



**NORTHERN  
MIDLANDS  
COUNCIL**

# **MINUTES**

**ORDINARY MEETING OF COUNCIL**

**MONDAY, 27 JUNE 2022**



MINUTES of the Ordinary Meeting of the Northern Midlands Council held on 27 June 2022 at 5.03pm 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 Jan Davis, Cr Ian Goninon, Cr Janet Lambert, Cr Michael Polley AM

### **In Attendance**

Mr Des Jennings - General Manager, Miss Maree Bricknell - Corporate Services Manager, Mr Leigh McCullagh - Works Manager, Mr Martin Maddox - Accountant (from 8.20pm to 8.43pm); Mr Paul Godier - Senior Planner (to 9.31pm), Mr Ryan Robinson - Planner (to 8.19pm), Gail Eacher - Executive Assistant

### **APOLOGIES**

Cr Andrew Calvert



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**MINUTE NO. 22/176**

DECISION

Cr Lambert/Deputy Mayor Goss

That Item 9.7 *Kennel Licence Application: 310 Perth Mill Road, Perth* be held over until after public question time.

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil



### 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.

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### 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 Declarations of Interest:

- Councillor Jan Davis - Item 4.3 Closed Council
- Councillor Ian Goninon - Item 15.2 PLN22-0082: 26-28 Charles Street & 14 Saundridge Road, Cressy - Subdivision Of 2 Lots Into 3; and  
Item 15.3 PLN21-0339: 26-28 Charles Street, Cressy - Change Of Use To Communal Residence



## 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, 16 May 2022, subject to amendment to

page 101 of the minutes, which relates to 15.2 Draft Amendment 04/2021: 17 Church Street Campbell Town - Report on Representations

as follows:

##### 4 ASSESSMENT OF REPRESENTATIONS

###### *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 ECM system after completion of the public exhibition period revealed that five representations (attached) were received from:*

...

- Derek Porter, 36 ~~Bridge Church~~ Street, Campbell Town
- Elizabeth Porter, 36 ~~Bridge Church~~ Street, Campbell Town

...

be confirmed as a true record of proceedings.

#### MINUTE NO. 22/177

##### DECISION

Cr Polley/Cr Adams

That the Open Council Minutes of the Ordinary Meeting of the Northern Midlands Council held at the Council Chambers, Longford on Monday, 16 May 2022, subject to amendment to page 101 of the minutes, which relates to 15.2 Draft Amendment 04/2021: 17 Church Street Campbell Town - Report on Representations, as follows:

##### 4 ASSESSMENT OF REPRESENTATIONS

###### *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 ECM system after completion of the public exhibition period revealed that five representations (attached) were received from:*

...

- Derek Porter, 36 ~~Bridge Church~~ Street, Campbell Town
- Elizabeth Porter, 36 ~~Bridge Church~~ Street, Campbell Town

...

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, 18 July 2022 in person and via the Zoom video conferencing platform in accordance with the *COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020*, Section 18 (authorisation for meetings not to be held in person).



## 6 COUNCIL COMMITTEES - CONFIRMATION OF MINUTES

Minutes of meetings of the following Committees are attached:

Date	Committee	Meeting
5 April 2022	Perth Local District Committee	Ordinary
25 May 2022	Cressy Local District Committee	Ordinary
11 May 2022	Morven Park Management Committee	AGM
11 May 2022	Morven Park Management Committee	Ordinary
5 April 2022	Perth Community Centre Management Committee	Ordinary
7 June 2022	Perth Local District Committee	Ordinary
3 May 2022	Evandale Advisory Committee	Ordinary
8 June 2022	Longford Local District Committee	Ordinary
7 June 2022	Campbell Town District Forum	Ordinary

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

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

### MINUTE NO. 22/178

#### 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 CAMPBELL TOWN DISTRICT FORUM

At the ordinary meeting of the Campbell Town District Forum held on 7 June 2022 the following motion/s were recorded for Council's consideration:

**Reduced Speed Limit on High Street:** *That the Council lobby State Growth to reduce the speed limit through the centre of Campbell Town from 20 metres south of the Red Bridge to the entrance of the Recreation Ground, during busy periods such as a long weekend/public holidays, and during the middle of the day (11.00am to 4.00pm).*

**Officer Comment:**

Campbell Town District Forum (CTDF) members advised of safety concerns when crossing High Street, particularly for the elderly, are twofold.

1. When pedestrians are navigating across High Street, the passage through the traffic island does not line up, requiring pedestrians to amble sideways, increasing the time it takes to cross the road.
2. Given the expanse of the road, during busy periods, crossing the road can be precarious particularly with heavy haulage having less time to slow or stop for pedestrians if required particularly during busy pedestrian usage, such as the end of the school day.

CTDF members advised that during public holidays incorporating a long weekend, pedestrian traffic increases, and it was felt that decreasing the speed limit would go some way to decreasing the risk for pedestrians.

**Officer Recommendation:**

That Council investigate options to determine what benefits can be achieved by reducing the speed limit in conjunction with the Campbell Town Urban Design and Traffic Management Strategy.

#### MINUTE NO. 22/179

DECISION

Deputy Mayor Goss/Cr Polley

That Council investigate options to determine what benefits can be achieved by reducing the speed limit in conjunction with the Campbell Town Urban Design and Traffic Management Strategy.

Carried

**Voting for the Motion:**

Mayor Knowles, Deputy Mayor Goss, Cr Adams, Cr Brooks and Cr Lambert

**Voting Against the Motion:**

Cr Davis, Cr Goninon and Cr Polley

**Congestion on High Street:** *That Council provides an updated traffic management plan spanning from the recreation ground to south of the red bridge with particular attention to the recreation ground entrance and the service station.*

**Officer Comment:**

Members reported congestion issues on High Street at the entrance to the Recreation Ground and at the service station. Turning right out of the service station is difficult or sometimes impossible, particularly during busy periods with drivers required to turn left, proceed down the road, and turn right either into a side street or complete a U-turn to progress north.

Members discussed the possibility of relocation of the recreation ground entrance to a side street; however, were of the opinion this will simply move the issue to another location and not address it.

Discussion with the Works Manager revealed that this is a "known" issue, and that discussions are ongoing to install turning lanes at these locations.

**Officer Recommendation:**

That Council note the request and communicate updates to the Campbell Town District Forum.



**MINUTE NO. 22/180**

DECISION

Deputy Mayor Goss/Cr Lambert

That Council note the request and communicate updates to the Campbell Town District Forum.

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil

**Stormwater Management - Centrecare Housing Development:** *That Council provides an update to the committee about stormwater management along East Street.*

**Officer Comment:**

The Committee was advised that development approval had been issued for this project and was progressing to the next stage however, that stormwater from Council land, being water from the recreation ground draining onto Church land, was an ongoing matter. Further, the Committee was informed that this could be resolved by the installation of a culvert under the railway line and a swale drain installed to divert the water.

District Committees and Forums are advised when developments applications are advertised for information purposes only and are advised that, "Any comments regarding this matter should be made direct to the Planning Department in your individual capacity".

It was noted that this is a private development that will bring much needed accommodation to the community and is progressing through the relevant approval processes as required that considers stormwater management.

Council has a comprehensive Urban Stormwater Management Strategy which is available on the Council website however, the committee's enquiry was quite specific.

Council could provide an overview to the Committee about stormwater management in Campbell Town which may provide a better understanding within the context of the overall Urban Stormwater Management Strategy, rather than comment on individual projects.

**Officer Recommendation:**

That Council provide an overview of Stormwater Management to the Campbell Town District Forum.

**MINUTE NO. 22/181**

DECISION

Deputy Mayor Goss/Cr Adams

That Council provide an overview of Stormwater Management to the Campbell Town District Forum.

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil



## 7.2 CRESSY LOCAL DISTRICT COMMITTEE

At the ordinary meeting of the Cressy Local District Committee held on 25 May 2022, the following motion/s were recorded for Council's consideration:

**Cressy brochure:** *That Cressy be put forward as the first town for electronic promotions.*

**Officer Comment:**

The Cressy Local District Committee is supportive of promotion of the town. If Council is to progress with tourism promotion of the towns, Cressy would like to be put forward first.

**Officer Recommendation:**

That the request be noted.

**MINUTE NO. 22/182**

DECISION

Deputy Mayor Goss/Cr Lambert

That the request be noted.

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil

**Netball/Basketball hoops:** *That Council investigate incorporation of netball / basketball hoops at the Cressy Recreation Ground development.*

**Officer Comment:**

Committee members have received a request from a local student regarding installation of netball / basketball hoops within the town. The Committee has requested these be incorporated in the redevelopment of the Cressy Recreation Ground.

**Officer Recommendation:**

That the request be noted and officers investigate installation of netball / basketball hoops at the Cressy Recreation Ground.

**MINUTE NO. 22/183**

DECISION

Deputy Mayor Goss/Cr Lambert

That the request be noted and officers investigate installation of netball / basketball hoops at the Cressy Recreation Ground.

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil



### 7.3 LONGFORD LOCAL DISTRICT COMMITTEE

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

**Parking in Wellington Street:** *Longford Local District Committee request Northern Midlands Council investigate options regarding parking in Wellington Street from Lyttleton Street to the Town Hall, to prevent people parking their cars for indeterminate times.*

**Officer Comment:**

The Committee was informed by residents of vehicles being parked for extended periods in Wellington Street and included vehicles not being moved sometimes for days, in an area spanning from Lyttleton Street to the Town Hall. In addition, the committee advised that parking outside the Library for extended periods, restricted the access for other library users, particularly elderly patrons who may have mobility issues and were required to either walk for extended periods to access the library or, who were choosing to not attend the library at all. It was noted that rather than choosing isolated incidents or vehicles, an overall parking strategy was required addressing that takes into consideration all users and fair access to all facilities and businesses. Subsequent discussion with the Works Manager has informed that the development of a parking strategy is currently underway and that a range of options is being investigated.

**Officer Recommendation:**

That Council notes the request and communicates outcomes of the parking strategy in the Longford business district with the Longford Local District Committee.

**MINUTE NO. 22/184**

DECISION

Cr Adams/Cr Brooks

That Council notes the request and communicates outcomes of the parking strategy in the Longford business district with the Longford Local District Committee.

Carried Unanimously

**Voting for the Motion:**

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

**Voting Against the Motion:**

Nil

**Wellington Street – Traffic Calming:** *Longford Local District Committee request Northern Midlands Council investigate the possibility a mobile speed detection with feedback be placed in Wellington Street.*

**Officer Comment:**

Traffic flow along Wellington Street has been a concern for both Council and residents for some time with several options to address this being investigated.

In considering options utilised in other regions, it was suggested that Council could investigate installing an LED Smart Speed Display which provides feedback to the driver about the speed they are travelling at a point in time providing an opportunity for speed correction and safer traffic conditions.







**Officer Recommendation:**

That Council investigate the feasibility of installing an LED Smart Speed Display, or similar.

**MINUTE NO. 22/185**

DECISION

Cr Adams/Cr Brooks

That Council investigate the feasibility of installing an LED Smart Speed Display, or similar.

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil



## 7.4 PERTH LOCAL DISTRICT COMMITTEE

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

**Historical Interpretive Panels:** *That all content of historical interpretive panels be vetted for accuracy before production and installation and the PLDC be advised where information is sourced from and by whom.*

**Officer Comment:**

That the committees request be noted.

**Officer Recommendation:**

That the committees request be noted.

### MINUTE NO. 22/186

DECISION

Cr Davis/Cr Lambert

That the committees request be noted.

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil

**Reconciliation Plan:** *To strongly encourage Council to develop and institute a Reconciliation Plan for the Northern Midlands Council area. Reconciliation Tasmania are a valuable source of information regarding this process.*

**Officer Comment:**

In this regard, the following advice was provided to the Perth Local District Committee in their Agenda for the 1 March 2022 meeting: Council does not have a formal Reconciliation Plan in place, however, it is proposed to develop a plan for Council's future endorsement, with appropriate community consultation to be included in the process.

**Officer Recommendation:**

That the advice in relation to the Reconciliation Plan be provided to the Committee.

### MINUTE NO. 22/187

DECISION

Cr Davis/Cr Lambert

That the advice in relation to the Reconciliation Plan be provided to the Committee.

Carried Unanimously

Voting for the Motion:

Mayor Knowles, Deputy Mayor Goss, Cr Adams, Cr Brooks, 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
2022-05-23	<b>Council Workshop</b> Presentations <ul style="list-style-type: none"><li>Budget 2022-23</li></ul>
2022-05-30	<b>Special Council Workshop</b> Presentations <ul style="list-style-type: none"><li>Tasmanian Stormwater Policy &amp; Powers</li><li>Budget 2022-23</li></ul>
2022-06-06	<b>Council Workshop</b> Presentations <ul style="list-style-type: none"><li>Budget 2022-23</li></ul>
2022-06-27	<b>Council Workshop</b> Discussion: <ul style="list-style-type: none"><li>Council Meeting Agenda items</li></ul>
2022-06-27	<b>Council Meeting</b>

### 8.2 MAYOR'S ACTIVITIES ATTENDED & PLANNED

Mayor's Activities Attended & Planned for the period 17 May to 27 June 2022 are as follows:

Date	Activity
17 May 2022	Attended online rapid rehousing housing meeting, Gipps Creek
18 May 2022	Attended meeting with John Tucker, Longford
19 May 2022	Attended Cancer Council morning tea, Devon Hills
23 May 2022	Attended National Recovery and Resilience event, Campbell Town
23 May 2022	Attended Council Workshop, Longford
24 May 2022	Attended Climate Change dinner, Launceston
25 May 2022	Attended Climate Change Conference, Launceston
26 May 2022	Attended IdeasBanq presentation, Longford
30 May 2022	Attended online Our Watch FV Forum, Mildura
2 June 2022	Attended online Victim-Survivor Advisory Council discussion, Mildura
20 June 2022	Attended NMC to sign documents, Longford
22 June 2022	Opening remarks online Hearing Lived Experience – Older Tasmanians FV Forum, Longford
24 June 2022	Attended online rapid rehousing housing meeting, Gipps Creek
27 June 2022	Attended Workshop and Council Meeting, Longford
Attended to email, phone and mail enquiries.	

### 8.3 GENERAL MANAGER'S ACTIVITIES

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

- Attended Northern Tasmania Development Corporation board meetings
- Attended Northern Tasmania Development Corporation members meetings
- Attended meeting with landowner re land acquisition
- Attended meeting re sale of Campbell Town town hall
- Met with Longford ratepayer re concerns



- Met with proponent re development proposal

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

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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.

### ATTACHMENTS

Nil

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## 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	74	66	96		<b>915</b>	<b>1,004</b>
<b>337</b>	34	54	29	59	63	30	35	37	52	39	43		<b>475</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 April 2022		Income/Issues 2021/2022	
	No.	\$	No.	\$	No.	\$
Dogs Registered	4,240	100,776	24	1,188	4,261	109,839
Dogs Impounded	27	2,212	3	216	26	4,000
Euthanised					1	
Re-claimed	24		3		22	
Re-homed/Dogs Home	3				3	
New Kennel Applications	16	1,152	4	288	19	1,368
Renewed Kennel Licences	72	3,168			83	3,652
Infringement Notices (paid in full)	36	6,785	2	346	28	5,142
Legal Action						
Livestock Impounded	1	65				
<b>TOTAL</b>		<b>114,159</b>		<b>2,038</b>		<b>124,001</b>

### Registration Audit of the Municipality:

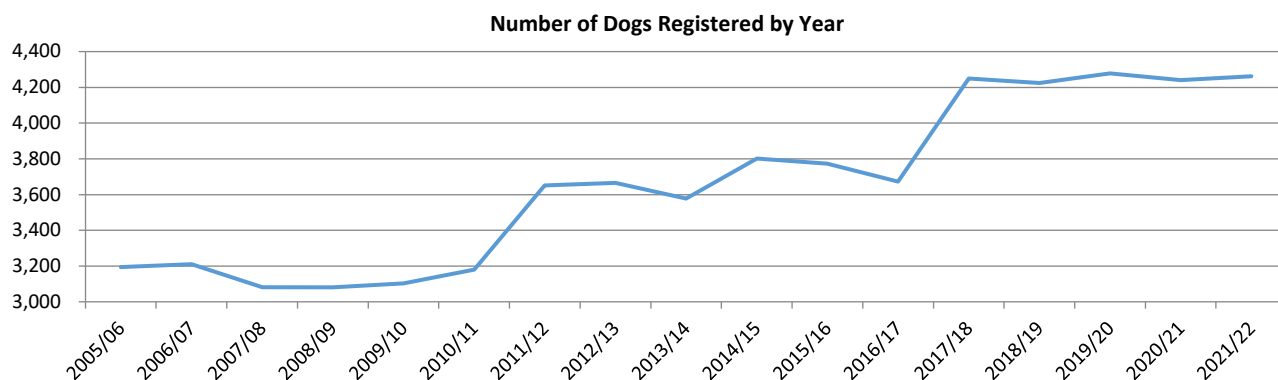
Ongoing

### Microchips:

0 dogs microchipped.

### Attacks:

0 attack



## 8.8 ENVIRONMENTAL HEALTH SERVICES

Prepared by: Patricia Stanwell, Environmental Health Officer

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

Ensure safe standards of food offered for sale are maintained.

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

Actions	2021/2022											
	YTD	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
Routine Fixed Food Inspections	160/ 163	3	32	34	34	27	3	3	11	13	14	
Routine Mobile/Market stall Food Inspections	22	0	0	0	0	0	0	0	22	6	7	
Preliminary Site Visits – Licensed Premises	27	4	4	2	3	0	0	2	12	14	7	
On-site wastewater Assessments	12	3	4	2	2	0	0	0	1	2	0	
Complaints/Enquiries – All Types	98	8	8	4	6	3	4	40	25	16	12	
Place of Assembly approvals	7	0	1	0	2	1	0	0	3	2	1	
Notifiable Diseases	0	0	0	0	0	0	0	0	0	0	0	

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

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

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

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

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

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

The following is applicable regarding food business registrations:

- A Food Business Application is to be completed and lodged with Council each year (Financial) Sections 84 or 87 or 89 of the *Food Act*.
- Council conducts a desk top assessment of the application in accordance with the Food Business Risk Classification System issued by Tasmanian Department of Health. The assessment is based on the information provided by the applicant.
- Based on the Risk assessed an invoice is issued to the applicant.
- Upon receipt of payment Council issues a Certificate of Registration.



- Council conducts an inspection of the premises during their operation to ensure compliance with the *Food Act* and Regulations and the Food Standards Code. The business is also assessed in line with their Risk Classification.
- Further inspections may be required to ensure any non-compliance issued have been addressed.

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

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

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

## 8.9 CUSTOMER REQUEST RECEIPTS

Operational Area	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Animal Control	7	-	4	3	3	2	1	1	1	1	1	
Building & Planning	16	17	4	18	2	1	5	1	4	1	2	
Community Services	4	7	5	5	5	5	2	10	1	8	-	
Corporate Services	28	4	6	6	3	-	-	-	-	-	1	
Governance	9	-	-	-	1	1	-	-	-	2	-	
Waste	-	3	-	4	1	-	-	2	-	2	-	
Works	38	39	43	41	33	30	11	18	36	27	35	

## 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
25-Mar-22	Lachlan Oliver	Junior Track Championships Brisbane 2022	\$100.00
27-Apr-22	Erica Kirk	Bursary Program 2022 – Instalment 1	\$1,000.00
18-May 22	Alez Airey	Bursary Program 2022 – Instalment 1	\$1,000.00
	Donation – cheque not deposited	Reversal of donation amount	-\$100.00
		TOTAL	\$29,718.32



## 8.11 ACTION ITEMS: COUNCIL MINUTES

Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
	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	Awaiting external response	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 Harbour Software Support Consultant is validating the modelling. 24/01/2022 Paul Godier Consultant provided updated modelling on 10 January 2022. 03/03/2022 Paul Godier Given that the draft Local Provisions Schedule hearing are expected to be held in July 2022, it is recommended that quotes be sought to prepare a scheme amendment to include the flood mapping once the Local Provisions Schedules are in effect. It is noted that the Flood Prone Areas Code currently applies to land mapped as flood risk on the planning scheme maps, or even if not mapped, if it is potentially subject to flooding at 1% annual exceedance probability. 09/05/2022 Paul Godier Quotes to be sought. 07/06/2022 Paul Godier Quote sought.
31/01/2022	10.2	Municipal Boundary Adjustment: 101 Pateena Road	Awaiting external response	That Council resolve to request the Director of Local Government in accordance with Section 16 (4A) of the Local Government Act 1993 to initiate a minor municipal boundary adjustment for 101 Pateena Road to be entirely in the Municipality of Meander Valley.	Paul Godier	08/02/2022 Paul Godier Have requested the Spatial Information Specialist at the Department of Natural Resources and Environment to prepare the required maps. 03/03/2022 Paul Godier Spatial Information Specialist provided map on 17 February 2022. Meander Valley Council to consider the request for municipal boundary adjustment at its meeting of 8 March 2022. 25/03/2022 Gail Eachner 8/3/2022 Meander Valley Council agreed to adjustment. Request sent to LG Division 18/3/2022. 04/04/2022 Paul Godier 31 March 2022, the Local Government Division requested consent of new landowner and provision of Municipal Map. Being provided in conjunction with Meander Valley Council. 03/05/2022 Paul Godier Meander Valley Council advised on 1 April 2022 that they will follow up the new ownership and consent.
	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 Eachner	29/09/2021 Harbour Software Support No further action to be taken at this time. To be workshopped and report to be relisted. Discussion held with property owner, formal advice requested. Correspondence to be forwarded to property owner. 25/01/2022 Gail Eachner Correspondence forwarded to property owner, awaiting response. 14/02/2022 Gail Eachner Letter received from property owner. Draft response to queries raised prepared. 01/04/2022 Gail Eachner Letter sent to property owner, response awaited.
	1.1	17/02/2020 - 039/20 - Bartholomew Park Sign	In progress	That Council officers investigate and design a new park sign and explanation plinth (providing background on the park name) to be located at the corner of Main and Church Streets, Cressy near the trout sculpture, and it be brought back to the Committee for comment.	Amanda Bond	08/10/2021 Harbour Software Support Committee has chosen sign design. Seeking advice on planning approval requirements. Once advice received will progress. 09/11/2021 Gail Eachner Planning application submitted. 03/12/2021 Amanda Bond Awaiting planning approval 12/01/2022 Amanda Bond Planning approval received, awaiting production. 08/02/2022 Amanda Bond Signs produced, to be collected and installed. 23/03/2022 Amanda Bond Signs





Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
						collected awaiting installation. 03/05/2022 Amanda Bond Upon installation of frame, determined sign would obscure Trout and Public Toilet, therefore frame to be removed and options with Committee to confirm action moving forward ie reduce height and size and install.
	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 Harbour Software Support Motions to be prepared and workshopped. 25/01/2022 Gail Eachar 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 Harbour Software 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 Harbour Software Support Historic photos to be catalogued and collated. 05/10/2021 Gail Eachar Framed photographs installed - action complete. Resources not available to undertake archiving of historic photographs and production of photo book. Additional resource to be sought. 06/12/2021 Gail Eachar 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, Lorraine Wyatt	08/10/2021 Harbour Software Support Information provided to DPIPW, awaiting decision. 07/12/2021 Gail Eachar The proposals went to the Place Names Advisory Panel on 2/12/21, recommendations are being prepared for the Minister.
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 Gail Eachar Awaiting agreement from property owner prior to action.
15/11/2021	9.4	Community Action Plan	In progress	That Council accepts the opportunity to receive a \$5,000 grant and develop a Community Action Plan on Suicide Prevention for the Northern Midlands with the focus of the plan to be to offer Mental Health First Aid training to members of Council staff and members of the Northern Midlands municipality.	Amanda Bond	07/12/2021 Amanda Bond Meeting with Relationships Australia representative on 9/12/2021 13/01/2022 Amanda Bond Officers to compile list of relevant community members / groups to work on the plan. 08/03/2022 Amanda Bond Relationships Australia, Tasmania representative to present to Northern Midlands Interagency Meeting (meeting of local service providers, particularly in the health space) and seek input for development of plan. 03/05/2022 Amanda Bond Awaiting report from Relationships Australia on how to proceed.



Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
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	03/03/2022 Paul Godier Planning Issues - Awaiting advice of review of State Planning Provisions. Building Issues - Preparing a Proposal for Change to the National Construction Code. Identifying who can undertake queuing modelling to support a recommended number of toilets and showers per person. 04/04/2022 Paul Godier Tasmanian State Planning Office advised of Local Government Engagement Timeline. 21/06/2022 Paul Godier Recommended submission to review of State Planning Provisions to include standards for seasonal worker accommodation to be presented to Council meeting of 27 June 2022.
13/12/2021	7 1.3	Marlborough Street Traffic Islands	In progress	7.4 Marlborough Street Traffic Islands: Traffic islands along Marlborough St need be made more visible for safety reasons, as there is fading of the edges around them. Maybe more visible with a coat of paint. (Please see attached photos). Officer Comment: Customer request to be generated and request forwarded to Dept of State Growth. Officer Recommendation: That Council note the recommendation.	Lorraine Wyatt	14/02/2022 Lorraine Wyatt Request sent to DSG on 25/1/22. Response awaited. 21 June 2022: Reminders have been sent with no response received. Next step, to make contact by telephone.
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	08/03/2022 Amanda Bond Property owner notified. Council staff preparing layout plan for Development Application. 15/06/2022 Amanda Bond Concept plan being finalised, will then be provided to Planner for Development Application and Subdivision process.
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, Leslie Hall	15/03/2022 Gail Eachers Report to be prepared.
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	Jonathan Galbraith, Leigh McCullagh	20/01/2022 Jonathan Galbraith Revised design plan has been sent to DSG for approval. Contractor to be engaged to carry out works once approval is received 14/02/2022 Jonathan Galbraith Design proposing installation of concrete bollards has been submitted to DSG for approval awaiting response 08/03/2022 Jonathan Galbraith Currently seeking prices to carry out works 01/04/2022 Jonathan Galbraith Planning Application has been submitted for these



Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
				and building from damage; and iii) continue to seek other measures to remediate the dangers posed by the intersection.		works. Contractor has been engaged to carry out works once planning approval is received. 06/05/2022 Jonathan Galbraith Finalizing heritage requirements for planning application
16/05/2022	7 4.2	Bicycle Pump Track	Not yet started	Request: Council to allocate land for community-built Bicycle Pump Track at either Sheepwash Park or Oakmont St. The Committee is aware that clean fill and manpower is available from within the community. Decision: That Council note the request of the Committee and the inclusion of this matter for consideration as part of the budget process.	Gail Eachar, Maree Bricknell	
16/05/2022	7 2.2	Cressy Swimming Pool	Not yet started	Request: Requested heated pool signs at the entrance to the Cressy Memorial Swimming Pool. Decision: That the request be noted and a review of the 'heated pool' sign be undertaken.	Amanda Bond	
16/05/2022	9.2	Local Government Reform	Not yet started	That Council prepare a comparison of rates and services provided to the outer urban areas by Launceston City Council (incl. Lilydale) and the Northern Midlands Council towns of Perth, Evandale and Longford; as well as an analysis of income and outflows for urban and rural services provided.	Maree Bricknell	
16/05/2022	11.2	Public Land Register	Completed	That Council accept the 'Register of Public Land' as at 1 May 2022 owned/controlled by Council under the section 177A of the Local Government Act 1993 .	Maree Bricknell	
16/05/2022	8.9.1	Receipt of Petitions	Not yet started	That Council acknowledge receipt of a) the compliant petition presented to Council by Mr Jason Cox on 9 May 2022, the petition is relative to the Opposing of Planning Application PLN-21-0339 26-28 Charles Street, Cressy;	Gail Eachar	
16/05/2022	8.9.1	Receipt of Petitions	Not yet started	That Council acknowledge receipt of b) the non-compliant petition presented to Council by Mr John Cameron on 4 April 2022, the petition is relative to the Convict Brick Trail at Campbell Town.	Gail Eachar	
16/05/2022	9.3	Renewal of Appointment: Municipal Management	Not yet started	That Council endorse the nomination of i) Mr Des Jennings, General Manager as the Northern Midlands Council's Municipal Emergency	Gail Eachar	



Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
		Coordinator and Deputy		Management Coordinator (Municipal Coordinator); and ii) Miss Maree Bricknell, Corporate Services Manager as the Northern Midlands Council's Deputy Municipal Emergency Management Coordinator; for a further period of 4 years.		
16/05/2022	7 3.2	Signage at United Pie & Petroleum	Not yet started	Request: Signage coming in and out of the United Service Station in Wellington Street needs to be realigned because it is unsafe, and Council need to review and have this addressed. Decision: That Council a) note the advice provided; and b) review previous traffic management reports and reported incidents/ accidents.	Jonathan Galbraith, Lorraine Wyatt	18/05/2022 Lorraine Wyatt Outcome reported to the Committee by email on 18/5/2022
	1.1	17/05/2021 - 180/21 - Restrictions on Keeping Roosters	On hold	That Council consider restricting the keeping of roosters in urban areas, and consider the need for a by-law with penalties for offences and non-compliance.	Maria Ortiz Rodriguez	29/09/2021 Harbour Software Support Report to future Council Meeting. 08/11/2021 Gail Eachner Matter to be referred to future Council workshop for further advice.

#### COMPLETED

Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
16/05/2022	7 1.3	(A) Town Appearance	Completed	Request: That the design for the flowerbeds and redevelopment of Queen Street be made available to the forum. Decision: That Council a) Provides the Campbell Town District Forum with a copy of the Campbell Town Streetscape Redevelopment (Stage 1A, Queen Street Intersection) Landscape Details. b) Provides an update regarding the redevelopment of Queen Street as identified in the Campbell Town Urban Design and Traffic Management Strategy.	Lorraine Wyatt	18/05/2022 Lorraine Wyatt Outcome reported to the CTDC and Queen Street Streetscape Redevelopment Plan (as provided by Works Manager) provided to the Committee.
16/05/2022	7 1.4	(B) Town Appearance	Completed	Request - That the old town rubbish bins be replaced with bins that secure and contain the rubbish to stop it from blowing away. Decision: That Council a) note the request in context of the 2022/2023 budget considerations b) reviews the types of bins provided across the municipality.	Leigh McCullagh, Lorraine Wyatt	18/05/2022 Lorraine Wyatt Outcome reported to Committee 18/5/2022
	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 Harbour Software Support Discussed at Workshop. Further options to be investigated. 08/10/2021 Gail Eachner Further report from Traffic Engineer re alternate solutions awaited. 08/11/2021 Gail Eachner Traffic Engineer scheduled to attend 29 November Councillor workshop. 06/12/2021 Gail Eachner 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	Des Jennings, Gail Eachner	29/09/2021 Harbour Software Support Report to be presented to October Council Meeting.



Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
				ascertain whether the Ross pool is safe to be used.		08/10/2021 Gail Eacher Report to 18 October 2021 Council meeting.
21/02/2022	10.3	Inadequate Provisions in the Planning Scheme to Prevent the Creation of Lots Less than 450 Square Metres	Completed	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	03/03/2022 Paul Godier Legal advice requested on 3 March 2022. 04/04/2022 Paul Godier Lawyer advised 10 March 2022 had received requested and working on response. 03/05/2022 Paul Godier Council's lawyer provided advice on 26 April 2022 which in summary advises: The SPP and LPS performance criteria does not provide an automatic or particularly strong pathway to prevent lots that are less than 450m <sup>2</sup> or 600m <sup>2</sup> respectively. Each individual application for subdivision should be considered on its own merits by taking into account the relevant P1(a) to (f) factors. That assessment should not compare the proposed lot size to the acceptable solution A1 requirement of 450m <sup>2</sup> or 600m <sup>2</sup> as some form of benchmark. Any assessment that adopts that approach would arguably be in error and open to challenge upon appeal. The performance criteria under the LPS would still permit lot sizes less than 600m <sup>2</sup> , and it is highly unlikely to limit or constrain a proper application of the relevant performance criteria. We consider it highly likely that the application of the performance criteria under both the SPP and the LPS would likely lead to identical outcomes with no meaningful difference between the two. The differences in between the SPP and LPS acceptable solution are unlikely to result in any meaningful difference in outcome between the two respective performance criteria.
16/05/2022	9.2	Local Government Reform	Completed	That Council endorse the Local Government Board Review Submission.	Gail Eacher	26/05/2022 Gail Eacher Submission forwarded to LG Board Review on 17 May 2022.
13/12/2021	9.1	Local Roads and Community Infrastructure Program Phase Three Funding	Completed	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 Lorraine Green 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. 09/05/2022 Gail Eacher Matter finalised at 11 April 2022 Council meeting.
11/04/2022	9.1	Local Roads and Community Infrastructure Program Phase Three Projects	Completed	That Council nominate Perth Early Learning Centre and Cressy Pool Upgrade projects for \$1,121,874 and \$600,000 respectively through Council's Phase Three Local Roads and Community Infrastructure Program funding.	Lorraine Green	13/04/2022 Lorraine Green The revised work schedule requesting the changes to the funding allocations for the Perth Early Learning Centre and Cressy Pool was submitted to the Local Roads and Community Infrastructure Program. Further information was requested and this has been submitted.
11/04/2022	7 3.2	Memorial Reserve (Cenotaph / ANZAC Memorial Park)	Completed	REQUEST: ANZAC Memorial Park: That the Anzac Memorial Park be made more welcoming and inviting for both the residents and visitors to this park. This could be achieved by the daily opening of the large gates and installation of table	Gail Eacher	09/05/2022 Gail Eacher At the 5 April 2022 PLDC meeting, in conjunction with the approval of the previous meeting minutes, the Committee resolved to withdraw this request.



Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
				and bench seating. DECISION: That Council note the recommendation.		
11/04/2022	7 1.2	MOU Amendment	Completed	REQUEST: MOU Amendment: That Council consider an amendment to the Avoca, Royal George & Rossarden Local District Committee MOU, to provide for the Committee to meet on a quarterly basis. DECISION: That Council approve the amendments to the Avoca, Royal George & Rossarden Local District Committee Memorandum of Understanding.	Gail Eacher	13/04/2022 Gail Eacher MOU updated. To be listed for the endorsement of the Chair in the 26 May 2022 ARGR LDC Agenda. 26/05/2022 Gail Eacher Meeting not held, next meeting 25 August.
11/04/2022	12.1	Proposal for Kerbside Organics Collection	Completed	1. That Council call tenders for a kerbside organics collection services commencing in 2023 2. That the service be provided to all residences in the urban areas of the municipality with an option for residents of multi-dwellings to accept outâ€ having or sharing physical bins.	Jonathan Galbraith	06/05/2022 Jonathan Galbraith Tender documents for FOGO collection are currently being prepared
16/05/2022	9.1	Ross Community Sports Ground Master Plan	Completed	That Council in-principle adopt the Ross Community Sports Ground and Clubrooms Draft Master Plans.	Lorraine Green	26/05/2022 Lorraine Green Council decision noted. External funding opportunities to be pursued.
21/02/2022	11.3	Town Promotion Videos	Completed	That Council do not provide the additional funding at this time.	Fiona Dewar, Maree Bricknell	03/03/2022 Fiona Dewar Decision noted
16/05/2022	7 1.5	Waste and Recycling	Completed	Request: That Council address the issue of excess waste and contamination. Decision: That Council note the request; and receive a report on the processing of recyclables at Waste Transfer Stations (excluding Longford).	Jonathan Galbraith, Lorraine Wyatt	18/05/2022 Lorraine Wyatt Outcome reported to the Committee 18/5/2022
16/05/2022	6.1	Council Committees - Confirmation of Minutes	Completed	Council noted that the Perth Local District Committee meeting minutes of 5 April 2022 had been omitted from the meeting papers and would be circulated together with the 27 June 2022 Council Meeting Agenda.	Gail Eacher	Included in June Council meeting agenda papers.
16/05/2022	11.3	Asset Management Plans	Completed	That Council adopt the revised Stormwater Asset Management Plan and the Strategic Asset Management Plan.	Maree Bricknell	Noted

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

Resource Sharing Summary 1/7/21 to 30/6/22		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		287	12,296
Street Sweeper - Plant Hire Hours		287	19,708
<b>Total Services Provided by NMC to Meander Valley Council</b>			<b>32,004</b>



Resource Sharing Summary 1/7/21 to 30/6/22	Units Billed	Amount Billed GST Exclusive \$
<b>Service Provided by Meander Valley Council to NMC</b>		
<b>Wages and Oncosts</b>		
Plumbing Inspector Services	496.7	37,689
Engineering Services	-	-
<b>Total Service Provided by MVC to NMC</b>		<u>37,689</u>
<b>Net Income Flow</b>		<u>- 5,685</u>
<b>Total Net</b>		<u>- 5,685</u>
<b>Private Works and Council Funded Works for External Organisations</b>		
	<b>Hours</b>	
Evandale Anglican Church – Mowing	13.5	
Evandale Uniting Church – Mowing	9.5	
Evandale Memorial Hall Committee – Cleaning	76.5	
Cressy Church Grounds – Mowing	10	
Elizabeth Macquarie Water Trust – Lake Leake Dam monitoring	11	
Education Department – Mowing Avoca School grounds	47.5	
Campbell Town Police Station – Cleaning	12	
Avoca Ash Centre – Mowing & Maintenance	58	
Avoca Town Hall – Cleaning	28.5	
Perth Football Club – Fix broken window	4	
Cricket Club – Place Rubber Cricket Pitch	73.5	
Place Shoulder Gravel – Midland Highway Ross	6	
Coles Supermarkets – Deliver wheelie bins to event at Campbell Town	4.5	
<b>Works Department Private Works Carried Out</b>		
	<u>354.5</u>	

## 8.13 VANDALISM

Prepared by: Jonathan Galbraith, Engineering Officer

Incident	Location	Estimated Cost of Damages			
		May 2022	Total 2021/22	May 2021	Total 2020/21
Vandalism at Victoria Square toilets on a number of occasions	Longford	\$ 2,000			
Vandalism at Pioneer Park toilets on a number of occasions	Evandale	\$ 1,500			
Vandalism at Train Park Toilets on a number of occasions	Perth	\$ 1,500			
Vandalism at Valentines Park toilets on a number of occasions	Campbell Town	\$ 1,000			
<b>TOTAL COST VANDALISM</b>		<b>\$ 6,000</b>	<b>\$ 16,500</b>	<b>\$ 4,000</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 May as follows:

	Date of Session	Attendance	Comment
Perth			
	5 May	9	
	12 May	12	
	19 May	13	
	26 May	12	
	Monthly Total	46	
	YTD Total	105	

### Free2B Girls Program

The Free2B Girls program is funded by Tasmania Community Fund. The Campbell Town program has been put on hold. Longford program has commenced, attendance for the month of May as follows:

Session Venue	Date of Session	Attendance	Comment
Longford			
	10 May	3	First session back, day change
	17 May	8	
	24 May	7	
	31 May		TBA
	Monthly Total	18	
	YTD Total	18	

### Northern Midlands Active Youth Program

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

Session Venue	Date of Session	Attendance	Comment
Campbell Town			
	3 May	16	
	10 May	12	
	17 May	15	
	24 May	10	
	31 May		TBA
	Monthly Total	53	
	YTD Total	135	
Cressy			
	5 May	32	
	12 May	25	
	19 May	10	
	26 May	12	
	Monthly Total	79	
	YTD Total	255	
Program	YTD Total	390	

### Meetings

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





## 8.15 INTEGRATED PRIORITY PROJECTS & STRATEGIC PLANS UPDATE

Prepared by: Lorraine Green, Project Officer

CURRENT AS OF 1 June 2022

Progress Report:

Not Started (obstacles)

On Hold

On Track

Completed

### INTEGRATED PRIORITY PROJECTS PLAN:

Strategic Plans	Dept.	Status	Current Status
<b>Lead: Serve with honesty, integrity, innovation and pride</b>			
Integrated Priority Projects Plan		June 2021	Document prepared. Complete.
<b>Progress: Economic health and wealth – grow and prosper</b>			
5.1 Feasibility Study: Investment in Ben Lomond Ski Field Northern Tasmania	Gov		Study being driven by external stakeholders, Council support provided when requested. Included in NMC Priority Projects document. Government has committed to infrastructure expenditure and development of a master plan.
4.1 Campbell Town CBD Urban Design & Traffic Management Strategy	Gov		Construction of midland highway underpass at Campbell Town progressing. Building Better Regions Fund application submitted for funding towards implementation of Stage 1 of the Urban Design Strategy. Outcome awaited. Labor party election commitment of \$8M towards Campbell Town and Perth main street upgrades.
5.3 Campbell Town – Town Hall Sale/Lease	Gov		Expression of interest for selling the hall advertised: closes 20 May 2022.
5.3 Longford Motor Sport Museum	Gov		Alternative sites for museum being sought.
4.1 Longford CBD Urban Design Strategy	Gov		Commitment of \$4m from National Party prior to 2019 Federal Election. DA dor streetscape upgrade currently advertised.
5.4 Municipal Subdivisions Infrastructure Upgrade Program (including Ridgeside Lane)	C&D		Council to identify opportunities to provide infrastructure and secure funding.
4.1 Perth Town Structure Plan including Main Street Upgrade	C&D		Council has endorsed the plan and draft amendments to planning scheme to be prepared. Labor party election commitment of \$8M towards Campbell Town and Perth main street upgrades.
5.1 Perth Sports Precinct Concept Master Plan	Gov		Concept master plan developed October 2020. Included in NMC Priority Projects document.
4.4 TRANSLink Precinct Renewal - Stormwater, gas pipeline and intermodal facility	Gov		Seeking grant assistance to fund planned works. Included in NMC Priority Projects document. Labor party election commitment of \$35M towards the intermodal facility and associated infrastructure.
5.3 Underground Power – Evandale, Longford & Perth	Works		Awaiting funding streams to come available.
<b>People: Cultural and society – a vibrant future that respects the past</b>			
5.2 Municipal Shared Pathways Program (including pathways within & between towns)	Gov		Bicycle Advisory Committee appointed at May 2022 Council Meeting. Committee will advise on the preparation of the Municipal Bicycle and Shared Path Plan.
5.1 Covering of Campbell Town & Cressy Swimming Pools	Gov		Concept only at this stage. Included in NMC Priority Projects document.
5.1 Ross Swimming Pool	Gov		Pool operation to continue (as per the current funding model) whilst structurally/operationally safe to do so.
<b>Implementation of Final Stages</b>			
5.1 • Campbell Town War Memorial Oval Precinct Development Plan	Gov		New public toilet facility, irrigation system and tennis hit-up wall completed.
5.1 • Cressy Recreation Ground Master Plan	Gov		Levelling the Playing Field funding received – building work completed – final report and acquittal being prepared. BBQ facility & landscaping to be funded through Local Roads and Community Infrastructure grant. . Application submitted to Cricket Australia for funding to upgrade the practice facility – outcome awaited.
5.1 • Cressy Swimming Pool Master Plan	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, carpark and landscaping commenced
5.1 • Evandale Morven Park Master Plan	Gov		Works substantially completed: grant acquittal report submitted. Relocation of cricket nets nearing completion.
5.1 • Northern Midlands Community Sports Centre	Gov		Internal and external stairs completed.
<b>Place: Nurture our heritage environment</b>			
5.1 Conara Park Upgrade	Gov		Concept prepared: awaiting funding opportunities.
5.3 Cressy Park Redevelopment	Gov		Liaising with Local District Committee to establish/prepare plans for upgrade.
4.5 Municipal Tree Planting Program			Annual program being implemented.
4.3 Sheepwash Creek WSUD Open Space Corridor & Associated Open Space Plan	Gov		Grants to be sought for major new/improved infrastructure.
4.2 South Esk River Parklands Master Plan	Gov		Building Better Regions Fund grant secured towards the extension of the walkway



Strategic Plans	Dept.	Status	Current Status
			and installation of footbridge. Grant Agreement executed Feb 2022.

**ONGOING STRATEGIC PROJECTS/PLANS:**

Strategic Plans	Dept.	Status	Current Status
<b>Lead: Serve with honesty, integrity, innovation and pride</b>			
Annual Budget and Quarterly Reviews	Corp		Long Term Financial Plan updated and annual budget adopted at 27 June 2022 meeting.
Asset Management Plan Annual Review	Corp		Road and Building revaluation adopted 2019/2020. Asset Management Plan review complete for Roads and Buildings adopted by Council, September 2021. Land and Stormwater revaluations adopted 2020/2021.
Best Business Practice, Governance & Compliance	Gov		Legislative Audit, Delegations Review and Policy Manual update ongoing.
Customer Service Standards	Corp		Risk Management Policy reviewed July 2021 and Risk Register review scheduled December 2022.
Elected Members Development & Annual Plans	Gov		Policy and Annual Plan to be prepared.
Emergency Management	Corp		Municipal emergency meetings held and regularly attended regional meetings during COVID-19 via zoom. Updated Emergency Recovery Plan adopted May 2017 by Council. Revision of Emergency Management Plan adopted by Council 16 November 2020.
Information Technology Upgrade Program	Corp		Council decided to upgrade Open Office Enterprise Suite during 2022/2023 and keep a watching brief on northern shared services project.
Local Government Reform	Gov		Completed – Legal Services project. In progress – Joint IT platform review. Future of Local Government in Tasmania – in preparation for the review (commencing January 2022) the Government will work with LGAT and relevant experts to: develop detailed Terms of Reference for review; identify and appoint the Local Government Board in accordance with the Act; and develop an engagement and communications plan to ensure that key stakeholders and the community are kept informed about and participate in the review. Position paper to be developed for public consultancy process.
People & Culture Plan	Gov		Framework utilised for recruitment is best practice. Employee Satisfaction Survey – department summaries to be distributed during March. COVID-19 Vaccination Mandate – consultation process commenced on 22/2/22 and concludes on 11/3/22 for staff and 18/3/22 for volunteers. Wage subsidy for apprentice wages claimed quarterly.
Workplace Health & Safety Action Plan Annual Review	Corp		WHS audit assessment reviewed on an ongoing basis.
<b>Progress: Economic health and wealth – grow and prosper</b>			
Campbell Town (King Street) Tourist Park Master Plan & Business Case	Gov		Draft master plan received. Business plan to be developed.
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 – planned May 2023 REASSIGN project – site work plans and stage 1 implementation plans being finalised.
Lake Leake Amenities Upgrade Project	Gov		Recreational Fishing and Camping Facilities Program grant secured towards the upgrading of the toilet and shower facilities. Contractor being engaged.
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. Onsite work underway.
Longford Racecourse Master Plan & Area Review	Gov		Draft master plan being progressed. Community and industry consultation phase completed.
Stormwater Management Plans	Works		Model build for all Towns in progress, nearing completion.
Nile Road Upgrade	Works		Included in NMC Priority Projects document.
Perth Early Learning Centre	Gov		On site works commenced late February 2022. First progress report submitted to Community Development Grants Program.
Perth Town Structure Plan	C&D		Council has endorsed the plan and draft amendments to planning scheme to be prepared. Main Street upgrade included on 2022 Federal Election wish list.
<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 completed. Onsite works to commence June 2022.
Northern Midlands Community House	Gov		Possible site identified. Requesting State to transfer the property as a community lease



Strategic Plans	Dept.	Status	Current Status
			to Council.
Ross Recreation Ground Master Plan	Gov		Master Plan adopted in-principle at May 2022 Council Meeting.
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.
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>Place: Nurture our heritage environment</b>			
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.
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.
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 of \$19,787 provided for weed officer/strategy.

**COMPLETED:**

Strategic Plans	Dept	Start Implementation Date	Status	Current Status
<b>Lead: Serve with honesty, integrity, innovation and pride</b>				
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:
  - Assist local event organisers to fulfil Council compliance requirements.
  - Assist event organisers seeking funding support.
  - Keep event list updated and distribute.
  - Update NMC website calendar.
  - Liaise with event organisers re planning and funding.
- Attended meeting of volunteers and representatives from Tasmanian Aviation Historical Society (TAHS) re proposed Harold Gatty Memorial restoration project.



- Attended Tourism Visitor Information Network (TVIN) quarterly northern forum representing the Northern Midlands Visitor Centres.
- Attended meeting with Volunteering Tasmania re initiative to improving access to information for volunteers.
- Attended Brand Tasmania Digital Storytelling workshop.
- Progress Town Promotional Video project with production company.
- Progress marketing opportunity with property TV program, Country Houses Tasmania.
- Facilitate connections between interested parties relating to the Campbell Town Convict Brick Trail project.
- Facilitate the reprint of the Evandale Destination brochures.
- Liaise with racing historians re content for interpretation on the Longford Legends Walk lychgate.
- Create and submit editorial for Let's Go Kids publication.

**HHTRA update:**

- Progress marketing activity in the You Love Tasmania Free Map.
- Ongoing marketing activities include website blog posts and social media.
- Arrange supply of a consignment of Heritage Highway experience products to new Visitor Centre in the southern Heritage Highway region.

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**8.17 NEW TOURISM VENTURE IN THE MIDLANDS**

*Responsible Officer: Lorraine Green, Project Officer*

At the May 2022 Council Meeting, further information was requested with regard to a meeting Mayor Knowles attended with the owner of a proposed new tourism business for the Midlands. The business owner, Ms Nova Miller, recently issued a media release outlining the new business, "Middle Tasmania." The media release is held as an attachment.

**ATTACHMENTS**

1. Middle Tasmania media release June 2022 [8.17.1 - 2 pages]

**MINUTE NO. 22/188**

DECISION

Cr Davis/Cr Goninon

That Council investigate the declaration of the old United Service Station site as a dilapidated site and the owners be asked to take remedial action immediately; and, that in the interim, the fence at the old United Service Station be realigned to Council's boundary.

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil

**MINUTE NO. 22/189**

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 Davis, Cr Goninon, Cr Lambert and Cr Polley

Voting Against the Motion:

Nil



## 9 GOVERNANCE REPORTS

### 9.1 UNESCO CITY OF GASTRONOMY: FUNDING REQUEST

*Responsible Officer:* Des Jennings, General Manager

*Report prepared by:* Des Jennings, General Manager

#### 1 PURPOSE OF REPORT

To consider a request for funding to be provided for the 2022/23 Financial Year for the UNESCO City of Gastronomy program.

#### 2 INTRODUCTION/BACKGROUND

The UNESCO Creative Cities Network (UCCN) was created in 2004 to promote cooperation with and among cities that have identified creativity as a strategic factor for sustainable urban development. The cities that make up this network work together towards a common objective: placing creativity and cultural industries at the heart of their development plans at the local level and cooperating actively at the international level. The network recognises seven areas of creativity, one of which is gastronomy.

UNESCO takes a broad definition of gastronomy to include all stages of the food supply chain but with a focus on using the region's unique cultural and creative identity in the area of gastronomy to address issues of economic, social and environmental sustainability within the broader Launceston region. Food plays a vital role in culture, creativity, social exchange and mental wellbeing.

The production, processing, distribution, preparation and consumption of food contributes significantly to the northern economy, while gastronomic tourism is a vital part of our visitor economy. Council supported the bid for Launceston and Northern Tasmania to be designated as a UNESCO Creative City of Gastronomy in 2021 by way of a budget allocation of \$4,960 in its 2021/2022 Municipal Budget.

In agreeing to support the UNESCO Creative City of Gastronomy bid, the Northern Councils provided the following financial support for the 2021/22 financial year:

<b>City of Launceston</b>	<b>\$ 25,000.00</b>
<b>Break O'Day</b>	<b>\$ 2,311.53</b>
<b>Dorset</b>	<b>\$ 2,438.72</b>
<b>George Town</b>	<b>\$ 2,568.12</b>
<b>Meander Valley</b>	<b>\$ 7,294.84</b>
<b>Northern Midlands</b>	<b>\$ 4,939.57</b>
<b>West Tamar</b>	<b>\$ 8,848.35</b>
<b>TOTAL</b>	<b>\$ 53,401.13</b>

In November 2021 Launceston and Northern Tasmania was successfully designated as a UNESCO Creative City of Gastronomy and is now one of 49 cities in this important global network.

The Northern Councils have now received a request from the Creative City of Gastronomy team for funding to be provided for the 2022/23 Financial Year. The request is for the same level of funding that was provided in the current financial year, which was detailed earlier. This report considers the funding request against the progress that has been made since the designation was awarded in November 2021 as well as the actions that are planned for the 2022/23 financial year and beyond.

#### Progress to Date:

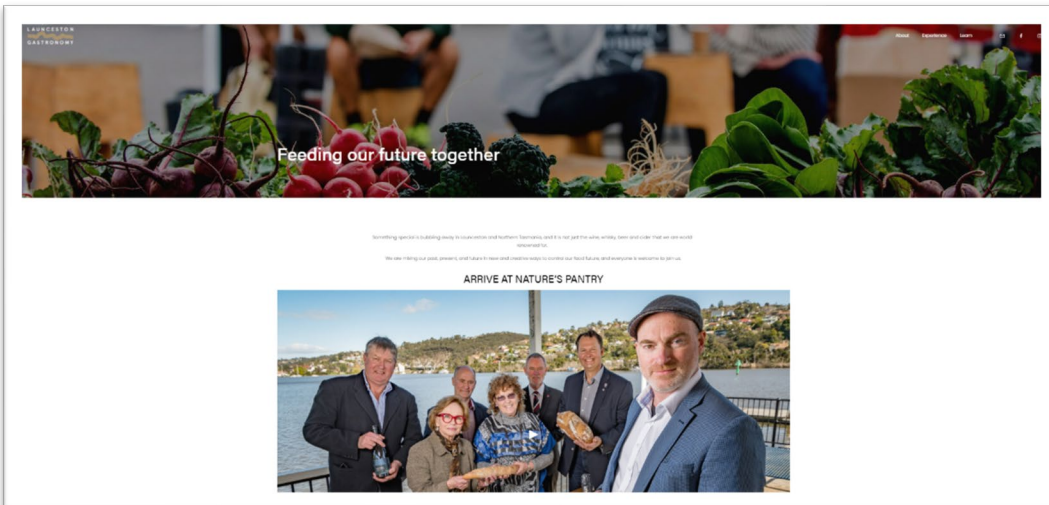
Work commenced on the City of Gastronomy program in November/December 2021 following designation as a UNESCO Creative City of Gastronomy. However, progress has been restricted due to resourcing difficulties which have been





experienced over the past 6 months. Despite these difficulties, a set of key performance Indicators (KPI) were developed for 2021/22 and progress against these KPIs is outlined in the following table:

<b>KPI - 1</b>	<b>Development, socialisation and release of a four-year Implementation and Action Plan</b>
Progress	<i>The Launceston Gastronomy Strategy which was originally crafted for the bid has been recast to make it fit for purpose and a draft implementation and action plan for 2022/2023 and beyond is included in this report.</i>
<b>KPI - 2</b>	<b>Development and Implementation of a Communication &amp; Stakeholder Engagement Plan</b>
Progress	<p><i>The Communication and Stakeholder Engagement Plan has not been delivered. A costed detailed plan has been included in the 2022/23 Action Plan. While a Communication and Stakeholder Engagement Plan has not been developed at this stage, the region has received the following benefits through the communication and engagement that has occurred in respect to its designation as a City of Gastronomy:</i></p> <p><u>Media Exposure</u></p> <p><i>The value of the media exposure we have received since designation alone provides substantial return on investment from your contributions to this initiative. In addition to all of the exposure immediately following the announcement, we have had ongoing national profile through major features in all of the Newscorp newspapers and the Australian Financial Review (appended separately). Tourism Tasmania has estimated the value of the AFR exposure alone to be approximately \$75,000 in terms of advertising equivalent, but this doesn't account for the reputational benefits. The initial and ongoing media coverage resulting from our Creative Cities status is enhancing the brand of the city and region.</i></p> <p><u>Australia's top travel destination</u></p> <p><i>WOTIF, Australia's premier travel website, has listed Launceston as the top travel destination in Australia for 2022, highlighting our recent City of Gastronomy status as one of the key factors and once again linking the city to the surrounding region. This alone will show a return on investment from the bid.</i></p> <p><u>Tourism Industry Council of Tasmania(TICT)'s Top Tourism Town</u></p> <p><i>TICT announced Launceston as their Top Tourism Town of 2022 in June on the back of our heritage, our food and wine, our fresh produce and so much of what entails a City of Gastronomy. Now that Launceston goes on to vie for Australia's Top Tourism Town, this is a further opportunity to promote Launceston as a City of Gastronomy.</i></p>
<b>KPI - 3</b>	<b>Development and Delivery of Three Pilot Projects</b>
Progress	<p><u>agriCULTURED</u></p> <p><i>www.agricultured.com.au A highly successful annual event developed by Launceston Gastronomy partner organisation VNT to address a gap in our Tasmanian winter events calendar, it is designed to grow and empower the agrifood and farming sector and celebrate who we are and what we make and grow so well. The inaugural event in Aug 2021 was sold out before it even started. It drew participants from Launceston to a series of events in the Northern Midlands for three days and this year it is from Launceston to the Meander Valley area to showcase the rural scene there. This is set to become one of the signature events for Tasmania, place based, authentic and playing to our strengths.</i></p> <p><u>Abled Kitchen</u></p> <p><i>Abled Kitchen, a collaboration between St Giles, FermenTasmania and Sandy's Sourdough, is giving commercial bakery experiences for the disability sector, helping train high functioning individuals with an intellectual or sensory disability or on the autism spectrum to make them job ready for the baking industry and the success of our pilot program last year and the first of the full program just rolled out this month is exciting. We are helping create a new source of workers for the industry who are loyal, thrive on repetitive tasks and bring such joy into the workplace. As we are currently borrowing a commercial facility for the program, this will be only temporary until we have the fermentation hub up and running. TasTAFE is now involved and helping us work towards micro-credentialing the program as well.</i></p> <p><u>Fermentation Hub</u></p> <p><i>FermenTas had a successful BBRF grant bid for \$7.5m dollars to build the fermentation hub, support from Launceston Gastronomy has been invaluable in getting this successful grant. As part of the UNESCO Creative City of Gastronomy bid, the Fermentation Hub is the signature resource that will allow Northern Tasmania to give back to the Creative Cities Network, helping food regions around the world solve their food system problems and see new opportunities through the transformative properties of fermentation. Signing off on the grant deed just prior to the election announcement means the design and build of the Hub is now underway. The fit-out costs have been bolstered by a \$3.4 million election commitment from the incoming Labor government. We are aiming to be operational in early 2024, all going to plan.</i></p> <p><u>School Lunch Program</u></p> <p><i>Julie Dunbabin from the Tasmanian School Canteens Association has a vision to roll out healthy lunch time meals for schools across the State. The pilot program which ran for 3 months across 3 schools in Tasmania in 2019 was highly successful in terms of increasing attendance, improving behaviour and learning outcomes. The Premier gave the program funding earlier this year to roll it out to more schools. Launceston Gastronomy found a sponsor in Kinetic to help roll out the program in two more schools in the Meander Valley area and this has egged us on to start unearthing more to broaden the reach. An essential program at the coalface of how to help address food literacy and understanding how to make nourishing meals will lead not only to great health outcomes but to better learning, both which some suburbs and regions throughout Tasmania need to address.</i></p>
<b>KPI - 4</b>	<b>Development of Metrics and Reporting</b>
Progress	<i>The development of suitable metrics and reporting is still a work in progress. This report represents the most comprehensive summary of progress that has been prepared to date.</i>
<b>KPI - 5</b>	<b>Delivery of Four Systems Workshops</b>
Progress	<i>These workshops have not been progressed however they are costed and included in the Action Plan for 22/23.</i>

KPI - 6	Development of Website
Progress	<p>A Website has been developed and is currently active: <a href="#">Launceston Gastronomy-Connecting Northern Tasmania</a></p> 

### 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

**Progress: Economic health and wealth - grow and prosper**

**Strategic Project Delivery - Build Capacity for a Healthy Wealthy Future**

**Strategic outcomes:**

- 2.2 Proactive engagement drives new enterprise
- 2.3 Collaborative partnerships attract key industries

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

**Sense of Place - Sustain, Protect, Progress**

**Strategic outcomes:**

- 3.4 Towns are enviable places to visit, live and work

### 4 POLICY IMPLICATIONS

N/a

### 5 STATUTORY REQUIREMENTS

N/a

### 6 FINANCIAL IMPLICATIONS

In agreeing to support the UNESCO Creative City of Gastronomy bid, the Northern Councils provided the following financial support for the 2022/23 financial year:

City of Launceston	\$ 25,000.00
Break O'Day	\$ 2,311.53



Dorset	\$ 2,438.72
George Town	\$ 2,568.12
Meander Valley	\$ 7,294.84
Northern Midlands	\$ 4,939.57
West Tamar	\$ 8,848.35
<b>TOTAL</b>	<b>\$ 53,401.13</b>

An allocation for \$4,939.57 has been made in the Council's draft 2022/2023 Annual Plan and Budget for City of Gastronomy in anticipation of a request for funding being received.

## 7 RISK ISSUES

A risk may be that no direct benefit from the project is realised in the Northern Midlands Council area.

## 8 CONSULTATION WITH STATE GOVERNMENT

N/a

## 9 COMMUNITY CONSULTATION

N/a

## 10 OPTIONS FOR COUNCIL TO CONSIDER

To support, or not support further funding.

## 11 OFFICER'S COMMENTS/CONCLUSION

In 2021 all of the Northern Councils agreed to fund the successful bid for Launceston and Northern Tasmania to be designated as a UNESCO Creative City of Gastronomy for the 2021/2022 financial year. In doing so, the Councils required that *any future funding for the program is dependent upon reporting against a suite of Key Performance Indicators and metrics to be agreed between the applicant and the Councils and demonstrating success against the agreed Key Performance Indicators.*

It has been demonstrated in this report that a suite of KPI's has been established for the City of Gastronomy program and that progress has been made. In reality, the program has only been running for 6 months and has experienced difficulties in resourcing the necessary tasks, and therefore, a number of the KPI's have not been substantially progressed at this stage. Despite this, it is clear that the City of Gastronomy program has delivered strong media exposure and provided a reputational lift for the region.

It is considered that the program requires more time to establish itself and that the outstanding KPI's need to be carried over into the next financial year, together with the work program that has been outlined in the draft Implementation and Action Plan 2022/23. Accordingly, it is recommended that the Council provide a contribution of \$4,939.57 to the City of Gastronomy for the 2022/2023 Financial Year.

### ***Economic Impact:***

Whilst there are expected to be a significant economic contribution through the region's participation in the UNESCO Creative Cities Network, the primary focus of the program will be to improve the region's liveability.

Networks such as the UNESCO Creative Cities network have, over time, demonstrated tangible brand and economic value to the designated cities. This is in part due to heightened brand exposure to the audience in the network and opportunities for collaboration within the network resulting in attracting more visitors to the city and region, enhancing exposure and





perception of the city's products and services in the marketplace and creating a strong identity around which innovation and enterprise can flourish, including attracting new businesses. For instance, the Tuscon City of Gastronomy (Arizona, USA) indicate that the national and international exposure and profile that Tuscon has received since its designation has been valued to be in the vicinity of \$35M per annum.

**Extract from April 2021 report to Council**

*The Greater Launceston Creative Cities Steering Group have sought a letter supporting the bid pending funding through a budget approved process, the letter has been provided as it was due by 15 April 2021.*

*Council at the Workshop presentation also sought advice on the number of projects submitted through the expression of interest process that are already active in the Northern Midlands Council area or that will reach it to the Northern Midlands.*

- *FermenTasmania is doing work in the Northern Midlands area*
- *AgriCULTURED reference group has good representation from the Northern Midlands area*
  - *This is an agritourism-based cool season event that aims to showcase local food producers around the region and is being led by Visit Northern Tasmania*
- *Kids To Farms works in the Northern Midlands areas*
  - *TFGA-led and improving food literacy in school students through virtual and actual farm visits*
- *Circular Economy Northern Tasmania (NTDC-led ASPIRE project) is active in the Northern Midlands area*
- *Making Cents is another circular economy-base project which could reach the Northern Midlands*
- *Tasmania Produce Collective is active in the Northern Midlands area and will be setting up retail hubs for locally produced food*

*The approach that the Steering Group is taking now with the bid is, rather than select 4-6 individual projects, to group project themes which allow them to include and support individual initiatives through a systems-based and collaborative approach that reaches across the region for maximum impact.*

*This means that there is capacity for Councils to:*

- *Suggest projects and initiatives for inclusion in the Creative Cities program of activity that are of interest or that are happening in their area*
- *Attract projects into their area that have regional reach and/or network/ hub modes of operation*

*It is recommended that Council participate in the Creative Cities Project.*

## 12 ATTACHMENTS

1. Letter to Northern Midlands Council 17 June 2022 [9.1.1 - 2 pages]
2. Launceston Gastronomy Progress Report and Action Plan June 2022 [9.1.2 - 18 pages]

## RECOMMENDATION

That the Council approves the request for financial support of \$4,939.57 for the UNESCO City of Gastronomy program in 2022/23.

## MINUTE NO. 22/190

### DECISION

Cr Davis/Cr Adams

That the Council approves the request for financial support of \$4,939.57 for the UNESCO City of Gastronomy program in 2022/23.

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil



## 9.2 DISPOSAL OF LAND: EVANDALE, WESTERN JUNCTION AND CAMPBELL TOWN

Responsible Officer: Des Jennings, General Manager

Report prepared by: Amanda Bond, Executive Officer

### 1 PURPOSE OF REPORT

The purpose of this report is for Council to consider recommendations from the Northern Midlands Strategic Property Committee regarding the disposal of Council land.

### 2 INTRODUCTION/BACKGROUND

The Northern Midlands Strategic Property Committee has been conducting a review of public land owned by Council and identifying parcels of land which are surplus to Council needs or could be better utilised under private ownership.

The three parcels of land identified are:

#### **Certificate of Title 131225/6 – Nile Road, Evandale**

This small portion of land is located adjacent to the corner of 3 Nile Road, Evandale. Council has been approached by the property owner of 3 Nile Road, enquiring as to whether Council would transfer the land to that property owner to form part of his title. It is noted that Council has considered this initial request in closed Council and in principle supported the request subject to an open report being presented to Council and the process in accordance with section 178 of the *Local Government Act 1993* being followed.

The portion of land is approximately 20 square metres and is zoned General Residential. The planning scheme does not require a planning permit for the consolidation of a lot with another lot with no additional titles created (clause 10.4.15.1 A1.1 d)).

#### **140 Perth Mill Road, Evandale**

This property is situated behind properties on Range Road, Western Junction (see aerial image attached to this report). The land is approximately 66,700 square metres of clear land with some trees. It is zoned Open Space. Under the Open Space zone the following uses can occur on the land:

##### **No Permit Required**

Natural and cultural values management

Passive recreation

##### **Discretionary**

Community meeting & entertainment

Emergency services

Food services

General retail and hire

Pleasure boat facility

Sports and recreation

Tourist operation

Utilities

Vehicle Parking

Any other use would require a planning scheme amendment. This would need to be initiated by Council, placed on public notification and any representations considered, then the Tasmanian Planning Commission will decide whether to hold a hearing before deciding whether to approve the amendment.



### 17 Glenelg Street, Campbell Town

This property is situated on the corner of Pedder and Glenelg Streets in Campbell Town (see aerial image attached to this report). The land is the site of a former quarry. There is a barbecue shelter on the site, however, the barbecue has been removed due to vandalism. Council mows the land, but does not undertake any other maintenance on site.

The land is approximately 4,284 square metres and is zoned Open Space. Under the Open Space zone the following uses can occur on the land:

**No Permit Required**

Natural and cultural values management

Passive recreation

**Discretionary**

Community meeting & entertainment

Emergency services

Food services

General retail and hire

Pleasure boat facility

Sports and recreation

Tourist operation

Utilities

Vehicle Parking

Any other use would require a planning scheme amendment. This would need to be initiated by Council, placed on public notification and any representations considered, then the Tasmanian Planning Commission will decide whether to hold a hearing before deciding whether to approve the amendment.

A preliminary investigation shows that the land could be serviced with water, sewerage, stormwater and NBN. A dial before you dig investigation will need to be conducted to ascertain exact services available.

The Mill Road and Glenelg Street properties are listed parcels of land identified as public land register in accordance with section 177A of the *Local Government Act 1993*, the Nile Road property is not listed as public land but has been used as public land for a very long time and should have been deemed public land.

### 3 STRATEGIC PLAN 2021-2027

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

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

**Leaders with Impact**

**Strategic outcomes:**

1.4 Improve community assets responsibly and sustainably

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

**Sense of Place - Sustain, Protect, Progress**

**Strategic outcomes:**

3.3 Public assets meet future lifestyle challenges

3.4 Towns are enviable places to visit, live and work

### 4 POLICY IMPLICATIONS

140 Perth Mill Road, Western Junction and 17 Glenelg Street, Campbell Town are both public open space. There may be community push back against a proposal to dispose of public open space areas.



## **5 STATUTORY REQUIREMENTS**

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

## **6 FINANCIAL IMPLICATIONS**

If Council agrees to sell one, two or three of the parcels of land identified, it will incur the following costs:

- advertising the decision to sell in at least two newspaper publications (estimated cost of \$2,000 - \$3,000).
- cost to have the parcels of land valued (requirement of section 177 of the *Local Government Act* 1993 (estimated cost of \$7,000 for all three parcels).
- agent fees and other associated costs to sell the land (unknown at this stage).
- survey fees (estimated at \$7,000 for all three parcels).

It is hoped that economies of scale can be achieved by dealing with multiple properties simultaneously through the disposal process.

## **7 RISK ISSUES**

### **Certificate of Title 131225/6 – Nile Road, Evandale**

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

### **140 Perth Mill Road, Evandale**

This is a large area of public open space which is presently openly accessible by the public.

### **17 Glenelg Street, Campbell Town**

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

## **8 CONSULTATION WITH STATE GOVERNMENT**

Not applicable.

## **9 COMMUNITY CONSULTATION**

Community consultation is required in accordance with section 178 of the *Local Government Act* 1993.

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

To dispose of the parcels of land or not.

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

The Northern Midlands Strategic Property Committee have been progressively reviewing Council owned land with a view to consolidating and improving assets. The parcels of land referred to in this report have been identified as surplus to requirement.



## 12 ATTACHMENTS

Nil

## RECOMMENDATION

That Council:

- a) does / does not sell or dispose of Certificate of Title 131225/6, Nile Road, Evandale;
- b) does / does not sell or dispose of 140 Perth Mill Road, Evandale;
- c) does / does not sell or dispose of 17 Glenelg Street, Campbell Town,
- d) commences / does not commence the disposal process in accordance with section 178 of the *Local Government Act 1993*.

## MINUTE NO. 22/191

### DECISION

Cr Davis/Cr Goninon

That Council:

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

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil

## MINUTE NO. 22/192

### DECISION

Cr Adams/Cr Lambert

That Council officers investigate previous information provided, details and decisions made regarding the possible disposal of 140 Perth Mill Road, Evandale; and a further report be brought to Council for consideration, including the public consultation process.

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil

## MINUTE NO. 22/193

### DECISION

Cr Goninon/Cr Davis

That Council:

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

Carried

Voting for the Motion:

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

Voting Against the Motion:

Cr Lambert



**MINUTE NO. 22/194**

DECISION

Cr Lambert/Cr Adams

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

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil



### 9.3 USE OF RECREATIONAL VEHICLES OVERNIGHT AT THE ROSS RECREATION GROUND

*Responsible Officer:* Des Jennings, General Manager

*Report prepared by:* Amanda Bond, Executive Officer

#### 1 PURPOSE OF REPORT

The purpose of this report is for Council to consider a request from the Ross Community Sports Club to allow large groups of Recreational Vehicles, who otherwise cannot use the Ross Caravan Park to park at the Ross Recreation Ground for short overnight visits.

#### 2 INTRODUCTION/BACKGROUND

From time to time the Ross Community Sports Club Committee are approached by caravan and motor home groups enquiring whether they can hold a meet at the Ross Recreation Ground. Council officers have previously provided permission for this on a once off event instance, in a situation where the recreation vehicles in question were too big, and there were too many to be accommodated by the Ross Caravan Park.

The purpose of this report is to seek Council approval for the Ross Recreation Ground to be used as a venue for recreational vehicles that are part of a large club or group to stay overnight.

The Northern Midlands Council owns the Ross Caravan Park and commercially leases this facility out. Council should not permit the use of another area in Ross, free of charge, for recreational vehicles when it will be taking business away from the Ross Caravan Park.

This request is only relating to recreational vehicles which cannot be accommodated by the Ross Caravan Park due to size.

#### 3 STRATEGIC PLAN 2021-2027

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

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

**Leaders with Impact**

**Strategic outcomes:**

1.1 Council is connected to the community

**Progress: Economic health and wealth - grow and prosper**

**Strategic Project Delivery - Build Capacity for a Healthy Wealthy Future**

**Strategic outcomes:**

2.3 Collaborative partnerships attract key industries

2.4 Support and attract wealth-producing business and industry

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

**Sense of Place - Sustain, Protect, Progress**

**Strategic outcomes:**

3.4 Towns are enviable places to visit, live and work

#### 4 POLICY IMPLICATIONS

Council has a Recreational Vehicles: Development and management of Facilities Policy which applies to its free overnight camping for self-contained vehicles areas in the municipality.



## **5 STATUTORY REQUIREMENTS**

The planning scheme contains an exemption from requiring a planning permit for infrequent or irregular sporting, social or cultural events. This exemption is applied to caravan or motorhome parking that occur at the time of an event, such as the Evandale Village Fair and National Penny Farthing Championship.

If the parking is not associated with infrequent or irregular sporting, social or cultural events it would be prohibited on the Ross Recreation Ground which is zoned Community Purpose, and a planning scheme amendment would be required to allow such parking.

## **6 FINANCIAL IMPLICATIONS**

If Council were to permit periodic use of the Ross Recreation Ground for recreational vehicles, the Ross Community Sports Club would have the discretion to charge a hire fee.

## **7 RISK ISSUES**

The primary risk of this proposal is creating unfair competition with the Ross Caravan Park.

## **8 CONSULTATION WITH STATE GOVERNMENT**

Not applicable.

## **9 COMMUNITY CONSULTATION**

Community consultation has not occurred, however, concern has been raised through the Ross Local District Committee that Council is permitting trade in opposition to local businesses by allowing the Recreation Ground to be used by camping and motor home groups.

The Ross Caravan Park lessees have been contacted for comment regarding the request and a response has been received advising they do not have a problem with the request.

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

Council can permit the periodic use of the Ross Recreation Ground for recreational vehicles which cannot be accommodated by the Ross Caravan Park, or not.

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

If Council does accept this request, it is recommended the following limitations be placed on the permission:

- The recreational vehicles must be of a size that cannot be accommodated by the Ross Caravan Park;
- The recreational vehicles must be fully self contained;
- The recreational vehicles must be part of a Club / Chapter;
- The stay must not exceed two nights.

## **12 ATTACHMENTS**

Nil

## **RECOMMENDATION**

That Council permits the Ross Community Sports Club to make the Ross Recreation Ground available to recreational vehicles for overnight stays subject to the following conditions:





- The recreational vehicles must be of a size that cannot be accommodated by the Ross Caravan Park;
- The recreational vehicles must be fully self contained;
- The recreational vehicles must be part of a Club / Chapter;
- The stay must not exceed two nights.

**MINUTE NO. 22/195**

DECISION

Cr Polley/Cr Lambert

That Council permits the Ross Community Sports Club to make the Ross Recreation Ground available to recreational vehicles for overnight stays subject to the following conditions:

- The recreational vehicles must be of a size that cannot be accommodated by the Ross Caravan Park;
- The recreational vehicles must be fully self contained;
- The stay must not exceed two nights.

Carried

Voting for the Motion:

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

Voting Against the Motion:

Cr Brooks



## 9.4 SALE OF LAND AT BRUCE PLACE LONGFORD

Responsible Officer: Leigh McCullagh, Works Manager

Report prepared by: Jonathan Galbraith, Engineering Officer

### 1 PURPOSE OF REPORT

The purpose of this report is for Council to clarify its decision, Minute Number 22/133 from its meeting on 11 April 2022, regarding the sale of land at Bruce Place in Longford.

### 2 INTRODUCTION/BACKGROUND

Council owns approximately 1,817sq. m of land between Bruce Place and George Hudson Place in Longford. The land is identified as Certificate of Title Volume 11088 Folio 25 but does not formally have a street number. The area is public open space and does not have any seating or playground equipment.

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

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

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

Council considered this proposal at its meeting of 11 April 2022 and made the following decision:

#### **MINUTE NO. 22/133**

#### **DECISION**

*Cr Goninon/Cr Davis*

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

*Carried Unanimously*

*Voting for the Motion:*

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

*Voting Against the Motion:*

*Nil*

Given that the proposed land is not formally numbered and can only properly be identified by its Certificate of Title Volume and Folio number, this report has been brought back before Council to clarify the decision. Further, there were two options presented to Council at its meeting in April, and the decision made did not identify which option Council preferred.

### 3 STRATEGIC PLAN 2021-2027

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

**Progress: Economic health and wealth - grow and prosper**

**Strategic Project Delivery - Build Capacity for a Healthy Wealthy Future**

**Strategic outcomes:**

2.1 Strategic, sustainable, infrastructure is progressive

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

**Sense of Place - Sustain, Protect, Progress**

**Strategic outcomes:**



### 3.3 Public assets meet future lifestyle challenges

## 4 POLICY IMPLICATIONS

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

## 5 STATUTORY REQUIREMENTS

Council must follow the provisions under the *Local Government Act 1993* to sell public land.

The land is currently zoned Open Space. Under the Open Space zone the following uses can occur on the land:

### No Permit Required

- Natural and cultural values management
- Passive recreation

### Discretionary

- Community meeting & entertainment
- Emergency services
- Food services
- General retail and hire
- Pleasure boat facility
- Sports and recreation
- Tourist operation
- Utilities
- Vehicle Parking

Any other use would require a planning scheme amendment. This would need to be initiated by Council, placed on public notification and any representations considered, then the Tasmanian Planning Commission will decide whether to hold a hearing before deciding whether to approve the amendment.

## 6 FINANCIAL IMPLICATIONS

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

## 7 RISK ISSUES

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

## 8 CONSULTATION WITH STATE GOVERNMENT

N/A

## 9 COMMUNITY CONSULTATION

Community consultation on the sale of this property has not yet been carried out but Council's strategy for upgrading their parks and reserves has been widely discussed with the Longford district committee and the local community.

There will be an opportunity for public comment when Council declares their intention to sell the land public.



## 10 OPTIONS FOR COUNCIL TO CONSIDER

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

## 11 OFFICER'S COMMENTS/CONCLUSION

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

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

## 12 ATTACHMENTS

1. Bruce Pl reserve proposed sale of Council land - plan [9.4.1 - 1 page]
2. Bruce Place Longford - aerial [9.4.2 - 1 page]

## RECOMMENDATION

That Council determines;

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

## MINUTE NO. 22/196

### DECISION

Deputy Mayor Goss/Cr Goninon

That Council determines;

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

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil



## 9.5 FOOTPATH TRADING BY-LAW

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 some changes to its Footpath Trading By-Law and release the same for public comment.

### 2 INTRODUCTION/BACKGROUND

Council commenced reviewing its by-law's relating to footpath trading in 2019. Council had three by-laws, all of which expired on 26 January 2020:

- Display of Goods on Highway By-Law
- On Street Dining By-Law
- Freestanding Sign By-Law

It was decided to consolidate all three by-laws into one Footpath Trading By-Law for simplicity.

The Local Government Division have released a set of Good Practice Guidelines for Making By-Laws. The following steps are identified in making a by-law, and Council action to date is shown in blue below each step:

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

A Footpath Trading By-Law was considered necessary to consolidate the three existing by-laws application to footpath trading, as well as Council's Footpath Trading Policy.

2. Prepare a draft by-law.

Prepared by Simmons Wolfhagen Lawyers on behalf of Council in 2019.

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

All businesses and Local District Committees were invited to make comment on the draft by-law. A letter inviting submissions was sent via email from those where an email address was provided and others were sent by Australia Post.

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

Three submissions were received. Once slight amendment was made to the draft by-law as a result of the feedback, which was the removal of the General Manager from the definition of Authorised Officer. Council considered the feedback at its meeting of 19 July 2021 (Minute reference 266/21) at which time it noted the feedback and directed the by-law and regulatory impact statement by referred to the Director of Local Government.

5. Council passes a formal resolution (by an absolute majority) of its intention to make a by-law. This can occur at any stage in the process up to this point.

Council unanimously moved the following motion at its meeting of 15 February 2021 (Minute reference 044/21):

That Council,

- i) in accordance with s.156 of the *Local Government Act 1993* intends to make the proposed Footpath Trading By-Law No. 1 of 2021 to regulate Footpath Trading within the Northern Midlands municipality.
- ii) upon gazettal of the Footpath Trading By-Law No. 1 of 2021, revokes the Footpath Trading Policy.

Carried unanimously

6. Council prepares a draft Regulatory Impact Statement if required.



This was drafted by Simmons Wolfhagen with the by-law was drafted.

7. The Regulatory Impact Statement and by-law are referred to the Director of Local Government for consideration.  
  
Both documents were provided to the Director of Local Government for informal review in December 2019. In February 2020 a response was received from the Director of Local Government identifying issues with the by-law and suggesting amendments. Those suggestions were actioned by Council officers.  
  
The by-law and regulatory impact statement were sent to the Director for formal consideration and issuing of a certificate of approval in July 2021.
8. If satisfied that the Regulatory Impact Statement meets all statutory requirements, the Director will issue a certificate of approval to the Council.  
  
On 8 March 2022 the Director of Local Government wrote to Council issuing a certificate of approval for the by-law, however, raising some concerns regarding the drafting of the by-law.  
  
The Director's concerns were forwarded to Simmons Wolfhagen Lawyers who have suggested some minor changes to the by-law in response to the concerns raised by the Director. This report is being presented to Council to endorse those changes.
9. Council gives notice of the proposed by-law and carries out its public consultation.  
  
If Council endorses the suggested changes following the letter from the Director of Local Government Council can give notice of the by-law and carry out public consultation.

### 3 STRATEGIC PLAN 2021-2027

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

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

**Leaders with Impact**

**Strategic outcomes:**

- 1.3 Management is efficient, proactive and responsible

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

**Sense of Place - Sustain, Protect, Progress**

**Strategic outcomes:**

- 3.4 Towns are enviable places to visit, live and work

**Place: Nurture our heritage environment**

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

**Strategic outcomes:**

- 4.4 Our heritage villages and towns are high value assets

### 4 POLICY IMPLICATIONS

Council has in place a Footpath Trading Policy. A Footpath Trading By-Law will rescind the need for that policy.

### 5 STATUTORY REQUIREMENTS

The making of by-laws is regulated by Part 11 of the *Local Government Act 1993*.

### 6 FINANCIAL IMPLICATIONS

Council has incurred legal fees in having the by-law and regulatory impact statement prepared.



Council will incur advertising fees to advertise the by-law for public comment.

## **7 RISK ISSUES**

Council's previous footpath trading by-laws have expired. Council cannot enforce footpath trading without a valid by-law in place.

## **8 CONSULTATION WITH STATE GOVERNMENT**

Consultation has occurred with the Director of Local Government throughout this process.

## **9 COMMUNITY CONSULTATION**

Stakeholder feedback was sought early in this process. Once endorsed by Council, public consultation will occur.

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

To endorse the changes to the Footpath Trading By-Law and give notice of the proposed by-law, or not.

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

The concerns raised by the Director of Local Government when he issued the certificate of approval were:

- Council can sell or dispose of seized items within 14 days;  
It is recommended clause 16(3) be amended to allow Council to sell or destroy seized items that have not been collected after 28 days.
- The definition of "public place" in the by-law is too broad.  
Given that Council intends the By-Law to apply narrowly, ie. only to footpaths, it is recommended the definition of "public place" is removed from the By-Law, as the definitions of "footpath" and "footpath trading" are sufficient to give effect to Council's intention of regulating footpath trading on public footpaths.

Some minor typographical amendments have also been made.

## **12 ATTACHMENTS**

1. Amended Footpath Trading By- Law presented to Council 27 June 2022 [9.5.1 - 9 pages]

## **RECOMMENDATION**

That Council endorses the tracked changes to the attached Footpath Trading By-Law and Notice be given of the proposed by-law in accordance with section 157 of the *Local Government Act 1993*.

## **MINUTE NO. 22/197**

### DECISION

Cr Davis/Cr Adams

That Council endorses the tracked changes to the attached Footpath Trading By-Law and Notice be given of the proposed by-law in accordance with section 157 of the *Local Government Act 1993*.

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil



## 9.6 CONSULTATION PAPER: AMENDMENT TO ABORIGINAL LANDS ACT 1995

*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 provide feedback in response to the Consultation Paper the Government has prepared which sets out how the Government proposes to amend the *Aboriginal Lands Act 1995*.

### 2 INTRODUCTION/BACKGROUND

The Hon. Roger Jaensch MP, Minister for Aboriginal Affairs has written to Council seeking feedback from Council on the attached Consultation Paper. Consultation is open until 24 July 2022.

The key proposed changes are:

#### (1) Clarifying the scope and intent of the Act.

That the long title of the Act be amended and/or a Purpose and Objectives provision be added to expand the Act's scope and intent to reflect the importance and significance of land to Tasmanian Aboriginal people.

#### (2) Revisions to ALCT elections

That the Act would be amended to:

- remove the process for objecting to a person's enrolment on the ALCT Roll (s.10(3)(c) etc);
- apply a method consistent with the intent of the Government's Eligibility Policy to determine eligibility to participate in ALCT election processes, creating consistency with the practices of the Commonwealth and other jurisdictions; and
- implement appropriate procedural reforms to reflect a reduced role of the Electoral Commissioner.

#### (3) Simplification of land transfer process

That the Act would be amended to:

- create a new instrument of transfer for significant parcels of Crown land, including reserved land, which will simplify the process; and
- otherwise make greater use (for both freehold and unreserved Crown land acquired by ALCT) of the ability to declare land as 'Aboriginal land'.

#### (4) A land management role for local or regional Aboriginal community organisations

That the Act would be amended to provide, as part of the new instrument of transfer:

- the option to specify a land manager or co-manager, in addition to ALCT, including where appropriate a local Aboriginal group; and
- consolidated details of access rights, ensuring that Aboriginal land vested in ALCT would be (as far as practicable) freely available to access by Tasmanian Aboriginal people and organisations.

#### (5) Identification of land suitable for transfer

That the Act would be amended to provide for:

- clear identification of the values, and the significance to Tasmanian Aboriginal people, of any land proposed for transfer;





- a way of identifying whether the significance is primarily to all Tasmanian Aboriginal people (ie, statewide) or is specifically local/regional; and
- development of clear criteria to support future evaluation of land nominated for return.

#### **(6) Governance issues**

That the Act would be amended to:

- require management plans to be prepared and published that are proportionate for the size or complexity of the land parcel involved; and
- require ALCT to publish an annual report to support transparency and accountability to Tasmanian Aboriginal people on whose behalf they hold and manage land, and to increase understanding and appreciation among the broader Tasmanian community of the work that ALCT and other Aboriginal land managers undertake.

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

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

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

**Leaders with Impact**

**Strategic outcomes:**

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

**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
- 3.3 Public assets meet future lifestyle challenges
- 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 POLICY IMPLICATIONS**

No policy implications have been identified.

### **5 STATUTORY REQUIREMENTS**

This consultation is sought to inform the amendment of the *Aboriginal Lands Act 1995*.

### **6 FINANCIAL IMPLICATIONS**

There are no financial implications for providing feedback.

### **7 RISK ISSUES**

No risk issues are identified.



## **8 CONSULTATION WITH STATE GOVERNMENT**

This consultation is sought by the State Government.

## **9 COMMUNITY CONSULTATION**

The Government is accepting submissions from all members of the community.

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

To provide feedback in response to the proposed changes, or not.

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

As discussed in section 2 of this report, the matters that the Government is seeking submissions on are:

- (1) Clarifying the scope and intent of the Act.
- (2) Revisions to ALCT elections
- (3) Simplification of land transfer process
- (4) A land management role for local or regional Aboriginal community organisations
- (5) Identification of land suitable for transfer
- (6) Governance issues

Council may make a submission on any of these matters.

## **12 ATTACHMENTS**

1. Consultation Paper on Proposals for Change [9.6.1 - 20 pages]

## **RECOMMENDATION**

That Council

- i) note the report; and take no further action.

OR

- ii) note the report; and provide feedback on the following aspects of the proposal:
  - (1) Clarifying the scope and intent of the Act
  - (2) Revisions to ALCT elections
  - (3) Simplification of land transfer process
  - (4) A land management role for local or regional Aboriginal community organisations
  - (5) Identification of land suitable for transfer
  - (6) Governance issues.

## **MINUTE NO. 22/198**

### DECISION

Cr Adams/Cr Davis

That Council note the report; and take no further action.

Carried

Voting for the Motion:

Deputy Mayor Goss, Cr Adams, Cr Brooks, Cr Davis and Cr Polley

Voting Against the Motion:

Mayor Knowles, Cr Goninon and Cr Lambert

*Mayor Knowles adjourned the meeting for the meal break at 6.02pm.*



## 9.7 KENNEL LICENCE APPLICATION: 310 PERTH MILL ROAD, PERTH

Responsible Officer: Des Jennings, General Manager

Report prepared by: Maria Ortiz Rodriguez, Animal Control and Compliance Officer

### 1 PURPOSE OF REPORT

The purpose of this report is to assess and consider a kennel licence to house 12 dogs (Labradoodles) at 310 Perth Mill Road, Perth.

### 2 INTRODUCTION/BACKGROUND

Lisa Bartlett has applied for a Kennel Licence following Section 51 of the *Dog Control Act 2000*, Lisa Bartlett applied for 12 Labradoodles to be kept at 310 Perth Mill Road. The application was advertised in The Examiner on 1<sup>st</sup> June 2022.

Letters were sent to neighbouring property owners within 200 meters of 310 Perth Mill Road, advising of the proposed kennel licence application and inviting objections.

The property at 310 Perth Mill Road is located in a Low-Density Residential planning zone, in which commercial breeding of dogs is not permitted under the current planning scheme. There are planning options for the applicant which are attached to the report. Lisa Bartlett wishes to breed on a "small scale" but nonetheless with a business structure.

### 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

### 4 POLICY IMPLICATIONS

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

### 5 STATUTORY REQUIREMENTS

The *Dog Control Act 2000* is the legislation relevant to this application, the following sections should be noted:

#### **50. Keeping several dogs**

(1) A person, without a licence, must not keep or allow to be kept, for any period of time, on any premises –

(a) more than 2 dogs, other than working dogs, over the age of 6 months; or

(b) more than 4 working dogs over the age of 6 months.

Penalty: Fine not exceeding 5 penalty units.

(2) [Subsection \(1\)](#) does not apply to any dog in excess of the number of dogs specified in [subsection \(1\)](#) if –

(a) the dog is owned by a person who does not usually reside at the premises; and

(b) the dog is being kept at the premises for a limited, or temporary, period that is agreed upon, by both the owner of the dog and the person with responsibility for the premises, before the dog is left at the premises; and

(c) no consideration has been or is to be paid, in respect of the dog staying at the premises, to the person keeping dogs on the premises.

(3) In this section –

consideration includes monetary or non-monetary consideration;

owner in relation to a dog, means the person who apparently has control of the dog at the relevant time.



**55. Granting application**

(1) A general manager may grant an application for a licence if satisfied that –

(a) adequate provisions for the health, welfare and adequate control of all dogs on the premises are provided or are likely to be provided; and

(b) nuisance to any other persons is unlikely to occur; and

(c) requirements under laws relating to public health and environmental protection are likely to be satisfied.

(2) A general manager is to issue a licence specifying –

(a) the maximum number of dogs that may be kept on the premises; and

(b) . . . . .

(c) any conditions as the general manager may determine; and

(d) the expiry date of the licence.

(3) If a condition of the licence relates to the breed or kind of dog to be kept under the licence, a person must not keep or permit to be kept any dog over the age of 6 months of a breed or kind to which a licence applies otherwise than in accordance with the licence.

Penalty: Fine not exceeding 5 penalty units.

(4) A person must not keep more than the maximum number of dogs specified in the licence.

Penalty: Fine not exceeding 5 penalty units.

**57. Renewal of licence**

(1) A licence is renewable on payment of the appropriate fee.

(2) A general manager may refuse to renew a licence if of the opinion that –

(a) the provisions of this Act or any other relevant Act are not being complied with; or

(b) the situation or condition of the premises is creating a nuisance; or

(c) it is in the public interest that the licence not be renewed.

**58. Cancellation of licence**

(1) A general manager may cancel a licence if satisfied that –

(a) the provisions of this Act or any other relevant Act are not being complied with; or

(b) any condition of the licence is not being complied with; or

(c) the situation or condition of the premises is creating a nuisance; or

(d) it is in the public interest that the licence be cancelled.

(2) Before cancelling a licence, the general manager is to –

(a) give to the holder of the licence one month's notice in writing to show cause why the licence should not be cancelled; and

(b) give consideration to any representations which the holder may make in that respect.

(3) The cancellation of a licence is to be effected by the service of a notice on the holder of the licence notifying that the licence expires at the end of a period, not less than one month, specified in the notice, unless the normal

**6 FINANCIAL IMPLICATIONS**

Nothing identified.

**7 RISK ISSUES**

The following risks have been identified:

- if the licence is rejected that Council will be seen as being unfair in their decisions.
- if the kennel licence is approved objectors and people who have raised their concerns to council regarding the approval to this licence are going to feel that the council have not considered their opinions and concerns.

**8 CONSULTATION WITH STATE GOVERNMENT**

Not applicable

**9 COMMUNITY CONSULTATION**

The application was advertised in The Examiner on 1<sup>st</sup> June 2022 and letters were sent to neighbouring property owners within 200 meters of the property.



## 10 OPTIONS FOR COUNCIL TO CONSIDER

There are four options for Council to consider:

- Approve a kennel licence to house 12 dogs at the property with conditions of no breeding; or
- Approve a kennel licence to house 12 dogs at the property with specific conditions of litters a year attached to the kennel licence and subjected to planning approval and permits for breeding to be allowed, or
- Approve a kennel licence for a smaller number of dogs stated on the application with specific conditions of litters a year attached to the kennel licence, subjected to planning approval, and permits for breeding to be allowed, or
- Do not approve a new kennel licence.

## 11 OFFICER'S COMMENTS/CONCLUSION

Council Officers have conducted an inspection of the property, photographed the property, and assessed the proposed infrastructure to house 12 dogs. The applicant currently does not have kennels or fencing in place. Planning approvals and appropriate infrastructure must be in place for the number of dogs proposed in the application to be appropriately housed and contained. The applicant is aware of the latter and has a building plan, but no current planning process with the council.

There are options for Lisa Bartlett to change the current breeding limitations of the property at 310 Perth Mill Road. Find attached planning process options that the applicant has. Lisa Bartlett currently holds a Kennel Licence to house 8 dogs at 49 Phillip Street, Perth; a highly populated area, the officer is of the opinion that Lisa Bartlett intends to move away from this area, to minimize the potential of the dogs becoming a nuisance to neighbours. The size of the property at 310 Perth Mill Road is: 7,376 square meters, the breed of dogs proposed for this application is medium size labradoodles, it is the Animal Officers conclusion that the property's area is suitable for the number of dogs proposed in the application.

In addition, Lisa Bartlett has complied with all the conditions added to her current kennel licence at 49 Phillip Street, Perth, and after the inspections conducted by the Animal Officer, she is complying with the *Dog Control Act 2000*, as well as NRE's (Former DPIPWE) Breeding of Dogs Guidelines. There haven't been any complaints to council, or animal welfare investigations or issues with this property to the knowledge of the Animal Officer.

It is the Council Animal Officer's recommendation to approve the licence with the following conditions:

- The Kennel Licence allows Lisa Bartlett to house 12 dogs at 310 Perth Mill Road, breeding can only be undertaken if planning approval is in place and no more than 1 litter of puppies are to be kept at the property at any one time.
- The premises have the appropriate fencing and infrastructure for the size and the number of the dogs. This includes planning permits for all the infrastructure related to the housing of 12 dogs.
- Limit the number of litters per female: One female must only have one litter in an 18-month period.

If the kennel licence is issued for the number of dogs and the conditions of The Dog Control Act 2000 are not upheld by the licensee, Council has considerable recourse, including the ability to not renew the licence following *Section 57 of The Dog Control Act 2000*.

Lastly, breeders (commercial and non-commercial) will be inspected twice a year and the renewal of their licence will be dependent on inspection results.

## 12 ATTACHMENTS

1. Objection Brett Gray [9.7.1 - 8 pages]
2. Objection Julie Maple [9.7.2 - 1 page]
3. Objection Rob & Jen Pratt [9.7.3 - 1 page]
4. Applicant's Response to Objections [9.7.4 - 3 pages]
5. Animal Control Officer response to Objections [9.7.5 - 1 page]
6. Objection Andrew & Patricia Golle [9.7.6 - 3 pages]
7. Photos [9.7.7 - 2 pages]



## RECOMMENDATION

That Council

- i) issue a kennel licence for housing 12 Labradoodles at 310 Perth Mill Road, Perth  
and
- ii) place an expiry date of 30 June 2023 upon the licence with the following specific conditions:
- Every kennel & associated exercise area must be maintained in a clean and sanitary condition at all times to the satisfaction of the Animal Control Officer
  - Animal waste must be disposed of to the satisfaction of the Animal Control Officer and no faecal matter or other offensive or putrescibles matter must enter any watercourse
  - Wash-down water, wastewater or water which has been in contact with faecal or putrescible matter must not directly or indirectly enter any watercourse and must receive treatment to the satisfaction of the Animal Control Officer/Environmental Health Officer adequate for the method of effluent disposal used. Where treatment is by land absorption or transpiration bed, sufficient land must be set aside and kept available for that purpose. The standard of wastewater treatment must be maintained to the satisfaction of the Animal Control Officer/Environmental Health Officer.
  - All available means must be used to prevent the barking of dogs to avoid the keeping of dogs becoming a nuisance to nearby residents because of the emission of noise.

And

- iii) place the following additional conditions on the kennel licence:
- Breeding can only take place if planning approval is in place and no more than 1 litter of puppies are to be kept at the property at any one time.
  - Reproductive records must be kept and provided to the Animal Officer when requested. One female must only have one litter in an 18-month period.
  - The premises have the appropriate fencing and infrastructure for the size and the number of dogs.
  - The applicant is inspected every 4 months each year during the time that it holds a Kennel Licence.

## DECISION

Cr Polley/Cr Brooks

That Council

- i) issue a kennel licence for housing 12 Labradoodles at 310 Perth Mill Road, Perth  
and
- ii) place an expiry date of 30 June 2023 upon the licence with the following specific conditions:
- Every kennel & associated exercise area must be maintained in a clean and sanitary condition at all times to the satisfaction of the Animal Control Officer
  - Animal waste must be disposed of to the satisfaction of the Animal Control Officer and no faecal matter or other offensive or putrescibles matter must enter any watercourse
  - Wash-down water, wastewater or water which has been in contact with faecal or putrescible matter must not directly or indirectly enter any watercourse and must receive treatment to the satisfaction of the Animal Control Officer/Environmental Health Officer adequate for the method of effluent disposal used. Where treatment is by land absorption or transpiration bed, sufficient land must be set aside and kept available for that purpose. The standard of wastewater treatment must be maintained to the satisfaction of the Animal Control Officer/Environmental Health Officer.
  - All available means must be used to prevent the barking of dogs to avoid the keeping of dogs becoming a nuisance to nearby residents because of the emission of noise.

And

- iii) place the following additional conditions on the kennel licence:
- Breeding can only take place if planning approval is in place and no more than 1 litter of puppies are to be kept at the property at any one time.
  - Reproductive records must be kept and provided to the Animal Officer when requested. One female must only have one litter in an 18-month period.
  - The premises have the appropriate fencing and infrastructure for the size and the number of dogs.



- The applicant is inspected every 4 months each year during the time that it holds a Kennel Licence.

Motion withdrawn

**MINUTE NO. 22/207**

DECISION

Cr Polley/Cr Deputy Mayor Goss

That Council defer a decision to the next meeting of Council.

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil



## **9.8 LOCAL GOVERNMENT ASSOCIATION OF TASMANIA (LGAT): 2022 ANNUAL GENERAL MEETING**

*Responsible Officer:* Des Jennings, General Manager

*Report prepared by:* Gail Eachar, Executive Assistant

### **1 PURPOSE OF REPORT**

This report considers the Local Government Association of Tasmania (LGAT) agenda for the Annual General Meeting to be held on 1 July 2022 at the RACV Hobart Hotel from 12.30pm.

### **2 INTRODUCTION/BACKGROUND**

The Local Government Association of Tasmania (LGAT) will hold the Annual General Meeting (AGM) on 1 July 2022 at the RACV Hobart Hotel from 12.30pm.

The decisions of Council regarding this report will determine how the Northern Midlands Council voting delegate should vote on each of the items listed in the Local Government Association of Tasmania (LGAT) Agenda for the Annual General Meeting.

### **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

**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

**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
- 3.3 Public assets meet future lifestyle challenges
- 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





4.3 Eco-tourism strongly showcases our natural beauties

4.4 Our heritage villages and towns are high value assets

#### **4 POLICY IMPLICATIONS**

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#### **5 STATUTORY REQUIREMENTS**

N/a

#### **6 FINANCIAL IMPLICATIONS**

N/a

#### **7 RISK ISSUES**

N/a

#### **8 CONSULTATION WITH STATE GOVERNMENT**

N/a

#### **9 COMMUNITY CONSULTATION**

N/a

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

Consideration needs to be given to each agenda item listed, Council is then to determine how the voting delegate is to vote on each item at the Annual General to be held on 30 June 2021.

\* Denotes attachments.

The following are the motions on which decisions are sought:

**1 MINUTES OF 109TH ANNUAL GENERAL MEETING \***

***Decision Sought***

That the Minutes of the 109<sup>th</sup> Annual General Meeting, held 22 July 2020 be confirmed.

**2 PRESIDENT'S REPORT**

***Decision Sought***

That the President's report be received.

**3 FINANCIAL STATEMENTS TO 30 JUNE 2021 \***

***Decision Sought***

That the Financial Statements for the period 1 July 2020 to 30 June 2021 be received and adopted.

**4 2022/2023 LGAT BUDGET AND SUBSCRIPTIONS \***

***Decision Sought***

That the 2022/2023 LGAT Budget and Subscriptions are endorsed, with a 3.5% increase in subscriptions.



**5 PRESIDENT AND VICE PRESIDENT HONORARIUMS**

***Decision Sought***

That the President's and Vice President's allowance for the period 1 July 2022 to 30 June 2023 be adjusted in accordance with the movement in the Wages Price Index.

**6 LOCAL GOVERNMENT ELECTION CAMPAIGN**

***Decision Sought***

That Members note the plan for the local government election campaign in 2022.

**7 LGAT ANNUAL PLAN \***

***Decision Sought***

That Members note the report against the LGAT Annual Plan.

**8 REPORTS FROM BOARD REPRESENTATIVES \***

***Decision Sought***

(a) That the reports from representatives on various bodies be received and noted.

(b) That Members acknowledge the time and effort put in by all Association representatives on boards, working parties, advisory groups and committees etc.

**11 OFFICER'S COMMENTS/CONCLUSION**

The decisions of Council regarding this report will determine how the Northern Midlands Council voting delegate should vote on each of the items listed in the Local Government Association of Tasmania (LGAT) Agenda for the Annual General Meeting.

**12 ATTACHMENTS**

1. AGM Agenda & Attachments 2022 [9.8.1 - 66 pages]

**RECOMMENDATION**

That Council

- A note/receive the following items listed in the LGAT AGM Agenda for the meeting to be held on Wednesday, 30 June 2021

**2 PRESIDENT'S REPORT**

That the President's report be received.

**6 LOCAL GOVERNMENT ELECTION CAMPAIGN**

That Members note the plan for the local government election campaign in 2022.

**7 LGAT ANNUAL PLAN \***

That Members note the report against the LGAT Annual Plan.

**8 REPORTS FROM BOARD REPRESENTATIVES \***

(a) That the reports from representatives on various bodies be received and noted.

(b) That Members acknowledge the time and effort put in by all Association representatives on boards, working parties, advisory groups and committees etc.

- B vote as follows in relation to the following items listed in the LGAT AGM Agenda for the meeting to be held on Wednesday, 30 June 2021

**1 MINUTES OF 109TH ANNUAL GENERAL MEETING \***

That the Minutes of the 109<sup>th</sup> Annual General Meeting, held 22 July 2020 be confirmed.

***Vote for / against the Motion***

**3 FINANCIAL STATEMENTS TO 30 JUNE 2021 \***

That the Financial Statements for the period 1 July 2020 to 30 June 2021 be received and adopted.

***Vote for / against the Motion***



**4 2022/2023 LGAT BUDGET AND SUBSCRIPTIONS \***

That the 2022/2023 LGAT Budget and Subscriptions are endorsed, with a 3.5% increase in subscriptions.

***Vote for / against the Motion***

**5 PRESIDENT AND VICE PRESIDENT HONORARIUMS**

That the President's and Vice President's allowance for the period 1 July 2022 to 30 June 2023 be adjusted in accordance with the movement in the Wages Price Index.

***Vote for / against the Motion***

**MINUTE NO. 22/208**

DECISION

Cr Adams/Deputy Mayor Goss

That Council

A note/receive the following items listed in the LGAT AGM Agenda for the meeting to be held on Wednesday, 30 June 2021

**2 PRESIDENT'S REPORT**

That the President's report be received.

**6 LOCAL GOVERNMENT ELECTION CAMPAIGN**

That Members note the plan for the local government election campaign in 2022.

**7 LGAT ANNUAL PLAN \***

That Members note the report against the LGAT Annual Plan.

**8 REPORTS FROM BOARD REPRESENTATIVES \***

(a) That the reports from representatives on various bodies be received and noted.

(b) That Members acknowledge the time and effort put in by all Association representatives on boards, working parties, advisory groups and committees etc.

B vote as follows in relation to the following items listed in the LGAT AGM Agenda for the meeting to be held on Wednesday, 30 June 2021

**1 MINUTES OF 109TH ANNUAL GENERAL MEETING \***

That the Minutes of the 109<sup>th</sup> Annual General Meeting, held 22 July 2020 be confirmed.

***Vote for the Motion***

**3 FINANCIAL STATEMENTS TO 30 JUNE 2021 \***

That the Financial Statements for the period 1 July 2020 to 30 June 2021 be received and adopted.

***Vote for the Motion***

**4 2022/2023 LGAT BUDGET AND SUBSCRIPTIONS \***

That the 2022/2023 LGAT Budget and Subscriptions are endorsed, with a 3.5% increase in subscriptions.

***Vote for the Motion***

**5 PRESIDENT AND VICE PRESIDENT HONORARIUMS**

That the President's and Vice President's allowance for the period 1 July 2022 to 30 June 2023 be adjusted in accordance with the movement in the Wages Price Index.

***Vote for the Motion***

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil



## 9.9 COMMONWEALTH BANK CUSTOMER ADVOCATE VISIT TO THE NORTHERN MIDLANDS

*Responsible Officer:* Des Jennings, General Manager

*Report prepared by:* Lorraine Green, Project Officer

### 1 PURPOSE OF REPORT

To provide Council with background to the visit to the Northern Midlands by the Commonwealth Bank Customer Advocate and the outcome of the visit.

### 2 INTRODUCTION/BACKGROUND

The Commonwealth Bank's Customer Advocate's (CBA) website states:

The Customer Advocate is here to be a voice for you, our customers – to make sure you're heard, understood and treated fairly throughout the Commonwealth Bank. Whilst not independent of the Bank, the Customer Advocate is independent within the Bank, with a focus on:

- Identifying opportunities to improve the Bank's products, services, systems and processes
- Helping the Bank make better decisions through the use of data, insights and different perspectives.

On 17 December 2021 Amy Haigh, Manager, Customer and Business Engagement in the Office of the CBA, emailed Mayor Knowles to advise:

"Our Customer Advocate, Angela MacMillan, will be visiting Tasmania in February 2022. During her visit, she would like to connect with some pivotal community advocates and leaders to talk about the people of Tasmania and any area specific challenges/core problems faced by locals in regional towns. Her biggest focus will be exploring accessibility to banking in remote communities. We will be travelling through Campbell Town and we would like to speak with yourself on work the CBA are doing in this space and look to share ideas".

The meeting was scheduled for 15 February 2022. Mayor Knowles canvassed the views of a number of Campbell Town business owners/operators in preparation for the meeting.

On 12 January 2022 Ms Haigh advised Mayor Knowles that due to the continued COVID situation in Sydney (the home base of the CBA), the visit to Tasmania had been postponed until April 2022, with the likely dates being 12-14 April. In March the date was confirmed as 12 April, with the request that the meeting be held in Longford 3.30-5pm.

Mayor Knowles asked that the input of some Longford business owners/operators and community organisations be sought by inviting their attendance at the meeting, or written input to the meeting. A written invitation was extended to 29 local business owners/operators. One business owner responded, and subsequently participated in the meeting.

The meeting was held on 12 April. Three CBA Officers accompanied the Customer Advocate. Mayor Knowles, Council's Project Officer and Administration Officer – Cashier (who is actively involved with a number of community organisations accessing the services of the Commonwealth Bank in Longford) participated as well as the Owner of Longford Newsagency Mitchell Talbot.

The meeting included coverage of the role of the CBA and the range of services provided by the Commonwealth Bank. An array of issues and concerns were raised and discussed. A report by the CBA's Office on the visit is held as an Attachment.

### 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

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

**Sense of Place - Sustain, Protect, Progress**

**Strategic outcomes:**

- 3.4 Towns are enviable places to visit, live and work

**4 POLICY IMPLICATIONS**

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**

The CBA did not request community consultation.

**10 OPTIONS FOR COUNCIL TO CONSIDER**

Council can either note or not note the report.

**11 OFFICER'S COMMENTS/CONCLUSION**

Publications by the CBA state that one of the top priorities is to meet with and listen to customers about their issues and concerns. They are then able to use this information to help the bank make better decisions through the use of data, insights and different perspectives. The CBA Team can be contacted by email [customeradvocate@cba.com.au](mailto:customeradvocate@cba.com.au), or via mail: Customer Advocate, Commonwealth Bank of Australia, Reply Paid 88915 Sydney NSW 2001.

**12 ATTACHMENTS**

- 1. CBA Customer Advocate visit May 2022 [9.9.1 - 1 page]

**RECOMMENDATION**

That Council note the report on the Commonwealth Bank Customer Advocate's visit to the Northern Midlands.



**MINUTE NO. 22/209**

DECISION

Deputy Mayor Goss/Cr Lambert

That Council

- a) note the report on the Commonwealth Bank Customer Advocate's visit to the Northern Midlands; and
- b) write to the Commonwealth Bank to ask what their intentions are in relation to the provision of banking services in the Northern Midlands; and
- c) revisit the conversation relating to the provision of banking services by Bendigo Bank.

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil



## 9.10 LAYCOCK STREET PARK, LONGFORD

*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) Present to Council the draft Laycock Street Park Landscape Concept Plan
- ii) Seek Council's in-principle adoption of the Laycock Street Park Landscape Concept Plan.

### 2 INTRODUCTION/BACKGROUND

As part of a new subdivision at 7 Laycock Street Longford, Council has acquired the triangle of land created by the meeting of Laycock, Wellington and Pultney Streets, to be developed as a public park. Council contracted Lange Design to develop a landscape concept plan for the Park that would provide a unique place for parents and children to have fun, relax, socialise, keep fit, develop skills and explore.

The draft plan was received in October 2021 and comprises a playground/picnic area of approximately 450 sq metres, and an open space grassed area of approximately 1,150 sq metres. The plan incorporates nature based play elements, a three bay inclusive swing, picnic shelter, an accessible electric BBQ and future provision for an inclusive toilet facility.

### 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

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

**Place: Nurture our heritage environment**

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

**Strategic outcomes:**

- 4.4 Our heritage villages and towns are high value assets

### 4 POLICY IMPLICATIONS

N/A



## **5 STATUTORY REQUIREMENTS**

N/A

## **6 FINANCIAL IMPLICATIONS**

It is proposed that the park be developed in stages, as funding can be secured for the infrastructure and landscaping. Once the plan has been adopted by Council, the first stage can be identified and costed.

One option for funding the first implementation stage is through the Phase Three extension of the Local Roads and Community Infrastructure Program. The Australian Government has advised Council will receive a funding allocation equal to the Phase One nominal funding allocation - \$960,938. This funding will be available from 1 July 2023, with construction completion due by 30 June 2024.

Council could consider funding the proposed Napoleon Street Perth playground through the same grants program.

## **7 RISK ISSUES**

The progressive implementation of the landscape concept plan will ensure community expectations are met with regard to the provision of public open space and playgrounds across the Northern Midlands.

## **8 CONSULTATION WITH STATE GOVERNMENT**

N/A

## **9 COMMUNITY CONSULTATION**

The draft landscape concept plan was received in October 2021 and was released for community consultation in late November 2021 via a feature in the Northern Midlands Courier, Council's facebook page and display at the Council Offices. The closing date for community feedback was 31 January 2022. One response was received from Councillor Brooks who advised several local residents had suggested the incorporation of a basketball court – full or half size.

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

Council can either accept or not accept the in-principle adoption of the landscape concept plan and the pursuing of external funding opportunities to enable the staged implementation of the plan.

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

The consultant has fulfilled the requirements of the Laycock Street Park Landscape Concept Plan brief and presented a comprehensive and realistic draft concept plan to drive the development of the park.

## **12 ATTACHMENTS**

1. NMC LC P 0219 Presentation - C [9.10.1 - 1 page]

## **RECOMMENDATION**

That Council in-principle adopt the Laycock Street Park Landscape Concept Plan and pursue external funding opportunities to enable the staged implementation of the plan.





**MINUTE NO. 22/210**

DECISION

Deputy Mayor Goss/Cr Adams

That Council in-principle adopt the Laycock Street Park Landscape Concept Plan and pursue external funding opportunities to enable the staged implementation of the plan.

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil



## 9.11 POLICY: HUMAN RESOURCES POLICY - COVID-19 MANDATORY VACCINATION AND PROVISION OF INFORMATION POLICY

*File:* 15/013; 2/03/01/01

*Responsible Officer:* Des Jennings, General Manager

*Report prepared by:* Leslie Hall, People and Culture Business Partner

### 1 PURPOSE OF REPORT

The purpose of this report is to provide Council with the draft of the newly developed Human Resources Policy relating to COVID-19 Mandatory Vaccination requirements and associated administrative changes for their consideration/approval.

### 2 INTRODUCTION/BACKGROUND

The COVID-19 Mandatory Vaccination and Provision of Information Policy was drafted in response to the approved Council motion on 13 December 2021 to commence the consultation process to mandate vaccinations for staff, contractors, and any visitor/hirer of Council facilities.

An earlier draft version of this policy was circulated for comment and feedback from stakeholders. The policy aims to provide information about vaccination against COVID-19 to employees and contractors; require, unless exempted, mandatory COVID-19 vaccinations as recommended by the Australian Technical Advisory Group on Immunisation (ATAGI); and require the provision of evidence regarding vaccination status against COVID-19.

Consultation and risk assessments were undertaken in line with legal advice given to Council. Initial communication regarding the proposed change was circulated to staff on 16 December 2021 seeking feedback from staff. A formal consultation period was then held from 22 February 2022 to 18 March 2022 and all employees, registered volunteers, and the Australian Services Union (ASU) representative were given the opportunity to be engaged in the consultation process and comment on the draft policy.

During the consultation period, written feedback stating a personal objection to the policy was received by 1 casual employee. Feedback was received from 2 community groups and 1 employee stating concerns about the administrative burden and the practical application of the policy as it would apply to volunteers, visitors, and hirers of Council facilities.

Upon consideration of the feedback received it was concluded that the mandate should not apply to volunteer staff or visitors/hirers of Council facilities due to the additional burden this will place on volunteers and staff, however the mandate should still apply to contractors engaged by Council. The attached policy has been changed to reflect that.

The compliance date by which those covered by the policy has been adjusted to 26 August 2022 to allow reasonable time for employees, contractors, and Councillors to comply with the policy. No other changes have been made to the policy sent out for broader consultation.

During the consultation period, no objection was noted from the Australian Services Union. On 25 May 2022, after the consultation period, a written objection to the implementation of a mandatory vaccination policy was received from the ASU Organiser. Subsequent correspondence has been received from the ASU stating their objection to the implementation of the policy. The primary objections from the union are:

- The pandemic has progressed past its most dangerous period
- They believe that "much of the work being done by Northern Midlands Council employees would be considered low risk for transmission of COVID-19"
- Vaccinations are a self-protection measure and there is no significant benefit to the broader employee group from having a colleague be vaccinated against COVID-19
- There is an existing high vaccination rate in the Tasmanian population which would likely be reflected in the Council workforce



- They support existing control measures such as social distancing, mask wearing, sanitising, regular cleaning, and ensuring staff stay home if unwell, but they do not believe a vaccination mandate will be of significant benefit overall

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

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

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

**Leaders with Impact**

**Strategic outcomes:**

1.3 Management is efficient, proactive and responsible

### **4 POLICY IMPLICATIONS**

As Council has a responsibility to provide a safe and healthy workplace for workers and others at our workplace and as such it is important to take all available measures to minimise the risk to the health and safety of staff presented by COVID-19 and its related health impacts.

The policy will apply to a person who carries out work for Council, including employees, contractors or subcontractors (and their employees), labour hire employees, outworkers, apprentices and trainees, work experience placements, and Councillors. The requirements set out in this policy will be incorporated into the existing Human Resources Policy and Procedures framework and a requirement to comply with the policy will be added in employment contracts and contractor engagement contracts.

Mandatory vaccination requirements are already in place for 14 employees and any contractors engaged for work in the council's childcare facilities as required by the Public Health Directive under Section 16 of the Public Health Act 1997 - Vaccination requirements in relation to Early Childhood Facilities - No. 1. This requirement will continue until such time as the public health directive is lifted regardless of this policy.

### **5 STATUTORY REQUIREMENTS**

The following legislation is applicable to the new policy:

- Age Discrimination Act 2004 (Cth)
- Anti-Discrimination Act 1998 (TAS)
- Australian Human Rights Commission Act 1986 (Cth)
- Disability Discrimination Act 1992 (Cth)
- Fair Work Act 2009 (Cth)
- Local Government Act 1993 (TAS)
- Privacy Act (1988) (Cth)
- Public Health Act (1997)
- Sex Discrimination Act 1984 (Cth)
- Work Health & Safety Act 2012 (TAS)
- Workers Rehabilitation & Compensation Act 1988 (TAS)

### **6 FINANCIAL IMPLICATIONS**

The policy proposes allowing reasonable paid time off work for employees to attend a COVID-19 vaccination appointment during usual working hours.



Whilst the two-dose vaccination rates for the adult Tasmanian population is over 99%<sup>1</sup>, the rate of Tasmanians over 18 years of age who have received a booster dose is only 71.15%<sup>2</sup> as at 17 June 2022. We have no reason to expect that our workforce booster vaccination rate is not in line with the broader community booster vaccination rate.

This will result in having some lost time to facilitate these appointments, however given the expanded availability of vaccines in local community settings the time taken to attend appointments is unlikely to be excessive.

## **7 RISK ISSUES**

Council has a responsibility to maintain a safe and healthy workplace for workers and other persons in the workplace, and an obligation to take all reasonable steps to minimise the spread of COVID-19.

This policy is part of ongoing strategies to limit, manage and control the risks associated with COVID-19 in the workplace and is in conjunction with existing workplace controls such as improved hygiene standards and practices, mask wearing in certain areas and under certain circumstances, and social distancing and density limits in required areas.

There was informal verbal feedback given to the Works Manager last year from several key contractors that stated that they personally did not intend to get vaccinated. It is unclear whether these contractors have since changed their view and we are unable to formally ask them for that information until such time as a policy is in place. This could have potentially significant impacts on Council works operations, particularly in regards to time delays and increased resourcing requirements as we utilise these contractors for after hours maintenance repairs, with little interaction with Council staff groups. There may be other contractors who will not comply with the mandated vaccination requirement that we are not aware of.

If an employee chooses not to comply with the policy, Council would need to exhaust all available alternate working options before proceeding to termination of employment. In the event that we are required to terminate the employment of a staff member that chooses not to comply with this policy, there are possible challenges to the policy under Unfair Dismissal protections that Council would be required to defend in the Fair Work Commission.

The policy proposes that this requirement extend to members of Council. This will include any new incoming councillors that may be elected. We have not sought legal guidance on the interaction between a mandatory vaccination policy and the eligibility to nominate or other provisions of the Local Government Act or Regulations, but it should be noted that there may be challenges to the policy in this regard.

## **8 CONSULTATION WITH STATE GOVERNMENT**

This policy considered all published Public Health advice available at the time of this submission. No direct consultation occurred with the State Government in regard to the drafting of this policy.

## **9 COMMUNITY CONSULTATION**

Consultation was conducted with the special committees and local district committees. Objections to the policy were noted on the grounds that the administrative burden on extending the application of this policy to volunteers and hirers of council facilities would be cumbersome.

Upon consideration of that feedback, the policy tabled for consideration has been amended to exclude these groups and will now only apply to employees, contractors, and Councillors.

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<sup>1</sup> <https://www.coronavirus.tas.gov.au/facts/tasmanian-statistics>

<sup>2</sup> [Covid-19 vaccine Australia rollout tracker: percentage of population vaccinated and vaccination rate by state | Australia news | The Guardian](#)



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

This policy is in response to the approved Council motion on 13 December 2021 to progress options for mandatory vaccination.

Significant changes relating to the COVID-19 pandemic, the related health settings, and the progress/rollout of the vaccination program have changed since that time. The Tasmanian governments decisions announced on 15 June 2022 to reduce mask wearing requirements in most public settings, and to remove the emergency measure in place by 30 June, reflects a change in public policy attitudes.

The current health advice has mandated vaccinations in limited setting where they have identified the greatest risks to public health, including in Councils childcare settings, and continue to strongly encourage the remainder of the population to get vaccinated where it is medically possible to do so. Council has, and continues to, support this position of encouragement to all staff regarding getting vaccinated and boosted.

If Council chooses not to proceed with mandated vaccinations, it can continue to promote vaccinations and booster vaccinations amongst the staff. Additional measures to promote this position could include offering the provisions of Clause 8 – Time off for COVID-19 Vaccination, and by organising on-site immunisation clinics for staff not unlike those that run annually for the Influenza vaccination to encourage uptake.

Council may choose to endorse or to not endorse this policy.

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

We acknowledge that the current COVID-19 case load is in decline, and that the state government is currently relaxing COVID-19 related restrictions accordingly. However, the declaration of a pandemic has not yet been lifted by the World Health Organization (WHO) and there remains the possibility that circumstances may change in the future, including the possible emergence of different variants of the current disease that could pose a significant threat to the health and wellbeing of the workforce.

This policy is aiming to ensure that Council is well placed now and into the future to make sure that every available option is taken by staff to protect themselves from severe or prolonged disease, and by extension, the greater workforce and members of our community.

This new policy has been provided to Council for their consideration and approval.

## **12 ATTACHMENTS**

1. COVI D-19 Mandatory Vaccination and Provision of Information Policy [9.11.1 - 7 pages]

## **RECOMMENDATION**

That the Council receives the report and:

1. That the Council endorses the implementation of the policy as submitted,
- OR
2. That the Council does not endorse the implementation of the policy at this time, and reviews the policy at a later agreed date.



DECISION

Cr Adams/Deputy Mayor Goss

That the Council receives the report and endorses the implementation of the policy as submitted.

Motion withdrawn

**MINUTE NO. 22/211**

DECISION

Cr Davis/Cr Goninon

That Council policy reflects the State Government policies of the day.

Carried Unanimously

Voting for the Motion:

Mayor Knowles, Deputy Mayor Goss, Cr Adams, Cr Brooks, 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

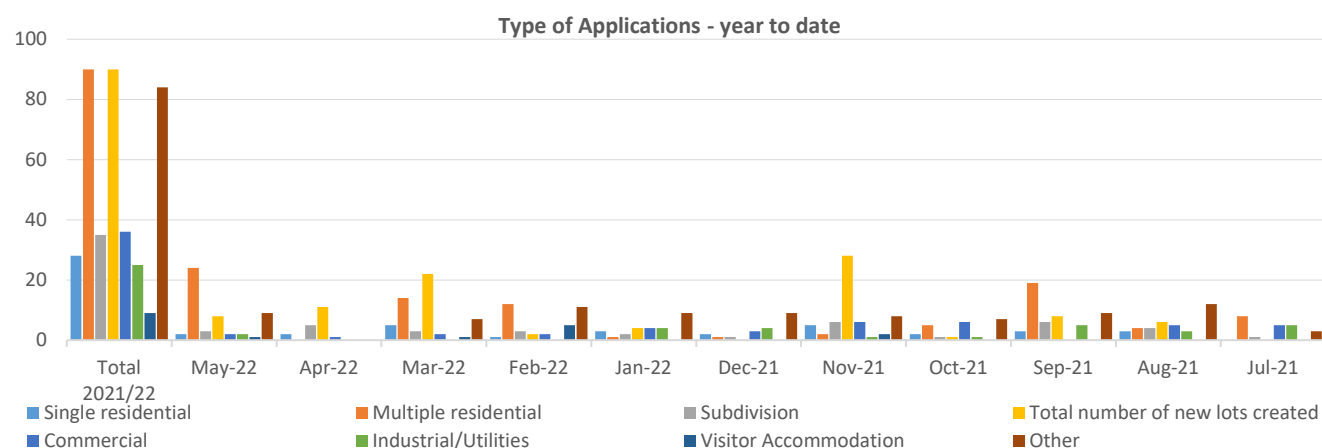
#### 1 PURPOSE OF REPORT

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

#### 2 DEVELOPMENT SERVICES REPORTING

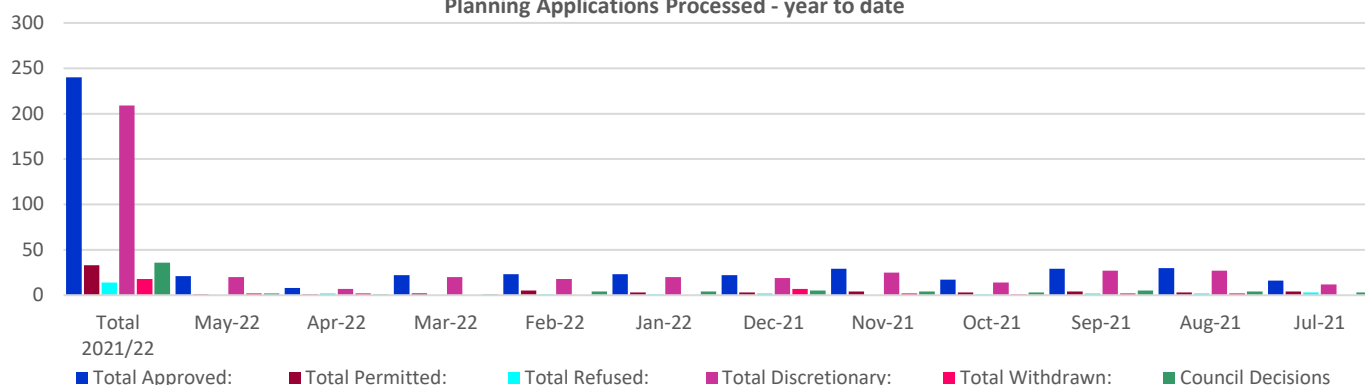
##### 2.1 Planning Decisions

	Total YTD	July	Aug1	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
Number of valid applications	240	14	34	35	21	37	20	15	15	17	8	24	
Applications on STOP for further information							50	43	47	43	42	48	
Single residential	28	0	3	3	2	5	2	3	1	5	2	2	
Multiple residential	90	8	4	19	5	2	1	1	12	14	0	24	
Subdivision	35	1	4	6	1	6	1	2	3	3	5	3	
Total number of new lots created	90	0	6	8	1	28	0	4	2	22	11	8	
Commercial	36	5	5	0	6	6	3	4	2	2	1	2	
Industrial/Utilities	25	5	3	5	1	1	4	4	0	0	0	2	
Visitor Accommodation	9	0	0	0	0	2	0	0	5	1	0	1	
Total permitted	0	0	0	0	0	0	0	0	0	0	0	0	
Total discretionary	9	0	0	0	0	2	0	0	5	1	0	1	
Other (includes all residential development on existing dwellings [alterations/ additions, sheds, solar, fences, pools etc])	84	3	12	9	7	8	9	9	11	7	0	9	
Total No. Applications Approved:	240	16	30	29	17	29	22	23	23	22	8	21	
Total Permitted:	33	4	3	4	3	4	3	3	5	2	1	1	
Average Days for Permitted		23	14	18	13	16	16	18	20	18	8	25	
Days allowed for approval by LUPAA		28	28	28	28	28	28	28	28	28	28	28	
Total Exempt under IPS:	75	8	9	5	4	14	10	2	3	6	4	10	
Total Refused:	14	3	2	2	1	0	2	1	1	0	2	0	
Total Discretionary:	209	12	27	27	14	25	19	20	18	20	7	20	
Average Days for Discretionary:		42	35	36	37	38	33	41	37	40	40	38	
Days allowed for approval under LUPAA:		42	42	42	42	42	42	42	42	42	42	42	
Total Withdrawn:	18	0	2	2	1	2	7	0	0	0	2	2	
Council Decisions	36	3	4	5	3	4	5	4	4	1	1	2	
Appeals lodged by the Applicant	9	1	1	3	0	0	2	0	1	0	1	0	
Appeals lodged by third party	1	1	0	0	0	0	0	0	0	0	0	0	

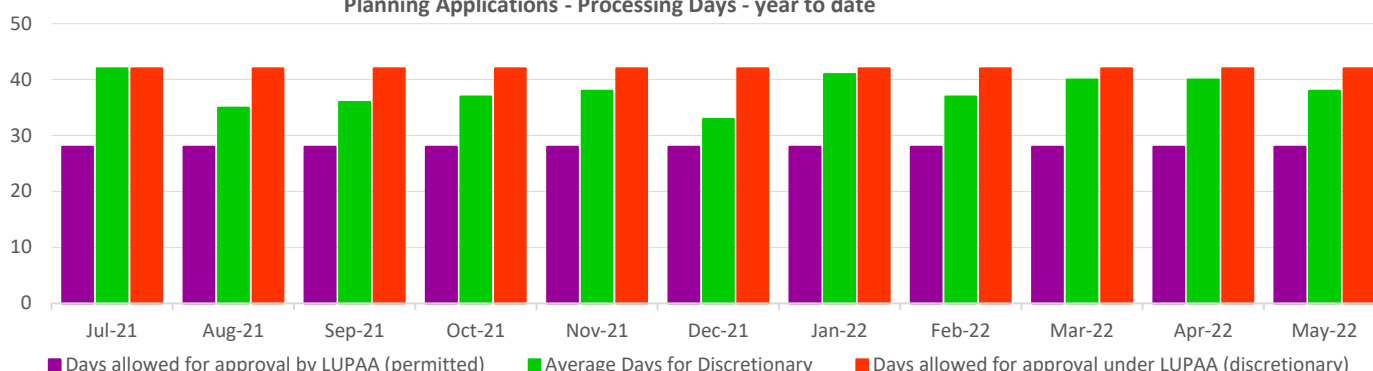




Planning Applications Processed - year to date



Planning Applications - Processing Days - year to date



Project	Details	Address	Applicant	No of LUPAA days	Perm / Disc / Exempt
<b>DELEGATED DECISIONS</b>					
PLN-21-0247	Multiple Dwellings x 21 (Road & Railway Asset Code)	71-73 High Street, Campbell Town TAS 7210	Prime Design	42	D
PLN-21-0304	Shed 11m x 10m (Scenic Management Code)	38 Fairtlough St, PERTH TAS 7300	Stewart French	42	D
PLN-21-0312	3 Lot Subdivision (Heritage Precinct)	18A Badajos Street (CT122262/1), Ross TAS 7209	D J McCulloch Surveying	38	D
PLN-21-0353	Upgrade forestry facility (Resource Development) (Flood Prone Area Code, Heritage Listed Property, Water Quality Code, Scenic Management Code)	15960 Midland Highway (CT180864/1) and acquired road (CT51479/1), Perth TAS 7300	6ty* Pty Ltd	43	D
PLN-22-0031	8x10m Shed (Vary Side (NW) setback, Vary Internal Lot Frontage setback, Heritage Precinct, Attenuation)	45A Wellington Street, Longford TAS 7301	Adrian & Steph Forrester	30	D
PLN-22-0035	Dwelling Alterations & Additions (Heritage Listed)	750 Deddington Road, Deddington TAS 7212	James M. Moore	39	D
PLN-22-0036	Partial Change of Use to Retail & Signage (Heritage Precinct)	66 Wellington Street, Longford TAS 7301	Ms Wan Chi Margarette Lung	33	D
PLN-22-0041	Change of Use to Residential - Single Dwelling, Alterations & Additions & New Outbuildings (Vary setbacks, discretionary use)	9 Main Street, Royal George TAS 7213	James Ho Architecture	35	D
PLN-22-0043	Extend shed (vary building envelope)	9 Elizabeth Street, Perth TAS 7300	Engineering Plus	42	D
PLN-22-0044	9 Lot Resubdivision (in conjunction with LCC)	200 Dalness Road, Evandale TAS 7212	Woolcott Surveys	38	D
PLN-22-0048	Dwelling (Heritage Precinct, Road & Railways Code)	21 Badajos Street, Ross TAS 7209	Jennifer Free	39	D
PLN-22-0049	Upgrade existing telecommunications infrastructure (vary height)	Snow Hill Regional Reserve, off McKays Rd (access over PIDs 3390307 & 3392150), Royal George TAS 7213	Telstra Corporation Ltd	42	D
PLN-22-0051	Multiple Dwellings x 3 (Vary Private Open Space, Frontage Fence, Reliance upon P1 E6.7.2)	21 Zircon Place, Perth TAS 7300	Urban Design Solutions	19	D
PLN-22-0052	Change of Use of Barn to Visitor Accommodation and Alterations & Additions (Heritage Listed Place, Heritage Precinct)	2 Russell Street, Evandale TAS 7212	Laurance Nicholls	42	D
PLN-22-0053	Garage/Workshop (inc. Store, Art Studio/Gymnasium)	43 Church Street, Ross TAS 7209	Lionel Morrell	40	D
PLN-22-0059	Alterations & Additions to Existing Dwelling (Vary building location and appearance)	1207 Royal George Rd, AVOCA TAS 7213	Michelle Baker	35	D

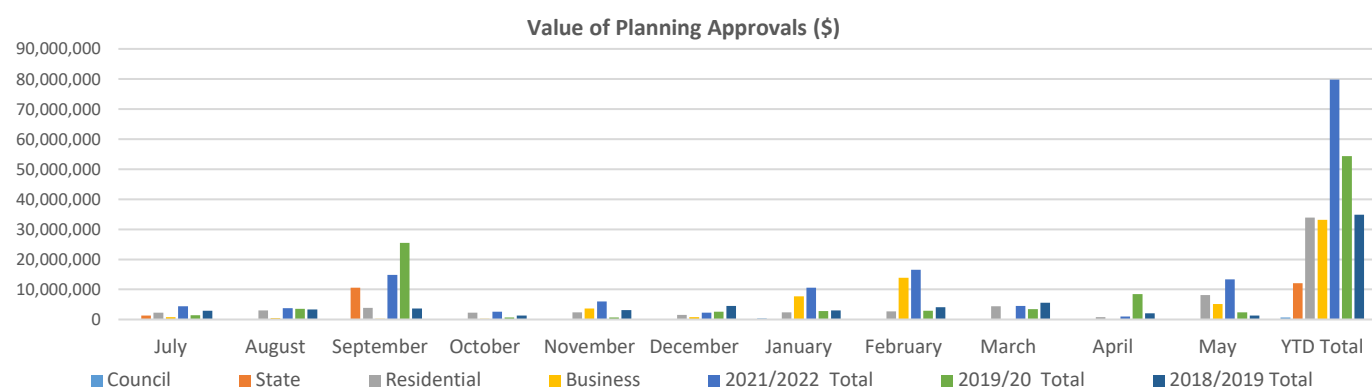




Project	Details	Address	Applicant	No of LUPAA days	Perm / Disc / Exempt
PLN-22-0064	Alterations & Additions to Existing Dwelling (Irrigation District)	13231 Midland Highway, Epping Forest TAS 7211	My Build Collective	40	D
PLN-22-0067	Tree Removal (Scenic Management Code, Local Historic Heritage Code)	678 Pateena Road, Longford TAS 7301	Jock Hughes & Claire Burbury	34	D
PLN-22-0077	Demolition of Outer Locator Beacon and Associated Infrastructure	CT 230622/1 including access across 1078 Nile Road, Nile TAS 7212	Continental Builders Pty Ltd	25	P
<b>COUNCIL DECISIONS</b>					
PLN-21-0023	7 Lot Subdivision (vary lot size, flood prone area, no reticulated sewerage)	12-20 Franklin Street, Campbell Town TAS 7210	PDA Surveyors	42	C
PLN-22-0046	Dwelling Extension & Shed (Heritage Precinct)	80-82 Montagu St, CAMPBELL TOWN TAS 7210	Steve Jordan Drafting	42	C
<b>COUNCIL DECISIONS - REFUSAL</b>					
<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
July	0	1,327,500	2,310,000	743,247	4,380,747	3,377,500	2,863,500
August	106,000	120,000	3,070,274	485,000	3,781,274	3,709,500	3,369,300
September	27,000	10,605,000	3,910,000	275,000	14,817,000	6,189,000	3,704,400
October	86,000	0	2,322,500	230,295	2,638,795	9,987,000	1,282,500
November	1,800	0	2,365,619	3,684,800	6,052,219	3,281,226	3,079,000
December	30,000	0	1,534,458	755,000	2,319,458	2,617,240	4,499,500
January	403,871	0	2,419,000	7,725,575	10,548,446	4,413,100	2,965,400
February	0	0	2,680,550	13,861,000	16,541,550	5,788,780	4,090,500
March	0	0	4,409,000	50,000	4,459,000	2,914,596	5,537,000
April	0	0	759,860	183,000	942,860	5,068,500	2,110,350
May	0	0	8,127,000	5,200,000	13,327,000	5,625,188	1,335,500
<b>YTD Total</b>	<b>654,671</b>	<b>12,052,500</b>	<b>33,908,261</b>	<b>33,192,917</b>	<b>79,808,349</b>	<b>52,971,630</b>	<b>34,836,950</b>
<b>Annual Total</b>						<b>59,101,247</b>	<b>55,891,900</b>



## 2.3 Matters Awaiting Decision by TASCAT & TPC

TASCAT	TASMANIAN CIVIL AND ADMINISTRATIVE TRIBUNAL
PLN-21-0223	Appeal 152/215. 102 & 104 Marlborough Street, Longford. Appeal against Council's refusal of 7 multiple dwellings. Preliminary conference held 17 January 2022. Mediation being undertaken.
PLN21-0195	Appeal P/2022/77. 47 Marlborough Street, Longford. Appeal against Council's refusal of 21 multiple dwellings. Preliminary conference held 9 May 2022. Hearing set for 29 July 2022.
PLN21-0292	Appeal 13/22P. 74 Marlborough Street, Longford. Appeal against Council's refusal of communal residence for seasonal workers. The grounds of refusal were: Inadequate vehicle parking and access; Inadequate private open space; and Inadequate provision of laundry facilities. Inadequate vehicle parking and access: There simply is adequate car parking of 1 space per bedroom as required by the scheme (4 bedrooms, 5 spaces provided). The ground of inadequate vehicle parking could not be maintained. The appellant has provided amended plans widening the access from 4m to the required 4.5m. Inadequate private open space: The private open space complies with the planning scheme requirement of at least 24m <sup>2</sup> measuring 6m x 4m. Council had no evidence to support this ground of refusal.



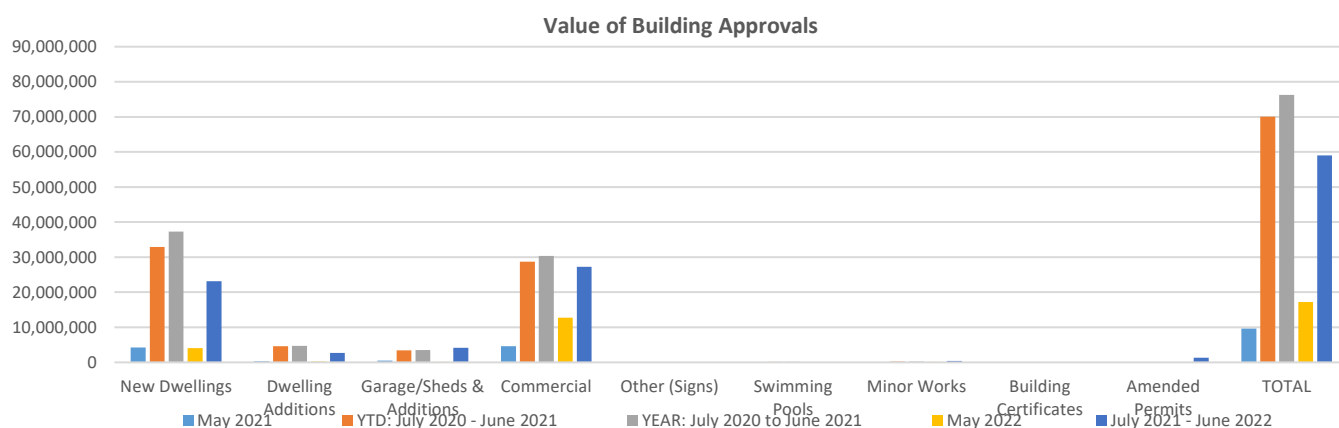
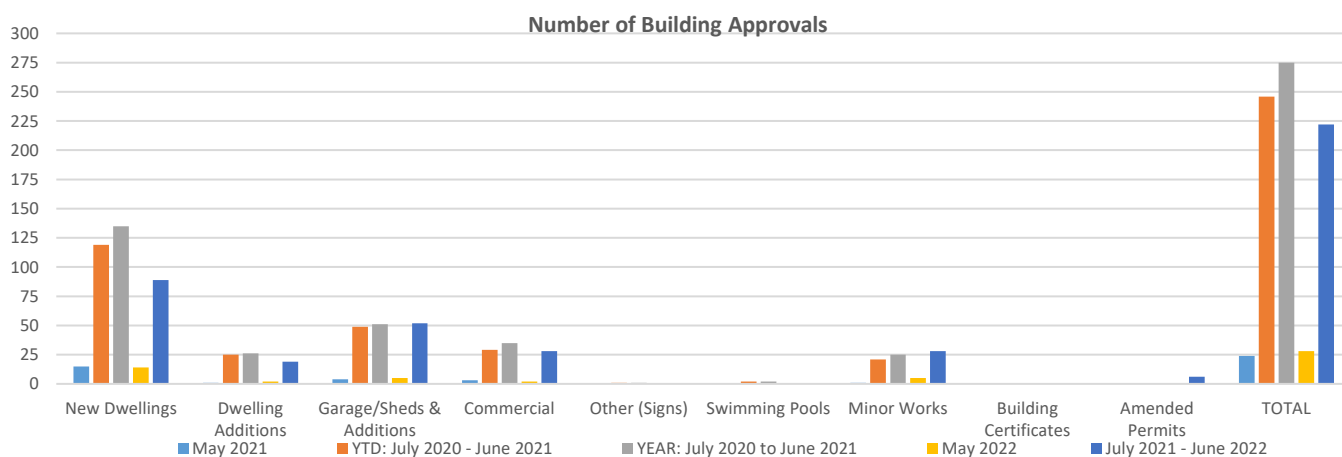
<b>TASCAT TASMANIAN CIVIL AND ADMINISTRATIVE TRIBUNAL</b>	
	Inadequate provision of laundry facilities: The planning scheme does not require laundry facilities. We have no evidence to support this ground for refusal. However, the applicant has provided revised plans showing one washer and one dryer with no loss of showers or toilets. Given that Council had no evidence to support the grounds of refusal, the General Manager agreed to replacing the refusal with a permit and advised Councillors of this. Consent agreement sent to the Tribunal. Awaiting decision.
<b>Decisions received</b>	
-	-
<b>TPC 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. Section 35F report on representations considered at Council meeting of 21 March 2022. Report sent to Tasmanian Planning Commission 28 March 2022. Hearings held 8-10 June 2022. Awaiting decision.
PLN21-0301	Draft Amendment 04-2021 for new collocated Emergency Services Facility for the Tasmania Fire Service and State Emergency Service at 17 Church Street, Campbell Town. Report to initiate the draft amendment and decide on permit considered at 22 March 2022 meeting. Initiated and approved. On public exhibition until 29 April 2022. Report on representations considered at Council meeting of 16 May 2022. Report on representations sent to Tasmanian Planning Commission. Awaiting hearing date to be set.
<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		YEAR: 2021-2022			
	May 2021		YTD 2020-2021		July 2020 - June 2021		May-2022		YTD 2021-2022	
	No.	Total Value \$	No.	Total Value \$	No.	Total Value \$	No.	Total Value \$	No.	Total Value \$
New Dwellings	15	4,230,000	119	32,915,125	135	37,308,797	14	4,030,000	89	23,177,829
Dwelling Additions	1	295,000	25	4,603,970	26	4,678,970	2	250,000	19	2,668,000
Garage/Sheds & Additions	4	541,000	49	3,446,830	51	3,494,830	5	147,500	52	4,178,238
Commercial	3	4,571,000	29	28,715,650	35	30,391,057	2	12,700,000	28	27,270,305
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	20,000	21	228,711	25	266,844	5	116,212	28	455,174
Building Certificates	0	0	0	0	0	0	0	0	0	0
Amended Permits	0	0	0	0	0	0	0	0	6	1,295,000
<b>TOTAL</b>	<b>24</b>	<b>9,657,000</b>	<b>246</b>	<b>70,026,286</b>	<b>275</b>	<b>76,256,498</b>	<b>28</b>	<b>17,243,712</b>	<b>222</b>	<b>59,044,546</b>
<b>Inspections</b>										
Building	0		30		30		0		38	
Plumbing	40		278		299		36		285	



## 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	3	18	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		12	9
Notice of Intention to Issue Enforcement Notice			
Enforcement Notices issued			



	This Month	2021/2022	Total 2020/2021
Enforcement Orders issued			
Infringement Notice			
No Further Action Required	3	4	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		11	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		3	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 28 commercial building approvals valued at \$27,270,305 for 2021/22 (year to date), compared to 29 commercial building approval valued at \$28,715,650 (year to date) for 2020/2021.

In total, there have been 222 building approvals valued at \$59,044,546 (year to date) for 2021/2022, compared to 246 building approvals valued at \$70,026,286 (year to date) for 2020/21.

#### **RECOMMENDATION**

That the report be noted.

#### **MINUTE NO. 22/212**

##### DECISION

Deputy Mayor Goss/Cr Polley

That the report be noted.

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil

*Mr Robinson left the meeting at 8.19pm.*



## 10.2 REVIEW OF THE STATE PLANNING PROVISIONS

File: 13/004  
Responsible Officer: Des Jennings, General Manager  
Report prepared by: Paul Godier, Senior Planner

### 1 PURPOSE OF REPORT

This report advises Council of consultation being undertaken by the State Planning Office on the review of the State Planning Provisions and provides a recommended response.

### 2 INTRODUCTION/BACKGROUND

The State Planning Office advises that:

*The State Planning Provisions (SPPs) are the statewide set of consistent planning rules in the Tasmanian Planning Scheme, which are used for the assessment of applications for planning permits. The SPPs contain the planning rules for the 23 zones and 16 codes in the Tasmanian Planning Scheme, along with the administrative, general, and exemption provisions.*

*Regular review of the SPPs is best practice ensuring we implement constant improvement and keep pace with emerging planning issues and pressures. While the SPPs are not yet in effect across all areas of the State, a suitable period has now passed since the SPPs were drafted to initiate a review. The full suite of SPPs have been in effect in some local government areas for nearly two years. Some parts of the SPPs are also already in effect in the remaining interim planning schemes. This provides enough information and experience for conducting the review.*

*The SPPs will also require review for consistency with the Tasmanian Planning Policies (TPPs) once they are made.*

*The SPPs review will occur in two stages. The Government has commenced the first stage with the release of this scoping paper for public comment. The feedback you provide will assist in identifying the key themes or parts of the SPPs that require detailed review. The review will be conducted through separate projects and will conclude in amendments to the SPPs.*

*Some matters raised during the consultation period may be addressed in the short-term through amendments to the SPPs, while others may require the finalisation of the TPPs before progressing. As the SPPs also need to be reviewed following the making of the TPPs, please note, the five yearly review will not be completed until the after the TPPs are finalised.*

### 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

### 4 POLICY IMPLICATIONS

There are no policy implications.



## 5 STATUTORY REQUIREMENTS

### 5.1 Land Use Planning and Approvals Act 1993

#### **30T. Review of the SPPs**

*(1) The Minister must, at the end of every 5-year period after the SPPs are made and as soon as practicable after the TPPs, or an amendment of the TPPs, is or are made –*

*(a) conduct a review of the SPPs; or*

*(b) by notice to the Commission, direct the Commission to conduct a review of the SPPs and provide to the Minister a report in relation to the review within the period specified in the notice.*

## 6 FINANCIAL IMPLICATIONS

There are no financial implications to Council.

## 7 RISK ISSUES

There are no risk issues to Council.

## 8 CONSULTATION WITH STATE GOVERNMENT

The State Government is undertaking consultation.

## 9 COMMUNITY CONSULTATION

The State Government is undertaking community consultation and advises that community consultation will be held for 2 months. The consultation period commenced on Wednesday, 25 May 2022 and written submissions must be made by 5pm, Friday, 29 July 2022.

## 10 OPTIONS FOR COUNCIL TO CONSIDER

Council can provide the response recommended below, or an alternative response.

## 11 OFFICER'S COMMENTS/CONCLUSION

The State Planning Office is seeking input on the scope of the SPPs review and has prepared the SPPs Review Scoping Paper (attached) to assist with providing feedback.

Based on matters previously raised by Councillors, it is recommended that a submission be made regarding the following matters.

### Seasonal Worker Accommodation

- Add 'seasonal worker accommodation' as an example of 'Communal Residence' in Table 6.2 Use Classes.
- Make Communal Residence a discretionary use and development in the General Residential zone use table.
- Provide provisions for adequate private open space, indoor communal space, and car parking requirements for Communal Dwellings.

### Reinstatement of provisions removed with Planning Directive 8

The Northern Midlands Council made the following submission to draft Planning Directive 8 in May 2021:

Draft Planning Directive 8 removes the following provisions:



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

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

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

These provisions were not reinstated as a result of the Council's submission. The issues raised remain valid and should be submitted to the State Planning Provisions review.

#### Flood-Prone Areas Hazard Code

An amendment to the Flood-Prone Areas Hazard Code so that it requires assessment of flood events in 2100, as is required by the Coastal Erosion Hazard Code.

## **12 ATTACHMENTS**

1. SP Ps- Review- Scoping- Paper- May-2022 (2) [10.2.1 - 14 pages]

## **RECOMMENDATION**

That Council provide a submission to the review of the State Planning Provisions addressing the following issues:

#### Seasonal Worker Accommodation

- Add 'seasonal worker accommodation' as an example of 'Communal Residence' in Table 6.2 Use Classes.
- Make Communal Residence a discretionary use and development in the General Residential zone use table.
- Provide provisions for adequate private open space, indoor communal space, and car parking requirements for Communal Dwellings.

#### Reinstatement of provisions removed with Planning Directive 8

Reinstate the following provisions to the General Residential zone:

Dwellings must have a site area of which at least 25% of the site area is free from impervious surfaces.

A dwelling must have an area of private open space that is directly accessible from, and adjacent to, a habitable room (other than a bedroom).

A dwelling must have at least one habitable room (other than a bedroom) in which there is a window that faces between 30 degrees west of north and 30 degrees east of north.





A multiple dwelling that is to the north of a window of a habitable room (other than a bedroom) of another dwelling on the same site, which window faces between 30 degrees west of north and 30 degrees east of north, must be in accordance with (a) or (b), unless excluded by (c):

- (a) The multiple dwelling is contained within a line projecting:
  - (i) at a distance of 3 m from the window; and
  - (ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal.
- (b) The multiple dwelling does not cause the habitable room to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21<sup>st</sup> June.

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

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

#### Flood-Prone Areas Hazard Code

An amendment to the Flood-Prone Areas Hazard Code so that it requires assessment of flood events in 2100, as is required by the Coastal Erosion Hazard Code.

*Mr Maddox attended the meeting at 8.20pm.*

#### **MINUTE NO. 22/213**

#### DECISION

Cr Davis/Deputy Mayor Goss

That Council provide a submission to the review of the State Planning Provisions addressing the following issues:

#### Seasonal Worker Accommodation

- Add 'seasonal worker accommodation' as an example of 'Communal Residence' in Table 6.2 Use Classes.
- Make Communal Residence a discretionary use and development in the General Residential zone use table.
- Provide provisions for adequate private open space, indoor communal space, and car parking requirements for Communal Dwellings.

#### Reinstatement of provisions removed with Planning Directive 8

Reinstate the following provisions to the General Residential zone:

Dwellings must have a site area of which at least 25% of the site area is free from impervious surfaces.

A dwelling must have an area of private open space that is directly accessible from, and adjacent to, a habitable room (other than a bedroom).

A dwelling must have at least one habitable room (other than a bedroom) in which there is a window that faces between 30 degrees west of north and 30 degrees east of north.

A multiple dwelling that is to the north of a window of a habitable room (other than a bedroom) of another dwelling on the same site, which window faces between 30 degrees west of north and 30 degrees east of north, must be in accordance with (a) or (b), unless excluded by (c):

- (a) The multiple dwelling is contained within a line projecting:
  - (i) at a distance of 3 m from the window; and
  - (ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal.
- (b) The multiple dwelling does not cause the habitable room to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21<sup>st</sup> June.

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



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

#### Flood-Prone Areas Hazard Code

An amendment to the Flood-Prone Areas Hazard Code so that it requires assessment of flood events in 2100, as is required by the Coastal Erosion Hazard Code.

As well detail in relation to the following matters which are to be included in Council's submission:

- minimum residential lot size of 450m<sup>2</sup> to be increased to 600m<sup>2</sup> in accordance with the Specific Area Plans in the Local Provisions Schedule;
- adequate performance criteria to require dual access and sufficient width for multiple dwelling developments;
- provisions for adequate separation between multiple dwelling pedestrian access to units and vehicle pathways; and
- adequate provisions for waste/rubbish removal facilities for multiple dwelling developments.

Carried Unanimously

Voting for the Motion:

Mayor Knowles, Deputy Mayor Goss, Cr Adams, Cr Brooks, 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 31 May 2022.

#### 2 INTRODUCTION/BACKGROUND

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

#### 3 STRATEGIC PLAN 2021-2027

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

**Progress: Economic health and wealth - grow and prosper**

**Strategic Project Delivery - Build Capacity for a Healthy Wealthy Future**

**Strategic outcomes:**

2.1 Strategic, sustainable, infrastructure is progressive

#### 4 ALTERATIONS TO 2021-22 BUDGET

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

##### SUMMARY FINANCIAL REPORT

For Month Ending: 31-May-22 11

A. Operating Income and Expenditure						
	Budget	Year to Date Budget 42%	Actual	(\$,000)	Target 100%	Comments
Rate Revenue	-\$12,271,834	-\$12,271,834	-\$12,315,154	\$43	100.4%	
Recurrent Grant Revenue	-\$5,100,223	-\$5,100,223	-\$6,001,868	\$902	117.7%	* 75% Advanced grants paid
Fees and Charges Revenue	-\$2,566,095	-\$2,352,254	-\$2,481,154	\$129	105.5%	* Fee income above budget
Interest Revenue	-\$751,548	-\$688,920	-\$613,265	-\$76	89.0%	
Reimbursements Revenue	-\$51,918	-\$47,592	-\$72,964	\$25	153.3%	
Other Revenue	-\$1,814,414	-\$1,663,213	-\$1,161,836	-\$501	69.9%	
	-\$22,556,032	-\$22,124,035	-\$22,646,241	\$522	102.4%	
Employee costs	\$6,048,712	\$5,544,653	\$5,088,887	\$456	91.8%	* EOY accruals and 3 pays to come
Material & Services Expenditure	\$6,111,983	\$5,602,651	\$4,943,853	\$659	88.2%	
Depreciation Expenditure	\$6,519,158	\$5,975,895	\$5,975,888	\$0	100.0%	
Government Levies & Charges	\$961,484	\$881,360	\$953,250	-\$72	108.2%	
Councillors Expenditure	\$205,180	\$188,082	\$175,335	\$13	93.2%	
Interest on Borrowings	\$272,007	\$249,340	\$254,000	-\$5	101.9%	
Other Expenditure	\$1,370,769	\$1,256,538	\$882,640	\$374	70.2%	* EOY accruals
Plant Expenditure Paid	\$538,650	\$493,763	\$561,172	-\$67	113.7%	
	\$22,027,943	\$20,192,281	\$18,835,025	\$1,357	93.3%	
	-\$528,089	-\$1,931,754	-\$3,811,216			
Gain on sale of Fixed Assets	\$0	\$0	-\$11,280	\$11	0.0%	
Loss on Sale of Fixed Assets	\$505,860	\$463,705	\$34,074	\$430	7.3%	* Asset recognition EOY



Underlying (Surplus) / Deficit	-\$22,229 \$0	-\$1,468,049	-\$3,788,422		1*
Capital Grant Revenue	-\$8,697,948	-\$7,973,119	-\$2,182,864	-\$5,790	27.4%
Subdivider Contributions	-\$330,765	-\$303,201	0	-\$303	0.0%
Capital Revenue	-\$9,028,713	-\$8,276,320	-\$2,182,864		

\* Not paid until milestones met

\* Not recognised until EOY

#### Budget Alteration Requests

- For Council authorisation by absolute majority

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

#### May

Fleet - F20 Child Care Vehicle	700020	\$20,000	C/fwd to 2022/23
Fleet - F23 Utility	700023	\$22,000	C/fwd to 2022/23
Fleet - F42 Truck 6 tonne	700042	\$58,000	C/fwd to 2022/23
Pth - Child Care Centre construction	791111	\$3,371,333	C/fwd to 2022/23 - under construction
Evan - RV Dump point	707918	\$30,000	Deferred for further investigation - cfwd 2022/23
Pth - Train Park Play Equipment Upgrade	708042	\$100,000	C/fwd to 2022/23
Lfd - Road Safety Park St Georges Park	708045	\$100,000	C/fwd to 2022/23
Lfd - Railway Bridge Pillar Restoration	708049	\$50,000	C/fwd to 2022/23
Pth - Train Park BBQ / shelter	715255.6	\$85,000	C/fwd to 2022/23
Pth - William Street BBQ / shelter	715255.4	\$55,000	C/fwd to 2022/23
Ctown - Rec Ground High St access upgrade	707805.3	\$150,000	C/fwd to 2022/23 - incl in Main St Program
Lake leake - Amenities upgrade	707766	\$145,256	C/fwd to 2022/23
Avoca - Hall Toilet Upgrade	707775	\$50,000	C/fwd to 2022/23
Cry - Hall Entrance upgrade	707868	\$40,000	C/fwd to 2022/23
Evan - Hall Roof replacement	707871	\$175,000	C/fwd to 2022/23
Evan - Falls Park Pavillion improvements	707872	\$31,000	C/fwd to 2022/23
Ross - Meeting facility improvements	707873	\$30,000	C/fwd to 2022/23
Ctown - Pool Improvements	707947	\$9,983	C/fwd to 2022/23
Evan - Community Centre Roof works	707955	\$20,000	C/fwd to 2022/23
Ross - Drill Hall roof replacement	708051	\$40,000	C/fwd to 2022/23
Lfd - Cemetery toilet upgrade	720132	\$5,000	C/fwd to 2022/23
Evan - Medical Centre extension	720137	\$300,000	C/fwd to 2022/23
Pth - Rec Ground carpark	720144	\$167,100	C/fwd to 2022/23
Lfd - Main Street & Memorial Hall	707987	\$4,000,000	C/fwd to 2022/23
Pth - Youl Road K&G and seal verge and footpath	751425/6	\$400,000	Deferred awaiting road handover from State Growth
Lfd - Entrance roundabout landscaping	751614	\$200,000	C/fwd to 2022/23
W/Junction - Hobart Road shared pathway	751614.6	\$250,000	C/fwd to 2022/23
Pth - Landscaping of bypass areas	752017	\$286,742	Deferred awaiting road handover from State Growth
Pth - Main Street upgrade program	752025	\$691,000	C/fwd to 2022/23
Lfd - Hay Street verge reconstruction	750536	\$70,000	C/fwd to 2022/23
Lfd - Hobhouse Street reconstruction	750579	\$121,000	C/fwd to 2022/23
Ctown - Main Street Improvement Program	750544	\$925,000	C/fwd to 2022/23
Lfd - Marlborough/Wellington St intersection	750840	\$20,000	C/fwd to 2022/23
Pth - William Street Footbridge	749963	\$270,000	C/fwd to 2022/23 - in progress
Cry - Bridge guardrail replacement	745045 & 745517	\$102,000	C/fwd to 2022/23
Liffey - Bridge 9997 Campsite Bridge	749997	\$132,440	Deleted not to proceed
W/Junction - Gatty Street detemtopm basom	788601	\$252,540	C/fwd to 2022/23
Evan - Stormwater Barclay Street	788632	\$385,030	C/fwd to 2022/23
Lfd - Penstock valve Union Street flood levee	788644	\$45,570	C/fwd to 2022/23

#### April

#### March

#### February

#### January

Note - December budget changes not yet reflected in accounts

No changes identified in January

#### December

Note



NORTHERN  
MIDLANDS  
COUNCIL

<b>Original Budget Operating Surplus</b>			<b>-\$22,229</b>	1*	
- Interest on Investments	100300		<b>-\$10,000</b>	1	Additional revenue
- Govenance 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	<b>-\$353,050</b>	8	Grant funding
- Tourism - Re-assign Project Expenditure		507260	\$353,050	9	Grant expenditure
- Health Food Licences		323950	<b>-\$5,000</b>	10	Additional revenue
- Grants Employee Training P&D		300555	<b>-\$5,000</b>	11	Additional revenue
- Planning Fees		323150	<b>-\$203,928</b>	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	<b>-\$11,500</b>	16	Additional revenue
- Works Road Revenue Other		325200	<b>-\$12,800</b>	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	<b>-\$2,060</b>	20	Delete budget
- Works Public Amenities cleaning		503650	\$30,000	21	Increase budget expenditure
- Pool Ctown Committee closure		517530	<b>-\$24,646</b>	22	Additional revenue
- Special Community Projects		517210	<b>-\$23,357</b>	23	Reduce budget expenditure
- FAGS Grant adjustmentv 21/22			<b>-\$6,717</b>		Additional revenue
<b>New Operating Surplus</b>			<b>-\$37,427</b>		
Change = Surplus Increase			<b>-\$15,198</b>		

## Capital

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

**\*\*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

<i>Fees &amp; Charges - Impounding Fee Initial</i>	From \$ 72 Increased to \$75	Increased in line with fees from pound operator increases
<i>Fees &amp; Charges - Impounding Fee Subsequent</i>	From \$ 95 Increased to \$98	Increased in line with fees from pound operator increases
<i>Fees &amp; Charges - Pound Fee after 1st day</i>	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
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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.

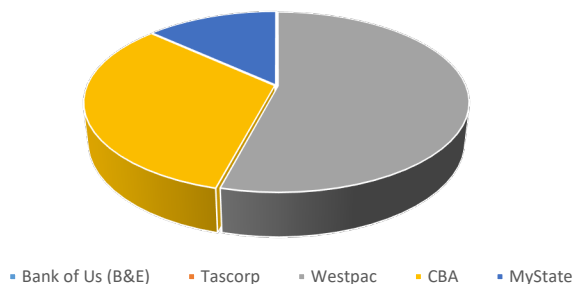
B. Balance Sheet Items

	Year to Date Actual	Monthly Change	Same time last year	Comments
<b>Cash &amp; Cash Equivalents Balance</b>				
- Opening Cash balance	\$19,432,295	\$27,386,207		
- Cash Inflow	\$29,877,289	\$1,227,636		
- Cash Payments	-\$22,279,058	-\$1,583,317		
- Closing Cash balance	\$27,030,526	\$27,030,526		
Account Breakdown				
- Trading Accounts	\$476,636			
- Investments	\$26,553,890			
	\$27,030,526			

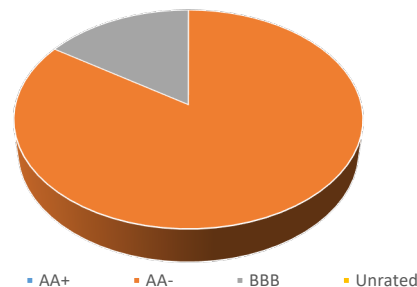
Summary of Investments

	Investment Date	Maturity Date	Interest Rate%	Purchase Price	Maturity Value
Tasmanian Public Finance Corporation Call Account	3/05/2022	31/05/2022	0.35	\$5,400	\$5,402
CBA Call Account	1/05/2022	31/05/2022	0.01	\$1,574	\$1,574
CBA Business Online Saver	11/05/2022	31/05/2022	0.20	\$9,005,909	\$9,006,896
Westpac Corporate Regulated Interest Account	31/05/2022	31/05/2022	0.35	\$119,581	\$119,581
My State Financial	25/05/2022	25/05/2023	2.70	\$3,371,425	\$3,462,454
Westpac - Stimulus	4/04/2022	4/07/2022	3.37	\$5,500,000	\$5,546,211
Westpac	13/04/2022	13/04/2023	1.91	\$4,500,000	\$4,585,950
Westpac - Stimulus	29/03/2022	29/06/2023	3.30	\$1,050,000	\$1,093,384
Westpac - Stimulus	16/12/2021	16/12/2024	1.60	\$3,000,000	\$3,144,132
				\$26,553,890	\$26,965,583

Investments by Institution



Total Investments by Rating (Standard & Poor's)

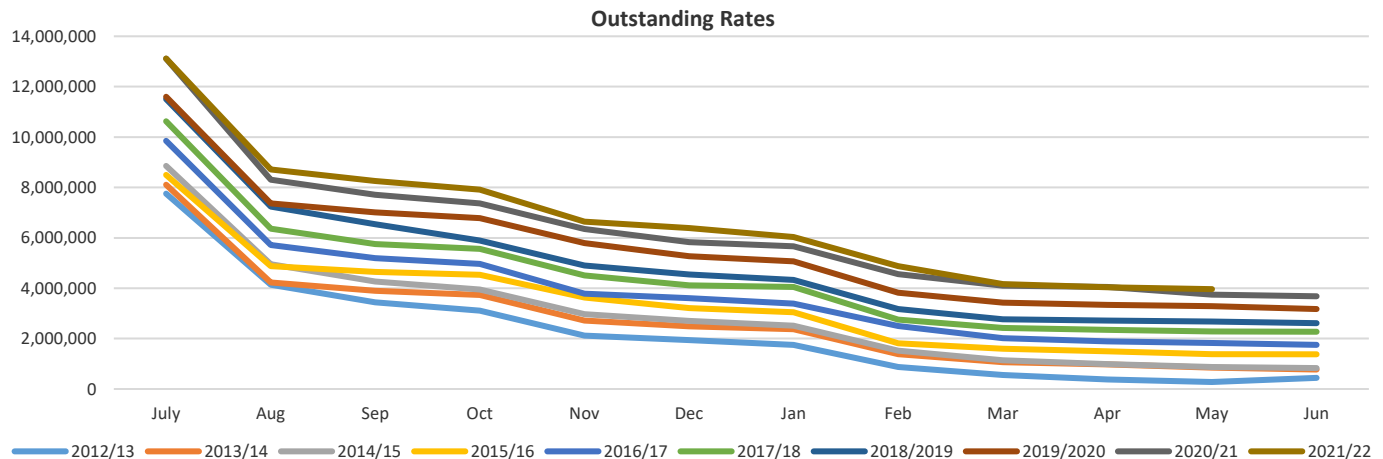


Rate Debtors	2020/21	% to Raised	Same Time Last Year	% to Raised
Balance b/fwd	\$3,205,341		\$2,808,852	
Rates Raised	\$12,603,159		\$11,889,467	
	\$15,808,501		\$14,698,319	
Rates collected	\$11,323,317	89.8%	\$10,862,593	91.4%





Pension Rebates	\$496,644	3.9%	\$486,451	4.1%	
Discount & Remissions	\$25,102	0.2%	\$46,447	0.5%	
	\$11,845,062		\$11,395,491		
Rates Outstanding	\$3,963,440	31.4%	\$3,745,768	31.5%	
Advance Payments received	-\$526,912	4.2%	-\$442,940	3.7%	



<b>Trade Debtors</b>				
Current balance	\$764,776			
- 30 Days		\$645,210		
- 60 Days		\$133,071		
- 90 Days		-\$71,020		
- More than 90 days		\$57,515		
Summary of Accounts more than 90 days:				
- Norfolk Plains Book sales			171	Paid by outlet as sold
- Hire/lease of facilities			8,999	
- Removal of fire hazards			6,192	
- Dog Registrations & Fines			17,570	Send to Fines Enforcement
- Private Works			6,911	
- Regulatory Fees			17,672	
- Govt Reimbursements			-	
			-	

C. Capital Program				
	Budget	Actual (\$,000)	Target 92%	Comments
Renewal	\$12,002,371	\$6,228,692	52%	
New assets	\$11,744,242	\$4,002,033	34%	
Total	\$23,746,613	\$10,230,725	43%	
Major projects:				
- Longford Sports Centre lift & level 1	\$270,000	\$281,206	104%	Substantially complete
- Cressy Rec Ground Amenities	\$1,028,566	\$1,060,363	103%	Substantially complete
- Cressy Pool Improvements	\$800,000	\$775,593	97%	Substantially complete
- Ross Village Green	\$558,000	\$627,846	113%	Substantially complete
- Longford Victoria Square Hall	\$1,518,272	\$40,707	3%	Consultation stage
- Perth Childcare Centre	\$3,550,607	\$533,925	15%	In progress
- Lake Leake Amenities	\$145,256	\$10,803	7%	Preliminaries
- Translink Detention Basin	\$252,540	\$25,410	10%	In progress
- Footpath Program	\$816,685	\$249,163	31%	In progress
- Bryants Lane Bridge	201,777	\$314,408	156%	Substantially complete extra piling
- William Street Footbridge	270,000	\$12,433	5%	In progress
- 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%	54.4%	0.0%	↘	
- Own Source Revenue / Total Revenue	77%	73%	3.9%	↘	
Sustainability Ratio					
- Operating Surplus / Operating Revenue	0.1%	16.7%	-16.6%	↘	
- Debt / Own Source Revenue	42.5%	44.6%	-2.1%	↔	
Efficiency Ratios					
- Receivables / Own Source Revenue	27.1%	22.5%	4.6%	↘	
- Employee costs / Revenue	26.8%	22.5%	4.3%	↗	
- Renewal / Depreciation	184.1%	104.2%	79.9%	↗	
Unit Costs					
- Waste Collection per bin	\$10.12	\$13.25		↔	
- Employee costs per hour	\$50.41	\$38.32		↗	
- Rate Revenue per property	\$1,727.45	\$1,733.55		↔	
- IT per employee hour	\$3.30	\$4.04		↘	

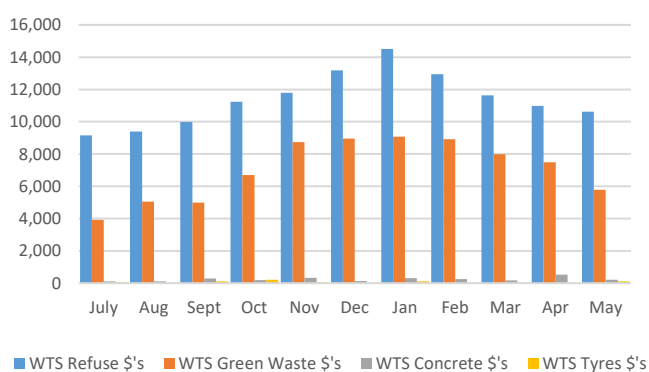
#### E. Employee & WHS scorecard

	YTD	This Month	
Number of Employees	101	101	
New Employees	32	2	
Resignations	19	0	
Total hours worked	132,808	16,461	
Lost Time Injuries	0	0	
Lost Time Days	1	0	
Safety Incidents Reported	16	0	
Hazards Reported	18	0	
Risk Incidents Reported	5	0	
Insurance claims - Public Liability	0	0	
Insurance claims - Industrial	0	0	
Insurance claims - Motor Vehicle	14	0	
IT - Unplanned lost time	1	0	
Open W/Comp claims	18	1	

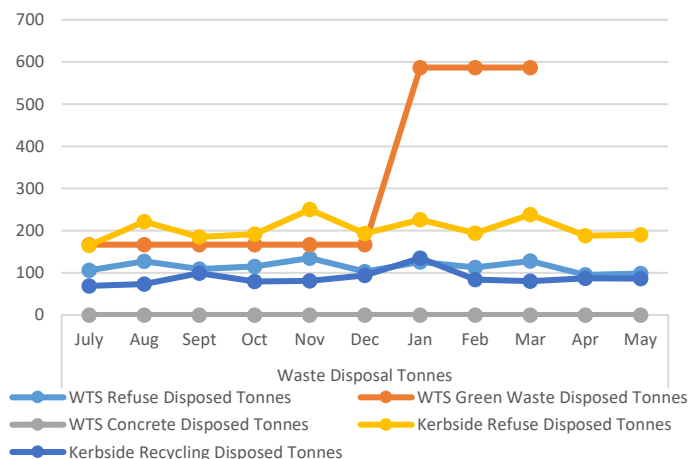
#### F. Waste Management

Waste Transfer Station	2019/20	2020/21	2021/22 Budget Year to Date	2021/22	
<b>Takings</b>					
- Refuse	\$92,611	\$119,842	\$106,703	\$125,482	
- Green Waste	\$50,996	\$80,904	\$69,870	\$77,629	
- Concrete	\$1,551	\$2,293	\$1,783	\$2,684	
- Tyres		727	\$583	\$694	
Total Takings	\$142,782	\$203,767	\$178,939	\$206,489	
<b>Tonnes Disposed</b>					
WTS Refuse Disposed Tonnes	1388	1432	1277	1255	
WTS Green Waste Disposed Tonnes	5400	4670	4078	2760	
WTS Concrete Disposed Tonnes	0	3056	0	0	
Kerbside Refuse Disposed Tonnes	2326	2435	1866	2242	
Kerbside Recycling Disposed Tonnes	1036	1051	995	967	
Total Waste Tonnes Disposed	10150	12644	8216	7224	

Waste Transfer Station Fees 2021-22



Waste Disposal Tonnes 2021-22







## 5 OFFICER COMMENTS

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

## 6 ATTACHMENTS

Nil

## RECOMMENDATION

That Council:

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

## MINUTE NO. 22/214

### DECISION

Cr Davis/Cr Goninon

That Council:

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

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil



## 11.2 MUNICIPAL BUDGET

*Responsible Officer:* Des Jennings, General Manager

*Report prepared by:* Maree Bricknell, Corporate Services Manager

### 1 PURPOSE OF REPORT

The purpose of this report is for Council to present the Municipal Budget for the financial period from 1 July 2022 to 30 June 2023 to the community.

### 2 INTRODUCTION/BACKGROUND

#### 2.1 BUDGET

The 2022-23 operating budget is framed to continue recovery from the social and financial shock caused by the Covid19 pandemic, the challenges with the building construction boom, community housing demand escalation, and the record low base interest rates which are now rising to hold inflation to reasonable levels. This year Council aims to deliver a very small Operating surplus with a 4.5 percent general rate increase, and a \$20 increase to the standard service charge increase for waste management.

Base financial assumptions used in the 2022-23 Budget calculations are mostly in accordance with principles adopted by Council in February 2022, and the Long-Term Financial Plan adopted in June 2021 (reviewed with 2022 figures) but adjusted for the recent interest rate increases.

Federal Grant revenue has been increased by approximately 4.5 percent as provided by the State Grants Commission, provision made for TasWater dividends to be reinstated back to pre-pandemic levels, fees and charges indexed by 4.5 percent, bank interest revenue calculated at 2.7 percent return based on current investment rates.

Council's estimated Employee wage cost has been increased by 3.5 percent with a new 3 year Enterprise Agreement currently being negotiated (2.75% last year), materials, services and contracts indexed by 4.0 percent, plant running costs indexed by 5.9 percent, and depreciation indexed by 4.9 percent.

Staff resources have been boosted to fund employment of a full time Human Resources Officer, and \$150,000 for additional staff resources in areas of most need. Apart from the increased employee resources this year existing service levels will be maintained, only a small number of projects/initiatives have been included, and funds will continue to be allocated to renew municipal infrastructure. This results in a very small underlying budget surplus result of only \$9,470.

The Budget's new projects/initiatives include:

- Life-time dog registration tags
- Food Organic Garden Organic urban kerbside collection service
- City of Gastronomy Project \$4,939 (year 2)
- Compulsory Council Election \$81,000
- NMBA projects & Translink promotion \$73,261
- Midlands Town Video Project and promotion \$50,000 c/fwd
- Climate Change Emergency strategy and action plan \$28,340 c/fwd

In 2022-23 budgeted operating revenue is \$30.6 million and budgeted operating expenditure is \$21.9 million which results in an operating surplus of \$8.7 million, or an underlying surplus of \$9,470 after eliminating capital grant revenue and developer contributions.

Included in the operating expenditure is \$6.65 million depreciation which represents approximately 30.3% of operating expenditure.



OPERATING STATEMENT			
	Budget	Actual (16/6)	Budget
Underlying Surplus/(Deficit) Calculation	2022/23	2021/22	2021/22
<b>Revenue</b>			
Rates & Charges	13,059,463	12,315,154	12,271,834
Grants and Property (Including Capital)	12,947,218	9,145,670	13,798,171
Fees & Charges	2,571,392	2,579,974	2,566,095
Interest General Funds and Rates Outstanding	793,243	388,626	259,541
Interest Stimulus Funds	82,650	139,139	220,000
Stimulus Package Interest Reimbursements	101,728	136,004	272,007
Other Reimbursements	44,625	75,427	51,918
Investment in TasWater	468,000	351,000	468,000
Other	574,639	452,207	440,567
	30,642,958	25,583,201	30,348,133
<b>Expenditure</b>			
Employee Costs	6,415,996	5,549,876	6,048,712
Materials & Services	6,376,332	5,805,387	6,650,633
Government Levies & Charges	1,161,962	953,250	961,484
Depreciation	6,651,715	6,519,158	6,519,158
Stimulus Package Interest Expense	100,368	285,950	272,007
Other Expenditure	1,227,516	532,398	845,197
	21,933,889	19,646,019	21,297,191
<b>Operating Surplus/(Deficit)</b>	<b>8,709,069</b>	<b>5,937,182</b>	<b>9,050,942</b>
Adjustments :			
Less Capital Grants and Property	8,353,950	3,143,801	8,697,948
Less Subdivider Contributions	345,649	0	330,765
<b>Underlying Operating Surplus/(Deficit)</b>	<b>9,470</b>	<b>2,793,381</b>	<b>22,229</b>

In addition to recurring base federal grants, special purpose grant funding is expected during 2022-23 for:

- Longford Memorial Hall & Main Street Project \$4,000,000
- Perth Childcare Centre \$2,340,000
- Roads to Recovery \$960,936
- Community Infrastructure Recovery \$593,014
- Pension Rate rebates \$492,750
- Child Care services \$73,337
- Tooms Lake facilities upgrade \$60,000
- Road Vulnerable Users - bike path \$250,000
- State Election – bike safety park, rail bridge pillars, \$150,000

Cash and investments are expected to decrease by \$9.1 million during the year to approximately \$18.7 million at 30 June 2023 (or \$4.3m net of loan and funding commitment reserves) with completion of the capital works program. This decrease is due to the number of major capital works programmed for 2022-23 and repayment of some stimulus borrowings.

Under the State Government Accelerated Local Government Capital Grants Program, Council borrowed \$9.55m over a three & five-year term (interest free) to bring forward some major capital works projects during 2018 - 2024. This will be reduced in 2022-23 with repayment of \$5.5 million due to the end of the borrowed term.



With the support of \$8.3 million from stimulus infrastructure grant funding Council has set a large capital works budget of \$19.7 million including the following programs for 2022-23:

• Road Program of	\$ 7,323,226
• Footpath Program of	\$ 1,022,500
• Bridge Replacement of	\$ 477,000
• Stormwater Program of	\$ 441,140
• Community Building Improvements of	\$ 2,185,896
• Major grant funded Building Construction of	\$ 8,274,273
• Recreation Improvements	\$ 1,121,868
• Fleet Replacement Program (net cost of)	\$ 571,000
• Plant & Equipment	\$ 245,000
• Information Technology & other equipment	\$ 221,372

Management Committee Grants amount to \$57,234, Special Community Grants to \$45,000, Special Event Grants to \$75,000, and other Donations are allocated to community groups for \$35,230 in 2022-23.

Ratepayers are encouraged to obtain Council's 2022-23 Annual Plan which outlines specific projects, capital works and other tasks/targets to be achieved over the next twelve months.

## 2.2 RATES

Total rate revenue in 2022-23 is estimated at \$13,059,463 which represents 58.6 percent of Council's total revenue (excluding Capital grant funding), including a General Rate revenue increase of approximately \$50,000 from expected rate base development over the next twelve months.

All properties within the Northern Midlands area were revalued in 2019 and the new valuations provided by the Valuer General as at 1 July 2019. This year the Valuer General's adjustment factors for each land use category will be used to calculate rates.

Council will continue to use Differential Rating for different land use categories to raise the same amount of revenue as the previous year within each land use category (plus any development), and overall rate bills should not fluctuate due to the adjusted values but will increase due to indexation to an average property in Campbell Town by \$58, in Evandale \$68, in Longford \$63, and in Perth \$66. Minimum rates apply to approximately 14.3 percent of all rateable properties.

As at 1 July 2022 Assessed Annual Value is expected to amount to \$240,339,152 which represents a change of \$69,823,930 attributable to the value adjustment factors applied plus development over the last twelve months. Development amounted to increased rate revenue of \$126,000 last year.

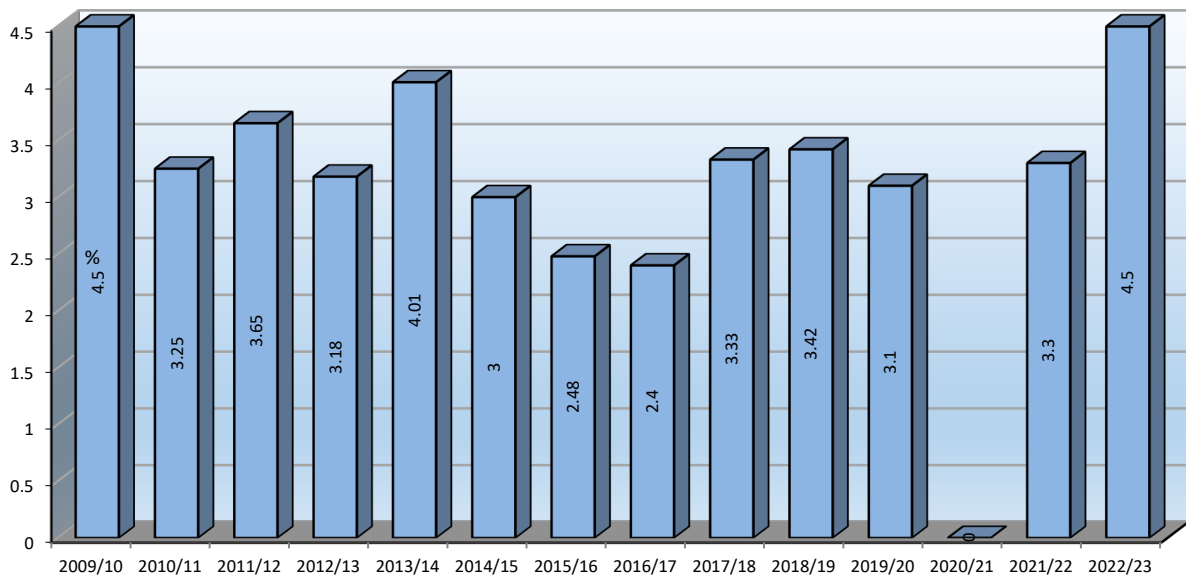
Under the differential rating system the following table details general rates raised in the individual land use categories, and demonstrates the movements in the share of the rates between the land use categories.



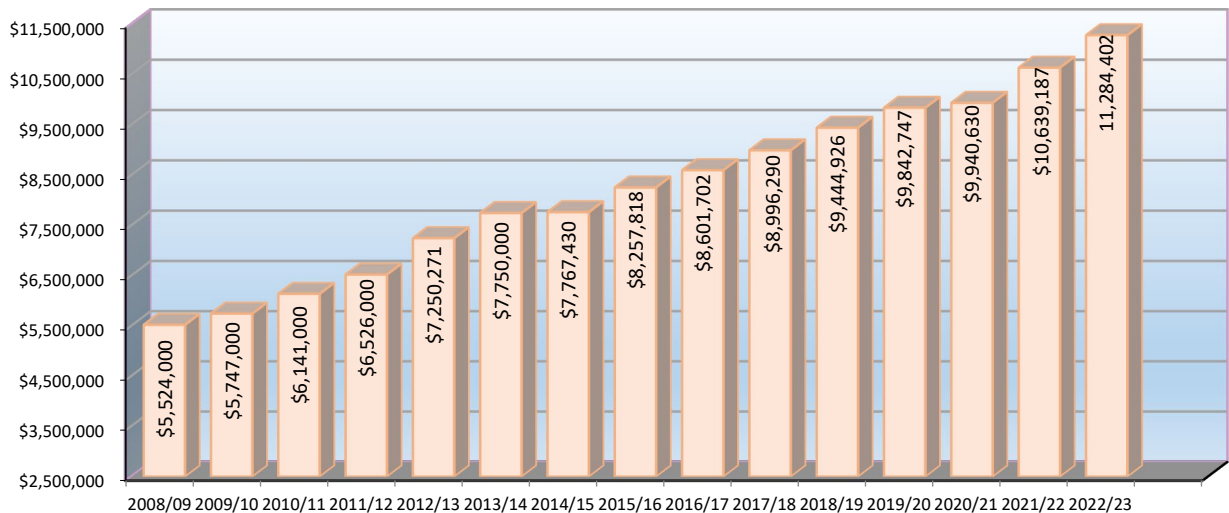
Land Use Code (LUC)	No. of Properties	Rates 2022-23	LUC %	Rates 2021-22	LUC %	Inc/Dec \$ %	Inc/Dec %
Commercial	263	1,170,316	10.4%	1,166,376	10.7%	0.3%	-0.3%
Industrial	163	1,587,942	14.1%	1,576,384	14.5%	0.7%	-0.3%
Rural	887	2,492,041	22.2%	2,483,308	22.8%	0.4%	-0.6%
Low Density Residential	378	490,240	4.4%	490,415	4.5%	0.0%	-0.1%
Public Purpose	115	189,442	1.7%	185,115	1.7%	2.3%	0.0%
Quarry	3	25,012	0.2%	24,983	0.2%	0.1%	0.0%
Residential	4,642	4,482,718	39.9%	4,183,767	38.5%	7.1%	1.5%
Rural Residential	432	548,467	4.9%	544,200	5.0%	0.8%	-0.1%
Sport	40	34,121	0.3%	33,679	0.3%	1.3%	0.0%
Vacant	561	202,865	1.8%	188,354	1.7%	7.7%	0.1%
	7,484	11,223,164	100%	10,876,581	100%	3.2%	0.0%

In order to adhere to Council's policy to budget at least to a surplus position, the general rate in the dollar of assessed annual value will increase by 4.5 percent, raising a total general rate of \$11,284,402.

Percentage Rate Increase



General Rate Revenue \$'s





The following rates will apply for 2022-23:

- 9.79 cents in the \$AAV for land used for industrial purposes
- 9.79 cents in the \$AAV for non used (vacant) land zoned industrial
- 9.04 cents in the \$AAV for land used for public purpose
- 8.82 cents in the \$AAV for land used for quarries and mining
- 7.53 cents in the \$AAV for land used for commercial purposes
- 7.53 cents in the \$AAV for land used for residential purposes
- 7.31 cents in the \$AAV for land used for sport and recreation
- 6.78 cents in the \$AAV for land zoned low density residential
- 6.78 cents in the \$AAV for land zoned primary production used for residential purposes
- 5.27 cents in the \$AAV for other non used (vacant) land
- 4.33 cents in the \$AAV for land used for primary production.

It is recommended that in 2022-23 the minimum rates be increased 4.5 percent to \$538 for land used for residential, commercial and quarry/ mining purposes, and to \$344 for land used for rural, industrial, vacant, public purpose and sport and recreation purposes.

The State Fire Commission has increased the State Fire Levy by 6.2 percent and the amount to be collected amounts to \$684,789 for 2022-23. The minimum charge will increase by \$2 to \$44 in 2022-23, the rate in \$AAV for the Volunteer Districts of Cressy, Campbell Town, Longford, Perth and Evandale will increase to 0.378 cents (from 0.372 cents last year), and in all other general areas increase to 0.397 cents (from 0.375 cents last year).

The State Waste Levy for waste disposal to landfill will increase from \$7.50 per tonne to \$20 per tonne from 1 July 2022, predicted to jump to \$40 per tonne in 2023-24, and to \$60 in the following year. To offset some of the waste disposal and the increased state levy costs Council proposes to introduce a Food Organic and Garden Organic (FOGO) urban kerbside collection service as early as February 2023 (contractor availability dependent). A recent audit of kerbside waste has shown that up to 60 percent of urban waste is organic material.

In 2022-23 the recommended kerbside collection cost for

- 140 litre waste, 240 litre recycling and FOGO collection service in urban areas of \$146 (increase of \$20), and
- 240 litre waste, 240 litre recycling and FOGO collection service in urban areas of \$212 (increase \$23),
- 140 litre waste, 240 litre recycling service in rural areas of \$146 (increase of \$20), and
- 240 litre waste, 240 litre recycling service in rural areas of \$212 (increase \$23).

An additional waste collection service will again be provided between Christmas and New Year to all properties receiving the kerbside collection service.

The On-site Disposal System charge will increase \$30 to \$689.

A Lake River Water Levy of \$200 per kilometre of river frontage will not be levied in 2022-23.

The following table shows examples of overall rate bills compared to last year:



Residential	Average Property Value \$	Rates 2021/22 \$	Rates 2022/23 \$	Increase in Rates Bill \$	Increase General %
Longford	\$295,000	\$1,120	\$1,183	\$63	5.7%
Perth	\$330,000	\$1,179	\$1,245	\$66	5.6%
Evandale	\$315,000	\$1,218	\$1,286	\$68	5.6%
Campbell Town	\$215,000	\$1,005	\$1,064	\$58	5.8%
Cressy	\$245,000	\$982	\$1,040	\$59	6.0%
Devon Hills	\$660,000	\$1,938	\$2,036	\$98	5.1%
Ross	\$235,000	\$963	\$1,021	\$58	6.0%
Avoca	\$155,000	\$775	\$825	\$49	6.4%
Conara	\$115,000	\$683	\$728	\$45	6.6%
Epping	\$145,000	\$749	\$797	\$48	6.4%
Vacant Land	\$260,000	\$567	\$593	\$25	4.5%
Vacant Land	\$140,000	\$371	\$388	\$17	4.5%
Low Density Residential	\$540,000	\$1,608	\$1,692	\$84	5.2%
Residential in Rural Zone	\$445,000	\$1,221	\$1,274	\$53	4.3%
Rossarden	\$85,000	\$683	\$728	\$45	6.6%
Rural A					4.8%
Rural B					4.5%
Commercial A					4.4%
Commercial B					5.0%
Industrial A					4.6%
Industrial B					4.4%
<b>GENERAL RATE REVENUE INCREASE</b>			<b>4.5%</b>		

Council has retained an early payment discount of 0.5 percent to encourage up-front rate payments this is for cash flow advantages.

A three (3) instalment payment system is again offered in 2022-23.

A daily interest of 0.0178 percent (6.5% p.a.) will be imposed on all overdue Rate Instalments, and a penalty of 5 percent will also be imposed on all outstanding amounts as at 1 April 2023.

During 2022-23 ratepayers have the option to pay Rates & Charges via Bpay, Bpay View, CBA, Australia Post, Service Tasmania at Campbell Town, Direct Debit and at Council Chambers at Longford.

Ratepayers are encouraged to register for Rate bills to be forwarded by email, and Rate bill reminders sent by SMS.

### 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

**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

**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
- 3.3 Public assets meet future lifestyle challenges
- 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
- 4.3 Eco-tourism strongly showcases our natural beauties
- 4.4 Our heritage villages and towns are high value assets

## **4 POLICY IMPLICATIONS**

The Budget is drafted in accordance with base and financial parameters adopted by Council.

## **5 STATUTORY REQUIREMENTS**

The 2022-23 Municipal Budget prepared in accordance with Section 82 of the *Local Government Act 1993* was submitted for adoption by absolute majority prior to 31 August 2022.

Under Section 90 of the *Local Government Act 1993* Council may make one general rate on all rateable land in its municipal area, based on value of land, and a minimum or fixed component may apply. Although Council can only make one general rate under Section 107 of the LGA it can vary the rate by use or non-use, locality, planning zone, or any other prescribed factor.

## **6 FINANCIAL IMPLICATIONS**

As detailed above.

## **7 RISK ISSUES**

There is a financial risk that if rating levels are not accurate and affordable Council will not be able to provide essential services to the community.

## **8 CONSULTATION WITH STATE GOVERNMENT**

There is some requirement to consult with the State Grants Commission, the State Fire Service and the Department of Treasury and Finance in relation to revenue and expenditure that has impact on Council's budget.

## **9 COMMUNITY CONSULTATION**

There is community input into the budget process of drafting the budget via councillors, local district committees, and direct input from members of the public.

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

Council has the option to change components of the budget as required, and also an opportunity each month to review its budget and add/delete items.





## 11 OFFICER'S COMMENTS/CONCLUSION

Section 82 (7) of the LGA requires the General Manager to report any budget adjustment and an explanation of the adjustment at the first ordinary meeting of the council following the adjustment.

## 12 ATTACHMENTS

1. Budget Summary 2022-23 [11.2.1 - 138 pages]
2. Annual Plan 2022-23 [11.2.2 - 45 pages]

## RECOMMENDATION

- A. That Council receive and discuss the 2022/2023 Annual Budget; 2022/2023 Annual Plan; Rates & Charges Policy, Budget Summary Report and the Fees and Charges Schedule.
- B. That Council approve and adopt the 2022/2023 Annual Plan pursuant to Section 71 of the *Local Government Act 1993*.
- C. That Council approve and adopt the 2022/2023 Rates & Charges Policy pursuant to Section 86B of the *Local Government Act 1993*.
- D. That Council:
  - i) approve and adopt the 2022/2023 revenue and expenditure estimates pursuant to Section 82 of the *Local Government Act 1993*.
  - ii) make rates and charges for the period 1 July 2022 to 30 June 2023 pursuant to the provisions of the *Local Government Act 1993* in accordance with the following resolutions:
    1. **General Rate**
      - a) That pursuant to Section 90 of the *Local Government Act 1993* Council makes the following general rate on all rateable land (excluding land which is exempt pursuant to the provision of Section 87) within the municipal area of Northern Midlands for the period commencing 1 July 2022 and ending on 30 June 2023, namely a rate of 9.79 cents in the dollar on the assessed annual value of the land.
      - b) Pursuant to Section 107, by reason of the use or predominant use of any land, the non-use of any land or land being within a planning zone, Council by absolute majority declares that the general rate shall be varied as follows:
        - i) Land used for primary production purposes the general rate is varied to 4.33 cents in the dollar on the assessed annual value of the land;
        - ii) Land zoned as "residential low density and rural living zones" under the Northern Midlands Interim Planning Scheme 2013 the general rate is varied to 6.78 cents in the dollar on the assessed annual value of the land;
        - iii) Land used for sport and recreation purposes the general rate is varied to 7.31 cents in the dollar on the assessed annual value of the land;
        - iv) Land used for residential purposes (not being land within subparagraphs (ii) or (viii)) the general rate is varied to 7.53 cents in the dollar on the assessed annual value of the land;
        - v) Land used for quarries or mining purposes the general rate is varied to 8.82 cents in the dollar on the assessed annual value of the land;
        - vi) Land used for commercial purposes the general rate is varied to 7.53 cents in the dollar on the assessed annual value of the land;
        - vii) Land used for public purposes the general rate is varied to 9.04 cents in the dollar on the assessed annual value of the land;
        - viii) Land used for residential purposes (not being land within subparagraphs (ii) or (iv)) and zoned in the Rural Resource zone under the Northern Midlands Interim Planning Scheme 2013 the general rate is varied to 6.78 cents in the dollar on the assessed annual value of the land;



- ix) Land which is vacant the general rate is varied to 5.27 cents in the dollar on the assessed annual value of the land;
- x) Land which is vacant and which is zoned industrial under the Northern Midlands Interim Planning Scheme 2013 the general rate is varied to 9.79 cents in the dollar on the assessed annual value of the land.
- c) That pursuant to Section 90(4) of the *Local Government Act 1993* Council sets a minimum amount payable in respect of the general rate of \$538.
- d) Pursuant to section 107 Council declares by absolute majority the minimum amount is varied to \$344 by reference to land use as follows:
  - i) Land used for public purposes;
  - ii) Land used for sport and recreation facilities;
  - iii) Land used for primary production;
  - iv) Land used for quarries or mining;
  - v) Land used for industrial;
  - vi) Vacant land which is not used for any purpose.

## **2. Service Rates and Services Charges**

That pursuant to Sections 93A, 94 and 95 of the *Local Government Act 1993*, Council makes the following service rates and service charges on all rateable land within the municipal area of Northern Midlands (including land which is otherwise exempt from rates pursuant to Section 87 but excluding land owned by the Crown to which Council does not supply the following services) for the period on the 1 July 2022 and ending on the 30 day of June 2023 namely:

### **1. Service Charge Waste Management**

- 1.1 A service charge for waste management (garbage removal) in respect of all land to which Council makes available a garbage removal service of:
  - i) \$146 for one 140 litre mobile garbage bin and one 240 litre mobile recycling and one food organic garden organic recycling bin in urban areas
  - ii) \$212 for one 240 litre mobile garbage bin and one 240 litre mobile recycling bin and one food organic garden organic recycling bin in urban area
  - iii) \$146 for one 140 litre mobile garbage bin and one 240 litre mobile recycling in rural serviced areas
  - iv) \$212 for one 240 litre mobile garbage bin and one 240 litre mobile recycling bin in rural serviced areas; and
  - v) \$100 for each additional recycle bin all areas.

### **2. Fire Service Contribution**

- 2.1 Pursuant to section 93A of the *Local Government Act 1993* Council makes the following service rates in respect of the Fire Service Contributions it must collect under the *Fire Service Act 1979* for the rateable parcels of land within the municipal area as follows;
  - a) Cressy, Campbell Town, Longford, Perth & Evandale Volunteer Brigade rating district 0.378 cents in the dollar of assessed annual value of such land;
  - b) for general land 0.397 cents in the dollar of assessed annual value of such land.
- 2.2 Pursuant to section 93(3) Council sets a minimum amount payable in respect of the service rate for fire protection of \$44.

## **3. Separate Land**

For the purposes of these resolutions the rates and charges shall apply for each parcel of land which is shown as being separately valued in the valuation list prepared under the *Valuation of Land Act 2001*.



#### **4. Payment**

Pursuant to Section 124 of the Act, Council:

- a) permits all ratepayers to pay rates by instalments instead of by one payment, if ratepayers so elect
- b) determines that if all rates are paid by one payment, then the date by which the rates are due to be paid shall be 30 September 2022
- c) decides that where rates are payable by instalments, then they shall be paid by three instalments of approximately equal amounts and determines that the dates by which such instalments are to be paid shall be as follows:
  - i) the first instalment on or before 31 August 2022
  - ii) the second instalment on or before 30 November 2022
  - iii) the third instalment on or before 28 February 2023

#### **5. Discount for Early Payment**

Pursuant to Section 130 of the Act, Council offers to all ratepayers who pay the whole of the rates specified in the rates notice in one payment on or before 31 August 2022, a discount of 0.5% upon the current rates and charges.

#### **6. Penalty & Interest**

That pursuant to Section 128 of the Act, if any rate or instalment is not paid on or before the date it falls due then:

- a) there is payable a penalty of 5% of the unpaid rate or instalment imposed from 1 April 2023; and
- b) there is payable a daily interest charge of 0.0178% in respect of the unpaid rate or instalment for the period during which it is unpaid.

#### **7. Adjusted Values**

That for the purposes of each of these resolutions, any reference to assessed annual value includes a reference to that value as adjusted pursuant to Section 89 of the *Local Government Act 1993*.

#### **8. Words Used**

Words and expressions used both in these resolutions and in the *Local Government Act 1993* or the *Fire Service Act 1979* have in these resolutions the same respective meanings as they have in those Acts.

- E.** That Council approve and adopt special project assistance funding.
- F.** That Council approve and adopt special event funding.
- G.** That Council pursuant to Section 205 of the *Local Government Act 1993*;
  - i) Imposes fees and charges as specified in the Fees and Charges Schedule 2022/2023; and
  - ii) In addition to any other fee, charge, rate or service charge, Council imposes a \$689 charge for the service of bio-cycle sewer disposal systems for the period 1 July 2022 to 30 June 2023.
  - iii) Each of the fees and charges referred to in these resolutions are payable within 30 days of receipt by the person who is liable to pay rates in respect of the land to which the fees and charges relate, of a notice of those fees and charges from the Council.
  - iv) If any fee or charge is not paid to Council on the date that it is due for payment then interest is payable at a rate of 6.50% from the due date of payment until the date of payment.



MINUTE NO. 22/215

DECISION

Cr Goninon/Cr Davis

- A. That Council receive and discuss the 2022/2023 Annual Budget; 2022/2023 Annual Plan; Rates & Charges Policy, Budget Summary Report and the Fees and Charges Schedule.
- B. That Council approve and adopt the 2022/2023 Annual Plan pursuant to Section 71 of the *Local Government Act 1993*.
- C. That Council approve and adopt the 2022/2023 Rates & Charges Policy pursuant to Section 86B of the *Local Government Act 1993*.
- D. That Council:
- i) approve and adopt the 2022/2023 revenue and expenditure estimates pursuant to Section 82 of the *Local Government Act 1993*.
  - ii) make rates and charges for the period 1 July 2022 to 30 June 2023 pursuant to the provisions of the *Local Government Act 1993* in accordance with the following resolutions:
    - 1. General Rate**
      - a) That pursuant to Section 90 of the *Local Government Act 1993* Council makes the following general rate on all rateable land (excluding land which is exempt pursuant to the provision of Section 87) within the municipal area of Northern Midlands for the period commencing 1 July 2022 and ending on 30 June 2023, namely a rate of 8.80 cents in the dollar on the assessed annual value of the land.
      - b) Pursuant to Section 107, by reason of the use or predominant use of any land, the non-use of any land or land being within a planning zone, Council by absolute majority declares that the general rate shall be varied as follows:
        - i) Land used for primary production purposes the general rate is varied to 2.54 cents in the dollar on the assessed annual value of the land;
        - ii) Land zoned as “residential low density and rural living zones” under the Northern Midlands Interim Planning Scheme 2013 the general rate is varied to 5.39 cents in the dollar on the assessed annual value of the land;
        - iii) Land used for sport and recreation purposes the general rate is varied to 6.59 cents in the dollar on the assessed annual value of the land;
        - iv) Land used for residential purposes (not being land within subparagraphs (ii) or (viii)) the general rate is varied to 5.99 cents in the dollar on the assessed annual value of the land;
        - v) Land used for quarries or mining purposes the general rate is varied to 7.96 cents in the dollar on the assessed annual value of the land;
        - vi) Land used for commercial purposes the general rate is varied to 7.12 cents in the dollar on the assessed annual value of the land;
        - vii) Land used for public purposes the general rate is varied to 8.08 cents in the dollar on the assessed annual value of the land;
        - viii) Land used for residential purposes (not being land within subparagraphs (ii) or (iv)) and zoned in the Rural Resource zone under the Northern Midlands Interim Planning Scheme 2013 the general rate is varied to 5.39 cents in the dollar on the assessed annual value of the land;
        - ix) Land which is vacant the general rate is varied to 2.93 cents in the dollar on the assessed annual value of the land;
        - x) Land which is vacant and which is zoned industrial under the Northern Midlands Interim Planning Scheme 2013 the general rate is varied to 8.80 cents in the dollar on the assessed annual value of the land.
    - c) That pursuant to Section 90(4) of the *Local Government Act 1993* Council sets a minimum amount payable in respect of the general rate of \$534.



- d) Pursuant to section 107 Council declares by absolute majority the minimum amount is varied to \$341 by reference to land use as follows:
- i) Land used for public purposes;
  - ii) Land used for sport and recreation facilities;
  - iii) Land used for primary production;
  - iv) Land used for quarries or mining;
  - v) Land used for industrial;
  - vi) Vacant land which is not used for any purpose.

## **2. Service Rates and Services Charges**

That pursuant to Sections 93A, 94 and 95 of the *Local Government Act 1993*, Council makes the following service rates and service charges on all rateable land within the municipal area of Northern Midlands (including land which is otherwise exempt from rates pursuant to Section 87 but excluding land owned by the Crown to which Council does not supply the following services) for the period on the 1 July 2022 and ending on the 30 day of June 2023 namely:

### **1. Service Charge Waste Management**

- 1.1 A service charge for waste management (garbage removal) in respect of all land to which Council makes available a garbage removal service of:
- i) \$146 for one 140 litre mobile garbage bin and one 240 litre mobile recycling and one food organic garden organic recycling bin in urban areas
  - ii) \$212 for one 240 litre mobile garbage bin and one 240 litre mobile recycling bin and one food organic garden organic recycling bin in urban area
  - iii) \$146 for one 140 litre mobile garbage bin and one 240 litre mobile recycling in rural serviced areas
  - iv) \$212 for one 240 litre mobile garbage bin and one 240 litre mobile recycling bin in rural serviced areas; and
  - v) \$100 for each additional recycle bin all areas.

### **2. Fire Service Contribution**

- 2.1 Pursuant to section 93A of the *Local Government Act 1993* Council makes the following service rates in respect of the Fire Service Contributions it must collect under the *Fire Service Act 1979* for the rateable parcels of land within the municipal area as follows;
- a) Cressy, Campbell Town, Longford, Perth & Evandale Volunteer Brigade rating district 0.315 cents in the dollar of assessed annual value of such land;
  - b) for general land 0.25 cents in the dollar of assessed annual value of such land.
- 2.2 Pursuant to section 93(3) Council sets a minimum amount payable in respect of the service rate for fire protection of \$44.

## **3. Separate Land**

For the purposes of these resolutions the rates and charges shall apply for each parcel of land which is shown as being separately valued in the valuation list prepared under the *Valuation of Land Act 2001*.

## **4. Payment**

Pursuant to Section 124 of the Act, Council:

- a) permits all ratepayers to pay rates by instalments instead of by one payment, if ratepayers so elect
- b) determines that if all rates are paid by one payment, then the date by which the rates are due to be paid shall be 30 September 2022
- c) decides that where rates are payable by instalments, then they shall be paid by three instalments of



approximately equal amounts and determines that the dates by which such instalments are to be paid shall be as follows:

- i) the first instalment on or before 31 August 2022
- ii) the second instalment on or before 30 November 2022
- iii) the third instalment on or before 28 February 2023

**5. Discount for Early Payment**

Pursuant to Section 130 of the Act, Council offers to all ratepayers who pay the whole of the rates specified in the rates notice in one payment on or before 31 August 2022, a discount of 0.5% upon the current rates and charges.

**6. Penalty & Interest**

That pursuant to Section 128 of the Act, if any rate or instalment is not paid on or before the date it falls due then:

- a) there is payable a penalty of 5% of the unpaid rate or instalment imposed from 1 April 2023; and
- b) there is payable a daily interest charge of 0.0178% in respect of the unpaid rate or instalment for the period during which it is unpaid.

**7. Adjusted Values**

That for the purposes of each of these resolutions, any reference to assessed annual value includes a reference to that value as adjusted pursuant to Section 89 of the *Local Government Act 1993*.

**8. Words Used**

Words and expressions used both in these resolutions and in the *Local Government Act 1993* or the *Fire Service Act 1979* have in these resolutions the same respective meanings as they have in those Acts.

- E. That Council approve and adopt special project assistance funding.
- F. That Council approve and adopt special event funding.
- G. That Council pursuant to Section 205 of the *Local Government Act 1993*;
  - i) Imposes fees and charges as specified in the Fees and Charges Schedule 2022/2023; and
  - ii) In addition to any other fee, charge, rate or service charge, Council imposes a \$689 charge for the service of bio-cycle sewer disposal systems for the period 1 July 2022 to 30 June 2023.
  - iii) Each of the fees and charges referred to in these resolutions are payable within 30 days of receipt by the person who is liable to pay rates in respect of the land to which the fees and charges relate, of a notice of those fees and charges from the Council.
  - iv) If any fee or charge is not paid to Council on the date that it is due for payment then interest is payable at a rate of 6.50% from the due date of payment until the date of payment.

Carried

Voting for the Motion:

Cr Brooks, Cr Davis, Cr Goninon, Cr Lambert and Cr Polley

Voting Against the Motion:

Mayor Knowles, Deputy Mayor Goss and Cr Adams

*Mr Maddox left the meeting at 8.43pm.*



### 11.3 POLICY REVIEW: DONATIONS

*Responsible Officer:* Maree Bricknell, Corporate Services Manager

*Report prepared by:* Gail Eachar, Executive Assistant

#### 1 PURPOSE OF REPORT

The purpose of this report is for Council to review and update its Donations Policy.

#### 2 INTRODUCTION/BACKGROUND

Council first adopted its Donations Policy in 2001. The Policy has been scheduled for review every three years, and was last reviewed in 2019.

The policy is to provide guidelines to ensure consistency in the granting of donations by Council.

#### 3 STRATEGIC PLAN 2021-2027

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

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

**Leaders with Impact**

**Strategic outcomes:**

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

#### 4 POLICY IMPLICATIONS

Council should be proactive in reviewing its policies.

#### 5 STATUTORY REQUIREMENTS

Not applicable.

#### 6 FINANCIAL IMPLICATIONS

An annual budget allocation is made each year to support this policy. In the 2022/2023 draft municipal budget an amount of \$13,920 has been allocated, and the amount allocated is increased by CPI each year.

#### 7 RISK ISSUES

If Council does not undertake a timely review of its policies there is a risk that policies will lose their relevance and no longer be fit for purpose.

#### 8 CONSULTATION WITH STATE GOVERNMENT

Not applicable.

#### 9 COMMUNITY CONSULTATION

Not applicable.



## 10 OPTIONS FOR COUNCIL TO CONSIDER

To endorse the updates to the policy, or not.

## 11 OFFICER'S COMMENTS/CONCLUSION

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

## 12 ATTACHMENTS

1. Donations Policy Review June 2022 [**11.3.1** - 2 pages]

## RECOMMENDATION

That Council endorse the updated Donations Policy.

## MINUTE NO. 22/216

### DECISION

Deputy Mayor Goss/Cr Goninon

That Council endorse the updated Donations Policy.

Carried

Voting for the Motion:

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

Voting Against the Motion:

Cr Davis





## 12 WORKS REPORTS

### 12.1 HUDSON FYSH DRIVE PARKING

File: {custom-field-file}  
Responsible Officer: Leigh McCullagh, Works Manager  
Report prepared by: Jonathan Galbraith, Engineering Officer

#### 1 PURPOSE OF REPORT

The purpose of this report is for Council to consider parking restrictions on Hudson Fysh Drive, Western Junction.

#### 2 INTRODUCTION/BACKGROUND

In May 2022 Council received a letter from Mr Andrew Paul, a representative of Sultan Holdings the owner of the carpark at 2 Hudson Fysh Drive. Mr Paul raised concerns about parking in Hudson Fysh Drive near the entrance to his property.

The letter raises the following concerns:

1. Vehicles park in the area on a semi-permanent basis
2. The area is used by Car Next Door Rentals to operate their business
3. Vehicles parked in the area limits sight lines when exiting the driveway.

##### 2.1 Review of on-street parking by Council in 2018

The previous owners of the carpark also raised similar concerns in 2018 and a report was present to Council in 2018. As part of this report advice was sought from Mr Dino Depaoli the Director of Infrastructure Services at Meander Valley Council, who advised as follows:

*“extending the length of the no parking zone on the western side of the Carpark entrance is difficult to justify on traffic engineering grounds alone, due to the prior TIA indicating compliance with SISD solutions, and a lack of accident crash data to suggest there are issues with road safety or driver behaviour.”*

Following consideration of the report it was resolved:

*Cr Polley/Cr Knowles*

*That Council make no changes to the current on-street parking arrangements in Hudson Fysh Drive.*

*Carried unanimously*

#### 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 POLICY IMPLICATIONS

N/A

#### 5 STATUTORY REQUIREMENTS

Tasmanian Road Rules 2021



## **6 FINANCIAL IMPLICATIONS**

If Council choose to move existing signs or install new signage the cost is approximately \$125 per sign.

## **7 RISK ISSUES**

This site is close to Evandale Main Road and the airport and large numbers of heavy vehicles use Hudson Fysh Drive to access industrial properties in the area. It is important that parking is not allowed in areas that may limit site distance or create access issues for heavy vehicles.

## **8 CONSULTATION WITH STATE GOVERNMENT**

N/A

## **9 COMMUNITY CONSULTATION**

N/A

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

- i) No change to current parking arrangements.
- ii) Install 2-hour parking signage to the west of the entrance to the carpark at 2 Hudson Fysh Drive

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

There is already a no standing zone either side of the access to 2 Hudson Fysh Drive. There is a 25m no standing zone and to the east there is no parking allowed between the access and Evandale Main Road. The access to the property has previously been assessed as being compliant with sight distance requirements and an extension of the no parking zone cannot be justified. This can be seen from the pictures below which shows a "no standing" zone on either side of the access to the carpark.

The southern side of the road opposite the carpark is also a "no standing zone."





Site inspections by Council officers have indicated that some vehicles park in this area for long periods of time to avoid paying airport parking fees. The area is also used by the Car Next Door hire company.

Council could consider installing 2-hour parking on the northern side of Hudson Fysh Drive. This may reduce the amount of vehicles parked in the area but unless Tasmania Police have the resources to enforce compliance it is likely that some members of the public will continue to park in the area long term.

Time restrictions on parking in this immediate area are also likely to encourage people who chose not to park in the airport carpark to move further down the road. Rather than solving a problem it may shift it to another area. The Car Next Door hire company is an online car sharing company and it is unlikely that parking restrictions will prevent them from using the area.

## 12 ATTACHMENTS

1. NMC letter [12.1.1 - 3 pages]

## RECOMMENDATION

Take no further action at this time and continue to monitor on-street parking in this area.

## MINUTE NO. 22/217

### DECISION

Deputy Mayor Goss/Cr Goninon

Take no further action at this time and continue to monitor on-street parking in this area.

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil



## 13 PUBLIC QUESTIONS AND STATEMENTS

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

Public Attendance Meeting Guidelines during the COVID-19 Disease Emergency

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

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

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

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

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

To ensure compliance with Council's COVID-19 Safety Plan, any person wishing to attend will be required to register their interest to attend, which is to be received by Council before 12noon 4 days (i.e. usually the Friday) preceding the meeting by emailing [council@nmc.tas.gov.au](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 to support COVID-19 tracing (in the event that it is necessary); and
- receive direction from council officers (or Council's delegate) in relation to their access to the meeting room.

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

Members of the public who would prefer not to attend the meeting, but would like to ask a question or make a representation to the Council that would normally be heard during Public Question Time, may forward their question/representation to [council@nmc.tas.gov.au](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**

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

### **Request to Attend Council Workshop**

Mr Tim Chugg, Perth

Mr Chugg advised that he would like to attend a Council Workshop to discuss scrap tyre storage and disposal.

### **9.7 Kennel Licence Application: 310 Perth Mill Road, Perth**

Ms Lisa Bartlett, Perth

Ms Bartlett advised

- she is the applicant for the kennel licence;
- has an existing dog breeding and kennel licence in the Northern Midlands;
- existing licence is for a premises in a residential area and permits 1 litter at any one time
- she has provided detailed responses to representations;
- dogs are housed indoors of an evening in separate crates;
- no complaints have been received in relation to the current licence;
- bark collars can be used if required;
- dog yard is to be constructed and property is to be fully fenced;
- labradoodles are known to be a placid breed and a companion dog and do not have strong hunting instincts;
- animal waste will be contained and disposed as is currently undertaken.

Mr Thomas Baird, Launceston

Mr Baird advised that he was in attendance to support Ms Bartlett and confirm that she is a responsible person and dog owner.

### **TABLED: Question submitted on Tamar Esk Catchments**

Mr Raymond Norman, Trevallyn

In early June Mr Norman wrote to a number of Councils raising concerns in relation to the Tamar Esk Catchments, his request was titled "Question on Notice for the next Council Meeting". In Mr Norman's email, which was tabled, he posed the following question:

... will Council now work proactively with all local governance jurisdictions and the State Govt. in the relevant catchments to:



- Empanel a 'Catchment Assembly' modelled on, and with members appointed, as is the case with 'Citizen's Juries/Assemblies' empanelled in various jurisdictions throughout Australia and internationally;
- Task the Assembly to interrogate alternative local governance modelling and structures in the context of 21st C imperatives, current technologies and the catchments' geographic imperatives and their networks;
- Task the Assembly to openly seek submissions and expert advice from a broad spectrum community members and experts in various fields intrastate and interstate;
- Task the Assembly to meet in an open forum context from time to time throughout the relevant catchments over the life of the Assembly;
- Task the Assembly to develop better and inclusive understandings of the diversity and the cultural realities present within communities within the catchments; and
- Task the Assembly to openly report on its finding and recommendation throughout its period of tenure and finally to the State Govt and all Councils in the relevant catchments.

Mayor Knowles advised that Mr Norman's queries would be forwarded to the Tamar Estuary Management Taskforce for their consideration.





## 14 COUNCIL ACTING AS A PLANNING AUTHORITY

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

### MINUTE NO. 22/199

#### DECISION

Cr Goninon/Deputy Mayor Goss

That the Council intends to act as a Planning Authority under the *Land Use Planning and Approvals Act 1993* for Agenda Item/s 15.1 to 15.6.

Carried Unanimously

## 14.1 STATEMENTS

### REPRESENTATIONS ON PLANNING ITEMS

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

Each speaker is limited to a maximum of 3 minutes.

*Cr Goninon declared an interest in items 15.2 & 15.3, signed the register and left the meeting at 6.52pm.*

### **PLAN 15.2: PLN22-0082: 26-28 Charles Street & 14 Saundridge Road, Cressy - Subdivision of 2 lots into 3**

#### Mr Peter Krushka - for the proponent

Mr Krushka noted

- he is the project manager for the developer;
- in response to the representation a number of the matters raised were not relative to the application, relating to future use and potential traffic flow;
- the application is for a subdivision

Mr Krushka requested that the representation be disregarded.

### **PLAN 15.3: PLN21-0339: 26-28 Charles Street, Cressy - Change of Use to Communal Residence**

#### Ms Sharni Hall, Linx Employment - for the proposal

Ms Hall noted

- she represents Linx Employment as a potential leaseholder of the property for the housing of seasonal workers
- the concerns raised about transport and bus noise
- the company would work with the community and council to resolve the transport concerns and ancillary noise issues
- use of existing bus stops is being considered so as not to impact neighbours and residents

#### Mr Peter Krushka - for the proponent

Mr Krushka noted

- that the application had generated public interest;
- that the content of the objections received related to housing density and transport
- there is no straight forward reference to density of use in this type of setting in the Planning Scheme, and therefore reference is made to other legislation such as the National Construction Code (NCC) and the Building Code of Australia (BCA);
- that the proponent would consider some compromises, which could be conditioned on the DA
  - in regard to installation of fire alarms/smoke detectors similar to a Class 3 building



- reduce the application amount applied for to less than 20
- implementation of measures to reduce noise and traffic impacts

Councillors queried the reduction in the number of occupants

Mr Krushka advised:

- in regard to the reduction in occupancy to an amount less than 20, the NCC & BCA refer to density of 12 in Class 1b buildings
- Commonwealth legislation allows for 10 people per 1 bathroom;
- the building currently has 6 bedrooms, 2 living rooms and 3 bathrooms;
- a Class 3 building application had not been applied for as other parameters would need to be met; and
- in consideration of the community a Class 3 building application had not been applied for.

Councillors queried the legislative requirements for seasonal workers, and noted that they did not correspond with other industries such as shearing, it was noted that the Government Guidelines are considered inadequate and require review.

Mr Krushka responded, advising that they would appreciate definitive guidelines to work to.

Ms Hall advised:

- the legislation applicable to the industry is currently governed by the Department of Foreign Affairs and Trade;
- DFAT administers the program which is the Pacific Australia Labour Mobility (PALM) scheme and sets the accommodation guidelines;
- those guidelines provide 10 people per bathroom;
- Linx considers
  - the amenity of the workers and has high standards above those required by DFAT;
  - try not to house female and male workers in the same property, and if housed together prefer to provide for married couples.

Mr Jason Cox, Cressy - against the proposal

Mr Cox noted

- that a considerable number of residents are concerned that the development has the potential to cause disturbance to neighbours and the impact on their properties;
- is not in keeping with the area;
- the residence is located in a general residential zone
- it is a residential home and is not a hostel or dormitory;
- development application requests a reclassification of the building from Class 1a to 1b for up to 20 occupants;
- the National Construction Code describes a Class 1b building ordinarily has less than 12 occupants;
- that the application should be a Class 3 application;
- seasonal worker accommodation has been provided for at the Ringwood Hotel in Cressy for some time, as well as in units at the south of the town
- there have been noise complaints and anti-social behaviour which has caused angst;
- concerns have been raised about parking and noise associated with buses;
- Cressy residents are not against development but don't wish to see the conversion of residences into high density hostels and the consequent loss of the residences to the market;
- that the preference is for stakeholders to collaborate and develop fit for purpose properties in appropriate locations;
- 250+ Cressy residents had signed a petition against the development.

*Cr Goninon returned to the meeting at 7.04pm.*

**PLAN 15.6: PLN22-0045: 21 Drummond Crescent & 46 Drummond Street, Perth - 16 Multiple Dwellings**

Mr Peter Madden, for the proponent

Mr Madden commented that the matters raised in the representations received were minor in nature; and advised that if Council wished to impose conditions in relation to the matters raised the proponents of the application would be agreeable to amended conditions.





## 15 PLANNING REPORTS

### 15.1 PLANNING SCHEME AMENDMENT 04/2022: 7 WELLINGTON STREET, LONGFORD

**File:** 13/026/007/168; 113600.051; PLN22-0065

**Responsible Officer:** Des Jennings, General Manager

**Report prepared by:** Paul Godier, Senior Planner

#### 1 INTRODUCTION

This report recommends that Council initiate and certify a draft amendment to:

- Rezone parts of 7 Wellington Street to General Business and General Residential.
- Amend the Urban Growth Boundary to extend to the northern and eastern boundaries of 7 Wellington Street.
- Make 'General Retail and Hire' a Permitted use in the Rural Resource zone, *If for carparking and loading associated with the shopping centre at 7 Wellington Street, Longford (CT 182621/1).*

#### 2 BACKGROUND

**Applicant:**

Hill Street Property Group

**Zone:**

General Business

General Residential

Rural Resource

**Owner:**

Hill Street Property Group

**Codes:**

Bushfire Prone Areas Code; Carparking and Sustainable Transport Code

**Proposal:**

Rezone to General Business and General Residential, extend the Urban Growth Boundary, make 'General Retail and Hire' a Permitted use in the Rural Resource zone, *If for carparking and loading associated with the shopping centre at 7 Wellington Street, Longford (CT 182621/1).*

**Existing Use:**

Residential (single dwelling); General Retail & Hire; Business & Professional Services; Vehicle Parking; Transport Depot & Distribution (mail centre)

**Critical Date:**

Decision whether to initiate to be made by 30 June 2022

**Recommendation:**

Initiate and Certify the Draft Amendment

**Planning Instrument:**

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

#### 3 STATUTORY REQUIREMENTS

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

*Section 33 (1) – A person may request a 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 30J 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 in response to section 33(2B):**

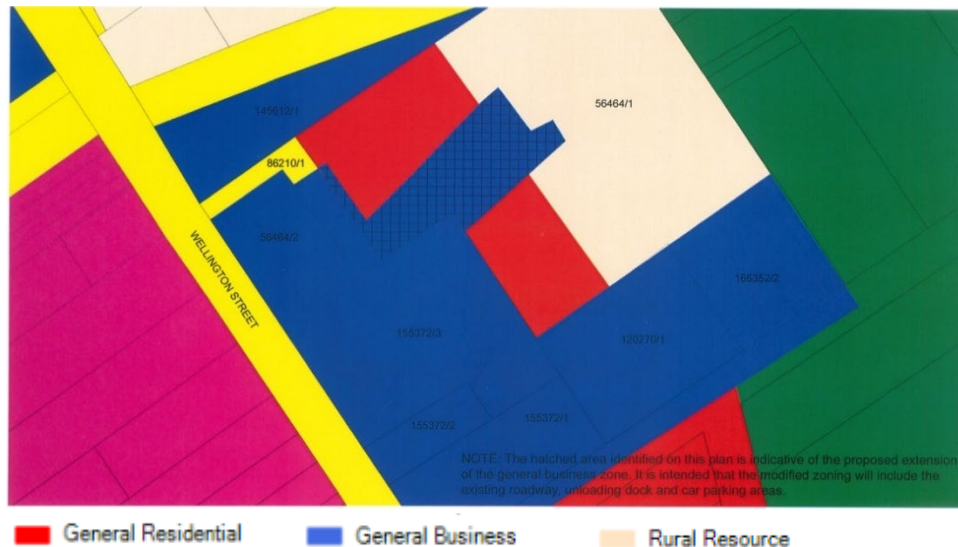
(a) Part 6 of this report finds that the draft amendment is consistent with section 32 of the Act.

(ab) A representation under section 30I (Representations in relation to Interim Planning Schemes) relevant to the draft amendment was lodged, requesting that the access way, unloading dock and parking areas be zoned General



Business (as shown below), where they are a permitted use. The changes proposed by the representation were supported.

***Zoning changes requested under Section 30I (Representations in relation to Interim Planning Schemes)***



The changes proposed by the current amendment proposal are to extend the General Business area further, to include the shed (now used by Australia Post for mail sorting) and additional parking servicing the shopping centre.

(b) This report provides advice in relation to section 65 of the Local Government Act 1993 (advice of qualified persons).

#### **4 Proposal**

##### **Current Zone**

The land consists of three zones: General Business Zone, General Residential Zone and Rural Resource Zone. Overlays include Bushfire Prone Area (partial), Attenuation Area (no changes to existing land uses).

##### **Subject site and locality**

The subject site is 7 Wellington Street which has an area of 2.886ha and contains a dwelling, shed, supermarket/shopping centre and car parking areas and access.

Neighbouring land uses are predominantly commercial in nature.



***Aerial photograph of area***



***Photograph of site – house, with shed to left***



***Shed used for mail sorting***







### Permit/site history

The relevant permit history for the site is as follows:

P85-39 – Dwelling

P88-134 – Service Station

P09-080 - Supermarket

P09-330 – Goods Delivery Area (temporary permit – expired)

P10-158 – Shed

P10-207 – earthworks

P10-209 – Rezoning (Rural & Residential Serviced to Commercial) (did not proceed)

P10-271 – Signage

P10-292 – Alterations to supermarket

PLN-18-304 – change of use – shed to mail sorting facility & dental rooms

Numerous fit-out permits for businesses within the shopping complex.

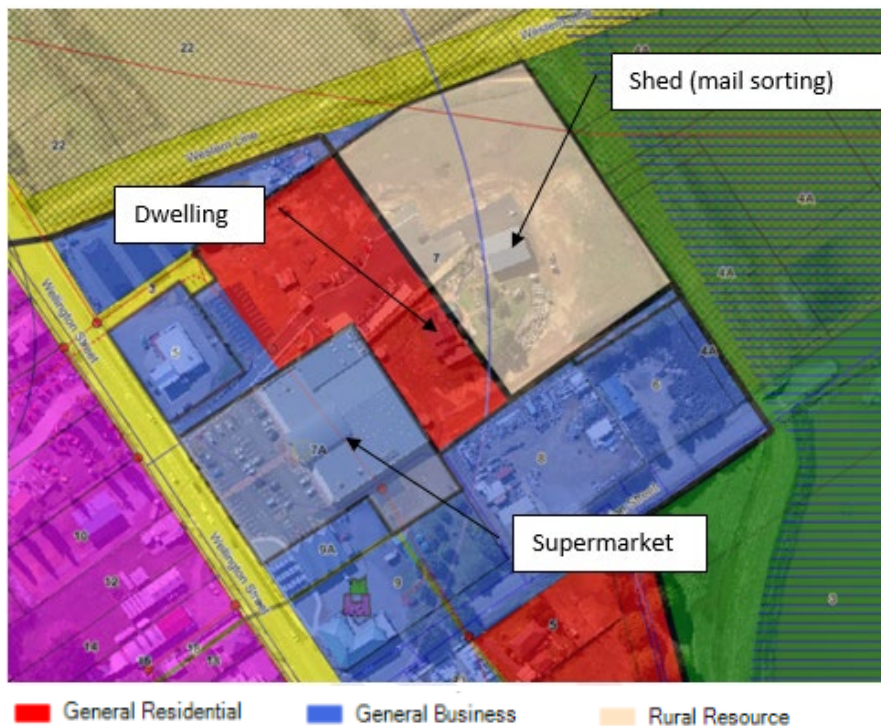
### Proposed Amendment

As per the submission report prepared by All Urban Planning Pty Ltd, the proposed draft amendment involves:

1. Realigning the Urban Growth Boundary to follow the northern and eastern boundaries of the title;
2. Realigning the General Residential Zone to reflect the curtilage of the existing house;
3. Realigning the General Business Zone to include the existing carpark, access, loading areas and the mail distribution shed.
4. Amend the Use Table 26.2 of the Rural Resource Zone to insert General retail and hire as a Permitted use with the following use qualification:

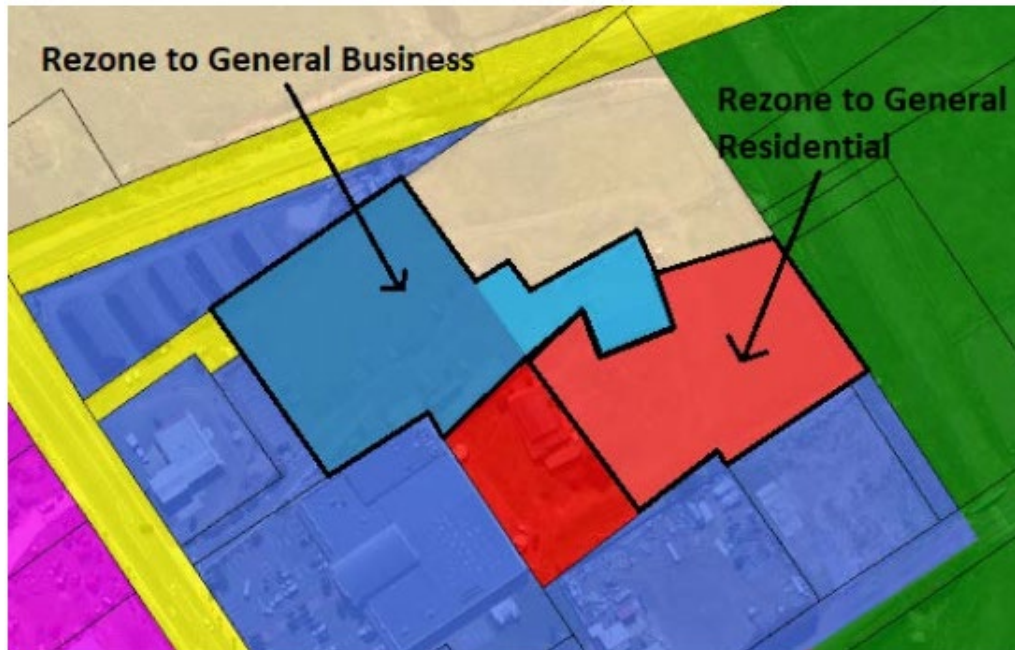
*“If for carparking and loading associated with the shopping centre at 7 Wellington Street, Longford (CT 182621/1).”*

### Zone Map (overlaid over aerial photograph) – 7 & 7a Wellington Street, Longford





*Proposed rezoning plan (as per Planning Submission Report prepared by All Urban Planning, dated: April 2022)*



#### Reasons for Proposal

The applicant has advised that the current zoning does not reflect the existing overflow parking and loading areas of the shopping centre or the approved mail distribution centre in the shed at the rear. Ideally these would be zoned General Business. The extent of General Residential Zoning also does not reflect the curtilage of the existing house on the site.

#### 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.

#### Referrals

<b>Council's Works Department</b> Council's Works Department advised of no comment to make
<b>TasWater</b> TasWater issued a Submission to Planning Authority Notice (TasWater Ref: TWDA 2022/00728-NMC) advising of no objection and no comments to make on the application.
<b>Department of State Growth</b> The Department of State Growth advised that they have no comment to provide on the matter.
<b>TasRail</b> TasRail advised that it has no objection to the proposed rezoning.

#### Financial Implications to Council

The applicant has paid the relevant application fees.



## 5 OPTIONS

- Initiate and certify the draft amendment;
- Initiate and certify a modified draft amendment; or
- Don't initiate the draft amendment.

## 6 DISCUSSION

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

Section 32 of the *Land Use Planning & Approvals Act 1993* states as follows:

**32. Requirements for preparation of amendments**

*(1) A draft amendment of a planning scheme, and an amendment of a planning scheme, in the opinion of the relevant decision-maker within the meaning of section 20(2A) –*

*(a). . .*

*(b). . .*

*(c). . .*

*(d). . .*

*(e) 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; and*

*(ea) must not conflict with the requirements of section 300; and*

*(f) 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.*

*(2) The provisions of section 20 (2) , (3) , (4) , (5) , (6) , (7) , (8) and (9) apply to the amendment of a planning scheme in the same manner as they apply to planning schemes.*

Therefore, 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:** The proposed re-zonings seek to avoid the potential for land use conflict by aligning zones to the existing land uses. Existing development in the form of a dwelling, supermarket complex and parking, and mail sorting shed have been established at the site and appropriate zonings will provide surety for the future growth and expansion of these developments. The remaining balance land will be retained as 'Rural Resource' to avoid the potential for commercial expansion outside of the core commercial precinct in Longford, south of the development site.

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

**Comment:** The Northern Regional Land Use Strategy classifies Longford as a District Service Centre.

District Service Centres are described as providing predominantly non-urban communities with a range of goods and services to meet their daily and weekly needs and contain the highest concentration of employment for the sub-region, with a diversity of employment across business and industrial sectors.

The services provided by the shopping complex and supermarket are consistent with the core functions of a District Service Centre.

The draft amendment seeks to realign the zone boundaries with the existing land uses. 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 rezone part of the site General Business. This will allow for the continued use and legal development of car parking/loading bay facilities (previously constructed under a temporary permit) to service the shopping centre at 7 Wellington Street, Longford. The expansion of General Residential zoned land to be consistent with the curtilage of the existing dwelling will allow for the continued use of the existing single dwelling and any development associated with this use, such outbuildings.



**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, as demonstrated above.

*(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 and seeks to bring the existing uses of the land into greater conformity with the Planning Scheme.

*(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:** It is considered that the draft amendment is consistent with this objective as it seeks to bring the existing uses of the land into greater conformity with the Planning Scheme.

*(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. The application has been referred to all relevant stakeholders, such as Taswater, the Department of State Growth and TasRail.

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 classifies Longford as a District Service Centre. The services provided by the shopping complex and supermarket are consistent with the core functions of a District Service Centre and the draft amendment seeks to realign the zone boundaries with the existing land uses. The proposal is consistent with this objective.

*(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.

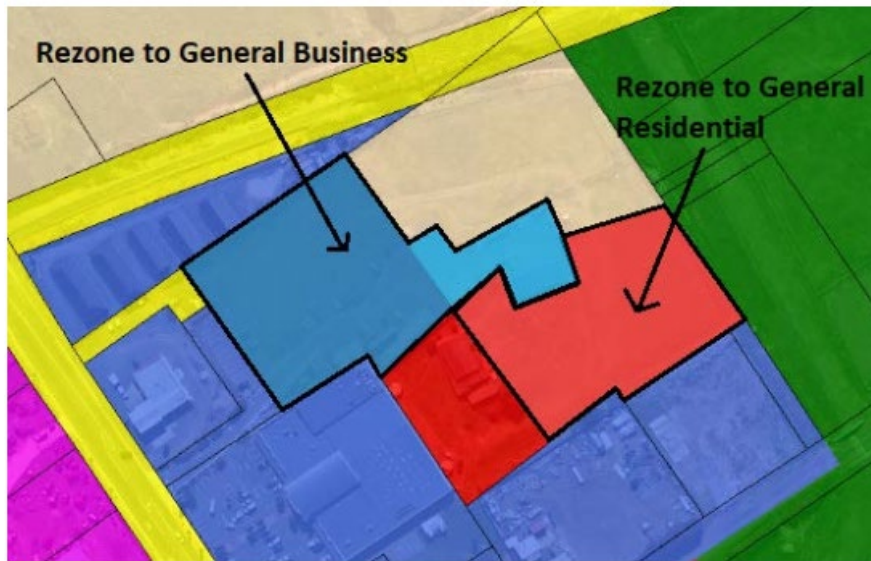
## 7 ATTACHMENTS

1. Proposal [15.1.1 - 1 page]
2. Rezoning Planning Report Wellington Street Longford [15.1.2 - 19 pages]
3. Folio Plan [15.1.3 - 1 page]
4. DSG response [15.1.4 - 2 pages]
5. P D 22 59406 7 WELLINGTON S T, LONGFORD Tas Water Submission to Planning Authority Notice - Condit [15.1.5 - 1 page]
6. Tas Rail [15.1.6 - 1 page]
7. WI referral PL N-22-0065 7 A Wellington Street Longford [15.1.7 - 1 page]

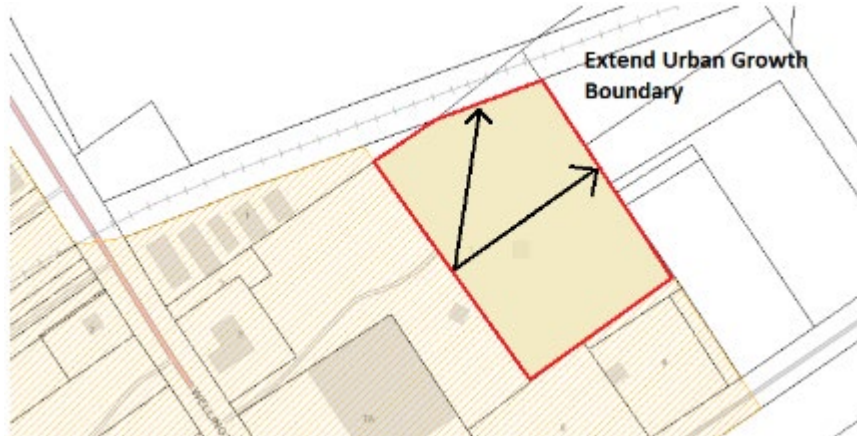
## RECOMMENDATION

- 1 That Council, under section 34 (1) (former provisions) of the *Land Use Planning and Approvals Act 1993*, initiate Draft Amendment 04/2022 to the Northern Midlands Interim Planning Scheme 2013 to:
  - Rezone part of 7 Wellington Street, Longford from Rural Resource to General Residential in accordance with Figure 1 below.
  - Rezone part of 7 Wellington Street, Longford from Rural Resource to General Business in accordance with Figure 1 below.
  - Rezone part of 7 Wellington Street, Longford from General Residential to General Business in accordance with Figure 1 below.
  - Extend the Urban Growth Boundary in accordance with Figure 2 below.
  - Amend the Use Table 26.2 of the Rural Resource Zone to insert General retail and hire as a Permitted use with the following use qualification:  
“If for carparking and loading associated with the shopping centre at 7 Wellington Street, Longford (CT 182621/1).”

**Figure 1:**



**Figure 2:**



**AND**

- 2 That Council, under section 35(1) (former provisions) of the *Land Use Planning and Approvals Act 1993* certify Draft Amendment 04/2022, to the Northern Midlands Interim Planning Scheme 2013 as meeting the requirements specified in Section 32, former provisions.

#### **MINUTE NO. 22/200**

#### DECISION

Cr Gonion/Cr Davis

- 1 That Council, under section 34 (1) (former provisions) of the *Land Use Planning and Approvals Act 1993*, initiate Draft Amendment 04/2022 to the Northern Midlands Interim Planning Scheme 2013 to:
  - Rezone part of 7 Wellington Street, Longford from Rural Resource to General Residential in accordance with Figure 1 below.
  - Rezone part of 7 Wellington Street, Longford from Rural Resource to General Business in accordance with Figure 1 below.
  - Rezone part of 7 Wellington Street, Longford from General Residential to General Business in accordance with Figure 1 below.
  - Extend the Urban Growth Boundary in accordance with Figure 2 below.
  - Amend the Use Table 26.2 of the Rural Resource Zone to insert General retail and hire as a Permitted use with the following use qualification:  
 “If for carparking and loading associated with the shopping centre at 7 Wellington Street, Longford (CT 182621/1).”

Figure 1:



Figure 2:



AND

- 2 That Council, under section 35(1) (former provisions) of the *Land Use Planning and Approvals Act 1993* certify Draft Amendment 04/2022, to the Northern Midlands Interim Planning Scheme 2013 as meeting the requirements specified in Section 32, former provisions.

Carried

Voting for the Motion:

Mayor Knowles, Cr Adams, Cr Davis, Cr Goninon, Cr Lambert and Cr Polley

Voting Against the Motion:

Deputy Mayor Goss and Cr Brooks

*Cr Goninon declared an interest in Items 15.2 and 15.3, signed the register and left the meeting at 7.10pm.*



## 15.2 PLN22-0082: 26-28 CHARLES STREET & 14 SAUNDRIDGE ROAD, CRESSY - SUBDIVISION OF 2 LOTS INTO 3

*File:* 102600.12  
*Responsible Officer:* Des Jennings, General Manager  
*Report prepared by:* Rebecca Green, Planning Consultant

### 1 INTRODUCTION

This report assesses an application for 26-28 Charles Street & 14 Saundridge Road, Cressy for a subdivision of 2 lots into 3 lots (Bushfire Prone Area, Vary Building Envelope (existing dwelling on Lot 1)).

### 2 BACKGROUND

**Applicant:**

D J McCulloch Surveying

**Zone:**

General Residential Zone

**Classification under the Scheme:**

Subdivision

**Deemed Approval Date:**

30 June 2022

**Owner:**

JID Construction Pty Ltd & Keryn Michelle & Lindon Mark Hodgetts

**Codes:**

Bushfire Prone Areas Code  
Road and Railway Assets Code  
Car Parking and Sustainable Transport Code  
Recreation and Open Space Code

**Existing Use:**

Residential (single dwelling)

**Recommendation:**

Approve

**Discretionary Aspects of the Application:**

- Variation to development standards in the General Residential zone – building envelope for existing dwelling on Lot 1.

**Planning Instrument:**

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

**Preliminary Discussion**

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

### 3 STATUTORY REQUIREMENTS

The proposal is an application pursuant to section 57 of the *Land Use Planning & Approvals Act 1993* (i.e., a discretionary application).

Section 48 of the *Land Use Planning & Approvals Act 1993* requires the Planning Authority to observe and enforce the observance of the Planning Scheme. Section 51 of the *Land Use Planning & Approvals Act 1993* states that a person must not commence any use or development where a permit is required without such permit.

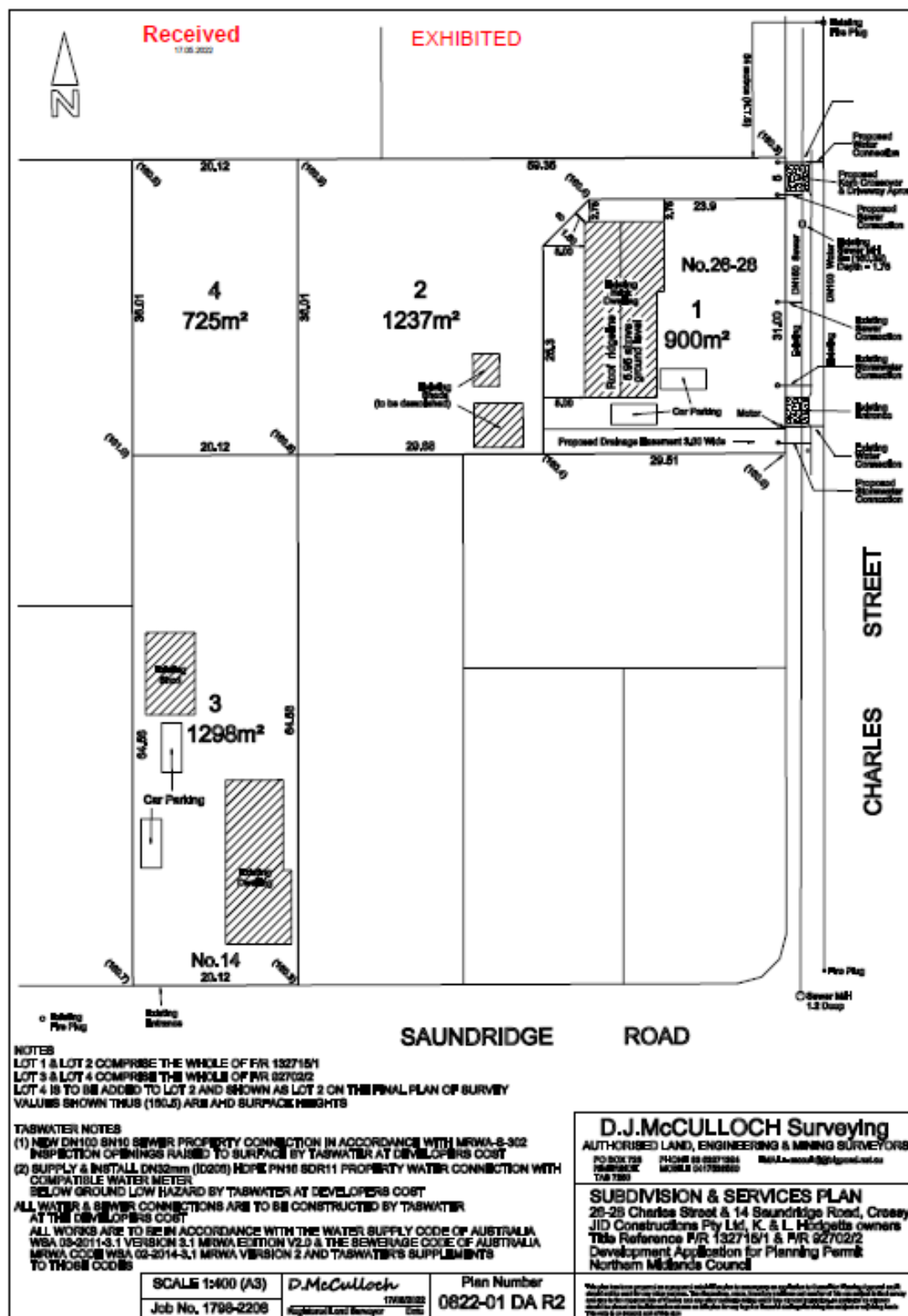
### 4 ASSESSMENT

#### 4.1 Proposal

Subdivision of 2 lots into 3 lots (Bushfire Prone Area, Vary Building Envelope (existing dwelling on Lot 1)).



### ***Subdivision Plan***







Current Title Plans



**FOLIO PLAN**  
**RECORDER OF TITLES**

Issued Pursuant to the Land Titles Act 1980

EXHIBITED

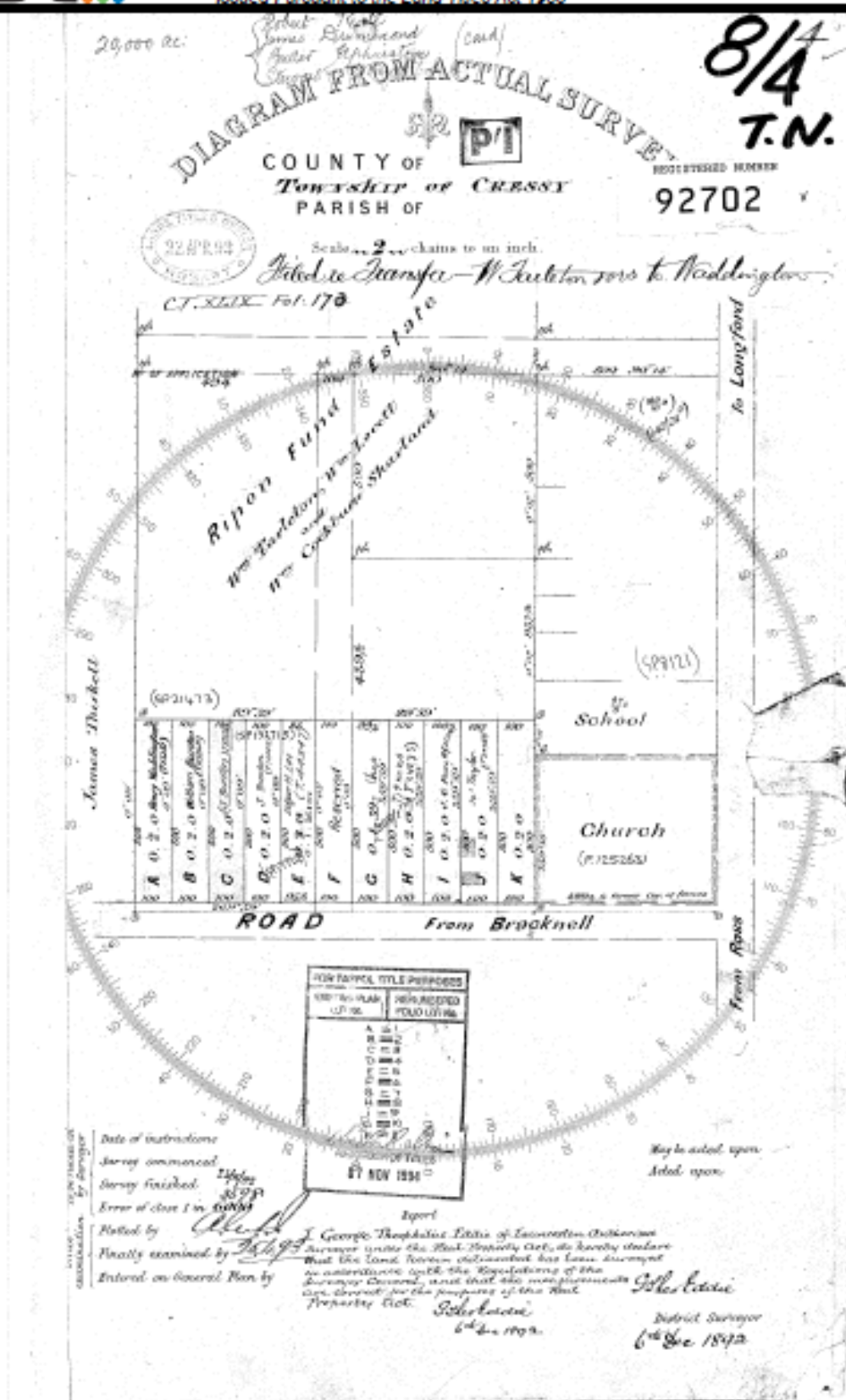


OWNER JASON THOMAS COX, ROBERT JAMES HODGETTS, WILLIAM JOHN HODGETTS FOLIO REFERENCE CT 17724-1, CT 17724-2, CT 332882-1.  GRANTEE PART OF 2008 ACRES GTO TO ROBERT KEATE, JAMES DRUMMOND, BUTLER ELPHINSTONE AND STEWART MAJORIBANKS.		<b>PLAN OF SURVEY</b> BY SURVEYOR R.V. TAIT. — G.J. WALKER & CO. LAUNCESTON. LOCATION TOWN OF CRESSY. SCALE 1:500 LENGTHS IN METRES		REGISTERED NUMBER <b>SP132715</b> APPROVED EFFECTIVE FROM 13 JAN 2008 <i>Alice Kawa</i> DEPUTY Recorder of Titles
MAPSHEET MUNICIPAL CODE No. 123 (5058-32)	LAST UPL No. FFW00,01+02	LAST PLAN No. S.R. 17724, P.322000	ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN	

LOT 1 COMPILED FROM CT 17724-1, CT 17724-2 AND THIS SURVEY

CHARLES STREET

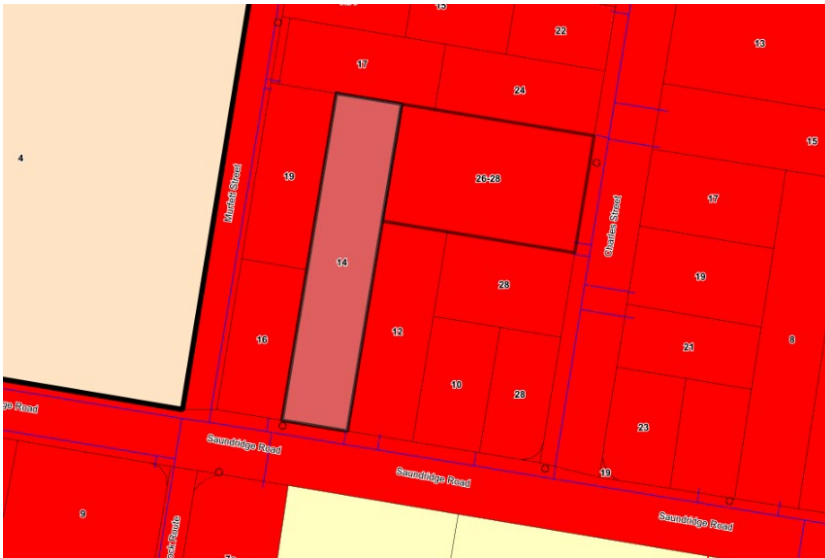
SAUNDRIDGE ROAD





#### 4.2 Zone and Land Use

##### **Zone Map – General Residential Zone**



The land is zoned General Residential and is partly located within the Bushfire Prone Areas Overlay.

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>
--------------------	--

#### 4.3 Subject Site and Locality

A site inspection was undertaken on 27<sup>th</sup> May 2022. The site comprises of two rectangular residential lots, one fronting Sandridge Road and the other fronting Charles Street. The rear yard of each existing title is to be subdivided off to create one additional lot only with access to Charles Street. Residential uses surround the subject site.

##### **Aerial photograph of area**







**Photographs of subject site: 26-28 Charles Street**



**Photograph of subject site: 14 Saundridge Road**



#### **4.4 Permit/Site History**

Relevant permit history includes:

##### **26-28 Charles Street**

- 26/68 – Dwelling alterations (internal)
- 27/003/209 – Subdivision (1999)
- PLN-21-0339 – Change of use to communal residence (current application)

##### **14 Saundridge Road**

- 63/79 – Dwelling addition (porch)
- DA196/95 - Garage

#### **4.5 Representations**

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

- Andrew McCullagh, email address provided.

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



### Issue 1

- Concern that no traffic impact assessment was provided with the application.

#### Planner's comment:

The application meets all acceptable solutions to the relevant provisions of the Road and Railway Assets Code and the Car Parking and Sustainable Transport Code. No Traffic Impact Assessment is therefore required in accordance with E4.5.1 as the application is not required to demonstrate compliance with performance criteria.

### Issue 2

- The applicant has a history of developing multiple dwelling sites as is would appear this may be the case here.

#### Planner's comment:

The application is for subdivision only, and it cannot be speculated what the future use may be for the vacant lot. Any future use and/or development of the vacant lot will be assessed at the time and whether a planning application would be required would be determined at that point in time.

## 4.6 Referrals

The following referrals were required:

#### **Council's Works Department**

Council's Works & Infrastructure Department (Jonathan Galbraith) reported on 3/6/22 and his recommended conditions are included in the conditions of approval.

#### **TasWater**

A Taswater Submission to Planning Authority Notice was issued on 07/06/2022 (Taswater Ref: TWDA 2022/00793-NMC).

## 4.7 Planning Scheme Assessment

GENERAL RESIDENTIAL ZONE
ZONE PURPOSE
<i>To provide for residential use or development that accommodates a range of dwelling types at suburban densities, where full infrastructure services are available or can be provided.</i>
<i>To provide for compatible non-residential uses that primarily serve the local community.</i>
<i>Non-residential uses are not to be at a level that distorts the primacy of residential uses within the zones, or adversely affect residential amenity through noise, activity outside of business hours traffic generation and movement or other off-site impacts.</i>
<i>To encourage residential development that respects the neighbourhood character and provides a high standard of residential amenity.</i>
Assessment: The proposal meets the zone purpose.

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

DEVELOPMENT STANDARDS FOR SUBDIVISIONS IN GENERAL RESIDENTIAL ZONE
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### 10.4.15 SUBDIVISION

#### 10.4.15.1 Lot Area, Building Envelopes and Frontage

Objective: <i>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.</i>	
Acceptable Solutions	Performance Criteria
A1 Lots must:	P1 Each lot for residential use must provide sufficient useable area and dimensions to allow for:
a) have a minimum area of at least 450m <sup>2</sup> which:	a) a dwelling to be erected in a convenient and hazard-free location; and
i) is capable of containing a rectangle measuring 10m by 15m; and	b) on-site parking and manoeuvrability; and
ii) has new boundaries aligned from buildings that satisfy the relevant acceptable solutions for setbacks; or	c) adequate private open space.



<p>b) required for public use by the Crown, an agency, or a corporation all the shares of which are held by Councils or a municipality; or</p> <p>c) for the provision of utilities; or</p> <p>d) for the consolidation of a lot with another lot with no additional titles created; or</p> <p>e) to align existing titles with zone boundaries and no additional lots are created.</p>	
<p>Whilst all lots will comply with the minimum lot size, the existing dwelling on 1, due to it being two storeys in height, will extend outside of the building envelope and rely on the performance criteria for Lot 1.</p>	<p>Lot 1 has an established residential use contained within the property boundaries. The dwelling is erected in a convenient and hazard-free location with on-site parking demonstrated on the plan for the existing residential – single dwelling use. Adequate private open space exists on site on the 900m<sup>2</sup> lot. The protrusion outside of the building envelope is not likely to affect any adjoining residential use or future use, as the protrusion is adjacent to the access strip of Lot 2. The proposal complies with the performance criteria for Lot 1.</p>
<p>A2 Each lot must have a frontage of at least 3.6m.</p>	<p>P2 Each lot must have appropriate, permanent access by a Right of Carriageway registered over all relevant titles.</p>
<p>Complies with A2.</p>	<p>N/a</p>

#### 10.4.15.2 Provision of Services

Objective: To provide lots with appropriate levels of utility services.	
Acceptable Solutions	Performance Criteria
<p>A1 Each lot must be connected to a reticulated:</p> <p>a) water supply; and</p> <p>b) sewerage system.</p>	<p>P1 Each lot created must be:</p> <p>a) in a locality for which reticulated services are not available or capable of being connected; and</p> <p>b) capable of accommodating an on-site wastewater management system.</p>
<p>Complies with A1.</p>	<p>N/a</p>
<p>A2 Each lot must be connected to a reticulated stormwater system.</p>	<p>P2 Each lot created must be capable of disposal of stormwater to a legal discharge point.</p>
<p>Complies with A2.</p>	<p>N/a</p>

#### 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
<p>A1 At least 50% of lots must have a long axis within the range of:</p> <p>a) north 20 degrees west to north 30 degrees east; or</p> <p>b) east 20 degrees north to east 30 degrees south.</p>	<p>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.</p>
<p>Complies with A1.</p>	<p>N/a</p>
<p>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.</p>	<p>P2 Lots less than 500 m<sup>2</sup> must provide adequate solar access to future dwellings, having regard to the:</p> <p>a) size and shape of the development of the subject site; and</p> <p>b) topography; and</p> <p>c) location of access way(s) and roads.</p>
<p>N/a</p>	<p>N/a</p>

#### 10.4.15.5 Integrated Urban Landscape

Objective: To provide attractive and continuous landscaping in roads and public open spaces that contribute to the:	
<p>a) character and identity of new neighbourhoods and urban places; or</p> <p>b) to existing or preferred neighbourhood character, if any.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 The subdivision must not create any new road, public open space or other reserves.</p>	<p>P1 For subdivision that creates roads, public open space or other reserves, the design must demonstrate that:</p> <p>a) it has regard to existing, significant features; and</p> <p>b) accessibility and mobility through public spaces and roads are protected or enhanced; and</p> <p>c) connectivity through the urban environment is protected or enhanced; and</p> <p>d) the visual amenity and attractiveness of the urban environment is enhanced; and</p>



	e) it furthers the local area objectives, if any.
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Comment: Complies with Acceptable Solution.

#### 10.4.15.6 Walking and Cycling Network

<b>Objective:</b> 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: a) link to any existing pedestrian and cycling networks; and b) provide the most practicable direct access for cycling and walking to activity centres, community facilities, public transport stops and public open spaces; and c) provide an interconnected and continuous network of safe, efficient and convenient footpaths, shared paths, cycle paths and cycle lanes based primarily on the network of arterial roads, neighbourhood roads and regional public open spaces; and d) promote surveillance along roads and from abutting dwellings.

Comment: Complies with the Acceptable Solution.

#### 10.4.15.7 Neighbourhood Road Network

<b>Objective:</b> 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: a) take account of the existing mobility network of arterial roads, neighbourhood roads, cycle paths, shared paths, footpaths and public transport routes; and b) provide clear hierarchy of roads and physical distinctions between arterial roads and neighbourhood road types; and c) provide an appropriate speed environment and movement priority for the safe and easy movement of pedestrians and cyclists and for accessing public transport; and d) provide safe and efficient access to activity centres for commercial and freight vehicles; and e) ensure connector roads align between neighbourhoods for safe, direct and efficient movement of pedestrians, cyclists, public transport and other motor vehicles; and f) provide an interconnected and continuous network of roads within and between neighbourhoods for use by pedestrians, cyclists, public transport and other vehicles and minimise the provision of cul-de-sacs; and g) provide for service and emergency vehicles to safely turn at the end of a dead-end road; and h) take into account of any identified significant features.

Comment: Complies with the Acceptable Solution.

CODES		
E1.0	BUSHFIRE PRONE AREAS CODE	Complies – Bushfire Report prepared by Charles Arnold BFP-150 dated: May 2022 demonstrates compliance with the acceptable solutions.
E2.0	POTENTIALLY CONTAMINATED LAND	N/a
E3.0	LANDSLIP CODE	N/a
E4.0	ROAD AND RAILWAY ASSETS CODE	Complies – See code assessment below
E.5.0	FLOOD PRONE AREAS CODE	N/a
E6.0	CAR PARKING AND SUSTAINABLE TRANSPORT CODE	Complies – See code assessment below
E7.0	SCENIC MANAGEMENT CODE	N/a
E8.0	BIODIVERSITY CODE	N/a



E9.0	WATER QUALITY CODE	N/a
E10.0	RECREATION AND OPEN SPACE CODE	Complies – See code assessment below
E11.0	ENVIRONMENTAL IMPACTS & ATTENUATION CODE	N/a
E12.0	AIRPORTS IMPACT MANAGEMENT CODE	N/a
E13.0	LOCAL HISTORIC HERITAGE CODE	N/a
E14.0	COASTAL CODE	N/a
E15.0	SIGNS CODE	N/a

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

**E4.6 Use Standards**

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

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

**E4.7 Development Standards**

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

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





<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>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>Objective</p> <p>To ensure that the safety and efficiency of roads is not reduced by the creation of new accesses and junctions or increased use of existing accesses and junctions.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 For roads with a speed limit of 60km/h or less the development must include only one access providing both entry and exit, or two accesses providing separate entry and exit.</p>	<p>P1 For roads with a speed limit of 60km/h or less, the number, location, layout and design of accesses and junctions must maintain an acceptable level of safety for all road users, including pedestrians and cyclists.</p>
Complies. One access per lot proposed providing for both entry and exit.	N/a
<p>A2 For roads with a speed limit of more than 60km/h the development must not include a new access or junction.</p>	<p>P2 For limited access roads and roads with a speed limit of more than 60km/h:</p> <p>a) access to a category 1 road or limited access road must only be via an existing access or junction or the development must provide a significant social and economic benefit to the State or region; and</p> <p>b) any increase in use of an existing access or junction or development of a new access or junction to a limited access road or a category 1, 2 or 3 road must be dependent on the site for its unique resources, characteristics or locational attributes and an alternate site or access to a category 4 or 5 road is not practicable; and</p> <p>c) an access or junction which is increased in use or is a new access or junction must be designed and located to maintain an adequate level of safety and efficiency for all road users.</p>
N/a	N/a

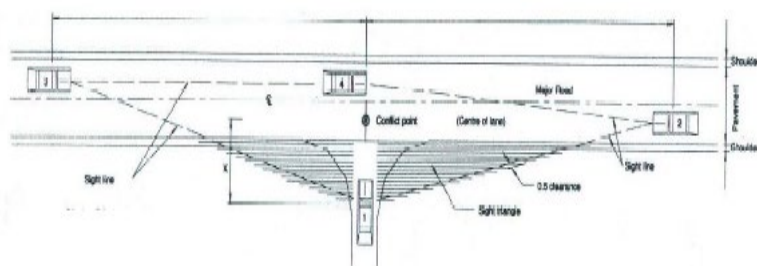
#### **E4.7.3 Management of Rail Level Crossings**

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

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

Objective
-----------

To ensure that use and development involving or adjacent to accesses, junctions and level crossings allows sufficient sight distance between vehicles and between vehicles and trains to enable safe movement of traffic.	
Acceptable Solutions	Performance Criteria
<p>A1 Sight distances at</p> <p>a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.7.4; and</p> <p>b) rail level crossings must comply with <i>AS1742.7 Manual of uniform traffic control devices - Railway crossings</i>, Standards Association of Australia; or</p> <p>c) If the access is a temporary access, the written consent of the relevant authority has been obtained.</p>	<p>P1 The design, layout and location of an access, junction or rail level crossing must provide adequate sight distances to ensure the safe movement of vehicles.</p>
Complies for new access to Lot 2.	N/a



**Figure E4.7.4 Sight Lines for Accesses and Junctions**

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

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

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

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

**Notes:**

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

ASSESSMENT AGAINST E6.0	
CAR PARKING & SUSTAINABLE TRANSPORT CODE	
<b>E6.6 Use Standards</b>	
<b>E6.6.1 Car Parking Numbers</b>	
Objective: To ensure that an appropriate level of car parking is provided to service use.	
Acceptable Solutions	Performance Criteria
<p>A1 The number of car parking spaces must not be less than the requirements of:</p> <p>a) Table E6.1; or</p> <p>b) a parking precinct plan contained in Table E6.6: Precinct Parking</p>	<p>P1 The number of car parking spaces provided must have regard to:</p> <p>a) the provisions of any relevant location specific car parking plan; and</p> <p>b) the availability of public car parking spaces within reasonable walking distance; and</p>



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.
Comment: Complies with the Acceptable Solution – each lot has sufficient space to accommodate at least 2 parking spaces.		

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

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

#### **E6.6.2 Bicycle Parking Numbers**

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

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

Comment: Sufficient space available on each proposed lot to accommodate bicycle parking.

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

Objective: To ensure that taxis can adequately access developments.

<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: N/a

#### **E6.6.4 Motorbike Parking Provisions**

Objective: 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: N/a





## E6.7 Development Standards

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

Objective: To ensure that car parking spaces and access strips are constructed to an appropriate standard.			
Acceptable Solutions		Performance Criteria	
A1	All car parking, access strips manoeuvring and circulation spaces must be:	P1	All car parking, access strips manoeuvring and circulation spaces must be readily identifiable and constructed to ensure that they are useable in all weather conditions.
a)	formed to an adequate level and drained; and		
b)	except for a single dwelling, provided with an impervious all-weather seal; and		
c)	except for a single dwelling, line marked or provided with other clear physical means to delineate car spaces.		
Comment: To be assessed by future development application for works on proposed vacant lot (Lot 2).			

### E6.7.2 Design and Layout of Car Parking

Objective: To ensure that car parking and manoeuvring space are designed and laid out to an appropriate standard.			
Acceptable Solutions		Performance Criteria	
A1.1	Where providing for 4 or more spaces, parking areas (other than for parking located in garages and carports for dwellings in the General Residential Zone) must be located behind the building line; and	P1	The location of car parking and manoeuvring spaces must not be detrimental to the streetscape or the amenity of the surrounding areas, having regard to:
A1.2	Within the General residential zone, provision for turning must not be located within the front setback for residential buildings or multiple dwellings.	a)	the layout of the site and the location of existing buildings; and
		b)	views into the site from the road and adjoining public spaces; and
		c)	the ability to access the site and the rear of buildings; and
		d)	the layout of car parking in the vicinity; and
		e)	the level of landscaping proposed for the car parking.
Comment: N/a			
A2.1	Car parking and manoeuvring space must:	P2	Car parking and manoeuvring space must:
a)	have a gradient of 10% or less; and	a)	be convenient, safe and efficient to use having regard to matters such as slope, dimensions, layout and the expected number and type of vehicles; and
b)	where providing for more than 4 cars, provide for vehicles to enter and exit the site in a forward direction; and	b)	provide adequate space to turn within the site unless reversing from the site would not adversely affect the safety and convenience of users and passing traffic.
c)	have a width of vehicular access no less than prescribed in Table E6.2 and Table E6.3, and		
A2.2	The layout of car spaces and access ways must be designed in accordance with <i>Australian Standards AS 2890.1 - 2004 Parking Facilities, Part 1: Off Road Car Parking</i> .		
Comment: The proposal complies and is likely to comply for future residential use and development on Lot 2.			

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

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

### E6.7.3 Car Parking Access, Safety and Security

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

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

Objective: To ensure adequate parking for persons with a disability.			
Acceptable Solutions		Performance Criteria	



A1	All spaces designated for use by persons with a disability must be located closest to the main entry point to the building.	P1	The location and design of parking spaces considers the needs of disabled persons, having regard to: a) the topography of the site; b) the location and type of relevant facilities on the site or in the vicinity; c) the suitability of access pathways from parking spaces, and d) applicable Australian Standards.
A2	One of every 20 parking spaces or part thereof must be constructed and designated for use by persons with disabilities in accordance with <i>Australian Standards AS/NZ 2890.6 2009</i> .	P2	The number of parking spaces provided is appropriate for the needs of disabled persons, having regard to: a) characteristics of the populations to be served; b) their means of transport to and from the site; and c) applicable Australian Standards.
Comment: N/a – likely to be residential use.			

#### 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.
Comment: N/a			

#### E6.8 Provisions for Sustainable Transport

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

Not used in this planning scheme

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

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

##### E6.8.5 Pedestrian Walkways

Objective: To ensure pedestrian safety is considered in development	
Acceptable Solution	Performance Criteria



A1	Pedestrian access must be provided for in accordance with Table E6.5.	P1	Safe pedestrian access must be provided within car park and between the entrances to buildings and the road.
Comment: N/a			

**Table E6.5: Pedestrian Access**

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

**Notes**

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

**ASSESSMENT AGAINST E10.0  
RECREATION AND OPEN SPACE CODE**

**E10.6 Development Standards**

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

Objective	
<ul style="list-style-type: none"> <li>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</li> <li>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.</li> </ul>	
Acceptable Solutions	Performance Criteria
A1 The application must: <ul style="list-style-type: none"> <li>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.</li> </ul>	P1 Provision of public open space, unless in accordance with Table E10.1, must: <ul style="list-style-type: none"> <li>a) not pose a risk to health due to contamination; and</li> <li>b) not unreasonably restrict public use of the land as a result of:               <ul style="list-style-type: none"> <li>i) services, easements or utilities; and</li> <li>ii) stormwater detention basins; and</li> <li>iii) drainage or wetland areas; and</li> <li>iv) vehicular access; and</li> </ul> </li> <li>c) be designed to:               <ul style="list-style-type: none"> <li>i) provide a range of recreational settings and accommodate adequate facilities to meet the needs of the community, including car parking; and</li> <li>ii) reasonably contribute to the pedestrian connectivity of the broader area; and</li> <li>iii) be cost effective to maintain; and</li> <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> </li> </ul>
Complies with A1. Consent for a cash payment in lieu of land for public open space provided by the General Manager via email on the 24 May 2022.	N/a



SPECIFIC AREA PLANS	
F1.0 TRANSLINK SPECIFIC AREA PLAN	N/a
F2.0 HERITAGE PRECINCTS SPECIFIC AREA PLAN	N/a
SPECIAL PROVISIONS	
9.1 Changes to an Existing Non-conforming Use	N/a
9.2 Development for Existing Discretionary Uses	N/a
9.3 Adjustment of a Boundary	N/a
9.4 Demolition	Complies.
9.5 Change of Use of a Place listed on the Tasmanian Heritage Register or a heritage place	N/a
9.6 Change of Use	N/a
9.7 Access and Provision of Infrastructure Across Land in Another Zone	N/a
9.8 Buildings Projecting onto Land in a Different Zone	N/a
9.9 Port and Shipping in Proclaimed Wharf Areas	N/a
STATE POLICIES	
The proposal is consistent with all State Policies.	
OBJECTIVES OF LAND USE PLANNING & APPROVALS ACT 1993	
The proposal is consistent with the objectives of the <i>Land Use Planning &amp; Approvals Act 1993</i> .	
STRATEGIC PLAN/ANNUAL PLAN/COUNCIL POLICIES	
<b>Strategic Plan 2017-2027</b>	
<ul style="list-style-type: none"> <li>Statutory Planning</li> </ul>	

## 5 SERVICES

### Sewer & Water

The application was referred to TasWater regarding water and sewer infrastructure. Their certificate of consent is included as to this report and will be included as an attachment if a permit is issued.

### Stormwater & Access

The application was referred internally to the Council's Works Department, who advised that the subdivision can be serviced by Council infrastructure. Their recommended conditions of approval will be included if a permit is issued.

### Public Open Space Contribution

In addition, it is considered appropriate to apply the public open space contribution to additional lots created as specified in the *Local Government (Building & Miscellaneous Provisions) Act 1993* as this subdivision is in a township area, in accordance with Council's Policy.

#### The Public Open Space Rate

1 The Public Open Space Rate shall be \$1400 per additional lot created (i.e. A subdivision that turns one lot into four has created three additional lots and will attract a public open space contribution/fee of \$4200.)

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.

## 6 LOCAL GOVERNMENT (BUILDINGS AND MISCELLANEOUS PROVISIONS) ACT 1993

Section 83	Approval of plan of subdivision	Yes	No
83 (1)(a)	Does the council require the owner to sell to it for a nominal consideration any land shown on the plan as set apart for a public open space or for drainage purposes?		x
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"?		x



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?		x
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?		x
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?		x
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?		x
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?		x
83(7) (b)	provide means of sewerage for all or some specified kind of effluent from the block?		x
<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?		x
	<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;		x
85(b)	that the drainage both of roads and of other land will not be satisfactorily carried off and disposed of;		x
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;		x
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;		x
85(d)	that the layout should be altered to include or omit –		
85(d)(i)	blind roads;		x
85(d)(ii)	alleys or rights of way to give access to the rear of lots;		x
85(d)(iii)	public open space;		x
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;		x
85(d)(v)	private roads, ways or open spaces;		x
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;		x
85(d)(vii)	licences to embank highways under the <i>Highways Act 1951</i> ;		x
85(d)(viii)	provision for widening or deviating ways on or adjoining land comprised in the subdivision;		x
85(d)(ix)	provision for the preservation of trees and shrubs;		x
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;		x
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;		x
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;		x
85(g)(ii)	party-wall easements;		x
85(g)(iii)	the state of a party-wall on its boundary.		x
<b>Section 86</b>	<b>Security for payment</b>	<b>Yes</b>	<b>No</b>
	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		x



	connecting drains and the concentrated natural water may be lawfully disposed of and for the laying of storm water connections from a place on the boundary of each lot to the public storm water system in accordance with the by-laws of the council and to the satisfaction of its engineer;		
86(2)(d)	the works required for the discharge of the owner's obligations under <u>section 10 of the Local Government (Highways) Act 1982</u> in respect of the highways opened or to be opened on the subdivision;		x
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;		x
86(2)(f)	the filling in of ponds and gullies;		x
86(2)(g)	the piping of watercourses.		x
	<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.		
<b>Section 107</b>	<b>Access orders</b>	<b>Yes</b>	<b>No</b>
107 (2)	Is work of a substantial nature needed to provide access for vehicles from a highway onto the block?		x
	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.		
<b>Section 108</b>	<b>Road widening</b>	<b>Yes</b>	<b>No</b>
108 (1) (a)	Does council, in respect of an existing highway, require to obtain a dedication of land for widening or diverting? (compensation is not payable for the dedication of land which lies within 9 metres of the middle line of the highway of a parcel into which the land is subdivided and on which no building stands)		x
108 (1) (b)	Does council, in respect of an existing highway, require to obtain a licence to embank?		x

## 7 FINANCIAL IMPLICATIONS TO COUNCIL

Not applicable to this application.

## 8 OPTIONS

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

## 9 DISCUSSION

Discretion to refuse the application is limited to:

- Variation to development standards in the General Residential zone – building envelope existing dwelling on Lot 1.

The only discretion relates to the existing dwelling on Lot 1. Whilst the representor raises concerns in relation to traffic and future possible uses of Lot 2, these matters do not relate to the single performance criteria the application relied upon and no further consideration of those matters are relevant to the proposal.

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

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

## 10 ATTACHMENTS

- Application Documents [15.2.1 - 24 pages]
- GM Consent to Cash in Lieu of Land [15.2.2 - 2 pages]
- SPAN TWDA 2022-00793- NMC [15.2.3 - 2 pages]
- WI referral PL N-22-0082 26-28 Charles St 14 Saundridge Rd Cressy [15.2.4 - 3 pages]
- Representation - A Mc Cullagh [15.2.5 - 1 page]





## RECOMMENDATION

That land at 26-28 Charles Street & 14 Saundridge Road, Cressy be approved to be developed and used for a Subdivision of 2 lots into 3 lots (Bushfire Prone Area, Vary Building Envelope (existing dwelling on Lot 1)) in accordance with application PLN-22-0082, and subject to the following conditions:

### 1 Layout not altered

The use and development must be in accordance with the endorsed plans numbered **P1** (*Subdivision & Services Plan, D.J. McCulloch Surveying, Job No: 1798-2208, Plan No: 0822-01 DA R2, Dated: 17/05/2022*); and **D1** (*Cover Letter, D.J. McCulloch Surveying, Dated: 4 May 2022*); and **D2** (*Bushfire Report, Charles Arnold BFP-150, Dated: 22 May 2022 V1*).

### 2 Council's Works Department conditions

#### 2.1 Stormwater

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

The drainage easement over lot 1 shall be a private easement in favour of lot 2.

The stormwater connection for lot 2 must be installed from the kerb and channel to beyond the rear boundary of lot 1 and must be class PN16 pipe or equivalent.

#### 2.2 Access (Urban)

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

#### 2.3 As constructed information

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

#### 2.4 Municipal standards & certification of works

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

#### 2.5 Works in 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.

#### 2.6 Separation of hydraulic services

- a) All existing pipes and connections must be located.
- b) Where required, pipes are to be rerouted to provide an independent system for each lot.
- c) Certification must be provided that services have been separated between the lots.

#### 2.7 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.

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





### 2.9 Nature strips

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

### **3 TasWater conditions**

Sewer and water services shall be provided in accordance with TasWater's Planning Authority Notice (reference number TWDA 2022/00793-NMC) – *Appendix A*.

### **4 Public Open Space Contribution**

A contribution must be paid towards the cost of providing public open space infrastructure in accordance with Council policy:

- \$1,400 per additional lot created; or
- The applicant may obtain a valuation not less than one month old by a registered land valuer, of the subject land, less one of the proposed lots. The Public Open Space Rate shall total 5% of that value.

### **5 Sealing of Final Plans**

All conditions must be complied with prior to sealing of the final plan of survey. Council may, at the developer's request, accept a bond or bank guarantee, for particular works or maintenance, to enable early seal and release of the final plan of survey.

## **MINUTE NO. 22/201**

### DECISION

Deputy Mayor Goss/Cr Polley

That land at 26-28 Charles Street & 14 Saundridge Road, Cressy be approved to be developed and used for a Subdivision of 2 lots into 3 lots (Bushfire Prone Area, Vary Building Envelope (existing dwelling on Lot 1)) in accordance with application PLN-22-0082, and subject to the following conditions:

#### **1 Layout not altered**

The use and development must be in accordance with the endorsed plans numbered **P1** (*Subdivision & Services Plan, D.J. McCulloch Surveying, Job No: 1798-2208, Plan No: 0822-01 DA R2, Dated: 17/05/2022*); and **D1** (*Cover Letter, D.J. McCulloch Surveying, Dated: 4 May 2022*); and **D2** (*Bushfire Report, Charles Arnold BFP-150, Dated: 22 May 2022 V1*).

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##### 2.1 Stormwater

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

The drainage easement over lot 1 shall be a private easement in favour of lot 2.

The stormwater connection for lot 2 must be installed from the kerb and channel to beyond the rear boundary of lot 1 and must be class PN16 pipe or equivalent.

##### 2.2 Access (Urban)

- A concrete driveway crossover and apron must be constructed from the edge of Charles Street/Saundridge 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.

##### 2.3 As constructed information

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

##### 2.4 Municipal standards & certification of works

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



#### 2.5 Works in 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.

#### 2.6 Separation of hydraulic services

- a) All existing pipes and connections must be located.
- b) Where required, pipes are to be rerouted to provide an independent system for each lot.
- c) Certification must be provided that services have been separated between the lots.

#### 2.7 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.

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

#### 2.9 Nature strips

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

#### 2.10 Footpath Construction

A concrete footpath must be constructed for the frontage of 26-28 Charles St in accordance with Council's standards.

### **3 TasWater conditions**

Sewer and water services shall be provided in accordance with TasWater's Planning Authority Notice (reference number TWDA 2022/00793-NMC) – *Appendix A*.

### **4 Public Open Space Contribution**

A contribution must be paid towards the cost of providing public open space infrastructure in accordance with Council policy:

- \$1,400 per additional lot created; or
- The applicant may obtain a valuation not less than one month old by a registered land valuer, of the subject land, less one of the proposed lots. The Public Open Space Rate shall total 5% of that value.

### **5 Sealing of Final Plans**

All conditions must be complied with prior to sealing of the final plan of survey. Council may, at the developer's request, accept a bond or bank guarantee, for particular works or maintenance, to enable early seal and release of the final plan of survey.

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil



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

*File:* 102900.12; PLN21-0339  
*Responsible Officer:* Des Jennings, General Manager  
*Report prepared by:* Paul Godier, Senior Planner

#### 1 INTRODUCTION

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

#### 2 BACKGROUND

**Applicant:**

Wilkin Design

**Owner:**

JID Constructions Pty Ltd

**Zone:**

General Residential

**Codes:**

Carparking and Sustainable Transport Code

**Classification under the Scheme:**

Residential (Communal Residence)

**Existing Use:**

Residential (Single Dwelling)

**Deemed Approval Date:**

1 July 2022

**Recommendation:**

Refuse

**Discretionary Aspects of the Application:**

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

**Planning Instrument:**

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

**Preliminary Discussion**

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

**Image 1: Subject Site**



#### 3 STATUTORY REQUIREMENTS

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



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

## 4 ASSESSMENT

### 4.1 Proposal

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

**Image 2: Site Plan**

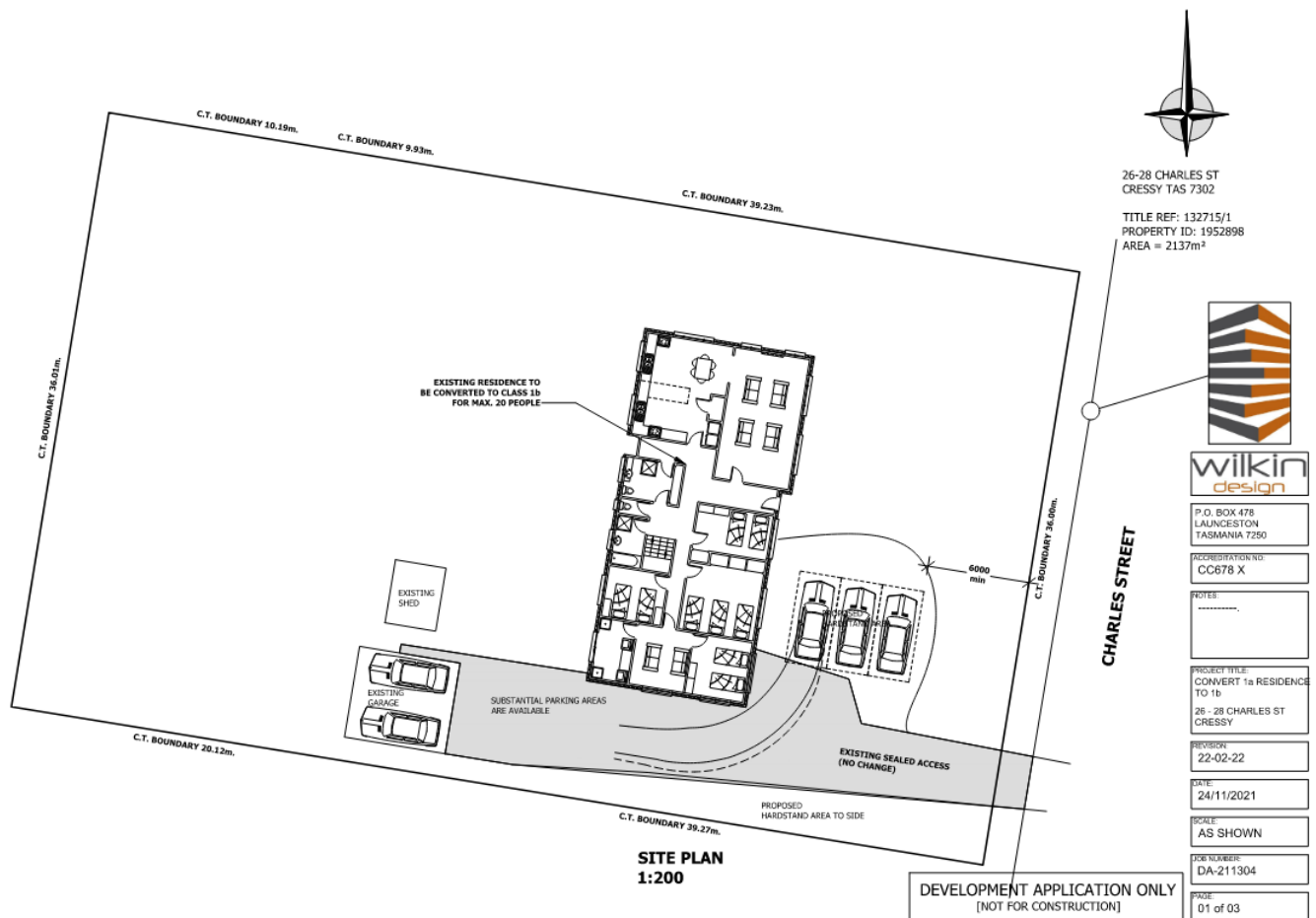
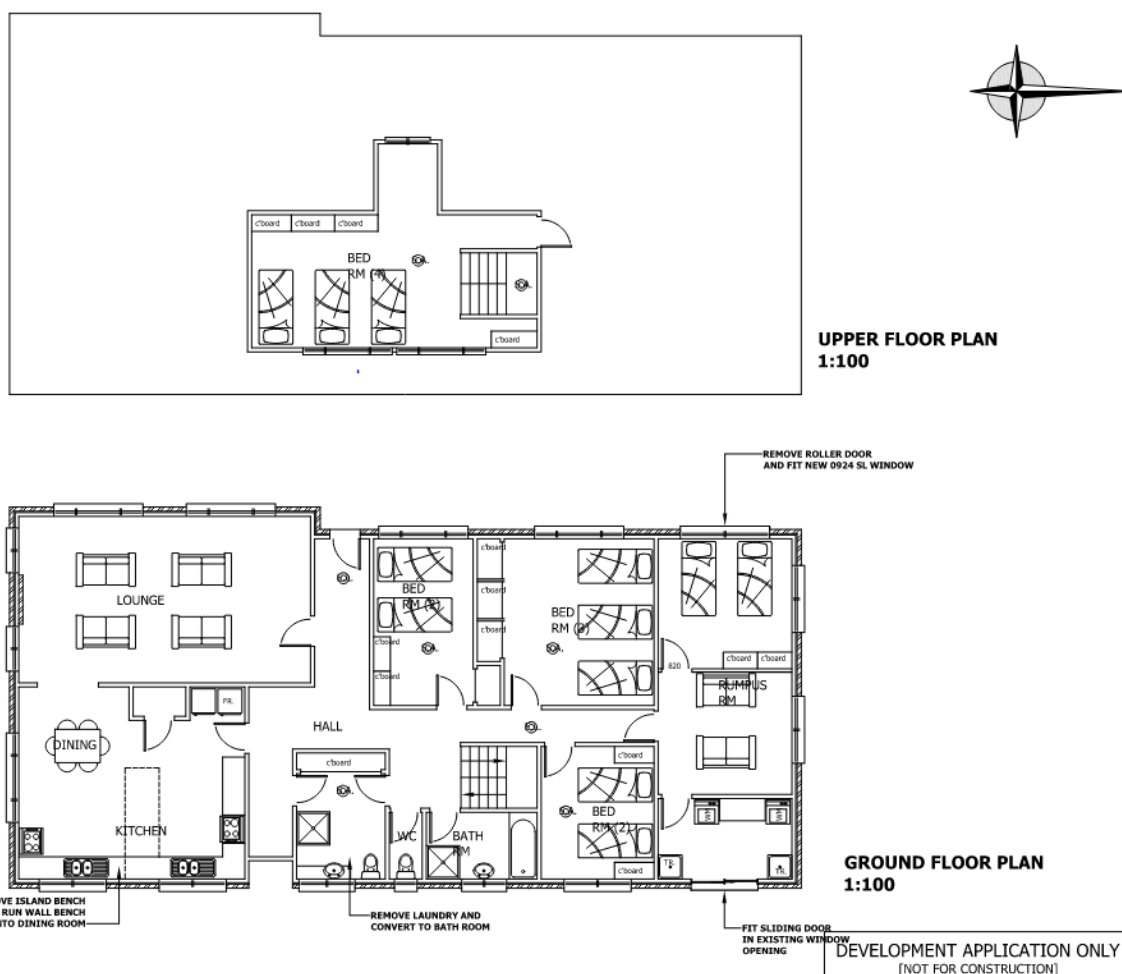


Image 3: Floor Plan



wilkin  
design

P.O. BOX 478  
LAUNCESTON  
TASMANIA 7250

ACCREDITATION NO:  
CC678 X

NOTES:

PROJECT TITLE:  
CONVERT 1<sup>st</sup> RESIDENCE  
TO 1b  
26 - 28 CHARLES ST  
CRESSY

REVISION:

DATE:  
24/11/2021

SCALE:  
AS SHOWN

JOB NUMBER:  
DA-211304

PAGE:  
02 of 03

## 4.2 Zone and Land Use

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

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

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

## 4.3 Subject Site and Locality

The author of this report carried out a site visit on the 31<sup>st</sup> of March 2022. The site contains a single dwelling on a lot of 2137m<sup>2</sup>. Surrounding land contains single dwellings.





**Image 4: Aerial photograph of area**







*Image 5: Photograph of subject site*



*Image 6: Photograph of subject site*



#### **4.4 Permit/Site History**

There is no relevant permit or site history.

#### **4.5 Referrals**

No referrals were required.





#### 4.6 Planning Scheme Assessment

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

##### 10.3.1 Amenity

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



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

### 10.3.2 Residential Character – Discretionary Uses

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

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

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

There are no outbuildings or ancillary dwellings proposed.

#### 10.4.12 Site Services for multiple dwellings

Not applicable

#### 10.4.13.1 Streetscape integration and appearance

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

#### 10.4.13.2 Site coverage

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

#### 10.4.13.3 Building Height

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



#### 10.4.13.4 Frontage setbacks

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

#### 10.4.13.5 Rear and Side Setbacks

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

#### 10.4.13.6 Location of Car Parking

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

#### 10.4.13.7 Overlooking

Objective To minimise: a) overlooking into private open space and habitable room windows to provide a reasonable degree of privacy to the residents of the adjoining and the subject sites; and b) any adverse impact on the amenity of the adjoining and the subject site.	
Acceptable Solutions	Performance Criteria
A1.1 A habitable room window, balcony, terrace, deck or patio (other than for dwellings) with a direct view into a habitable room window or private open space of dwellings within a horizontal distance of 9m (measured at finished ground level) of the window, balcony, terrace, deck or patio must be: a) offset a minimum of 1.5m from the edge of one window to the edge of the other; or b) have sill heights of at least 1.7m above floor level; or c) have fixed, obscure glazing in any part of the window below 1.7m above floor level; or	P1 Buildings (other than dwellings) must be designed to minimise the potential for loss of amenity caused by overlooking of adjacent dwellings having regard to the: a) setback of the existing and proposed building; and b) location of windows and private open spaces areas within the development and the adjoining sites; and



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

#### 10.4.13.8 Landscaping

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

#### 10.4.13.9 Common Property

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

#### 10.4.14 Non Residential Development

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

#### 10.4.15 Subdivision

Clauses 10.4.15.1-10.4.15.7 apply only to subdivision.

CODES	
E1.0 BUSHFIRE PRONE AREAS CODE	N/a
E2.0 POTENTIALLY CONTAMINATED LAND	N/a



E3.0	LANDSLIP CODE	N/a
E4.0	ROAD AND RAILWAY ASSETS CODE	Complies. See code assessment below.
E5.0	FLOOD PRONE AREAS CODE	N/a
E6.0	CAR PARKING AND SUSTAINABLE TRANSPORT CODE	Complies. See code assessment below.
E7.0	SCENIC MANAGEMENT CODE	N/a
E8.0	BIODIVERSITY CODE	N/a
E9.0	WATER QUALITY CODE	N/a
E10.0	RECREATION AND OPEN SPACE CODE	N/a
E11.0	ENVIRONMENTAL IMPACTS & ATTENUATION CODE	N/a
E12.0	AIRPORTS IMPACT MANAGEMENT CODE	N/a
E13.0	LOCAL HISTORIC HERITAGE CODE	N/a
E14.0	COASTAL CODE	N/a
E15.0	SIGNS CODE	N/a

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

**E4.6 Use Standards**

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

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



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

#### E4.7 Development Standards

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

<b>Objective</b> 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: <ul style="list-style-type: none"> <li>a) ensure the safe and efficient operation of roads and railways; and</li> <li>b) allow for future road and rail widening, realignment and upgrading; and</li> <li>c) avoid undesirable interaction between roads and railways and other use or development.</li> </ul>	
Acceptable Solutions	Performance Criteria
A1 The following must be at least 50m from a railway, a future road or railway, and a category 1 or 2 road in an area subject to a speed limit of more than 60km/h: <ul style="list-style-type: none"> <li>a) new road works, buildings, additions and extensions, earthworks and landscaping works; and</li> <li>b) building areas on new lots; and</li> <li>c) outdoor sitting, entertainment and children's play areas</li> </ul>	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: <ul style="list-style-type: none"> <li>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</li> <li>b) mitigate significant transport-related environmental impacts, including noise, air pollution and vibrations in accordance with a report from a suitably qualified person; and</li> <li>c) ensure that additions or extensions of buildings will not reduce the existing setback to the road, railway or future road or railway; and</li> <li>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.</li> </ul>
N/a	N/a

##### 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.
Complies.	N/a
A2 For roads with a speed limit of more than 60km/h the development must not include a new access or junction.	P2 For limited access roads and roads with a speed limit of more than 60km/h: <ul style="list-style-type: none"> <li>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</li> <li>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</li> </ul>





	c) an access or junction which is increased in use or is a new access or junction must be designed and located to maintain an adequate level of safety and efficiency for all road users.
N/a	N/a

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

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

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

<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 AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia; or c) If the access is a temporary access, the written consent of the relevant authority has been obtained.	P1 The design, layout and location of an access, junction or rail level crossing must provide adequate sight distances to ensure the safe movement of vehicles.
Complies.	N/a

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

#### E6.6 Use Standards

##### E6.6.1 Car Parking Numbers

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



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

#### E6.6.2 Bicycle Parking Numbers

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

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

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

#### E6.6.4 Motorbike Parking Provisions

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

#### E6.7 Development Standards

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

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

##### E6.7.2 Design and Layout of Car Parking

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



c)	have a width of vehicular access no less than prescribed in Table E6.2 and Table E6.3, and	reversing from the site would not adversely affect the safety and convenience of users and passing traffic.
A2.2	The layout of car spaces and access ways must be designed in accordance with Australian Standards AS 2890.1 - 2004 Parking Facilities, Part 1: Off Road Car Parking.	
Complies.		N/a

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

<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>
1 to 5	3.0m	Every 30m

### E6.7.3 Car Parking Access, Safety and Security

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

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

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

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

Objective: To ensure adequate access for people and goods delivery and collection and to prevent loss of amenity and adverse impacts on traffic flows.			
Acceptable Solutions		Performance Criteria	
A1	For retail, commercial, industrial, service industry or warehouse or storage uses:	P1	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	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) 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.	
N/a	N/a

## E6.8 Provisions for Sustainable Transport

### E6.8.1 Bicycle End of Trip Facilities

Not used in this planning scheme

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

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

### E6.8.5 Pedestrian Walkways

Objective: To ensure pedestrian safety is considered in development	
Acceptable Solution	Performance Criteria
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.
<p>Comment:</p> <p>A1 – The proposal does not require separate pedestrian access.</p> <p>The proposal complies with the provisions of A1.</p>	

**Table E6.5: Pedestrian Access**

Number of Parking Spaces Required	Pedestrian Facility
1–10	No separate access required (i.e. pedestrians may share the driveway). [Note (a) applies].



11 or more	A 1m wide footpath separated from the driveway and parking aisles except at crossing points. [Notes (a) and (b) apply].
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**Notes**

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

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

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

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

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

**4.7 Representations**

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

- Jason Cox, 7 Murfett St, Cressy
- Rebecca & James Lees, 19 Charles St Cressy
- Andrew McCullagh, address not provided



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

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

## 5 FINANCIAL IMPLICATIONS TO COUNCIL

There are no financial implications to Council.

## 6 OPTIONS

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

## 7 DISCUSSION

### Amenity

The proposal does not comply with clause 10.3.1 P1:

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

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

***environmental nuisance means –***

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

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

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

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





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

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

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

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

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

### **Car parking**

The proposal does not comply with the performance.

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

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

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

### **Seasonal Worker Programme Approved Employer Guidelines**

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

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

	Requirement of the Seasonal Worker Programme Approved Employer Guidelines
1	<i>Accommodation must be fit for immediate occupation and use. This means no building or appliance defects, outstanding maintenance work or health and safety issues.</i>
2	<i>Accommodation must comply with relevant state, territory and local government rules (such as fire safety).</i>
3	<i>Although minor repairs will not preclude use, there must be an effective system in place to ensure faults are identified and repaired in a timely manner.</i>
4	<i>Accommodation must be clean, sanitary and tidy at the time of arrival of Seasonal Workers.</i>
5	<i>Water supply, including hot water, must be available continuously, and be adequate and safe for drinking, cooking, bathing and washing.</i>
6	<i>Seasonal Workers must be provided with adequate facilities to store food safely, cook and eat while in their accommodation. Kitchen and dining facilities must be adequate for the number of Seasonal Workers. Makeshift kitchens are not acceptable. They must always be either inside or under cover.</i>
7	<i>Unless cleaning is provided as part of the accommodation charge, it is the responsibility of each Seasonal Worker to keep facilities in a clean and sanitary condition. It is the responsibility of the Approved Employer or the accommodation facility, where relevant, to make sure the standards are respected and to provide adequate cleaning, disinfection and pest control when necessary.</i>
8	<i>Where Seasonal Workers fail to comply with cleaning instructions and, as a result, cleaning, disinfection and / or pest control is necessary for safe habitation, the Approved Employer may pass these costs on to the Seasonal Workers through deductions,</i>



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

## 8 ATTACHMENTS

1. Application Form Description of Proposal [15.3.1 - 1 page]
2. Submission Wilkin Design November 2021 [15.3.2 - 1 page]
3. Proposal Plans 20 Occupants Wilkin Design [15.3.3 - 4 pages]
4. Folio Plan [15.3.4 - 1 page]
5. Request for Further Information and Response [15.3.5 - 2 pages]
6. Correspondence with Applicant [15.3.6 - 1 page]
7. Representations [15.3.7 - 52 pages]
8. Email from Capital Innovation Insurance Group Pty Ltd [15.3.8 - 1 page]
9. Letter to NMC [15.3.9 - 2 pages]
10. P D 22 29157 26-28 CHARLES S T, CRESSY Tas Water Submission to Planning Authority Notice - Condit [15.3.10 - 2 pages]



## RECOMMENDATION

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

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

## MINUTE NO. 22/202

### DECISION

Deputy Mayor Goss/Cr Polley

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

1. The proposal does not comply with clause 10.3.1 P1 which states that *The use must not cause or be likely to cause an environmental nuisance through emissions including noise and traffic movement, smoke, odour, dust and illumination.*  
The application states that '... pickers **always**, use a bus to go back and forward to work...'.  
Numerous representations have raised concern with noise from buses, stating that 'the bus stopping and starting so early in the morning will incur additional noise'.  
The site is in a quiet residential street. It is likely that the introduction of buses will cause an environmental nuisance through noise and traffic movements.
2. The proposal does not comply with clause 10.3.1 P1 which states that *The use must not cause or be likely to cause an environmental nuisance through emissions including noise and traffic movement, smoke, odour, dust and illumination.*  
Representations have raised concerns with noise that will be created by the occupants.  
It is therefore considered likely that the proposed use will cause an environmental nuisance through the emission of noise.
3. The proposal does not comply with the performance criteria at clause E6.7.2 P1 as of the 5 spaces required the 3 spaces forward of the building line will be detrimental to the streetscape as they will be readily visible from the road, and car parking in the vicinity is generally behind the building line.
4. The proposal will generate more than 40 vehicle and entry movements per day contrary to clause E4.6.1 A1 and will not maintain an acceptable level of safety for all road users, contrary to clause E4.363.0 P2.

Carried



Voting for the Motion:

Deputy Mayor Goss, Cr Adams, Cr Brooks, Cr Davis, Cr Lambert and Cr Polley

Voting Against the Motion:

Mayor Knowles

*Cr Goninon returned to the meeting at 7.18pm.*



## 15.4 PLN22-0055: LONGFORD RACECOURSE, ANSTEY STREET, LONGFORD - SHED

File: 100400.06

Responsible Officer: Des Jennings, General Manager

Report prepared by: Rebecca Green, Planning Consultant

### 1 INTRODUCTION

This report assesses an application for Anstey Street (Longford Racecourse PID 2853277), Longford to construct a 20m x 10m Shed including office, lunchroom and bitumen Apron (vary western side setback, Heritage Listed).

### 2 BACKGROUND

**Applicant:**

Woolcott Surveys

**Zone:**

Recreation Zone

**Owner:**

The Crown

**Codes:**

Car Parking and Sustainable Transport Code

Biodiversity Code

Local Historic Heritage Code

**Classification under the Scheme:**

Sports and Recreation

**Existing Use:**

Sports and Recreation

**Deemed Approval Date:**

1 July 2022

**Recommendation:**

Approve

**Discretionary Aspects of the Application:**

- Variation to development standard (vary western side setback);
- Heritage Listed.

**Planning Instrument:**

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

**Preliminary Discussion**

- There was no preliminary discussion with the applicant, and no request for further information.

**Subject Site from Anstey Street**



### 3 STATUTORY REQUIREMENTS

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

Section 48 of the *Land Use Planning & Approvals Act 1993* requires the Planning Authority to observe and enforce the observance of the Planning Scheme. Section 51 of the *Land Use Planning & Approvals Act 1993* states that a person must not commence any use or development where a permit is required without such permit.

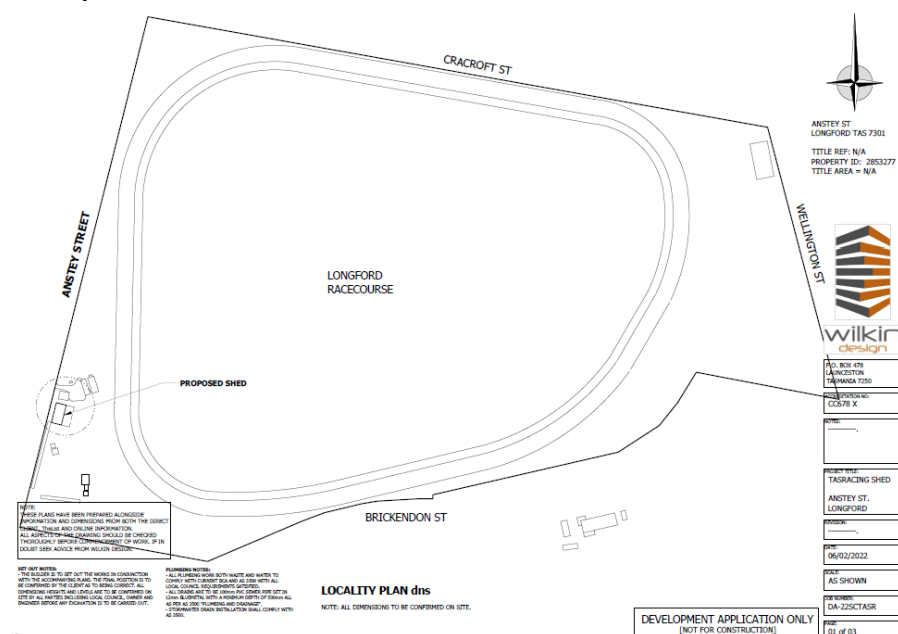
## 4 ASSESSMENT

## 4.1 Proposal

It is proposed to:

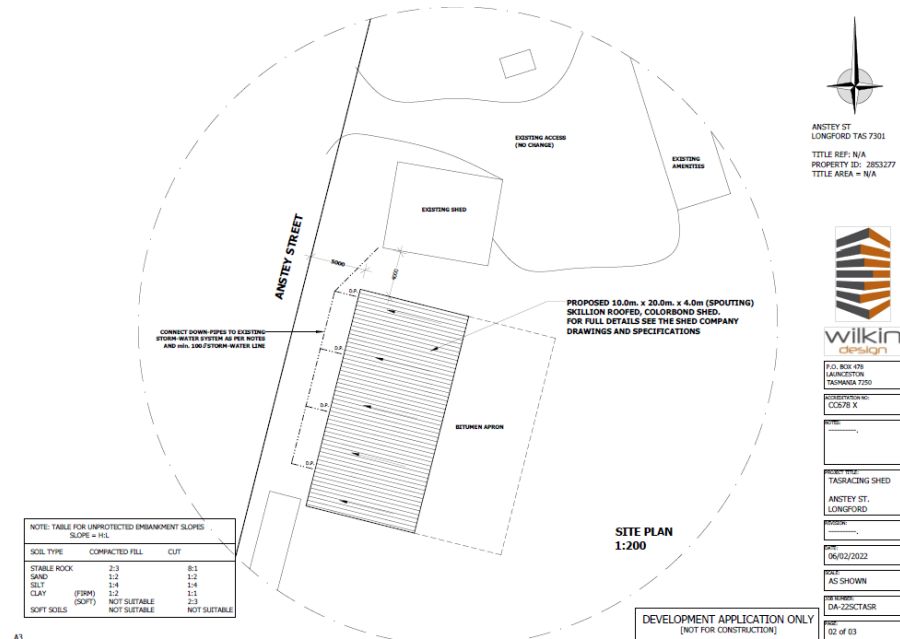
- Construct a 20m x 10m Shed including office, lunchroom and bitumen apron (vary western side setback, Heritage Listed).

### Locality Plan

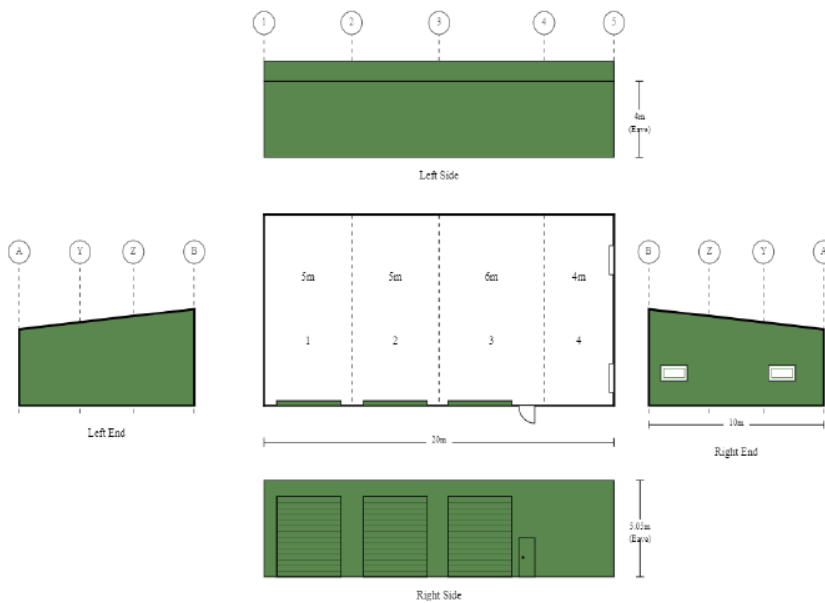




## Site Plan



## Elevations

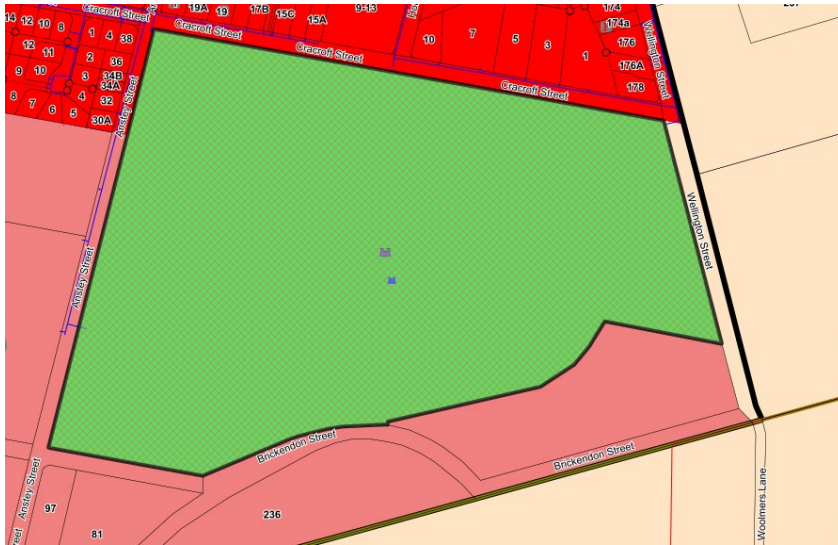






#### 4.2 Zone and Land Use

##### Zone Map – Recreation Zone



The land is zoned Recreation and is subject to the priority habitat overlay.

The relevant Planning Scheme definition is:

<i>Sports and recreation</i>	<i>use of land for organised or competitive recreation or sporting purposes including associated clubrooms. Examples include a bowling alley, fitness centre, firing range, golf course or driving range, gymnasium, outdoor recreation facility, public swimming pool, race course and sports ground.</i>
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Sports and Recreation is Permitted in the zone. As the proposal relies upon assessment against at least one performance criteria, the application has a discretionary status.

#### 4.3 Subject Site and Locality

A site inspection was undertaken on 12<sup>th</sup> April 2022. The site contains the Longford Racecourse and is surrounded by residential development of predominantly single dwellings to the north and west. Larger rural residential allotments adjoin the site to the east and south.

##### Aerial photograph of area



#### 4.4 Permit/Site History

Relevant permit history includes:

- 111/83 – Stables & Amenities
- 143/89 – Stables
- 52/70 – Jockey's Toilets
- 56/84 – Stable Addition
- 76/73 – Horse Stalls (x 21)
- P08-331 – Horse Swab Box
- P11-025-06 – Place of Assembly/Occupancy Permit
- P13-141 – Track lighting at Longford Racecourse
- PLN21-0336 – Alterations to track arrangements

#### 4.5 Representations

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

- Linda Hay, property owner of 13 Horne Street and 9-13 Cracroft Street, Longford.

**Map showing location of representor's properties in relation to subject site**



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

#### Issue 1

- Questions the proposed shed position on the course. The shed will hinder the aesthetic view to the current Grandstand and also hinder future development of horse stalls.





Planner's comment:

The proponent in consultation with their client Tasracing has advised that the location and size of the shed will not impact on training operations. The shed location allows vehicles and machinery access from Anstey Street without impacting where horses will be stabled or walking to training tracks. The shed allows for plant and equipment to be securely stored, which presently would be unsecured in the middle of the racecourse.

The view of the Grandstand from the site entry off Anstey Street is maintained. The Grandstand does not presently benefit from an uninterrupted view from Anstey Street to the south, and the proposed shed will not impact detrimentally on the streetscape view. The stables and existing smaller maintenance shed conceal the Grandstand from being viewed in its entirety from the street, the new shed will not therefore be of consequence to this view, as can be seen by current site photographs, below.

***Photographs of subject site***





Heritage professionals have reviewed the proposal and raise no concerns. The shed is not within a Heritage Precinct and the shed location is not on land which is a local heritage place, as the shed is outside of the boundaries of the Tasmanian Heritage Councils Central Plan Register for the site.

### Issue 2

- The proposed shed location is not in accordance with the recently prepared plans as outlined in the Tasracing and Northern Midlands Council Masterplan released on the 1<sup>st</sup> November 2021

### Planner's comment:

The site maintenance sheds (by 2) on the Preliminary Masterplan are existing. Whilst the Preliminary Masterplan does not provide provision of future maintenance sheds, the proposed shed is adjacent to one of the existing on-site maintenance sheds. Whilst the Masterplan is a strategic document, it is not a statutory one in relation to the Planning Scheme. The Masterplan has no bearing or relevance on a planning application under the Planning Scheme. The Masterplan is also not yet to have been endorsed by the Council. Tasracing has carefully considered the comments raised, but their view remains that the proposed location is suitable and would support the future of the Longford Racecourse.

## 4.6 Referrals

### **Heritage Adviser**

Council's Heritage Advisor, David Denman, reviewed the application on 5 May 2022. Mr. Denman noted that he had no objections to the proposal and his comments form the Heritage Code assessment of this report.

*"The shed will not detract from the historic heritage values of the site as it will be a practical part of the site operations and blend with the adjoining structures.*

*There will be no adverse visual impact on the streetscape."*

### **Tasmanian Heritage Council**

As the property is on the Register of the Tasmanian Heritage Council, the proposal was referred. A Notice of (No) Interest was issued on 11 April 2022 (THC Ref: 6864).

## 4.7 Planning Scheme Assessment

### **RECREATION ZONE**

#### **18.3 Use Standards**

##### **18.3.1 Amenity**

Objective To ensure that uses do not adversely impact upon the occupiers of adjoining and nearby residential uses.	
Acceptable Solutions	Performance Criteria
A1 Operating hours must be between: a) 8.00 am and 10.00 pm where adjoining residential use; and b) 6.00 am and 12.00 am midnight where not adjoining residential use.	P1 The amenity of residential uses within the surrounding area must not be unduly impacted upon by operating hours and vehicle movements.



Objective To ensure that uses do not adversely impact upon the occupiers of adjoining and nearby residential uses.	
Acceptable Solutions	Performance Criteria
N/a – existing use	N/a
A2.1 The proposal must not include flood lighting where it adjoins the General residential, Low density residential, Rural living or Village zone; and A2.2 External security lighting must be contained within the boundaries of the site.	P2 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.
A2.1 Not applicable to the location of the proposed development. A2.2 Condition required.	N/a
A3 If for permitted or no permit required uses.	P3 Discretionary uses must not cause or be likely to cause an environmental nuisance through emissions including noise, smoke, odour and dust.
Complies.	N/a

### 18.3.2 Recreation Zone Character

Objective To ensure that discretionary uses are of an appropriate scale and type for the zone, and to support 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 in locations that are not visible from the road or public land.	P1 No performance criteria.
N/a	N/a
A2 Goods or materials storage for discretionary uses must not be outside in locations visible from adjacent properties, the road or public land.	P2 Storage of materials or equipment is consistent with the local area objectives for visual character, if any.
N/a	N/a

### 18.4 Development Standards

#### 18.4.1 Building Design and Siting

Objective To ensure that the design and siting of buildings: a) conserves the recreation character of the area: and b) minimise disturbance to adjoining uses.	
Acceptable Solutions	Performance Criteria
A1 Building height must not exceed 7m.	P1 Building height must: a) not be a dominant feature in the streetscape or landscape when viewed from a road; and b) protect the amenity of adjoining dwellings from unreasonable impacts of overshadowing and overlooking.
Complies.	N/a
A2 Buildings must be set back 10m from all boundaries.	P2 Building setbacks must: a) protect the amenity of adjoining dwellings from unreasonable impacts of overshadowing and overlooking; and b) conserve the recreation values of the area, having regard to existing uses and developments on the site and in the area.
Does not comply.	Satisfies the performance criteria. The building will have no impact on the amenity of adjoining dwellings from any impact of overshadowing and overlooking. The use of the Longford Racecourse will be maintained and enhanced by the proposed development and will not impact on training operations. The shed location will allow for vehicle and machinery access from Anstey Street without impacting where horses are stabled, or walking to training tracks. The recreation values of the area will be maintained, with potential safety issues improving due maintenance being undertaken within the shed, and not outside in the view of horses. The view of the Grandstand will be maintained from



	the Anstey Street entrance.
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#### 18.4.2 Landscaping

<b>Objective</b>	
To ensure that the recreation values of the site are retained in a manner that contributes to the broader landscape of the area.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
A1 If for permitted or no permit required uses.	<p>P1 Applications must demonstrate how the recreation and landscape values of the site and area will be managed by a landscape and site management plan that sets out:</p> <ul style="list-style-type: none"> <li>a) any retaining walls; and</li> <li>b) retention of any existing native vegetation where it is feasible to do so or required to be retained by another provision of this scheme; and</li> <li>c) the locations of any proposed buildings, driveways, car parking, storage areas, signage and utility services; and</li> <li>d) any fencing; and</li> <li>e) vegetation plantings to be used and where; and</li> <li>f) any pedestrian movement paths; and</li> <li>g) ongoing treatment of the balance of the lot, if any, including maintenance of plantings, weed management and soil and water management.</li> </ul>
Complies.	N/a

CODES		
E1.0	BUSHFIRE PRONE AREAS CODE	N/a
E2.0	POTENTIALLY CONTAMINATED LAND	N/a
E3.0	LANDSLIP CODE	N/a
E4.0	ROAD AND RAILWAY ASSETS CODE	N/a
E5.0	FLOOD PRONE AREAS CODE	N/a
E6.0	CAR PARKING AND SUSTAINABLE TRANSPORT CODE	Complies – no change to parking requirement.
E7.0	SCENIC MANAGEMENT CODE	N/a
E8.0	BIODIVERSITY CODE	Complies, no vegetation removal required, location of development in cleared area.
E9.0	WATER QUALITY CODE	N/a
E10.0	RECREATION AND OPEN SPACE CODE	N/a
E11.0	ENVIRONMENTAL IMPACTS & ATTENUATION CODE	N/a
E12.0	AIRPORTS IMPACT MANAGEMENT CODE	N/a
E13.0	LOCAL HISTORIC HERITAGE CODE	Complies – See code assessment below
E14.0	COASTAL CODE	N/a
E15.0	SIGNS CODE	N/a

#### ASSESSMENT AGAINST E13.0 LOCAL HISTORIC HERITAGE CODE

##### E13.5 USE STANDARDS

##### E13.5.1 Alternative Use of heritage buildings

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

Comment: Not applicable (no change of use).



**E13.6 DEVELOPMENT STANDARDS**

**E13.6.1 Demolition**

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

Comment: Not applicable.

**E13.6.2 Subdivision and development density**

<i>Objective: To ensure that subdivision and development density does not impact on the historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts.</i>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
A1 No acceptable solution.	<p>P1 Subdivision must:</p> <ul style="list-style-type: none"> <li>a) be consistent with and reflect the historic development pattern of the precinct or area; and</li> <li>b) not facilitate buildings or a building pattern unsympathetic to the character or layout of buildings and lots in the area; and</li> <li>c) not result in the separation of building or structures from their original context where this leads to a loss of historic heritage significance; and</li> <li>d) not require the removal of vegetation, significant trees or garden settings where this is assessed as detrimental to conserving the historic heritage significance of a place or heritage precinct; and</li> <li>e) not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.</li> </ul>

Comment: Not applicable.

**E13.6.3 Site Cover**

<i>Objective: To ensure that site coverage is consistent with historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts, if any.</i>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
A1 Site coverage must be in accordance with the acceptable development criterion for site coverage within a precinct identified in Table E13.1: Heritage Precincts, if any.	<p>P1 The site coverage must:</p> <ul style="list-style-type: none"> <li>a) be appropriate to maintaining the character and appearance of the building or place, and the appearance of adjacent buildings and the area; and</li> <li>b) not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.</li> </ul>

Comment: Satisfies the performance criteria.

**E13.6.4 Height and Bulk of Buildings**

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





	P1.3 The height and bulk of any proposed buildings must not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.
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Comment: Satisfies the performance criteria.

#### **E13.6.5 Fences**

<i>Objective: To ensure that fences are designed to be sympathetic to, and not detract from the historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts.</i>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
A1 New fences must be in accordance with the acceptable development criteria for fence type and materials within a precinct identified in Table E13.1: Heritage Precincts, if any.	<p>P1 New fences must:</p> <ul style="list-style-type: none"> <li>a) be designed to be complementary to the architectural style of the dominant buildings on the site or</li> <li>b) be consistent with the dominant fencing style in the heritage precinct; and</li> <li>c) not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.</li> </ul>

Comment: Not applicable.

#### **E13.6.6 Roof Form and Materials**

<i>Objective: To ensure that roof form and materials are designed to be sympathetic to, and not detract from the historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts.</i>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
A1 Roof form and materials must be in accordance with the acceptable development criteria for roof form and materials within a precinct identified in Table E13.1: Heritage Precincts, if any.	<p>P1 Roof form and materials for new buildings and structures must:</p> <ul style="list-style-type: none"> <li>a) be sympathetic to the historic heritage significance, design and period of construction of the dominant existing buildings on the site; and</li> <li>b) not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.</li> </ul>

Comment: Satisfies the performance criteria.

#### **E13.6.7 Wall materials**

<i>Objective: To ensure that wall materials are designed to be sympathetic to, and not detract from the historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts.</i>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
A1 Wall materials must be in accordance with the acceptable development criteria for wall materials within a precinct identified in Table E13.1: Heritage Precincts, if any.	<p>P1 Wall material for new buildings and structures must:</p> <ul style="list-style-type: none"> <li>a) be complementary to wall materials of the dominant buildings on the site or in the precinct; and</li> <li>b) not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.</li> </ul>

Comment: Satisfies the performance criteria.

#### **E13.6.8 Siting of Buildings and Structures**

<i>Objective: To ensure that the siting of buildings, does not detract from the historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts.</i>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
A1 New buildings and structures must be in accordance with the acceptable development criteria for setbacks of buildings and structures to the road within a precinct identified in Table E13.1: Heritage Precincts, if any.	<p>P1 The front setback for new buildings or structure must:</p> <ul style="list-style-type: none"> <li>a) be consistent with the setback of surrounding buildings; and</li> <li>b) be set at a distance that does not detract from the historic heritage significance of the place; and</li> <li>c) not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.</li> </ul>

Comment: Satisfies the performance criteria.

#### **E13.6.9 Outbuildings and Structures**

<i>Objective: To ensure that the siting of outbuildings and structures does not detract from the historic heritage significance of local heritage places and the ability to achieve management objectives within identified heritage precincts.</i>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>



A1	Outbuildings and structures must be:	P1	New outbuildings and structures must be designed and located;
a)	set back an equal or greater distance from the principal frontage than the principal buildings on the site; and	a)	to be subservient to the primary buildings on the site; and
b)	in accordance with the acceptable development criteria for roof form, wall material and site coverage within a precinct identified in Table E13.1: Heritage Precincts, if any.	b)	to not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.

Comment: Satisfies the performance criteria.

#### **E13.6.10 Access Strips and Parking**

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

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

Comment: Not applicable.

#### **E13.6.11 Places of Archaeological Significance**

*Objective: To ensure that places identified in Table E13.3 as having archaeological significance are appropriately managed.*

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

Comment: Not applicable.

#### **E13.6.12 Tree and Vegetation Removal**

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

Acceptable Solutions		Performance Criteria	
A1	No acceptable solution.	P1	The removal of vegetation must not:
		a)	unreasonably impact on the historic cultural significance of the place; and
		b)	detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.

Comment: Not applicable.

#### **E13.6.13 Signage**

*Objective: To ensure that signage is appropriate to conserve the historic heritage significance of local heritage places and precincts.*

Acceptable Solutions		Performance Criteria	
A1	Must be a sign identifying the number, use, heritage significance, name or occupation of the owners of the property not greater than 0.2m <sup>2</sup> .	P1	New signs must be of a size and location to ensure that:
		a)	period details, windows, doors and other architectural details are not covered or removed; and
		b)	heritage fabric is not removed or destroyed through attaching signage; and
		c)	the signage does not detract from the setting of a heritage place or does not unreasonably impact on the view of the place from public viewpoints; and
		d)	signage does not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.

Comment: Not applicable.

#### **E13.6.14 Maintenance and Repair**

Objective
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To ensure that maintenance and repair of buildings is undertaken to be sympathetic to, and not detract from the [historic cultural heritage significance](#) of local heritage places and precincts.

**Acceptable Solution**

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

Comment: Not applicable.

**Table E13.1: Local Heritage Precincts**

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

Existing Character Statement - Description and Significance
<p><b>LONGFORD HERITAGE PRECINCT CHARACTER STATEMENT</b></p> <p>The Longford Heritage Precinct is unique because it is the core of an intact nineteenth century townscape, rich with significant structures and the atmosphere of a centre of trade and commerce for the district. Traditional commercial buildings line the main street, flanked by two large public areas containing the Christ Church grounds and the War Memorial. The street then curves gently at Heritage Corner towards Cressy, and links Longford to the surrounding rural farmland, creating views to the surrounding countryside and a gateway to the World Heritage listed Woolmers and Brickendon estates. Heritage residential buildings are tucked behind the main street comprising traditional styles from the mid nineteenth century to the early twentieth century, including significant street trees, picket fences and cottage gardens. The rural township feel is complemented by a mix of businesses serving local needs, tourism and historic interpretation. Longford's heritage ambience has been acknowledged, embraced and built on by many of those who live in or visit the town.</p>
Management Objectives
<p>To ensure that new buildings, additions to existing buildings, and other developments which are within the Heritage Precincts do not adversely impact on the heritage qualities of the streetscape, but contribute positively to the Precinct.</p> <p>To ensure developments within street reservations in the towns and villages having Heritage Precincts do not to adversely impact on the character of the streetscape but contribute positively to the Heritage Precincts in each settlement.</p>

Comment: The proposal is not within the Heritage Precinct.

SPECIFIC AREA PLANS	
F1.0 TRANSLINK SPECIFIC AREA PLAN	N/a
F2.0 HERITAGE PRECINCTS SPECIFIC AREA PLAN	N/a
SPECIAL PROVISIONS	
9.1 Changes to an Existing Non-conforming Use	N/a
9.2 Development for Existing Discretionary Uses	N/a
9.3 Adjustment of a Boundary	N/a
9.4 Demolition	N/a
9.5 Change of Use of a Place listed on the Tasmanian Heritage Register or a heritage place	N/a
9.6 Change of Use	N/a
9.7 Access and Provision of Infrastructure Across Land in Another Zone	N/a
9.8 Buildings Projecting onto Land in a Different Zone	N/a
9.9 Port and Shipping in Proclaimed Wharf Areas	N/a
STATE POLICIES	
The proposal is consistent with all State Policies.	
OBJECTIVES OF LAND USE PLANNING & APPROVALS ACT 1993	
The proposal is consistent with the objectives of the <i>Land Use Planning &amp; Approvals Act 1993</i> .	
STRATEGIC PLAN/ANNUAL PLAN/COUNCIL POLICIES	
<p><b>Strategic Plan 2017-2027</b></p> <ul style="list-style-type: none"> <li>Statutory Planning</li> </ul>	

**5 FINANCIAL IMPLICATIONS TO COUNCIL**

Not applicable to this application.

**6 OPTIONS**

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



## 7 DISCUSSION

Discretion to refuse the application is limited to:

- Variation to development standard (vary western side setback);
- Heritage Listed.

The location and size of the shed was given careful consideration by Tasracing and locating of the shed away from the Grandstand. The shed is to be located outside of the Central Plan Register of the Tasmanian Heritage Council's listing. The Racecourse Masterplan is preliminary at this stage and is not a statutory document which influences the provisions and hence assessment against the Planning Scheme.

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

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

## 8 ATTACHMENTS

1. Proposal documents [15.4.1 - 11 pages]
2. Heritage referral PL N-22-0055 - Anstey St ( Longford Racecourse PID 2853277 ) Longford [15.4.2 - 10 pages]
3. Tasmanian Heritage Council response [15.4.3 - 1 page]
4. Representation - L Hay [15.4.4 - 3 pages]
5. Response to Representation PL N-22-055 [15.4.5 - 3 pages]

## RECOMMENDATION

That land at Anstey Street (Longford Racecourse PID 2853277), Longford be approved to be developed and used for a 20m x 10m Shed including office, lunchroom and bitumen apron (vary western side setback, Heritage Listed) in accordance with application PLN-22-0055, and subject to the following conditions:

### 1 Layout not altered

The use and development must be in accordance with the endorsed plans numbered **P1 – P4** (*Plans prepared by Wilkin Design, Drawing No: DA-22SCTASR, Sheet No's: coverpage and 01-03, Dated: 06/02/2022*); and **P5** (*Longford Racecourse Central Plan Register, Dated: 17 December 2014*); and **P6** (*Shed plans and elevations, The Shed Company Launceston, Dated: 05/02/22*); and **D1** (*Planning Scheme Response, Woolcott Surveys, Dated: 08/02/2022*).

### 2 Lighting

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

## MINUTE NO. 22/203

### DECISION

Deputy Mayor Goss/Cr Davis

That land at Anstey Street (Longford Racecourse PID 2853277), Longford be approved to be developed and used for a 20m x 10m Shed including office, lunchroom and bitumen apron (vary western side setback, Heritage Listed) in accordance with application PLN-22-0055, and subject to the following conditions:

### 1 Layout not altered

The use and development must be in accordance with the endorsed plans numbered **P1 – P4** (*Plans prepared by Wilkin Design, Drawing No: DA-22SCTASR, Sheet No's: coverpage and 01-03, Dated: 06/02/2022*); and **P5** (*Longford Racecourse Central Plan Register, Dated: 17 December 2014*); and **P6** (*Shed plans and elevations, The Shed Company Launceston, Dated: 05/02/22*); and **D1** (*Planning Scheme Response, Woolcott Surveys, Dated: 08/02/2022*).

### 2 Lighting

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

Carried Unanimously



Voting for the Motion:

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

Voting Against the Motion:

Nil



## 15.5 PLN22-0075: 2 WELLINGTON STREET, LONGFORD - ANCILLARY DWELLING

**File:** PLN-22-0075  
**Responsible Officer:** Des Jennings, General Manager  
**Report prepared by:** Ryan Robinson, Planner

### 1 INTRODUCTION

This report assesses an application for 2 Wellington Street, Longford to construct and ancillary dwelling (extend existing non-conforming residential use) (Road & Railway Assets Code, Environmental Impacts & Attenuation Code).

### 2 BACKGROUND

**Applicant:**

6ty° Pty Ltd

**Zone:**

Light Industrial Zone

**Classification under the Scheme:**

Residential (single dwelling)

**Deemed Approval Date:**

1 July 2022

**Owner:**

Director-General of Housing and Construction

**Codes:**

Road & Railway Assets Code

Car Parking and Sustainable Transport Code

Environmental Impacts and Attenuation Code

**Existing Use:**

Residential (single dwelling)

**Recommendation:**

Approve

**Discretionary Aspects of the Application:**

- Reliance upon performance criteria of the Road and Railway Assets Code.
- Reliance upon performance criteria of the Environmental Impacts and Attenuation Code.

**Planning Instrument:**

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

**Subject Site**







### 3 STATUTORY REQUIREMENTS

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

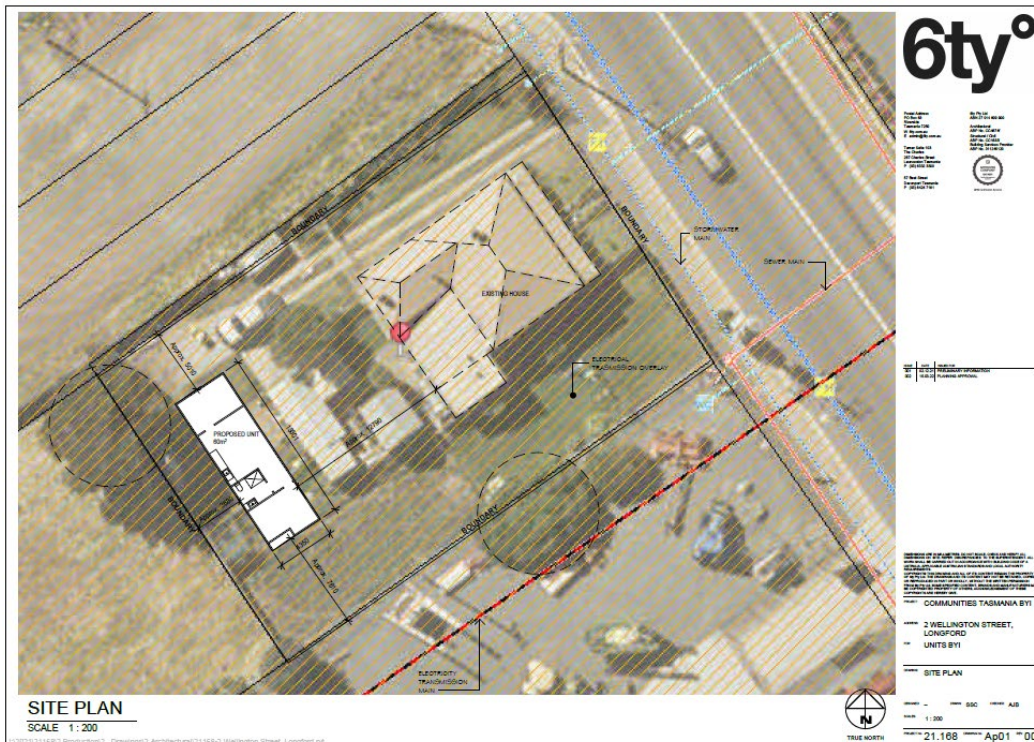
Section 48 of the *Land Use Planning & Approvals Act 1993* requires the Planning Authority to observe and enforce the observance of the Planning Scheme. Section 51 of the *Land Use Planning & Approvals Act 1993* states that a person must not commence any use or development where a permit is required without such permit.

### 4 ASSESSMENT

#### 4.1 Proposal

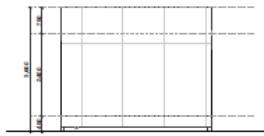
Ancillary Dwelling (extend existing non-conforming residential use) (Road & Railway Assets Code, Environmental Impacts & Attenuation Code).

#### Site Plan

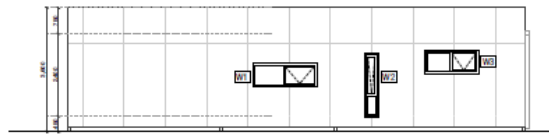




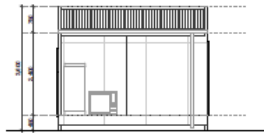
## Elevations



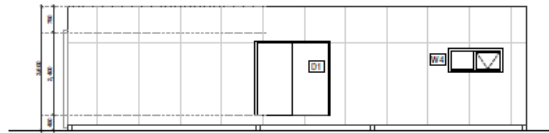
A ELEVATION 1:100



B ELEVATION 1:100



C ELEVATION 1:100



D ELEVATION 1:100

## 4.2 Zone and Land Use

### Zone Map – Light Industrial Zone

The land is within the Light Industrial Zone and is subject to the Road & Railway Assets Code, Car Parking and Sustainable Transport Code, and the Environmental Impacts and Attenuation Code.

The relevant Planning Scheme definitions are:

<i>single dwelling</i>	<i>means a dwelling on a lot on which no other dwelling is situated; or a dwelling and an ancillary dwelling on a lot on which no other dwelling is situated.</i>
<i>ancillary dwelling</i>	<i>means an additional dwelling:</i> <i>a) with a floor area not greater than 60m<sup>2</sup>;</i> <i>b) that is appurtenant to a single dwelling; and</i> <i>c) that shares with that single dwelling access and parking, and water, sewerage, gas, electricity and telecommunications connections and meters.</i>

Residential is Discretionary as per the Special Provision 9.1.

### 9.1 Changes to an Existing Non-conforming Use

*9.1.1 Notwithstanding any other provision of this planning scheme, whether specific or general, the planning authority may at its discretion, approve an application:*

*(a) to bring an existing use of land that does not conform to the scheme into conformity, or greater conformity, with the scheme; or*

*(b) to extend or transfer a non-conforming use and any associated development, from one part of the site to another part of that site; or*

*(c) for a minor development to a non-conforming use, where there is –*

*(a) no detrimental impact on adjoining uses; or*

*(b) the amenity of the locality; and*

*(c) no substantial intensification of the use of any land, building or work,*

*In exercising its discretion, the planning authority may have regard to the purpose and provisions of the zone and any applicable codes.*



#### 4.3 Subject Site and Locality

A site inspection was carried out by Ryan Robinson, Planner on 24<sup>th</sup> May 2022. The site comprises an area of 1027m<sup>2</sup> and accommodates an existing single dwelling and outbuildings. The site is located to the north of the township of Longford just south of the railway corridor.

##### *Aerial photograph of area*



##### *Photographs of subject site*







#### 4.4 Permit/Site History

Relevant permit history includes:

- 74/79 - Garage

#### 4.5 Representations

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

- Deanna Conti, 2A Wellington Street, Longford

**Map showing location of representor's properties (red outline) in relation to subject site (blue outline)**



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

**Issue 1**

- The reduction of boundary setbacks as a result of the development of the proposed ancillary dwelling will potentially constrain suitable Light Industrial development on adjoining properties, particularly 2A Wellington Street, Longford.

**Planner's comment:**

The existing use of land at both the subject site (2 Wellington Street, Longford) and that of the representor (2A Wellington Street, Longford) is Residential. Both properties are located within the Light Industrial Zone; are within 50m of the Western Line Railway; and are within the attenuation distance of the Koppers Wood Products facility (wood preservation) and the JBS Australia facility (abattoir). Both properties adjoin a farm machinery sales yard.

The following points in relation to the proposed boundary setbacks are considered:

1. The ancillary dwelling will be located to the rear of the existing dwelling on the subject site.
2. The proposed ancillary dwelling will have a rear boundary setback to the south-west of 3.68m.
3. \*This boundary adjoins the property containing the representor's dwelling.
4. The existing dwelling has side boundary setbacks to the north-west and south-east of approximately 5.08m and 7.84m respectively.
5. The ancillary dwelling will have side boundary setbacks to the north-west and south-east of 5.01m and 7.61m respectively.
6. The proposed ancillary dwelling development therefore represents a reduction to side boundary setbacks of approximately 1.37% to the north-west, and 2.93% to the south-east.

Clause 24.4.1 A1/P1 of the Light Industrial Zone determines that uses with the potential to cause an adverse impact to the amenity of sensitive uses, must be set back from sensitive uses by at least 100m. The proposed ancillary dwelling will not decrease the minimum setback requirement for such uses, particularly if such development were to occur at 2A Wellington Street, Longford.

Clause 24.5.1 A1/P1 of the Light Industrial Zone determines that development should avoid unreasonable levels of shading to adjoining properties. As the subject site is located to the south of two access strips and the Western Line Railway, it is considered highly unlikely that the relevant land would be developed with a building causing overshadowing of the subject site.



Clause 24.5.1 A3.1 and A3.2 of the Light Industrial Zone require minimum side and rear boundary setbacks of 3m, with which the proposed development complies. Further, the proposed development will not impede the potential for development on adjoining land to achieve the relevant minimum boundary setbacks.

It is considered that the development of the proposed ancillary dwelling will not adversely impact the potential for development for suitable uses on adjacent land within the Light Industrial Zone.

#### 4.6 Referrals

##### Council's Works Department

Council's Works & Infrastructure Department (Jonathan Galbraith) reported on 1 June 2022 that the Department has no comment to make on this application.

##### Department of State Growth

The Department advised on 24 May 2022 that they have no comment to make regarding this application.

##### TasRail (adjoining landowner)

TasRail advised Council on 31 May 2022 that they have no objection to the proposal.

TasRail recommended the installation of a fence along the boundary shared with the state rail network to improve safety. However, the subject site does not share a boundary with the state rail network. It is considered that the existing fence along the north-western boundary of the subject site provides a sufficient physical barrier between the operational railway and the proposed ancillary dwelling.

TasRail also requests the TasRail Standard Notes be included with any permit.

#### 4.7 Planning Scheme Assessment

LIGHT INDUSTRIAL ZONE	
ZONE PURPOSE	
<p><b>24.1.1 Zone Purpose Statements</b></p> <p><b>24.1.1.1</b> To provide for manufacturing, processing, repair, storage and distribution of goods and materials where off-site impacts are minimal or can be managed to minimise conflict or impact on the amenity of any other uses.</p> <p><b>24.1.1.2</b> To focus light industrial use and development into appropriate areas suitable for its needs.</p> <p><b>24.1.1.3</b> To provide for 'non-industrial' uses that either support, supply or facilitate industrial development.</p>	
<b>Assessment:</b> The proposal meets the zone purpose.	
LOCAL AREA OBJECTIVES	
There are no desired local area objectives.	
DESIRED FUTURE CHARACTER STATEMENTS	
There are no desired future character statements.	
USE AND DEVELOPMENT STANDARDS	

#### 24.3 Use Standards

##### 24.3.1 Emissions

<p><b>Objective</b></p> <p>To ensure that emissions to air, land and water are reduced to the greatest extent practicable in consideration of proximity to sensitive uses.</p>	
Acceptable Solutions	Performance Criteria
A1 Use not listed in Table E11.1 Attenuation Distances or E11.2 Attenuation Distance for Sewerage Treatment Plants must be set back from sensitive uses a minimum distance of 100 metres.	P1 The use must not cause or be likely to cause an adverse impact to the amenity of sensitive uses through emissions including noise, smoke, odour, dust and illumination.
Comment: Not applicable.	
A2 All solid waste produced through processing or manufacturing operations on the site must be removed and disposed of:	P2 No performance criteria.
a) by a licensed waste removal operator; or	





b) in accordance with a management plan approved by the Environment Protection Authority.	
Comment: Not applicable.	

## 24.4 Development Standards

### 24.4.1 Building Design and Siting

Objective To ensure that the site and layout, building design and form is visually compatible with surrounding development.	
Acceptable Solutions	Performance Criteria
A1 Building height must not exceed: a) 8m; or b) the average of the heights of buildings on immediately adjoining titles.	P1 Building height must: a) be complementary to the streetscape immediately surrounding the site; and b) avoid unreasonable levels of shading to the road, public places or adjoining properties.
Comment: Complies with A1 (a).	
A2 Buildings must be set back a minimum distance of 15m from a frontage.	P2 Frontage setbacks must be: a) in keeping with or to enhance the streetscape character; and b) consistent with the local area objectives, if any.
Comment: Complies with A2.	
A3.1 Buildings must be set back from side boundaries a minimum distance of 3m; and A3.2 Buildings must be set back from rear boundaries a minimum distance of 3m.	P3 The setback to the side and rear boundary must: a) provide adequate access to the site; and b) not result in unreasonable loss of amenity to adjoining uses having regard to the: i) bulk and form of the building; and ii) impact on the solar access of habitable room windows and private open space; and iii) size and proportions of the lot; and iv) extent to which the slope, retaining walls, fences or existing vegetation screening reduce or increase the impact of the proposed variation.
Comment: Complies with acceptable solution A3.1 & A3.2.	

### 24.4.2 Subdivision

Comment: N/a.

CODES	
E1.0 BUSHFIRE PRONE AREAS CODE	N/a
E2.0 POTENTIALLY CONTAMINATED LAND	N/a
E3.0 LANDSLIP CODE	N/a
E4.0 ROAD AND RAILWAY ASSETS CODE	Complies – See code assessment below
E.5.0 FLOOD PRONE AREAS CODE	N/a
E6.0 CAR PARKING AND SUSTAINABLE TRANSPORT CODE	Complies – no changes
E7.0 SCENIC MANAGEMENT CODE	N/a
E8.0 BIODIVERSITY CODE	N/a
E9.0 WATER QUALITY CODE	N/a
E10.0 RECREATION AND OPEN SPACE CODE	N/a
E11.0 ENVIRONMENTAL IMPACTS & ATTENUATION CODE	Complies – See code assessment below
E12.0 AIRPORTS IMPACT MANAGEMENT CODE	N/a
E13.0 LOCAL HISTORIC HERITAGE CODE	N/a
E14.0 COASTAL CODE	N/a
E15.0 SIGNS CODE	N/a

ASSESSMENT AGAINST E4.0 ROAD AND RAILWAY ASSETS CODE
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## E4.6 Use Standards

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

Objective
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To ensure that the safety and efficiency of road and rail infrastructure is not reduced by the creation of new accesses and junctions or increased use of existing accesses and junctions.	
Acceptable Solutions	Performance Criteria
A1 Sensitive use on or within 50m of a category 1 or 2 road, in an area subject to a speed limit of more than 60km/h, a railway or future road or railway must not result in an increase to the annual average daily traffic (AADT) movements to or from the site by more than 10%.	P1 Sensitive use on or within 50m of a category 1 or 2 road, in an area subject to a speed limit of more than 60km/h, a railway or future road or railway must demonstrate that the safe and efficient operation of the infrastructure will not be detrimentally affected.
N/a	N/a
A2 For roads with a speed limit of 60km/h or less the use must not generate more than a total of 40 vehicle entry and exit movements per day.	P2 For roads with a speed limit of 60km/h or less, the level of use, number, location, layout and design of accesses and junctions must maintain an acceptable level of safety for all road users, including pedestrians and cyclists.
Complies with A1, no changes to existing use.	N/a
A3 For roads with a speed limit of more than 60km/h the use must not increase the annual average daily traffic (AADT) movements at the existing access or junction by more than 10%.	P3 For limited access roads and roads with a speed limit of more than 60km/h: a) access to a category 1 road or limited access road must only be via an existing access or junction or the use or development must provide a significant social and economic benefit to the State or region; and b) any increase in use of an existing access or junction or development of a new access or junction to a limited access road or a category 1, 2 or 3 road must be for a use that is dependent on the site for its unique resources, characteristics or locational attributes and an alternate site or access to a category 4 or 5 road is not practicable; and c) an access or junction which is increased in use or is a new access or junction must be designed and located to maintain an adequate level of safety and efficiency for all road users.
N/a	N/a

#### E4.7 Development Standards

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

<p>Objective</p> <p>To ensure that development on or adjacent to category 1 or 2 roads (outside 60km/h), railways and future roads and railways is managed to:</p> <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
A1 The following must be at least 50m from a railway, a future road or railway, and a category 1 or 2 road in an area subject to a speed limit of more than 60km/h:  a) new road works, buildings, additions and extensions, earthworks and landscaping works; and b) building areas on new lots; and c) outdoor sitting, entertainment and children's play areas	P1 Development including buildings, road works, earthworks, landscaping works and level crossings on or within 50m of a category 1 or 2 road, in an area subject to a speed limit of more than 60km/h, a railway or future road or railway must be sited, designed and landscaped to: a) maintain or improve the safety and efficiency of the road or railway or future road or railway, including line of sight from trains; and b) mitigate significant transport-related environmental impacts, including noise, air pollution and vibrations in accordance with a report from a suitably qualified person; and c) ensure that additions or extensions of buildings will not reduce the existing setback to the road, railway or future road or railway; and d) ensure that temporary buildings and works are removed at the applicant's expense within three years or as otherwise agreed by the road or rail authority.
Does not comply.	The setback of the proposed ancillary dwelling from the northern side boundary will be the same as that associated with the existing single dwelling within the site. The ancillary dwelling will therefore be no closer to the railway corridor



	<p>than the existing dwelling and will not affect the safe and efficient operation of the rail network.</p> <p>It is unlikely that the proposal would compromise any potential widening, realignment or upgrading of the rail network in the future due to the separation.</p> <p>The use is not proposed to be intensified, and will be located no closer than the existing dwelling.</p> <p>The proposal is considered to be consistent with the performance criteria.</p>
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#### E4.7.2 Management of Road Accesses and Junctions

<p>Objective</p> <p>To ensure that the safety and efficiency of roads is not reduced by the creation of new accesses and junctions or increased use of existing accesses and junctions.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 For roads with a speed limit of 60km/h or less the development must include only one access providing both entry and exit, or two accesses providing separate entry and exit.</p>	<p>P1 For roads with a speed limit of 60km/h or less, the number, location, layout and design of accesses and junctions must maintain an acceptable level of safety for all road users, including pedestrians and cyclists.</p>
Complies – existing access. No changes proposed.	N/a
<p>A2 For roads with a speed limit of more than 60km/h the development must not include a new access or junction.</p>	<p>P2 For limited access roads and roads with a speed limit of more than 60km/h:</p> <p>a) access to a category 1 road or limited access road must only be via an existing access or junction or the development must provide a significant social and economic benefit to the State or region; and</p> <p>b) any increase in use of an existing access or junction or development of a new access or junction to a limited access road or a category 1, 2 or 3 road must be dependent on the site for its unique resources, characteristics or locational attributes and an alternate site or access to a category 4 or 5 road is not practicable; and</p> <p>c) an access or junction which is increased in use or is a new access or junction must be designed and located to maintain an adequate level of safety and efficiency for all road users.</p>
N/a	N/a

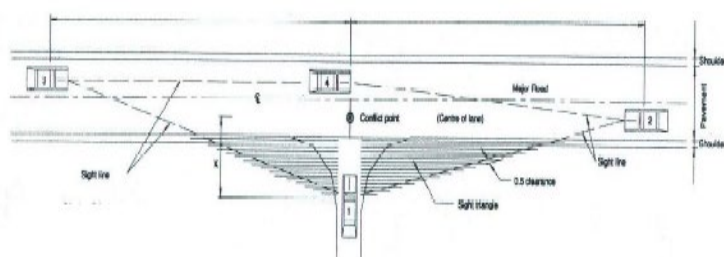
#### E4.7.3 Management of Rail Level Crossings

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

N/a	N/a
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#### 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> 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.	<b>Performance Criteria</b> P1 The design, layout and location of an access, junction or rail level crossing must provide adequate sight distances to ensure the safe movement of vehicles.
Complies with A1 (a) – the existing access complies.	N/a



**Figure E4.7.4 Sight Lines for Accesses and Junctions**

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

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

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

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

**Notes:**

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

### ASSESSMENT AGAINST E11.0 ENVIRONMENTAL IMPACTS AND ATTENUATION CODE

#### E11.6 Use Standards

##### E11.6.1 Attenuation Distances

<b>Objective</b> To ensure that potentially incompatible use or development is separated by a distance sufficient to ameliorate any adverse effects.
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Acceptable Solutions	Performance Criteria
A1 No acceptable solution.	<p>P1 Sensitive use or subdivision for sensitive use within an attenuation area to an existing activity listed in Tables E11.1 and E11.2 must demonstrate by means of a site-specific study that there will not be an environmental nuisance or environmental harm, having regard to the:</p> <ul style="list-style-type: none"> <li>a) degree of encroachment; and</li> <li>b) nature of the emitting operation being protected by the attenuation area; and</li> <li>c) degree of hazard or pollution that may emanate from the emitting operation; and</li> <li>d) the measures within the proposal to mitigate impacts of the emitting activity to the sensitive use.</li> </ul>
N/a	<p>Complies with P1 (a-d) – having regard to the following:</p> <ul style="list-style-type: none"> <li>a) The proposed ancillary dwelling is to be located the same setback as the existing single dwelling from the Longford abattoir site in a south easterly direction.</li> <li>b) Emissions for the use include noise and odour. Emissions will not be any further detriment to the ancillary dwelling.</li> <li>c) The emissions are not toxic or hazardous in nature, and numerous other residential uses are located within the attenuation distance or similar distances.</li> <li>d) No mitigation measures are required within the development, as the site already contains an existing residential use.</li> </ul>
A2 Uses listed in Tables E11.1 and E11.2 must be set back from any existing sensitive use, or a boundary to the General Residential, Low Density Residential, Rural Living, Village, Local Business, General Business, Commercial zones, the minimum attenuation distance listed in Tables E11.1 and E11.2 for that activity.	<p>P2 Uses with the potential to create environmental harm and environmental nuisance must demonstrate by means of a site-specific study that there will not be an environmental nuisance or environmental harm having regard to:</p> <ul style="list-style-type: none"> <li>a) the degree of encroachment; and</li> <li>b) the nature of the emitting operation being protected by the attenuation area; and</li> <li>c) the degree of hazard or pollution that may emanate from the emitting operation; and</li> <li>d) use of land irrigated by effluent must comply with <i>National Health and Medical Research Council Guidelines</i>.</li> </ul>
N/a	N/a

**E11.7 Development Standards – N/a**

SPECIFIC AREA PLANS	
F1.0 TRANSLINK SPECIFIC AREA PLAN	N/a
F2.0 HERITAGE PRECINCTS SPECIFIC AREA PLAN	N/a
SPECIAL PROVISIONS	
9.1 Changes to an Existing Non-conforming Use	Complies.
9.2 Development for Existing Discretionary Uses	N/a
9.3 Adjustment of a Boundary	N/a
9.4 Demolition	N/a
9.5 Change of Use of a Place listed on the Tasmanian Heritage Register or a heritage place	N/a
9.6 Change of Use	N/a
9.7 Access and Provision of Infrastructure Across Land in Another Zone	N/a
9.8 Buildings Projecting onto Land in a Different Zone	N/a
9.9 Port and Shipping in Proclaimed Wharf Areas	N/a
STATE POLICIES	
The proposal is consistent with all State Policies.	
OBJECTIVES OF LAND USE PLANNING & APPROVALS ACT 1993	
The proposal is consistent with the objectives of the <i>Land Use Planning &amp; Approvals Act 1993</i> .	



STRATEGIC PLAN/ANNUAL PLAN/COUNCIL POLICIES

**Strategic Plan 2017-2027**

- Statutory Planning

**5 FINANCIAL IMPLICATIONS TO COUNCIL**

Not applicable to this application.

**6 OPTIONS**

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

**7 DISCUSSION**

Discretion to refuse the application is limited to:

- Reliance upon performance criteria of the Road and Railway Assets Code.
- Reliance upon performance criteria of the Environmental Impacts and Attenuation Code.

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

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

**8 ATTACHMENTS**

1. Planning Submission - 2 Wellington Street, Longford [15.5.1 - 11 pages]
2. Proposal Plans - 2 Wellington Street, Longford [15.5.2 - 4 pages]
3. Folio Plan [15.5.3 - 1 page]
4. 1. Redacted [15.5.4 - 1 page]
5. 0012 FF D 6.002 [15.5.5 - 2 pages]

**RECOMMENDATION**

That land at 2 Wellington Street, Longford be approved to be developed and used for an Ancillary Dwelling (extend existing non-conforming residential use) (Road & Railway Assets Code, Environmental Impacts & Attenuation Code) in accordance with application PLN-22-0075, and subject to the following conditions:

**1 Layout not altered**

The use and development must be in accordance with the endorsed plans as follows:

- Site Plan, Revision 002, Drawing Number Ap01, Project Number 21.168, Prepared by 6ty<sup>0</sup>, 15/03/2022;
- Floor Plan 60m<sup>2</sup>, Revision C, Drawing Number C01, Project Name BY1, Prepared by Podmatrix, 31/08/2021; and
- Elevations, Revision C, Drawing Number C02, Project Name BY1, Prepared by Podmatrix, 31/08/2022.

**2 TasRail conditions**

**TasRail Standard Notes (V2021)**

- *Where a building or other development is proposed to be located at a setback distance less than 50 metres from the boundary of the rail corridor, the occupants are likely to be exposed to train horn noise and vibration, noting that TasRail Freight Rail Services operate 24/7 and the configuration, frequency and time of these services is subject to change at any time.*
- *Landowners, builders/developers and prospective residents should undertake appropriate due diligence to ensure they are aware of potential exposure to train horn noise and vibration, particularly [in relation to building design, material specifications and lifestyle](#). The train horn is a safety device that is required to be sounded twice per level crossing being on approach and on entry. The minimum duration of each train horn blow is one second. The train driver also has the discretion to sound the horn at any time he/she perceives a risk.*





- *Using or creating an unauthorised railway crossing or stock crossing is unsafe and strictly prohibited. If the proposed development interfaces with a rail crossing and/or rail corridor land it is recommended you contact [property@tasrail.com.au](mailto:property@tasrail.com.au) to discuss the proposed interface ahead of the planning process. Consideration should also be given to the orientation and siting of above ground structures on adjoining land as well as landscaping to ensure there is no potential to obscure or obstruct the line of sight with respect to a railway crossing.*
- *Stormwater or effluent is not permitted to be discharged onto rail land or into the rail drainage system. Should there be a requirement for a service or asset to be installed on rail land in order to connect into an authorised stormwater or other outlet, a separate TasRail Permit is required and will only be approved subject to terms and conditions (costs apply). A Permit Application Form is available by contacting [property@tasrail.com.au](mailto:property@tasrail.com.au)*
- *Any excavation within 3 metres of the rail boundary line requires a separate TasRail Permit from [property@tasrail.com.au](mailto:property@tasrail.com.au) in accordance with s44 of the Rail Infrastructure Act 2009. A minimum of seven (7) business days notice is required, but earlier engagement is recommended*
- *Rail land is not for private use and should not be encroached for any purpose including for gardens, storage, keeping of animals etc. Dumping of rubbish including green waste into the rail corridor is not permitted.*
- *No obstruction, installation or works of any kind are permitted inside railway land for any purpose including for structures, unauthorised vehicles, drainage, water pipes, stormwater discharge, electrical or service infrastructure, storage of materials, vegetation clearing, inspections etc.*
- *As per the Rail Infrastructure Act 2007, the Rail Infrastructure Manager (TasRail) may remove and dispose of unauthorised or unlawful service infrastructure and take such other action as it sees fit. Where this occurs, TasRail may recover its costs of doing so as a debt due to TasRail from that person and retain if applicable any proceeds of disposal. No action lies against TasRail for removing or disposing of the unauthorised or unlawful service infrastructure.*
- *No persons should enter rail land without formal authorisation from TasRail in the form of a TasRail Permit issued by [property@tasrail.com.au](mailto:property@tasrail.com.au)*
- *As railway land is Crown Land, the Rail Infrastructure Manager is not required to contribute to the cost of boundary fencing.*

#### MINUTE NO. 22/204

##### DECISION

Cr Polley/Cr Lambert

That land at 2 Wellington Street, Longford be approved to be developed and used for an Ancillary Dwelling (extend existing non-conforming residential use) (Road & Railway Assets Code, Environmental Impacts & Attenuation Code) in accordance with application PLN-22-0075, and subject to the following conditions:

#### **1 Layout not altered**

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- Elevations, Revision C, Drawing Number C02, Project Name BY1, Prepared by Podmatrix, 31/08/2022.

#### **2 TasRail conditions**

##### TasRail Standard Notes (V2021)

- *Where a building or other development is proposed to be located at a setback distance less than 50 metres from the boundary of the rail corridor, the occupants are likely to be exposed to train horn noise and vibration, noting that TasRail Freight Rail Services operate 24/7 and the configuration, frequency and time of these services is subject to change at any time.*
- *Landowners, builders/developers and prospective residents should undertake appropriate due diligence to ensure they are aware of potential exposure to train horn noise and vibration, particularly in relation to building design, material specifications and lifestyle. The train horn is a safety device that is required to be sounded twice per level*



*crossing being on approach and on entry. The minimum duration of each train horn blow is one second. The train driver also has the discretion to sound the horn at any time he/she perceives a risk.*

- Using or creating an unauthorised railway crossing or stock crossing is unsafe and strictly prohibited. If the proposed development interfaces with a rail crossing and/or rail corridor land it is recommended you contact [property@tasrail.com.au](mailto:property@tasrail.com.au) to discuss the proposed interface ahead of the planning process. Consideration should also be given to the orientation and siting of above ground structures on adjoining land as well as landscaping to ensure there is no potential to obscure or obstruct the line of sight with respect to a railway crossing.*
- Stormwater or effluent is not permitted to be discharged onto rail land or into the rail drainage system. Should there be a requirement for a service or asset to be installed on rail land in order to connect into an authorised stormwater or other outlet, a separate TasRail Permit is required and will only be approved subject to terms and conditions (costs apply). A Permit Application Form is available by contacting [property@tasrail.com.au](mailto:property@tasrail.com.au)*
- Any excavation within 3 metres of the rail boundary line requires a separate TasRail Permit from [property@tasrail.com.au](mailto:property@tasrail.com.au) in accordance with s44 of the Rail Infrastructure Act 2009. A minimum of seven (7) business days notice is required, but earlier engagement is recommended*
- Rail land is not for private use and should not be encroached for any purpose including for gardens, storage, keeping of animals etc. Dumping of rubbish including green waste into the rail corridor is not permitted.*
- No obstruction, installation or works of any kind are permitted inside railway land for any purpose including for structures, unauthorised vehicles, drainage, water pipes, stormwater discharge, electrical or service infrastructure, storage of materials, vegetation clearing, inspections etc.*
- As per the Rail Infrastructure Act 2007, the Rail Infrastructure Manager (TasRail) may remove and dispose of unauthorised or unlawful service infrastructure and take such other action as it sees fit. Where this occurs, TasRail may recover its costs of doing so as a debt due to TasRail from that person and retain if applicable any proceeds of disposal. No action lies against TasRail for removing or disposing of the unauthorised or unlawful service infrastructure.*
- No persons should enter rail land without formal authorisation from TasRail in the form of a TasRail Permit issued by [property@tasrail.com.au](mailto:property@tasrail.com.au)*
- As railway land is Crown Land, the Rail Infrastructure Manager is not required to contribute to the cost of boundary fencing.*

Carried

Voting for the Motion:

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

Voting Against the Motion:

Deputy Mayor Goss



## 15.6 PLN22-0045: 21 DRUMMOND CRESCENT & 46 DRUMMOND STREET, PERTH - 16 MULTIPLE DWELLINGS

*File:* 104100.11  
*Responsible Officer:* Des Jennings, General Manager  
*Report prepared by:* Paul Godier, Senior Planner

### 1 INTRODUCTION

This report assesses an application for 16 multiple dwellings (1 existing, 15 proposed) at 21 Drummond Crescent, and water, sewer and access works in Drummond Crescent and stormwater works in 46 Drummond Street and Drummond Street road reserve, Perth.

### 2 BACKGROUND

**Applicant:**

Another Perspective

**Zone:**

General Residential Zone

**Classification under the Scheme:**

Residential (multiple dwellings)

**Deemed Approval Date:**

2 July 2022

**Owner:**

Integrity Property Solutions Pty Ltd

**Codes:**

Road and Railway Assets Code

Car Parking and Sustainable Transport Code

**Existing Use:**

Residential (single dwelling)

**Recommendation:**

Approve

**Discretionary Aspects of the Application:**

- 10.4.2 A3 (a): internal front setbacks of units 4, 5, 6, 7.
- 10.4.6 A3: Shared driveway within 1m of habitable room windows (lounge room and dining room) of unit 1.
- 10.4.8 A1 (b)(i): Common waste storage area less than 4.5m from frontage.
- 10.4.8 A1 (b)(ii): Common waste storage area less than 5.5 from unit 1.
- E4.6.1 A2: Generating more than 40 vehicle entry and exit movements per day.
- E4.7.2 A1: More than one access each providing both entry and exit.
- E6.6.2 A1.2: Bicycle parking or storage not provided in accordance with Table 6.1.
- E6.7.2 A1.1: Parking for unit 1 forward of the building line.
- E6.7.2 A2.1 (b): Parking for unit 1 unable to enter and exit the site in a forward motion.
- E6.7.2 A2.1 (c): Width of vehicular access less than prescribed in Table E6.2.
- E6.8.5 A1: Pedestrian access not provided in accordance with Table E6.5.

**Planning Instrument:**

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

**Preliminary Discussion**

- Additional information was requested prior to the application being placed on public notification (see attached).



^ Figure 1 - Subject Site from Drummond Crescent

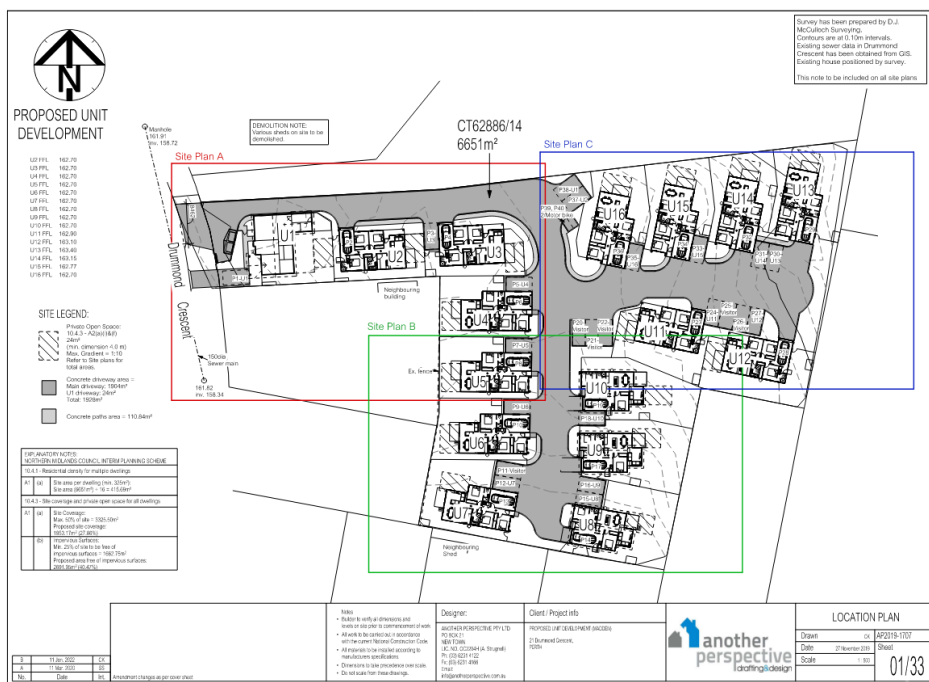
### 3 STATUTORY REQUIREMENTS

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

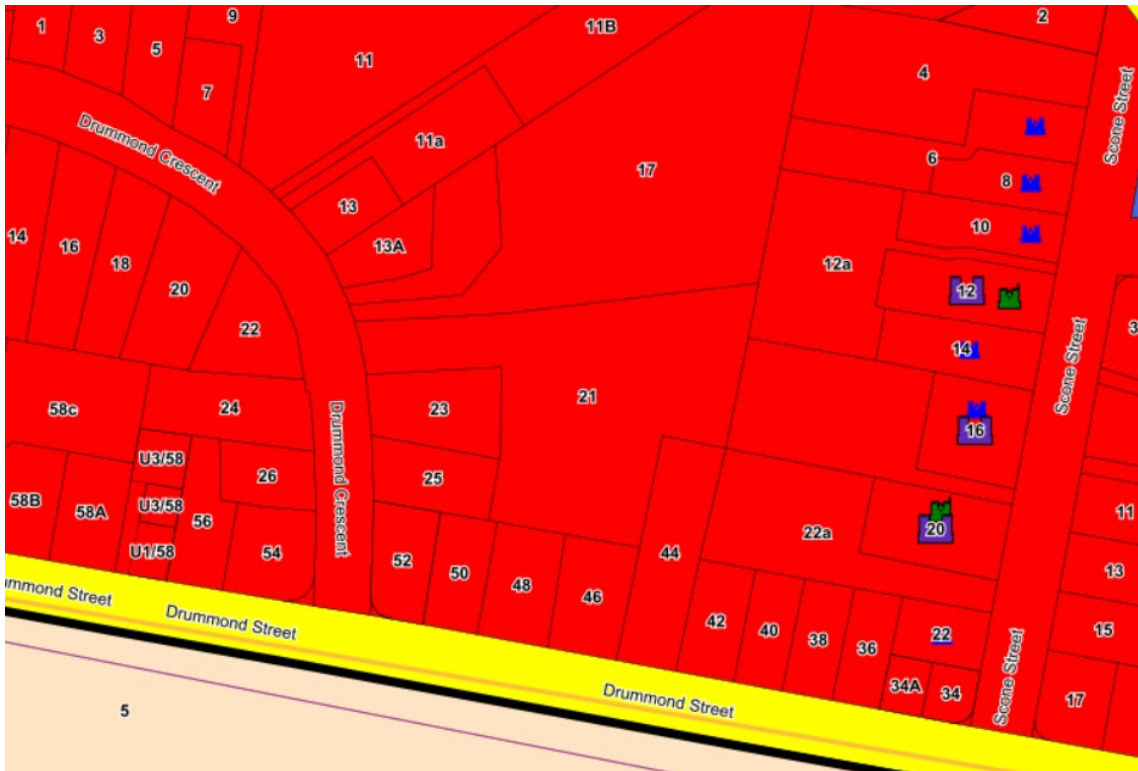
- 16 multiple dwellings (1 existing, 15 proposed) at 21 Drummond Crescent, water, sewer and access works in Drummond Crescent and stormwater works in 46 Drummond Street and Drummond Street road reserve, Perth.



^ Figure 2 - Site Plan



#### 4.2 Zone and Land Use



^ Figure 3 - Zone Map – General Residential zone and Utilities (Drummond Street)

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

single dwelling	means a dwelling on a lot on which no other dwelling is situated; or a dwelling and an ancillary dwelling on a lot on which no other dwelling is situated.
multiple dwellings	means 2 or more dwellings on a site.

Residential (multiple dwellings) is permitted use within the zone, the proposal has a discretionary status due to the proposal relying on performance criteria.

Utilities is Permitted (with permit) in the Utilities zone.

#### 4.3 Subject Site and Locality

The author of this report carried out a site visit on 17 June 2022. The site consists of 21 Drummond Crescent, where the multiple dwellings are proposed and 46 Drummond Street, through which stormwater drainage is proposed. Each property contains a single dwelling and adjoins properties with single dwellings.





^ Figure 4 - Aerial photograph of area



^ Figure 5 - 21 Drummond Crescent





^ Figure 6 - 21 Drummond Crescent



^ Figure 7 - 46 Drummond Street

#### 4.4 Permit/Site History

Relevant permit history includes:

- 76/79 – Dwelling (21 Drummond Crescent)
- 123/77 – dwelling (46 Drummond Street)

#### 4.5 Referrals

##### **Council's Works and Infrastructure Department**

Council's Works and Infrastructure Department provided the attached response and their recommended conditions will be included in any permit issued.

##### **Department of State Growth**

The Department of State Growth requested that the following conditions and note be included in any permit issued:

Prior to undertaking any service works in the State road reservation a Service Works Permit is required from the Department of State Growth in accordance with Section 13 and Section 16 of the Roads and Jetties Act 1935.

Prior to the concentrated discharge of stormwater on to the State road reservation, Stormwater Discharge Consent is required from the Department of State Growth in accordance with Section 17B of the Roads and Jetties Act 1935

Note:

Application for permits and stormwater drainage consent can be found at

[https://www.transport.tas.gov.au/roads\\_and\\_traffic\\_management/permits\\_and\\_bookings](https://www.transport.tas.gov.au/roads_and_traffic_management/permits_and_bookings)



Applications must be received by the Department of State Growth at least 20 business days before the expected start date for works, to allow enough time to assess the application.

**TasWater**

TasWater issued a Submission to Planning Authority Notice (ref: TWDA 2022/00696-NMC) to be attached to any permit issued.

**TasNetworks**

TasNetworks advised that the development is not likely to adversely affect TasNetworks' operations and recommended that the customer contact TasNetworks if they have any questions regarding any upgrades they may require to their electricity supply due to this development.

#### 4.6 Planning Scheme Assessment

GENERAL RESIDENTIAL ZONE
ZONE PURPOSE
<i>To provide for residential use or development that accommodates a range of dwelling types at suburban densities, where full infrastructure services are available or can be provided.</i>
<i>To provide for compatible non-residential uses that primarily serve the local community.</i>
<i>Non-residential uses are not to be at a level that distorts the primacy of residential uses within the zones, or adversely affect residential amenity through noise, activity outside of business hours traffic generation and movement or other off-site impacts.</i>
<i>To encourage residential development that respects the neighbourhood character and provides a high standard of residential amenity.</i>
<b>Assessment:</b> 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>
<b>Assessment:</b> The proposal complies with the local area objectives.

#### 10.2 Use Table

<b>No Permit Required</b>	
<b>Use Class</b>	<b>Qualification</b>
Residential	<i>If a single dwelling</i>
Natural and cultural values management	
Passive recreation	
<b>Permitted</b>	
<b>Use Class</b>	<b>Qualification</b>
Residential	<i>If a caretakers dwelling or home-based business</i> <i>If for multiple dwellings, except on CT 152543/1</i>
Utilities	<i>If for minor utilities</i>
<b>Discretionary</b>	
<b>Use Class</b>	<b>Qualification</b>
Business and professional services	<i>If a medical centre</i>
Educational and occasional care	
Food services	<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>
General retail and hire	<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>
Community meeting & entertainment	<i>If not a cinema or function centre</i>
Emergency Services	<i>If on CT 76398/4 &amp; 5 (176 High 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> <i>To ensure that non-residential uses do not cause an unreasonable loss of amenity to adjoining and nearby residential uses.</i>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b> <i>If for permitted or no permit required uses.</i>	<b>P1</b> <i>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.</i>
<b>Complies</b> – Multiple dwellings is a permitted use.	<b>N/a</b>
<b>A2</b> <i>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.</i>	<b>P2</b> <i>Commercial vehicle movements for discretionary uses must not unreasonably impact on the amenity of occupants of adjoining and nearby dwellings.</i>
<b>N/a</b> – not a discretionary use.	<b>N/a</b>
<b>A3</b> <i>If for permitted or no permit required uses.</i>	<b>P3</b> <i>External lighting must demonstrate that:</i> <i>a) floodlighting or security lights used on the site will not unreasonably impact on the amenity of adjoining land; and</i> <i>b) all direct light will be contained within the boundaries of the site.</i>
<b>Complies</b> – Multiple dwellings is a permitted use.	<b>N/a</b>

*Residential Character – Discretionary Uses*

**N/a** – not a discretionary use

10.4 Development Standards for Dwellings

10.4.1 Residential density for multiple dwellings

<b>Objective:</b>	<i>That the density of multiple dwellings:</i> <i>(a) makes efficient use of land for housing; and</i> <i>(b) optimises the use of infrastructure and community services.</i>
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b> <i>Multiple dwellings must have a site area per dwelling of not less than 325m<sup>2</sup>.</i>	<b>P1</b> <i>Multiple dwellings must only have a site area per dwelling that is less than 325m<sup>2</sup>, if the development will not exceed the capacity of infrastructure services and:</i> <i>(a) is compatible with the density of existing development on established properties in the area; or</i> <i>(b) provides for a significant social or community benefit and is:</i> <i>(i) wholly or partly within 400m walking distance of a public transport stop; or</i> <i>(ii) wholly or partly within 400m walking distance of an Inner Residential Zone, Village Zone, Urban Mixed Use Zone, Local Business Zone, General Business Zone, Central Business Zone or Commercial Zone.</i>
<b>Complies.</b> 21 Drummond Crescent has an area of 6,651m <sup>2</sup> . 6,651m <sup>2</sup> / 16 dwellings gives a site area per dwelling of 415.7m <sup>2</sup> .	<b>N/a</b>



10.4.2 Setbacks and building envelope for all dwellings

Objective:	<p>The siting and scale of dwellings:</p> <ul style="list-style-type: none"> <li>(a) provides reasonably consistent separation between dwellings and their frontage within a street;</li> <li>(b) provides consistency in the apparent scale, bulk, massing and proportion of dwellings;</li> <li>(c) provides separation between dwellings on adjoining properties to allow reasonable opportunity for daylight and sunlight to enter habitable rooms and private open space; and</li> <li>(d) provides reasonable access to sunlight for existing solar energy installations.</li> </ul>
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Unless within a building area on a sealed plan, a dwelling, excluding garages, carports and protrusions that extend not more than 0.9m into the frontage setback, must have a setback from a frontage that is:</p> <ul style="list-style-type: none"> <li>(a) if the frontage is a primary frontage, not less than 4.5m, or, if the setback from the primary frontage is less than 4.5m, not less than the setback, from the primary frontage, of any existing dwelling on the site;</li> <li>(b) if the frontage is not a primary frontage, not less than 3m, or, if the setback from the frontage is less than 3m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site;</li> <li>(c) if for a vacant site and there are existing dwellings on adjoining properties on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street;</li> <li>(d) if located above a non-residential use at ground floor level, not less than the setback from the frontage of the ground floor level; or</li> <li>(e) if the development is on land that abuts a road specified in Table 10.4.2, at least that specified for the road.</li> </ul>	<p><b>P1</b></p> <p>A dwelling must:</p> <ul style="list-style-type: none"> <li>(a) have a setback from a frontage that is compatible with the streetscape, having regard to any topographical constraints; and</li> <li>(b) if abutting a road identified in Table 10.4.2, include additional design elements that assist in attenuating traffic noise or any other detrimental impacts associated with proximity to the road.</li> </ul>
<p>The front setback:</p> <p>Is approximately 6.4m to existing house.</p> <p>Ranges from approximately 1.9m to 4m to the proposed bin enclosure.</p> <p>The setback of the bin enclosure must be assessed against the Performance Criteria.</p>	<p>The garage 3 houses down is set close to the front boundary. It is considered that the reduced setback of the bin enclosure is compatible with the streetscape.</p>
<p><b>A2</b></p> <p>A garage or carport for a dwelling must have a setback from a primary frontage of not less than:</p> <ul style="list-style-type: none"> <li>(a) 5.5m, or alternatively 1m behind the building line;</li> <li>(b) the same as the building line, if a portion of the dwelling gross floor area is located above the garage or carport; or</li> <li>(c) 1m, if the existing ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage.</li> </ul>	<p><b>P2</b></p> <p>A garage or carport for a dwelling must have a setback from a primary frontage that is compatible with the setbacks of existing garages or carports in the street, having regard to any topographical constraints.</p>
<p>Complies. The closest garage/carport is approximately 26m from the street frontage.</p>	<p>N/a</p>
<p><b>A3</b></p> <p>A dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions that extend not more than 0.9m horizontally beyond the building envelope, must:</p> <ul style="list-style-type: none"> <li>(a) be contained within a building envelope (refer to Figures 10.1, 10.2 and 10.3) determined by:</li> </ul>	<p><b>P3</b></p> <p>The siting and scale of a dwelling must:</p> <ul style="list-style-type: none"> <li>(a) not cause an unreasonable loss of amenity to adjoining properties, having regard to: <ul style="list-style-type: none"> <li>(i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining property;</li> </ul> </li> </ul>



<p>(i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a property with an adjoining frontage; and</p> <p>(ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above existing ground level at the side and rear boundaries to a building height of not more than 8.5m above existing ground level; and</p> <p>(b) only have a setback of less than 1.5m from a side or rear boundary if the dwelling:</p> <p>(i) does not extend beyond an existing building built on or within 0.2m of the boundary of the mm adjoining property; or</p> <p>(ii) does not exceed a total length of 9m or one third the length of the side boundary (whichever is the lesser).</p>	<p>(ii) overshadowing the private open space of a dwelling on an adjoining property;</p> <p>(iii) overshadowing of an adjoining vacant property; or</p> <p>(iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining property;</p> <p>(b) provide separation between dwellings on adjoining properties that is consistent with that existing on established properties in the area; and</p> <p>(c) not cause an unreasonable reduction in sunlight to an existing solar energy installation on:</p> <p>(i) an adjoining property; or</p> <p>(ii) another dwelling on the same site.</p>
<p><b>Comment:</b> The proposal complies except for the eaves of units 4, 5, 6, 7 which protrude 0.467m into the 4.5m internal front setback. Must be assessed against the Performance Criteria.</p>	<p><b>Comment:</b> The variation to the internal front setback meets the performance criteria (a) as it will not cause an unreasonable loss of amenity to adjoining properties, due to reduction in sunlight to a habitable room, overshadowing of private open space or visual impacts.</p> <p>The proposed dwellings 4 – 7 are located to the east of the back yards of 23 and 25 Drummond Crescent. and are to be single storey in height.</p> <p>b) The separation between dwellings is consistent with that existing on established properties adjacent of the subject site.</p> <p>c) The proposed dwellings will not cause unreasonable reduction in sunlight to an existing or future solar energy installation on an adjoining property or another dwelling on the same site, as the shadow will not cast across a roof area or ground mounted solar installation due to orientation and height. Performance criteria met.</p>

Table 10.4.2

Road	Setback (m)



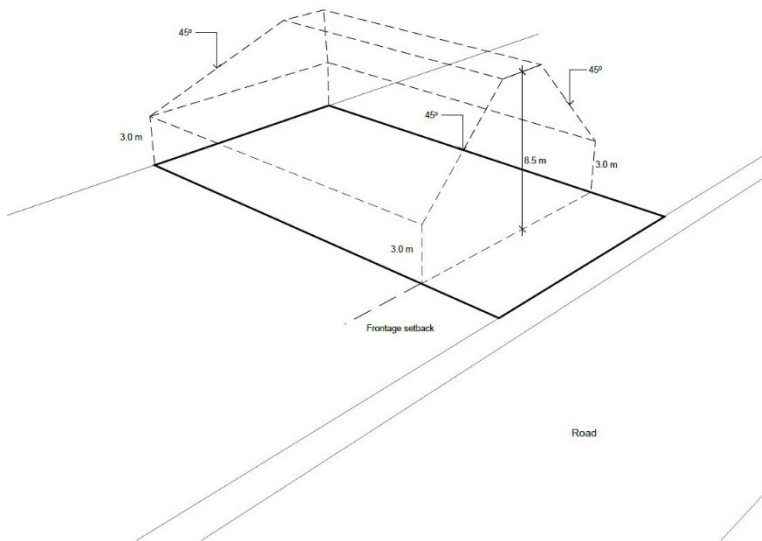


Figure 10.1 Building envelope as required by clause 10.4.2 A3(a)

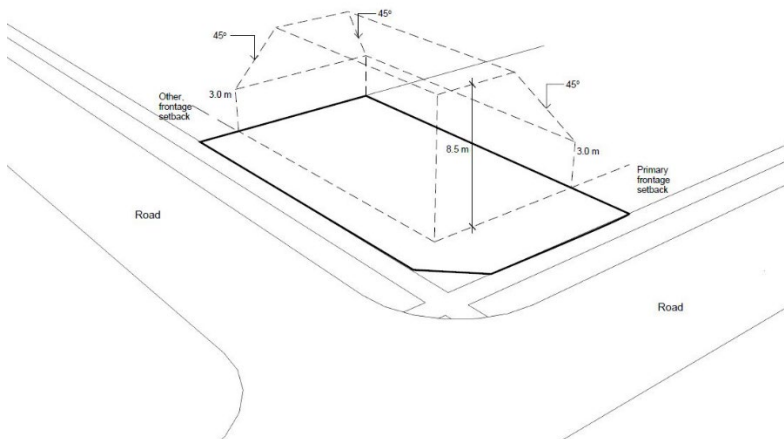


Figure 10.2 Building envelope for corner lots as required by clause 10.4.2 A3(a)

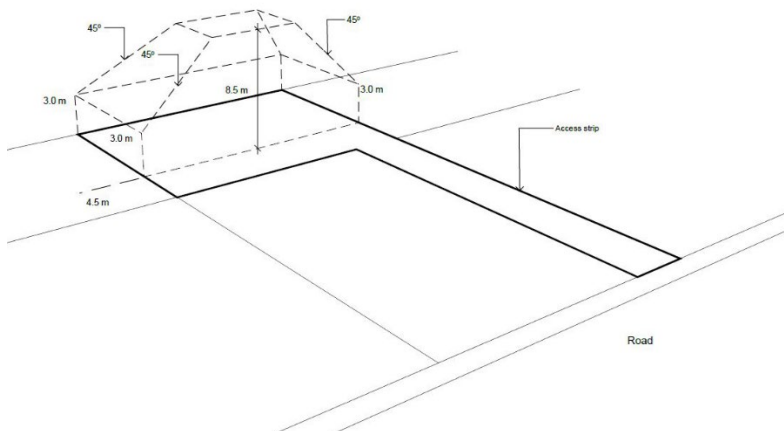


Figure 10.3 Building envelope for internal lots as required by clause 10.4.2 A3(a)

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

Objective:	That dwellings are compatible with the amenity and character of the area and provide: (a) for outdoor recreation and the operational needs of the residents; (b) opportunities for the planting of gardens and landscaping; and (c) private open space that is conveniently located and has access to sunlight.
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Acceptable Solutions	Performance Criteria
<p><b>A1</b> Dwellings must have:</p> <p>(a) a site coverage of not more than 50% (excluding eaves up to 0.6m wide); and</p> <p>(b) for multiple dwellings, a total area of private open space of not less than 60m<sup>2</sup> associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer).</p>	<p><b>P1</b> Dwellings must have:</p> <p>(a) site coverage consistent with that existing on established properties in the area;</p> <p>(b) private open space that is of a size and with dimensions that are appropriate for the size of the dwelling and is able to accommodate:</p> <p>(i) outdoor recreational space consistent with the projected requirements of the occupants and, for multiple dwellings, take into account any common open space provided for this purpose within the development; and</p> <p>(ii) operational needs, such as clothes drying and storage; and</p> <p>(c) reasonable space for the planting of gardens and landscaping.</p>
<p>a) Dwellings to cover 1853.17m<sup>2</sup>. Site area is 6,651m<sup>2</sup>. Coverage is 28.3%. <b>Complies.</b></p> <p>b) The plans show that each multiple dwelling will have at least 60m<sup>2</sup> of private open space. <b>Complies.</b></p>	<b>N/a</b>
<p><b>A2</b> A dwelling must have private open space that:</p> <p>(a) is in one location and is not less than:</p> <p>(i) 24m<sup>2</sup>; or</p> <p>(ii) 12m<sup>2</sup>, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer);</p> <p>(b) has a minimum horizontal dimension of not less than:</p> <p>(i) 4m; or</p> <p>(ii) 2m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer);</p> <p>(c) is located between the dwelling and the frontage only if the frontage is orientated between 30 degrees west of true north and 30 degrees east of true north; and</p> <p>(d) has a gradient not steeper than 1 in 10.</p>	<p><b>P2</b> A dwelling must have private open space that includes an area capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children's play and is:</p> <p>(a) conveniently located in relation to a living area of the dwelling; and</p> <p>(b) orientated to take advantage of sunlight.</p>
<p>The plans show that each dwelling will have private open space in accordance with A2. <b>Complies.</b></p>	<b>N/a</b>

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

<b>Objective:</b>	That the separation between multiple dwellings provides reasonable opportunity for sunlight to private open space for dwellings on the same site.
Acceptable Solutions	Performance Criteria
<p><b>A1</b> A multiple dwelling, that is to the north of the private open space of another dwelling on the same site, required to satisfy A2 or P2 of clause 10.4.3, must satisfy (a) or (b), unless excluded by (c):</p> <p>(a) the multiple dwelling is contained within a line projecting (see Figure 10.4):</p> <p>(i) at a distance of 3m from the northern edge of the private open space; and</p> <p>(ii) vertically to a height of 3m above existing ground level and then at an angle of 45 degrees from the</p>	<p><b>P1</b> A multiple dwelling must be designed and sited to not cause an unreasonable loss of amenity by overshadowing the private open space, of another dwelling on the same site, which is required to satisfy A2 or P2 of clause 10.4.3 of this planning scheme.</p>

<p>horizontal;</p> <p>(b) the multiple dwelling does not cause 50% of the private open space to receive less than 3 hours of sunlight between 9.00am and 3.00pm on 21st June; and</p> <p>(c) this Acceptable Solution excludes that part of a multiple dwelling consisting of:</p> <p>(i) an outbuilding with a building height not more than 2.4m; or</p> <p>(ii) protrusions that extend not more than 0.9m horizontally from the multiple dwelling.</p>	
<b>Complies.</b>	<b>N/a</b>

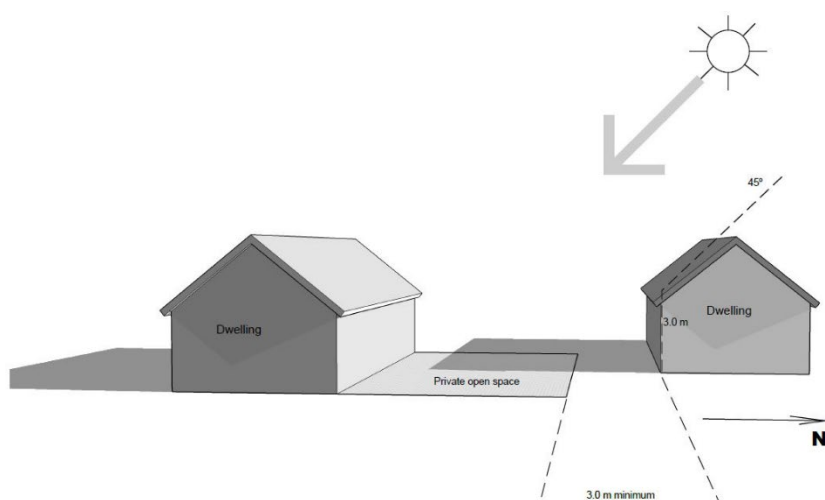


Figure 10.4 Separation from the private open space of another dwelling on the same site as required by clause 10.4.4 A1(a)

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

<b>Objective:</b>	To reduce the potential for garage or carport openings to dominate the primary frontage.
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A1</b></p> <p>A garage or carport for a dwelling within 12m of a primary frontage, whether the garage or carport is free-standing or part of the dwelling, must have a total width of openings facing the primary frontage of not more than 6m or half the width of the frontage (whichever is the lesser).</p>	<p><b>P1</b></p> <p>A garage or carport for a dwelling must be designed to minimise the width of its openings that are visible from the street, so as to reduce the potential for the openings of a garage or carport to dominate the primary frontage.</p>
<b>N/a</b>	<b>N/a</b>

#### 10.4.6 Privacy for all dwellings

<b>Objective:</b>	To provide a reasonable opportunity for privacy for dwellings.
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A1</b></p> <p>A balcony, deck, roof terrace, parking space, or carport for a dwelling (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1m above existing ground level must have a permanently fixed screen to a height of not less than 1.7m above the finished surface or floor level, with a uniform transparency of not more than 25%, along the sides facing a:</p> <p>(a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of not less than 3m from the side boundary;</p> <p>(b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of not less than 4m from the rear boundary; and</p> <p>(c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is not less than 6m:</p> <p>(i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or</p>	<p><b>P1</b></p> <p>A balcony, deck, roof terrace, parking space or carport for a dwelling (whether freestanding or part of the dwelling) that has a finished surface or floor level more than 1m above existing ground level, must be screened, or otherwise designed, to minimise overlooking of:</p> <p>(a) a dwelling on an adjoining property or its private open space; or</p> <p>(b) another dwelling on the same site or its private open space.</p>



(ii) from a balcony, deck, roof terrace or the private open space of the other dwelling on the same site.	
<b>N/a</b>	<b>N/a</b>
<p><b>A2</b> A window or glazed door to a habitable room of a dwelling, that has a floor level more than 1m above existing ground level, must satisfy (a), unless it satisfies (b):</p> <p>(a) the window or glazed door:</p> <ul style="list-style-type: none"> <li>(i) is to have a setback of not less than 3m from a side boundary;</li> <li>(ii) is to have a setback of not less than 4m from a rear boundary;</li> <li>(iii) if the dwelling is a multiple dwelling, is to be not less than 6m from a window or glazed door, to a habitable room, of another dwelling on the same site; and</li> <li>(iv) if the dwelling is a multiple dwelling, is to be not less than 6m from the private open space of another dwelling on the same site.</li> </ul> <p>(b) the window or glazed door:</p> <ul style="list-style-type: none"> <li>(i) is to be offset, in the horizontal plane, not less than 1.5m from the edge of a window or glazed door, to a habitable room of another dwelling;</li> <li>(ii) is to have a sill height of not less than 1.7m above the floor level or have fixed obscure glazing extending to a height of not less than 1.7m above the floor level; or</li> <li>(iii) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of not less than 1.7m above floor level, with a uniform transparency of not more than 25%.</li> </ul>	<p><b>P2</b> A window or glazed door to a habitable room of a dwelling that has a floor level more than 1m above existing ground level, must be screened, or otherwise located or designed, to minimise direct views to:</p> <ul style="list-style-type: none"> <li>(a) a window or glazed door, to a habitable room of another dwelling; and</li> <li>(b) the private open space of another dwelling.</li> </ul>
<b>N/a</b>	<b>N/a</b>
<p><b>A3</b> A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of not less than:</p> <p>(a) 2.5m; or</p> <p>(b) 1m if:</p> <ul style="list-style-type: none"> <li>(i) it is separated by a screen of not less than 1.7m in height; or</li> <li>(ii) the window, or glazed door, to a habitable room has a sill height of not less than 1.7m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of not less than 1.7m above the floor level.</li> </ul>	<p><b>P3</b> A shared driveway or parking space (excluding a parking space allocated to that dwelling), must be screened, or otherwise located or designed, to minimise unreasonable impact of vehicle noise or vehicle light intrusion to a habitable room of a multiple dwelling.</p>
<p><b>Comment:</b> Unit 1 - lounge and dining room windows will be within 2.5m of shared driveway. Opaque glazing proposed.</p> <p>Unit 11: One living room window + both windows of bedroom next to living room are within 2.5m of shared driveway and require screening. <b>Condition required.</b></p> <p>Unit 12: Living room windows are within 2.5m of visitor parking space 'P-26' and require screening. <b>Condition required.</b></p>	<b>N/a</b>

#### 10.4.7 Frontage fences for all dwellings

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



1500mm high timber slatted fence max 25% transparency proposed.	The proposed 1500mm high timber slatted fence max 25% transparency is considered to comply with the performance criteria.
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#### 10.4.8 Waste storage for multiple dwellings

<b>Objective:</b>	<i>To provide for the storage of waste and recycling bins for multiple dwellings.</i>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	
<b>A1</b> A multiple dwelling must have a storage area, for waste and recycling bins, that is not less than 1.5m <sup>2</sup> per dwelling and is within one of the following locations: (a) an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or (b) a common storage area with an impervious surface that: (i) has a setback of not less than 4.5m from a frontage; (ii) is not less than 5.5m from any dwelling; and (iii) is screened from the frontage and any dwelling by a wall to a height not less than 1.2m above the finished surface level of the storage area.	<b>P1</b> A multiple dwelling must have storage for waste and recycling bins that is: (a) capable of storing the number of bins required for the site; (b) screened from the frontage and dwellings; and (c) if the storage area is a common storage area, separated from dwellings on the site to minimise impacts caused by odours and noise.	
The application proposes a common storage area with a setback ranging from approximately 1.9m to 4m from the frontage and approximately 3.6m from the lounge room of Unit 1 and 4-5m from bedroom 2 and the entry. Must be assessed against the Performance Criteria. Is proposed to be screened by 1500mm high timber slatted fence with max. 25% transparency.	The bin enclosure area is proposed to be approximately. It is recommended that windows to these rooms be double glazed to reduce noise, the waste collection be weekly to reduce odour, and that the screen to the rear of the collection area be solid to 1.8m high to reduce odour.	

#### 10.4.9 Storage for multiple dwellings

<b>Objective</b>	<i>To provide adequate storage facilities for each multiple dwelling.</i>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	
<b>A1</b> Each multiple dwelling must have access to at least 6 cubic metres of secure storage space.	<b>P1</b> Each multiple dwelling must provide storage suitable to the reasonable needs of residents.	
The drawings state storage sheds will provide a minimum capacity of 6m <sup>3</sup> . Units 1 (existing dwelling) and 2 are shown to have long, narrow storage sheds of approx. 3m x 0.7m for a footprint of 2.1m <sup>2</sup> . This would necessitate a height in excess of 2.85m to achieve 6m <sup>3</sup> which seems unlikely (and would be difficult to utilise). <b>Complies, with condition.</b>	<b>N/a</b>	

#### 10.4.10 Common Property for multiple dwellings

<b>Objective</b>	<i>To ensure that communal open space, car parking, access areas and site facilities for multiple dwellings are easily identified.</i>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	
<b>A1</b> Development for multiple dwellings must clearly delineate public, communal and private areas such as: a) driveways; and b) site services and any waste collection points.	<b>P1</b> No performance criteria.	
<b>Complies.</b> The plans show driveways and site services and waste collection point.	-	

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

Objective	
To ensure:	
a) that outbuildings do not detract from the amenity or established neighbourhood character; and	
b) that dwellings remain the dominant built form within an area; and	
c) earthworks and the construction or installation of swimming pools are appropriate to the site and respect the amenity of neighbouring properties.	
Acceptable Solutions	Performance Criteria



A1 Outbuildings for each multiple dwelling must have a combined gross floor area not exceeding 45m <sup>2</sup> .	P1 Outbuildings for each multiple dwelling must be designed and located having regard to: (a) visual impact on the streetscape; and (b) compatibility with the size and location of outbuildings in the neighbourhood.
<b>Complies.</b>	<b>N/a</b>
A2 A swimming pool for private use must be located: (a) behind the setback from a primary frontage; or (b) in the rear yard.	P2 A swimming pool for private use must be designed and located to: (a) minimise any visual impact on the streetscape; and (b) not unreasonably overlook or overshadow adjoining properties; and (c) be compatible with the size and location of approved outbuildings in the neighbourhood.
<b>N/a</b> - does not propose a swimming pool.	<b>N/a</b>

#### 10.4.12 Site services for multiple dwellings

<b>Objective</b> To ensure that: a) site services for multiple dwellings can be installed and easily maintained; and b) site facilities for multiple dwellings are accessible, adequate and attractive.	
Acceptable Solutions	Performance Criteria
A1 Provision for mailboxes must be made at the frontage.	P1 Sufficient space (including easements where required) for mail services must be provided for each multiple dwelling.
<b>Complies.</b> The plans show letterboxes at the frontage.	<b>N/a</b>

### UTILITIES ZONE

#### Zone Purpose

#### Zone Purpose Statements

To provide land for major utilities installations and corridors.

To provide for other compatible uses where they do not adversely impact on the utility.

The proposal complies with the zone purpose.

#### Local Area Objectives

There are no desired local area objectives

#### Desired Future Character Statements

There are no desired future character statements

#### Use Table

No Permit Required	
Use Class	Qualification
Natural and cultural values management	
Utilities	If for minor utilities
Permitted	
Use Class	Qualification
Recycling and waste disposal	
Transport depot and distribution	If a bus terminal or taxi depot/stand or railway station within the road/rail corridor If for an airport
Utilities	If not for minor utilities
Vehicle parking	If a 'park and ride' facility
Discretionary	
Use Class	Qualification
Extractive industries	
Passive recreation	
Sports and recreation	
Prohibited	
All other uses	



## Use Standards

### Capacity of existing utilities

<b>Objective</b> To ensure that uses do not compromise the capacity of utility services.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
A1 If for permitted or no permit required uses.	P1 The proposal must not unreasonably compromise or reduce the operational efficiency of the utility having regard to: a) existing land use practices; and b) the location of the use in relation to the utility; and c) any required buffers or setbacks; and d) the management of access.
Comment: Complies.	Comment: N/a

CODES		
E1.0	BUSHFIRE PRONE AREAS CODE	N/a
E2.0	POTENTIALLY CONTAMINATED LAND	N/a
E3.0	LANDSLIP CODE	N/a
E4.0	ROAD AND RAILWAY ASSETS CODE	Complies – See code assessment below
E5.0	FLOOD PRONE AREAS CODE	N/a
E6.0	CAR PARKING AND SUSTAINABLE TRANSPORT CODE	Complies – See code assessment below
E7.0	SCENIC MANAGEMENT CODE	N/a
E8.0	BIODIVERSITY CODE	N/a
E9.0	WATER QUALITY CODE	N/a
E10.0	RECREATION AND OPEN SPACE CODE	N/a
E11.0	ENVIRONMENTAL IMPACTS & ATTENUATION CODE	N/a
E12.0	AIRPORTS IMPACT MANAGEMENT CODE	N/a
E13.0	LOCAL HISTORIC HERITAGE CODE	N/a
E14.0	COASTAL CODE	N/a
E15.0	SIGNS CODE	N/a

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

#### E4.6 Use Standards

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

<b>Objective</b> 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.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
A1 Sensitive use on or within 50m of a category 1 or 2 road, in an area subject to a speed limit of more than 60km/h, a railway or future road or railway must not result in an increase to the annual average daily traffic (AADT) movements to or from the site by more than 10%.	P1 Sensitive use on or within 50m of a category 1 or 2 road, in an area subject to a speed limit of more than 60km/h, a railway or future road or railway must demonstrate that the safe and efficient operation of the infrastructure will not be detrimentally affected.
N/a	N/a
A2 For roads with a speed limit of 60km/h or less the use must not generate more than a total of 40 vehicle entry and exit movements per day	P2 For roads with a speed limit of 60km/h or less, the level of use, number, location, layout and design of accesses and junctions must maintain an acceptable level of safety for all road users, including pedestrians and cyclists.
The Traffic Impact Assessment states that the development will generate 104 vehicles per day. Does not comply.	The Traffic Impact Assessment states: <i>The traffic generation is likely to be 11 vehicles per hour during peak periods (with 10 vehicles per hour at the main access and 1 vehicle per hour at the new driveway access to the existing dwelling). This traffic volume can be readily absorbed in the</i>





	<p>surrounding road network without any significant loss of efficiency or deterioration of road safety.</p> <p><i>This is based on the following:</i></p> <p><i>There is adequate sight distance provided at the access locations.</i></p> <p><i>The traffic volume in Drummond Crescent is relatively low, thus reducing vehicular conflict at the access.</i></p> <p><i>The traffic generation of the development is residential in nature and consistent with traffic flows within the surrounding network.</i></p> <p><i>On this basis, the development complies with the requirements of Performance Criteria P2 of Clause E4.6.1 of the Planning Scheme.</i></p>
<p>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>	<p>P3 For limited access roads and roads with a speed limit of more than 60km/h:</p> <ul style="list-style-type: none"> <li>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</li> <li>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</li> <li>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.</li> </ul>
N/a	N/a

#### E4.7 Development Standards

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

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

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

<p>Objective</p> <p>To ensure that the safety and efficiency of roads is not reduced by the creation of new accesses and junctions or increased use of existing accesses and junctions.</p>	
Acceptable Solutions	Performance Criteria



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.
The development proposes two accesses: one main driveway servicing 15 new units; and 1 driveway servicing one car parking space associated with the existing dwelling. Must be assessed against the Performance Criteria.		<p>The Traffic Impact Assessment states:</p> <p><i>Both accesses will provide access to residential property, which is consistent with other accesses in Drummond Crescent.</i></p> <p><i>The spacing of the accesses is generally similar with many other residential driveways in Drummond Crescent.</i></p> <p><i>The southern access will provide access to one residential parking space only. This access will have a very low traffic volume and will be utilised by familiar road users.</i></p> <p><i>Both driveways are highly visible and obvious for all road users.</i></p> <p><i>Sight distance is acceptable for both access driveways along Drummond Crescent.</i></p> <p><i>Based on the above assessment, the two driveway accesses comply with the requirements of Performance Criteria, P1 of Clause E4.7.2 of the Planning Scheme.</i></p>	
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:
		<p>a) access to a category 1 road or limited access road must only be via an existing access or junction or the development must provide a significant social and economic benefit to the State or region; and</p> <p>b) any increase in use of an existing access or junction or development of a new access or junction to a limited access road or a category 1, 2 or 3 road must be dependent on the site for its unique resources, characteristics or locational attributes and an alternate site or access to a category 4 or 5 road is not practicable; and</p> <p>c) an access or junction which is increased in use or is a new access or junction must be designed and located to maintain an adequate level of safety and efficiency for all road users.</p>	
N/a		N/a	

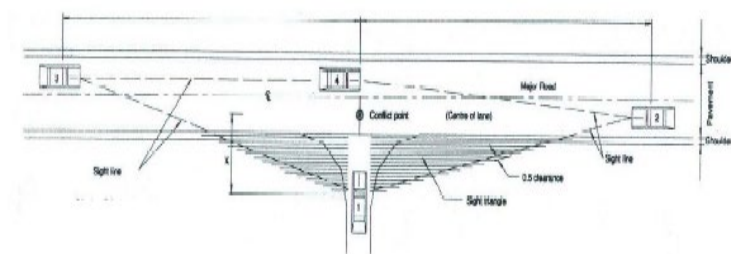
#### E4.7.3 Management of Rail Level Crossings

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

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

Objective
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To ensure that use and development involving or adjacent to accesses, junctions and level crossings allows sufficient sight distance between vehicles and between vehicles and trains to enable safe movement of traffic.	
Acceptable Solutions	Performance Criteria
<p>A1 Sight distances at</p> <p>a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.7.4; and</p> <p>b) rail level crossings must comply with <i>AS1742.7 Manual of uniform traffic control devices - Railway crossings</i>, Standards Association of Australia; or</p> <p>c) If the access is a temporary access, the written consent of the relevant authority has been obtained.</p>	<p>P1 The design, layout and location of an access, junction or rail level crossing must provide adequate sight distances to ensure the safe movement of vehicles.</p>
<p><i>The Traffic Impact Assessment states:</i></p> <p><i>Assuming the vehicle speed is equal to the posted speed limit of 50-km/h, then the required SISD is 80 metres.</i></p> <p><i>The available sight distance at the access's junction with Drummond Crescent exceeds this minimum requirement. The available sight distance therefore complies with the Acceptable Solution A1 of Clause E4.7.4 of the Planning Scheme.</i></p>	N/a



**Figure E4.7.4 Sight Lines for Accesses and Junctions**

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

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

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

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

**Notes:**

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



ASSESSMENT AGAINST E6.0

CAR PARKING & SUSTAINABLE TRANSPORT CODE

**E6.6 Use Standards**

**E6.6.1 Car Parking Numbers**

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

<b>Acceptable Solutions</b>		<b>Performance Criteria</b>	
A1	The number of car parking spaces must not be less than the requirements of:	P1	The number of car parking spaces provided must have regard to:
a)	Table E6.1; or	a)	the provisions of any relevant location specific car parking plan; and
b)	a parking precinct plan contained in Table E6.6: Precinct Parking Plans (except for dwellings in the General Residential Zone).	b)	the availability of public car parking spaces within reasonable walking distance; and
		c)	any reduction in demand due to sharing of spaces by multiple uses either because of variations in peak demand or by efficiencies gained by consolidation; and
		d)	the availability and frequency of public transport within reasonable walking distance of the site; and
		e)	site constraints such as existing buildings, slope, drainage, vegetation and landscaping; and
		f)	the availability, accessibility and safety of on-road parking, having regard to the nature of the roads, traffic management and other uses in the vicinity; and
		g)	an empirical assessment of the car parking demand; and
		h)	the effect on streetscape, amenity and vehicle, pedestrian and cycle safety and convenience; and
		i)	the recommendations of a traffic impact assessment prepared for the proposal; and
		j)	any heritage values of the site; and
		k)	for residential buildings and multiple dwellings, whether parking is adequate to meet the needs of the residents having regard to:
		i)	the size of the dwelling and the number of bedrooms; and
		ii)	the pattern of parking in the locality; and
		iii)	any existing structure on the land.
<p><b>Complies.</b> On-site car parking is proposed for 38 cars (consisting of 15 garage spaces, 22 on-street internal spaces, and 1 space accessed directly from Drummond Street).</p> <p>Residential Use class requires 2 spaces per dwelling plus 1 dedicated visitor spaces per 4 dwellings. This is a requirement for 36 spaces. With a total of 38 spaces provided, the development meets the requirements of Acceptable Solution A1 of Clause E6.6.1 of the Planning Scheme.</p>		N/a	

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

<b>Use</b>	<b>Parking Requirement</b>	
	<b>Vehicle</b>	<b>Bicycle</b>
<b>Residential:</b>		
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	



Visitor parking for multiple dwellings in the general residential zone.	1 dedicated space per 4 dwellings, rounded up to the nearest whole number. If on an internal lot or located at the head of a cul-de-sac, 1 space per 3 dwellings (rounded up to the nearest whole number).	
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#### E6.6.2 Bicycle Parking Numbers

Objective: To encourage cycling as a mode of transport within areas subject to urban speed zones by ensuring safe, secure and convenient parking for bicycles.		
Acceptable Solutions	Performance Criteria	
A1.1 Permanently accessible bicycle parking or storage spaces must be provided either on the site or within 50m of the site in accordance with the requirements of Table E6.1; or	P1	Permanently accessible bicycle parking or storage spaces must be provided having regard to the:
A1.2 The number of spaces must be in accordance with a parking precinct plan contained in Table E6.6: Precinct Parking Plans.	a)	likely number and type of users of the site and their opportunities and likely preference for bicycle travel; and
	b)	location of the site and the distance a cyclist would need to travel to reach the site; and
	c)	availability and accessibility of existing and planned parking facilities for bicycles in the vicinity.
Table E6.1 requires the provision of 1 bicycle space per unit for 'residential' land use. In this case this would be a provision of 15 bicycle parking spaces. No formal bicycle parking spaces are provided in the development. The Acceptable Solution A1.1 of Clause E6.6.2 of the Planning Scheme is therefore not met.	The Traffic Impact Assessment states: The development is a residential unit development. It is likely that a proportion of residents will have bicycle ownership. It is considered uncommon for dedicated bicycle parking facilities to be provided for residential developments. Typically bicycles (along with other transport, recreational and sporting goods) are stored in a garage or shed. Storage within the units is considered available for bicycles and therefore the Performance Criteria P1 of Clause E6.6.2 of the Planning Scheme is met.	

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

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

#### E6.6.4 Motorbike Parking Provisions

Objective: To ensure that motorbikes are adequately provided for in parking considerations.		
Acceptable Solutions	Performance Criteria	
A1 One motorbike parking space must be provided for each 20 car spaces required by Table E6.1 or part thereof.	P1	No performance criteria.
Complies. 2 motorbike parking spaces are provided adjacent to unit 16.	N/a	

#### E6.7 Development Standards

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

Objective: To ensure that car parking spaces and access strips are constructed to an appropriate standard.		
Acceptable Solutions	Performance Criteria	
A1 All car parking, access strips manoeuvring and circulation spaces must be:	P1	All car parking, access strips manoeuvring and circulation spaces must be readily identifiable and constructed to ensure that they are useable in all weather conditions.
a) formed to an adequate level and drained; and		
b) except for a single dwelling, provided with an impervious all weather seal; and		
c) except for a single dwelling, line marked or provided with other clear physical means to delineate car spaces.		
Complies. The plans show car parking, access strips, manoeuvring and circulation spaces are to be of concrete, drained to stormwater pits with car spaces clearly delineated.	N/a	



**E6.7.2 Design and Layout of Car Parking**

<i>Objective: To ensure that car parking and manoeuvring space are designed and laid out to an appropriate standard.</i>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p>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</p> <p>A1.2 Within the General residential zone, provision for turning must not be located within the front setback for residential buildings or multiple dwellings.</p>	<p>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:</p> <ul style="list-style-type: none"> <li>a) the layout of the site and the location of existing buildings; and</li> <li>b) views into the site from the road and adjoining public spaces; and</li> <li>c) the ability to access the site and the rear of buildings; and</li> <li>d) the layout of car parking in the vicinity; and</li> <li>e) the level of landscaping proposed for the car parking.</li> </ul>
<p>A1.1 – complies except for Unit 1. A1.2 – complies.</p>	<p><b>Complies.</b> The one parking space forward of the building line is not detrimental to the streetscape or surrounding area having regard to the matters listed above.</p>
<p>A2.1 Car parking and manoeuvring space must:</p> <ul style="list-style-type: none"> <li>a) have a gradient of 10% or less; and</li> <li>b) where providing for more than 4 cars, provide for vehicles to enter and exit the site in a forward direction; and</li> <li>c) have a width of vehicular access no less than prescribed in Table E6.2 and Table E6.3, and</li> </ul> <p>A2.2 The layout of car spaces and access ways must be designed in accordance with Australian Standards AS 2890.1 - 2004 Parking Facilities, Part 1: Off Road Car Parking.</p>	<p>P2 Car parking and manoeuvring space must:</p> <ul style="list-style-type: none"> <li>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</li> <li>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.</li> </ul>
<p>The Traffic Impact Assessment states:</p> <p>a. All car parking and manoeuvring areas have a gradient less than 10%.</p> <p>b. All car parking spaces accessed via the main access driveway (that services more than 4 cars) can enter and leave the site in a forwards motion. The turning movement swept paths of these parking spaces are provided in Figure 8 of the TIA.</p> <p>The driveway for unit-1 services 1 parking space only and therefore does not require on-site turning. The driveway for unit-1 will function in the same way that the majority of single dwellings do in the surrounding area (either reverse entry or reverse exit).</p> <p>c. Table E6.2 requires an access width of 5.5 metres for 35 parking spaces (noting that 1 parking space is accessed via a separate driveway access). This width is provided with the exception of a small section immediately adjacent to the existing dwelling, where the width is reduced to 3.0 metres for a distance of approximately 12 metres. The driveway access is shown in Figure 7.</p> <p>The minimum requirements of AS2890.1 area as follows:</p> <p>User Class 1A (residential, domestic and employee parking)</p> <p>Space width requirement 2.4 metres</p> <p>Space length requirement 5.4 metres</p> <p>Aisle width requirement 5.8 metres</p>	<p>The Traffic Impact Assessment states:</p> <p>a. The car parking spaces have been designed to be safe and efficient. All parking spaces associated with Units 2 to 16 can be accessed from Drummond Crescent with forward entry and forward exit. Sufficient manoeuvring has been provided to enable vehicles to manoeuvre efficiently within the site, as shown in Figure 8.</p> <p>b. All parking spaces associated with Units 2 to 16 have sufficient space to turn within the site (as shown in Figure 8). The parking space associated with Unit 1 requires a car to either enter or exit via a reversing manoeuvre. In a residential context, this reversing manoeuvre is considered to be acceptable – the parking space does not share an access driveway with any other parking spaces and its operation will be clear and obvious for all road users.</p> <p>The width of the driveway is physically constrained by the building structure of the existing dwelling and the fence. It is not considered possible to increase the width of the driveway without demolition of the existing dwelling.</p> <p>The driveway width was further examined under the requirements of AS2890.1. The AS2890.1 width requirements are reproduced in Figure 9. The driveway services a total of 35 parking spaces and fronts onto a 'local' road. This requires an entry width of 3.0 to 5.5 metres in accordance with AS2890.1 requirements. This is provided along the full length of the driveway (which varies from 3.0 metres minimum to 5.5 metres).</p> <p>AS2890.1 also states the following with respect to narrow driveway lengths: "Where the circulation roadway leading from a Category 1 access driveway is 30 m or longer, or sight distance from one end to the other is restricted, and the frontage road is an arterial or sub-arterial road, both the access driveway and the circulation roadway for at least the first 6 m from the property boundary shall be a minimum of 5.5 m wide. In other cases subject</p>





<p>The parking spaces comply with these physical dimensions.</p> <p>The car parking associated with the development therefore does not comply with the requirements of the following:</p> <p>The parking space associated with Unit 1 cannot enter and leave the site in a forward motion (a reversing manoeuvre is required).</p> <p>Access width. The northern access driveway has a minimum width of 3.0 metres for a length of approximately 12 metres.</p>	<p>to consideration of traffic volumes on a case-by-case basis, lesser widths, down to a minimum of 3.0 m at a domestic property, may be provided. As a guide, 30 or more movements in a peak hour in and out combined) would usually require provision for two vehicles to pass on the driveway, i.e. a minimum width of 5.5 m. On long driveways, passing opportunities should be provided at least every 30 m".</p> <p>The following is relevant with respect to the development proposal:</p> <p>The driveway is not located on an arterial or sub-arterial road.</p> <p>The traffic generation of the development is substantially less than 30 movements per hour during peak periods (calculated to be 11 vehicles per hour).</p> <p>Very good sight distance is available along the driveway, which has a straight alignment.</p> <p>The 3.0 metres narrow section is approximately 12 metres in length, which is substantially less than 30 metres.</p> <p>Based on the above, the driveway complies with the requirements of AS2890.1 in terms of width. The development therefore meets the requirements of Performance Criteria P2 of Clause E6.7.2 of the Planning Scheme.</p>
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**Table E6.2: Access Widths for Vehicles**

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

### **E6.7.3 Car Parking Access, Safety and Security**

<i>Objective: To ensure adequate access, safety and security for car parking and for deliveries.</i>			
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.
<b>Complies.</b>		<b>N/a</b>	

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

<i>Objective: To ensure adequate parking for persons with a disability.</i>			
Acceptable Solutions		Performance Criteria	
A1	All spaces designated for use by persons with a disability must be located closest to the main entry point to the building.	P1	The location and design of parking spaces considers the needs of disabled persons, having regard to:
		a)	the topography of the site;
		b)	the location and type of relevant facilities on the site or in the vicinity;
		c)	the suitability of access pathways from parking spaces, and
		d)	applicable Australian Standards.
<b>N/a</b> - Accessible parking is not required for a residential use.		<b>N/a</b>	
A2	Accessible car parking spaces for use by persons with disabilities must be designed and constructed in accordance with Australian Standards AS/NZ 2890.6 2009.	P2	The number of parking spaces provided is appropriate for the needs of disabled persons, having regard to:
		a)	characteristics of the populations to be served;
		b)	their means of transport to and from the site; and
		c)	applicable Australian Standards.
<b>N/a</b> - Accessible parking is not required for a residential use.		<b>N/a</b>	



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

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

**E6.8 Provisions for Sustainable Transport**

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

Not used in this planning scheme

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

<i>Objective: To ensure that parking and storage facilities for bicycles are safe, secure and convenient.</i>			
<b>Acceptable Solutions</b>		<b>Performance Criteria</b>	
A1.1	Bicycle parking spaces for customers and visitors must:	P1	Bicycle parking spaces must be safe, secure, convenient and located where they will encourage use.
a)	be accessible from a road, footpath or cycle track; and		
b)	include a rail or hoop to lock a bicycle to that meets Australian Standard AS 2890.3 1993; 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 Australian Standard AS/NZS 1158 2005 Lighting Category C2 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.		
Table E6.1 requires the provision of 1 bicycle space per unit for 'residential' land use. In this case this would be a provision of 15 bicycle parking spaces. No formal bicycle parking spaces are provided in the development.		The Traffic Impact Assessment states: <i>The development is a residential unit development. It is likely that a proportion of residents will have bicycle ownership. It is considered uncommon for dedicated bicycle parking facilities to be provided for residential developments. Typically bicycles (along with other transport, recreational and sporting goods) are stored in a garage or shed. Storage within the units is considered available for bicycles and therefore the Performance Criteria P1 of Clause E6.6.2 of the Planning Scheme is met (Planner's note: The Tasmanian Planning Scheme sets no bicycle parking requirement for single and multiple dwellings).</i>	
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.		
See comments above.		See comments above.	

**E6.8.5 Pedestrian Walkways**

<i>Objective: To ensure pedestrian safety is considered in development</i>
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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.
No separate pedestrian path is provided. The requirements of Acceptable Solution A1 of Clause E6.8.5 of the Planning Scheme are not met.	<p>The Traffic Impact Assessment states:</p> <p><i>The driveway accesses are considered 'shared zones' where vehicles must give way to pedestrians. This is a relatively commonplace treatment in medium density residential developments. The movement of cars and pedestrians only relates to activity associated with the residential units and would be expected by all road users.</i></p> <p><i>The low traffic generation coupled with the low vehicle speeds will result in an acceptable safety environment for shared use between pedestrians and cars. It is recommended that 'Shared Zone' 5-km/h speed signage be installed at the access to the development.</i></p> <p><i>Based on the assessment above, and the inclusion of the shared zone signage, the access meets the requirements of Performance Criteria P1 of Clause E6.8.5 of the Planning Scheme.</i></p>

**Table E6.5: Pedestrian Access**

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

#### Notes

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

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

#### Representations

Notice of the application was given in accordance with Section 57 of the *Land Use Planning & Approvals Act 1993*. A review of Council's Records management system after completion of the public exhibition period revealed that a representation was received from M Rhodes. The matters raised in the representation are discussed below along with the planner's comments.

*The proposal appears to have a number of minor issues which could be easily remedied. However, the approach to dealing with waste/recycling and the narrow driveway access zone in particular requires more careful consideration.*



#### 10.4.6 A3

*Unit 1: Opaque treatment to windows to nom. 3m driveway zone does not address noise issues and requires further consideration with solution to be verified by an appropriately qualified engineer.*

**Planner's comment:** The proposed obscure glazing to extending to a height of not less than 1.7m above the floor level complies with the Acceptable Solution. There is no requirement for consideration of noise.

*Unit 1: Living room window in front façade will be directly illuminated by headlights of vehicles entering the site, proposed planting of Prunus Elvins (flowering cherry) may not have adequate screening effect if canopy too high and provide minimal screening effect in winter as species is deciduous (note: this may also be the case to a lesser extent if vehicles are reversed into parking spaces opposite units 13 and 14 and driven out in a forward direction at night).*

**Planner's comment:** The living room window in the front façade is more than 2.5m from the shared driveway and therefore screening cannot be required.

*Unit 11: One living room window + both windows of bedroom next to living room are within 2.5m of shared driveway and require screening.*

**Planner's comment:** Agreed. **Condition required.**

*Unit 12: Living room windows are within 2.5m of visitor parking space 'P-26' and require screening.*

**Planner's comment:** Agreed. **Condition required.**

#### 10.4.8

*The common storage area for waste/ recycling at the front of the property does not comply with the acceptable solution (1.985m to closest point on frontage, 3.665m to closest point to existing dwelling).*

*Given the proximity to Unit 1 (existing dwelling), measures to counter noise and odour issues would be required in order to satisfy the relevant performance criteria and may require input from a suitably qualified engineer.*

*It is unclear how residents would be transferring waste/recycling from their unit to the common storage area which is some 40m away from the front door of Unit 2, some 59m away from the front door of Unit 3 with the remainder varying from 84m to 134m. All movements would similarly need to pass through the narrow driveway zone and it is unclear whether this aspect has been fully considered as part of the TIA.*

*For example, without bins it is more likely residents would carry smaller bags (or items) necessitating increased trips. Similarly, bags could be prone to breakage which may be exacerbated over longer distances and increase the potential for litter problems within the site.*

*The size of the bins in the common storage area can similarly be calculated based on the standard waste (140L) and recycling (240L) bins provided by the NMC.*

*This suggests the absolute minimum size would be 2240L for waste and 3840L for recycling, necessitating more frequent collection than every fortnight based on the maximum capacity of 3000L given.*

*Similarly, it is unclear whether this proposed setup could adequately accommodate future needs such as green waste collection and what measures would be employed to prevent illegal dumping.*

**Planner's comment:** Waste will be collected by a private service, so it could be collected weekly. Given the closeness of the bin storage area to unit 1 **it should be conditioned to be collected weekly.**

#### 10.4.9

*The drawings state storage sheds will provide a minimum capacity of 6m<sup>3</sup>.*

*Units 1 (existing dwelling) and 2 are shown to have long, narrow storage sheds of approx. 3m x 0.7m for a footprint of 2.1m<sup>2</sup>. This would necessitate a height in excess of 2.85m to achieve 6m<sup>3</sup> which seems unlikely (and would be difficult to utilise).*



*Given both units are indicated as being 3 bedrooms, a storage shed commensurate with those for the other 14 units (approx. 2.2m x 1.5m for a footprint of 3.3m<sup>2</sup>) should be provided, which also provides the option for storing bicycles or larger items for improved amenity.*

**Planner's comment:** Agreed. **Condition required.**

**E6.7.2 A2.2 - AS2890.1:2004**

*The proposal shows a driveway width of 3m running for a length of approximately 14.38m past the existing dwelling (Unit 1), with a maximum clear width of 3.442m between the dwelling and fence, although it is unclear how this width has been measured. For example, measuring from the fence lining to the dwelling wall would result in a greater dimension than measuring from the fence posts to the brick window sills which protrude beyond the wall face.*

*The DA proposes modification to a section of wall + roof to the rear of the existing dwelling to achieve these widths. However, the drawings make no reference to the section of roof covering the dining/living areas which appears to extend as far as the wall/roof being cut back and has the same height at the lowest point (est. max. 3m from ground level).*

*Whilst it is agreed with the TIA the driveway width between kerbs can be reduced to 3m as shown; AS2890.1:2004 consistently refers to the provision of additional clearances to obstructions exceeding 150mm in height. With specific regard to circulation roadways, the Standard only mentions high kerbs and barriers exceeding 150mm in height. However, these would be no different to a fence or wall.*

*On this basis, a minimum clear zone of 3.6m between the fence and nearest part of the dwelling would likely be required.*

*Similarly, the Standard recommends protective devices where buildings could be damaged by vehicles. Given the frequency of news reports where vehicles mount kerbs in similarly low speed environments and crash into buildings in addition to potential for non-compliance with the 5km/h speed limit recommended in the TIA, further space may be required to provide the necessary protection to prevent the risk of damage to the existing dwelling.*

*The proposed driveway may also prevent or unnecessarily delay access of fire appliances and other large vehicles (e.g. trucks used for transporting construction materials or those used by removalists).*

*Whilst TFS guidelines appear limited to bushfire prone areas, requiring minimum clearances of 4m for width and height, interstate guidelines appear similar in predominantly suggesting a minimum clear width of 3.5m and clear height of 4m, although NSW does appear to allow a width reduction to 3.2m for constricted pinch points with a specific note suggesting 4m as preferable given the potential for human error.*

*Even if it is considered acceptable to have such a narrow access, the roof extending from the living/dining areas of the existing dwelling would likely require modification in order to achieve the height clearances for fire appliances and/or other large vehicles.*

*One solution to the narrow driveway access is demolition of the existing dwelling (as noted in the TIA). Aside from resolving this issue, it may also permit waste/recycling collection within the site with individual bins rather than the shared facility within the frontage.*

**Planner's Comment:** The Traffic Impact Assessment finds that the 3m wide section of driveway satisfies the performance criteria. The site photograph at Figure 6 indicates that this section of roof can also be removed. It also indicates that brick sills and a heat pump might protrude into the 3m driveway. **A condition is required for these to be modified to provide 3m clear driveway, with 4m vertical clearance.**

*AS2890.1:2004 further stipulates a minimum 3m internal width for single garages and provides in Figure 5.2 the design envelope for vehicle parking which further shows a minimum length of 5.4m.*

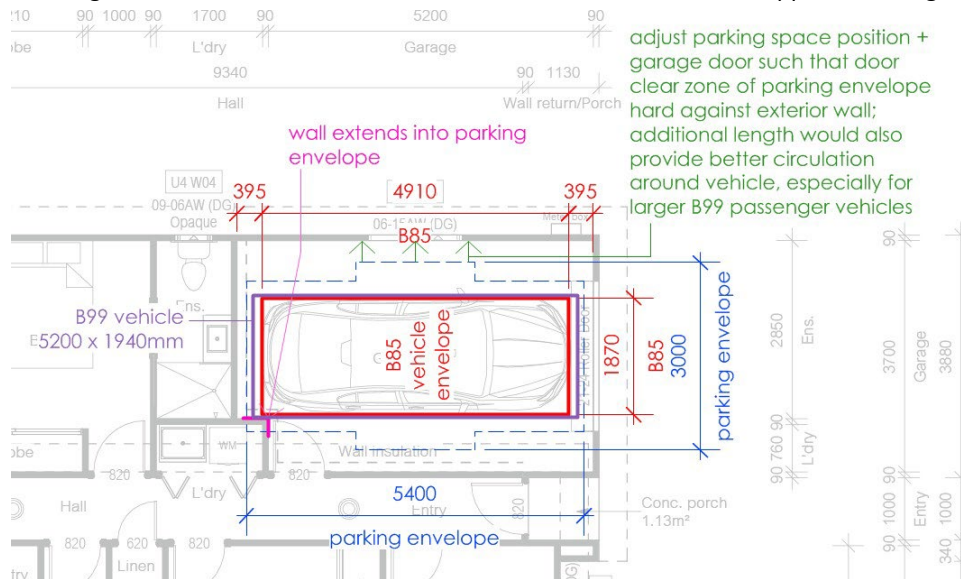
*The proposal shows three general plan types (some are mirrored) with the following diagrams summarising the apparent issues.*

*Units 4, 5, 6, 7, 13, 14, 15 and 16*



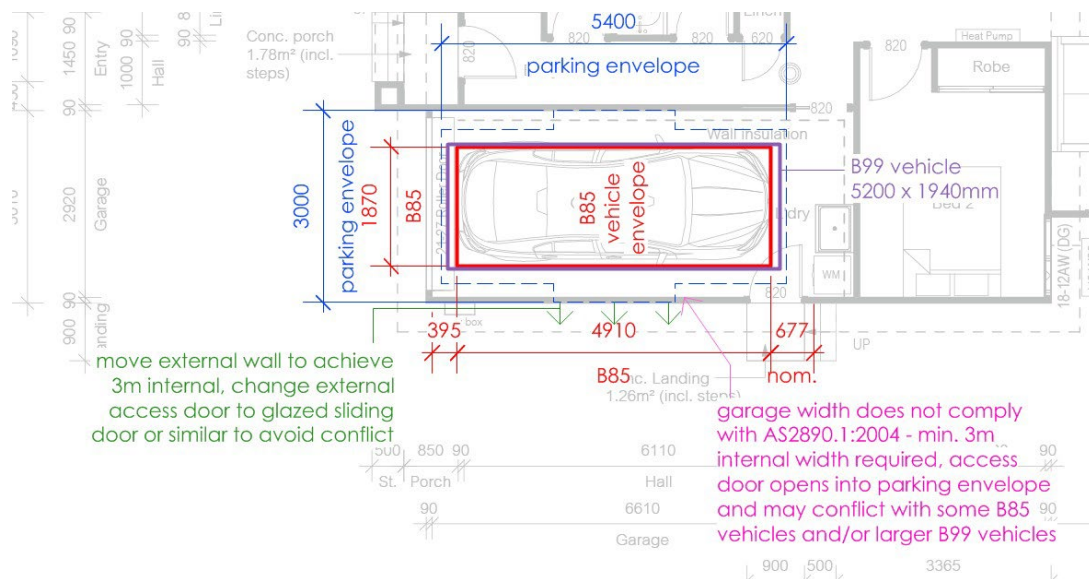


**Planner's Comment:** Agree with the comments to meet the Australian Standard. The applicant has agreed to the changes.



Condition required.

Units 8, 9 and 10



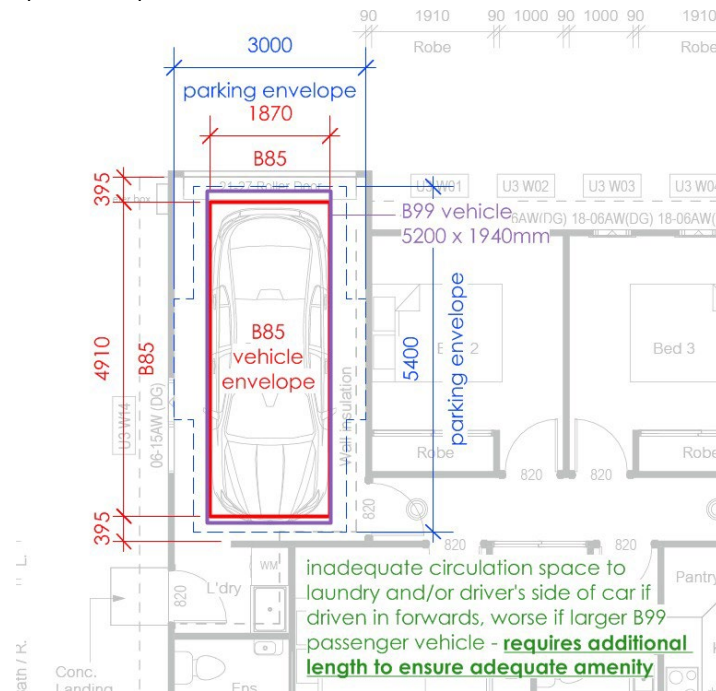
**Planner's Comment:** Agree with the comments to meet the Australian Standard. The applicant has agreed to the changes.

Condition required.

Units 2, 3, 11 and 12



**Planner's Comment:** The proposal complies with the Australian Standard of at least 3m x 5.4m parking envelope. Cannot



require changes.

#### E6.8.2 A2 Bicycle Parking Access, Safety and Security

The TIA covers E6.6.2 stating the performance criteria is achievable and notes that dedicated bicycle parking spaces are not shown.

However, the TIA does not consider E6.8.2 which provides more specific requirements for bicycle parking spaces (1.7m length, 0.7m width) and access to those spaces (unobstructed 2m width).

The garages of units 2, 3, 8, 9, 10, 11 and 12 cannot provide bicycle parking without making the car parking space non-compliant. Whilst the garages of the remaining units could potentially provide bicycle parking, they would not provide the requisite 2m unobstructed access width.

On this basis, it is assumed all bicycle parking must be in the storage sheds or yards.

For units 2-16, yard access is shown to be via gates. Of these, units 7, 8, 12 and 13 could comply with the acceptable solution. Unit 1 could similarly comply if a gate were provided to the shared driveway from the rear yard area.

Other units would subsequently be reliant on performance criteria.

AS2890.3:2015 appears to recommend 1.5m for aisle widths for off-street bicycle parking for one way aisles which would provide around 0.25m clearance either side of the handlebars when standing next a bicycle and wheeling it. However, it may be reasonable to reduce this to 1.2m if the path does not pass a parked vehicle where there is a risk of accidental damage to the vehicle.

It should also be considered that whilst the bicycle parking space is 0.7m at the handlebars, some bicycle manufacturers offer bicycles with handlebar widths in excess of 0.8m.

To achieve this, the gates accessing the yards of units 2, 3, 9, 10, 11, 14 and 15 simply need to be relocated to the opposite side of the unit to avoid conflicts with parking spaces and/or unacceptably narrow access for bicycles.

For units 4, 5 and 6, the width of the zone to access the gate would satisfy the performance criteria if the hot water cylinder were moved from this zone.

**Planner's comment:** Agreed. **Condition required.** Unit 1 to have a pedestrian gate to the shared driveway from the rear yard area. Units 2, 3, 9, 10, 11, 14 and 15 to have pedestrian gates relocated to the opposite side of the unit to avoid conflicts with parking spaces and/or unacceptably narrow access for bicycles.



## 5 FINANCIAL IMPLICATIONS TO COUNCIL

Not applicable to this application.

## 6 OPTIONS

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

## 7 DISCUSSION

Discretion to refuse the application is limited to:

- 10.4.2 A3 (a): internal front setbacks of units 4, 5, 6, 7.
- 10.4.6 A3: Shared driveway within 1m of habitable room windows (lounge room and dining room) of unit 1.
- 10.4.8 A1 (b)(i): Common waste storage area less than 4.5m from frontage.
- 10.4.8 A1 (b)(ii): Common waste storage area less than 5.5 from unit 1.
- E4.6.1 A2: Generating more than 40 vehicle entry and exit movements per day.
- E4.7.2 A1: More than one access each providing both entry and exit.
- E6.6.2 A1.2: Bicycle parking or storage not provided in accordance with Table 6.1.
- E6.7.2 A1.1: Parking for unit 1 forward of the building line.
- E6.7.2 A2.1 (b): Parking for unit 1 unable to enter and exit the site in a forward motion.
- E6.7.2 A2.1 (c): Width of vehicular access less than prescribed in Table E6.2.
- E6.8.5 A1: Pedestrian access not provided in accordance with Table E6.5.

These matters are discussed in this report and found to comply with the relevant performance criteria. It is recommended that the application be approved with the conditions below.

## 8 ATTACHMENTS

1. Application documents [15.6.1 - 92 pages]
2. Additional Information Required 17 March 2022 [15.6.2 - 3 pages]
3. Another Perspective Email 28 April 2022 [15.6.3 - 1 page]
4. Tas Water SPAN Request for Additional Information DA 2022 00696- NMC [15.6.4 - 2 pages]
5. CSE Tas Drummond Sewer Report 16 May 2022 [15.6.5 - 2 pages]
6. Additional Information Request Stormwater 24 May 2022 [15.6.6 - 2 pages]
7. CSE Tas Drummond Stormwater Report 24 May 2022 [15.6.7 - 13 pages]
8. CSE Tas Plans Rev. C, 25 May 2022 [15.6.8 - 9 pages]
9. W& I referral [15.6.9 - 3 pages]
10. Tas Water Submission to Planning Authority Notice - Conditions DA ~ NMC [15.6.10 - 2 pages]
11. Tas Networks response [15.6.11 - 2 pages]
12. Representation - M Rhodes [15.6.12 - 5 pages]
13. Another Perspective Email 20 June 2022 [15.6.13 - 2 pages]

## RECOMMENDATION

That land at 21 Drummond Crescent, 46 Drummond Street, Drummond Crescent and Drummond Street road reserves, Perth be approved to be developed and used for 16 Multiple Dwellings (1 Existing, 15 New) and associated services (Reliance on performance criteria of the General Residential Zone, Road and Railway Assets Code & Car Parking and Sustainable Transport Code) in accordance with application PLN-22-0045, and subject to the following conditions:

### 1 Layout not altered

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

- Another Perspective Drawings:
  - Sheet 00/33 (Cover Sheet)
  - Sheets 01 - 01J (Rev. B, 11 January 2022)



- O1K (Rev. A, 11 March 2020)
- O1L (15 January 2020)
- O2 – O3 (Rev. B, 11 January 2022)
- O4 (January 2020)
- O5 (Rev. B, 11 January 2022)
- O6 (January 2020)
- O7 (Rev., B, 11 January 2022)
- O8 (January 2020)
- O9-19 (Rev. B, 11 January 2022)
- O20 – O30 (January 2020)
- O31 (Rev B, 11 January 2022)
- O32 - O33 (January 2020)
- Stormwater Assessment, Chris Martin, 24/5/2022
- CSE Tasmanian Pty Ltd Proposed Service Connection Drawing Nos. 1206-85\_G01 Rev C, 1206-85\_G02 Rev C, 1206-85\_G03 Rev C, 1206-85\_G04 Rev C, 1206-85\_G05 Rev C, 1206-85\_C01 Rev C, 1206-85\_C02 Rev C, 1206-85\_C03 Rev C.
- Midson Traffic Impact Assessment April 2022

## **2 Revised Plans Required**

Before the issue of a Building Permit, revised plans must be submitted. When approved, the plans will be endorsed and will then form part of the permit. The plans must be substantially in accordance with the endorsed plans but revised to show:

- Unit 1 and 2 storage sheds with same dimensions as for the rest of the units.
- Unit 1 to have a pedestrian gate to the shared driveway from the rear yard area.
- Units 2, 3, 9, 10, 11, 14 and 15 to have pedestrian gates relocated to the opposite side of the unit to avoid conflicts with parking spaces and/or unacceptably narrow access for bicycles.
- Unit 11: 1700mm high screening to living room window and both bedroom windows within 2.5m of shared driveway.
- Unit 12: 1700mm high screening to living room windows within 2.5m of visitor parking space 'P-26'.
- Roof/eave over lounge and dining room to be removed, brick sills modified, heat pump to be moved, to give driveway 3m clear access, at a height at least 4m above ground level.
- For units 4, 5, 6, 7, 13, 14, 15 and 16: Adjust parking space position and garage door position such that door clear zone of parking envelope is hard against the exterior wall.
- For units 8, 9, and 10: Move the external wall to achieve 3m internal width, change external access door to sliding door.
- Front windows to unit 1 lounge and bedroom 2 to be double glazed.
- The screen to the rear of the waste collection area be solid to 1.8m high.
- Details of screening to front and sides of waste collection area.

## **3 Waste and Recycling Collection**

Waste and recycling must be collected weekly by a private contractor.

## **4 Council's Works Department conditions**

### **4.1 Stormwater**

- a) A connection to the Council's stormwater system must be constructed in accordance with Council standards and to the satisfaction of Council's Works & Infrastructure Department.
- b) Concentrated stormwater must not be discharged into neighbouring properties
- c) Landscaping and hardstand areas must not interfere with natural stormwater run-off from neighbouring properties.
- d) All driveways and hardstand areas must be designed to allow stormwater run-off to be adequately drained to the Council stormwater system.



- e) Prior to the issue of a building permit, or the commencement of development authorised by this permit, the applicant must provide detailed stormwater drainage plans for approval by Council's Works and Infrastructure Department. The plans must provide full details of the stormwater detention arrangements including calculations. The detailed plans are to be developed based on the plans approved plans.
- f) A plumbing permit is required prior to commencing any plumbing or civil works within the property.

#### 4.2 Access

- a) Concrete driveway crossovers and aprons must be constructed from the edge of the road to the property boundary in accordance with the endorsed plans and Council standard drawing TSD R03 and to the satisfaction of Council's Works Manager.
- b) Access works must not commence until an application for vehicular crossing has been approved by Council.

#### 4.3 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.

#### 4.4 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.

#### 4.5 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.

#### 4.6 Works damage bond

- a) Prior to the issue of a building permit, or the commencement of development authorised by this permit, a \$1000 bond must be provided to Council, which will be refunded if Council's infrastructure is not damaged.
- b) This bond is not taken in place of the Building Department's construction compliance bond.
- c) The nature strip, crossover, apron and kerb and gutter and stormwater infrastructure must be reinstated to Council's standards if damaged.
- d) The bond will be returned after building completion if no damage has been done to Council's infrastructure and all engineering works are done to the satisfaction of the Works & Infrastructure Department.

#### 4.7 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.

### **5 TasWater conditions**

Sewer and water services must be provided in accordance with TasWater's Submission to Planning Authority Notice (reference number TWDA 2022/00696-NMC)).

### **6 Landscaping**

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



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

**7 Driveways and Parking Areas**

- a) Driveways and parking areas around each unit shall be sealed with an impervious asphalt or concrete pavement prior to the commencement of use of the unit.
- b) Each parking space (unless contained within a garage) shall be clearly and permanently labelled with the unit number it is allocated to or as a visitor parking space, prior to the commencement of use of the unit.

**8 Required prior to the application for a building permit**

Prior to the issue of a building permit, or the commencement of development authorised by this permit, the applicant shall:

- a) Pay works damage bond of \$1000 (as per condition 4.6);
- b) Pay a \$500 per unit landscape bond (as per condition 6).

**9 Prior to commencement of use**

Prior to the commencement of the use of each unit, the following must be completed:

- a) Landscaping works for each unit - mail and newspaper receptacles, clothes-drying facilities, private open space screening and garden shed (as per condition 6 – landscaping);
- b) Driveways and parking areas around each unit sealed (as per condition 7).

**10 Department of State Growth Conditions**

- Prior to undertaking any service works in the State road reservation a Service Works Permit is required from the Department of State Growth in accordance with Section 13 and Section 16 of the Roads and Jetties Act 1935.
- Prior to the concentrated discharge of stormwater on to the State road reservation, Stormwater Discharge Consent is required from the Department of State Growth in accordance with Section 17B of the Roads and Jetties Act 1935
- Note: Application for permits and stormwater drainage consent can be found at [https://www.transport.tas.gov.au/roads\\_and\\_traffic\\_management/permits\\_and\\_bookings](https://www.transport.tas.gov.au/roads_and_traffic_management/permits_and_bookings)
- Applications must be received by the Department of State Growth at least 20 business days before the expected start date for works, to allow enough time to assess the application.

**MINUTE NO. 22/205**

DECISION

Cr Davis/Cr Adams

That application PLN-22-0045 to use and develop the land at 21 Drummond Crescent, 46 Drummond Street, Drummond Crescent and Drummond Street road reserves, for 16 Multiple Dwellings (1 Existing, 15 New) and associated services (Reliance on performance criteria of the General Residential Zone, Road and Railway Assets Code & Car Parking and Sustainable Transport Code) be refused on the following grounds:

- A) The proposal does not comply with clause 10.4.8 P1 (c). The common waste storage area less than 5.5 from unit 1 is not separated from the dwelling to minimise impacts caused by odours and noise.
- B) The proposal does not comply with clause E6.7.2 P2 (a). With a width of 3m the access is not convenient, safe and efficient to use.
- C) The proposal does not comply with clause E6.8.5 P1. Pedestrian access is not provided in accordance with Table E6.5 meaning that safe pedestrian access is not provided between the entrances to buildings and the road.

*Note: The Council, as stormwater service provider, will not approve connection to the public stormwater system until it is satisfied that there will be no detriment to the public stormwater system.*

Carried

Voting for the Motion:

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

Voting Against the Motion:

Cr Brooks



## 16 COUNCIL ACTING AS A PLANNING AUTHORITY: CESSATION

### RECOMMENDATION

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

### MINUTE NO. 22/206

#### DECISION

Cr Goninon/Cr Lambert

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





## 17 ITEMS FOR THE CLOSED MEETING

Item	Local Government (Meeting Procedures) Regulations 2015 Reference
Confirmation of Closed Council Minutes	15(2)(g)
Councillors' Leave	15(2)(h)
Personnel Matters	15(2)(a)
Management Meetings	15(2)(g)
Correspondence Received	15(2)(i)
Action Items: Status Report	15(2)(g)
Property Matters	15(2)(f)
Appeal	15(2)(g) & 15(2)(i)
Contract/Tender	15(2)(d)
Lease	15(2)(f)
Property matter	15(2)(c) & 15(2)(g)
Committee Membership	15(2)(g)
Contract/Tender	15(2)(d)
Contract/Tender	15(2)(d)

### *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. 22/218

### DECISION

Deputy Mayor Goss/Cr Goninon

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

## 17.1 CLOSED COUNCIL DECISIONS RELEASED

### 4.2 Expressions of Interest: Sale of Town Hall Campbell Town

## MINUTE NO. 22/223

### DECISION

Cr Goninon/Cr Davis

- A) That Council defers a decision to market and sell the Town Hall in Campbell Town on behalf of Council and seeks additional expressions of interest from real estate agents.
- 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 to the public.

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

### 4.5 Applications for Membership: Local District Committees

## MINUTE NO. 22/226

### DECISION

Cr Adams/Cr Davis

That Council

- A) Appoint Peter Munro as a member of the Longford Local District Committee for the remainder of the 2021-2023 membership term.
- B) Appoint Christopher Beach as a member of the Campbell town District Forum for the remainder of the 2021-2023 membership term.
- C) 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



**4.6 Tender for Collection: Kerbside Organic Materials**

**MINUTE NO. 22/227**

**DECISION**

Cr Adams/Cr Goninon

- A) That Council accept the price offered by Veolia for a four year tender to collect kerbside FOGO.
- 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 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

**4.7 Contract No 22/04: Emptying of Front Lift and Skip Bins at Waste Transfer Stations**

**MINUTE NO. 22/228**

**DECISION**

Cr Goninon/Cr Adams

- A) That Council accept the tender provided by Just Waste for the emptying of skip bins at the Waste Transfer Stations.
- 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 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



## 18 CLOSURE

### MINUTE NO. 22/229

#### DECISION

Cr Davis/Cr Lambert

That Council move out of the "Closed Meeting".

Carried Unanimously

Mayor Knowles closed the meeting at 9.46pm.

MAYOR \_\_\_\_\_ DATE \_\_\_\_\_