



**NORTHERN  
MIDLANDS  
COUNCIL**

# **MINUTES**

**ORDINARY MEETING OF COUNCIL**

**MONDAY, 21 MARCH 2022**



MINUTES of the Ordinary Meeting of the Northern Midlands Council held on 21 March 2022 at 5.07pm in person 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)

## **1 ATTENDANCE**

### **PRESENT**

Mayor Mary Knowles OAM, Deputy Mayor Richard Goss, Cr Dick Adams OAM, Cr Matthew Brooks, Cr Andrew Calvert, Cr Jan Davis, Cr Ian Goninon, Cr Janet Lambert, Cr Michael Polley AM

### **In Attendance**

Mr Des Jennings - General Manager (to 8.07pm), Miss Maree Bricknell - Corporate Services Manager (to 8.07pm), Mr Leigh McCullagh - Works Manager (to 8.07pm) , Mr Paul Godier - Senior Planner (to 7.48pm), Mrs Gail Eacher - Executive Assistant (to 8.07pm)

### **APOLOGIES**

Nil



## 2 TABLE OF CONTENTS

Item	Page No.
1 ATTENDANCE .....	2
2 TABLE OF CONTENTS .....	3
3 ACKNOWLEDGEMENT OF COUNTRY .....	5
4 DECLARATIONS OF ANY PECUNIARY INTEREST OF A COUNCILLOR OR CLOSE ASSOCIATE .....	5
5 PROCEDURAL .....	6
5.1 Confirmation Of Council Meeting Minutes .....	6
5.2 Date Of Next Council Meeting .....	6
6 COUNCIL COMMITTEES - CONFIRMATION OF MINUTES .....	7
7 COUNCIL COMMITTEES - RECOMMENDATIONS .....	7
8 INFORMATION ITEMS.....	9
8.1 Council Workshops/Meetings Held Since The Last Ordinary Meeting .....	9
8.2 Mayor's Activities Attended & Planned .....	9
8.3 General Manager's Activities .....	10
8.4 Petitions .....	10
8.5 Conferences & Seminars: Report On Attendance By Council Delegates.....	11
8.6 132 & 337 Certificates Issued.....	11
8.7 Animal Control .....	11
8.8 Environmental Health Services .....	12
8.9 Customer Request Receipts .....	13
8.10 Gifts & Donations (Under Section 77 Of The LGA) .....	13
8.11 Action Items: Council Minutes .....	14
8.12 Resource Sharing Summary: 01 July 2021 To 30 June 2022 .....	22
8.13 Vandalism .....	23
8.14 Youth Program Update .....	23
8.15 Strategic Plans Update .....	23
8.16 Tourism & Events And Heritage Highway Tourism Region Association (HHTRA) Update ...	26
8.17 Junior Action Group -Special Committee of Council .....	26
9 GOVERNANCE REPORTS .....	28



9.1	Policy Review - Welcome To Country And Acknowledgement Of Country.....	28
9.2	Grant Funding: Queen's Jubilee Tree Planting.....	30
9.3	Northern Midlands Council Local Recycling Committee: Extension Of 2020-2022 Term To 30 June 2023 .....	34
9.4	Australian Local Government Association (ALGA): Submission Of Motions .....	37
9.5	Consultation On New Aboriginal Cultural Heritage Legislation.....	40
10	COMMUNITY & DEVELOPMENT REPORTS.....	45
10.1	Monthly Report: Development Services .....	45
11	CORPORATE SERVICES REPORTS.....	53
11.1	Monthly Report: Financial Statement .....	53
12	PUBLIC QUESTIONS AND STATEMENTS.....	59
13	COUNCIL ACTING AS A PLANNING AUTHORITY .....	61
14	PLANNING REPORTS.....	67
14.1	Draft Amendment 04/2021: PLN-21-0301: 17 Church Street, Campbell Town .....	67
14.2	PLN21-0323: 87 Bulwer Street & Bulwer Street, Catherine Street, Lewis Street & Burghley Street Road Reserves, Longford .....	101
14.3	Draft Amendment 01/2022 To Insert 873 Illawarra Road, Longford And Adjoining Section Of Illawarra Road Into The List Of Local Heritage Places.....	133
14.4	Report On Representations To Draft Local Provisions Schedule .....	143
15	COUNCIL ACTING AS A PLANNING AUTHORITY: CESSATION.....	147
16	ITEMS FOR THE CLOSED MEETING .....	147
16.1	Closed Council Decisions Released .....	148
17	CLOSURE .....	149



### 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.*

Council resolved to accept the following Declaration of Interest:

- Councillor Ian Goninon - 10.1 Monthly Report: Development Services (2.1 Delegated Decisions - PLN-22-0007: 24 Summit Drive)



## 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 February 2022, be confirmed as a true record of proceedings.

##### MINUTE NO. 22/85

##### DECISION

Deputy Mayor Goss/Cr Polley

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

Carried Unanimously

### 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, 11 April 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 Committee/s are attached:

Date		Committee	Meeting
i)	01/03/2022	Longford Local District Committee	Ordinary

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

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

### MINUTE NO. 22/86

#### DECISION

Cr Lambert/Cr Adams

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

Carried Unanimously

## 7 COUNCIL COMMITTEES - RECOMMENDATIONS

### 7.1 LONGFORD LOCAL DISTRICT COMMITTEE

At the ordinary meeting of the Longford Local District Committee held on 1 March 2022, the following motion/s were recorded for Council's consideration:

#### **Vulnerable People register:**

That NMC ask the State government to establish a vulnerable people's register

#### **Officer Comment:**

Vulnerable Peoples Registers do exist within state government departments for specific purposes, however, there is no collective register (database) of vulnerable people which can be utilised when required such as during emergencies or pandemics, to readily identify community members at risk.

#### **Officer Recommendation:**

That Council note the recommendation and forward the Committees recommendation to the State Government (Department of Police, Fire & Emergency Management) for their consideration.

### MINUTE NO. 22/87

#### DECISION

Deputy Mayor Goss/Cr Lambert

That the matter be investigated prior to a further report to Council.

Carried Unanimously

#### Voting for the Motion:

Mayor Knowles, Deputy Mayor Goss, Cr Adams, Cr Brooks, Cr Calvert, Cr Davis, Cr Goninon, Cr Lambert and Cr Polley

#### Voting Against the Motion:

Nil



**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.

**Officer Comment:**

This matter is listed in Council's Integrated Priority Projects Plan 2021; and Council continues to lobby for the extension of the bike path from Pateena Road to Longford.

**Officer Recommendation:**

That Council note the request.

**MINUTE NO. 22/88**

DECISION

Deputy Mayor Goss/Cr Davis

That Council note the request.

Carried Unanimously

**Voting for the Motion:**

Mayor Knowles, Deputy Mayor Goss, Cr Adams, Cr Brooks, Cr Calvert, Cr Davis, Cr Goninon, Cr Lambert and Cr Polley

**Voting Against the Motion:**

Nil





## 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
2022-02-28	<b>Professional Development Workshop</b>
2022-03-07	<b>Council Workshop</b> Presentations <ul style="list-style-type: none"> <li>Visit Northern Tasmania</li> <li>Longford Football Club Grounds Committee</li> </ul> Discussion included: <ul style="list-style-type: none"> <li>Longford Sports Centre</li> <li>Longford Road Rules (Bike Park) Concept Plan</li> <li>Translink Subdivision</li> <li>Future Of Local Government Review</li> <li>Acquisition Of Land</li> <li>Flood Modelling</li> <li>Ross Community Sports Ground: Master Plan</li> <li>LGAT General Meeting 18 March 2022</li> </ul>
2022-03-21	<b>Council Workshop</b> Discussion: <ul style="list-style-type: none"> <li>Council Meeting Agenda items</li> </ul>
2022-03-21	<b>Council Meeting</b>

### 8.2 MAYOR'S ACTIVITIES ATTENDED & PLANNED

Mayor's Activities Attended & Planned for the period 22 February 2022 to 21 March 2022 are as follows:

Date	Activity
28 February 2022	Attended ABC radio interview with Leon Compton, Gipps Creek
28 February 2022	Attended meeting with resident, Longford
28 February 2022	Attended Professional Development Training Workshop, Longford
1 March 2022	Attended meeting with Council Officer, Longford
1 March 2022	Attended Rural Alive and Well Annual Update Morning Tea, Perth
1 March 2022	Attended Northern Tasmania Development Commission (NTDC) Quarterly Mayors meeting
3 March 2022	Attended TasWater - Owners Representatives meeting online, Gipps Creek
4 March 2022	Attended online meeting with Tim Denby re Tasmanian Housing Strategy, Gipps Creek
7 March 2022	Attended meeting with resident re TRANSLink, Longford
7 March 2022	Attended Council Workshop
8 March 2022	Attended IWD Women's Health Tasmania's Event, Ross
11 March 2022	Attended online Australian Local Government Women's Association meeting, Gipps Creek
13 March 2022	Attended Royal Flying Doctor's Annual Truck Run, Longford
14 March 2022	Attended Lychgate Opening and Longford Legends Inductions
15 March 2022	Attended Longford Police Station Official Opening, Longford
15 March 2022	Attended Northern Covid Regional Recovery Committee meeting, Longford
16 March 2022	Officiated at the Official Opening of the Ross Village Green, Ross
16 March 2022	Attended NMC Emergency Management Meeting, Longford
17 March 2022	Attended Mayors Professional Development Day, Launceston
18 March 2022	Attended Local Government Association Tasmania (LGAT) General Meeting, Launceston
21 March 2022	Officiated at the Official Opening of the Soaring Club of Tasmania's new Hanger, Tunbridge
21 March 2022	Attended Council Workshop and Meeting, Longford
Attended to email, phone, media and mail inquiries.	



### 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 Strategic Property Committee meeting
- Attended Northern Tasmania Development Committee meeting
- Attended Longford Racecourse Master Plan meeting
- Met with representatives of Visit Northern Tasmania
- Met with representatives re Longford Town Hall proposal
- Met with Cr Calvert

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):

- Attended presentation re Palmerston Battery Storage
- Met with landowner re Longford Racecourse Master Plan proposal
- Met with Longford Legends sub-committee
- Attended Motorama Launch
- Attended Northern Region Emergency Management Committee meeting
- Met with the Hon. Tania Rattray, Legislative Council Member for McIntyre

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### 8.4 PETITIONS

#### PURPOSE OF REPORT

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

#### OFFICER'S COMMENT

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

##### Section 57. Petitions

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

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

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

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

(3) In this section –

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

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

**petition** means a paper petition or electronic petition;

**signatory** means –

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

##### 58. Tabling petition

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

(a) . . . . .

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

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

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

(a) it does not comply with section 57; or



- (b) it is defamatory; or  
(c) any action it proposes is unlawful.

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

## PETITIONS

No petitions received.

## 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		
<b>132</b>	95	74	98	111	75	95	58	73					<b>679</b>	<b>1,004</b>
<b>337</b>	34	54	29	59	63	30	35	37					<b>341</b>	<b>499</b>

## 8.7 ANIMAL CONTROL

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

Item	Income/Issues 2020/2021		Income/Issues for February 2022		Income/Issues 2021/2022	
	No.	\$	No.	\$	No.	\$
Dogs Registered	4,240	100,776	30	956	4,189	107,202
Dogs Impounded	27	2,212	1	105	19	3,507
Euthanised	-	-	-	-	1	-
Re-claimed	24	-	1	-	17	-
Re-homed/Dogs Home	2	-	-	-	2	-
New Kennel Licences	16	1,152	1	72	10	720
Renewed Kennel Licences	72	3,168	-	-	83	3,652
Infringement Notices (paid in full)	36	6,785	1	173	20	3,792
Legal Action	-	-	-	-	-	-
Livestock Impounded	1	65	-	-	-	-
<b>TOTAL</b>		<b>114,159</b>		<b>1,306</b>		<b>118,174</b>



**Analysis of kennel licences issued:**

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

**Registration Audit of the Municipality:**

Ongoing.

**Kennel Licences**

1 kennel licences applied for.

**Microchips:**

0 dogs microchipped.

**Infringements:**

1 infringements issued.

**Attacks:**

0 attacks.

**Impounded Dogs:**

1 dog impounded: 1 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	Prior Years		
	2018/2019	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	136/ 163	3	32	34	34	27	3	3				
Routine Mobile/Market stall Food Inspections	0	0	0	0	0	0	0	0				
Preliminary Site Visits – Licensed Premises	15	4	4	2	3	0	0	2				
On-site wastewater Assessments	11	3	4	2	2	0	0	0				
Complaints/Enquiries – All Types	73	8	8	4	6	3	4	40				
Place of Assembly approvals	4	0	1	0	2	1	0	0				
Notifiable Diseases	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				
Building & Planning	16	17	4	18	2	1	5	1				
Community Services	4	7	5	5	5	5	2	10				
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				

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

Date	Recipient	Purpose	Amount
			\$
21-Jul-21	Reptile Rescue	Donation to service	\$1,000.00
28-Jul-21	Campbell Town District High School	Inspiring Positive Futures Program	\$7,272.73
28-Jul-21	Campbell Town District High School	Chaplaincy	\$1,363.64
28-Jul-21	Evandale Primary School	Chaplaincy	\$800.00
8-Sep-21	Cressy District High School	Inspiring Positive Futures Program	\$8,000.00
12-Oct-21	C'Town, Cressy, Evandale, Longford	End of Year School Presentations 2021	\$450.00
20-Oct-21	Longford & Perth Fire Brigades	Christmas Lolly runs 2021	\$200.00
20-Oct-21	Campbell Town SES Highway Rescue	Wages and Plant hire	\$181.95
21-Oct-21	Celeste Nicholson (returned donation)	U12 Nth Tas Junior Soccer Assoc Oceania Cup NSW	-\$100.00
29-Sep-21	Connor Perri	Bursary Program 2020 - Instalment 2	\$1,000.00
18-Oct-21	Jemma Walters	Bursary Program 2020 - Instalment 2	\$1,000.00
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
		TOTAL	\$27,718.32



## 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 <sup>2</sup> . b) The strength of the proposed performance criteria in the draft Northern Midlands Local Provisions Schedule for preventing approval of lots less than 600m <sup>2</sup> .	Paul Godier	3/03/2022 Senior Planner - Legal advice requested on 3 March 2022.
13/12/2021	9.3	Morven Park Ground Drainage Project: Grant Application	Awaiting external response	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	Lorraine Green	20/12/2021 Project Officer - Grant application submitted and outcome awaited
31/01/2022	10.2	Municipal Boundary Adjustment: 101 Pateena Road	Awaiting external response	That Council resolve to request the Director of Local Government in accordance with Section 16 (4A) of the Local Government Act 1993 to initiate a minor municipal boundary adjustment for 101 Pateena Road to be entirely in the Municipality of Meander Valley.	Paul Godier	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.
13/12/2021	9.1	Local Roads and Community Infrastructure Program Phase Three Funding	Awaiting internal response	That 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.
	1.3	16/03/2020 - Deferred Item - GOV8 Overhanging Trees/Hedges: Evandale	In progress	Deferred to provide opportunity for the community to attend.	Des Jennings, Gail Eachus	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.
	1.1	17/02/2020 - 039/20 - Bartholomew Park Sign	In progress	Committee Recommendation That the Bartholomew Park sign be removed from the top of the history board and a new sign (redesign) be installed at the corner of the park facing Main and Church Streets. RESOLUTION That Council officers investigate and design a new park sign and explanation plinth (providing background on the	Amanda Bond	8/10/2021 System Support - Committee has chosen sign design. Seeking advice on planning approval requirements. Once advice received will progress. 9/11/2021 Executive Assistant - Planning application submitted. 3/12/2021 Executive Officer -





Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
				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.		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.
	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 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.
	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.
	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.
	1.14	18/09/2017 - 279/17 - Historical Records and Recognition: Service of Councillors	In progress	That Council, ...and ii) progress the following when the glass enclosed area at the front of the Council Chambers is nearing completion: Photograph/photographs of current Councillors - professional printing and framing; Archiving of historic photographs; Production of a photo book of historic photographs for display.	Gail Eachar	29/09/2021 System Support - Historic photos to be catalogued and collated. 5/10/2021 Executive Assistant - Framed photographs installed - action complete. Resources not available to undertake archiving of historic photographs and production of photo book. Additional resource to be sought. 6/12/2021 Executive Assistant - Cataloguing and collation of historical photographs has commenced.
	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 Eachar	8/10/2021 System Support - Information provided to DPIPWE, 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.
	1.3	28/06/2021 - 207/21 - Rail Crossing	In progress	Committee Recommendation The Ross Local District Committee requests that NMC contact TasRail to determine the extent of Tas Rail ownership of the 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



Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
						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
21/02/2022	11.4	Audit Committee	In progress	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.
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	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.
13/12/2021	9.2	Longford Memorial Hall Community Consultation	In progress	Please action as per resolution. MINUTE NO. 21/499 DECISION Cr Goninon/Cr Lambert That Council progresses with option 1, reviews the external building materials and makes development application upon redesign. Carried Unanimously	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.
13/12/2021	7.1.3	Marlborough Street Traffic Islands	In progress	Please action as per resolution. 7.4 Marlborough Street Traffic Islands: Traffic	Lorraine Wyatt	14/02/2022 Executive & Communications Officer - Request





Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
				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.		sent to DSG on 25/1/22. Response awaited.
31/01/2022	9.7	Mobile Blackspot Project - Funding Request	In progress	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
18/10/2021	5.3.1	Naming of the Perth Dog Park	In progress	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
21/02/2022	9.2	Proposal to Establish Longford Town Hall Management Committee: Special Committee of Council	In progress	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 Eacher	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.
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.
21/02/2022	15.5	Report on Representations to Draft Local Provisions Schedule	In progress	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.
21/02/2022	12.3	Request from the Department of State Growth: Speed Limit Reduction - High Street Evandale	In progress	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
31/01/2022	7.1.2	Signage	In progress	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.
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



Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
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.
21/02/2022	12.2	Kerbside Organics Collection	Not yet started	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
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.
	1.1	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
	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.
	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 Eachar	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.
	1.6	17/05/2021 - 190/21 - Bridge Across Liffey River to Former Baptist Church Grounds	Completed	That a decision be deferred to the next meeting to establish Council's responsibilities and alternative solutions (including timber).	Leigh McCullagh	29/09/2021 System Support - Discussed at Workshop. Report to future Council Meeting. 8/10/2021 Executive Assistant - Letter sent to landowner. Comment being sought from Emergency/Government Services and Bush Heritage. 8/11/2021 Executive Assistant - Further report to December Council Meeting. 6/12/2021 Executive Assistant - Land owner to be invited to present to future Council Workshop. 14/02/2022 Executive Assistant - Report to Council.
21/02/2022	7.2.2	4.2 Seccombe Street & Talisker Street Amenities	Completed	Seccombe Street & Talisker Street Amenities: that Council provide shade in existing and future public spaces and playgrounds. We request shade to be added to Seccombe Street before next summer. That the Committee be advised to include this request in their items for consideration during the 2022/2023 Municipal Budget deliberations.	Gail Eachar	3/03/2022 Executive Assistant - Advice included in 1/3/2022 Committee agenda.



Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
21/02/2022	7.2.3	4.5 North Perth Density Review: Infrastructure Monitoring	Completed	4.5 North Perth Density Review - Infrastructure Monitoring: What process does Council have in place to monitor the infrastructure (sewage, waterways, water quality, etc.) with the rapid development of Perth. That Council note the recommendation and Officer's comments; and the advice be provided to the Perth Local District Committee.	Gail Eacher	3/03/2022 Executive Assistant - Advice re decision included in 1/3/2022 Committee agenda.
21/02/2022	7.2.4	4.5 North Perth Density Review: Planning Application Appeals	Completed	4.5 North Perth Density Review - Planning Applications: What is the process for appeals regarding planning applications that are approved by the Planning tribunal after being denied by NMC. Is there always NMC presence at the tribunal? That Council note the recommendation and Officer's comments; and the advice be provided to the Perth Local District Committee.	Gail Eacher	3/03/2022 Executive Assistant - Advice included in 1/3/2022 Committee agenda.
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 meetings start with an Acknowledgement that the meeting is being held on Palawa Country ... a) that an acknowledgement of Country be included in the Perth Local District Committee Meeting Agenda as a standing item	Gail Eacher	3/03/2022 Executive Assistant - Acknowledgement of Country included in Committee meeting Agenda as recurrent item.
21/02/2022	7.2.5	6 New Business - Acknowledgement of Country & Reconciliation Plan	Completed	6 New Business - Acknowledgement of Country & Reconciliation Plan: That ... investigate the aboriginal history of Perth. b) Council endorse the establishment of a sub-committee by the Perth Local District Committee to investigate the Aboriginal History of Perth.	Gail Eacher	3/03/2022 Executive Assistant - Advice included in 1/3/2022 Committee agenda.
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 Eacher	3/03/2022 Executive Assistant - Advice included in 1/3/2022 Committee agenda.
21/02/2022	7.1.2	8.2 Memorial Hall Village Green Development	Completed	8.2 Memorial Hall - Village Green Development: The LLDC asks NMC if it would agree to show the LLDC the plans after revision and review, prior to their final approval. That Council note the request and include the Longford Local District Committee in the public consultation process in regard to future development of Longford Victoria Square (Village Green) and the Memorial Hall.	Lorraine Wyatt	25/02/2022 Executive & Communications Officer - Outcome of the Council meeting communicated to Chairman via email on 25 February 2022.
21/02/2022	9.3	Application for Kennel License: 14 Church Street, Ross	Completed	That Council i) issue a kennel licence for housing 4 Cavoodles at 14 Church Street, Ross for pet dogs not for commercial breeding dogs. and ii) place an expiry date of 30 June 2022 upon the licence with the following specific conditions: Every kennel & associated exercise area must be maintained in a clean and sanitary condition at all times to the satisfaction of the Animal Control Officer, Animal waste must be disposed of to the satisfaction of the Animal Control Officer and no faecal matter or other offensive or putrescible matter must enter any watercourse or neighbouring properties, Wash-down water, wastewater or water which has been in contact with faecal or putrescible matter must not directly or indirectly enter any watercourse or neighbouring properties and must receive treatment to the satisfaction of the Animal Control Officer/Environmental	Maria Ortiz Rodriguez	3/03/2022 Executive Assistant - Licence issued.



Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
				Health Officer adequate for the method of effluent disposal used. Where treatment is by land absorption or transpiration bed, sufficient land must be set aside and kept available for that purpose. The standard of wastewater treatment must be maintained to the satisfaction of the Animal Control Officer/Environmental Health Officer. All available means must be used to prevent the barking of dogs to avoid the keeping of dogs becoming a nuisance to nearby residents because of the emission of noise.		
21/02/2022	9.4	Application for Kennel License: 18 Church Street, Ross	Completed	That Council i) i ssue a kennel licence for housing 4 Dachshunds at 18 Church Street, Ross for pet dogs not for commercial breeding dogs; and ii) place an expiry date of 30 June 2022 upon the licence with the following specific conditions: Every kennel & associated exercise area must be maintained in a clean and sanitary condition at all times to the satisfaction of the Animal Control Officer, Animal waste must be disposed of to the satisfaction of the Animal Control Officer and no faecal matter or other offensive or putrescible matter must enter any watercourse or neighbouring properties, Wash-down water, wastewater or water which has been in contact with faecal or putrescible matter must not directly or indirectly enter any watercourse or neighbouring properties and must receive treatment to the satisfaction of the Animal Control Officer/Environmental Health Officer adequate for the method of effluent disposal used. Where treatment is by land absorption or transpiration bed, sufficient land must be set aside and kept available for that purpose. The standard of wastewater treatment must be maintained to the satisfaction of the Animal Control Officer/Environmental Health Officer. All available means must be used to prevent the barking of dogs to avoid the keeping of dogs becoming a nuisance to nearby residents because of the emission of noise.	Maria Ortiz Rodriguez	3/03/2022 Executive Assistant - Licence issued.
21/02/2022	10.2	Application to Establish the Northern Midlands Irrigation District	Completed	That Council resolve not to comment on the application for the establishment of the Northern Midlands Irrigation District.	Paul Godier	3/03/2022 Senior Planner - No action required.
13/12/2021	7.1.2	Appointment of Secretary	Completed	7.2 Secretary: Tim Flanagan be appointed Secretary. Officer Comment: It is noted that Bronwyn Baker relinquished the position which she took on temporarily. Officer Recommendation: That Council note the appointment	Lorraine Wyatt	14/02/2022 Executive Assistant - Noted
31/01/2022	11.2	Audit Committee	Completed	That the matter be deferred to the next meeting of Council.	Maree Bricknell	14/02/2022 Corporate Services Manager - Report to February 2022 meeting.
31/01/2022	9.8	Australian Local Government Association (ALGA) - 2022 National General Assembly of Local Government: Call for Motions and Conference Attendance	Completed	That Council ... ii) authorise the physical attendance of: a) Mayor Knowles b) Deputy Mayor Goss (or delegate) at the 2022 National General Assembly of Local Government to be held in Canberra from 19 to 22 June 2022.	Gail Eachus	8/02/2022 Executive Assistant - Mayor Knowles bookings complete. Deputy Mayor Goss to advise. 14/02/2022 Executive Assistant - Deputy Mayor Goss not available to attend.



Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
21/02/2022	12.1	Bridge Across Liffey River to former Baptist Church Grounds	Completed	That Council a) relinquish the maintenance responsibilities for Bridge 9997; ... c) gift the existing concrete bridge deck to the owner of the impacted property which Bridge 9997 services; and d) notify the property owner which Bridge 9997 services of this decision.	Leigh McCullagh	3/03/2022 Executive Assistant - Letter sent 1/3/2022.
31/01/2022	12.1	Kerbside Food and Organics Collection	Completed	That Council defer a decision pending further information with a report to be tabled at the next Council meeting; with additional information to include: costs, bin options (for multi-dwellings) and introduction options.	Jonathan Galbraith	14/02/2022 Engineering Officer - Revised report prepared for February Council meeting
13/12/2021	7.1.4	Longford Town Hall Arts Committee	Completed	8.3 Longford Town Hall Arts Committee: That LLDC supports contract between Longford Town Hall Arts Committee and council. Officer Comment: The Committee noted that the contract for lease of the Town Hall has been forwarded to Council. Officer Recommendation: That Council note the recommendation	Lorraine Wyatt	14/02/2022 Executive Assistant - Noted.
31/01/2022	7.1.3	Membership of the Elizabeth Macquarie Irrigation Trust	Completed	That Council advise the Elizabeth Macquarie Irrigation Trust of Mr Danny Saunders election as the Campbell Town District Forum representative.	Lorraine Wyatt	14/02/2022 Executive & Communications Officer - Correspondence drafted.
18/10/2021	7.3.2	Perth Bicentenary Sub Committee	Completed	Please action as per resolution. That Council officer's progress the request and seek comment from the Committee. - That Council officer's progress the Committee's request and identify a suitable location to erect/relocate the plaques, with comment to be sought from the Committee on design and location.	Gail Eacher	8/11/2021 Executive Assistant - Request sent to PLDC for details re wording and the placement of the proposed plaque to celebrate the 200 years anniversary of Perth 3/12/2021 Executive Assistant - Brass plaque on order. 14/02/2022 Executive Assistant - Brass plaque installed.
21/02/2022	9.6	Policy Review	Completed	That Council endorse the update of the following policies: a) Australia Day and volunteer Recognition b) Communications c) Use of Longford Logo	Gail Eacher	25/02/2022 Executive Assistant - Policy manual & website updated.
18/10/2021	9.1	Proposed Sale of Campbell Town Hall	Completed	That Council: a) Notes the objections received from Mr Peart, Mr McCullagh and Dr Bolton; b) Determines not to take any action regarding the objections and proceed with the sale of the Town Hall in Campbell Town; and c) Directs the General Manager to give notice to the three objectors of this decision, and the right to appeal this decision, within 7 days of the date of this decision.	Amanda Bond	3/12/2021 Executive Officer - Appeal lodged. Awaiting advice and determination. 13/01/2022 Executive Officer - Expected determination February / March 2022. 8/03/2022 Executive Officer - Hearing was held on 25/02/2022. Awaiting decision of Tasmanian Civil and Administrative Tribunal (TASCAT). 9/03/2022 Executive Officer - Advice received 9 March 2022 that the Tasmanian Civil and Administrative Tribunal dismissed the appeal by Mr McCullagh and confirmed the decision of Council to sell the Campbell Town Hall. Council has 21 days to make an application for costs.
13/12/2021	8.9.2	Resolution for Information Items	Completed	That the matter of councillor conduct be taken to a workshop for discussion.	Des Jennings	25/01/2022 Executive Assistant - Listed for discussion at 7 February 2022 Council workshop. 14/02/2022 Executive Assistant - Council workshop date set.
31/01/2022	7.2.3	Review of 60 km speed limit in Cressy	Completed	That Council note the recommendation and formally write to the Department of State Growth requesting a review of the 60km / hour speed limit in Cressy.	Amanda Bond	9/02/2022 Executive Officer - Letter sent to Department of State Growth 8/2/2022 4/03/2022 Executive Assistant - Response from DSG received, the request to lower the speed limit has been refused. Advice is that a reduction to the





Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
						speed limit is not warranted due to the comparatively wide, flat, straight nature of the road, however, DSG will arrange for vehicle operating speed data to be collected in the vicinity of the IGA.
31/01/2022	9.5	Review of Local Government Legislative Framework	Completed	That the listed reform suggestion be approved by Council: 1) Under the proposed reforms Part B (eligibility for the General Manager's Roll), Criteria 1 - A person must be an Australian citizen to be eligible to be enrolled to vote in local government elections. 2) Community Engagement (#17 - All Councils will develop and adopt a community engagement strategy). 3) Simplify Pecuniary and Non-Pecuniary Interest (#34 - Simplify what is a conflict of interest).	Des Jennings, Gail Eacher	8/02/2022 Executive Assistant - Email sent to LGAT advising of Council's decisions.
31/01/2022	7.1.4	Swimming Pool	Completed	That ... ii) Council officer's respond to the Committee's request;	Lorraine Wyatt	14/02/2022 Executive & Communications Officer - Report to Council. Committee to be advised.
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
31/01/2022	9.4	Use of Jumping Castles on Council Owned Land	Completed	That Council determines to prohibit the use of jumping castles, Zorb balls or similar on Council owned or controlled land, effective immediately; and that Council officers continue to scrutinise risk assessments for events .	Amanda Bond, Fiona Dewar, Lorraine Wyatt	2/02/2022 Tourism & Events Officer - will add to event manual 2/02/2022 Tourism & Events Officer - Advice about prohibiting the use of inflatables on council land has been added to the Northern Midlands Council Event Management Guide February 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.

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

Resource Sharing Summary 1/7/21 to 30/6/22 As at 28/02/22		Units Billed	Amount Billed GST Exclusive \$
<b>Meander Valley Council</b>			
<b>Service Provided by NMC to MVC</b>			
Street Sweeping Plant Operator Wages and Oncosts		163.00	8,745.87
Street Sweeper - Plant Hire Hours		163.00	14,778.40
<b>Total Services Provided by NMC to Meander Valley Council</b>			<b>23,524.27</b>
<b>Service Provided by Meander Valley Council to NMC</b>			
<b>Wages and Oncosts</b>			
Plumbing Inspector Services		362.40	27,490.67
Engineering Services		-	-
<b>Total Service Provided by MVC to NMC</b>			<b>27,490.67</b>
<b>Net Income Flow</b>			<b>- 3,966.40</b>
<b>Total Net</b>			<b>- 3,966.40</b>
<b>Private Works and Council Funded Works for External Organisations</b>			
		<b>Hours</b>	
<b>Works Department Private Works Carried Out</b>		219	
		<b>219</b>	



## 8.13 VANDALISM

Prepared by: Jonathan Galbraith, Engineering Officer

Incident	Location	Estimated Cost of Damages			
		Feb 2022	Total 2021/22	Feb 2021	Total 2020/21
Security camera hard drive stolen	Longford waste transfer station	\$1,500			
Roller door on shed damaged	Longford waste transfer station	\$100			
<b>TOTAL COST VANDALISM</b>		<b>\$1,600</b>	<b>\$7,400</b>	<b>\$200</b>	<b>\$10,200</b>

## 8.14 YOUTH PROGRAM UPDATE

Prepared by: Natalie Dell, Youth Officer

### PCYC Program

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

	Date of Session	Attendance
Perth		
	10/2	3
	17/2	12
	24/2	3

### Free2B Girls Program

The Free2B Girls program is funded by Tasmania Community Fund and has commenced in Longford and Campbell Town and 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, data for February was not made available for this reporting period.

### Meetings

Council's Youth Officer 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 1 MARCH 2022

Progress Report:

Not Started (obstacles)

On Hold

On Track

Completed

Strategic Plans	Dept.	Status	Current Status
<b>Lead: Serve with honesty, integrity, innovation and pride</b>			
Annual Budget and Quarterly Reviews	Corp	<span style="background-color: #90EE90; border: 1px solid black; width: 15px; height: 15px;"></span>	Long Term Financial Plan updated and annual budget adopted at 28 June 2021 meeting.
Asset Management Plan Annual Review	Corp	<span style="background-color: #90EE90; border: 1px solid black; width: 15px; height: 15px;"></span>	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	<span style="background-color: #90EE90; border: 1px solid black; width: 15px; height: 15px;"></span>	Legislative Audit, Delegations Review and Policy Manual update ongoing.
Customer Service Standards	Corp	<span style="background-color: #90EE90; border: 1px solid black; width: 15px; height: 15px;"></span>	Risk Management Policy reviewed July 2021 and Risk Register review scheduled December 2022.
Elected Members Development & Annual Plans	Gov	<span style="background-color: #FF00FF; border: 1px solid black; width: 15px; height: 15px;"></span>	Policy and Annual Plan to be prepared.
Emergency Management	Corp	<span style="background-color: #90EE90; border: 1px solid black; width: 15px; height: 15px;"></span>	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	<span style="background-color: #90EE90; border: 1px solid black; width: 15px; height: 15px;"></span>	Council decided to upgrade Open Office Enterprise Suite during 2021/2022 and keep a



Strategic Plans	Dept.	Status	Current Status
			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.
<b>Progress: Economic health and wealth – grow and prosper</b>			
<i>Feasibility Study: Investment in Ben Lomond Ski Field Northern Tasmania</i>	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.
<i>Campbell Town CBD Urban Design &amp; Traffic Management Strategy</i>	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.
Campbell Town (King Street) Short Term Accommodation Master Plan & Business Case	Gov		Project underway.
<i>Campbell Town – Town Hall Sale/Lease</i>	Gov		Sale/lease to be advertised.
Economic Development 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. Second progress report submitted to funding body.
Lake Leake Amenities Upgrade Project	Gov		Recreational Fishing and Camping Facilities Program grant secured towards the upgrading of the toilet and shower facilities. Onsite assessment completed. Work being scoped.
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.
<i>Longford Motor Sport Museum</i>	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.
<i>Longford CBD Urban Design Strategy</i>	Gov		Commitment of \$4m from National Party prior to federal election. Consultation 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 14 <sup>th</sup> 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 &amp; Perth</i>	Works		Identified as an election opportunity and awaiting funding streams to come available.
<b>People: Cultural and society – a vibrant future that respects the past</b>			
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 &amp; between towns)</i>	Gov		Committee established and program to be prepared.





Strategic Plans	Dept.	Status	Current Status
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.
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 &amp; 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.
<b>Implementation of Final Stages</b>			
• <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 completed as a future stage.
• <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 to be undertaken Feb 2022.
• <i>Northern Midlands Community Sports Centre</i>	Gov		First floor fit-out to be progressed in 2021/2022. Internal and external stairs nearing completion.
<b>Place: Nurture our heritage environment</b>			
<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 Collaboration	Gov		Collaborating with NRM North on the WSUD Master Plan for Sheepwash Creek and 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.
<i>Sheepwash Creek WSUD Open Space Corridor &amp; Associated Open Space Plan</i>	Gov		Grants to be sought for major new/improved infrastructure.
<i>South Esk River Parklands Master Plan</i>	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
<b>Lead: Serve with honesty, integrity, innovation and pride</b>				
<i>Integrated Priority Projects Plan</i>		June 2021		Consultancy Agreement signed June 2020. Plan accepted at June 2021 Council Meeting.
Media & Marketing	Gov			Communications Strategy and Framework developed. Expanding Council's communications through social media and other publications. Marketing Plan prepared.
<b>Progress: Economic health and wealth – grow and prosper</b>				
<b>People: Cultural and society – a vibrant future that respects the past</b>				
Disability Action Plan	Gov			Review complete
<b>Place: Nurture our heritage environment</b>				

## 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, Ross Highway.

**HHTRA update:**

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

## 8.17 JUNIOR ACTION GROUP – SPECIAL COMMITTEE OF COUNCIL

Responsible Officer: Des Jennings, General Manager

On 20 September 2021 Council endorsed the Junior Action Group (“JAG”) as a special committee of Council (minute number 21/363). The Committee was established to enhance student education through practical, reality-based learning. The Committee became a special committee of Council for insurance purposes and to assist with the management of funds raised by the group.

Contact has been made with the JAG organiser, Annie Harvey, who has advised that due to the current COVID-19 situation there are no JAG activities planned for this year. As such, the Committee will go into recess until the 2022 Council election, after which time, Council reviews all special committees, and can consider whether to continue the committee or not.

**ATTACHMENTS**

Nil



*Cr Brooks left the meeting at 5.22pm.*

*Cr Brooks returned to the meeting at 5.24pm.*

**MINUTE NO. 22/89**

DECISION

Cr Davis/Cr Lambert

That the Information Items be received.

Carried Unanimously

Voting for the Motion:

Mayor Knowles, Deputy Mayor Goss, Cr Adams, Cr Brooks, Cr Calvert, Cr Davis, Cr Goninon, Cr Lambert and Cr Polley

Voting Against the Motion:

Nil



## 9 GOVERNANCE REPORTS

### 9.1 POLICY REVIEW - WELCOME TO COUNTRY AND ACKNOWLEDGEMENT OF COUNTRY

*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 review and update its Welcome to Country and Acknowledgement of Country Policy.

#### 2 INTRODUCTION/BACKGROUND

Council first adopted its Welcome to Country and Acknowledgement of Country Policy in 2019. The Policy is due for review in 2023, however, it came to officers' attention that the link to the website in the current policy had become invalid, as such a review was undertaken in February 2022.

#### 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

Council should be proactive in reviewing its policies.

#### 5 STATUTORY REQUIREMENTS

Not applicable.

#### 6 FINANCIAL IMPLICATIONS

Not applicable.

#### 7 RISK ISSUES

If Council's Welcome to Country and Acknowledgement of Country Policy is not up to date, there is a risk of causing offence to Tasmanian Aboriginal people.

#### 8 CONSULTATION WITH STATE GOVERNMENT

Officers have referred to the Tasmanian Government, Department of Communities Tasmanian – Acknowledgement and Welcome to Country resources to update this policy.

#### 9 COMMUNITY CONSULTATION

Not applicable.



## 10 OPTIONS FOR COUNCIL TO CONSIDER

To adopt the updated policy, or not.

## 11 OFFICER'S COMMENTS/CONCLUSION

Deletions to the policy are marked by a ~~strikethrough~~ and additions are marked with a **highlight**.

## 12 ATTACHMENTS

1. Welcome to Country and Acknowledgement of Country 1 [9.1.1 - 2 pages]

## RECOMMENDATION

That Council adopts the updated Welcome to Country and Acknowledgement of Country Policy.

### MINUTE NO. 22/90

#### DECISION

Cr Adams/Cr Calvert

That Council adopts the updated Welcome to Country and Acknowledgement of Country Policy.

Carried Unanimously

Voting for the Motion:

Mayor Knowles, Deputy Mayor Goss, Cr Adams, Cr Brooks, Cr Calvert, Cr Davis, Cr Goninon, Cr Lambert and Cr Polley

Voting Against the Motion:

Nil



## 9.2 GRANT FUNDING: QUEEN'S JUBILEE TREE PLANTING

Responsible Officer: *Des Jennings, General Manager*

Report prepared by: *Lorraine Green, Project Officer*

### 1 PURPOSE OF REPORT

The purpose of the report is to:

- i) provide Council with an overview of the Planting Trees for the Queen's Jubilee Grant Program;
- ii) seek Council's direction on the application to be lodged for funding through the Planting Trees for the Queen's Jubilee Grants Program.

### 2 INTRODUCTION/BACKGROUND

In honour of Her Majesty, Queen Elizabeth II and her 70 years of service to Australia and the Commonwealth, the Australian Government has committed \$15.1million (\$100,000 to each of the 151 Federal electorates) for a nation-wide Planting Trees for the Queen's Jubilee Program.

The program aims are to:

- Increase community awareness and celebration of Her Majesty's Jubilee
- Create a legacy of tree plantings across the nation for Australians to enjoy that also serve to honour the memory of the Queen and her 70 years of service to Australia and the Commonwealth
- Increase and/or enhance the area of tree canopy.

A wide range of groups and organisations are eligible to apply under the program including community and environment groups, local governments, and schools.

The grant amount can be up to 100% of eligible project expenditure. The minimum grant is \$2,500, and the maximum grant is \$20,000.

Each project must be completed by 30 November 2023. However, while tree planting can continue into 2023, formal commemorative events must be undertaken during 2022 to coincide with the year of the Queen's Jubilee.

The trees may be Australian native species or non-native species, but must be regionally appropriate and when mature, have a height of 2 metres or more. An organisation can apply for funding to plant trees at one or more sites. There is no requirement to hold more than one formal commemorative event if tree plantings occur at multiple sites.

Each federal Member of Parliament is inviting local nominated organisations to apply for the funding, with these expressions of interest closing on 25 March 2022. Expressions of interest need to include the project site(s) address(es), a project description and total project cost. Expressions of interest selected to proceed to the next stage will be required to submit a full application form. Submission of the full application does not guarantee the success of the application.

Council officers have identified two options for Council to consider.

#### ***Option One: Planting of individual trees in the main Northern Midlands towns***

This option proposes the planting of individual trees in seven northern midlands towns as follows:

- Longford: Village Green
- Evandale: Pioneer Park
- Cressy: Cressy Park
- Perth: Train Park
- Campbell Town: Valentine Park
- Ross: Village Green



- Avoca: Boucher Park

Each tree would have a commemorative plaque and one commemorative event would be held at one of the locations.

***Option Two: Planting of an avenue of trees***

This option proposes the planting of ten trees in an avenue in a prominent northern midlands location. Proposed locations include:

- Perth road reserves/Midland Highway
- Sheepwash Creek reserve, Perth
- Longford's Coronation Park or Union Street Dog Park
- South Longford road reserves
- Ross Recreation Ground

The avenue would have one commemorative plaque and a commemorative event would be held at the launch of the avenue.

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

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

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

**Leaders with Impact**

**Strategic outcomes:**

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

**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:**

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

### **4 POLICY IMPLICATIONS**

N/A



## **5 STATUTORY REQUIREMENTS**

N/A

## **6 FINANCIAL IMPLICATIONS**

The estimated cost of Option One is \$11,000: comprising \$1,000 x 7 trees, \$500 x 7 plaques, and the commemorative event at a cost of \$500.

The estimated cost of Option Two is \$11,000: comprising \$1,000 x 10 trees, x1 plaque at \$500, and the commemorative event at a cost of \$500.

Council can apply for 100% of the project cost.

## **7 RISK ISSUES**

To be eligible to submit a full application for the project, Council needs to submit an Expression of Interest by 25 March 2022.

## **8 CONSULTATION WITH STATE GOVERNMENT**

N/A

## **9 COMMUNITY CONSULTATION**

Invited community groups and organisations have the opportunity to apply for funding through the Planting Trees for the Queen's Jubilee Grant Program.

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

Council can either support or not support either of the options proposed (including selecting the preferred location of the avenue of trees if option two is selected), or approve another option for submission as the Expression of Interest for the Planting Trees for the Queen's Jubilee Grants Program.

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

The Grant Program guidelines state all grant applications will be assessed for completeness, eligibility, and value for money. It is possible option one may be viewed more favourably than option two as the proposed location of the trees and plaques in high volume pedestrian areas of the towns would provide the program with a higher community profile than the creation of an avenue of trees in or around one town.

## **12 ATTACHMENTS**

Nil

## **RECOMMENDATION**

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.





*Cr Polley left the meeting at 5.26pm.*

*Cr Polley returned to the meeting at 5.29pm.*

**MINUTE NO. 22/91**

DECISION

Cr Calvert/Cr Brooks

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.

Carried Unanimously

Voting for the Motion:

Mayor Knowles, Deputy Mayor Goss, Cr Adams, Cr Brooks, Cr Calvert, Cr Davis, Cr Goninon, Cr Lambert and Cr Polley

Voting Against the Motion:

Nil



### **9.3 NORTHERN MIDLANDS COUNCIL LOCAL RECYCLING COMMITTEE: EXTENSION OF 2020-2022 TERM TO 30 JUNE 2023**

*Responsible Officer:* Des Jennings, General Manager

*Report prepared by:* Gail Eachar, Executive Assistant

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

The purpose of this report is to seek the endorsement of Councillors to extend the membership terms of the Northern Midlands Council Local Recycling Committee for the 2020-2022 term to 30 June 2023.

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

The Local Recycling Committee was established as a special committee of the Northern Midlands Council on 20 January 2020 (min. ref. 008/20) pursuant to section 24 of the *Local Government Act 1993* and is governed by a memorandum of understanding.

The term of membership is aligned across all 7 of Council's local district committees for a two-year term. In July 2020 Council resolved to extend the 2018-2020 term of membership of the 7 local district committees to 30 June 2021.

The current membership of local district committees terminates in June 2023, and it is proposed to align the term of membership of the Northern Midlands Council Local Recycling Committee with the 7 local district committees.

It should be noted that during the membership term, resignations and applications for membership are received from time to time and applications are considered by Council subject to existing vacancies on Committees; the extension of the term of membership would not impact this process.

Membership comprises

- Seven Community Members
- Two Councillors
- One Council Officer

#### **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
- 1.3 Management is efficient, proactive and responsible

**Place: Nurture our heritage environment**

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

**Strategic outcomes:**

- 4.2 Meet environmental challenges

#### **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**

Details of the Committee's membership and Memorandum of Understanding are available on Council's website together with the details relating to Council's committees.

**10 OPTIONS FOR COUNCIL TO CONSIDER**

Council can

- endorse the extension of the 2020-2022 term to 30 June 2023; or
- not endorse the extension of the membership term.

**11 OFFICER'S COMMENTS/CONCLUSION**

Due to the extraordinary circumstances which have arisen as a result of the COVID-19 Pandemic, special committee meetings have been impacted and, in July 2020, Council determined to extend the 2018-2020 term of membership of the 7 local district committees to 30 June 2021.

The current two-year term of membership of the local district committees terminates on 30 June 2023.

For consistency and administration efficiencies, it is recommended that the Northern Midlands Council Local Recycling Committee term of membership be extended to 30 June 2023 to align with the membership expiration date of local district committees.

**12 ATTACHMENTS**

Nil

**RECOMMENDATION**

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.



**MINUTE NO. 22/92**

DECISION

Cr Polley/Deputy Mayor Goss

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.

Carried Unanimously

Voting for the Motion:

Mayor Knowles, Deputy Mayor Goss, Cr Adams, Cr Brooks, Cr Calvert, Cr Davis, Cr Goninon, Cr Lambert and Cr Polley

Voting Against the Motion:

Nil



## 9.4 AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION (ALGA): SUBMISSION OF MOTIONS

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 two proposed motions and suggest any additional motions for consideration at the Australian Local Government Association National General Assembly.

### 2 INTRODUCTION/BACKGROUND

Each year the Australian Local Government Association convenes the National General Assembly of Local Government. The event provides the opportunity for local government to engage directly with the federal government and identify issues of concern, lobbying the National General Assembly to make changes, or offer support to local government for the issues raised.

Attached to this report are two proposed motions to be submitted to the National General Assembly in June 2022. Submissions for this year's National General Assembly close on 25 March 2022.

### 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
- 1.3 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
- 2.2 Proactive engagement drives new enterprise
- 2.3 Collaborative partnerships attract key industries
- 2.4 Support and attract wealth-producing business and industry

**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

No policy implications have been identified.

### 5 STATUTORY REQUIREMENTS

Not applicable.



## **6 FINANCIAL IMPLICATIONS**

There are no financial implications identified for putting the motions forward.

## **7 RISK ISSUES**

Council has one opportunity to raise issues of concern on a national level each year. It is important Council does not miss this opportunity.

## **8 CONSULTATION WITH STATE GOVERNMENT**

Not applicable.

## **9 COMMUNITY CONSULTATION**

Not applicable.

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

To endorse the attached motions, or not. To put forward any additional motions to the Australian Local Government Association National General Assembly.

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

The attached submissions provide the supporting information to the proposed motions.

## **12 ATTACHMENTS**

1. ALGA Notice of Motions 2022 [9.4.1 - 3 pages]

## **RECOMMENDATION**

Council endorses the following motions to be presented to the Australian Local Government Association National General Assembly in June 2022:

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

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.

## **MINUTE NO. 22/93**

### DECISION

Cr Adams/Cr Polley

Council endorses the following motions to be presented to the Australian Local Government Association National General Assembly in June 2022:

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



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.

Carried Unanimously

Voting for the Motion:

Mayor Knowles, Deputy Mayor Goss, Cr Adams, Cr Brooks, Cr Calvert, Cr Davis, Cr Goninon, Cr Lambert and Cr Polley

Voting Against the Motion:

Nil



## 9.5 CONSULTATION ON NEW ABORIGINAL CULTURAL HERITAGE LEGISLATION

Responsible Officer: Des Jennings, General Manager

Report prepared by: Gail Eacher, Executive Assistant

### 1 PURPOSE OF REPORT

Council has been invited to participate in the next phase of consultation being undertaken by the Tasmanian Government to ensure that contemporary legislation is in place to protect our rich Aboriginal cultural heritage and the significance of this heritage to Tasmania's Aboriginal people, and all Tasmanians.

### 2 INTRODUCTION/BACKGROUND

On 10 March 2022 Council received correspondence from the Hon. Roger Jaensch MP, Minister for Aboriginal Affairs, inviting Council to participate in the consultation being undertaken by the Tasmanian Government in regard to the preparation of new and modern legislation to manage and protect Tasmania's significant Aboriginal cultural heritage, following the Tasmanian Government's review of the current *Aboriginal Heritage Act 1975* last year.

In his correspondence, Minister Jaensch advises

*A Consultation Paper has been prepared which sets out how the Government proposes to use new legislation to address the key areas of concern identified through the review of the current Act. Responses to these high-level proposals are sought to inform the drafting of new legislation. Once we gather feedback, we intend to draft a Bill which I will also release for further consultation.*

*In the meantime, the Consultation Paper and further information about this phase of consultation is available for viewing and download on the Department's website: [Review of the Aboriginal Heritage Act 1975 | Department of Natural Resources and Environment Tasmania \(nre.tas.gov.au\)](https://www.nre.tas.gov.au/review-of-the-aboriginal-heritage-act-1975).*

*...Submissions close on Sunday, 24 April 2022.*

The paper, *A new Aboriginal Cultural Heritage Protection Act - Consultation Paper on High-level Policy Directions*, is held as an attachment.

In the paper, Minister Jaensch notes

*Tasmania's Aboriginal cultural heritage is vitally important to Tasmanian Aboriginal people and is also a central part of the heritage of all Tasmanians. It is rich and unique, stretching back over the many tens of thousands of years. It continues as a living cultural heritage under the custodianship of Tasmanian Aboriginal people and it is vital that it continue as a strong living culture into the future. It deserves to be covered by respectful, effective and modern law which promotes its significance and supports Aboriginal Tasmanians' custodianship of their heritage.*

*This Paper marks the beginning of the Government's action to introduce long-overdue new legislation to properly support appropriate protection and management of their heritage by Tasmania's Aboriginal people.*

*On 1 July last year I was pleased to table in the Parliament a report detailing the outcome of the statutory Review of the Aboriginal Heritage Act 1975 (the [Review Report](#)) carried out on my behalf by the Department of Primary Industries, Parks, Water and Environment (now the Department of Natural Resources and Environment Tasmania – NRE Tas). With it, I tabled also the Government's response.*

*The Government accepted the key findings of the Review Report. The Review Report itself was based on substantial prior consultation, as well as taking into account analysis of issues and experience elsewhere in Australia. The most important aspect of the Government's response was that a new Act is needed, and we have committed to developing one as a matter of priority.*

*In the Tabling Report I outlined a simple two-stage consultation and engagement process would be undertaken to support the development of the new Act. This Paper sets out a high-level outline of policy directions the Government proposes to use when drafting the new Act and marks the commencement of the first part of the process.*





*As well as seeking written feedback on this Paper, we will also be supporting direct engagement and, where practicable, meeting people who prefer face-to-face (including virtual) discussion. These discussions will continue as feedback is considered and drafting of the new Act progresses.*

*The Government understands legislation on Aboriginal cultural heritage is never easy to draft or to introduce. But we are committed to continuous improvement, and to develop a framework that acknowledges and appreciates our rich and unique Aboriginal cultural heritage. This includes learning from and being part of discussions at a national level, where there is encouraging momentum and, increasingly, a convergence of approaches around the country.*

*There will, of course, be different views among interested parties owing to Tasmania's own circumstances. In this Paper we are clear and transparent about our favoured approaches on conflicted issues, and the Government will welcome feedback that presents clear arguments for or against the directions we propose.*

*Feedback will be used to guide the drafting of the new legislation, which we will release in the form of a draft exposure Bill for further consultation. My intention is to introduce new legislation as soon as possible to begin a new era in the recognition, protection and promotion of Aboriginal cultural heritage in Tasmania, with the leading role to be played by Tasmanian Aboriginal people themselves.*

## **Next steps**

*The outcomes of this consultation process will inform the development of a Draft Exposure Bill. While it is not possible to be certain of its release date, which will be determined by the drafting complexity of the final policy proposals, the intention is to release it for comment later in 2022, with a view to its introduction in Parliament in mid-2023.*

## **Proposed elements of new Tasmanian legislation**

*The Consultation Paper outlines the Government's proposed key elements of a new Aboriginal Cultural Heritage Act. It is deliberately brief and is presented in this form so that the fundamental principles and structure of the new legislation be set out for discussion in a clear, succinct outline.*

*The finer technical and legal detail, which will ultimately form the new legislation, will be developed informed by feedback received in response to this Consultation Paper. An Exposure Bill, which will provide further detail, will then be developed and shared for further consultation.*

The paper includes the following key topics which are based on those identified in the Government's response to the findings of the 2019-21 statutory review of the Act:

### **2.1 A new Act with explicit purposes and objectives:**

*The Review has confirmed that the Act is out of date and that new legislation is required. The Government is committed to preparing new and contemporary legislation as a matter of priority.*

*It is proposed that the new legislation would have explicit objectives that include:*

- recognition of the age and significance of Tasmania's Aboriginal cultural heritage;*
- recognition of Tasmania's Aboriginal cultural heritage as an enduring and living cultural heritage;*
- acknowledgement that Tasmania's Aboriginal people are the custodians of their cultural heritage;*
- acknowledgement of the need to give appropriate consideration to the management and protection of Tasmania's significant Aboriginal cultural heritage in broader Tasmanian Resource Management and Planning System processes; and*
- encouragement of compliance through promotion of awareness about Aboriginal cultural heritage, as well as through practical procedures and very strong penalties.*

*It is proposed that the new Act's expanded scope would be supported by clear articulation of these points in a 'Purpose' and/or 'Objectives' section(s).*

### **2.2 Better definitions:**

*Inclusion of expanded and more appropriate definitions of Aboriginal cultural heritage in the Act is an expected change that will require strong input from Tasmanian Aboriginal people, as well as reference to examples from*



*interstate and national law.*

*It is proposed that the new legislation would have expanded and more appropriate definitions which include:*

- *removal of the term 'relic' in the definition of Aboriginal cultural heritage;*
- *provision for recognition and registration of intangible heritage (songs, language, stories, landscapes, customs etc);*
- *retention of the recognition that significance to the Aboriginal people of Tasmania is the defining characteristic of Aboriginal cultural heritage;*
- *retention of the exclusion of objects made, or likely to have been made, for sale; and*
- *potential specification of other categories of heritage (e.g. secret and sacred), on consideration of advice from Tasmania's Aboriginal people.*

### **2.3 Ownership:**

*It is proposed that the new legislation would:*

- *acknowledge that Tasmanian Aboriginal people are the custodians of their heritage;*
- *remove current provisions assigning ownership of Aboriginal cultural heritage on Crown land to the Crown, and not specifically provide for any other Crown ownership of Aboriginal cultural heritage;*
- *prohibit the sale of Aboriginal cultural heritage;*
- *provide for the registration of private collections of Aboriginal cultural heritage;*
- *clarify rights of private land holders in relation to undertaking certain activities; and*
- *provide for the representative Aboriginal body (see section 4) to make decisions about repatriation of Aboriginal cultural heritage.*

### **2.4 The representation of Aboriginal people and interests:**

*It is proposed that the new legislation would:*

- *establish and recognise a statutory Aboriginal representative body that would have decision making powers;*
- *set out processes for nomination and appointment of members of the representative body; and*
- *set out requirements for membership – skills, gender balance, regional representation.*

### **2.5 Who makes decisions on Aboriginal cultural heritage:**

*It is proposed that the new legislation would:*

- *establish principles of early and proactive consideration of Aboriginal cultural heritage with a primary focus on avoiding impacts;*
- *establish a system whereby a strengthened Aboriginal Heritage Council (AHC) would make decisions about authorisations for unavoidable interference or destruction in relation to management of Aboriginal cultural heritage in as many circumstances as practically possible (including by issuing permits);*
- *provide that complex matters are managed through Aboriginal Cultural Heritage Management Plans where the pathway to approval is agreement between the proponent and the strengthened AHC; and*
- *provide a pathway of last resort for the Minister to propose a resolution where a proponent and the strengthened AHC are unable to reach agreement on an Aboriginal Cultural Heritage Management Plan for a proposed activity, after exhausting good faith efforts to reach agreement.*

*Note that this issue overlaps with section 7, which deals with management mechanisms, where further relevant detail may be found.*

### **2.6 Alignment with the State's planning and development system:**

*It is proposed that the new legislation would:*

- *require persons making decisions, or providing advice under the Act to take into account the objectives of the State's Resource Management and Planning System (RMPS);*
- *establish statutory assessment and approval processes and timeframes which align, where practical, with other RMPS legislation – particularly the Land Use Planning and Approvals Act 1993;*



- *encourage, and where appropriate require, early consideration of Aboriginal cultural heritage in planning and development processes, with the intention of identifying, avoiding and proactively managing potential impacts; and*
- *retain provisions for statutory guidelines which may adopt standards, rules, codes and guidelines – particularly in the forestry and mining sectors.*

## **2.7 Modern management mechanisms:**

*It is proposed that the new legislation would:*

- *provide for Aboriginal Cultural Heritage Management Plans (both voluntary and mandatory) for high-risk/high-impact projects, as in other modern legislation, with the normal process being for finalisation by agreement between the proponent and the strengthened AHC, and (see section 5 above) going to the Minister only if agreement cannot be reached;*
- *provide for development projects of lesser scale or complexity to be subject to a streamlined assessment and approval process for permits, approved by the strengthened AHC, triggered by the known presence of Aboriginal cultural heritage;*
- *provide for a system of voluntary Aboriginal cultural heritage agreements to provide for flexible management and protection arrangements (e.g. especially useful for farmers and other owners of land containing Aboriginal cultural heritage values);*
- *establish a statutory Aboriginal Cultural Heritage Register to record and support management of Aboriginal cultural heritage records and statutory processes;*
- *introduce modernised provisions enabling the creation of Aboriginal Cultural Heritage Protected Areas for areas requiring the strongest protection, with appropriate management provisions;*
- *provide for a range of appeal processes, to ensure the Act is administered reasonably and fairly; and*
- *subject to advice from Tasmanian Aboriginal people, recognise additional categories of Aboriginal cultural heritage and include special management provisions.*

## **2.8 Compliance and enforcement:**

*It is proposed that new legislation would:*

- *retain the current level of penalties for disturbing or damaging Aboriginal cultural heritage, as well as a range of proportionate penalties for administrative offences that do not directly harm heritage;*
- *include 'stop work' and 'vacate site' provisions with clearly defined criteria for when and how they may be used, and how long they may remain in force; and*
- *include provisions enabling the issue of infringement notices and remediation orders with clearly defined criteria for when and how they may be used, and what types of conditions they may contain.*

## **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**

*Aboriginal Heritage Act 1975*

*Tasmanian Aboriginal Heritage Protection Bill 2013*



**6 FINANCIAL IMPLICATIONS**

N/a

**7 RISK ISSUES**

No risk issues have been identified.

**8 CONSULTATION WITH STATE GOVERNMENT**

The State Government has invited Council to participate in the consultation process.

**9 COMMUNITY CONSULTATION**

The State Government is undertaking the consultation, the Consultation Paper and further information is available for viewing and download on the Department's website: [Review of the Aboriginal Heritage Act 1975 | Department of Natural Resources and Environment Tasmania \(nre.tas.gov.au\)](https://www.nre.tas.gov.au/review-of-the-aboriginal-heritage-act-1975).

**10 OPTIONS FOR COUNCIL TO CONSIDER**

Council can request the preparation of a submission or not.

**11 OFFICER'S COMMENTS/CONCLUSION**

The invitation to participate in the consultation process on the preparation of new Aboriginal Cultural Heritage Legislation was received shortly before publication of the Council Agenda and is provided for information at this time.

A draft submission to the consultation has therefore not been prepared at this time due to timing.

It should be noted that submissions to the consultation close on 24 April 2022.

Direction is sought as to whether a submission is to be prepared for Council's consideration and endorsement at the 11 April 2022 Council meeting and if so, the focus of the submission.

**12 ATTACHMENTS**

1. Aboriginal Cultural Heritage Protection Act - Consultation Paper [9.5.1 - 26 pages]

**RECOMMENDATION**

That Council note this report and provide direction.

**MINUTE NO. 22/94**

DECISION

Cr Adams/Cr Goninon

That Council note this report and prepare a submission.

Carried Unanimously

Voting for the Motion:

Mayor Knowles, Deputy Mayor Goss, Cr Adams, Cr Brooks, Cr Calvert, Cr Davis, Cr Goninon, Cr Lambert and Cr Polley

Voting Against the Motion:

Nil



## 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.

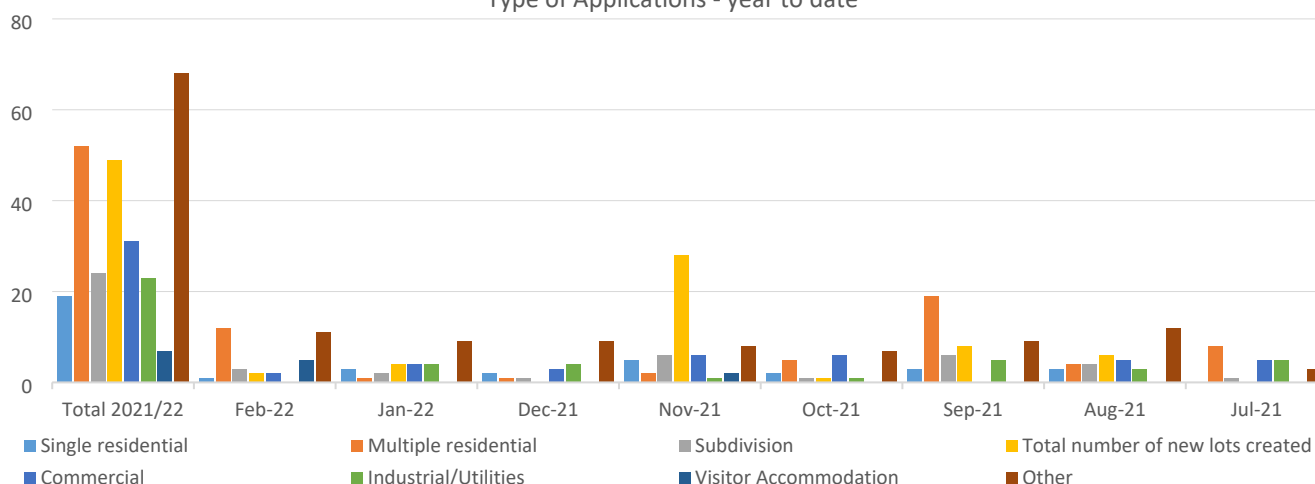
#### 2 DEVELOPMENT SERVICES REPORTING

##### 2.1 Planning Decisions

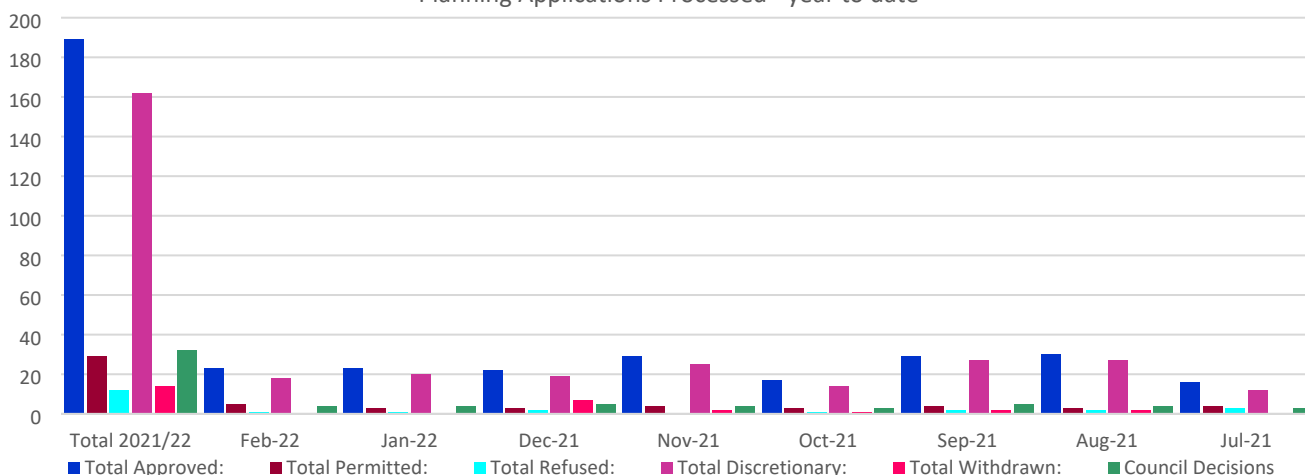
	Total YTD	July	Aug1	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
Number of valid applications	191	14	34	35	21	37	20	15	15				
Applications on STOP for further information							50	43	47				
Single residential	19	0	3	3	2	5	2	3	1				
Multiple residential	52	8	4	19	5	2	1	1	12				
Subdivision	24	1	4	6	1	6	1	2	3				
Total number of new lots created	49	0	6	8	1	28	0	4	2				
Commercial	31	5	5	0	6	6	3	4	2				
Industrial/Utilities	23	5	3	5	1	1	4	4	0				
Visitor Accommodation	7	0	0	0	0	2	0	0	5				
Total permitted	0	0	0	0	0	0	0	0	0				
Total discretionary	7	0	0	0	0	2	0	0	5				
Other (includes all residential development on existing dwellings [alterations/ additions, sheds, solar, fences, pools etc])	68	3	12	9	7	8	9	9	11				
Total No. Applications Approved:	189	16	30	29	17	29	22	23	23				
Total Permitted:	29	4	3	4	3	4	3	3	5				
Average Days for Permitted	17.25	23	14	18	13	16	16	18	20				
Days allowed for approval by LUPAA	28	28	28	28	28	28	28	28	28				
Total Exempt under IPS:	55	8	9	5	4	14	10	2	3				
Total Refused:	12	3	2	2	1	0	2	1	1				
Total Discretionary:	162	12	27	27	14	25	19	20	18				
Average Days for Discretionary:	37.38	42	35	36	37	38	33	41	37				
Days allowed for approval under LUPAA:	42	42	42	42	42	42	42	42	42				
Total Withdrawn:	14	0	2	2	1	2	7	0	0				
Council Decisions	32	3	4	5	3	4	5	4	4				
Appeals lodged by the Applicant	8	1	1	3	0	0	2	0	1				
Appeals lodged by third party	1	1	0	0	0	0	0	0	0				



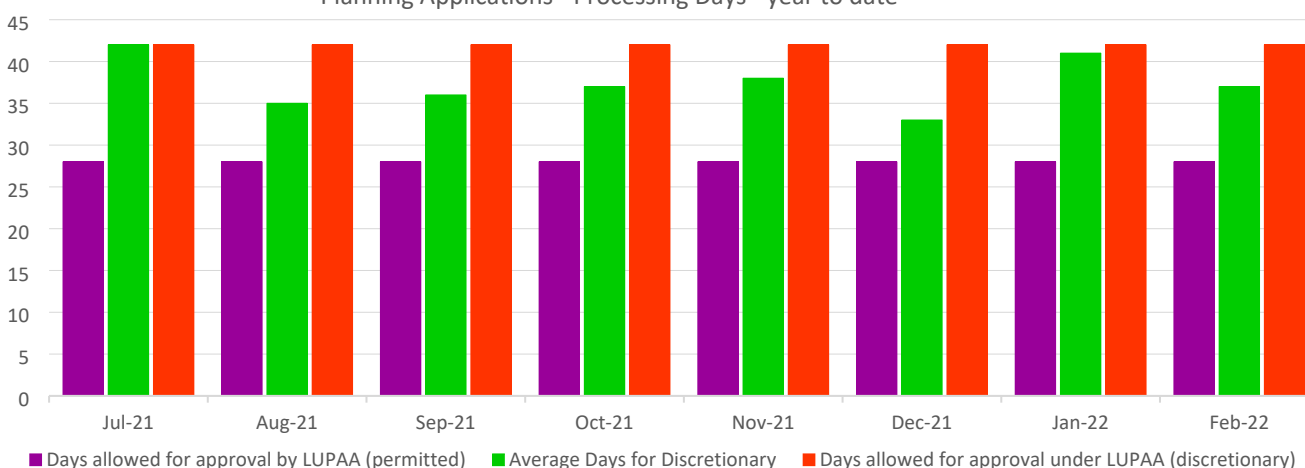
Type of Applications - year to date



Planning Applications Processed - year to date



Planning Applications - Processing Days - year to date



Project	Details	Address	Applicant	No of LUPAA days	Perm / Disc / Exempt
<b>DELEGATED DECISIONS</b>					
PLN-21-0126	Carport (vary internal front setback)	51 Mulgrave Street, Perth TAS 7300	John Christopher Leeson	17	D
PLN-21-0236	Multiple Dwellings x 5 (1 Existing, 4 New)	6 Wilson Street, Cressy TAS 7302	Jaffa International	42	D



Project	Details	Address	Applicant	No of LUPAA days	Perm / Disc / Exempt
PLN-21-0246	2 Lot Subdivision (Heritage Listed Place, Heritage Precinct, Bushfire Prone Areas Code)	71-73 High Street, Campbell Town TAS 7210	Fiona Oates	42	D
PLN-21-0275	Outbuildings x 2 (Landslip Code)	65 Caledonia Drive, Relbia TAS 7258	Sarah & Benjamin Holton	42	D
PLN-21-0320	Shed (18m x 7m x 2.7m)(Attenuation, Heritage Precinct)	20 Mason Street, Longford TAS 7301	Michael Ryan	41	D
PLN-21-0333	Storage Buildings x 2, Ancillary Hardstand Pavements & Infrastructure (incl. access over CT147657/1)	133 Powranna Road, Powranna TAS 7300	Tasmanian Consulting Service Pty Ltd	43	D
PLN-21-0334	2 Lot Subdivision	29 Badajos Street, Ross TAS 7209	PDA Surveyors	42	D
PLN-21-0344	Alterations and Additions (ANEF Contours)	466 Evandale Road, Western Junction TAS 7212	Core Collective	39	D
PLN-21-0346	Multiple Dwellings x 2	96 Fairtlough Street, Perth TAS 7300	Kian Van Der Pols	42	D
PLN-21-0349	Dwelling (Heritage Precinct)	74b Marlborough Street, Longford TAS 7301	Abode Designer Homes	41	D
PLN-21-0350	In-ground Swimming Pool and Alterations & Additions to Existing Garage to Construct a Pool House (Heritage-Listed)	311 Brumby Street, Longford TAS 7301	WOODBURYCO DESIGN	34	D
PLN-22-0001	New Garage including Demolition of Existing Garage (Vary Front Setback)	16 George Street, Perth TAS 7300	Engineering Plus	33	D
PLN-22-0004	Change of Use to Visitor Accommodation (non-impervious access and parking)	19 Park Street, Ross TAS 7209	Lee & Nicole Shires	38	D
PLN-22-0006	Shed & Pergola (Vary Side (W) setback)	9 George Street, Perth TAS 7300	Alexander House	14	D
PLN-22-0009	Carport (Vary Front Setback)	66 Lewis Street West, Longford TAS 7301	Dale & Monica Lynch	27	D
PLN-22-0007	Re-Subdivision Between 2 Lots	24 Summit Drive & 12 Devon Hills Rd, Devon Hills TAS 7300	D J McCulloch Surveying	20	P
PLN-22-0010	Awning Addition	189A Fairtlough Street, Perth TAS 7300	Optimo Awnings Northern Pty Ltd	28	P
PLN-22-0012	Alts & Additions to Existing Dwelling, In-ground Pool, & Outbuilding	Brumby Street, Longford TAS 7301	S.Group	26	P
PLN-22-0020	Garden Shed	1/7 Youl Road, Perth TAS 7300	Sarah Alway	7	P
PLN-22-0021	Demolition of Shed/Carport	5 Macquarie Street, Evandale TAS 7212	Design to Live	17	P
<b>COUNCIL DECISIONS</b>					
PLN-21-0325	Multiple dwelling x 5 (vary front setback, no separate pedestrian access)	15 Monastery Court, Longford TAS 7301	Design to Live	42	D
PLN-21-0330	Alterations and additions to dwelling and 3 units for visitor accommodation	17 William Street, Longford TAS 7301	Design to Live	42	D
PLN-21-0336	Proposed chute (mini straight) at Longford Racecourse, extension to guard rail & horse path within adjoining Cracroft St road reserve (vary side setback)	Longford Racecourse (Property ID 2853277), Anstey Street & Cracroft Street, Longford TAS 7301	Woolcott Surveys	21	D
<b>COUNCIL DECISIONS - REFUSAL</b>					
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	26 Wilmores Lane, 86 Burghley Street and Crown Land, Longford TAS 7301	Rebecca Green & Associates	11	D



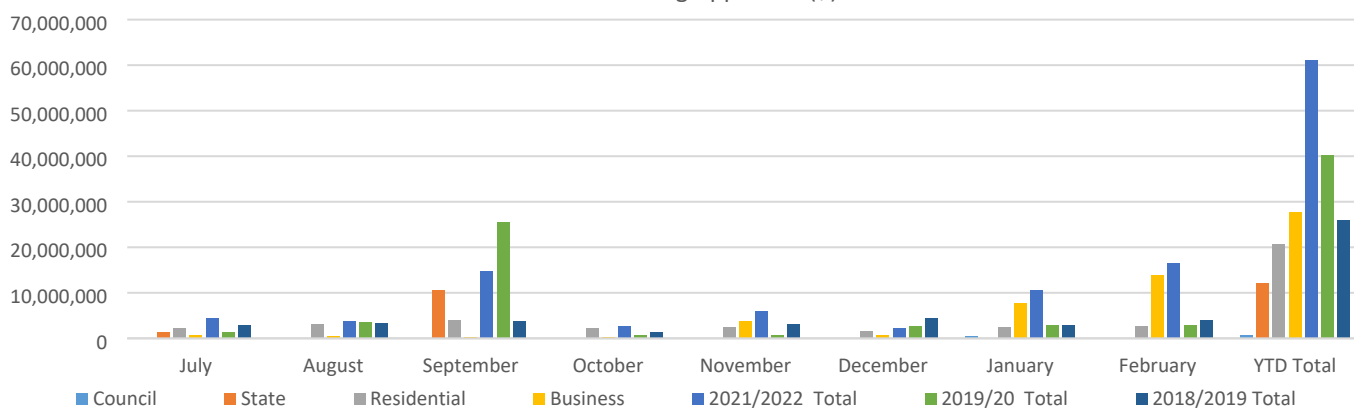


Project	Details	Address	Applicant	No of LUPAA days	Perm / Disc / Exempt
	54261/7, 54260/6 and 137103/3, in conjunction with a Section 43A application for a permit for part change of use to Storage, extension to existing shed and container and domes.				
<b>DELEGATED DECISIONS - REFUSAL</b>					

## 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
<b>YTD Total</b>	<b>654,671</b>	<b>12,052,500</b>	<b>20,612,401</b>	<b>27,759,917</b>	<b>61,079,489</b>	<b>33,574,566</b>	<b>37,222,650</b>	<b>21,763,600</b>
<b>Annual Total</b>						<b>59,101,247</b>	<b>55,891,900</b>	<b>36,482,950</b>

Value of Planning Approvals (\$)



## 2.3 Matters Awaiting Decision by TASCAT & TPC

TASCAT	TASMANIAN CIVIL AND ADMINISTRATIVE TRIBUNAL
PLN21-0062	Appeal 150/21P. Marlborough Street 44 lot subdivision. Preliminary conference held 14 January 2022. Hearing held 2 March 2022. Awaiting decision.
PLN-21-0223	Appeal 152/21S. 102 & 104 Marlborough Street, Longford. Preliminary conference held 17 January 2022. Mediation being undertaken.
PLN21-0271	Appeal 156/21P. 42-48 Fairtlough Street, Perth. Preliminary conference held 17 January 2022. Mediation being undertaken. Consent agreement sent to Tribunal. Awaiting decision.
PLN21-0292	Appeal 13/22P. 74 Marlborough Street, Longford. Appeal against Council's refusal of communal residence for seasonal workers.
<b>Decisions received</b>	
PLN21-0183	Appeal 118/21P. Illawarra Road upgrades. Appeal against conditions of the permit approved by Council. Preliminary conference held 08/10/2021. Mediation undertaken. Hearing held 2 December 2021. Preliminary determination received from the Tribunal on 25 January 2022 that the imposition of the condition requiring the provision of the shared bike path and the removal of the truck parking area constituted a "significant difference" and



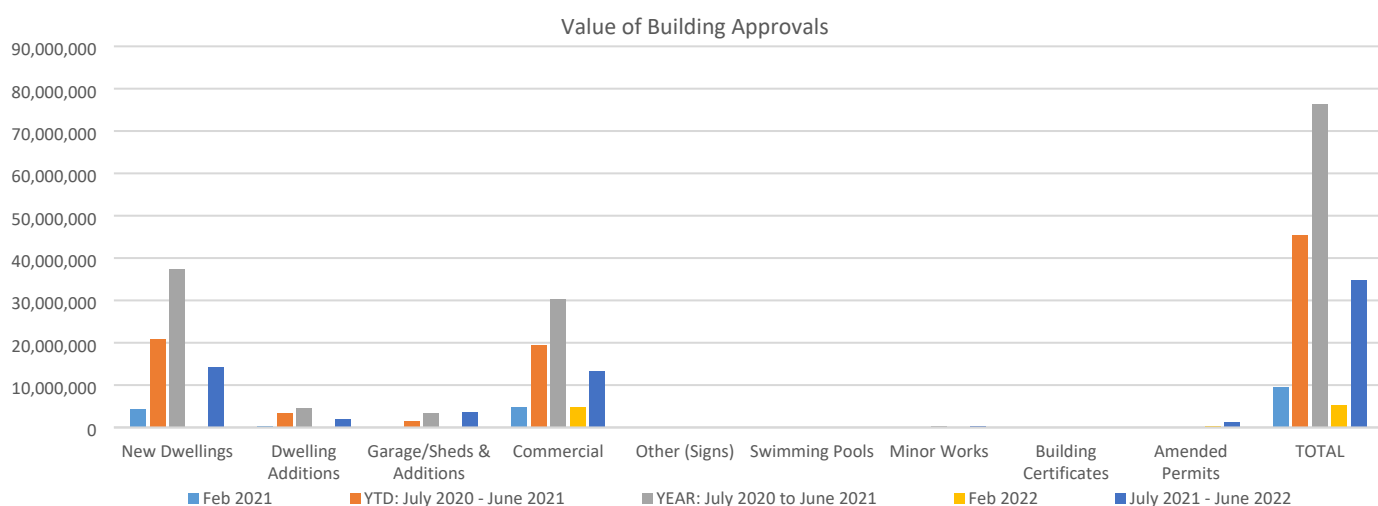
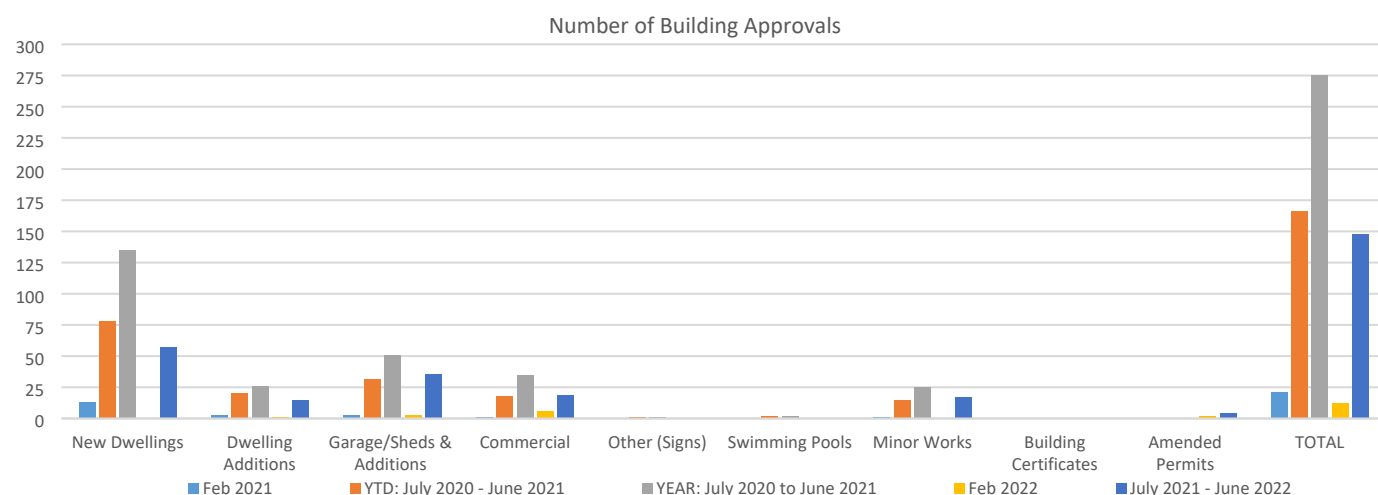


<b>TASCAT</b>		<b>TASMANIAN CIVIL AND ADMINISTRATIVE TRIBUNAL</b>
		that the truck parking area was exempt per clause E7.6.1 of the planning scheme. Decision received, directing Council to issue a permit. Permit issued.
PLN-21-0260		Appeal 151/21S. 7 Laycock Street, Longford. Preliminary conference held 20 December 2021. Mediation undertaken. Consent memorandum filed with the Tribunal. Decision received. Permit issued.
<b>TPC</b>		<b>TASMANIAN PLANNING COMMISSION</b>
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.
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 to be presented to 22 March 2022 meeting.
<b>Decisions received</b>		
-		-

## 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					
	Feb 2021		YTD 2020-2021		YEAR		Feb-2022		YTD 2021-2022	
	No.	Total Value \$	No.	Total Value \$	No.	Total Value \$	No.	Total Value \$	No.	Total Value \$
New Dwellings	13	4,369,391	78	20,801,834	135	37,308,797	0	0	57	14,374,913
Dwelling Additions	3	390,000	20	3,318,970	26	4,678,970	1	150,000	15	2,033,000
Garage/Sheds & Additions	3	81,500	32	1,431,200	51	3,494,830	3	79,020	36	3,623,690
Commercial	1	4,800,000	18	19,515,650	35	30,391,057	6	4,845,000	19	13,275,930
Other (Signs)	0	0	1	12,000	1	12,000	0	0	0	0
Swimming Pools	0	0	2	104,000	2	104,000	0	0	0	0
Minor Works	1	1,200	15	157,258	25	266,844	0	0	17	258,896
Building Certificates	0	0	0	0	0	0	0	0	0	0
Amended Permits	0	0	0	0	0	0	2	260,000	4	1,295,000
<b>TOTAL</b>	<b>21</b>	<b>9,642,091</b>	<b>166</b>	<b>45,340,912</b>	<b>275</b>	<b>76,256,498</b>	<b>12</b>	<b>5,334,020</b>	<b>148</b>	<b>34,861,429</b>
<b>Inspections</b>										
Building	0		27		30		0		2	
Plumbing	36		202		299		11		231	



## 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	1	13	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	11	9
Notice of Intention to Issue Enforcement Notice			
Enforcement Notices issued			
Enforcement Orders issued			
Infringement Notice			
No Further Action Required			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 19 commercial building approvals valued at \$13,275,930 for 2021/22 (year to date), compared to 18 commercial building approval valued at \$19,515,650 (year to date) for 2020/2021.

In total, there were 148 building approvals valued at \$34,861,429 (year to date) for 2021/2022, compared to 166 building approvals valued at \$45,340,912 (year to date) for 2020/21.

## RECOMMENDATION

That the report be noted.

*Cr Brooks left the meeting at 5.35pm.*

*Cr Brooks returned to the meeting at 5.36pm.*

## MINUTE NO. 22/95

### DECISION

Cr Davis/Deputy Mayor Goss

That the report be noted.

Carried Unanimously

Voting for the Motion:

Mayor Knowles, Deputy Mayor Goss, Cr Adams, Cr Brooks, Cr Calvert, Cr Davis, Cr Goninon, Cr Lambert and Cr Polley

Voting Against the Motion:

Nil



## 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 28 February 2022.

#### 2 INTRODUCTION/BACKGROUND

The Monthly Financial Summary for the period ended 28 February 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:		28-Feb-22	8			
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	-\$3,400,149	-\$2,447,566	-\$953	72.0%	* Advanced grants paid 30/6
Fees and Charges Revenue	-\$2,566,095	-\$1,710,730	-\$1,841,400	\$131	107.6%	* Fee income above budget
Interest Revenue	-\$751,548	-\$501,033	-\$405,007	-\$96	80.8%	* Interest penalty on rates raised Apr'22
Reimbursements Revenue	-\$51,918	-\$34,612	-\$61,676	\$27	178.2%	
Other Revenue	-\$1,814,414	-\$1,209,609	-\$704,459	-\$505	58.2%	
	-\$22,556,032	-\$19,127,967	-\$17,743,512	-\$1,384	92.8%	
Employee costs	\$6,048,712	\$4,032,475	\$3,804,460	\$228	94.3%	
Material & Services Expenditure	\$6,111,983	\$4,074,655	\$3,750,982	\$324	92.1%	* Reassign Project budget required
Depreciation Expenditure	\$6,519,158	\$4,346,105	\$4,346,078	\$0	100.0%	
Government Levies & Charges	\$961,484	\$640,989	\$524,654	\$116	81.9%	
Councillors Expenditure	\$205,180	\$136,787	\$116,356	\$20	85.1%	
Interest on Borrowings	\$272,007	\$181,338	\$223,220	-\$42	123.1%	*Timing full years interest paid on 1 loan
Other Expenditure	\$1,370,769	\$913,846	\$859,608	\$54	94.1%	*Pension rebates received for full year
Plant Expenditure Paid	\$538,650	\$359,100	\$439,693	-\$81	122.4%	
	\$22,027,943	\$14,685,295	\$14,065,051	\$620	95.8%	
	-\$528,089	-\$4,442,672	-\$3,678,461			
Gain on sale of Fixed Assets	\$0	\$0	\$0	\$0	0.0%	
Loss on Sale of Fixed Assets	\$505,860	\$337,240	\$292	\$337	0.1%	*Asset recognition not yet
Underlying (Surplus) / Deficit	-\$22,229	-\$4,105,432	-\$3,678,169		1*	
Capital Grant Revenue	-\$8,697,948	-\$5,798,632	-\$953,998	-\$4,845	16.5%	* Not paid until milestones met
Subdivider Contributions	-\$330,765	-\$220,510	0	-\$221	0.0%	* Not recognised until EOY
Capital Revenue	-\$9,028,713	-\$6,019,142	-\$953,998			
Budget Alteration Requests						
- For Council authorisation by absolute majority		Budget	Budget	Actuals		



		Operating	Capital	
Capital works budget variances above 10% or \$10,000 are highlighted				
February				
January				
Note - December budget changes not yet reflected in accounts		No changes identified in January		
December				Note
Original Budget Operating Surplus			-\$22,229	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 adjustmentv 21/22			-\$6,717	Additional revenue
New Operating Surplus			-\$37,427	
Change = Surplus Increase			-\$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	New		\$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				

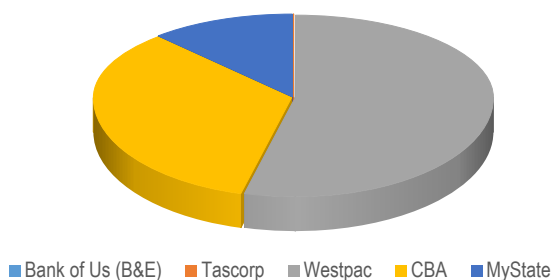


D2018010 R Preece	101.10	Bad Debt - Deemed uncollectable by EMPRS	
D201908 P Groves	326.00	Bad Debt - Deemed uncollectable by EMPRS	
D2019019 P Groves	163.00	Bad Debt - Deemed uncollectable by EMPRS	
D2019021 P Groves	168.00	Bad Debt - Deemed uncollectable by EMPRS	
D2019023 P Groves	168.00	Bad Debt - 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	Tfr allocation to different
Footpath - Church Street (Main to Charles) at Cressy		\$67,000	location in Cressy
Footpath - Park St (High to Bridge) Ross	750986.6	-\$30,000	Completed 2020/21 reallocate
Footpath & ramp - to old Lfd Gym access	707752.96	\$30,000	
July			
No adjustments for July.			

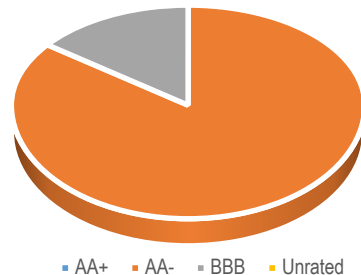
#### B. Balance Sheet Items

	Year to Date 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	\$1,356,660					
- Investments	\$24,715,264					
	\$26,071,924					
Summary of Investments	Investment Date	Maturity Date	Interest Rate%	Purchase Price	Maturity Value	
Tasmanian Public Finance Corporation Call Account	1/02/2022	28/02/2022	0.10	\$5,399	\$5,399	
CBA Call Account	1/02/2022	28/02/2022	0.01	\$1,574	\$1,574	
CBA Business Online Saver	10/02/2022	28/02/2022	0.20	\$7,401,957	\$7,402,687	
Westpac Corporate Regulated Interest Account	28/02/2022	28/02/2022	0.35	\$4,413,324	\$4,413,324	
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				\$24,715,264	\$25,032,383	

Investments by Institution



Total Investments by Rating (Standard & Poor's)

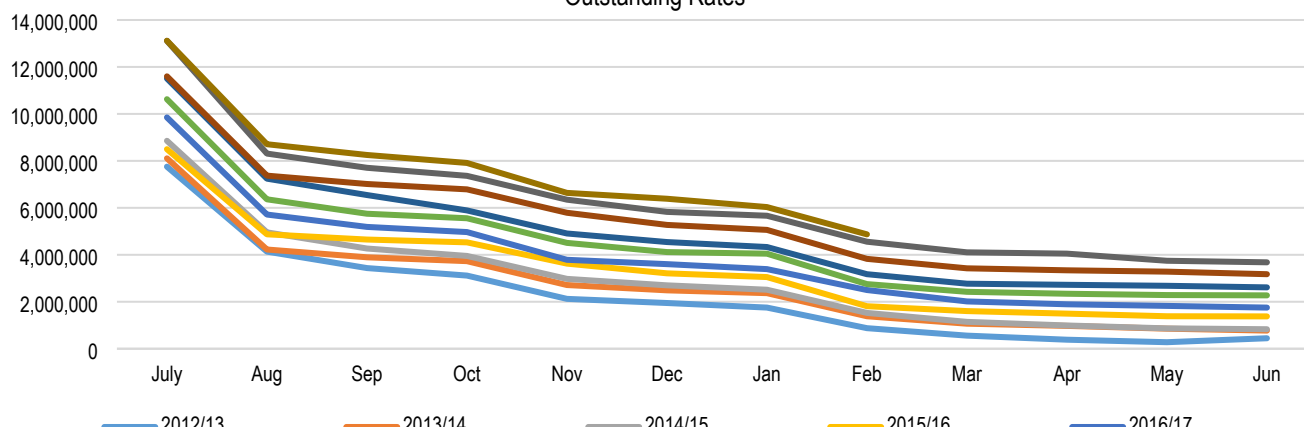


Rate Debtors	2020/21	% to Raised	Same Time Last Year	% to Raised
Balance b/fwd	\$3,205,341		\$2,808,852	
Rates Raised	\$12,424,398		\$11,752,594	
	\$15,629,739		\$14,561,446	
Rates collected	\$10,236,973	82.4%	\$9,707,399	82.6%
Pension Rebates	\$496,798	4.0%	\$484,702	4.1%
Discount & Remissions	\$25,052	0.2%	\$59,147	0.5%
	\$10,758,823		\$10,251,248	
Rates Outstanding	\$4,870,917	39.2%	\$4,557,741	38.8%
Advance Payments received	-\$331,944	2.7%	-\$247,542	2.1%





### Outstanding Rates



<b>Trade Debtors</b>				
Current balance	\$591,833			
- 30 Days		\$195,273		
- 60 Days		\$1,365		
- 90 Days		\$15,476		
- More than 90 days		\$379,719		
Summary of Accounts more than 90 days:				
- Norfolk Plains Book sales		171		
- Hire/lease of facilities		8,499		
- Removal of fire hazards		5,984		
- Dog Registrations & Fines		17,098		
- Private Works		2,533		
- Regulatory Fees		3,777		
- Govt Reimbursements		341,658		

C. Capital Program				
	Budget	Actual (\$,000)	Target 67%	Comments
Renewal	\$12,012,371	\$3,875,212	32%	
New assets	\$11,734,242	\$2,998,275	26%	
Total	\$23,746,613	\$6,873,487	29%	
Major projects:				
- Longford Sports Centre lift & level 1	\$270,000	\$191,890	71%	Substantially complete
- Cressy Rec Ground Amenities	\$1,028,566	\$1,028,907	100%	Substantially complete
- Cressy Pool Improvements	\$800,000	\$696,143	87%	Substantially complete
- Ross Village Green	\$558,000	\$613,362	110%	Substantially complete
- Longford Victoria Square Hall	\$1,518,272	\$22,498	1%	Consultation stage
- Longford Victoria Square Amenities	\$334,415	\$1,179	0%	Hold
- Perth Childcare Centre	\$3,550,607	\$174,229	5%	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	\$192,902	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%	69.2%	-14.8%	↘
- Own Source Revenue / Total Revenue	77%	86%	-8.8%	↘
Sustainability Ratio				
- Operating Surplus / Operating Revenue	0.1%	20.7%	-20.6%	↘
- Debt / Own Source Revenue	42.5%	48.5%	-6.0%	↔
Efficiency Ratios				
- Receivables / Own Source Revenue	31.3%	29.8%	1.5%	↘
- Employee costs / Revenue	26.8%	21.4%	5.4%	↗
- Renewal / Depreciation	184.3%	89.2%	95.1%	↗
Unit Costs				
- Waste Collection per bin	\$10.12	\$12.85		↔













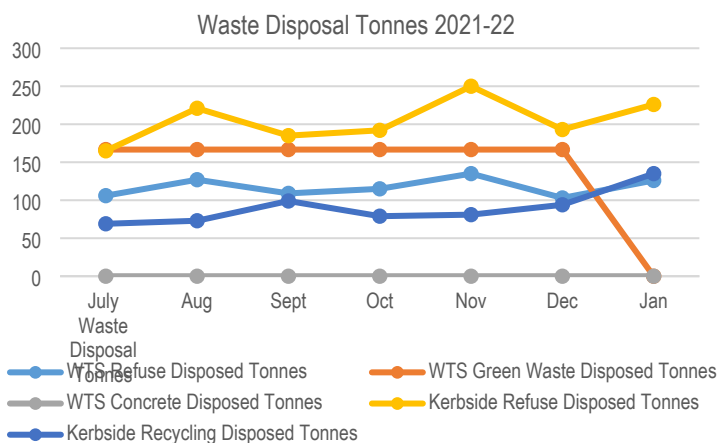
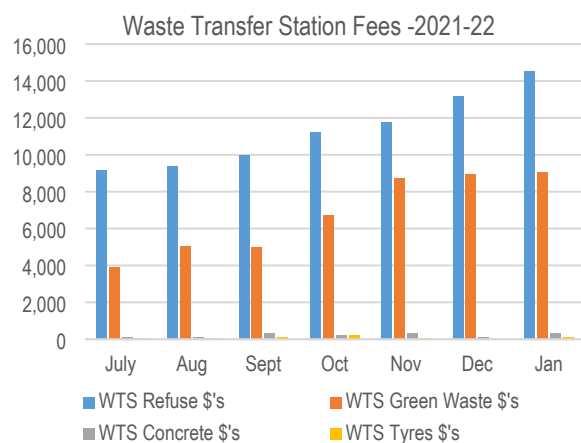
- Employee costs per hour	\$50.41	\$40.25	↗
- Rate Revenue per property	\$1,727.45	\$1,729.08	↔
- IT per employee hour	\$3.30	\$5.00	↘

#### E. Employee & WHS scorecard

	YTD	This Month	
Number of Employees	93	93	
New Employees	22	1	
Resignations	17	2	
Total hours worked	94,515	10,921	
Lost Time Injuries	0	0	
Lost Time Days	1	0	
Safety Incidents Reported	16	3	
Hazards Reported	17	0	
Risk Incidents Reported	5	0	
Insurance claims - Public Liability	0	0	
Insurance claims - Industrial	0	0	
Insurance claims - Motor Vehicle	9	0	
IT - Unplanned lost time	1	1	
Open W/Comp claims	13	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	\$74,692	\$79,283	  
- Green Waste	\$50,996	\$80,904	\$48,909	\$47,442	
- Concrete	\$1,551	\$2,293	\$1,248	\$1,511	
- Tyres		727	\$408	\$555	
Total Takings	\$142,782	\$203,767	\$125,257	\$128,791	
Tonnes Disposed					
WTS Refuse Disposed Tonnes	1388	1432	894	821	     Mulch quarterly Crush periodically
WTS Green Waste Disposed Tonnes	5400	4670	2855	1000	
WTS Concrete Disposed Tonnes	0	3056	0	0	
Kerbside Refuse Disposed Tonnes	2326	2435	1306	1432	
Kerbside Recycling Disposed Tonnes	1036	1051	697	630	
Total Waste Tonnes Disposed	10150	12644	5751	3883	



## 5 OFFICER COMMENTS

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

## 6 ATTACHMENTS

1. Monthly Works Infrastructure Capital Report 2021-2022 ( February) [11.1.1 - 7 pages]
2. Monthly Line Item Report 2021-2022 ( February) [11.1.2 - 1 page]



## RECOMMENDATION

That Council:

- i) receive and note the Monthly Financial Report for the period ending 28 February 2022, and
- ii) authorise Budget 2021/22 alterations as listed in Item 4 if applicable.

## MINUTE NO. 22/96

### DECISION

Cr Davis/Deputy Mayor Goss

That Council:

- i) receive and note the Monthly Financial Report for the period ending 28 February 2022, and
- ii) authorise Budget 2021/22 alterations as listed in Item 4 if applicable.

Carried Unanimously

Voting for the Motion:

Mayor Knowles, Deputy Mayor Goss, Cr Adams, Cr Brooks, Cr Calvert, Cr Davis, Cr Goninon, Cr Lambert and Cr Polley

Voting Against the Motion:

Nil

*Mayor Knowles adjourned the meeting for the meal break at 5.43pm.*

*Mayor Knowles reconvened the meeting after the meal break at 6.45pm.*



## 12 PUBLIC QUESTIONS AND STATEMENTS

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

Public Attendance Meeting Guidelines during the COVID-19 Disease Emergency

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

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

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

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

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

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

On arrival attendees will:

- be required to complete the health declaration section of their registration form; and
- receive direction from council officers (or Council's delegate) in relation to their access to the meeting room.

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

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

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

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

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

### PUBLIC QUESTIONS AND STATEMENTS

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

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

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



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

## **PUBLIC QUESTIONS**

### **TOWN HALL CAMPBELL TOWN**

#### **Dr Jennifer Bolton, Ross**

The following submission was made by Dr Bolton and was circulated to Councillors:

*In the light of the Tasmanian Civil and Administrative Tribunal decision regarding the plan to sell the Town Hall in Campbell Town I have several questions I would like the Council to answer.*

1. *What steps has the Council taken to ensure the continued operation of Service Tasmania in Campbell Town?*
2. *What steps has the Council taken to secure the long-term future of the Campbell Town Museum and Visitor Information Centre?*
3. *Will the Council give an undertaking not to sell the Town Hall in Campbell Town if this action will result in the closure of the Service Tasmania branch and or the Campbell Town Museum and Visitor Information Centre?*

The General Manager advised that a written response would be provided to Dr Bolton.



## 13 COUNCIL ACTING AS A PLANNING AUTHORITY

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

### MINUTE NO. 22/97

#### DECISION

Deputy Mayor Goss/Cr Polley

That the Council intends to act as a Planning Authority under the *Land Use Planning and Approvals Act 1993* for Agenda Item/s 14.1 to 14.4.

Carried Unanimously

## 13.1 STATEMENTS

### REPRESENTATIONS ON PLANNING ITEMS

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

Each speaker is limited to a maximum of 3 minutes.

### **14.2 PLN 21-0323: 87 BULWER STREET & BULWER STREET, CATHERINE STREET, LEWIS STREET & BURGHLEY STREET ROAD RESERVES, LONGFORD**

#### **Colin Smith, Woolcott Surveys (for the Applicant)**

Mr Smith submitted the following statement which was circulated to Councillors:

...

*We believe we have already covered the main decision points in previous correspondence and would like to use this opportunity to question Condition 7 of the permit, should it be granted.*

*In the first instance, the condition refers to Lots that were created under a previous application, an error that has already been raised and acknowledged by the planning department to rectify.*

*Secondly, we are aware that this condition was proposed for the application for rezone and subdivision on this parcel (PLN-19-0070). This was questioned and subsequently dismissed by the Tasmanian Planning Commission as an inappropriate instrument of control, due to the fact that the land is not affected by the Flood Prone Areas Code. Their decision directed that the condition be removed from the permit.*

*While concerns were raised by the project engineer for this application with regard to stormwater runoff and control, we question whether this is the appropriate instrument for control and invite you to question it also.*

*Our understanding is that floor levels can be controlled and administered under the Building Code and do not require a Part 5 Agreement on the land. It is not appropriate to include condition 7 on this permit, as has been previously confirmed by the TPC for subdivision on this parent title.*

*The recent decision from the TPC is attached to this statement, and the most relevant part copied out for you and for your discussion.*

...

#### **Michelle Schleiger, Woolcott Surveys (for the Applicant)**

Ms Schleiger attended the meeting and read from the above statement submitted by Mr Smith, in addition Ms Schleiger made reference to the following:

*A further note on the cul-de-sac and concerns over safety. We understand those concerns regarding driver behaviour, but good planning and design shows that drivers will slow down with visual cues. Visual narrowing of*



*the street and urban development and activity all help to signal that change in driver behaviour. The urban development that will result from this subdivision and the tree plantings on Catherine Street will ultimately help to curb unsafe driver behaviour.*

**Bronwyn Baker, Longford**

Ms Baker addressed Council, making reference to the following:

- *she had raised concerns about the rezoning from rural to general residential*
- *main concerns relate to the entry/exit point of the cul-de-sac off Catherine Street*
- *preference would be for the entry/exit off Burghley Street to reduce traffic congestion*
- *Burghley Street will need to be formed during Stage 2 of the development, this could occur in Stage 1*
- *the exit of the cul-de-sac onto Catherine Street will compromise on-street parking for Catherine Street residents and the provision of on-street parking within the cul-de-sac*
- *measures to be taken to mitigate dust during the developments construction*
- *effect on Longford's stormwater systems*

**Mr Godier, Council's Senior Planner**

Council's Senior Planner, Mr Godier, advised:

- *Council's Environmental Health officer would address dust complaints with the developer during construction*
- *when each lot is developed 2 parking spaces will need to be provided on-site for each dwelling*
- *Council's hydrologist reviewed the application in regard to stormwater and no concerns were raised with regard to the stormwater going into Back Creek.*

With regard to Recommendation Item Number 7, Mr Godier advised that

- *the developer had advised that they were content with the inclusion of the requirement for a Part 5 Agreement to provide for the construction of habitable buildings to be built at least 300mm above natural ground level*
- *the developers have requested that the requirement be removed*
- *the Planning Commission had advised Council to remove a similar condition from the development of the 6 lots to the north of the site*
- *the Building Act can require habitable buildings to be built at least 300mm above natural ground level in a flood prone area, this property is not a flood prone area*
- *current flood modelling indicates that the development area is not subject to 1:100 year flooding*
- *the area has been rezoned and is not currently flood prone.*

**14.4 REPORT ON REPRESENTATIONS TO DRAFT LOCAL PROVISIONS SCHEDULE**

**Aleisha Barrett, Longford (Representor)**

Ms Barrett provided the following statement from which she read:

*The following is in response to agenda item 14.4 representation13 from Plan Place pty Ltd.*

*When we purchased 18 Wilmores Lane Longford in 2016, we were able to prove under the Rural Resource zone that our class 4 land was practically incapable of supporting an agricultural use. This has not changed in the last 6 years and is in fact even less capable now of supporting an agricultural use as it has been built upon with a residential home and 2 sheds. The financial investment on this 7 acre lot will make the land unviable for any commercial agricultural pursuits going forward.*

*The land is not able to be turned back in to a suitable agricultural use for intensive agricultural purposes due to the now infrastructure on the site, along with the fact that our small land holding is bordered by additional privately owned small acreage land holdings to the north, Wilmores Lane to the south, Austral Brickworks to the East and a road reserve with adjacent farm land to the west adding to this the adjacent farmland has a different soil type than ours.*

*We ask that the Council as the planning authority amend the JMG decision utilising the draft LPS process under the land Use Planning and Approvals Act 1993 (The Act) for recommending changes in response to a representation post-exhibition where a representation (such as ours) demonstrates merit*



- *Our property and multiple other properties around our site namely Longford House (Representation 10) are not consistent with the intent of the agriculture zone under the Tasmanian Planning Scheme, Guideline 1 in the application of the Agriculture Zone.*
- *Our original application demonstrated compliance with the necessary acts and criteria required for a zone change*
- *Our application when assessed by JMG recommended no change to the draft LPS due to a statement made by the former Minister in 2017 -this statement bears no relevance to the process of assessing these representations.*

*We encourage the Councillors to consider amending the recommendation in the agenda at page 133 to include the additions after item (d) for Representation 13 to the following:*

- *The Council is of the opinion that the representation has merit, satisfies the LPS criteria at Schedule 1, Part 2 Objectives of the Land Use Planning and Approvals Act 1993 (c) and (g) and recommends that the draft LPS be modified by revising the zoning of 18 Wilmores Lane, Longford, title 116434/3 from Agriculture to Rural Living Zone C; and*
- *As a result of Representation 13 and others, the Council supports review of the zoning of the area in southern Longford with a rural lifestyle character for use of the Rural Living Zone.*

*Currently, on our rates notice, the Northern Midlands Council has us zoned as 'rural resource residential', there is no such zone. Surely it does not make any sense to change us from this Rural Resource Residential zone to an agriculture zone when The weight of evidence suggests that Rural Living Zone C is the correct zone for 18 Wilmores Lane and the properties to the north of us up to and including Longford House.*

Ms Barrett submitted the following statement prior to the meeting which was circulated to Councillors:

*The consideration of the representations received to the draft Northern Midlands Local Provisions Schedule (draft LPS) is listed at item 14.4 in the agenda for the Council meeting scheduled on Monday 21st of March 2022. This submission urges the Councillors to consider modifying the proposed recommendation in the agenda for Representation 13 submitted by Plan Place Pty Ltd on behalf of the property owner at 18 Wilmores Lane, Longford (CT:116434/3) seeking the application of the Rural Living Zone C instead of the Agriculture Zone.*

*It is noted that from the recommendation, a zoning change in response to Representation 13 is not supported.*

*The Local Provisions Schedule process under the Land Use Planning and Approvals Act 1993 (the Act) enables Council as the planning authority to recommend changes in response to a representation post-exhibition.*

*Accordingly, we urge all the Councillors to consider amending the recommendation in the agenda at page 133 to include the additions after item (d) for Representation 13:*

- *With regard to Representation 13 from Plan Place Pty Ltd, the Council is of the opinion that the representation has merit, satisfies the LPS criteria at Schedule 1, Part 2 Objectives of the Land Use Planning and Approvals Act 1993 (c) and (g) and recommends that the draft LPS be modified by revising the zoning of 18 Wilmores Lane, Longford, title 116434/3 from Agriculture to Rural Living Zone C; and*
- *As a result of Representation 13 and others, the Council supports review of the zoning of the area at southern Longford areas with a rural lifestyle character for use of the Rural Living zone.*

*The submission responds to the assessment report prepared by JMG Engineers and Planners (JMG) as in the agenda attachments and affirms that the Council can utilise the draft LPS process for recommending changes where a representation demonstrates merit.*

#### Representation 13

*JMG has assessed Representation 13 and recommends no change to the draft LPS concerning the property's proposed zoning at 18 Wilmores Lane (the subject site). The rationale for this recommendation relies on a statement made by the former Minister in 2017. Since the former Minister made the statement, several amendments to the Land Use Planning and Approvals Act 1993 (the Act) have been made. Notably, a section was introduced into the Act within the last twelve months concerning modifications to the draft LPS post public exhibition.*

*The Council, as the planning authority, can recommend changes to the exhibited draft LPS in response to a representation providing it is of the opinion that it has merit. In considering the merit of a representation, the Council must consider compliance against the requirements of the Act and determine if the LPS criteria are met. In doing so, it must have regard to the zone purpose statements within the Tasmanian Planning Scheme, Northern*





*Tasmania Regional Land Use Strategy, the Greater Launceston Plan, Guideline No. 1 – Local provisions Schedule: zone and code application (Guideline 1) or the LPS criteria set out at section 34 of the Act.*

*The representation assessment by JMG has not formed a view based on the merit of the representation in the context of the abovementioned requirements and documents.*

*Representation 13 notes that the landholdings in southern Longford around the subject site are properties with attributes of a rural lifestyle character as described in the representation. The small landholdings are also not attractive for commercial agricultural pursuits. The subject site is therefore not consistent with the intent of the Agriculture Zone under the Tasmanian Planning Scheme, Guideline 1 in the application of the Agricultural Zone, the Longford Development Plan 2012 and the LPS criteria. Representation 13 submitted to the Council has demonstrated compliance with these documents and provides the relevant information to determine its merit under the requirements of the Act.*

*Plan Place Pty Ltd has represented planning authorities, property owners and community interest groups through the Local Provisions Schedule processes. The collective experience gained through participation with several processes the preparation of a Local Provisions Schedule can incorporate strategic changes where it can fulfil the LPS criteria. It is also common for modifications to a Local Provisions Schedule in response to a representation post exhibition.*

*For these reasons, the Council may form a different opinion as to the merit of Representation 13 and support a strategic outcome aligned with the Longford Development Plan and a decision that reflects the land use character of the area of southern Longford. The Council can amend the recommendation at item 14.4 in the agenda to address Representation 13. Suggested wording is provided above, and this must form part of the original motion or an amendment for decision by Council at the meeting.*

*Additionally, we note that Representation 10 also seeks the application of the Rural Living Zone C to properties north of the subject site. The representation also reaffirms several properties around southern Longford, including Wilmores Lane and Weston Street that reflect a rural lifestyle character and no longer viable for commercial agricultural pursuits. Noting the rural lifestyle character extends beyond the bounds of the subject site and that the issue is not isolated to a single property. It is suggested that the recommendation should include support for a Rural Living Zone to other properties in this area that reflect a rural lifestyle character. Suggested wording is provided above.*

#### Implication Amended Recommendation

*The Local Provisions Schedule process under the Act enables changes to the draft LPS post-exhibition. Additionally, the Tasmanian Planning Commission can also direct the Council as the planning authority to make minor or substantial changes to the draft LPS as part of its final decisions.*

*The suggested addition to the recommendation in the agenda is strategically beneficial as it enables the Council to resolve a known planning matter within the set parameters of this process.*

*The altered recommendation will not impact detrimentally on the process of the draft LPS, and it will not delay a hearing by the Tasmanian Planning Commission.*

#### **Mick Purves, Town Planning Solutions (for Mr Andrew Meeves)**

Mr Purves provided the following statement from which he read:

...

*Following release of the Agenda for this months meeting, I note that Representation 10 was not supported for use of the Rural Living zone on my clients land at the above address.*

*We urge the Councillors to reconsider this issue. A detailed response to the assessment report follows this letter, including information on how the LPS process can be used by Council to deal with potentially substantial changes as a result of representations.*

*For Councillors who may wish to support our representation, I submit a suggested addition to the recommendation at page 133 of the agenda for representation 10:*

*e) With regard to Representation 10 from Town Planning Solutions, the Council is of the opinion that the representation has merit, satisfies the LPS criteria at Schedule 1, Part 2 Objectives of the Land Use Planning and Approvals Act 1993 (c) and (g) and recommends that the draft LPS be modified by revising the zoning of titles 116*





*& 120 Catherine Street, Longford (CT's 168940/2 and 168940/1) from Agriculture to Rural Living zone, category C; and*

*f) As a result of representation 10 and others, the Council supports review of the zoning of the area at southern Longford for areas with a rural lifestyle character for use of the Rural Living zone.*

*Council may also wish to provide a similar amendment to e for representation 13 (Planplace for Barrett).*

*...*

*Detailed advice – Representation 10*

*Based on my review of the documents for this month's agenda, JMG assessed the representations to the Local Provisions Schedule (LPS) and did not support representation 10 for Rural Living C zone at 116 and 120 Catherine Street, Longford.*

*The response to the representation states that strategic changes are not allowed under the LPS process, by reference to a statement by the former Minister in 2017.*

*The JMG response claims Council cannot seek strategic alterations to the LPS through this process. The Northern Midlands Interim Planning Scheme 2013 was forced to translate the zoning regime of the previous planning scheme as a result of restrictions established in the legislation of the day. The JMG response forces translation of those previous decisions to the new Local Provisions Schedule.*

*Over the past few decades, many of the larger land holdings in southern Longford have been sold off from common ownership and management. The area to the east and south of Longford House now represents a rural lifestyle character as a result of the separate ownership of small parcels and development of houses and boutique businesses. There has been a fundamental change in the ownership and land use character of this area and it is now rural lifestyle.*

*The area is no longer suitable for commercial scale agricultural operations and therefore, the Agriculture zone under the Tasmanian Planning Scheme under the Zone Purpose Statements or Guideline No. 1 – Local Provisions Schedule: zone and code application (Guideline No.1).*

*No assessment of the representation was provided against the zone purpose statements within the Tasmanian Planning Scheme, Northern Tasmanian Regional Land Use Strategy, Greater Launceston Plan, Guideline No.1, the Longford Development Plan 2012, nor the LPS Criteria under the Act.*

*Compliance with these documents was addressed in our representation to the LPS, as they are clearly identified in published material and decisions as the relevant decision criteria the Tasmanian Planning Commission must use to determine the LPS.*

*Town Planning Solutions has represented Councils through the development and assessment of Local Provisions Schedules, and property owners in making representations to zoning and overlays proposed under Local Provisions Schedules. In my experience, it is common to both propose strategic changes in developing the Local Provisions Schedule and then make modifications in response to representations that are consistent with relevant strategic studies and plans, and requirements of the Tasmanian Planning Scheme, as part of the assessment of representations.*

*For the reasons set out in representation 10 (and also, the materials supporting the LPS), the Council may form an opinion that it wished to support some strategic changes to the LPS to address the Longford Development Plan and the changed land use character in the area around southern Longford.*

*An amendment to the recommendation would need to be provided in response to Representation 10 as part of either the original motion (by the mover of the motion) or as a separate amendment for decision by Council at the meeting (following its moving and seconding). Suitable words were provided in the covering letter.*

*Similar representations were assessed on the same basis. Representation 13 (Planplace for Barrett) is just south of my client's property and is within the area that has been converted to a rural lifestyle land use pattern. A similar alteration may be appropriate for Representation 13, as it is within the same area that now has a rural lifestyle land use character.*

*There are also two additional titles between these representations that identify a similar rural lifestyle land use pattern. In addition, there is an extensive area further south of Wilmores Lane / Weston Street that display a rural lifestyle character.*



*Council may wish to identify an interest in reviewing the zoning of those properties and areas further south of Wilmores Lane / Weston Street that display a rural lifestyle character through this process. A suggested wording for this was also provided in the covering letter.*

Process

*I am advised there is some concern over the impact of alterations to the LPS at this stage and costs to Council as a result. The LPS process provides for such options, through two methods.*

*Minor changes can be considered by the Commission and are addressed through Directions that become part of the approved LPS once it is determined. This is a common process and has minimal cost to Council through the LPS hearing process. This process was used to change the zoning of land for other LPS in the northern region.*

*Major or substantive changes are addressed through directions for planning scheme amendments that are issued as part of the final decisions on the LPS, but carried out by Council once the LPS has commenced operation. The amendment process is streamlined for the Council and the directions from the Commission form the supporting material for the amendment. This is set out in Practice Note 11 on the Commission website. This allows the strategic issues to be addressed through the LPS process and then carried over to subsequent planning scheme amendments.*

*For 116 and 120 Catherine Street, it is possible that the Commission will consider rezoning land from Rural Resource to Rural Living as a minor change, given the existing land use pattern through the area and the change from the Rural Resource zone under the Interim Scheme. This has occurred in the assessment of other LPS within the northern region.*

*Rezoning of the wider area that now has a rural lifestyle character may be addressed through the process for substantial modifications. This provides a strategic advantage to Council and simplified process for documentation and initiation of such amendments.*

In addition, Mr Purves made reference to the following:

- *Council to consider an alternative recommendation to support the use of the Rural Living zone for my client's land and in the wider area;*
- *my clients land and the southern Longford area has experienced significant land-use change over the past decades and is no longer suitable for commercial-scale agricultural operations as described in the primary zone purpose statement of the Tasmanian Planning Scheme 21.1.1 to provide for use and development for agricultural operations;*
- *it now displays a rural lifestyle land use character that is consistent with the primary zone purpose statement of the Rural Living zone 11.1.1 to provide for residential use and development in a rural setting;*
- *use of the Rural Living zone in this area is not a strategic change but reflects the existing land use character of the area (dwellings on smaller holdings that may also support a boutique business);*
- *the rural lifestyle character of the area is recognised in the Longford Development Plan 2012 and at the regional level by the Northern Tasmanian Regional Land Use Strategy and Greater Launceston Plan; and*
- *Use of the Rural Living zone in this area is consistent with Guidelines Az1, AZ6 and the RLZ set.*

**Ivan Badcock, Bishopsbourne (Representor)**

Mr Badcock submitted the following statement which was circulated to Councillors:

*I am advised that the Local Provision Schedule is to be further considered at next Mondays Council meeting (21 March 2022) and I wish to request that a 10.02ha. area of my property be rezoned as Rural Living B, which provides a minimum block size of 2ha.*

Supporting information-

- *The area adjoins the Village Residential area on two sides of the Bishopsbourne Community Centre*
- *The area was originally included in the Bishopsbourne township area. The property title describes it as Township of Bishopsbourne*
- *The blocks would provide a buffer zone around the Community Centre and Recreation Ground, reducing the effects of intense agricultural activities from dust, noise and potential spray drift.*
- *More residents would be brought to the town helping to develop community.*
- *Currently campers, both Tasmania and Mainland, regularly come to the centre and camp throughout the ground.*
- *A plan of the area is attached.*



## 14 PLANNING REPORTS

### 14.1 DRAFT AMENDMENT 04/2021: PLN-21-0301: 17 CHURCH STREET, CAMPBELL TOWN

*File:* 300800.055; PLN-21-0301  
*Responsible Officer:* Des Jennings, General Manager  
*Report prepared by:* Paul Godier, Senior Planner

#### 1 INTRODUCTION

This report recommends that Council:

- Initiate a draft amendment to make Emergency Services a Discretionary use in the General Residential zone at 17 Church Street, Campbell Town; and
- Approve the planning permit to develop and use the land for a co-located Emergency Services Facility for Tasmania Fire Service (TFS) and State Emergency Service (SES).

#### 2 SUMMARY INFORMATION

**Applicant:**

Department of Police, Fire and Emergency Management (DPFEM) c/- All Urban Planning Pty Ltd

**Zone:**

General Residential

**Owner:**

Midland Agricultural Association Incorporated

**Codes:**

Bushfire-Prone Areas Code;  
Road and Railway Assets Code;  
Car Parking and Sustainable Transport Code; and  
Signs Code.

**Proposal:**

Make Emergency Services a Discretionary use in the General Residential zone at 17 Church Street, Campbell Town.

**Existing Use:**

Vacant

**Critical Date:**

Decision whether or not to initiate and certify the draft amendment must by 25 March 2022

**Recommendation:**

That Council initiate and certify the draft amendment and grant the planning permit.

**Planning Instrument:**

*Northern Midlands Interim Planning Scheme 2013, Version 36 Effective from 30 September 2021.*

**Preliminary Discussion**

The applicant has discussed the proposed amendment with Council officers.



*Image 1: Subject Site from Church Street*

### 3 STATUTORY REQUIREMENTS

The *Land Use Planning & Approvals Act 1993* contains the following provisions:

- Section 33 (1) – A person may request planning authority to initiate an amendment of a planning scheme administered by it.
- Section 43A (1) - A person who requests a planning authority to amend a planning scheme *may also request the planning authority to consider an application for a permit which would not be allowed if the planning scheme were not amended as requested.*
- Section 33 (2B) - Before making a decision as to whether or not to initiate an amendment of the planning scheme, the planning authority must consider –
  - (a) whether the requested amendment is consistent with the requirements of [section 32](#); and
  - (ab) any representation made under [section 30I](#), and any statements in any report under [section 30I](#) as to the merit of a representation, that may be relevant to the amendment; and
  - (b) any advice referred to in [section 65 of the Local Government Act 1993](#) received by it.

**Comment:**

- (a) Part 7 of this report finds that the draft amendment is consistent with section 32 of the Act.
- (ab) There are no representations under section 30I relevant to the draft amendment.
- (b) This report provides advice in relation to section 65 of the Local Government Act 1993 (advice of qualified persons).





#### 4 PROPOSAL

It is proposed to amend the use table of the General Residential zone, Discretionary Use Class Qualification for Emergency Services if on CT 76398/4 and 5 (176 High Street Campbell Town) to include “or on Folio of the Register 14992/1 (17 Church Street, Campbell Town)” in conjunction with a development application for an Emergency Services Facility.

Currently the TFS and SES provide services from two separate sites in Campbell Town. The proposal will provide significant opportunity for both agencies to operate in a more efficient and effective response as most SES members are dual members with TFS. The proposal will encourage continued collaboration across both agencies and provide a single facility for incident and emergency management.

#### Zone

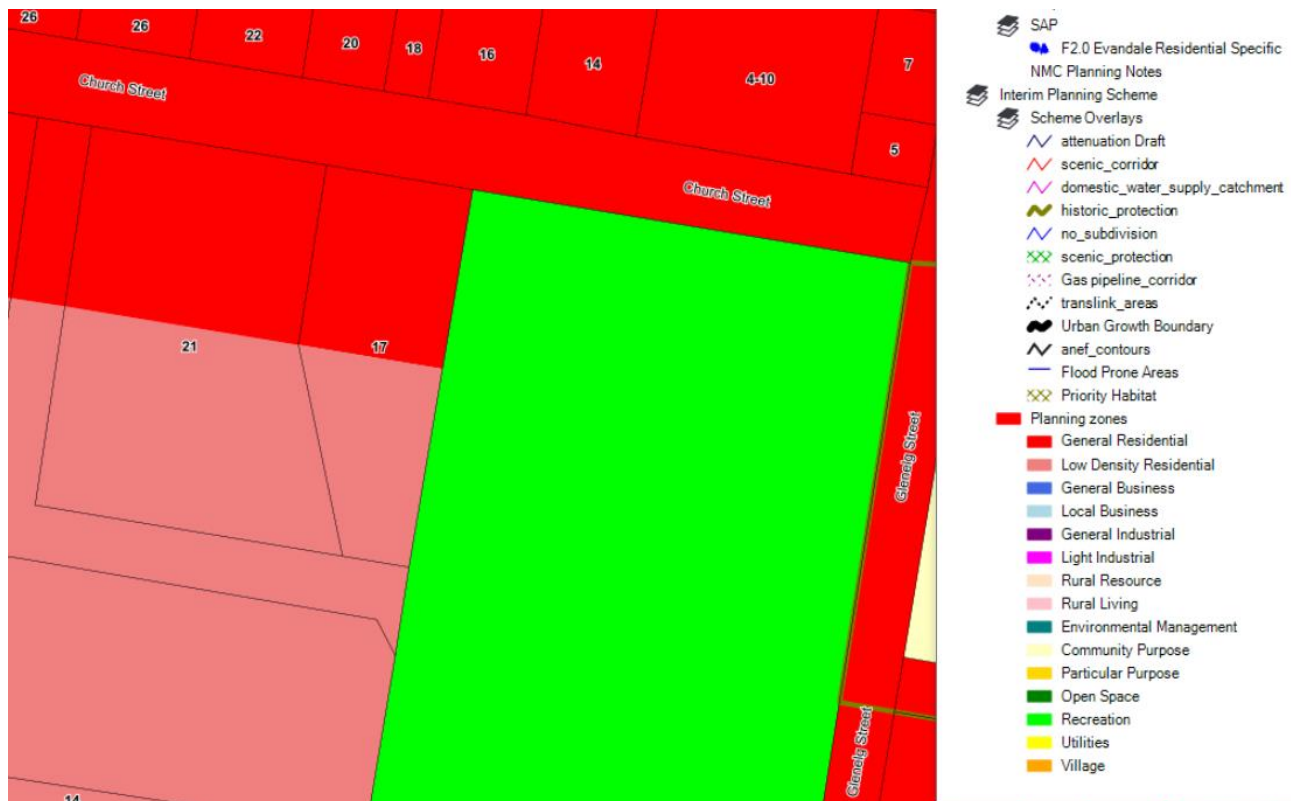


Image 2: Zone map - General Residential

The land is zoned **General Residential**. The title is split zoned with the rear part zoned Low Density Residential. A subdivision approved in 2021 was for a 3,304m<sup>2</sup> lot that is located entirely within the General Residential zoned portion of the land and coincides with the proposed development site.



**^ Image 3: Approved subdivision**

### **Subject Site and Locality**

The author of this report carried out a site inspection on 9 March 2022. The subject property is situated on the western fringes of Campbell Town between a cemetery and the showgrounds. Over Church Street are single dwellings.



**^Image 4: Aerial photograph of area**

#### Permit/Site History

- PLN21-0138 – 2 Lot Subdivision

#### Reason for Proposed Amendment

The section of the site subject to this application is zoned General Residential where Emergency Services is a prohibited use.

Options are:

- Rezone the site to Community Purposes where Emergency Services is a Permitted use.
- Keep the General Residential zone of the land and make Emergency Services an allowable use on 17 Church Street, Campbell Town.

It is proposed insert Emergency Services as a Discretionary use in the General Residential zone if on 17 Church Street, Campbell Town.

#### Public Exhibition

Public Exhibition of the draft amendment and permit occurs after it has been certified, as per section 38 of the *Land Use Planning and Approvals Act 1993*:

- (1) After giving to the Commission a copy of a draft amendment of a planning scheme and the instrument certifying that the amendment meets the requirements specified in [section 32](#), the planning authority must –
  - (a) cause a copy of the draft amendment to be placed on public exhibition for a period of 28 days or a longer period agreed to by the planning authority and the Commission; and





- (b) *advertise, as prescribed, the exhibition of the draft amendment.*

## 5 FINANCIAL IMPLICATIONS TO COUNCIL

Assessment of the application is within budget allocations.

## 6 OPTIONS

### Initiation of draft amendment

Council can:

- Initiate the draft amendment; or
- Not initiate the draft amendment

### Certification of draft amendment

If Council initiates the draft amendment, Council can:

- Certify the draft amendment as meeting the requirements of section 32; or
- Modify the draft amendment until meets the requirements of section 32, and then certify it.

### Permit

Council can:

- Issue the permit with the recommended conditions;
- Issue the permit with different conditions; or
- Refuse the permit.

## 7 DISCUSSION

### 7.1 ASSESSMENT FOR CONSISTENCY WITH SECTION 32 OF THE LAND USE PLANNING & APPROVALS ACT 1993

Section 32 of the Land Use Planning & Approvals Act 1993 requires that an amendment of a planning scheme—

***Must, as far as practicable, avoid the potential for land use conflicts with use and development permissible under the planning scheme applying to the adjacent area.***

**Comment:** Retaining the General Residential zone and making Emergency Services a Discretionary use is expected to avoid, as far as practical, potential land use conflicts with the surrounding residential uses, more so than rezoning the land to Community Purposes, where a number of uses potentially incompatible with residential uses are Permitted.

***Must be consistent with the Regional Land Use Strategy and any mandatory provisions ([section 300](#)).***

**Comment:** The Northern Regional Land Use Strategy classifies Campbell Town as a Major District Centre.

District Centres are described as being significant regional settlement areas where residents of and visitors to the region can access a wide range of services, education and employment opportunities, although employment is strongly related to surrounding productive resources. Important centres to surrounding sub-region.

The draft amendment is consistent with the RLUS and is not inconsistent with mandatory provisions.

***Must have regard to the impact that the use and development permissible under the amendment will have on the use and development of the region as an entity in environmental, economic and social terms.***

**Comment:** The amendment seeks to make Emergency Services a Discretionary use in the General Residential zone, on 17 Church Street, Campbell Town. This use is expected to have a neutral impact in environmental terms and a positive impact in economic and social terms.





**Must be consistent with the overarching requirements for planning schemes [sections 20(2), (3), (4), (5), (6), (7), (8), and (9)]:**

**(2)** A planning scheme may–

**(aa)** make any provision which relates to the use, development, protection or conservation of any land in the area; and

**(a)** set out policies and specific objectives; and

**(b)** regulate or prohibit the use or development of any land; and

**(c)** designate land as being reserved for public purposes; and

**(d)** . . . . .

**(e)** set out requirements for the provision of public utility services to land; and

**(f)** require specified things to be done to the satisfaction of the Commission, relevant agency or planning authority; and

**(g)** apply, adopt or incorporate any document which relates to the use, development or protection of land; and

**(h)** provide that any use or development of land is conditional on an agreement being entered into under [Part 5](#); and

**(ha)** set out provisions relating to the implementation in stages of uses or developments; and

**(i)** provide for any other matter which this Act refers to as being included in a planning scheme; and

**(j)** provide for an application to be made to a planning authority to bring an existing use of land that does not conform to the scheme into conformity, or greater conformity, with the scheme.

**Comment:** The proposal is consistent with these requirements.

**(3)** Subject to [subsections \(4\), \(5\)](#) and [\(6\)](#), nothing in any planning scheme is to be taken (including by virtue of requiring a permit to be obtained) to–

**(a)** prevent the continuance of the use of any land, upon which buildings or works are not erected, for the purposes for which it was being lawfully used before the coming into operation of the scheme; or

**(b)** prevent the use of any building which was erected before that coming into operation for any purpose for which it was lawfully being used immediately before that coming into operation, or the maintenance or repair of such a building; or

**(c)** prevent the use of any works constructed before that coming into operation for any purpose for which they were being lawfully used immediately before that coming into operation; or

**(d)** prevent the use of any building or works for any purpose for which it was being lawfully erected or carried out immediately before that coming into operation; or

**(e)** require the removal or alteration of any lawfully constructed buildings or works; or

**(f)** prevent a development, which was lawfully commenced but not completed before the coming into operation of the scheme, from being completed within–

**(i)** 3 years of that coming into operation; or

**(ii)** any lesser or greater period specified in respect of the completion of that development under the terms of a permit or special permit granted before the coming into operation of the scheme.

**Comment:** The proposal is consistent with these requirements.

**(4)** [Subsections \(3\)](#) and [\(3A\)](#) do not apply to a use of land–

**(a)** which has stopped for a continuous period of 2 years; or

**(b)** which has stopped for 2 or more periods which together total 2 years in any period of 3 years; or

**(c)** in the case of a use which is seasonal in nature, if the use does not take place for 2 years in succession.

**Comment:** The proposal is consistent with these requirements.

**(5)** [Subsection \(3\)](#) does not apply to the extension or transfer from one part of a parcel of land to another of a use previously confined to the first-mentioned part of that parcel of land.

**Comment:** The proposal is consistent with these requirements.

**(6)** [Subsections \(3\)](#) and [\(3A\)](#) do not apply where a use of any land, building or work is substantially intensified.



**Comment:** The proposal is consistent with these requirements.

*(7) Nothing in any planning scheme or special planning order affects –*

*(a) forestry operations conducted on land declared as a private timber reserve under the [Forest Practices Act 1985](#); or*

*(b) the undertaking of mineral exploration in accordance with a mining lease, an exploration licence, or retention licence, issued under the [Mineral Resources Development Act 1995](#), provided that any mineral exploration carried out is consistent with the standards specified in the Mineral Exploration Code of Practice; or*

*(c) fishing; or*

*(d) marine farming in State waters.*

**Comment:** The proposal is consistent with these requirements.

*(8) The coming into operation of a planning scheme or a special planning order does not legitimize a use or development which was illegal under a planning scheme or a special planning order in force immediately before that coming into operation.*

**Comment:** The proposal is consistent with these requirements.

*(9) A planning scheme may require a use to which [subsection \(3\)](#) applies to comply with a code of practice approved or ratified by Parliament under an Act.*

**Comment:** The proposal is consistent with these requirements.

***Must seek to further the objectives in Schedule 1 of the Act***

Part 1 – The objectives of the resource management and planning system of Tasmania are –

*(a) to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity.*

**Comment:** The draft amendment is consistent with this objective.

*(b) to provide for the fair, orderly and sustainable use and development of air, land and water.*

**Comment:** This proposal will allow the use of a vacant site for a co-located Emergency Services Facility for Tasmania Fire Service (TFS) and State Emergency Service (SES). It is considered that the draft amendment is consistent with this objective.

*(c) to encourage public involvement in resource management and planning.*

**Comment:** If initiated, the draft amendment will be placed on public exhibition, providing an opportunity for public involvement.

*(d) to facilitate economic development in accordance with the objectives set out in [paragraphs \(a\), \(b\) and \(c\)](#).*

**Comment:** The draft amendment is consistent with this objective.

*(e) to promote the sharing of responsibility for resource management and planning between the different spheres of Government, the community and industry in the State.*

**Comment:** Advice has been provided from TasWater. If certified, the proposal will be sent to the Tasmanian Planning Commission.

Part 2 – The objectives of the planning process established by the Act are, in support of the objectives set out in Part 1 of the Schedule –

*(a) to require sound strategic planning and co-ordinated action by State and local government.*

**Comment:** The Northern Regional Land Use Strategy includes Campbell Town as a Major District Centre. Council's Settlement Strategy with regard to Campbell Town is to reinforce and encourage growth within the existing settlement pattern for commercial, residential, industrial and community development. The proposal is consistent



with these strategies.

*(b) to establish a system of planning instruments to be the principal way of setting objectives, policies and controls for the use, development and protection of land.*

**Comment:** The *Northern Midlands Interim Planning Scheme 2013* is the planning instrument that applies to the subject land.

*(c) to ensure that the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land.*

**Comment:** The draft amendment is consistent with this objective.

*(d) to require land use and development planning and policy to be easily integrated with environmental, social, economic, conservation and resource management policies at State, regional and municipal levels.*

**Comment:** The draft amendment is consistent with this objective.

*(e) to provide for the consolidation of approvals for land use or development and related matters, and to co-ordinate planning approvals with related approvals.*

**Comment:** The draft amendment is consistent with this objective.

*(f) to secure a pleasant, efficient and safe working, living and recreational environment for all Tasmanians and visitors to Tasmania.*

**Comment:** The draft amendment is consistent with this objective.

*(g) to conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value.*

**Comment:** The draft amendment is consistent with this objective.

*(h) to protect public infrastructure and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community.*

**Comment:** The draft amendment is consistent with this objective.

*(i) to provide a planning framework which fully considers land capability.*

**Comment:** The draft amendment is consistent with this objective.

**Must be in accordance with State Policies.**

State Policy for the Protection of Agricultural Land – the site is within the developed urban area of Campbell Town.

Water Quality Management State Policy – the site is developed with a building connected to the stormwater system.

State Coastal Policy - There is no coastal land within the municipal area of the Northern Midlands.

National Environmental Protection Measures – None relevant.

**7.2 ASSESSMENT OF PLANNING APPLICATION**

In accordance with section 43A (former provisions) of the *Land Use Planning & Approvals Act 1993*, where a planning authority has decided to initiate an amendment under [section 33\(3\)](#), it may consider the application for a permit concurrently with the preparation of the requested amendment to the planning scheme.

**PROPOSAL**

It is proposed to develop and use the site for a co-located Emergency Services Facility for Tasmania Fire Service (TFS) and State Emergency Service (SES).

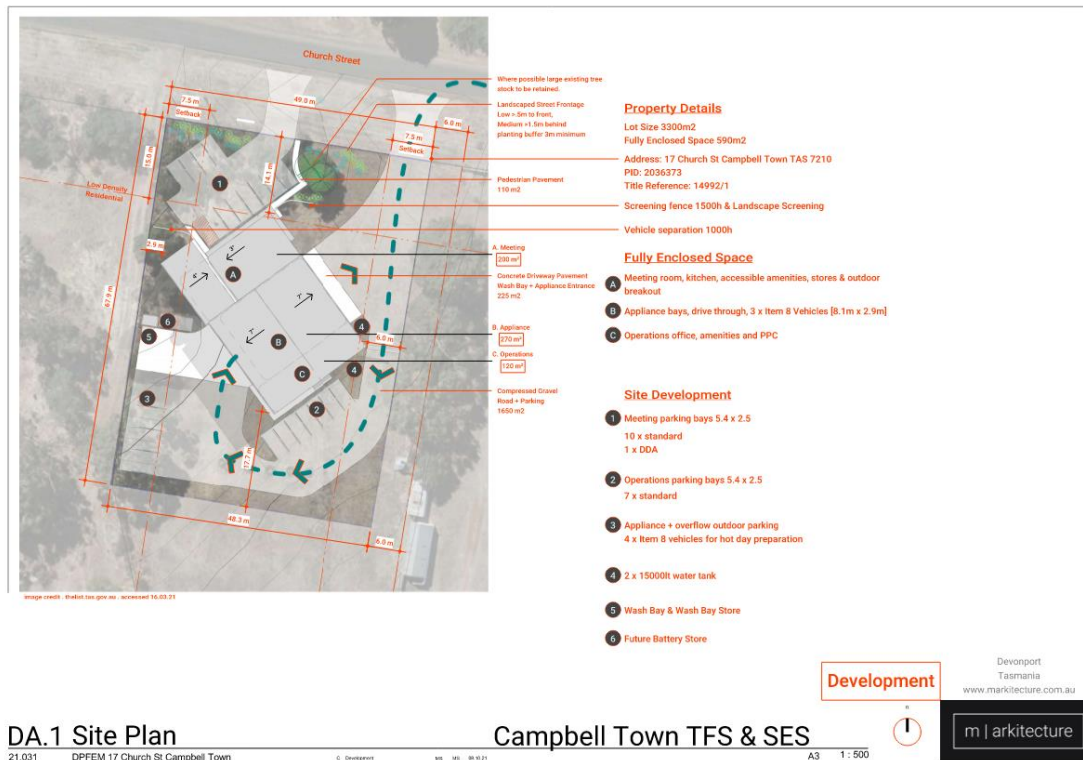


Image 5: Proposed site plan

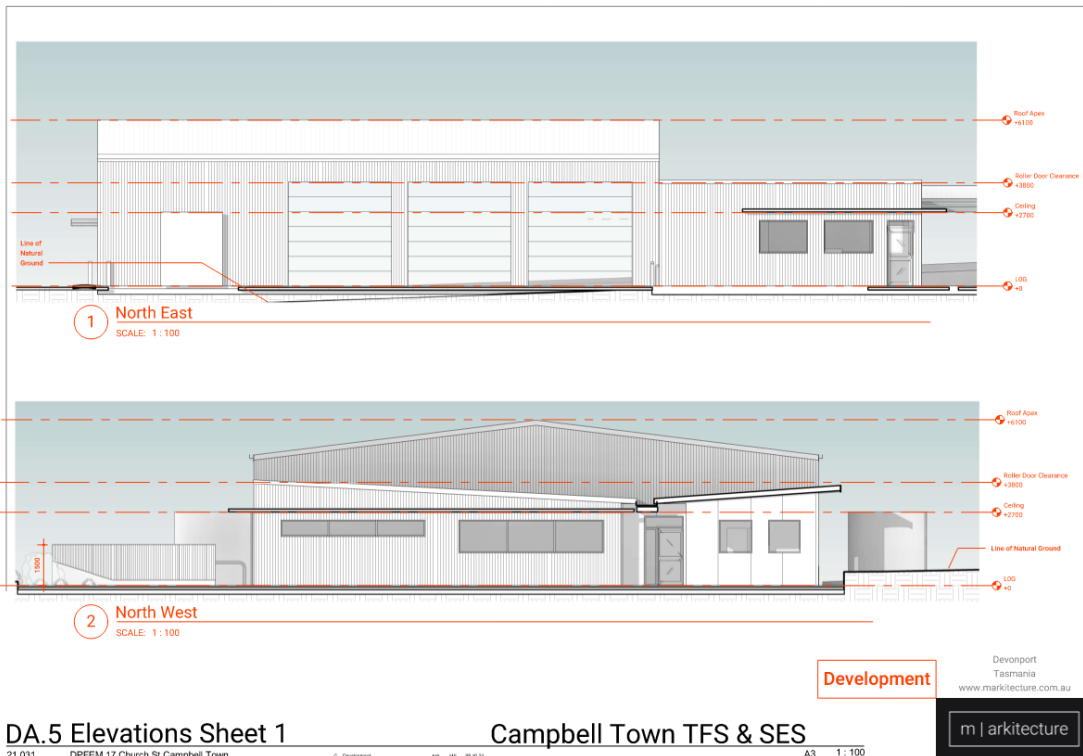
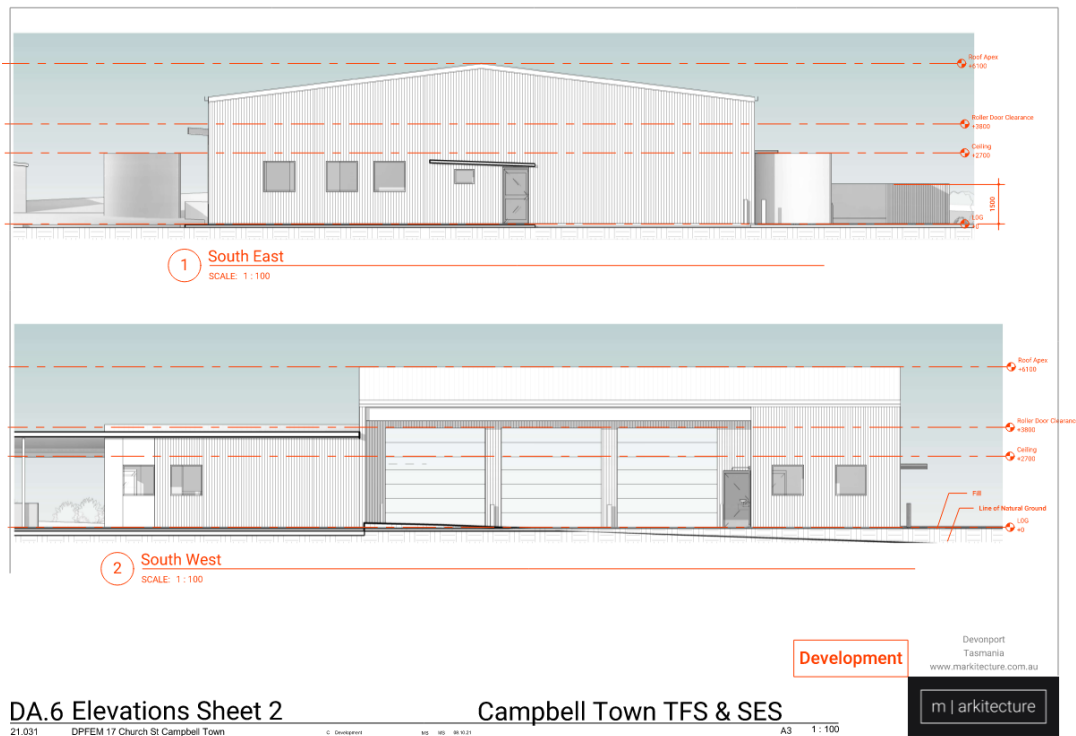


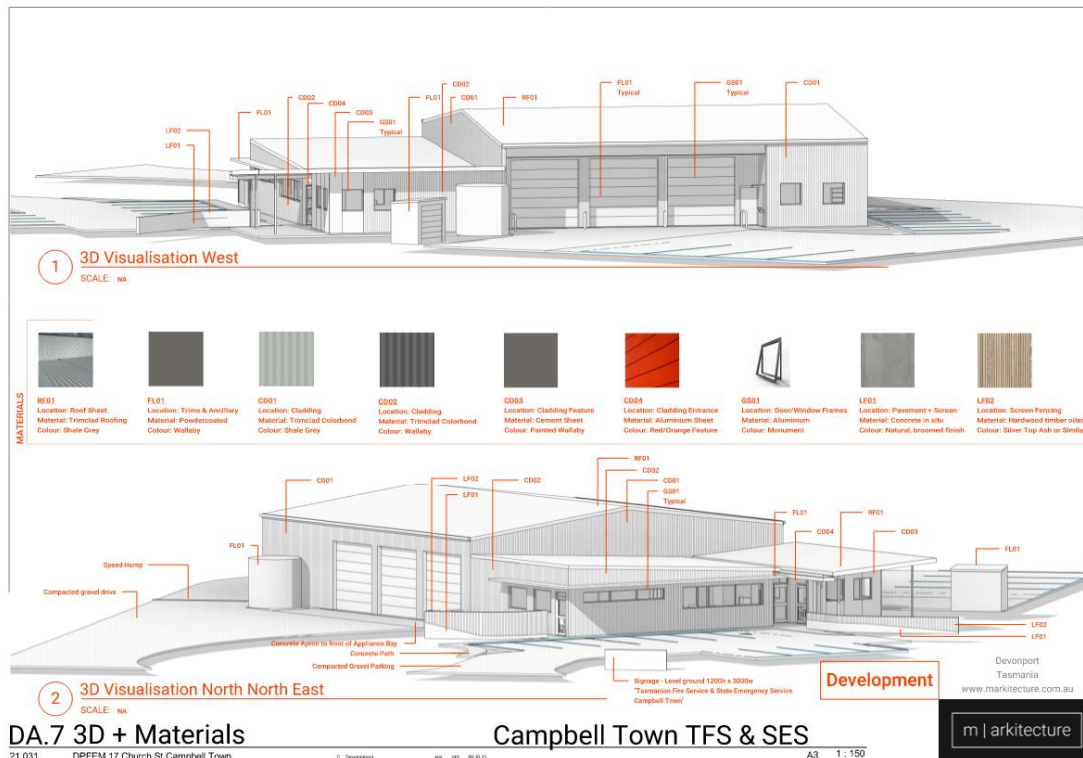
Image 6: Proposed elevations 1



## DA.6 Elevations Sheet 2

## Campbell Town TFS & SES

Image 7: Proposed elevations 2



## DA.7 3D + Materials

## Campbell Town TFS & SES

Image 8: 3D and Materials

### PLANNING SCHEME PROVISIONS

#### 8.2 Categorising Use or Development

8.2.1 Each proposed use or development must be categorised into one of the use classes in Table 8.2.

8.2.2 A use or development that is directly associated with and a subservient part of another use on the same site must be categorised into the same use class as that other use.



- 8.2.3 *If a use or development fits a description of more than one use class, the use class most specifically describing the use applies.*
- 8.2.4 *If a use or development does not readily fit any use class, it must be categorised into the most similar use class.*
- 8.2.5 *If more than one use or development is proposed, each use that is not directly associated with and subservient to another use on the same site must be individually categorised into a use class.*

Table 8.2 includes the following use class:

Use Class	Description
Emergency services	use of land for police, fire, ambulance and other emergency services including storage and deployment of emergency vehicles and equipment. Examples include ambulance station, fire station and police station.

The proposed Emergency Services Facility for Tasmania Fire Service and State Emergency Service is in the use class Emergency Services.

## 10 General Residential Zone

### 10.1 Zone Purpose

#### 10.1.1 Zone Purpose Statements

- 10.1.1.1 *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.*
- 10.1.1.2 *To provide for compatible non-residential uses that primarily serve the local community.*
- 10.1.1.3 *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.*
- 10.1.1.4 *To encourage residential development that respects the neighbourhood character and provides a high standard of residential amenity.*

**Comment:** The proposal is consistent with the zone purpose statement 10.1.1.2.

#### 10.1.2 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.*

**Comment:** The proposal is consistent with the local area objectives.

#### 10.1.3 Desired Future Character Statements

*There are no desired future character statements*

### 10.2 Use Table (as per draft amendment)

No Permit Required	
Use Class	Qualification
Residential	If a single dwelling
Natural and cultural values management	
Passive recreation	
Permitted	
Use Class	Qualification
Residential	If a caretakers dwelling or home-based business If for multiple dwellings, except on CT 152543/1 and CT 159522/1
Utilities	If for minor utilities
Discretionary	
Use Class	Qualification





<i>Business and professional services</i>	<i>If a medical centre</i>
<i>Educational and occasional care</i>	
<i>Food services</i>	<i>If a cafe or takeaway food premises</i> <i>If a Restaurant on the land described in CT 3040/81 (114 Marlborough Street, Longford)</i>
<i>General retail and hire</i>	<i>If for a local shop</i> <i>If a hairdressing salon and the sale of clothing and accessories only on the land described in CT 110036/1 (4 Nile Road, Evandale)</i>
<i>Community meeting &amp; entertainment</i>	<i>If not a cinema or function centre</i>
<i>Emergency Services</i>	<i>If on CT 76398/4 &amp; 5 (176 High Street, Campbell Town); or</i> <i>on folio of the register 14992/1 (17 Church Street, Campbell Town)</i>
<i>Recycling and waste disposal</i>	<i>If on CT 135864/3</i>
<i>Residential</i>	<i>If a boarding house, communal residence, hostel, residential aged care facility, retirement village</i> <i>If on CT 152534/1 retirement village only</i>
<i>Resource development</i>	<i>If on CT 135864/3</i>
<i>Vehicle parking</i>	<i>If on CT 135864/3 and directly associated with the Evandale market</i>
<i>Visitor accommodation</i>	
<i>Utilities</i>	<i>If not for minor utilities</i>
<b>Prohibited</b>	
<i>All other uses</i>	

### 10.3 Use Standards

#### 10.3.1 Amenity

<b>Objective</b>	
To ensure that non-residential uses do not cause an unreasonable loss of amenity to adjoining and nearby residential uses.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
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.
Does not comply – Discretionary use.	The proposal is unlikely to cause or likely to cause an environmental nuisance. The activities will predominantly involve meeting, training and coordination and are not expected to involve significant noise emissions. Emergency services vehicle sirens are unlikely to be used from the site and any external lighting will be baffled and orientated to avoid light spill or glare to nearby properties. It is anticipated that vehicle movements will be low in number and during daytime hours except in the event of a significant emergency. Performance criteria met.
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.
It is anticipated that vehicle movements to the site will generally comply with these hours except for the	Sirens will not be used from the site, with significant out of hours emergency activities expected to be infrequent. The site will be predominantly operated by volunteer members of the local community such that



occasional vehicle movements for emergency events.	operations are likely to be managed to avoid unreasonable disturbance. Performance criteria met.
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.
Does not comply – Discretionary use.	Any external lighting will be minimised, sited and orientated and baffled so as to avoid light spill or glare beyond the boundaries of the site. The proposal will therefore ensure that no unreasonable amenity impact results to nearby properties. Performance criteria met.

### 10.3.2 Residential Character – Discretionary Uses

Objective To ensure that discretionary uses support: a) the visual character of the area; and b) the local area objectives, if any.	
Acceptable Solutions	Performance Criteria
A1 Commercial vehicles for discretionary uses must be parked within the boundary of the property.	P1 No performance criteria.
The proposal is for a public facility and as such will not involve commercial vehicles. The proposal will accommodate all parking within the boundaries of the site.	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.
There are no outdoor storage locations visible from adjacent properties, the road or public land.	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.
All waste will be stored in self contained receptacles in an area that is not visible from the road.	N/a

### 10.4 Development Standards

#### 10.4.1 Residential density for multiple dwellings

N/A – not a multiple dwelling

#### 10.4.2 Setbacks and building envelope for all dwellings

N/A – not a dwelling

#### 10.4.3 Site coverage and private open space for all dwellings

N/A – not a dwelling

#### 10.4.4 Sunlight to private open space of multiple dwellings

N/A – not a multiple dwelling

#### 10.4.5 Width of openings for garages and carports for all dwellings

N/A – not a dwelling

#### 10.4.6 Privacy for all dwellings





N/A – not a dwelling

**10.4.7 Frontage fences for all dwellings**

N/A – not a dwelling

**10.4.8 Waste storage for multiple dwellings**

N/A – not a multiple dwelling

**10.4.9 Storage for multiple dwellings**

N/A – not a multiple dwelling

**10.4.10 Common Property for multiple dwellings**

N/A – not a multiple dwelling

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

N/A – in the Emergency Services use class, not in the Residential Use Class

**10.4.12 Site Services for multiple dwellings**

N/A – not a multiple dwelling

**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.**

N/A – not in the Residential Use Class

**10.4.14 Non Residential Development**

Objective	
To ensure that all non-residential development undertaken in the Residential Zone is sympathetic to the form and scale of residential development and does not affect the amenity of nearby residential properties.	
Acceptable Solutions	Performance Criteria
A1 If for permitted or no permit required uses.	<p>P1 Development must be designed to protect the amenity of surrounding residential uses and must have regard to:</p> <ul style="list-style-type: none"> <li>a) the setback of the building to the boundaries to prevent unreasonable impacts on the amenity, solar access and privacy of habitable room windows and private open space of adjoining dwellings; and</li> <li>b) the setback of the building to a road frontage and if the distance is appropriate to the location and the character of the area, the efficient use of the site, the safe and efficient use of the road and the amenity of residents; and:</li> <li>c) the height of development having regard to: <ul style="list-style-type: none"> <li>i) the effect of the slope of the site on the height of the building; and</li> <li>ii) the relationship between the proposed building height and the height of existing adjacent and buildings; and</li> <li>iii) the visual impact of the building when viewed from the road and from adjoining properties; and</li> <li>iv) the degree of overshadowing and overlooking of adjoining properties; and</li> </ul> </li> <li>d) the level and effectiveness of physical screening by fences or vegetation; and</li> <li>e) the location and impacts of traffic circulation and parking and the need to locate parking away from residential boundaries; and</li> <li>f) the location and impacts of illumination of the site; and</li> <li>g) passive surveillance of the site; and</li> <li>h) landscaping to integrate development with the streetscape.</li> </ul>



Does not comply – Discretionary use.	See comments below. Performance criteria met.
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Development must be designed to protect the amenity of surrounding residential uses and must have regard to:

- *the setback of the building to the boundaries to prevent unreasonable impacts on the amenity, solar access and privacy of habitable room windows and private open space of adjoining dwellings;*

**Comment:** There are no adjacent residential uses and the proposal will therefore not impact on privacy or solar access of any residential property.

- *the setback of the building to a road frontage and if the distance is appropriate to the location and the character of the area, the efficient use of the site, the safe and efficient use of the road and the amenity of residents;*

**Comment:** The proposed setback of 14m from the Church Street frontage is considered to be appropriate to the location and the character of the area, the efficient use of the site, the safe and efficient use of the road and the amenity of residents.

- *the height of development having regard to:*
  - *the effect of the slope of the site on the height of the building; and*
  - *the relationship between the proposed building height and the height of existing adjacent buildings; and*
  - *the visual impact of the building when viewed from the road and from adjoining properties; and*
  - *the degree of overshadowing and overlooking of adjoining properties; and*

**Comment:** The proposed height is 6.1m. The height is modest and comparable to the height of nearby residential buildings. The height together with the significant setback from the frontage boundary means that the building will not have an adverse visual impact when viewed from the road and adjoining properties.

- *the level and effectiveness of physical screening by fences or vegetation; and*

**Comment:** Landscaping is proposed but will not have much effect in providing screening of the building. The 1500mm high screen and screen landscaping proposed between the building and the street will however soften the appearance of the site.

- *the location and impacts of traffic circulation and parking and the need to locate parking away from residential boundaries;*

**Comment:** The site has been laid out so that guest parking is provided at the front and the remainder of operational parking within the building or at the rear of the site away from residential properties. Any impact on traffic circulation and parking will therefore be minimised.

- *the location and impacts of illumination of the site;*

**Comment:** Any external lighting will be minimised, sited, orientated and baffled to avoid light spill or glare beyond the boundaries of the site. It will therefore ensure that no unreasonable amenity impacts result to nearby properties.

- *passive surveillance of the site; and*

**Comment:** The development has been designed to allow for passive surveillance of the site.

- *landscaping to integrate development with the streetscape*

**Comment:** The proposal includes landscaped screening between the building, parking areas and the street to soften the appearance of the development.



#### 10.4.15 Subdivision

N/A – not a subdivision

CODES	
E1.0 Bushfire Prone Areas Code	N/A – subject proposal is not for a vulnerable use, hazardous use or subdivision.
E2.0 Potentially Contaminated Land	N/A
E3.0 Landslip Code	N/A
E4.0 Road & Railway Assets Code	Complies – see code assessment below
E5.0 Flood Prone Areas Code	N/A
E6.0 Car Parking & 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 & Open Space Code	N/A
E11.0 Environmental Impacts & Attenuation Code	N/A
E12.0 Airports Impact Management Code	N/A
E13.0 Local Historic Heritage Code	N/A
E14.0 Coastal Code	N/A
E15.0 Signs Code	Complies – see code assessment below

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

##### E4.1 Purpose of Code

E4.1.1 The purpose of this provision is to:

- a) ensure that use or development on or adjacent to a road or railway will not compromise the safety and efficiency of the road or rail network; and
- b) maintain opportunities for future development of road and rail infrastructure; and
- c) reduce amenity conflicts between roads and railways and other use or development.

##### E4.2 Application of Code

E4.2.1 This code applies to use or development of land that:

- a) requires a new access, junction or level crossing; or
- b) intensifies the use of an existing access, junction or level crossing; or
- c) involves a sensitive use, a building, works or subdivision on or within 50 metres of a railway or land shown in this planning scheme as:
  - i) a future road or railway; or
  - ii) a category 1 or 2 road where such road is subject to a speed limit of more than 60 kilometres per hour.

##### E4.3. Definition of Terms

E4.3.1 In this code, unless the contrary intention appears:

Category 1 – Trunk Road	means as defined in <i>Tasmania State Road Hierarchy (DIER, 2007)</i>
Category 2 – Regional Freight Route	means as defined in <i>Tasmania State Road Hierarchy (DIER, 2007)</i>
Category 3 – Regional Access Road	means as defined in <i>Tasmania State Road Hierarchy (DIER, 2007)</i>
Category 4 – Feeder Road	means as defined in <i>Tasmania State Road Hierarchy (DIER, 2007)</i>
Category 5 – Other Road	means as defined in <i>Tasmania State Road Hierarchy (DIER, 2007)</i>

Future road or railway means a future road or railway shown on the plans of this planning scheme.

Junction means an intersection of two or more roads at a common level, including intersections of on and off ramps and grade-separated roads.



Limited access road means a road proclaimed as limited access under Section 52A of the *Roads and Jetties Act 1935*.

#### **E4.4 Use or development exempt from this Code**

E4.4.1 There are no exemptions from this Code.

#### **E4.5 Requirements for a Traffic Impact Assessment (TIA)**

E4.5.1 A TIA is required to demonstrate compliance with performance criteria.

E4.5.2 A TIA for roads must be undertaken in accordance with *Traffic Impact Assessment Guidelines*, Department of Infrastructure, Energy and Resources September 2007. Australian Guidelines and Australian Standards are to be used as the basis for any required road or junction design.

E4.5.3 A TIA must be accompanied by written advice as to the adequacy of the TIA from the:

- a) road authority in respect of a road; and
- b) rail authority in respect of a railway.

E4.5.4 The Council must consider the written advice of the relevant authority when assessing an application which relies on performance criteria to meet an applicable standard

#### **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 – not a sensitive use.	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 – Less Than 40 vehicle entry and exit movements per day are expected.	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 – speed limit of 50km/h	N/A

#### E4.7 Development Standards

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

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

##### E4.7.2 Management of Road Accesses and Junctions

<p><b>Objective</b></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>
<p>The proposal separates visitor and operational vehicles with two accesses and must therefore be assessed under P1.</p>	<p>The proposed separate visitor and operational accesses are an appropriate response to manage safety for all road users including pedestrians and cyclists. Church Street is a low traffic environment, and it is considered that the proposed access arrangements will function safely. Performance criteria met.</p>
<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</p>



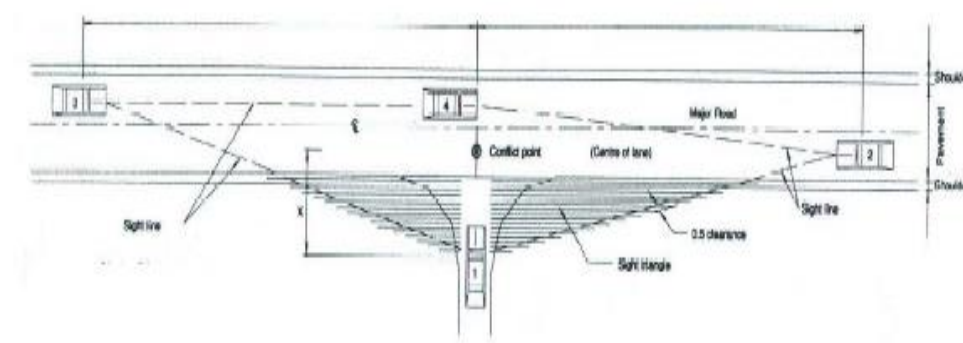
	<p>be via an existing access or junction or the development must provide a significant social and economic benefit to the State or region; and</p> <p>b) any increase in use of an existing access or junction or development of a new access or junction to a limited access road or a category 1, 2 or 3 road 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><b>Objective</b> 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

<p><b>Objective</b> 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.</p>	
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)**

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

**Notes:**

- Vehicle speed is the actual or recorded speed of traffic passing along the road and is the speed at or below which 85% of passing vehicles travel.
- For safe intersection sight distance (SISD):
  - All sight lines (driver to object vehicle) are to be between points 1.2 metres above the road and access surface at the respective vehicle positions with a clearance to any sight obstruction of 0.5 metres to the side and below, and 2.0 metres above all sight lines;
  - These sight line requirements are to be maintained over the full sight triangle for vehicles at any point between positions 1, 2 and 3 in Figure E4.7.4 and the access junction;
  - A driver at position 1 must have sight lines to see cars at any point between the access and positions 3 and 2 in Figure E4.7.4;
  - A driver at any point between position 3 and the access must have sight lines to see a car at position 4; and
  - A driver at position 4 must have sight lines to see a car at any point between position 2 and the access.

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

**E6.6 Use Standards**

**E6.6.1 Car Parking Numbers**

Objective: To ensure that an appropriate level of car parking is provided to service use.			
Acceptable Solutions		Performance Criteria	
A1	The number of car parking spaces must not be less than the requirements of:	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)	the availability of public car parking spaces within reasonable walking distance; and





b) a parking precinct plan contained in Table E6.6: Precinct Parking Plans (except for dwellings in the General Residential Zone).	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.
<b>Comment:</b> The scheme does not provide a required number of parking spaces for Emergency Services. It is proposed to provide 26 spaces.	N/a

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

Use	Parking Requirement	
	Vehicle	Bicycle
<b>Emergency Services</b>	-	-

#### E6.6.2 Bicycle Parking Numbers

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

Acceptable Solutions	Performance Criteria
A1.1 Permanently accessible bicycle parking or storage spaces must be provided either on the site or within 50m of the site in accordance with the requirements of Table E6.1; or A1.2 The number of spaces must be in accordance with a parking precinct plan contained in Table E6.6: Precinct Parking Plans.	P1 Permanently accessible bicycle parking or storage spaces must be provided having regard to the: a) likely number and type of users of the site and their opportunities and likely preference for bicycle travel; and b) location of the site and the distance a cyclist would need to travel to reach the site; and c) availability and accessibility of existing and planned parking facilities for bicycles in the vicinity.
<b>Comment:</b> Complies. The scheme does not provide a required number of bicycle parking spaces.	N/A

#### E6.6.3 Taxi Drop-off and Pickup

Objective: To ensure that access for taxis is provided to meet the needs of the use.	
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.
<b>Comment:</b> No taxi drop-off or pickup spaces are required.		N/a	

#### E6.6.4 Motorcycle Parking Provisions

Objective: To ensure that motorcycle parking is provided to meet the needs of the use.			
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.
<b>Comment:</b> No motorbike parking spaces are required.		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.
<b>Comment:</b> Does not comply – gravel access and parking.		<b>Comment:</b> The proposed access and parking areas will be designed to meet Australian Standards, drained and sealed with compacted gravel. All car parking spaces, will be readily identifiable.	

##### 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: a) the layout of the site and the location of existing buildings; 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.	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.
<b>Comment:</b> Does not comply, the proposed visitor/guest parking area for 11 spaces will be sited forward of the building line.		<b>Comment:</b> The proposed visitor/guest parking area in front of the building is considered acceptable. a) The site has been designed to separate visitor parking and traffic from operation movements and staff parking. This requires two separate accesses and requires the visitor parking to be in front of the building.	



		b)	The front setback will include a 1.5m high screen and landscaped screen planting to soften the appearance of the parking area from the street.
		c)	It is not possible nor desirable to site the visitor parking area behind the building.
		d)	The site is located between the cemetery and showgrounds and therefore there is no established pattern of parking in the vicinity.
		e)	The proposal includes landscaped front setback that will largely attribute to screening and softening the appearance of the parking when viewed from the street.
		Performance criteria met.	
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: Complies		N/a	

**Table E6.2: Access Widths for Vehicles**

<b>Number of parking spaces served</b>	<b>Access width (see note 1)</b>	<b>Passing bay (2.0m wide by 5.0m long plus entry and exit tapers) (see note 2)</b>
6 to 20	4.5* for initial 7m from road carriageway and 3.0m thereafter	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.			
<b>Acceptable Solutions</b>		<b>Performance Criteria</b>	
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.
<b>Comment:</b> N/a – less than 20 spaces in any single car parking area.		N/a	

### E6.7.4 Parking for Persons with a Disability

Objective: To ensure adequate parking for persons with a disability.			
<b>Acceptable Solutions</b>		<b>Performance Criteria</b>	
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.
<b>Comment:</b> Complies - One space is proposed and is located adjacent to the main entry.	N/a
A2 Accessible car parking spaces for use by persons with disabilities must be designed and constructed in accordance with AS/NZ2890.6 – 2009 Parking facilities – Off-street parking for people with disabilities.	P2 No performance criteria.
<b>Comment:</b> Complies – the proposal has been set out to comply with the Australian Standard.	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
A1 For retail, commercial, industrial, service industry or warehouse or storage uses: a) at least one loading bay must be provided in accordance with Table E6.4; and b) loading and bus bays and access strips must be designed in accordance with <i>Australian Standard AS/NZS 2890.3 2002</i> for the type of vehicles that will use the site.	P1 For retail, commercial, industrial, service industry or warehouse or storage uses adequate space must be provided for loading and unloading the type of vehicles associated with delivering and collecting people and goods where these are expected on a regular basis.
<b>Comment:</b> N/A	<b>Comment:</b> N/A

#### E6.8 Provisions for Sustainable Transport

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

Not used in this planning scheme

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

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



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.		
N/a – No bicycle parking is being provided.		N/a	

#### E6.8.5 Pedestrian Walkways

Objective: To ensure pedestrian safety is considered in development			
<b>Acceptable Solution</b>		<b>Performance Criteria</b>	
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.
<b>Comment:</b> Table E6.5 requires a 1m wide footpath for carparks that require 11 or more spaces. In this case a separate footway is provided from the front boundary to the main entry. Proposal complies.		N/a	

**Table E6.5: Pedestrian Access**

<b>Number of Parking Spaces Required</b>	<b>Pedestrian Facility</b>
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.

#### SIGNS CODE

The proposal involves a modest free standing sign “Tasmania Fire Service & State Emergency Service Campbell Town” at the frontage measuring 1200mm high x 3000mm wide. This is considered to be defined as an ‘other’ sign – any sign not listed in the signs code.

<b>Other Sign</b>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
A34 No acceptable solution	<p>P34 Other signs can be located in any zone except the General Residential Zone and the Low Density Residential Zone, provided it can be shown that:</p> <ul style="list-style-type: none"> <li>a) no other form of permitted signage will meet the needs of the proprietor; and</li> <li>b) the sign does not dominate the streetscape and reflects the prevailing character of the area, in terms of shape, proportions and colours; and</li> <li>c) it does not conflict with the Zone Purpose as outlined in Part D of this planning scheme.</li> </ul> <ul style="list-style-type: none"> <li>a) be sympathetic to the architectural character and detailing of the building; and</li> <li>b) be of appropriate dimensions so as not to dominate the streetscape or premises on which it is located; and</li> <li>c) not result in loss of amenity to neighbouring properties; and</li> </ul>



	<p>d) not involve the unnecessary repetition of messages or information on the same street frontage; and</p> <p>e) not contribute to or exacerbate visual clutter; and</p> <p>f) not cause a safety hazard or obstruct movement of anyone inside or outside the associated building; and</p> <p>d) not distract motorists as a result of size, illumination or movement.</p>
-	The proposed sign complies with the performance criteria.

#### SPECIFIC AREA PLANS

F1.0 Translink Specific Area Plan	N/A
F2.0 Heritage Precincts Specific Area Plan	N/A

#### REFERRALS

Council's Works and Infrastructure Department has provided the attached conditions, noting the concerns raised by Council's consultant hydrologist below:

*The designers have provided a proposal for mostly on-site stormwater disposal on the General Residentially zoned block. This relies on stormwater generated on the development, which is more of an industrial scale than residential, discharging to a detention basin and to infiltration beds. For a scale of development this size a connection to the formal stormwater system would normally be required. The only stormwater system in the area, however, is some nominal roadside shaping on the southern side of Church Street might be considered a drain. Unfortunately, the property slopes downhill away from the road.*

*The soil profile appears to be sandy, and as such could be expected to allow infiltration of concentrated stormwater in a relatively fast manner, the proposal is not without risks. These are:*

- In the designer's calculations a generic saturated soil permeability has been assumed, while it is likely to be suitable, this permeability rate was used to determine the required size of the detention and infiltration. If the permeability is actually lower than assumed, the proposed arrangement will be undersized.*
- While the soil is sand and should allow fast infiltration, it may not always be the case. For example, if the sand layer is prone to seasonal saturation from other ground water sources then it would not allow the high infiltration rates at all times. It is noted that at approximately 1.2m depth in the soil profile there is a high plasticity clay, which will prevent the downward migration of groundwater below this depth.*
- Given the proposal of the site, mains water use is extremely likely for washdown of vehicles and plant, and potentially for training purposes. Any runoff from this use will likely enter the detention/infiltration system. It is not known what volumes of operational water will enter the proposed systems, or if they will enter the sewage system.*
- Infiltration systems are prone to failure if they are not properly maintained. Runoff of hardstand, and from washdown water is likely to contain sediment, nutrients and other contaminants. This material should be removed or treated before entering the system. Sediment in particular, entering the infiltration system, will eventually lead to blockage and failure. Gross pollutants may enter the detention basin, causing it to overflow into the neighbouring property, if not removed. As such appropriate pre-treatment needs to be provided, and an Operation and Maintenance Manual adopted, which ensures any system is properly operated and maintained is critical in preventing failure.*
- It is proposed that infiltration at the top of the site will overflow into the roadside drain in the 1% AEP event. The Operations Manager has suggested this drain is just the land beside the road, rather than part of the stormwater system, and as such may not be appropriate. This could be overcome, if necessary, by shaping/forming of the drain*

*If any of the above items in not properly considered there is the potential for the detention/infiltration system to fail and cause a nuisance. If the proposal was for a residential dwelling on the residential lot this overall risk of failure of system resulting in nuisance to adjacent owners would be low. This proposed development is unique in that it is more similar to an industrial site, which larger impervious surfaces discharging the system, and therefore the potential risk is greater. The alternative to an infiltration system would be for stormwater to be collected and*



*pumped back to the roadside drain, once any upgrades to the drain had been completed, or pumped to a new pipe which would have to be constructed in Church Street, from the site 170m east to Glenelg Street.*

TasWater provided a Submission to Planning Authority Notice (TWDA 2021/01946-NMC Dated 19/11/2021).

## ATTACHMENTS

1. Application form [14.1.1 - 4 pages]
2. Section 43 A Planning Report Campbell Town Colocation with plans [14.1.2 - 47 pages]
3. Request for Further Information [14.1.3 - 1 page]
4. Response to RFI - rare engineering - 3 December 2021 [14.1.4 - 11 pages]
5. Response to RFI - rare engineering - 18 February 2022 [14.1.5 - 15 pages]
6. Site Classification and Stormwater Disposal Evaluation Geoton 20 July 2021 [14.1.6 - 21 pages]
7. Works & Infrastructure Referral Response [14.1.7 - 5 pages]
8. Tas Water SPAN - DA 2021-01949- NMC [14.1.8 - 3 pages]
9. Tas Networks response and requirements [14.1.9 - 3 pages]

## RECOMMENDATION

- 1 That Council, under section 34 (1) (former provisions) of the Land Use Planning and Approvals Act 1993, initiate Draft Scheme Amendment 04-2021 to the Northern Midlands Interim Planning Scheme 2013 as follows:

- Amend Clause 10.2 Use Table by placing the following in the Discretionary category:

Discretionary	
Use Class	Qualification
Emergency Services	If on CT 76398/4 & 5 (176 High Street, Campbell Town); or on folio of the register 14992/1 (17 Church Street, Campbell Town)

- 2 That Council, acting as the Planning Authority, pursuant to section 35(1), former provisions, of the *Land Use Planning and Approvals Act* resolve to certify Planning Scheme Amendment 04/2021, to the Northern Midlands Interim Planning Scheme 2013 as meeting the requirements specified in Section 32, former provisions.
- 3 That pursuant to section 38, former provisions, of the *Land Use Planning and Approvals Act 1993*, the planning authority places the draft amendment on public exhibition for 28 days.
- 4 That, pursuant to section 43F (1), former provisions, of the *Land Use Planning and Approvals Act 1993*, the Planning Authority, resolve to grant planning permit PLN21-0301, to develop and use the land at 17 Church Street, Campbell Town, for Emergency Services (Co-located Emergency Services Facility), in accordance with application PLN-21-0301 and subject to the following conditions:

### 1 LAYOUT NOT ALTERED

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

- P1 m architecture drawing DA.1 Site Plan, 08.10.2021
- P2 m architecture drawing DA.2 General Arrangement Plan, 08.10.2021
- P3 m architecture drawing DA.3 GA Plan North, 08.10.2021
- P4 m architecture drawing DA.4 GA Plan South, 08.10.2021
- P5 m architecture drawing DA.5 Elevations Sheet 1, 08.10.2021
- P6 m architecture drawing DA.6 Elevations Sheet 2, 08.10.2021
- P7 m architecture drawing DA.7 3D + Materials, 08.10.2021
- E1 – E7 rare engineering drawings COV, C000, C101, C201, C301, C401, C411, C421, C422, C701, dated 28-10-21
- S1 rare engineering letter dated 18<sup>th</sup> February 2022 and attachments.
- S2 Site Classification and Stormwater Disposal Evaluation, Geoton, 20 July 2021.





## 2 COUNCIL'S WORKS AND INFRASTRUCTURE CONDITIONS

### 2.1 Stormwater

- a) Concentrated stormwater must not be discharged into neighbouring properties
- b) Landscaping and hardstand areas must not interfere with natural stormwater run-off from neighbouring properties.
- c) Prior to the issue of any approval under the Building Act 2016 or the commencement of work on the site (whichever occurs first), amended plans must be provided showing:
  - (i) all roofs that are capable of effectively draining to the kerb via charged connections, do drain to the kerb via a charged connection; and
  - (ii) hardstand areas and roofs unable to drain to the kerb via charged connection, are drained to a pumped stormwater system with combined effective storage design to cater for the range 20 year AEP event durations and otherwise designed and installed in accordance with AS3500.3:2018.

These amended plans must be approved by Council's Works and Infrastructure Department.

- d) The amended plans must be accompanied by a detailed design of the pumped stormwater system prepared by a suitably qualified person which clearly shows:
  - (i) that the capacity of the pumped system is to be achieved by a combination of pump capacity and wet well storage between the high and low working levels in the wet well;
  - (ii) that the combined effective storage comprising of the volume to be able to be pumped in 30 minutes plus the wet well storage shall not be less than the volume from the storm of ARI = 20 years and duration of 120 minutes
  - (iii) that the minimum wet well storage between the high and low working levels, expressed in m<sup>3</sup>, shall be 1% of the catchment area in m<sup>2</sup>; in any case it shall be not less than 3 m<sup>3</sup>;
  - (iv) that the combined effective storage design is sufficient to cater for the range of 20 year AEP events;
  - (v) that maximum pumped outflows to the kerb are 20 L/s or less
  - (vi) that the capacity of the kerb is not exceeded by pumped outflows, taking into account the existing catchment which flows to the kerb; and
  - (vii) that stormwater to be discharged to the kerb is at a maximum 45-degree angle in the direction of flow.

The detailed design must be approved by Council's Works and Infrastructure Department prior to the issue of any approval under the Building Act 2016 or the commencement of work on the site (whichever occurs first).

- e) Prior to the commencement of the use, an 'Operation and Maintenance Manual' for the pumped stormwater system must be prepared by a suitably qualified person and provided to and approved by Council's Works and Infrastructure Department. The Operation and Maintenance Manual must:
  - (i) provide a detailed description of the pumped stormwater system as well as the components included in the system covered in the manual;
  - (ii) provide a comprehensive detailed explanation of all major operating procedures to ensure that the pumped system works as designed;
  - (iii) detail the preventive and corrective maintenance programs that must be adopted to ensure the system is in a proper working order, including maintenance schedules, procedures and test requirements; and
  - (iv) include 'as constructed' drawings of the pump and storage system as an annexure to the Operation and Maintenance Manual.
- f) A plumbing permit is required prior to commencing any plumbing or civil works within the property.

### 2.2 Access

- a) A concrete driveway crossover and apron must be constructed for each dwelling from the edge of the road to the property boundary in accordance with Council standards.
- b) Access works must not commence until an application for vehicular crossing has been approved by Council.
- c) All works must be done in accordance with Council Standard Drawing TSD-R09 and to the satisfaction of the Works Manager.

### 2.3 Municipal standards & approvals

Unless otherwise specified within a condition, all works must comply with the Municipal Standards including specifications and standard drawings. All works must be constructed to the satisfaction of Council. Where works are required to be designed prior to construction, such designs and specifications must be approved by Council prior to commencement of any *in situ* works.



#### 2.4 Works in Council road reserve

- a) 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.
- b) 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.

#### 2.5 Pollutants

- a) The developer/property owner must ensure that pollutants such as mud, silt or chemicals are not released from the site.
- b) Prior to the commencement of 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.

#### 2.6 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.

#### 2.7 Part 5 Agreement

- (a) Prior to the commencement of the use, the landowner must enter into an agreement under Part 5 of the *Land Use Planning and Approvals Act 1993* with the Northern Midlands Council.
- (b) The agreement referred to in condition 0(a) will be in such form as Council may require at its discretion, and must include the following:
  - (i) that the landowner acknowledges that the property relies on a pumped stormwater system and that the purpose of the pumped stormwater system is to service and control the concentrated discharge of stormwater from any structures on the property which are not connected by gravity or charged pipes to Council's stormwater system.
  - (ii) that the landowner is responsible for the ongoing operation and maintenance of the pump and stormwater storage system;
  - (iii) that the landowner must operate and maintain the pumped stormwater system in accordance with the Operation and Maintenance Manual following its submission to and approval by the Council's Works and Infrastructure Department as required by condition e) of this permit;
  - (iv) annex a copy of the approved Operation and Maintenance Manual as required by condition e) of this permit to the Agreement.
  - (v) that the landowner must provide a report to the Council on or before 30 June every 12 month period, from a suitably qualified person confirming that the pumped stormwater system is in working order and that the maintenance procedures and maintenance schedules described within the Operation and Maintenance Manual have been complied with.
  - (vi) that the landowner must rectify any nuisance caused by the concentrated discharge of stormwater from the pumped stormwater system, to Council's requirements and at the owner's expense, within 14 days of Council giving notice of the requirement to do so.
  - (vii) That the failure by the landowner to comply with a term or condition set out in the agreement allows the Council to undertake that work, with the costs of doing so to be a debt due and payable by the landowner to the Council.

The landowner is responsible for all Council and Land Titles Office costs, fees and charges associated with the preparation and lodgement of the Part 5 agreement.

### **3 TASWATER CONDITIONS**

Sewer and water services must be provided in accordance with TasWater's Submission to Planning Authority Notice (reference number TWDA 2021/01949-NMC) attached as Appendix A.

### **4 LIGHTING**

Outdoor lighting must be designed, baffled and located to prevent any adverse effect on adjoining land.





## 5 CARPARKING

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

## 6 LANDSCAPING

- 6.1 Prior to the commencement of the use, landscaping works as shown on the endorsed plans must be completed.
- 6.2 The landscaping shown on the endorsed plans must be maintained including the replacement of any dead, diseased or damaged plants.

## MINUTE NO. 22/98

### DECISION

Deputy Mayor Goss/Cr Goninon

- 1 That Council, under section 34 (1) (former provisions) of the Land Use Planning and Approvals Act 1993, initiate Draft Scheme Amendment 04-2021 to the Northern Midlands Interim Planning Scheme 2013 as follows:

- Amend Clause 10.2 Use Table by placing the following in the Discretionary category:

Discretionary	
Use Class	Qualification
Emergency Services	If on CT 76398/4 & 5 (176 High Street, Campbell Town); or on folio of the register 14992/1 (17 Church Street, Campbell Town)

- 2 That Council, acting as the Planning Authority, pursuant to section 35(1), former provisions, of the *Land Use Planning and Approvals Act* resolve to certify Planning Scheme Amendment 04/2021, to the Northern Midlands Interim Planning Scheme 2013 as meeting the requirements specified in Section 32, former provisions.
- 3 That pursuant to section 38, former provisions, of the *Land Use Planning and Approvals Act 1993*, the planning authority places the draft amendment on public exhibition for 28 days.
- 4 That, pursuant to section 43F (1), former provisions, of the *Land Use Planning and Approvals Act 1993*, the Planning Authority, resolve to grant planning permit PLN21-0301, to develop and use the land at 17 Church Street, Campbell Town, for Emergency Services (Co-located Emergency Services Facility), in accordance with application PLN-21-0301 and subject to the following conditions:

### 1 LAYOUT NOT ALTERED

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

- P1 m architecture drawing DA.1 Site Plan, 08.10.2021
- P2 m architecture drawing DA.2 General Arrangement Plan, 08.10.2021
- P3 m architecture drawing DA.3 GA Plan North, 08.10.2021
- P4 m architecture drawing DA.4 GA Plan South, 08.10.2021
- P5 m architecture drawing DA.5 Elevations Sheet 1, 08.10.2021
- P6 m architecture drawing DA.6 Elevations Sheet 2, 08.10.2021
- P7 m architecture drawing DA.7 3D + Materials, 08.10.2021
- E1 – E7 rare engineering drawings COV, C000, C101, C201, C301, C401, C411, C421, C422, C701, dated 28-10-21
- S1 rare engineering letter dated 18<sup>th</sup> February 2022 and attachments.
- S2 Site Classification and Stormwater Disposal Evaluation, Geoton, 20 July 2021.

### 2 COUNCIL'S WORKS AND INFRASTRUCTURE CONDITIONS

#### 2.1 Stormwater

- a) Concentrated stormwater must not be discharged into neighbouring properties



- b) Landscaping and hardstand areas must not interfere with natural stormwater run-off from neighbouring properties.
- c) Prior to the issue of any approval under the Building Act 2016 or the commencement of work on the site (whichever occurs first), amended plans must be provided showing:
  - (i) all roofs that are capable of effectively draining to the kerb via charged connections, do drain to the kerb via a charged connection; and
  - (ii) hardstand areas and roofs unable to drain to the kerb via charged connection, are drained to a pumped stormwater system with combined effective storage design to cater for the range 20 year AEP event durations and otherwise designed and installed in accordance with AS3500.3:2018.These amended plans must be approved by Council's Works and Infrastructure Department.
- d) The amended plans must be accompanied by a detailed design of the pumped stormwater system prepared by a suitably qualified person which clearly shows:
  - (i) that the capacity of the pumped system is to be achieved by a combination of pump capacity and wet well storage between the high and low working levels in the wet well;
  - (ii) that the combined effective storage comprising of the volume to be able to be pumped in 30 minutes plus the wet well storage shall not be less than the volume from the storm of ARI = 20 years and duration of 120 minutes
  - (iii) that the minimum wet well storage between the high and low working levels, expressed in m<sup>3</sup>, shall be 1% of the catchment area in m<sup>2</sup>; in any case it shall be not less than 3 m<sup>2</sup>;
  - (iv) that the combined effective storage design is sufficient to cater for the range of 20 year AEP events;
  - (v) that maximum pumped outflows to the kerb are 20 L/s or less
  - (vi) that the capacity of the kerb is not exceeded by pumped outflows, taking into account the existing catchment which flows to the kerb; and
  - (vii) that stormwater to be discharged to the kerb is at a maximum 45-degree angle in the direction of flow.The detailed design must be approved by Council's Works and Infrastructure Department prior to the issue of any approval under the Building Act 2016 or the commencement of work on the site (whichever occurs first).
- e) Prior to the commencement of the use, an 'Operation and Maintenance Manual' for the pumped stormwater system must be prepared by a suitably qualified person and provided to and approved by Council's Works and Infrastructure Department. The Operation and Maintenance Manual must:
  - (i) provide a detailed description of the pumped stormwater system as well as the components included in the system covered in the manual;
  - (ii) provide a comprehensive detailed explanation of all major operating procedures to ensure that the pumped system works as designed;
  - (iii) detail the preventive and corrective maintenance programs that must be adopted to ensure the system is in a proper working order, including maintenance schedules, procedures and test requirements; and
  - (iv) include 'as constructed' drawings of the pump and storage system as an annexure to the Operation and Maintenance Manual.
- f) A plumbing permit is required prior to commencing any plumbing or civil works within the property.

## 2.2 Access

- a) A concrete driveway crossover and apron must be constructed for each dwelling from the edge of the road to the property boundary in accordance with Council standards.
- b) **Access works must not commence** until an application for vehicular crossing has been approved by Council.
- c) All works must be done in accordance with Council Standard Drawing **TSD-RO9** and to the satisfaction of the Works Manager.

## 2.3 Municipal standards & approvals

Unless otherwise specified within a condition, all works must comply with the Municipal Standards including specifications and standard drawings. All works must be constructed to the satisfaction of Council. Where works are required to be designed prior to construction, such designs and specifications must be approved by Council prior to commencement of any *in situ* works.

## 2.4 Works in Council road reserve

- a) **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.



- b) 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.

#### 2.5 Pollutants

- a) The developer/property owner must ensure that pollutants such as mud, silt or chemicals are not released from the site.
- b) **Prior to the commencement of 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.

#### 2.6 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.

#### 2.7 Part 5 Agreement

- (a) Prior to the commencement of the use, the landowner must enter into an agreement under Part 5 of the *Land Use Planning and Approvals Act 1993* with the Northern Midlands Council.
- (b) The agreement referred to in condition 6(a) will be in such form as Council may require at its discretion, and must include the following:
  - (i) that the landowner acknowledges that the property relies on a pumped stormwater system and that the purpose of the pumped stormwater system is to service and control the concentrated discharge of stormwater from any structures on the property which are not connected by gravity or charged pipes to Council's stormwater system.
  - (ii) that the landowner is responsible for the ongoing operation and maintenance of the pump and stormwater storage system;
  - (iii) that the landowner must operate and maintain the pumped stormwater system in accordance with the Operation and Maintenance Manual following its submission to and approval by the Council's Works and Infrastructure Department as required by condition 3.1(c) of this permit;
  - (iv) annex a copy of the approved Operation and Maintenance Manual as required by condition 3.1(c) of this permit to the Agreement.
  - (v) that the landowner must provide a report to the Council on or before 30 June every 12 month period, from a suitably qualified person confirming that the pumped stormwater system is in working order and that the maintenance procedures and maintenance schedules described within the Operation and Maintenance Manual have been complied with.
  - (vi) that the landowner must rectify any nuisance caused by the concentrated discharge of stormwater from the pumped stormwater system, to Council's requirements and at the owner's expense, within 14 days of Council giving notice of the requirement to do so.
  - (vii) that the failure by the landowner to comply with a term or condition set out in the agreement allows the Council to undertake that work, with the costs of doing so to be a debt due and payable by the landowner to the Council.

The landowner is responsible for all Council and Land Titles Office costs, fees and charges associated with the preparation and lodgement of the Part 5 agreement.

### **3 TASWATER CONDITIONS**

Sewer and water services must be provided in accordance with TasWater's Submission to Planning Authority Notice (reference number TWDA 2021/01949-NMC) attached as Appendix A.

### **4 LIGHTING**

Outdoor lighting must be designed, baffled and located to prevent any adverse effect on adjoining land.

### **5 CARPARKING**

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



**6 LANDSCAPING**

- 6.1 Prior to the commencement of the use, landscaping works as shown on the endorsed plans must be completed.
- 6.2 The landscaping shown on the endorsed plans must be maintained including the replacement of any dead, diseased or damaged plants.

Carried

Voting for the Motion:

Mayor Knowles, Deputy Mayor Goss, Cr Adams, Cr Calvert, Cr Davis, Cr Goninon, Cr Lambert and Cr Polley

Voting Against the Motion:

Cr Brooks



## 14.2 PLN21-0323: 87 BULWER STREET & BULWER STREET, CATHERINE STREET, LEWIS STREET & BURGHLEY STREET ROAD RESERVES, LONGFORD

Responsible Officer: Des Jennings, General Manager  
Report prepared by: Paul Godier, Senior Planner

### 1 INTRODUCTION

This report assesses an application for a 28 lot subdivision, new cul-de-sac and service infrastructure at 87 Bulwer Street and Bulwer Street, Catherine Street, Lewis Street and Burghley Street road reserves, Longford.

### 2 BACKGROUND

**Applicant:**

Woolcott Surveys

**Zone:**

General Residential  
Partly Rural Resource zone – half of Burghley Street and Lewis Street

**Classification under the Scheme:**

Subdivision

**Deemed Approval Date:**

26 March 2022

**Owner:**

Dell Farm Pty Ltd and Northern Midlands Council

**Codes:**

Bushfire Prone Areas Code  
Road and Railway Assets Code,  
Carparking and Sustainable Transport Code  
Recreation and Open Space Code

**Existing Use:**

Vacant

**Recommendation:**

Approve with conditions

**Discretionary Aspects of the Application:**

- Reliance on performance criteria for the creation of a new road (clauses 10.4.15.5, 10.4.15.6, and 10.4.15.7 of the General Residential Zone).
- Reliance on performance criteria of the Bushfire Prone Areas Code (clauses E1.6.1 Provision of hazard management areas and E1.6.2 Public and fire fighting access).
- Reliance on performance criteria of the Road and Railway Assets Code (E4.6.1 for the generation of more than 40 vehicle movements per day and E4.7.2 for the creation of a new junction with Catherine Street).

**Planning Instrument:**

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

**Preliminary Discussion**

Prior to the application becoming valid, additional information was requested from the applicant (see attached).



**^ Image 1 - Subject Site from the corner of Catherine Street and Lewis Street West**



### 3 STATUTORY REQUIREMENTS

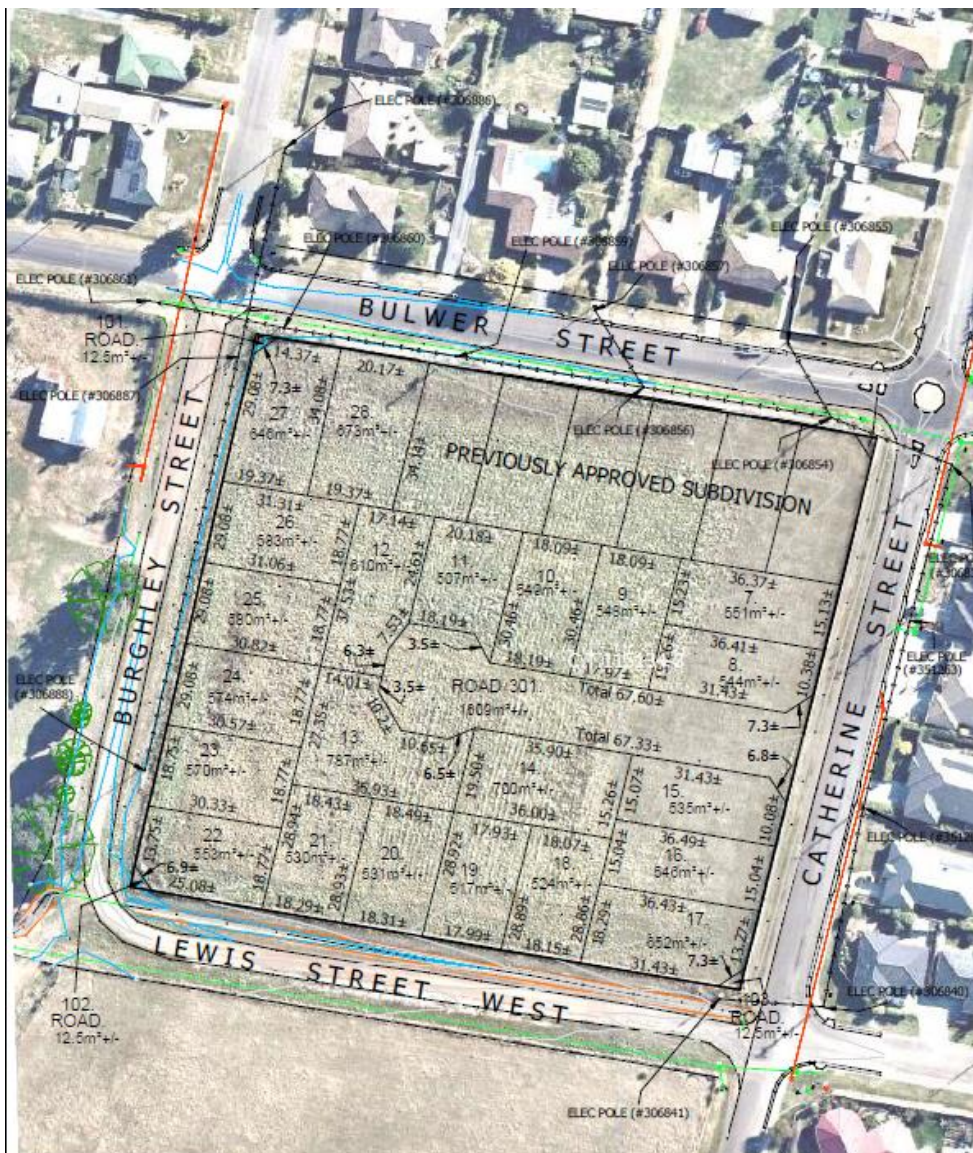
The proposal is an application pursuant to section 57 of the *Land Use Planning & Approvals Act 1993* (i.e. a discretionary application). Section 48 of the *Land Use Planning & Approvals Act 1993* requires the Planning Authority to observe and enforce the observance of the Planning Scheme. Section 51 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 28 lots ranging from 507m2 to 787m2.
- Create a new cul-de-sac off Catherine Street.
- Install new water, sewer and stormwater infrastructure.



***^Image 2 - Proposed Plan of Subdivision***

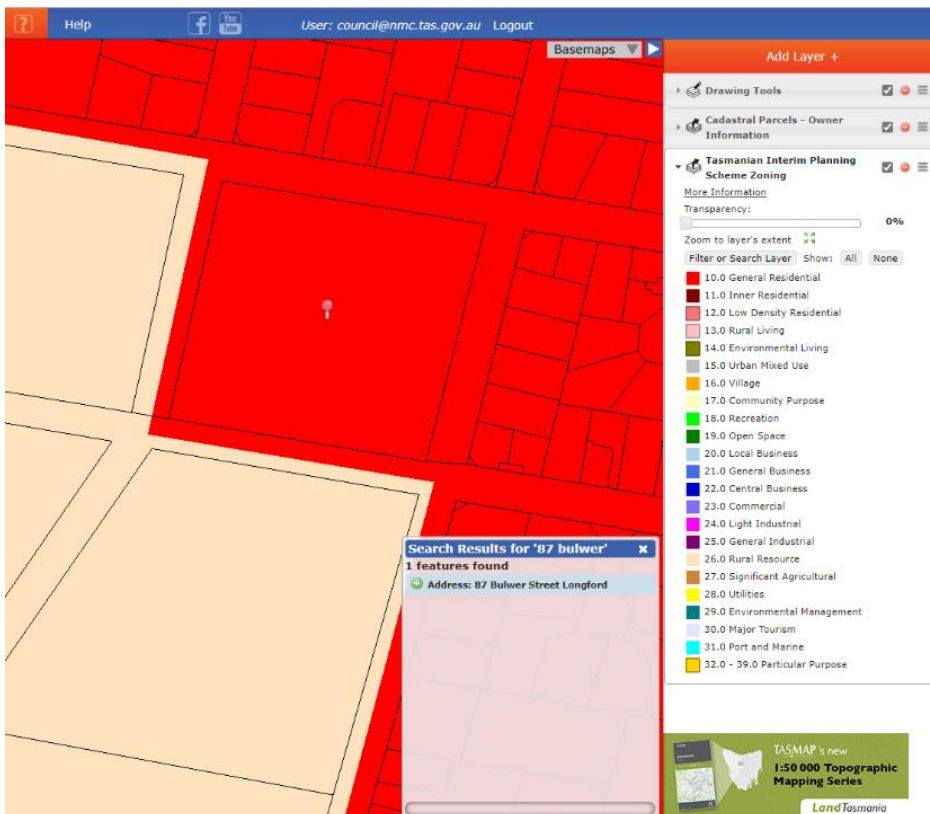




^Image 3 - Approved Plan of Subdivision (PLN-19-0070)

#### 4.2 Zone and Land Use

The land is zoned General Residential (subject title and part of road reserves) and Rural Resource (part of road reserves).



^Image 4 - Zone Map – General Residential Zone and Rural Resource 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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#### 4.3 Subject Site and Locality

The author of this report undertook a site inspection 9<sup>th</sup> March 2022. The site is a 1.763ha vacant lot. Part of the site is currently being developed in accordance with permit PLN-19-0070. The land to the west and south, over the reserved roads, is grazed. The land to the north, over Bulwer Street, and east, over Catherine Street contains single dwellings.



^Image 5 - Aerial photograph of area



^Image 6 - Subject site from Catherine Street



Image 7 - Subject Site from corner of Burghley Street and Lewis Street West.

#### 4.4 Permit/Site History

- Planning Scheme Amendment to rezone to General Residential and planning permit PLN-19-0070 for a 7-lot subdivision.

#### 4.5 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 complies with the zone purpose.

LOCAL AREA OBJECTIVES
<i>To consolidate growth within the existing urban land use framework of the towns and villages.</i>
<i>To manage development in the General residential zone as part of or context to the Heritage Precincts in the towns and villages.</i>
<i>To ensure developments within street reservations contribute positively to the Heritage Precincts in each settlement.</i>
Assessment: The proposal complies with 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**

<b>Objective</b> 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.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1.1</b> Lots must: <ul style="list-style-type: none"> <li>a) have a minimum area of at least 450m<sup>2</sup> which:               <ul style="list-style-type: none"> <li>i) is capable of containing a rectangle measuring 10m by 15m; and</li> <li>ii) has new boundaries aligned from buildings that satisfy the relevant acceptable solutions for setbacks; or</li> </ul> </li> <li>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</li> <li>c) be for the provision of utilities; or</li> <li>d) be for the consolidation of a lot with another lot with no additional titles created; or</li> <li>e) be to align existing titles with zone boundaries and no additional lots are created.</li> </ul>	<b>P1.1</b> Each lot for residential use must provide sufficient useable area and dimensions to allow for: <ul style="list-style-type: none"> <li>a) a dwelling to be erected in a convenient and hazard-free location; and</li> <li>b) on-site parking and manoeuvrability; and</li> <li>c) adequate private open space.</li> </ul>
Comment: The proposal complies with A1.1 a).	Comment: N/a
<b>A1.2</b> On folio of the Register 222877/1, lots fronting Marlborough Street must have a minimum area of at least 590m <sup>2</sup> which: <ul style="list-style-type: none"> <li>a) is capable of containing a rectangle measuring 10m by 15m; and</li> <li>b) has new boundaries aligned from buildings that satisfy the relevant acceptable solutions for setbacks.</li> </ul>	<b>P1.2</b> No performance criteria.
Comment: N/a	Comment: N/a
<b>A2</b> Each lot must have a frontage of at least 3.6m.	<b>P2</b> Each lot must have appropriate, permanent access by a Right of Carriageway registered over all relevant titles.
Comment: The proposal complies.	Comment: N/a

**10.4.15.2 Provision of Services**

<b>Objective</b> To provide lots with appropriate levels of utility services.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b> Each lot must be connected to a reticulated: <ul style="list-style-type: none"> <li>a) water supply; and</li> <li>b) sewerage system.</li> </ul>	<b>P1</b> Each lot created must be: <ul style="list-style-type: none"> <li>a) in a locality for which reticulated services are not available or capable of being connected; and</li> <li>b) capable of accommodating an on-site wastewater management system.</li> </ul>
Comment: The proposal complies.	Comment: N/a
<b>A2</b> Each lot must be connected to a reticulated stormwater system.	<b>P2</b> Each lot created must be capable of disposal of stormwater to a legal discharge point.
Comment: The proposal complies.	Comment: N/a





#### 10.4.15.3 Solar Orientation of Lots

Objective To provide for solar orientation of lots and solar access for future dwellings.	
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.
Comment: The proposal complies.	Comment: N/a
A2 The long axis of residential lots less than 500m <sup>2</sup> , must be within 30 degrees east and 20 degrees west of north.	P2 Lots less than 500 m <sup>2</sup> 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.
Comment: N/a	Comment: N/a

#### 10.4.15.4 Interaction, Safety and Security

This clause was not used in this planning scheme

#### 10.4.15.5 Integrated Urban Landscape

Objective To provide attractive and continuous landscaping in roads and public open spaces that contribute to the: 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.
Comment: Does not comply.	Comment: The subdivision proposes to create a road (cul-de-sac). The location of the proposed road is such that it protects accessibility and mobility through roads, and connectivity through the urban environment. A condition is required for the developer to plant street trees to enhance the visual amenity of the environment. The proposed road furthers the local area objectives: <ul style="list-style-type: none"> <li>To consolidate growth within the existing urban land use framework of the towns and villages.</li> <li>To manage development in the General residential zone as part of or context to the Heritage Precincts in the towns and villages.</li> <li>To ensure developments within street reservations contribute positively to the Heritage Precincts in each settlement.</li> </ul> Performance criteria met.



#### 10.4.15.6 Walking and Cycling Network

Objective	
a) To provide safe, convenient and efficient movement through and between neighbourhoods by pedestrians and cyclists; and 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"> <li>a) link to any existing pedestrian and cycling networks; and</li> <li>b) provide the most practicable direct access for cycling and walking to activity centres, community facilities, public transport stops and public open spaces; and</li> <li>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</li> <li>d) promote surveillance along roads and from abutting dwellings.</li> </ul>
Comment: Does not comply.	Comment: The subdivision proposes to create a road and footpaths. These link to existing pedestrian and cycling networks, provide the most practicable direct access for cycling and walking to activity centres, community facilities, public transport stops and public open spaces 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 promote surveillance along roads and from abutting dwellings. Performance criteria met.

#### 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"> <li>a) take account of the existing mobility network of arterial roads, neighbourhood roads, cycle paths, shared paths, footpaths and public transport routes; and</li> <li>b) provide clear hierarchy of roads and physical distinctions between arterial roads and neighbourhood road types; and</li> <li>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</li> <li>d) provide safe and efficient access to activity centres for commercial and freight vehicles; and</li> <li>e) ensure connector roads align between neighbourhoods for safe, direct and efficient movement of pedestrians, cyclists, public transport and other motor vehicles; and</li> </ul>



	<p>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</p> <p>g) provide for service and emergency vehicles to safely turn at the end of a dead-end road; and</p> <p>h) take into account of any identified significant features.</p>
Comment: Does not comply.	<p>The neighbourhood road network must:</p> <p>a) take account of the existing mobility network of arterial roads, neighbourhood roads, cycle paths, shared paths, footpaths and public transport routes. Comment: The proposal complies as the cul-de-sac will link to Marlborough Street via Catherine Street and Bulwer Street. New footpaths for the proposed subdivision will link to existing footpaths.</p> <p>b) provide clear hierarchy of roads and physical distinctions between arterial roads and neighbourhood road types. Comment: Complies as the proposed cul-de-sac will clearly be a neighbourhood road rather than an arterial road.</p> <p>c) provide an appropriate speed environment and movement priority for the safe and easy movement of pedestrians and cyclists and for accessing public transport. Comment: The road will have a 50km/h speed limit. The Traffic Impact Assessment demonstrates compliance with these requirements.</p> <p>d) provide safe and efficient access to activity centres for commercial and freight vehicles. Comment: Not applicable – is not intended to provide access activity centres for commercial and freight vehicles</p> <p>e) ensure connector roads align between neighbourhoods for safe, direct and efficient movement of pedestrians, cyclists, public transport and other motor vehicles. Comment: Not applicable – not a connector road.</p> <p>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. Comment: the provision of one cul-de-sac, with footpath linking to Catherine Street complies with this requirement.</p> <p>g) provide for service and emergency vehicles to safely turn at the end of a dead-end road. Comment: The cul-de-sac will be in compliance with LGAT standards, allowing for service and emergency vehicles to turn.</p> <p>h) take into account of any identified significant features. Comment: There are no identified significant features.</p>

CODES		
E1.0	BUSHFIRE PRONE AREAS CODE	Applies
E2.0	POTENTIALLY CONTAMINATED LAND	N/a
E3.0	LANDSLIP CODE	N/a
E4.0	ROAD AND RAILWAY ASSETS CODE	Applies
E.5.0	FLOOD PRONE AREAS CODE	N/a
E6.0	CAR PARKING AND SUSTAINABLE TRANSPORT CODE	Complies
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	Applies



CODES	
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

#### BUSHFIRE PRONE AREAS CODE

##### E1.6.1 Subdivision: Provision of hazard management areas

<b>Objective:</b> Subdivision provides for hazard management areas that: <ul style="list-style-type: none"> <li>(a) facilitate an integrated approach between subdivision and subsequent building on a lot;</li> <li>(b) provide for sufficient separation of building areas from bushfire-prone vegetation to reduce the radiant heat levels, direct flame attack and ember attack at the building area; and</li> <li>(c) provide protection for lots at any stage of a staged subdivision.</li> </ul>	
Acceptable solutions	Performance criteria
<b>A1</b> (a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant the provision of hazard management areas as part of a subdivision; or (b) The proposed plan of subdivision: <ul style="list-style-type: none"> <li>(i) shows all lots that are within or partly within a bushfire-prone area, including those developed at each stage of a staged subdivision;</li> <li>(ii) shows the building area for each lot;</li> <li>(iii) shows hazard management areas between bushfire-prone vegetation and each building area that have dimensions equal to, or greater than, the separation distances required for BAL 19 in Table 2.4.4 of <i>Australian Standard AS 3959 – 2009 Construction of buildings in bushfire-prone areas</i>; and</li> <li>(iv) is accompanied by a bushfire hazard management plan that addresses all the individual lots and that is certified by the TFS or accredited person, showing hazard management areas equal to, or greater than, the separation distances required for BAL 19 in Table 2.4.4 of <i>Australian Standard AS 3959 – 2009 Construction of buildings in bushfire-prone areas</i>; and</li> </ul> (c) If hazard management areas are to be located on land external to the proposed subdivision the application is accompanied by the written consent of the owner of that land to enter into an agreement under section 71 of the Act that will be registered on the title of the neighbouring property providing for the affected land to be managed in accordance with the bushfire hazard management plan.	<b>P1</b> A proposed plan of subdivision shows adequate hazard management areas in relation to the building areas shown on lots within a bushfire-prone area, having regard to: <ul style="list-style-type: none"> <li>(a) the dimensions of hazard management areas;</li> <li>(b) a bushfire risk assessment of each lot at any stage of staged subdivision;</li> <li>(c) the nature of the bushfire-prone vegetation including the type, fuel load, structure and flammability;</li> <li>(d) the topography, including site slope;</li> <li>(e) any other potential forms of fuel and ignition sources;</li> <li>(f) separation distances from the bushfire-prone vegetation not unreasonably restricting subsequent development;</li> <li>(g) an instrument that will facilitate management of fuels located on land external to the subdivision; and</li> <li>(h) any advice from the TFS.</li> </ul>
Comment: A Bushfire Hazard Report prepared by James Stewart BFP-157 accompanied the application demonstrating that the lots comply with b).	Comment: Not applicable

##### E1.6.2 Subdivision: Public and fire fighting access

**Objective:** Access roads to, and the layout of roads, tracks and trails, in a subdivision:





<ul style="list-style-type: none"> <li>(a) allow safe access and egress for residents, fire fighters and emergency service personnel;</li> <li>(b) provide access to the bushfire-prone vegetation that enables both property to be defended when under bushfire attack and for hazard management works to be undertaken;</li> <li>(c) are designed and constructed to allow for fire appliances to be manoeuvred;</li> <li>(d) provide access to water supplies for fire appliances; and</li> <li>(e) are designed to allow connectivity, and where needed, offering multiple evacuation points.</li> </ul>	
Acceptable solutions	Performance criteria
<p><b>A1</b></p> <ul style="list-style-type: none"> <li>(a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant specific measures for public access in the subdivision for the purposes of fire fighting; or</li> <li>(b) A proposed plan of subdivision showing the layout of roads, fire trails, and the location of property access to building areas is included in a bushfire hazard management plan that: <ul style="list-style-type: none"> <li>(i) demonstrates proposed roads will comply with Table E1, proposed private accesses will comply with Table E2 and proposed fire trails will comply with Table E3; and</li> <li>(ii) is certified by the TFS or accredited person.</li> </ul> </li> </ul>	<p><b>P1</b></p> <p>A proposed plan of subdivision shows access and egress for residents, fire-fighting vehicles and emergency service personnel to enable protection from bushfires, having regard to:</p> <ul style="list-style-type: none"> <li>(a) appropriate design measures, including: <ul style="list-style-type: none"> <li>(i) two way traffic;</li> <li>(ii) all weather surfaces;</li> <li>(iii) height and width of any vegetation clearances;</li> <li>(iv) load capacity;</li> <li>(v) provision of passing bays;</li> <li>(vi) traffic control devices;</li> <li>(vii) geometry, alignment and slope of roads, tracks and trails;</li> <li>(viii) use of through roads to provide for connectivity;</li> <li>(ix) limits on the length of cul-de-sacs and dead-end roads;</li> <li>(x) provision of turning areas;</li> <li>(xi) provision for parking areas;</li> <li>(xii) perimeter access; and</li> <li>(xiii) fire trails;</li> </ul> </li> <li>(b) the provision of access to: <ul style="list-style-type: none"> <li>(i) bushfire-prone vegetation to permit the undertaking of hazard management works; and</li> <li>(ii) fire fighting water supplies; and</li> </ul> </li> <li>(c) any advice from the TFS.</li> </ul>
<p>Comment: A Bushfire Hazard Report prepared by James Stewart BFP-157 accompanied the application demonstrating that the lots comply with b), except for the cul-de-sac not proposing a 12 metre outer radius turning head.</p>	<p>Comment: The proposed cul-de-sac has instead proposed to be constructed in accordance with LGAT standards, being a 9m outer radius head. Justification on a reduced standard is detailed in the Bushfire Hazard Report demonstrating compliance.</p>

#### E1.6.3 Subdivision: Provision of water supply for fire fighting purposes

<p><b>Objective:</b> Adequate, accessible and reliable water supply for the purposes of fire fighting can be demonstrated at the subdivision stage and allow for the protection of life and property associated with the subsequent use and development of bushfire-prone areas.</p>	
Acceptable solutions	Performance criteria
<p><b>A1</b></p> <p>In areas serviced with reticulated water by the water corporation:</p> <ul style="list-style-type: none"> <li>(a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant the provision of a water supply for fire fighting purposes;</li> <li>(b) A proposed plan of subdivision showing the layout of fire hydrants,</li> </ul>	<p><b>P1</b></p> <p>No Performance Criterion.</p>



<p>and building areas, is included in a bushfire hazard management plan approved by the TFS or accredited person as being compliant with Table E4; or</p> <p>(c) A bushfire hazard management plan certified by the TFS or an accredited person demonstrates that the provision of water supply for fire fighting purposes is sufficient to manage the risks to property and lives in the event of a bushfire.</p>	
<p>Comment: A Bushfire Hazard Report prepared by James Stewart BFP-157 accompanied the application demonstrating that the lots comply with b).</p>	<p>Comment: Not applicable.</p>
<p><b>A2</b></p> <p>In areas that are not serviced by reticulated water by the water corporation:</p> <p>(a) The TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant provision of a water supply for fire fighting purposes;</p> <p>(b) The TFS or an accredited person certifies that a proposed plan of subdivision demonstrates that a static water supply, dedicated to fire fighting, will be provided and located compliant with Table E5; or</p> <p>(c) A bushfire hazard management plan certified by the TFS or an accredited person demonstrates that the provision of water supply for fire fighting purposes is sufficient to manage the risks to property and lives in the event of a bushfire.</p>	<p><b>P2</b></p> <p>No Performance Criterion.</p>
<p>Comment: Not applicable.</p>	<p>Comment: Not applicable.</p>

#### ROAD AND RAILWAY ASSETS CODE

#### E4.6 Use Standards

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

<p><b>Objective</b></p> <p>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.</p>	
Acceptable Solutions	Performance Criteria
<p>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%.</p>	<p>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.</p>
<p>Comment: Not applicable</p>	<p>Comment: Not applicable</p>
<p>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</p>	<p>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.</p>
<p>Comment: Does not comply</p>	<p>Comment: In this case the proposed development will exceed 40 vehicle movements per day. The new cul-de-sac access will generate 59 vehicles per day with a relatively low peak generation of 7 vehicles per hour. The individual driveways will</p>



		have relatively low traffic generation and are evenly disbursed along the frontage roads. All frontage roads have very low traffic volume. Conflicts between vehicle manoeuvring will be minimised at the site's accesses. A Traffic Impact Assessment prepared by Midson Traffic Pty Ltd accompanied the application demonstrating compliance.
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%.	<p>P3 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 use or 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 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</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>
Comment: Not applicable		Comment: Not applicable

#### E4.7 Development Standards

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

<p><b>Objective</b></p> <p>To ensure that development on or adjacent to category 1 or 2 roads (outside 60km/h), railways and future roads and railways is managed to:</p> <p>a) ensure the safe and efficient operation of roads and railways; and</p> <p>b) allow for future road and rail widening, realignment and upgrading; and</p> <p>c) avoid undesirable interaction between roads and railways and other use or development.</p>		
Acceptable Solutions	Performance Criteria	
<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>	P1	<p>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>
Comment: Not applicable		Comment: Not applicable



#### E4.7.2 Management of Road Accesses and Junctions

<b>Objective</b> 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: Does not comply	Comment: In this case the development creates a new access onto Catherine Street and also individual driveway accesses onto all four road frontages to the site. The site is a large area that has access to four frontage roads. The distribution of frontage lot driveways will be consistent with the surrounding network. The presence of driveways is expected along the frontage roads and consistent with the urban road network design. The vehicle speeds in the surrounding network are relatively low and consistent with a residential environment. The internal lot access road on Catherin Street will form a new cul-de-sac that will only service 8 lots. The traffic generation associated with the access is relatively low and will have a high operational level of service. A Traffic Impact Assessment prepared by Midson Traffic Pty Ltd accompanied the application demonstrating compliance
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.
Comment: Not applicable	Comment: Not applicable

#### E4.7.3 Management of Rail Level Crossings

<b>Objective</b> 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	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



b) development does not result in a material change onto an existing level crossing.	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.
Comment: Not applicable	Comment: Not applicable

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

<b>Objective</b> 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.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
A1 Sight distances at a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.7.4; and b) rail level crossings must comply with <i>AS1742.7 Manual of uniform traffic control devices - Railway crossings</i> , Standards Association of Australia; or c) If the access is a temporary access, the written consent of the relevant authority has been obtained.	P1 The design, layout and location of an access, junction or rail level crossing must provide adequate sight distances to ensure the safe movement of vehicles.
Comment: Sight distance from all driveways on each frontage road and the access in Catherine Street will have unobstructed sight distance complying with the requirements of Table E4.7.4. Proposal complies	Comment: Not applicable

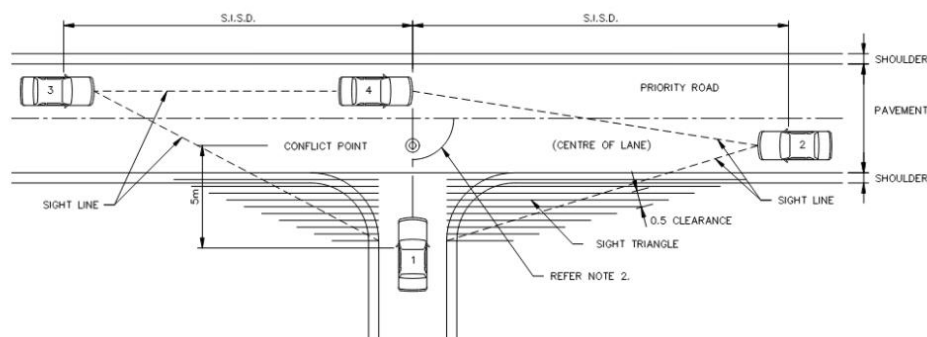


Figure E4.7.4 Sight Lines for Accesses and Junctions

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

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

**Table E4.7.4 Safe Intersection Sight Distance (SISD)**

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



110		290
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**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.

**CARPARKING AND 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> <ul style="list-style-type: none"> <li>a) Table E6.1; or</li> <li>b) a parking precinct plan contained in Table E6.6: Precinct Parking Plans (except for dwellings in the General Residential Zone).</li> </ul>	<p>P1 The number of car parking spaces provided must have regard to:</p> <ul style="list-style-type: none"> <li>a) the provisions of any relevant location specific car parking plan; and</li> <li>b) the availability of public car parking spaces within reasonable walking distance; and</li> <li>c) any reduction in demand due to sharing of spaces by multiple uses either because of variations in peak demand or by efficiencies gained by consolidation; and</li> <li>d) the availability and frequency of public transport within reasonable walking distance of the site; and</li> <li>e) site constraints such as existing buildings, slope, drainage, vegetation and landscaping; and</li> <li>f) the availability, accessibility and safety of on-road parking, having regard to the nature of the roads, traffic management and other uses in the vicinity; and</li> <li>g) an empirical assessment of the car parking demand; and</li> <li>h) the effect on streetscape, amenity and vehicle, pedestrian and cycle safety and convenience; and</li> <li>i) the recommendations of a traffic impact assessment prepared for the proposal; and</li> <li>j) any heritage values of the site; and</li> <li>k) for residential buildings and multiple dwellings, whether parking is adequate to meet the needs of the residents having regard to:               <ul style="list-style-type: none"> <li>i) the size of the dwelling and the number of bedrooms; and</li> <li>ii) the pattern of parking in the locality; and</li> <li>iii) any existing structure on the land.</li> </ul> </li> </ul>
Comment: Complies – each lot has sufficient space to accommodate at least 2 parking spaces	Comment: Not applicable





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

Use	Parking Requirement	
	Vehicle	Bicycle
If a 1 bedroom or studio dwelling in the General Residential Zone (including all rooms capable of being used as a bedroom)	1 space per dwelling	1 space per unit or 1 spaces per 5 bedrooms in other forms of accommodation.
If a 2 or more bedroom dwelling in the General Residential Zone (including all rooms capable of being used as a bedroom)	2 spaces per dwelling	

#### E6.6.2 Bicycle Parking Numbers

<b>Objective</b> To encourage cycling as a mode of transport within areas subject to urban speed zones by ensuring safe, secure and convenient parking for bicycles.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
A1.1 Permanently accessible bicycle parking or storage spaces must be provided either on the site or within 50m of the site in accordance with the requirements of Table E6.1; or A1.2 The number of spaces must be in accordance with a parking precinct plan contained in Table E6.6: Precinct Parking Plans.	P1 Permanently accessible bicycle parking or storage spaces must be provided having regard to the: a) likely number and type of users of the site and their opportunities and likely preference for bicycle travel; and b) location of the site and the distance a cyclist would need to travel to reach the site; and c) availability and accessibility of existing and planned parking facilities for bicycles in the vicinity.
Comment: Sufficient space available on each proposed lot to accommodate bicycle parking.	Comment: Not applicable

#### E6.6.3 Taxi Drop-off and Pickup

<b>Objective</b> To ensure that taxis can adequately access developments.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
A1 One dedicated taxi drop-off and pickup space must be provided for every 50 car spaces required by Table E6.1 or part thereof (except for dwellings in the General Residential Zone).	P1 No performance criteria.
Comment: Not applicable	Comment: Not applicable

#### E6.6.4 Motorbike Parking Provisions

<b>Objective</b> To ensure that motorbikes are adequately provided for in parking considerations.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
A1 One motorbike parking space must be provided for each 20 car spaces required by Table E6.1 or part thereof.	P1 No performance criteria.
Comment: Not applicable	Comment: Not applicable

#### E6.7 Development Standards

##### E6.7.1 Construction of Car Parking Spaces and Access Strips

<b>Objective</b> To ensure that car parking spaces and access strips are constructed to an appropriate standard.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>



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.	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	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: Not applicable	Comment: Not applicable
A2.1 Car parking and manoeuvring space must:	P2 Car parking and manoeuvring space must:
a) have a gradient of 10% or less; and	a) be convenient, safe and efficient to use having regard to matters such as slope, dimensions, layout and the expected number and type of vehicles; and
b) where providing for more than 4 cars, provide for vehicles to enter and exit the site in a forward direction; and	b) provide adequate space to turn within the site unless reversing from the site would not adversely affect the safety and convenience of users and passing traffic.
c) have a width of vehicular access no less than prescribed in Table E6.2 and Table E6.3, and	
A2.2 The layout of car spaces and access ways must be designed in accordance with <i>Australian Standards AS 2890.1 - 2004 Parking Facilities, Part 1: Off Road Car Parking</i> .	
Comment: To be assessed by future development application for works	Comment: 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	Comment: Not applicable



#### E6.7.4 Parking for Persons with a Disability

Objective To ensure adequate parking for persons with a disability.	
Acceptable Solutions	Performance Criteria
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"> <li>(a) the topography of the site;</li> <li>(b) the location and type of relevant facilities on the site or in the vicinity;</li> <li>(c) the suitability of access pathways from parking spaces, and</li> <li>(d) applicable Australian Standards.</li> </ul>
Comment: Not applicable – likely to be residential use on each of the vacant lots which do not require 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"> <li>a) at least one loading bay must be provided in accordance with Table E6.4; and</li> <li>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.</li> </ul>	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.	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"> <li>a) be accessible from a road, footpath or cycle track; and</li> <li>b) include a rail or hoop to lock a bicycle to that meets <i>Australian Standard AS 2890.3 1993</i>; and</li> <li>c) be located within 50m of and visible or signposted from the entrance to the activity they serve; and</li> </ul>	P1 Bicycle parking spaces must be safe, secure, convenient and located where they will encourage use.



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.	
Comment: Not applicable.	Comment: Not applicable.
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: Not applicable.	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: Not applicable.	Comment: Not applicable.

#### RECREATION AND OPEN SPACE CODE

##### E10.6.1 Provision of Public Open Space

Objective	
<p>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</p> <p>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.</p>	
Acceptable Solutions	Performance Criteria
A1 The application must:	P1 Provision of public open space, unless in accordance with Table E10.1, must:
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>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>



	<ul style="list-style-type: none"> <li>iv) respond to the opportunities and constraints presented by the physical characteristics of the land to provide practically useable open space; and</li> <li>v) provide for public safety through <i>Crime Prevention Through Environmental Design</i> principles; and</li> <li>vi) provide for the reasonable amenity of adjoining land users in the design of facilities and associated works; and</li> <li>vii) have a clear relationship with adjoining land uses through treatment such as alignment, fencing and landscaping; and</li> <li>ix) create attractive environments and focal points that contribute to the existing or desired future character statements, if any.</li> </ul>
<p>Comment: The application proposes that Council hold the cash contribution in trust, until the proponent fulfils the obligation of Clause E10.6.1; P1 by the provision of public open space. This will be made as a part of the proponent's Master Plan for the area and subsequent land development.</p> <p>The General Manager has agreed to accept cash in lieu of open space unless the Planning Authority when determining the matter resolves differently.</p>	<p>Comment: N/a</p>

Council's policy is:

- 1 *The Public Open Space Rate shall be \$1400 per additional lot created; OR*
- 2 *The applicant may, at his or her discretion, obtain a current (not less than one-month old) valuation, by a registered land valuer, of the subject land, less one of the proposed lots (or strata units). The Public Open Space Rate shall total 5% of that value.*

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	Applies
9.8 Buildings Projecting onto Land in a Different Zone	N/a
9.9 Port and Shipping in Proclaimed Wharf Areas	N/a

#### Access and Provision of Infrastructure Across Land in Another Zone

*If an application for use or development includes access or provision of infrastructure across land that is in a different zone to that in which the main part of the use or development is located, and the access or infrastructure is prohibited by the provisions of the different zone, the planning authority may at its discretion approve an application for access or provision of infrastructure over the land in the other zone, having regard to:*



- (a) *whether there is no practical and reasonable alternative for providing the access or infrastructure to the site;*
- (b) *the purpose and provisions of the zone and any applicable code for the land over which the access or provision of infrastructure is to occur; and*
- (c) *the potential for land use conflict with the use or development permissible under the planning scheme for any adjoining properties and for the land over which the access or provision of infrastructure is to occur.*

**Comment:** The water, sewer and stormwater infrastructure in the Rural Resource zone would be prohibited as they would be for the purpose of a residential subdivision. The application satisfied the above criteria that there is no practical or reasonable alternative for provided infrastructure to the site, the infrastructure does not conflict with the purpose and provisions of the Rural Resource zone.

#### 4.6 Referrals

##### Works and Infrastructure Department

Council's Works and Infrastructure Department provided the attached response and their recommended conditions that are included in the conditions of approval.

##### TasWater:

TasWater provided a Submission to Planning Authority Notice (TWDA 2022/0026-NMC) dated 07/02/2022.

#### 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 (attached) were received from:

- T Hall, 79 Catherine St, Longford
- M Rhodes, address not provided.
- R and B Baker and P Brewer, 73 Catherine St
- P and J Lee, 71 Catherine St Longford
- N and J Streets, 83 Bulwer St Longford



**Image 8 - Location of representors' properties (outlined in red) in relation to the subject site (highlighted in red)**

The issues raised in the representations are discussed below.

*Proposed location of the cul-de-sac; Dangerous and has the potential to cause motor vehicles and bicycle accidents; Concerns over increase in traffic flow in Catherine Street; Request this be directed to Burghley Street and link up with other*





*streets rather than the full impact being on the Catherine Street roundabout; Request that the cul-de-sac be positioned off Burghley Street; Requests inclusion of parking bays in the court.*

Comment: The application provided a Traffic Impact Assessment and a response from a traffic engineer to the to traffic concerns raised in the representation. It is found that the location of the cul-de-sac complies with the scheme requirements and therefore the purpose of the Road and Railway Assets Code to ensure that use or development on or adjacent to a road will not compromise the safety and efficiency of the road network.

*Longford Development Plan; NTRLUS + Zone Purpose Statement 10.1.1.1 - limitations of future development on the proposed lots is at odds with the NTRLUS and Zone Purpose Statement.*

Comment: The lots are larger than the 450m<sup>2</sup> required by clause ... and ther10.4.15.1 A1.1 and therefore comply with the Acceptable Solution.

*Solar Orientation of Lots – clause 10.4.15.3 – discussion of potential future developmentt of the lots.*

Comment: The proposal complies with the Acceptable Solution of clause 10.4.15.3 that at least 50% of lots must have a long axis within the range of north 20 degrees west to north 30 degrees east, or east 20 degrees north to east 30 degrees south.

*Integrated Urban Landscape - Clause 10.4.15.5 - there are some 15 cul-de-sacs in Longford and 11 of these connect to a street running east-west. Therefore the proposed cul-de-sac should connect to Lewis St in order to be consistent with the existing pattern.*

Comment: Clause 10.4.15.5 P1 states:

*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 performance criteria is complied with as the location of the proposed road is such that it protects accessibility and mobility through roads, and connectivity through the urban environment. A condition is required for the developer to plant street trees to enhance the visual amenity of the environment. The proposed road furthers the 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.

*Proposed cul-de-sac does not appear to meet LGAT standards.*

Comment: A condition on the permit will be that the cul-de-sac is to be to LGAT standards and this will be required in the engineering drawings submitted to Council.

*Public Open Space - Land should be provided, not cash in lieu. If council agrees to a cash payment in lieu there should be a strict time limit on how long the funds are held in trust*

Comment: It is recommended that money be taken in lieu of land for open space and held in trust. Agree with a time limit.

*Lot 8 Driveway - The driveway access to lot 8 appears not to be in accordance with Australian Standard AS2890.1:2004 Figure 3.1.*

Comment: Condition required for plans showing the access in accordance with the standard.



**5 LOCAL GOVERNMENT (BUILDINGS AND MISCELLANEOUS PROVISIONS) ACT 1993**

<b>Section 83</b>	<b>Approval of plan of subdivision</b>	<b>Yes</b>	<b>No</b>
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"/>	<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"/>	<input type="checkbox"/>
83(5)(a)(ii)	Does the council require the final plan of subdivision to note, in respect of a block, that the council cannot or will not provide means of drainage for all or some specified kind of effluent from the block?	<input type="checkbox"/>	<input type="checkbox"/>
83(5)(a)(iii)	Does the council require the final plan of subdivision to note, in respect of a block, that the council cannot or will not permit a septic tank?	<input type="checkbox"/>	<input type="checkbox"/>
83(5)(b)(i)	Does the council require the final plan of subdivision to note, in respect of a block, that the council may permit a septic tank?	<input type="checkbox"/>	<input type="checkbox"/>
83(5)(b)(ii)	Does the council require the final plan of subdivision to note, in respect of a block, that the council may permit a specific form of on-site sewerage treatment?	<input type="checkbox"/>	<input 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"/>	<input type="checkbox"/>
83(7) (b)	provide means of sewerage for all or some specified kind of effluent from the block?	<input type="checkbox"/>	<input type="checkbox"/>

<b>Section 84</b>	<b>Council not to approve subdivision</b>	<b>Yes</b>	<b>No</b>
84(1)(c)	Does the subdivision include any road or other works whereby drainage will be concentrated and discharged into any drain or culvert on or under any State highway, and the Minister administering the <i>Roads and Jetties Act 1935</i> has first not approved so much of the application as affects the drainage?	<input type="checkbox"/>	<input type="checkbox"/>
	<b>If 'yes', refuse the subdivision.</b>		

<b>Section 85</b>	<b>Refusal of application for subdivision</b>		
	<b>Council may refuse the application for subdivision if it is of the opinion:</b>		
85(a)	that the roads will not suit the public convenience, or will not give satisfactory inter-communication to the inhabitants both of the subdivision and the municipal area in which it is;	<input type="checkbox"/>	<input type="checkbox"/>
85(b)	that the drainage both of roads and of other land will not be satisfactorily carried off and disposed of;	<input type="checkbox"/>	<input type="checkbox"/>
85(ba)	that the land is not suitable for an on-site effluent disposal system for all or specified kinds of effluent from each block;	<input type="checkbox"/>	<input type="checkbox"/>
85(c)	that the site or layout will make unduly expensive the arrangements for supply of water and electricity, connection to drains and sewers and the construction or maintenance of streets;	<input type="checkbox"/>	<input type="checkbox"/>
85(d)	that the layout should be altered to include or omit –		
85(d)(i)	blind roads;	<input type="checkbox"/>	<input type="checkbox"/>
85(d)(ii)	alleys or rights of way to give access to the rear of lots;	<input type="checkbox"/>	<input type="checkbox"/>
85(d)(iii)	public open space;	<input type="checkbox"/>	<input type="checkbox"/>
85(d)(iv)	littoral or riparian reserves of up to 30 metres in from the shore of the sea or the bank of a river, rivulet or lake;	<input type="checkbox"/>	<input type="checkbox"/>
85(d)(v)	private roads, ways or open spaces;	<input type="checkbox"/>	<input type="checkbox"/>



Section 85	Refusal of application for subdivision		
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"/>
	<b>If 'yes':</b>		
	council may refuse to approve the application until such security is given.		
	See section 86 (3) for the form of the security.		
	See section 86 (4) for when the works are to be executed.		

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		<input type="checkbox"/>



Section 108	Road widening	Yes	No
	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)		
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

There are no financial implications to Council.

## 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 performance criteria for the creation of a new road (clauses 10.4.15.5, 10.4.15.6, and 10.4.15.7 of the General Residential Zone).
- Reliance on performance criteria of the Bushfire Prone Areas Code (clauses E1.6.1 Provision of hazard management areas and E1.6.2 Public and fire fighting access).
- Reliance on performance criteria of the Road and Railway Assets Code (E4.6.1 for the generation of more than 40 vehicle movements per day and E4.7.2 for the creation of a new junction with Catherin Street).

Conditions that relate to any aspect of the application can be placed on a permit. The application is found to comply with the planning scheme provisions as discussed in this report. It is recommended for approval with the conditions below.

## 9 ATTACHMENTS

1. Application Form Description of Proposal [14.2.1 - 1 page]
2. Application documents [14.2.2 - 85 pages]
3. GM consent to cash in lieu of land for POS [14.2.3 - 1 page]
4. Letter to applicant 6-1-2022 [14.2.4 - 1 page]
5. Emails regarding letter to applicant 6-1-2022 [14.2.5 - 3 pages]
6. RAI TWDA 2022-00026- NMC [14.2.6 - 2 pages]
7. RAI 2 TWDA 2022-00026- NMC [14.2.7 - 2 pages]
8. Tas Water Submission to Planning Authority Notice [14.2.8 - 4 pages]
9. Tas Fire response to referral [14.2.9 - 2 pages]
10. Tas Networks response [14.2.10 - 2 pages]
11. Representation R & B Baker & P Prewer [14.2.11 - 2 pages]
12. Representation - T Hall [14.2.12 - 2 pages]
13. Representation P & J Lee [14.2.13 - 1 page]
14. Representation - M Rhodes [14.2.14 - 5 pages]
15. Representation N & J Streets [14.2.15 - 1 page]
16. Woolcott Surveys Response to Representations 4 March 2021 [14.2.16 - 2 pages]
17. Response to Representations Midson Traffic 3 March 2021 [14.2.17 - 2 pages]

## RECOMMENDATION

That land at 87 Bulwer Street and Bulwer Street, Catherine Street, Lewis Street and Burghley Street road reserves, Longford be approved to be developed and used for a 28 lot subdivision, cul-de-sac and service infrastructure in accordance with application PLN-21-0323, and subject to the following conditions:

### 1 Layout not altered

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



- P1 Proposed 2 Staged Subdivision, Woolcott Surveys, 30/09/2021, V1
- P2 Proposal Plan, Woolcott Surveys, Cp01, 09.11.21
- P3 Proposal Plan Infrastructure, Woolcott Surveys, Cp02 A, 21.01.22
- P4 Proposal Plan Stormwater Details, Woolcott Surveys, Cp03, 21.01.22
- D1 Planning Supporting Report, Woolcott Surveys, November 2021
- D2 Bushfire Hazard Report, Woolcott Surveys, November 2021
- D3 Traffic Impact Assessment, Midson Traffic Pty Ltd, October 2021

## 2 Plans Required

Before the development starts, a design plan to the approval of the General Manager must be submitted. When approved, the plan will be endorsed and will then form part of the permit. The plan must detail:

- Street trees planted at the frontage of each lot where there is no conflict with services (coordinated with the construction plans of underground services and pavement works so as to provide sufficient clearances around each tree); and
- Electricity supply to each lot, in consultation with TasNetworks, minimising the use of overhead power.

## 3 Works and Infrastructure

### 3.1 Stormwater

- Each lot shall be provided with a connection to the Council's stormwater system, constructed in accordance with Council standards and to the satisfaction of Council's Works & Infrastructure Department.
- A stormwater design plan including long sections and the depth, size and grade of all mains is to be provided to Council for approval prior to the commencement of any works on site.
- Calculations shall be provided to demonstrate that the system is of sufficient capacity to drain the road and all lots to be created.
- The stormwater pipe from the head of the cul-de-sac west to Burghley St shall be sized for the 100 year event or alternatively a design for an overland flow path clear of fences and other obstructions shall be to Council for approval prior to the commencement of any works on site.

### 3.2 Access (Urban)

- A concrete driveway crossover and apron must be constructed from the edge of the Road to the property boundary of each Lot in accordance with Council standards.
- Access works must not commence until an application for vehicular crossing has been approved by Council.

### 3.3 Roadworks

- Kerb and channel and a 1.8m wide concrete footpath shall be constructed to service all.
- All new roads or road widening works are to be hotmix sealed.
- An engineering design of the road footpath and drainage system including pavement long sections and cross sections is to be approved by Council before the commencement of works on site

### 3.4 As constructed information

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

### 3.5 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.

### 3.6 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.

### 3.7 Works on Council Infrastructure

The applicant must complete a Council Road Opening Permit prior to constructing any infrastructure in the road reserve which will become Council responsibility including kerb and channel, footpaths and stormwater. Works must not commence until the permit has been approved by Council.

### 3.8 Easements to be created

Easements must be created over all Council owned services in favour of the Northern Midlands Council. Such easements must be created on the final plan to the satisfaction of the General Manager.

### 3.9 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.

### 3.10 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.

### 3.11 Planting of Street Trees

- Prior to the commencement of works on site a plan must be provided showing the proposed location of all street trees for approval by Council. Where possible a street tree must be provided for each lot.
- Before the final plan is sealed, a bond or bank guarantee of \$250 per lot must be provided to the Council.
- The developer must plant the street trees in accordance with the landscape plan at the end of the 12-month maintenance period. If the trees are not planted, Council may use the bond/bank guarantee to ensure the plantings occur.
- Each tree is to be provided with a means of irrigation, a root guard to prevent damage to adjoining infrastructure and an anti-vandalism tie down to prevent removal

### 3.12 Bonds

The subdivision shall be subject to a maintenance period and a bond shall be held by Council until the completion of the maintenance period and a satisfactory final completion inspection. The bond shall be calculated based on 5% of the total cost of works based on Council's standard road construction rates.

## **4 Public Open Space**

- A cash contribution of \$1,400 per new lot must be paid in lieu of public open space in accordance with Council's current policy; or
- The applicant may obtain a valuation not less than one month old by a registered land valuer, of the subject land, less than one of the proposed lots. The Public Open Space Rate shall total 5% of that value.

The Northern Midlands Council will hold the cash contribution in trust, until the earlier of the following:

- The proponent fulfils the obligation of Clause E10.6.1; P1 of the planning scheme by the provision of public open space as a part of the proponent's Master Plan for the area and subsequent land development; or
- The expiry of 6 years from the date of this permit..

**The cash payment will be held in trust by the Northern Midlands Council**





## 5 Street Lighting

Street lighting must be provided to the subdivision to the requirements of TasNetworks.

## 6 TasWater Conditions

Sewer and water services must be provided in accordance with TasWater's Submission to Planning Authority Notice (reference number TWDA 2022/00026-NMC) – **Appendix A**).

## 7 Agreement Under Part 5 Of Land Use Planning Approval Act 1993

The owner must enter into, and comply with all conditions of, an agreement under Part 5 of the Act with the Northern Midlands Council to provide for the following:

- The owners of lots 1 – 6 agree to construct floor levels to habitable buildings at least 300mm above natural ground level.

This agreement must be prepared by the applicant and forwarded to the Council with a cheque for the Recorder of Titles fee for the registration of the Agreement.

## 8 Sealing of Final Plan

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.

### Advice

#### TasNetworks

As with any subdivision of this magnitude, consideration should be given to the electrical infrastructure works that will be required to ensure a supply of electricity can be provided to each lot. To understand what these requirements may entail, TasNetworks recommends you contact TasNetworks Early Engagement team at [early.engagement@tasnetworks.com.au](mailto:early.engagement@tasnetworks.com.au) at your earliest convenience.

### MINUTE NO. 22/99

#### DECISION

Cr Brooks/Cr Goninon

That land at 87 Bulwer Street and Bulwer Street, Catherine Street, Lewis Street and Burghley Street road reserves, Longford be approved to be developed and used for a 28 lot subdivision, cul-de-sac and service infrastructure in accordance with application PLN-21-0323, and subject to the following conditions:

### 1 Layout not altered

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

- P1 Proposed 2 Staged Subdivision, Woolcott Surveys, 30/09/2021, V1
- P2 Proposal Plan, Woolcott Surveys, Cp01, 09.11.21
- P3 Proposal Plan Infrastructure, Woolcott Surveys, Cp02 A, 21.01.22
- P4 Proposal Plan Stormwater Details, Woolcott Surveys, Cp03, 21.01.22
- D1 Planning Supporting Report, Woolcott Surveys, November 2021
- D2 Bushfire Hazard Report, Woolcott Surveys, November 2021
- D3 Traffic Impact Assessment, Midson Traffic Pty Ltd, October 2021

### 2 Plans Required

**Before the development starts**, a design plan to the approval of the General Manager must be submitted. When approved, the plan will be endorsed and will then form part of the permit. The plan must detail:



- Street trees planted at the frontage of each lot where there is no conflict with services (coordinated with the construction plans of underground services and pavement works so as to provide sufficient clearances around each tree); and
- Electricity supply to each lot, in consultation with TasNetworks, minimising the use of overhead power.

### **3 Works and Infrastructure**

#### **3.1 Stormwater**

- Each lot shall be provided with a connection to the Council's stormwater system, constructed in accordance with Council standards and to the satisfaction of Council's Works & Infrastructure Department.
- A stormwater design plan including long sections and the depth, size and grade of all mains is to be provided to Council for approval prior to the commencement of any works on site.
- Calculations shall be provided to demonstrate that the system is of sufficient capacity to drain the road and all lots to be created.
- The stormwater pipe from the head of the cul-de-sac west to Burghley St shall be sized for the 100 year event or alternatively a design for an overland flow path clear of fences and other obstructions shall be to Council for approval prior to the commencement of any works on site.

#### **3.2 Access (Urban)**

- A concrete driveway crossover and apron must be constructed from the edge of the Road to the property boundary of each Lot in accordance with Council standards.
- Access works must not commence until an application for vehicular crossing has been approved by Council.

#### **3.3 Roadworks**

- Kerb and channel and a 1.8m wide concrete footpath shall be constructed to service all.
- All new roads or road widening works are to be hotmix sealed.
- An engineering design of the road footpath and drainage system including pavement long sections and cross sections is to be approved by Council before the commencement of works on site

#### **3.4 As constructed information**

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

#### **3.5 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.

#### **3.6 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.

#### **3.7 Works on Council Infrastructure**

The applicant must complete a Council Road Opening Permit prior to constructing any infrastructure in the road reserve which will become Council responsibility including kerb and channel, footpaths and stormwater. Works must not commence until the permit has been approved by Council.

#### **3.8 Easements to be created**

Easements must be created over all Council owned services in favour of the Northern Midlands Council. Such easements must be created on the final plan to the satisfaction of the General Manager.



### 3.9 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.

### 3.10 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.

### 3.11 Planting of Street Trees

- Prior to the commencement of works on site a plan must be provided showing the proposed location of all street trees for approval by Council. Where possible a street tree must be provided for each lot.
- Before the final plan is sealed, a bond or bank guarantee of \$250 per lot must be provided to the Council.
- The developer must plant the street trees in accordance with the landscape plan at the end of the 12-month maintenance period. If the trees are not planted, Council may use the bond/bank guarantee to ensure the plantings occur.
- Each tree is to be provided with a means of irrigation, a root guard to prevent damage to adjoining infrastructure and an anti-vandalism tie down to prevent removal

### 3.12 Bonds

The subdivision shall be subject to a maintenance period and a bond shall be held by Council until the completion of the maintenance period and a satisfactory final completion inspection. The bond shall be calculated based on 5% of the total cost of works based on Council's standard road construction rates.

## **4 Public Open Space**

- A cash contribution of \$1,400 per new lot must be paid in lieu of public open space in accordance with Council's current policy; or
- The applicant may obtain a valuation not less than one month old by a registered land valuer, of the subject land, less than one of the proposed lots. The Public Open Space Rate shall total 5% of that value.

The Northern Midlands Council will hold the cash contribution in trust, until the earlier of the following:

- The proponent fulfils the obligation of Clause E10.6.1; P1 of the planning scheme by the provision of public open space as a part of the proponent's Master Plan for the area and subsequent land development; or
- The expiry of 6 years from the date of this permit..

**The cash payment will be held in trust by the Northern Midlands Council**

## **5 Street Lighting**

Street lighting must be provided to the subdivision to the requirements of TasNetworks.

## **6 TasWater Conditions**

Sewer and water services must be provided in accordance with TasWater's Submission to Planning Authority Notice (reference number TWDA 2022/00026-NMC) – **Appendix A**).

## **7 Sealing of Final Plan**

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.



#### Advice

##### TasNetworks

As with any subdivision of this magnitude, consideration should be given to the electrical infrastructure works that will be required to ensure a supply of electricity can be provided to each lot. To understand what these requirements may entail, TasNetworks recommends you contact TasNetworks Early Engagement team at [early.engagement@tasnetworks.com.au](mailto:early.engagement@tasnetworks.com.au) at your earliest convenience.

Carried

##### Voting for the Motion:

Mayor Knowles, Deputy Mayor Goss, Cr Brooks, Cr Calvert and Cr Goninon

##### Voting Against the Motion:

Cr Adams, Cr Davis, Cr Lambert and Cr Polley



### 14.3 DRAFT AMENDMENT 01/2022 TO INSERT 873 ILLAWARRA ROAD, LONGFORD AND ADJOINING SECTION OF ILLAWARRA ROAD INTO THE LIST OF LOCAL HERITAGE PLACES

*File:* 107400.24; 13/026/007/165  
*Responsible Officer:* Des Jennings, General Manager  
*Report prepared by:* Paul Godier, Senior Planner

#### 1 INTRODUCTION

This report considers a request for Council to initiate of its own motion a draft amendment to the Northern Midlands Interim Planning Scheme 2013 to insert “Valleyfield” 873 Illawarra Road, Longford and the adjoining section of Illawarra Road in Table E13.2 Local Historic Heritage Places Outside Precincts.

#### 2 BACKGROUND

**Applicant:**

Frances and Simon Stewart

**Owner:**

Frances and Simon Stewart

**Zone:**

Rural Resource

**Codes:**

Scenic Management Code (tourist road corridor)

**Proposal:**

Draft amendment to the planning scheme to insert “Valleyfield” 873 Illawarra Road, Longford and the adjoining section of Illawarra Road in Table E13.2 Local Historic Heritage Places Outside Precincts.

**Existing Use:**

Dwelling and vineyard

**Critical Date:**

There is no statutory time for Council to decide to initiate a draft amendment of its own motion.

**Recommendation:**

Initiate and certify the draft amendment.

**Planning Instrument:**

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

**Preliminary Discussion**

Mrs Stewart has discussed the proposal with Council’s Senior Planner.



^ image 1 - Entrance to Subject Site

### 3 STATUTORY REQUIREMENTS

The *Land Use Planning & Approvals Act 1993* contains the following provisions:

*Section 33 (1) – A person may request planning authority to initiate an amendment of a planning scheme administered by it.*

*Section 33 (2B) - Before making a decision as to whether or not to initiate an amendment of the planning scheme, the planning authority must consider –*

- (a) whether the requested amendment is consistent with the requirements of [section 32](#); and*
- (ab) any representation made under [section 30I](#), and any statements in any report under [section 30I](#) as to the merit of a representation, that may be relevant to the amendment; and*
- (b) any advice referred to in [section 65 of the Local Government Act 1993](#) received by it.*

*Section 34 (1) – A planning authority may -*

- (a) in response to a request under [section 33](#) ; or*
- (b) of its own motion –*  
*initiate an amendment of a planning scheme administered by it.*

#### Comment:

- (a) Part 7 of this report finds that the draft amendment is consistent with section 32 of the Act.
- (ab) There are no representations under section 30I relevant to the draft amendment.
- (b) This report provides advice in relation to section 65 of the Local Government Act 1993 (advice of qualified persons).





## 4 PROPOSAL

### 4.1 Reason for the Proposed Amendment

It is requested that “Valleyfield” 873 Illawarra Road, Longford and the adjoining section of Illawarra Road containing the boundary hedge, be inserted in Table E13.2 Local Historic Heritage Places Outside Precincts.

The owners advise:

*Further to our discussion last week, I write to request that our property “Valleyfield”, situated at 873 Illawarra Road, Longford, be given consideration as a property of historical significance to the Norfolk Plains region and to ask that Northern Midlands Council initiate an amendment to the Scheme. We believe the property has significant historical value and may have been overlooked as it appears Northern Midlands Council have no record of there being a homestead on the property, with a possible mix up over a stone cottage that was at some stage destroyed by fire.*

*There is some urgency to this request as the early proposal for stage 2 of the Illawarra Road upgrade is suggesting the removal of our front Hawthorn Hedge to facilitate an overtaking lane. We feel this would be a great shame as it is part of the scenic corridor which is such an attractive feature of the Longford district. It will also have significant negative impact on the Native Bird and Bandicoot sanctuary we have established and which is protected by this hedge.*

*Originally the property was part of a land grant to Henry Clayton in 1837 who established “Wickford” and later divided off “Valleyfield”, “Highfield” and “Springfield” on the western side of Illawarra Road for his three sons, before they eventually sold up, intending to emigrate to New Zealand. However their ship was wrecked off the coast and he perished at sea, although his family continued to New Zealand and the UK.*

*In piecing together the history of “Valleyfield”, we can tell you the following:*

*The property as it exists now is bounded almost entirely by well maintained hawthorn hedges which are now nearly 200 years old. The hedge represents one of the few remaining hawthorn hedges north of Longford and has significant frontage to the scenic heritage corridor of Illawarra Road.*

*The homestead was built with triple brick external and some internal walls. We believe it was built around 1840 as there are sketches in the National Library by John Richardson Glover dated 1850-59 which show the house built in Georgian style with established gardens. These sketches also depict the hedge along Illawarra Road (attached).*

*Among the outbuildings there is the shell of one of two cottages built to house Italian POWs who were sent to work on farms during the war years. The cottage is constructed of hand split timbers and hand forged nails. Both cottages can be seen in the aerial photograph of the property taken in the 1970’s, although only one remained when we purchased the property in 2005.*

*The physical fabric of the original stables is intact with mangers and stalls and rough stone flooring.*

*There is a bricked well near the homestead which is an outstanding example of brick workmanship from this era. We estimate it is approx. 30ft deep and 5ft wide, although we currently keep it covered for safety. (When I told my grandmother, Mollie Gatenby (MacKinnon) from “Rhodes”, that we were returning to Tasmania in 2005 and had bought “Valleyfield”, she laughed and said she remembered “Old Mrs Newton fell down the well and they had to hold her up with a piece of fishing line while they found a rope to haul her out!”).*

*There are the archeological remains of a stone cottage, which burnt down in the early history of the property and the stone was used for drystone walls and garden paths at “Valleyfield”. We understand this was the reason Council have no record of the house – it was mistaken as being burnt down.*

*There are also archeological remains of a large barn, which is shown in both J R Glover’s sketch of Valleyfield Farm and the aerial photograph of the property taken in the 1970s. The barn was also lost prior to our purchase of the property, although the corrugated iron shearing shed fronting the barn remains.*



*One piece of the history of the property that we have yet to ascertain is when, between Henry Clayton and the Newton family, someone Federated the style of the Valleyfield homestead. It now has a gabled facade and federation stained glass round window and entrance/doorway.*

*We have done extensive works to preserve the building – we were obliged to reroof as the original french terracotta tiles were so fragile that breakage was allowing water into the roof and walls. We also had the entire external and internal walls damp coursed to prevent issues of rising damp, plus restumped and refloored throughout internally.*

*We have established a vineyard on the property, which has produced some exciting early vintages – a new farming venture for the Norfolk Plains. Currently we operate a small cellar door from the homestead, which has seen many of the Newton and some of the Clayton family return to visit and tell us stories of their childhood memories at “Valleyfield”.*

*In keeping with our conservation values we have also established a wildlife sanctuary on the property to protect the habitat of threatened native species that live here, such as the Eastern Barred Bandicoot and Spotted Tailed Quoll. We have a nearby nesting pair of Wedge Tail Eagles which hunt over the property, also a pair of Cape Barren Geese, Black Swans, Morepork Owls and a myriad of frogs around the front dam.*

*Both of these activities allow the public to visit and enjoy not only the produce from the vineyard, but also the historical and conservation aspects of “Valleyfield”.*

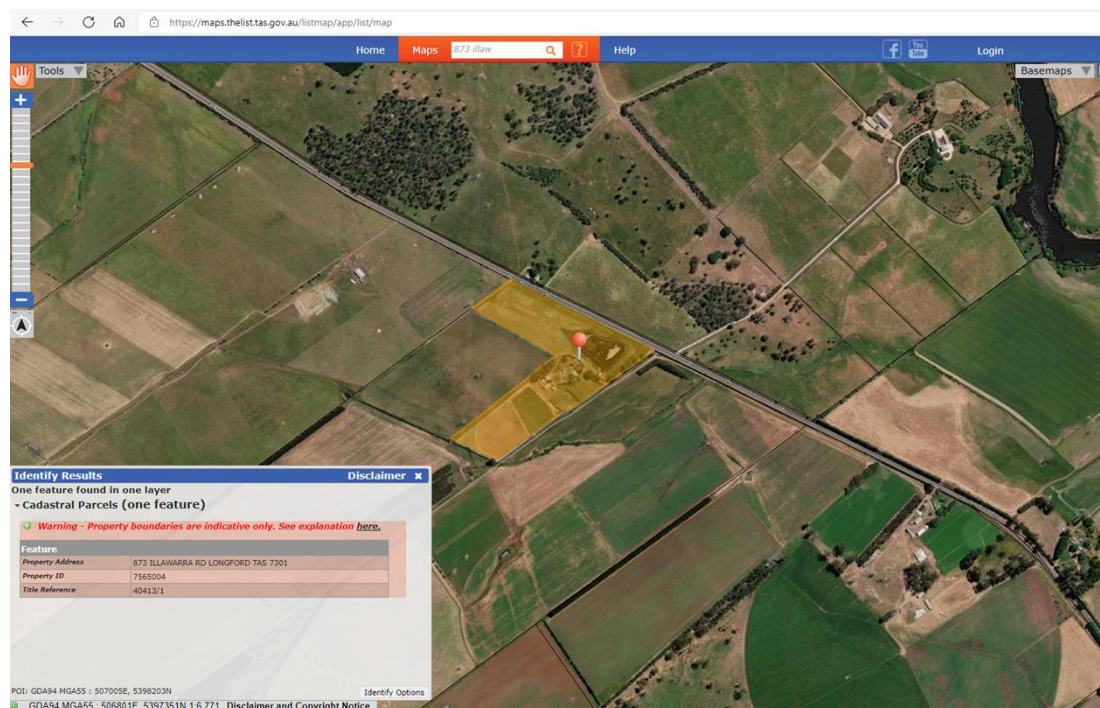
*As mentioned above, the reason for our request for urgent appraisal is that there are currently plans being drafted on behalf of State Growth to expand Illawarra Road. These plans would ruin its historical significance as a scenic corridor, which is what our forefathers intended. The draft we have seen entails the removal of the Hawthorn Hedge fronting Illawarra Road. We strongly wish to protect the hedge, given its age and its significance to the property of “Valleyfield”.*

*We realise time is a crucial factor at this point.*

The land is zoned Rural Resource and is within the scenic corridor along Illawarra Road.

## 4.2 Subject Site and Locality

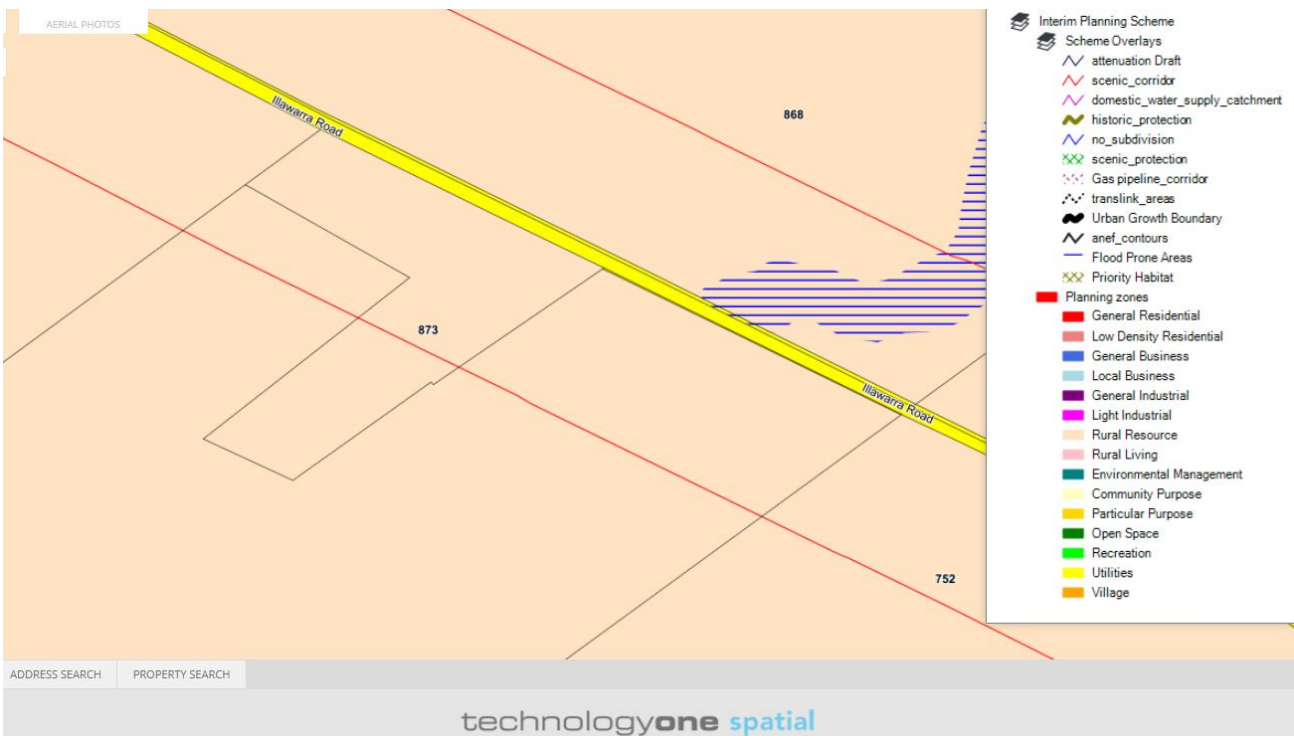
The author of this report carried out a site inspection on 9 March 2022.



^ Image 2 - Aerial photograph of area



^ Image 3 – Hedge along front boundary with Illawarra Road



^ Image 4 - Zone Map – Rural Resource zone, Scenic Management Code

### Public Exhibition

Public Exhibition of the draft amendment and permit occurs after it has been certified, as per section 38 of the *Land Use Planning and Approvals Act 1993*:

- (1) After giving to the Commission a copy of a draft amendment of a planning scheme and the instrument certifying that the amendment meets the requirements specified in [section 32](#), the planning authority must –





- (a) *cause a copy of the draft amendment to be placed on public exhibition for a period of 28 days or a longer period agreed to by the planning authority and the Commission; and*
- (b) *advertise, as prescribed, the exhibition of the draft amendment.*

## 5 FINANCIAL IMPLICATIONS TO COUNCIL

No fees are taken for an amendment initiated of Council's own motion

Where a person lodges an application for a scheme amendment, fees are \$3,511.

Mrs Stewart has been advised that the recommendation is that you apply for the scheme amendment using the relevant forms. You will need to pay the initial \$1,058 application fee, which you can ask Council to consider remitting.

The reason for this is that scheme amendments take up a substantial amount of staff time, so the standard fees should be considered.

If Council agrees to your amendment request (rather than initiating of its own motion) the additional fees will be:

- \$1,058 processing fee
- \$1,395 total advertising fee for 3 advertisements
- \$628 if the Tasmanian Planning Commission holds a hearing
- \$330 (min.) Tasmanian Planning Commission fee

## 6 OPTIONS

### Initiation of draft amendment

Council can:

- Initiate the draft amendment of its own motion; or
- Not initiate the draft amendment of its own motion.

### Certification of draft amendment

If Council initiates the draft amendment, Council can:

- Certify the draft amendment as meeting the requirements of section 32; or
- Modify the draft amendment until it meets the requirements of section 32, and then certify it.

## 7 DISCUSSION

### 7.1 ASSESSMENT FOR CONSISTENCY WITH SECTION 32 OF THE LAND USE PLANNING & APPROVALS ACT 1993

Section 32 of the Land Use Planning & Approvals Act 1993 requires that an amendment of a planning scheme—

***Must, as far as practicable, avoid the potential for land use conflicts with use and development permissible under the planning scheme applying to the adjacent area.***

**Comment:** Placing the property in the list of heritage places outside precincts will not introduce additional planning scheme controls to surrounding land. It is therefore expected to avoid, as far as practical, potential land use conflicts with the surrounding uses.

***Must be consistent with the Regional Land Use Strategy and any mandatory provisions ([section 300](#)).***

**Comment:** The Northern Regional Land Use Strategy identifies the following strategic directions and policies relevant to the draft amendment.

Strategic Direction G1.3 - b) Support tourism, culture and arts by recognising the 'drivers' of tourism, including natural values, heritage, food and wine, and local character.

Regional Economic Development Policy



Tourism and Recreation - The region is rich with assets, industry and activities that enhance tourism and recreation opportunities, such as natural environment and wilderness experiences; scenic landscapes; cultural and built heritage; food and wine experiences; and recreation and sporting activities.

Social Infrastructure and Community Policy E6.3

Promote and protect cultural heritage as a key component of 'community';

CH-P01 - Recognise, retain and protect cultural heritage values in the region for their character, culture, sense of place, contribution to our understanding of history.

The draft amendment is consistent with the RLUS and is not inconsistent with mandatory provisions.

***Must have regard to the impact that the use and development permissible under the amendment will have on the use and development of the region as an entity in environmental, economic and social terms.***

Comment: The draft amendment is expected to have a positive impact in environmental, economic and social terms.

***Must be consistent with the overarching requirements for planning schemes [sections 20(2), (3), (4), (5), (6), (7), (8), and (9)]:***

*(2) A planning scheme may—*

*(aa) make any provision which relates to the use, development, protection or conservation of any land in the area; and*

*(a) set out policies and specific objectives; and*

*(b) regulate or prohibit the use or development of any land; and*

*(c) designate land as being reserved for public purposes; and*

*(d) . . . . .*

*(e) set out requirements for the provision of public utility services to land; and*

*(f) require specified things to be done to the satisfaction of the Commission, relevant agency or planning authority; and*

*(g) apply, adopt or incorporate any document which relates to the use, development or protection of land; and*

*(h) provide that any use or development of land is conditional on an agreement being entered into under [Part 5](#); and*

*(ha) set out provisions relating to the implementation in stages of uses or developments; and*

*(i) provide for any other matter which this Act refers to as being included in a planning scheme; and*

*(j) provide for an application to be made to a planning authority to bring an existing use of land that does not conform to the scheme into conformity, or greater conformity, with the scheme.*

Comment: The proposal is consistent with these requirements.

*(3) Subject to [subsections \(4\), \(5\) and \(6\)](#), nothing in any planning scheme is to be taken (including by virtue of requiring a permit to be obtained) to—*

*(a) prevent the continuance of the use of any land, upon which buildings or works are not erected, for the purposes for which it was being lawfully used before the coming into operation of the scheme; or*

*(b) prevent the use of any building which was erected before that coming into operation for any purpose for which it was lawfully being used immediately before that coming into operation, or the maintenance or repair of such a building; or*

*(c) prevent the use of any works constructed before that coming into operation for any purpose for which they were being lawfully used immediately before that coming into operation; or*

*(d) prevent the use of any building or works for any purpose for which it was being lawfully erected or carried out immediately before that coming into operation; or*

*(e) require the removal or alteration of any lawfully constructed buildings or works; or*

*(f) prevent a development, which was lawfully commenced but not completed before the coming into operation of the scheme, from being completed within—*

*(i) 3 years of that coming into operation; or*

*(ii) any lesser or greater period specified in respect of the completion of that development under the terms of a*



*permit or special permit granted before the coming into operation of the scheme.*

**Comment:** The proposal is consistent with these requirements.

- (4) [Subsections \(3\)](#) and [\(3A\)](#) do not apply to a use of land—  
(a) which has stopped for a continuous period of 2 years; or  
(b) which has stopped for 2 or more periods which together total 2 years in any period of 3 years; or  
(c) in the case of a use which is seasonal in nature, if the use does not take place for 2 years in succession.*

**Comment:** The proposal is consistent with these requirements.

- (5) [Subsection \(3\)](#) does not apply to the extension or transfer from one part of a parcel of land to another of a use previously confined to the first-mentioned part of that parcel of land.*

**Comment:** The proposal is consistent with these requirements.

- (6) [Subsections \(3\)](#) and [\(3A\)](#) do not apply where a use of any land, building or work is substantially intensified.*

**Comment:** The proposal is consistent with these requirements.

- (7) Nothing in any planning scheme or special planning order affects –  
(a) forestry operations conducted on land declared as a private timber reserve under the [Forest Practices Act 1985](#); or  
(b) the undertaking of mineral exploration in accordance with a mining lease, an exploration licence, or retention licence, issued under the [Mineral Resources Development Act 1995](#), provided that any mineral exploration carried out is consistent with the standards specified in the Mineral Exploration Code of Practice; or  
(c) fishing; or  
(d) marine farming in State waters.*

**Comment:** The proposal is consistent with these requirements.

- (8) The coming into operation of a planning scheme or a special planning order does not legitimize a use or development which was illegal under a planning scheme or a special planning order in force immediately before that coming into operation.*

**Comment:** The proposal is consistent with these requirements.

- (9) A planning scheme may require a use to which [subsection \(3\)](#) applies to comply with a code of practice approved or ratified by Parliament under an Act.*

**Comment:** The proposal is consistent with these requirements.

***Must seek to further the objectives in Schedule 1 of the Act***

Part 1 – The objectives of the resource management and planning system of Tasmania are –

- (a) to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity.*

**Comment:** The draft amendment is consistent with this objective.

- (b) to provide for the fair, orderly and sustainable use and development of air, land and water.*

**Comment:** The draft amendment is consistent with this objective.

- (c) to encourage public involvement in resource management and planning.*

**Comment:** If initiated, the draft amendment will be placed on public exhibition, providing an opportunity for public involvement.

- (d) to facilitate economic development in accordance with the objectives set out in [paragraphs \(a\)](#), [\(b\)](#) and [\(c\)](#).*

**Comment:** The draft amendment is consistent with this objective.





*(e) to promote the sharing of responsibility for resource management and planning between the different spheres of Government, the community and industry in the State.*

**Comment:** If certified, the proposal will be sent to the Tasmanian Planning Commission.

Part 2 – The objectives of the planning process established by the Act are, in support of the objectives set out in Part 1 of the Schedule –

*(a) to require sound strategic planning and co-ordinated action by State and local government.*

**Comment:** The draft amendment is consistent with the Northern Regional Land Use Strategy as outlined above. Council's Heritage Strategy is to recognise the importance of the area's Aboriginal and European heritage to the community and protect it for the benefit of the community and visitors. The proposal is consistent with these strategies.

*(b) to establish a system of planning instruments to be the principal way of setting objectives, policies and controls for the use, development and protection of land.*

**Comment:** The Northern Midlands Interim Planning Scheme 2013 is the planning instrument that applies to the subject land.

*(c) to ensure that the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land.*

**Comment:** The draft amendment is consistent with this objective.

*(d) to require land use and development planning and policy to be easily integrated with environmental, social, economic, conservation and resource management policies at State, regional and municipal levels.*

**Comment:** The draft amendment is consistent with this objective.

*(e) to provide for the consolidation of approvals for land use or development and related matters, and to co-ordinate planning approvals with related approvals.*

**Comment:** The draft amendment is consistent with this objective.

*(f) to secure a pleasant, efficient and safe working, living and recreational environment for all Tasmanians and visitors to Tasmania.*

**Comment:** The draft amendment is consistent with this objective.

*(g) to conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value.*

**Comment:** The draft amendment is consistent with this objective.

*(h) to protect public infrastructure and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community.*

**Comment:** The draft amendment is consistent with this objective.

*(i) to provide a planning framework which fully considers land capability.*

**Comment:** The draft amendment is consistent with this objective.

**Must be in accordance with State Policies.**

State Policy for the Protection of Agricultural Land – this policy is implemented through zoning the land Rural Resource. The draft amendment does not impact on this policy.

Water Quality Management State Policy – the draft amendment does not impact on this policy.

State Coastal Policy - There is no coastal land within the municipal area of the Northern Midlands.

National Environmental Protection Measures – None relevant.



## 7.2 CONCLUSION

The requested amendment meets the requirements of the Act and Council could initiate the draft amendment of its own motion. However, substantial resources are involved in advertising the draft amendment, responding to representations and attending hearings. It is therefore recommended that the application be made by Mr and Mrs Stewart, with the relevant fees paid. It is noted that the hedge extends into the Illawarra Road reservation so the application would have to include consent from the Minister administering the state road.

## 8 ATTACHMENTS

1. Request to Amend Planning Scheme with attachments [14.3.1 - 12 pages]
2. Email from F & S Stewart 11 March 2022 [14.3.2 - 7 pages]

## RECOMMENDATION

- 1 That Council not initiate the amendment of its own motion and advise Mr and Mrs Stewart that they will need to lodge an application to amend the planning scheme under section 33 of the *Land Use Planning and Approvals Act 1993*.

## MINUTE NO. 22/100

### DECISION

Cr Calvert/Cr Polley

That Council

- i) initiate a draft amendment to the Northern Midlands Interim Planning Scheme 2013 under section 34 (1) (b) of the Land Use Planning and Approvals Act 1993 to insert 873 Illawarra Road, Longford and the hedge fronting Illawarra Road in the list of heritage places outside precincts.
- ii) seek the written advice from its heritage adviser before certifying that the draft amendment meets the requirements of section 32 of the Act.
- iii) seek further discussion and information from State Growth re the relocation of the road corridor so as not to impact on the hedge row and cottage

Carried Unanimously

Voting for the Motion:

Mayor Knowles, Deputy Mayor Goss, Cr Adams, Cr Brooks, Cr Calvert, Cr Davis, Cr Goninon, Cr Lambert and Cr Polley

Voting Against the Motion:

Nil



## 14.4 REPORT ON REPRESENTATIONS TO DRAFT LOCAL PROVISIONS SCHEDULE

File: 13/004/001  
Responsible Officer: Des Jennings, General Manager  
Report prepared by: Paul Godier, Senior Planner

### 1 INTRODUCTION

This report relates to the exhibition of the draft Northern Midlands Local Provisions Schedule which has been prepared as part of the introduction of the Tasmanian Planning Scheme. In accordance with the requirements of section 35F of the *Land Use Planning and Approvals Act 1993*, Council is required to prepare a report to the Tasmanian Planning Commission on the representations received during the public exhibition period, including its opinions on whether the matters raised in those representations are of sufficient merit to necessitate a modification to the draft Local Provisions Schedule.

Council considered this matter at its meeting of 21 February 2022 and resolved:

*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.*

### 2 BACKGROUND

The State Government has legislated for the introduction of a single statewide planning scheme to be known as the Tasmanian Planning Scheme.

The Tasmanian Planning Scheme will replace all existing local council planning schemes and will come into effect for each council once the relevant Local Provisions Schedule is declared for that local government area.

In general terms, the Tasmanian Planning Scheme will comprise two parts:

- a set of consistent statewide planning rules called State Planning Provisions; and
- Local Provisions Schedules which will contain the zone and overlay maps and lists that apply the State Planning Provisions and identified special and unique areas for each council area.

On 6 October 2021, the Commission directed Council to exhibit the draft Local Provisions Schedule for the statutory 60 day exhibition period required under the *Land Use Planning and Approvals Act 1993*.

On 8 March 2022, the Executive Commissioner of the Tasmanian Planning Commission provided the attached advice which states:

*I refer to your correspondence dated 28 February 2022 that seeks an extension of time to submit your report to the Commission under section 35F(1) of the Land Use Planning and Approvals Act 1993 (the Act).*

*It is noted that the planning authority requires an extension of time as it wishes to clarify the draft LPS assessment process with the Commission, in particular what is “...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.”*

*If the planning authority agrees with a representation, it is expected that the planning authority reasons for that support will be documented and will contain sufficient information to justify the requested amendment. It is also necessary to demonstrate how acceptance of the representation complies with section 34(2) of the Act, and in particular the requirement for compliance with Guideline No. 1 and the regional strategy.*

*Similarly, if the planning authority does not support a representation, the reason for not supporting it must be documented. This process is to give effect to the statutory requirement on the planning authority to provide advice on the merit of each representation.*



*In light of those documented views, the Commission must assess the proposed representation in light of the provisions of the draft LPS and the requirements of the Act. That occurs through the Commission hearing process.*

*Turning to the key question of your request, the Commission may accept a representation supported or otherwise by the planning authority and make changes to a draft LPS, or may reject the changes.*

*Changes to a draft LPS are modifications that fall into two categories, modifications and substantial modifications.*

*Modifications can be made without further public exhibition. The Commission will direct the planning authority to make the modifications to the draft LPS. Such changes are ordinarily uncomplicated and do not give rise to issues of natural justice.*

*Substantial modifications are those changes that the Commission considers have merit, but may result in significant changes to the draft LPS and/or give rise to issues of natural justice. For example other landowners who potentially may be affected by the change should have an opportunity to consider the proposed changes and be able to express their views on the change.*

*Substantial modifications directed by the Commission become separate draft amendments to the LPS after the LPS has become effective. The amendments are prepared by the planning authority, and are then exhibited by the planning authority, essentially following a similar process to the normal assessment of a draft amendment to an interim planning scheme. A planning authority is not required to re-exhibit the whole LPS.*

*I trust this clarifies the query raised.*

*The requested extension of time is granted. The extension is provided until Friday, 25 March 2022.*

### **3 STATUTORY REQUIREMENTS**

Section 35F of the *Land Use Planning and Approvals Act 1993* requires a report to be provided to the Tasmanian Planning Commission.

Division 5 of the *Land Use Planning and Approvals Act 1993* allows for modifications to the draft Local Provisions Schedule. This is outlined in the attached flow chart.

### **4 REPRESENTATIONS**

The draft Northern Midlands Local Provisions Schedule was placed on public exhibition for 60 days in accordance with sections 35C and 35D of the *Land Use Planning and Approvals Act 1993*, from 22 October to 21 December 2021. 49 Representations were received (attached).

### **5 FINANCIAL IMPLICATIONS TO COUNCIL**

This matter is provided for within budget allocations.

### **6 OPTIONS**

Endorse the report on the representations, or move modifications to the report.

### **7 DISCUSSION**

The attached report considers the representations to the draft Local Provisions Schedule and provides opinions as to the merit of each representation and any subsequent recommendation for modification to the draft LPS.

Councillors indicated a desire for Council's Senior Planner to discuss the representation from Poatina Body Corporate, requesting a Particular Purpose Zone for Poatina, with its author. As a result of that discussion, it is concluded that the representation meets the LPS criteria at Schedule 1, Part 2 Objectives of the *Land Use Planning and Approvals Act 1993*:



(c) to ensure that the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land; and

(g) to conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value.

It is recommended that the report be endorsed and submitted to the Tasmanian Planning Commission, except with regard to Representation 7 from the Poatina Body Corporate.

## 8 ATTACHMENTS

1. Attachment 1 - S 35 F Report on Representations to draft Northern Midlands LPS [14.4.1 - 34 pages]
2. Attachment 2 - Representations [14.4.2 - 376 pages]
3. Northern Midlands Draft LPS - TPC Letter Granting Extension to Provide Section 35 F(1) Report, 8 Mar [14.4.3 - 2 pages]
4. Flowchart- Draft- Local- Provisions- Schedule- LP S-approval-process [14.4.4 - 1 page]

## RECOMMENDATION

That Council, in accordance with section 35F of the *Land Use Planning and Approvals Act 1993*, endorse and submit to the Tasmanian Planning Commission this report about the exhibition of the draft Northern Midlands Local Provisions Schedule, which includes the following particulars:

- (A) as set out in **Attachment 1**, the Planning Authority's consideration of the received representations including opinions as to the merit of each representation and any subsequent recommendation for modification to the draft LPS, except with regard to the representation from Poatina Village Body Corporate;
- (B) a copy of each representation received during the public exhibition period (as enclosed with **Attachment 2**); and
- (C) determination that the draft LPS (including those recommendations and modifications described in **Attachment 1**) satisfies the local provisions schedule criteria set out under section 34(2) of the *Land Use Planning and Approvals Act 1993*, except with regard to the representation from Poatina Village Body Corporate.
- (d) With regard to the representation from Poatina Village Body Corporate, the Council is of the opinion that the representation has merit, satisfies the LPS criteria at Schedule 1, Part 2 Objectives of the *Land Use Planning and Approvals Act 1993* (c) and (g) and recommends that the draft LPS be modified by revising the zoning of titles 53397/3 and 120167/0 to Particular Purpose Zone in accordance with the representation from Poatina Village Body Corporate removing the Scenic Protection Code overlay from titles 53397/3 and 120167/0, with landscape management areas to be identified within the Particular Purpose Zone.

## MINUTE NO. 22/101

### DECISION

Cr Adams/Cr Brooks

That Council, in accordance with section 35F of the *Land Use Planning and Approvals Act 1993*, endorse and submit to the Tasmanian Planning Commission the following in relation to the exhibition of the draft Northern Midlands Local Provisions Schedule:

- (A) With regard to representation 10 from Town Planning Solutions, the Council is of the opinion that the representation has merit, satisfies the LPS criteria at Schedule 1, Part 2 Objectives of the *Land Use Planning and Approvals Act 1993* (c) and (g) and recommends that the draft LPS be modified by revising the zoning of 116 Catherine Street (CT [168940/1](#)) and 120 Catherine Street (CT [168940/2](#)), Longford, to Rural Living Zone C..
- (B) With regard to representation 13 from Plan Place Pty Ltd, the Council is of the opinion that the representation has merit, satisfies the LPS criteria at Schedule 1, Part 2 Objectives of the *Land Use Planning and Approvals Act 1993* (c) and (g) and recommends that the draft LPS be modified by revising the zoning of 18 Wilmores Lane (CT [116434/3](#)), 140 Catherine Street ([116434/2](#)), and 130 Brickendon Street (CT [116434/1](#)), Longford, to Rural Living Zone C.

Carried



Voting for the Motion:

Mayor Knowles, Deputy Mayor Goss, Cr Adams, Cr Brooks, Cr Calvert, Cr Goninon, Cr Lambert and Cr Polley

Voting Against the Motion:

Cr Davis

#### MINUTE NO. 22/102

##### DECISION

Deputy Mayor Goss/Cr Adams

That Council, in accordance with section 35F of the *Land Use Planning and Approvals Act 1993*, endorse and submit to the Tasmanian Planning Commission this report about the exhibition of the draft Northern Midlands Local Provisions Schedule, which includes the following particulars:

- (A) as set out in **Attachment 1**, the Planning Authority's consideration of the received representations including opinions as to the merit of each representation and any subsequent recommendation for modification to the draft LPS, except with regard to the representation from Poatina Village Body Corporate;
- (B) a copy of each representation received during the public exhibition period (as enclosed with **Attachment 2**); and
- (C) determination that the draft LPS (including those recommendations and modifications described in **Attachment 1**) satisfies the local provisions schedule criteria set out under section 34(2) of the *Land Use Planning and Approvals Act 1993*, except with regard to the representation from Poatina Village Body Corporate.
- (D) With regard to the representation from Poatina Village Body Corporate, the Council is of the opinion that the representation has merit, satisfies the LPS criteria at Schedule 1, Part 2 Objectives of the *Land Use Planning and Approvals Act 1993* (c) and (g) and recommends that the draft LPS be modified by revising the zoning of titles 53397/3 and 120167/0 to Particular Purpose Zone in accordance with the representation from Poatina Village Body Corporate removing the Scenic Protection Code overlay from titles 53397/3 and 120167/0, with landscape management areas to be identified within the Particular Purpose Zone.

Carried

Voting for the Motion:

Mayor Knowles, Deputy Mayor Goss, Cr Adams, Cr Brooks, Cr Calvert, Cr Goninon, Cr Lambert and Cr Polley

Voting Against the Motion:

Cr Davis

#### MINUTE NO. 22/103

##### DECISION

Cr Adams/Cr Polley

That Council, in accordance with section 35F of the *Land Use Planning and Approvals Act 1993*, endorse and submit to the Tasmanian Planning Commission the following in relation to the exhibition of the draft Northern Midlands Local Provisions Schedule:

- (A) With regard representation 48 from Mr Ivan Badcock, the Council is of the opinion that the representation has merit, satisfies the LPS criteria at Schedule 1, Part 2 Objectives of the Land Use Planning and Approvals Act 1993 (c) and (g) and recommends that the draft LPS be modified by revising the zoning of 1095 Bishopsbourne Road, Bishopsbourne (CT142492-1) to Rural Living Zone B.

Carried

Voting for the Motion:

Mayor Knowles, Cr Adams, Cr Calvert, Cr Goninon, Cr Lambert and Cr Polley

Voting Against the Motion:

Deputy Mayor Goss, Cr Brooks and Cr Davis





## 15 COUNCIL ACTING AS A PLANNING AUTHORITY: CESSATION

### RECOMMENDATION

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

### MINUTE NO. 22/104

#### DECISION

Cr Adams/Cr Goninon

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

Carried Unanimously

## 16 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)
Agreement update	15(2)(g)
Personnel Matters	15(2)(a)
Committee Membership	15(2)(g)
Stormwater	15(2)(g)

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

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



- (i) *matters relating to actual or possible litigation taken, or to be taken, by or involving the council or an employee of the council;*
- (j) *the personal hardship of any person who is a resident in, or is a ratepayer in, the relevant municipal area.*

#### RECOMMENDATION

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

#### MINUTE NO. 22/105

##### DECISION

Cr Goninon/Cr Lambert

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.

Carried Unanimously

### 16.1 CLOSED COUNCIL DECISIONS RELEASED

#### 4.1 Local District Committee Membership

#### MINUTE NO. 22/109

##### DECISION

Deputy Mayor Goss/Cr Lambert

That Council,

- A) Appoint Sally Anne Langridge as a member of the Ross Local District Committee for the remainder of the 2021-2023 membership term.
- B) Council, in relation to this matter:
  - i) consider whether any discussion, decision, report or document is kept confidential or released to the public; and
  - ii) determined **to release** the decision to the public.

Carried Unanimously

Voting for the Motion:

Mayor Knowles, Deputy Mayor Goss, Cr Adams, Cr Brooks, Cr Calvert, Cr Davis, Cr Goninon, Cr Lambert and Cr Polley

Voting Against the Motion:

Nil

#### 4.2 Sheepwash Creek Flood Mapping

#### MINUTE NO. 22/110

##### DECISION

Cr Adams/Cr Polley

- A) That Council
  - i) adopt and release the Sheepwash Creek Flood Mapping report to ensure that Council and developers are informed of the extent of the flood prone area;
  - ii) agree to fund, in order of priority, the following culvert upgrades to existing infrastructure as listed below:

Priority	Location	2022 Estimate
1	Drummond Street	\$502,600
2	Rail Line	\$308,000
3	Youl Road	\$257,600
4	Edward Street	\$331,800
5	Phillip Street	\$327,600



- B) That Council, in relation to this matter:
- i) consider whether any discussion, decision, report or document is kept confidential or released to the public; and
  - ii) determined **to release** the decision (and the document referred to in the decision) to the public.
- Carried Unanimously

Voting for the Motion:

Mayor Knowles, Deputy Mayor Goss, Cr Adams, Cr Brooks, Cr Calvert, Cr Davis, Cr Goninon, Cr Lambert and Cr Polley

Voting Against the Motion:

Nil

## 17 CLOSURE

### MINUTE NO. 22/111

#### DECISION

Cr Davis/Deputy Mayor Goss

That Council move out of the "Closed Meeting".

Carried Unanimously

Mayor Knowles closed the meeting at 8.16pm.

MAYOR \_\_\_\_\_ DATE \_\_\_\_\_