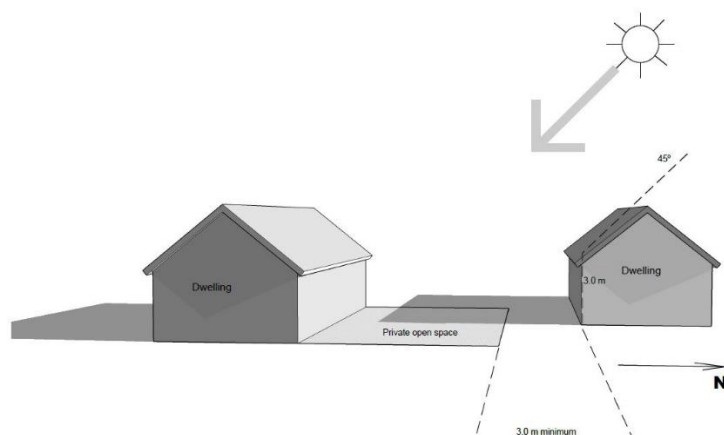


Figure 10.4 Separation from the private open space of another dwelling on the same site as required by clause 10.4.4 A1(a)

10.4.5 Width of openings for garages and carports for all dwellings



Objective:	To reduce the potential for garage or carport openings to dominate the primary frontage.
Acceptable Solutions	Performance Criteria
A1 A garage or carport for a dwelling within 12m of a primary frontage, whether the garage or carport is free-standing or part of the dwelling, must have a total width of openings facing the primary frontage of not more than 6m or half the width of the frontage (whichever is the lesser).	P1 A garage or carport for a dwelling must be designed to minimise the width of its openings that are visible from the street, so as to reduce the potential for the openings of a garage or carport to dominate the primary frontage.
Comment: Complies – All proposed single car carports have less than a 6m width. The A1 Acceptable Solution is therefore complied with.	Comment: Not applicable.

10.4.6 Privacy for all dwellings

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



<p>habitable room, of another dwelling on the same site; and</p> <p>(iv) if the dwelling is a multiple dwelling, is to be not less than 6m from the private open space of another dwelling on the same site.</p> <p>(b) the window or glazed door:</p> <p>(i) is to be offset, in the horizontal plane, not less than 1.5m from the edge of a window or glazed door, to a habitable room of another dwelling;</p> <p>(ii) is to have a sill height of not less than 1.7m above the floor level or have fixed obscure glazing extending to a height of not less than 1.7m above the floor level; or</p> <p>(iii) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of not less than 1.7m above floor level, with a uniform transparency of not more than 25%.</p>	
<p>Comment: The proposed multiple dwellings are all single storey and have finished floor levels less than 1m above the existing ground level.</p> <p>This requirement only applies to windows and glazed doors on floor levels more than 1m above ground level and therefore this clause is not applicable to the proposed development..</p>	<p>Comment: Not applicable.</p>
<p>A3</p> <p>A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of not less than:</p> <p>(a) 2.5m; or</p> <p>(b) 1m if:</p> <p>(i) it is separated by a screen of not less than 1.7m in height; or</p> <p>(ii) the window, or glazed door, to a habitable room has a sill height of not less than 1.7m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of not less than 1.7m above the floor level.</p>	<p>P3</p> <p>A shared driveway or parking space (excluding a parking space allocated to that dwelling), must be screened, or otherwise located or designed, to minimise unreasonable impact of vehicle noise or vehicle light intrusion to a habitable room of a multiple dwelling.</p>
<p>Comment: Setbacks of habitable room windows are located approximately 1m from shared driveways for all units other than corner located units 8, 14, and 21. Unit 20 does not have any habitable room windows facing a shared driveway owing to its design type. The proposal therefore does not comply with A3(a) which requires a 2.5m setback.</p> <p>This setback can be reduced to 1m if there is a screen provided or windows have a sill height not less than 1.7m above the shared driveway.</p> <p>None of the units have such sill heights for habitable room windows facing the shared driveway and no screening is proposed.</p>	<p>Comment: The Performance Criteria requires that all shared driveways and parking spaces are designed as follows:</p> <p><i>‘must be screened, or otherwise located or designed, to minimise unreasonable impact of vehicle noise or vehicle light intrusion to a habitable room of a multiple dwelling’.</i></p> <p>The placement and design of the shared driveway with respect to windows that face this driveway has not been designed to minimize impact. However, slat screens have been placed directly in front of the driveway facing windows of units 1 to</p>



<p>On that basis, the proposal is required to be assessed under the Performance Criteria.</p>	<p>7 inclusive, units 9 to 13 and units 15 to 20 inclusive. On that basis these windows to be treated with a screen reasonably address the Performance Criteria with respect to vehicle light intrusion. In the event that such units and their screen treatment was approved, such windows should also be conditioned to be double glazed to address vehicle noise intrusion. Some of the carports for unit types have been relocated to ensure that bedroom and living room windows are not directly adjacent to parking spaces, even those allocated for that dwelling. However, unit 20 shows a screen being located in front of the adjacent parking space where there is no window to screen – this screen should be deleted off sheet 4 of the proposal plans. Unit 21 has a bedroom window facing the shared driveway with no screening (unit type E1).</p> <p>In the event that this development is approved, this bedroom window for unit E1 must be either deleted entirely, replaced with a highlighted window and a full length window placed on the northern elevation of the unit for bedroom 2.</p> <p>It is considered that the amendments to the proposal are sufficient to argue that compliance has now been met subject to conditions of approval being applied as outlined above.</p> <p>It is further recommended that screens must be in place as proposed prior to any strata titles being issued by Council.</p> <p>Such titles should have covenants that units relying on screening for compliance should retain such screening. Otherwise, there is the risk that screening is likely to be removed in the future.</p>
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10.4.7 Frontage fences for all dwellings

Objective:	<p>The height and transparency of frontage fences:</p> <ul style="list-style-type: none"> (a) provides adequate privacy and security for residents; (b) allows the potential for mutual passive surveillance between the road and the dwelling; and (c) is reasonably consistent with that on adjoining properties.
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>No Acceptable Solution.</p>	<p>P1</p> <p>A fence (including a free-standing wall) for a dwelling within 4.5m of a frontage must:</p> <ul style="list-style-type: none"> (a) provide for security and privacy while allowing for passive surveillance of the road; and (b) be compatible with the height and transparency of fences in the street, having regard to: <ul style="list-style-type: none"> (i) the topography of the site; and (ii) traffic volumes on the adjoining road.



<p>Comment: The application does propose a frontage fence along Marlborough Street but this fence is exempt under the General Residential zone development standards.</p> <p>Assessment against heritage development standards is provided later in this report.</p>	<p>Comment: Not applicable.</p>
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10.4.8 Waste storage for multiple dwellings

<p>Objective: To provide for the storage of waste and recycling bins for multiple dwellings.</p>	
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>A multiple dwelling must have a storage area, for waste and recycling bins, that is not less than 1.5m² per dwelling and is within one of the following locations:</p> <ul style="list-style-type: none"> (a) an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or (b) a common storage area with an impervious surface that: <ul style="list-style-type: none"> (i) has a setback of not less than 4.5m from a frontage; (ii) is not less than 5.5m from any dwelling; and (iii) is screened from the frontage and any dwelling by a wall to a height not less than 1.2m above the finished surface level of the storage area. 	<p>P1</p> <p>A multiple dwelling must have storage for waste and recycling bins that is:</p> <ul style="list-style-type: none"> (a) capable of storing the number of bins required for the site; (b) screened from the frontage and dwellings; and (c) if the storage area is a common storage area, separated from dwellings on the site to minimise impacts caused by odours and noise.
<p>Comment: Complies as rubbish bin locations have been shown within nominated private open space areas for each unit that is at least 1.5sqm and not located in the frontage. On this basis, the proposal complies with the A1 Acceptable Solution.</p>	<p>Comment: Not applicable.</p>

10.4.9 Storage for multiple dwellings

<p>Objective</p> <p>To provide adequate storage facilities for each multiple dwelling.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 Each multiple dwelling must have access to at least 6 cubic metres of secure storage space.</p>	<p>P1 Each multiple dwelling must provide storage suitable to the reasonable needs of residents.</p>
<p>Comment: The proposal plans show 6sqm storage sheds for each proposed unit and on that basis, it is considered the proposed complies with the A1 Acceptable Solution.</p>	<p>Comment: Not applicable.</p>

10.4.10 Common Property for multiple dwellings

<p>Objective</p> <p>To ensure that communal open space, car parking, access areas and site facilities for multiple dwellings are easily identified.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 Development for multiple dwellings must clearly delineate public, communal and private areas such as:</p> <ul style="list-style-type: none"> a) driveways; and b) site services and any waste collection points. 	<p>P1 No performance criteria.</p>



Comment: It is considered that the proposal satisfactorily delineate public, communal and private areas within the proposal development.	Comment: Not applicable.
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10.4.11 Outbuildings and Ancillary Structures for the Residential Use Class other than a single dwelling

Objective To ensure: <ul style="list-style-type: none"> a) that outbuildings do not detract from the amenity or established neighbourhood character; and b) that dwellings remain the dominant built form within an area; and c) earthworks and the construction or installation of swimming pools are appropriate to the site and respect the amenity of neighbouring properties. 	
Acceptable Solutions	Performance Criteria
A1 Outbuildings for each multiple dwelling must have a combined gross floor area not exceeding 45m ² .	P1 Outbuildings for each multiple dwelling must be designed and located having regard to: <ul style="list-style-type: none"> (a) visual impact on the streetscape; and (b) compatibility with the size and location of outbuildings in the neighbourhood.
Comment: Outbuildings for each multiple dwelling are 6sqm in area and therefore the A1 Acceptable Solution is complied with..	Comment: Not applicable.
A2 A swimming pool for private use must be located: <ul style="list-style-type: none"> (a) behind the setback from a primary frontage; or (b) in the rear yard. 	P2 A swimming pool for private use must designed and located to: <ul style="list-style-type: none"> (a) minimise any visual impact on the streetscape; and (b) not unreasonably overlook or overshadow adjoining properties; and (c) be compatible with the size and location of approved outbuildings in the neighbourhood.
Comment: Not applicable as the development does not propose any swimming pool..	Comment: Not applicable.

10.4.12 Site services for multiple dwellings

Objective To ensure that: <ul style="list-style-type: none"> a) site services for multiple dwellings can be installed and easily maintained; and b) site facilities for multiple dwellings are accessible, adequate and attractive. 	
Acceptable Solutions	Performance Criteria
A1 Provision for mailboxes must be made at the frontage.	P1 Sufficient space (including easements where required) for mail services must be provided for each multiple dwelling.
Comment: The landscape plan shows mailboxes to be located adjacent to the driveway entrance. On that basis, the proposal is considered to comply.	Comment: Not applicable.

10.4.13 Clauses 10.4.13.1 – 10.4.13.9 only apply to development within the Residential Use Class which is not a dwelling.

Comment: Not applicable. The proposal is for multiple dwelling within the Residential use class.

10.4.14 Non Residential Development

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

10.4.15 Subdivision

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



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

ASSESSMENT AGAINST E4.0

ROAD AND RAILWAY ASSETS CODE

E4.6 Use Standards

E4.6.1 Use and road or rail infrastructure

Objective: To ensure that the safety and efficiency of road and rail infrastructure is not reduced by the creation of new accesses and junctions or increased use of existing accesses and junctions.	
Acceptable Solutions	Performance Criteria
A2 For roads with a speed limit of 60km/h or less the use must not generate more than a total of 40 vehicle entry and exit movements per day.	P2 For roads with a speed limit of 60km/h or less, the level of use, number, location, layout and design of accesses and junctions must maintain an acceptable level of safety for all road users, including pedestrians and cyclists.
Comment: The proposed development for 21 multiple dwellings will generate more than 40 vehicle movements per day (105 movements per day as per the submitted TIA) and therefore assessment is required against the P2 Performance Criteria.	Comment: It is considered that the proposed development complies based on the information provided in the submitted TIA, version 3 dated February 2022.

E4.7.2 Management of Road Accesses and Junctions

Objective: To ensure that the safety and efficiency of roads is not reduced by the creation of new accesses and junctions or increased use of existing accesses and junctions.	
Acceptable Solutions	Performance Criteria
A1 For roads with a speed limit of 60km/h or less the development must include only one access providing both entry and exit, or two accesses providing separate entry and exit.	P1 For roads with a speed limit of 60km/h or less, the number, location, layout and design of accesses and junctions must maintain an acceptable level of safety for all road users, including pedestrians and cyclists.
Comment: The proposed development is on a 60kmph road (Marlborough Street) and the proposed development seeks approval for a single access providing both entry and exit to and from the site. The proposal therefore complies with the A1 Acceptable Solution.	Comment: Not applicable.



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

Objective: To ensure that use and development involving or adjacent to accesses, junctions and level crossings allows sufficient sight distance between vehicles and between vehicles and trains to enable safe movement of traffic.

Acceptable Solutions	Performance Criteria
A1 Sight distances at a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.7.4; and b) rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia; or c) If the access is a temporary access, the written consent of the relevant authority has been obtained.	P1 The design, layout and location of an access, junction or rail level crossing must provide adequate sight distances to ensure the safe movement of vehicles.
Comment: Sight distances at the Marlborough Street access comply with sight distance requirements in Table E4.7.4. The proposal therefore complies with the A1 Acceptable Solution.	Comment: Not applicable.

ASSESSMENT AGAINST E6.0

CAR PARKING & SUSTAINABLE TRANSPORT CODE

E6.6 Use Standards

E6.6.1 Car Parking Numbers

Objective: To ensure that an appropriate level of car parking is provided to service use.

Acceptable Solutions	Performance Criteria
A1 The number of car parking spaces must not be less than the requirements of: a) Table E6.1; or b) a parking precinct plan contained in Table E6.6: Precinct Parking Plans (except for dwellings in the General Residential Zone).	P1 The number of car parking spaces provided must have regard to: a) the provisions of any relevant location specific car parking plan; and b) the availability of public car parking spaces within reasonable walking distance; and c) any reduction in demand due to sharing of spaces by multiple uses either because of variations in peak demand or by efficiencies gained by consolidation; and d) the availability and frequency of public transport within reasonable walking distance of the site; and e) site constraints such as existing buildings, slope, drainage, vegetation and landscaping; and f) the availability, accessibility and safety of on-road parking, having regard to the nature of the roads, traffic management and other uses in the vicinity; and g) an empirical assessment of the car parking demand; and h) the effect on streetscape, amenity and vehicle, pedestrian and cycle safety and convenience; and i) the recommendations of a traffic impact assessment prepared for the proposal; and j) any heritage values of the site; and k) for residential buildings and multiple dwellings, whether parking is adequate to meet the needs of the residents having regard to: i) the size of the dwelling and the number of bedrooms; and ii) the pattern of parking in the locality; and iii) any existing structure on the land.
Comment: All of the proposed units are 2 or 3 bedrooms.	Comment: Not applicable.



<p>The car parking requirement is as follows:</p> <p>Six of the proposed units are three bedroom: while 15 are 2 bedrooms. Regardless of the number of bedrooms, all units required 2 spaces per unit. This equates to 42 car parking spaces and a further 6 car parking spaces for visitor parking as well as 2 motorcycle spaces. The proposal seeks approval 42 spaces in total proposed as well as 6 visitor spaces. The proposal complies with the A1 Acceptable Solution in terms of car parking spaces to be provided.</p>	
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Table E6.1: Parking Space Requirements

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

E6.6.2 Bicycle Parking Numbers

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

Acceptable Solutions		Performance Criteria	
A1.1	Permanently accessible bicycle parking or storage spaces must be provided either on the site or within 50m of the site in accordance with the requirements of Table E6.1; or	P1	Permanently accessible bicycle parking or storage spaces must be provided having regard to the:
A1.2	The number of spaces must be in accordance with a parking precinct plan contained in Table E6.6: Precinct Parking Plans.	a)	likely number and type of users of the site and their opportunities and likely preference for bicycle travel; and
		b)	location of the site and the distance a cyclist would need to travel to reach the site; and
		c)	availability and accessibility of existing and planned parking facilities for bicycles in the vicinity.
<p>Comment: Table E6.1 requires 1 space per unit. The proposal plans dated 1 March 2022 notes that bicycle parking is provided adjacent to carports and will be a paved area measuring 0.7m x 3m.</p> <p>A condition of approval should be applied to any permit issued by Council to ensure that such spaces (1 bicycle space for every unit) are constructed and provided as proposed prior to titles being sealed by Council.</p> <p>Unit 21 shows the bicycle space being located between the dwelling and a 6.2m length carport which is considered adequate for a parking space and room for a bicycle in terms of overall length.</p>		Comment: Not applicable.	

E6.6.3 Taxi Drop-off and Pickup

Objective: To ensure that taxis can adequately access developments.

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



Zone).	
Comment: Not applicable as the subject site is located within the General Residential zone.	Comment: Not applicable.

E6.6.4 Motorbike Parking Provisions

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

Acceptable Solutions	Performance Criteria
A1 One motorbike parking space must be provided for each 20 car spaces required by Table E6.1 or part thereof.	P1 No performance criteria.
Comment: The proposal seeks approval for 48 car parking spaces and this equates to a total of 3 motorcycle spaces being required. The TIA and planning report both claim that 2 spaces are provided. The proposal plans dated 1 March 2022 show a total of 2 motorcycle spaces. These are located north of unit 9 and south of unit 20. A total of 3 spaces are required and there is no ability for any discretion on this based on there being no Performance Criteria specified. A condition should be placed on any permit of approval that formally paved and signposted spaces should be provided on site prior to strata titles being signed off by Council and that no less than 3 motorcycle spaces are provided.	Comment: Not applicable.

E6.7 Development Standards

E6.7.1 Construction of Car Parking Spaces and Access Strips

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

Acceptable Solutions	Performance Criteria
A1 All car parking, access strips manoeuvring and circulation spaces must be: a) formed to an adequate level and drained; and b) except for a single dwelling, provided with an impervious all weather seal; and c) except for a single dwelling, line marked or provided with other clear physical means to delineate car spaces.	P1 All car parking, access strips manoeuvring and circulation spaces must be readily identifiable and constructed to ensure that they are useable in all weather conditions.
Comment: The proposal plan notes that all car parking and manoeuvring areas are to be paved, drained and sealed and therefore the proposal complies.	Comment: Not applicable.

E6.7.2 Design and Layout of Car Parking

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

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



A1.2 All manoeuvring occurs behind the 4.5m frontage setback and therefore the proposal complies.			
A2.1	Car parking and manoeuvring space must:	P2	Car parking and manoeuvring space must:
a)	have a gradient of 10% or less; and	a)	be convenient, safe and efficient to use having regard to matters such as slope, dimensions, layout and the expected number and type of vehicles; and
b)	where providing for more than 4 cars, provide for vehicles to enter and exit the site in a forward direction; and	b)	provide adequate space to turn within the site unless reversing from the site would not adversely affect the safety and convenience of users and passing traffic.
c)	have a width of vehicular access no less than prescribed in Table E6.2 and Table E6.3, and		
A2.2	The layout of car spaces and access ways must be designed in accordance with <i>Australian Standards AS 2890.1 - 2004 Parking Facilities, Part 1: Off Road Car Parking</i> .		
<p>Comment: The proposal has a site gradient less than 10% and complies with (a). The proposal arguably complies with (b) as cars are able to turn (albeit with multiple movements) within the subject site and leave in a forward direction. In terms of (c) the access for the proposed driveway pavement is measured as being 7.7m which include two 1m wide landscape strips either side, leaving a pavement width of 5.5m. This complies with Table E6.2. For Table E6.3, most spaces are 3m or less (taking into account carport poles which reduce spaces to under 3m) and therefore an internal driveway width of 5.8m is required for manoeuvring where spaces are 90 degrees to the driveway. There is not sufficient information to demonstrate that the pavement width directly opposite will enable 5.8 metres to achieve manoeuvring. The shared parking space for units 1 and 2 is particularly problematic as it is located within the driveway pavement itself and appears to reduce that part of the pavement to less than 5.5m. Engineering advice confirms that A2.2 is met. Compliance is not achieved and the proposal requires assessment under the Performance Criteria.</p>		<p>Comment: It is considered from a planning perspective that there is still insufficient information to demonstrate compliance with the Performance Criteria. Only partial manoeuvring paths have been shown in the original plans submitted. The amended plans dated 1 March 2022 show manoeuvring for all nominated spaces except spaces for units 20 and 21. More information should be provided from the developer that shows full turning paths (reversing and then moving forward) for all proposed car parking spaces and carports including 20 and 21. Furthermore, the proposed parking space for units 1 and 2 that is located within the driveway area should be deleted entirely or relocated. This is still shown in the amended plans dated 1 March 2022 and should be deleted as part of any approval of the proposal. Units 20 to 21 are still considered to be problematic in terms of the tight conditions that would prohibit manoeuvring out of these spaces. Reversing will also be a problem given the layout of the site which is a 'z' shape. Council have engaged the services of an independent traffic engineer Midson Traffic to provide an independent assessment of the proposed development against the Performance Criteria with this assessment being provided as part of this report to Council.</p>	

Table E6.2: Access Widths for Vehicles

Number of parking spaces served	Access width (see note 1)	Passing bay (2.0m wide by 5.0m long plus entry and exit tapers) (see note 2)
1 to 5	3.0m	Every 30m
6 to 20	4.5m for initial 7m from road carriageway and 3.0m thereafter.	Every 30m
21 and over	5.5m	Not applicable

E6.7.3 Car Parking Access, Safety and Security

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



Comment: Not applicable as car parking is spread throughout the site with no grouped parking comprising more than 20 spaces.	Comment: Not applicable.
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E6.7.4 Parking for Persons with a Disability

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

Acceptable Solutions	Performance Criteria
A1 All spaces designated for use by persons with a disability must be located closest to the main entry point to the building.	P1 The location and design of parking spaces considers the needs of disabled persons, having regard to: <ul style="list-style-type: none"> a) the topography of the site; b) the location and type of relevant facilities on the site or in the vicinity; c) the suitability of access pathways from parking spaces, and d) applicable Australian Standards.
Comment: Not applicable. Being for a dwelling, the proposal does not require, and does not propose, parking for persons with a disability.	Comment: Not applicable.
A2 Accessible car parking spaces for use by persons with disabilities must be designed and constructed in accordance with AS/NZ2890.6 – 2009 Parking facilities – Off-street parking for people with disabilities.	P2 No performance criteria.
Comment: Not applicable.	Comment: Not applicable.

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

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

Acceptable Solutions	Performance Criteria
A1 For retail, commercial, industrial, service industry or warehouse or storage uses: <ul style="list-style-type: none"> a) at least one loading bay must be provided in accordance with Table E6.4; and b) loading and bus bays and access strips must be designed in accordance with <i>Australian Standard AS/NZS 2890.3 2002</i> for the type of vehicles that will use the site. 	P1 For retail, commercial, industrial, service industry or warehouse or storage uses adequate space must be provided for loading and unloading the type of vehicles associated with delivering and collecting people and goods where these are expected on a regular basis.
Comment: Not applicable as the proposed development is for residential use in a General Residential zone.	Comment: Not applicable.

E6.8 Provisions for Sustainable Transport

E6.8.1 Bicycle End of Trip Facilities

Not used in this planning scheme

E6.8.2 Bicycle Parking Access, Safety and Security

Objective:

To ensure that parking and storage facilities for bicycles are safe, secure and convenient.

Acceptable Solutions	Performance Criteria
A1.1 Bicycle parking spaces for customers and visitors must: <ul style="list-style-type: none"> a) be accessible from a road, footpath or cycle track; and b) include a rail or hoop to lock a bicycle to that meets <i>Australian Standard AS 2890.3 1993</i>; and c) be located within 50m of and visible or signposted from the entrance to the activity they serve; and d) be available and adequately lit in accordance with <i>Australian Standard AS/NZS 1158 2005 Lighting Category C2</i> during the times they will be used; and 	P1 Bicycle parking spaces must be safe, secure, convenient and located where they will encourage use.
A1.2 Parking space for residents' and employees' bicycles must be	



under cover and capable of being secured by lock or bicycle lock.	
Comment: The proposal does not comply and therefore must address the performance criteria.	Comment: The submitted planning report states that each proposed multiple dwelling will have an outbuilding in the form of a 3m x 5.5m carport that would provide for safe, secure and convenient bicycle parking. However, car parking spaces must be no less than 5.4m in length which leaves 10cm for storage of a bicycle. As noted elsewhere in this report, amendments have been made to provide an adequate paved space measuring 3m x 0.7m for a single bicycle space at the end of each carport to allocate one such bicycle space per unit. The bicycle parking space for unit 21 is included under the roof of the carport which measures 6.2m in length (an additional 0.7m of length).
A2 Bicycle parking spaces must have: a) minimum dimensions of: i) 1.7m in length; and ii) 1.2m in height; and iii) 0.7m in width at the handlebars; and b) unobstructed access with a width of at least 2m and a gradient of no more 5% from a public area where cycling is allowed.	P2 Bicycle parking spaces and access must be of dimensions that provide for their convenient, safe and efficient use.
Comment: The proposal has been amended to comply. The submitted planning report states that each proposed multiple dwelling will have an outbuilding in the form of a 3m x 5.5m carport that would provide for safe, secure and convenient bicycle parking. However, car parking spaces must be no less than 5.4m in length which leaves 10cm for storage of a bicycle. As noted elsewhere in this report, amendments should be made to the carport that lengthens them by 1m to provide an adequate space for a single bicycle space at the end of each carport.	Comment: Not applicable

E6.8.5 Pedestrian Walkways

Objective: To ensure pedestrian safety is considered in development	
Acceptable Solution	Performance Criteria
A1 Pedestrian access must be provided for in accordance with Table E6.5.	P1 Safe pedestrian access must be provided within car park and between the entrances to buildings and the road.
Comment: The proposal does not comply as the proposal plans show no designated footpath areas within the subject site. The proposal therefore must be considered under the P1 Performance Criteria.	Comment: The Performance Criteria clearly states that safe pedestrian access must be provided. The proposal plans show pedestrian access within the development site. There are no footpaths designated in the proposal plans. Buildings have a 1m wide vegetation screen from driveway areas that it is noted will be planted out with boxwood hedges to window sill height. The amended set of plans dated 1 March 2022 show a pedestrian walkway stencilled into the driveway. This walkway zig zags across the driveway. This proposal results in pedestrians now being directed to walk within driveway areas. There are no pedestrian only areas at all within the footprint of the development site outside of private open space. Pedestrians would have nowhere other than the driveway itself to move in



	<p>the event they needed to evade a car.</p> <p>Council have engaged the services of Midson Traffic to provide an independent assessment of the proposal by a traffic expert to determine compliance or otherwise of the proposal under the applicable P1 Performance Criteria. This independent assessment has been provided as part of this Council report.</p>
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Table E6.5: Pedestrian Access

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

Notes

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

ASSESSMENT AGAINST E13.0

LOCAL HISTORIC HERITAGE CODE

The following is an assessment against applicable development standards for the proposed development.

Development standards that are not applicable to the proposed development including repair and maintenance, subdivision and signage have not been included in the following assessment.

E13.6 Development Standards

E13.6.1 Demolition

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

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



<p>Comment: The proposed development seeks demolition of outbuildings that are partially contained within the Local Historic Heritage Code and seeks to remove these buildings entirely. On this basis, the proposal is required to be assessed against the P1 Performance Criteria.</p>	<p>Comment: It is considered that the proposed development complies with P1.1 as well as P1.2. The proposed development seeks removal of outbuildings with no known history that have no clear or demonstrated connection to any adjoining property. The outbuildings are in extremely poor condition and would not readily be able to be repurposed as part of the proposed development. The values outlined and identified in Table E13.1: Heritage Precincts will remain unaffected by the demolition of the outbuildings. It is also worth noting that the Heritage Precinct overlay only partially covers the outbuildings. This means where buildings are not covered with the overlay, demolition is permitted without any reference to the requirements of the Local Historic Heritage Code which do not apply.</p>
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E13.6.3 Site Cover

Objective: To ensure that site coverage is consistent with historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts, if any.

Acceptable Solutions	Performance Criteria
<p>A1 Site coverage must be in accordance with the acceptable development criterion for site coverage within a precinct identified in Table E13.1: Heritage Precincts, if any.</p>	<p>P1 The site coverage must: a) be appropriate to maintaining the character and appearance of the building or place, and the appearance of adjacent buildings and the area; and b) not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.</p>
<p>Comment: There is no acceptable development criterion for site coverage in Table E13.1 with respect to Longford. The proposal must there comply with the P1 Performance Criteria.</p>	<p>Comment: There is no prevailing density character in the surrounding area with lots sizes varying and a number of unit developments on comparable densities within 200m of the site. The setbacks, scale of development and proximity of development to Marlborough Street is comparable to adjacent and opposite dwellings. The proposed development will not result in the identified characteristics from being met or retained as outlined in Table E13.1 for Longford.</p>

E13.6.4 Height and Bulk of Buildings

Objective: To ensure that the height and bulk of buildings are consistent with historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts.

Acceptable Solutions	Performance Criteria
<p>A1 New building must be in accordance with the acceptable development criteria for heights of buildings or structures within a precinct identified in Table E13.1: Heritage Precincts, if any.</p>	<p>P1 P1.1 The height and bulk of any proposed buildings must not adversely affect the importance, character and appearance of the building or place, and the appearance of adjacent buildings; and P1.2 Extensions proposed to the front or sides of an existing building must not detract from the historic heritage significance of the building; and P1.3 The height and bulk of any proposed buildings must not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.</p>
<p>Comment: There are no design or development criteria for Longford identified in Table E13.1. The proposal therefore requires</p>	<p>Comment: The proposed units are low in height (less than 5m above ground level), single storey and there will be of a low profile that will not adversely impact upon the appearance of adjacent buildings. The proposal is therefore considered to comply with P1.1. P1.2 is not relevant as it relates to extensions to existing buildings.</p>



assessment against the P1 Performance Criteria.	It is considered the proposal does not present any objection to P1.3 as the low height single storey forms of the proposed units will not be out of character with building types and development referenced in Table E13.1 for Longford.
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E13.6.5 Fences

Objective: To ensure that fences are designed to be sympathetic to, and not detract from the historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts.	
Acceptable Solutions	Performance Criteria
A1 New fences must be in accordance with the acceptable development criteria for fence type and materials within a precinct identified in Table E13.1: Heritage Precincts, if any.	P1 New fences must: <ul style="list-style-type: none"> a) be designed to be complementary to the architectural style of the dominant buildings on the site or b) be consistent with the dominant fencing style in the heritage precinct; and c) not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.
Comment: There are no design or development criteria for fences Longford identified in Table E13.1. The proposal therefore requires assessment against the P1 Performance Criteria.	Comment: (a) is not relevant as the subject site is vacant. The amended proposal plans dated 1 March 2022 (on the landscaping plan page) still show an indicative design for the front fence along Marlborough Street for a 1.1m high front fence with 50% transparency. This is a picket fence to be painted 'vivid white', no materials are indicated. The amended blunt picket design of the fence is considered an appropriate design and style of traditional fences in the surrounding area which are the dominant style in the surrounding Heritage Precinct. In the event the development is approved, a condition should be applied that pickets must be timber in construction, an appropriate colour scheme (not 'vivid white' which is not in keeping with the surrounding area) in keeping with other traditional front fences in the surrounding area.

E13.6.6 Roof Form and Materials

Objective: To ensure that roof form and materials are designed to be sympathetic to, and not detract from the historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts.	
Acceptable Solutions	Performance Criteria
A1 Roof form and materials must be in accordance with the acceptable development criteria for roof form and materials within a precinct identified in Table E13.1: Heritage Precincts, if any.	P1 Roof form and materials for new buildings and structures must: a) be sympathetic to the historic heritage significance, design and period of construction of the dominant existing buildings on the site; and b) not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.
Comment: There are no design or development criteria for roof forms for Longford identified in Table E13.1. The proposal therefore requires assessment against the P1 Performance Criteria.	Comment: The Colorbond clad hip roof forms are considered in keeping with dominant roof forms in the surrounding area and will not result in any detriment to the characteristics and values outlined for Longford in Table E13.1.



E13.6.7 Wall materials

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

Acceptable Solutions	Performance Criteria
A1 Wall materials must be in accordance with the acceptable development criteria for wall materials within a precinct identified in Table E13.1: Heritage Precincts, if any.	P1 Wall material for new buildings and structures must: a) be complementary to wall materials of the dominant buildings on the site or in the precinct; and b) not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.
Comment: There are no design or development criteria for wall materials for Longford identified in Table E13.1. The proposal therefore requires assessment against the P1 Performance Criteria.	Comment: The proposal plans indicate that external wall cladding for all proposed units are to be 'external brick'. In elevation drawings these are shown as a uniform shade of red bricks. The amended plans indicate that these bricks are to be Austral bricks Homestead range, specifically 'Red'. The Homestead Red brick chosen shows a traditional red shaded brick that has a textured surface finish. Given the prevalence of red brick buildings in the surrounding area, the proposed Homestead 'Red' brick is considered acceptable as it provides a heritage style brick of a uniform red shade. This specific finish should be included as a condition of approval.

E13.6.8 Siting of Buildings and Structures

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

Acceptable Solutions	Performance Criteria
A1 New buildings and structures must be in accordance with the acceptable development criteria for setbacks of buildings and structures to the road within a precinct identified in Table E13.1: Heritage Precincts, if any.	P1 The front setback for new buildings or structure must: a) be consistent with the setback of surrounding buildings; and b) be set at a distance that does not detract from the historic heritage significance of the place; and c) not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.
Comment: There are no design or development criteria for setbacks and building location for Longford identified in Table E13.1. The proposal therefore requires assessment against the P1 Performance Criteria.	Comment: The proposal complies with (a) as the front unit is to be setback a comparable setback with other buildings in the immediately surrounding area. The proposal is also considered to comply with (b) as it is considered that the proposed location will not detract with the historic heritage of the place. Furthermore, it is considered that (c) is complied with as the proposed setback and location of buildings will not detract from meeting the identified characteristics and values outlined for Longford in Table E13.1.

E13.6.9 Outbuildings and Structures

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

Acceptable Solutions	Performance Criteria
A1 Outbuildings and structures must be: a) set back an equal or greater distance from the	P1 New outbuildings and structures must be designed and located;



principal frontage than the principal buildings on the site; and b) in accordance with the acceptable development criteria for roof form, wall material and site coverage within a precinct identified in Table E13.1: Heritage Precincts, if any.	a) to be subservient to the primary buildings on the site; and b) to not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.
Comment: The proposal complies with (a) as the small 6sqm outbuildings are located behind the building line of unit 1 in terms of the frontage. However, there are no design or development criteria for setbacks and building location for Longford identified in Table E13.1. The proposal therefore requires assessment against the P1 Performance Criteria.	Comment: The proposed small 6sqm outbuildings will be subservient in terms of their placement and location to the primary buildings (the proposed units) on the subject. It is further considered that setback and location of the proposed outbuildings will not detract from meeting the identified characteristics and values outlined for Longford in Table E13.1.

E13.6.10 Access Strips and Parking

Objective: To ensure that access and parking does not detract from the historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts.	
Acceptable Solutions	Performance Criteria
A1 Car parking areas for non-residential purposes must be: a) located behind the primary buildings on the site; or b) in accordance with the acceptable development criteria for access and parking as within a precinct identified in Table 1: Heritage Precincts, if any.	P1 Car parking areas for non-residential purposes must not: a) result in the loss of building fabric or the removal of gardens or vegetated areas where this would be detrimental to the setting of a building or its historic heritage significance; and b) detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.
Comment: This clause is not relevant as it relates to non-residential uses. The proposed development is for multiple dwelling development in the Residential use class.	Comment: Not applicable.

E13.6.11 Places of Archaeological Significance

Objective: To ensure that places identified in Table E13.3 as having archaeological significance are appropriately managed.	
Acceptable Solutions	Performance Criteria
A1 No Acceptable Solution.	P1 For works impacting on places listed in Table E13.3: a) it must be demonstrated that all identified archaeological remains will be identified, recorded and conserved; and b) details of survey, sampling and recording techniques technique be provided; and c) that places of identified historic heritage significance will not be destroyed unless there is no prudent and feasible alternative.
Comment: This clause is not relevant as the subject site is not located in a site of mapped archaeological potential or significance in Table E13.3.	Comment: Not applicable.

E13.6.12 Tree and Vegetation Removal

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

Acceptable Solutions	Performance Criteria
A1 No Acceptable Solution.	P1 The removal of vegetation must not: a) unreasonably impact on the historic cultural significance of the place; and b) detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.
Comment: The proposal requires assessment against the P1 Performance Criteria.	Comment: The boundary shared with 49 Marlborough Street is lined with a thick hawthorn hedge. This hedge is in excellent health and condition and is considered to contribute to the historic cultural heritage significance of the surrounding area. A representation has been submitted asking if this hedge will be removed. The amended documentation including an arborist report dated February 2022 and an amended set of proposal plans dated 1 March 2022 confirms that as part of the proposed development it is intended that the hedge will remain. Removal of this hedge would otherwise detract from the characteristics identified for Longford in Table E13.1 and would also detrimentally impact upon the historic and cultural heritage of the surrounding precinct. The developer has provided the following information in their latest set of plans dated 1 March 2022 and an accompanying arborist report: the hedge is located partially within the boundaries of the development site and the adjacent properties 29 Marlborough Street as well as 16 and 18 Pultney Street; confirms that this hedge can remain as part of the proposed development; arborist guided actions including pruning and fencing to ensure the protection and health of the hedge during construction. The proposal plans state on the submitted site plan: "existing hawthorn hedge to be pruned in accordance with the tree report and fenced approximately 1m outside the hedge to avoid unnecessarily entering the area". It is considered the fencing is necessary only during construction and does not present a feasible option to protect this planting longterm. It is further considered that any fencing, even a mesh style fencing may impact upon the health of the hedge while solid fencing may have an adverse impact. Conditions should be placed on any permit of approval that require the hedge to be appropriately fenced with temporary fencing during construction. Pruning may only occur in accordance with arboricultural advice after the units 1 to 7 have been fully constructed. Council staff should require an updated arborist report confirming the health and condition of the hedge prior to the sealing of any titles for units 1 to 7 or prior to issuing of any Certificates of Occupancy for these affected units. It is further recommended that a condition of approval be applied to any permit that requires a Part 5 Agreement be attached to the title or any future strata titles that an agreement be entered into under Section 71 that requires the retention of the hawthorn hedge and its maintenance in accordance with the submitted arborist report.

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



ASSESSMENT AGAINST F2.0

HERITAGE PRECINCTS SPECIFIC AREA PLAN

The following is an assessment against applicable development standards in the Heritage Precincts SAP for the proposed development.

Development standards that are not applicable to the proposed development have not been included in the following assessment.

It is noted that clauses F2.4.1, F2.4.2 and F2.4.3 (below) a design statement is required. This is clearly stated as a requirement to ensure compliance and not something that 'may' be provided. Given the extent of the proposed development, new units that directly front onto Marlborough Street and the overall scale of the proposal, it is considered that a design statement must be provided by the developer. This statement should obviously only relate to buildings located within the Heritage Precincts overlay and particular focus should be given the proposed units and development in the portion of the overlay that fronts Marlborough Street.

The amended plans and document includes a 'design statement' by Abei Designs dated 2 March 2022 that accompanies the proposal plans dated 1 March 2022. This design statement is considered to sufficiently respond to issues seeking discretion in the Heritage Precinct Specific Area Plan.

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

Comment: A satisfactory Design statement has now been provided as already noted.

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

Comment: A satisfactory Design statement has now been provided as already noted.

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

Comment: A satisfactory Design statement has now been provided as already noted. **F2.5 Standards for Development**

F2.5.1 Setbacks and Siting

Objective: To ensure that:

- (a) the predominant front setback of the existing buildings in the streetscape is maintained;
- (b) the impact of garages and carports on the streetscape is minimised; and (c) the visual prominence of the Baptist Church building in Longford is maintained.

Acceptable Solutions

A1.1

The predominant front setback as identified in the design statement must be maintained for all new buildings, extensions, alterations or additions (refer Figure F2.4 & F2.8).

A1.2

For Heritage Place ID 279 – 'Baptist Church' 41-43 Wellington Street, Longford in Table F2.1, the front setback to Wellington Street must be a minimum of 8m.

Performance Criteria

P1.1

The front setback must be compatible with the historic cultural heritage significance of a local heritage place or precinct, having regard to:

- a) the cultural heritage values of the local heritage place, its setting and the precinct;
- b) the topography of the site;
- c) the size, shape, and orientation of the lot;
- d) the setbacks of other buildings in the surrounding area;
- e) the historic cultural heritage significance of adjacent places; and f) the streetscape.

P1.2



	No Performance Criterion.
Comment: Only A1.1 is relevant to the proposed development. The placement of unit 1 is not in accordance with F2.4 or F2.8 as its 4.5m setback is closer than the facades of immediately adjacent dwellings on either side. On this basis, the proposal is required to be assessed against the P1 Performance Criteria.	Comment: It is considered that the proposed development complies with P1.1. The proposed setback of the development is comparable to other setbacks of heritage buildings in the surrounding area and is considered to favourably address the cultural heritage values of the surrounding precinct as well as the setback of other buildings in the surrounding area.
A2 New carports and garages, whether attached or detached, must be set back a minimum of 3 metres behind the line of the front wall of the house which it adjoins (refer Figure F2.3, & F2.7).	P2 The setback of new carports and garages from the line of the front wall of the house which it adjoins must be compatible with the historic cultural heritage significance of a local heritage place or precinct, having regard to: a) the cultural heritage values of the local heritage place, its setting and the precinct; b) the topography of the site; c) the size, shape, and orientation of the lot; d) the setbacks of other buildings in the surrounding area; e) the historic cultural heritage significance of adjacent places; and f) the streetscape.
Comment: The proposal meets both F2.3 and F2.7 with respect to the carport placement for unit 1 and compliance is therefore achieved with the A2 Acceptable Solution.	Comment: Not applicable.
A3 Side setback reductions must be to one boundary only, in order to maintain the appearance of the original streetscape spacing.	P3 Side setbacks must be compatible with the historic cultural heritage significance of a local heritage place or precinct, having regard to: a) the cultural heritage values of the local heritage place, its setting and the precinct; b) the topography of the site; c) the size, shape, and orientation of the lot; d) the setbacks of other buildings in the surrounding area; e) the historic cultural heritage significance of adjacent places; and f) the streetscape.
Comment: Unit 21 is 9.08m long, 900mm from side boundary and does not comply with the 1.5m side boundary setback. The carport for unit 14 also does not meet the required setback. Therefore the proposal is required to meet the P3 Performance Criteria.	Comment: The proposed setbacks relate to internal boundaries and given the configuration of the subject site and the location of units 14 and 21, will have no impact on streetscape. Setbacks of other buildings in the surrounding area have been considered and it is considered that the proposal is able to comply with P3.
A4 with respect to Heritage Place Baptist Church: not applicable.	P3 Not applicable

F2.5.2 Orientation



Objective: To ensure that new buildings, extensions, alterations and additions respect the established predominant orientation within the streetscape.	
Acceptable Solutions	Performance Criteria
A1 All new buildings, extensions, alterations or additions must be orientated: a) perpendicular to the street frontage (refer Figure F2.5, F2.6, & F2.8); or b) Where the design statement identifies that the predominant orientation of buildings within the street is other than perpendicular to the street, to conform to the established pattern in the street; and c) A new building must not be on an angle to an adjoining heritage-listed building (refer Figure F2.5).	P1 Orientation of all new buildings, extensions, alteration or additions must be compatible with the historic cultural heritage significance of a local heritage place or precinct, having regard to: a) the cultural heritage values of the local heritage place, its setting and the precinct; b) the topography of the site; c) the size, shape, and orientation of the lot; d) the setbacks of other buildings in the surrounding area; e) the historic cultural heritage significance of adjacent places; and f) the streetscape.
Comment: The location of proposed unit 1 is perpendicular to the street frontage as required by Figure F2.5, F2.6, & F2.8. Compliance is therefore achieved with the Acceptable Solution.	Comment: Not applicable.

F2.5.3 Scale

Objective: To ensure that all new buildings respect the established scale of buildings in the streetscape, adhere to a similar scale, are proportional to their lot size and allow an existing original main building form to dominate when viewed from public spaces.	
Acceptable Solutions	Performance Criteria
A1 Single storey developments must have a maximum height from floor level to eaves of 3 metres (refer Figure F2.14).	P1 No Performance Criteria.
Comment: All of the proposed units throughout the development site are single storey and have heights from floor level to eaves of around 2.4m as shown on the elevation drawings. Compliance is therefore achieved.	Comment: Not applicable.
A2 Where a second storey is proposed it must be incorporated into the roof space using dormer windows, or roof windows, or gable end windows, so as not to detract from original two storey heritage-listed buildings (refer Figure F2.13 & F2.15).	P2 No Performance Criteria.
Comment: Not applicable as none of the units have a second storey.	Comment: Not applicable.
A3 Ground floor additions located in the area between the rear and front walls of the existing house must not exceed 50% of the floor area of the original main house.	P3 No Performance Criteria.
Comment: Not applicable as no extensions to an existing building are proposed.	Comment: Not applicable.

F2.5.4 Roof Forms

Objective: To ensure that the roof form and elements respect those of the existing main building and the
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streetscape.	
Acceptable Solutions	Performance Criteria
<p>A1.1 The roof form for new buildings, extensions, alterations, and additions must, if visible from the street, be in the form of hip or gable, with a pitch between 25 – 40 degrees (refer Figure F2.14 & F2.18), or match the existing building, and</p> <p>A1.2 Eaves overhang must be a maximum of 300mm excluding guttering, or match the existing building.</p>	<p>P1 The roof form of all new buildings, extensions, alteration or additions must be compatible with the historic cultural heritage significance of a local heritage place or precinct, having regard to:</p> <p>a) the cultural heritage values of the local heritage place, its setting and the precinct;</p> <p>b) the design, period of construction and materials of the dominant building on site; c) the dominant roofing style and materials in the setting; and</p> <p>d) the streetscape.</p>
<p>Comment: The roof form on units 1 and 2 and units 14-21 which are all located within the Heritage Precinct overlay are all appropriate hip forms.</p> <p>However, the carports for these buildings do not have hip forms and for units 1 and 2 will be able to be seen from the street. Therefore, compliance is required to be confirmed against the P1 Performance Criteria.</p> <p>All eaves comply with A1.2.</p>	<p>Comment: The simple skillion roof of the carports for units 1 and 2 are considered to be in keeping with rear skillion extensions to heritage buildings in the surrounding Heritage Precinct. There will be no adverse impact on the streetscape as these carports are located entirely behind the form of unit 1.</p>
<p>A2 Where there is a need to use the roof space, dormer windows are acceptable and must be in a style that reflects the period setting of the existing main building on the site, or the setting if the site is vacant (refer Figure F2.15).</p>	<p>P2 No Performance Criteria.</p>
<p>Comment: Not applicable as none of the units proposed to use roof space or propose dormers.</p>	<p>Comment: Not applicable.</p>
<p>A3 Where used, chimneys must be in a style that reflects the period setting of the existing main building on the site, or the setting if the site is vacant.</p>	<p>P3 No Performance Criteria.</p>
<p>Comment: Not applicable as none of the units proposed to use chimneys.</p>	<p>Comment: Not applicable.</p>
<p>A4 Metal cowl must not be used where they will be seen from the street.</p>	<p>P4 No Performance Criteria.</p>
<p>Comment: Not applicable as none of the units proposed to use metal cowl.</p>	<p>Comment: Not applicable.</p>

F2.5.5 Plan Form

Objective: To ensure that new buildings, alterations, additions and extensions respect the setting, original plan form, shape and scale of the existing main building on the site or of adjoining heritage-listed buildings.	
Acceptable Solutions	Performance Criteria
<p>A1.1 Alterations and additions to pre-1940 buildings must retain</p>	<p>P1 Original main buildings must remain visually</p>



the original plan form of the existing main building; or A1.2 The plan form of additions must be rectilinear or consistent with the existing house design and dimensions.	dominant over any additions when viewed from public spaces.
Comment: A1.1 and A1.2 are not relevant as the proposal is not an alteration or addition to a pre 1940's building.	Comment: Not applicable.
A2 The plan form of new buildings must be rectilinear (refer Figure F2.9).	P2 No Performance Criteria.
Comment: The floor plans of all new buildings are rectilinear and therefore the A2 Acceptable Solution is complied with.	Comment: Not applicable.

F2.5.6 External Walls

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

Acceptable Solutions	Performance Criteria
<p>A1.1 Materials used in additions must match those of the existing construction, except in additions to stone or brick buildings; and</p> <p>A1.2 External walls must be clad in:</p> <p>a) traditional bull-nosed timber weatherboards; if treated pine boards are used to replace damaged weatherboards they must be painted; thin profile compressed board weatherboards must not be used; or</p> <p>b) brickwork, with mortar of a natural colour and struck flush with the brickwork (must not be deeply raked), including:</p> <ul style="list-style-type: none"> • painted standard size bricks; or • standard size natural clay bricks that blend with the colour and size of the traditional local bricks; or • standard brickwork rendered in traditional style; or • if a heritage-listed building, second-hand traditional local bricks. Heavily-tumbled clinker bricks must not be used; or <p>c) concrete blocks specifically chosen to blend with local dressed stone, or rendered and painted; d) concrete blocks in natural concrete finish must not be used. A1.3 Cladding materials designed to imitate traditional materials such as brick, stone and weatherboards must not be used.</p>	<p>P1 Wall materials must be compatible with the historic cultural heritage significance of a local heritage place or precinct, having regard to:</p> <p>a) the cultural heritage values of the local heritage place, its setting and the precinct;</p> <p>b) the design, period of construction and materials of the dominant building on site; c) the dominant wall materials in the setting; and d) the streetscape.</p>
<p>Comment: Of the above (b) is relevant as the proposed units are proposed to be constructed in brick. The proposal is considered to meet A1.1(b). The proposal plans indicate that external wall cladding for all proposed units are to be 'external brick'. In elevation drawings these are shown as a uniform shade of red bricks. The amended plans indicate that these bricks are to be Austral bricks Homestead range, specifically 'Red'. The Homestead Red brick chosen shows a traditional red shaded brick that has a textured surface finish. Given the prevalence of red brick buildings in the surrounding area, the proposed Homestead 'Red' brick is considered acceptable as it provides a heritage style brick of a uniform red shade. This specific finish should be included as a condition of approval.</p>	Comment: Not applicable

F2.5.7 Entrances and Doors

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



Acceptable Solutions	Performance Criteria
<p>A1.1 The position, shape and size of original door and window openings must be retained where they are prominent from public spaces; and</p> <p>A1.2 The front entrance location must be in the front wall facing the street, and be located within the central third of the front wall of the house; and</p> <p>A1.3 Modern front doors with horizontal glazing or similar styles must not be used (refer Figure F2.21).</p>	<p>P1 Entrances and doors must be compatible with the historic cultural heritage significance of a local heritage place or precinct, having regard to: a) the cultural heritage values of the local heritage place, its setting and the precinct; b) the design, period of construction and materials of the dominant building on site; and c) the streetscape.</p>
<p>Comment: A1.1 is not relevant as this clause relates to existing buildings. The front entrance of unit 1 (design type D2) facing the street is located in the central third location and fronts the street and therefore complies. The front doors for all units have been amended. In amended plans and details dated 1 March 2022, amended front doors for all units have been submitted by the developer to propose solid 4 panel front doors. In the event the development is approved by Council, a condition should still be applied that units should not contain any frosted, mirrored or tinted glass..</p>	<p>Comment: Not applicable</p>

F2.5.8 Windows

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

Acceptable Solutions	Performance Criteria
<p>A1 A1 Window heads must be a minimum of 300mm below the eaves line, or match the existing.</p>	<p>P1 No Performance Criteria.</p>
<p>Comment: All of the proposed units comply with 300mm separation between the top of windows and the underside of the eaves. Compliance is therefore achieved.</p>	<p>Comment: Not applicable.</p>
<p>A2 Solid Void ratio Front façade windows must conform to the solid/void ratio (refer Figure F2.24 & F2.25).</p>	<p>P2 For commercial buildings, the solid/void ratio of front façade windows must be compatible with that of heritage-listed commercial buildings in the precinct</p>
<p>Comment: It is considered that the window styles for the front facades for unit 1 comply as this is the only unit that has a street facing front façade. Units 2 and 3 comply also as while these front facades do not face the street frontage they still will be able to be seen from the street frontage.</p>	<p>Comment: Not applicable.</p>
<p>A3 Window sashes Window sashes must be double hung, casement, awning or fixed appropriate to the period and style of the building (refer Figure F2.22 & F2.23).</p>	<p>P3 No Performance Criteria.</p>
<p>Comment: It is considered that the windows for unit 1 comply with respect to windows in the street facing front façade. Units 2 and 3 comply also as while these front facades do not face the street frontage, they still will be able to be seen. Windows in these facades comply also.</p>	<p>Comment: Not applicable.</p>



Units 14 to 21 are located internally and will not be able to be seen from any public frontage.	
A4 Traditional style multi-pane sashes, when used, must conform to the traditional pattern of six or eight vertical panes per sash with traditional size and profile glazing bars.	P4 No Performance Criteria.
Comment: Multi paned sashes are not proposed for the development and this clause is not applicable.	Comment: Not applicable.
A5 Horizontally sliding sashes must not be used.	P5 No Performance Criteria.
Comment: It is unclear if any horizontal sliding sashes are proposed. No details are provided in either the plans advertised of 21 October 2021 or the amended set of plans dated 1 March 2022. Given the form of the double sash windows, it is unlikely. It is therefore recommended that any permit of approval be conditioned accordingly to prohibit the use of horizontal sliding sashes.	Comment: Not applicable.
A6 Corner windows to front facades must not be used	P6 No Performance Criteria.
Comment: No corner windows are proposed and therefore this clause is not applicable.	Comment: Not applicable.
A7 Window Construction Materials Clear glass must be used.	P7 No Performance Criteria.
Comment: The planning report submitted states that frosted glazing is proposed to be used to combat windows being less than 2.5m to the driveway and parking spaces. Amended plans dated 1 March 2022 have removed such annotations off elevations for units 1, 2 and 3 and indicate clear glazing for all units. The issue of clear glazing should additionally form a condition of approval where an approval is recommended.	Comment: Not applicable.
A8 Window Construction Materials Reflective and tinted glass and coatings must not be used where visible from public places.	P8 No Performance Criteria.
Comment: The planning report and proposal plans do not indicate any reflective or tinted glass. Nonetheless, this should be dealt with by the application of a condition of approval where an approval is recommended.	Comment: Not applicable.
A9 Window Construction Materials Additions to heritage-listed buildings must have timber window frames, where visible from public spaces.	P9 No Performance Criteria.
Comment: This clause is not applicable as the development does not involve any heritage listed building.	Comment: Not applicable.
A10 Window Construction Materials Painted aluminium must only be used where it cannot be seen from the street and in new buildings, or where used in existing buildings.	P10 Window frames must be compatible with the historic cultural heritage significance of a local heritage place or precinct, having regard to the cultural heritage values of the local heritage place, its setting and the precinct.
Comment: The proposal plans dated 1 March 2022 indicate that aluminium frames are proposed for all window frames. Window framing should be timber for street facing windows for unit 1	Comment: Not applicable.



and any approval must accordingly include a condition of approval for unit 1. Using aluminium for all other windows for unit 1 as well as unit 2, 3 and 14-21 is considered to be acceptable under the P10 Performance Criteria.	
A11 Window Construction Materials Glazing bars must be of a size and profile appropriate for the period of the building.	P11 No Performance Criteria.
Comment: The glazing bars proposed for all affected windows (units 1-3 and 14-21) are considered appropriate and compliance is considered achieved.	Comment: Not applicable.
A12 Window Construction Materials Stick-on aluminium glazing-bars must not be used.	P12 No Performance Criteria.
Comment: It would appear there are no stick on glazing bars proposed. However, in any recommended permit of approval, a condition of approval should be applied that specifically prohibits these.	Comment: Not applicable.
A13 Window Construction Materials All windows in brick or masonry buildings must have projecting brick or stone sills, or match the existing.	P13 No Performance Criteria.
Comment: The amended plans dated 1 March 2022 show elevations for units 1, 2 and 3 still do not have such projecting sills. As there is no ability to request discretion, a condition of approval for any permit issued by Council must include a condition requiring all windows on all facades for units 1, 2 and 3 complying with this requirement and incorporating projecting sills. Such amended details must be included in any plans submitted for building approval.	Comment: Not applicable.
A14 French Doors, Bay Windows and Glass Panelling French doors and bay windows must be appropriate for the original building style and must be of a design reflected in buildings of a similar period.	P14 No Performance Criteria.
Comment: The proposal does not seek approval for French doors or bay windows.	Comment: Not applicable.
A15 French Doors, Bay Windows and Glass Panelling Where two bay windows are required, they must be symmetrically placed.	P15 No Performance Criteria.
Comment: The proposal does not seek approval for any bay windows.	Comment: Not applicable.
A16 French Doors, Bay Windows and Glass Panelling Large areas of glass panelling must: a) Be divided by large vertical mullions to suggest a vertical orientation; and b) Be necessary to enhance the utility of the property or protect the historic fabric; and c) Not detract from the historic values of the original building.	P16 No Performance Criteria.
Comment: The proposal complies with (a) with respect to sliding doors of facades facing away from the street frontage for units 1, 2 and 3. (b) and (c) are not relevant as there is not historic fabric or original buildings involved.	Comment: Not applicable.

F2.5.9 Roof Covering

Objective: To ensure that roof materials are compatible with the streetscape.	
Acceptable Solutions	Performance Criteria



<p>A1.1 Roofing of additions, alterations and extensions must match that of the existing building; and</p> <p>A1.2 Roof coverings must be:</p> <p>a) corrugated iron sheeting in grey tones, brown tones, dark red, or galvanized iron or</p> <p>b) slate or modern equivalents, shingle and low profile tiles, where compatible with the style and period of the main building on the site and the setting. Tile colours must be:</p> <ul style="list-style-type: none"> • dark gray; or • light grey; or • brown tones; or • dark red; or <p>c) traditional metal tray tiles where compatible with the style and period of the main building on the site d) for additions, alterations and extensions, match that of the existing building.</p>	<p>P1 No Performance Criteria.</p>
<p>Comment: Of the above, A1.1 is not relevant as this applies to existing buildings. Of A1.2, (a) is relevant as the proposed roofing is nominated as simply 'Colourbond. The Colorbond colour 'Windspray' has been nominated. This is a mid grey that is considered satisfactory. It is recommended that a condition be placed on the permit that Colorbond roofing should be traditional ribbed forms and not square profile or kliplock style.</p>	<p>Comment: Not applicable.</p>
<p>A2 Must not be klip-lock steel deck and similar high rib tray sheeting.</p>	<p>P2 No Performance Criteria.</p>
<p>Comment: see above comment for A1.2</p>	<p>Comment: Not applicable.</p>

F2.5.10 Roof Plumbing

Objective: To ensure that roof plumbing and fittings are compatible with the streetscape.	
Acceptable Solutions	Performance Criteria
<p>A1.1 Gutters must be OG, D mould, or Half Round profiles (refer Figure F2.26), or match the existing guttering; and</p> <p>A1.2 Downpipes must be zincalume natural, colorbond round, or PVC round painted.</p>	<p>P1 No Performance Criteria.</p>
<p>Comment: The amended plans dated 1 March 2022 state that all gutters will be Colorbond gutters in 'surfmist' which is a mid cream colour. The previously amended plans dated 17 December 2021 originally stated that all gutters were to be 'd' style gutters in Colorbond Surfmist, which is a mid cream colour. However, this annotation as to the gutter style has been removed from the plans dated 1 March 2022. A condition of approval requiring such gutters on the units must be included on any permit of approval, in the absence of any ability for discretion owing to there being no Performance Criteria.</p>	<p>Comment: Not applicable.</p>
<p>A2 Downpipes must not be square-line gutter profile or rectangular downpipes (refer Figure F2.27), or match the existing downpipes.</p>	<p>P2 No Performance</p>



	Criteria.
Comment: As noted above, the amended plans dated 1 March 2022 do not contain adequate information confirming compliance with the above Acceptable Solutions (neither of which can be varied by discretion). On this basis, compliance can be achieved by the application of a condition of approval.	Comment: Not applicable.

F2.5.11 Verandahs

Objective: To ensure that traditional forms of sun and weather protection are used, consistent with the streetscape.	
Acceptable Solutions	Performance Criteria
A1 Original verandahs must be retained.	P1 No Performance Criteria
Comment: Not applicable as the subject site is vacant	Comment: Not applicable.
A2 Replacement of missing verandahs A2.1 The replacement of a missing verandah must be consistent with the form and detail of the original verandah; or A2.2 If details of the original verandah are not available: a) The verandah roof must join the wall line below the eaves line of the building (refer Figure F2.19); and b) Verandah posts and roof profile must be consistent with that in use by the surrounding buildings of a similar period.	P2 Verandahs must be compatible with the historic cultural heritage significance of a local heritage place or precinct, having regard to: a) the cultural heritage values of the local heritage place, its setting and the precinct; b) the design, period of construction and materials of the dominant building on site; and c) the streetscape.
Comment: The proposal does not seek to replace a missing verandah.	Comment: Not applicable.
A3 A new verandah, where one has not previously existed, must be consistent with the design and period of construction of the dominant existing building on the site or, for vacant sites, those of the dominant design and period within the precinct.	P3 No Performance Criteria.
Comment: It is considered that the small porch style verandah originally proposed for the proposed unit 1 is not in keeping with traditional verandahs in the surrounding area where these are verandah that are spread across the entire, or majority of the front street facing façade where front facades include bay windows. Amended plans have been submitted from the developer for unit 1 (type D2) that amend the design of the verandah to be located across all of the front façade that faces the street frontage and it is considered that compliance is now achieved.	Comment: Not applicable.

F2.5.12 Architectural Details

Objective: To ensure that the architectural details are consistent with the historic period and style of the main building on the site, and the streetscape.	
Acceptable Solutions	Performance Criteria
A1 Original Detailing Original details and ornaments, such as architraves, fascias and mouldings, are an essential part of the building's character and must not be removed beyond the extent of any alteration, addition or extension.	P1 No Performance Criteria.



Comment: This clause is not applicable as it relates to details on an original building to be affected by a development.	Comment: Not applicable.
A2 Non Original Detailing A2.1 Non-original elements must be consistent with the original architectural style of the dominant existing building on the site or, for vacant sites, be consistent with the existing streetscape; and A2.1 Non-original elements must not detract from or dominate the original qualities of the building, nor should they suggest a past use which is not historically accurate.	P2 No Performance Criteria.
Comment: This clause is not applicable as it relates to non original details on an original building to be affected by a development.	Comment: Not applicable.

F2.5.13 Outbuildings

Objective: To ensure that outbuildings do not reduce the dominance of the original building or distract from its period character.	
Acceptable Solutions	Performance Criteria
A1 The roof form of outbuildings must, if visible from the street, be in the form of hip or gable, with a maximum span of 6.5m and a pitch between 22.5 – 40 degrees.	P1 The roof form of outbuildings, if visible from the street, must be compatible with the historic cultural heritage significance of a local heritage place or precinct, having regard to: a) the cultural heritage values of the local heritage place, its setting and the precinct; b) the design, period of construction and materials of the dominant building on site; c) the dominant roofing style and materials in the setting; and d) the streetscape.
Comment: Proposed carports and small 6sqm storage sheds do not comply and therefore must meet the P1 Performance Criteria	Comment: It is considered the roof form of the carports and also the small 6sqm storage sheds meets the above Performance Criteria.
A2 Outbuildings must be designed, in both scale and appearance, to be subservient to the primary buildings on the site.	P2 No Performance Criteria.
Comment: It is considered that carports and small storage sheds are of a design and appearance that are subservient to the primary buildings, being the proposed units. Compliance is considered to be achieved.	Comment: Not applicable.
A3 Window sashes Outbuildings must not be located in front of existing heritage-listed buildings, and must be setback a minimum of 3 metres behind the line of the front wall of the house that is set furthest back from the street (refer Figure F2.1 & F2.3).	P3 No Performance Criteria.
Comment: The development does not involve any heritage listed buildings. All outbuildings comply with placement for unit 1 in terms of being located wholly behind the building line and also more than	Comment: Not applicable.



3m from the front façade.	
A4 Any garage, including those conjoined to the main building, must be designed in the form of an outbuilding, with an independent roof form.	P4 No Performance Criteria.
Comment: No garages are proposed and this clause is not relevant.	Comment: Not applicable.
A5 Those parts of Outbuildings visible from the street must be consistent, in both materials and style, with those of any existing heritage-listed building on-site.	P5 No Performance Criteria.
Comment: There are no heritage listed buildings on site and therefore this clause is not applicable.	Comment: Not applicable.
A6 Where visible from the street, the eaves height of outbuildings must not exceed 3m and the roof form and pitch must be the same as that of the main house.	P6 No Performance Criteria.
Comment: Carports for units 1 and 2 are both located within the Heritage Precinct overlay where as the carport for unit 3 is not. Carports for units 1 and 2 have a height not exceeding around 2.4m. The roof form and pitch however is not the same as the units which is a hip form. There is no Performance Criteria and no ability to seek discretion. Amended plans have been submitted that demonstrate compliance as unit 1 (Type D2) now has a double carport with a hipped roof to match the unit. Unit 2 no longer has any carport and has open spaces only. In the event that the proposal is recommended for approval, a condition of approval should be placed on the permit, that where any carport is proposed for unit 2 (Type C2), such a carport must include an attached carport with a hip form roof as per the carport for type D2.	Comment: Not applicable.

F2.5.14 Conservatories

The proposed development does not seek approval for any conservatories and therefore all clauses associated with conservatories are not relevant.

F2.5.15 Fences and Gates

Objective: To ensure that original fences are retained and restored where possible and that the design and materials of any replacement complement the setting and the architectural style of the main building on the site.	
Acceptable Solutions	Performance Criteria
A1 A1.1 Replacement of front fence must be in the same design, materials and scale; or A1.2 a) Front fence must be a timber vertical picket, masonry to match the house, heritage style woven wire, galvanized tubular fencing, other than looped, or iron palisade fence with a maximum height of 1500mm. b) Side and rear fences must be vertical timber palings to a maximum height of 1800mm.	P1 Fences must be compatible with the historic cultural heritage significance of a local heritage place or precinct, having regard to: a) the cultural heritage values of the local heritage place, its setting and the precinct; b) the architectural style of the dominant building on the site; c) the dominant fencing style in the setting; and d) the original or previous fences on the site.
Comment: A1.1 is not relevant as it relates to	Comment: Commentary has already been provided under front



<p>replacement front fences. The existing front fence is a wire and timber post stock style fence.</p> <p>There is not adequate information included in the proposal plans to demonstrate compliance with A1.2 (a) or (b).</p> <p>The proposal therefore has to comply with the P1 Performance Criteria.</p>	<p>fence requirements for the E13.0 Code with respect to front fences in Heritage Precincts.</p> <p>A condition should be placed on any permit of approval that all new boundary fences as well as internal boundary fences delineating private open space for units comprising timber paling fences be no more than 1.8m high. There should be no paling fence running in line with the front façade of unit 1 and the plans have been amended to accordingly show a 1.8m high timber picket fence.</p>
<p>A2</p> <p>Gates must match the fence, both in materials and design.</p>	<p>P2</p> <p>No Performance Criteria.</p>
<p>Comment: No gates are proposed and therefore this clause is not relevant to the proposal.</p>	<p>Comment: Not applicable</p>
<p>A3</p> <p>Screen fences used to separate the front garden from the rear of the house must be of timber or lattice.</p>	<p>P3</p> <p>No Performance Criteria.</p>
<p>Comment: A 1.8m high timber picket screen fence is proposed for unit 1.</p> <p>This complies with A3</p>	<p>Comment: Not applicable.</p>
<p>A4</p> <p>Fences must not be:</p> <ul style="list-style-type: none"> a) horizontal or diagonal timber slat fences; or b) plastic covered wire mesh; or c) flat metal sheet or corrugated sheets; or d) plywood and cement sheet. 	<p>P4</p> <p>No Performance Criteria</p>
<p>Comment: The front fence design (marked as 'indicative') in the amended proposal plans dated 1 March 2022 show a picket fence. Conditions have been recommended as previously discussed with respect to materials of construction and colours of the front fence along Marlborough Street.</p>	<p>Comment: Not applicable.</p>

F2.5.16 Paint Colours

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



Comment: The amended proposal plans now indicate specific proposed colours and finishes for all external cladding materials that are considered appropriate as outlined previously. The proposed 'vivid white' for the front fence should be conditioned to be amended. (which has already been noted as inappropriate).	Comment: See comments opposite.
A2 There must be a contrast between the wall colour and trim colours.	P2 No Performance Criteria.
Comment: The amended plans indicate contrasting wall (red Homestead bricks) with Surfist cream trim colours. This is considered sufficient to demonstrate compliance.	Comment: Not applicable.
A3 Previously unpainted brickwork must not be painted, except in the case of post-1960 buildings.	P3 No Performance Criteria.
Comment: This clause is not relevant as it relates to existing buildings being painted.	Comment: Not applicable.

F2.5.17 Lighting

Objective: To ensure that modern domestic equipment and wiring do not intrude on the character of the streetscape.	
Acceptable Solutions	Performance Criteria
A1 Wiring or conduit to new lighting is not located on the front face of a building.	P1 No Performance Criteria.
Comment: The proposal plans do not show any such wiring or conduits. This requirement should be included as a condition of approval on any recommendation to approve the development.	Comment: Not applicable.

F2.5.18 Maintenance and Repair

This clause is not relevant as it only relates to repair and maintenance of existing buildings.

F2.6 Use Standards

F2.6.1 Alternative use of heritage buildings

This clause is not relevant as it only relates to the repurposing of existing heritage buildings as part of a development.

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



STATE POLICIES

The proposal is consistent with all State Policies.

OBJECTIVES OF LAND USE PLANNING & APPROVALS ACT 1993

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

STRATEGIC PLAN/ANNUAL PLAN/COUNCIL POLICIES

Strategic Plan 2017-2027

- *Statutory Planning*

5 FINANCIAL IMPLICATIONS TO COUNCIL

Not applicable to this application.

6 OPTIONS

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

7 DISCUSSION

The proposed development, even with the submission of amended plans and details received in March 2022 still exhibits non compliance as noted throughout this report.

While many changes have been made to the proposal plans, there are still details omitted which result in non compliance of the proposed development.

The proposal as it currently stands can only be approved in the event that there are extensive conditions applied to demonstrate compliance with the Planning Scheme, owing to many development standards having no associated Performance Criteria. These conditions have been included as conditions in the recommendation for approval.

An independent traffic engineering assessment has been provided by Midson Traffic to address Performance criteria with respect to on site manoeuvring and lack of any footpath within the proposed development.

8 ATTACHMENTS

1. Application documents exhibited [15.1.1 - 152 pages]
2. 377.07- C 01 REV B [15.1.2 - 1 page]
3. 377.07- C 02 REV B [15.1.3 - 1 page]
4. PL N 21-0195 - Additional Information Request [15.1.4 - 1 page]
5. TWDA 2021-01287- NMC [15.1.5 - 2 pages]
6. WI referral PL N-21-0195 47 Marlborough Street Longford (002) [15.1.6 - 3 pages]
7. Representation - C & A Stevenson [15.1.7 - 3 pages]
8. Representation - D Alty [15.1.8 - 1 page]
9. Representation - M Rhodes [15.1.9 - 5 pages]
10. Representation - N Tubb [15.1.10 - 4 pages]
11. Representation - P & C Munro [15.1.11 - 2 pages]
12. Representation - R Stingel [15.1.12 - 1 page]
13. Representation - T Flanagan [15.1.13 - 2 pages]
14. Representation - V Tan [15.1.14 - 1 page]
15. Applicants Response to Representations PL N-21-195 [15.1.15 - 11 pages]
16. Email 4 March 2022 [15.1.16 - 105 pages]
17. 47 Marlborough St TIA Review [15.1.17 - 3 pages]



RECOMMENDATION

That land at 47 Marlborough Street, Longford be approved to be developed and used for a Multiple Dwellings x 21 in accordance with application PLN-21-0195, subject to the following conditions of approval:

1 Layout not altered

- 1.1** The use and development shall be in accordance with the endorsed plans numbered **P3 set of plans** (Dated: 1 March 2022) and S1 & S2 (NTCADS drawings 377.07-C01 and C02; Rev B, 29.09.21).

2 Council's Works Department conditions

2.1 Stormwater

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

Concentrated stormwater must not be discharged into neighbouring properties

Landscaping and hardstand areas must not interfere with natural stormwater run-off from neighbouring properties.

All driveways and hardstand areas must be designed to allow stormwater run-off to be adequately drained to the Council stormwater system.

Prior to the issue of a building permit, or the commencement of development authorised by this permit, the applicant must design and provide plans for underground stormwater drainage to collect stormwater from the driveways and roofed area of buildings. The system must connect through properly-jointed pipes to the stormwater main, inter-allotment drainage or other lawful point of discharge to the satisfaction of the Plumbing Inspector.

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

Onsite Stormwater detention must be constructed in accordance with the approved stormwater plans.

Manholes must be installed at all changes in direction on pipes within the Council road reserve.

2.2 Access (Urban)

The existing driveway crossover must be widened to a minimum of 5.8m to match entrance width at the property boundary.

Access works must not commence until an application for vehicular crossing has been approved by Council.

All works must be carried out in accordance with Council Standard Drawing TSD R09.

2.3 As constructed information

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

2.4 Municipal standards & certification of works

Unless otherwise specified within a condition, all works must comply with the Municipal Standards including specifications and standard drawings. Any design must be completed in accordance with Council's subdivision design guidelines to the satisfaction of the Works & Infrastructure Department. Any construction, including maintenance periods, must also be completed to the approval of the Works & Infrastructure Department.

2.5 Works in State road reserve

The developer must obtain a permit from the Department State Growth for any works to be undertaken within the State Road reservation, including any works necessary in relation to access construction, stormwater drainage and/or traffic management control and devices from the proposal.

Application requirements and forms can be found at transport.tas.gov.au/road/permits, applications must be submitted at least twenty-eight (28) days prior to any scheduled works. In accordance with the Roads and Jetties Act 1935, works must not be commenced within the State Road reservation until a permit has been issued.

2.6 Works on Council Infrastructure

The applicant must complete a Council Road Opening Permit Prior to Commencing any works on Council Infrastructure including footpaths and Stormwater. Works must not commence until the permit has been approved by Council.

2.7 Bonds



All works in the road reserve shall be subject to a maintenance period of a minimum of 12 months. The applicant shall pay a \$2500 bond prior to the issue of the building permit. The bond shall be returned subject to a satisfactory inspection at the completion of the 12 month maintenance period.

2.8 Pollutants

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

Prior to the commencement of the development authorised by this permit the developer/property owner must install all necessary silt fences and cut-off drains to prevent soil, gravel and other debris from escaping the site. Material or debris must not be transported onto the road reserve (including the nature strip, footpath and road pavement). Any material that is deposited on the road reserve must be removed by the developer/property owner. Should Council be required to clean or carry out works on any of their infrastructure as a result of pollutants being released from the site the cost of these works may be charged to the developer/property owner.

2.9 Nature strips

Any new nature strips, or areas of nature strip that are disturbed during construction, must be topped with 100mm of good quality topsoil and sown with grass. Grass must be established and free of weeds prior to Council accepting the development.

3 TasWater conditions

- 3.1** Sewer and water services shall be provided in accordance with TasWater's Planning Authority Notice (Taswater Ref: TWDA 2021/01287-NMC) dated 9 November 2021)

4 Demolition of existing outbuildings

- 4.1** Prior to any works commencing, the developer must submit to Council a documentary extant record of all buildings proposed to be demolished in the form of colour photographs (provided in digital format) and also measured drawings, to the satisfaction of the General Manager.

5 Window screening and unit amenity

- 5.1** Driveway facing windows of units 1 to 7 inclusive, units 9 to 13 inclusive and units 15 to 20 inclusive must be double glazed to the satisfaction of the General Manager.
Plans submitted for building approval must clearly demonstrate compliance with this condition and be annotated to confirm that the above windows will be double glazed.
- 5.2** Unit 20 shows a screen being located in front of the adjacent parking space where there is no window to screen on the approved plans – this screen should be deleted off sheet 4 of the proposal plans in plans submitted for building approval.
- 5.3** Unit 21 has a bedroom window facing the shared driveway with no screening shown on the approved plans (unit type E1). In plans submitted for building approval, this bedroom window for unit E1 must be replaced with a highlighted window with a sill height no less than 1.7m above FFL or deleted entirely and alternatively amended to include a full length window placed on the northern elevation of the unit for bedroom 2 of unit 21 to the satisfaction of the General Manager.

6 Title covenants

- 6.1** Strata titles for units 1 to 7 inclusive, units 9 to 13 inclusive and units 15 to 20 inclusive must include a covenant that any driveway facing window must be double glazed and also screened to the satisfaction of Northern Midlands Council.
Council will not approve any strata title sealing unless this condition is complied with in submitted Final Plans for Sealing.

7 Bicycle Parking Spaces per dwelling unit

- 7.1** Bicycle parking must be provided directly adjacent to carports dedicated to each proposed unit and must be a concrete or hard paved area measuring no less than 0.7m x 3m. Bicycle spaces (1 bicycle space for every unit) must be constructed and provided in accordance with the approved plans prior to any certificates of Occupancy being issued by Council.



- 7.2** Unit 21 is approved with the bicycle space being located between the dwelling and a 6.2m length carport and therefore does not require a separate 0.7m x 3m hard stand area.

8 Motorcycle Spaces

- 8.1** A total of 3 dedicated motorcycle spaces are required to be provided for the development. Plans submitted for building approval must clearly demonstrate compliance with this condition to the satisfaction of the General Manager.

All three spaces must be either concrete or hard paved and appropriately signposted as being dedicated for motorcycle parking and must be located in Common Areas on any strata scheme.

Council will not approve any strata title sealing unless this condition is complied with in submitted Final Plans for Sealing.

9 Visitor Parking Spaces

- 9.1** A total of 6 dedicated visitor car parking spaces are required to be provided for the development. Plans submitted for building approval must clearly demonstrate compliance with this condition to the satisfaction of the General Manager.

All six nominated spaces must be either concrete or hard paved and appropriately signposted as being dedicated for visitor car parking and must be located in Common Areas on any strata scheme.

Council will not approve any strata title sealing unless this condition is complied with in submitted Final Plans for Sealing.

10 Marlborough Street front fence

- 10.1** The approved proposal plans dated 1 March 2022 include a design for the front fence along Marlborough Street for a 1.1m high front fence with 50% transparency.

This is a picket fence to be painted 'vivid white', no materials are indicated.

Plans submitted for building approval must be amended to demonstrate compliance with the following:

The front fence must not be any higher than 1.1m above Natural Ground Level at any point; and

Pickets must be timber. Framing and posts may be metal; and

The front fence must be of a colour and finish to the satisfaction of the General Manager. 'Vivid White' is not approved.

Council will not approve any strata title sealing unless this condition is complied with in submitted Final Plans for Sealing.

11 Boundary fences

- 11.1** All new boundary fences as well as any internal boundary fences delineating private open space for units comprising timber paling fences must be no higher than 1.8m high above Natural Ground Level. The dividing fence running in line with the front façade of unit 1 must be constructed as a 1.8m high timber picket fence. This picket fence for unit 1 must be painted an appropriate finish to the satisfaction of the General Manager prior to any strata title for unit 1 being issued.

12 Colours and Finishes of the proposed development

- 12.1** External cladding of the approved units is approved in accordance with the approved schedule of colours, materials and finishes as shown in elevation plans dated 1 March 2022.

Any amendment or alteration of these approved external cladding colours and finishes must be approved by the General Manager.

13 Storage outbuildings for each approved unit

- 13.1** The approved plans dated 1 March 2022 show a small 6sqm storage shed located within the private open space for each unit.

These storage sheds must be mounted on a concrete pad in a location as shown on the approved plans and provided in accordance with the approved plans prior to any certificates of Occupancy being issued by Council.

14 Hawthorn Hedge to be retained as part of the development



- 14.1 The hedge located on the southern side boundary of the development site and as shown on the approved plans dated 1 March 2022 must be retained as part of the proposed development to the satisfaction of the General Manager.
- 14.2 Prior to any construction commencing on site, this hedge is to be protected with a temporary fence along its entire length to ensure that adjacent construction works do not encroach upon the hedge.
- 14.3 Any pruning of the hedge must be undertaken by a suitably experienced arborist specialising in the management of plantings of heritage value and in accordance with the arborist report from Adam's Tree Services dated February 2022 approved as part of this development.
- 14.4 Prior to any strata titles being issued for units 1 to 7 inclusive, a tree health assessment is to be provided by an arborist that confirms the health of the hedge has not been compromised by any of the approved works.
- 14.5 Given the location of the hedge on or in very close proximity of the title boundary, the hawthorn hedge must be retained in lieu of any future boundary fencing. No boundary fences for units 1 to 7 inclusive must be erected on the side boundary where the hedge is located.
- 14.6 Any application for a strata title must be accompanied by a Part 5 Agreement that requires any future pruning and maintenance of this hawthorn hedge to be in accordance with the recommendations in the arborist report from Adam's Tree Services dated February 2022 approved as part of this development. This Part 5 Agreement must also clearly state that the hedge is to be retained and appropriately maintained as part of the approved development. Where any part of the hedge dies, it must be replanted within 12 months to the satisfaction of the Northern Midlands Council.

15 Windows and Glazing for units

- 15.1 All units must not contain any frosted, reflective, coloured, mirrored or tinted glass other than bathroom or toilet windows being appropriate opaque glazing to enable privacy. Any other frosted, tinted or mirrored glazing must not be installed at any point.
- 15.2 Horizontal sliding window sashes are not approved for any of the units and must not be installed at any point.
- 15.3 Stick on glazing bars are not approved for any of the units and must not be installed at any point.
- 15.4 Window framing should be timber for all street facing windows for unit 1 on the street facing façade and unit 1 must be constructed accordingly. Plans submitted for building approval must clearly confirm that timber window framing is to be applied to such windows on the approved unit 1.

16 Design details for units and carports

- 16.1 Units 1, 2 and 3 must be constructed to have projecting sills on all windows. Plans submitted for building approval must be amended to show such projecting sills of all elevations for each of these units and units 1, 2 and 3 must be constructed accordingly to the satisfaction of the General Manager.
- 16.2 Colorbond roofing for all roofing for the approved units and carports must be constructed using traditional ribbed forms and not square profile or kliplock style.
- 16.3 All gutters must be constructed using 'd' style gutters and finished in Colorbond 'Surfmist'. Plans submitted for building approval must be amended to show such 'd' style guttering for buildings approved as part of the development.
- 16.4 Downpipes constructed as part of the approved development must not be square-line gutter profile or rectangular downpipes. Plans submitted for building approval must be amended to downpipes to be used for buildings approved as part of the development.
- 16.5 Any carports for units 1 and 2 must have a hip form to match units 1 and 2. Plans submitted for building approval must demonstrate compliance with this condition to the satisfaction of the General Manager.
- 16.6 Wiring or conduit to new lighting must not be located on the Marlborough Street facing facade of any building. Plans submitted for building approval must be amended to accordingly confirm compliance with this condition.

17 Landscaping

Landscaping works must be in accordance with the endorsed plans, and landscaping works for each unit must be completed prior to the commencement of use of that unit and then maintained for the duration of the use.

A bond of \$500 per unit must be provided prior to the commencement of development of that unit authorised by this permit – the bond will be refunded if the landscape works are completed within the timeframe mentioned in this permit.



18 Driveways and Parking Areas

Driveways and parking areas around each unit must be sealed in accordance with the endorsed plans prior to the commencement of use of the unit.

Visitor parking spaces must be clearly and permanently labelled as visitor parking.

19 Staging of development

The development may be staged. Works relevant to each unit must be completed with each stage.



15.2 PLN21-0339: 26-28 CHARLES STREET, CRESSY - CHANGE OF USE TO COMMUNAL RESIDENCE

File: 102900.12; PLN21-0339

Responsible Officer: Des Jennings, General Manager

Report prepared by: Paul Godier, Senior Planner

1 INTRODUCTION

This report assesses an application for a change of use to Communal Residence for seasonal worker (fruit pickers) accommodation at 26-28 Charles Street, Cressy.

2 BACKGROUND

Applicant:

Wilkin Design

Owner:

JID Constructions Pty Ltd

Zone:

General Residential

Codes:

Carparking and Sustainable Transport Code

Classification under the Scheme:

Residential (Communal Residence)

Existing Use:

Residential (Single Dwelling)

Deemed Approval Date:

6 April 2022.

Recommendation:

Refuse

Extension of time requested until 14 April 2022

Discretionary Aspects of the Application:

- Communal Residence is a Discretionary use in the General Residential Zone.

Planning Instrument:

- Northern Midlands Interim Planning Scheme 2013, Version 37, Effective from 5 January 2022.

Preliminary Discussion

- Before the application was placed on public exhibition, additional information was required (see attached).

Image 1: Subject Site



3 STATUTORY REQUIREMENTS

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



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

4 ASSESSMENT

4.1 Proposal

It is proposed to change the use of the building to a Communal Residence for accommodation for up to 20 seasonal workers.

Image 2: Site Plan

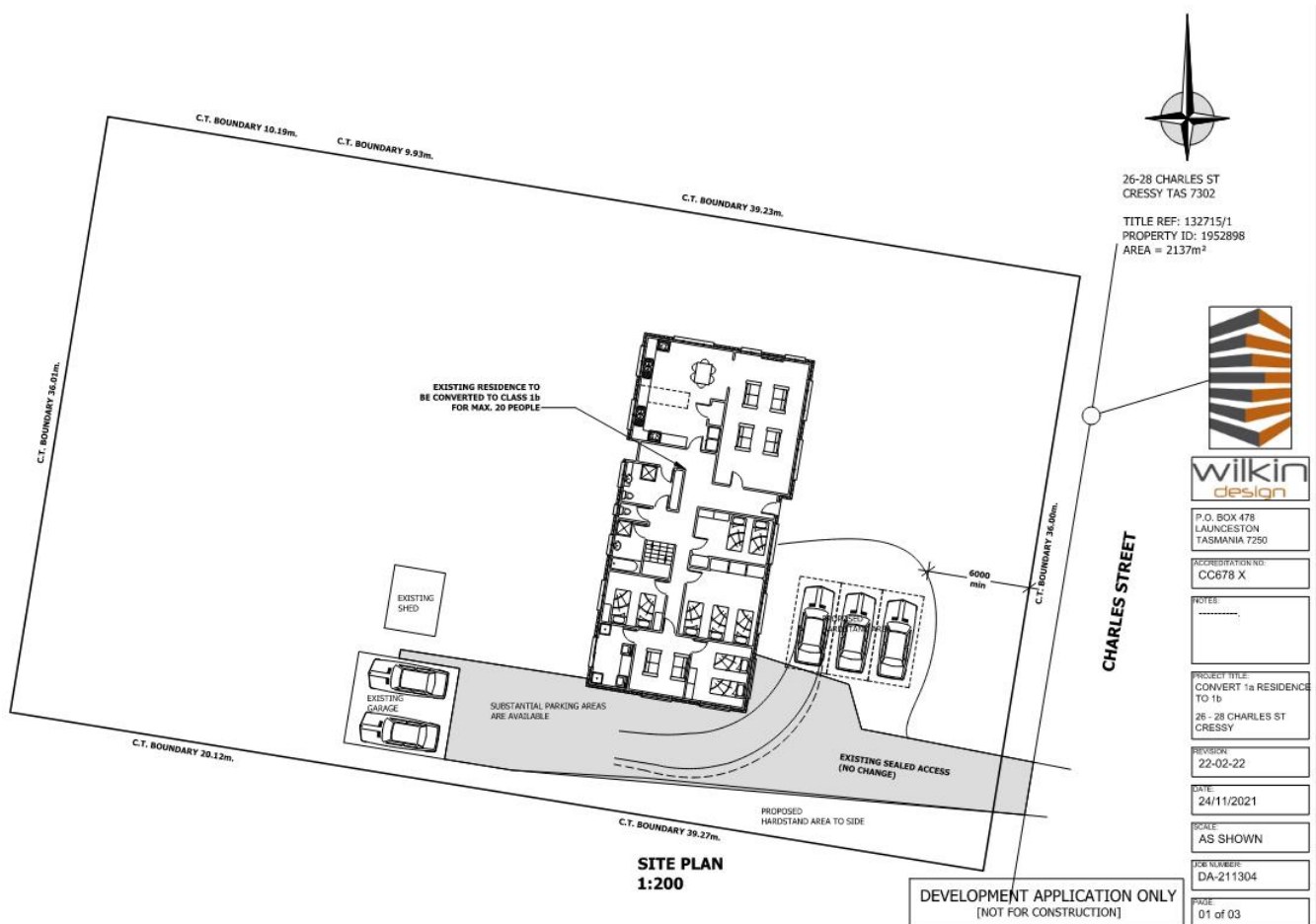
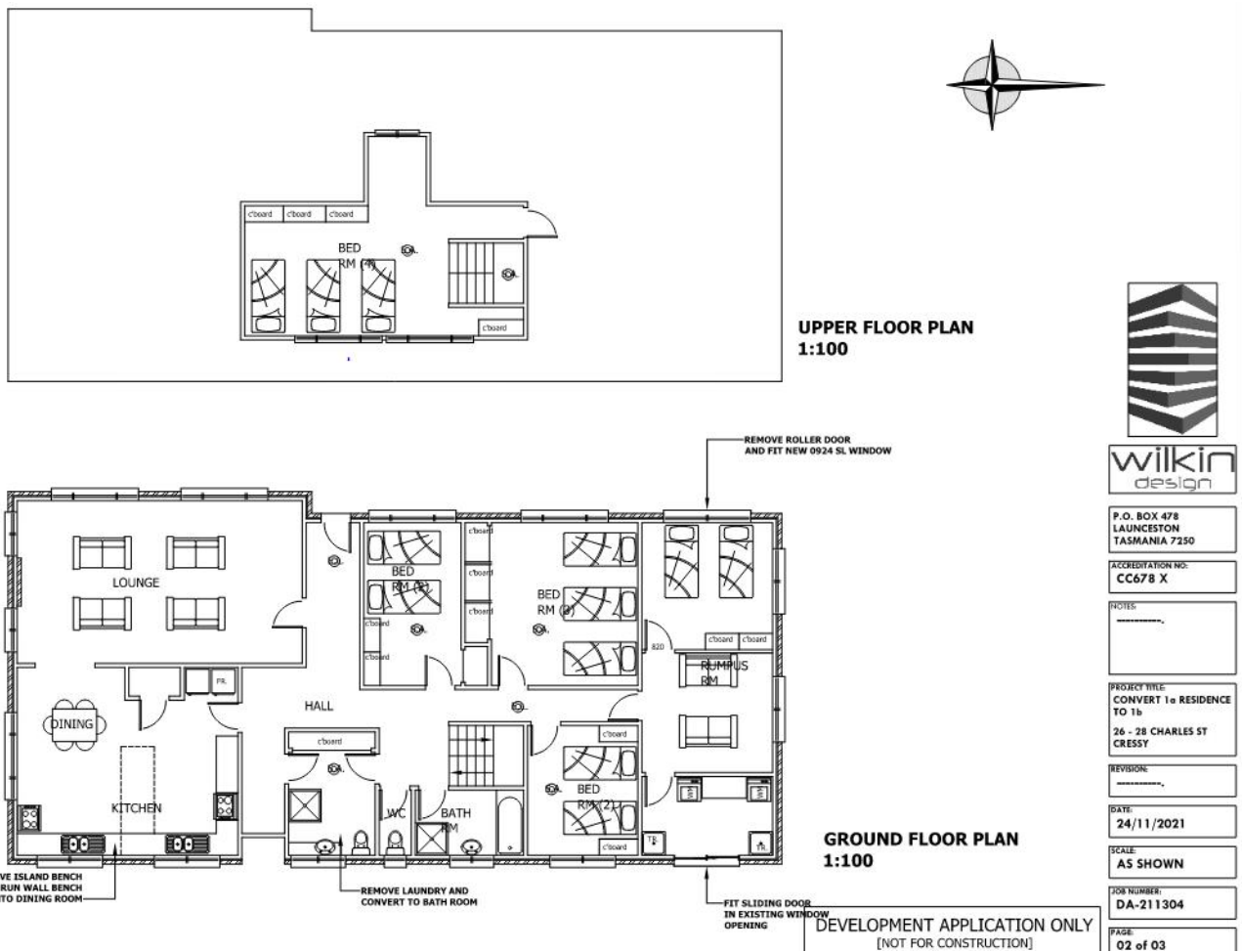


Image 3: Floor Plan



4.2 Zone and Land Use

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

Residential	Use of land for <u>self-contained</u> or <u>shared living</u> accommodation. Examples include an ancillary dwelling, boarding house, communal residence, home-based business, hostel, residential aged care home, residential college, respite centre, retirement village and single or multiple dwellings.
Communal residence	means use of land for a building to accommodate persons who are unrelated to one another and who <u>share</u> some parts of the building. Examples include a boarding house, residential college and residential care home
Dwelling	means a building, or part of a building, used as a <u>self-contained</u> residence and which includes food preparation facilities, a bath or shower, laundry facilities, a toilet and sink, and any outbuilding and works normally forming part of a dwelling.

The proposal is for a Communal Residence, which is Discretionary in the General Residential Zone. A Communal Residence is not a dwelling because the Residential use class differentiates between self-contained or shared living accommodation.

4.3 Subject Site and Locality

The author of this report carried out a site visit on the 31st of March 2022. The site contains a single dwelling on a lot of 2137m². Surrounding land contains single dwellings.



Image 4: Aerial photograph of area





Image 5: Photograph of subject site



Image 6: Photograph of subject site



4.4 Permit/Site History

There is no relevant permit or site history.

4.5 Referrals

No referrals were required.



4.6 Planning Scheme Assessment

GENERAL RESIDENTIAL ZONE
ZONE PURPOSE
<p><i>To provide for residential use or development that accommodates a range of dwelling types at suburban densities, where full infrastructure services are available or can be provided.</i></p> <p>Assessment: The proposal is for a residential use that complies with this purpose.</p> <p><i>To provide for compatible non-residential uses that primarily serve the local community.</i></p> <p>Assessment: Not applicable as the proposal is for a residential use.</p> <p><i>Non-residential uses are not to be at a level that distorts the primacy of residential uses within the zones, or adversely affect residential amenity through noise, activity outside of business hours traffic generation and movement or other off-site impacts.</i></p> <p>Assessment: Not applicable as the proposal is for a residential use.</p> <p><i>To encourage residential development that respects the neighbourhood character and provides a high standard of residential amenity.</i></p> <p>Assessment: Not applicable as the proposal is for a change of use, nor for development.</p> <p>Conclusion: The proposal complies with the zone purpose.</p>
LOCAL AREA OBJECTIVES
<p><i>To consolidate growth within the existing urban land use framework of the towns and villages.</i></p> <p><i>To manage development in the General residential zone as part of or context to the Heritage Precincts in the towns and villages.</i></p> <p><i>To ensure developments within street reservations contribute positively to the Heritage Precincts in each settlement.</i></p> <p>Assessment: The proposal complies with the local area objectives.</p>

10.3.1 Amenity

<p>Objective:</p> <p>To ensure that non-residential uses do not cause an unreasonable loss of amenity to adjoining land nearby residential uses.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 If for permitted or no permit required uses.</p>	<p>P1 The use must not cause or be likely to cause an environmental nuisance through emissions including noise and traffic movement, smoke, odour, dust and illumination.</p>
<p>The proposal is for a discretionary use and must be considered against the performance criteria.</p>	<p>Environmental nuisance and environmental harm are as defined in the <i>Environmental Management and Pollution Control Act 1994</i> as follows:</p> <p>environmental nuisance means –</p> <p>(a) the emission, discharge, depositing or disturbance of a pollutant that unreasonably interferes with, or is likely to unreasonably interfere with, a person's enjoyment of the environment; and</p> <p>(b) any emission, discharge, depositing or disturbance specified in an environment protection policy to be an environmental nuisance;</p> <p>(1) For the purposes of this Act, environmental harm is any adverse effect on the environment (of whatever degree or duration) and includes an environmental nuisance.</p> <p>pollutant includes –</p> <p>(a) a gas, liquid or solid; or</p> <p>(b) an odour; or</p> <p>(c) an organism (whether alive or dead), including a virus; or</p> <p>(d) energy, including noise, radioactivity and electromagnetic radiation; or</p> <p>(e) a combination of pollutants –</p> <p>that may cause environmental harm.</p>



	<p>The application states that ‘... pickers always, use a bus to go back and forward to work...’.</p> <p>Numerous representations have raised concern with noise from buses stating, ‘the bus stopping and starting so early in the morning will incur additional noise’.</p> <p>The site is in a quiet residential street. It is likely that the introduction of buses will cause an environmental nuisance through noise and traffic movements. Representations have raised concerns with noise that will be created by the occupants. Refer in particular to representations from:</p> <p>T & N Smith, 24 Charles Street, Cressy - ‘This is a residential property in a quiet residential street. 20 seasonal workers can’t help but make excessive noise’.</p> <p>R Burton, 113 Main Street, Cressy – ‘I reside at 113 Main St Cressy and have pickers units next to me at 117A Main St. I constantly have to put up with extremely loud music sometimes till 3 am. The bus leaves at 6am, doors banging and people shouting and horns blasting. My sleep is severely impeded’.</p> <p>It is therefore considered likely that the proposed use will cause an environmental nuisance through the emission of noise.</p> <p>The proposal does not comply with the performance criteria.</p>
A2 Commercial vehicles for discretionary uses must only operate between 7.00am and 7.00pm Monday to Friday and 8.00am to 6.00pm Saturday and Sunday.	P2 Commercial vehicle movements for discretionary uses must not unreasonably impact on the amenity of occupants of adjoining and nearby dwellings.
The application does not propose commercial vehicles. Condition required to reinforce.	N/a
A3 If for permitted or no permit required uses.	<p>P3 External lighting must demonstrate that:</p> <p>a) floodlighting or security lights used on the site will not unreasonably impact on the amenity of adjoining land; and</p> <p>b) all direct light will be contained within the boundaries of the site.</p>
The proposal is for a discretionary use and must be considered against the performance criteria.	Condition required.

10.3.2 Residential Character – Discretionary Uses

<p>Objective</p> <p>To ensure that discretionary uses support:</p> <p>a) the visual character of the area; and</p> <p>b) the local area objectives, if any.</p>	
Acceptable Solutions	Performance Criteria
A1 Commercial vehicles for discretionary uses must be parked within the boundary of the property.	P1 No performance criteria.
Does not propose commercial vehicles. Condition required to reinforce.	N/a
A2 Goods or material storage for discretionary uses must not be stored outside in locations visible from adjacent properties, the road or public land.	P2 No performance criteria.
Condition required to reinforce.	N/a
<p>A3 Waste material storage for Discretionary uses must:</p> <p>a) not be visible from the road to which the lot has frontage ; and</p> <p>b) use self-contained receptacles designed to ensure waste does not escape to</p>	P3 No performance criteria.



the environment.	
Condition required to reinforce.	N/a

10.4.1- 10.4.10 - Not applicable - only applies to single and multiple dwellings

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

There are no outbuildings or ancillary dwellings proposed.

10.4.12 Site Services for multiple dwellings

Not applicable

10.4.13.1 Streetscape integration and appearance

Objective a) To integrate the layout of residential development with the streetscape; and b) To promote passive surveillance; and c) To provide each residential building with its own sense of identity.	
Acceptable Solutions	Performance Criteria
A1 Residential buildings (other than dwellings), must: a) have a front door and a window to a habitable room in the building wall that faces a road; or b) face an internal driveway or communal open space area.	P1 Residential buildings (other than dwellings) must provide for the observation of roads, internal driveways and any abutting public open spaces.
Complies.	N/a
A2 Fences (other than for dwellings) on and within 4.5m of the frontage must be no higher than: a) 1.2m if solid; or b) 1.5m provided that the part of the fence above 1.2m has openings which provide at least 30% transparency.	P2 Fences (other than for dwellings) on and within 4.5m of the frontage must be designed to: a) provide for security and privacy of residents while allowing for passive surveillance of the road; or b) be consistent with the height, design and character of neighbouring fences and walls.
N/a – the application does not propose new front fencing.	N/a

10.4.13.2 Site coverage

Objective a) To ensure that the site coverage of residential development respects the existing neighbourhood character or desired future character statements, if any; and b) To reduce the impact of increased stormwater run-off on the drainage system; and c) To ensure sufficient area for landscaping and private open space.	
Acceptable Solutions	Performance Criteria
A1.1 Site coverage (other than for dwellings) must not exceed 50% of the total site; and A1.2 Development (other than for dwellings) must have a minimum of 25% of the site free from buildings, paving or other impervious surfaces.	P1 The proportion of the site covered by buildings or development (other than for dwellings) must have regard to: a) the existing site coverage and any constraints imposed by existing development or the features of the site; and b) the site coverage of adjacent properties; and c) the effect of the visual bulk of the building and whether it respects the neighbourhood character; and d) the capacity of the site to absorb run-off; and e) landscaping.
Complies.	N/a

10.4.13.3 Building Height

The existing building height will not be altered. The Clause does not apply.

10.4.13.4 Frontage setbacks

The existing building setbacks will not be altered. The Clause does not apply.



10.4.13.5 Rear and Side Setbacks

The existing building setbacks will not be altered. The Clause does not apply.

10.4.13.6 Location of Car Parking

Objective	
a) To provide convenient parking for resident and visitor vehicles; and b) To avoid parking and traffic difficulties in the development and the neighbourhood; and c) To protect residents from vehicular noise within developments.	
Acceptable Solutions	Performance Criteria
A1 Driveways or car parks of residential buildings (other than dwellings) must be located at least 1.5m from the windows of habitable rooms	P1 Driveways or car parking spaces (other than for dwellings) must be designed to protect the amenity of the adjoining habitable rooms having regard to the: a) width of the driveway; and b) location of the existing dwellings; and c) number of car spaces served by the driveway; and d) need for physical screening and/or landscaping.
Does not comply.	Complies, given that the windows sills are approximately 1.2m above floor level.
A2 A garage or carport (other than for dwellings) must be located at least 5.5m from a frontage.	P2 Car parking facilities (other than for dwellings) must be: a) reasonably close and convenient to the use it serves; and b) located to minimise visual impact to the streetscape.
N/a	N/a
A3 The total width of the door or doors on a garage facing a road frontage (other than for dwellings) must: a) be not more than 6m; or b) the garage must be located within the rear half of the lot when measured from the front boundary.	P3 The width of garage doors facing a road (other than for dwellings) should not be a visually dominant element in the streetscape and must be designed having regard to the: a) existing streetscape and the design and locations of garages in the area; and b) location of existing buildings on the site.
N/a	N/a

10.4.13.7 Overlooking

Objective	
To minimise: a) overlooking into private open space and habitable room windows to provide a reasonable degree of privacy to the residents of the adjoining and the subject sites; and b) any adverse impact on the amenity of the adjoining and the subject site.	
Acceptable Solutions	Performance Criteria
A1.1 A habitable room window, balcony, terrace, deck or patio (other than for dwellings) with a direct view into a habitable room window or private open space of dwellings within a horizontal distance of 9m (measured at finished ground level) of the window, balcony, terrace, deck or patio must be: a) offset a minimum of 1.5m from the edge of one window to the edge of the other; or b) have sill heights of at least 1.7m above floor level; or c) have fixed, obscure glazing in any part of the window below 1.7m above floor level; or d) have permanently fixed external screens to at least 1.8m above floor level; and e) obscure glazing and screens must be no more than 25% transparent.	P1 Buildings (other than dwellings) must be designed to minimise the potential for loss of amenity caused by overlooking of adjacent dwellings having regard to the: a) setback of the existing and proposed building; and b) location of windows and private open spaces areas within the development and the adjoining sites; and c) level and effectiveness of physical screening by fences or vegetation; and



Views must be measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7m above floor level, indicated in Figure 10.4.13.7; or A1.2 New habitable room windows, balconies, terraces, decks or patios (other than for dwellings) that face a property boundary must have a visual barrier at least 1.8 metres high and the floor level of the habitable room, balconies, terraces, decks or patios is less than 0.6m above the ground level at the boundary.	d) topography of the site; and e) characteristics and design of houses in the immediate area.
N/a	N/a
A2 Screens used to obscure a view (other than from dwellings) must be: a) perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels; and b) permanent, fixed and durable.	P2 No performance criteria.
N/a	N/a

10.4.13.8 Landscaping

Objective a) To provide appropriate landscaping that respects the landscape character of the neighbourhood; and b) To encourage the retention of mature vegetation on the site.	
Acceptable Solutions	Performance Criteria
A1 Landscaping (other than for dwellings) must be provided to the frontage and within the development including: a) the retention or planting of vegetation; and b) the protection of any predominant landscape features of the neighbourhood; and c) pathways, lawn area or landscape beds.	P1 Landscaping (other than for dwellings) must: a) provide a safe, attractive and functional environment for residents; and b) respond to the landscape character of the neighbourhood; and c) have regard to any mature vegetation.
Landscape Plan not provided.	Landscape plan required as a condition if approved.

10.4.13.9 Common Property

Objective To ensure that communal open space, car parking, access areas and site facilities are easily identified.	
Acceptable Solutions	Performance Criteria
A1 Development (other than for dwellings) must clearly delineate public, communal and private areas such as: a) driveways; and b) landscaped areas; and c) site services, bin areas and any waste collection points.	P1 No performance criteria.
Plan required if approved.	

10.4.14 Non Residential Development

The proposal is for a residential use, and the Clause does not apply.

10.4.15 Subdivision

Clauses 10.4.15.1-10.4.15.7 apply only to subdivision.

CODES		
E1.0	BUSHFIRE PRONE AREAS CODE	N/a
E2.0	POTENTIALLY CONTAMINATED LAND	N/a
E3.0	LANDSLIP CODE	N/a
E4.0	ROAD AND RAILWAY ASSETS CODE	Complies. See code assessment below.
E.5.0	FLOOD PRONE AREAS CODE	N/a



E6.0	CAR PARKING AND SUSTAINABLE TRANSPORT CODE	Complies. See code assessment below.
E7.0	SCENIC MANAGEMENT CODE	N/a
E8.0	BIODIVERSITY CODE	N/a
E9.0	WATER QUALITY CODE	N/a
E10.0	RECREATION AND OPEN SPACE CODE	N/a
E11.0	ENVIRONMENTAL IMPACTS & ATTENUATION CODE	N/a
E12.0	AIRPORTS IMPACT MANAGEMENT CODE	N/a
E13.0	LOCAL HISTORIC HERITAGE CODE	N/a
E14.0	COASTAL CODE	N/a
E15.0	SIGNS CODE	N/a

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

E4.6 Use Standards

E4.6.1 Use and road or rail infrastructure

Objective

To ensure that the safety and efficiency of road and rail infrastructure is not reduced by the creation of new accesses and junctions or increased use of existing accesses and junctions.

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



N/a	N/a
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E4.7 Development Standards

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

<p>Objective</p> <p>To ensure that development on or adjacent to category 1 or 2 roads (outside 60km/h), railways and future roads and railways is managed to:</p> <ul style="list-style-type: none"> a) ensure the safe and efficient operation of roads and railways; and b) allow for future road and rail widening, realignment and upgrading; and c) avoid undesirable interaction between roads and railways and other use or development. 	
Acceptable Solutions	Performance Criteria
<p>A1 The following must be at least 50m from a railway, a future road or railway, and a category 1 or 2 road in an area subject to a speed limit of more than 60km/h:</p> <ul style="list-style-type: none"> a) new road works, buildings, additions and extensions, earthworks and landscaping works; and b) building areas on new lots; and c) outdoor sitting, entertainment and children's play areas 	<p>P1 Development including buildings, road works, earthworks, landscaping works and level crossings on or within 50m of a category 1 or 2 road, in an area subject to a speed limit of more than 60km/h, a railway or future road or railway must be sited, designed and landscaped to:</p> <ul style="list-style-type: none"> a) maintain or improve the safety and efficiency of the road or railway or future road or railway, including line of sight from trains; and b) mitigate significant transport-related environmental impacts, including noise, air pollution and vibrations in accordance with a report from a suitably qualified person; and c) ensure that additions or extensions of buildings will not reduce the existing setback to the road, railway or future road or railway; and d) ensure that temporary buildings and works are removed at the applicant's expense within three years or as otherwise agreed by the road or rail authority.
N/a	N/a

E4.7.2 Management of Road Accesses and Junctions

<p>Objective</p> <p>To ensure that the safety and efficiency of roads is not reduced by the creation of new accesses and junctions or increased use of existing accesses and junctions.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 For roads with a speed limit of 60km/h or less the development must include only one access providing both entry and exit, or two accesses providing separate entry and exit.</p>	<p>P1 For roads with a speed limit of 60km/h or less, the number, location, layout and design of accesses and junctions must maintain an acceptable level of safety for all road users, including pedestrians and cyclists.</p>
Complies.	N/a
<p>A2 For roads with a speed limit of more than 60km/h the development must not include a new access or junction.</p>	<p>P2 For limited access roads and roads with a speed limit of more than 60km/h:</p> <ul style="list-style-type: none"> a) access to a category 1 road or limited access road must only be via an existing access or junction or the development must provide a significant social and economic benefit to the State or region; and b) any increase in use of an existing access or junction or development of a new access or junction to a limited access road or a category 1, 2 or 3 road must be dependent on the site for its unique resources, characteristics or locational attributes and an alternate site or access to a category 4 or 5 road is not practicable; and c) an access or junction which is increased in use or is a new access or junction must be designed and located to maintain an adequate



	level of safety and efficiency for all road users.
N/a	N/a

E4.7.3 Management of Rail Level Crossings

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

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

Objective To ensure that use and development involving or adjacent to accesses, junctions and level crossings allows sufficient sight distance between vehicles and between vehicles and trains to enable safe movement of traffic.	
Acceptable Solutions	Performance Criteria
A1 Sight distances at a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.7.4; and b) rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia; or c) If the access is a temporary access, the written consent of the relevant authority has been obtained.	P1 The design, layout and location of an access, junction or rail level crossing must provide adequate sight distances to ensure the safe movement of vehicles.
Complies.	N/a

ASSESSMENT AGAINST E6.0 CAR PARKING & SUSTAINABLE TRANSPORT CODE

E6.6 Use Standards

E6.6.1 Car Parking Numbers

Objective: To ensure that an appropriate level of car parking is provided to service use.	
Acceptable Solutions	Performance Criteria
A1 The number of car parking spaces must not be less than the requirements of: a) Table E6.1; or b) a parking precinct plan contained in Table E6.6: Precinct Parking Plans (except for dwellings in the General Residential Zone).	P1 The number of car parking spaces provided must have regard to: a) the provisions of any relevant location specific car parking plan; and b) the availability of public car parking spaces within reasonable walking distance; and c) any reduction in demand due to sharing of spaces by multiple uses either because of variations in peak demand or by efficiencies gained by consolidation; and



	<p>d) the availability and frequency of public transport within reasonable walking distance of the site; and</p> <p>e) site constraints such as existing buildings, slope, drainage, vegetation and landscaping; and</p> <p>f) the availability, accessibility and safety of on-road parking, having regard to the nature of the roads, traffic management and other uses in the vicinity; and</p> <p>g) an empirical assessment of the car parking demand; and</p> <p>h) the effect on streetscape, amenity and vehicle, pedestrian and cycle safety and convenience; and</p> <p>i) the recommendations of a traffic impact assessment prepared for the proposal; and</p> <p>j) any heritage values of the site; and</p> <p>k) for residential buildings and multiple dwellings, whether parking is adequate to meet the needs of the residents having regard to:</p> <p>i) the size of the dwelling and the number of bedrooms; and</p> <p>ii) the pattern of parking in the locality; and</p> <p>iii) any existing structure on the land.</p>
<p>Table E6.1 specifies that any residential use in the General Residential zone, other than single or multiple dwellings must provide one parking space per bedroom, or two parking spaces per three bedrooms, and one visitor parking space for every five dwellings.</p> <p>As such, the proposed development, with four bedrooms, requires a minimum four residential parking spaces and one visitor parking space.</p> <p>The proposal provides five parking spaces and complies with the provisions of A1.</p>	N/a

E6.6.2 Bicycle Parking Numbers

Objective: To encourage cycling as a mode of transport within areas subject to urban speed zones by ensuring safe, secure and convenient parking for bicycles.			
Acceptable Solutions		Performance Criteria	
A1.1	Permanently accessible bicycle parking or storage spaces must be provided either on the site or within 50m of the site in accordance with the requirements of Table E6.1; or	P1	Permanently accessible bicycle parking or storage spaces must be provided having regard to the:
A1.2	The number of spaces must be in accordance with a parking precinct plan contained in Table E6.6: Precinct Parking Plans.	a)	likely number and type of users of the site and their opportunities and likely preference for bicycle travel; and
		b)	location of the site and the distance a cyclist would need to travel to reach the site; and
		c)	availability and accessibility of existing and planned parking facilities for bicycles in the vicinity.
A1.1 – Table E6.1 specifies a requirement of one bicycle parking space per five bedrooms.		N/a	
Condition required if approved.			



E6.6.3 Taxi Drop-off and Pickup

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

E6.6.4 Motorbike Parking Provisions

Objective: To ensure that motorbikes are adequately provided for in parking considerations.	
Acceptable Solutions	Performance Criteria
A1 One motorbike parking space must be provided for each 20 car spaces required by Table E6.1 or part thereof.	P1 No performance criteria.
Once space required. Condition required if approved.	-

E6.7 Development Standards

E6.7.1 Construction of Car Parking Spaces and Access Strips

Objective: To ensure that car parking spaces and access strips are constructed to an appropriate standard.	
Acceptable Solutions	Performance Criteria
A1 All car parking, access strips manoeuvring and circulation spaces must be: a) formed to an adequate level and drained; and b) except for a single dwelling, provided with an impervious all weather seal; and c) except for a single dwelling, line marked or provided with other clear physical means to delineate car spaces.	P1 All car parking, access strips manoeuvring and circulation spaces must be readily identifiable and constructed to ensure that they are useable in all weather conditions.
Complies for driveway access. Does not comply for 3 parking spaces between the house and street.	The 3 spaces between the house and street will be gravel hardstand. Complies.

E6.7.2 Design and Layout of Car Parking

Objective: To ensure that car parking and manoeuvring space are designed and laid out to an appropriate standard.	
Acceptable Solutions	Performance Criteria
A1.1 Where providing for 4 or more spaces, parking areas (other than for parking located in garages and carports for dwellings in the General Residential Zone) must be located behind the building line; and A1.2 Within the General residential zone, provision for turning must not be located within the front setback for residential buildings or multiple dwellings.	P1 The location of car parking and manoeuvring spaces must not be detrimental to the streetscape or the amenity of the surrounding areas, having regard to: a) the layout of the site and the location of existing buildings; and b) views into the site from the road and adjoining public spaces; and c) the ability to access the site and the rear of buildings; and d) the layout of car parking in the vicinity; and e) the level of landscaping proposed for the car parking.
A1.1 – does not comply. A1.2 – does not comply	The proposal provides 5 car parking spaces, 3 of which will be forward of the building line. These will be detrimental to the streetscape as they will be readily visible from the road, and car parking in the vicinity is generally behind the building line. The proposal does not comply with the performance criteria.
A2.1 Car parking and manoeuvring space must: a) have a gradient of 10% or less; and b) where providing for more than 4 cars,	P2 Car parking and manoeuvring space must: a) be convenient, safe and efficient to use having regard to matters such as slope, dimensions, layout and the



c)	provide for vehicles to enter and exit the site in a forward direction; and have a width of vehicular access no less than prescribed in Table E6.2 and Table E6.3, and	b)	expected number and type of vehicles; and provide adequate space to turn within the site unless reversing from the site would not adversely affect the safety and convenience of users and passing traffic.
A2.2	The layout of car spaces and access ways must be designed in accordance with Australian Standards AS 2890.1 - 2004 Parking Facilities, Part 1: Off Road Car Parking.		
Complies.		N/a	

Table E6.2: Access Widths for Vehicles

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

E6.7.3 Car Parking Access, Safety and Security

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

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

E6.7.4 Parking for Persons with a Disability

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

Acceptable Solutions		Performance Criteria	
A1	All spaces designated for use by persons with a disability must be located closest to the main entry point to the building.	P1	The location and design of parking spaces considers the needs of disabled persons, having regard to:
		a)	the topography of the site;
		b)	the location and type of relevant facilities on the site or in the vicinity;
		c)	the suitability of access pathways from parking spaces, and
		d)	applicable Australian Standards.
Condition required if approved.		N/a	
A2	Accessible car parking spaces for use by persons with disabilities must be designed and constructed in accordance with <i>Australian Standards AS/NZ 2890.6 2009 – Parking facilities – off street parking for people with disabilities</i> .	P2	The number of parking spaces provided is appropriate for the needs of disabled persons, having regard to:
		a)	characteristics of the populations to be served;
		b)	their means of transport to and from the site; and
		c)	applicable Australian Standards.
Condition required if approved.		N/a	

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

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



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

E6.8 Provisions for Sustainable Transport

E6.8.1 Bicycle End of Trip Facilities

Not used in this planning scheme

E6.8.2 Bicycle Parking Access, Safety and Security

Objective:

To ensure that parking and storage facilities for bicycles are safe, secure and convenient.

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

E6.8.5 Pedestrian Walkways

Objective: To ensure pedestrian safety is considered in development

Acceptable Solution	Performance Criteria
<p>A1 Pedestrian access must be provided for in accordance with Table E6.5.</p>	<p>P1 Safe pedestrian access must be provided within car park and between the entrances to buildings and the road.</p>
<p>Comment:</p> <p>A1 – The proposal does not require separate pedestrian access.</p> <p>The proposal complies with the provisions of A1.</p>	



Table E6.5: Pedestrian Access

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

Notes

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

SPECIFIC AREA PLANS	
F1.0 TRANSLINK SPECIFIC AREA PLAN	N/a
F2.0 HERITAGE PRECINCTS SPECIFIC AREA PLAN	N/a
SPECIAL PROVISIONS	
9.1 Changes to an Existing Non-conforming Use	N/a
9.2 Development for Existing Discretionary Uses	N/a
9.3 Adjustment of a Boundary	N/a
9.4 Demolition	N/a
9.5 Change of Use of a Place listed on the Tasmanian Heritage Register or a heritage place	N/a
9.6 Change of Use*	N/a
9.7 Access and Provision of Infrastructure Across Land in Another Zone	N/a
9.8 Buildings Projecting onto Land in a Different Zone	N/a
9.9 Port and Shipping in Proclaimed Wharf Areas	N/a

*9.6.1 A permit is not required for a change of use from an existing lawful use to another use in the same Use Class if:

- (a) the use is not otherwise Prohibited or Discretionary under any provision of the planning scheme;
- (b) the use complies with all applicable standards and does not rely on any Performance Criteria to do so; and
- (c) there is no:
 - (i) increase in the gross floor area of the use;
 - (ii) increase in the requirement for parking spaces under a code relating to parking;
 - (iii) change in the arrangements for site access, parking, or for the loading and servicing of vehicles on the site;
 - (iv) change in arrangements for the use of external areas of the site for display, operational activity or storage;
 - (v) increase in emissions or change in the nature of emissions;
 - (vi) increase in the required capacity of utility services; and
 - (vii) increase in the existing hours of operation if outside the hours of 8.00am to 6.00pm Monday to Sunday inclusive.

STATE POLICIES
The proposal is consistent with all State Policies.
OBJECTIVES OF LAND USE PLANNING & APPROVALS ACT 1993
The proposal is consistent with the objectives of the <i>Land Use Planning & Approvals Act 1993</i> .
STRATEGIC PLAN/ANNUAL PLAN/COUNCIL POLICIES
Strategic Plan 2017-2027
Statutory Planning



4.7 Representations

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

- Jason Cox, 7 Murfett St, Cressy
- Rebecca & James Lees, 19 Charles St Cressy
- Andrew McCullagh, address not provided
- Yvonne Airey (21 March 2022), 17 Charles St Cressy
- Yvonne Airey (22 March 2022), 17 Charles St Cressy
- Anthony Waring, address not provided
- Helen Williams, 89 Main St Cressy
- Michael & Katelyn McCarthy, address not provided
- Toni Burton, 113 Main Street, Cressy
- Roy Burton, 113 Main Street, Cressy
- Tim & Natalie Smith, 24 Charles St Cressy
- Andrea & Simon McGee, address not provided
- Lyndy Pinner, 2 Church St Cressy
- Ross & Patrice Woodland, address not provided
- John Richards, 4 Jetson Court Cressy
- Jacqueline Gray on behalf of her children, 72 Catherine Street, Longford
- Simon Bingley, on behalf of his children, 68 Hobhouse Street, Longford
- Olivia Lowe, 9 Charles St Cressy
- Toni Burton, 113 Main Street, Cressy – objection with numerous signatories
- Robert Penfold & Chloe Folo, Murfett Street, Cressy
- Rhianna Bowerman, Charles Street, Cressy
- Chris Bailey, address not provided

The representations raise concern largely regarding noise from busses and occupants, referring to concerns with existing similar accommodation in Cressy. These concerns are considered earlier in this report.

5 FINANCIAL IMPLICATIONS TO COUNCIL

There are no financial implications to Council.

6 OPTIONS

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

7 DISCUSSION

Amenity

The proposal does not comply with clause 10.3.1 P1:

P1 The use must not cause or be likely to cause an environmental nuisance through emissions including noise and traffic movement, smoke, odour, dust and illumination.

Environmental nuisance is defined in the Environmental Management and Pollution Control Act 1994 as follows:

environmental nuisance means –

(a) the emission, discharge, depositing or disturbance of a pollutant that unreasonably interferes with, or is likely to unreasonably interfere with, a person's enjoyment of the environment; and



(b) any emission, discharge, depositing or disturbance specified in an environment protection policy to be an environmental nuisance.

The application states that ‘... pickers **always**, use a bus to go back and forward to work...’.

Numerous representations have raised concern with noise from buses, stating that ‘the bus stopping and starting so early in the morning will incur additional noise’.

The site is in a quiet residential street. It is likely that the introduction of buses will cause an environmental nuisance through noise and traffic movements.

Representations have also raised concerns with noise that will be created by the occupants. Refer in particular to representations from:

T & N Smith, 24 Charles Street, Cressy - ‘This is a residential property in a quiet residential street. 20 seasonal workers can’t help but make excessive noise’.

R Burton, 113 Main Street, Cressy – ‘I reside at 113 Main St Cressy and have pickers units next to me at 117A Main St. I constantly have to put up with extremely loud music sometimes till 3 am. The bus leaves at 6am, doors banging and people shouting and horns blasting. My sleep is severely impeded’.

It is therefore considered likely that the proposed use will cause an environmental nuisance through the emission of noise.

Car parking

The proposal does not comply with the performance.

The proposal provides for 5 car parking spaces with 3 forward of the building line. It therefore does not comply with clause E6.7.2 A1.1:

A1.1 Where providing for 4 or more spaces, parking areas (other than for parking located in garages and carports for dwellings in the General Residential Zone) must be located behind the building line.

The proposal does not comply with the corresponding performance criteria at clause E6.7.2 P1 as the 3 spaces forward of the building line will be detrimental to the streetscape as they will be readily visible from the road, and car parking in the vicinity is generally behind the building line.

Seasonal Worker Programme Approved Employer Guidelines

The Seasonal Worker Programme Approved Employer Guidelines Version 1.1, May 2020 (Department of Education, Skills and Employment) is attached. The Guidelines are written for Approved Employers participating in the Seasonal Worker Programme. They are intended to help Approved Employers understand and meet their obligations and responsibilities as an Approved Employer.

Seasonal Worker accommodation is to be provided by Approved Employers in accordance with the following principles and requirements. These are provided for information only. **Non-compliance with the Guidelines cannot be used to refuse the planning application.**

Requirement of the Seasonal Worker Programme Approved Employer Guidelines	
1	<i>Accommodation must be fit for immediate occupation and use. This means no building or appliance defects, outstanding maintenance work or health and safety issues.</i>
2	<i>Accommodation must comply with relevant state, territory and local government rules (such as fire safety).</i>
3	<i>Although minor repairs will not preclude use, there must be an effective system in place to ensure faults are identified and repaired in a timely manner.</i>
4	<i>Accommodation must be clean, sanitary and tidy at the time of arrival of Seasonal Workers.</i>
5	<i>Water supply, including hot water, must be available continuously, and be adequate and safe for drinking, cooking, bathing and washing.</i>
6	<i>Seasonal Workers must be provided with adequate facilities to store food safely, cook and eat while in their accommodation. Kitchen and dining facilities must be adequate for the number of Seasonal Workers. Makeshift kitchens are not acceptable.</i>



Requirement of the Seasonal Worker Programme Approved Employer Guidelines	
	<i>They must always be either inside or under cover.</i>
7	<i>Unless cleaning is provided as part of the accommodation charge, it is the responsibility of each Seasonal Worker to keep facilities in a clean and sanitary condition. It is the responsibility of the Approved Employer or the accommodation facility, where relevant, to make sure the standards are respected and to provide adequate cleaning, disinfection and pest control when necessary.</i>
8	<i>Where Seasonal Workers fail to comply with cleaning instructions and, as a result, cleaning, disinfection and / or pest control is necessary for safe habitation, the Approved Employer may pass these costs on to the Seasonal Workers through deductions, subject to requirements to amending deductions (see making changes to an Approved Recruitment section). Alternatively, it may be appropriate to retain part or all of any bond paid to cover these costs, subject to relevant laws.</i>
9	<i>Accommodation must provide Seasonal Workers with adequate heating, cooling and ventilation, as required and as determined by the local climate.</i>
10	<i>Seasonal Workers must have adequate laundry facilities for washing and drying their clothes. These facilities must be onsite or within reasonable walking distance of the accommodation.</i>
11	<i>Accommodation must be maintained in a good condition.</i>
12	<i>The property must be lockable and Seasonal Workers must have 24 hour access to their accommodation.</i>
13	<i>Seasonal Workers' privacy must be respected in their living quarters.</i>
14	<i>House rules should be reasonable and non-discriminatory. Expectations about the responsibility of Seasonal Workers in using the accommodation provided should be clearly communicated in the house rules.</i>
15	<i>Decisions should be made on whether to prohibit alcohol, tobacco, etc. and relevant rules should be clearly communicated to all Seasonal Workers.</i>
16	<i>Procedural fairness should be afforded to Seasonal Workers if the house rules are broken.</i>
17	<i>Separate sleeping and bathroom facilities must be provided for single men and women. This includes lockable doors to bathroom facilities to ensure Seasonal Workers' privacy and safety. A couple may use the same quarters where they are married or in a de-facto relationship.</i>
18	<i>Storage must be provided for each Seasonal Worker's belongings.</i>
19	<i>Separate lockable storage must be provided for each Seasonal Worker's valuables such as their passport. Where the Seasonal Worker is accommodated in a single room on their own (or with their spouse or de-facto partner), a lockable bedroom door is acceptable.</i>
20	<i>A separate bed with a base or bedframe, comfortable and clean mattress, pillow and linen for each Seasonal Worker.</i>
21	<i>Sleeping areas must not be crowded; there should be a reasonable walking space between beds, the exits, and storage.</i>
22	<i>The use of bunk beds should be minimised. If used, there must be enough clear space between the upper and lower bunks, and the upper bunk and the ceiling.</i>
23	<i>Triple bunks are prohibited.</i>
24	<i>Window coverings must be installed, and in working order, in all sleeping areas to provide privacy and block-out sunlight.</i>
25	<i>There must be adequate bathroom facilities (toilets, baths/showers, hand basins) for the number of Seasonal Workers. When in use they must provide Seasonal Workers with adequate privacy</i>
26	<i>Facilities must be conveniently located, and wherever possible, attached to the living quarters.</i>
27	<i>As a minimum, one toilet, hand basin, and shower (or bathtub) must be provided for every 10 Seasonal Workers (or part thereof).</i>
28	<i>Portable toilets must not be used, such as port-a-loos. Transportable toilet blocks may be acceptable, such as dongas.</i>
29	<i>Collective social and rest spaces must be provided.</i>
30	<i>You must provide Seasonal Workers with a means to communicate with their families and the outside world.</i>
31	<i>A common area must provide sufficient comfortable seating for the number of Seasonal Workers being accommodated (i.e. one seat for each Seasonal Worker). Furniture must be clean and in good condition.</i>

8 ATTACHMENTS

1. Application Form Description of Proposal [15.2.1 - 1 page]
2. Submission Wilkin Design November 2021 [15.2.2 - 1 page]
3. Correspondence with Applicant [15.2.3 - 1 page]
4. Request for Further Information and Response [15.2.4 - 2 pages]
5. Proposal Plans 20 Occupants Wilkin Design [15.2.5 - 4 pages]
6. Folio Text-132715-1 [15.2.6 - 1 page]



7. Folio Text, Plan and Easements [15.2.7 - 3 pages]
8. P D 22 29157 26-28 CHARLES S T, CRESSY Tas Water Submission to Planning Authority Notice - Condit [15.2.8 - 2 pages]
9. Representations [15.2.9 - 52 pages]
10. Email from Capital Innovation Insurance Group Pty Ltd [15.2.10 - 1 page]
11. Letter to NMC [15.2.11 - 2 pages]

RECOMMENDATION

That application PLN-21-0339 for a change of use to communal residence (Accommodation for 20 seasonal workers) at 26-28 Charles Street, Cressy, be refused on the following grounds:

1. The proposal does not comply with clause 10.3.1 P1 which states that *The use must not cause or be likely to cause an environmental nuisance through emissions including noise and traffic movement, smoke, odour, dust and illumination.*
The application states that ‘... pickers **always**, use a bus to go back and forward to work...’.
Numerous representations have raised concern with noise from buses, stating that ‘the bus stopping and starting so early in the morning will incur additional noise’.
The site is in a quiet residential street. It is likely that the introduction of buses will cause an environmental nuisance through noise and traffic movements.
2. The proposal does not comply with clause 10.3.1 P1 which states that *The use must not cause or be likely to cause an environmental nuisance through emissions including noise and traffic movement, smoke, odour, dust and illumination.*
Representations have raised concerns with noise that will be created by the occupants.
It is therefore considered likely that the proposed use will cause an environmental nuisance through the emission of noise.
3. The proposal does not comply with the performance criteria at clause E6.7.2 P1 as of the 5 spaces required the 3 spaces forward of the building line will be detrimental to the streetscape as they will be readily visible from the road, and car parking in the vicinity is generally behind the building line.



15.3 PLN21-0278: 38 FAIRTLOUGH STREET, PERTH - DWELLING

File: 104900.3411; PLN21-0278
Responsible Officer: Des Jennings, General Manager
Report prepared by: Paul Godier, Senior Planner

1 INTRODUCTION

This report assesses an application for a single dwelling at 38 Fairtlough Street, Perth.

2 BACKGROUND

Applicant:

Abode Designer Homes

Zone:

Low Density Residential

Classification under the Scheme:

Residential (single dwelling)

Deemed Approval Date:

15 April 2022

Owner:

S and K French

Codes:

Car Parking and Sustainable Transport Code
Scenic Management Code

Existing Use:

Vacant

Recommendation:

Approve

Discretionary Aspects of the Application:

- Development within Scenic Management Area.

Planning Instrument:

- *Northern Midlands Interim Planning Scheme 2013, Version 38, Effective from 22nd February 2022.*

Preliminary Discussion

- Prior to the application being placed on public exhibition, additional information was required (attached).

3 STATUTORY REQUIREMENTS

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

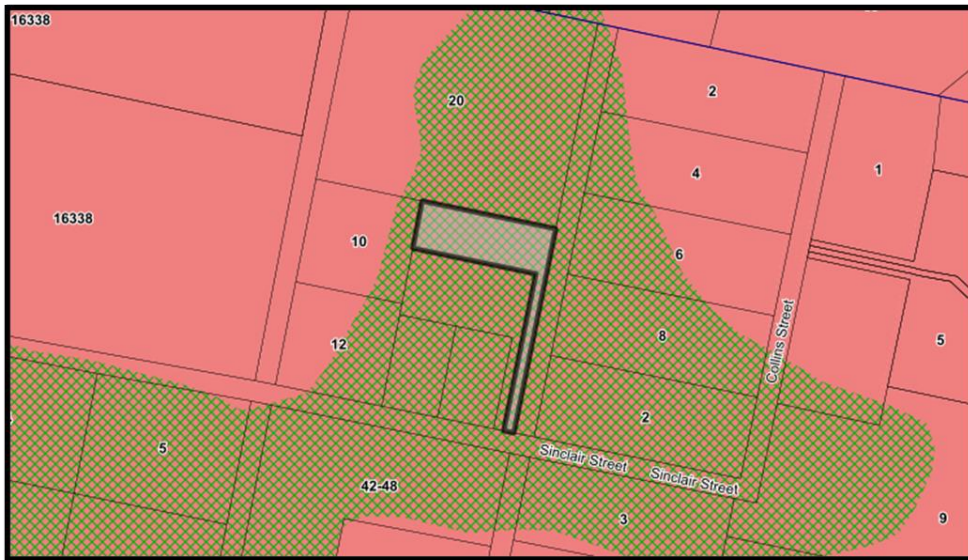
4 ASSESSMENT

4.1 Proposal

It is proposed to construct a single dwelling in the scenic management area of Gibbett Hill.



4.2 Zone and Land Use



^ Zone Map – Low Density Residential Zone, Scenic Management Area

The land is zoned Low Density Residential and is in the Scenic Management Area. The relevant Planning Scheme definition is:

<i>single dwelling</i>	<i>means a dwelling on a lot on which no other dwelling is situated; or a dwelling and an ancillary dwelling on a lot on which no other dwelling is situated.</i>
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Residential (single dwelling) is permitted (with permit) in the zone.

4.3 Subject Site and Locality

The author of this report carried out a site inspection on 18 March 2022. The site is 7,707m² located north of Sinclair Street and west of the unmade section of Fairtlough Street. A Crown Land licence (21/5292, Dated: 14 December 2021) provides legal access over the unmade section of Fairtlough Street to the subject site. The site is vacant land. Existing and approved residential uses surround the subject site.



^Aerial photograph of area



^Photographs of subject site

4.4 Permit/Site History

- PLN20-0322 – 2 lot subdivision that created the subject lot.
- PLN21-0304 – application for shed.

4.5 Referrals

The application did not require any referrals.

4.6 Planning Scheme Assessment

LOW DENSITY RESIDENTIAL ZONE	
ZONE PURPOSE	
12.1.1	<i>Zone Purpose Statements</i>
12.1.1.1	<i>To provide for residential use or development on larger lots in residential areas where there are infrastructure or environmental constraints that limit development.</i>
12.1.1.2	<i>To provide for non-residential uses that are compatible with residential amenity.</i>
12.1.1.3	<i>To ensure that development respects the natural and conservation values of the land and is designed to mitigate any visual impacts of development on public views.</i>
Assessment: The proposal complies with the zone purpose.	

LOCAL AREA OBJECTIVES	
<i>To make provision for any additional future needs in low-density residential development at Avoca, Campbell Town, Cressy, Devon Hills and Longford by the incremental expansion of those areas already established for the purpose.</i>	
Assessment: The proposal complies with the local area objectives.	

12.2 Use Table (extract)

Permitted	
Use Class	Qualification
Residential	If an ancillary dwelling, caretakers dwelling, home-based business, single dwelling



USE AND DEVELOPMENT STANDARDS

12.3 Use Standards

12.3.1 Amenity

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

12.3.2 Low Density Residential Character

Objective To ensure that discretionary uses support the: a) visual character of the area; and b) local area objectives, if any.	
Acceptable Solutions	Performance Criteria
A1 Commercial vehicles for discretionary uses must be parked within the boundary of the property.	P1 No performance criteria.
N/a – no commercial vehicles required.	N/a
A2 Goods or material storage for discretionary uses must not be stored outside in locations visible from adjacent properties, the road or public land.	P2 No performance criteria.
N/a – permitted use.	N/a
A3 Waste material storage for discretionary uses must: a) not be visible from the road to which the lot has frontage; and b) use self-contained receptacles designed to ensure waste does not escape to the environment.	P3 No performance criteria.
N/a – permitted use.	N/a

12.4 Development Standards

12.4.1 Clauses 12.4.1.1 – 12.4.1.6 only apply to development within the Residential Use Class.

12.4.1.1 Site Coverage



Objective	
a) To ensure that the site coverage respects the existing or preferred neighbourhood character; and b) To reduce the impact of increased stormwater runoff on the drainage system; and c) To ensure sufficient area for landscaping and private open space.	
Acceptable Solutions	Performance Criteria
A1 The site coverage must not exceed 10% of the site.	P1 The site coverage must have regard to the: <ul style="list-style-type: none"> a) size and shape of the site; and b) existing buildings and any constraints imposed by existing development or the features of the site; and c) site coverage of adjacent properties; and d) effect of the visual bulk of the building and whether it respects the neighbourhood character; and e) capacity of the site to absorb runoff; and f) landscape character of the area and the need to remove vegetation to accommodate development.
Complies with A1. The subject site is 7,707m ² . 10% of site is 770m ² . Total area of building proposed is 270m ² = 3.5%.	N/a

12.4.1.2 Building Height

Objective	
To ensure that the height of dwellings respects the existing or desired future character statements.	
Acceptable Solutions	Performance Criteria
A1 Building height must not exceed 8 metres.	P1 Building height must be appropriate to the site and the streetscape having regard to the: <ul style="list-style-type: none"> a) effect of the slope of the site on the height of the building; and b) relationship between the proposed building height and the height of existing adjacent buildings; and c) visual impact of the building when viewed from a road.
Complies with A1. Maximum height 5.14m.	N/a

12.4.1.3 Frontage Setbacks

Objective	
To ensure that the setbacks of dwellings from the road respect the existing or preferred neighbourhood character and make efficient use of the site.	
Acceptable Solutions	Performance Criteria
A1.1 Primary frontage setbacks must be a minimum: <ul style="list-style-type: none"> a) of 15m; and b) for infill lots, within the range of the frontage setbacks of buildings on adjoining lots, indicated by the hatched section in Figure 12.4.1.3 below; and 	P1 Buildings are set back from the primary frontage an appropriate distance having regard to: <ul style="list-style-type: none"> a) the efficient use of the site; and b) the safety of road users; and c) the prevailing setbacks of existing buildings on nearby lots; and d) the visual impact of the building when viewed from the road; and e) retention of vegetation within the front setback.



	<p>Figure 12.4.1.3 – Primary Frontage Setback for Infill Lots</p> <p>A1.2 Buildings must be set back a minimum of 15m from any other frontage.</p>
<p>Complies. Setback more than 15m from the frontage.</p>	<p>N/a</p>

12.4.1.4 Rear and Side Setbacks

<p>Objective To ensure that the:</p> <p>a) height and setback of dwellings from a boundary respects the existing neighbourhood character and limits adverse impact on the amenity and solar access of adjoining dwellings; and</p> <p>b) separation of buildings is consistent with the preferred low density character and local area objectives, if any.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 Buildings must be set back 5m from the rear boundary.</p>	<p>P1 Building setback to the rear boundary must be appropriate to the location, having regard to the:</p> <p>a) ability to provide adequate private open space for the dwelling; and</p> <p>b) character of the area and location of dwellings on lots in the surrounding area; and</p> <p>c) impact on the amenity and privacy of habitable room windows and private open space of existing and adjoining dwellings; and</p> <p>d) impact on the solar access of habitable room windows and private open space of adjoining dwellings; and</p> <p>e) locations of existing buildings and private open space areas; and</p> <p>f) size and proportions of the lot.</p>
<p>Complies. 11m+ rear setback.</p>	<p>N/a</p>
<p>A2 Buildings must be set back 7.5m from side boundaries.</p>	<p>P2 Building setback to the side boundary must be appropriate to the location, having regard to the:</p> <p>a) ability to provide adequate private open space for the dwelling; and</p> <p>b) character of the area and location of dwellings on lots in the surrounding area; and</p> <p>c) impact on the amenity and privacy of habitable room windows and private open space of existing and adjoining dwellings; and</p> <p>d) impact on the solar access of habitable room windows and private open space of adjoining dwellings; and</p> <p>e) locations of existing buildings and private open space areas; and</p> <p>f) size and proportions of the lot; and</p> <p>g) extent to which the slope and retaining walls or fences reduce or increase the impact of the proposed variation.</p>
<p>Complies. 9m + side boundary</p>	<p>N/a</p>



setback.	
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12.4.1.5 Location of Car Parking

Objective	
a) To provide convenient parking for resident and visitor vehicles; and	
b) To minimise the impacts of garage doors to the neighbourhood.	
Acceptable Solutions	Performance Criteria
A1 A garage or carport must be located: a) within 10 metres of the dwelling it serves; and b) with a setback equal to or greater than the setback of the dwelling from the primary road frontage.	P1 Car parking facilities must be: a) close and convenient to dwellings and residential buildings; and b) located to minimise visual impact to the streetscape; and c) provided in a form that is appropriate to the area and development.
Complies.	N/a
A2 The total width of the door or doors on a garage facing a road frontage must: a) be not more than 6m; or b) the garage must be located within the rear half of the lot when measured from the front boundary.	P2 The width of garage doors should not be a visually dominant element in the streetscape and must be designed having regard to the: a) existing streetscape and the design and locations of garages in the area; and b) location of existing buildings on the site.
Complies.	N/a

12.4.1.6 Outbuildings and Ancillary Structures

Objective	
To ensure that:	
a) outbuildings do not detract from the amenity or established neighbourhood character; and	
b) dwellings remain the dominant built form within an area.	
Acceptable Solutions	Performance Criteria
A1 Outbuildings must not have a: a) combined gross floor area of greater than 80m ² ; and b) maximum wall height of greater than 3.5m; and c) maximum building height greater than 4.5m.	P1 Outbuildings must be designed and located having regard to: a) visual impact on the streetscape; and b) any adverse impacts on native vegetation; and c) overshadow adjoining properties; and d) compatibility with the size and location of outbuildings in the neighbourhood.
N/a	N/a
A2 A swimming pool or tennis court for private use must be located: a) behind the primary frontage setback; or b) in the rear yard.	P2 A swimming pool or tennis court for private use must be designed and located to: a) minimise any visual impact on the streetscape; and b) not unreasonably overlook or overshadow adjoining properties; and c) be compatible with the size and location of approved outbuildings in the neighbourhood.
N/a	N/a

CODES		
E1.0	BUSHFIRE PRONE AREAS CODE	N/a
E2.0	POTENTIALLY CONTAMINATED LAND	N/a
E3.0	LANDSLIP CODE	N/a
E4.0	ROAD AND RAILWAY ASSETS CODE	N/a



E.5.0	FLOOD PRONE AREAS CODE	N/a
E6.0	CAR PARKING AND SUSTAINABLE TRANSPORT CODE	Complies. See code assessment below.
E7.0	SCENIC MANAGEMENT CODE	Complies. See code assessment below.
E8.0	BIODIVERSITY CODE	N/a
E9.0	WATER QUALITY CODE	N/a
E10.0	RECREATION AND OPEN SPACE CODE	N/a
E11.0	ENVIRONMENTAL IMPACTS & ATTENUATION CODE	N/a
E12.0	AIRPORTS IMPACT MANAGEMENT CODE	N/a
E13.0	LOCAL HISTORIC HERITAGE CODE	N/a
E14.0	COASTAL CODE	N/a
E15.0	SIGNS CODE	N/a

ASSESSMENT AGAINST E6.0

CAR PARKING & SUSTAINABLE TRANSPORT CODE

E6.6 Use Standards

E6.6.1 Car Parking Numbers

Objective: To ensure that an appropriate level of car parking is provided to service use.

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

Comment: Complies with A1. Three bedroom dwelling, 3 spaces required. 2 provided in garage, one space available outside.



Table E6.1: Parking Space Requirements

Use Residential:	Parking Requirement	
	Vehicle	Bicycle
<i>Residential use in any zone other than General Residential</i>	<i>1 space per bedroom or 2 spaces per 3 bedrooms + 1 visitor space</i>	<i>1 space per unit or 1 spaces per 5 bedrooms in other forms of accommodation.</i>

E6.6.2 Bicycle Parking Numbers

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

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

Comment: Complies. Bicycle parking is available in the garage.

E6.6.3 Taxi Drop-off and Pickup

Objective: To ensure that taxis can adequately access developments.

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

Comment: N/a

E6.6.4 Motorbike Parking Provisions

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

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

Comment: N/a

E6.7 Development Standards

E6.7.1 Construction of Car Parking Spaces and Access Strips

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

Acceptable Solutions		Performance Criteria	
A1	All car parking, access strips manoeuvring and circulation spaces must be:	P1	All car parking, access strips manoeuvring and circulation spaces must be readily identifiable and constructed to ensure that they are useable in all weather conditions.
a)	formed to an adequate level and drained; and		
b)	except for a single dwelling,		



c)	provided with an impervious all weather seal; and except for a single dwelling, line marked or provided with other clear physical means to delineate car spaces.	
Comment: Complies with A1 (a). (b) & (c) are not applicable.		

E6.7.2 Design and Layout of Car Parking

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

Table E6.2: Access Widths for Vehicles

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

E6.7.3 Car Parking Access, Safety and Security

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



times when parking occurs.	
Comment: N/a	

E6.7.4 Parking for Persons with a Disability

Objective: To ensure adequate parking for persons with a disability.	
Acceptable Solutions	Performance Criteria
A1 All spaces designated for use by persons with a disability must be located closest to the main entry point to the building.	P1 The location and design of parking spaces considers the needs of disabled persons, having regard to: <ul style="list-style-type: none"> a) the topography of the site; b) the location and type of relevant facilities on the site or in the vicinity; c) the suitability of access pathways from parking spaces, and d) applicable Australian Standards.
A2 One of every 20 parking spaces or part thereof must be constructed and designated for use by persons with disabilities in accordance with <i>Australian Standards AS/NZ 2890.6 2009</i> .	P2 The number of parking spaces provided is appropriate for the needs of disabled persons, having regard to: <ul style="list-style-type: none"> a) characteristics of the populations to be served; b) their means of transport to and from the site; and c) applicable Australian Standards.
Comment: N/a – no accessible parking is required for single dwellings.	

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

Objective: To ensure adequate access for people and goods delivery and collection and to prevent loss of amenity and adverse impacts on traffic flows.	
Acceptable Solutions	Performance Criteria
A1 For retail, commercial, industrial, service industry or warehouse or storage uses: <ul style="list-style-type: none"> a) at least one loading bay must be provided in accordance with Table E6.4; and b) loading and bus bays and access strips must be designed in accordance with <i>Australian Standard AS/NZS 2890.3 2002</i> for the type of vehicles that will use the site. 	P1 For retail, commercial, industrial, service industry or warehouse or storage uses adequate space must be provided for loading and unloading the type of vehicles associated with delivering and collecting people and goods where these are expected on a regular basis.
Comment: N/a – residential use	

E6.8 Provisions for Sustainable Transport

E6.8.1 Bicycle End of Trip Facilities

Not used in this planning scheme

E6.8.2 Bicycle Parking Access, Safety and Security

Objective: To ensure that parking and storage facilities for bicycles are safe, secure and convenient.	
Acceptable Solutions	Performance Criteria
A1.1 Bicycle parking spaces for customers and visitors must: <ul style="list-style-type: none"> a) be accessible from a road, footpath or cycle track; and b) include a rail or hoop to lock a bicycle to that meets <i>Australian Standard AS 2890.3 1993</i>; and c) be located within 50m of and visible or signposted 	P1 Bicycle parking spaces must be safe, secure, convenient and located where they will encourage use.



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

E6.8.5 Pedestrian Walkways

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

Table E6.5: Pedestrian Access

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

Notes

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

E7 Scenic Management Code

E7.6.2 Local Scenic Management Areas

Objective	
a)	To site and design buildings, works and associated access strips to be unobtrusive to the skyline and hillsides and complement the character of the local scenic management area; and
b)	To ensure subdivision and the subsequent development of land does not compromise the scenic management objectives of the local scenic management area.
Acceptable Solutions	Performance Criteria
A1 No acceptable solution.	P1 Development (not including subdivision) must have regard to the: <ul style="list-style-type: none"> a) character statement and scenic management objectives of the particular area set out in Table E7.1 – local scenic management areas; and



	<ul style="list-style-type: none"> b) impact on skylines, ridgelines and prominent locations; and c) retention or establishment of vegetation to provide screening in combination with other requirements for hazard management; and d) design or treatment of development including: <ul style="list-style-type: none"> i) the bulk and form of buildings including materials and finishes; and ii) earthworks for cut or fill; and iii) complementing the physical (built or natural) characteristics of the site or area.
Relies on P1 for compliance.	<p>The house will be similar in height to others in the area and will not have a negative impact on skylines or ridgelines.</p> <p>Trees on surrounding land means that the character statement of 'low density settlement areas with remnant tree cover on skylines visible along important tourism routes' and scenic management objective of 'retain remnant tree cover on skylines and limit further development to low density and low impact' are satisfied.</p> <p>The proposal complies with the performance criteria.</p>

Table E7.1 – Local Scenic Management Areas

<p>Local Scenic Management Areas are typically found in the northern and western areas of the Municipality –</p> <ul style="list-style-type: none"> ○ On elevated bushland areas in the vicinity of Mount Arnon, Gibbet Hill, the ridges west of the Midland Highway between Devon Hills and Launceston, and Devon Hills west of Translink, ○ In the vicinity of important tourism routes north and south of Evandale village, and on the slopes of the Western Tiers west of Blackwood Creek and extending southward past Poatina to Lake River Road <ol style="list-style-type: none"> 1 Mt Arnon 2 Gibbet Hill 3 Devon Hills 4 Evandale 5 Great Western Tiers 6 O'Connor's Peak 7 O'Connor's Sugarloaf
<p>Character Statement –</p> <p>Areas 1,5,6,7 – undeveloped tree covered skylines and bushland cover on elevated slopes with high habitat values, visible along important tourism routes and other through roads</p> <p>Areas 2,3 – low density settlement areas with remnant tree cover on skylines visible along important tourism routes</p> <p>Area 4 – pastoral views across river flood plains and grazing land visible along important tourism routes</p>
<p>Scenic Management Objectives –</p> <p>Areas 1,5,6,7 – retention of natural tree cover on skylines and existing bushland cover on elevated slopes and of pastoral views across river flood plains</p> <p>Areas 2,3 – retain remnant tree cover on skylines and limit further development to low density and low impact</p> <p>Area 4 – protect pastoral views across grazing land and river flood plains wherever visible along tourism routes or through roads from unsympathetic development</p>
<p>Scenic Management Criteria – development of land does not:</p> <ul style="list-style-type: none"> ○ intrude onto skylines or river flood plains, or ○ change the landscape character of elevated areas, pastoral scenes or river flood plain views as seen from tourist corridors or through roads



Local Criteria: None	Measurement or qualifier: Visible from a tourist route or through road
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SPECIFIC AREA PLANS		
F1.0	TRANSLINK SPECIFIC AREA PLAN	N/a
F2.0	HERITAGE PRECINCTS SPECIFIC AREA PLAN	N/a

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

4.7 Representations

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

- Stephen Frankcombe, 6 Collins Street, Perth



Map showing location of representor's property in relation to subject site



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

- Concerns how the incorrect management of stormwater, wastewater and sewage may impact on the representor's property directly and the properties of the representor's neighbours.

Planner's comment:

Both stormwater and wastewater management will form part of the plumbing permit requirements, and will be submitted with the plumbing application documents. Neither matter is a relevant requirement of a single dwelling in the planning scheme.

The proponent did in response to the representation provide a copy of the Geo-Environmental Assessment, dated September 2021 and prepared by Geo-Environmental Solutions. The report found the site to be limited by shallow soil depth making it unsuited to the installation of a septic tank with traditional absorption trenches. Secondary treatment of effluent will be required, and it is proposed to install a package treatment system (e.g. Aerated Wastewater Treatment System (AWTS) such as Econocycle, Envirocycle, Ozzikleen etc.) and apply the treated effluent through subsurface irrigation. The report found that due to the large property size, there is sufficient space available for the irrigation area and reserve area.

5 FINANCIAL IMPLICATIONS TO COUNCIL

Not applicable to this application

6 OPTIONS

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

7 DISCUSSION

Discretion to refuse the application is limited to development within the scenic management area.

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

The house will be similar in height to others in the area and will not have a negative impact on skylines or ridgelines.

Trees on surrounding land means that the character statement of 'low density settlement areas with remnant tree cover on skylines visible along important tourism routes' and scenic management objective of 'retain remnant tree cover on skylines and limit further development to low density and low impact' are satisfied. It is recommended that the application be approved.

8 ATTACHMENTS

1. Additional Information Request - 211118 [15.3.1 - 2 pages]
2. PL N-21-0278 public exhibition documents [15.3.2 - 53 pages]
3. Representation Stephen Frankcombe [15.3.3 - 2 pages]
4. Email Regarding Waste Water Plan [15.3.4 - 3 pages]
5. Waste Water Report [15.3.5 - 22 pages]

RECOMMENDATION

That land at 38 Fairtlough Street, Perth be approved to be developed and used for a Single Dwelling (Scenic Management Code) in accordance with application PLN-21-0278, and subject to the following conditions:

1 Layout not altered

The development and use must be in accordance with the endorsed plans P1 – P13 (AREI drawings #1442, Page Nos. 01-13, Rev. I, 23/02/22).



15.4 PLN-22-0039: 35 WATERLOO STREET, ROSS - 6 LOT SUBDIVISION

File: 402400.08: PLN22-0039
Responsible Officer: Des Jennings, General Manager
Report prepared by: Paul Godier, Senior Planner

1 INTRODUCTION

This report assesses an application for 35 Waterloo Street, Ross to construct 6 Lot Subdivision (Vary 10.4.15.2 Provision of Services P2 - Stormwater Drainage; E6.7.2 Design and Layout of Car Parking P2 - Passing Bay Provisions Lot 3 & Lot 5).

2 BACKGROUND

Applicant:

Woolcott Surveys

Zone:

General Residential Zone

Owner:

Salamanca Hotels Pty Ltd

Codes:

Road and Railway Assets Code
Car Parking and Sustainable Transport Code
Recreation and Open Space Code

Classification under the Scheme:

Subdivision

Existing Use:

Residential (single dwelling)

Deemed Approval Date:

19 April 2022

Recommendation:

Approve

Discretionary Aspects of the Application:

- Variation to development standards in General Residential zone (onsite stormwater);
- Variation to development standards in Car Parking and Sustainable Transport Code (passing bay Lot 3 and Lot 5).

Planning Instrument:

- *Northern Midlands Interim Planning Scheme 2013, Version 38, Effective from 22nd February 2022.*

Preliminary Discussion

- Prior to the application being placed on public exhibition, further information was requested from the applicant.

Subject Site



3 STATUTORY REQUIREMENTS

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



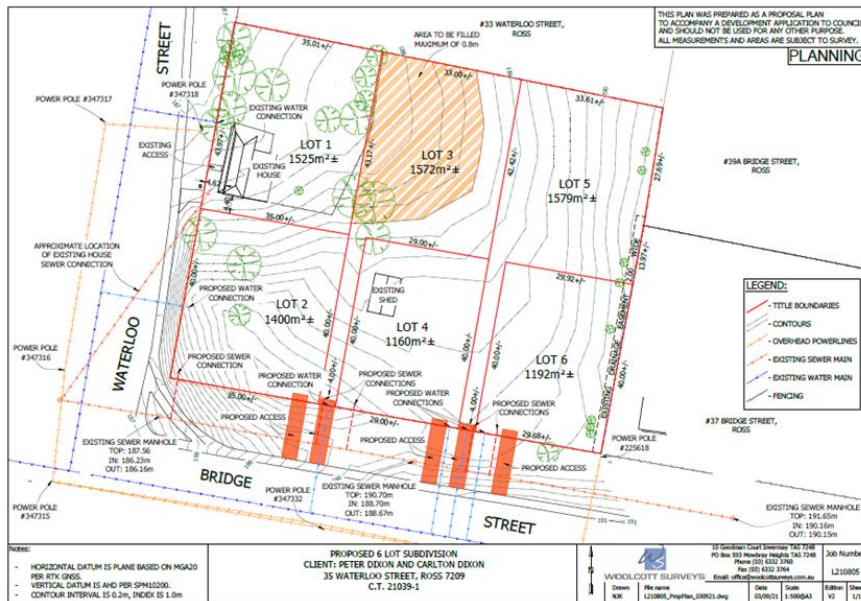
enforce the observance of the Planning Scheme. Section 51 of the *Land Use Planning & Approvals Act 1993* states that a person must not commence any use or development where a permit is required without such permit.

4 ASSESSMENT

4.1 Proposal

It is proposed to create a 6 Lot Subdivision.

Subdivision Plan (extract)



4.2 Zone and Land Use

Zone Map – General Residential Zone



The land is zoned General Residential Zone. The relevant Planning Scheme definition is:

<i>subdivision</i>	<i>means the act of subdividing or the lot subject to an act of subdividing.</i>
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Subdivision is permitted however as the proposal seeks to rely on performance criteria, the application has a discretionary status.



4.3 Subject Site and Locality

The author of this report undertook a site inspection. The 8,094m² site contains an existing single dwelling and outbuilding. Land adjoining the site comprises single dwellings and some vacant allotments.

Aerial photograph of area



Photographs of subject site





4.4 Permit/Site History

Relevant permit history includes:

- DA82/2000 - garage

4.5 Referrals

The following referrals were required:

Council's Works Department

Summary: Council's Works & Infrastructure Department provided the attached response. Their recommended conditions are included in the conditions of approval.

TasWater

TasWater issued a Submission to Planning Authority Notice on 21/03/2022 (TasWater Ref: TWDA 2022/00370-NMC).

4.6 Planning Scheme Assessment

GENERAL RESIDENTIAL ZONE
ZONE PURPOSE
<i>To provide for residential use or development that accommodates a range of dwelling types at suburban densities, where full infrastructure services are available or can be provided.</i>
<i>To provide for compatible non-residential uses that primarily serve the local community.</i>
<i>Non-residential uses are not to be at a level that distorts the primacy of residential uses within the zones, or adversely affect residential amenity through noise, activity outside of business hours traffic generation and movement or other off site impacts.</i>
<i>To encourage residential development that respects the neighbourhood character and provides a high standard of residential amenity.</i>



Assessment: The proposal meets the zone purpose.

LOCAL AREA OBJECTIVES

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

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

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

Assessment: The proposal meets the local area objectives.

DEVELOPMENT STANDARDS FOR SUBDIVISIONS IN GENERAL RESIDENTIAL ZONE

10.4.15 SUBDIVISION

10.4.15.1 Lot Area, Building Envelopes and Frontage

Objective:

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

Acceptable Solutions	Performance Criteria
<p>A1 Lots must:</p> <p>a) have a minimum area of at least 450m² which:</p> <p>i) is capable of containing a rectangle measuring 10m by 15m; and</p> <p>ii) has new boundaries aligned from buildings that satisfy the relevant acceptable solutions for setbacks; or</p> <p>b) be required for public use by the Crown, an agency, or a corporation all the shares of which are held by Councils or a municipality; or</p> <p>c) be for the provision of utilities; or</p> <p>d) be for the consolidation of a lot with another lot with no additional titles created; or</p> <p>e) be to align existing titles with zone boundaries and no additional lots are created.</p> <p>A1.2 On folio of the Register 222877/1, lots fronting Marlborough Street must have a minimum area of at least 590m² which:</p> <p>a) is capable of containing a rectangle measuring 10m by 15m; and</p> <p>b) has new boundaries aligned from buildings that satisfy the relevant acceptable solutions for setbacks.</p>	<p>P1.1 Each lot for residential use must provide sufficient useable area and dimensions to allow for:</p> <p>a) a dwelling to be erected in a convenient and hazard-free location; and</p> <p>b) on-site parking and manoeuvrability; and</p> <p>c) adequate private open space.</p> <p>P1.2 No performance criteria.</p>
<p>The application complies with a). The lot sizes range from 1160m² to 1579m² and each lot demonstrates that they can accommodate a 10m x 15m rectangle. The application complies with b) for the existing dwelling and shed.</p>	N/a
<p>A2 Each lot must have a frontage of at least 3.6m.</p>	<p>P2 Each lot must have appropriate, permanent access by a Right of Carriageway registered over all relevant titles.</p>
<p>Each lot has at least 4.0m wide access to either Waterloo Street or Bridge Street. The proposal complies with the acceptable solution.</p>	N/a



10.4.15.2 Provision of Services

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

10.4.15.3 Solar Orientation of Lots

<i>Objective: To provide for solar orientation of lots and solar access for future dwellings.</i>	
Acceptable Solutions	Performance Criteria
A1 At least 50% of lots must have a long axis within the range of: a) north 20 degrees west to north 30 degrees east; or b) east 20 degrees north to east 30 degrees south.	P1 Dimensions of lots must provide adequate solar access, having regard to the likely dwelling size and the relationship of each lot to the road.
At least 50% of the lots comply with the acceptable solution with lots 1-6 having a long axis within the prescribed range.	N/a
A2 The long axis of residential lots less than 500m ² , must be within 30 degrees east and 20 degrees west of north.	P2 Lots less than 500 m ² must provide adequate solar access to future dwellings, having regard to the: a) size and shape of the development of the subject site; and b) topography; and c) location of access way(s) and roads.
N/a	N/a

10.4.15.5 Integrated Urban Landscape

<i>Objective: To provide attractive and continuous landscaping in roads and public open spaces that contribute to the:</i> a) character and identity of new neighbourhoods and urban places; or b) to existing or preferred neighbourhood character, if any.	
Acceptable Solutions	Performance Criteria
A1 The subdivision must not create any new road, public open space or other reserves.	P1 For subdivision that creates roads, public open space or other reserves, the design must demonstrate that: a) it has regard to existing, significant features; and b) accessibility and mobility through public spaces and roads are protected or enhanced; and c) connectivity through the urban environment is protected or enhanced; and d) the visual amenity and attractiveness of the urban environment is enhanced; and e) it furthers the local area objectives, if any.
The proposal complies, no new road, public open space or other reserve is provided by the subdivision.	N/a

10.4.15.6 Walking and Cycling Network

<i>Objective:</i> a) To provide safe, convenient and efficient movement through and between neighbourhoods by pedestrians and cyclists; and	
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b) To design footpaths, shared path and cycle path networks that are safe, comfortable, well constructed and accessible. c) To provide adequate provision to accommodate wheelchairs, prams, scooters and other footpath bound vehicles.	
Acceptable Solutions	Performance Criteria
A1 The subdivision must not create any new road, footpath or public open space.	P1 Subdivision that creates new roads, footpaths, or public open spaces must demonstrate that the walking and cycling network is designed to: <ul style="list-style-type: none"> a) link to any existing pedestrian and cycling networks; and b) provide the most practicable direct access for cycling and walking to activity centres, community facilities, public transport stops and public open spaces; and c) provide an interconnected and continuous network of safe, efficient and convenient footpaths, shared paths, cycle paths and cycle lanes based primarily on the network of arterial roads, neighbourhood roads and regional public open spaces; and d) promote surveillance along roads and from abutting dwellings.
The subdivision does not propose to create any new road, public open space.	N/a

10.4.15.7 Neighbourhood Road Network

Objective:

- a) To provide for convenient, safe and efficient movement through and between neighbourhoods for pedestrians, cyclists, public transport and other motor vehicles using the neighbourhood road network; and
- b) To design and construct road carriageways and verges so that the road geometry and traffic speeds provide an accessible and safe neighbourhood road system for all users.

Acceptable Solutions	Performance Criteria
A1 The subdivision must not create any new road.	P1 The neighbourhood road network must: <ul style="list-style-type: none"> a) take account of the existing mobility network of arterial roads, neighbourhood roads, cycle paths, shared paths, footpaths and public transport routes; and b) provide clear hierarchy of roads and physical distinctions between arterial roads and neighbourhood road types; and c) provide an appropriate speed environment and movement priority for the safe and easy movement of pedestrians and cyclists and for accessing public transport; and d) provide safe and efficient access to activity centres for commercial and freight vehicles; and e) ensure connector roads align between neighbourhoods for safe, direct and efficient movement of pedestrians, cyclists, public transport and other motor vehicles; and f) provide an interconnected and continuous network of roads within and between neighbourhoods for use by pedestrians, cyclists, public transport and other vehicles and minimise the provision of cul-de-sacs; and g) provide for service and emergency vehicles to safely turn at the end of a dead-end road; and h) take into account of any identified significant features.
Complies.	N/a

CODES

E1.0 BUSHFIRE PRONE AREAS CODE	N/A
E2.0 POTENTIALLY CONTAMINATED LAND	N/A
E3.0 LANDSLIP CODE	N/A
E4.0 ROAD AND RAILWAY ASSETS CODE	Complies – See code assessment below
E5.0 FLOOD PRONE AREAS CODE	N/A
E6.0 CAR PARKING AND SUSTAINABLE TRANSPORT CODE	Complies – See code assessment below
E7.0 SCENIC MANAGEMENT CODE	N/A
E8.0 BIODIVERSITY CODE	N/A



E9.0 WATER QUALITY CODE	N/A
E10.0 RECREATION AND OPEN SPACE CODE	Complies – See code assessment below
E11.0 ENVIRONMENTAL IMPACTS & ATTENUATION CODE	N/A
E12.0 AIRPORTS IMPACT MANAGEMENT CODE	N/A
E13.0 LOCAL HISTORIC HERITAGE CODE	N/A
E14.0 COASTAL CODE	N/A
E15.0 SIGNS CODE	N/A

ASSESSMENT AGAINST E4.0

ROAD AND RAILWAY ASSETS CODE

E4.6 Use Standards

E4.6.1 Use and road or rail infrastructure

Objective

To ensure that the safety and efficiency of road and rail infrastructure is not reduced by the creation of new accesses and junctions or increased use of existing accesses and junctions.

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

E4.7 Development Standards

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

Objective



To ensure that development on or adjacent to category 1 or 2 roads (outside 60km/h), railways and future roads and railways is managed to:	
a) ensure the safe and efficient operation of roads and railways; and b) allow for future road and rail widening, realignment and upgrading; and c) avoid undesirable interaction between roads and railways and other use or development.	
Acceptable Solutions	Performance Criteria
A1 The following must be at least 50m from a railway, a future road or railway, and a category 1 or 2 road in an area subject to a speed limit of more than 60km/h: a) new road works, buildings, additions and extensions, earthworks and landscaping works; and b) building areas on new lots; and c) outdoor sitting, entertainment and children's play areas	P1 Development including buildings, road works, earthworks, landscaping works and level crossings on or within 50m of a category 1 or 2 road, in an area subject to a speed limit of more than 60km/h, a railway or future road or railway must be sited, designed and landscaped to: a) maintain or improve the safety and efficiency of the road or railway or future road or railway, including line of sight from trains; and b) mitigate significant transport-related environmental impacts, including noise, air pollution and vibrations in accordance with a report from a suitably qualified person; and c) ensure that additions or extensions of buildings will not reduce the existing setback to the road, railway or future road or railway; and d) ensure that temporary buildings and works are removed at the applicant's expense within three years or as otherwise agreed by the road or rail authority.
N/a	N/a

E4.7.2 Management of Road Accesses and Junctions

Objective

To ensure that the safety and efficiency of roads is not reduced by the creation of new accesses and junctions or increased use of existing accesses and junctions.

Acceptable Solutions	Performance Criteria
A1 For roads with a speed limit of 60km/h or less the development must include only one access providing both entry and exit, or two accesses providing separate entry and exit.	P1 For roads with a speed limit of 60km/h or less, the number, location, layout and design of accesses and junctions must maintain an acceptable level of safety for all road users, including pedestrians and cyclists.
Complies – one access to each lot.	N/a
A2 For roads with a speed limit of more than 60km/h the development must not include a new access or junction.	P2 For limited access roads and roads with a speed limit of more than 60km/h: a) access to a category 1 road or limited access road must only be via an existing access or junction or the development must provide a significant social and economic benefit to the State or region; and b) any increase in use of an existing access or junction or development of a new access or junction to a limited access road or a category 1, 2 or 3 road must be dependent on the site for its unique resources, characteristics or locational attributes and an alternate site or access to a category 4 or 5 road is not practicable; and



	c) an access or junction which is increased in use or is a new access or junction must be designed and located to maintain an adequate level of safety and efficiency for all road users.
N/a	N/a

E4.7.3 Management of Rail Level Crossings

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

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

Objective To ensure that use and development involving or adjacent to accesses, junctions and level crossings allows sufficient sight distance between vehicles and between vehicles and trains to enable safe movement of traffic.	
Acceptable Solutions	Performance Criteria
A1 Sight distances at a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.7.4; and b) rail level crossings must comply with <i>AS1742.7 Manual of uniform traffic control devices - Railway crossings</i> , Standards Association of Australia; or c) If the access is a temporary access, the written consent of the relevant authority has been obtained.	P1 The design, layout and location of an access, junction or rail level crossing must provide adequate sight distances to ensure the safe movement of vehicles.
Complies.	N/a

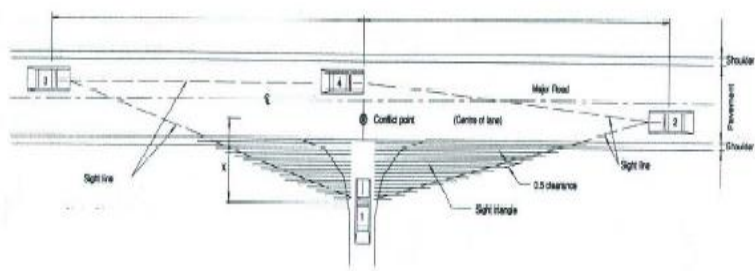


Figure E4.7.4 Sight Lines for Accesses and Junctions

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

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

Table E4.7.4 Safe Intersection Sight Distance (SISD)

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

Notes:

- (a) Vehicle speed is the actual or recorded speed of traffic passing along the road and is the speed at or below which 85% of passing vehicles travel.
- (b) For safe intersection sight distance (SISD):
- (i) All sight lines (driver to object vehicle) are to be between points 1.2 metres above the road and access surface at the respective vehicle positions with a clearance to any sight obstruction of 0.5 metres to the side and below, and 2.0 metres above all sight lines;
- (ii) These sight line requirements are to be maintained over the full sight triangle for vehicles at any point between positions 1, 2 and 3 in Figure E4.7.4 and the access junction;
- (iii) A driver at position 1 must have sight lines to see cars at any point between the access and positions 3 and 2 in Figure E4.7.4;
- (iv) A driver at any point between position 3 and the access must have sight lines to see a car at position 4; and
- (v) A driver at position 4 must have sight lines to see a car at any point between position 2 and the access.

ASSESSMENT AGAINST E6.0

CAR PARKING & SUSTAINABLE TRANSPORT CODE

E6.6 Use Standards

E6.6.1 Car Parking Numbers

Objective: To ensure that an appropriate level of car parking is provided to service use.

Acceptable Solutions	Performance Criteria
<p>A1 The number of car parking spaces must not be less than the requirements of:</p> <p>a) Table E6.1; or</p> <p>b) a parking precinct plan contained in Table E6.6: Precinct Parking Plans</p>	<p>P1 The number of car parking spaces provided must have regard to:</p> <p>a) the provisions of any relevant location specific car parking plan; and</p> <p>b) the availability of public car parking spaces within reasonable walking distance; and</p> <p>c) any reduction in demand due to sharing of spaces by multiple uses either because of variations in peak demand or by efficiencies gained by consolidation; and</p> <p>d) the availability and frequency of public transport within reasonable walking distance of the site; and</p>



(except for dwellings in the General Residential Zone).	<p>e) site constraints such as existing buildings, slope, drainage, vegetation and landscaping; and</p> <p>f) the availability, accessibility and safety of on-road parking, having regard to the nature of the roads, traffic management and other uses in the vicinity; and</p> <p>g) an empirical assessment of the car parking demand; and</p> <p>h) the effect on streetscape, amenity and vehicle, pedestrian and cycle safety and convenience; and</p> <p>i) the recommendations of a traffic impact assessment prepared for the proposal; and</p> <p>j) any heritage values of the site; and</p> <p>k) for residential buildings and multiple dwellings, whether parking is adequate to meet the needs of the residents having regard to:</p> <p>i) the size of the dwelling and the number of bedrooms; and</p> <p>ii) the pattern of parking in the locality; and</p> <p>iii) any existing structure on the land.</p>
<p>Comment: Complies – each vacant lot has sufficient space to accommodate at least 2 parking spaces. Lot 1 containing the existing single dwelling can accommodate at least 2 parking spaces.</p>	

Table E6.1: Parking Space Requirements

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

E6.6.2 Bicycle Parking Numbers

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

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

E6.6.3 Taxi Drop-off and Pickup

Objective: To ensure that taxis can adequately access developments.

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

E6.6.4 Motorbike Parking Provisions

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

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

E6.7 Development Standards

E6.7.1 Construction of Car Parking Spaces and Access Strips

Objective: To ensure that car parking spaces and access strips are constructed to an appropriate standard.			
Acceptable Solutions		Performance Criteria	
A1	All car parking, access strips manoeuvring and circulation spaces must be:	P1	All car parking, access strips manoeuvring and circulation spaces must be readily identifiable and constructed to ensure that they are useable in all weather conditions.
a)	formed to an adequate level and drained; and		
b)	except for a single dwelling, provided with an impervious all-weather seal; and		
c)	except for a single dwelling, line marked or provided with other clear physical means to delineate car spaces.		
Comment: To be assessed by future development application for works on the proposed Lots 2-6.			

E6.7.2 Design and Layout of Car Parking

Objective: To ensure that car parking and manoeuvring space are designed and laid out to an appropriate standard.			
Acceptable Solutions		Performance Criteria	
A1.1	Where providing for 4 or more spaces, parking areas (other than for parking located in garages and carports for dwellings in the General Residential Zone) must be located behind the building line; and	P1	The location of car parking and manoeuvring spaces must not be detrimental to the streetscape or the amenity of the surrounding areas, having regard to:
A1.2	Within the General residential zone, provision for turning must not be located within the front setback for residential buildings or multiple dwellings.	a)	the layout of the site and the location of existing buildings; and
		b)	views into the site from the road and adjoining public spaces; and
		c)	the ability to access the site and the rear of buildings; and
		d)	the layout of car parking in the vicinity; and
		e)	the level of landscaping proposed for the car parking.
Comment: N/a			
A2.1	Car parking and manoeuvring space must:	P2	Car parking and manoeuvring space must:
a)	have a gradient of 10% or less; and	a)	be convenient, safe and efficient to use having regard to matters such as slope, dimensions, layout and the expected number and type of vehicles; and
b)	where providing for more than 4 cars, provide for vehicles to enter and exit the site in a forward direction; and	b)	provide adequate space to turn within the site unless reversing from the site would not adversely affect the safety and convenience of users and passing traffic.
c)	have a width of vehicular access no less than prescribed in Table E6.2 and Table E6.3, and		
A2.2	The layout of car spaces and access ways must be designed in accordance with <i>Australian Standards AS 2890.1 - 2004 Parking Facilities, Part 1: Off Road Car Parking</i> .		
Comment: To be assessed by future development application for works on proposed Lots 2-6. Lots 3 and 5 rely on the performance criteria for access width due to their internal lot design. The access width of 4m wide will not be able to contain a passing bay.		A passing bay giving a total access width of 5m is required every 30m. the accesses are straight and 40m long. It is considered that the access provides for convenient, safe and efficient use for the cars associated with a single dwelling.	



Table E6.2: Access Widths for Vehicles

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

E6.7.3 Car Parking Access, Safety and Security

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

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

E6.7.4 Parking for Persons with a Disability

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

Acceptable Solutions	Performance Criteria
<p>A1 All spaces designated for use by persons with a disability must be located closest to the main entry point to the building.</p>	<p>P1 The location and design of parking spaces considers the needs of disabled persons, having regard to:</p> <p>a) the topography of the site;</p> <p>b) the location and type of relevant facilities on the site or in the vicinity;</p> <p>c) the suitability of access pathways from parking spaces, and</p> <p>d) applicable Australian Standards.</p>
<p>A2 One of every 20 parking spaces or part thereof must be constructed and designated for use by persons with disabilities in accordance with <i>Australian Standards AS/NZ 2890.6 2009</i>.</p>	<p>P2 The number of parking spaces provided is appropriate for the needs of disabled persons, having regard to:</p> <p>a) characteristics of the populations to be served;</p> <p>b) their means of transport to and from the site; and</p> <p>c) applicable Australian Standards.</p>
Comment: Accessible parking is not required for single or multiple dwellings.	

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

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

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

E6.8 Provisions for Sustainable Transport

E6.8.1 Bicycle End of Trip Facilities

Not used in this planning scheme

E6.8.2 Bicycle Parking Access, Safety and Security

Objective:

To ensure that parking and storage facilities for bicycles are safe, secure and convenient.



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

E6.8.5 Pedestrian Walkways

Objective: To ensure pedestrian safety is considered in development

Acceptable Solution	Performance Criteria
A1 Pedestrian access must be provided for in accordance with Table E6.5.	P1 Safe pedestrian access must be provided within car park and between the entrances to buildings and the road.
Comment: N/a	

Table E6.5: Pedestrian Access

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

Notes

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

ASSESSMENT AGAINST E10.0 RECREATION AND OPEN SPACE CODE

E10.6 Development Standards

E10.6.1 Provision of Public Open Space

Objective

- a) To provide public open space which meets user requirements, including those with disabilities, for outdoor recreational and social activities and for landscaping which contributes to the identity, visual amenity and health of the community; and
- b) To ensure that the design of public open space delivers environments of a high quality and safety for a



range of users, together with appropriate maintenance obligations for the short, medium and long term.	
Acceptable Solutions	Performance Criteria
<p>A1 The application must:</p> <p>a) include consent in writing from the General Manager that no land is required for public open space but instead there is to be a cash payment in lieu.</p>	<p>P1 Provision of public open space, unless in accordance with Table E10.1, must:</p> <p>a) not pose a risk to health due to contamination; and</p> <p>b) not unreasonably restrict public use of the land as a result of:</p> <p>i) services, easements or utilities; and</p> <p>ii) stormwater detention basins; and</p> <p>iii) drainage or wetland areas; and</p> <p>iv) vehicular access; and</p> <p>c) be designed to:</p> <p>i) provide a range of recreational settings and accommodate adequate facilities to meet the needs of the community, including car parking; and</p> <p>ii) reasonably contribute to the pedestrian connectivity of the broader area; and</p> <p>iii) be cost effective to maintain; and</p> <p>iv) respond to the opportunities and constraints presented by the physical characteristics of the land to provide practically useable open space; and</p> <p>v) provide for public safety through <i>Crime Prevention Through Environmental Design</i> principles; and</p> <p>vi) provide for the reasonable amenity of adjoining land users in the design of facilities and associated works; and</p> <p>vii) have a clear relationship with adjoining land uses through treatment such as alignment, fencing and landscaping; and</p> <p>ix) create attractive environments and focal points that contribute to the existing or desired future character statements, if any.</p>
Complies with A1. Consent provided by Acting General Manager via email on 4 March 2022.	N/a

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

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

STATE POLICIES
The proposal is consistent with all State Policies.

OBJECTIVES OF LAND USE PLANNING & APPROVALS ACT 1993

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

STRATEGIC PLAN/ANNUAL PLAN/COUNCIL POLICIES

Strategic Plan 2017-2027

- *Statutory Planning*

4.7 Representations

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

- Arthur Thorpe, 42 Bridge Street, Ross
- Kim Peart & Jennifer Bolton, 39A Bridge Street, Ross

Map showing location of representors properties in relation to subject site



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

- Concern with the safety of the Waterloo Street and Bridge Street intersection.
- Concern with pedestrian access and lack of footpaths.
- Concern with road width of Waterloo Street and Bridge Street.
- The existing entrance to lot 1 should be upgraded.
- Flooding

Council's Works and Infrastructure Department advises:

Road width

The road width generally matches other roads in the area (plus or minus several hundred mm). We don't believe it would be reasonable to ask the developer to widen the road as it would be a very small section of road that would be inconsistent with other roads in the area.

Footpath

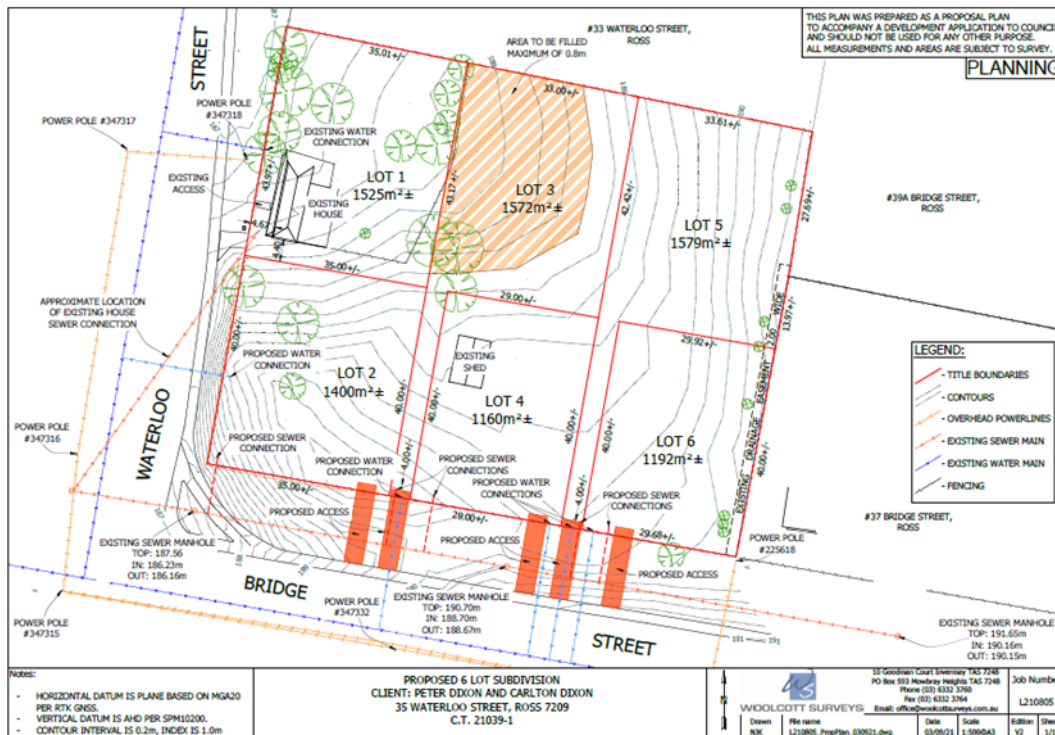


There are no other footpaths in the surrounding area - can we ask for a footpath? If so, we should require one to be constructed from ironstone / chocolate rock against the property boundary on Bridge Street and a design plan should be provided showing the location of the footpath prior to the commencement of any work on site. It is not possible to construct a footpath in Waterloo Street due to the steep bank and also because there needs to be at least 1.5m between the footpath and the edge of the road where there is not a physical barrier. A better option would be to construct a footpath on the opposite side of the road where there is a wide naturestrip, but I don't know if we can ask the developer to do this.

Planner's Comment: With reference to the Temwood Test, a condition is validly imposed, if it is established that:

- The condition is for a planning purpose and not for any ulterior purpose.
- The condition reasonably and fairly relates to the development permitted.
- The condition is not so unreasonable that no reasonable planning authority could have imposed it.

Approval of the subdivision would allow for at least 5 additional houses. The site is within reasonable walking distance of the centre of Ross. It is therefore expected that residents will seek to walk at times rather than drive. With reference to the plan of subdivision there will be no new accesses off Waterloo Street. It is considered that a condition for the developer to provide footpath for the properties off Bridge Street (on the opposite side due to the topography, and from adjacent to the access to lot 6 to the intersection with Waterloo Street) meets with Temwood Test.



Driveways

We believe the driveway position shown on the plan is the best location for the driveways. The condition on the planning permit requires the driveways to be constructed to the municipal standard and to match as closely as possible the local gravel in the area.

Stormwater

All of the lots except two are capable of draining to the roadside. We are requiring the developer to connect stormwater from these lots to the road and shape the roadside drain. Council will then install a culvert across the road and the intersection of Bridge Street and Waterloo Street. The 2016 event which Arthur has pictures of must have been a freak event, as Arthur notes it seems to have been more intense there than at the closest Bureau of Meteorology site. It is close to the top of a hill and there is not a significant catchment area directing water to Bridge Street. Modelling done by Hydrodynamica does not indicate any flooding in this area.

- 6 lots is out of character with the area, 3 lots would be acceptable.



Planner's comment: The minimum lot size in the zone is 450m². The application proposes lots between 1192m² and 1579m². The proposal therefore complies with the scheme provisions and there is no ability to require only 3 lots.

5 LOCAL GOVERNMENT (BUILDINGS AND MISCELLANEOUS PROVISIONS) ACT 1993

Section 83	Approval of plan of subdivision	Yes	No
83 (1)(a)	Does the council require the owner to sell to it for a nominal consideration any land shown on the plan as set apart for a public open space or for drainage purposes?		<input type="checkbox"/>
83(1)(b)	Does the council require the owner to mark on the plan in respect of any proposed way, the words "to be acquired by the highway authority"?		<input type="checkbox"/>
83(5)(a)(ii)	Does the council require the final plan of subdivision to note, in respect of a block, that the council cannot or will not provide means of drainage for all or some specified kind of effluent from the block?		<input type="checkbox"/>
83(5)(a)(iii)	Does the council require the final plan of subdivision to note, in respect of a block, that the council cannot or will not permit a septic tank?		<input type="checkbox"/>
83(5)(b)(i)	Does the council require the final plan of subdivision to note, in respect of a block, that the council may permit a septic tank?		<input type="checkbox"/>
83(5)(b)(ii)	Does the council require the final plan of subdivision to note, in respect of a block, that the council may permit a specific form of on-site sewerage treatment?		<input type="checkbox"/>
83(7)	Does the council require the final plan of subdivision to note, in respect of a block, that the council has been advised by a regulated entity, within the meaning of the <i>Water and Sewerage Industry Act 2008</i> , that the entity cannot or will not –		
83(7)(a)	provide a supply of water to the block?		<input type="checkbox"/>
83(7) (b)	provide means of sewerage for all or some specified kind of effluent from the block?		<input type="checkbox"/>
Section 84	Council not to approve subdivision	Yes	No
84(1)(c)	Does the subdivision include any road or other works whereby drainage will be concentrated and discharged into any drain or culvert on or under any State highway, and the the Minister administering the <i>Roads and Jetties Act 1935</i> has first not approved so much of the application as affects the drainage?		<input type="checkbox"/>
	If 'yes', refuse the subdivision.		
Section 85	Refusal of application for subdivision		
	Council may refuse the application for subdivision if it is of the opinion:		
85(a)	that the roads will not suit the public convenience, or will not give satisfactory inter-communication to the inhabitants both of the subdivision and the municipal area in which it is;		<input type="checkbox"/>
85(b)	that the drainage both of roads and of other land will not be satisfactorily carried off and disposed of;		<input type="checkbox"/>
85(ba)	that the land is not suitable for an on-site effluent disposal system for all or specified kinds of effluent from each block;		<input type="checkbox"/>
85(c)	that the site or layout will make unduly expensive the arrangements for supply of water and electricity, connection to drains and sewers and the construction or maintenance of streets;		<input type="checkbox"/>
85(d)	that the layout should be altered to include or omit –		
85(d)(i)	blind roads;		<input type="checkbox"/>
85(d)(ii)	alleys or rights of way to give access to the rear of lots;		<input type="checkbox"/>
85(d)(iii)	public open space;		<input type="checkbox"/>
85(d)(iv)	littoral or riparian reserves of up to 30 metres in from the shore of the sea or the bank of a river, rivulet or lake;		<input type="checkbox"/>



85(d)(v)	private roads, ways or open spaces;		<input type="checkbox"/>
85(d)(vi)	where the ground on one side is higher than on the other, wider roads in order to give reasonable access to both sides;		<input type="checkbox"/>
85(d)(vii)	licences to embank highways under the <i>Highways Act 1951</i> ;		<input type="checkbox"/>
85(d)(viii)	provision for widening or deviating ways on or adjoining land comprised in the subdivision;		<input type="checkbox"/>
85(d)(ix)	provision for the preservation of trees and shrubs;		<input type="checkbox"/>
85(e)	that adjacent land of the owner, including land in which the owner has any estate or interest, ought to be included in the subdivision;		<input type="checkbox"/>
85(f)	that one or more of the lots is by reason of its shape in relation to its size or its contours unsuitable for building on;		<input type="checkbox"/>
85(g)	that one or more of the lots ought not to be sold because of –		
85(g)(i)	easements to which it is subject;		<input type="checkbox"/>
85(g)(ii)	party-wall easements;		<input type="checkbox"/>
85(g)(iii)	the state of a party-wall on its boundary.		<input type="checkbox"/>

Section 86	Security for payment	Yes	No
	Does council require security for payments and the execution of works for -		
86(2)(c)	if the land is not located within 30 metres of the existing public storm water system as shown on the map made available under section 12 of the <i>Urban Drainage Act 2013</i> , payment for a public storm water system by, from, or from within, the land as determined by the council so that all lots may have connecting drains and the concentrated natural water may be lawfully disposed of and for the laying of storm water connections from a place on the boundary of each lot to the public storm water system in accordance with the by-laws of the council and to the satisfaction of its engineer;		<input type="checkbox"/>
86(2)(d)	the works required for the discharge of the owner's obligations under <u>section 10 of the <i>Local Government (Highways) Act 1982</i></u> in respect of the highways opened or to be opened on the subdivision;		<input type="checkbox"/>
86(2)(e)	the making and draining of footways that are not part of a road and of private roads and similar footways serving 3 lots or more;		<input type="checkbox"/>
86(2)(f)	the filling in of ponds and gullies;		<input type="checkbox"/>
86(2)(g)	the piping of watercourses.		<input type="checkbox"/>
	If 'yes':		
	council may refuse to approve the application until such security is given.		
	See section 86 (3) for the form of the security.		
	See section 86 (4) for when the works are to be executed.		

Section 107	Access orders	Yes	No
107 (2)	Is work of a substantial nature needed to provide access for vehicles from a highway onto the block?		<input type="checkbox"/>
	If 'yes', council may refuse to seal the final plan under which the block is created until the owner has carried out the work specified in the order within the specified period or given the council security for carrying out that work if called upon by it to do so.		

Section 108	Road widening	Yes	No
108 (1) (a)	Does council, in respect of an existing highway, require to obtain a dedication of land for widening or diverting? (compensation is not payable for the dedication of land which lies within 9 metres of the middle line of the highway		<input type="checkbox"/>



	of a parcel into which the land is subdivided and on which no building stands)		
108 (1) (b)	Does council, in respect of an existing highway, require to obtain a licence to embank?		

6 FINANCIAL IMPLICATIONS TO COUNCIL

Not applicable to this application.

7 OPTIONS

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

8 DISCUSSION

Discretion to refuse the application is limited to:

- Variation to development standards in General Residential zone (onsite stormwater);
- Variation to development standards in Car Parking and Sustainable Transport Code (passing bay Lot 3 and Lot 5).

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

It is recommended that the application be approved with the conditions below.

9 ATTACHMENTS

1. APPLICATION- FOR M- Description of Proposal [15.4.1 - 1 page]
2. L 210805 - Planning report - Subdivision - 35 Waterloo Street Ross RFI [15.4.2 - 20 pages]
3. Annexure 1 - Folio Text-21039-1 [15.4.3 - 1 page]
4. Annexure 1 - Folio Plan-21039-1 [15.4.4 - 1 page]
5. Annexure 2 - Proposal Plan [15.4.5 - 1 page]
6. Annexure 3 - Stormwater Assessment [15.4.6 - 21 pages]
7. Annexure 4 - L 210805 - Letter regarding POS contribution [15.4.7 - 1 page]
8. POS consent from GM [15.4.8 - 1 page]
9. Additional Information Request 220315 [15.4.9 - 1 page]
10. SPAN TWDA 2022-00370- NMC [15.4.10 - 3 pages]
11. W&I referral PL N-22-0039, 35 Waterloo Street, Ross [15.4.11 - 4 pages]
12. 1. Representation - A Thorpe [15.4.12 - 5 pages]
13. 2. Representation - K Peart & J Bolton [15.4.13 - 2 pages]
14. L 210805 - Reps response - 35 Waterloo St [15.4.14 - 2 pages]

RECOMMENDATION

That land at 35 Waterloo Street, Ross be approved to be developed and used for a 6 Lot Subdivision (Vary 10.4.15.2 Provision of Services P2 - Stormwater Drainage; E6.7.2 Design and Layout of Car Parking P2 - Passing Bay Provisions Lot 3 & Lot 5) in accordance with application PLN-22-0039, and subject to the following conditions:

1 Layout not altered

The use and development must be in accordance with the endorsed documents P1 (Plan of Subdivision, Woolcott Surveys, 03/09/21 V2) and D1 (Planning Supporting Report, Woolcott Surveys, February 2022).

2 Council's Works Department Conditions

2.1 Stormwater

- a) Lots 1, 2, 4 & 6 must be provided with a connection to the naturestrip. The stormwater must discharge into a charged bubble-up style grated pit. Works must constructed in accordance with Council standards and to the satisfaction of Council's Works & Infrastructure Department.
- b) A drawing shall be provided showing the location and construction details of the connection prior to the commencement of any works on site.



- c) The naturestrip shall be reshaped along Bridge Street to provide a shallow drain to carry stormwater and Council will provide a culvert under Waterloo Street.
- d) A Part V agreement shall be entered into for lots 3 and 5 requiring the following:
Prior to the issue of any approval under the Building Act 2016 or the commencement of work on the site (whichever occurs first), design plans for the proposed dwelling must be provided showing:
1. all roofs that are capable of effectively draining to the roadside drainage via charged connections, do drain to the roadside drainage via a charged connection; and
 2. hardstand areas and roofs unable to drain to the kerb via charged connection, are drained to a stormwater absorption drain.

The drain shall be sized as follows:

- The drain shall be sized taking into account the permeability of the soil
- The drain shall be sized to meet the full range of storms for the 20 year ARI for storage capacity with an additional safety factor volume 50% above the calculated need
- The drain shall be located to command the stormwater discharge from all areas of the site which cannot be drained via a gravity or charged connection to the roadside drainage
- The drain shall be installed along the contour at a minimum of 6.0 metres clear of boundaries down slope of the facility
- The installation shall be located to ensure there is no concentrated discharge from the facility
- The system shall be marked on an "As Constructed" plan to Council requirements with the plan provided to Council
- The system to be installed prior to site occupancy, operated and maintained by the owner in conformity with the manufacturer or design engineer's instruction manual and any additional conditions as required by Council. Any nuisance / concentrated discharge from the facility shall be rectified by the owner to Council's requirements and at the owner's expense within 14 days notice of the nuisance.

2.2 Access

- A driveway crossover must be constructed from the edge of the Road to the property boundary of every lot in accordance with Council standard drawing TSD R03.
- The driveways are to be constructed from a suitable road buildings gravel matched as closely as possible to the existing ironstone gravel in the area.
- Access works must not commence until an application for vehicular crossing has been approved by Council.
- Headwalls for any piped driveway crossing must be constructed from sandstone and compatible with Heritage character – details to be provided with the vehicular crossing approval letter.

2.3 Footpaths

- A 1.5m gravel footpath must be constructed from ironstone / chocolate rock adjacent to the property boundary on Bridge Street. Before works commence a design plan must be provided showing the location of the footpath from the intersection with Waterloo Street to the access to Lot 6.

2.4 As constructed information

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

2.5 Municipal standards & certification of works

Unless otherwise specified within a condition, all works must comply with the Municipal Standards including specifications and standard drawings. Any design must be completed in accordance with Council's subdivision design guidelines to the satisfaction of the Works & Infrastructure Department. Any construction, including maintenance periods, must also be completed to the approval of the Works & Infrastructure Department.

2.6 Works in Council road reserve

- Works must not be undertaken within the public road reserve, including crossovers, driveways or kerb and guttering, without prior approval for the works by the Works Manager.
- Twenty-four (24) hours notice must be given to the Works & Infrastructure Department to inspect works within road reserve, and before placement of concrete or seal. Failure to do so may result in rejection of the vehicular access or other works and its reconstruction.



2.7 Separation of hydraulic services

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

2.8 Pollutants

- The developer/property owner must ensure that pollutants such as mud, silt or chemicals are not released from the site.
- Prior to the commencement of the development authorised by this permit the developer/property owner must install all necessary silt fences and cut-off drains to prevent soil, gravel and other debris from escaping the site. Material or debris must not be transported onto the road reserve (including the nature strip, footpath and road pavement). Any material that is deposited on the road reserve must be removed by the developer/property owner. Should Council be required to clean or carry out works on any of their infrastructure as a result of pollutants being released from the site the cost of these works may be charged to the developer/property owner.

2.9 Nature strips

Any new nature strips, or areas of nature strip that are disturbed during construction, must be topped with 100mm of good quality topsoil and sown with grass. Grass must be established and free of weeds prior to Council accepting the development.

3 Taswater Conditions

Sewer and water services shall be provided in accordance with TasWater's Planning Authority Notice (reference number TWDA 2022/00370-NMC) – Appendix A.

4 Public Open Space Contribution

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

- \$1,400 per additional lot created; or
- The applicant may obtain a valuation not less than one month old by a registered land valuer, of the subject land, less one of the proposed lots. The Public Open Space Rate shall total 5% of that value.

5 Sealing Of Plans

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



15.5 PLN21-0023: 12-20 FRANKLIN STREET, CAMPBELL TOWN - 6 LOT SUBDIVISION

File: 301600.03; PLN21-0023
Responsible Officer: Des Jennings, General Manager
Report prepared by: Paul Godier, Senior Planner

1 INTRODUCTION

This report assesses an application for 12-20 Franklin Street, Campbell Town for a 6 lot subdivision.

2 BACKGROUND

Applicant:

PDA Surveyors

Zone:

Low Density Residential

Owner:

Mathew & Fairlie Smith

Codes:

Bushfire Prone Areas Code
Road & Railway Assets Code
Flood Prone Areas Code
Car Parking and Sustainable Transport Code
Recreation and Open Space Code

Classification under the Scheme:

Subdivision

Existing Use:

Vacant

Deemed Approval Date:

Extension of time until 14 April 2022

Recommendation:

Refuse

Discretionary Aspects of the Application:

- Reliance on the performance criteria 12.4.3.1 P1.1 for lots less than 1ha.
- Reliance on the performance criteria 12.4.3.1 P3 for lots not connected to reticulated sewerage system.
- Subdivision within 50m of a Railway Corridor
- Reliance upon performance criteria of the Flood Prone Areas Code

Planning Instrument:

- *Northern Midlands Interim Planning Scheme 2013, Version 37, Effective from 5 January 2022*

3 STATUTORY REQUIREMENTS

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

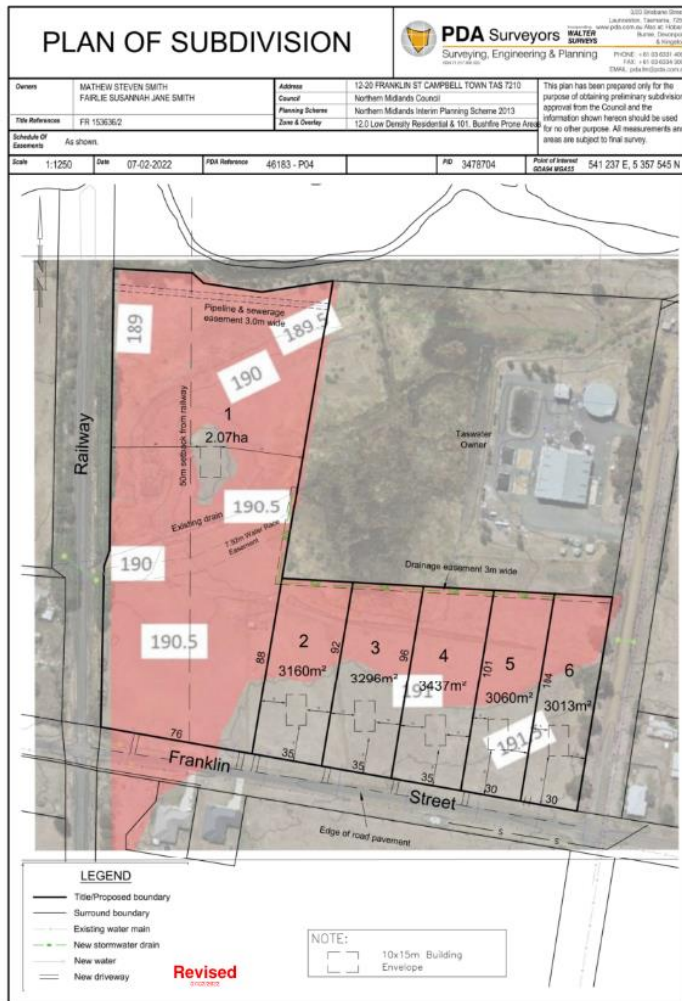
4 ASSESSMENT

4.1 Proposal

- It is proposed to create a 6 Lot Subdivision

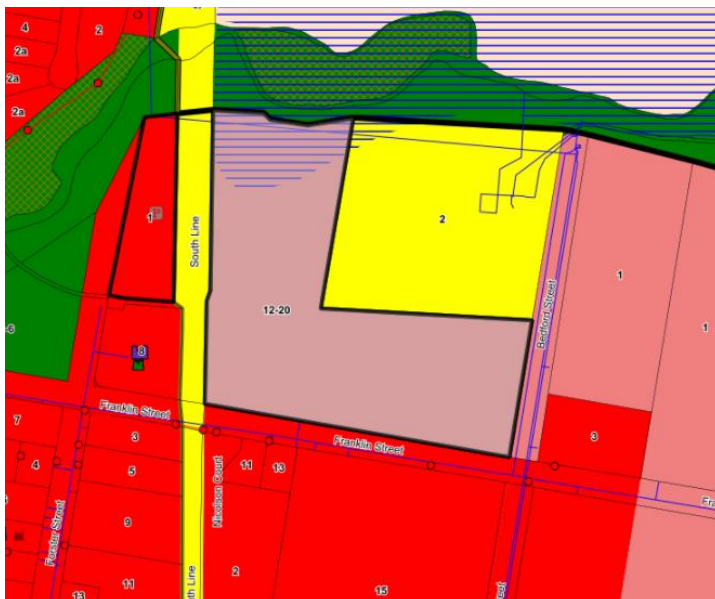


Image 1: Plan of Subdivision with Flood Mapping



4.2 Zone and Land Use

Image 2: Zone Map – Low Density Residential



The land is zoned Low Density Residential Zone.



The relevant Planning Scheme definition is:

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

4.3 Subject Site and Locality

The author of this report carried out a site visit on 1 April 2022.

Image 3: Aerial photograph of area



Image 4: Subject site from corner of Franklin Street and Bedford Street.





Image 5: Subject site from Franklin Street



4.4 Permit/Site History

Relevant permit history includes:

- P07-215 – 4 Lot Resubdivision

4.5 Representations

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

4.6 Referrals

The following referrals were required:

Council's Works and Infrastructure Department
The application was referred to Council's Works & Infrastructure Department which provided the attached response.
TasWater
TasWater issued a Submission to Planning Authority Notice on 7/3/2022 (Taswater Ref: TWDA 2022/00269-NMC).
TasRail (adjoining landowner)
TasRail has reviewed the available documentation and notes: Lot 1 – dwelling to be located outside of the recommended 50m setback from the State Rail Network land boundary Lots 2 to 6 will be in excess of 76m of the railway Level crossing line of sight will be kept clear Stormwater for Lots 2 to 6 will be discharged into the TasWater facility (Mill Pond) on the northern boundary Stormwater for Lot 1 – is yet to be confirmed. TasRail requests that information about the proposed stormwater connection for Lot 1 stormwater be made available to TasRail, prior to any permit being issued by Council. If this is not possible, then TasRail requests a permit condition be included to ensure that information be provided to TasRail for review/approval prior to finalisation of stormwater for Lot 1 TasRail also requests the attached TasRail Standard Notes be included with any Council permit so as to inform the applicants of matters relevant to developing land adjoining an operational rail corridor.



4.7 Planning Scheme Assessment

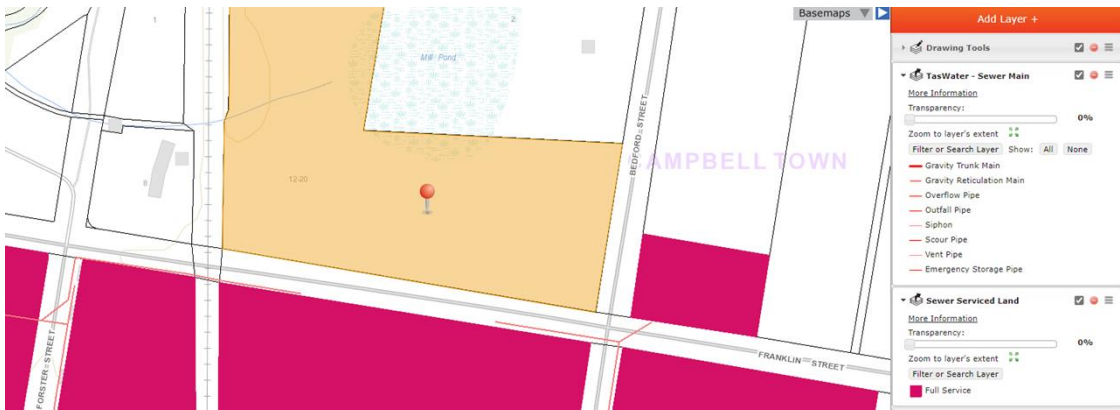
LOW DENSITY RESIDENTIAL ZONE
ZONE PURPOSE
<p><i>12.1.1 Zone Purpose Statements</i></p> <p><i>12.1.1.1 To provide for residential use or development on larger lots in residential areas where there are infrastructure or environmental constraints that limit development.</i></p> <p><i>12.1.1.2 To provide for non-residential uses that are compatible with residential amenity.</i></p> <p><i>12.1.1.3 To ensure that development respects the natural and conservation values of the land and is designed to mitigate any visual impacts of development on public views.</i></p>
Assessment: The proposal meets the zone purpose.

LOCAL AREA OBJECTIVES
<p><i>To make provision for any additional future needs in low-density residential development at Avoca, Campbell Town, Cressy, Devon Hills and Longford by the incremental expansion of those areas already established for the purpose.</i></p>
Assessment: The proposal meets the local area objectives.

12.4.3 Subdivision

12.4.3.1 Lot Area, Building Envelopes and Frontage

<p>Objective</p> <p>To ensure:</p> <ul style="list-style-type: none"> a) the area and dimensions of lots are appropriate for the zone; and b) the conservation of natural values, vegetation and faunal habitats; and c) the design of subdivision protects adjoining subdivision from adverse impacts; and d) each lot has road, access, and utility services appropriate for the zone. 	
Acceptable Solutions	Performance Criteria
<p>A1.1 Each lot must:</p> <ul style="list-style-type: none"> a) have a minimum area of 1ha; and b) have new boundaries aligned from buildings that satisfy the relevant acceptable solutions for setbacks; or c) be required for public use by the Crown, an agency, or a corporation all the shares of which are held by Councils or a municipality; or d) be for the provision of public utilities; or e) for the consolidation of a lot with another lot with no additional titles created; or f) to align existing titles with zone boundaries and no additional lots are created. <p>A1.2 Subdivision at Devon Hills will not result in any new lots.</p>	<p>P1.1 Each lot for residential use must provide sufficient useable area and dimensions to allow for:</p> <ul style="list-style-type: none"> a) a dwelling to be erected in a convenient and hazard free location; and b) on-site parking and manoeuvrability; and c) adequate private open space; and d) reasonable vehicular access from the carriageway of the road to a building area on the lot, if any; and e) development that would not adversely affect the amenity of, or be out of character with, surrounding development and the streetscape. <p>P1.2 Land in Devon Hills must not be further subdivided</p>
<p>A1.1 (a) Relies on performance criteria. The application proposes to vary the 1ha minimum lot size required by the acceptable solution.</p>	<p>Complies with P1.1 as follows:</p> <ul style="list-style-type: none"> a) Lots 2 to 6 range in size from 3013m² to 3437m². Each of the proposed lots will allow sufficient area for a dwelling to be established in a convenient and hazard free location. b) Sufficient space is available for on-site parking and manoeuvrability for a future dwelling on each of the proposed lots. c) Sufficient space is available for private open space for a future dwelling on each of the proposed

	lots. d) Each lot has sufficient useable area and dimensions to allow for vehicle access to future dwellings on the proposed lots.
A2 Each lot must have a frontage of at least 6m.	P2 No performance criteria.
Complies with A2.	N/a
A3 Each lot must be connected to a reticulated: a) water supply; and b) sewerage system.	P3 Lots that are not provided with reticulated water and sewerage services must be: a) in a locality for which reticulated services are not available or capable of being connected; and b) capable of accommodating an on-site wastewater management system.
Comment: Connection to reticulated water supply is proposed. The application complies with A3 a).	
Connection to reticulated sewerage system is not proposed. The application must be assessed against P3. The applicant advises that: <i>In terms of whether the site is within a locality where reticulated services are available and capable of being connected, Tribunal Decision 6ty Pty Ltd v Northern Midlands Council [2019] TASRMPAT 29 (20 December 2019) provides context around the interpretation of P3.</i> <i>At 15., the Tribunal considered the steps in considering P3(a) as:</i> <i>a) to identify the relevant locality</i> <i>b) to determine whether reticulated water supply services are available in that locality; and</i> <i>c) if they are available, determine whether the reticulated water supply service is capable of being connected to the lots in the subdivision.</i> <i>If the lots in the subdivision are in a locality for which reticulated water supply services are not available, then P3(a) will be satisfied. If they are in a locality in which reticulated water supply services are available, then P3(a) will still be satisfied if the services are not capable of being connected to the lots.</i> <i>In respect of the subject site, it is submitted that it is within a locality where sewerage services are available as evidenced by Image 6 showing the site in the context of TasWater sewer serviced land.</i>	
<p>Image 6: TasWater Sewer Serviced Land and Sewer Mains</p> 	
<p>As per the Tribunal Decision, as the site is within a locality where reticulated services are available, it is necessary to consider whether reticulated water supply services are capable of being connected. Image 6 shows that sewer mains exist partly along Franklin Street, opposite the subject site. It is considered that sewer services are capable of being connected.</p> <p>b) The application provided an Onsite Waste Water Assessment which found that each lot is capable of supporting an onsite wastewater management system.</p>	
A4 Each lot must be connected to a reticulated stormwater system.	P4 Stormwater may only be discharged from the site in a manner that will not cause an



	<p>environmental nuisance, and that prevents erosion, siltation or pollution of any watercourses, coastal lagoons, coastal estuaries, wetlands or inshore marine areas, having regard to:</p> <p>a) the intensity of runoff that already occurs on the site before any development has occurred for a storm event of 1% Annual Exceedance Probability (pre-development levels); and</p> <p>b) how the additional runoff and intensity of runoff that will be created by the subdivision for a storm event of 1% Annual Exceedance Probability, will be released at levels that are the same as those identified at the pre-development levels of the subdivision; and</p> <p>c) whether any on-site storage devices, retention basins or other Water Sensitive Urban Design (WSUD) techniques are required within the subdivision and the appropriateness of their location; and</p> <p>d) overland flow paths for overflows during extreme events both internally and externally for the subdivision, so as to not cause a nuisance.</p>
<p>The application proposes to provide a stormwater drain along the northern boundary of lots 2-6 with the outfall discharging to the existing drain from Mill Pond. Stormwater from lot 1 will need to be determined when a building site has been determined. the stormwater from any future dwelling on lot 1 can be directed to the existing drain or stormwater absorption trenches can be installed on site. The proposal complies.</p>	N/a

CODES		
E1.0	BUSHFIRE PRONE AREAS CODE	Complies. Refer to the Bushfire Hazard Management Report and certification prepared by Livingston Natural Resource Services, dated 12 th November 2020
E2.0	POTENTIALLY CONTAMINATED LAND	N/a
E3.0	LANDSLIP CODE	N/a
E4.0	ROAD AND RAILWAY ASSETS CODE	Complies – See code assessment below.
E.5.0	FLOOD PRONE AREAS CODE	Complies – See code assessment below.
E6.0	CAR PARKING AND SUSTAINABLE TRANSPORT CODE	Complies – See code assessment below.
E7.0	SCENIC MANAGEMENT CODE	N/a
E8.0	BIODIVERSITY CODE	N/a
E9.0	WATER QUALITY CODE	N/a
E10.0	RECREATION AND OPEN SPACE CODE	Complies - See code assessment below.
E11.0	ENVIRONMENTAL IMPACTS & ATTENUATION CODE	N/a
E12.0	AIRPORTS IMPACT MANAGEMENT CODE	N/a
E13.0	LOCAL HISTORIC HERITAGE CODE	N/a
E14.0	COASTAL CODE	N/a



E15.0	SIGNS CODE	N/a
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**ASSESSMENT AGAINST E4.0
ROAD AND RAILWAY ASSETS CODE**

E4.6 Use Standards

E4.6.1 Use and road or rail infrastructure

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

E4.7 Development Standards

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

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



<p>A1 The following must be at least 50m from a railway, a future road or railway, and a category 1 or 2 road in an area subject to a speed limit of more than 60km/h:</p> <p>a) new road works, buildings, additions and extensions, earthworks and landscaping works; and</p> <p>b) building areas on new lots; and</p> <p>c) outdoor sitting, entertainment and children's play areas</p>	<p>P1 Development including buildings, road works, earthworks, landscaping works and level crossings on or within 50m of a category 1 or 2 road, in an area subject to a speed limit of more than 60km/h, a railway or future road or railway must be sited, designed and landscaped to:</p> <p>a) maintain or improve the safety and efficiency of the road or railway or future road or railway, including line of sight from trains; and</p> <p>b) mitigate significant transport-related environmental impacts, including noise, air pollution and vibrations in accordance with a report from a suitably qualified person; and</p> <p>c) ensure that additions or extensions of buildings will not reduce the existing setback to the road, railway or future road or railway; and</p> <p>d) ensure that temporary buildings and works are removed at the applicant's expense within three years or as otherwise agreed by the road or rail authority.</p>
N/a	Lot 1 will be partly within 50m of the railway. A building area will be located outside the 50m setback. The proposal complies.

E4.7.2 Management of Road Accesses and Junctions

<p>Objective</p> <p>To ensure that the safety and efficiency of roads is not reduced by the creation of new accesses and junctions or increased use of existing accesses and junctions.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 For roads with a speed limit of 60km/h or less the development must include only one access providing both entry and exit, or two accesses providing separate entry and exit.</p>	<p>P1 For roads with a speed limit of 60km/h or less, the number, location, layout and design of accesses and junctions must maintain an acceptable level of safety for all road users, including pedestrians and cyclists.</p>
Complies – one access to each lot.	N/a
<p>A2 For roads with a speed limit of more than 60km/h the development must not include a new access or junction.</p>	<p>P2 For limited access roads and roads with a speed limit of more than 60km/h:</p> <p>a) access to a category 1 road or limited access road must only be via an existing access or junction or the development must provide a significant social and economic benefit to the State or region; and</p> <p>b) any increase in use of an existing access or junction or development of a new access or junction to a limited access road or a category 1, 2 or 3 road must be dependent on the site for its unique resources, characteristics or locational attributes and an alternate site or access to a category 4 or 5 road is not practicable; and</p> <p>c) an access or junction which is increased in use or is a new access or junction must be designed and located to maintain an adequate level of safety and efficiency for all road users.</p>
N/a	N/a

E4.7.3 Management of Rail Level Crossings

<p>Objective</p> <p>To ensure that the safety and the efficiency of a railway is not unreasonably reduced by access across the railway.</p>	
Acceptable Solutions	Performance Criteria

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

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

Objective

To ensure that use and development involving or adjacent to accesses, junctions and level crossings allows sufficient sight distance between vehicles and between vehicles and trains to enable safe movement of traffic.

Acceptable Solutions	Performance Criteria
<p>A1 Sight distances at</p> <p>a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.7.4; and</p> <p>b) rail level crossings must comply with <i>AS1742.7 Manual of uniform traffic control devices - Railway crossings</i>, Standards Association of Australia; or</p> <p>c) If the access is a temporary access, the written consent of the relevant authority has been obtained.</p>	<p>P1 The design, layout and location of an access, junction or rail level crossing must provide adequate sight distances to ensure the safe movement of vehicles.</p>
Complies.	N/a

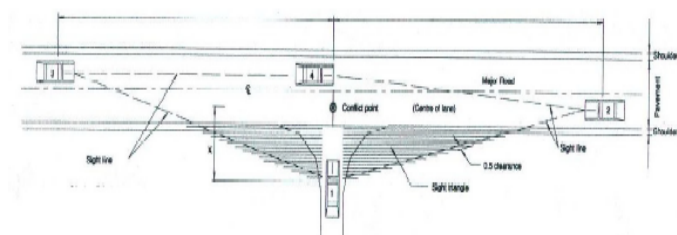


Figure E4.7.4 Sight Lines for Accesses and Junctions

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

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

Table E4.7.4 Safe Intersection Sight Distance (SISD)

Vehicle Speed	Safe Intersection Sight Distance (SISD)	
km/h	60 km/h or less	Greater than 60 km/h
50	80	90
60	105	115
70	130	140
80	165	175
90		210
100		250



110	290
-----	-----

Notes:

- (a) Vehicle speed is the actual or recorded speed of traffic passing along the road and is the speed at or below which 85% of passing vehicles travel.
- (b) For safe intersection sight distance (SISD):
- (i) All sight lines (driver to object vehicle) are to be between points 1.2 metres above the road and access surface at the respective vehicle positions with a clearance to any sight obstruction of 0.5 metres to the side and below, and 2.0 metres above all sight lines;
- (ii) These sight line requirements are to be maintained over the full sight triangle for vehicles at any point between positions 1, 2 and 3 in Figure E4.7.4 and the access junction;
- (iii) A driver at position 1 must have sight lines to see cars at any point between the access and positions 3 and 2 in Figure E4.7.4;
- (iv) A driver at any point between position 3 and the access must have sight lines to see a car at position 4; and
- (v) A driver at position 4 must have sight lines to see a car at any point between position 2 and the access.

**ASSESSMENT AGAINST E5.0
FLOOD PRONE AREAS CODE**

E5.5 Use Standards

E5.5.1 Use and flooding

Objective

To ensure that use does not compromise risk to human life, and that property and environmental risks are responsibly managed.

Acceptable Solutions	Performance Criteria
A1 The use must not include habitable rooms.	P1 Use including habitable rooms subject to flooding must demonstrate that the risk to life and property is mitigated to a low risk level in accordance with the risk assessment in E5.7.
Complies with A1. No new buildings are currently proposed. The plans show building areas outside of the flood prone area.	N/a
A2 Use must not be located in an area subject to a medium or high risk in accordance with the risk assessment in E5.7.	P2 Use must demonstrate that the risk to life, property and the environment will be mitigated to a low risk level in accordance with the risk assessment in E5.7.
Complies with A2. The application shows building sites not within an area subject to a medium or high risk	N/a

E5.6 Development Standards

E5.6.1 Flooding and Coastal Inundation

Objective

To protect human life, property and the environment by avoiding areas subject to flooding where practicable or mitigating the adverse impacts of inundation such that risk is reduced to a low level.

Acceptable Solutions	Performance Criteria
A1 No acceptable solution.	<p>P1.1 It must be demonstrated that development:</p> <ul style="list-style-type: none"> a) where direct access to the water is not necessary to the function of the use, is located where it is subject to a low risk, in accordance with the risk assessment in E5.7 a); or b) where direct access to the water is necessary to the function of the use, that the risk to life, property and the environment is mitigated to a medium risk level in accordance with the risk assessment in E5.7. <p>P1.2 Development subject to medium risk in accordance with the risk assessment in E5.7 must demonstrate that the risk to life, property and the environment is mitigated through structural methods or site works</p>



	<i>to a low risk level in accordance with the risk assessment in E5.7.</i>
-	Complies. The likelihood is rare (1:100) and the consequence is minor, giving a low risk.
	<p><i>P1.3 Where mitigation of flood impacts is proposed or required, the application must demonstrate that:</i></p> <p><i>a) the works will not unduly interfere with natural coastal or water course processes through restriction or changes to flow; and</i></p> <p><i>b) the works will not result in an increase in the extent of flooding on other land or increase the risk to other structures;</i></p> <p><i>c) inundation will not result in pollution of the watercourse or coast through appropriate location of effluent disposal or the storage of materials; and</i></p> <p><i>d) where mitigation works are proposed to be carried out outside the boundaries of the site, such works are part of an approved hazard reduction plan covering the area in which the works are proposed.</i></p>
-	N/a

E5.7 Risk Assessment

- (a) Where an assessment of risk under the Risk Consequence and Likelihood Matrix Table for a use or development is required, it is to be classified through the determination of consequence contained in the criteria in b) together with the likelihood of flood occurrence contained in c).

Table E5.1 AS/NZS 4360:2004 Risk Consequence and Likelihood Matrix Table

Likelihood	Consequences				
	Catastrophic	Major	Moderate	Minor	Insignificant
Moderate	High	High	High	Medium	Low
Unlikely	High	Medium	Medium	Low	Low
Rare	High	Medium	Medium	Low	Low

b) Consequence Criteria

Catastrophic	Loss of life, loss of significant environmental values due to a pollution event where there is not likely to be recovery in the foreseeable future.
Major	Extensive injuries, complete structural failure of development, destruction of significant property and infrastructure, significant environmental damage requiring remediation with a long-term recovery time.
Moderate	Treatment required, significant building or infrastructure damage i.e. loss of minor outbuildings such as car ports, public park shelters and the like. Replacement of significant property components such as cladding, flooring, linings, hard paved surfaces. Moderate environmental damage with a short-term natural or remedial recovery time.
Minor	Medium loss – seepage, replacement of floor/window coverings, some furniture, repair of building components of outbuildings and repair and minor replacement of building components of buildings where direct access to the water is required. Minor environmental damage easily remediated.
Insignificant	<p>No injury, low loss – cleaning but no replacement of habitable building components, some repair of garden beds, gravel driveways etc. Environment can naturally withstand and recover without remediation.</p> <p>Inundation of the site, but ground based access is still readily available and habitable buildings are not inundated, including incorporated garages.</p>

c) Likelihood – Annual Exceedance Probability

1:25 (4%) Moderate

1:50 (2%) Unlikely

1:100 (1%) Rare



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

E6.6 Use Standards

E6.6.1 Car Parking Numbers

Objective: To ensure that an appropriate level of car parking is provided to service use.

Acceptable Solutions	Performance Criteria
<p>A1 The number of car parking spaces must not be less than the requirements of:</p> <p>a) Table E6.1; or</p> <p>b) a parking precinct plan contained in Table E6.6: Precinct Parking Plans (except for dwellings in the General Residential Zone).</p>	<p>P1 The number of car parking spaces provided must have regard to:</p> <p>a) the provisions of any relevant location specific car parking plan; and</p> <p>b) the availability of public car parking spaces within reasonable walking distance; and</p> <p>c) any reduction in demand due to sharing of spaces by multiple uses either because of variations in peak demand or by efficiencies gained by consolidation; and</p> <p>d) the availability and frequency of public transport within reasonable walking distance of the site; and</p> <p>e) site constraints such as existing buildings, slope, drainage, vegetation and landscaping; and</p> <p>f) the availability, accessibility and safety of on-road parking, having regard to the nature of the roads, traffic management and other uses in the vicinity; and</p> <p>g) an empirical assessment of the car parking demand; and</p> <p>h) the effect on streetscape, amenity and vehicle, pedestrian and cycle safety and convenience; and</p> <p>i) the recommendations of a traffic impact assessment prepared for the proposal; and</p> <p>j) any heritage values of the site; and</p> <p>k) for residential buildings and multiple dwellings, whether parking is adequate to meet the needs of the residents having regard to:</p> <p>i) the size of the dwelling and the number of bedrooms; and</p> <p>ii) the pattern of parking in the locality; and</p> <p>iii) any existing structure on the land.</p>
Comment: Complies – each lot has sufficient space to accommodate at least 2 parking spaces.	

Table E6.1: Parking Space Requirements

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

E6.6.2 Bicycle Parking Numbers

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

Acceptable Solutions	Performance Criteria
<p>A1.1 Permanently accessible bicycle parking or storage spaces must be provided either on the site or within 50m of the site in accordance with the requirements of Table E6.1; or</p> <p>A1.2 The number of spaces must be in accordance with a parking precinct plan contained in Table E6.6: Precinct Parking Plans.</p>	<p>P1 Permanently accessible bicycle parking or storage spaces must be provided having regard to the:</p> <p>a) likely number and type of users of the site and their opportunities and likely preference for bicycle travel; and</p> <p>b) location of the site and the</p>



	c) distance a cyclist would need to travel to reach the site; and availability and accessibility of existing and planned parking facilities for bicycles in the vicinity.
Comment: Sufficient space available on each proposed lot to accommodate bicycle parking.	

E6.6.3 Taxi Drop-off and Pickup

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

E6.6.4 Motorbike Parking Provisions

Objective: To ensure that motorbikes are adequately provided for in parking considerations.	
Acceptable Solutions	Performance Criteria
A1 One motorbike parking space must be provided for each 20 car spaces required by Table E6.1 or part thereof.	P1 No performance criteria.
Comment: N/a	

E6.7 Development Standards

E6.7.1 Construction of Car Parking Spaces and Access Strips

Objective: To ensure that car parking spaces and access strips are constructed to an appropriate standard.	
Acceptable Solutions	Performance Criteria
A1 All car parking, access strips manoeuvring and circulation spaces must be: a) formed to an adequate level and drained; and b) except for a single dwelling, provided with an impervious all-weather seal; and c) except for a single dwelling, line marked or provided with other clear physical means to delineate car spaces.	P1 All car parking, access strips manoeuvring and circulation spaces must be readily identifiable and constructed to ensure that they are useable in all weather conditions.
Comment: To be assessed by future development application for works on proposed Lots 1-7.	

E6.7.2 Design and Layout of Car Parking

Objective: To ensure that car parking and manoeuvring space are designed and laid out to an appropriate standard.	
Acceptable Solutions	Performance Criteria
A1.1 Where providing for 4 or more spaces, parking areas (other than for parking located in garages and carports for dwellings in the General Residential Zone) must be located behind the building line; and A1.2 Within the General residential zone, provision for turning must not be located within the front setback for residential buildings or multiple dwellings.	P1 The location of car parking and manoeuvring spaces must not be detrimental to the streetscape or the amenity of the surrounding areas, having regard to: a) the layout of the site and the location of existing buildings; and b) views into the site from the road and adjoining public spaces; and



	<ul style="list-style-type: none"> c) the ability to access the site and the rear of buildings; and d) the layout of car parking in the vicinity; and e) the level of landscaping proposed for the car parking.
Comment: N/a	
<p>A2.1 Car parking and manoeuvring space must:</p> <ul style="list-style-type: none"> a) have a gradient of 10% or less; and b) where providing for more than 4 cars, provide for vehicles to enter and exit the site in a forward direction; and c) have a width of vehicular access no less than prescribed in Table E6.2 and Table E6.3, and <p>A2.2 The layout of car spaces and access ways must be designed in accordance with <i>Australian Standards AS 2890.1 - 2004 Parking Facilities, Part 1: Off Road Car Parking</i>.</p>	<p>P2 Car parking and manoeuvring space must:</p> <ul style="list-style-type: none"> a) be convenient, safe and efficient to use having regard to matters such as slope, dimensions, layout and the expected number and type of vehicles; and b) provide adequate space to turn within the site unless reversing from the site would not adversely affect the safety and convenience of users and passing traffic.
Comment: To be assessed by future development application for works on proposed Lots 1-7.	

Table E6.2: Access Widths for Vehicles

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

E6.7.3 Car Parking Access, Safety and Security

Objective: To ensure adequate access, safety and security for car parking and for deliveries.	
Acceptable Solutions	Performance Criteria
<p>A1 Car parking areas with greater than 20 parking spaces must be:</p> <ul style="list-style-type: none"> a) secured and lit so that unauthorised persons cannot enter or; b) visible from buildings on or adjacent to the site during the times when parking occurs. 	<p>P1 Car parking areas with greater than 20 parking spaces must provide for adequate security and safety for users of the site, having regard to the:</p> <ul style="list-style-type: none"> a) levels of activity within the vicinity; and b) opportunities for passive surveillance for users of adjacent building and public spaces adjoining the site.
Comment: N/a	

E6.7.4 Parking for Persons with a Disability

Objective: To ensure adequate parking for persons with a disability.	
Acceptable Solutions	Performance Criteria
<p>A1 All spaces designated for use by persons with a disability must be located closest to the main entry point to the building.</p>	<p>P1 The location and design of parking spaces considers the needs of disabled persons, having regard to:</p> <ul style="list-style-type: none"> a) the topography of the site; b) the location and type of relevant facilities on the site or in the vicinity; c) the suitability of access pathways from parking spaces, and d) applicable Australian Standards.
<p>A2 One of every 20 parking spaces or part thereof must be constructed and designated for use by persons with disabilities in accordance with <i>Australian Standards AS/NZ 2890.6 2009</i>.</p>	<p>P2 The number of parking spaces provided is appropriate for the needs of disabled persons, having regard to:</p> <ul style="list-style-type: none"> a) characteristics of the populations to be served; b) their means of transport to and



	from the site; and c) applicable Australian Standards.
Comment: N/a – likely to be residential use on each of the vacant lots.	

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

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

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

Comment: N/a

E6.8 Provisions for Sustainable Transport

E6.8.1 Bicycle End of Trip Facilities

Not used in this planning scheme

E6.8.2 Bicycle Parking Access, Safety and Security

Objective:

To ensure that parking and storage facilities for bicycles are safe, secure and convenient.

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

Comment: N/a

E6.8.5 Pedestrian Walkways

Objective: To ensure pedestrian safety is considered in development

Acceptable Solution	Performance Criteria
<p>A1 Pedestrian access must be provided for in accordance with Table E6.5.</p>	<p>P1 Safe pedestrian access must be provided within car park and between the entrances to buildings and the road.</p>

Comment: N/a



Table E6.5: Pedestrian Access

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

Notes

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

**ASSESSMENT AGAINST E10.0
RECREATION AND OPEN SPACE CODE**

E10.6 Development Standards

E10.6.1 Provision of Public Open Space

Objective

- a) To provide public open space which meets user requirements, including those with disabilities, for outdoor recreational and social activities and for landscaping which contributes to the identity, visual amenity and health of the community; and
- b) To ensure that the design of public open space delivers environments of a high quality and safety for a range of users, together with appropriate maintenance obligations for the short, medium and long term.

Acceptable Solutions	Performance Criteria
<p>A1 The application must:</p> <ul style="list-style-type: none"> a) include consent in writing from the General Manager that no land is required for public open space but instead there is to be a cash payment in lieu. 	<p>P1 Provision of public open space, unless in accordance with Table E10.1, must:</p> <ul style="list-style-type: none"> a) not pose a risk to health due to contamination; and b) not unreasonably restrict public use of the land as a result of: <ul style="list-style-type: none"> i) services, easements or utilities; and ii) stormwater detention basins; and iii) drainage or wetland areas; and iv) vehicular access; and c) be designed to: <ul style="list-style-type: none"> i) provide a range of recreational settings and accommodate adequate facilities to meet the needs of the community, including car parking; and ii) reasonably contribute to the pedestrian connectivity of the broader area; and iii) be cost effective to maintain; and iv) respond to the opportunities and constraints presented by the physical characteristics of the land to provide practically useable open space; and v) provide for public safety through <i>Crime Prevention Through Environmental Design</i> principles; and vi) provide for the reasonable amenity of adjoining land users in the design of facilities and associated works; and vii) have a clear relationship with adjoining land uses through treatment such as alignment, fencing and landscaping; and ix) create attractive environments and focal points that contribute to the



	existing or desired future character statements, if any.
Complies with A1. Consent provided by General Manager via email on 24 March 2022.	N/a

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

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

STATE POLICIES
The proposal is consistent with all State Policies.

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

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

5 LOCAL GOVERNMENT (BUILDINGS AND MISCELLANEOUS PROVISIONS) ACT 1993

Section 83	Approval of plan of subdivision	Yes	No
83 (1)(a)	Does the council require the owner to sell to it for a nominal consideration any land shown on the plan as set apart for a public open space or for drainage purposes?		<input type="checkbox"/>
83(1)(b)	Does the council require the owner to mark on the plan in respect of any proposed way, the words "to be acquired by the highway authority"?		<input type="checkbox"/>
83(5)(a)(ii)	Does the council require the final plan of subdivision to note, in respect of a block, that the council cannot or will not provide means of drainage for all or some specified kind of effluent from the block?		<input type="checkbox"/>
83(5)(a)(iii)	Does the council require the final plan of subdivision to note, in respect of a block, that the council cannot or will not permit a septic tank?	<input type="checkbox"/>	
83(5)(b)(i)	Does the council require the final plan of subdivision to note, in respect of a block, that the council may permit a septic tank?		<input type="checkbox"/>
83(5)(b)(ii)	Does the council require the final plan of subdivision to note, in respect of a block, that the council may permit a specific form of on-site sewerage treatment?		<input type="checkbox"/>
83(7)	Does the council require the final plan of subdivision to note, in respect of a block, that the council has been advised by a regulated entity, within the		



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



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

6 FINANCIAL IMPLICATIONS TO COUNCIL

Not applicable to this application.

7 OPTIONS

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

8 DISCUSSION

Discretion to refuse the application is limited to:

- Reliance on the performance criteria 12.4.3.1 P1.1 for lots less than 1ha.
- Reliance on the performance criteria 12.4.3.1 P3 for lots not connected to a reticulated sewerage system.
- Subdivision within 50m of a Railway Corridor
- Reliance upon performance criteria of the Flood Prone Areas Code.

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



It is found that the proposal does not comply with the performance criteria for lots not connected to a reticulated sewerage system.

9 ATTACHMENTS

1. Application form proposal [**15.5.1** - 1 page]
2. Cover Letter PDA Surveyors [**15.5.2** - 2 pages]
3. Superseded 6183 P 03 [**15.5.3** - 1 page]
4. Plan of Subdivision 7 February 2022 [**15.5.4** - 1 page]
5. Plan of subdivision with flood mapping 7 February 2022 [**15.5.5** - 1 page]
6. Folio Plan-153636-2 (1) [**15.5.6** - 1 page]
7. Schedule Of Easements-153636-2 (1) [**15.5.7** - 2 pages]
8. 002-2021- Onsite Waste Water Disposal Assessment 12-20 Franklin St Campbell Town 21.1.2021 (final) [**15.5.8** - 28 pages]
9. Bushfire Hazard Management Plan 12 20 Franklin St Campbell Town [**15.5.9** - 30 pages]
10. Consent to Cash in Lieu of POS [**15.5.10** - 1 page]
11. Further Information Request PL N-21-0023 [**15.5.11** - 3 pages]
12. Correspondence with Applicant 15 March 2021 [**15.5.12** - 2 pages]
13. Correspondence with Applicant 4 February 2022 [**15.5.13** - 2 pages]
14. Response to Request for Additional Information [**15.5.14** - 6 pages]
15. Comments from Works and Infrastructure [**15.5.15** - 5 pages]
16. 12-20 FRANKLIN S T, CAMPBELL TOWN Tas Water Submission to Planning Authority Notice - Conditions D [**15.5.16** - 3 pages]
17. Tas Rail response [**15.5.17** - 2 pages]

RECOMMENDATION

That application PLN-21-0023 to develop and use 12-20 Franklin Street, Campbell Town a 6 lot subdivision be refused on the following grounds:

1. The application does not comply with clause 12.4.3.1 P3 a). The application does not propose to connect the lots to a reticulated sewerage. Clause 12.4.3.1 P3 a) requires that lots that are not provided with reticulated sewerage services must be in a locality for which reticulated services are not available or capable of being connected. The lots are in a locality for which reticulated sewerage services are available, being immediately opposite TasWater sewer serviced land. The lots are capable of being connected as there are sewer mains opposite the site in Franklin Street.



16 COUNCIL ACTING AS A PLANNING AUTHORITY: CESSATION

RECOMMENDATION

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

17 ITEMS FOR THE CLOSED MEETING

Item	Local Government (Meeting Procedures) Regulations 2015 Reference
Confirmation of Closed Council Minutes	15(2)(g)
Councillors' Leave	15(2)(h)
Personnel Matters	15(2)(a)
Management Meetings	15(2)(g)
Correspondence Received	15(2)(i)
Action Items: Status Report	15(2)(g)
Compliance Matter	15(2)(i)
Committee Membership	15(2)(i)

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

- (a) *personnel matters, including complaints against an employee of the council and industrial relations matters;*
- (b) *information that, if disclosed, is likely to confer a commercial advantage or impose a commercial disadvantage on a person with whom the council is conducting, or proposes to conduct, business;*
- (c) *commercial information of a confidential nature that, if disclosed, is likely to -*
 - (i) *prejudice the commercial position of the person who supplied it; or*
 - (ii) *confer a commercial advantage on a competitor of the council; or*
 - (iii) *reveal a trade secret.*
- (d) *contracts, and tenders, for the supply of goods and services and their terms, conditions, approval and renewal;*
- (e) *the security of -*
 - (i) *the council, councillors and council staff; or*
 - (ii) *the property of the council.*
- (f) *proposals for the council to acquire land or an interest in land or for the disposal of land;*
- (g) *information of a personal and confidential nature or information provided to the council on the condition it is kept confidential;*
- (h) *applications by councillors for a leave of absence;*
- (i) *matters relating to actual or possible litigation taken, or to be taken, by or involving the council or an employee of the council;*
- (j) *the personal hardship of any person who is a resident in, or is a ratepayer in, the relevant municipal area.*



RECOMMENDATION

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

18 CLOSURE

RECOMMENDATION

That Council move out of the “Closed Meeting”.

Mayor Knowles closed the meeting at