



**NORTHERN
MIDLANDS
COUNCIL**

MINUTES

ORDINARY MEETING OF COUNCIL

MONDAY, 15 AUGUST 2022



MINUTES of the Ordinary Meeting of the Northern Midlands Council held on 15 August 2022 at 5.10pm at the Council Chambers, 13 Smith Street, Longford

1 ATTENDANCE

PRESENT

Mayor Mary Knowles OAM, Deputy Mayor Richard Goss, Cr Dick Adams OAM, Cr Matthew Brooks, Cr Ian Goninon, Cr Janet Lambert,

In Attendance

Mr Des Jennings - General Manager, Miss Maree Bricknell - Corporate Services Manager (to 8.21pm), Mr Trent Atkinson - Project Manager (to 7.45pm), Mr Paul Godier - Senior Planner (to 7.57pm), Mrs Gail Eacher - Executive Assistant (to 8.21pm),

APOLOGIES

Cr Andrew Calvert, Cr Jan Davis, Cr Michael Polley AM, Mr Leigh McCullagh - Works Manager



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MINUTE NO. 22/259

DECISION

Cr Goninon/Cr Adams

That Item 9.10 *Kennel Licence Application: 310 Perth Mill Road* be held over until after Public Question Time.

Carried Unanimously

Voting for the Motion:

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

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.

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

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

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

Council **RESOLVED** to accept the following Declaration of Interest:

- Councillor Ian Goninon - Closed Council 3.6 Late Item Update on Appeal P2022/122



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, 18 July 2022, be confirmed as a true record of proceedings.

MINUTE NO. 22/260

DECISION

Cr Goninon/Cr Lambert

That the Open Council Minutes of the Ordinary Meeting of the Northern Midlands Council held at the Council Chambers, Longford on Monday, 18 July 2022, be confirmed as a true record of proceedings.

Carried Unanimously

5.2 DATE OF NEXT COUNCIL MEETING

Mayor Knowles advised that the next Ordinary Council Meeting of the Northern Midlands Council would be held at 5.00pm on Monday, 19 September 2022 in person only.



6 COUNCIL COMMITTEES - CONFIRMATION OF MINUTES

Minutes of meetings of the following Committees are attached:

Date		Committee	Meeting
1	8 June 2022	Morven Park Management Committee	Ordinary
2	2 August 2022	Perth Local District Committee	Ordinary
3	26 July 2022	Northern Midlands Local Recycling Committee	Ordinary
4	2 August 2022	Campbell Town District Forum	Ordinary
5	2 August 2022	Ross Local District Committee	Ordinary
6	3 August 2022	Bicycle Advisory Committee	Ordinary

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

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

MINUTE NO. 22/261

DECISION

Cr Brooks/Cr Lambert

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 2 August 2022 the following motion/s were recorded for Council's consideration:

Council Works: *That the Council Works Supervisor be asked that, if possible, to attend the next forum meeting on the 2 September 2022 at 9.30am Motion*

Officer Comment:

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

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

Officer Recommendation:

That Council Officers endeavor to attend meetings when available.

MINUTE NO. 22/262

DECISION

Cr Adams/Cr Brooks

That Council Officers endeavor to attend meetings when available.

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil



7.2 PERTH LOCAL DISTRICT COMMITTEE

At the ordinary meeting of the Perth Local District Committee held on 2 August 2022 following motion/s were recorded for Council's consideration:

Naming of the William Street Bridge: *That Council publicly acknowledge the contribution of John Stagg, who was a member of the PLDC for a considerable length of time and an invaluable source of local history. We request the Council to consider naming the new William St Bridge in his honour.*

Officer Comment:

That Council note the request of the Perth Local District Committee.

Mr Stagg joined the Committee at the time of its establishment in 2009. He was an active member of the Committee, providing much insight into the history of Perth.

The Committee wish to recognise Mr Stagg's contribution and commitment to the local community; and his knowledge of and passion for Perth's history.

Officer Recommendation:

That Council note the recommendation of the Committee and give consideration to the request.

MINUTE NO. 22/263

DECISION

Cr Lambert/Cr Brooks

That Council note the recommendation of the Committee and give consideration to the request.

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil

Road Signage at Playgrounds: That the Train Park and Seccombe Street playgrounds have "Children at Play" signage erected. The Committee considers this is a safety issue and should be considered necessary and urgent. With the new development at the end of Little Mulgrave Street we consider signage on both sides of the Train Park playground to be necessary.

Officer Comment:

The Committee have requested that "Children at Play" signage be erected on the road frontage at Seccombe Street playground and on both the main street and Little Mulgrave Street frontages of the Train Park playground.

Officer Recommendation:

That Council officers investigate this request and advise the Committee of the outcome of the investigation.

MINUTE NO. 22/264

DECISION

Cr Adams/Cr Lambert

That Council officers investigate this request and give consideration to other locations; and advise the Committee of the outcome of the investigation.

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil



Committee Motions to Council re Operational Matters:

- 1) *For clarification of the definition of shade and shade structures/sails in Seccombe St playground and Train Park.*
- 2) *To ask Council in it's budgetary information to the Committee to provide information regarding ongoing projects as to what has already been previously funded and what money has been carried forward or extended in relation to the 22/23 budget items.*

Officer Comment:

The above PLDC recommendations to Council are operational matters and have been referred to Council officers to provide a response to the Committee.

Officer Recommendation:

That Council note the requests and action taken.

MINUTE NO. 22/265

DECISION

Cr Adams/Deputy Mayor Goss

That Council note the requests and action taken; and provide a response to the Committee.

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil



7.3 OTHER COMMITTEE RECOMMENDATIONS

MORVEN PARK MANAGEMENT COMMITTEE

At the ordinary meeting of the Morven Park Management Committee held on 8 June 2022 the following motion/s were recorded for Council's consideration:

Macrocarpa trees causing safety concerns: *That Council look at removal of Macrocarpa trees in a timely manner due to safety concerns of patrons and infrastructure with the view to using the stumps / trunks for carvings as at Campbell Town.*

Officer Comment:

That Council officers investigate the request and possible planning implications and a future report be prepared for Council's consideration.

Officer Recommendation:

That Council note the request and the action to be taken.

MINUTE NO. 22/266

DECISION

Deputy Mayor Goss/Cr Adams

That Council note the request and the action to be taken.

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil

BICYCLE ADVISORY COMMITTEE

At the ordinary meeting of the Bicycle Advisory Committee held on Wednesday 3 August 2022, the following motion/s were recorded for Council's consideration:

PLN22-0040: Road & Streetscape Works – Wellington Stret, Longford: That the kerb outstands (pinch points) incorporate rideable/mountable kerbing or, designated bike lane within the kerb outstands, this can be in the same line as the outstand or bend in towards the existing kerb line. Pavement or kerbing to be marked green with the appropriate signage.

Officer Comment:

The Committee had concerns that the kerb outstands have no safe area for cyclists. Although cyclists have the right to be on the road, the Committee have experienced firsthand that all road users do not abide by the road rules. Incorporating a refuge or lane will give cyclists at these outstands a safe area to use.

Officer Recommendation:

That Council considers conditioning PLN22-0040 to include the Bicycle Advisory Committees motion.

MINUTE NO. 22/267

DECISION

Cr Adams/Cr Lambert

That Council considers conditioning PLN22-0040 to include the Bicycle Advisory Committees motion.

Carried Unanimously

Voting for the Motion:

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

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
01 August 2022	Council Workshop Discussion included: <ul style="list-style-type: none">• Kennel Licence Application• Tyre Storage• Perth School Crossing• Quad Bike / Motorcycle Track• Facilities for Homeless Persons
15 August 2022	Council Workshop Discussion: <ul style="list-style-type: none">• Council Meeting Agenda items
	Council Meeting

8.2 MAYOR'S ACTIVITIES ATTENDED & PLANNED

Mayor's Activities Attended & Planned for the period 28 June 2022 to 15 August 2022 are as follows:

Date	Activity
21 July 2022	Attended NTDC ID Consulting presentation, Tamar Function Centre, Launceston
21 July 2022	Attended construction site, Perth Early Learning Centre, Perth
21 July 2022	Attended online Executive meeting, Gipps Creek
3 Aug 2022	Attended TasWater quarterly briefing, Launceston
3 Aug 2022	Attended inaugural Cycling Committee meeting, Longford
4 Aug 2022	Attended meeting with Minister Street, Longford
4 Aug 2022	Attended Tasmanian Game Council meeting, Campbell Town
5 Aug 2022	Attended Affordable Housing options online meeting, Gipps Creek
15 Aug 2022	Attended Workshop and Council Meeting, Longford
8 Aug 2022	Radio Interview – Tasmania Talks
Attended to various emails and correspondence.	

8.3 GENERAL MANAGER'S ACTIVITIES

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

- Attended Northern Tasmania Development Corporation board meeting
- Met with Consultants re projects in Perth and Longford
- Attended Community Business Advisory Committee (CBAG) meeting
- Attended the Tasmanian Audit Office stakeholder engagement meeting
- Attended the Premier's Local Government officials committee meeting
- Attended Northern Tasmania Development Corporation strategic planning meeting
- Met with proponent re development proposal, Longford
- Attended Regional Planner's Group meeting for general managers
- Attended General Manager's Regional Meeting
- Attended .id Workshop
- Attended Investment Logic Mapping Workshop (TRANSlink)
- Met with John Cuthbertson re Campbell Town's Convict Brick Trail



- Met with proponent re development proposal
- Attended official launch of UNESCO City of Gastronomy

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

8.4 PETITIONS

PURPOSE OF REPORT

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

OFFICER'S COMMENT

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

Section 57. Petitions

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

- (1) A person may lodge a petition with a council by presenting it to a councillor or the general manager.
- (2) A person lodging a petition is to ensure that the petition contains –
 - (a) a clear and concise statement identifying the subject matter and the action requested; and
 - (b) in the case of a paper petition, a heading on each page indicating the subject matter; and
 - (c) in the case of a paper petition, a brief statement on each page of the subject matter and the action requested; and
 - (d) a statement specifying the number of signatories; and
 - (e) at the end of the petition –
 - (i) in the case of a paper petition, the full name, address and signature of the person lodging the petition; and
 - (ii) in the case of an electronic petition, the full name and address of the person lodging the petition and a statement by that person certifying that the statement of the subject matter and the action requested, as set out at the beginning of the petition, has not been changed.
- (3) In this section –
 - electronic petition** means a petition where the petition is created and circulated electronically and the signatories have added their details by electronic means;
 - paper petition** means a petition where the petition is created on paper which is then circulated and to which the signatories have added their details directly onto the paper;
 - petition** means a paper petition or electronic petition;
 - signatory** means –
 - (a) in the case of a paper petition, a person who has added his or her details to the paper petition and signed the petition; and
 - (b) in the case of an electronic petition, a person who has added his or her details to the electronic petition.

58. Tabling petition

- (1) A councillor who has been presented with a petition is to –
 - (a)
 - (b) forward it to the general manager within 7 days after receiving it.
- (2) A general manager who has been presented with a petition or receives a petition under subsection (1)(b) is to table the petition at the next ordinary meeting of the council.
- (3) A petition is not to be tabled if –
 - (a) it does not comply with section 57; or
 - (b) it is defamatory; or
 - (c) any action it proposes is unlawful.
- (4) The general manager is to advise the lodger of a petition that is not tabled the reason for not tabling it within 21 days after lodgement.

PETITIONS

No petitions received.

ATTACHMENTS

Nil

8.5 CONFERENCES & SEMINARS: REPORT ON ATTENDANCE BY COUNCIL DELEGATES

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 2022/2023 year												Total 2021/2022 YTD	Total 2021/2022
	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June		
132	77												77	995
337	47												47	530

8.7 ANIMAL CONTROL

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

Item	Income/Issues 2021/2022		Income/Issues for July 2022		Income/Issues 2022/2023	
	No.	\$	No.	\$	No.	\$
Dogs Registered	4,272	109,997	854	14,417	854	14,417
Dogs Impounded	30	4,302	1	68	1	68
Euthanised	1		-		-	
Re-claimed	25		1		1	
Re-homed/Dogs Home	4		-		-	
New Kennel Applications	19	1,368	2	150	2	150
Renewed Kennel Licences	83	3,652	81	3,726	81	3,726
Infringement Notices (paid in full)	28	5,142	2	899	2	899
Legal Action			-		-	
Livestock Impounded			-		-	
TOTAL		124,461		19,260		19,260

Registration Audit of the Municipality:
Ongoing



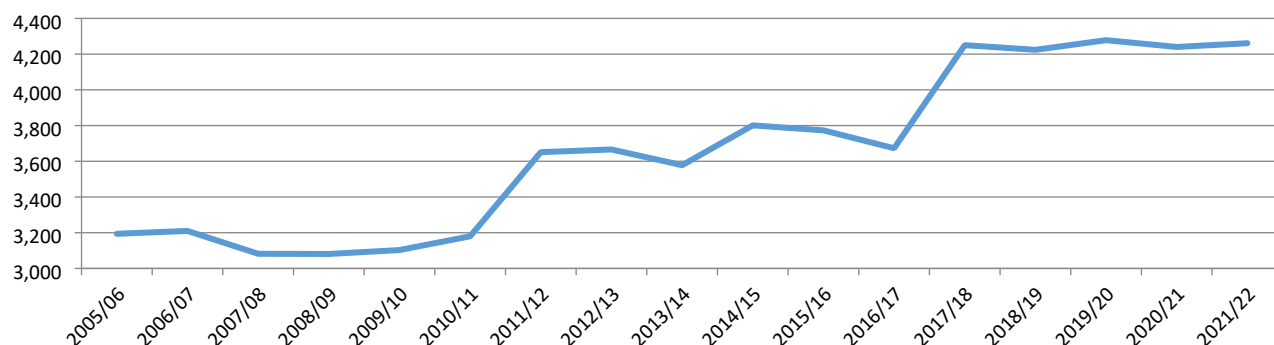
Microchips:

0 dogs microchipped.

Attacks:

1 attack

Number of Dogs Registered by Year



8.8 ENVIRONMENTAL HEALTH SERVICES

Prepared by: Patricia Stanwell, Environmental Health Officer

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

Ensure safe standards of food offered for sale are maintained.

Investigations/ Inspections/ Licences Issued	Prior Years		
	2019/2020	2020/2021	2021/2022
Notifiable Diseases	1	0	1
Inspection of Food Premises	111	67	170
Place of Assembly Approvals		1	14

Actions	2022/2023													
	YTD	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	
Routine Fixed Food Inspections	5 / 174	5												
Routine Mobile/Market stall Food Inspections	1	1												
Preliminary Site Visits – Licensed Premises	8	8												
On-site wastewater Assessments	0	0												
Complaints/Enquiries – All Types	10	10												
Place of Assembly approvals	0	0												
Notifiable Diseases	0	0												

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

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

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

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

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

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

The following is applicable regarding food business registrations:

- A Food Business Application is to be completed and lodged with Council each year (Financial) Sections 84 or 87 or 89 of the *Food Act*.



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

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

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

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

8.9 CUSTOMER REQUEST RECEIPTS

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

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

Date	Recipient	Purpose	Amount \$
3-Aug-22	Reptile Rescue	Donation to service	\$1,000.00
3-Aug-22	Campbell Town District High School	Inspiring Positive Futures Program	\$7,272.73
3-Aug-22	Andrew G Upton	Donation – State Rep for Darts Tas Senior Mens Team	100.00
		TOTAL	\$8,372.73

8.11 ACTION ITEMS: COUNCIL MINUTES

Meeting Date	Document	Item No.	Item	Status	Action Required	Assignees	Action Taken
27/06/2022	2022-06-27 Ordinary Meeting of Council - Open Council	9.9	Commonwealth Bank Customer Advocate Visit to the Northern Midlands	Awaiting external response	That Council a)....; and b) write to the Commonwealth Bank to ask what their intentions are in relation to the provision of banking services in the Northern Midlands; and c) revisit the conversation relating to the provision of banking services by Bendigo Bank.	Lorraine Green	04/07/2022 Lorraine Green Letter forwarded to the Commonwealth Bank Customer Advocate on 4 July 2022, seeking advice as to how the information collected during the Advocate's visit in April 2022 had been applied, and an indication of what the intentions of the Commonwealth Bank are in relation to the future provision of banking services in the Northern Midlands. The issue of revisiting the conversation relating to the provision of banking services by the Bendigo Bank has been referred to the agenda of a forthcoming Council Workshop. 20/07/2022 Lorraine Green A survey of Commonwealth customers is being progressed.
31/01/2022	2022-01-31 Ordinary Meeting of Council - Open Council	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	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



Meeting Date	Document	Item No.	Item	Status	Action Required	Assignees	Action Taken
	Council				for 101 Pateena Road to be entirely in the Municipality of Meander Valley.		maps. 03/03/2022 Paul Godier Spatial Information Specialist provided map on 17 February 2022. Meander Valley Council to consider the request for municipal boundary adjustment at its meeting of 8 March 2022. 25/03/2022 Gail Eacher 8/3/2022 Meander Valley Council agreed to adjustment. Request sent to LG Division 18/3/2022. 04/04/2022 Paul Godier 31 March 2022, the Local Government Division requested consent of new landowner and provision of Municipal Map. Being provided in conjunction with Meander Valley Council. 03/05/2022 Paul Godier Meander Valley Council advised on 1 April 2022 that they will follow up the new ownership and consent. 10/07/2022 Paul Godier Meander Valley Council advised that they have requested the contact details for the new owner from the purchaser's solicitor and followed up. As soon as they have the contact details for the new owner, MVC will make contact to see if they are willing to provide consent for the minor municipal boundary adjustment.
18/07/2022	2022-07-18 Ordinary Meeting of Council - Open Council	9.2	Unused Service Station: Corner Drummond Street and Main Road, Perth	Awaiting external response	That Council immediately proceed with serving a nuisance declaration under section 200 of the Local Government Act on the owners of the ex-Service Station on the corner of Drummond Street and Main Street at Perth. This should require the removal of the temporary fencing and restoration of the pavement and surrounding areas to a safe and presentable condition.	Amanda Bond, Paul Godier	25/07/2022 Paul Godier Instructed Council's lawyer to prepare an abatement notice.
	Ordinary Meeting of Council - Carried Over Actions (Old Resolutions Register)	1.3	16/03/2020 - Deferred Item - GOV8 Overhanging Trees/Hedges: Evandale	In progress	Deferred to provide opportunity for the community to attend.	Des Jennings, Gail Eacher	29/09/2021 - No further action to be taken at this time. To be workshopped and report to be relisted. Discussion held with property owner, formal advice requested. Correspondence to be forwarded to property owner. 25/01/2022 Gail Eacher Correspondence forwarded to property owner, awaiting response. 14/02/2022 Gail Eacher Letter received from property owner. Draft response to queries raised prepared. 01/04/2022 Gail Eacher Letter sent to property owner, response awaited. 08/07/2022 Gail Eacher Further information being sought prior to workshop discussion.
	Ordinary Meeting of Council - Carried Over Actions (Old Resolutions Register)	1.11	17/09/2018 - 258/18 - Initiation of Draft Planning Scheme Amendment 04/2018 include Flood Risk Mapping in the Planning Scheme for Land along Sheepwash Creek from Arthur Street to Cemetery Road, Perth	In progress	That Council, acting as the Planning Authority, pursuant to section 34 of the former provisions of the Land Use Planning and Approvals Act 1993 resolve to initiate draft Planning Scheme Amendment 04/2018 to the Northern Midlands Interim Planning Scheme 2013 to include the flood risk mapping for land zoned General Residential and Future Residential, based on the mapping shown in the attachment, in the planning scheme maps.	Paul Godier	29/09/2021 - Consultant is validating the modelling. 24/01/2022 Paul Godier Consultant provided updated modelling on 10 January 2022. 03/03/2022 Paul Godier Given that the draft Local Provisions Schedule hearing are expected to be held in July 2022, it is recommended that quotes be sought to prepare a scheme amendment to include the flood mapping once the Local Provisions Schedules are in effect. It is noted that the Flood Prone Areas Code currently applies to land mapped as flood risk on the planning scheme maps, or even if not mapped, if it is potentially subject to flooding at 1% annual exceedance probability. 09/05/2022 Paul Godier Quotes to be sought. 07/06/2022 Paul Godier Quote sought. 10/07/2022 Paul Godier Quote received. Project to be initiated.
	Ordinary Meeting of Council - Carried Over	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	Des Jennings, Gail Eacher	29/09/2021 - Motions to be prepared and workshopped. 25/01/2022 Gail Eacher Advice sought.



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	Actions (Old Resolutions Register)				Agency, and Department of State Growth.		
	Ordinary Meeting of Council - Carried Over Actions (Old Resolutions Register)	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 Eacher	29/09/2021 - Historic photos to be catalogued and collated. 05/10/2021 Gail Eacher Framed photographs installed - action complete. Resources not available to undertake archiving of historic photographs and production of photo book. Additional resource to be sought. 06/12/2021 Gail Eacher Cataloguing and collation of historical photographs has commenced. 29/07/2022 Gail Eacher Cataloguing and collation of historical photographs continues to be undertaken subject to staff workloads.
15/11/2021	2021-11-15 Ordinary Meeting of Council	9.4	Community Action Plan	In progress	Please action as per resolution. That Council accepts the opportunity to receive a \$5,000 grant and develop a Community Action Plan on Suicide Prevention for the Northern Midlands with the focus of the plan to be to offer Mental Health First Aid training to members of Council staff and members of the Northern Midlands municipality.	Amanda Bond	07/12/2021 Amanda Bond Meeting with Relationships Australia representative on 9/12/2021 13/01/2022 Amanda Bond Officers to compile list of relevant community members / groups to work on the plan. 08/03/2022 Amanda Bond Relationships Australia, Tasmania representative to present to Northern Midlands Interagency Meeting (meeting of local service providers, particularly in the health space) and seek input for development of plan. 03/05/2022 Amanda Bond Awaiting report from Relationships Australia on how to proceed.
27/06/2022	2022-06-27 Ordinary Meeting of Council - Open Council	9.2	Disposal of Land: Evandale, Western Junction and Campbell Town	In progress	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.	Amanda Bond	12/07/2022 Amanda Bond Report to August Council meeting. 09/08/2022 Gail Eacher Report not finalised, to be tabled at September Council meeting.
27/06/2022	2022-06-27 Ordinary Meeting of Council - Open Council	9.4	Sale of Land at Bruce Place Longford	In progress	That Council determines; a) to subdivide Certificate of Title Volume 11088 Folio 25, as shown in the attached plan; and b) sell the proposed new lot as shown in the attached plan, and c) retain the balance lot for walkway; and d) directs the General Manager to commence the sale process in accordance with Part 12, Division 1 of the Local Government Act 1993 ; and e) funds realised from the sale be directed toward the Laycock Street Park development.	Amanda Bond, Leigh McCullagh	12/07/2022 Amanda Bond Advertisement to be prepared. 19/07/2022 Amanda Bond Advertised 30 July 2022. 21 days from advertised date for objection to be lodged. Report to September Council meeting.
13/12/2021	2021-12-13 Ordinary Meeting of Council - Open Council	12.1	Traffic Concerns: Intersection - Wellington and Marlborough Streets, Longford	In progress	That Council i) receive JMG Engineers and Planners report titled Wellington - Marlborough Street Longford Intersection Options dated 29 November 2021; and ii) endorse the 29 November 2021 JMG Engineers and Planners proposal Appendix B, concept design 1, to install Outstands and Concrete Planters to protect pedestrians and building from damage; and iii) continue to seek other measures to remediate the dangers posed by the intersection.	Jonathan Galbraith, Leigh McCullagh	20/01/2022 Jonathan Galbraith Revised design plan has been sent to DSG for approval. Contractor to be engaged to carry out works once approval is received 14/02/2022 Jonathan Galbraith Design proposing installation of concrete bollards has been submitted to DSG for approval awaiting response 08/03/2022 Jonathan Galbraith Currently seeking prices to carry out works 01/04/2022 Jonathan Galbraith Planning Application has been submitted for these works. Contractor has been engaged to carry out works once planning approval is received. 06/05/2022 Jonathan Galbraith Finalizing heritage requirements for planning application 22/07/2022 Jonathan Galbraith Application to revise planning application has been submitted 09/08/2022 Gail Eacher Revised planning application has been submitted.
16/05/2022	2022-05-16 Ordinary Meeting of Council - Open Council	7 1.5	Waste and Recycling	In progress	Request: That Council address the issue of excess waste and contamination. Decision: That Council note the request; and receive a report on the processing of recyclables at Waste Transfer Stations (excluding Longford).	Jonathan Galbraith, Lorraine Wyatt	18/05/2022 Lorraine Wyatt Outcome reported to the Committee 18/5/2022 22/07/2022 Jonathan Galbraith Jonathan preparing report / information for Council
27/06/2022	2022-06-27	7	Wellington Street -	In	That Council investigate the feasibility of	Jonathan	30/06/2022 Lorraine Wyatt Council



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	Ordinary Meeting of Council - Open Council	3.3	Traffic Calming	progress	installing an LED Smart Speed Display, or similar.	Galbraith, Lorraine Wyatt	decision communicated to LLDC via email 1 July 2022. 22/07/2022 Jonathan Galbraith These signs are very expensive (indicatively \$25,000+), need to consider if the cost is justified. Jonathan has emailed DSG to see if they are using these signs or can provide further information.
	Ordinary Meeting of Council - Carried Over Actions (Old Resolutions Register)	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 - Report to future Council Meeting. 08/11/2021 Gail Eachar Matter to be referred to future Council workshop for further advice.

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16/05/2022	2022-05-16 Ordinary Meeting of Council - Open Council	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
	Ordinary Meeting of Council - Carried Over Actions (Old Resolutions Register)	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 - Discussed at Workshop. Further options to be investigated. 08/10/2021 Gail Eachar Further report from Traffic Engineer re alternate solutions awaited. 08/11/2021 Gail Eachar Traffic Engineer scheduled to attend 29 November Councillor workshop. 06/12/2021 Gail Eachar Report to December Council meeting.
	Ordinary Meeting of Council - Carried Over Actions (Old Resolutions Register)	1.5	16/08/2021 - 328/21 - Ross Swimming Pool	Completed	That Council procure a health and safety report (existing or newly commissioned report) to ascertain whether the Ross pool is safe to be used.	Des Jennings, Gail Eachar	29/09/2021 - Report to be presented to October Council Meeting. 08/10/2021 Gail Eachar Report to 18 October 2021 Council meeting.
	Cressy Local District Committee - Carried Over Actions (Old Resolutions Register)	1.1	17/02/2020 - 039/20 - Bartholomew Park Sign	Completed	Committee Recommendation That the Bartholomew Park sign be removed from the top of the history board and a new sign (redesign) be installed at the corner of the park facing Main and Church Streets. RESOLUTION That Council officers investigate and design a new park sign and explanation plinth (providing background on the 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 - Committee has chosen sign design. Seeking advice on planning approval requirements. Once advice received will progress. 09/11/2021 Gail Eachar 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 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. 19/07/2022 Amanda Bond Sign to be resized and installed when building officers available.
	Ordinary Meeting of Council - Carried Over Actions (Old Resolutions Register)	1.15	18/05/2020 - 146/20 - Northern Midlands Youth Voice Forum	Completed	That Council endorse the progression of the Northern Midlands Youth Voice Forum.	Natalie Dell	29/09/2021 - To be investigated and progressed. 12/07/2022 Gail Eachar Process being reviewed, action plan being developed. Implementation proposed for Term 2 of 2023.
	Ross Local District Committee - Carried Over Actions (Old Resolutions Register)	1.1	21/10/2019 - 313/19 - Macquarie River	Completed	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	Amanda Bond, Gail Eachar, Lorraine Wyatt	08/10/2021 - 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



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	Resolutions Register)				consultation and investigation. RESOLUTION That Council support the proposal and progress the request.		the Minster. 14/07/2022 Gail Eachar Dual naming approved.
16/05/2022	2022-05-16 Ordinary Meeting of Council - Open Council	7 4.2	Bicycle Pump Track	Completed	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	08/07/2022 Gail Eachar No further action, no budget provision.
21/02/2022	2022-02-21 Ordinary Meeting of Council - Open Council	12.1	Bridge Across Liffey River to former Baptist Church Grounds	Completed	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. 22/07/2022 Maree Bricknell Bridge Asset disposed of as at 30 June 2022.
27/06/2022	2022-06-27 Ordinary Meeting of Council - Open Council	9.6	Consultation Paper: Amendment to Aboriginal Lands Act 1995	Completed	That Council note the report; and take no further action.	Amanda Bond	12/07/2022 Amanda Bond No action required.
27/06/2022	2022-06-27 Ordinary Meeting of Council - Open Council	7 2.2	Cressy Brochure	Completed	That the request be noted.	Amanda Bond	12/07/2022 Amanda Bond Tourism Officer notified of decision.
16/05/2022	2022-05-16 Ordinary Meeting of Council - Open Council	7 2.2	Cressy Swimming Pool	Completed	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	20/07/2022 Amanda Bond Matter investigated. Report to August Council meeting.
27/06/2022	2022-06-27 Ordinary Meeting of Council - Open Council	9.2	Disposal of Land: Evandale, Western Junction and Campbell Town	Completed	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. 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. 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. 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.	Amanda Bond	12/07/2022 Amanda Bond Advertisement to be prepared. 19/07/2022 Amanda Bond All decisions to sell public land circulated to Local District Committees for information, with details on public consultation process which has been advertised on 30 July 2022. Reports to be brought back to Council with any objections to decision to sell land to September Council meeting.
27/06/2022	2022-06-27 Ordinary Meeting of Council - Open Council	9.2	Disposal of Land: Evandale, Western Junction and Campbell Town	Completed	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.	Amanda Bond	12/07/2022 Amanda Bond Advertisement to be prepared. 19/07/2022 Amanda Bond Advertised 30 July 2022. 21 days from advertised date for objection to be lodged. Report to September Council meeting.
27/06/2022	2022-06-27 Ordinary Meeting of Council - Open Council	9.2	Disposal of Land: Evandale, Western Junction and Campbell Town	Completed	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.	Amanda Bond	12/07/2022 Amanda Bond Advertisement to be prepared. 19/07/2022 Amanda Bond Advertised 30 July 2022. 21 days from advertised date for objection to be lodged. Report to September Council meeting.
27/06/2022	2022-06-27 Ordinary Meeting of Council - Open Council	9.5	Footpath Trading By-Law	Completed	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.	Amanda Bond	12/07/2022 Amanda Bond Advertisement to be prepared. 19/07/2022 Amanda Bond Advertised 30 July 2022 in Examiner Newspaper. Listed in Northern Midlands Courier 4 August 2022. Advertised on Council Facebook page. Available on Council website. Hard copies displayed in Council foyer. Media release issued 29 July 2022. Copies of



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							documents sent to: - Department of State Growth - Department of Health - Local District Committees - Northern Midlands Business Association - Local businesses - Tasmania Police - Royal Guide Dogs Association - Royal Society for Blind and Deaf - Anti-Discrimination Commission
27/06/2022	2022-06-27 Ordinary Meeting of Council - Open Council	7 4.2	Historic Interpretive Panels	Completed	That the committees request be noted.	Fiona Dewar, Gail Eacher	05/07/2022 Fiona Dewar noted 08/07/2022 Gail Eacher Noted.
27/06/2022	2022-06-27 Ordinary Meeting of Council - Open Council	12.1	Hudson Fysh Drive Parking	Completed	Take no further action at this time and continue to monitor on-street parking in this area.	Jonathan Galbraith	22/07/2022 Jonathan Galbraith Car park management have been notified of decision. Continue to monitor
21/02/2022	2022-02-21 Ordinary Meeting of Council - Open Council	10.4	Inadequate Provision in the Planning Scheme to Cater for Itinerant Worker Accommodation with Appropriate Amenities and in Accordance with Federal Government Requirements	Completed	That Council 1) identify seasonal worker accommodation as an issue for the review of the State Planning Provisions; and 2) submit a Proposal for Change to the National Construction Code to require appropriate living conditions in accordance with modern expectations.	Paul Godier	03/03/2022 Paul Godier Planning Issues - Awaiting advice of review of State Planning Provisions. Building Issues - Preparing a Proposal for Change to the National Construction Code. Identifying who can undertake queuing modelling to support a recommended number of toilets and showers per person. 04/04/2022 Paul Godier Tasmanian State Planning Office advised of Local Government Engagement Timeline. 21/06/2022 Paul Godier Recommended submission to review of State Planning Provisions to include standards for seasonal worker accommodation to be presented to Council meeting of 27 June 2022. 10/07/2022 Paul Godier Submission to review of State Planning Provisions to be made by 29 July 2022 in accordance with Minutes of June meeting.
27/06/2022	2022-06-27 Ordinary Meeting of Council - Open Council	9.7	Kennel Licence Application: 310 Perth Mill Road, Perth	Completed	That Council defer a decision to the next meeting of Council.	Amanda Bond, Maria Ortiz Rodriguez	12/07/2022 Amanda Bond Report to July Council meeting.
18/07/2022	2022-07-18 Ordinary Meeting of Council - Open Council	9.3	Kennel Licence Application: 310 Perth Mill Road, Perth	Completed	That the matter be deferred to a workshop for discussion; and a decision on the kennel licence application be deferred to a future Council meeting.	Maria Ortiz Rodriguez	25/07/2022 Maria Ortiz Rodriguez Listed for Council workshop discussion 1/08/2022 09/08/2022 Gail Eacher Report to August Council meeting.
27/06/2022	2022-06-27 Ordinary Meeting of Council - Open Council	9.1	Laycock Street Park, Longford	Completed	That Council in-principle adopt the Laycock Street Park Landscape Concept Plan and pursue external funding opportunities to enable the staged implementation of the plan.	Des Jennings, Lorraine Green	04/07/2022 Lorraine Green Opportunities for securing external funding for the Laycock Street Park Playground to be identified and pursued as appropriate. 20/07/2022 Lorraine Green Funding source yet to be identified. 09/08/2022 Gail Eacher Ongoing action to be progressed when funding source identified.
16/05/2022	2022-05-16 Ordinary Meeting of Council - Open Council	9.2	Local Government Reform	Completed	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	12/07/2022 Gail Eacher Information included in budget papers June 2022.
13/12/2021	2021-12-13 Ordinary Meeting of Council - Open Council	7 1.3	Marlborough Street Traffic Islands	Completed	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.
27/06/2022	2022-06-27	11.2	Municipal Budget	Completed	To be actioned in accordance with the	Maree	12/07/2022 Gail Eacher Complete.



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	Ordinary Meeting of Council - Open Council				Council resolution.	Bricknell	
27/06/2022	2022-06-27 Ordinary Meeting of Council - Open Council	7 2.3	Netball/basketball hoops	Completed	That the request be noted and officers investigate installation of netball / basketball hoops at the Cressy Recreation Ground.	Amanda Bond, Trent Atkinson	12/07/2022 Amanda Bond Project officer notified to include in Cressy Recreation Ground upgrade project.
27/06/2022	2022-06-27 Ordinary Meeting of Council - Open Council	7 3.2	Parking in Wellington Street	Completed	That Council notes the request and communicates outcomes of the parking strategy in the Longford business district with the Longford Local District Committee.	Leigh McCullagh, Lorraine Wyatt	30/06/2022 Lorraine Wyatt Council decision communicated to LLDC via email 1 July 2022.
18/07/2022	2022-07-18 Ordinary Meeting of Council - Open Council	11.2	Policy Review: Access to Units; and Rural Refuse Collection Service	Completed	That Council endorse the updated: Access to Residential Units Policy; and Rural Refuse Collection Service Policy	Gail Eacher	21/07/2022 Gail Eacher Policy manual updated.
18/07/2022	2022-07-18 Ordinary Meeting of Council - Open Council	9.1	Policy: Local Government Election Caretaker Period	Completed	That Council endorses the Local Government Election Caretaker Period Policy.	Gail Eacher	21/07/2022 Gail Eacher Policy manual updated.
21/02/2022	2022-02-21 Ordinary Meeting of Council - Open Council	9.1	Proposed Acquisition of Land: Macquarie Street, Cressy	Completed	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. 19/07/2022 Amanda Bond Concept plan and survey complete. Provided to planner to prepare development application for rezone and subdivision.
18/07/2022	2022-07-18 Ordinary Meeting of Council - Open Council	7 3.2	Provision of Secretarial Support	Completed	That Council no longer provide secretarial support to the Perth Local District Committee; and that the Perth Local District Committee be allocated \$2,500 in lieu of secretarial support to be used for projects identified by the PLDC and approved by Council.	Gail Eacher	29/07/2022 Gail Eacher Advice provided to the PLDC Chair, amended MOU signed.
16/05/2022	2022-05-16 Ordinary Meeting of Council - Open Council	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	12/07/2022 Gail Eacher Complete.
27/06/2022	2022-06-27 Ordinary Meeting of Council - Open Council	7 1.2	Reduced Speed Limit on High Street	Completed	That Council investigate options to determine what benefits can be achieved by reducing the speed limit in conjunction with the Campbell Town Urban Design and Traffic Management Strategy.	Leigh McCullagh, Lorraine Wyatt	30/06/2022 Lorraine Wyatt Council decision communicated to the 5 July 2022 CTDF meeting.
18/07/2022	2022-07-18 Ordinary Meeting of Council - Open Council	12.1	Request to Lower Speed Limit: Drummond Street and Youl Road, Perth	Completed	That Council support the recommendation from the Department of State Growth to lower the speed limits on Drummond Street and Youl Road Perth to 60 kph.	Jonathan Galbraith	22/07/2022 Jonathan Galbraith Jonathan advised Garry Hills and Donald Howatson at DSG that Council supports the proposed speed limit changes
27/06/2022	2022-06-27 Ordinary Meeting of Council - Open Council	8.9.1	Resolution for Information Items	Completed	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.	Paul Godier, Trish Cotton	12/07/2022 Gail Eacher Report to Council July 2022.
27/06/2022	2022-06-27 Ordinary Meeting of Council - Open Council	10.2	Review of the State Planning Provisions	Completed	That Council provide a submission to the review of the State Planning Provisions addressing the following issues: - Seasonal Worker Accommodation - Reinstatement of provisions removed with Planning Directive 8 - Flood-Prone Areas Hazard Code - minimum residential lot size of 450m ² to be increased to 600m ² in accordance with the Specific Area Plans in the Local Provisions Schedule; adequate performance criteria to require dual access and sufficient width for	Paul Godier	10/07/2022 Paul Godier Submission to be provided by 29 July in accordance with Council's resolution. 27/07/2022 Paul Godier Submission to be provided in accordance with Council's resolution by revised closing date for submissions of 12 August 2022.



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					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.		
16/05/2022	2022-05-16 Ordinary Meeting of Council - Open Council	7 3.2	Signage at United Pie & Petroleum	Completed	Request: Signage coming in and out of the United Service Station in Wellington Street needs to be realigned because it is unsafe, and Council need to review and have this addressed. Decision: That Council a) note the advice provided; and b) review previous traffic management reports and reported incidents/accidents.	Jonathan Galbraith, Lorraine Wyatt	18/05/2022 Lorraine Wyatt Outcome reported to the Committee by email on 18/5/2022 29/07/2022 Jonathan Galbraith Paul Godier engaged Keith Midson of Midson Traffic to review the location of the sign. Mr. Midson advised that the sign complies and the owner cannot be required to move it. Following receipt of the report Paul wrote the owner, United Petroleum and advised them that there had been a number of concerns raised by members of the public about the location of the sign and difficulties seeing approaching traffic when exiting the supermarket driveway. United Petroleum have not responded and based on the advice from Midson Traffic Council cannot require the owner to move the sign.
18/07/2022	2022-07-18 Ordinary Meeting of Council - Open Council	7 1.2	State Growth and Road Safety Concerns	Completed	That Council notes the Committee recommendation and feedback is provided to the Campbell Town District Forum.	Lorraine Wyatt	09/08/2022 Gail Eachar Advice forwarded to CTDF.
27/06/2022	2022-06-27 Ordinary Meeting of Council - Open Council	7 1.4	Stormwater Management - Centrecare Housing Development	Completed	That Council provide an overview of Stormwater Management to the Campbell Town District Forum.	Jonathan Galbraith, Leigh McCullagh, Lorraine Wyatt	30/06/2022 Lorraine Wyatt Council decision communicated at the 5 July CTDF meeting. 22/07/2022 Jonathan Galbraith Stormwater report has been provided for Lorraine Wyatt to pass on to committee if required. A Council Officer to be available to speak at the next meeting of the Campbell Town District Forum.
21/02/2022	2022-02-21 Ordinary Meeting of Council - Open Council	9.5	Swimming Pool Operations: 2021-2022 Season	Completed	That Council receive this report and that at the conclusion of the season a report be presented to Council, inclusive of the full data from the season, as well as information relating to finances, visitation and volunteer hours; feasibility of Council provision of and paying for training, multi-skilling/diversification of Council staff roles to take on lifeguarding duties during the season.	Des Jennings, Leslie Hall	15/03/2022 Gail Eachar Report to be prepared. 09/08/2022 Gail Eachar Report to August Council meeting.
21/02/2022	2022-02-21 Ordinary Meeting of Council - Open Council	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
27/06/2022	2022-06-27 Ordinary Meeting of Council - Open Council	9.1	UNESCO City of Gastronomy: Funding Request	Completed	That the Council approves the request for financial support of \$4,939.57 for the UNESCO City of Gastronomy program in 2022/23.	Gail Eachar	08/07/2022 Gail Eachar Included in 2022/23 Municipal Budget. 14/07/2022 Gail Eachar Letter sent.
27/06/2022	2022-06-27 Ordinary Meeting of Council - Open Council	9.3	Use of Recreational Vehicles Overnight at the Ross Recreation Ground	Completed	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.	Amanda Bond	12/07/2022 Amanda Bond Ross Community Sports Club have been notified of the decision.

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

Due to financial system upgrades, information in relation to Resource Sharing is not available at this time



Note:

Only a few private works are being undertaken by Council's Works crews, such as the grading of roads if personnel are in the area and have time available.

In the summer months fire abatement notices are issued, if the notices are not complied with a contractor is appointed to undertake the work.

8.13 VANDALISM

Prepared by: Jonathan Galbraith, Engineering Officer

Incident	Location	Estimated Cost of Damages		
		July 2022	Total 2022/23	Total 2021/22
Graffiti in Train Park toilets	Perth	\$400		
Graffiti in Seccombe Street toilets	Perth	\$600		
Graffiti in Village Green toilets	Longford	\$600		
Graffiti in Victoria Square toilets	Campbell Town	\$600		
TOTAL COST VANDALISM		\$2,200	\$2,200	\$10,200

8.14 YOUTH PROGRAM UPDATE

Prepared by: Natalie Dell, Youth Officer

PCYC Program

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

	Date of Session	Attendance	Comment
Perth			
	7/7		
	14/7	0	School Holidays
	21/7	0	School Holidays
	28/7	12	

Free2B Girls Program

The Free2B Girls program is funded by Tasmania Community Fund and has commenced in Longford and Campbell Town. Attendance for the month of July as follows:

Session Venue	Date of Session	Attendance	Comment
Campbell Town			
			Recommencing Term 3
	28/7	15	School intro session
Longford			
	5/7	11	
	12/7		School Holidays
	19/7		School Holidays
	26/7	8	

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 July as follows:

Session Venue	Date of Session	Attendance	Comment
Campbell Town			
	5/7	10	
	12/7		School Holidays
	19/7		School Holidays



Session Venue	Date of Session	Attendance	Comment
	26/7	22	
Cressy			
	7/7	12	
	14/7		School Holidays
	21/7		School Holidays
	28/7	6	School event

Meetings

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

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

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

NM Youth Mental Health Expo: The Youth Officer is working with Campbell Town District High School to put together an in-school event for Mental Health Week (Sep/Oct)- showcasing a range of services available to young people. Organisations currently include: RFDS, Relationships Aus, RAW and Lifeline.

School Holiday Session: During the School Holidays a session was run open to young people to join for craft, cooking and creative activities in both Longford and Campbell Town. Participant numbers were low (sickness), engagement levels were high and there was great feedback from parents and young people. One 14 y/o female participant 'This was great- I haven't left the house in 6 days, I haven't even really left my bed.' 'Thank you, I wasn't given money to do the activities my friends are doing'. Campbell Town Parent: 'it's so great to see activities offered for young people in the area, my child has been looking forward to this all school holidays. Great chance for socialisation in our rural community'.

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

8.15 INTEGRATED PRIORITY PROJECTS & STRATEGIC PLANS UPDATE

Prepared by: Lorraine Green, Project Officer

CURRENT AS OF 31 JULY 2022

Progress Report:

Not Started (obstacles)
 On Hold
 On Track
 Completed

INTEGRATED PRIORITY PROJECTS PLAN:

Strategic Plans		Dept.	Status	Current Status
Lead: Serve with honesty, integrity, innovation and pride				
	Integrated Priority Projects Plan		June 2021	Document prepared. Complete and will be included in the September updated reports.
Progress: Economic health and wealth – grow and prosper				
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. Council



Strategic Plans		Dept.	Status	Current Status
				resolved at the June 2022 Meeting to seek additional expressions of interest from real estate agents and this has been advertised. Report to August Council meeting.
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. Development application deferred to August Council meeting.
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. Finalising documentation for development application.
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.
People: Cultural and society – a vibrant future that respects the past				
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.
Implementation of Final Stages				
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 have been submitted. BBQ facility & landscaping to be funded through Local Roads and Community Infrastructure grant. July 2022: Funding secured from Cricket Australia towards the upgrade of the practice facility. Sourcing quotations for BBQ facility.
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 work underway.
5.1	• Evandale Morven Park Master Plan	Gov		Works substantially completed: grant acquittal report submitted. Relocation of cricket nets to be completed later in 2022.
5.1	• Northern Midlands Community Sports Centre	Gov		Access work to mezzanine floor completed. First floor fit-out to be progressed in 2022-2023.
Place: Nurture our heritage environment				
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 and installation of footbridge. Grant Agreement executed Feb 2022. On site work progressing.
	Laycock Street Park Playground	Gov		Concept plan adopted in principle by Council at June 2022 Council Meeting. Awaiting funding opportunities.



ONGOING STRATEGIC PROJECTS/PLANS:

Strategic Plans	Dept.	Status	Current Status
Lead: Serve with honesty, integrity, innovation and pride			
Annual Budget and Quarterly Reviews	Corp		Long Term Financial Plan updated and annual budget adopted at 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. Stormwater Asset Management Plan reviewed and adopted along with Strategic Asset Management Plan, May 2022.
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. Wage subsidy for apprentice wages claimed quarterly.
Workplace Health & Safety Action Plan Annual Review	Corp		WHS audit assessment reviewed on an ongoing basis.
Progress: Economic health and wealth – grow and prosper			
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 finalised and are being progressed.
Lake Leake Amenities Upgrade Project	Gov		Recreational Fishing and Camping Facilities Program grant secured towards the upgrading of the toilet and shower facilities. Contractor engaged. Works to commence during October 2022.
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 progressing.
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 has been accepted by the Community Development Grants Program. Variation to milestone dates approved. Second progress report being prepared.
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.
People: Cultural and society – a vibrant future that respects the past			
Cohesive Communities & Communities at Risk Plan	Gov		Not yet commenced.
Discrimination Strategy	Gov		Officers investigating development of strategy.
Family Violence Strategy	Gov		Council continues to support <i>End Men's Violence Against Women</i> campaign. Officers investigating development of strategy.
Longford Road Safety Park	Works		Funding agreement finalised and design completed. Community consultation completed. Onsite works have commenced.



Strategic Plans	Dept.	Status	Current Status
Northern Midlands Community House	Gov		Possible site identified. Requesting State to transfer the property as a community lease to Council.
Ross Recreation Ground Master Plan	Gov		Master Plan adopted in-principle at May 2022 Council Meeting. Veterans Cricket Tas has secured a Queen's Jubilee Grant to undertake tree planting at the ground.
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 – draft plan anticipated September 2022.
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.
Laycock Street Park Longford	Gov		Concept plan adopted in principle at June 2022 Council meeting.
Place: Nurture our heritage environment			
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
Lead: Serve with honesty, integrity, innovation and pride				
Media & Marketing	Gov			Communications Strategy and Framework developed. Expanding Council's communications through social media and other publications. Marketing Plan prepared.
Progress: Economic health and wealth – grow and prosper				
People: Cultural and society – a vibrant future that respects the past				
Disability Action Plan	Gov			Review complete
Place: Nurture our heritage environment				

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

Prepared by: Fiona Dewar, Tourism Officer

Tourism update:

- Events:
 - o Assist various local event organisers to fulfil Council compliance requirements.
 - o Assist event organisers seeking funding support.
 - o Keep event list updated and distribute.



- o Update NMC website calendar.
- o Liaise with event organisers re planning and information as required.
- Attend Visit Northern Tasmania Regional Leadership Forum.
- Attend Recycling Committee meeting to discuss recycling trailer bins at events.
- Progress Lychgate interpretation design elements.
- Progress communications strategy flyer for Northern Midlands Visitor Centres.
- Progressed Town Promotion Video project.
- Progress marketing opportunity with property TV program, Country Houses Tasmania.
- Work around installation and reprint issue of Evandale Time Traveller Park panel
- Liaise with racing historians re content for interpretation on the Longford Legends Walk lychgate.
- Progress Community Volunteer Expo for May 2023.
- Provide content to 'Let's Go Kids' online marketing platform.
- Progress development of Joan Davies bronze plaque.

HHTRA update:

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

8.17 TASWATER QUARTERLY REPORT - PROGRESS UPDATE TO 30 JUNE 2022

Responsible Officer: Gail Eacher, Executive Assistant

TasWater have provided the attached Quarterly Report to Owners' Representatives – Progress Update to 30 June 2022.

ATTACHMENTS

1. Quarterly Report to Owners Representatives - Progress Update to 30 June 2022 [8.17.1 - 18 pages]

8.18 RESPONSE TO PUBLICITY: ROAD AND STREETScape WORKS - WELLINGTON STREET, LONGFORD

Responsible Officer: Des Jennings, General Manager

COUNCIL OFFICERS RESPONSE TO THE CURRENT PUBLICITY REGARDING THE PROPOSED UPGRADE OF LONGFORD'S MAIN STREET

Background:

During 2016, Leon Lange of Lange Design was contracted to develop the Longford Urban Design Strategy. In December 2016 Mr Lange held a public forum to discuss the proposed strategy and to seek community input. Approximately 60 community members participated in the forum, with concerns raised including the speed of traffic through the town and the associated safety risks for people crossing the main street. Mr Lange held another community forum in September 2017, where he presented the draft Strategy and the draft Guidelines. The community input from the forum was taken into account during the finalisation of the Strategy.

Mr Lange stated in the Strategy document:

"Since 1994, the 'Main Street' project has had many consultations, reports, concept plans, directions and applications. This Urban Design Strategy consolidates all of these and brings forth all the actions that the majority of the community have accepted.

To achieve the Vision and Objectives of this Urban Design Strategy, Council must be committed and endorse the implementation of the 18 Activation Projects with the holistic view of revitalising Longford. It must be highlighted that there will always be a very small minority of the community who wish to reject a particular idea or deter progress generally.

Council must be united and take responsibility in foreseeing the long-term prosperity and economic sustainability of Longford. As the hub of the Northern Midlands Municipality, it is imperative Council revitalises the town setting which encourages visitors to stop and spend time exploring Longford instead of heading



straight through to Woolmers and Brickendon. The Urban Design Strategy provides the directive for achieving this long-term vision."

The Longford Urban Design Strategy was unanimously accepted and released by Council on 16 October 2017 (minute reference 315/17). The Strategy was presented as a suite of activation projects that addressed the continued use and revitalisation of the main street with the objective and design components to create a vibrant, comfortable and safe environment for all road users and pedestrians.

In December 2021 Council published an article in the Northern Midlands Courier on the Longford Streetscape Upgrade which included the preliminary plans. A full set of plans also were available in hard copy at the Council Offices and on the Council's website. The community was advised that representations could be submitted regarding any aspect of the upgrade as part of the ensuing development application process.

Response to criticisms of upgrade:

Streetscape impacts on farm implements and trucks

The safety of all road users is the primary focus of the streetscape design. Pedestrians benefit from the safety of the protuberances (or pinch points) at the road intersections, but these also significantly improve sight lines and improved visibility for other road users including cyclists, cars, trucks and farm machinery.

Unfortunately, criticisms to date have not specified which aspects of the streetscape upgrade they believe will impede the movement of farm machinery and trucks.

Keeping in mind that the present speed limit on street is 50 km/h and all other road rules such as turning into and out of the street apply, there will be no additional impact on traffic flow.

The proposed protuberances are designed not to intrude into the carriageway any further than factors that currently exist in the street such as, for example, the cars and trucks that currently park parallel to the kerb in the street. The carriageway maintains a minimum of 3.6 metres width at any point.

Importantly, all turning requirements and carriageway widths meet the appropriate Austroads road design requirements that are approved by Tasmanian Department of State Growth.

Streetscape impacts on cyclists

Cyclists also gain from this improved visibility. While some cyclists might ride in the parallel car parking spaces it is widely recognised that it is safer for them to cycle in the actual road. The reason for this is that it is more difficult for cyclists to re-enter into the traffic flow from the car parking areas as they must also abide by the road rules in relation to right-of-way and signalling their intention to turn into or out of parking lanes.

Council is always prepared to consider legitimate concerns or suggestions to improve on the streetscape design as demonstrated by its willingness to examine a recent Bicycle Advisory Committee request. At the ordinary meeting of the Bicycle Advisory Committee held on Wednesday 3 August 2022, the Committee recorded the following motion for Council's consideration.

PLN22-0040: Road & Streetscape Works – Wellington Street, Longford: *That the kerb outstands (pinch points) incorporate rideable/mountable kerbing or, designated bike lane within the kerb outstands, this can be in the same line as the outstand or bend in towards the existing kerb line. Pavement or kerbing to be marked green with the appropriate signage.*

Impacts on the Victorian Era appeal of the current streetscape

The proposed streetscape is designed to enhance the appeal of street. Importantly, there will be less impact on adjoining properties including the heritage structures. The proposed subdrainage works adjacent to the heritage buildings will assist in addressing the rising damp problems that may occur with the heritage structures that currently have solid pavement up to the stone walls which do not allow for water to be drained.

In summary:

The design of the proposed improvements to the main street of Longford are approved by the Department of State Growth and supported by the Heritage Adviser. Council believes the post-public consultation period criticisms are unwarranted, misinformed and do not accurately reflect the view of the community from the two public forums and feedback following the publication of the strategy. e.g. The members of the Longford Local District Committee at the committee's 31 January 2018 meeting agreed Council should be reminded of the extensive community work that had been put into the study, and the expectations that results would flow from the work. Also that recommendations from



the studies, including the redevelopment of the Memorial Hall, should be included in the next budget considerations.

Unfortunately, criticisms have been too general rather than identifying specific aspects of the strategy which then makes it difficult for council to respond.

Council is always prepared to consider legitimate concerns or positive improvements to the strategy, as demonstrated by its willingness to examine the Bicycle Advisory Committee's request to incorporate rideable kerbing or designated green bike lanes within the proposed kerb outstands.

Furthermore, there was an opportunity for interested parties to make presentations to Council during the development application stage.



^Looking south at intersection of Wellington and Union Streets



^Looking north at intersection of Wellington and Union Streets

ATTACHMENTS

Nil

MINUTE NO. 22/268

DECISION

Deputy Mayor Goss/Cr Adams

That the Information Items be received.

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil



9 GOVERNANCE REPORTS

9.1 POLICY REVIEW: MANAGEMENT OF DONATED GOODS AFTER A DISASTER

Responsible Officer: Des Jennings, General Manager

Report prepared by: Lorraine Green, Project Officer

1 PURPOSE OF REPORT

The purpose of the report is for Council to review and update its "Management of Donated Goods After a Disaster" policy.

2 INTRODUCTION/BACKGROUND

Council first adopted the "Management of Donated Goods After a Disaster" policy in July 2010. It was last reviewed in August 2018. The policy is now due for review.

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 should be proactive in reviewing its policies.

5 STATUTORY REQUIREMENTS

N/A

6 FINANCIAL IMPLICATIONS

Council will incur significant financial and manpower costs if it fails to effectively manage the issue of donated goods after a disaster.

7 RISK ISSUES

There are significant financial, economic and reputational risks associated with failure to effectively manage the issue of donated goods after a disaster.

8 CONSULTATION WITH STATE GOVERNMENT

The revised policy is consistent with the recommendations of the Department of Premier and Cabinet's Office of Security and Emergency Management, and the National Guidelines for Managing Donated Goods.

9 COMMUNITY CONSULTATION

The revised policy will ensure Council adheres to best practice in managing community response to assisting in disaster recovery via the donation of goods.



10 OPTIONS FOR COUNCIL TO CONSIDER

Council can either adopt or not adopt the revised policy.

11 OFFICER'S COMMENTS/CONCLUSION

The proposed changes will incorporate into Council's policy the recommendations of the National Guidelines for Managing Donated Goods.

12 ATTACHMENTS

1. Marked up - Policy - Management of donated goods after a disaster [9.1.1 - 2 pages]

RECOMMENDATION

That Council adopt the revised "Management of Donated Goods After a Disaster" policy.

MINUTE NO. 22/269

DECISION

Cr Goninon/Deputy Mayor Goss

That Council adopt the revised "Management of Donated Goods After a Disaster" policy.

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil



9.2 NORTHERN TASMANIAN WASTE MANAGEMENT GROUP

Responsible Officer: Des Jennings, General Manager

Report prepared by: Des Jennings, General Manager

1 PURPOSE OF REPORT

The purpose of this report is to consider a new governance arrangement for the Northern Tasmanian Waste Management Group (NTWMG).

2 INTRODUCTION/BACKGROUND

The Northern Tasmanian Waste Management Group (NTWMG) was established in 2007 to provide advice, funding, education and advocacy on managing waste and recycling across Northern Tasmanian communities, businesses and local governments.

The group was formed at the time in the absence of State Government waste and recovery policy and leadership. The Northern councils identified that there were opportunities for a regional approach to drive improved waste outcomes through resource sharing and collaboration.

The NTWMG consists of seven Northern Tasmanian councils: City of Launceston, West Tamar, Meander Valley, Dorset, Break 'O Day, Northern Midlands and George Town.

The group was formalised through a regional voluntary agreement and an agreed terms of reference which detail the group's governance structure, function and revenue. It is set out in these agreements that the coordination and financial management of the NTWMG is undertaken by the City of Launceston.

The NTWMG provides regional services through a voluntary levy on waste disposed to landfill from Northern Tasmania. The levy amount contributed by member councils reached \$7.50/tonne as of 2019 and was projected to reach \$10/tonne in 2023.

Over the past 16 years the NTWMG has been a standout example of regional local government collaboration and resource sharing achieving real landfill diversion through grants (\$1m+), kerbside recycling audits (42,000), community recycling education, community recycling services and a state-wide communications plan. The NTWMG is regarded as a leader in Tasmania at the forefront of waste and resource recovery, education and innovation.

In 2019 the State Government released a Draft Waste Action Plan outlining the development of a state-wide legislated landfill levy as part of *Tasmanian Waste and Resource Recovery Bill 2022*. Now legislated, this State landfill levy will replace the current NTWMG voluntary landfill levy removing the income source for the NTWMG to achieve strategic projects.

3 STRATEGIC PLAN 2021-2027

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

Lead: Serve with honesty, integrity, innovation and pride

Leaders with Impact

Strategic outcomes:

1.3 Management is efficient, proactive and responsible

1.4 Improve community assets responsibly and sustainably

Progress: Economic health and wealth - grow and prosper

Strategic Project Delivery - Build Capacity for a Healthy Wealthy Future



Strategic outcomes:

2.2 Proactive engagement drives new enterprise

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

Place: Nurture our heritage environment

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

Strategic outcomes:

4.2 Meet environmental challenges

4 POLICY IMPLICATIONS

N/a

5 STATUTORY REQUIREMENTS

Tasmanian Waste and Resource Recovery Act 2022

Tasmanian Waste and Resource Recovery Regulations 2022

6 FINANCIAL IMPLICATIONS

City of Launceston full cost recovery for hosting Northern Tasmania Waste Management Group

<u>Administration</u>	<u>Expenditure</u>	<u>Total</u>
Project Manager - 1 FTE \$99,650 + 25% Oncosts	\$ 124,563	
K'side Officers - 1.38 FTE \$98,023 + 25% Oncosts	\$ 122,529	
Car	\$ 6,500	
Training & conferences	\$ 7,500	
Training, Materials & Events	\$ 25,000	\$ 286,092
Accounting	\$ 12,000	
HR	\$ 3,000	
Utilities	\$ 4,600	
General Insurance	\$ 2,000	
Meeting costs	\$ 1,000	
Communications - website, Facebook & video production	\$ 10,000	
Rent (plus outgoings)	\$ 18,500	
Computer Hardware & Software	\$ 6,000	
Phone Costs	\$ 2,000	\$ 59,100
TOTAL ADMINISTRATION EXPENSES		\$ 345,192



Interim 2022/23 budget for the Northern Tasmanian Waste Management Program.

INCOME	
Assumed* state government waste levy income	\$ 750,000
EXPENSES	
<i>Priority waste theme: Organics</i>	
Regional organics kitchen caddies and education	\$ 30,000
<i>Priority waste theme: Household hazardous waste</i>	
Fluorescent light collection	\$ 10,404
<i>Priority waste theme: Problem wastes</i>	
E-waste collection	\$ 25,000
Polystyrene recycling (transport)	\$ 12,000
<i>Priority waste theme: Share information about waste and recycling and raise awareness about NTWMP</i>	
Regional/cross regional communications and education	\$ 30,000
Website management	\$ 1,500
Recycle Coach phone app	\$ 13,265
<i>Strategy and Advocacy</i>	
Strategy development, lobbying and advocacy	\$ 100,000
<i>Core Services and Administration</i>	
Staffing to support existing projects, core services, + on-costs	\$ 247,655
Administration costs	\$ 75,000
TOTAL EXPENSES	\$ 544,824
OPERATING SURPLUS	\$ 205,176

*Income from state-wide levy is indicative and will be confirmed when a formal agreement is made with the state.

Council's waste management charges are reviewed each year under the annual Budget and Rating process.

7 RISK ISSUES

- There is a risk that if Council does not support the transition of the hosting of NTWMP to NRM North, NMC will not be party to a regional approach that will continue to drive improved waste outcomes through resource sharing and collaboration.
- The new host organisation may have difficulty recruiting staff with the same level of experience as the staff from Launceston City Council who have been involved with the current structure of the group.
- The group has now been in recess for a number of months at it will take some time for the new organisation to be fully operational.
- The new organisation is likely to have higher running costs. Depending on the funding model used by the State Government this may impact on the amount of funds available to councils.

8 CONSULTATION WITH STATE GOVERNMENT

N/a

9 COMMUNITY CONSULTATION

N/a

10 OPTIONS FOR COUNCIL TO CONSIDER

Northern Midlands Council's options are limited, to be party to the transition of the hosting, administrative and secretariat from NTWMP to NRM North or not. Officers would recommend that the latter is the feasible option.



11 OFFICER'S COMMENTS/CONCLUSION

The Northern Tasmanian Waste Management Group (NTWMG) has played an integral role as a key stakeholder with the State Government and has had significant input and comment on the Draft Waste Action Plan, *Tasmanian Waste and Resource Recovery Bill 2022* and the Tasmanian Waste and Resource Recovery Regulations 2022. The State Government has assured the NTWMG that it will be supported to continue to deliver regional outcomes in Northern Tasmania, however, until the Tasmanian Waste and Resource Recovery Board is formed this level of support is unknown. Informally a figure \$7.50/tonne has been suggested which would place NTWMG yearly funding at approximately \$750,000/yr.

There have been promises from the Minister that the NTWMG will be no worse off and the organization is being progressed on the basis that this will be honored. It is recommended that the Council express a strong position to the State Government that it expects a continuation of funding at current forecast levels (\$750,000/yr) for the Northern region.

Although base funding in the order of \$500,000 - \$750,000 a year is expected initially, over the next few years the value of the levy is intended to increase to \$60/tonne which would mean that around \$6m in revenue would be raised from levy fee within the region. This will provide more opportunities and expectations for NTWMG to run larger programs.

The current administration model of NTWMG being hosted by City of Launceston provided for efficient use of resources when the voluntary fee was \$2/tonne. As the value of the programs increased, the efficiencies created by hosting at City of Launceston have diminished. The City of Launceston, as the operator of the second largest landfill in the State, will be seeking grant funding opportunities for improved resource recovery which creates a potential for the two functions, managing NTWMG and operator of the Launceston Waste Centre, to be in conflict.

It is proposed that the Councils consider a new governance model for the NTWMG that can better position it to respond to growth, significant budget responsibilities, potential conflict of interest and a new funding structure in the State Government landfill levy which was implemented 1 July 2022.

It is proposed that Councils move to a new governance structure hosted by NRM North, who is a trusted partner with NTWMG member councils. NRM North has a proven track record demonstrating independent and transparent management of significant multi-stakeholder programs, such as the *kanamaluka*/Tamar Estuary and Esk Rivers (TEER) program, and the waste management function offers many synergies with the existing functions which are delivered by the organisation. This model will also add to the sustainability of NRM North into the future.

The NRM North governance structure (see attachment) is very similar to the current NTWMG governance structure and so will allow for a speedy and streamlined transition.

After the close of the 2021/2022 financial year, it is forecast that there will be a NTWMG closing balance reserve between \$500,000 - \$750,000. This reserve will allow for the NTWMG to maintain momentum in lieu of income and deliver an interim plan while the group transitions to the new governance model and negotiates with the soon to be formed Tasmanian Waste and Resource Recovery Board.

The new governance arrangements would need to be delivered on a basis of full-cost attribution, which is different from the manner in which the function has been delivered whilst auspiced by the City of Launceston. This arrangement has involved the City of Launceston splitting roles within its Sustainability and Waste Management Team to enable employees to allocate time to both the functions of the NTWMG and the City of Launceston. Typically, the Council has allocated 1 FTE towards project management of the NTWMG, which has largely involved two officers splitting their time on a 50:50 basis. There is no doubt that at times both employees have contributed more than 50% of their time to the functions of the NTWMG, which have not been included in the costings. While the costs which were passed on to participating Councils also did not include any time from other professional officers such as the General Manager, Environmental Health, Engineering (and the like) who provide input into the functions of the NTWMG from time to time.



Additionally, the City of Launceston has only ever passed on a nominal cost to participating Council's for the City of Launceston collection of the levy and the general administration of the NTWMG Program. This amount did not include any costs for associated services such as payroll, human resource management, Information technology, insurance, meeting costs, rent, communications (and the like). If the City of Launceston determined to apply a full cost attribution charge to the participating Councils for the NTWMG Program then the costs would have been significantly higher (see Table 1 below).

For Councils to be able to properly consider the financial arrangements proposed as part of the revised governance structure, the City of Launceston has completed a basic full cost attribution exercise for the 2022/23 Annual Budget in the following table to better understand the true administration cost for the provision of the program:

Table 1. City of Launceston full cost recovery for hosting NTWMG

Administration	Expenditure	Total
Project Manager - 1 FTE \$99,650 + 25% Oncosts	\$ 124,563	
K'side Officers - 1.38 FTE \$98,023 + 25% Oncosts	\$ 122,529	
Car	\$ 6,500	
Training & conferences	\$ 7,500	
Training, Materials & Events	\$ 25,000	\$ 286,092
Accounting	\$ 12,000	
HR	\$ 3,000	
Utilities	\$ 4,600	
General Insurance	\$ 2,000	
Meeting costs	\$ 1,000	
Communications - website, Facebook & video production	\$ 10,000	
Rent (plus outgoings)	\$ 18,500	
Computer Hardware & Software	\$ 6,000	
Phone Costs	\$ 2,000	\$ 59,100
TOTAL ADMINISTRATION EXPENSES		\$ 345,192

An indicative interim budget for the NTWMP for 2022/23 is provided in Table 2. The interim budget includes Year 1 funding for providing core services of the program, program management, and administration costs (\$322,655) by the Host entity.

Core staffing assumptions include a full time Program Manager, a proportion of management oversight, and some communications support. On-costs applied to these roles include expenses such as superannuation, insurance, uniforms, IT and computers, telephone and internet, and office equipment. Administration costs are included as a percentage of program income and contribute to corporate services wages for finance and human resource management. They also contribute to organisational expenses such as accounting and legal fees, motor vehicle use, power, rates and rent, and meeting costs.

Program expenses related to existing, ongoing projects such as organics, household waste, problem waste, and communications are also included based on the current work program. An investment in strategy development and lobbying and advocacy is included in the 2022/23 budget to provide additional support for engagement with the state strategy development and to facilitate the regional strategy development.



Table 2. Interim 2022/23 budget for the Northern Tasmanian Waste Management Program.

INCOME	
Assumed* state government waste levy income	\$ 750,000
EXPENSES	
<i>Priority waste theme: Organics</i>	
Regional organics kitchen caddies and education	\$ 30,000
<i>Priority waste theme: Household hazardous waste</i>	
Fluorescent light collection	\$ 10,404
<i>Priority waste theme: Problem wastes</i>	
E-waste collection	\$ 25,000
Polystyrene recycling (transport)	\$ 12,000
<i>Priority waste theme: Share information about waste and recycling and raise awareness about NTWMP</i>	
Regional/cross regional communications and education	\$ 30,000
Website management	\$ 1,500
Recycle Coach phone app	\$ 13,265
<i>Strategy and Advocacy</i>	
Strategy development, lobbying and advocacy	\$ 100,000
<i>Core Services and Administration</i>	
Staffing to support existing projects, core services, + on-costs	\$ 247,655
Administration costs	\$ 75,000
TOTAL EXPENSES	\$ 544,824
OPERATING SURPLUS	\$ 205,176

*Income from state-wide levy is indicative and will be confirmed when a formal agreement is made with the state.

Transition Plan

As the new Board is being established it is important that the NTWMP continue to be proactive and engage with the new Board and local government to provide clarity around the role and the benefit the regional groups.

A transition plan is provided as an attachment.

It is intended the NTWMP will commence work on a 12 - 18 month interim plan with the key priorities:

- Leadership and advocacy with the State Government as the new waste management arrangements are established.
- Continue to build on the Rethink State Communications and Education program in conjunction with adjoining regions.
- Continue to advocate and support regional recycling services like E-waste and polystyrene.
- Grow organics recovery opportunities.
- Focus on generating recycling and recovery activities that support a circular economy model.
- Develop the NTWMP Vision and Strategy.
- Establish administration and reporting framework.

12 ATTACHMENTS

1. Northern Tasmanian Waste Management Group - governance and interim plan FINAL DRAFT [9.2.1 - 7 pages]
2. NTWMP NRM North 2022 Presentation [9.2.2 - 21 pages]



RECOMMENDATION

That the Council agrees to transition the hosting, administration and secretariat of the Northern Tasmanian Waste Management Group from City of Launceston to NRM North consistent with the approach outlined in the attached paper entitled: *Northern Tasmanian Waste Management Group Revised Government Model*.

MINUTE NO. 22/270

DECISION

Cr Goninon/Cr Adams

That the Council agrees to transition the hosting, administration and secretariat of the Northern Tasmanian Waste Management Group from City of Launceston to NRM North consistent with the approach outlined in the attached paper entitled: *Northern Tasmanian Waste Management Group Revised Government Model*.

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil



9.3 LAUNCESTON CITY COUNCIL'S HOMELESSNESS ADVISORY COMMITTEE

Responsible Officer: Des Jennings, General Manager

Report prepared by: Lorraine Green, Project Officer

1 PURPOSE OF REPORT

The purpose of the report is to provide Council with information on the Launceston City Council's Homelessness Advisory Committee, and to seek Council's direction with regard to Launceston City Council's invitation to Council to nominate a representative to sit as part of the Committee.

2 INTRODUCTION/BACKGROUND

Homelessness is a complex issue and many of the factors that contribute to an individual's homelessness lie outside the remit of local government. However, through an educated, collaborative and needs focussed approach, the City of Launceston has committed to playing a constructive role in the provision of strategies and actions to support the homeless community. The approach involves the establishment of a Homelessness Advisory Committee as a Special Committee of Council, pursuant to Section 24 of the *Local Government Act 1993* (Tas).

The purpose of the Committee is to:

- Enable a collaborative approach between key sector service providers, community members and relevant levels of government in addressing the short, medium and long-term needs of Launceston's homeless community.
- Identify, support and coordinate achievable actions which will assist in addressing the evolving needs of Launceston's homeless community.
- Develop a greater and shared understanding of the roles, responsibilities and priorities within the community in responding to homelessness.

The objectives of the Committee are to:

- Provide a communication link between the Council and relevant stakeholders
- Provide advice and make recommendations to the Council on issues and matters relating to homelessness
- Facilitate response to issues raised through the appropriate response agency
- Develop a Homelessness Action Plan that will guide a commitment to addressing the needs of Launceston's homeless community
- Provide recommendations on methods and techniques to better inform and engage the community on homelessness issues
- Provide advocacy for the needs of Launceston's homeless community.

Membership of the Committee comprises:

- Two City of Launceston Councillors
- One representative of each of the following agencies: Launceston City Mission, St Vincent de Paul Society, Anglicare Tasmania, CatholicCare Tasmania, Tasmanian Police, The Salvation Army, Shekinah House, Department of Communities Tasmania
- Up to six community members, selected with consideration to criteria including: professional experience working in a field such as social and community housing, lived experience of homelessness, diversity (in terms of age, culture, religion, disability, gender, sexual preference, health status) and



- The Committee allows for a representative from neighbouring Councils in order to support a region wide approach to addressing the issue of homelessness.

The Committee is to operate as an advisory body that provides non-binding strategic guidance to Council, and may establish working groups as needed to address specific projects and may include additional people from the community where there is a specific need.

The Committee will meet every two months and other times as required according to arrangements agreed by the Committee. Meetings will not exceed two hours in duration, unless otherwise advised. Members are not remunerated for their service to the Committee. The terms of appointment will be for a two year period, and members can re-apply for a further two year term. It is anticipated the first meeting of the Committee will be held in late August 2022.

The terms of reference for the Committee, and the first six community members, were endorsed at Launceston City Council's 28 July 2022 Council Meeting.

Launceston City Council has extended an invitation to our Council to nominate a representative to sit as part of the Committee in order to provide a region wide perspective on both the scale of the issues and the scope of solutions.

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

N/A

5 STATUTORY REQUIREMENTS

N/A

6 FINANCIAL IMPLICATIONS

N/A

7 RISK ISSUES

There is a risk that Council will limit its ability to play a proactive and positive role in addressing homelessness in the Northern Midlands and wider Northern Tasmanian region if Council does not have a representative to sit as part of the Homelessness Advisory Committee.

8 CONSULTATION WITH STATE GOVERNMENT

The State Government has not been consulted on this agenda item.

9 COMMUNITY CONSULTATION

The community has not been consulted on this agenda item.



10 OPTIONS FOR COUNCIL TO CONSIDER

Council can either nominate, or not nominate, a Council representative to sit as part of the Launceston City Council's Homelessness Advisory Committee.

11 OFFICER'S COMMENTS/CONCLUSION

Homelessness is a multi-dimensional challenge and many of the resources to combat it such as the provision of public housing and mental health services are outside the control of local government. However local government can play a proactive and positive role in collaboration with other stakeholders which Launceston City Council is seeking to do through the new Homelessness Advisory Committee.

12 ATTACHMENTS

Nil

RECOMMENDATION

That Council nominate Councillor _____ as the Northern Midlands Council representative on the Launceston City Council's Homelessness Advisory Committee.

MINUTE NO. 22/271

DECISION

Cr Goninon/Cr Adams

That Council nominate Councillor Janet Lambert as the Northern Midlands Council representative on the Launceston City Council's Homelessness Advisory Committee.

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil



9.4 HEATED SWIMMING POOL SIGN: CRESSY

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 officer advice regarding a request from the Cressy Local District Committee that heated pool signs be placed at both entrances to the township of Cressy.

2 INTRODUCTION/BACKGROUND

The Cressy Local District Committee by way of motion to Council have made the following request:

Requested heated pool signs at the entrance to the Cressy Memorial Swimming Pool.

It is understood the intention of the motion was for signs to be installed at the entrances to the town.

Council considered the request at its meeting of 16 May 2022 and made the following decision Minute Number 22/146:

DECISION

Deputy Mayor Goss/Cr Polley

That the request be noted and a review of the 'heated pool' sign be undertaken.

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

Officers have investigated the request and sought input from the Department of State Growth who control the road reserve where it is proposed the signs be installed.

The Department of State Growth advised “the Department would not support an advertising sign for the swimming pool as there are already a number of signs on the Poatina Main Road on each approach in Cressy. Moreover, the Department’s policy is not to approve advertising signs within its road reservation boundaries.”

3 STRATEGIC PLAN 2021-2027

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

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

Not applicable.

5 STATUTORY REQUIREMENTS

Planning approvals may be required for the installation of the signs.

6 FINANCIAL IMPLICATIONS

If Council were to proceed with the installation of heated pool signs at the entrances to Cressy it would incur the cost of the signage and installation of the same. If planning approval was required, this would also be a cost as part of the installation.



7 RISK ISSUES

There is a risk that motorists are being saturated with information at the town entrances by erecting yet another sign in an already busy space, thus the purpose of the sign being lost.

8 CONSULTATION WITH STATE GOVERNMENT

The Department of State Growth would need to agree to the placement of the sign and have provided advice that it is not supported.

9 COMMUNITY CONSULTATION

This is a request which has arisen from the Cressy Local District Committee.

10 OPTIONS FOR COUNCIL TO CONSIDER

To progress the installation of the signs or not.

11 OFFICER'S COMMENTS/CONCLUSION

There is presently a heated pool sign at the entrance to the pool (although officers note that it has been removed during the ongoing resurfacing works that are presently being completed). It is further noted this sign was parallel to the roadway, therefore would be more obvious and easier for passing motorists to see if it was at right angles to the road.

The current works under way to refurbish the pool include the installation of a new glass fence which will vastly improve visibility of the pool from the road.

Cressy has one arterial road with side streets spanning off it. It would be unusual for a visitor to the town to drive through the town without passing the pool and observing the heated pool sign located at its entrance.

Ultimately, the Department of State Growth will need to support this request, should it proceed, and that support has not been provided.

12 ATTACHMENTS

Nil

RECOMMENDATION

That Council does not progress the installation of heated pool signage at the entrances to Cressy.

MINUTE NO. 22/272

DECISION

Deputy Mayor Goss/Cr Brooks

That Council install large and more prominent "heated pool" signage at each end of the Cressy Swimming Pool.

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil



9.5 YOUTH ADVISORY GROUP

Responsible Officer: Des Jennings, General Manager

Report prepared by: Natalie Dell, Youth Officer

1 PURPOSE OF REPORT

The purpose of this report is to seek endorsement from Council to form a Northern Midlands Youth Advisory Group for young people aged 12-25 years old.

2 INTRODUCTION/BACKGROUND

The Tasmanian Youth Government Association Youth Conference Report 2017 put forward a motion for Youth Advisory Groups to be developed across local government in Tasmania.

The purpose of the Northern Midlands Youth Advisory Group is to provide an avenue and voice for young people to inform Council on issues and decision-making affecting youth.

It is envisaged that the Youth Advisory Group would meet once per month after school- members will be able to attend in person and via Zoom. Meetings will be primarily driven by the youth with the assistance of the Youth Officer to coordinate and provide feedback to Council on the outcomes and action items. Youth members will share the role of Chair and Minute-taker which will provide opportunity for skill development and leadership. The Youth Advisory Group will be involved in the planning and implementation of youth events.

Benefits of a Youth Advisory Group can include:

- allows young people's views to be heard in Council
- raise youth related issues to Council
- bring ideas and unique perspectives
- promotes inclusion
- provides guidance to Council on development
- placing young people at the center of decision-making process
- reduce costs to Council by effective spending and investment; investing in projects young people want to see and participate in. (for example pump tracks and skate parks)
- leadership/skill development opportunities

3 STRATEGIC PLAN 2021-2027

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

Lead: Serve with honesty, integrity, innovation and pride

Leaders with Impact

Strategic outcomes:

1.1 Council is connected to the community

4 POLICY IMPLICATIONS

The Youth Policy objectives specific to the Northern Midlands Youth Advisory Group are:

- To ensure that young people's views and needs are considered in Council activities.
- To improve the capacity of communities to support young people.
- support young people to have opportunities to participate in activities that support their health and wellbeing
- support education and employment opportunities for young people



5 STATUTORY REQUIREMENTS

All adults involved in the Youth Advisory Group will have a Working With Vulnerable Persons Certificate in accordance with:

- *Children's, Young Persons and their Families Act 1997*
- *Registration to Work with Vulnerable People Act 2013*

6 FINANCIAL IMPLICATIONS

The Youth Advisory Group meetings will be held once a month during school days. The Youth Officer will provide a snack to Youth Advisory Group members dependent on the meeting times.

7 RISK ISSUES

Permission will need to be obtained by signed parent consent forms for all Youth Advisory Group members to attend meetings outside of school. All adult staff or volunteers involved in the Youth Advisory Group will have a current Working with Vulnerable Persons Certificate.

8 CONSULTATION WITH STATE GOVERNMENT

N/A

9 COMMUNITY CONSULTATION

N/A

10 OPTIONS FOR COUNCIL TO CONSIDER

To implement a Northern Midlands Youth Advisory Group, or not.

11 OFFICER'S COMMENTS/CONCLUSION

This opportunity has been raised in response to the Tasmanian Youth Government Association Youth Conference Report 2017 which recommends local government areas implement Youth Advisory Groups.

12 ATTACHMENTS

Nil

RECOMMENDATION

That Council endorse the progression of the Northern Midlands Youth Advisory Group.

MINUTE NO. 22/273

DECISION

Cr Goninon/Cr Lambert

That Council endorse the progression of the Northern Midlands Youth Advisory Group.

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil



9.6 LOCAL GOVERNMENT REFORM

Responsible Officer: Des Jennings, General Manager

Report prepared by: Des Jennings, General Manager

1 PURPOSE OF REPORT

The purpose of the report is for Council to consider the *Local Government Reform – Interim Report* and determine whether Council wishes to make a submission on the Interim Report.

2 INTRODUCTION/BACKGROUND

Council at its meeting on 16 May 2022 endorsed a submission to the State Government Local Government Board Review.

The Local Government Board, recently released the board's Future of Local Government Review Stage 1 Interim Report and associated documents. The Board commenced work on Stage 1 of the Review in January 2022 and has focussed on research, community engagement and evidence gathering.

The Interim Report has been framed to promote community discussion on several key areas, provides a vision of what the board thinks a successful and sustainable local government sector needs to look like in the future and explains those areas it believes require reform attention to deliver on that vision. This includes a draft Role Statement for local government which proposes a deliberate shift in the 'core business' of councils towards supporting the connectedness and wellbeing of local communities.

A proposed role statement for local government in Tasmania

To support and improve the social, economic, and environmental wellbeing of Tasmanian communities by:

- 1) **Harnessing and building on the unique strengths and capabilities of local communities** This means local government is a crucial 'grassroots' democratic space where – through discussion, debate, and agreed collective action – local communities are empowered to draw on networks, build social capital, and forge cultural identities.
- 2) **Providing infrastructure and services that, to be effective, require local approaches** This means local government directs its resources to delivering those things that are shown to work best when designed and delivered at the 'sub-regional' scale. It also means that infrastructure and services should be delivered at a regional or statewide level if it is more effective and efficient to do so.
- 3) **Representing and advocating for the specific needs and interests of local communities in regional, statewide, and national decision-making** This means local government is an effective local advocate in those areas where it does not have direct service delivery responsibility and works with other levels of government to facilitate and deliver the things their communities need most. Local government becomes a broker and delivery partner in a range of areas, in varying capacities.

Written submissions can now be made on the report until 25 August 2022.

3 STRATEGIC PLAN 2021-2027

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

Lead: Serve with honesty, integrity, innovation and pride

Leaders with Impact

Strategic outcomes:

- 1.1 Council is connected to the community
- 1.2 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

None applicable at this time.

5 STATUTORY REQUIREMENTS

None applicable at this time.

6 FINANCIAL IMPLICATIONS

No costs have been identified at this time for the preparation of the submission other than officer time.

7 RISK ISSUES

Council must consider it is a risk to do nothing or take the opportunity to put forward Council's position.

8 CONSULTATION WITH STATE GOVERNMENT

The State Government is inviting community feedback for Stage 1 of the *Future of Local Government Review, Interim Report*.

9 COMMUNITY CONSULTATION

Community members are welcome to provide a submission for Stage 1 of the *Future of Local Government Review, Interim Report*.



10 OPTIONS FOR COUNCIL TO CONSIDER

Council may either provide or not provide a submission on the *Future of Local Government Review*.

11 OFFICER'S COMMENTS

Direction is being sought from Council as to whether Council wishes to make comment on the Local Government Review, Interim Report.

It is acknowledged that the Board has approached the matter of local government reform in a way that focuses on improving Council capacity to deliver better community services and outcomes.

Notwithstanding engagement has been very limited when you review the statistics associated with significant community engagement processes.

The actual participation rate of over 1,399 people having participated in at least one engagement activity.

Relating that participation rate back to Northern Midlands Council's actual population, it is estimated that averaging the participation rate over the whole state, 37 members of the Northern Midlands population may have taken the time to comment out of a population of 13,852.

Hardly a glowing endorsement of any suggestion that may have come from Stage 1 consultation, particularly as this matter of reform is a significant one.

The main challenges and opportunities for local government identified in Stage 1:

- **The role of councils has changed a lot over time – this means it is not always clear to the community when something is a job for councils or should be handled by other levels of government.**
- The community expects all levels of government to work together in their interests, with each performing the role that best lines up with their strengths and capabilities. We need to work out the functions and services councils should be responsible for. Then we can decide how to best organise and fund our councils in a way which is fair and sustainable.
- **Councils are in the best position to understand what local communities need most and develop the solutions that will fix local problems.**
- We know that local design and delivery of some services is really important, particularly when it comes to the things that can have the biggest impact on improving community wellbeing, like mental health services and access to jobs. Now we need to understand how much effort councils are spending on things that might be done better in a different way. We think councils should be freed up to focus on using their local knowledge to make the most difference to communities.
- **Council staff and elected members work hard for their communities, but we heard that the way councils are set up makes it hard to attract and keep the people with the skills councils need.**
- This is especially the case in more rural areas. Rather than having every single council trying to manage on their own, we want to explore ways to pool councils' funding, people, and systems to get better overall results for communities. Having fewer, bigger councils is not the only option here. More sharing of council resources across regions is also possible.
- **Tasmanians – especially those who live outside the cities – really value having local representatives they can trust to respond to their issues and concerns.** Councils provide this local voice, but for it to work well, communities need to trust and respect their elected members. When individual councillors behave badly, it can weaken trust in the overall system of local government and undermine the good behaviour of the majority. We



think there is room to improve the overall standard of councillor professionalism and get a broader range of people involved in local decision-making.

The Interim Report has identified in Stage 1, six priority reform areas. These areas will be considered in more detail in Stage 2 of the review.

Council input is required to identify ideas and options under each of the areas.

- **Defining councils' role in the 21st century:** Getting the role of local government right is critical. We need to establish exactly what functions and services councils should be delivering, and the administrative, financial, and legislative methods to deliver them. In Stage 2, we want to lead a community conversation about the role councils should play in the future, and then identify the reform options that will best support that vision. They have developed a draft role statement to support this discussion.

To support and improve the social, economic, and environmental wellbeing of Tasmanian communities by:

- 1) **Harnessing and building on the unique strengths and capabilities of local communities** This means local government is a crucial 'grassroots' democratic space where – through discussion, debate, and agreed collective action – local communities are empowered to draw on networks, build social capital, and forge cultural identities.
- 2) **Providing infrastructure and services that, to be effective, require local approaches** This means local government directs its resources to delivering those things that are shown to work best when designed and delivered at the 'sub-regional' scale. It also means that infrastructure and services should be delivered at a regional or statewide level if it is more effective and efficient to do so.
- 3) **Representing and advocating for the specific needs and interests of local communities in regional, statewide, and national decision-making** This means local government is an effective local advocate in those areas where it does not have direct service delivery responsibility and works with other levels of government to facilitate and deliver the things their communities need most. Local government becomes a broker and delivery partner in a range of areas, in varying capacities.

A question to Council – do they agree with the role statement?

- **Local representation and good governance:** Communities need to trust and have confidence in their local council. There is significant room for improvement in the overall standard of local governance in Tasmania. This includes in community engagement, the representativeness, skills and professionalism of elected members, workplace culture, and performance. The Board's focus in Stage 2 will be to identify a range of reform options that target these aspects.
- **Strategic and regional capability:** Tasmania's current system of 29 councils makes it hard to coordinate effort and resources around common regional and state-wide policy goals. This includes settlement planning, infrastructure and land use planning, tourism, and branding. In Stage 2, we will be looking at how councils work together and coming up with options for improvement.
- **Efficient and effective infrastructure and service delivery:** We believe that consolidation in some service areas may keep costs down and deliver better value for the Tasmanian community. More importantly though, we believe it would also result in a higher quality of services because overall council capability may be improved. In Stage 2 we will work out which services would benefit from delivery at larger scales (and those which would not), so we can develop potential alternative delivery models.
- **Sound and consistent planning and regulatory services:** We need to resolve the role that councils play in land use planning, particularly development approvals. Our current view is that we may not have the balance right between local concerns and broader regional and state-wide costs and benefits. There is also some evidence that the quality of some other regulatory services – like building and plumbing permits or health inspections – is mixed.



- **Operational sustainability:** Some smaller councils will struggle in the medium to longer term to raise enough revenue to be able to deliver all their current functions and services to a good standard. Increasing subsidies to fund the survival of unsustainable councils is not the answer. In Stage 2, we want to get a clear and detailed picture of the current and projected financial position of all councils, so that we can develop appropriate funding options.

Council officers have identified the following discussion points:

- **Defining councils' role in the 21st century:**

Service provider – roads, rubbish collection, playgrounds, footpaths, bridges, community buildings, recreation facilities, cultural facilities, libraries.

Community support, economic development, social services – childcare and emergency management– support community groups and organisations.

Improve community assets by making the municipality an inviting place to live.

Development regulation – regulate planning and building development, ensuring legislation is met and that development aligns with the plans of each town.

Compliance – regulation of animal control, environmental nuisance, building and planning etc.

- **Local representation and good governance:**

Representation, engagement and advocacy.

Good governance is about the processes for making and implementing decisions. It is not about 'current' decisions, but about the best possible process for making these decisions.

Characteristics of Good Governance:

Good governance:

- is transparent
- follows rule of law
- is responsive
- is equitable and inclusive
- is effective and efficient
- is participatory

Put more time into uniformed consultation processes for large projects.

Compulsory education / training for Councillors and staff. Enhanced induction processes for Councillors and ongoing professional development.

Advocating to other levels of government in the interest of our community is an essential role of local government. Council is the voice of our community, working to deliver infrastructure and policy in partnership with other levels of government.

- **Strategic and regional capability:**

Council have a leadership role in facilitation, regional governance and strategic planning.

Utilise regional groups / bodies – i.e. the Northern Council's Regional Planning Group for example is coordinating the review of the Northern Tasmania Regional Land Use Strategy and advocating for agreed regional objectives and outcomes.

Strengthen intergovernmental relations, particularly between State government and individual or groupings of councils, whereby roles and responsibilities are negotiated and agreed in a manner that reflects capacities which we could seek to learn from, build upon and expand the principles of the City Deals, including expanding Regional Deals.



- **Efficient and effective infrastructure and service delivery:**

Challenges faced by local government in service delivery:

- Financial constraints.
- Lack of coordination and information.
- Lack of skilled workforce.

Improving local government delivery through innovation and partnerships, e.g. shared contracts for Work Health & Safety, Rubbish collection, plant and equipment, shared officers (e.g. Building, Environmental Health, Planners, Engineers, Youth Officers).

Developing proposals that are in the community's best interest.

Making strategic plans for land use.

Raising revenue to enable the Council members to perform their duties.

- **Sound and consistent planning and regulatory services:**

Council faces challenges, including the capacity to respond to increased population growth, ease infrastructure bottlenecks, and adapt to climate change. Well-designed and implemented regulations can play an important role in dealing with these challenges.

Statewide planning scheme. The central issue between the state and local government, which has one of the largest impacts on business costs, is land-use planning regulation. Responsibility for delivering the State's land use planning objectives, rests in significant part with local government.

Utilisation of the shared legal services group for things such as preparation of template enforcement actions under the Dog Control Act for example, so we're all using the same processes.

- **Operational sustainability:**

How do we maintain financial capital and infrastructure capital over the long-term?

How to improve financial sustainability:

- 1) Review current and future capital needs and determine how you will address anticipated growth.
- 2) Analyse and work to balance project prioritisation.
- 3) Assess and improve your reporting and planning capabilities.
- 4) Evaluate and understand the purchasing processes of your customers and key projects.

Councils need to adopt long-term financial planning processes that manage future financial risk while maintaining appropriate service levels, not allowing political interference.

Council should be provided with the flexibility to make incremental adjustments to local government taxation on a quarterly cycle.

Regulated fees and charges should be abolished on the grounds that they erode the link between revenue and expenditure.

Developer charges should be legislated, for example Stormwater Infrastructure Headworks charges, similar to the Open Space fee.

If reform of the GST was to be seriously contemplated by federal, state and territory governments, then a case could be made for local government to be allocated a share of the consumption tax.

12 ATTACHMENTS

1. Future of Local Government Review - Community Update [9.6.1 - 6 pages]



RECOMMENDATION

That Council has considered the Local Government Review Stage 1 Interim Report and provide the following submission:

MINUTE NO. 22/274

DECISION

Cr Goninon/Cr Adams

That Council has considered the Local Government Review Stage 1 Interim Report and provide the following comments as basis for a submission:

1. Recognition of climate change/emergency, together with an acceptable level of consideration in regard to planning requirements being at the least more than 1:100 plus climate change;
2. Management of stormwater;
3. Skills training, staff sharing and resourcing;
4. Consideration of local knowledge and concerns by the planning commission in relation to planning matters and recognition of those concerns;
5. Review of heritage precincts;
6. Design of buildings to be in-keeping with existing heritage buildings (within and outside of the heritage precincts);
7. Cooperation, definition and protocols between the three tiers of government.

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil



9.7 LOCAL GOVERNMENT AMENDMENT (CODE OF CONDUCT) BILL 2022: DISPUTE RESOLUTION POLICY

Responsible Officer: Des Jennings, General Manager

Report prepared by: Des Jennings, General Manager

1 PURPOSE OF REPORT

The purpose of this report is for Council to consider feedback to be provided to the Local Government Association of Tasmania (LGAT) in response to the Government's Draft Bill to enact improvements to the Code of Conduct Framework.

2 INTRODUCTION/BACKGROUND

In August 2021 (min. ref. 314/21), Council received a report in relation to this matter, and at that time the following was the decision of Council:

Cr Davis/Cr Calvert

That Council respond to the request for comments on the proposed changes to the Code of Conduct Framework, as follows:

- Clarity around the inclusion of the public interest test*
- The public interest test should include at the very least, the full panel.*

Carried unanimously

After some significant public and private lobbying, the Government has released a draft Bill to enact improvements to the Code of Conduct Framework, as outlined in the December discussion paper (attached)

The Local Government Association of Tasmania (LGAT) has written to Council and provided the draft Bill and a "Plain English guide" prepared by the Office of Local Government.

The main changes proposed are a standard code of conduct for councils, voluntary adoption of a behaviour standard policy for councillors, a mandatory local dispute resolution policy in councils, an improved process for the initial assessment of complaints, and the disclosure and management of interests by Panel members.

Councils will be required to adopt a dispute resolution policy within 12 months of the commencement of the amendments. The draft Bill provides that a dispute resolution policy is to contain the prescribed information and include the processes to be followed in respect of prescribed matters.

In anticipation of the commencement of the amendments, the Government has also prepared a draft of the prescribed information to be included in every council's dispute resolution policy (also attached) and is seeking public feedback on both the draft Bill and the draft prescribed information.

To inform a whole of sector submission, LGAT has requested feedback be provided by **Wednesday 31st August 2022**.

The paper *Strengthening the Local Government Code of Conduct Framework: Tasmanian Government response to public consultation December 2021* provides the background to the process and the need for reform. The following information has been extracted from the document.

In August 2021 the Government consulted the community on several proposed targeted legislative amendments to further strengthen the Code and its implementation. The proposed amendments included:

- further strengthening and clarifying the grounds for the Code of Conduct Panel Chairperson to dismiss complaints at the initial assessment stage, in particular through the introduction of a new 'public interest' test;*
- removing a perceived conflict of interest for the Code of Conduct Panel Chairperson at the initial assessment stage and ensuring that a legal member of the Panel undertakes all initial assessments;*



- *wherever practicable, improving confidentiality requirements in relation to the formal Code of Conduct complaints process; and*
- *improving council dispute resolution policies to minimise the number of issues that are escalated to the Code of Conduct Panel in the first place.*

The Government's response proposes reform across the following six key areas:

Improving consistency and clarity across councils

Summary of proposed changes:

- Councils will no longer be required to formally 'adopt' the Model Code of Conduct. The Model Code will automatically apply to all Tasmanian councillors.
- Individual councils will be able to adopt additional requirements in relation to elected member behaviour, but compliance with any such requirements will need to be managed by the council itself and will not be within the jurisdiction of the Code of Conduct Panel.
- All councillors will be provided with induction training in the Code of Conduct.

Using dispute resolution processes for less serious matters

Summary of proposed changes:

- Tasmanian Councils will be required under the *Local Government Act 1993* to have a dispute resolution policy and supporting processes that meet certain minimum prescribed standards
- When lodging a Code of Conduct complaint, the complainant will need to provide relevant information about any attempts they have made to resolve the issue through a council's established dispute resolution process.

Focusing initial assessment on more serious allegations

Summary of proposed changes:

- The initial assessor will be given greater flexibility to dismiss complaints where, in their view:
 - the complainant has not made a reasonable attempt in the circumstances to address the matter through other avenues (including the council's own dispute resolution process), and/or
 - they believe it is not in the public interest to proceed to an investigation.

Increasing confidence in the assessment and investigation process

Summary of proposed changes:

- Councils will be required to process Code of Conduct complaints within 14 days of receipt (currently, there is no legislated timeframe).
- The initial assessment of complaints will be undertaken by a legal member of the Code of Conduct Panel, who will be precluded from sitting as part of a Panel in relation to any subsequent investigation.
- All Panel members will be required to pro-actively disclose any potential conflicts of interest when investigating a complaint.
- It will be an offence for any person to disclose information, documents or records provided to them by the Executive Officer or the Code of Conduct Panel in relation to a complaint, unless it has already been publicly disclosed in a determination report.

Stronger monitoring of compliance with sanctions

Summary of proposed changes:

- Compliance with sanctions will be monitored by the Code of Conduct Executive Officer, (currently this is the responsibility of the General Manager).

Positioning the framework for the future

Summary of proposed changes:



- The model Code of Conduct will be reviewed, following implementation of the proposed legislative amendments and completion of the sector's review of local government workplace culture.
- An assessment of the feasibility of transferring the Code of Conduct Framework, or elements of it, to TasCAT as part of a future tranche of reforms will commence in 2022.
- As part of the feasibility study, legal representation, appeal rights and additional sanctions for serious and/or repeated Code of Conduct breaches will be considered.

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

4 POLICY IMPLICATIONS

Councils will have the option to adopt an internal behaviour standard policy that sets the standards of behaviour acceptable for councillors in their interaction with the community, other councillors and council employees.

The behaviour standard policy is in addition to the requirements of the code of conduct and may include other matters councils consider relevant to their needs.

Councils will be required to adopt a dispute resolution policy within 12 months of the commencement of the amendments. The draft Bill provides that a dispute resolution policy is to contain the prescribed information and include the processes to be followed in respect of prescribed matters.

5 STATUTORY REQUIREMENTS

Draft Local Government Amendment (Code of Conduct) Bill 2022

6 FINANCIAL IMPLICATIONS

N/a

7 RISK ISSUES

N/a

8 CONSULTATION WITH STATE GOVERNMENT

Councils have been invited to provide feedback in relation to the proposed changes to the Code of Conduct Framework.

9 COMMUNITY CONSULTATION

The State Government has undertaken community consultation in this matter.

10 OPTIONS FOR COUNCIL TO CONSIDER

To either provide further response or not.



11 OFFICER'S COMMENTS/CONCLUSION

Attached is an outline of the proposed changes (below is an extract from the table):

Proposed change	Outline of proposed change
A standard code of conduct for councils	The Bill provides for a single standard code of conduct made by the Minister, which will automatically apply to all councils without variation.
Behaviour standards for councillors	<p>Councils will have the option to adopt an internal behaviour standard policy that sets the standards of behaviour acceptable for councillors in their interaction with the community, other councillors and council employees.</p> <p>The behaviour standard policy is in addition to the requirements of the code of conduct and may include other matters councils consider relevant to their needs.</p> <p>Any alleged breach of a council's behaviour standard policy will be dealt with internally by the relevant council and not the Code of Conduct framework.</p>
Local dispute resolution policy	<p>All councils will be required to adopt a dispute resolution policy within 12 months after the amendment Act commences.</p> <p>The dispute resolution policy is to set out the process for resolving disputes that either fall under a council's behaviour standard policy or the code of conduct.</p> <p>Participation in the dispute resolution process will now be a prerequisite for making complaints where appropriate.</p> <p>Every person who participates in the dispute resolution process of a council must comply with that council's dispute resolution policy.</p>
Making a code of conduct complaint	<p>The Bill provides for additional details to be included as part of a complaint, namely:</p> <ul style="list-style-type: none"> • details of actions taken under the relevant council's behaviour standard policy (if any); and • details of actions, if any, taken under the relevant council's dispute resolution policy (where applicable). <p>In addition, the general manager is required to include copies of all the documentation held by the council in respect of the dispute resolution process undertaken by the council in respect of the complaint.</p>
Timeframe for completing initial assessment and referral by general manager	<p>This Bill stipulates a 14-day timeframe for completing the following actions:</p> <ul style="list-style-type: none"> • initial assessment of a complaint by the general manager for statutory compliance; • referral of a complaint by a general manager to the Code of Conduct Panel or the Director; and <p>referral of a complaint by a general manager to the Code of Conduct Panel where the Director refuses a referral.</p>
Initial assessment of a code of conduct complaint	<p>An initial assessor appointed by the Executive Officer will now be responsible for undertaking the initial assessment previously conducted by the chairperson of the Code of Conduct Panel. This includes dismissing a complaint or referring it to the appropriate authority.</p> <p>The initial assessor is to be selected from one of the Australian lawyers on the Code of Conduct Panel.</p> <p>Two additional grounds for dismissing a complaint have been inserted, namely that:</p> <ul style="list-style-type: none"> • the complainant has not participated or satisfactorily participated in the dispute resolution process where appropriate; and • it is not in the public interest to investigate the complaint. A list of matters to be considered when applying the public interest test is included. <p>Where there are multiple code of conduct complaints against the same councillor or multiple councillors of the same council:</p> <ul style="list-style-type: none"> • The Executive Officer is to appoint an initial assessor who will conduct a single initial assessment for all the complaints. • The initial assessor may recommend a joint investigation if considered appropriate. • On recommendation from the initial assessor, the Executive Officer may convene an investigative Panel to conduct a joint investigation if: <ul style="list-style-type: none"> ▪ the complaints are against less than half of the councillors of the relevant council; or



Proposed change	Outline of proposed change
	<ul style="list-style-type: none"> the Director has refused to accept a referral on the matter. <p>If the complaints are against half or more of the councillors of the relevant council, the Executive Officer is to refer the complaints to the Director, who may accept or refuse the referral.</p>
Investigating Panel for a code of conduct complaint	<p>The Bill distinguishes the investigating Panel convened to investigate and determine a complaint from the larger Code of Conduct Panel.</p> <p>The Bill also provides that the initial assessor of a complaint is excluded from being selected as a member of the investigating Panel subsequently convened to investigate and determine the complaint.</p>
Conflict of interest	<p>The Bill provides for the disclosure and management of interest by members of the Code of Conduct Panel. A member of the Code of Conduct Panel must disclose to the Executive Officer any interest that is:</p> <ul style="list-style-type: none"> relevant to the investigation and determination of a complaint, and would in the opinion of the member prevent them from acting fairly in their appointment either as an initial assessor or a member of an investigating Panel. <p>Where such a disclosure has been made before appointment, the Executive Officer is not to appoint the affected member as the initial assessor or a member of the investigating Panel. If the disclosure is made after appointment, the Executive Officer is to replace the affected member and notify the complainant and other members of the investigating Panel, where applicable.</p> <p>In addition, a member of an investigating Panel is to disclose to other members of the investigating Panel, any interest that is relevant to the investigation and determination of a complaint.</p> <p>As a result of the above changes, all former councillors or employees of any council are now eligible for appointment by the Minister as members of the Code of Conduct Panel. Current councillors or employees of any council will however remain ineligible for appointment to the Code of Conduct Panel.</p>
Costs and expenses to be borne by council	<p>The Bill provides that the relevant council is responsible for all reasonable costs and expenses incurred by the investigating Panel for a complaint.</p>
Confidentiality of determination report and related document, report or information	<p>The Bill provides that a determination report (with the addendum) is not to be included within an item on the agenda for a relevant council meeting until:</p> <ul style="list-style-type: none"> the expiration of the review period; or where an application is made, the review is completed, dismissed, or the application is withdrawn. <p>All persons are prevented from disclosing information, documents or records provided to them by the Executive Officer or an investigating Panel in relation to a complaint, until the related determination report has been included within an item on the agenda for a council meeting.</p> <p>General managers and mayors are, however, permitted to discuss a determination report or addendum with each other for the purpose of arranging for the report to be tabled at a relevant council meeting.</p>
Notification of compliance with sanctions	<p>Where a councillor has complied with the sanctions imposed on them, the councillor is required to notify the Executive Officer (no longer the general manager) of such compliance and include evidence to that effect.</p> <p>This information is to be forwarded to the Director by the Executive Officer.</p>
Refund of fee accompanying lodgement of code of conduct complaint	<p>This Bill stipulates a 30-day timeframe for making a refund to a complainant.</p>
Transitional provisions	<p>A complaint received but not finalised before the commencement of the amended provisions is to be dealt with under the previous provisions.</p> <p>A complaint received on or after the commencement of the amended provisions is to be dealt with under the new provisions.</p>



The draft legislation gives effect to the changes identified in the review.

The government's released response committed to a number of reforms:

- Improving consistency and clarity across councils
- Using dispute resolution processes for less serious issues
- Focussing initial assessment on more serious allegations
- Increasing confidence in the assessment and investigation process
- Stronger monitoring of compliance sanctions

It has been mentioned on numerous occasions that their needs to be enforceable penalty for serious inappropriate behaviour.

As part of the feasibility study, legal representation, appeal rights and additional sanctions for serious and/or repeated Code of Conduct breaches will be considered.

The reform to the Code of conduct Framework includes consideration of the transfer of the Code of Conduct Framework to the Tasmanian civil and Administration Tribunal (TASCAT).

12 ATTACHMENTS

1. Local- Government- Amendment- Code-of- Conduct- Bill-v-10- Consultation-draft [9.7.1 - 44 pages]
2. Tasmanian Government Response_-_ Code of Conduct Framework Review - December discussion paper [9.7.2 - 14 pages]
3. Plain English Guide [9.7.3 - 4 pages]
4. Draft prescribed information [9.7.4 - 1 page]

RECOMMENDATION

That the Local Government (Code of Conduct) Bill 2022 provide clarity in the following areas:

- legal representation
- appeal rights
- additional sanctions for serious and/or repeated code of conduct breaches
- frivolous, vexatious and trivial complaints.

MINUTE NO. 22/275

DECISION

Deputy Mayor Goss/Cr Adams

That the Local Government (Code of Conduct) Bill 2022 provide clarity in the following areas:

- legal representation
- appeal rights
- additional sanctions for serious and/or repeated code of conduct breaches
- frivolous, vexatious and trivial complaints.

Carried

Voting for the Motion:

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

Voting Against the Motion:

Cr Brooks



9.8 SWIMMING POOL OPERATIONS: 2021-2022 FULL SEASON UPDATE

Responsible Officer: Des Jennings, General Manager

Report prepared by: Leslie Hall, People & Culture Business Partner

1 PURPOSE OF REPORT

At the February 2022 meeting, Council requested an updated report on various operational matters reflecting the complete season data for the 3 Council pools. Council has also requested information relating to recruitment challenges for this area.

2 INTRODUCTION/BACKGROUND

At the February council meeting, Council requested an updated report on each item below for each of the municipal swimming pools. The data shown incorporates the full season data.

Item	Cressy Pool	Campbell Town Pool	Ross Pool
Season open date	27 Nov 2021	4 Dec 2021	11 Dec 2021
Season close date	31 Mar 2022	31 Mar 2022	31 Mar 2022*
Income since opening	Committee receives income. Financials provided to Council for calendar year only. Income for Gate Admissions (Including kiosk sales***) for Period 01/01/2021 to 31/12/2021 is \$20,183.54	\$7,865	Committee receives income. Financials provided to Council for calendar year only. Income for Gate Admissions for Period 01/01/2021 to 31/12/2021 is \$2,639.99
Attendance numbers since opening and up until 31 March 2022	2,024	1,422**	2,582 **
Days open this season up until 31 Mar 2022	104 days (plus 2 additional days post season close)	84 days	105 days
Days closed this season	20 days (Committee responsible for closing the Cressy pool, unless there are insufficient lifeguards – this is the only time Council closes Cressy Pool)	34 days (Council has made the call to close the Campbell Town pool due to a combination of bad weather and lifeguards getting COVID or being close contacts and having to isolate)	14 days (Committee responsible for closing the Ross pool, as there hasn't been any days where Ross has not had lifeguards to work)
Days closed due to having insufficient lifeguards	7 days (out of the total 20 days, due to impacts of COVID-19)	15 days (out of the total 34 days, due to impacts of COVID-19)	0 days

* Note: Ross Opened on 05/04/2022 & 07/04/2022 for Morning session beyond the planned season close.

** Not all numbers have been recorded on all days

*** Cressy Pool Committee does not report Gate & Kiosk separately.



Challenges for Recruitment

As outlined in the February report to Council, the process of attracting and recruiting suitable candidates for the Lifeguard roles is challenging. We have undertaken a review of Lifeguard recruitment, and have identified the following issues:

1. The work is performed in the summer season. This means that we are competing with other seasonal industries such as hospitality and tourism that are able to offer longer and more regular shifts.
2. There is a very high training and skills requirement for the role. The fitness level to complete this training, and the ability to work calmly under pressure limit the number of candidates that are suited to the role.
3. The cost of acquiring the required First Aid and Lifeguard qualifications is a barrier to entry into the roles. The cost of these qualifications are \$130 and \$365 respectively. This is a further barrier when competing against other seasonal roles like hospitality and tourism roles that may only require an online qualification such as the Responsible Service of Alcohol which can be obtained for \$77 through TasTAFE.
4. The season commences and ends outside of the traditional tertiary education institution “summer holidays” meaning that finding staff for the beginning and tail of the season is more difficult.
5. The regional location of the council pools is further limiting the availability of suitable candidates.

Opportunities for Internal Recruitment

Consideration has been given to the possible opportunity to utilise existing staff to be redeployed into Lifeguard roles for peak resourcing needs. This has been reviewed extensively and it is the conclusion that the peak resourcing periods for varying departments occur simultaneously, be it for workload or leave cover reasons. Particular attention was given to the outdoor workforce and casual childcare workers in this review, and it is concluded that the peak resourcing needs of these work groups during summer will not allow for this cross-utilisation of staff. Planned leave, and the requirements of some of these staff to care for their own children during the school holiday periods creates significant additional barriers to availability.

Additional consideration was given to the WH&S implications in regard to cross-utilisation of the indoor staff who may be less accustomed to physical workloads and therefore pose a higher risk for injury undertaking these duties, even with the required training.

Upon completion of the review, it was determined that opportunities for internal recruitment or cross utilisation of staff was not feasible.

3 STRATEGIC PLAN 2021-2027

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

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

Sense of Place - Sustain, Protect, Progress

Strategic outcomes:

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

4 POLICY IMPLICATIONS

N/A



5 STATUTORY REQUIREMENTS

The only statutory requirement relating to recruitment is the lifeguard to patron ratio which for all three of our low patronage pools is one lifeguard to twenty five patrons.

6 FINANCIAL IMPLICATIONS

The recommendation below to fund training will have a financial implication for Council. The proposed funding cost, (which is currently \$495 but subject to future change) for the 2 required courses, would be dependant on the recipient making themselves available for 33% of days in the season. This would not require us to have an obligation to provide that level of work. A training agreement would be put in place with the individual and would require repayment to Council for the cost of any training fees in the event that the employee failed to make themselves available for the required number of days.

This offer to fund training would also be extended to the committee volunteers who may also wish to make themselves available for the role on an intermittent basis.

7 RISK ISSUES

N/A

8 CONSULTATION WITH STATE GOVERNMENT

N/A

9 COMMUNITY CONSULTATION

N/A

10 OPTIONS FOR COUNCIL TO CONSIDER

N/A

11 OFFICER'S COMMENTS/CONCLUSION

The combination of training and personal attributes required of people to work in these roles will continue to impact upon the ability to attract and retain suitable staff for such a short term period of time each year.

Recruitment should commence in August, and in addition to standard commercial recruitment channels, Council may benefit from targeted recruiting to existing volunteer and community based groups such as Volunteer Paramedics and other similar community based services groups.

12 ATTACHMENTS

Nil

RECOMMENDATION

- a) That Council notes and receives the report
- b) That Council provide funds for the training of Lifeguards to minimise the financial barriers to prospective recruits to the Lifeguard roles at our community swimming pools.



MINUTE NO. 22/276

DECISION

Cr Goninon/Deputy Mayor Goss

- a) That Council notes and receives the report
- b) That Council receives a further report with matters clarified and that templates be created so that the information received from the facilities is consistent.

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil

MINUTE NO. 22/277

DECISION

Deputy Mayor Goss/Cr Goninon

That Council provide funds for the training of Lifeguards (including volunteers, subject to insurance cover) to minimise the financial barriers to prospective recruits to the Lifeguard roles at our community swimming pools.

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil



9.9 MEMBERSHIP: MULTICULTURAL COUNCIL OF TASMANIA

Responsible Officer: Des Jennings, General Manager

Report prepared by: Lorraine Wyatt, Executive & Communications Officer

1 PURPOSE OF REPORT

The purpose of this report is to provide Council with the opportunity to become a corporate member of the Multicultural Council of Tasmania.

2 INTRODUCTION/BACKGROUND

The Multicultural Council of Tasmania (MCOT) is the peak body representing more than 100 multicultural organisations across Tasmania. With an office now established in Launceston, MCOT offers support to culturally and linguistically diverse (CALD) communities and individuals across Tasmania while also engaging the wider communities and the three tiers of Government.

3 STRATEGIC PLAN 2021-2027

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

Lead: Serve with honesty, integrity, innovation and pride

Leaders with Impact

Strategic outcomes:

1.1 Council is connected to the community

4 POLICY IMPLICATIONS

Council's policies are intended to provide guidance to good practice based on legislative requirements, understanding, observation of appropriate industry consultation in contemporary local government.

Council does not have a policy relating to memberships or subscriptions. This report now provides Council with the opportunity to develop a "Memberships and Subscriptions" policy and provide guidance to Council Officers in their operational decision making.

5 STATUTORY REQUIREMENTS

N/a

6 FINANCIAL IMPLICATIONS

An organisational membership is \$30.00.

7 RISK ISSUES

A lack of understanding of the culturally and linguistically diverse (CALD) communities and individuals across Tasmania carries the following risk.

6 - Community Failure to develop and maintain a positive relationship with the community.

Inadequate awareness and understanding of community requirements by the Council resulting in community unrest and conflict.

- Lack of engagement with the community.
- Poor public image and reputation.
- Negative impact on staff morale.
- Failure to recruit and retain staff.



Treatment for this risk is contained within:

- Communication policies and procedures.
- Level of Service planning.
- Strategic Plan developed in consultation with the Community.
- Policies and procedures.
- Ongoing community engagement on service delivery aspects, schedules, programs (Community Satisfaction Surveys).
- Local District Committees.

8 CONSULTATION WITH STATE GOVERNMENT

MCODT advocates and consults with the three tiers of government on behalf of members.

9 COMMUNITY CONSULTATION

N/a

10 OPTIONS FOR COUNCIL TO CONSIDER

Council can choose to be a member of MCOT or choose not to be a member.

11 OFFICER'S COMMENTS/CONCLUSION

Mayor Knowles OAM and the Executive & Communications Officer met with the Communications Officer of MCOT who provided an overview of the organisation and outlined their strategic objectives which include:

Objective	Goal
Research and Advocacy:	Data Collection Policy Engagement Economic and Employment Opportunities
Engagement and Celebration:	Social Cohesion
Capacity Building:	Practical Support The Hub and Community Spaces Funding Governance
Partnership and Collaboration:	Disability and Mental Health Advocacy Social Integration

A member-driven organisation, MCOT advocates on behalf of members, and also provides services such as the auspicing of grant applications and discounted access to the Multicultural Hub in Moonah, an innovative transitional space focusing on the needs of newly arrived and established communities.

MCOT has embarked on a Multicultural Communications and Engagement Project, particularly in relation to Covid 19 but also more broadly, providing benefits to the State Government and across the State in general. Being independent of government, MCOT staff work closely with the State Government ensuring the most relevant and up-to-date information is gathered on the needs of Tasmania's multicultural communities.

Further, MCOT is undertaking to deliver a "Multicultural Tasmania" report to government ensuring state government policies are underpinned with accurate, Tasmanian, information, building awareness of the challenges which face the CALD communities including social integration and cohesion, mental health advocacy, economic and employment opportunities, and practical everyday support.

All the above advocacy and advice would be available to council should council choose to become a member of MCOT.



12 ATTACHMENTS

1. MCOT Annual- Report-2020-2021 [9.9.1 - 33 pages]
2. MCOT Strategic- Plan-2021-23 (1) [9.9.2 - 10 pages]

RECOMMENDATION

That Council

1. Agree to become a member of the Multicultural Council of Tasmania, and
2. Develop a Memberships and Subscriptions policy to provide guidance to Council Officers in their operational decision making.

MINUTE NO. 22/278

DECISION

Cr Goninon/Cr Adams

That Council

1. Agree to become a member of the Multicultural Council of Tasmania, and
2. Develop a Memberships and Subscriptions policy to provide guidance to Council Officers in their operational decision making.

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil



9.10 KENNEL LICENCE APPLICATION: 310 PERTH MILL ROAD, PERTH

Responsible Officer: Des Jennings, General Manager

Report prepared by: Amanda Bond, Executive Officer

1 PURPOSE OF REPORT

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

Council have previously considered this application and deferred its decision pending further information.

2 INTRODUCTION/BACKGROUND

Lisa Bartlett has applied for a Kennel Licence in accordance with Section 51 of the *Dog Control Act 2000*, for 12 Labradoodles to be kept at 310 Perth Mill Road, Perth. The application was advertised in the Examiner Newspaper on 1st 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 the right to object to the application. Four representations were received. Copies of the representations are attached to this report. The main concerns outlined in the representations and the responses from the applicant have been listed in the community consultation section of this report.

The current Kennel License application is for **keeping** 12 dogs at 310 Perth Mill Road, Perth. Conducting breeding activities at 310 Perth Mill Road, Perth is prohibited under the *Northern Midlands Interim Planning Scheme 2013*. Should the applicant wish to breed from 310 Perth Mill Road, Perth, and the applicant must apply for an amendment to the *Northern Midlands Interim Planning Scheme 2013*, and that to be approved prior to breeding being able to occur.

The applicant currently holds a license for 8 dogs at 49 Phillip Street, Perth. During the inspections conducted all dogs were checked for a microchip and compared with the dogs registered with the Northern Midlands Council; all dogs present at the property matched with the dogs registered with the Council. No complaints or issues have been reported to the Animal Control Officer involving the dogs being kept at 49 Phillip Street, Perth.

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 of 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

No financial implications have been identified.

7 RISK ISSUES

The following risks have been identified:



- If Council approves a kennel licence for the keeping of dogs, there is a risk that breeding will occur in contravention of the *Northern Midlands Interim Planning Scheme 2013*. To mitigate this risk Council officers have made it clear to the applicant that breeding of dogs from the address applied for is prohibited and a process must be followed to obtain approval to do so. That approval is not guaranteed.
- If the kennel licence is approved objectors and people who have raised their concerns to council regarding the approval of this licence may feel that the council have not considered their opinions and concerns.

8 CONSULTATIONS WITH STATE GOVERNMENT

Not applicable

9 COMMUNITY CONSULTATION

The application was advertised in the Examiner on 1st June 2022 and letters were sent to neighbouring property owners within 200 meters of the property. Four representations were received.

Objection Andrew & Patricia Golle

- Impact to the environment, waste disposal.
- Future breeding of dogs can result in more than 12 dogs at the property at one time.
- High probability of noise pollution from barking dogs.

Objection Brett Gary

- Noise pollution from barking dogs.
- Wildlife present in the area.

Objection Julie Maple

- Noise pollution from barking dogs.
- Concerns of dog attacks to horses, goats and other animals living nearby.
- How all these dogs will be housed.
- Becoming a puppy farm in the future.

Objection Robert Pratt

- Damage and attacks caused by dogs at large.
- Noise pollution from barking dogs.
- Concerns of dog attacks dogs, chicken, sheep or goats and other animals living nearby

The applicant has provided the following responses to the objections:

- She has no intention of becoming a puppy farm
- Her current licence is within a highly populated area and no barking issues have been raised with her
- Labradoodles are renowned for their placid temperament. The dogs undergo intensive training, but they are also conditioned to be around other animals.
- There will be appropriate dog enclosures and the dogs will be kept inside during the night.

Each of the objectors were contacted by the Animal Control Officer and after explaining the responses from the applicant 1 out of the 4 objectors is satisfied with the applicant's response to the issues presented previously.

10 OPTIONS FOR COUNCIL TO CONSIDER

There are three options for Council to consider:

- Approve a kennel licence to keep no more than 12 dogs at the property with conditions of no breeding; or
- Approve a kennel licence for a smaller number of dogs with conditions of no breeding; or
- Refuse the kennel licence application.



11 OFFICER'S COMMENTS/CONCLUSION

Council Officers have conducted an inspection of the property, photographed the property, and assessed the proposed infrastructure to house and contain 12 dogs. The applicant currently does not have kennels or fencing in place since she does not own the property, but does have a building plan.

The size of the property at 310 Perth Mill Road is: 7,376 square meters, the breed of dogs proposed in this application is medium size labradoodles, it is the Animal Control Officer's conclusion that the property area at 310 Perth Mill Road is suitable for the number of dogs proposed in the application.

The applicant 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 Control Officer (dated: 12/11/2021 and 18/05/2022), she is complying with the *Dog Control Act 2000*, as well The Breeding of Dogs Guidelines provided by The Department of Natural Resources and Environment Tasmania.

It is the Animal Control Officer's recommendation to approve the licence to keep 12 dogs at 310 Perth Mill Road with the following conditions:

- Every kennel & associated exercise area must be always maintained in a clean and sanitary condition 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.
- No breeding of dogs allowed, unless planning approval obtained.
- The premises have the appropriate fencing and infrastructure for the size and the number of dogs.
- The premises is inspected every 4 months.

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 in accordance with section 57 of the *Dog Control Act 2000*.

12 ATTACHMENTS

1. Objection Andrew & Patricia Golle [9.10.1 - 3 pages]
2. Objection Brett Gray [9.10.2 - 2 pages]
3. Objection Julie Maple [9.10.3 - 1 page]
4. Objection Rob & Jen Pratt [9.10.4 - 1 page]
5. Applicants Response to Objections [9.10.5 - 3 pages]
6. Photos [9.10.6 - 2 pages]

RECOMMENDATION

That Council

- i) issue a kennel licence to keep no more than 12 Labradoodles at 310 Perth Mill Road, Perth, and
- ii) place an expiry date of 30 June 2023 upon the licence with the following specific conditions:
 - Every kennel & associated exercise area must be always maintained in a clean and sanitary condition 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.
- No breeding of dogs allowed, unless planning approval obtained.
- The premises have the appropriate fencing and infrastructure for the size and the number of dogs.
- The premises is inspected every 4 months.

MINUTE NO. 22/289

DECISION

Cr Goninon/Cr Brooks
That Council

- i) issue a kennel licence to keep no more than 12 Labradoodles at 310 Perth Mill Road, Perth, and
- ii) place an expiry date of 30 June 2023 upon the licence with the following specific conditions:
 - Every kennel & associated exercise area must be always maintained in a clean and sanitary condition 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.
 - No breeding of dogs allowed, unless planning approval obtained.
 - The premises have the appropriate fencing and infrastructure for the size and the number of dogs.
 - The premises is inspected every 4 months.

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil



10 COMMUNITY & DEVELOPMENT REPORTS

10.1 MONTHLY REPORT: DEVELOPMENT SERVICES

Responsible Officer: Des Jennings, General Manager

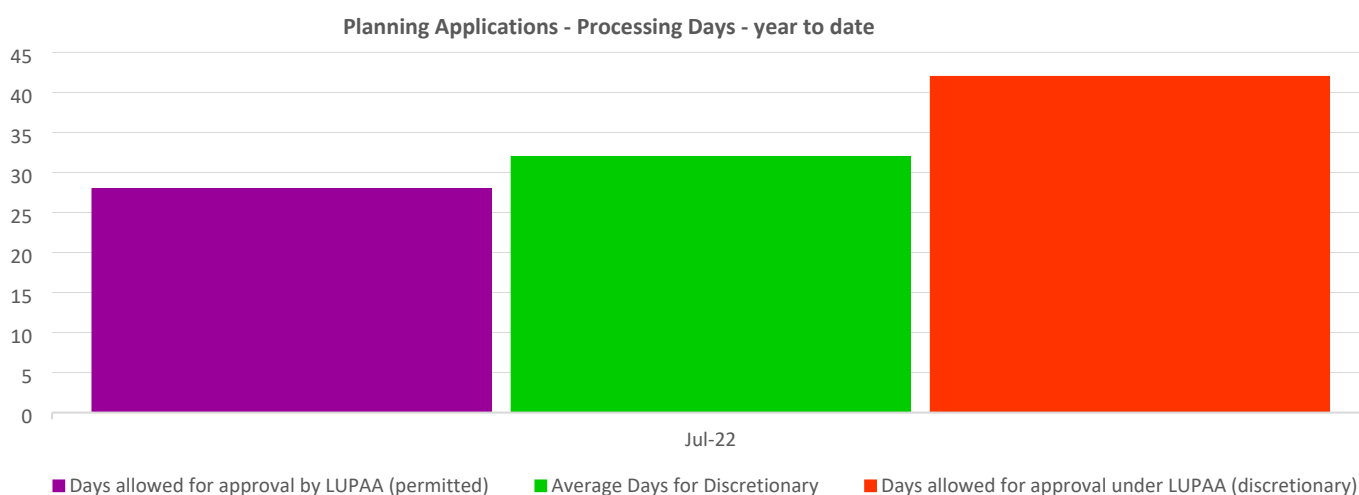
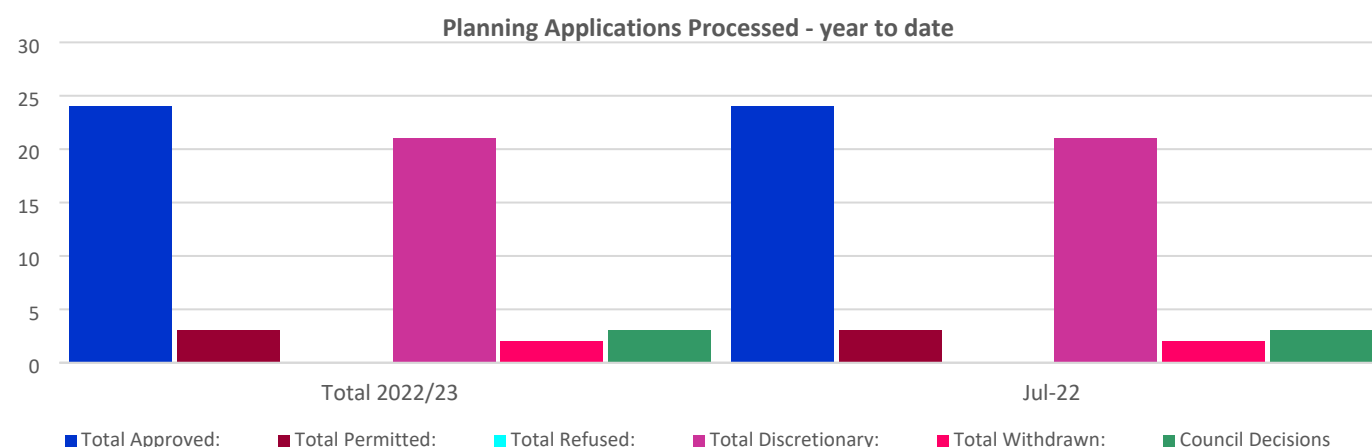
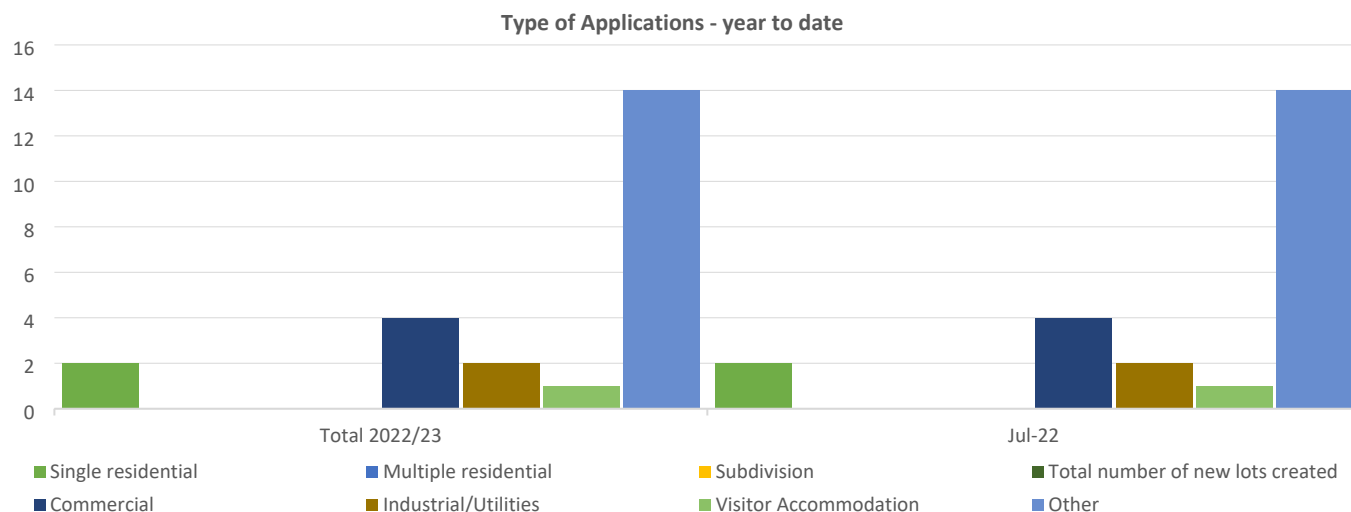
1 PURPOSE OF REPORT

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	15	15											
Applications on STOP for further information	47	47											
Single residential	2	2											
Multiple residential	0	0											
Subdivision	0	0											
Total number of new lots created	0	0											
Commercial	4	4											
Industrial/Utilities	2	2											
Visitor Accommodation	1	1											
Total permitted	0	0											
Total discretionary	1	1											
Other (includes all residential development on existing dwellings [alterations/ additions, sheds, solar, fences, pools etc])	14	14											
Total No. Applications Approved:	24	24											
Total Permitted:	3	3											
Average Days for Permitted	11	11											
Days allowed for approval by LUPAA		28											
Total Exempt under IPS:	12	12											
Total Refused:	0	0											
Total Discretionary:	21	21											
Average Days for Discretionary:	32	32											
Days allowed for approval under LUPAA:		42											
Total Withdrawn:	2	2											
Council Decisions	3	3											
Appeals lodged by the Applicant	0	0											
Appeals lodged by third party	0	0											



Project	Details	Address	Applicant	No of LUPAA days	Perm / Disc / Exempt
DELEGATED DECISIONS					
PLN21-0102-1	Amendment to Permit Multiple Dwellings x 2 (vary private open space width & shared parking separation to habitable rooms)	9 Youl Road, Perth TAS 7300	Design to Live		D
PLN21-0275-1	Amendment to Permit Outbuildings x 1 (Landslip Code)	65 Caledonia Drive, Relbia TAS 7258	Sarah & Benjamin Holton		D
PLN21-0191	Office extension to shed (Airport Impacts Management Code)	2 Hughes Court, Western Junction TAS 7212	Wilkin Design & Drafting Pty Ltd	41	D



Project	Details	Address	Applicant	No of LUPAA days	Perm / Disc / Exempt
PLN21-0298	Part Change of Use to Visitor Accommodation & Signage (Car Parking & Sustainable Transport Code, Signs Code)	St Johnstone, 1212 Valleyfield Road, Campbell Town TAS 7210	Gilbert & Kate Taylor	42	D
PLN22-0032	Carport for Caravan (Vary setbacks and building envelope)	1 Equus Court, Longford TAS 7301	Robin Lawrence	28	D
PLN22-0058	Refurbish/renew front fence, & entry pergola (Heritage Listed Place)	26 Main Road, Perth TAS 7300	David Denman & Associates	28	D
PLN22-0080	Dwelling (Scenic Management Area)	Lot 2, 2 Sinclair Street (CT 182777/2), Perth TAS 7300	Abode Designer Homes	42	D
PLN22-0110	Potato Storage Building, Ancillary Hardstand Pavements & Infrastructure (Water Quality Code)	701 Mount Joy Road, Cressy TAS 7302	Tasmanian Consulting Service Pty Ltd	37	D
PLN22-0111	Alts & Additions to Existing Dwelling (Heritage Precinct)	6A Collins Street, Evandale TAS 7212	Designful Studio	36	D
PLN22-0116	Dwelling, Tennis Court & Tennis Court Shelter (Variation to 26.3.2 Dwellings, 26.3.3 Irrigation Districts, and 26.4.1 Building Location and Appearance; Road and Railway Assets Code; Environmental Impact and Attenuation Code)	2126 Bishopsbourne Road, Longford TAS 7301	Adams Building Design	41	D
PLN22-0122	Shed [15mx9m] (Vary Rear [eastern] Setback, Vary Side [southern] Setback, Gross floor area of outbuildings in excess of 80m)	359 Cressy Road, Longford TAS 7301	Wilkin Design & Drafting Pty Ltd	27	D
PLN-22-0124	Swimming Pool (Heritage Listed)	360 Pateena Road, Longford TAS 7301	Prime Design	29	D
PLN22-0129	a 1.6-2m high Colourbond Fence along the property boundaries	7 Leake Street, Cleveland TAS 7211	Lynda Loveit	17	D
PLN22-0132	Carport & Extension to Existing Garage (Vary Secondary Frontage Setback; Vary Gross Floor Area of Outbuildings Greater than 80m2; Environmental Impacts and Attenuation Code)	61 Weston Street, Longford TAS 7301	Mr Kel Clark	25	D
PLN22-0133	Awning (Vary western (side) setback)	U5 - 40 Malcombe St, LONGFORD TAS 7301	Optimo Awnings Northern Pty Ltd	29	D
PLN22-0144	Shed (Vary Rear Setback)	Delmont Road, Cressy TAS 7302	Wilkin Design & Drafting Pty Ltd	24	D
PLN22-0145	Roof over deck x 2 (attenuation)	16B Hay Street, Longford TAS 7301	Jane O'Keefe	18	D
PLN22-0146	Proposed Extension and Retrospective Works to Dwelling, Shed, and Ancillary Dwelling (Vary building area and height; Vary driveway passing bay)	94 Devon Hills Road, Devon Hills TAS 7300	Design To Live	22	D
PLN22-0118	Shed (15m x 12m)	"Missiondale", 75 Leighlands Rd, Evandale TAS 7212	Gty° Pty Ltd	12	P
PLN22-0142	Alts & Additions to Existing Dwelling	258 Point Road, Longford TAS 7301	Narelle Lobdale obo Engineering Plus	7	P
PLN22-0151	Access Ramp & Associated Works at Cressy Hall	Cressy Hall, 67 Main Street, Cressy TAS 7302	Northern Midlands Council	15	P
COUNCIL DECISIONS					
PLN20-0316	Southern Extension to Biz Quarry (Level 2 Activity)	81 Evandale Road, Western Junction TAS 7212	Mr D Hughes	42	C
PLN21-0315	Food Services - Food Van (Heritage Precinct, Road & Railways Code & Car Parking and Sustainable Transport Code)	121 High Street, Campbell Town TAS 7210	Benjamin Miller	42	C
PLN22-0104	Alterations & additions to Longford Memorial Hall, replacement of BBQ facilities, construction of RSL Memorial Wall, & landscaping (Heritage Listed Property, Heritage Precinct, vary setbacks & car	53 Wellington Street, Longford TAS 7301	Loop Architecture	34	C

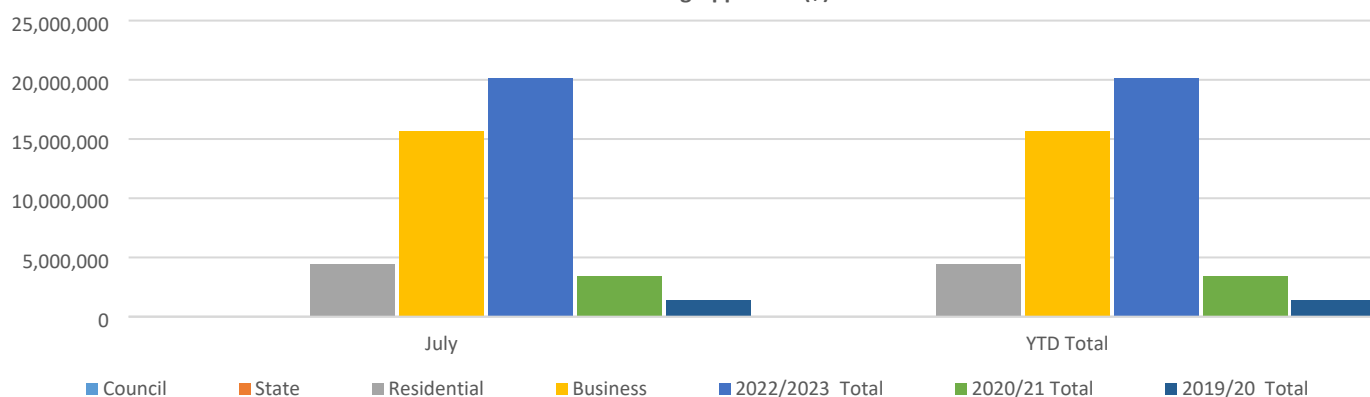


Project	Details	Address	Applicant	No of LUPAA days	Perm / Disc / Exempt
	parking)				
COUNCIL DECISIONS - REFUSAL					
DELEGATED DECISIONS - REFUSAL					

2.2 Value of Planning Approvals

	Council	State	Current Year Residential	Business	2022/2023 Total	2021/2022 Total	2020/2021 Total	2019/2020 Total
July	50,000	0	4,399,020	15,650,000	20,099,020	4,380,747	3,377,500	1,429,000
YTD Total	50,000	0	4,399,020	15,650,000	20,099,020	4,380,747	3,377,500	1,429,000
Annual Total						91,715,427	59,101,247	55,891,900

Value of Planning Approvals (\$)



2.3 Matters Awaiting Decision by TASCAT & TPC

TASCAT	TASMANIAN CIVIL AND ADMINISTRATIVE TRIBUNAL
PLN-21-0223	Appeal 152/215. 102 & 104 Marlborough Street, Longford. Appeal against Council's refusal of 7 multiple dwellings. Preliminary conference held 17 January 2022. Mediation being undertaken.
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. Council agreed at its July 2022 meeting to resolve the appeal by replacing its refusal with a permit subject to conditions. Conditions are being mediated with the appellant.
PLN21-0339	Appeal P2022/122. 26-28 Charles St, Cressy. Appeal against Council's refusal of seasonal worker accommodation. Preliminary conference held 27 July 2022. Hearing set for 26 & 27 October 2022.
Decisions received	
PLN21-0073	Appeal P/2022/113. 5 Eskleigh Road, Perth. 2 lot subdivision. Appeal against request for additional information. Preliminary conference held 11 July 2022. Consent decision received 28 July 2022 that the Northern Midlands Council proceed to determine development application PLN-21-0073 on the basis of the information that has been supplied.
TPC	TASMANIAN PLANNING COMMISSION
LPS-NOR-TPS	Tasmanian Planning Scheme. The State Planning Provisions (SPPs) came into effect on 2/3/2017. They will have no practical effect until the Local Provisions Schedule (LPS) is in effect in a municipal area. Northern Midlands Council's Draft Local Provisions Schedule submitted to the Commission 19/12/2019. Post lodgement meeting held 5/5/2020. Matters raised by the Commission and recommended response tabled at the 29/6/2020 Council meeting. Remaining responses to post lodgement enquiries provided 28/08/2020. Submission of response to post lodgement enquiries made by TPC due 5/2/2021. Meeting held between Council and Commission staff to discuss these matters held 20/1/2021. Response provided to TPC 12/2/2021. TPC requested further clarifications 16/3/2021. Response provided 8/4/2021. Section 32(4) responses to final TPC queries provided 6/5/2021. Minister's declarations issued 31 May 2021 were included in 28 June Council agenda. GIS consultant made map changes required by the Minister. Provided to TPC 19/7/2021. TPC advised 13/8/2021 of final mapping changes needed for exhibition. GIS consultant made map changes required by the Minister. Provided to TPC 19/7/2021. 6/10/2021, received direction to publicly exhibit draft Local Provisions Schedule. Draft Local Provisions Schedule on public exhibition from 22 October to 21 December 2021. Section 35F report on representations to



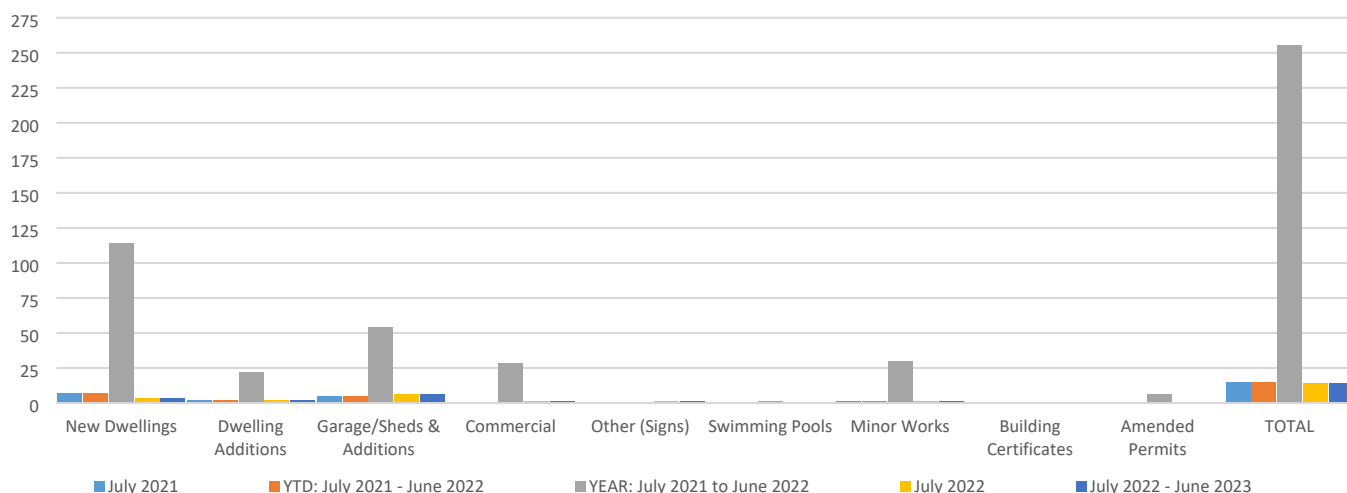
TPC	TASMANIAN PLANNING COMMISSION
	be presented to Council meeting of 21 February 2022. Deferred until 21 March meeting to get information on the process if Council supports any of the representations. Section 35F report on representations considered at Council meeting of 21 March 2022. Report sent to 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. Hearing held 2 August 2022. Awaiting decision.
PLN22-0065	Draft Amendment 04-2022 to rezone part of 7 Wellington St, Longford, extend urban growth boundary and insert site specific qualification. Public notification until 29 July 2022. No representations. TPC advised.
Decisions received	
-	-

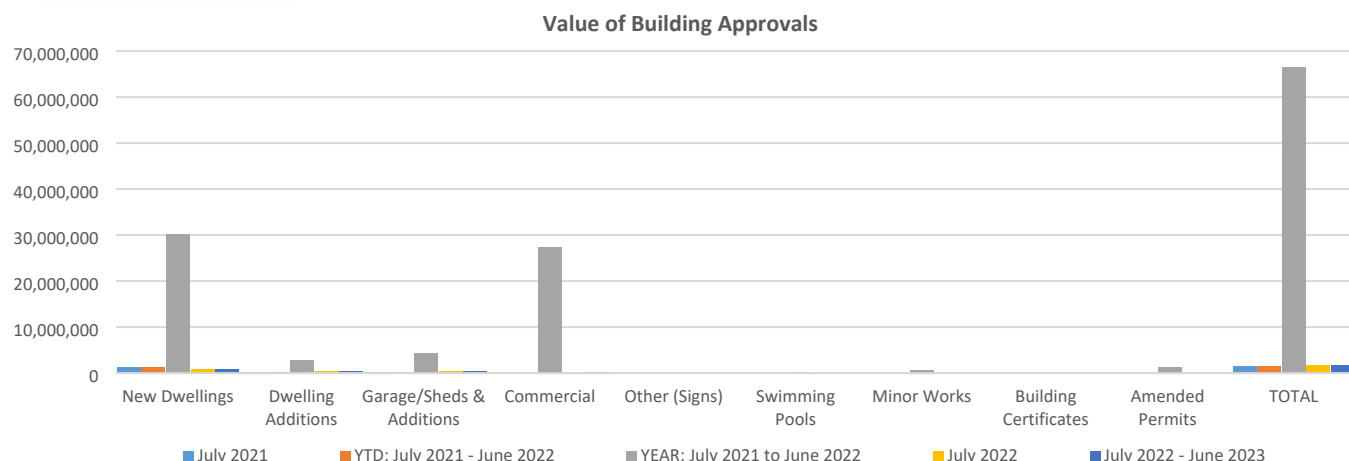
2.4 Building Approvals

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

	YEAR: 2021-2022				YEAR: 2022-2023			
	July 2021		YTD 2021-2022		July 2021 - June 2022		July-2022	
	No.	Total Value \$	No.	Total Value \$	No.	Total Value \$	No.	Total Value \$
New Dwellings	7	1,155,501	7	1,155,501	114	30,244,148	3	786,686
Dwelling Additions	2	125,000	2	125,000	22	2,848,500	2	350,000
Garage/Sheds & Additions	5	188,000	5	188,000	54	4,236,238	6	303,000
Commercial	0	0	0	0	28	27,270,305	1	200,000
Other (Signs)	0	0	0	0	0	0	1	27,945
Swimming Pools	0	0	0	0	1	70,000	0	0
Minor Works	1	20,000	1	20,000	30	525,174	1	18,000
Building Certificates	0	0	0	0	0	0	0	0
Amended Permits	0	0	0	0	6	1,295,000	0	0
TOTAL	15	1,488,501	15	1,488,501	255	66,489,365	14	1,685,631
Inspections								
Building	1		1		38		0	
Plumbing	43		43		316		38	

Number of Building Approvals





2.5 Planning and Building Compliance – Permit Review

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

	This Month	2022/2023	Total 2021/2022
Number of Inspections	5	5	18
Property owner not home or only recently started			
Complying with all conditions / signed off			2
Not complying with all conditions			
Re-inspection required	5	5	12
Notice of Intention to Issue Enforcement Notice			
Enforcement Notices issued			
Enforcement Orders issued			
Infringement Notice			
No Further Action Required			4

	This Month	2022/2023	Total 2021/2022
Number of Inspections	3	3	
Property owner not home or only recently started			
Complying with all conditions / signed off			
Not complying with all conditions			
Re-inspection required	1	1	
Building Notices issued			
Building Orders issued			
No Further Action Required	2	2	

	This Month	2022/2023	Total 2021/2022
Number of Inspections	2	2	11
Commitment provided to submit required documentation			
Re-inspection required			8
Building Notices issued			
Building Orders issued			
Emergency Order			
No Further Action Required	2	2	3

	This Month	2022/2023	Total 2021/2022
Number of Inspections	1	1	29
Commitment provided to submit required documentation			3
Re-inspection required	1	1	21
Enforcement Notices issued			
Enforcement Orders Issued			
Notice of Intention to Issue Enforcement Notice issued			

3 STRATEGIC PLAN 2021-2027

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

Progress: Economic health and wealth - grow and prosper

Strategic Project Delivery - Build Capacity for a Healthy Wealthy Future

Strategic outcomes:



2.1 Strategic, sustainable, infrastructure is progressive

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

Sense of Place - Sustain, Protect, Progress

Strategic outcomes:

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

Place: Nurture our heritage environment

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

Strategic outcomes:

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

4 STATUTORY REQUIREMENTS

4.1 Land Use Planning & Approvals Act 1993

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

4.2 Building Act 2016

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

5 RISK ISSUES

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

6 COMMUNITY CONSULTATION

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

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

7 OFFICER'S COMMENTS/CONCLUSION

There has been 1 commercial building approval/s valued at \$200,000 for 2022/23 (year to date), compared to 0 commercial building approval valued at \$0 (year to date) for 2021/2022.

In total, there have been 14 building approvals valued at \$1,685,631 (year to date) for 2022/2023, compared to 15 building approvals valued at \$1,488,501 (year to date) for 2021/22.

RECOMMENDATION

That the report be noted.



MINUTE NO. 22/279

DECISION

Cr Goninon/Deputy Mayor Goss

That the report be noted.

Carried Unanimously

Voting for the Motion:

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

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

Due to financial system upgrades, Monthly Report information is not available at this time



12 WORKS REPORTS

12.1 SAFETY AT INTERSECTION: BARTON ROAD, EPPING FOREST

Responsible Officer: Leigh McCullagh, Works Manager

Report prepared by: Jonathan Galbraith, Engineering Officer

1 PURPOSE OF REPORT

The purpose of this report is to provide Council with information about safety concerns at the intersection of Barton Rd and the Midlands Highway.

2 INTRODUCTION/BACKGROUND

Safety concerns have been raised by members of the public on a number of occasions over recent months regarding the intersection of Barton Road and the Midlands Highway. There has been a significant increase in traffic turning at this intersection as a result of the new Confessional Coffee shop and there have been several reports of near misses.

Council's General Manager wrote to the Department of State Growth raising concerns about the intersection on the 25th of March 2022 and a response was received on the 18th of July 2022 from Mr. Gary Hills from the Department of State Growth.

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:

3.4 Towns are enviable places to visit, live and work

4 POLICY IMPLICATIONS

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

5 STATUTORY REQUIREMENTS

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

6 FINANCIAL IMPLICATIONS

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

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



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

7 RISK ISSUES

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

There have been reports of near misses at this intersection.

8 CONSULTATION WITH STATE GOVERNMENT

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

9 COMMUNITY CONSULTATION

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

10 OPTIONS FOR COUNCIL TO CONSIDER

1. Engage a consultant to prepare a design for a deceleration lane.
2. Continue to monitor the situation and take no further action at this time.
3. Continue to lobby the Department of State Growth to complete these works and look for funding opportunities.

11 OFFICER'S COMMENTS/CONCLUSION

The advice provided by the Department of State Growth indicates that Council could carry out these works as the road manager, but in order to carry out these works it would also involve works being carried out within the State Growth road corridor. These works would be significantly more expensive than works carried out by Council on their road network due to the higher traffic volumes, different road construction standards and additional traffic management.

Council regularly carry out works within the state road network where there is existing kerb and channel and footpath because in these locations Council are considered to be responsible for the maintenance of those assets. Council have not previously carried out works in the State Growth Road corridor in areas where there is no kerb and channel, generally works in these areas are done by State Growth.

It was noted that some members of the public having been parking on the road verge in the area that is signed as "No Standing" and walking to the coffee shop through a pedestrian gate that fronts onto the Midland Highway. The coffee shop owner has previously been advised that this gate is to remain closed and Council's Planning Department have again followed this matter up with the owner following recent complaints.

12 ATTACHMENTS

1. Email response to Des Jennings - Barton Road, Epping Forest intersection [**12.1.1** - 2 pages]

RECOMMENDATION

That Council continue to lobby the Department of State Growth to carry out these works and seek funding opportunities.



DECISION

Cr Goss/Cr Lambert

That Council continue to lobby the Department of State Growth to carry out these works, seek funding opportunities and the Minister be invited to inspect the site with Council.

MINUTE NO. 22/280

AMENDMENT

Cr Goninon/Cr Brooks

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

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil

The Amendment became the Motion
and was Put and
Carried Unanimously

Mayor Knowles adjourned the meeting for the meal break at 6.10pm.



13 PUBLIC QUESTIONS AND STATEMENTS

PUBLIC ATTENDANCE DURING THE COVID-19 DISEASE EMERGENCY DECLARATION

Public Attendance Meeting Guidelines during the COVID-19 Disease Emergency

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

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

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

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

1. making representations to planning applications which are subject to statutory timeframes (limit of 4 persons per item),
- and

2. those making statements or representations on items listed in the Agenda for discussion (limited to 2 persons).

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

On arrival attendees will:

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

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

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

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

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

Council will continue to ensure minutes and audio recordings of Council meetings are available on Council's website (in accordance with Council's Meeting Procedures Policy).

PUBLIC QUESTIONS AND STATEMENTS

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

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

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



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

PUBLIC QUESTIONS

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

No questions were forthcoming from the gallery.



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. 22/281

DECISION

Cr Lambert/Cr Goninon

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 15.5.

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.

PLAN 15.1: PLN22-0147: 2 Lot subdivision - 1 Collins Street, Evandale

Peter Dixon, for the applicant

Mr Dixon noted:

- the Collins street site is zoned General Residential
 - the proposed lot is 500m²
 - a house built on the block would not impact on neighbours
- and requested that Councillors support the application.

PLAN 15.2: PLN22-0040: Road and Streetscape Works - Wellington Street, Longford

Roderick Cuthbert, against the application

Mr Cuthbert noted/queried:

- why is council going to dig up asphalt and replace with concrete?
- paint products could be utilised to provide colour to the asphalt
- vehicles range from small cars to large tractors – vehicle measure 3.5m wheel to wheel
- narrowing the traffic lane should not be considered, the width is presently approx. 4m
- some widths proposed are as little as 3.6m being the national standard minimum
- others are barely 4m, should not narrow the width, if anything should be wider.

Mr Atkinson, Council's Project Manager, provided the following response:

- some of the proposed asphalt footpaths being replaced with concrete are necessary to address drainage issues and sub floor ventilation
- other's are to beautify the streetscape per the brief
- the concrete will provide longevity and provide for ease of replacement of services such as TasWater or TasNetworks and make reinstatement easier
- the width at its narrowest is 3.6m, being near the library and at JJ's, being within the standard for a main carriageway
- the width of other sectors is 4m to 4.6m, being in the vicinity of Mason Street.



Rob Bayles, against the application

Mr Bayles noted/requested:

- he is not against the beautification of the town
- the attractiveness of the Village Green and its associated features
- the current ability for traffic to move through the town
- Longford is a rural town with a considerable amount of livestock, produce and products being transported through the town
- that there are 4 major tractor and irrigation dealers operating their businesses in Longford
- that it appears that the road width is to be reduced when the size of machinery is increasing
- truck drivers need access to and ability to stop and utilise amenities
- that in the redesign trucks stopping would likely impede traffic flow
- other than towns on highways, Longford has the largest amount of agricultural produce being transported through the town
- trucks and busses would have difficulty exiting the main carriageway, around corners, onto side roads
- the requirement is to protect cyclists and have a safe environment for workers
- keep the street wide and not make it narrower.

Cr Goss queried what Mr Bayles meant by the increase in size in machinery.

Mr Bayles advised

- second hand farm machinery is purchased from New South Wales and Victoria
- semi-trailers and b-double trucks are also used for the transport of goods through Longford

John Izzard, for the application

The statement submitted by Mr Izzard in support of this proposal was tabled.

PLAN 15.3: PLN22-0096: 8 Lot Subdivision and Works - Cracroft Road Reserve, Longford

Peter Dixon, for the applicant

Mr Dixon noted:

- the land is zoned general residential
- the proposal is that no blocks are less than 450m², with the average block size of 700m²
- residential land in Longford is in demand, this development would provide an additional 7 blocks
- that the planner had recommended the subdivision be approved.

Kathleen Farr, against the application

Ms Farr provided the following statement from which she read:

Smaller number of blocks, open space be created for recreational, wellbeing, aesthetic and environmental reasons. Only 3 will address main points although others need addressing as responses are untrue or insufficient. Why ask for public comment if restricted by the planning scheme without its interpretation. (live in the town and have to live with the decisions and actions.)

Issue 8 and later section Development standards page 158 Open space allocation.

Argue it should not be paid for but on site. No waiver: allowance 277m² this would allow for a 3 - 4 metre strip along the Cracroft Street frontage. Landscaped and incorporating seating. This will give for recreational, wellbeing, aesthetic and environmental benefits from all those passing by and the new residents.

Note... within the planning scheme E10.6.1 "a. provide public open space ... contribute to the identity, visual amenity and health of the community"

Issue 13 Concrete roadway

Note "concrete driveway to Lot 3. This lot is at the rear of the proposed subdivision. Total area approx. 378m². This is 80% the size of the smallest block (lot 6) NOT insubstantial. Runoff and visual impact very great. Alternate surface material suggested.

Setback lots 6 and 8

Remember the size of the blocks and how the area is divided is at the complete discretion of the developer so long as they meet: the developers needs; Planning Scheme requirements; needs of local residents.

The developer has chosen to draw this boundary line 1.78m less than recommended. Excuse being that it meets the criteria in planning scheme. I argue that it does not:



1. *There is an upstairs window pointing South over lot 6 and the barrage of attic windows point south west overlooking lot 7.*
2. *Does not provide separation between dwellings on adjoining properties consistent with that existing on established properties in the area.*
3. *"criteria P3 a.iv visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining property."*

The existing building is a house of 30 sqs (old) of a cape cod construction. This is a considerable structure. Well suited to the 5,500m² property it as on before not so suited to the 960m² proposed (ie less than one fifth the land size). Remember the line placement is based upon 3 criteria. The developer has chosen one solution which does not meet the planning scheme nor public comment.

Ken & Sharon Watkins, against the application

The statement submitted by Mr and Mrs Watkins in opposition to this proposal was tabled.

PLAN 15.4: PLN22-0056: Draft Amendment 03/2022

Hugh Mackinnon, for the application

Mr Mackinnon noted that

- he appreciates the value and vision of the Perth Strategy Plan
- the impact of the Perth bypass on his property and the ability to farm some areas of his land
- the rezoning of the land will provide a hard edge to the township
- there is an increased demand for residential land and this rezoning would support the strategy of the Perth Structure Plan.



15 PLANNING REPORTS

15.1 PLN22-0147: 2 LOT SUBDIVISION - 1 COLLINS STREET, EVANDALE

File: 201000.33; PLN22-0147
Responsible Officer: Des Jennings, General Manager
Report prepared by: Rebecca Green, Planning Consultant

1 INTRODUCTION

This report assesses an application for 1 Collins Street, Evandale to construct a 2 Lot Subdivision (Heritage Precinct).

2 BACKGROUND

Applicant:

Carlton Dixon

Zone:

General Residential

Owner:

Kerry Joan Barham

Codes:

E4 Road and Railway Assets Code
E6 Car Parking & Sustainable Transport Code
E10 Recreation & Open Space Code
E13 Local Historic Heritage Code

Classification under the Scheme:

Subdivision

Existing Use:

Residential

Deemed Approval Date:

18 August 2022

Recommendation:

Approve

Discretionary Aspects of the Application:

- Subdivision subject to Local Historic Heritage Code.

Planning Instrument:

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

Preliminary Discussion

Prior to the application becoming 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

- 2 Lot subdivision (Heritage Precinct)



Subdivision Plan (extract)



Current Title Plan

ORIGINAL - NOT TO BE REMOVED FROM TITLES OFFICE

OF TASMANIA
REAL PROPERTY ACT, 1961, as amended
NOTE - REGISTERED FOR OFFICE
CONVENIENCE TO REPLACEMENT

CERTIFICATE OF TITLE
Register Book
Vol. 2933 Fol. 38

Cert. of Title Vol. 909 Fol. 75

I certify that the person described in the First Schedule is the registered proprietor of an estate in fee simple in the land within described together with such interests and subject to such encumbrances and interests as are shown in the Second Schedule. In witness whereof I have hereunto signed my name and affixed my seal.

Recorder of Titles

DESCRIPTION OF LAND
TOWN OF EVANDALE
ONE RODD EIGHT PERCHES on the Plan hereon

FIRST SCHEDULE (continued overleaf)
RAYMOND ALEXANDER WILSON of Evandale, Overseer

SECOND SCHEDULE (continued overleaf)
NIL.

PROPERTY ADDRESS
1 Collins Street
EVANDALE

Let this plan consist of all the land shown in the above mentioned registered title of the Register

REGISTERED NUMBER
226648

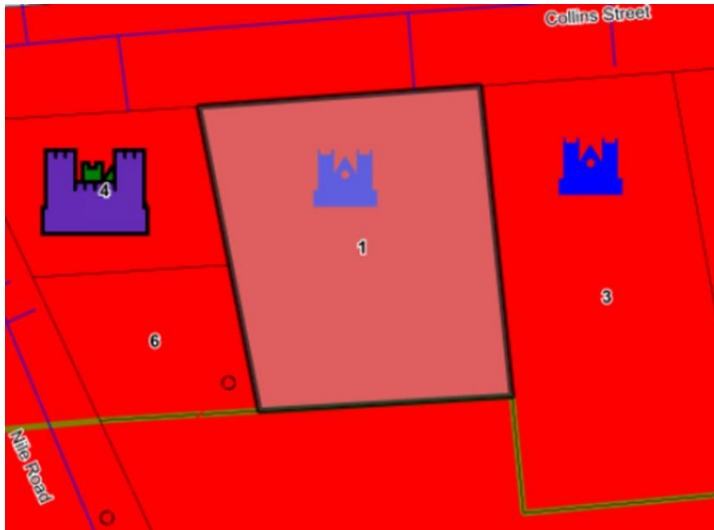
Part of 200 sq. m. of G. Collins. Mess. are in links. 1/35 Corn.
FIRST EDITION
Derived from C.T. Vol. 909 Fol. 75 - Transfer A105134 E.W. Fenner

Handwritten notes: S. A. Hamilton Ont. 12/10/19, C. S. Holmes Ont. 12/10/19, Part of Grant to G. Collins (see P.P. 100)



4.2 Zone and Land Use

Zone Map – General Residential Zone



The land is zoned General Residential. It is within the Heritage Precinct and is a local heritage place.

4.3 Subject Site and Locality

A site inspection was undertaken on 12th July 2022. The lot contains an existing single dwelling, a number of outbuildings and substantial vegetation.

Aerial photograph of area



Photographs of subject site





4.4 Permit/Site History

Relevant permit history includes:

- P08/081 – dwelling addition



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 1 representation (attached) was received from:

- David Williams, email address provided

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

Issue 1

- Concerns which the author asks be addressed in the event of the proposed development being permitted, and in the event that subsequent building on the subdivided lot is approved. Assurance is requested of strict compliance with the provisions of the Tasmanian Planning Scheme.

Planner's comment:

The relevant planning scheme for this application is the scheme in effect at the time the application validly made, which is the *Northern Midlands Interim Planning Scheme 2013*, as per this assessment. Consideration of the subdivision is only to be assessed under the current planning scheme. Any further development on the vacant lot will be assessed at a point in time in the future when an application is made, and considered and assessed under the applicable planning scheme in effect at that point in time. No further consideration of what may be proposed on the vacant lot at this point in time is required.

4.6 Referrals

The following referrals were required:

Council's Works Department

Summary: Council's Works & Infrastructure Department (Jonathan Galbraith/Daniel Stearnes) reported on 27 July 2022 and their recommended conditions are included in the conditions of approval.

TasWater

Summary: A Taswater Submission to Planning Authority Notice was issued on 13/07/2022 (Taswater Ref: TWDA 2022/01100-NMC).

Heritage Advisor

Summary:

Council's Heritage Advisor, David Denman, reviewed the application on 16/07/2022. Mr. Denman noted that he had no objections to the proposal and his comments form the Heritage Code assessment of this report.

"The proposed new lot (which is located at the rear of an existing house) and future development (subject to an approved planning application) will not have an adverse impact on historic cultural significance of the streetscape."

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 complies with the zone purpose.



LOCAL AREA OBJECTIVES

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

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

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

Assessment: The proposal complies with the local area objectives.

DEVELOPMENT STANDARDS FOR SUBDIVISIONS IN GENERAL RESIDENTIAL ZONE

10.4.15 SUBDIVISION

10.4.15.1 Lot Area, Building Envelopes and Frontage

Objective:

To provide lots with areas and dimensions that enable the appropriate siting and construction of a dwelling, private open space, vehicle access and parking, easements and site features.

Acceptable Solutions	Performance Criteria
<p>A1 Lots must:</p> <p>a) have a minimum area of at least 450m² which:</p> <p>i) is capable of containing a rectangle measuring 10m by 15m; and</p> <p>ii) has new boundaries aligned from buildings that satisfy the relevant acceptable solutions for setbacks; or</p> <p>b) 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>P1 Each lot for residential use must provide sufficient useable area and dimensions to allow for:</p> <p>a) a dwelling to be erected in a convenient and hazard-free location; and</p> <p>b) on-site parking and manoeuvrability; and</p> <p>c) adequate private open space.</p>
<p>A1 - Lot 1 will have a lot area of approximately 641m². Lot 2 will have a lot area of 500m². Each lot is capable of containing a rectangle measuring 10m by 15m.</p> <p>The proposal will have new boundaries aligned from buildings that satisfy the relevant acceptable solutions for setback.</p> <p>The proposal complies.</p>	N/a
<p>A2 Each lot must have a frontage of at least 3.6m.</p>	<p>P2 Each lot must have appropriate, permanent access by a Right of Carriageway registered over all relevant titles.</p>
<p>A2 – Lot 1 will have frontage of 28.87 metres to Collins Street and Lot 2 will have a frontage of 3.6 metres to Collins Street.</p> <p>The proposal complies.</p>	N/A

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>A2 Each lot must be connected to a</p>	<p>P2 Each lot created must be capable of disposal of</p>



<i>reticulated stormwater system.</i>	<i>stormwater to a legal discharge point.</i>
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Complies with A1 and A2. Each lot will be connected to reticulated water, sewerage and stormwater.

10.4.15.3 Solar Orientation of Lots

<i>Objective: To provide for solar orientation of lots and solar access for future dwellings.</i>	
Acceptable Solutions	Performance Criteria
A1 <i>At least 50% of lots must have a long axis within the range of:</i> a) <i>north 20 degrees west to north 30 degrees east; or</i> b) <i>east 20 degrees north to east 30 degrees south.</i>	P1 <i>Dimensions of lots must provide adequate solar access, having regard to the likely dwelling size and the relationship of each lot to the road.</i>
Complies.	N/a
A2 <i>The long axis of residential lots less than 500m², must be within 30 degrees east and 20 degrees west of north.</i>	P2 <i>Lots less than 500 m² must provide adequate solar access to future dwellings, having regard to the:</i> a) <i>size and shape of the development of the subject site; and</i> b) <i>topography; and</i> c) <i>location of access way(s) and roads.</i>
N/a	N/a

10.4.15.5 Integrated Urban Landscape

<i>Objective: To provide attractive and continuous landscaping in roads and public open spaces that contribute to the:</i> a) <i>character and identity of new neighbourhoods and urban places; or</i> b) <i>to existing or preferred neighbourhood character, if any.</i>	
Acceptable Solutions	Performance Criteria
A1 <i>The subdivision must not create any new road, public open space or other reserves.</i>	P1 <i>For subdivision that creates roads, public open space or other reserves, the design must demonstrate that:</i> a) <i>it has regard to existing, significant features; and</i> b) <i>accessibility and mobility through public spaces and roads are protected or enhanced; and</i> c) <i>connectivity through the urban environment is protected or enhanced; and</i> d) <i>the visual amenity and attractiveness of the urban environment is enhanced; and</i> e) <i>it furthers the local area objectives, if any.</i>
Complies.	N/a

10.4.15.6 Walking and Cycling Network

<i>Objective:</i> a) <i>To provide safe, convenient and efficient movement through and between neighbourhoods by pedestrians and cyclists; and</i> b) <i>To design footpaths, shared path and cycle path networks that are safe, comfortable, well constructed and accessible.</i> c) <i>To provide adequate provision to accommodate wheelchairs, prams, scooters and other footpath bound vehicles.</i>	
Acceptable Solutions	Performance Criteria
A1 <i>The subdivision must not create any new road, footpath or public open space.</i>	P1 <i>Subdivision that creates new roads, footpaths, or public open spaces must demonstrate that the walking and cycling network is designed to:</i> a) <i>link to any existing pedestrian and cycling networks; and</i> b) <i>provide the most practicable direct access for cycling and walking to activity centres, community facilities, public transport stops and public open spaces; and</i> c) <i>provide an interconnected and continuous network of safe, efficient and convenient footpaths, shared paths, cycle paths and cycle lanes based</i>



	<i>primarily on the network of arterial roads, neighbourhood roads and regional public open spaces; and</i> <i>d) promote surveillance along roads and from abutting dwellings.</i>
Complies	N/a

10.4.15.7 Neighbourhood Road Network

Objective:

- a) To provide for convenient, safe and efficient movement through and between neighbourhoods for pedestrians, cyclists, public transport and other motor vehicles using the neighbourhood road network; and*
- b) To design and construct road carriageways and verges so that the road geometry and traffic speeds provide an accessible and safe neighbourhood road system for all users.*

Acceptable Solutions	Performance Criteria
A1 The subdivision must not create any new road.	<p>P1 The neighbourhood road network must:</p> <ul style="list-style-type: none"> <i>a) take account of the existing mobility network of arterial roads, neighbourhood roads, cycle paths, shared paths, footpaths and public transport routes; and</i> <i>b) provide clear hierarchy of roads and physical distinctions between arterial roads and neighbourhood road types; and</i> <i>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</i> <i>d) provide safe and efficient access to activity centres for commercial and freight vehicles; and</i> <i>e) ensure connector roads align between neighbourhoods for safe, direct and efficient movement of pedestrians, cyclists, public transport and other motor vehicles; and</i> <i>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</i> <i>g) provide for service and emergency vehicles to safely turn at the end of a dead-end road; and</i> <i>h) take into account of any identified significant features.</i>
Complies	N/a

CODES		
E1.0	BUSHFIRE PRONE AREAS CODE	N/a
E2.0	POTENTIALLY CONTAMINATED LAND	N/a
E3.0	LANDSLIP CODE	N/a
E4.0	ROAD AND RAILWAY ASSETS CODE	Complies – See code assessment below
E5.0	FLOOD PRONE AREAS CODE	N/a
E6.0	CAR PARKING AND SUSTAINABLE TRANSPORT CODE	Complies – See code assessment below
E7.0	SCENIC MANAGEMENT CODE	N/a
E8.0	BIODIVERSITY CODE	N/a
E9.0	WATER QUALITY CODE	N/a
E10.0	RECREATION AND OPEN SPACE CODE	Complies – See code assessment below
E11.0	ENVIRONMENTAL IMPACTS & ATTENUATION CODE	N/a
E12.0	AIRPORTS IMPACT MANAGEMENT CODE	N/a
E13.0	LOCAL HISTORIC HERITAGE CODE	Complies – See code assessment below
E14.0	COASTAL CODE	N/a
E15.0	SIGNS CODE	N/a



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

E4.6 Use Standards

E4.6.1 Use and road or rail infrastructure

Objective

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

Acceptable Solutions

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%.

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

Complies.

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%.

N/a

Performance Criteria

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

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.

N/a

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

E4.7 Development Standards

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

Objective

To ensure that development on or adjacent to category 1 or 2 roads (outside 60km/h), railways and future roads and railways is managed to:

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

Acceptable Solutions

A1 The following must be at least 50m from a railway, a future road or railway, and a category 1 or 2

Performance Criteria

P1 Development including buildings, road works, earthworks, landscaping works and level crossings on or



road in an area subject to a speed limit of more than 60km/h:	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) 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	a) maintain or improve the safety and efficiency of the road or railway or future road or railway, including line of sight from trains; and b) mitigate significant transport-related environmental impacts, including noise, air pollution and vibrations in accordance with a report from a suitably qualified person; and c) ensure that additions or extensions of buildings will not reduce the existing setback to the road, railway or future road or railway; and d) ensure that temporary buildings and works are removed at the applicant's expense within three years or as otherwise agreed by the road or rail authority.
N/a	N/a

E4.7.2 Management of Road Accesses and Junctions

Objective To ensure that the safety and efficiency of roads is not reduced by the creation of new accesses and junctions or increased use of existing accesses and junctions.	
Acceptable Solutions	Performance Criteria
A1 For roads with a speed limit of 60km/h or less the development must include only one access providing both entry and exit, or two accesses providing separate entry and exit.	P1 For roads with a speed limit of 60km/h or less, the number, location, layout and design of accesses and junctions must maintain an acceptable level of safety for all road users, including pedestrians and cyclists.
Complies. One access per lot proposed providing for both entry and exit.	N/a
A2 For roads with a speed limit of more than 60km/h the development must not include a new access or junction.	P2 For limited access roads and roads with a speed limit of more than 60km/h: a) access to a category 1 road or limited access road must only be via an existing access or junction or the development must provide a significant social and economic benefit to the State or region; and b) any increase in use of an existing access or junction or development of a new access or junction to a limited access road or a category 1, 2 or 3 road must be dependent on the site for its unique resources, characteristics or locational attributes and an alternate site or access to a category 4 or 5 road is not practicable; and c) an access or junction which is increased in use or is a new access or junction must be designed and located to maintain an adequate level of safety and efficiency for all road users.
N/a	N/a

E4.7.3 Management of Rail Level Crossings

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

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

Objective To ensure that use and development involving or adjacent to accesses, junctions and level crossings allows sufficient sight distance between vehicles and between vehicles and trains to enable safe movement of traffic.	
Acceptable Solutions	Performance Criteria
A1 Sight distances at a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.7.4; and b) rail level crossings must comply with <i>AS1742.7 Manual of uniform traffic control devices - Railway crossings</i> , Standards Association of Australia; or c) If the access is a temporary access, the written consent of the relevant authority has been obtained.	P1 The design, layout and location of an access, junction or rail level crossing must provide adequate sight distances to ensure the safe movement of vehicles.
Complies for new access to Lot 2.	N/a

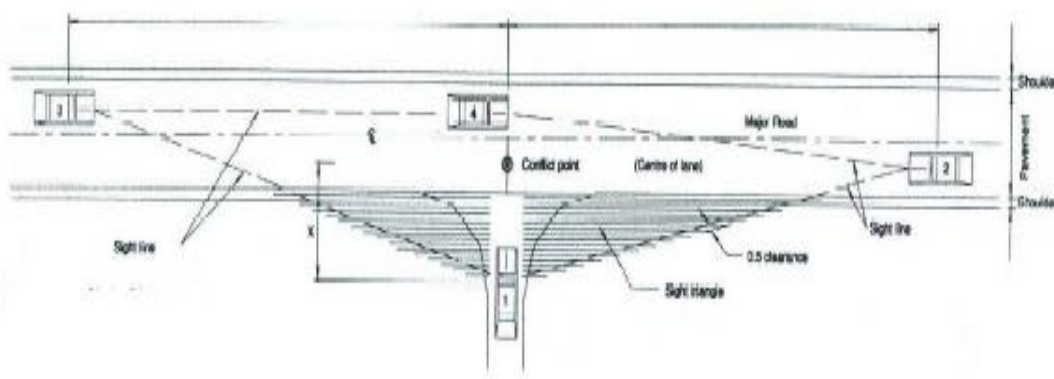


Figure E4.7.4 Sight Lines for Accesses and Junctions

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**

E6.6 Use Standards

E6.6.1 Car Parking Numbers

Objective: To ensure that an appropriate level of car parking is provided to service use.	
Acceptable Solutions	Performance Criteria
A1 The number of car parking spaces must not be less than the requirements of: <ul style="list-style-type: none"> a) Table E6.1; or b) a parking precinct plan contained in Table E6.6: Precinct Parking Plans (except for dwellings in the General Residential Zone). 	P1 The number of car parking spaces provided must have regard to: <ul style="list-style-type: none"> a) the provisions of any relevant location specific car parking plan; and b) the availability of public car parking spaces within reasonable walking distance; and c) any reduction in demand due to sharing of spaces by multiple uses either because of variations in peak demand or by efficiencies gained by consolidation; and d) the availability and frequency of public transport within reasonable walking distance of the site; and e) site constraints such as existing buildings, slope, drainage, vegetation and landscaping; and f) the availability, accessibility and safety of on-road parking, having regard to the nature of the roads, traffic management and other uses in the vicinity; and



	g) an empirical assessment of the car parking demand; and h) the effect on streetscape, amenity and vehicle, pedestrian and cycle safety and convenience; and i) the recommendations of a traffic impact assessment prepared for the proposal; and j) any heritage values of the site; and k) for residential buildings and multiple dwellings, whether parking is adequate to meet the needs of the residents having regard to: i) the size of the dwelling and the number of bedrooms; and ii) the pattern of parking in the locality; and iii) any existing structure on the land.
Comment: Complies with the Acceptable Solution – each lot has sufficient space to accommodate at least 2 parking spaces.	

Table E6.1: Parking Space Requirements

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

E6.6.2 Bicycle Parking Numbers

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

Acceptable Solutions		Performance Criteria	
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.

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

E6.6.4 Motorbike Parking Provisions

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

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



required by Table E6.1 or part thereof.	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
<p>A1 All car parking, access strips manoeuvring and circulation spaces must be:</p> <p>a) formed to an adequate level and drained; and</p> <p>b) except for a single dwelling, provided with an impervious all-weather seal; and</p> <p>c) except for a single dwelling, line marked or provided with other clear physical means to delineate car spaces.</p>	<p>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.</p>
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
<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> <p>a) the layout of the site and the location of existing buildings; and</p> <p>b) views into the site from the road and adjoining public spaces; and</p> <p>c) the ability to access the site and the rear of buildings; and</p> <p>d) the layout of car parking in the vicinity; and</p> <p>e) the level of landscaping proposed for the car parking.</p>
Comment: N/a	
<p>A2.1 Car parking and manoeuvring space must:</p> <p>a) have a gradient of 10% or less; and</p> <p>b) where providing for more than 4 cars, provide for vehicles to enter and exit the site in a forward direction; and</p> <p>c) have a width of vehicular access no less than prescribed in Table E6.2 and Table E6.3, and</p> <p>A2.2 The layout of car spaces and access ways must be designed in accordance with <i>Australian Standards AS 2890.1 - 2004 Parking Facilities, Part 1: Off Road Car Parking</i>.</p>	<p>P2 Car parking and manoeuvring space must:</p> <p>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</p> <p>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.</p>
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:	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 <i>Australian Standard AS/NZS 2890.3 2002</i> for the type of vehicles that will use the site.		
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	P1	Bicycle parking spaces must be safe, secure, convenient and located where they will encourage use.
A1.2	Parking space for residents' and employees' bicycles must be under cover and capable of being secured by lock or bicycle lock.		
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

<p>Objective</p> <p>a) To provide public open space which meets user requirements, including those with disabilities, for outdoor recreational and social activities and for landscaping which contributes to the identity, visual amenity and health of the community; and</p> <p>b) To ensure that the design of public open space delivers environments of a high quality and safety for a range of users, together with appropriate maintenance obligations for the short, medium and long term.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 The application must:</p> <p>a) include consent in writing from the General Manager that no land is required for public open space but instead there is to be a cash payment in lieu.</p>	<p>P1 Provision of public open space, unless in accordance with Table E10.1, must:</p> <p>a) not pose a risk to health due to contamination; and</p> <p>b) not unreasonably restrict public use of the land as a result of:</p> <p>i) services, easements or utilities; and</p> <p>ii) stormwater detention basins; and</p> <p>iii) drainage or wetland areas; and</p> <p>iv) vehicular access; and</p> <p>c) be designed to:</p> <p>i) provide a range of recreational settings and accommodate adequate facilities to meet the needs of the community, including car parking; and</p> <p>ii) reasonably contribute to the pedestrian connectivity of the broader area; and</p> <p>iii) be cost effective to maintain; and</p> <p>iv) respond to the opportunities and constraints presented by the physical characteristics of the land to provide practically useable open space; and</p> <p>v) provide for public safety through <i>Crime Prevention Through Environmental Design</i> principles; and</p> <p>vi) provide for the reasonable amenity of adjoining land users in the design of facilities and associated works; and</p> <p>vii) have a clear relationship with adjoining land uses through treatment such as alignment, fencing and landscaping; and</p> <p>ix) create attractive environments and focal points that contribute to the existing or desired future character statements, if any.</p>
Complies with A1. Consent for a cash payment in lieu of land for public open space provided by the General Manager via email on the 14 July 2022.	N/a

Assessment against E13.0 (Local Historic Heritage Code)

E13.1 Purpose

E13.1.1 The purpose of this provision is to:

- a) protect and enhance the historic cultural heritage significance of local heritage places and heritage precincts; and
- b) encourage and facilitate the continued use of these items for beneficial purposes; and



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

E13.2 Application of the Code

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

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

E13.3 Use or Development Exempt from this Code

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

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

Comment:

The subject site is within a Heritage Precinct.

E13.5 USE STANDARDS

E13.5.1 Alternative Use of heritage buildings

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

Acceptable Solutions	Performance Criteria
A1 No acceptable solution.	P1 Notwithstanding Clause 8.9, a permit may be granted for any use of a locally listed heritage place where: <ul style="list-style-type: none">a) <i>it can be demonstrated that the proposed use will not adversely impact on the significance of a heritage place; and</i>b) <i>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</i>c) <i>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.</i>

Comment: N/a

E13.6 DEVELOPMENT STANDARDS

E13.6.1 Demolition

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

Acceptable Solutions	Performance Criteria
A1 Removal of non-original	P1.1 Existing buildings, parts of buildings and structures must be retained



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

E13.6.2 Subdivision and development density

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

Acceptable Solutions	Performance Criteria
A1 No acceptable solution.	<p>P1 Subdivision must:</p> <ul style="list-style-type: none"> <i>a) be consistent with and reflect the historic development pattern of the precinct or area; and</i> <i>b) not facilitate buildings or a building pattern unsympathetic to the character or layout of buildings and lots in the area; and</i> <i>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</i> <i>d) not require the removal of vegetation, significant trees of garden settings where this is assessed as detrimental to conserving the historic heritage significance of a place or heritage precinct; and</i> <i>e) not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.</i>

Comment: Satisfies the performance criteria.

- a) The rear (south) boundary and the east and west boundaries of the proposed lot will be the same alignment as the existing lot and as a consequence will be consistent with and reflect the historic development pattern of the precinct and local area.
- b) A future building on the new lot can be located and orientated in such a way that maintains the building pattern in the area.
- c) The existing house on the lot will retain its context within the streetscape and will not lead to a reduction in its historic streetscape value.
- d) Although some vegetation will need to be removed along the access strip, there are no significant historic trees to be removed.
- e) The proposed lot will not detract from meeting the management objectives of the precinct identified in Table E13.1: Heritage Precincts.

E13.6.3 Site Cover

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

Acceptable Solutions	Performance Criteria
A1 Site coverage must be in accordance with the acceptable development criterion for site coverage within a precinct identified in Table E13.1: Heritage Precincts, if any.	<p>P1 The site coverage must:</p> <ul style="list-style-type: none"> <i>a) be appropriate to maintaining the character and appearance of the building or place, and the appearance of adjacent buildings and the area; and</i>



	b) not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.
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Comment: N/a

E13.6.4 Height and Bulk of Buildings

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

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

Comment: N/a

E13.6.5 Fences

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

Acceptable Solutions	Performance Criteria
A1 New fences must be in accordance with the acceptable development criteria for fence type and materials within a precinct identified in Table E13.1: Heritage Precincts, if any.	<p>P1 New fences must:</p> <p>a) be designed to be complementary to the architectural style of the dominant buildings on the site or</p> <p>b) be consistent with the dominant fencing style in the heritage precinct; and</p> <p>c) not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.</p>

Comment: N/a

E13.6.6 Roof Form and Materials

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

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

Comment: N/a



E13.6.7 Wall materials

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

Acceptable Solutions	Performance Criteria
A1 Wall materials must be in accordance with the acceptable development criteria for wall materials within a precinct identified in Table E13.1: Heritage Precincts, if any.	P1 Wall material for new buildings and structures must: a) be complementary to wall materials of the dominant buildings on the site or in the precinct; and b) not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.

Comment: N/a

E13.6.8 Siting of Buildings and Structures

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

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

Comment: N/a

E13.6.9 Outbuildings and Structures

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

Acceptable Solutions	Performance Criteria
A1 Outbuildings and structures must be: a) set back an equal or greater distance from the principal frontage than the principal buildings on the site; and b) in accordance with the acceptable development criteria for roof form, wall material and site coverage within a precinct identified in Table E13.1: Heritage Precincts, if any.	P1 New outbuildings and structures must be designed and located; a) to be subservient to the primary buildings on the site; and b) to not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.

Comment: N/a

E13.6.10 Access Strips and Parking

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

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



if any.	of a precinct identified in Table E13.1: Heritage Precincts, if any.
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Comment: N/a

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.	<p>P1 For works impacting on places listed in Table E13.3:</p> <p>a) it must be demonstrated that all identified archaeological remains will be identified, recorded and conserved; and</p> <p>b) details of survey, sampling and recording techniques technique be provided; and</p> <p>c) that places of identified historic heritage significance will not be destroyed unless there is no prudent and feasible alternative.</p>

Comment: N/a

E13.6.12 Tree and Vegetation Removal

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.	<p>P1 The removal of vegetation must not:</p> <p>a) unreasonably impact on the historic cultural significance of the place; and</p> <p>b) detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.</p>

Comment: N/a

E13.6.13 Signage

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 ² .	<p>P1 New signs must be of a size and location to ensure that:</p> <p>a) period details, windows, doors and other architectural details are not covered or removed; and</p> <p>b) heritage fabric is not removed or destroyed through attaching signage; and</p> <p>c) the signage does not detract from the setting of a heritage place or does not unreasonably impact on the view of the place from public viewpoints; and</p> <p>d) signage does not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.</p>

Comment: N/a

E13.6.14 Maintenance and Repair

Objective

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: N/a

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>EVANDALE HERITAGE PRECINCT CHARACTER STATEMENT</p> <p>The Evandale Heritage Precinct is unique because it is the core of an intact nineteenth century townscape, with its rich and significant built fabric and village atmosphere. Its historic charm, tree lined streets and quiet rural setting all contribute to its unique character. Its traditional buildings are an impressive mix of nineteenth and early twentieth century architectural styles while its prominent elements are its significant trees, the Water Tower and the Church spires. The original street pattern is an important setting for the Precinct, with views along traditional streetscapes, creating an historic village atmosphere that is still largely intact. Period residential buildings, significant trees, picket fences, hedgerows and cottage gardens are all complementary, contributing to the ambience of a nineteenth century village. The main roads into and out of Evandale create elevated views to the surrounding countryside which give context to the town and the Precinct, and contribute to its character. The quiet village feel of the town is complemented by a mix of businesses meeting local needs, tourism and historic interpretation. Evandale's heritage ambience has been acknowledged, embraced and built on by many of those who live in or visit the village.</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 consistent with the Heritage Precinct Character Statement and satisfies the Management Objectives.

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

Assessment against F2.0 (Heritage Precincts Specific Area Plan)	
F2.1 Purpose of Specific Area Plan	
F2.1.1	In addition to, and consistent with, the purpose of E13.0 Local Historic Heritage Code, the purpose of this Specific Area Plan is to ensure that development makes a positive contribution to the streetscape within the Heritage Precincts.
F2.2 Application of Specific Area Plan	
F2.2.1	This Specific Area Plan applies to those areas of land designated as Heritage Precincts on the Planning Scheme maps.
F2.2.2	The following development is exempt from this Specific Area Plan:
a)	works required to comply with an Emergency Order issued under section 162 of the Building Act 2000;
b)	electricity, optic fibre and telecommunications cables, and water, sewerage, drainage connections and gas lines to individual buildings;
c)	maintenance and repairs that do not involve removal, replacement or concealment of any external building fabric;
d)	repainting of an exterior surface that has been previously painted, in a colour similar to that existing;
e)	the planting, clearing or modification of vegetation for safety reasons where the work is required for the removal of dead wood, or treatment of disease, or required to remove unacceptable risk to the public or private safety, or where vegetation is causing or threatening to cause damage to a building or structure; and



f) *the maintenance of gardens, unless there is a specific listing for the garden in Table E13.1 or Table E13.2.*

F2.3 Definitions

F2.3.1 Streetscape

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

F2.3.2 Heritage-Listed Building

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

F2.4 Requirements for Design Statement

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

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

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

Comment: Although the subject site is within the Heritage Precincts Specific Area Plan, the proposal will not have an effect on the streetscape.

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 & Approvals Act 1993</i> .



STRATEGIC PLAN/ANNUAL PLAN/COUNCIL POLICIES

Strategic Plan 2017-2027

- *Statutory Planning*

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



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

Section 85	Refusal of application for subdivision		
	Council may refuse the application for subdivision if it is of the opinion:		
85(a)	that the roads will not suit the public convenience, or will not give satisfactory inter-communication to the inhabitants both of the subdivision and the municipal area in which it is;		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 <u>Highways Act 1951</u> ;		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

Section 86	Security for payment	Yes	No
	Does council require security for payments and the execution of works for -		
86(2)(c)	if the land is not located within 30 metres of the existing public storm water system as shown on the map made available under section 12 of the <u>Urban Drainage Act 2013</u> , payment for a public storm water system by, from, or from within, the land as determined by the council so that all lots may have connecting drains and the concentrated natural water may be lawfully disposed of and for the laying of storm water connections from a place on the boundary of each lot to the public storm water system in accordance with the by-laws of the council and to the satisfaction of its engineer;		X



86(2)(d)	the works required for the discharge of the owner's obligations under <u>section 10 of the <i>Local Government (Highways) Act 1982</i></u> in respect of the highways opened or to be opened on the subdivision;		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
	If 'yes':		
	council may refuse to approve the application until such security is given.		
	See section 86 (3) for the form of the security.		
	See section 86 (4) for when the works are to be executed.		

Section 107	Access orders	Yes	No
107 (2)	Is work of a substantial nature needed to provide access for vehicles from a highway onto the block?		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.		

Section 108	Road widening	Yes	No
108 (1) (a)	Does council, in respect of an existing highway, require to obtain a dedication of land for widening or diverting? (compensation is not payable for the dedication of land which lies within 9 metres of the middle line of the highway of a parcel into which the land is subdivided and on which no building stands)		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:

- Subdivision subject to Local Historic Heritage Code.

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

The proposal will be conditioned to be used and developed in accordance with the proposal plans.

10 ATTACHMENTS

1. Planning Application Documents [15.1.1 - 6 pages]
2. Additional Information Request - 220711 [15.1.2 - 1 page]
3. GM request for consent [15.1.3 - 1 page]
4. Representation [15.1.4 - 1 page]
5. Tas Water Submission to Planning Authority Notice TWDA 2022 01100- NMC [15.1.5 - 4 pages]



RECOMMENDATION

That land at 1 Collins Street, Evandale be approved to be developed and used for a 2 Lot Subdivision (Heritage Precinct) in accordance with application PLN-22-0147, and subject to the following conditions:

1 Layout not altered

The use and development shall be in accordance with the endorsed plans numbered P1 (Plan of Subdivision, Drawing No: L220509_Prop_Plan) 140622.dwg, Sheet No's: 1/1, Dated: 14/06/22); and P2-P3 (Stormwater Service Lot Connection & New Main and Sewer & Water Service Lot Connections & New Main, NTCADS, Drawing No: 377.17, Sheet No's: SK01 and SK02, Rev: A, Dated: 28.06.22).

2 Council's Works Department conditions

2.1 Stormwater

- a) 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.
- b) Minimum pipe size of 225 for new stormwater main in 8 Nile Rd
- c) Private stormwater easement shall be created over lot 2 in favour of lot 1
- d) New Council stormwater main in 8 Nile Rd to end with a concrete manhole in accordance with LGAT Standard TSD-SW02.
- e) A concrete manhole is to be installed in at the junction of the existing manhole in Nile Rd and the new main.
- f) A revised stormwater plan is to be provided to Council for approval prior to the commencement of any works on site

2.2 Access (Urban)

- a) A concrete driveway crossover and apron from the edge of Collins St must be constructed from the edge of Collins Street 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 stormwater 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 Infrastructure bond

A \$2500 infrastructure bond must be paid to Council prior to sealing of the final plan. This bond shall be returned 12 months after the completion of works subject to passing a final completion inspection by Councils Works and Infrastructure Department.

2.10 Nature strips

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

3 TasWater conditions

Sewer and water services shall be provided in accordance with TasWater's Planning Authority Notice (reference number TWDA 2022/01100-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. 22/282

DECISION

Cr Goninon/Cr Brooks

That land at 1 Collins Street, Evandale be approved to be developed and used for a 2 Lot Subdivision (Heritage Precinct) in accordance with application PLN-22-0147, and subject to the following conditions:

1 Layout not altered

The use and development shall be in accordance with the endorsed plans numbered P1 (Plan of Subdivision, Drawing No: L220509_Prop_Plan) 140622.dwg, Sheet No's: 1/1, Dated: 14/06/22); and P2-P3 (Stormwater Service Lot Connection & New Main and Sewer & Water Service Lot Connections & New Main, NTCADS, Drawing No: 377.17, Sheet No's: SK01 and SK02, Rev: A, Dated: 28.06.22).

2 Council's Works Department conditions

2.1 Stormwater

- a) 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.
- b) Minimum pipe size of 225 for new stormwater main in 8 Nile Rd
- c) Private stormwater easement shall be created over lot 2 in favour of lot 1
- d) New Council stormwater main in 8 Nile Rd to end with a concrete manhole in accordance with LGAT Standard TSD-SW02.
- e) A concrete manhole is to be installed in at the junction of the existing manhole in Nile Rd and the new main.
- f) A revised stormwater plan is to be provided to Council for approval prior to the commencement of any works on site



2.2 Access (Urban)

- a) A concrete driveway crossover and apron from the edge of Collins St must be constructed from the edge of Collins Street 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 stormwater 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 Infrastructure bond

A \$2500 infrastructure bond must be paid to Council prior to sealing of the final plan. This bond shall be returned 12 months after the completion of works subject to passing a final completion inspection by Councils Works and Infrastructure Department.

2.10 Nature strips

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

3 TasWater conditions

Sewer and water services shall be provided in accordance with TasWater's Planning Authority Notice (reference number TWDA 2022/01100-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 Goninon and Cr Lambert

Voting Against the Motion:

Nil



15.2 PLN22-0040: ROAD AND STREETSCAPE WORKS - WELLINGTON STREET, LONGFORD

File: R11360; PLN22-0040
Responsible Officer: Des Jennings, General Manager
Report prepared by: Rebecca Green, Planning Consultant

1 INTRODUCTION

This report assesses an application for roadworks/streetscape works in Wellington Street, Union Street, Mason Street, Smith Street, Archer Street, & Lyttleton Street, Longford.

2 BACKGROUND

Applicant: Northern Midlands Council	Owner: Department of State Growth & Northern Midlands Council
Zone: Utilities Zone General Business (58 Wellington St)	Codes: Road and Railway Assets Code Car Parking and Sustainable Transport Code Local Historic Heritage Code Heritage Precinct
Classification under the Scheme: Utilities	Existing Use: Utilities
Deemed Approval Date: 19 August 2022	Recommendation: Approve

Discretionary Aspects of the Application:

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

Planning Instrument:

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

Preliminary Discussion

- Prior to submission of the application, the applicant held discussions with Council officers.

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

- Roadworks/Streetscape works (Heritage Precinct) Wellington St from adjacent to 19 & 22 Wellington St to adj. to 69 Wellington St & 2A William St, & Union St adjacent to 19, 22, 23 & 24-26 Wellington St, Mason St adj. to 2 Mason St & 34A Wellington St, Smith St adj. to 39, 41-43, 44 & 46 Wellington St, Archer St adj. to 51, 53, & 58 Wellington St & 2A William St, and Lyttleton St adj. to 53 & 55 Wellington St.



The relevant Planning Scheme definition is:

Utilities	<i>use of land for utilities and infrastructure including:</i> (a) <i>telecommunications;</i> (b) <i>electricity generation;</i> (c) <i>transmitting or distributing gas, oil, or power;</i> (d) <i>transport networks;</i> (e) <i>collecting, treating, transmitting, storing or distributing water; or</i> (f) <i>collecting, treating, or disposing of storm or floodwater, sewage, or sullage.</i> <i>Examples include an electrical sub-station or powerline, gas, water or sewerage main, optic fibre main or distribution hub, pumping station, railway line, retarding basin, road, sewage treatment plant, storm or flood water drain, water storage dam and weir.</i>
------------------	--

Utilities (if not for minor utilities) is Permitted (with permit) use in the Utilities zone; however, the site's location within a Heritage Precinct caused the application to become discretionary.

Vehicle Parking is discretionary in the General Business zone, however Special Provision 9.2.1 applies, and the relocation of car parking is permitted.

4.3 Subject Site and Locality

A site inspection was undertaken on 24th May 2022. The works are proposed in Wellington Street from the intersection of Union Street to the William Street intersection. The site is presently road infrastructure and associated items including vehicle parking and street furniture.

Aerial photograph of area

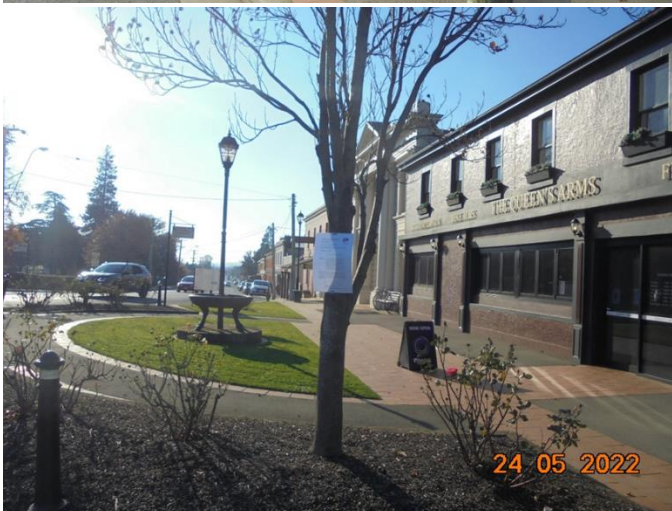


Photographs of subject site



















4.4 Permit/Site History

Relevant permit history includes:

- Nil

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 7 (seven) representations (attached) were received from:

- R. Cuthbert & M. Dufour, 65 Wellington Street, Longford
- E. Aalbrecht, 7 Country Field Court, Longford
- M. Morris, 97 Brickendon Street, Longford
- D. Hutchinson & F. Pilioras, 57 Wellington Street, Longford
- Theo & Jan Haege, 31 Wellington Street, Longford
- Dee Alty, Pakenham Street, Longford
- Jeff Carins, 177 Wilmores Lane, Longford

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

Issue 1

- Concerns raised in relation to the cost of the project, and that these funds could be utilised elsewhere.

Planner's comment:

This is not a matter for the Planning Authority to take into consideration when assessing a planning application.



Issue 2

- Suggestion made of provision of further flower displays to enhance the streetscape with Council to maintain these.

Planner's comment:

The proponent has advised that this comment has been noted. No further consideration required at this stage in relation to the proposal.

Issue 3

- Query why the existing asphalt footpath which is in perfect condition is to be replaced with concrete. Asphalt is common and equally as aesthetic as concrete.

Planner's comment:

The proposal has been designed to mitigate issues within the street. The main objectives of the project are to provide a safer environment for pedestrians of all ages and mobility and to enhance the visual amenity of the streetscape.

Issue 4

- Concerns in relation to potential structural damage from works (including jack hammering - vibrations) which may impact on building foundations. A dilapidation survey is requested to be conducted prior to commencing any construction to confirm property conditions. Also, vibration monitoring sensors are requested to be installed to confirm actual vibration levels experienced during construction.

Planner's comment:

The proponent has advised that a dilapidation report is to be undertaken. A condition is to be proposed to any approval requiring this to be undertaken prior to any works commencing.

Issue 5

- Concern raised in relation to the proposed garden bed immediately outside the Library. A number of bollards were installed to create an outdoor sitting area a couple of years ago but were removed as they were deemed a traffic hazard. This garden bed would appear to be a repetition of that issue.

Planner's comment:

The Traffic Impact Assessment which accompanied the application did not consider this design element to be a traffic hazard.

Issue 6

- Safety concerns for cyclists utilising Wellington Street, particularly the section at intersections where kerb alignment and new out-stands are proposed and also where pedestrian crossings and traffic islands are to be placed, pose a risk to cyclists, especially when heavy vehicles and farm machinery pass a cyclist.

Planner's comment:

Council has established a Cycling Committee who met on 3 August 2022 (Meeting No.1) for planning and development of pathways and routes within the municipality. The main carriageway width has not been decreased as a result of the proposal. Cyclists have the right to utilise the main carriageway in accordance with the law, and overtaking shall only be undertaken when safe to do so with a 1.5m distance. Whilst cyclist safety is a concern, Council will be working towards cycling pathways, and alternative routes are available should a cyclist not feel safe traversing those sections of Wellington Street i.e. other routes using subsidiary roads.

Issue 7

- The proposal does not provide a dedicated cycling lane, the proposal effectively narrows the roadway and increase in "pinch points" and pedestrian crossover traffic islands increase risk to cyclists.

Planner's comment:

Council has established a Cycling Committee who met on 3 August 2022 and will be working towards cycling pathways throughout the municipality. The main carriageway width has not been decreased as a result of the proposal.

Issue 8

- Request to install a compulsory "Left Turn Only" for traffic exiting the Hill Street complex or an alternative of "Entry Only" from Wellington Street. Traffic lights at critical pedestrian crossings such as the Library and at the Hill Street shopping complex and a reduction in speed limit from Union Street to High Street suggested.



Planner's comment:

The scope of the proposed works does not extend or include the area of Wellington Street adjacent to the Hill Street complex. No further consideration of this matter can be undertaken as part of this assessment.

Whilst traffic lights may be a way of reducing vehicular speed, other traffic calming devices have been implemented as part of this proposal to assist in reducing traffic speed and provide for additional pedestrian refuges.

Issue 9

- The proposal changes the character of the town from the existing wide and open thoroughfares to cluttered narrow streets.

Planner's comment:

Council's Heritage Adviser has reviewed the application and Mr. Denman's assessment forms part of the assessment against the Local Historic Heritage Code and the Heritage Precincts Specific Area Plan. It is noted that no objections to the proposal were made, and that the assessment considers that the proposal would make a positive contribution to the streetscape. The proposal will not detrimentally alter the character of the township of Longford.

Issue 10

- The proposed gardens beds which abut residential boundaries are a threat to existing boundary fences.

Planner's comment:

The proponent has advised that plant species have been chosen which have fibrous roots and which would stay within the 300mm of topsoil/ garden bed. Garden beds within the road reservation will be maintained by Council.

Issue 11

- Concerns regarding works outside 57 Wellington Street, namely blockage of the sub-floor ventilation system as a result of previous road and footpath upgrades. Request is made that the project design includes the provisions of building air vents intended to reinstate the sub-floor ventilation and prevent further damage to the buildings ground floor structure.

Planner's comment:

The proponent has confirmed that the proposed works will unblock any covered vents and shield them from surface water, as indicated in the proposal plans. The addition of the strip drain down from the Town Hall to the Library will prevent any overland water from reaching the buildings and prevent it from entering the unblocked sub floor ventilation to the buildings. The Heritage Assessment recommends these measures be conditioned.

Issue 12

- A new buried stormwater drain and side entry pit under the kerb area outside the front of 57 Wellington Street is shown on the proposed drawings. This building has an awning structure which is mounted to the pavement behind the existing kerb. Excavation for installation of the stormwater drain will need to ensure suitable support measures are implemented to prevent damage to this structure.

Planner's comment:

The proponent has advised that all existing structures will be supported with temporary propping where required.

Issue 13

- A business owner has concerns in relation to the continuity of business operations due to the extensive nature of the works directly in front of the property at 57 Wellington Street.

Planner's comment:

The proponent has advised that as part of the successful contractor's methodology, limiting disruptions to all business will be paramount, however it is inevitable due to the location and nature of the works that there will be some disruptions. The proponent will endeavour to keep any disruption as minor as possible and work with businesses and property owners throughout the process.

Issue 14

- Concern raised in relation to the very poor existing street lighting and the need for this to be upgraded.

Planner's comment:

Concerns noted, however no new street lighting forms part of the application. The existing lighting conditions are not a



matter that can be considered as part of this assessment.

Issue 15

- Concern raised that there are no marked pedestrian crossings between Hill Street and the Library.

Planner's comment:

The additional pedestrian crossings proposed on Wellington Street, north and south of the Wellington Street/Archer Street intersection, are expected to improve pedestrian connectivity along Wellington Street by increase the number of crossing points. The provision of shorter crossing points via the use of kerb outstands is also anticipated to reduce the likelihood of crashes between vehicles and pedestrians. A pedestrian refuge is proposed adjacent to the Library, with a proposed median island having a width of minimum 1.8m wide.

Issue 16

- The increase in traffic flow has been observed and is noticeable particularly during morning and evening weekday peaks. Have there been ongoing traffic counts?

Planner's comment:

Traffic data sourced as part of the Traffic Impact Assessment preparation was provided by the Department of State Growth via Geocounts for Tannery Road South approximately 50m north-west of where it changes names to Wellington Street. As such, traffic volumes on Wellington Street within the study length were expected to be similar. Table 1 of the Traffic Impact Assessment did note a growth rate per year (from previous count). The AADT in 2022 was calculated to be approximately 28,400 vehicles per day at the traffic counter and thus at Wellington Street. It was assumed that the percentage of heavy vehicles on Wellington Street would be approximately 15%. The growth rate was considered within this assessment. The streetscape improvements are intended to cater for existing and future traffic on the network.

Issue 17

- Traffic speed requested to be reduced to 40 km/h, or alternatively some form of traffic calming installed i.e. flashing lights.

Planner's comment:

The road authority of Wellington Street is the Department of State Growth, any speed reduction is to be approved by the road authority. The proposal is designed to improve road safety, as the proposal is anticipated to less the likelihood of heavy vehicle crashes and rear end crashes at certain points along Wellington Street.

Issue 18

- Concern raised in relation to what appears to be the existing parking position outside of the library to be removed which will have a bad impact on the use of the library.

Planner's comment:

One car parking space will be removed out the front of the Library as part of this proposal, which provides for further improved formalised pedestrian road crossing. Pedestrian safety and accessibility are envisaged to provide improved access to all users of the Library with a number of car parking spaces available and retained within close proximity.

Issue 19

- Parking problem with those building that are purely used for residential purposes and parking on the street for weeks at a time without moving. Parking timing restrictions suggested in that part of Wellington Street, and maybe a loading zone outside the town hall, to improve access to these buildings. Short term parking for the frontages on Wellington and Marlborough Streets suggested.

Planner's comment:

These concerns are noted, however, to further investigate existing parking concerns and a potential loading bay location, community consultation may be required. To do such would require further analysis which is outside the scope of this project.

Issue 20

- Concerns that it may be an overkill with the number of pedestrian crossovers for traffic calming and the potential safety issues which pedestrians being "out in the traffic".

Planner's comment:

One additional pedestrian crossing is proposed, pedestrian barriers have been incorporated in the design as proposed.



Issue 21

- F2.5.15 is raised in relation to the requirement that side and rear fences in the heritage areas need to be constructed using vertical palings, this seems to be illogical given the maintenance free materials now available.

Planner's comment:

No new boundary fence is proposed. Pedestrian barriers are the only type of fences for the proposal. This concern has no relevance to the proposed application and therefore no further consideration is warranted.

4.6 Referrals

The following referrals were required:

Council's Works Department

Summary: Council's Works & Infrastructure Department (Jonathan Galbraith) advised on 24 May 2022 that the Department has no comment to make in regard to this application.

TasWater

Summary: TasWater advised Council on 23 June 2022 that the application has been determined to not require a submission from TasWater.

Heritage Adviser

Summary: Council's Heritage Advisor, David Denman, reviewed the application on 14 June 2022. Mr. Denman noted that he had no objections to the proposal and his comments form the Heritage Code assessment of this report.

"The proposed roadworks and streetscape works are sympathetic with the existing historic streetscape elements and will therefore make a positive contribution to the overall street and townscape aesthetic within the development area.

The new streetscape furniture items have a historic style theme and are acceptable.

Consideration should be given to installing air vent drains below the new paving adjacent to the existing historic shopfront buildings to address ventilation and rising damp issues."

Tasmanian Heritage Council

As the property is on the Register of the Tasmanian Heritage Council, the proposal was also subject to a Notice of No Interest. A Notice of No Interest was issued on 26 May 2022 (Ref: 09-70-18THC) and includes advice regarding where new footpaths will adjoin places that are entered in the Tasmanian Heritage Register. The Planning Permit will condition the development to be in accordance with the Notice of No Interest.

Department of State Growth

The Department of State Growth advised Council on 6 June 2022 that the usual condition to obtain a State road works permit should be included in any approval.

4.7 Planning Scheme Assessment

GENERAL BUSINESS ZONE

ZONE PURPOSE

To provide for business, community, food, professional and retail facilities serving a town or group of suburbs. To create through good urban design:

- an attractive and safe environment; and*
- activity at pedestrian levels with active road frontages offering interest and engagement to shoppers and;*
- appropriate provision for car parking, pedestrian access and traffic circulation.*

Assessment: The proposal meets the zone purpose.

LOCAL AREA OBJECTIVES

To consolidate growth within the existing urban land use framework of the towns of Campbell Town, Longford and Perth.

To manage development in the General business zone so as to conserve and enhance the quality of the Heritage Precincts in the Campbell Town, Longford, and Perth town centres.

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



Assessment: The proposal meets the local area objectives.

21.3 Use Standards

21.3.1 Amenity

Objective
To ensure that the use of land is not detrimental to the amenity of the surrounding area in terms of noise, emissions, operating hours or transport.

Acceptable Solutions	Performance Criteria
A1 Commercial vehicles (except for visitor accommodation and recreation) must only operate between 6.00am and 10.00pm Monday to Sunday.	P1 Commercial vehicles (except for visitor accommodation and recreation) must not cause or be likely to cause an environmental nuisance through emissions including noise and traffic movement, odour, dust and illumination.
Complies with A1 – no change.	N/a
A2 Noise levels at the boundary of the site with any adjoining land must not exceed: a) 50dB(A) day time; and b) 40dB(A) night time; and c) 5dB(A) above background for intrusive noise.	P2 Noise must not cause unreasonable loss of amenity to nearby sensitive uses.
No change.	N/a

21.4 Development Standards

21.4.1 Siting, Design and Built Form

Objective
To ensure that buildings are visually compatible with surrounding development.

Acceptable Solutions	Performance Criteria
A1 The entrance of a building must be: a) clearly visible from the road or publicly accessible areas on the site; and b) provide a safe access for pedestrians.	P1 No performance criteria.
N/a	N/a
A2 Building height must not exceed: a) 8m; or b) 1m greater than the average of the heights of buildings on immediately adjoining lots.	P2 Building height must: a) be consistent with the local area objectives if any, and b) have regard to the streetscape and the desirability of a greater setback for upper floors from the frontage; and c) avoid unreasonable levels of overshadowing to public places or adjoining properties.
N/a	N/a
A3.1 Buildings must be: set back the same as or less than the setback of an immediately adjoining building; A3.2 Extensions or alterations to existing buildings must not reduce the existing setback.	P3 Building setbacks must: a) provide for enhanced levels of public interaction or public activity; and b) ensure the efficient use of the site; and c) be consistent with the established setbacks within the immediate area and the same zone; and d) be consistent with the local area objectives, if any; and e) provide for emergency vehicle access.
N/a	N/a



21.4.2 Subdivision – N/a

UTILITIES ZONE
ZONE PURPOSE
<p>28.1.1 <i>Zone Purpose Statements</i></p> <p>28.1.1.1 <i>To provide land for major utilities installations and corridors.</i></p> <p>28.1.1.2 <i>To provide for other compatible uses where they do not adversely impact on the utility.</i></p>
<p>Assessment: The proposal meets the zone purpose.</p>

LOCAL AREA OBJECTIVES
<p><i>There are no desired local area objectives.</i></p>
<p>Assessment: The proposal meets the local area objectives.</p>

USE AND DEVELOPMENT STANDARDS

28.3 Use Standards

28.3.1 Capacity of existing utilities

<p>Objective</p> <p>To ensure that uses do not compromise the capacity of utility services.</p>	
Acceptable Solutions	Performance Criteria
<p>A1 If for permitted or no permit required uses.</p>	<p>P1 The proposal must not unreasonably compromise or reduce the operational efficiency of the utility having regard to:</p> <ul style="list-style-type: none"> 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.
<p>Complies with A1 – permitted use.</p>	<p>N/a</p>

28.4 Development Standards

28.4.1 Building Design and Siting

<p>Objective</p> <p>To ensure that the siting and design of development:</p> <ul style="list-style-type: none"> a) considers the impacts to adjoining lots; and b) furthers the local area objectives and desired future character statements for the area, if any. 	
Acceptable Solutions	Performance Criteria
<p>A1 Height must not exceed:</p> <ul style="list-style-type: none"> a) 10m; or b) 15 m for ancillary antenna and masts for communication devices. 	<p>P1.1 Height must:</p> <ul style="list-style-type: none"> a) minimise the visual impact having regard to: <ul style="list-style-type: none"> i) prevailing character of the landscape or urban pattern of the surrounding area; and ii) form and materials; and iii) the contours or slope of the land; iv) existing screening or the ability to implement/establish screening through works or landscaping; and v) The functional requirements of the proposed development or use; and b) protect the amenity of residential uses in the area from unreasonable impacts having regard to: <ul style="list-style-type: none"> i) the surrounding pattern of development; and ii) the existing degree of overlooking and overshadowing;



	and iii) methods to reduce visual impact; or P1.2 Where development is unavoidably prominent in the landscape, it must provide a significant community benefit.
N/a	N/a
A2 Buildings must be set back from all boundaries a minimum distance of 3m.	P2 Building setbacks must: a) complement existing building setbacks in the immediate area; and b) minimise adverse impacts on adjoining land uses having regard to: i) the form of the building; and ii) the contours or slope of the land; and iii) methods to reduce visual impact; and c) protect the amenity of adjoining residential uses from unreasonable impacts of overshadowing and overlooking having regard to: i) the surrounding pattern of development; and ii) the existing degree of overlooking and overshadowing; and iii) methods to reduce overlooking and overshadowing.
N/a	N/a

28.4.2 Subdivision – 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 parking requirement set for Utilities. 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	Complies – See code assessment below
E14.0	COASTAL CODE	N/a
E15.0	SIGNS CODE	N/a

ASSESSMENT AGAINST E4.0 ROAD AND RAILWAY ASSETS CODE

E4.6 Use Standards

E4.6.1 Use and road or rail infrastructure

Objective

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

Acceptable Solutions

A1 Sensitive use on or within 50m of a category 1 or

Performance Criteria

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 not result in an increase to the annual average daily traffic (AADT) movements to or from the site by more than 10%.		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 A2. The proposed streetscape improvements will not generate any additional traffic but will instead improve the safety and functionality of the current road network.		N/a
A3	For roads with a speed limit of more than 60km/h the use must not increase the annual average daily traffic (AADT) movements at the existing access or junction by more than 10%.	P3	For limited access roads and roads with a speed limit of more than 60km/h: a) access to a category 1 road or limited access road must only be via an existing access or junction or the use or development must provide a significant social and economic benefit to the State or region; and b) any increase in use of an existing access or junction or development of a new access or junction to a limited access road or a category 1, 2 or 3 road must be for a use that is dependent on the site for its unique resources, characteristics or locational attributes and an alternate site or access to a category 4 or 5 road is not practicable; and c) an access or junction which is increased in use or is a new access or junction must be designed and located to maintain an adequate level of safety and efficiency for all road users.
	N/a		N/a

E4.7 Development Standards

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

Objective

To ensure that development on or adjacent to category 1 or 2 roads (outside 60km/h), railways and future roads and railways is managed to:

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

Acceptable Solutions	Performance Criteria
<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> <ol style="list-style-type: none"> new road works, buildings, additions and extensions, earthworks and landscaping works; and building areas on new lots; and outdoor sitting, entertainment and children's play areas 	<p>P1 Development including buildings, road works, earthworks, landscaping works and level crossings on or within 50m of a category 1 or 2 road, in an area subject to a speed limit of more than 60km/h, a railway or future road or railway must be sited, designed and landscaped to:</p> <ol style="list-style-type: none"> maintain or improve the safety and efficiency of the road or railway or future road or railway, including line of sight from trains; and mitigate significant transport-related environmental impacts, including noise, air pollution and vibrations in accordance with a



	<ul style="list-style-type: none"> c) report from a suitably qualified person; and ensure that additions or extensions of buildings will not reduce the existing setback to the road, railway or future road or railway; and d) ensure that temporary buildings and works are removed at the applicant's expense within three years or as otherwise agreed by the road or rail authority.
Complies with A1.	N/a

E4.7.2 Management of Road Accesses and Junctions

Objective

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

Acceptable Solutions	Performance Criteria
A1 For roads with a speed limit of 60km/h or less the development must include only one access providing both entry and exit, or two accesses providing separate entry and exit.	P1 For roads with a speed limit of 60km/h or less, the number, location, layout and design of accesses and junctions must maintain an acceptable level of safety for all road users, including pedestrians and cyclists.
N/a	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"> a) access to a category 1 road or limited access road must only be via an existing access or junction or the development must provide a significant social and economic benefit to the State or region; and b) any increase in use of an existing access or junction or development of a new access or junction to a limited access road or a category 1, 2 or 3 road must be dependent on the site for its unique resources, characteristics or locational attributes and an alternate site or access to a category 4 or 5 road is not practicable; and c) an access or junction which is increased in use or is a new access or junction must be designed and located to maintain an adequate level of safety and efficiency for all road users.
N/a	N/a

E4.7.3 Management of Rail Level Crossings

Objective

To ensure that the safety and the efficiency of a railway is not unreasonably reduced by access across the railway.

Acceptable Solutions	Performance Criteria
A1 Where land has access across a railway: <ul style="list-style-type: none"> 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: <ul style="list-style-type: none"> a) the number, location, layout and design of level crossings maintain or improve the safety and efficiency of the railway; and b) the proposal is dependent upon the site due to unique resources, characteristics or location attributes and the use or development will have social and economic benefits that are of State or regional significance; or c) it is uneconomic to relocate an existing use to a site that does not require a level crossing; and d) an alternative access or junction is not practicable.

N/a	N/a
E4.7.4 Sight Distance at Accesses, Junctions and Level Crossings	
Objective To ensure that use and development involving or adjacent to accesses, junctions and level crossings allows sufficient sight distance between vehicles and between vehicles and trains to enable safe movement of traffic.	
Acceptable Solutions	Performance Criteria
A1 Sight distances at a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.7.4; and b) rail level crossings must comply with <i>AS1742.7 Manual of uniform traffic control devices - Railway crossings</i> , Standards Association of Australia; or c) If the access is a temporary access, the written consent of the relevant authority has been obtained.	P1 The design, layout and location of an access, junction or rail level crossing must provide adequate sight distances to ensure the safe movement of vehicles.
Complies with A1 – the supplied Traffic Impact Assessment, prepared by pitt&sherry, 21 February 2022, notes the sight distances from each of Wellington Street's adjoining roads within the study length meet the requirements of the Austroads Guide Part 4A per the preliminary design drawings, and thus meet the requirements of the Planning Scheme.	N/a

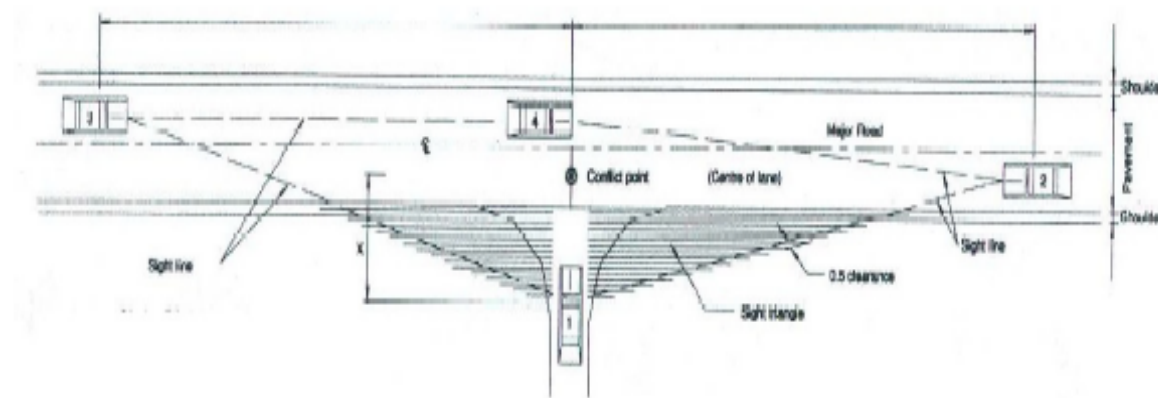


Figure E4.7.4 Sight Lines for Accesses and Junctions

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 E6.0
CAR PARKING & SUSTAINABLE TRANSPORT CODE

E6.6 Use Standards

E6.6.1 Car Parking Numbers

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

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

Comment: Complies, no parking requirements set for Utilities use.



Table E6.1: Parking Space Requirements

Use:	Parking Requirement	
	Vehicle	Bicycle
Utilities	No requirements set	No requirements set

E6.6.2 Bicycle Parking Numbers

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

Acceptable Solutions		Performance Criteria	
A1.1	Permanently accessible bicycle parking or storage spaces must be provided either on the site or within 50m of the site in accordance with the requirements of Table E6.1; or	P1	Permanently accessible bicycle parking or storage spaces must be provided having regard to the:
A1.2	The number of spaces must be in accordance with a parking precinct plan contained in Table E6.6: Precinct Parking Plans.	a)	likely number and type of users of the site and their opportunities and likely preference for bicycle travel; and
		b)	location of the site and the distance a cyclist would need to travel to reach the site; and
		c)	availability and accessibility of existing and planned parking facilities for bicycles in the vicinity.
Comment: Complies, no requirements set for Utilities use.			

E6.6.3 Taxi Drop-off and Pickup

Objective: To ensure that taxis can adequately access developments.

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

E6.6.4 Motorbike Parking Provisions

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

Acceptable Solutions		Performance Criteria	
A1	One motorbike parking space must be provided for each 20 car spaces required by Table E6.1 or part thereof.	P1	No performance criteria.
Comment: N/a			

E6.7 Development Standards

E6.7.1 Construction of Car Parking Spaces and Access Strips

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

Acceptable Solutions		Performance Criteria	
A1	All car parking, access strips manoeuvring and circulation spaces must be:	P1	All car parking, access strips manoeuvring and circulation spaces must be readily identifiable and constructed to ensure that they are useable in all weather conditions.
a)	formed to an adequate level and drained; and		
b)	except for a single dwelling, 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: Complies with A1. All on-street car parking is proposed to be appropriately sealed, levelled and drained and feature line marking to delineate car spaces.			



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
<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"> 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.
<p>Comment: Relies on P1.</p> <p>The proposal satisfies P1. As the proposed relocated car parking spaces located at 58 Wellington Street are still to be located in front of the building line, they are not able to comply with the acceptable solution. The proposal does satisfy the performance criteria as follows:</p> <ul style="list-style-type: none"> (a) The car parking spaces do not impede on the site layout; (b) The relocation of car parking spaces is not expected to have a negative effect on the views into the site given it is currently used as a car park; (c) The relocation of car parking spaces is anticipated to simplify access to and from the site. Access to the rear of the buildings is to remain unchanged; (d) As car parking is simply being relocated, it has no negative impact on the layout of car parking in the vicinity; (e) The streetscape improvements in the vicinity of the off-street car parking proposes gardens surrounding the relocated car parking. 	
<p>A2.1 Car parking and manoeuvring space must:</p> <ul style="list-style-type: none"> a) have a gradient of 10% or less; and b) where providing for more than 4 cars, provide for vehicles to enter and exit the site in a forward direction; and c) have a width of vehicular access no less than prescribed in Table E6.2 and Table E6.3, and <p>A2.2 The layout of car spaces and access ways must be designed in accordance with <i>Australian Standards AS 2890.1 - 2004 Parking Facilities, Part 1: Off Road Car Parking</i>.</p>	<p>P2 Car parking and manoeuvring space must:</p> <ul style="list-style-type: none"> a) be convenient, safe and efficient to use having regard to matters such as slope, dimensions, layout and the expected number and type of vehicles; and b) provide adequate space to turn within the site unless reversing from the site would not adversely affect the safety and convenience of users and passing traffic.
<p>Comment: Complies with A2.1 and A2.2 excluding A2.1 c).</p>	<p>Comment: The car park has a gradient of less than 10%, enables vehicles to enter and exit in a forward motion. It also features an aisle width which exceeds 6.4m. However, as the car parking spaces are 2.4m wide and 6.0m long, they do not meet the width requirements in Table E6.3. The car parking spaces have been designed to be convenient, safe and efficient. The proposal is consistent with the performance criteria.</p>



Table E6.2: Access Widths for Vehicles

Number of parking spaces served	Access width (see note 1)	Passing bay (2.0m wide by 5.0m long plus entry and exit tapers) (see note 2)
1 to 5	3.0m	Every 30m
6 to 20	4.5m for initial 7m from road carriageway and 3.0m thereafter	Every 30m

Table E6.3: Width of Access and Manoeuvring Space adjacent to Parking Spaces

Angle of Car Spaces to Access Strip	Access Strips Widths	Car Park Widths	Car parking length
Parallel	3.6m	2.3m	6.7m
45 degrees	3.5m	2.6m	5.4m
60 degrees	4.9m	2.6m	5.4m
90 degrees	6.4m	2.6m	5.4m
	5.8m	2.8m	5.4m
	5.2m	3.0m	5.4m
	4.8m	3.2m	5.4m

E6.7.3 Car Parking Access, Safety and Security

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

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

E6.7.4 Parking for Persons with a Disability

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

Acceptable Solutions	Performance Criteria
<p>A1 All spaces designated for use by persons with a disability must be located closest to the main entry point to the building.</p>	<p>P1 The location and design of parking spaces considers the needs of disabled persons, having regard to:</p> <p>a) the topography of the site;</p> <p>b) the location and type of relevant facilities on the site or in the vicinity;</p> <p>c) the suitability of access pathways from parking spaces, and</p> <p>d) applicable Australian Standards.</p>
<p>A2 One of every 20 parking spaces or part thereof must be constructed and designated for use by persons with disabilities in accordance with <i>Australian Standards AS/NZ 2890.6 2009</i>.</p>	<p>P2 The number of parking spaces provided is appropriate for the needs of disabled persons, having regard to:</p> <p>a) characteristics of the populations to be served;</p> <p>b) their means of transport to and from the site; and</p> <p>c) applicable Australian Standards.</p>
Comment: Accessible parking is not required for single or multiple dwellings.	

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

Objective: To ensure adequate access for people and goods delivery and collection and to prevent loss of amenity



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

E6.8 Provisions for Sustainable Transport

E6.8.1 Bicycle End of Trip Facilities

Not used in this planning scheme

E6.8.2 Bicycle Parking Access, Safety and Security

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

E6.8.5 Pedestrian Walkways

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

Table E6.5: Pedestrian Access

Number of Parking Spaces Required	Pedestrian Facility
1-10	No separate access required (i.e. pedestrians may share the driveway). [Note (a) applies].



11 or more	A 1m wide footpath separated from the driveway and parking aisles except at crossing points. [Notes (a) and (b) apply].
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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.

Assessment against E13.0 (Local Historic Heritage Code)

E13.1 Purpose

E13.1.1 The purpose of this provision is to:

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

E13.2 Application of the Code

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

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

E13.3 Use or Development Exempt from this Code

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

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

Comment:

The subject site is within a Heritage Precinct.

E13.5 USE STANDARDS

E13.5.1 Alternative Use of heritage buildings

Objective: To ensure that the use of heritage buildings provides for their conservation.	
Acceptable Solutions	Performance Criteria
A1 No acceptable solution.	P1 Notwithstanding Clause 8.9, a permit may be granted for any use of a locally listed heritage place where:



	<p>a) <i>it can be demonstrated that the proposed use will not adversely impact on the significance of a heritage place; and</i></p> <p>b) <i>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</i></p> <p>c) <i>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.</i></p>
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Comment: N/a

E13.6 DEVELOPMENT STANDARDS

E13.6.1 Demolition

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

Acceptable Solutions	Performance Criteria
A1 <i>Removal of non-original cladding to expose original cladding.</i>	<p>P1.1 <i>Existing buildings, parts of buildings and structures must be retained except:</i></p> <p>a) <i>where the physical condition of place makes restoration inconsistent with maintaining the cultural significance of a place in the long term; or</i></p> <p>b) <i>the demolition is necessary to secure the long-term future of a building or structure through renovation, reconstruction or rebuilding; or</i></p> <p>c) <i>there are overriding environmental, economic considerations in terms of the building or practical considerations for its removal, either wholly or in part; or</i></p> <p>d) <i>the building is identified as non-contributory within a precinct identified in Table E13.1: Heritage Precincts, if any; and</i></p> <p>P1.2 <i>Demolition must not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.</i></p>

Comment: Satisfies the performance criteria.

E13.6.2 Subdivision and development density

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

Acceptable Solutions	Performance Criteria
A1 <i>No acceptable solution.</i>	<p>P1 <i>Subdivision must:</i></p> <p>a) <i>be consistent with and reflect the historic development pattern of the precinct or area; and</i></p> <p>b) <i>not facilitate buildings or a building pattern unsympathetic to the character or layout of buildings and lots in the area; and</i></p> <p>c) <i>not result in the separation of building or structures from their original context where this leads to a loss of historic heritage significance; and</i></p> <p>d) <i>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</i></p> <p>e) <i>not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.</i></p>

Comment: N/a

E13.6.3 Site Cover

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

Acceptable Solutions	Performance Criteria
A1 <i>Site coverage must be in accordance with the</i>	P1 <i>The site coverage must:</i>



<i>acceptable development criterion for site coverage within a precinct identified in Table E13.1: Heritage Precincts, if any.</i>	<i>a) be appropriate to maintaining the character and appearance of the building or place, and the appearance of adjacent buildings and the area; and</i> <i>b) not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.</i>
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Comment: N/a

E13.6.4 Height and Bulk of Buildings

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

Acceptable Solutions	Performance Criteria
<i>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.</i>	<i>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</i> <i>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</i> <i>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.</i>

Comment: N/a

E13.6.5 Fences

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

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

Comment: N/a

E13.6.6 Roof Form and Materials

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

Acceptable Solutions	Performance Criteria
<i>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.</i>	<i>P1 Roof form and materials for new buildings and structures must:</i> <i>a) be sympathetic to the historic heritage significance, design and period of construction of the dominant existing buildings on the site; and</i> <i>b) not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.</i>

Comment: N/a



E13.6.7 Wall materials

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

Acceptable Solutions	Performance Criteria
A1 Wall materials must be in accordance with the acceptable development criteria for wall materials within a precinct identified in Table E13.1: Heritage Precincts, if any.	P1 Wall material for new buildings and structures must: a) be complementary to wall materials of the dominant buildings on the site or in the precinct; and b) not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.

Comment: N/a

E13.6.8 Siting of Buildings and Structures

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

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

Comment: N/a

E13.6.9 Outbuildings and Structures

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

Acceptable Solutions	Performance Criteria
A1 Outbuildings and structures must be: a) set back an equal or greater distance from the principal frontage than the principal buildings on the site; and b) in accordance with the acceptable development criteria for roof form, wall material and site coverage within a precinct identified in Table E13.1: Heritage Precincts, if any.	P1 New outbuildings and structures must be designed and located; a) to be subservient to the primary buildings on the site; and b) to not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.

Comment: N/a

E13.6.10 Access Strips and Parking

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

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



Comment: Satisfies the performance criteria.

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.	<p>P1 For works impacting on places listed in Table E13.3:</p> <p>a) it must be demonstrated that all identified archaeological remains will be identified, recorded and conserved; and</p> <p>b) details of survey, sampling and recording techniques technique be provided; and</p> <p>c) that places of identified historic heritage significance will not be destroyed unless there is no prudent and feasible alternative.</p>

Comment: N/a

E13.6.12 Tree and Vegetation Removal

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.	<p>P1 The removal of vegetation must not:</p> <p>a) unreasonably impact on the historic cultural significance of the place; and</p> <p>b) detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.</p>

Comment: N/a

E13.6.13 Signage

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 ² .	<p>P1 New signs must be of a size and location to ensure that:</p> <p>a) period details, windows, doors and other architectural details are not covered or removed; and</p> <p>b) heritage fabric is not removed or destroyed through attaching signage; and</p> <p>c) the signage does not detract from the setting of a heritage place or does not unreasonably impact on the view of the place from public viewpoints; and</p> <p>d) signage does not detract from meeting the management objectives of a precinct identified in Table E13.1: Heritage Precincts, if any.</p>

Comment: Satisfies the performance criteria.

E13.6.14 Maintenance and Repair

Objective

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: N/a

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>LONGFORD HERITAGE PRECINCT CHARACTER STATEMENT</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 consistent with the Heritage Precinct Character Statement and satisfies the Management Objectives.

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

Assessment against F2.0 (Heritage Precincts Specific Area Plan)	
F2.1 Purpose of Specific Area Plan	
F2.1.1	In addition to, and consistent with, the purpose of E13.0 Local Historic Heritage Code, the purpose of this Specific Area Plan is to ensure that development makes a positive contribution to the streetscape within the Heritage Precincts.
F2.2 Application of Specific Area Plan	
F2.2.1	This Specific Area Plan applies to those areas of land designated as Heritage Precincts on the Planning Scheme maps.
F2.2.2	The following development is exempt from this Specific Area Plan:
a)	works required to comply with an Emergency Order issued under section 162 of the Building Act 2000;
b)	electricity, optic fibre and telecommunications cables, and water, sewerage, drainage connections and gas lines to individual buildings;
c)	maintenance and repairs that do not involve removal, replacement or concealment of any external building fabric;
d)	repainting of an exterior surface that has been previously painted, in a colour similar to that existing;
e)	the planting, clearing or modification of vegetation for safety reasons where the work is required for the removal of dead wood, or treatment of disease, or required to remove unacceptable risk to the public or



private safety, or where vegetation is causing or threatening to cause damage to a building or structure; and

f) the maintenance of gardens, unless there is a specific listing for the garden in Table E13.1 or Table E13.2.

F2.3 Definitions

F2.3.1 Streetscape

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

F2.3.2 Heritage-Listed Building

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

F2.4 Requirements for Design Statement

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

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

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

Comment: Although the subject works is within the Heritage Precincts Specific Area Plan, the proposal will have a positive effect on the streetscape.

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

STATE POLICIES
The proposal is consistent with all State Policies.

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

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

5 FINANCIAL IMPLICATIONS TO COUNCIL

Not applicable to this application.



6 OPTIONS

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

7 DISCUSSION

Discretion to refuse the application is limited to:

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

The relocated car parking at 58 Wellington Street is proposed in front of the building line, triggering discretion, however this is already the case at this location, but the relocation of spaces will provide for a safe and efficient layout. The proposal has been designed to mitigate issues within the street. The main objectives of the project are to provide a safer environment for pedestrians of all ages and mobility and to enhance the visual amenity of the streetscape.

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

The proposal will be conditioned to be used and developed in accordance with the proposal plans.

8 ATTACHMENTS

1. Planning Permit Application -Wellington Street Longford [15.2.1 - 2 pages]
2. NMC Planning Submission Final [15.2.2 - 10 pages]
3. pitt&sherry plans [15.2.3 - 8 pages]
4. Lange Design Concept Plan Sheet 1 [15.2.4 - 1 page]
5. Lange Design Concept Plan Sheet 2 [15.2.5 - 1 page]
6. Lange Design Footpath Pavement Plans [15.2.6 - 3 pages]
7. pitt&sherry Traffic Impact Assessment [15.2.7 - 42 pages]
8. Representations [15.2.8 - 11 pages]
9. DA Response to reps [15.2.9 - 2 pages]
10. DSG Referral - Complete [15.2.10 - 2 pages]
11. Heritage referral PL N-22-0040 - Wellington St Union St Mason St Smith St Archer St Lyttleton St LO [15.2.11 - 11 pages]
12. No Interest W A 7900 [15.2.12 - 2 pages]
13. Response from Tas Water [15.2.13 - 3 pages]
14. WI referral PL N-22-0040 Wellington St Union St Mason St Smith St Archer St Lyttleton St LONGFORD [15.2.14 - 1 page]

RECOMMENDATION

That land at Wellington St, Union St, Mason St, Smith St, Archer St, & Lyttleton St, LONGFORD be approved to be developed and used for a Roadworks/Streetscape works (Heritage Precinct) Wellington St from adjacent to 19 & 22 Wellington St to adj. to 69 Wellington St & 2A William St, & Union St adjacent to 19, 22, 23 & 24-26 Wellington St, Mason St adj. to 2 Mason St & 34A Wellington St, Smith St adj. to 39, 41-43, 44 & 46 Wellington St, Archer St adj. to 51, 53, & 58 Wellington St & 2A William St, and Lyttleton St adj. to 53 & 55 Wellington St. in accordance with application PLN-22-0040, and subject to the following conditions:

1 Layout not altered

The use and development shall be in accordance with the endorsed plans numbered P1 – P13, D1 and D2 as follows:

- P1 – (Cover Page, pitt&sherry, Drawing No: S-P.21.0231-00-CIV-DRG-1000, Rev: B, Dated: 21-02-22);
- P2 – (General Arrangement and Stormwater Plan, pitt&sherry, Drawing No: S-P.21.0231-00-CIV-DRG-1010, Sheet 1 of 4, Rev: C, Dated: 21-02-22);
- P3 – (General Arrangement and Stormwater Plan, pitt&sherry, Drawing No: S-P.21.0231-00-CIV-DRG-1011, Sheet 2 of 4, Rev: C, Dated: 21-02-22);



- P4 – (General Arrangement and Stormwater Plan, pitt&sherry, Drawing No: S-P.21.0231-00-CIV-DRG-1012, Sheet 3 of 4, Rev: C, Dated: 21-02-22);
- P5 – (General Arrangement and Stormwater Plan, pitt&sherry, Drawing No: S-P.21.0231-00-CIV-DRG-1013, Sheet 41 of 4, Rev: D, Dated: 21-03-22);
- P6 – (Stormwater Longitudinal Sections, pitt&sherry, Drawing No: S-P.21.0231-00-CIV-DRG-1014, Sheet 1 of 2, Rev: B, Dated: 21-02-22);
- P7 – (Stormwater Longitudinal Sections, pitt&sherry, Drawing No: S-P.21.0231-00-CIV-DRG-1015, Sheet 2 of 2, Rev: B, Dated: 21-02-22);
- P8 – (Sections Wellington Street, pitt&sherry, Drawing No: S-P.21.0231-00-CIV-DRG-1020, Rev: C, Dated: 21-02-22);
- P9-P10 – (Concept Plans, Lange Designs, Sheet 1 of 2 and Sheet 2 of 2, Rev: C, Dated: 12 December 2021);
- P11-P13 – (Footpath Pavement Plans, Lange Designs, Sheet 1 of 3, Sheet 2 of 3 and Sheet 3 of 3, Rev: A, Dated: 16 August 2021);
- D1 – (Planning Submission Statement, Northern Midlands Council, Dated: 24th February 2022); and
- D2 – (Traffic Impact Assessment, pitt&sherry, Rev: 00, Dated: 21 February 2022).

2 Tasmanian Heritage Council Requirements

The proposed development must comply with the advice of the Tasmanian Heritage Council Notice of No Interest (Reference #7900, File No. 09-70-18THC, 26 May 2022) – attached as Appendix A.

3 Department of State Growth conditions

Detailed engineering drawings showing the extent of the works and associated ancillary construction must be provided to the Department of State Growth for review and acceptance as part of a works permit application per the details noted below.

NOTE: A valid works permit is required for all works undertaken in the State Road (Wellington Street) reservation. Details of the permit process and application forms can be found at:

[www.transport.tas.gov.au/roads_and_traffic_management/permits_and_bookings/general_works_pathways_stock_un](http://www.transport.tas.gov.au/roads_and_traffic_management/permits_and_bookings/general_works_pathways_stock_underpass)
derpass. Applications must be received by the Department of State Growth a minimum of twenty (20) business days prior to the expected commencement date of works in order to allow sufficient time for the application to be assessed. No works are to be undertaken until a written permit has been issued.

4 Dilapidation Report

Prior to any development commencing, a Dilapidation report is to be prepared and submitted to the approval of the General Manager detailing the existing condition of adjoining buildings which abut the road reservation.

5 Construction Environmental Management Plan (CEMP)

Prior to any development commencing, a CEMP is to be prepared and submitted to the approval of the General Manager and must include the provision of vibration monitoring and reporting that will be undertaken during the construction phase of the project for adjoining buildings which abut the road reservation.

6 Sub-floor Ventilation System

The works approved must ensure that as part of the development phase of the project, the covered vents at 57 Wellington Street, Longford be unblocked and shielded from surface water entering the vents.



MINUTE NO. 22/283

DECISION

Cr Goninon/Deputy Mayor Goss

That the matter be deferred to obtain further information, in particular from the cycling community (with the matter to be referred for further discussion at a Bicycle Advisory Committee meeting) and requirements for large equipment; and the matter to be workshopped at a future Council Workshop.

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil

MINUTE NO. 22/284

DECISION

Cr Goninon/Deputy Mayor Goss

That Council investigate a bypass of Longford for heavy equipment and machinery.

Carried

Voting for the Motion:

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

Voting Against the Motion:

Cr Brooks



15.3 PLN22-0096: 8 LOT SUBDIVISION AND WORKS - CRACROFT ROAD RESERVE, LONGFORD

File: 103200.125; PLN22-0096
Responsible Officer: Des Jennings, General Manager
Report prepared by: Rebecca Green, Planning Consultant

1 INTRODUCTION

This report assesses an application for 7 Cracroft Street (CT141401/2) and Cracroft Street road reserve, Longford to construct 8 Lot Subdivision and works in Cracroft Street road reserve.

2 BACKGROUND

Applicant:

Jaffa International Pty Ltd

Zone:

General Residential Zone

Owner:

Nicholas Vernon Archer

Codes:

Road and Railway Assets Code

Car Parking and Sustainable Transport Code

Recreation and Open Space Code

Classification under the Scheme:

Subdivision

Existing Use:

Residential (single dwelling)

Deemed Approval Date:

9 August 2022. (Extension of time requested until 19 August 2022)

Recommendation:

Approve

Discretionary Aspects of the Application:

- Variation to development standards in General Residential zone (building envelope/setback – Lot 8, lot frontage width – Lots 2, 4 and 8, provision of footpath).
- Variation to development standard in the Car Parking and Sustainable Transport Code.

Planning Instrument:

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

Preliminary Discussion

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

Subject Site





3 STATUTORY REQUIREMENTS

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

4 ASSESSMENT

4.1 Proposal

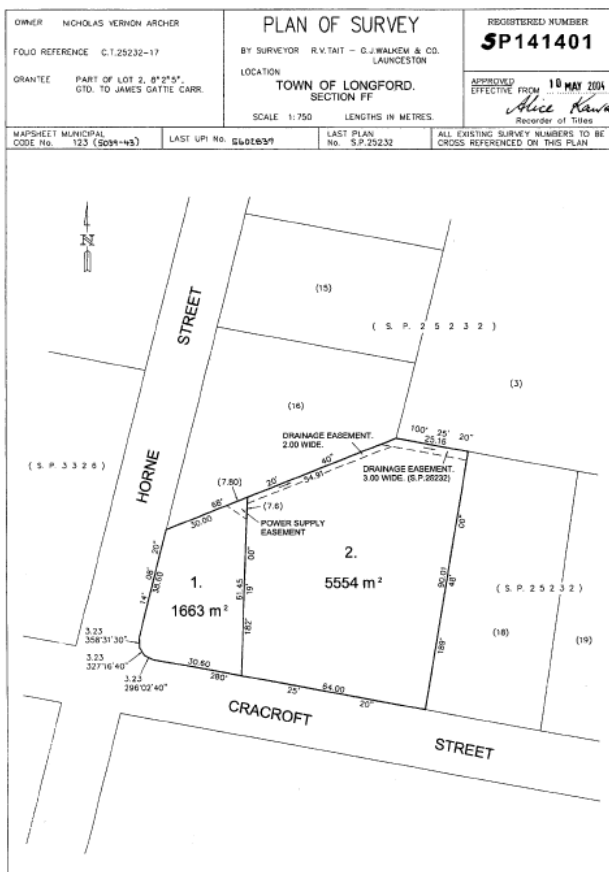
It is proposed to:

- 8 Lot Subdivision and works in Cracroft Street road reserve.

Proposal Plan



Current title plan





4.2 Zone and Land Use

The land is zoned General Residential.



The relevant Planning Scheme definition is:

<i>subdivision</i>	<i>means the act of subdividing or the lot subject to an act of subdividing.</i>
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Subdivision is permitted however, as the proposal seeks to rely on performance criteria, the application has a discretionary status.

4.3 Subject Site and Locality

A site inspection was undertaken on 1st July 2022. The site comprises of a single title having an area of 5554m² with frontage to Cracroft Street. The site contains a single dwelling. At the time of the site inspection a substantial amount of the garden had been removed from that shown in aerial imagery. The site is surrounded to the north, east and west by residential uses, comprising both single and multiple dwellings. The Longford Racecourse is located to the south, across the road on Cracroft Street.

Aerial photograph of area





Photographs of subject site







4.4 Permit/Site History

Relevant permit history includes:

- 112/79 – Dwelling
- P03-290 (27/003/314) - Subdivision

4.5 Representations

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

- K & S Watkins, 5 Lewis Street, Longford
- Kathleen Farr, 1 Lewis Street, Longford
- Mark and Anne Green, 10 Horne Street, Longford

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

Issue 1

- The proposal impacts this part of Longford and any other development including racecourse. The development does not fit within the character of the area.

Planner's comment:

Whilst the lot size is smaller than a number of lots that surround the site in Cracroft Street, the site is zoned General Residential and the permitted minimum lot size is 450m². The smallest lot size proposed is 468m².

Issue 2

- The proposal does not make reference to the safety of pedestrians.

Planner's comment:

A pedestrian footpath is proposed along Cracroft Street outside the subdivision.

Issue 3

- The proposal makes no reference to increased noise from the various development that will occur.

Planner's comment:

There are no applicable standards under the Planning Scheme that require noise consideration from residential subdivisions within the General Residential zone to be provided.



Issue 4

- The proposal makes no reference to an increase in crime and anti-social behaviour which occurs when population increases.

Planner's comment:

These are no matters addressed by the Planning Scheme provisions.

Issue 5

- States the developer is opting for cash in lieu of public open space and that the area of Longford lacks facilities. Open Space should be provided within the subdivision.

Planner's comment:

Council's preferred position is to take cash in lieu for smaller subdivisions and is reiterated as an acceptable solution under the Recreation and Open Space Code. Cash in lieu is taken so as to create a fund for maintenance of existing open space facilities and develop new ones in planned strategic locations, like that at Laycock Street. Council can only request 5% of the area of the site for public open space which in this instance would be 277m², and therefore a space that is not of sufficient size to create useable public open space.

Issue 6

- Concerned with removal of trees and the biodiversity that goes with them.

Planner's comment:

The subject trees are not located within either a scenic management overlay or a priority habitat overlay or within a heritage precinct, and therefore there is no mechanism under the Planning Scheme to require their retention. It is noted that at the time of the site inspection, a level of removal of the existing garden has taken place.

Issue 7

- There will be an increase in traffic in the area.

Planner's comment:

The subdivision and subsequent development of the vacant residential lots will see an increase in traffic in the area, However, Cracroft Street has sufficient capacity to handle the increase.

Issue 8

- Subdivision does not meet the requirement of the planning scheme in terms of setback between dwellings on lots 6 and 8.

Planner's comment:

The proponent has addressed the performance criteria (P3 of Clause 10.4.2) in their application and assessment of the performance criteria is addressed elsewhere in this report and considered compliant with the performance criteria.

Issue 9

- The development drastically alters the streetscape.

Planner's comment:

Development of the site will alter the streetscape however this is not a reason to refuse the application.

Issue 10

- This subdivision could be the start of the degradation of Cracroft Street as there are other larger lots that could be subdivided.

Planner's comment:

This area along Cracroft Street is zoned General Residential with a minimum permitted lot size of 450m². This will not exclude other lots from having subdivision potential. One of the General Residential zone purposes is to provide for residential use or development that accommodates a range of dwelling types at suburban densities. This is not a reason the refuse the application, as the acceptable solution for minimum lot size is met.



Issue 11

- There will be an increased number of rubbish bins along the frontage resulting in clutter and safety hazard for pedestrians.

Planner's comment:

Whilst the proposal is for an additional 7 lots, and there will be up to 16 rubbish bins along the frontage of the current site, the 64-metre frontage is able to accommodate the number of bins that would be placed out on the street frontage for one night per fortnight.

Issue 12

- Concerned about ability of stormwater infrastructure to cope with additional load.

Planner's comment:

The capacity of the existing infrastructure has been assessed by Council's Works and Infrastructure Department and a new stormwater main is proposed in Cracroft Street to connect to the existing manhole on the corner of Cracroft Street and Wellington Street. The infrastructure proposed will in fact not just cope with the additional load but likely to mitigate some of the stormwater issues in the Cracroft street area to the south.

Issue 13

- Concrete roadways into subdivision increase stormwater runoff and increase temperatures and glare in summer.

Planner's comment:

This is a matter of opinion and except for the concrete driveway to Lot 3 as shown on submitted plans due to the depth of the stormwater main, other driveway finishes is not required under the Planning Scheme provisions.

Issue 14

- Representor in Horne Street concerned about the height of common boundary fence. Would like a higher fence built at the developer's expense.

Planner's comment:

Boundary fencing is provided under the *Boundary Fences Act 1908* and is a cost that is shared by neighbours and not a relevant consideration of the Planning Scheme. The site inspection considers the boundary fence to be in good condition and provides for a sufficient fence.

Issue 15

- Will stormwater from each lot proposed be drained into Cracroft Street?

Planner's comment:

Yes, as shown on Stormwater Service Lot Connection & New Main plan, submitted with the application by NTCADS, all lots will be drained into Cracroft Street.

Issue 16

- How much green space is lost in taking cash in lieu?

Planner's comment:

277m² equates to 5% of the area of the site (5554m² site area) if required to provide for public open space rather than cash in lieu.

4.6 Referrals

The following referrals were required:

Council's Works Department

Summary: Council's Works & Infrastructure Department (Jonathan Galbraith/Leigh McCullagh) report on 5 July 2022, and their recommended conditions are included in the conditions of approval.

TasWater

Summary: A TasWater Submission to Planning Authority Notice was issued on 3/06/2022 (TasWater Ref: TWDA 2022/00820-NMC).



4.7 Planning Scheme Assessment

GENERAL RESIDENTIAL ZONE
ZONE PURPOSE
<p><i>To provide for residential use or development that accommodates a range of dwelling types at suburban densities, where full infrastructure services are available or can be provided.</i></p> <p><i>To provide for compatible non-residential uses that primarily serve the local community.</i></p> <p><i>Non-residential uses are not to be at a level that distorts the primacy of residential uses within the zones, or adversely affect residential amenity through noise, activity outside of business hours traffic generation and movement or other off site impacts.</i></p> <p><i>To encourage residential development that respects the neighbourhood character and provides a high standard of residential amenity.</i></p>
<p>Assessment: The proposal meets the zone purpose.</p>

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

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:
To provide lots with areas and dimensions that enable the appropriate siting and construction of a dwelling, private open space, vehicle access and parking, easements and site features.

Acceptable Solutions	Performance Criteria
<p>A1 Lots must:</p> <p>a) have a minimum area of at least 450m² which:</p> <p>i) is capable of containing a rectangle measuring 10m by 15m; and</p> <p>ii) has new boundaries aligned from buildings that satisfy the relevant acceptable solutions for setbacks; or</p> <p>b) be required for public use by the Crown, an agency, or a corporation all the shares of which are held by Councils or a municipality; or</p> <p>c) be for the provision of utilities; or</p> <p>d) be for the consolidation of a lot with another lot with no additional titles created; or</p> <p>e) be to align existing titles with zone boundaries and no additional lots are created.</p> <p>A1.2 On folio of the Register 222877/1, lots fronting Marlborough Street must have a minimum area of at least 590m² which:</p> <p>a) is capable of containing a rectangle measuring 10m by 15m; and</p> <p>b) has new boundaries aligned from buildings that satisfy the relevant acceptable solutions for setbacks.</p>	<p>P1.1 Each lot for residential use must provide sufficient useable area and dimensions to allow for:</p> <p>a) a dwelling to be erected in a convenient and hazard-free location; and</p> <p>b) on-site parking and manoeuvrability; and</p> <p>c) adequate private open space.</p> <p>P1.2 No performance criteria.</p>



<p>The application complies with a) i). The lot sizes range from 468m² to 1147m² and each lot demonstrates that they can accommodate a 10m x 15m rectangle. The application does not comply with a) ii) for the existing dwelling on Lot 8.</p>	<p>The southern corner of the dwelling on Lot 8 meets the performance criteria. The 2.72 metre setback, considers the 1.78m encroachment at the southern corner of the dwelling is effectively one storey due to the slope of the roof which will limit overshadowing to the lot to the south. The dwelling on Lot 8 is oriented to the north-west which will limit overlooking and loss of privacy to any future dwelling on Lot 6, especially as all the upstairs attic windows do not face this direction. Two lower level bedroom windows that are within the encroachment of the building envelope and it is considered that this will result in minimal overshadowing. A services easement at the rear of Lot 6 will limit any development being constructed to the boundary and therefore increase the separation between the dwelling on Lot 8 and any future dwelling on Lot 6. The proposal complies with the performance criteria for Lot 8.</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>Does not comply for Lots 2, 4 and 8. Lots 1, 3, 5 and 6-7 comply.</p>	<p>Lots 2, 4 and 8 will each have rights of carriageway registered over another title, providing for appropriate and permanent access. Lot 8 is accessed via a 3.64m wide right of way across the access strip to Lot 1. As this serves only two lots, it is considered to be sufficient in width to cater for traffic associated with two residential lots. Lots 2, 3 and 4 are accessed via the same access strip which provide Lot 3 with frontage. The access strip is 4.5m wide for the first 20 metres and then 7.2m wide for the balance. This is considered sufficient to allow passing of multiple vehicles plus drainage. The proposal complies.</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.</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>



Complies.	N/a
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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>
At least 50% of the lots comply with the acceptable solution having a long axis within the prescribed range.	N/a
<p>A2 The long axis of residential lots less than 500m², must be within 30 degrees east and 20 degrees west of north.</p>	<p>P2 Lots less than 500 m² 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>
Complies for Lots 6 and 7.	N/a

10.4.15.5 Integrated Urban Landscape

Objective: To provide attractive and continuous landscaping in roads and public open spaces that contribute to the:

- a) character and identity of new neighbourhoods and urban places; or
- b) to existing or preferred neighbourhood character, if any.

Acceptable Solutions	Performance Criteria
<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> <p>e) it furthers the local area objectives, if any.</p>
The proposal complies, no new road, public open space or other reserve is provided by the subdivision.	N/a

10.4.15.6 Walking and Cycling Network

Objective:

- a) To provide safe, convenient and efficient movement through and between neighbourhoods by pedestrians and cyclists; and
- b) To design footpaths, shared path and cycle path networks that are safe, comfortable, well constructed and accessible.
- c) To provide adequate provision to accommodate wheelchairs, prams, scooters and other footpath bound vehicles.

Acceptable Solutions	Performance Criteria
<p>A1 The subdivision must not create any new road, footpath or public open</p>	<p>P1 Subdivision that creates new roads, footpaths, or public open spaces must demonstrate that the walking and cycling network is designed to:</p> <p>a) link to any existing pedestrian and cycling networks; and</p>



space.	<p>b) provide the most practicable direct access for cycling and walking to activity centres, community facilities, public transport stops and public open spaces; and</p> <p>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</p> <p>d) promote surveillance along roads and from abutting dwellings.</p>
The subdivision does not propose to create any new road, public open space.	A footpath is proposed along the property frontage to Cracroft Street to provide for linkage to existing and future pedestrian networks. Performance criteria met.

10.4.15.7 Neighbourhood Road Network

Objective:

- a) To provide for convenient, safe and efficient movement through and between neighbourhoods for pedestrians, cyclists, public transport and other motor vehicles using the neighbourhood road network; and
- b) To design and construct road carriageways and verges so that the road geometry and traffic speeds provide an accessible and safe neighbourhood road system for all users.

Acceptable Solutions	Performance Criteria
A1 The subdivision must not create any new road.	<p>P1 The neighbourhood road network must:</p> <p>a) take account of the existing mobility network of arterial roads, neighbourhood roads, cycle paths, shared paths, footpaths and public transport routes; and</p> <p>b) provide clear hierarchy of roads and physical distinctions between arterial roads and neighbourhood road types; and</p> <p>c) provide an appropriate speed environment and movement priority for the safe and easy movement of pedestrians and cyclists and for accessing public transport; and</p> <p>d) provide safe and efficient access to activity centres for commercial and freight vehicles; and</p> <p>e) ensure connector roads align between neighbourhoods for safe, direct and efficient movement of pedestrians, cyclists, public transport and other motor vehicles; and</p> <p>f) provide an interconnected and continuous network of roads within and between neighbourhoods for use by pedestrians, cyclists, public transport and other vehicles and minimise the provision of cul-de-sacs; and</p> <p>g) provide for service and emergency vehicles to safely turn at the end of a dead-end road; and</p> <p>h) take into account of any identified significant features.</p>
Complies.	N/a

CODES		
E1.0	BUSHFIRE PRONE AREAS CODE	N/a
E2.0	POTENTIALLY CONTAMINATED LAND	N/a
E3.0	LANDSLIP CODE	N/a
E4.0	ROAD AND RAILWAY ASSETS CODE	Complies – See code assessment below
E5.0	FLOOD PRONE AREAS CODE	N/a
E6.0	CAR PARKING AND SUSTAINABLE TRANSPORT CODE	Complies – See code assessment below
E7.0	SCENIC MANAGEMENT CODE	N/a
E8.0	BIODIVERSITY CODE	N/a
E9.0	WATER QUALITY CODE	N/a
E10.0	RECREATION AND OPEN SPACE CODE	Complies – See code assessment below
E11.0	ENVIRONMENTAL IMPACTS & ATTENUATION CODE	N/a
E12.0	AIRPORTS IMPACT MANAGEMENT CODE	N/a
E13.0	LOCAL HISTORIC HERITAGE CODE	N/a



E14.0	COASTAL CODE	N/a
E15.0	SIGNS CODE	N/a

ASSESSMENT AGAINST E4.0

ROAD AND RAILWAY ASSETS CODE

E4.6 Use Standards

E4.6.1 Use and road or rail infrastructure

Objective

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

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

E4.7 Development Standards

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

Objective

To ensure that development on or adjacent to category 1 or 2 roads (outside 60km/h), railways and future roads and railways is managed to:

- a) ensure the safe and efficient operation of roads and railways; and



b) allow for future road and rail widening, realignment and upgrading; and c) avoid undesirable interaction between roads and railways and other use or development.	
Acceptable Solutions	Performance Criteria
<p>A1 The following must be at least 50m from a railway, a future road or railway, and a category 1 or 2 road in an area subject to a speed limit of more than 60km/h:</p> <p>a) new road works, buildings, additions and extensions, earthworks and landscaping works; and</p> <p>b) building areas on new lots; and</p> <p>c) outdoor sitting, entertainment and children's play areas</p>	<p>P1 Development including buildings, road works, earthworks, landscaping works and level crossings on or within 50m of a category 1 or 2 road, in an area subject to a speed limit of more than 60km/h, a railway or future road or railway must be sited, designed and landscaped to:</p> <p>a) maintain or improve the safety and efficiency of the road or railway or future road or railway, including line of sight from trains; and</p> <p>b) mitigate significant transport-related environmental impacts, including noise, air pollution and vibrations in accordance with a report from a suitably qualified person; and</p> <p>c) ensure that additions or extensions of buildings will not reduce the existing setback to the road, railway or future road or railway; and</p> <p>d) ensure that temporary buildings and works are removed at the applicant's expense within three years or as otherwise agreed by the road or rail authority.</p>
N/a	N/a

E4.7.2 Management of Road Accesses and Junctions

Objective

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

Acceptable Solutions	Performance Criteria
<p>A1 For roads with a speed limit of 60km/h or less the development must include only one access providing both entry and exit, or two accesses providing separate entry and exit.</p>	<p>P1 For roads with a speed limit of 60km/h or less, the number, location, layout and design of accesses and junctions must maintain an acceptable level of safety for all road users, including pedestrians and cyclists.</p>
<p>Complies. One access per lot (where proposed) providing for both entry and exit.</p>	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</p>



	efficiency for all road users.
N/a	N/a

E4.7.3 Management of Rail Level Crossings

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

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

Objective To ensure that use and development involving or adjacent to accesses, junctions and level crossings allows sufficient sight distance between vehicles and between vehicles and trains to enable safe movement of traffic.	
Acceptable Solutions	Performance Criteria
A1 Sight distances at a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E4.7.4; and b) rail level crossings must comply with <i>AS1742.7 Manual of uniform traffic control devices - Railway crossings</i> , Standards Association of Australia; or c) If the access is a temporary access, the written consent of the relevant authority has been obtained.	P1 The design, layout and location of an access, junction or rail level crossing must provide adequate sight distances to ensure the safe movement of vehicles.
Complies for new access to Lots 1, 7, 6, 3 and 5.	N/a

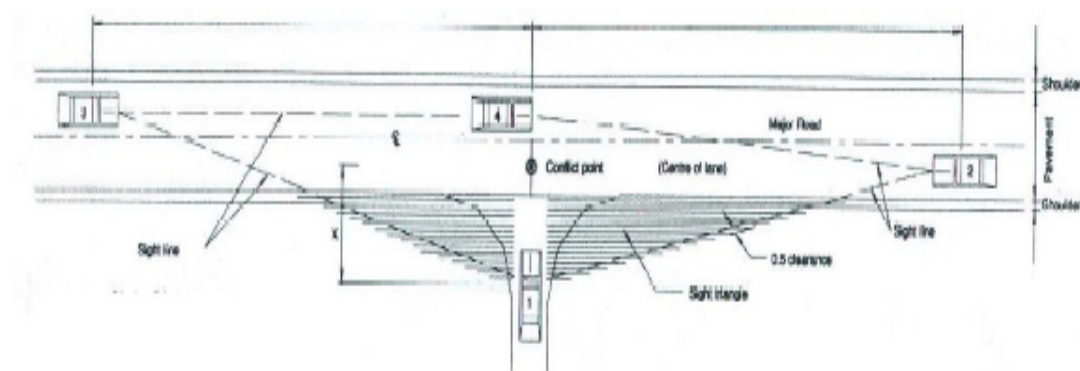


Figure E4.7.4 Sight Lines for Accesses and Junctions

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**

E6.6 Use Standards

E6.6.1 Car Parking Numbers

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

Acceptable Solutions		Performance Criteria	
A1	The number of car parking spaces must not be less than the requirements of:	P1	The number of car parking spaces provided must have regard to:
a)	Table E6.1; or	a)	the provisions of any relevant location specific car parking plan; and
b)	a parking precinct plan contained in		



<p>Table E6.6: Precinct Parking Plans (except for dwellings in the General Residential Zone).</p>	<ul style="list-style-type: none"> 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: <ul style="list-style-type: none"> 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>Comment: Complies with the Acceptable Solution – each lot has sufficient space to accommodate at least 2 parking spaces. The existing dwelling on Lot 8 is provided with a double carport which is capable of parking two cars with an additional car in tandem which meets the requirements of the provision of 2 on-site spaces.</p>	

Table E6.1: Parking Space Requirements

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

E6.6.2 Bicycle Parking Numbers

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

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



Comment: Sufficient space available on each proposed lot to accommodate bicycle parking.

E6.6.3 Taxi Drop-off and Pickup

Objective: To ensure that taxis can adequately access developments.

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

E6.6.4 Motorbike Parking Provisions

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

Acceptable Solutions		Performance Criteria	
A1	One motorbike parking space must be provided for each 20 car spaces required by Table E6.1 or part thereof.	P1	No performance criteria.
Comment: N/a			

E6.7 Development Standards

E6.7.1 Construction of Car Parking Spaces and Access Strips

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

Acceptable Solutions		Performance Criteria	
A1	All car parking, access strips manoeuvring and circulation spaces must be: a) formed to an adequate level and drained; and b) except for a single dwelling, provided with an impervious all-weather seal; and c) except for a single dwelling, line marked or provided with other clear physical means to delineate car spaces.	P1	All car parking, access strips manoeuvring and circulation spaces must be readily identifiable and constructed to ensure that they are useable in all weather conditions.

Comment: To be assessed by future development application for works on proposed vacant lots (Lots 1-7).

E6.7.2 Design and Layout of Car Parking

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

Acceptable Solutions		Performance Criteria	
A1.1	Where providing for 4 or more spaces, parking areas (other than for parking located in garages and carports for dwellings in the General Residential Zone) must be located behind the building line; and	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: a) have a gradient of 10% or less; and b) where providing for more than 4 cars, provide for	P2	Car parking and manoeuvring space must: a) be convenient, safe and efficient to use having regard to matters such as slope,
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<p>c) vehicles to enter and exit the site in a forward direction; and</p> <p>A2.2 have a width of vehicular access no less than prescribed in Table E6.2 and Table E6.3, and</p> <p>The layout of car spaces and access ways must be designed in accordance with <i>Australian Standards AS 2890.1 - 2004 Parking Facilities, Part 1: Off Road Car Parking</i>.</p>	<p>b) dimensions, layout and the expected number and type of vehicles; and</p> <p>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.</p>
<p>Comment: The proposal complies and is likely to comply for future residential use and development on (Lots 2-7), including shared access to Lots 2, 3, 4, and 8, except for width of vehicular access associated with Lot 1 which can potentially also be utilised by Lot 8. It is 3.6m wide and has a length of 24 metres before a possible passing layby can be created. Whilst in this instance in accordance with Table E6.2 the access width would be required to be 4.5 metres for the initial 7 metres from the carriageway, it is submitted that in the unlikely event that both Lots 1 and 8 were to be considered for development of multiple dwellings, that the application for the multiple dwellings would need to demonstrate adequacy of the access. Both lots being developed for single dwellings means that there are only 4 car parking spaces required and an access width of 3.6 metres exceeds the required 3 metres outlined in Table E6.2.</p>	

Table E6.2: Access Widths for Vehicles

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

E6.7.3 Car Parking Access, Safety and Security

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

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

E6.7.4 Parking for Persons with a Disability

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

Acceptable Solutions	Performance Criteria
<p>A1 All spaces designated for use by persons with a disability must be located closest to the main entry point to the building.</p>	<p>P1 The location and design of parking spaces considers the needs of disabled persons, having regard to:</p> <p>a) the topography of the site;</p> <p>b) the location and type of relevant facilities on the site or in the vicinity;</p> <p>c) the suitability of access pathways from parking spaces, and</p> <p>d) applicable Australian Standards.</p>
<p>A2 One of every 20 parking spaces or part thereof must be constructed and designated for use by persons with disabilities in accordance with <i>Australian Standards AS/NZ 2890.6 2009</i>.</p>	<p>P2 The number of parking spaces provided is appropriate for the needs of disabled persons, having regard to:</p> <p>a) characteristics of the populations to be served;</p> <p>b) their means of transport to and from the site; and</p> <p>c) applicable Australian Standards.</p>
<p>Comment: N/a – likely to be residential use.</p>	



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

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

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

E6.8 Provisions for Sustainable Transport

E6.8.1 Bicycle End of Trip Facilities

Not used in this planning scheme

E6.8.2 Bicycle Parking Access, Safety and Security

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

E6.8.5 Pedestrian Walkways

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



Table E6.5: Pedestrian Access

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

Notes

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

**ASSESSMENT AGAINST E10.0
RECREATION AND OPEN SPACE CODE**

E10.6 Development Standards

E10.6.1 Provision of Public Open Space

Objective

- a) To provide public open space which meets user requirements, including those with disabilities, for outdoor recreational and social activities and for landscaping which contributes to the identity, visual amenity and health of the community; and
- b) To ensure that the design of public open space delivers environments of a high quality and safety for a range of users, together with appropriate maintenance obligations for the short, medium and long term.

Acceptable Solutions	Performance Criteria
<p>A1 The application must:</p> <ul style="list-style-type: none"> a) include consent in writing from the General Manager that no land is required for public open space but instead there is to be a cash payment in lieu. 	<p>P1 Provision of public open space, unless in accordance with Table E10.1, must:</p> <ul style="list-style-type: none"> a) not pose a risk to health due to contamination; and b) not unreasonably restrict public use of the land as a result of: <ul style="list-style-type: none"> i) services, easements or utilities; and ii) stormwater detention basins; and iii) drainage or wetland areas; and iv) vehicular access; and c) be designed to: <ul style="list-style-type: none"> i) provide a range of recreational settings and accommodate adequate facilities to meet the needs of the community, including car parking; and ii) reasonably contribute to the pedestrian connectivity of the broader area; and iii) be cost effective to maintain; and iv) respond to the opportunities and constraints presented by the physical characteristics of the land to provide practically useable open space; and v) provide for public safety through <i>Crime Prevention Through Environmental Design</i> principles; and vi) provide for the reasonable amenity of adjoining land users in the design of facilities and



	<p>associated works; and</p> <p>vii) have a clear relationship with adjoining land uses through treatment such as alignment, fencing and landscaping; and</p> <p>ix) create attractive environments and focal points that contribute to the existing or desired future character statements, if any.</p>
Complies with A1. Consent for a cash payment in lieu of land for public open space provided by the General Manager via email on the 21 June 2022.	N/a

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

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

STATE POLICIES
The proposal is consistent with all State Policies.

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

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

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

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

Section 85	Refusal of application for subdivision		
	Council may refuse the application for subdivision if it is of the opinion:		
85(a)	that the roads will not suit the public convenience, or will not give satisfactory inter-communication to the inhabitants both of the subdivision and the municipal area in which it is;		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		X



	or maintenance of streets;		
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

Section 86	Security for payment	Yes	No
	Does council require security for payments and the execution of works for -		
86(2)(c)	if the land is not located within 30 metres of the existing public storm water system as shown on the map made available under section 12 of the <i>Urban Drainage Act 2013</i> , payment for a public storm water system by, from, or from within, the land as determined by the council so that all lots may have connecting drains and the concentrated natural water may be lawfully disposed of and for the laying of storm water connections from a place on the boundary of each lot to the public storm water system in accordance with the by-laws of the council and to the satisfaction of its engineer;		X
86(2)(d)	the works required for the discharge of the owner's obligations under <u>section 10 of the <i>Local Government (Highways) Act 1982</i></u> in respect of the highways opened or to be opened on the subdivision;		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
	If 'yes':		
	council may refuse to approve the application until such security is given.		
	See section 86 (3) for the form of the security.		
	See section 86 (4) for when the works are to be executed.		

Section 107	Access orders	Yes	No
107 (2)	Is work of a substantial nature needed to provide access for vehicles from a highway onto the block?		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.	
--	--	--

Section 108	Road widening	Yes	No
108 (1) (a)	Does council, in respect of an existing highway, require to obtain a dedication of land for widening or diverting? (compensation is not payable for the dedication of land which lies within 9 metres of the middle line of the highway of a parcel into which the land is subdivided and on which no building stands)		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 General Residential zone (building envelope/setback – Lot 8, lot frontage width – Lots 2, 4 and 8, provision of footpath).
- Variation to development standard in the Car Parking and Sustainable Transport Code.

The proposal has demonstrated compliance with the performance criteria and the layout of the proposal is a significant improvement from that which was originally submitted. Many of the concerns in the representations related to lot size and stormwater, all matters raised have been considered.

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

10 ATTACHMENTS

1. Planning Application Documents [15.3.1 - 6 pages]
2. Response to RFI 2_ [15.3.2 - 5 pages]
3. representations [15.3.3 - 8 pages]
4. Response to Reps [15.3.4 - 3 pages]
5. P D 22 66942 7 CRACROFT S T, LONGFORD Tas Water Submission to Planning Authority Notice - Conditio [15.3.5 - 4 pages]

RECOMMENDATION

That land at 7 Cracroft Street (CT141401/2) and Cracroft Street road reserve, Longford be approved to be developed and used for 8 Lot Subdivision and works in Cracroft Street road reserve in accordance with application PLN-22-0096, and subject to the following conditions:

1 Layout not altered

The use and development must be in accordance with the endorsed plans numbered **P1-P2** (*Subdivision Plan, Woolcott Surveys, Drawing No: L220417_Prop_Plan_160522.dwg, Sheet No's: 1/2 and 2/2, Dated: 14/06/22*); and **P3-P4**



(Stormwater Service Lot Connections & new Main and Water & Sewer Lot Connections & New Mains, NTCADS, Drawing No: 377.15, Sheet No's: SK01 (Rev: C, dated: 24.06.22) and SK02 (Rev: D, Dated: 22.06.22)); and D1 (RFI Response, Commercial Project Delivery, Dated: 16 June 2021).

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.

2.2 Access (Urban)

- a) A concrete driveway crossover must be constructed from the edge of the Road to the property boundary of Lot 1, 3, 5, 6 and 7 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 Works on Council Infrastructure

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

2.7 Footpaths

A 1.8m wide concrete footpath must be constructed to service all lots in accordance with the approved plans and Council standard drawing TSD R11.

2.8 Street trees

Where possible a street tree must be provided for each lot.

- Before the final plan is sealed, a bond or bank guarantee of \$500 per lot must be provided to the Council for trees.
- The developer must plant the street trees in accordance with the approved plans at the end of the 12-month maintenance period. If the trees are not planted, Council may use the bond/bank guarantee to ensure the plantings occur.
- Each tree is to be provided with a means of irrigation, a root guard to prevent damage to adjoining infrastructure and an anti-vandalism tie down to prevent removal

2.9 Bonds

The subdivision shall be subject to a maintenance period and a bond shall be held by Council until the completion of the maintenance period. The bond shall be calculated based on 5% of the total cost of works based on Council's standard road construction rates or a minimum of \$2500.

2.10 Separation of hydraulic services

- a) All existing stormwater 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 hydraulic services have been separated between the lots.



2.11 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.

2.12 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.

2.13 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 2022/00820-NMC) – **Appendix A**.

4 Public Open Space Contribution

A contribution must be paid towards the cost of providing public open space infrastructure in accordance with Council policy:

- \$1,400 per additional lot created; or
- The applicant may obtain a valuation not less than one month old by a registered land valuer, of the subject land, less one of the proposed lots. The Public Open Space Rate shall total 5% of that value.

5 Sealing of Plans

All conditions must be complied with prior to sealing of the final plan of survey. Council may, at the developer's request, accept a bond or bank guarantee, for particular works or maintenance, to enable early seal and release of the final plan of survey.

MINUTE NO. 22/285

DECISION

Cr Goninon/Deputy Mayor Goss

That land at 7 Cracroft Street (CT141401/2) and Cracroft Street road reserve, Longford be approved to be developed and used for 8 Lot Subdivision and works in Cracroft Street road reserve in accordance with application PLN-22-0096, and subject to the following conditions:

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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 Works on Council Infrastructure

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

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Where possible a street tree must be provided for each lot.

- Before the final plan is sealed, a bond or bank guarantee of \$500 per lot must be provided to the Council for trees.
- The developer must plant the street trees in accordance with the approved plans at the end of the 12-month maintenance period. If the trees are not planted, Council may use the bond/bank guarantee to ensure the plantings occur.
- Each tree is to be provided with a means of irrigation, a root guard to prevent damage to adjoining infrastructure and an anti-vandalism tie down to prevent removal

2.9 Bonds

The subdivision shall be subject to a maintenance period and a bond shall be held by Council until the completion of the maintenance period. The bond shall be calculated based on 5% of the total cost of works based on Council's standard road construction rates or a minimum of \$2500.

2.10 Separation of hydraulic services

- a) All existing stormwater 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 hydraulic services have been separated between the lots.

2.11 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.

2.12 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.



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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 2022/00820-NMC) – **Appendix A**.

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A contribution must be paid towards the cost of providing public open space infrastructure in accordance with Council policy:

- \$1,400 per additional lot created; or
- The applicant may obtain a valuation not less than one month old by a registered land valuer, of the subject land, less one of the proposed lots. The Public Open Space Rate shall total 5% of that value.

5 Sealing of Plans

All conditions must be complied with prior to sealing of the final plan of survey. Council may, at the developer's request, accept a bond or bank guarantee, for particular works or maintenance, to enable early seal and release of the final plan of survey.

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil



15.4 PLN22-0056: DRAFT AMENDMENT 03/2022

File: 13/026/007/167; 107400.12; PLN22-0056

Responsible Officer: Des Jennings, General Manager

Report prepared by: Paul Godier, Senior Planner

1 INTRODUCTION

This report recommends that Council:

- (a) Initiate and certify a draft amendment to rezone the portion of the title CT 173776/1 on the east side of the Midland Highway from Rural Resource to General Residential classification, and concurrently;
- (b) Approve a planning permit to subdivide that section to create 2 lots:
 - Lot 1 - 13.7ha;
 - Lot 2 - 4.8ha; leaving the balance of the title on the west side of the highway;
 - Balance 330.5ha.
- (c) Modify the draft amendment to include flood prone area mapping and scenic corridor.

2 BACKGROUND

Applicant:

Justine Brooks – PDA Surveyors, Engineers and Planners
obo Mackinnon Estates Pty Ltd

Owner:

Mr Hugh Mackinnon

Zone:

Rural Resource

Codes:

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

Proposal:

- (a) To rezone the portion of the title CT 173776/1 on the east side of the Midland Highway from Rural Resource to General Residential classification, and concurrently;
- (b) To subdivide that section to create 2 lots
 - Lot 1 - 13.7ha;
 - Lot 2 - 4.8ha; leaving the balance of the title on the west side of the highway;
 - Balance 330.5ha.

Existing Use:

Resource Development

Critical Date:

Decision whether or not to initiate and certify the draft amendment must be made by 19 August 2022

Recommendation:

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

Planning Instrument:

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

Preliminary Discussion

- There is no record of preliminary discussions.

3 STATUTORY REQUIREMENTS

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

- *Section 33 (1) – A person may request planning authority to initiate an amendment of a planning scheme administered by it.*
- *Section 33 (2B) - Before making a decision as to whether or not to initiate an amendment of the planning scheme, the planning authority must consider –*
 - (a) *whether the requested amendment is consistent with the requirements of [section 32](#); and*

- (ab) any representation made under [section 30I](#), and any statements in any report under [section 30I](#) as to the merit of a representation, that may be relevant to the amendment; and
- (b) any advice referred to in [section 65 of the Local Government Act 1993](#) received by it.
- Section 43A (1) - A person who requests a planning authority to amend a planning scheme may also request the planning authority to consider an application for a permit which would not be allowed if the planning scheme were not amended as requested.

Comment:

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

4 ASSESSMENT

Proposal

- (a) To rezone the portion of the title CT 173776/1 on the east side of the Midland Highway from Rural Resource to General Residential classification, and concurrently;
- (b) To subdivide that section to create 2 lots
 - Lot 1 - 13.7ha;
 - Lot 2 - 4.8ha; leaving the balance of the title on the west side of the highway;
 - Balance 330.5ha.



Image 1: Proposal (source: PDA planning application)

Zone and Land Use

The land is zoned Rural Resource and is used for Resource Development.



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

TasWater

TasWater issued a Submission to Planning Authority Notice on 27 July 2022.

Council's Works and Infrastructure Department

Council's Works and Infrastructure Department advised on no comment to make.

5 FINANCIAL IMPLICATIONS TO COUNCIL

Assessment of requests to amend the planning scheme are within budget allocations.

6 OPTIONS

Initiation of draft amendment

Council can:

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

Certification of draft amendment

If Council initiates the draft amendment, Council can:

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

Permit

Council can:

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

7 DISCUSSION

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

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

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

Comment: Image 1 shows that the pieces of land proposed to be zoned General Residential are adjacent to land currently zone General Residential or Particular Purpose – Future Residential. Rezoning from Rural Resource to General Residential is expected to avoid, as far as practical, potential land use conflicts with the surrounding residential zones. The Road and Railway Assets Code provides provisions that avoids, as far as practical, potential land use conflicts with the adjacent utilities zone.

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

Comment: 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 land to General Residential zone. This use is expected to have a neutral impact in environmental terms and a positive impact in economic and social terms.

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

(2) A planning scheme may–

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

(a) set out policies and specific objectives; and

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

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

(d)

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

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

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

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

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

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

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

Comment: The proposal is consistent with these requirements.

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

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

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

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

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

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

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

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

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

Comment: The proposal is consistent with these requirements.

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

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

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

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

Comment: The proposal is consistent with these requirements.

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

Comment: The proposal is consistent with these requirements.

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

Comment: The proposal is consistent with these requirements.

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



- (a) forestry operations conducted on land declared as a private timber reserve under the [Forest Practices Act 1985](#); or*
- (b) the undertaking of mineral exploration in accordance with a mining lease, an exploration licence, or retention licence, issued under the [Mineral Resources Development Act 1995](#), provided that any mineral exploration carried out is consistent with the standards specified in the Mineral Exploration Code of Practice; or*
- (c) fishing; or*
- (d) marine farming in State waters.*

Comment: The proposal is consistent with these requirements.

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

Comment: The proposal is consistent with these requirements.

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

Comment: The proposal is consistent with these requirements.

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

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

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

Comment: The draft amendment is consistent with this objective.

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

Comment: The draft amendment is consistent with this objective.

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

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

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

Comment: The draft amendment is consistent with this objective.

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

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

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

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

Comment: The draft amendment is consistent with 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.

Must be in accordance with State Policies.

State Policy for the Protection of Agricultural Land

Water Quality Management State Policy

State Coastal Policy

National Environmental Protection Measures

The proposal is in accordance with the state policies.

7.2 ASSESSMENT OF PLANNING APPLICATION

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

General Residential Zone

10.4.15 Subdivision

10.4.15.1 Lot Area, Building Envelopes and Frontage

Objective To provide lots with areas and dimensions that enable the appropriate siting and construction of a dwelling, private open space, vehicle access and parking, easements and site features.	
Acceptable Solutions	Performance Criteria
A1.1 Lots must: <ul style="list-style-type: none"> a) have a minimum area of at least 450m² which: <ul style="list-style-type: none"> i) is capable of containing a rectangle measuring 10m by 15m; and ii) has new boundaries aligned from buildings that satisfy the relevant acceptable solutions for setbacks; or b) be required for public use by the Crown, an agency, or a corporation all the shares of which are held by Councils or a municipality; or c) be for the provision of utilities; or d) be for the consolidation of a lot with another lot 	P1.1 Each lot for residential use must provide sufficient useable area and dimensions to allow for: <ul style="list-style-type: none"> a) a dwelling to be erected in a convenient and hazard-free location; and b) on-site parking and manoeuvrability; and c) adequate private open space. P1.2 No performance criteria.



<p>with no additional titles created; or</p> <p>e) be to align existing titles with zone boundaries and no additional lots are created.</p> <p>A1.2 On folio of the Register 222877/1, lots fronting Marlborough Street must have a minimum area of at least 590m² which:</p> <p>a) is capable of containing a rectangle measuring 10m by 15m; and</p> <p>b) has new boundaries aligned from buildings that satisfy the relevant acceptable solutions for setbacks.</p>	
Comment: Complies.	Comment: N/a
A2 Each lot must have a frontage of at least 3.6m.	P2 Each lot must have appropriate, permanent access by a Right of Carriageway registered over all relevant titles.
Comment: Complies.	Comment: N/a

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>
Comment: Complies.	Comment: N/a
<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>
Comment: Complies.	Comment: N/a

10.4.15.3 Solar Orientation of Lots

Objective To provide for solar orientation of lots and solar access for future dwellings.	
Acceptable Solutions	Performance Criteria
<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>
Comment: Complies.	Comment: N/a
<p>A2 The long axis of residential lots less than 500m², must be within 30 degrees east and 20 degrees west of north.</p>	<p>P2 Lots less than 500 m² 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>
Comment: Complies.	Comment: N/a

10.4.15.4 Interaction, Safety and Security



This clause was not used in this planning scheme

10.4.15.5 Integrated Urban Landscape

Objective To provide attractive and continuous landscaping in roads and public open spaces that contribute to the: <ul style="list-style-type: none"> a) character and identity of new neighbourhoods and urban places; or b) to existing or preferred neighbourhood character, if any. 	
Acceptable Solutions	Performance Criteria
A1 The subdivision must not create any new road, public open space or other reserves.	P1 For subdivision that creates roads, public open space or other reserves, the design must demonstrate that: <ul style="list-style-type: none"> a) it has regard to existing, significant features; and b) accessibility and mobility through public spaces and roads are protected or enhanced; and c) connectivity through the urban environment is protected or enhanced; and d) the visual amenity and attractiveness of the urban environment is enhanced; and e) it furthers the local area objectives, if any.
Comment: Complies	Comment: Complies

10.4.15.6 Walking and Cycling Network

Objective <ul style="list-style-type: none"> a) To provide safe, convenient and efficient movement through and between neighbourhoods by pedestrians and cyclists; and b) To design footpaths, shared path and cycle path networks that are safe, comfortable, well constructed and accessible. c) To provide adequate provision to accommodate wheelchairs, prams, scooters and other footpath bound vehicles. 	
Acceptable Solutions	Performance Criteria
A1 The subdivision must not create any new road, footpath or public open space.	P1 Subdivision that creates new roads, footpaths, or public open spaces must demonstrate that the walking and cycling network is designed to: <ul style="list-style-type: none"> 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	Comment: Complies

10.4.15.7 Neighbourhood Road Network

Objective <ul style="list-style-type: none"> 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	P1 The neighbourhood road network must:



must not create any new road.	<ul style="list-style-type: none"> a) take account of the existing mobility network of arterial roads, neighbourhood roads, cycle paths, shared paths, footpaths and public transport routes; and b) provide clear hierarchy of roads and physical distinctions between arterial roads and neighbourhood road types; and c) provide an appropriate speed environment and movement priority for the safe and easy movement of pedestrians and cyclists and for accessing public transport; and d) provide safe and efficient access to activity centres for commercial and freight vehicles; and e) ensure connector roads align between neighbourhoods for safe, direct and efficient movement of pedestrians, cyclists, public transport and other motor vehicles; and f) provide an interconnected and continuous network of roads within and between neighbourhoods for use by pedestrians, cyclists, public transport and other vehicles and minimise the provision of cul-de-sacs; and g) provide for service and emergency vehicles to safely turn at the end of a dead-end road; and h) take into account of any identified significant features.
Comment: Complies	Comment: Complies

CODES		
E1.0	Bushfire Prone Areas Code	Exempt from the Code – see the Bushfire Hazard Report.
E2.0	Potentially Contaminated Land	N/a
E3.0	Landslip Code	N/a
E4.0	Road & Railway Assets Code	Complies – see code assessment in application.
E.5.0	Flood Prone Areas Code	N/a
E6.0	Car Parking & Sustainable Transport Code	Complies. Each lot provides for on site car parking.
E7.0	Scenic Management Code	N/a
E8.0	Biodiversity Code	N/a
E9.0	Water Quality Code	N/a
E10.0	Recreation & Open Space Code	N/a
E11.0	Environmental Impacts & Attenuation Code	N/a
E12.0	Airports Impact Management Code	N/a
E13.0	Local Historic Heritage Code	N/a
E14.0	Coastal Code	N/a
E15.0	Signs Code	N/a

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

8 ATTACHMENTS

1. Planning Application [15.4.1 - 4 pages]
2. Owners Consent [15.4.2 - 2 pages]
3. Folio Title [15.4.3 - 4 pages]
4. Folio Plan [15.4.4 - 1 page]
5. Planning Report PDA Surveyors 29 March 2022 [15.4.5 - 46 pages]
6. Plan of Subdivision PDA Surveyors 26 June 2022 [15.4.6 - 3 pages]
7. Agricultural Assessment [15.4.7 - 41 pages]
8. Bushfire Report [15.4.8 - 16 pages]

9. Request for Additional Information Tas Water 16 June 2022 [**15.4.9** - 2 pages]
10. Tas Water Submission to Planning Authority Notice 27 July 2022 [**15.4.10** - 3 pages]

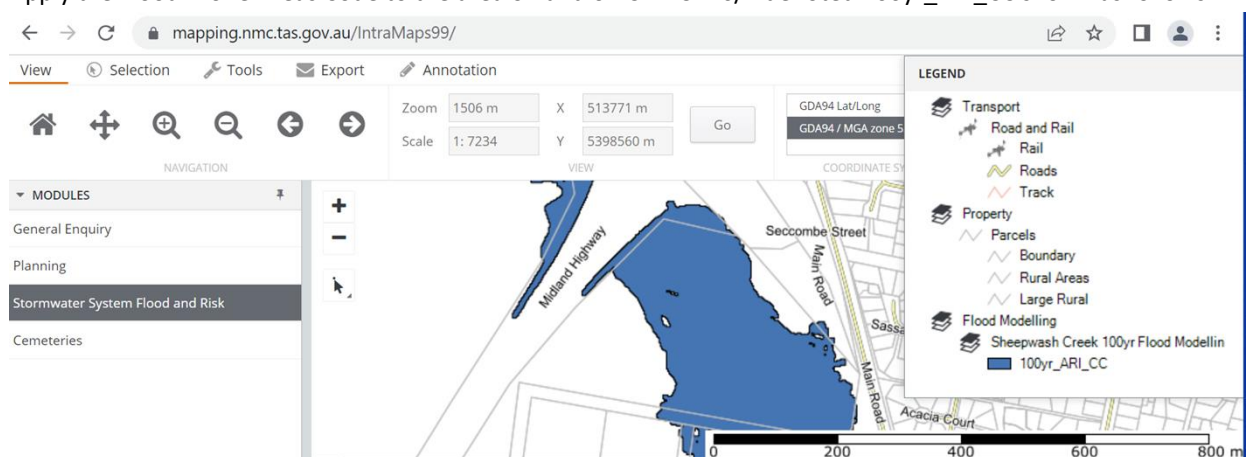
RECOMMENDATION

- A** That Council, under section 34 (1) (former provisions) of the Land Use Planning and Approvals Act 1993, initiate Draft Planning Scheme Amendment 03-2022 to the Northern Midlands Interim Planning Scheme 2013 to:

Rezone part of CT173776/1 to General Residential (shown as rezoning sites) as follows:



Apply the Flood Prone Areas Code to the area of land on CT173776/1 denoted 100yr ARI CC shown as follows:





- B** That Council, acting as the Planning Authority, pursuant to section 35(1), former provisions, of the *Land Use Planning and Approvals Act* resolve to certify draft Planning Scheme Amendment 03/2022, to the Northern Midlands Interim Planning Scheme 2013 as meeting the requirements specified in Section 32, former provisions.
- C** That, pursuant to section 43F (1), former provisions, of the *Land Use Planning and Approvals Act 1993*, the Planning Authority, resolve to grant planning permit PLN22-0056, to develop and use the land for a 2 lot subdivision, in accordance with application PLN22-0056 and subject to the following conditions:

1 Layout not altered

The use and development shall be in accordance with the endorsed plans.

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.

2.2 Access (Urban)

- a) A concrete driveway crossover and thick apron must be constructed to each lot in accordance with Council standard drawing TSD R09.
- 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 Works on Council Infrastructure

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

2.7 Separation of hydraulic services

- a) All existing stormwater 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.

2.8 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 (**Appendix A.**)



4 Public Open Space Contribution

A contribution must be paid towards the cost of providing public open space infrastructure in accordance with Council policy:

- \$1,400 per additional lot created; or
- The applicant may obtain a valuation not less than one month old by a registered land valuer, of the subject land, less one of the proposed lots. The Public Open Space Rate shall total 5% of that value.

5 Sealing of Plans

All conditions must be complied with prior to sealing of the final plan of survey. Council may, at the developer's request, accept a bond or bank guarantee, for particular works or maintenance, to enable early seal and release of the final plan of survey.

MINUTE NO. 22/286

DECISION

Cr Gonion/Deputy Mayor Goss

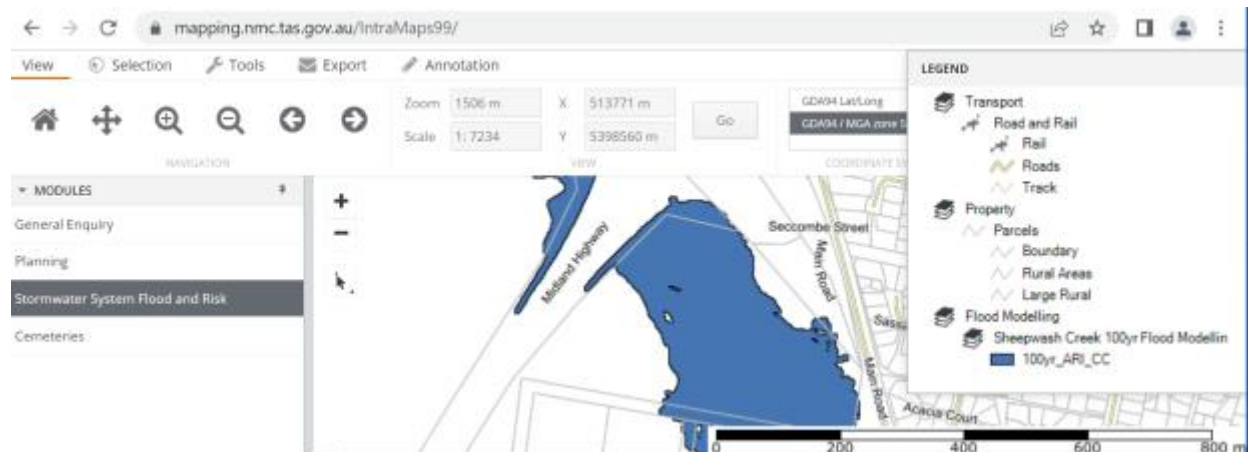
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- B** That Council, acting as the Planning Authority, pursuant to section 35(1), former provisions, of the *Land Use Planning and Approvals Act* resolve to certify draft Planning Scheme Amendment 03/2022, to the Northern Midlands Interim Planning Scheme 2013 as meeting the requirements specified in Section 32, former provisions.
- C** That, pursuant to section 43F (1), former provisions, of the *Land Use Planning and Approvals Act 1993*, the Planning Authority, resolve to grant planning permit PLN22-0056, to develop and use the land for a 2 lot subdivision, in accordance with application PLN22-0056 and subject to the following conditions:

1 Layout not altered

The use and development shall be in accordance with the endorsed plans.

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.

2.2 Access (Urban)

- a) A concrete driveway crossover and thick apron must be constructed to each lot in accordance with Council standard drawing TSD R09.
- b) **Access works must not commence** until an application for vehicular crossing has been approved by Council.

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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 Works on Council Infrastructure

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

2.7 Separation of hydraulic services

- a) All existing stormwater 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.

2.8 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 (**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 Agreement under Part 5 of Land Use Planning Approval Act 1993

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

- Future subdivision of the land must not result in lots less than 600m² in area.
- The agreement shall be prepared by the applicant and forwarded to the Council (with a cheque for the Recorder of Titles for the fee for the registration of the Agreement).

6 Sealing of Plans

All conditions must be complied with prior to sealing of the final plan of survey. Council may, at the developer's request, accept a bond or bank guarantee, for particular works or maintenance, to enable early seal and release of the final plan of survey.

Carried

Voting for the Motion:

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

Voting Against the Motion:

Cr Brooks



15.5 PLN21-0073: 2 LOT SUBDIVISION - 5 ESKLEIGH ROAD, PERTH

File: 104200.385; PLN21-0073
Responsible Officer: Des Jennings, General Manager
Report prepared by: Paul Godier, Senior Planner

1 INTRODUCTION

This report assesses an application for a 2 lot subdivision in the Rural Resource Zone at 5 Eskleigh Road, Perth.

2 BACKGROUND

Applicant:

Drummond Street Developments Pty Ltd

Zone:

Rural Resource Zone

Classification under the Scheme:

Subdivision

Deemed Approval Date:

18 August 2022

Owner:

Bernard John Einoder

Codes:

Bushfire Prone Areas Code; Carparking and Sustainable Transport Code

Existing Use:

Resource Development

Recommendation:

Refuse

Discretionary Aspects of the Application:

- Subdivision within Rural Resource zone (clause 26.4.1 P1 a).

Planning Instrument:

Northern Midlands Interim Planning Scheme 2013, Version 34, Effective from 19 March 2021.

Preliminary Discussion

- Additional information was requested (see attached).

3 STATUTORY REQUIREMENTS

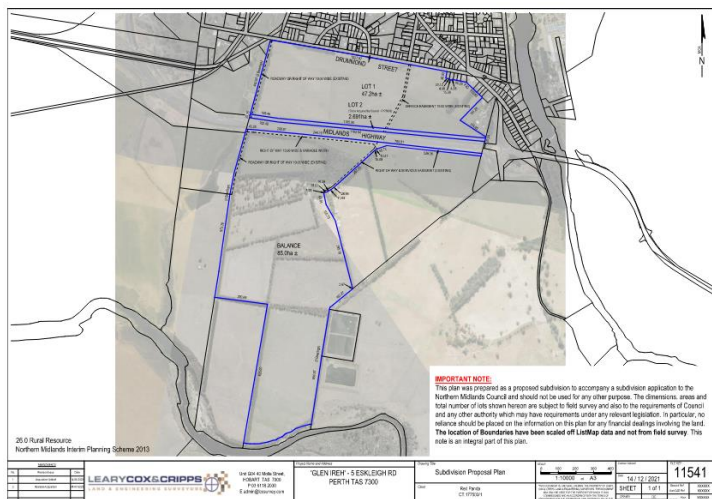
The proposal is an application pursuant to section 57 of the *Land Use Planning & Approvals Act 1993* (i.e. a discretionary application). Section 48 of the *Land Use Planning & Approvals Act 1993* requires the Planning Authority to observe and enforce the observance of the Planning Scheme. Section 51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

4 ASSESSMENT

4.1 Proposal

It is proposed to create a 2 lot subdivision:

- Lot 1 – approximately 42.2 ha;
- Balance lot – approximately 85 ha.



^Proposed plan of subdivision

4.2 Zone and Land Use

The land is zoned Rural Resource. It is used for resource development and contains a house on the proposed balance lot.

4.3 Subject Site and Locality

The site is located to the south of Perth and is divided by the Midland Highway. It is proposed to create one lot on each side of the highway.

4.4 Permit/Site History

Relevant permit history includes:

- PLN-22-0047 – current application (02/2022) to amend the planning scheme with respect to proposed Lot 1.

4.5 Representations

Notice of the application was given in accordance with Section 57 of the *Land Use Planning & Approvals Act 1993*. A review of Council's records management system after completion of the public exhibition period revealed that no representations were received.

4.6 Referrals

Council's Works & Infrastructure Department

Advised of no comment to make.

TasWater

TasWater advised that pursuant to the Water and Sewerage Industry Act 2008 (TAS) Section 56P(1) TasWater has assessed the application for the above mentioned permit and has determined that the proposed development does not require a submission from TasWater.

Department of State Growth

Advised of no comment to make, noting the proposal is for subdivision only. Requests the following note on any permit issued by Council:

Midland Highway is subject to a declaration of limited access pursuant to Part IVA of the Roads and Jetties Act 1935. With regards to the subject property, no direct access to/from Midland Highway is, or will be, permitted now, or in the future. The proclamation will apply to both to proposed Lot 1 and the Balance Lot, both sharing a common boundary with Midland Highway.



4.7 Planning Scheme Assessment

26 Rural Resource Zone

26.4.2 Subdivision

<p>Objective</p> <p>To ensure that subdivision is only to:</p> <ul style="list-style-type: none"> a) improve the productive capacity of land for resource development and extractive industries; or b) enable subdivision for environmental and cultural protection or resource processing where compatible with the zone; or c) facilitate use and development for allowable uses by enabling subdivision subsequent to appropriate development. 	
Acceptable Solutions	Performance Criteria
<p>A1 Lots must be:</p> <ul style="list-style-type: none"> a) for the provision of utilities and is required for public use by the Crown, public authority or a municipality; or b) for the consolidation of a lot with another lot with no additional titles created; or c) to align existing titles with zone boundaries and no additional lots are created. 	<p>P1 The subdivision</p> <ul style="list-style-type: none"> a) must demonstrate that the productive capacity of the land will be improved as a result of the subdivision; or b) is for the purpose of creating a lot for an approved non-agricultural use, other than a residential use, and the productivity of the land will not be materially diminished.
<p>Comment: Does not comply with A1 a), b) or c). Must be assessed against the performance criteria.</p>	<p>The application seeks to demonstrate compliance with P1 a) with the submitted Doyle Soil Land Capability Assessment. Council had this peer reviewed by Pinion Advisory who advised that while the soils and land capability component of the Doyle Soil Consulting report is strong, very technical and appropriate, the agricultural land use activity which can and could be conducted on the property (north and south of highway) in question is lacking and should be more detailed, regarding carrying capacity, types and intensity of crops which can and could be grown, irrigation/dryland production systems and potential future agricultural development opportunities (or lack thereof). In particular, the following information was required:</p> <p><i>Information on the agricultural land use activity which can and could be conducted on the property (north and south of highway), regarding carrying capacity, types and intensity of crops which can and could be grown, irrigation/dryland production systems and potential future agricultural development opportunities.</i></p> <p><i>Information on the existing integration of the block with the balance of the property regarding is it a finishing and/or breeding block, is it where fodder is harvested and supplies the balance of the property.</i></p> <p><i>Will the loss of cropping land mean a reduction in the cropping rotation length and consequently impact the viability of the balance of the property?</i></p> <p><i>The financial impact on the loss of the productivity is lacking regarding reduction in stocking rate and crops grown.</i></p>



	<p><i>Sufficient information on how the land sales money could be spent regarding the comment on page 14, that “the management of the remainder of the farm south of the highway would become easier”.</i></p> <p><i>While mention is made that land sale income could be spent on drainage, irrigation, fencing and new crop enterprises, more specific information is required in relation to;</i></p> <ul style="list-style-type: none"> ▪ <i>the need for drainage would be appropriate and how this could benefit the balance of the block</i> ▪ <i>opportunity and scope/upgrading for new irrigation (increased area, new system)</i> ▪ <i>the opportunity to purchase more water , so is water available (the cost) and quantum of water required, is the property limit for access to irrigation water already?</i> ▪ <i>what new crops could be grown, be they perennial, polyhouse berry fruit or more seasonal cash crops.</i> ▪ <i>What will the new investment do relative to the financial performance of the business conducted on the balance of the property.</i> <p>The request for additional information was appealed to the Tasmanian Civil and Administrative Tribunal. It was decided that rather than holding a hearing on the merits of the request for additional information, Council could decide the application on the information before it. If there was insufficient information to demonstrate compliance with the scheme, it could refuse the application.</p>
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CODES	
E1.0 BUSHFIRE PRONE AREAS CODE	Complies. See Bushfire Hazard Report.
E2.0 POTENTIALLY CONTAMINATED LAND	N/a
E3.0 LANDSLIP CODE	N/a
E4.0 ROAD AND RAILWAY ASSETS CODE	N/a
E.5.0 FLOOD PRONE AREAS CODE	N/a
E6.0 CAR PARKING AND SUSTAINABLE TRANSPORT CODE	The subdivision provides for carparking on site.
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 – the code does not require the provision of public open space on Rural zoned land.
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

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

STATE POLICIES
The proposal is consistent with all State Policies.

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

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

5 SERVICES

This proposal does not require any alterations to services.

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
Section 84	Council not to approve subdivision	Yes	No
84(1)(c)	Does the subdivision include any road or other works whereby drainage will be concentrated and discharged into any drain or culvert on or under any State highway, and the Minister administering the <i>Roads and Jetties Act 1935</i> has first not approved so much of the application as affects the drainage?		X
	If ‘yes’, refuse the subdivision.		
Section 85	Refusal of application for subdivision		
	Council may refuse the application for subdivision if it is of the opinion:		
85(a)	that the roads will not suit the public convenience, or will not give satisfactory inter-communication to the inhabitants both of the subdivision and the municipal area in which it is;		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



Section 86	Security for payment	Yes	No
	Does council require security for payments and the execution of works for -		
86(2)(c)	if the land is not located within 30 metres of the existing public storm water system as shown on the map made available under section 12 of the <i>Urban Drainage Act 2013</i> , payment for a public storm water system by, from, or from within, the land as determined by the council so that all lots may have connecting drains and the concentrated natural water may be lawfully disposed of and for the laying of storm water connections from a place on the boundary of each lot to the public storm water system in accordance with the by-laws of the council and to the satisfaction of its engineer;		X
86(2)(d)	the works required for the discharge of the owner's obligations under <u>section 10 of the <i>Local Government (Highways) Act 1982</i></u> in respect of the highways opened or to be opened on the subdivision;		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
	If 'yes':		
	council may refuse to approve the application until such security is given.		
	See section 86 (3) for the form of the security.		
	See section 86 (4) for when the works are to be executed.		

Section 107	Access orders	Yes	No
107 (2)	Is work of a substantial nature needed to provide access for vehicles from a highway onto the block?		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.		

Section 108	Road widening	Yes	No
108 (1) (a)	Does council, in respect of an existing highway, require to obtain a dedication of land for widening or diverting? (compensation is not payable for the dedication of land which lies within 9 metres of the middle line of the highway of a parcel into which the land is subdivided and on which no building stands)		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

Assessment of the application is within budget allocations.

6 OPTIONS

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



7 DISCUSSION

Clause 26.4.2 P1 a) of the planning scheme requires that the subdivision must demonstrate that the productive capacity of the land will be improved as a result of the subdivision.

The application seeks to demonstrate compliance with P1 a) with the submitted Doyle Soil Land Capability Assessment. Council had this peer reviewed by Pinion Advisory who advised that while the soils and land capability component of the Doyle Soil Consulting report is strong, very technical and appropriate, the agricultural land use activity which can and could be conducted on the property (north and south of highway) in question is lacking and should be more detailed, regarding carrying capacity, types and intensity of crops which can and could be grown, irrigation/dryland production systems and potential future agricultural development opportunities (or lack thereof). In particular, the following information was required:

Information on the agricultural land use activity which can and could be conducted on the property (north and south of highway), regarding carrying capacity, types and intensity of crops which can and could be grown, irrigation/dryland production systems and potential future agricultural development opportunities.

Information on the existing integration of the block with the balance of the property regarding is it a finishing and/or breeding block, is it where fodder is harvested and supplies the balance of the property.

Will the loss of cropping land mean a reduction in the cropping rotation length and consequently impact the viability of the balance of the property?

The financial impact on the loss of the productivity is lacking regarding reduction in stocking rate and crops grown.

Sufficient information on how the land sales money could be spent regarding the comment on page 14, that “the management of the remainder of the farm south of the highway would become easier”.

While mention is made that land sale income could be spent on drainage, irrigation, fencing and new crop enterprises, more specific information is required in relation to;

- *the need for drainage would be appropriate and how this could benefit the balance of the block*
- *opportunity and scope/upgrading for new irrigation (increased area, new system)*
- *the opportunity to purchase more water , so is water available (the cost) and quantum of water required, is the property limit for access to irrigation water already?*
- *what new crops could be grown, be they perennial, polyhouse berry fruit or more seasonal cash crops.*

What will the new investment do relative to the financial performance of the business conducted on the balance of the property.

The request for additional information was appealed to the Tasmanian Civil and Administrative Tribunal. It was decided that rather than holding a hearing on the merits of the request for additional information, Council could decide the application on the information before it. If there was insufficient information to demonstrate compliance with the scheme, it could refuse the application.

Pinion Advisory has advised that additional information is required to demonstrate compliance with clause Clause 26.4.2 P1 a) of the planning scheme which requires that the subdivision must demonstrate that the productive capacity of the land will be improved as a result of the subdivision.

As the information has not been provided, it is recommended that Council refuse the application for not complying with clause 26.4.1 P1 a).



8 ATTACHMENTS

1. Planning Application Form Proposal Page [15.5.1 - 1 page]
2. Folio Text-177503-1-2 35 Drummond St [15.5.2 - 2 pages]
3. Folio Plan-177503-1-3 [15.5.3 - 1 page]
4. Plan of Subdivision 14 December 2021 [15.5.4 - 1 page]
5. 1154101 Plan of Sub Rev 2 [15.5.5 - 1 page]
6. Doyle Soil Land Capability Assessment with Addendum [15.5.6 - 15 pages]
7. Bushfire Hazard Management Report Scott Livingston 30 March 2022 [15.5.7 - 19 pages]
8. Additional Information Request [15.5.8 - 1 page]
9. Initial response to RF I, 8 April 2021 I [15.5.9 - 1 page]
10. 14.04.2022 email advising info insufficient after peer review [15.5.10 - 3 pages]
11. 22.061 - Response to Council RFI - PL N-21-0073 - 2-lot subdivision - 5 Eskleigh Road Perth 15-06-20 [15.5.11 - 3 pages]
12. 22.061 - Response to Council RFI - PL N-21-0073 - 2-lot subdivision - 5 Eskleigh Road Perth 15-06-20 [15.5.12 - 3 pages]
13. 22.061 - Response to Council RFI - PL N-21-0073 - 2-lot subdivision - 5 Eskleigh Road, Perth 15-06-2 [15.5.13 - 3 pages]
14. 6 ty Degrees Response to Council RFI - PL N-21-0073 - 2-lot subdivision - 5 Eskleigh Road, Perth [15.5.14 - 2 pages]
15. Additional info still required 14.04.22 [15.5.15 - 2 pages]
16. Additional Information Request (2) [15.5.16 - 1 page]
17. Peer review by Pinion 12.04.22 [15.5.17 - 4 pages]
18. Additional Info still required 22.6.22 [15.5.18 - 1 page]
19. DSG response [15.5.19 - 1 page]
20. Email confirming inadequate information, remains on STOP [15.5.20 - 3 pages]
21. P 176603 [15.5.21 - 3 pages]
22. PL N-21-0073 public exhibition documents [15.5.22 - 40 pages]
23. SUPERSEDED L 210328 2 Lot Subdivision - Letter addressing Performance Criteria [15.5.23 - 2 pages]
24. SUPERSEDED Woolcott Surveys Bushfire Exemption Package - 2 Lot Subdivision - 5 Eskleigh Road, Perth [15.5.24 - 16 pages]
25. SUPERSEDED Woolcott Surveys Plan of Subdivision [15.5.25 - 1 page]
26. Tas Water response - no comment required under legislation [15.5.26 - 1 page]
27. WI referral PL N-21-0073 5 Eskleigh Road Perth [15.5.27 - 1 page]
28. SUPERSEDED Screen Shot 2021-03-21 at 09.06.47 [15.5.28 - 1 page]

RECOMMENDATION

That application PLN21-0073 for a 2 lot subdivision at 5 Eskleigh Road, Perth, be refused on the following grounds:

- 1) the application has not demonstrated compliance with clause 26.4.1 P1 a) of the Northern Midlands Interim Planning Scheme 2013 which requires that the subdivision must demonstrate that the productive capacity of the land will be improved as a result of the subdivision

MINUTE NO. 22/287

DECISION

Deputy Mayor Goss/Cr Goninon

That application PLN21-0073 for a 2 lot subdivision at 5 Eskleigh Road, Perth, be refused on the following grounds:

- 1) the application has not demonstrated compliance with clause 26.4.1 P1 a) of the Northern Midlands Interim Planning Scheme 2013 which requires that the subdivision must demonstrate that the productive capacity of the land will be improved as a result of the subdivision

Carried

Voting for the Motion:

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

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. 22/288

DECISION

Deputy Mayor Goss/Cr Goninon

That the Council cease to act as a Planning Authority under the *Land Use Planning and Approvals Act 1993*, for the remainder of the meeting.

Carried Unanimously

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)
Land Acquisition/Purchase	15(2)(f)
Committee Membership	15(2)(g)
Committee Membership	15(2)(g)
Contract/Tender	15(2)(d)
Land Acquisition/Purchase/Lease	15(2)(f)
Legal Issues	15(2)(i)
Personnel Matters	15(2)(a)

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.

Mr Atkinson left the meeting at 7.45pm.

MINUTE NO. 22/290

DECISION

Deputy Mayor Goss/Cr Lambert

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

Carried Unanimously

17.1 CLOSED COUNCIL DECISIONS RELEASED

4.1 Membership Appointment: Local Recycling Committee

MINUTE NO. 22/294

DECISION

Cr Adams/Cr Lambert

That Council

- A) in relation to this matter, appoint Lisa McEachern (Banfield) to the membership of the Northern Midlands Council Local Recycling Committee; and
- B) Council, in relation to this matter:
 - i) consider whether any discussion, decision, report or document is kept confidential or released to the public; and
 - ii) determined to **release the decision** to the public.

Carried Unanimously

Voting for the Motion:

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

Voting Against the Motion:

Nil

4.2 Applications For Membership: Local District Committees

MINUTE NO. 22/295

DECISION

Cr Adams/Cr Brooks

That Council

- A) Appoint Annette Aldersea as a member of the Longford Local District Committee for the remainder of the 2021-2023 membership term.
- B) Appoint Elizabeth Porter as a member of the Campbell Town Local 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 Goninon and Cr Lambert

Voting Against the Motion:

Nil



4.3 Expressions of Interest: Sale of Town Hall, Campbell Town

MINUTE NO. 22/296

DECISION

Cr Goninon/Deputy Mayor Goss

- A) That Council appoints Knight Frank to market and sell the Town Hall in Campbell Town on behalf of Council.
- 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 and Cr Goninon

Voting Against the Motion:

Cr Brooks and Cr Lambert

18 CLOSURE

RECOMMENDATION

That Council move out of the "Closed Meeting".

MINUTE NO. 22/300

DECISION

Cr Goninon/Deputy Mayor Goss

That Council move out of the "Closed Meeting".

Carried Unanimously

Mayor Knowles closed the meeting at 8.40pm.

MAYOR _____ DATE _____